



**STAFF REPORT
ACTION REQUIRED
with Confidential Attachment**

**Toronto Water Land Acquisition for Source Water
Protection – 2011 Status Report**

Date:	September 19, 2011
To:	Public Works and Infrastructure
From:	General Manager, Toronto Water
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:\2011\ClusterB\TW\pw11011

SUMMARY

This report responds to City Council's direction for the submission of an annual report detailing land acquired by the Oak Ridges Moraine Land Trust and the public information on the acquisition of properties by the Toronto and Region Conservation Authority under the Land Acquisition for Source Water Protection Account.

RECOMMENDATIONS

The General Manager, Toronto Water recommends that:

1. City Council receive this report for information.
2. City Council authorize the public release of the information contained in Confidential Attachments 1 and 2, after the acquisition of the properties by the Toronto and Region Conservation Authority and Oak Ridges Moraine Land Trust has been completed.

Financial Impact

Receipt of this report will have no financial impact.

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>

On June 8, 2010 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://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.PW33.6>

On November, 2009 City Council authorized a grant of \$200,000 to the Oak Ridges Moraine Land Trust from the Capital Project titled “Land Acquisition for Source Water Protection”. A copy of the Council Decision Document can be found at:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.PW28.8>

On July 6, 2010 City Council approved further additions to the Oak Ridges Moraine Land Trust 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://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.PW34.6>

On February 23, 2011 City Council approved that funding from the Capital Project “Land Acquisition for Source Water Protection” be also made available for erosion control projects located within the City of Toronto limits as part of its approval of the 2011 Toronto Water Budget Submission. A copy of the Council Decision Document can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.EX3.2>

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 Capital Account as listed in Attachment 1 and 2.

Toronto and Region Conservation Authority (TRCA) 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 2010.

In 2009, City Council authorized a \$200,000 grant to Oak Ridges Moraine Land Trust (ORMLT) to secure land along the Oak Ridges Moraine for source water protection for Toronto. Under the grant agreement, ORMLT has provided an update to account for their grant spending.

COMMENTS

The following properties were secured in 2010:

Properties Secured by TRCA	Acreage	Total Costs	Toronto Water Funding
CN Property AS - Toronto	7.577	\$60,000	\$60,000
Heathercrest Park (TDSB) AZ - Toronto	5.890	\$3,410,000	\$3,410,000
Bolton Camp W – Peel	260.910	\$1,974,000	\$658,000
TOTAL	274.377	\$5,444,000	\$4,128,000

Negotiations are at various stages for several other properties on the list included in Attachment 1 and Council will be advised on an annual basis as these discussions are finalized.

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.

Properties Secured and under Negotiation by ORMLT	Acreage	Total Costs	Toronto Water Funding
Property D – Secured (10.5 of 46.6 acres)	10.5	\$36,563.37	\$26,113.37
Property I – Secured	17.7	\$98,472.37	\$83,227.30
Properties A, B, C, remainder of D, E, F, G, H, J, K, L – 1,586 acres under negotiation		\$126,505.43+	\$90,659.33
TOTAL	28.2	\$261,541.17+	\$200,000.00

Negotiations are at various stages for securing land on the list (Attachment 2).

The land trust's primary method of securing land is through outright donations of land with no conditions attached ("fee simple donations") and acquisition of conservation easements processed under the Federal Ecogift Program.

CONTACT

Annette Kopec, P.Eng
Acting Manager, Capital Programming and
Facility Asset Planning Unit
Toronto Water
Tel: 416-392-8845
Fax: 416-338-2828
Email: akopec@toronto.ca

SIGNATURE

Lou Di Gironimo
General Manager
Toronto Water

ATTACHMENTS

Attachment 1: (Confidential) Toronto Water Land Acquisition Source Water Protection – 2011 Status Report and Property Acquisition List for TRCA
Attachment 2: (Confidential) Toronto Water Land Acquisition Source Water Protection – 2011 Status Report and Property Acquisition List for ORMLT