

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 21, 2016.

19

Acquisition of Land
83 First Commerce Drive
Leslie Street – Wellington Street to St. John’s Sideroad
Town of Aurora

Committee of the Whole recommends adoption of the following recommendations contained in the report dated November 19, 2015 from the Commissioner of Corporate Services:

1. Recommendations

It is recommended that:

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

| No. | Owner | Municipal Address | Legal Description | Interest Required |
|-----|----------------------------------|------------------------------------|------------------------------|--------------------|
| 1. | Whitwell Developments Limited | 83 Commerce Valley Drive Aurora | Part 16, Plan 65R34503 | Temporary Easement |
| | Smartreit (Aurora North 11) Inc. | | Parts 17 & 18, Plan 65R34503 | Fee Simple |

The temporary easement will run for a term of 48 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.

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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 land required as part of the widening of Leslie Street to four lanes, in the Town of Aurora, as shown in Attachment 1.

3. Background

An Environmental Assessment for the reconstruction and widening of Leslie Street was completed in 2011

The Environmental Assessment (EA) was approved in 2011 and recommended that Leslie Street be reconstructed as a four-lane urban cross-section, between Wellington Street, Aurora and Mulock Drive, Newmarket. Pedestrian sidewalk and multi-use path improvements on the boulevards were also recommended.

The majority of the properties have been obtained through expropriation, additional requirements will be obtained through dedication and on an amicable basis

Expropriation occurred between 2013 and 2015 and provided the majority of the lands necessary to commence construction of the project. Local developers in Aurora are now transferring lands to the Region by way of dedication under the subdivision development process. Construction has commenced on the Newmarket part of the project from St. John’s Sideroad to Mulock Avenue. Outstanding property requirements in Aurora will be acquired through amicable transactions, as is the case with this property.

The subject property is required for grading, sidewalks, improved illumination and a multi-use path

The temporary easement requirement is to permit grading for the road works. The fee simple requirement is for boulevard improvements, including sidewalks, improved illumination and a multi-use path, as requested by the Town of Aurora.

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4. Analysis and Options

Negotiations have been successfully completed for the acquisition of part of the Aurora Smart Centres plaza lands

Negotiations have been successfully completed on the plaza lands located between Leslie Street and Highway 404, north of Wellington Street. The compensation is based on an independent appraisal that was performed in late 2014 and is still considered valid by both parties.

The Region completed its environmental due diligence

The Region commissioned a Phase One Environmental Site Assessment (ESA) on the required lands to assess potential environmental issues. No issues of concern were identified and no further investigation is required.

The owner is unwilling to convey the lands to the Region unless the Region acquires the lands in an “as is, where is” condition upon closing. The lands will be conveyed to the Region without representations and warranties as to the condition of the lands, including the environmental condition on the date of closing.

Given that the ESA did not indicate any areas of concern regarding the environmental condition of the lands, the risk to the Region in acquiring the lands on an “as is, where is” basis is not considered significant.

Link to key Council-approved plans

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

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

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5. Financial Implications

The funding required to complete the property acquisition for this project has been included in the 2016-Capital Budget for Transportation Services, Capital Delivery – Roads.

6. Local Municipal Impact

The widening and reconstruction of Leslie Street will provide upgraded capacity to improve traffic operations for the travelling public and will meet the expected growth in this area.

Sidewalk and multi-use paths will be installed on Leslie Street from Wellington Street to State Farm Way to provide multi-modal facilities within the Town of Aurora. The road platform between State Farm Way and the northerly limit of the Town of Aurora will also be constructed to allow for sidewalk and multi-use paths in the future.

7. Conclusion

The majority of the lands required for the road widening have been obtained by expropriation. Construction has commenced on the Newmarket part of the project, and developers are transferring lands to the Region on the Aurora part. Outstanding property requirements on the Aurora part will be obtained through amicable negotiations. An amicable transaction was obtained on this property to provide access for grading purposes and to construct boulevard improvements, including sidewalks, improved illumination and a multi-use path desired by the Town of Aurora.

Staff has negotiated an agreement of purchase and sale to acquire the subject lands and recommend the approval of the proposed acquisition.

For more information on this report, please contact Michael Shatil, Director, Property Services Branch at ext.71864.

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The Senior Management Group has reviewed this report.

November 19, 2015

Attachments (1)

Private Attachments (1)

6491565

Accessible formats or communication supports are available upon request



LOCATION PLAN

Acquisition of Land
 83 First Commerce Drive, Leslie Street - Wellington Street to
 St. John's Sideroad, Town of Aurora





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Legend

-  Subject Property
-  Interest Required
-  Parcel
-  Road