



**STAFF REPORT
ACTION REQUIRED**

**Proposed Permanent Closure of Part of the Public Lane
Between Poyntz Avenue and Bogert Avenue, West of
Yonge Street**

Date:	May 4, 2011
To:	North York Community Council
From:	Director, Transportation Services, North York District
Wards:	Ward 23 – Willowdale
Reference Number:	<i>ny11084</i>

SUMMARY

Transportation Services recommends that a portion of the public lane between Poyntz Avenue and Bogert Avenue west of Yonge Street be permanently closed.

RECOMMENDATIONS

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

1. Permanently close the portion of the public lane shown as Part 1 on Sketch No. PS-2009-003 in Attachment 1 and legally described as Parts 3 and 6 on Plan 66R-25523 (the "Laneway").
2. Enact a by-law substantially in the form of the draft by-law attached as Attachment 2.

Financial Impact

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

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

DECISION HISTORY

In accordance with the City's Real Estate Disposal By-law No. 814-2007, the Laneway was declared surplus on June 28, 2010 (DAF No. 2010-102).

On September 24, 2010 (DAF No. 2010-221), the sale of a stratified portion of the Laneway to Emerald Park Inc. was approved, conditional upon the Laneway being permanently closed.

On May 2, 2011 (DAF No. 2011-086), the General Manager, Transportation Services, was authorized to give notice to the public of a proposed by-law to close the Laneway in accordance with the requirements of City of Toronto Municipal Code Chapter 162 and the Municipal Class Environmental Assessment for Schedule A+ activities.

ISSUE BACKGROUND

Transportation Services received a request from Emerald Park Inc. to investigate the feasibility of closing the Laneway in order to include part of the closed Laneway in a development proposal for a mixed use condominium building.

COMMENTS

Transportation Services has reviewed the feasibility of closing the Laneway and has determined that the Laneway can be permanently closed. There are no municipal services or public utilities within the Laneway.

The requirements of the Municipal Class Environmental Assessment for Schedule "A+" activities and the notice provisions of Chapter 162 of the City of Toronto Municipal Code have been complied with.

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.

CONTACT

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SIGNATURE

Myles Currie
Director

ATTACHMENTS

Attachment 1: Sketch No. PS-2009-003
Attachment 2: Draft By-law