

Clause 19 in Report No. 1 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on January 25, 2018.

19

Acquisition of Land - 20967 2nd Concession Road - Upper York
Sewage Solutions - Town of East Gwillimbury

Committee of the Whole recommends adoption of the following recommendations contained in the report dated December 14, 2017 from the Commissioner of Corporate Services:

1. Council authorize the acquisition of the land required for the proposed Water Reclamation Centre, in the Town of East Gwillimbury, as outlined in the report.
2. The Commissioner of Corporate Services be authorized to execute the agreement of purchase and sale and all necessary documents to complete the transaction.

Report dated December 14, 2017 from the Commissioner of Corporate Services now follows:

1. Recommendations

It is recommended that:

1. Council authorize the acquisition of the following land required for the proposed Water Reclamation Centre, in the Town of East Gwillimbury.

No.	Owner	Municipal Address	Legal Description	Interest Required
1.	New Leaf: Living and Learning Together Inc.	20967 2nd Concession Road East Gwillimbury	Part 2, Plan 65R958	Fee Simple

Acquisition of Land
20967 2nd Concession Road
Upper York Sewage Solutions
Town of East Gwillimbury

2. The Commissioner of Corporate Services be authorized to execute the agreement of purchase and sale and all necessary documents to complete the transaction.

2. Purpose

This report seeks Council approval to acquire the land required for the Upper York Sewage Solutions project, as shown in Attachment 1.

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

3. Background and Previous Council Direction

The Upper York Sewage Solutions project will provide servicing for planned growth

The Water Reclamation Centre is part of the Upper York Sewage Solutions project and is vital to accommodate forecasted growth in the Towns of Aurora, Newmarket and East Gwillimbury.

Approval of the Environmental Assessment for the Upper York Sewage Solutions project is pending

The Upper York Sewage Solutions project is following the planning process established under the *Environmental Assessment Act* for an individual Environmental Assessment (EA). The EA was conducted in two parts, a Terms of Reference, essentially a road map for how the EA would be undertaken, and the EA itself. Having received approval from the Ministry of the Environment and Climate Change on the Terms of Reference, the final EA report was submitted to the Minister for approval on July 25, 2014.

Following the submission, Ministry staff began an internal review and public consultation process, in accordance with regulatory guidelines. The Notice of Completion of Ministry Review was published on January 22, 2016. The public comment period on the Ministry Review ended February 26, 2016. All comments received were documented and the next step is for the Minister to render a decision on approval of the EA.

Acquisition of Land
20967 2nd Concession Road
Upper York Sewage Solutions
Town of East Gwillimbury

Though approval of the EA has not been received, the *Environmental Assessment Act* permits a project proponent to acquire land and rights in land at its own risk before EA approval.

Council previously authorized the expropriation and settlement of the adjoining lands and the acquisition of a neighboring residential property

The subject property is one of four residential properties that are located immediately adjacent to the proposed Water Reclamation Centre site that are required to provide space for intensive grading and buffering. One property was previously acquired and negotiations are ongoing for the remaining properties.

In [January 2017](#), Council authorized the Approval to Expropriate and in [June 2017](#) Council authorized the settlement for the expropriation of the adjoining lands. Council also authorized the acquisition of a residential property that abuts the Water Reclamation Centre in [October 2015](#).

The subject property is required as part of the project

The subject property, at 20967 2nd Concession Road, is a two acre parcel with a residence for people with special needs.

The acquisition of the subject property is required to provide for intensive grading and act as a buffer between abutting residents and the proposed Water Reclamation Centre. It is proposed that the existing dwelling be demolished and the subject property be improved with landscaping and berms, omitting the need for retaining walls and providing screening for the proposed Water Reclamation Centre.

4. Analysis and Implications

Negotiations have been successfully completed for the acquisition of the subject property

Negotiations with the property owner began in May 2015. The owner is a willing seller engaged throughout the acquisition process, and understands the requirement to obtain Council approval.

Staff has completed negotiations to acquire the subject property. Compensation for property acquisitions is typically based on market value derived from independent appraisals. In this case, specialized construction made it necessary

Acquisition of Land
20967 2nd Concession Road
Upper York Sewage Solutions
Town of East Gwillimbury

to compensate the owner based on the cost to construct a building on a replacement property. The compensation is based on independent cost estimates for land and construction.

The negotiated compensation will be paid based on actual amounts incurred by the owner

A replacement location for the special needs facility has not been found to date. The owner will be responsible to find a new location to construct its replacement building. The transaction will be structured to compensate the owner in advance to allow the owner financial means to acquire land and construct the improvements. Upon completion of the transaction, only the actual amounts incurred by the owner will be paid, to a maximum of the negotiated compensation.

The Region has commissioned a Phase One Environment Site Assessment

An environmental consultant has been retained to provide a Phase One Environmental Site Assessment (ESA). If any environmental issues are identified, further investigation through a Phase Two ESA will be undertaken with appropriate action. Should a significant environmental impact be identified, measures will be taken to minimize potential risk to the Region in consultation with the environmental consultant and Legal Services.

5. Financial Considerations

The funding required to complete this property acquisition is included in the approved 2017 Capital Budget for Environmental Services.

6. Local Municipal Impact

The Water Reclamation Centre, as part of the Upper York Sewage Solutions project, is a key piece of infrastructure required to accommodate forecasted growth in the Towns of Aurora, Newmarket and East Gwillimbury. In addition to providing clean treated irrigation water, the Water Reclamation Centre will promote green design, conserve natural features and provide a trail system linkage. The acquisition of the property at 20967 2nd Concession Road is needed for the construction of the Water Reclamation Centre.

Acquisition of Land
20967 2nd Concession Road
Upper York Sewage Solutions
Town of East Gwillimbury

7. Conclusion

The purpose of the Upper York Sewage Solutions project is to develop a local sustainable sewage servicing solution to accommodate planned growth in the Towns of Aurora, Newmarket and East Gwillimbury.

Staff has concluded negotiations for the acquisition of the subject property, which is required to provide space for intensive grading and to act as a buffer between adjacent residents and the proposed water reclamation centre.

Given the specialized design of the residential facility on the subject property, the negotiated compensation is based on the cost to replace the building, and the estimated cost of obtaining land in a location deemed acceptable by the owner.

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

The Senior Management Group has reviewed this report.

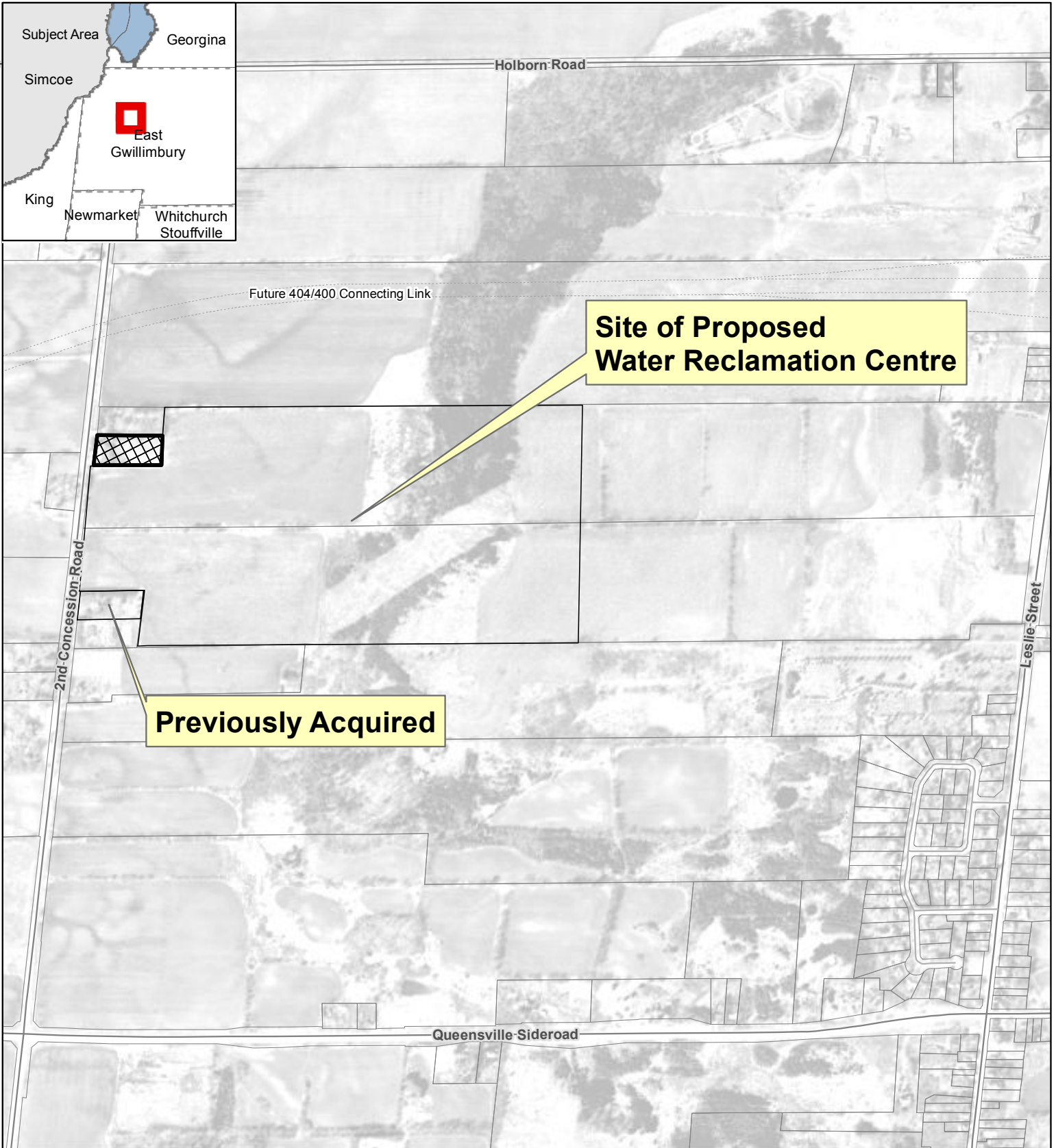
December 14, 2017

Attachments (1)

Private Attachments (1)

eDOCS #8120861

Accessible formats or communication supports are available upon request



York Region

Produced by:
The Regional Municipality of York
Property Services, Corporate Services
December 2017





Data: © Queen's Printer for Ontario 2003-2017

Imagery:
See York.ca for disclaimer information.
© First Base Solutions Inc. 2016

Location Plan
Acquisition of Land
20967 2nd Concession Road
Upper York Sewage Solutions
Town of East Gwillimbury
January 18, 2018

0 75 150 300
Metres

Legend

-  Subject Property
-  Interest Required
-  Parcel
-  Road