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Report of the Commissioner of Corporate Services  
**Compensation for Expropriation Northeast Vaughan Wastewater Servicing  
Project, City of Vaughan**

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## 1. Recommendation

Council approve the Commissioner of Corporate Services to make offers of compensation to owners of lands in the City of Vaughan, as set out in Appendix A, 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 property owners whose lands have been expropriated for the Northeast Vaughan Wastewater Servicing Project, in the City of Vaughan. The location of the subject properties is shown on the map in Appendix A.

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 the acquisition of lands by the Region.

### Key Points:

- In [March, 2023](#), Council approved commencement of the expropriation process for lands required for the Northeast Vaughan Wastewater Servicing Project
- Expropriation plans were registered on September 21, 2023, transferring ownership of expropriated lands to the Region
- All owners must be served with offers of compensation pursuant to section 25 of the *Act* prior to the Region taking possession of expropriated lands

### **3. Background**

#### **Municipal Class Environmental Assessment Study identified need for additional servicing capacity**

In 2014, the Region completed a Municipal Class Environmental Assessment study for the Northeast Vaughan Water and Wastewater Servicing Project. The purpose of the Northeast Vaughan Class Environmental Assessment was to build on the broad recommendations included in the Master Plan to identify the preferred solution to provide water and wastewater servicing and capacity for anticipated growth in northeast Vaughan to the year 2051.

Preliminary water and wastewater service areas were established by the Region to determine limits and sizing of the municipal infrastructure to accommodate the provincially approved growth.

The preferred solution identified a requirement for a new gravity trunk sewer network on the Keele Street right-of-way from south of Rutherford Road and then east crossing Langstaff Road to the south side.

#### **Privately owned lands are required to install the new gravity trunk sewer**

Acquisition of temporary and permanent easements from six properties along the project limit is necessary to accommodate installation of the new gravity trunk sewer. All requirements are in the proximity of Keele Street and Langstaff Road at the south end of the project.

#### **Council authorized initiation of the expropriation process for the Northeast Vaughan Wastewater Servicing Project**

In March 2023, Council authorized the Application for Approval to Expropriate and Approval to Expropriate. Following Council approval, a Notice of Application for Approval to Expropriate was served on owners of the properties impacted by the Northeast Vaughan Wastewater Servicing Project.

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

Figure 1 below summarizes the three steps in the process for obtaining approval by Council for expropriation. In March 2023, Council authorized the first and second steps of the approval process.

This report is for the third and final step in the expropriation approval process. Upon approval of this step by Council, the Region will serve offers of compensation to the owners.

**Figure 1  
Council Approval Steps**



## 4. Analysis

### **Possession of expropriated land will be obtained after serving offers of compensation**

The Region acquired title to the lands when expropriation plans were registered at the Land Registry Office on September 21, 2023. Notices of Expropriation were sent to the owners on November 13, 2023. In accordance with the *Act*, the Region cannot obtain possession until a minimum of three months after notifying owners that the expropriation plans have been registered. Additionally, it is necessary to make offers of compensation to owners to obtain possession of the expropriated lands. Offers of compensation will be delivered in anticipation of possession of lands on April 1, 2024.

### **Independent appraisal reports established values to form the basis of offers of compensation**

Independent appraisal reports were commissioned to provide estimates of value to support offers of compensation.

Section 25 of the *Act* requires the Region to make two offers of compensation to an owner. The first is an offer of full compensation for the market value of the land expropriated and any damages for loss of improvements and injurious affection. If the owners accept the offer, the offer is accepted in full satisfaction of any claims the owners may have with respect to the expropriation, with a few exceptions.

The second offer is to pay the owners market value of the land expropriated and does not include an offer to pay any other damages such as damages for loss of improvements or injurious affection. If owners accept the second offer, the owners may make a future claim for additional compensation in accordance with the *Act*.

In the event the owner does not accept the first offer of compensation, staff will proceed to negotiate a full and final settlement.

## **Environmental due diligence is currently underway**

The Region commissioned Phase One Environmental Site Assessments (ESA) for the lands. Phase One ESAs identified areas of potential environmental concern and recommended Phase Two ESAs be undertaken on some of the properties. Phase Two ESA work has been completed and reports are being finalized. The results of the environmental due diligence for the lands were reviewed by staff, including consultation with Legal Services. Environmental due diligence did not identify significant environmental concerns with the lands and no additional environmental work is required.

## **5. Financial Considerations**

Funds required to support offers of compensation for the property acquisitions have been included in the 2024 Capital Budget for Public Works.

## **6. Local Impact**

Northeast Vaughan Wastewater Servicing Project will provide wastewater servicing to accommodate anticipated growth in northeast Vaughan.

## **7. Conclusion**

On September 21, 2023, expropriation plans were registered for the lands required for Northeast Vaughan Wastewater Servicing Project in the City of Vaughan. The *Act* requires offers of compensation for expropriated lands be served on the registered owners before taking possession. Proposed offers are based on values provided by an independent appraiser. It is recommended the offers set out in this report be served in accordance with the *Act*.

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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:

**Erin Mahoney**

Chief Administrative Officer

December 15, 2023

#15795862

Appendix A – Property Schedule and Location Map

Private Attachment 1 – Proposed Compensation (#15795867)

**Property Schedule**  
**Compensation for Expropriation**  
**Northeast Vaughan Wastewater Servicing Project**  
**City of Vaughan**

<b>No.</b>	<b>Owner</b>	<b>Municipal Address</b>	<b>Legal Description</b>	<b>Interest Required</b>
1.	York Region Standard Condominium Plan No 1130	8888 Keele Street Vaughan	Part 1, Plan YR3600328	Temporary Easement (108 sq. m.)
2.	NG Marin Inc.  Marylou Enterprises Limited	8672 Keele Street Vaughan	Part 1, Plan YR3600307	Temporary Easement (673 sq. m.)
			Part 2, Plan YR3600307	Temporary Easement (60 sq. m.)
3.	York Region Condominium Plan No 736	8600 Keele Street Vaughan	Part 1, Plan YR3600293	Temporary Easement (145 sq. m.)
4.	York Region Condominium Plan No 578	8540 Keele Street Vaughan	Part 1, Plan YR3600334	Temporary Easement (108 sq. m.)
5.	RPIG Realty Holdings Ltd.	8500 Keele Street Vaughan	Part 1, Plan YR3600319	Permanent Easement (279 sq. m.)
			Part 2, Plan YR3600319	Temporary Easement (536 sq. m.)
6.	779009 Ontario Limited	2195 Langstaff Road Vaughan	Part 1, Plan Y3600299	Permanent Easement (243 sq. m.)
			Part 2, Plan Y3600299	Temporary Easement (59 sq. m.)
<p>The temporary easements required are described as a temporary limited interest commencing on registration of the plan of expropriation and expiring 18 months after registration in, under, over, along and upon and for municipal purposes including, but not limited to, 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) geotechnical investigations, borehole drilling, installation of temporary monitoring</p>				

<b>No.</b>	<b>Owner</b>	<b>Municipal Address</b>	<b>Legal Description</b>	<b>Interest Required</b>
			<p>wells, and other investigative works, (5) removal, relocation and/or installation of signage, (6) hard and soft landscaping, tree planting, paving, retaining structures, grading and reshaping the lands to the limit of the reconstruction of the municipal road fronting the lands herein described, (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, (vii) handrails, (viii) sidewalks, and (8) removal and replanting of vegetation, and (9) works ancillary to any of the foregoing and necessary to the works to be performed in association with the purpose of installing a new gravity trunk sewer in the Keele Street right-of-way from south of Rutherford Road and then east crossing Langstaff Road to the south side and works ancillary thereto.</p> <p>The permanent easements required are described as a limited interest in perpetuity in, under, over, along and upon and for municipal purposes including, but not limited to, entering on the lands with all vehicles, machinery, workmen and other material (i) to construct and maintain permanent municipal infrastructure which may include operation, installation, maintenance, relocation and/or removal of a sanitary sewer, and (ii) for construction purposes which include, but are not limited to, (1) relocation of existing services and utilities, (2) staging and storage of materials and equipment, (3) geotechnical investigations, borehole drilling, installation of temporary monitoring wells, 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 municipal road fronting the lands herein described, (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, (7) removal and replanting of vegetation, and (8) works ancillary to any of the foregoing and necessary to the works to be performed in association with the purpose of installing a new gravity trunk sewer in the Keele Street right-of-way from south of Rutherford Road and then east crossing Langstaff Road to the south side and works ancillary thereto.</p>	

**LOCATION MAP**



 <p>Produced by: The Regional Municipality of York Property Services, Corporate Services October 2023</p> <p>Data: King's Printer for Ontario 2003-2023</p> <p>Imagery: © First Base Solutions Inc. 2021 See York.ca for disclaimer information.</p>	<p><b>Location Plan</b> Compensation for Expropriation Northeast Vaughan Wastewater Servicing Project City of Vaughan January 11, 2024</p> <div style="text-align: right;">    </div>	<ul style="list-style-type: none"> <li> Subject Property</li> <li> Interest Required</li> <li> Parcel</li> <li> Road</li> <li> Railway</li> </ul>
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