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Report of the Commissioner of Corporate Services

**Expropriation of Land and Compensation for Expropriation - North YDSS  
Expansion Program –Town of East Gwillimbury, Town of Newmarket and Town  
of Aurora**

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**1. Recommendations**

1. Council approve an application for approval to expropriate interests in land set out in Appendix A, required for the York Region Sewage Works Project - North York Durham Sewage System (“North YDSS”) Expansion Program, in the Town of East Gwillimbury, Town of Newmarket, and Town of Aurora.
2. Commissioner of Corporate Services be authorized to execute the Application for Approval to Expropriate Land and the Notice of Application for Approval to Expropriate Land (the “Notice”) and serve and publish the Notice, as required under the *Expropriations Act* (the “Act”).
3. Council, as approving authority, approve the expropriation of interests in the land set out in Appendix A.
4. Where approval to expropriate land is given, Council authorize the introduction of the necessary bylaw to give effect to these recommendations.
5. Where approval to expropriate the interests in land is given, the Commissioner of Corporate Services be authorized to register expropriation plans and execute and serve any notices required under the Act.
6. Council approve the Commissioner of Corporate Services to make offers of compensation to owners of interests in land that were acquired in accordance with the Act.
7. Staff report back to Council on all offers of compensation made.
8. Where any owner is agreeable to the conveyance of the interests in land identified in Appendix A prior to expropriation, the Commissioner of Corporate Services be authorized to execute all necessary agreements to implement the amicable transactions negotiated with

the respective owners, including agreements pursuant to Sections 24 and 30 of the Act, provided that the compensation payable under any such agreement, whether as full and final compensation or as an advance of compensation under Sections 24 or 30 of the Act, does not exceed the amount specified for the applicable property in Private Attachment to this report.

## 2. Purpose

This report seeks Council approval to expropriate interests in land for the North YDSS Expansion (the “Program”) in the Towns of East Gwillimbury, Newmarket, and Aurora. This report also 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 Program. Property locations are shown on the maps 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 land by the Region.

### Key Points:

- Regional Municipalities of York and Durham are working together to carry out the York Region Sewage Works Project, a long-term wastewater infrastructure project across the Towns of East Gwillimbury, Newmarket, Aurora, Ajax, and the Cities of Markham, Richmond Hill, and Pickering
- York Region Sewage Works Project will add or expand wastewater sewers, pumping stations, and enhancements to the Duffin Creek Water Pollution Control Plant on the shore of Lake Ontario in the City of Pickering
- Subject properties are key sites for a future trunk sewer and connection chambers, and construction compounds and work areas. Temporary easements are required for construction uses. Permanent easements are required for the extension of sewer lines, connection chambers, and connections for existing and future pumping stations
- Due to a strict construction timeline, this report combines all three steps in the expropriation process that require Council approval: the request to authorize an application for approval to expropriate lands, expropriation itself, and offers of compensation made to the owners of the lands
- Subject parcels are vacant development lands required before development can begin and a golf course in Aurora
- The alignment will run along the 2nd Concession Road right-of-way in East Gwillimbury, with some minimal impacts along the road frontage of the sites and launching chambers and construction compounds located at key corner sites

- The sewer will also run along the existing sewer pipe, along the west limit of the golf course site, and will be a long, linear project with micro-tunneling and minimal surface impacts. There will be a staging area at the north side of the existing pumping station
- Staff are working closely with the golf course owner to minimize business disruption from the project

### 3. Background

#### **The need to expand sewers south to Lake Ontario is identified in the *Supporting Growth and Housing in York and Durham Regions Act, 2022***

The previously proposed wastewater treatment solution, known as Upper York Sewage Solutions, was based in the Lake Simcoe watershed to support growth in York Region's northern municipalities. *Supporting Growth and Housing in York and Durham Regions Act, 2022* mandated the project be changed to a Lake Ontario solution, directing, transporting, and treating wastewater at the Duffin Creek Water Pollution Control Plant on the shore of Lake Ontario in the City of Pickering in Durham Region.

As detailed in the update to Council on [April 25, 2024](#), the Minister of the Environment, Conservation and Parks confirmed York and Durham Regions satisfied conditions of the *Supporting Growth and Housing in York and Durham Regions Act*, to proceed with implementation of the Project.

#### **The North YDSS Expansion is one of three programs associated with the York-Durham Sewage System**

York Region Sewage Works Project consists of 28 infrastructure components divided into three programs: 1) North YDSS Expansion, 2) South YDSS Expansion, and 3) YDSS Primary System Expansion.

This report is for property requirements to support the North YDSS Expansion.

#### **Lands are required for trunk sewer construction and future infrastructure**

Seven properties were identified as key to the Program.

Permanent easements are needed for trunk sewer alignment and future infrastructure, including diversion chambers for twinning the existing sewers that lead to the Newmarket Sewer Pumping Station, the 2nd Concession sewer pumping station, and St. John's Sewer Pumping Station to the south. Temporary easements are needed for compounds and grading during the construction period.

These properties are in the immediate area and deemed most suitable as they are directly adjacent to the existing sewer pumping stations and on the alignment route for the new sewer.

## 4. Analysis

### **Initiating expropriation will allow timely access to the lands while negotiations continue with owners**

Negotiations with owners are ongoing and will continue throughout the expropriation process. Staff are working with owners to minimize impacts on existing businesses and future development. If a negotiated transaction cannot be completed in a timely manner, expropriation is deemed a necessary approach to ensure timely possession of property requirements.

To secure possession for the Program, it is recommended the expropriation process proceed concurrently with ongoing negotiations.

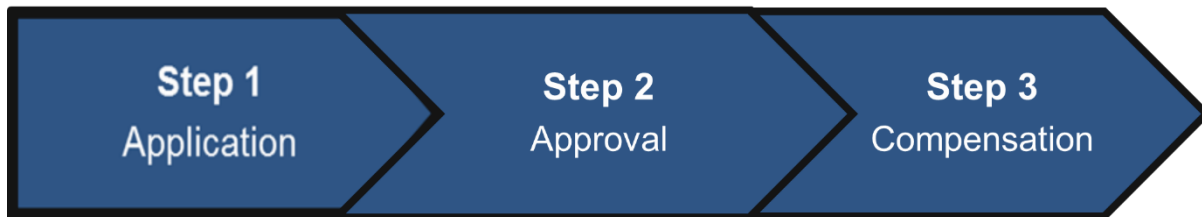
Possession is needed during Q3 2026 for work to begin in Q4 2026.

### **Council approval is required at three stages of expropriation process**

Three stages of expropriation require Council approval: the request to authorize an application for approval to expropriate lands, expropriation itself, and offers of compensation made to the owner of the land, as indicated in Figure 1.

To ensure possession meets the construction schedule, the three steps have been combined in this report. Possession of land cannot be obtained until offers of compensation are served upon the owners.

**Figure 1**  
**Council Approval Steps**



### **Owners will receive a Notice of Application for Approval to Expropriate without a Hearing of Necessity requirement**

The first step in the expropriation process is to serve the registered owners with a Notice of Intention to Expropriate, following Council approval. As this is a Provincially mandated program, part of Bill 23, *More Homes Built Faster Act, 2022*, these sites are precluded from requiring a Hearing of Necessity under the *Expropriations Act*, which will expedite the expropriation process.

## **Registration of expropriation plans will secure title to interest in the lands**

Expropriation plans will be registered at the Land Registry Office within three months of Council granting approval of a bylaw to proceed with expropriation. This is the second step in the expropriation process; registration is anticipated in Q1 2026.

Registration of expropriation plans is a key step in the process. It is at this point the Region acquires title to interest in the lands. However, further steps are required to obtain possession, or the right to access the lands.

Following registration of the expropriation plans, notices of expropriation and possession will be served on the owners. Under the Act, possession of interest in the land is to take place no sooner than three months after registration of expropriation plans. In addition, offers of compensation must be served on owners to obtain possession.

## **Independent appraisal reports will establish values to form the basis of offers of compensation**

Independent appraisal reports will be commissioned to provide estimates of value to support offers of compensation, the third of the three steps summarized in Figure 1.

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. The second offer is to pay market value of the land expropriated and does not include an offer to pay any other damages such as loss of improvements or injurious affection.

If an owner accepts the first compensation offer, it is accepted in full satisfaction of any claims the owner may have with respect to expropriation, with a few exceptions. In the event an owner accepts the second offer or does not accept either offer, further negotiations will be required to obtain a full and final settlement.

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

The Region will acquire title to the lands when expropriation plans are registered at the Land Registry Office and Notices of Expropriation have been sent to owners. 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.

## **Environmental due diligence is underway**

Environmental due diligence is underway for the properties. Results of environmental due diligence will be reviewed by staff in consultation with Legal Services and, if necessary, steps will be taken to minimize the Region's exposure to environmental risk and liability. Staff may report to Council with recommendations depending on the nature and extent of the impacts.

## 5. Financial Considerations

This report does not present current or anticipated financial changes to the Region’s budget or fiscal position. Funding required to complete property acquisitions for these properties has been included in the 2026 Capital Budget for Public Works – Environmental Services.

## 6. Local Impact

The Program will provide wastewater servicing to accommodate anticipated growth in York and Durham Regions to 2051. The primary function is to service growth in Towns of Aurora, East Gwillimbury, and Newmarket.

## 7. Conclusion

This report seeks Council approval to authorize expropriation of temporary and permanent easements from seven properties to support the Program. This Program is essential for long term development and growth as it increases overall Regional sewer capacity. To facilitate the Program schedule, it is necessary to initiate the expropriation process.

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 the offers set out in this report be served in accordance with the Act and Council approve the offers of compensation to the owners of the lands needed for the Program.

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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

February 17, 2026

16939311

Appendix A – Property Schedule and Location Map  
Private Attachment 1 – Proposed Compensation (16939348)

**Property Schedule**  
**Expropriation of Land and Compensation for Expropriation**  
**North YDSS Expansion Program**  
**Town of East Gwillimbury, Town of Newmarket and Town of Aurora**

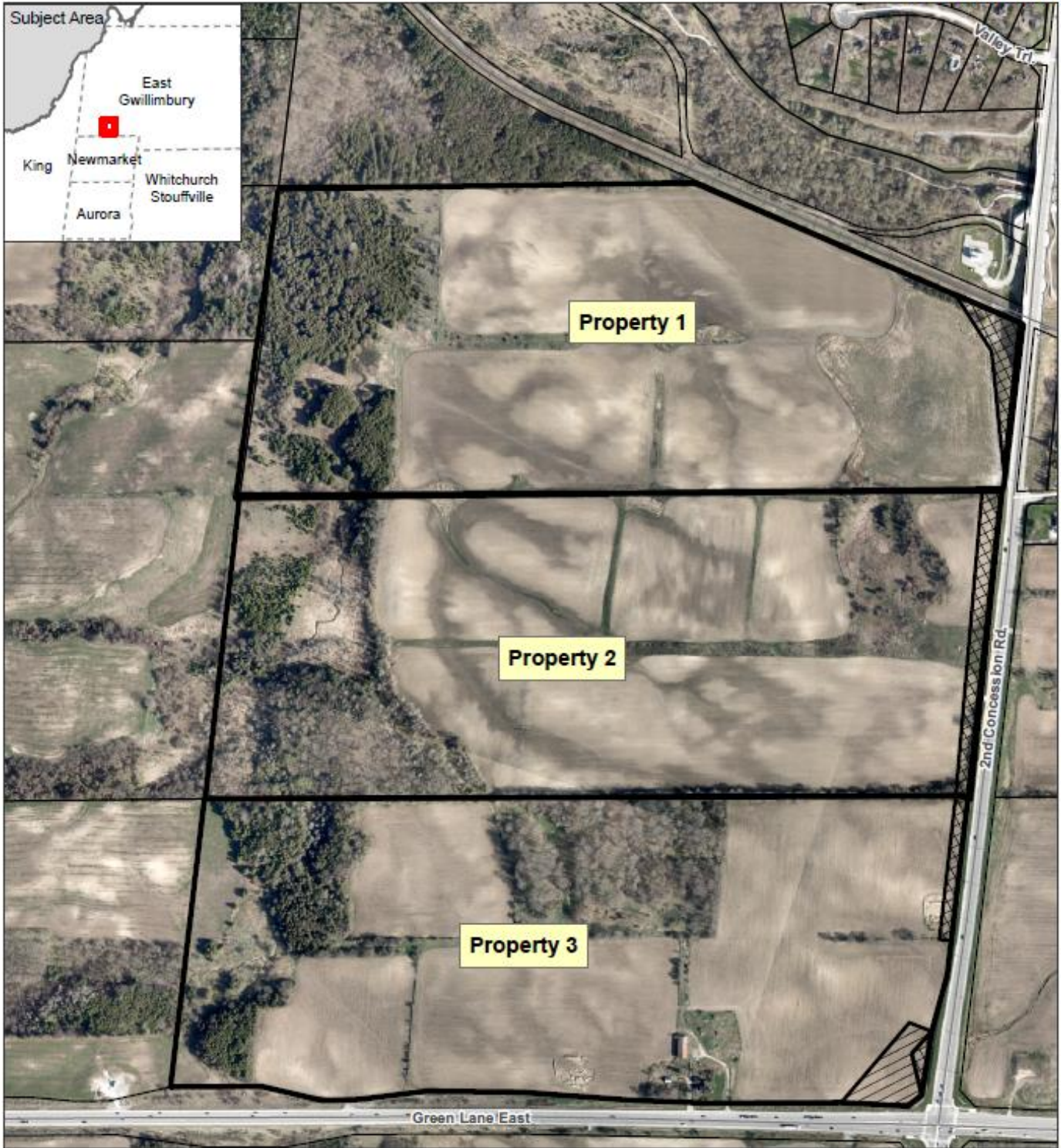
<b>No.</b>	<b>Owner</b>	<b>Municipal Address</b>	<b>Legal Description</b>	<b>Interest Required</b>
1.	Cassius Developments Inc.	18624 Concession Road, Town of East Gwillimbury	Part of Lot 103, Concession 1, East of Yonge Street, Town of East Gwillimbury	Permanent Easement (6,436 sq. m)
				Temporary Easement (7,920 sq. m)
2.	Farm Cove Homes Inc.	18474 2nd Concession Road, Town of East Gwillimbury	Part of Lot 102, Concession 1, East of Yonge Street, Town of East Gwillimbury	Permanent Easement (1,663 sq. m)
3.	Welland Land Development Inc.	574 Old Green Lane, East Gwillimbury	Part of Lot 101, Concession 1, Parts 1-3 on 65R34651, East of Yonge Street, Town of East Gwillimbury	Permanent Easement (1,526 sq. m)
				Temporary Easement (6,363 sq. m)
4.	Squared Circle Developments Inc.	842 Green Lane, East Gwillimbury	Part of Lot 6, Concession 2; being Part 1 on Plan 65R32973, and Road Allowance between Lots 5 and 6, Concession 2, Town of East Gwillimbury	Permanent Easement (464 sq. m)
5.	Ladyfield Construction Limited	Southeast Corner of Green Lane and Main Street, Town of East Gwillimbury	Part of Lot 5, Concession 2; being Part 2 on Plan 65R24717, Town of East Gwillimbury	Permanent Easement (37 sq. m)
6.	Ladyfield Construction Limited	South Side of Green Lane, East of 2nd Concession Road, Town of East Gwillimbury	Part of Lot 5, Concession 2; being Part 2 on Plan 65R16767 and Parts 3 & 4 on Plan 65R6258, Town of East Gwillimbury	Permanent Easement (11,185 sq. m)
				Temporary Easement (5,909 sq. m)



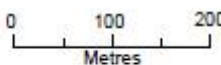





7.	St Andrews Valley Golf Club Ltd.	4 Pinnacle Trail, Town of Newmarket Town of Aurora	Part Lot 86, Concession 1 EYS, Part 1 & 2 Plan 65R14488, and Block 51 on Plan 65M3129 Town of Aurora	Permanent Easement (11,933 sq. m)
				Temporary Easement (2,068 sq. m)

*The temporary easements required are described as a temporary limited interest commencing on registration of the plan of expropriation and expiring 60 months after registration in, under, over, along and upon and for municipal purposes including, but not limited to, entering on the lands with all vehicles, machinery, workers and other material for construction purposes, which may include (1) relocation of existing services and utilities, (2) work that supports the construction of municipal infrastructure within the Region’s permanent takings, (3) staging and storage of materials and equipment, (4) geotechnical investigations, borehole drilling, installation of temporary monitoring wells, and other investigative works, (5) removal, relocation and/or installation of signage, (6) hard and soft landscaping, tree planting, paving, retaining structures, grading and reshaping the lands to the limit of the reconstruction of the municipal road fronting the lands herein described, (7) the installation and removal of temporary (i) pedestrian access and walkways, (ii) parking measures including re-striping of aisles, lanes, and parking stalls, (iii) shoring and formwork, (iv) drainage and erosion/sediment control measures (v) traffic signals, (vi) fencing, (vii) handrails, (viii) sidewalks, and (8) removal and replanting of vegetation, and (9) works ancillary to any of the foregoing and necessary to the works to be performed in association with the purpose of installing a new trunk sewer as part of the North York Durham Sewar Sewage System Expansion project and works ancillary thereto.*

*The permanent easements required are described as a limited interest in perpetuity in, under, over, along and upon and for municipal purposes including, but not limited to, entering on the lands with all vehicles, machinery, workmen and other material (i) to construct and maintain permanent municipal infrastructure which may include operation, installation, addition to, maintenance, relocation and/or removal of a sanitary sewer, and (ii) for construction purposes which include, but are not limited to, (1) relocation of existing services and utilities, (2) staging and storage of materials and equipment, (3) geotechnical investigations, borehole drilling, installation of temporary monitoring wells, and other investigative works, (4) removal, relocation and/or installation of signage, (5) hard and soft landscaping, paving, grading and reshaping the lands to the limit of the reconstruction of municipal road fronting the lands herein described, (6) the installation and removal of temporary (i) pedestrian access and walkways, (ii) parking measures including re-striping of aisles, lanes, and parking stalls, (iii) shoring and formwork, (iv) drainage and erosion/sediment control measures, (v) traffic signals, (vi) fencing, and (vii) handrails, (7) removal and replanting of vegetation, and (8) works ancillary to any of the foregoing and necessary to the works to be performed in association with the purpose of installing a new a new trunk sewer as part of the North York Durham Sewar Sewage System Expansion project and works ancillary thereto.*

**LOCATION MAP**



 <p><b>York Region</b></p> <p>Produced by: The Regional Municipality of York Property Services, Corporate Services December 2025</p> <p>Data: King's Printer for Ontario 2003-2025 Imagery: © First Base Solutions Inc. 2021 <small>See York.ca for disclaimer information.</small></p>	<p><b>Location Plan</b> Expropriation of Land and Compensation for Expropriation North YDSS Expansion Program Town of East Gwillimbury, Town of Newmarket and Town of Aurora March 5, 2026</p> <div style="text-align: right;">    </div>	<ul style="list-style-type: none"> <li> Subject Property</li> <li> Permanent Easement</li> <li> Temporary Easement</li> <li> Parcel</li> <li> Railway</li> </ul>
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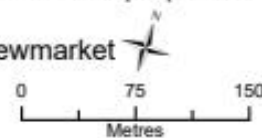
**LOCATION MAP**



**York Region**  
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 January 2026  
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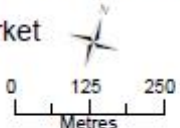






**Location Plan**  
 Expropriation of Land and Compensation for Expropriation  
 North YDSS Expansion Program  
 Town of East Gwillimbury, Town of Newmarket  
 and Town of Aurora  
 March 5, 2026

- Subject Property
- Permanent Easement
- Parcel
- Road
- Road
- Railway



**LOCATION MAP**



 <p><b>Location Plan</b>                  Expropriation of Land and Compensation for Expropriation                  North YDSS Expansion Program                  Town of East Gwillimbury, Town of Newmarket                  and Town of Aurora                  March 5, 2026</p> <p><small>Produced by:                  The Regional Municipality of York                  Property Services, Corporate Services                  December 2025</small></p> <p><small>Data: King's Printer for Ontario 2003-2025                  Imagery: © First Base Solutions Inc. 2021                  See York.ca for disclaimer information.</small></p>		<ul style="list-style-type: none"> <li> Subject Property</li> <li> Permanent Easement</li> <li> Temporary Easement</li> <li> Parcel</li> <li> Road</li> <li> Railway</li> </ul>
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**LOCATION MAP**



**Property 7**

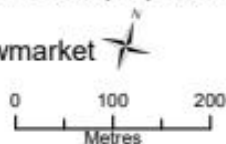


**Location Plan**

Expropriation of Land and Compensation for Expropriation  
 North YDSS Expansion Program  
 Town of East Gwillimbury, Town of Newmarket  
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- Subject Property
- Permanent Easement
- Temporary Easement
- Parcel
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- Railway

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