



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

Expropriation of 3300 Kingston Road

Date: December 19, 2017

To: Government Management Committee

From: Director, Real Estate Services

Wards: Ward 36 - Scarborough Southwest

REASON FOR CONFIDENTIAL INFORMATION

This report is about a proposed or pending land acquisition by the City or one of its agencies or corporations.

SUMMARY

In April 2017, City Council authorized the initiation of expropriation proceedings for the property municipally known as 3300 Kingston Road (the "Property"). If acquired, the Property is to be used for a municipal purpose or multiple purposes, including but not limited to community, social, and/or health services. The intended use will work synergistically with the neighboring property, 3306 Kingston Road, which the City acquired in March 2016 and is repurposing as a shelter for senior men.

This report seeks approval from City Council, as the approving authority under the *Expropriations Act*, to expropriate the Property, shown as Parts 3, 5, 6, & 7 on Reference Plan 64R-11616 in Appendix "B".

RECOMMENDATIONS

The Director, Real Estate Services recommends that:

1. City Council, as approving authority under the *Expropriations Act*, approve the expropriation of the fee simple interest in 3300 Kingston Road, as legally described in Appendix "A" and shown as Parts 3, 5, 6, & 7 on Reference Plan 64R-11616, attached as Appendix "B" (the "Property").
2. City Council authorize the City, as expropriating authority under the *Expropriations Act*, to take all necessary steps to comply with the *Expropriations Act*, including but not limited to, the preparation and registration of an Expropriation Plan and service of Notices of Expropriation, Notices of Election as to a Date for Compensation, and Notices of Possession.

3. City Council grant authority for a court application to be made for an order permitting the City to take early possession of the expropriated Property, if necessary, in order to permit appropriate action to be taken in furtherance of the determined municipal objectives.

4. City Council authorize the public release of the confidential information contained in Confidential Attachment 1 once there has been a final determination of all claims for compensation for the Property to the satisfaction of the City Solicitor.

FINANCIAL IMPACT

Confidential Attachment 1 to this report identifies the initial estimated value of the Property.

Funding to acquire the Property is available in the 2017-2026 Council Approved Capital Budget for Facilities, Real Estate, Environment & Energy (FREEE) under capital account CCA226-01- Strategic Property Acquisitions, the use of which was approved under Item GM19.10, adopted by City Council at its meeting on April 26, 27 and 28, 2017.

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

DECISION HISTORY

At its meeting of April 26, 27 and 28, 2017, City Council adopted Item GM19.10, "Application for Approval to Expropriate 3300 Kingston Road" which authorized staff to continue negotiations with the owner of the Property and, if unsuccessful, initiate the expropriation process by serving and publishing the Notices of Application for Approval to Expropriate the Property.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.GM19.10>

At its meeting of December 9 and 10, 2015, City Council adopted Item EX10.12, "Acquisition of 3306 Kingston Road" and requested that the Chief Corporate Officer, in conjunction with applicable Divisions, develop a comprehensive plan for 3300 and 3306 Kingston Road, which would include exploring opportunities with abutting property owners in potential future redevelopment proposals.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.EX10.12>

At its meeting of August 25, 26, 27 and 28, 2014, City Council adopted, "Strategic Property Acquisitions" and authorized funding from the Land Acquisition Reserve Fund ("LARF"), in the amount of 15 percent of the uncommitted balance in the Land Acquisition Reserve Fund, as an approved budget for the acquisition of property that is determined to be strategically important to the City.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.EX44.22>

COMMENTS

Real Estate Services staff have been in discussions with the owner to acquire the Property since 2015. While the owner's attempts to sell the Property date as far back as 2005, the owner has been unwilling to entertain the City's offer to purchase at the current appraised value and believes a higher value can be obtained from a developer. However, the owner has advised, and staff concur, that the redevelopment potential of the Property on its own is limited by the irregular shape and size of the Property.

As directed by City Council in December 2015, the eventual use of the Property is intended to compliment 3306 Kingston Road, which was acquired by the City in March 2016. Combined, the two adjoining properties will create a larger parcel that will be used for municipal services. In order to determine the optimal municipal purpose, given the multiple potential municipal uses contemplated for the Property, staff, upon possession, will undertake a community engagement process to seek input on the site use. The Property is currently improved with a motel which will be demolished once the City has obtained vacant possession.

Prior to the April 2017 City Council meeting where authority to submit the notices of application of expropriation was obtained, the Deputy City Manager & Chief Financial Officer, as they were then known, determined that the acquisition of 3300 Kingston Road was strategically important to the City in accordance with approval requirements set out EX44.22 (approved by Council on August 25, 2014) and the CFO has approved this acquisition through the use of the Strategic Acquisition fund within the Land Acquisition Reserve Fund.

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 owners and published in the newspaper. The City has not received notice of requests for a hearing of necessity and the time limitation set out in the *Expropriations Act* for giving notice of such a request to the City has expired.

It is recommended that City Council, as approving authority under the *Expropriations Act*, approve the expropriation of the Property and that City Council authorize the City, as expropriating authority under the *Expropriations Act*, to take all necessary steps to proceed with the expropriation of the Property.

CONTACT

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SIGNATURE

David Jollimore
Director, Real Estate Services

ATTACHMENTS

Attachment 1 - Confidential Attachment
Appendix "A" - Property Requirements
Appendix "B" - Plan 64R-11616
Appendix "C" - Location Map
Appendix "D" - Ariel Map

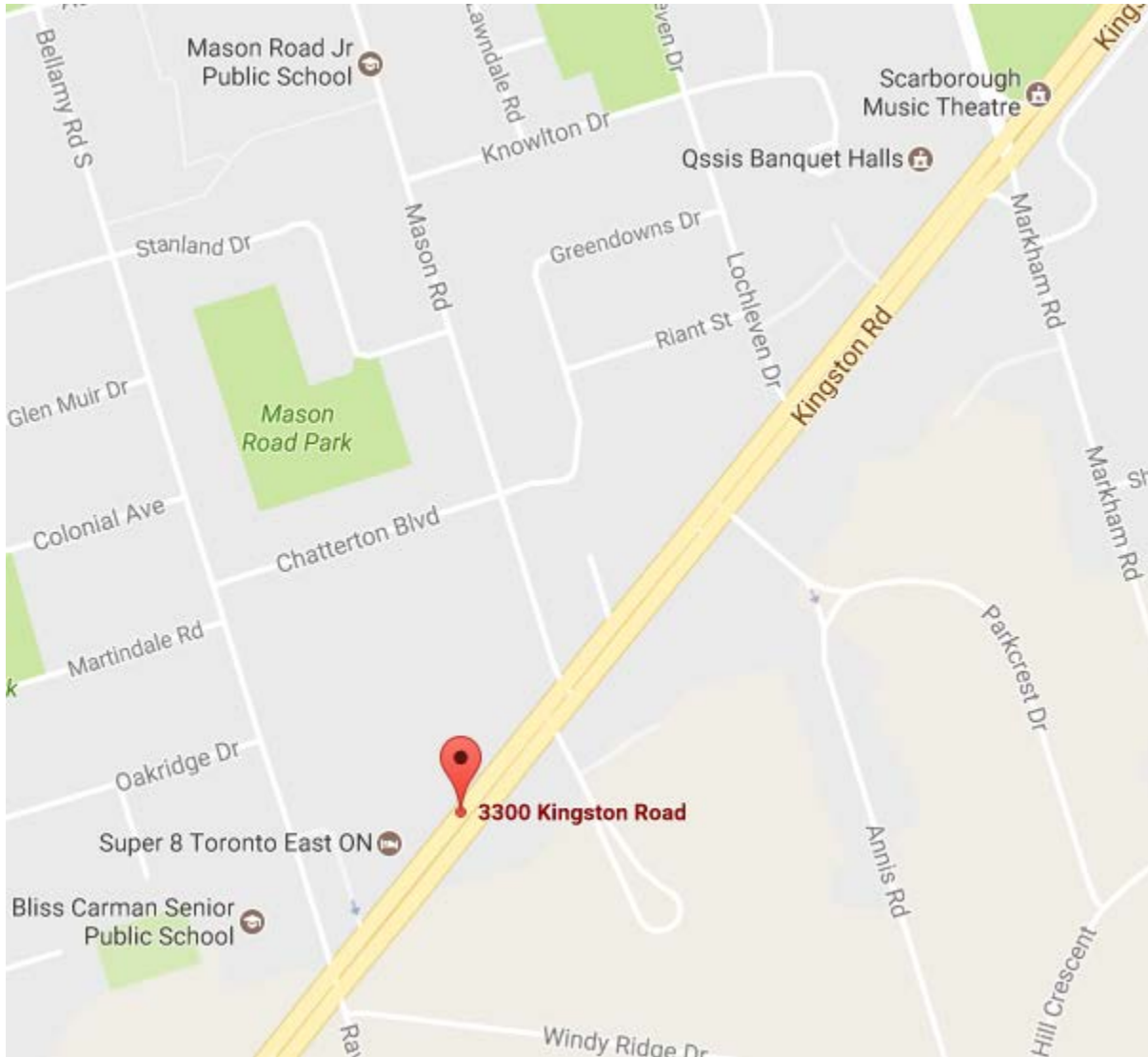
Appendix "A"

Property Requirements

Address	Legal Description	Site Area (approx. +/-)	Building Description	Property Requirement
3300 Kingston Road	PIN: 06407-0152 (LT) PT LT H PL 1834 Scarborough; PT LT I PL 1834 Scarborough; PT LT 11 PL 2287 Scarborough; PT LT 12 PL 2287 Scarborough; PT LT 13 PL 2287 Scarborough; PT LT 14 PL 2287 Scarborough; PT LT 15 PL 2287 Scarborough; PT LT 16 PL 2287 Scarborough; PT LT 17 PL 2287 Scarborough; PT LT 18 PL 2287 Scarborough; more particularly described as PTS 3, 5, 6, & 7, 64R11616; Toronto, City of Toronto	1.63 acres (6596.38 m ² or 71,002.8 sq. ft.)	Motel	Fee simple and all other right, title and interest (full taking)

Appendix "C"

Location Map



Appendix "D"

Aerial Map

