

Section I – Items for Board of Directors Action

TO: Chair and Members of the Executive Committee
Meeting #7/20, Friday, November 06, 2020

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **REQUEST FOR PERMANENT EASEMENT (1613935 ONTARIO INC.)**
Request for Permanent Easement Required for Stormwater Infrastructure
Town of Ajax, Regional Municipality of Durham, Duffins Creek Watershed (CFN
63820)

KEY ISSUE

Receipt of a request from 1613935 Ontario Inc., for a permanent easement required for stormwater infrastructure, located south of Taunton Road W. and west of Ravenscroft Road, in the Town of Ajax, Regional Municipality of Durham, Duffins Creek watershed.

RECOMMENDATION

THE EXECUTIVE COMMITTEE RECOMMENDS THAT WHEREAS the Toronto and Region Conservation Authority (TRCA) is in receipt of a request from 1613935 Ontario Inc. for a permanent easement required for Stormwater Infrastructure located south of Taunton Road W. and west of Ravenscroft Road, in the Town of Ajax, Regional Municipality of Durham, Duffins Creek 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 1613935 Ontario Inc. in this instance;

THEREFORE LET IT BE RESOLVED THAT a permanent easement containing 0.006 hectares (0.01437 acres), more or less, of vacant land, required for stormwater infrastructure, said land being part of Lot 12, Concession 3, designated as Part 1 on draft plan of survey prepared by J.D. Barnes Ltd., Reference No: 18-25-563-02, File: G:\18-25-563\02\18-25-563-02.dgn, in the Town of Ajax, Regional Municipality of Durham, be conveyed to 1613935 Ontario Inc.;

THAT consideration be \$28,600; all legal, survey and other costs to be paid by 1613935 Ontario Inc.;

THAT 1613935 Ontario Inc. 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 1613935 Ontario Inc.;

THAT a permit pursuant to Ontario Regulation 166/06, as amended, be obtained by 1613935 Ontario Inc. prior to the commencement of construction;

THAT all TRCA lands disturbed by the proposed works be revegetated/stabilized following construction and where deemed appropriate by TRCA staff, a landscape plan

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be prepared for TRCA staff review and approval in accordance with existing TRCA landscaping guidelines, at the expense of 1613935 Ontario Inc.;

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

1613935 Ontario Inc. has requested a permanent easement across TRCA-owned lands required for stormwater infrastructure to the adjacent development to the east, located south of Taunton Road W. and West of Ravenscroft Road.

The subject TRCA-owned lands were acquired from 1613935 Ontario Inc. on February 22, 2010 under the Greenlands Acquisition Project 2010-2015 for a nominal fee.

Attachment 1 is a sketch illustrating the location of the permanent easement. **Attachment 2** is an orthophoto illustrating the location of the permanent easement.

RATIONALE

1613935 Ontario Inc. has conveyed 11.48 hectares (28.36 acres) of lands to TRCA for nominal consideration and has requested that TRCA granted a permanent easement of 0.006 hectares (0.01437 acres) over a small portion of the same lands now.

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

1613935 Ontario Inc. has agreed to assume all legal, survey and other costs involved in completing this transaction. It is proposed that the unrestricted easement fees be utilized as TRCA considers proper, in the pursuit of furthering its mandate.

Report prepared by: Edlyn Wong, extension 5711

Emails: edlyn.wong@trca.ca

For Information contact: Edlyn Wong, extension 5711, Daniel Byskal, extension 6452

Emails: edlyn.wong@trca.ca, daniel.byskal@trca.ca

Date: October 6, 2020

Attachments: 2

Attachment 1: Site Plan

Attachment 2: Orthophoto