

## **Expropriation of Properties for the St. Clair Avenue West Transportation Master Plan – Stage 2**

**Date:** March 12, 2024

**To:** General Government Committee

**From:** Executive Director, Corporate Real Estate Management

**Wards:** 9 - Davenport

### **REASON FOR CONFIDENTIAL INFORMATION**

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

### **SUMMARY**

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On July 14, 2021 and April 14, 2018, City Council authorized the initiation of expropriation proceedings for properties required for the purpose of constructing Transportation Services' St. Clair Avenue West Transportation Master Plan, which aims to improve multi-modal transportation network in the area.

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 within the 30-day period and City Council may now approve the expropriation by this Stage 2 report. If authorized, an Expropriation Plan 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 requirements are set out in Appendix A and shown on the draft reference plans attached as Appendix C.

## **RECOMMENDATIONS**

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

1. City Council, as the approving authority under the Expropriations Act (the “Act”), approve the expropriation of the property interests as set out in Appendix A (the “Property Interests”) and as identified on the draft reference plans attached as Appendix C.
2. City Council authorize the City, as the expropriating authority under the Act, to take all necessary steps to comply with the Act, including but not limited to the preparation and registration of Expropriation Plans, and the 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 to prepare, execute and serve offers of compensation based on reports appraising the market value of the Property Interests in accordance with the requirements of the 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 owners by arbitration, appeal, or settlement to the satisfaction of the City Solicitor.

## **FINANCIAL IMPACT**

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

Funding to acquire the Property Interests and the disbursement of all anticipated costs associated with the proposed expropriations is available in the 2024-2033 Capital Plan for Transportation Services under the capital project account CTP819-06.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

## **DECISION HISTORY**

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On July 14, 2021, City Council adopted Item GL24.13 titled, “Acquisition of 10 Properties on Old Weston Road- St. Clair West Transportation Master Plan” thereby authorizing the Executive Director, Corporate Real Estate Management, to initiate expropriation proceedings for the Property Interests. The Council decision associated with this approval can be found at

<https://secure.toronto.ca/council/agenda-item.do?item=2021.GL24.13>

On February 5, 2021, City Council adopted "Advancing the SmartTrack Stations Program" authorizing City staff to enter into an Agreement In Principle ("A.I.P.") with Metrolinx for Metrolinx to deliver detailed design, property acquisition and construction for both the St. Clair-Old Weston SmartTrack station and St. Clair Avenue West Transportation Master Plan ("T.M.P.") recommendations.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.EX20.2>

On July 4, 2019, the Notice of Completion of the T.M.P. was submitted to the Ministry of Environment, Conservation and Parks. The T.M.P. recommended the following improvements: widen St. Clair Avenue West, Extend Gunns Road to Union Street, Extend Keele Street to meet the Gunns Road Extension and Extend Davenport Road to Union Street.

City Council, at its April 24, 2018 meeting, authorized the "Implementation of the SmartTrack Stations Program and the Metrolinx Regional Express Rail Program report for action". City staff were directed to coordinate the delivery of the T.M.P. with the St. Clair-Old Weston SmartTrack station.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EX33.1>

A Functional Planning Study ("F.P.S.") was completed in 2015 that identified potential solutions to improve traffic congestion in the area. Following the F.P.S., a T.M.P. was initiated and completed in 2019. Public Works and Infrastructure Committee ("P.W.I.C."), at its meeting of June 6, 2012, directed City staff to initiate and carry out an Environmental Assessment Study of the St. Clair Avenue/Rail Crossing between Keele Street and Old Weston Road. The Committee directed Transportation Services to report back on the actions required to initiate an Environmental Assessment to identify possible measures in the area to improve traffic operations and safety on St. Clair Avenue West.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PW15.3>

## **COMMENTS**

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The City initiated the St. Clair Transportation Master Plan ("T.M.P.") in September 2015 to identify area-wide infrastructure improvements that address traffic congestion on St. Clair Avenue West between Keele Street and Old Weston Road. The T.M.P. recommended extending Davenport Road from Old Weston Road to Union Street (the "Project"). Corporate Real Estate Management ("C.R.E.M.") initiated expropriation proceedings to support the implementation of this recommendation and other works related to the T.M.P.

Pursuant to City Council's authority and in accordance with the Act, Notices of Application for Approval to Expropriate Land were served on the registered owners and published in the newspaper. The City has not received any request for hearings of necessity for the Property Interests and the time limitation set out in the Act for giving notice of such request has expired.

There are additional property interests that are required for the T.M.P. for which requests for hearings of necessity have been received. Those will be the subject matter of a further report to Council at a future date once the hearings have been conducted.

The Property Interests are a combination of commercial, residential, and vacant properties required to extend Davenport Road and Gunns Road, and widen and undertake improvements to Union Street. Metrolinx will be delivering this element of the T.M.P. project under its SmartTrack contract on the City's behalf.

Negotiations are still underway with the property owners to acquire the Property Interests on mutually acceptable terms and will continue concurrently with the expropriation process. It is recommended that City Council, as approving authority under the Act, approve the expropriation of the Property Interests, and authorize the City as the expropriating authority to take all necessary steps to proceed with the expropriation, so that project construction deadlines are maintained.

## **CONTACT**

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## **SIGNATURE**

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Patrick Matozzo  
Executive Director, Corporate Real Estate Management

## **ATTACHMENTS**

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Appendix A - Table of Property Interests  
Appendix B - Location Maps  
Appendix C - Property Draft Plans  
Confidential Attachment 1 – Financial Implications

## Appendix A – Table of Property Interests

<b>Municipal Address</b>	<b>Legal Description</b>	<b>Approximate Area (square metres)</b>	<b>Property Interest(s)</b>
236 Old Weston Road	All of PIN 21357-0250 (LT) Lot 37, Plan 1703, City of Toronto	110.6	Fee simple
238 Old Weston Road	All of PIN 21357-0251 (LT) Lot 36, Plan 1703, City of Toronto	104.2	Fee simple
240 Old Weston Road	All of PIN 21357-0252 (LT) Lot 35, Plan 1703, City of Toronto	104.9	Fee simple
242 Old Weston Road	All of PIN 21357-0253 (LT) Lot 34, Plan 1703, City of Toronto	104	Fee simple
244 Old Weston Road	All of PIN 21357-0254 (LT) Lot 33, Plan 1703, City of Toronto	104.3	Fee simple
246 Old Weston Road	All of PIN 21357-0255 (LT) Lot 32, Plan 1703, City of Toronto	104.3	Fee simple
248 Old Weston Road	All of PIN 21357-0256 (LT) Lot 31, Plan 1703, City of Toronto	104.8	Fee simple
250 Old Weston Road	All of PIN 21357-0257 (LT) Lot 30, Plan 1703, City of Toronto	103.6	Fee simple

<b>Municipal Address</b>	<b>Legal Description</b>	<b>Approximate Area (square metres)</b>	<b>Property Interest(s)</b>
252 Old Weston Road	All of PIN 21357-0258 (LT) Lot 29, Plan 1703, City of Toronto	103.8	Fee simple
254 Old Weston Road	All of PIN 21357-0259 (LT) Lot 28, Plan 1703, City of Toronto	108.8	Fee simple
290 Old Weston Road	Part of PIN 21357-0309 (LT) Part of Lot 35, Concession 2 From the Bay, Part of Blocks B and D, Plan 1703, Part of Lot 13, Plan 1127, City of Toronto, shown as Part 1 on draft Plan of Survey Job Number 2023-06719, Plan Number 13	2,342	Fee simple
1900 St. Clair Avenue West	All of PIN 21358-0357 (LT) Part of Lots 1 and 2, Plan 1309, Part of Lots 20 and 21, Plan 238, City of Toronto	631.9	Fee simple
PIN 21357-0293 (LT) Strip adjacent to the corridor on the east side running northwest from Old Weston Road	Part of PIN 21357-0293 (LT) Part of Lot 35, Concession 2 From the Bay, City of Toronto, shown as Part 1 on Draft Plan of Survey Job Number 2023-06719, Plan Number 14	613.1	Fee simple

<b>Municipal Address</b>	<b>Legal Description</b>	<b>Approximate Area (square metres)</b>	<b>Property Interest(s)</b>
144 Union St. (now 144 Benny Stark St.)	Part of PIN 21358-0271 (LT) Part of Lot 35, Concession 3 From the Bay, City of Toronto, shown as Part 1 on Draft Plan of Survey Job Number 2023-06720, Plan Number 3	1,029.1	Fee simple

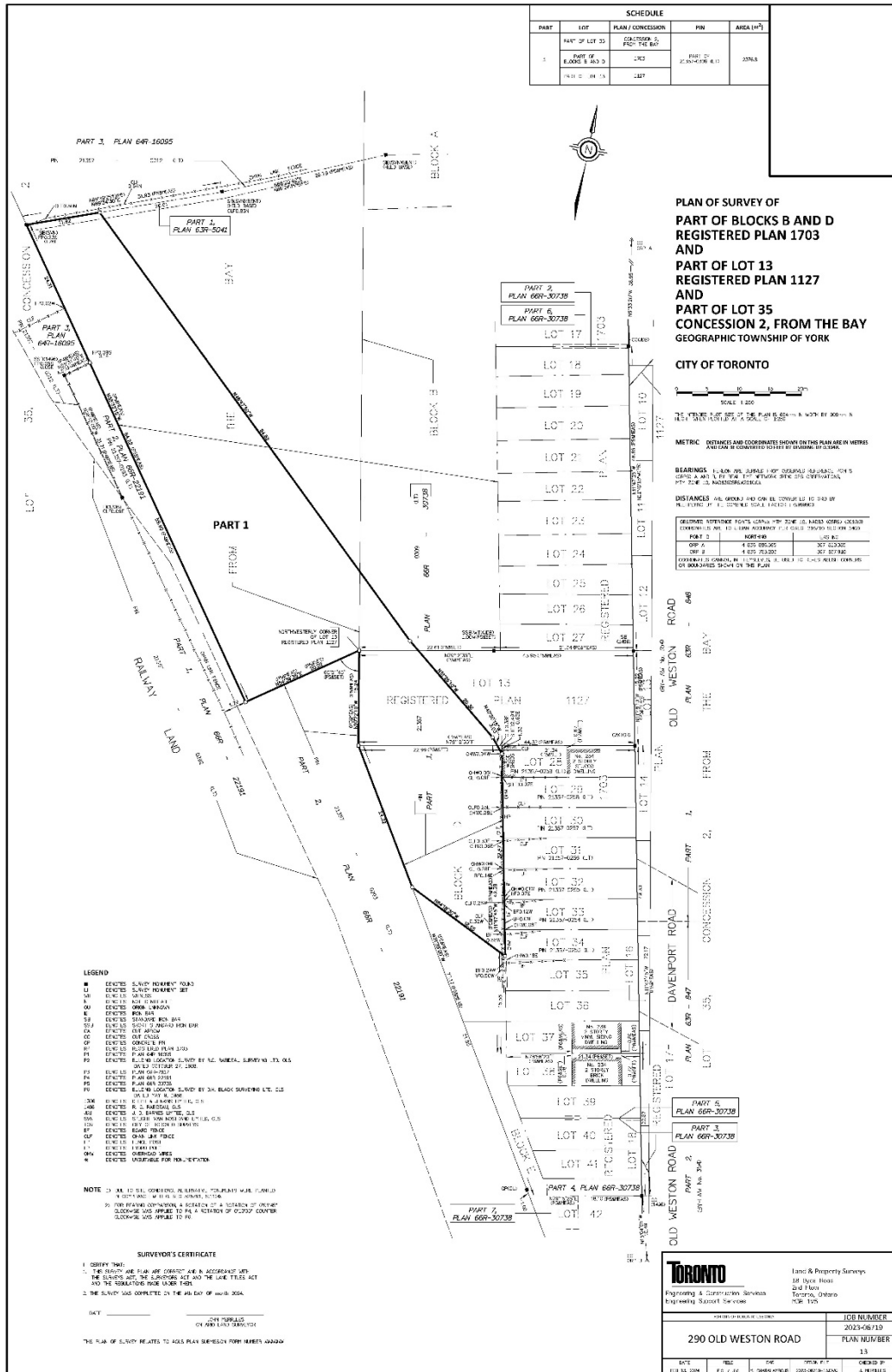
## Appendix B – Location Maps





# Appendix C - Property Draft Plans

## 290 Old Weston Road





144 Union St (now 144 Benny Stark St)

