

**REPORT FOR ACTION WITH  
CONFIDENTIAL ATTACHMENT****Expropriation of a portion of the rear property at 2208  
Bloor Street West - TTC Runnymede Subway Station  
Easier Access & Masonry Repair Projects**

**Date:** August 30, 2017

**To:** Government Management Committee

**From:** Chief Corporate Officer

**Wards:** Ward 13 - Parkdale High Park

**REASON FOR CONFIDENTIAL INFORMATION**

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This report is about a proposed or pending land acquisition by the City or one of its agencies or corporations.

**SUMMARY**

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As part of the Easier Access Phase III Project, the Toronto Transit Commission (TTC) is proposing to construct two (2) elevators at Runnymede Subway Station providing accessibility to and from each of the eastbound and westbound platforms and street level.

This report seeks approval from City Council, as the approving authority under the Expropriations Act to expropriate a permanent easement in, over and through a portion of the rear property at 2208 Bloor Street West, as identified in Appendix "A" and shown approximately in Appendix "A2" (known as the "Property Interest") in order to proceed with the construction of the new elevators to provide passenger accessibility from street level to the below grade subway platforms ("Easier Access Phase III Project") and repairs to the masonry wall along the south side of the station building ("Masonry Repair Project") (collectively the "Projects"). In order to facilitate the Projects, the Property Interest is required.

## RECOMMENDATIONS

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

1. City Council, grant authority for the City to enter into agreements, an offer to sell or a Section 30 Agreement under the Expropriation Act, with the owner of the Property Interest, on terms and conditions acceptable to the Chief Corporate Officer (CCO), together with such other terms as may be deemed appropriate by the CCO and in a form satisfactory to the City Solicitor.
2. City Council authorize the Chief Corporate Officer and the Director of Real Estate Services, jointly and severally, to execute such agreements referred to in Recommendation No. 1.
3. In the event that the City is unable to reach an agreement with the owner for the acquisition of the Property Interest as provided for in Recommendation No 1, City Council:
  - a. as approving authority under the Expropriations Act, approve the expropriation of the Property Interest;
  - b. as expropriating authority under the Expropriations Act, authorize City staff to take all steps necessary to comply with the Expropriations Act, including by not limited to the preparation and registration of an Expropriation Plan, and service of the Notice of Expropriation, Notice of Election as to a Date for Compensation and/or Notice of Possession for the Property, as may be appropriate;
  - c. authorize City staff to obtain an appraisal report to value the Property Interest, updated to the date of expropriation or, if the owner so elects in accordance with the Expropriations Act, to the date of service of the Notices of Expropriation; and to prepare and serve Offers of Compensation on all registered owners, at the appraised value, all in Accordance with the requirements in the Expropriations Act and;
  - d. authorize the Director of Real Estate Services and the Manager of Acquisitions and Expropriations, jointly and severally, to sign the Notices of Expropriation, Notices of Possession, Offer of Compensation and any related document on behalf of the City for the Property Interest.
4. City Council authorize the public release of Confidential Attachment #1 once there has been a final determination and closing of the compensation payable for the Property by arbitration, appeal or settlement, or otherwise to the satisfaction of the City Solicitor.

## **FINANCIAL IMPACT**

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Funding to acquire the Property Interests or to expropriate, if necessary, is included within the 2017-2026 Council Approved Capital Budget and Plan for the Toronto Transit Commission (TTC) under the capital account CTT028 Easier Access Phase II & III project.

Confidential Attachment 1 to this report identifies an estimated value for the Property Interest.

City staff will continue to attempt to negotiate a settlement with the owners of the lands through which the Properties are required rather than complete the expropriation process.

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

## **DECISION HISTORY**

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The Easier Access Phase III program is an important part of the 2014-2018 TTC Accessibility Plan in its objective to fulfill the provincially legislated requirements in the Accessibility for Ontarians with Disabilities Act, 2005 (AODA). As part of the Project, the TTC is proposing to construct two (2) elevators on City lands at Runnymede Subway Station, providing access from street level to platform level.

In order to protect construction time lines City Real Estate and TTC is seeking authority to acquire the Property Interest, by agreement or expropriation.

On July 4, 2017, City Council adopted the recommendations in Report GM21.18, granting authority to negotiate to acquire or, if unsuccessful, to initiate expropriation proceedings of the Property.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.GM21.18>

## **COMMENTS**

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In order to construct and maintain the elevator structures, at this location, it is necessary to acquire the Property Interest. The proposed location of the easier access elevator has been identified as the most feasible option from an engineering and customer service perspective.

Negotiations with the owner to acquire the Property Interest have been on-going. In order to ensure delivery of the property requirements to meet the Project construction schedule, it is now appropriate to seek City Council authority to acquire the Property Interest.

## **CONTACT**

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## **SIGNATURE**

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Josie Scioli  
Chief Corporate Officer

## **ATTACHMENTS**

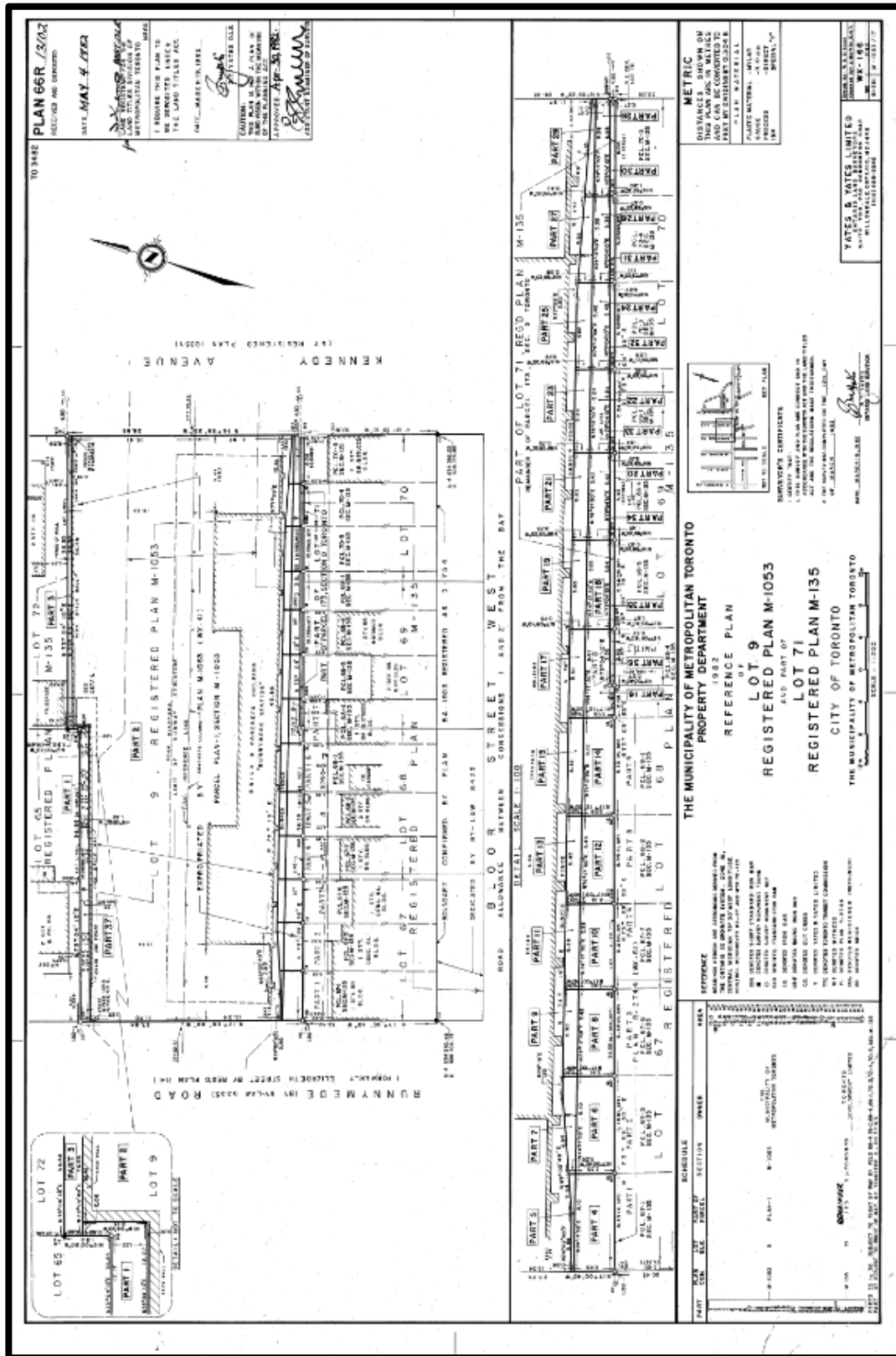
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Appendix "A" - Table of Property Interest  
Appendix "A2" - Registered Plan  
Appendix "B" - Site Map and Property Sketch  
Confidential Attachment 1

**Appendix "A"**  
Private Property Requirements

Municipal Address	Legal Description	Required Interest	Required Area	Purpose
2008 Bloor St W	Part of 2208 Bloor St W legally described in PIN 21370-0056 as Part of Lot 9 Expropriation Plan M1053 Toronto being Part 14 66R-13102, City of Toronto and described in PIN 21370-0043 as part Lot 68 N/S Bloor Street Plan M135 Toronto, City of Toronto	Permanent Easement	30.9 m2	Required for access for the construction, installation, operation, use, maintenance, repair, enlargement and/or replacement of the adjoining subsurface transit and/or other municipal system(s), including the right to enter and occupy such lands with all such vehicles, materials, machinery, tools and equipment as may reasonably be necessary for such purposes (to expire after 999 years from the date of registration of the Expropriation Plan in the event that such perpetual duration is precluded by statutes or common law).

Appendix "A2"  
Registered Plan 66R-13102



**Appendix "B"**  
**Site Map**

