

7

CONVEYANCE OF EASEMENT TOWN OF AURORA

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report, October 3, 2005, from the Commissioner of Corporate Services:

1. RECOMMENDATIONS

It is recommended that:

1. Regional Council declare surplus and give notice of its intention to convey a permanent easement in the lands described as Parts 3 and Part 4 on a draft Reference Plan prepared by Speight, Van Nostrand & Gibson Limited (*see Attachment 1*).
2. Authorization be granted for the conveyance of the above noted interests in lands to Loblaw Properties Limited and St. John's Bay Land Company Ltd., the adjacent land owners to the north and south, their tenants and invitees for the total sum of \$5,000.00 plus an administration fee of \$1,500.00 together with all costs in connection with these transactions.

2. PURPOSE

The purpose of this report is to declare the interests in the lands described in Recommendation 1 above as surplus to the Region's requirements and to authorize the conveyance of these interests to Loblaw Properties Limited and St. John's Bay Land Company Ltd., the adjacent land owners to the north and south, their tenants and invitees.

3. BACKGROUND

The Region owns a property in Aurora that is known as Well No. 6. The property fronts onto Bayview Avenue but its access is by a 7 meter wide drive from Earl Stewart Drive. (*see Attachment 2*). Loblaw Properties Limited, owner of part of Lot 2 on Plan 65M2874, to the north of the Well Site has constructed a new Loblaws food store that has access onto Earl Stewart Drive and signalized access onto Bayview Avenue as shown on the proposed reference plan. Loblaws also has a ground lease on the property to the south of the well site that is owned by St. John's Bay Land Company Ltd. and described as Lot 1 on Plan 65M2874. Loblaws is proposing to build an LCBO store on that property.

Loblaws has requested the Region to grant a permanent easement over Part 4 on the proposed reference plan for an access driveway to connect the two properties, thereby giving the patrons of the LCBO access to the Loblaws store, and vice versa. In addition, both properties could then enjoy the access out onto Earl Stewart Drive and the signalized intersection onto Bayview Avenue. Loblaws has also requested a permanent easement over Part 3 on the proposed reference plan for a storm sewer connection within the boulevard for Earl Stewart Drive. The total area of the two easements is 80 square meters (0.02 acres).

The access easement was contemplated in the Loblaws Site Plan Agreement that was entered into with The Corporation of the Town of Aurora and the Region with respect to the development of the Loblaws food store but was never concluded.

4. FINANCIAL IMPLICATIONS

The estimated current value for the easements is \$5,000.00. This is based on sales information compiled by the Realty Services Staff that estimated the value of the subject easements as of September 27, 2005 based on a fee simple value of \$500,000.00 per acre multiplied by 0.02 acres and discounted by 50% for a permanent easement value. The information has been reviewed by the Director of Realty Services. The proceeds from the sale of this easement will be deposited into the Region's Capital Reserve.

5. LOCAL MUNICIPAL IMPACT

There are no local municipal implications associated with this report.

6. CONCLUSION

It is recommended that the easements described as Parts 3 and 4 on a proposed reference plan prepared by Speight, Van Nostrand & Gibson, Town of Aurora, be conveyed to Loblaws Properties Limited and St. John's Bay Land Company Inc. the adjacent owners, their tenants and invitees, for the sum of \$5,000.00.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the November 3, 2005 Committee meeting.)