

Clause 20 in Report No. 1 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on January 21, 2016.

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Acquisition of Land
Canadian National Railway Company MacMillan Yard
City of Vaughan

Committee of the Whole recommends adoption of the following recommendations contained in the report dated November 19, 2015 from the Commissioner of Corporate Services:

1. Recommendations

It is recommended that:

1. Council authorize the acquisition of the following lands, for the purpose of preserving existing Regional water and wastewater infrastructure, contained at the Canadian National Railway Company (CNR) MacMillan Yard, Keele Street, in the City of Vaughan.

No.	Owner	Municipal Address	Legal Description	Interest Required
1.	Canadian National Railway Company	1 Administration Road Vaughan	Part 1, Plan 65R36029 Part 1, Plan 65R36030	Permanent Easement
<p>The permanent easements are required for the purposes of entering upon the lands with all necessary vehicles, machinery, equipment, material and supplies for the following purposes, namely, to construct, install, maintain, alter, remove, replace, reconstruct, enlarge, inspect, repair and operate one 65.484 m long, 1400mm diameter corrugated steel pressurized pipe watermain and one 182.937m long 2100mm diameter steel pressurized forcemain sewer pipe containing two 600mm sanitary lines required for the transmission of water and wastewater.</p>				

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2. The Commissioner of Corporate Services be authorized to execute the agreement of purchase and sale and all necessary documents to complete this transaction.

2. Purpose

This report seeks Council approval to acquire land required for the preservation of Regional water and wastewater infrastructure in the City of Vaughan, as shown in Attachment 1.

3. Background

License Agreements protect Region infrastructure located on the CNR MacMillan Yard property

The Region owns and maintains watermains and sewers on lands owned by CNR. This infrastructure was constructed by the Ministry of the Environment in 1981 and downloaded to the Region through the *Municipal Water and Sewage Transfer Act, 1997*.

The Region has maintained this infrastructure via Pipe Crossing Agreements, granted by CNR since 1997. These licences require annual payments and specifically detail CNR regulations, construction specifications, and insurance, indemnity and renewal fee provisions. These licences are revocable on 30 days' notice.

CNR has formally advised that a change in practice requires the existing Wastewater Regional Infrastructure crossing agreements move to permanent easements

CNR has formally advised the Region of a change in the business practice, and that it intends to replace the annual license fee and license renewal process with a one-time lump sum payment for the permanent easements. This change will reduce administrative time required to track, verify and complete periodic license renewals.

Permanent easements provide better long term security

CNR considers the size of the main pipe lines and their connections to be major encumbrances to the yard. In this regard, the parties have agreed to enter into permanent easement agreements. Permanent easements will provide greater long term security to the Region relative to the existing license agreements as

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the permanent easements cannot be revoked on 30 days' notice and will bind any subsequent purchaser of the lands.

4. Analysis and Options

Negotiations have been successfully completed for the acquisition of land within the CNR MacMillan Yard

The Region and CNR have agreed to the terms of permanent easement agreements, which will replace the licences. The easement agreements involve a single lump-sum payment from the outset, and will secure the Region's interest in the area over the long term.

Environmental due diligence is not required for this acquisition, as Region occupation of the lands remains continuous and unchanged.

Link to key Council-approved plans

The proposed acquisition of easements for the CNR, MacMillan Yard water and wastewater project supports the objectives of Vision 2051, the Regional Official Plan and the 2015 to 2019 Strategic Plan.

One of the goal areas of Vision 2051 is Living Sustainably, which the project addresses through the application of best-in-class technology and practices for water supply and wastewater treatment. As well, the infrastructure delivers safe, clean drinking water and provides long-term water and wastewater services to the Region, in accordance with the Regional Official Plan. Lastly, an objective identified in the Strategic Plan is to implement the Water and Wastewater Master Plan.

5. Financial Implications

The funding to complete this property acquisition is included in the approved, Environmental Services 2016 Budget.

6. Local Municipal Impact

Maintenance of the existing water and sewer infrastructure in the CNR MacMillan Yard is critical to ensuring adequate capacity of essential services to support growth in York Region. The project will further support the accommodation of the

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forecasted growth within the Region, as established by “Places to Grow” and reflected in the Region’s Official Plan.

7. Conclusion

The Region owns underground water and wastewater infrastructure within the CNR MacMillan Yard, which has been protected via license agreements since the infrastructure was downloaded to the Region in 1997. Terms of the agreements included the annual renewal of the agreements, and annual payments from the Region to CNR.

Staff has concluded negotiations for the acquisition of easements, which is required to maintain existing water and wastewater servicing. Accordingly, it is recommended that Council approve the acquisition detailed within this report.

For more information on this report, please contact Michael Shatil, Director, Property Services Branch at ext. 71684.

The Senior Management Group has reviewed this report.

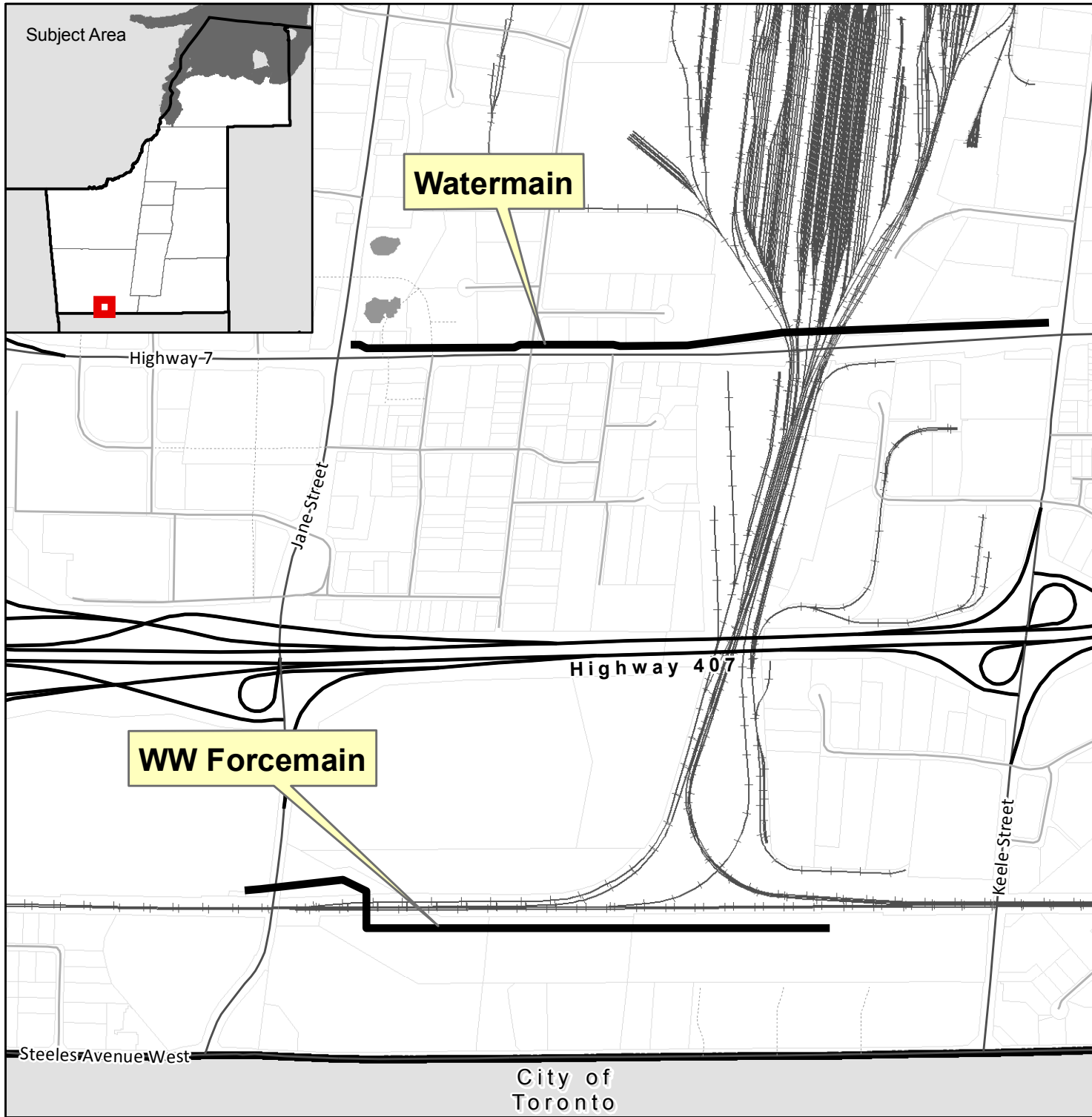
November 19, 2015

Attachments (1)

Private Attachments (1)

eDOCS #6492272

Accessible formats or communication supports are available upon request



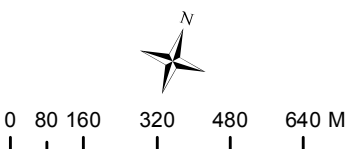
LOCATION PLAN

Acquisition of Land
 Canadian National Railway Company MacMillan Yard
 City of Vaughan





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 Property Services, Corporate Services
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Legend

-  Property Requirement
-  Parcel
-  Road
-  Railway