

8

REALIGNMENT OF TRANSIT EASEMENTS – VAUGHAN MILLS CITY OF VAUGHAN

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report, February 8, 2005, from the Commissioner of Corporate Services:

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council authorize the abandonment of the following easements:
 - a) a portion of the easement described in Instrument No.YR402631 over part of Block 1, Plan 65M3696, City of Vaughan, Regional Municipality of York and designated as Parts 1, 4, 5, 7, 8, 9, 15, 18, 19, 21, 23, 29, 30, 33, 34, 35, 40, 41, 42, 48, 54, 56, 57, 60, 63, 64, 76, 95, 97 and 98 on Plan 65R27637; Parts 42 and 43 on Plan 65R26825 and Parts 2 and 5 on Plan 65R27622; and
 - b) a portion of the easement described in Instrument No.YR402633 over part of Block 1, Plan 65M3696, City of Vaughan, Regional Municipality of York and designated as Parts 49 and 50 on Plan 65R27637 and Parts 92 and 93 on Plan 65R26598.
2. The abandonment of the above easements be subject to Ivanhoe Cambridge II Inc. and Vaughan Mills Advisory Services, Inc. conveying to The Regional Municipality of York good and valid easements for public transit services over the following lands:
 - a) Part of Block 1, Plan 65M3696, City of Vaughan, Regional Municipality of York and designated as Parts 57, 58, 59 and 66 on Plan 65R27637 for the purpose of providing bus stop pads;
 - b) Part of Block 1, Plan 65M3696, City of Vaughan, Regional Municipality of York and designated as Parts 3, 13, 17, 26, 32, 37, 38, 44, 45, 49, 50, 51, 52, 61, 62, 81, 82, 88, 89, 90 and 91 on Plan 65R27637 and Parts 3 and 4 on Plan 65R27622 for the purpose of providing vehicular, pedestrian and transit bus access and bus routing; and
 - c) Part of Block 1, Plan 65M3696, City of Vaughan, Regional Municipality of York and designated as Parts 1, 3, 5, 6, 8, 9, 10 and 13 on Plan 65R27619 for the purpose of providing a public transit terminal.
2. The appropriate Regional Officials perform all acts necessary to give effect to the foregoing.

2. PURPOSE

The purpose of this report is to obtain Regional Council's approval to:

1. Abandon the easements described in Recommendation 1 a) and b) in exchange for the easements described in Recommendation 2 a), b), and c).
2. Authorize the appropriate Regional Officials to perform all acts necessary to give effect to the foregoing.

3. BACKGROUND

In 2003, as a condition of developing Vaughan Mills (Draft Plan 19T-98V10) located at the southeast corner of Highway 400 and Rutherford Road (*see Attachment No. 1*), Ivanhoe Cambridge II Inc. and Vaughan Mills Advisory Services, Inc. conveyed a number of easements to the Region for public transit purposes. These easements provided for vehicular and pedestrian access along a ring road, bus stops and a public transit terminal. The recent construction of a Nascar SpeedPark on the Vaughan Mills property has necessitated the relocation of some of the original easements granted to the Region. In addition, York Region Transit has redesigned the layout and operation of the transit terminal to improve its overall design and safety. The revised terminal design requires an increased easement area of 2,106.0 square metres.

In order to accommodate all of the above, Ivanhoe Cambridge II Inc. and Vaughan Mills Advisory Services, Inc. have requested the Region to abandon its easements over the lands set out in 1 a) and b) above in return for the easements over the lands set out in 2 a), b) and c) above. Copies of the relevant plans will be available for viewing. All of the above will be done at no cost to the Region. The solicitors for Vaughan Mills will provide, at no cost to the Region, the necessary documentation and certificates of title to implement the above.

Staff of York Region Transit are satisfied that the above exchange will accommodate all of their needs at this location.

A representative from Vaughan Mills has advised that the approximate area of the easements being abandoned is 9,817.95 square metres. The approximate area of the easements being acquired is 11,181.92 square metres.

4. FINANCIAL IMPLICATIONS

All costs in connection with these transactions, including the preparation and registration of the necessary documentation and the provision of satisfactory certificates of title, will be completed at no cost to the Region.

5. LOCAL MUNICIPAL IMPACT

There are no local municipal implications associated with this report.

6. CONCLUSION

The easements that we are being asked to be abandoned will no longer be required for transit purposes providing the replacement easements described above are transferred to the Region. In addition, the increased size of the transit terminal will improve the overall operation and safety of this site.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause were included in the agenda for the March 3, 2005 Committee meeting.)