

Section I – Items for Board of Directors Action

TO: Chair and Members of the Executive Committee
Friday, January 15, 2021 Meeting

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **CONVEYANCE OF LAND AND PERMANENT EASEMENT (REGIONAL MUNICIPALITY OF YORK)**
Request from the Regional Municipality of York for a Conveyance of Land and Permanent Easement of Toronto and Region Conservation Authority-owned Lands required for Rutherford Road widening, City of Vaughan, Regional Municipality of York, Don River Watershed (CFN 64051)

KEY ISSUE

Receipt of a request from the Regional Municipality of York, for a conveyance and permanent easements of Toronto and Region Conservation Authority owned lands located along Rutherford Road from west of Keele to Ilan Ramon Blvd (east of Bathurst), in the City of Vaughan, Regional Municipality of York, required for Rutherford Road widening, Don River watershed.

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 a conveyance of land and permanent easement of TRCA-owned lands located along Rutherford Road from west of Keele Avenue to Ilan Ramon Boulevard (east of Bathurst), in the City of Vaughan, Regional Municipality of York, required for Rutherford Road widening, Don 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 TRCA-owned lands containing 0.16 hectares (0.39 acres), more or less, of vacant land, required for Rutherford Road widening, being Part of Lot 15, Concession 2, designated as Parts 17, 20, 23-25 on Plan 65R-38173; Part of Block 110, Plan 65M-3917 designated as Part 8 on 65R-38174; Part of Block 212, Plan 65M-4004 designated as Part 33 on 65R-38236; Part of Block 41, Plan 65M-4486 designated as Parts 1, 3, and 4 on Plan 65R-38267 and; Part of Block 54, Plan 65M-4486 designated as Part 5 on 65R-38267, be conveyed to the Regional Municipality of York;

THAT a permanent easement containing a total of 0.22 hectares (0.54 acres), more or less, of vacant land, required for Rutherford Road widening, being Part of Lot 15, Concession 2, designated as Parts 15, 16, 18, 19, 21, 22 and 37 on Plan 65R-38173; Part of Block 110, Plan 65M-3917 designated as Parts 6, 7 and 9 on 65R-38174; Part of Block 212, 65M-4004 designated as Part 22 on 65R-38236; Part of Block 41, Plan 65M-4486 designated as Part 2 on Plan 65R-38267; Part of the West $\frac{3}{4}$ of Lot 16 Concession 4, designated as Parts 31, 32 on Plan 65R-37129, be conveyed to the Regional Municipality of York;

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

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;

THAT a permit pursuant to Ontario Regulation 166/06, as amended, be obtained by Regional Municipality of York prior to the commencement of construction, 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 land conveyance and a permanent easement across TRCA-owned lands required for the widening of Rutherford Road.

The subject TRCA-owned lands were acquired from Margaret Helen Emily Danyer on August 31, 1999 under the Greenspace Protection and Acquisition Project 1996-2000, Woodvalley Developments Inc. on January 31, 2007 and Nine-Ten West Ltd. on August 17, 2007 under Greenlands Acquisition Project 2006-2010, Teefy Developments Ltd. on November 2, 2015 under Greenlands Acquisition Project 2011-2015, and Nine-Ten West Ltd. on June 30, 2016 under Greenlands Acquisition Project 2016-2020.

Attachments 1-3 are sketches illustrating the location of the subject lands. ***Attachments 4-6*** are orthophotos 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 land conveyance of TRCA lands required for Rutherford Road Widening, be conveyed for a nominal consideration of \$2.00.

Plantings

All lands disturbed by construction will be stabilized and, where deemed appropriate by TRCA staff, revegetated with native woody and herbaceous plant material in accordance with existing TRCA landscaping guidelines. A landscape plan will be prepared as part of the permit application submission.

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

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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: November 17, 2020

Attachments: 6

Attachment 1: Site Plan

Attachment 2: Site Plan

Attachment 3: Site Plan

Attachment 4: Orthophoto

Attachment 5: Orthophoto

Attachment 6: Orthophoto