

12

EXPROPRIATION OF LAND BATHURST STREET, PROJECT 8062 TOWNSHIP OF KING AND TOWNS OF AURORA AND NEWMARKET

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, December 20, 2005, 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 Township of King and the Towns of Aurora and Newmarket, in The Regional Municipality of York:
 - (a) a fee simple interest in approximately 20,609 m² (5.092 acres), being
 - Part 1 on Reference Plan 65R-28672
 - Part 1 on Reference Plan 65R-28562
 - Part 1 on Reference Plan 65R-28566
 - Part 1 on Reference Plan 65R-28563
 - Part 1 on Reference Plan 65R-28570
 - Part 1 on Reference Plan 65R-28574
 - Part 1 on Reference Plan 65R-28573
 - Part 1 on Reference Plan 65R-28564
 - Part 1 on Reference Plan 65R-28560
 - Part 1 on Reference Plan 65R-28565
 - Part 1 on Reference Plan 65R-28567
 - Parts 1, 2, 3 on Reference Plan 65R-28561
 - Part 1 on Reference Plan 65R-28568
 - Parts 1, 2 on Reference Plan 65R-28571
 - Part 1 on Reference Plan 65R-28597
 - Part 1 on Reference Plan 65R-28594
 - Part 1 on Reference Plan 65R-28592
 - Part 1 on Reference Plan 65R-28598
 - (b) a permanent limited interest in approximately 926 m² (0.229 acres), being
 - Parts 1, 2 on Reference Plan 65R-28583
 - Parts 1, 2, 3 on Reference Plan 65R-28593
 - (c) a temporary limited interest in approximately 204 m² (0.050 acres), being
 - Parts 1, 2 on Reference Plan 65R-28590
 - Parts 1, 2 on Reference Plan 65R-28595

(required for grading and construction access, commencing September 1, 2006 and terminating December 31, 2009)

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. 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 twenty-five owners in conjunction with the widening and reconstruction of Bathurst Street from Wellington Street to Mulock Drive, bordering the Township of King and the Towns of Aurora and Newmarket. (*see Attachment 1*).

3. BACKGROUND

Regional Council, on May 19, 2005, adopted By-law A-0362-2005-035 that authorized the widening and reconstruction of Bathurst Street (YR 38) from Wellington Street (YR 15) to Mulock Drive (YR 74) in the Township of King and the Towns of Aurora and Newmarket. The By-law authorizes:

- (a) the widening and reconstruction of Bathurst Street
- (b) the carrying out of all related works and undertakings in connection with the above; and
- (c) the acquisition of the necessary lands and interests in lands for the work described above.

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 2006 budget for these offers. Staff will report back to Council prior to making these offers.

5. LOCAL MUNICIPAL IMPACT

This project will provide additional north-south capacity within the Bathurst Street corridor to support new developments in the Towns of Aurora and Newmarket.

6. CONCLUSION

Construction of this project is scheduled to commence in 2006.

Reference plans showing the Region's requirements have been registered. 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 February 1, 2006 Committee meeting.)