

**THE REGIONAL MUNICIPALITY OF YORK**

**BYLAW NO. 2018-18**

To acquire certain lands for or in connection with the construction of the Viva Bus Rapid Transit Corridor along Yonge Street, Town of Newmarket (Y3.2)

WHEREAS the Council of The Regional Municipality of York on October 19, 2017, by its adoption of Clause 12 of Report 14 of the Committee of the Whole approved of the expropriation of the lands therein referred to for or in connection with the construction of the Viva Bus Rapid Transit Corridor along Yonge Street from Sawmill Valley Drive/Savage Road to Davis Drive, in the Town of Newmarket, 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:

<b>No.</b>	<b>Owner</b>	<b>Municipal Address</b>	<b>Legal Description</b>	<b>Interest Required</b>
1.	Skamari Investments Inc.	16635 Yonge Street Newmarket	Part 1, Plan YR2528315	Temporary Easement
2.	Tavco Realty Holdings Inc.	16655 Yonge Street Newmarket	Part 1, Plan YR2528323	Temporary Easement
3.	275057 Ontario Limited	16715 Yonge Street Newmarket	Part 1, Plan YR2528329	Temporary Easement
4.	The Canada Trust Company (Trustee of the Joyce Mulock Trust) Deborah Jane Barbour (Trustee of the Joyce Mulock Trust)	16780 Yonge Street Newmarket	Part 1, Plan YR2528795	Temporary Easement
5.	Newmarket Property Corporation	16775 Yonge Street Newmarket	Part 3, Plan YR2071907	Temporary Easement
6.	Criterion Development Corporation	Vacant Lands w/s Yonge Street Newmarket	Part 2, Plan YR2071911	Temporary Easement
7.	York Region Condominium Corporation No. 877	Brandy Lane Way Newmarket	Parts 1, 2, 3, Plan YR2528352	Temporary Easement
8.	Newmarket-Tay Power Distribution Ltd.	16845 Yonge Street Newmarket	Part 2, Plan YR2071927	Temporary Easement
9.	York North Condominium Corporation No. 5	20 William Roe Boulevard Newmarket	Parts 1, 2, Plan YR2528375	Temporary Easement
10.	Invivo Investments Limited	16925 Yonge Street Newmarket	Parts 1, 2, 3, Plan YR2528396	Temporary Easement
11.	1209104 Ontario Limited	Vacant Lands w/s Yonge Street Newmarket	Part 1, Plan YR2528438	Temporary Easement
12.	LT Realities Inc.	16995 Yonge Street Newmarket	Parts 1, 2, 3, 4, 5, 6, 7, 8 Plan YR2528451	Temporary Easement

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13.	Trustees of the Canadian Yearly Meeting of the Religious Society of Friends (Quakers)	17000 Yonge Street Newmarket	Part 1, Plan YR2071964	Temporary Easement
14.	The Trustees of the Yonge Street Monthly Meeting of the Religious Society of Friends	17030 Yonge Street Newmarket	Part 1, Plan YR2071969	Temporary Easement
15.	Thana Group Limited	17035 Yonge Street Newmarket	Parts 5, 6, 7, Plan YR2074287	Temporary Easement
16.	Kindwin Markham Limited	17046 Yonge Street Newmarket	Part 1, Plan YR2071970	Temporary Easement
17.	Marlies Schellin	17070 Yonge Street Newmarket	Part 3, Plan YR2071972	Temporary Easement
18.	1965114 Ontario Inc.	17065 Yonge Street Newmarket	Part 1, Plan YR2528462	Temporary Easement
19.	993113 Ontario Inc.	17089 Yonge Street Newmarket	Part 1, Plan YR2528470	Temporary Easement
20.	2089929 Ontario Limited	17095 Yonge Street Newmarket	Part 1, Plan YR2528480	Temporary Easement
21.	Suncor Energy Inc.	17111 Yonge Street Newmarket	Parts 1, 2, Plan YR2528492	Temporary Easement
22.	Mac's Convenience Stores Inc.	17145 Yonge Street Newmarket	Part 1, Plan YR2528506	Temporary Easement
23.	Seven Star Investments Inc.	17175 Yonge Street Newmarket	Part 1, Plan YR2528511	Temporary Easement
24.	Calgas Investments Limited	17215 Yonge Street Newmarket	Part 1, Plan YR2528712	Temporary Easement
25.	2563389 Ontario Inc.	17295 Yonge Street Newmarket	Part 1, Plan YR2528727	Temporary Easement
26.	Yongemill Group Inc.	17310 Yonge Street Newmarket	Parts 1, 2, Plan YR2528745	Temporary Easement

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27.	Moshoian Productions Limited	17315 Yonge Street Newmarket	Part 1, Plan YR2528764	Temporary Easement
28.	1045838 Ontario Inc. 1255552 Ontario Inc.	17335 Yonge Street Newmarket	Part 2, Plan YR2071523	Temporary Easement
29.	Newmarket Property Corporation	17360 Yonge Street Newmarket	Parts 1, 2, Plan YR2071494	Temporary Easement
30.	2143811 Ontario Limited	17365 Yonge Street Newmarket	Parts 3, 4, Plan YR2071524	Temporary Easement
31.	2143811 Ontario Limited	17395 Yonge Street Newmarket	Parts 1, 2, Plan YR2071524	Temporary Easement
32.	Crossland Centre (1990) Inc.	17380-17410 Yonge Street Newmarket	Parts 1, 2, Plan YR2528775	Temporary Easement
33.	Collison Estates Ltd.	17415 Yonge Street Newmarket	Part 1, Plan YR2071527	Temporary Easement
34.	2433265 Ontario Inc.	17440 Yonge Street Newmarket	Parts 4, 5, 6, 7, Plan YR2071554	Temporary Easement
35.	Loblaw Properties Limited	20 Davis Drive Newmarket	Parts 1, 2, 3, 4, 5, Plan YR2528787	Temporary Easement

The temporary easements required are described as a temporary limited interest commencing on December 10, 2018 and expiring on December 31, 2019 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 for construction purposes, which may include (1) relocation of existing services and utilities, (2) work that supports the construction of municipal infrastructure within the Region's permanent takings, (3) staging and storage of materials and equipment, (4) geotech testing, borehole testing, and other investigative works, (5) removal, relocation and/or installation of signage, (6) hard and soft landscaping, paving, grading and reshaping the lands to the limit of the reconstruction of the municipal road fronting the lands herein described, (7) 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 (8) works ancillary to any of the foregoing and necessary to the works to be performed in association with the purpose of implementing road and intersection improvements along Yonge Street, including

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associated local roads, and to provide designated lanes for the vivaNext transit system and works ancillary thereto.				

are to be expropriated for or in connection with the construction of the Viva Bus Rapid Transit Corridor along Yonge Street from Sawmill Valley Drive/Savage Road to Davis Drive, in the Town of Newmarket.

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.

(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. The Plans referred to above, hereto attached, shall form part of this bylaw.

ENACTED AND PASSED on March 29, 2018.

Christopher Raynor  
Regional Clerk

Wayne Emmerson  
Regional Chair

*Authorized by Clause 12 of Report 14 of the Committee of the Whole, adopted by Council at its meeting on October 19, 2017.*