Permanent Closure of the Public Lane Extending Westerly from Perth Avenue, at the rear of 1439 Bloor Street West

Date: April 10, 2014
To: Toronto and East York Community Council
From: Director, Transportation Services, Toronto and East York District
Wards: Davenport – Ward 18
Reference Number: Ts2014054te.top.doc

SUMMARY

Transportation Services recommends that the public lane extending westerly from Perth Avenue, at the rear of 1439 Bloor Street West, be permanently closed.

RECOMMENDATIONS

Transportation Services Recommends that:

1. City Council authorize the permanent closure of the public lane extending westerly from Perth Avenue, at the rear of 1439 Bloor Street West, designated as Part 2 on Reference Plan 66R-27335 and shown as Part 1 on Sketch No. PS-2011-001 (the "Lane"), attached to the report dated April 10, 2014, 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 April 10, 2014, 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.

Permanently close the public lane at the rear of 1439 Bloor Street West
DECISION HISTORY
In accordance with the City's Real Estate Disposal By-law No. 814-2007, the Lane was declared surplus on August 29, 2013 by DAF No. 2013-143, 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 the abutting lands at 1439 Bloor Street West, Neudorfer Development Corporation (the "Applicant").

By DAF No. 2013-268, dated November 12, 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 City of Toronto Municipal Code Chapter 162 and the Municipal Class Environmental Assessment for Schedule "A+" activities. Also by DAF No. 2013-268, the Director of Real Estate Services authorized the sale of the Lane to the Applicant, conditional upon City Council authorizing the permanent closure of the Lane.

ISSUE BACKGROUND
Transportation Services staff received a request from the Applicant to investigate the feasibility of closing the Lane in order to incorporate the Lane into the development site.

During excavation of the development site, the Lane was inadvertently removed as it was not obvious that the Lane, which was not paved, was a public lane. The City has secured a Letter of Credit from the Applicant to reinstate the Lane if the development does not get approved.

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

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 requirement 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 Toronto and East York Community Council meeting at which the proposed by-law to close the Existing Lane will be considered.

**CONTACT**
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**SIGNATURE**

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

**ATTACHMENTS**
Appendix "A" – Draft By-law

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