

Clause No. 47 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.

47

COMPENSATION FOR EXPROPRIATION ROAD WIDENING OF LESLIE STREET PROJECTS 84180 AND 84190 TOWN OF AURORA AND TOWN OF NEWMARKET

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 Aurora and the Town of Newmarket.

No.	Owner	Municipal Address	Legal Description	Interest Required
1	The Governing Council of the Salvation Army in Canada	15338 Leslie Street, Aurora	Part 4, Plan 65R34503	Fee Simple
			Part 38, Plan 65R34503	Permanent Easement
2	State Farm Mutual Automobile Insurance Company	24 State Farm Way, Aurora	Parts 16 and 17, Plan 65R34509	Fee Simple
3	Cairo, Darlene Alice Harriet	16625 Leslie Street, Newmarket	Part 1, Plan 65R34489	Fee Simple
The permanent easement is required for the purpose of installing and maintaining drainage culverts.				

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 Leslie Street, in both the Town of Aurora (*Attachment 1*) and the Town of Newmarket (*Attachment 2*).

3. BACKGROUND

In June 2014, Council authorized the expropriation of properties for the Leslie Street project

On June 26, 2014, Council authorized the expropriation of properties required for the widening and reconstruction of Leslie Street, in the Town of Aurora and the Town of Newmarket. Expropriation plans will be registered by September 2, 2014, for two of the properties, vesting ownership of the lands in the Region. Registration of the expropriation plan for Property 3 is being held pending closing of an amicable transaction scheduled for September 19, 2014. 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 have been 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 Leslie Street, in the Town of Aurora and the Town of Newmarket, will provide upgraded capacity to improve traffic operations for the travelling public and will meet expected growth in this area.

7. CONCLUSION

Expropriation plans are expected to be registered by September 2, 2014, with respect to the lands required for the Leslie Street project. 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.

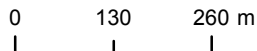
Attachment (2)








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LOCATION PLAN

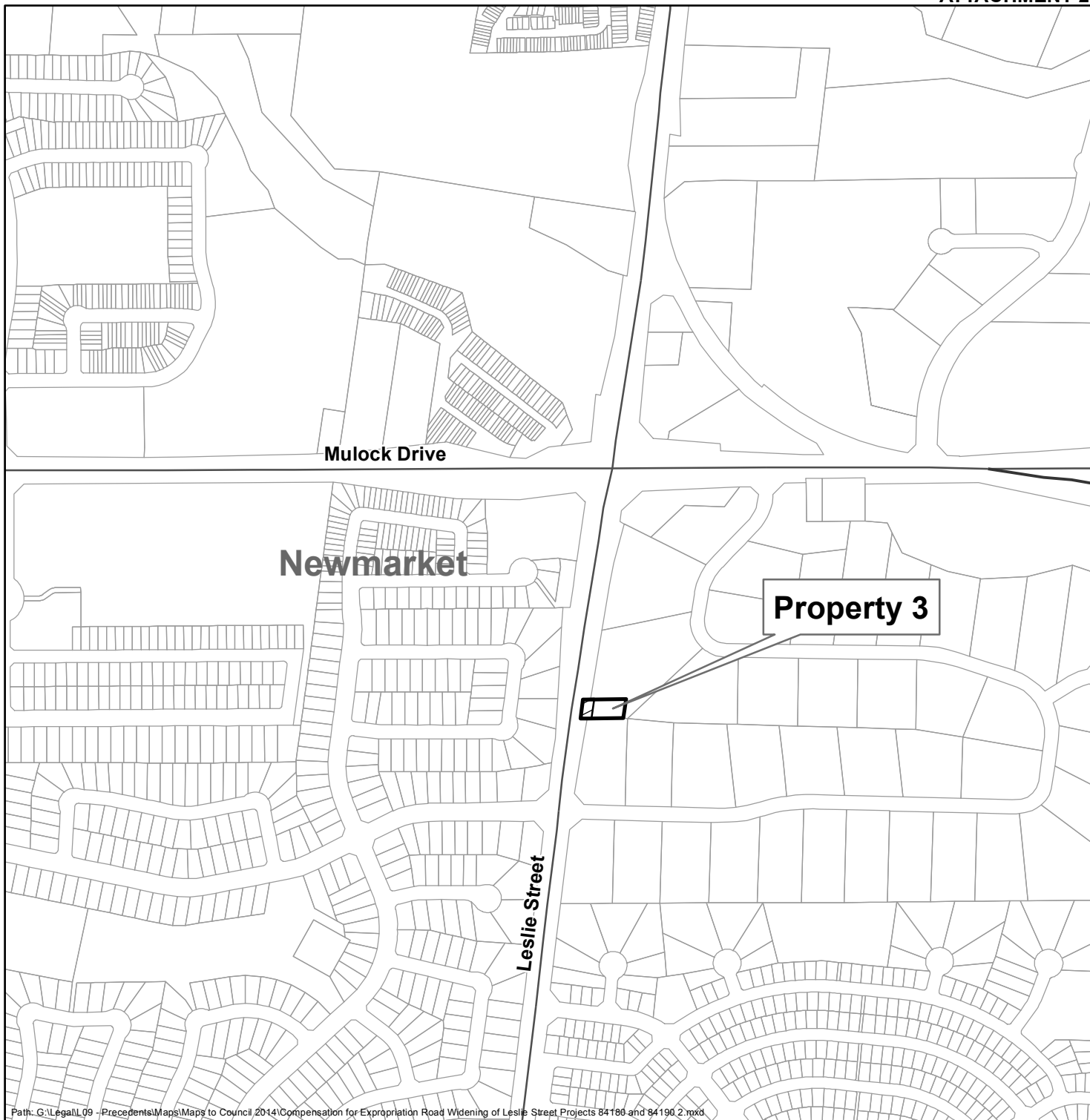
Compensation for Expropriation
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Legend

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

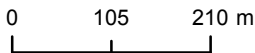
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




LOCATION PLAN

Compensation for Expropriation
 Road Widening of Leslie Street Projects 84180 & 84190
 Town of Aurora and Town of Newmarket



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Legend

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