

THE REGIONAL MUNICIPALITY OF YORK

BYLAW NO. 2018-71

To acquire certain lands for or in connection with the widening and reconstruction of Yonge Street (YR 1), Town of Newmarket and Town of East Gwillimbury

WHEREAS the Council of The Regional Municipality of York on June 28, 2018, by its adoption of Clause 20 of Report 11 of the Committee of the Whole approved of the expropriation of the lands therein referred to for or in connection with the widening and reconstruction of Yonge Street (YR 1) from Davis Drive (YR 31) to north of Green Lane (YR 19), in the Town of Newmarket and Town of East Gwillimbury, provided that there were no requests for a hearing of necessity; and

WHEREAS Notice of Application for Approval to Expropriate Land has been served upon the registered owners of the lands and has been published pursuant to the provisions of the *Expropriations Act*, R.S.O. 1990, c. E.26, as amended (the "Act"); and

WHEREAS no notification of a desire for a hearing has been received and the time for giving such notification has expired.

Now, therefore, the Council of The Regional Municipality of York HEREBY ENACTS as follows:

1. The expropriation of the lands referred to in section 2 is hereby approved and the Regional Chair and Regional Clerk are authorized to execute any required documents in accordance with the Act.
2. The lands described and designated as follows:

No.	Owner	Municipal Address	Legal Description	Interest Required
1.	Marcass IT Professional Services Inc.	6 Green Lane, East Gwillimbury	Part 1 on Plan 65R37889	Fee Simple
2.	Yonge Green Lane GP Inc.	22 Green Lane, East Gwillimbury	Part 2 on Plan 65R37889	Permanent Easement
<p>The permanent easement required is described as a limited interest in perpetuity in, under, over, along and upon and for municipal purposes including, but not limited to, entering on the lands with all vehicles, machinery, workmen and other material (i) to construct and maintain permanent municipal infrastructure which may include installation, maintenance, relocation and/or removal of traffic turning loops and associated signalization equipment and controls, retaining walls, shoring and formwork and/or drainage, erosion or sediment control measures, and (ii) for construction purposes which include, but are not limited to, (1) relocation of existing services and utilities, (2) staging and storage of materials and equipment, (3) geo-tech testing, borehole testing, and other investigative works, (4) removal, relocation and/or installation of signage, (5) hard and soft landscaping, paving, grading and reshaping the lands to the limit of the reconstruction of municipal road fronting the lands herein described, (6) the installation and removal of temporary (i) pedestrian access and walkways, (ii) parking measures including re-striping of aisles, lanes, and parking stalls, (iii) shoring and formwork, (iv) drainage and erosion/sediment control measures, (v) traffic signals, (vi) fencing, and (vii) handrails, and (7) works ancillary to any of the foregoing and necessary to the works to be performed in association with the widening and reconstruction of Yonge Street (YR 1), in the Town of East Gwillimbury.</p>				

are to be expropriated and taken for or in connection with the widening and reconstruction of Yonge Street (YR 1) from Davis Drive (YR 31) to north of Green Lane (YR 19), in the Town of Newmarket and Town of East Gwillimbury.

3. (1) The Regional Chair and Regional Clerk are hereby authorized and directed to sign a certificate of approval and plan or plans showing the lands expropriated.

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(2) When so signed, the Commissioner of Corporate Services is directed to cause the said certificate of approval and plan or plans to be registered in the proper Land Registry Office and to pay all expenses incidental to the registration.

4. Plan No. 65R37889 shall form part of this bylaw.

ENACTED AND PASSED on November 15, 2018.

Christopher Raynor

Regional Clerk

Wayne Emmerson

Regional Chair

Authorized by Clause 20 of Report 11 of the Committee of the Whole, adopted by Council at its meeting on June 28, 2018.

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