



STAFF REPORT ACTION REQUIRED

Permanent Closure of the Public Lane Extending Westerly from Jarvis Street, Between 186 and 188 Jarvis Street

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| Date: | July 23, 2014 |
| To: | Toronto and East York Community Council |
| From: | Director, Transportation Services, Toronto and East York District |
| Wards: | Ward 27 – Toronto Centre-Rosedale |
| Reference Number: | Ts2014144te.top.doc |

SUMMARY

Transportation Services recommends that the public lane extending westerly from Jarvis Street between 186 and 188 Jarvis Street be permanently closed.

RECOMMENDATIONS

Transportation Services recommends that:

1. City Council authorize the permanent closure of the public lane extending westerly from Jarvis Street between 186 and 188 Jarvis Street, designated as Part 1 on Plan 66R-27553 and shown as Part 1 on Sketch No. PS-2012-094 (the "Lane"), attached to the report dated July 23, 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 July 23, 2014, from the Director, Transportation Services, Toronto and East York District, conditional upon the City entering into an agreement with 1418297 Ontario Inc., (the "Applicant"), wherein the Applicant agrees to purchase the Lane from the City on terms satisfactory to the City and the Zoning By-law amendment (Application No. 12 245456 STE 27 OZ) pertaining to 186 and 188 Jarvis Street becoming final and binding and coming into full force and effect.

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 by DAF No. 2014-069, dated June 4, 2014, 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 Applicant.

By DAF No. 2014-206, dated 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 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.

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 in the development of the site.

Recommendations in this report are conditional on the City and the Applicant entering into an agreement wherein the Applicant agrees to purchase the Lane from the City on terms satisfactory to the City. It is anticipated that a binding purchase agreement will be entered into by the time this report is before City Council.

COMMENTS

Transportation Services has reviewed the feasibility of closing the Lane and determined that the Lane is graded so that overland flow, flows westerly into the catch basin west of Part 1. The Lane can be closed and sold as the Applicant must provide an alternate overland flow route that satisfies Transportation Services, Toronto Water and Engineering and Construction Services which will be secured under the Section 37 Agreement.

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 for the 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 Lane will be considered.

CONTACT

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SIGNATURE

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

ATTACHMENTS

Sketch No. PS-2012-094 dated September 24, 2012.
Appendix "A" – Draft By-law

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