

Clause No. 6 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 held on February 20, 2014.

**6**  
**COMPENSATION FOR EXPROPRIATION**  
**RECONSTRUCTION AND RECONNECTION OF BATHURST STREET**  
**PROJECT 96020, TOWN OF EAST GWILLIMBURY AND TOWNSHIP OF KING**

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

**1. RECOMMENDATIONS**

It is recommended that:

1. Council authorize an offer of compensation under the *Expropriations Act* (the “Act”) to be made to all entitled owners for lands expropriated for the reconstruction and reconnection of Bathurst Street, in the Town of East Gwillimbury and Township of King.

No.	Owner	Municipal Address	Legal Description	Interest Required
1	Gagne, Jack Marcel Gagne, Sherry Christine	19776 Bathurst Street	Part 2, Plan 65R-33846 (being Part 1, Plan YR1856888, save and except Part 1, Plan 65R-33846 abandoned)	Fee Simple

**2. PURPOSE**

This report seeks Council approval to serve an offer of compensation under section 25 of the *Act* to owners whose lands have been expropriated for the reconstruction and reconnection of Bathurst Street, from Green Lane West to Highway 11, in the Town of East Gwillimbury and the Township of King.

### **3. BACKGROUND**

#### **Council authorized the expropriation of properties for the Bathurst Street project in June 2012**

On June 28, 2012, Council authorized the expropriation of properties required for the reconstruction and reconnection of Bathurst Street, from Green Lane West to Highway 11, in the Town of East Gwillimbury and Township of King. Expropriation plans were registered on July 19, 2012, and September 14, 2012, vesting ownership of the lands in the Region. The *Act* requires the Region to serve offers of compensation. These offers are based on appraisals of market value and injurious affection.

#### **Council approved the abandonment of part of Part 1 on Expropriation Plan YR1856888 on January 24, 2013**

By the registration of Expropriation Plan YR1856888 on July 19, 2012, the Region expropriated Part 1 from Jack Marcel Gagne and Sherry Christine Gagne. The subject property is improved with a residential dwelling, detached garage, well and septic, an automotive garage repair shop and a storage building. The impact to this property was severe. Subsequent to the registration of Expropriation Plan YR1856888, the road profile was lowered and design at this location modified to a curb and gutter section, which requires less land from the owners' property, and therefore, reduced the impact to the remaining property. The owners have agreed to accept the abandonment of Part 1 on Plan 65R-33846. On October 17, 2013, Council approved the compensation for expropriation for this property, which was not served on the owners due to delays, as a result of the abandonment. A new appraisal report, which is the subject of this report, has been prepared with an effective date of November 25, 2013.

#### **The Region must compensate for the remainder of the expropriated lands**

The Region still retains Part 2 on 65R-33846, which represents Part 1, Plan YR1856888, save and except Part 1, Plan 65R-33846, which was abandoned. This report seeks approval for compensation for the remaining lands required for the project.

### **4. ANALYSIS AND OPTIONS**

#### **An Independent appraisal report has established value which forms the basis of the offer**

An independent appraisal firm prepared an appraisal report estimating the market value of the subject property and any 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.

## **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 2014 Capital Budget, Capital Delivery – Roads, Transportation and Community Planning Department.

Under section 25 of the *Act*, the Region is obligated to serve offers of compensation on owners. The compensation payable to the owners is based on an independently commissioned appraisal, which has an updated effective date due to the abandonment.

## **6. LOCAL MUNICIPAL IMPACT**

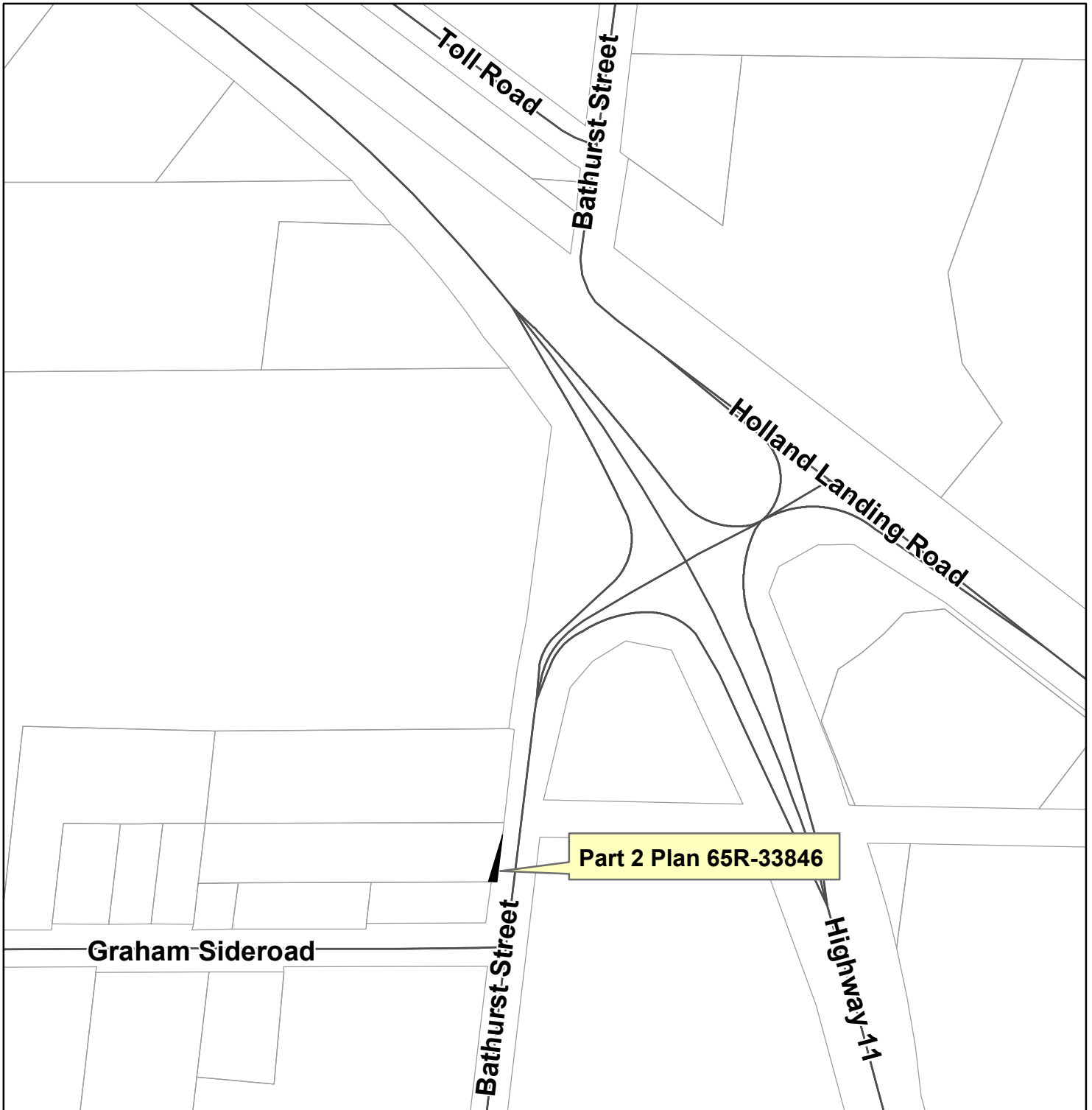
The reconstruction and reconnection of Bathurst Street, between Green Lane West and Highway 11, Town of East Gwillimbury and the Township of King, will provide an additional north-south route for anticipated traffic volumes, due to growth in the area.

## **7. CONCLUSION**

On July 19, 2012, the expropriation plan was registered with respect to certain lands required for the Bathurst Street project. The *Act* requires that the offers of compensation for expropriated lands be served on the former owners. It is recommended the offer 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 at Ext. 71684.

The Senior Management Group has reviewed this report.




### LOCATION MAP

COMPENSATION FOR EXPROPRIATION

Reconstruction and Reconnection of Bathurst Street, Project 96020

Town of East Gwillimbury and Township of King

#### Legend

 Subject Property



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Property Services Branch  
Corporate Services Department  
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