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**EXPROPRIATION OF LAND**  
**VIVIAN ROAD, PROJECT 9988**  
**TOWN OF WHITCHURCH-STOUFFVILLE**

**The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report dated January 8, 2009, 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 Whitchurch-Stouffville, in The Regional Municipality of York:
  - (a) a fee simple interest in approximately 0.1773 ha (0.438 acres), being  
Parts 5, 6 and 7 on Reference Plan 65R-29849;  
Part 1 on Reference Plan 65R-29848;  
Parts 6 and 7 on Reference Plan 65R-31071.
  - (b) a permanent limited interest in approximately 0.047 ha (0.116 acres), being  
Part 1 on Reference Plan 65R-30909;  
Part 2 on Reference Plan 65R-30910.
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 a Hearing of Necessity 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 seven owners to complete property requirements for the widening and reconstruction of Vivian Road, Town of Whitchurch-Stouffville (*see Attachment 1*).

## **3. BACKGROUND**

### **Authority to Complete Project**

This project involves the reconstruction of Vivian Road from Highway 48 to the York Durham Line, Town of Whitchurch-Stouffville to address safety issues.

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**

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 and prior to taking possession of the land. Funds are 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 in this area.

## **6. CONCLUSION**

This project is required to address safety issues. Construction is scheduled for 2012. Securing all property requirements at this time will facilitate the project to be constructed earlier if it is deemed necessary.

The reference plans showing the Region's requirements have been deposited, and will be available at Committee for your review.

Report No. 2 of the Transportation and Works Committee  
Regional Council Meeting of February 19, 2009

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For more information on this report, please contact Paul 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 February 4, 2009 meeting.)*