

THE REGIONAL MUNICIPALITY OF YORK

BYLAW NO. 2018-11

To acquire certain lands for or in connection with the construction of the Viva Bus Rapid Transit Corridor along Highway 7, Centre Street, Bathurst Street, City of Vaughan (H2)

WHEREAS the Council of The Regional Municipality of York on November 16, 2017, by its adoption of Clause 19 of Report 16 of the Committee of the Whole approved of the expropriation of the lands therein referred to for or in connection with the construction of the Viva Bus Rapid Transit Corridor along Highway 7, Centre Street, Bathurst Street, in the City of Vaughan, 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 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.	Paul Fortuna	4871 Highway 7 Vaughan	Part 1, Plan 65R37386	Temporary Easement
2.	Jose Gomes Cordeiro Maria Do Carmo Jordao Cordeiro	4850 Highway 7 Vaughan	Part 1, Plan 65R37387	Permanent Easement
			Parts 2, 3, Plan 65R37387	Temporary Easement
3.	2410174 Ontario Inc.	4800 Highway 7 Vaughan	Parts 1, 2, 3, Plan 65R37414	Fee Simple Strata
4.	Piazza Capri Inc.	4585 Highway 7 Vaughan	Parts 1, 2, Plan 65R37413	Temporary Easement
5.	Lee-Mar Developments Limited	4030 Highway 7 Vaughan	Part 1, Plan 65R37356	Temporary Easement
6.	200 Whitmore Limited	200 Whitmore Road Vaughan	Part 1, Plan 65R37359	Temporary Easement
7.	Suncor Energy Inc.	3733 Highway 7 Vaughan	Part 1, Plan 65R37355	Temporary Easement
8.	Calloway Reit (400 and 7) Inc.	57 and 101 Northview Boulevard Vaughan	Parts 5, 6, 8, 9, 10, 11, Plan 65R37346	Fee Simple
			Parts 1, 2, 3, 4, 12, 13, 14, 15, Plan 65R37346	Temporary Easement
9.	Suncor Energy Inc.	1487 Centre Street Vaughan	Part 1, Plan 65R37381	Temporary Easement
10.	949988 Ontario Ltd.	1102 Centre Street Vaughan	Part 1, Plan 65R37383	Temporary Easement
11.	Riocan Holdings Inc.	1054 Centre Street Vaughan	Part 1, 2, Plan 65R37384	Temporary Easement
12.	8000 Bathurst Street Realty Inc.	8000 Bathurst Street Vaughan	Part 1, 2, Plan 65R37382	Temporary Easement

The permanent easement is required for the purpose of entering on the lands with all vehicles, machinery, workers and other material (I) to construct and maintain

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<p>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 water mains and storm sewers; and (II) for construction purposes which may include (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 Highway 7, Centre Street and Bathurst Street, (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 along Highway 7, Centre Street and Bathurst Street, including associated local roads, and to provide designated lanes for the vivaNext transit system and works ancillary thereto.</p> <p>The temporary easements for 4871 Highway 7 and 4850 Highway 7 in Vaughan will commence on registration of the expropriation plan and expire November 30, 2020.</p> <p>The temporary easements for the remaining properties will commence on registration of the expropriation plan and expire March 31, 2020.</p> <p>The temporary easements are required for the purpose of entering on the lands with all vehicles, machinery, workers 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 Highway 7, Centre Street and Bathurst Street, (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 Highway 7, Centre Street and Bathurst Street, including associated local roads, and to provide designated lands for the vivaNext transit system and works ancillary thereto.</p>				

are to be expropriated for or in connection with the construction of the Viva Bus Rapid Transit Corridor along Highway 7, Centre Street, Bathurst Street, in the City of Vaughan.

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. The Plans referred to above, hereto attached, shall form part of this bylaw.

ENACTED AND PASSED on February 15, 2018.

Christopher Raynor

Regional Clerk

Wayne Emmerson

Regional Chair

Authorized by Clause 19 of Report 16 of the Committee of the Whole, adopted by Council at its meeting on November 16, 2017.