

Permanent Closure of below-grade portions of the public lane abutting the west limit of 1 Yorkville Avenue

Date: May 25, 2017
To: Toronto and East York Community Council
From: Acting Director, Transportation Services, Toronto and East York District
Wards: Ward 27 – Toronto Centre-Rosedale

SUMMARY

Transportation Services recommends that the below-grade portions of the public lane abutting the west limit of 1 Yorkville Avenue be permanently closed.

RECOMMENDATIONS

Transportation Services recommends that:

1. City Council authorize the permanent closure of the below-grade portions of the public lane abutting the west limit of 1 Yorkville Avenue, shown as Parts 1 and 2 on Sketch No. PS-2015-070 (the "Lane"), attached to the report dated May 25, 2017, from the Acting 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 May 25, 2017, from the Acting Director, Transportation Services, Toronto and East York District, after a new reference plan describing the Lane, satisfactory to the City's Land and Property Surveys, is deposited with the Land Registry Office, and the Plan number is inserted in Section 1 of the 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. 814-2007 (City of Toronto Municipal Code Chapter 213), the Lane was declared surplus on March 9, 2016 by DAF No. 2016-039, subject to the reservation of a support easement, conditional upon City Council approving the permanent closure of the Lane, with the intended manner of disposal to be by inviting an offer to purchase the Lane from the owner of 1 Yorkville Avenue (the "Applicant").

By DAF No. 2017-133, dated May 15, 2017, 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. 2017-133, the Chief Corporate Officer authorized the sale of the Lane to the Applicant, conditional upon City Council authorizing the permanent closure of the Lane.

COMMENTS

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

No municipal services or public utilities are located within the Lane, however, an active 300 mm diameter combined sewer is located within the public laneway lands. It appears that the 300 mm diameter combined sewer is outside of Parts 1 and 2 on Sketch No. PS-2015-070, however, when the site is redeveloped, any expansion of the underground garage must maintain the required 750 mm horizontal separation and 300 mm vertical separation from the 300 mm diameter combined sewer. In addition, any future construction would be subject to review and approval of Engineering and Construction Services to ensure that the combined sewer is not impacted.

The requirement for the Municipal Class Environmental Assessment for Schedule "A+" activities will be met during the posting of the public notice on the notices 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 closing by-law to close the Lane will be considered.

CONTACT

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SIGNATURE

Dave Twaddle, Acting Director
Transportation Services
Toronto and East York District

ATTACHMENTS

Attachment 1 - Appendix "A" – Draft By-law
Attachment 2 - Sketch No. PS-2015-070, dated June 16, 2015

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Attachment 1 – Draft By-law Appendix "A"

APPENDIX "A"

Authority: Toronto and East York Community Council Item TE ____, as adopted by City of Toronto Council on

CITY OF TORONTO

Bill No.

BY-LAW No. -2017

To permanently close parts of the below grade portion of public lane abutting the west limit of 1 Yorkville Avenue

Whereas it is recommended that part of the below grade portions of public lane abutting the west limit of 1 Yorkville Avenue be permanently closed as a public lane; and

Whereas notice of the proposed by-law to permanently close part of the said public lane was posted on the notices page of the City's web site in accordance with the requirements of City of Toronto Municipal Code, Chapter 162 and the Toronto and East York Community Council heard any person who wished to speak to the matter at its meeting held on June 13, 2017;

The Council of the City of Toronto enacts:

1. Part of the below grade portions of public lane abutting the west limit of 1 Yorkville Avenue, described as follows, is hereby permanently closed as a public lane:

Part of PIN 21197-0172 (LT)

Part of Lot 21, Concession 2, FTB designated as PART 42 on Plan 66R-29251

Save and Except PART 2 on Plan 66R- _____; and

Part of Lot 5 on Plan 355 Yorkville designated as PART 44 on Plan 66R-29251

City of Toronto

Land Titles Division of the Toronto Registry Office (No. 66)

2. Section 1 of this By-law does not take effect until the moment in time immediately prior to the registration in the appropriate land registry office of a Transfer, by the City of Toronto as transferor, of the lands described in Section 1 of this By-law.

Enacted and passed on _____, 2017.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

