



**STAFF REPORT
ACTION REQUIRED
with Confidential Attachment**

**Toronto-York Spadina Subway Extension – Acquisition
of Lands From York University**

Date:	September 29, 2009
To:	Government Management Committee
From:	Chief Corporate Officer
Wards:	Ward 8- York West
Reason for Confidential Information:	This report is about a proposed or pending land acquisition by the City or one of its agencies, boards, and commissions.
Reference Number:	P:\2009\Internal Services\F&re\Gm09078F&re – (AFS 10639)

SUMMARY

This report seeks authority to enter into a Memorandum of Understanding (“MOU”) between the City of Toronto (“City”), Toronto Transit Commission (“TTC”), and York University (“York U”), for the purposes of acquiring land from York U for the construction and operation of the Toronto-York Spadina Subway Extension Project (“the Project”), which will extend through York U, and include subway stations at York U, and immediately north of York U (Steeles West Station).

RECOMMENDATIONS

The Chief Corporate Officer recommends that:

1. Authority be granted for the City to enter into a Memorandum of Understanding with the Toronto Transit Commission and York University for the purposes of the Toronto-York Spadina Subway Extension Project, substantially on the terms and conditions as set out in Attachment 1 - Confidential Information, together with such revisions as are satisfactory to the Chief Corporate Officer, in a form satisfactory to the City Solicitor;

2. Each of the Chief Corporate Officer and the Director of Real Estate Services be severally authorized to execute the Memorandum of Understanding with the Toronto Transit Commission and York University, on the City's behalf; and
3. City Council authorize the public release of the confidential information contained in Attachment 1 upon the later of, completion and final settlement of all agreements or claims with York University to the satisfaction of the City Solicitor, or commencement of revenue service of the Project.

Financial Impact

The details associated with property acquisition from York U for Project purposes are outlined in the confidential attachment to this report. Actual amounts expended for Project costs are included in the annual reporting to Council. Property acquisition and other costs are included in the 2009 Approved Capital Budget, 2010-2013 Approved Capital Plan, and 2014-2018 Approved Capital Forecast.

The Deputy City Manager & Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

In February and April 2006, the Toronto Transit Commission approved general principles in order to assist staff in negotiating with York U for the acquisition of the required property and requirements to construct the Project.

Subsequently, at its meeting of January 14, 2009, Council adopted the recommendations of report GM 20.4

<http://www.toronto.ca/legdocs/mmis/2009/gm/reports/2009-01-14-gm20-cr.pdf>

authorizing the Chief Corporate Officer to negotiate to acquire property required for the construction of the portion of the Project within the City's geographical boundaries, and to initiate expropriation proceedings, where necessary.

ISSUE BACKGROUND

The Project will extend through York U, and include a subway station at York U, and a subway station to be located immediately north of York U (Steeles West).

At its meeting of April 29, 2009, Council adopted the recommendations of GMC 22.14

<http://www.toronto.ca/legdocs/mmis/2009/gm/reports/2009-04-15-gm22-cr.pdf>

concerning the acquisition of land from York U as required to relocate Firehall 141 from its current location as a result of Project construction. This transaction was considered as separate from any other agreement to be negotiated with York U for Project purposes.

COMMENTS

In order to proceed with Project construction, it is necessary to acquire certain lands and interests in lands located at York U for both temporary and permanent Project facilities. The terms and conditions of the proposed MOU relate primarily to the acquisition of land for the Project and its construction.

As the Project is still in the preliminary stages of design, the exact nature and extent of the property interests as required at York U have yet to be finalized. Once the exact details have been ascertained, this MOU will be replaced by more detailed agreements. The terms and conditions of the MOU are summarized in Attachment 1 (Confidential Information) to this report. A report on the York U MOU will also be submitted for approval to the TTC Commission.

CONTACT

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SIGNATURE

Bruce Bowes, P.Eng.
Chief Corporate Officer

ATTACHMENT

Attachment 1- Confidential Information