

COMMITTEE OF THE WHOLE JULY 6, 2010

COMMENCEMENT OF EXPROPRIATION WARD 1 11067 KEELE STREET NORTH MAPLE PARK

Recommendation

The Senior Manager of Real Estate and the Director of Legal Services in consultation with the Commissioner of Community Services and the Commissioner of Legal and Administrative Services recommends:

- 1) That staff be directed to commence expropriation proceedings for the acquisition of the fee simple interest in the property described as Part of Lot 27 and Part of the west half of Lot 28, Concession 3, municipally known as 11067 Keele Street to implement the Maple Valley Plan.
- 2) That a By-law be enacted to authorize the Mayor and Clerk to execute the Application for Approval to Expropriate Land and the Notice of Application for Approval to Expropriate property legally described as Part of Lot 27 and Part of the west half of Lot 28 Concession 3 in the City of Vaughan, in the Regional Municipality of York, municipally known as 11067 Keele Street.
- 3) That the confidential memo of the Senior Manager of Real Estate be received.
- 4) That the confidential recommendation be approved.

Contribution to Sustainability

The acquisition of the lands will help fulfill the vision of the Maple Valley Plan the North Maple Park will be implemented with innovative environmental initiatives. The Park will provide opportunities for recreation for City of Vaughan residents.

Economic impact

The acquisition price to the property owner will be in the range set out in an independent appraisal plus limited legal fees and disbursements and other entitlements pursuant to the Expropriation Act as recommended by legal counsel. The source of funding is the Parkland Cash-in-lieu Reserve

Communications Plan

The Notice of Application will be advertised and owners informed.

Purpose

The purpose of this report is to request authorization for expropriation.

Background - Analysis and Options

The City adopted Official Plan Amendment Number 535 to facilitate the Maple Valley Plan. The City has previously acquired the lands surrounding this parcel for the park including the Avondale Site. The acquisition of this property is necessary to implement the plan, and for land use compatibility. There would be land use conflicts between the small residential parcel and the large intensive park use. If the parcel were not included, the City would have difficulty in designing and constructing infrastructure.

On September 17, 2002, Council authorized staff to proceed with the acquisition of properties required for implementation of the Maple Valley Plan.

The subject property is situated on the east side of Keele Street approximately one .67 kilometer south of the Kirby Road right of way and north of Teston Road and municipally known as 11067 Keele Street as shown on Attachment #1. The registered owners are 11067 Keele Street Partnership who acquired title in September 2007.

The site has frontage of 116 feet on Keele Street with a depth of 627.7 feet for a total area of 1.18 acres. It is improved with a modest older tenanted 1 ½ storey plus basement frame residence, and older frame shed/garage and a large recently constructed metal clad commercial storage building. Further to the rear there are two recently constructed storage sheds.

The residence with about 1170 sq.ft. of gross floor area is of frame construction with aluminum siding exterior, a metal roof and upgraded vinyl clad exterior windows. The 30 feet x 70 feet commercial quality metal clad storage structure has concert floor, hydro service, halogen lighting and a 14 foot access door. It is used for shelving and storage of contractor's tools, parts and equipment.

The mid-portion of the site is comprised of compacted material and used for truck parking and storage. To the rear is a large garden and two newer sheds used for hobby farming purposes. The central portion of the property and commercial storage building appear to be used for storage for construction materials and as a contractor's yard.

The acquisition of this property is required for the North Maple Park. Staff will continue to meet with the owner and their lawyer to negotiate a mutually agreeable settlement. The expropriation process provides the City with possession of the site in due course to continue with the design and implementation of the park.

Expropriation requires that an Offer under Section 25 be submitted to the registered owner within three months of registration of the expropriation plan. Thereafter an owner can request his share of the proceeds without prejudice to their rights to arbitration or they can agree to a final settlement.

Relationship of Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

None

Conclusion

City staff will continue to try to negotiate a settlement during the summer months, and recommend the commencement of expropriation procedures at this time.

Attachments

Location Map – Attachment #1

Report prepared by:

Liana Houghton

Respectfully submitted,

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Senior Manager of Real Estate

Heather A. Wilson
Director of Legal Services

Janice Atwood-Petkovski
Commissioner of Legal and
Administrative, City Solicitor



The City Above Toronto

11067 KEELE STREET
CITY OF VAUGHAN (MAPLE)
JUNE 15, 2010