



REPORT FOR ACTION

Expropriation of Permanent Easement at 2388 Jane Street

Date: May 8, 2017

To: Government Management Committee

From: Chief Corporate Officer

Wards: Ward 7 - York West

SUMMARY

The purpose of this report is to seek authority to commence expropriation proceedings, if necessary, to acquire a permanent easement at 2388 Jane Street to replace an existing culvert under Jane Street that has begun to show signs of failure and requires replacement as soon as possible.

RECOMMENDATIONS

The Chief Corporate Officer recommends that:

1. City Council direct the Director of Real Estate Services to continue negotiations for the acquisition of the property interests listed in Appendix "A" and shown as Parts 1-7 on the draft Reference Plan attached as Appendix "B" and on the maps attached as Appendix "C" (collectively, the "Lands"), and grant authority to initiate the expropriation process for the Lands if the Director of Real Estate Services deems it necessary or appropriate to proceed in that manner.
2. City Council grant authority 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 City 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 2017-2026 Council Approved Capital Budget and Plan for Transportation Services within the City Bridge Rehabilitation Program (CTP515-01-51).

Prior to expropriation, a subsequent detailed report will be submitted to Committee and Council seeking final approval for the expropriation of the property interests, and will identify the funding for the market value of the Lands, as well as disturbance costs (if any), interest, land transfer tax costs, and all other associated costs stipulated under the Expropriations Act.

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

DECISION HISTORY

There is no decision history related to this report.

COMMENTS

The City's consultant has advised that the City's existing culvert located under Jane Street (south of Sheppard Avenue West) has begun to show signs of failure due to its age and condition. The consultant recommends that it be replaced as soon as possible with a new culvert that has a larger capacity to collect water flow (which serves to channel Black Creek under Jane Street). In order to enable the proposed project, the City requires new easements from the two impacted property owners on either side of the culvert - the Toronto and Region Conservation Authority ("TRCA") and Oakdale Golf and Country Club ("Oakdale"). The first of the two easements was recently secured with TRCA. The second easement remains to be secured from Oakdale.

City staff have been negotiating with Oakdale to acquire the required easement on a small portion of its property to construct the new culvert and perform minor stream rehabilitation work. Staff will continue to negotiate with Oakdale, however given the time sensitivity of the matter, it is recommended that staff be granted the authority to initiate the expropriation process for the Lands, if deemed necessary by the Director of

Real Estate Services, to ensure that the easement is secured as soon as possible permitting the necessary construction project.

CONTACT

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SIGNATURE

Josie Scioli
Chief Corporate Officer

ATTACHMENTS

Appendix "A" - Required Property Interests
Appendix "B" - Property Plan
Appendix "C" - Location Map

Appendix "A" - Required Property Interests

| Municipal Address | Legal Description of Entire Property | Property Interest Required | Approximate Area |
|-------------------|--|--|-----------------------|
| 2388 Jane Street | PT LT 13-15 CON 5 WYS TWP OF YORK AS IN NY8174, NY14146, NY241601 & NY241602, EXCEPT EXPROP PL 3446, NY183329, NY514507, PT 1 64R13654 & PT 4 64R13272; S/T NY250433, NY394546, NY430431, TB674879, TB922292; TORONTO (N YORK), CITY OF TORONTO; TOGETHER WITH AN EASEMENT AS IN AT3175885 | Permanent Easement in the lands designated as Parts 1-7 in the draft Reference Plan attached as Appendix "B" | 1,222.7 square metres |

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Appendix "C" - Location Map

