

Clause No. 12 in Report No. 10 of the Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on May 15, 2014.

12
ACQUISITION OF LAND
TORONTO-YORK SPADINA SUBWAY EXTENSION, PROJECT 90996
CITY OF VAUGHAN

Committee of the Whole recommends adoption of the recommendation contained in the following report dated April 22, 2014 from the Commissioner of Corporate Services:

1. RECOMMENDATIONS

It is recommended that:

1. Council authorize the acquisition of the following lands in the City of Vaughan:

No.	Owner	Municipal Address	Legal Description	Interest Required
1	724352 Ontario Ltd.	2900 Steeles Avenue West	Parts 1, 2, 3 and 4, Plan 65R-34222; and Parts 1, 2, 3 and 4, Plan 65R-34236	Fee Simple
			Part 5, Plan 65R-34222; and Parts 5 and 6, Plan 65R-34236	Permanent Easement
			Parts 6 and 7, Plan 65R-34222; and Parts 12, 17, 18, 19, 20, 24, 25, 26, 27, 29 and 31, Plan YR1589373	Temporary Easement commencing July 1, 2016 and expiring December 31, 2016 plus two (2) six month extension options
			Part 1, Plan 65R-34909	7-month Temporary Easement commencing upon registration of temporary easement

No.	Owner	Municipal Address	Legal Description	Interest Required
				<p>The permanent easement described as Part 5, Plan 65R-34222 is required for the purpose of constructing, operating and maintaining elements of subsurface transit and/or other municipal system(s) including, but not limited to, a sewer line, sidewalk and all works ancillary thereto.</p> <p>The permanent easements described as Parts 5 and 6, Plan 65R-34236 are required for the purpose of constructing, operating and maintaining elements of subsurface transit and/or other municipal system(s) including, but not limited to, a vent shaft and all works ancillary thereto.</p> <p>The temporary easements are required for the purpose of entering on the lands with all vehicles, machinery, workers and other material to provide for the construction of the Toronto-York Spadina Subway Extension project and works ancillary thereto.</p>

2. The Commissioner of Corporate Services be authorized to execute the agreements of purchase and sale, and all necessary documents to complete these transactions.

2. PURPOSE

This report seeks Council approval to acquire certain lands for the Toronto-York Spadina Subway Extension project (*Attachments 1 and 2*).

3. BACKGROUND

Construction of the Toronto-York Spadina Subway Extension (TYSSE) project is underway

The Toronto-York Spadina Subway Extension (TYSSE) project involves the construction of subway tunnels, stations, emergency exit buildings, power substations, parking lots, roads and other subway-related infrastructure. The project extends from Steeles Avenue West to Highway 7 in the City of Vaughan.

On November 29, 2009, the YYSSE project received Ministry of Environment approval of the Environmental Assessment Report prepared by the Region, with respect to the part of the project located within the Region.

In 2010 and 2011, the initial land requirements were acquired by negotiation and expropriation. Construction has been ongoing since 2011, with tunneling completed. Negotiations and expropriations are now proceeding to acquire additional land requirements.

4. ANALYSIS AND OPTIONS

Negotiations pursuant to section 30 of the *Expropriations Act* have been successfully completed with one landowner for additional land requirements

Staff has completed the negotiations for one property located in the vicinity of the northeast quadrant of Jane Street and Steeles Avenue West. The lands are required for temporary construction easement extensions and the construction of an emergency exit building, sewer line, sidewalk and vent shaft. The ownership interests include: fee simple, permanent easement and temporary easement.

An agreement pursuant to section 30 of the *Expropriations Act* (the “Act”) has been negotiated with the landowner. The agreement will deliver land requirements that are critical to construction progress, while protecting the landowner’s rights to determine final compensation at a later date. The interim compensation is based on an independent appraisal report. Negotiations to settle final compensation are ongoing.

A parallel expropriation process is underway. The expropriation process will be abandoned upon successful acquisition pursuant to section 30 of the Act.

Link to key Council-approved plans

From Vision to Results: 2011 to 2015 Strategic Plan

Priority Area – Focus Growth along Regional Centres and Corridors

Optimize the transportation capacity and services in Regional Centres and 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 have been included in the \$2.6B TYSSE project budget, of which the Region contributes up to \$351M. The costs are fully recoverable from the TYSSE budget.

6. LOCAL MUNICIPAL IMPACT

The construction of the TYSSE project is critical to the achievement of the vision for the corridor and the Vaughan Metropolitan Centre, for both the Region and the City of Vaughan. Additionally, this project will improve public transit facilities to support the Region’s goal for higher density mixed use transit-oriented development.

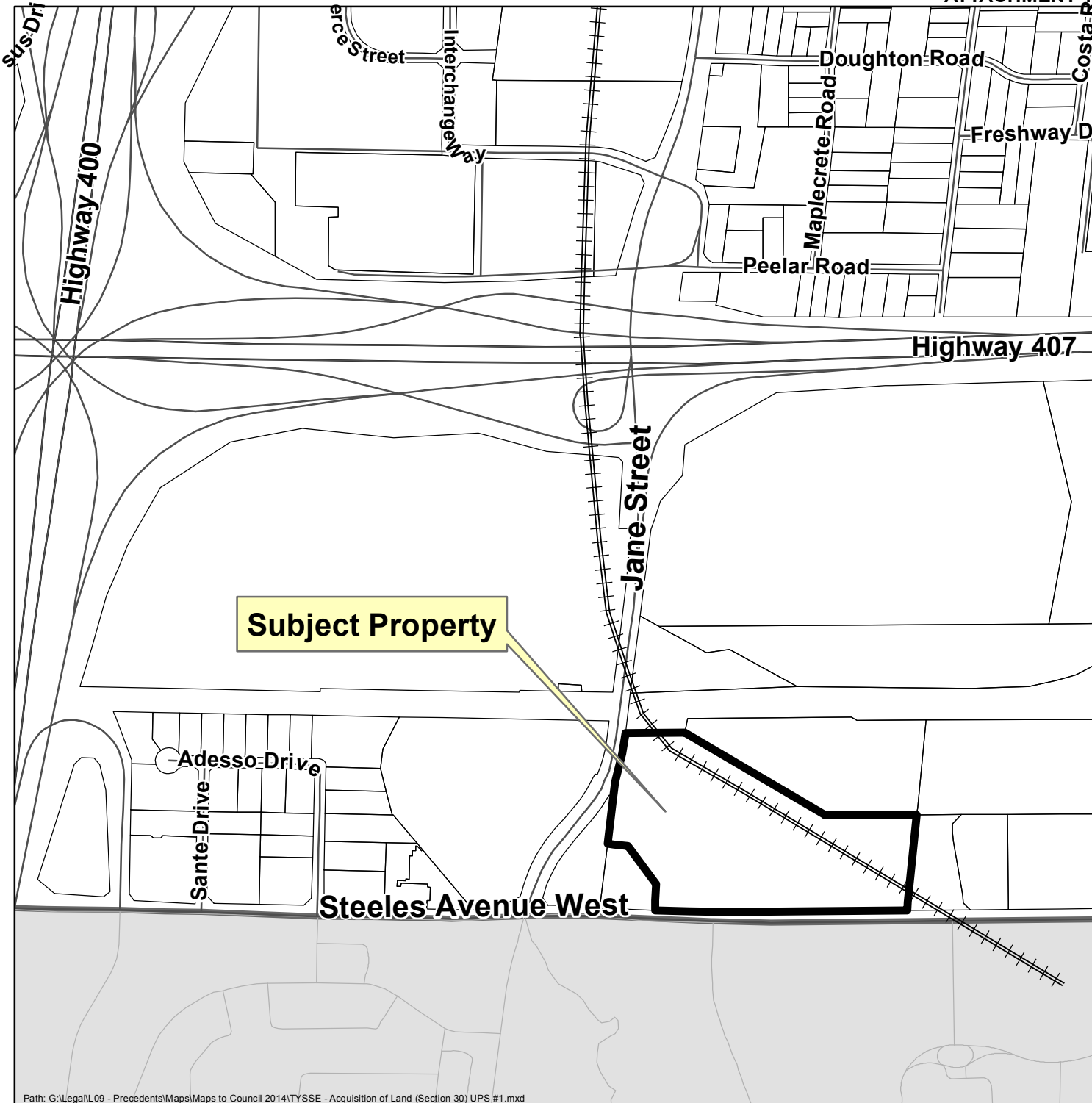
7. CONCLUSION

Staff has concluded negotiations pursuant to section 30 of the *Expropriations Act* for the acquisition of certain lands required for the construction of the TYSSE project. Construction is underway and the acquisition of the additional lands will facilitate timely completion of the project. Accordingly, it is recommended that Council approve the acquisition of the lands detailed in this report.

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 (2)



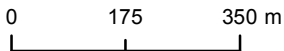
Path: G:\Legal\I09 - Precedents\Maps\Maps to Council 2014\TYSSE - Acquisition of Land (Section 30) UPS #1.mxd

LOCATION PLAN





Acquisition of Land
Toronto-York Spadina Subway Extension, Project 90996
City of Vaughan

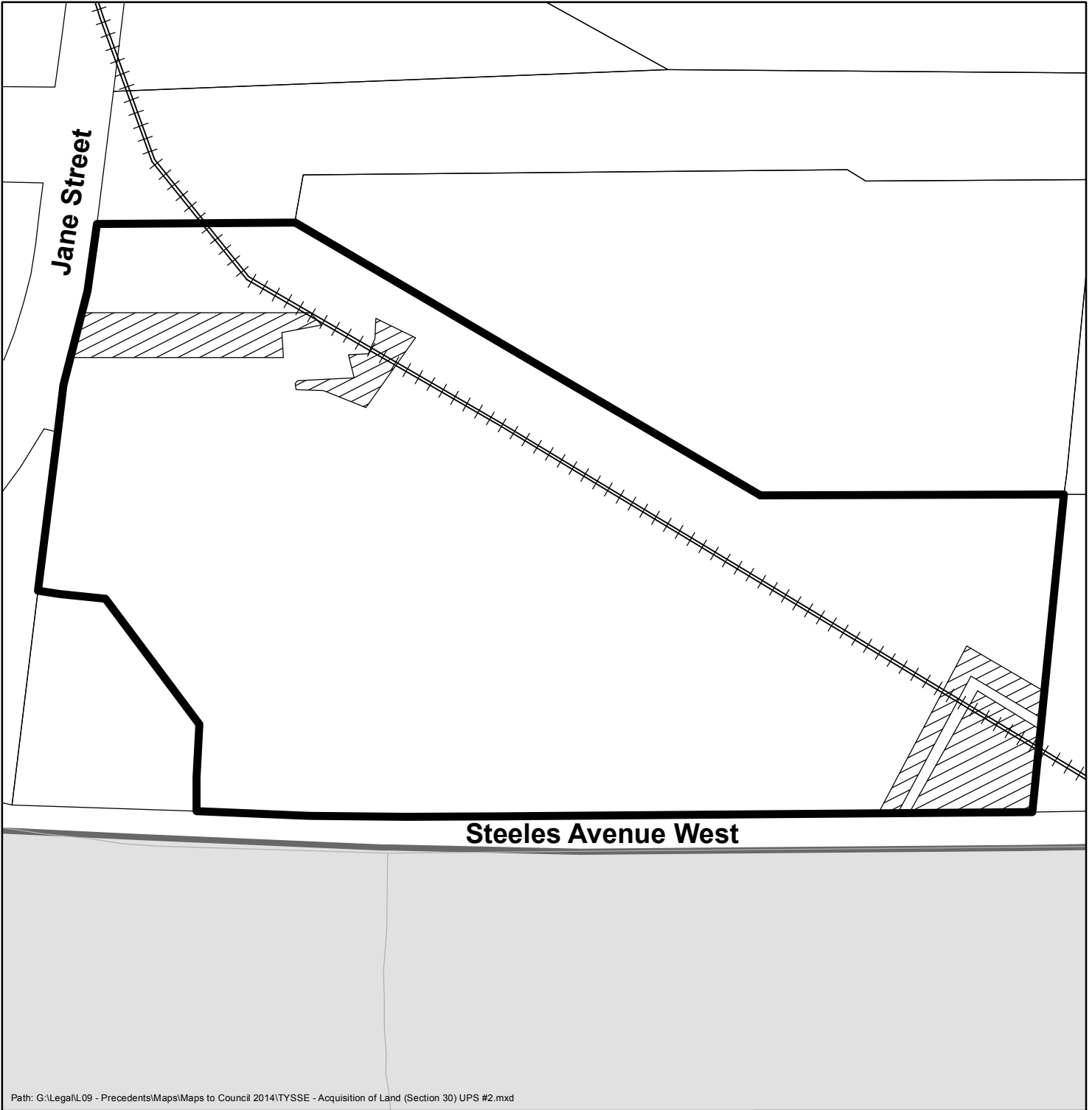


Produced by:
Property Services Branch
Corporate Services Department
© Copyright, The Regional Municipality of York, March, 2014
© Copyright, First Base Solutions Inc. 2013 Orthophotography
* Includes © Queen's Printer for Ontario 2003-2014



Legend

-  Subject Property
-  Approximate Subway Tunnel Alignment
-  City of Toronto
-  Roads



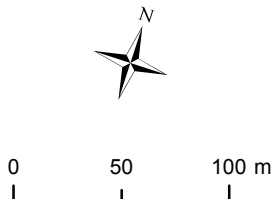
Path: G:\Legal\I09 - Precedents\Maps\Maps to Council 2014\TYSSE - Acquisition of Land (Section 30) UPS #2.mxd

LOCATION PLAN






Acquisition of Land
Toronto-York Spadina Subway Extension, Project 90996
City of Vaughan



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



Legend

-  Subject Property
-  Approximate Requirements
-  Approximate Subway Tunnel Alignment
-  City of Toronto
-  Roads