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EXPROPRIATION OF LAND
WARDEN AVENUE, PROJECT 9899
TOWN OF MARKHAM

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, February 14, 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 Town of Markham, in The Regional Municipality of York:
 - (a) a fee simple interest in approximately 1,320 square metres (0.326 acres), being Parts 2, 3, 4 and 5 on Reference Plan 65R-27781.
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 two owners in conjunction with the widening and reconstruction of Warden Avenue in the Town of Markham (*See attachment No. 1*).

3. BACKGROUND

Regional Council, on June 7, 2001, adopted By-law R-1254-2001-055 that authorized the widening and reconstruction of Warden Avenue (Y.R. 65) from Steeles Avenue to 16th Avenue (Y.R. 73) in the Town of Markham. The by-law authorizes:

- (a) the widening and reconstruction of Warden Avenue (Y.R. 65) from Steeles Avenue to 16th Avenue (Y.R. 73), in the Town of Markham, to a basic width up to 36.0 metres with additional widenings at cuts, fills, water course crossings and intersections;
- (b) to provide a basic seven lane road on Warden Avenue (Y.R. 65) between Steeles Avenue and Apple Creek Boulevard with left-turn and right-turn lanes at intersections;
- (c) the adjustments to existing traffic control signals and associated illumination to accommodate the proposed revisions to the road layout at the intersections;
- (d) the reconstruction and widening of the bridges over the CN tracks, north of 14th Avenue (Y.R. 71), and the Rouge River, north of Highway 407, to provide for six traffic lanes over these structures;
- (e) the carrying out of all related works and undertakings in connection with the above; and
- (f) the acquisition of the necessary lands and interest in lands for the works 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 plan. These offers must be made within 90 days of the registration of the expropriation plan. Funds have been included in the 2005 budget for these offers. Staff will report back to Council prior to making these offers.

5. LOCAL MUNICIPAL IMPACT

The widening and reconstruction of Warden Avenue will greatly improve traffic operations for the travelling public as the road network in the Warden Avenue corridor is currently at capacity.

6. CONCLUSION

Construction of this project is scheduled to commence in 2005.

A reference plan showing the Region's requirements has been registered. 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.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the April 6, 2005 Committee meeting.)