

4

**APPLICATION FOR APPROVAL TO EXPROPRIATE
RECONSTRUCTION AND WIDENING OF 2ND CONCESSION ROAD,
GREEN LANE EAST TO DOANE ROAD, PROJECT 85620
TOWN OF NEWMARKET AND TOWN OF EAST GWILLIMBURY**

(Mayor Hackson declared an interest in this clause as she lives on the 2nd Concession and did not take part in the consideration or discussion of or vote on this clause.)

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report dated January 18, 2012, from the Commissioner of Corporate Services.

1. RECOMMENDATIONS

It is recommended that:

1. Council authorize an application for approval to expropriate the following lands within the Town of Newmarket and the Town of East Gwillimbury, subject to receipt of Environmental Assessment approval from the Ministry of the Environment.

Address	Legal Description	Interest Required
West Side of 2 nd Concession Road	Part 1, Plan L12-011190 Part 2, Plan L12-011190	Fee Simple Temporary Easement
18107 2 nd Concession Road	Part 3, Plan L12-011190	Fee Simple
East Side of 2 nd Concession Road	Part 4, Plan L12-011190 Part 5, Plan L12-011190 Part 6, Plan L12-011190	Fee Simple Fee Simple Temporary Easement
East Side of 2 nd Concession Road	Part 7, Plan L12-011190 Part 8, Plan L12-011190 Part 9, Plan L12-011190	Fee Simple Temporary Easement Fee Simple
East Side of 2 nd Concession Road	Part 10, Plan L12-011190	Fee Simple
574 Green Lane	Part 1, Plan L12-011191	Permanent Easement
842 Green Lane	Part 2, Plan L12-011191 Part 3, Plan L12-011191 Part 4, Plan L12-011191	Fee Simple Permanent Easement Permanent Easement
18474 2 nd Concession Road	Part 1, Plan L12-011192 Part 2, Plan L12-011192	Permanent Easement Permanent Easement
29 Rogers Road	Part 3, Plan L12-011192 Part 4, Plan L12-011192	Fee Simple Permanent Easement

Report No. 2 of the Finance and Administration Committee
Regional Council Meeting of February 16, 2012

Address	Legal Description	Interest Required
18537 2 nd Concession Road	Part 5, Plan L12-011192 Part 6, Plan L12-011192	Fee Simple Permanent Easement
18624 2 nd Concession Road	Part 3, Plan L12-011193 Part 2, Plan L12-011193 Part 1, Plan L12-011193	Fee Simple Permanent Easement Temporary Easement
18783 2 nd Concession Road	Part 18, Plan L12-011194	Fee Simple
18830 2 nd Concession Road	Part 1, Plan L12-011194 Part 2, Plan L12-011194	Fee Simple Temporary Easement
18805 2 nd Concession Road	Part 19, Plan L12-011194 Part 20, Plan L12-011194	Fee Simple Temporary Easement
18823 2 nd Concession Road	Part 21, Plan L12-011194 Part 22, Plan L12-011194	Fee Simple Permanent Easement
18839 2 nd Concession Road	Part 23, Plan L12-011194 Part 25, Plan L12-011194 Plan 24, Plan L12-011194	Fee Simple Permanent Easement Temporary Easement
18858 2 nd Concession Road	Part 3, Plan L12-011194	Fee Simple
18880 2 nd Concession Road	Part 4, Plan L12-011194	Fee Simple
18899 2 nd Concession Road	Part 26, Plan L12-011194 Part 28, Plan L12-011195 Part 30, Plan L12-011195 Part 27, Plan L12-011194 Part 29, Plan L12-011195 Part 31, Plan L12-011195	Fee Simple Fee Simple Fee Simple Permanent Easement Temporary Easement Temporary Easement
18929 2 nd Concession Road	Part 27, Plan L12-011195 Part 26, Plan L12-011195	Fee Simple Permanent Easement
86 Holland River Blvd	Part 5, Plan L12-011194	Fee Simple
18915 2 nd Concession Road	Part 24, Plan L12-011195 Part 25, Plan L12-011195	Fee Simple Permanent Easement
18924 2 nd Concession Road	Part 1, Plan L12-011195 Part 2, Plan L12-011195	Fee Simple Temporary Easement
18946 2 nd Concession Road	Part 3, Plan L12-011195	Fee Simple
18969 2 nd Concession Road	Part 32, Plan L12-011195 Part 33, Plan L12-011195	Fee Simple Temporary Easement
19064 2 nd Concession Road	Part 4, Plan L12-011195 Part 5, Plan L12-011195 Part 6, Plan L12-011195	Fee Simple Permanent Easement Temporary Easement
857 Mount Albert Road	Part 35, Plan L12-011195 Part 36, Plan L12-011195 Part 34, Plan L12-011195	Fee Simple Permanent Easement Temporary Easement
West Side of 2 nd Concession Road	Part 7, Plan L12-011195 Part 9, Plan L12-011195 Part 12, Plan L12-011195	Fee Simple Fee Simple Fee Simple

Report No. 2 of the Finance and Administration Committee
Regional Council Meeting of February 16, 2012

Address	Legal Description	Interest Required
	Part 13, Plan L12-011195 Part 16, Plan L12-011195 Part 17, Plan L12-011195 Part 20, Plan L12-011195 Part 23, Plan L12-011195 Part 21, Plan L12-011195 Part 22, Plan L12-011195 Part 8, Plan L12-011195 Part 10, Plan L12-011195 Part 11, Plan L12-011195 Part 14, Plan L12-011195 Part 15, Plan L12-011195 Part 18, Plan L12-011195 Part 19, Plan L12-011195	Fee Simple Fee Simple Fee Simple Fee Simple Fee Simple Permanent Easement Permanent Easement Temporary Easement Temporary Easement Temporary Easement Temporary Easement Temporary Easement Temporary Easement Temporary Easement
19162 2 nd Concession Road	Part 1, Plan L12-011196	Fee Simple
19200 2 nd Concession Road	Part 2, Plan L12-011196	Temporary Easement
19212 2 nd Concession Road	Part 4, Plan L12-011196 Part 3, Plan L12-011196	Fee Simple Temporary Easement
878 Mount Albert Road	Part 11, Plan L12-011196 Part 12, Plan L12-011196 Part 13, Plan L12-011196	Fee Simple Permanent Easement
West Side of 2 nd Concession Road	Parts 5 to 10 inclusive, Plan L12-011196	Fee simple
19301 2 nd Concession Road	Part 12, Plan L12-011197	Fee Simple
19315 2 nd Concession Road	Part 14, Plan L12-011197 Part 13, Plan L12-011197	Fee Simple Temporary Easement
19325 2 nd Concession Road	Part 15, Plan L12-011197 Part 16, Plan L12-011197	Fee Simple Temporary Easement
19332 2 nd Concession Road	Parts 1 to 5 inclusive, Plan L12-011197 Part 6, Plan L12-011197 Part 7, Plan L12-011197 Part 8, Plan L12-011197	Fee Simple Permanent Easement Permanent Easement Temporary Easement
19419 2 nd Concession Road	Part 17, Plan L12-011197 Part 19, Plan L12-011197 Part 18, Plan L12-011197	Fee Simple Permanent Easement Temporary Easement
19416 2 nd Concession Road	Part 10, Plan L12-011197	Fee Simple
19442 2 nd Concession Road	Part 11, Plan L12-011197	Fee Simple
19510 2 nd Concession Road	Part 2, Plan L12-011198 Part 1, Plan L12-011198	Fee Simple Permanent Easement
19575 2 nd Concession Road	Part 10, Plan L12-011198 Part 9, Plan L12-011198	Fee Simple Permanent Easement

Address	Legal Description	Interest Required
19633 2 nd Concession Road	Part 3, Plan L12-011199	Fee Simple
East Side of 2 nd Concession Road	Part 4, 6 & 8 Plan L12-011198 Part 3, 5 & 7 Plan L12-011198	Fee Simple Permanent Easement
19668 2 nd Concession Road	Part 1, Plan L12-011199 Part 1, Plan L-12-01200 Part 2, Plan L12-011199	Fee Simple Permanent Easement
West side of 2 nd Concession Road	Part 4, Plan L12-011199	Permanent Easement
19689 2 nd Concession Road	Part 5, Plan L12-011199	Fee Simple
19711 2 nd Concession Road	Part 6, Plan L12-011199	Fee Simple
1002 Doane Road	Part 5, Plan L12-011201 Part 3, Plan L12-011200	Fee Simple
19822 2 nd Concession Road	Part 2, Plan L12-011201 Part 2, Plan L12-011200 Part 1, Plan L12-011201	Fee Simple Temporary Easement

2. The Commissioner of Corporate Services be authorized to execute the Application for Approval to Expropriate Land and Notice of Application for Approval to Expropriate Land (the “Notice”) and to serve and publish the Notice as required under the *Expropriations Act*.
3. The Commissioner of Corporate Services be authorized to forward to the Chief Inquiry Officer any requests for an inquiry that are received and to represent the Region as necessary at an inquiry held under the *Expropriations Act*.
4. Council authorize the introduction of the necessary bylaws to give effect to these recommendations.

2. PURPOSE

This report seeks Council approval for an application to expropriate land for the reconstruction and widening of 2nd Concession Road, Green Lane East to Doane Road in the Town of East Gwillimbury, and the Town of Newmarket (*Attachment 1*). Under the *Expropriations Act* (the “Act”), Council as approving authority, must approve an application prior to the initiation of any proceedings under the Act.

3. BACKGROUND

The Environmental Assessment for the reconstruction of 2nd Concession Road, from Green Lane East to Doane Road is currently with the Ministry of the Environment

The Environmental Assessment was filed June 1, 2011. Authority to expropriate is subject to Environmental Assessment clearance. The Ministry of the Environment has all the information they require and have further indicated the ruling is with the Minister.

2nd Concession Road is a major north-south corridor

2nd Concession Road is a major north-south corridor in York Region. Planned development within the Town of East Gwillimbury will increase the traffic burden. Traffic modelling has indicated that it is necessary for the 2nd Concession Road to be re-constructed and widened to accommodate increased traffic volumes.

4. ANALYSIS AND OPTIONS

Negotiations for property acquisitions will commence in 2012

The project will require the acquisition of land for the reconstruction of 2nd Concession Road. Construction is planned to start in the spring of 2014. External appraisals on each property will be completed following receipt of the Environmental Assessment approval. Subsequently, staff will commence negotiations with owners to secure property requirements.

Initiating expropriation proceedings will ensure the construction schedule will not be compromised if land acquisitions are delayed

Regional staff anticipate that negotiations will be successfully concluded on many properties. These agreements will be presented to Council for approval. In order to ensure timely acquisition of the lands, it is recommended the expropriation process proceed in tandem.

The first step in the process requires Council, as approving authority, to authorize an application for approval to expropriate. Subsequently, Notices may be served on owners of the subject lands. Receipt of this notice will trigger an owner's right to request a hearing of necessity. There is also a statutory obligation to publish the notices.

Link to Key Council Approved Plans

From Vision to Results: 2011 to 2015 Strategic Plan

Priority Area- Focus Growth along Regional Centres and Corridors

Optimize the transportation capacity and services in Regional Centres and Corridors

The acquisition of these lands will assist the Region in meeting its transportation needs.

5. FINANCIAL IMPLICATIONS

The funds to acquire the property for this project have been included in the 2012 10-year Capital Budget, Capital Delivery, Roads and Transportation Services.

6. LOCAL MUNICIPAL IMPACT

The reconstruction of 2nd Concession Road between Green Lane East and Doane Road, will provide a much improved route for anticipated growth in the area and increased traffic volumes.

7. CONCLUSION

This report seeks Council approval to expropriate land from owners along 2nd Concession Road in order to implement road improvements. To ensure the project is not delayed, it is necessary to initiate the expropriation process. Staff will continue negotiating for the acquisition of the required properties and expropriation will be abandoned in cases where negotiations are successful.

For more information on this report, please contact Barry Crowe, Director, Property Services Branch at Ext. 1684.

(The attachment referred to in this clause is attached to this report.)



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LOCATION PLAN

APPLICATION FOR APPROVAL TO EXPROPRIATE

2nd Concession Road Widening, Green Lane to Doane Road - Project 85620
Towns of East Gwillimbury and Newmarket



York Region

0 355 710 1,420 Metres

PROPERTY SERVICES

