

## **Permanent Closure of Stratified Portion of Walton Street as Public Highway**

**Date:** June 6, 2019  
**To:** Toronto and East York Community Council  
**From:** Director, Transportation Planning and Capital Program,  
Transportation Services  
**Wards:** Ward 11, University - Rosedale

### **SUMMARY**

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Transportation Services recommends that a stratified portion of the airspace above Walton Street be permanently closed.

Once closed the stratified portion will be incorporated into the redevelopment of the Chelsea Hotel at 33 Gerrard Street West.

### **RECOMMENDATIONS**

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Transportation Services recommends that:

1. City Council authorize the permanent closure of a stratified portion of Walton Street as public highway designated as Part 1 on the draft Reference Plan prepared by Speight, van Nostrand & Gibson Limited, Job No. 190-0017, attached to the report dated June 6, 2019, from the Director, Transportation Planning and Capital Program, Transportation Services.
2. City Council enact a by-law substantially in the form of the draft by-law attached as Appendix "A" to the report dated June 6, 2019, from the Director, Transportation Planning and Capital Program, Transportation Services, subject to the insertion of the appropriate plan and plan numbers once a Reference Plan has been deposited, conditional upon the City entering into an agreement with the adjacent property owner, wherein the Applicant agrees to purchase the stratified airspace on terms satisfactory to the City.

## **FINANCIAL IMPACT**

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The closing of a stratified portion of the airspace above Walton Street as public highway will not result in any costs to the City, as the purchaser is responsible to pay all costs associated with the closure.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

## **DECISION HISTORY**

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City Council at its meeting of May 22, 23, and 24, 2018 adopted Item CC41.10, accepting a settlement offer from Great Eagle Hotels (Limited) (the "Applicant") regarding an application before the Local Planning Appeal Tribunal to redevelop the hotel property adjacent to Walton Street. Council authorized the Director, Real Estate Services in consultation with the General Manager, Transportation Services, to enter into negotiations with the Applicant for a potential conveyance, at fair market value, of a stratified fee simple interest above a portion of Walton Street. The developer plans to cantilever part of its new building at the 6th storey into that airspace.

In accordance with the City's Real Estate Disposal By-law No. 814-2007 (City of Toronto Municipal Code Chapter 213), the airspace is to be declared surplus, conditional upon City Council approving the permanent closure of the Lane. The intended manner of disposal is by inviting an offer to purchase from the Applicant. A price has been negotiated, and an offer to purchase may be invited once the declared surplus process is complete, conditional on the closure of the stratified parcel as a public highway.

Notice a proposed by-law to permanently close a stratified portion of Walton Street as public highway has been given, in accordance with the requirements of the City of Toronto Municipal Code, Chapter 162, with Toronto and East York Community Council to hear any member of the public who wishes to speak to the matter.

## **COMMENTS**

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Transportation Services has reviewed the feasibility and confirmed that the airspace can be closed as a public highway and sold to the Applicant. There are no municipal services in the airspace.

The closing process requires approval from City Council. The draft by-law is an Appendix to this report 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 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 stratified portion of Walton Street will be considered.

## **CONTACT**

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## **SIGNATURE**

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Ashley Curtis, Director  
Transportation Planning and Capital Program  
Transportation Services

## **ATTACHMENTS**

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1. Appendix "A" – Draft By-law
2. Draft Reference Plan

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Attachment 1

Authority: Toronto and East York Community Council Item \_\_\_\_, as adopted by City of Toronto Council on July 16, 17, 2019.

CITY OF TORONTO

Bill

BY-LAW -2019

To permanently close a stratified portion of the public highway known as Walton Street

Whereas it is recommended that a stratified portion of the public highway known as Walton Street, legally described as part of Walton Street Plan D4 Toronto, Lying between Bay Street and Part 6, 63R-2878, City of Toronto, designated as Part 1 on Plan 66R-\_\_\_\_\_, 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 June 25, 2019,

The Council of the City of Toronto enacts:

1. A stratified portion of the public highway known as part Walton Street and described as follows, is hereby permanently closed as a public highway:

Part of PIN 21103-0100 (LT), being part of Walton Street Plan D4 Toronto, Lying between Bay Street and Part 6, 63R-2878, City of Toronto, designated as Part 1 on Plan 66R-\_\_\_\_\_.

Enacted and passed on \_\_\_\_\_, 2019

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)

