



## REPORT FOR ACTION

## Real Estate Acquisitions - TTC Sherbourne Station Easier Access Project

**Date:** April 12, 2017  
**To:** Government Management Committee  
**From:** Chief Corporate Officer  
**Wards:** Ward 28 - Toronto Centre - Rosedale

### SUMMARY

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As part of the Easier Access Phase III Project (the "Project"), the Toronto Transit Commission (TTC) is proposing to construct two (2) elevators at Sherbourne Subway Station providing accessibility to and from each of the eastbound and westbound platforms and street level. This report seeks authority to acquire various property interests in the existing southeast entrance connection to Sherbourne Station located at 425 Bloor St East.

Part of the new infrastructure is to be built on lands owned by the City of Toronto and leased to a third party under a long term ground lease. Negotiations for the acquisition of the property interests have been ongoing with the third party tenant (the "Lease Holder"), however in order to protect the Project timeline this report seeks authority to acquire the property interests and if necessary initiate expropriation proceedings.

### RECOMMENDATIONS

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#### The Chief Corporate Officer recommends that:

1. City Council authorize the Director of Real Estate services to negotiate to acquire and, if unsuccessful, to initiate expropriation proceedings for the property interests, set out in Appendix "A" and shown approximately in Appendix "A2" for the purposes of the Project.
2. City Council authorize the Director of Real Estate Services to serve and publish Notices of Application for approval to Expropriate the property interests, to forward to the Chief Inquiry Officer any requests for hearings that are received, to attend any hearings in order to present the City's position and to report the Inquiry Officer's recommendations back to City Council for its consideration.

## **FINANCIAL IMPACT**

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The costs to serve and publish the required Notices of Application for Approval to Expropriate, together with any costs related to attendance at the Hearing of Necessity, if any, will be funded from the 2017-2026 Council Approved Capital Budget and Plan for the Toronto Transit Commission (TTC) under the 3.9 Buildings and Structures Easier Access Phase III project.

Funding to acquire the property interests or to expropriate, if necessary, is included within the 2017-2026 Council Approved Capital Budget and Plan for the Toronto Transit Commission (TTC).

The detailed funding amounts will form part of a subsequent report to Committee and Council to identify the financial implication to the City and confirm funding availability within the TTC's 2017-2026 Council Approved Capital Budget and Plan for the acquisition of the property interests; or for expropriation costs including the market value of the Lands, as well as disturbance costs (if any), interest, land transfer tax costs, and all other associated costs stipulated under the Expropriations Act.

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

## **DECISION HISTORY**

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Metropolitan Council on December 16, 1975 by adoption of Clause No. 13 of Report No. 13 of the Management Sub-Committee approved the long term leasing of this parcel, subject to necessary surface and sub-surface easements, for the purpose of proceeding with a development project, for a term of 33 years, with rights to renew for a further two terms of 33 years each.

The Easier Access Phase III program is an important part of the 2014-2018 TTC Accessibility Plan in its objective to fulfill the provincially legislated requirements in the Accessibility for Ontarians with Disabilities Act, 2005 (AODA). As part of the Project, the TTC is proposing to construct two (2) elevators on City lands at Sherbourne Subway Station, providing access from street level to platform level.

Part of the new TTC infrastructure for the Project is to be built on the leased lands that are under a long term ground lease with the Lease Holder.

## **COMMENTS**

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In order to construct and maintain the elevator structures, at this location, it is necessary to acquire the property interest as described in Appendix "A" and shown approximately in Appendix "A2". The proposed location of the easier access elevator has been identified as the most feasible option from an engineering and customer service perspective.

Negotiations with the Lease Holder to acquire the property interests have been on-going. In order to ensure delivery of the property requirements to meet the Project construction schedule, it is now appropriate to seek City Council authority to acquire the property interest as set out in Appendix "A" and shown approximately in Appendix "A2" and where appropriate and, if necessary initiate expropriation proceedings.

## **CONTACT**

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Joe Casali, Director of Real estate Services: Tel: (416)392-7202;  
E-mail: [jcasali@toronto.ca](mailto:jcasali@toronto.ca)

Pamela Kraft, Head of Property, Planning & Development Department, TTC:  
Tel; (416) 590-6108; E-mail: [pamela.Kraft@ttc.ca](mailto:pamela.Kraft@ttc.ca)

## **SIGNATURE**

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Josie Scioli  
Chief Corporate Officer

## **ATTACHMENTS**

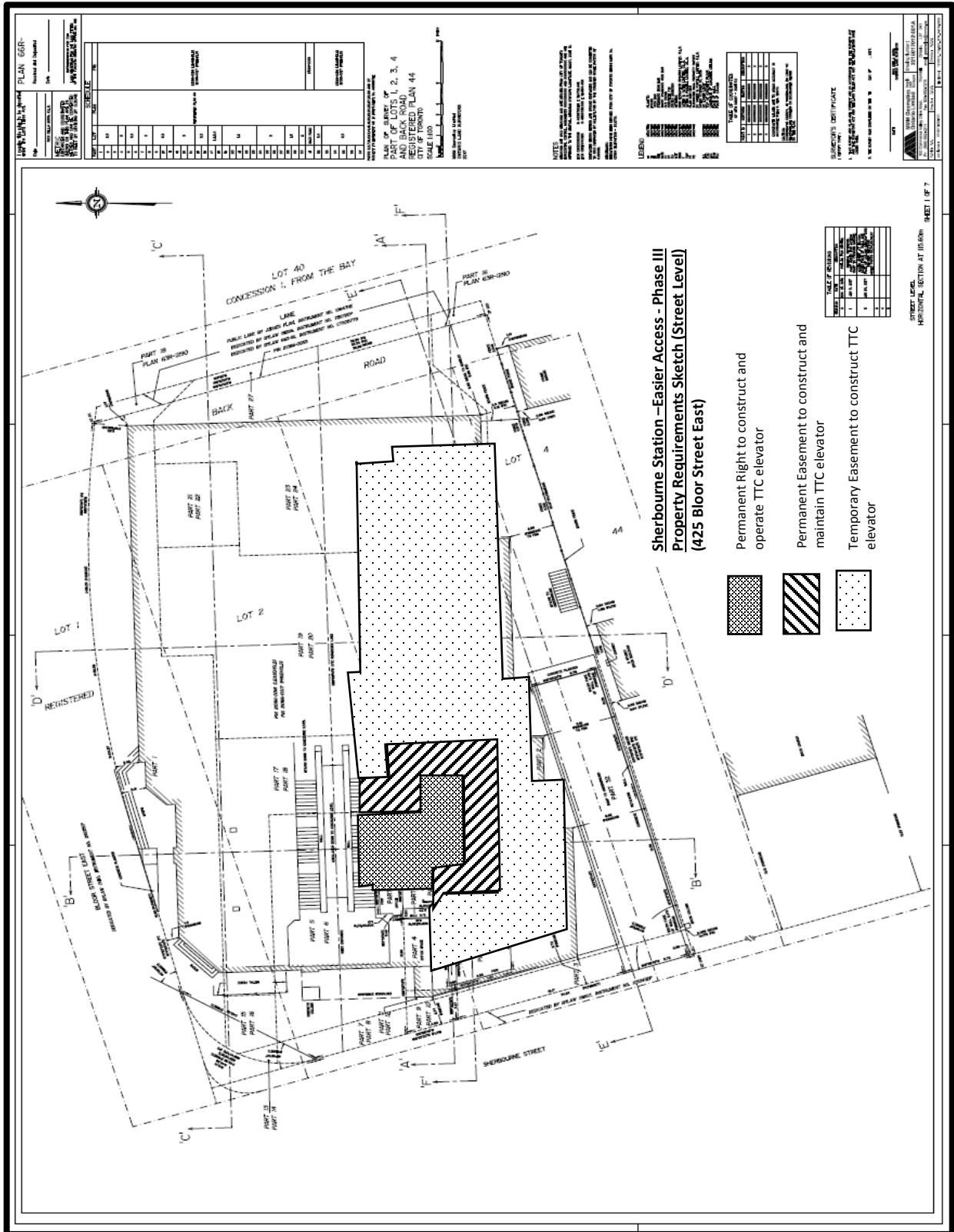
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Appendix "A" - Table of Property Interests  
Appendix "A2" - Approximate Plan of Project Property Interest  
Appendix "B" - Site Map and Property Sketch

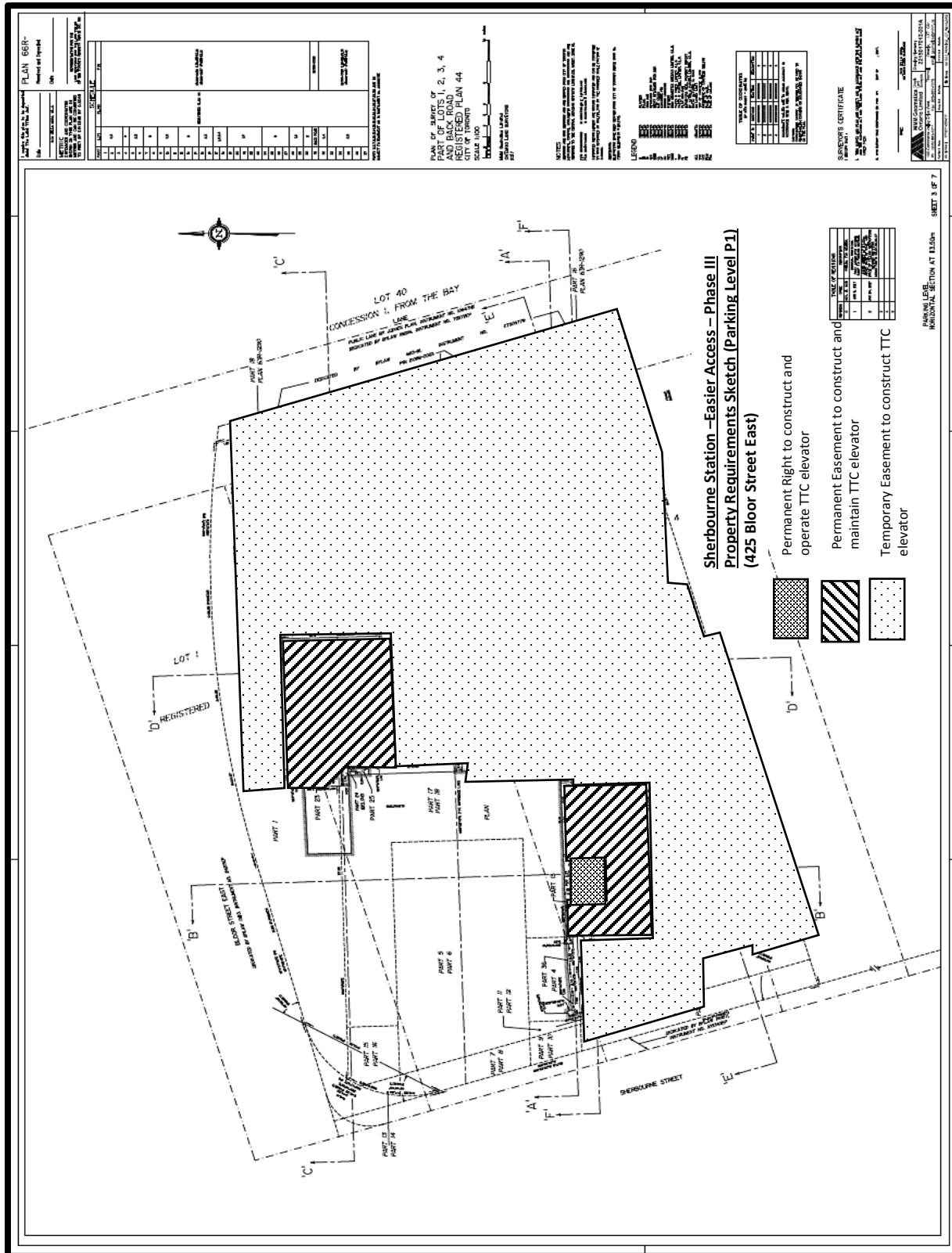
Appendix "A"  
Private Property Requirements

Municipal Address	Legal Description	Required Interest	Required Area	Purpose
425 Bloor St E	Those lands described in PIN: 21086-0017 (LT) in the Land Registry Office of Toronto (No.66)	All right title and interest	90m2	To construct and operate the elevators and related transit facilities
		Permanent Easement	320m2	To construct and maintain the elevator and related transit facilities
		Temporary Easement	2420m2	To construct the elevator and related transit facilities and for construction lay down

Appendix "A2"  
 Approximate Plan of Project Property Interests



Appendix "A2" (continued)  
 Approximate Plan of Project Property Interests



Appendix "B"  
Site Map

