

Clause 14 in Report No. 10 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on May 21, 2015.

14

Acquisition of Land  
Viva Bus Rapid Transit Corridor  
Highway 7 West  
City of Vaughan

Committee of the Whole recommends adoption of the following recommendations contained in the report dated February 25, 2015 from the Commissioner of Corporate Services:

1. Recommendations

It is recommended that:

1. Council authorize the acquisition of the following land, required for the construction of the Viva bus rapid transit corridor along Highway 7 West in the City of Vaughan.

No.	Owner	Municipal Address	Legal Description	Interest Required
1	Canadian National Railway Company	CN MacMillan Rail Yard City of Vaughan	Part 2, Plan 65R-35614	Fee Simple
			Parts 1, 6 and 7, Plan 65R-35614	Temporary Easement
The required fee simple interest is described as all right, title and interest for the municipal purpose of implementing road and intersection improvements along Highway 7 West, including associated local roads, and to provide designated lanes for the vivaNext transit system and works ancillary thereto.				

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No.	Owner	Municipal Address	Legal Description	Interest Required
<p>The required temporary easement is described as a temporary limited interest for a term of two (2) years, commencing on January 1, 2014 and ending on December 31, 2015, for the purpose of constructing the “vivaNext” bus rapid transit project (the “Project”) in, over and upon the lands with all vehicles, machinery, workmen and other material.</p>				

2. The Commissioner of Corporate Services be authorized to execute the agreement of purchase and sale and all necessary documents to complete this transaction, in accordance with the compensation contained in the Private Attachment.

2. Purpose

This report seeks Council approval to acquire land required for the widening and reconstruction of road and bridge improvements that will provide designated lanes for the Viva transit system along Highway 7 West in the City of Vaughan, as shown in Attachments 1 and 2.

3. Background

The Region is constructing dedicated bus rapid transit lanes for the vivaNext project along Highway 7 West in Vaughan

This portion of the vivaNext project, known as the H2-VMC, runs along Highway 7 West in Vaughan, from Highway 400 to the Barrie GO Transit rail line, which is east of Keele Street. The Region, via York Region Rapid Transit Corporation (YRRTC), is widening the road and constructing dedicated VIVA bus lanes, enhanced street features and boulevards.

On November 9, 2006, the Environmental Assessment for this portion of the Highway 7 West project received approval from the Ministry of the Environment.

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The H2-VMC portion of the new Viva rapidway along Highway 7 West is scheduled to be complete in December of 2016

Utility relocations along the H2-VMC corridor, between Highway 400 and the Barrie GO Transit rail line began in August of 2013. The scheduled completion is December of 2016.

Possession has been secured for most of the land requirements

This project requires road widenings and associated permanent easements and temporary construction easements. The Region negotiated and expropriated some of the land requirements between 2011 and 2014. Negotiations for additional land requirements are still underway.

Land at the CN MacMillan Rail Yard is required for a road widening and bridge reconstruction

CN owns approximately 1,043 acres in an area generally bound by Highway 407, Rutherford Road, Keele Street and Jane Street. It is a rail classification yard called CN MacMillan Rail Yard. The requirements that are the subject of this report are located at the western embankment of the Highway 7 bridge over the rail yard. They include a fee simple requirement for a new sidewalk and boulevard, and a temporary construction easement for bridge reconstruction and drainage works. Construction is underway and bridge work is expected to be completed by December of 2015.

#### 4. Analysis and Options

CN allowed construction to begin during negotiations, which have now been successfully completed

Negotiations began in 2012. In 2013, the Region and CN entered into an agreement allowing the Region to begin bridge reconstruction on CN's lands while property negotiations, design, engineering, appraisals and surveys are ongoing.

Staff has completed negotiations to acquire a fee simple requirement and a two-year temporary easement. The compensation is based on an independent appraisal report.

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The Region will compensate CN for temporary easements that are on lands not used for railroad purposes

The Region and CN do not typically compensate for the temporary use of each other's lands at railroad crossings. In this case, however, as the lands are located beside the railway corridor, it is appropriate for the Region to compensate CN for the use of these lands. The Region is compensating for the temporary use of CN lands that are outside of the railroad corridor. The land requirements are located in a decommissioned part of the rail yard.

The Region performed soil tests to the south and east of the subject lands and did not identify any concerns

Soil tests were performed to the south and east of the subject lands and did not identify any concerns. Although the owner did not permit environmental testing on the subject lands, staff is comfortable that the results represent the soil condition on the subject lands. Due to the minor fee simple requirement and low risk nature of the works in the temporary construction easements staff recommends proceeding with this acquisition.

Link to key Council-approved plans

From Vision to Results: 2015 to 2019 Strategic Plan

Priority Area – Strengthen the Region's Economy

Focusing on networks and systems that connect people, goods and services

Priority Area – Manage Environmentally Sustainable Growth

Managing traffic congestion

The acquisition of this land will support the development of bus rapid transit corridors, which will increase of the number of rapidway lane kilometers and transit ridership per capita.

## 5. Financial Implications

The funding to complete this property acquisition is included in the 2015 YRRTC Capital Budget. The project is funded by the Province, via the Metrolinx Master Agreement.

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## 6. Local Municipal Impact

The construction of dedicated bus lanes and related facilities, as well as road and intersection improvements along Highway 7 West, is critical to achieve the Region's vision for this corridor. Additionally, upon completion this project will improve public transit facilities and enrich the streetscapes in Vaughan.

## 7. Conclusion

Staff has concluded negotiations for the acquisition of the subject property, which is required by the vivaNext project to widen and reconstruct Highway 7 West at the CN MacMillan Rail Yard, which is west of Keele Street. Bridge reconstruction is underway and the acquisition of the subject property will facilitate timely completion of the project. Accordingly, it is recommended that Council approve the acquisition of the land detailed in this report.

For more information on this report, please contact Eric Bjornson, Acting Manager, Realty Services, Property Services Branch at ext. 71706.

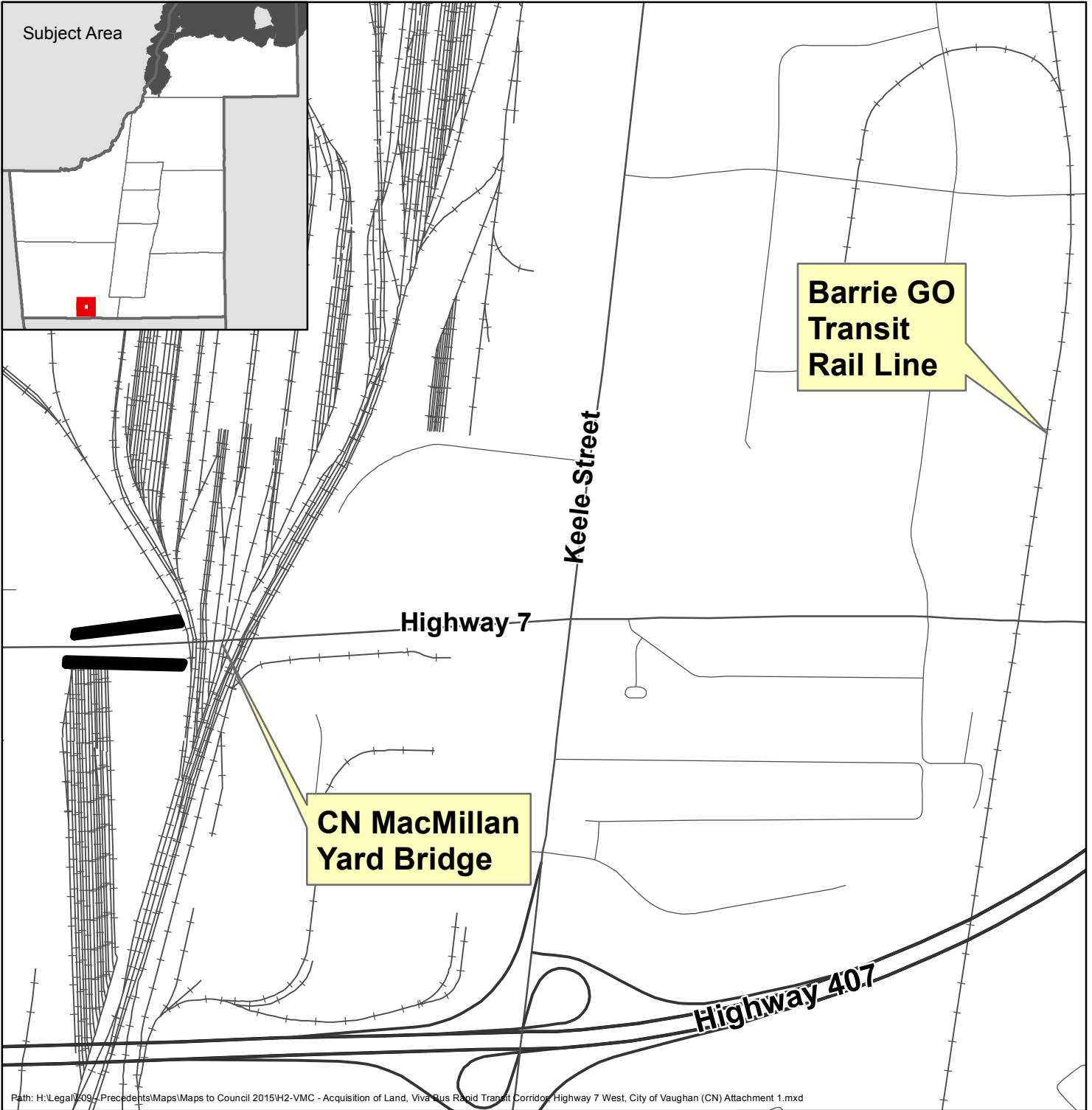
The Senior Management Group has reviewed this report.

February 25, 2015

Attachments (2)

#6076229

Accessible formats or communication supports are available upon request



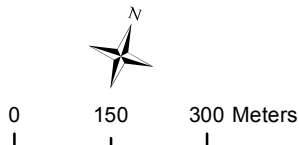
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**LOCATION MAP**

Acquisition of Land  
 Viva Bus Rapid Transit Corridor  
 Highway 7 West, City of Vaughan

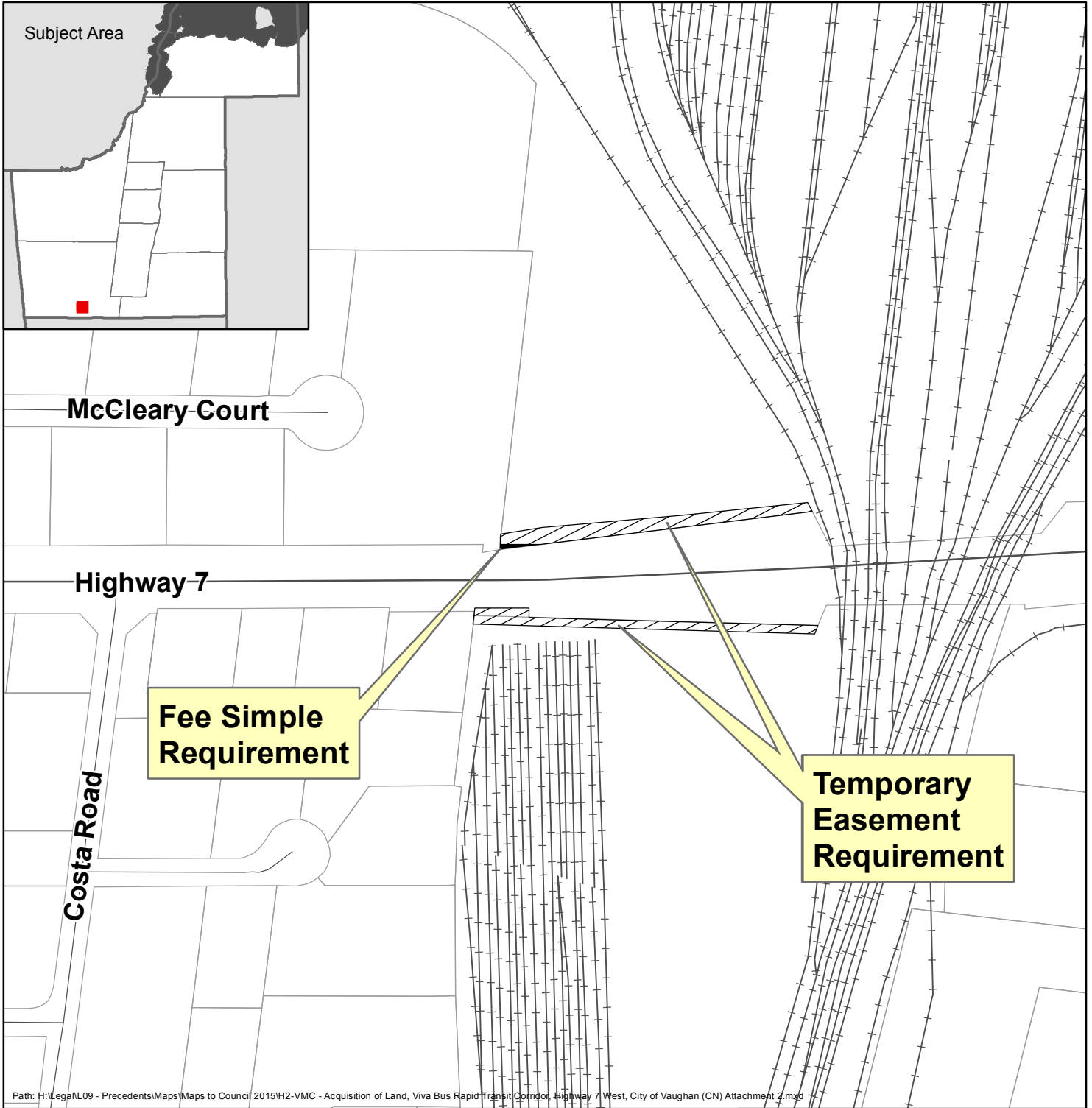


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**Legend**

-  Property Requirement
-  Parcel
-  Road
-  Railway



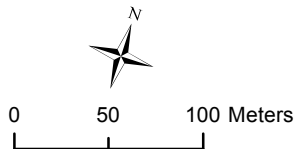
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**LOCATION MAP**






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 Highway 7 West, City of Vaughan



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**Legend**

-  Fee Simple Requirement
-  Temporary Easement Requirement
-  Parcel
-  Road
-  Railway