TORONTO

STAFF REPORT
ACTION REQUIRED

Assumption of Services – 3132 Eglinton Avenue East and 22-40 Beachell Street - Hudson Developments Inc.

Date:	February 22, 2012
To:	Scarborough Community Council
From:	City Solicitor
Wards:	Ward No. 38 – Scarborough Centre
Reference Number:	RDA2-700-2001-29

SUMMARY

This report requests Council's authority for the City to assume the services with respect to the development at 3132 Eglinton Avenue East and 22-40 Beachell Street.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council assume the services installed for the development at 3132 Eglinton Avenue East and 22-40 Beachell Street and that the City formally assume the roads within the development.

2. City Council authorize the Legal Services Division to release the performance guarantee with the exception of a cash settlement in the amount of $55,914.30 as set out in Attachment 2 of this report.

3. City Council direct that an assumption By-law be prepared to assume the public highway and municipal services in the development at 3132 Eglinton Avenue East and 22-40 Beachell Street.

4. City Council authorize and direct the City Solicitor to register the assumption By-law in the Land Registry Office, at the expense of the Owner.

5. City Council authorize the City Clerk and Treasurer to sign any release or other documentation necessary to give effect thereto.

6. City Council authorize the appropriate City officials to transfer ownership of the street lighting system constructed within the development at 3132 Eglinton Avenue East and 22-40 Beachell Street to Toronto Hydro.

Financial Impact

The recommendations have no financial impact beyond what has already been approved in the current year's budget.

ISSUE BACKGROUND

Hudson Developments entered into a Servicing Agreement dated July 8, 2002 with the City of Toronto. The performance guarantee for this development has been submitted.

COMMENTS

All obligations of the Servicing Agreement have been completed, all relevant City Divisions have signed the Development Acceptance Form and it is now appropriate for the City to assume the services and release of the performance guarantee with the exception of the following cash settlement:

(1) $38,966.00 for the construction of the extension of Conn Smythe pursuant to Clause 7(d) of Schedule B to the Servicing Agreement;

(2) $1,948.20 for the payment of Engineering and Inspection Fees; and

(3) $15,000.00 for the future removal of the turning circle pursuant to Clause 7(d) of Schedule B to the Servicing Agreement.

CONTACT

Stephanie Morrow, Supervisor Law Clerks
Planning and Administrative Tribunal Law, Legal Services
Tel: (416) 397-5379; Fax: (416) 397-5625; E-mail smorrow@toronto.ca

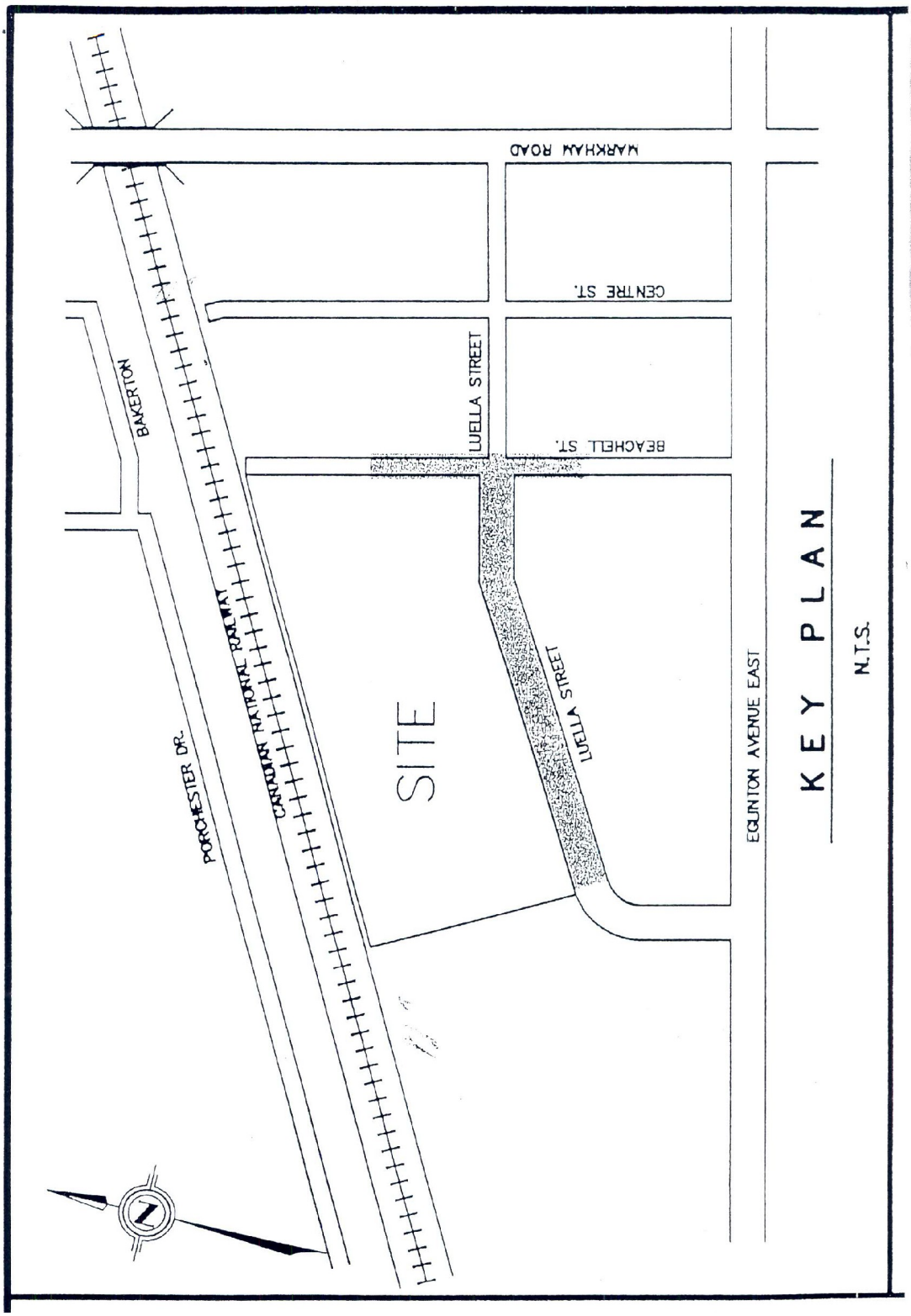
SIGNATURE

_____
Anna Kinastowski, City Solicitor

ATTACHMENT

1. Site Map
2. Cash Settlement

Site Map


MARKHAM ROAD
CENTRE ST.
LUELLA STREET
BEACHELL ST.
BAKERTON
PORCHESTER DR.
CANADIAN NATIONAL RAILWAY
SITE
LUELLA STREET
EGLINTON AVENUE EAST
KEY PLAN
N.T.S.

Attachment 2

All obligations of the Servicing Agreement have been completed, all relevant City Divisions have signed the Development Acceptance Form and it is now appropriate for the City to assume the services and release of the performance guarantee with the exception of the following cash settlement:

(1) $38,966.00 for the construction of the extension of Conn Smythe pursuant to Clause 7(d) of Schedule B to the Servicing Agreement;

(2) $1,948.20 for the payment of Engineering and Inspection Fees; and

(3) $15,000.00 for the future removal of the turning circle pursuant to Clause 7(d) of Schedule B to the Servicing Agreement.