

Clause 14 in Report No. 7 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on April 21, 2016.

14

Compensation for Expropriation  
Keele Street - Steeles Avenue to Highway 7 West  
City of Vaughan

Committee of the Whole recommends adoption of the following recommendation contained in the report dated March 31, 2016 from the Commissioner of Corporate Services:

1. Council authorize the Commissioner of Corporate Services to make offers of compensation to the owners of lands in the City of Vaughan, as set out in Attachment 1, which were acquired in accordance with the *Expropriations Act* (the “Act”).

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Report dated March 31, 2016 from the Commissioner of Corporate Services now follows:

1. Recommendation

It is recommended that:

1. Council authorize the Commissioner of Corporate Services to make offers of compensation to the owners of lands in the City of Vaughan, as set out in Attachment 1, which were acquired in accordance with the *Expropriations Act* (the “Act”).

2. Purpose

This report seeks Council approval to serve offers of compensation under section 25 of the *Act* to owners whose lands have been expropriated for the widening of Keele Street, from Steeles Avenue to Highway 7 West in the City of Vaughan.

### 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 curb lanes as Transit/HOV lanes, and included on-street cycling facilities, sidewalks, and full illumination. In addition, the EA identifies that the existing Canadian National Railway (CNR) rail structure 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 2012.

The timelines for project construction vary between the north and south portions of the project

There are two distinct sections of the Keele Street project, located to the north and south of Highway 407. Road construction on the portion of the Keele Street project that is south of Highway 407 is planned to commence in late 2017 to early 2018. Construction timing on the portion north of Highway 407 has not been determined to date. However, properties from both north and south are required to allow utility relocations to be completed in 2016 in advance of construction. The process to obtain property requirements has progressed based on different timelines for the two portions. This report pertains to the portion of the project north of Highway 407.

Portions of land from 13 property owners are required to facilitate the project

The entire project has identified land requirements from 13 owners on Keele Street. Seven of the 13 properties are located north of Highway 407. One property has requested a Hearing of Necessity and the other six properties are the subject of this report. The remaining properties (south of Highway 407) are being acquired based on different timelines.

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

The Region will conduct utility relocations on the entire length of the Keele Street project from Steeles Avenue to Highway 7 in 2016. For that reason, it is necessary to obtain possession of these six parcels at this time.

This report is for the third of three steps in the Council approval process for expropriations

On October 15, 2015, Council authorized the first step in the expropriation approval process, for an application for approval to expropriate interests from the initial seven properties. On January 14, 2016, Council authorized the expropriation of six properties (less the one property requesting the Hearing of Necessity), which was the second step in the expropriation approval process.

The graphic below summarizes the three steps in the process for obtaining approval by Council for expropriation. Upon approval by Council of this step, completion of the process will involve the Region serving offers of compensation to the owners and obtaining possession of the required lands.



#### 4. Analysis and Options

Possession of expropriated lands will be obtained after serving the offers

The Region acquired ownership of the lands when the expropriation plans were registered at the Land Registry Office. In accordance with the *Act*, the Region cannot obtain possession until a minimum of three months after notifying the owners that the expropriation plans have been registered. In addition, it is necessary to make offers of compensation to owners in order to obtain possession of the expropriated lands. The offers of compensation will be delivered in anticipation of possession of the lands for July 2016.

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Independent reports have established the values which form the basis of the offers

Independent consultants were commissioned to provide estimate reports of compensation. The reports include appraisals of market value for the lands expropriated and, if applicable, estimates of damages for loss of improvements (such as landscaping or parking) and injurious affection (the loss of value to the lands retained by the owner).

Section 25 of the *Act* requires the Region to make two offers of compensation to an owner. The first offer is an offer of full compensation for the market value of the lands expropriated and any damage for loss of improvements and injurious affection. If the owner accepts the offer, then it is accepted as a full settlement of any future claims with respect to the expropriation.

The second offer is for the market value of the lands expropriated and does not include any other damages such as damages for loss of improvements or injurious affection. Acceptance of the second offer by an owner provides for a future claim for additional compensation in accordance with the *Act*.

Environmental due diligence has been undertaken

Based on the results of a contamination overview study completed for the Keele Street area, Phase One Environmental Sites Assessments (ESAs) were completed at two of the six properties. The results of the Phase One ESAs required the completion of Phase Two ESAs at the two properties. The results of the Phase Two ESAs did not identify any significant issues and no remediation is required at any of the properties.

Link to key Council-approved plans

The proposed acquisitions for the Keele Street projects support the objective 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 Implications

The funding required to complete the property acquisitions 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 the travelling public and to meet the expected growth in this area.

## 7. Conclusion

The reconstruction of Keele Street requires the acquisition of property from owners located between Steeles Avenue and Highway 7 West in the City of Vaughan. Council authorized the application for approval to expropriate lands required for street improvements in January 2016.

Expropriation plans were registered with respect to certain lands required for Keele Street, from Steeles Avenue to Highway 7 West, in the City of Vaughan. The *Act* requires that offers of compensation for expropriated lands be served on the former owners in order to obtain possession. The proposed offers are based on estimates provided by an independently commissioned appraiser. It is recommended that the offers set out in this report be served in accordance with the *Act*.

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

The Senior Management Group has reviewed this report. March 31, 2016

Attachments (2)

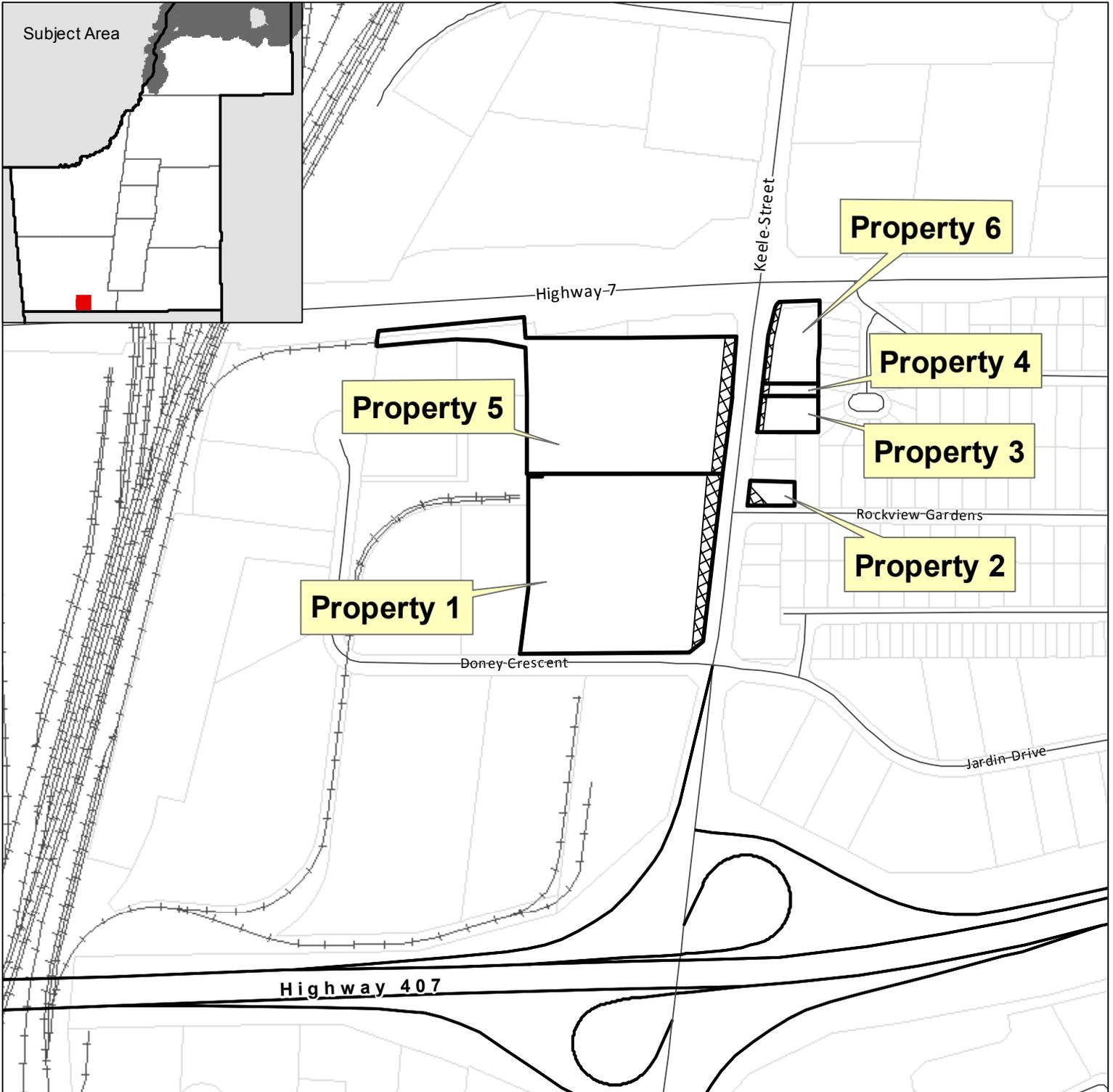
Private Attachment (1)

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Accessible formats or communication supports are available upon request

**Property Schedule  
Compensation for Expropriation  
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



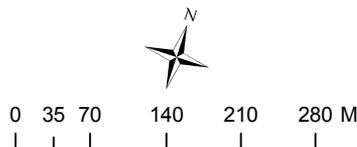
**LOCATION PLAN**

Compensation for Expropriation  
 Keele Street - Steeles Avenue to Highway 7 West  
 City of Vaughan

Produced by:  
 The Regional Municipality of York  
 Property Services, Corporate Services  
 January 2016

Data Sources:  
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**Legend**

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