

Permanent Closure of a portion of Adele Avenue

Date: June 9, 2022

To: Etobicoke York Community Council

From: Director, Transportation Planning and Capital Program Transportation Services

Wards: Ward 7, Humber River-Black Creek

SUMMARY

As this report recommends the permanent closure of a portion of a public highway, City Council approval of this report is required.

Transportation Services recommends that a portion of the unassumed public highway known as Adele Avenue, shown as Part 1 on the Plan attached as Attachment 1, be permanently closed.

Once closed, it is intended that Part 1 on the Plan will be sold to the adjacent property owner, Ringley Construction Ltd., for incorporation into a proposed residential plan of subdivision.

RECOMMENDATIONS

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

1. City Council authorize the permanent closure of a portion of Adele Avenue, shown as Part 1 on Plan 66R-32002 attached as Attachment 1 (the "Highway") to the report dated June 9, 2022, 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 Attachment 2 to the report dated June 9, 2022, from the Director, Transportation Planning and Capital Program, Transportation Services.

FINANCIAL IMPACT

The permanent closure of the portion of the Highway will not result in any costs to the City as the purchaser will be responsible for all costs associated with the closure.

DECISION HISTORY

In 2016, the Ontario Municipal Board issued an Order approving a Draft Plan of Subdivision for lands within the southern portion of the Oakdale Village Subdivision, subject to the satisfaction of certain conditions, including the requirement that the owner purchase the City-owned lands necessary to achieve the lot pattern and road alignment in the draft Plan of Subdivision.

In 2017, City Council approved the rezoning of the lands in the draft Plan of Subdivision, conditional upon the owner purchasing the City-owned lands necessary to achieve the lot pattern and road alignment in the draft Plan of Subdivision.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.EY23.4>

In 2020, the Local Planning Appeal Tribunal issued an Order approving a revised version of the Draft Plan of Subdivision for the lands within the southern portion of the Oakdale Village Subdivision, subject to the satisfaction of certain conditions, including the requirement that the owner purchase the City-owned lands necessary to achieve the revised lot pattern and road alignment in the revised draft Plan of Subdivision.

In accordance with the City's Real Estate Disposal by-law, Number 814-2007 (Municipal Code Chapter 213), the Highway was declared surplus on August 23, 2017 by way of Delegated Approval Form ("DAF") No. 2017-126, conditional upon City Council approving the permanent closure of the Highway, with the intended manner of disposal to be by inviting an offer to purchase from the adjacent owner, Ringley Construction Ltd.

By DAF 2022-070, on June 9, 2022, the Director, Transaction Services authorized the sale of the Highway to Ringley Construction Ltd., conditional upon City Council approving the permanent closure of the Highway. The Director, Transaction Services also 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 Etobicoke 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 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 Etobicoke York 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 it can be closed and sold to the adjacent owner, subject to the relocation of any municipal services and public utilities located within the Highway at no cost to the City of Toronto (or subject to retention or grant of any public utility easements).

The closing process requires approval from City Council. The draft by-law is an Attachment to this report and will be tabled at the same Etobicoke 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 Etobicoke York Community Council meeting at which the proposed by-law to close the Highway will be considered.

CONTACT

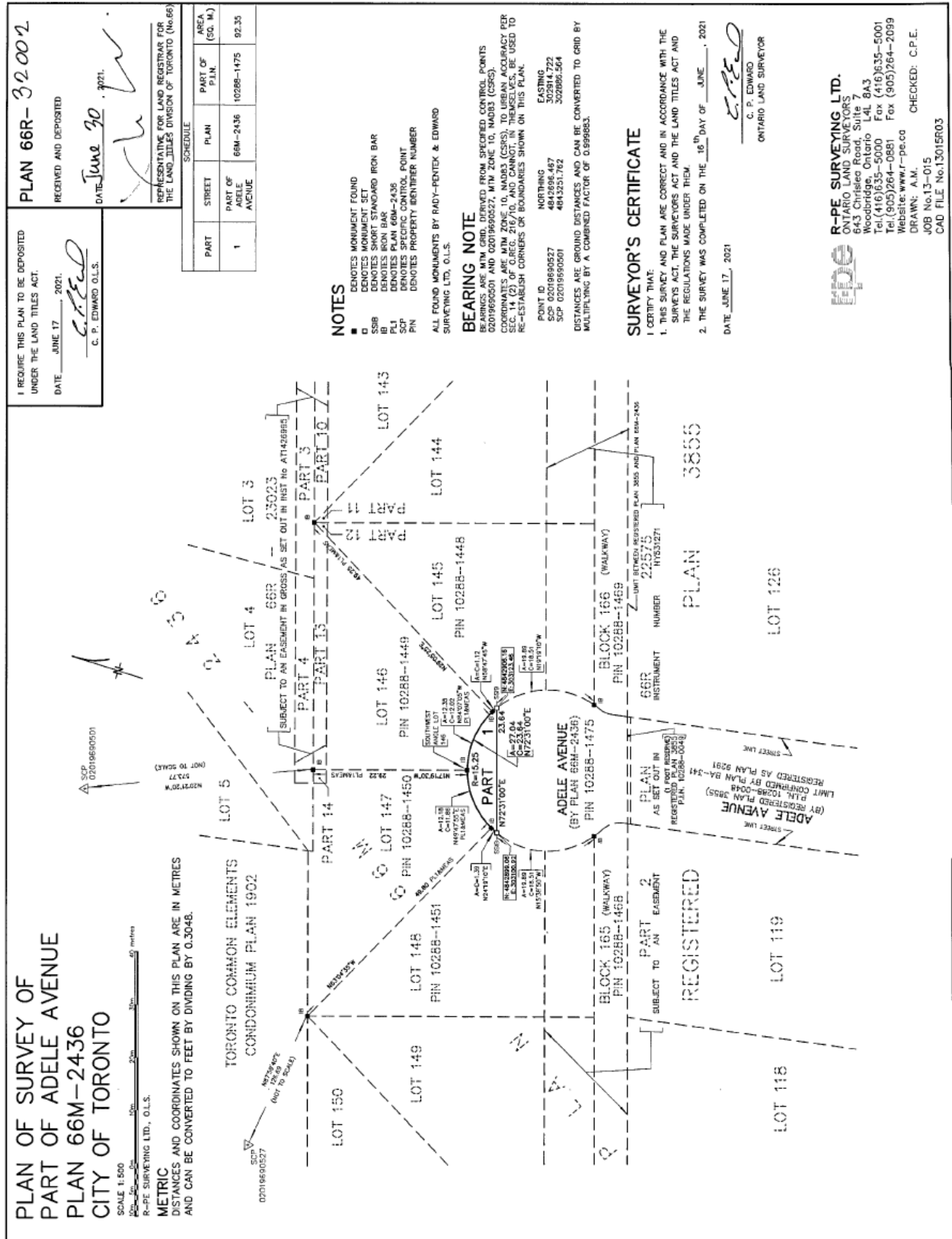
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SIGNATURE

Ashley Curtis, Director
Transportation Planning and Capital Program
Transportation Services

ATTACHMENTS

Attachment 1 – Plan 66R-32002
Attachment 2 – Draft By-law



Attachment 2 - Draft By-Law

Authority: Etobicoke York Community Council Item EY ,
as adopted by City of Toronto Council on July 19 and 20,
2022

CITY OF TORONTO

Bill

BY-LAW -2022

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

Whereas it is recommended that part of the public highway known as Adele Avenue be permanently closed as a public highway; and

Whereas notice of the proposed by-law to permanently close the said public 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 Etobicoke York Community Council heard any person who wished to speak to the matter at its meeting held on June 27, 2022;

The Council of the City of Toronto enacts:

1. Part of the public highway known as Adele Avenue, legally described as follows, is hereby permanently closed as a public highway:

PART OF PIN 10288-1475 (LT)
PART OF ADELE AVENUE, PLAN 66M2436, TORONTO (N YORK),
DESIGNATED AS PART 1, PLAN 66R32002

Enacted and passed on July , 2022.

Frances Nunziata
Speaker

John D. Elvidge
City Clerk

(Seal of the City)