

The Regional Municipality of York

Committee of the Whole
Finance and Administration
March 7, 2019

Report of the Commissioner of Corporate Services

Acquisition of Land 20989 2nd Concession Road Upper York Sewage Solutions Town of East Gwillimbury

1. Recommendations

1. Council approve acquisition of the interests in land set out in Attachment 1, for the proposed water reclamation centre, in the 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 transactions.

2. Summary

This report seeks Council approval to acquire land required for the Upper York Sewage Solutions project, as shown on the map in Attachment 2.

Key Points:

- This property is required to provide buffering for the proposed water reclamation centre
- The property is one of four properties identified in a previous report to Council regarding a proposal to acquire lands to serve as a buffer to the future water reclamation centre
- Approval of the Environmental Assessment for the Upper York Sewage Solutions is pending

3. Background

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

The purpose of the Upper York Sewage Solutions project is to develop a sustainable sewage servicing solution to accommodate planned growth in the Towns of Aurora, East Gwillimbury and Newmarket. The proposed water reclamation centre, to be located adjacent to the subject property, is one of three major components of the Upper York Sewage Solutions project.

Council previously approved the acquisition land for this project

On [October 15, 2015](#), Council approved the acquisition of one of the four residential properties located adjacent to the water reclamation centre land. The same report advised that negotiations had been proceeding with the owners of all four of the properties. On [January 25, 2018](#), Council approved the acquisition of the second of the four properties.

The subject property is the third of the four residential properties proposed for acquisition. The fourth property owner is not interested in selling at this time. In the event the owner reconsiders a transaction, an acquisition of land will be negotiated and a report will be brought forward to Council for consideration.

Approval for 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 (MOECC) on the Terms of Reference, the final EA report was submitted for approval on July 25, 2014.

Following the submission, MOECC 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 review ended February 26, 2016. All comments received were documented and the next step is for the Ministry of the Environment, Conservation and Parks (MECP), formerly MOECC, to render a decision on approval of the EA.

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.

The subject property is required as part of the project

The subject property is a two acre parcel with a single family residence. It is one of four residential properties located immediately adjacent to the proposed water reclamation centre.

Acquisition of the subject property is required to provide a buffer between residents and the proposed water reclamation centre. The residential dwelling will be demolished and the land will be landscaped and bermed to provide aesthetic screening for the proposed water reclamation centre.

4. Analysis

Negotiations have been successfully completed for acquisition of 20989 2nd Concession Road

Negotiations with the property owners began in May 2015. The owners are willing sellers that have been engaged throughout the acquisition process and understand the requirement to obtain Council approval.

Staff has completed negotiations to acquire this property required for the Upper York Sewage Solutions. Compensation for the buyout of the entire property represents fair value for the Region, and is based on an independent appraisal report and supported by market evidence.

This is the third residential property that has been successfully negotiated. The fourth property owner does not wish to sell his property at this time.

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

The funding required to complete this property acquisition is included in the 2019 Capital Budget for Environmental Services that will be brought to Council for approval.

6. Local 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. While the EA for the Upper York Sewage Solutions has yet to be approved, Regional Council has supported advancement of pre-construction activity including land acquisition to mitigate the schedule impact or approval delays. Acquisition of the property at 20989 2nd Concession Road will provide screening for the water reclamation centre.

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 will provide space for grading and act as a buffer between adjacent residents and the proposed water reclamation centre.

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

January 30, 2019
Attachments (2)
Private Attachments (1)
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