

THE REGIONAL MUNICIPALITY OF YORK

BYLAW NO. 2017-44

To acquire certain lands for or in connection with the construction of the Viva Bus Rapid Transit Corridor along Highway 7, City of Vaughan

WHEREAS the Council of The Regional Municipality of York on June 29, 2017, by its adoption of Clause 14 of Report 11 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 at 57 and 101 Northview Boulevard, 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.	Calloway REIT (400 and 7) Inc.	57 and 101 Northview Boulevard Vaughan	Parts 5, 6, 8, 9, 10, 11, Plan 65R36722	Fee Simple
			Part 3, Plan 65R36722	Permanent Easement
			Part 1, 2, 4, Plan 65R36722	Temporary Easement

The required permanent easements are described as a limited interest in perpetuity in, under, over, along and upon and 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, shoring and formwork and/or drainage, erosion or sediment control measures such as watermains and storm sewers; and (ii) for construction purposes which may 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 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 and intersection improvements along Highway 7, including associated local roads, and to provide designated lanes for the vivaNext transit system and works ancillary thereto.

The required temporary easements are described as a temporary limited interest commencing upon registration of an expropriation plan and expiring on April 14, 2020 in, under, over, along and upon and 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,

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are hereby expropriated and taken for or in connection with the construction of the Viva bus rapid transit corridor along Highway 7 at 57 and 101 Northview Boulevard, in the City of Vaughan.

3. (1) The Regional Chair and Regional Clerk are hereby authorized and directed to sign a plan or plans showing the lands expropriated.

(2) When so signed, the Commissioner of Corporate Services is directed to cause the said plan or plans to be registered in the proper Land Registry Office and to pay all expenses incidental to the registration.

4. Plan No. 65R36722, hereto attached, shall form part of this bylaw.

ENACTED AND PASSED on September 21, 2017.

Christopher Raynor
Regional Clerk

Wayne Emmerson
Regional Chair

Authorized by Clause 14 of Report 11 of the Committee of the Whole, adopted by Council at its meeting on June 29, 2017.