



**STAFF REPORT
ACTION REQUIRED**

Permanent Closure of Part of the Public Lane at the Rear of 21 Brockton Avenue and 22 to 28 Marshall Avenue

Date:	April 22, 2013
To:	Toronto and East York Community Council
From:	Acting Director, Transportation Services, Toronto and East York District
Wards:	Davenport – Ward 18
Reference Number:	Ts2013093te.top

SUMMARY

Transportation Services recommends that part of the public lane at the rear of 21 Brockton Avenue and 22 to 28 Marshall Avenue be permanently closed.

RECOMMENDATIONS

Transportation Services recommends that:

1. City Council permanently close part of the public lane at the rear of 21 Brockton Avenue and 22 to 28 Marshall Avenue, designated as Parts 1 and 3 on Reference Plan 66R-26704 and shown as Part 1 on Sketch No. PS-2012-041 (the "Lane"), attached to the report, dated April 22, 2013, from the Acting Director, Transportation Services, Toronto and East York District.
2. City Council enact a by-law substantially in the form of the draft by-law attached as Appendix "A" to the report, dated April 22, 2013, from the Acting Director, Transportation Services, Toronto and East York District.

Financial Impact

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

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 Lane was declared surplus on May 17, 2012 by DAF No. 2012-103, conditional upon the Lane being permanently closed, with the intended manner of disposal to be by inviting an offer to purchase the Lane from the owner of 21 Brockton Avenue.

By DAF No. 2012-263, dated October 29, 2012, the Chief Corporate Officer authorized the General Manager, Transportation Services, 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. By DAF No. 2012-263, dated October 29, 2012, as amended by DAF No. 2013-069, dated April 9, 2013, the Director of Real Estate Services authorized the sale of the Lane, conditional upon City Council approving the permanent closure of the Lane, and authorized an easement to be granted to Bell Canada over a one metre wide strip along the south limit of the Lane.

ISSUE BACKGROUND

Transportation Services staff received a request from the owner of 21 Brockton Avenue to investigate the feasibility of closing the Lane in order to eliminate garbage dumping at the rear of her property and for security reasons.

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 granted to Bell Canada for existing buried and aerial plant.

Closing Process

The closing process requires approval from City Council. The draft by-law is an Appendix to the report that recommends the closure of the Lane and is tabled at the same Toronto and East York Community Council meeting that the public has the opportunity to speak to the matter if they wish to do so.

The requirements of the Municipal Class Environmental Assessment for Schedule "A+" activities will be met during the posting of the public notice on the notices 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.

CONTACT

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SIGNATURE

Jacqueline White, P. Eng.
Acting Director, Transportation Services
Toronto and East York District

ATTACHMENTS

Sketch No. PS-2012-041, dated April 10, 2012
Appendix "A" – Draft By-law

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