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COMPENSATION FOR EXPROPRIATION VARIOUS PROJECTS

The Transportation and Works Committee recommends that Council adopt the recommendation contained in the following report dated December 8, 2008, from the Commissioner of Corporate Services.

1. RECOMMENDATION

It is recommended that:

1. The Commissioner of Corporate Services be authorized to make the following offers on behalf of the Regional Corporation in accordance with the *Expropriations Act* for:
 - a) the land required for the widening and reconstruction of Warden Avenue (YR 65) from 16th Avenue to Major Mackenzie Drive East in the Town of Markham; and
 - b) the land required for the widening and reconstruction of Bloomington Road (YR40) from Bayview Avenue to Highway 404 in the Town of Richmond Hill.
 - c) the land required for the widening and reconstruction of Stouffville Road (YR 14) from just east of Highway 404 to Highway 48 in the Town of Whitchurch-Stouffville.

2. PURPOSE

This report is to receive authorization from Regional Council to serve offers, under the *Expropriations Act*, on those parties who have a registered interest in the properties being expropriated.

3. BACKGROUND

Independent appraisal reports establish compensation for Section 25 Offers

An independent appraiser has prepared an appraisal report of the following properties. In compliance with Section 25 of the *Expropriations Act*, Council authorizes the appraisal reports in order to be served upon the owners. The offers are made based on 100% of the market value and such offers must be made prior to taking possession of the property.

On April 24, 2008 Regional Council authorized the expropriation of the following properties for the widening and reconstruction of Warden Avenue in the Town of Markham (*see Attachment 1*).

3.1 Property No. 1

OWNER:	Siu Mo Lam Ngai Kwan Carol Lam-Chau
PROPERTY:	Part of Lot 65, Registered Plan 5316, Town of Markham
TOTAL OWNERSHIP:	1.053 ha (2.602 acres)
EXPROPRIATED PROPERTY:	Fee simple interest in Part 1 on Expropriation Plan D1040, Town of Markham
AREA EXPROPRIATED:	70 m ² (0.0173 acres)
OFFER OF COMPENSATION:	\$8,300
COMMENTS:	The subject property is improved with a single family dwelling and is located at the northeast corner of Cachet Parkway (north end) and Warden Avenue in the Town of Markham.
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3.2 Property No. 2

OWNER:	Tina Politis Voula Politis Peter Politis Stamatia Politis
PROPERTY:	Part of Lot 57, Registered Plan 5316, Town of Markham
TOTAL OWNERSHIP:	0.343 ha (0.847 acres)
EXPROPRIATED PROPERTY:	Fee simple interest in Part 1 on Expropriation Plan D1043, Town of Markham
AREA EXPROPRIATED:	105 m ² (0.0259 acres)
OFFER OF COMPENSATION:	\$22,750

COMMENTS: The subject property is improved with a 2-storey brick single family dwelling and is located at the northeast corner of Cachet Parkway (south end) and Warden Avenue in the Town of Markham.

PROJECT NUMBER: 9867

3.3 Property No. 3

OWNER: Carolina Petrucci

PROPERTY: Part of Lot 37, Registered Plan 6037, Town of Markham

TOTAL OWNERSHIP: 0.798 ha (1.971 acres)

EXPROPRIATED PROPERTY: Fee simple interest in Part 1 on Expropriation Plan D1044, Town of Markham

AREA EXPROPRIATED: 105 m² (0.0259 acres)

OFFER OF COMPENSATION: \$14,575

COMMENTS: The subject property is improved with a bungalow style single family dwelling and is located at the southeast corner of Cachet Parkway (south end) and Warden Avenue in the Town of Markham.

PROJECT NUMBER: 9867

3.4 Property No. 4

OWNER: Simon Lui
Susanna Lui

PROPERTY: Part of Lot 111, Registered Plan 6897, Town of Markham

TOTAL OWNERSHIP: 0.477 ha (1.178 acres)

EXPROPRIATED PROPERTY: Fee simple interest in Part 1 on Expropriation Plan D1041, Town of Markham

AREA EXPROPRIATED: 105 m² (0.0259 acres)

OFFER OF COMPENSATION: \$16,075

COMMENTS: The subject property is improved with a 2-storey brick and siding single family dwelling and is located at the southwest corner of Cachet Parkway (south end) and Warden Avenue in the Town of Markham.

PROJECT NUMBER: 9867

3.5 Property No. 5

On June 19, 2008 and September 18, 2008 Regional Council authorized the expropriation of the following property for the widening and reconstruction of Bloomington Road in the Town of Richmond Hill (*see Attachment 2*).

OWNER: Miller Paving Limited

PROPERTY: Part of Lot 10, Concession 2, Town of Richmond Hill

TOTAL OWNERSHIP: 157.90 ha (390.169 acres)

EXPROPRIATED PROPERTY: Fee simple interest in
Parts 1 and 2 on Expropriation Plan D1035
Parts 1, 2 and 3 on Expropriation Plan D1034
Part 1 on Expropriation Plan D1037

AREA EXPROPRIATED: 1.202 ha (2.97 acres)

OFFER OF COMPENSATION: \$519,900

COMMENTS: The subject property is improved with an 18 hole golf course, an asphalt plant/aggregate storage and construction yard as well as a composting facility. The property is subject to a hydro easement and falls entirely within the Oak Ridges Moraine designation of the Greenbelt Plan. The Region's taking is along the Bloomington Road frontage

PROJECT NUMBER: 9708

3.6 Property No. 6

On October 18, 2007 Regional Council authorized the expropriation of the following property for the widening and reconstruction of Stouffville Road in the Town of Whitchurch-Stouffville (*see Attachment 3*).

In October 2008, a report was sent to Council authorizing a nil compensation be offered to the owners of this property. A report prepared by an environmental testing company stated that petroleum hydrocarbon-related soil and ground water impacted the eastern part of the property and the cost to remediate the site would be in the range of \$250,000 to \$300,000. The property has been remediated and the Region is now prepared to offer the value of the land.

OWNER:	Dave Nistas Diamantis Nistas Effie Nistas George Nistas Jim Nistas
PROPERTY:	Part of Lot 35, Concession 7, Town of Whitchurch-Stouffville
TOTAL OWNERSHIP:	0.232 ha (0.5745 acres)
EXPROPRIATED PROPERTY:	Fee simple interest in Parts 5 and 6 on Expropriation Plan D1028, Town of Whitchurch-Stouffville
AREA EXPROPRIATED:	598.15 m ² (0.1478 acres)
OFFER OF COMPENSATION:	\$323,000
COMMENTS:	The subject property is improved with a single storey brick-clad building that accommodates a sit-down style restaurant and a small office area. There is a decommissioned gas bar facility and the dispensing units have been removed.
PROJECT NUMBER:	9712

4. FINANCIAL IMPLICATIONS

Amount of Compensation

The total amount of compensation for these expropriations is \$904,600.

All properties were appraised by an external appraiser. The properties required for the Warden Avenue project are residential lots and were valued on a price per lot which is standard for this type of use. The property required for the Bloomington Road and Stouffville Road projects were utilized for commercial, industrial, and recreational uses and was valued on a price per acre which is standard for this type of use.

5. LOCAL MUNICIPAL IMPACT

The properties in this report are required for road projects within the Region which will provide additional capacity, reduce traffic congestion and improve safety for the travelling public.

6. CONCLUSION

It is recommended the above offers, together with a copy of the related appraisal report be served by registered mail on those parties with a registered interest in the subject properties. Under the *Expropriations Act*, Section 25 offers must be served in order for the Region to take possession of the expropriated lands in order to commence construction.

For more information on this report, please contact Paul J. Roberts, Manager Realty Services at Ext. 1424.

The Senior Management Group has reviewed this report.

(The three attachments referred to in this clause were included in the agenda for the January 7, 2009 meeting.)