Permanent Closure of the Westerly Portion of the Public Lane Abutting 343 to 355 King Street West and 119 Blue Jays Way

Date: April 16, 2014
To: Toronto and East York Community Council
From: Director, Transportation Services, Toronto and East York District
Wards: Trinity – Spadina – Ward 20
Reference Number: Ts2014056te.top

SUMMARY

Transportation Services recommends that the westerly portion of the public lane abutting 343 to 355 King Street West and 119 Blue Jays Way, be permanently closed. The portion of the lane to be closed will be replaced with a new public lane outlet to Mercer Street.

RECOMMENDATIONS

Transportation Services recommends that:

1. City Council authorize the permanent closure of the portion of the public lane designated as Part 1 on Registered Plan 66R-26134 and shown as Part 1 on the attached Sketch No. PS-2010-054 (the "Existing Lane") upon conveyance to the City and dedication of a new public lane outlet to Mercer Street, designated as Part 1 on Registered Plan 66R-26135 and shown as Part 2 on the attached Sketch No. PS-2010-054 (the "New Lane"), attached to the report dated April 16, 2014 from the Director of Transportation Services; and

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 16, 2014, from the Director, Transportation Services, Toronto and East York District.

Permanent Closure of Portion of Public Lane at 355 King Street West
Financial Impact
The closing of the Existing Lane will not result in any costs to the City as the purchaser of the Existing Lane is responsible to pay all costs associated with the closing of the Existing 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 Existing Lane was declared surplus on May 31, 2011 by DAF No. 2011-085, conditional upon City Council approving the permanent closure of the Existing Lane, with the intended manner of disposal to be by way of inviting an offer to purchase the Existing Lane from the owner of the abutting lands (the "Applicant"), that includes an exchange of land for the New Lane outlet to Mercer Street.

By DAF No. 2011-384, dated November 28, 2011, the Chief Corporate Officer authorized the General Manager, Transportation Services, to give notice to the public of a proposed by-law to close the Existing 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.

By DAF No. 2011-366 dated November 8, 2011, the Chief Corporate Officer authorized a land exchange transaction with the Applicant that includes the sale of the Existing Lane to the Applicant, conditional upon City Council approving the permanent closure of the Existing Lane, and construction, conveyance and dedication of the New Lane to the City.

ISSUE BACKGROUND
Transportation Services staff received a request from the Applicant, the owner of 335 to 355 King Street West and 119 Blue Jays Way, to investigate the feasibility of closing the Existing Lane for incorporation into the development site. As part of the development of the site, the Applicant has agreed to construct the New Lane outlet to Mercer Street to City standards and convey it to the City.

COMMENTS
Transportation Services has reviewed the feasibility of closing the Existing Lane and has determined that the Existing Lane can be permanently closed upon conveyance to the City and dedication of the New Lane once it has been constructed by the Applicant.

The Existing Lane contains Bell Canada infrastructure and underground conduit that will require relocation at the Applicant's expense.

In addition, a City sewer located within the Existing Lane must also be relocated at the Applicant's expense.
**Closing Process**

The closing process requires one approval from City Council. The draft by-law is an Appendix to this report and is tabled at the same Toronto and East York Community Council meeting at which 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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