



STAFF REPORT ACTION REQUIRED

Permanent Closure of the portion of Paton Road abutting the north limit of Erwin Krickhahn Park

Date:	May 27, 2009
To:	Toronto and East York Community Council
From:	Director, Transportation Services, Toronto and East York District
Wards:	Davenport – Ward 18
Reference Number:	TS09121te.top

SUMMARY

Transportation Services recommends that the portion of the public highway known as Paton Road, abutting the north limit of Erwin Krickhahn Park, be permanently closed and jurisdiction be transferred to Parks, Forestry and Recreation.

RECOMMENDATIONS

Transportation Services recommends that Toronto City Council:

1. Permanently close the portion of the public highway known as Paton Road, shown as Part 1 on the attached Sketch No. PS-2008-084 (the “Highway”), and authorize the transfer of jurisdiction of the Highway to Parks, Forestry and Recreation (PF&R), subject to easement interests for easements required by Toronto Hydro and Enbridge Gas having been declared surplus in accordance with City of Toronto Municipal Code Chapter 213 and authority having been granted to convey easements to Toronto Hydro and Enbridge Gas over the closed Highway for nominal consideration;
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 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. 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; and

Financial Impact

The following costs will be incurred by Transportation Services in order to prepare the Highway for transfer PF&R purposes.

Description of Work	Estimated Cost of Work	Account Information
Remove asphalt and concrete road surface; remove sidewalk, catchbasin, stone base, guardrail and posts; adjust manholes and gas valve; strip and regrade road surface on Rankin Crescent and construct new sidewalk. See attached sketch dated May 29, 2008.	\$45,000.00	Neighbourhood Improvements - CTP408-02-26
Phase I and II Environmental Testing	\$20,000.00	CTP309-05-04

Environmental testing is required as the use of the land will change from public highway to parkland.

The required environmental testing is expected to be completed by June, 2009. The findings of the testing will be compiled into a report that is expected to take approximately three weeks to complete. Any remediation identified as a result of this testing will be the responsibility of PR&R.

ISSUE BACKGROUND

Councillor Adam Giambrone requested that the Highway be permanently closed and jurisdiction be transferred to PF&R for the development of a community garden to enhance the existing Erwin Krikhahn Park.

COMMENTS

Transportation Services has carried out an internal review of this proposal and has determined that the Highway can be permanently closed and jurisdiction be transferred to PF&R.

There are a number of municipal services and public utilities located with the Highway which can remain in place subject to the granting of easements, if necessary.

As of the writing of this report, the steps necessary to comply with the City's real estate disposal process, as set out in Chapter 213 of the City of Toronto Municipal Code, have not been complied with, as the easement interest being granted has not be declared surplus. However, by the date of consideration by Community Council, the necessary steps would have been complied with."

Closing Process

The closing process requires two separate approvals from City Council. The first approval initiates the process to close the Highway 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.

CONTACT

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ATTACHMENTS

Sketch No. PS-2008-084 dated June 11, 2008

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