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EXPROPRIATION OF LAND
BATHURST STREET, PROJECT 8062
TOWN OF NEWMARKET

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, July 27, 2006, 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 Newmarket, in The Regional Municipality of York:
 - (a) a fee simple interest in approximately 1,172 m² (0.290 acres), being Parts 1, 2 and 3 on Reference Plan 65R-29168
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 hearing 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 of Realty Services 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

The purpose of this report is to obtain Regional Council's approval to expropriate land from one owner in conjunction with the widening and reconstruction of Bathurst Street from Wellington Street to Mulock Drive, in the Town of Newmarket (*see Attachment 1*).

3. BACKGROUND

Regional Council, on May 19, 2005, adopted By-law A-0362-2005-035 that authorized the widening and reconstruction of Bathurst Street (YR 38) from Wellington Street (YR 15) to Mulock Drive (YR 74) in the Township of King, and Towns of Aurora and Newmarket. The By-law authorizes:

- (a) the widening and reconstruction of Bathurst Street
- (b) the carrying out of all related works and undertakings in connection with the above
- (c) the acquisition of the necessary lands and interests in lands for the work described above

4. FINANCIAL IMPLICATIONS

An offer of compensation must be made under Section 25 of the *Expropriations Act* to the owner of the listed parts on the reference plan. This offer must be made within 90 days of the registration of the expropriation plan. Funds have been included in the 2006 budget for this offer. Staff will report back to Council prior to making this offer.

5. LOCAL MUNICIPAL IMPACT

This project will provide additional north-south capacity within the Bathurst Street corridor to support new developments in the Towns of Aurora and Newmarket.

6. CONCLUSION

Construction of this project is scheduled to commence in 2006.

A reference plan showing the Region's requirement has been registered. In order to ensure that the project is not delayed, it is appropriate to proceed with expropriation. The above noted reference plan will be available at Committee for your review.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the September 6, 2006 Committee meeting.)