



Interoffice Memorandum

**The Regional
Municipality of Durham**
**Chief Administrative
Office – Legal Services
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Jason Hunt
**Regional Solicitor and
Director of Legal Services**

Date: March 21, 2023

To: Alexander Harras, Regional Clerk

From: Alexander McPherson, Solicitor

**Re: Expropriation of lands for the proposed Bus Rapid
Transit Project along Highway 2 (Kingston Road) in
the City of Pickering and the Town of Ajax (2018-
COW-101)**

On June 13, 2018, Regional Council authorized Regional staff to begin expropriation proceedings for lands required for the proposed Bus Rapid Transit project that cannot be acquired through negotiations (Report #2018-COW-101).

In the matter of the proposed expropriation by The Regional Municipality of Durham being

All estate, right, title and interest in Part of Lot 2, Concession 1, in the Geographic Township of Pickering, in the Town of Ajax, described further as Part 1 on Reference Plan 40R-31624,

for the purposes of construction of the Bus Rapid Transit Project along Highway 2 (Kingston Road), in the City of Pickering and the Town of Ajax, from Regional Road 38 (Whites Road) to Regional Road 23 (Lake Ridge Road), in the Regional Municipality of Durham, and all related construction activities as ancillary to the construction.

All estate, right, title and interest in the lands described as follows:

Part of Lot 2, Concession 1, in the Geographic Township of Pickering, in the Town of Ajax, described further as Part 1 on Reference Plan 40R-31624

Notices of Application for Approval to Expropriate Land have been served and published according to the *Expropriations Act*. We are not aware of any persons having requested a hearing of necessity relating to this property.

I enclose four documents:

1. Reference Plan 40R-31624
2. Form of resolution approving this expropriation;
3. Draft expropriation by-law; and
4. Certificate of Approval.

Further to CC 02 presented to Regional Council at its meeting on February 1, 2023, please present these four recommendations for Regional Council for approval:

- A) That Regional Council, as approving authority under the *Expropriations Act*, R.S.O. 1990, c. E.26, approve the property requirements for the expropriation of the property as described in the registered reference plan as Part 1 on Reference Plan 40R-31624, deposited in the Land Registry Office on January 17, 2022.
- B) That Regional Council, as expropriating authority under the *Expropriations Act*, authorize all steps necessary to comply with the *Expropriations Act*, including, but not limited to, the preparation and registration of expropriation plans and the service of notices of expropriation, notice of election as to a date for compensation and notices of possession.
- C) That Regional Council grant authority to the Regional Chair and Clerk to execute any notices and forms as may be statutorily mandated by the *Expropriations Act* to give effect to recommendation B), including the notices of expropriation, notices of election as to a date for compensation and notices of possession, including the certificate of approval to be affixed to the expropriation plan.
- D) That the necessary expropriation by-law be presented to Regional Council for adoption.

If Regional Council gives approval to expropriate, please present the draft expropriation by-law to Regional Council for adoption.