



Real Estate Acquisitions and Expropriation of Property Requirements near Spadina Subway Station for the Easier Access Phase III Project

Date: December 18, 2019

To: General Government and Licensing Committee

From: Executive Director, Corporate Real Estate Management

Wards: Ward 11 - University-Rosedale

SUMMARY

As part of the Easier Access Phase III Project (the "Project"), the Toronto Transit Commission ("TTC") is proposing to construct two (2) elevators at Spadina Subway Station on Line 1 providing accessibility to and from each of the northbound and southbound platforms to the concourse level.

This report seeks authority to acquire various Property Requirements near the existing Spadina Station concourse, as identified in Appendix A and shown approximately in Appendix B (the "Property Requirements"), for the purposes of the Project.

Negotiations for the acquisition of the Property Requirements have been ongoing with the property owners, however, in order to protect the Project timeline, this report seeks authority to acquire the Property Requirements and, if necessary, to initiate expropriation proceedings.

This report is the first stage of the expropriation process. After the application for approval to expropriate is authorized, staff will serve and publish notice on the registered owners of the Property Requirements. Registered owners will have 30 days to request an inquiry into whether the proposed takings are fair, sound, and reasonably necessary.

If no inquiry is requested, City Council may approve the expropriation by a subsequent Stage 2 report. At that time, staff will report to City Council with further details on the anticipated costs, based on appraisals. Following the Stage 2 report, the Expropriation Plan will be registered and Notices of Expropriation served. Statutory offers of compensation must be served prior to the City taking possession of the expropriated Property Requirements.

RECOMMENDATIONS

The Executive Director, Corporate Real Estate Management, recommends that:

1. City Council authorize the Executive Director, Corporate Real Estate Management, or their designate, to continue negotiations for the acquisition of the Property Requirements in Appendix A municipally known as 24 Spadina Road, 41-45 Spadina Road, and 50 Spadina Road near Spadina Subway Station and grant authority, if necessary, to initiate expropriation proceedings for the Property Requirements, if the Executive Director, Corporate Real Estate Management, deems it necessary or appropriate to proceed in that manner.
2. City Council authorize the Executive Director, Corporate Real Estate Management, to execute, serve, and publish Notices of Application for Approval to Expropriate the Property Requirements referenced in Recommendation 1, to forward any requests for hearings to the Chief Inquiry Officer, to attend any hearings in order to present the City of Toronto's position, and to report the Chief Inquiry Officer's recommendations to City Council for consideration.

FINANCIAL IMPACT

The costs to serve and publish the required Notices of Application for Approval to Expropriate Land, together with any costs related to attendance at the Hearing of Necessity, if any, will be funded from the 2019-2028 Council Approved Capital Budget and Plan for the Toronto Transit Commission (TTC) under the 3.9 Buildings and Structures Easier Access Phase III Project (CTT028).

Funding to acquire the Property Requirements or to expropriate, if necessary, is included within the 2019-2028 Council Approved Capital Budget and Plan for the TTC.

The detailed funding amounts will form part of a subsequent report to the Committee and City Council to identify the financial implications to the City and confirm funding availability within the 2019-2028 Council Approved Capital Budget and Plan for the TTC, for the acquisition of the Property Requirements, or for expropriation costs, including the market value of the Property Requirements, as well as disturbance costs, if any, interest, land transfer tax costs, and all other associated costs stipulated under the Expropriations Act.

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

DECISION HISTORY

On May 8, 2019 the TTC Board approved the 2019-2023 TTC Multi-Year Accessibility Plan. The Easier Access Phase III program is an important part of the 2019-2023 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 at Spadina Subway Station on Line 1, providing access from the northbound and southbound platforms to the concourse level. Accessibility from concourse to street level is provided through the existing elevators on Line 2.

[https://www.ttc.ca/About the TTC/Commission reports and information/Commission meetings/2019/May 8/Agenda/index.jsp](https://www.ttc.ca/About%20the%20TTC/Commission%20reports%20and%20information/Commission%20meetings/2019/May%208/Agenda/index.jsp)

COMMENTS

In order to construct and maintain the new structures at Spadina Subway Station, it is necessary to acquire the Property Requirements. 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 owners to acquire the Property Requirements have been ongoing. In order to ensure the delivery of Property Requirements to meet the Project construction schedule, it is appropriate timing to seek City Council authority to acquire the Property Requirements and, where appropriate, and if necessary, initiate expropriation proceedings.

CONTACT

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SIGNATURE

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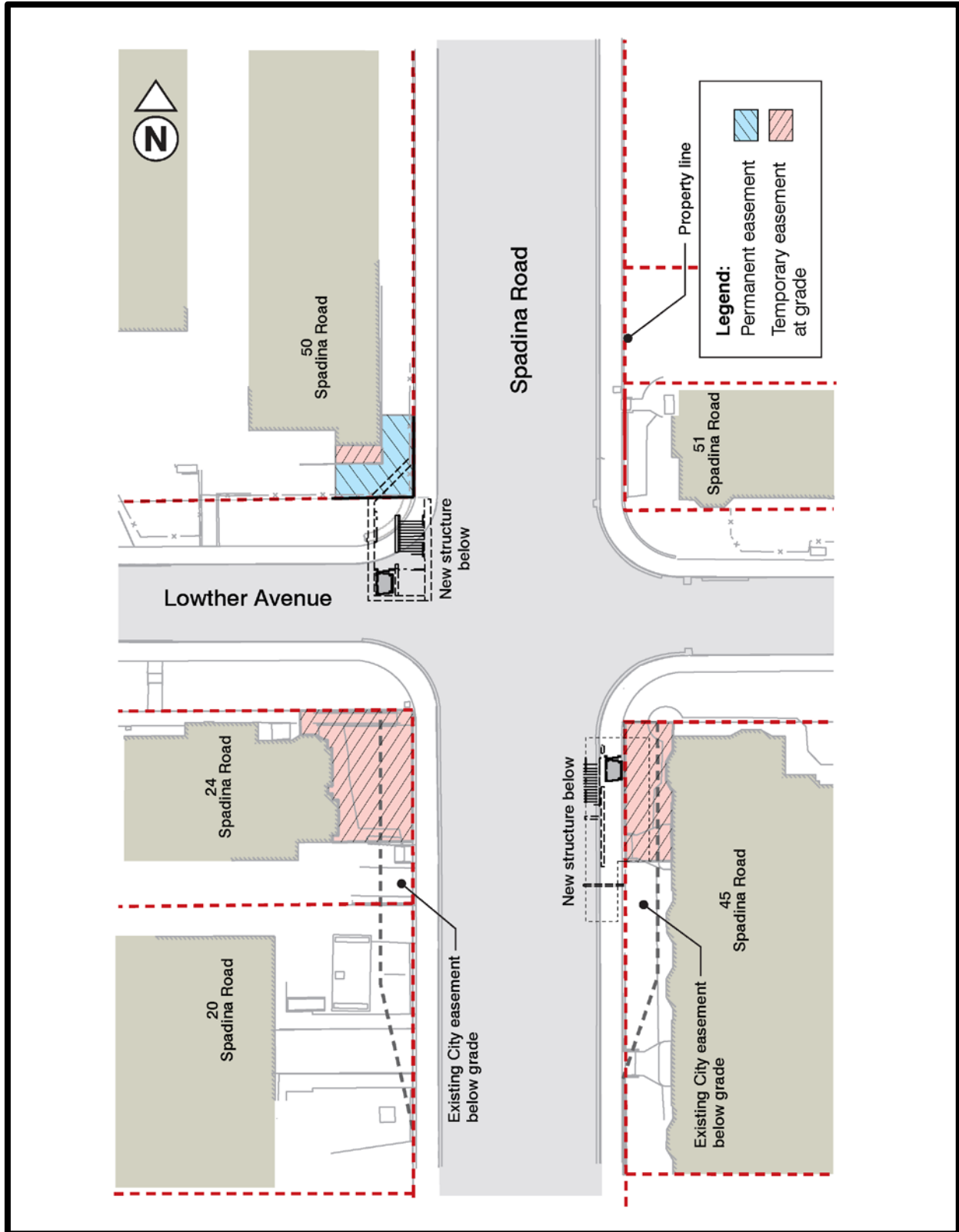
ATTACHMENTS

Appendix A - Property Requirements
Appendix B - Property Requirements' Sketch
Appendix C - Location Maps

Appendix A - Property Requirements

Municipal Address	Required Interest	Area (square meters)
24 Spadina Road	Temporary Easement	101 square meters
41-45 Spadina Road	Temporary Easement	58 square meters
50 Spadina Road	Permanent Easement	37 square meters
	Temporary Easement	8 square meters

Appendix B - Property Requirements' Sketch



Appendix C - Location Maps

