Closing a Portion of the South Side of Gunns Road, west of Weston Road

**Date:** January 24, 2011

**To:** Etobicoke York Community Council

**From:** Acting Director, Transportation Services Division

**Wards:** Ward 11 - York South-Weston

**Reference Number:** p:\2011\Cluster B\TRA\EtobicokeYork\eycc110020-tp

**SUMMARY**

The purpose of this report is to request City Council’s approval to permanently stop up and close a section of the untraveled portion of Gunns Road, just west of Weston Road. This portion of public highway is surplus to municipal requirements.

The owner of the adjoining property (Riotrin Properties (Weston) Inc.) at 30 Weston Road proposes to acquire the property to consolidate with their current holdings, presently under development as the site of a 51,497m² regional shopping centre.

Notice advising the public of the City’s intention to close these sections of road was published according to the requirements of Chapter 162 of the Toronto Municipal Code and the Municipal Class Environmental Assessment.

This matter is scheduled as a deputation item.

**RECOMMENDATIONS**

Transportation Services recommends that:

1. City Council permanently close that part of the public highway known as Gunns Road, shown as Part 1 on Sketch No. PS-2010-047, and enact a by-law substantially in the form of the draft by-law attached as Appendix “A” subject to City Council authorizing the sale of this property to the owner(s) of the land at 30 Weston Road.
2. Following closure of the highway, the person acquiring the highway shall grant easements to the Toronto-Hydro Electric Commission for any existing utility plant located in the highway, or with the consent of the Toronto-Hydro Electric Commission, relocate, adjust or abandon the utility plant at the sole cost of the person acquiring the highway, with such costs to be determined by the Toronto-Hydro Electric Commission.

3. City Council authorize and direct the appropriate City Officials to take the necessary action to give effect thereto, including the introduction in Council of any bills necessary to give effect thereto.

Financial Impact
There is no financial impact associated with closing these sections of public highway, as the purchaser is required to pay all costs associated with closing this section of Gunns Road.

DECISION HISTORY
Real Estate Services advises that:

(1) in accordance with the City's Real Estate Disposal By-law No. 814-2007, the section of Gunns Road shown as Part One on the attached sketch, Attachment 1, was declared surplus on July 15, 2010, with the intended manner of disposal to be a sale to the owner of the abutting property at 30 Weston Road; and,

(2) the Chief Corporate Officer authorized the General Manager of Transportation Services to give notice to the public of a proposed by-law to close this section of Gunns Road, according to the requirements of City of Toronto Municipal Code Chapter 162 and the Municipal Class Environmental Assessment for Schedule A+ projects (DAF No. 2010-159).

ISSUE BACKGROUND
The owner of the property at 30 Weston Road, Riotrin Properties (Weston) Inc., approached the Transportation Services Division asking if a portion of the south side of the Gunns Road right-of-way, west of Weston Road, is surplus to municipal requirements. They propose to add this surplus road allowance to their existing holdings.

COMMENTS
Transportation Services staff reviewed the applicant’s request and has determined that a section of the south side of the Gunns Road right-of-way, shown as Part 1 on the attached sketch, Attachment 1, is surplus to municipal transportation requirements and can be sold to the adjoining owner without impact on existing or future traffic operations.

Attachments 2 and 3 show photographs of the subject site and the surrounding area.
The municipality will retain sufficient property along this section of Gunns Road to maintain a minimum five metre wide boulevard, more than sufficient to accommodate future pedestrian and streetscaping requirements. The Toronto Hydro-Electric Commission advises that they require either removing/relocating a set of guy wires supporting an existing utility pole, or that the purchaser protect access by means of an easement in favour of Toronto Hydro.

Any proposal to add this former right-of-way to the adjoining lands requires rezoning Part 1, and the owner(s) of the property at 30 Gunns Road have an application with City Planning to amend their site specific bylaw to include this section of Gunns Road.

Public notice of this proposal to permanently close this section of Gunns Road, and inviting deputations on the matter, was posted on the City of Toronto’s website according to the requirements of Chapter 162 of the Toronto Municipal Code and the Municipal Class Environmental Assessment for Schedule A+ projects.

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SIGNATURE

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Steven T. Kodama, P.Eng.
Acting Director, Transportation Services-Etobicoke York District

ATTACHMENTS

Appendix "A"          Draft By-law
Attachment 1:        PS-2010-047
Attachments 2 & 3:    Area Photographs