

Application for Approval to Expropriate Part of 21 Quebec Avenue - Stage 1

Date: August 31, 2021

To: General Government and Licensing Committee

From: Executive Director, Corporate Real Estate Management

Wards: 4 - Parkdale-High Park

SUMMARY

This report seeks authority to initiate expropriation proceedings for a permanent easement interest in part of the property municipally known as 21 Quebec Avenue for the purposes of the realignment of an existing sewer to facilitate the construction of two elevators at Toronto Transit Commission ("T.T.C.") High Park Subway Station (the "Station") as part of the Easier Access Phase III project (the "Project").

This is Stage 1 of the expropriation process. Should City Council adopt the recommendations in this report, City staff may serve and publish the Notice of Application for Approval to Expropriate on each registered owner. Owners, as defined in the Expropriations Act (the "Act"), will have 30 days to request a hearing into whether the City's proposed taking is fair, sound and reasonably necessary.

City staff may report back to City Council with a Stage 2 report, providing details on property values and other costs, and if a hearing is requested, the report of the Ontario Land Tribunal. The proposed expropriation would only be effected, after adoption by City Council, as approving authority, of the Stage 2 report, by registration of an expropriation plan, which would then be followed by the service of notices as required by the Act.

Before the City can take possession of the expropriated property, offers of compensation based on appraisal reports must be served on each registered owner.

RECOMMENDATIONS

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

1. City Council authorize the Executive Director, Corporate Real Estate Management, or their designate, to continue negotiations to acquire a permanent easement interest in

part of the property municipally known as 21 Quebec Avenue, as set out in Appendix A and illustrated as Part 1 on the draft reference plan attached as Appendix B (the "Project Requirement"), and authorize the initiation of expropriation proceedings for the Project Requirement, for the purposes of realigning an existing sewer to facilitate the construction of elevators at T.T.C. High Park Subway Station.

2. City Council grant authority to the Executive Director, Corporate Real Estate Management, or their designate, to serve and publish the Notices of Application for Approval to Expropriate the Project Requirement, to forward to the Ontario Land Tribunal any requests for inquiries received, to attend the hearing(s) to present the City of Toronto'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(s), if any, will be funded from the 2021-2030 Council Approved Capital Budget and Plan for the T.T.C. under account CTT028-1 Easier Access Phase III.

Before proceeding with the expropriation, staff will report to City Council through the General Government and Licensing Committee for approval of the expropriation (the "Stage 2 Report"). The Stage 2 Report will identify the estimated funding and the funding source for the fair market value of the Project Requirement, as well as any other anticipated costs including disturbance damages, legal and appraisal costs, land transfer tax costs, and all other associated costs stipulated under the Act.

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

On May 8, 2019, the T.T.C. Board approved the 2019-2023 T.T.C. Multi-Year Accessibility Plan. The Project is an important part of the 2019-2023 T.T.C. Accessibility Plan in its objective to fulfill the provincially legislated requirements in the Accessibility for Ontarians with Disabilities Act, 2005 ("A.O.D.A."). As part of the Project, the T.T.C. is proposing to construct two (2) elevators at the High Park Station, providing access from street to platform level.

[https://www.ttc.ca/About the TTC/Commission reports and information/Commission meetings/2019/May 8/Agenda/index.jsp](https://www.ttc.ca/About%20the%20TTC/Commission%20reports%20and%20information/Commission%20meetings/2019/May%208/Agenda/index.jsp)

COMMENTS

Building on the success of the previous T.T.C. 2014-2018 Multi-Year Accessibility Plan, the new 2019-2023 Accessibility Plan (the "Plan") contains 52 initiatives to further

improve and expand the accessibility and availability of T.T.C. services and facilities over the next five years to the millions of customers who use T.T.C. annually.

As part of this Plan, major planned initiatives include the Project, which involves upgrading 21 subway stations with elevators and other accessibility features for riders with mobility devices and strollers by 2025. The 2021-2030 Council Approved Capital Budget and Plan for T.T.C. has earmarked \$693.0 million for the Project. Together, the ongoing and future proposed initiatives described in the Plan will help the T.T.C. achieve its vision of a seamless, barrier-free transit system.

T.T.C. is proposing to construct two elevators at the Station. Elevator 1 will provide access from street level to the westbound platform and Elevator 2 will provide access from street level to the eastbound platform, both to be built adjacent to the existing Station.

In order to facilitate the Project, an existing sewer servicing the Station needs to be realigned in order to accommodate the shaft for Elevator 1. The permanent easement will accommodate the relocated sewer and allow for maintenance in the future.

Negotiations with the owners to acquire the Project Requirement are ongoing. However, in order to protect the Project construction schedule, authority to initiate expropriation proceedings is requested in case the negotiations are unsuccessful.

CONTACT

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SIGNATURE

Patrick Matozzo
Executive Director, Corporate Real Estate Management

ATTACHMENTS

Appendix A - Table of Project Requirement
Appendix B - Location Map and Draft Reference Plan

Appendix A - Table of Project Requirements

Municipal Address	Required Interest	Area (square meters)	Legal Description
21 Quebec Avenue	Permanent Easement	42	Part of Block 1, Register Plan 553 West Toronto Junction, designated as Part 1 on Draft Plan No. 21-116-01, being part of PIN 21367-0041(LT)

Appendix B - Location Map and Draft Reference Plan

