



TOWN OF
HALTON HILLS
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REPORT

TO: Mayor Lawlor and Members of Council

FROM: Romaine Scott, Legal Coordinator,
Planning & Development

DATE: February 15, 2023

REPORT NO.: PD-2023-018

SUBJECT: Authorization for a License Agreement to allow the Region of Halton to install monitoring wells and stream flow gauges below the surface of certain Town-owned Lands.

RECOMMENDATION:

THAT Report No. PD-2023-018 dated February 15, 2023 regarding the License Agreement to permit the installation of monitoring wells and stream flow gauges below the surface of certain Town-owned lands, in order to conduct water/soil sampling, testing and monitoring activities, be received;

AND FURTHER THAT Council enact the necessary by-law to authorize the Mayor and Clerk to execute the necessary License Agreement, for the purpose of installing and maintaining monitoring wells and stream flow gauges to conduct soil/water sampling, testing and monitoring activities below the surface of certain Town-owned lands for a period of 10 years, with the option for renewal for a further 10 years at the sole discretion of the Commissioner of Transportation & Public Works.

AND FURTHER THAT the terms and conditions of the License Agreement be to the satisfactory to the Commissioner of Transportation & Public Works.

KEY POINTS:

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

- The Term of the License Agreements will be for a period of 10 years from the date the Town signs the Agreement herein, with the option of renewing for a further 10 years at the sole discretion of the Commissioner of Transportation & Public Works.

- The Region will be allowed the flexibility to install and/or remove the monitoring wells/gauges as required from time to time, within the Term of the Agreement.
- The Region will indemnify the Town and hold the Town harmless against all liability related to the license. The Town will also be added as an additional insured to the Region's commercial general liability insurance policy for a minimum coverage of \$5M per occurrence for the entire Term of the license.
- The Town will be provided with drawing(s) showing the locations of the monitoring wells/gauges once they have been installed.
- At the end of the Term or upon termination of the Agreement, the Region will decommission the monitor wells/gauges and complete the necessary restorations to the Town-owned lands to the satisfaction of the Town. The decommissioning and restoration will be at the cost of the Region.
- The usual security requirement under the terms of the agreement is waived for the benefit of the Region.
- The Region will apply for and obtain an excavation permit from the Town for the installation and removal of the monitoring wells/gauges and re-apply for an excavation permit on an annual basis for the on-going monitoring activities at the discretion of the Town.
- The Region will be solely responsible for all costs associated with the installation, maintenance and decommissioning of the monitoring wells/gauges.
- The Region will be required to provide the Town with a summary report of the testing results.
- The Region will be responsible for exercising the appropriate traffic control during the initial installation of the works and during the installing, testing, monitoring and decommissioning events.

BACKGROUND AND DISCUSSION:

The Region of Halton having jurisdiction over the public water facilities is currently in the process of updating the ground and surface water models that were used during its original Tier 3 water quality stress assessment for the Georgetown and Acton wellfields.

The Region has applied to the Town for permission to access certain Town-owned lands for the purposes of installing and maintaining monitoring wells and stream flow gages. This will allow the Region to conduct soil and water sampling, testing and monitoring activities.

Staff has reviewed the request for access and the proposed activities on the Town-owned lands, including the proposed locations of the monitoring wells and stream flow

gauges, and has no objections to the Town permitting the license for the purposes set out in this Report, subject to the Region entering into the required License Agreement with the Town.

The Town-owned lands relating to the license being granted herein are near the Region's wellfields and include the road allowances and open space lands in the vicinity of Trafalgar Road and Princess Anne (Georgetown) and 22 Side Road and Fifth Line (Limehouse) for the monitoring wells. The stream flow gauges will be in the vicinity of Beeney Creek/Lindsay Court wellfield near 20 Side Road and Sixth Line, and 22 Side Road and Sixth Line (Limehouse).

The proposed locations of the monitoring wells and stream flow gauges are generally shown on the drawing(s) accompanying this Report.

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:

In addition to consultations with the applicant, there has also been consultations with staff from Planning & Development and 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 & Development

Chris Mills, Chief Administrative Officer