

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 126-2019**

**A By-law to authorize the Mayor and Clerk to execute an Application to Expropriate certain lands.**

WHEREAS the Corporation of the City of Vaughan deems it necessary to expropriate lands situated in the City of Vaughan, Regional Municipality of York being composed of property interests of eight (8) parcels of land as set out in Attachment #1, required for the purpose of widening and reconstruction of Portage Parkway West, between Applewood Crescent and Jane Street.

AND WHEREAS Section 6 of *the Municipal Act, 2001*, SO 2001, c 25 confers on municipalities the power to expropriate land in accordance with the *Expropriations Act*, RSO 1990, c E. 26.

NOW THEREFORE The Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. THAT Council authorize an Application for Approval to Expropriate the lands and interests set out in Attachment #1, for the widening and reconstruction of Portage Parkway West, between Applewood Crescent and Jane Street, in the City of Vaughan within the Vaughan Metropolitan Centre.
2. THAT for the purposes of this Application, the Mayor and Clerk be authorized to take any and all necessary actions and proceedings required by the *Expropriations Act* (the “**Act**”), including the execution, publication and service of Notices of Application for Approval to Expropriate Land (the “**Notice**”).
3. THAT The Clerk be authorized to forward to the Chief Inquiry Officer for Ontario any requests for an inquiry that are received and Legal Services be directed to represent the City, as necessary, at any such Inquiry (Hearing of Necessity) or proceeding held under the Act.
4. THAT Council, as approving authority, approve the expropriation of the lands and interests set out in Attachment #1 where no Hearing of Necessity is requested, or

such request is withdrawn in accordance with the Act. Council approval is deemed to be given 31 days following publication of the Notice where no Hearing of Necessity is requested in accordance with the Act.

5. THAT Where approval to expropriate the lands set out in Attachment #1 is given, the following steps are authorized to be taken with respect to the expropriation:
  - a. The Clerk be authorized and directed to sign and execute on behalf of the City a Certificate of Approval and to execute and serve any document or notice required under the Act;
  - b. That a plan of expropriation be prepared and registered in the proper land registry office in accordance with the Act;
  - c. That a Notice of Expropriation be served together with a Notice of Election as to the date of the assessment and compensation and a Notice of Possession as to the date the expropriating authority requires possession of the expropriated lands which shall be at least three months after the date of service, all in accordance with the Act;
  - d. That an appraisal report be obtained in respect of the market value of the expropriated lands and, if applicable, damages for injurious affection and other compensation, all in accordance with the Act;
  - e. That an offer of full compensation and an offer for immediate payment of 100 per cent of the market value of the expropriated lands as estimated by the expropriating authority be served, together with a copy of the appraisal report, all in accordance with section 25 of the Act;
  - f. That compensation be paid to the owner(s) of the expropriated lands following the acceptance of the offer made pursuant to section 25 of the Act;  
and
  - g. That all necessary steps be taken to obtain possession of the expropriated lands.

Enacted by City of Vaughan Council this 2<sup>nd</sup> day of October, 2019.

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Hon. Maurizio Bevilacqua, Mayor

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Todd Coles, City Clerk

Authorized by Item No. 2 of Report No. 28  
of the Committee of the Whole (Closed Session)  
Adopted by Vaughan City Council on  
October 2, 2019.

**Property Schedule  
Expropriation of Land  
Portage Parkway West from Applewood Crescent to Jane Street  
City of Vaughan**

No.	Owner	Municipal Address	Legal Description	Interest Required	Compensation
1.	1591420 Ontario Limited	n/a	Parts 2 and 3, Registered Plan of Survey 65R-38636	Fee Simple	\$136,170.00
			Part 4, Registered Plan of Survey 65R-38636	Temporary Easement	\$58,316.00
2.	Ankara Realty Limited	n/a	Part 5, Registered Plan of Survey 65R-38636	Fee Simple	\$53,550.00
			Part 6, Registered Plan of Survey 65R-38636	Temporary Easement	\$24,151.00
3.	York Region Condominium Plan No. 627	200 Edgeley Boulevard	Parts 7, 9 and 10, Registered Plan of Survey 65R-38636	Fee Simple	\$227,588.00
			Part 8, Registered Plan of Survey 65R-38636	Temporary Easement	\$70,349.00
4.	York Region Condominium Plan No. 649	207 Edgeley Boulevard	Parts 15,16 and 18, Registered Plan of Survey 65R-38636	Fee Simple	\$195,203.00
			Part 17, Registered Plan of Survey 65R-38636	Temporary Easement	\$195,203.00
5.	Dimco Properties Inc.	10 Buttermill Avenue	Parts 1, 3 and 4, Registered Plan of Survey 65R-38637	Fee Simple	\$139,103.00
			Part 2, Registered Plan of Survey 65R-38637	Temporary Easement	\$41,149.00
6.	VGS Investments Limited	11 Buttermill Avenue	Parts 9, 10 and 12, Registered Plan of Survey 65R-38637	Fee Simple	\$136,043.00
			Part 11, Registered Plan of Survey 65R-38637	Temporary Easement	\$30,182.00
7.	Millway Ventures Ltd.	190 Millway Avenue	Parts 13, 15 and 16, Registered Plan of Survey 65R-38637	Fee Simple	\$142,035.00
			Part 14, Registered Plan of Survey 65R-38637	Temporary Easement	\$46,114.00

8.	York Region Condominium Plan No. 945	201 Millway Avenue	Parts 21, 22, 24, 25, 26 and 27, Registered Plan of Survey 65R-38637	Fee Simple	\$280,500.00
			Part 23, Registered Plan of Survey 65R-38637	Temporary Easement	\$79,129.00