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### **PROPERTY OWNERSHIP TRANSFER AND EASEMENT REPORTS**

**The Planning and Economic Development Committee recommends the adoption of the recommendations contained in the following report, February 10, 2004, from the Commissioner of Planning and Development Services:**

#### **1. RECOMMENDATIONS**

It is recommended that:

1. The Regional Solicitor and Director of Geomatics be authorized to negotiate with Teranet Enterprises Inc., an end user licence agreement to acquire property ownership transfer and easement reports, for a term of five years based on a set annual fee.
2. The Regional Chair and Clerk be authorized to execute the licence.

#### **2. PURPOSE**

This report seeks Council endorsement to enter into a standard five-year licence agreement with Teranet Enterprises Inc. to acquire up-to-date information on property transfers and easements to support growth-related activity, particularly for infrastructure improvements, utility approvals, and York Rapid Transit construction. The transfer reports will enable accurate notifications to property owners for infrastructure improvements, while the easement reports will aid land acquisition planning.

#### **3. BACKGROUND**

More than 10,000 new parcels are added to York Region every year, in addition to ongoing real estate transactions: tracking ownership and easements is therefore important for a number of Regional operations. The Region does not currently have an efficient means of notifying property owners for environmental assessments and public hearings, or a comprehensive view of property easements available for municipal or utility projects.

Property ownership transfer reports are the records of property transfers from one owner to another registered with the land registry offices. Easement reports are the records of which portions of privately-held parcels can be used for municipal and utility purposes. Transfer and easement reports are only available from Teranet Enterprises Inc., which operates the province's Electronic Land Registration System. Teranet Enterprises Inc. is now privately held, but is a partner in the Ontario Parcel Alliance with the Ontario Ministry of Natural Resources (MNR) and the Municipal Parcel Assessment Corporation (MPAC).

## **4. ANALYSIS AND OPTIONS**

When notifications to owners or occupants are required as part of environmental assessments or public hearings for regional infrastructure processes, the Region's staff and consultants spend significant time gathering owner/occupant information on a project by project basis. No single authoritative data source has been available to staff for up-to-date property owner information, and consequently the Region frequently fails to notify some of the appropriate property owners.

Easement information is used by Realty Services Branch in support of road-widening projects, sewer and watermain installations, general public works, and by YRTP and Quickstart for project planning.

The data sources from which property owner and easement information can be obtained are reviewed below.

### **4.1 Teranet Data Sources**

Property ownership transfer and easement reports are only available through Teranet Enterprises Inc. Through a licence agreement York Region would receive bulk delivery of owners of all properties, followed by monthly updates so that the Region's ownership information would be current within two months of the transactions. While Teranet usually delivers easement reports as a one-time delivery, in recognition of the high level of growth in York Region that results in many new easements, Teranet has agreed to supply annual updates reflecting any changes. This will enable the Region to keep track of any competing easements being negotiated by utilities.

The transfer and easement reports include the Polaris Identification Number (PIN) as a unique reference, which can be linked to the Ontario Parcel (including both assessment and ownership parcels), for spatial analysis. This will reduce the staff time involved in generating property owner lists for any specified area, and will also greatly reduce the time involved in easement searches. Transfer and easement information would be available to all regional business processes and to local municipalities and their business processes. The data can be used to generate products to support transit and YRTP projects. This bulk data is not available to the private sector, nor would owner names be released to the public in respect of information privacy laws.

Acquiring transfer and easement reports will also significantly reduce pay-per-use costs on Teraview, another Teranet product that the Region currently uses. The Region has a subscription for TeraView within the Realty Services Branch. TeraView is a subscription Internet viewer that allows for examination of ownership and easements one record at a time. The cost on a parcel-by-parcel basis at \$18/parcel in support of individual projects, plus connect charges to the Teraview database. This high transaction cost and process makes TeraView an inappropriate vehicle for generating large scale easement reports as required for infrastructure planning or YRTP projects.

#### **4.2 MPAC Data Sources**

Prior to 2001, the quarterly CD-OASYS assessment roll available from MPAC was used as a data source, however this data was often two to three years out of date, and did not reflect the currency of the Teranet data. The Region has not had access to the CD-OASYS since 2001 due to disagreements with MPAC. MPAC has now developed alternate data delivery mechanisms, such as MunicipalConnect, but the time-lag problem still remains, and the new mechanisms are not designed for bulk data transfer or analysis.

MPAC now provides MunicipalConnect, an Internet viewer to give access to their assessment database. The Region has a license for MunicipalConnect through the Finance Department, however MunicipalConnect is configured to report on a single record at a time and disconnects after 60 records are downloaded. It does not allow for geographic selection of records. It is not an appropriate tool for generating hearing notifications.

### **5. FINANCIAL IMPLICATIONS**

This report advocates negotiating an end-user license agreement with Teranet Enterprises Inc., to acquire transfer and easement reports over a five year period based on a set annual fee. The annual cost of the agreement will be less than \$67,000. The financial benefits relating to this information acquisition mean more efficient data processing, reduced staff time and consultant costs around compiling ownership lists for notification of environmental assessments and public hearings, and lower costs incurred through the TeraView service as well as reduced visits to the land registry office by Realty Services. There may be some potential for cost recovery if the information is shared with local municipalities for their infrastructure projects.

The costs associated with alternate means of acquiring the property owner and easement information are difficult to quantify, as these have been borne on a project by project basis. The costs of MPAC's CD-OASYS property assessment product is low, but so is the utility of the data for property owner notification purposes, and the staff costs associated with processing the data are high.

Acquiring bulk property transfer information will substantially reduce staff effort and consultant costs associated with notifying property owners of environmental assessments and public hearings related to infrastructure projects. With the rapid transit program advancing toward initial construction, the bulk purchase of easement records represents a rational data acquisition in support of the program, if more than 3,000 parcels have to be checked for easements. There are currently 3,846 parcels on the Yonge and Hwy 7 corridors being considered by the YRTP project.

The Transportation and Works Department has agreed to fund the acquisition of this data under a negotiated service agreement.

**6. LOCAL MUNICIPAL IMPACT**

If the Region acquires transfer and easement reports, these reports can be shared with local municipalities and agencies to help their infrastructure projects. There is some potential for cost recovery.

**7. CONCLUSION**

Transfer and easement reports from Teranet represent a good information investment for property owner notifications and for easement research for large projects such as the YRTP and Quickstart projects. This report recommends negotiating a five-year agreement with Teranet Enterprises Inc. to acquire transfer and easement reports, at an annual cost not to exceed \$67,000.

The Senior Management Group has reviewed this report.