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EXPROPRIATION OF LAND NINTH LINE AND MAJOR MACKENZIE DRIVE EAST, PROJECT 8388 TOWN OF MARKHAM

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, October 24, 2007, from the Commissioner of Corporate Services:

1. RECOMMENDATIONS

It is recommended that:

1. Authority be granted to apply for approval to expropriate the following land within the Town of Markham, in The Regional Municipality of York:
 - (a) a fee simple interest in approximately 1.374 ha (3.395 acres), being
Parts 1, 2, 3, 4, 5 and 6 on Reference Plan 65R-29704;
Parts 2, 3, 4, 5 and 6 on Reference Plan 65R-29769;
Parts 1, 2 and 3 on Draft Reference Plan L-12-010528.
2. The Commissioner of Corporate Services be authorized to serve and publish Notice of Application as required by the *Expropriations Act*.
3. The Commissioner of Corporate Services be authorized to forward to the Chief Inquiry Officer, pursuant to the provisions of the *Expropriations Act*, any requests for hearing that may be received.
4. The Regional Council, as approving authority, approve of the expropriation of the lands described in paragraph 1, provided there is no hearing of necessity.
5. The Manager of Realty Services be authorized to execute and serve any notices required by the *Expropriations Act*.
6. The lands being expropriated and required for road purposes be dedicated as a common and public highway.
7. Authority be granted for the introduction of the necessary bills in Council to give effect to the foregoing.

2. PURPOSE

The purpose of this report is to obtain Regional Council's approval to expropriate land from eleven owners in conjunction with the intersection improvements at Ninth Line and Major Mackenzie Drive East in the Town of Markham (*see Attachment 1*).

3. BACKGROUND

Regional Council, on April 19, 2007, adopted Clause 1 of Report 4 of the Finance and Administration Committee accepting the 2007 Capital Works Budget, including Project 8388 for intersection improvements and jog elimination at Ninth Line and Major Mackenzie Drive East in the Town of Markham.

4. FINANCIAL IMPLICATIONS

Offers of compensation must be made under Section 25 of the *Expropriations Act* to all of the owners of the listed parts on the reference plans. These offers must be made within 90 days of the registration of the expropriation plans. Funds have been included in the 2007 budget for these offers. Staff will report back to Council prior to making these offers.

5. LOCAL MUNICIPAL IMPACT

This project is for intersection improvements at Ninth Line and Major Mackenzie Drive East to eliminate the jog and provide additional turning lanes to increase capacity and improve safety for the travelling public.

6. CONCLUSION

Construction of this project is scheduled to commence in 2008.

Two reference plans showing the Region's requirements have been registered; one is in draft form. In order to ensure that the project is not delayed, it is appropriate to proceed with expropriation. The above noted reference plans will be available at Committee for your review.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the November 28, 2007 Committee meeting.)