



STAFF REPORT ACTION REQUIRED

Permanent Closure of a Portion of the Public Lane at the Rear of 271 Davisville Avenue, abutting the South Limit of 443 Mount Pleasant Road

Date:	January 22, 2014
To:	Toronto and East York Community Council
From:	Director, Transportation Services, Toronto and East York District
Wards:	St. Paul's – Ward 22
Reference Number:	Ts2014006te.top.doc

SUMMARY

Transportation Services recommends that a portion of the public lane at the rear of 271 Davisville Avenue, abutting the south limit of 443 Mount Pleasant Road, be permanently closed. The portion of the lane to be closed will be replaced with a new public lane outlet to Balliol Street.

RECOMMENDATIONS

Transportation Services recommends that:

1. City Council authorize the permanent closure of the portion of the public lane designated as Part 1 on Reference Plan No. 66R-27101 and shown as Part 1 on Sketch No. PS-2012-083 (the "Existing Lane") upon conveyance to the City and dedication of a new public lane outlet to Balliol Street, designated as Parts 2, 3 and 4 on Reference Plan No. 66R-27101 and shown as Part 2 on Sketch No. PS-2012-083 (the "New Lane"), attached to the report (January 22, 2014) from the Director, Transportation Services, Toronto and East York District.
2. City Council enact a by-law substantially in the form of the draft by-law attached as Appendix "A" to the report (January 22, 2014) from the Director, Transportation Services, Toronto and East York District.

Financial Impact

The closing of the Existing Lane will not result in any costs to the City as the purchaser of the Existing Lane is responsible to pay all costs associated with the closing of the Existing Lane.

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

DECISION HISTORY

In accordance with the City's Real Estate Disposal By-Law No. 814-2007, the Existing Lane was declared surplus on December 21, 2012 by DAF No. 2012-277, conditional upon City Council approving the permanent closure of the Existing Lane, with the intended manner of disposal to be by way of inviting an offer to purchase the Existing Lane from Greenwood College School ("Greenwood"), the owner of the abutting lands, that includes an exchange of land for the New Lane outlet to Balliol Street.

By DAF No. 2013-125, dated November 12, 2013, the Chief Corporate Officer authorized the General Manager, Transportation Services, to give notice to the public of a proposed by-law to close the Existing Lane in accordance with the requirements of the City of Toronto Municipal Code Chapter 162 and the Municipal Class Environmental Assessment for Schedule "A+" activities. Also, by DAF No. 2013-125, the Director of Real Estate Services authorized a land exchange transaction with Greenwood that includes the sale of the Existing Lane to Greenwood, conditional upon City Council approving the permanent closure of the Existing Lane, and the construction and conveyance of the New Lane to the City.

ISSUE BACKGROUND

Transportation Services staff received a request from Greenwood, the owner of 271-273 Davisville Avenue, 421-433 Mount Pleasant Road and 358-368 Balliol Street to investigate the feasibility of closing the Existing Lane for incorporation into the redevelopment of the school site. As part of the redevelopment of the school site, Greenwood has agreed to construct the New Lane outlet to Balliol Street to City standards and convey it to the City. As noted above, the requirement to construct the New Lane has been secured in the Land Exchange Agreement.

COMMENTS

Transportation Services has reviewed the feasibility of closing the Existing Lane and has determined that the Existing Lane can be permanently closed upon conveyance to the City and dedication of the New Lane once it has been constructed by Greenwood.

The Existing Lane contains Bell Canada infrastructure and underground plant of Rogers Cable that will require relocation at Greenwood's expense.

In addition, a 450 mm storm sewer located within the Existing Lane must also be relocated at Greenwood's expense.

CLOSING PROCESS

The closing process now requires only one approval from City Council. The draft by-law is an Appendix to this report and is tabled at the same Toronto and East York Community Council meeting at which the public has the opportunity to speak to the matter if they wish to do so.

The requirement for the Municipal Class Environmental Assessment for Schedule "A+" activities will be met during the posting of the public notice 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.

CONTACT

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SIGNATURE

Jacqueline White, P. Eng.
Director, Transportation Services
Toronto and East York District

ATTACHMENTS

Sketch No. PS-2012-083
Appendix "A" – Draft By-law

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Appendix "A"

Draft By-law

Authority: Toronto and East York Community Council, Item _____, as adopted by
City of Toronto Council on March 20, 2014

CITY OF TORONTO

Bill No.

BY-LAW No. -2014

To permanently close a portion of the public lane at the rear of 271 Davisville Avenue, abutting the south limit of 443 Mount Pleasant Road

Whereas it is recommended that a portion of the public lane at the rear of 271 Davisville Avenue, abutting the south limit of 443 Mount Pleasant Road be permanently closed as a public lane; and

Whereas notice of the proposed by-law to permanently close part of the said lane was posted on the notices page of the City's web site in accordance with the requirements of City of Toronto Municipal Code, Chapter 162 and the Toronto and East York Community Council heard any person who wished to speak to the matter at its meeting held on February 25, 2014;

The Council of the City of Toronto enacts:

1. A portion of the public lane at the rear of 271 Davisville Avenue, abutting the south limit of 443 Mount Pleasant Road, described as follows, is hereby permanently closed as a public lane:

Part of PIN 21125-0306 (LT)
Part of PCL 50 SEC EAST TOWNSHIP OF YORK;
Part of LANE PL M130 TORONTO; TORONTO, CITY OF TORONTO
designated as PART 1 on Plan 66R-27101

2. Section 1 of this By-law does not come into effect until the lands described as follows have been conveyed to the City of Toronto and dedicated by by-law for public lane purposes:

Part of PIN 21125-0215 (LT)
Part of Lot 68 on Plan M130, City of Toronto, designated as Part 2 on Plan
66R-27101

Permanent Closure of a portion of public lane at 271 Davisville Avenue

Part of PIN 21125-0216 (LT)
Part of Lot 69 on Plan M130, City of Toronto, designated as Part 3 on Plan
66R-27101

Part of PIN 21125-0217 (LT)
Part of Lot 70 on Plan M130, City of Toronto, designated as Part 4 on Plan
66R-27101

Enacted and passed on March ____, 2014.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)