

Committee of the Whole (2) Report

DATE: Tuesday, April 16, 2024

WARD: 5

**TITLE: REPEAL OF ROAD DESIGNATION BY-LAW 173-2004
REGARDING PORTION OF LANDS ADJACENT TO YONGE
STREET NORTH OF CRESTWOOD ROAD**

FROM:

Vince Musacchio, Deputy City Manager, Infrastructure Development

ACTION: DECISION

Purpose

To seek Council approval to repeal By-law 173-2004, which designated a small portion of lands adjacent to Yonge Street north of Crestwood Road as road, and the related stop up and close By-law 014-2024, in order to facilitate the transfer of that portion of lands to York Region to form part of Yonge Street and to facilitate the Yonge North Subway Extension.

Report Highlights

- In 2004, the City passed By-law 173-2004, which designed a small portion of Lands measuring 159 square meters as being part of Yonge Street located north of Crestwood Road.
- In 2023, York Region requested the Lands to be conveyed to it for purposes of facilitating the Yonge North Subway Extension and to reflect York Region's ownership and jurisdiction over Yonge Street.
- On December 12, 2023, City Council declared the Lands surplus and authorized the conveyance of the Lands to York Region.
- York Region requires the City to repeal By-law 173-2004 in order to facilitate the conveyance of the Lands for purposes of the subway extension.

Recommendations

1. THAT Council repeal By-law 173-2004 which designated the lands situated within the City of Vaughan, Regional Municipality of York, being a portion of the lands located north of Crestwood Road, legally described as Part of Lots 1 to 6, Plan 3205, designated as Part 2 on Reference Plan 64R-7570, being all of PIN 03248-0627 (LT) as public highway (the “Lands”); and
2. THAT Council repeal By-law 014-2024 which stopped up and closed the Lands as part of the public highway.

Background

In 2004 the City of Vaughan enacted By-law 173-2004 which designed a small portion of lands located north of Crestwood Road, legally described as Part of Lots 1 to 6, Plan 3205, designated as Part 2 on Reference Plan 64R-7570, being all of PIN 03248-0627 (LT) as public highway and part of Yonge Street (the “**Lands**”). The Lands comprise a total area of 159 square meters as shown on **Attachment 1**.

The Regional Municipality of York (the “**York Region**”) has jurisdiction over Yonge Street. In 2023 York Region requested the City convey the Lands to the Region to facilitate the Yonge North Subway Extension project (the “**YNSE**”), which will extend the existing TTC Line 1 service approximately eight kilometers north from Finch Station to Vaughan, Markham and Richmond Hill and includes the construction of five new subway stations along these municipalities.

On December 12, 2023, the City declared the Lands Surplus and authorized the conveyance of the Lands to York Region, for nominal consideration. In addition, on January 30, 2024 the City passed By-law 014-2024 to stop up and close the Lands, which had been designated road by the City in 2004, as noted above.

York Region has informed the City that it is unable to accept the transfer of the Lands to facilitate the subway extension unless and until By-law 173-2004 which designated the Lands as road is repealed. Region staff have confirmed that the Surplus Lands will be dedicated as regional public highway upon completion of the transaction.

Accordingly, in order to facilitate the conveyance of the Lands for the purpose of the YNSE, this Report requests that Council repeal By-law 173-2004, and accordingly also repeal the stop up and close by-law 014-2024.

Previous Reports/Authority

[Extract - CW \(Closed Session\) Report 53, Item 2, Council December 12, 2023.](#)

Analysis and Options

As noted above, Council approved the conveyance of the Lands to York Region for nominal consideration on December 12, 2023 to facilitate the YNSE and to reflect York Region's jurisdiction over Yonge Street. York Region requires that By-law 173-2004 which designated the Lands as road be repealed prior to the transfer of the Lands to York Region. Accordingly, Staff recommend that By-law 173-2004 and By-law 014-2024 be repealed so the transfer of the Lands may be completed.

Financial Impact

N/A

Operational Impact

N/A

Broader Regional Impacts/Considerations

The lands are required for the planned Yonge North Subway Extension initiative.

Conclusion

Staff recommend that Council approve the repeal of By-law 173-2004 and By-law 014-2024 in order to facilitate the conveyance of the Lands to York Region as approved by Council on December 12, 2023 for the purposes of the YNSE.

For more information, please contact: Paul Salerno, Director, Real Estate, ext. 8473.

Attachment

1. Location Map.

Prepared by

Diana Soos, Director of Legal Services and Deputy City Solicitor, ext. 8125.

Dino Macchiusi, Senior Manager, Real Estate, ext. 8489.

Paul Salerno, Director, Real Estate ext. 8473.

Approved by

A handwritten signature in black ink, appearing to read 'V. Musacchio'.

Vince Musacchio, Deputy City Manager,
Infrastructure Development

Reviewed by

A handwritten signature in black ink, appearing to read 'Nick Spensieri'.

Nick Spensieri, City Manager