

Permanent Closure of the Public Lane Located to the West of 96 Spadina Avenue and to the East of 379 Adelaide Street West

Date: November 3, 2021
To: Toronto and East York Community Council
From: Director, Transportation Planning and Capital Program
Transportation Services
Wards: Ward 10, Spadina-Fort York

SUMMARY

As this report proposes permanently closing a portion of a public highway, City Council approval of this report is required.

Transportation Services recommends that the public lane located to the west of 96 Spadina Avenue and to the east of 379 Adelaide Street West, labelled as Part 1 in Plan 66R-32043 in Appendix "A", be permanently closed. Once closed, the lane will be sold to the adjacent property owner, 379 Adelaide Street West Inc.

RECOMMENDATIONS

The Director, Transportation Planning and Capital Program, Transportation Services recommends that:

1. City Council authorize the permanent closure of the public lane to the west of 96 Spadina Avenue and to the east of 379 Adelaide Street West (the "Lane"), as shown as Part 1 on PLAN 66R-32043, attached as Appendix "A" to the report dated November 3, 2021, 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 "B" to the report dated November 3, 2021, from the Director, Transportation Planning and Capital Program, Transportation Services.

FINANCIAL IMPACT

The permanent closure of the Lane will not result in any costs to the City as the Applicant is responsible for 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

In accordance with the City's Real Estate Disposal By-law, Number 814-2007 (Municipal Code Chapter 213), the Lane was declared surplus by way of Delegated Approval Form (DAF) No. 2020-134, as authorized by the Deputy City Manager, Corporate Services on September 29, 2020 conditional upon City Council approving the permanent Closure of the Lane. The intended manner of disposal is by way of a sale of the Lane to 379 Adelaide Street West Inc. (the "Purchaser").

By DAF No. 2021-142, the Executive Director, Corporate Real Estate Management ("ED, CREM") on June 18, 2021, 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, with the Toronto and East York Community Council to hear any member of the public who wishes to speak to the matter during consideration of the proposed by-law. The General Manager, Transportation Services, is further authorized to advise the public of the proposed closure of the Lane prior to implementation, in accordance with the requirements of the Municipal Class Environmental Assessment for Schedule A+ activities, by posting notice of the proposed closure on the notices 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 Lane will be considered. By DAF No. 2021-142, the ED, CREM also authorized the sale of the Lane to the Purchaser, conditional upon City Council approving 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 Purchaser so that the Lane can be incorporated into the redevelopment of the adjoining site.

At its meeting of October 29, 2019, City Council approved TE9.9 "96 Spadina Avenue and 379, 383, 385 and 391 Adelaide Street West - Zoning By-Law Amendment

Application - Final Report" setting up the redevelopment of the surrounding lands to construct a 16-storey office building.

Any municipal or public utilities located within the Lane will be subject to the reservation of permanent easements, if applicable, or relocation by the Purchaser at no cost to the City.

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 which will be tabled at the same Toronto and East York Community Council meeting where the public will have 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 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 Lane will be considered.

CONTACT

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SIGNATURE

for



Ashley Curtis, Director
Transportation Planning and Capital Program
Transportation Services

ATTACHMENTS

Attachment 1 – Appendix "A" – PLAN 66R-32043
Attachment 2 – Appendix "B" – Draft By-law

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Authority: Toronto and East York Community Council Item ____, as adopted by City of Toronto Council on _____, 2021.

CITY OF TORONTO

Bill

BY-LAW -2021

To permanently close the public highway located west of 96 Spadina Avenue and east of 379 Adelaide Street West.

Whereas it is recommended that the public highway located west of 96 Spadina Avenue and east of 379 Adelaide Street West 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 November 24, 2021;

The Council of the City of Toronto enacts:

1. The public highway located west of 96 Spadina Avenue and east of 379 Adelaide Street West, and described as follows, is hereby permanently closed as a public highway:

All of PIN 21239-0325 (LT)

PART OF LOTS 1 AND 2, SECTION E, MILITARY RESERVE PLAN AS IN WF7391;

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 _____, 2021.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)