



Councillor Adam Vaughan

Toronto City Council
Trinity-Spadina, Ward 20

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May 16, 2007

Councillor Gloria Lindsay Luby
Chair, Government Management Committee
Suite B38, 100 Queen Street West
Toronto, Ontario M5H 2N2

Dear Councillor Lindsay Luby:

I write to you and the members of the Government Management Committee at your meeting of June 11, 2007 to request a report on remediation of a City owned property on the waterfront.

During a storm on Tuesday December 11, 2006, a section of seawall located along the northern boundary of the Western Gap approximately 5 metres from the western tip of the wall, collapsed into Lake Ontario. In an effort to determine ownership of the collapsed wall, the City's Legal Department has reviewed title to the property. This title review has identified the fact that, while the City of Toronto is the owner of lands located to the north of the seawall structure, no Crown patent has been issued for the land underlying the damaged section of the seawall. Therefore, ownership of the lands upon which the seawall has been constructed rests with the federal government, rather than the City. In the interim, there has been no assumption of responsibility for repairing the wall, despite numerous inquiries to the federal government and its agencies.

There are two yacht clubs, the National Yacht Club and the Alexandra Yacht Club, who lease the land owned by the City of Toronto and this property has sustained significant damage. Without the sea wall in place, waves are eroding the land closest to the lake. This problem has accelerated while the ownership of the collapsed sea wall is unresolved. The chairs of the two yacht clubs have contacted my office and asked me to inspect this damage at the municipal addresses of 1 and 2 Stadium Road. I can testify to the erosion damage. There are light standards leaning from their bases, significant cracks are appearing in the walkway and the City roadway, and large concrete chunks are breaking away creating a pedestrian hazard. The National Yacht Club cannot use the affected area and has incurred costs to relocate boats and to provide alternate space for classroom instruction.

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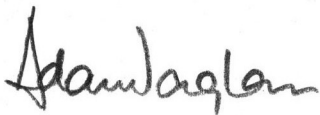
In the short term, the City needs to restore its property and prevent further damage. The City also needs to determine ownership of the collapsed sea wall and charge the owner for all of the City's costs as well as to request restoration of the wall.

To this end, I respectfully ask that the members of the Government Management Committee consider:

- 1) Requesting a report from Executive Director of Facilities and Real Estate in consultation with City engineers detailing recommendations to repair existing damage and to prevent further erosion on this property. This report should indicate costs of remediation and how these funds can be made available from this year's budget funds.
- 2) Requesting that this report come back to the July 6th meeting of Government Management Committee to be voted on
- 3) Requesting that the Executive Director of Facilities and Real Estate determine the ownership of the collapsed sea wall and to send the bill for all of the City's remediation costs to that owner and further to request restoration of the sea wall.

Thank you for your attention on this matter.

Yours sincerely,

A handwritten signature in black ink that reads "Adam Vaughan". The signature is written in a cursive, slightly slanted style.

Adam Vaughan, Councillor
Ward 20, Trinity-Spadina

cc: Yvonne Davies, Committee Administrator