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October 17, 2011

**CORPORATE SERVICES (LEGAL)  
INFORMATION REPORT 2011-20**

**TO:** Members of Council  
Strategic Leadership Team  
Operational Leadership Team

**cc:** Zella Phillips

**SUBJECT:** Summerhill Woods – Ministry of the Environment – Notice of Acceptance  
of Risk Assessment

**ORIGIN:** Director, Legal Services/Municipal Solicitor

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**COMMENTS**

Council will recall through Legal and Development Services (Legal) Report 2009-20 dated November 26, 2009 and Report 2010-17 dated November 24, 2010 that development has been proceeding and is near completion in the area of Summerhill Woods, located at the southeast corner of Mulock and Bathurst Streets.

Under the terms of a subdivision agreement dated October 8, 2008, the Town deferred the transfer and conveyance of the woodlot surrounding this development until such time as a Risk Assessment under the *Environmental Protection Act* is complete and recommendations have been made and approved by Council regarding the remediation of certain portions of the woodlot that contain arsenic contamination.

The lands where the residential development is underway were completely cleaned up, stripped and removed of all contaminated soil. However, the lands to be conveyed to the Town were not remediated immediately due to the unique environmental features relating to the Oak Ridges Moraine.

The purpose of the Risk Assessment was:

1. To evaluate human health and ecological risks associated with impacted soils and groundwater. More specifically, the Risk Assessment was intended to evaluate risks associated with exposure to chemicals of concern, primarily arsenic and lead under a parkland use for both the Forested Areas and the Trail lands; and
2. To derive property specific standards for soil and groundwater protective of human health and ecological receptors present on and off site.

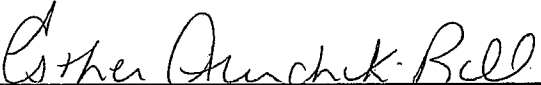
The Risk Assessment involved a number of studies and a series of submissions to the Ministry of the Environment (MOE). York Region Community and Health Services, the Town and the developer participated in the review and commenting process. On October 13, 2011, the Ministry of the Environment issued a Notice of Decision indicating Final Acceptance of the Risk Assessment.

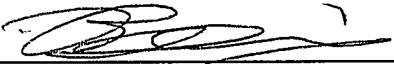
There are a number of key findings and conclusions from the Risk Assessment that the Town's external environmental consultants will present at the October 31, 2011 Committee of the Whole meeting at 1:30 p.m., Council Chambers, 395 Mulock Drive. At that time, the Town's consultants will explain the purpose, methodology and outcomes of the report. The consultants will also address the risk management measures and proposed soil remediation measures (such as targeted soil removal). The Town's "next steps" will also be discussed. Residents will be provided with a copy of this report so that they will be aware of the presentation to Committee of the Whole to be held on October 31, 2011.

As the Risk Assessment document is very large, it is not being circulated. A copy of that document is available in the Legal Services department and it will also be posted on the Town's website.

#### CONTACT

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Robert K. Dixon  
Commissioner, Corporate Services