

COMMITTEE OF THE WHOLE - FEBRUARY 18, 2002

SALE OF CITY LANDS TO THE REGIONAL MUNICIPALITY OF YORK PROPOSED RUTHERFORD ROAD WIDENING AND RECONSTRUCTION FROM HWY 27 TO WESTON ROAD

Recommendation

The Manager of Real Estate in consultation with the Director of Legal Services recommends that a By-Law be enacted to:

- 1) Declare the lands, described as Parts 1, 2, 3 and 4 on Draft Reference Plan L-207-58 dated October 30, 2001, surplus;
- 2) Pursuant to the Disposal of Property By-Law, notice of sale of the lands be the inclusion of the matter on the Council Agenda;
- 3) Authorize the sale of the surplus lands, described as Parts 1, 2, 3 and 4 on Draft Reference Plan L-207-58 dated October 30, 2001, to the Regional Municipality of York for the nominal sum of \$2.00;
- 4) Authorize the granting of a temporary easement until December 31, 2004, on Parts 1, 4 and 6, Draft Reference Plan L-207-59 dated December 14, 2001, to the Regional Municipality of York for the nominal sum of \$2.00;
- 5) Authorize the granting of a Permission to Enter the City lands for the purposes of road reconstruction; and,
- 6) That the Mayor and Clerk be authorized to execute all documentation necessary to complete the transaction.

Purpose

The purpose of this report is to obtain approval to convey land required for a road widening from the City to York Region for the widening and reconstruction of Rutherford Road; to grant a temporary work easement on City owned lands to facilitate the said widening and reconstruction; and, to grant a Permission to Enter for the purposes of road and driveway reconstructions.

Background - Analysis and Options

The Regional Municipality of York is proposing to widen and reconstruct Rutherford Road from Weston Road, westerly to the vicinity of Highway 27. In order to complete the widening and reconstruction, the Region requires the fee simple interest in an approximate 3m wide strip of land across the entire Rutherford Road frontage of City owned lands (Al Palladini Community Centre) and a site visibility triangle at the southeast corner of Islington Avenue and Rutherford Road. The fee simple requirements are part of Lot 15, Concession 7 and are further described as Parts 1, 2, 3 and 4 on Draft Reference Plan L-207-58 dated October 30, 2001. The total area of the Region of York widening requirement is 1,307 square meters.

The Region also requires a temporary working easement over City owned lands, being part of lot 16, Concession 8; part of Block 62, Plan 65M-3303; and, part of Block 128, Plan 65M-3068 and shown respectively as Parts 1, 4 and 6, Draft Reference Plan L-207-59 dated December 14, 2001,

for a term ending December 31, 2004 to facilitate the proposed reconstruction. The total area of the temporary working easement is 278 square meters.

The Region further requires Permission to Enter for the purpose of reconstructing existing entrances to the Al Palladini Community Centre.

The property rights requested by the Region are being conveyed and granted for the nominal sum of \$2.00. The conveyance of these lands does not diminish the value of the balance of the lands nor does it affect the current use or alter the highest and best use of the City lands. The requirements have been identified as road widening and would normally be dedicated gratuitously to the Region through the development process.

Notice and Declaration

Given that the lands are required by the Region for road purposes, circulation to departments for the conveyance of these lands is not required for comments pursuant to the Disposal of Property By-Law. All other requirements noted in the Disposal of Property By-Law have been adhered to.

Conclusion

The Region has advised that they wish to commence construction in March, and accordingly, it is in order to enact the necessary by-law.

Attachments

Attachment No. 1 – Location Map

Report prepared by:

Liana Haughton

Respectfully submitted,

Liana Haughton
Manager of Real Estate

