

Permanent Closure of a Portion of Borough Drive, between Triton Road and Progress Avenue

Date: June 15, 2022
To: Scarborough Community Council
From: Director, Transportation Planning and Capital Program
Transportation Services
Wards: Ward 21, Scarborough Centre

SUMMARY

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

Transportation Services recommends that a portion of Borough Drive (the "Highway"), designated as Part 13 on the draft Reference Plan (the "Draft Plan") and shown in Attachment 1, be permanently closed.

Once closed, it is intended that Part 13 on the Draft Plan be sold as part of an exchange agreement with the owner of the adjacent lands (the "Adjacent Land Owner"), on terms and conditions acceptable to the City. The proposed land exchange would facilitate the realignment of Borough Drive to implement the street network in accordance with the Scarborough Centre Secondary Plan.

A precondition of the permanent closure of the Highway would be the dedication as a public highway of the realigned Borough Drive.

RECOMMENDATIONS

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

1. City Council authorize the permanent closure of a portion of Borough Drive, shown as Part 13, on the Draft Plan set out as Attachment 1 to the report dated June 15, 2022, from the Director, Transportation Planning and Capital Program, Transportation Services; and

2. City Council enact the by-law substantially in the form of the draft by-law attached as Attachment 2 to the report dated June 15, 2022, from the Director, Transportation Planning and Capital Program, Transportation Services, following the deposit of the Draft Plan in the Land Titles Division of the Toronto Registry Office (No. 66) and the insertion of the Plan Number in the draft by-laws.

FINANCIAL IMPACT

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

DECISION HISTORY

At its meeting of January 8, 2020, Scarborough Community Council adopted the preliminary report dealing with the Official Plan Amendment and Zoning Amendment Applications for the property at 25 Borough Drive [Agenda Item History - 2020.SC12.7 \(toronto.ca\)](#). As part of the proposed development the developer will implement the realignment of Borough Drive, facilitated by the exchange agreement.

In accordance with the City's Real Estate Disposal By-law, Number 814-2007 (Municipal Code Chapter 213), the public highway was declared surplus by way of Delegated Approval Form ("DAF") No.2022-134, as authorized by the Deputy City Manager, Corporate Services on June 15, 2022, conditional upon City Council approving the permanent closure of the Highway. The intended manner of disposal is by way of an invitation to enter into a land exchange with the Adjacent Owner.

By DAF No. 2022-139 the Director, Transaction Services on June 14, 2022, 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, with Scarborough 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 Highway 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 Scarborough Community Council meeting at which the proposed by-law to close the Highway will be considered.

COMMENTS

Transportation Services has reviewed the feasibility of closing the Highway and has determined that the Highway can be closed and sold as part of an exchange agreement with the Adjacent Land Owner, on terms and conditions acceptable to the City. The

proposed land exchange would facilitate the realignment of Borough Drive to implement the street network in accordance with the Scarborough Centre Secondary Plan, through the redevelopment of lands know as 25 Borough Drive. The closing will be subject to the reservation of permanent easements, if applicable. The Purchaser will be required at their expense, to relocate any municipal services and public utilities to the realigned Borough Drive.

The closing process requires approval from City Council. The draft by-law is attached to this report and recommends that the closure of the Highway which will be tabled at the same Scarborough 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 Scarborough Community Council meeting at which the proposed by-law to close the Highway will be considered.

CONTACT

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Transportation Services, 416-392-7713, Lukasz.Pawlowski@toronto.ca

SIGNATURE

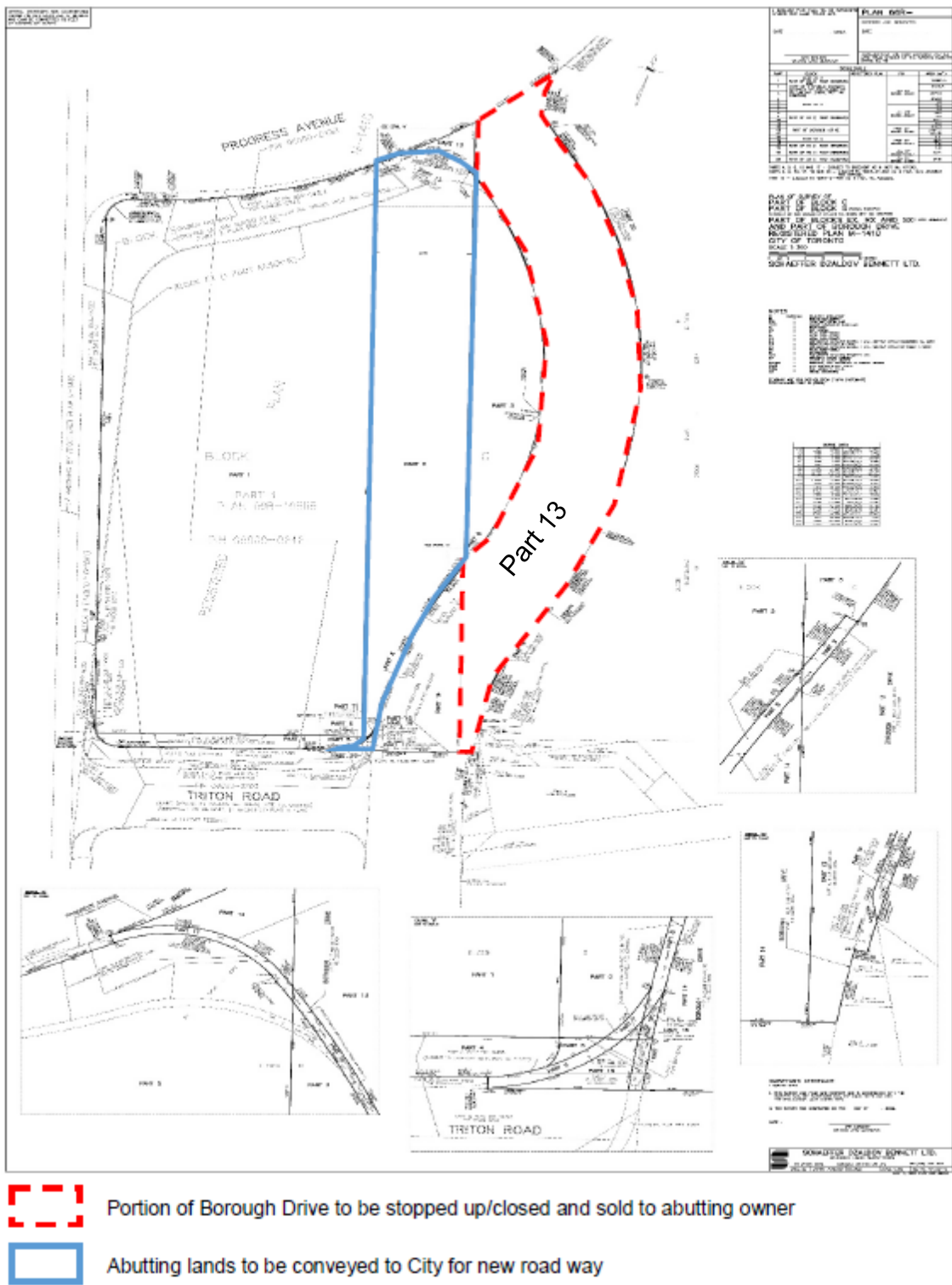
for

Ashley Curtis, Director, Transportation Planning and Capital Program, Transportation
Services

ATTACHMENTS

Attachment 1 – Draft Plan
Attachment 2 – Draft By-law Part 13

Attachment 1 - Draft Plan



Attachment 2 – Draft By-law – Part 13

Authority: Scarborough Community Council Item SC____, as adopted by City of Toronto Council on _____, 2022.

CITY OF TORONTO

Bill

BY-LAW -2020

To permanently close the portion of the public highway known as Borough Drive, Toronto, between Triton Road and Progress Avenue

Whereas it is recommended that part of the public highway known as Borough Drive, Toronto 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 Scarborough Community Council heard any person who wished to speak to the matter at its meeting held on _____;

The Council of the City of Toronto enacts:

1. Part of the public highway known as Borough Drive, Toronto, and described as follows, is hereby permanently closed as a public highway:

Part of PIN 06000-0208(LT)

Part of Parcel Streets-1 and Parcel 1 Foot Reserve-1, Section M1410. Borough Drive, Described as Borough Drive, Plan 66-M1410; Part of Block PX (1 Foot Reserve), Plan 66-M1410 being Part 1 on Reference Plan 66R-9462; Part of Blocks RX and QX (1 Foot Reserve), Plan 66M-1410 being Parts 1 and 2 on Reference Plan 66R-7220; Part of Block KX (1 Foot Reserve), Plan 66M-1410 being Part 1 on Reference Plan 66R-7221, subject to a Right of Way over Blocks KX, PX, QX, RX as in Instrument Nos. A322822 & A322040. Scarborough, City of Toronto; designated as Part ____ on Plan 66R-_____, Toronto, City of Toronto

2. Section 1 of this By-law does not come into effect until such time as 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 land described in Section 1 of this By-law

Enacted and passed on _____, 2022.

Frances Nunziata,
Speaker
(Seal of the City)

John D. Elvidge,
City Clerk