

THE REGIONAL MUNICIPALITY OF YORK

BYLAW NO. 2020-51

To acquire certain lands for or in connection with constructing
the Highway 404 Mid-Block Crossing north of 16th Avenue (YR 73),
City of Markham and City of Richmond Hill

WHEREAS the Council of The Regional Municipality of York on October 17, 2019, by its adoption of Item F.2.7 of the Committee of the Whole dated October 10, 2019 approved the expropriation of the lands therein referred to for or in connection with constructing the Highway 404 Mid-Block Crossing north of 16th Avenue (YR 73), in the City of Markham and in the City of Richmond Hill, provided that there were no requests for a hearing of necessity; and

WHEREAS a 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.	Donald Charles Brodie	9481 Leslie Street, Richmond Hill	Parts 13 & 15 on Plan 65R-38532 and Parts 2 & 4 on Plan 65R-38538	Fee Simple
			Part 14 on Plan 65R-38532 and Parts 1 & 3 on Plan 65R-38538	Permanent Easement
2.	Orlando Corporation	South east corner of Leslie Street and Orlando Avenue, Richmond Hill	Parts 9 & 10 on Plan 65R-38532	Permanent Easement
3.	10057428 Canada Corporation	220 Cachet Woods Court, Markham	Parts 37, 39 & 40 on Plan 65R-38557	Fee Simple
4.	Cachet Woods Corporation	East side of Cachet Woods Court, Markham	Part 43 on Plan 65R-38557	Permanent Easement
5.	2077126 Ontario Limited	160 Markland Street, Markham	Parts 9 & 10 on Plan 65R-38613	Fee Simple
			Parts 11,12 & 13 on Plan 65R-38613	Permanent Easement
6.	Gunawan Investments Limited	150 Markland Street, Markham	Part 14 on Plan 65R-38613	Permanent Easement
7.	2198136 Ontario Ltd.	136 Markland Street, Markham	Part 15 on Plan 65R-38613	Permanent Easement
8.	2496052 Ontario Inc.	Markland Street, Markham	Parts 7 & 8 on Plan 65R-38613	Permanent Easement

No.	Owner	Municipal Address	Legal Description	Interest Required
9.	Markland Residential Corporation	9390 Woodbine Avenue, Markham	Parts 3, 4, 5 & 6 on Plan 65R-38613	Permanent Easement
10.	York Region Standard Condominium Corporation No. 1415	9390 Woodbine Avenue, Markham	Parts 1 & 2 on Plan 65R-38613	Permanent Easement
11.	2099175 Ontario Inc.	2920 16th Avenue, Markham	Part 16 on Plan 65R-38613	Permanent Easement
12.	Cachet Woodbine (CPL) Ltd.	2960 16th Avenue, Markham	Parts 17, 18, 19 & 20 on Plan 65R-38613	Permanent Easement

A permanent easement or rights in the nature of a permanent easement commencing upon the date of registration of the plan of expropriation and 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 such as watermains and storm sewers, 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) geotech 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 purpose of implementing road and intersection improvements, including associated local roads.

are to be expropriated and taken for or in connection with constructing the Highway 404 Mid-Block Crossing north of 16th Avenue (YR 73), in the City of Markham and in the City of Richmond Hill.

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. Plan Nos. 65R-38532, 65R-38538, 65R-38557 and 65R-38613 shall form part of this bylaw.

ENACTED AND PASSED on October 22, 2020.

Regional Clerk

Regional Chair

*Authorized by Clause F.2.7 of the Committee of the Whole dated October 10, 2019,
adopted by Council at its meeting on October 17, 2019.*