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EXPROPRIATION SETTLEMENT VIVANEXT PROJECT 90760, TOWN OF NEWMARKET

The Transportation Services Committee recommends the adoption of the recommendation contained in the following report dated November 4, 2009, from the Commissioner of Corporate Services.

1. RECOMMENDATION

It is recommended that:

1. The following expropriation settlement agreements be accepted and the Commissioner of Corporate Services be authorized to complete these transactions in accordance with the terms of the agreement.

2. PURPOSE

This report is to obtain Regional Council's approval to accept the following expropriation settlement agreements for the rapid transit project on Davis Drive. These agreements are to cover relocation costs for the noted tenants.

3. BACKGROUND

Davis Drive (YR 31) Yonge Street to Patterson Street/Roxborough Road

The Environmental Assessment for this project was approved in 2008. Expropriation Plans have been registered at the Land Registry Office for all properties of the project. The Region will have possession of the properties from November 2009 to January 2010. Rapid transit construction is to commence late 2009.

4. ANALYSIS AND OPTIONS

Property 1 *(see attachment 1)*

OWNERS (TENANT):	FGS Family Group Management Inc.
PROJECT:	Davis Drive (D1) VIVA Project
SUBJECT PROPERTY:	Part of Block F, Registered Plan 262, Town of Newmarket

AREA TAKEN: This release applies to leasehold interest only.

COMMENTS: FGS Family Group Management Inc. carrying on business as Flowers 'N things, is a tenant in the property municipally known as 496 Davis Drive. The Region expropriated the land requirements as well as any leasehold interests, as the building will be demolished. Therefore, the tenant was required to relocate the business. The compensation is based on the remaining time on the lease.

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Property 2 (*see attachment 2*)

OWNERS (TENANT): Nagy Marketing Ltd.

PROJECT: Davis Drive (D1) VIVA Project

SUBJECT PROPERTY: Part of Lot 96 Concession 1 EYS (former Township of East Gwillimbury), Town of Newmarket now described as Parts 1 and 2 on Expropriation Plan YR1363691

AREA TAKEN: This release applies to leasehold interest only.

COMMENTS: Nagy Marketing Ltd is a tenant in the property municipally known as 151 Davis Drive. The Region expropriated the land requirements as well as any leasehold interests, as the building will be demolished. Therefore, the tenant was required to relocate the business. The compensation is based on the cost of relocating the business.

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Property 3 (*see attachment 3*)

OWNERS (TENANT): Brent Warriner

PROJECT: Davis Drive (D1) VIVA Project

SUBJECT PROPERTY:	Part of Lot 15 & 16 N/S Huron St & Reserve (strip of landing rear of Lots E, 12 to 16 incl.), Registered Plan 78, Town of Newmarket
AREA TAKEN:	This release applies to leasehold interest only.
COMMENTS:	Brent Warriner (Warriner Chiropractic) is a tenant in the property municipally known as 431 Davis Drive. The Region expropriated the land requirements as well as any leasehold interests because part of the building will be relocated on the property and part of the building will be demolished. Therefore, the tenant was required to relocate the business. The compensation is based on the remaining time on the lease.
PROJECT:	90760

5. FINANCIAL IMPLICATIONS

Amount of Compensation

The total amount of compensation for this expropriation is \$152,750. Property costs for lands required for Davis Drive rapidway and canopy construction are funded through MoveOntario 2020 Quickwins and the MoveOntario 2020 \$1.4 billion announcement. Funds for these expropriations are available in the MoveOntario 2020 Quickwins reserve.

6. LOCAL MUNICIPAL IMPACT

The widening and reconstruction of Davis Drive will accommodate the dedicated bus lanes improving the movement of people on mass transit as well as improving the vehicular traffic.

7. CONCLUSION

It is recommended this report to be accepted in order to provide the required lands for the Davis Drive project.

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 November 4, 2009 Committee meeting).

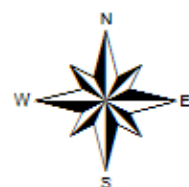
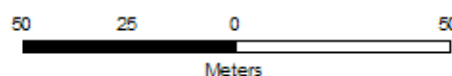


LOCATION PLAN

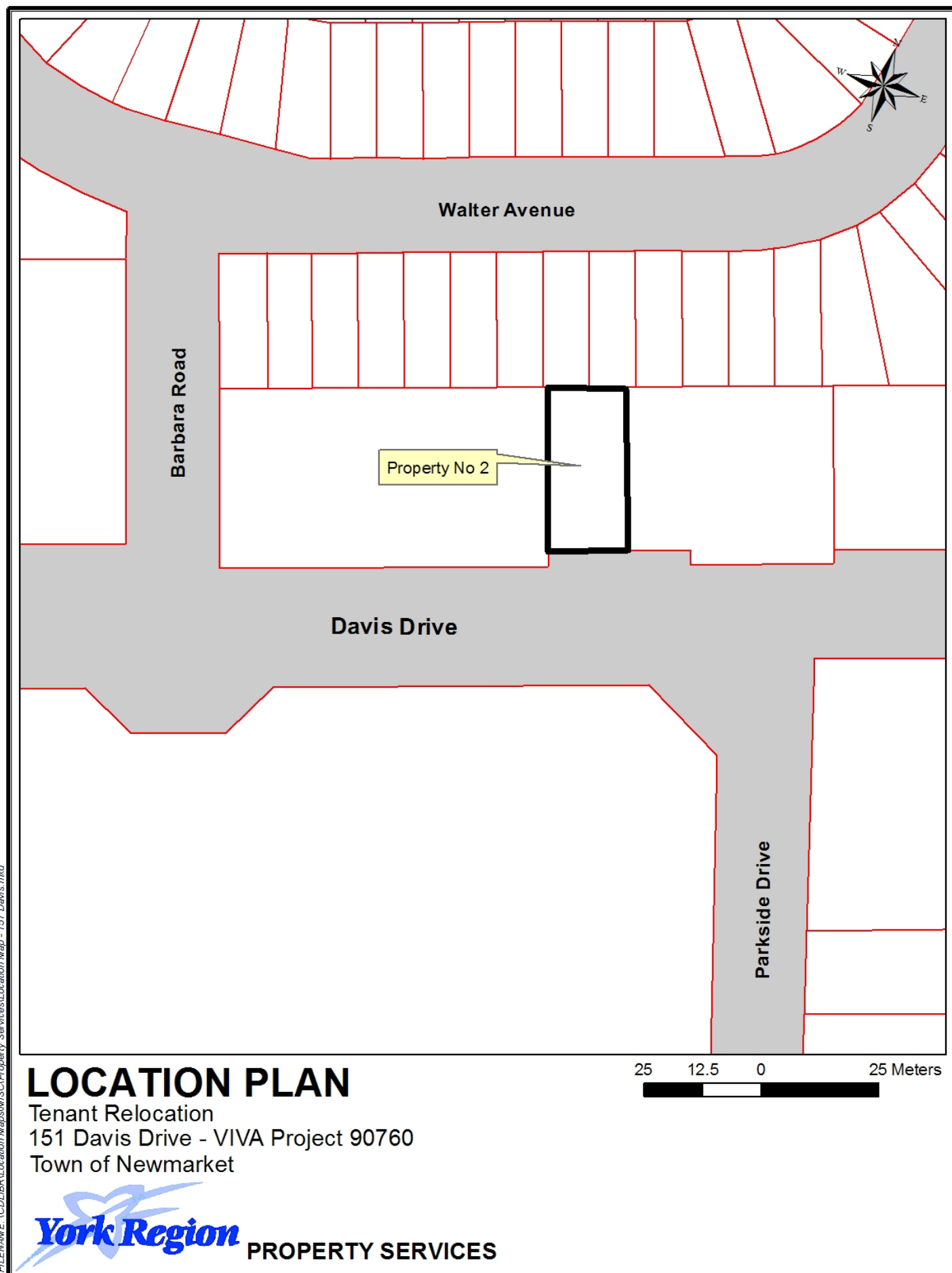
Tenant Relocation

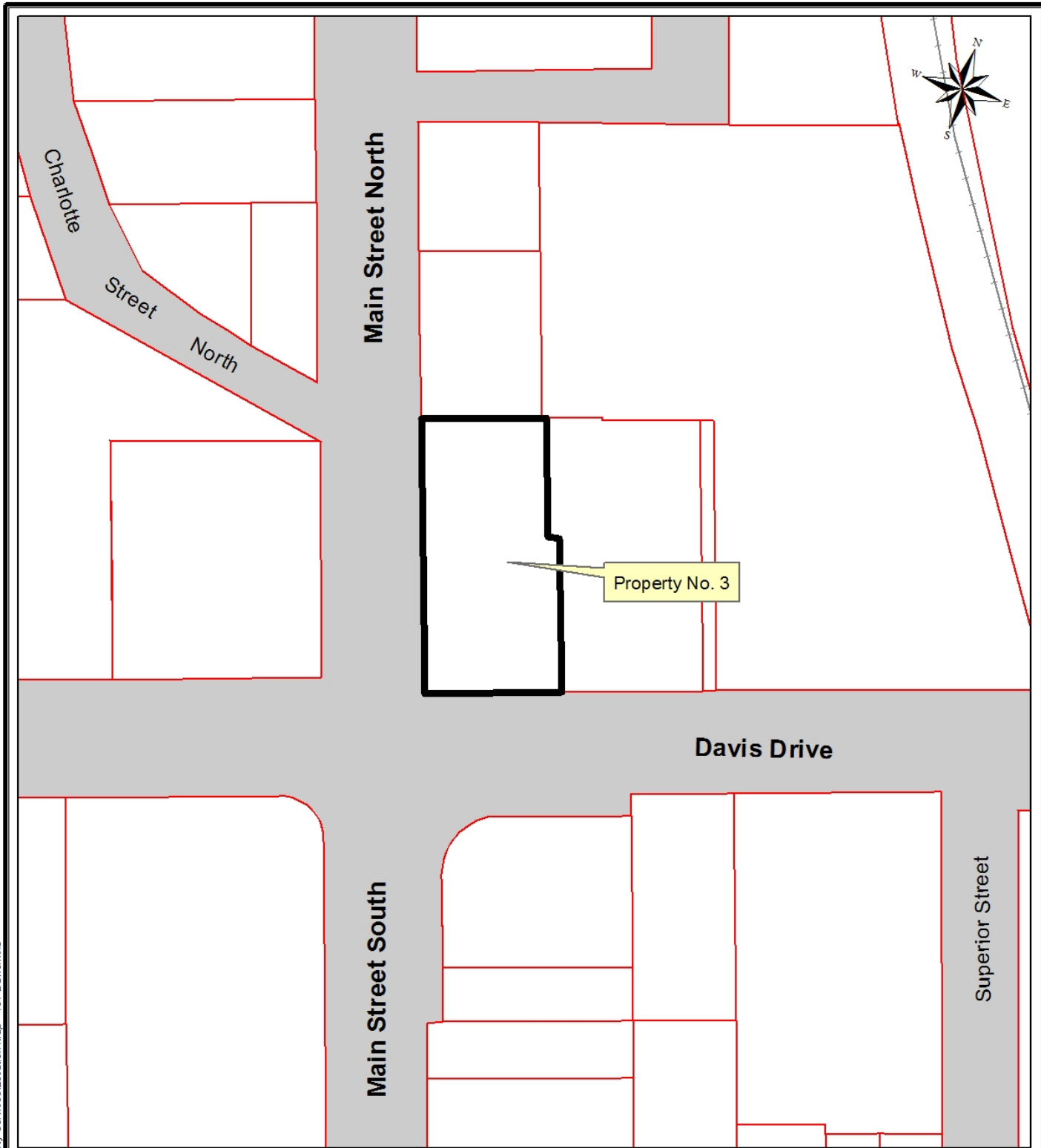
496 Davis Drive, VIVA Project 90760

Town of Newmarket



PROPERTY SERVICES





LOCATION PLAN
Tenant Relocation
431 Davis Drive - VIVA Project 90760
Town of Newmarket



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