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**APPROVAL TO EXPROPRIATE LANDS
WIDENING AND RECONSTRUCTION OF WARDEN AVENUE, PROJECT 9867
TOWN OF MARKHAM**

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report dated April 10, 2012, from the Commissioner of Corporate Services.

1. RECOMMENDATIONS

It is recommended that:

1. Council, as approving authority, approve the expropriation of the following lands required for the widening and reconstruction of Warden Avenue, within the Town of Markham:

Address	Legal Description	Interest Required
9729 Warden Avenue	Part 5, Plan 65R-33129	Temporary Easement
7 Glenbourne Park Drive	Part 3, Plan 65R-33129	Temporary Easement
9 Glenbourne Park Drive	Part 4, Plan 65R-33129	Temporary Easement
Temporary Easement to terminate December 31, 2013		

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 lands required for the widening and reconstruction of Warden Avenue, in the Town of Markham (*Council Attachment 1*).

3. BACKGROUND

In February, 2012, Council authorized initiating proceedings to expropriate additional lands required for the Warden Avenue project

The widening and reconstruction of Warden Avenue is scheduled to commence in 2012. Council at its meeting on February 16, 2012 authorized an application for approval to

expropriate a total of three properties, including three construction easements. It is necessary to complete expropriation of these properties in order to secure access to the lands in time for construction to commence.

There were no requests for Hearings of Necessity

Notices of Application to Expropriate have been served on the owners and no Hearing of Necessity requests were 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 (3) months following registration of the plan.

A draft expropriation plan has been prepared for the subject properties. 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 7, 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 offers of compensation on owners within three months of registration of the plan. The appraisals required to support these offers are currently being prepared and the proposed offers will be the subject of a further report to Council.

6. LOCAL MUNICIPAL IMPACT

The reconstruction and widening of Warden Avenue between 16th Avenue and Major Mackenzie Drive East will provide an additional north-south route for the existing heavy traffic volumes and the future traffic volumes, due to anticipated growth in the area.

7. CONCLUSION

This report seeks Council approval to expropriate a temporary easement from three owners along Warden Avenue in order to implement road improvements. To ensure the project is not delayed, it is necessary to complete 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 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

Project 9867 Warden Avenue - 16th Ave. to Major Mackenzie Dr.

TOWN OF MARKHAM



0 80 160 320 Metres

PROPERTY SERVICES

