

Transit Shelter Property Acquisitions

Date:	October 20, 2016
To:	Government Management Committee
From:	Chief Corporate Officer
Wards:	All
Reference Number:	P:\2016\Internal Services\RE\Gm16045re – (AFS #23742)

SUMMARY

The purpose of this report is to obtain authority to amend the Delegation of Authority in Certain Real Estate Matters to give staff authority to approve acquisitions of small parcels of land for the Transit Shelter Project, as described in the Decision History section of the report, without carrying out any environmental due diligence.

RECOMMENDATIONS

The Chief Corporate Officer recommends that:

1. City Council authorize an amendment to the Delegation of Authority in Certain Real estate Matters (Item EX43.7, adopted by Council on May 11 and 12, 2010, as amended) by adding an exception to General Condition (h) for property acquisitions of 50m² or less for transit shelter purposes.
2. City Council authorize the City Solicitor to make amendments to the Delegation of Authority in certain Real Estate Matters in order to incorporate the authority granted by City Council and to address any technical requirements.

Financial Impact

There is no direct financial impact resulting from the approval of this report. Given the small size of the properties being acquired and the potential limited liability of small parcels situated adjacent to City owned property, as a cost and time saving measure it is deemed prudent to by-pass environmental assessment for the takings.

By its adoption of PW12.10 on May 3, 4 and 5, 2016, City Council has approved an in year budget adjustment to establish a new capital account for the project, fully funded from the Public Realm Reserve Fund (XR1410) through the 2016 Capital Budget for Transportation Services, to acquire such properties to support the installation of full transit shelters in areas with limited City-owned property.

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

DECISION HISTORY

By its adoption of Item PW12.10 on May 3, 4, and 5, 2016, City Council, among other things, approved an in-year budget adjustment to establish a new Transit Shelter Property Acquisition capital account, for the purpose of acquiring property to support the installation of full size transit shelters in areas with limited City-owned property available for such purposes (the "Transit Shelter Project").

<http://www.toronto.ca/legdocs/mmis/2016/pw/bgrd/backgroundfile-91674.pdf>

Delegation of Authority in Certain Real estate Matters (Item EX43.7, adopted by Council on May 11 and 12, 2010, as amended)

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.EX43.7>

ISSUE BACKGROUND

The properties that are required for the Transit Shelter Project are adjacent to City-owned lands where, in many instances, smaller transit shelters already exist. The existing transit shelters are to be replaced with new full-size transit shelters.

Council previously delegated authority to various staff positions to approve certain real estate matters where specific General Conditions have been complied with. Any transaction falling outside of the stipulated terms of the delegated authority must be reported through the appropriate Committee to Council. General Condition (h) states: "authority to acquire property is conditional upon provision being made to bring the property into compliance with applicable MOE or other requirements such that it will be fit for its intended municipal purpose".

Therefore, Council authority is required for any property acquisitions where no environmental due diligence will be carried out to determine if the property complies with applicable MOE requirements.

COMMENTS

So far, two properties have been identified for acquisition for the Transit Shelter Project. Future requirements will be identified on a case by case basis.

The standard land acquisition requirement for a typical transit shelter has been calculated as being up to 24m², as shown on the sketch attached as Schedule "A". It is possible that larger parcels may also be required in some instances. Taking into account the relatively small size of these parcels and the fact that these properties are adjacent to existing City-owned property that is being used for transit and/or public highway purposes, staff is of the view that the potential risk to the City of acquiring these properties without carrying out any environmental due diligence is minimal. In addition, there will be up-front cost savings to the City if it is not necessary to retain an environmental consultant to carry out an environmental assessment of the property each time the City wishes to acquire a property.

Accordingly, it is recommended that the Real Estate Delegation be amended to authorize staff to approve acquisitions of property having an area of 50m² or less for the Transit Shelter Project, without having to comply with General condition (h) of the Real estate Delegation.

CONTACT

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SIGNATURE

Josie Scioli,
Chief Corporate Officer

ATTACHMENTS

Schedule "A" – Land Acquisition Requirements for Typical Transit Shelter

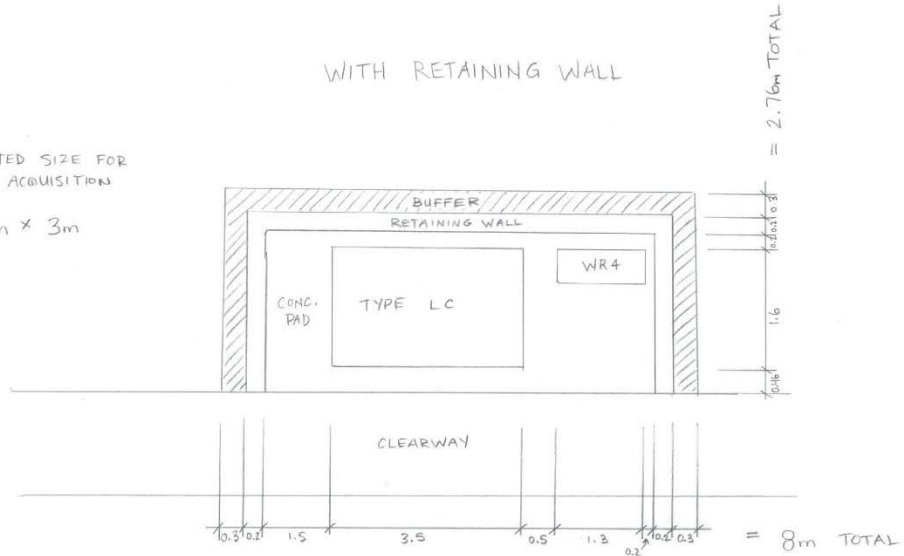
Schedule "A"

LAND ACQUISITION FOR
TYPICAL PLACEMENT:

WITH RETAINING WALL

SUGGESTED SIZE FOR
LAND ACQUISITION

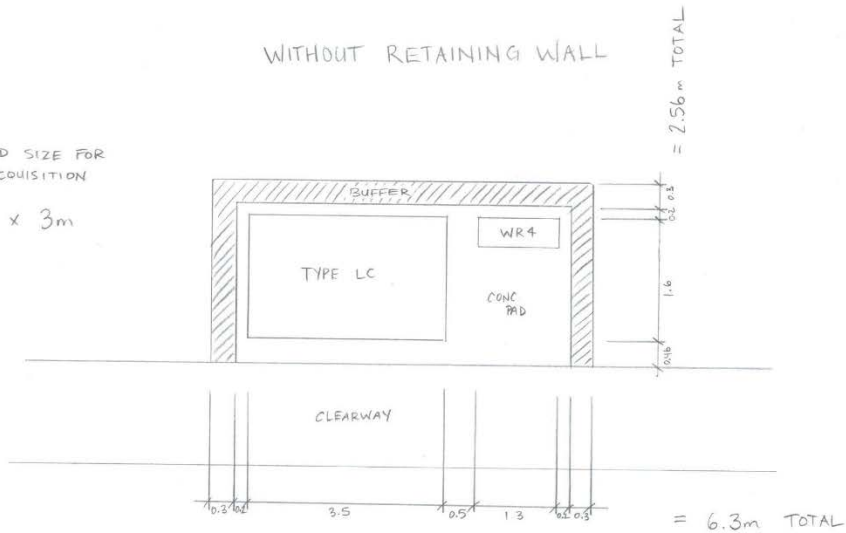
8m x 3m



WITHOUT RETAINING WALL

SUGGESTED SIZE FOR
LAND ACQUISITION

6.5m x 3m



A MARKOS