

Clause No. 43 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.

43

APPROVAL TO EXPROPRIATE KEELE STREET AND LLOYDTOWN/AURORA ROAD INTERSECTION IMPROVEMENT PROJECT 80104, TOWNSHIP OF KING

Committee of the Whole recommends adoption of the recommendations contained in the following report dated August 20, 2014 from the Acting Commissioner of Corporate Services:

1. RECOMMENDATIONS

It is recommended that:

1. Council, as approving authority, approve the expropriation of the following lands for the Keele Street and Lloydtown/Aurora Road intersection improvement, within the Township of King:

No.	Owner	Municipal Address	Legal Description	Interest Required
1	Ahmed, Mohammed Altaf	15925 Keele Street	Part 1, Plan 65R34860	Fee Simple
			Part 1, Plan 65R34861	Temporary Easement
			Part 2, Plan 65R34861	Fee Simple
2	Marcon, Alessandro Marcon, Elda	2200 Lloydtown/Aurora Road	Part 2, Plan 65R34860	Fee Simple
			Part 3, Plan 65R34860	Fee Simple
			Part 4, Plan 65R34860	Temporary Easement
			Part 3, Plan 65R34861	Fee Simple
			Part 4, Plan 65R34861	Temporary Easement

3	Rankel, Fred Peter	15900 Keele Street	Part 5, Plan 65R34860	Fee Simple
			Part 5, Plan 65R34861	Fee Simple
4	Puopolo, Donato Mainse-Puopolo, Jamie	2320 Lloydtown/Aurora Road	Part 6, Plan 65R34861	Fee Simple
The temporary easements will commence on July 1, 2015 and expire on December 31, 2016 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 Keele Street and Lloydtown/Aurora Road intersection improvements and works ancillary thereto.				

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 to expropriate property interests required for the Keele Street and Lloydtown/Aurora Road intersection improvement, Township of King (*Attachment 1*).

3. BACKGROUND

In June 2014, Council authorized initiating proceedings to expropriate lands required for the Keele Street and Lloydtown/Aurora Road round-about construction

The round-about intersection construction is scheduled to commence in June 2015. On June 26, 2014, Council authorized an application for approval to expropriate a total of five properties, including 10 fee simple interests and four temporary easements. The Notice of Application to Expropriate was served to owners following Council authorization.

Upon receipt of the Notice of Application to Expropriate, each owner has the right, within 30 days of receipt, to request an inquiry (Hearing of Necessity) as to whether the

taking of the lands by the Region is fair, sound and reasonable. One of the owners who were served notice requested a hearing. This owner is not included in the recommendations of this report. In addition, the results of the hearing(s) will be the subject of a future report to Council.

Staff has commenced negotiations with owners. It is necessary to complete expropriation of the remaining properties in order to secure access to the lands in time for construction to commence.

4. ANALYSIS AND OPTIONS

Registration of an expropriation plan will secure access to the lands and ensure that construction can proceed

Under the *Act*, registration of an expropriation plan vests lands in the expropriating authority. Subject to the Region taking certain procedural steps, the Region will obtain possession of the lands approximately three months after the registration of the plan of expropriation.

A draft expropriation plan has been prepared for the subject properties. It is anticipated the plan will be registered no later than December 9, 2014. Accordingly, the Region will have access to the property no later than March 14, 2015, enabling construction to proceed on time.

The environmental due diligence reports for these properties have been reviewed by staff in consultation with Legal Services.

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 these lands 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 will be included in the 2015 Capital Budget, Transportation and Community Planning Department, Capital Delivery – Roads.

Under section 25 of the *Act*, the Region is obligated to serve offers of compensation on owners within three months of registration of the expropriation plan. The appraisals

required to support these offers are currently being prepared and the proposed offers will be the subject of a further report to Council.

6. LOCAL MUNICIPAL IMPACT

The intersection improvement project at Keele Street and Lloydtown/Aurora Road, in the Township of King, will provide upgraded capacity to improve traffic flow for the travelling public in this area.

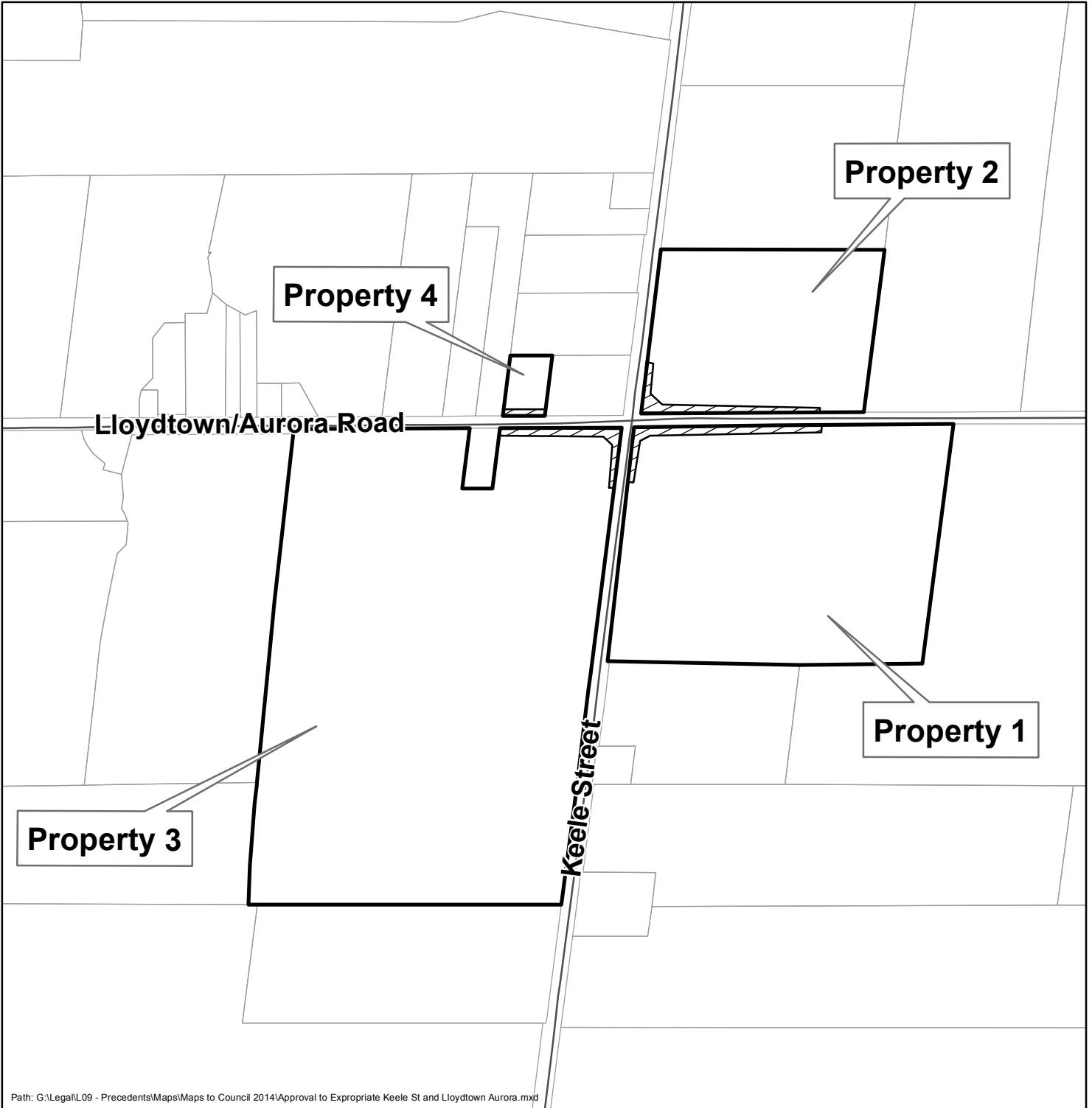
7. CONCLUSION

The intersection improvement project at Keele Street and Lloydtown/Aurora Road will require the acquisition of 14 property interests from five properties. Staff has commenced negotiations with property owners. In order to ensure timely possession of the lands to commence construction, it is recommended that Council approve the expropriation of the interests required. Staff will 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)



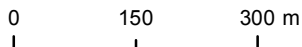
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LOCATION PLAN


Approval to Expropriate
Keele Street and Lloydtown/Aurora Road Intersection Improvement
Project 80104, Township of King



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Corporate Services Department
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Legend

-  Interest Required
-  Subject Properties
-  Parcel
- Road