

Clause 13 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 21, 2016.

13

Acquisition of Land 15625 and 15775 Leslie Street
Disposition of Land First Commerce Drive
Town of Aurora

Committee of the Whole recommends adoption of the following recommendations contained in the report dated March 31, 2016 from the Commissioner of Corporate Services:

1. Council authorize the acquisition of the following land required for the widening and construction of Leslie Street, in the Town of Aurora.

No.	Owner	Municipal Address	Legal Description	Interest Required
1.	Aurora-Leslie Developments Limited	15625 Leslie Street Aurora	Part 6, Plan 65R34509	Fee Simple
			Part 7, Plan 65R34509	Temporary Easement
	2351528 Ontario Limited	15775 Leslie Street Aurora	Part 1, Plan 65R34497	Fee Simple
			Part 2, Plan 65R34497	Temporary Easement
<p>The temporary easement will run for a term of 60 months, commencing on the date of registration of the easement, and is required for the purpose of entering on the lands with all vehicles, machinery, workmen and other material for construction purposes, which may include (1) work that supports the construction of municipal infrastructure within the Region's permanent takings, (2) staging and storage of materials and equipment, (3) hard and soft landscaping, paving, grading and reshaping the lands to the limit of the reconstruction of Project 84180, (4) the installation and removal of temporary (i) pedestrian access and walkways, (ii) parking measures including re-striping of aisles, lanes, and parking stalls, (iii) shoring and formwork, (iv) traffic signals, (v) fencing, and (vi) handrails, and (5) works ancillary to any of the foregoing.</p>				

Acquisition of Land 15625 and 15775 Leslie Street
Disposition of Land First Commerce Drive
Town of Aurora

- Council authorize the disposition of the following land on First Commerce Drive, in the Town of Aurora.

No.	Owner	Municipal Address	Legal Description	Interest Required
2.	The Regional Municipality of York	West side of First Commerce Drive Aurora	Parts 1 and 2, Plan 65R36189	Fee Simple

- The Commissioner of Corporate Services be authorized to execute all necessary documents to complete the transactions.

Report dated March 31, 2016 from the Commissioner of Corporate Services now follows:

1. Recommendations

It is recommended that:

- Council authorize the acquisition of the following land required for the widening and construction of Leslie Street, in the Town of Aurora.

No.	Owner	Municipal Address	Legal Description	Interest Required
1.	Aurora-Leslie Developments Limited	15625 Leslie Street Aurora	Part 6, Plan 65R34509	Fee Simple
			Part 7, Plan 65R34509	Temporary Easement
	2351528 Ontario Limited	15775 Leslie Street Aurora	Part 1, Plan 65R34497	Fee Simple
			Part 2, Plan 65R34497	Temporary Easement

Acquisition of Land 15625 and 15775 Leslie Street
Disposition of Land First Commerce Drive
Town of Aurora

The temporary easement will run for a term of 60 months, commencing on the date of registration of the easement, and is required for the purpose of entering on the lands with all vehicles, machinery, workmen and other material for construction purposes, which may include (1) work that supports the construction of municipal infrastructure within the Region’s permanent takings, (2) staging and storage of materials and equipment, (3) hard and soft landscaping, paving, grading and reshaping the lands to the limit of the reconstruction of Project 84180, (4) the installation and removal of temporary (i) pedestrian access and walkways, (ii) parking measures including re-striping of aisles, lanes, and parking stalls, (iii) shoring and formwork, (iv) traffic signals, (v) fencing, and (vi) handrails, and (5) works ancillary to any of the foregoing.

2. Council authorize the disposition of the following land on First Commerce Drive, in the Town of Aurora.

No.	Owner	Municipal Address	Legal Description	Interest Required
2.	The Regional Municipality of York	West side of First Commerce Drive Aurora	Parts 1 and 2, Plan 65R36189	Fee Simple

3. The Commissioner of Corporate Services be authorized to execute all necessary documents to complete the transactions.

2. Purpose

This report seeks Council approval to accept the terms of an exchange of lands between the Region, Aurora-Leslie Developments Limited and 2351528 Ontario Limited. The principal for the two owners is the same.

The lands required by the Region are to facilitate construction of the Leslie Street road widening project. The lands required by the owners are to accommodate the development of a proposed subdivision on the owner’s adjoining lands. The location of the lands owned by the Region and the owners is shown in Attachment 1.

3. Background

Leslie Street will be widened to accommodate increased traffic from new subdivisions in Aurora

The Region is widening Leslie Street to four lanes to facilitate increased traffic from the new subdivisions under construction in Aurora. The boundaries of the project along Leslie Street are from St. John's Sideroad in Aurora to Mulock Drive in Newmarket. A section of St. John's Sideroad, from Bayview Avenue to Highway 404, is also part of the project. The Ministry of the Environment and Climate Change approved the Environmental Assessment for the Leslie Street portion of this project in 2011.

Construction is proceeding in two phases, in Newmarket and Aurora, respectively. The first phase runs from Broughton Lane north along Leslie Street, where construction started in 2015. Utility relocations for the second phase of the project, south of Broughton Lane, will commence in the spring of 2016, with construction starting 2017. The subject lands are located within the second phase of the project.

The Region and the owners own adjoining properties on the east side of Leslie Street in Aurora

The Region requires an eight metre wide strip of land along the entire Leslie Street frontage of the owners' property, totalling 1.42 acres of fee simple interest and a five year temporary easement over 1.72 acres of land.

The owners have expressed an interest in obtaining a 1.23 acre portion of a 4.89 acre site on First Commerce Drive that the Region purchased in 2013 to construct an elevated water storage tower. The 1.23 acre part of the larger parcel has been declared surplus to the Region in accordance with the Sale and Disposition of Land policy.

The owners wish to obtain the Region lands to eliminate the construction and maintenance costs associated with the requirements of a retaining wall at the property limit between York Region and the owners.

The Region lands are of an irregular size and shape, and do not have direct frontage on any road. They have limited marketability to the general public, and are potentially useful only to an adjoining owner.

Acquisition of Land 15625 and 15775 Leslie Street
Disposition of Land First Commerce Drive
Town of Aurora

The land required by the Region cannot be acquired through site plan dedication in time to meet project timing

The owners obtained draft approval of a subdivision plan for a 189 acre business park subdivision, with final approval anticipated in 2017. The subdivision agreement would have included a requirement for the owners to transfer the lands required by the Region through dedication at no cost to the Region. However, the lands are currently required so that utility relocations can commence in the spring of 2016. The Region therefore needs to acquire the land through a negotiated purchase, rather than dedication through the subdivision plan.

4. Analysis and Options

The Region and the owners have negotiated the terms of the land exchange

Staff and the owners have negotiated the recommended general terms of the land exchange. The estimates of market value for both the lands owned by the owners and the Region were derived from independent appraisals. The underlying rate per acre was the same for both the acquisition and disposition lands.

The value of the owner lands to be transferred to the Region is greater than the value of the Region lands, indicating a net benefit to the Region upon completion of the land exchange. The owners prefer to complete the land exchange because the inclusion of the Region lands in the proposed subdivision will offset the cost of having to construct a retaining wall that would have been required if the owner did not purchase the Region lands.

Environmental due diligence has been performed on both lands

A Phase One Environmental Site Assessment was completed for the Region lands and the lands to be transferred to the Region were reviewed under the Contamination Overview Study completed for the Leslie Street construction corridor. No significant issues were identified and no further investigation was recommended.

Acquisition of Land 15625 and 15775 Leslie Street
Disposition of Land First Commerce Drive
Town of Aurora

Link to key Council-approved plans

The proposed acquisition and disposition of land for the Leslie Street project in the Town of Aurora supports the objectives of Vision 2051, the Regional Official Plan and the 2015 to 2019 Strategic Plan.

One of the goal areas of Vision 2051 is Interconnected Systems for Mobility, which the project addresses by contributing to a transportation network that links people to jobs. As well, the Leslie Street project supports one of the objectives of the Regional Official Plan, which is to ensure streets support all modes of transportation. Lastly, a strategic objective identified in the Strategic Plan is the focus on networks and systems that connect people, goods and services.

5. Financial Implications

There is no financial cost to the Region in exercising this land exchange.

The net benefit to the Region is that the estimated market value of the lands to be acquired is greater than the estimated market value of the lands intended to be transferred to the owners.

6. Local Municipal Impact

The reconstruction of Leslie Street in the communities of Aurora and Newmarket will provide upgraded capacity to improve traffic operations and meet expected growth in the area.

7. Conclusion

Aurora-Leslie Developments Limited and 2351528 Ontario Limited are companies owned by the same principal.

The owners own 189 acres of land that are the subject of a draft-approved subdivision. Final approval is not expected until mid-2017, which is after the Region wishes to commence road construction. The Region requires an eight metre wide strip along the entire Leslie Street frontage of the owner's lands.

The owners are interested in acquiring a 1.23 acre portion of a 4.78 acre Region-owned site, the easterly part of which is currently occupied by an elevated water

Acquisition of Land 15625 and 15775 Leslie Street
Disposition of Land First Commerce Drive
Town of Aurora

storage tower. This westerly 1.23 acre part has been declared surplus to Regional needs, and is available for disposition.

Both lands have been independently appraised, and the land exchange follows the Corporate Land Acquisition and Sale and Disposition of Surplus Land policies.

The Region is obtaining land and interests that are more valuable than the land to be transferred to the owners. The owners are benefiting from precluding the need to install and maintain a major retaining wall. The land exchange is beneficial and agreeable to both the owners and the Region.

For more information on this report, please contact Michael Shatil, Director of Property Services, at ext. 71684.

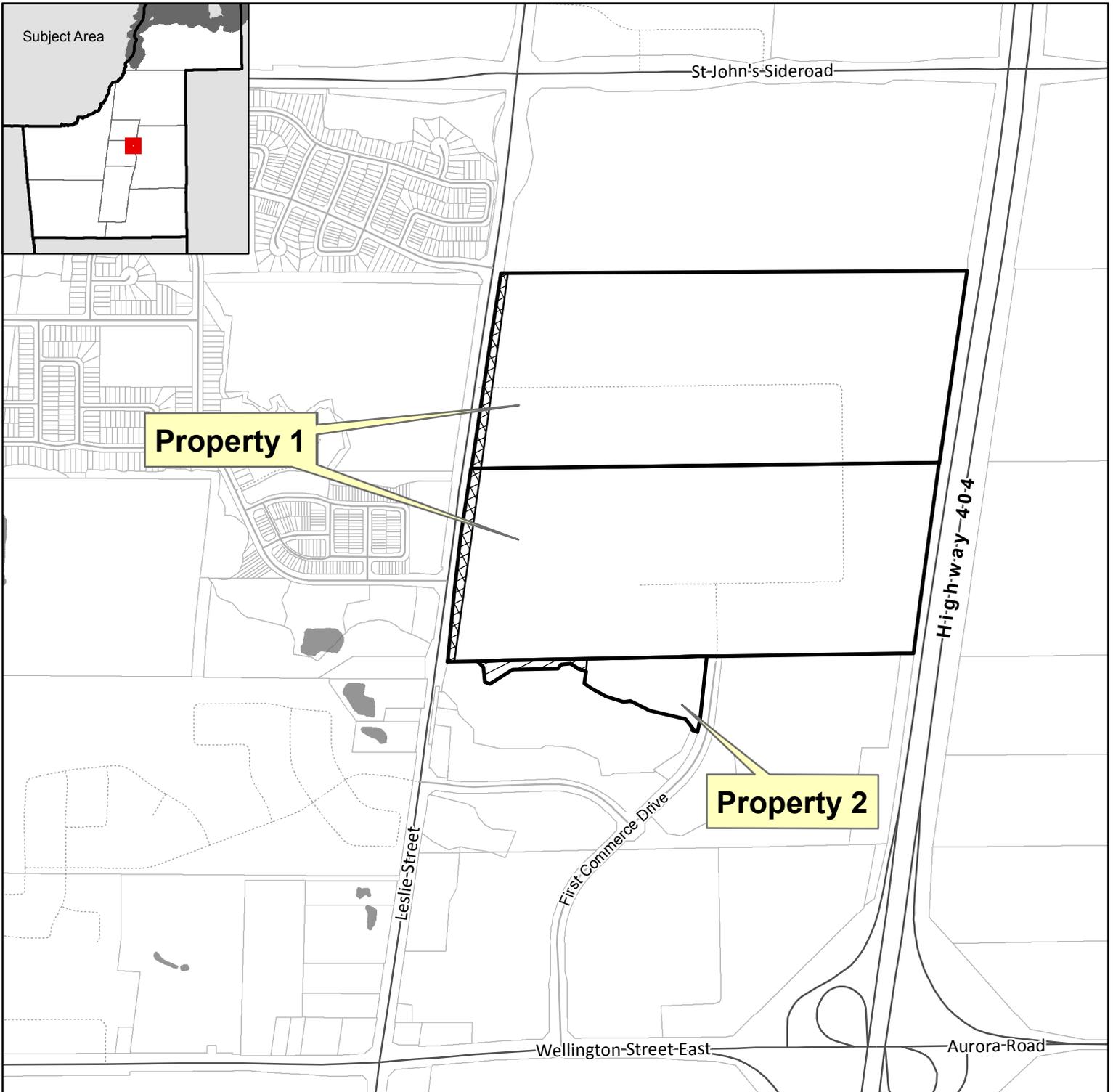
The Senior Management Group has reviewed this report. March 31, 2016

Attachments (1)

Private Attachment (1)

6694916

Accessible formats or communication supports are available upon request

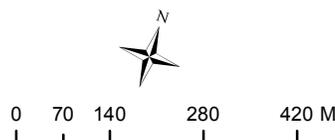


LOCATION PLAN
 Acquisition of Land at 15625 and 15775 Leslie Street
 Disposition of Land at First Commerce Drive
 Town of Aurora

Produced by:
 The Regional Municipality of York
 Property Services, Corporate Services
 February 2016

Data Sources:
 © Copyright, The Regional Municipalities of Durham and Peel,
 County of Simcoe, City of Toronto
 * © Queen's Printer for Ontario 2003-2015

See York.ca for disclaimer information.



Legend

-  Subject Properties
-  To Be Transferred to York Region
-  To Be Transferred to Aurora-Leslie Developments Limited and 2351528 Ontairo Limited
-  Parcel
-  Roads