

FURTHER TO AUTHORITY MEETING #4/03

To be held on Friday, May 16, 2003

FURTHER TO:

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Lease of Former Dalziel Property, Black Creek Pioneer Village

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TO: Chair and Members of the Authority
Meeting #4/03, May 16, 2003

FROM: J. Craig Mather, Chief Administrative Officer

RE: **SOURCE PROTECTION PLANNING FRAMEWORK - IMPLICATIONS TO TRCA**

KEY ISSUE

Comments on Provincial Advisory Committee's recommendations for watershed-based source protection planning (SPP), considerations and implications for TRCA.

RECOMMENDATION

THAT the Authority support the recommendations contained in the Final Report of the provincial Advisory Committee on Watershed-based Source Protection Planning and welcome the opportunity the proposed new conservation authority mandate would present to TRCA to assist in the protection of drinking water sources, strengthen its effectiveness in overall watershed management, and achievement of a Living City Region;

THAT Conservation Ontario be asked to consider the following recommendations for inclusion in its consolidated set of comments being submitted to the province on behalf of all the conservation authorities:

Conservation Ontario should continue to promote the need to understand and plan for drinking water source protection in the context of overall watershed management and the protection of other interdependent environmental systems;

The province should be encouraged to proceed with the development of source protection planning legislation, the timely delivery of technical guidelines and standards, and coordination in the development of guidelines with those being prepared in support of the Oak Ridges Moraine Conservation Plan;

The province should be asked to reconvene the multi-stakeholder technical working group, including representatives from Conservation Ontario and the Association of Municipalities of Ontario, for the purposes of developing the guidelines and standards;

The province should be asked to provide funding to Conservation Ontario and individual conservation authorities in 2003 and 2004 to support their efforts in reviewing the draft legislation, legislative amendments, guidelines, and standards, and beginning to prepare for the proposed new mandate;

It is recommended that Conservation Ontario contract legal counsel to assist in the review of draft legislation, in terms of specific implications and liabilities of conservation authorities;

Conservation Ontario should be encouraged to update its province-wide estimates of SPP funding requirements, including provision for legal counsel and expert panel reviews in each SPP;

Conservation Ontario should request that the province provide clarification on interim risk management responsibilities, as the legislation and guidelines are developed;

Conservation Ontario, together with the province and AMO, should provide an initial review of interim risk management opportunities, possibly as part of a model SPP, that could serve as a basis for the development of standards and guidelines;

Conservation Ontario should request the province to provide flexibility in the SPPC model, particularly with respect to the maximum number of SPPC members, and clarification on what constitutes “sufficient municipal support”;

Conservation Ontario should ensure that the province establish time lines for its internal review and approval process of SPPs;

Conservation Ontario should continue to advocate the need for long term sustainable funding sources for SPP updates and implementation;

The province should take the lead in preparing generic educational materials that can be adapted locally;

The province should be encouraged to proceed with the development of risk management standards and guidelines and offer training sessions for practitioners.

THAT TRCA staff be directed to act on the following recommendations and report back to the Authority:

Continue to promote the need to understand and plan for drinking water source protection in the context of overall watershed management and the protection of other interdependent environmental systems;

Review TRCA’s current watershed planning workplans and budgets, including those being prepared to fulfill the Oak Ridges Moraine Act requirements, and incorporate provision for any additional source protection planning requirements and prepare budget estimates for delivering ongoing source protection planning program support;

Review TRCA’s own operations and practices to identify opportunities for using TRCA’s “available powers” to begin to practice interim risk management and demonstrate sound source protection practices;

TRCA staff should discuss local considerations regarding the SPPC model with our watershed municipalities and advisory groups.

THAT TRCA staff continue to work with Conservation Ontario and pursue discussions with local and regional municipal staff and the watershed advisory groups on the implementation considerations outlined in this report;

AND FURTHER THAT a copy of the Authority resolution and report be sent to Conservation Ontario and all local and regional municipalities and MPPs in the TRCA jurisdiction, and staff follow up on meetings with MPPs when appropriate to seek their support.

BACKGROUND

Advisory Committee Report

The Final Report, "Protecting Ontario's Drinking Water: Toward a Watershed-Based Source Protection Planning Framework", of the provincial Advisory Committee on watershed-based source protection planning was posted on the Environmental Bill of Rights Registry on April 21, 2003 for public comment until June 21, 2003. Conservation Ontario has asked for comments from all conservation authorities (CAs) by May 29, 2003, so that a consolidated set of comments can be prepared and submitted to the provincial government. A technical working group of Conservation Ontario, which includes TRCA staff, will assist in preparing the consolidated response.

Many of the report's 55 recommendations have significant implications for conservation authorities, that will greatly strengthen the watershed management abilities of CAs and our partners, in particular:

- The report calls for CAs to take on additional responsibilities in coordinating the development of watershed-based source protection plans (SPP) and the ongoing maintenance and up-keep of the plans, among other roles. This move will formalize a mandate for CAs as a participant in the area of public health, which brings with it a significant increase in responsibility and accountability. This also presents an opportunity to continue to strengthen our municipal and community partnerships in watershed management.
- New sources of funding are to be established to ensure adequate resourcing of CAs in their new SPP roles.
- Land use planning and other water resource permitting decisions will have to be consistent with recommendations of the source protection plan. These recommendations will greatly elevate the legal status of our watershed planning work and improve the effectiveness of key implementation tools.

Overall the new CA roles and improved watershed management tools being proposed will greatly support TRCA's efforts for achieving the Living City and Toronto and Region Remedial Action Plan objectives.

The following report summarizes TRCA comments on the Advisory Committee's recommendations, by outlining the implications to TRCA and providing suggested areas for further consideration. Specific recommendations are shown in italics for inclusion in Conservation Ontario's consolidated comments to the province or for TRCA staff action.

TRCA Implications and Comments

1. **Goal of Source Protection Plans (Rec. 3); Great Lakes link (Rec. 4, 5)**

Source protection plans are intended to protect public health through the protection of current and future sources of drinking water, by considering groundwater and surface water sources, and water quality and quantity issues. While source protection planning focuses on inland watersheds, the report recommends that any entity that discharges wastewater or runoff to the Great Lakes is also responsible for improving the quality of its discharges to a standard that meets SPP objectives.

Within the TRCA, drinking water sources include both lake-based and groundwater-based supplies. The groundwater supplies represent the most vulnerable and locally controllable sources, for which the development of source protection plans might be considered a high priority from both a quality and quantity standpoint. Ongoing local efforts at groundwater management, water budgets, and improving water quality of area streams will provide a strong base from which to develop source protection plans for both groundwater and lake-based water sources. TRCA's coordination role in the Toronto and Region Remedial Action Plan and Craig Mather's participation on the International Joint Commission's Water Quality Board represent opportunities to assist the province in promoting the principles of source protection at the Great Lakes Basin scale, as part of future Canada-Ontario and Canada-US Great Lakes water quality initiatives.

TRCA staff and Conservation Ontario should continue to promote the need to understand and plan for drinking water source protection in the context of overall watershed management and the protection of other interdependent environmental systems.

2. **New SPP Legislation; Other Legislative Amendments; Guidelines (Rec. 7-10, 31)**

The Advisory Committee recommends a new stand-alone piece of legislation be developed for source water protection, and that amendments be made to numerous other pieces of legislation (e.g. *Planning Act, Nutrient Management Act, Water Resources Act*, etc.) to be consistent with SPP legislation. Where risk to human health is the concern, SPP legislation should supercede other legislation and provincial or municipal planning or permitting decisions should be consistent with the source protection plan. Supportive standards, regulations, and guidelines are to be prepared.

Legislated recognition of watershed based SPPs and the roles of CAs will greatly enhance the status of our watershed planning work and strengthen the effectiveness of key implementation mechanisms. This recognition will demand improved accountability on the part of CA staff to ensure state-of-the-art technical standards are maintained and the resulting plans are defensible. Our continued commitment to stakeholder involvement will be essential; the level of involvement will likely increase; and there may be an increased need for conflict resolution expertise due to the implications of the final SPP for existing and future land uses on private and public lands.

The provincial government has indicated its intent to draft the new SPP legislation by Fall, 2003, and presumably the legislative amendments and guidelines will be developed concurrently or shortly thereafter. It should be noted that this was not the case with the technical guidelines intended to support the Oak Ridges Moraine Conservation Plan, and the absence of the guidelines has led to confusion in interpretation and inefficiencies. It is expected that there will be significant work for TRCA staff, as well as other CA staff, in conducting reviews and providing input to this SPP legislative process. In some cases, legal counsel may be needed to ensure the implications to conservation authorities are understood.

The provincial government should be encouraged to proceed with the development of source protection planning legislation, the timely delivery of technical guidelines and standards, and coordination in the development of guidelines with those being prepared in support of the Oak Ridges Moraine Conservation Plan.

The province should be asked to reconvene the multi-stakeholder technical working group, including representatives from Conservation Ontario and the Association of Municipalities of Ontario, for the purposes of developing the guidelines and standards.

The provincial government should be asked to provide funding to Conservation Ontario and individual conservation authorities in 2003 and 2004 to support their efforts in reviewing the draft legislation, legislative amendments, guidelines, and standards, and beginning to prepare for the proposed new mandate.

It is recommended that Conservation Ontario contract legal counsel to assist in the review of draft legislation, in terms of specific implications and liabilities of conservation authorities.

3. **Time to Complete SPPs (Rec. 10)**

The Report recommends that SPPs be initiated within two years of the passage of SPP legislation and completed within five years. If legislation were passed early in 2004, plans would have to be completed in the TRCA jurisdiction by 2009. However, in the interests in coordinating the SPP with the development of watershed plans to meet the Oak Ridges Moraine Act, TRCA would have to accelerate the work for the four ORM watersheds, which must have plans completed by 2007. This timing is not anticipated to pose a problem within TRCA, as many of the component studies are well underway. We simply need to review and revise our watershed plan workplans and long term budget forecasts accordingly and continue to coordinate these workplans with our municipal partners. Availability of SPP technical guidelines would be necessary to meet these more stringent timelines.

4. **New Responsibilities for CAs (Rec. 12, 17, 36-38, 42, 52)**

The report recommends that conservation authorities be the organization given responsibility for co-ordinating the development of watershed-based source protection plans wherever possible; ongoing review and update of the plan; and issuance of status reports on SPP progress. CAs would also share roles with other agencies and stakeholders in public education and dissemination of SPP information and management and collection of SPP data.

As previously noted, this move will formalize a mandate for CAs as a participant in the area of public health, which brings with it a significant increase in responsibility and accountability. For TRCA, the role is a natural expansion of work we are already doing, and offers an opportunity to strengthen our municipal and watershed community partnerships in watershed planning, regional watershed monitoring and reporting, education, and stewardship and regeneration projects. While we should embrace the opportunities presented by the expanded roles, we should also be aware of our liabilities and due diligence practices implied under the newly proposed legislation.

As noted previously, it is recommended that Conservation Ontario seek legal counsel in the review of the proposed new legislation and legislative amendments to ensure that conservation authorities understand their liabilities.

5. **New Funding Sources for CAs (Rec. 13); Financing Initial SPPs (Rec. 19)**

Adequate resourcing of CAs in their new SPP role is recommended. The Advisory Committee acknowledged that provincial funding support will be necessary to jump-start all initial SPPs, considering that it will take some time before new sustainable funding mechanisms can be established.

Although Conservation Ontario prepared some preliminary budget estimates of the cost of preparing SPPs and supporting ongoing program maintenance, these estimates should be updated as soon as possible in preparation for discussions with the province on short and long term funding requirements. There are updated technical guidelines available to some extent within the Advisory Committee report and the Conservation Ontario discussion paper that can be used as a interim guide. Considering the legal status of watershed-based SPPs, as compared to traditional watershed planning exercises, budget estimates for SPP preparation should include provision for legal services, enhanced level of stakeholder involvement, and the newly required expert panel review. Ongoing SPP implementation costs should include provision for legal counsel in the event that participation is required at appeal hearings.

TRCA staff should review its current watershed planning workplans and budgets, including those being prepared to fulfill the Oak Ridges Moraine Act requirements, and incorporate provision for any additional source protection planning requirements and prepare budget estimates for delivering ongoing source protection planning program support;

Conservation Ontario should be encouraged to update its province-wide estimates of SPP funding requirements, including provision for legal counsel and expert panel reviews in each SPP.

6. **Interim Risk Management Responsibilities (Rec. 17); Model SPP (Rec. 18)**

The province, municipalities, and conservation authorities are to use their available powers to manage potential threats to human health and drinking water, until SPPs are approved and implemented. Conservation Ontario and the province are to provide a model source protection plan that can be used as a guide.

Assuming SPP legislation is passed in 2004, SPPs may not be in place in all watersheds for at least 3-5 years. While the recommendation for interim risk management is very practical and proactive, there needs to be clarification around the specific responsibilities and definitions of “potential threats” and “high risk activities” to ensure that CAs can demonstrate due diligence. Application of this approach would also suggest the need for initial scoping of potential threats and drinking water source vulnerabilities throughout the source protection planning area and a review of the CA’s “available powers” to identify interim risk management opportunities. Aspects of this review should be considered as part of the model SPP. Funding requirements for this initial scoping and legal review should also be considered.

In light of the anticipated new responsibilities in SPP and the requirement for interim risk management, TRCA should review its own property management practices to ensure that we are demonstrating sound source protection practices and/or establishing programs to put such practices in place.

Conservation Ontario should request that the province provide clarification on interim risk management responsibilities, as the legislation and guidelines are developed.

Conservation Ontario, together with the province and AMO, should provide an initial review of interim risk management opportunities, possibly as part of a model SPP, that could serve as a basis for the development of standards and guidelines.

TRCA staff should proceed to review TRCA’s own operations and practices to identify opportunities for using TRCA’s “available powers” to begin to practice interim risk management and demonstrate sound source protection practices.

7. **Planning Areas (Rec. 21); SPP Committee (Rec. 22-26)**

For the purposes of preparing source protection plans, the Advisory Committee recommended that southern Ontario be divided into 16 planning areas. The TRCA jurisdiction is proposed as one area; its watersheds are not combined with any others. Given the complexity of issues in our jurisdiction, it is likely that the nine individual watersheds would represent the most practical scale for the preparation of SPPs and coordination with ongoing watershed planning efforts. However, as discussed previously under Interim Risk Management, it may be proactive to conduct the initial scoping and preparation of an interim SPP for the whole jurisdiction.

The report calls for the establishment of a Source Protection Planning Committee (SPPC) for each area. The SPPC is to act as an advisory committee to the Full Authority, and it is the Full Authority that recommends the final SPP to the Ministry of the Environment for approval. Membership on the SPPC is to be a maximum of 18 members distributed as follows: one-third municipal representatives; one-third provincial, First Nations, and federal representatives; and one-third local public health and other stakeholders. The SPPC may establish working groups, providing another opportunity for direct involvement of others in the plan.

A limit of 18 members on the SPPC may pose difficulties in the TRCA jurisdiction, whether applied to the jurisdiction as a whole (i.e. the SPP planning area) or to individual watersheds (i.e. watershed specific SPPCs), where there are numerous stakeholders and both local and regional municipalities who would have active roles in implementing the SPP recommendations. Use of this model would likely result in a “ceremonial” SPPC consisting of only senior representatives, while the functional working group would exist at the current watershed task force level where there is more flexibility in the membership.

While there is merit in ensuring a balance of votes from the three sectors, there should be flexibility in the number of members (e.g. by weighting votes from under-represented sectors; rotating voting rights depending on watershed focus, etc.). TRCA has had successful experiences in working with groups larger than 18.

Conservation Ontario should request the province to provide flexibility in the SPPC model, particularly with respect to the maximum number of SPPC members, and clarification on what constitutes “sufficient municipal support” (as referenced in rec. 26).

TRCA staff should discuss local considerations regarding the SPPC model with our watershed municipalities and advisory groups.

8. Expert Panel (Rec. 27); Consultation Process (Rec. 29)

An expert panel is to be established as a means of ensuring continuous improvement and state-of-the-art source protection planning approaches. Minimum requirements for a transparent consultation process will be specified.

TRCA already has extensive experience with expert peer review and local consultation. Our current practices would appear to meet or exceed the anticipated requirements.

9. Content of the SPP (Rec. 31)

The Advisory Committee report sets out a list of SPP requirements. Additional work on specific technical guidelines and standards was identified as further work to be done.

Many of the fundamental studies are already completed or well underway in the TRCA jurisdiction, as part of the ongoing watershed planning work, regional water supply studies, water quality improvement studies, or the provincially funded groundwater protection studies, being carried out by the York-Peel-Durham-Toronto groundwater partners and the Regions. The remaining work will mostly focus on analysis, integration of this information into an overall watershed understanding, and the development of effective management recommendations. Workplans for the preparation of watershed plans to meet the ORMCP are well underway; these can form a basis for the addition of source protection planning components. As previously noted, technical guidelines should be prepared in a timely fashion to enable adequate lead time for multi-year work plans and budget preparations. Clarification is needed, for example, on the application of fate of contaminants models (i.e. for the whole watershed?) and uncertainty in these models should also be acknowledged.

10. **Approval Process for the SPP (Rec. 32)**

The province (MOE) is to approve the SPP, and define in the SPP legislation the criteria and process for approval.

Conservation Ontario should ensure that the province establish time lines for its internal review and approval process of SPPs.

11. **Toward Implementation (Rec. 33-35)**

The report identifies a need for additional consultation and development in the areas of SPP implementation, ongoing planning, and funding mechanisms.

Conservation Ontario should continue to advocate the need for long term sustainable funding sources for SPP updates and implementation.

12. **Public Consultation and Education (Rec. 42)**

The province, CAs, municipalities, and other stakeholders are to share in the dissemination of information.

The province should take the lead in preparing generic educational materials that can be adapted locally.

13. **Risk Management Strategies (Rec. 43-46)**

This set of recommendations calls for the province to establish definitions for threats and risks and approaches for risk assessment. The report calls on the province to undertake the development of this technical guidance within six months of the receipt of the report.

This section is key to the completion of many other aspects of source protection planning, including the technical guidelines, scale and scope of studies, and implications for legislation and standards. As this area is very new and very technically oriented, training sessions would be beneficial.

The province should be encouraged to proceed with the development of risk management standards and guidelines and offer training sessions for practitioners.

14. **Monitoring and Information Management (Rec. 49-54)**

The set of recommendations outlines roles and responsibilities for data collection and management.

TRCA's Regional Watershed Monitoring Network and Watershed Report Cards provide a good basis for the monitoring and reporting needs of source protection planning. Those initiatives, together with the data base management model developed under the York-Peel-Durham-Toronto groundwater partnership, could serve as examples for broader application in other jurisdictions.

DETAILS OF WORK TO BE DONE

1. Forward a copy of this report to Conservation Ontario, as input to their consolidated CA response to the Province on the proposed SPP Framework.
2. Discuss the comments and considerations outlined in this report with Conservation Ontario, local and regional municipal staff in the TRCA jurisdiction and the watershed communities.
3. Review SPP requirements and priorities on a jurisdiction-wide and watershed-specific basis to identify where the ongoing workplans need to be expanded or new workplans developed. Workplans for the preparation of watershed plans to meet the ORMCP are well underway. Develop detailed budget estimates for the completion of the initial SPPs.
4. Proceed with a review of TRCA operations (i.e. development services, environmental services, education, property management, etc.) to identify opportunities for using TRCA's "available powers" to begin to manage potential threats to drinking water sources until SPPs are prepared and approved.

Report prepared by: Sonya Meek, extension 5253

Date: May 13, 2003

TO: Chair and Members of the Authority
Meeting #4/03, May 16, 2003

FROM: J. Craig Mather, Chief Administrative Officer

RE: STRATEGIC PLAN DRAFT FRAMEWORK

KEY ISSUE

Outline of the proposed Strategic Plan for The Toronto and Region Conservation Authority (TRCA) and amendments to the Advisory Boards.

RECOMMENDATION

THAT the staff be directed to complete the Strategic Plan in accordance with the following outline and present it to the Authority for approval in the fall of 2003;

AND FURTHER THAT effective for the Advisory Board meetings commencing in September, 2003 that the "Finance and Business Development Advisory Board" be renamed the "Business Excellence Advisory Board" and the "Public Use Advisory Board" be renamed the "Sustainable Communities Advisory Board" and that the scope and nature of staff reports to the respective boards be adjusted accordingly.

BACKGROUND

Over the past 18 months, the staff has undertaken a comprehensive review of the challenges and opportunities facing the TRCA, its member municipalities and communities in the decade ahead. Extensive consultations have occurred both internally and externally, including two workshop sessions with Authority members in January and April this year. While consultations are continuing and a number of pilot programs are underway to assess and verify the assumptions which underlie the strategic proposals, the following summary of strategic directions has emerged. Staff is currently finalizing the next 5 year business plan based on many of these strategic directions, and the business plan will be presented to the members in June as the basis for the budget process which will begin shortly for 2004.

It is proposed that the Strategic Plan to be completed later this year will be produced in 2 formats. One version will be a more extensive document dealing with the history of TRCA, the context for current strategic directions, a summary of consultations, assumptions for the future, an examination of the challenges to be faced in pursuit of the Vision, the Values and Principles of the TRCA (drawn largely from the Earth Charter), the strategic positioning of the TRCA with respect to other public sector initiatives, the resulting plan for relevance across all of the TRCA's service areas, followed by the strategic goals and detailed implementation plans for a 10 year period. This format of the document will provide a valuable documentation of the evolution of the organization and provide a detailed assessment of the rationale behind the Strategic Plan. It will be an important staff orientation tool as well as the basis for the preparation and evaluation of multi-year business plans which will be produced as part of the annual budget cycle.

The second format of the Strategic Plan will be much more concise and be prepared for a wider general audience in the style of many of the municipal strategic plans. It is proposed to be structured as follows:

THE LIVING CITY

The Strategic Plan for the Toronto and Region Conservation Authority

Vision

The quality of life on Earth is being determined in the rapidly expanding city regions. Our vision is for a new kind of community, the Living City, where human settlement can flourish forever as part of nature's beauty and diversity.

Mission

Our mission is to work with our partners to ensure that The Living City is built upon a natural foundation of healthy rivers and shorelines, green space and bio-diversity, and sustainable communities.

Objectives

1. Healthy Rivers and Shorelines

To restore the integrity and health of the regions rivers and waters from the headwaters in the Oak Ridges Moraine, throughout each of the nin watersheds in TRCA's jurisdiction, to the Toronto waterfront on Lake Ontario

2. Regional Biodiversity

To protect and restore a regional system of natural areas that provide habitat for plants and animal species, improve air quality and provide opportunities for the enjoyment of nature and recreation.

3. Sustainable Communities

To facilitate broad community understanding, dialogue and action toward integrated approaches to sustainable living and city building that improves the quality of life for residents, businesses and nature.

4. Business Excellence

To pursue continuous improvement in the development and delivery of all programs through creative partnerships, divers funding sources and careful auditing of outcomes and effectiveness.

STRATEGIC DIRECTIONS

Healthy Rivers and Shorelines

Outcomes

- Engaged 40,000 residents in environmental restoration activities across their watersheds
- Complete protection and restoration strategies for all watersheds and the waterfront
- Publish a regional environmental report card and distribute to all residents of greater Toronto
- Source protection plans are completed
- Monitoring program expanded to include indicators of well-being (social and economic)

Regional Biodiversity

Outcomes

- Secure 3,000 acres of land through acquisitions and easements
- Plant 1,500,000 trees and shrubs to create 1500 acres of forest habitat
- Complete the survey of 85% of all natural habitats across greater Toronto
- Construct 100km of trails
- Natural heritage system for greater Toronto entrenched in municipal official plans

Sustainable Communities

Outcomes

- Provide outdoor education and outreach to 1,000,000 students
- Publish a sustainability report card and distribute to all residents of greater Toronto (the environment report card would be a component of the sustainability report card)
- Retrofit the visitor centre at Kortright as the new Living City Centre
- Create the GTA Quest for The Living City as an interactive planning and education tool at the Living City Centre
- Achieve a measurable reduction in energy use in municipalities across greater Toronto.
- Achieve a measurable increase in companies using renewable energy
- The first super sustainable school built
- Program of collaboration with the development industry to facilitate sharing of knowledge and technology around sustainable practices

Business Excellence

Outcomes

- Leveraging others
- Solid, consistent revenue supported by business plans, sales and marketing strategies
- Increased Provincial/Federal funding
- Outcome-oriented with clear measurables
- Business excellence Advisory Board
- Substantial increase in Foundation dollars
- Increasing water rate funding

MEASURING AND EVALUATION OUTCOMES

This section will set out the indicators to be used to evaluate progress and the monitoring and reporting mechanisms to track effectiveness. These indicators are presently being explored based on numerous international, national, and local initiatives.

For Information contact: Craig Mather, 416-667-6289
Brian Denney, 416-667-6290

Date: May 13, 2003

TO: Chair and Members of the Authority
Meeting #4/03, May 16, 2003

FROM: James W. Dillane, Director, Finance and Business Development

RE: **YORK UNIVERSITY AGREEMENT**
Lease of Former Dalziel Property, Black Creek Pioneer Village

KEY ISSUE

Approval to enter into a lease of the former Dalziel property, Black Creek Pioneer Village, to York University for its proposed Institute for Historical Research

RECOMMENDATION

THAT the Authority approve entering into a lease with York University for the lease of the former Dalziel property at Black Creek Pioneer Village to be used as the research centre for the Institute for Historical Research;

THAT the lease be subject to negotiation of terms and conditions satisfactory to the Authority staff and its legal advisers including Provincial approval and any necessary municipal approvals;

THAT staff be directed to complete the lease arrangement including the signing of necessary documents in accordance with Authority policies;

AND FURTHER THAT staff report to the Public Use Advisory Board on the status of the Project as it proceeds.

BACKGROUND

On January 11, 2002 TRCA approved RES.#A273/01 authorizing staff to explore links between Black Creek Pioneer Village and York University's proposed Institute for Historical Research, including the feasibility of developing the Dalziel property as a location for the Institute. Staff is pleased to report to the Authority that there has been excellent progress to date, and is seeking approval in principal to proceed with the lease arrangement..

York University has advanced the concept through its internal structure, and the proposed Institute for Historical Research is currently one of the University's largest fund raising projects, at an estimated \$30 to \$40 million over 5 years. It is now proceeding with a major grant application (\$10 million) to the Canadian Foundation for Innovation and, at this stage requires TRCA approval in principal to enter into a lease of the relevant lands and facilities. If the grant is awarded, the project will be implemented over a 5 year period, beginning March 2004.

Included in the project are plans involving Black Creek Pioneer Village and TRCA. This project includes a tenancy arrangement with York University for the Dalziel House, use of the BCPV Visitors Centre for conferences and symposium, potential use of the proposed Event Pavilion, and synergies between BCPV and York with respect to research, program development, and opportunity to participate in the governing board of the Institute.

The key issue at this stage is commitment by TRCA to develop a plan with York University for tenancy of the Dalziel House. The Dalziel House would be one of three locations for Institute research facilities, and the only one located off-campus. York University is prepared to invest in substantial improvements to this TRCA owned structure in order to accommodate the needs of the Institute, contingent on successful award of the CFI grant. York is also including in its CFI grant a proposal to acquire high tech audio/visual equipment for use in the Black Creek Pioneer Village theater in the Visitors Centre and for general use as well as for York.

Linking BCPV with York University as a partner in this high profile project creates unique opportunities to increase BCPV's standing in the heritage field. It has potential to provide a investment for adaptive reuse of a heritage building at risk, and broader partnership with a major educational institution.

FINANCIAL DETAILS

TRCA will work with York in coming months to determine feasibility and costs for the project. The University representatives understand the need to prepare estimates of the cost of the improvements. There has been discussion of interim funding to facilitate the feasibility analysis.

Report prepared by: Jim Dillane, extension 6292

For Information contact: Jim Dillane, extension 6292, Marty Brent extension 5403

Date: May 14, 2003