

Clause 21 in Report No. 1 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on January 21, 2016.

21

Approval to Expropriate  
Keele Street - Steeles Avenue to Highway 7 West  
City of Vaughan

Committee of the Whole recommends adoption of the following recommendations contained in the report dated November 19, 2015 from the Commissioner of Corporate Services:

1. Recommendations

It is recommended that:

1. Council, as approving authority, approve the expropriation of the lands set out in Attachment 1, for the widening and reconstruction of Keele Street, in the City of Vaughan.
2. The Commissioner of Corporate Services be authorized to execute and serve any notices required under the *Expropriations Act* (the "Act").
3. Council authorize the introduction of the necessary bylaw to give effect to these recommendations.

2. Purpose

This report seeks Council approval, in accordance with the *Act*, to expropriate land required for the widening of Keele Street, from Steeles Avenue to Highway 7 West in the City of Vaughan, as shown in Attachment 2.

### 3. Background

The Region is planning to improve Keele Street to support growth in the City of Vaughan

The Region completed a Class Environmental Assessment Study (EA) which recommended Keele Street be improved to a six lane urban cross section with the curb lanes as Transit/HOV lanes, and included on-street cycling facilities, sidewalks, and full illumination. In addition, the existing Canadian National Railway (CNR) rail bridge on Keele Street, north of Steeles Avenue will be replaced and widened. The study area involved the portion of Keele Street between Steeles Avenue West and Rutherford Road. The EA was approved by the Ministry of the Environment in September 2013.

There are two distinct sections of the Keele Street project, with one located to the north of Highway 407 and the other south of it. Construction of the portion south of Highway 407 is planned to commence in late 2017 to early 2018, and the portion north of Highway 407 is not included in the 10 year Plan in the draft 2016 Capital Budget. In this regard, the process to obtain property requirements has followed the timelines for the two portions. This report pertains to the portion of the project north of Highway 407.

Possession of portions of land from property owners is required by the spring of 2016, in order for utility relocations to proceed

All project preparation activities including design and utility relocation are being completed at the same time for both the north and south portions. Possession of portions of land from the north properties is required to accommodate utility relocations in the new boulevards along the edge of the roadway. A minimal timeframe of 18 months is required to relocate the utilities prior to commencing construction of the corridor currently scheduled to begin in 2017. As a result of the above, possession of the necessary lands is required by the spring of 2016.

In October 2015, Council authorized the application for approval to expropriate the subject lands from seven property owners

On October 15, 2015, Council authorized an application for approval to expropriate the subject lands from seven properties. The Notice of Application to Expropriate was served on the owners, following Council authorization.

Upon receipt of the Notice of Application to Expropriate, each owner had the right within 30 days, to request an inquiry (Hearing of Necessity) to determine whether the taking of the land by the Region is fair, sound and reasonable. One of the owners who were served notice requested a Hearing. This owner is not included

## Approval to Expropriate

Keele Street - Steeles Avenue to Highway 7 West, City of Vaughan

in the recommendations of this report. In addition, the results of the hearing will be the subject of a future report to Council. The Region is able to proceed to the next step in the expropriation process for the six properties in this report.

This is Step 2 in the Council approval process for property expropriation, as indicated on the following graphic.



Staff is negotiating acquisitions of the requirements with property owners

Property negotiations to acquire the necessary lands are on-going. In order to confirm certainty of possession by the spring of 2016, the expropriation process will run concurrently with negotiations. Staff will continue to negotiate agreements of purchase and sale for the required interest until expropriation plans have been registered.

#### 4. Analysis and Options

The Region will obtain ownership of the required lands upon registration of expropriation plans

Expropriation plans are being prepared for the subject properties. Upon obtaining approval of the expropriation by Council, the plans will be registered in February 2016. Upon registration of the expropriation plans, notices of expropriation and possession will be served on the owners. The Region can take possession and obtain access to the required lands a minimum of three months after the service of the notices.

A future report to Council will be presented to seek approval to compensate the owners in accordance with the *Act*

Appraisals for these properties are anticipated to be completed during early 2016, which will support offers of compensation to be made before possession can be taken by late spring 2016. Following possession, the Region will be able to enter the land for construction purposes.

## Approval to Expropriate

Keele Street - Steeles Avenue to Highway 7 West, City of Vaughan

For all expropriated properties, offers of compensation are made to property owners in accordance with section 25 of the *Act*. These offers will be based on independently commissioned appraisals. A report will be presented to Council in April 2016, to approve service of offers of compensation. Service of the offers will secure possession for construction/utility relocation to commence.

Environmental due diligence has been undertaken

Based on a review of existing information, Phase One Environmental Site assessments (ESAs) were conducted at two of the properties and involved searches of public records, in addition to a visual observation of the property. Both Phase One ESAs recommended the completion of a Phase Two ESA to assess soil and groundwater conditions. The results of the Phase Two ESA identified the presence of two metals (cobalt and uranium) in groundwater. The consultant has indicated that the presence of these substances may be due to naturally occurring conditions.

Link to key Council-approved plans

The proposed acquisition for the Keele Street project supports the objectives of Vision 2051, the Regional Official Plan and the 2015 to 2019 Strategic Plan.

One of the goal areas of Vision 2051 is Interconnected System for Mobility, which the project addresses by providing an interconnected network for mobility that links people to jobs. As well, the Keele Street project supports one of the objectives of the Regional Official Plan which is to ensure streets support all modes of transportation. Lastly, a strategic objective identified in the Strategic Plan is the focus on networks and systems that connect people, goods and services.

### 5. Financial Implications

The funding required to complete the property acquisition for this project has been included in the 2016 Capital Budget for Transportation Services, Capital Delivery – Roads.

### 6. Local Municipal Impact

Once construction is complete, the road improvements on Keele Street, in the City of Vaughan, will provide upgraded capacity to improve traffic operations for travelling public and to meet the expected growth in this area.

## 7. Conclusion

Council approved the initiation of the expropriation process in October 2015 for the seven properties required for the Keele Street project. This report requests the approval to proceed to register expropriation plans, and to serve notices of expropriation and possession upon six of the owners. One property has been withheld pending resolution of Hearing of Necessity request and will be the subject of a future report to Council. Upon registration of the expropriation plans, the Region will have ownership of the lands. This is the second step toward obtaining the appropriate authority to get possession of the lands required to commence the reconstruction of Keele Street from Steeles Avenue to Highway 7 West.

Construction is scheduled to commence in April 2017, and utility relocations will commence in the spring of 2016. In order to ensure possession of the lands to proceed with utility relocations, it is recommended that Council approve the expropriation of the required property interests.

For more information on this report, please contact Michael Shatil, Director, Property Services Branch at ext. 71684.

The Senior Management Group has reviewed this report.

November 19, 2015

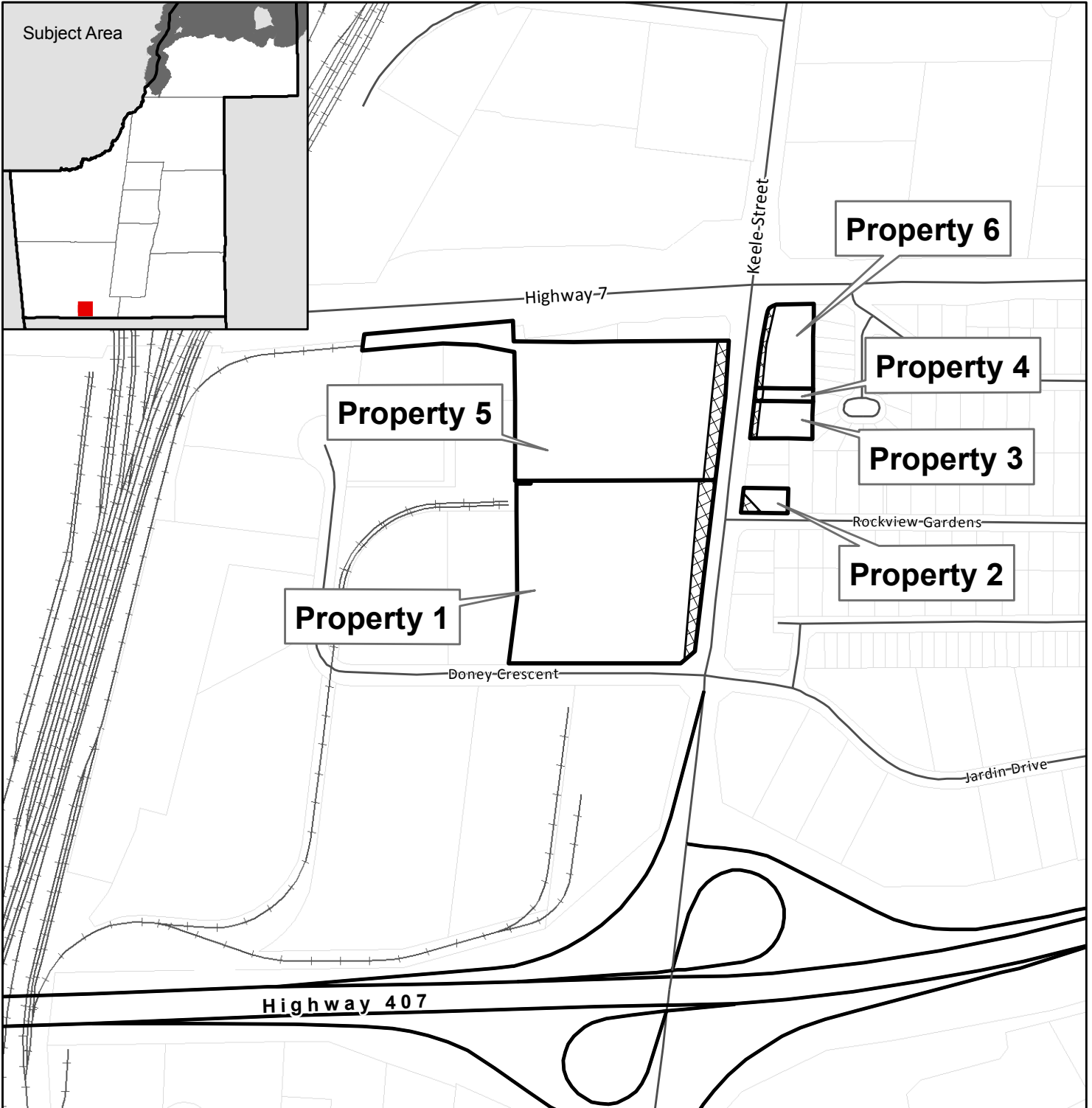
Attachments (2)

eDOCS #6492783

Accessible formats or communication supports are available upon request

**Property Schedule  
Approval to Expropriate  
Keele Street – Steeles Avenue to Highway 7 West  
City of Vaughan**

<b>No.</b>	<b>Owner</b>	<b>Municipal Address</b>	<b>Legal Description</b>	<b>Interest Required</b>
1.	Kohl and Frisch	7622 Keele Street Vaughan	Parts 20, 21, 22, Plan 65R34287	Fee Simple
2.	Shakuntal Chaman Enterprises Inc.	7651 Keele Street Vaughan	Part 5, Plan 65R34287	Fee Simple
3.	Nadmarc Group Inc.	7689 Keele Street Vaughan	Part 4, Plan 65R34287	Fee Simple
4.	Georgalis, Theofilos; Georgalis, Evodokia; Georgalis, Emmanuel	7699 Keele Street Vaughan	Part 3, Plan 65R34287	Fee Simple
5.	7700 Keele Street Limited	7700 Keele Street Vaughan	Parts 18, 19, Plan 65R34287	Fee Simple
6.	2112443 Ontario Limited	7733 Keele Street Vaughan	Parts 1, 2, Plan 65R34287	Fee Simple



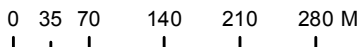
**LOCATION PLAN**

Approval to Expropriate  
 Keele Street - Steeles Avenue to Highway 7 West  
 City of Vaughan






Produced by:  
 The Regional Municipality of York  
 Property Services, Corporate Services  
 October 2015

Data Sources:  
 © Copyright, The Regional Municipalities of Durham and Peel,  
 County of Simcoe, City of Toronto  
 \* © Queen's Printer for Ontario 2003-2015

See York.ca for disclaimer information.



**Legend**

-  Subject Property
-  Interest Required
-  Parcel
-  Road
-  Railway