

Clause No. 11 in Report No. 8 of the Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on April 17, 2014.

11
APPROVAL TO EXPROPRIATE
WIDENING AND CONSTRUCTION OF BUS RAPID TRANSIT CORRIDOR
HIGHWAY 7 WEST (H2-VMC) VIVANEXT PROJECT 90991
CITY OF VAUGHAN

Committee of the Whole recommends adoption of the following recommendations contained in the report dated March 27, 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 (YRRTC Reference)	Legal Description	Interest Required
	562445 Ontario Limited; 562444 Ontario Limited	2220 Highway 7 West and 7777 Keele Street (Ref No. 40)	Parts 3 and 4, Plan 65R34480	Temporary Easement
	Steele Valley Developments Limited	2160 & 2180 Highway 7 West (Ref No. 41)	Part 3, Plan 65R34482	Temporary Easement
	656742 Ontario Inc.	2641 Highway 7 West (Ref No. 117C)	Part 4, Plan 65R34484	Temporary Easement
	Domy's & Pat's Garage & Auto Collision Ltd.	2685 Highway 7 West (Ref No. 117E)	Part 3, Plan 65R34484	Temporary Easement

No.	Owner	Municipal Address (YRRTC Reference)	Legal Description	Interest Required
	Domy's & Pat's Garage & Auto Collision Ltd.	2703 Highway 7 West (Ref No. 118)	Part 2, Plan 65R34484	Temporary Easement
	Husky Oil Limited	2757 Highway 7 West (Ref No. 118B)	Part 3, Plan 65R34490	Temporary Easement
	1897150 Ontario Limited	49 Costa Road (Ref No. 118C)	Parts 1, Plan 65R34484	Temporary Easement
	Termini, Salvatore; Termini, Michele; Bancheri, Rosa; Bancheri, Calogero - Estate	254 Creditstone Road (Ref No. 119A)	Part 10, Plan 65R34481	Temporary Easement
	St. Marys Cement Inc. (Canada)	2871 Highway 7 West (Ref No. 119C)	Part 1, Plan 65R34481	Temporary Easement
<p>The temporary easements will commence on August 12, 2014 and expire on August 11, 2018, and are 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, (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, and (vii) handrails, and (8) works ancillary to any of the foregoing.</p>				

2. Council, as approving authority, approve the expropriation of the following lands within the City of Vaughan:

No.	Owner	Municipal Address (YRRTC Reference)	Legal Description	Interest Required
1.	1042710 Ontario Limited	3300 Highway 7 West	Parts 4 and 5, Expropriation	Temporary Easement

No.	Owner	Municipal Address (YRRTC Reference)	Legal Description	Interest Required
		(Ref No. 28)	Plan YR1694787	
	Metrus (Terra) Properties Inc.	7800 Jane Street (Ref No. 29B)	Part 1, Expropriation Plan YR1694753	Temporary Easement
	2117969 Ontario Inc.	2986 Highway 7 West (Ref No. 30)	Part 1, Expropriation Plan YR1694886	Temporary Easement
	2117969 Ontario Inc.	2966 Highway 7 West (Ref No. 31)	Part 3, Expropriation Plan YR1694886	Temporary Easement
	Midvale Estates Limited	2938 Highway 7 West (Ref No. 32)	Part 5, Expropriation Plan YR1694886	Temporary Easement
	Royal 7 Developments Ltd.	2900 Highway 7 West (Ref No. 34)	Part 7, Expropriation Plan YR1694886	Temporary Easement
	The Hollywood Princess Convention And Banquet Centre Ltd.	2800 Highway 7 West (Ref No. 34A)	Part 8, Expropriation Plan YR1694886	Temporary Easement
	2780 Highway #7 Investments Inc.	2780 Highway 7 West (Ref No. 35)	Part 1, Expropriation Plan YR1694848	Temporary Easement
	York Region Condominium Corporation No. 728	23 McCleary Court (Ref No. 36)	Part 3, Expropriation Plan YR1694848	Temporary Easement
	York Region Condominium Corporation No. 727	35 McCleary Court (Ref No. 37)	Part 5, Expropriation Plan YR1694848	Temporary Easement
	1176646 Ontario Limited	99 McCleary Court (Ref No. 37A)	Part 8, Expropriation Plan YR1694848	Temporary Easement
	656742 Ontario Inc.	2641 Highway 7 West (Ref No. 117C)	Part 23, Expropriation Plan YR1694848	Temporary Easement
	Nikolakakos, Bill;	2661 Highway 7	Part 20,	Temporary

No.	Owner	Municipal Address (YRRTC Reference)	Legal Description	Interest Required
	Nikolakakos, Kalliope	West (Ref No. 117D)	Expropriation Plan YR1694848	Easement
	Domy's & Pat's Garage & Auto Collision Ltd.	2685 Highway 7 West (Ref No. 117E)	Part 18, Expropriation Plan YR1694848	Temporary Easement
	Domy's & Pat's Garage & Auto Collision Ltd.	2703 Highway 7 West (Ref No. 118)	Part 17, Expropriation Plan YR1694848	Temporary Easement
	227611 Ontario Inc.	2739 Highway 7 West (Ref No. 118A)	Part 13, Expropriation Plan YR1694848	Temporary Easement
	Husky Oil Limited	2757 Highway 7 West (Ref No. 118B)	Part 2, Plan 65R34490	Temporary Easement
	1897150 Ontario Limited	49 Costa Road (Ref No. 118C)	Part 14, Expropriation Plan YR1694848	Temporary Easement
	Termini, Salvatore; Termini, Michele; Bancheri, Rosa; Bancheri, Calogero - Estate	254 Creditstone Road (Ref No. 119A)	Part 9, Plan 65R- 34481	Temporary Easement
	St. Marys Cement Inc. (Canada)	2871 Highway 7 West (Ref No. 119C)	Part 9, Expropriation Plan YR1694886	Temporary Easement
	2748355 Canada Inc.	Southwest Corner of Highway 7 West & Interchange Way (Ref No. 122)	Part 7, Expropriation Plan YR1694787	Temporary Easement
<p>The temporary easements will commence on August 12, 2014 and expire on August 11, 2018, and are 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</p>				

No.	Owner	Municipal Address (YRRTC Reference)	Legal Description	Interest Required
	landscaping, paving, grading and reshaping the lands to the limit of the reconstruction of Highway 7, (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, and (vii) handrails, and (8) works ancillary to any of the foregoing.			

3. The Commissioner of Corporate Services be authorized to execute and serve any notices required under the *Expropriations Act* (the “Act”).
4. Council authorize the introduction of the necessary bylaw to give effect to these recommendations.

2. PURPOSE

This report seeks Council approval to expropriate property interests 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, from Highway 400 to Baldwin Avenue (*Attachments 1 and 2*).

3. BACKGROUND

In October 2013, Council authorized an application for approval to expropriate lands required for the Highway 7 West (H2-VMC) project

The widening and construction of Highway 7 West is scheduled to commence in August 2014. On October 17, 2013, Council authorized an application for approval to expropriate a total of 26 properties, including five fee simple interests, one permanent easement and 35 construction easements.

Notices of Application for Approval to Expropriate Land have been served on the owners and one Hearing of Necessity request was received and will be the subject of a future report.

Staff have entered into tentative agreements for three of the subject properties, incorporating five of the interests identified in Recommendations 1 and 2. Negotiations for the remaining properties will continue, however, it is necessary to complete the expropriation of all the subject properties in order to secure access to the lands in time for construction to commence.

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.

A draft expropriation plan has been prepared for the subject properties. It is anticipated that 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.

Properties one through nine are new land requirements, along the Highway 7 West corridor, while the remaining requirements are previously expropriated property interests.

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 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 dedicated bus lanes and related facilities, as well as road and intersection improvements along the Highway 7 West corridor, from Highway 400 to Baldwin Avenue is critical to the achievement of the vision for the corridor for both the Region and 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 widening and construction of Highway 7 West corridor, from Highway 400 to Baldwin Avenue requires the acquisition of 30 property interests. Staff have entered into tentative agreements for three of the subject properties. In order to ensure timely possession of the lands to commence construction, it is recommended that Council approve the expropriation of all 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 (2)

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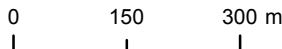
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LOCATION PLAN





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

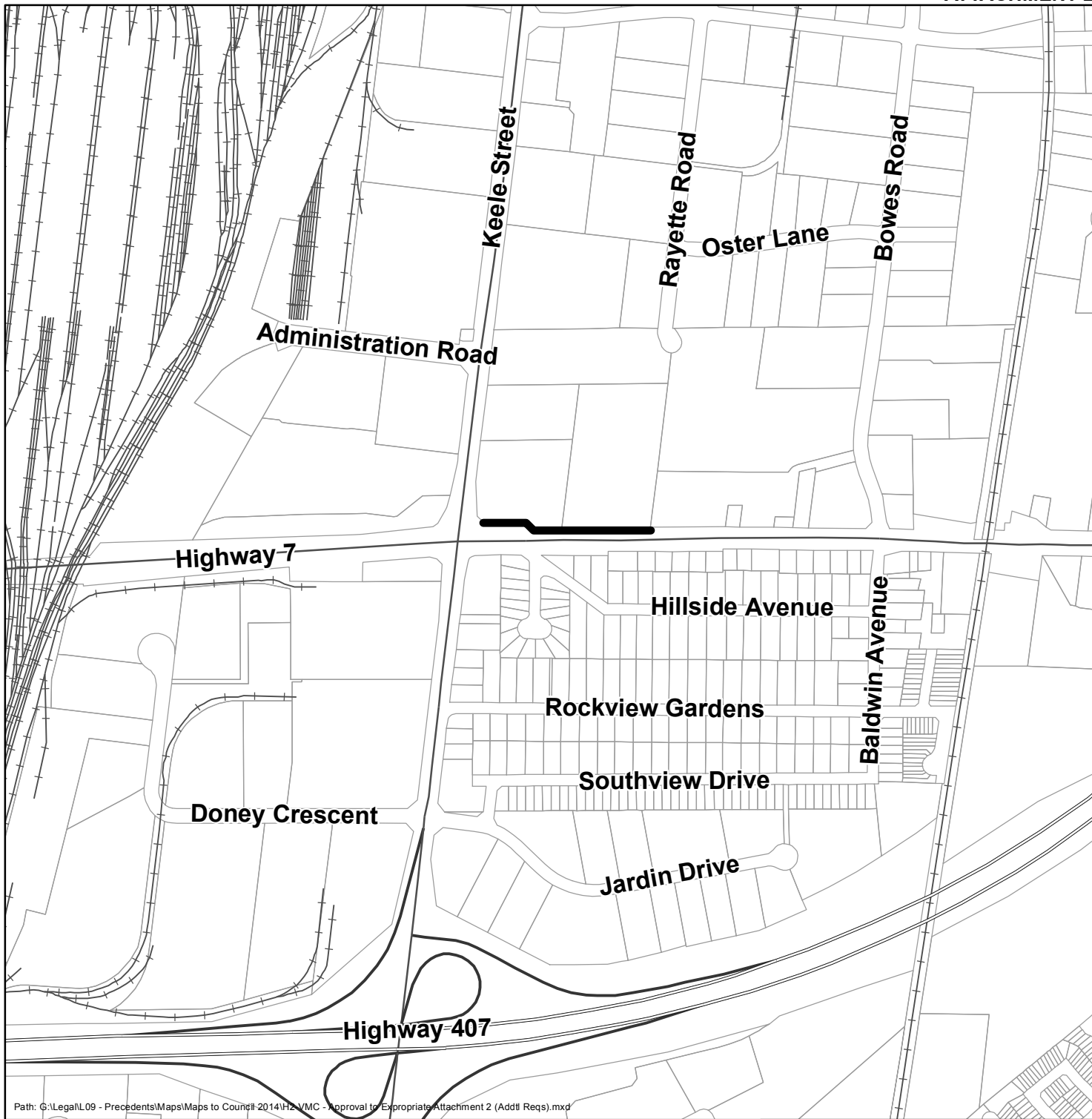


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Legend

-  Subject Properties
-  Road
-  Parcel
-  Railway



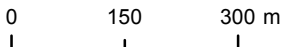
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LOCATION PLAN





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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