



Staff Report for Council Meeting

Date of Meeting: May 25, 2022

Report Number: SRPI.22.058

Department: Planning and Infrastructure

Division: Infrastructure Planning and Development Engineering

Subject: **SRPI.22.058 Stop Up and Closure of a portion of Palmer Avenue, Part 3 on Plan 65R-31305**

Purpose:

To obtain Council authorization to initiate the stop up and closure process of a portion of Palmer Avenue and to grant necessary easements to public utilities.

Recommendation(s):

- a) That the City Clerk be directed to undertake the process to stop up and close that portion of unimproved Palmer Avenue described as Part of Palmer Avenue and Part of One Foot Reserve, Plan 2383 and Part of Palmer Avenue, Plan 3801, designated as Part 3, Plan 65R-31305, and bring forward a by-law to City Council; and
- b) That the Mayor and City Clerk be authorized to execute all documents required on behalf of the City for the purposes of granting necessary easements to various utility companies over the road allowance to be closed and that the City Solicitor be authorized to complete the transaction on behalf of the City.

Contact Person:

Michelle Dobbie, Manager Park and Natural Heritage Planning, 905-771-2467

Jeff Walters, Manager Engineering Subdivisions and Infrastructure Planning, 905-747-6380

Report Approval:

Submitted by: Kelvin Kwan, Commissioner of Planning and Infrastructure

Approved by: Darlene Joslin, Interim City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

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Background:

Stop up and closure of a City public highway is required on occasion to reflect that the use of the lands as a public highway is no longer necessary. In this situation, the portion of Palmer Avenue to be closed is currently being used as City parkland and a public road does not currently exist on these lands. This closure will reflect the long term intended use of these lands a City park.

The recommended closure of a portion of unimproved Palmer Avenue supports the design and construction of Miles Hill Park, which is located east of Yonge Street, north of Harding Boulevard, and west of Church Street South in the south end of the Downtown Local Centre. The Park design and construction is expected to receive funding from and be undertaken by owner of the nearby site plan development, as part of their development approval. Miles Hill Park is approximately 0.2 ha (0.7 acres) in size, and is intended to function as a Linear Park connection for the residents and businesses along the intensifying Yonge Street corridor and the residential neighbourhood located to the east of the Park. Attachment 1 indicates the location of Miles Hill Park and the unimproved portion of Palmer Avenue recommended for closure.

To support construction of Miles Hill Park, the timing is now appropriate to close the remaining portion of unimproved Palmer Avenue. The west portion of unimproved Palmer Avenue within the Park (Parts 1 and 2, Plan 65R-31305) was closed in 2008. As part of this previous closure, access and maintenance easements were granted to various utility companies to reflect existing utilities located within unimproved Palmer Avenue. Based on the location of these existing utilities, it is anticipated that similar easements will need to be granted to the same utility companies over the remaining portion of Palmer Avenue to be closed.

Staff recommend that the Clerk be directed to undertake the process to stop up and close this remaining portion of unimproved Palmer Avenue under the requirements of the Municipal Act and that appropriate access and maintenance easements be granted to various utility companies as outlined in the report recommendations.

Financial/Staffing/Other Implications:

There are no financial implications to the City associated with the road closure of a portion of Palmer Avenue.

Relationship to Council's Strategic Priorities 2020-2022:

The recommended closure of a portion of Palmer Avenue supports Council's strategic priorities of balancing growth and green and financial responsibility.

Climate Change Considerations:

Climate change considerations are not applicable to this staff report.

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Conclusion:

It is recommended that the portion of Palmer Avenue, described as Part of Palmer Avenue and Part of One Foot Reserve on Plan 2383 and Part of Palmer Avenue on Plan 3801, designated as Part 3 on Plan 65R-31305 (Attachment 2) be stopped up and closed and that the Clerk be directed to advertise the intent of the stop up and closure. Furthermore, it is recommended that the City Solicitor be directed to grant appropriate access and maintenance easements to various utility companies within these lands.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Attachment 1 – Location Map
- Attachment 2 – Copy of Plan 65R-31305

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Report Approval Details

Document Title:	SRPI.22.058 Palmer Road Closure.docx
Attachments:	- Attachment 1 - Location Plan.docx - Attachment 2 - Copy of Plan 65R-31305.docx
Final Approval Date:	Apr 29, 2022

This report and all of its attachments were approved and signed as outlined below:

Dan Terzievski - Apr 29, 2022 - 9:09 AM

Paolo Masaro - Apr 29, 2022 - 9:39 AM

Kelvin Kwan - Apr 29, 2022 - 9:45 AM

Darlene Joslin - Apr 29, 2022 - 1:34 PM