

Clause No. 36 in Report No. 13 of the Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on September 11, 2014.

36

APPLICATION FOR APPROVAL TO EXPROPRIATE BATHURST STREET ROAD WIDENING PROJECTS 81390, 82860 AND 84150 TOWN OF RICHMOND HILL AND CITY OF VAUGHAN

Committee of the Whole recommends adoption of the recommendation contained in the following report dated August 18, 2014 from the Acting Commissioner of Corporate Services:

1. RECOMMENDATIONS

It is recommended that:

1. Council authorize an application for approval to expropriate the following lands for the widening and reconstruction of Bathurst Street from Highway 7 to Teston Road/ Elgin Mills Road, within the Town of Richmond Hill and the City of Vaughan:

No.	Owner	Municipal Address	Legal Description	Interest Required
1	625684 Ontario Limited	550 Langstaff Road, Richmond Hill	Part 1, Plan 65R34531	Temporary Easement
		550 Langstaff Road, Richmond Hill	Part 2, Plan 65R34531	Fee Simple for road widening
2	625684 Ontario Limited	8755 Bathurst Street, Richmond Hill	Part 4, Plan 65R34531	Fee Simple for road widening
		8755 Bathurst Street, Richmond Hill	Part 5, Plan 65R34531	Fee Simple for road widening
		8755 Bathurst Street, Richmond Hill	Part 6, Plan 65R34531	Fee Simple for road widening

No.	Owner	Municipal Address	Legal Description	Interest Required
		8755 Bathurst Street, Richmond Hill	Part 7, Plan 65R34531	Temporary Easement
3	607919 Ontario Limited	8905 Bathurst Street, Richmond Hill	Part 4, Plan 65R34532	Fee Simple for road widening
		8905 Bathurst Street, Richmond Hill	Part 5, Plan 65R34532	Fee Simple for road widening
		8905 Bathurst Street, Richmond Hill	Part 6, Plan 65R34532	Fee Simple for road widening
		8905 Bathurst Street, Richmond Hill	Part 7, Plan 65R34532	Fee Simple for road widening
		8905 Bathurst Street, Richmond Hill	Part 8, Plan 65R34532	Temporary Easement
4	Ner Israel – Joseph (J.T.) Tanenbaum Yeshivah College Of Toronto	8940 Bathurst Street, Vaughan	Part 1, Plan 65R34543	Temporary Easement
		8940 Bathurst Street, Vaughan	Part 2, Plan 65R34543	Fee Simple for 0.3m reserve
		8940 Bathurst Street, Vaughan	Part 3, Plan 65R34543	Fee Simple
5	York Region Common Elements Condominium Plan No. 893	8909 Bathurst Street, Richmond Hill	Part 5, Plan 65R34543	Fee Simple
		8909 Bathurst Street, Richmond Hill	Part 6, Plan 65R34543	Temporary Easement
		8909 Bathurst Street, Richmond Hill	Part 7, Plan 65R34543	Temporary Easement
6	607919 Ontario Limited	8905 Bathurst Street, Richmond Hill	Part 8, Plan 65R34543	Temporary Easement
		8905 Bathurst Street, Richmond Hill	Part 9, Plan 65R34543	Fee Simple for road widening

No.	Owner	Municipal Address	Legal Description	Interest Required
		8905 Bathurst Street, Richmond Hill	Part 10, Plan 65R34543	Fee Simple for road widening
7	York Region Common Elements Condominium Plan No. 1124	Part of Block 254 Plan 65M-3618, Vaughan	Part 11, Plan 65R34543	Temporary Easement
8	Trustees Of The Islamic Shia Ithna-Asheri Jamaat Of Toronto	9000 Bathurst Street, Vaughan	Part 1, Plan 65R34668	Temporary Easement
		9000 Bathurst Street, Vaughan	Part 2, Plan 65R34668	Temporary Easement
		9000 Bathurst Street, Vaughan	Part 3, Plan 65R34668	Temporary Easement
9	The Toronto Waldorf School	9100 Bathurst Street, Vaughan	Part 6, Plan 65R34668	Temporary Easement
		9100 Bathurst Street, Vaughan	Part 7, Plan 65R34668	Fee Simple for road widening
		9100 Bathurst Street, Vaughan	Part 8, Plan 65R34668	Fee Simple for road widening
		9100 Bathurst Street, Vaughan	Part 9, Plan 65R34668	Fee Simple for road widening
		9100 Bathurst Street, Vaughan	Part 10, Plan 65R34668	Temporary Easement
		9100 Bathurst Street, Vaughan	Part 11, Plan 65R34668	Temporary Easement
		9100 Bathurst Street, Vaughan	Part 12, Plan 65R34668	Temporary Easement
10	Siniscalco, Vince Siniscalco, Tina	142 Teefy Avenue, Richmond Hill	Part 13, Plan 65RR34668	Temporary Easement

No.	Owner	Municipal Address	Legal Description	Interest Required
11	Zarrinnia, Javid Zarrinnia, Fariba Zaghi	141 Teefy Avenue, Richmond Hill	Part 15, Plan 65R34668	Fee Simple for road widening
		141 Teefy Avenue, Richmond Hill	Part 16, Plan 65R34668	Fee Simple for 0.3m reserve
		141 Teefy Avenue, Richmond Hill	Part 17, Plan 65R34668	Temporary Easement
12	The Toronto Waldorf School	9100 Bathurst Street, Vaughan	Part 26, Plan 65R34668	Temporary Easement
		9100 Bathurst Street, Vaughan	Part 27, Plan 65R34668	Temporary Easement
13	Teefy Developments Limited	9130 Bathurst Street, Vaughan	Part 1, Plan 65R34243	Fee Simple for road widening
		9130 Bathurst Street, Vaughan	Part 2, Plan 65R34243	Temporary Easement
		9130 Bathurst Street, Vaughan	Part 3, Plan 65R34243	Fee Simple for road widening
		9130 Bathurst Street, Vaughan	Part 4, Plan 65R34243	Fee Simple for road widening
		9130 Bathurst Street, Vaughan	Part 5, Plan 65R34243	Temporary Easement
14	Schwartz, Esther T.	9113 Bathurst Street, Richmond Hill	Part 6, Plan 65R34243	Fee Simple for road widening
15	Ghojebiglou, Sina	9135 Bathurst Street, Richmond Hill	Part 9, Plan 65R34243	Fee Simple for road widening
16	Kahn, Abraham Kahn, Kayla	144 Birch Avenue, Richmond Hill	Part 10, Plan 65R34243	Fee Simple for road widening
		144 Birch Avenue, Richmond Hill	Part 11, Plan 65R34243	Temporary Easement

No.	Owner	Municipal Address	Legal Description	Interest Required
17	Calloway REIT (Rutherford) Inc.	9200 Bathurst Street, Vaughan	Part 1, Plan 65R34539	Temporary Easement
		9200 Bathurst Street, Vaughan	Part 2, Plan 65R34539	Temporary Easement
		9200 Bathurst Street, Vaughan	Part 3, Plan 65R34539	Fee Simple for road widening
18	A.T.R. Laboratories Inc.	9301 Bathurst Street, Richmond Hill	Part 4, Plan 65R34539	Temporary Easement
		9301 Bathurst Street, Richmond Hill	Part 5, Plan 65R34539	Temporary Easement
19	1330728 Ontario Inc.	9225 Bathurst Street, Richmond Hill	Part 7, Plan 65R34539	Temporary Easement
20	Park, Hyunjun Park, Kyungae	9195 Bathurst Street, Richmond Hill	Part 20, Plan 65R34539	Fee Simple for road widening
		9195 Bathurst Street, Richmond Hill	Part 21, Plan 65R34539	Fee Simple for road widening
21	Bigley, Carl Husain, Bibi	173 Stephen Street, Richmond Hill	Part 8, Plan 65R34669	Temporary Easement
22	Firouzchian, Javad Alizadeh, Mehrandokht	7 Miles Court, Richmond Hill	Part 9, Plan 65R34669	Temporary Easement
23	Finewax, Marvin	9 Miles Court, Richmond Hill	Part 10, Plan 65R34669	Temporary Easement
24	Kilimnik, Leonid Kilimnik, Tatiana	11 Miles Court, Richmond Hill	Part 11, Plan 65R34669	Temporary Easement
25	Pipersberg, Allan J. Pipersberg, Ellyn Waldman	13 Miles Court, Richmond Hill	Part 12, Plan 65R34669	Temporary Easement

No.	Owner	Municipal Address	Legal Description	Interest Required
26	Bruce, Barbara Jean	283 Shaw Boulevard, Richmond Hill	Part 13, Plan 65R34669	Temporary Easement
27	Joseph And Wolf Lebovic Jewish Community Campus	49 Lebovic Campus Drive, Vaughan	Part 2, Plan 65R34565	Temporary Easement
		49 Lebovic Campus Drive, Vaughan	Part 3, Plan 65R34565	Fee Simple for road widening
		49 Lebovic Campus Drive, Vaughan	Part 4, Plan 65R34565	Fee Simple for 0.3m reserve
28	Giordano, Josie Giordano, Nino	175 Stephen Street, Richmond Hill	Part 6, Plan 65R34565	Temporary Easement
29	Catala, Miriam	177 Stephen Street, Richmond Hill	Part 7, Plan 65R34565	Temporary Easement
30	Matuska John, Matuska, Eva	179 Stephen Street, Richmond Hill	Part 8, Plan 65R34565	Temporary Easement
31	Johnson, Stanley Alexander Falla-Johnson, Susan Irene	181 Stephen Street, Richmond Hill	Part 9, Plan 65R34565	Temporary Easement
32	Brelich, Jean M.	183 Stephen Street, Richmond Hill	Part 10, Plan 65R34565	Temporary Easement
33	Morton, Kevin John Mcdougall, Shirley Ann	185 Stephen Street, Richmond Hill	Part 11, Plan 65R34565	Temporary Easement
34	Ing, Marjorie	187 Stephen Street, Richmond Hill	Part 12, Plan 65R34565	Temporary Easement
		187 Stephen Street, Richmond Hill	Part 13, Plan 65R34565	Temporary Easement
35	Denney, John Edward	189 Stephen Street, Richmond Hill	Part 14, Plan 65R34565	Temporary Easement

No.	Owner	Municipal Address	Legal Description	Interest Required
		189 Stephen Street, Richmond Hill	Part 15, Plan 65R34565	Temporary Easement
36	Kondo, Arnold George, Kondo Andrew Koji	191 Stephen Street, Richmond Hill	Part 16, Plan 65R34565	Temporary Easement
37	Shabani-Lalani, Reza	193 Stephen Street, Richmond Hill	Part 17, Plan 65R34565	Temporary Easement
38	Tchilingirian, Zaven Tchilingirian, Christine	195 Stephen Street, Richmond Hill	Part 18, Plan 65R34565	Temporary Easement
39	Assadolah, Haneih	197 Stephen Street Richmond Hill	Part 19, Plan 65R34565	Temporary Easement
40	Voutsinos, Joseph Voutsinos, Chryssavgi Vivi	199 Stephen Street, Richmond Hill	Part 20, Plan 65R34565	Temporary Easement
41	Rice, Clarissa Ruth	201 Stephen Street, Richmond Hill	Part 21, Plan 65R34565	Temporary Easement
42	Sepia, Reuven Sepia, Natela	275 Weldrick Road West, Richmond Hill	Part 22, Plan 65R34565	Temporary Easement
43	Grace Baptist Church Of Richmond Hill	270 Weldrick Road West, Richmond Hill	Part 23, Plan 65R34565	Fee Simple for road widening
		270 Weldrick Road West, Richmond Hill	Part 24, Plan 65R34565	Temporary Easement
44	North Bathurst Developments Limited	9600 Bathurst Street, Richmond Hill	Part 1, Plan 65R34256	Temporary Easement
		9600 Bathurst Street, Richmond Hill	Part 2, Plan 65R34256	Fee Simple for 0.3m reserve
		9600 Bathurst Street Richmond Hill	Part 3, Plan 65R34256	Fee Simple for road widening

No.	Owner	Municipal Address	Legal Description	Interest Required
45	Wang, Li Xiang, Qiu Mu	9623 Bathurst Street, Richmond Hill	Part 8, Plan 65R34256	Fee Simple for road widening
		9623 Bathurst Street, Richmond Hill	Part 9, Plan 65R34256	Temporary Easement
		9623 Bathurst Street, Richmond Hill	Part 10, Plan 65R34256	Temporary Easement
46	Blassnig, Bruno Blassnig, Delia	9665 Bathurst Street, Richmond Hill	Part 11, Plan 65R34256	Temporary Easement
47	Mohabir, Chandrowtie	9673 Bathurst Street, Richmond Hill	Part 12, Plan 65R34256	Temporary Easement
48	Salituro, Peter Salituro, Rosalba	9681 Bathurst Street, Richmond Hill	Part 13, Plan 65R34256	Temporary Easement
49	Richmond Hill Russian Jewish Centre	9699 Bathurst Street, Richmond Hill	Part 14, Plan 65R34256	Fee Simple for road widening
		9699 Bathurst Street, Richmond Hill	Part 15, Plan 65R34256	Temporary Easement
50	Nyagai, Agota Nyagai, Laszlo	89 Stockdale Crescent, Richmond Hill	Part 16, Plan 65R34256	Temporary Easement
		89 Stockdale Crescent, Richmond Hill	Part 17, Plan 65R34256	Fee Simple for 0.3m reserve
		89 Stockdale Crescent, Richmond Hill	Part 18, Plan 65R34256	Fee Simple for road widening
51	Dimartino Homes Ltd.	9737 Bathurst Street, Richmond Hill	Part 9, Plan 65R34664	Fee Simple for road widening
		9737 Bathurst Street, Richmond Hill	Part 10, Plan 65R34664	Temporary Easement
52	Tiano, Guido Tiano, Rosina	9743 Bathurst Street, Richmond Hill	Part 11, Plan 65R34664	Fee Simple for road widening

No.	Owner	Municipal Address	Legal Description	Interest Required
		9743 Bathurst Street, Richmond Hill	Part 12, Plan 65R34664	Temporary Easement
53	Barbieri, Enzo Barbieri, Franca	9747 Bathurst Street, Richmond Hill	Part 13, Plan 65R34664	Temporary Easement
		9747 Bathurst Street, Richmond Hill	Part 14, Plan 65R34664	Fee Simple for road widening
54	Altomare, Luigi Altomare, Teresa	9751 Bathurst Street, Richmond Hill	Part 15, Plan 65R34664	Fee Simple for road widening
		9751 Bathurst Street, Richmond Hill	Part 16, Plan 65R34664	Temporary Easement
55	Abara, Emmanuel Abara, Erinma	9755 Bathurst Street, Richmond Hill	Part 17, Plan 65R34664	Fee Simple for road widening
		9755 Bathurst Street, Richmond Hill	Part 18, Plan 65R34664	Temporary Easement
56	Longyard Properties Inc.	10090 Bathurst Street, Vaughan	Part 1, Plan 65R34891	Temporary Easement
		10090 Bathurst Street, Vaughan	Part 2, Plan 65R34891	Temporary Easement
		10090 Bathurst Street, Vaughan	Part 3, Plan 65R34891	Fee Simple for road widening
		10090 Bathurst Street, Vaughan	Part 4, Plan 65R34891	Temporary Easement
		10090 Bathurst Street, Vaughan	Part 1, Plan 65R34904	Fee Simple for road widening
		10090 Bathurst Street, Vaughan	Part 2, Plan 65R34904	Temporary Easement
		10090 Bathurst Street, Vaughan	Part 3, Plan 65R34904	Temporary Easement

No.	Owner	Municipal Address	Legal Description	Interest Required
		10090 Bathurst Street, Vaughan	Part 4, Plan 65R34904	Fee Simple for road widening
		10090 Bathurst Street, Vaughan	Part 1, Plan 65R34901	Temporary Easement
		10090 Bathurst Street, Vaughan	Part 1, Plan 65R34897	Temporary Easement
		10090 Bathurst Street, Vaughan	Part 2, Plan 65R34897	Fee Simple for road widening
57	The First Korean Presbyterian Church Of Toronto	10360 Bathurst Street, Vaughan	Part 6, Plan 65R34897	Temporary Easement
		10360 Bathurst Street, Vaughan	Part 7, Plan 65R34897	Fee Simple for road widening
		10360 Bathurst Street, Vaughan	Part 8, Plan 65R34897	Temporary Easement
		10360 Bathurst Street, Vaughan	Part 9, Plan 65R34897	Fee Simple for road widening
		10360 Bathurst Street, Vaughan	Part 10, Plan 65R34897	Fee Simple for road widening
		10360 Bathurst Street, Vaughan	Part 11, Plan 65R34897	Temporary Easement
58	Andridge Homes Limited	Part of Lot 24 Concession 2	Part 13, Plan 65R34656	Temporary Easement
		Part of Lot 24 Concession 2	Part 14, Plan 65R34656	Fee Simple for 0.3m reserve
		Part of Lot 24 Concession 2	Part 15, Plan 65R34656	Fee Simple for road widening
59	Pisano, Giuseppe Pisano, Emma	10601 Bathurst Street, Richmond Hill	Part 18, Plan 65R34657	Temporary Easement

No.	Owner	Municipal Address	Legal Description	Interest Required
60	Kovacs, Suzanne	10605 Bathurst Street, Richmond Hill	Part 19, Plan 65R34657	Temporary Easement
61	Chandi, Barjinder Kaur Chandi, Kulwinder Singh Chandi, Gursharn Singh	10669 Bathurst Street, Richmond Hill	Part 20, Plan 65R34657	Temporary Easement
62	Paraschiv, Cornel Paraschiv, Corina Laura	10673 Bathurst Street, Richmond Hill	Part 21, Plan 65R34657	Temporary Easement
63	Kelebeev, Leila	10675 Bathurst Street, Richmond Hill	Part 22, Plan 65R34657	Temporary Easement
64	Titan 10703 Bathurst Inc.	10703 Bathurst Street, Richmond Hill	Part 1, Plan 65R34896	Fee Simple for road widening
		10703 Bathurst Street, Richmond Hill	Part 2, Plan 65R34896	Temporary Easement
65	York Region Common Elements Condominium Plan No. 930	10719 Bathurst Street, Richmond Hill	Part 3, Plan 65R34896	Temporary Easement
		10719 Bathurst Street, Richmond Hill	Part 4, Plan 65R34896	Temporary Easement
66	Elmhurst Mills Inc.	10749 Bathurst Street, Richmond Hill	Part 5, Plan 65R34896	Temporary Easement
67	Nonnodesto Income Inc.	Part of Lot 25 Concession 2	Part 6, Plan 65R34896	Temporary Easement
		Part of Lot 25 Concession 2	Part 7, Plan 65R34896	Temporary Easement
		Part of Lot 25 Concession 2	Part 8, Plan 65R34896	Temporary Easement
		Part of Lot 25 Concession 2	Part 9, Plan 65R34896	Fee Simple for 0.3m reserve

No.	Owner	Municipal Address	Legal Description	Interest Required
		Part of Lot 25 Concession 2	Part 10, Plan 65R34896	Fee Simple for road widening
		Part of Lot 25 Concession 2	Part 11, Plan 65R34896	Temporary Easement
		Part of Lot 25 Concession 2	Part 12, Plan 65R34896	Temporary Easement
		Part of Lot 25 Concession 2	Part 13, Plan 65R34896	Fee Simple for road widening
<p>The temporary easements will run for a term of 60 months, commencing on May 2019, and are required for the purpose of 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 right-of-way, (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) landscaping, paving, grading and reshaping the lands to the limit of the reconstruction, (7) the installation and removal of temporary infrastructure related to the construction, and (8) works ancillary to any of the foregoing.</p>				

2. The Commissioner of Corporate Services be authorized to execute the Application for Approval to Expropriate Land and the Notice of Application for Approval to Expropriate Land (the “Notice”) and to serve and publish the Notice, as required under the *Expropriations Act* (the “Act”).
3. The Commissioner of Corporate Services be authorized to forward to the Chief Inquiry Officer any requests for an inquiry that are received and to represent the Region, as necessary, at an inquiry held under the *Act*.
4. Council authorize the introduction of the necessary bylaws to give effect to these recommendations.

2. PURPOSE

This report seeks Council approval for an application to expropriate property interests required for the widening and reconstruction of Bathurst Street, from Highway 7 to Teston Road/Elgin Mills Road, in the Town of Richmond Hill and the City of Vaughan (*Attachment 1*).

Under the *Act*, Council, as approving authority, must approve any application prior to the initiation of any proceedings.

3. **BACKGROUND**

The Environmental Assessment has been approved for the widening and reconstruction of Bathurst Street, from Highway 7 to Teston Road/Elgin Mills Road

The Bathurst Street project involves widening the existing four-lane roadway to six lanes, including bike lanes, a landscaped median, noise barriers, culvert replacements, full illumination and continuous sidewalks on both sides. The project length is six kilometres and extends from Highway 7 to Teston Road/Elgin Mills Road, in the Town of Richmond Hill and the City of Vaughan.

The Environmental Assessment was completed in 2009 and detailed design is underway. Construction is scheduled to begin in May 2019.

4. **ANALYSIS AND OPTIONS**

Negotiations are proceeding to acquire the necessary properties with a view to construction commencing in May 2019

The project will require the acquisition of 76 properties for road widening purposes. Certain temporary easements are also required to accommodate construction. Utilities need to be relocated in advance of the roadwork construction, which is scheduled for 2019. The land will need to be acquired in advance of utility relocation, which is scheduled to begin in 2016. It may be necessary to expropriate to meet construction timelines. Some lands are to be acquired by dedication.

Property negotiations to acquire the necessary lands commenced in 2013 and nine settlements have been reached throughout the Bathurst Street corridor. Staff will continue to negotiate agreements of purchase and sale for the required interests until an expropriation plan has been registered.

Initiating expropriation proceedings will ensure the construction schedule will not be compromised if land acquisitions are delayed

It is anticipated that negotiations will be successfully concluded on many outstanding properties. These agreements will be presented to Council for approval in due course. In order to ensure timely acquisition of the lands, it is recommended the expropriation process proceed in tandem.

The first step in the process requires Council, as approving authority, to authorize an application for approval to expropriate. Subsequently, notice may be served on owners of the subject lands. Receipt of this notice will trigger an owner's right to request a Hearing of Necessity. There is also a statutory obligation to publish the notice.

Link to key Council-approved plans

From Vision to Results: 2011 to 2015 Strategic Plan

Priority Area – Continue to Deliver and Sustain Critical Infrastructure

Improve mobility for users on Regional transportation corridors

The acquisition of this land will assist the Region in meeting its key strategic transportation needs.

5. FINANCIAL IMPLICATIONS

The funds required to complete the property acquisition for this project have been included in the approved 2014 Capital Budget for Transportation and Community Planning Department, Roads Branch.

6. LOCAL MUNICIPAL IMPACT

The widening and reconstruction of Bathurst Street from Highway 7 to Teston Road/Elgin Mills Road, in the Town of Richmond Hill and the City of Vaughan, will provide upgraded capacity to improve traffic operations for the travelling public and will meet the expected growth in this area.

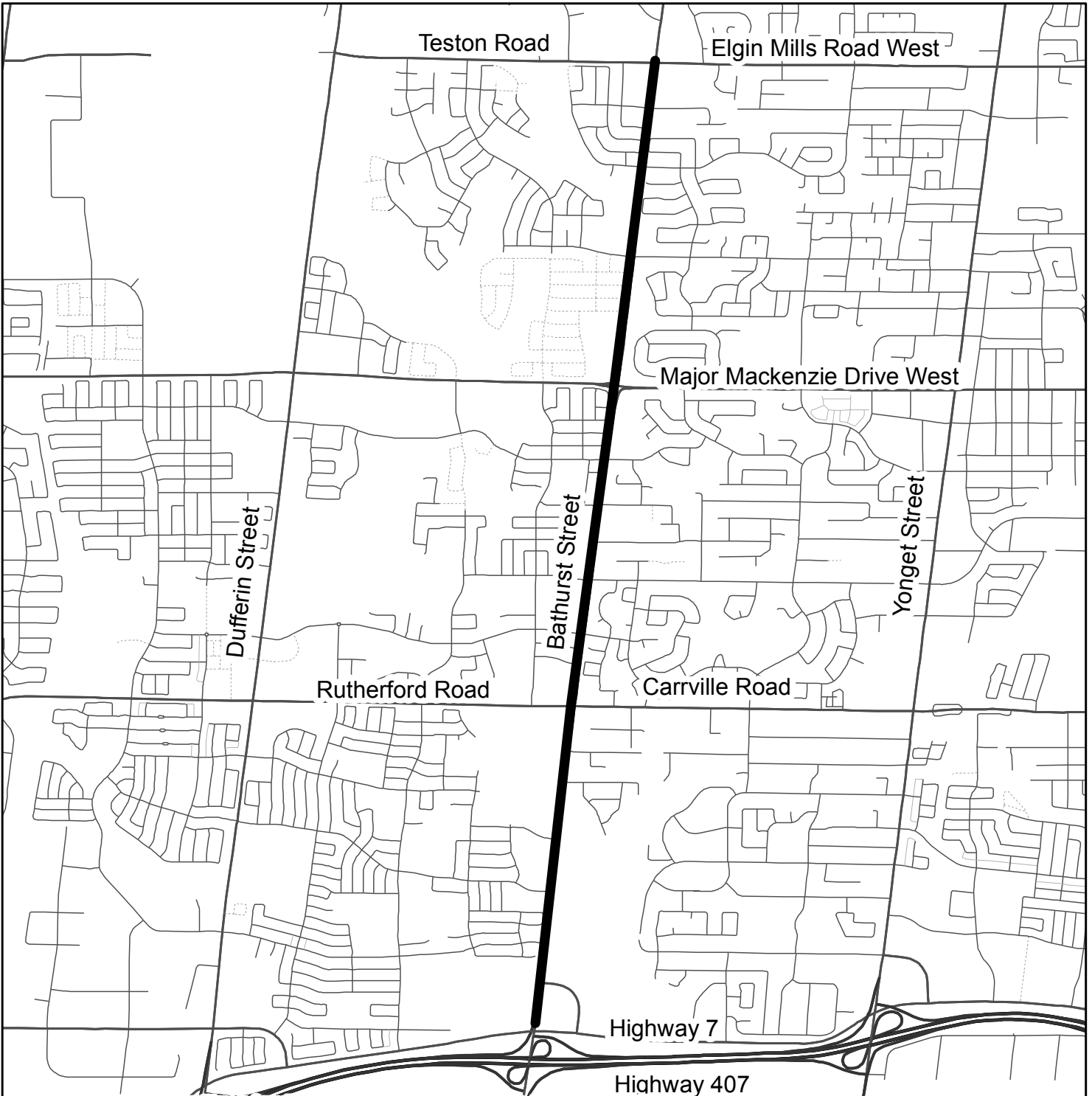
7. CONCLUSION

This report seeks Council approval to expropriate 67 properties, from owners along Bathurst Street, in order to implement the widening and reconstruction. To ensure the project is not delayed, it is necessary to initiate the expropriation process. Staff will continue to negotiate for the acquisition of the required properties and expropriation proceedings will be abandoned in cases where negotiations are successful.

For more information on this report, please contact René Masad, Director, Property Services Branch at Ext. 71684.

The Senior Management Group has reviewed this report.

Attachment (1)



Path: G:\Legal\L09-Precedents\Maps\Maps to Council 2014\Application for Approval to Expropriate_Bathurst Street Road Widening_Projects 81390_82860_84150

LOCATION PLAN

Application for Approval to Expropriate
Bathurst Street Road Widening Projects 81390, 82860 & 84150
Town of Richmond Hill and City of Vaughan



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Property Services Branch
Corporate Services
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Legend

 Subject Property

