

Permanent Closure of the Public Lane known as Rodega Lane, abutting the South Limit of 65 King Street East and East of Leader Lane

Date: May 14, 2018
To: Toronto and East York Community Council
From: Acting Director, Transportation Services, Toronto and East York District
Wards: Ward 28 – Toronto Centre-Rosedale

SUMMARY

Transportation Services recommends that the public lane known as Rodega Lane, abutting the south limit of 65 King Street East and east of Leader Lane be permanently closed.

Rodega Lane will be incorporated into the development of an 18 storey office building at 65, 71-75, 79-81 83-85 King Street West and 43 Colborne Street and will allow the developer to create a through-block connection that will function as a private lane.

RECOMMENDATIONS

The Acting Director, Transportation Services, Toronto and East York District, recommends that:

1. City Council authorize the permanent closure of the public lane known as Rodega Lane, abutting the south limit of 65 King Street East and east of Leader Lane, shown as Part 1 on Sketch No. PS-2017-071 (the "Lane"), attached to the report dated May 14, 2018, 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 14, 2018, from the Acting Director, Transportation Services, Toronto and East York District.

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, and has provided a release and indemnity in respect of the City's efforts to permanently close the Lane.

The Acting 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 December 4, 2017 by DAF No. 2017-296, conditional upon City Council approving the permanent closure of the Lane. The intended manner of disposal is by inviting an offer to purchase the Lane from the owner at 65, 71-75, 79-81, 83-85 King Street East and 46 Colborne Street (the "Applicant").

By DAF No. 2018-144, dated May 8, 2018, the Deputy City Manager, Internal Corporate Services, 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. 2018-144, the Deputy City Manager, Internal Corporate Services 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 subject to confirmation from Bell Canada and Rogers Cable that satisfactory arrangements have been made with respect to the relocation of existing services in the Lane. The cost associated with any relocation work shall be responsibility of the Applicant and not the City.

The building located at 17 Leader Lane/40 Colborne Street, known as Tom Jones Steakhouse, encroaches into the Lane. The City and the previous owner of the property entered into an encroachment agreement, registered as ES14919. The sale of the Lane will be "subject to" this encroachment.

The building located at 17 Leader Lane/40 Colborne Street, has an entrance at a right-angle to Rodega Lane and Leader Lane, and an entrance onto Colborne Street.

Pursuant to the agreement of purchase and sale for the Lane, the Applicant is to use commercially reasonable efforts to obtain a release from the owners of the 17 Leader Lane/40 Colborne Street property, regarding the closure of the Lane. To date, no release has been provided, however, the Applicant has provided a release and indemnity to protect the City in the event of a claim arising from the closure of the Lane.

The closing process requires approval from City Council. The draft by-law is an Appendix to this report that recommends the closure of the Lane 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 requirements of 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 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-2017-071, dated July 5, 2017

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ATTACHMENT 1 – APPENDIX "A"

Authority: Toronto and East York Community Council Item XX, as adopted by City of Toronto Council on XX, 2018

CITY OF TORONTO
Bill No. **BY-LAW No. -2018**

To permanently close the public highway known as Rodega Lane in the City of Toronto

Whereas it is recommended that the public lane known as Rodega Lane, legally described as Part of Right of Way on Plan D-151 Toronto, City of Toronto, being all of PIN 21401-0098(R), designated as Part 3 on 66R-27839, be permanently closed as a public highway; and

Whereas notice of the proposed by-law to permanently close the said highway 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 6, 2018;

The Council of the City of Toronto enacts:

1. The lane known as Rodega Lane, legally described below, is hereby permanently closed as a public highway:

all of PIN 21401-0098(R)

Part of Right of Way on Plan D-151 Toronto, City of Toronto, designated as Part 3 on 66R-27839.

Enacted and passed on _____, 2018.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

