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COMPENSATION FOR EXPROPRIATION TORONTO YORK SPADINA SUBWAY EXTENSION, PROJECT 90996

The Finance and Administration Committee recommends:

- 1. Receipt of the memorandum dated February 2, 2011 from the Commissioner of Corporate Services.**
- 2. Adoption of the recommendation contained in the following report dated January 21, 2011, 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 the land required for the construction of the Toronto York Spadina Subway Extension in the City of Vaughan.

2. PURPOSE

The purpose of this report is to receive authorization from Regional Council to serve Section 25 offers under the *Expropriations Act*, on those parties who have a registered interest in the property being expropriated.

3. BACKGROUND

Regional Council authorized staff to commence expropriation

On June 25, 2009, Regional Council authorized the commencement of the process to expropriate certain land and interests in lands for the extension of the Spadina Subway from Steeles Avenue to the Vaughan Metropolitan Centre.

Regional Council as approving authority, approved the expropriation of land required for the tendering of the north tunnels contract

On September 23, 2010, Regional Council as approving authority approved the expropriation of land from three owners in order to facilitate the tendering of the north tunnels contract. A negotiated agreement pursuant to section 30 of the *Expropriations Act* was reached with one of the owners and subsequently closed on December 22, 2010. Expropriation plans were registered on December 16 and 17, 2010 for the remaining two owners, vesting ownership of these lands with the Region. Registration of the expropriation plans has triggered the requirement to serve offers under section 25 of the *Expropriations Act*.

4. ANALYSIS AND OPTIONS

Independent appraisal reports established compensation for the serving of section 25 offers

Independent appraisal firms have prepared appraisal reports estimating the market value of the following properties. In compliance with section 25 of the *Expropriations Act*, an offer based on 100% of the market value of the land must be presented to an owner prior to taking possession of the property.

Property No. 1 (see Attachment 1)

OWNER:	724352 Ontario Ltd. (United Parcel Service)
PROPERTY:	Part of Lot 1, Concession 4, City of Vaughan
TOTAL OWNERSHIP:	16.45 ha (40.65 acres)
EXPROPRIATED PROPERTY:	Fee Simple interest in Part 4 on Expropriation Plan YR1589373
	Fee Simple (sub-surface) interest in Parts 2, 6, 8, 11, 13, 15, 28, 30 and 32 on Expropriation Plan YR1589373
	Permanent Easement interests in Parts 1, 5, 7, 10, 12, 14, 27, 29 and 31 on Expropriation Plan YR1589373 and in Parts 14, 16, 21, 22 and 23 on Expropriation Plan YR1589373
	Temporary Easement interests in Parts 3, 5, 7, and 9 on Expropriation Plan YR1589373 and in Parts 12,

17, 18, 19, 20, 24, 25, 26, 27, 29 and 31 on
Expropriation Plan YR1589373

AREA EXPROPRIATED: Fee Simple interest: 0.075 ha (0.184 ac.)
Fee Simple (sub-surface) interest: 1.38 ha (3.4 ac.)
Permanent Easement interest: 1.43 ha (3.52 ac.)
Temporary Easement interests: 1.49 ha (3.67 ac.)

COMMENTS: The subject property is located on the north side of
Steeles Avenue at Jane Street. It is an improved
property being operated as a courier distribution
centre.

Property No. 2 (*see Attachment 2*)

OWNER: 2748355 Canada Inc. (Bentall)

PROPERTY: Part of Lots 4 and 5, Concession 5, City of Vaughan

TOTAL OWNERSHIP: 31.83 ha (78.65 acres)

EXPROPRIATED PROPERTY: Fee Simple interest in Parts 10, 11 and 23 on
Expropriation Plan YR 1590046

Fee Simple (sub-surface) interest in Parts 2, 4, 7, 9,
15, 18, 20, 22 and 28 on Expropriation Plan YR
1590046

Permanent Easement interest in Parts 1, 3, 6, 14, 17,
19, 21 and 25 on Expropriation Plan YR 1590046
and in Parts 8, 13, 24 and 27 on Expropriation Plan
YR 1590046

Temporary Easement interest in Parts 5, 6, 12, 14,
16, 25 and 26 on Expropriation Plan YR 1590046

AREA EXPROPRIATED: Fee Simple interest: 0.034 ha (0.084 ac.)
Fee Simple (sub-surface) interest: 0.96 ha (2.37 ac.)
Permanent Easement interest: 0.98 ha (2.41 ac.)
Temporary Easement interest: 0.20 ha (0.50 ac.)

COMMENTS: The subject property is located on the west side of
Jane Street at Interchange Way in the City of
Vaughan. It is improved with large retail and

commercial buildings with large portions of the property vacant.

5. FINANCIAL IMPLICATIONS

The total amount of compensation to be offered for the two properties required for the award of the north tunnels contract pursuant to section 25 of the *Expropriations Act* will be available at the February 3, 2011 meeting of Committee. Compensation is funded by the Toronto York Spadina Subway project.

6. LOCAL MUNICIPAL IMPACT

The acquisition of these properties is required for the implementation of the Toronto York Spadina Subway Extension and are critical to the achievement of the City of Vaughan's vision for the corridor and its Vaughan Metropolitan Centre.

7. CONCLUSION

It is recommended that this report be authorized in order to provide the required lands for the award of the north tunnels contract for the Toronto York Spadina Subway Extension.

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

The Senior Management Group has reviewed this report.

(The two attachments referred to in this clause were included in the agenda for the February 3, 2011 Committee meeting.)



Corporate Services Department

MEMORANDUM

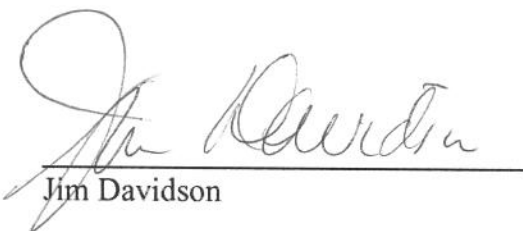
TO: Finance and Administration Committee

FROM: Jim Davidson, Commissioner of Corporate Services

DATE: February 2, 2011

RE: **Financial Implications – Compensation for Expropriation
Toronto York Spadina Subway Extension, Project 90996**

The total compensation of the property requirements expropriated from Property No. 1 and Property No. 2 outlined in the report Compensation for Expropriation, Toronto York Spadina Subway Extension for the consideration of the February 3, 2011 Finance and Administration Committee is \$4,080,700. Compensation is funded by the Toronto York Spadina Subway Project.

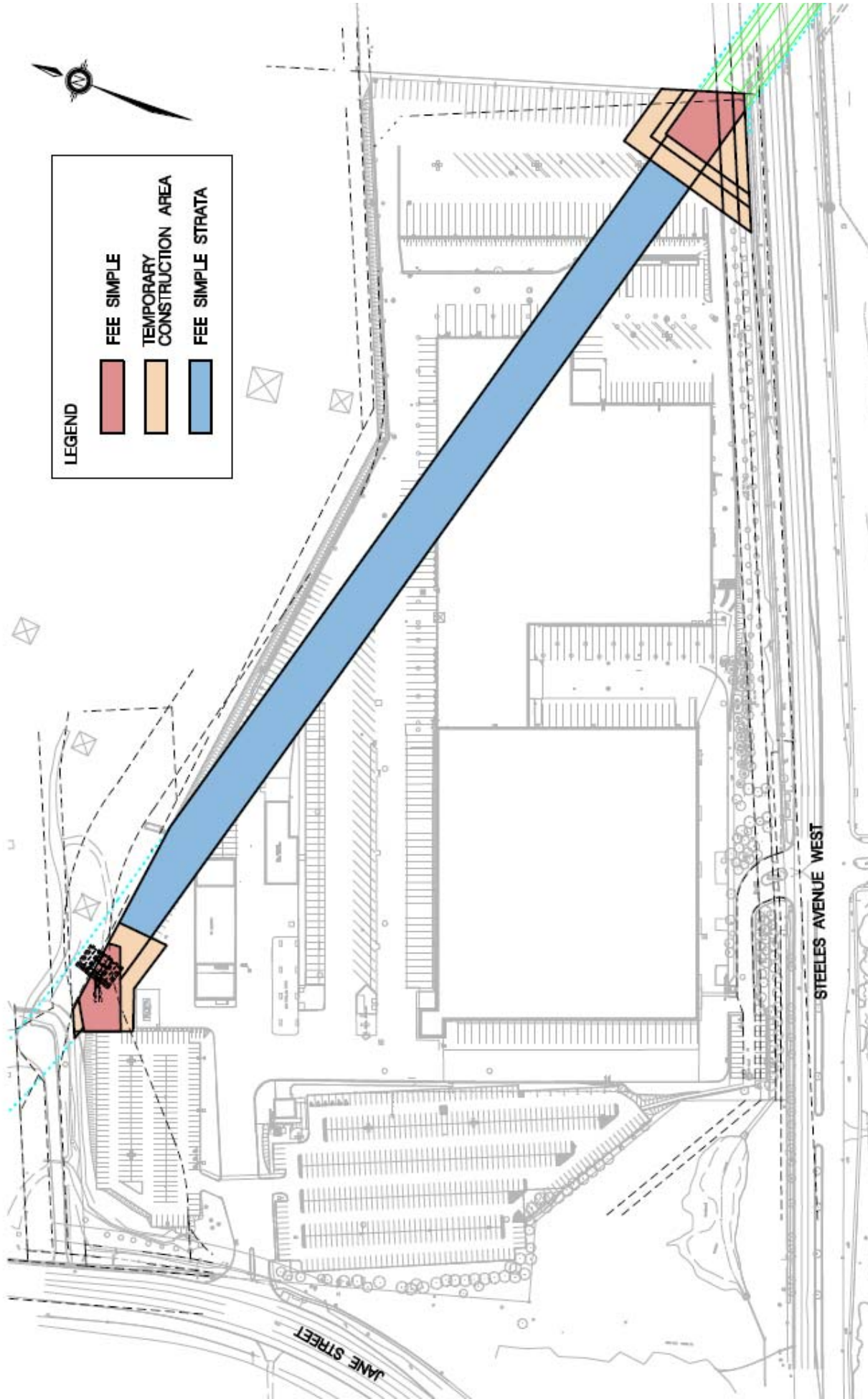


Jim Davidson

JD/caw

Copy to: Bill Fisch, Regional Chair and CEO
Bruce Macgregor, CAO

#3137065



Compensation for Expropriation
Toronto-York Spadina Subway Extension (TYSSE)
2748355 Canada Inc. (Bentall)
Project 90996 City of Vaughan



LOCATION PLAN

Compensation for Expropriation
Toronto-York Spadina Subway Extension (TYSSE)
2748355 Canada Inc. (Bentall)
Project 90996 City of Vaughan

