

Clause 27 in Report No. 9 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on May 17, 2018.

27

Disposition of Lands
Town of Newmarket

Committee of the Whole recommends adoption of the following recommendations contained in the report dated April 26, 2018 from the Commissioner of Corporate Services:

1. Council authorize the disposition of land in the Town of Newmarket, as set out in Attachment 1.
2. The Commissioner of Corporate Services be authorized to execute the agreements of purchase and sale and all necessary documents to complete the transaction.

Report dated April 26, 2018 from the Commissioner of Corporate Services now follows:

1. Recommendations

It is recommended that:

1. Council authorize the disposition of land in the Town of Newmarket, as set out in Attachment 1.
2. The Commissioner of Corporate Services be authorized to execute the agreements of purchase and sale and all necessary documents to complete the transaction.

2. Purpose

This report seeks Council authority to dispose of lands in the Town of Newmarket that are surplus to the Region. For all lands, the Town of Newmarket is the proposed purchaser. The location of these lands is shown on the maps in Attachment 2 and 3.

Private Attachment 1 to this report will be considered in private session because it relates to the disposition of land by the Region.

3. Background and Previous Council Direction

The Region owns a number of properties in the Town of Newmarket that have been identified as surplus to the Region's needs

The Region has identified four parcels as surplus to Regional requirements, that the Town of Newmarket (the Town) is interested in acquiring. The Region and the Town have agreed to the transfer of the lands from the Region to the Town of Newmarket.

The following is a summary of each of the four properties:

- 281 Cotter Street - The Region acquired this property from the Town of Newmarket through an assumption by-law as part of the Regional waterworks system in December, 1970. In [June 2008](#), Council authorized an application for approval to convey the property to the Town of Newmarket with all existing structures in an "as is" condition. However, title issues prevented the transfer at that time and the Region subsequently decommissioned and demolished the improvements to which the Town of Newmarket has agreed to pay half of the costs.
- 332 Rannie Road – This site is part of a Heritage Cemetery that was acquired by the County of York through a transfer in 1881 from a former resident. The site was used to bury indigent people who resided at the former York Industrial House. The York Industrial House was at the forefront of where a County would assume the social responsibility of caring for indigent residents.
- 265 Prospect Street –The Region acquired this property in September, 1967. This undersized parcel does not meet the requirements as a standalone parcel for re-development. It's best suited as a potential site for a parkette.
- 134 Main Street South – This property is improved with a Heritage building that was acquired by the County of York through a transfer in October, 1865 from a former resident. The Town of Newmarket operates the Elman Campbell Museum at this property through a nominal lease that expires May, 2046.

4. Analysis and Implications

Negotiations have been successfully completed for the transfer of lands

Staff followed the Region's policy for the Sale and Disposition of Regional Land which sets out procedures to be followed for the disposal of surplus lands. The property at 281 Cotter Street is exempt from the procedures outlined in the policy, as the assumption bylaw stipulates that when the Region no longer needs the property it is to be transferred back to the Town. The remaining properties are all considered to be of nominal value, due to the various constraints affecting future utility of the lands. All Regional Departments were contacted and no future Regional requirement was identified for the subject lands.

The Town of Newmarket has agreed to the transfer of the subject lands from the Region in "as is, where is" condition. In return the Town has agreed to pay half of the decommissioning costs at 281 Cotter Street.

Environmental due diligence is underway

By policy, the Region has commissioned Phase One Environmental Site Assessments (ESA) to assess potential environmental concerns with the properties. The results of the ESAs will be used to determine whether any further investigation into the environmental condition of the properties is required. In the event environmental impacts are identified, staff will consult with Legal Services to take the necessary steps to minimize the risk to the Region.

5. Financial Considerations

There are no financial implications associated with this report.

6. Local Municipal Impact

The transfer of the subject lands will not impact the Region's service to the public and will allow the Town of Newmarket to use the lands for public needs.

7. Conclusion

The properties that are subject to this report have been deemed surplus to the Region's needs. Transferring these properties to the Town of Newmarket would allow the Town to carry out unimpeded services held at these properties. Staff recommend that Council approve the conveyance for nominal consideration of the subject properties that have been deemed surplus to the Region.

For more information on this report, please contact Michael Shatil, Director, Property Services at 1-877-464-9675 ext. 71684.

The Senior Management Group has reviewed this report.

April 26, 2018

Attachments (3)

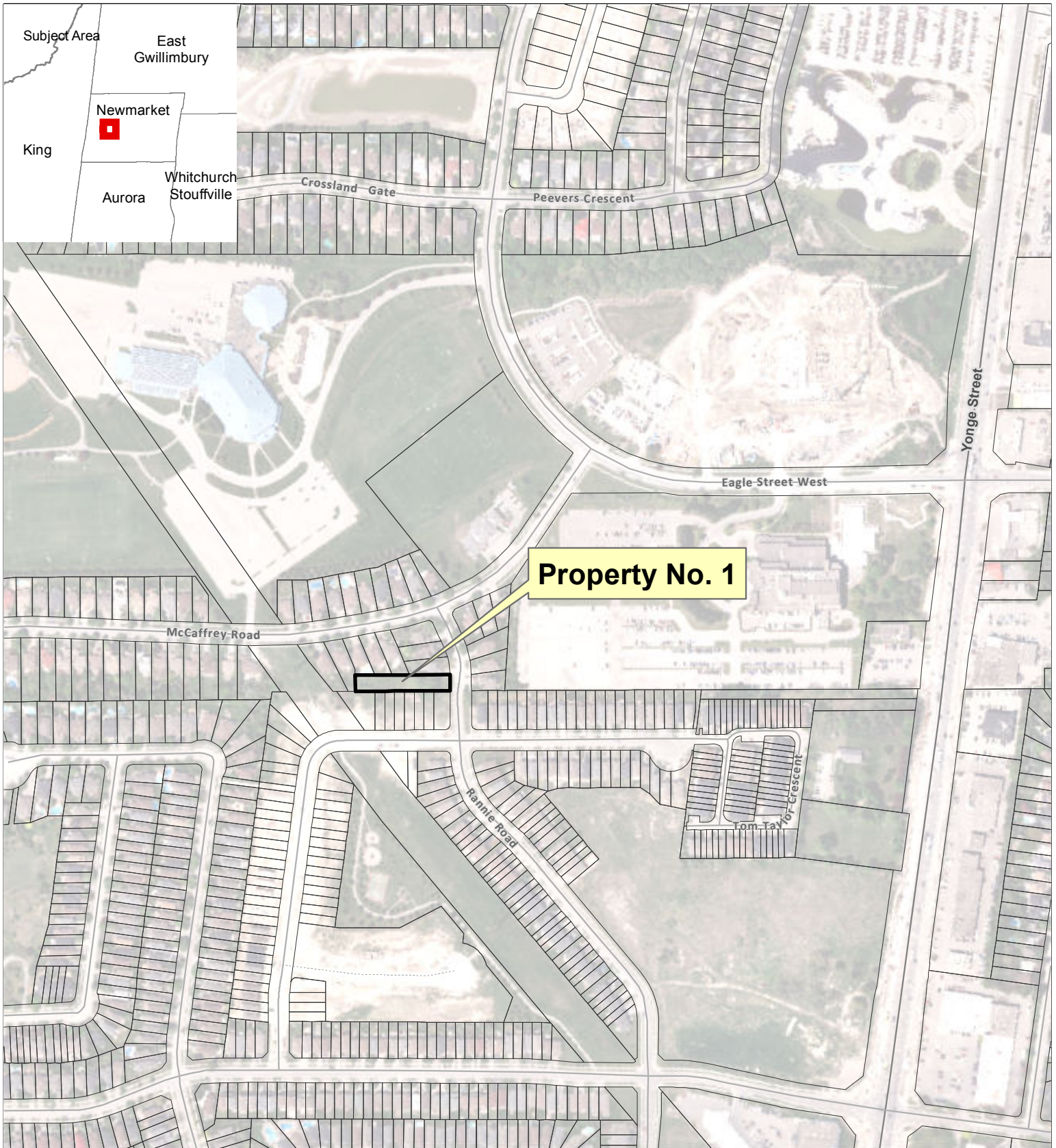
Private Attachments (1)

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Accessible formats or communication supports are available upon request

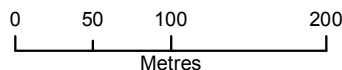
**Property Schedule
Disposition of Lands
Town of Newmarket**

No.	Purchaser	Municipal Address	Legal Description	Interest Disposed
1.	Corporation of the Town of Newmarket	332 Rannie Road Newmarket	Part of Lot 93, Concession 1 (King), Part 8 on 65R-7586, Newmarket	Fee Simple
2.	Corporation of the Town of Newmarket	134 Main Street South Newmarket	Part of Lot 12, w/s of Main Street, Plan 222 and Part of Lot 39 Plan 81, Newmarket	Fee Simple
3.	Corporation of the Town of Newmarket	265 Prospect Street Newmarket	Part of Lot 8 e/s of Prospect Street, Plan 15, Newmarket	Fee Simple
4.	Corporation of the Town of Newmarket	281 Cotter Street Newmarket	Part of Lot 6 w/s of Prospect Street, Plan 15 and Part of Lot 6, Plan 34, Newmarket	Fee Simple






Location Plan

Disposition of Land
Town of Newmarket
May 10, 2018



Legend

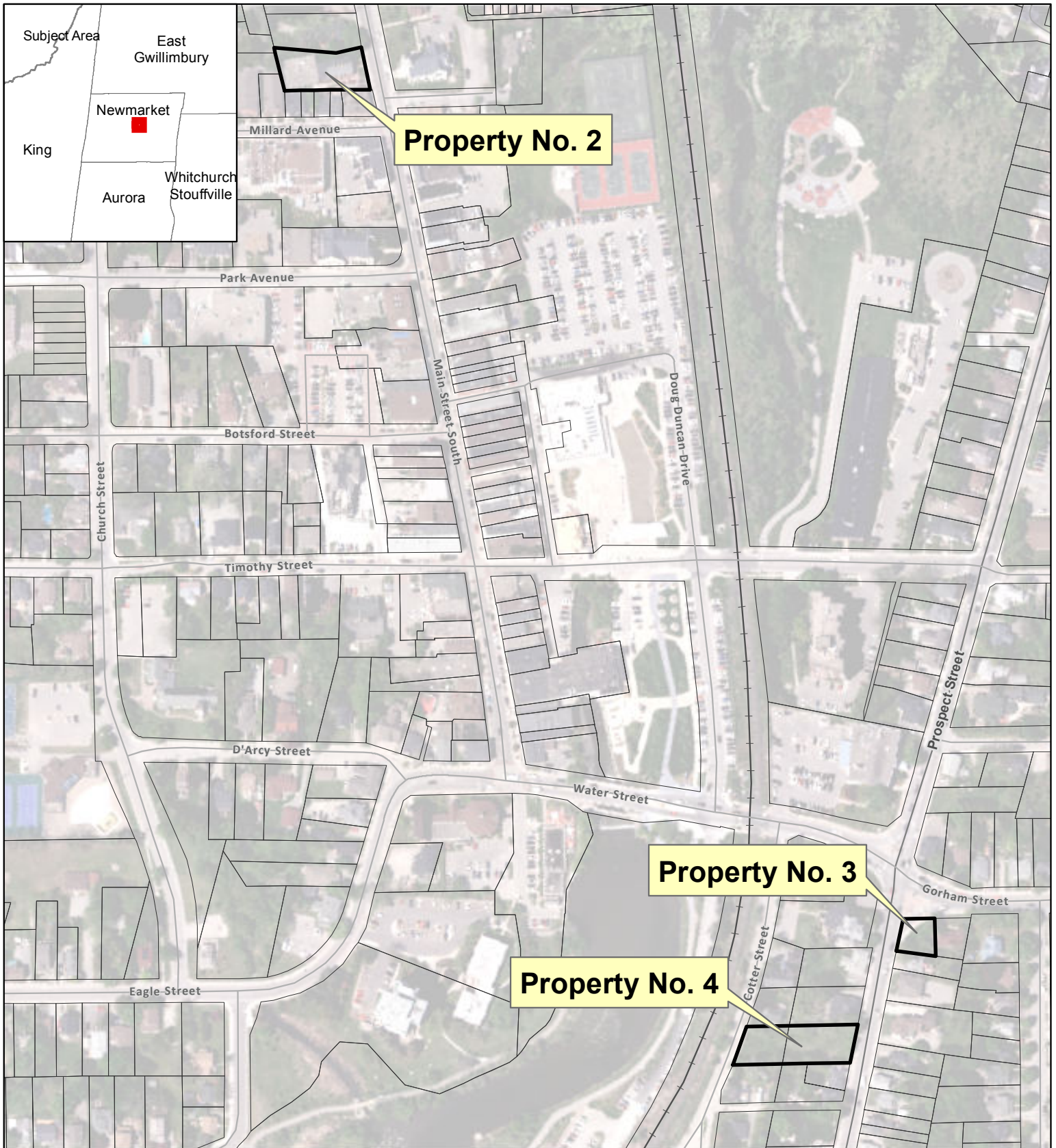
-  Subject Property
-  Parcel
-  Road



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Property Services, Corporate Services
March 2018

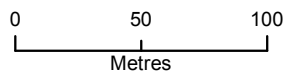
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Location Plan

Disposition of Land
Town of Newmarket
May 10, 2018



Legend

-  Subject Property
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