

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

Date: March 12, 2021

To: General Government and Licencing Committee

From: Executive Director, Corporate Real Estate Management

Wards: Toronto-Danforth

REASON FOR CONFIDENTIAL INFORMATION

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

SUMMARY

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

This report seeks approval from City Council, as the approving authority under the Expropriations Act, to expropriate the required permanent and temporary easements near Greenwood Subway Station (the "Station"), as identified in Appendix A, shown approximately in Appendix B, and more particularly detailed on the Reference Plan in Appendix C (the "Property Interests"), for the purposes of the Project. The Property Interests will enable the relocation of utility pipelines from the public right of way to 16 Linnsmore Crescent, to facilitate the construction of an elevator under the public right of way.

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 Expropriation Act, with respect to the property interests identified in Appendix A (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 as to a Date for Compensation, 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 the confidential information contained in Confidential Attachment 1 once there has been a final determination of all claims for compensation for all of the Property Interests 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 has been referred to the City's annual budget process and has been included in the 2021 - 2030 Capital Budget and Plan Submission for the TTC within the Easier Access Project (CTT028-1) for Council consideration.

The Chief Financial Officer and Treasurer has been provided the financial impacts associated with this program for review as part of the 2021 budget process.

DECISION HISTORY

At its meeting held on January 29, 2020, City Council adopted the recommendations in Report GL11.8, 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=2020.GL11.8>

COMMENTS

The Easier Access Phase III program is an important part of the 2019-2023 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 and street 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 Projects 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

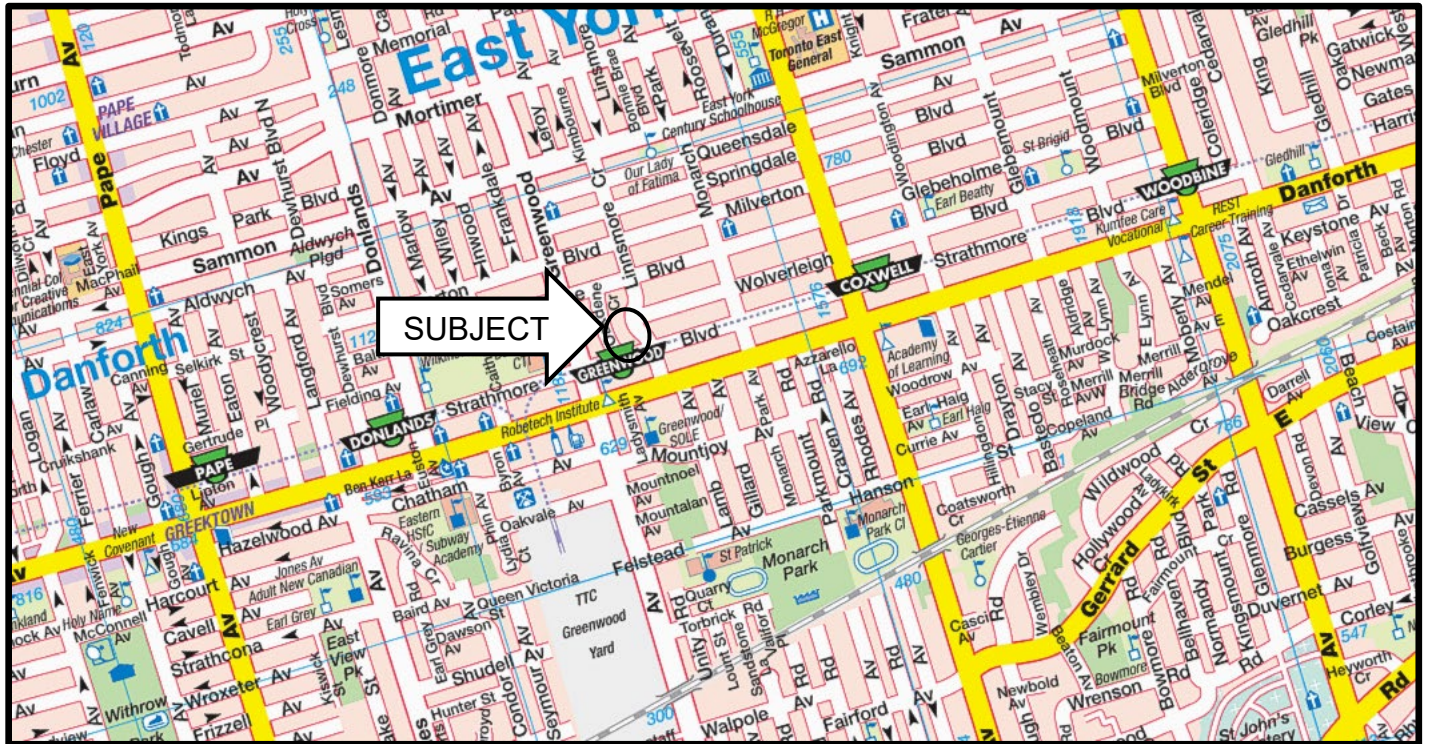
ATTACHMENTS

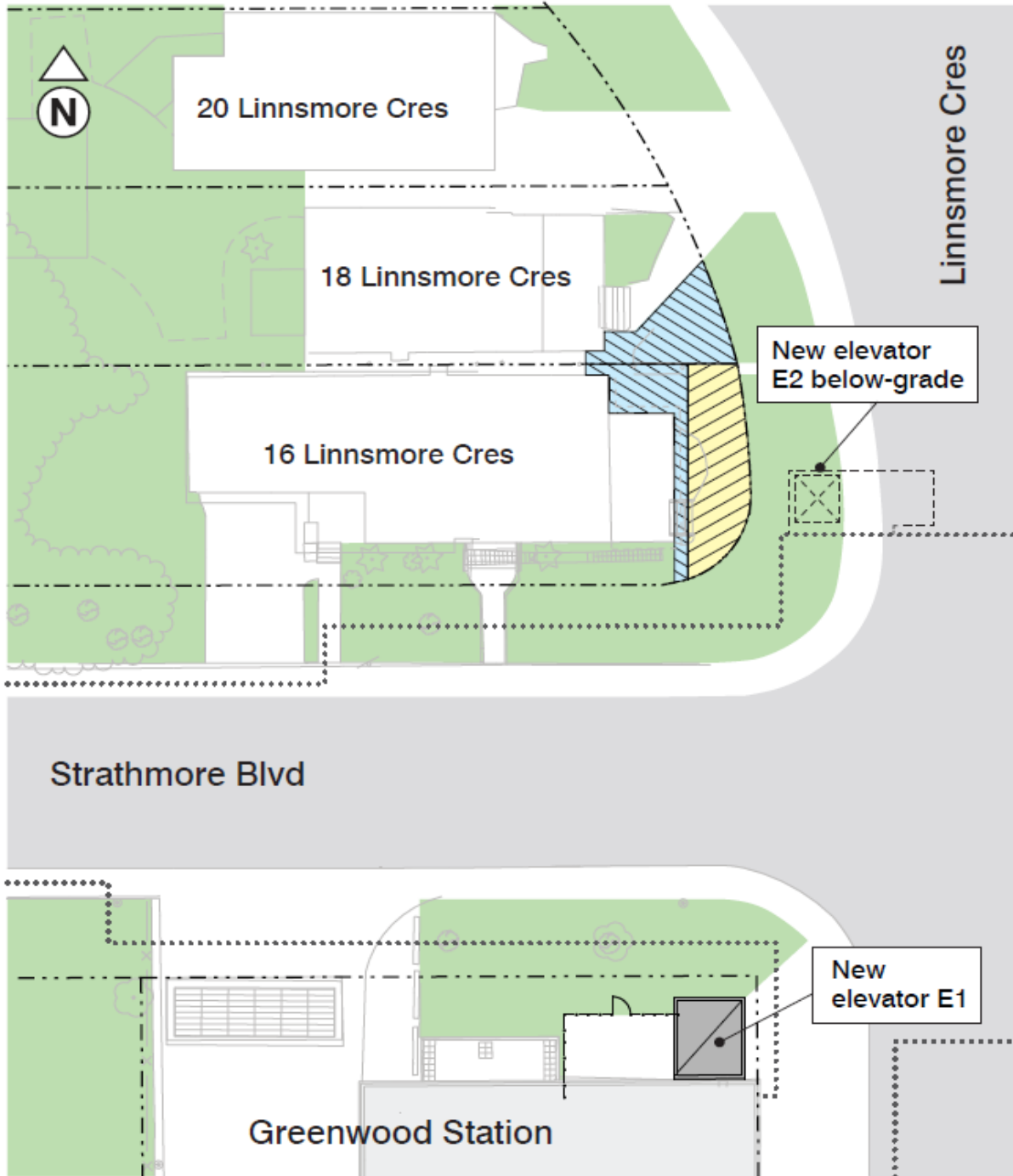
Appendix A - Property Interests
Appendix B - Location Maps
Appendix C - Draft Reference Plan
Confidential Attachment 1 - Estimated Value of the Property Interests

Appendix A - Property Interests





Municipal Address	Required Interest	Area (square meters)
16 Linnsmore Crescent	Temporary Easement	16.3 shown as Part 2 on Reference Plan 66R-31065
	Permanent Easement	31.8 shown as Part 3 on Reference Plan 66R-31065
18 Linnsmore Crescent	Temporary Easement	19.6 shown as Part 1 on Reference Plan 66R-31065

Appendix B - Location Maps





Legend

-  Permanent easement
-  Temporary easement
-  Property line
-  Outline of TTC infrastructure below-grade

