Permanent Closure of two Public Lanes in the Block Bounded by Laird Drive, Vanderhoof Avenue, Vaughan Street and Wicksteed Avenue

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<th>Date:</th>
<th>July 22, 2014</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, North York District</td>
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<td>Wards:</td>
<td>Ward 26 – Don Valley West</td>
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<td>Reference Number:</td>
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**SUMMARY**

Transportation Services recommends that the two public lanes in the block bounded by Laird Drive, Vanderhoof Avenue, Vaughan Street and Wicksteed Avenue be permanently closed.

**RECOMMENDATIONS**

Transportation Services, North York District, recommends that:

1. City Council authorize the permanent closure of the two public lanes in the block bounded by Laird Drive, Vanderhoof Avenue, Vaughan Street and Wicksteed Avenue, shown as Parts 1 and 2 on Sketch No. PS-2012-079 (the "Lanes"), (Attachment 2); and

2. City Council enact a by-law substantially in the form of the draft by-law (Attachment 1), conditional upon the City entering into an agreement with Leaside Shopping Centres Limited, (the "Purchaser"), wherein the Applicant agrees to purchase the Lanes from the City on terms satisfactory to the City.

**Financial Impact**

The closing of the Lanes will not result in any costs to the City as the Purchaser of the Lanes is responsible for all costs associated with the closing of the Lanes.
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 Lanes were declared surplus on October 9, 2013 by DAF No.2013-160, conditional upon City Council approving the permanent closure of the Lanes with the intended manner of disposal to be by way of inviting an offer to purchase the Lanes from the owner of the abutting lands.

By DAF No. 2014-207, on July 21, 2014, the Chief Corporate Officer authorized the General Manager, Transportation Services, to give notice to the public of a proposed by-law to close the Lanes in accordance with the requirements of the City of Toronto Municipal Code Chapter 162 and the Municipal Class Environmental Assessment for Schedule "A+" activities.

**ISSUE BACKGROUND**

The Purchaser is to investigate the feasibility of closing the Lanes for incorporation into the Purchaser's future commercial development site in the block bounded by Laird Drive, Vanderhoof Avenue, Vaughan Street and Wicksteed Avenue.

The recommendations in this report are conditional upon the City and the Purchaser entering into an agreement wherein the Purchaser agrees to purchase the Lanes from the City on terms satisfactory to the City. The Purchaser has been working with City staff to negotiate an agreement to purchase the Lanes. It is anticipated that a binding purchase agreement will be entered into by the time that this report is before City Council.

**COMMENTS**

Transportation Services has reviewed the feasibility of closing the Lanes and has determined that the Lanes can be closed and sold.

The public lane shown as Part 1 on the attached Sketch No. PS-2012-079 contains a 7.0 metre conduit owned by Bell Canada. The Purchaser is aware of this conduit and has agreed to pay Bell Canada the relocation costs once the Purchaser takes title to the Lanes. In the meantime, an easement will be reserved to protect the services of Bell Canada.

Lane 1 also contains three Toronto Hydro street lighting poles. The Purchaser is aware of these poles and are in discussions with Toronto Hydro to relocate the poles once the Purchaser takes title to the Lanes. As with Bell Canada, in the meantime, an easement will be reserved to protect the services of Toronto Hydro.
Lastly, Lane 1 contains a City-owned storm sewer that will become private at the time of the closure of the Lanes. The Purchaser will be required to pay a security deposit to the City to disconnect the catch basin, remove and reconstruct the curb cut and restore the Laird Drive boulevard. The Purchaser will be refunded the security deposit once its contractor carries out the above-noted works as part of the overall development of the site.

**Closing Process**

The closing process requires approval from City Council. The draft by-law is an attachment to this report and is tabled at the same North York Community Council meeting at which the public has the opportunity to speak to the matter if they wish to do so.

The requirements for 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 Lanes will be considered.

**CONTACT**

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**SIGNATURE**

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Kyp Pericleous
Director

**ATTACHMENTS**

Attachment 1: Draft By-law
Attachment 2: Sketch No. PS-2012-079