

THE REGIONAL MUNICIPALITY OF YORK

BILL NO. 41

BYLAW NO. 2014-38

To acquire certain lands for or in connection with the
widening and reconstruction of Highway 7, in the City of Vaughan

WHEREAS the Council of The Regional Municipality of York on March 27, 2014, by its adoption of Clause 16 of Report 6 of the Committee of the Whole authorized an application for approval to expropriate the lands therein referred to for or in connection with the widening and reconstruction of road and intersection improvements, in order to provide designated lanes for the Viva transit system along the Highway 7 corridor between Maplecrete Road and Creditstone Road, 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, Chapter E.26; and

WHEREAS no notification of a desire for a hearing has been received and the time for giving such notification has expired; and

WHEREAS the Council of The Regional Municipality of York on May 15, 2014, by its adoption of Clause 14 of Report 10 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 road and intersection

improvements, in order to provide designated lanes for the Viva transit system along the Highway 7 corridor between Maplecrete Road and Creditstone Road, 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 *Expropriations Act*.

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

Owner	Municipal Address (YRRTC Reference)	Legal Description	Interest Required
Lorwood Holdings Incorporated	2851 Highway 7 West (Ref No. 119B)	Part of PIN 03229-0173 (LT), being Part of Lot 7 Plan 7977, City of Vaughan and being more particularly identified in the “Interest Required” column.	<p>A Fee Simple interest in the lands designated as Parts 3 and 4 on Plan 65R34481</p> <p>A Permanent Easement in, under, over, along and upon the lands designated as Part 1 on Plan 65R34729</p> <p>A 4-year Temporary Easement in, under, over, along and upon the lands designated as Part 2 on Plan 65R34729 and Parts 6 and 7 on Plan 65R34481</p>
<p>The permanent easement is required for the purpose of entering on the land with all vehicles, machinery, workmen and other material (I) to construct and maintain permanent municipal infrastructure which may include retaining walls, shoring and formwork and/or drainage, erosion or sediment control measures such as watermain and storm sewers, (II) for construction purposes which may include (1) relocation of</p>			

Owner	Municipal Address (YRRTC Reference)	Legal Description	Interest Required
<p>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 Highway 7 West, (6) the installation and removal of temporary (i) pedestrian access and walkways, (ii) parking measures including re-stripping of aisles, lanes, and parking stalls, (iii) shoring and formwork, (iv) drainage and erosion/sediment control measures, (v) traffic signals, (vi) fencing, (vii) handrails, (7) works ancillary to any of the foregoing.</p> <p>The temporary easement will commence on August 12, 2014, and expire on August 11, 2018, and is 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 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 Highway 7 West, (7) the installation and removal of temporary (i) pedestrian access and walkways, (ii) parking measures including re-stripping of aisles, lanes, and parking stalls, (iii) shoring and formwork, (iv) drainage and erosion/sediment control measures, (v) traffic signals, (vi) fencing, (vii) handrails, (8) works ancillary to any of the foregoing.</p>			

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 *Expropriations Act* and to execute all necessary documents to effect the transaction.

5. Plan Nos. 65R34481 and 65R34729, hereto attached, shall form part of this bylaw.

ENACTED AND PASSED on May 15, 2014.

Denis Kelly

Regional Clerk

Bill Fisch

Regional Chair

Authorized by Clause 14 of Report 10 of the Committee of the Whole, adopted by Council at its meeting on May 15, 2014.

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