



Clause 15 in Report No. 14 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on September 24, 2015.

15

Compensation for Expropriation  
Leslie Street - Bloomington Road to Bethesda Sideroad  
Town of Richmond Hill

**Committee of the Whole recommends adoption of the recommendations contained in the following report dated June 15, 2015 from the Commissioner of Corporate Services:**

1. Recommendation

It is recommended that:

1. Council authorize the Commissioner of Corporate Services to make an offer of compensation to the owner of the following lands in the Town of Richmond Hill, which were acquired in accordance with the *Expropriations Act* (the "Act").

No.	Owner	Municipal Address	Legal Description	Interest Required
1.	Bethesda Investments Limited	1600 Bethesda Sideroad Richmond Hill	Parts 1 and 2, Plan 65R34213	Fee Simple
			Part 3, Plan 65R34213	Permanent Easement
The permanent easement is required for the purpose of constructing and maintaining a wildlife corridor and permanent drainage feature.				

2. Purpose

This report seeks Council approval to serve an offer of compensation under section 25 of the *Act* to an owner whose land has been expropriated for the

Leslie Street project from Bloomington Road to Bethesda Sideroad, in the Town of Richmond Hill. The location of this property is shown in Attachment 1.

### 3. Background

The Region received approval to reconstruct Leslie Street from Bloomington Road to Bethesda Sideroad in the Town of Richmond Hill in 2008

In 2008, an Environmental Assessment study approved the reconstruction of Leslie Street as a two-lane rural cross-section (storm water ditches) between Bethesda Sideroad and Bloomington Road. The improvements include reconstructing the two-lane road to Regional standards, elevating the road at Haynes Lake and eliminating a jog at the Leslie Street and Bethesda Sideroad intersection. The project provides a wildlife passage and enhancements to the natural environment.

In October 2013, Council authorized the initiation of the expropriation process for nine properties

On October 17, 2013, Council authorized an Application for Approval to Expropriate interests from a total of nine property owners. Eight of the properties were acquired by agreement, expropriation or minutes of settlement. Therefore, there is one property remaining.

Council authorized the expropriation of the remaining property on March 26, 2015

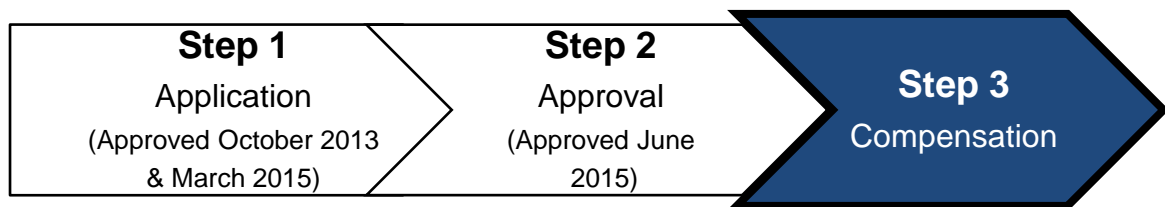
The commencement of expropriation was authorized by Council on March 26, 2015. The first Notice of Application to Expropriate was sent to the owner on April 2, 2015. A request for a Hearing of Necessity was not received.

Negotiations with the principals of this company have not been successful

The Region acquired title to the lands when the expropriation plan was registered on July 14, 2015. The *Act* requires the Region to serve an offer of compensation upon the owner. This offer is based on an appraisal of market value which will be discussed with the owner.

The Region can take possession on the date set out in the notice of possession a minimum of three months after service of the notice, but only after the statutory offer of compensation has been made.

This is Step 3 in the Council approval process for property expropriation as indicated in the following graphic.



#### 4. Analysis and Options

An independent appraisal report has provided the value which forms the basis of the offer

An independent appraiser was commissioned to provide the estimate of compensation. Section 25 of the *Act* requires the Region to make two offers of compensation to an owner. The first offer is an offer of full compensation for the market value of the lands expropriated. If the owner accepts the offer, then the owner, with a few exceptions, accepts the offer in full satisfaction of any claims the owner may have with respect to the expropriation. The second offer is an offer to pay the owner the market value of the lands expropriated, but permits the owner to make a future claim for additional compensation in accordance with the *Act*.

Environmental due diligence has been undertaken

While not granted access, staff took the initiative to carry out investigations into soil conditions along the common lot line with the Region's existing property. Legal Services has reviewed the results of these investigations, and did not have concerns with the environmental due diligence performed to date. Once possession has been obtained, further environmental work will be performed to assure certainty of its condition, and a report will be made to Council if required.

Possession of the expropriated lands will be obtained on the date set out in the notice of possession, after the offer has been served

The Region acquired title to the lands when the expropriation plan was registered at the Land Registry Office. Although ownership is now in the name of the Region, possession is yet to be obtained. In accordance with the *Act*, notices of expropriation and possession were served upon the owners, with possession anticipated by mid-October 2015. In accordance with the *Act*, it is necessary to make an offer of compensation to the owner in order to obtain possession of the expropriated lands.

Link to key Council-approved plans

The proposed acquisition for the Leslie Street project supports the objectives of Vision 2051, the Regional Official Plan and the 2015 to 2019 Strategic Plan.

The project addresses a key goal of Vision 2051: Interconnected Systems for Mobility. A network of complete streets supports the efficient movement of goods, providing an interconnected network for mobility that links people to jobs.

As well, the Leslie Street project supports one of the objectives of the Regional Official Plan which is to ensure streets support all modes of transportation including walking, cycling, transit, automobile use, and the efficient movement of goods.

Lastly, one of the Strategic Priority Areas of the 2015 to 2019 Strategic Plan is Strengthen the Region's Economy. Focusing on networks and systems that connect people, goods and services is one of the strategic objectives of this priority area that is supported by the proposed acquisition.

## 5. Financial Implications

The funding required to complete the property acquisition for this project has been included in the 2015 Capital Budget for Transportation Services, Capital Delivery – Roads.

## 6. Local Municipal Impact

After construction is complete, the reconstruction of Leslie Street, together with a jog elimination at Bethesda Sideroad, in the community of Richmond Hill, will improve traffic operations for the public.

Natural environmental features in this area will be restored, protected and enhanced as a result of the project.

## 7. Conclusion

On July 14, 2015 an expropriation plan was registered with respect to land required for the Leslie Street project. The *Act* requires that an offer of compensation for the expropriated lands be served on the owner in order to obtain possession. The proposed offer is based on an appraisal provided by an independently commissioned appraiser. It is recommended that the offer set out in this report be served in accordance with the *Act*.

For more information on this report, please contact Michael Shatil, Director, Property Services Branch at ext. 71684.

The Senior Management Group has reviewed this report.

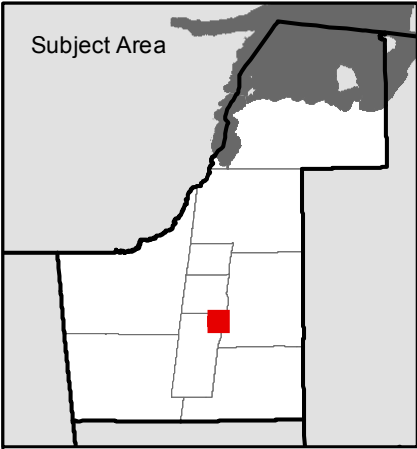
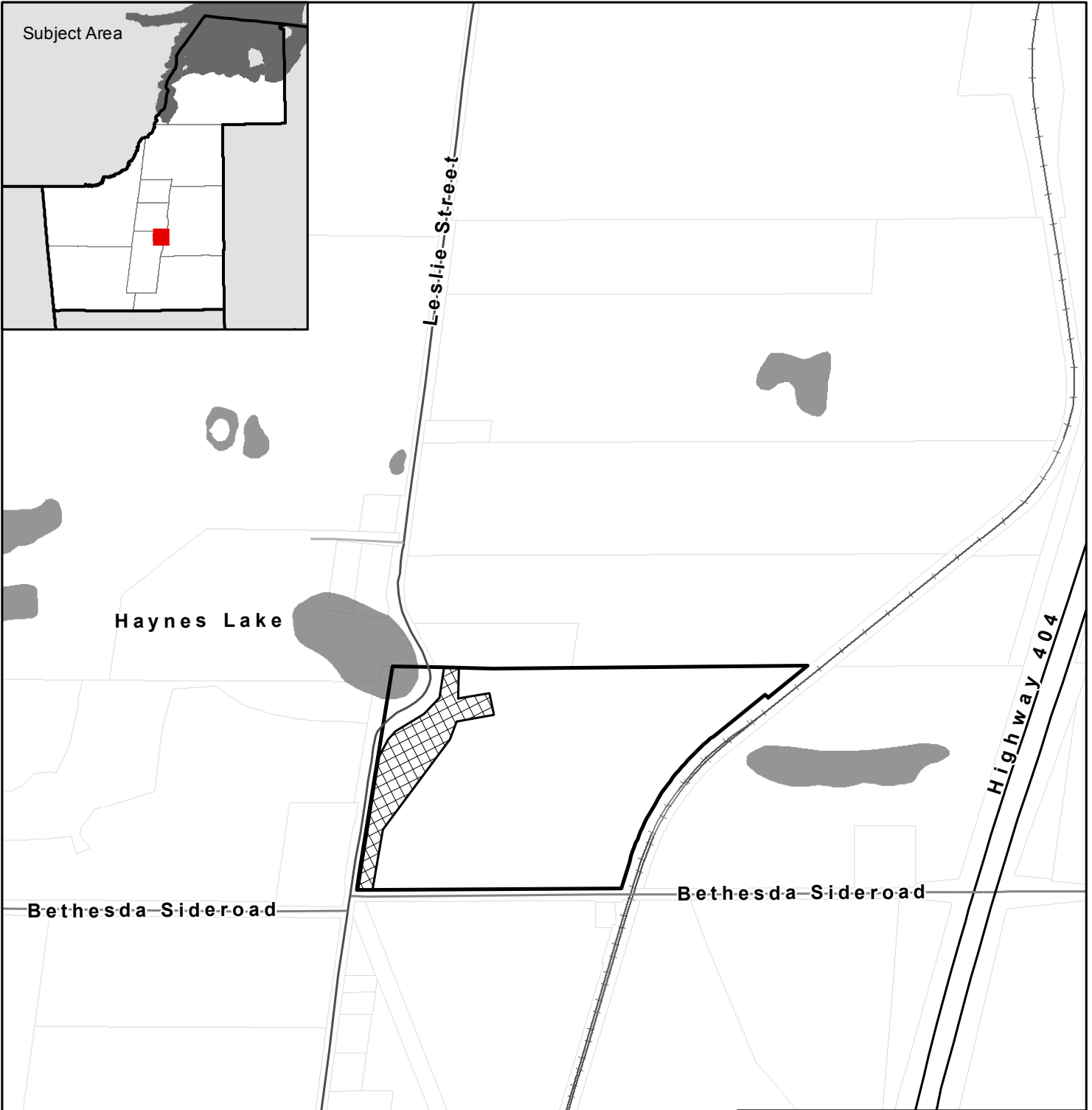
June 15, 2015

Attachments (1)

Private Attachments (1)

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Accessible formats or communication supports are available upon request



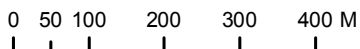
**LOCATION PLAN**

Compensation for Expropriation  
 Leslie Street - Bloomington Road to Bethesda Sideroad  
 Town of Richmond Hill







Produced by:  
 The Regional Municipality of York  
 Property Services, Corporate Services  
 May 2015

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**Legend**

-  Subject Property
-  Interest Required
-  Parcel
-  Road
-  Railway
-  Lake