



**STAFF REPORT
ACTION REQUIRED**
with Confidential Attachment

**Toronto Water Land Acquisition for Source Water
Protection – 2010 Status Report and Updated Property
Acquisition List**

Date:	May 3, 2010
To:	Public Works and Infrastructure
From:	General Manager, Toronto Water Chief Administrative Officer, Toronto and Region Conservation Authority
Wards:	All
Reason for Confidential Information:	This report is about a proposed or pending land acquisition by the City or one of its agencies, boards, and commissions
Reference Number:	P:\2010\Cluster B\TW\pw10011

SUMMARY

This report has been prepared jointly with the Toronto and Region Conservation Authority (TRCA) to provide an update on land purchased in 2009 using Toronto Water Capital funding and seek approval to revise the previously approved Property Acquisition List to add additional properties.

RECOMMENDATIONS

The General Manager, Toronto Water and Chief Administrative Officer, Toronto and Region Conservation Authority recommend that:

1. Toronto and Region Conservation Authority (TRCA) be authorized to apply to use the funds available in the approved Toronto Water 2010 Capital Budget to complete acquisitions for properties identified in the confidential list dated May 3, 2010, included as Attachment 1;

2. TRCA complete the acquisitions according to the criteria set out in the Policy and Finance Committee Report 7, Clause 37, as adopted by City Council on July 19, 20, 21 and 26, 2005 in a form and manner acceptable to City officials;
3. City Council authorize the public release of the confidential information contained in Attachment 1 after the acquisition of the properties by the Toronto and Region Conservation Authority has been completed; and
4. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

Funding is available to support the acquisition of properties in accordance with the City's Land Acquisition Criteria for Source Water Protection in the approved Toronto Water 2010 Capital Budget under WBS Element CWW473-01 Land Acquisition for Source Water Protection.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

On November 30, December 1 and 2, 2004, City Council amended and adopted Clause 38 of Policy and Finance Committee Report 9, to create a new reserve called the 'Land Acquisition for Source Water Protection Reserve', for the purpose of providing funding for the acquisition of land to protect water sources to be controlled by Toronto Water.

A copy of the Council Decision Document can be found at:

<http://www.toronto.ca/legdocs/2004/agendas/council/cc041130/cofa.pdf>

On July 16, 17, 18 and 19, 2007, City Council approved a list of properties that are eligible for funding from the Land Acquisition for Source Water Protection Reserve.

A copy of the Council Decision Document can be found at:

<http://www.toronto.ca/legdocs/mmis/2007/cc/decisions/2007-07-16-cc11-dd.pdf>

On November 19 and 20, 2007, City Council approved closing the Land Acquisition for Source Water Protection Reserve and including a Capital Project titled "Land Acquisition for Source Water Protection" in Toronto Water's 2008 to 2012 Capital Budget and Council also modified the criteria to be used for the acquisition of land funded from the Capital Account. A copy of the Council Decision Document can be found at:

<http://www.toronto.ca/legdocs/mmis/2007/cc/decisions/2007-11-19-cc14-dd.pdf>

On July 15, 16, and 17, 2008, City Council approved additions to the list of properties that are eligible for funding from the Capital Project titled "Land Acquisition for Source Water Protection". A copy of the Council Decision Document can be found at:

<http://www.toronto.ca/legdocs/mmis/2008/cc/decisions/2008-07-15-cc23-dd.pdf>

On May 25, 26 and 27, 2009, City Council approved further additions to the list of properties that are eligible for funding from the Capital Project titled “Land Acquisition for Source Water Protection”. A copy of the Council Decision Document can be found at: <http://www.toronto.ca/legdocs/mmis/2009/cc/decisions/2009-05-25-cc36-dd.htm>

ISSUE BACKGROUND

The protection of Lake Ontario as the source of potable water for the City of Toronto is a high priority of the City. It is recognized that protecting and improving the water quality of the various river systems and watersheds that flow into Lake Ontario through the City of Toronto is an important objective in source water protection. Currently, Toronto Water is implementing the Council approved Wet Weather Flow Master Plan (WWFMP) to help meet this objective.

Another important tool to help meet this objective is the protection of the river systems and watersheds through acquisition of key parcels of land, as they become available. Council has approved a list of properties that are eligible for funding from the Land Acquisition for Source Water Protection Reserve.

Toronto and Region Conservation Authority has been working with Toronto Water to acquire properties from the approved list since 2005 and this report serves to provide an annual update of activity undertaken in 2009.

COMMENTS

The following properties were secured in 2009:

	Acreage	Total Costs	Toronto Water Funding
Muise Property AR - Peel Region	4.13	\$320,050	\$87,525
Klees Property AD - York Region	39.33	\$1,410,000	\$470,000
Runnymede Property Q - Toronto	67.65	\$3,151,000	\$3,151,000
Happy Valley Property O - York	54.30	\$822,227	\$274,076
Love Property AM - Toronto	0.34	\$425,000	\$425,000
TOTAL	165.75	\$6,128,277	\$4,407,601

Negotiations are at various stages for several other properties on the list and Council will be advised on an annual basis as these discussions are finalized.

TRCA staff have prepared an updated list of properties which have been reviewed by Toronto Water staff and are considered eligible for funding from the Land Acquisition for Source Water Protection Capital Account. Further, the listed properties are within the TRCA master plan for acquisition and meet TRCA criteria to be considered for acquisition.

The details of the new properties are included in Attachment #1, along with an updating of the list to identify properties purchased. By approving the amended list of properties, Council will enable TRCA, working with city officials, to secure purchase and sale agreements in a timely and accountable manner.

For all land acquisitions, TRCA will secure independent appraisals to ensure fair market value. Officials in the Facilities and Real Estate Division and in the office at the Deputy City Manager and Chief Financial Officer will have the opportunity to review all purchase and sale agreements and supporting documentation prior to agreements being finalized.

In accordance with approved policies, funding for acquisitions outside city boundaries will be no more than 33% of the total cost. Matching funds from other participating municipalities, the Province of Ontario or other sources to at least 67% must be secured. Within the City of Toronto, because matching funding is difficult to secure, up to 100% City funds may be used.

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SIGNATURE

Lou Di Gironimo
General Manager
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Brian Denney
Chief Administrative Officer
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ATTACHMENTS

Attachment 1: (Confidential) Toronto Water Land Acquisition Source Water Protection – 2010 Status Report and Updated Property Acquisition List