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ENHANCEMENT AGREEMENTS WITH THE TOWN OF MARKHAM, CITY OF PICKERING, YORK AND DURHAM REGIONAL SCHOOL BOARDS SOUTHEAST COLLECTOR TRUNK SEWER - PROJECT 74040

The Environmental Services Committee recommends the adoption of the recommendations contained in the following report dated October 27, 2011, from the Commissioner of Environmental Services.

1. RECOMMENDATIONS

It is recommended that:

1. The Commissioner of Environmental Services be authorized to execute formal agreements for the enhancement projects described in this report with the Town of Markham and the York and Durham Region Public and Catholic School Boards, subject to final review by Legal Services.
2. The Commissioner of Environmental Services be authorized to extend the completion date for the community enhancement projects in the City of Pickering from the previously agreed date of December 2015 to December 2017.
3. This report be circulated to the Regional Municipality of Durham, Town of Markham, City of Pickering, York Region District School Board, York Catholic District School Board, Durham District School Board and the Durham Catholic District School Board, for information.

2. PURPOSE

This report provides a status update on:

- York Region funding in connection with the Southeast Collector Trunk Sewer project.
- Progress to date under the agreement with Toronto and Region Conservation Authority for enhancements in the Rouge Park and Bob Hunter Memorial Park.
- Negotiations with the City of Pickering for the funding of enhancements valued at \$8 million.
- Negotiations with the Town of Markham for the funding of enhancements valued at \$1 million
- Negotiations with the York and Durham Region Public and Catholic School Boards for the funding of approximate \$400,000 to fund post-secondary school scholarships in areas related to environmental sciences.

- Negotiations with Durham Region Public and Catholic School Board for the funding of \$100,000 to fund “greening” projects at schools in the City of Pickering that are in close proximity to the Southeast Collector project.

This report also requests Council authority for the Commissioner of Environmental Services on the following:

- To set the completion date for the City of Pickering enhancements to 2017;
- To execute a formal funding agreement with the Town of Markham to fund community enhancements projects.
- To execute agreements with each of the four school boards to fund environmental scholarship.
- To execute agreements with the Durham Region Public and Catholic School Boards to fund “greening projects” at City of Pickering’s schools.

3. BACKGROUND

Regional Council approves \$15 million enhancement fund in November 2008

In November 2008, Regional Council approved a total value of approximately \$15 million in funding to provide recreational, environmental and infrastructure improvements in connection with the Southeast Collector Individual Environmental Assessment to benefit communities in proximity to the Southeast Collector Trunk Sewer route. The purpose of the enhancement program is to provide long-term community enhancements as a legacy of the project’s implementation. The proposed enhancements identified at that time were for areas in Rouge Park, including Bob Hunter Memorial Park, the City of Pickering and the Town of Markham.

Implementation of Bob Hunter Memorial Park enhancements with total value of \$6 million is currently underway with implementation by Toronto and Region Conservation Authority

Bob Hunter Memorial Park and Rouge Park enhancements, with an approximate value of \$6 million, were included as part of the funds to be spent in the Town of Markham as approved by Regional Council in November 2008. Regional staff was authorized to execute an agreement with the Toronto and Region Conservation Authority for delivery of the environmental and recreational enhancements in the Bob Hunter Memorial Park and Rouge Park.

A five phase Enhancement Plan for Bob Hunter Memorial Park and Rouge Park was prepared and provided to the Ministry of the Environment in May 2010 and work on Phase 1 commenced in 2010. Phase 1 work includes trails, a parking lot and creation of

meadows and a wetland as bird and frog habitat. Key stakeholders, including the Hunter family, have visited the Phase 1 work and have indicated their satisfaction with the progress to date. Phase 2 works commenced in 2011 and the entire Enhancement Plan is scheduled for completion by 2015.

City of Pickering enhancements recommended for implementation with total value of \$8 million were approved by City of Pickering Council in September 2011

In November 2008, Regional Council authorized the Commissioner of Environmental Services to execute a formal agreement with the City of Pickering to undertake enhancement projects, subject to review by Legal Services and upon receipt of project approvals. Subsequently, in July 2010, the Region reaffirmed its commitment to fund mutually agreed upon community enhancements related to the Southeast Collector Trunk Sewer project up to a value of \$8 million.

Over the past year, Regional staff have worked with staff from the City of Pickering, Durham Region and Toronto and Region Conservation Authority to refine a list of projects for the City of Pickering to undertake pursuant to the original commitment. The candidate projects were categorized as either infrastructure, recreational or ecological in nature and then the high priority projects were identified and summarized in a separate list. Table 1 of the City's staff report (*see Attachment 1*) lists the high priority projects, having an estimated total value of \$8 million. Table 2 (*see Attachment 1*) lists the remaining other enhancement projects and their associated values. Projects from Table 2 will only be brought forward for further consideration in the event that a project from Table 1 cannot be implemented for any reason including inadequate co-funding from the provincial and federal governments for the Frenchman's Bay project. In September 2011, City of Pickering Council approved the projects identified in Table 1 and Table 2 (*see Attachment 1*).

Included in the approved list of high priority projects (Table 1, Attachment 1) is \$200,000 designated for environmental scholarships with the Durham District School Board and the Durham Catholic District School Board as well as \$100,000 in "greening" projects at some schools in close proximity to the Southeast Collector Trunk Sewer project. While the value of the funds (\$300,000) to be provided to the Durham School Boards is allocated within the \$8 million total City of Pickering enhancements value, the City of Pickering has requested that York Region enter into separate agreements with the school boards rather than Pickering receive and disburse funds to the school boards.

\$1 million in Town of Markham enhancements recommended for implementation and approved by Markham Council in June 2011

In November 2008, Regional Council approved recreational, infrastructure and ecological enhancements for the Town of Markham with an approximate value of \$7 million. Of this amount to be spent in Markham, \$6 million was allocated for delivery under the

agreement with Toronto and Region Conservation Authority for the Bob Hunter Memorial Park and Rouge Park enhancements including trails, pedestrian bridges, parking lots, wetlands and an extensive tree and meadow planting program. Over the past year, Regional and Town staff met to finalize a list of projects that will be implemented for the remaining \$1 million of Town enhancements.

In June 2011, Town Council approved in principle a list of enhancements with a value of \$1 million and have asked their staff to report back to the Town's Environmental Issues Committee on further details on a number of the recommended enhancements (*see Attachment 2*).

Included in the list of enhancements for the Town of Markham are the funding agreements with the York Region public and Catholic School Boards. The Town of Markham has requested the Region enter into these agreements with the Boards directly rather than Markham receiving and disbursing scholarship funds to the school boards.

4. ANALYSIS AND OPTIONS

Enhancement projects approved by the City of Pickering

Table 1 in Attachment 1 summarizes the final list of high priority projects with a total value of \$8 million that have been approved by the City of Pickering Council for implementation.

Some projects from the final list will require extended time to implement, and consequently, the City has requested an extension of time to December 2017 to implement the enhancements. Accordingly, Recommendation 2 of this report requests authority for the Commissioner of Environmental Services to extend the time for implementing the approved list of enhancements to December 2017 in the agreement currently being negotiated with the City.

Of particular note is that the Frenchman's Bay Harbour Entrance Reconstruction project is not part of the original list of enhancement projects considered for the Southeast Collector project. However it is an important project for the City of Pickering to implement as it provides recreational, environmental and infrastructure benefits for all residents of the City. The Frenchman's Bay Harbour Entrance Reconstruction Project is dependent upon Pickering's receipt of additional funding from the provincial and federal governments. In the event that this additional funding is not forthcoming by December 31, 2014, alternative recreational and ecological projects will be selected from the approved list of other enhancement projects (Table 2 of Attachment 1) for implementation instead. Alternative projects will be selected on the explicit proviso that the total cost of all enhancements shall not exceed \$8 million.

Staff from the Region and the City are currently negotiating the funding agreement that will establish the principles for implementing the final approved list of enhancements including financial details, reporting issues and roles and responsibilities as well as time lines. Authority to execute such an agreement with the City of Pickering was previously granted to the Commissioner of Environmental Services in November 2008.

Enhancement projects approved by the Town of Markham

A list of recreational and environmental enhancement projects was developed by the Region in consultation with Town of Markham staff during the Southeast Collector Environmental Assessment. Over the past year, this list was re-assessed and only projects feasible for implementation were recommended to Town of Markham Council for approval. The list of the enhancement projects with total value of \$1 million was adopted by the Town's Council (*see Attachment 2*).

Staff from the Region and Town are currently negotiating a funding agreement, which will establish the principles for implementing the final approved list of enhancements including financial details, reporting issues and roles and responsibilities as well as time lines. The funds currently allocated for each enhancement may be re-distributed between the projects based on negotiations of the recommended enhancements implementation. However, the total funding provided is to remain the same. Recommendation 1 of this Report requests authority for the Commissioner of Environmental Services to execute the resultant agreement with the Town of Markham.

Funding agreements with the York and Durham Region Public and Catholic School Boards

The Town of Markham's and City of Pickering's approved lists of projects include enhancements for the York and Durham Public and Catholic School Boards in the total amount of \$400,000 for environmental scholarships that will be awarded annually to students undertaking post secondary education in areas related to environmental sciences. As identified above, both the City of Pickering and the Town of Markham have requested that York Region enter into agreements directly with the school boards for the transfer and administration of these funds.

Regional staff will continue working with each school board to discuss the principles and terms of the scholarship agreements. Staff will further investigate the feasibility of designating scholarship funds to students that demonstrate both academic merit and financial need. The school boards will be required to administer the scholarships and put in place a selection procedure for student applicants and winners of the scholarships. The Boards will not charge an administration fee and each school board will be required to provide an annual report including financial details of the scholarship and the successful recipients. The City and Town will be invited to be named on the scholarships along with York Region.

Regional staff are also working with the Durham Public and Catholic School Boards to negotiate funding agreements for greening projects for schools in close proximity to the Southeast Collector Trunk Sewer project. The total value for the greening projects has been established at \$100,000. Recommendation 3 of this Report requests authority for the Commissioner of Environmental Services to execute the resultant agreement with the respective school boards.

Link to 2011-2015 Strategic Plan

Implementation of the Southeast Collector Trunk Sanitary Sewer Project and proceeding with the enhancement agreements outlined in this report are a key component of the Region's commitment to continue to deliver and sustain critical infrastructure. Upon completion of this project the Region will have capacity to service growth until 2031 and the new sewer will provide the necessary redundancy to enable maintenance and repair of the existing infrastructure in years to come.

5. FINANCIAL IMPLICATIONS

A total value of \$15 million for Southeast Collector Enhancements was approved by Regional Council in November 2008 and funds are included in the approved 10-year capital program for funding these enhancements.

6. LOCAL MUNICIPAL IMPACT

Regional staff are working with the staff from the Town of Markham and City of Pickering on the appropriate strategies for implementing the \$15 million of enhancements approved by Regional Council in November 2008. Generally the City and Town are satisfied with current progress and future enhancements to be undertaken over the next 6 years. Implementation of the enhancement projects will provide a positive legacy for residents in the communities impacted by construction of the Southeast Collector Trunk Sewer project.

7. CONCLUSION

Regional staff will continue to work with the City of Pickering and Town of Markham staff to finalize the funding agreements for implementing the approved list of enhancements for each municipality. The final cost of work will not exceed the Regional Council approved total of \$15 million. Agreements will also be finalized with the York and Durham Region Public and Catholic School Boards related to funding of scholarships for students pursuing advanced studies in areas related to environmental sciences and with Durham Region School Boards for greening projects. It is planned to have all of the enhancements completed in parallel with the time lines for the Southeast Collector Trunk

Sewer with an allowance of two additional years for completion of the City of Pickering enhancements as requested in final City approved list.

For more information on this report, please contact Daniel Kostopoulos, Director, Capital Planning and Delivery, Environmental services, at Ext. 5070.

The Senior Management Group has reviewed this report.

(The two attachments referred to in this clause are attached to this report.)



Report To Executive Committee

Report Number: CAO 12-11

Date: September 12, 2011

From: Tony Prevedel
Chief Administrative Officer

Subject: Enhancement Projects in the City of Pickering
- Southeast Collector Trunk Sewer
- File: A-1440

Recommendation:

1. That Report CAO 12-11 of the Chief Administrative Officer, regarding the enhancement projects in the City of Pickering from the Southeast Collector Trunk Sewer project be received;
2. That Council approve the infrastructure, recreational and ecological enhancement projects as set out in Attachments #2 and #3 to this Report; such that Attachment #2 sets out the enhancement projects which constitute the \$8.0 million of funds that are available, and Attachment #3 sets out additional enhancement projects that could be selected should the \$8.0 million limit not be reached, or additional external funding for the Frenchman's Bay Harbour Entrance project not be secured;
3. That Council authorize the Mayor and Clerk to execute a Funding Agreement with the Regional Municipality of York respecting the enhancement projects, essentially as set out in Attachment #5 to this Report, in a form acceptable to the City Solicitor and Director, Corporate Services & Treasurer;
4. That Council authorize staff to work on the implementation of the enhancement projects in the City of Pickering, as per the terms and conditions of the Funding Agreement, throughout the term of the Agreement;
5. That, notwithstanding the City's Purchasing Policy, City staff be authorized to enter into appropriate arrangements/contracts with the Toronto and Region Conservation Authority to undertake the ecological restoration enhancement projects E2, E3 and E5 at an estimated cost of \$385,000, as identified in Attachment #2 to this Report; and as provided for in the approved 2011 Parks Capital Budget, project number 5780.1114;
6. That the implementation of enhancement projects be approved through the annual Capital Budget process during the period 2012 to 2017 recognizing that \$3.0 million has been approved in the 2011 Capital Budget for projects that may commence in 2011;

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7. That Council be advised that the Frenchman's Bay Harbour Entrance Project, approved in the 2010 Capital Budget as a 100% external grant funded project, will now require contributions from both the City of Pickering and York Region, and the project and revised funding will be reintroduced in the 2012 Capital Budget;
 8. That a copy of Report CAO 12-11 be forwarded to the Regional Municipality of York, the Regional Municipality of Durham, Toronto and Region Conservation Authority, Durham District School Board, and the Durham District Catholic School Board for information; and
 9. Further, that the appropriate officials of the City be authorized to take the necessary action to give effect hereto.
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Executive Summary: The co-proponents of the Southeast Collector Trunk Sewer (SEC) project, York and Durham Regions, have committed to providing a positive legacy to the local community most affected by the project during the SEC Individual Environmental Assessment process. Enhancements are initiatives that are beyond normal mitigation measures and are aimed at creating a lasting improvement to the environment and/or human community that would not otherwise be provided. Enhancements were recommended for the City of Pickering and the Town of Markham as both municipalities are impacted by, but do not directly benefit from, the project.

The SEC Individual Environmental Assessment process created a list of recommended infrastructure, recreational and ecological enhancement projects through an extensive consultation process that included input from the public and stakeholders. Based on the list of potential community enhancements provided by York Region, staff forwarded Report OES 04-09 to the Executive Committee on January 12, 2009 with a list of City staff recommended infrastructure, recreational and ecological enhancement projects. Although the Report was endorsed by the Executive Committee, at the regular Council meeting of January 19, 2009, the Report was referred back to staff until all outstanding issues were addressed, specifically with respect to the location of the proposed odour control facility (OCF) south of Cherrywood West.

In July 2010, a settlement agreement was reached between the City and York Region that resulted in Minutes of Settlement being signed that included a commitment of \$8.0 million of mutually agreeable community enhancement projects for Council's approval.

After the settlement agreement was reached, staff from Pickering, York, Durham, the Region's consultants, and TRCA have been working on determining appropriate enhancement projects, confirming their feasibility and preparing cost estimates.

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It is recommended that Council approve the community enhancement projects presented in this report and authorize staff to work with York Region on the implementation of these projects in the City of Pickering, and have them incorporated into a Funding Agreement between York Region and the City of Pickering. Also, with Council's concurrence, City staff will enter into appropriate arrangements/contracts with TRCA to undertake three of the twelve ecological restoration enhancements identified in this Report, notwithstanding the provisions of the City's Purchasing Policy.

Financial Implications: There are no financial implications related to adopting the recommendations of Report CAO 12-11 to Council. The City will benefit from \$8.0 million worth of community enhancements to be implemented over the next several years in accordance with the Minutes of Settlement and the proposed Funding Agreement. However, future operation and maintenance costs related to the enhancement projects will be the responsibility of the City of Pickering. The specific enhancement projects and their estimated implementation costs will be brought forward to Council for approval through the annual Capital Budget process.

Sustainability Implications: The Enhancement Plan is consistent with the City's five sustainable objectives of a healthy environment, society, economy, responsible development and responsible consumption, as well as the City's more recently established Corporate Priorities.

Background:

1.1 Staff prepared Report OES 04-09 on the infrastructure, recreational and ecological enhancement projects for Executive Committee's consideration

On January 12, 2009, the Executive Committee considered Report OES 04-09 (Attachment #1) on the City staff recommended infrastructure, recreational and ecological enhancement projects. The Report also provided background information and discussion on the development of an enhancement plan.

Staff recommended enhancement projects that were within the \$8.0 million allocated for Pickering. Although the Report was endorsed by the Executive Committee, Council referred the Report back to staff until all outstanding issues were addressed, specifically with respect to the location of the proposed odour control facility (OCF) south of Cherrywood West. In response to Council and resident concerns, a new location for the OCF was proposed and subsequently approved on the west side of York Durham Line, north of Taunton Road within York Region.

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1.2 Minutes of Settlement between the City of Pickering and York Region was signed respecting the SEC and the Duffin Creek Water Pollution Control Plant

In November 2009, the City initiated legal action against York Region concerning the SEC. On March 31, 2010, the Minister of Environment approved the SEC project by issuing the Notice to Proceed with the Undertaking, subject to a number of stringent conditions. The Minister of the Environment also included a commitment to enhancements in Bob Hunter Park in the Town of Markham, but no other enhancements were listed as a condition of approval.

Subsequently, Council endorsed a settlement agreement between the City and York Region to not pursue or support a judicial review of the Minister's decision relating to the SEC project. Within the Minutes of Settlement is a commitment for York Region to fund \$8.0 million of enhancements due to the SEC project, as well as an additional \$2.32 million in enhancements in proximity to the Duffin Creek Water Pollution Control Plant as a result of the Stage 3 expansion.

2.0 Discussion

2.1 The implementation of an enhancement plan provides a positive legacy for Pickering

Virtually all of the recommended enhancement projects remain consistent with York Region's commitment to leave a positive legacy for areas of Pickering impacted by construction of the SEC, and are consistent with the recent Minutes of Settlement. The Frenchman's Bay Harbour Entrance project, although not in close proximity to the SEC project, is a beneficial enhancement project for the broader City community and provides recreational, environmental and infrastructure enhancements.

2.2 A revised list of potential enhancements has been assembled by staff for consideration under the SEC project

Staff from Pickering, York and Durham Region, their consultant AECOM Canada Limited, and TRCA have met frequently since October 2010, to refine staff's recommended list of infrastructure, recreational and ecological projects and the related cost estimates. A summary of all potential enhancements are outlined below. It is from this broader list that staff has created its refined list of high priority enhancement projects in Section 2.3.

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- **Infrastructure enhancements** are primarily located in close proximity to the planned SEC project and includes the deck replacement and widening of the Palmer Bridge on Valley Farm Road north of Finch Avenue (crossing West Duffins Creek), including sidewalks on both sides to increase pedestrian safety and convenience. Other infrastructure enhancements include local road upgrades, Valley Farm Road spot improvements, full traffic control signals at the Finch Avenue and Maple Ridge Road/Bowler Drive intersection, and an Intersection Pedestrian Signal on Finch Avenue at Spruce Hill Road.
- **Recreational enhancements** include new multi-use trail systems within the hydro corridor, artificial turf to accommodate soccer and football at Beverley Morgan Park, and a Natural Heritage Educational Program. It should be noted that although the construction of a new multi-use trail system in the hydro corridor from Scarborough-Pickering Townline Road to Valley Farm Road has been identified and recommended in three segments, only the segment from Valley Farm Road to Liverpool Road is recommended as a high priority. Should the other two segments not be constructed using SEC enhancement funding, staff will continue to pursue continuation of the multi-use trail in the future through other funding sources and after extensive public consultation.
- **Ecological enhancements** include restoration of the Rouge-Duffins wildlife corridor, restoration of lands within Petticoat Creek watershed, restoration of natural areas within the hydro corridor, naturalization within Maple Ridge Park, and reconstruction of the storm sewer outfall at Pine Creek. Other ecological enhancements include funding for the City's Environmental Awareness Programs and for the Durham District School Board's scholarship program and greening projects. Funding was provided earlier for the Petticoat Creek Watershed Study that is now completed.
- **Hybrid enhancement (infrastructure/recreational/ecological)** includes the reconstruction of the Frenchman's Bay harbour entrance. The recently completed Municipal Class EA for the Frenchman's Bay Harbour Entrance concluded that the reconstruction of the entrance would create a safe harbour entrance that supports the marine functions of the Bay while preserving and enhancing the ecological conditions of the Bay. Since the Frenchman's Bay Harbour Entrance project is not within the SEC study area boundaries, it was not included in the previous list of potential enhancements. However, it is a desirable project for the City to implement and will benefit not only residents within the study area, but all of the residents of the City of Pickering, and visitors to our waterfront. In recognition of the infrastructure, environmental and recreational benefits to the City as a whole, staff is recommending that partial funding for this

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estimated \$9.0 million project be added to the list of high priority enhancements in Attachment 2, and be categorized as a hybrid project.

Approximately \$1.5 million has been allocated for this project from the SEC enhancement projects funding, with the balance being provided from a future shared municipal/provincial/federal funding program. The Frenchman's Bay Harbour Entrance project was approved in the 2010 Capital as an \$8.0 million project to be funded by a \$4.0 million Federal grant and a \$4.0 million Provincial grant. Staff is now recommending that the project be funded equally by the three levels of government as stated above, with Pickering's share being offset by a contribution from York Region through SEC enhancement project funding. It must be acknowledged, however, that should a municipal/provincial/federal grant program not be announced within the time frame of the enhancement plan, or the project not be accepted through a grant application, that the \$1.5 million of SEC funds allocated for the project will be used for other enhancement projects as set out in Attachment #3 and subject to further Council approval.

A map showing the location of all high priority and other enhancement projects is included as Attachment #4.

2.3 City staff have ranked all potential enhancement projects and their associated costs under three categories – high, medium and low priority

The total estimated cost of all the potential enhancement projects exceeds the \$8.0 million program allocated for Pickering. The enhancement projects have been evaluated by staff and have been ranked into three categories – high, medium and low priority.

The enhancements that provide the highest benefit to the community are listed as high priority in Table 1 (see Attachment #2) and have a total estimated cost of \$8.0 million. The medium and low priority enhancements are listed in Table 2 (see Attachment #3) and have a total estimated cost of \$5.015 million. The following chart (Summary of Table 1) indicates staff's recommendation to Council of the high priority enhancement projects and their associated cost estimates which total \$8.0 million.

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Summary of Table 1 High Priority Enhancement Projects and Estimated Costs

	Infrastructure Enhancements	Estimated Cost
I1	Palmer Bridge Deck Replacement (widening)	\$2,185,000
I2	Upgrade of Local Roads (Rosebank Road)	450,000
I3	Intersection Pedestrian Signal (Finch Avenue at Spruce Hill Road)	100,000
I4	Upgrade of Local Roads (Third Concession Road)	490,000
	Subtotal	3,225,000
	Recreation Enhancements	
R1	Multi-Use Trail (Valley Farm Road to Liverpool Road)	425,000
R2	Soccer/Football Field Upgrade at Beverly Morgan Park	1,435,000
	Subtotal	1,860,000
	Ecological Enhancements	
E1	Restoration along West Duffins Creek and Trail	85,000
E2	Restoration of Rouge Duffins Corridor	150,000
E3	Restoration of Lands within Petticoat Creek Watershed	175,000
E4	Naturalization of Maple Ridge Park	25,000
E5	Restoration on TRCA lands near Townline Road	60,000
E6	Pine Creek Outfall Reconstruction	500,000
E7	Funding for Environmental Awareness Programs	100,000
E8	Southeast Collector Scholarship Fund	200,000
E9	School Board Enhancements (green projects)	100,000
E10	Petticoat Creek Watershed Action Plan *	20,000
	Subtotal	1,415,000
	Hybrid Enhancement	
H1	Frenchman's Bay Harbour Entrance Reconstruction	1,500,000
	Total	\$8,000,000

* previously funded

The following chart (Summary of Table 2) indicates staff's recommendation to Council of the other remaining enhancement projects and their associated costs, listed in Table 2 (see Attachment #3). If the external additional funding that is required for the Frenchman's Bay Harbour Entrance project is not secured by December 31, 2014, or if the actual cost of the completed high priority projects is less than estimated, projects from Table 2 will be selected and recommended to Council for approval to meet the \$8.0 million commitment. If the actual cost of the enhancement projects in Table 1

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exceed the \$8.0 million commitment, either one or more of the projects will not be undertaken, or additional funds from the City will be required, subject to Council approval.

Summary of Table 2 Other Enhancement Projects and Estimated Costs

	Infrastructure Enhancements	Estimated Cost
I5	Upgrade of Local Roads (Scarborough/Pickering Townline Road)	\$ 900,000
I6	Valley Farm Road/Palmer Bridge Area Enhancements (minor widening to accommodate bike lanes and sidewalk)	570,000
I7	Traffic Flow Improvements at Maple Ridge Drive and Finch Avenue	635,000
I8	Valley Farm Road/Palmer Bridge Area Enhancements (replace gabion basket wall north of Bloomfield Court)	260,000
I9	Valley Farm Road/Palmer Bridge Area Enhancements (improve sight distance at Bloomfield Court)	215,000
	Subtotal	2,580,000
	Recreation Enhancements	
R3	Multi-Use Trail (Liverpool Road to Whites Road)	860,000
R4	Multi-Use Trail (Whites Road to Townline Road)	1,400,000
R5	Natural Heritage Education Programming	25,000
	Subtotal	2,285,000
	Ecological Enhancements	
E11	Restorations of Areas in Proximity to Multi-Use Trail (Liverpool Road to Whites Road)	90,000
E12	Restorations of Areas in Proximity to Multi-Use Trail (Whites Road to Townline Road)	60,000
	Subtotal	150,000
	Total	<u>\$5,015,000</u>

2.4 A Funding Agreement with York Region respecting the enhancement projects is required

York Region has committed to an upset amount of \$8.0 million for community enhancements in Pickering due to the SEC project. Pursuant to this commitment

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is the requirement for York Region and the City to execute a Funding Agreement (see Attachment #5 – Draft Funding Agreement).

The Draft Funding Agreement has been reviewed and discussed amongst the parties but is still being negotiated. Once the Funding Agreement is in a form acceptable to staff, the Mayor and Clerk will be able to execute the Funding Agreement with York Region respecting the community enhancement projects.

2.5 In recognition of TRCA's knowledge and experience, staff recommends that TRCA be retained by the City to undertake certain ecological restoration enhancements identified in Table 1

Three of the ecological enhancement projects are located on TRCA lands and within the Rouge-Duffins Wildlife Corridor. The restoration of the natural areas support the corridor's function as a vegetation connector between the Rouge and Duffins Valley systems. TRCA's Restoration Services Section has considerable knowledge, experience and success in undertaking restoration projects in Pickering and elsewhere in the Greater Toronto Area. TRCA staff are professionally trained in the field of terrestrial and aquatic habitat restoration.

The City of Pickering's purchasing policy requires that formal quotations or tenders be called for the provision of goods and services at the proposed dollar value for these works. Based on TRCA's experience and expertise, and their involvement in the feasibility analysis and cost estimation of the ecological restoration enhancements, staff is recommending that Council provide authorization to retain TRCA to undertake the restoration works identified in E2, E3 and E5 of Table 1 at a cost not to exceed \$385,000. City staff would review, approve and manage the required works to be performed by TRCA, and issue payment upon satisfactory completion. Both the Director, Community Services and Director, Corporate Services & Treasurer have been consulted with regard to this matter and concur with this recommendation.

All other ecological enhancement projects would be procured in adherence to the City's Purchasing Policy.

Although the Frenchman's Bay Harbour Entrance project will occur on lands that are in the process of being transferred to TRCA by the Pickering Harbour Company, there is no commitment at this time that the construction will be undertaken by the TRCA.

2.6 A portion of the SEC Funds has been allocated to the Durham District School Board and the Durham Catholic District School Board to establish a SEC Scholarship Fund and to assist in greening projects

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**Enhancement Agreements with the
Town of Markham, City of Pickering,
York and Durham Regional School Boards
Southeast Collector Trunk Sewer, Project 74040**



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For enhancement projects E8 and E9 of Table 1, approx \$150,000 has been allocated to each of the two Durham District School Boards (total of \$300,000) for schools in Pickering to establish a SEC Scholarship Fund and to fund greening projects developed and undertaken by individual schools. York Region are agreeable to having a scholarship funding agreement executed by the four parties (York Region, City of Pickering, and the two District School Boards) for the scholarship fund.

Our initial review of the draft scholarship funding agreement suggests that the City's role is simply administrative in nature, in order to flow the funds from York Region to the School Boards. Our recommendation is that York Region include both the E8 and E9 projects in one funding agreement directly with the School Boards and not include the City as party to the agreement. These discussions with York Region and the School Boards are still ongoing.

2.7 Funding for the Petticoat Creek Watershed Action Plan has been received from York Region

In 2009, the City of Pickering received a funding contribution of \$20,000 from the SEC Project as flow-thru funding for the Petticoat Creek Watershed Action Plan being undertaken by TRCA. The City also contributed \$10,000 toward this Action Plan earlier in 2008. A draft of the Watershed Action Plan for Petticoat Creek has been prepared and is currently under revision.

3.0 Next Steps

Council's approval of the enhancement plan will enable staff to collaborate with York Region on implementing the projects planned for the 2011 to 2017 time period. It is recommended that staff be authorized to finalize the Funding Agreement with York Region respecting the enhancement projects. With Council's concurrence, City staff will enter into appropriate arrangements/contracts with TRCA to undertake the ecological restoration works identified in this Report.

In order to communicate Council's acceptance of the community enhancement projects, staff will prepare a media release, have information available on the City website, and display information boards in the lobby of the Civic Complex.

City staff will provide periodic update reports on the status of the SEC enhancements as milestones are reached, during the Capital Budget process in future years, and through Reports to Council to award tenders related to enhancement project delivery.

CORP0227-07/01 revised

**Enhancement Agreements with the
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Attachments:

1. Report OES 04-09 (without attachments)
 2. Table 1 – High Priority Enhancement Projects
 3. Table 2 – Other Enhancement Projects
 4. Map of SEC Enhancement Projects
 5. Draft Funding Agreement
-

Prepared By:**Approved/Endorsed By:**

Grant McGregor, MCIP, RPP
Principal Planner - Policy
Manager, Policy

Everett Buntsma, NPD, CMM
Director, Community Services

Richard W. Holborn, P.Eng
Division Head, Engineering Services

Neil Carroll, MCIP, RPP
Director, Planning & Development

GM:RH:ds
Attachments

Gillis A. Paterson, CMA
Director, Corporate Services & Treasurer

Recommended for the consideration
of Pickering City Council

Tony Prevedel, P.Eng
Chief Administrative Officer

CORP0227-07/01 revised

**Enhancement Agreements with the
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Legal and Legislative Services
Clerk's Office

Directive Memorandum

September 26, 2011

To: Tony Prevedel
Chief Administrative Officer

From: Debbie Shields
City Clerk

Subject: Direction as per Minutes of the Meeting of City Council
held on September 19, 2011

Chief Administrative Officer, Report CAO 12-11
Enhancement Projects in the City of Pickering
Southeast Collector Trunk Sewer

Council Decision

Resolution #152/11

1. That Report CAO 12-11 of the Chief Administrative Officer, regarding the enhancement projects in the City of Pickering from the Southeast Collector Trunk Sewer project be received;
2. That Council approve the infrastructure, recreational and ecological enhancement projects as set out in Attachments #2 and #3 to this Report; such that Attachment #2 sets out the enhancement projects which constitute the \$8.0 million of funds that are available, and Attachment #3 sets out additional enhancement projects that could be selected should the \$8.0 million limit not be reached, or additional external funding for the Frenchman's Bay Harbour Entrance project not be secured;
3. That Council authorize the Mayor and Clerk to execute a Funding Agreement with the Regional Municipality of York respecting the enhancement projects, essentially as set out in Attachment #5 to this Report, in a form acceptable to the City Solicitor and Director, Corporate Services & Treasurer;
4. That Council authorize staff to work on the implementation of the enhancement projects in the City of Pickering, as per the terms and conditions of the Funding Agreement, throughout the term of the Agreement;
5. That, notwithstanding the City's Purchasing Policy, City staff be authorized to enter into appropriate arrangements/contracts with the Toronto and Region Conservation Authority to undertake the ecological restoration enhancement projects E2, E3 and E5 at an estimated cost of \$385,000, as identified in Attachment #2 to this Report; and as provided for in the approved 2011 Parks Capital Budget, project number 5780.1114;

**Enhancement Agreements with the
Town of Markham, City of Pickering,
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Subject: Directive Memorandum
Report CAO 12-11

Sept. 26, 2011
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6. That the implementation of enhancement projects be approved through the annual Capital Budget process during the period 2012 to 2017 recognizing that \$3.0 million has been approved in the 2011 Capital Budget for projects that may commence in 2011;
7. That Council be advised that the Frenchman's Bay Harbour Entrance Project, approved in the 2010 Capital Budget as a 100% external grant funded project, will now require contributions from both the City of Pickering and York Region, and the project and revised funding will be reintroduced in the 2012 Capital Budget;
8. That a copy of Report CAO 12-11 be forwarded to the Regional Municipality of York, the Regional Municipality of Durham, Toronto and Region Conservation Authority, Durham District School Board, and the Durham District Catholic School Board for information; and
9. Further, that the appropriate officials of the City be authorized to take the necessary action to give effect hereto.

Please take any action deemed necessary.

D. Shields

Debbie Shields

/lr

Copy: Director, Corporate Services & Treasurer
Director, Community Services
Director, Office of Sustainability
Director, Planning & Development
City Solicitor
City Clerk

**Enhancement Agreements with the
Town of Markham, City of Pickering,
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RESOLUTION OF COUNCIL MEETING NO. 12 DATED JUNE 28, 2011

REPORT NO. 42 – DEVELOPMENT SERVICES COMMITTEE

**(4) SOUTHEAST COLLECTOR TRUNK SEWER
ENHANCEMENT PLAN – SELECTION OF PROJECTS (5.5)**

- 1) That the report entitled “Southeast Collector Trunk Sewer Enhancement Plan – Selection of Projects” dated June 21, 2011, be received; and,
- 2) That the Southeast Collector Trunk Sewer Enhancement project allocations recommended by the Environmental Issues Committee (EIS) be amended and approved as follows:
 - i) University Entrance Scholarship Funding for York Region School Boards \$200,000
(Approved in principle, for further discussions at EIS)
 - ii) Box Grove Community Centre Parkland Improvements \$400,000
(Approved)
 - iii) Trails Construction in Legacy and Box Grove Communities \$250,000
(Referred back to EIS)
 - iv) Locust Hill School House Stabilization and Exterior Restoration \$120,000
(Referred back to EIS)
 - v) Dimma House On-Site House Relocation \$25,000
(Referred back to EIS)
 - vi) ‘Markham Remembered’ Interpretive Signage \$5,000
(Approved as amended to delete the reference to two signs)
- 3) That Council authorize staff to continue to work with the Regional Municipality of York on finalizing the final budget allocations and to secure the implementation agreements; and,
- 4) That Mayor and Clerk be authorized to execute such agreements as necessary to give effect to this report, to the satisfaction of the Town Solicitor; and,

.....2/

**Enhancement Agreements with the
Town of Markham, City of Pickering,
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Southeast Collector Trunk Sewer, Project 74040**



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- 5) That a copy of this report be forwarded to the Regional Municipality of York, York Region District School Board, York Region Catholic District School Board, Toronto Region Conservation Authority and the Rouge Park Alliance for information; and further,
- 6) That Staff be authorized and directed to do all things necessary to give effect to this resolution.



Kimberley Kitteringham
Town Clerk

Copy to: Jim Baird, Commissioner of Development Services
Rino Mostacci, Director of Planning & Urban Design
Lilli Duoba, Senior Project Coordinator
Ruth Rendon, Senior Environmental Planner
Tim Lambe, Manager of Policy and Research
Regional Municipality of York
York Region District School Board
York Region Catholic District School Board
Toronto Region Conservation Authority
Rouge Park Alliance
Alida Tari, Council/Committee Coordinator

**Enhancement Agreements with the
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