

THE REGIONAL MUNICIPALITY OF YORK

BYLAW NO. 2021-14

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WHEREAS a request for a hearing before an Inquiry Officer was received and subsequently withdrawn, provided that The Regional Municipality of York modifies the proposed taking from a permanent easement to a temporary easement.

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. | Home Depot Holdings Inc. | 17850 Yonge Street Newmarket | Part 19 Plan 65R-35989 | Temporary Easement (79.3 sq.m.) |
| <p>A temporary easement or rights in the nature of a temporary easement described as a temporary limited interest commencing on June 1, 2022 and expiring on June 1, 2026 in, under, over, along and upon the land 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 (a) pedestrian access and walkways, (b) parking measures including re-striping of aisles, lanes, and parking stalls, (c) shoring and formwork, (d) drainage and erosion/sediment control measures, (e) traffic signals, (f) fencing, and (g) 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.</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 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 No. 65R-35989 shall form part of this bylaw.

ENACTED AND PASSED on March 25, 2021.

Regional Clerk

Regional Chair

Authorized by Item I.2.3 of the Committee of the Whole dated October 8, 2020, adopted by Council at its meeting on October 22, 2020.

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