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APPROVAL TO EXPROPRIATE LAND WIDENING AND RECONSTRUCTION OF THE NINTH LINE, PROJECT 8578 TOWN OF WHITCHURCH-STOUFFVILLE

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report dated April 11, 2012, from the Commissioner of Corporate Services.

1. RECOMMENDATIONS

It is recommended that:

1. Council, as approving authority, approve of the expropriation of the following lands required for the widening and reconstruction of Ninth Line in the Town of Whitchurch-Stouffville:
 - (a) a fee simple interest in the lands designated as Part 31 Plan 65R-31664, Town of Whitchurch-Stouffville
2. The Commissioner of Corporate Services, or designate, be authorized to execute and serve any notices required under the *Expropriations Act*.
3. Council authorize the introduction of the necessary bylaws to give effect to these recommendations.

2. PURPOSE

This report seeks Council approval to expropriate land required for the widening and reconstruction of the Ninth Line, in the Town of Whitchurch-Stouffville, and the construction of a jog elimination at Main Street, in the Town of Whitchurch-Stouffville (*Council Attachment 1*).

3. BACKGROUND

In September 2011, Council authorized initiating proceedings to expropriate additional land required for the Ninth Line project

The widening and reconstruction of the Ninth Line and the construction of the jog elimination at Main Street, is scheduled to commence in the spring of 2013 and is planned to be completed in one construction year. Council at its meeting held on

September 22, 2011 authorized an application for approval to expropriate a total of one property, including one fee simple interest.

Regional staff have continued negotiations with the property owner. It is necessary to complete expropriation of this property in order to secure access to the lands in time for construction to commence.

There was no request for a Hearing of Necessity

A Notice of Application to expropriate has been served on the owner and no Hearing of Necessity request has been received.

4. ANALYSIS AND OPTIONS

Registration of an expropriation plan will secure access to the lands and ensure that construction can proceed

Under the *Expropriations Act*, registration of an expropriation plan vests lands in the expropriating authority. Right to possession becomes effective three months following registration of the plan, upon service of an offer of compensation.

A draft expropriation plan has been prepared for the subject property. It is anticipated that the plan will be registered no later than August 17, 2012. Accordingly, the Region will have access to the property no later than December 17, 2012, enabling construction to proceed on time.

Link to Key Council - approved Plans

From Vision to Results: 2011 to 2015 Strategic Plan

Priority Area-Continue to Deliver and Sustain Critical Infrastructure

Continue to prioritize new capital infrastructure projects to support managed growth and optimize community benefit

Improve mobility for users on Regional transportation corridors.

5. FINANCIAL IMPLICATIONS

Under section 25 of the Act, the Region is obligated to serve an offer of compensation on the owner within three months of registration of the plan. The appraisal required to support this offer is currently being prepared and the proposed offer will be the subject of a further report to Council.

6. LOCAL MUNICIPAL IMPACT

The widening and reconstruction of the Ninth Line, and the construction of a jog elimination at Main Street, in the Town of Whitchurch-Stouffville, will provide upgraded capacity to improve traffic operations for the travelling public and will meet the expected growth in this area.

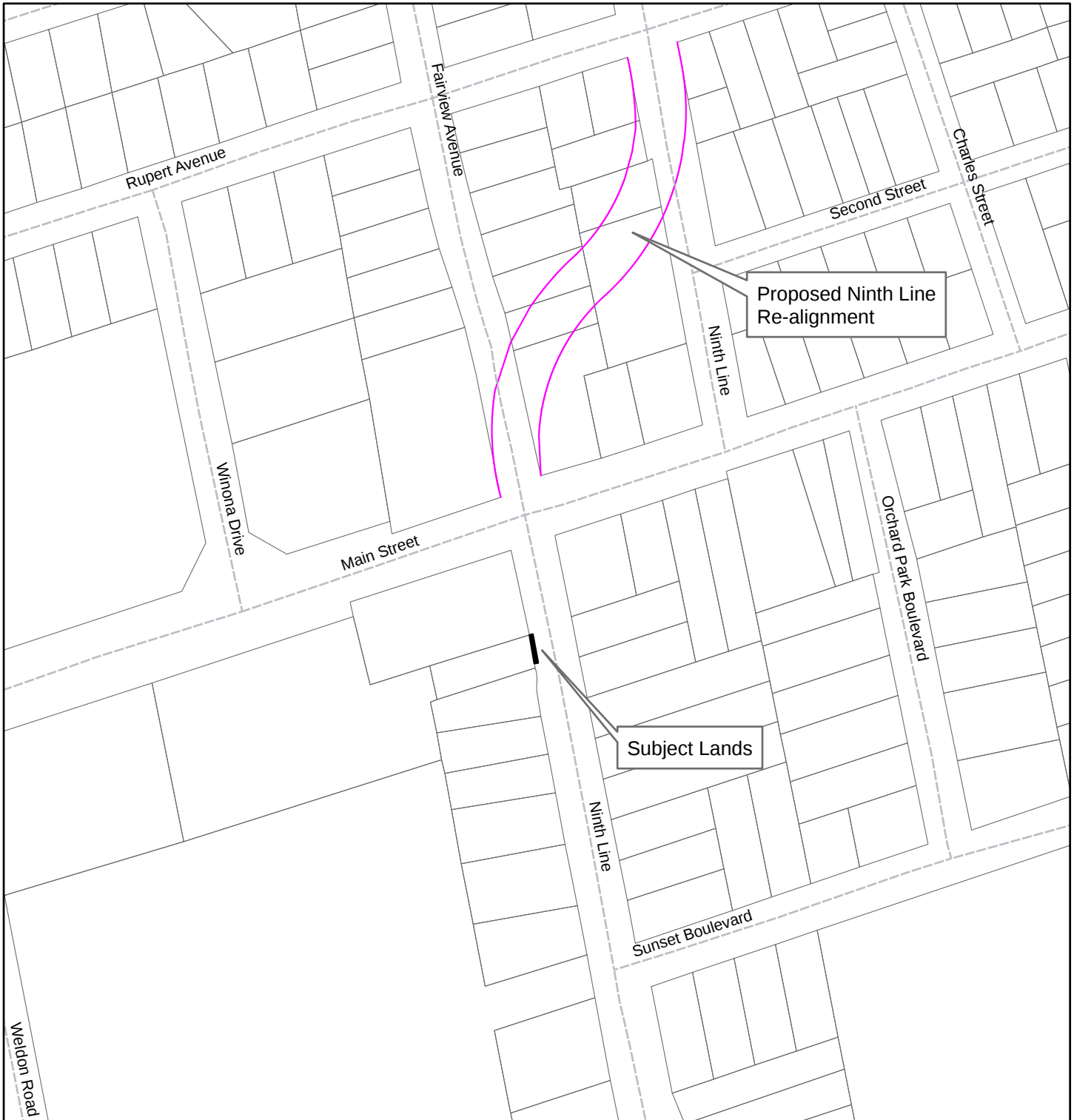
7. CONCLUSION

This report seeks Council approval to expropriate one additional property from an owner along the Ninth Line in order to implement road and intersection improvements. To ensure the project is not delayed, it is necessary to complete the expropriation process. Staff will continue negotiating for the settlement of the expropriated properties, and expropriation will be abandoned in the case where negotiations are successful.

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

The Senior Management Group has reviewed this report.

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



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LOCATION PLAN

APPROVAL TO EXPROPRIATE

Ninth Line - Project 8578

TOWN OF WHITCHURCH-STOUFFVILLE



PROPERTY SERVICES