



## REPORT FOR ACTION

# Real Estate Acquisitions & Expropriation of Property Interests near Donlands Subway Station for the Easier Access Phase III & Secondary Exit Projects

**Date:** June 12, 2018

**To:** Government Management Committee

**From:** Director, Real Estate Services

**Wards:** Ward 29 - Toronto -Danforth

### SUMMARY

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As part of the Easier Access III and Second Exit Projects (the "Projects"), the Toronto Transit Commission (TTC) is proposing to make Donlands Subway Station accessible by constructing two new elevators and is also improving customer safety and convenience by constructing a new second exit building. This report seeks authority to acquire fee simple and permanent and temporary easement property interests that will enable pedestrian access from two (2) new elevators and a second exit to be constructed at the Donlands Subway Station (the "Station").

Negotiations for the acquisition of the property interests have been ongoing with the owners, however in order to protect the Project timeline this report seeks authority to acquire the property interests and if necessary initiate expropriation proceedings.

### RECOMMENDATIONS

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**The Director, Real Estate Services recommends that:**

1. City Council authorize the Director, Real Estate Services to continue negotiation for the acquisition of the property interests near Donlands Subway Station listed in Appendix "A" and shown on the draft Reference Plans attached as Appendix "B" and on the maps attached as Appendix "C" (collectively the "Lands"), and grant authority if necessary to initiate expropriation proceedings for the Lands, if the Director, Real estate Services deems it necessary or appropriate to proceed in that manner.
2. City Council grant authority for the Director, 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 any hearing in order to present the City's position and to report the Inquiry Officer's recommendations back to City Council for its consideration.

## **FINANCIAL IMPACT**

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The detailed funding amounts will be included in a subsequent report to Committee and Council to identify the financial implication to the City and confirm funding availability within the TTC's 2018-2027 Council Approved Capital Budget and Plan for the acquisition of the property interests; or for expropriation costs including 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 Interim Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## **DECISION HISTORY**

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The Project 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 at the Station, providing access from platform level to concourse level. As well as part of the Project TTC will be improving customer safety and convenience by constructing a new second exit building on Dewhurst Boulevard.

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

## **COMMENTS**

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

In the interest of maximizing efficiencies in the implementation of multi-program initiatives and to minimize the impact on the neighbourhood around the Station during construction, the Projects for the Station have been combined into one construction contract.

Negotiations with the owner to acquire the Lands 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 Lands and where appropriate and, if necessary initiate expropriation proceedings.

## **CONTACT**

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## **SIGNATURE**

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David Jollimore  
Director, Real Estate Services

## **ATTACHMENTS**

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Appendix "A" - Table of Property Interests  
Appendix "B" - Draft Reference Plan  
Appendix "C" - Site Map

Appendix "A" - Private Property Requirements

Municipal Address	Legal Description	Required Interest & Area (all Parts as shown on the Draft reference Plans in Appendix "B")	Purpose
42 Donlands Avenue	Lot 41 Plan 417E Toronto; Lot 42 Plan 417E Toronto; Lot 43 Plan 417E Toronto; Lot 44 Plan 417E Toronto; Lot 45 Plan 417E Toronto; Lot 74 Plan 417E Toronto; S/T CT736490 and EV70511; City of Toronto, being all of PIN: 10535-0490 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division.	Permanent Easement Part 2 & 3- 58.1 m2  Temporary Easement Part 1 & 4 - 15.5 m2	Elevators for Easier Access
17 Dewhurst Boulevard	Part of Lot 21 Plan 417E Toronto; Part of Lot 22 Plan 417E Toronto; Part of Lot 23 Plan 417E Toronto; Part of Lot 24 Plan 417E Toronto as in CA563780; Toronto, City of Toronto, all as in PIN: 10535-0460 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division.	Fee Simple Part 31 - 118.6 m2	Secondary Exit
19 Dewhurst Boulevard	Part of Lot 21 Plan 417E Toronto; Part of Lot 22 Plan 417E Toronto; Part of Lot 23 Plan 417E Toronto; Part of Lot 24 Plan 417E Toronto as in CA206728; Toronto, City of Toronto, all as in PIN: 10535-0461 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division.	Fee Simple Part 30 - 121.9 m2	Secondary Exit

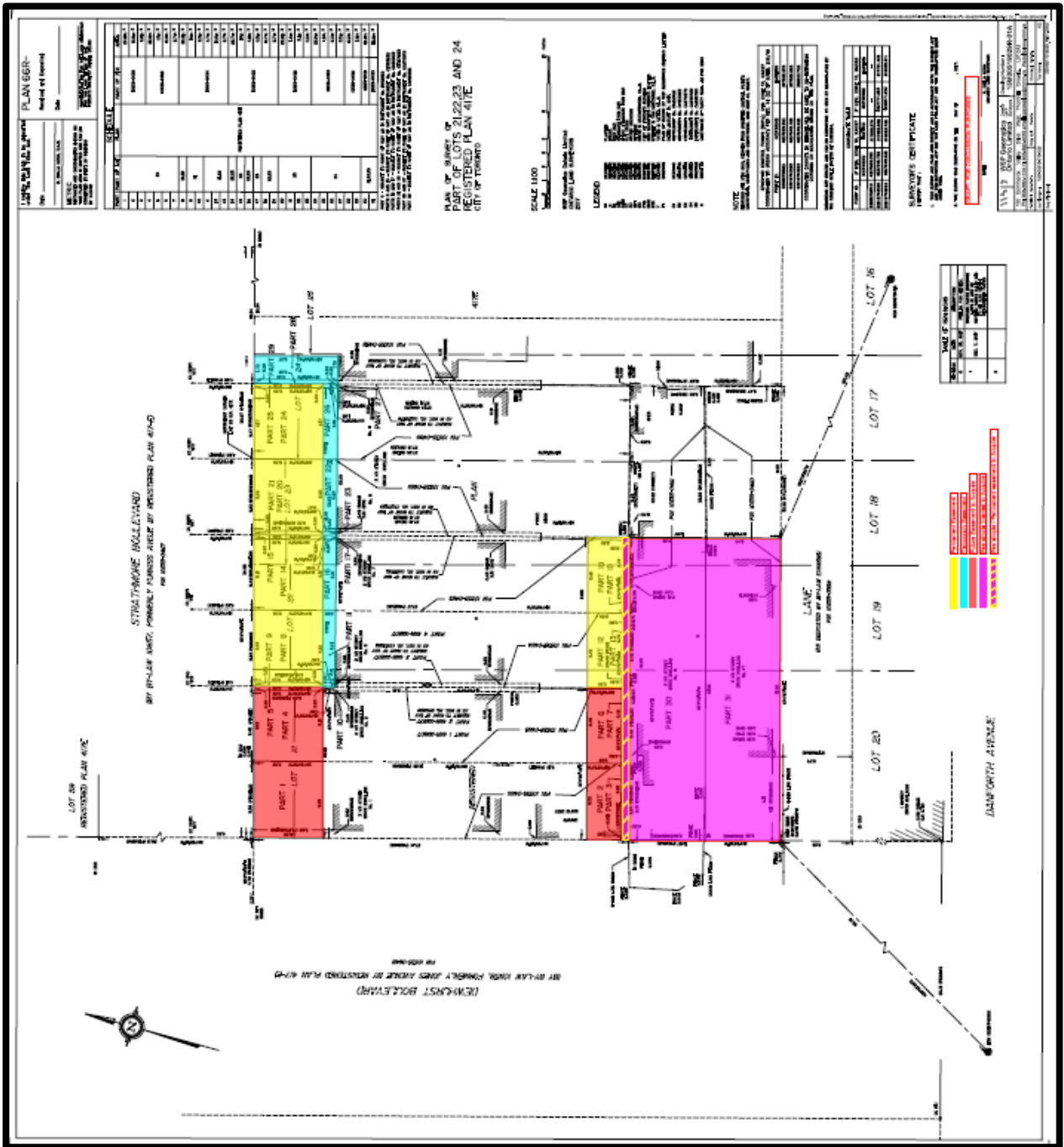
Municipal Address	Legal Description	Required Interest & Area (all Parts as shown on the Draft reference Plans in Appendix "B")	Purpose
5 Strathmore Boulevard	Part of Lot 21 Plan 417E Toronto; Part of Lot 22 Plan 417E Toronto, as in CT933282; T/W & S/T CT933282; Toronto, City of Toronto, being part of PIN: 10535-0464 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division.	Fee Simple Part 13 - 2.7 m2  Permanent Easement Parts 8, 9 & 12 - 41.3 m2  Temporary Easement Parts 10 & 11 - 5 m2	Secondary Exit
7 Strathmore Boulevard	Part of Lot 22 Plan 417E Toronto; Part of Lot 23 Plan 417E Toronto; as in CA630132; T/W & S/T CA630132 Toronto; City of Toronto, being part of PIN: 10535-0463 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division.	Fee Simple Part 19 - 2.7 m2  Permanent Easement Parts 14, 15 & 18 - 40.9 m2  Temporary Easement Parts 16 & 17 - 5.1 m2	Secondary Exit
9 Strathmore Boulevard	Part of Lot 23 Plan 417E Toronto as in CT257283; T/W & S/T CT257283; Toronto, City of Toronto, being part of PIN: 10535-0462 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division.	Permanent Easement Parts 20 & 21 - 27.5 m2  Temporary Easement Parts 22 & 23- 5.4 m2	Secondary Exit
11 Strathmore Boulevard	Part of Lot 24 Plan 417E Toronto as in CA270379; T/W & S/T CA270379; S/T Execution 00-000721, If Enforceable; Toronto, City of Toronto, being part of PIN: 10535-0459 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division	Permanent Easement Parts 24 & 25 - 27.4 m2  Temporary Easement Parts 26 & 27 - 5.6 m2	Secondary Exit

Municipal Address	Legal Description	Required Interest & Area (all Parts as shown on the Draft reference Plans in Appendix "B")	Purpose
13 Strathmore Boulevard	Part of Lot 24 Plan 417E Toronto; Part of Lot 25 Plan 417E Toronto as in CA186868; T/W & S/T CA186868; Toronto, City of Toronto, being part of PIN: 10535-0458 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division.	Temporary Easement Part 28 & 29 - 12.1 m2	Secondary Exit
2 Strathmore Boulevard	Part of Lot 59 Plan 417E Toronto as in CA242195; Toronto, City of Toronto, being part of PIN: 10535-0468 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division	Permanent Easement Part 2 - 12.1 m2 Temporary Easement Part 1 - 15.2 m2	Secondary Exit
4 Strathmore Boulevard	Part of Lot 59 Plan 417E Toronto as in CA93759; T/W & S/T CA93759; Toronto, City of Toronto, being part of PIN: 10535-0469 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division	Permanent Easement Parts 5 & 6 - 12.6 m2 Temporary Easement Parts 3 & 4 - 15.9 m2	Secondary Exit
6 Strathmore Boulevard	Part of Lot 58 Plan 417E Toronto; Part of Lot 59 Plan 417E Toronto as in CT584419; T/W & S/T CT584419; Toronto, City of Toronto, being part of PIN: 10535-0470 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division	Permanent Easement Parts 7 & 8 - 12.5 m2 Temporary Easement Parts 9 & 10 - 15.8 m2	Secondary Exit

Municipal Address	Legal Description	Required Interest & Area (all Parts as shown on the Draft reference Plans in Appendix "B")	Purpose
8 Strathmore Boulevard	Part of Lot 58 Plan 417E Toronto as in CT732365; T/W & S/T CT732365; Toronto, City of Toronto, being part of PIN: 10535-0471 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division	Permanent Easement Parts 13 & 14 - 12.5 m2 Temporary Easement Parts 11 & 12 - 15.8 m2	Secondary Exit
10 Strathmore Boulevard	Part of Lot 57 Plan 417E Toronto; Part of Lot 58 Plan 417E Toronto as in CT727089; T/W & S/T CT727089; Toronto, City of Toronto, being part of PIN: 10535-0472 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division.	Permanent Easement Parts 15 & 16 - 12.3 m2 Temporary Easement Parts 17 & 18 - 15.5 m2	Secondary Exit
12 Strathmore Boulevard	Part of Lot 57 Plan 417E Toronto as in CA671664; T/W CA671664; Toronto, City of Toronto, being part of PIN: 10535-0473 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division	Permanent Easement Part 20 - 12.0 m2 Temporary Easement Part 19 - 15.2 m2	Secondary Exit
14 Strathmore Boulevard	Lot 56 Plan 417E Toronto; S/T CT195533; Toronto, City of Toronto, being part of PIN: 10535-0474 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division	Permanent Easement Parts 21 & 22 - 20.6 m2 Temporary Easement Parts 23 & 24 - 26 m2	Secondary Exit









Appendix "C" - Site Map

