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**APPLICATION FOR APPROVAL TO EXPROPRIATE
RECONSTRUCTION OF BATHURST STREET, PROJECT 9602
TOWN OF EAST GWILLIMBURY AND THE TOWNSHIP OF KING**

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report dated September 21, 2011, 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 and the Township of King.

Address	Legal Description	Interest Required
North Side Green Lane	Part 1, Plan 65R-33188	Fee Simple
East Side of Bathurst Street	Part 2, Plan 65R-33188 Part 3, Plan 65R-33188	Fee Simple Temporary Easement
18462-18523 Bathurst Street	Part 4, Plan 65R-33188 Parts 5 and 6, Plan 65R-33188 Part 5, Plan 65R-33178 Part 6, Plan 65R-33178	Fee Simple Temporary Easement Fee Simple Temporary Easement
18400 Bathurst Street	Part 7, Plan 65R-33188	Fee Simple
18401 Bathurst Street	Part 1, Plan 65R-33178	Fee Simple
18565 Bathurst Street	Part 2, Plan 65R-33178	Fee Simple
18597 Bathurst Street	Part 3, Plan 65R-33178 Part 4, Plan 65R-33178	Fee Simple Temporary Easement
18660 Bathurst Street	Part 1, Plan 65R-33156	Fee Simple
18635 Bathurst Street	Part 2, Plan 65R-33156	Fee Simple
605 Morning Sideroad	Parts 3 and 4, Plan 65R-33156	Fee Simple
18737, 18813, 18881 Bathurst Street	Parts 1 and 2, Plan 65R-33159	Fee Simple
18868 Bathurst Street	Part 1, Plan 65R-33152	Fee Simple
18952 Bathurst Street	Part 2, Plan 65R-33152	Fee Simple
19070 Bathurst Street	Part 1, Plan 65R-33154	Fee Simple

Address	Legal Description	Interest Required
19230 Bathurst Street	Part 1, Plan 65R-33179	Fee Simple
19338 Bathurst Street	Part 2, Plan 65R-33179	Fee Simple
19420 Bathurst Street	Parts 1, 2, 3 and 4, Plan 65R-33150	Fee Simple
19540 Bathurst Street	Part 5, Plan 65R-33150	Fee Simple
West Side of Bathurst Street	Parts 1 and 2, Plan 65R-33162	Fee Simple
770 Graham Sideroad	Part 4, Plan 65R-33162	Fee Simple
19776 Bathurst Street	Part 5, Plan 65R-33162	Fee Simple
19715 Bathurst Street	Part 2, Plan 65R-33151	Fee Simple
East Side of Bathurst Street	Parts 4, 5 and 6, Plan 65R-33151	Fee Simple
19752 Holland Landing Road	Part 1, Plan 65R-33155	Fee Simple
East Side of Yonge Street	Part 2, Plan 65R-33155	Fee Simple
19820 Holland Landing Road	Parts 4, 5 and 6, Plan 65R-33155	Fee Simple

2. The Commissioner of Corporate Services be authorized to execute the Application for Approval to Expropriate Land and the 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 by-laws to give effect to these recommendations.

2. PURPOSE

This report seeks Council’s approval for an application to expropriate land from 26 properties for the reconstruction of Bathurst Street, in the Town of East Gwillimbury and the Township of King (*Attachment 1*). Under the *Expropriations Act* (the “Act”), Regional Council, as approving authority, must approve an application prior to the initiation of any proceedings under the Act.

3. BACKGROUND

The Environmental Assessment was approved for the reconstruction of Bathurst Street, from Green Lane West to Yonge Street

The Environmental Assessment Study was initiated in October 2006 and completed in May 2010. The Ministry of the Environment approved the project with conditions in October 2010.

Bathurst Street is a major north-south corridor in York Region

Bathurst Street is a major north-south corridor in York Region. Bathurst Street, between Morning Sideroad and Graham Sideroad, was closed to through traffic in 1995 for safety reasons due to road and bridge conditions. The Environmental Assessment reaffirmed the need to reconnect and reconstruct Bathurst Street. Bathurst Street will remain a two lane rural road. A section just north of Morning Sideroad will have a south bound truck climbing lane and the Bathurst/Yonge intersection will be modified to provide turning lanes.

4. ANALYSIS AND OPTIONS

Negotiations for property acquisitions will commence this fall

The project will require the acquisition of land for the reconstruction of Bathurst Street. Detail design is ongoing and anticipated for completion is December 2011 and construction is planned to commence in 2012.

External appraisals on each property will be completed by the end of November 2011. As property appraisals are completed, staff will commence to negotiate agreements of purchase and sale for the required interests.

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

Regional staff anticipate that negotiations will be successfully concluded on many of the 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 that 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.

5. FINANCIAL IMPLICATIONS

The funds to acquire the properties for this project have been included in the 2011 Capital Budget, Capital Delivery, Roads, Transportation Department.

6. LOCAL MUNICIPAL IMPACT

The reconstruction and reconnection of Bathurst Street, between Green Lane West and Yonge Street will provide an additional north-south route for the existing heavy traffic volumes and the future traffic volumes due to anticipated growth in the area.

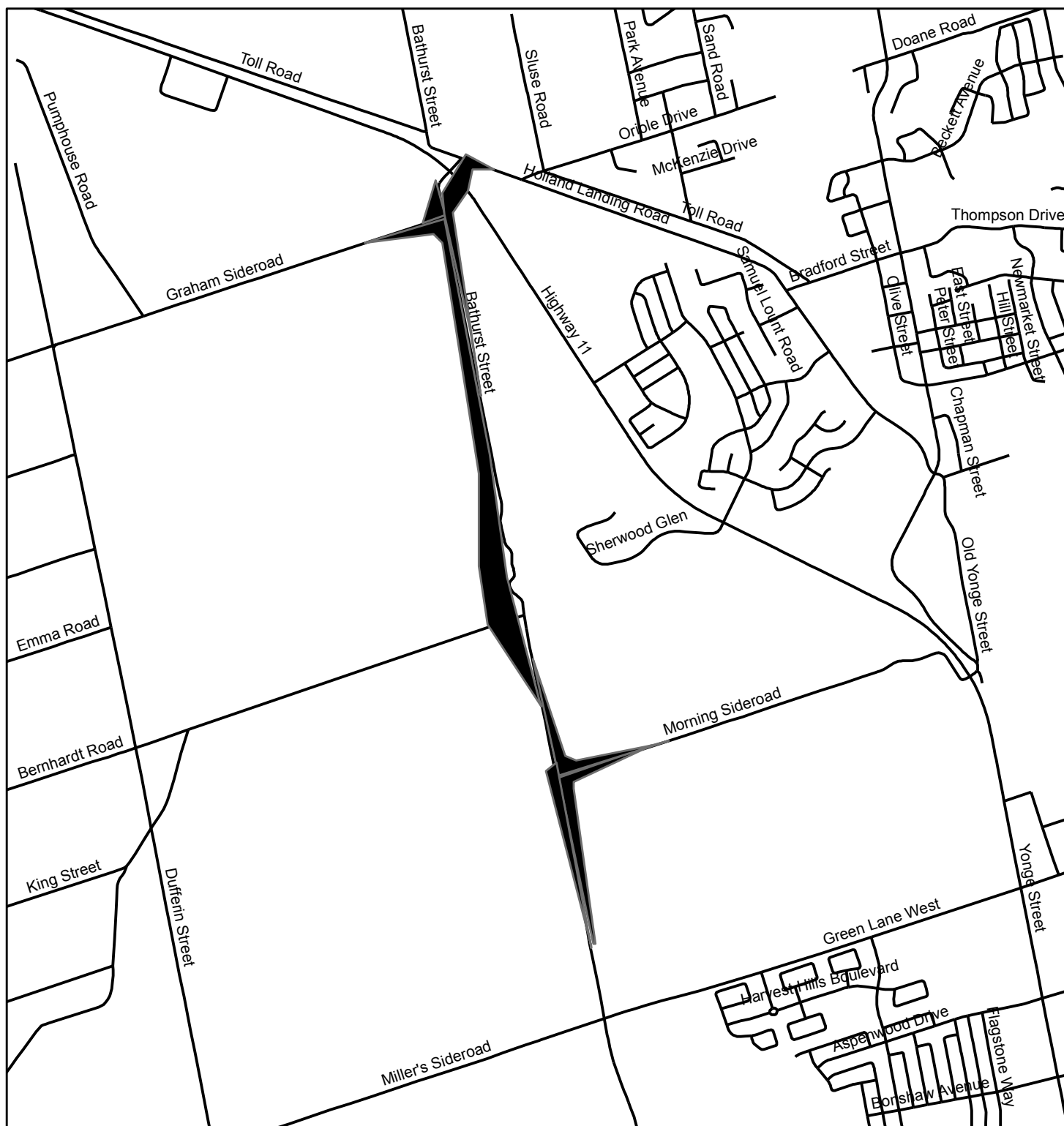
7. CONCLUSION

This report seeks Council's approval to expropriate from owners along Bathurst Street 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 Chris Harker, Manager, Realty Services, Property Services Branch at ext. 1899.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the October 6, 2011 Committee meeting.)



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LOCATION PLAN

**APPLICATION FOR APPROVAL TO EXPROPRIATE
Bathurst Street, Green Lane West to Yonge Street - Project 9602
TOWN OF EAST GWILLIMBURY, TOWNSHIP OF KING**



0 445 890 1,780 Metres

PROPERTY SERVICES

