

THE REGIONAL MUNICIPALITY OF YORK

BYLAW NO. 2019-34

To acquire certain lands for or in connection with the construction of an Air Management Facility, City of Richmond Hill

WHEREAS the Council of The Regional Municipality of York on January 25, 2018, by its adoption of Clause 22 of Report 1 of the Committee of the Whole, approved the expropriation of the lands therein referred to for or in connection with the construction of an Air Management Facility in the southwest quadrant of Yonge Street and King Road, in the City of Richmond Hill, 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WHEREAS a request for a hearing before an Inquiry Officer was received and subsequently withdrawn.

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.	The Regional Municipality of York	57 King Road, Richmond Hill	Parts 1, 2, 3, Plan 65R37778	Release of ROW in favour of 12960 Yonge Street
2.	E. Mollicone Realty Limited	12960 Yonge Street Richmond Hill	Parts 4, 5, Plan 65R37778	Permanent Easement

There is an existing right-of-way over the Region-owned property in favour of 12960 Yonge Street that is 66 feet in width (Part 2, 65R37778) and provides access to King Road. The Region is seeking a release of that interest to develop the property for an Air Management Facility.

The proposed permanent easement over 12960 Yonge Street (Parts 4 and 5, 65R37778) will provide access to the sewer on Yonge Street for the installation and maintenance of an underground pipe.

The permanent easement is described as a limited interest in perpetuity 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: (a) to construct and maintain permanent municipal infrastructure and appurtenances which may include installation, maintenance, alteration, inspection, repair, operation, shoring and formwork; and (b) for construction purposes which include, but are not limited to: (i) staging and storage of materials and equipment, (ii) geotech testing, borehole testing, and other investigative works, (iii) removal, relocation and/or installation of signage, (iv) hard and soft landscaping, paving, grading and reshaping the lands to the limit of the reconstruction, (v) the installation and removal of temporary (1) pedestrian access and walkways, (2) parking measures including re-stripping of aisles, lanes, and parking stalls, (3) shoring and formwork, (4) drainage and erosion/sediment control measures, and (vi) works ancillary to any of the foregoing and necessary to the works to be performed.

are to be expropriated for or in connection with the construction of an Air Management Facility in the southwest quadrant of Yonge Street and King Road, in the City of Richmond Hill.

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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-37778 shall form part of this bylaw.

ENACTED AND PASSED on May 16, 2019.

Regional Clerk

Regional Chair

Authorized by Clause 22 of Report 1 of the Committee of the Whole, adopted by Council at its meeting on January 25, 2018.

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