
Report of the Commissioner of Corporate Services

Compensation for Expropriation Widening and Reconstruction of Bathurst Street from Highway 7 to Major Mackenzie Drive, City of Richmond Hill and City of Vaughan

1. Recommendation

Council approve the Commissioner of Corporate Services to make offers of compensation to owners of lands in the Cities of Richmond Hill and Vaughan, as set out in Appendix A, which were acquired in accordance with the *Expropriations Act* (the *Act*).

2. Purpose

This report seeks Council approval to serve offers of compensation under section 25 of the *Act* to the property owners whose lands have been expropriated for the Bathurst Street widening project from Highway 7 to Major Mackenzie Drive, in the Cities of Richmond Hill and Vaughan. The property locations are in Appendix A.

Private Attachment 1 will be considered in private session pursuant to section 239(2)(c) of the *Municipal Act, 2001*, because it relates to acquisition of lands by the Region.

Key Points:

- In [May 2023](#), Council approved the commencement of the expropriation process for lands required for the widening of Bathurst Street from Highway 7 to Major Mackenzie Drive, in the Cities of Richmond Hill and Vaughan
- Expropriation plans were registered on January 22 and 23, 2024, transferring ownership of expropriated lands to the Region
- Construction is set to commence in spring 2025
- Owners must be served with offers of compensation pursuant to section 25 of the *Act* prior to the Region taking possession of expropriated lands

3. Background

The Region is planning to widen Bathurst Street from Highway 7 to Major Mackenzie Drive. Bathurst Street is the north-south boundary between Richmond Hill and Vaughan in the subject area, and this project involves widening the existing four-lane roadway to six lanes, including bike lanes, a landscaped median, noise barriers, culvert replacement, full illumination, and continuous sidewalks on both sides.

An Environmental Assessment was completed, and utility relocation started in spring 2018 wherein temporary easements were acquired to facilitate the project. Design revisions, including bike lane relocation, drainage realignment and additional utility relocation, led to construction rescheduled to commence Spring of 2025. Temporary easements originally acquired have expired, and the lands are still required to facilitate the project.

To avoid road construction taking place concurrently on Bathurst Street and Yonge Street, the Bathurst Street project was put on hold due to traffic congestion impacts. Upon recommencement of the project, design and documentation needed to be updated to finalize permits and incorporate new regulations and standards.

Council authorized initiation of expropriation process for Bathurst Street widening in May 2023

Council authorized the Application for Approval to Expropriate and Approval to Expropriate. There were no requests for a Hearing of Necessity from property owners. Following Council approval, a Notice of Application for Approval to Expropriate was served on property owners.

4. Analysis

This report is for the third of three steps in the Council approval process for expropriations

Upon approval of this third and final step by Council, the Region will serve an offer of compensation to the owner. Figure 1 summarizes three steps in the process for obtaining approval by Council for expropriation. Council authorized the first and second steps of the approval process.

Figure 1
Council Approval Steps



Possession of expropriated land will be obtained after serving offers of compensation

The Region acquired title to the lands when expropriation plans were registered at the Land Registry Office on January 22 and 23, 2024. Notices of Expropriation were sent to owners on February 14, 2024. In accordance with the *Act*, the Region cannot obtain possession until a minimum of three months after notifying owners that expropriation plans have been registered. It is necessary to make offers of compensation to owners to obtain possession of expropriation lands. Offers will be delivered in anticipation of possession of lands on May 24, 2024.

Independent appraisal reports established the values to form the basis of the offers of compensation

Independent appraisers were commissioned to provide estimates of value to support offers of compensation.

Section 25 of the *Act* requires the Region to make two offers of compensation to an owner. First is an offer of full compensation for market value of the land expropriated and any damages for loss of improvements and injurious affection. If the owners accept the offer, it is accepted in full satisfaction of any claims the owners may have with respect to the expropriation, with a few exceptions.

The second offer is to pay the owners market value of the land expropriated and does not include an offer to pay any other damages such as damages for loss of improvements or injurious affection. If the owners accept the second offer, the owners may make a future claim for additional compensation in accordance with the *Act*.

In the event the owner does not accept the first offer of compensation, staff will proceed to negotiate a full and final settlement.

Environmental due diligence has been completed

Environmental due diligence was completed for the subject properties. Results were reviewed by staff in consultation with Legal Services. No significant environmental issues were identified.

5. Financial Considerations

Funds required to support offers of compensation for property acquisitions for the project have been included in the 2023-2024 Capital Budget for Public Works, Transportation Services, Capital Planning and Delivery Branch.

6. Local Impact

Once construction is complete, widening and reconstruction of Bathurst Street will improve traffic operations for the travelling public and meet growth in the area. This project will further support the accommodation of forecasted growth in the Regional's Official Plan.

7. Conclusion

On January 22 and 23, 2024, expropriation plans were registered for lands required for Bathurst Street Road widening project in the City of Richmond Hill and the City of Vaughan. The *Act* requires that offers of compensation for expropriated lands be served on registered owners before taking possession. Proposed offers are based on values provided by independent appraisers. 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 at 1-877-464-9675 ext. 71684. Accessible formats or communication supports are available upon request.

Recommended by:



Dino Basso

Commissioner of Corporate Services

Approved for Submission:



Erin Mahoney

Chief Administrative Officer

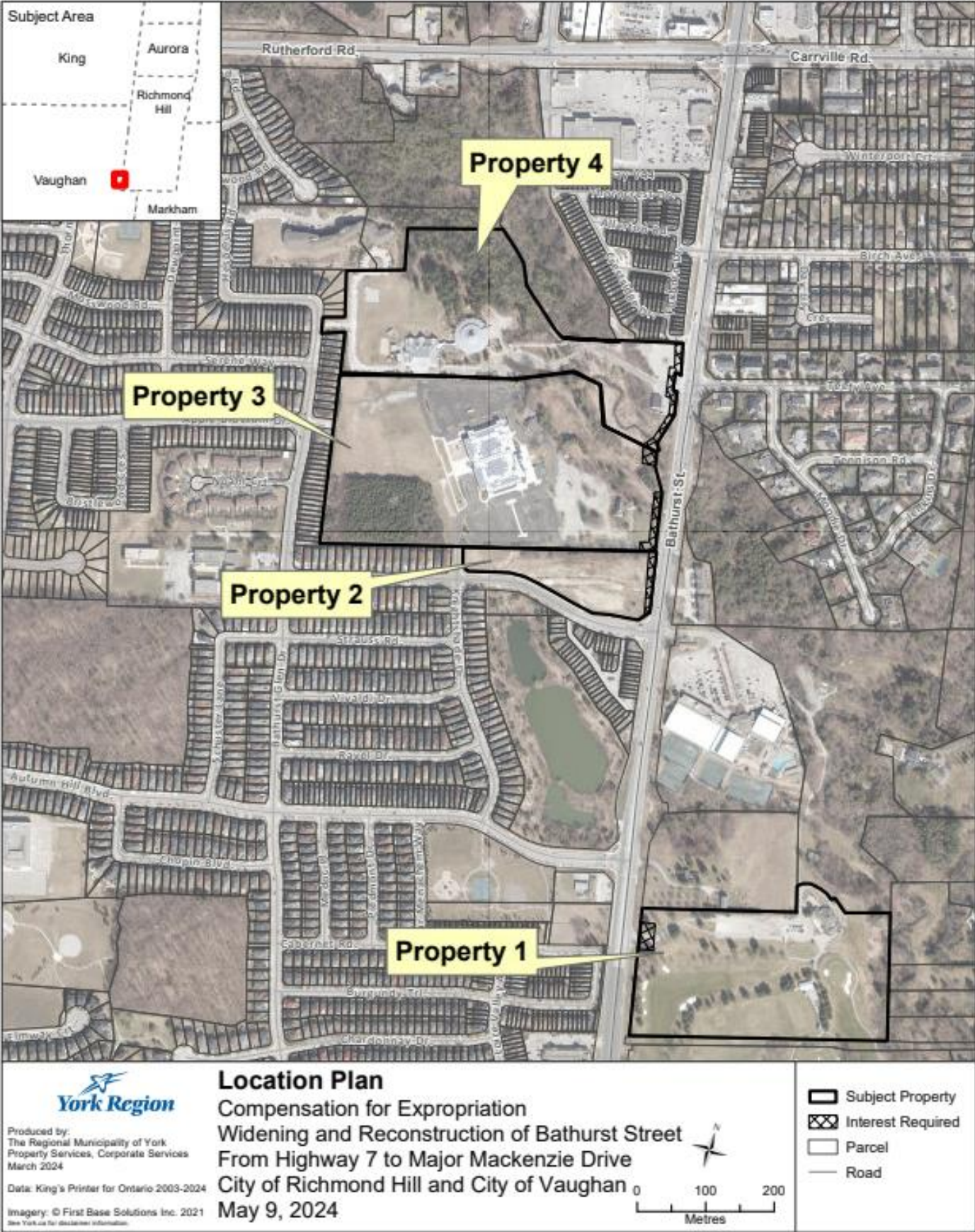
April 23, 2024
#15991004

Appendix A – Property Schedule and Location Map
Private Attachment 1 – Proposed Compensation (#15991014)

Property Schedule
Compensation for Expropriation
Widening and Reconstruction of Bathurst Street
from Highway 7 to Major Mackenzie Drive
City of Richmond Hill and City of Vaughan

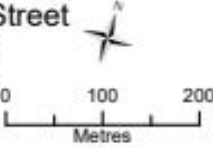
No.	Owner	Municipal Address	Legal Description	Interest Required
1.	625684 Ontario Limited	8755 Bathurst Street City of Richmond Hill	Part 1 Plan YR3639807	Temporary Easement (265.1 sq. m.)
2.	8940 Bathurst Street Ltd.	8940 Bathurst Street, City of Vaughan	Part 1 Plan YR3639947	Temporary Easement (185.7 sq. m.)
3.	Islamic Shia Ithna-Asheri Jamaat of Toronto	9000 Bathurst Street City of Vaughan	Parts 1, 2, 3 Plan YR3639781	Temporary Easement (946.7 sq. m.)
4.	The Toronto Waldorf School	9100 Bathurst Street City of Vaughan	Parts 1, 2, 3, 4, 5, 6 Plan YR3639791	Temporary Easement (614 sq. m.)

LOCATION MAP



Location Plan
 Compensation for Expropriation
 Widening and Reconstruction of Bathurst Street
 From Highway 7 to Major Mackenzie Drive
 City of Richmond Hill and City of Vaughan
 May 9, 2024

- Subject Property
- Interest Required
- Parcel
- Road



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