



## STAFF REPORT ACTION REQUIRED

### Real Estate Acquisitions – TTC Sheppard East LRT Project – West of Birchmount Road to East of McCowan Road

<b>Date:</b>	March 1, 2010
<b>To:</b>	Government Management Committee
<b>From:</b>	Chief Corporate Officer
<b>Wards:</b>	Ward 40 – Scarborough-Agincourt, Ward 41 – Scarborough-Rouge River and Ward 42 – Scarborough-Rouge River
<b>Reference Number:</b>	P:\2010\Internal Services\Re\Gm10016Re (AFS – 11571)

#### SUMMARY

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In July 2008, City Council approved the recommendations contained in the Sheppard East LRT Class Environmental Study to allow staff to begin the detailed design, as soon as possible, and be in a position to begin construction of the Sheppard East Light Rail Transit (the “Line”) in 2009. In October 2008, City Council authorized staff to acquire thirty-one property requirements between West Highland Creek and Midland Avenue to facilitate construction of the Agincourt grade separation, a prerequisite to constructing the Line.

This report addresses and seeks authority to acquire sixty-nine (69) properties from west of Birchmount Road to east of McCowan Road as identified in Appendix “A1” (the “Required Property”) and illustrated in Appendix “A2”, to facilitate construction of the Line. This report also seeks approval to amend a previously approved property requirement as identified in Appendix “B1” and illustrated in Appendix “B2”.

#### RECOMMENDATIONS

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##### The Chief Corporate Officer recommends that:

1. City Council grant authority to the Director of Real Estate to negotiate to acquire, and if unsuccessful, to initiate expropriation proceedings, if necessary, for the Required Property for the purposes of constructing the Line from west of Birchmount Road to east of McCowan Road.

2. City Council grant authority to the Director of Real Estate to serve and publish Notices of Application for Approval to Expropriate the Required Property, to forward to the Chief Inquiry Officer any requests for hearing that are received, to attend the hearing to present the City's position and to report the Inquiry Officer's recommendations to City Council for its consideration.
3. City Council authorize the amendment to the property requirement, as set out in Appendix "B1" of this report, for which authority to initiate expropriation proceedings was previously approved by Council.

### **Financial Impact**

Funding for the Required Property identified in Appendix "A1" is available in the 2010 Approved Capital Budget, in project CTT135.

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

### **DECISION HISTORY**

On October 29 and 30, 2008, City Council adopted the recommendations of Report GM18.13, whereby staff were authorized to negotiate to acquire, or initiate expropriation proceedings, with respect to properties required for constructing a grade separation at the Agincourt GO Station, and for the widening of Sheppard Avenue East, subject to obtaining project cashflow and commitment funding in the TTC 2009-2013 Capital Program.

On September 30 and October 1, 2009, City Council adopted Report No. EX34.11 of the Executive Committee to increase the 2009-2013 Capital Budget by \$134.5 million gross, to continue work on the priority Transit City Lines, with \$125.8 million to be funded by the Province through Metrolinx and the balance of \$8.7 million for environmental assessments for other Transit City lines to be funded through offsets within the TTC's 2009 Approved Capital Budget, and report back to the Budget Committee on the offsets. Further, City Council authorized the City Manager to enter into a Memorandum of Agreement on behalf of the City, with Metrolinx and the TTC, wherein Metrolinx will provide interim funding for the implementation of components of the Sheppard East LRT, Finch West LRT, Eglinton Crosstown LRT and Scarborough RT transit projects.

### **COMMENTS**

Construction has begun on the grade separation at the Agincourt GO station which is located mid-way between West Highland Creek and Midland Avenue. When completed, construction of the Line west from West Highland Creek to west of Birchmount Road and east from Midland Avenue to east of McCowan Rd will commence. Design drawings for these two stretches of the Line have identified sixty-nine (69) properties, in whole or in part, on Sheppard Avenue East that are required for:

- (i) the grading of private boulevards;

- (ii) the rehabilitation of private sidewalks;
- (iii) the closure/relocation/rehabilitation of private driveways;
- (iv) the widening of Sheppard Avenue East to a maximum of 36 metres, pursuant to the Official Plan; and
- (v) the first of eight substations providing electrical service to the Line.

All of the proposed privately-owned property requirements are set out in the attached Appendices “A1” and “A2”.

City Council authority is being sought to commence negotiations, and where appropriate and necessary, initiate expropriation proceedings in order to realize all property requirements so that construction could begin in the third quarter 2010.

### **Refinement of Property Boundaries**

At the time of reporting to Council in October 2008, TTC staff had identified privately owned properties that were required, in whole or in part and either temporarily or permanently, for the construction of the Agincourt GO grade separation. Since that time, more detailed design work has been undertaken, resulting in the development of more accurate information, and therefore, in the requirement to amend one of the previously approved property boundaries as recommended in this report.

Adopting the revision to a previously established property boundary as set out in the attached Appendix “B1” and illustrated in “B2” will allow the project to proceed in a timely manner.

### **CONTACT**

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### **SIGNATURE**

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Bruce Bowes, P.Eng.  
Chief Corporate Officer

### **ATTACHMENTS:**

- Appendix “A1” – Table of Private Property Requirements
- Appendix “A2” – Property Sketches
- Appendix “B1” – Amendment to a Private Property Requirement
- Appendix “B2” – Property Sketch