



STAFF REPORT ACTION REQUIRED

Real Estate Acquisitions – Toronto-York Spadina Subway Extension Project (South of Steeles)

Date:	December 15, 2008
To:	Government Management Committee
From:	Chief Corporate Officer
Wards:	Ward 8 – York West
Reference Number:	P:\2009\Internal Services\F&re\Gm09001F&re - (AFS 9078)

SUMMARY

The City of Toronto (“City”) is responsible for undertaking property acquisition for its geographical portion of the Toronto-York Spadina Subway Extension Project (the “Project”). This report seeks authority to permit the acquisition of required property, and to initiate expropriation proceedings, as they become necessary.

RECOMMENDATIONS

The Chief Corporate Officer recommends that:

1. Council authorize the Director of Real Estate to negotiate to acquire the property listed in Appendix A as required for the construction of a portion of the Toronto-York Spadina Subway Extension Project (the “Project”) within the geographical boundaries of the City (attached as Appendix A to this report) and to initiate expropriation proceedings, where necessary; and
2. Council authorize the Director of Real Estate to serve and publish Notices of Application for Approval to Expropriate the Required Property, to forward any requests for hearing that are received to the Chief Inquiry Officer, to attend the hearings in order to present the City’s position, and to report the Chief Inquiry Officer’s recommendations back to City Council for its consideration.

Financial Impact

Total estimated property acquisition costs for the Project were estimated preliminarily at \$100 million in total, with approximately 60% attributable to the City. A further refinement to this preliminary estimate is currently under development.

Funding for property acquisition costs will be shared by the City, York Region, and the Move Ontario Trust, and will be provided as part of overall Project funding. Total agreed-upon project funding is as follows: Move Ontario Trust- \$870 million (plus interest); Federal Government - \$697 million; Toronto- \$526 million; York Region - \$352 million. While property costs are generally considered as ineligible for Federal funding, \$75 million of this funding was received in advance, is currently held in (the Move Ontario) Trust, and may be applied towards property acquisition.

Actual amounts expended for Project costs will be included in annual reporting to Council. All Project initiatives are included in the 2009 Approved Capital Budget, 2009-2013 Approved Capital Plan and 2014-2018 Approved Capital Forecast.

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

DECISION HISTORY

At its meeting of September 25, 26, 27, 2006, City Council adopted recommendations of Policy and Finance Committee Report No 7, Clause 35, <http://www.toronto.ca/legdocs/2006/agendas/council/cc060925/pof7rpt/cl035.pdf> pertaining to the capital cost allocation of the Project between the City and the Regional Municipality of York (“York Region”). This report indicated that total Project property acquisition costs were estimated at \$100 million.

Subsequently, at its meeting of June 23, 24, 2008, Council adopted the recommendations of Report EX21.8 <http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-13215.pdf>

In adopting this report, Council authorized execution of contribution agreements with the Federal Government and York Region

ISSUE BACKGROUND

The \$2.6 billion Project involves an 8.6 km, 6 station, extension of the TTC Spadina Subway system from the existing Downsview station to the Vaughan Corporate Centre at Highway 7 in York Region. Each municipality will be responsible for acquiring properties within its own geographical boundaries, and for resolving all related claims for compensation.

The City portion of the Project is 6.2 km in length, and includes four stations: Sheppard West; Finch West; York University; and Steeles West (this station crosses the municipal boundary).

COMMENTS

In order to proceed with Project construction, it is necessary to acquire both temporary and permanent interests in lands for the Project. The Project is currently in the preliminary design stage and therefore the exact nature and extent of the property interests that are required have not yet been finalized.

Design drawings have identified thirty two (32) impacted properties, in whole or in part, in City of Toronto (formerly North York) requiring both permanent property requirements and temporary.

The property requirements are needed for the following:

- (i) permanent subsurface tunnel alignment for the length of the 6.2 km extension of the Spadina Subway;
- (ii) four new stations at Parc Downsview Park, southwest of Sheppard Avenue West and Allen Road; in the vicinity of intersection of Keele Street and Finch Avenue West; York University campus in the Commons area; and Steeles Avenue West at North West Gate
- (iii) cut and cover construction of stations, crossover tracks; tail tracks and including the connection between Wilson Yard and Downsview Station;
- (iv) station entrances;
- (v) construction mobilization sites/ and construction site offices;
- (vi) ventilation shafts , fire fighters access shafts, and launch shafts and extraction shafts for the tunnelling machine;
- (vii) emergency exit buildings for each of the subway stations;
- (viii) necessary detours for roads and traffic diversions;
- (ix) the relocation of utilities;
- (x) Community Parking Lot and Passenger Pick-up and Drop Off facilities;
- (xi) extension of Four Winds Drive from Keele Street to Tangiers Road and Tangiers Road to Four Winds Drive; and

- (xii) Bus Terminal drive way located at 3975 Keele Street.

All of the proposed property requirements are set out in the attached Appendices (A, B1, B2, B3 and B4). The initial property requirements provided in the Appendices are derived from preliminary designs of the Project. The intent of the property requirements presented here is to provide dimensions that reflect the maximum extent of property that may be required for the Project. However, through further design of the Project, the property requirements are expected to be further refined when the section designers reach 10% design stage, which is expected in March of 2009. Detailed requirements are to be complete at the 30% design stage which is expected in July 2009. The Appendices do not include properties where expropriation is not possible or not anticipated (e.g. lands owned by Hydro One, York University, Government of Canada, railways etc.). The results of ongoing discussions with regard to these properties will be reported separately.

Negotiators have been hired to commence negotiations to acquire the required property interests. It is always preferred that the purchase of the property can be reached by mutual agreement. However, in order to protect construction schedules, authority to initiate expropriation proceedings for the necessary property requirements is also being sought in the event that initial negotiations are not successful.

CONTACT

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SIGNATURE

Bruce Bowes, P.Eng.
Chief Corporate Officer

ATTACHMENTS

Appendix A – Property Requirements Table
Appendix B1 – Property Acquisition Plan-01(tunnel drive 7/8)
Appendix B2 – Property Acquisition Plan-02(tunnel drive 9/10)
Appendix B3 – Property Acquisition Plan-03(tunnel drive 9/10- EEB)
Appendix B4 - Property Acquisition Plan-04 (Finch West Station)