



**STAFF REPORT  
ACTION REQUIRED  
with Confidential Attachment**

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

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| <b>Date:</b>                                | April 20, 2009  |
| <b>To:</b>                                  | Public Works and Infrastructure   |
| <b>From:</b>                                | General Manager, Toronto Water<br>Chief Administrative Officer, Toronto and Region Conservation Authority               |
| <b>Wards:</b>                               | All   |
| <b>Reason for Confidential Information:</b> | This report is about a proposed or pending land acquisition by the City or one of its agencies, boards, and commissions |
| <b>Reference Number:</b>                    | P:\2009\Cluster B\TW\pw09011  |

**SUMMARY**

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This report has been prepared jointly with the Toronto and Region Conservation Authority (TRCA) to provide an update on land purchased in 2008 using Toronto Water Capital funding and seek approval to revise the previously approved Property Acquisition List to add additional properties.

**RECOMMENDATIONS**

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

1. City Council authorize the use of funds available in the approved Toronto Water 2009 Capital Budget under WBS Element CWW473-01 Land Acquisition for Source Water Protection for acquisition of properties by Toronto Region Conservation Authority, identified in the confidential list dated April 14, 2009, included as Attachment 1;

2. TRCA complete the acquisitions according to the criteria set out in Executive Committee Report 14.1, adopted by City Council on November 19 and 20, 2007, 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 2009 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>

## 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.

## COMMENTS

The following properties were secured in 2008:

|  | <b>Acreage</b> | <b>Total Costs</b> | <b>Toronto Water Funding</b> |
|--|----------------|--------------------|------------------------------|
| Property K – Jefferson Forest, Richmond Hill   | 50.54          | \$ 3,580,000       | \$ 1,193,333                 |
| Property AF – 2 Beare Rd., Toronto             | 1.62           | \$ 519,490         | \$ 519,490                   |
| Property AC – Perryman Property, Richmond Hill | 82.71          | \$ 2,230,727       | \$ 743,501                   |

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.

## **CONTACT**

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## **SIGNATURE**

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Lou Di Gironimo  
General Manager  
Toronto Water

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Brian Denney  
Chief Administrative Officer  
Toronto Region Conservation Authority

## **ATTACHMENTS**

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