

APPRAISAL REPORT
OF
REGION OF HALTON'S SITE D
PART OF LOTS 3 AND 4
CONCESSION 2 N.S.
TOWN OF MILTON

B-886

APPRAISAL REPORT
OF
REGION OF HALTON'S SITE D
PART OF LOTS 3 AND 4
CONCESSION 2 N.S.
TOWN OF MILTON

FOR
WEIR & FOULDS
TORONTO, ONTARIO

Prepared by
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May 5, 1988

M.J. McQuaid, Q.C.,
Weir & Foulds
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Suite 1600, Exchange Tower
P.O. Box 480
2 First Canadian Place
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Dear Sir:

Re: October 15, 1987 Value Estimate
Region of Halton's Site D
Part of Lots 3 and 4
Concession 2 N.S.
Town of Milton

As requested by the City of Burlington, I enclose herewith my estimate of the Section 14 cost to the Region of Halton of acquiring the above referenced site, having regard to the Region of Halton's Compensation Policy as set out in Final Technical Report No. 3, entitled an "ECONOMIC ASSESSMENT" by C.N. Watson and Associates Ltd. dated June 1985 and the provisions of Section 14 of the Expropriations Act.

The effective date of the value estimates is October 15, 1987.

As a result of my investigation and analysis, it is my opinion that the Section 14 cost to the Region of Halton of acquiring Site D for landfill purposes, inclusive of injurious affection resulting from the proposed use of the subject site to the lands remaining and an allowance for business loss and disturbance to subject Property No. 6, but exclusive of disturbance damages, relocation allowances, legal and appraisal costs to be:-

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TWO MILLION FIVE HUNDRED AND SEVENTY-ONE THOUSAND DOLLARS
(\$2,571,000)

$\frac{\$2,571,000}{306.556 \text{ acres}} = \$8,387 \text{ per acre}$

$\frac{\$2,571,000}{124.0632 \text{ hectares}} = \$20,723 \text{ per hectare}$

This Section 14 cost estimate is apportioned between the twelve ownerships making up the subject site as follows:-

<u>Property No.</u>	<u>Owner</u>	<u>No. of Hectares</u>	<u>No. of Acres</u>	<u>Partial Taking</u>	<u>Market Value</u>
1	W.T. & D. Martin	20.2280	49.983	-	\$400,000
2	P. & A.V. Marangoni	16.851	41.638	-	200,000
3	G. Veres	40.2237	99.391	-	308,000
4	T.L. & M.J.C. Martin	0.4704	1.163	-	300,000
4A	Road widening	0.0139	0.034	-	NIL
5	R.M. & C.T. Reed	0.4843	1.197	-	210,000
6	P.H. & M.A. Newman (allowance for business loss and disturbance)	0.8692	2.148	-	375,000 50,000
7	Wombat Invest. Ltd.	36.6640	90.546	yes	320,000
8	Miller-Figa Invest.	4.0611	10.035	-	146,000
9	M. Tibout & J. Mavec	0.9723	2.403	yes	59,000
10	A. Dolinar	0.7604	1.879	yes	50,000
11	W. & A. Tomosky	1.2009	2.967	yes	92,000
12	D. & M. DePaoli	<u>1.4880</u>	<u>3.677</u>	yes	<u>61,000</u>

Estimated cost to acquire
Site D inclusive of injurious
affection to properties
partially taken and an
allowance for business loss
and disturbance to subject
Property No. 6

124.0632 306.556 \$2,571,000
...../3

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The attached report contains a brief description of the subject area, subject Site D, the properties making up Site D, relevant servicing, zoning and planning data, the market and other data relied upon, my analysis of that data and conclusions.

Yours respectfully,

A handwritten signature in dark ink, appearing to read 'R.W. O'Brien', with a stylized, flowing script.

R.W. O'Brien, A.A.C.I., S.C.V.
Ontario Land Economist

RWO:sm

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IDENTIFICATION OF SUBJECT PROPERTY

The subject property, located between the First Line and Highway No. 25 about 1,200 meters/3,937 feet north of the Lower Base Line Road, in the Town of Milton, consists of an "L" shaped 124.0632 hectare/306.556 acre site, being the proposed assembly of 8 rural residential and agricultural properties fronting on the First Line and Highway No. 25 and the rear portion of 4 such properties fronting on Highway No. 25. They are designated as Parts 1 to 15 on an unregistered (proposed) plan of expropriation by Lawrence G. Woods, O.L.S., dated April 30, 1987, a reduced copy of which is contained later in this report and will be referred to hereafter as "the proposed plan of expropriation".

The ownerships and parcels, making up the Regional requirement for subject "Site D", are briefly described as follows:-

Property No. 1

Watkin T. & Doreen Martin property
5629 First Line
Part of Lot 4, Concession 2 N.S., designated as
Parts 9 and 10 on the proposed plan of expropriation.
Town of Milton
20.228 hectares/49.983 acres
Contains an owner occupied residence two hangars with
attached workshops and two private runways.

Property No. 2

Pasqualino & Assanta V. Marangoni property
5609 First Line
Part of Lot 4, Concession 2 N.S., designated as
Part 8 on the proposed plan of expropriation.
Town of Milton
16.851 hectares/41.638 acres of vacant land

Property No. 3

Gerd Veres property
5579 First Line
Part of Lot 3, Concession 2 N.S., designated as
Part 1 on the proposed plan of expropriation.
Town of Milton
40.2237 hectares/99.391 acres
Contains a bank barn currently being stripped of the barn
board cladding.

Property No. 4

Thomas L. & Mary Jean C. Martin property
5367 First Line
Part of Lot 3, Concession 2 N.S., designated as
Part 6 on the proposed plan of expropriation.
Town of Milton
0.4704 hectares/1.162 acres
Contains a new, recently completed multi-level, custom built
residence and freestanding two car garage of similar design
and construction.

Property No. 5

Robert M. & Cynthia T. Reed property
5357 First Line
Part of Lot 3, Concession 2 N.S., designated as
Part 5 on the proposed plan of expropriation.
Town of Milton
0.4843 hectares/1.197 acres
Contains owner occupied "Century" home and 4 outbuildings.

Property No. 6

Percy H. & Marilyn A. Newman property
5328 25 Highway
Part of Lot 3, Concession 2 N.S., designated as
Part 4 on the proposed plan of expropriation.
Town of Milton
0.8692 hectares/2.148 acres
Contains an owner occupied, custom built bungalow, inground
pool, new truck repair garage. Owner has established a dual
residential-commercial use under a "Licence of Occupation".

Property No. 7

Wombat Investments Limited property
W/S 25 Highway
Part of Lots 2 & 3, Concession 2 N.S., designated as
Part 2 on the proposed plan of expropriation.
Town of Milton
Partial taking of 36.644 hectares/90.546 acres from a
46.7615 hectare/115.546 acres parcel.
Contains a stable and loft barn.

Property No. 8

Miller - Figa Investment Limited &
Rosenbloom Investments Limited property
5406 25 Highway
Part of Lot 3, Concession 2 N.S., designated as
Part 3 on the proposed plan of expropriation.
Town of Milton
4.0611 hectare/10.035 acres
Contains a recently burnt, part one storey, part two storey,
frame dwelling.

Property No. 9

Martin Tibout & Joze Mavec property
W/S 25 Highway
Part of Lot 4, Concession 2 N.S., designated as
Part 15 on the proposed plan of expropriation.
Town of Milton
Partial taking of the westerly or rear 0.9723 hectare/2.403
acres of a 11.4947 hectare/28.403 acre vacant, rural
residential parcel.

Property No. 10

Aton Dolinar property
W/S 25 Highway
Part of Lot 4, Concession 2 N.S., designated as
Part 14 on the proposed plan of expropriation.
Town of Milton
Partial taking of the westerly or rear 0.7604 hectare/1.879
acres of a 8.818 hectare/21.789 acre, vacant, rural
residential parcel.

Property No. 11

Walter & Amelia Tomosky property

5576 25 Highway

Part of Lot 4, Concession 2 N.S., designated as

Part 13 on the proposed plan of expropriation.

Town of Milton

Partial taking of the westerly or rear 1.2009 hectare/2.967 acres of a 11.534 hectare/28.50 acre owner occupied, rural residential property. Contains a classic, centre hall plan "Century" home of architectural and historical significance.

Property No. 12

Daro & Mary DePaoli property

W/S 25 Highway

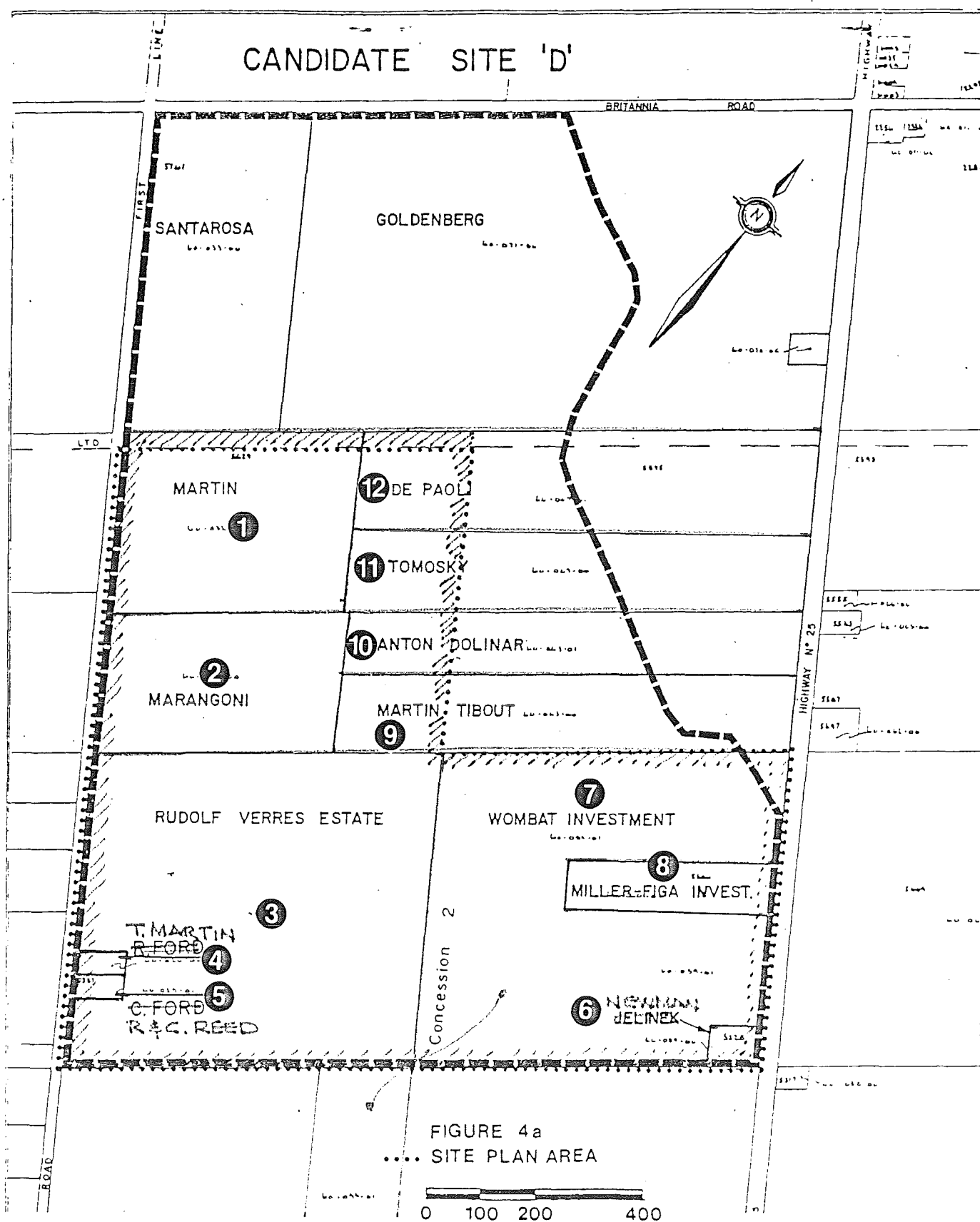
Part of Lot 4, Concession 2 N.S., designated as

Parts 11 and 12 on the proposed plan of expropriation.

Town of Milton

Partial taking of the westerly or rear 1.488 hectare/3.677 acres of a 13.5453 hectare/33.47 acre, vacant, rural residential parcel.

The limits of "Site D" and the location of subject Properties No. 1 to 12, within it, are shown on the following plan.



AMENDED TO SHOW
CURRENT OWNERSHIP
AND SITE D LIMITS

SOURCE-EXHIBIT H-51
STAGE 2C: LAND USE AND PLANNING
ASSESSMENT (JUNE 1985)
FIGURE 42 - FOLLOWS PAGE 5-1

RIGHTS APPRAISED

The whole and partial takings (subject properties) comprising Site D are appraised in fee simple, subject to any easements, rights-of-way or tenancies described later in this report.

PURPOSE OF THE APPRAISAL

The purpose of this appraisal is to estimate the Section 14 cost to the Region to acquire, by expropriation, the whole and partial takings comprising Site D, having regard to the Region of Halton's Compensation Policy, the provisions of the Expropriations Act and the relevant sections thereof.

The effective date of the value estimates is October 15, 1987.

The term "market value" as used in this report is as defined in Section 14(1) of the Expropriations Act, which states:-

"14) (1) The market value of land expropriates is the amount that the land might be expected to realize if sold in the open market by a willing seller to a willing buyer."

The term "injurious affection" as used in this report is as defined in Section 1(1)(e)(i) of the Expropriations Act, which states:-

"(e) "injurious affection" means,

(i) where a statutory authority acquires part of the land of an owner,

(A) the reduction in market value thereby caused to the remaining land of the owner by acquisition or by the construction of the works thereon or by the use of the works thereon or any combination of them, and

(B) such personal and business damages, resulting from the construction or use, or both, of the works as the statutory authority would be liable for if the construction or use were not under the authority of a statute,

and for the purposes of this clause, part of the lands of an owner shall be deemed to have been acquired where the owner from whom lands are acquired retains lands contiguous to those acquired or retains lands of which the use is enhanced by unified ownership with those acquired;

AREA ANALYSISGeographic Location

The subject area, for the purposes of this appraisal, is defined as being the southerly rural or agricultural section of the Town of Milton, lying south of the urban area of the Town of Milton and being bounded by:-

- 1) the Lower Base Line and the Town of Oakville on the south.
- 2) the Bell School Line and the City of Burlington on the west.
- 3) Derry Road and the urban area of the Town of Milton on the north.
- 4) the Sixth Line on the east. The location of subject "Site D" within the west half of this area, is shown on the following map.

Development in the Area

The subject area is basically agricultural in character, with some rural residential development on small to medium sized lots on the side and concession roads. It contains the residential hamlets of Boyne and Omagh.

This area is traversed by the various branches and tributaries of the Twelve and Sixteen Mile Creeks.

Services

The area has been developed on private services.

Land Use

Land use in the subject area is controlled by:-

- 1) By-Law No. 61-85 as amended being the "Comprehensive Zoning By-Law Consolidation, Town of Milton".
(Exhibit H-325)
- 2) the Official Plan for The Town of Milton, being By-Law No. 60-84 (Exhibit H-324).
- 3) the Official Plan of the Region of Halton.
(Exhibit H-79)
- 4) The Parkway Belt West Plan and Regulations.
(Exhibits H-319, H-320 and H-321)

DESCRIPTION OF SUBJECT LANDLocation

Between Highway 25 and the First Line, 1,200 meters north of the Lower Base Line and between 600 and 1,200 meters south of Britannia Road.

Site Size

The subject property, identified in various studies and documents as "Site D", contains 124.0632 hectares/306.556 acres, according to the proposed plan of expropriation (corrected to rectify a misplacing of the decimal point in the area shown for Part 4, the "Newman" property) and is comprised of all or part of 12 separate and distinct properties described later in this report. The whole and partial takings making up Site D are designated as Parts 1 to 15 on the proposed expropriation plan, a reduced copy of which is contained on a following page, as follows:-

<u>Property</u>	<u>Part No.</u>	<u>Taking</u>	<u>Hectares</u>	<u>Acres</u>
Rd wdg	7	whole taking	0.0139	0.034
No. 1	9 & 10	whole taking	20.2280	49.983
No. 2	8	whole taking	16.8510	41.638
No. 3	1	whole taking	40.2237	99.391
No. 4	6	whole taking	0.4704	1.162
No. 5	5	whole taking	0.4843	1.197
No. 6	4	whole taking	0.8692	2.148
No. 7	2	partial taking	36.6440	90.546
No. 8	3	whole taking	4.0611	10.035
No. 9	15	partial taking	0.9723	2.403
No. 10	14	partial taking	0.7604	1.879
No. 11	13	partial taking	1.2009	2.967
No. 12	11 & 12	partial taking	<u>1.4880</u>	<u>3.677</u>
Site D			<u>124.0632</u>	<u>306.556</u>

Site Limits

Site D is an "L" shaped parcel with the following limits.

Highway 25 frontage	=	611.420m/2,005.97'
South limit	=	1,487.664m/4,880.79'
First Line frontage	=	1,243.715m/4,080.43'
North limit (north half)	=	685.207m/2,248.05'
East limit (north half)	=	593.983m/1,948.76'
North limit (south half)	=	677.698m/2,223.42'

Topography & Tree Cover

Site D, is relatively flat, with clayey silt till soils. The majority of the site is within the drainage basin of a tributary of 16 Mile Creek and drains to the southeast. A small, westerly portion of the site drains to the west to the ditch. A small channel which flows into the 16 Mile Creek tributary runs south and southeast through subject Properties No. 12, 11, 10 and 9, and then crosses Highway 25. This channel or watercourse, is not located within Site D proper, but on those portions of subject Properties No. 9, 10, 11 and 12 not required.

There are two treed areas on Site D which has otherwise been cleared for agriculture. They are identified as "D1" and "D2" on a map earlier in this report (see Page 9).

D1 is a very open scattering of individual trees, primarily deciduous (oak, maple, ash, hawthorn) but with some white pine. D2 is a small deciduous woodlot that surrounds the exit location of a small channelized ditch that enters the property approximately 700 m to the north of this exit location. Lowland deciduous trees (willows) occur adjacent to the channel, otherwise upland hardwoods dominate (oaks, basswood).

Easements & Rights-of-Way

An easement in favour of Sun Canadian Pipeline runs along the north limit of Site D.

Services

Development of the subject site has been by means of private services. Hydro and telephone are available on the fronting roads.

Official Plan Designation

Subject Site D has been designated "Agricultural" by the Official Plan of the Town of Milton (Exhibit H-324), with the exception of lands abutting the two watercourses, which have been designated "Conservation & Hazard Lands".

With regard to these designations, the Official Plan provides as follows:-

4 Agriculture

4.1 Uses

4.1.1 The agricultural area as shown on Schedule D will be reserved for uses which are primarily agricultural in character or which support the farming community, such as limited amounts of rural commercial (which will include general stores, garages, service stations, implement dealers and similar uses). Activities connected with the conservation of soil or wildlife, market and nursery gardening will also be permitted. Kennels and facilities connected with the raising of fur-bearing animals and veterinary establishments will be permitted in the Agricultural areas.

4.1.2 Other uses contemplated will include forestry, farm related residential, horse farms, home occupation uses, Group Homes in existing dwellings and, in a limited number of locations, commercial facilities serving highway traffic, provided that any necessary on-site services will not unduly adversely affect other lands in the vicinity, and provided that such uses are evaluated as compatible with existing or potential farming operations. A second dwelling as an accessory building to a full-time agricultural operation may be permitted subject to an amendment of the implementing zoning by-law. In all cases, agricultural activities shall be considered the

preferred land use within the Agricultural designation. Uses and activities deemed incompatible with farming shall be discouraged from locating in the Agricultural area.

- 4.1.3 Institutional and commercial uses will be encouraged to locate in urban areas or be permitted to locate only on lower priority agricultural or marginal resource lands. Similarly, only those recreational uses will be permitted which leave the land in large parcels suitable for commercial farming, do not require buildings or other construction on the lands, and do not alter the soil or topography adversely. Such activities would include forestry, open space, conservation areas, low intensity passive outdoor parks, environmental areas and existing woodlots.

- 4.1.4 A Sanitary Landfill Site to be controlled and operated by the Regional Municipality of Halton is permitted at the north-west corner of Tremaine and Britannia Roads, located in Part Lots 6 & 7, Concession 7 N.S., Trafalgar Planning District. Capacity of this landfill is 1,814,000 metric tonnes.

4.2 Performance

- 4.2.1 All residential lots will be at least .4 hectares in size. In the event of the granting of a conveyance for a farm related residential building lot, said lot will be located in such a manner as to minimize its effect on surrounding agricultural uses by:

(a) occupying a site of minimal size,

- (b) locating the site on lands which are of marginal agricultural value or potential,
- (c) locating the lot in such a manner that it does not inhibit the efficient operation of agricultural lands,
- (d) residential lots created must comply with the minimum distance separation requirements of the Agricultural Code of Practice.

4.2.2. Non-farm development in the Agricultural area will only be supported where:

- (a) deemed compatible with existing and potential farm operations,
- (b) every reasonable effort has been made to preserve Prime Agricultural Soils,
- (c) detailed studies prove that the lands are better suited for non-farm uses,
- (d) in conformity with policies of this and the Region of Halton Official Plan.

4.3 Implementation

4.3.1 The fragmentation of agricultural lands is discouraged. Severances will only be approved if in accord with the following criteria and conditions:

D3

- (a) a landowner may be permitted to sever lands including his house and any outbuildings as he may desire in order that he may continue to live therein; however, the remainder of the lands shall be of a size to ensure the retention of the viability of the farming unit;
- (b) a lot may be severed on which the bona-fide farmer may wish to construct a retirement home for himself, however, such permission will be considered a privilege (and not a right) only where it can be shown that:
 - (i) the applicant is a bona-fide farmer who owns and whose principal occupation is the operation of a commercial farm, and;
 - (ii) in the case of retirement accommodation, he has owned and continuously farmed the farm on which the proposed dwelling is to be located for at least 10 years, and;
 - (iii) the remainder is a viable farm unit or remains part of a viable farm operation, and;
 - (iv) the proposed lot can be located in accordance with the policies in Sections 4.1 and 4.2 of this Plan, the policies of the Regional Official Plan and the Agricultural Code of Practice Minimum Distance Separation formula;
 - (v) no severance shall be granted from any parcel which was the subject of a severance within a period of ten years from the granting of said severance.

- (vi) in the case of a retiring farmer the severance of the farm dwelling and accessory structures from the remaining agricultural lands is discouraged, however, it may be considered providing the remaining agricultural lands are consolidated with an abutting farm parcel to create a viable farm unit.
- (c) nothing in this Plan shall prohibit the consolidation of abutting farm units;
- (d) in the case in (c) above of the acquisition of a surplus dwelling unit, favourable consideration may be given to its disposition;
- (e) where only part of an existing farm unit is proposed to be consolidated with an abutting farm, this plan shall not prohibit this consolidation providing the remainder part of the original farm is a viable flexible farming unit, and no new building lot is created;
- (f) severances in the vicinity of any extractive industrial or quarrying operation or in the vicinity of an existing intensive livestock operation will be discouraged. In the case of livestock operations, such a severance will comply with the Minimum Distance Separation formula of the Agricultural Code of Practice;
- (g) it is considered desirable to restrict all conveyance frontages to a minimum of 40% of the depth of the lot to be created;
- (h) severances will not be encouraged for land adjacent to a road from which access is to be obtained where a traffic hazard would be created because of limited sight lines on grades or curves;

- (i) notwithstanding the foregoing, one dwelling may be erected on a vacant lot created prior to the adoption of this Plan subject to fulfilling requirements for septic fields, water supply and proper access to roads, and the Minimum Distance Separation formula of the Agricultural Code of Practice.

10.6 Conservation and Hazard Lands

10.6.1 Conservation and Hazard Lands are defined as all lands which have inherent physical hazards, such as flood susceptibility, steep slopes, erosion susceptibility, wet organic soils or other physical limitations to development which are severe enough to cause property damage and/or potential loss of life if the lands were to be developed with habitable or permanent buildings or structures.

10.6.2 The designation of Conservation and Hazard Lands on Figures D, E, H and I-K are approximate and are shown in greater detail on mapping in the possession of the Halton Region Conservation Authority, the Grand River Conservation Authority and the Credit Valley Conservation Authority.

10.6.3 Uses permitted in areas designated as Conservation and Hazard Lands shall be limited to conservation, forestry, agriculture, horticultural nurseries, fish and wildlife management areas, public or private parks, golf courses and other outdoor recreational uses. Buildings and structures associated with these uses will not be permitted unless they are intended for flood and erosion control and meet the requirements of the Town and the appropriate Conservation Authority. Where development can be permitted in accordance with this section, the policies of the adjacent land use designation shall apply.

10.6.4 The boundaries of the lands designated as Conservation and Hazard Lands on the various land use Figures shall be used as guidelines for the preparation of the Zoning By-law provisions which will implement the policies of this plan. An amendment to this plan will not be required for changes to the Hazard Land boundaries which are deemed to be suitable after consultation with the appropriate Conservation Authority.

Where such changes occur, the appropriate abutting land use designation shall apply and the Zoning By-law shall be amended accordingly. The Official Plan and the implementing Zoning By-law shall be amended to incorporate more detailed Conservation and Hazard Land mapping when it becomes available.

10.6.5 Conservation and Hazard Lands shall be zoned separately in the Zoning By-law. Expansion of existing non-conforming buildings and structures will be prohibited except with the approval of the Conservation Authority having jurisdiction.

10.6.6 Where any land designated as Conservation and Hazard Lands is under private ownership, this plan does not intend that this designation will necessarily remain so indefinitely, nor that the land will be purchased by the municipality or any other public agency.

10.6.7 There is no public obligation to permit development on, or to change the designation of, or to purchase any areas shown as Conservation and Hazard Lands.

10.6.8 Council, in considering an application for development of lands designated as Conservation and Hazard Lands, shall consider the following matters:

(a) the Provincial Policy on Hazard Lands;

(b) the existing environmental and physical hazards, as outlined by the appropriate Conservation Authority in their respective jurisdiction;

(c) the potential impact of these hazards on the proposed development and vice versa;

- (d) the proposed methods by which this impact may be overcome in a matter consistent with accepted engineering and resource management practices;
- (e) the costs and benefits in monetary, social and biological terms of any engineering works or resource management practices needed to overcome these impacts, and;
- (f) the comments and approval, where required, of the appropriate Conservation Authority.

10.6.9 Any alteration to a watercourse or valley, including the placement of building, structure or fill, whether originating on the site or elsewhere, or removal of fill, or the provision of access to a valley, is subject to Conservation Authority approval and in the case of alteration to a watercourse, to the approval of the Ministry of Natural Resources pursuant to the Lakes and Rivers Improvement Act.

10.6.10 Where new development is proposed on a site, part of which is designated as Conservation and Hazard Lands, such lands shall not necessarily be acceptable as part of the dedication for park purposes as required under the Planning Act. All lands dedicated to the Town shall be conveyed in a physical condition satisfactory to the Town. Where an open watercourse is involved, adequate space beyond the top of bank should generally be provided for maintenance and other such operations.

10.6.11 Building and property line setbacks shall be imposed from the margin of lands designated as Conservation and Hazard Lands, having regard to the extent and severity of existing and potential hazards. The setbacks shall be determined in consultation with the appropriate Conservation Authority on a site-specific basis.

Zoning

The subject lands are zoned in an "A1" Agricultural category by By-Law No. 61-85, as amended (Exhibit H-325), with the exception of lands abutting the two watercourses, which are zoned "OSC" Open Space Conservation.

By-Law No. 61-85 provides as follows for these zoning categories:-

SECTION 29

OPEN SPACE CONSERVATION (OSC) ZONE

(1) USES PERMITTED

No person shall within any OSC zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following OSC uses, namely:

(a) OPEN SPACE USES:

an agricultural use;
 a conservation project and uses incidental thereto;
 a public park;
 a public use in accordance with the provisions of Section 3(16) hereof.

(b) RESIDENTIAL USES:

an existing detached single-family dwelling house and enlargement thereof.

an accessory use to a main Residential use located in an adjoining zone such as a private detached garage, tool shed, patio, swimming pool, barbeque, or other similar private accessory use not used for human habitation.

(2) ZONE PROVISIONS

No person shall within any OSC zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

(a) WATER AND SEWER SYSTEMS:

Every dwelling unit shall be served by a private water system and sewage disposal system.

(b) LOT AREA (Minimum): as existing

(c) LOT FRONTAGE (Minimum): as existing

(d) LOT COVERAGE (Maximum):
 for all buildings 25% of the lot area

(e) FRONT YARD DEPTH (Minimum): 12.0 metres

(f) REAR YARD DEPTH (Minimum): 12.0 metres

(g) SIDE YARD WIDTH (Minimum): 12.0 metres

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- (h) BUILDING HEIGHT (Maximum): 9.5 metres
- (i) ADJACENT ZONES:
No part of any OSC zone shall be used to calculate any of the Zone Provisions as may be required by this By-law for uses in adjacent zones.
- (j) GENERAL PROVISIONS:
In accordance with the provisions of Section 3 hereof.
- (k) APPROVAL OF CONSERVATION AUTHORITY:
No permitted building or structure shall be erected or altered within an OSC zone except with the written approval of the Conservation Authority.

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SECTION 32

AGRICULTURAL (A1) ZONE(1) USES PERMITTED

No person shall within any A1 zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following A1 uses, namely:

- (a) AGRICULTURAL & COMPLEMENTARY USES
 an agricultural use;
 an existing church;
 an equipment storage building;
 a farm produce outlet;
 a fish & wildlife management use
 an office of a veterinary surgeon with accessory premises for the treatment or boarding of animals, without animal runs;
 a kennel without animal runs
 a livestock building;
 a public use in accordance with the provisions of Section 3(16) hereof;
 a woodlot;
 a wayside pit or wayside quarry.
- (b) RESIDENTIAL:
 a detached single-family dwelling house;
 a home occupation;
 a home profession.

(2) ZONE PROVISIONS

No person shall within any A1 zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREAS (Minima):
 (i) Residential uses 4,000m²
- (b) LOT FRONTAGES (Minima):
 (i) lots of 40 hectares or more 150.0 metres
 (ii) other lots 45.0 metres
- (c) LOT DEPTH (Minimum): 45.0 metres
- (d) DWELLING HOUSES PER LOT (Maximum): 1 only

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- (e) LOT COVERAGE (Maximum): 25% of the lot area
- (f) FRONT YARD DEPTH (Minimum): 15.0 metres
- (g) REAR YARD DEPTH (Minimum): 15.0 metres
- (h) SIDE YARD WIDTH (Minimum):
 - Interior 3.0 metres
 - Exterior 15.0 metres
- (i) BUILDING HEIGHT (Maxima):
 - (i) Residential uses 11.0 metres
 - (ii) Non-Residential uses No maximum
- (j) GROUND FLOOR AREAS (Minima):
 - (i) 1 storey single-family dwelling house 78.0m²
 - (ii) other dwelling houses 55.0m²
provided that the minimum gross floor area shall be 78.0m²
 - (iii) all other uses No minimum
- (k) KENNELS:
 - no kennel shall be located closer than:
 - (i) 30.0 metres to any street line; or
 - (ii) 150.0 metres to any Residential use on another lot or any boundary of a Residential zone.
- (l) GENERAL PROVISIONS:
 - In accordance with the provisions of Section 3 hereof.
- (m) WATER AND SEWER SYSTEMS:
 - Every dwelling unit shall be served by a private water system and sewage disposal system.

(3) SPECIAL PROVISIONS

- (a) VARIOUS LOCATIONS: Al-1
Notwithstanding any provisions of Section 32(2)(d) hereof to the contrary, the lands which are designated "Al-1" on Schedule "A" hereto shall be subject to all other provisions of this By-law and the following special provision also shall apply:

NUMBER OF SINGLE FAMILY
DWELLING HOUSES PER LOT
(Maximum):

2 only

THE APPRAISAL PROBLEM

In ascertaining the appraisal problem in the subject instance, I am guided by the Region of Halton's Compensation Policy as set out in Appendix F of Final Technical Report No. 3, Phase 2 Stage 2C, Selection of Preferred Site, entitled "Economic Assessment", prepared by C.N.Watson and Associates Ltd. and dated June 1985 (Exhibit H-44). Photocopies of the pages making up Appendix F follow:-

APPENDIX F

The following statement outlines the Region of Halton's policy on compensation with respect to the proposed landfill site. It was developed based on research on the issue in October 1984 and was presented at a series of Workshops held in the Candidate Site Areas on October 15, 16, 17, and 18, 1984. This option was selected by the Region, after consideration of a number of alternatives.

The appraisal problem, in the subject instance, is, therefore, taken to be to estimate the Section 14 cost to the Region to acquire the whole and partial takings making up "Site D", having regard to the provisions of the Expropriations Act. In estimating that cost, I have, in accordance with the guidance given me by the Region of Halton's Compensation Policy, assumed that the site will be acquired by expropriation, which requires that in estimating the value of the whole and partial takings required, I have regard to Sections 13(1) & (2); 14(1), (2), (3) and (4) of the Expropriations Act.

These sections require as follows:-

13) (1) Where land is expropriated, the expropriating authority shall pay the owner such compensation as is determined in accordance with this Act.

(2) Where the land of an owner is expropriated, the compensation payable to the owner shall be based upon,

- (a) the market value of the land;
- (b) the damages attributable to disturbance;
- (c) damages for injurious affection; and
- (d) any special difficulties in relocation,

but, where the market value is based upon a use of the land other than the existing use, no compensation shall be paid under clause (b) for damages attributable to disturbance that would have been incurred by the owner in using the land for such other use. R.S.O. 1970, c. 154, S 13.

14) (1) The market value of land expropriated is the amount that the land might be expected to realize if sold in the open market by a willing seller to a willing buyer.

(2) Where the land expropriated is devoted to a purpose of such a nature that there is no general demand or market for land for that purpose, and the owner intends in good faith to relocate in similar premises, the market value shall be deemed to be the reasonable cost of equivalent reinstatement.

- (3) Where only part of the land of an owner is taken and such part is of a size, shape or nature for which there is no general demand or market, the market value and the injurious affection caused by the taking may be determined by determining the market value of the whole of the owner's land and deducting therefrom the market value of the owner's land after the taking. R.S.O. 1970, c. 154, s. 14 (1-3).
- (4) In determining the market value of land, no account shall be taken of,
 - (a) the special use to which the expropriating authority will put the land;
 - (b) any increase or decrease in the value of the land resulting from the development or the imminence of the development in respect of which the expropriation is made or from any expropriation or imminent prospect of expropriation; or
 - (c) any increase in the value of the land resulting from the land being put to a use that could be restrained by any court or is contrary to law or is detrimental to the health of the occupants of the land or to the public health. R.S.O. 1970, c. 154, s. 14 (4); 1972, c. 24, s. 1 (1).

APPROACH TO VALUE

After consideration of the foregoing and the necessity to value twelve separate parcels, of which seven are full takings and five are partial takings, I made a search of the subject municipality south of Derry Road for sales of properties capable of being compared. The search was expanded into the adjoining concession in the City of Burlington in order to enlarge the data base west of Highway 25 and The Parkway Belt. This search produced a number of sales of such properties, as well as current listings of same. Current sales of vacant rural residential sites and agricultural land in adjacent areas of the municipality were also added to enlarge the data base.

The sales and listings disclosed by this search and initially considered to be of some significance, have been charted in date order, according to property type and their locations plotted. These charts and a map showing their locations, in relation to the subject properties, are contained later in the "Market Data" section of this report.

This market data will enable me to complete a market data or comparative approach to the value of each of the properties in Site D.

MARKET DATA

PROPERTY NO. 1

Address - 5629 First Line
RR 1, Milton
Ontario
L9T 2X5

Owners - Watkin T. & Doreen Martin

Legal Description - Part of Lot 4, Concession 2 N.S., designated
as Parts 9 and 10 on the proposed plan of
expropriation.
Town of Milton
Regional Municipality of Halton

Location - east side of First Line,
600 meters/1,968 feet south of Britannia Road

Site Size - 20.228 hectares/49.983 acres

Limits - First Line Frontage -	335.661m/1,101.25'
North limit -	603.950m/1,981.46'
East limit -	339.822m/1,114.90'
South limit -	603.644m/1,980.46'

Topography - basically level with general slope to south.
Traversed by a watercourse.

Services - private well and septic system, hydro and telephone.

Easements - subject to easement in favour of Sun Canadian
Pipeline over a 0.8948 hectare/2.211 acre strip along
the subject's north limit designated as Part 10 on
the proposed plan of expropriation.

O.P. Designation - Agricultural
- Conservation and Hazard Land along watercourse

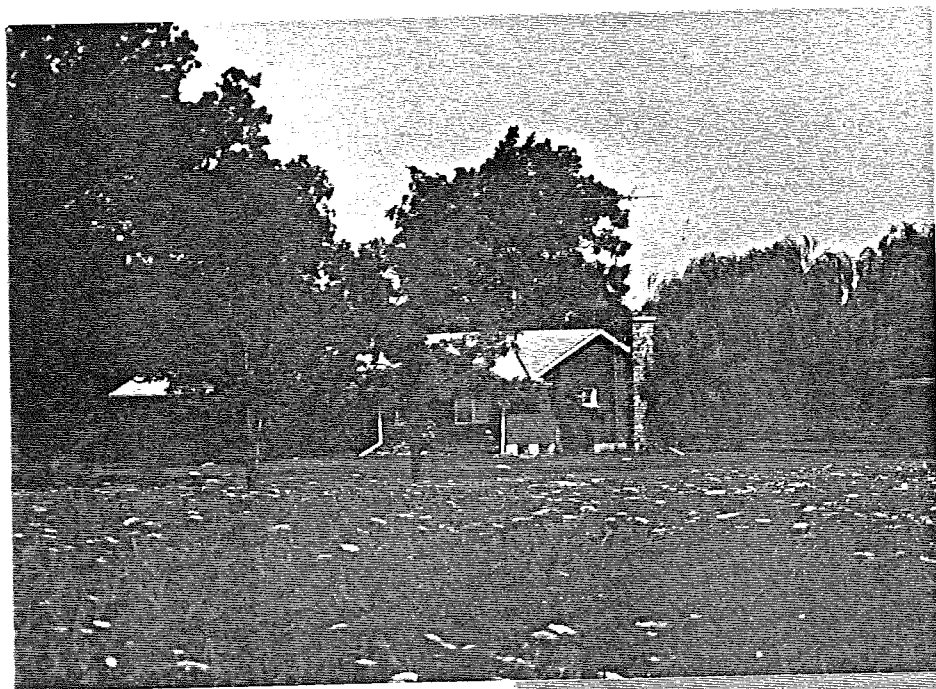
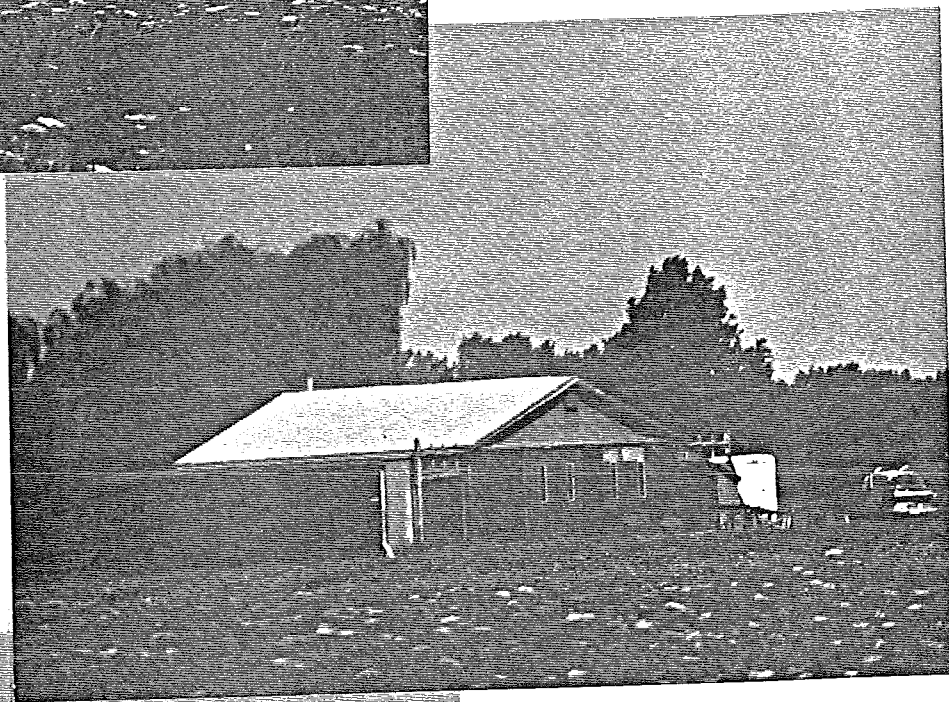
Zoning - "A1" Agricultural
"OSC" Open Space Conservation along watercourse.

Use - owner occupied rural residential and ancillary private
airfield.

Assessment - \$10,727



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VALUE ESTIMATEProperty No. 1 (5629 First Line

Subject Property No. 1 is a 20.228 hectare/49.983 acre parcel containing a modern brick bungalow, with a finished basement, attached two car garage, two hangars and two workshop additions to one of the hangars. It also contains two grassed runways.

In estimating the current market value of subject Property No. 1, Sale No. 40 on Chart E, is of some assistance. The details of this sale are as follows:-

Date - April 29, 1986

Agmt. Date - March 17, 1986

Inst. No. 639860

Vendor - Guiseppe & Gemma Defilippo

Purchaser - Ba Huy Diep

Consideration - \$240,000 with \$60,000 in cash

Location - 6450 Third Line
part of Lot 8, Concession 3 N.S.
Parts 1,2 & 3 on 20R-3688

Size - 58.812 acres of which 1.013 acres are an access strip from Hwy 25.

Topography - level cultivated land

Improvements - modern brick bungalow with full basement, attached 2 car garage and two new enclosed metal clad sheds, one of which is utilized as a barn and one as a driveshed. The site contains a spring fed pond and two watercourses being part of the Sixteen Mile Creek watershed.

Remarks

This sale, adjusted for time and other major differences, indicates a value for subject as follows:-

Sale price (March 1986) = \$240,000

Adjustments

Time + 54.0%	= + \$129,600	
Size 7.816 acres		
@ \$2,000 per acre	= - 15,632	
Finished basement		
say 800 sq.ft. @ \$10	= + 8,000	
Superior outbldgs		
& cost of conversion		
5,300 sq.ft. @ \$7.50	= + 39,750	
Grassed runways		
say 2 @ \$10,000	= + 20,000	= +181,718

Indicated value of subject Property No. 1 = \$421,718

I am also assisted by Sales 3, 4, 6, 12 and 13 on Chart A, Sales 17, 20, and 21 on Chart B, Sales 27 to 33 on Chart D and Sales 69, 75 and 76 on Chart G, which indicate a component or contributory value for subject Property No. 1 as follows:-

Sale No. 69 (7/86)
1,500 sq.ft. bungalow and
0.513 acre lot = \$135,000

Less

Lot (see Sales 27 & 28 Chart D) = 50,000

Indicated value of residence = 85,000

Adjustments

Time + 39.1% of \$85,000	= + \$ 33,235	
Site 49.983 acres @ say		
\$3,000 per acre	= + 149,949	
Hangars & workshop		
additions		
5,300 sq.ft. @ \$15 psf	= + 79,500	
Grassed runways		
say 2 @ \$10,000 each	= + 20,000	
Basement finish		
say 800 sq.ft. @ \$10 psf	= + 8,000	= + 290,684

Indicated value of subject Property No. 1 = \$375,684

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Sale No. 75 (4/87)

bungalow with attached garage
converted to family room, inground
swimming pool and freestanding 2 1/2
car garage on a 0.517 acre lot = \$215,000

Less

Lot (see Sales 30 to 33 Chart D) = 90,000

Indicated value of improvements = 125,000

Adjustments

Time + 3.6% of \$125,000	= + \$	4,500	
Site 49.983 acres @ say			
\$3,000 per acre	= +	149,949	
2 1/2 car garage, say	= -	10,000	
Garage conversion	= -	3,000	
Larger garage	= +	3,000	
Hangars & workshop additions			
5,300 sq.ft. @ \$15 psf	= +	79,500	
Grassed runways			
say 2 @ \$10,000 each	= +	20,000	
Inground pool	= -	10,000	
Basement finish			
say 800 sq.ft. @ \$10 psf	= +	<u>8,000</u>	= + <u>241,949</u>

Indicated value of subject Property No. 1 = \$366,949

Sale No. 76 (9/87)

6 room bungalow with attached single car
garage, freestanding 4 car garage (two
car double depth) and 1.033 acre lot = \$230,000

Less

Lot (see Sales 30 to 33 Chart D) = 98,000

Indicated value of improvements = 132,000

Adjustments

Time - 6.4% of \$132,000	= - \$	8,448
Site 49.983 acres @ say		
\$3,000 per acre	= +	149,949
Freestanding 3 car garage/workshop	= -	10,500

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Larger attached garage	= +	3,000		
Hangars & workshop additions				
5,300 sq.ft. @ \$15 psf	= +	79,500		
Grassed runways				
say 2 @ \$10,000 each	= +	20,000		
Basement finish				
say 800 sq.ft. @ \$10 psf	= +	<u>8,000</u>	=	+ <u>241,501</u>
Indicated value of subject Property No. 1	=			<u>\$373,501</u>

Summary and Final Estimate of Value of Subject Property No. 1

Sale No. 40, a 58.812 acre improved property, adjusted for major differences, indicates a value for subject Property No. 1 of \$421,715.

Utilizing Sales No. 3, 4, 6, 12, 13, 17, 20, 21, 27 to 33, 69, 75 and 76, with further adjustments, indicates a value for subject Property No. 1 of \$375,684, \$366,949 and \$373,501.

The sales adjusted for major differences indicate a value range of \$366,949 to \$421,715 for subject Property No. 1 and it is my opinion that its most probable sale price or current market value in that range is:-

FOUR HUNDRED THOUSAND DOLLARS

(\$400,000)

$\frac{\$400,000}{49.983 \text{ acres}} = \$8,003 \text{ per acre}$

$\frac{\$400,000}{20.228 \text{ hectares}} = \$19,775 \text{ per hectare}$

PROPERTY NO. 2

Address - 5609 First Line
Town of Milton

Owners - Pasqualino Marangoni & Assunta Virginia Marangoni

Legal Description - Part of Lot 4, Concession 2 N.S., designated
as Part 8 on the proposed plan of
expropriation.
Town of Milton
Regional Municipality of Halton

Location - east side of First Line, 940 meters/3,084 feet
south of Britannia Road

Site Size - 16.851 hectares/41.638 acres

Limits - First Line frontage = 274.661m/ 901.12'
North limit = 616.574m/2,022.88'
East limit = 275.503m/ 903.88'
South limit = 615.468m/2,019.25'

Topography - basically level with a general slope to south and
west with a shallow, but well defined, watercourse
running southerly and westerly through the property.
Contains a small woodlot along its First Line
frontage, comprised mainly of oak and basswood, with
willows in proximity to the watercourse.

Services - hydro and telephone are available on the First Line to
service the site.

Easements - none noted.

O.P. Designation - Agricultural
- Conservation and Hazard Land along watercourse

Zoning - "A1" Agricultural
"OSC" Open Space Conservation along watercourse

Use - vacant land and woodlot

Assessment - \$2,876

Improvements - none/vacant land

Sale No. 26 is taken to indicate a value for subject Parcel No. 2 as follows:-

Sale price (11/87) = \$ 145,000

Add

Contributory value of additional
23.121 acres @ \$2,000 per acre
(from Sale No. 11) = \$ 46,242

Indicated value of subject Property
No. 2 by comparison = \$ 191,242

The other sale, associated with the lands west of the Parkway Belt, which might be taken to lend some support to the \$7,805 per acre reported unconditional offer to purchase subject Property No. 2, is Sale No. 22 the September 1987 sale of a 25.026 acre parcel at a unit price of \$10,389 per acre. It is located within, but on the edge of the Parkway Belt, is relatively shallow in depth and has extensive frontage on Highway 25 as well as some frontage on Britannia Road. It was purported to have had a potential for further division and/or rezoning to commercial use.

Final Estimate of Value for
Subject Property No. 2

Sale No. 12 adjusted for major differences indicated a value of \$146,506 for subject Property No. 2.

Sale No. 21 is taken to indicate an upper limit value for subject Property No. 2 of \$274,852.

Sale No. 26 adjusted for major differences indicated a value of \$ 191,242 for subject Property No. 2.

After consideration of the foregoing, it is my opinion that the current market value of subject Property No. 2 is:-

TWO HUNDRED THOUSAND DOLLARS

(\$200,000)

$\frac{\$200,000}{41.638 \text{ acres}} = \$4,803 \text{ per acre}$

$\frac{\$200,000}{16.851 \text{ hectares}} = \$11,869 \text{ per hectare}$

Summary and Final Estimate of Value
of Subject Property No. 3

Listing No. 9 and Sales No. 10, 11, 12 and 13 indicate a unit value range of \$2,000 to \$3,149 per acre with Sales No 10, 12 and 13 indicating a relatively narrow \$2,948 to \$3,149 per acre.

Listing No. 9 indicates a unit value of less than \$2,583 per acre for subject property, but it's marketability appears to have been affected by the knowledge of the potential land fill use of it and the adjacent properties.

Section 14(4)(a) & (b) of the Expropriations Act, states that in determining the market value of land, no account shall be taken of;

- (a) the special use to which the expropriating authority will put the land;
- (b) any increase or decrease in the value of the land resulting from the development or the imminence of the development in respect of which the expropriation is made or from any expropriation or imminent prospect of expropriation.

I interpret this section to direct me to disregard the proposed "sanitary land fill" use proposed for "Site D", the subject lands. I am of the opinion that, but for the knowledge of the proposed sanitary land fill site, subject Property No. 7, (Listing No. 9) would have sold for more than the \$2,583 it was listed for in the early spring of 1987.

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After consideration of the evidence provided by the foregoing, it is my opinion that the October 15, 1987 market value of subject Property No. 3 is:-

99.391 acres @ \$3,100 per acre = \$308,112

Rounded out to:-

THREE HUNDRED AND EIGHT THOUSAND DOLLARS

(\$308,000)

$\frac{\$308,000}{99.391 \text{ acres}} = \$3,099 \text{ per acre}$

$\frac{\$308,000}{40.2237 \text{ hectares}} = \$7,657 \text{ per hectare}$

Improvements

Recently improved with a two storey and basement, multiple level, custom built, residence of frame construction with vertical cedar siding, cedar shake roof, thermopane, wood framed casement windows. The site has also been improved with a freestanding 2 car garage of similar design and construction.

Remarks

Recently completed, custom built, owner occupied rural residence and supporting freestanding 2 car garage. The lot was recently (August 1986 agreement of purchase and sale) purchased by Martins for \$49,500 with \$41,000 in cash and vendor taking back the balance. The vacant lot was listed with Remax, with an asking price of \$54,900 and was described as a good building lot with some mature trees.

Highest and Best Use

A continuation of its existing use as a substantial, single family, owner occupied, custom built, rural residence.

VALUE ESTIMATEProperty No. 4 (5367 First Line)

Subject Property No. 4 is a 0.4704 hectare/1.162 acre rural residential lot improved with a recently constructed, two storey, frame residence with vertical cedar siding and of ultra modern design. The lot is fully fenced and contains a row of mature spruce trees. The site was recently (August 1986) purchased by the current owners for \$49,500 with \$41,000 of the purchase price being in cash (see Sale No. 29 on Chart D).

In estimating the value of subject Property No. 4, I am assisted by Sale No. 80 on Chart H, Sale No. 30 and 31 on Chart D, as well as it's recent acquisition (Sale No. 29 on Chart D). Sales No. 27 and 28 on Chart D assist in estimating the contributory value of the site in analyzing Sale No. 80.

Sale No. 80 is the April 1986 sale of an ultra modern, two storey, custom built, rural residence with vertical cedar siding and an asphalt shingle roof with a freestanding, two car garage of similar architectural style and construction on a 150' x 150'/ 0.513 acre lot. The lot is not considered as desirable as the subject 1.162 acre lot both in terms of size and tree cover.

This sale adjusted for time lot size and desirability is taken to indicate a value for the subject property as follows:-

Sale price (April 1986)	=	\$179,000
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Adjustments

Time +45.9%	= +	\$82,161	
Lot Size			
10% of \$95,000	= +	9,500	
Lot desirability			
10% of \$95,000	= +	<u>9,500</u>	= + <u>\$101,161</u>

Indicated value of subject Property No. 4 by comparison	=	<u>\$280,161</u>
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This sale is also taken to indicate a contributory value for the subject improvements as follows:-

Sale price (April 1986) = \$179,000

Less

Estimated April 1986 value of lot
by reference to Sales No. 27, 28
and 29 = \$ 50,000

Indicated April 1986 contributory
value of subject improvements = \$129,000

Add

Time adjustment +45.9% = \$ 59,211

Indicated time adjusted contributory
value of subject improvement = \$ 188,211

Sale No. 29 is the August 1986 acquisition of the subject site. Adjusting it for time and the subject improvement indicates a value for the subject as follows:-

Sale price (8/86) = \$49,500

Add

Time adjustment + 37.3% = \$ 18,464
Subject improvement = \$ 188,211 = \$ 206,675

Indicated value of
subject property No. 4 = \$ 256,175

Sale No. 30 is the January 1987 sale of a 150' x 244'/0.840 acre rural residential lot with a well in place on the east side of the Sixth Line, north of Britannia Road.

This lot sale, adjusted upwards for time, size and the subject improvement indicates a value for subject Property No. 4, as follows:-

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Sale price (1/87) = \$ 97,900

Adjustments

Time + 19.8%	= + \$19,384	
Lot size		
\$97,900 x 119.8% x 10%	= + 11,728	
Subject improvement	= + <u>188,211</u>	= <u>\$219,323</u>

Indicated value of
subject Property No. 4 = \$317,223

Sale No. 31 is the June 1987 sale of a 343.31' x 264.99' 2.097 acre wooded lot on the west side of the Bell School Line. This sale, adjusted for major differences and the subject improvement, indicates a value for subject Property No. 4, as follows:-

Sale price (6/87) = \$78,000

Adjustments

Time	=	NIL	
Size			
\$78,000 x 10%	= - 7,800		
Subject improvement	= + <u>188,211</u>	+ <u>\$180,411</u>	

Indicated value of
subject Property No. 4 = \$258,411

Summary and Final Estimate of Value
of Subject Property No. 4

Sales No. 80, 29, 30 and 31 after adjustment for time, size and the subject improvement indicate a \$256,161 to \$317,223 value range for subject Property No. 4 with Sale No. 30 indicating the high value of \$317,223 and the balance a very narrow \$256,175 to \$280,161 value range.

After consideration of the evidence provided by the foregoing sales analysis and that the subject is improved with a recently constructed custom built residence it is my opinion that the most probable sale price or October 15, 1987 market value of subject Property No. 4 in the \$256,000 to \$317,000 value range indicated is:

THREE HUNDRED THOUSAND DOLLARS

(\$300,000)

PROPERTY NO. 5

Address - 5357 First Line
RR1, Milton
Ontario
L9T 2X5

Owners - Robert M. Reed & Cynthia T. Reed

Legal Description - Part of Lot 3, Concession 3 N.S., designated
as Part 5 on the proposed plan of
expropriation.
Town of Milton
Regional Municipality of Halton

Location - east side of First Line,
about 1,636 meters/5,367 feet south of
Britannia Road.

Site Size - 0.4843 hectares/1.197 acres

Limits - First Line frontage	=	45.720m/150.00'
North limit	=	106.680m/350.00'
East limit	=	45.720m/150.00'
South limit	=	106.680m/350.00'

Topography - basically level with a general slope to west.

Services - private well, septic system, hydro and telephone.

Easements and Right-of-Way - none noted

O.P. Designation - Agricultural

Zoning - "A1" Agricultural

Use - owner occupied rural residential with ancillary "dog
grooming" business.

Assessment - \$5,630

Improvements

Improved with a "Century" stucco over frame, two storey, "Victorian" farmhouse and out buildings.

The owner would not permit an inspection or co-operate, but did disclose the following.

The residence is currently being "restored" by owner who searched long for a "Century" home. The dwelling contains a living room, dining room and large farm kitchen on main floor. Second floor contains 3 bedrooms plus large bathroom (was bedroom). Owner proposes to create master bedroom suite in second floor/loft area over kitchen.

Outbuildings consist of shop with hearth/forge originally used as blacksmiths shop; one car freestanding frame garage, shed used by owner for show fowl and third frame shed.

Owner operates "Cindy's Canine Grooming" from property.

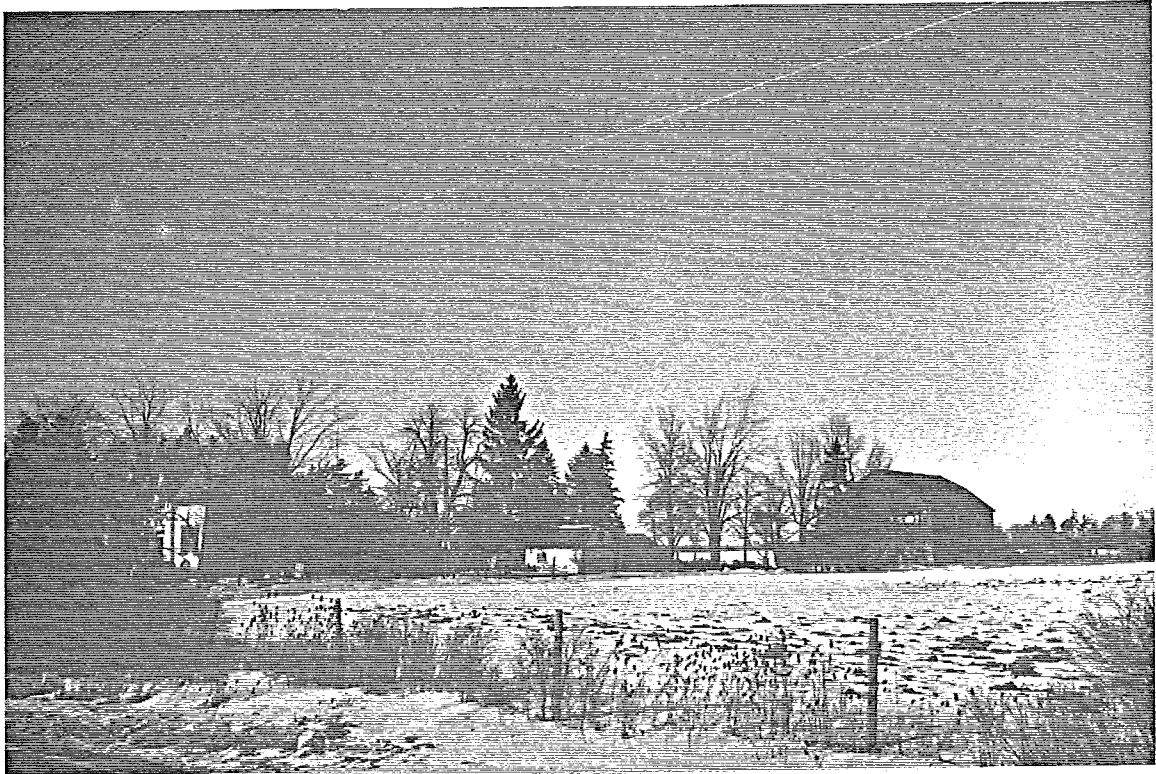
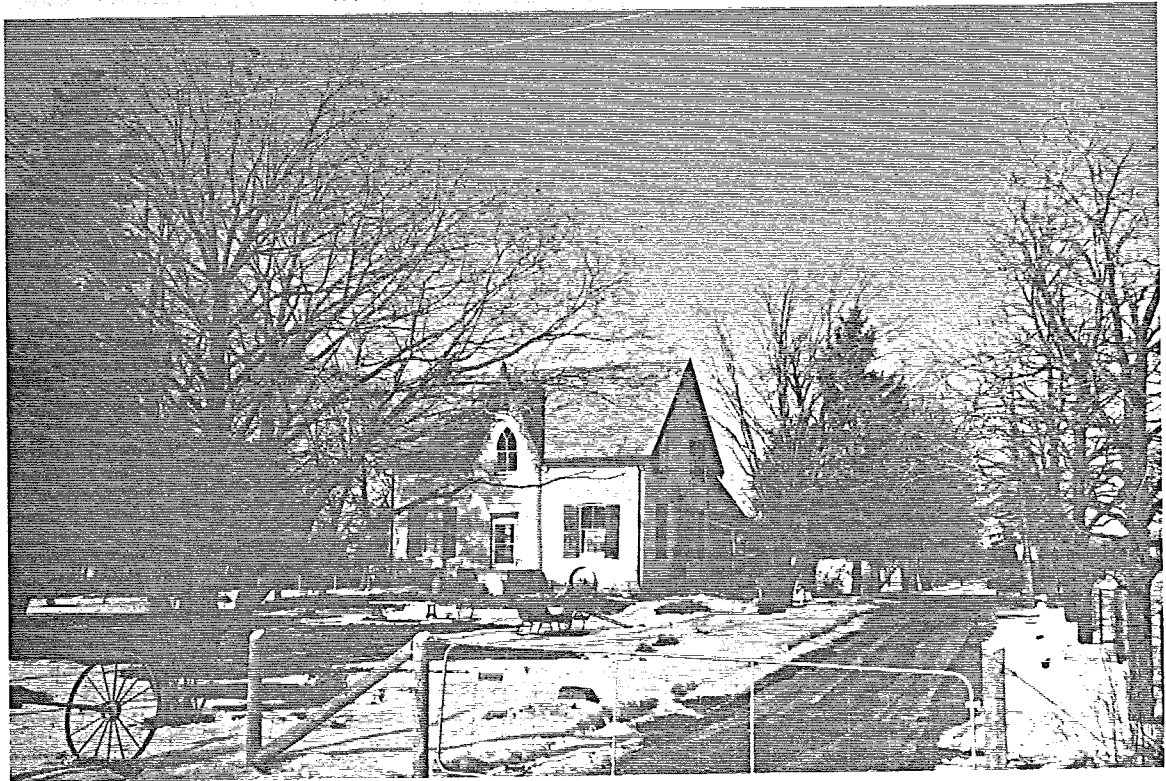
Remarks

Owner would not permit inspection or co-operate beyond limited disclosure (as above).

The property was purchased by the Reed's (March 1986) for \$98,100 in cash.

Highest and Best Use

Continuation of existing single family rural residential use and home occupation (dog grooming business) as permitted by existing zoning.



VALUE ESTIMATEProperty No. 5 (5357 First Line)

Subject Property No. 3 is a 0.4843 hectare/1.197 acre rural residential site containing a two storey, stucco, "Century" home, currently under restoration by the owner, with a freestanding frame one car garage and 3 farm outbuildings. The bank barn is located on the abutting property.

In estimating the value of subject Property No. 5, I am assisted by the March 1986 acquisition of the subject (Sale No. 78) and Sales No. 79 and 81 on Chart H.

Sale No. 79 is the March 1986 sale of a two storey, renovated, "Century" home on a 0.492 acre lot at the southwest corner of Britannia Road and the Fourth Line in the hamlet of Omagh. It was fully restored/renovated with carefree aluminum siding, has a partial basement and contains 7 rooms of which 4 were utilized as bedrooms. It contained an open fireplace, a main floor laundry room and 2 1/2 bathrooms.

The site is attractively landscaped and contains a metal storage shed. There is no garage.

This sale, adjusted for time and major differences, indicates a value for subject Property No. 5, as follows:-

Sale price (3/86)	=	\$149,000
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Adjustments

Time + 54.0%	=	+ \$80,460	
Site size			
10% of \$95,000	=	+ 9,500	
Condition say			
1,800 sq.ft. @ \$5.00	=	- 9,000	
Extra bathrooms			
1-4 pc. = \$1,500			
1-2 pc. = <u>750</u>	=	- 2,250	
Fireplace	=	- 2,500	
Garage say	=	+ 2,500	
Outbuildings			
say 3 @ \$750 each	=	+ 2,250	
Aluminum siding			
say	=	- <u>5,000</u>	= + <u>75,960</u>

Indicated value of subject Property		
No. 5 by comparison	=	<u>\$224,960</u>

Sale No. 81 is the May 1986 sale of a 1.26 acre rural residential lot containing a 1 3/4 storey brick "Century" home under renovation/restoration at the time of the sale. It contained 7 rooms of which 3 were bedrooms, a full basement with a dirt floor and 1-4 piece bathroom. It was partially restored, all the foundation work had been completed, most windows had been replaced with new thermopane windows, a new 100 amp service had been installed and most rewiring. Three rooms had been completed. The dwelling contained 1 1/2" pine floors throughout and had a 5,000 gallon soft water cistern.

There was no garage on the property. The lot contained a number of mature trees and a garden shed. The landscaping was inferior to the subject.

This sale, adjusted for time and major differences, indicates a value for subject Property No. 5, as follows:-

Sale price (5/86)	=	\$118,000
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Adjustments

Time + 46.8%	=	+ \$55,224	
Site size	=	nil	
Bldg. size			
say 500 sq.ft. @ \$30	=	+ 15,000	
Renovations	=	nil	
Garage say	=	+ 2,500	
Outbuildings say			
3 @ \$750 each	=	+ 2,250	
Garden shed	=	- 250	
Landscaping say	=	+ <u>3,000</u>	= <u>+ 77,724</u>

Indicated value of subject Property No. 5 by comparison	=	<u>\$195,724</u>
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Sale No. 78 is the March 1986 acquisition of the subject property. The owner's advise that they are currently restoring the dwelling. No details were disclosed as to the extent of the renovations made to date or, the cost of same. For the purposes of this report, I will assume that \$35,000 has been expended to date, in time and materials.

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The subject acquisition, adjusted for time and the assumed expenditure on restoration to date, indicates a current value for the subject as follows:-

Sale price (3/86) = \$ 98,100

Adjustments

Time + 54.0% = + \$52,974

Renovations to date
(assumed) = + 35,000 = + 87,974

Indicated October 15, 1987 value of subject
Property No. 5 by trending up = \$186,074

Summary and Final Estimate of Value
of Subject Property No.5

Sales No. 79 and 81, adjusted for time and major differences, indicate values for subject Property No. 5 of \$224,960 and \$195,724 respectively.

The subject acquisition trended up and assuming an expenditure of \$35,000 in time and materials in restoration to date, indicates an October 15, 1987 value of \$186,074 for subject Property No. 5.

The low is indicated by the March 1986 acquisition of the subject trended up and adjusted.

Section 14(4)(a) & (b) of the Expropriations Act states that in determining the market value of land, no account shall be taken of;

- (a) the special use to which the expropriating authority will put the land;
- (b) any increase or decrease in the value of the land resulting from the development or the imminence of the development in respect of which the expropriation is made or from any expropriation or imminent prospect of expropriation;

I am of the opinion that but for the knowledge of the proposed dump, subject Property No. 5 would have sold for more than the \$98,100 obtained for it in March 1986.

Having regard to the foregoing, it is my opinion that the current value of subject Property No. 5 ranges from \$195,724 to \$224,960 and that its most probable sale price or October 15, 1987 market value lies about midway in that range being about:-

TWO HUNDRED AND TEN THOUSAND DOLLARS

(\$210,000)

PROPERTY NO. 6

Address - 5328 25 Highway
RR 1, Milton
Ontario
L9T 2X5

Owners - Percy H. Newman and Marilyn A. Newman

Legal Description - Part of northeast half of Lot 3,
Concession 2 N.S., designated as Part 4 on
the proposed plan of expropriation.
Town of Milton
Regional Municipality of Halton

Location - west side of Highway 25, 1,200 meters/3,937 feet north
of the Lower Base Line.

Site Size - 0.8692 hectares/2.148 acres
(the proposed plan of expropriation erred in placing
the decimal point in the area for the subject shown
on the schedule on that plan and indicates it to be
8.6920 hectares)

Limits - 25 Highway frontage	=	76.199m/250.00'
South limit	=	106.680m/350.00'
West limit	=	76.200m/250.00'
North limit	=	106.680m/350.00'

Topography - basically level with general slope to east.

Easements and Right-of-Way - none noted

O.P. Designation - Agricultural

Zoning - "A1" Agricultural

Use - owner occupied rural residential with developing "Garden
Centre" business (assessment Rolls indicate Newman Sand and
Gravel).

Assessment	-	\$10,658 RP
		<u>192 CP</u>
		\$10,850 Total

Improvements

Improved with a 2,308 sq.ft., modern brick and stone bungalow with a full basement, attached 2 car (480 sq.ft.) garage; freestanding truck service garage (40' x 40' = 1,600 sq.ft.); 10' x 22' mini barn used for storage and pool purposes; hot tub and enclosure; inground 20' x 40' gunite pool with surrounds, fencing and equipment; landscaped rear yard with the front yard under conversion to business use by construction of berms, storage bins and graveling of yard for storage and parking purposes.

The residence is custom built and contains a flagstone, covered entry; slate floored vestibule; broadloomed living room with stone fireplace with wood box and airtight insert; large kitchen, breakfast area with seamless flooring, picture window, door to adjoining flagstone raised deck, open fireplace with airtight insert, built-in oven and range, extensive custom built cupboards, double stainless steel sink with deck taps, garberator, built-in dishwasher; dining room with broadloom floor; laundry room with washer dryer, laundry tub, upper cupboards; side entry with door to garage; 2 piece washroom; enclosed stairway to basement; hall with linen closet; two bedrooms with closets and broadloomed floor; 5 piece bathroom with two vanity basins and sunken tub; master bedroom with two closets; sliding glass door to flagstone deck, large ensuite 6 piece bathroom with "Jaccuzi" whirlpool tub, 2 vanity basins, watercloset and bidet.

The basement is 75% finished with a family room with stone fireplace with raised hearth and provision for gas fired log insert; spare bedroom (no windows); bar/billiard room with airtight heater, wet bar with brass rail; playroom with painted concrete block and cork walls, broadloomed floor, sump pump closet and open joist ceiling; furnace room containing electric furnace and heat pump; storage/workshop containing hot tub equipment, 200 amp circuit breaker service, watersoftener and 3 walls of built-in workbench.

The garage has an overhead metal door with electric door opener, concrete floor, pegboard lined walls over rough cast plaster.

The truck service garage was recently built with a concrete floor, pole barn style construction, prefinished metal siding and roof, two 12' x 12' overhead, wood panelled chain operated doors, 60 amp service panel, wood fired airtight furnace and chimney, 14 foot clear height to underside of roof trusses.

The "Spa" area is surrounded by lattice work with interlock paving stone surrounds, fiberglass hot tub (5 person). The heater, filter and pump for same, are located in the basement.

The pool area contains a 20' x 40' gunite pool with marble (cast) coping, hopped deep end, diving board, two ladders, flagstone surrounds, chain link fencing around and mini-barn containing carpeted storage room, mens and ladies change rooms, equipment room with new jacuzzi, filter and pump and propane fired pool heater.

The rear landscaped yard has a recently constructed "tree fort" and connecting interlock paved walkways.

The front yard is being converted to a "garden centre". The area has been scraped and graveled, berms constructed and concrete bins for materials created.

Remarks

The subject property was purchased by the Newman's in November 1985 for the sum of \$190,000. The property was listed for sale at an asking price of \$259,000 and was subsequently reduced to \$239,000 which was the asking price when the Newmans first looked at it.

The Newmans were actively searching for a property in which to combine their residence and business, which specialized in providing topsoil, sand, gravel, manure and firewood. The new location would permit the expansion of that business into sod, patio stones, interlocking pavers, railroad ties, trees, shrubs, dolomite and red crushed brick. The business has been established for 20 years and was now at the point where expansion of it to "one stop shopping" was desirable and necessary.

Prior to making an offer on the property, which was strictly rural residential, the Newmans approached the Town of Milton and received verbal assurances that a permit permitting their proposed use would be issued when they owned the property.

They purchased the property, and on December 10, 1985 received a licence from the Town of Milton to carry on a "Garden Centre & Supply" business at the subject property. The permit was issued to Newman Sand, Gravel and Garden Supply. There is no expiry date on the licence.

The Newmans advised that the subject site was ideal for the establishment of their joint residential and business use, in that it contained a substantial and desirable residence and from their business viewpoint:-

- 1) was on a well travelled Provincial Highway not subject to half load restrictions.
- 2) was located central to all their sources of material.
- 3) was located central to their market (Glen Abbey; Milton; Streetsville; Meadowvale; Burlington and Oakville).
- 4) was located centrally to their Yellow Page advertising (Milton; Burlington; Mississauga and Oakville).

That subsequent to the purchase of the property, they expended at least \$50,000, exclusive of labour, in upgrading and converting the property to its dual use, including:-

1) to residence:-

- a) replaced garburator
- b) replaced dishwasher
- c) redecorated
- d) installed two airtight fireplace inserts
- e) installed chimney and basement airtight heater

2) to yard:-

- a) installed hot tub, equipment and enclosure
- b) installed interlock stone walkways
- c) built tree house

3) to pool:-

- a) replaced pump, filter and valving
- b) extended hydro to change rooms, pool and yard lighting

4) to commercial area:-

- a) built 40' x 40' truck repair garage
- b) scraped and gravel based front yard
- c) bermed east and south limits
- d) constructed concrete block (huge) bins for materials

Town's Comments

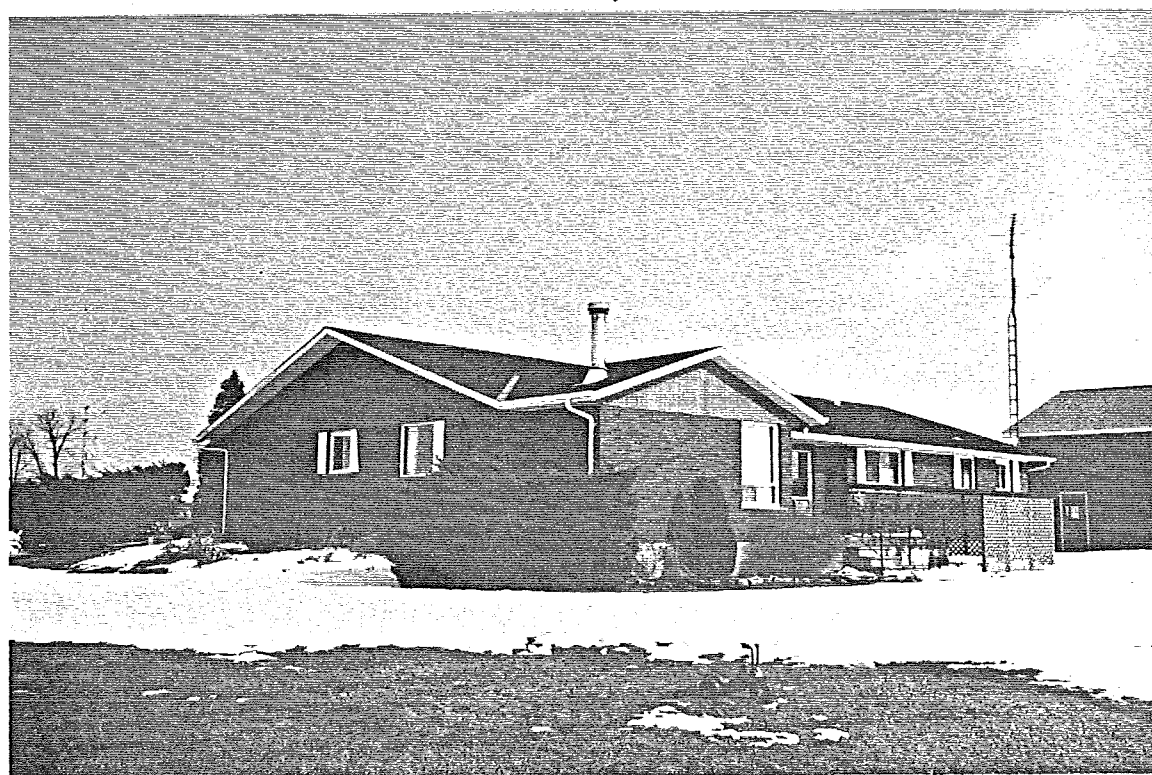
My inquiries to the Town of Milton, indicated that they were embarrassed by the establishment of this non-conforming use, but acknowledged the issuing of the licence.

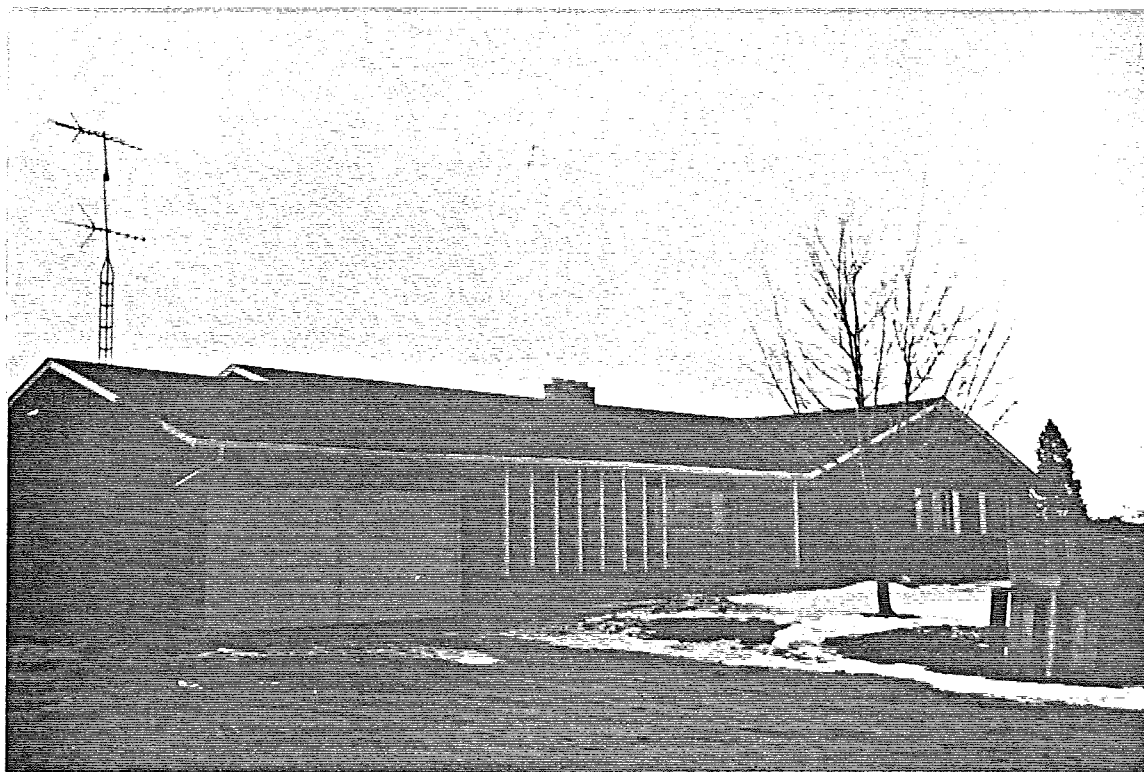
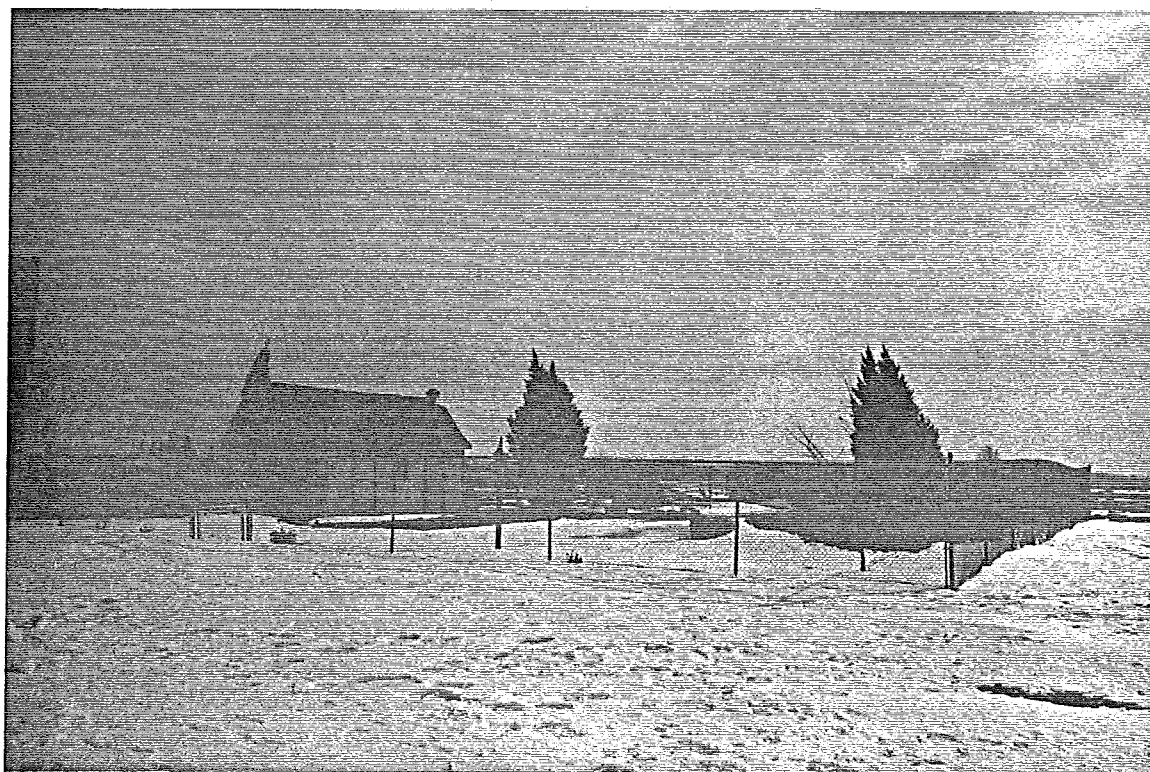
A permit for the erection of the truck repair garage was applied for, was not refused but was not issued. The note on the file simply indicates "hold". The garage was erected without benefit of a permit, but was inspected at various times by the Town's inspectors.

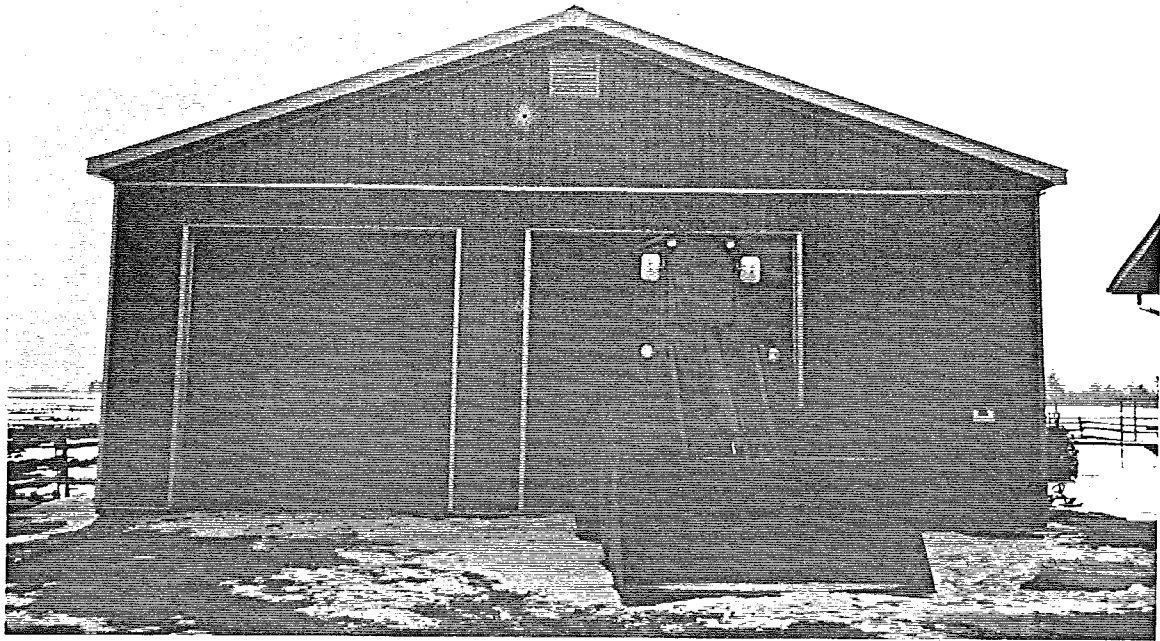
The Planning Director indicates, that the appropriate zoning for the Newmans use would be at the very least "C3" Commercial and more appropriately "M2" industrial.

Highest and Best Use

Having regard to all of the foregoing, for the purpose of this appraisal, the highest and best use of the subject property is taken to be a continuation of the dual (residential/commercial) use established by the Newman's in accordance with the "Licence" issued by the Town of Milton on December 10, 1985.







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Mini-barn	= +	1,500	
Driving shed			
1,680 sq.ft. @ \$10.00	= -	16,800	
Bank barn etc. say	= -	25,000	
Truck repair garage	= +	36,000	
Work towards dual use	= +	10,000	
Central A/C heat pump	= +	3,000	
Central vacuum	= +	500	= + \$159,046

Indicated current value of subject
Property No. 6 by comparison = \$374,046

Sale No. 63 is the November 1987 sale of a 10.516 acre rural residential property on the east side of the First Line north of the Lower Base Line. It is improved with a brick bungalow, attached two car garage and metal clad drive shed or stable.

This sale, adjusted for time and major differences, indicates a current value for subject Property No. 6 as follows:-

Sale price (11/87) = \$269,500

Adjustments

Time	=	NIL
Site Size		
(from Sales 24 & 31)		
\$105,000 - \$78,000 =		
\$27,000/6.354acres =		
\$4,249 x 8.368 acres	= -	35,556
Dwelling size, say		
800 sq.ft. @ \$40.00	= +	32,000
Extra washrooms		
& fixtures	= +	4,000
Basement finish		
700 sq.ft. @ \$10.00	= +	7,000
Fireplaces	= +	4,500
Airtight chimney	= +	700
Pool & equipment	= +	15,000
Hot tub & equipment	= +	4,000
Mini-barn	= +	1,500
Driving shed, say	= -	16,800
Truck repair garage	= +	36,000

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Work towards dual use	= +	10,000	
Central A/C heat pump	= +	3,000	
Central vacuum	= +	<u>500</u>	= + \$ 65,844

Indicated current value of subject		
Property No. 6 by comparison	=	<u>\$335,344</u>

Sale No. 70 is the July 1986 sale of a 0.517 acre lot on the south side of Britannia Road, west of the Sixth Line. It is improved with a modern brick and stone bungalow with a full basement and oversize two car attached garage. It contains 7 rooms of which 3 are bedrooms, 2 open fireplaces, one 4 piece and one 3 piece bathroom, a finished recreation room and a 4th bedroom in the basement.

This sale, adjusted for time and other major differences, indicates a current value for subject Property No. 6, as follows:-

Sale price (7/86)	=	\$161,000
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Adjustments

Time + 39.1%	= +	\$62,951	
Site size			
(from Sales 32 & 34)			
1.631 acres @ \$7,500	= +	12,233	
Dwelling size			
500 sq.ft. @ \$40.00	= +	20,000	
Larger garage			
100 sq.ft. @ \$12.00	= -	1,200	
Extra fireplace	= +	1,500	
Airtight chimney	= +	700	
Extra washroom			
& fixtures	= +	3,000	
Extra basement finish			
700 sq.ft. @ \$10.00	= +	7,000	
Pool & equipment	= +	15,000	
Hot tub & equipment	= +	4,000	
Mini-barn	= +	1,500	
Truck repair garage	= +	36,000	
Work towards dual			
use, say	= +	10,000	
Central A/C/heat pump	= +	3,000	
Central vacuum	= +	<u>500</u>	= + \$176,184

Indicated current value of subject		
Property No. 6 by comparison	=	<u>\$337,184</u>

Sale No. 71 is a December 1986 sale of a 0.517 acre rural residential property on the south side of Britannia Road, west of the Sixth Line. It is improved with a modern stucco bungalow with an attached one car garage; inground, solar heated pool, prefinished metal clad cabana and metal storage shed.

This sale, adjusted for time and major differences, indicates a current value for subject Property No. 6, as follows:-

Sale price (12/86) = \$170,000

Adjustments

Time + 19.7%	= + \$33,490	
Site size		
1.631 acres @ \$7,500	= + 12,233	
Dwelling size, say		
800 sq.ft. @ \$40.00	= + 32,000	
Extra washroom		
& fixtures	= + 4,000	
Extra fireplaces	= + 3,000	
Airtight chimney	= + 700	
Larger garage		
200 sq.ft. @ \$12.00	= + 2,400	
Extra basement finish		
900 sq.ft. @ \$10.00	= + 9,000	
Construction	= + 10,000	
Pool & equipment	= nil	
Hot tub & equipment	= + 4,000	
Mini-barn/cabana	= nil	
Metal storage shed	= - 250	
Truck repair garage	= + 36,000	
Work towards dual		
use, say	= + 10,000	
Central A/C/heat pump	= + 3,000	
Central vacuum	= + 500	= + \$160,073

Indicated current value
of subject Property No. 6 = \$330,073

Sale No. 76 is a September 1987 sale of a 1.033 acre rural residential property on the west side of the Third Line, North of Britannia Road. It is improved with a modern stucco bungalow with an attached one car garage, enclosed breezeway and freestanding 3 car garage/workshop.

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This sale, adjusted for time and major differences, indicates a current value for subject Property No. 6, as follows:-

Sale price (91/87) = \$230,000

Adjustments

Time + 2.2%	= + \$ 5,060	
Site size		
1.115 acres @ \$7,500	= + 8,363	
Dwelling size, say		
800 sq.ft. @ \$40.00	= + 32,000	
Extra washroom		
& fixtures	= + 4,000	
Extra fireplaces	= + 3,000	
Airtight chimney	= + 700	
Larger attached garage		
200 sq.ft. @ \$12.00	= + 2,400	
Extra basement finish		
900 sq.ft. @ \$10.00	= + 9,000	
Pool & equipment	= + 15,000	
Hot tub & equipment	= + 4,000	
Mini-barn/cabana	= + 1,500	
3 car garage/workshop	= - 10,350	
Truck repair garage	= + 36,000	
Work towards dual		
use, say	= + 10,000	
Central A/C/heatpump	= + 3,000	
Central vacuum	= + 500	= + \$124,173

Indicated current value of subject
Property No. 6 by comparison = \$354,173

Summary and Final Estimate of Value
of Subject Property No. 6

The subject acquisition trended up and adjusted for improvements made since purchase, indicates a current value for subject Property No. 6 of \$378,750.

Sales No. 52, 54, 63, 70 71 and 76, adjusted for time and other major differences, indicate current values for subject Property No. 6 of \$387,411; \$374,046; \$335,344; \$337,184; \$330,073 and \$354,173 respectively.

The subject acquisition and comparable sales, adjusted for major differences, indicate a relatively narrow current value range of \$330,073 to \$387,411. After consideration of the evidence provided by these sales, the quality and quantity of the subject improvements, its recently established dual use and its Highway 25 location, it is my opinion that its most probable sale price or current market value for a continuation of its dual use in the \$330,000 to \$387,000 value range indicated is:-

THREE HUNDRED AND SEVENTY-FIVE THOUSAND DOLLARS

(\$375,000)

To this value should be added an allowance of \$50,000 for business loss and disturbance which amount should enable the owner to re-establish his business in another dual use property or alternatively on a site or property zoned for such use. I am also of the opinion that should the owner claim a business loss and/or relocation costs in excess of that allowance by reason of the assumed expropriation, it should be proved and documented in accordance with Section 19 of the Expropriations Act.

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PROPERTY NO. 7

Address - W/S 25 Highway
Town of Milton

Owners - Wombat Investments Limited
c/o J.B. Transport
7450 Bren Rd.
Suite 212
Mississauga, Ontario
L4T 1H4

Legal Description - Part of southwest half of Lot 2 and part of
northeast half of Lot 3, Concession 2 N.S.,
designated as Part 2 on the proposed plan of
expropriation.
Town of Milton
Regional Municipality of Halton

Location - west side of Highway 25,
1,276 meters/4,186 feet north of Lower Base Line

Site Size - irregular "U" shaped 36.644 hectare/90.546 acre
parcel with 10.1175 hectare/25 acre parcel (NE 1/4 of SW 1/2
Lot 2 Con 2 NS) to the south.

North parcel = 36.6440 hectares/90.546 acres

South parcel = 10.1175 hectares/25.000 acres

Total = 46.7615 hectares/115.546 acres

Limits - see following reduced photocopy of the relevant portion
of the proposed plan of expropriation, amended by me to
shown northerly portion of lands remaining.

Topography - basically level with a general slope to the east.
Wooded area located at southwest corner of northerly
parcel, consisting of a very open scattering of oak,
maple, ash and hawthorne, with some white pine.

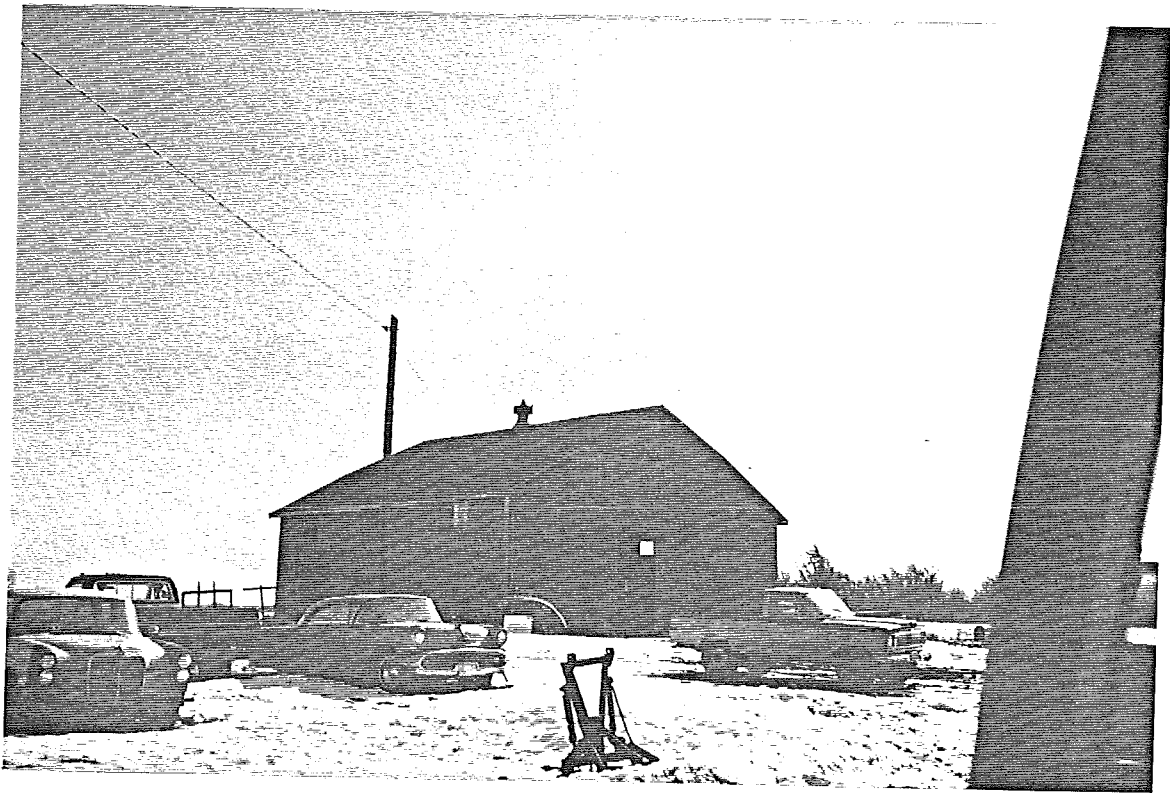
Services - hydro and telephone are available on Hwy. 25, to
service the 90.38 acre northerly parcel.

O.P. Designation - Agricultural

Zoning - "A1" Agricultural

Use - a speculative holding of cultivated agricultural land.

Assessment - \$8,225



VALUE ESTIMATEProperty No. 7 (Wombat Investments Ltd.)

Subject property No. 7 is a 46.7615 hectare/115.546 acre parcel of speculative agricultural land, on the west side of Highway No. 25, north of the Lower Base Line Road. It contains a small stable and loft barn in good condition and is comprised of two parcels:-

- 1) a 10.1175 hectare/25 acre parcel of vacant land being an internal parcel in Lot 2, Concession 2 N.S. lying to the south of "Site D".
- 2) a 36.644 hectare/90.546 acre "U" shaped parcel of Highway 25 frontage land, containing the stable and loft barn.

The subject property was acquired by the present owners in October 1969 for the sum of \$258,919.10 (\$2,241 per acre) and was listed for sale, under power of sale, in the spring of 1987 with an asking price of \$298,000 (\$2,579 per acre), a spectacularly unsuccessful speculation over the intervening 17 plus years.

In estimating the value of subject Property No. 7, I am assisted by its recent listing for sale (Listing No. 9) and Sales No. 10, 11, 12 and 13 on Chart A.

Listing No. 9 is the spring 1987 listing of the subject property. It contains 115.546 acres of which 25 acres is an internal parcel surrounded by other ownerships but with access. It was listed for sale at an asking price of \$298,000 (\$2,579 per acre) and was purchased in October 1969 for \$258,919.10 (\$2,241 per acre). The listing salesman reported he received no offers to purchase the property and it has since been removed from the market.

Sale No. 10 is the March 1987 sale of a 101.627 acre parcel of cultivated land in Parkway Belt. It contains a bank barn and drive shed. The residence was either demolished or burnt.

I interpret this section to direct me to disregard the proposed "sanitary land fill" use proposed for "Site D", the subject lands. I am of the opinion that, but for the knowledge of the proposed sanitary land fill site, subject Property No. 7, (Listing No. 9) would have sold for more than the \$2,579 it was listed for in the early spring of 1987.

After consideration of the evidence provided by the foregoing, it is my opinion that the October 15, 1987 Section 14 cost to the Region of their Site D requirement from subject Property No. 7 (Part 2 on the proposed plan of expropriation), inclusive of injurious affection to the lands remaining, is:-

115.546 acres @ \$3,100 per acre = \$ 358,193

Less

Residual value of lands
remaining to an abutting owner
say 25.00 acres @ \$3,100 per
acre x 50% = 38,750

Estimated Section 14 cost to
the Region to acquire the northerly
36.644 hectares/90.546 acres of
subject Property No. 7 in Site D = \$ 319,443

Rounded out to:-

THREE HUNDRED AND TWENTY THOUSAND DOLLARS

(\$320,000)

\$320,000 = \$3,534 per acre
90.546 acres

\$320,000 = \$8,733 per hectare
36.644 hectares

PROPERTY NO. 8

Address - 5406 25 Highway
RR 1 Milton
Ontario
L9T 2X5

Owner - Miller-Figa Investments Limited &
Rosenbloom Investments Limited
c/o J.B. Transport
7450 Bren Road
Mississauga, Ontario
L4T 1H4

Tenant - W. Wellwood (note - House burnt mid 1987/now vacant)

Lease - expires November 1, 1987
- one year notice to move required

Rent - was \$450 per month

Legal Description - Part of Lot 3, Concession 2 N.S., designated
as Part 3 on the proposed plan of
expropriation.
Town of Milton
Regional Municipality of Halton

Location - west side of Highway No. 25, about 1505 meters
/4,937 feet north of Lower Base Line.

Site Size - 4.0611 hectares/10.035 acres

Limits - Highway 25 frontage	=	100.584m/	330.00'
South limit	=	406.451m/1,	333.50'
West limit	=	100.584m/	330.00'
North limit	=	406.451m/1,	333.50'

Topography - basically level with a general slope to the east.

Services - private well, septic system, hydro and telephone.
- the well was inadequate and water, at a cost of about
\$100 per month was trucked to and placed in the well
to serve the dwelling, before it burnt.

Easements and Rights-of-Way - none noted

O.P. Designation - Agricultural

Zoning - "A1" Agricultural

Use - was tenant occupied rural residential
(now vacant/house burnt mid 1987)

Assessment - \$8,000

Improvements

The property contained a poor tenant occupied two storey, asbestos siding over frame dwelling, with a one storey addition of similar construction. It was burnt in mid 1987 and the property is now vacant. The stable and loft barn which appears to be part of the property is located on the abutting property.

I attempted to inspect the dwelling before it was burnt, but permission to was not given. The tenant provided the following description of the accommodation:-

- 1) 5 bedrooms (2 on main floor and 3 on second floor).
- 2) large kitchen with wood stove and semi-modern counters.
- 3) two smaller rooms off in derelict condition.
- 4) 4 piece bathroom (now 3 piece as shower damaged).
- 5) forced air oil fired furnace.
- 6) pressure system (tenants).
- 7) sump pump (tenants).
- 8) rental water heater.
- 9) roof in very poor condition.
- 10) dwelling poor.

Remarks

External inspection before the dwelling burnt indicated the subject property to be a 10.035 acre rural residential property in a poor state of repair. It appeared to be sufficiently sound, that it could be retained, repaired and renovated, but was not architecturally appealing or historically significant. The recent fire has in my opinion destroyed any contributory value the dwelling may have had.

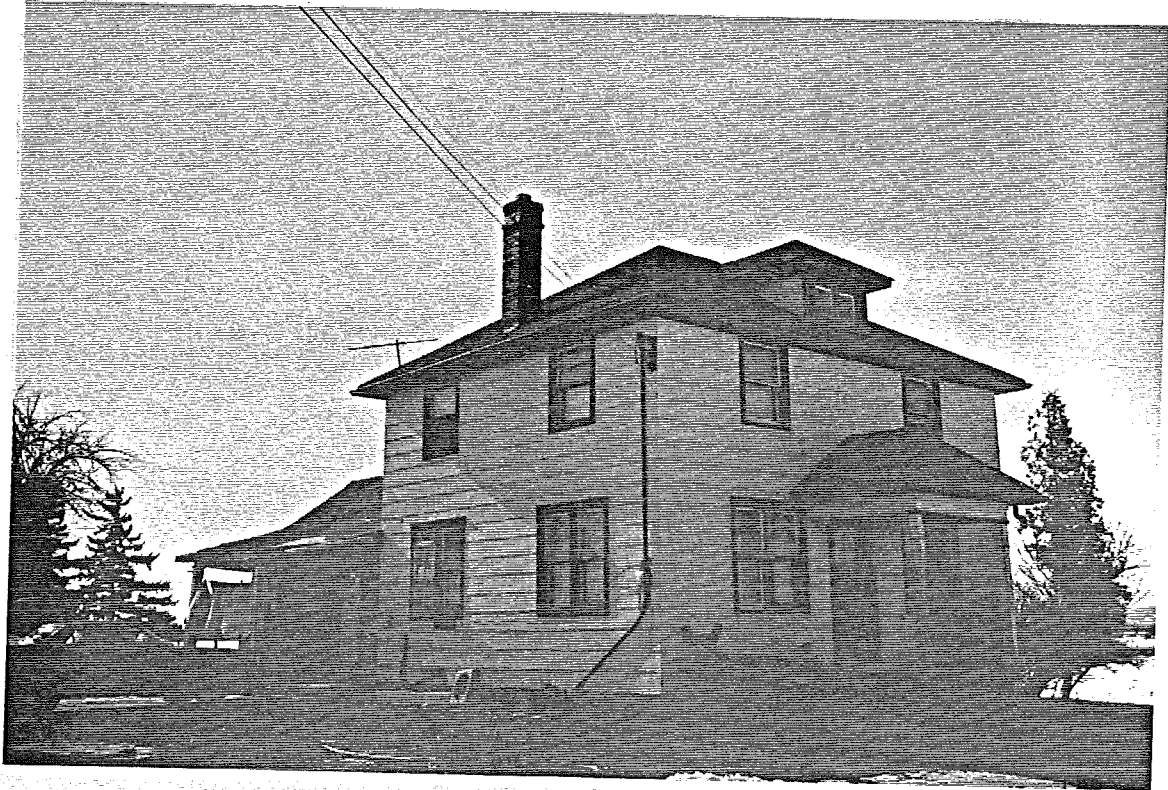
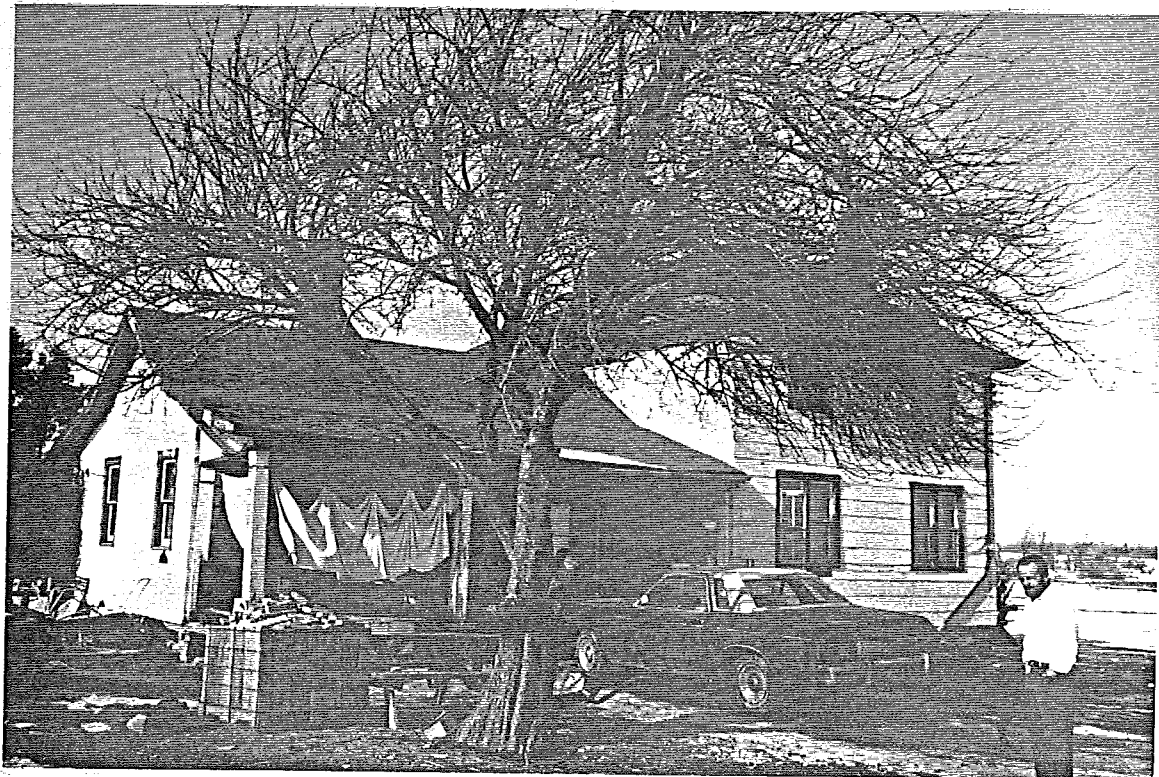
The tenants indicated that they had, as part of their lease, a first right of refusal to purchase same.

The subject parcel was purchased by the owners in October 1969 for \$30,000 or \$2,989.54 per acre, subject to a life interest of Florence A. Martin (since deceased).

The property was recently listed for sale with John Shorthill Real Estate with an asking price of \$250,000 and has since been removed from the market. The listing salesman reported that he had and still has a lot of activity with respect to this listing and received an all cash offer of \$210,000 to purchase the property in November of 1987. The surviving owner refused the offer and took the property off the market.

Highest and Best Use

A continuation of its existing rural residential use, with the existing dwelling being demolished and replaced with a new custom home.



VALUE ESTIMATESProperty No. 8 (5406 25 Highway)

Subject Property No. 8 is a 4.0611 hectare/10.035 acre rural residential parcel on the west side of Highway No. 25, north of the Lower Base Line. It contains a recently burnt, part two storey, part one storey, asbestos siding over frame farm house which at the time of my original inspection was in poor condition. A purchaser of the property would at that time have had the option of repairing, renovating and expanding the dwelling or demolishing same and building a new custom home thereon. The current condition of the dwelling leads me to conclude that it no longer contributes to the value of the property and a purchaser would demolish it.

The site is not a particularly attractive or desirable one, however my investigation indicates that 10 acre parcels are in demand.

In estimating the current value of subject Property No. 8, I am assisted by the recent listing and all cash, unconditional offer to purchase the subject property which was refused as well as Sales No. 22 and 23 on Chart A and Sale No. 26 on Chart B.

Sale No. 22 the September 1987 sale of a 25.026 acre parcel at a unit price of \$10,389 per acre. It is located within, but on the edge of the Parkway Belt, is relatively shallow in depth and has extensive frontage on Highway 25 as well as some frontage on Britannia Road. It was purported to have had a potential for further division and/or rezoning to commercial use. This sale of a larger and more attractive 25.026 acre parcel at a parcel price of \$260,000 does not support the purported November 1987 \$210,000 offer to purchase the smaller 10.035 acre subject property with it's stringbean configuration and obvious lack of potential for further division.

Sale No. 23 is the December 1987 resale of a 27.327 acre parcel of vacant cultivated land on the west side of the Fourth Line at a unit price of \$7,868 per acre and a parcel price of \$215,000. It has limited frontage on the Fourth Line and is a stingbean parcel like the subject. It has no potential for further division. This sale of a much larger 27.327 acre parcel at a parcel price of \$215,000 does not support the purported, same month, \$210,000 offer to purchase the smaller, 10.035 acre, subject property.

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Sale No. 24 is the October 1986 sale of an 8.451 acre parcel of vacant land on the west side of the Bell School Line for \$105,000 or \$12,426 per acre. This sale trended up for time and size indicates an October 1987 value for subject Property No. 8 as follows:-

Sale price (10/86) = \$ 105,000

Adjustments

Time +27.1% = + \$ 28,455

Site size

(from Sales 23 & 26)

\$215,000 - \$145,000 =

\$70,000/8.81 acres =

\$7,946 x 1.584 acres = + \$ 12,586 = + \$ 41,041

Indicated value of subject Property
No. 8 by comparison = \$ 146,041

Sale No. 25 is the November 1986 sale of an 8.318 acre rural residential property on the west side of the First Line, north of the Lower Base Line. It contained a poor frame bungalow and mink pens at the time of the sale.

This sale, adjusted for time and site size, indicates a current value for subject Property No. 8, as follows:-

Sale price (11/86) = \$ 93,000

Adjustments

Time + 23.3% = + \$21,669

Site Size

10.035 - 8.318 = 1.717

acres @ \$7,946 per acre = + 13,643 = + \$ 35,312

Indicated value of subject Property
No. 8 by comparison = \$ 128,312

Sale No. 26 is the November 1987 sale of an 18.517 acre parcel of vacant land on the west side of the Bell School Line for \$145,000 or \$8,055 per acre. It contains a creek, is larger than and has a superior configuration to subject Property No. 8. This sale of a larger and more attractive 18.517 acre parcel at a parcel price of \$145,000 also does not support the purported, same month, \$210,000 offer to purchase the smaller, 10.035 acre, subject property with its inferior configuration and lack of a creek.

Sale No. 26 is taken to indicate a value for subject Parcel No. 2 as follows:-

Sale price (11/87) = \$ 145,000

Adjustments

Site size
(from Sale 11)
8.482 acres @ \$2,000 = - \$ 16,964

Indicated value of subject Property
No. 8 by comparison = \$ 128,036

Summary and Final Estimate of Value
of Subject Property No. 8

The subject property was recently listed for sale at an asking price of \$250,000 and the listing agent reports that in November 1987 he received and presented an unconditional, all cash offer to purchase the property for \$210,000 which was refused by the owner and the property taken off the market. None of the sales charted even the most recent are able to support this purported offer.

Sale No. 24, adjusted for time and site size, indicates a value for subject Property No. 8 of \$146,041.

Sale No. 25, adjusted for time and site size, indicates a current value for subject Property No. 8 of \$128,312.

Sale No. 26, adjusted for time and site size, indicates a current value for subject Property No. 8 of \$128,036.

After consideration of the evidence provided by the reported unconditional, all cash offer to purchase the subject property, the lack of support for such provided by even the most recent sales and Sales No. 24, 25 and 26, the most comparable in terms of size adjusted for major differences, I am of the opinion that the most probable sale price or current market value of subject Property No. 8 in the \$128,036 to \$146,000 value range indicated, is:-

ONE HUNDRED AND FORTY-SIX THOUSAND DOLLARS

(\$146,000)

$\frac{\$146,000}{10.035 \text{ acres}} = \$14,549 \text{ per acre}$

$\frac{\$146,000}{4.0611 \text{ hectares}} = \$35,951 \text{ per hectare}$

PROPERTY NO. 9

Address - W/S 25 Highway
Town of Milton

Owner - Martin Tibout & Joze Mavec as trustees
c/o Maria Sinicar
259 A Delta Street
Toronto

Legal Description - part of Lot 4, Concession 2 N.S.
Town of Milton
Regional Municipality of Halton

Location - west side of Highway 25, 1,800 meters/5,906 feet north
of the Lower Base Line

Site Size - 11.4947 hectares/28.403 acres

Limits - Highway 25 frontage	=	154.902m/	508.21'
South limit	=	739.817m/2,	427.22'
West limit	=	155.805m/	511.17'
North limit	=	739.700m/2,	426.84'

Topography - basically level to gently rolling land with
watercourse in well defined, but small valley near
the road.

Services - hydro and telephone are available on Highway 25 to
service the site.

Easements and Rights-of-Way - none noted

O.P. Designation - Agricultural
- Conservation and Hazard Land along watercourse

Zoning - "A1" Agricultural
"OSC" Open Space Conservation in proximity
to the watercourse.

Use - a speculative holding of a 11.4947 hectares/28.403 acre
parcel of vacant agricultural land.

Assessment - \$2,078

Improvements - none/vacant land.

Remarks

28.403 acre parcel of vacant land acquired, in conjunction with subject Property No. 10, the abutting 21.789 acre parcel to the north, in March 1969 for \$60,000 or:-

$$\frac{\$60,000}{28.403 + 21.789 \text{ acres}} = \$1,195 \text{ per acre}$$

The property has a potential, and is desirable for development with a rural residence, country estate or hobby farm.

Highest and Best Use

A speculative holding of agricultural land with a potential for sale or retention and development with a single family rural residence, country estate or hobby farm.

Regional Requirement

The Regional requirement for Site D from subject Property No. 9 is it's most westerly 0.9723 hectares/2.403 acres being designated as Part 15 on the proposed plan of expropriation. The limits and location of the Regional requirement are shown on a following portion of the proposed plan of expropriation.

Lands Remaining

The lands remaining to the owners consist of the easterly 10.5224 hectares/26.000 acres of subject Property No. 9 with the following limits:-

Highway 25 frontage	=	154.902m/	508.21'
South limit	=	678.058m/2,	224.60'
West limit	=	156.052m/	511.98'
North limit	=	676.317m/2,	218.89'

Highest and Best Use of Lands Remaining

A speculative holding of agricultural land with a potential for sale or retention and development with a single family rural residence, country estate or hobby farm.

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25 (PLAN 831)

CONCESSIONS 2 & 3

BETWEEN

KING'S
ALLOWANCE

ROAD

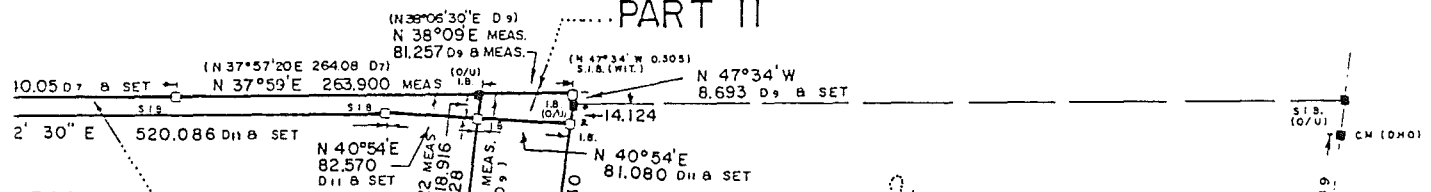
THE

LOT

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INST. N° 270545

PART II



PART 10
SUBJECT TO AN EASEMENT
DOCUMENT N° 92644

PART 9

166432

LOT

INST. N° 351607

PART 12

INST. N° 259834

PART 13

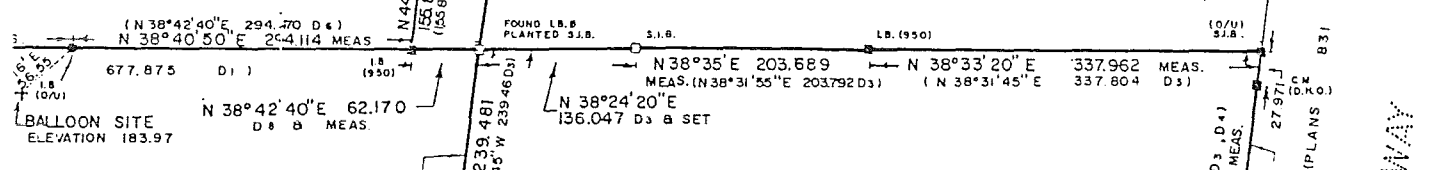
PART 14

PART 8

357567

PART 15

INST. N° 267976



LOT

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CONCESSION

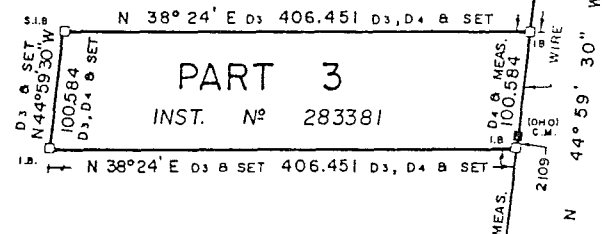
(NEW)

PART 2

INST. N° 283379

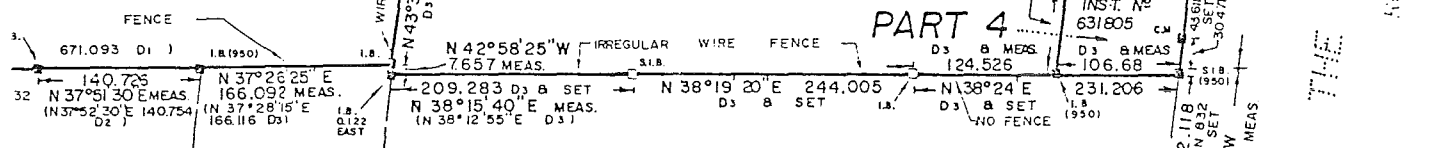
PART 3

INST. N° 283381



PART 4

INST. N° 631805



INST. N° 643014

INST. N° 283379

VALUE ESTIMATEProperty No. 9 (Tibout & Mavec)

Subject property No. 9 is a vacant 11.4947 hectare/28.403 acre parcel of rural residential land on the west side of Highway No. 25, north of the Lower Base Line. It contains a watercourse in a small but well defined valley, has a potential and is desirable for rural residential development.

The Regional requirement from subject Property No. 9 for Site D, is the rear 0.9723 hectare/2.403 acres of this parcel.

In estimating the value of subject Property No. 9, both before and after the proposed taking, I am assisted by Sales No. 22 and 23 on Chart B and Sale No. 26 on Chart C.

Sale No. 22 the September 1987 sale of a 25.026 acre parcel at a unit price of \$10,389 per acre. It is located within, but on the edge of the Parkway Belt, is relatively shallow in depth and has extensive frontage on Highway 25 as well as some frontage on Britannia Road. It was purported to have had a potential for further division and/or rezoning to commercial use. This sale has a superior configuration to the subject, contains a spruce and hardwood bush at it's north limit.

In order to be compared with the subject property, both before and after the proposed taking, it must be adjusted for time and other major differences. It indicates as follows:-

Sale price (9/87) = \$260,000

Adjustments

Time + 2.2%	=	+ \$ 5,720	
Site size			
(from Sales 21 & 23)			
\$307,000 - \$215,000 =			
\$92,000/19.182 acres =			
\$4,796 x 3.377 acres	=	+ 16,196	
Configuration etc.			
10% of \$260,000	=	- 26,000	
Woods			
10% of \$260,000	=	- 26,000	
Watercourse			
10% of \$260,000	=	+ <u>26,000</u>	= - <u>4,084</u>

Indicated value of subject
Property No. 9 before the
proposed taking = \$255,916

Sale price (9/87) = \$260,000

Adjustments

Time + 2.2%	= + \$ 5,720	
Site size (from Sales 21 & 23)		
\$307,000 - \$215,000 =		
\$92,000/19.182 acres =		
\$4,796 x 0.974 acres	= + 4,671	
Configuration etc.		
10% of \$260,000	= - 26,000	
Woods		
10% of \$260,000	= - 26,000	
Watercourse		
10% of \$260,000	= + 26,000	
Proximity of dump		
20% of \$244,391	= - <u>48,878</u>	= - <u>\$ 64,487</u>

Indicated value of subject Property No. 9
after the proposed taking inclusive of
injurious affection = \$195,513

Sale No. 22, after adjustment for time and major differences, indicates a loss in value to subject Property No. 9, inclusive of injurious affection, by reason of the proposed taking of:-

\$255,916 - \$195,513 = \$60,403

Sale No. 23 is the December 1987 sale of a 27.327 acre parcel of vacant, cultivated land on the east side of the Fourth Line at a unit price of \$7,868 per acre and a parcel price of \$215,000. It has limited frontage on the Fourth Line, is a deep narrow parcel and has no potential for further division.

In order to be compared with the subject property, both before and after the proposed taking, it must be adjusted for time and other major differences. It indicates as follows:-

DAVIS, HICKS & O'BRIEN LIMITED

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Sale price (12/87) = \$215,000

Adjustments

Time - 0.2% = - \$ 430
 Site size
 (from Sales 21 & 23)
 \$307,000 - \$215,000 =
 \$92,000/19.182 acres =
 \$4,796 x 1.076 acres = + 5,160
 Watercourse
 10% of \$215,000 = + 21,500 = + 26,230

 Indicated value of subject
 Property No. 9 before the
 proposed taking = \$241,230

Sale price (12/87) = \$215,000

Adjustments

Time - 0.2% = - \$ 430
 Site size
 (from Sales 21 & 23)
 \$307,000 - \$215,000 =
 \$92,000/19.182 acres =
 \$4,796 x 1.327 acres = - 6,364
 Watercourse
 10% of \$215,000 = + 21,500
 Proximity of dump
 20% of \$229,706 = - 45,941 = - \$ 31,234

 Indicated value of subject Property
 No. 12 after the proposed taking
 inclusive of injurious affection = \$183,766

Sale No. 23, after adjustment for time and major differences, indicates a loss in value to subject Property No. 12, inclusive of injurious affection, by reason of the proposed taking of:-

\$241,230 - \$183,766 = \$57,464

Sale No. 26 is the November 1987 sale of an 18.517 acre parcel of vacant land on the west side of the Bell School Line for \$145,000 or \$8,055 per acre. It contains a creek, is smaller than and has a superior configuration to subject Property No. 9.

In order to be compared with the subject property, both before and after the proposed taking, it must be adjusted for time and other major differences. It indicates as follows:-

Sale price (11/87) = \$145,000

Adjustments

Time + 0.6%	= + \$	870	
Site size			
(from Sales 21 & 23)			
\$307,000 - \$215,000 =			
\$92,000/19.182 acres =			
\$4,796 x 9.886 acres	= +	47,413	
Configuration etc.			
5% of \$145,000	= -	7,250	
Woods	=	NIL	
Watercourse	=	NIL	= + <u>41,033</u>

Indicated value of subject
Property No. 9 before the
proposed taking = \$186,033

DAVIS, HICKS & O'BRIEN LIMITED

119

Sale price (11/87) = \$145,000

Adjustments

Time + 0.6%	= + \$	870	
Site size			
(from Sales 21 & 23)			
\$307,000 - \$215,000 =			
\$92,000/19.182 acres =			
\$4,796 x 7.483 acres	= +	35,888	
Configuration etc.			
5% Of \$145,000	= -	7,250	
Woods	=	NIL	
Watercourse	=	NIL	
Proximity of dump			
20% of \$174,508	= -	<u>34,902</u>	= - \$ <u>5,394</u>

Indicated value of subject Property
 No. 9 after the proposed taking
 inclusive of injurious affection = \$139,606

Sale No. 26, after adjustment for time and major differences, indicates a loss in value to subject Property No. 9, inclusive of injurious affection, by reason of the proposed taking of:-

\$186,033 - \$139,606 = \$46,427

Summary and Final Estimate of Loss in Market Value
to Subject Property No. 9

Sale No. 22, after adjustment for time and major differences, indicated a loss in value to subject Property No. 9, inclusive of injurious affection, by reason of the proposed taking of \$60,403.

Sale No. 23, after adjustment for time and major differences, indicated a loss in value to subject Property No. 9, inclusive of injurious affection, by reason of the proposed taking of \$57,464.

Sale No. 26, after adjustment for time and major differences, indicated a loss in value to subject Property No. 9, inclusive of injurious affection, by reason of the proposed taking of \$46,427.

Consideration of the evidence provided by the three sales analyzed and the size of each, I am of the opinion that the loss in market value to subject Property No. 9, inclusive of injurious affection, by reason of the proposed taking is:-

FIFTY-NINE THOUSAND DOLLARS

(\$59,000)

$$\frac{\$59,000}{2.403 \text{ acres}} = \$24,553 \text{ per acre proposed to be taken}$$

$$\frac{\$59,000}{0.9723 \text{ hectares}} = \$60,681 \text{ per hectare proposed to be taken}$$

PROPERTY NO. 10

Address - W/S 25 Highway
Town of Milton

Owners - Anton Dolinar in trust
c/o Maria Senicar
259 A Delta Street
Toronto

Legal Description - part of Lot 4, Concession 2 N.S.
Town of Milton
Regional Municipality of Halton

Location - west side of Highway 25,
1,955 meters/6,414 feet north
of the Lower Base Line

Site Size - 8.818 hectares/21.789 acres (deed)

Limits - Highway 25 frontage	=	119.722m/	392.79'
South limit	=	739.701m/2,	426.84'
West limit	=	119.698m/	392.71'
North limit	=	739.701m/2,	426.84'

Topography - basically level to gently rolling with a watercourse in a well defined, but small valley traversing the property from north to south, about 600 feet west of its east limit. A second watercourse runs easterly in the subject, to join with the first.

Services - hydro and telephone are available on Highway 25 to service the site.

Easements and Rights-of-Way - none noted

O.P. Designation - Agricultural
- Conservation and Hazard Land along watercourse

Zoning - "A1" Agricultural
"OSC" Open Space Conservation
in proximity to the watercourses.

Use - a speculative holding of a 21.789 acre parcel of vacant agricultural land.

Assessment - \$1,595

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VALUE ESTIMATE

Property No. 10 (Anton Dolinar)

Subject Property No. 10 is a vacant 8.818 hectare/21.789 acre parcel of rural residential land on the west side of Highway No. 25, north of the Lower Base Line. It contains a watercourse in a small but well defined valley, has a potential and is desirable for rural residential development.

The Region's requirement from subject Property No. 10 for Site D is the rear 0.7604 hectares/1.879 acres of this parcel.

In estimating the value of subject Property No. 10, both before and after the proposed taking, I am assisted by Sales No. 22 and 23 on Chart B and Sale No. 26 on Chart C.

Sale No. 22 the September 1987 sale of a 25.026 acre parcel at a unit price of \$10,389 per acre. It is located within but on the edge of the Parkway Belt, is relatively shallow in depth and has extensive frontage on Highway 25 as well as some frontage on Britannia Road. It was purported to have had a potential for further division and/or rezoning to commercial use. This sale has a superior configuration to the subject, contains a spruce and hardwood bush at its north limit.

In order to be compared with the subject property, both before and after the proposed taking, it must be adjusted for time and other major differences. It indicates as follows:-

Sale price (9/87) = \$260,000

Adjustments

Time + 2.2%	= + \$ 5,720
Site size	
(from Sales 21 & 23)	
\$307,000 - \$215,000 =	
\$92,000/19.182 acres =	
\$4,796 x 3.237 acres	= - 15,525
Configuration etc.	
10% of \$260,000	= - 26,000
Woods	
10% of \$260,000	= - 26,000

Improvements - none/vacant land.

Remarks

28.403 acre parcel of vacant land acquired, in conjunction with subject Property No. 10, the abutting 21.789 acre parcel to the north, in March 1969 for \$60,000 or:-

$$\frac{\$60,000}{28.403 + 21.789 \text{ acres}} = \$1,195 \text{ per acre}$$

The property has a potential, and is desirable for development with a rural residence, country estate or hobby farm.

Highest and Best Use

A speculative holding of agricultural land with a potential for sale or retention and development with a single family rural residence, country estate or hobby farm.

Regional Requirement

The Regional requirement for Site D from subject Property No. 9 is it's most westerly 0.9723 hectares/2.403 acres being designated as Part 15 on the proposed plan of expropriation. The limits and location of the Regional requirement are shown on a following portion of the proposed plan of expropriation.

Lands Remaining

The lands remaining to the owners consist of the easterly 10.5224 hectares/26.000 acres of subject Property No. 9 with the following limits:-

Highway 25 frontage	=	154.902m/	508.21'
South limit	=	678.058m/2,	224.60'
West limit	=	156.052m/	511.98'
North limit	=	676.317m/2,	218.89'

Highest and Best Use of Lands Remaining

A speculative holding of agricultural land with a potential for sale or retention and development with a single family rural residence, country estate or hobby farm.

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25 (PLAN 831)
CONCESSIONS 2 & 3

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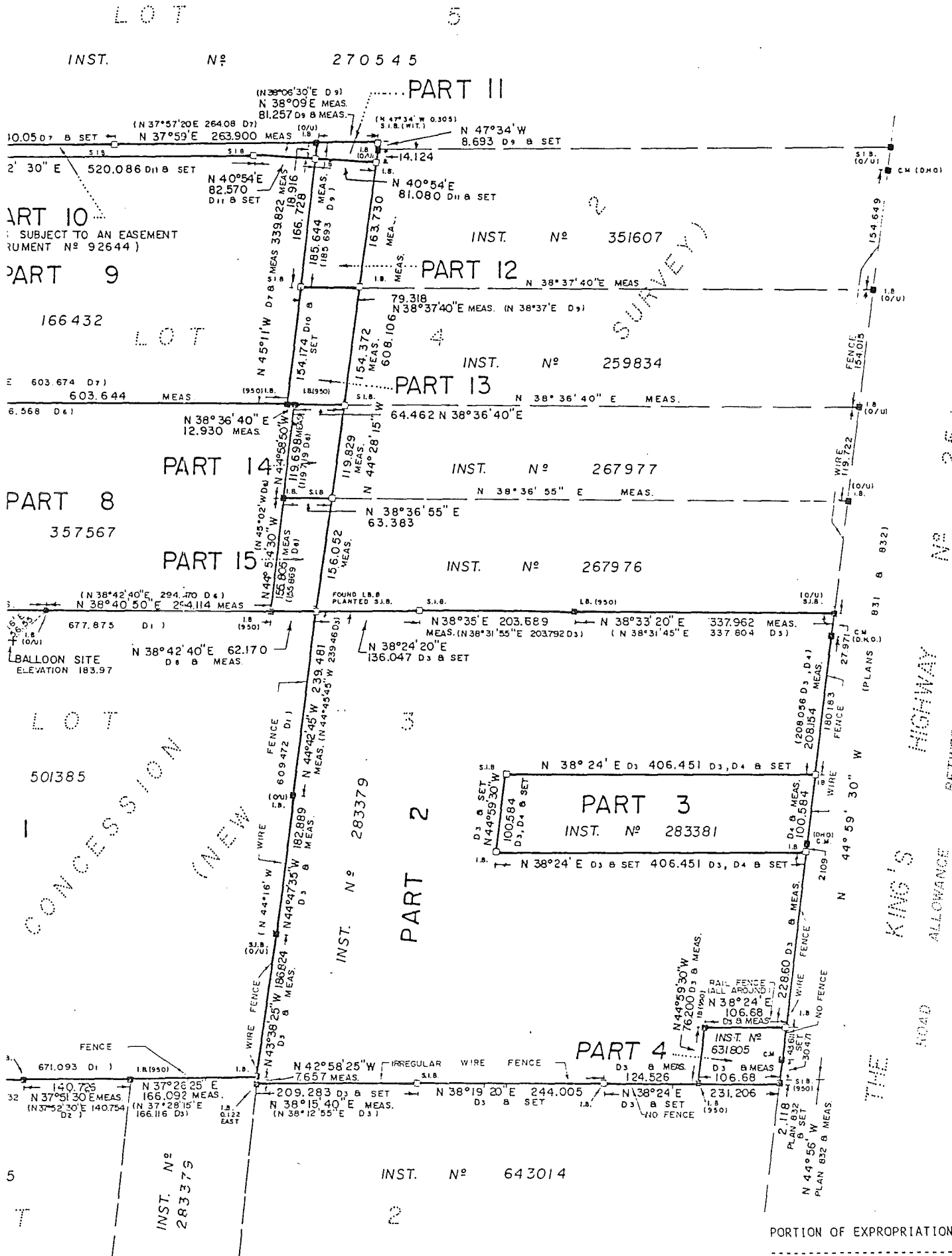
HIGHWAY

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ALLOWANCE

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PORTION OF EXPROPRIATION PLAN



VALUE ESTIMATEProperty No. 9 (Tibout & Mavec)

Subject property No. 9 is a vacant 11.4947 hectare/28.403 acre parcel of rural residential land on the west side of Highway No. 25, north of the Lower Base Line. It contains a watercourse in a small but well defined valley, has a potential and is desirable for rural residential development.

The Regional requirement from subject Property No. 9 for Site D, is the rear 0.9723 hectare/2.403 acres of this parcel.

In estimating the value of subject Property No. 9, both before and after the proposed taking, I am assisted by Sales No. 22 and 23 on Chart B and Sale No. 26 on Chart C.

Sale No. 22 the September 1987 sale of a 25.026 acre parcel at a unit price of \$10,389 per acre. It is located within, but on the edge of the Parkway Belt, is relatively shallow in depth and has extensive frontage on Highway 25 as well as some frontage on Britannia Road. It was purported to have had a potential for further division and/or rezoning to commercial use. This sale has a superior configuration to the subject, contains a spruce and hardwood bush at it's north limit.

In order to be compared with the subject property, both before and after the proposed taking, it must be adjusted for time and other major differences. It indicates as follows:-

Sale price (9/87) = \$260,000

Adjustments

Time + 2.2%	= + \$ 5,720	
Site size		
(from Sales 21 & 23)		
\$307,000 - \$215,000 =		
\$92,000/19.182 acres =		
\$4,796 x 3.377 acres	= + 16,196	
Configuration etc.		
10% Of \$260,000	= - 26,000	
Woods		
10% of \$260,000	= - 26,000	
Watercourse		
10% of \$260,000	= + 26,000	= - 4,084

Indicated value of subject
Property No. 9 before the
proposed taking = \$255,916

Sale price (9/87) = \$260,000

Adjustments

Time + 2.2%	= + \$ 5,720	
Site size (from Sales 21 & 23) \$307,000 - \$215,000 = \$92,000/19.182 acres = \$4,796 x 0.974 acres	= + 4,671	
Configuration etc. 10% of \$260,000	= - 26,000	
Woods 10% of \$260,000	= - 26,000	
Watercourse 10% of \$260,000	= + 26,000	
Proximity of dump 20% of \$244,391	= - <u>48,878</u>	= - \$ <u>64,487</u>

Indicated value of subject Property No. 9
after the proposed taking inclusive of
injurious affection = \$195,513

Sale No. 22, after adjustment for time and major differences, indicates a loss in value to subject Property No. 9, inclusive of injurious affection, by reason of the proposed taking of:-

\$255,916 - \$195,513 = \$60,403

Sale No. 23 is the December 1987 sale of a 27.327 acre parcel of vacant, cultivated land on the east side of the Fourth Line at a unit price of \$7,868 per acre and a parcel price of \$215,000. It has limited frontage on the Fourth Line, is a deep narrow parcel and has no potential for further division.

In order to be compared with the subject property, both before and after the proposed taking, it must be adjusted for time and other major differences. It indicates as follows:-

DAVIS, HICKS & O'BRIEN LIMITED

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Sale price (12/87) = \$215,000

Adjustments

Time - 0.2% = - \$ 430
 Site size
 (from Sales 21 & 23)
 \$307,000 - \$215,000 =
 \$92,000/19.182 acres =
 \$4,796 x 1.076 acres = + 5,160
 Watercourse
 10% of \$215,000 = + 21,500 = + 26,230

Indicated value of subject
 Property No. 9 before the
 proposed taking = \$241,230

Sale price (12/87) = \$215,000

Adjustments

Time - 0.2% = - \$ 430
 Site size
 (from Sales 21 & 23)
 \$307,000 - \$215,000 =
 \$92,000/19.182 acres =
 \$4,796 x 1.327 acres = - 6,364
 Watercourse
 10% of \$215,000 = + 21,500
 Proximity of dump
 20% of \$229,706 = - 45,941 = - \$ 31,234

Indicated value of subject Property
 No. 12 after the proposed taking
 inclusive of injurious affection = \$183,766

Sale No. 23, after adjustment for time and major
 differences, indicates a loss in value to subject Property
 No. 12, inclusive of injurious affection, by reason of the
 proposed taking of:-

\$241,230 - \$183,766 = \$57,464

DAVIS, HICKS & O'BRIEN LIMITED

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Sale price (11/87) = \$145,000

Adjustments

Time + 0.6% = + \$ 870

Site size

(from Sales 21 & 23)

\$307,000 - \$215,000 =

\$92,000/19.182 acres =

\$4,796 x 7.483 acres = + 35,888

Configuration etc.

5% of \$145,000 = - 7,250

Woods = NIL

Watercourse = NIL

Proximity of dump

20% of \$174,508 = - 34,902 = -\$ 5,394

Indicated value of subject Property

No. 9 after the proposed taking

inclusive of injurious affection = \$139,606

Sale No. 26, after adjustment for time and major differences, indicates a loss in value to subject Property No. 9, inclusive of injurious affection, by reason of the proposed taking of:-

\$186,033 - \$139,606 = \$46,427

Sale No. 26 is the November 1987 sale of an 18.517 acre parcel of vacant land on the west side of the Bell School Line for \$145,000 or \$8,055 per acre. It contains a creek, is smaller than and has a superior configuration to subject Property No. 9.

In order to be compared with the subject property, both before and after the proposed taking, it must be adjusted for time and other major differences. It indicates as follows:-

Sale price (11/87) = \$145,000

Adjustments

Time + 0.6%	= + \$	870	
Site size			
(from Sales 21 & 23)			
\$307,000 - \$215,000 =			
\$92,000/19.182 acres =			
\$4,796 x 9.886 acres	= +	47,413	
Configuration etc.			
5% Of \$145,000	= -	7,250	
Woods	=	NIL	
Watercourse	=	<u>NIL</u>	= + <u>41,033</u>

Indicated value of subject
Property No. 9 before the
proposed taking = \$186,033

Summary and Final Estimate of Loss in Market Value
to Subject Property No. 9

Sale No. 22, after adjustment for time and major differences, indicated a loss in value to subject Property No. 9, inclusive of injurious affection, by reason of the proposed taking of \$60,403.

Sale No. 23, after adjustment for time and major differences, indicated a loss in value to subject Property No. 9, inclusive of injurious affection, by reason of the proposed taking of \$57,464.

Sale No. 26, after adjustment for time and major differences, indicated a loss in value to subject Property No. 9, inclusive of injurious affection, by reason of the proposed taking of \$46,427.

Consideration of the evidence provided by the three sales analyzed and the size of each, I am of the opinion that the loss in market value to subject Property No. 9, inclusive of injurious affection, by reason of the proposed taking is:-

FIFTY-NINE THOUSAND DOLLARS

(\$59,000)

$$\frac{\$59,000}{2.403 \text{ acres}} = \$24,553 \text{ per acre proposed to be taken}$$

$$\frac{\$59,000}{0.9723 \text{ hectares}} = \$60,681 \text{ per hectare proposed to be taken}$$

VALUE ESTIMATEProperty No. 10 (Anton Dolinar)

Subject Property No. 10 is a vacant 8.818 hectare/21.789 acre parcel of rural residential land on the west side of Highway No. 25, north of the Lower Base Line. It contains a watercourse in a small but well defined valley, has a potential and is desirable for rural residential development.

The Region's requirement from subject Property No. 10 for Site D is the rear 0.7604 hectares/1.879 acres of this parcel.

In estimating the value of subject Property No. 10, both before and after the proposed taking, I am assisted by Sales No. 22 and 23 on Chart B and Sale No. 26 on Chart C.

Sale No. 22 the September 1987 sale of a 25.026 acre parcel at a unit price of \$10,389 per acre. It is located within, but on the edge of the Parkway Belt, is relatively shallow in depth and has extensive frontage on Highway 25 as well as some frontage on Britannia Road. It was purported to have had a potential for further division and/or rezoning to commercial use. This sale has a superior configuration to the subject, contains a spruce and hardwood bush at it's north limit.

In order to be compared with the subject property, both before and after the proposed taking, it must be adjusted for time and other major differences. It indicates as follows:-

Sale price (9/87) = \$260,000

Adjustments

Time + 2.2%	= + \$ 5,720
Site size	
(from Sales 21 & 23)	
\$307,000 - \$215,000 =	
\$92,000/19.182 acres =	
\$4,796 x 3.237 acres	= - 15,525
Configuration etc.	
10% of \$260,000	= - 26,000
Woods	
10% of \$260,000	= - 26,000

PROPERTY NO. 10

Address - W/S 25 Highway
Town of Milton

Owners - Anton Dolinar in trust
c/o Maria Senicar
259 A Delta Street
Toronto

Legal Description - part of Lot 4, Concession 2 N.S.
Town of Milton
Regional Municipality of Halton

Location - west side of Highway 25,
1,955 meters/6,414 feet north
of the Lower Base Line

Site Size - 8.818 hectares/21.789 acres (deed)

Limits - Highway 25 frontage	=	119.722m/	392.79'
South limit	=	739.701m/2,426.84'	
West limit	=	119.698m/	392.71'
North limit	=	739.701m/2,426.84'	

Topography - basically level to gently rolling with a watercourse in a well defined, but small valley traversing the property from north to south, about 600 feet west of its east limit. A second watercourse runs easterly in the subject, to join with the first.

Services - hydro and telephone are available on Highway 25 to service the site.

Easements and Rights-of-Way - none noted

O.P. Designation - Agricultural
- Conservation and Hazard Land along watercourse

Zoning - "A1" Agricultural
"OSC" Open Space Conservation
in proximity to the watercourses.

Use - a speculative holding of a 21.789 acre parcel of vacant agricultural land.

Assessment - \$1,595

Improvements - none/vacant land.

Remarks

21.789 acre parcel of vacant land acquired in conjunction with subject Property No. 9, the abutting 28.403 acre parcel to the south in March 1969 for \$60,000 or:-

$$\frac{\$60,000}{28.403 + 21.789 \text{ acres}} = \$1,195 \text{ per acre}$$

The property has a potential and is desirable for development with a rural residence, country estate or hobby farm.

Highest and Best Use

A speculative holding of agricultural land with a potential for sale or retention and development with a single family rural residence, country estate or hobby farm.

Regional Requirement

The Regional requirement for Site D from subject Property No. 10 is it's most westerly 0.7604 hectares/1.879 acres being designated as Part 14 on the proposed plan of expropriation. The limits and location of the Regional requirement are shown on a following portion of the proposed plan of expropriation.

Lands Remaining

The lands remaining to the owners consist of the easterly 8.0576 hectares/19.910 acres of subject Property No. 10 with the following limits:-

Highway 25 frontage	=	119.722m/	392.79'
South limit	=	676.318m/2,	218.89'
West limit	=	119.829m/	393.14'
North limit	=	675.239m/2,	215.35'

Highest and Best Use of Lands Remaining

A speculative holding of agricultural land with a potential for sale or retention and development with a single family rural residence, country estate or hobby farm.

Sale price (9/87) = \$260,000

Adjustments

Time + 2.2%	= + \$ 5,720	
Site size		
(from Sales 21 & 23)		
\$307,000 - \$215,000 =		
\$92,000/19.182 acres =		
\$4,796 x 0.507 acres	= + 2,432	
Configuration etc.		
10% of \$260,000	= - 26,000	
Woods		
10% of \$260,000	= - 26,000	
Watercourse		
10% of \$260,000	= + 26,000	
Contributory value of residence	= + 157,183	
Proximity of dump		
20% of \$399,335	= - <u>79,867</u>	= +\$ <u>59,468</u>

Indicated value of subject Property
No. 9 after the proposed taking
inclusive of injurious affection = \$319,468

Sale No. 22, after adjustment for time and major differences, indicates a loss in value to subject Property No. 11, inclusive of injurious affection, by reason of the proposed taking of:-

\$413,564 - \$319,468 = \$94,096

Sale No. 23 is the December 1987 sale of a 27.327 acre parcel of vacant, cultivated land on the east side of the Fourth Line at a unit price of \$7,868 per acre and a parcel price of \$215,000. It has limited frontage on the Fourth Line, is a deep narrow parcel and has no potential for further division.

In order to be compared with the subject property, both before and after the proposed taking, it must be adjusted for time and other major differences. It indicates as follows:-

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Sale price (12/87) = \$215,000

Adjustments

Time - 0.2% = - \$ 430
 Site size
 (from Sales 21 & 23)
 \$307,000 - \$215,000 =
 \$92,000/19.182 acres =
 \$4,796 x 1.173 acres = + 5,626
 Watercourse
 10% of \$215,000 = + 21,500
 Contributory value of
 residence = + 157,183 = +\$183,879

Indicated value of subject
 Property No. 9 before the
 proposed taking = \$398,879

Sale price (12/87) = \$215,000

Adjustments

Time - 0.2% = - \$ 430
 Site size
 (from Sales 21 & 23)
 \$307,000 - \$215,000 =
 \$92,000/19.182 acres =
 \$4,796 x 1.794 acres = - 8,604
 Watercourse
 10% of \$215,000 = + 21,500
 Contributory value of
 residence = + 157,183
 Proximity of dump
 20% of \$384,649 = - 76,930 = +\$92,719

Indicated value of subject Property
 No. 12 after the proposed taking
 inclusive of injurious affection = \$307,719

Sale No. 23, after adjustment for time and major
 differences, indicates a loss in value to subject Property
 No. 12, inclusive of injurious affection, by reason of the
 proposed taking of:-

\$398,879 - \$307,719 = \$91,160

Sale No. 26 is the November 1987 sale of an 18.517 acre parcel of vacant land on the west side of the Bell School Line for \$145,000 or \$8,055 per acre. It contains a creek, is smaller than and has a superior configuration to subject Property No. 9.

In order to be compared with the subject property, both before and after the proposed taking, it must be adjusted for time, the contributory value of the subject residence and other major differences. It indicates as follows:-

Sale price (11/87) = \$145,000

Adjustments

Time + 0.6%	= + \$	870	
Site size			
(from Sales 21 & 23)			
\$307,000 - \$215,000 =			
\$92,000/19.182 acres =			
\$4,796 x 9.983 acres	= +	47,878	
Configuration etc.			
5% Of \$145,000	= -	7,250	
Woods	=	NIL	
Watercourse	=	NIL	
Contributory value of residence	= +	<u>157,183</u>	= + <u>\$198,681</u>

Indicated value of subject Property No. 9 before the proposed taking = \$343,681

Sale price (11/87) = \$145,000

Adjustments

Time + 0.6%	= + \$	870
Site size		
(from Sales 21 & 23)		
\$307,000 - \$215,000 =		
\$92,000/19.182 acres =		
\$4,796 x 7.016 acres	= +	33,649
Configuration etc.		
5% Of \$145,000	= -	7,250

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PART II

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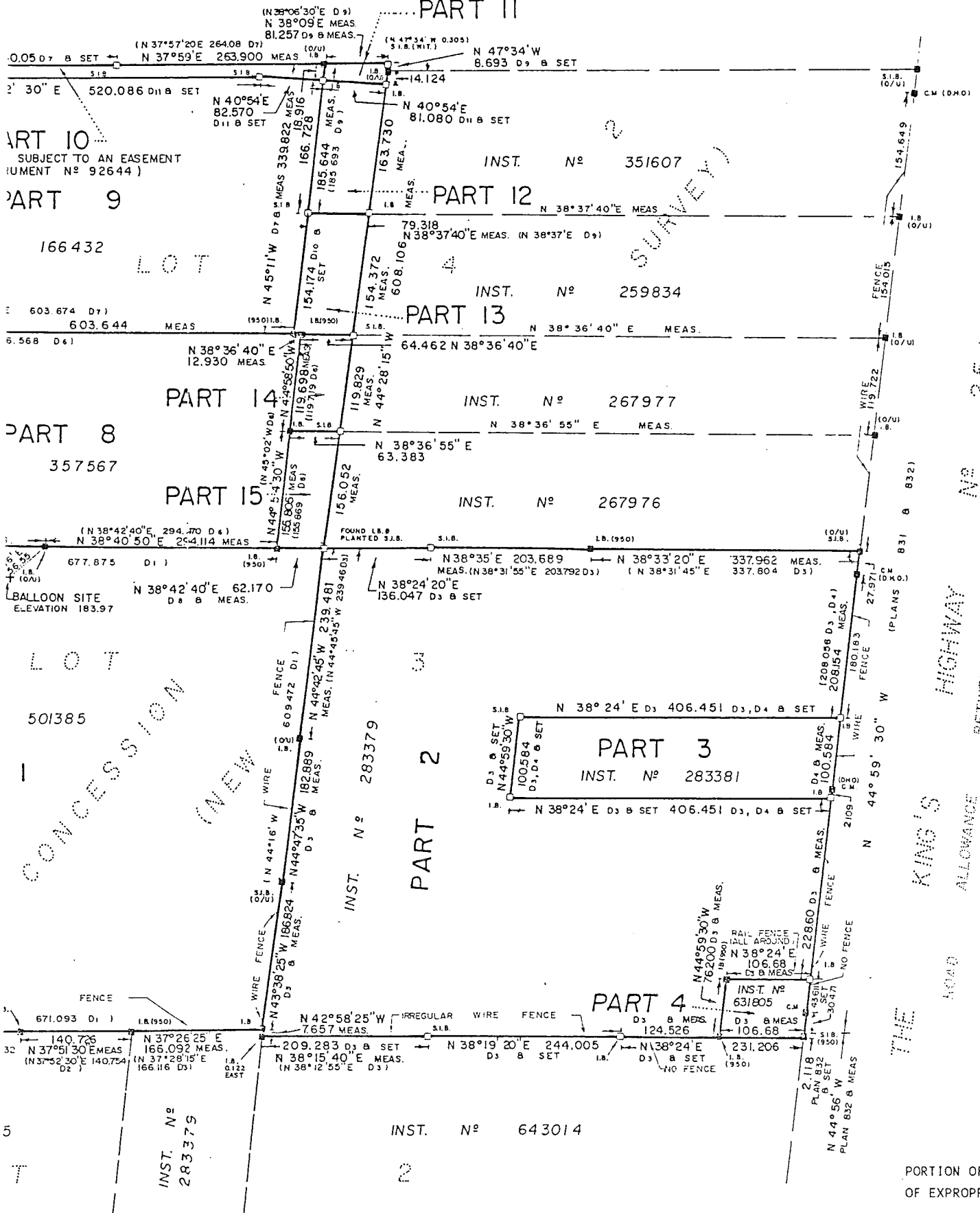
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2) TH

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Sale price (8/87) = \$307,000

Adjustments

Time + 3.5%	= + \$10,745	
Site size (from Sales 21 & 23)		
\$307,000 - \$215,000 =		
\$92,000/19.182 acres =		
\$4,796 x 16.746 acres	= - 80,314	
Configuration etc.		
10% Of \$307,000	= - 30,700	
Woods		
10% of \$307,000	= - 30,700	
Watercourse	= NIL	
Proximity of dump		
20% of \$176,031	= - 35,206	= <u>-\$166,175</u>

Indicated value of subject Property
No. 12 after the proposed taking
inclusive of injurious affection = \$140,825

Sale No. 21, after adjustment for time and major differences, indicates a loss in value to subject Property No. 12, inclusive of injurious affection, by reason of the proposed taking of:-

\$193,810 - \$140,825 = \$52,985

Sale No. 22 the September 1987 sale of a 25.026 acre parcel at a unit price of \$10,389 per acre. It is located within, but on the edge of the Parkway Belt, is relatively shallow in depth and has extensive frontage on Highway 25 as well as some frontage on Britannia Road. It was purported to have had a potential for further division and/or rezoning to commercial use. This sale has a superior configuration to the subject, contains a spruce and hardwood bush at it's north limit.

In order to be compared with the subject property, both before and after the proposed taking, it must be adjusted for time and other major differences. It indicates as follows:-

Sale No. 22, after adjustment for time and major differences, indicates a loss in value to subject Property No. 12, inclusive of injurious affection, by reason of the proposed taking of:-

$$\$280,217 - \$209,951 = \underline{\$70,266}$$

Sale No. 23 is the December 1987 sale of a 27.327 acre parcel of vacant, cultivated land on the east side of the Fourth Line at a unit price of \$7,868 per acre and a parcel price of \$215,000. It has limited frontage on the Fourth Line, is a deep narrow parcel and has no potential for further division.

In order to be compared with the subject property, both before and after the proposed taking, it must be adjusted for time and other major differences. It indicates as follows:-

$$\text{Sale price (12/87)} = \$215,000$$

Adjustments

$$\begin{aligned} \text{Time} - 0.2\% &= - \$ 430 \\ \text{Site size} & \\ \text{(from Sales 21 \& 23)} & \\ \$307,000 - \$215,000 = & \\ \$92,000/19.182 \text{ acres} = & \\ \$4,796 \times 6.143 \text{ acres} &= + 29,462 \\ \text{Watercourse} & \\ 10\% \text{ of } \$215,000 &= + \underline{21,500} = + \underline{50,532} \end{aligned}$$

$$\begin{aligned} \text{Indicated value of subject} & \\ \text{Property No. 9 before the} & \\ \text{proposed taking} &= \underline{\$265,532} \end{aligned}$$

$$\text{Sale price (12/87)} = \$215,000$$

Adjustments

$$\begin{aligned} \text{Time} - 0.2\% &= - \$ 430 \\ \text{Site size} & \\ \text{(from Sales 21 \& 23)} & \\ \$307,000 - \$215,000 = & \\ \$92,000/19.182 \text{ acres} = & \\ \$4,796 \times 2.436 \text{ acres} &= + 11,683 \end{aligned}$$

It is therefore my opinion that the Section 14 cost to acquire "Site D" inclusive of injurious affection resulting from the proposed use of the subject site to the lands remaining as a result of the proposed partial takings but exclusive of disturbance damages, relocation allowances, legal and appraisal costs is:-

TWO MILLION FIVE HUNDRED AND SEVENTY-ONE THOUSAND DOLLARS

(\$2,571,000)

$$\frac{\$2,571,000}{306.556 \text{ acres}} = \$8,387 \text{ per acre}$$

$$\frac{\$2,571,000}{124.0632 \text{ hectares}} = \$20,723 \text{ per hectare}$$

The effective date of the value estimates is October 15, 1987.

DAVIS, HICKS & O'BRIEN LIMITED

QUALIFICATIONS AND ADDENDA

R.W. O'BRIEN
APPRAISAL QUALIFICATIONS

QUALIFICATIONS AND AFFILIATIONS

Accredited Appraiser - Appraisal Institute of Canada
Corporate Member of the Association of Ontario Land Economists

Present Position - Vice-President - Davis, Hicks & O'Brien Ltd.

EDUCATION

1954 Western Technical School
1960 Theory and Elements of Architecture - Ryerson
1960 Materials Handling - Ryerson
1964/66 Licensed Real Estate Salesman
1964 Part 1 - Appraisal Institute of Canada
1965 Part 11 - Appraisal Institute of Canada

EXPERIENCE

1955 Draftsman and Designer - Kilborn Engineering (1954) Ltd
1958 Chief Draftsman - M.T.R.C.A.
1962 Assistant to the Property Administrator - M.T.R.C.A.
1964 Assistant Property Manager - Chambers & Meredith Ltd.
1966 Appraiser & Real Estate Manager - Sterling Trust Corp'n
1966 Staff Appraiser - K.W. Hicks & Associates
1967 Senior Staff Appraiser - Davis, Hicks & Associates Limited
1974 Vice-President - Davis, Hicks & O'Brien Limited

EXPERT WITNESS EXPERIENCE

Appeared as expert witness on real estate valuation before various courts and tribunals since 1969 e.g. Ontario Municipal Board; Land Compensation Board; Federal Court; Supreme Court; Assessment Review Board and private arbitration boards.

Appraisals Made in the Following Areas:

Metropolitan Toronto	Georgetown	London
Peterborough	Oshawa	Owen Sound
Oakville	Whitby	Ottawa
Markham	Mississauga	Sudbury
St. Catharines	Hamilton	Thunder Bay
Barrie	Burlington	Fort Erie
Sarnia	Trenton	Georgian Bay
Orillia	Thousand Islands	North Bay
Kingston	Port Perry	Smith Falls

Ajax	Lindsay	Moonstone
Waterloo	Hanover	Kitchener
Sutton	Albion	Stratford
Vaughan	Uxbridge	Hornepayne
North Gwillimbury	Ameliasburgh	Collingwood
Pickering	King	Richmond Hill
Adjala	Hope	Aurora
Bethune	Belleville	Newmarket
Brampton	Fergus	Ancaster
Haliburton	Caledon	Clarke
Scugog	Wasaga Beach	

Appraisals made for various legal firms, private clients, municipalities and government departments including:-

MUNICIPALITIES AND BOARDS

City of North York	North York Board of Education
City of Etobicoke	Toronto Public Library
City of Peterborough	University of Toronto
City of Burlington	Ontario Food Terminal Board
Scarborough Board of Education	

PROVINCIAL AND FEDERAL GOVERNMENT DEPARTMENTS

Public Works Canada	Ministry of Transportation & Communications
Revenue Canada	Ontario Land Corporation
Department of Justice	Ministry of Government Services

INSTITUTIONAL

United Church of Canada	College of Physicians & Surgeons
Doctors Hospital	The Royal Canadian Academy of the Arts
Children's Aid Society	

COMPANIES

Texaco Canada Limited	Danforth Radio Limited
BP Canada Limited	Deltanne Construction Co. Ltd.
Canadian Trailmobile Ltd.	Supertest Petroleum Corporation
T.H. Hancock Limited	Nortanne Construction Ltd.
Imperial Oil Limited	Catkey Construction (Toronto) Ltd.
Tilzen Development Ltd.	South Sudbury Developments Ltd.
Del Zotto Enterprises Ltd.	Narono Holdings Limited
Valentine Developments Ltd.	Rockford Developments Ltd.
Bathurst Manor Day Camp	Canada Permanent Trust
City Savings & Trust Co.	Parfor Investments Ltd.
Petrofina Canada Ltd.	Home Equity Corporation
C.N.A. Investors Ltd.	Robinwood Management Corp'n. Ltd.

Toronto Airways Limited
The Royal Trust Co.
Mackay Group
Marathon Realty Limited
McDonalds Corporation
Philips Electronic Industries Ltd.
Petro Canada
Suncor
Hart & Cooley Ltd.
The Permanent
S.C. Time Inc.
Toronto Dominion Bank
Bowlerama
Investors Syndicate Realty Ltd.
Bank of Montreal
Sipco Oil Limited
DX Oil Company
Touche Ross Ltd.
Kingscross Estates
Memorial Gardens (Ontario) Ltd.
Green Door Storage Inc.
Borg-Warner Chemicals
Bernadol Music Ltd.
Parr's Print & Litho Limited
Ostrander's Jewellers
George Wimpey Canada Ltd.
Longmoor Investments Ltd.
Dow Corning Canada Ltd.
White Oaks Square
Evergreen Hotels Limited
Crown Life
Atco Industries Limited
Reed Paper Group Canada Ltd.
North American Life Assurance Co.

Runnymede Development Corpn. Ltd.
Canadian Imperial Bank of Commerce
Toronto International Centre of
Commerce
Leggs Products Incorporated
Joseph Schilitz Brewing Co.
Canada Trust
Royal LePage
Leisure Bowling Lanes Ltd.
Dayton Self Storage Inc.
Campeau Corporation
Royal Bank
Fisher Scientific Co. Ltd.
Credit Union Central
St. Mary's Cement Ltd.
Inland Projects Limited
London Life Assurance Co. Ltd.
Relocation Realty Service Corpn.
Consumers Gas Co.
Dylex Limited
Manulife
Western International Hotels
Costain Estates
Finchhurst Plaza Limited
TRW Inc.
I.B.M. Canada Ltd.
Anglo York Industrial Ltd.
Malabar Limited
Leisure World Nursing Homes Ltd.
Walsingham Hotel (Toronto) Ltd.
Sperry - Univac
City Parking
Wimpey Homes Limited
Waldorf-Astoria Hotel

LIMITING CONDITIONS
AND CERTIFICATE

The legal description used is assumed to be correct. No responsibility is assumed for matters legal in character.

The information contained in this report furnished by others is believed to be reliable, but no responsibility for its accuracy is assumed.

Possession of this report, or a copy thereof, does not carry with it the right of publication, nor may it be used for any purpose by any but the applicant without the previous written consent of Davis, Hicks & O'Brien Limited and in any event only with proper qualifications and in its entirety.

The appraiser herein by reason of this appraisal is not required to give testimony or attendance in court or at any government hearing with reference to the property in question, unless arrangements have been previously made therefore.

Davis, Hicks & O'Brien Limited have no present or contemplated interest in the property appraised. Employment of Davis, Hicks & O'Brien to make this appraisal is in no way contingent upon the value reported therein.

The distribution, if any, of the total valuation in this report between the land and projected improvements applies only under the projected programme of utilization. The separate valuations for land and improvements should not be used in conjunction with any other appraisal and are invalid if so used.

This appraiser hereby certifies that to the best of his knowledge and belief the statements and opinions contained in this appraisal, subject to the limiting conditions set forth above, are correct.

DAVIS, HICKS & O'BRIEN LIMITED

