

Clause 8 in Report No. 3 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on February 15, 2018.

8

Acquisition of Land  
Viva Bus Rapid Transit Corridor  
57 and 101 Northview Boulevard  
City of Vaughan

Committee of the Whole recommends adoption of the following recommendations contained in the report dated January 25, 2018 from the Commissioner of Corporate Services:

1. Council authorize the acquisition of the lands identified in Attachment 1 for the construction of the bus rapid transit corridor on Highway 7 West, in the City of Vaughan.
2. The Commissioner of Corporate Services be authorized to execute the Agreement of Purchase and Sale and all the necessary documents to complete the transaction.

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Report dated January 25, 2018 from the Commissioner of Corporate Services now follows:

1. Recommendations

It is recommended that:

1. Council authorize the acquisition of the lands identified in Attachment 1 for the construction of the bus rapid transit corridor on Highway 7 West, in the City of Vaughan.
2. The Commissioner of Corporate Services be authorized to execute the Agreement of Purchase and Sale and all the necessary documents to complete the transaction.

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## 2. Purpose

This report seeks Council approval to acquire lands at 57 and 101 Northview Boulevard in the City of Vaughan for the vivaNext project. The property location is shown on the map 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

The Region is constructing dedicated bus rapid transit lanes for vivaNext along Highway 7 West

To facilitate public transit along Highway 7 West, York Region Rapid Transit Corporation (YRRTC) on behalf of the Region, is undertaking road infrastructure improvements and constructing dedicated centre lanes for Viva buses, with enhanced street features and boulevards. Following approval from the Ministry of the Environment and Climate Change, construction of this portion of the rapidway began in early 2016, with completion scheduled for December 2019.

Lands were previously expropriated from the owner based on the initial project design

VivaNext is being constructed using a design-build project delivery system, which overlaps the design and construction phases. Council approved the expropriation of permanent and temporary easements on the subject property in [January 2015](#) based on the initial design. The owner and the Region have negotiated a separate settlement for the expropriated lands.

The advanced project design identified additional land requirements from the owner

The initial project design eliminated the existing tapered right turning lane for westbound traffic on Highway 7 currently used to access the subject property. The advanced design restored the turning lane creating a new fee simple requirement and revised some of the previously expropriated permanent and temporary easements. Expropriation was necessary to ensure possession of the lands for construction. Council approved the initiation of the expropriation process in [November 2017](#).

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The Region obtained an appraisal to negotiate the purchase of the land requirement

Negotiations with the owner proceeded concurrently with the expropriation process. During negotiations, an external appraisal report was prepared for the Region to determine the market value of the lands. The appraisal was used to form the basis of the Region's negotiations to acquire the lands.

#### 4. Analysis and Implications

The Region has negotiated an Agreement of Purchase and Sale for the required lands

The Region and the owner have negotiated an Agreement of Purchase and Sale for the lands. The negotiated purchase is considered to be in the best interest of the Region, and will avoid costs that would otherwise be incurred if expropriation proceedings were to continue. Upon completion of this agreement, the Region will not incur any further claims and associated legal and litigation expenses from the owner in relation to the additional land requirements.

Environmental due diligence has been completed

Environmental due diligence was completed and no impacts or environmental concerns were identified.

#### 5. Financial Considerations

The funding for the property acquisition is included in the 2018 YRRTC Capital Budget. The project is funded by the Province, via the Metrolinx Master Agreement.

#### 6. Local Municipal Impact

This project will improve public transit and streetscape along Highway 7 West for the residents of Vaughan and York Region.

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## 7. Conclusion

Staff has concluded negotiations for the acquisition of land at 57 and 101 Northview Boulevard in Vaughan. The advanced project design identified the need for additional lands from the subject property. Purchasing the property allows for continued construction and avoids costly expropriation.

It is recommended that Council approve the acquisition of the lands described in this report.

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

The Senior Management Group has reviewed this report.

January 25, 2018

Attachments (2)

Private Attachments (1)

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Accessible formats or communication supports are available upon request

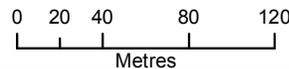
**Property Schedule  
Acquisition of Land  
Viva Bus Rapid Transit Corridor  
57 and 101 Northview Boulevard  
City of Vaughan**

No.	Owner	Municipal Address	Legal Description	Interest Required
1.	Calloway REIT (400 and 7) Inc.	57 and 101 Northview Boulevard Vaughan	Part 5, 6, 8, 9, 10, 11, Plan 65R37346	Fee Simple
			Part 1, 2, 3, 4, 12, 13, 14, 15, Plan 65R37346	Temporary Easement

The required temporary easement is described as a temporary limited interest commencing upon the date of the registration of the easement and expiring on April 14, 2020, for municipal purposes including, but not limited to, entering on the lands with all vehicles, machinery, workmen 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 the municipal road fronting the lands herein described, (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 and necessary to the works to be performed in association with the purpose of implementing road and intersection improvements along Highway 7, including associated local roads, and to provide designated lanes for the vivaNext transit system and works ancillary thereto.



**Location Plan**  
 Acquisition of Land  
 Viva Bus Rapid Transit Corridor  
 57 and 101 Northview Boulevard  
 City of Vaughan  
 February 8, 2018



**Legend**

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

  
 Produced by:  
 The Regional Municipality of York  
 (Branch Name), (Department Name)  
 January 2018

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