

Section I – Items for Authority Action

TO: Chair and Members of the Executive Committee
Meeting #8/18, Friday, October 05, 2018

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **REGIONAL MUNICIPALITY OF YORK**
Request from the Regional Municipality of York for a Permanent Easement on Toronto and Region Conservation Authority-owned Lands Required for Minor Road Improvements to Rutherford Road, City of Vaughan, Regional Municipality of York, Humber River Watershed (CFN 60279)

KEY ISSUE

Receipt of a request from the Regional Municipality of York, for a permanent easement on Toronto and Region Conservation Authority-owned lands located along Rutherford Road, east of Islington Avenue and west of Pine Valley Drive, in the City of Vaughan, Regional Municipality of York, required for minor road improvements to Rutherford Road including paved shoulder, guiderail, curb and gutter, catch basin, stormwater outfall and a culvert outlet, Humber River watershed.

RECOMMENDATION

THE EXECUTIVE COMMITTEE RECOMMENDS THAT WHEREAS Toronto and Region Conservation Authority (TRCA) is in receipt of a request from the Regional Municipality of York for a permanent easement on TRCA-owned lands located along Rutherford Road, east of Islington Avenue and west of Pine Valley Drive, in the City of Vaughan, Regional Municipality of York, required for minor road improvements to Rutherford Road including paved shoulder, guiderail, curb and gutter, catch basin, stormwater outfall and a culvert outlet, Humber River watershed;

AND WHEREAS it is in the best interest of TRCA in furthering its objectives as set out in Section 20 of the *Conservation Authorities Act* to cooperate with Regional Municipality of York in this instance.

THEREFORE LET IT BE RESOLVED THAT a permanent easement on TRCA-owned land containing 0.0088 hectares (0.2175 acres), more or less, of vacant land, required for minor road improvements to Rutherford Road, designated in pink cross hatching on drawing Cont. No. 18-151, in the City of Vaughan, Regional Municipality of York, be granted 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 the grant of the permanent easement or the carrying out of construction;

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 said requested permanent easement be subject to the approval of the Minister of Natural Resources and Forestry in accordance with Section 21(2) of the *Conservation Authorities Act*, R.S.O. 1990, Chapter C.27, as amended, if required;

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 along Rutherford Road, east of Islington Avenue and west of Pine Valley Drive, in the City of Vaughan, Regional Municipality of York, required for minor road improvements to Rutherford Road including paved shoulder, guiderail, curb and gutter, catch basin, stormwater outfall and a culvert outlet, Humber River watershed.

Archeological investigations of the subject area adjacent to Rutherford Road were completed by TRCA in 2010.

The Regional Municipality of York will undertake all works, including any restoration in accordance with TRCA permit #C-180762 dated August 21, 2018.

The subject TRCA-owned lands were acquired from Ashton B. Cooper (Estate), on October 17, 1966 under the Boyd Dam and Reservoir Project.

Attached is a sketch 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 minor road improvements along Rutherford Road, be conveyed for a nominal consideration of \$2.00.

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: September 5, 2018

Attachments: 1