

THE REGIONAL MUNICIPALITY OF YORK

BILL NO. 4

BYLAW NO. 2015-4

To acquire certain lands for or in connection with the
widening and reconstruction of Yonge Street (YR 1)
from Highway 7 (YR 7) to Major Mackenzie Drive (YR 25)
Town of Richmond Hill

WHEREAS the Council of The Regional Municipality of York on February 20, 2014, by its adoption of Clause 2 of Report 4 of the Committee of the Whole and on September 11, 2014, by its adoption of Clause 55 of Report 13 of the Committee of the Whole authorized applications for approval to expropriate the lands therein referred to for or in connection with the widening and reconstruction of Yonge Street (YR 1) from Highway 7 (YR 7) to Major Mackenzie Drive (YR 25), in the Town of Richmond Hill; 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WHEREAS requests for a hearing before an Inquiry Officer were received and subsequently withdrawn; and

WHEREAS the Council of The Regional Municipality of York on January 22, 2015, by its adoption of Clause 12 of Report 2 of the Committee of the Whole approved the expropriation of the hereinafter described lands.

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

1. The expropriation of the lands referred to in section 3 is hereby approved for or in connection with the widening and reconstruction of Yonge Street (YR 1) from Highway 7 (YR 7) to Major Mackenzie Drive (YR 25), in the Town of Richmond Hill.

2. The Regional Chair and Regional Clerk are hereby authorized and directed to execute a Certificate of Approval pursuant to the Act.

3. The Region, as expropriating authority, expropriate the following lands by the preparation, execution and registration of a plan of expropriation:

No.	Owner	Municipal Address	Legal Description	Interest Required
1.	Yonge Bayview Holdings Inc.	8705-8725 Yonge Street Richmond Hill	Part 19, Plan 65R35266	Temporary Easement
2.	Shell Canada Limited	8680 Yonge Street, 8656 and 8674 Yonge Street Richmond Hill	Parts 5 and 6, Plan 65R34630	Temporary Easement
3.	KPS Securities Inc.	8700 Yonge Street Richmond Hill	Part 1, Plan 65R34630	Temporary Easement
4.	Suncor Energy Products Inc.	8830 Yonge Street Richmond Hill	Part 5, Plan 65R34635	Temporary Easement
5.	Angelo Cimetta Louise Cimetta as to 55% interest as JT	8874 Yonge Street Richmond Hill	Part 3, Plan 65R34635	Fee Simple
	Josephine Cimetta Angelo Cimetta as to 35% interest as JT Angelo Cimetta Louise Cimetta (in trust) (as to 10%)		Part 4, Plan 65R34635	Temporary Easement

No.	Owner	Municipal Address	Legal Description	Interest Required
6.	R. J. Davies Holdings Ltd.	8779-8781 Yonge Street Richmond Hill	Part 12, Plan 65R34646	Fee Simple
			Part 11, Plan 65R34646	Temporary Easement
7.	Saltwhistle Bay Properties Inc.	8825 Yonge Street Richmond Hill	Part 13, Plan 65R34646	Fee Simple
			Parts 14 and 16, Plan 65R34646	Temporary Easement
8.	Great Land (Westwood) Inc.	8890 Yonge Street Richmond Hill	Part 1, Plan 65R34635	Fee Simple
			Part 2, Plan 65R34635	Temporary Easement
9.	J-G Cordone Investments Limited	8900 Yonge Street Richmond Hill	Part 2, Plan 65R34649	Fee Simple
			Part 1, Plan 65R34649	Temporary Easement
10.	Rock N Roll Real Estate Inc.	8910 Yonge Street Richmond Hill	Part 3, Plan 65R34649	Fee Simple
			Part 4, Plan 65R34649	Temporary Easement
11.	On Lung Property Investments Ltd.	8950 Yonge Street Richmond Hill	Parts 5, 7 and 8, Plan 65R34649	Fee Simple
			Part 6, Plan 65R34649	Temporary Easement
12.	Travelpoint Properties Inc.	8990 Yonge Street Richmond Hill	Part 9, Plan 65R34649	Temporary Easement
13.	Mazzotta Investment Corporation	9002 Yonge Street Richmond Hill	Part 10, Plan 65R34649	Temporary Easement
14.	1053702 Ontario Limited	9006 – 9020 Yonge Street Richmond Hill	Part 11, Plan 65R34649	Temporary Easement

No.	Owner	Municipal Address	Legal Description	Interest Required
15.	Black River Scrap Metal Ltd.	9108 Yonge Street Richmond Hill	Parts 14 and 16, Plan 65R34649	Fee Simple
			Parts 13 and 15, Plan 65R34649	Temporary Easement
16.	Lorenzo Beltrame Gregorio Beltrame	9114 Yonge Street Richmond Hill	Parts 18 and 20, Plan 65R34649	Fee Simple
			Parts 17 and 19, Plan 65R34649	Temporary Easement
17.	Stephanie Lucas Donna Kalles	9116 Yonge Street Richmond Hill	Part 22, Plan 65R34649	Fee Simple
			Part 21, Plan 65R34649	Temporary Easement
18.	628627 Ontario Inc.	9144 Yonge Street Richmond Hill	Part 1, Plan 65R34660	Fee Simple
			Part 2, Plan 65R34660	Temporary Easement
19.	Roland Spiegel	27 Vanity Crescent Richmond Hill	Parts 1 and 4, Plan 65R34648	Fee Simple
			Parts 2 and 3, Plan 65R34648	Temporary Easement
20.	Raffaele and Vittaria Holdings Limited Antonio and Carmela Holdings Limited	9174 Yonge Street Richmond Hill	Part 4, Plan 65R34660	Fee Simple
			Part 3, Plan 65R34660	Temporary Easement
21.	Barkdel Investments Limited Convertapack Limited	9184 Yonge Street Richmond Hill	Part 5, Plan 65R34660	Fee Simple
			Part 6, Plan 65R34660	Temporary Easement

22.	Antonio Campagna	9190 Yonge Street Richmond Hill	Part 7, Plan 65R34660	Fee Simple
			Part 8, Plan 65R34660	Temporary Easement
23.	Luigi DiMarco Lina DiMarco	9196 Yonge Street Richmond Hill	Parts 9, 12 and 23, Plan 65R34660	Fee Simple
			Parts 10 and 11, Plan 65R34660	Temporary Easement
24.	Emilio Russo	9206 Yonge Street Richmond Hill	Part 14, Plan 65R34660	Fee Simple
			Part 13, Plan 65R34660	Temporary Easement
25.	Toronto Measuring Equipment Inc.	9212 Yonge Street Richmond Hill	Part 16, Plan 65R34660	Fee Simple
			Part 15, 65R34660	Temporary Easement
26.	Haulover Investments Ltd.	9251 Yonge Street Richmond Hill	Parts 8 and 12, Plan 65R34648	Temporary Easement
27.	9218 Yonge Street Incorporated	9218 Yonge Street Richmond Hill	Parts 18, 24 and 25, Plan 65R34660	Fee Simple
			Parts 17, 26 and 27, Plan 65R34660	Temporary Easement
28.	9218 Yonge Street Incorporated	9218 Yonge Street Richmond Hill	Part 19, Plan 65R34660	Fee Simple
			Part 20, Plan 65R34660	Temporary Easement
29.	Montez Hillcrest Inc. Hillcrest Holdings Inc.	9350 Yonge Street Richmond Hill	Parts 3 and 12, Plan 65R34678	Fee Simple
			Parts 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17 and 18, Plan 65R34678	Temporary Easement

30.	Whitehorn Investments Limited (30%) Harold Lederman Limited (36%) 891566 Ontario Limited (28%) Stephen–Mitchell Realty Limited (6%)	9325 Yonge Street Richmond Hill	Parts 1, 3 and 6, Plan 65R34653	Fee Simple
			Parts 2, 4 and 5, Plan 65R34653	Temporary Easement
31.	York Region Condominium Corporation No. 929	23 Observatory Lane Richmond Hill	Part 7, Plan 65R34653	Fee Simple
			Part 8, Plan 65R34653	Temporary Easement
32.	York Region Standard Condominium Corporation No. 989	23 Observatory Lane Richmond Hill	Part 9, Plan 65R34653	Temporary Easement
33.	BCIMC Realty Corporation	15-45 Baif Boulevard Richmond Hill	Part 24, Plan 65R34678	Fee Simple
			Part 23, Plan 65R34678	Temporary Easement
34.	Torview Properties Inc.	9471 Yonge Street Richmond Hill	Part 11, Plan 65R34653	Temporary Easement
35.	York Region Condominium Corporation No. 601	20 Baif Boulevard Richmond Hill	Part 25, Plan 65R34678	Fee Simple
			Parts 26, 27, 28 and 29, Plan 65R34678	Temporary Easement
36.	Observatory Place Plaza Inc.	9555 Yonge Street Richmond Hill	Part 2, Plan 65R34673	Fee Simple
			Part 1, Plan 65R34673	Temporary Easement
37.	Zaraska Hotels Limited Pauline Zaraska Hotels Limited	9555 Yonge Street Richmond Hill	Part 39, Plan 65R4275	Fee Simple

38.	Suncor Energy Inc.	9550 Yonge Street Richmond Hill	Part 3, Plan 65R34652	Fee Simple
			Part 4, Plan 65R34652	Temporary Easement
39.	512439 Ontario Limited (75%) D.D.M.G. Investments Inc. (25%)	9625 Yonge Street Richmond Hill	Parts 8 and 9, Plan 65R34673	Fee Simple
			Parts 7 and 10, Plan 65R34673	Permanent Easement
40.	Uni-World Corporation Limited	9580 Yonge Street Richmond Hill	Part 1, Plan 65R34652	Fee Simple
			Part 2, Plan 65R34652	Temporary Easement
41.	Prombank Investment Limited	9625 Yonge Street Richmond Hill	Part 11, Plan 65R34673	Fee Simple
			Part 12, Plan 65R34673	Permanent Easement
			Part 13, Plan 65R34673	Temporary Easement
42.	Brillinger Investments Limited 1890152 Ontario Limited	9675 Yonge Street Richmond Hill	Part 5, Plan 65R34679	Temporary Easement
43.	Frank Russo Serafino Russo	9712 Yonge Street Richmond Hill	Parts 5 and 6, Plan 65R34677	Fee Simple
			Part 7, Plan 65R34677	Temporary Easement
44.	1703173 Ontario Inc.	9724 Yonge Street Richmond Hill	Parts 9 and 10, Plan 65R34677	Fee Simple
			Part 8, Plan 65R34677	Temporary Easement

45.	Haleson Developments Ltd.	9737 Yonge Street Richmond Hill	Parts 8, 11 and 13, Plan 65R34679	Fee Simple
			Part 12, Plan 65R34679	Permanent Easement
			Parts 9 and 10, Plan 65R34679	Temporary Easement
46.	2305992 Ontario Inc.	West Side Yonge Street, south of Harding Blvd. Richmond Hill	Parts 12 and 13, Plan 65R34677	Fee Simple
			Parts 11 and 14, Plan 65R34677	Temporary Easement
47.	Baif Developments Limited	East Side Yonge Street, south of Hopkins Street Richmond Hill	Parts 2 and 4, Plan 65R34687	Fee Simple
			Parts 1, 3 and 5, Plan 65R34687	Temporary Easement
48.	Diane Elliott-Nicolaou Chris Nicolaou James Christie Nicolaou Tina Donis John Tzountzouris Steve Tzountzouris	9839 Yonge Street Richmond Hill	Part 3, Plan 65R34695	Fee Simple
			Part 2, Plan 65R34695	Temporary Easement
49.	9861 Yonge Developments Inc.	9861 Yonge Street Richmond Hill	Part 6, Plan 65R34695	Temporary Easement
50.	Ameeta Nagar	9867 Yonge Street Richmond Hill	Part 8, Plan 65R34695	Fee Simple
			Parts 7 and 10, Plan 65R34695	Permanent Easement
			Part 9, Plan 65R34695	Temporary Easement

51.	Zaeem Flowers Inc.	9875 Yonge Street Richmond Hill	Part 12, Plan 65R34695	Fee Simple
			Part 11, Plan 65R34695	Permanent Easement
			Part 13, Plan 65R34695	Temporary Easement
52.	1682213 Ontario Inc.	9883 Yonge Street Richmond Hill	Part 15, Plan 65R34695	Temporary Easement
53.	Ahmad Famil Sabzevari	9891 Yonge Street Richmond Hill	Part 17, Plan 65R34695	Temporary Easement
54.	Centerhill Corporation	9901 Yonge Street Richmond Hill	Part 18, Plan 65R34695	Fee Simple
			Part 19, Plan 65R34695	Temporary Easement
55.	Missionary Sisters of the Precious Blood	9915 Yonge Street Richmond Hill	Part 21, Plan 65R34695	Fee Simple
			Part 20, Plan 65R34695	Temporary Easement
56.	Clarissa Square Limited	Northeast corner of Yonge Street and Clarissa Drive Richmond Hill	Part 4, Plan 64R3104	Fee Simple

The permanent easements are required for the purpose of entering on the lands with all vehicles, machinery, workers and other material (I) to construct and maintain permanent municipal infrastructure which may include retaining walls, shoring and formwork and/or drainage, erosion or sediment control measures such as water mains and storm sewers; and (II) for construction purposes which may include (1) relocation of existing services and utilities, (2) staging and storage of materials and equipment, (3) geotech testing, borehole testing, and other investigative works, (4) removal, relocation and/or installation of signage, (5) hard and soft landscaping, paving, grading and reshaping the lands to the limit of the reconstruction of Yonge Street, (6) 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 (7) works ancillary to any of the foregoing.

The four year temporary easements will commence upon registration of an expropriation plan 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.

4. The Commissioner of Corporate Services is authorized to cause the said plan or plans to be registered in the proper Land Registry Office, to give notice of such expropriation in accordance with the Act and to execute all necessary documents to effect the transaction.

5. Plan Nos. 65R-35266, 65R-34630, 65R-34635, 65R-34646, 65R-34649, 65R-34660, 65R-34648, 65R-34678, 65R-34653, 65R-34673, 65R-4275, 65R-34652, 65R-34679, 65R-34677, 65R-34687, 65R-34695 and 64R-3104, hereto attached, shall form part of this bylaw.

ENACTED AND PASSED on January 22, 2015.

Denis Kelly
Regional Clerk

Wayne Emmerson
Regional Chair

Authorized by Clause 12 of Report 2 of the Committee of the Whole, adopted by Council at its meeting on January 22, 2015.