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**City Council**

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**Notice of Motion**

MM38.15	ACTION			Ward: 18
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**Real Estate Acquisitions – TTC Dufferin Station Modernization Project -  
by Councillor Giambrone, seconded by Councillor Heaps**

- Notice of this Motion has been given.*
- This Motion is subject to referral to the Government Management Committee. A two-thirds vote is required to waive referral.*

**Recommendations**

Councillor Giambrone, seconded by Councillor Heaps, recommends that:

1. Council authorize the Director of Real Estate to negotiate to acquire the property listed in Appendix A1 as required for the construction improvements to the TTC Dufferin subway station and to initiate expropriation proceedings in parallel, where necessary.
2. Council authorize the Director of Real Estate to serve and publish Notices of Application for Approval to Expropriate the Required Property, to forward any requests for hearing that are received to the Chief Inquiry Officer, to attend the hearings in order to present the City's position, and to report the Chief Inquiry Officer's recommendations back to City Council for its consideration.

**Summary**

The Dovercourt Baptist Church Foundation (Church), is the City of Toronto (City's), ground lease tenant at 1140 Bloor West. The City has been negotiating with the Church to acquire back some of the lands subject to the Church's leasehold interest required to construct necessary components for the Dufferin Station modernization (the Project).

The majority of the property around the subway is owned by the City. By indenture dated June 19, 1973, the Dovercourt Baptist Foundation entered into a long term ground lease for the use of the property subject to the reservation of a permanent easement for the subway station. In order to improve the station for the programs above, a partial surrender of the leased premises is required. Additional property takings are anticipated from the two adjacent private properties north of the subway to permit construction of a below grade elevator on the side of the subway structure and provide vehicle access and staging area during construction. The property requirements are outlined in Appendix A1 for the three respective properties.

The Toronto Transit Commission 2009 - 2013 Capital Budget approved by City Council on December 10, 2008 includes funding under a number of projects including Station Modernization, Easier Access, Fire Ventilation - Second Exit, Communication Systems Rehabilitation and Subway Pump Replacement Programs for the Dufferin Subway station.

The design of the improved station includes a second exit from the subway platform at the west end of the station along Russet Street, an enlargement of the main station entrance on the west side of Dufferin street with a new stair and elevators from grade to concourse and concourse to platform levels. Based on the constraints of building on to the existing underground subway structure, additional property is required above and below grade for these new facilities.

Public review has been conducted including Public Open Houses on October 22, 2008 and May 11, 2009.

TTC staff have been consulting with the impacted property owners and have requested that City staff, subject to Council approval, initiate expropriation proceedings in parallel with negotiations to protect the Project schedule.

Submitted to City Council on August 5, 2009 as MM38.15)

### **Background Information**

Appendix A1 - Private Property Requirements Table

(<http://www.toronto.ca/legdocs/mmis/2009/mm/bgrd/backgroundfile-22633.pdf>)

Location Map

(<http://www.toronto.ca/legdocs/mmis/2009/mm/bgrd/backgroundfile-22634.pdf>)