

The Regional Municipality of York

Committee of the Whole
Finance and Administration
February 11, 2021

Report of the Commissioner of Corporate Services

Compensation for Expropriation West Vaughan Sewage Servicing Project 7082 Islington Avenue City of Vaughan

1. Recommendation

Council authorize the Commissioner of Corporate Services to make an offer of compensation to the owner of land in the City of Vaughan, as set out in Attachment 1, which was acquired in accordance with the *Expropriations Act* (the “Act”).

2. Summary

This report seeks Council approval to serve an offer of compensation under section 25 of the *Act* to an owner whose land has been expropriated for the West Vaughan Sewage Servicing Project in the City of Vaughan. The location of this property is shown on the map in Attachment 2.

Private Attachment 1 to this report will be considered in private session pursuant to section 239(2)(c) of the *Municipal Act, 2001*, because it relates to acquisition of land by the Region.

Key Points:

- Council previously approved the expropriation of the subject lands
- These lands are needed to increase the capacity of the Humber Sewage Pumping Station to handle future growth, plus tunnelling requirements for the future West Vaughan Sewer
- Fee simple and permanent interests are required for the sewer line and to increase the capacity of the Humber Pumping Station

3. Background

The Water and Wastewater Master Plan and Environmental Assessment work is complete

York Region's Water and Wastewater Master Plan was approved by Council in 2009, then updated in 2016, and has consistently identified a need for additional sewage servicing capacity to meet the projected growth in West Vaughan.

The West Vaughan Sewage Servicing project includes a 14.3-kilometre sewer tunnel from the Kleinburg Water Resource Recovery Facility to the Humber Sewage Pumping Station in Woodbridge. The scope of work also includes construction compounds, maintenance shafts and the construction of a new pumping station to replace the existing Humber Sewage Pumping Station.

The Region completed an Environmental Assessment (EA) process in 2013. An EA addendum was completed in 2016 to address beneficial changes to the route alignment, construction methodology, and a reduction in property requirements. The construction of the new Humber Sewage Pumping Station is scheduled to commence in 2021 and construction of the sewage tunnel is proposed to commence in 2023. This work is identified in the approved 10-year Capital Plan for Environmental Services.

Council previously approved an expropriation of land for this project

In [January 2018](#), Council authorized an application for approval to expropriate land from the subject property required for the West Vaughan Sewage Servicing Project for the purpose of expanding the Humber Sewage Pumping Station and to obtain a path for sewer tunnelling. The owner of the subject property requested a Hearing of Necessity to determine if the taking of the land was fair, sound and reasonably necessary. The Hearing was scheduled for December 10, 2019, and the request was withdrawn on December 6, 2019.

As shown on the map in Attachment 2, the portions of the subject land required by the Region are within an area protected by the Toronto and Region Conservation Authority. The owner has planned a residential development on the portion of land to the east of the protected area.

The expropriation plans were registered in September 2020. This report will provide the Region with possession of the required lands to accommodate the construction of the Pumping Station in 2021.

4. Analysis

Approval to expropriate allowed the Region to secure ownership of the lands

The approval to serve the owners with a notice of application for approval to expropriate was the first of three steps involving authorization by Council in the expropriation process. The

second step sought approval from Council to obtain ownership of the lands through the registration of expropriation plans.

The approval to make an offer of compensation to the owner is the third step in the Council approval process, which is the subject of this report. The three steps in the expropriation approval process are illustrated in Figure 1 below.

Figure 1
Council Approval Steps



Notice of the expropriation was served on the owner in accordance with the *Act*

The Region acquired title to the land when the expropriation plans were registered September 18, 2020 at the Land Registry Office. The owners were then served with notices of expropriation and possession of the lands. In accordance with the *Act*, it is necessary to make an offer of compensation prior to securing possession of the lands.

Environmental due diligence was completed

Phase One Environmental Site Assessments and Phase Two Environmental Site Assessments were completed. The studies did not identify any potential environmental issues with the land and no additional environmental work was required.

5. Financial

The funding for this property acquisition is included in the 2021 Capital Budget for Environmental Services.

6. Local Impact

The West Vaughan Sewage Servicing Project will benefit the residents and the businesses of the City of Vaughan by providing added servicing capacity to facilitate development in the Municipality.

7. Conclusion

The Region commenced the expropriation process in January 2018, for partial land takings to facilitate the construction of the West Vaughan Sewage Servicing Project. These lands are required to increase the capacity of the Humber Pumping Station to accommodate future growth, and for tunnelling related to the West Vaughan Sewer project.

It is recommended that Council approve the proposed offer of compensation with respect to the expropriation of the requirements from these lands.

For more information on this report, please contact Michael Shatil, Director, Property Services at 1-877-464-9675 ext. 71684. Accessible formats or communication supports are available upon request.

Recommended by:



Dino Basso

Commissioner of Corporate Services

Approved for Submission:



Bruce Macgregor

Chief Administrative Officer

January 29, 2021

Attachments (2)

Private Attachments (1)

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