

Section I – Items for Board of Directors Action

TO: Chair and Members of the Executive Committee
Friday, September 8, 2023 Meeting

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: DISPOSITION TO REGIONAL MUNICIPALITY OF YORK FOR PERMANENT EASEMENT
Request from the Regional Municipality of York for a Permanent Easement Required for York-Peel Feedermain Repair, City of Vaughan, Regional Municipality of York, Humber River Watershed (CFN 69227)

KEY ISSUE

Recommended approval of a request from the Regional Municipality of York, for a permanent easement for lands located north of Rutherford Road and west of Pine Valley Drive, in the City of Vaughan, Regional Municipality of York, required for York-Peel Feedermain Repair, Humber River watershed (CFN 69227).

RECOMMENDATION:

THE EXECUTIVE COMMITTEE RECOMMENDS THAT WHEREAS the Toronto and Region Conservation Authority (TRCA) is in receipt of a request from the Regional Municipality of York for the conveyance or for a permanent easement of TRCA-owned lands located north of Rutherford Road and west of Pine Valley Drive, in the City of Vaughan, Regional Municipality of York, required for York-Peel Feedermain Repair, Humber River watershed;

THEREFORE LET IT BE RESOLVED THAT a parcel of TRCA-owned land containing 0.4289 hectares (1.06 acres), more or less, of vacant land, required for York-Peel Feedermain Repair, said lands being Part of Lot 16, Concession 7 designated as parts 1 and 2 on draft plan under reference number 23-21-891-00, prepared by J.D. Barnes, in the City of Vaughan, Regional Municipality of York, be conveyed to the Regional Municipality of York;

THAT consideration be the nominal sum of \$2.00 and all legal, survey and other costs to be paid by the Regional Municipality of York;

THAT the Regional Municipality of York is to fully indemnify TRCA from any and all claims from injuries, damages or costs of any nature resulting in any way, either directly or indirectly, from this conveyance or the carrying out of construction;

THAT an archaeological investigation be completed, with any mitigation measures being carried out to the satisfaction of TRCA staff, at the expense of Regional Municipality of York;

THAT a landscape plan be prepared for TRCA staff review and approval, in accordance with existing TRCA landscaping guidelines at the expense of Regional Municipality of York;

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THAT a permit pursuant to Ontario Regulation 166/06, as amended, be obtained by Regional Municipality of York prior to the commencement of construction; AND FURTHER THAT authorized TRCA officials be directed to take the necessary action to finalize the transaction, including obtaining any necessary approvals and the signing and execution of documents.

BACKGROUND

The Regional Municipality of York has requested a permanent easement on TRCA-owned lands, located north of Rutherford Road and west of Pine Valley Drive, in the City of Vaughan, Regional Municipality of York, required for York-Peel Feedermain Repair, Humber River watershed.

The subject TRCA-owned lands were acquired from Jacobus Lamers and Christina M. Lamers on July 21, 1964, under the Boyd Dam and Reservoir project at that time.

Attachment 1 is a sketch illustrating the location of the subject lands. **Attachment 2** is an orthophoto illustrating the location of the subject lands.

RATIONALE

The Regional Municipality of York has conveyed lands to TRCA over the years for nominal consideration of \$2.00 and has requested that TRCA lands required for the York-Peel Feedermain Repair be conveyed for a nominal consideration of \$2.00. Existing easements exist on the property for commensurate work.

All lands disturbed by construction will be restored by Regional Municipality of York in accordance with an Ontario Regulation 166/06 permit.

Plantings and Mitigation

All disturbed areas will be restored with native non-invasive seed mix and appropriate erosion sediment controls will be installed as per the 166/06 Permit. Signage and other forms of notice will be prepared to inform trail users of the planned works.

Relationship to TRCA's 2023-2034 Strategic Plan

This report supports the following Pillar and Outcome set forth in TRCA's 2023-2034 Strategic Plan:

Pillar 1 Environmental Protection and Hazard Management:

- 1.4 Balance development and growth to protect the natural environment ensuring safe sustainable development

FINANCIAL DETAILS

The Regional Municipality of York has agreed to assume all legal, survey and other costs involved in completing this transaction.

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Date: July 21, 2023

Attachments: 2

Attachment 1: Site Plan – North of Rutherford Road and West of Pine Valley Drive, City of Vaughan

Attachment 2: Orthophoto – North of Rutherford Road and West of Pine Valley Drive, City of Vaughan