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**APPLICATION FOR APPROVAL TO EXPROPRIATE
RECONSTRUCTION AND WIDENING OF 2ND CONCESSION ROAD
PROJECT 85620, TOWN OF EAST GWILLIMBURY**

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report dated May 23, 2012, from the Commissioner of Corporate Services.

1. RECOMMENDATIONS

It is recommended that:

1. Council authorize an application for approval to expropriate the following lands within the Town of East Gwillimbury, subject to approval of the Environmental Assessment from the Ministry of the Environment.

Address	Legal Description	Interest Required
574 Green Lane	Part 1, Plan 65R-33429	Permanent Easement
842 Green Lane	Part 2, Plan 65R-33429 Part 3, Plan 65R-33429 Part 4, Plan 65R-33429	Fee Simple Permanent Easement Permanent Easement
18474 2 nd Concession Road	Part 1, Plan 65R-33430 Part 2, Plan 65R-33430	Permanent Easement Fee Simple
29 Rogers Road	Part 3, Plan 65R-33430 Part 4, Plan 65R-33430	Fee Simple Permanent Easement
18537 2 nd Concession Road	Part 5, Plan 65R-33430 Part 6, Plan 65R-33430	Fee Simple Temporary Easement
18624 2 nd Concession Road	Part 3, Plan 65R-33533 Part 2, Plan 65R-33533	Fee Simple Permanent Easement
18624 2 nd Concession Road	Part 1, Plan 65R-33533	Temporary Easement
18783 2 nd Concession Road	Part 18, Plan 65R-33544	Fee Simple
18830 2 nd Concession Road	Part 1, Plan 65R-33544 Part 2, Plan 65R-33544	Fee Simple Temporary Easement
18805 2 nd Concession Road	Part 19, Plan 65R-33544 Part 20, Plan 65R-33544	Fee Simple Temporary Easement
18823 2 nd Concession Road	Part 21, Plan 65R-33544 Part 22, Plan 65R-33544	Fee Simple Fee Simple
18839 2 nd Concession Road	Part 23, Plan 65R-33544 Part 24, Plan 65R-33544 Plan 25, Plan 65R-33544	Fee Simple Temporary Easement Permanent Easement
18858 2 nd Concession Road	Part 3, Plan 65R-33544	Fee Simple
18880 2 nd Concession Road	Part 4, Plan 65R-33544	Fee Simple

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Address	Legal Description	Interest Required
18889 2 nd Concession Road	Part 26, Plan 65R-33544 Part 29, Plan 65R-33550 Part 31, Plan 65R-33550 Part 27, Plan 65R-33544 Part 30, Plan 65R-33550 Part 32, Plan 65R-33550	Fee Simple Fee Simple Fee Simple Permanent Easement Temporary Easement Temporary Easement
18929 2 nd Concession Road	Part 26, Plan 65R-33550 Part 27, Plan 65R-33550 Part 28, Plan 65R-33550	Fee Simple Fee Simple Fee Simple
86 Holland River Blvd	Part 5, Plan 65R-33544	Fee Simple
18915 2 nd Concession Road	Part 24, Plan 65R-33550	Fee Simple
18924 2 nd Concession Road	Part 2, Plan 65R-33550 Part 1, Plan 65R-33550	Fee Simple Temporary Easement
18946 2 nd Concession Road	Part 3, Plan 65R-33550	Fee Simple
18969 2 nd Concession Road	Part 33, Plan 65R-33550 Part 34, Plan 65R-33550	Fee Simple Temporary Easement
19064 2 nd Concession Road	Part 4, Plan 65R-33550 Part 5, Plan 65R-33550 Part 6, Plan 65R-33550	Fee Simple Permanent Easement Temporary Easement
857 Mount Albert Road	Part 36, Plan 65R-33550 Part 37, Plan 65R-33550 Part 35, Plan 65R-33550	Fee Simple Permanent Easement Temporary Easement
West Side of 2 nd Concession Road	Part 7, Plan 65R-33550 Part 9, Plan 65R-33550 Part 12, Plan 65R-33550 Part 13, Plan 65R-33550 Part 16, Plan 65R-33550 Part 17, Plan 65R-33550 Part 20, Plan 65R-33550 Part 23, Plan 65R-33550 Part 21, Plan 65R-33550 Part 22, Plan 65R-33550	Fee Simple Fee Simple Fee Simple Fee Simple Fee Simple Fee Simple Fee Simple Fee Simple Permanent Easement Permanent Easement
West Side of 2 nd Concession Road	Part 8, Plan 65R-33550 Part 10, Plan 65R-33550 Part 11, Plan 65R-33550 Part 14, Plan 65R-33550 Part 15, Plan 65R-33550 Part 18, Plan 65R-33550 Part 19, Plan 65R-33550	Temporary Easement Temporary Easement Temporary Easement Temporary Easement Temporary Easement Temporary Easement Temporary Easement
19162 2 nd Concession Road	Part 1, Plan 65R-33564	Fee Simple
19200 2 nd Concession Road	Part 2, Plan 65R-33564	Temporary Easement
19212 2 nd Concession Road	Part 4, Plan 65R-33564 Part 3, Plan 65R-33564	Fee Simple Temporary Easement

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Address	Legal Description	Interest Required
878 Mount Albert Road	Part 16, Plan 65R-33564 Part 17, Plan 65R-33564 Part 18, Plan 65R-33564 Part 19, Plan 65R-33564	Fee Simple Fee Simple Permanent Easement Permanent Easement
West Side of 2 nd Concession Road	Parts 5 to 15 inclusive, Plan 65R-33564	Fee simple
19301 2 nd Concession Road	Part 14, Plan 65R-33576	Temporary Easement
19315 2 nd Concession Road	Part 16, Plan 65R-33576 Part 15, Plan 65R-33576	Fee Simple Temporary Easement
19325 2 nd Concession Road	Part 17, Plan 65R-33576 Part 18, Plan 65R-33576	Fee Simple Fee Simple
19332 2 nd Concession Road	Parts 1 to 5 inclusive, Plan 65R-33576 Parts 6 to 9 inclusive, Plan 65R-33576 Part 10, Plan 65R-33576	Fee Simple Permanent Easement Temporary Easement
19419 2 nd Concession Road	Part 19, Plan 65R-33576 Part 21, Plan 65R-33576 Part 20, Plan 65R-33576	Fee Simple Permanent Easement Temporary Easement
19416 2 nd Concession Road	Part 11, Plan 65R-33576 Part 12, Plan 65R-33576	Fee Simple Fee Simple
19442 2 nd Concession Road	Part 13, Plan 65R-33576	Fee Simple
19510 2 nd Concession Road	Part 1, Plan 65R-33581 Part 2, Plan 65R-33581	Fee Simple Fee Simple
19575 2 nd Concession Road	Part 10, Plan 65R-33581 Part 9, Plan 65R-33581	Fee Simple Permanent Easement
19633 2 nd Concession Road	Part 3, Plan 65R-33582	Fee Simple
East Side of 2 nd Concession Road	Parts 4, 6 & 8, Plan 65R-33581 Parts 3, 5 & 7, Plan 65R-33581	Fee Simple Permanent Easement
19668 2 nd Concession Road	Part 1, Plan 65R-33582 Part 1, Plan 65R-33583 Part 2, Plan 65R-33582	Fee Simple Fee Simple Fee Simple
West side of 2 nd Concession Road	Part 4, Plan 65R-33582	Permanent Easement
19689 2 nd Concession Road	Part 5, Plan 65R-33582	Fee Simple
19711 2 nd Concession Road	Part 6, Plan 65R-33582	Fee Simple
1002 Doane Road	Part 3, Plan 65R-33583 Part 4, Plan 65R-33586	Fee Simple Fee Simple
19822 2 nd Concession Road	Part 2, Plan 65R-33583 Part 2, Plan 65R-33586	Fee Simple Fee Simple

Address	Legal Description	Interest Required
	Part 1, Plan 65R-33586	Temporary Easement

2. The Commissioner of Corporate Services be authorized to execute the Application for Approval to Expropriate Land and Notice of Application for Approval to Expropriate Land (the “Notice”) and to serve and publish the Notice as required under the *Expropriations Act*.
3. The Commissioner of Corporate Services be authorized to forward to the Chief Inquiry Officer any requests for an inquiry that are received and to represent the Region as necessary at an inquiry held under the *Expropriations Act*.
4. Council authorize the introduction of the necessary bylaws to give effect to these recommendations.

2. PURPOSE

This report seeks Council approval for an application to expropriate land for the reconstruction and widening of 2nd Concession Road, Green Lane East to Doane Road, in the Town of East Gwillimbury (*Attachment 1*). Under the *Expropriations Act* (the “Act”), Council, as approving authority, must approve an application prior to the initiation of any proceedings under the *Act*.

3. BACKGROUND

Property Requirements have changed since receiving Approval to Expropriate

Following Council approval for an application to expropriate land for the reconstruction and widening of 2nd Concession Road, Green Lane East to Doane Road, in the Town of East Gwillimbury on February 16, 2012, the requirements for land acquisition were modified. In some cases it will now be necessary to expropriate a fee simple interest rather than an easement. Other modifications have resulted in changes to the area of lands required. As a result, this request for approval for an application to expropriate land is being re-submitted to council and replaces the last report in its entirety.

The Environmental Assessment for the reconstruction of 2nd Concession Road, from Green Lane East to Doane Road is currently with the Ministry of the Environment

The Environmental Assessment was filed June 1, 2011. Authority to expropriate is subject to Environmental Assessment clearance. The Ministry of the Environment has all the information they require and have further indicated the ruling is with the Minister.

The 2nd Concession Road is a major north-south corridor

The 2nd Concession Road is a major north-south corridor in York Region. Planned development within the Town of East Gwillimbury will increase the traffic burden. Traffic modelling has indicated that it is necessary for the 2nd Concession Road to be reconstructed and widened to accommodate increased traffic volumes.

4. ANALYSIS AND OPTIONS

Negotiations for property acquisitions will commence in 2012

The project will require the acquisition of land for the reconstruction of 2nd Concession Road. Construction is planned to start in the spring of 2014. External appraisals on each property will be completed. Following receipt of the Environmental Assessment approval, staff will commence negotiations with owners to secure property requirements.

Initiating expropriation proceedings will ensure the construction schedule will not be compromised if land acquisitions are delayed

Regional staff anticipate that negotiations will be successfully concluded on many properties. These agreements will be presented to Council for approval in due course. In order to ensure timely acquisition of the lands, it is recommended the expropriation process proceed in tandem.

The first step in the process requires Council, as approving authority, to authorize an application for approval to expropriate. Subsequently, Notices may be served on owners of the subject lands. Receipt of this Notice will trigger an owner's right to request a Hearing of Necessity. There is also a statutory obligation to publish the Notices.

Link to Key Council - approved Plans

From Vision to Results: 2011 to 2015 Strategic Plan

Priority Area- Focus Growth along Regional Centres and Corridors

Optimize the transportation capacity and services in Regional Centres and Corridors

The acquisition of these lands will assist the Region in meeting its transportation needs.

5. FINANCIAL IMPLICATIONS

The funds to acquire the property for this project have been included in the 2012 Capital Budget, Capital Delivery, Roads, Transportation and Community Planning Department.

6. LOCAL MUNICIPAL IMPACT

The reconstruction of 2nd Concession Road between Green Lane East and Doane Road, will provide a much improved route for anticipated growth in the area and increased traffic volumes.

7. CONCLUSION

This report seeks Council approval to expropriate land from owners along 2nd Concession Road, in order to implement road improvements. To ensure the project is not delayed, it is necessary to initiate 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

AMENDMENT TO EXPROPRIATION OF LAND

2nd Concession Road Widening, Green Lane to Doane Road - Project 85620
Town of East Gwillimbury



York Region

0 360 720 1,440 Metres

PROPERTY SERVICES

