

Clause No. 14 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.

14
APPROVAL TO EXPROPRIATE
WIDENING AND CONSTRUCTION OF BUS RAPID TRANSIT CORRIDOR
2851 HIGHWAY 7 WEST (H2-VMC), VIVANEXT PROJECT 90991
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, as approving authority, approve the expropriation of the following land for the construction of the bus rapid transit corridor on Highway 7 West, within the City of Vaughan:

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.	A Fee Simple interest in the lands designated as Parts 3 and 4 on Plan 65R34481 A Permanent Easement in, under, over, along and upon the lands designated as Part 1 on Plan 65R34729

Owner	Municipal Address (YRRTC Reference)	Legal Description	Interest Required
			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>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 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-striping 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-striping 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>			

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 bylaws to give effect to these recommendations.

2. PURPOSE

This report seeks Council approval to expropriate a property interest required for the widening and reconstruction of road and intersection improvements, in order to provide designated lanes for the Viva transit system along the Highway 7 West corridor. The subject property is located between Maplecrete Road and Creditstone Road (*Attachment 1*).

3. BACKGROUND

In March 2014, Council authorized an application for approval to expropriate the subject land required for the Highway 7 West project

The widening and construction of Highway 7 West is scheduled to commence in May 2014. On March 27, 2014, Council authorized an application for approval to expropriate the subject land. The Notice of Application to Expropriate was served to owners following Council authorization.

Upon receipt of the Notice of Application to Expropriate, the owner had 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. The owner did not request a hearing.

4. ANALYSIS AND OPTIONS

Registration of an expropriation plan will secure access to the land 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 land approximately three months after the registration of the plan of expropriation.

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

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 the lands will assist the Region in meeting its transportation needs.

5. FINANCIAL IMPLICATIONS

The funds required to complete the property acquisitions have been included in the approved 2014 YRRTC Capital Budget. The project is funded by the Province, via the Metrolinx Master Agreement.

Under section 25 of the *Act*, the Region is obligated to serve an offer of compensation on the owner within three months of registration of the expropriation plan. The appraisal required to support this offer is currently being prepared and the proposed offer will be the subject of a further report to Council.

6. LOCAL MUNICIPAL IMPACT

The construction of dedicated bus lanes and related facilities, as well as road and intersection improvements, from Highway 400 to Bowes Road, is critical to the achievement of the vision for the Highway 7 West corridor for both the Region and the City of Vaughan. Additionally, this project will improve public transit facilities and enrich the streetscapes to support the Region's goal for higher density mixed use transit-oriented development.

7. CONCLUSION

The subject property is integral to the widening and construction of Highway 7 West, between Highway 400 and Bowes Road. Three property interests are required from the subject property. In order to ensure timely possession of the lands to commence construction, it is recommended that Council approve the expropriation of the interests required.

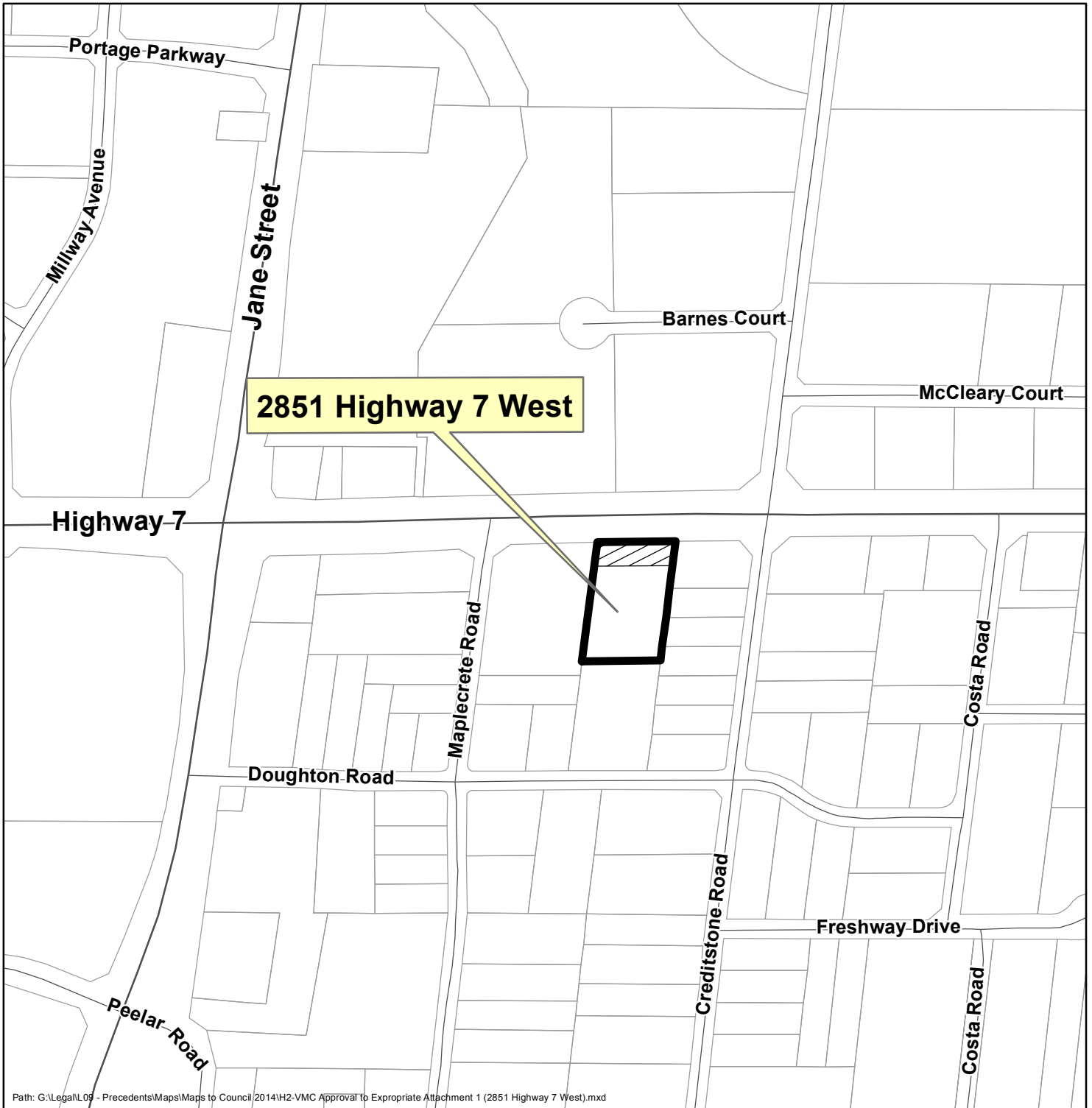
For more information on this report, please contact René Masad, Director, Property Services Branch at Ext. 71684.

The Senior Management Group has reviewed this report.

Clause No. 14, Report No. 10
Committee of the Whole
May 8, 2014

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Attachment (1)



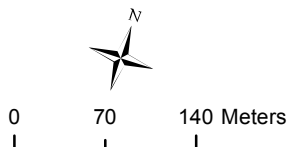
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LOCATION PLAN






Approval to Expropriate
 Widening and Construction of Bus Rapid Transit Corridor
 Highway 7 West (H2-VMC) vivaNext Project 90991
 City of Vaughan



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Legend

-  Interest Required
-  Subject Property
-  Parcel
-  Road
-  Railway