

THE REGIONAL MUNICIPALITY OF YORK

BILL NO. 10

BYLAW NO. 2014-9

To acquire certain lands for or in connection with the
widening and reconstruction of Yonge Street, Town of Newmarket

WHEREAS the Council of The Regional Municipality of York on January 27, 2011, by its adoption of Clause 6 of Report 1 of the Finance and Administration Committee authorized an application for approval to expropriate the lands therein referred to for or in connection with the widening and reconstruction of road and intersection improvements, in order to provide designated lanes for the Viva transit system along the Yonge Street corridor, from Sawmill Valley Drive/Savage Road to Davis Drive, in the Town of Newmarket; 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, Chapter E.26; and

WHEREAS a request for a hearing before an Inquiry Officer was received and subsequently withdrawn; and

WHEREAS the Council of The Regional Municipality of York on January 23, 2014, by its adoption of Clause 11 of Report 2 of the Committee of the Whole approved the expropriation of the hereinafter described lands.

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

1. The expropriation of the lands referred to in section 3 is hereby approved for or in connection with the widening and reconstruction of road and intersection

improvements, in order to provide designated lanes for the Viva transit system along the Yonge Street corridor, from Sawmill Valley Drive/Savage Road to Davis Drive, in the Town of Newmarket.

2. The Regional Chair and Regional Clerk are hereby authorized and directed to execute a Certificate of Approval pursuant to the *Expropriations Act*.

3. The Region, as expropriating authority, expropriate the following lands by the preparation, execution and registration of a plan of expropriation:

No.	Owner	Municipal Address (YRRTC Reference)	Legal Description	Interest Required
1	Calgas Investments Limited	17215 Yonge Street (30)	Part 2, Plan 65R-32629	Fee Simple
			Part 3, Plan 65R-32629	Permanent Easement
			Part 4, Plan 65R-32629	Temporary Easement
<p>The three year temporary easements will commence upon registration of the plan and are required for the purpose of entering in, under, over, along and upon the lands described herein for the municipal purpose of entering on the land with all vehicles, machinery, workmen and other material to provide for hard and soft landscaping, grading and re-shaping the land to the limit of the reconstruction of Yonge Street and works ancillary thereto.</p> <p>The permanent easements and/or right in the nature of permanent easements are required for the purpose of entering in, under, over, along and upon the lands described herein for the municipal purpose of entering on the lands with all vehicles, machinery, workmen and other material to construct and maintain retaining walls and works ancillary thereto.</p>				

4. The Commissioner of Corporate Services is authorized to cause the said plan or plans to be registered in the proper Land Registry Office, to give notice of such expropriation in accordance with the *Expropriations Act* and to execute all necessary documents to effect the transaction.

5. Plan No. 65R-32629, hereto attached, shall form part of this bylaw.

ENACTED AND PASSED on January 23, 2014.

Denis Kelly
Regional Clerk

Bill Fisch
Regional Chair

Authorized by Clause 11 of Report 2 of the Committee of the Whole, adopted by Council at its meeting on January 23, 2014.

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