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REALIGNMENT OF TRANSIT EASEMENTS – VAUGHAN MILLS CITY OF VAUGHAN

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, May 8, 2006, from the Commissioner of Corporate Services:

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council authorize the abandonment of 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:
 - (a) Parts 37 to 40, both inclusive, on Plan 65R28416; and
 - (b) Part 15, on Plan 65R28663.
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 those parts of Block 1, Plan 65M3696, City of Vaughan, Regional Municipality of York and designated as:
 - (a) Parts 33 to 36, both inclusive, and Parts 41 to 48, both inclusive, on Plan 65R28416;
 - (b) Parts 13 to 22, both inclusive, on Plan 65R28661;
 - (c) Parts 19 to 24, both inclusive, on Plan 65R28663; and
 - (d) Parts 8 to 15, both inclusive, on 65R28665,for the purpose of the ring road access and the transit terminal.

2. PURPOSE

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

1. Abandon the easements described in Recommendation 1 in exchange for the easements described in Recommendation 2.

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 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 ring road has now been constructed and “as built” surveys have been completed. These “as built” surveys have indicated that there are a number of minor changes and realignments of the ring road and the accesses from Rutherford Road and Jane Street. As a result of these realignments, the original easements in favour of the Region will require amendments to accurately reflect the location of the “as-built” ring road. In addition, York Regional Transit has relocated the transit platforms, which now allows its passengers to access the Vaughan Mills Shopping Centre more directly, without the need to cross the terminal bus turn-around loop. The elimination of the pedestrian crossing improves the terminal’s overall design and safety.

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 Recommendation 1 above, in return for the easements over the lands set out in Recommendation 2 above. Copies of the relevant plans will be available for viewing at the office of John Culshaw, Manager of Realty Services. 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 Regional Transit are satisfied that the above exchange will accommodate all of their needs at this location.

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 abandon 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 was included in the agenda for the June 14, 2006 Committee meeting.)