



STAFF REPORT ACTION REQUIRED

Expropriation of the property known as 1230 - 1234 Weston Road for a new Early Learning and Child Care Facility

Date:	April 22, 2016
To:	Government Management Committee
From:	Chief Corporate Officer
Wards:	Ward 11 – South Weston
Reference Number:	P:\2016\Internal Services\RE\Gm16016re (AFS# 23009)

SUMMARY

This report seeks authority to commence expropriation proceedings for the property municipally known as 1230-1234 Weston Road, being a site required for a new child care centre needed in the area to replace the existing Hollis Early Learning and Child Care Centre (ELCCC) directly operated by the City and located at 1 Hollis Street ("1 Hollis Street"). 1 Hollis Street is to be purchased by Metrolinx based on their need to expand the Eglinton Crosstown LRT. The fee simple acquisition of 1230-1234 Weston Road is required for the construction and development of new replacement child care centre in Ward 11 – South Weston, as demand for child care continues to exist in the community.

RECOMMENDATIONS

The Chief Corporate Officer recommends that:

1. City Council grant authority to the Director of Real Estate Services to initiate expropriation proceedings, if necessary, where negotiations are unsuccessful, for the acquisition of the fee simple interest at 1230-1234 Weston Road depicted in Appendix "A" (the "Lands") for construction of a new child care centre on 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 reimbursed fully by the Metrolinx to the City of Toronto.

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, and all other associated costs stipulated under the *Expropriations Act* will also be funded by the Metrolinx.

In addition, all costs of relocating and retrofitting the Hollis ELCC to the interim location and the costs of acquisition and construction of the new replacement property will be fully funded by the Metrolinx with no impact to the City.

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

Pursuant to Report CC17.1, entitled "Metrolinx Transit Projects in Toronto," adopted by City Council at its meeting on February 8, 2012, and Report CC20.1, entitled "Report from the Expert Advisory Panel Regarding Transit on Sheppard Avenue East," adopted by City Council at its meeting on March 21 and 22, 2012, City Council authorized the City Manager to enter into a master agreement with Metrolinx and the TTC for the implementation of the Finch West LRT, Eglinton Crosstown LRT, Scarborough RT replacement, and a Sheppard East LRT (collectively, the "Transit Projects").

On November 28, 2012, a master agreement for the implementation of the Transit Projects (the "Master Agreement") was executed by the City, Metrolinx and TTC, which provides for the transfer of City properties required for the Transit Projects and the associated compensation to be paid by Metrolinx.

Pursuant to the Master Agreement, the property occupied by the Hollis Early Learning and Child Care Centre (the "Child Care Centre") – a child care centre directly operated by the City of Toronto – was identified by Metrolinx as a required City property. The site will become part of the Mount Dennis entrance to the Eglinton Crosstown LRT.

Metrolinx and the City have entered into a transfer Agreement (the "Transfer Agreement") which requires the City to sell 1 Hollis Street to Metrolinx no later than August 15, 2016. As part of the Transfer Agreement, Metrolinx is obligated to fund the costs of the relocation of the child care program to a temporary, and then permanent, location.

Lease arrangements have been made for the Child Care Centre to be temporarily located at 1296 Weston Road while the permanent child care centre at 1230-1234 Weston Road is being constructed.

1230-1234 Weston Road is the most logical permanent replacement for 1 Hollis Street, as it is already vacant and had previously been used as daycare in the past. It is the intention of the City to acquire the Lands, demolish the existing structures and remediate the site to current environmental standards. The size and location of the Lands for a new replacement Child Care Centre is suitable in order to provide the families in this neighbourhood with much needed access to daycare.

COMMENTS

City Real Estate Services staff have been in negotiations with the owner of the Lands since October of 2015. 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 the timelines required to transfer 1 Hollis Street to Metrolinx pursuant to the Transfer Agreement and to meet construction project timelines to ensure the new Child Care Centre is available on a permanent basis for future use.

Children's Services is therefore requesting the commencement of expropriation proceedings in order to acquire the lands at 1230-1234 Weston Road for a replacement child care centre.

CONTACT

Joe Casali, Director of Real Estate Services, Tel.: (416) 392-7202

Email: jcasali@toronto.ca

SIGNATURE

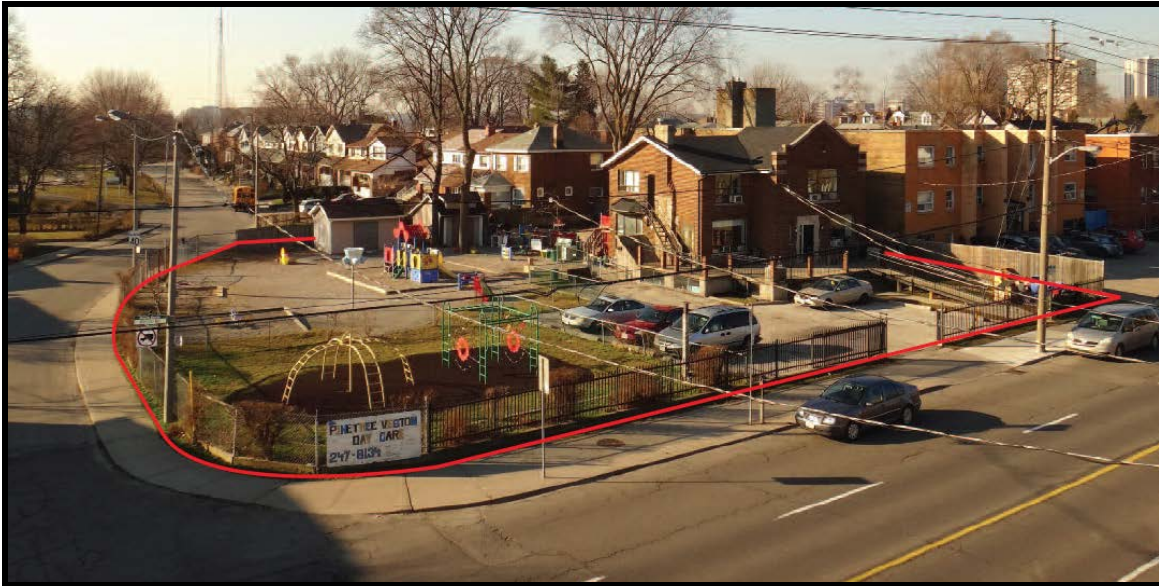
Josie Scioli
Chief Corporate Officer

ATTACHMENTS

Appendix "A" – Site Visual and Area Requirements ("Lands")

Appendix "B" – Location Map – 1230-1234 Weston Road

Appendix "A" – Site Visual / Area Requirements 1230-34 Weston Road ("Lands")



Appendix "B" – Property Description and Location Map – 1230-1234 Weston Road

Address	Legal Description	Site Area (SM/SF)	Building Description
1230-1234 Weston Rd	PLAN 2017 LOT 1 PT LOT 2 RP 64R10991 PARTS 1 & 2	1,603m ² / 17,254.55 ft ²	Vacant Day Care

