

THE REGIONAL MUNICIPALITY OF YORK

BYLAW NO. 2018-09

To acquire certain lands for or in connection with the construction of the Viva Bus Rapid Transit Corridor along Yonge Street, Town of Richmond Hill (Y2.2)

WHEREAS the Council of The Regional Municipality of York on September 21, 2017, by its adoption of Clause 35 of Report 12 of the Committee of the Whole approved of the expropriation of the lands therein referred to for or in connection with the construction of the Viva Bus Rapid Transit Corridor along Yonge Street from Levendale Road to Gamble Road/19th Avenue, in the Town of Richmond Hill, provided that there were no requests for a hearing of necessity; and

WHEREAS Notice of Application for Approval to Expropriate Land has been served upon the registered owners of the lands and has been published pursuant to the provisions of the *Expropriations Act*, R.S.O. 1990, c. E.26, as amended (the "Act"); and

WHEREAS no notification of a desire for a hearing has been received and the time for giving such notification has expired.

Now, therefore, the Council of The Regional Municipality of York HEREBY ENACTS as follows:

1. The expropriation of the lands referred to in section 2 is hereby approved and the Regional Chair and Regional Clerk are authorized to execute any required documents in accordance with the Act.

2. The lands described and designated as follows:

| No. | Owner | Municipal Address | Legal Description | Interest Required |
|------------|--|-------------------------------------|---|-------------------------------------|
| 1. | Loblaws Inc. | 10488 Yonge Street Richmond Hill | Part 1, Plan YR2265966 | Temporary Easement |
| 2. | 1835942 Ontario Inc. | 10481 Yonge Street Richmond Hill | Part 2, Plan YR2265974 | Temporary Easement |
| 3. | Stonecourt Construction Inc. | 10537 Yonge Street Richmond Hill | Parts 5, 6, 7, 8, 9, 10, Plan YR2265996 | Temporary Easement |
| 4. | Mac's Convenience Stores Inc. | 10579 Yonge Street Richmond Hill | Parts 5, 6, Plan YR2266766, Parts 7, 8, 9, Plan R755878 | Temporary Easement |
| 5. | Berndale Investments Limited 554701 Ontario Inc. | 10593 Yonge Street Richmond Hill | Part 2, Plan YR2265939 | Temporary Easement |
| 6. | Glenridge Construction Company Limited | 10605 Yonge Street Richmond Hill | Part 2, Plan YR2265945 | Temporary Easement |
| 7. | 2473808 Ontario Inc. | 10620 Yonge Street Richmond Hill | Part 2, Plan YR2265949 | Temporary Easement |
| 8. | BRL Realty Limited | 10619 Yonge Street Richmond Hill | Part 2, Plan YR2265964 | Temporary Easement |
| 9. | Wilsand Holdings Limited | 10675 Yonge Street Richmond Hill | Part 3, Plan 65R-37295 | Additional Temporary Easement |
| | | | Part 2, Plan YR2265973 | Temporary Easement |
| 10. | 10660 Yonge Street Inc. | 10660 Yonge Street Richmond Hill | Parts 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, Plan YR2265982 | Temporary Easement |
| 11. | Maxcare Medical Plaza Incorporated | 10670 Yonge Street Richmond Hill | Parts 2, 3, Plan YR2265992 | Temporary Easement |

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| 12. | Sabella Ridge Estates Inc. | 10684 and 10692 Yonge Street Richmond Hill | Parts 3, 4, Plan YR2266002 | Temporary Easement |
| 13. | Shant Ghazarian Aline Ghazarian | 10695 Yonge Street Richmond Hill | Parts 1, 2, Plan 65R37295 | Additional Temporary Easement |
| | | | Part 2, Plan YR2266005 | Temporary Easement |
| 14. | Yonge Elgin Plaza Ltd. | 10720 Yonge Street Richmond Hill | Parts 3, 4, Plan YR2266348 | Temporary Easement |
| 15. | 2262443 Ontario Limited | 10731 Yonge Street Richmond Hill | Part 2, Plan YR2266354 | Temporary Easement |
| 16. | 536591 Ontario Limited | 10737 Yonge Street Richmond Hill | Part 4, Plan 65R37262 | Additional Temporary Easement |
| 17. | 1122270 Ontario Inc. | 19 Leonard Street Richmond Hill | Parts 3, 4, Plan YR2266004 | Temporary Easement |
| 18. | Armando Joe Guido Angelo Guido Anna Rita Guido | 10766 Yonge Street Richmond Hill | Part 2, Plan YR2266029 | Temporary Easement |
| 19. | Ninetta Panetta Luigi Panetta | 10801 Yonge Street Richmond Hill | Parts 1, 2, 3, Plan 65R37262 | Additional Temporary Easement |
| | | | Parts 1, 2, 3, Plan YR2266038 | Temporary Easement |
| 20. | Totera Enterprises Limited 2012002 Ontario Ltd. | 10815 and 10825 Yonge Street Richmond Hill | Parts 1, 2, 3, Plan YR2266053 | Temporary Easement |
| 21. | Evelyn Aimis Holdings Inc. | 10794 Yonge Street Richmond Hill | Part 1, Plan YR2266059 | Temporary Easement |
| 22. | Murlee Holdings Limited | 10875 Yonge Street Richmond Hill | Part 3, Plan YR2266062 | Temporary Easement |

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| 23. | 10870 Yonge Street Limited | 10870 Yonge Street Richmond Hill | Parts 1, 2, Plan 65R37299 | Additional Temporary Easement |
| | | | Part 1, Plan YR2266216 | Temporary Easement |
| 24. | Wilbair Holdings Inc. | 10898 Yonge Street Richmond Hill | Part 1, Plan 65R37296 | Additional Temporary Easement |
| | | | Part 2, Plan YR2266245 | Temporary Easement |
| 25. | Dogliola Developments Ltd. | 10944 to 10956 Yonge Street Richmond Hill | Parts 1, 2, 3, Plan YR2266262 | Temporary Easement |
| 26. | North Elgin Centre Inc. | 10993 to 11005 Yonge Street Richmond Hill | Parts 1, 3, Plan 65R37278 | Additional Temporary Easement |
| 27. | Yonge MCD Inc. | 11044 Yonge Street Richmond Hill | Parts 2, 3, Plan YR2266365 | Temporary Easement |
| 28. | Cars Canada PHA 1 GPSPE L.L.C. | 11240 Yonge Street Richmond Hill | Part 1, Plan 65R37283 | Additional Temporary Easement |
| 29. | Mon Sheong Foundation | 11283 Yonge Street Richmond Hill | Part 1, Plan YR2266435 | Temporary Easement |
| 30. | L'Arche Daybreak | 11339 Yonge Street Richmond Hill | Parts 1, 2, Plan 65R37242 | Additional Temporary Easement |
| | | | Parts 1, 2, 3, 4, Plan YR2266434 | Temporary Easement |
| 31. | GrayFive Developments Inc. | Between 11305 and 11339 Yonge Street Richmond Hill | Part 3, Plan 65R37242 | Additional Temporary Easement |
| 32. | Antonio Di Vincenzo | 11352 Yonge Street Richmond Hill | Part 3, Plan YR2266439 | Temporary Easement |

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| 33. | Aralansa Inc. | Southeast corner of Yonge Street and 19th Avenue Richmond Hill | Part 1, Plan YR2266444 | Temporary Easement |
| 34. | 9720618 Canada Inc. | Northwest corner of Yonge Street and Gamble Road Richmond Hill | Part 2, Plan YR2266450 | Temporary Easement |
| 35. | 2221508 Ontario Inc. | 11151 Yonge Street Richmond Hill | Part 1, Plan 65R37297 | Additional Temporary Easement |
| 36. | Weins Canada Inc. | 11552 Yonge Street Richmond Hill | Parts 1, 2, Plan YR2266443 | Temporary Easement |
| 37. | J. Cordone Realty Limited | 11130 Yonge Street Richmond Hill | Part 2, Plan YR2266445 | Temporary Easement |
| 38. | 2436196 Ontario Inc. | 11160 Yonge Street Richmond Hill | Part 3, Plan YR2266449 | Temporary Easement |
| 39. | SKN Development Inc. | 11575 Yonge Street Richmond Hill | Part 1, Plan YR2266453 | Temporary Easement |
| 40. | New Era Development (2011) Inc. | 11611 Yonge Street Richmond Hill | Parts 3, 4, Plan 65R37302 | Additional Temporary Easement |
| 41. | 802553 Ontario Limited | 11623 Yonge Street Richmond Hill | Parts 1, 2, Plan 65R37302 | Additional Temporary Easement |
| 42. | Aldar Developments Inc. | 11262 Yonge Street Richmond Hill | Part 1, Plan 65R37220 | Additional Temporary Easement |
| | | | Part 1, Plan YR2266438 | Temporary Easement |
| 43. | Millwin Investments Limited | 11300 Yonge Street Richmond Hill | Parts 1, 2, 3, 4, Plan YR2266442 | Temporary Easement |

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|-----|--|-------------------------------------|-------------------------------|-------------------------------|
| 44. | St. Mary and St. Joseph Coptic Orthodox Church | 11308 Yonge Street Richmond Hill | Parts 1, 2, Plan YR2266446 | Temporary Easement |
| 45. | Loyal True Blue and Orange Home | 11181 Yonge Street Richmond Hill | Part 1, Plan 65R37292 | Additional Temporary Easement |
| | | | Parts 1, 2, Plan YR2266447 | Temporary Easement |

The temporary easements will commence on March 12, 2019 and expire April 30, 2021 and are required for the purpose of entering on the lands with all vehicles, machinery, workers 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 Yonge Street, (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.

The additional temporary easements will commence upon registration of an expropriation plan and will expire on April 30, 2021 and are required for the purpose of entering on the lands with all vehicles, machinery, workers 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 Yonge Street, (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.

are to be expropriated for or in connection with the construction of the Viva Bus Rapid Transit Corridor along Yonge Street from Levendale Road to Gamble Road/19th Avenue, in the Town of Richmond Hill.

3. (1) The Regional Chair and Regional Clerk are hereby authorized and directed to sign a certificate of approval and plan or plans showing the lands expropriated.

(2) When so signed, the Commissioner of Corporate Services is directed to cause the said certificate of approval and plan or plans to be registered in the proper Land Registry Office and to pay all expenses incidental to the registration.

4. The Plans referred to above, hereto attached, shall form part of this bylaw.

ENACTED AND PASSED on February 15, 2018.

Christopher Raynor

Regional Clerk

Wayne Emmerson

Regional Chair

Authorized by Clause 35 of Report 12 of the Committee of the Whole, adopted by Council at its meeting on September 21, 2017.