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**EXPROPRIATION OF LAND
ANSNORVELDT WATER SUPPLY
TOWNSHIP OF KING**

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, September 7, 2004, from the Commissioner of Corporate Services:

1. RECOMMENDATIONS

It is recommended that:

1. Authority be granted to apply for approval to expropriate the following lands within the Township of King, in The Regional Municipality of York:
 - (a) a fee simple interest in approximately 74 m² (0.018 acres), being Parts 2, 3, 4, 5, 6, and 7 on Reference Plan 65R-24071;
 - (b) the easement as described in Instrument #KI25702
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 Director of Realty Services be authorized to execute and serve any notices required by the *Expropriations Act*.
6. 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 two owners in conjunction with the assumption, remediation and operation of the Ansnorveldt water supply. (*see attachment 1*).

3. BACKGROUND

On October 23, 2000, the Province of Ontario issued an Order under the Ontario Water Resources Regulation which required the Region of York to assume operations and control of the Ansnorveldt Water Supply.

Regional Council, at their meeting of May 2, 2001, adopted Clause 4 of Report No. 5 of the Transportation and Works Committee that authorized staff to proceed with the acquisition of lands required for the assumption, remediation and operation of the Ansnorveldt water supply.

4. FINANCIAL IMPLICATIONS

Offers of compensation must be made under Section 25 of the *Expropriations Act* to the owners of the listed parts on the reference plan. These offers must be made within 90 days of the registration of the expropriation plans. Funds are included in the 2004 budget for these offers. Staff will report back to Council prior to making these offers.

5. LOCAL MUNICIPAL IMPACT

The remediation and acquisition of the Ansnorveldt Water Supply will have a financial impact on The Township of King. The municipality does, however, have the ability to recover costs from benefiting users through the imposition of a water works rate pursuant to s. 221 of the *Municipal Act*.

6. CONCLUSION

A reference plan showing the Region's requirements as referred to in this report has been deposited. In order to ensure ownership of the lands that the existing infrastructure is located on, it is appropriate to proceed with expropriation. The above noted reference plan 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 October 6, 2004 Committee meeting.)