



## REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

### **Expropriation of Property Interests near Donlands Subway Station for the Easier Access Phase III and Secondary Exit Projects**

**Date:** June 3, 2019

**To:** General Government and Licensing Committee

**From:** Acting Director, Real Estate Services

**Wards:** Ward 14 - Toronto-Danforth

#### **REASON FOR CONFIDENTIAL INFORMATION**

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This report deals with a proposed or pending acquisition of land by the City of Toronto.

#### **SUMMARY**

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As part of the Easier Access III and Second Exit Projects (the "Projects"), the Toronto Transit Commission (TTC) is proposing to make the Donlands Subway Station accessible by constructing two new elevators and is also improving customer safety and convenience by constructing a new second exit building.

This report seeks approval from City Council, as the approving authority under the Expropriations Act, to expropriate the required fee simple, permanent and temporary easement property interests that will enable pedestrian access from two (2) new elevators and a second exit to be constructed at the Donlands Subway Station (the "Station"). The required properties are shown on the maps attached as Appendix A and on the draft Reference Plans attached as Appendix C, D and E.

## RECOMMENDATIONS

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The Acting Director, Real Estate Services recommends that:

1. City Council authorize the City of Toronto to enter into agreements, an offer to sell or an agreement under the Expropriation Act, with respect to the property interests identified in Appendix B (the "Property Interests"), on terms and conditions acceptable to the Deputy City Manager, Corporate Services, and in a form satisfactory to the City Solicitor.
2. City Council authorize the Deputy City Manager, Corporate Services or the Director, Real Estate Services jointly and severally, to execute the agreements in Recommendation 1.
3. City Council, in the event that the City of Toronto is unable to reach an agreement with the owner for the acquisition of the Property Interests in Recommendation 1,
  - a. As approving authority under the Expropriations Act, approve the expropriation of the Property Interests:
  - b. As expropriating authority under the Expropriations Act, authorize City staff to take all steps necessary to comply with the Expropriations Act, including but not limited to, the preparation and registration of an Expropriation Plan, and service of the Notice of Expropriation, Notice of Election as to a Date for Compensation, and/or Notice of Possession for the Property, as may be appropriate;
  - c. Authorize City staff to obtain an appraisal report to value the Property Interests, updated to the date of expropriation or, if the owner so elects in accordance with the Expropriations Act, to the date of service of the Notices of Expropriation, and to prepare and serve Offers of Compensation on all registered owners, at the appraised value, all in accordance with the requirements in the Expropriations Act and;
  - d. Authorize the Director, Real Estate Services and the Manager, Transaction Services, jointly and severally, to sign the Notices of Expropriation, the Notices of Possession, the Offer of Compensation, and any related documents on behalf of the City for the Property Interests.
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 all of the Property Interests to the satisfaction of the City Solicitor.

## **FINANCIAL IMPACT**

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

Funding to acquire the Property Interests is available in the 2019 - 2028 Council Approved Capital Budget and Plan for the TTC within the Easier Access Project (CTT028-1).

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

## **DECISION HISTORY**

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At its meeting held on July 23, 24, 25, 26, 27 and 30, 2018, City Council adopted the recommendations in Report GM29.28, granting authority to the applicable staff to continue negotiations for the acquisition of the Property Interests and initiate the expropriation process, if it is deemed necessary or appropriate by the applicable staff to proceed in that manner.

## **COMMENTS**

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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 Projects, the TTC is proposing to construct two (2) elevators at the Station, providing access from platform level to concourse level. As well as part of the Projects TTC will be improving customer safety and convenience by construction a new second exit building on Dewhurst Boulevard.

The proposed location of the easier access elevators and second exit has been identified as the most feasible option from an engineering and customer service perspective.

In the interest of maximizing efficiencies in the implementation of multi-program initiatives and to minimize the impact on the neighbourhood around the Station during construction, the Projects for the Station have been combined into one construction contract.

Negotiations with the owner to acquire the Property Interests have been on-going. In order to ensure delivery of the property requirements to meet the Projects construction schedule, it is now appropriate to seek City Council authority to acquire the Property Interests and where appropriate, and if necessary, initiate expropriation proceedings.

## **CONTACT**

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Daran Somas, Acting Manager, Transaction Services, Real Estate Division, Tel: 416-397-7671; Fax: 416-392-1880; [Daran.Somas@toronto.ca](mailto:Daran.Somas@toronto.ca)

Pamela Kraft, Head of Property, Planning and Development Department, TTC, Tel: 416-590-6108; Fax: 416-338-0211; [Pamela.Kraft@ttc.ca](mailto:Pamela.Kraft@ttc.ca)

## **SIGNATURE**

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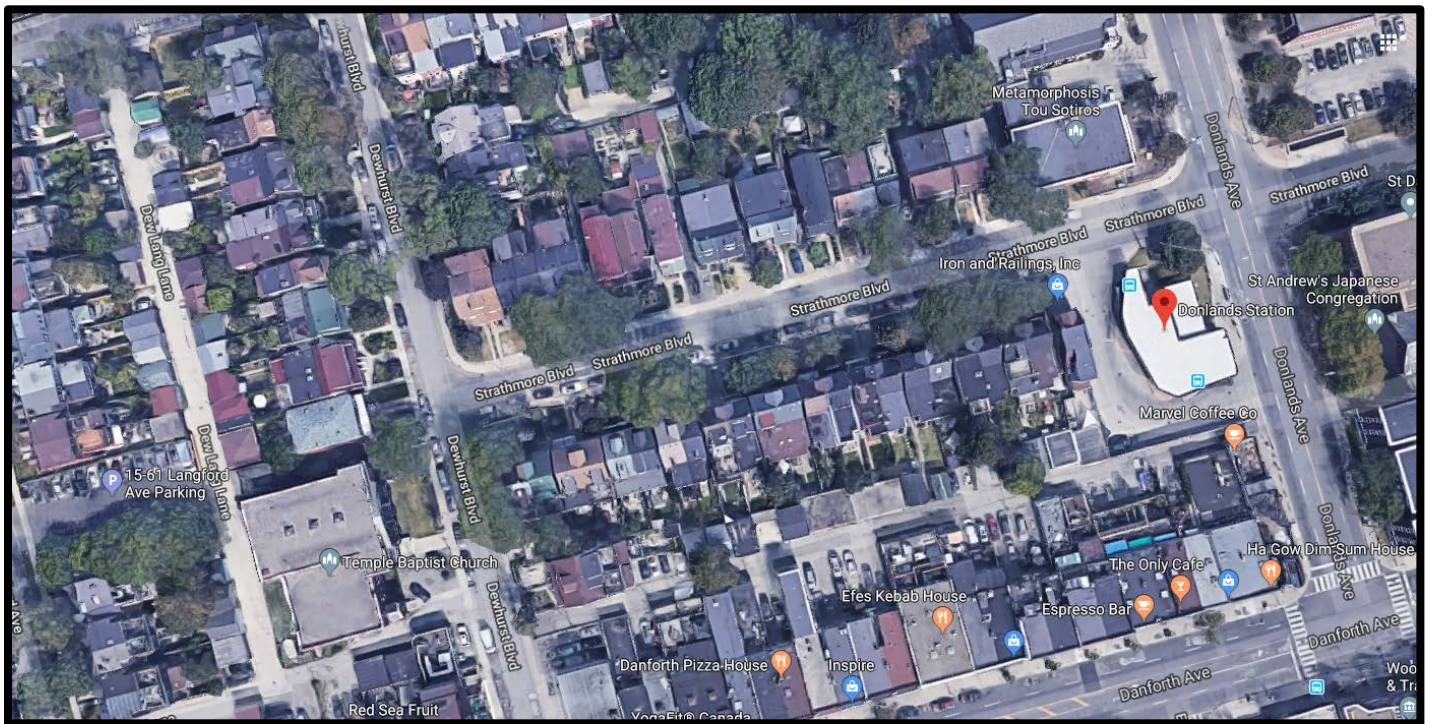
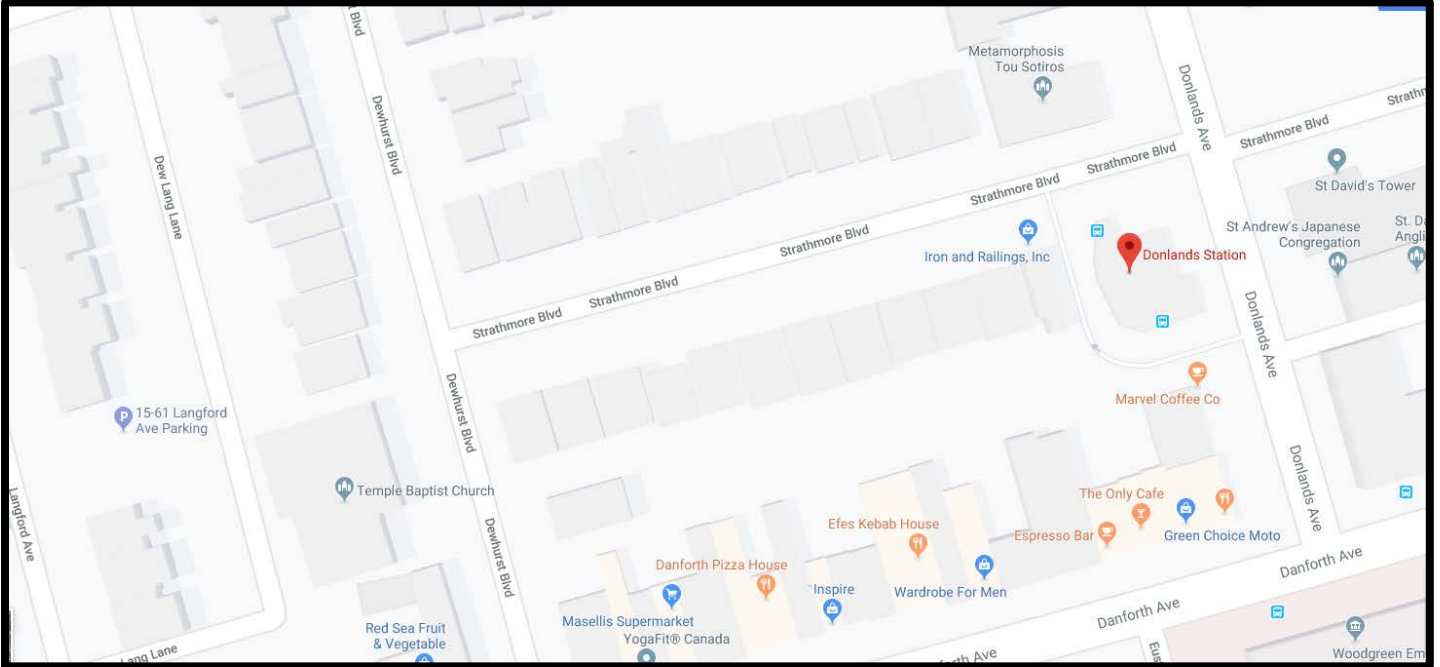
Nick Simos  
Acting Director, Real Estate Services

## **ATTACHMENTS**

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Appendix A - Location Map  
Appendix B - Property Interests  
Appendix C - Draft Reference-Plan 15M00519029EXP-01  
Appendix D - Draft Reference-Plan 15M00519029EXP-02  
Appendix E - Draft Reference-Plan 15M00519029EXP-03  
Confidential Attachment 1 - Estimated Value of the Property Interests

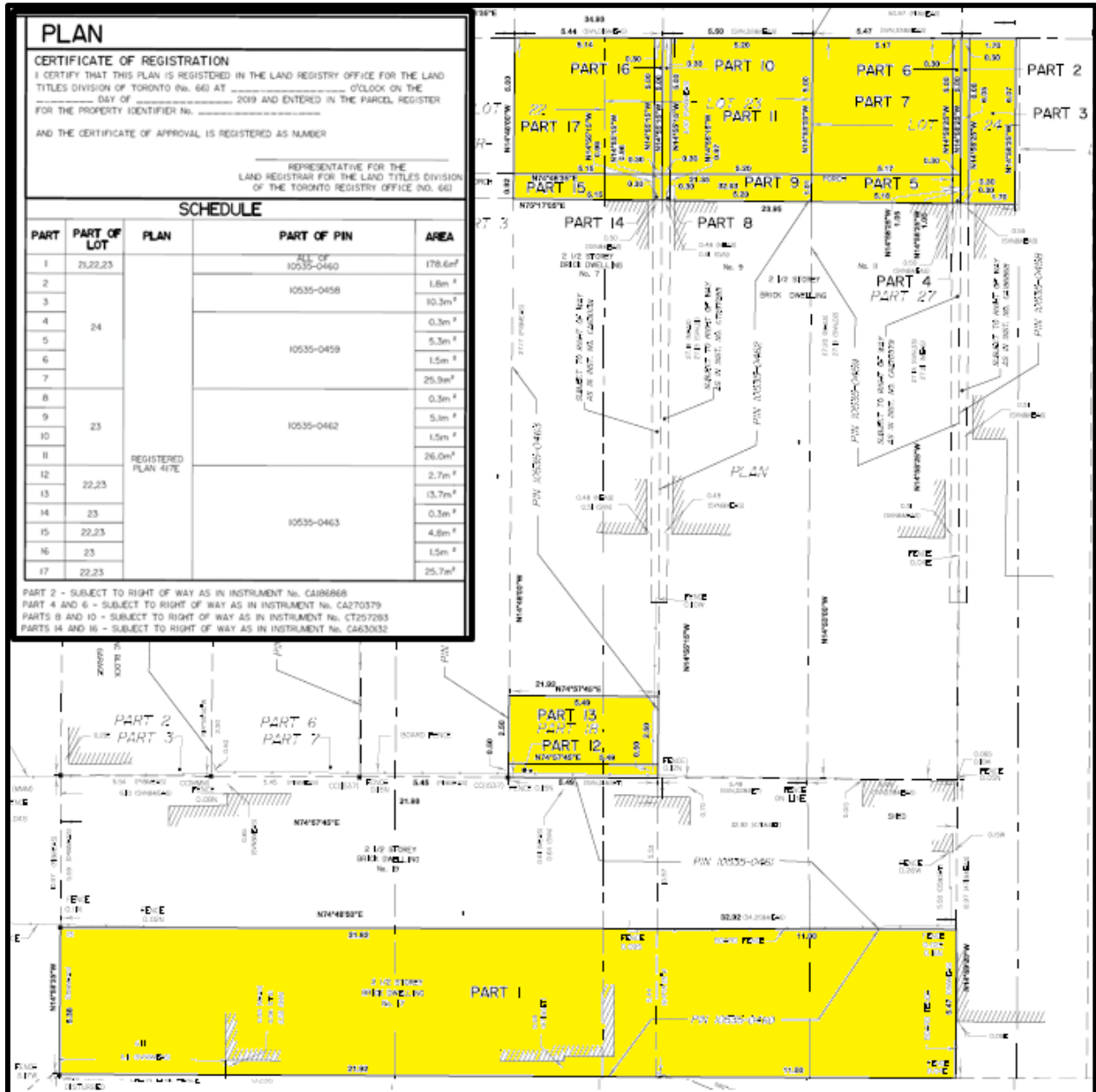
# Appendix A Location Map



Appendix B  
Property Interests

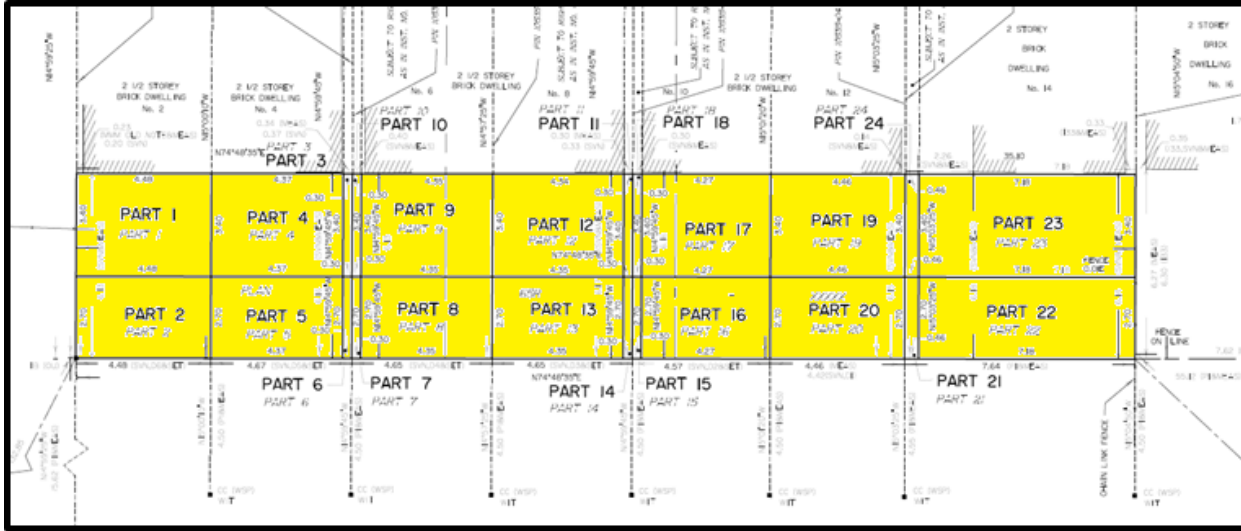
Address	Draft Reference Plan	Property Interests
7 Strathmore Boulevard	Shown as Parts 12,13,14,15,16 and 17 on draft plan 15M00519029EXP-01	Part 12 - Fee Simple Parts 13,16 & 17- Permanent Easement Parts 14 & 15 - Temporary Easement
9 Strathmore Boulevard	Shown as Parts 8,9 10 and 11 on draft plan 15M00519029EXP-01	Parts 10 & 11 - Permanent Easement Parts 8 & 9 - Temporary Easement
11 Strathmore Boulevard	Shown as Parts 4,5,6 and 7 on draft plan 15M00519029EXP-01	Parts 6 & 7 - Permanent Easement Parts 4 & 5 - Temporary Easement
13 Strathmore Boulevard	Shown as Parts 2 and 3 on draft plan 15M00519029EXO-01	Parts 2 & 3 - Temporary Easement
2 Strathmore Boulevard	Shown as Parts 1 & 2 on draft plan 15M005190029EXP-02	Part 1 - Temporary Easement Part 2 - Permanent Easement
4 Strathmore Boulevard	Shown as Parts 3, 4, 5 and 6 on draft plan 15M00519029EXP-02	Parts 3 & 4 - Temporary Easement Parts 5 & 6 - Permanent Easement
6 Strathmore Boulevard	Shown as Parts 7,8,9 and 10 on draft plan 15M00519029EXP-02	Parts 9 & 10 - Temporary Easement Parts 7 & 8 - Permanent Easement
8 Strathmore Boulevard	Shown as Parts 11, 12, 13 and 14 on draft plan 15M00519029EXP-02	Parts 11 & 12 - Temporary Easement Parts 13 & 14 - Permanent Easement
10 Strathmore Boulevard	Shown as Parts 15,16,17 and 18 on draft plan 15M00519029EXP-02	Parts 17 & 18 - Temporary Easement Parts 15 & 16 - Permanent Easement
12 Strathmore Boulevard	Shown as Parts 19 and 20 on draft plan 15M00519029EXP-02	Part 19 - Temporary Easement Part 20 - Permanent Easement
14 Strathmore Boulevard	Shown as Parts 21,22,23 and 24 on draft plan 15M00519029EXO-02	Parts 23 & 24 - Temporary Easement Parts 21 & 22 - Permanent Easement
42 Donlands Avenue	Shown as Parts 1, 2, 3 and 4 on draft plan 15M00519029EXP-03	Parts 1 & 4 - Temporary Easement Parts 2 & 3 - Permanent Easement
17 Dewhurst Boulevard	Shown as Part 1 on draft plan 15M00519029EXP-01	Part 1 - Fee Simple

Appendix C  
Draft Reference-Plan 15M00519029EXP-01



	<b>WSP Geomatics Ontario Limited</b> Ontario Land Surveyors	Drawing Number : <b>15M00519029EXP-01</b>
	100 Commerce Valley Drive West, Thornhill, Ontario, L3T 0A1 Ph: 905-882-1100 F: 905-882-0055 email: geomatics@mmm.ca Website: www.mmm.ca	
P.Chief : R.A./R.P.	Dwg. By : D.H.G.	Chk'd by : R.D.M.
Job Number : 15M-00519-018-029	Tab Name : EXP	
Dwg File Name :	22015017018029_EXP-01A.DWG	

Appendix D  
Draft Reference-Plan 15M00519029EXP-02



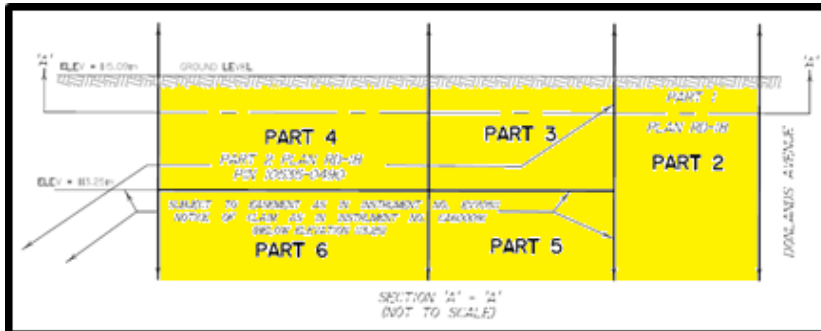
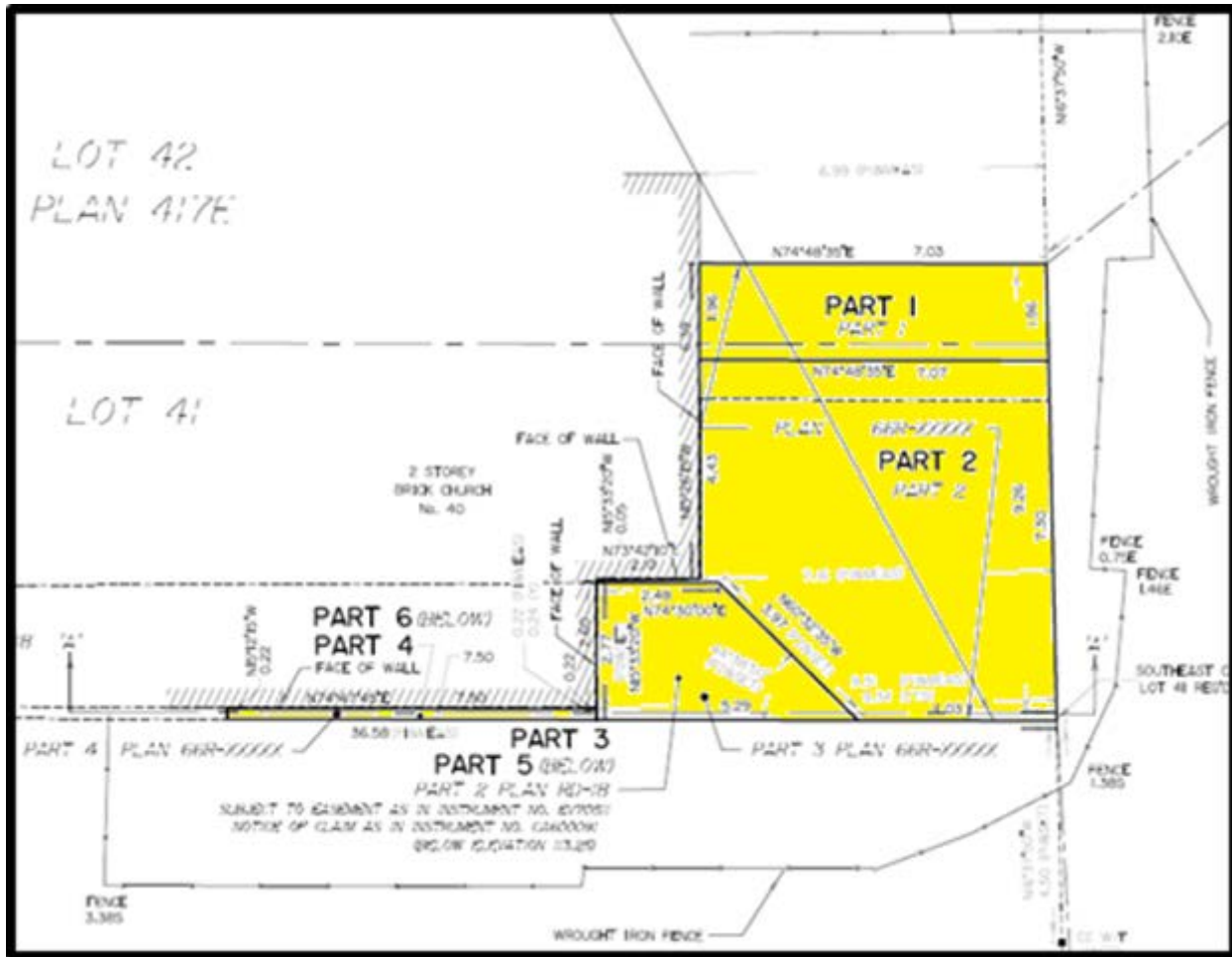
PLAN				
CERTIFICATE OF REGISTRATION				
I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF TORONTO (No. 66) AT _____ O'CLOCK ON THE _____ DAY OF _____, 2019 AND ENTERED IN THE PARCEL REGISTER FOR THE PROPERTY IDENTIFIER No. _____				
AND THE CERTIFICATE OF APPROVAL IS REGISTERED AS NUMBER _____				
REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF THE TORONTO REGISTRY OFFICE (NO. 66)				
SCHEDULE				
PART	PART OF LOT	PLAN	PART OF PIN	AREA
1	59	REGISTERED PLAN 41/E	10535-0468	15.2m <sup>2</sup>
2				12.1m <sup>2</sup>
3				1.0m <sup>2</sup>
4				14.9m <sup>2</sup>
5				8.8m <sup>2</sup>
6				0.8m <sup>2</sup>
7				0.8m <sup>2</sup>
8	58,59		10535-0470	11.7m <sup>2</sup>
9				14.8m <sup>2</sup>
10				1.0m <sup>2</sup>
11	58		10535-0471	1.0m <sup>2</sup>
12				14.8m <sup>2</sup>
13				11.7m <sup>2</sup>
14				0.8m <sup>2</sup>
15				0.8m <sup>2</sup>
16				11.5m <sup>2</sup>
17				14.5m <sup>2</sup>
18	58		10535-0472	1.0m <sup>2</sup>
19				15.2m <sup>2</sup>
20				12.0m <sup>2</sup>
21	57		10535-0473	1.2m <sup>2</sup>
22				19.4m <sup>2</sup>
23				24.4m <sup>2</sup>
24				1.6m <sup>2</sup>

PARTS 3 AND 6 - SUBJECT TO RIGHT OF WAY AS IN INSTRUMENT No. C4093759  
 PARTS 7 AND 10 - SUBJECT TO RIGHT OF WAY AS IN INSTRUMENT No. CT584419  
 PART II AND 14 - SUBJECT TO RIGHT OF WAY AS IN INSTRUMENT No. CT732365  
 PART 15 AND 18 - SUBJECT TO RIGHT OF WAY AS IN INSTRUMENT No. CT727089  
 PART 21 AND 24 - SUBJECT TO RIGHT OF WAY AS IN INSTRUMENT No. CT195533

	<b>WSP Geomatics Ontario Limited</b> Ontario Land Surveyors	Drawing Number : <b>15M00519029EXP-02</b>	
		100 Commerce Valley Drive West, Thornhill, Ontario. L3T 0A1 Ph: 905-882-1100 F: 905-882-0055 email: geomatics@mmm.ca Website: www.mmm.ca	
P.Chief: R.A./R.P.		Dwg. By: D.H.G.	
Chk'd by: R.D.M.		Job Number : 15M-00519-018-029	
Dwg File Name:		Tab Name: EXP	
		22015017018029_EXP-02.DWG	



Appendix E  
Draft Reference-Plan 15M00519029EXP-03



PLAN				
CERTIFICATE OF REGISTRATION				
I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF TORONTO (No. 66) AT _____ O'CLOCK ON THE _____ DAY OF _____, 2019 AND ENTERED IN THE PARCEL REGISTER FOR THE PROPERTY IDENTIFIER No. _____				
AND THE CERTIFICATE OF APPROVAL IS REGISTERED AS NUMBER _____				
REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF THE TORONTO REGISTRY OFFICE (NO. 66)				
SCHEDULE				
PART	PART OF LOT	PLAN	PART OF PIN	AREA
1	41, 42	REGISTERED PLAN 417E	10535-0490	13.8m <sup>2</sup>
2				47.3m <sup>2</sup>
3				10.8m <sup>2</sup>
4	41			1.7m <sup>2</sup>
5				
6				
PARTS 5 AND 6 - SUBJECT TO EASEMENT AS IN INSTRUMENT No. EV70511 BELOW ELEVATION 113.25 NOTICE OF CLAIM AS IN INSTRUMENT No. CA600091				

<b>WSP Geomatics Ontario Limited</b> Ontario Land Surveyors	Drawing Number: <b>15M00519029EXP-03</b>	
	100 Commerce Valley Drive West, Thornhill, Ontario, L3T 0A1 Ph: 905-882-1100 F: 905-882-0055 email: <a href="mailto:geomatics@mmm.ca">geomatics@mmm.ca</a> Website: <a href="http://www.mmm.ca">www.mmm.ca</a>	
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