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**EXPROPRIATION OF LAND**  
**WARDEN AVENUE, PROJECT 9867**  
**TOWN OF MARKHAM**

**The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, February 27, 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 1.374 ha (3.395 acres), being Parts 1, 2, 3, 4, 5 and 6 on Reference Plan 65R-29856.
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**

### **Approval to Expropriate Land**

This report is to obtain Regional Council's approval to expropriate the required land from six owners to complete the widening and reconstruction of Warden Avenue from 16<sup>th</sup> Avenue to Major Mackenzie Drive in the Town of Markham (*see Attachment 1*).

## **3. BACKGROUND**

### **Authority to Complete Project**

The project is for the widening of Warden Avenue from a two lane road to a four lane urban road with turning lanes. The property in this report is required for daylighting triangles at Warden Avenue's intersection with local roads.

Regional Council, on May 19, 2005, adopted By-law No. A-0362-2005-035 that authorized:

- (a) the widening and reconstruction of Warden Avenue (YR 65) from 16<sup>th</sup> Avenue (YR73) to Major Mackenzie Drive (YR 25) in the Town of Markham;
- (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 According to *Expropriations Act* to Follow**

The funds required to complete the property acquisitions for this project are granted from Regional Council's approval of the 2007 Capital Works budget. 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 plan. These offers must be made within 90 days of the registration of the expropriation plans. Funds will be included in the 2008 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 additional north-south capacity within the Warden Avenue corridor which will improve traffic flow and reduce traffic congestion and safety for the travelling public.

**6. CONCLUSION**

Construction of this project is scheduled to commence in 2010.

The reference plan showing the Region's requirements has been deposited. In order to ensure that the project is not delayed, it is appropriate to proceed with expropriation. The above noted reference plan will be available at Committee for your review.

For more information on this report, please contact Paul J. Roberts, Manager of 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 April 9, 2008 Committee meeting.)*