



Greenwood Yard - Declaration of Western Portion (Buffer Land) Surplus Property

Date: March 20, 2018
To: TTC Board
From: Chief Capital Officer

Summary

The purpose of this report is to obtain approval to declare a portion of the Greenwood Yard buffer lands surplus to the operating requirements of TTC and to initiate the process of transferring operational management of the lands to City Parks, Forestry and Recreation for the purpose of establishing a dogs off-leash area (DOLA), as per City Council Decision of December 13, 2016 and in accordance with City of Toronto policies and procedures. The lands to be declared surplus are illustrated on Appendix 1. The subject lands are owned by the City and are currently under TTC's operational management. They function as part of a buffer separating the operating area of Greenwood Yard from the neighbouring residential area.

Recommendations

It is recommended that the Board:

1. Declare the western portion of the Greenwood Yard buffer lands measuring approximately 11,500m² in area, shown as Parts 1 and 2 on Appendix 1, surplus to the present and future operational needs of the TTC, in accordance with TTC By-Law No. 2 and Policy 8.2.0 Disposal of Surplus Property, Acquisition of Real Property, Office and Short term Leases.
2. Authorize staff to release TTC's operational management of the surplus lands to the City of Toronto as per City Council Decision of December 13, 2016, through the appropriate staff committee process established as part of the City-wide Real Estate Model, on terms and conditions satisfactory to TTC's General Counsel.
3. Authorize staff to enter into a memorandum of understanding (MOU) with City Parks, Forestry and Recreation Division, which outlines the maintenance and operational responsibilities for the surplus lands and the remaining buffer lands (shown as Part 3 on Appendix 1) on substantially the terms outlined in the letter from Ward 30

Councillor Paula Fletcher dated November 20, 2017 (attached as Appendix 2), on terms and conditions satisfactory to TTC's General Counsel.

4. Authorize staff to amend the agreement between TTC and the Oakvale Avenue Residents Association (OKRA), as required, to align with the maintenance and operational responsibilities outlined in the MOU, also on terms and conditions satisfactory to TTC's General Counsel.
5. Authorize staff to terminate the license agreement dated August 14, 2013 between TTC and The Pocket Community Association (PCA), respecting the lands shown as Parts 1 and 2 on Appendix 1, as per City Council Decision of December 13, 2016 and in accordance with the termination provisions in the agreement, on terms and conditions satisfactory to TTC's General Counsel.

Implementation Points

In order for the surplus lands to be under the operational management of City Parks, Forestry and Recreation and for the southern portion of the surplus lands to be grandparented as a DOLA, TTC must declare the lands surplus to TTC's operational requirements in accordance with TTC By-law No. 2 and TTC Policy 8.2.0. Operational Management must then be transferred as per City Council decision of December 13, 2016, through the appropriate staff committee process established as part of the City-wide Real Estate Model, and on terms and conditions satisfactory to the TTC's General Counsel.

Financial Summary

Minor cost savings of approximately \$2,000 per year are expected as a result of the reduction in lawn and tree maintenance by the TTC. The remaining costs for the maintenance which are expected to remain the responsibility of the TTC are included in the 2018 TTC Operating Budget, which was approved by City Council on February 12, 2018.

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

Equity/Accessibility Matters

As there are no physical alterations proposed to any portion of the Greenwood Yard buffer lands, there are no accessibility or equity matters resulting from this report.

Decision History

At the November 20, 2002 Board meeting, the lands shown in Exhibit 1 of the Commission report were declared surplus to TTC's operational needs. There was a circulation through the PMC process to determine municipal interest. There was no interest declared.

[https://www.ttc.ca/About the TTC/Commission reports and information/Commission meetings/2002/Nov 20 2002/Other/Declaration Of Surpl.jsp](https://www.ttc.ca/About%20the%20TTC/Commission%20reports%20and%20information/Commission%20meetings/2002/Nov%2020%202002/Other/Declaration%20Of%20Surpl.jsp)

At the November 29, 2004 community meeting led by Councillor Fletcher, community members expressed that these lands should not be declared surplus and should function as a buffer and a park.

<http://www.thepocket.ca/wp-content/uploads/2013/08/Pocket-Volume-7-.pdf>

At the January 12, 2005 Board meeting, in response to the November 29, 2004 community meeting, the Board declared the lands shown as Part 1 in the report PS-2003-036 as no longer surplus to TTC's operational needs and staff was directed to negotiate agreements for the maintenance of the green space surrounding the operation area of the Yard with the appropriate community groups:

[https://www.ttc.ca/About the TTC/Commission reports and information/Commission meetings/2005/Jan 12 2005/Other/Greenwood Yard Statu.jsp](https://www.ttc.ca/About%20the%20TTC/Commission%20reports%20and%20information/Commission%20meetings/2005/Jan%2012%202005/Other/Greenwood%20Yard%20Statu.jsp)

At the November 17, 2016 City Parks and Environment Committee meeting, Councillor Fletcher, Ward 30, Toronto-Danforth, brought forward a motion for consideration which would "...approve the regularization of the long-standing use of the southern portion of the subject lands as a dogs off-leash area...". This would require a transfer of operational management of the lands to Parks, Forestry and Recreation, and a release of the agreement between the TTC and the Pocket Community Association (PCA) relating to these lands.

<http://www.toronto.ca/legdocs/mmis/2016/pe/bgrd/backgroundfile-98406.pdf>

At the December 13, 2016 City Council meeting, Council adopted the recommendation made by the City Parks and Environment Committee at its November 17, 2016 meeting.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PE15.6>

Issue Background

Greenwood Yard is a 12.54 ha (31 acre) site located at 400 Greenwood Avenue and was constructed in the 1960s. It consists of two components: a subway yard and buffer lands. The subway yard essentially consists of tracks for train storage, a car house, and a track and structure building. The buffer lands, referred to by the community as "Oakvale Green" are owned by the City of Toronto but are under TTC's operational management, including responsibility for maintenance.

Over the years, the neighbouring residential community expressed its concerns over TTC's maintenance of the buffer lands. In response to these community concerns, the Board directed staff to enter into agreements with the neighbourhood associations regarding the use of the buffer lands by the community and outlining TTC responsibility

for maintenance of the lands. The TTC entered into two agreements, one with the PCA and the other with the OKRA.

Over time, the community began using the surplus lands as an informal DOLA. More recently, residents asked to formalize and legalize the off-leash activity in this area. As a result, at the November 17, 2016 City Parks and Environment Committee meeting, Councillor Fletcher brought forward a motion to transfer the operational management of the surplus lands from the TTC to City Parks, Forestry and Recreation, and that the southern portion of these lands be regularized as an existing, non-conforming DOLA, upon the termination of the agreement between TTC and PCA.

Comments

TTC staff has met several times with Councillor Fletcher, City staff and members of the PCA to discuss the matter of formalizing a DOLA. There was also discussion and general agreement with respect to the components of an MOU between the City and TTC regarding ongoing operations and maintenance of all of the the buffer lands. The terms of the MOU are outlined in the letter correspondence from Councillor Fletcher dated November 30, 2017, attached as Appendix 2.

Based on the foregoing, TTC staff concurs with the declaration of the lands as surplus to TTC's requirements with the intention of transferring operational management to City Parks, Forestry and Recreation for the purposes of creating a DOLA.

Contact

Pamela Kraft, Head of Property, Planning & Development
416-590-6108
pamela.kraft@ttc.ca

Signature

Susan Reed Tanaka
Chief Capital Officer

Attachments

Appendix 1 - Greenwood Yard Buffer Lands
Appendix 2 - Letter from Councillor Fletcher dated November 30, 2017 re: Pocket Dog Off Leash MOU

SP#03078-31-334

Appendix 1 - Greenwood Yard Buffer Lands



Legend



To be transferred to Parks, Forestry and Recreation for Dogs Off-Leash Area (DOLA) (Agreement with PCA to be terminated)



To be transferred to Parks, Forestry and Recreation (Agreement with PCA to be terminated)



Licensed to OKRA by TTC (To remain under TTC operational management)

Appendix 2 - Letter from Councillor Fletcher dated November 30, 2017 re: Pocket Dog Off Leash MOU



方卓怡 市議員 **Paula FLETCHER**

Councillor Toronto-Danforth Ward 30

November 30, 2017

Pamela Kraft
Head - Property, Planning and Development
Toronto Transit Commission
5160 Yonge Street – 13th Floor
Toronto ON, M2N 6L9

Richard Ubbens
Director Parks
City of Toronto
100 Queen Street West
Toronto, ON, M5H 2N2

Dear Ms. Kraft and Mr. Ubbens,

Re: Pocket Dog Off Leash MOU

Thank you for the October meeting and for your assistance in finalizing the components of an MOU between the City and the TTC regarding the operations of the Pocket Off Leash at the Greenwood site.

Here is a recap of what was agreed to:

City of Toronto Parks

Mowing

City will mow and trim the entire site: both off leash area and Oakvale Green.

Trees

City will maintain the trees for both sites and plant new trees. TTC can also plant trees including the two replacement trees and ideally the plantings will be coordinated with the City.

Wood Chips

Wood Chips will be supplied and administered by the City.

311

311 will handle all calls about the site and this can be posted.

Signage

City will remove all of the TTC signs in this area and install new City/Parks signs which include complaint contact.

Toronto Transit Commission

Winter Maintenance

TTC will do winter maintenance for the pathway from Oakvale to Lydia Court.

Garbage

TTC will continue their pick up from the dog waste station and the other two bins as part of their site maintenance for the entire site. Following a year of operation of the dog park the installation of standard solid waste tote bins will be reviewed by the City and the TTC.

Lights

TTC remain responsible for the lights as the electrical feed for the lighting is fed from inside the TTC's building.

Graffiti

TTC will look after any graffiti that is put on the green sound barrier wall.

Well Monitoring

TTC will continue to monitor the methane wells located in this area.

Please confirm next steps on your end to formalize the MOU and let me know when you anticipate it being executed.

Copied on this correspondence are: Susan McMurray of the Pocket Community Association who is expecting to hear directly from the TTC on the dissolution of the existing MOU and Susan McGibbon a representative of the Pocket Dog Owners Group.

Thank you both for all of your assistance with bringing this DOLA on line.

Sincerely,



Paula Fletcher
City Councillor
Ward 30, Toronto-Danforth

cc: Josie Sciolli
Chief Corporate Officer, City of Toronto

Joan Taylor
Chief of Staff, CEO's Office, TTC

Susan McMurray
Pocket Community Association Executive

Susan McGibbon
Pocket Dog Owners Group