



THE TORONTO AND REGION CONSERVATION AUTHORITY

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THE TORONTO AND REGION CONSERVATION AUTHORITY

MEETING OF THE AUTHORITY #10/05
January 6, 2006

The Authority Meeting #10/05, was held in the South Theatre, Black Creek Pioneer Village, on Friday, January 6, 2006. The Chair Dick O'Brien, called the meeting to order at 10:12 a.m.

PRESENT

Maria Augimeri	Member
Gay Cowbourne	Member
Frank Dale	Member
Glenn De Baeremaeker	Member
Rob Ford	Member
Pamela Gough	Member
David Gurin	Member
Suzan Hall	Member
Norm Kelly	Member
Glenn Mason	Member
Dick O'Brien	Chair
Gerri Lynn O'Connor	Vice Chair
Bill O'Donnell	Member
Linda Pabst	Member
Dave Ryan	Member
Nancy Stewart	Member

ABSENT

Bas Balkissoon	Member
David Barrow	Member
Michael Di Biase	Member
Bill Fisch	Member
Colleen Jordan	Member
Peter Milczyn	Member
Shelley Petrie	Member
Maja Prentice	Member
Andrew Schulz	Member
John Sprovieri	Member
Michael Thompson	Member

RES.#A275/05 - MINUTES

Moved by: Linda Pabst
Seconded by: Bill O'Donnell

THAT the Minutes of Meeting #9/05, held on November 25, 2005, be approved.

CARRIED

DELEGATIONS

- (a) A delegation by Mr. Brian Bailey, President, Citizens Concerned about the Future of the Etobicoke Waterfront (CCFEW), in regards to item 7.4 - Lakeshore Grounds.
- (b) A delegation by Irene Harrett of 29 Elton Crescent, Etobicoke, in regards to item 7.4 - Lakeshore Grounds.
- (c) A delegation by Margaret Catto, Member, Toronto Ornithological Club, in regards to item 7.4 - Lakeshore Grounds.
- (d) A delegation by Ruth Grier of 74 Arcadian Circle, Etobicoke, in regards to item 7.4 - Lakeshore Grounds.

RES.#A276/05 - DELEGATIONS

Moved by: Dave Ryan
Seconded by: Bill O'Donnell

THAT above-noted delegations (a) - (d) be heard and received.

CARRIED

PRESENTATIONS

- (a) A presentation by Ron Dewell, Senior Manager, Conservation Lands and Property Services, Toronto and Region Conservation Authority in regards to the purchase of the Pleasure Valley property and the contribution by Craig Mather towards this purchase.

RES.#A277/05 - PRESENTATIONS

Moved by: Gerri Lynn O'Connor
Seconded by: Dave Ryan

THAT above-noted presentation (a) be heard and received.

CARRIED

SECTION I - ITEMS FOR AUTHORITY ACTION

RES.#A278/05 - GREENLANDS ACQUISITION PROJECT, 2006-2011
Flood Plain and Conservation Component, Lake Ontario Waterfront
Pickering Harbour Company Ltd.
CFN 36055. Acquisition of a partial taking from the Pickering Harbour
Company Ltd., located west of Liverpool Road along the Lake Ontario
shoreline, City of Pickering, Regional Municipality of Durham.

Moved by: Rob Ford
Seconded by: Glenn De Baeremaeker

THAT a partial taking containing 0.453 hectares (1.12 acres) more or less, of vacant land, be purchased from the Pickering Harbour Company Ltd. (PHC), within Registered Plan 299, City of Pickering, Regional Municipality of Durham being;

- Block B (road bed) from Millennium Square to a line between midpoint of Lots 289/218
- easterly halves of Lots 206, 210 and 297 and the westerly halves of lots 204, 208 and 299
- the westerly half of Lot 293 and all of Lot 292, and
- the westerly half of Lot 214 and all of Lot 215

located west of Liverpool Road along the Lake Ontario Shoreline;

THAT the acquisition be on the following basis:

- i) \$170,000 payable in cash;
- ii) an income tax receipt is to be made available to PHC, in the amount of \$205,000 in accordance with the guidelines set out by Canada Customs and Revenue Agency;
- iii) the PHC shall reserve an easement and right to cross Block B to access retained lands;
- iv) the Toronto and Region Conservation Authority (TRCA) shall lease Lots 290, 291, 216, 217, the east half of Lots 218 and 289, and the west half of Lots 215 and 292, Plan 299 as well as part of Block B between such lots for a nominal amount until the PHC lands immediately to the west are no longer owned by PHC;
- v) TRCA shall construct a fence along the eastern boundary of the leased lands, together with a gate, to permit access to the leased and retained lands;

THAT the lease is subject to the approval of the Minister of Natural Resources in accordance with Section 21(2) of the Conservation Authorities Act C.27 as amended;

THAT TRCA receive conveyance of the land free from encumbrance, subject to existing service easements and licenses;

THAT the firm of Gardiner Roberts LLP, Barristers & Solicitors, be instructed to complete the transaction at the earliest possible date. All reasonable expenses incurred incidental to the closing for land transfer tax, legal costs, and disbursements are to be paid;

AND FURTHER THAT the appropriate TRCA officials be authorized and directed to execute all necessary documentation required.

CARRIED

BACKGROUND

Resolution #A260/05, at Authority Meeting #9/05, held on November 25, 2005, approved the Greenlands Acquisition Project, 2006-2011.

A letter was received from the PHC requesting the TRCA enter into a land exchange involving TRCA's lot on Wharf Street on the east side of Frenchman's Bay, and a parcel of PHC land located on the west side of Frenchman's Bay south of Sunrise Avenue. Under the same letter the PHC advised that they are prepared to consider the sale of a number of small parcels they own on the east spit of Frenchman's Bay, to TRCA, subject to negotiating satisfactory compensation and subject to the two potential transactions proceeding in parallel. The TRCA owns a significant portion of the east spit and the consolidation of ownership will finally create opportunities for increased public use at the foot of Liverpool Road beyond the Millennium Square.

Under a separate letter dated November 26, 2004, the PHC, confirmed they are prepared to partner with TRCA, the City of Pickering and others to develop a Pickering Harbour Waterfront Regeneration Project. This project will likely take several years to prepare and implement, and PHC has agreed to proceed with the property consolidation on the East Spit and the Wharf Street land exchange transactions independent of the broader project.

The subject lands are located on the east spit in Frenchman's Bay. The TRCA and the City of Pickering have been trying to acquire the remaining private owned lands (PHC) on the easterly spit in Frenchman's Bay for many years. The fragmented ownership pattern, (TRCA and PHC lots) and the PHC's title to Block B (roadway through the centre of the east spit) has meant that the east spit could not be open to the public. A chain link fence with a gate was installed at the east end of the spit at the Liverpool Road property limit (Millennium Square) to restrict public access to the spit. PHC currently needs access to the west end of the spit to facilitate their dredging of the entrance to Frenchman's Bay. Staff are prepared to recommend the acquisition as outlined in the report, as it helps consolidate TRCA ownership of the east spit and will open up approximately 80% of the spit for public use and enjoyment.

The TRCA lands subject to the proposed lease were acquired from Douglas Todd on November 16, 1982, under the Waterfront Acquisition Project.

Negotiations have been conducted with Harold Hough, President of PHC.

Attached are two sketches showing the location of the subject site.

RATIONALE

The east spit in Frenchman's Bay is part of Environmentally Significant Area (ESA) 126. ESA 126 includes 15 ha of beach, wetland, forest, meadow and successional habitats. This system of habitats were identified by TRCA as essential for the healthy continuation of significant species and because the area has an unusually high diversity of biological communities. The east spit also plays an essential role in the protection of Frenchman's Bay from offshore winds and waves. The spit acts as a barrier beach which shelters the Frenchman's Bay provincially significant wetland complex which is composed of five individual wetlands. Consolidation of TRCA ownership will make a large portion of this spit available for regeneration and for public use and enjoyment consistent with the "waterfront vision" and initiatives of the City of Pickering.

TAXES AND MAINTENANCE

On December 10, 2004, the Ontario government announced a regulation that expands the environmental criteria for lands that are eligible to receive a property tax exemption for the 2005 taxation year. Based on a preliminary review of the new criteria , it would appear that these lands will be eligible for the exemption. The addition of the subject parcels will not significantly impact the TRCA's maintenance costs at this location.

City of Pickering officials are very supportive of the acquisition and have preliminarily indicated they would like to develop the lands from Liverpool Road (Millennium Square) west along the spit to the PHC retained/leased lands as part of their waterfront park system at which time it would be proposed to place all the lands under management with the city.

FINANCIAL DETAILS

It is proposed to use land sale revenues from the Wharf Street / Sunrise Avenue land exchange to fund the \$170,000 cash component of the acquisition. TRCA will issue a tax receipt for \$205,000, subject to approval of the Ecogift Program. Funds for the costs related to the purchase such as survey and legal are available in the TRCA land acquisition capital account.

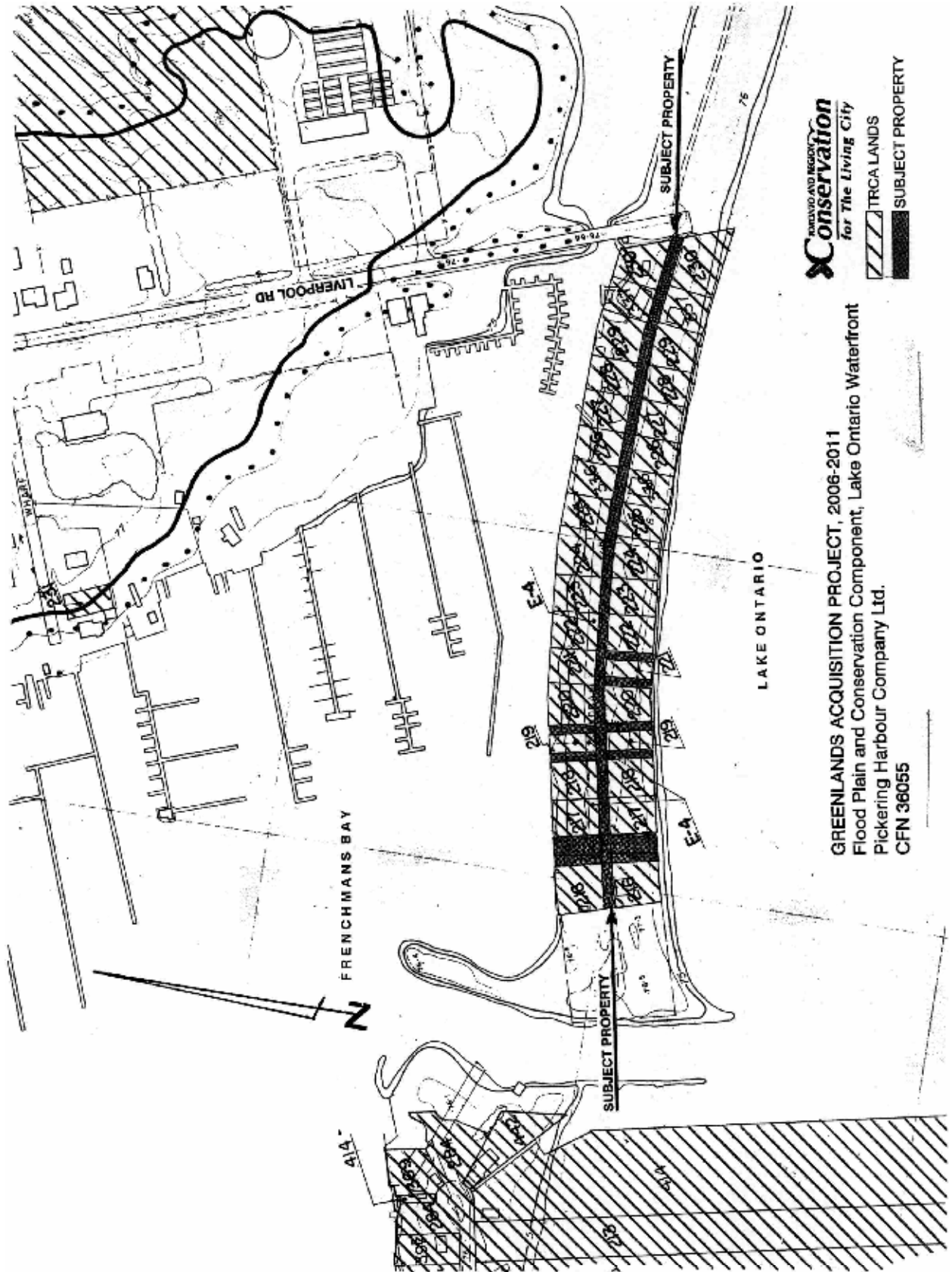
Report prepared by: Ron Dewell, extension 5245

For Information contact: Ron Dewell, extension 5245

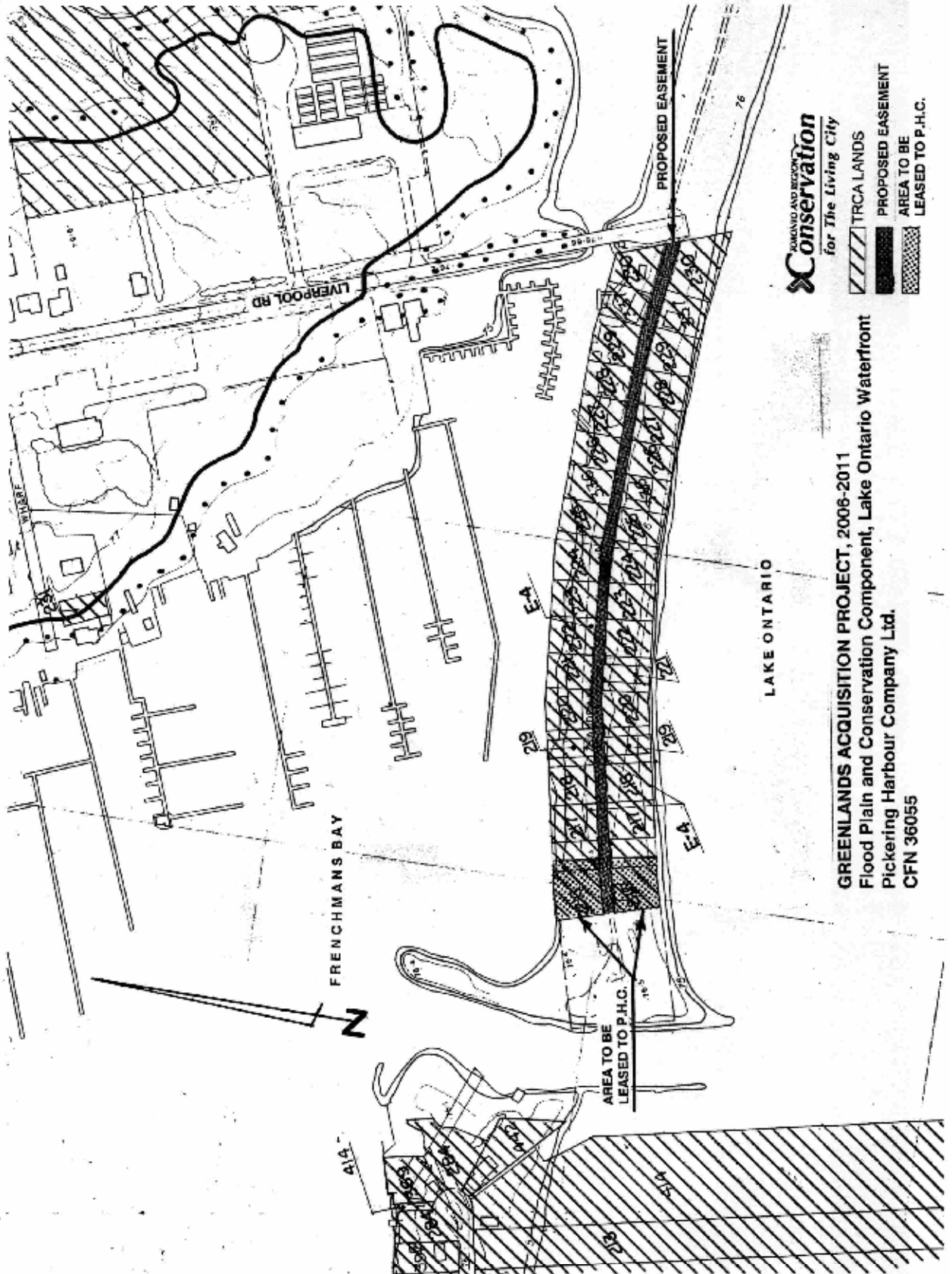
Larry Field, extension 5243

Date: December 12, 2005

Attachments: 2



GREENLANDS ACQUISITION PROJECT, 2006-2011
Flood Plain and Conservation Component, Lake Ontario Waterfront
Pickering Harbour Company Ltd.
CFN 38055



GREENLANDS ACQUISITION PROJECT, 2008-2011
Flood Plain and Conservation Component, Lake Ontario Waterfront
Pickering Harbour Company Ltd.
CFN 36055

RES.#A279/05 -

GREENLANDS ACQUISITION PROJECT, 2006-2011

Flood Plain and Conservation Component, Don River Watershed
Canadian National Railway Company, CFN 36570. Acquisition of a partial taking from the Canadian National Railway Company, located on the west side of the Don River, at the eastern terminus of Mill Street, City of Toronto, required for the construction of the CN Kingston Subdivision Bridge Extension and Bala Subdivision Underpass Component 1 of the Lower Don River West Flood Protection Project.

Moved by: Rob Ford
Seconded by: Glenn De Baeremaeker

THAT a partial taking containing 0.396 hectares (0.979 acres), more or less, improved with a bill board, be purchased from Canadian National Railway Company (CN), being Parts 1, 2 and 3 on draft survey plan prepared by Holding Jones Vanderveen Inc. , City of Toronto, located on the west side of the Don River, at the eastern terminus of Mill Street on the following basis;

- i) the purchase price be \$355,000 together with vendors legal costs;**
- ii) that Toronto and Region Conservation Authority (TRCA) fence the abutting lands being retained by CN;**
- iii) that CN retain an easement over Part 2, on the draft survey plan for future northward relocation of the railway embankment and maintenance of services;**
- iv) that CN terminate the bill board agreement and remove the sign within 30 days of completing the transaction:**

THAT TRCA receive conveyance of the land free from encumbrance, subject to existing service easements and licenses;

THAT completion of this transaction is conditional on receiving funding from the Toronto Waterfront Revitalization Corporation;

THAT the firm of Gardiner Roberts LLP, Barristers & Solicitors, be instructed to complete the transaction at the earliest possible date. All reasonable expenses incurred incidental to the closing for land transfer tax, legal costs, and disbursements are to be paid;

AND FURTHER THAT the appropriate TRCA officials be authorized and directed to execute all necessary documentation required.

CARRIED

BACKGROUND

At Authority Meeting #2/05, held on March 11, 2005, Resolution #A31/05 was approved as follows:

WHEREAS Component 1 refers to the detailed design and implementation of the Canadian National Railway (CN) Kingston Line Bridge Extension as outlined in the Class EA and CEAA Screening Report for the Lower Don River West Remedial Flood Protection Project, and the Bala Line Pedestrian Tunnel as identified in the West Don Lands Precinct Plan;

WHEREAS Component 2 refers to the detailed design and implementation of the Flood Protection Landform as outlined in the Class EA and CEAA Screening Report for the Lower Don River West Remedial Flood Protection Project;

WHEREAS Component 3 refers to the detailed design and implementation of the dyke/retaining wall system and the Enbridge Gas utility bridge modifications as outlined in the Class EA and CEAA Screening Report for the Lower Don River West Remedial Flood Protection Project;

WHEREAS the Toronto and Region Conservation Authority (TRCA) has been identified by the TWRC as the recipient agency to undertake the detailed design and implementation of Component 1 of the Lower Don River West Remedial Flood Protection Project;

WHEREAS there is a particular urgency to start the design of Component 1 so as to take advantage of a narrow window of opportunity for construction to occur in 2005 and 2006;

THEREFORE LET IT BE RESOLVED THAT TRCA staff be directed to work with TWRC to finalize the work plan and Delivery Agreement for the Lower Don River West Remedial Flood Protection Project;

THAT the Authority direct the signing officers of the TRCA, subject to authorization by the TWRC and based on the recommendation of the selection committee, to confirm the successful team and commence the work for the design and implementation for Component 1 of the Lower Don River West Remedial Flood Protection Project;

THAT the appropriate TRCA officials be authorized and directed to take any action necessary to implement the design and implementation of Component 1, including the execution of all documentation required;

TRCA staff have worked closely with representatives of TWRC, CNR, GO Transit and the City of Toronto to develop a final detailed design and to determine temporary access and working areas and permanent property requirements for the CN Kingston Bridge Extension and the Bala Pedestrian Underpass project.

CN have reviewed their holdings in this area and declared the subject parcel surplus and have entered into an agreement to sell it to the TRCA for implementation of the project. The offer on hand is supported by an appraised value based on an independent valuation.

Negotiations have been conducted with Mr. Ernie Longo, of CN Real Estate.

Attached is a plan showing the location of the subject property.

RATIONALE

The subject property is required for the construction the CN Kingston Subdivision Bridge Extension and Bala Subdivision Underpass.

TAXES AND MAINTENANCE

This parcel of land will be turned over to the City of Toronto under the terms of the existing management agreement.

FINANCIAL DETAILS

Funds for the costs related to this purchase are available in the CN Kingston Subdivision Bridge Extension and Bala Subdivision Underpass capital account. Through the Eligible Recipient agreement TWRC will provide the funding required to complete this purchase.

Report prepared by: Ron Dewell, extension 5245

For Information contact: Ron Dewell, extension 5245

Ken Dion, extension 5230

Date: December 09, 2005

Attachments:1

Attachment 1



GREENLANDS ACQUISITION PROJECT, 2006-2011
Flood Plain and Conservation Component, Don River Watershed
Canadian National Railway Company
CFN 36570

RES.#A280/05 -

EXCHANGE OF LANDS

Vicinity of 1279 Wharf Street and Sunrise Avenue, City of Pickering
Pickering Harbour Company Ltd.

CFN 36056. Receipt of request from Pickering Harbour Company Ltd. to exchange lands in the Frenchman's Bay vicinity, City of Pickering, Regional Municipality of Durham.

Moved by: Rob Ford
Seconded by: Glenn De Baeremaeker

THAT WHEREAS the Toronto and Region Conservation Authority (TRCA) is in receipt of a request from Pickering Harbour Company Ltd. (PHC), the owner of a parcel of land in the vicinity of Sunrise Avenue, City of Pickering;

AND WHEREAS it is in the opinion of TRCA that it is in the best interest of TRCA in furthering its objectives, as set out in Section 20 of the Conservation Authorities Act, to proceed with an exchange in this instance;

THEREFORE LET IT BE RESOLVED THAT TRCA enter into an exchange of lands on the following basis:

- a) PHC will convey to TRCA a parcel of land containing 0.039 hectares (0.096 acres) more or less, of vacant land, being Lot 233, Registered Plan 345, City of Pickering, Regional Municipality of Durham, located south of Sunrise Avenue on the west side of Frenchman's Bay, together with a cash payment of \$170,000;
- b) TRCA will convey to PHC a parcel of land containing 0.046 hectares (0.114 acres), more or less, of vacant land, being Lot 19, Plan M-89, City of Pickering, Regional Municipality of Durham, located at 1279 Wharf Street on the east side of Frenchman's Bay;

THAT sale be subject to the approval of the Minister of Natural Resources in accordance with Section 21(2) of the Conservation Authorities Act C.27 as amended;

THAT the firm of Gardiner Roberts LLP, Barristers & Solicitors, be instructed to complete the transaction at the earliest possible date. All reasonable expenses incurred incidental to the closing for land transfer tax, legal costs, and disbursements are to be paid;

AND FURTHER THAT appropriate TRCA officials be authorized and directed to take whatever action may be required to give effect thereto, including the obtaining of any necessary approvals and the execution of any documents.

CARRIED

BACKGROUND

At Executive Committee Meeting #12/04, held on January 14, 2005, Resolution #B284/04 was approved as follows:

THAT the potential disposal of a lot located on the south side of Wharf Street, west of Liverpool Road, City of Pickering be referred to Toronto and Region Conservation Authority (TRCA) staff for review and discussion in accordance with established TRCA policies;

AND FURTHER THAT a report be brought forward to the Executive Committee at a future date recommending further action.

A letter was received from the PHC requesting the TRCA enter into a land exchange involving TRCA-owned land on Wharf Street on the east side of Frenchman's Bay and a parcel of PHC-owned land located on the west side of Frenchman's Bay south of Sunrise Avenue. Under the same letter the PHC advised that they are prepared to consider the sale of a number of small parcels they own on the east spit of Frenchman's Bay, to TRCA, subject to negotiating satisfactory compensation and subject to the two potential transactions proceeding in parallel. The TRCA owns a significant portion of the east spit and the consolidated ownership will finally create opportunities for increased public use at the foot of Liverpool Road beyond the Millennium Square.

Under a separate letter dated November 26, 2004, the PHC, confirmed they are prepared to partner with TRCA, the City of Pickering and others to develop a Pickering Harbour Waterfront Regeneration Project. This project will likely take several years to prepare and implement, and PHC has agreed to proceed with the property consolidation on the East Spit and the Wharf Street land exchange transactions independent of the broader project.

Staff are prepared to recommend the land exchange as outlined in the report, as the Wharf Street property is deemed to be surplus and the acquisition of the Sunrise Avenue property helps achieve our conservation objectives on the west side of Frenchman's Bay. City of Pickering officials are supportive of the proposed land exchange and proposed consolidation of ownership on the East Spit.

The subject TRCA property was acquired from Lionel Littleford on November 16th, 1971, under the Waterfront Acquisition Project.

Negotiations have been conducted with Harold Hough, President of PHC.

Attached is a sketch showing the location of the subject sites.

RATIONALE

The subject Sunrise Avenue property is completely surrounded by TRCA lands and will help consolidate TRCA ownership in this area. These lands are part of the Frenchman's Bay Marsh Environmentally Significant Area (ESA).

Development between 1279 Wharf Street and Frenchman's Bay has effectively isolated the property from the bay and has little potential for public use or environmental linkages and as a result has been deemed to be surplus and should be integrated into the surrounding neighbourhood.

TAXES AND MAINTENANCE

On December 10, 2004, the Ontario government announced a regulation that expands the environmental criteria for lands that are eligible to receive a property tax exemption for the 2005 taxation year. Based on a preliminary review of the new criteria , it would appear that these lands will be eligible for the exemption. The addition of the subject parcels will not significantly impact the TRCA's maintenance costs at this location.

FINANCIAL DETAILS

It is proposed that the proceeds of this sale be used to acquire priority lands approved under the TRCA's Greenlands Acquisition Project 2006-2011. In this case, it would fund the \$170,000 cash component of the proposed acquisition on the East Spit.

Report prepared by: Ron Dewell, extension 5245

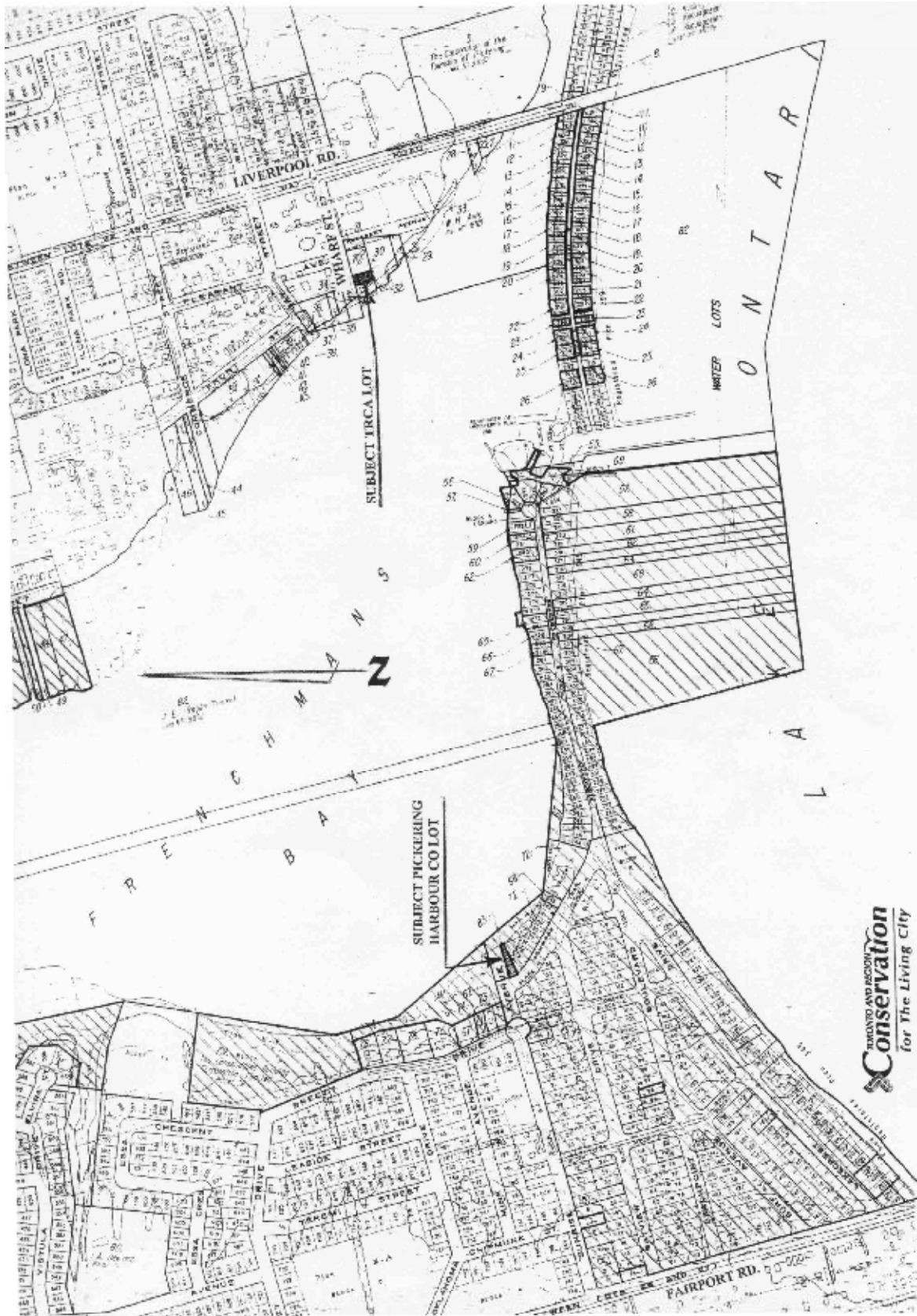
For Information contact: Ron Dewell, extension 5245

Larry Field, extension 5243

Date: December 14, 2005


Attachments: 1

Attachment 1



REQUEST FOR DISPOSAL OF TORONTO AND REGION
 CONSERVATION AUTHORITY-OWNED LAND
 South side of Wharf Street west of Liverpool Road
 CFN 36056

Conservation
 for The Living City

-  TRCA LANDS
-  SUBJECT TRCA LOT
-  SUBJECT PICKERING HARBOUR CO LOT

RES.#A281/05 -

**CAMP VILLAS CORPORATION AND TOWN OF CALEDON
ONTARIO MUNICIPAL BOARD HEARING**

Authorization for party status before the Ontario Municipal Board on matters related to an official plan amendment and rezoning application to permit the development of a single detached dwelling on lands currently designated Environmental Policy Area (EPA) and Hazard Land 5 (HL-5) in the Town of Caledon.

Moved by: Rob Ford
Seconded by: Glenn De Baeremaeker

THAT authorization be given to Toronto and Region Conservation Authority (TRCA) staff to obtain party status before the Ontario Municipal Board (OMB) regarding proposed official plan amendment and rezoning applications that are not in conformity with the Valley and Stream Corridor Management Program, or the environmental protection policies of TRCA's partner agencies;

THAT staff continue to work cooperatively with TRCA's municipal partners and appellants to ensure that the requirements of the Valley and Stream Corridor Management Program are met;

THAT staff be authorized to retain legal counsel to pursue this appeal before the Ontario Municipal Board;

AND FURTHER THAT the Ontario Municipal Board and all parties and participants to the hearing be so advised.

CARRIED

BACKGROUND

The applicant is proposing to re-designate and rezone the northeast portion of valley Block 144 in Plan M-1586 (currently designated as Environmental Policy Area by the Town of Caledon) to allow for a single detached dwelling on a separate lot with an area of approximately 0.27 hectares (0.67 acres). The subject lands are east of Kingsview Drive and south of Egan Crescent located at the southern extreme of Mount Hope Road, in the Town of Caledon. The surrounding land uses are presently residential to the north, and valleylands to the south, west and east (the Toronto Montessori School owns the lands to the east of the subject property).

The lands subject to this application are part of the noted registered plan (known as 'Camp Villas') which was subject to approval by the OMB, regarding unrelated matters, on January 10, 2004 (Decision/Order no. 0034). The Subdivision Agreement and Condition of Draft Approval #58 for the Draft Plan generally indicate that the developer shall convey [valley] Block 144 to the public within three (3) years after the date of registration of the plan provided that, if within that time, the developer prepares an environmental impact study (EIS) satisfying the town and TRCA that the EPA designation can be removed from the northeasterly part of [valley] Block 144 and replaced with the Agricultural designation. The EIS must clearly show that the proposed development of these lands will not adversely impact the natural system in this area to the satisfaction of the town and TRCA. Subject to this, the northeasterly part of Block 144 may be excluded from the conveyance of [valley] Block 144, and developed accordingly.

The subject property is designated as EPA in the town's official plan, zoned Hazard Lands, and identified as a Core Area of the Region of Peel's Greenland System. In addition, this area is identified as Existing Cover within the 'Target System' in TRCA's Terrestrial Natural Heritage System Strategy. During the planning process for the associated subdivision, TRCA staff noted that this portion of the property contains significant vegetation that is contiguous with the valleylands, and thus, is considered to be an integral component of the valley corridor. TRCA staff has also indicated that in the event that an application to re-designate these lands to facilitate development comes forward, the onus is on the applicant to demonstrate that the features and functions of these lands do not warrant EPA designation, or meet TRCA's Environmentally Significant Area (ESA) criteria.

TRCA staff have reviewed the EIS submitted in support of this application and determined that the proposed development of these lands would result in adverse impacts to the natural system, and that the removal of these lands from EPA cannot be supported by TRCA staff.

As such, TRCA staff recommended denial of the application to the Region of Peel and Town of Caledon. Subsequently, Town Council denied the applicant's request to re-designate the lands to facilitate the proposed development. The applicant is presently challenging this decision at the Ontario Municipal Board.

In accordance with the Memorandum of Understanding that is in place between TRCA and the Town of Caledon, under which TRCA acts as technical environmental advisors to the town, town staff have requested the active participation of TRCA in this hearing to ensure that our mutual environmental protection objectives are upheld.

RATIONALE

The OMB hearing is scheduled for January 18, 2006, and the board has set aside three (3) days for the proceedings. Upon discussions with Town of Caledon legal staff, TRCA staff has been advised that it is in the best interest of the Town of Caledon and TRCA to obtain separate council to represent our respective interests in these matters. Town of Caledon staff will continue to work with TRCA, however, it is our understanding that the town may also object to the approval of the noted applications based on additional municipal planning related issues (i.e. servicing and other infrastructure matters). Based on TRCA staff's past experiences with similar OMB hearings, we estimate legal costs to be \$10,000 to \$15,000. However, TRCA staff will make every effort to reduce hearing costs to the greatest extent possible.

TRCA staff consider TRCA's involvement to be critical in this hearing for the following reasons:

- a provincially and nationally endangered species has been identified on the site (Butternut);
- the subject land is a part of a valley corridor that was identified as a candidate ESA;
- the subject land is a part of a valley corridor that TRCA staff believes meets the criteria to be classified as a Provincially Significant Woodland;
- the development as proposed will require the removal of significant vegetation and edge habitat which supports the adjacent valleylands; and
- the proposed development would in the opinion of TRCA staff result in potentially significant negative impacts to the larger natural system.

TRCA staff reviewed the submitted EIS and concluded that due to the ecological sensitivity of this area, there is no opportunity to gain access and/or locate the proposed structure on this site without removing and/or negatively impacting its ecological integrity. The subject property has been identified as part of a candidate ESA which provides ecological functions integral to maintaining the integrity of the larger valley system. The area provides functions such as habitat for native flora and fauna species, as well as 'edge habitat' providing buffering between the more sensitive interior habitat and external impacts such as wind, sun, invasive species and negative anthropogenic forces (i.e. lighting, noise, intrusion and trampling). Additionally, the property contains Butternut which is a provincially and nationally endangered species.

DETAILS OF WORK TO BE DONE

Staff is requesting the authorization to retain legal counsel to ensure that TRCA interests are protected and addressed at the noted OMB hearing. However, TRCA staff will continue to work with all parties and participants to the hearing to try to resolve the outstanding issues noted above with the least possible cost to TRCA.

Report prepared by: Quentin Hanchard, extension 5324
For Information contact: Quentin Hanchard, extension 5324
Date: January 05, 2006

RES.#A282/05 - **LAKESHORE GROUNDS**
Proposed Skateboard Facility. The City of Toronto is proposing to construct a skateboard facility on city-owned land within the Lakeshore Grounds.

Moved by: Gay Cowbourne
Seconded by: Bill O'Donnell

IT IS RECOMMENDED THAT the report on the Lakeshore Grounds - Proposed Skateboard Facility be received.

AMENDMENT #1
RES.#A283/05

Moved by: Gay Cowbourne
Seconded by: Bill O'Donnell

THAT the main motion be replaced with the following:

WHEREAS Etobicoke Council approved the Master Design and Implementation Plan on April 28, 1997, per Resolution 178;

THEREFORE LET IT BE RESOLVED THAT the City of Toronto be requested to review the status of any agreements that govern the overall management of the Lakeshore Grounds;

THAT the Toronto and Region Conservation Authority (TRCA) request that the City of Toronto continue the dialogue with interested stakeholders, including TRCA, regarding an appropriate level of environmental evaluation and the development of a skateboard facility design that will enhance the unique natural environment of the Lakeshore Grounds;

AND FURTHER THAT TRCA request that the City of Toronto take this opportunity to prepare an integrated detailed site design for the skating facility as well as the skateboard park, to ensure all environmental concerns are addressed.

RECORDED VOTE

Maria Augimeri	Yea
Gay Cowbourne	Yea
Frank Dale	Yea
Glenn De Baeremaeker	Yea
Pamela Gough	Yea
David Gurin	Yea
Suzan Hall	Yea
Norm Kelly	Yea
Glenn Mason	Yea
Elaine Moore	Yea
Dick O'Brien	Yea
Gerri Lynn O'Connor	Yea
Bill O'Donnell	Yea
Linda Pabst	Yea
Dave Ryan	Yea
Nancy Stewart	Yea

AMENDMENT #2

RES.#A284/05

Moved by: Glenn De Baeremaeker
Seconded by: Suzan Hall

THAT the following be inserted after Amendment #1:

THAT TRCA send a letter to the City of Toronto offering assistance in the creation of a habitat restoration master plan for all lands in the vicinity of the Lakeshore Grounds.

AMENDMENT #1 WAS CARRIED

AMENDMENT #2 WAS CARRIED

THE MAIN MOTION, AS AMENDED WAS CARRIED

The resultant motion reads as follows:

WHEREAS Etobicoke Council approved the Master Design and Implementation Plan on April 28, 1997, per Resolution 178;

THEREFORE LET IT BE RESOLVED THAT the City of Toronto be requested to review the status of any agreements that govern the overall management of the Lakeshore Grounds;

THAT the Toronto and Region Conservation Authority (TRCA) request that the City of Toronto continue the dialogue with interested stakeholders, including TRCA, regarding an appropriate level of environmental evaluation and the development of a skateboard facility design that will enhance the unique natural environment of the Lakeshore Grounds;

THAT TRCA request that the City of Toronto take this opportunity to prepare an integrated detailed site design for the skating facility as well as the skateboard park, to ensure all environmental concerns are addressed.

AND FURTHER THAT TRCA send a letter to the City of Toronto offering assistance in the creation of a habitat restoration master plan for all lands in the vicinity of the Lakeshore Grounds.

BACKGROUND

The City of Toronto is proposing to construct a skateboard facility on city-owned land within the Lakeshore Grounds, adjacent to Colonel Samuel Smith Park.

At Authority Meeting #8/05, held on October 28, 2005, Resolution #A222/05 was approved as follows, in response to correspondence (b), as outlined in Attachment 1:

THAT above-noted correspondence (b) be referred to the Watershed Management Advisory Board.

Toronto and Region Conservation Authority (TRCA) participated in the public consultation of the proposed skateboard facility and have provided input throughout the preliminary planning process. TRCA will work with the City of Toronto to assist in the preparation of a detailed proposal and site plan that reflects the unique nature of the site.

In principle, TRCA has no objection to a skateboard facility within the Lakeshore Grounds, as part of Colonel Samuel Smith Park. However, if this location is chosen for the skateboard facility, TRCA suggests that the City of Toronto continue to consult with the appropriate stakeholders to ensure appropriate facility design for the site, including measures to avoid or mitigate potential impacts.

COLONEL SAMUEL SMITH PARK BACKGROUND

In December 1980, TRCA received approval under the Environmental Assessment Act to create a regional waterfront park at the Colonel Samuel Smith Waterfront Area. The master plan was later revised in 1992 and a Declaration Order pursued from the Ministry of the Environment to address implementation and detailed design issues. The most significant modification was the replacement of a swimming lake with marsh/wetland creation keeping with TRCA's natural habitat initiative, the Lake Ontario Waterfront Regeneration Project for 1992-1994. In 1996, the City of Toronto prepared a Master Design and Implementation Plan for the Lakeshore Grounds to better integrate Colonel Samuel Smith Park with the Humber College area.

FINANCIAL DETAILS

There are no financial implications to TRCA budget.

Report prepared by: Connie Pinto, extension 5387

For Information contact: Nancy Gaffney, extension 5313

Date: December 14, 2005

Attachments: 1

Attachment 1

CITIZENS CONCERNED ABOUT THE FUTURE OF THE ETOBICOKE WATERFRONT – 6
Meaford Avenue, Toronto M8V2H5

October 26, 2005

Chairman and Members
Toronto and Region Conservation Authority

Re: Colonel Sam Smith Park

We write to share with you our concern about the City's recent plans to build a regional skateboard facility in Colonel Sam Smith Park. Col. Sam Smith is one of the waterfront parks in south Etobicoke for which CCFEW has raised money, organised clean-up days and tree plantings and where we conduct regular bird walks. We shared the Authority's pride when you received an international waterfront award for this park.

With the TRCA we were members of the Lakeshore Grounds Design and Management Committee which, along with a Technical Working Group, met regularly for several years to develop a Master Design and Implementation Plan for the park. The Plan called for the establishment of a Design and Management Committee and a Public Advisory Group. Unfortunately the City, despite repeated requests to do so, has not created either of those bodies and in recent years consultation with CCFEW and community residents has been a hit and miss experience.

Now the Parks Department is recommending that a \$500,000 one and a half acre skateboard facility be constructed in an area south of the Power House and bordering the part of the park that is designated a natural heritage area. There has been one public meeting organised by the local Councillor at which four parks were identified as possible locations for such a project. At this meeting many questions were raised by those present, the majority of whom did not favour Col. Sam Smith as the site of a skateboard facility. Since then Councillor Grimes and the City's Manager of Parks, Recreation and Forestry have made it clear that their preferred site is Col. Sam Smith and that the final decision will be made by them without further reference to City Council.

We understand that the Parks Department has contracted with a biologist to prepare answers to the concerns presented by CCFEW and others at the public meeting but we have been refused information about the terms of reference of this study and have been told that it will not be made public until after the decision is made about where to locate the skateboard facility. A local resident has filed a Freedom of Information request with the City with respect to this.

The goal of the Master Plan for Col. Sam Smith Park is “To conserve the heritage features, evoke historical land uses and restore ecological integrity to the site while providing a place that is distinctive, accessible and conducive to the public’s education, recreation and well-being.” There are detailed clauses about how to “restore, improve and establish ecological systems and units” and until now the Authority and the City have done a wonderful job of doing just that. Under the heading of “Public Recreation Principles” the Plan says that passive recreation facilities should dominate, that facilities should be developed in a manner that is compatible with existing heritage and environmental features, that “single purpose facilities which occupy large land areas should be discouraged at this specific site”. CCFEW does not believe that a major skateboard facility meets any of these criteria. We are concerned about the effect a massive concrete structure will have on bird and wildlife habitat. We think that there should be a comprehensive storm water management plan. We note that the City describes a similar skateboard facility in Willowdale as having the advantage of being visible from two major streets – Leslie and Cummer. The Power House location is only visible from an internal park road and, given the vandalism that has damaged signs and lookout platforms in the park for which CCFEW raised funds, we are concerned that security fences and lights will be constructed in the future. This would greatly alter the nature of Col. Sam Smith Park.

TRCA has made a significant investment in this park. The leadership and expertise that you have contributed over the many years of debate and planning led to the creation of a unique natural waterfront in south Etobicoke. Colonel Sam Smith Park as it is today will be seriously compromised if the City continues with its skateboard plans and so we need your intervention to protect this priceless asset. We ask that you refer this matter to the Waterfront Advisory Board for further consideration and we request an opportunity to appear before the Board when the issue is next discussed.

Thank you.

Brian Bailey, President,
Citizens Concerned about the Future of the Etobicoke Waterfront (CCFEW)
6 Meaford Avenue,
Toronto M8V2H5
416-288-3060 ext. 5450
416-253-9811 (evenings)
ccfew@sympatico.ca

PROJECT 2001-2005

Flood Plain and Conservation Component, Don River Watershed
Dream Works Property Inc., CFN 37015. Purchase of property located at
11281 Keele Street (south of Kirby Road, east of Keele Street, City of
Vaughan, under the "Natural Heritage Lands Protection and Acquisition
Project 2001-2005", Flood Plain and Conservation Component, Don
River watershed.

(Executive Res.#B134/05)

Moved by: Gerri Lynn O'Connor
Seconded by: Dave Ryan

THAT 12.98 hectares (32.07 acres), more or less, of vacant land be purchased from Dream Works Property Inc., being Part of Lot 29, Concession 3 and designated as Blocks 314, 315 and 324 on a Plan of Subdivision prepared by Weston Consulting Group Inc., City of Vaughan, located at 11281 Keele Street (south of Kirby Road, east of Keele Street);

THAT the purchase price be \$2.00;

THAT Toronto and Region Conservation Authority (TRCA) receive conveyance of the land free from encumbrance, subject to existing service easements;

THAT the firm of Gardiner Roberts LLP, Barristers & Solicitors, be instructed to complete the transaction at the earliest possible date. All reasonable expenses incurred incidental to the closing for land transfer tax, legal costs, and disbursements are to be paid;

AND FURTHER THAT the appropriate TRCA officials be authorized and directed to execute all necessary documentation required.

CARRIED

**RES.#A286/05 - NATURAL HERITAGE LANDS PROTECTION AND ACQUISITION
PROJECT 2001-2005**

Flood Plain and Conservation Component, Don River Watershed
Hyatt Homes (Wigston) Inc., CFN 37068. Purchase of property located
south of Highway 407, east of Bathurst, City of Vaughan, Regional
Municipality of York, under the "Natural Heritage Lands Protection and
Acquisition Project 2001-2005", Flood Plain and Conservation
Component, Don River watershed.

(Executive Res.#B135/05)

Moved by: Gerri Lynn O'Connor
Seconded by: Dave Ryan

THAT 0.298 hectares (0.736 acres), more or less, of vacant land be purchased from Hyatt Homes (Wigston) Inc., being Part of Lot 34, Concession 1 W.Y.S and designated as Block 8 on a Plan of Survey prepared by Donald E. Roberts Ltd., Ontario Land Surveyors, under reference no. 04-6203-1, City of Vaughan, Regional Municipality of York, located south of Highway 407, east of Bathurst;

THAT the purchase price be \$2.00;

THAT Toronto and Region Conservation Authority (TRCA) receive conveyance of the land free from encumbrance, subject to existing service easements;

THAT the firm of Gardiner Roberts LLP, Barristers & Solicitors, be instructed to complete the transaction at the earliest possible date. All reasonable expenses incurred incidental to the closing for land transfer tax, legal costs, and disbursements are to be paid;

AND FURTHER THAT the appropriate TRCA officials be authorized and directed to execute all necessary documentation required.

CARRIED

RES.#A287/05 -

**NATURAL HERITAGE LANDS PROTECTION AND ACQUISITION
PROJECT 2001-2005**

Flood Plain and Conservation Component, Humber River Watershed
Harmony Park Properties Inc., CFN 37096. Purchase of property located at the rear of 3025 Finch Avenue (east of Islington Avenue, south of Finch Avenue), City of Toronto, Etobicoke York Community Council Area, under the "Natural Heritage Lands Protection and Acquisition Project 2001-2005", Flood Plain and Conservation Component, Humber River watershed.

(Executive Res.#B136/05)

Moved by: Gerri Lynn O'Connor
Seconded by: Dave Ryan

THAT 1.86 hectares (4.61 acres), more or less, of vacant land be purchased from Harmony Park Properties Inc., being Part of Lot 20, Concession 6 and designated as Parts 5 and 7 on a draft Plan of Survey prepared by R. Avis Surveying Inc., under their Project No. 1972-4, dated July 13, 2005, City of Toronto, Etobicoke York Community Council Area, located at the rear of 3025 Finch Avenue (east of Islington Avenue, south of Finch Avenue);

THAT the purchase price be \$2.00;

THAT the Toronto and Region Conservation Authority (TRCA) receive conveyance of the land free from encumbrance, subject to existing service easements;

THAT the firm of Gardiner Roberts LLP, Barristers & Solicitors, be instructed to complete the transaction at the earliest possible date. All reasonable expenses incurred incidental to the closing for land transfer tax, legal costs, and disbursements are to be paid;

AND FURTHER THAT the appropriate TRCA officials be authorized and directed to execute all necessary documentation required.

CARRIED

RES.#A288/05 -

THE REGIONAL MUNICIPALITY OF YORK

Conveyance of Land for the Widening and Reconstruction of Islington Avenue, including the construction of a driveway to the Cosimo Cotroneo and Teresa Patrizia Cotroneo property at 7961 Islington Avenue Humber River Watershed, CFN 34906. Receipt of a request from The Regional Municipality for York for conveyance of land for the widening and reconstruction of Islington Avenue, including the construction of a driveway to the Cosimo Cotroneo and Teresa Patrizia Cotroneo property at 7961 Islington Avenue.

(Executive Res.#B137/05)

Moved by: Gerri Lynn O'Connor

Seconded by: Dave Ryan

WHEREAS Toronto and Region Conservation Authority (TRCA) is in receipt of a request from The Regional Municipality of York to convey certain lands for the widening and reconstruction of Islington Avenue, including the construction of a driveway to the Cosimo Cotroneo and Teresa Patrizia Cotroneo property at 7961 Islington Avenue in the City of Vaughan.

AND WHEREAS it is in the opinion of the TRCA that it is in the best interest of TRCA in furthering its objectives, as set out in Section 20 of the Conversation Authorities Act, to cooperate with The Regional Municipality of York in this instance;

THEREFORE LET IT BE RESOLVED THAT one parcel of TRCA-owned land containing 0.0263 hectares (0.0649 acres), more or less, be conveyed to The Regional Municipality of York for the widening and reconstruction of Islington Avenue, including the construction of a driveway to the Cosimo Cotroneo and Teresa Patrizia Cotroneo property at 7961 Islington Avenue in the City of Vaughan, Regional Municipality of York, designated as Part 1 on Plan 65R-27012;

THAT consideration is to be the nominal sum of \$2.00, plus all legal, survey and other costs;

THAT archaeological investigation is to be conducted before any site disturbance with any mitigative measures required being carried out all at the expense of The Regional Municipality of York;

THAT The Regional Municipality of York is to fully indemnify and save harmless TRCA from any and all claims for injuries, damages or loss of any nature resulting in any way either directly or indirectly from this sale or the carrying out of construction;

THAT said conveyance is subject to the approval of the Minister of Natural Resources in accordance with Section 21(2) of the Conservation Authorities Act, R.S.O. 1990, Chapter C.27 as amended;

AND FURTHER THAT the appropriate TRCA officials be authorized and directed to take whatever action may be required to give effect thereto, including the obtaining of necessary approvals and the execution of any documents.

CARRIED

RES.#A289/05 - NAMING OF TORONTO AND REGION CONSERVATION AUTHORITY OWNED LANDS

City of Vaughan, Regional Municipality of York. Request for naming of Toronto and Region Conservation Authority-owned land at the northwest corner of Highway #7 and Islington Avenue and renaming of Toronto and Region Conservation Authority-owned land at the southwest corner of Highway #7 and Islington Avenue, City of Vaughan, The Regional Municipality of York
(Executive Res.#B138/05)

Moved by: Gerri Lynn O'Connor
Seconded by: Dave Ryan

THAT Toronto and Region Conservation Authority (TRCA)-owned lands located on the west side of the Humber River, east of Wallace Avenue, south of Terraces Condominiums and north of Highway #7, be named "Veteran's Park" and TRCA lands located south of Highway #7, west of Islington Avenue, be renamed "Legion Park";

AND FURTHER THAT The Royal Canadian Legion, Mackenzie Branch and the City of Vaughan be so advised.

CARRIED

RES.#A290/05 - CONDITIONS FOR APPROVAL OF BUILDING PERMITS IN THE WEST DON LANDS

City of Toronto. The Toronto Waterfront Revitalization Corporation requests that it be allowed to initiate construction in the West Don lands on the condition that flood protection measures be completed prior to occupancy of any new structures. This concession is requested in order to move forward quickly with the first phase of the West Don Lands revitalization program.
(Executive Res.#B139/05)

Moved by: Gerri Lynn O'Connor
Seconded by: Dave Ryan

WHEREAS Toronto and Region Conservation Authority (TRCA), in cooperation with the Toronto Waterfront Revitalization Corporation (TWRC) and its partners, supports the West Don Lands Precinct Plan and the Lower Don River West Remedial Flood Protection Program;

WHEREAS the TWRC has requested TRCA reconsider Resolution #125 of TRCA Authority Meeting #4/91 in light of efforts to move forward quickly with the first phase of the West Don Lands revitalization program;

THEREFORE LET IT BE RESOLVED THAT Resolution #125 of TRCA Authority Meeting #4/91, be rescinded;

THAT flood protection measures as approved in the Class Environmental Assessment for the Lower Don River West Remedial Flood Protection Program be completed prior to occupancy of any new structures permitted within the West Don Lands;

THAT staff be directed to develop with the City of Toronto staff the most effective mechanism for controlling said occupancy and limiting TRCA and City of Toronto liability;

AND FURTHER THAT staff be directed to report back to the Executive Committee on the status of controlling said occupancy during the review of any Ontario Regulation 158 permit applications for developments within the West Don Lands.

CARRIED

RES.#A291/05 -

A SYSTEMS THINKING CURRICULUM FOR LEARNING IN THE LIVING CITY

Request to adopt "A Systems Thinking Curriculum for Learning in The Living City" as the policy framework for the Toronto and Region Conservation Authority's (TRCA) education programs and activities. This document presents systems thinking as a key skill in learning for sustainable living and provides learning benchmarks that align with TRCA's strategic plan objectives of Healthy Rivers and Shorelines, Regional Biodiversity, Sustainable Communities.
(Sustainable Communities Res.#E17/05)

Moved by: Dave Ryan
Seconded by: David Gurin

THAT "A Systems Thinking Curriculum for Learning in The Living City" be adopted as the policy framework for Toronto and Region Conservation Authority's (TRCA) education programs and activities;

THAT through its implementation staff thoroughly integrate a systems approach for learning in The Living City into TRCA's education programming;

AND FURTHER THAT the curriculum document be promoted and shared within the larger education community to provide the opportunity for the on-going exchange and expansion of key concepts and methodologies in sustainability education.

CARRIED

RES.#A292/05 -

MUNICIPAL TOOL KIT FOR SUSTAINABLE DEVELOPMENT

A Product to Assist Municipalities with Green Building Development and Implementation. The Municipal Tool Kit is a new collaborative initiative between Toronto and Region Conservation Authority and the Canada Green Building Council. It is a project that will give support, direction and case study examples to help municipal green building programs achieve success.

(Sustainable Communities Res.#E18/05)

Moved by: Dave Ryan
Seconded by: David Gurin

THAT Toronto and Region Conservation Authority (TRCA) staff continue to work with the Canada Green Building Council (CaGBC) in developing the Municipal Tool Kit based on the successful American product created by the US Green Building Council (USGBC);

THAT TRCA staff provide services where possible in the production of the Municipal Tool Kit;

THAT TRCA staff inform municipal partners on the benefits of adopting and implementing the initiatives outlined in the Municipal Tool Kit;

THAT all municipalities in TRCA's jurisdiction be asked to review and participate in the new Municipal Tool Kit for sustainable development;

THAT TRCA work with municipalities and associated partners to raise the remaining funds needed to create the Municipal Tool Kit;

THAT TRCA staff report back on the progress of the Municipal Tool Kit through the stages of development;

AND FURTHER THAT TRCA staff review the application of the Municipal Tool Kit when complete to require Leadership in Energy and Environmental Design (LEED) certification for all public buildings and encourage LEED for all building applications.

CARRIED

SECTION II - ITEMS FOR AUTHORITY INFORMATION

RES.#A293/05 - SECTION II - ITEMS FOR AUTHORITY ACTION

Moved by: Nancy Stewart
Seconded by: Glenn Mason

THAT Ontario Regulation 158 items 8.7.1 - 8.7.22, inclusive, contained in Section II of Executive Committee Minutes #10/05, held on December 2, 2005, be received.

CARRIED

RES.#A294/05 - SECTION II - ITEMS FOR AUTHORITY ACTION

Moved by: Elaine Moore
Seconded by: Pamela Gough

THAT Ontario Regulation 158 items 8.7.23 - 8.7.29, inclusive, contained in Section II of Executive Committee Minutes #10/05, held on December 2, 2005, be received.

CARRIED

RES.#A295/05 - SECTION II - ITEMS FOR AUTHORITY ACTION

Moved by: Maria Augimeri
Seconded by: Suzan Hall

THAT Section II item 8.8 - Spadina Subway Extension Environmental Assessment, contained in Section II of Executive Committee Minutes #10/05, held on December 2, 2005, be received.

CARRIED

SECTION IV - ITEMS FOR THE INFORMATION OF THE BOARD

RES.#A296/05 - SECTION IV - ITEMS FOR THE INFORMATION OF THE BOARD

Moved by: Frank Dale
Seconded by: Elaine Moore

THAT Section IV item 9.3 - Eastern Power - Greenfield South Limited, contained in Section IV of Sustainable Communities Board Minutes #4/05, held on December 2, 2005, be received.

CARRIED

RES.#A297/05 - SECTION IV - ITEMS FOR THE INFORMATION OF THE BOARD

Moved by: Dave Ryan
Seconded by: David Gurin

THAT Section IV item 9.4 - York Durham Sanitary Sewer Projects in Toronto and Region Conservation Authority's Jurisdiction, contained in Section IV of Sustainable Communities Board Minutes #4/05, held on December 2, 2005, be received.

CARRIED

TERMINATION

ON MOTION, the meeting terminated at 11:45 a., on Friday, January 6, 2006.

Dick O'Brien
Chair

Brian Denney
Secretary-Treasurer

/ks