

Scarborough Community Council – Item 14.12

Considered by City Council on April 28 and 29, 2008

SC14.12	NO AMENDMENT			Ward: 40
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Proposed Permanent Closure and Sale of Portions of Public Highway Village Green Square (formerly Sufferance Road) Adjacent to 2055 Kennedy Road

City Council Decision

City Council on April 28 and 29, 2008, adopted the following motions:

1. City Council retain an easement for Toronto Water for below grade services on Part 3 of Sketch PS-2006-092b (“the Sketch”), on terms and conditions acceptable to the Chief Corporate Officer and in a form acceptable to the City Solicitor.

2. City Council permanently close portions of the public highway, Village Green Square (formerly Sufferance Road), being part of Lot 28, Concession 2 and shown as Parts 1 and 3 on the Sketch (the “Highway”), subject to compliance with the requirements of City of Toronto Municipal Code Chapter 162.

3. City Council direct Transportation Services staff to give notice to the public of a proposed by-law to close the Highway in accordance with the requirements of City of Toronto Municipal Code, Chapter 162, with the Scarborough Community Council to hear any member of the public who wishes to speak to the matter during consideration of the proposed by-law.

4. City Council direct Transportation Services staff to advise the public of the proposed closure of the Highway prior to implementation, in accordance with the requirements of the Municipal Class Environmental Assessment for Schedule A+ activities, by posting notice of the proposed closure on the notices page of the City’s Web site for at least five working days prior to the Scarborough Community Council meeting at which the proposed by-law to close the Highway will be considered.

5. City Council accept the Offer to Purchase from Metrogate Inc. (“Purchaser”) to purchase the Highway in the amount of \$120,000.00 substantially on the terms and conditions outlined in Appendix “A” to this report, and each of the Chief Corporate Officer and the Director of Real Estate be authorized severally to accept the Offer to Purchase on behalf of the City.

6. City Council grant the authority to direct a portion of the proceeds of closing to fund the outstanding expenses related to the Highway and the completion of the sale transaction.
7. City Council authorize the City Solicitor to complete the transaction(s) on behalf of the City, including making payment of any necessary expenses and amending and/or waiving the closing and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.
8. City Council authorize and direct the appropriate City officials to take the necessary action to give effect to the above recommendations, including the introduction in City Council of any necessary bills.

(March 13, 2008) Report from General Manager, Transportation Services and Chief Corporate Officer

Committee Recommendations

Scarborough Community Council recommends that City Council:

1. Retain an easement for Toronto Water for below grade services on Part 3 of Sketch PS-2006-092b (“the Sketch”), on terms and conditions acceptable to the Chief Corporate Officer and in a form acceptable to the City Solicitor.
2. Permanently close portions of the public highway, Village Green Square (formerly Sufferance Road), being part of Lot 28, Concession 2 and shown as Parts 1 and 3 on the Sketch (the “Highway”), subject to compliance with the requirements of City of Toronto Municipal Code Chapter 162.
3. Direct Transportation Services staff to give notice to the public of a proposed by-law to close the Highway in accordance with the requirements of City of Toronto Municipal Code, Chapter 162, with the Scarborough Community Council to hear any member of the public who wishes to speak to the matter during consideration of the proposed by-law.
4. Direct Transportation Services staff to advise the public of the proposed closure of the Highway prior to implementation, in accordance with the requirements of the Municipal Class Environmental Assessment for Schedule A+ activities, by posting notice of the proposed closure on the notices page of the City’s Web site for at least five working days prior to the Scarborough Community Council meeting at which the proposed by-law to close the Highway will be considered.
5. Accept the Offer to Purchase from Metrogate Inc. (“Purchaser”) to purchase the Highway in the amount of \$120,000.00 substantially on the terms and conditions outlined in Appendix “A” to this report, and each of the Chief Corporate Officer and the Director of Real Estate be authorized severally to accept the Offer to Purchase on behalf of the City.

6. Grant the authority to direct a portion of the proceeds of closing to fund the outstanding expenses related to the Highway and the completion of the sale transaction.
7. Authorize the City Solicitor to complete the transaction(s) on behalf of the City, including making payment of any necessary expenses and amending and/or waiving the closing and other dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable.
8. Authorize and direct the appropriate City officials to take the necessary action to give effect to the above recommendations, including the introduction in City Council of any necessary bills.

Financial Impact

The closing of the Highway will not result in any costs to the City as the Purchaser is required to pay all costs associated with the closing.

We anticipate revenue in the amount of \$120,000.00, (net of GST), less closing costs and the usual adjustments from this sale.

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

Summary

The General Manager, Transportation Services and the Chief Corporate Officer request that portions of the public highway, Village Green Square (formerly Sufferance Road) adjacent to 2055 Kennedy Road be permanently closed, and the Offer to Purchase from Metrogate Inc. be accepted substantially on the terms and conditions outlined in the attached Appendix "A".

The terms for completing the transaction, as set out herein, are considered to be fair, reasonable and reflective of market value.

Background Information

Report.Closure and Sale.Village Green Square

(<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-11655.pdf>)

Appendix "A".Closure and Sale.Village Green Square

(<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-11656.pdf>)

Appendix "B".Closure and Sale.Village Green Square

(<http://www.toronto.ca/legdocs/mmis/2008/sc/bgrd/backgroundfile-11657.pdf>)