

THE REGIONAL MUNICIPALITY OF YORK

BYLAW NO. 2021-06

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 October 22, 2020, by its adoption of Item I.2.3 of the Committee of the Whole dated October 8, 2020, approved 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 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 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.	Rionew Holdings Inc.	17810, 17820, 17830 Yonge Street Newmarket	Parts 13, 14 Plan 65R-35989	Permanent Easement (203.5 sq.m.)
			Part 1 Plan 65R-39063	Permanent Easement (21.0 sq.m.)
2.	Yulee Developments Inc.	17860, 17940, 18080 Yonge Street Newmarket	Parts 4, 5, 7, 9, 12, 14 Plan 65R-35988	Permanent Easement (114.8 sq.m.)
3.	784773 Ontario Ltd.	SWM pond at Bonshaw & Yonge Street Newmarket	Parts 1, 2 Plan 65R-38886	Fee Simple (146.9 sq.m.)
4.	CP REIT Ontario Properties Limited	18120 Yonge Street East Gwillimbury	Parts 1, 2, 3, 4, 5 Plan 65R-39077	Permanent Easement (289.1 sq.m.)
5.	Lee-Mar Developments Limited	18154 Yonge Street East Gwillimbury	Parts 25, 27 Plan 65R-35988	Permanent Easement (252.8 sq.m.)
6.	Riotrin Properties (Newmarket) Inc.	18126 Yonge Street East Gwillimbury	Parts 1, 2, 3, 4 Plan 65R-39095	Permanent Easement (127.0 sq.m.)
7.	Fetlar Holdings Limited	18185 & 18215 Yonge Street East Gwillimbury	Parts 1, 2 Plan 65R-39070	Permanent Easement (241.8 sq.m.)
			Parts 3, 5 Plan 65R-39070	Temporary Easement (248.9 sq.m.)

No.	Owner	Municipal Address	Legal Description	Interest Required
			Part 1 Plan 65R-39078	Permanent Easement (129.2 sq.m.)

The temporary easements required are described as a temporary limited interest commencing on August 1, 2021 and expiring on November 3, 2024 in, under, over, along and upon the lands 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 (north of Davis Drive), including associated local roads.

The permanent easements required are described as a limited interest in perpetuity in, under, over, along and upon the lands 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, traffic noise barriers, 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 the 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 widening and intersection improvements along Yonge Street (north of Davis Drive), including associated local roads.

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 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.

(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-35989, 65R-39063, 65R-35988, 65R-38886, 65R-39077, 65R-39095, 65R-39070 and 65R-39078 shall form part of this bylaw.

ENACTED AND PASSED on February 25, 2021.

Regional Clerk

Regional Chair

Authorized by Item 1.2.3 of the Committee of the Whole dated October 8, 2020, adopted by Council at its meeting on October 22, 2020 (CoW 1 & 2).