



TOWN OF
HALTON HILLS
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REPORT

TO: Mayor Bonnette and Members of Council

FROM: Romaine Scott, Legal Coordinator

DATE: October 5, 2021

REPORT NO.: PD-2021-0057

SUBJECT: Proposed License Agreement with the Town of Milton and CRH Canada Group Inc. to allow the underground crossings for private water management system at Nassagaweya-Esquesing Town Line (Milton and Halton Hills boundary road)

RECOMMENDATION:

THAT Report No. PD-2021-0057 dated October 5, 2021 regarding the proposed License Agreement with the Town of Milton and CRH Canada Group Inc. to allow the underground crossings for private water management system at Nassagaweya-Esquesing Town Line (Milton and Halton Hills boundary road), be received;

AND FURTHER THAT Council pass a by-law authorizing the Town of Halton Hills to enter into a license agreement with CRH Canada Group for the purpose of installing private underground crossings at Nassagaweya-Esquesing Town Line for a term of 10 years, with the option of extending the term at the discretion of the Town;

AND FURTHER THAT such License Agreement shall be in a form and to the satisfaction of Town Administration, and that the option for a further 10-year extension of the License Agreement may be granted at the sole discretion of the Town's Commissioner of Transportation & Public Works.

KEY POINTS:

The following are key points for consideration with respect to this report:

- CRH has agreed to enter into a License Agreement with the Town of Halton Hills (the "Town") and the Town of Milton to facilitate the crossings for its ongoing operations of the Milton Quarry. The salient conditions of the Agreement are as follows:

- The agreement shall be for a term of 10 years with the option for an extension for a further 10 years at the discretion of the Town's Commissioner of Transportation & Public Works;
 - All costs associated with the crossings shall be borne by CRH and there shall be no cost to the Town;
 - CRH shall provide the Town with a survey prepared by an Ontario Land Surveyor, showing the locations of the underground crossings, to the satisfaction of the Town;
 - CRH shall remove or decommission the works related to the crossings and restore the licensed areas to their original state to the satisfaction of the Town, within thirty (30) days of the expiration or termination of the Agreement;
 - CRH shall provide a security of \$100,000.00 for the term of the Agreement; and
 - CRH shall indemnify and insure the Town.
- Nassagaweya-Esquesing Town Line is a boundary road that shares jurisdiction with both the Town of Halton Hills and the Town of Milton. The Town of Milton will also be a party to the Agreement and will obtain the necessary approval to proceed and sign the Agreement.
 - The Town of Halton Hills will administer the license agreement, including the holding of any required securities and issuing of any permit(s) required to complete the works.

BACKGROUND AND DISCUSSION:

CRH Canada Group Inc. ("CRH") is the beneficial owner of several parcels of land located on both sides of the Road, upon which it operates the Milton Quarry which is duly licensed to extract and process mineral aggregates. To facilitate the movement of ground water between the various phases of its operations, it is necessary for CRH to install the apparatus necessary to create underground crossings at several separate locations under the Road to facilitate a private water management system for the benefit of the Milton Quarry.

The proposed locations of the various crossings are generally located as shown on the map attached to this Report as Appendix "1".

STRATEGIC PLAN ALIGNMENT:

This report is administrative in nature and does not have an impact on the Town's Strategic Plan.

RELATIONSHIP TO CLIMATE CHANGE:

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

PUBLIC ENGAGEMENT:

Public Engagement was not needed as this report is administrative in nature.

INTERNAL CONSULTATION:

There has been consultation among staff from the Development Engineering and the Transportation group for Transportation & Public Works.

FINANCIAL IMPLICATIONS:

This report is administrative in nature and does not have any financial implications.

Reviewed and approved by,

John Linhardt, Commissioner of Planning and Development

Chris Mills, Acting Chief Administrative Officer