

5

TEMPORARY WATER SUPPLY AND SANITARY SEWER SERVICES FROM REGION OF PEEL TO THE PROPERTY AT 10021 HIGHWAY 50 CITY OF VAUGHAN

The Environmental Services Committee recommends the adoption of the recommendations contained in the following report dated March 2, 2012, from the Commissioner of Environmental Services.

1. RECOMMENDATIONS

It is recommended that:

1. Council authorize an agreement with the Region of Peel to provide temporary municipal water supply and sanitary sewer service connections to the property at 10021 Highway 50 and to enter into an agreement with York Region and the property owner for the provision of water supply and sanitary sewer service connections, subject to the following conditions:
 - a) The Owner of the property at 10021 Highway 50, be responsible for all costs associated with the temporary water supply and sanitary sewer services, including water supply connection, sanitary sewer connection, connection charges required by Region of Peel, legal expenses and Regional administrative costs associated with the preparation and implementation of the agreement.
 - b) The temporary water supply and sanitary sewer services are solely for the existing land use of the subject property and are not for development or new land uses within the property.
2. The Commissioner of Environmental Services be authorized to execute a tri-party agreement with Region of Peel and property owner for the temporary supply of municipal water and sanitary sewer services from the Region of Peel to 10021 Highway 50.
3. Copies of this report be sent by the Regional Clerk to the Clerks at the Region of Peel and the City of Vaughan and to the property owner.

2. PURPOSE

The purpose of this report is to seek Council endorsement for the Region of Peel to provide temporary municipal water supply and sanitary sewer service connections to the property at 10021 Highway 50 and to obtain Council approval to authorize the

Commissioner of Environmental Services to execute a tri-party agreement with Region of Peel and the property owner, in conjunction with cross-regional water supply and sanitary sewer services to the subject property.

3. BACKGROUND

Request received from John Paone to service his land from Region of Peel

The subject property at 10021 Highway 50, located on the east side of Highway 50, immediately north of Major Mackenzie Drive, is currently occupied by an auto mechanic shop, and is serviced by a private well and a temporary sewage holding tank (see *Attachment 1*). John Paone, the current property owner, has expressed concerns with the low yield of his existing wells.

The City of Vaughan passed a council resolution on October 15, 2002 requesting the Region to request the Region of Peel to provide water supply and sanitary sewer service connections to the subject property (see *Attachment 2*).

In response to the City's Council resolution, a letter was sent to the Region of Peel requesting their consideration of providing the water supply and sewer service connections. Subsequently, Region of Peel staff responded in a letter dated March 19, 2003 that they were prepared to provide municipal water supply and sanitary sewer services to the property, subject to both Region of Peel and York Region Councils' approval for the cross-regional servicing.

This previous servicing request went into remission when the property owner did not further pursue the request and provide York Region the necessary written commitment assuming responsibility for all costs associated with the requested water supply and sanitary sewer service connections.

Region of Peel staff confirmed their support for provision of cross-regional services

In August 2011, the property owner reinstated his request and sent a letter to York Region advising that he will pay for all costs associated with the service connections to the property (see *Attachment 3*). Subsequently, York Region staff reviewed the matter with both City of Vaughan staff and Region of Peel staff.

City of Vaughan staff reconfirmed that they have no objection to servicing the subject property. Region of Peel staff also reconfirmed that they are in support of the proposed request, subject to both Region of Peel and York Region Councils' approvals (see *Attachment 4*).

4. ANALYSIS AND OPTIONS

No existing York Region or City of Vaughan watermains and sanitary sewers nearby to service the subject property

York Region and the City of Vaughan presently do not have watermains and sanitary sewers in the immediate vicinity of the subject property to permit municipal water supply and sanitary sewer service connections to the site.

There are existing Region of Peel watermains and sanitary sewers in the vicinity to service the subject site

Presently, there is an existing Region of Peel 300 mm watermain on Coleraine Drive and 975 mm sanitary sewer on Highway 50 that would permit a water service connection and a sanitary service connection, respectively, to the subject property.

Provision of water supply and sanitary sewer service connections from Region of Peel is only permitted on a temporary basis and for existing land use

These water supply and sanitary sewer connections are to be provided to the subject property on a temporary basis and will be maintained by Region of Peel. If and when municipal water supply and sanitary service connections are available to service the property from York Region or City of Vaughan in the future, these connections from Region of Peel will be disconnected.

The connections are permitted only for use by the existing auto mechanic shop and not for any new land uses or development. The property owner has also agreed to bear all costs of the connections. Given the low well yield and that there is no implication relating to planning and development issues, it is recommended that temporary water supply and sanitary sewer connections be requested from Region of Peel to service the subject property.

Future requests for cross-regional service connections from other properties will be assessed on a case by case basis and will be based on availability of municipal services from the applicable local municipality and/or York Region at that time.

Regional Council has previously approved connections to Peel Region water and sanitary sewer services of similar nature to three properties on the east side of Highway 50 as shown in *Attachment 1*. Two of these properties are agricultural properties and one is a mixed commercial building. A standard form of agreement was developed for these arrangements. In each case, the property owners were required to pay the cost of the connection and will be required to connect to City of Vaughan services as soon as they become available.

A tri-party agreement required between York Region, Region of Peel and property owner for the cross-regional services

A tri-party agreement between York Region, Region of Peel and the property owner is required to outline the responsibilities of each party for the cross-regional services. The property owner will be responsible for construction of water supply and sanitary sewer connections including obtaining the necessary approvals from the appropriate approval agencies, payment of water and sanitary service invoices from Region of Peel, and provide securities to York Region to protect the Region against any liabilities in the event that the property owner defaults in any required payments to Region of Peel. The property owner will also be responsible for the future disconnection of the temporary water supply and sanitary sewer services from Region of Peel if/when these services become available in the future from the City of Vaughan.

In addition, the property owner will be responsible for all administrative costs including legal costs and engineering staff cost for preparation of the tri-party agreement.

Link to Key Council-approved Plans

Provision of municipal services to the subject property through a servicing agreement with the Region of Peel supports the following 2011 to 2015 Corporate Strategic Plan objective by utilizing existing infrastructure in neighbouring municipalities to provide cost effective servicing residents in a cost effective manner:

- Continue to partner with all levels of government to facilitate the delivery of environmentally-sustainable infrastructure

5. FINANCIAL IMPLICATIONS

Property owner will be responsible for all costs

The property owner of the subject property will be responsible for all costs associated with the water supply and sanitary sewer service connections, including construction of the works, connection charges, and costs associated with the preparation of the agreement. The total cost for all associated works is estimated to be over \$100,000.

Property owner to enter into a tri-party agreement and provide securities to York Region

The property owner is required to enter into a tri-party agreement with York Region and Region of Peel and provide securities to York Region to protect the Region against any liabilities in the event of default by the property owner in any required payments to Region of Peel.

Accordingly, the proposed service connections will have no financial impact to the Region.

6. LOCAL MUNICIPAL IMPACT

The connection will provide municipal water supply and sanitary sewer services to the property at 10021 Highway 50, without the need for the City of Vaughan to extend its watermain system and sanitary sewer system to the subject area, which is premature at this time.

7. CONCLUSION

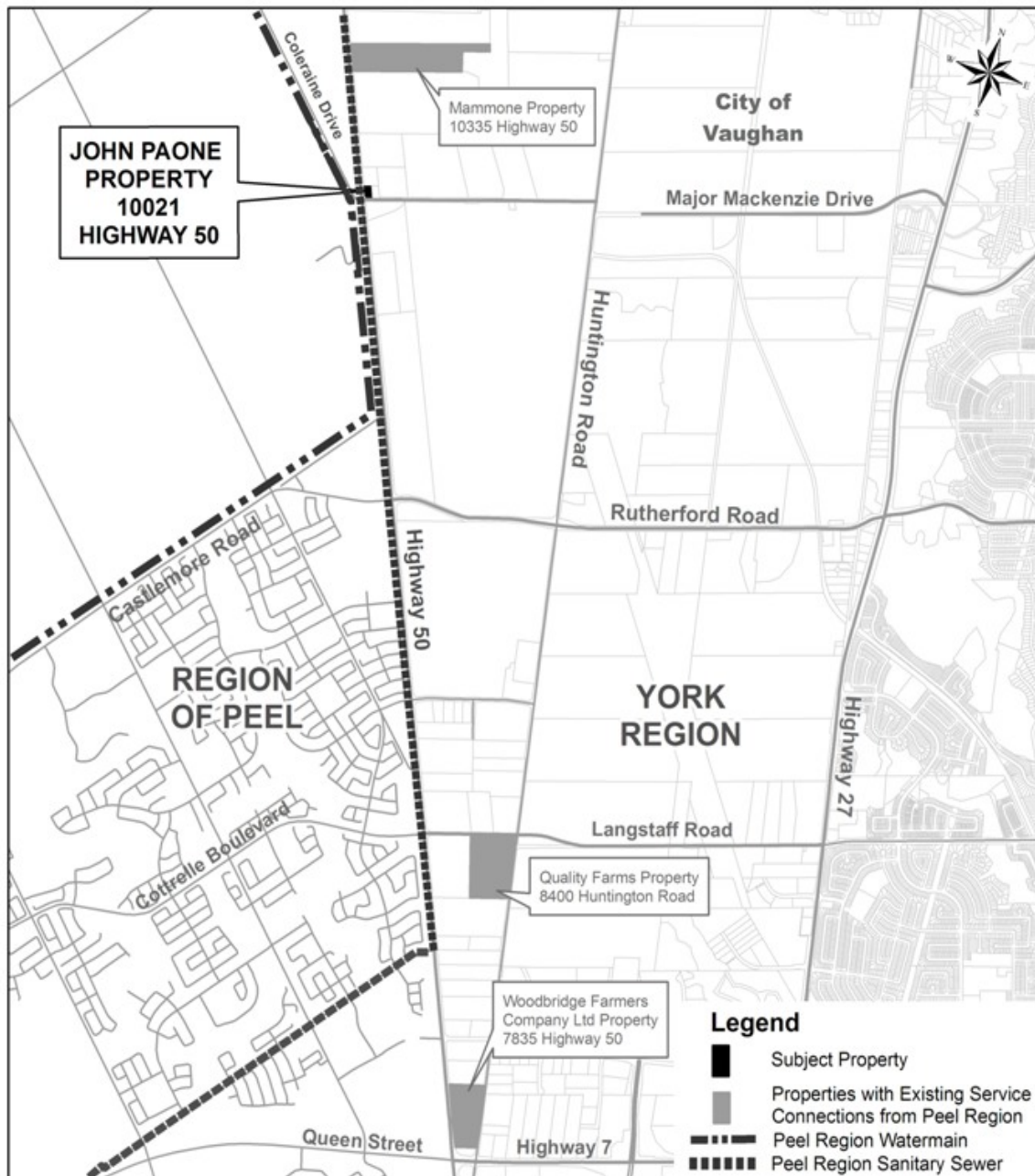
This report concludes that water supply and sanitary sewer service connections from Region of Peel are necessary in providing municipal water supply and sanitary sewer services to the property at 10021 Highway 50.

This report recommends that York Region enter into a tri-party agreement with Region of Peel and the property owner, in regard to the provision of municipal water supply and sanitary sewer services from Region of Peel to the property at 10021 Highway 50.

For more information on this report, please contact Daniel Kostopoulos, Director, Capital Planning and Delivery, Environmental Services at 905-830-4444 Ext. 5070.

The Senior Management Group has reviewed this report.

(The four attachments referred to in this clause are attached to this report.)

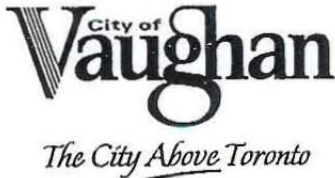


LOCATION PLAN

Temporary Water Supply and Sanitary
Sewer Services from Region of Peel to the
Property at 10021 Highway 50, City of
Vaughan



ENVIRONMENTAL SERVICES



CLERK'S OFFICE
FILE NO. -

Clerk's Department
2141 Major Mackenzie Drive
Vaughan, Ontario
Canada L6A 1T1

Tel (905) 832-8504
Fax (905) 832-8535

FOR INQUIRIES: PLEASE QUOTE ITEM & REPORT NO.

October 18, 2002

Mr. Denis Kelly, Regional Clerk
The Regional Municipality of York
17250 Yonge Street, Box 147
Newmarket, ON
L3Y 6Z1

Dear Mr. Kelly:

**RE: REQUEST FOR INTER-REGIONAL SERVICE CONNECTIONS
JOHN PAONE PROPERTY – 10021 HIGHWAY 50
FRANK MAMMONE PROPERTY – 10335 HIGHWAY 50**

Attached for your information is **Item 10, Report No. 67** of the Committee of the Whole regarding the above-noted matter which was adopted as *amended* by the Council of the City of Vaughan at its meeting of October 15, 2002.

I draw your attention to Clauses 1 and 2 of the staff recommendation, as follows:

"THAT the Region of York be requested to obtain approval from the Region of Peel for the supply of a water and sanitary service connection from the Region of Peel's watermain on Coleraine Drive and sanitary sewer on Highway 50, to the existing commercial property at 10021 Highway 50; and

THAT the Region of York be requested to obtain approval from the Region of Peel for the supply of a residential sanitary service connection from the Region of Peel's sanitary sewer on Highway 50, to the existing single family dwelling on the property at 10335 Highway 50."

Yours sincerely



J. D. Leach
City Clerk

Attachment:
Extract
1. Location Plan, Inter-Regional Service Connections

JDL/pa

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 15, 2002

Item 10, Report No. 67, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on October 15, 2002, as follows:

By approving that the Region of Peel be requested to install a 5-inch (125mm) diameter sanitary service connection within the Highway 50 right-of-way to service the existing dwelling located at 10335 Highway 50, in accordance with the memorandum from the Commissioner of Engineering and Public Works, dated October 10, 2002.

10

REQUEST FOR INTER-REGIONAL SERVICE CONNECTIONS JOHN PAONE PROPERTY – 10021 HIGHWAY 50 FRANK MAMMONE PROPERTY – 10335 HIGHWAY 50

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Engineering and Public Works, dated October 7, 2002, be approved; and
- 2) That the written submission from Mr. Remo Agostino, Weston Consulting Group Inc., 201 Millway Avenue, Unit 19, Vaughan, L4K 5K8, dated October 7, 2002, be received.

Recommendation

The Commissioner of Engineering and Public Works recommends:

1. THAT the Region of York be requested to obtain approval from the Region of Peel for the supply of a water and sanitary service connection from the Region of Peel's watermain on Coleraine Drive and sanitary sewer on Highway 50, to the existing commercial property at 10021 Highway 50; and (John Paone)
2. THAT the Region of York be requested to obtain approval from the Region of Peel for the supply of a residential sanitary service connection from the Region of Peel's sanitary sewer on Highway 50, to the existing single family dwelling on the property at 10335 Highway 50.

Purpose

The purpose of this report is to obtain Council approval to provide inter-regional service connections for the properties located at 10021 and 10335 Highway 50.

Background – Analysis and Options

Engineering Staff have recently received requests for inter-regional service connections from two separate property owners' along the Highway 50 (Regional Road No. 24) corridor. The first property is located at 10021 Highway 50, at the northeast corner of Highway 50 and Major Mackenzie Drive as shown on Attachment 1. This property is currently zoned Highway Commercial, occupied with an auto mechanic repair shop, and serviced by a private well and a temporary sewage holding tank. The owner has expressed concerns with the costs associated with regular cleanout pumping of the holding tank, and the potential of groundwater contamination given the existing land use on the property. Given the existing circumstances the provision of inter-regional water and sanitary connections to the property are warranted.

The second property is located at 10335 Highway 50 approximately one kilometer north of Major Mackenzie Drive also shown on Attachment 1. This property is currently zoned Agricultural, occupied with a single-family residential dwelling unit, and currently serviced by a private well and sewage septic system. It is our understanding that the existing septic system is still functioning properly, however the owner has requested that a 200mm (8 inch) diameter sanitary service

.../2

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 15, 2002

Item 10, CW Report No. 67 – Page 2

connection be provided to the sanitary sewer on Highway 50 currently under construction by the Region of Peel. Given the existing residential dwelling unit on the property, a typical 100mm (4 inch) diameter sanitary service connection would be sufficient.

The City of Vaughan has no watermain or sanitary sewers in the immediate vicinity of the subject properties described above. The cost of extending the City's existing Kleinburg or Woodbridge municipal systems, if feasible, to service the properties in question would be prohibitively expensive.

The existing Region of Peel water system includes a 300 mm diameter watermain on Coleraine Drive extending southerly on Highway 50 to Castelmere Road as shown on Attachment 1. In addition, the Region is in the process of constructing a sanitary trunk sewer along the west side of Highway 50 from approximately Mayfield Road to Coleraine Drive. Given the extent of Peel's existing infrastructure, it is feasible to provide both a sanitary and water service connection to the property at 10021 Highway 50, and a sanitary service connection to the property at 10335 Highway 50. Typically, the service connections would be installed by the Region of Peel at the owners' expense, and the execution of a tri-party agreement between Peel, York and the property owner for the connection, supply and payment of water and sewage service fees would be required. Peel staff have advised that they require a formal request from Region of York Council before they can deal with the matter.

Conclusion

In order to provide inter-regional service connections for the properties at 10021 and 10335 Highway 50, it is recommended that Vaughan Council formally request that Region of York Council send a request to the Region of Peel for the required service connections.

Attachments

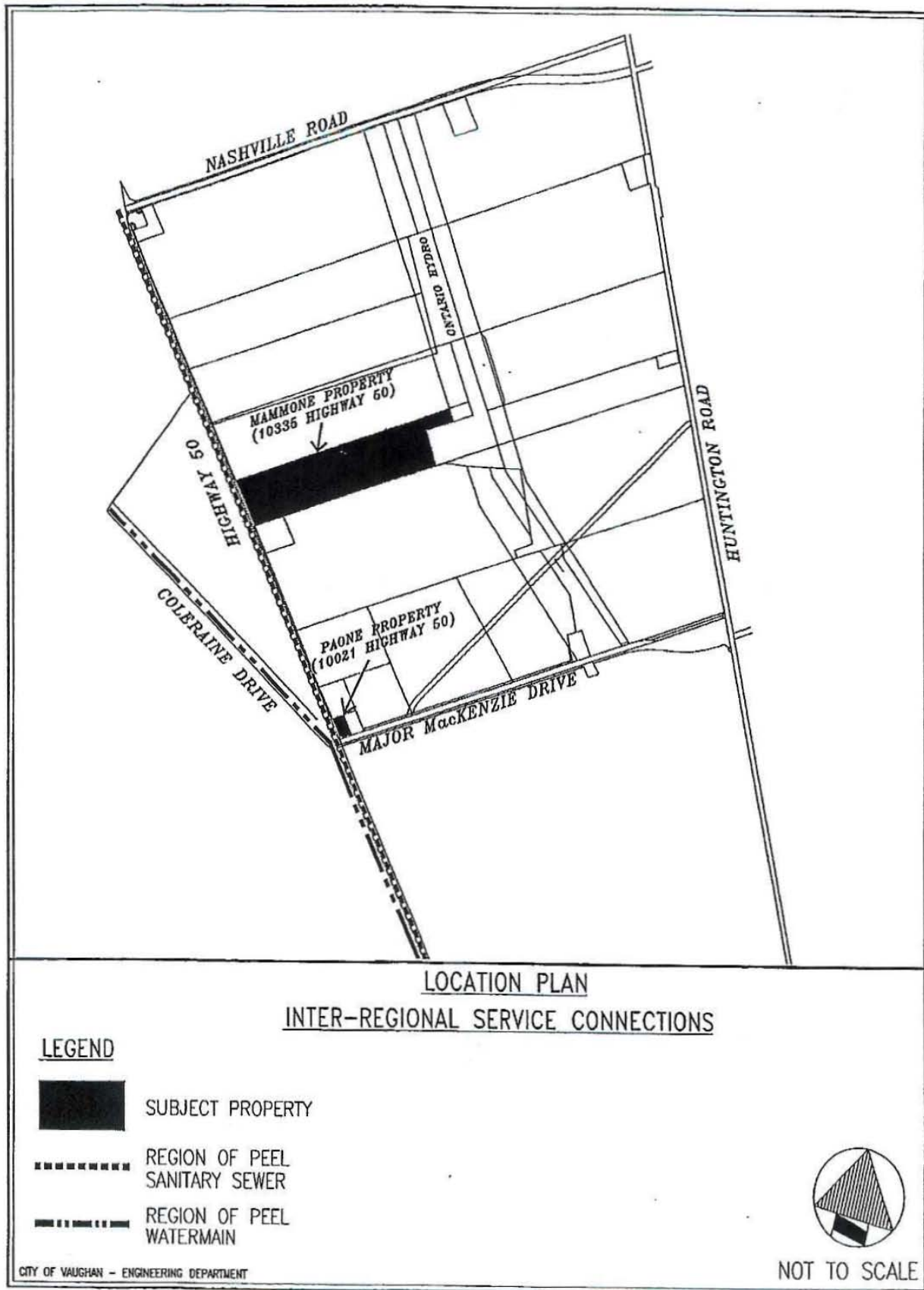
1. Location Plan, Inter-Regional Service Connections

Report prepared by

Michael Frieri, Senior Engineering Assistant, Engineering Planning & Studies, ext. 8729
Andrew Pearce, Development Supervisor, Engineering Planning & Studies, ext. 8235
Brendan Holly, Senior Manager Development/Transportation Engineering, ext. 8250

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

ATTACHMENT No. 1



John Paone
32 Glenvilla Road
Woodbridge, Ontario
L4L 7K7

Tuesday, August 16, 2011

Hand Delivered to:

The Regional Municipality of York
Transportation and Works Department
Infrastructure Planning
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

Region of Peel
9445 Airport Road
West Tower,
3rd Floor,
Brampton, Ontario
L6S 4J3

Dear Sirs / Madams:

**Re: Peel Region Service Connections to 10021 Highway 50
North of Major Mackenzie Drive
File No. W00**

We hereby accept the responsibility for all costs associated with the service connections including design and construction of the services connection, connection charges required by Peel Region, any legal disbursements and administration costs associated with the preparation of the servicing agreement.

Please call me at 905-893-3275 or 905-265-8857 if you have any questions.

Regards,



John Paone



The Region of Peel is the proud recipient of the National Quality Institute Order of Excellence, Quality; the National Quality Institute Canada Award of Excellence Gold Award, Healthy Workplace; and a 2008 IPAC/Deloitte Public Sector Leadership Gold Award.

December 14, 2011
File: C-451300

Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

YORK REGION	
ENVIRONMENTAL SERVICES	
DEC 22 2011	
FILE / ROUTING	
(X) 00	

Attention: Stephen Fung, P.Eng.
Manager, Capital Planning & Engineering

**Re: 10021 Highway 50
John Paone Cross Boundary Connection
City of Vaughan, York Region**

In response to your letter dated November 29, 2011, this is to advise you that Development Engineering have reviewed Mr. Paone's request for servicing. We confirm that the Region of Peel agrees in principle to the cross-boundary, domestic servicing, for the property's current use only, subject to both the Region of Peel and Region of York Councils' approvals.

In addition to both Councils' approval, the following information is required:

- Proposed water and sewer demands for the requested services
- Confirmation of existing capacity in the Region of Peel's infrastructure for the proposed services
- Size and location of the proposed services
- A Functional Servicing Report may be required to determine if the Region's municipal system can supply the amount of water required

Should Council approve of the proposal, the servicing must adhere to Peel Region standards and specifications. All costs associated with providing the services will be at the owners' expense, including any cost to extend the existing infrastructure required to accommodate the proposed servicing.

Upon receipt of your acceptance to the above conditions, we will bring forward a report to our Council for review of the proposed cross-boundary services. If approved, the applicant may submit engineering drawings for review and approval. Once the drawings are approved, York, Peel and the Property owner(s) will be required to enter into a Cross-Boundary Tri-Party Servicing Agreement and all legal costs are to be borne by the property owner.

Public Works

10 Peel Centre Dr., Suite B, Brampton, ON L6T 4B9
Tel: 905-791-7800 www.peelregion.ca

For your information, the Region of Peel, Transportation Program Planning section is currently undertaking the Municipal Class Environmental Assessment for the Widening of Highway 50 from Castlemore Road to Mayfield Road. For information regarding the Class EA project, please contact Solmaz Zia, P.Eng., Project Manager at ext. 7845. The Wastewater Capital is also undertaking the design of a 975mm trunk sewer on Highway 50 from Old Castlemore Road to Coleraine Drive, Brampton, with an anticipated construction date in mid-2013. For information regarding the sanitary sewer project, please contact the Project Manager, Jimmy Chong, P.Eng. at ext. 7886.

If you require any additional information regarding the cross-boundary servicing process, please contact me or Carol Clark at extension 7838.

Yours truly,



~~for~~ Aleksander Masley, C.E.T.
Manager, Development Engineering
Development Services
Public Works



CC/dw

cc Jimmy Chong, Region of Peel – Wastewater Capital
Solmaz Zia, Region of Peel – Transportation Program Planning
John Paone, property owner

Public Works

10 Peel Centre Dr., Suite B, Brampton, ON L6T 4B9
Tel: 905-791-7800 www.peelregion.ca