



STAFF REPORT ACTION REQUIRED

Expropriation of a Portion of 3038-3040 Danforth Avenue for Laneway Purposes

Date:	February 2, 2016
To:	Government Management Committee
From:	Chief Corporate Officer
Wards:	Ward 31 - Beaches East York
Reference Number:	P:\2016\Internal Services\RE\Gm16008re (AFS# 22549)

SUMMARY

This report seeks authority to commence expropriation proceedings for a portion of the property municipally known as 3038-3040 Danforth Avenue, being a triangular area required for a laneway located at the rear of the property. The fee simple acquisition of this property is required for the construction, maintenance and any future repairs of the laneway route behind 3038 - 3040 Danforth Avenue.

RECOMMENDATIONS

The Chief Corporate Officer recommends that:

1. City Council grant authority to the Director of Real Estate Services to initiate expropriation proceedings for the fee simple interest at 3038-3040 Danforth Avenue depicted in Appendix "A" (the "Lands") for construction and maintenance of the laneway abutting the Lands.
2. City Council grant authority to the Director of Real Estate Services to serve and publish Notices of Application for Approval to Expropriate the Lands, to forward to the Chief Inquiry Officer any requests for hearing that are received, to attend the hearing to present the City's position, and to report the Inquiry Officer's recommendations to Council for its consideration.

Financial Impact

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 2016-2025 Capital Budget and Plan for Transportation Services (CTP315-05-02).

In the event of expropriation, expenditures for the market value of the Lands as well as disturbance costs (if any), interest, and land transfer tax costs, and all other associated costs stipulated under the *Expropriations Act* will also be funded from the 2016-2025 Capital Budget and Plan for Transportation Services (CTP315-05-02). The detailed funding amounts will form part of a subsequent report to Committee and Council seeking final approval for the expropriation, if necessary.

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

ISSUE BACKGROUND

The rear laneway running north of Danforth Avenue between Thyra Avenue and Victoria Park Avenue includes a portion in the middle that is privately owned. This triangular shaped piece of private land is part of a property identified as 3038-3040 Danforth Avenue and highlighted in the attached drawing in Appendix "A". Danforth businesses backing onto the laneway use their rear entrances for delivery of supplies and also as an alternate customer access route. Business owners and residents have noted that the laneway is in very poor condition and requires resurfacing. City staff have confirmed the poor laneway condition.

COMMENTS

The City of Toronto Transportation Services have identified this laneway as in need of major repairs and resurfacing as its state of condition has been a source of frustration with area residents and businesses. However staff have also advised that they are unable to resurface the laneway because it is not fully owned by the City of Toronto. City Real Estate Services staff have been in negotiations with the owner since August of 2014. There has been little progress in terms of an agreeable acquisition solution between the owner and City of Toronto staff. City staff will continue to negotiate with the owner,

however due to the lack of progress so far expropriation is necessary to meet project time lines to reconstruct the laneway in 2017. Transportation Services is therefore requesting the commencement of expropriation proceedings in order to acquire the triangular portion of land, located in the laneway, at the rear of 2028-3040 Danforth Avenue.

CONTACT

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SIGNATURE

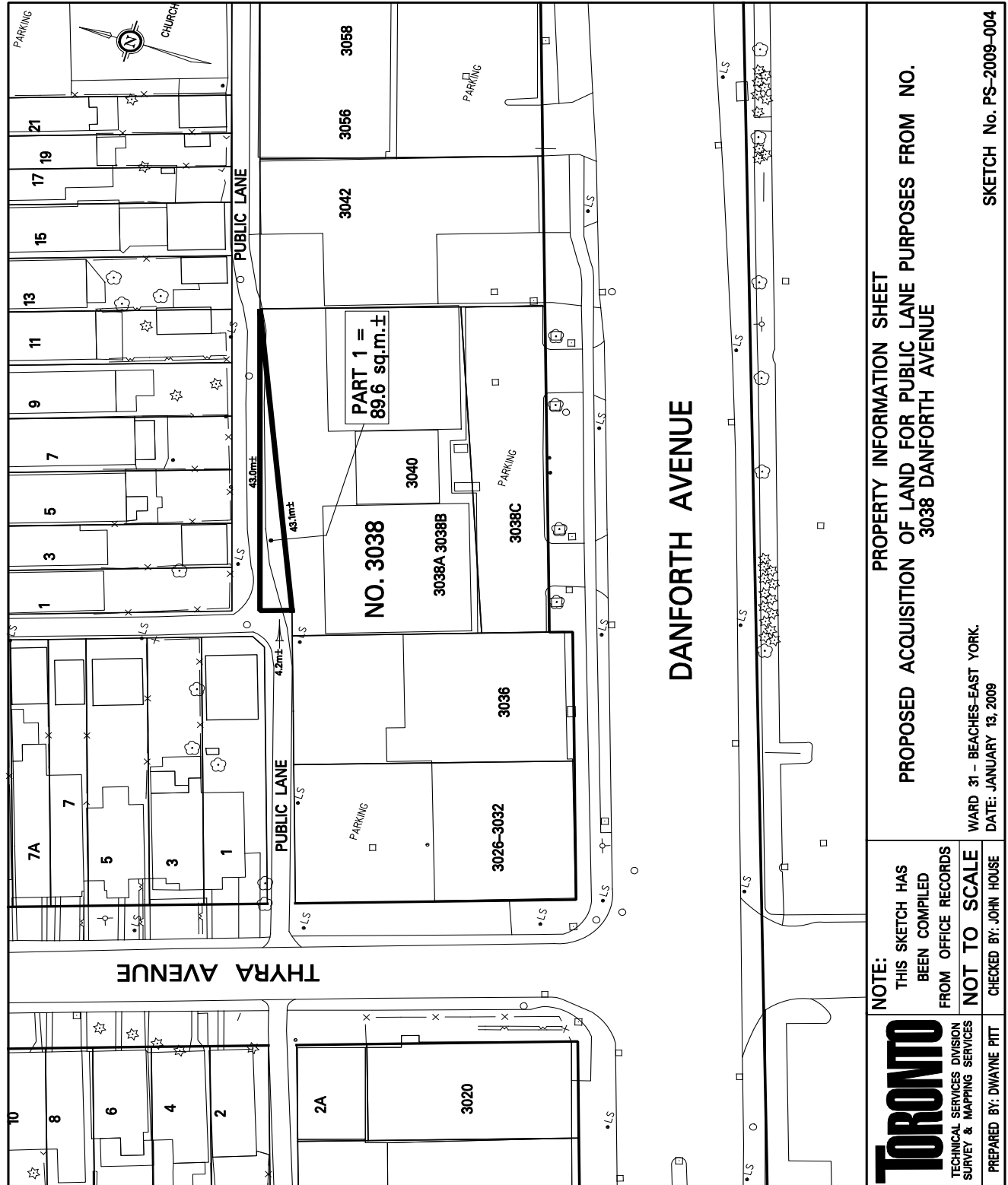
Josie Scioli
Chief Corporate Officer

ATTACHMENTS

Appendix "A" – Survey Sketch: Triangular Area Requirements ("lands")

Appendix "B" – Location Map – 3038-3040 Danforth Avenue

Appendix "A" – Survey Sketch: Triangular Area Requirements ("lands")



Appendix "B" – Location Map – 3038-3040 Danforth Avenue

