

15
EXPROPRIATION OF LAND
16TH AVENUE TRUNK SEWER
TOWN OF MARKHAM, PROJECT 7403

The Transportation and Works Committee recommends the adoption of the recommendations contained in the following report, September 5, 2003, from the Commissioner of Corporate Services:

1. RECOMMENDATIONS

It is recommended that:

1. Authority be granted to apply for approval to expropriate the following lands within the Town of Markham, in The Regional Municipality of York:
 - (a) a temporary limited interest in approximately 620 m² (0.153 acres), being
Parts 1, and 2 on Reference Plan 65R-25587
Part 2 on Reference Plan 65R-26088
Parts 1 and 2 on Reference Plan 65R-26090
(for the purpose of constructing a sanitary sewer, expiring on December 31, 2006)
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 Director of Realty Services be authorized to execute and serve any notices required by the *Expropriations Act*.
6. 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 two owners in conjunction with the construction of a trunk sanitary sewer along 16th Avenue in the Town of Markham (*see attachment 1*).

3. BACKGROUND

On March 28, 2002, Regional Council authorized staff to proceed with the acquisition of the easements necessary for the 16th Avenue trunk sewer construction.

4. LOCAL MUNICIPAL IMPACT

The construction of the 16th Avenue trunk sanitary sewer is necessary to accommodate growth in the Towns of Markham and Richmond Hill. Together with other existing trunk sewers, the 16th Avenue trunk sewer will accommodate growth in the Towns of Aurora and Newmarket, and will divert flows from the YDSS system providing capacity in that system for additional growth in the City of Vaughan.

5. FINANCIAL IMPLICATIONS

Offers of compensation must be made under Section 25 of the *Expropriations Act* to all of 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. Funds have been included in the 2003 budget for these offers. Staff will report back to Council prior to making these offers.

6. CONCLUSION

Reference plans showing the Region's requirements as referred to in this report have been registered. In order to ensure that the project is not delayed, it is appropriate to proceed with expropriation. The above noted reference plans will be available at Committee for your review.

The Senior Management Group has reviewed this report.

(A copy of the attachment referred to in the foregoing is included with this report and is also on file in the Office of the Regional Clerk.)