



Clause No. 9 in Report No. 2 of the Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting on January 23, 2014.

**APPLICATION FOR APPROVAL TO EXPROPRIATE  
WIDENING AND RECONSTRUCTION OF MAJOR MACKENZIE DRIVE  
PROJECTS 8566 AND 8132, CITY OF VAUGHAN**

**Committee of the Whole recommends adoption of the following recommendations contained in the report dated December 18, 2013 from the Commissioner of Corporate Services:**

**1. RECOMMENDATIONS**

It is recommended that:

1. Council authorize an application for approval to expropriate the following lands within the City of Vaughan for road widening and reserve purposes:

| No. | Owner  | Municipal Address                | Legal Description                | Interest Required               |
|-----|--|----------------------------------|----------------------------------|---------------------------------|
| 1   | Maplequest<br>(Vaughan)<br>Developments Inc. | 10100 Weston<br>Road             | Part 1, Plan<br>65R34551         | Fee Simple for<br>road widening |
|     |  |                                  | Part 2, Plan<br>65R34551         | Temporary<br>Easement           |
| 2   | Penna, Agostino                              | 3850 Major<br>Mackenzie<br>Drive | Part 3, Plan<br>65R34551         | Temporary<br>Easement           |
| 3   | Penna, Benito<br>Penna, Carmela              | 3850 Major<br>Mackenzie<br>Drive | Part 4, Plan<br>65R34551         | Temporary<br>Easement           |
| 4   | Russo, Maria<br>Russo, Leonardo              | 3836 Major<br>Mackenzie<br>Drive | Part 5, Plan<br>65R34551         | Temporary<br>Easement           |
| 5   | Cicchino Holdings<br>Ltd.                    | 3812 Major<br>Mackenzie<br>Drive | Part 6, Plan<br>65R34551         | Temporary<br>Easement           |
| 6   | 647057 Ontario<br>Limited                    | 9900 Weston<br>Road              | Part 7, Plan<br>65R34551         | Fee Simple for<br>road widening |
|     |  |                                  | Part 8, Plan<br>65R34551         | Temporary<br>Easement           |
| 7   | Terwol<br>Developments                       | Part Lot 20,<br>Concession 6     | Parts 6 and 12, Plan<br>65R34550 | Fee Simple for<br>road widening |

| No. | Owner  | Municipal Address                          | Legal Description             | Interest Required                |
|-----|--|--|-------------------------------|----------------------------------|
|     | Limited  |  | Parts 7 and 11, Plan 65R34550 | Temporary Easement               |
| 8   | Euro Estates Inc.                                  | Block 44,<br>Registered<br>Plan<br>65M4158 | Part 13, Plan 65R34550        | Temporary Easement               |
| 9   | Gurrizan, Marina                                   | 61 Petermar Drive                          | Parts 1 and 4, Plan 65R34552  | Temporary Easement               |
|     |  |  | Part 2, Plan 65R34552         | Fee Simple for 0.3 metre reserve |
|     |  |  | Part 3, Plan 65R34552         | Fee Simple for road widening     |
| 10  | Barker, Ross<br>Barker, June                       | 16 Millwood Parkway                        | Part 5, Plan 65R34552         | Temporary Easement               |
|     |  |  | Part 6, Plan 65R34552         | Fee Simple for 0.3 metre reserve |
|     |  |  | Part 7, Plan 65R34552         | Fee Simple for road widening     |
| 11  | Guido, Lucia                                       | 17 Millwood Parkway                        | Part 8, Plan 65R34552         | Fee Simple for road widening     |
|     |  |  | Part 9, Plan 65R34552         | Fee Simple for 0.3 metre reserve |
|     |  |  | Part 10, Plan 65R34552        | Temporary Easement               |
| 12  | Calvi, Frank<br>Calvi, Rose<br>Fiorello, Elizabeth | 10071 Pine Valley Drive                    | Part 1, Plan 65R34557         | Fee Simple for road widening     |
|     |  |  | Part 2, Plan 65R34557         | Temporary Easement               |
| 13  | Li, Li   | 157 Petermar Drive                         | Part 3, Plan 65R34557         | Fee Simple for road widening     |
|     |  |  | Part 4, Plan 65R34557         | Fee Simple for 0.3 metre reserve |
|     |  |  | Part 5, Plan 65R34557         | Temporary Easement               |
| 14  | Zeni, Ezio   | 139 Petermar Drive                         | Parts 6 and 9, Plan 65R34557  | Temporary Easement               |
|     |  |  | Part 7, Plan 65R34557         | Fee Simple for 0.3 metre reserve |

| No. | Owner  | Municipal Address                         | Legal Description                                   | Interest Required                |
|-----|--|---|---|----------------------------------|
|     |  |   | Part 8, Plan 65R34557                               | Fee Simple for road widening     |
| 15  | Sarkar, Jaidev<br>Sarkar, Chitra   | 111 Petermar Drive                        | Parts 10 and 15, Plan 65R34557                      | Temporary Easement               |
|     |  |   | Parts 11 and 14, Plan 65R34557                      | Fee Simple for 0.3 metre reserve |
|     |  |   | Parts 12 and 13, Plan 65R34557                      | Fee Simple for road widening     |
| 16  | 2360133 Ontario Inc.   | Part of Block 18, Registered Plan 65M2234 | Part 16, Plan 65R34557                              | Fee Simple for road widening     |
|     |  |   | Part 17, Plan 65R34557                              | Fee Simple for 0.3 metre reserve |
|     |  |   | Part 18, Plan 65R34557                              | Temporary Easement               |
| 17  | Follegot, Giovanni   | 73 Petermar Drive                         | Part 19, Plan 65R34557                              | Fee Simple for road widening     |
|     |  |   | Part 20, Plan 65R34557                              | Fee Simple for 0.3 metre reserve |
|     |  |   | Part 21, Plan 65R34557                              | Temporary Easement               |
| 18  | Presutto, Guido<br>Presutto, Pietruccia<br>Presutto, Robert<br>Presutto, Paola | 11 Woodend Place                          | Part 22, Plan 65R34557                              | Temporary Easement               |
|     |  |   | Part 23, 65R34557                                   | Fee Simple for road widening     |
| 19  | Tomei, Frank<br>Tomei, Mara<br>Ramundi, Ralph                                  | 4405 Major Mackenzie Drive                | Parts 24, 27, and 32, 65R34557                      | Fee Simple for road widening     |
|     |  |   | Parts 25, 28 and 31, Plan 65R34557                  | Fee Simple for 0.3 metre reserve |
|     |  |   | Parts 26, 29 and 30, Plan 65R34557                  | Temporary Easement               |
| 20  | Sepp, Martin   | 9990 Pine Valley Drive                    | Part of Lot 21, Concession 7, Vaughan as in R610236 | Fee Simple for road widening     |

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| The temporary easements will commence on March 1, 2015 and expire on December 31, 2020, 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 right-of-way, (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) landscaping, paving, grading and reshaping the lands to the limit of the reconstruction, (7) the installation and removal of temporary infrastructure related to the construction and (8) works ancillary to any of the foregoing. |
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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 any 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 property interests required for the widening and reconstruction of Major Mackenzie Drive, between Weston Road and Islington Avenue, in the City of Vaughan (*Attachment 1*), including the reinstatement of 0.3 metre reserves.

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

## 3. BACKGROUND

**The Western Vaughan Transportation Improvements Individual Environmental Assessment was completed in 2011 and recommended reconstruction of Major Mackenzie Drive from Highway 50 to Highway 400**

One of the recommendations of the Individual Environmental Assessment (IEA) was that Major Mackenzie Drive, between Highway 50 and Highway 400, be upgraded to an

ultimate six lane urban roadway. The existing roadway is a two lane rural roadway. In the first phase of this upgrading, a four lane roadway will be built with the provision to widen to six lanes in the future, when the traffic volumes warrant. The roadway platform, bridges, sidewalks, utilities and other features will be constructed to allow for the provision of six lanes.

The detailed design is underway for the section of Major Mackenzie Drive between Islington Avenue and Weston Road with construction anticipated to begin in 2015. The IEA and detailed design identified several parcels of property that need to be acquired to accommodate the proposed roadway. Property will be acquired to accommodate the ultimate six lane roadway, eliminating the need to acquire property in the future when the roadway is widened.

#### **4. ANALYSIS AND OPTIONS**

##### **Negotiations are proceeding to acquire the necessary properties with a view to commence construction in 2015**

The project will require the acquisition of 35 properties for road widening and reserve purposes. Certain temporary easements are also required to accommodate the construction, which is scheduled to commence in 2015.

Property negotiations to acquire the necessary lands are ongoing. 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**

Staff anticipate 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.

The first step in the process requires Council, as approving authority, to authorize an application for approval to expropriate. Subsequently, notice may be served on 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 these projects are included in the 2014 Capital Budget for Transportation and Community Planning.

## **6. LOCAL MUNICIPAL IMPACT**

The widening and reconstruction of Major Mackenzie Drive, between Weston Road and Islington Avenue, in the City of Vaughan, will provide upgraded capacity to improve traffic operations for the travelling public and will meet expected growth in the area.

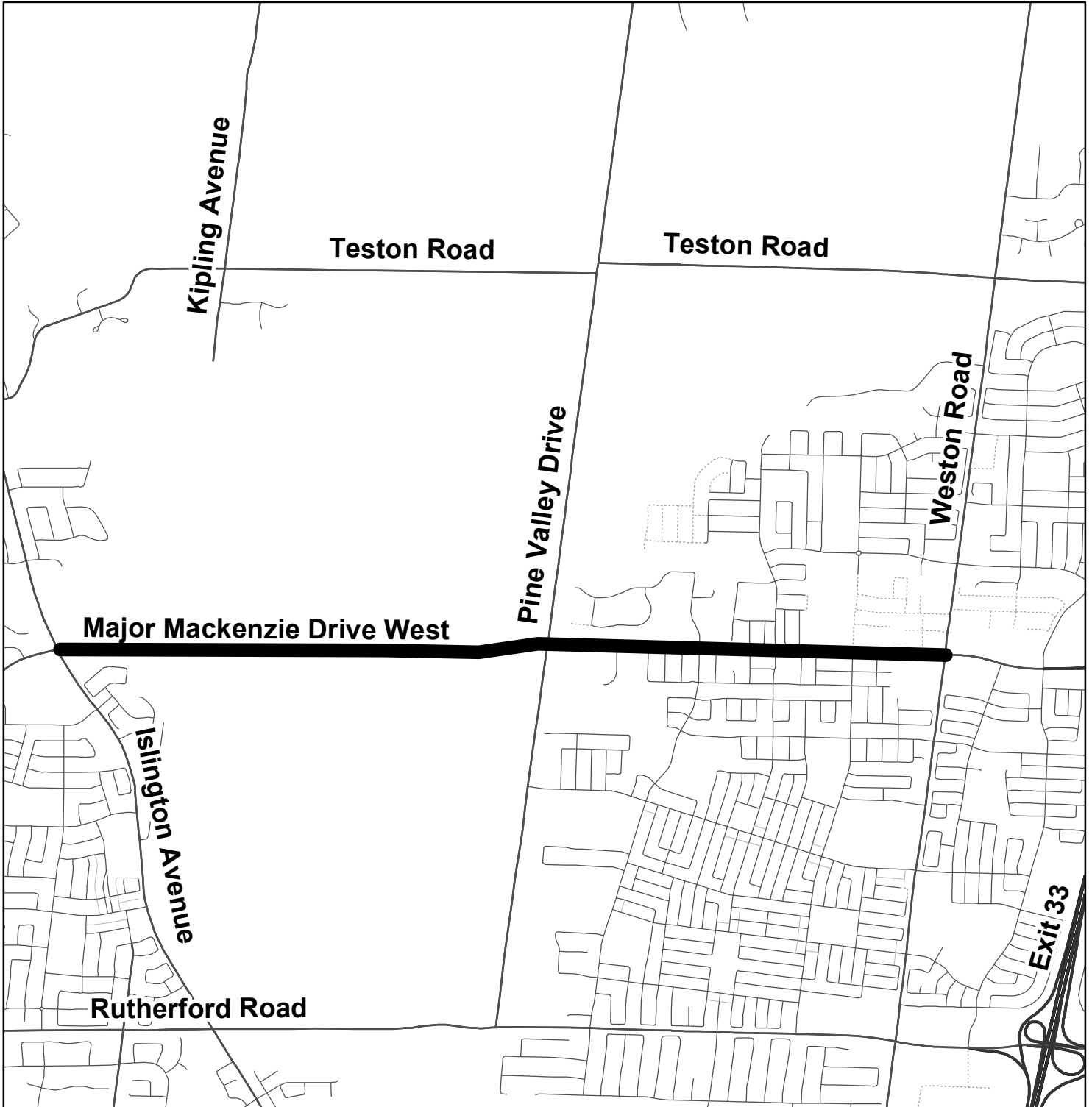
## **7. CONCLUSION**

This report seeks Council approval to expropriate 35 properties, along Major Mackenzie Drive, in order to implement road improvements. To ensure the project is not delayed, it is necessary to initiate the expropriation process. Staff will continue to negotiate for the acquisition of the required properties and expropriation proceedings will be abandoned in cases where negotiations are successful.

For more information on this report, please contact René Masad, Director, Property Services Branch at Ext. 1684.

The Senior Management Group has reviewed this report.

*Attachment (1)*

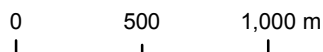


### LOCATION MAP

Application for Approval to Expropriate  
 Widening and Reconstruction of Major Mackenzie Drive,  
 Projects 8566 and 8132  
 City of Vaughan



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 Property Services Branch  
 Department  
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### Legend

 Subject Properties