



**STAFF REPORT
ACTION REQUIRED**
with Confidential Attachment

**Expropriation of a Portion of 33 Passmore Avenue and
3223 Kennedy Road for the Construction of a Portion of
the Redlea Avenue Extension**

Date:	June 13, 2012
To:	Government Management Committee
From:	Chief Corporate Officer
Wards:	Ward No. 39 – Scarborough Agincourt
Reason for Confidential Information:	This report is about a proposed or pending land acquisition by the City or one of its agencies, boards, and commissions and deals with litigation or potential litigation that affects the City or one of its agencies, boards, and commissions.
Reference Number:	P:\2012\Internal Services\RE\Gm12025re – (AFS #15296)

SUMMARY

At its meeting held on February 7 and 8, 2011, City Council authorized the initiation of expropriation proceedings for portions of two privately owned properties (the "Properties") as set out in Appendix "A", for the Redlea Avenue extension (the "Project").

This report seeks approval to expropriate the Properties for the Project.

RECOMMENDATIONS

The Chief Corporate Officer recommends that:

1. City Council, as approving authority under the *Expropriations Act*, approve the expropriation of the Properties set out in Appendix "A", for the purpose of the Redlea Avenue extension project.
2. City Council, as expropriating authority under the *Expropriations Act*, authorize all necessary steps to be taken to comply with 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. City Council grant leave to introduce the necessary Bill in Council to give effect thereto.
4. City Council authorize the public release of the confidential information contained in Attachment 1 once there has been a final determination of the compensation payable for the Properties by arbitration, appeal or settlement, to the satisfaction of the City Solicitor.

Financial Impact

Funding for the expected costs associated with the Properties identified in Appendix "A" is available in the 2012 Approved Capital Budget and 2013-2021 Capital Plan for Transportation Services, in CTP 808-37 Redlea Avenue Extension.

Confidential Attachment 1 to this report identifies the initial appraised values for the Properties.

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

DECISION HISTORY

At its meeting of November 19 and 20, 2007, City Council adopted as amended, Item No. PW10.2 "Redlea Avenue and Silver Star Boulevard Class Environmental Assessment Study" and approved the extension of Redlea Avenue from its current terminus, south of Steeles Avenue East, to the southern terminus of Milliken Boulevard.

Below are links to the relevant reports:

Extension of Redlea Avenue from Steeles Avenue East to McNicoll Avenue
(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-12547.pdf>)

Public Works and Infrastructure Committee (April 9, 2008)

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-12548.pdf>)

Extension of Redlea Avenue from Steeles Avenue East to McNicoll Avenue –Staff Report (<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-12550.pdf>)

At its meeting held on February 7 and 8, 2011, City Council adopted Government Management Committee Item GM1.4, thereby authorizing staff to initiate expropriation proceedings for the Properties.

ISSUE BACKGROUND

The Properties are located within Ward 39 Scarborough-Agincourt and are shown in Appendix "C" and "D" to this report. The general location of the Properties is shown in Appendix "B".

Real Estate Services staff have been in discussions with the owners of the Properties concerning the acquisition of the Properties and have met and corresponded with the owners on numerous occasions in an attempt to reach mutually acceptable terms. The parties have not been able to reach acceptable terms for the acquisition.

COMMENTS

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

In order to secure the Properties in a timely manner and thus avoid costly delays in the construction schedule, this report recommends that Council approve the expropriation of the Properties and authorize all steps necessary to be taken to proceed with the expropriation in compliance with the *Expropriations Act*. Details of the Properties are set out in Appendix "A".

CONTACT

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SIGNATURE

Bruce Bowes, P.Eng.,
Chief Corporate Officer

ATTACHMENTS

Attachment 1 – Confidential Attachment
Appendix "A" – Private Property Requirements
Appendix "B" – Site Map
Appendix "C" – Plan of Survey – 33 Passmore Avenue Property Requirements
Appendix "D" – Plan 66R-21781 – 3223 Kennedy Road Property Requirements