



STAFF REPORT ACTION REQUIRED

Transit City – Acquisition of Properties

Date:	October 20, 2009
To:	Government Management Committee
From:	Chief Corporate Officer
Wards:	8 - York West & 12 - York South Weston
Reference Number:	P:\2009\Internal Services\F&re\Gm09089F&re – (AFS 10638)

SUMMARY

The Toronto Transit Commission (“TTC”) endorsed the *Transit City Light Rail Plan* (“Transit City”) at its meeting on March 21, 2007. Transit City consists of seven new rapid and environmentally sustainable light rail transit (LRT) lines that will, once completed, provide a network of fast and reliable transit throughout the City of Toronto.

In order to ensure the safe and reliable operation of the LRT lines, four new maintenance and storage facilities (MSF)’s are required. Given the commonly encountered long lead time in obtaining possession of suitable transit property and completing the prerequisite approvals, design and construction activities, Real Estate Services seeks authority from Council to negotiate and if necessary, initiate expropriation proceedings for two of the new MSF’s.

RECOMMENDATIONS

The Chief Corporate Officer recommends that City Council:

1. Grant authority to negotiate to acquire and, if necessary, to initiate expropriation proceedings for approximately 46.8 acres of vacant land of the former Kodak site detailed in Appendix “B” for the Eglinton Crosstown LRT Maintenance & Storage Facility.
2. Grant authority to negotiate to acquire and, if necessary, to initiate expropriation proceedings, for the property interest detailed in Appendix “C” for the Finch West LRT Maintenance & Storage Facility.

3. Grant authority to the Chief Corporate Officer to serve and publish Notices of Application for Approval to Expropriate, 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.

Financial Impact

City Council, at its meeting on December 10, 2008, approved \$17.1 million in funding to cover the first quarter of 2009 for Transit City projects in the 2009-2013 Approved Capital Plan, bringing total Transit City funding approved by City Council to \$29.9 million.

On April 1, 2009, the Provincial Government, announced funding of approximately \$9 Billion to move forward on major public transit projects in the GTA, subject to environmental and other approvals. This announcement included provincial funding for the Eglinton Crosstown LRT, Finch West LRT and the Scarborough Rapid Transit Line (SRT), including the cost of the required MSF's. The final costs for the projects are to be determined by Metrolinx and the TTC and the construction start and completion dates are subject to environmental and other approvals.

Subsequently, on May 9, 2009, the Provincial Government, together with the Federal Government, announced funding of approximately \$950 Million for the Sheppard East LRT. The City is currently finalizing a Memorandum of Agreement (MOA) with Metrolinx to provide funding for the remainder of 2009 to facilitate continued progress on the funded Transit City lines.

City Council, at its meeting on September 30 and October 1, 2009, approved capital funding of \$134.5 million for Transit City forecast expenditures and commitments to the end of 2009 to continue the planning, design and property acquisition, contract commitments and construction of the Sheppard East LRT, Finch West LRT, Eglinton-Crosstown LRT and the Scarborough RT projects.

The cost estimate for the acquisition or expropriation of the properties necessary for the LRT MSF's has not yet been finalized. The detailed source and amount of funding will form part of a subsequent report to Committee and Council seeking authorization for the acquisitions either through negotiation or, if required, by expropriation.

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

DECISION HISTORY

The Toronto Transit Commission ("TTC"), at its meeting on March 21, 2007 endorsed the Toronto Transit City Light Rail Plan (Transit City), as the basis and priority for rapid transit expansion in the City of Toronto ("City").

http://www.ttc.ca/postings/gso-comrpt/documents/report/f3138/_conv.htm

In June 2007, the Province of Ontario announced funding of \$17.5 billion for the implementation of the *MoveOntario 2020* rapid transit program in the Greater Toronto and Hamilton area (“GTHA”) over the following twelve years. *MoveOntario 2020* included funding for all of the Transit City Plan light rail lines.

City Council, at its meeting on September 30 and October 1, 2009, adopted the recommendations contained in EX34.11 approving capital funding of \$134.5 million for Transit City forecast expenditures and commitments to the end of 2009.

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23005.pdf>

Council, also authorized the City Manager to enter into an MOA with Metrolinx and the TTC, for interim funding to December 31, to continue the planning, design and property acquisition commitments and construction of the Sheppard East LRT, Finch West LRT, Eglinton-Crosstown LRT and the Scarborough RT.

Transit City Funding Request

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-23266.pdf>

ISSUE BACKGROUND

The TTC identified the Sheppard East LRT, Finch West LRT and Eglinton Crosstown LRT as priority projects and approved interim funding for engineering, design and associated works. Detailed design is proceeding for the Sheppard East LRT and construction is scheduled to start this fall. Preliminary engineering work has begun on the Eglinton Crosstown LRT and the Finch West LRT. Existing TTC facilities cannot support maintenance functions on the new lines.

The Streetcar Maintenance & Repair Master Plan study identified the type, size and location of new Transit City maintenance and storage facilities (“MSF”) to best serve the new network of LRT lines. The study recommended four new strategically located MSFs. Two of the sites, which are the subject of this report, are shown in Appendix A illustrating the suggested site locations, further detailed in Appendix B and C.

COMMENTS

This report seeks approval to negotiate and, where appropriate and necessary, initiate expropriation proceedings for the acquisition of properties for the Eglinton Crosstown LRT and the Finch West LRT MSF’s.

Eglinton Crosstown LRT MSF

The former Kodiak site is composed of approximately 57.4 acres of land. The property has two distinct areas. Approximately 46.8 acres of the property is located on table land, above the grade level of Eglinton Avenue (the “Upper Tier”). The balance of the site comprising approximately 10.6 acres sloping towards Black Creek Drive is referred to as the lower tier lands. The property is vacant, except for a four-level office building

located on the southwest corner of the Upper Tier lands. TTC is seeking to acquire approximately 46.8 acres of the 57.4 acre site, as shown on the attached Appendix “B”.

Finch West LRT MSF

The property located on the north side of Finch Avenue West from Norfinch Drive to Yorkgate Boulevard is preferred based on its size and location close to the Jane and Finch West LRT lines. These lands, consisting of approximately 20.234 acres, are vacant and zoned for residential development. The property is identified on the attached “Appendix “C”.

Staff will continue to negotiate with each property owner, however if consensus cannot be reached on terms and conditions of recommendable Offers to Sell, staff is seeking authority to initiate expropriation proceedings for the lands required for the Eglinton Crosstown LRT and the Finch West LRT MSF’s so that construction can begin on schedule.

CONTACT

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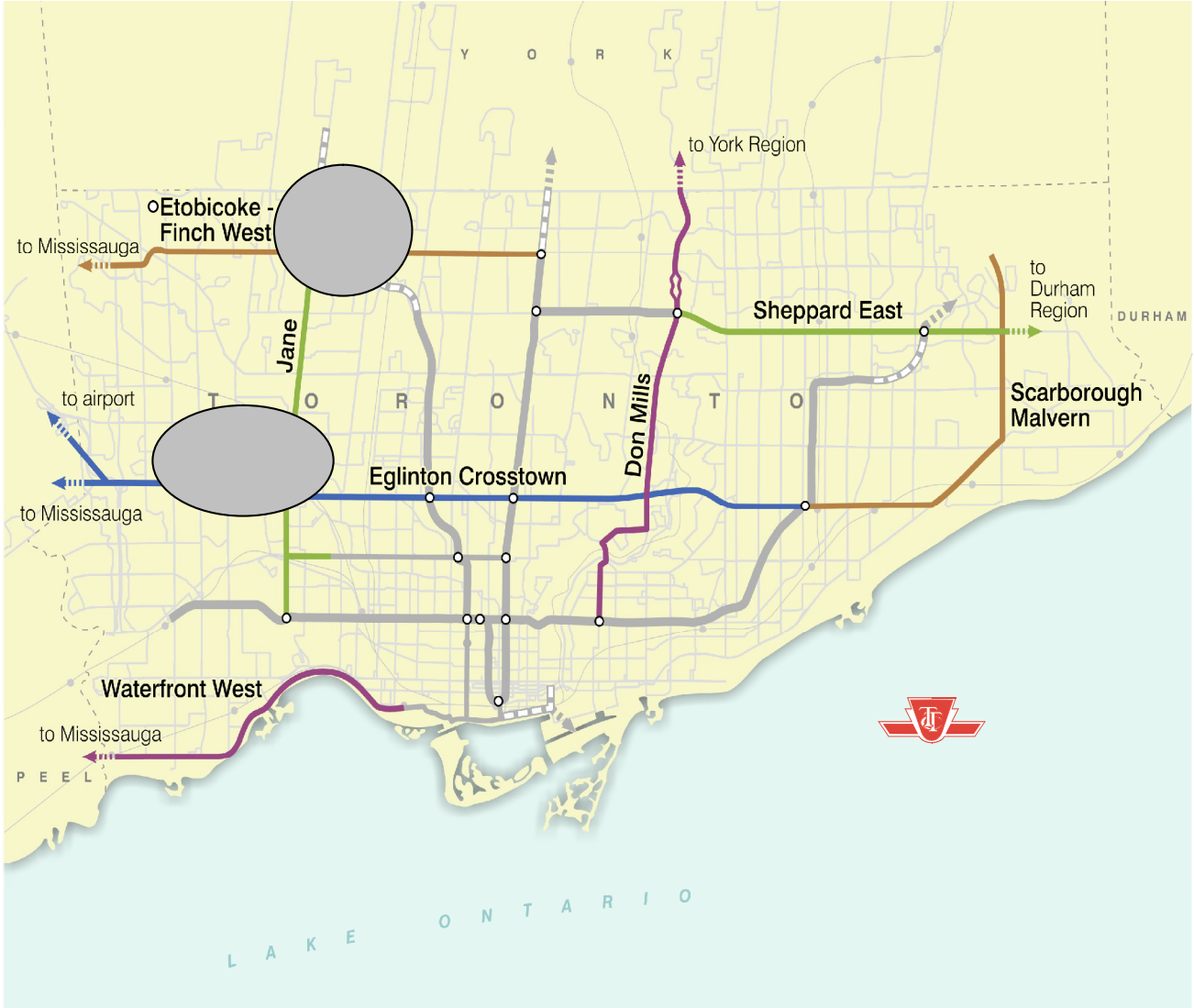
SIGNATURE

Bruce Bowes, P. Eng.
Chief Corporate Officer

ATTACHMENTS

1. Appendix “A” - MSF Sites Recommended Location
2. Appendix “B” - Eglinton Crosstown MSF Recommended Site
3. Appendix “C” - Finch West MSF Recommended Site

Appendix "A"
MSF Sites Recommended Location



Appendix "B"
Eglinton Crosstown MSF Recommended Site

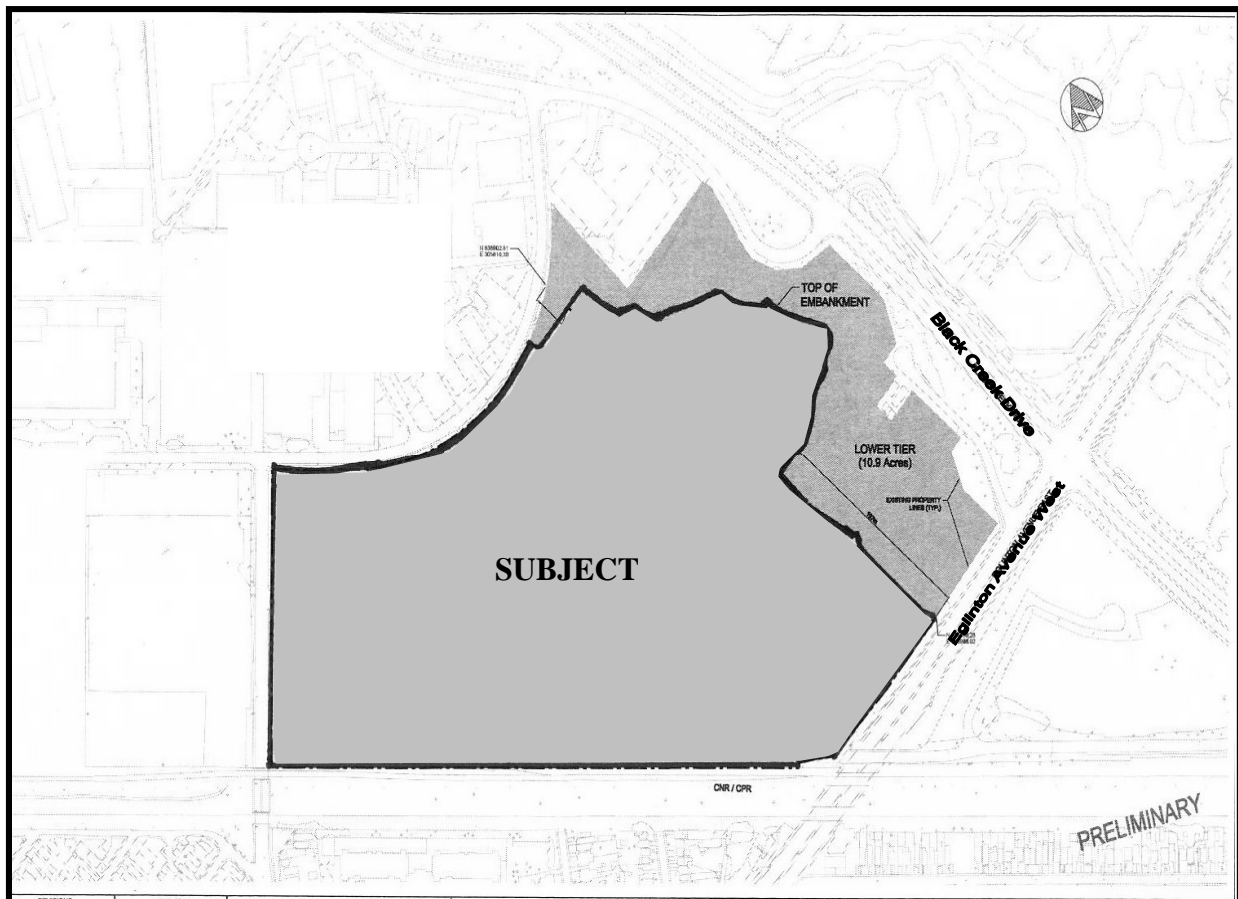
Property: Part of 3500 Eglinton Avenue West, being Part of Lots A, B & C ,
Plan 285; Part of Blocks C & D, Plan 2562, City of Toronto

All of 55 Ray Avenue, being Part of Lot C, Plan 285; Part of
Block C, Plan 2562, City of Toronto

Interest: Permanent Fee Simple

Owners: Zeehan Capital Inc. – 3500 Eglinton Avenue West
Sarah Island Properties Inc. – 55 Ray Avenue

Site Area: Approximately 46.8 acres of Upper Tier Lands, shown below



Appendix "C"
Finch West MSF Recommended Site

Location: All of the vacant land on the north side of Finch Avenue West from Norfinch Drive to York Gate Boulevard, being Part Blocks 2, 3 and 5 and all Block 4, Plan 66M1994, as shown as Parts 9 to 14 on Plan 66R15013

Interest: Permanent Fee Simple

Owner: Elderbrook Developments Ltd.

Size: Frontage – 896 feet on Finch Avenue West; flankages – 907.85 feet onto York Gate Boulevard, 511.29 feet onto Norfinch Drive.

Area: Approximately 20.324 acres, shown below:

