

# The Regional Municipality of York

Committee of the Whole  
Finance and Administration  
March 12, 2020

Report of the Commissioner of Corporate Services

## **Chief Administrative Officer and Commissioner of Corporate Services' Use of Delegated Authority for Land Acquisitions and Dispositions 2019 Annual Report**

### **1. Recommendation**

Council receive this report for information.

### **2. Summary**

The Corporate Land Acquisition Policy and the Sale and Other Disposition of Regional Lands Policy require the Commissioner of Corporate Services to report to the Committee of the Whole, annually, on acquisitions and dispositions of all lands that were authorized in accordance with Delegation Bylaw 2018-50. This report fulfills these requirements for the year ending December 31, 2019.

Private Attachment 1 to this report will be considered in private session pursuant to section 239(2)(c) of the *Municipal Act*, 2001, as it relates to the acquisition and disposition of lands by the Region.

Key Points:

- The Chief Administrative Officer and the Commissioner of Corporate Services have the joint authority to approve acquisition agreements for lands where the total compensation is \$500,000 or less
- The Chief Administrative Officer has the authority to approve individual disposition agreements for lands where the total value is \$500,000 or less
- In 2019, the Chief Administrative Officer and the Commissioner of Corporate Services authorized 12 land acquisitions
- In 2019, the Chief Administrative Officer authorized eight land dispositions

### 3. Background

#### **Corporate policy provides for the delegated authority for acquisitions and dispositions of lands where the total compensation is \$500,000 or less**

The Corporate Land Acquisitions Policy (“Acquisitions Policy”) and Sale and Other Disposition of Lands Policy (“Dispositions Policy”) together establish a comprehensive framework to govern the acquisitions and dispositions, respectively, of all real property by the Region. The Acquisitions Policy was approved by Council on September 21, 2006 and last updated on November 17, 2011, and authorizes the Chief Administrative Officer and the Commissioner of Corporate Services to approve individual acquisitions for lands where the total compensation does not exceed \$500,000. The Dispositions Policy was approved by Council on April 24, 1997 and last updated on April 19, 2018, and authorizes the Chief Administrative Officer to approve individual dispositions for lands where the value does not exceed \$500,000.

The Region’s Delegation Bylaw 2018-50 was passed by Council on June 28, 2018, and clarifies that acquisitions and dispositions do not include leases, and that compliance with the Acquisitions and Dispositions Policies is required.

### 4. Analysis

#### **Transactions were completed in accordance with Regional policies**

The Acquisitions and Dispositions Policies set out the procedures for facilitating transactions, including valuation, environmental due diligence, and delegation of authority. For all transactions involving negotiated compensation, prices were negotiated based on appraisals, including independent appraisals where compensation was \$100,000 or more.

In 2019, 20 transactions were negotiated that are within the delegated authority of the Chief Administrative Officer and Commissioner of Corporate Services. A summary of the transactions is provided in Private Attachment 1 to this report.

#### **Acquisitions of real property are typically for capital projects or corporate facilities**

Staff facilitated 12 acquisitions that were subject to the delegated joint authority of the Chief Administrative Officer and Commissioner of Corporate Services. The cumulative negotiated amount for transactions involving compensation was \$838,750. The purpose of the acquisitions was to support capital projects by Transportation Services and Environmental Services.

## **Dispositions were completed to facilitate land exchanges, projects by other authorities, or to dispose of lands surplus to Regional requirements**

Staff facilitated eight dispositions that were subject to the delegated authority of the Chief Administrative Officer. Two of the eight dispositions involved compensation, totalling \$29,375. Both of these transactions involved lands that were not required for Regional purposes, and had value to the purchasers.

### **Several transactions involved nominal consideration**

Of the 20 acquisitions and dispositions, 13 were negotiated based on nominal consideration of \$2.00. The nominal agreements were as follows:

- Seven transactions (3 acquisitions and 4 dispositions) were parts of land exchange agreements, where the Region and other parties exchanged lands of equivalent value in lieu of compensation
- Two nominal dispositions were to the Ministry of Transportation as part of a tri-party agreement with the Ministry and the City of Markham for the construction of a flyover at Highway 404 and Highway 7
- Two nominal acquisitions from the City of Vaughan were to the benefit of the City, as the lands were used for a transit hub for the new Mackenzie Vaughan Hospital, and a multi-use path that the City required
- One nominal acquisition was from an independent school that requested the installation of traffic signals in the vicinity, and provided an easement to the Region to facilitate the request
- One nominal acquisition was for land that a developer would have been required to dedicate in the future. The developer requested that the Region obtain the land in advance of its obligation to dedicate the land as part of a Site Plan Agreement

These transactions are included in Table 1 and Table 2 in Private Attachment 1.

## **5. Financial**

Acquisitions involving compensation were funded by the 2018 or 2019 associated Capital Budgets. Net proceeds from the dispositions involving compensation were allocated in accordance with the Dispositions Policy.

## **6. Local Impact**

There is no direct local impact relating to this report.

## 7. Conclusion

The Corporate Land Acquisition policy and the Sale and Other Disposition of Regional Lands policy require the Commissioner of Corporate Services to report transactions of all lands that have been acquired or disposed of for \$500,000 or less to the Committee of the Whole. Staff successfully negotiated 20 acquisitions and sales that were within the delegated authority of the Chief Administrative Officer and Commissioner of Corporate Services to approve. The transactions are summarized in Private Attachment 1 to this report.

---

For more information on this report, please contact Michael Shatil, Director, Property Services at 1-877-464-9675 ext.71684. Accessible formats or communication supports are available upon request.

Recommended by: **Dino Basso**  
Commissioner of Corporate Services

Approved for Submission: **Bruce Macgregor**  
Chief Administrative Officer

February 28, 2020  
Private Attachments (1)  
eDOCS #10315855