



STAFF REPORT ACTION REQUIRED

Proposed Permanent Closure of the Public Lane abutting 11 to 31 Widmer Street and 299 and 303 Adelaide Street West

Date:	March 3, 2010
To:	Toronto and East York Community Council
From:	Director, Transportation Services, Toronto and East York District
Wards:	Trinity-Spadina – Ward 20
Reference Number:	Ts10028te.top.doc

SUMMARY

Transportation Services requests that the public lane abutting 11 to 31 Widmer Street and 299 and 303 Adelaide Street West be permanently closed.

RECOMMENDATIONS

Transportation Services recommends that:

1. City Council permanently close the public lane, shown as Parts 1, 2 and 3 on the attached Sketch No. PS-2010-024 (the “Lane”), subject to compliance with the requirements of the City of Toronto Municipal Code Chapter 162, and subject to City Council authorizing the sale of a stratified interest in the Lane to Daniels HR Corporation (the “Applicant”);
2. City Council authorize Transportation Services staff 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 proposed 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 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

The subject closing and sale of the Lane will not result in any costs to the City as the Applicant is required to pay all costs associated with the closing of the Lane. Financial compensation will be realized from the sale of the Lane, as presently structured by staff.

DECISION HISTORY

In accordance with the City's Real Estate Disposal By-law, No. 814-2007, the Lane was declared surplus on December 14, 2009 (DAF No. 2010-007), with the intended manner of disposal to be by inviting an offer to purchase the Property from the abutting owners at Nos. 11 to 31 Widmer Street and 299 Adelaide Street West.

ISSUE BACKGROUND

Transportation Services received a request from the Applicant, to investigate the feasibility of the permanent closure of the Lane for incorporation into the development site at 21 and 31 Widmer Street and 299 Adelaide Street West.

COMMENTS

Transportation Services has reviewed the feasibility of closing the Lane and has determined that the Lane can be permanently closed and sold.

The Chief Corporate Officer will submit a separate report to the Government Management Committee outlining the terms and conditions of the sale of a stratified fee simple interest in the Lane (reserving all air rights above 146 metres above grade to the City) to obtain authority to enter into an Agreement of Purchase and Sale with the Applicant, as the valuation in this instance is in excess of \$500,000.00.

The Lane has an existing storm sewer that runs the entire length of the lane. Development Engineering has no objections to the Applicant decommissioning the storm sewer at the Applicant's expense. This requirement is a pre-condition to the City posting the required public notice.

The Lane also has an existing Bell Canada pole line which maintains services along the abutting lane, and a Rogers Cable Communications Inc. cable plant facility located at 299 Adelaide Street West. All costs to abandon the pole line and the cable plant facility must be paid by the Applicant prior to the City posting the public notice.

Closing Process:

The closing process requires two separate approvals from City Council. The first approval initiates the process to close the Lane and authorizes the terms and conditions of the sale of the Lane. The second City Council approval authorizes the closing by-law. In addition, 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+”) will be incorporated into the public notice advising the public of the by-law to close the Lane.

CONTACT

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ATTACHMENT

Sketch No. PS-2010-024, dated February 23, 2010

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