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EXPROPRIATION OF LAND HIGHWAY 404 INTERCHANGE AT DOANE ROAD PROJECT 8673, TOWN OF EAST GWILLIMBURY

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report dated May 28, 2009, 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 East Gwillimbury, in The Regional Municipality of York:
 - (a) a fee simple interest in approximately 15.866 ha (39.204 acres), being Parts 2, 5, 6, 9, 10, 11, 12, 14, 16, 23, 24, 26, 27, 36, 38, 40, 41, 42, 43, 45, 47 and 48 on Reference Plan 65R-31405.
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 a Hearing of Necessity 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 Manager, Realty Services, Property Services Branch 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

This report is to obtain Regional Council's approval to expropriate the required land from nine owners to complete property requirements for the Highway 404 interchange at Doane Road in the Town of East Gwillimbury (*see Attachment 1*).

3. BACKGROUND

This project involves the construction of an interchange at the Highway 404 extension at Doane Road in the Town of East Gwillimbury. The interchange will be constructed by the Region once Highway 404 is completed. The Environmental Assessment was approved in December 2008 and this project is included in the 2009 Capital Budget.

4. ANALYSIS AND OPTIONS

MTO's Highway 404 Extension from Green Lane to Ravenshoe Road provides for a bridge crossing at Doane Road and York Region's commitment to provide an interchange at Doane Road resulted in a co-operative effort by the respective real estate departments in the negotiation and expropriation of land for nine owners whose lands were affected by both expropriating authorities. MTO commenced expropriation of the required lands in the spring of 2009 but has since determined that it cannot defend the requirements of York Region in Hearings of Necessity. The Region is now required to commence expropriation of the nine properties included in this report.

5. FINANCIAL IMPLICATIONS

Offers of compensation must be made under Section 25 of the *Expropriations Act* to the owners of the listed parts on the reference plans. These offers must be made within 90 days of the registration of the expropriation plans and prior to taking possession of the land. Funds are included in the 2009 Capital Budget for these offers. Staff will report back to Council prior to making these offers.

6. LOCAL MUNICIPAL IMPACT

The construction of the interchange at Highway 404 and Doane Road will accommodate the increase in traffic as a result of the extension of Highway 404 and future development in this area.

7. CONCLUSION

Construction of this interchange will not begin until after Highway 404 has been built. Securing all property requirements at this time will facilitate the project to be constructed earlier if it is deemed necessary.

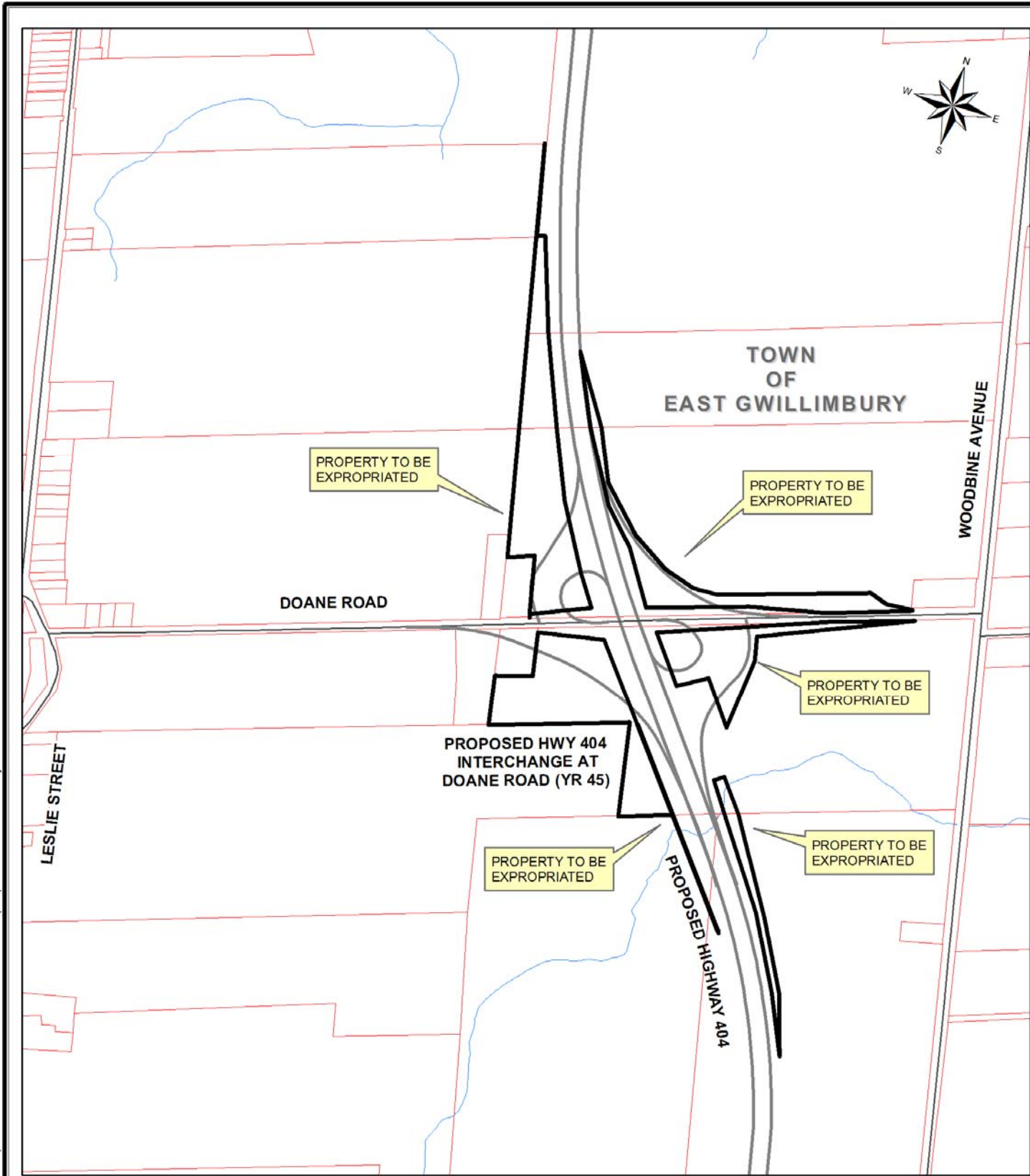
The reference plan showing the Region's requirements has been deposited, and will be available at Committee for your review.

For more information on this report, please contact Paul Roberts, Manager, Realty Services, Property Services Branch 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 June 17, 2009 meeting.)

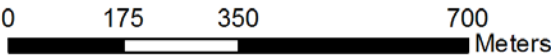
FILENAME: H:\CDLIBR\Location Maps\ROADS\YR45\8673 Doane Rd-Expropriation of Land 03june09.mxd



LOCATION PLAN

**Expropriation of Land
Highway 404 Interchange at Doane Road
Project No. 8673, Town of East Gwillimbury**

Produced By: Roads Branch - Capital Delivery
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PROPERTY SERVICES