

Assumption of Services, Reference Plan 66R-21894, Bastion Street, part of Grand Magazine Street and Sloping Sky Mews

Date: January 23, 2025
To: Toronto & East York Community Council
From: Acting Director, Engineering Review, Development Review Division
Wards: 10 Spadina & Fort York

SUMMARY

This report recommends assumption of certain of the roads and services contemplated by the Fort York Neighbourhood Secondary Plan. Construction of the roads and services that are the subject of this report and illustrated on Attachment 1 (Bastion Street, part of Grand Magazine Street and Sloping Sky Mews) was secured through site specific zoning and undertaken pursuant to the terms of the Amended and Restated Section 37 Agreement (Block 3A, 3B and 5), dated February 16, 2007, as amended, and the Section 37 Agreement (Block 3), dated July 24, 2007. Conveyances to the City of land comprising the subject roads was co-ordinated through these agreements as well as through site specific zoning and Section 37 Agreements with owners of other Blocks in the Fort York Neighbourhood, as applicable. Performance guarantee periods have expired, and the subject roads and services are now in the required condition to be assumed by the City.

RECOMMENDATIONS

The Acting Director, Engineering Review recommends that:

1. City Council assume the municipal infrastructure comprising roads and services within Bastion Street (Parts 92, 103, 104, 106, 107, and 130, Plan 66R-21894), part of Grand Magazine Street (Part 114, Plan 66R-21894) and Sloping Sky Mews (Parts 5, 6, 15, 16, 17, 19, 105, 110, 115, 118, and 131, Plan 66R-21894).
2. City Council authorize the Acting Director, Engineering Review to release associated financial securities held with respect to the subject municipal infrastructure referred to in Recommendation 1 and being assumed as contemplated in the Amended and Restated Section 37 Agreement (Block 3A, 3B and 5), dated February 16, 2007, as amended, and the Section 37 Agreement (Block 3), dated July 24, 2007.

3. City Council authorize the appropriate City Officials to take the necessary action to give effect to Recommendations 1 and 2.

4. City Council authorize the appropriate City Officials to transfer ownership of the street lighting system constructed with the subject public roads to Toronto Hydro.

FINANCIAL IMPACT

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

DECISION HISTORY

None.

COMMENTS

The subject public roads proposed to be assumed are shown on Attachment 1 to this report (extract of Plan 66R-21894) and are comprised of all or part of three (3) public streets: Bastion Street extending from Fleet Street and terminating in Fort York Boulevard (Parts 92, 103, 104, 106, 107, and 130) ; part of Grand Magazine Street (lower section) extending from Fleet Street and terminating at Sloping Sky Mews (Part 114); and Sloping Sky Mews extending from Bastion Street and terminating at Iannuzzi Street (Parts 5, 6, 15, 16, 17, 19, 105, 110, 115, 118, and 131). Each of these streets or portions thereof being, Sloping Sky Mews, Bastion Street, and part of Grand Magazine Street (lower section), have been previously dedicated by City of Toronto By-laws 1150-2010, 1151-2010 and 1152-2010, respectively.

Municipal roads and services within the Fort York Neighbourhood Secondary Plan were based on requirements as development blocks came forward and co-ordination was secured through site specific zoning and Section 37 Agreements, as applicable. The construction of roads and services that are the subject of this report was secured in the zoning and undertaken pursuant to the terms of the Amended and Restated Section 37 Agreement (Block 3A, 3B and 5), dated February 16, 2007, between the then owner West Harbour City (I) Residence Corporation and the City (as amended with subsequent owners August 28, 2008 and December 23, 2009) and the Section 37 Agreement (Block 3), dated July 24, 2007, between the then owner Wittington Properties Limited and the City. Conveyances to the City of land comprising the subject roads was co-ordinated through these agreements as well as through site specific zoning and Section 37 Agreements with the owners of Blocks 4, 4A, 6, 6A and 7 in the Fort York Neighbourhood west of Bathurst Street, as applicable. The subject roads and services have been constructed and guarantee periods have expired.

All obligations of the relevant Section 37 Agreement(s) under which the work was undertaken and maintained have been completed. All relevant City Divisions have been consulted and have provided clearance. It is now appropriate for Council to adopt

recommendations to assume the municipal infrastructure comprising roads and services identified and to release associated financial securities. The subject roads are not within a plan of subdivision and, as such, enactment of an assumption by-law is not applicable. Council adoption of the recommendations for the assumption is as contemplated by the underlying agreement(s).

The balance of roads constructed within Fort York Neighbourhood for development of Blocks 3, 3A, 3B, 4, 4A, 5, 6, 6A and 7 will be brought forward for assumption under separate reports as appropriate.

CONTACT

Nhat-Anh Nguyen, P.Eng., Manager, Central Review Unit, Priority Development Engineering Review, Telephone: 416-338-3489, email: Nhat-Anh.Nguyen@toronto.ca

David Huynh, P.Eng., Engineer, Centralized Review Unit, Priority Development Engineering Review, Telephone: 416-338-5224, email: David.Huynh@toronto.ca

SIGNATURE



Grace Tesa, P.Eng., Acting Director, Engineering Review
Development Review Division

ATTACHMENTS

Attachment No.1 - Map of Bastion Street, part of Grand Magazine Street (lower section) and Sloping Sky Mews within the Reference Plan 66R-21894.

Attachment No.1 - Map of Bastion Street, part of Grand Magazine Street (lower section) and Sloping Sky Mews within the Reference Plan 66R-21894.

