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EXPROPRIATION OF LAND
NINTH LINE AND ELGIN MILLS ROAD EAST
PROJECT 8387, TOWN OF MARKHAM

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, November 4, 2008, 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 16636 m² (4.111 acres), being
Parts 4 and 5 on Reference Plan 65R-31054;
Parts 7 and 8 on Reference Plan 65R-31056.
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

This report is to obtain Regional Council's approval to expropriate the required land from two owners to complete the intersection improvements at Ninth Line and Elgin Mills Road East in the Town of Markham (*see Attachment 1*).

3. BACKGROUND

Authority to complete project

This project involves intersection improvements at Ninth Line and Elgin Mills Road East to eliminate the jog, provide turning lanes on both Elgin Mills Road East and Ninth Line and the installation of traffic signals at this intersection.

Regional Council, on April 19, 2007 adopted Clause 1 of Report 4 of the Transportation and Works Committee accepting the 2007 Capital Works Budget, which included this project.

4. FINANCIAL IMPLICATIONS

Offers according to *Expropriations Act* to follow

The funds required to complete the property acquisition for this project are granted from Regional Council's approval of the Capital Works budget. Offers of compensation must be made under Section 25 of the *Expropriations Act* to 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 will be included in the 2009 capital budget for these offers. Staff will report back to Council prior to making these offers.

5. LOCAL MUNICIPAL IMPACT

The completion of this project will provide safer movement for vehicles through this intersection and provide needed capacity within the intersection.

6. CONCLUSION

Construction of this project is scheduled to commence in 2009.

The reference plans showing the Region's requirements have been deposited. 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.

Report No. 10 of the Transportation and Works Committee
Regional Council Meeting of December 18, 2008

For more information on this report, please contact Paul J. Roberts, Manager Realty Services at Ext. 1424.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the December 3, 2008 Committee meeting.)