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COMPENSATION FOR EXPROPRIATION WIDENING AND RECONSTRUCTION OF NINTH LINE TOWN OF MARKHAM AND THE TOWN OF WHITCHURCH-STOUFFVILLE

The Finance and Administration Committee recommends the adoption of the recommendation contained in the following report dated October 4, 2011, from the Commissioner of Corporate Services.

1. RECOMMENDATION

It is recommended that:

1. Council authorize the Commissioner of Corporate Services to make offers on behalf of The Regional Municipality of York, in accordance with the *Expropriations Act* for the land required for widening and reconstruction of the Ninth Line in the Town of Markham and Town of Whitchurch-Stouffville, as set out in this report.

2. PURPOSE

This report is to request authorization from Council to serve offers of compensation under section 25 the *Expropriations Act*, on those parties who have a registered interest in the property to be expropriated.

3. BACKGROUND

The Environmental Assessment has been approved for the widening and reconstruction of the Ninth Line from Highway 407 to Main Street in the Town of Whitchurch-Stouffville

The projected population increase of 3,500 residents adjacent to the Ninth Line corridor in the Town of Whitchurch-Stouffville by 2021 was used in the 1999 Ninth Line Environmental Study Report to assess the need of improvements.

The Environmental Study Report Addendum for these projects was submitted to the Ministry of Environment in 2008 and received approval in March 2009.

The plans of expropriation were registered August 15, 2011, following the approval of By-Law No. 2011-26 by Council on May 19, 2011, authorizing the expropriation of the required lands.

4. ANALYSIS AND OPTIONS

The Expropriations Act requires an offer be served upon the owners to take possession of the expropriated land

An independent appraisal firm prepared appraisal reports estimating the market value of the subject properties. Section 25 of the *Expropriations Act* requires the Region to offer (a) full compensation for the owners interest and (b) immediate payment of 100 percent of the market value.

Property No. 1 (*see attachment*)

OWNER:	Steven Douglas Ramer
PROPERTY:	Part of Lot 48, Registered Plan 401 Town of Whitchurch-Stouffville
TOTAL OWNERSHIP:	776.55 square metres (8,359 square feet)
EXPROPRIATED PROPERTY:	Fee simple in Part 1 on Expropriation Plan YR1695366
AREA EXPROPRIATED:	36.3 square metres (391 square feet)
COMMENTS:	The subject property is located on the west side of Fairview Avenue and improved with a one storey dwelling.

Property No. 2 (*see attachment*)

OWNER:	1724308 Ontario Ltd.
PROPERTY:	Part of Lot 38, Registered Plan 54 Town of Whitchurch-Stouffville
TOTAL OWNERSHIP:	572.73 square metres (6,165 square feet)
EXPROPRIATED PROPERTY:	Fee simple in Part 1 on Expropriation Plan YR1695221
AREA EXPROPRIATED:	31.7 square metres (341 square feet)
COMMENTS:	The subject property is improved with a detached one storey frame dwelling at the

northeast corner of Main Street and Ninth Line.

Property No. 3 *(see attachment)*

OWNER: Randy James Brown

PROPERTY: Part of Lot 4, Registered Plan 4453
Town of Whitchurch-Stouffville

TOTAL OWNERSHIP: 1114.8 square metres (12,000 square feet)

EXPROPRIATED PROPERTY: Fee simple in Part 1 on Expropriation Plan YR1695355

AREA EXPROPRIATED: 152.7 square metres (1,644 square feet)

COMMENTS: The subject property is improved with a one storey detached dwelling located at the southeast corner of Main Street and Ninth Line.

Property No. 4 *(see attachment)*

OWNER: Stouffville Main Properties Inc.

PROPERTY: Part of Lot 35, Concession 8
Town of Whitchurch-Stouffville

TOTAL OWNERSHIP: 3423.37 square metres (36,850 square feet)

EXPROPRIATED PROPERTY: Fee simple in Parts 1 and 2 on Expropriation Plan YR1695632

AREA EXPROPRIATED: 474.5 square metres (5,108 square feet)

COMMENTS: The subject property is improved with a derelict frame automotive commercial building and frame bungalow at the southwest corner of the Ninth line and Main Street. An application to redevelop the site with a commercial building having 11,259 square feet was filed with the Town in 2006 and received municipal approval. A portion

of the site occupied by the former car lot
exhibited a soil contamination issue.

Property No. 5 *(see attachment)*

OWNER: 1756833 Ontario Inc.

PROPERTY: Part of Lot 1, Concession 8
Town of Whitchurch-Stouffville

TOTAL OWNERSHIP: 1115.64 square metres (12,009 square feet)

EXPROPRIATED PROPERTY: Fee simple in Part 1 on Expropriation Plan
YR1695238

AREA EXPROPRIATED: 144.8 square metres (1,559 square feet)

COMMENTS: The subject property is improved with an
automotive repair garage at the northwest
corner of the Ninth Line and Main Street.
The site has a soil contamination issue.

Property No. 6 *(see attachment)*

OWNER: 1756834 Ontario Inc.

PROPERTY: Part of Lot 1, Concession 8
Town of Whitchurch-Stouffville

TOTAL OWNERSHIP: 732.79 square metres (7,888 square feet)

EXPROPRIATED PROPERTY: Fee simple in Part 1 on Expropriation Plan
YR1695368

AREA EXPROPRIATED: 25.8 square metres (278 square feet)

COMMENTS: The subject property is vacant land on the
north side of Main Street and exhibits a soil
contamination issue.

Property No. 7 *(see attachment)*

OWNER: Giles Realco Limited

PROPERTY: Part of Lot 1, Concession 8

Town of Whitchurch-Stouffville

TOTAL OWNERSHIP:	0.387 ha. (0.957 acre)
EXPROPRIATED PROPERTY:	Fee simple in Parts 1 and 2 on Expropriation Plan YR1695361
AREA EXPROPRIATED:	664.5 square metres (7,152.85 square feet)
COMMENTS:	The subject property is improved with a commercial building accommodating a car dealership at the northwest corner of Main Street and Fairview Avenue. The site exhibits a soil contamination issue.

Property No. 8 (*see attachment*)

OWNER:	1044846 Ontario Limited
PROPERTY:	Part of Lot 16, and Part of Block A, Registered Plan 401, in Town of Whitchurch-Stouffville
TOTAL OWNERSHIP:	2,361.9 square metres (25,424 square feet)
EXPROPRIATED PROPERTY:	Fee simple in Parts 1, 2 and 3 on Expropriation Plan YR1695357
AREA EXPROPRIATED:	2361.9 square metres (24,424 square feet)
COMMENTS:	The subject property is improved with a one storey part concrete block and part frame industrial/commercial building plus a free standing trailer. The site is located at the northeast corner of Fairview Avenue and Main Street.

Property No. 9 (*see attachment*)

OWNER:	Lebovic Enterprises Limited
PROPERTY:	Part of Lot 31, Concession 8 Town of Markham
TOTAL OWNERSHIP:	37.908 ha (93.67 acres)

EXPROPRIATED PROPERTY: Fee simple in Parts 1 and 2 on Expropriation Plan YR1695232

AREA EXPROPRIATED: 532 square metres (0.1314 acre)

COMMENTS: The subject property is improved with a derelict frame farmhouse, barn and outbuildings located at the northwest corner of Ninth Line and Nineteenth Avenue.

Property No. 10 (*see attachment*)

OWNER: 1227891 Ontario Ltd.

PROPERTY: Part of Lot 31, Concession 9
Town of Markham

TOTAL OWNERSHIP: 4.31 ha (10.640 acres)

EXPROPRIATED PROPERTY: Fee simple in Parts 1 and 2 on Expropriation Plan YR1695636

AREA EXPROPRIATED: 1839.4 square metres (0.455 acre)

COMMENTS: The subject property was improved with a one storey detached brick dwelling recently demolished. The site is located at the northeast corner of Ninth Line and Nineteenth Avenue.

Property No. 11 (*see attachment*)

OWNER: Linda Kujaristi and Slave Stefanovski

PROPERTY: Part of Lot 24, Concession 8
Town of Markham

TOTAL OWNERSHIP: 10.118 ha (25.0 acres)

EXPROPRIATED PROPERTY: Fee simple in Part 1 on Expropriation Plan YR1695635

AREA EXPROPRIATED: 457.90 square metres (0.113 acre)

COMMENTS: The subject property is improved with a frame farmhouse and farm buildings located on the west side of Ninth Line.

Property No. 12 (*see attachment*)

OWNER: 11750 Ninth Line Properties Inc.

PROPERTY: Part of Lot 32, Concession 8
Town of Whitchurch-Stouffville

TOTAL OWNERSHIP: 1.174 ha (2.9 acres)

EXPROPRIATED PROPERTY: Fee simple in Parts 1 and 2 on Expropriation Plan YR1695212

AREA EXPROPRIATED: 766.7 square metres (0.189 acre)

COMMENTS: The subject property is improved with a detached brick dwelling on the west side of Ninth Line. An application for townhouse redevelopment has been filed with the Town of Whitchurch-Stouffville.

Property No. 13 (*see attachment*)

OWNER: 11782 Ninth Line Properties Inc.

PROPERTY: Part of Lot 32, Concession 8
Town of Whitchurch-Stouffville

TOTAL OWNERSHIP: 1.276 ha (3.153 acres)

EXPROPRIATED PROPERTY: Temporary Demolition Easement
Terminating December 31, 2012 in Part 3
Expropriation Plan YR1695226
Fee simple in Parts 1 and 2 on Expropriation Plan YR1695226

AREA EXPROPRIATED: Temporary Easement
212.3 square metres (0.0524 acre)
Fee Simple
820.4 square meters (0.2027 acre)

COMMENT:

The subject property is improved with a detached dwelling encroaching onto the taking on the west side of the Ninth Line. An application for townhouse redevelopment has been filed with the Town of Whitchurch-Stouffville.

5. FINANCIAL IMPLICATIONS

Total amount of compensation to be offered under section 25 of the *Expropriations Act* is \$2,111,300

The funds required to complete the property acquisitions for these projects have been included in the 2011 Capital Budget for Transportation Services.

6. LOCAL MUNICIPAL IMPACT

The widening and reconstruction of the Ninth Line in the Town of Markham together with a jog elimination at Main Street in the Town of Whitchurch-Stouffville will provide upgraded capacity to improve traffic operations for the travelling public and will meet the expected growth in this area.

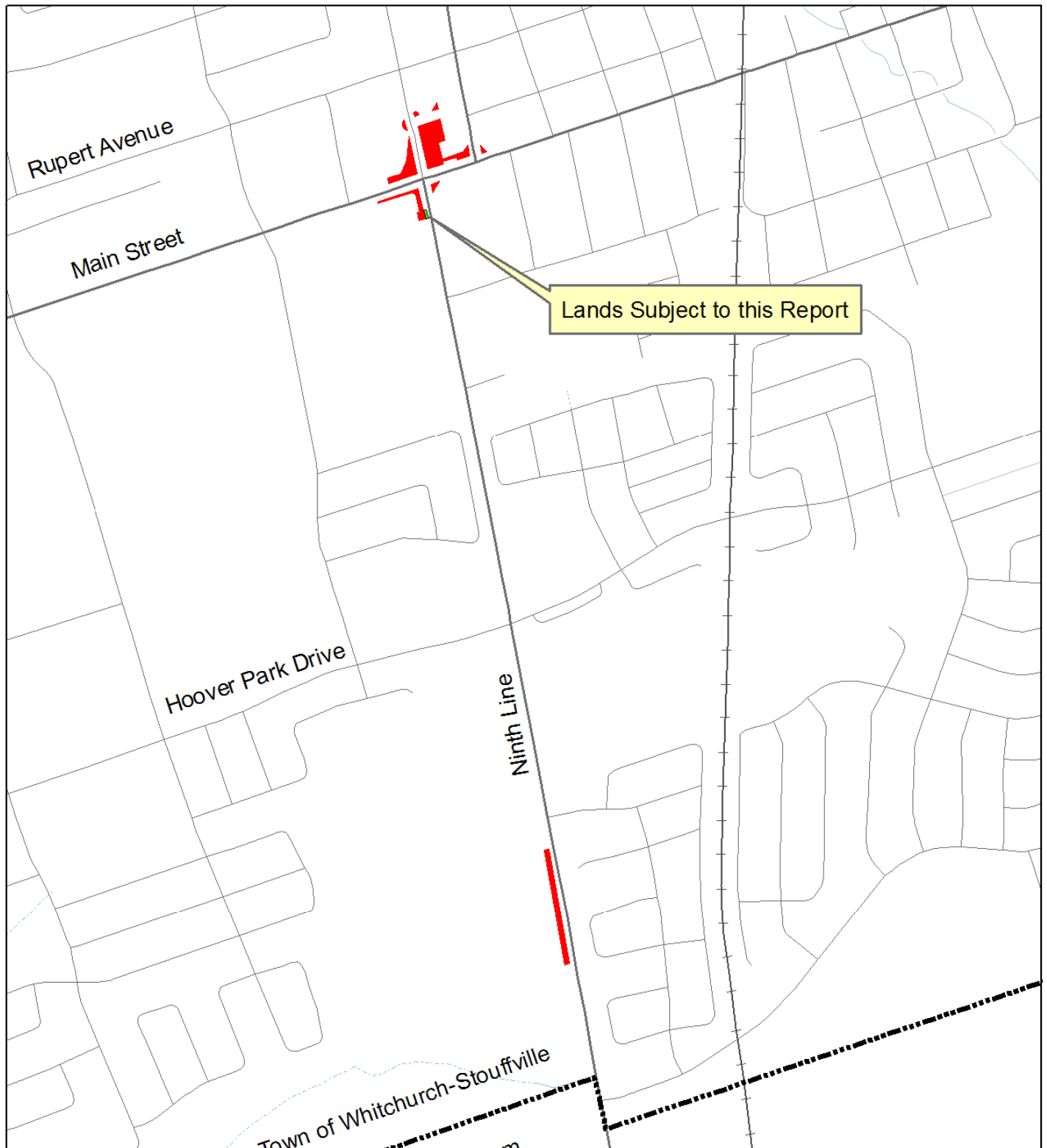
7. CONCLUSION

It is recommended this report be authorized in order to offer compensation to the impacted owners and to obtain possession of the required lands for the widening and reconstruction of the Ninth Line.

For more information on this report, please contact Barry Crowe, Director, Property Services Branch, Ext. 1684.

(Two attachments referred to in this clause are attached to this report and the thirteen private attachments are circulated separately.)

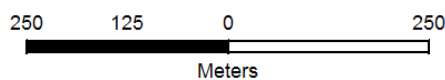
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LOCATION PLAN
Expropriation of Land
Ninth Line in the Town of Whitchurch-Stouffville

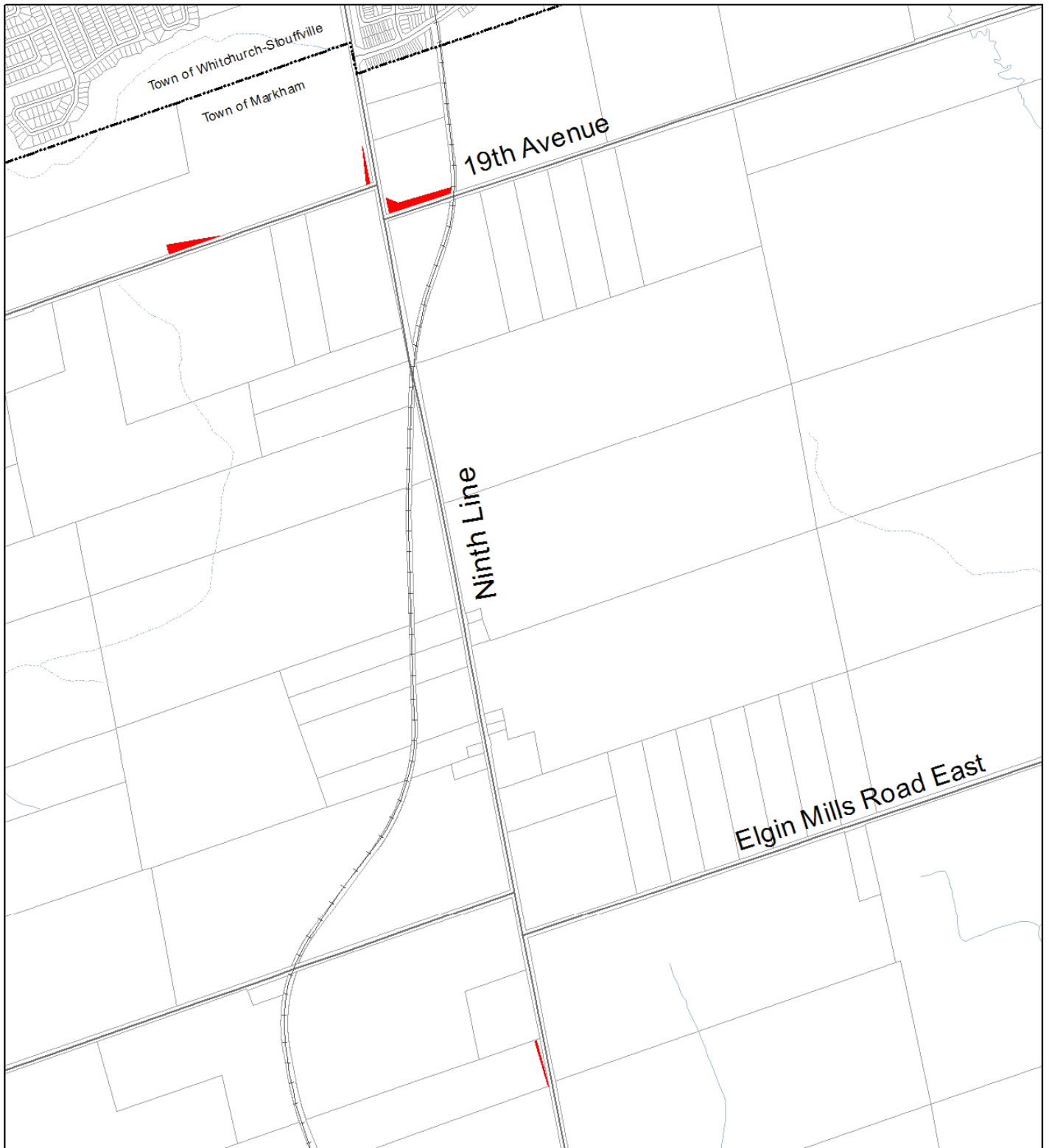
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Lands Subject to Section 25 Offers



ROADS BRANCH - CAPITAL DELIVERY

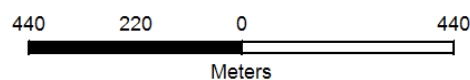
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LOCATION PLAN
Expropriation of Land
Ninth Line in the Town of Markham

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 Lands Subject to Section 25 Offers



ROADS BRANCH - CAPITAL DELIVERY