

**Expropriation of 5341 Dundas Street West
Kipling Redevelopment Initiative**

Date:	March 27, 2008
To:	Government Management Committee
From:	Chief Corporate Officer
Wards:	Ward 5 – Etobicoke-Lakeshore
Reference Number:	P:\2008\Internal Services\F&re Gm08028F&re - (AFS 7120)

SUMMARY

This report seeks approval for the expropriation of 5341 Dundas Street West (the “Property”) for the purposes of establishing a new driveway entrance to the new inter-regional terminal to be constructed on the TTC Kipling Station lands as part of the Kipling/Islington Redevelopment Initiative (the “K/I Initiative”).

RECOMMENDATIONS

The Chief Corporate Officer recommends that:

- (1) City Council, as approving authority under the *Expropriations Act*, approve the expropriation of the Property, legally described as Part of Lot 7, Concession 5, Colonel Smith’s Tract in the City of Toronto (formerly City of Etobicoke), designated as Part 6 on Reference Plan 64R-5004 and shown as Part 1 on attached Sketch No. PS-2007-151, for the K/I Initiative;
- (2) City Counsel as expropriating authority under the *Expropriations Act*, authorize all necessary steps to proceed with the said expropriation in compliance with all steps under the *Expropriations Act*, including but not limited to, the preparation and registration of an Expropriation Plan and the service of Notices of Expropriation, Notices of Election as to a Date for Compensation and Notices of Possession;
- (3) the Director of Real Estate or the Executive Director of Facilities and Real Estate be authorized to sign the Notices of Expropriation and Notices of Possession on behalf of the City;

- (4) leave be granted for introduction of the necessary Bill in Council to give effect thereto; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.”

FINANCIAL IMPACT

The expropriation of 5341 Dundas Street West is for the purposes of the new interregional terminal to be constructed on the TTC Kipling Station lands as part of the Kipling/Islington Redevelopment Initiative approved by Council in 2007. Funding for this expropriation is available in the 2008 Approved Capital Budget for TTC, account CTT 130.

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

DECISION HISTORY

On July 16, 17, 18 and 19, 2007 City Council adopted Item No. GM6.14 of the Government Management Committee, - thereby authorizing staff to acquire the Property and to initiate the expropriation process, if necessary, for the Kipling portion of the K/I Initiative.

ISSUE BACKGROUND

In February 2007, City Council approved the K/I Initiative and allocated \$17.5 million of capital funding from the Land Acquisition Reserve Fund for this project, subject to confirmation of funding commitments from Mississauga Transit, Go Transit, the Province of Ontario, the Greater Toronto Transportation Authority and the Federal Government. For the Kipling portion of the K/I Initiative, the Province has since committed to capital funding of \$30 million and Mississauga Transit has committed to \$5.5 million.

COMMENTS

Pursuant to Council’s authority and in accordance with the *Expropriations Act*, Notices of Application for Approval to Expropriate the Property were served on the registered owner, 1127792 Ontario Limited, and published in the newspaper. No request for a Hearing of Necessity, which is permitted under the *Expropriations Act*, has been received from the owner within the thirty day period following the service and publication of the said Notices, as permitted under the *Expropriations Act*.

When City Council’s authority was received, staff sought to secure a mutually agreeable Offer to Sell from the owner. Agreement has not been reached. Due to the tight time frame for the commencement of the TTC’s construction program and to ensure that

ownership can be secured as expeditiously as possible, this report recommends that Council approve the proposed expropriation of the Property and authorize all necessary steps to proceed with the expropriation in compliance with the *Expropriations Act*.

The Property details are as follows:

Municipal Address: 5341 Dundas Street West and shown as Part 1 on attached Sketch No. PS-2007-151

Registered Owner: 1127792 Ontario Limited

Legal Description: PIN 07549-0094; Part of Lot 7, Concession 5, Colonel Smiths Tract, in the City of Toronto (formerly Etobicoke), and designated as Part 6 on Reference Plan 64R-5004

Approximate Dimensions: Irregular
Dundas Street West Frontage: 18.9 m (62.00 feet)
West Property Limit: 42.0 m (137.79 feet)

Approximate Site Area: 672 m² (7,231 ft²)

Improvements: Two storey residential building converted for office uses
GFA: 154.2 m² (1,660 ft²)

Official Plan: Mixed Use Area

Zoning: EC2- Etobicoke Centre 2 Zone

CONTACT

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SIGNATURE

Bruce Bowes, P.Eng.
Chief Corporate Officer

ATTACHMENTS

Site Maps

SITE MAPS

