



REPORT FOR ACTION

Expropriation of Easement Area, 500 Dawes Road

Date: July 28, 2017
To: Government Management Committee
From: Chief Corporate Officer
Wards: 31 - Beaches East York

SUMMARY

This report seeks authority to initiate expropriation proceedings for an amended permanent easement and a temporary construction easement area, (the "Property Interests") for a pedestrian walkway over a portion of the property municipally known as 500 Dawes Road, (the "Property").

RECOMMENDATIONS

The Chief Corporate Officer recommends that:

1. City Council authorize the Director, Real Estate Services to continue negotiations to acquire and, if unsuccessful, City Council authorize initiation of the expropriation process for an amended permanent easement and a temporary construction easement area over the portion of 500 Dawes Road set out in the draft expropriation plan in Appendix "A" as Part 2 for the permanent easement and Parts 1 and 3 for the temporary construction easement.
2. City Council authorize the Director, Real Estate Services to serve and publish Notices of Application for Approval to Expropriate Land for the Property Interests, 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 Council Approved Capital Budget for Parks, Forestry & Recreation -Parkland Acquisition CPR115-47-01.

Funding for the market value of the Property Interests as well as disturbance costs (if any), interest, land transfer tax costs, and all other associated costs stipulated under the Expropriations Act will also be funded from the 2017 Council Approved Capital Budget and 2018-2026 Capital Plan for Parks, Forestry & Recreation (CPR115-47-01). 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.

DECISION HISTORY

At its meeting of December 9 and 10, 2015, City Council directed the Director of Real Estate Services to continue discussions with the property owner at 500 Dawes Road for the acquisition of a permanent and temporary construction easement required for the pedestrian walkway and authorized the initiation of the expropriation process for the required lands, if deemed necessary by the Director of Real Estate Services. The Council decision associated with this approval can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.GM8.20>

COMMENTS

Parks, Forestry and Recreation (PF&R) is seeking to create a pedestrian trail which spans from Cedarcrest Boulevard to Joshua Cronkwright Parkette by constructing a pathway along the northern edge of 500 Dawes Road. The area currently serves as a parking lot but is well-travelled by residents and used as an informal path. The planned connection will provide a more safe and accessible pedestrian route which will vastly improve the neighbourhoods connectivity.

Shortly after obtaining Council Approval to initiate the expropriation process in December 2015, it was determined that due to site grading, the required area would have to be amended for both the permanent and temporary construction easements and the expropriation was placed on hold. The sketch in Appendix "B" shows Part 2 as the proposed permanent easement area and Parts 1 and 3 as the proposed temporary construction easement area. Part 4 represents the initial area requested for the permanent easement and Part 5 represents the initial area requested for the temporary construction easement. As the sketch demonstrates, the land area required for both the permanent and temporary easement is now larger due to the site constraints.

Negotiations are ongoing with the property owner and staff are attempting to reach a negotiated settlement. In order to protect the time line for the construction of this project, expropriation is recommended.

CONTACT

Joe Casali, Director of Real Estate Services, Tel.: (416) 392-7202; Fax (416) 392-1880
Email: jcasali@toronto.ca

SIGNATURE

Josie Scioli
Chief Corporate Officer

ATTACHMENTS

Appendix "A" - Draft Expropriation Plan of Survey
Appendix "B" - PS Sketch
Appendix "C" - Location Map

Appendix "A"

Draft Expropriation Plan of Survey



CONVEYANCE	DATE	PLAN	DESCRIPTION
1	1981	3433-1222	Part 1 Plan 3433-1222
2	1981	3433-1222	Part 2 Plan 3433-1222
3	1981	3433-1222	Part 3 Plan 3433-1222
4	1981	3433-1222	Part 4 Plan 3433-1222
5	1981	3433-1222	Part 5 Plan 3433-1222
6	1981	3433-1222	Part 6 Plan 3433-1222
7	1981	3433-1222	Part 7 Plan 3433-1222
8	1981	3433-1222	Part 8 Plan 3433-1222
9	1981	3433-1222	Part 9 Plan 3433-1222
10	1981	3433-1222	Part 10 Plan 3433-1222
11	1981	3433-1222	Part 11 Plan 3433-1222
12	1981	3433-1222	Part 12 Plan 3433-1222
13	1981	3433-1222	Part 13 Plan 3433-1222
14	1981	3433-1222	Part 14 Plan 3433-1222
15	1981	3433-1222	Part 15 Plan 3433-1222
16	1981	3433-1222	Part 16 Plan 3433-1222
17	1981	3433-1222	Part 17 Plan 3433-1222
18	1981	3433-1222	Part 18 Plan 3433-1222
19	1981	3433-1222	Part 19 Plan 3433-1222
20	1981	3433-1222	Part 20 Plan 3433-1222
21	1981	3433-1222	Part 21 Plan 3433-1222
22	1981	3433-1222	Part 22 Plan 3433-1222
23	1981	3433-1222	Part 23 Plan 3433-1222
24	1981	3433-1222	Part 24 Plan 3433-1222
25	1981	3433-1222	Part 25 Plan 3433-1222
26	1981	3433-1222	Part 26 Plan 3433-1222
27	1981	3433-1222	Part 27 Plan 3433-1222
28	1981	3433-1222	Part 28 Plan 3433-1222
29	1981	3433-1222	Part 29 Plan 3433-1222
30	1981	3433-1222	Part 30 Plan 3433-1222
31	1981	3433-1222	Part 31 Plan 3433-1222
32	1981	3433-1222	Part 32 Plan 3433-1222
33	1981	3433-1222	Part 33 Plan 3433-1222
34	1981	3433-1222	Part 34 Plan 3433-1222
35	1981	3433-1222	Part 35 Plan 3433-1222
36	1981	3433-1222	Part 36 Plan 3433-1222
37	1981	3433-1222	Part 37 Plan 3433-1222
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42	1981	3433-1222	Part 42 Plan 3433-1222
43	1981	3433-1222	Part 43 Plan 3433-1222
44	1981	3433-1222	Part 44 Plan 3433-1222
45	1981	3433-1222	Part 45 Plan 3433-1222
46	1981	3433-1222	Part 46 Plan 3433-1222
47	1981	3433-1222	Part 47 Plan 3433-1222
48	1981	3433-1222	Part 48 Plan 3433-1222
49	1981	3433-1222	Part 49 Plan 3433-1222
50	1981	3433-1222	Part 50 Plan 3433-1222

THE CITY OF TORONTO HAS THE HONOUR TO ADVISE YOU THAT THE CITY HAS RECEIVED A COPY OF THE DRAFT EXPROPRIATION PLAN OF SURVEY FOR THE PART OF LOTS 4 & 5 PART OF LOTS 1 & 2 CONGRESSION ZONE FROM THE BAY CITY OF TORONTO FORMER EASEMENT OF BAY YORK. THE CITY IS CURRENTLY REVIEWING THE PLAN AND WILL CONTACT YOU WITHIN 30 DAYS OF THE DATE OF THIS LETTER. IF YOU HAVE ANY COMMENTS OR QUESTIONS, PLEASE CONTACT THE CITY ENGINEER AT 393 BAY STREET, TORONTO, ONTARIO M5G 1B2, TEL: (416) 392-3111, EXT. 3111.

LEGEND

- 1. EXPROPRIATED AREA
- 2. EASEMENT AREA
- 3. LOT 1
- 4. LOT 2
- 5. LOT 3
- 6. LOT 4
- 7. LOT 5
- 8. LOT 6
- 9. LOT 7
- 10. LOT 8
- 11. LOT 9
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- 50. LOT 48
- 51. LOT 49
- 52. LOT 50

EXPROPRIATION PLAN OF SURVEY

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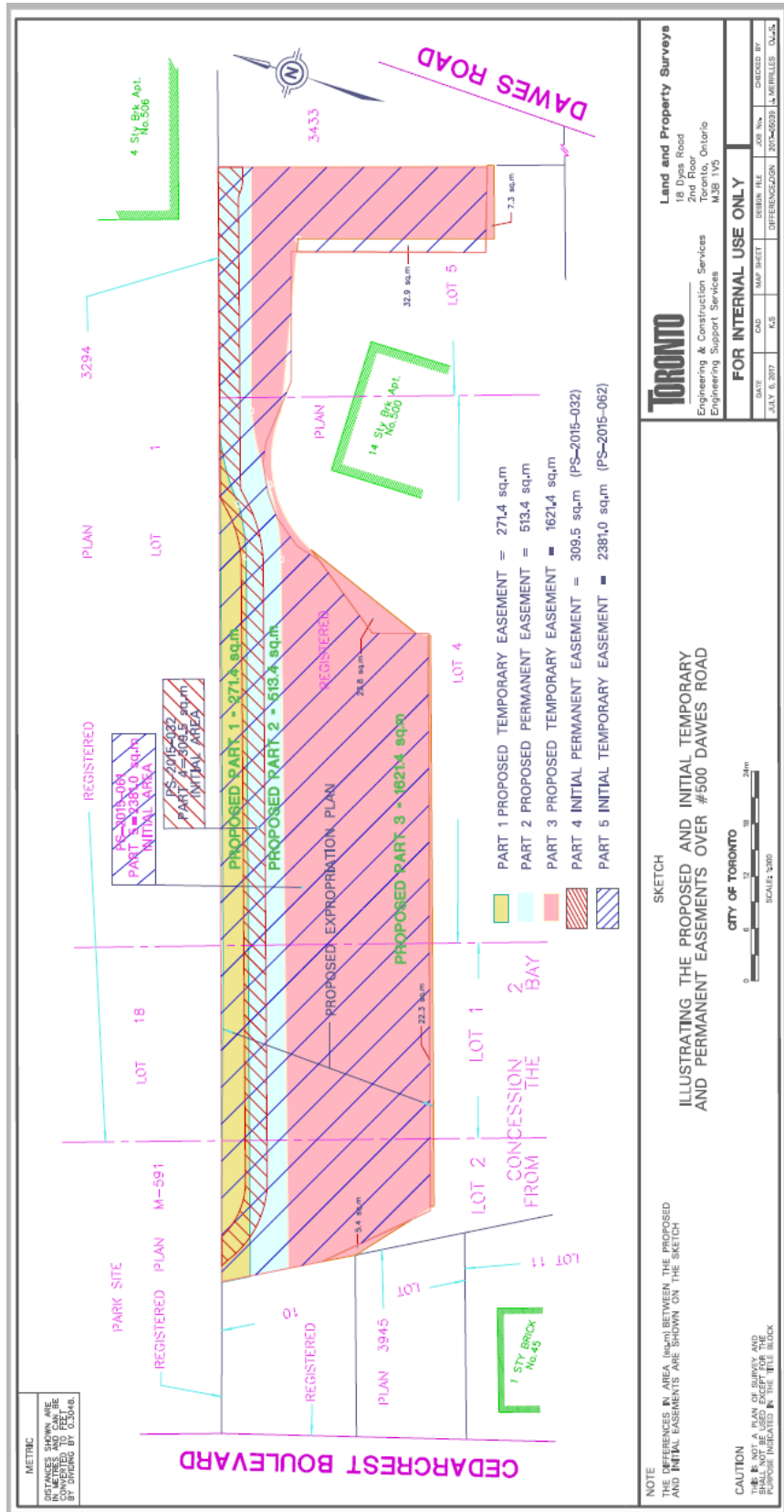
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Appendix "B"

Sketch



Appendix "C"

Location Map

