Proposed Permanent Closure of Public Lane west of No. 10 Elmwood Avenue

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<th>Date:</th>
<th>January 27, 2011</th>
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<td>To:</td>
<td>North York Community Council</td>
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<tr>
<td>From:</td>
<td>Director, Transportation Services Division, North York District</td>
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<td>Wards:</td>
<td>Ward 23 – Willowdale</td>
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<td>Reference Number:</td>
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**SUMMARY**

Transportation Services Division recommends that the public lane immediately west of No. 10 Elmwood Avenue be permanently closed.

**RECOMMENDATIONS**

Transportation Services Division, North York District, recommends that City Council:

1. Permanently close the public lane shown as Part 1 on the attached Sketch No. PS-2005-029 (the “Lane”).

2. Enact a by-law substantially in the form of the draft by-law shown as Attachment 2.

**Financial Impact**

There are no financial implications to Transportation Services Division from the adoption of this report.
DECISION HISTORY

In accordance with City of Toronto Municipal Code Chapter 213, by DAF No. 2011-045, the easement interests that will need to be granted to protect the existing utilities if the Lane is closed were declared surplus.

By DAF No. 2011-049, the General Manager, Transportation Services was authorized by the Chief Corporate Officer to give notice to the public of a proposed by-law to close the Lane in accordance with the requirements of City of Toronto Municipal Code Chapter 162 and the Municipal Class Environmental Assessment for Schedule A+ activities and authority was given to grant the necessary utility easements, conditional upon the Lane being permanently closed.

ISSUE BACKGROUND

Transportation Services recommends that the Lane be permanently closed as the existing Lane does not serve any public uses or provide physical access to adjoining properties. If the Lane were to serve a public use or be used to provide physical access to adjoining properties, extensive improvements and maintenance work would need to be completed, including but not limited to: removal of existing wood and chain-linked fence, relocation of existing hydro pole, construction of a new curb cut on Elmwood Avenue, removal of existing sod and plantings, removal of existing tree and paving of the Lane. Further, winter maintenance would be onerous as the Lane would be dead-ended and there would be no turn-around area available for the trucks.

COMMENTS

Transportation Services has reviewed the feasibility of closing the Lane and has determined that the Lane can be permanently closed. Transportation Services has conducted a full circulation to all utility companies and determined that existing utilities are located within the Lane. Toronto Water has an existing 150 mm sanitary sewer but as the Lane will be retained by the City, an easement is not required. Toronto Hydro has a ductbank located centrally within the Lane and will require an easement. Rogers Communication Inc. has aerial cable plant facilities above the Lane and will also require an easement.

Closing Process

The closing process requires approval from City Council and the enactment of a 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 North York Community Council during consideration of the draft by-law.
The requirement of 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 North York Community Council meeting at which the proposed by-law to close the Lane will be considered.

CONTACT

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SIGNATURE

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Myles Currie, B.A.
Director

ATTACHMENTS

Attachment 1  Sketch No. PS-2005-029
Attachment 2:  Draft By-law