

Clause No. 4 in Report No. 4 of the Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting on February 20, 2014.

4

**COMPENSATION FOR EXPROPRIATION UPDATE
WIDENING AND CONSTRUCTION OF BUS RAPID TRANSIT CORRIDOR
HIGHWAY 7 WEST (H2-VMC EXTENDED) VIVANEXT
PROJECT 90991, CITY OF VAUGHAN**

Committee of the Whole recommends adoption of the following recommendation contained in the report dated January 30, 2014 from the Commissioner of Corporate Services:

1. RECOMMENDATION

It is recommended that Council receive this report for information.

2. PURPOSE

This report advises Council on compensation amounts offered under section 25 of the *Expropriations Act* (the “*Act*”) to owners whose lands have been expropriated for the widening and reconstruction of Highway 7 West, in the City of Vaughan (*Attachment 1*).

3. BACKGROUND

Council authorized staff to serve offers of compensation on owners in accordance with the *Act*

At its meeting on June 27, 2013, Council authorized the Commissioner of Corporate Services to serve 33 property owners with section 25 offers on behalf of The Regional Municipality of York, in accordance with the *Act*. It was necessary to obtain this approval prior to having confirmed the compensation amounts to be offered to owners, to meet legislative timelines and minimize interest penalties payable under the *Act*.

4. ANALYSIS AND OPTIONS

An independent engineering firm conducted environmental testing on the subject properties

Environmental reports identified four properties with contaminated material. Recommendations to clean up the contaminated material and the cost associated with such cleanup, were provided by the engineering firm.

Section 25 offers were served on owners of 33 properties in September 2013

The Region served section 25 offers on owners of 33 properties in September 2013. An independent appraisal firm prepared appraisal reports estimating the market value of the subject properties, as well as damages for injurious affection. Section 25 of the *Act* requires the Region to offer (a) full compensation for the owner's interest and (b) immediate payment of 100 percent of the market value. The total compensation, which consists of land values, injurious affection and damages less the remediation cost to clean up the contaminated material, is \$3,353,375.90. The affected properties are summarized in the table below:

No.	Owner	Municipal Address	Legal Description	Interest Acquired
1	562445 Ontario Limited; 562444 Ontario Limited	7777 Keele Street; 2220 Highway 7 West	Part 9 on Expropriation Plan YR1989641	Fee Simple
			Part 10 on Expropriation Plan YR1989641	Temporary Easement
2	Steele Valley Developments Limited	2160-2180 Highway 7 West	Parts 21 and 23 on Expropriation Plan YR1989614	Fee Simple
			Parts 20 and 22 on Expropriation Plan YR1989614	Temporary Easement
3	York Region Condominium Corporation No. 549	2104 Highway 7 West	Parts 26 and 30 on Expropriation Plan YR1989614	Fee Simple
			Part 25 on Expropriation Plan YR1989614	Permanent Easement
			Parts 24 and 29 on Expropriation Plan YR1989614	Temporary Easement

4	York Region Condominium Corporation No. 549	2104 Highway 7 West	Part 28 on Expropriation Plan YR1989614	Fee Simple
			Part 27 on Expropriation Plan YR1989614	Temporary Easement
5	2349361 Ontario Limited	2040 Highway 7 West	Part 32 on Expropriation Plan YR1989614	Fee Simple
			Part 31 on Expropriation Plan YR1989614	Temporary Easement
6	Steele Valley Developments Limited	2030 Highway 7 West	Parts 33 and 36 on Expropriation Plan YR1989614	Fee Simple
			Parts 34 and 35 on Expropriation Plan YR1989614	Temporary Easement
7	Automotive Plaza (Highway 7 & Bowes Rd.) Ltd.	2006 Highway 7 West	Parts 39, 41 and 42 on Expropriation Plan YR1989614	Fee Simple
			Parts 38, 43 and 45 on Expropriation Plan YR1989614	Permanent Easement
			Parts 37, 40 and 44 on Expropriation Plan YR1989614	Temporary Easement
8	Cortelli Holdings Ltd.	1970 Highway 7 West	Parts 7 and 10 on Expropriation Plan YR1989488	Fee Simple
			Parts 8 on Expropriation Plan YR1989488	Permanent Easement
			Parts 9 and 11 on Expropriation Plan YR1989488	Temporary Easement
9	Szarka, Joseph; Szarka, Nancy Sue	1929 Highway 7 West	Part 6 on Plan Expropriation Plan YR1989488	Temporary Easement
10	Nanarka Corp.	W of 1929 Highway 7 West	Parts 4 and 5 on Expropriation Plan YR1989488	Temporary Easement
11	Szarka, Joseph John; Szarka, Nancy Sue	1949 Highway 7 West	Parts 2 and 3 on Expropriation Plan YR1989488	Temporary Easement
12	Gautam, Mukesh; Jain, Sonia	1955 Highway 7 West	Part 1 on Expropriation Plan YR1989488	Temporary Easement

13	Covello, Eugenio; Covello, Giulia	1983 Highway 7 West	Parts 1 and 2 on Expropriation Plan YR1989614	Temporary Easement
14	Mendoza, Jose	1997 Highway 7 West	Part 3 on Expropriation Plan YR1989614	Temporary Easement
15	Catenacci, Renata	2005 Highway 7 West	Part 4 on Expropriation Plan YR1989614	Temporary Easement
16	Schwartz, Esther	2015 Highway 7 West	Part 5 on Expropriation Plan YR1989614	Temporary Easement
17	Carlucci, Sergio; Carlucci, Angela	2023 Highway 7 West	Part 6 on Expropriation Plan YR1989614	Temporary Easement
18	Jansuzian, Garabed Nazar; Jansuzian, Blanca Nelida	2035 Highway 7 West	Part 7 on Expropriation Plan YR1989614	Temporary Easement
19	Yermus, Sam	2055 Highway 7 West	Part 8 on Expropriation Plan YR1989614	Temporary Easement
20	Osborne, Paul William	2063 Highway 7 West	Part 9 on Expropriation Plan YR1989614	Temporary Easement
21	Iannetta, Lucia	2071 Highway 7 West	Part 10 on Expropriation Plan YR1989614	Temporary Easement
22	Valizadeh Moghadam, Shahla	2083 Highway 7 West	Part 11 on Expropriation Plan YR1989614	Temporary Easement
23	Ghamooshi Ramandi, Vajihollah	2089 Highway 7 West	Part 12 on Expropriation Plan YR1989614	Temporary Easement
24	Sookram, David	2101 Highway 7 West	Part 13 on Expropriation Plan YR1989614	Temporary Easement
25	Kirylenka, Natallia	2113 Highway 7 West	Parts 14 and 15 on Expropriation Plan YR1989614	Temporary Easement
26	Vettese, Laura; Vettese, Aldo	2123 Highway 7 West	Parts 16 and 17 on Plan YR1989614	Temporary Easement
27	Tuazon-De Carlos, Grace; De Carlos, Mark Anthony; Tuazon, Evelyn	4 Keeleview Court	Part 3 on Expropriation Plan YR1989614	Temporary Easement
28	Sousa, Justino; Sousa, Maria	72 Hillside Avenue	Parts 18 and 19 on Expropriation Plan YR1989614	Temporary Easement

29	2112443 Ontario Limited	7733 Keele Street	Part 1 on Expropriation Plan YR1989641	Fee Simple
			Part 2 on Expropriation Plan YR1989641	Temporary Easement
30	Seven-Keele Limited	2267 Highway 7 West	Parts 4, 6 and 7 on Expropriation Plan YR1989641	Fee Simple
			Parts 5 and 8 on Expropriation Plan YR1989641	Temporary Easement
31	7700 Keele Street Limited	7700 Keele Street	Part 11 on Expropriation Plan YR1989641	Fee Simple
			Parts 12, 13 and 14 on Expropriation Plan YR1989641	Temporary Easement
32	Krinos Foods Canada Limited	251 Doney Crescent	Parts 4 and 5 on Expropriation Plan YR1989473	Fee Simple
			Parts 6, 7, 8 and 9 on Expropriation Plan YR1989473	Temporary Easement
33	Amfissa Holdings Ltd.	237 Doney Crescent	Part 1 on Expropriation Plan YR1989473	Fee Simple
			Parts 2 and 3 on Expropriation Plan YR1989473	Temporary Easement

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 key strategic transportation needs.

5. FINANCIAL IMPLICATIONS

The funds required to complete the property acquisitions were included in the 2013 YRRTC Capital Budget. The project is funded by the Province, via the Metrolinx Master Agreement.

6. LOCAL MUNICIPAL IMPACT

The construction of dedicated bus lanes and related facilities, as well as road and intersection improvements, from Highway 400 to the Barrie GO Transit railroad, is critical to the achievement of the vision for the corridor for both the Region and City of Vaughan. Additionally, this project will improve public transit facilities and enrich the streetscapes to support the Region's goal for higher density mixed use transit-oriented development.

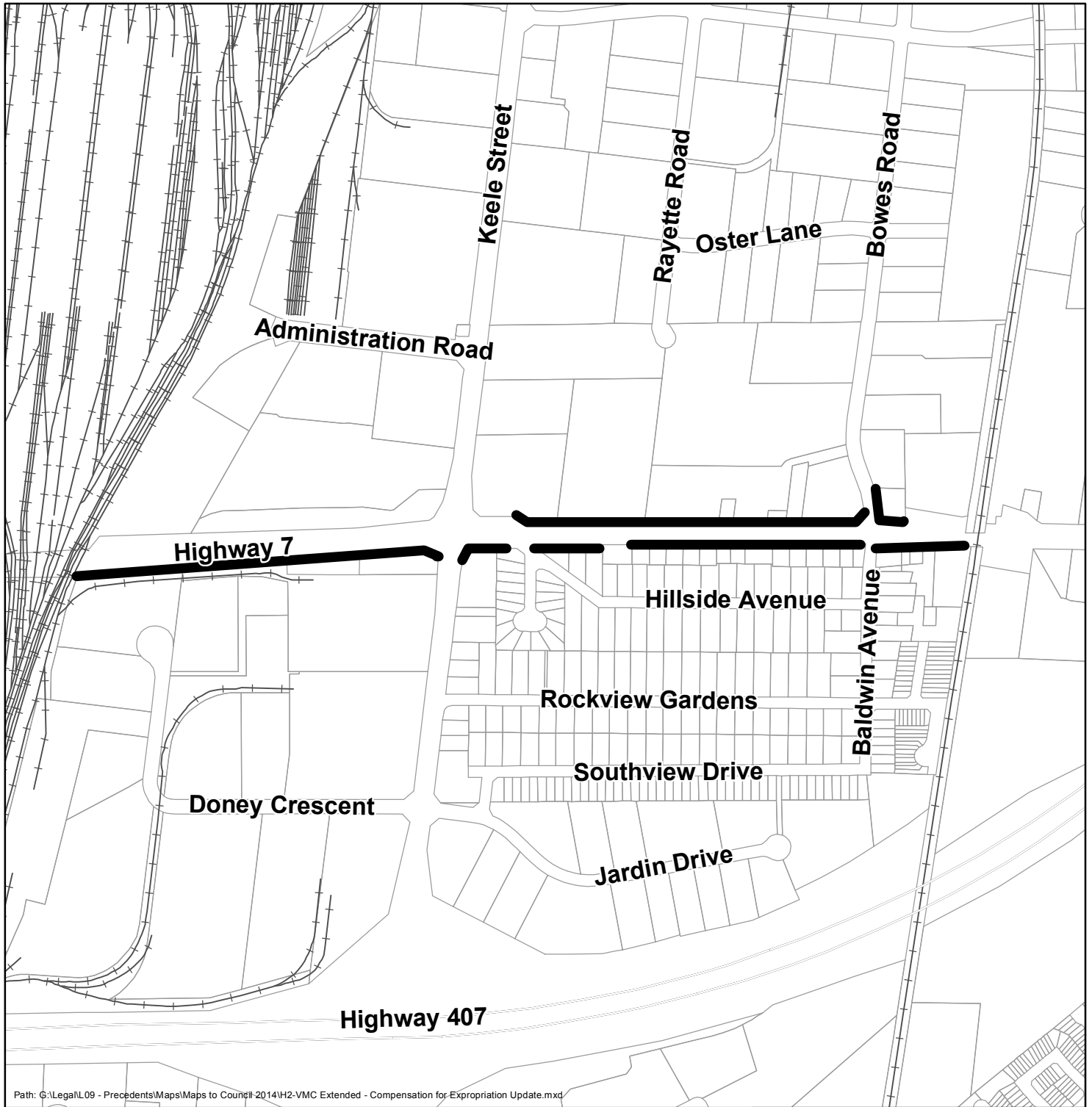
7. CONCLUSION

On June 13, 2013, expropriation plans were registered to acquire lands along a portion of Highway 7 West. The *Act* requires the Region to offer compensation to the registered owners of these expropriated lands. In order to expedite possession of the lands and reduce interest costs under the *Act*, it was necessary to obtain Council approval to serve section 25 offers prior to confirming the compensation to be offered to owners. The market value of these lands was subsequently established by accredited appraisers commissioned by the Region. The offers set out in this report have been served in accordance with the *Act*. This is a report back to Council confirming the amount of the offers served.

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)



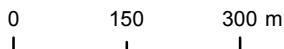
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LOCATION PLAN




Compensation for Expropriation Update
 Widening and Construction of Bus Rapid Transit Corridor
 Highway 7 West (H2-VMC Extended) vivaNext Project 90991
 City of Vaughan



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Legend

-  Subject Properties
-  Parcel
-  Railway