

## **Temporary Licence Agreement with Ministry of Transportation for a portion of the Former Brock North Landfill Property**

<b>Date:</b>	April 14, 2010
<b>To:</b>	Government Management Committee
<b>From:</b>	Bruce Bowes, Chief Corporate Officer
<b>Wards:</b>	N/A
<b>Reference Number:</b>	P:\2010\Internal Services\RE\Gm10029re – (AFS #11945)

### **SUMMARY**

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The purpose of this report is to seek Council authority to enter into a temporary licence agreement (the “Licence Agreement”) with the Ministry of Transportation (“MTO”) for access to a portion of the Brock North Landfill property to permit MTO to conduct an archaeological assessment.

### **RECOMMENDATIONS**

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**The Chief Corporate Officer recommends that:**

1. Authority be granted to enter into the Licence Agreement with MTO for a portion of the Brock North Landfill property (shown cross-hatched on the site map in Appendix “B” ), for nominal consideration, to permit MTO and its forces to conduct Stage 2 and Stage 3 Archaeological Assessments, substantially on the terms and conditions set-out in Appendix “A” and on such other terms and conditions as the City Solicitor deems necessary to protect the City’s interest.

2. Each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to execute the Licence Agreement on behalf of the City.
3. The City Solicitor be authorized to complete the Licence Agreement, including amending the closing and other dates and amending and waiving terms and conditions, on such terms as she considers appropriate.

### **Financial Impact**

There is no financial impact to the City as a result of approving this report.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

### **ISSUE BACKGROUND**

In 2004-2005 MTO discovered materials of archaeological interest on the west side of the 16<sup>th</sup> Sideline, across from the City-owned Brock North Landfill property. MTO is in the process of conducting their EA for the 407 East extension project in the vicinity of the Brock North Landfill property, and because of the proximity of the archaeological site to the City's property MTO felt that archaeological investigations should also be completed on the City land.

### **COMMENTS**

MTO needs access to the City property to conduct Stage 2 and Stage 3 Archaeological Assessments. The assessments will be completed in two phases. The first phase is a survey of the property to identify the presence of any materials of archaeological interest. This requires ploughing of the area shown crosshatched on Appendix B.

If a significant archaeological site is encountered during the Stage 2 Assessment, the archaeologist will recommend proceeding to a Stage 3 Assessment to define the extent of the site and the timeframe and cultural affiliation of the site. A Stage 3 Assessment requires the collection of any surface artefacts and the excavation of topsoil across the site area. This will confirm the limit of the archaeological remains. Under the Licence Agreement, MTO will be required to restore the portions of the site affected by the Assessments.

Once the results of the archaeological Assessments are completed, MTO will consider any archaeological mitigation and/or protection and avoidance measures that will need to be made in order to complete the 407 East extension.

MTO also proposes to acquire a portion of the Brock North Landfill property for inclusion in the 407 East/Brock Road interchange. That acquisition would be the subject of a further report to Committee and Council at a later date.

## **CONTACT**

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## **SIGNATURE**

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Bruce Bowes, P.Eng.  
Chief Corporate Officer

## **ATTACHMENTS**

Appendix A – Terms and Conditions  
Appendix B – Map of Site