

THE REGIONAL MUNICIPALITY OF YORK

BILL NO. 35

BYLAW NO. 2013-34

To acquire certain lands for or in connection with the
widening and reconstruction of Highway 7, in the City of Vaughan

WHEREAS the Council of The Regional Municipality of York on January 24, 2013, by its adoption of Clause 1 of Report 2 of the Commissioner of Corporate Services authorized an application for approval to expropriate the lands therein referred to for or in connection with the widening and reconstruction of Highway 7, between the CN MacMillan Yard (just west of Keele Street) and the Barrie GO Train Line (just east of Bowes Road), in the City of Vaughan; 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, Chapter E.26; and

WHEREAS no notification of a desire for a hearing has been received and the time for giving such notification has expired; and

WHEREAS the Council of The Regional Municipality of York on May 16, 2013, by its adoption of Clause 8 of Report 5 of the Finance and Administration Committee 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 Highway 7, between the CN

MacMillan Yard (just west of Keele Street) and the Barrie GO Train Line (just east of Bowes Road), in the City of Vaughan.

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

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

Reference No.	Municipal Address	Legal Description	
<i>A.M. Plan 6A deposited on title to the properties as Plan 65R-34123</i>			
41	2160-2180 Highway 7 (per MPAC)	Part of PIN 03275-0096 (LT)	A fee simple interest in Part of Lot 4 on Registrar’s Compiled Plan 10309, Vaughan, designated as Parts 22 and 24 on Plan 65R-34123 A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 4 on Registrar’s Compiled Plan 10309, Vaughan, designated as Parts 21 and 23 on Plan 65R-34123

Reference No.	Municipal Address	Legal Description	
42	2104 Highway 7 (per MPAC)	Block 29082	A fee simple interest in Part of the Common Elements of York Region Condominium Plan No. 549 being Part of Lot 7 on Registrar's Compiled Plan 10309 and Part of Lot 6, Concession 3, Vaughan, designated as Parts 27 and 31 on Plan 65R-34123 A permanent easement in, under, over, along and upon Part of the Common Elements of York Region Condominium Plan No. 549 being Part of Lot 7 on Registrar's Compiled Plan 10309 and Part of Lot 6, Concession 3, Vaughan, designated as Part 26 on Plan 65R-34123 A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of the Common Elements of York Region Condominium Plan No. 549 being Part of Lot 7, Registrar's Compiled Plan 10309 and Part of Lot 6, Concession 3, Vaughan, designated as Parts 25 and 30 on Plan 65R-34123
43	2104 Highway 7 (per MPAC)	Part of PIN 03275-0180 (LT)	A fee simple interest in Part of Parcel 5-1 Section B10309, designated as Part 29 on Plan 65R-34123 A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Parcel 5-1 Section B10309, designated as Part 28 on Plan 65R-34123

Reference No.	Municipal Address	Legal Description	
44	2040 Highway 7, Vaughan, ON	Part of PIN 03275-0105 (LT)	A fee simple interest in Part of Lot 8 on Registrar's Compiled Plan 10309, designated as Part 33 on Plan 65R-34123 A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 8 on Registrar's Compiled Plan 10309, designated as Part 32 on Plan 65R-34123
45	2030 Highway 7 (per MPAC)	Part of PIN 03275-0098 (LT)	A fee simple interest in Part of Lot 7 on Registrar's Compiled Plan 10309, Vaughan, designated as Parts 34 and 37 on Plan 65R-34123 A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 7, Registrar's Compiled Plan 10309, Vaughan, designated as Parts 35 and 36 on Plan 65R-34123
46	2006 Highway 7 West, Vaughan, ON (per MPAC)	Part of PIN 03275-0097 (LT)	A fee simple interest in Part of Lot 7 on Registrar's Compiled Plan 10309, Vaughan, designated as Parts 40, 42 and 43 on Plan 65R-34123 A permanent easement in, under, over, along and upon Part of Lot 7 on Registrar's Compiled Plan 10309, Vaughan, designated as Parts 39, 44 and 46 on Plan 65R-34123 A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 7 on Registrar's Compiled Plan 10309, Vaughan, designated as Parts 38, 41 and 45 on Plan 65R-34123
<i>A.M. Plan 7A deposited on title to the properties as Plan 65R-34066</i>			

Reference No.	Municipal Address	Legal Description	
116	7733 Keele Street, Vaughan	Part of PIN 03231- 0303 (LT)	A fee simple interest in Part of Lot 25 on Plan 2468, Vaughan, designated as Part 1 on Plan 65R-34066 A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 25 on Plan 2468, Vaughan, designated as Part 2 on Plan 65R-34066
117	2267 Highway 7, Vaughan	Part of PIN 03230- 0110 (LT)	A fee simple interest in Part of Lot 6, Concession 4, Vaughan and Part of Road Allowance between Lots 5 and 6, Concession 4, Vaughan, closed by By-Law VA23665, designated as Parts 4, 6 and 7 on Plan 65R-34066 A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 6, Concession 4, Vaughan, designated as Parts 5 and 8 on Plan 65R-34066
40	7777 Keele Street, Concord, ON (per Transfer) 2220 Highway 7 (per MPAC)	Part of PIN 03275- 0082 (LT)	A fee simple interest in Part of Lot 3 on Registrar's Compiled Plan 10309, Vaughan, designated as Part 9 on Plan 65R-34066 A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 3 on Registrar's Compiled Plan 10309, Vaughan, designated as Part 10 on Plan 65R-34066

Reference No.	Municipal Address	Legal Description	
117A	7700 Keele Street (per MPAC)	Firstly: Part of PIN 03230- 0088 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 5, Concession 4, Vaughan, designated as Part 14 on Plan 65R-34066
		Secondly: Part of PIN 03230- 0089 (LT)	A fee simple interest in Part of Lot 6, Concession 4 and Part of the Road Allowance between Lots 5 and 6, Concession 4 stopped up and closed by Order in Council 3923/64 being Plan 7328, designated as Part 11 on Plan 65R-34066 A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 5, Concession 4 and Part of the Road Allowance between Lots 5 and 6, Concession 4 stopped up and closed by Order in Council 3923/64 being Plan 7328, designated as Part 12 on Plan 65R-34066
		Thirdly: Part of PIN 03230- 0243 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 5, Concession 4, Vaughan, designated as Part 13 on Plan 65R-34066

Reference No.	Municipal Address	Legal Description	
A.M. Plan 8-S deposited on title to the properties as Plan 65R-34068			
117G	237-251 Doney Cres. (per MPAC)	Part of PIN 03230-0096 (LT)	A fee simple interest in Part of Lot 5, Concession 4, Vaughan, designated as Part 1 on Plan 65R-34068
			A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 5, Concession 4, Vaughan, designated as Parts 2 and 3 on Plan 65R-34068
117F	251 Doney Crescent, Concord, ON L4K 1P6 (per Transfer of Charge registered as Instrument No. LT1293851)	Firstly: Part of PIN 03230-0091 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 5, Concession 4, Vaughan, designated as Parts 8 and 9 on Plan 65R-34068
		Secondly: Part of PIN 03230-0090 (LT)	A fee simple in Part of Lot 5, Concession 4, Vaughan, designated as Parts 4 and 5 on Plan 65R-34068
			A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 5, Concession 4, Vaughan, designated as Parts 6 and 7 on Plan 65R-34068

Reference No.	Municipal Address	Legal Description	
A.M. Plan 9 deposited on title to the properties as Plan 65R-34098			
47	1970 Highway 7, Vaughan, ON	Part of PIN 03275-0089 (LT)	A fee simple in Part of Lot 12 on Registrar’s Compiled Plan 10309, Vaughan, designated as Parts 7 and 10 on Plan 65R-34098
			A permanent easement in, under, over, along and upon Part of Lot 12 on Registrar’s Compiled Plan 10309, Vaughan, designated as Part 8 on Plan 65R-34098
			A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along upon Part of Lot 12 on Registrar’s Compiled Plan 10309, Vaughan, designated as Parts 9 and 11 on Plan 65R-34098
* All permanent easements are required for the purpose of entering on the lands with all vehicles, machinery, workmen 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 watermains 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 Highway 7, (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.			

Reference No.	Municipal Address	Legal Description	
* All 4-year temporary easements are required for the purpose of 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 Highway 7, (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.			
<i>A.M. Plan 7A deposited on title to the properties as Plan 65R-34066</i>			
115	4 Keeleview Court, Vaughan	Part of PIN 03231-0187 (LT)	A TLI interest in Part of Lot 18 on Plan M2024, Vaughan, designated as Part 3 on Plan 65R-34066
* All 4-year temporary easements are required for the purpose of entering on the lands with all vehicles, machinery, workmen and other material to provide for hard and soft landscaping, grading and reshaping of the lands to the limit of the reconstruction of Highway 7 and works ancillary thereto.			

Reference No.	Municipal Address	Legal Description	
A.M. Plan 6A deposited on title to the properties as Plan 65R-34123			
106	1983 Highway 7, Maple, ON L4K 1V6	Firstly: Part of PIN 03231-0225 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 14 on Plan 2468, Vaughan, designated as Part 1 on Plan 65R-34123
		Secondly: Part of PIN 03231-0224	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 13 on Plan 2468, Vaughan, designated as Part 2 on Plan 65R-34123
107	1997 Highway #7 West, Concord, ON L4K 1V6	Part of PIN 03231-0223 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 13 on Plan 2468, Vaughan, designated as Part 3 on Plan 65R-34123
108	2005 Highway #7, Vaughan, ON	Part of PIN 03231-0222 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 12 on Plan 2468, Vaughan, designated as Part 4 on Plan 65R-34123
109	2015 Highway 7, Vaughan, ON	Part of PIN 03231-0221 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 11 on Plan 2468, Vaughan, designated as Part 5 on Plan 65R-34123
110	2023 Highway 7 (per MPAC)	Part of PIN 03231-0669 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 10 on Plan 2468, Vaughan, designated as Part 6 on Plan 65R-34123

Reference No.	Municipal Address	Legal Description	
111	2035 Highway 7, Concord, ON L4K 1B1	Part of PIN 03231-0219 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 9 on Plan 2468, Vaughan, designated as Part 7 on Plan 65R-34123
112	2055 Highway 7	Part of PIN 03231-0218 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 29 on Registrar's Compiled Plan 10309, Vaughan, designated as Part 8 on Plan 65R-34123
113	2063 Highway No. 7, Concord, ON L4K 1V6	Part of PIN 03231-0217 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 30 on Registrar's Compiled Plan 10309, Vaughan, designated as Part 9 on Plan 65R-34123
114	2071 Highway 7, Vaughan	Part of PIN 03231-0216 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 31 on Registrar's Compiled Plan 10309, Vaughan, designated as Part 10 on Plan 65R-34123
114A	2083B Highway 7, Vaughan, ON	Part of PIN 03231-0673 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 8 on Plan 2468, Vaughan, designated as Part 11 on Plan 65R-34123
114B	2083 Highway 7, Vaughan, ON L4K 1V6	Part of PIN 03231-0672 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 7 on Plan 2468, Vaughan, designated as Part 12 on Plan 65R-34123

Reference No.	Municipal Address	Legal Description	
114C	2101 Highway 7 W., Vaughan	Part of PIN 03231-0208 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 4 on Plan 65M-2909, Vaughan, designated as Part 13 on Plan 65R-34123
114D	2113 Highway 7, Concord, ON L6A 1V6	Part of PIN 03231-0377 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 3 on Plan 65M-2909, Vaughan, designated as Parts 14 and 15 on Plan 65R-34123
114E	2123 Highway No. 7, Vaughan, ON	Part of PIN 03231-0381 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 2 on Plan 65M-2909, Vaughan, designated as Parts 16 and 17 on Plan 65R-34123
114F	<i>Intentionally deleted.</i>		
115A	72 Hillside Ave., Concord, ON L4K 1X1	Part of PIN 03231-0211 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 1 on Plan 2468, Vaughan, designated as Parts 19 and 20 on Plan 65R-34123
<i>A.M. Plan 9 deposited on title to the properties as Plan 65R-34098</i>			
105D	1955 Highway 7, Vaughan	Part of PIN 03231-0228 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 16 on Plan 2468, Vaughan, designated as Part 1 on Plan 65R-34098

Reference No.	Municipal Address	Legal Description	
105C	1949 Highway No. 7, Concord, ON L4K 1V5	Part of PIN 03231-0229 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lots 16 and 17 on Plan 2468, Vaughan, designated as Parts 2 and 3 on Plan 65R-34098
105B	Highway #7, Vaughan (Per Transfer)	Part of PIN 03231-0230 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 17 on Plan 2468, Vaughan, designated as Parts 4 and 5 on Plan 65R-34098
105A	1929 Hwy 7 (Per MPAC)	Part of PIN 03231-0384 (LT)	A 4-year temporary easement commencing on the date of registration of the expropriation plan in, under, over, along and upon Part of Lot 5, Concession 3, Vaughan, designated as Part 6 on Plan 65R-34098
* All 4-year temporary easements are required for the purpose of entering on the lands with all vehicles, machinery, workmen and other material to provide for hard and soft landscaping, grading and reshaping of the lands to the limit of the reconstruction of Highway 7 and works ancillary thereto.			

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 *Expropriations Act* and to execute all necessary documents to effect the transaction.

5. Plan Nos. 65R-34123, 65R-34066, 65R-34068 and 65R-34098, hereto attached, shall form part of this bylaw.

ENACTED AND PASSED on May 16, 2013.

Denis Kelly
Regional Clerk

Bill Fisch
Regional Chair

*Authorized by Clause 8 of Report 5 of the Finance and Administration Committee,
adopted by Council at its meeting on May 16, 2013.*

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