



REPORT

REPORT TO: Mayor Bonnette and Members of Council

REPORT FROM: Romaine Scott, Legal Coordinator

DATE: July 23, 2020

REPORT NO.: PD-2020-0034

RE: Proposed License to Sheridan Nurseries Limited to allow for Private Irrigation/Drainage Pipes to be installed under Tenth Line (Glen Williams)

RECOMMENDATION:

THAT Report No. PD-2020-0034 dated July 23, 2020 regarding a License Agreement to allow private irrigation or drainage pipes to be installed under Tenth Line be received;

AND FURTHER THAT Council pass a by-law authorizing the Town to enter into a license agreement with Sheridan Nurseries Limited, for the purpose of installing private irrigation/drainage pipes under Tenth Line, for a term of twenty-one (21) years less one day;

AND FURTHER THAT such license agreement shall be in a form satisfactory to Town Administration.

BACKGROUND:

Sheridan Nurseries Limited ("Sheridan Nurseries") owns and operates a landscape nursery business on the lands located at 12079 and 12302 Tenth Line, just south of 22 Side Road and north of Prince Street / 20 Side Road, Glen Williams (the "Lands"). The Lands are situated on both sides and have frontage on Tenth Line (the "Road").

To facilitate this operation, Sheridan Nurseries has requested the Town's permission to install private irrigation/drainage pipes under the Road to convey water from one parcel of the Lands to the other. The Town has previously granted similar permissions to Sheridan Nurseries, however, it is necessary to reconfigure the pipes from time to time to make the operation more efficient.

Staff from Transportation & Public Works Department has reviewed this application and has no concerns with Sheridan Nurseries reconfiguring or relocating its private irrigation/drainage pipes under the Road, as illustrated in the sketch attached to this Report.

COMMENTS:

Sheridan Nurseries has agreed to enter into a license agreement with the Town, which includes the following salient conditions, to the satisfaction of Town Administration:

- 1) The term of agreement shall be for 21 years less 1 day;
- 2) Sheridan Nurseries shall indemnify and insure the Town;
- 3) The issuance of the license shall be subject to Sheridan Nurseries obtaining the required excavation permit from the Town prior to starting any works on the Road;
- 4) Sheridan Nurseries shall provide the Town with a survey prepared by an O.L.S., showing the locations of the pipes, to the satisfaction of the Town;
- 5) At any such time that the Lands are no longer used for landscape nursery, the abandoned pipes shall be removed to the satisfaction of the Town.

Sheridan Nurseries has also agreed to pay all associated costs, including the Town's administration fee and the Town's legal fees, if any.

RELATIONSHIP TO STRATEGIC PLAN:

This is an operational issue. The proposed license bears no relation to the Strategic Plan.

FINANCIAL IMPACT:

There is no financial implication with respect to the application. The applicant is required to pay the Town's administration cost associated with the preparation of the agreement and the issuance of the permit.

CONSULTATION:

There has been consultation among staff from Transportation & Public Works, Planning & Development and the applicant with respect to this Report.

PUBLIC ENGAGEMENT:

There is no public engagement with respect to this Report.

SUSTAINABILITY IMPLICATIONS:

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life.

The recommendation outlined in this report is not applicable to the Strategy's implementation.

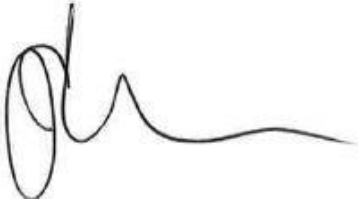
COMMUNICATIONS:

There is no communications impact with respect to this Report.

CONCLUSION:

Sheridan Nurseries has continued to operate its business in this location for several years and the permission required herein, will allow them to operate more efficiently. Staff recommends that Council pass the appropriate by-law to authorize the Mayor and Clerk to enter into a License Agreement as set out herein.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to be 'John Linhardt', with a stylized, flowing script.

John Linhardt, Commissioner of Planning and Development

A handwritten signature in black ink, appearing to be 'Brent Marshall', with a stylized, flowing script.

Brent Marshall, Chief Administrative Officer