

THE REGIONAL MUNICIPALITY OF YORK

BYLAW NO. 2015-14

To acquire certain lands for or in connection with the widening and reconstruction of Highway 7 (YR 7), Centre Street (YR 71) and Bathurst Street (YR 38)
City of Vaughan

WHEREAS the Council of The Regional Municipality of York on June 26, 2014, by its adoption of Clause 23 of Report 12 of the Committee of the Whole and on September 11, 2014, by its adoption of Clause 59 of Report 13 of the Committee of the Whole authorized applications for approval to expropriate the lands therein referred to for or in connection with the widening and reconstruction of Highway 7 (YR 7), Centre Street (YR 71) and Bathurst Street (YR 38), in the City of Vaughan; 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WHEREAS requests for a hearing before an Inquiry Officer were received and subsequently withdrawn; and

WHEREAS the Council of The Regional Municipality of York on March 26, 2015, by its adoption of Clause 18 of Report 6 of the Committee of the Whole approved the expropriation of the hereinafter described lands.

Now, therefore, the Council of The Regional Municipality of York
HEREBY ENACTS as follows:

1. The expropriation of the lands referred to in section 3 is hereby approved for or in connection with the widening and reconstruction of Highway 7 (YR 7), Centre Street (YR 71) and Bathurst Street (YR 38), in the City of Vaughan.

2. The Regional Chair and Regional Clerk are hereby authorized and directed to execute a Certificate of Approval pursuant to the Act.

3. The Region, as expropriating authority, expropriate the following lands by the preparation, execution and registration of a plan of expropriation:

No.	Owner	Municipal Address	Legal Description	Interest Required
1.	235539 Ontario Inc. (o/a Concord Foods)	1450 Centre Street Vaughan	Parts 12 and 13 on Plan 65R34917	Fee Simple
			Part 14 on Plan 65R34917	Permanent Easement
			Part 15 on Plan 65R34917	Temporary Easement
2.		1438 Centre Street Vaughan	Parts 6 and 7 on Plan 65R34917	Fee Simple
			Part 8 on Plan 65R34917	Permanent Easement
			Part 9 on Plan 65R34917	Temporary Easement
3.	CF/Realty Holdings Inc. and Ontrea Inc.	Promenade Circle Vaughan	Part 15 on Plan 65R35019	Fee Simple for a term of five years

The required fee simple interests are described as all right, title and interest for the municipal purpose of implementing road and intersection improvements along Highway 7 West, Centre Street and Bathurst Street, including associated

local roads, and to provide designated lanes for the vivaNext transit system and works ancillary thereto.

The required fee simple interest for a term of 5 years is described as all right, title and interest for a term of 5 years commencing on registration of the plan of expropriation for the municipal purpose of implementing road and intersection improvements along Highway 7 West, Centre Street and Bathurst Street, including associated local roads, and to provide designated lanes for the vivaNext transit system and works ancillary thereto.

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, Centre Street and Bathurst Street, 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 for a term of five (5) years commencing on registration of the plan of expropriation 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, 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 lanes for the vivaNext transit system and works ancillary thereto.

4. The Commissioner of Corporate Services is authorized to cause the said plan or plans to be registered in the proper Land Registry Office, to give notice of such expropriation in accordance with the Act and to execute all necessary documents to effect the transaction.

5. Plan Nos. 65R-34917 and 65R-35019, hereto attached, shall form part of this bylaw.

ENACTED AND PASSED on March 26, 2015.

Denis Kelly
Regional Clerk

Wayne Emmerson
Regional Chair

Authorized by Clause 18 of Report 6 of the Committee of the Whole, adopted by Council at its meeting on March 26, 2015.