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COMPENSATION FOR EXPROPRIATION MARKHAM BY-PASS, PROJECT 8071 TOWN OF MARKHAM

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, March 10, 2005, 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 construction of the Markham By-pass in the Town of Markham.

2. PURPOSE

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

3. BACKGROUND

An independent appraiser has prepared appraisal reports of the following properties. It is now in order to make offers to the owners in compliance with Section 25 of the *Expropriations Act*. This provision requires that the offers be made based on 100% of the market value and that such offers be made prior to taking possession of the properties.

3.1 Property No. 1

On September 23, 2004, Regional Council authorized the expropriation of the following properties for the construction of the Markham By-pass in the Town of Markham (*See Attachment No. 1*).

OWNER: Cornell Rouge Development Corp.

PROPERTY: Fee simple interest
Parts 1 to 11 inclusive, Expropriation Plan D959
Town of Markham

TOTAL OWNERSHIP:	140.123 ha (346.24 acres)
AREA EXPROPRIATED:	8.669 ha (21.42 acres)
OFFER OF COMPENSATION:	\$2,192,000.00
COMMENTS:	The subject property is development land located south of 16th Avenue, north of Highway 7, east of the existing Markham By-pass and west of Reesor Road (10th Line) in the Town of Markham. The offer of \$2,192,000.00 does not include compensation for the 20 metre road allowance for the new road or the 8 metre strip for road widening on the existing road. The Region has a policy that requires the first 20 metres of a new road requirement on proposed plans of subdivision to be conveyed to the Region at a nominal cost of \$2.00. This policy was endorsed by Regional Council and forms the basis of the Region's Development Charge By-law. The policy was put in place after consultation and discussion with the development industry and the Urban Development Institute. Based on this policy, the offer made to the owner of Property No. 1 under Section 25 of the <i>Expropriations Act</i>, has been adjusted accordingly.
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3.2 Property No. 2

OWNER:	Varlese Brothers Limited
PROPERTY:	Fee simple interest Parts 1 and 2, Expropriation Plan D961 Town of Markham
TOTAL OWNERSHIP:	3.656 ha (9.033 acres)
AREA EXPROPRIATED:	0.546 ha (1.35 acres)
OFFER OF COMPENSATION:	\$197,100.00
COMMENTS:	The subject property is a rural property within the Cornell area, improved with greenhouses and an

outdoor display area for the sale of landscaping and plant materials. The property is located on the west side of Reesor Road just north of Highway 7 in the Town of Markham.

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3.3 Property No. 3

OWNER: Cornell Rouge Development Corp.

PROPERTY: Fee simple interest
Parts 1, 2, 3, 4, 5, 6, 7, and 8, Expropriation Plan D960; and Part 3 on Expropriation Plan D961, Town of Markham

TOTAL OWNERSHIP: 140.123 ha (346.24 acres)

AREA EXPROPRIATED: 1.55 ha (3.84 acres)

OFFER OF COMPENSATION: \$585,000.00

COMMENTS: The subject lands are development lands fronting the north side of Highway 7 and to the south of the lands in Property No. 1. The offer of \$585,000.00 does not include compensation for the 20 metre road allowance for the new road. As stated above in Property No. 1, the Region has a policy that requires the first 20 metres of the road requirement on proposed plans of subdivision to be conveyed to the Region at a nominal cost of \$2.00. This policy was endorsed by Regional Council and forms the basis of the Region's Development Charge By-law. The policy was put in place after consultation and discussion with the development industry and the Urban Development Institute. Based on this policy, the offer made to the owner of Property No. 3 under Section 25 of the *Expropriations Act*, has been adjusted accordingly.

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4. FINANCIAL IMPLICATIONS

The total amount of compensation for these expropriations is \$2,974,100.00. Funds are included in the 2005 budget for these offers.

5. LOCAL MUNICIPAL IMPACT

The properties described in this report are required for the construction of the Markham By-pass in the Town of Markham. The Markham By-pass was planned to provide a link from Highway 48, north of Major Mackenzie Drive, to Highway 407. The new by-pass will provide an alternative to both Highway 48 and the Ninth Line, and service the ongoing growth in Markham.

6. CONCLUSION

It is recommended that 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 Act, the offers must be served in order that the Region can enter onto the expropriated properties to carry out the construction of the road.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the April 6, 2005 Committee meeting.)