

Permanent Closure of the existing portion of Perth Avenue extending easterly to Sterling Road and the proposed creation of a new extension of Perth Avenue, extending easterly from the south end of Perth Avenue

Date: March 15, 2019
To: Toronto and East York Community Council
From: Director, Transportation Planning and Capital Program,
Transportation Services
Wards: Ward 9, Davenport

SUMMARY

Transportation Services recommends that the existing portion of Perth Avenue extending easterly to Sterling Road be permanently closed and the proposed creation of a new extension of Perth Avenue, extending easterly from the south end of Perth Avenue.

The Adjoining Owner, Castlepoint Greybrook Sterling Inc. has requested to close and purchase the Highway. A realignment of the Highway is contemplated in development permissions previously granted to the Adjoining Owner through By-law No. 942-2015 (OMB) and By-law No. 943-2015 (OMB), as amended. The Highway is proposed to be incorporated into a future park block to be conveyed to the City, pursuant to the development permissions. In addition, to implement the development and pursuant to the subdivision requirements, the Adjoining Owner will create a new extension and realignment of Perth Avenue to the south, to lands identified as Part 2 on the attached Sketch No. PS-2018-013. The new extension and realignment of Perth Avenue will be constructed to City standards and conveyed to the City by the owners of the abutting land, at no cost to the City.

RECOMMENDATIONS

Transportation Services recommends that:

1. City Council authorize the permanent closure of the existing portion of Perth Avenue extending easterly to Sterling Road, designated as Part 1 on Reference Plan 66R-30540 and also shown as Part 1 on Sketch No. PS-2018-013 (the "Highway"), upon construction, conveyance and dedication of a new public highway, shown as Part 2 on Sketch No. PS-2018-013 (the "New Public Highway"), attached to the report dated March 15, 2019, from the Director, Transportation Planning and Capital Program, Transportation Services; 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 March 15, 2019, from the Director, Transportation Planning and Capital Program, Transportation Services.

FINANCIAL IMPACT

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

The 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 Highway was declared surplus on December 18, 2018 by DAF No. 2018-334, conditional upon City Council approving the permanent closure of the Highway. The intended manner of disposal is by way of a sale of the Highway to the Adjoining Owner, Castlepoint Greybrook Sterling Inc. (the "Purchaser").

By DAF No. 2019-053, on March 14, 2019 the Deputy City Manager, Corporate Services, 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. 2019-053, the Deputy City Manager, Corporate Services, authorized the sale of the Highway to the Applicant, conditional upon City Council authorizing the permanent closure of the Highway and the construction and conveyance of the New Public Highway.

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ISSUE BACKGROUND

The recommendations in this report are conditional upon the City and the Purchaser entering into an agreement wherein the Purchaser agrees to purchase the Highway from the City on terms satisfactory to the City. The Purchaser has been working with City staff to negotiate an agreement to purchase the Highway. 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 Highway and has determined that the Highway can be closed and sold to the Purchaser subject to the reservation of permanent easements, if applicable. Further, the Purchaser will be required at their expense, to relocate any municipal services and public utilities to the realigned Perth Avenue.

The closing process requires approval from City Council. The draft by-law is an Appendix to this report that recommends the closure of the Highway 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 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 website for at least five (5) working days prior to the Toronto and East York Community Council meeting at which the proposed by-law to close the Highway will be considered.

CONTACT

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SIGNATURE

Ashley Curtis, Director
Transportation Planning and Capital Program
Transportation Services

ATTACHMENTS

1. Appendix "A" – Draft By-law
2. Sketch No. PS-2018-013, dated February 5, 2018
3. Plan 66R–30540, dated February 1, 2019

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Appendix "A"

Authority: Toronto and East York Community Council Item ____, as adopted by City of Toronto Council on _____, 2019.

CITY OF TORONTO

Bill

BY-LAW -2019

To permanently close part of the public highway known as Perth Avenue.

Whereas it is recommended that part of the public highway known as Perth Avenue extending easterly to Sterling Road be permanently closed as a public highway; and

Whereas notice of the proposed by-law to permanently close part of 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 _____, 2019;

The Council of the City of Toronto enacts:

1. Part of the public highway known as Perth Avenue extending easterly to Sterling Road, and legally described as follows, is hereby permanently closed as a public highway:

Part of PIN 21331 - 0126 (LT)

Part of Lots 21, 22, 24, 25 and 26, Plan M-44, and designated as Part 1 on Plan 66R-30540

2. Section 1 of this By-law does not come into effect until such time a new east-west public highway extending easterly from the south end of Perth Avenue to Sterling Road, is dedicated as a public highway.

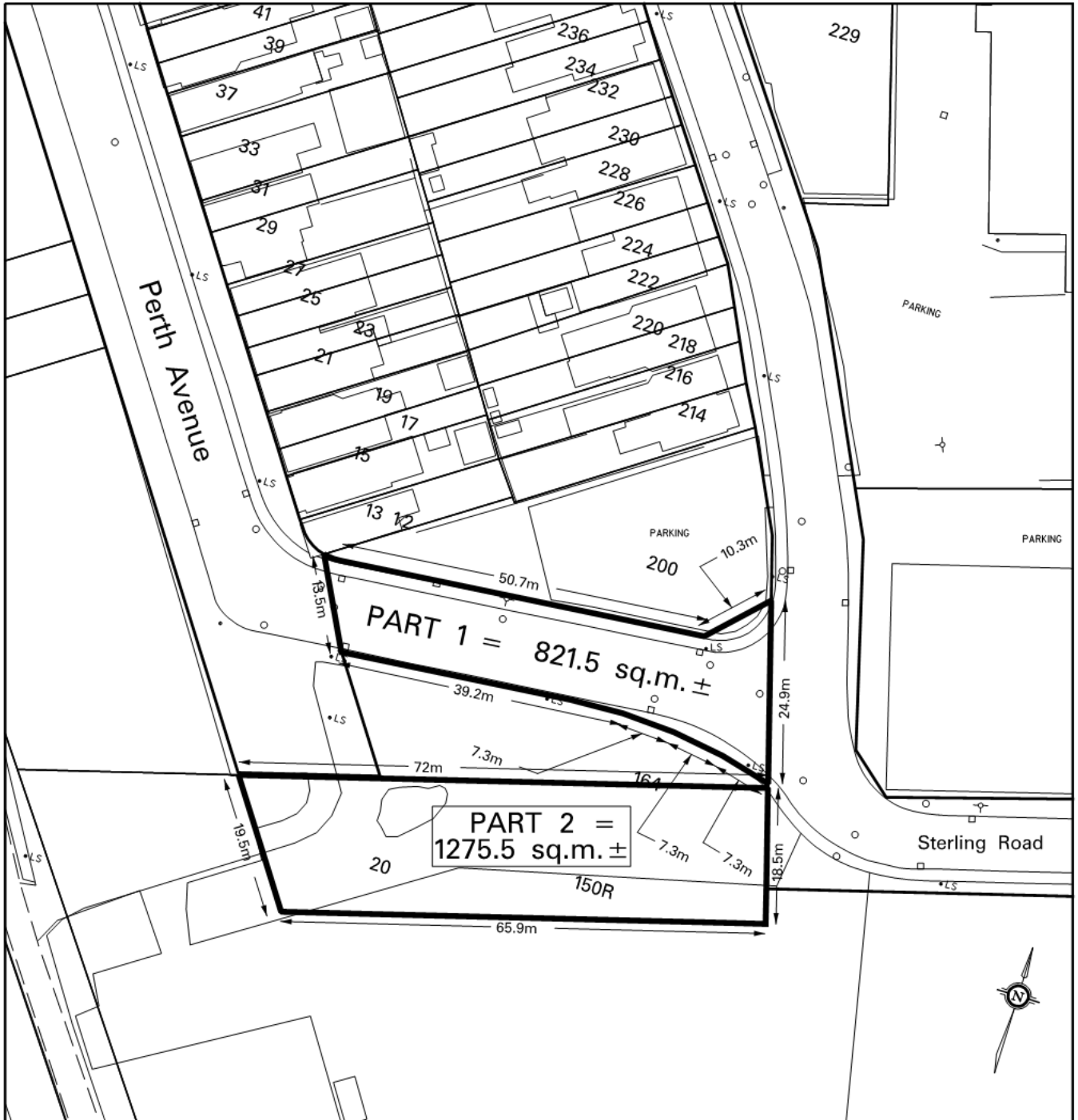
Enacted and passed on

, 2019.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



NOTE:
THIS SKETCH HAS BEEN
COMPILED FROM OFFICE
RECORDS. MEASUREMENTS
ARE APPROXIMATE

CHECK BY JOHN HOUSE
PREPARED BY: DWAYNE PITT

PROPERTY INFORMATION SHEET
CITY OWNED LAND
SKETCH SHOWING A PORTION OF
PERTH AVENUE (PART 1) AND PROPOSED
ALIGNMENT OF PERTH AVENUE (PART 2)

WARD 18 – DAVENPORT
DATE: FEBRUARY 05, 2018

SKETCH No. PS-2018-013

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