

Application for Approval to Expropriate Property Interests near Summerhill Station for the Second Exit Project - Stage 1

Date: June 27, 2025

To: General Government Committee

From: Executive Director, Corporate Real Estate Management

Wards: 11 - University-Rosedale

SUMMARY

This report seeks authority to initiate expropriation proceedings for permanent and temporary easements in part of the properties municipally known as 10 and 20 Scrivener Square, for the purposes of constructing an exit at Summerhill Subway Station (the "Station") to provide a second means of entry and exit from the Station as part of the Toronto Transit Commission ("T.T.C.") Fire Ventilation Upgrade Project, of which the Second Exit Project (the "Project") is a component.

Subsequent to City Council's authorization in 2021 to expropriate property interests for the construction of the Project, additional easement property interests have been identified by the TTC, and are necessary to further facilitate the Project. The initial and new easements are incorporated in this report.

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 Land 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.

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 expropriations would only be effected after adoption by City Council, as approving authority, of the Stage 2 report, by registration of an expropriation plan(s), which would then be followed by the service of notices as required by the Act.

Before the City could take possession of the expropriated properties, 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, to continue negotiations to acquire the property interests set out in Appendix A (the "Property Requirements") and as illustrated in the draft reference plans set out in Appendix C, and City Council authorize the initiation of expropriation proceedings for the Property Requirements, for the purposes of constructing a second exit at Toronto Transit Commission's Summerhill Station, if the Executive Director, Corporate Real Estate Management, deems it necessary or appropriate to proceed in that manner.
2. City Council grant authority to serve and publish the Notices of Application for Approval to Expropriate Land for the Property Requirements, to forward to the Ontario Land Tribunal any requests for hearings that are received, to attend the hearing(s) to present the City's position, and to report the Ontario Land Tribunal'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 Land, together with any costs related to attendance at the hearing(s), if any, will be funded from the 2025-2030 Council Approved Capital Budget and Plan for the T.T.C. under Program 3.9 Building and Structures, Fire Ventilation Upgrade Project under account CTT024-1.

Before proceeding with the expropriation, staff will report to City Council through the General Government Committee for approval of the expropriations (the "Stage 2 Report"). The Stage 2 Report will identify the estimated funding requirement and the funding source for the market value of the Property Requirements, 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 impact information.

DECISION HISTORY

At its meeting of October 1 and 4, 2021, City Council approved the acquisition and expropriation of Property Interests near Summerhill Subway station for the Second Exit Project - Stage 1.

<https://www.toronto.ca/legdocs/mmis/2021/gl/bgrd/backgroundfile-170359.pdf>

At its meeting of February 25, 2020, the T.T.C. board approved Summerhill Station - Second Exit/Entrance Authorization of Third Party Design/Construction Agreement and

Property Acquisition, which included a recommendation to approve the property acquisition recommendations set out in Attachment1 - Confidential Information.
[https://www.ttc.ca/About the TTC/Commission reports and information/Commission meetings/2020/February 25/Reports/3 Summerhill Station Second Exit Entrance Authorization of T.pdf](https://www.ttc.ca/About%20the%20TTC/Commission%20reports%20and%20information/Commission%20meetings/2020/February%2025/Reports/3%20Summerhill%20Station%20Second%20Exit%20Entrance%20Authorization%20of%20T.pdf)

At its meeting of September 28, 2015, the T.T.C. board approved the Planning and Consultation Process for Second Exits - Chester Station Update Report, which included recommendations for a modified process for the second exits located in more commercial/dense urban environments: College, Dundas, Museum, Summerhill and Dundas West.

[http://www.ttc.ca/About the TTC/Commission reports and information/Commission %20meetings/2015/September 28/Reports/Chester Station Planning and Consultation Process for Second.pdf](http://www.ttc.ca/About%20the%20TTC/Commission%20reports%20and%20information/Commission%20meetings/2015/September%2028/Reports/Chester%20Station%20Planning%20and%20Consultation%20Process%20for%20Second%20Exits.pdf)

COMMENTS

In 2016, Tricon/Diamond Corporation (the "Developer") and T.T.C. initiated discussions on the feasibility of locating the second exit within the Scrivener Square Development (the "Development") and to have the Developer construct the Project on T.T.C.'s behalf and at T.T.C.'s expense.

The Summerhill second exit will benefit T.T.C customers as well as the surrounding community by addressing fire/life safety needs of the Station and serving as a new entrance to the Station within the neighbourhood. Having the facility constructed as part of the Development will ensure the design is integrated within the new building envelope, landscaping and urban design approach of the area. Allowing the Developer to construct the Project will minimize disruption in the community and will ensure both the Development and the Project are constructed in an efficient and timely manner.

Once constructed the Summerhill second exit will be operated and maintained by the T.T.C, except for the structural portions of the facility within the boundaries of the Development.

Subsequent to City Council's authorization in 2021 to expropriate property interests for the construction of the Project, there has been amendments to the Property Requirements that are necessary to further facilitate the Project. These updated and additional property interests are described as the Property Requirements in this restated Stage 1 Report and include temporary and permanent easements for a commercial and condominium property, adjacent to the Summerhill Station.

Negotiations with the owners to acquire the Property Requirements have been ongoing. To ensure delivery of the Property Requirements to meet the Project construction schedule, it is now appropriate to seek City Council authority to acquire the Property Requirements, and where appropriate and if necessary, initiate expropriation proceedings.

CONTACT

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SIGNATURE

Patrick Matozzo
Executive Director, Corporate Real Estate Management

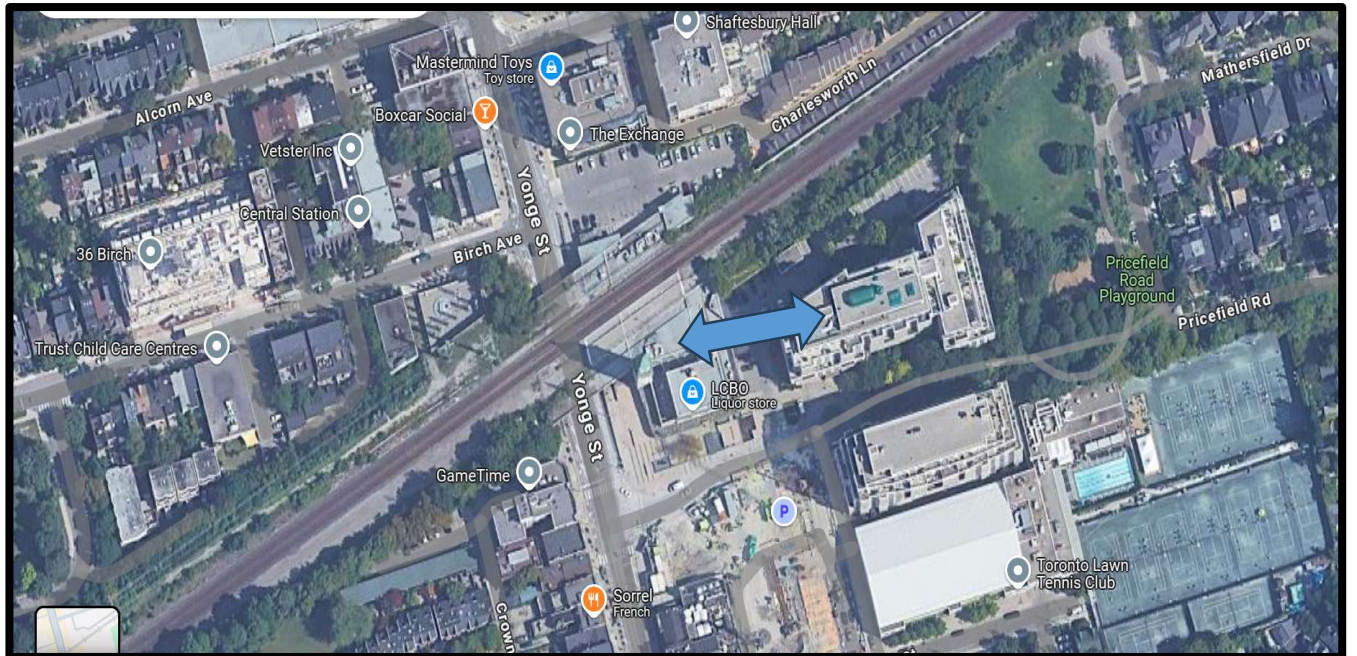
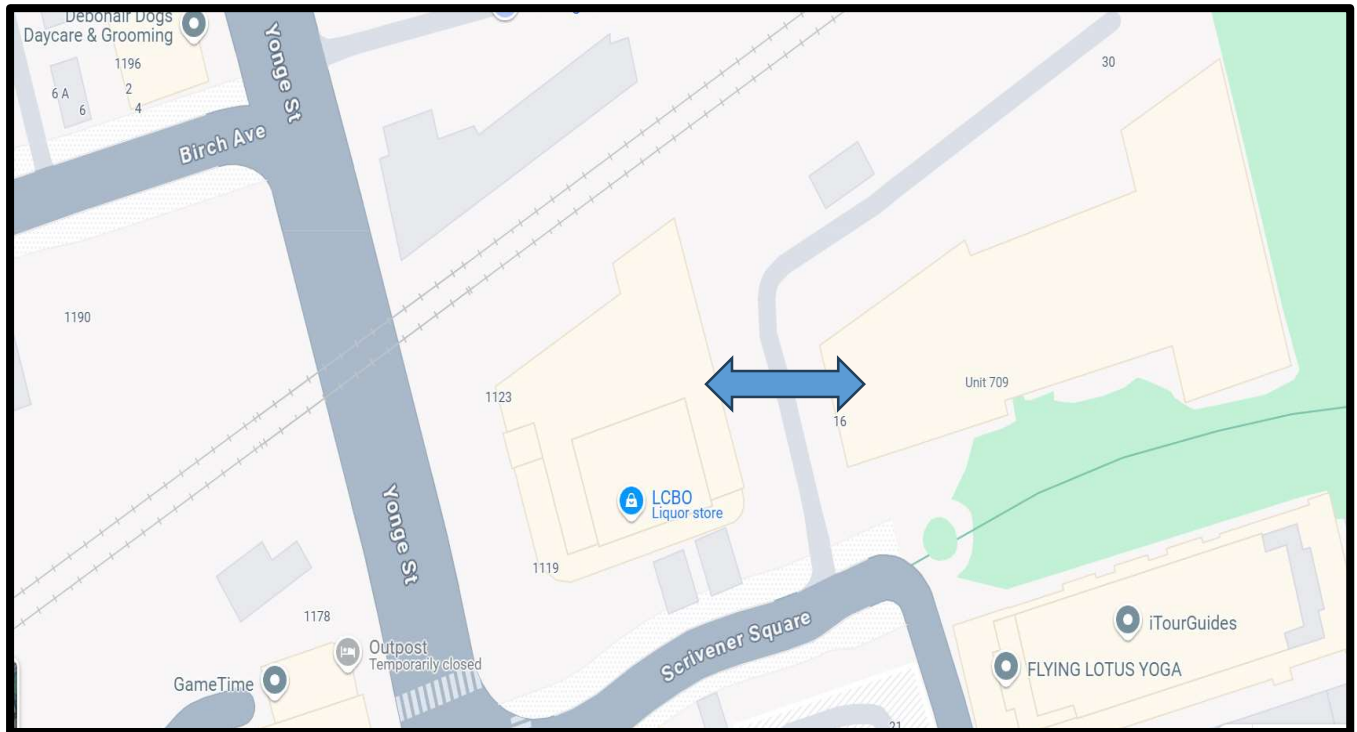
ATTACHMENTS

Appendix A - Table of Property Requirements
Appendix B - Aerial Map
Appendix C - Draft Reference Plan

Appendix A – Table of Property Requirements

Municipal Address	Legal Description	Property Interests
20 Scrivener Square (TSCC 1476 Thornwood)	Part of Common elements of TSCC 1476	Temporary Easement Parts 9 and 20 on the Draft Reference Plan in Appendix C
10 Scrivener Square (North Toronto Station)	<p>Block 13 and Part of Blocks 1, 2, 14, 15, 16 & 17, Plan 66M2315, Designated as Parts 2 to 25 & 27 to 35, Plan 66R19784, City of Toronto; S/T Easements as set out in CA407462, E460363, AT 3551; T/W Easements as set out in CA140512, AT3551; being part of PIN: 21119-0346 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division; and</p> <p>Blocks 5 and 9, Plan 66M2315, City of Toronto; T/W a Right over Part Lots 1 & 2, Plan 277Y, Des. as Parts 78 & 79, Plan 66R17400 as set in CA140512; T/W a R.O.W. over Blocks 10 & 11, Plan 66M2315 as set out in E140445; S/T an Easement in favour of Toronto Transit Commission in & through Part Blocks 5 & 9, Plan 66M2315, Des. as Parts 13, 21, 92 & 97 PL 66R17400 as set out in CA407462; S/T an Easement in favour of The Ontario and Quebec Railway Company for support over Part of Block 5, Plan 66M2315, Des. as Part 5, Plan 66R17400 as set out in No. CA140502; City of Toronto; being part of PIN: 21119-0354 (LT) in the Land Registry Office of Toronto (No. 66) in Land Titles Division.</p>	<p>Permanent Easement</p> <p>Parts 3, 6, 8, 15, 17 and 19 on the Draft Reference Plan in Appendix C</p> <p>Temporary Easement</p> <p>Parts 1, 2, 4, 7, 10, 11, 12, 13 and 18 on the Draft Reference Plan in Appendix C</p>

Appendix B - Aerial Map



Appendix C – Draft Reference Plan

