

Clause No. 8 in Report No. 8 of the Committee of the Whole was referred back to staff by the Council of The Regional Municipality of York at its meeting held on April 17, 2014.

8
APPROVAL TO EXPROPRIATE
TORONTO-YORK SPADINA SUBWAY EXTENSION, PROJECT 90996
CITY OF VAUGHAN

Committee of the Whole recommends adoption of the following recommendations contained in the report dated March 25, 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 within the City of Vaughan:

No.	Owner	Municipal Address	Legal Description	Interest Required
1	2748355 Canada Inc.	30 – 150 Interchange Way, 7540 Jane Street	Parts 5, 6, 12, 14, 16, 25 and 26, Plan YR1590046	Temporary Easement commencing upon registration of the expropriation plan and expiring December 31, 2016

2	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	Temporary Easement commencing upon registration of the expropriation plan and expiring December 31, 2016
			Parts 12, 17, 18, 19, 20, 24, 25, 26, 27, 29 and 31, Plan YR1589373	Temporary Easement commencing upon registration of the expropriation plan and expiring December 31, 2017
<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, workmen 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 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 additional property interests required for extension of the Spadina Subway, from Steeles Avenue West to Interchange Way, in the Vaughan Metropolitan Centre (*Attachments 1, 2, and 3*).

3. BACKGROUND

In January 2010 and February 2014, Council authorized applications for approval to expropriate lands required for the Toronto-York Spadina Subway Extension project

The construction of the Toronto-York Spadina Subway Extension (TYSSE) project is underway. On January 21, 2010, Council authorized an application for approval to expropriate one property, including a fee simple interest, however, only a permanent easement is now required. On February 20, 2014, Council authorized an application for approval to expropriate a total of two properties, including one additional fee simple interest, one additional permanent easement, and three construction easement extensions.

Negotiations are ongoing. It is necessary to complete expropriation of the remaining properties in order to secure access to the lands in time for construction to continue unimpeded.

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 that the plans will be registered no later than May 1, 2014. Accordingly, the Region will have access to the properties no later than September 1, 2014, enabling construction to proceed unimpeded.

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 \$2.6B Toronto-York Spadina Subway Extension (TYSSE) project budget, of which the Region contributes up to \$351M. The costs are fully recoverable from the TYSSE budget.

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 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.

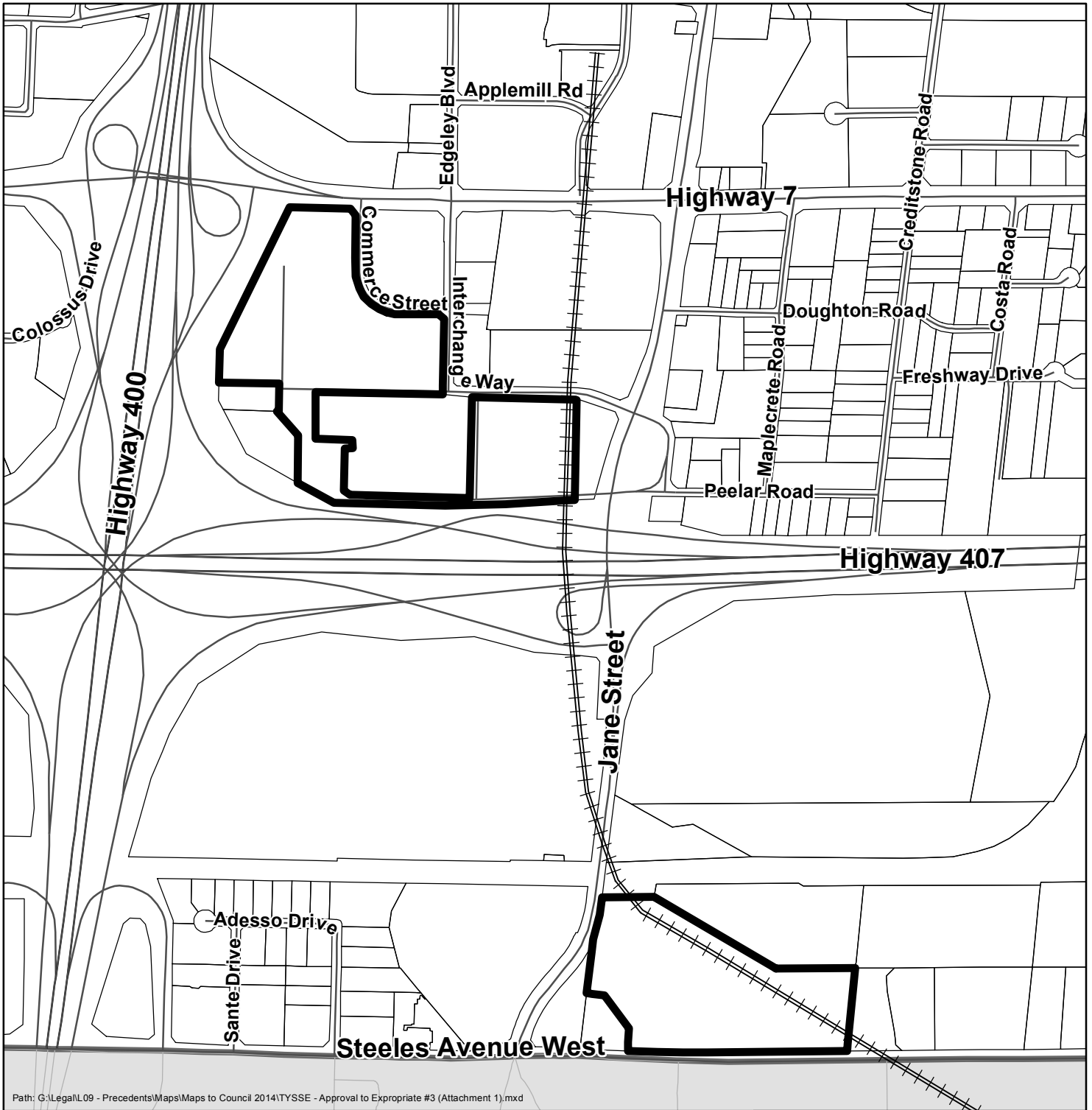
7. CONCLUSION

The Toronto-York Spadina Subway Extension project requires the acquisition of five additional property interests. Negotiations are ongoing. In order to ensure timely possession of the lands to continue construction, it is recommended that Council approve the expropriation of the balance 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.

Attachment (3)



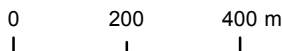
Path: G:\Legal\I09 - Precedents\Maps\Maps to Council 2014\TYSSE - Approval to Expropriate #3 (Attachment 1).mxd

LOCATION PLAN





Approval to Expropriate
 Toronto-York Spadina Subway Extension, Project 90996
 City of Vaughan

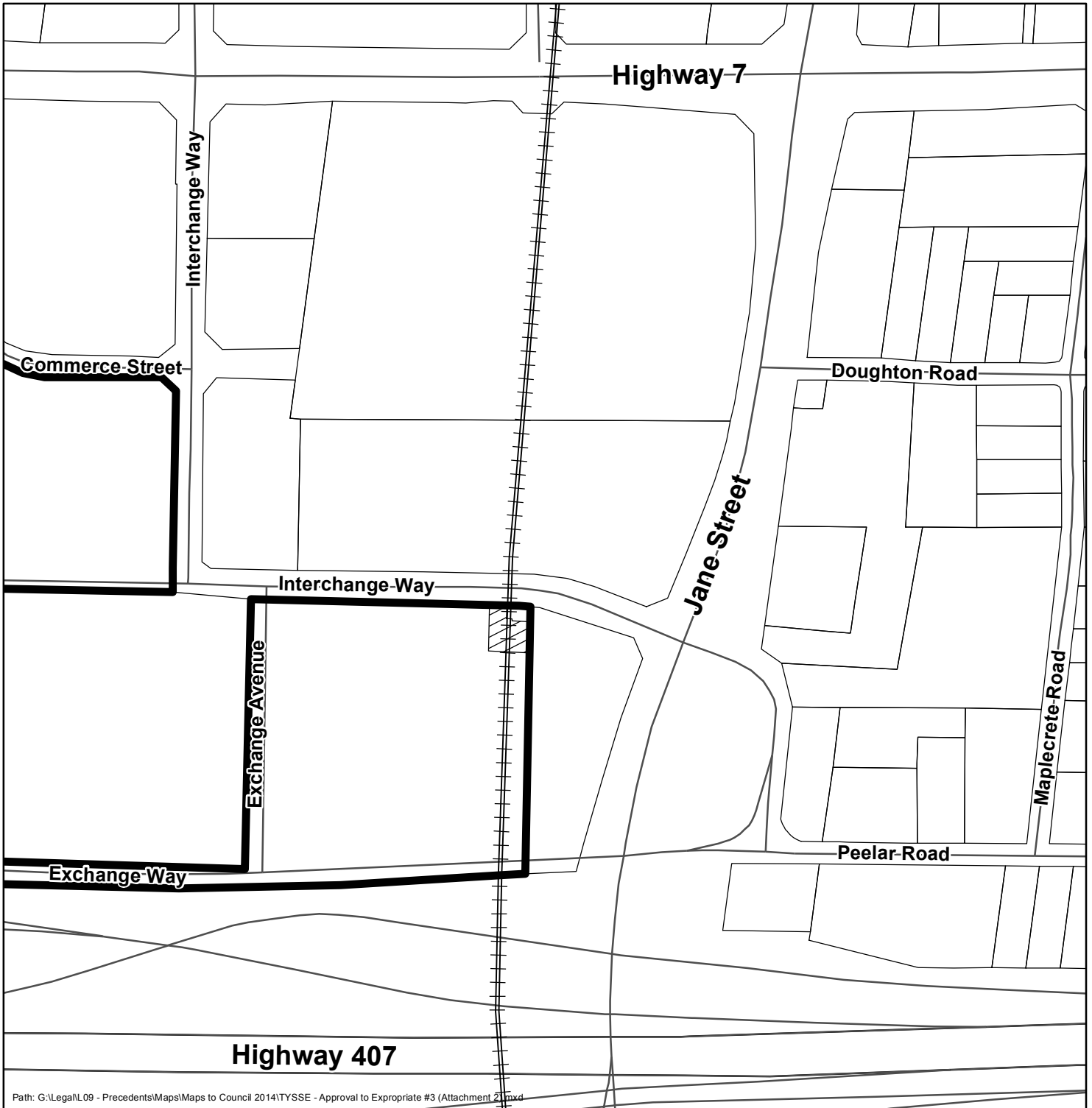


Produced by:
 Property Services Branch
 Corporate Services Department
 © Copyright, The Regional Municipality of York, March, 2014
 © Copyright, First Base Solutions Inc., 2013 Orthophotography
 * Includes © Queen's Printer for Ontario 2003-2014



Legend

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



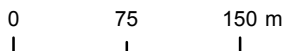
Path: G:\Legal\I09 - Precedents\Maps\Maps to Council 2014\TYSSE - Approval to Expropriate #3 (Attachment 2).mxd

LOCATION PLAN





Approval to Expropriate
 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
-  Roads



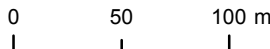
Path: G:\Legal\I09 - Precedents\Maps\Maps to Council 2014\TYSSE - Approval to Expropriate #3 (Attachment 3).mxd

LOCATION PLAN





Approval to Expropriate
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