

Expropriation of Property Interests near Christie Subway Station for the Easier Access Phase III Project

Date: March 12, 2021

To: General Government and Licensing Committee

From: Executive Director, Corporate Real Estate Management

Wards: Ward 11 - University-Rosedale

REASON FOR CONFIDENTIAL INFORMATION

This report deals with a proposed or pending acquisition of land by the City of Toronto (the "City").

SUMMARY

As part of the Easier Access III Project (the "Project"), the Toronto Transit Commission is proposing to make the existing subway platforms at the Christie Subway Station (the "Station") accessible by constructing two new elevators.

This report relates to the second stage of the expropriation process and seeks approval from City Council, as the approving authority under the Expropriations Act, to expropriate the required property interests that will enable pedestrian access from two (2) new elevators to be constructed at the Station. The required properties are shown on the maps attached as Appendix A and on the Reference Plans attached as Appendices C, D and E.

RECOMMENDATIONS

The Executive Director, Corporate Real Estate Management, recommends that:

1. City Council authorize the City of Toronto (the "City") to enter into agreements, an offer to sell or an agreement under the Expropriations Act, with respect to the property in-

terests identified in Appendix B (the "Property Interests"), on terms and conditions acceptable to the Executive Director, Corporate Real Estate Management, and in a form satisfactory to the City Solicitor.

2. City Council authorize the Executive Director, Corporate Real Estate Management, or their designate, to execute the agreements, an offer to sell or an agreement under the Expropriation Act, with respect to the Property Interests.

3. City Council, as approving authority under the Expropriations Act, and in the event that the City of Toronto is unable to reach an agreement with the owner for the acquisition of the Property Interests:

a. Approve the expropriation of the Property Interests;

b. Authorize City staff to take all steps necessary to comply with the Expropriations Act, including but not limited to, the preparation and registration of an Expropriation Plan, and service of the Notice of Expropriation, Notice of Election, and/or Notice of Possession for the Property Interests, as may be appropriate;

c. Authorize City staff to obtain an appraisal report to value the Property Interests, 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 Executive Director, Corporate Real Estate Management, or their designate, to sign the Notices of Expropriation, the Notices of Possession, the Offer of Compensation, and any related documents on behalf of the City for the Property Interests.

4. City Council authorize the public release of Confidential Attachment 1 to the report once there has been a final determination of all claims for compensation for all of the Property Interests identified in Appendix B to the satisfaction of the City Solicitor.

FINANCIAL IMPACT

Confidential Attachment 1 to this report identifies the initial estimated value of the Property Interests.

Funding to acquire the Property Interests is available in the 2021-2030 Council Approved Capital Budget and Plan for the Toronto Transit Commission within the Easier Access Project (CTT028-1).

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact section.

DECISION HISTORY

At its meeting held on July 16, 17 and 18 2019, City Council adopted the recommendations in Report GL6.14, granting authority to the applicable staff to continue negotiations for the acquisition of the Property Interests and initiate the expropriation process, if it is deemed necessary or appropriate by the applicable staff to proceed in that manner.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.GL6.14>

COMMENTS

The Easier Access Phase III program is an important part of the 2018-2022 Toronto Transit Commission Accessibility Plan in its objective to fulfill the provincially legislated requirements in the Accessibility for Ontarians with Disabilities Act, 2005.

As of December 2020, 52 subway stations are accessible and there are 20 remaining subway stations to be made accessible by 2025 in accordance with the Accessibility for Ontarians with Disabilities Act.

As part of the Project, the Toronto Transit Commission is proposing to construct two (2) elevators at the Christie Subway Station, providing access from street level to platform level. The proposed location of the easier access elevators has been identified as the most feasible option from an engineering and customer service perspective.

Negotiations with the owners to acquire the Property Interests have been on-going. In order to ensure delivery of the property requirements to meet the Project's construction schedule, it is now appropriate to seek City Council authority to acquire the Property Interests and where appropriate, and if necessary, initiate expropriation proceedings.

CONTACT

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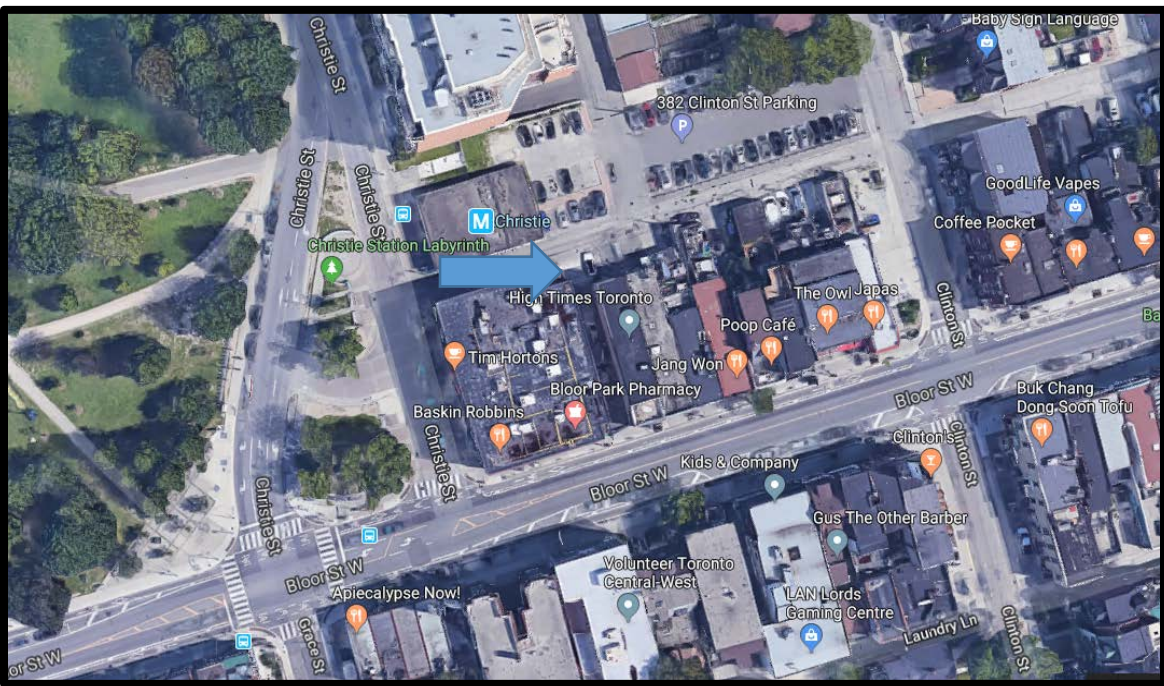
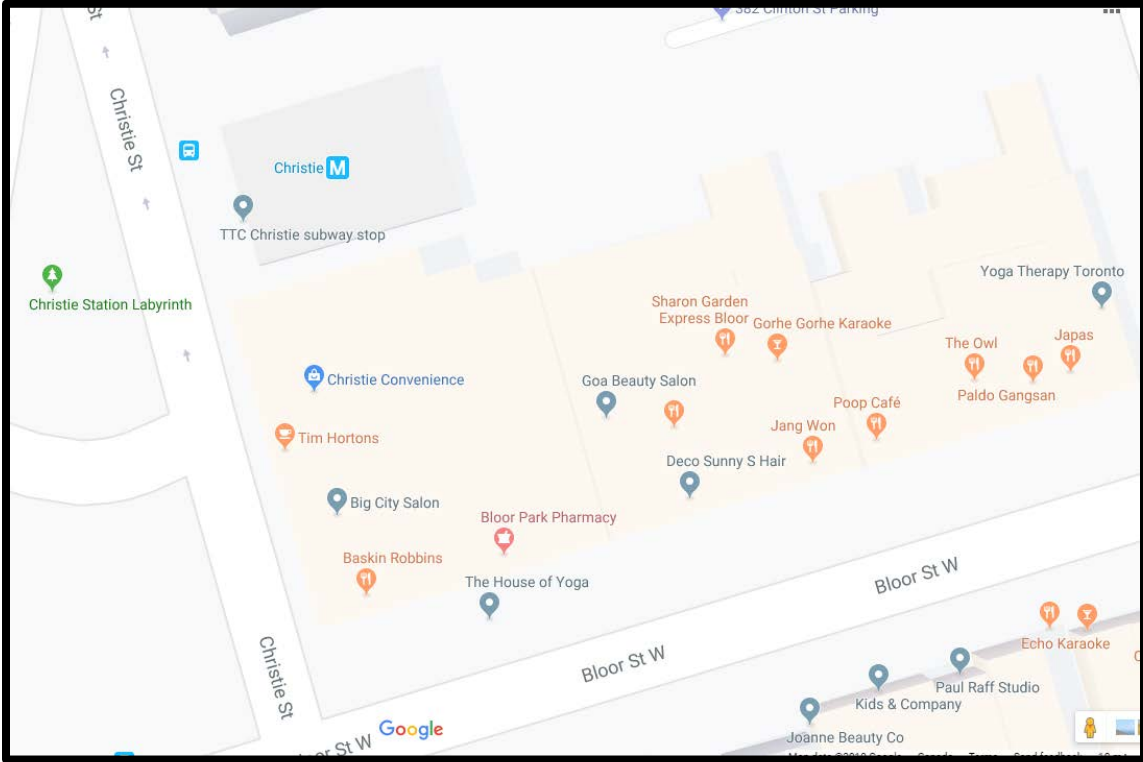
SIGNATURE

Patrick Matozzo
Executive Director, Corporate Real Estate Management

ATTACHMENTS

Appendix A - Location Map
Appendix B - Property Interests
Appendix C - Reference-Plan 66R-31297
Appendix D - Reference-Plan 66R-31300
Appendix E - Reference-Plan 66R-31295
Confidential Attachment 1 - Estimated Value of the Property Interests

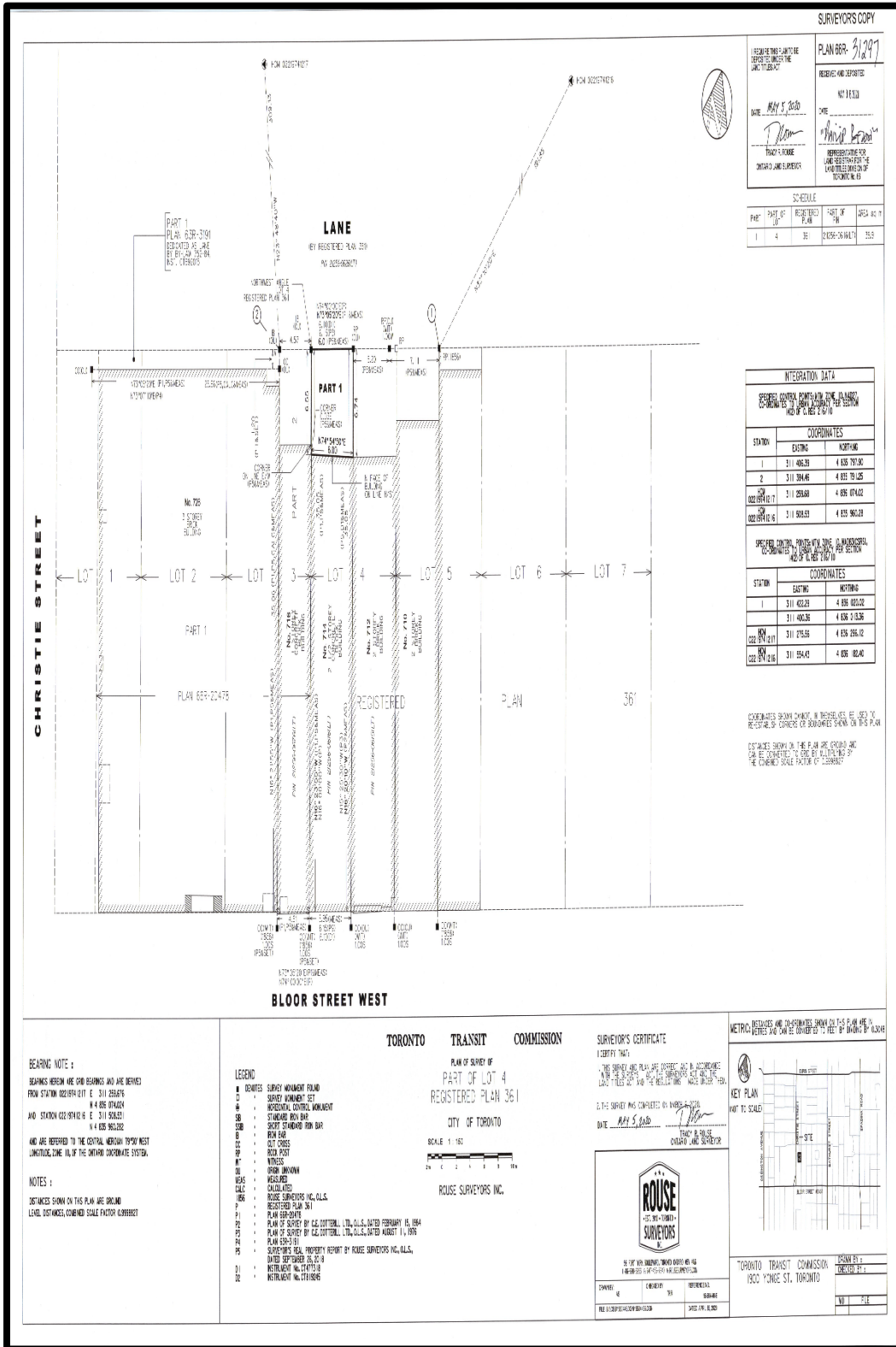
Appendix A Location Map



Appendix B
Property Interests

Address	Legal Description	Property Interests	Purpose
714 Bloor Street West	PART OF LOT 4, PLAN 361, DESIGNATED AS PART 1 ON PLAN 66R-31297, CITY OF TORONTO; BEING PIN: 21256-0616 (LT) IN THE LAND REGISTRY OFFICE OF TORONTO (NO. 66) IN LAND TITLES DIVISION	Permanent Easement 42 square meters	A limited interest in the nature of a permanent easement in, on, over and through the lands to construct, operate, maintain, repair, replace, upgrade, remove, and/or decommission underground elevators and works ancillary thereto, including relocating utility cables and/or pipelines and telecommunications infrastructure. In the event that such perpetual duration is precluded by statutes or common law, to expire 999 years from the date of registration of the Expropriation Plan.
712 Bloor Street West	PART OF LOT 4, PLAN 361, DESIGNATED AS PART 1 ON PLAN 66R-31300, CITY OF TORONTO; BEING PIN: 21256-0615 (LT) IN THE LAND REGISTRY OFFICE OF TORONTO (NO. 66) IN LAND TITLES DIVISION	Permanent Easement 43 square meters	
710 Bloor Street West	PART OF LOT 5, PLAN 361, DESIGNATED AS PART 1 ON PLAN 66R-31295, CITY OF TORONTO; BEING PIN: 21256-0614 (LT) IN THE LAND REGISTRY OFFICE OF TORONTO (NO. 66) IN LAND TITLES DIVISION	Permanent Easement 30 square meters	

Appendix C Reference Plan 66R-31297



Appendix D Reference Plan 66R-31300

