



## STAFF REPORT ACTION REQUIRED

### Request to Initiate Expropriation Process – 915 Kipling Avenue

<b>Date:</b>	May 23, 2007
<b>To:</b>	Government Management Committee
<b>From:</b>	Chief Corporate Officer
<b>Wards:</b>	Ward 5 – Etobicoke Lakeshore
<b>Reference Number:</b>	P:\2007\Internal Services\F&re\Gm07054F&re – (AFS 5192)

#### SUMMARY

---

915 Kipling Avenue has been identified as suitable for the replacement of some of the existing TTC commuter parking spaces that will be lost through the redevelopment of that portion of the Bloor-Islington transit lands at 3326 Bloor Street West and 1226 Islington Avenue.

Negotiations with the owners have been on-going since 2005. Consensus has not yet been reached on terms and conditions of a purchase agreement. While discussions will continue with the owner to attempt to achieve a negotiated settlement, this report seeks authority to initiate the expropriation process to ensure that the subject property is in City ownership to meet the timelines for the construction of the TTC replacement parking spaces.

#### RECOMMENDATIONS

---

**The Chief Corporate Officer recommends that:**

1. City Council grant authority to initiate the expropriation process for 915 Kipling Avenue, legally described as Part of Lots 28, 29, 30 and 31 on Registered Plan 1890.
2. City Council grant authority to serve and publish Notices of Application for Approval to Expropriate 915 Kipling Avenue, to forward to the Chief Inquiry Officer any requests for hearing that are received, to attend the hearing to present the City's position and to report the Inquiry Officer's recommendations to City Council for its consideration.

3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### **Financial Impact**

Funds for the acquisition of the subject property, either by way of negotiated settlement or expropriation, are available in the TTC 2007 approved Capital Budget. The detailed source and amount of funding will form part of a subsequent report to Committee and Council seeking authorization for the acquisition either through negotiation or, if required, by expropriation.

The Deputy City Manager and Chief Financial Officer has reviewed this report and concurs with the financial impact statement.

### **DECISION HISTORY**

At its meeting on February 1, 2 and 3, 2005, City Council adopted, as amended, Clause 6 of Report No. 1 of the Administration Committee, thereby authorizing staff to negotiate the acquisition of 915 Kipling Avenue to further the City's development of transit site objectives and the TTC's policy of replacing commuter parking spaces displaced by development.

### **ISSUE BACKGROUND**

The subject property is located at the northeast corner of Kipling and Munster Avenues, next to the Kipling overpass above the CP Rail corridor and adjacent to the Hydro One Networks Inc. corridor lands. The western property boundary abuts the existing TTC Kipling South commuter parking lot. The site is irregular in shape, is comprised of approximately 0.64 acres and is improved with a single story industrial building used for the manufacture and storage of ornamental cement garden furnishings.

In July, 2003 City Council endorsed the West District Design Initiative, an urban design study process with respect to the Bloor/Islington and Kipling Subway Station lands. TTC commuter parking is fully utilized at both the Islington and Kipling subway and bus terminals and the loss of spaces for development is not consistent with TTC Policy. As a terminal station additional commuter parking is sought to meet the growing demand for transit parking. The location of 915 Kipling is of interest to TTC as it allows for expansion of an existing lot rather than the creation of a small standalone lot.

In November 2004, TTC's Committee of the Whole approved in principle the commencement of negotiations with the owners of 915 Kipling Avenue for commuter parking. In February 2005, City Council authorized staff to negotiate appropriate terms and conditions for the proposed acquisition of 915 Kipling Avenue and report back to the Administration Committee on a recommended transaction.

Other lower cost parking relocation alternatives were considered after the initial negotiations in 2005. The recent City development initiatives at Bloor Islington have resulted in a fresh review and reopening of negotiations with the owner.

## **COMMENTS**

The acquisition of 915 Kipling Avenue is required for the construction of TTC commuter parking spaces to replace some of those lost through the redevelopment of the Bloor-Islington transit lands and will supplement the existing commuter parking lot on the west side of Kipling Avenue. While negotiations with the owner will continue, in order to ensure that construction timelines are met, it is recommended that the City initiate expropriations proceedings.

## **CONTACT**

Joe Casali  
Director, Real Estate Services  
Tel: (416) 392-7202  
Fax: (416) 392-4880

Domenic Garisto  
Acting Manager, Property Development, TTC  
(416) 393-6536  
(416) 338-0211

## **SIGNATURE**

---

Bruce Bowes, P. Eng.  
Chief Corporate Officer

## **ATTACHMENTS**

Appendix “A” – Site Map 915 Kipling