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EXPROPRIATION SETTLEMENT MAJOR MACKENZIE DRIVE EAST, TOWN OF MARKHAM

The Transportation and Works Committee recommends the adoption of the recommendation contained in the following report dated April 7, 2009, from the Commissioner of Corporate Services.

1. RECOMMENDATIONS

It is recommended that:

1. The following expropriation settlement agreement be accepted and the Commissioner of Corporate Services be authorized to complete this transaction in accordance with the terms of the agreement.

2. PURPOSE

This report is to obtain Regional Council's approval to accept the following expropriation settlement agreement under the *Expropriations Act* required for the intersection improvements to eliminate the Major Mackenzie Drive jog at Ninth Line in the Town of Markham (*see Attachment 1*).

2.1 Subject Property

OWNERS:	James V. Nihda and Jeni G. Nihda
PROJECT:	Intersection improvements to eliminate the Major Mackenzie Drive jog at Ninth Line in the Town of Markham
SUBJECT PROPERTY:	Part of Lot 20, Concession 8, Town of Markham
AREA TAKEN:	Fee simple interest in Part 1 on Expropriation Plan YR1280214 being 1,504 m ² (0.372 acre)
COMMENTS:	The subject is an improved future low density residential redevelopment property that is located on the south side of Major Mackenzie Drive East. The Region's requirements are located across the frontage of the subject property. There are no development applications or site plan approvals pending on this property. A Community Design

Plan and a subsequent rezoning application will be filed with the local municipality in the near future, whereas the extension of municipal services awaits the allocation of servicing capacity.

PROJECT NUMBER: 8388

3. FINANCIAL IMPLICATIONS

The total compensation for this expropriation settlement is \$180,000.00. This is a full settlement of all claims with no compensation having been paid previously. In addition to the compensation, the *Expropriations Act* requires the Region to pay legal, appraisal, consulting fees and interest, if required. Funds for this offer will come from the 2009 Capital Budget.

4. LOCAL MUNICIPAL IMPACT

The property described in this report is required for the intersection improvements to eliminate the Major Mackenzie Drive jog at Ninth Line, Town of Markham. Additional turning lanes will be added to improve capacity and safety for the travelling public.

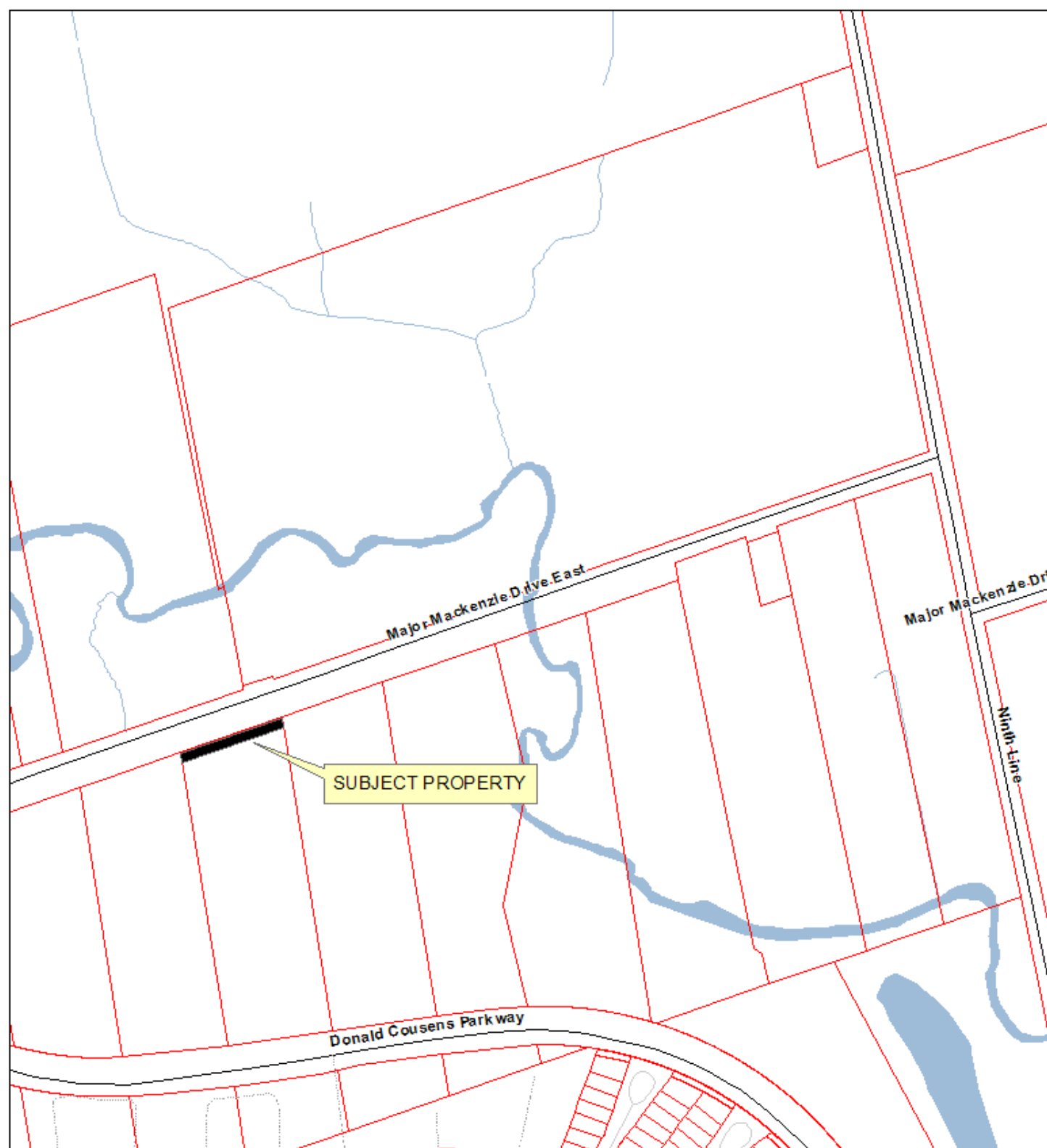
5. CONCLUSION

This report concerns an expropriation settlement for the intersection improvements to eliminate the Major Mackenzie Drive jog at Ninth Line. Negotiations have been ongoing with the owners and have culminated with this settlement agreement. It is recommended this agreement be accepted.

For more information on this report, please contact Paul Roberts, Manager, 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 May 6, 2009 meeting.)



LOCATION PLAN

Expropriation Settlement

Major Mackenzie Drive East @ Ninth Line

Project 8388, Town of Markham

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Meters

PROPERTY SERVICES

