



Clause No. 10 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 HIGHWAY 7  
PROJECT 98180, CITY OF MARKHAM**

**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 Markham:

<b>No.</b>	<b>Owner</b>	<b>Municipal Address</b>	<b>Legal Description</b>	<b>Interest Required</b>
1	2073236 Ontario Inc.	3882 Highway 7	Parts 1 and 3, draft plan L12-011628	Fee Simple
			Parts 2 and 4, draft plan L12-011628	Temporary Easement
2	Roman Catholic Episcopal Corporation	3898 Highway 7	Part 1, draft plan L12-011621	Fee Simple
			Part 2, draft plan L12-011621	Temporary Easement
3	Hildebrand, Jack	3912 Highway 7	Part 1, draft plan L12-011622	Fee Simple
			Part 2, draft plan L12-011622	Temporary Easement
4	Hotson, Bonnie Lynne Hildebrand, Robert Ross Hildebrand, Douglas Harold Hildebrand, John Charles Roy	3928 Highway 7	Part 1, draft plan L12-011623	Temporary Easement

<b>No.</b>	<b>Owner</b>	<b>Municipal Address</b>	<b>Legal Description</b>	<b>Interest Required</b>
5	2124123 Ontario Limited	3940 Highway 7	Part 1, draft plan L12-011629	Temporary Easement
6	Unionville Development	3972 Highway 7	Part 1, draft plan L12-011625	Temporary Easement
7	1820266 Ontario Inc.	4002 Highway 7	Part 1, draft plan L12-011626	Temporary Easement
			Part 2, draft plan L12-011626	
8	Scardred 7 Company Limited	4038 Highway 7	Part 1, draft plan L12-011627	Temporary Easement
9	1421121 Ontario Limited	4080 Highway 7	Part 1, draft plan L12-011604	Temporary Easement
			Part 2, draft plan L12-011604	
			Part 3, draft plan L12-011604	
10	Boutakis, Basil	4128 Highway 7	Parts 1 & 3, draft plan L12-011605	Temporary Easement
			Parts 2 & 4, draft plan L12-011605	Fee Simple
11	Apcom Enterprises Inc.	4142 Highway 7	Part 1, draft plan L12-011606	Temporary Easement
			Part 2, draft plan L12-011606	Fee Simple
12	Sham, Wing Leung Lee, Serfina Kam Ling	93 Lichfield Road	Part 1, draft plan L12-011607	Temporary Easement
13	Gillespie, Joanne Elizabeth	91 Lichfield Road	Part 1, draft plan L12-011608	Temporary Easement
14	Ador-Dionisio Saturnino III Luk May	89 Lichfield Road	Part 1, draft plan L12-011609	Temporary Easement
15	Shim, Hing Min	87 Lichfield Road	Part 1, draft plan L12-011610	Temporary Easement
16	Mitchell, Donald Thomas Sun, Anna	85 Lichfield Road	Part 1, draft plan L12-011611	Temporary Easement
17	Fung, Mee Hung, Yan, Daniel Pui Chak	83 Lichfield Road	Part 1, draft plan L12-011612	Temporary Easement
18	Tsang, Jack K.Y. Lee, Avis K.S.	81 Lichfield Road	Part 1, draft plan L12-011613	Temporary Easement

<b>No.</b>	<b>Owner</b>	<b>Municipal Address</b>	<b>Legal Description</b>	<b>Interest Required</b>
19	Sheikh, Ali Ijaz Rafi, Binish	79 Lichfield Road	Part 1, draft plan L12-011616	Temporary Easement
20	Baum, Salomon Baum, Ilde Mar Moncada de	77 Lichfield Road	Part 1, draft plan L12-011617	Temporary Easement
21	Yu, Suk-Yin	75 Lichfield Road	Part 1, draft plan L12-011618	Temporary Easement
22	YRC No. 535	16 Ashglen Way 1	Part 1, draft plan L12-011614	Temporary Easement
23	YRC No. 539	2 Ashglen Way 1	Part 1, draft plan L12-011615	Temporary Easement
24	1771107 Ontario Inc.	Not Assigned 02988-0714	Part 1, draft plan L12-011619	Temporary Easement
25	1826985 Ontario Inc.	Not Assigned 02988-0680	Part 1, draft plan L12-011620	Temporary Easement
26	1826997 Ontario Inc.	Not Assigned 02988-0681	Part 1, draft plan L12-011624	Temporary Easement
27	1826997 Ontario Inc.	Not Assigned 02988-0682	Part 2, draft plan L12-011624	Temporary Easement
28	Sheridan Nurseries Limited	4101 Highway 7	Parts 1, 3, 5 & 6, draft plan L12-011630	Temporary Easement
			Parts 2 & 4, draft plan L12-011630	Fee Simple
29	Wedekind, Maria Wedekind, Susan	4121 Highway 7	Part 1, draft plan L12-011631	Fee Simple
30	Young, Paul William	4137 Highway 7	Part 1, draft plan L12-011632	Fee Simple
31	Antonel, Elio Antonel, Rosalina	4151 Highway 7	Part 1, draft plan L12-011633	Fee Simple
32	1246896 Ontario Inc. 1246897 Ontario Inc.	4171 Highway 7	Part 1 on draft plan L12-011634	Temporary Easement
33	Kealson Limited	4189 Highway 7	Part 1, draft plan L12-011636	Fee Simple
			Part 2, draft plan L12-011636	Temporary Easement
<p>The temporary easements will commence on June 1, 2015 and expire on May 31, 2020 and are required for the purpose of entering on lands with all vehicle, machinery, workmen and other materials to provide for hard and soft landscaping, grading and reshaping of the lands to the limit of the reconstruction of Highway 7 and works ancillary thereto.</p>				

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’s approval for an application to expropriate property interests required for the widening and reconstruction of Highway 7, from Verclaire Gate to Sciberras Road, in the City of Markham (*Attachment 1*).

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

## 3. BACKGROUND

### **An Individual Environmental Assessment has been approved for the widening and reconstruction of Highway 7, from Verclaire Gate to Sciberras Road, in Markham**

An Individual Environmental Assessment (IEA) Report was approved in November 2006, for the York Region Rapid Transit Plan on Highway 7. This report is related to the Region’s Transportation Master Plan and is not part of the VIVA route.

An integral component of the IEA Report (Chapter 13) recommended a six-lane widening of Highway 7, from Town Centre Boulevard to Sciberras Road, to provide sufficient traffic capacity for current and expected traffic demands.

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

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

The project will require the acquisition of 13 fee simple and 38 temporary easement properties, principally for road widening purposes. Certain temporary easements are also required to accommodate the January 2015 tender date. Construction is scheduled to commence April 2015.

Staff is continuing 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**

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.

The first step in the process requires Council, as approving authority, to authorize an application for approval to expropriate. Subsequently, notices 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 these lands will assist the Region in meeting its key strategic transportation needs.

#### **5. FINANCIAL IMPLICATIONS**

The funds required to complete the property acquisitions are included in the 2014 Transportation and Community Planning - Roads Capital Budget. The project is funded 90 per cent from Development Charges and 10 per cent from tax levy.

## **6. LOCAL MUNICIPAL IMPACT**

Reconstruction of Highway 7 includes several features that will benefit the local community including bicycle lanes, continuous sidewalks, illumination, and median/boulevard streetscaping.

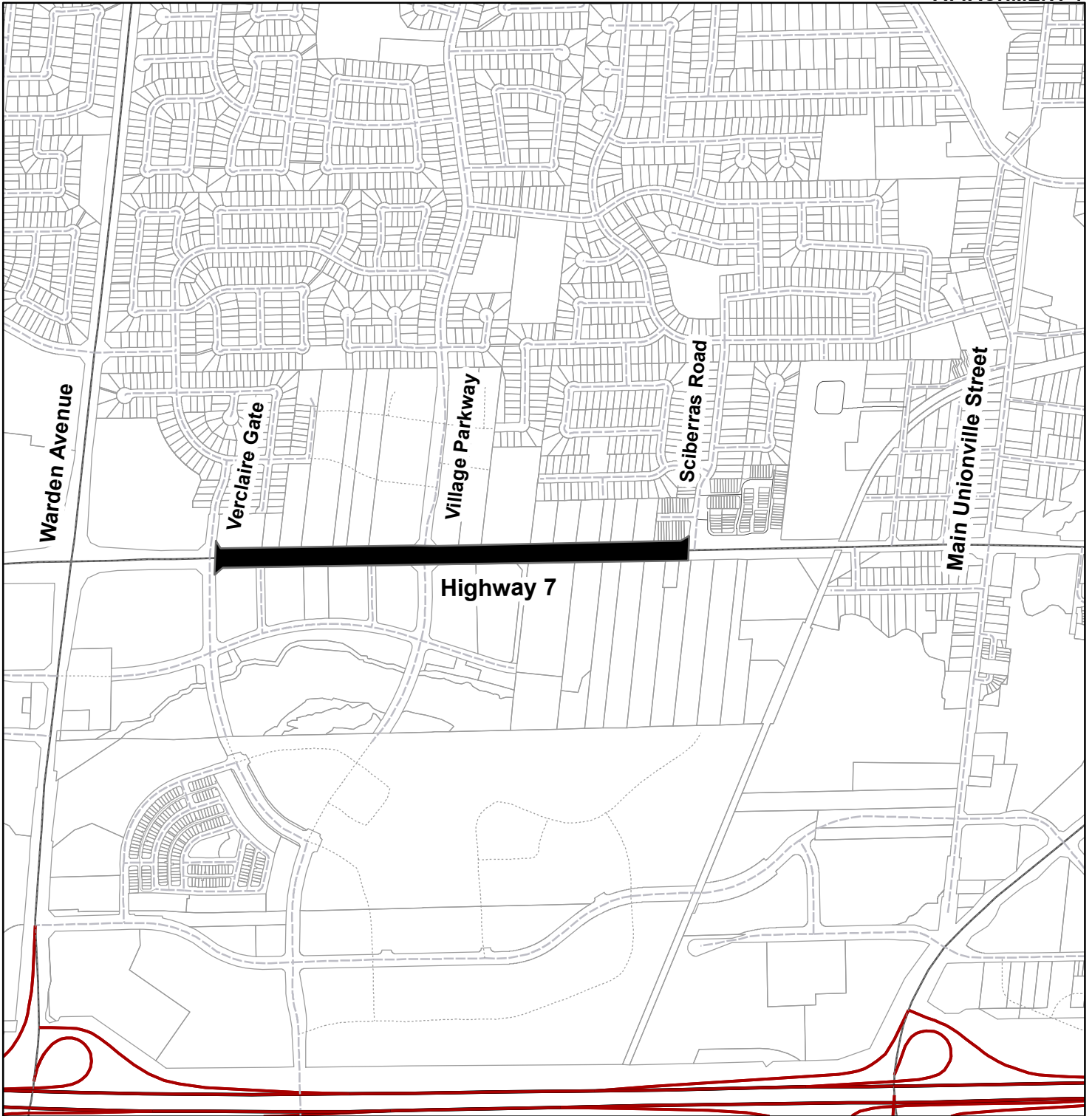
## **7. CONCLUSION**

This report seeks Council's approval to expropriate 33 properties from owners along Highway 7, from Verclaire Gate to Sciberras Road, in order to implement road and intersection improvements. To ensure the project is not delayed, it is necessary to initiate the expropriation process. Staff will continue negotiating for the acquisition of the required properties and expropriation 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 PLAN**

Application for Approval to Expropriate  
Widening and Reconstruction of Highway 7 Project 98180  
City of Markham



**LEGEND**

 Subject Property



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Property Services  
Corporate Services Department  
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