

THE REGIONAL MUNICIPALITY OF YORK

**REPORT NO. 3 OF THE
COMMISSIONER OF CORPORATE SERVICES**

**For Consideration by
The Council of The Regional Municipality of York
on March 28, 2013**

**1
ACQUISITION OF LAND
TORONTO-YORK SPADINA SUBWAY EXTENSION – 407 STATION
PROJECT 90996, CITY OF VAUGHAN**

1. RECOMMENDATIONS

It is recommended that:

1. Council authorize the acquisition of the following lands required for the Toronto-York Spadina Subway Extension project from Her Majesty the Queen in Right of Ontario as represented by The Minister of Infrastructure as represented by Ontario Infrastructure and Lands Corporation:
 - (a) Permanent easement in Parts 32, 33, 50, 51, 55, 56, 66, 69, 70, 72, 74, 83, 84, 85, 89, 90, 91, 92 and 98, Plan 65R-34031 for a bus terminal, bus access road and passenger pick-up/drop-off area.
 - (b) Occupation agreement in Parts 44, 46, 47, 48, 49, 73, 86 and 87, Plan 65R-34031 for a bus layover area.

(collectively, the “**Lands**”)
2. Council authorize an adjustment to the boundary of the lands and compensation based on as-built construction drawings.

3. The Commissioner of Corporate Services be authorized to execute the easement, occupation agreement and all other necessary documents to complete these transactions.

2. PURPOSE

This report seeks Council approval to acquire certain lands for the Toronto-York Spadina Subway Extension (TYSSE) project.

3. BACKGROUND

Construction of the TYSSE project at the Highway 407 station is underway, pursuant to a Construction Transfer Agreement

The property interests required for the Highway 407 station are complicated. For that reason, among others, Council approved the entry by the Region into a Construction Transfer Agreement with Her Majesty the Queen in Right of Ontario as represented by The Minister of Infrastructure as represented by Ontario Infrastructure and Lands Corporation, in May 2010, which enabled the Region to access certain lands at the 407 Station and begin construction prior to finalizing the property acquisitions. Since that time, staff have continued to negotiate with Her Majesty the Queen in Right of Ontario as represented by The Minister of Infrastructure as represented by Ontario Infrastructure and Lands Corporation.

In October 2012, the Region acquired the Jane Street widening and daylighting triangle components of the Highway 407 station. Negotiations have also been successfully completed with respect to the property interests required for certain other components of the Highway 407 station, including a bridge access road, subway tunnel, station box, station entrance, emergency exits, watermain, stormwater management pond, sanitary sewer and hydro corridor. These components will be conveyed directly to the Toronto Transit Commission (“TTC”) in accordance with Council’s February 2011 authorization to convey land directly to TTC where the interest available is of limited value and there is no compelling reason for the Region to take title. The form of the conveyances will be permanent easements and 10-year occupation agreements, as dictated by Her Majesty the Queen in Right of Ontario as represented by The Minister of Infrastructure as represented by Ontario Infrastructure and Lands Corporation.

4. ANALYSIS AND OPTIONS

Negotiations have been successfully completed with the owner for the Lands

Staff have completed negotiations for the Lands which are necessary for the bus terminal, bus access road, bus layover area and passenger pick-up and drop-off area at the 407 station. The summary below sets out the details of the Lands.

Property Description

This property is a vacant parcel of land located at the southwest quadrant of Highway 407 and Jane Street, in the City of Vaughan. There is a hydro corridor along the southern boundary and Black Creek runs along the eastern boundary. The lands are used for agricultural purposes.

OWNER:	Her Majesty the Queen in Right of Ontario as represented by The Minister of Infrastructure as represented by Ontario Infrastructure and Lands Corporation
PROJECT:	90996 Toronto-York Spadina Subway Extension (TYSSE)
TOTAL AREA OF PROPERTY:	106.04 ha (262.042 acres)
LANDS TO BE ACQUIRED:	Permanent easement in Parts 32, 33, 50, 51, 55, 56, 66, 69, 70, 72, 74, 83, 84, 85, 89, 90, 91, 92 and 98, Plan 65R-34031 for a bus terminal, bus access road and passenger pick-up/drop-off area, comprising 1.75 ha (4.314 acres) (<i>see Council Attachments 1 and 2</i>). 10-year occupation agreement in Parts 44, 46, 47, 48, 49, 73, 86 and 87, Plan 65R-34031, for a bus layover area, comprising 0.68 ha (1.678 acres) (<i>see Council Attachments 1 and 2</i>). Metrolinx has indicated that it will take ownership of all components prior to subway service commencement and the expiration of the 10-year occupation agreement.

Compensation will be adjusted according to an updated survey, reference plan and as-built construction drawings

The acquisition boundaries are defined by the proposed improvements. Upon project completion, an updated survey and reference plan will be prepared based on as-built

construction drawings in order to ensure the boundaries match the improvements. Compensation will decrease if the acquisition area decreases or will increase if the acquisition area increases.

Link to Key Council - approved Plans

From Vision to Results: 2011 to 2015 Strategic Plan

Priority Area – Focus Growth along Regional Centres and Corridors

Optimize the transportation capacity and services in Regional Centres and Corridors

The acquisition of these lands will assist the Region in meeting its key strategic transportation needs.

5. FINANCIAL IMPLICATIONS

The total compensation to acquire the Lands is \$2,535,000. Funds for compensation payable are included in the TYSSE Capital Project Budget.

6. LOCAL MUNICIPAL IMPACT

The construction of the TYSSE project is critical to the achievement of the City of Vaughan's vision for the corridor and it's Vaughan Metropolitan Centre.

7. CONCLUSION

Property Services staff has concluded negotiations for the acquisition of certain lands required for the construction of the TYSSE. Construction is underway and the acquisition of the Lands will facilitate timely completion of the project. Accordingly, Property Services staff recommends that Council approve the acquisition of the Lands detailed in this report.

For more information on this report, please contact René Masad, Director, Property Services Branch at Ext. 1684.

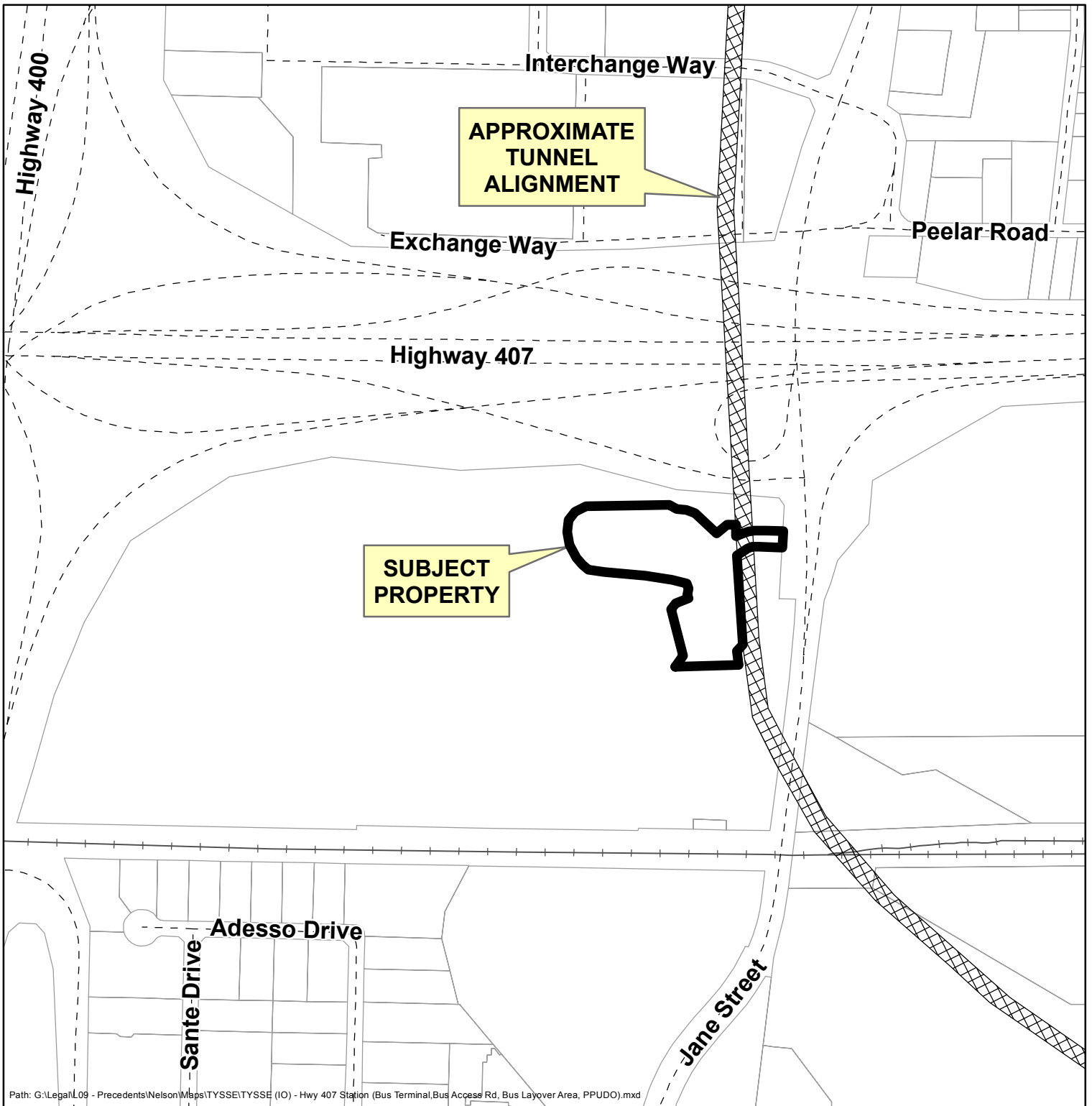
(The two attachments referred to in this clause are attached to this report.)

Respectfully submitted,

**March 28, 2013
Newmarket, Ontario**

**J. Davidson
Commissioner of
Corporate Services**

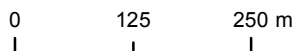
(Report No. 3 of the Commissioner of Corporate Services was adopted without amendment, by the Council of The Regional Municipality of York at its meeting on March 28, 2013.)








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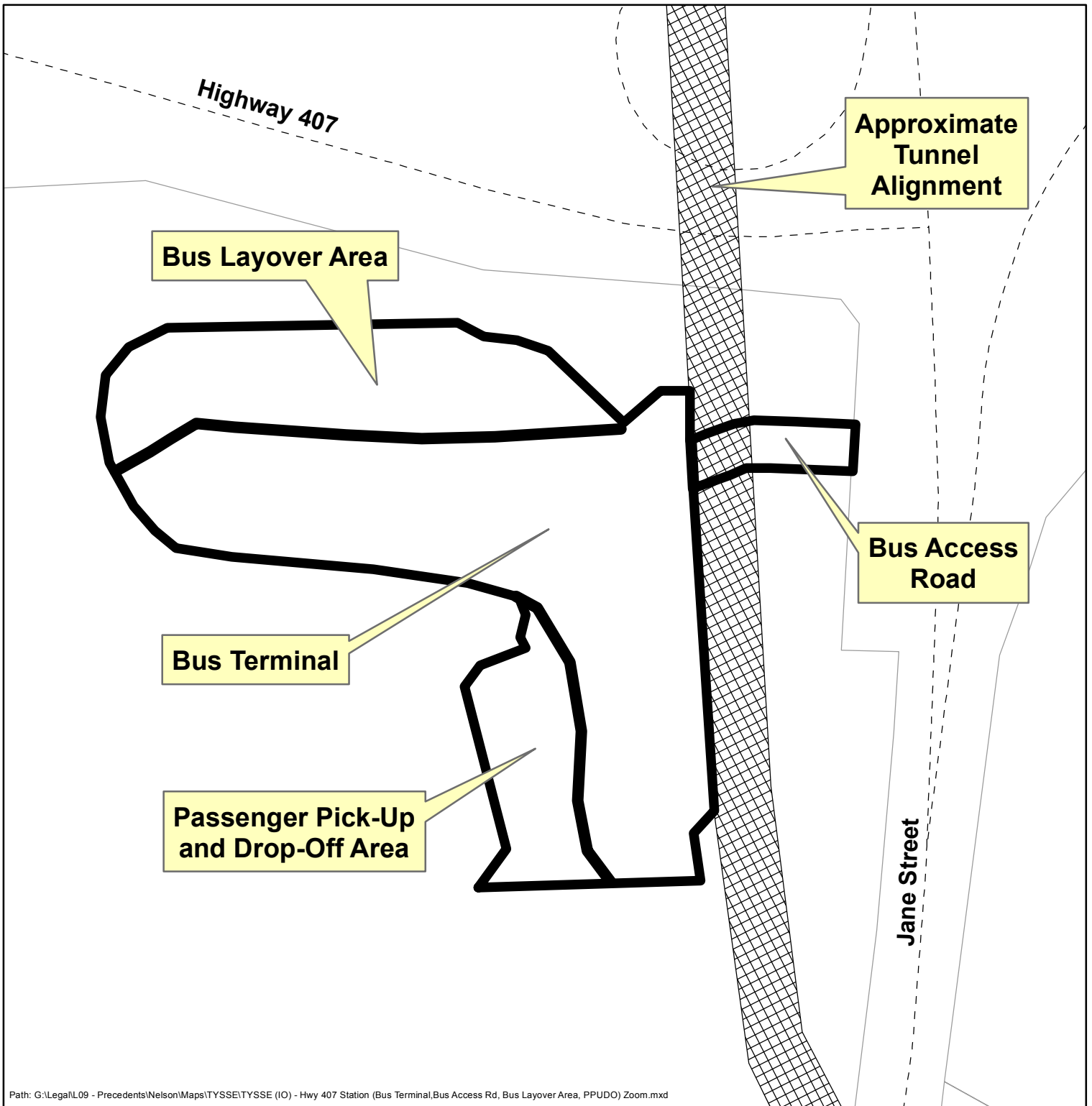
LOCATION PLAN

Acquisition of Land
 Toronto-York Spadina Subway Extension (TYSSE), 407 Station
 Project 90996, City of Vaughan, March 28, 2013



Legend

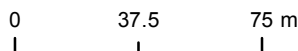
-  Subject Property
-  Approximate Tunnel Alignment
-  Parcel
-  Railway
-  Road







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407 STATION COMPONENTS

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 Toronto-York Spadina Subway Extension (TYSSE), 407 Station
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Legend

-  Subject Property
-  Approximate Tunnel Alignment
-  Parcel
-  Road