



STAFF REPORT ACTION REQUIRED

Proposed Permanent Closure of a Small Portion of the Bloor Street West Right-of-Way, East of and Adjacent to Old Mill Drive

Date:	November 22, 2011
To:	City Council
From:	Acting Director, Transportation Services - Etobicoke York District
Wards:	Ward 13, Parkdale-High Park
Reference Number:	

SUMMARY

The purpose of this report is to request City Council's approval to permanently close a small portion of the north side of Bloor Street West, immediately east of and adjacent to Old Mill Drive. This portion of public highway is surplus to municipal requirements.

Notice advising the public of the City's intention to close this portion of Old Mill Drive was previously given in accordance with the requirements of Chapter 162 of City of Toronto Municipal Code and the Municipal Class Environmental Assessment (the "Notice Requirement") in connection with the closure of the adjacent portion of Old Mill Drive in September of this year (EY9.23).

RECOMMENDATIONS

Transportation Services recommends that City Council:

1. Permanently close that part of the public highway known as Bloor Street West, legally described as Part 3 on Plan 66R-25740 (the "Highway") as shown on the Reference Plan attached as Attachment 1, once the Highway ownership has been technically corrected in the Land Registry Office, and enact a by-law substantially in the form of the draft by-law attached as Appendix "A", conditional on the City entering into an agreement with Residences at Old Mill Inc., the owner of 1 Old Mill Drive (the "Owner") wherein the Owner agrees to purchase the Highway on terms satisfactory to the City.
2. Authorize the City Solicitor to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and

other dates, and amending and waiving terms and conditions, on such terms as she considers reasonable.

3. Direct Transportation Services staff that no further notice to the public pursuant to the Notice Requirements in respect of the proposed closure is required.

FINANCIAL IMPACT

The closing of the Highway will not result in any costs to the City, as the purchaser will be financially responsible for all costs associated with closing the Highway.

DECISION HISTORY

On September 21, 2011, City Council permanently closed that part of the public highway known as Old Mill Drive, shown as Part 2 on Plan 66R-25740, attached to this report as Attachment 1. The small portion of Bloor Street West immediately adjacent to that Part 2, identified on the plan as Part 3, was originally intended to be closed at the same time, but an application to the Land Registry Office was required in order to amend the ownership information on title to reflect the fact that this land was downloaded to the former Municipality of Metropolitan Toronto from the Province of Ontario by Order in Council 3711 in 1953.

In accordance with the City's Real Estate Disposal By-law No. 814-2007, the Highway will be declared surplus (DAF-2011-375) as recommended by Property Management Committee at its meeting of November 22, 2011, conditional upon the Highway being permanently closed.

ISSUE BACKGROUND

The Owner has submitted a formal request to acquire this portion of public road allowance to add to its current holdings and accommodate the proposed construction of a twelve storey apartment condominium building.

In conjunction with this development, the Owner also proposes to realign the southerly 35 metres of Old Mill Drive from its current 60 degree skew angle to provide a perpendicular intersection approach with Bloor Street West. This will shift the intersection centre line approximately 20 metres to the west. The proposed road improvement is intended to improve sight distance and safety for drivers on Old Mill Drive at this intersection approach with Bloor Street West.

COMMENTS

Transportation Services staff reviewed the Owner's request and has determined that the Highway is surplus to municipal requirements and can be sold to the Owner without impact on existing or future traffic operations.

Details of the Highway are as follows:

Description:	Shown as Part 3 on Plan 66R-25740
Approximate Siz/Areaae:	Irregular shape 17.82 m ² (191.82 ft ²)
Current Status:	public highway

The recommendations specified in this report are conditional upon the City and the Owner entering into an agreement, which may include an exchange of lands, wherein the Owner agrees to acquire this section of public highway on terms satisfactory to the City.

Public notice of this proposal to permanently close this section of Bloor Street West, 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 in conjunction with City Council's September 21-22, 2011, approval of the closure this section of the Old Mill Drive road allowance.

This report has been prepared in consultation with Legal Services.

CONTACT

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AFS

SIGNATURES

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

ATTACHMENTS

Appendix "A"	Draft By-law
Attachment 1	Plan 66R-25740

APPENDIX "A"

Authority: MMXX.XX. as adopted by City of Toronto Council on November 29 & 30, 2011

Enacted by Council:

CITY OF TORONTO

Bill No.

BY-LAW No. -2011

To permanently close a portion of the public highway on the north side of Bloor Street West, east of and adjacent to Old Mill Drive

WHEREAS it is recommended that the public highway on the north side of Bloor Street West, east of and adjacent to Old Mill Drive, be permanently closed as a public highway; and

WHEREAS notice of the proposed by-law to permanently close 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 Etobicoke York Community Council heard any person who wished to speak to the matter at its meeting held on September 12, 2011, and Council has determined that no further notice is required.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The public highway on the north side of Bloor Street West, east of and adjacent to Old Mill Drive, legally described as follows, is hereby permanently closed as a public highway:

Part of PIN 10524-0028 (LT), being part of Parcel 3933, Section West Township of York, Part of Bloor Street West Plan M443, designated as Part 3 on Plan 66R-25740 City of Toronto and Province of Ontario Land Titles Division of the Toronto Registry Office (No. 66)

ENACTED AND PASSED this ____ day of November, A.D. 2011.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

