
Report of the Commissioner of Corporate Services

**Expropriation of Land 16th Avenue from Warden Avenue to Kennedy Road,
City of Markham**

1. Recommendations

1. Council approve an Application for Approval to Expropriate the interests in land set out in Appendix A, for road widening and improvements of 16th Avenue from Warden Avenue to Kennedy Road, City of Markham.
2. The 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 to serve and publish the Notice, as required under the *Expropriations Act* (the “Act”).
3. The Commissioner of Corporate Services be authorized to forward to the Chief Inquiry Officer any requests for an inquiry received and to represent the Region at an inquiry (Hearing of Necessity) held under the Act.
4. Council, as approving authority, approve the expropriation of the interests in land provided there is no Hearing of Necessity requested and not withdrawn in accordance with the Act.
5. Where approval to expropriate the land is given, the Commissioner of Corporate Services be authorized to register a plan of expropriation and execute and serve any Notices required under the Act.
6. Where approval to expropriate the land is given, Council authorize the introduction of the necessary bylaw to give effect to these recommendations.

2. Purpose

This report seeks Council approval to expropriate land for road widening and traffic improvement work on 16th Avenue from Warden Avenue to Kennedy Road. The corridor is shown on the map in Appendix A.

Key Points:

- 16th Avenue is to be widened and urbanized from Leslie Street, City of Richmond Hill to Kennedy Road, City of Markham
- This phase of the project requires lands in fee simple and temporary easements to accommodate construction
- Expropriation of the lands required for the project is recommended to ensure possession in a timely manner to allow utility relocations and construction to commence in 2028

3. Background

16th Avenue is a key corridor in the Region's Road, Transit and Active Transportation network

The Region is improving the 16th Avenue corridor with additional lanes for transit, high occupancy vehicles and active transportation facilities. A Municipal Class Environmental Assessment for 16th Avenue between Leslie Street and York Durham line was completed in August 2020. The implementation of design and works along 16th Avenue is scheduled in phases. Design and property acquisition is complete and construction is scheduled to start in 2026 on the Leslie Street to Warden Avenue phase of the project. The Region is currently undertaking detailed design and property acquisition for the Warden Avenue to Kennedy Road phase of this project. Future expansion of 16th Avenue beyond Kennedy Road has not yet been scheduled.

4. Analysis

Initiating expropriation will allow timely access to land

Staff have contacted owners to commence negotiations and will endeavour to acquire lands through agreements of purchase and sale throughout the expropriation process. If negotiated transactions cannot be completed to meet the project schedule, expropriation is necessary to ensure timely possession of property requirements. Possession is needed to commence road construction in the spring of 2028.

Council approval is required at three stages of the expropriation process

Three stages of expropriation requiring Council approval include the request to Council to authorize an application for approval to expropriate land, expropriation itself, and offers of compensation to owners of the lands.

To ensure possession meets the construction schedule, first and second steps in the Council approval process have been combined for this report, as indicated in Figure 1. The third step will be subject of a future report to Council if the expropriation proceeds.

Possession of land cannot be obtained until this third step has been completed and owners are served offers of compensation.

**Figure 1
Council Approval Steps**



Owners have the right to request a Hearing of Necessity upon receipt of a Notice of Application for Approval to Expropriate

The first step in expropriation is to serve registered owners with a notice of intention to expropriate, following Council approval. Upon receipt of the Notice of Application for Approval to Expropriate, owners have the right within 30 days of receipt to request an inquiry (Hearing of Necessity) to determine whether taking of the land by the Region is fair, sound and reasonably necessary.

If an owner requests a Hearing of Necessity, then after the Hearing, an Inquiry Officer will provide a report providing an opinion as to whether the taking is fair, sound and reasonably necessary.

Registration of expropriation plans will secure title to interest in the land by the Region

If no Hearing of Necessity is requested, expropriation plans will be registered at the Land Registry Office within three months of Council approving a bylaw to proceed with expropriation. This is the second step in the process, with registration of plans anticipated in late December 2027.

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

Following registration of expropriation plans, notices of expropriation and possession will be served on owners. Under the Act, possession of 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.

Environmental due diligence has been completed

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

5. Financial Considerations

This report does not present current or anticipated financial changes to the Region's budget or fiscal position. A future report will be presented to Council to request approval to serve offers of compensation in accordance with the Act. Funding required to complete acquisition of properties has been included in the 2026 Capital Budget for Public Works – Transportation Services.

6. Local Impact

Widening and reconstructing 16th Avenue will improve traffic operations for the travelling public and support the 2014 Markham Official Plan, which calls for the Region to support the City of Markham in its goal to manage forecasted growth. In addition, the widening and reconstruction of 16th Avenue aligns with Public Works 2026 budget, specifically pillar three – Keeping People, Goods and Information Moving.

7. Conclusion

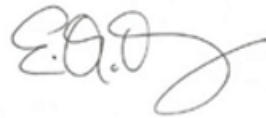
This report seeks Council approval to authorize expropriation of fee simple and temporary easement rights for next phase of widening 16th Avenue between Warden Avenue and Kennedy Road in the City of Markham. To facilitate the project schedule, it is necessary to initiate the expropriation process. Staff will continue to negotiate acquisitions of required property and expropriation proceedings will be discontinued if negotiations are successful.

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 21, 2026
17134284

Appendix A – Property Schedule and Location Map

Property Schedule
Expropriation of Land
16th Avenue Warden Avenue to Kennedy Road
City of Markham

No.	Owner	Municipal Address	Legal Description	Interest Required
1.	Helen Mah	26 Briarwood Road	Parts 25 & 26 Plan 65R41628	Temporary Easement (36.6 sq. m.)
2.	James Christopher Strasser Karen Killop Strasser	24 Briarwood Road	Parts 23 & 24 Plan 65R41628	Temporary Easement (36.6 sq. m.)
3.	Chunni Lue Jason Lue	17 Delhi Crescent	Parts 1 & 2 Plan 65R41606	Temporary Easement (36.6 sq. m.)
4.	Yingjiu Jin Bo Xu	19 Delhi Crescent	Parts 3 & 4 Plan 65R41606	Temporary Easement (36.6 sq. m.)
5.	Benson Hong	21 Delhi Crescent	Parts 5 & 6 Plan 65R41606	Temporary Easement (36.6 sq. m.)
6.	Sydney Yip	23 Delhi Crescent	Parts 7 & 8 Plan 65R41606	Temporary Easement (36.6 sq. m.)
7.	Ming Wei Lin	25 Delhi Crescent	Parts 9 & 10 Plan 65R41606	Temporary Easement (36.6 sq. m.)
8.	Christine Nikolovski Goran Nikolovski	27 Delhi Crescent	Parts 11 & 12 Plan 65R41606	Temporary Easement (36.6 sq. m.)
9.	Clara Ho Jason Lau	5 Ritter Crescent	Parts 9 & 10 Plan 65R41624	Temporary Easement (36.6 sq. m.)
10.	Robert Sarkissian Ella Hakubian	7 Ritter Crescent	Parts 11 & 12 Plan 65R41624	Temporary Easement (43.7 sq. m.)
11.	Yvonne Seong Cheng Yue	9 Ritter Crescent	Parts 13 & 14 Plan 65R41624	Temporary Easement (53.1 sq. m.)

No.	Owner	Municipal Address	Legal Description	Interest Required
12.	Jamaludin Gillani Asmita Gillani	11 Ritter Crescent	Parts 15 & 16 Plan 65R41624	Temporary Easement (99 sq. m.)
13.	Richard Alan Lam	15 Ritter Crescent	Parts 17 & 18 Plan 65R41624	Temporary Easement (30.6 sq. m.)
14.	Sami Louli Denise Yvonne Louli	144 Aitken Circle	Parts 1 & 2 Plan 65R41637	Temporary Easement (48.1 sq. m.)
15.	Lisa Danielle Burns Garfield Henry Burns	142 Aitken Circle	Parts 3 & 4 Plan 65R41637	Temporary Easement (30.8 sq. m.)
16.	Mei Fang Zhang	140 Aitken Circle	Parts 5 & 6 Plan 65R41637	Temporary Easement (30.8 sq. m.)
17.	Lok Chun Chan Kwun Yiu Chan	138 Aitken Circle	Parts 7 & 8 Plan 65R41637	Temporary Easement (30.8 sq. m.)
18.	Maureen Lynne Buckley Donald Scott Buckley	136 Aitken Circle	Parts 9 & 10 Plan 65R41637	Temporary Easement (61.7 sq. m.)
19.	Bernice Sibelle Lee	134 Aitken Circle	Parts 11 & 12 Plan 65R41637	Temporary Easement (75.1 sq. m.)
20.	Daniel Cairns Dian Cairns	132 Aitken Circle	Parts 13 & 14 Plan 65R41637	Temporary Easement (3.9 sq. m.)
21.	Anasir Remtulla Rosemin Remtulla	1 Country Estates Drive	Parts 5 & 6 Plan 65R41648	Fee Simple (133 sq. m.)
			Parts 1, 2, 3, 4 & 7 Plan 65R41648	Temporary Easement (104 sq. m.)
22.	Ling Hing Lai Timen Pak-Wing Ho	2 Country Estates Drive	Part 2 Plan 65R41638	Fee Simple (158.4 sq. m.)
			Part 1 Plan 65R41638	Temporary Easement (209.2 sq. m.)
23.	K Mcguire Investments Inc.	9 Country Estates Drive	Part 10 Plan 65R41648	Fee Simple (85 sq. m.)
			Parts 8 & 9 Plan 65R41648	Temporary Easement (70 sq. m.)

No.	Owner	Municipal Address	Legal Description	Interest Required
24.	Carole Susan Holt Geoffrey Francis Armitage Holt	11 Country Estates Drive	Part 13 Plan 65R41648	Fee Simple (64 sq. m.)
			Parts 11 & 12 Plan 65R41648	Temporary Easement (77 sq. m.)
25.	Ke Xin Nan Xia	15 Country Estates Drive	Parts 14 & 15 Plan 65R41648	Temporary Easement (83 sq. m.)
26.	Teresa Ka Wai Fung Jason Aaron Cropley	17 Country Estates Drive	Parts 16, 17 & 18 Plan 65R41648	Temporary Easement (105 sq. m.)
27.	Hiu Mei Tai	19 Country Estates Drive	Parts 19 & 20 Plan 65R41648	Temporary Easement (84 sq. m.)
28.	Wei Zhou	21 Country Estates Drive	Parts 21 & 22 Plan 65R41648	Temporary Easement (2 sq. m.)
29.	Ren Zheng Lixia Zhang	3 Scott Hall Court	Parts 13, 14 & 15 Plan 65R41015	Temporary Easement (100 sq. m.)
30.	1792953 Ontario Limited	4476 16th Avenue	Parts 1, 2, 6, 7, 8, 9, 10, 11, 12, 13, 14 & 15 Plan 65R34995	Fee Simple (164 sq. m.)
31.	KM (AG South Village) Ltd.	4134 16th Avenue	Parts 1, 2, 3 & 4 Plan 65R41644	Temporary Easement (1737.1 sq. m.)
			Parts 1, 2 & 3 Plan 65R41645	Temporary Easement (2997.3 sq. m.)
			Parts 1, 2, 3 & 4 Plan 65R41646	Temporary Easement (1782.8 sq. m.)

The fee simple interests are being expropriated for the purpose of widening a highway pursuant to section 31(6) of the *Municipal Act, 2001*, S.O. 2001, c.25, and upon vesting in the Region these fee simple lands shall form part of the highway.

The temporary easements required are described as a temporary limited interest commencing on registration of the plan of expropriation and expiring on December 31, 2031 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 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) geotech testing, borehole testing, and other investigative works, (5) removal, relocation and/or installation of signage, (6) hard and soft landscaping, paving, 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

No.	Owner	Municipal Address	Legal Description	Interest Required
<p>measures (v) traffic signals, (vi) fencing, and (vii) handrails, and (8) works ancillary to any of the foregoing and necessary to the works to be performed in association with the purpose of implementing road and intersection improvements along 16th Avenue including associated local roads, and to provide designated lanes for the road widening and works ancillary thereto.</p>				

LOCATION MAP



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