



STAFF REPORT ACTION REQUIRED

Permanent Closure of the Easterly Portion of the Public Lane Abutting Premises No. 1006 Dufferin Street for Incorporation into the Dufferin Station Modernization

Date:	January 15, 2010
To:	Toronto and East York Community Council
From:	Director, Transportation Services, Toronto and East York District
Wards:	Davenport – Ward 18
Reference Number:	Ts1006te.top.doc.

SUMMARY

In conjunction with the modernization of Toronto Transit Commission's Dufferin Station, Transportation Services staff was requested to investigate the feasibility of closing the easterly portion of the public lane abutting Premises No. 1006 Dufferin Street to allow for the expansion of the Dufferin Station.

Transportation Services recommends that the easterly portion of the public lane abutting Premises No. 1006 Dufferin Street be permanently closed.

RECOMMENDATIONS

Transportation Services recommends that:

1. City Council permanently close the portion of the public lane shown as Part 1 on the attached Sketch No. PS-2009-091 (the "Lane"), subject to:
 - (a) easement interests for the easements required by Bell Canada and Rogers Cable being declared surplus in accordance with City of Toronto Municipal Code Chapter 213 and authority having been granted to convey the easements to Bell Canada and Rogers Cable in and over the closed Lane for nominal consideration; and
 - (b) compliance with the requirements of City of Toronto Municipal Code Chapter 162.

2. City Council authorize Transportation Services staff to give notice to the public, after authority has been granted to convey the required easements to Bell Canada and Rogers Cable, 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; and
3. City Council authorize Transportation Services staff 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 notices page of the City's website 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 to Transportation Services from the adoption of this report. However, funding to cover all costs associated with the Dufferin Station Modernization is available in project CTT010, CTT024 and CTT028 in the 2010-2019 Approved Capital Budget and Plan.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

ISSUE BACKGROUND

Transportation Services staff received a request from Toronto Transit Commission (TTC) to investigate the feasibility of closing the Lane to be incorporated into the expansion and modernization of the Dufferin Station. All costs associated with the development of these lands for TTC purposes will be the responsibility of the TTC.

COMMENTS

Transportation Services staff have reviewed the feasibility of closing the Lane and have determined that the Lane can be closed.

A 300mm storm sewer is located within the Lane and will be relocated, at TTC's expense. In addition, the following public utilities are located within the Lane and will remain in place, pursuant to easements:

- (i) Bell Canada – underground conduit; and
- (ii) Rogers Cable – underground cable

As Bell Canada owns the adjoining property to the north of the Lane and currently uses the Lane to access the rear of its property, Bell Canada also requires an access easement over part of the closed Lane.

The easement interests to be granted to Bell Canada and Rogers Cable have not yet been declared surplus and authority to grant the easements, which the Chief Corporate Officer

has delegated authority to approve, has not yet been obtained but is expected to occur in the near future.

As the TTC requires certain land and easements from Bell Canada for the Dufferin Station project, Real Estate Services staff are currently negotiating with Bell Canada for all of the property interests to be exchanged by the parties. Real Estate Services will seek authority for the acquisition of the land and the easements to be granted to the City by Bell Canada and for the conveyance of the easements to be granted by the City to Bell Canada and Rogers Cable, once the negotiations with Bell Canada have been completed.

Closing Process

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

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ATTACHMENTS

Sketch No. PS-2009-091 dated September 18, 2009.

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