

Clause No. 40 in Report No. 13 of the Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on September 11, 2014.

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COMPENSATION FOR EXPROPRIATION
WIDENING AND RECONSTRUCTION OF BAYVIEW AVENUE
PROJECTS 80670 AND 80680, TOWN OF RICHMOND HILL

Committee of the Whole recommends adoption of the recommendations contained in the following report dated August 20, 2014 from the Acting Commissioner of Corporate Services:

1. RECOMMENDATIONS

It is recommended that:

1. Council authorize offers of compensation under the *Expropriations Act* (the “Act”) to be made to the owners of the following lands expropriated within the Town of Richmond Hill.

No.	Owner	Municipal Address	Legal Description	Interest Required
1	Primont Homes Inc.	Northwest quadrant at Bayview Avenue and 19 th Avenue	Part 2, Plan 65R34134	Temporary Easement (reduced from fee originally authorized)
2	Chung, Lynford Anthony Chung, Phamelia Dolores	5 Glen Meadow Lane	Part 3, Plan 65R34134	Temporary Easement (reduced from fee originally authorized)
The temporary easements are required for the purpose of grading and construction and will run from registration to November 30, 2018.				

2. PURPOSE

This report seeks Council approval to serve offers of compensation under section 25 of the *Act* to owners whose lands have been expropriated for the widening and reconstruction of Bayview Avenue (*Attachment 1*).

3. BACKGROUND

In June 2014, Council authorized the expropriation of properties for the widening and reconstruction of the Bayview Avenue project

On June 26, 2014, Council authorized the expropriation of properties required for the widening and reconstruction of Bayview Avenue, in the Town of Richmond Hill. Expropriation plans were registered on July 28, 2014, vesting ownership of the lands in the Region. The *Act* requires the Region to serve offers of compensation within three months of registration of the plan. These offers are based on appraisals of market value and other damages.

4. ANALYSIS AND OPTIONS

Independent appraisal reports have established the values which form the basis of the offers

An independent appraisal firm prepared appraisal reports estimating the market value of each of the subject properties and any damages for injurious affection. Additionally, independent consultants were retained to provide estimates of any damages to the subject properties, including disturbance damages.

Section 25 of the *Act* requires the Region to offer each owner (a) full compensation for the owner's interest including market value, injurious affection and any disturbance damages and (b) immediate payment of 100 per cent of the market value of the expropriated lands.

Link to key Council-approved plans

From Vision to Results: 2011 to 2015 Strategic Plan

Priority Area – Continue to Deliver and Sustain Critical Infrastructure

Improve mobility for users on Regional transportation corridors

The acquisition of these lands will assist the Region in meeting its key strategic transportation needs.

5. FINANCIAL IMPLICATIONS

The funds required to complete the property acquisition for this project are included in the approved 2014 Capital Budget for the Transportation and Community Planning Department, Capital Delivery – Roads.

Under section 25 of the *Act*, the Region is obligated to serve offers of compensation on owners within three months of registration of the expropriation plan. The compensation payable to the owners is based on independently commissioned appraisals.

6. LOCAL MUNICIPAL IMPACT

The widening and reconstruction of Bayview Avenue will provide upgraded capacity to improve traffic operations for the travelling public and will meet the expected growth in this area.

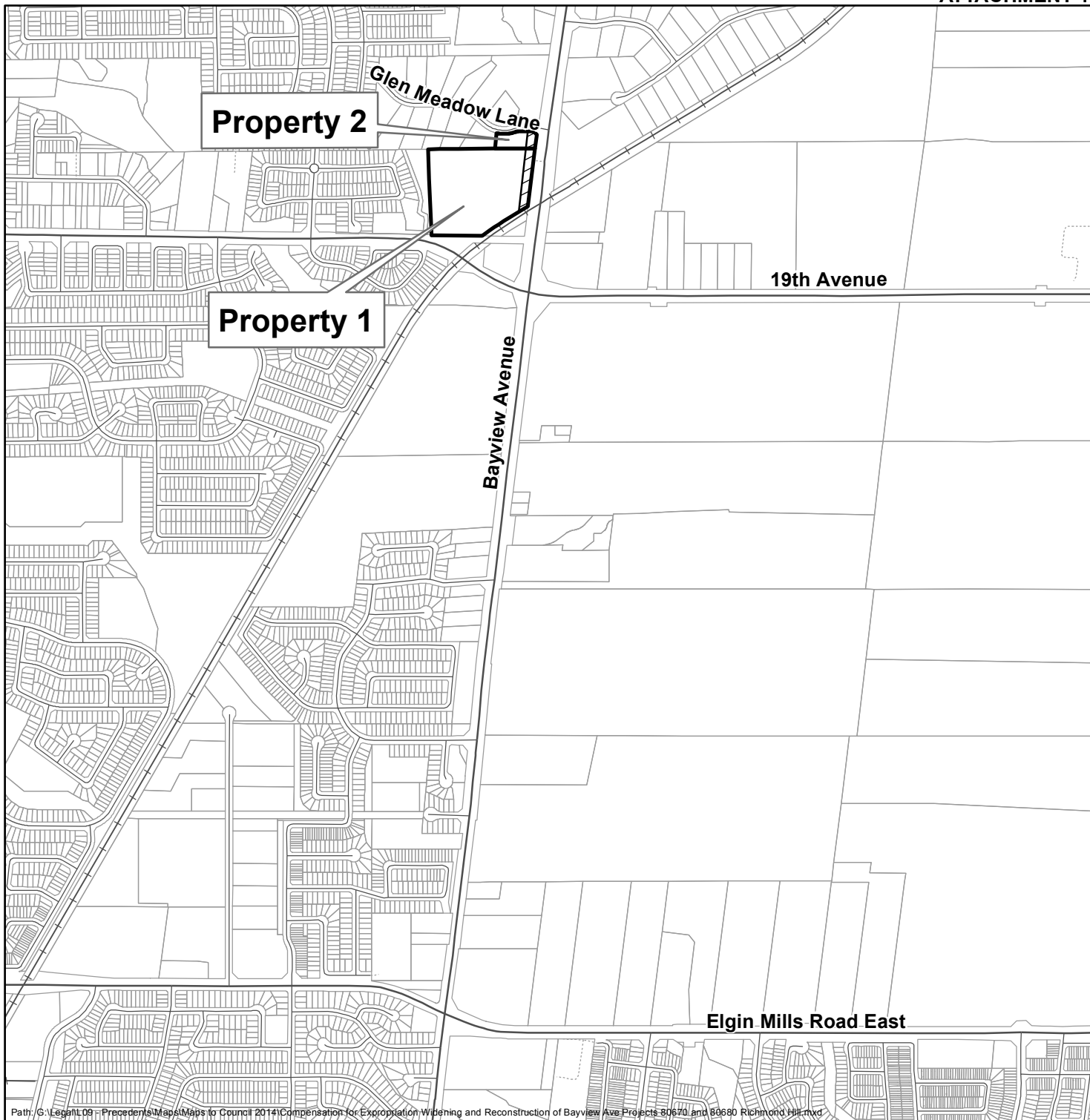
7. CONCLUSION

On July 28, 2014 expropriation plans were registered with respect to certain lands required for the widening and reconstruction of Bayview Avenue. The *Act* requires that offers of compensation for expropriated lands be served on the former owners. It is recommended that the offers set out in this report be served in accordance with the *Act*.

For more information on this report, please contact René Masad, Director, Property Services Branch at Ext. 71684.

The Senior Management Group has reviewed this report.

Attachment (1)



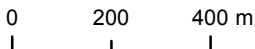
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LOCATION PLAN






Compensation for Expropriation
 Widening and Reconstruction of Bayview Avenue
 Projects 80670 & 80680
 Town of Richmond Hill



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Legend

-  Interest Required
-  Subject Properties
-  Parcel
-  Road
-  Railway