

Clause 20 in Report No. 9 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on May 25, 2017.

20

Dedication of Lands as Public Highway
Town of Richmond Hill

Committee of the Whole recommends adoption of the following recommendations contained in the report dated April 27, 2017, from the Commissioner of Corporate Services:

1. The reserve lands set out in Attachment 1, located on Yonge Street between Westwood Lane and Major Mackenzie Drive in the Town of Richmond Hill, be established as public highway forming part of Yonge Street.
2. The Regional Solicitor prepare the necessary bylaws to facilitate the dedications.

Report dated April 27, 2017 from the Commissioner of Corporate Services now follows:

1. Recommendations

It is recommended that:

1. The reserve lands set out in Attachment 1, located on Yonge Street between Westwood Lane and Major Mackenzie Drive in the Town of Richmond Hill, be established as public highway forming part of Yonge Street.
2. The Regional Solicitor prepare the necessary bylaws to facilitate the dedications.

2. Purpose

This report seeks Council approval to dedicate reserves located along Yonge Street between Westwood Lane and Major Mackenzie Drive as public highway to facilitate utility relocations required for the vivaNext project.

3. Background

The Region uses one-foot reserves to control access to Regional highways

Reserves are narrow strips of Regional lands, typically 0.3 metres (1 foot) deep, located between the Region's highway and privately owned lands. The Region uses reserves to control the ability of the owner of lands abutting a reserve to access the Region's highway.

Dedication of the reserves is required to relocate utilities

To facilitate the construction of the vivaNext project, Enbridge is required to relocate its gas pipeline to another location within the Yonge Street road allowance.

To relocate the pipeline, Enbridge requires the use of the reserve lands set out in Attachment 1 as a working area. Further, due to limited space and the complex configuration of utilities in the area, Enbridge will continue to require the use of these lands to maintain the pipeline once relocated.

The project manager for vivaNext, York Region Rapid Transit Corporation (YRRTC), has requested that the lands be dedicated as public highway to accommodate the Enbridge works.

4. Analysis and Implications

To benefit from the provisions of the Model Franchise Agreement it is necessary to dedicate the reserve lands as highway

The [Model Franchise Agreement](#) governing the installation and maintenance of Enbridge's works within Regional highways provides a comprehensive framework of obligations and responsibilities, including the manner in which Enbridge performs work within the Regional right-of-way, insurance requirements and conditions of occupancy.

The Model Franchise Agreement applies only to highway lands. As the reserve lands are not highway lands, in order to benefit from the comprehensive provisions of the Model Franchise Agreement it is necessary to dedicate the reserve lands set out in Attachment 1, located on Yonge Street between Westwood Lane and Major Mackenzie Drive in the Town of Richmond Hill, as public highway.

The reserve lands are not required to control access to adjacent privately owned lands

Regional staff has confirmed that the privately owned lands abutting the reserves set out in Attachment 1 are subject to subdivision agreements which control access to Yonge Street. Accordingly, the reserves are no longer required to control access to Yonge Street.

5. Financial Considerations

There are no financial considerations related to the dedications.

6. Local Municipal Impact

Dedicating the reserves as public highway will ensure that the lands are available as a working area to facilitate Enbridge's relocation of its pipeline, the future maintenance of the pipeline, and to provide services to the local municipality.

7. Conclusion

The Region owns lands that are currently held as reserves to control access from abutting lands to the Region's right of way. The reserves are no longer required to control access and YRRTC has requested for the reserves to be dedicated as public highway to facilitate the relocation of Enbridge's pipeline in the area.

For more information on this report, please contact Michael Shatil, Director, Property Services at 1-877-464-9675 ext. 71684.

The Senior Management Group has reviewed this report.

April 27, 2017

Attachments (2)

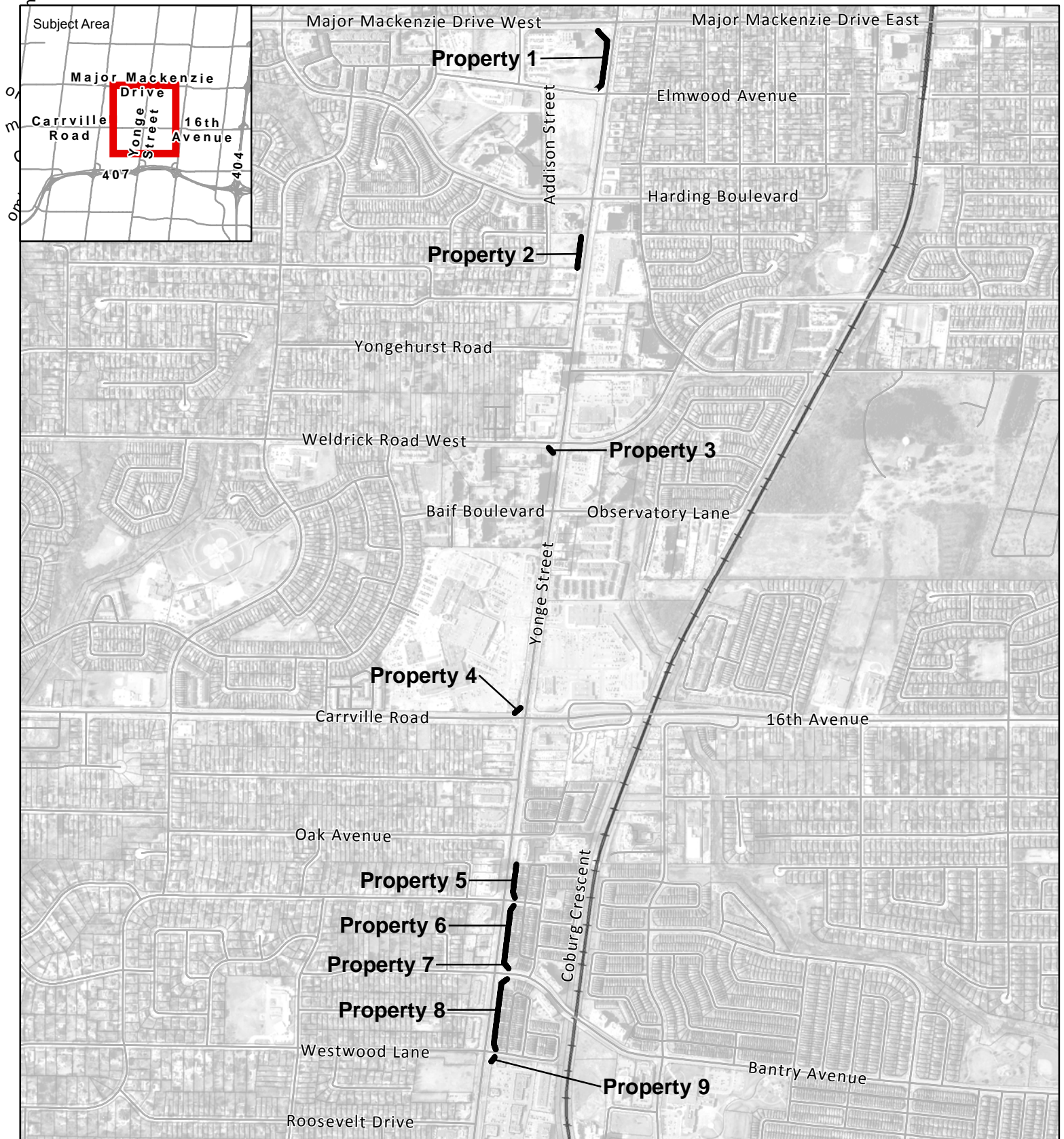
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Accessible formats or communication supports are available upon request

**Property Schedule
Dedication of Lands as Public Highway
Town of Richmond Hill**

No.	Owner	Municipal Address	Legal Description	Interest Required
1.	The Regional Municipality of York	N/A Yonge Street, Richmond Hill	Block 12, Plan 65M2369	Dedication as Public Highway
2.	The Regional Municipality of York	N/A Yonge Street, Richmond Hill	Block 45, Plan 65M2079	Dedication as Public Highway
3.	The Regional Municipality of York	N/A Yonge Street, Richmond Hill	Part of Block AX, Plan M1435 designated as Part 2, Plan 66R7367	Dedication as Public Highway
4.	The Regional Municipality of York	N/A Yonge Street, Richmond Hill	Part of Block FX , Plan M1436, designated as Part 1, Plan 66R7367	Dedication as Public Highway
5.	The Regional Municipality of York	N/A Yonge Street, Richmond Hill	Block 29, reserve, Plan 65M3150	Dedication as Public Highway
6.	The Regional Municipality of York	N/A Yonge Street, Richmond Hill	Block 28, reserve, Plan 65M3150	Dedication as Public Highway
7.	The Regional Municipality of York	N/A Yonge Street, Richmond Hill	Block 32, reserve, Plan 65M3205	Dedication as Public Highway
8.	The Regional Municipality of York	N/A Yonge Street, Richmond Hill	Block 31, reserve, Plan 65M3205	Dedication as Public Highway





No.	Owner	Municipal Address	Legal Description	Interest Required
9.	The Regional Municipality of York	N/A Yonge Street, Richmond Hill	Block 36, reserve, Plan 65M3205	Dedication as Public Highway



Location Plan

Dedication of Lands as Public Highway
 Town of Richmond Hill
 May 18, 2017

Legend

-  Reserve
-  Parcel
-  Road
-  Railway



Produced by:
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 Property Services, Corporate Services
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