

## **Permanent Closure of the Untraveled Portion of Progress Avenue Abutting the North Limit of 940 Progress Avenue**

**Date:** January 16, 2020

**To:** Scarborough Community Council

**From:** Director, Transportation Planning and Capital Program, Transportation Services

**Wards:** Ward 24 - Scarborough Guildwood

### **SUMMARY**

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Transportation Services recommends that an untraveled portion of the Progress Avenue, abutting the north limit of 940 Progress Avenue, be permanently closed.

The portion of the public highway to be closed will be incorporated into the abutting property which will be a future expansion of the Centennial College - Progress Campus, Scarborough.

### **RECOMMENDATIONS**

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The Director, Transportation Planning and Capital Program, Transportation Services, recommends that:

1. City Council authorize the permanent closure of the untraveled portion of Progress Avenue, abutting the north limit of 940 Progress Avenue, shown as Part 1 on Attachment 2 - Sketch No. PS-2018-093 and Part 2 on Attachment 3 - R-Plan 64R-1352 (the "Highway"), attached to the report dated January 16, 2020, from the Director, Transportation Planning and Capital Program, Transportation Services.
2. City Council enact a by-law substantially in the form of the draft by-law attached as Attachment 1 - Appendix "A" - Draft By-law to the report dated January 16, 2020, from the Director, Transportation Planning and Capital Program, Transportation Services.

## **FINANCIAL IMPACT**

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

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

## **DECISION HISTORY**

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On September 11, 2018, Steven Iczkovitz, Special Projects Consultant of Centennial College requested Transportation Services to sell the Highway to the Applicant. The Applicant submitted the Official Plan Amendment and Rezoning application to City Planning on May 15, 2019 under reference number 19 154849 ESC 24 OZ. Transportation Services concluded on January 10, 2019 that it is feasible to permanently close and sell the Highway.

In accordance with the City's Real Estate Disposal By-law No. 814-2007 (City of Toronto Municipal Code Chapter 213), the Highway was declared surplus on October 28, 2019 by DAF No. 2019-310, conditional upon City Council approving the permanent closure of the Highway. The intended manner of disposal is by inviting an offer to purchase the Highway from the abutting owner of 940 Progress Avenue, the Centennial College (the "Applicant").

By DAF No. 2020-013, dated January 10, 2020, the Deputy City Manager, Corporate Services (DCM, CS) authorized the General Manager, Transportation Services, 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 and the Municipal Class Environmental Assessment for Schedule "A+" activities.

Also by DAF No. 2020-013, the DCM, CS, authorized the sale of the Highway to the Applicant, conditional upon City Council authorizing the permanent closure of the Highway.

## **COMMENTS**

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Transportation Services has reviewed the feasibility of closing the Highway and has determined that the Highway can be closed and sold to the Applicant.

Toronto Water has an existing catch basin located within the Highway. Toronto Water advised the catch basin can remain in place and will become private, therefore, there is no need for an easement. Removal or relocation of the catch basin will be the sole responsibility of the Applicant.

The portion of the public highway falls within the Ministry of Transportation (MTO) permit jurisdiction and any future development would require MTO permits and will be the sole responsibility of the Applicant.

The closing process requires approval from the City Council. The draft by-law is an Appendix to this report that recommends the closure of the Highway which will be tabled at the same Scarborough Community Council meeting where the public will have the opportunity to speak to the matter if they wish to do so.

The requirements for the Municipal Class Environmental Assessment for Schedule "A+" activities will be met during the posting of the public notice on the notices page of the City's website for at least five (5) working days prior to the Scarborough Community Council meeting at which the proposed by-law to close the Highway will be considered.

## **CONTACT**

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Transportation Services  
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## **SIGNATURE**

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Ashley Curtis, Director  
Transportation Planning and Capital Program  
Transportation Services

## **ATTACHMENTS**

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Attachment 1 – Appendix "A" – Draft By-law  
Attachment 2 – Sketch No. PS-2018-093, dated October 3, 2018  
Attachment 3 – R-Plan 64R-1352, dated January 18, 1971

Attachment 1 – Appendix "A" – Draft By-law

Authority: Scarborough Community Council Item SC\_\_\_, as adopted by City of Toronto Council on February 5, 2020.

**CITY OF TORONTO**

**Bill**

**BY-LAW -2020**

**To permanently close part of the public highway abutting the north limit of 940 Progress Avenue.**

Whereas it is recommended that part of the public highway abutting the north limit of 940 Progress Avenue be permanently closed as a public highway; and

Whereas notice of the proposed by-law to permanently close part of the said highway 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 Scarborough Community Council heard any person who wished to speak to the matter at its meeting held on February 5, 2020;

The Council of the City of Toronto enacts:

1. Part of the public highway abutting the north limit of 940 Progress Avenue, described as follows, is hereby permanently closed as a public highway:

Part of PIN 06181-0553  
Part of Lot 18 Concession 2, Scarborough  
Designated as Part 2 on Plan 64R-1352  
Land Titles Division of the Toronto Registry Office (No. 66)

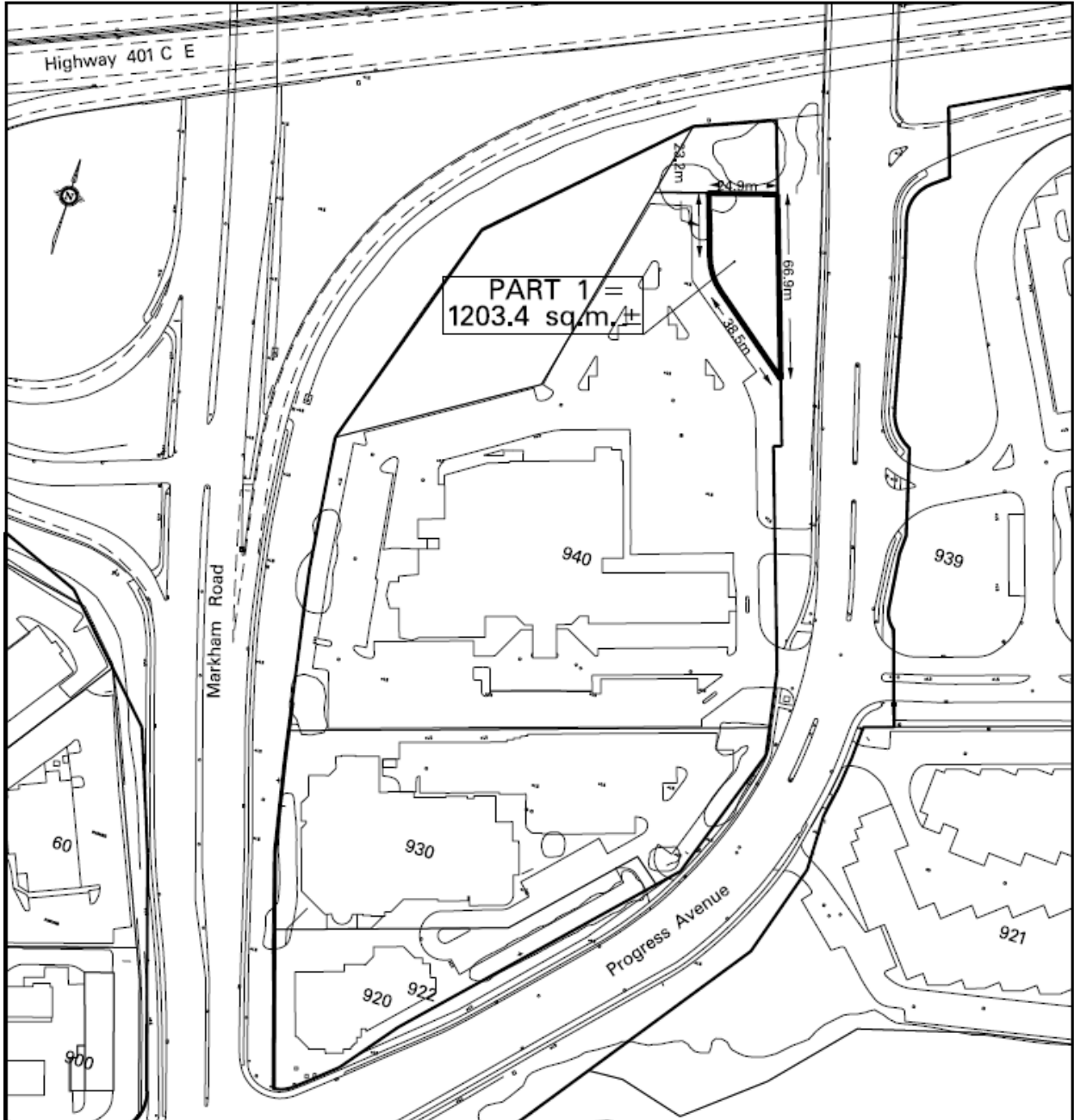
2. Section 1 of this By-law does not take effect until the moment in time immediately prior to the registration in the appropriate land registry office of a Transfer, by the City of Toronto as transferor, of the lands described in Section 1 of this By-law.


Enacted and passed on \_\_\_\_\_, 2020.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)



 <p>ENGINEERING &amp; CONSTRUCTION SERVICES ENGINEERING SUPPORT SERVICES LAND &amp; PROPERTY SURVEYS</p>	<p>PROPERTY INFORMATION SHEET</p> <p>CITY OWNED LAND</p> <p>SKETCH SHOWING A PORTION OF PROGRESS AVENUE ABUTTING NO. 940 PROGRESS AVENUE</p>	
	<p>NOTE: THIS SKETCH HAS BEEN COMPILED FROM OFFICE RECORDS. MEASUREMENTS ARE APPROXIMATE</p>	<p>WARD 24 – SCARBOROUGH-GUILDWOOD DATE: OCTOBER 03, 2018</p>
<p>CHECK BY JOHN HOUSE PREPARED BY: DWAYNE PITT</p>		

Attachment 3 – R-Plan 64R-1352

