

Committee of the Whole (1) Report

DATE: Tuesday, September 14, 2021

WARD: 2

TITLE: INTERREGIONAL SERVICING AGREEMENT WITH YORK REGION AND LANDOWNERS AT 9301 RUTHERFORD RD, 9501-9601 HIGHWAY 50, 9701 HIGHWAY 50, AND THE HIGHWAY 50 CPR INTERMODAL TERMINAL

FROM:

Vince Musacchio, Acting Deputy City Manager, Infrastructure Development

ACTION: DECISION

Purpose

To seek Council approval to execute a multi-party agreement between York Region, the City of Vaughan and various Landowners to provide the necessary water and wastewater servicing to properties located at 9301 Rutherford Road, 9501-9601 Highway 50, 9701 Highway 50, and the CPR Intermodal Terminal east of Highway 50 on the north side of Rutherford Road from the municipal services in Peel Region.

Report Highlights

- Several properties along Highway 50 are currently serviced (with municipal water and sewer connections) from Peel Region as servicing is not available from Vaughan or York Region.
- Existing servicing agreements between Peel and York Region will expire in 2021.
- Council approval is required to facilitate new servicing agreements with Peel, York, Vaughan and various Landowners to allow the continuation of municipal servicing from Peel Region.
- The consent of the City of Vaughan is required under the *Municipal Act, 2001* for the Region of Peel to provide servicing beyond its boundary.

Recommendations

1. That a By-law be enacted authorizing the Mayor and the City Clerk to execute the necessary multi-party agreement(s) between York Region, the City of Vaughan, and respective Landowners to continue to provide necessary water and sewer servicing from Peel Region to various properties on Highway 50 and Rutherford Road;
2. That the City of Vaughan consent to the Region of Peel providing servicing beyond its boundary; and
3. That the City Clerk circulate a copy of this report to York Region and Peel Region.

Background

The properties located at 9301 Rutherford Road, 9501-9601 Hwy 50, 9701 Hwy 50, and the CPR lands east of Hwy 50 on the north side of Rutherford Road are currently serviced (water and sewer) from Peel Region's municipal services. A location plan is included in **Attachment 1**. Vaughan and York Region were unable to provide municipal water and sanitary services to the lands and Peel Region agreed to provide water and sanitary servicing to the lands. Two previous agreements were executed to provide municipal water supply and sanitary sewage to the subject lands:

- York-Peel Water and Sewer Service Agreement
- York-Landowners Water and Sewer Service Agreement

The York-Peel servicing agreement was recently amended in April 2021 to extend the expiration to December 31, 2021 pending finalization of a new agreement. This agreement is between York Region and Peel Region.

The York-Landowners Agreement expired on December 13, 2019. A new servicing agreement is required to continue to provide municipal services to the subject lands from Peel Region. Vaughan will be a party to these new agreements with York Region and the various Landowners. Vaughan was not a party to the original agreements.

Previous Reports/Authority

There are no previous reports on this matter.

Analysis and Options

Several properties east of Highway 50 between Rutherford Road and Major Mackenzie Drive currently receive municipal servicing from Peel Region

Several properties east of Highway 50, from Rutherford Road to Major Mackenzie Drive (9301 Rutherford Road, 9501-9601 Hwy 50, 9701 Hwy 50, and CPR lands east of Hwy 50 on the north side of Rutherford Road) currently receive water and wastewater servicing from Peel Region.

York Region, Peel Region and the respective Landowners entered into servicing agreements (York-Peel in 1999, York-Landowners in 2000) to provide municipal water supply and wastewater servicing to the subject lands. Neither the City of Vaughan nor York Region had existing municipal services on Highway 50 to service the subject properties. The agreements allowed for the servicing to continue for a 20-year period.

The City is currently reviewing the ultimate servicing needs for the West Vaughan Employment Area via the ongoing Official Plan Review and supporting Integrated Urban Water Plan Study. However, given the size and isolating nature of the existing CPR Intermodal Yard, it will not be financially feasible to extend services from Vaughan or York Region to these properties at this time.

Existing servicing agreements will expire and therefore new agreement are required

The recently amended York-Peel agreement will expire December 31, 2021 and the York-Landowners servicing Agreement has now lapsed. Accordingly, new agreements are required to continue providing municipal servicing from Peel Region as water and wastewater servicing from Vaughan and York Region are unavailable along Highway 50 and other servicing options are not currently feasible.

York Region is in receipt of requests from the landowners to execute the new agreements with Peel Region and Vaughan to continue receiving municipal servicing from Peel Region.

Peel Region have agreed in principle to continue to provide municipal servicing per the amended York-Peel agreement, subject to a new servicing agreement with York Region. Accordingly, a subsequent servicing agreement between York Region, Vaughan and the Landowners will also be required. Notwithstanding, Vaughan was not requested to be signatory to the original agreements.

Formal resolution from Vaughan Council is required to enter into new servicing agreements

The consent of Vaughan is required under Section 19 of the *Municipal Act, 2001* for Peel to provide services within Vaughan's boundaries. As a result, York Region has requested a formal resolution from Vaughan Council to enter into these new agreements.

Financial Impact

There are no requirements for new funding because of this report. Peel Region will be billing the landowners directly for water and wastewater.

Broader Regional Impacts/Considerations

York Region has been working with Peel Region, the various landowners, and the City of Vaughan in trying to finalize the necessary Servicing Agreements that would allow for the continued servicing of the properties from Peel's services. York Region has also advised the City that it requires a formal resolution from Vaughan Council to enter into the required multi-party Servicing Agreement.

Conclusion

The properties located at 9301 Rutherford Road, 9501-9601 Highway 50, 9701 Highway 50, and the CPR Intermodal lands east of Highway 50 on the north side of Rutherford Road currently receive their water and wastewater servicing from Peel Region.

Existing servicing agreements are set to expire at the end of 2021, and new agreements are required to continue to provide municipal water supply and sanitary sewage to the subject lands from Peel Region as City services are unavailable.

York Region has requested a formal resolution from Vaughan Council to enter into these new agreements.

For more information, please contact Michael Frieri, Acting Director of Infrastructure Planning and Corporate Asset Management, Ext. 8729.

Attachment

1. Location Plan

Prepared by

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Consulted with

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