



## **STAFF REPORT ACTION REQUIRED**

### **Proposed Closing and Conveyance of a portion of the Rees Street Boulevard between Bremner Boulevard and Lake Shore Boulevard West**

<b>Date:</b>	May 14, 2009
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	General Manager, Transportation Services and Chief Corporate Officer
<b>Wards:</b>	Trinity Spadina – Ward 20
<b>Reference Number:</b>	Ts09099te.top.doc

#### **SUMMARY**

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Transportation Services and Facilities and Real Estate staff request that a portion of the Rees Street boulevard between Bremner Boulevard and Lake Shore Boulevard West be permanently closed in order for Facilities and Real Estate staff to fulfill the City's obligation pursuant to a Hydro Option Purchase Agreement dated October 5, 1992.

#### **RECOMMENDATIONS**

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**Transportation Services and Facilities and Real Estate Services recommend that Toronto City Council:**

1. Permanently close the portion of the Rees Street boulevard, shown as Part 1 on the attached Sketch No. PS-2007-135 (the "Highway"), as a public highway, subject to compliance with the requirements of the City of Toronto Municipal Code Chapter 162;
2. Authorize Transportation Services staff to give notice to the public of a proposed by-law to close the Highway, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code, and that Toronto and East York Community Council hear any member of the public who wishes to speak to this matter during consideration of the proposed by-law;

3. Authorize 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 notice page of the City’s web site for at least five working days prior to the Toronto and East York Community Council meeting at which the proposed by-law to close the Highway will be considered;
4. Direct Legal Services staff to convey the Highway to Hydro One Networks Inc. (“Hydro One”), for nominal consideration substantially on the terms and conditions of the Hydro Option Purchase Agreement dated October 5, 1992;
5. Authorize each of the Chief Corporate Officer and the Director of Real Estate severally to sign any documents on behalf of the City to give effect thereto; and
6. Authorize the City Solicitor to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions, on such terms as she considers reasonable.

### **Financial Impact**

The subject closing and transfer will not incur any Capital costs to the City as this report is required in order to fulfill a Hydro Purchase Option Agreement, dated October 5, 1992 (the “Option Agreement”).

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

### **DECISION HISTORY**

The former City of Toronto, at its meeting of July 6 and 7 1992, adopted Minute 11.105 Clause 30 of Executive Committee Report No. 20, thereby authorizing the City to enter into an option agreement with Ontario Hydro, now Hydro One Networks Inc. (“Hydro One”). The option agreement required the conveyance of certain lands in the Railway Lands East, legally described as Parts 2 to 9 on Plan 64-13541 (the “Hydro Option Lands”) to Hydro One, upon terms set out in the report.

In addition, former City Council, at its meeting of October 16, 1992, adopted Clause 28 of Executive Report No. 28, which ratified and confirmed the execution of the Option Agreement by the City.

## ISSUE BACKGROUND

Hydro One has exercised its option to purchase the Option Lands. The majority of the Option Lands, legally described as Parts 4 to 8 on Plan 64R-13541 have been conveyed to Hydro One. However, the Highway lands form part of Rees Street and must be legally closed by by-law prior to its conveyance to Hydro One.

## COMMENTS

Transportation Services staff have reviewed the feasibility of closing the Highway and have determined that the Highway can be permanently closed and conveyed.

### Details of the Highway are as follows:

Description:	Part of the Rees Street boulevard, legally described as Parts 2, 3 & 9 on Plan 64R-13541
Approximate Area:	748 m <sup>2</sup> ± (8,051.7 ft <sup>2</sup> ±)
Current	Public highway

## Closing Process

The closing process requires two separate approvals from City Council. The first approval initiates the process to close the Highway and authorizes the terms and conditions of the sale of the Highway. The second approval authorizes the enactment of the closing by-law. Prior to enactment of the by-law, the public has the opportunity to speak to the matter if they wish to do so at Toronto and East York Community Council during consideration of the draft by-law.

## CONTACT

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**ATTACHMENT**

Sketch No. PS-2007-135 dated April 19, 2007