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EXPROPRIATION SETTLEMENT VIVANEXT - DAVIS DRIVE (D1) PROJECT 90991, TOWN OF NEWMARKET

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report dated November 3, 2011, from the Commissioner of Corporate Services.

1. RECOMMENDATIONS

It is recommended that:

1. Council authorize the following expropriation settlement for land expropriated for the vivaNEXT Davis Drive project, in the Town of Newmarket, on the terms set out in this report.
2. The Commissioner of Corporate Services be authorized to complete the transaction in accordance with the terms of the agreement upon receipt of approval of the agreement from Metrolinx.

2. PURPOSE

This report seeks authorization from Council to accept the minutes of settlement, which contains a licence for the owner and tenant to continue to occupy the expropriated land until February 24, 2012.

3. BACKGROUND

The Environmental Assessment for the Davis Drive (D1) project was approved in January 2009

The Environmental Assessment for Project 90991 was approved in January 2009. On June 25, 2009, Council authorized the expropriation of properties required for the widening and reconstruction of Davis Drive.

The Region obtained ownership of the lands required for the project in September 2009

This is a full and final settlement of the expropriation compensation, particularly, the market value of the strip widening, related temporary easement and costs related to

business damages, due to the acceleration of the relocation of the business, on the remaining property. York Region Rapid Transit Corporation has reviewed and agreed to the conditions of the licence to occupy, in order to mitigate business losses.

4. ANALYSIS AND OPTIONS

Property No. 1 *(see attachment 1)*

OWNER:	W. J. Shanahan Limited
PROJECT:	Widening and Reconstruction of Davis Drive for the vivaNext rapid transit project 90991 D1
SUBJECT PROPERTY:	Part Lot 1, Concession 2, geographic Township of East Gwillimbury, now Town of Newmarket, comprising approximately 9,712.8 m ² (2.4 acres)
AREA TAKEN:	A fee simple interest in Part 1 on Expropriation Plan YR1371736, comprising 1,111.5 m ² (11,965 sq. ft. or 0.275 acres), plus a temporary easement for three years over Part 2, on Expropriation Plan YR1371736, comprising 254.2 m ² (2,736.3 sq. ft.)
COMMENTS:	The subject property was leased to a related company, which operates a Ford car dealership. The expropriation has accelerated the need for the tenant to re-locate the dealership.

Link to Key Council-approved Plans

From Vision to Results: 2011 to 2015 Strategic Plan

Priority Area – Focus Growth along Regional Centres and Corridors

Optimize the transportation capacity and services in Regional Centres and Corridors.

The acquisition of these lands will assist the Region in meeting its transit needs along the Davis Drive Corridor.

5. FINANCIAL IMPLICATIONS

Funding for the property acquisition has been received from Metrolinx

All costs associated with the procurement of properties along Davis Drive are funded from the Province's \$1.4 billion Move Ontario 2020 announcement. The Region has entered into a Memorandum of Agreement with Metrolinx and has received funding in

excess of \$53 million for property and utility work for Davis Drive and Highway 7, from Richmond Hill Centre to Warden Avenue.

6. LOCAL MUNICIPAL IMPACT

The property in this report was acquired for the construction of dedicated lanes for Viva buses along Davis Drive in Newmarket, which will support the Region's goal for higher density mixed use transit-oriented development in accordance with the approved municipal official plans.

7. CONCLUSION

It is recommended that this report be authorized to complete the expropriation settlement for the lands taken for the widening and reconstruction of Davis Drive for dedicated lanes for the vivaNext rapid transit buses.

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

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the November 3, 2011 Committee meeting.)



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LOCATION PLAN

Expropriation Settlement

York Region Rapid Transit Corporation -Davis Drive

PROJECT 90991 D1, TOWN OF NEWMARKET



0 20 40 80 Metres

A horizontal scale bar with four segments, labeled 0, 20, 40, and 80, followed by the word 'Metres'.

PROPERTY SERVICES

