

Item 8.4.

Section I – Items for Board of Directors Action

TO: Chair and Members of the Executive Committee
Meeting #06/19, 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 38 and 44 Fulwell Crescent), City of Toronto, Humber River Watershed. CFN 61736

KEY ISSUE

Receipt of a request from the City of Toronto, for a permanent easement on Toronto and Region Conservation Authority-owned lands 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 38 and 44 Fulwell Crescent), 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 located south of Finch Avenue West and east of Jane Street, known as Derrydowns Park (between 38 and 44 Fulwell Crescent), in the City of Toronto, required for a storm sewer for the City of Toronto's Basement Flooding Protection Program, 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 0.220 hectares (0.544 acres), more or less, of vacant land, crosshatched 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 38 and 44 Fulwell Crescent), 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 June 1973 and from expropriated from Greenwin Construction and Revenue Properties Central Development in 1966 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-140812 dated November 7, 2014 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.

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Date: 11 June 2019

Attachments: 2

Attachment 1: Site Plan

Attachment 2: Orthophoto