



**STAFF REPORT
ACTION REQUIRED**

Permanent Closure of a Stratified Portion of the Public Lane at the Rear of 1000 Bay Street

Date:	November 18, 2014
To:	Toronto and East York Community Council
From:	Director, Transportation Services, Toronto and East York District
Wards:	Toronto-Centre Rosedale – Ward 27
Reference Number:	Ts2014160te.top.doc

SUMMARY

Transportation Services recommends that a stratified portion of the public lane at the rear of 1000 Bay Street be permanently closed.

RECOMMENDATIONS

Transportation Services recommends:

1. City Council permanently close the stratified portion of the public lane at the rear of 1000 Bay Street, designated as Parts 13 and 15 on the draft Reference Plan prepared by R. Avis Surveying Inc. and also shown as Parts 1 and 2 on Sketch No. PS-2014-123 (the "Lane"), which are attached to the report dated November 18, 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 November 18, 2014, from the Director, Transportation Services, Toronto and East York District, following the deposit on title of the draft Reference Plan referred to in Recommendation 1 and the insertion of the Reference Plan number in the blank provided in the draft by-law.

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. 814-207, the portion of the Lane shown as Part 1 on Sketch No. PS-2014-123 (the "Part 1 Airspace") was declared surplus on September 9, 2014, by DAF No. 2014-227, conditional upon the Part 1 Airspace being permanently closed, with the intended manner of disposal to be by inviting an offer to purchase the Part 1 Airspace from 1000 Bay Street Limited (the "Applicant").

By DAF No. 2014-240, dated November 17, 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. Also by DAF No. 2014-240, the Chief Corporate Officer authorized the sale of the Part 1 Airspace to the Applicant, conditional upon City Council authorizing the permanent closure of the Lane. The portion of the Lane shown as Part 2 on Sketch No. PS-2014-123 will remain under City ownership.

ISSUE BACKGROUND

Transportation Services staff received a request from Aird & Berlis LLP, Barristers and Solicitors on behalf of the Applicant to investigate the feasibility of closing the Part 1 Airspace in order to legalize small portions of the westward facing balconies which overhang the northern terminus of the public lane.

COMMENTS

Transportation Services has reviewed the feasibility of closing the Lane and has determined that the Lane can be closed and the Part 1 Airspace can be sold.

No municipal services or public utilities are affected by the closure of the Lane.

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 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 Lane will be considered.

CONTACT

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SIGNATURE

Kyp Perikleous, Director, Transportation Services
Toronto and East York District

ATTACHMENTS

Appendix "A" – Draft By-law
Appendix "B" - Draft Reference Plan prepared by R. Avis Surveying Inc.
Appendix "C" - Sketch No. PS-2014-123, dated November 10, 2014

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