



## STAFF REPORT ACTION REQUIRED

### Proposed Permanent Closure of the Public Lane extending northerly from Elm Street known as Barnaby Place

<b>Date:</b>	April 27, 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 27
<b>Reference Number:</b>	Ts09093te.top.doc

#### **SUMMARY**

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Transportation Services recommends that the public lane extending northerly from Elm Street known as Barnaby Place be permanently closed.

#### **RECOMMENDATIONS**

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

1. Permanently close the public lane shown as Part 1 on the attached Sketch No. PS-2008-133 (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 the Lane to the abutting owner, The Hospital for Sick Children (“SickKids”);
2. 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 draft by-law; and
3. 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 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 Lane will be considered.

### **Financial Impact**

The subject closing will not result in any costs to the City as SickKids will be responsible to pay all costs associated with the closing of the Lane as part of the sale transaction. Financial compensation will be realized from the sale of the Lane.

### **ISSUE BACKGROUND**

SickKids has submitted an application for the development of its lands (including the Lane). Transportation Services received a request from SickKids to investigate the feasibility of the permanent closure of the Lane, which bisects the site, in order to provide a complete development block for SickKids proposed development.

### **COMMENTS**

Transportation Services has reviewed the feasibility of closing the Lane and has determined that the Lane can be permanently closed and sold, subject to an easement being reserved for Enwave Energy Corporation.

The City's real estate disposal process, as set out in Chapter 213 of the City of Toronto Municipal Code, stipulates that the Lane be declared surplus and notice of the proposed sale be given prior to closing the Lane. As of the writing of this report, Real Estate staff have advised that this process will be completed on May 12, 2009.

The Chief Corporate Officer will submit a separate report to Government Management Committee to obtain authority to enter into an Agreement of Purchase and Sale with SickKids, as the value of the Lane is over \$500,000.00.

### **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 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.

**CONTACT**

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**ATTACHMENTS**

Sketch No. PS-2008-133 dated October 23, 2008

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