



## STAFF REPORT ACTION REQUIRED

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

<b>Date:</b>	June 8, 2009
<b>To:</b>	Government Management Committee
<b>From:</b>	Chief Corporate Officer
<b>Wards:</b>	Ward 8 – York West
<b>Reference Number:</b>	P:\2009\Internal Services\F&re\Gm09050F&re – (AFS 10251)

#### SUMMARY

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The City of Toronto (“City”) is responsible for undertaking property acquisition for its geographic portion of the Toronto-York Spadina Subway Extension Project (the “Project”). This report seeks authority to acquire the listed property interests required to accommodate a change to the design of the subway tunnel between the proposed Sheppard West and Finch West subway stations and to initiate expropriation proceedings, as they become necessary.

The required property includes both newly identified properties and amendments to certain of the property requirements previously approved by Council.

#### RECOMMENDATIONS

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**The Chief Corporate Officer recommends that:**

1. Council authorize the Director of Real Estate to negotiate to acquire the property listed in Appendix A, including revised property requirements for certain of the properties previously approved by Council at its meeting held January 27 and 28, 2009, as required to accommodate a change to the design of the subway tunnel between the proposed Sheppard West and Finch West subway stations 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 interests identified in Appendix A, 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**

There is no direct financial impact resulting from the recommendations in this report. This report seeks approval only to initiate the purchase process, including expropriation, if necessary. There will be a further report seeking Council approval to purchase the required properties, if agreement is reached with the owner, or to expropriate if necessary.

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

### **DECISION HISTORY**

At its meeting held January 27 and 28 2009, Council adopted Government Management Committee Report GM20.4, authorizing the acquisition of various property interests required for construction of the Project.

<http://www.toronto.ca/legdocs/mmis/2009/cc/decisions/2009-01-27-cc30-dd.pdf>

### **ISSUE BACKGROUND**

The 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 is responsible for acquiring properties within its own geographic 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.

### **COMMENTS**

In order to proceed with Project construction, it is necessary to acquire both temporary and permanent interests in lands for the Project. At the time of reporting to Council in January 2009, TTC staff had identified property interests affecting 32 properties required to construct a portion of the Project. The Project is currently in the 10% design stage and refinements to the design of the Sheppard West Station have allowed the tunnel between Sheppard West Station and Finch West Station (the "St. Regis Curve") to be re-designed to increase the curve radius providing significant operating benefits.

The revised design drawings for the St. Regis Curve indicate four (4) new impacted properties and amended requirements for six (6) of the previously approved properties as shown on Appendix B1. Appendix A and B2 provide details with respect to the permanent and temporary interests that will be required from these properties. The

amended property interests, dimensions and areas identified are intended as refinements to the property requirements previously approved by Council in January 2009.

When the Project reaches 30% design, it is still possible that further refinements may be required. However, to acquire the required property in sufficient time to meet construction schedules it is necessary to commence negotiations early in the process. The intent of this report is to identify the changes and authorize commencement of the acquisition process for the revised property requirements. Any further requirements or refinements to these property requirements will be reported to Council as necessary.

Negotiations are already underway to acquire the property interests previously approved by Council. If this report is approved, Real Estate staff will also commence negotiations to acquire the required property interests listed in Appendix A to this report. 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**

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Bruce Bowes, P.Eng.  
Chief Corporate Officer

## **ATTACHMENTS**

Appendix A – Property Requirements Table  
Appendix B1 – Horizontal Alignment Drawing showing old and new alignment  
Appendix B2 – New Property Requirements drawing with approximate dimensions and  
areas labelled