

The Regional Municipality of York

Committee of the Whole
Finance and Administration
April 11, 2019

Report of the Commissioner of Corporate Services

Compensation for Expropriation Yonge Street North of Green Lane Town of East Gwillimbury

1. Recommendation

Council approve the Commissioner of Corporate Services to make offers of compensation to the owners of lands in the Town of East Gwillimbury, as set out in Attachment 1, which were acquired in accordance with the *Expropriations Act* (the “Act”).

2. Summary

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 Yonge Street road widening project near Green Lane in the Town of East Gwillimbury. The locations of the properties are shown on the map in Attachment 2.

Private Attachment 1 to this report will be considered in private session as it relates to the acquisition of land by the Region.

Key Points:

- Expropriations for the project commenced in 2015, with the purpose of achieving a continuous 45 metre right-of-way width on Yonge Street from Davis Drive in the Town of Newmarket to Green Lane in the Town of East Gwillimbury
- Possession of the required land was obtained in 2018
- In 2018, the project’s detailed design phase identified the need for additional infrastructure, at the northwest corner of Yonge Street and Green Lane, in the Town of East Gwillimbury. As a result, the Region needs to expropriate land at the subject location
- Road construction is scheduled to commence in 2022

3. Background

The Region is planning to widen Yonge Street from four to six lanes, from Davis Drive in Newmarket to north of Green Lane in East Gwillimbury

An Environmental Assessment (EA) was completed in 2008, which recommended the widening of Yonge Street from four to six lanes with provisions for off street cycling and protection for future rapid transit development from Davis Drive to Green Lane.

The subject lands are additional to lands previously acquired for the Yonge Street widening project

In [June 2016](#), Council authorized the expropriation of 26 property owners along Yonge Street between Davis Drive and Green Lane, to ensure that a 45 metre right-of-way width was owned for road widening purposes. The subject lands were not part of the original requirements.

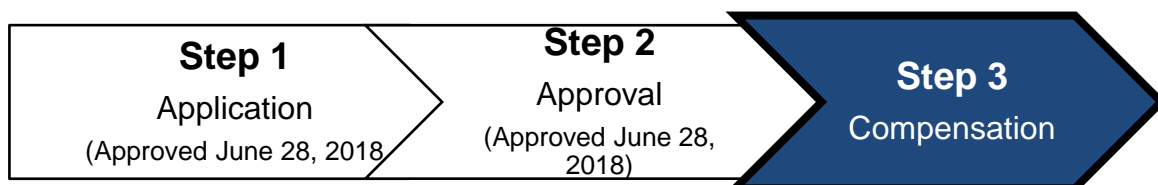
As detailed engineering design progressed, it was determined that additional lands were required to accommodate utility relocations and an enlarged YRT bus shelter pad. The requirements are located on two properties at the northwest quadrant of Yonge Street and Green Lane. The timing of acquiring the subject lands through expropriation will not affect the construction schedule for the project.

In [June 2018](#), Council authorized expropriation of the two subject properties. There were no requests for Hearings of Necessity.

This report seeks Council authorization to serve offers of compensation

This report requests Council authorization to issue offers of compensation to two owners that the Region requires land from for the project. This is the third of three steps in the Council approval process for property expropriation, as indicated in Figure 1 below.

Figure 1
Council Approval Steps



4. Analysis

Expropriation plans have been registered for the subject lands

The Region acquired title to the lands when the expropriation plans were registered at the Land Registry Office. Although the Region obtained ownership of the land when the expropriation plan was registered, possession is only obtained after the section 25 offers of compensation have been served. Possession of the lands is anticipated for May, 2019.

Independent appraisal reports provide the value which forms the basis of the offers

Independent appraisals were commissioned to provide the offers of compensation. Section 25 of the *Act* requires the Region to make two offers of compensation to an owner. The first is an offer of full compensation for the market value of the lands expropriated. If the owner accepts the offer, then the owner, with a few exceptions, accepts the offer in full satisfaction of any claims the owner may have with respect to the expropriation. The second is an offer to pay the owner the market value of the lands expropriated, but permits the owner to make a future claim for additional compensation in accordance with the *Act*.

Environmental due diligence has been undertaken

As part of the environmental due diligence process, a Contamination Overview Study (COS) was completed by external engineering design consultants to identify potential environmental concerns. Legal Services was consulted about the results of the COS and the need for further investigations. No concerns were identified and no further action is required.

5. Financial

The funding required to complete the property acquisition for these properties has been included in the 2019 Capital Budget for Transportation Services, Capital Planning and Delivery Branch.

6. Local Impact

The subject lands will be incorporated into the Yonge Street widening project. Once construction is complete, the six lanes of traffic will improve traffic operations for the travelling public, meet growth in the area, and allow for future rapid transit improvements.

7. Conclusion

In December 2018 and February 2019, the Region registered expropriation plans to acquire the lands required for the Yonge Street road widening project, from two properties at the northwest corner of Yonge Street and Green Lane. The *Act* requires the Region to serve offers of compensation on expropriated owners before obtaining possession. Offers are based on appraisals provided by independent appraisers commissioned by the Region. It is recommended the offers set out in these appraisals 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:

Bruce Macgregor
Chief Administrative Officer

March 29, 2019
Attachments (2)
Private Attachments (1)
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