

**Assumption of Services
Municipal Road and Services constructed under the
Section 37 Agreement for 600 Fleet Street**

Date:	April 22, 2013
To:	Toronto & East York Community Council
From:	Helen Noehammer, P. Eng., Director, Engineering Review
Wards:	Ward 19 – Trinity-Spadina
Reference Number:	P:\2013\Cluster B\TEC\TE13036 (AFS # 17568)

SUMMARY

This report requests Council's authority for the City to assume the municipal road and services within Iannuzzi Street from Fleet Street to Sloping Sky Mews in accordance with the Amended and Re-Stated Section 37 Agreement of Block 7 – 600 Fleet Street, dated June 21, 2007 with Malibu Harbourfront Inc.

RECOMMENDATIONS

The Director of Engineering Review recommends that:

1. City Council assume the services installed along Iannuzzi Street and that the City formally assume Iannuzzi Street which comprised of Part 2, 6 & 7 on Plan 66R-21894.
2. City Council authorize the Director, Engineering Review to release the performance guarantee held with respect to the municipal services in accordance with the Section 37 agreement.

3. City Council direct that an assumption By-law be prepared to assume the public highway and municipal services within Iannuzzi Street from Fleet Street to Sloping Sky Mews.
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 and direct the appropriate City Officials to transfer ownership of the street lighting system constructed within Iannuzzi Street from Fleet Street to Sloping Sky Mews to Toronto Hydro.
6. City Council authorize the appropriate City Officials to take the necessary action to give effect thereto.

Financial Impact

There are no financial implications resulting from the adoption of this report.

ISSUE BACKGROUND

The Fort York Neighbourhood is being developed through various Section 37 agreements. Block 7, the subject of this report, is located at the northwest corner of Bathurst Street and Fleet Street (Lake Shore Boulevard West). The municipal services required under the terms of the Amended and Re-Stated Section 37 Agreement for Block 7 – 600 Fleet Street, dated June 21, 2007 between Malibu Harbourfront Inc. and the City of Toronto are in the required condition to be assumed by the City. The street that was required to be constructed as part of the Section 37 agreement for Block 7 is Iannuzzi Street from Fleet Street to Sloping Sky Mews as shown in Attachment 1.

COMMENTS

The municipal road and services required under the terms of the Amended and Re-Stated section 37 Agreement, Block 7 – 600 Fleet Street have been completed in accordance with the agreement and the road and services can now be assumed by the City.

The local Councillor and all other affected City Divisions have been advised that the City intends to assume the roads and associated services and no objections have been raised. Since the services are in satisfactory condition, it is recommended that Council pass an assumption by-law to assume the municipal road and services within Iannuzzi Street from Fleet Street to Sloping Sky Mews.

CONTACT

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SIGNATURE

Helen Noehammer, P. Eng.
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ATTACHMENT

Attachment 1: Location map of 600 Fleet Street (Fort York Neighbourhood)