

**Proposed Permanent Closure of the Portion of the  
Bonnycastle Street Road Allowance and the Portion of  
Lake Shore Boulevard East abutting 12 and 26  
Bonnycastle Street**

<b>Date:</b>	October 21, 2009
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Transportation Services, Toronto and East York District
<b>Wards:</b>	Toronto Centre – Rosedale – Ward 28
<b>Reference Number:</b>	Ts09185te.top.doc

**SUMMARY**

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Transportation Services recommends that a portion of the Bonnycastle Street road allowance and a portion of Lake Shore Boulevard East be permanently closed.

**RECOMMENDATIONS**

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

1. Permanently close the public highway shown as Parts 1 and 2 on the attached Sketch No. PS-2009-083 (the “Highway”), subject to compliance with the requirements of City of Toronto Municipal Code, Chapter 162, and subject to City Council authorizing the sale of the Highway to Great Gulf (Downtown Properties) Ltd., or any of its affiliates (“Great Gulf”) or to Toronto Waterfront Revitalization Corporation (“Waterfront Toronto”);
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 proposed draft by-law; and

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.

### **Financial Impact**

The subject closing will not result in any costs to the City as Waterfront Toronto will pay all costs associated with the closing of the Highway as part of the sale transaction. Financial compensation will be realized from the sale of the Highway together with the adjacent development lands as part of the waterfront redevelopment plan.

### **DECISION HISTORY**

In accordance with the City’s Real Estate Disposal By-law No. 814-2007, the Highway was declared surplus on October 19, 2009 (DAF No. 2009-048), with the intended manner of disposal to be by inviting an offer to purchase the Highway from either Great Gulf (Downtown Properties) Ltd., or any of its affiliates, or Waterfront Toronto.

### **ISSUE BACKGROUND**

Transportation Services received a request from Waterfront Toronto to investigate the feasibility of the permanent closure of the Highway for incorporation into the development site on the west side of Bonnycastle Street between Lake Shore Boulevard East and Queens Quay East, as part of the Parkside development of the East Bayfront Precinct Plan.

### **COMMENTS**

Transportation Services has reviewed the feasibility of closing the subject portion of the Highway and has determined that it can be permanently closed and sold. There are no municipal services or public utilities located within the Highway.

The subject closure is required to facilitate the development of the property on the west side of Bonnycastle Street between Lake Shore Boulevard East and Queens Quay East, by Great Gulf (Downtown Properties) Ltd.

The Deputy City Manager, whose responsibilities include waterfront revitalization, will submit a separate report to Executive Committee to obtain authority to enter into an Agreement of Purchase and Sale with Great Gulf or Waterfront Toronto, as the value of the Highway, together with the adjacent development site, is over \$500,000.

As of writing this report, not all of 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 been complied with, as notice of the proposed disposition has not yet been given. However, by the date of consideration of this report by Council, the required public notice will have been given.

**Closing Process:**

The closing process requires two separate approvals from City Council. The first approval initiates the process to close the Highway and authorizes the terms and conditions of the sale of the Highway. The second approval authorizes the 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 (Schedule “A<sup>+</sup>”) will be incorporated into the public notice advising the public of the draft by-law to close the Highway.

**CONTACT**

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**SIGNATURE**

Peter Noehammer, P. Eng.  
Director, Transportation Services  
Toronto and East York District

**ATTACHMENT**

Sketch No. PS-2009-083 dated June 19, 2009

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