

Clause 13 in Report No. 16 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on October 15, 2015.

13

Approval to Expropriate
Keele Street - Steeles Avenue to Highway 7 West
City of Vaughan

Committee of the Whole recommends:

1. Receipt of the deputation by Davide Pellegrini, Condor Properties.
2. Adoption of the following recommendations contained in the report dated August 26, 2015 from the Commissioner of Corporate Services:
 1. Council, as approving authority, approve the expropriation of the lands set out in Attachment 1, for the widening and reconstruction of Keele Street, in the City of Vaughan.
 2. The Commissioner of Corporate Services be authorized to execute and serve any notices required under the Expropriations Act (the "Act").
 3. Council authorize the introduction of the necessary bylaw to give effect to these recommendations.

1. Recommendations

It is recommended that:

1. Council, as approving authority, approve the expropriation of the lands set out in Attachment 1, for the widening and reconstruction of Keele Street, in the City of Vaughan.
2. The Commissioner of Corporate Services be authorized to execute and serve any notices required under the *Expropriations Act* (the "Act").
3. Council authorize the introduction of the necessary bylaw to give effect to these recommendations.

2. Purpose

This report seeks Council approval, in accordance with the *Act*, to expropriate land required for the widening of Keele Street, from Steeles Avenue to Highway 7 West in the City of Vaughan, as shown in Attachment 2.

3. Background

The Region is planning to improve Keele Street to support growth in the City of Vaughan

The Region completed a Class Environmental Assessment Study (EA) which recommended Keele Street be improved to a six lane urban cross-section with the curb lanes as Transit/HOV lanes, and included on-street cycling facilities, sidewalks, and full illumination. In addition, the existing Canadian National Railways (CNR) Rail Structure on Keele Street, north of Steeles Avenue will be replaced and widened. The study area involved the portion of Keele Street between Steeles Avenue West and Rutherford Road. The EA was approved by the Ministry of the Environment in September 2012.

The timelines for project construction vary between the north and south portions of the project

There are two distinct sections of the Keele Street project, located to the north and south, respectively, of Highway 407. Construction of the portion of the Keele Street project south of Highway 407 is planned to commence in late 2017 to early 2018, and the portion north of Highway 407 will start by mid-2018. In this regard, the process to obtain the property requirements has commenced based on different timelines for the two portions.

Portions of land from 13 property owners are required to facilitate the project

The project has identified land requirements from 13 property owners on Keele Street. Six of the 13 properties are located to the south of Highway 407, and are the subject of this report. The remaining seven properties are at an earlier stage of the expropriation process, therefore are the subject of a different report to Council.

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Possession of portions of land from six property owners is required by the spring of 2016, in order for utility relocations to proceed

Utility relocations are the first construction related item to be completed. Possession of portions of land from six properties is required to accommodate utility relocations in the new boulevards along the edge of the roadway. Construction is not scheduled to commence for another two years. However, an adequate timeframe of at least 18 months is required to relocate utilities prior to commencing construction of the corridor. In this regard, possession of the necessary land is required by spring of 2016.

In September 2014, Council authorized the application for approval to expropriate lands from six property owners

On September 11, 2014, Council authorized an application for approval to expropriate the subject lands from six properties. The Notices of Application to Expropriate were served upon the owners, following Council authorization.

Upon receipt of the Notice of Application to Expropriate, each owner had the right within 30 days, to request an inquiry (Hearing of Necessity) to determine whether the taking of the land by the Region is fair, sound and reasonable.

The owners with property contained within this report did not request a Hearing of Necessity. As such, the Region is able to proceed to the next step in the expropriation process.

This is Step 2 in the Council approval process for property expropriation, as indicated on the following graphic.



Staff is negotiating acquisitions of the requirements with property owners

Property negotiations to acquire the necessary lands are on-going. In order to confirm certainty of possession by the spring of 2016, the expropriation process will run concurrently with negotiations. Staff will continue to negotiate agreements

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of purchase and sale for the required interests until expropriation plans have been registered.

4. Analysis and Options

The Region will obtain ownership of the required lands upon registration of expropriation plans

Draft expropriation plans are being prepared for the subject properties. Upon obtaining approval of the expropriation by Council, the plans will be registered in November 2015. Upon registration of the expropriation plans, notices of expropriation and possession will be served upon the owners. The Region can take possession and obtain access to the required lands a minimum of three months after service of the notices.

A future report to Council will be presented to seek approval to compensate the owners in accordance with the *Act*

Appraisals for these properties are anticipated to be completed during the fall of 2015, which will support offers of compensation to be made before possession can be taken by the spring of 2016. Following possession, the Region will be able to enter the land for construction purposes.

For all expropriated properties, offers of compensation are made to property owners in accordance with section 25 of the *Act*. These offers will be based on independently commissioned appraisals. A report will be presented to Council in January 2016, to approve service of offers of compensation. Service of the offers will secure possession for construction/utility relocation to commence.

Environmental due diligence has been undertaken

Phase One environmental investigations were conducted, involving searches of public records, and visual observation of the property. The Phase One reports recommended Phase Two borehole testing. The results of the Phase Two tests indicated that no further investigation is warranted.

Link to key Council-approved plans

The proposed acquisition for the Keele Street project supports the objectives of Vision 2051, the Regional Official Plan and the 2015 to 2019 Strategic Plan.

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One of the goal areas of Vision 2051 is Interconnected Systems for Mobility, which the project addresses by providing an interconnected network for mobility that links people to jobs. As well, the Keele Street project supports one of the objectives of the Regional Official Plan which is to ensure streets support all modes of transportation. Lastly, a strategic objective identified in the Strategic Plan is the focus on networks and systems that connect people, goods and services.

5. Financial Implications

The funding required to complete the property acquisition for this project has been included in the 2015 Capital Budget for Transportation Services, Capital Delivery – Roads.

6. Local Municipal Impact

Once construction is complete, the road improvements on Keele Street, in the City of Vaughan, will provide upgraded capacity to improve traffic operations for the travelling public and to meet the expected growth in this area.

7. Conclusion

Council approved the initiation of the expropriation process in September 2014. This report requests the approval to proceed to register expropriation plans, and to serve notices of expropriation and possession upon the owners. Upon registration of the expropriation plans, the Region will have ownership of the lands. This is the second step toward obtaining the appropriate authority to get possession of the lands required to commence the reconstruction of Keele Street from Steeles Avenue to Highway 7 West.

Construction is scheduled to commence in April 2018, and utility relocations will commence in the spring of 2016. In order to ensure possession of the lands to proceed with utility relocations, it is recommended that Council approve the expropriation of the required property interests.

For more information on this report, please contact Michael Shatil, Director, Property Services Branch at ext. 71684.

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The Senior Management Group has reviewed this report.

August 26, 2015

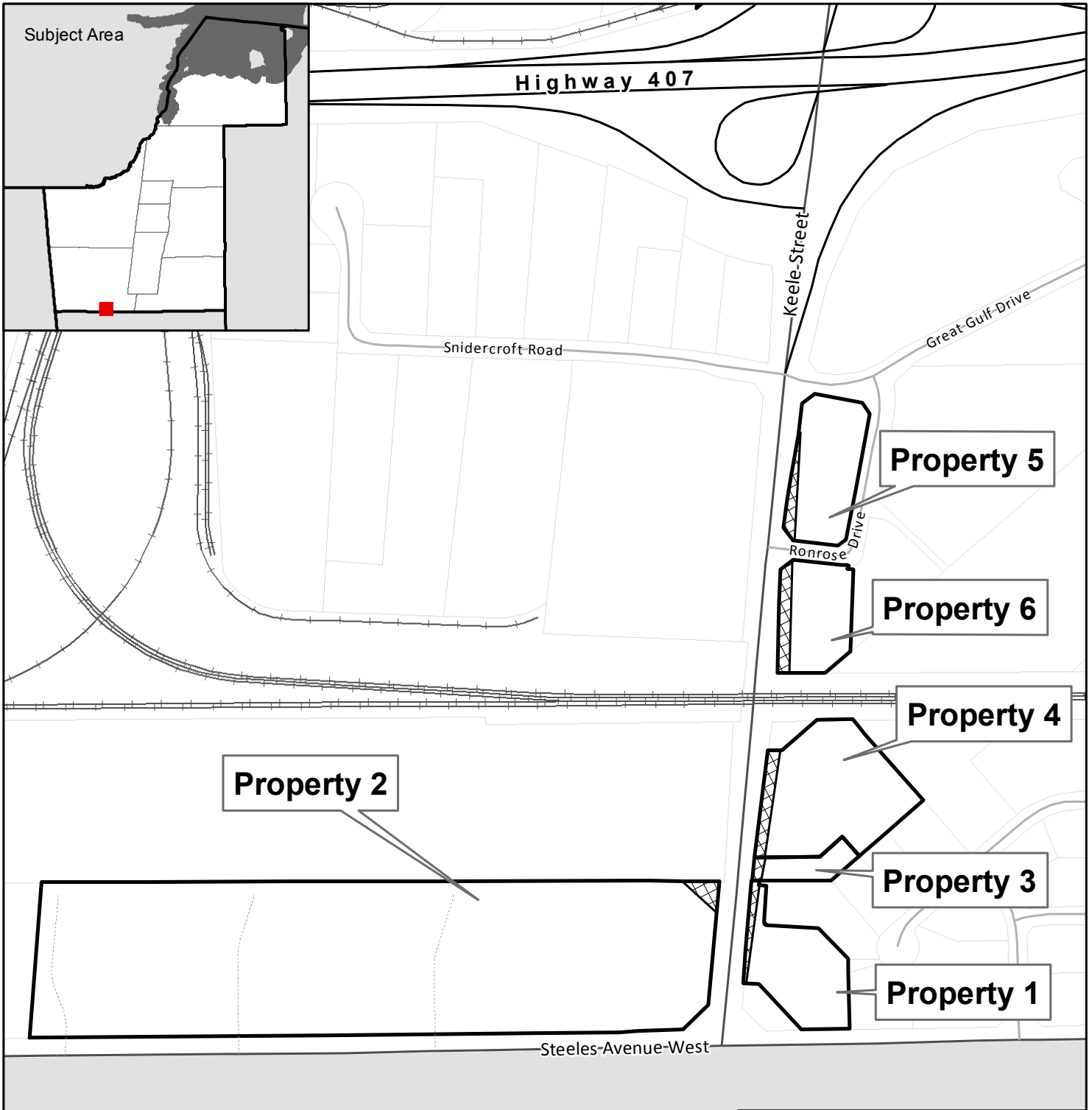
Attachments (2)

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Accessible formats or communication supports are available upon request

**Property Schedule
Approval to Expropriate
Keele Street – Steeles Avenue to Highway 7 West
City of Vaughan**

No.	Owner	Municipal Address	Legal Description	Interest Required
1.	1041887 Ontario Limited	2180 Steeles Avenue West Vaughan	Parts 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, & 43, Plan 65R35003	Fee Simple
			Part 47, Plan 65R35003	Permanent Easement
			Part 44, 45, 46, & 48, Plan 65R35003	Temporary Easement
2.	Steeles-Keele Investments Limited	2300 Steeles Avenue West Vaughan	Parts 7, 8, 9, Plan 65R35003	Fee Simple
3.	1041886 Ontario Limited	7077 Keele Street Vaughan	Parts 18, 19, Plan 65R35003	Fee Simple
4.	2284607 Ontario Limited	Vacant land	Parts 16, 17, Plan 65R35003	Fee Simple
5.	Condor Properties	10 Ronrose Drive Vaughan	Parts 1, 2, Plan 65R34948	Fee Simple
6.	Condor Properties	Vacant Land	Part 7, 8, Plan 65R34948	Fee Simple
<p>The temporary easements will run for a term of 60 months commencing upon registration of the expropriation plan and are required for the purpose of entering on the lands with all vehicles, machinery, workmen and other material to provide for hard and soft landscaping, grading and reshaping of the lands to the limit of the widening and reconstruction of Keele Street during construction and the maintenance period.</p> <p>The permanent easements are required for the purpose of entering the lands with all vehicles, machinery, workmen and other materials to construct, maintain and replace sewer outlets and headwalls.</p>				



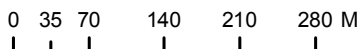
LOCATION PLAN

Approval to Expropriate
 Keele Street - Steeles Avenue to Highway 7 West
 City of Vaughan






Produced by:
 The Regional Municipality of York
 Property Services, Corporate Services
 June 2015

Data Sources:
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Legend

-  Subject Property
-  Interest Required
-  Parcel
-  Road
-  Railway