

**Real Estate Acquisitions – TTC Sheppard East LRT –
Kennedy Road to East of McCowan Road**

Date:	April 13, 2010
To:	Government Management Committee
From:	Chief Corporate Officer
Wards:	40 – Scarborough-Agincourt and 41 and 42 – Scarborough-Rouge River
Reference Number:	P:\2010\Internal Services\Re\Gm10026Re (AFS –11867)

SUMMARY

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. In March 2010, City Council authorized staff to acquire sixty-nine properties from west of Birchmount Road to east of McCowan Road to facilitate construction of the Line.

This report addresses and seeks authority to acquire eleven properties, between west side of Kennedy Road and 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 ten previously approved property requirements as identified in Appendix “B1” and illustrated in Appendix “B2”.

RECOMMENDATIONS

The Chief Corporate Officer recommends that:

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

2. City Council grant authority to the Director of Real Estate Services 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 requirements, as set out in Appendix "B1" of this report, for which authority to initiate expropriation proceedings were previously approved by Council.

Financial Impact

Funding for the property identified in Appendices "A1" and "B1" is available in the 2010-2014 Approved Capital Budget and Plan, 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, and if unsuccessful, to initiate expropriation proceedings, with respect to thirty-one properties between West Highland Creek and Midland Avenue which were required for the construction of a grade separation at the Agincourt GO Station. The grade separation is a prerequisite to construction of the Line. On August 5 and 6, 2009, City Council adopted Report No. CC38.5 and on January 26 and 27, 2010, adopted Report No. GM27.4, thereby authorizing the expropriation of fifteen of the thirty-one properties.

On March 31 and April 1, 2010, City Council adopted Report No. GM29.16, authorizing staff to negotiate to acquire and if unsuccessful, to initiate expropriation proceedings for a sixty-nine properties to facilitate construction of the Line and the widening of Sheppard Avenue East from west of Birchmount Road to West Highland Creek and from Midland Avenue to east of McCowan Road.

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 from west of Birchmount Road to east of McCowan Road will commence.

More detailed design work on the Line between Birchmount Road and McCowan Road has resulted in the development of more accurate information which identifies additional requirements for portions of eleven private properties and the need to amend the areas of ten previously approved property requirements. These property requirements are for the following purposes:

- (i) grading private boulevards;
- (ii) rehabilitating private sidewalks;
- (iii) rehabilitating private driveways; and
- (iv) widening Sheppard Avenue East to 36 metres, pursuant to the Official Plan.

City Council authority is being sought to negotiate to acquire the privately-owned property requirements are set out in the attached Appendix “A1” and illustrated in Appendix “A2”, and where appropriate and necessary, to initiate expropriation proceedings. Council authority is also being sought to amend the previous approved property requirements as set out in Appendix “B1” and illustrated in Appendix “B2”.

The timely realization of these property requirements will ensure that construction of the Line could begin in the third quarter 2010.

CONTACT

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SIGNATURE

Bruce Bowes, P.Eng.
Chief Corporate Officer

ATTACHMENTS

- Appendix “A1” – Private Property Requirements Table
- Appendix “A2” – Sketches of Private Property Requirements
- Appendix “B1” – Amendments to Private Property Requirements Table
- Appendix “B2” – Sketches of Amendments to Private Property Requirements