

Clause No. 19 in Report No. 12 of the Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on June 26, 2014.

19
APPROVAL TO EXPROPRIATE
RECONSTRUCTION OF LESLIE STREET PROJECT 97150
TOWN OF RICHMOND HILL

Committee of the Whole recommends adoption of the recommendations contained in the following report dated June 6, 2014 from the Commissioner of Corporate Services:

1. RECOMMENDATIONS

It is recommended that:

1. Council, as approving authority, approve the expropriation of the following lands for the widening and reconstruction of Leslie Street, within the Town of Richmond Hill:

No.	Owner	Municipal Address	Legal Description	Interest Required
1	Worden, William H Worden, Yvonne E	1393 Bethesda Sideroad	Part 1, Plan 65R34228	Fee Simple
2	Hussain, Syed Aamar	12971 Leslie Street	Part 2, Plan 65R34228	Fee Simple
3	St Lawrence Cement Inc.	1631 Bethesda Sideroad	Parts 5 and 6, Plan 65R34228	Fee Simple
4	Zheng, Cheng Jian Lin, Shui Song	13010 Leslie Street	Parts 4 and 5, Plan 65R34213	Fee Simple
5	Bethesda Investments Limited	1600 Bethesda Sideroad	Parts 1 and 2, Plan 65R34213	Fee Simple
			Part 3, Plan 65R34213	Permanent Easement
The permanent easement is required to construct and protect a permanent drainage feature, and to provide permanent access to a structure for wildlife crossing.				

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 realignment and reconstruction of Leslie Street, in the Town of Richmond Hill (*Attachment 1*).

3. BACKGROUND

In October 2013, Council authorized initiating proceedings to expropriate lands required for the Leslie Street project

The realignment and reconstruction of Leslie Street will improve roadway geometrics and reduce winter maintenance requirements. Pre-construction activities, including detailed design and land acquisition are proceeding. This will ensure a state of construction readiness should opportunities to advance the timing of construction become available. On October 17, 2013, Council authorized an application for approval to expropriate a total of nine properties.

Notices of Application to Expropriate were served to owners following Council authorization. Three requests for a Hearing of Necessity were received. These properties are not included in this report and will be the subject of a future report to Council after the Inquiry Officer issues his or her report.

Staff has secured one property and the transaction has closed.

It is necessary to complete the expropriation of the five remaining properties in order to secure access to the lands in time for utilities to be moved and to commence construction.

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.

Draft expropriation plans have been prepared for the subject properties. It is anticipated the plans will be registered no later than September 25, 2014. Accordingly, the Region will have access to the properties no later than January 30, 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 are included in the 2014 Capital Budget, Capital Delivery – Roads, Transportation and Community Planning Department.

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 realignment and reconstruction of Leslie Street, together with a jog elimination at Bethesda Sideroad, in the community of Richmond Hill, will provide upgraded capacity to improve traffic operations for the travelling public and will meet the expected growth in this area.

7. CONCLUSION

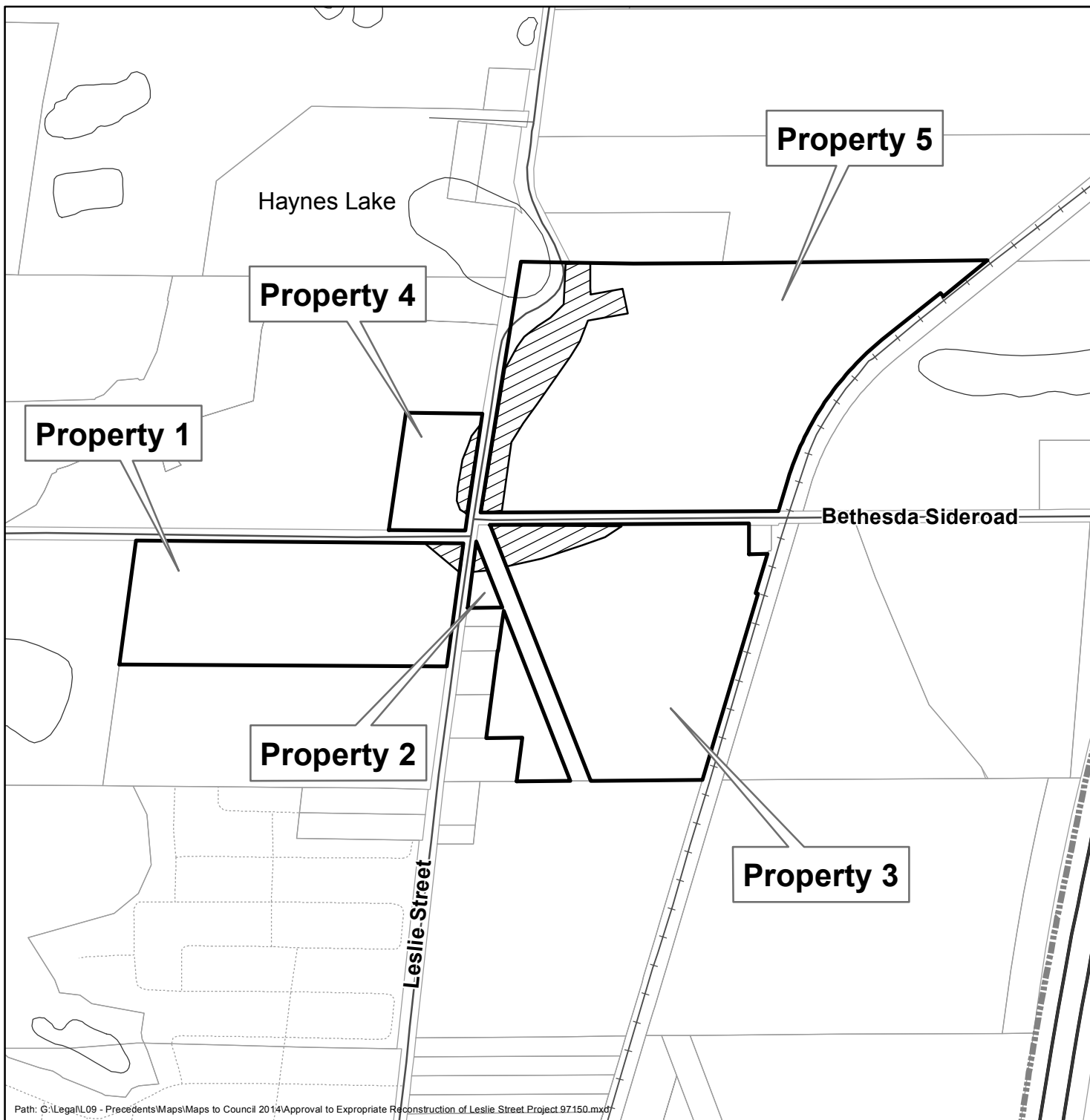
The realignment and reconstruction of Leslie Street will require the acquisition of five property interests. In order to ensure timely possession of the lands to commence construction, it is recommended that Council approve the expropriation of the balance of

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)



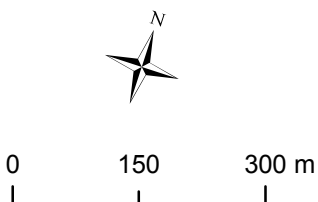
Path: G:\Legal\L09 - Precedents\Maps\Maps to Council 2014\Approval to Expropriate Reconstruction of Leslie Street Project 97150.mxd

LOCATION PLAN






Approval to Expropriate
 Reconstruction of Leslie Street Project 97150
 Town of Richmond Hill



Produced by:
 Property Services Branch
 Corporate Services Department
 © Copyright, The Regional Municipality of York, April 2014
 © Copyright, First Base Solutions Inc., 2011 Orthophotography
 * Includes © Queen's Printer for Ontario 2003-2013



Legend

-  Interest Required
-  Subject Properties
-  Parcel
-  Regional Road
-  Railway