



**STAFF REPORT  
ACTION REQUIRED**

**Toronto-York Spadina Subway Extension Project (South of Steeles): Acquisitions for Finch West Subway Station**

<b>Date:</b>	December 10, 2010
<b>To:</b>	City Council
<b>From:</b>	City Solicitor
<b>Wards:</b>	Ward 8 – York West
<b>Reference Number:</b>	

**SUMMARY**

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The City of Toronto is responsible for undertaking property acquisition for its geographical portion of the Toronto-York Spadina Subway Extension Project (the “Project”). This report seeks authority to acquire property interests in parts of 1 Four Winds Drive, 3926-3932 Keele Street, 3940 Keele Street, 44-46 Romfield Drive and 1280-1300 Finch Avenue West.

**RECOMMENDATIONS**

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**The City Solicitor recommends that:**

1. City Council authorize the Director of Real Estate Services to negotiate to acquire interests in parts of the properties municipally known as 1 Four Winds Drive, 3926-3932 Keele Street, 3940 Keele Street, 44-46 Romfield Drive and 1280-1300 Finch Avenue West as set out in Appendix "A", in connection with the construction of a portion of the Toronto-York Spadina Subway Extension, and to re-initiate expropriation proceedings, if necessary.
2. City Council authorize the Director of Real Estate Services to serve and publish Notices of Application for Approval to Expropriate interests in parts of 1 Four Winds Drive, 3926-3932 Keele Street, 3940 Keele Street, 44-46 Romfield Drive and 1280-1300 Finch Avenue West and to forward any requests for hearings that are received to the Chief Inquiry Officer, to attend any hearings in order to

- present the City's position, and to report the Chief Inquiry Officer's recommendations back to City Council for its consideration.
3. City Council authorize the appropriate City officials to report directly to Council in the event any further authorizations are required.

### **Financial Impact**

Total preliminary property acquisition costs for the Project were estimated at \$125 million (in as spent dollars). Funding for property acquisition is shared by the Move Ontario Trust (includes \$870 million set aside for the purposes of Project funding), and by the City and the Regional Municipality of York. Of the municipal portion of Project funding, 59.96% is attributable to the City and the remainder to York Region. Funding is available in the Council Approved 2010 Capital Budget and 2011-2019 Capital Plan within the Toronto-York Spadina Subway Extension Capital Project.

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

### **DECISION HISTORY**

By its adoption of Item GM 20.4 on January 27 and 28, 2009, City Council authorized the Director of Real Estate to negotiate the acquisition of and, if necessary to commence the expropriation of, the identified property requirements from thirty-two property owners, including all of the property interests which are the subject of this report, in connection with the construction of a portion of the Project within the geographical boundaries of Toronto. The report can be found at:

<http://www.toronto.ca/legdocs/mmis/2009/cc/decisions/2009-01-27-cc30-dd.pdf>

By its adoption of Item GM 26.21 on November 30, December 1, 2, 4 and 7, 2009, City Council authorized the Director of Real Estate Services to negotiate the acquisition of and, if necessary to commence the expropriation of, the revised property interests resulting from further refinement of the Project design from a number of properties previously approved by Item GM20.4, including 3940 Keele Street. The report can be found at:

<http://www.toronto.ca/legdocs/mmis/2009/cc/decisions/2009-11-30-cc42-dd.htm>

Notices of Application for Approval to Expropriate Land were published and served in accordance with the Expropriations Act. No requests for inquiry were received. By its adoption of Item GM 33.14 on August 25 and 26, 2010, City Council approved the expropriation of the identified property requirements from all these properties. That report can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.GM33.14>

## **ISSUE BACKGROUND**

The \$2.6 billion Project involves an 8.6 km, 6 station extension of the TTC Spadina Subway system from the existing Downsview station to the Vaughan Corporate Centre at Highway 7 in York Region. Each municipality will be responsible for acquiring properties within its own geographical boundaries, and for resolving all related claims for compensation.

The City portion of the Project is 6.2 km in length, and includes four stations: Sheppard West; Finch West; York University; and Steeles West (this station crosses the municipal boundary). As the design progresses, TTC identifies its property requirements to the City for acquisition either by negotiation or expropriation to ensure City ownership in sufficient time for the commencement of construction.

## **COMMENTS**

The property requirements for 1 Four Winds Drive, 3926-3932 Keele Street, 3940 Keele Street and 44-46 Romfield Drive are temporary in nature, needed for construction activities. The property requirement for 1280-1300 Finch Avenue West is permanent, required for a driveway for the new Finch bus terminal. Expropriation of these requirements was previously approved by City Council. The expropriation plans were not registered within the timelines mandated in the *Expropriations Act*. Negotiators will be in contact with the property owners to determine what alternate arrangements can be made, but out of an abundance of caution, this report seeks authority to recommence the expropriation process for the necessary property interests at 1 Four Winds Drive, 3926-3932 Keele Street, 3940 Keele Street, 44-46 Romfield Drive and 1280-1300 Finch Avenue West.

## **CONTACT**

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## **SIGNATURE**

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Anna Kinastowski  
City Solicitor

## **ATTACHMENTS**

Appendix A – Property Requirements Table  
Appendix B – Location Map  
Appendix C1-C5 – Property Acquisition Plans