



Report of the Commissioner of Corporate Services

Expropriation of Land 7850 Weston Road City of Vaughan

1. Recommendations

1. Council approve an application for approval to expropriate the land set out in Appendix A, for road and intersection improvement work affecting Weston Road, in the City of Vaughan.
2. The Commissioner of Corporate Services be authorized to execute the Application for Approval to Expropriate Land and the Notice of Application for Approval to Expropriate Land (the "Notice") and to serve and publish the Notice, as required under the *Expropriations Act* (the "Act").
3. The Commissioner of Corporate Services be authorized to forward to the Chief Inquiry Officer any requests for an inquiry that are received and to represent the Region, as necessary, at an inquiry (Hearing of Necessity) held under the *Act*.
4. Council, as approving authority, approve the expropriation of the land provided there is no Hearing of Necessity requested and not withdrawn in accordance with the *Act*.
5. Where approval to expropriate the land is given, the Commissioner of Corporate Services be authorized to register a plan of expropriation and execute and serve any Notices required under the *Act*.
6. Where approval to expropriate the land is given, Council authorizes the introduction of the necessary bylaw to give effect to these recommendations.

2. Purpose

This report seeks Council approval to authorize expropriation of land for traffic improvement work on Weston Road, between Highway 407 and Fieldstone Drive/Chrislea Road. This property location is shown on the map in Appendix A.

Key Points:

- Weston Road is to be widened from a four-lane urban road to six lanes from Highway 407 to a future extension of Bass Pro Mills Drive, in two construction phases (2024 and 2027)
- 7850 Weston Road requires additional land and temporary easement rights in 2024 to allow road and intersection improvements that will include upgrading signalization to accommodate current access. Boulevard improvements will allow active transportation (sidewalks, multi-use paths and cycling paths)
- Expropriation is recommended to facilitate access to the requirements until end of 2028

3. Background

Region planning to widen Weston Road in Vaughan to an urban six lane standard

There are two sections of Weston Road identified in the Region's 10-year Capital Road Construction Plan for improvements in 2024 and 2027. The section of Weston Road between Highway 407 to Fieldstone Drive/Chrislea Road (Phase 1) applies to 7850 Weston Road and is planned for improvements in 2024, except for the Highway 7 and Weston Road intersection that was improved as part of vivaNext improvement works along Highway 7.

Additional grading requirements have been identified on the map in Appendix A.

In [June 2023](#), Council approved expropriation of two properties to facilitate this project. Each phase of the project included one property. The requirement for 9200 Weston Rd was reduced (at the plaza owner's request) but the June 2023 authority was considered sufficient to issue first Notice of Application for Approval to Expropriate.

7850 Weston Road is the subject of this report regarding an additional temporary easement requirement for grading that is required due to the change in grade of the sidewalk and signalized intersection. Notices of Application for Approval to Expropriate were served in November 2023 for the fee requirement approved by June 2023 Council.

4. Analysis

Initiating the expropriation process will allow access to subject land in a timely manner

Negotiations with the owner will proceed throughout the expropriation process. In the event a negotiated transaction cannot be completed in a timely manner, expropriation is deemed a necessary approach to ensure timely possession of property requirements for the needs of the project.

To secure possession before construction and to complete the property acquisition for this project, it is recommended that the expropriation process proceed concurrently with ongoing negotiations.

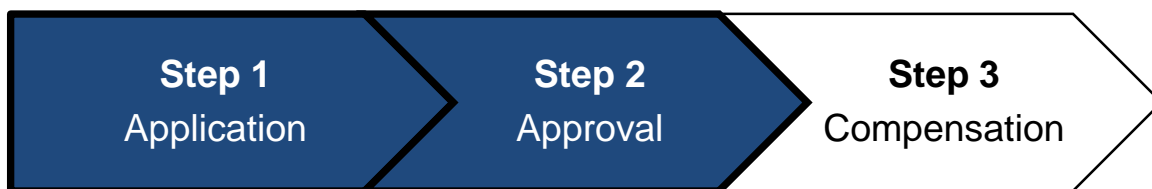
Possession is needed by 2024 for the works to commence in the summer of 2024.

Council Approval is required at three stages of the expropriation process

Council approval is required at three stages in the expropriation process. These include the request to Council to authorize an application for approval to expropriate land, the expropriation itself, and the offer of compensation made to the former owner of the land.

To ensure possession to meet the construction schedule, the first and second steps in the Council approval process have been combined for this report, as indicated in Figure 1 below. The third step will be the subject of a future report to Council, in the event the expropriation proceeds. Possession of the land cannot be obtained until this third step has been completed and the owner is served an offer of compensation.

**Figure 1
Council Approval Steps**



Owners have the right to request a Hearing of Necessity upon receipt of a Notice of Application for Approval to Expropriate

The first step in the expropriation process is to serve the registered owner with a notice of intention to expropriate, following Council approval. Upon receipt of the Notice of Application for Approval to Expropriate, the owner has the right within 30 days of receipt to request an inquiry (Hearing of Necessity) to determine whether the taking of the land by the Region is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority.

If an owner requests a Hearing of Necessity, then subsequent to the Hearing, an Inquiry Officer will provide a report providing an opinion as to whether the taking is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority.

Registration of an expropriation plan will secure title to the interest in the land by the Region

If no Hearing of Necessity is requested, an expropriation plan will be registered at the Land Registry Office within three months of Council granting approval of a by-law to proceed with the expropriation. This is the second step in the expropriation process, with registration of the plans anticipated to be in the spring of 2024, if there is no request for a Hearing of Necessity.

Registration of the expropriation plans is a key step in the expropriation process. It is at this point the Region acquires title to the interest in the land. However, further steps are required to obtain possession, or the right to access the land.

Following the registration of the expropriation plan, the notice of expropriation and possession will be served on the owner. Under the *Act*, possession of the interest in the land is to take place no sooner than three months after registration of the expropriation plan. In addition, offers of compensation must be served on the owner to obtain possession.

Environmental due diligence is currently underway and remains to be completed

Environmental due diligence is currently underway and remains to be completed. Results of the environmental due diligence conducted for the land will be reviewed by staff, including consultation with Legal Services. Staff will take necessary steps to minimize the Region's exposure to environmental risk and liability and may report to Council with recommendations depending on the nature and extent of the impacts.

5. Financial

Funding required to complete the property acquisition for these properties has been included in the 2024 Public Works Capital Budget.

Under section 25 of the *Act*, the Region is obligated to serve offers of compensation on owners within three months of registration of the expropriation plan. Appraisals required to support these offers will be prepared and proposed offers will be the subject of a further report to Council.

6. Local Impact

Road and intersection improvements will help alleviate traffic congestion and improve vehicular and pedestrian mobility in the area.

7. Conclusion

This report seeks Council approval to authorize expropriation of a limited grading interest from one property that is required for the improvement of Weston Road, in the City of Vaughan. Staff continue to negotiate for the acquisition of the required property needs and expropriation proceedings will be discontinued in the event negotiations are successful.

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

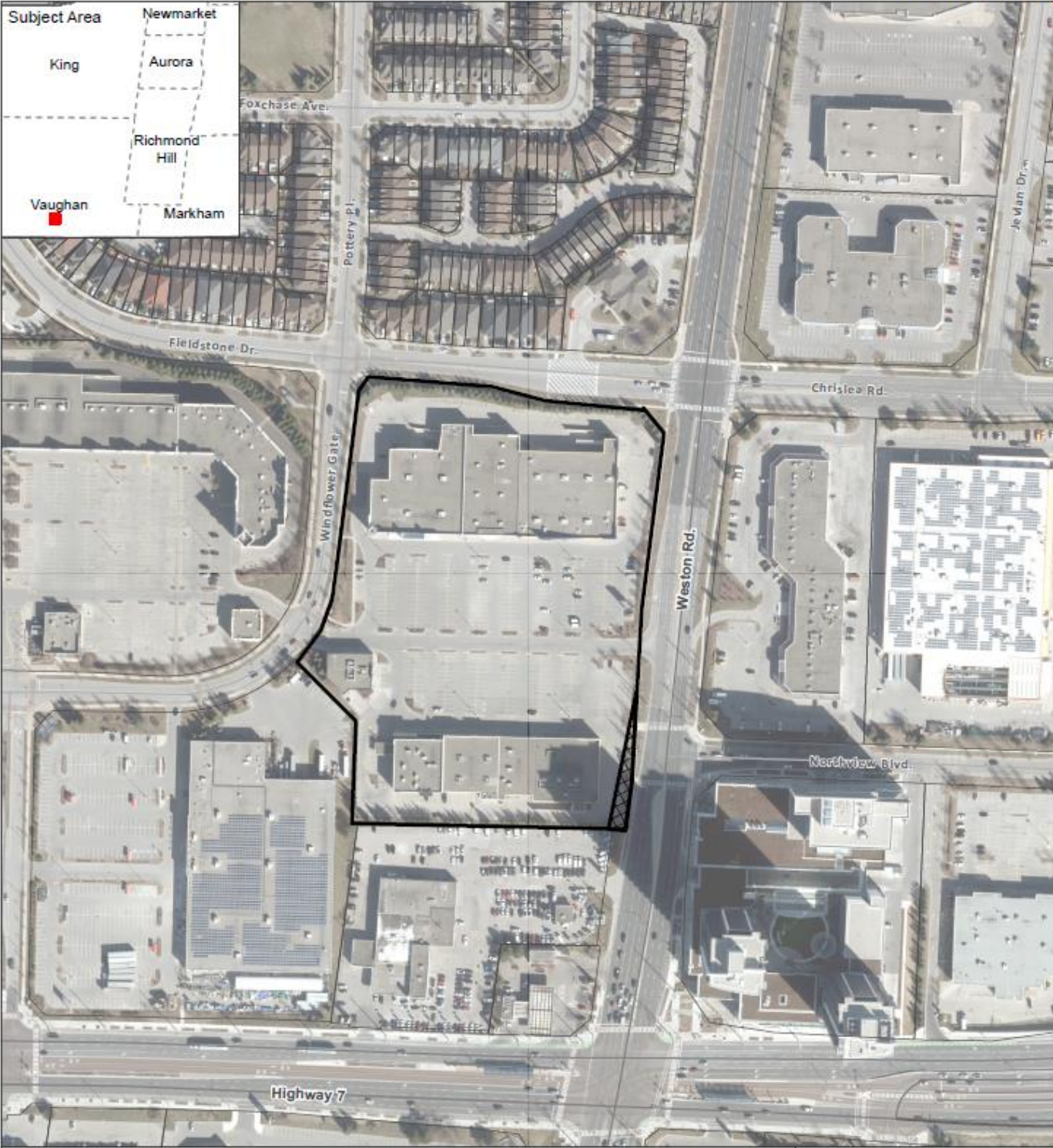
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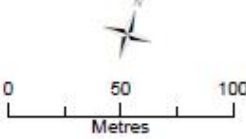




Appendix A – Property Schedule and Location Map

**Property Schedule
Expropriation Of Land
7850 Weston Road
City of Vaughan**

No.	Owner	Municipal Address	Legal Description	Interest Required
1.	Canadian Property Holdings (Ontario) Inc [50%] Calloway REIT (Westridge) Inc [50%]	7850 Weston Road Vaughan	Part 2 Plan 65R-40641	Temporary Easement (78.1 sq. m.)
<p>The temporary easement required is described as a temporary limited interest commencing on registration of the plan of expropriation and expiring on December 31, 2028 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) 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 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, and (vii) handrails, and (8) works ancillary to any of the foregoing and necessary to the works to be performed in association with the purpose of implementing road and intersection improvements along Weston Road, including associated local roads.</p>				

LOCATION MAP



 <p>Produced by: The Regional Municipality of York Property Services, Corporate Services November 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>Location Plan Expropriation of Land 7850 Weston Road City of Vaughan January 11, 2024</p> 	<ul style="list-style-type: none">  Subject Property  Interest Required  Parcel  Road
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