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ACQUISITION OF LAND YDSS SOUTH EAST COLLECTOR SEWER PROJECT

The Environmental Services Committee recommends the adoption of the recommendation contained in the following report dated January 12, 2010, from the Commissioner of Corporate Services.

1. RECOMMENDATION

It is recommended that:

1. Council authorize an agreement to obtain permanent easements over a hydro-electric corridor in accordance with this report.

2. PURPOSE

The purpose of this report is to obtain Regional Council's approval to accept the following agreement. This property is required for construction of the South East Collector Sewer project.

3. BACKGROUND

The Regional Municipality of York has made its final submission to the Ministry of the Environment for Individual Environmental Assessment approval of the preferred 15Km route for the South East Collector sewer project, through Markham and Pickering.

Under the *Municipal Act*, York Region is allowed to exercise its rights to acquire property outside its own jurisdiction if it is related to a defined municipal purpose. In this case the South East Collector project is intended to only serve York Region residents.

Within the City of Pickering, 6Km of the preferred sewer tunnelling route is within lands formerly owned by Ontario Hydro, and now owned by Ontario Realty Corporation. Hydro One Networks Inc. (HONI) has primary use and statutory control of other uses within the corridor, with a mandate to protect delivery of electrical energy as their top priority. Technical approval has been obtained from HONI for construction of the sewer tunnel within this corridor. Permanent easements are required for construction and maintenance purposes.

4. ANALYSIS AND OPTIONS

Property No. 1 *(see attachment 1)*

OWNERS:	ONTARIO REALTY CORPORATION acting as agent on behalf of HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO as represented by THE MINISTER OF ENERGY AND INFRASTRUCTURE.
PROJECT:	Construction of the South East Collector sewer
SUBJECT PROPERTY:	Part of Lots 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35, Concession 2, in the City of Pickering, Regional Municipality of Durham
REQUIREMENT:	Permanent easements over: Parts 1, 2, 3 on reference plan 40R-26087 (18,745.3m ²). Part 1 on reference plan 40R-26088 (8,048.8m ²). Parts 3, 4 on reference plan 40R-26115 (7,581.3m ²). Part 2 on reference plan 40R-26129 (9,745.75m ²). Parts 3, 7, 9, 11, 12 on draft reference plan RY-P-9 (11,751.5m ²) Parts 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 on draft reference plan RY-P-10 (8,325.3m ²) Total area: 6.419 ha (15.863 acres)
COMMENTS:	The subject property is an electrical transmission corridor that originates at the Pickering Nuclear Station in Pickering and travels westerly towards Toronto. The section of this corridor affected by the South East Collector sewer project is from York Durham Line to Cherrywood Transformer Station (near Liverpool Road).
PROJECT NUMBER:	7404

5. FINANCIAL IMPLICATIONS

Funds for this acquisition are included in the South East Collector project approved 2010 Capital Budget.

6. LOCAL MUNICIPAL IMPACT

Construction of the South East Collector is a critical infrastructure component to ensure adequate wastewater capacity for growth across York Region. Construction of the South East Collector will accommodate the forecasted growth within the Region, as established by “Places to Grow” and reflected in the York Region Official Plan approved by Regional Council in December, 2009.

7. CONCLUSION

This permanent property easement through the hydro corridor is required to facilitate the construction of the South East Collector Sewer through Pickering to the Duffins Creek Treatment Plant. York Region has powers under the *Municipal Act* to acquire land for its own purpose outside its jurisdiction.

For more information on this report, please contact Paul J. Roberts, Manager, Realty Services, Property Services Branch at Ext. 1424.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the February 10, 2010 Committee meeting.)

