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COMPENSATION FOR EXPROPRIATION STOUFFVILLE ROAD, PROJECT 9712 TOWN OF WHITCHURCH-STOUFFVILLE

The Transportation and Works Committee recommends the adoption of the recommendation contained in the following report, September 9, 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 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 prepared an appraisal report of the three 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 that such offers be made prior to taking possession of the property.

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 1*).

3.1 Property No. 1

OWNER:	Dimitrios Nistas
PROPERTY:	Part of Lots 34 and 35, Concession 7, Town of Whitchurch-Stouffville
TOTAL OWNERSHIP:	0.083 ha (0.2059 acres)
EXPROPRIATED PROPERTY:	Fee simple interest in Parts 1 and 2 on Expropriation Plan D1028, Town of Whitchurch-Stouffville
AREA EXPROPRIATED:	233.1 m ² (0.0576 acres)
OFFER OF COMPENSATION:	\$105,000
COMMENTS:	The subject property is vacant land located on the south side of Stouffville Road west of Highway 48 in the Town of Whitchurch-Stouffville. This property is adjacent to Property No. 2 of this report.
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3.2 Property No. 2

OWNER:	Kyriakos Nistas
PROPERTY:	Part of Lot 35, Concession 7, Town of Whitchurch-Stouffville
TOTAL OWNERSHIP:	0.22 ha (0.5433 acres)
EXPROPRIATED PROPERTY:	Fee simple interest in Parts 3 and 4 on Expropriation Plan D1028, Town of Whitchurch-Stouffville
AREA EXPROPRIATED:	573.46 m ² (0.1417 acres)
OFFER OF COMPENSATION:	\$264,000
COMMENTS:	The subject property is vacant land located on the south side of Stouffville Road west of Highway 48 in the Town of Whitchurch-Stouffville. This

property is between Property No. 1 and Property No. 3 of this report.

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3.3 Property No. 3

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 m² (0.1478 acres)

OFFER OF COMPENSATION: Nil

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. A report prepared by an environmental testing company states that petroleum hydrocarbon-related soil and ground water impacts the eastern part of the property. The related remediation costs would be in the range of \$250,000 to \$300,000. The estimated market value of the taking is \$322,988; however because of the contamination and the unsure cost of remediation, the Section 25 offer is Nil.

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4. FINANCIAL IMPLICATIONS

The total amount of compensation for these expropriations is \$369,000.

Property Nos. 1 and 2 were appraised by an external appraiser who estimated the market value at \$30 per square foot. These two properties are adjacent to the west of Property No. 3 and the possibility of development of the combined properties is anticipated in the near term.

Property No. 3 was appraised by the same external appraiser who estimated the market value at \$35 per square foot after remediation. Once remediated this property would be developable in the near term.

5. LOCAL MUNICIPAL IMPACT

The properties in this report are required for the widening and reconstruction of Stouffville Road from just east of Highway 404 to Highway 48, which will support the future growth of Stouffville.

6. CONCLUSION

It is recommended that the above offers, together with a copy of the related appraisal reports be served by registered mail on those parties with a registered interest in the subject properties. Under the *Expropriations Act*, the offers must be served in order that the Region can enter onto the expropriated lands in order to commence construction.

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

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the October 1, 2008 Committee meeting.)