

Clause No. 13 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.

13

**APPLICATION FOR APPROVAL TO EXPROPRIATE ADDITIONAL LANDS
ROAD WIDENING OF LESLIE STREET PROJECT 84180
TOWN OF AURORA**

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 an application for approval to expropriate the following land within the Town of Aurora for road widening purposes:

No.	Owner	Municipal Address	Legal Description	Interest Required
1	Elina Developers Inc.	15195 Leslie Street	Part 1 on Plan 65R34619	Fee Simple

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 land required for the road widening of Leslie Street, in the Town of Aurora (*Attachment 1*).

On October 17, 2013, Council approved an application to expropriate a fee simple interest in the lands located at 15195 Leslie Street. Staff has now determined that it is necessary to acquire a further fee simple interest in the lands in order to reconstruct Leslie Street.

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

3. BACKGROUND

An Environmental Assessment for the reconstruction of Leslie Street from Wellington Street to Mulock Drive was completed in 2011

The Environmental Assessment (EA) recommended that Leslie Street be reconstructed as a four-lane urban cross-section, between Wellington Street, Aurora, and Mulock Drive, Newmarket. The Leslie Street detailed design assignment (P-11-85) was approved by Council in September 2011 and awarded to HDR Corporation. The assignment was initiated in October 2011 and has progressed beyond the 60% design level.

An additional fee simple interest at 15195 Leslie Street is required

During the course of the design, it was decided the east side of Leslie Street, between Don Hillock Drive and Wellington Street, should be urbanized to provide the boulevard space to construct a sidewalk and multi-use path. The sidewalk and multi-use path will service, amongst others, the new hotel that will be constructed at the Don Hillock Drive and Leslie Street intersection. As a result, an additional fee simple interest in the subject lands is required to accommodate this need.

4. ANALYSIS AND OPTIONS

Since October 17, 2013, when Council approved an application to expropriate a fee simple interest in the lands located at 15195 Leslie Street, staff has determined that it is necessary to acquire a fee simple interest in additional lands, being Part 1 on Plan 65R34619, from the same property, to reconstruct Leslie Street.

Negotiations are proceeding to acquire the necessary properties to ensure the project schedule is maintained

Property negotiations to acquire the necessary lands commenced in 2013. Staff will continue to negotiate agreements of purchase and sale for the required interests.

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

As approving authority, Council has previously authorized an application for approval to expropriate a fee simple interest in the lands. The Region is required to acquire an additional fee simple interest in the lands in order to reconstruct Leslie Street.

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.

As an additional fee simple interest in the lands is now required, it is necessary for Council, as approving authority, to authorize an application for approval to expropriate the additional fee simple interest. Subsequently, Notice may be served on the 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 are allocated in the approved 2014 Capital Budget for Transportation and Community Planning.

6. LOCAL MUNICIPAL IMPACT

The reconstruction of Leslie Street in the communities of Aurora and Newmarket will provide upgraded capacity to improve traffic operations and meet expected growth in the area.

The inclusion of sidewalk and multi-use path, between Don Hillock Drive and Wellington Street, will promote better pedestrian accessibility and connectivity within the surrounding community.

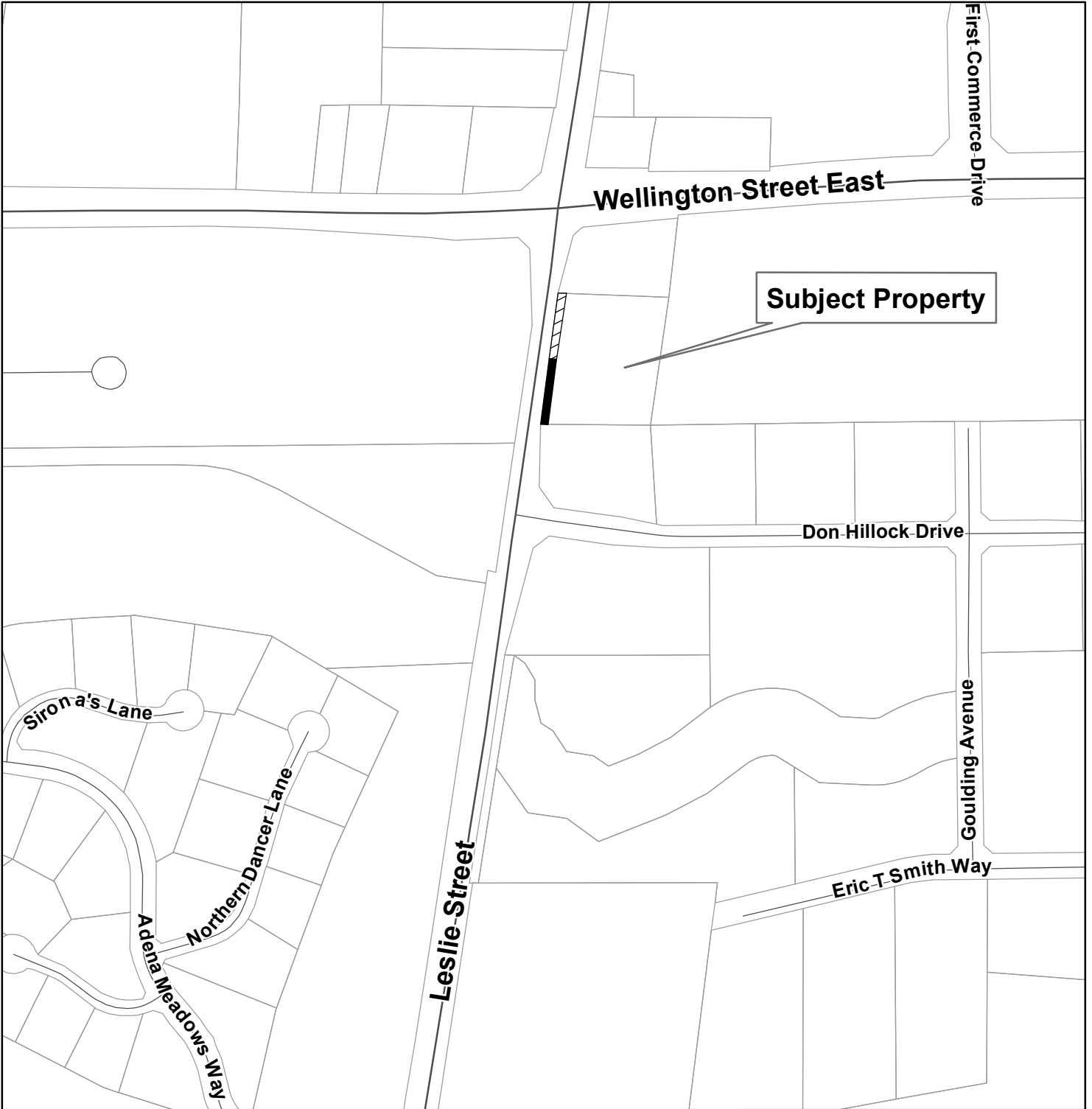
7. CONCLUSION

This report seeks Council approval to expropriate a fee simple interest in Part 1 on Plan 65R34619. To ensure the project is not delayed, it is necessary to initiate the expropriation process for this requirement. Staff will continue to negotiate for the acquisition of the required property and expropriation proceedings will be abandoned in the event that 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)

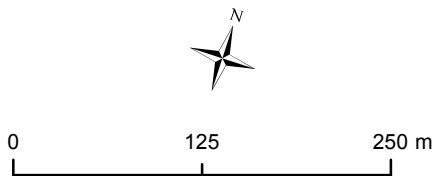


LOCATION PLAN




Application for Approval to Expropriate Additional Lands
 Road Widening of Leslie Street Project 84180
 Town of Aurora



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Legend

-  Subject Property
-  Land previously approved for expropriation
-  Additional Land to be expropriated