



**STAFF REPORT
ACTION REQUIRED**

**Real Estate Acquisitions –
TTC Sheppard East LRT and Scarborough RT
West of Birchmount Road To East of Progress Avenue**

Date:	July 29, 2010
To:	Government Management Committee
From:	Chief Corporate Officer
Wards:	40 – Scarborough-Agincourt and 41 and 42 – Scarborough Rouge Hill
Reference Number:	P:\2010\Internal Services\Re\Gm10068re (AFS – 12495)

SUMMARY

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 property requirements from west of Birchmount Road to east of McCowan Road to facilitate construction of the Line. In May 2010, City Council authorized staff to acquire a further eleven property requirements between the west side of Kennedy Road and east of McCowan Road.

In June 2010, City Council approved the Scarborough Rapid Transit Conversion and Extension Transit Project Assessment Study recommendations, including an underground station on Sheppard Avenue, west of Progress Avenue to provide for a connection between the Scarborough RT (the “SRT”) and the LRT and for SRT trains to gain access the new Maintenance and Storage Facility located at Conlins Road and Sheppard Avenue. Accordingly, as part of the LRT construction, Sheppard Avenue East is to be widened between Progress Avenue and Washburn Way to accommodate the LRT and to protect for the future SRT construction and operational requirements.

This report seeks authority to acquire fifty-eight property requirements from the west of McCowan Road to east of Progress Avenue, as identified in Appendix “A1” (the “Required Property”) and illustrated in Appendix “A2”, to facilitate construction of the LRT. This report also seeks approval to amend the areas of eight 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 unsuccessful, to initiate expropriation proceedings, for the Required Property for the purposes of widening Sheppard Avenue East and constructing the Line from west of McCowan Road to the west side of Washburn Way.
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 Required Property is available in the 2010 approved Capital Budget, 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 Report GM18.13, authorizing staff to acquire thirty-one property requirements for purposes of the widening of Sheppard Avenue East between West Highland Creek and Midland Avenue and constructing a grade separation at the Agincourt GO Station.

On March 31 and April 1, 2010, City Council adopted Report No. GM29.16, authorizing staff to acquire portions of a sixty-nine property requirements for the purposes of road widening west of Birchmount Road to West Highland Creek and from Midland Avenue to east of McCowan Road and constructing the Line.

On May 11 and 12, 2010, City Council adopted Report No. GM30.15, authorizing staff to acquire portions of eleven property requirements for construction of the Line and for road widening between Kennedy Road and McCowan Road.

COMMENTS

Construction has begun on the grade separation at the Agincourt GO station, located midway between West Highland Creek and Midland Avenue. When completed, construction

of the LRT from west of Birchmount Road to east of Progress Avenue will commence. However, more detailed design work on this section of the LRT has resulted in the development of more accurate information. Additional requirements for portions of eleven private properties have been identified and are set out in Appendix “A1” and illustrated in Appendix “A2”. Further, the area of ten previously approved property requirements require amendment and are set out in Appendix “B1” and illustrated in Appendix “B2”.

Between Progress Avenue and Washburn Way, the Required Property is mainly for the purposes of widening Sheppard Avenue East. The road allowance in this area must accommodate the LRT track, provide for the future station connection between the LRT and the future SRT and provide for a portal to connect the underground SRT to the surface LRT so that SRT vehicles will have access the Conlins Road Maintenance and Storage facility. In addition to road widening, a portion of 5780-5800 Sheppard Avenue East is required for the future LRT and SRT station and bus terminal.

City Council authority is being sought to negotiate to acquire the Required Property as set out in the attached Appendix “A1” and illustrated in Appendix “A2”, and if unsuccessful, 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 LRT could begin west of Highland Creek in the first quarter of 2012 and between Midland Avenue and McCowan Road in the first quarter of 2011.

CONTACT

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SIGNATURE

Bruce Bowes, P.Eng.
Chief Corporate Officer

ATTACHMENTS

Appendix “A1” – Private Property Requirements
Appendix “A2” – Sketches of Private Property Requirements
Appendix “B1” – Amendments to Private Property Requirements
Appendix “B2” – Sketches of Amendments to Private Property Requirements
Appendix “C” – Site Map