

# *THE CITY OF VAUGHAN*

# *BY-LAW*

## BY-LAW NUMBER 213-2024

**A By-law to authorize an application for approval to expropriate all right, title and interest (fee simple), temporary limited interests (temporary construction easements), and easement interests in lands in the City of Vaughan, in the Regional Municipality of York, as more particularly described in Schedule “A” to this By-law.**

**WHEREAS** The Corporation of the City of Vaughan requires all right, title and interest (fee simple) and/or temporary limited interests (temporary construction easements) in the lands described in Schedule “A” (the “**Lands**”);

**AND WHEREAS** the Lands are required for the municipal purpose of facilitating infrastructure improvements and works ancillary thereto along Jane Street in the City of Vaughan to reduce flooding and flood damage, improve water quality and limit stream bank erosion of Black Creek;

**AND WHEREAS** pursuant to Section 6 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, the power of a municipality to acquire land under this or any other Act includes the power to expropriate land in accordance with the *Expropriations Act*, R.S.O. 1990 c. E.26, as amended.

**AND WHEREAS** pursuant to Section 5(3) of the *Municipal Act, 2001*, a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

**AND WHEREAS** pursuant to Section 4 of the *Expropriations Act*, an expropriating authority, in this case, The Corporation of the City of Vaughan, shall not expropriate land without the approval of the approving authority, in this case, the Council of the City of Vaughan;

**AND WHEREAS** the Council of the City of Vaughan has by resolution passed on October 29, 2024, authorized the commencement of procedures to expropriate lands;

**AND WHEREAS** R.R.O. 1990, Reg. 363 under the *Expropriations Act*, as amended, directs that an Application for Approval to Expropriate Land and a Notice of Application for Approval to Expropriate Land shall be in the prescribed forms; and,

**AND WHEREAS** The Corporation of the City of Vaughan shall conduct the expropriation in accordance with the *Expropriations Act*;

**NOW THEREFORE** the Council of the City of Vaughan enacts as follows:

1. That Council of the City of Vaughan hereby authorizes an Application for Approval to Expropriate Land by The Corporation of the City of Vaughan in respect of the Lands;
2. That the Clerk is hereby authorized to execute, on behalf of The Corporation of the City of Vaughan, the Application for Approval to Expropriate Land in the prescribed form in respect of the Lands;
3. That the Clerk is hereby authorized to execute, on behalf of The Corporation of the City of Vaughan, the Notice of Application for Approval to Expropriate Land in the prescribed form, and that it be served and published in accordance with the *Expropriations Act*.

4. That in the event an owner or registered owner requests a hearing of necessity, and a report of the Tribunal is issued, the report of the Tribunal shall come before the Council of the City of Vaughan for consideration.
5. That City Staff are hereby otherwise authorized and directed to do all things required arising from the authorizations provided by this By-law.

Voted in favour by City of Vaughan Council this 19<sup>th</sup> day of November, 2024.

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Steven Del Duca, Mayor

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Todd Coles, City Clerk

Authorized by Item No. 4 of Report No. 40 of the Committee of the Whole (Closed Session).  
Report adopted by Vaughan City Council on November 19, 2024.  
City Council voted in favour of this by-law on November 19, 2024.  
Approved by Mayoral Decision MDC 015-2024 dated November 19, 2024.  
**Effective Date of By-Law: November 19, 2024**

## SCHEDULE "A"

No.	Owner	Municipal Address	Legal Description	Interest Required
1.	2431247 Ontario Limited	7725 Jane Street, Vaughan	Part 2 and 4 on Draft Plan 24055R1A	Fee Simple (88.7 sq. m.)
2.	I & M Pandolfo Holdings Inc.	7601 Jane Street, Vaughan	Part 2 on Draft Plan 24050R2A	Fee Simple (2626.5 sq. m.)
3.	2431247 Ontario Limited	7725 Jane Street, Vaughan	Part 1 and 3 on Draft Plan 24055R1A	Temporary Easement for a period of 48 months (4 years) (375.4 sq. m.)
4.	I & M Pandolfo Holdings Inc.	7601 Jane Street, Vaughan	Part 1 on Draft Plan 24050R2A	Temporary Easement for a period of 42 months (3.5 years) (1781.2 sq. m.)
		7601 Jane Street, Vaughan	Part 3 on Draft Plan 24050R2A	Temporary Easement for a period of 42 months (3.5 years) (287.6 sq. m.)
5.	York Region Condominium Corporation No. 730	7581 Jane Street, Vaughan	Part 1 on Draft Plan 24050R3A	Temporary Easement for a period of 42 months (3.5 years) (892.6 sq. m.)
6.	2431247 Ontario Limited	7683 to 7695 Jane Street, Vaughan	Part 1 on Plan 66R-10343	Easement Rights in favour of 7725 Jane Street, Vaughan (PIN 03229-0004)

**Temporary Easement for a period of 48 months (4 years)**

The temporary easements required are described as temporary limited interests (Temporary Easement for a period of 48 months) commencing with no less than three (3) months' written notice to the registered owner. The temporary easements are for 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 City's permanent takings, (3) staging and storage of materials and equipment, (4) geotechnical investigations, borehole drilling, installation of temporary monitoring wells, and other investigative works, (5) removal, relocation, and/or installation of signage, (6) hard and soft landscaping, tree planting, paving, retaining structures, 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, (vii) handrails, and (viii) sidewalks, and (8) works ancillary to any of the foregoing and necessary works to be performed in association with the purpose of facilitating infrastructure improvements along Jane Street in the City of Vaughan to reduce flooding and flood damage, improve water quality and limit stream bank erosion of Black Creek.

**Temporary Easement for a period of 42 months (3.5 years)**

The temporary easements required are described as temporary limited interests (Temporary Easement for a period of 42 months) commencing with no less than three (3) months' written notice to the registered owner. The temporary easements are for 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 City's permanent takings, (3) staging and storage of materials and equipment, (4) geotechnical investigations, borehole drilling, installation of temporary monitoring wells, and other investigative works, (5) removal, relocation, and/or installation of signage, (6) hard and soft landscaping, tree planting, paving, retaining structures, 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, (vii) handrails, and (viii) sidewalks, and (8) works ancillary to any of the foregoing and necessary works to be performed in association with the purpose of facilitating infrastructure improvements along Jane Street in the City of Vaughan to reduce flooding and flood damage, improve water quality and limit stream bank erosion of Black Creek.