

Expropriation of Portions of Properties at the Rear of Jolly Way and the Rear East Side of Jenkinson Way for the Scarborough Rapid Transit Bus Replacement - Stage 2

Date: April 28, 2025

To: General Government Committee

From: Executive Director, Corporate Real Estate Management

Wards: 21- Scarborough Centre

REASON FOR CONFIDENTIAL INFORMATION

This report is about a proposed or pending land acquisition or disposition of land by the City of Toronto (the "City").

SUMMARY

On July 24, 2024, City Council authorized the initiation of expropriation proceedings for temporary easement interests in part of the properties at the rear of Jolly Way and the rear east side of Jenkinson Way for the purpose of accommodating the construction of a dedicated bus roadway (the "Project"). The Project forms part of the Toronto Transit Commission's ("TTC") Scarborough Rapid Transit Bus Replacement and Busway program.

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," and published in the newspaper. Parties with affected interests in the land 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, 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 requirements are set out in Appendix A and shown on the draft reference plans attached as Appendix B.

RECOMMENDATIONS

The Executive Director, Corporate Real Estate Management recommends that:

1. City Council, as approving authority under the Expropriations Act (the "Act"), approve the expropriation of the property interests set out in Appendix A (the "Property Requirements") and as identified on the reference plans attached as Appendix B.
2. City Council authorize the City, as 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 service of Notices of Expropriation, Notices of Election and Notices of Possession, as may be required.
3. City Council authorize severally each of the Executive Director, Corporate Real Estate Management and the Director, Real Estate Services to prepare, execute and serve Offers of Compensation based on a report appraising the market value of the Property Requirements in accordance with the requirements of the Act.
4. City Council direct that Confidential Attachment 1 remain confidential until such time as there has been a final determination of the compensation payable relative to the Project and authorize the public release of Confidential Attachment 1 thereafter in consultation with the City Solicitor.

FINANCIAL IMPACT

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

Funding to acquire the Property Requirements is available in the TTC's Budget under Cost Account CTT147-01.

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

DECISION HISTORY

City Council

At its meeting on July 24, 2024, City Council adopted Item GG14.23 thereby authorizing the initiation of expropriation proceedings for the Property Requirements.

<https://secure.toronto.ca/council/agenda-item.do?item=2024.GG14.23>

At its meeting of May 10, 2023, City Council approved on-street transit priority measures to support Phase 1 of the Line 3 Bus Replacement service to provide the best possible replacement service for our customers. In consideration of this item, EX4.10, City Council also directed the TTC to proceed with design work on the Scarborough Rapid Transit busway conversion and request the Province of Ontario to reimburse the TTC in the amount of \$2.9 million for the projected cost of the design-related work.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.EX4.10>

TTC Board

The Line 3 Bus Replacement and Busway project is also reported quarterly through the TTC's Financial and Major Projects Update reports. Last update was provided to the Board in December 2023.

[1 Financial and Major Projects Update for the Period Ended September 30 2023 .pdf \(ttc.ca\)](#)

At its meeting on September 26, 2023, the TTC Board received an update about the interim transit priority measures that were implemented in response to the derailment incident and the Board directed staff to continue with the design of the Busway and report back on updated cost and funding.

[Line 3 Bus Replacement Update](#)

At its meeting on June 12, 2023, the TTC Board approved the delegation of authority for the TTC to award the transit priority measures construction contract.

[SRT Replacement Transit Priority Measures – Delegation of Authority](#)

At its meeting of April 14, 2022, the TTC Board approved the Line 3 Bus Replacement and Busway, which identified Phase 1 and 2 of the program. This included Phase 2 – replacing the Line 3 train service with an express bus service by converting the Line 3 ROW between Kennedy Station and Ellesmere Station to a dedicated busway.

[Line 3 Bus Replacement Study Final Recommendations](#)

An update was presented to the TTC Board in September 2021 and the Board approved the emerging direction for analyzing the corridors and the evaluation framework to develop actual routing options.

[Line 3 Bus Replacement Study Update](#)

A report proposing the options to extend the life of the SRT was presented to the TTC Board in February 2010.

[SRT Life Extension Project Options Analysis](#)

COMMENTS

The Scarborough Extension Project ("SSE"), scheduled to be completed in 2030, will replace the Scarborough Rapid Transit ("Line 3") service. During the construction of the SSE, a temporary bus route will operate in place of Line 3 until the SSE is open to the public. The Property Requirements form part of the common elements of two residential

condominium properties and are needed to accommodate the construction of a dedicated bus roadway.

Pursuant to Council's authority and in accordance with the Act, Notices of Application for Approval to Expropriate Land were served on the registered owner(s) and published in the newspaper. The City has not received notice of any requests for a hearing of necessity and the 30-day time limitation set out in the Act for giving notice of such a request has expired.

It is recommended that City Council, as approving authority under the Act, approve the expropriation of the Property Requirements and that City Council authorize the City as expropriating authority to take all necessary steps to proceed with the expropriation, so that Project construction deadlines are maintained. Negotiations will continue with the owner(s) concurrently with the expropriation process to acquire the Property Requirements on mutually acceptable terms.

CONTACT

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SIGNATURE

Patrick Matozzo
Executive Director, Corporate Real Estate Management

ATTACHMENTS

Confidential Attachment 1
Appendix A - Table of Property Requirements
Appendix B - Reference Plans

Appendix A – Table of Property Requirements

Municipal Address	Legal Description	Property Interests
Rear of east side Jenkinson Way	Part of PINs 12552-0001 (LT) to 12552-0193 (LT), both inclusive, Part of the Common Elements of Toronto Standard Condominium Plan No. 1552, designated as Part 1 on Plan 66R-34549	Temporary Bus Easement for 10 years
	Part of PINs 12552-0001 (LT) to 12552-0193 (LT), both inclusive, Part of the Common Elements of Toronto Standard Condominium Plan No. 1552, designated as Parts 2 and 3 on Plan 66R-34549	Temporary Construction Easement for two years
Rear of Jolly Way	Part of PIN 76777-0001 (LT), Part of Toronto Common Elements Condominium Plan No. 2777, designated as Part 1 on Plan 66R-34547	Temporary Bus Easement for 10 years
	Part of PIN 76777-0001 (LT), Part of Toronto Common Elements Condominium Plan No. 2777, designated as Part 2 on Plan 66R-34547	Temporary Construction Easement for two years

Temporary Construction Easement: a temporary easement in, on, over, under and through the lands described above to perform temporary construction activities in connection with the Scarborough Rapid Transit Bus Replacement Plan, and all works ancillary thereto, including, without limitation, grading, excavation and backfill, access and parking for vehicles and machinery, storage of materials and equipment, fencing and erosion control, such temporary easement to include the right to pass over and occupy the lands, on an exclusive basis, with personnel, materials and equipment necessary or incidental in connection with such purposes, for a period of two years to commence upon at least three months prior notice and in any event not to extend beyond December 31, 2037.

Temporary Bus Easement: a temporary easement in, on, over, under and through the lands described above to construct, use, operate, inspect, maintain, repair, remove, reconstruct, enlarge and expand a dedicated transit right-of-way as part of the Scarborough Rapid Transit Bus Replacement Plan and all works ancillary thereto, including, without limitation, the construction of platforms, shelters, sidewalks, roads, light standards, such temporary easement to include the right to pass over and occupy the lands, on an exclusive basis, with personnel, materials and equipment necessary or incidental in connection with such purpose, for a period of 10 years to commence upon at least three months prior notice and in any event not to extend beyond December 31, 2037.

Appendix B – Reference Plans

Rear of East Side Jenkinson Way



