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EXPROPRIATION SETTLEMENT TOWN OF MARKHAM

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, April 4, 2006, from the Commissioner of Corporate Services:

1. RECOMMENDATIONS

It is recommended that:

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

2. PURPOSE

The purpose of this report is to obtain Regional Council's approval to accept the following expropriation settlement for the property required for the construction of the Markham By-pass, in the Town of Markham.

1.1 Property No. 1

OWNERS:	Toronto Woodmoulding Limited
PROJECT:	The construction of the Markham By-pass, in the Town of Markham
SUBJECT PROPERTY:	Part of Lot 20, Concession 8, in the Town of Markham, in The Regional Municipality of York, designated as Part 1 on Expropriation Plan D834
AUTHORITY:	By-law No. R-1269-2002-011
TOTAL OWNERSHIP:	4.048 ha (10.002 acres)
AREA TAKEN:	Fee simple interest in Part 1 on Expropriation Plan D834 0.814 ha (2.011 acres)

COMMENTS: The subject property is vacant land located on the south side of Major Mackenzie Drive east of Highway 48. The highest and best use is estimated to be future development land.

PROJECT NUMBER: 8070

3. BACKGROUND

Regional Council, at its meeting held on February 21, 2002 approved the by-law that authorized the expropriation of the necessary lands to construct Phase 2 of the Markham By-pass. The land required in this vicinity for the widening of Major Mackenzie Drive East and the Canadian National Railways overpass, was also included in Phase 2 of the Markham By-pass project. The land, which is the subject of this report, is required for the Canadian National Railways overpass.

4. FINANCIAL IMPLICATIONS

The total amount of compensation in connection with this expropriation settlement is \$400,000.00, of which \$156,000.00 has been paid previously under Section 25 of the *Expropriations Act*, leaving the outstanding compensation at \$244,000.00. In addition to the foregoing, \$91,500.00 for legal and consulting fees are payable. Funds are included in the 2006 budget for this offer.

5. LOCAL MUNICIPAL IMPACT

There is no local municipal impact associated with this report.

6. CONCLUSION

The agreement, which is the subject of this report, is an expropriation settlement for property for the construction of the Canadian National Railway overpass which is part of the Markham By-pass Phase 2 project, in the Town of Markham. Negotiations have been ongoing to settle this outstanding expropriation and it is recommended that this agreement be accepted.

The Senior Management Group has reviewed this report.

(The attachments referred to in this clause was included in the agenda for the May 10, 2006 Committee meeting.)