

Clause No. 10 in Report No. 7 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on April 17, 2014.

**10**  
**2015 TO 2019 TERANET RENEWAL**

**Committee of the Whole recommends adoption of the following recommendations contained in the report dated March 20, 2014 from the Executive Director, Corporate and Strategic Planning:**

**1. RECOMMENDATIONS**

It is recommended that:

1. Council authorize an extension of the data license agreement between the Region and Teranet Enterprises Inc. to provide property and ownership information to the Region for a further term of 5 years expiring on December 31, 2019.
2. Council authorize the purchase of additional license rights that would permit the Region to sublicense the data to members of the YorkInfo Partnership.
3. The Executive Director, Corporate and Strategic Planning be authorized to execute the agreement with Teranet Enterprises Inc. at a cost not to exceed \$1,113,120.00 including applicable taxes.
4. The Executive Director be authorized to negotiate and execute data sublicense agreements with members of the YorkInfo partnership including cost recovery.

**2. PURPOSE**

This report seeks Council approval for the direct purchase of data from Teranet Enterprises Inc. (Teranet) for a 5 year period at a total cost of \$1,113,120.00 including applicable taxes. The report also seeks approval for the Region to extend the agreement with Teranet to provide property and ownership information to interested local municipalities in York Region on a cost shared basis.

There are two Sections of the Purchasing Bylaw that require Council approval for the award of a direct purchase contract: Section 9.2, where the total cost of the contract

exceeds \$100,000.00; and, Section 16.1(a), where the renewal of a contract results in an aggregate term of greater than five years.

### **3. BACKGROUND**

#### **Accurate, updated property and ownership information is critical to providing good customer service to residents within York Region**

York Region is one of the fastest growing municipalities in Ontario. There are over 350,000 individual properties which comprise the region. Each year approximately 7,000 additional new properties are created and over 18,000 real estate transactions are recorded, all with associated property and ownership information.

The Region uses this information to support timely communication to affected property owners as part of the delivery of services including:

- Environmental Assessments, design and construction for road, transit, water and wastewater services
- Service disruptions due to infrastructure maintenance
- Notifications for program and service delivery such as public consultations.

Thereby, creating mailing lists for sending notifications to affected residents for Environmental Assessments and public consultations related to infrastructure projects are required under the *Planning Act*.

#### **Property ownership data provides staff with reliable information to conduct Regional business, representing good value for the Region**

Property and ownership information are required to support and monitor growth related activities, particularly infrastructure improvements, utility approvals and VIVA project planning and construction. It is also used by the Realty Services Branch and the Legal Services Branch in support of property acquisition, right-of-way/easement and land access negotiations for road-widening projects, and sewer and water main installations.

Each year, the Region typically completes over 1,800 searches for property and ownership information for purposes including notification for environmental assessments, public hearings, Land Registry searches, temporary construction access, and planning.

#### **Availability of property and ownership information is made easier through a web-based map interface**

Parcel and ownership information is accessible through the Region's enterprise GIS database. This information is combined with roads and orthophotography for change

detection and quality control to maintain the Region's parcel fabric. Specific applications such as YorkMaps and the Property Viewer enhance the value of this information for users as it provide tools for viewing properties.

Linking the ownership information with the parcel provides staff with a better understanding of what is happening on a particular property. For example, the advancement of the rapid transit program relied on knowing who owned a property for land acquisition or dispositions. The information is also used to identify if there is access to the property through verification of right-of-ways/easements.

### **Municipalities across Ontario have agreements with Teranet to provide property and ownership information**

Property and ownership information is only available through Teranet. In 1991, Teranet became the agent of the Ontario Government for land registry and associated data and documents. This exclusive contract will expire in 2067.

Municipalities across Ontario including Peel Region, Durham Region and others obtain their property and ownership information from Teranet through 5 year contracts. The Town of Newmarket and City of Vaughan have separate maintenance agreements with Teranet for access to property mapping and ownership reports. The City of Vaughan agreement expires on August 24, 2014, while the Town of Newmarket agreement expires August 30, 2014.

### **Current maintenance agreement with Teranet expires December 2014**

The Region has received monthly updates for property and ownership information from Teranet since 2004. Regional Council approved a maintenance agreement in 2004 for the delivery of property and ownership information (February 10, 2004, Report No. 3 of the Planning and Economic Development Committee – Property Ownership Transfer and Easement Reports). The Region renewed the agreement and it was approved by Council in 2009 (March 3, 2009, Report No. 4 of the Planning and Economic Development Committee – Five Year Maintenance Agreement for Property and Ownership Information 2010 – 2015). The existing five year maintenance agreement with Teranet expires in December 2014.

### **Freedom of Information and Protection of Privacy Act (FIPPA) and privacy laws restrict access**

Provincial restrictions and Teranet licence agreements require that owner data cannot be made available to the private sector through this agreement. Owner names are not to be released to the public in respect of information privacy laws.

#### **4. ANALYSIS AND OPTIONS**

##### **YorkInfo Partners are interested in participating in the cost of acquiring property and ownership information over a five (5) year period**

The YorkInfo Partnership is comprised of the nine (9) local municipalities, two (2) School Boards and the two (2) Conservation Authorities and has been active since 1996.

York Region sought interest from the YorkInfo Partners to share in the acquisition and cost of jointly purchasing the Teranet mapping and products. Of the nine (9) local municipalities, six (6) have confirmed their interest in participating in this joint purchase. The six are: Town of Aurora, Town of Georgina, Township of King, Town of Newmarket, Town of Whitchurch-Stouffville, and the City of Vaughan. There are provisions in the contract to allow any of the remaining municipalities to join under the same terms and conditions when they are ready. The City of Markham worked with Teranet to develop the initial property information and once completed took ownership of it and have continued to maintain it.

Through the YorkInfo Partnership, municipalities interested in participating in the Teranet purchase have agreed to pay fifty-five percent (55%) of the total cost of \$1,113,120.00, amounting to a cost recovery of \$612,216. This is the same cost sharing arrangement the YorkInfo Partnership has for the joint purchase of orthophotography.

##### **Expanded agreement allows the Region to sublicense the Teranet information to local municipalities at a reduced cost**

Teranet offers a tiered pricing model based on property count, where the higher the number of properties the lower the cost per property. Currently, Peel Region and York Region are the only municipalities that fall into the top tier providing the largest discount.

The expanded agreement with Teranet permits the Region to provide its tiered pricing through a sublicense to the local municipalities at the reduced cost. The Region must identify any Sublicences in the maintenance agreement with Teranet and execute a Sublicence agreement with the participating local municipalities. Additionally, participating local municipalities can provide this data to their subcontracted service providers for projects without notifying Teranet. This saves administrative overhead and money since the subcontractor does not need to collect this information or purchase the data from Teranet.

### **The agreement provides new products and on-demand access to updated mapping and ownership information as well as scanned registered plans**

Under the existing agreement the Region receives monthly updates of:

- the name of the legal owner(s) of the property
- title and sales information on a property
- Region and municipal right-of-ways/easements.

The proposed new agreement provides the Region and all participating local municipalities access to this same information and in addition will receive:

- all scanned registered plans
- an index linking a plan to a property.

Instead of receiving the information on a monthly basis, Teranet will provide access to up-to-date information through its on-demand web-based system. Projects requiring property information will be able to get current data within a few days instead of waiting for up to a month as per the existing contract.

The agreement also provides participants with delivery of all existing and future registered plans. Access to these images will eliminate scanning of these plans, and all participating organizations will have access to the same information.

### **Link to Key Council–approved Plans**

The Teranet maintenance agreement supports the *2011 to 2015 Strategic Plan* in the priority area of “Strengthen Organizational Capacity” as it provides ongoing access to a consistently managed information resource for Regional staff and staff in other organizations.

## **5. FINANCIAL IMPLICATIONS**

The cost for the delivery of the property and ownership information from Teranet will not exceed \$1,113,120.00 including applicable taxes. Forty-five percent (45%) of the funds required for the five year maintenance agreement are budgeted in the annual operating budget of the Geographic Information Services Branch and the remaining fifty-five percent (55%), for a total of \$612,216, will come from the participating members of the YorkInfo Partnership.

Through this joint purchase, York Region, the Town of Newmarket and the City of Vaughan will receive all of the information they currently obtain and in addition, scanned registered plans; an index linking plans to properties and having access to all of the information on-demand at virtually the same cost as they pay now. Through this agreement, other local municipalities are able to participate and receive the same pricing.

## **6. LOCAL MUNICIPAL IMPACT**

The Geographic Information Services Branch has worked with the YorkInfo Partnership to discuss opportunities to share in the joint purchase of Teranet products. The interest is to reduce costs to the taxpayer, avoid duplication and provide a common database to assist with infrastructure projects. The expanded agreement allows the Region to share this information with its YorkInfo Partners and their subcontractors, at no additional cost.

Of the nine (9) local municipalities, six (6) have confirmed their interest to date in participating in this joint purchase. The six are: Town of Aurora, Town of Georgina, Township of King, Town of Newmarket, Town of Whitchurch-Stouffville, and the City of Vaughan. They have agreed to share fifty-five percent (55%) of the total cost of \$1,113,120.00; the Region will pay forty-five percent (45%) of the total. Those not taking part in the purchase will be able to join at any point during the term of the agreement.

## **7. CONCLUSION**

Teranet is the only entity that currently provides property and ownership information that the Region requires for: property owner notifications, right-of-way/easements, and accessing current owner information on parcel for large projects.

This report seeks Council approval for the direct purchase of data from Teranet Enterprises Inc. at a total cost of \$1,113,120.00 including applicable taxes. It allows the local municipalities and their subcontractors to be included under this agreement. The participating local municipalities have agreed to share fifty-five percent (55%) of the total cost of \$1,113,120.00; the Region will pay forty-five percent (45%) of the total. Those not taking part in the purchase will be able to join at any point during the term of the maintenance agreement.

The Region will partner with interested local municipalities who are members of the YorkInfo Partnership which will provide savings of staff time and money compared to each organization purchasing the Teranet mapping and products separately.

For more information on this report, please contact John Houweling, Director of Geographic Information Services at Ext. 71529.

The Senior Management Group has reviewed this report.