

Clause No. 9 in Report No. 8 of the Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on April 17, 2014.

9

**APPLICATION FOR APPROVAL TO EXPROPRIATE ADDITIONAL LANDS
WIDENING AND RECONSTRUCTION OF MAJOR MACKENZIE DRIVE
PROJECT 85660 CITY OF VAUGHAN**

Committee of the Whole recommends adoption of the following recommendations contained in the report dated March 27, 2014, from the Commissioner of Corporate Services:

1. RECOMMENDATIONS

It is recommended that:

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

| No. | Owner | Municipal Address | Legal Description | Interest Required |
|------------|--|--------------------------|--------------------------|--------------------------|
| 1 | Calvi, Frank Calvi, Rose Fiorello, Elizabeth | 10071 Pine Valley Drive | Part 1 on Plan 65R18140 | Fee Simple |

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 approval for an application to expropriate land required for the widening and reconstruction of Major Mackenzie Drive, in the City of Vaughan (*Attachment 1*).

On January 23, 2014, Council approved an application to expropriate a fee simple interest and a temporary easement in the lands located at 10071 Pine Valley Drive. Staff has now determined that it is necessary to acquire a further fee simple interest in the lands in order to reconstruct Major Mackenzie Drive.

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

Since January 23, 2014 when Council approved an application to expropriate a temporary easement and a fee simple interest in the lands located at 10071 Pine Valley Drive, staff has determined that it is necessary to acquire a fee simple interest in Part 1 on Plan 65R18140 to reconstruct Major Mackenzie Drive.

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

As approving authority, Council has previously authorized an application for approval to expropriate a fee simple and temporary easement in the lands. The Region is required to acquire an additional fee simple interest in the lands, in order to reconstruct Major Mackenzie Drive, as the additional requirement was not identified on the original reference plan.

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 that the expropriation process proceed in tandem.

As an additional fee simple interest in the lands is now required, it is necessary for Council, as approving authority, to authorize an application for approval to expropriate the additional fee simple interest in the lands. 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 were included in the approved 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

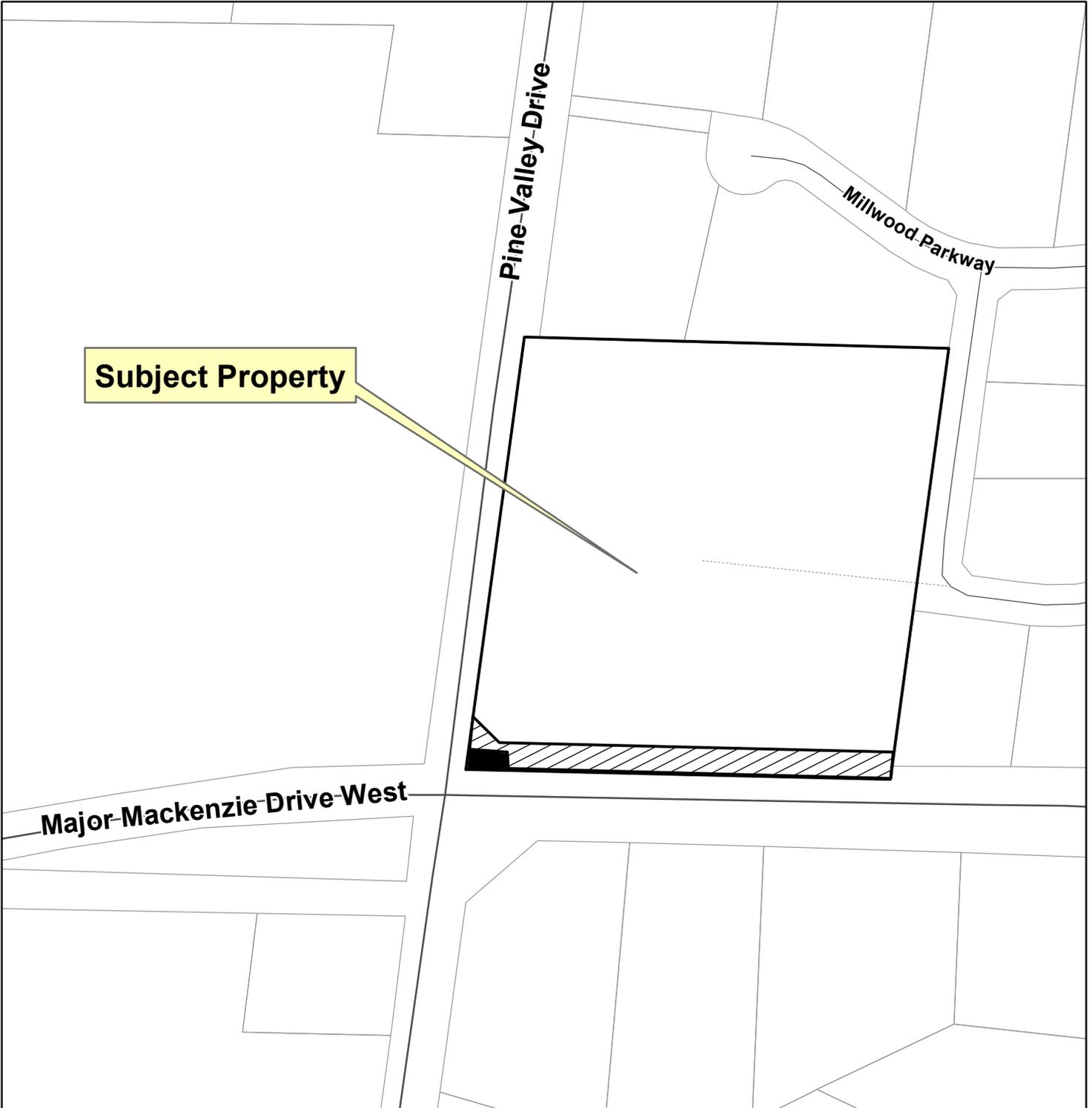
This report seeks Council approval to expropriate a fee simple interest in Part 1 on Plan 65R18140. To ensure the project is not delayed, it is necessary to initiate the expropriation process for this requirement. Staff will continue to negotiate for the acquisition of the required property and expropriation proceedings will be abandoned in the event that negotiations are successful.

For more information on this report, please contact René Masad, Director of Property Services at Ext. 71684.

The Senior Management Group has reviewed this report.

Attachment (1)

#

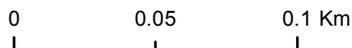


LOCATION MAP

Application for Approval to Expropriate Additional Lands
 Widening and Reconstruction of Major MacKenzie Drive
 Project 85660, City of Vaughan



Produced by:
 Property Services Branch
 Corporate Services Department
 © Copyright, The Regional Municipality of York, February, 2014
 © Copyright, First Base Solutions Inc. 2013 Orthophotography
 * Includes © Queen's Printer for Ontario 2003-2014



Legend

-  Land previously approved for expropriation
-  Additional Land to be expropriated, Part 1, Plan 65R-18140