



**Report of the Commissioner of Corporate Services
Disposition of Land - Yonge North Subway Extension City of Markham and City
of Vaughan**

1. Recommendations

1. Council authorize the disposition of land in the Cities of Markham and Vaughan, as described in Appendix A.
2. Commissioner of Corporate Services be authorized to accept and execute the Agreement of Purchase and Sale with terms set out in Private Attachment 1 and all necessary documents to complete the transaction, in accordance with the Region's Sale and Other Disposition of Regional Lands Policy.

2. Purpose

This report seeks Council approval to dispose of permanent subsurface easements and temporary easements for the Advanced Tunnels Contract of the Yonge North Subway Extension project in the Cities of Markham and Vaughan, in accordance with the Sale and Other Disposition of Regional Lands Policy (the "Policy"). Locations are shown 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 disposition of land by the Region.

Key Points:

- Metrolinx is seeking property requirements from the Region for the Advanced Tunnels Contract of the Yonge North Subway Extension (YNSE) project
- Interests within the properties consist of permanent subsurface easements and temporary easements
- Property requirements are located along Yonge Street, from Steeles Avenue to north of Royal Orchard Boulevard, in the Cities of Markham and Vaughan

- Property requirements do not impact existing and future Regional infrastructure
- Staff will continue to engage and collaborate with Metrolinx to ensure the Region's current and future needs are protected

3. Background

Yonge North Subway Extension is a critical transportation project required to support Regional growth and development

In [2019](#), the Province announced a plan to construct the Yonge North Subway Extension (YNSE), which will extend the TTC subway system from Finch Station in the City of Toronto to the Richmond Hill/Langstaff Urban Growth Centre in York Region.

The Province, through the Ministry of Transportation, is maintaining ownership of the project and has directed Metrolinx to manage and deliver the YNSE project. Metrolinx is solely responsible for planning, designing and constructing the YNSE, and will own the resulting assets.

Metrolinx requested property requirements for the Advance Tunnels Contract

Metrolinx is seeking permanent subsurface easements and temporary easements for the Advance Tunnels Contract (ATC) of the YNSE project. Land interests are located under and along Yonge Street, from Steeles Avenue to just north of Royal Orchard Boulevard, in the Cities of Markham and Vaughan.

Permanent subsurface easements are required for construction, operation and maintenance of the subway tunnel and five-year temporary easements are required for traffic signals, tree protection, cut and cover construction, tiebacks and utilities.

Property requirements are surplus to the Region's needs

An internal circulation to Regional Departments in accordance with Policy was completed. Existing and future Regional infrastructure needs were considered, and staff will continue to work with Metrolinx to mitigate the YNSE impacts. Regional stakeholders have confirmed the proposed YNSE infrastructure will not compromise any existing or proposed Regional uses.

4. Analysis

Council approval of the disposition is requested

The disposition is being completed in accordance with the Policy. Staff determined land interests, composed of subsurface permanent easements and 0.3-meter-wide temporary easements, have limited market demand and can be disposed of directly to Metrolinx. Staff recommend disposition for nominal consideration which is supported by the precedent set by Toronto-York Spadina Subway

Extension project, where subsurface requirements were transferred at nominal cost, and by the City of Toronto's agreement to adopt this approach for subway in their jurisdiction. By obtaining Council approval to complete the disposition with Metrolinx for nominal consideration, the sale process will ensure transparency and compliance with the Policy.

Staff reviewed the property requirements to confirm there are no impacts on existing and future Regional infrastructure

Staff identified and researched the impacts of the property requirements on existing and future Regional infrastructure and the Region's ongoing ownership of the subject properties. Staff will continue to engage and collaborate with Metrolinx and local municipalities to mitigate construction impacts on local communities and other major infrastructure projects.

The Region will transfer land interests in an "as is, where is" condition

The Region will transfer the interests in an "as is, where is" condition, which means the Region will not provide representations and warranties as to the condition of the lands. This will be included as a condition of the Agreement of Purchase and Sale. Metrolinx will be responsible to conduct its own environmental due diligence.

Environmental due diligence is currently underway

Environmental due diligence is currently underway and remains to be completed. The results of the environmental due diligence conducted for the interests will be reviewed by Staff, including consultation with Legal Services. Staff will take the necessary steps to minimize the Region's exposure to environmental risk and liability.

5. Financial Considerations

This disposition is being completed in accordance with the Region's Sale and Other Disposition of Regional Lands Policy. The transaction involves nominal consideration.

6. Local Impact

YNSE will be an important public transit gateway between the Region and City of Toronto. The subway extension will connect Finch Station to the Cities of Markham, Richmond Hill and Vaughan. YNSE will provide faster and convenient transit access and support our growing communities.

7. Conclusion

This report seeks authorization from Council to transfer easements over land that is required for the YNSE Advanced Tunnel Project. A circulation confirmed the property requirements are surplus to the Region's needs.

It is recommended Council authorize staff to dispose of the property requirements and the Commissioner of Corporate Services to accept and execute the Agreement of Purchase and Sale and all necessary documents as set out in the private attachment.

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

April 23, 2024

#14957537

Appendix A – Property Schedule and Location Map

Private Attachment 1 – Compensation Breakdown (14957601)

**Property Schedule
Disposition of Land
Yonge North Subway Extension
City of Markham and City of Vaughan**

No.	Purchaser	Municipal Address	Legal Description	Interest to be disposed
1.	Metrolinx	ROW - Yonge Street between Royal Orchard Blvd. and Kirk Dr., Markham and Vaughan (Part of PIN 03026-0507)	Part 1, Plan 65R-40867	Permanent Subsurface Easement (2,114.1 sq. m.)
2.	Metrolinx	ROW – West of 1 Royal Orchard Blvd., Markham (Part of PIN 03025-0593)	Part 1, Plan 65R-40851	Permanent Subsurface Easement (6.8 sq. m.)
3.	Metrolinx	ROW – Yonge St south of Royal Orchard Blvd., Markham (Part of PIN 03025-0644)	Part 1, Plan 65R-40866	Permanent Subsurface Easement (10.2 sq. m.)
4.	Metrolinx	ROW - South of 7967 Yonge St., Markham (Part of PIN 03025-0594)	Part 1, Plan 65R-40856	Permanent Subsurface Easement (8.4 sq. m.)
5.	Metrolinx	ROW - West of 50 Inverlochy Blvd., Markham (Part of PIN 03025-0595)	Part 1, Plan 65R-40852	Permanent Subsurface Easement (338.7 sq. m.)
6.	Metrolinx	ROW - Yonge Street between John St. and Royal Orchard Blvd., Markham and Vaughan (Part of PIN 03025-0637)	Part 1, Plan 65R-40860	Permanent Subsurface Easement (23,979.2 sq. m.)
7.	Metrolinx	ROW - Yonge Street between Elgin St. and John St., Markham and Vaughan (Part of PIN 03023-0198)	Parts 1, 2, 3, 4, 5, 7 and 8, Plan 65R-40871	Permanent Subsurface Easement (8,964.8 sq. m.)
			Parts 6, 9,10,11 and 12, Plan 65R-40871	Temporary Easement (1,233 sq. m.)
8.	Metrolinx	ROW - Yonge Street and Elgin Street, Markham (Part of PIN 03023-0225)	Part 1, Plan 65R-40865	Permanent Subsurface Easement (79.2 sq. m.)
9.	Metrolinx	ROW - Yonge Street between Morgan Ave. and Arnold Ave.- Elgin St., Markham and Vaughan (Part of PIN 03022-0365)	Parts 1, 2, 3, 4, and 5, Plan 65R-40857	Permanent Subsurface Easement (15,254.5 sq. m.)
			Part 6, Plan 65R-40857	Temporary Easement (231.2 sq. m.)

10.	Metrolinx	ROW - Yonge Street between Meadowview Ave and Morgan Ave., Markham and Vaughan (Part of PIN 03021-0148)	Parts 1, 2, 3, 4, and 5, Plan 65R-40853	Permanent Subsurface Easement (13,149.6 sq. m.)
			Part 6, Plan 65R-40853	Temporary Easement (218.4 sq. m.)
11.	Metrolinx	ROW - Yonge Street between Steeles and Meadowview, Markham and Vaughan (Part of PIN 03020-0524)	Parts 1, 2, 3, 4, 5, 7, and 8, Plan 65R-40854	Permanent Subsurface Easement (11,322.5 sq. m.)
			Parts 6, 9, 10, and 11, Plan 65R-40854	Temporary Easement (1,027.8 sq. m.)
12.	Metrolinx	Reserve East of 7368 Yonge Street, Vaughan (Part of PIN 03253-0449)	Part 1, Plan 65R-40863	Temporary Easement (11.1 sq. m.)
13.	Metrolinx	Reserve at Clark Ave, Vaughan (Part of PIN 03248-0504)	Part 1, Plan 65R-40855	Temporary Easement (13.1 sq. m.)
14.	Metrolinx	Reserve East of 7300-7330 Yonge Street, Vaughan (PIN 03248-0628)	Parts 1, 2, 3, Plan 65R-40862	Temporary Easement (36.6 sq. m.)
15.	Metrolinx	Reserve East of 7250 Yonge Street, Vaughan (Part of PIN 03248-0507)	Part 1, Plan 65R-40861	Temporary Easement (2.7 sq. m.)
16.	Metrolinx	Right of Way – Colborne Street (AKA Colbourne Street) at Yonge Street	Part 1, Plan 65R-40895	Permanent Subsurface Easement (63 sq. m.)

The permanent subsurface easements are described as a limited interest in perpetuity, for the purpose of entering upon, along, over and across the Servient Lands with all necessary vehicles, machinery, supplies and equipment required for or in connection with the design, construction, installation, repair, replacement, extension, alteration, operation and maintenance of the Yonge North Subway Extension

The temporary easements are described as a temporary limited interest required for a duration of five years commencing on a mutually agreed upon date between Metrolinx and the Region, in, under, over, along and upon 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 tunnels within the permanent subsurface easement 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 their original state, (7) the installation and removal of traffic signals, and (8) works ancillary to any of the foregoing and necessary to the works to be performed in association with the YNSE project.

LOCATION MAP

