

Clause 9 in Report No. 5 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on March 23, 2017.

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Acquisition of Land
Keele Street from Steeles Avenue
to Highway 7 West
City of Vaughan

Committee of the Whole recommends adoption of the following recommendation contained in the report dated February 22, 2017 from the Commissioner of Corporate Services:

1. Council authorize the acquisition of the lands from the Province of Ontario as set out in Attachment 1 required for the widening and reconstruction of Keele Street, in the City of Vaughan.
2. The Commissioner of Corporate Services be authorized to execute all necessary documents to complete the transaction.

Report dated February 22, 2017 from the Commissioner of Corporate Services now follows:

1. Recommendations

It is recommended that:

1. Council authorize the acquisition of the lands from the Province of Ontario as set out in Attachment 1 required for the widening and reconstruction of Keele Street, in the City of Vaughan.
2. The Commissioner of Corporate Services be authorized to execute all necessary documents to complete the transaction.

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2. Purpose

This report seeks Council approval to acquire land for the widening and reconstruction 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, including 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 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 to the south. Construction of the section south of Highway 407 is planned to commence in late 2017 to early 2018. The section to the north is not included in the 10-year Plan Capital Budget. The process to obtain property requirements has followed independent timelines for the two sections. The properties that are the subject of this report are located in the section south of Highway 407.

The Subject lands could not be expropriated because they are Crown lands

Council authorized the expropriation of land for the south section of the project from owners in October 2015. Offers of compensation were served to the expropriated owners, with the Region securing ownership of the lands in 2016. The subject lands were not included in the properties to be expropriated as they are owned by the Province of Ontario and cannot be expropriated.

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The Region is currently accessing the required lands in accordance with a Temporary Licence Agreement

The Region requires the subject lands for grading and road work as well as the CNR rail bridge replacement and widening. The Region negotiated a temporary license agreement to allow construction to proceed until the agreement of purchase and sale is finalized.

4. Analysis and Implications

The Region has completed negotiations for the acquisition of Region requirements

Staff has completed negotiations with the Province to acquire the subject lands. Market value is the basis of compensation as detailed in a Region commissioned independent appraisal report market value as detailed in an independent appraisal report commissioned by the Region.

Environmental Due Diligence has been completed and there are no significant concerns

Phase One Environmental Site Assessments (ESAs) were conducted for each property. Both Phase One ESAs recommended the completion of a Phase Two ESA to address potential environmental concerns through the collection of soil and groundwater samples. The results of the Phase Two ESA work for 7100 Keele Street, the property on the west side of Keele Street, identified the presence of cobalt, sodium and chloride compounds in groundwater. The consultant has indicated that the presence of these substances can be attributed to the application of de-icing compounds on the public roadway and is not considered to be a significant concern. Results from the Phase Two ESA for the vacant land parcel on the east side of Keele Street, property did not identify any significant concerns with the environmental condition of the property.

The Province requires the Region to purchase the lands in an “as is, where is” condition

The Province, will only convey crown lands in an “as is, where is” condition with no representations and warranties as to the condition of the lands upon closing. The subject lands are not unique and will be acquired by the Region in “as is, where is” condition per Provincial requirements. It is not anticipated that there will be any issues or concerns. Under the terms of the agreement of purchase and

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sale, the Region has a 30 day inspection period to complete all necessary due diligence investigations.

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 Systems 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 Considerations

The funding required to complete this property acquisition has been included in the 2017 Capital Budget for Transportation Services, Capital Planning and Delivery.

6. Local Municipal Impact

Once construction is complete, road improvements on Keele Street, in the City of Vaughan, will improve traffic operations for the travelling public and meet the transportation needs associated with the expected growth in this area.

7. Conclusion

Staff has concluded negotiations for the acquisition of the subject lands, which are required to facilitate the widening and reconstruction of Keele Street between Steeles Avenue and Highway 7. This property was not expropriated as it is owned by a public authority.

A fee simple interest for the subject lands is needed for grading and widening of Keele Street as well as for the construction of a CNR rail bridge. It is therefore recommended that Council approve the acquisition of the subject lands.

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

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The Senior Management Group has reviewed this report.

February 22, 2017

Attachments (2)

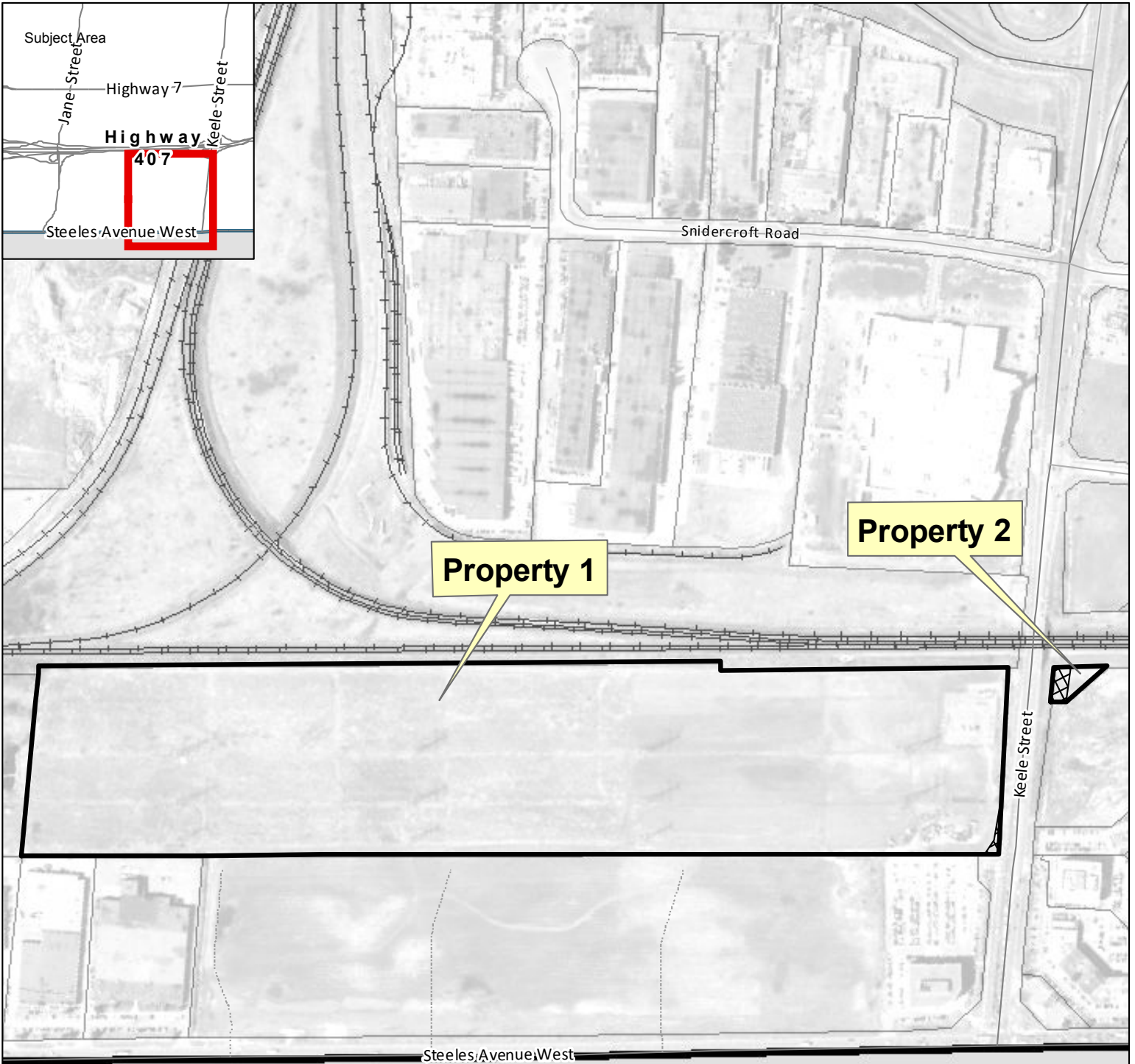
Private Attachments (1)

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Accessible formats or communication supports are available upon request

**Property Schedule
Acquisition of Land
Keele Street from Steeles Avenue to Highway 7 West
City of Vaughan**

No.	Owner	Municipal Address	Legal Description	Interest Required
1.	Her Majesty The Queen in Right of the Province of Ontario, as Represented by the Minister of Infrastructure	7100 Keele Street Vaughan	Parts 2, 3, 4, 5, 6, Plan 65R35003	Fee Simple
2.	Her Majesty The Queen in Right of the Province of Ontario, as Represented by the Minister of Government Services	n/a Vaughan	Parts 12, 13, 14, 15, Plan 65R35003	Fee Simple



City of Toronto



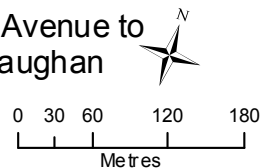
Produced by:
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Property Services, Corporate Services
January 2017

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


Imagery:
See York.ca for disclaimer information.

Location Plan

Acquisition of Land
Keele Street from Steeles Avenue to
Highway 7 West, City of Vaughan
March 9, 2017



Legend

-  Subject Properties
-  Interest Required
-  Parcel
-  Road
-  Railway