

Clause 13 in Report No. 5 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on March 29, 2018.

13

Acquisition of Land  
Major Mackenzie Drive from  
Canadian Pacific Railway Crossing to Islington Avenue  
City of Vaughan

Committee of the Whole recommends adoption of the following recommendations contained in the report dated March 1, 2018 from the Commissioner of Corporate Services:

1. Council authorize the acquisition of the lands pursuant to section 30 of the Expropriations Act (the "Act") required for the widening and reconstruction of Major Mackenzie Drive in the City of Vaughan, as set out in Attachment 1.
2. The Commissioner of Corporate Services be authorized to execute all necessary documents to complete the transaction.

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Report dated March 1, 2018 from the Commissioner of Corporate Services now follows:

1. Recommendations

It is recommended that:

1. Council authorize the acquisition of the lands pursuant to section 30 of the *Expropriations Act* (the "Act") required for the widening and reconstruction of Major Mackenzie Drive in the City of Vaughan, as set out in Attachment 1.
2. The Commissioner of Corporate Services be authorized to execute all necessary documents to complete the transaction.

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## 2. Purpose

This report seeks Council approval to acquire land for the widening and reconstruction of Major Mackenzie Drive, from Canadian Pacific Railway (CPR) Crossing to Islington Avenue, in the City of Vaughan. A map identifying the lands is shown in Attachment 2.

Private Attachment 1 to this report will be considered in private session because it relates to the acquisition of land by the Region.

## 3. Background and Previous Council Direction

Major Mackenzie Drive is being widened from the Canadian Pacific Railway crossing to Islington Avenue

The Region is undertaking improvements to Major Mackenzie Drive from approximately five hundred metres west of the CPR crossing to Islington Avenue, in the City of Vaughan to widen the road from two to six lanes. This includes the extension of Major Mackenzie Drive westerly from the south intersection on Highway 27 to the existing alignment of Major Mackenzie Drive east of the CPR crossing. The project includes a bridge across the Humber River and a grade separation at the CPR crossing. Major Mackenzie Drive will tie into the planned extension of Highway 427.

The properties that are the subject of this report are privately owned lands, located east of the CPR crossing and west of Islington Avenue in Vaughan.

Council previously approved the expropriation of land for this project that included land from the subject property owner

On [May 21, 2015](#), [September 24, 2015](#) and [February 18, 2016](#), Council authorized the expropriation of privately owned properties along Major Mackenzie Drive between the CPR crossing to Islington Avenue. Property from the subject property owner was included as part of the expropriation. The Region took possession of the expropriated lands as of February 29, 2016

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Detailed design identified that additional lands would be required for the project

Subsequent to the approval by Council to expropriate lands on the corridor, detailed design identified additional parcels of land that would be required in fee simple to accommodate the roadway grading and storm sewer installation. The lands that are the subject of this report were identified as additional to the original requirement.

#### 4. Analysis and Implications

The owner has agreed to transfer land for an advanced payment while negotiations for final settlement are ongoing

In an effort to save the Region the cost and time associated with the expropriation process, staff commenced negotiations with the property owners for the acquisition of the lands. An agreement pursuant to section 30 of the *Act* has been negotiated with the property owner. Section 30 of the *Act* provides for the owner to transfer the land requirements based on compensation determined by the Region, while protecting the owner's rights to seek additional compensation in the future.

The advanced compensation provided with the section 30 agreement is based on an independent appraisal report. Negotiations to settle final compensation are ongoing.

The Region completed its environmental due diligence

As part of the previous expropriation process for the lands owned by the subject property owners and abutting the lands subject in this report, the Region commissioned a Phase One Environmental Site Assessment (ESA) for both parcels. The Phase One ESAs did not identify any significant environmental concerns in relation to the subject lands.

#### 5. Financial Considerations

The funding for this property acquisition is included in the 2018 Capital Budget for Transportation Services.

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## 6. Local Municipal Impact

The widening and reconstruction of Major Mackenzie Drive will provide upgraded capacity to improve traffic operations for the travelling public and support the growth within this area, as reflected in the York Region Official Plan.

## 7. Conclusion

In 2015, Council approved the expropriation of land for the widening and reconstruction of Major Mackenzie Drive from Canadian Pacific Railway crossing to Islington Avenue, in the City of Vaughan. The Region acquired possession of the lands on February 29, 2016. Detailed designed revealed that additional lands were required from the subject property owners.

Staff has negotiated an agreement pursuant to section 30 of the *Act*, whereby the owners have agreed to transfer the land requirements, while protecting their rights to determine final compensation at a later date.

Staff will continue to negotiate a final settlement with the property owner.

For more information on this report, please contact Michael Shatil, Director, Property Services at 1-877-464-9675 ext. 71684.

The Senior Management Group has reviewed this report.

March 1, 2018

Attachments (2)

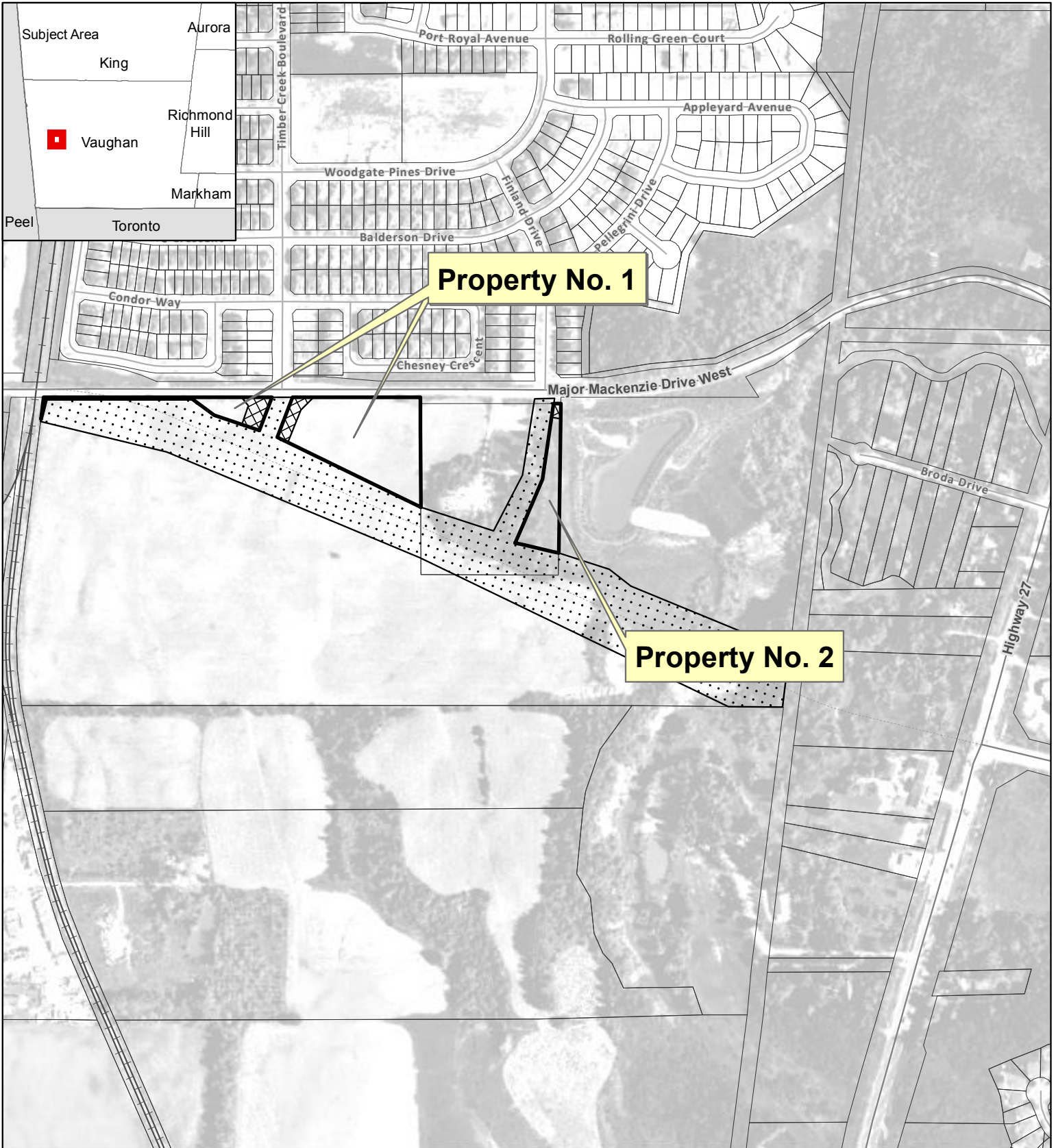
Private Attachments (1)

eDOCS# 8248626

Accessible formats or communication supports are available upon request

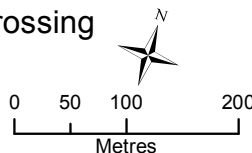
**Property Schedule  
Acquisition of Land  
Major Mackenzie Drive from  
Canadian Pacific Railway Crossing to Islington Avenue  
City of Vaughan**

<b>No.</b>	<b>Owner</b>	<b>Municipal Address</b>	<b>Legal Description</b>	<b>Interest Required</b>
1.	U-Pak Disposals Limited	South side of Major Mackenzie Drive, east of CPR	Parts 1, 2, 3 and 4, Plan 65R37014	Fee Simple
2.	U-Pak Disposals Limited	South side of Major Mackenzie Drive, east of CPR	Part 1, Plan 65R37018	Fee Simple



**Location Plan**  
 Acquisition of Land  
 Major Mackenzie Drive from  
 Canadian Pacific Railway Crossing  
 to Islington Avenue  
 City of Vaughan  
 March 22, 2018

- Legend**
- Subject Property
  - Interest Required
  - Previously Acquired
  - Parcel
  - Road



York Region

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 Property Services, Corporate Services  
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