



**STAFF REPORT  
ACTION REQUIRED**

**Permanent Closure of an Untraveled portion of Finch Avenue East abutting the south limit of 5928-5930 Finch Avenue East**

<b>Date:</b>	November 19, 2014
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Acting Director, Transportation Services, Scarborough District
<b>Wards:</b>	Ward 42 – Scarborough-Rouge River
<b>Reference Number:</b>	P:\2014\Cluster B\TRA\Scarborough\sc1510.docx 5928-5930 Finch Avenue East

**SUMMARY**

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Transportation Services recommends that the untraveled portion of Finch Avenue East, abutting the south limit of 5928-5930 Finch Avenue East be permanently closed.

**RECOMMENDATIONS**

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**Transportation Services recommends:**

1. City Council authorize the permanent closure of the untraveled portion of the public highway abutting the south limit of 5928-5930 Finch Avenue East, designated as Part 1 as shown on Sketch No. PS-2012-007 (the "Highway"), attached to the report dated November 19, 2014, from the Acting Director, Transportation Services, Scarborough District; 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 November 19, 2014, from the Acting Director, Transportation Services, Scarborough District.

## **Financial Impact**

The closing of the Highway will not result in any costs to the City as the purchasers of the Highway are responsible to pay all costs associated with the closing of the Highway.

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. 814-207, the Highway, being Part 1 on Sketch No. PS-2012-007 and the adjacent vacant lands owned by the City (the "Adjacent City Lands") being Part 2 on Sketch No. PS-2012-007, were declared surplus on April 19, 2012 by DAF No. 2012-052 with the intended manner of disposal to be by way of inviting an offer to purchase the Highway and the Adjacent City Lands from the owners of 5928-5930 Finch Avenue East.

Transportation Services staff further reviewed its requirements and the method of disposal was amended by DAF No. 2012-195 on August 23, 2012, conditional upon the Highway being permanently closed, with the intended manner of disposal to be by inviting an offer to purchase the Highway and the Adjacent City Lands from the owners of 5928-5930 Finch Avenue East (the "Purchasers"), in exchange for a permanent easement interest over a portion of the Purchaser's lands, being Part 3 on Sketch No. PS-2012-007.

By DAF No. 2014-148 dated September 19, 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 Highway in accordance with the requirements of the City of Toronto Municipal Code Chapter 162 and the Municipal Class Environmental Assessment for Schedule "A+" activities. In addition, by DAF No. 2014-148, the Chief Corporate Officer authorized the sale of the Highway and the Adjacent City Lands to the Purchasers, in exchange for a permanent easement interest over that portion of their lands

being Part 3 on Sketch No. 2012-007 and monetary consideration, conditional upon City Council authorizing the permanent closure of the Highway.

## **ISSUE BACKGROUND**

Transportation Services staff received a request from Tom T. VanLe, Architect, on behalf of the Purchasers (Thavaraja Rajarathnam and Puvirajah Rajaradnam) to investigate the feasibility of closing the Highway for incorporation into Phase II of the development of their lands.

## **COMMENTS**

Transportation Services has reviewed the feasibility of closing the Highway and has determined that the Highway can be closed and sold. The Highway was originally secured for the Finch Avenue East grade separation, but has since been determined to be unnecessary for public highway purposes.

## **Closing Process**

The closing process requires approval from City Council. The draft by-law is now Appendix to the report that recommends the closure of the Highway and is tabled at the same Scarborough Community Council meeting that 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 Scarborough Community Council meeting at which the proposed by-law to close the Highway will be considered.

**CONTACT**

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**SIGNATURE**

Trevor Tenn, Acting Director, Transportation Services  
Scarborough District

**ATTACHMENTS**

1. Sketch No. PS-2012-007, dated January 27, 2012
2. Appendix "A" – Draft By-Law