



## STAFF REPORT ACTION REQUIRED

### Permanent Closure of a Below-Grade Portion of the Public Lane at the Rear of 925 to 935 Eglinton Avenue West

<b>Date:</b>	August 27, 2013
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Transportation Services, Toronto and East York District
<b>Wards:</b>	St. Paul's – Ward 21
<b>Reference Number:</b>	Ts2013155te.top

#### SUMMARY

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Transportation Services recommends that the below-grade portion of the public lane at the rear of 925 to 935 Eglinton Avenue West be permanently closed.

#### RECOMMENDATIONS

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**Transportation Services recommends that:**

1. City Council permanently close the below-grade portion of the public lane at the rear of 925 to 935 Eglinton Avenue West, designated as Part 12 on Reference Plan 66R-26862 and shown as Part 1 on Sketch No. PS-2012-054 (the "Lane"), attached to the report, dated August 27, 2013, from the 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 August 27, 2013, from the 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 March 9, 2013 by DAF No. 2013-054 (as amended by DAF No. 2013-174 dated August 21, 2013, to correct the legal description of the Lane), conditional upon the Lane being permanently closed, with the intended manner of disposal to be by inviting an offer to purchase the Lane from BSAR (Eglinton) Ltd. the owner of the abutting property at 925 Eglinton Avenue West.

By DAF No. 2013-094 dated July 16, 2013 (as correspondingly amended by DAF No. 2013-175 dated August 21, 2013), 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 the City of Toronto Municipal Code Chapter 162 and the Municipal Class Environmental Assessment for Schedule "A+" activities and authorized the sale of the Lane conditional upon City Council approving the permanent closure of the Lane.

## **ISSUE BACKGROUND**

Transportation Services staff received a request from BSAR (Eglinton) Ltd., the owner of 925 Eglinton Avenue West to investigate the feasibility of closing the Lane for incorporation into the development of a mixed-use development on the abutting lands. BSAR (Eglinton) Ltd. has entered into an agreement with the Toronto Parking Authority to purchase the City-owned lands at 935 Eglinton Avenue West and so will be the owner of the entire development site abutting the closed Lane.

## **COMMENTS**

Transportation Services has reviewed the feasibility of closing the Lane and has determined that the Lane can be permanently closed.

The Lane contains Bell Canada infrastructure and Rogers Cable underground plant that will require relocation at the applicant's expense.

## **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.  
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Toronto and East York District

**ATTACHMENTS**

Sketch No. PS-2912-054  
Appendix "A"- Draft By-law