

## **Expropriation of Permanent Easements at 685 Lansdowne Avenue, 699 Lansdowne Avenue and 478 St. Clarens Avenue**

**Date:** May 8, 2017

**To:** Government Management Committee

**From:** Chief Corporate Officer

**Wards:** Ward 18 - Davenport

### **SUMMARY**

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The purpose of this report is to seek authority from City Council to commence expropriation proceedings, if necessary, to acquire permanent Easements on part of 685 Lansdowne Avenue, 699 Lansdowne Avenue and 478 St. Clarens Avenue that will enable the construction of new elevators at Lansdowne Subway Station. The new elevators will fulfill the provincially-legislated requirements in the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA).

### **RECOMMENDATIONS**

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#### **The Chief Corporate Officer recommends that:**

1. City Council authorize 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, 2 and 3 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**

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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 Council Approved Capital Budget for the Toronto Transit Commission, under account CTT028-1.

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**

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At its meeting held on December 20, 2016, the Toronto Transit Commission Board considered and adopted the recommendations within a report titled "Lansdowne Station Easier Access Phase III Property Acquisitions". The report contained the recommendations to request City of Toronto (Real Estate Services) staff to negotiate the acquisition of the necessary property interests with the impacted property owners and initiate expropriation proceedings concurrently with the negotiation process, given the time sensitivity of the required elevator construction at Lansdowne Subway Station.

## **COMMENTS**

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The Easier Access Phase III program is an important part of the 2014-2018 Toronto Transit Commission Accessibility Plan. The Plan's objective is to fulfill the provincially-legislated requirements in the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA).

As part of the Easier Access Phase III project, the Toronto Transit Commission is proposing to construct three new elevators at Lansdowne Subway Station which will provide barrier-free accessibility to and from the eastbound and westbound train platforms as well as to and from the street level (access at Lansdowne Avenue).

A total of fourteen (14) design options for elevator locations were investigated and studied at this location. Many factors were considered in the selection process including accessibility and constructability issues. Ultimately, the current proposed location for the new elevators was chosen because it offered many benefits including close proximity to bus stops, shortest barrier-free travel, and the least operational impact during the construction phase as well as later day-to-day operations.

The local community were informed of the proposed project in March of 2014 through a Construction Notice, delivered in advance of the pre-design surveying activities. The relevant property owners were contacted in the spring of 2016 to discuss the impact of the project on their property and to obtain permission to enter the property for a pre-assessment. Communication and negotiations are ongoing with each impacted property owner.

In order to facilitate the Lansdowne Station Easier Access Phase III project, the property rights summarized in Appendix "A" will need to be acquired by the City of Toronto.

## **CONTACT**

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## **SIGNATURE**

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Josie Scioli  
Chief Corporate Officer

## **ATTACHMENTS**

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Appendix "A" – Required Property Interests

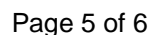
Appendix "B" – Draft Reference Plan

Appendix "C" – Location Map

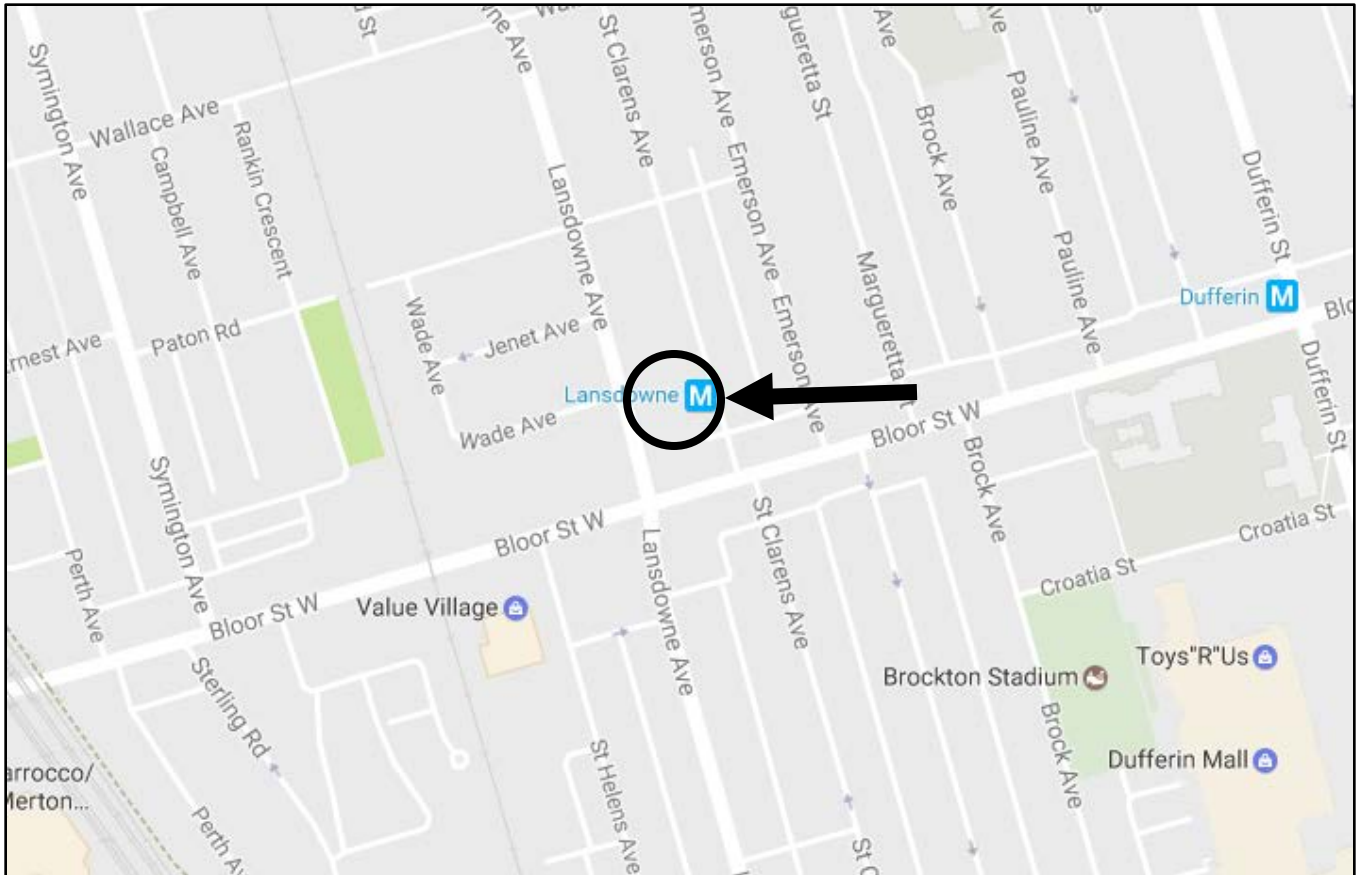
## Appendix "A" - Required Property Interests

<b>Municipal Address</b>	<b>Property Interests</b>	<b>Approx. Area</b>
685 Lansdowne Avenue	Permanent Easement in the land labelled as "Part 3" in the draft Reference Plan located in Appendix "B"	31m <sup>2</sup>
699 Lansdowne Avenue	Permanent Easement in the land labelled as "Part 1" in the draft Reference Plan located in Appendix "B"	44m <sup>2</sup>
478 St. Clarens Avenue	Permanent Easement in the land labelled as "Part 2" in the draft Reference Plan located in Appendix "B"	60m <sup>2</sup>

## Expropriation of Permanent Easements at 685 Lansdowne Avenue, 699 Lansdowne Avenue and 478 St Clarens Avenue



## Appendix "C" - Location Map



Expropriation of Permanent Easements at 685 Lansdowne Avenue, 699 Lansdowne Avenue and 478 St Clarens Avenue