

The Regional Municipality of York

Housing York Inc.
February 1, 2018

Report of the
General Manager

Granting of Easement and Acquisition of Land at Keswick Gardens in the Town of Georgina

1. Recommendations

It is recommended that:

1. The Board authorize Housing York Inc. to grant an easement over certain lands in the Town of Georgina for storm, sanitary and water service connections for lands developed by Treasure Hill Inc., its subsidiaries or its successor in title, subject to Shareholder approval.
2. The Board authorize Housing York Inc. to accept the gratuitous transfer of a portion of Treasure Hill Inc. lands for potential future use, subject to Shareholder approval.
3. The General Manager be authorized on behalf of Housing York to execute all necessary documentation to complete the transactions.

2. Purpose

This report seeks Board approval to give authority to pursue servicing easements with the Town of Georgina and Treasure Hill Inc. (Treasure Hill) or its successors in title, within the Keswick Gardens site.

The basis for this arrangement was approved in principle by Housing York Inc. (Housing York) in [September 2015](#), with the intent for Council as Shareholder to approve the transactions closer to the actual commencement of construction of the neighbouring subdivision.

While the terms and scope of the easement and related agreements are substantially the same as the previous drafts, because the previous owner of the adjacent lands has changed and the 2015 agreements were never executed and are not assignable, Board approval to execute the agreements with the new owner is required.

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Additionally, this report seeks authorization to accept the transfer of lands as contemplated in the September 2015 agreement, and as outlined in the attached map (Attachment 1), subject to the approval by Regional Council.

3. Background

Approval is required as the original developer, Daycornet, has sold the land to Treasure Hill Inc.

Keswick Gardens is a 120-unit apartment building for seniors owned by Housing York Inc., located at 43 The Queensway North in the Town of Georgina.

In [September 2015](#), the Housing York Board approved an agreement with the owner of the neighbouring site at the time, Daycornet, to enter into easements for storm, sanitary and water service connections, and related agreements required to facilitate a future neighbouring residential subdivision. The ownership has since changed from Daycornet to Treasure Hill Inc. The agreement did not originally contemplate the role of successors, so as a matter of housekeeping, this report seeks approval to enter into the agreement with the new owner.

4. Analysis and Implications

Council authority is required for the disposal of acquisition of Housing York land over \$10,000

In order to dispose of any lands (including conveyance of easements) having a value greater than \$10,000, approval by the Region as Shareholder is required under the Housing York Inc. Shareholder Direction (Section 6.3.1 (b)) and pursuant to the Housing York Inc. Execution of Documents ([Bylaw 4-14](#)). An independent appraisal has confirmed the value of the easement lands is over \$10,000, therefore Board and Council approval is required for the proposed transactions.

Although the original agreement was approved in principle by Housing York in [September 2015](#), the ultimate intent was for Council, as Shareholder, to approve the related land transactions closer to the actual commencement of construction of the neighbouring proposed residential subdivision development.

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Opportunity for Keswick Gardens to connect to new storm, sanitary and water services as well as pursue potential additional land use benefits

The agreement benefits Treasure Hill and Housing York as it includes servicing capacity and a transfer of land to Housing York. The agreement allows Keswick Gardens to connect to storm, sanitary and water services that Treasure Hill will be installing for their future development. This will be beneficial as new infrastructure will allow for a simpler connection to the municipal system. Furthermore, the additional 0.66 acres of land being received by Housing York has the potential to be used for future parking area, green space or building expansion.

Although there are substantial costs associated with these infrastructure upgrades, the business agreements with Treasure Hill Inc. will ensure that Housing York will bear none of the costs related to the site works for Housing York's connection into the new infrastructure. Additionally, the agreements will require the developer to ensure that the Keswick Gardens property is left in the same condition at the time prior to commencement of the site works or better. This includes potential landscaping or other site improvements granting authority to Treasure Hill, its subsidiaries, or its successor in title, to ensure the easement and related construction can be pursued efficiently and in a timely manner.

5. Financial Considerations

There are no anticipated financial costs associated with the proposed easement or transfer of land. Treasure Hill will be responsible for covering any related fees. The agreements with Treasure Hill will ensure the recovery of all Regional related fees such as: consulting, legal or additional costs associated with the work.

6. Local Municipal Impact

The easement will ultimately be for the servicing infrastructure by the Town of Georgina, which has been working with the developer on servicing plans that contemplate this arrangement.

The new storm, sanitary and water service connection for Keswick Gardens also means the building will have a simpler connection into municipal servicing.

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7. Conclusion

Board approval and subsequent Regional Council approval is required to give staff the authority to proceed with executing agreements related to the easement and acquisition.

Benefits of the easement and acquisition between Housing York and Treasure Hill are mutual, and Keswick Gardens will provide a simpler connection to municipal storm, sanitary and water servicing as well as receive land for potential future building expansion, parking area, or green space use.

For more information on this report, please contact Rick Farrell, General Manager, Housing York Inc. at ext. 72091.

The Senior Management Group has reviewed this report.

Recommended by:

Approved for Submission:

Rick Farrell
General Manager

Katherine Chislett
President

January 18, 2018

Attachment (1)

#8041640

Accessible formats or communication supports are available upon request



Keswick Gardens Easement and Conveyance Lands

Acquisition of Lands Adjacent to Keswick Gardens, Town of Georgina

February 1, 2018

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Legend

-  Convey Lands to York Region
-  Easement through HYI Site
-  Easement
-  Treasure Hill Inc. Lands
-  Parcel