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EXPROPRIATION OF LAND
TORONTO YORK SPADINA SUBWAY EXTENSION
VAUGHAN METROPOLITAN CENTRE BUS TERMINAL
PROJECT 90996

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report dated May 18, 2011, from the Commissioner of Corporate Services.

1. RECOMMENDATIONS

It is recommended that:

1. Council authorize the application for approval to expropriate the following lands for the requirements of the Toronto York Spadina Subway Extension, within the City of Vaughan, in The Regional Municipality of York:

A fee simple interest in Part of PIN 03277-0109, [Part of Lot 6 and 7, Concession 5, designated as Parts 1, 2, 3, 11 and 13, Plan 65R-19190], more particularly described as Parts 1 and 2 on the drawing dated February 18, 2011 (*Attachment 1*).

2. The Commissioner of Corporate Services be authorized to serve and publish Notice of Application as required by the *Expropriations Act*.
3. The Commissioner of Corporate Services be authorized to forward to the Chief Inquiry Officer any requests for a Hearing of Necessity that may be received and attend such hearings as may proceed pursuant to the provisions of the *Expropriations Act*.
4. Council, as approving authority, approve of the expropriation of the lands described in Recommendation 1, provided there is no Hearing of Necessity and subject to confirmation of funding as set out in this report.
5. If approval to expropriate the lands is given, the Manager Realty Services, Property Services Branch, be authorized to execute and serve any notices required by the *Expropriations Act*.
6. Authority be granted for the introduction of the necessary bills in Council to give effect to the foregoing.

2. PURPOSE

The purpose of this report is to obtain Council approval to expropriate the required land from Calloway REIT (Sevenbridge) Ltd. (Smart Centres), for the provision of an interim and long term bus terminal facility at the Vaughan Metropolitan Centre, in support of the Toronto York Spadina Subway Extension.

3. BACKGROUND

Council authorized staff to negotiate business terms with Smart Centres for the provision of the Vaughan Metropolitan Centre bus terminal

On June 24, 2010, Council authorized the finalization of property arrangements with Smart Centres for the provision of an interim facility as well as the potential for the construction of a permanent bus terminal to be integrated within their overall development master plan. Following Council authorization on June 24, 2010, negotiations focused on the delivery of the ultimate facility to be constructed in time for the opening of the subway. Staff's preferred location of the permanent terminal was on the north side of Highway 7, east of Millway Avenue, due to its proximity to the subway station, and accessibility and traffic circulation benefits. Smart Centres prefers an alternative location on the west side of Millway Avenue, north of Highway 7 and has been proceeding with a feasibility study to determine an appropriate layout and capital budget for the facility. The investigations have included both a below grade and above grade terminal.

4. ANALYSIS AND OPTIONS

Staff recommends expropriation procedures commence to ensure delivery of the bus terminal by opening day of the Toronto York Spadina Subway Extension

Smart Centres are proceeding with their investigations, however, it is still unclear whether successful negotiations can be concluded for a facility in the locations under investigation by Smart Centres' consultant team. In order to ensure the bus terminal operations will coincide with the Toronto York Spadina Subway Extension opening in 2015, staff recommends that expropriation of the property requirements commence. Notices of Application for Approval to Expropriate Land will be sent out following Council approval of the property requirements.

Smart Centres is aware of the steps the Region is taking to protect the delivery of the terminal and remains dedicated to continuing negotiations for the permanent facility. Issuing Notices of Application for Approval to Expropriate Land will not create a legal obligation for the Region to proceed to expropriation.

5. FINANCIAL IMPLICATIONS

The Toronto York Spadina Subway Extension project has identified a capital budget of approximately nine million dollars for the construction of an off-street bus terminal facility at the Vaughan Metropolitan Centre. The budget for the land acquisition would be acquired through the Toronto York Spadina Subway Extension Property Acquisition Fund.

6. LOCAL MUNICIPAL IMPACT

The acquisition of this property is required for the implementation of the York Regional Transit bus terminal facilities to support the opening of the Toronto York Spadina Subway Extension. This is critical to the achievement of appropriate and convenient passenger connections between the two transit modes as well as support for the development of the downtown core of the Vaughan Metropolitan Centre.

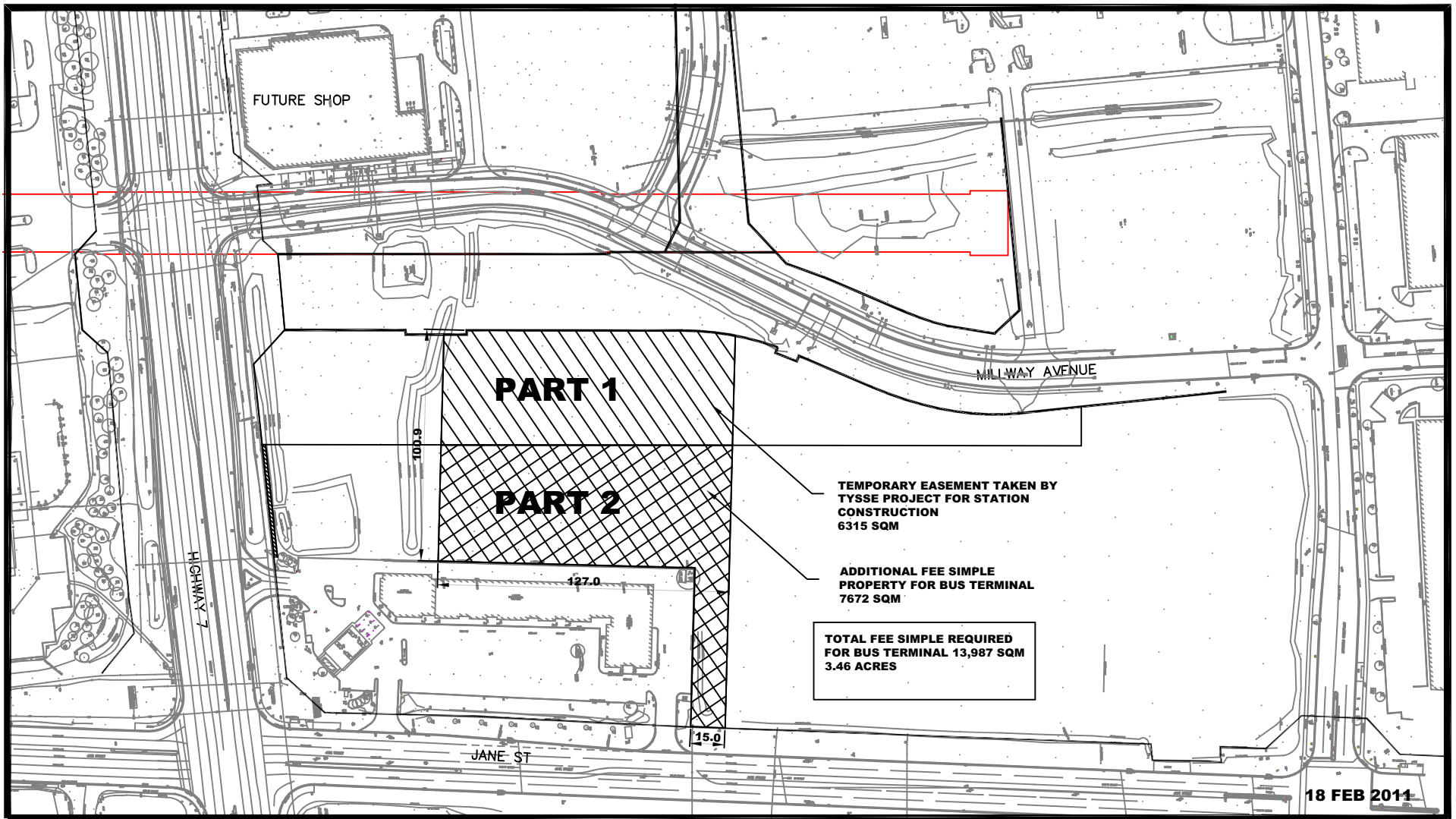
7. CONCLUSION

These lands are required to facilitate the construction of a bus terminal at the Vaughan Metropolitan Centre in time for opening of the Toronto York Spadina Subway Extension in 2015. In order to ensure a timely acquisition of these lands, the expropriation process must be commenced.

For more information on this report, please contact Paul J. Roberts, Manager Realty Services, Property Services Branch at Ext. 1424.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause was included in the agenda for the June 9, 2011 Committee meeting.)



LOCATION PLAN

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