

COMMITTEE OF THE WHOLE – OCTOBER 11, 2005

MAPLE NATURE RESERVE MASTER PLAN AND TRCA LANDS AT THE SOUTHEAST CORNER OF RUTHERFORD ROAD AND HIGHWAY 27

Recommendation

The Commissioner of Community Services in consultation with the Director of Parks Development and Director of Reserves and Investments recommends:

1. That Council receive this report for information; and,
2. That staff continue to implement the approved MNR Master plan subject to budget approvals; and,
3. That the recommendation from the TRCA to not build facilities at the flood plains located on the lands at the south/east corner of Rutherford Road and Highway 27 be approved.

Economic Impact

There will be no economic impact.

Purpose

The purpose of this report is to provide Council with information regarding potential partnerships with the Toronto and Region Conservation Authority on the lands located at the south/east corner of Rutherford Road and Highway 27 and update Council on the MNR Master plan.

Background - Analysis and Options

At the Committee of the Whole (Working Session) meeting of December 16, 2002, Report No. 84, Item 6, staff were directed to provide a report based on the lands located at the south/east corner of Rutherford Road and Highway 27, and look at opportunities to partner with the Toronto and Region Conservation Authority (TRCA).

The Toronto and Region Conservation Authority (TRCA) have reviewed the subject lands and provide the following recommendation (refer to Attachment 'A'):

“Limited, low intensity uses such as a pedestrian trail, may be considered appropriate for specific locations on the subject lands. However, due to the nature of the property as a floodplain with an actively eroding river and an Environmentally Significant Area (ESA), it is recommended that active recreational facilities such as tennis courts, parking lots, buildings and playing fields will not be considered appropriate for this site due to hazards related to flooding and erosion as well as damage to the ecological integrity of the natural area”.

A more detailed TRCA technical report of the lands at the south/east corner of Rutherford Road and Highway 27 is attached (refer to Attachment 'A').

Respecting the Maple Nature Reserve Master Plan, the Don Regeneration Council has pledged \$10,000.00 to be utilized for the reforestation/regeneration of the interior forest once the quonset storage huts are removed from the MNR property (refer to Attachment 'B').

Capital funding was approved in 2005 to implement Phase 1 of the MNR Master Plan and staff are preparing a Request for Proposals to proceed with an Environmental Assessment of the lands and will be commencing feasibility studies for removal of the quonset huts and initiate the design development and construction documentation phases of this project.

Relationship to Vaughan Vision 2007

The Maple Nature Reserve will provide facilities that promote a safe, livable, and sustainable parkland environment for the local community.

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Conclusion

Staff will continue to implement the MNR master plan subject to budget approvals and will continue to seek opportunities in partnering with TRCA and other organizations to meet the needs of the resident in Vaughan.

Attachments

TRCA Reports – Attach. A
Don Regeneration Council – Attach. B

Report prepared by:

Paul Gardner, Director of Parks Development, Ext. 3209

Respectfully submitted,

Marlon Kallideen
Commissioner of Community Services



November 27, 2003

Ms. Linda LaFlamme
Landscape Architect
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON
L6A 1T1

Dear Linda:

Re: Elder Mills Forest ESA (Hwy 27 and Rutherford Rd)

Further to your correspondence dated August 22, 2003 and subsequent communication related to the above noted matter, please find below TRCA's comments regarding the use of the Humber River Valley south east of Rutherford Road and Regional Road 27 for the purposes of developing passive recreation facilities and public education opportunities.

Recommendation

Limited, low intensity uses, such as a pedestrian trail, may be considered appropriate for specific locations on the subject lands. However, due to the nature of the property as a floodplain with an actively eroding river and an Environmentally Sensitive Area (ESA), it is recommended that active recreational facilities such as tennis courts, parking lots, buildings and playing fields will not be considered appropriate for this site due to hazards related to flooding and erosion as well as damage to the ecological integrity of the natural area.

Context

The majority, if not all, of the subject lands are located below top-of-bank, and the Regional floodplain extends from valley wall to valley wall. The floodway is nearly coincident with the Regional flood plain. Valley corridors and floodplains are hazard lands that are dynamic systems prone to flooding and erosion. Under another Hurricane Hazel event, the area would be under two metres of water, with velocities of 8 - 18 km/h.

There are five actively eroding sites retreating at a rate of 0.67 m per year within the valley. In these areas, to protect for a projected 100 years, minimum setback distances would be 67 m. Riparian planting may reduce this setback by stabilizing the banks. However, as this area is prone to ice jams, attempts to re-establish a healthy community of woody vegetation along the banks may be challenging.

Valley corridors and floodplains provide for important ecological functions such as groundwater infiltration and discharge; fish, herptile and wildlife habitat; migration routes; microclimates; as well as physical linkages to upstream and downstream habitats.

A large portion of the subject lands have been designated as an Environmentally Sensitive Area (ESA). ESAs are some of the last natural areas within the high urbanized Greater Toronto Area that are home to numerous flora and fauna species of conservation concern and which are currently in decline within the TRCA jurisdiction. If these species of concern are not protected from habitat loss, habitat alteration and intrusion by human activity, they may become rare or endangered.

This ESA is characterized by mature forest, meadow marshes and an open bluff. These communities support several species of regional concern such as pine warbler, wood thrush, *Gentiana adrewsii*, *Gymnocarpium dryopteris*, and *Carex trichocarpa* (a provincially rare plant). These species all show a high sensitivity to development and therefore require consideration in order to maintain populations. Also, the Humber Fisheries Management Plan has designated this reach of the river as a Brown Trout and Redside Dace management zone. Redside Dace is a national Species of Concern, and is identified as such in the new Species at Risk Act.



Floodplain Management

Given the above, limited recreational facilities in these lands could be supported from a flood plain management perspective.

Policies could allow for low intensity recreational development such as a trail system. More intense development, such as sports fields, would be difficult to support. Structures such as parking areas and clubhouses are not permitted in the flood plain under current TRCA policies. It does not appear that there is any land available for such structures beyond the top-of-bank in the area.

Terrestrial Habitat

From an ecological perspective, a trail may be accommodated if its alignment, design and construction is sensitive to existing natural features and functions. However, recreational facilities such as sports fields should not be allowed in the ESA.

The vegetation communities and wildlife in the ESA are sensitive to disturbances, including noise from recreational activities. ESAs should be preserved and protected from habitat loss, habitat alteration and intrusion by human activity.

An assessment of the natural heritage features and functions, and an assessment of the potential impacts associated with a trail system, will be required in order to demonstrate that the trail systems will not have any negative effects on natural heritage features or functions including significant and/or sensitive species; wildlife movement; impacts of vegetation removal and fragmentation, and the effects of human and pet encroachment on vegetation and wildlife species utilizing valley habitats. Any development and trail alignments should avoid areas with rare plant species, specifically a provincially rare sedge located near Rutherford Road and some of the more open habitats on the west side of the river. Any planting or restoration work should be undertaken with consideration for the sedge habitat.

From the perspective of habitat restoration, there are opportunities to include wetland enhancements, riparian and floodplain forest enhancements, stream-bank bioengineering, and the establishment of berry-producing shrubs, nest boxes, and other critical wildlife habitat features. The property's identification as an ESA supports the maintenance of the current habitat features. It is recommended, under the TRCA's Habitat Implementation Plan, that the identified restoration activities be carried out where possible, and that the current site conditions be maintained and/or enhanced for habitat.

Any trail development on the subject lands should ensure that the ecological integrity of the valley corridors are maintained. The trail alignment must take into account sensitive habitats or sensitive flora and/or faunal species, and should not encroach into the 10 m riparian zone. Trails should not be located on outside meander bends where creek banks are experiencing erosion. Trail systems should minimize the number watercourse crossings, and minimize the number of side trails and other linkages

The design of the trail systems should be consistent with the TRCA's Valley and Stream Corridor Management Program (VSCMP: Section 4.1.2 New Resource-Based Uses, and Section 6.3 Corridor Reach Planning) and Trail Planning and Design Guidelines (MTRCA 1991, and amendments). It is also recommended that the trail systems follow existing linear disturbances such as existing informal trails, sanitary easements and gas pipelines when possible, rather than impacting undisturbed areas.

Aquatic Habitat

The designation of this area by the Humber Fisheries Management Plan as a Brown Trout and Redside Dace (a national species of concern) management zone needs to be considered for any projects near the watercourse. Though not found there recently, Redside Dace was historically present and restoration plans will be working towards its return to the site.

The TRCA generally requires that both banks of the river be planted with woody vegetation to a width of 10 m or two times the width of the stream, whichever is greater, in order to improve water quality and aquatic habitat. However, due to the location of the provincially rare sedge, no plantings should be undertaken along the river where the sedge is established or may become established. Also, any infrastructure should be situated as far from the river as possible.

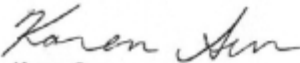
A permit will be required from TRCA for proposed trail systems within valleys, under Ontario Regulation 158, Fill, Construction, and Alteration to Waterways. The harmful alteration, disruption or destruction of fish and fish habitat is prohibited by Section 32(1) of the Fisheries Act. TRCA staff would review the project on behalf of the Department of Fisheries and Oceans (DFO) to determine whether a harmful alteration, disruption or destruction (HADD) of fish habitat would occur as a result of the proposed works. If a HADD is unlikely to occur, then the TRCA would issue a Letter of Advice on behalf of DFO, outlining specific mitigation measures to minimize impacts to the fisheries resources. If a HADD is likely, then authorization from DFO is required. TRCA staff would help facilitate approvals from DFO.

Archaeology

Before any development can take place on TRCA land, an archaeological survey must be undertaken to ensure that anything on site of archaeological significance is protected. This may involve relocating uses, or complete excavation of the archaeological resources.

I hope that these comments are sufficient for your use at this time. If you have any questions or require additional information, please do not hesitate to contact me at (416)661-6600, extension 5291 or by email at ksun@trca.on.ca.

Sincerely,



Karen Sun
Watershed Resources Planner, Humber
Watershed Management Division

KS:L

cc: Gary Wilkins, Humber Watershed Specialist
Laurie Nelson, Senior Planner, Policy Initiatives
Mike Fenning, Senior Property Agent
Steve Hollingworth, Watershed Management Coordinator (Etobicoke, Mimico, Humber)
Sue Hayes, Project Coordinator, Terrestrial Field Inventories
Scott Jones, Terrestrial Natural Heritage Planner
Maria Parish, Planning Ecologist
Phillip Davies, Habitat Implementation Plan
Jon Clayton, Supervisor, Aquatic Ecosystem Management
Bob Burgar, Coordinator, Heritage Projects

ATTACHMENT B



DON WATERSHED REGENERATION COUNCIL

CITY OF VAUGHAN DEPT. OF PARKS DEVELOPMENT	
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ROUTE TO	INITIAL
LL	✓
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MAPLE NATURE RESERVE CAPITAL ST. 03/03/03	

July 21, 2003

Ms. Linda Laflamme
Landscape Architect, Parks Development
City of Vaughan
2141 Major MacKenzie Drive
Vaughan, ON L6A 1T1

Dear Ms. Laflamme:

RE: CITY OF VAUGHAN MAPLE NATURE RESERVE MASTER PLAN - FINAL REPORT

The Don Watershed Regeneration Council is a group of citizens appointed by the Toronto and Region Conservation Authority together with municipal representatives which has a mandate to assist in achieving the vision of a revitalized urban river and watershed.

At Don Watershed Regeneration Council meeting #5/03 held on Thursday, May 15, 2003, the following resolution was passed:

RES. #F43/03 - LETTER OF SUPPORT FOR THE MAPLE NATURE RESERVE

"THAT the Don Watershed Regeneration Council prepare a letter of support to the City of Vaughan with specific commendation for their work on the Maple Nature Reserve, and general support for all of their preservation and regeneration efforts."

In addition to the above motion of support, the Don Watershed Regeneration Council recognize that staff have thus far only produced a Master Plan for the Maple Nature Reserve and that final details for the site are still to be determined in the future. We are, however, pleased to note that:

- a) a high value has been placed on the protection and enhancement of natural habitat;
- b) ecological restoration and environmental conservation and education have been identified as appropriate types of activity for the area; and
- c) staff have recognized the ecological importance of the Maple Uplands ESA by considering the lands on the west side of Dufferin Street, which form part of the Maple Uplands ESA, as an area of environmental preservation, and that there is no formal or informal use intended or planned for this area in the concept considered.

The Don Council would also like to encourage the City to ensure that during the detailed planning stages, the values of protection and enhancement do not get eroded. Details such as monitoring trails for inappropriate uses, invasive species control, and enforcement of 'sensitive' areas with restricted access should all be addressed during this stage.

The Don Watershed Regeneration Council is also pleased that although it was not initially included in the final Master Plan, Vaughan staff have recognized the need for a terrestrial crossing of Dufferin Street. Given this, we are happy to see that the City of Vaughan have requested York Region to consider investigating such a crossing in any future proposed road widenings.

The creation of the Maple Nature Reserve offers a significant opportunity for the City of Vaughan to preserve the natural areas on the east side of Dufferin Street while at the same time addressing the need for environmental rehabilitation in recommended areas of the Reserve.

The Don Watershed Regeneration Council would be happy to review specific details of future reports as they become available.

Yours truly,



Mark Wilson
Chair,
Don Watershed Regeneration Council

cc: Mayor Michael Di Biase, City of Vaughan
Joyce Frustaglio, City of Vaughan
Mario Ferri, City of Vaughan
Mario Racco, City of Vaughan
Susan Kadis, City of Vaughan

Russell White, TRCA
Brian Denney, TRCA
Adele Freeman, TRCA

Stephen Cockle, Don Watershed Regeneration Council
Margaret Casey, Don Watershed Regeneration Council