

Expropriation of a Portion of 350 Progress Avenue for Toronto Paramedic Services Station Access - Stage 2

Date: June 17, 2022

To: General Government and Licencing Committee

From: Executive Director, Corporate Real Estate Management

Wards: 21 - Scarborough Centre

REASON FOR CONFIDENTIAL INFORMATION

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

SUMMARY

In December 2021, City Council authorized the initiation of expropriation proceedings for a fee simple interest in a portion of the property municipally known as 350 Progress Avenue (the "Property"). The Property is required for the purposes of constructing a primary access route to the lands and premises municipally known as 330 Progress Avenue and various site services, including without limitation domestic water, sanitary sewers, storm water, hydro, telecommunications and ancillary works for the new Toronto Paramedic Services multi-function station.

This report relates to the second stage of the expropriation process. During the first stage and in accordance with the Expropriations Act, Notices of Application for Approval to Expropriate were served on all applicable registered owners, who had 30 days to request an inquiry into whether the proposed taking is fair, sound, and reasonably necessary. No requests were received and City Council may now approve the expropriation by this report. If authorized, the expropriation plans will be registered and associated notices served. Statutory Offers of Compensation must be served prior to the City taking possession of the expropriated properties.

The Property is set out in Appendix A and shown on the draft expropriation plan attached as Appendix B.

RECOMMENDATIONS

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

1. City Council, as the Approving Authority under the Expropriations Act, approve the expropriation of the Property as set out in Appendix A and identified as Part 1 shown on the draft Plan of Expropriation, attached as Appendix C.
2. City Council authorize the City, as the Expropriating Authority under the Expropriations Act, to take all necessary steps to comply with the Expropriations Act, including but not limited to the preparation and registration of an Expropriation Plan and service of Notices of Expropriation, Notices of Election and Notices of Possession, as may be required.
3. City Council authorize the Executive Director, Corporate Real Estate Management, or their designate, to prepare and serve Offers of Compensation based on a report apprising the market value of the Property in accordance with the requirements of the Expropriations Act.
4. City Council authorize the public release of the confidential information contained in Confidential Attachment 1 once there has been a final determination of the compensation payable to the Property owner(s) by arbitration, appeal or settlement to the satisfaction of the City Solicitor.

FINANCIAL IMPACT

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

Funding to acquire the Property and the disbursement of all anticipated costs associated with the proposed expropriations is available in the 2022-2031 City Council Approved Capital Budget and Plan for Toronto Paramedic Services under capital project account CAM071-02.

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 December 15, 2021, City Council adopted Item GL27.17 titled "Expropriation of a Portion of 350 Progress Avenue for Toronto Paramedic Services Station Access," granting authority to the Executive Director, Corporate Real Estate Management, or their designate, to continue negotiations for the acquisition of the Property, and authorize the initiation of the expropriation proceedings for the Property for the purpose of constructing a primary access route to 330 Progress Avenue as well as for providing site services including domestic water, sanitary, storm water, hydro,

telecommunications and ancillary works for the new Toronto Paramedic Services multi-function station. City Council also directed the Executive Director, Corporate Real Estate Management, or their designate, to serve and publish the Notices of Application for Approval to Expropriate the Property, 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.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.GL27.17>

On February 19, 2020, as part of EX13.2 2020 Capital and Operating Budgets, Toronto Paramedic Services received approval for their 2020-2029 Staff Recommended Capital Plan, detailed in Appendix 5b of the 2020 Staff Recommended Capital and Operating Budget Notes for City Planning, including \$39.705 million for the design and construction of a Multi-Function Station at 330 Progress Avenue.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EX13.2>

On February 17, 2016, as part of EX12.2 2016 Capital and Operating Budgets, City Council confirmed that the estimated six (6)-acre facility available at 330 Progress Road be designated for the future use of Toronto Paramedic Services for the construction of Multi-function Station #2.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EX12.2>

COMMENTS

Reason for Expropriation

As part of an effort to accommodate increases in Toronto Paramedic Services' emergency call volume and staff resources, outlined in the 2016-2025 Capital Budget and Plan Overview, the City of Toronto is proposing to design and construct a multi-function station (M.F.S.) located at the north end of a 25-acre parcel of land in Toronto (formerly Scarborough), Ontario. The new station will be part of the Division's active deployment model and will be used to achieve greater efficiencies in the preparation of equipment and vehicles, and to allow more targeted deployment of paramedic crews across the city to respond to emergency calls. In accordance with Toronto Paramedic Services' City Council-approved Capital Plan, the first such station was built at 1300 Wilson Avenue in the northwest part of the city. The station began servicing the community in October 2017.

The municipal address of the M.F.S. property is 330 Progress Avenue and is roughly eight (8) acres in size, bound by adjacent lands to the east and west, the 401 corridor to the north, and the Toronto Police Services evidence building to the south (the latter of which forms part of the same property). The M.F.S. property is described more particularly in Appendix A and shown in Part 3 in sketch PS-2021-031 attached hereto as Appendix B.

The proposed facility is intended to achieve the following major program objectives:

- Function as a 24/7 hub for frontline staff with forty (40) ambulance vehicles, ten (10) supervisor vehicles, ten (10) training/community paramedicine vehicles, and include provisions for vehicle and equipment sanitizing and processing, inventory storage, administrative space, teaching facilities, staff locker rooms, and eating areas;
- Accommodate staffing of up to 250 Toronto Paramedic Services personnel, including transient personnel visiting the site for training and instruction;
- Include approximately 210 on-site parking spaces for staff, transient personnel, and visitors;
- Provide flexible classroom and laboratory space for paramedic training;
- Include emergency routing during planning stage for fire department access; and
- Accommodate outdoor service access for loading and oxygen deliveries.

Construction for the M.F.S. and associated works is tentatively planned to begin in the second quarter of 2023 and is contingent on the acquisition of 350 Progress Avenue (the Property). The Property is required for the purposes of constructing a primary access route to the lands and premises municipally known as 330 Progress Avenue and various site services, including without limitation domestic water, sanitary sewers, storm water, hydro, telecommunications and ancillary works for the M.F.S. Corporate Real Estate Management staff have been engaged in efforts to acquire the Property amicably without the need for expropriation and will continue discussions with the property owner.

The Property was put up for sale and actively marketed in January 2022 by the current owner. Staff have engaged and continue to engage the prospective buyer of the Property to attempt negotiation of an amicable acquisition of the Property or a different portion of property that meets the requirements for access and providing site services. If no such arrangement can be negotiated, staff will proceed with expropriation.

Initiation of Expropriation Proceedings

In December 2021, City Council authorized the initiation of expropriation proceedings for a fee simple interest in a portion of the Property. Subsequently, Notices of Application for Approval to Expropriate were served on all registered owners and published in the Toronto Star. The City did not receive any requests for a hearing of necessity from any of the applicable parties and the time limitation of thirty (30) days, as set out in the Expropriations Act, for giving notice of such request has expired.

To ensure that the construction schedule is maintained, it is recommended that City Council, as Approving Authority under the Expropriations Act, approve the expropriation of the Property, and authorize the City, as the Expropriating Authority, to take all necessary steps to proceed with Stage Two of the expropriation. If authorized, the expropriation plans will be registered and associated notices served. Statutory Offers of Compensation must be served prior to the City taking possession of the expropriated properties. This report seeks authority to serve the Offers of Compensation on the registered owners in accordance with the requirements of the Expropriations Act.

CONTACT

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SIGNATURE

Patrick Matozzo
Executive Director, Corporate Real Estate Management

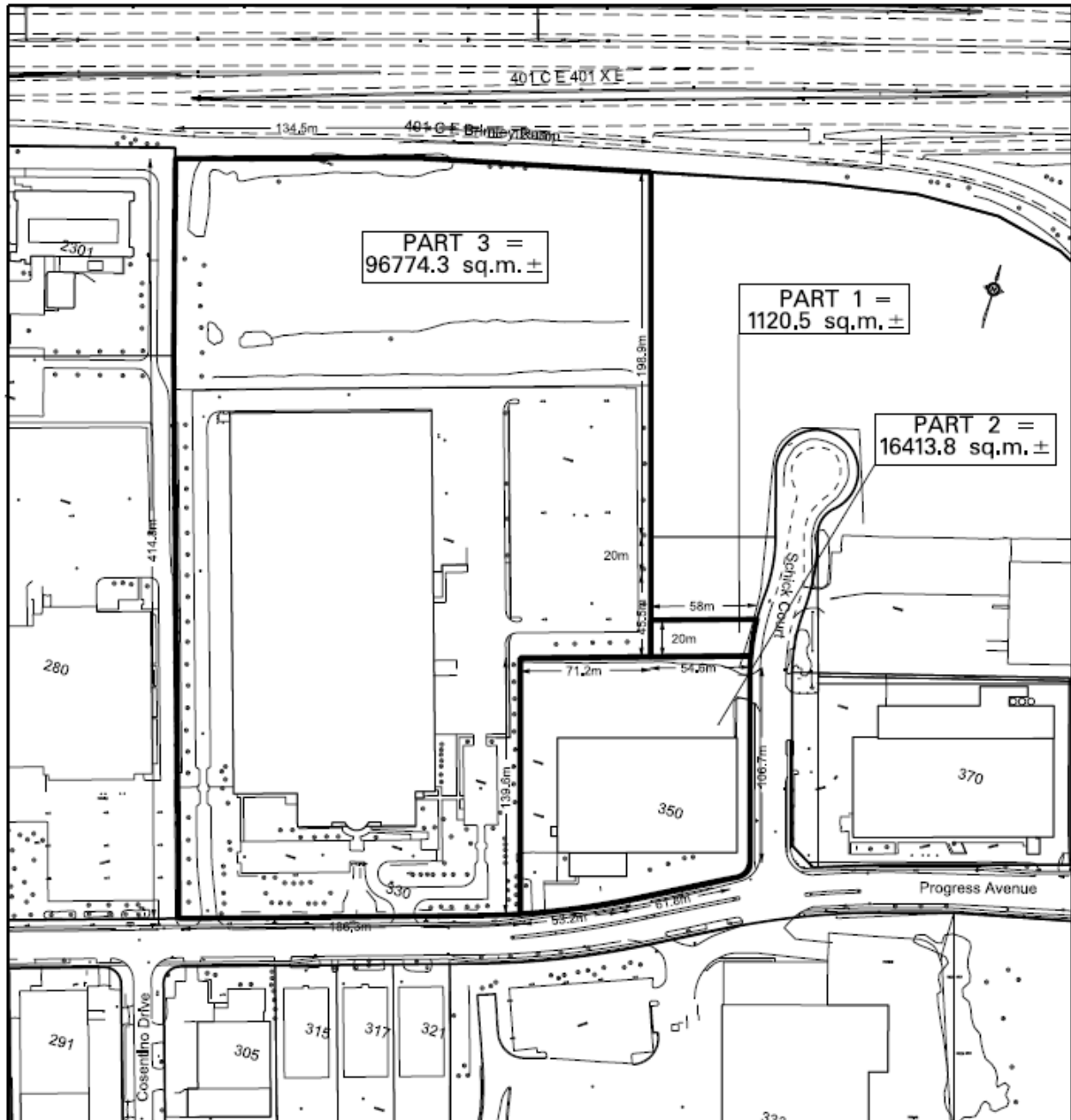
ATTACHMENTS

Appendix A – Required Property
Appendix B – Property Information Sketch
Appendix C – Draft Plan of Expropriation
Confidential Attachment 1 – Financial Impact

Appendix A - Required Property

Municipal Address	Legal Description	Property Interest
350 Progress Avenue	PT LOT 25 CON. 2 (SCARBOROUGH) PTS 1,3,4 & 6 PL 66R16309 SAVE & EXCEPT 1 ON 66R21025 & PTS 1, 2 & 3 ON 66R22103; CITY OF TORONTO	Fee Simple Ownership Part 1 on draft Expropriation Plan attached as Appendix C

Appendix B – Property Information Sketch



NOTE:
THIS SKETCH HAS BEEN
COMPILED FROM OFFICE
RECORDS, MEASUREMENTS
ARE APPROXIMATE

CHECK BY ANA MICHALEK
PREPARED BY: DWAYNE PITT

PROPERTY INFORMATION SHEET

SKETCH SHOWING NO. 350 PROGRESS AVENUE (TO BE ANNEXED TO NO. 330 PROGRESS AVENUE)

WARD 21 - SCARBOROUGH CENTRE
DATE: MAY 28, 2021

SKETCH No. PS-2021-031

