

## **Permanent Closure of the Public Lane Abutting the Rear of 118 Enderby Road**

<b>Date:</b>	September 16, 2008
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Transportation Services, Toronto and East York District
<b>Wards:</b>	Beaches-East York – Ward 32
<b>Reference Number:</b>	Ts08167te.top.doc

### **SUMMARY**

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Transportation Services recommends that the public lane, abutting the rear of Premises No. 118 Enderby Road, be permanently closed as a public lane and that jurisdiction of the subject land be transferred to Children's Services.

### **RECOMMENDATIONS**

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**Transportation Services recommends that Toronto City Council:**

1. Permanently close the public lane, shown as Part 1 on the attached Sketch No. PS-2008-085 (the "Lane"), and that jurisdiction of the Lane be transferred to Children's Services, subject to compliance with the requirement of the City of Toronto Municipal Code, Chapter 162.
2. Direct Transportation Services to give notice to the public of a proposed by-law to close the Lane in accordance with the requirements of the City of Toronto Municipal Code, Chapter 162, with the Toronto and East York Community Council to hear any member of the public who wishes to speak to the matter during consideration of the draft by-law.
3. Direct Transportation Services to advise the public of the proposed closure of the Lane 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 Lane will be considered.

### **Financial Impact**

There are no financial implications arising from this report. The usual cost of processing this request is the responsibility of Children's Services, with funds available in Account No. CCS008-01.

### **ISSUE BACKGROUND**

Transportation Services received a request from the General Manager, Children's Service, to stop-up, close and transfer jurisdiction of the Lane to Children's Services. This request is being made to facilitate the provision of additional parking for the adjoining daycare center located at 118 Enderby Road. Daycare staff presently use the parking lot at 118 Enderby Road, which is often at capacity and not sufficient to accommodate the parking demand of the daycare.

For a number of years, the Lane has been used exclusively by the owner of 18 Norwood Terrace. The southerly portion has been used for private parking. The remaining portion of the Lane is the subject of a long standing encroachment agreement for an aluminium storage shed and a brick barbecue.

The owners of 18 Norwood Terrace were given formal written "Notice" on September 10, 2008, to remove the allowed encroachments, and additional items not covered by the agreement, within 30 days.

The owner of 18 Norwood Terrace will also be required to obtain a parking permit to park on the street.

### **COMMENTS**

Transportation Services has carried out an internal review of this proposal and has determined that the Lane can be permanently closed and jurisdiction be transferred to Children's Services.

Based on a circulation of this request to other City Divisions and the public utility companies, Toronto Hydro have identified a need to reserve an easement for a secondary cable, servicing 18 Norwood Terrace.

Children's Services will be responsible for the costs of providing the Reference Plan, and for the registration of the Authorizing By-law and Toronto Hydro's easement agreement.

### **Closing Process**

The closing process requires two separate approvals from City Council. The first approval initiates the process to close the Lane and determines the manner of disposal. The second approval authorizes 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.

The requirements of the Municipal Class Environmental Assessment will be met during the posting of the above-noted public notice.

## **CONTACT**

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## **ATTACHMENTS**

Sketch No. PS-2008-085, dated June 11, 2008