



Town of Newmarket  
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## **York Durham Sewage System Modifications – Region Easements on Town Land Staff Report**

Report Number: 2018-05

Department(s): Legal Services

Author(s): Senior Solicitor

Meeting Date: June 11, 2018

### **Recommendations**

1. That the report entitled York Durham Sewage Systems Modifications - Region Easements on Town Land dated June 11, 2018 be received;
2. That the Town transfer the temporary and permanent easements set out in this report to the Region to facilitate the YDSS; and
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

### **Purpose**

The purpose of this report is to obtain Council's approval for the Town's conveyance of various temporary and permanent easements to the Region over, under and through Town properties to facilitate modifications to the Region's sewage servicing under the York Durham Sewage System project. The report relates to a proposed Region presentation to Council at this meeting on the current status of the Upper York Sewage Solutions project, a component of which is the York Durham Sewage System project.

### **Background**

The Region is undertaking modifications to its sewage servicing in the Upper York Sewage Solutions project. The purpose of the project is to develop a sustainable sewage servicing solution to accommodate planned growth for employment and communities in the Towns of Newmarket, Aurora and East Gwillimbury. The York Durham Sewage System modifications (the "YDSS") is a major component of the Upper York Sewage Solutions project. The YDSS

involves the twinning of approximately 5 km of sanitary forcemain between the Newmarket Pumping Station to just upstream of the Aurora Pumping Station (in the area of the St. Andrews golf course) using microtunnelling technology. To facilitate the objective of the YDSS project, the Region will require temporary and permanent easements (the “**Easements**”) on 14 Town properties. The Region has advised that the construction of the YDSS is scheduled to start in 2019. Information regarding the Easements are attached to this report as follows: **Attachment 1** identifies the overall Town lands which will be subject to the Easements; **Attachments 2 to 5** identify the general location of each of the Easements in the hatched areas; and **Attachment 6** is a chart summarizing the Easements and their locations & sizes.

## **Discussion**

Staff was consulted for comments in regards to the Region’s proposed easement takings of Town land and generally expressed no concerns with the Region’s request, as the project would benefit the Town and ultimately provide additional interim servicing allocation. Prior to finalizing the easement terms, staff will work with the Region and include easement terms to ensure that the impact of the Easements, and related construction, on the use of the Town lands by the Town and the public is minimized, and that any coinciding works by the Town and any development during easement related construction are coordinated. In addition, staff will be reviewing mitigating measures to minimize community impact arising from activities such as excavation shafts, archaeological test pits, construction access, etc.

## **Conclusion**

Once the Easement terms are finalized between the Town and the Region, the Easements will be formalized upon registration of the various easement documents.

## **Business Plan and Strategic Plan Linkages**

The transfer of easement rights for the YDSS supports the Town’s continued partnership with the Region, as well as the *well managed* objectives of the Town’s Strategic Plan in terms of fiscal responsibility and the sound management of municipal assets.

## **Consultation**

The following stakeholders and departments were consulted in the preparation of this report: Engineering Services, Public Work Services, Financial Services, Planning and Building Services, Recreation and Culture, Fire Services, Legal Services, the Region of York.

## **Human Resource Considerations**

There are no human resource impacts arising out of the information in this report.

## Budget Impact

The Region will be providing compensation for the Easements based on market value as discussed in Closed Session Staff Report 2018-06. The compensation will be deposited in the Town's Easement Reserve. This reserve is used to fund costs that the Town may incur to obtain easements.

## Attachments

**Attachment 1** – map of overall Town lands which will be subject to the Easements

**Attachment 2** – map of Properties 1 to 5

**Attachment 3** – map of Properties 6 to 8

**Attachment 4** – map of Properties 9 to 10

**Attachment 5** – map of Properties 12 to 14

**Attachment 6** – summary chart of easement locations and sizes

## Approval



Antonietta Mollicone, Senior Solicitor  
Legal Services



Karen Reynar,  
Director of Legal Services/Municipal  
Solicitor



Esther Armchuk, Commissioner of Corporate Services

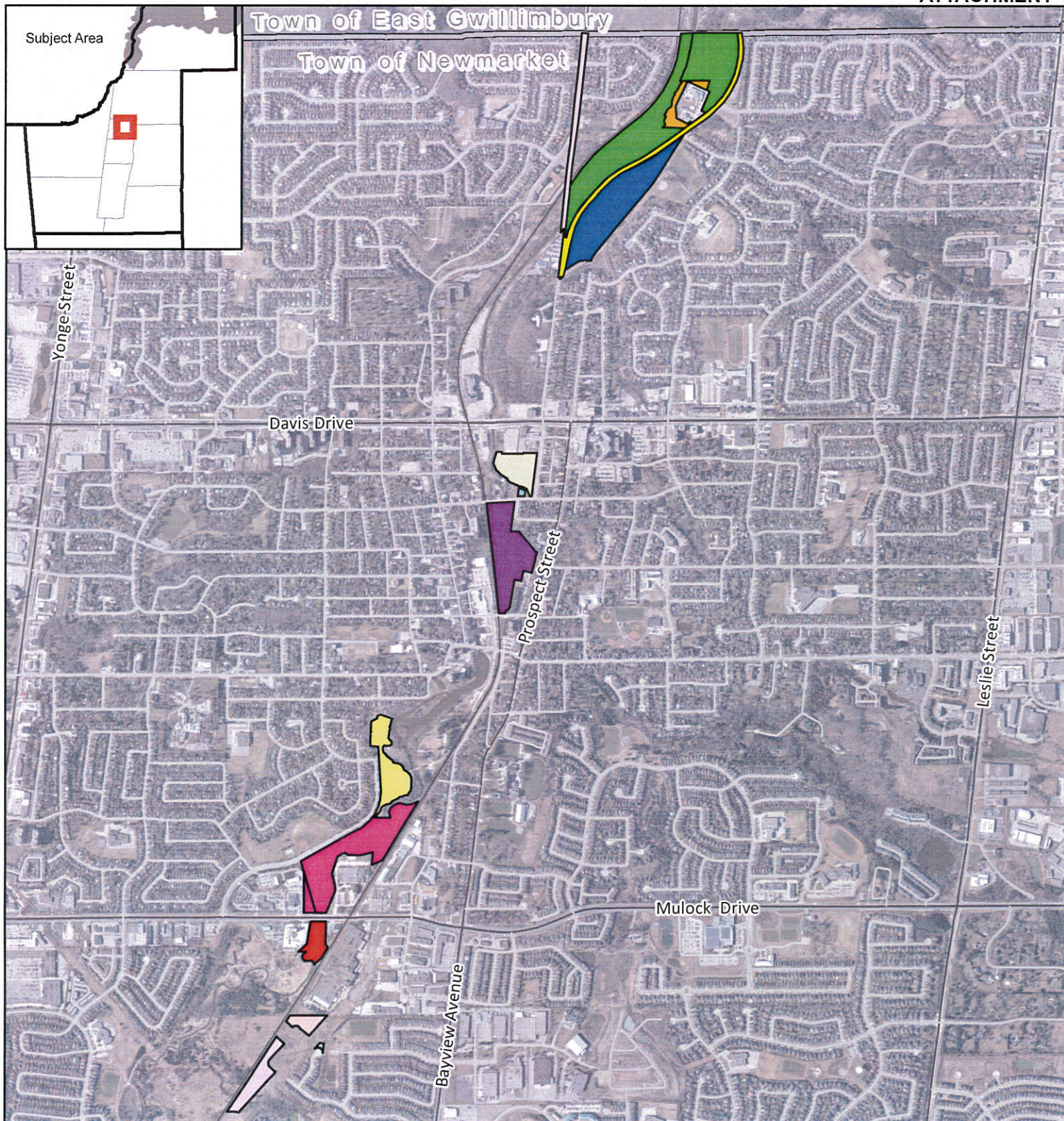
## Contact

For more information on this report, please contact:

Antonietta Mollicone, Senior Solicitor

(905) 953-5300 ext. 2435, [amollicone@newmarket.ca](mailto:amollicone@newmarket.ca)





## Location Plan

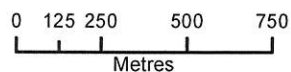
Upper York Sewage Servicing  
Town of Newmarket



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April 2018

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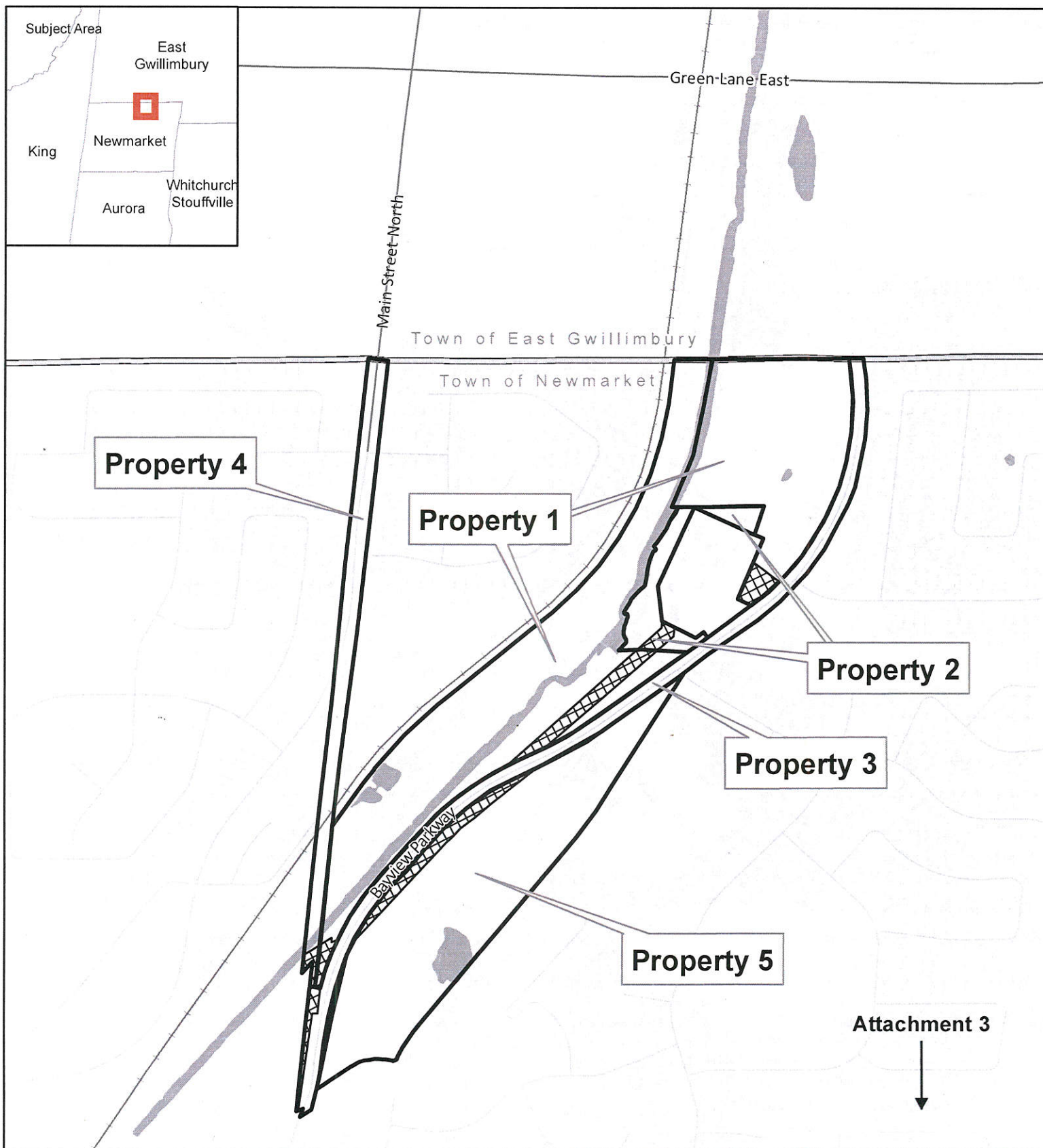
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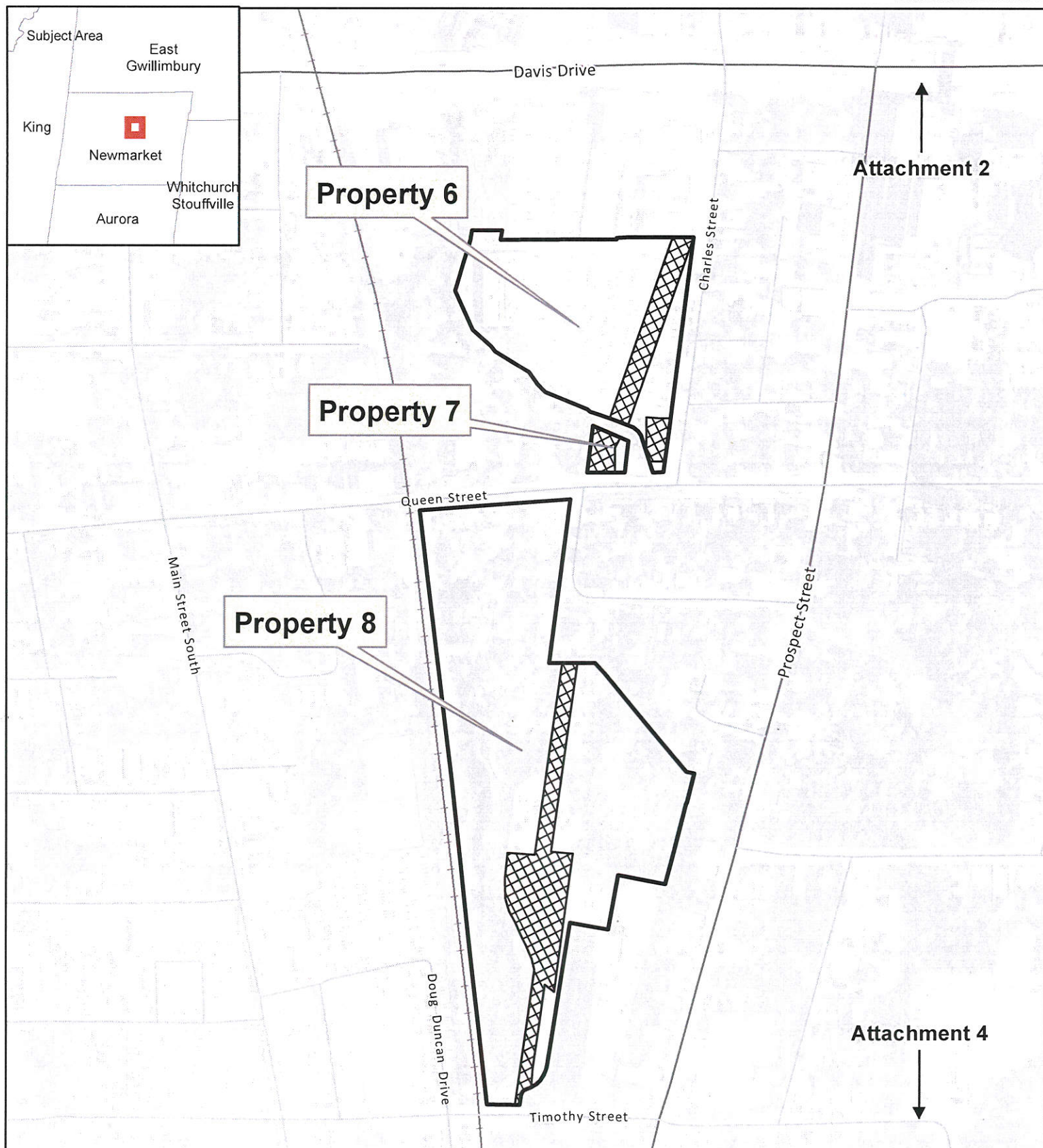
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 Subject Property



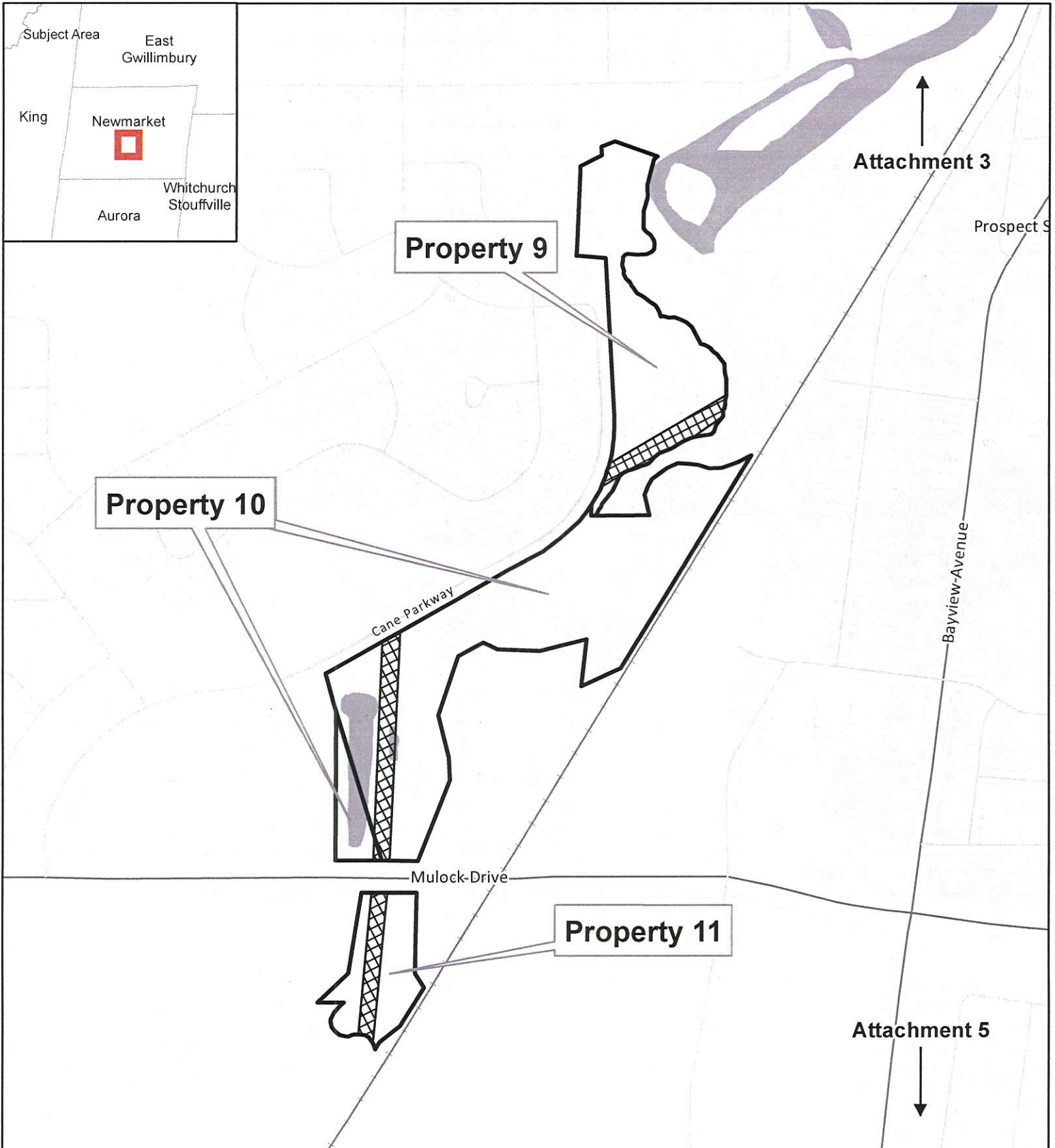


<p><b>York Region</b></p> <p>Produced by: The Regional Municipality of York Property Services, Corporate Services April 2018</p> <p>Data: © Queen's Printer for Ontario 2003-2018</p> <p>Imagery: © First Base Solutions Inc. 2017 See York.ca for disclaimer information.</p>	<p><b>Location Plan</b> Acquisition of Land York Durham Sewage System Modifications Town of Newmarket June 21, 2018</p> <p>0 25 50 100 150 200 Metres</p>	<p><b>Legend</b></p> <p> Subject Property</p> <p> Interest Required</p> <p> Parcel</p> <p> Road</p>
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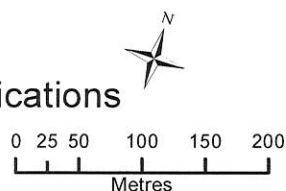


<p><b>York Region</b></p> <p>Produced by: The Regional Municipality of York Property Services, Corporate Services April 2018</p> <p>Data: © Queen's Printer for Ontario 2003-2018</p> <p>Imagery: © First Base Solutions Inc. 2017 See York.ca for disclaimer information.</p>	<p><b>Location Plan</b> Acquisition of Land York Durham Sewage System Modifications Town of Newmarket June 21, 2018</p> <p>0 25 50 100 150 Metres</p>	<p><b>Legend</b></p> <p> Subject Property</p> <p> Interest Required</p> <p> Parcel</p> <p> Road</p>
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**Location Plan**  
 Acquisition of Land  
 York Durham  
 Sewage System Modifications  
 Town of Newmarket  
 June 21, 2018



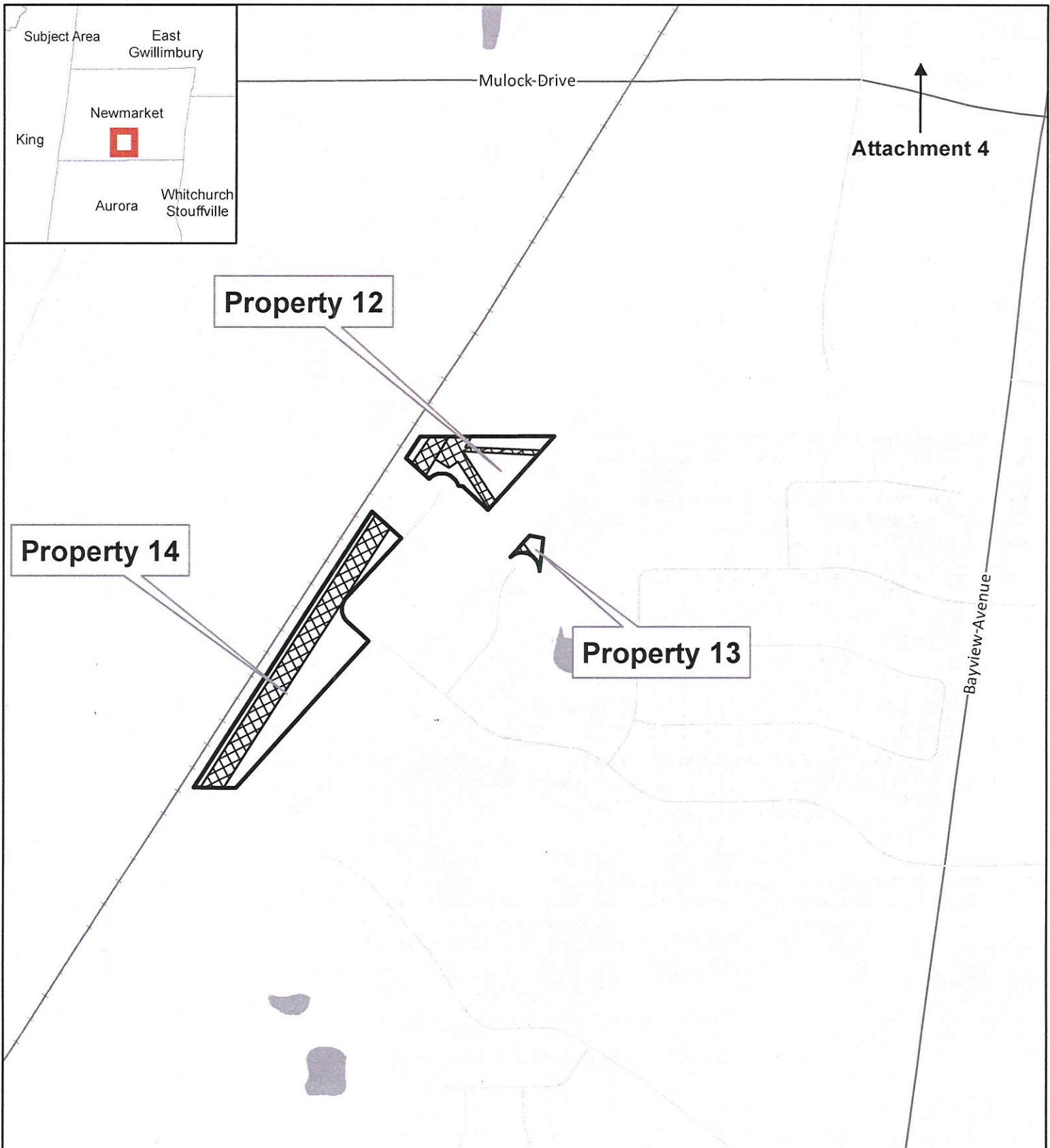
Legend	
	Subject Property
	Interest Required
	Parcel
	Road

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 April 2018

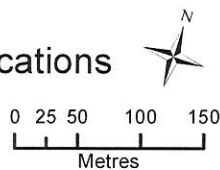
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City of York - Presentation 3 - 2018 - 2019 - 2020 - 2021 - 2022 - 2023 - 2024 - 2025 - 2026 - 2027 - 2028 - 2029 - 2030 - 2031 - 2032 - 2033 - 2034 - 2035 - 2036 - 2037 - 2038 - 2039 - 2040 - 2041 - 2042 - 2043 - 2044 - 2045 - 2046 - 2047 - 2048 - 2049 - 2050 - 2051 - 2052 - 2053 - 2054 - 2055 - 2056 - 2057 - 2058 - 2059 - 2060 - 2061 - 2062 - 2063 - 2064 - 2065 - 2066 - 2067 - 2068 - 2069 - 2070 - 2071 - 2072 - 2073 - 2074 - 2075 - 2076 - 2077 - 2078 - 2079 - 2080 - 2081 - 2082 - 2083 - 2084 - 2085 - 2086 - 2087 - 2088 - 2089 - 2090 - 2091 - 2092 - 2093 - 2094 - 2095 - 2096 - 2097 - 2098 - 2099 - 2100



**Location Plan**  
**Acquisition of Land**  
**York Durham**  
**Sewage System Modifications**  
**Town of Newmarket**  
**June 21, 2018**



**Legend**

-  Subject Properties
-  Interest Required
-  Parcel
-  Road

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## ATTACHMENT 6

## Upper York Sewage Solutions - Property Requirements

## Project No. 74270

Property ID	Property Owner	Location	Roll Number	Requirement	Part	Plan	PIN	Req. (m) <sup>2</sup>	Req. (ft) <sup>2</sup>	Acres
14	Town of Newmarket	Terminus of Silken Laumen Dr (S of Mulock and W of Bayview)	194804018570406	Permanent Easement	1 & 2	65R-36347	03624-1855	3,570.8	38,435.77	0.8824
				Temporary Easement	3			5,241.6	56,420.11	1.2952
12	Town of Newmarket	Terminus of Silken Laumen Dr (S of Mulock and W of Bayview)	194804018570408	Permanent Easement	7, 8	65R-36346	03624-1857	626.9	6,747.90	0.1549
				Temporary Easement	4 minus 2 on 65R-37313, 5, 6, 9 minus 5 on 65R-37313, 10 minus 3 on 65R-37313			374.2	4,027.86	0.0925
				Permanaent Easement	2, 3, 5	65R-37313		80.7	868.65	0.0199
				Temporary Easement	6, 7, 8, 9			1,959.4	21,090.81	0.4842
13	Town of Newmarket	Terminus of Silken Laumen Dr (S of Mulock and W of Bayview)		Temporary Easement	14	65R-37313	03624-1772	22.4	241.11	0.0055
11	Town of Newmarket	Terminus of Silken Laumen Dr (S of Mulock and W of Bayview)	194802011257902	Permanent Easement	12, 13	65R-36345	03624-1845	1795.6	19,327.68	0.4437
10	Town of Newmarket	Tom Taylor Trail (N of Mulock W of Bayview)	194802011186400	Permanent Easement	1, 2	65R-37533	03607-0226	2654.1	28,568.49	0.6558
			194802011232500		9		03607-0587	55.9	601.70	0.0138
9	Town of Newmarket	Tom Taylor Trail 580 Cane Parkway (N of Mulock and E of Cane Pkwy)	194802010111900	Permanent Easement	3,4,5,6,7,8	65R-37532	03607-0088	1406	15,134.06	0.3474
8	Town of Newmarket	Tom Taylor Trail 535 Timothy St (S of Davis and W of Prospect)	194801003012900	Permanent Easement	1,2,3,4,5,6,7, 8,9,10,11,15, 16,17,18	65R-37530	03608-0305	3324.8	35,787.85	0.8216
				Temporary Easement	12, 13, 14			1837	19,773.30	0.4539
7	Town of Newmarket	535 Queen St (S of Davis and W of Prospect)	194801001022100	Permanent Easement	2	65R-37528	03609-0056	362.3	3,899.76	0.0895
				Temporary Easement	1,3			265.4	2,856.74	0.0656
6	Town of Newmarket	56 Charles St (S of Davis and W of Prospect)	194801001007400	Permanent Easement	4	65R-37528	03609-0179	1356.3	14,599.09	0.3351
				Temporary Easement	5			318.5	3,428.31	0.0787
5	Town of Newmarket	George Richardson Park 195 Bayview Pkwy (S of Green Lane and E fo Baview)	194804015232260	Permanent Easement	15,16,17	65R-37534	03556-0484	1256	13,519.47	0.3104
1	Town of Newmarket	Tom Taylor Trail 220 Bayview Ave & 500 Bayview Ave (S of Green Lane and W of Bayview)	194804015232250	Permanent Easement	1,2,3	65R-37535	03556-0478	2202.3	23,705.36	0.5442
					9,11,12,13	65R-37534		565.5	6,086.99	0.1397
				Temporary Easement	7,8,10,14	03556-0730	363.2	3,909.45	0.0897	
					1,2,3,4,5,6		65R-37529	539.7	5,809.28	0.1334
2	Town of Newmarket	W/S of Bayview Parkway (S of Green Land and W of Bayview)	194804015232210	Permanent Easement	4	65R-37535	03556-0732	486.5	5,236.64	0.1202
				Temporary Easement	5			93.2	1,003.20	0.0230
3	Town of Newmarket			Permanent Easement	3,4	65R-37534	03556-0485	222.7	2,397.12	0.0550
				Temporary Easement	5,6			50.67	545.41	0.0125
4	Town of Newmarket			Permanent Easement	2	65R-37534	03556-0518	333.4	3,588.69	0.0824
				Temporary Easement	1			136.6	1,470.35	0.0338