

## Item 8.3.

### Section I – Items for Board of Directors Action

**TO:** Chair and Members of the Executive Committee  
Meeting #6/19, Friday, July 05, 2019

**FROM:** Michael Tolensky, Chief Financial and Operating Officer

**RE:** **CITY OF TORONTO**  
Request for a Permanent Easement on Toronto and Region Conservation Authority-owned Lands, Derrydowns Park (between 267 and 273 Derrydown Road), City of Toronto, Humber River Watershed. CFN 61735

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#### KEY ISSUE

Receipt of a request from the City of Toronto, for a permanent easement on Toronto and Region Conservation Authority-owned lands required for a storm sewer for the City of Toronto's Basement Flooding Protection Program, located south of Finch Avenue West and east of Jane Street, known as Derrydowns Park (between 267 and 273 Derrydown Road), in the City of Toronto, Humber River watershed.

#### RECOMMENDATION

**WHEREAS** the Toronto and Region Conservation Authority (TRCA) is in receipt of a request from the City of Toronto for a permanent easement on TRCA-owned lands required for a storm sewer for the City of Toronto's Basement Flooding Protection Program, located south of Finch Avenue West and east of Jane Street, known as Derrydowns Park (between 267 and 273 Derrydown Road), in the City of Toronto, 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 City of Toronto in this instance;

**THEREFORE THE EXECUTIVE COMMITTEE RECOMMENDS THAT** TRCA grant to the City of Toronto a permanent easement for a storm sewer on TRCA-owned land containing 0.098 hectares (0.242 acres), more or less, of vacant land, cross hatched in yellow on the Toronto Water Sketch Plan dated May 2019, in the City of Toronto;

**THAT** consideration be the nominal sum of \$2.00 and all legal, survey and other costs to be paid by the City of Toronto;

**THAT** the City of Toronto 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** said conveyance be subject to informing 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;

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**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 City of Toronto has requested a permanent easement on TRCA-owned lands, required for a storm sewer for the City of Toronto's Basement Flooding Protection Program, located south of Finch Ave West and east of Jane Street, known as Derrydowns Park (between 267 and 273 Derrydown Road), in the City of Toronto, Humber River watershed.

The subject TRCA-owned lands were acquired for nominal value from the Corporation of the Borough of North York in February 1973 and expropriated from Mary Heinrich in June 1964 under the Humber River Flood Plain Lands project.

Attached is a sketch illustrating the location of the subject lands. Attached is an orthophoto of the location of the subject lands.

### **RATIONALE**

The sewer works have been completed in accordance with a permit under Ontario Regulation 166/06 Permit No. C-151034 dated December 16, 2015 issued by TRCA's Planning and Development department.

City of Toronto has requested that the permanent easement be granted for nominal consideration of \$2.00 for the purposes of the Basement Flooding Protection Program.

### **Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan**

This report supports the following strategy set forth in the TRCA 2013-2022 Strategic Plan:  
**Strategy 4 – Create complete communities that integrate nature and the built environment**

### **FINANCIAL DETAILS**

The City of Toronto has agreed to assume all legal, survey and other costs involved in completing this transaction.

**Report prepared by: [nadia.wells@trca.ca](mailto:nadia.wells@trca.ca), extension 5859**

**Emails: [nadia.wells@trca.ca](mailto:nadia.wells@trca.ca)**

**For Information contact: [nadia.wells@trca.ca](mailto:nadia.wells@trca.ca), extension 5859**

**Emails: [nadia.wells@trca.ca](mailto:nadia.wells@trca.ca)**

**Date: 11 June 2019**

**Attachments: 2**

Attachment 1: Site Plan

Attachment 2: Orthophoto