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TRCA LICENCE AGREEMENT RUTHERFORD ROAD, CITY OF VAUGHAN

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, January 5, 2005, from the Commissioner of Corporate Services:

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council permit the Toronto and Region Conservation Authority (“TRCA”) to construct a conservation trail under the existing bridge on Rutherford Road (YR 73) between Islington Avenue (YR 17) and Pine Valley Drive (YR 57).
2. The Region enter into a licence agreement with TRCA to permit the construction of the trail, upon terms satisfactory to the Regional Solicitor.
3. The Regional Chair and Clerk be authorized to execute the licence agreement.

2. PURPOSE

The Toronto and Region Conservation Authority has requested permission from the Region to develop a conservation trail under Rutherford Road (YR 73) between Islington Avenue (YR 17) and Pine Valley Drive (YR 57). (*See Attachment 1*) Council’s approval is necessary in order to permit a public trail under the bridge that is located on Rutherford Road (YR 73).

3. BACKGROUND

The Toronto and Region Conservation Authority, in partnership with the City of Vaughan and others, is proposing to construct a new pedestrian trail system linking the McMichael Canadian Art Collection, the West Vaughan Community Centre, the Boyd Conservation Area and the Kortright Centre for Conservation.

The trail is to be 2.5 metres in width, and will cross under Rutherford Road beneath the East Humber River bridge along the east bank of the East Humber River, leading towards the Boyd Field Centre.

If the Region does not permit the trails to be constructed under the highway, pedestrians using the nature trail will be required to cross Rutherford Road at street level in order to continue their walk. This will result in traffic disruptions and expose pedestrians to unnecessary risk.

It is proposed that the TRCA be required to enter into an agreement with the Region setting out the terms of the licence. This will provide that the licence can be terminated by the Region upon reasonable notice, that all construction and maintenance be subject to approval by the Commissioner of Transportation and Works and will ensure that adequate liability insurance is maintained. All costs associated with this project will be the responsibility of the TRCA.

The Region received a similar request from TRCA for a licence agreement in the year 2000, for the trail system that was located under Major Mackenzie Drive, under a bridge and a large culvert. The trails are shown on the attachment.

4. LOCAL MUNICIPAL IMPACT

There are no local municipal implications associated with this report.

5. CONCLUSION

It is recommended that Regional Council grant permission for the construction and use of the pedestrian trails under Rutherford Road, subject to the Region and the TRCA entering into a licence agreement with appropriate conditions.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the February 2, 2005 Committee meeting.)