

# TORONTO STAFF REPORT

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August 28, 2006

To: Toronto and East York Community Council

From: Director, Transportation Services, Toronto and East York District

Subject: The permanent closure of the portion of Cottingham Street and Gange Avenue currently closed to vehicular traffic, abutting Lionel Conacher Park (St. Paul's, Ward 22)

Purpose:

To recommend that the portion of the public highways known as Cottingham Street and Gange Avenue currently closed to vehicular traffic, be permanently closed as public highways and that jurisdiction of the subject lands be transferred to Parks, Forestry and Recreation Division.

Financial Implications and Impact Statement:

Parks, Forestry and Recreation ("PF & R") will be responsible for all costs associated with the eventual development of the park, however, at this time, funding for improvements have not been allocated.

Recommendations:

It is recommended that:

- (1) subject to compliance with the requirements of the *Municipal Act, 2001*, the portion of the public highways Cottingham Street and Gange Avenue, shown as Part 1 on Sketch No. PS-2006-094 (the "Highways"), the Highways be permanently closed as public highways and jurisdiction of the Highways be transferred to PF & R;
- (2) notice be given to the public of a proposed by-law to permanently close the Highways, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code and Toronto and East York Community Council hear any member of the public who wishes to speak to this matter during consideration of the draft by-law;
- (3) following the closure of the Highways, easements be granted to Enbridge, Toronto Hydro and other utility companies as may be required, for access, operation, use, inspection,

repair, maintenance, reconstruction or alteration of existing services and for the construction of additional or new services; and

- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in Council of any bills necessary to give effect thereto.

Background:

Clause No. 7 of Committee on Public Works Report No. 12, embodied in City Executive Committee Report No. 13, adopted by the former City of Toronto Council at its meeting of April 13, 1974, authorized the temporary closure of the Highways to vehicular traffic for a period of nine (9) months.

Subsequently, Clause No. 2 of Committee on Public Works No. 22, embodied in City Executive Report No. 37, adopted by the former City of Toronto Council at its meeting of September 18, 1974, authorized the permanent closure to vehicular traffic of the Highways.

We have now been requested to permanently close the Highways and transfer jurisdiction to the Parks, Forestry and Recreation Division for incorporation into the abutting Lionel Conacher Park.

Comments:

Transportation Services staff received a request from Councillor Michael Walker on behalf of area residents to investigate the feasibility of transferring jurisdiction of the Highways to Parks, Forestry and Recreation for incorporation into the abutting Lionel Conacher Park. All costs associated with the closing of the Highways and the development of these lands for parks purposes will be the responsibility of PF & R. Transportation Services staff have reviewed the feasibility of closing the Highways and have determined that the Highways can be closed and jurisdiction transferred to PF & R.

The following municipal services and public utilities are located within the Highways and will remain in place pursuant to easements:

- (i) 300 mm Water Main, 450 mm R.C.P Storm Sewer, 375 V.P. Combined Sewer and a 250 mm Water Main;
- (ii) 50 mm Gas Main; and
- (iii) Toronto Hydro Conduit and street lighting poles.

In addition, the removal of the road base, pavement, sidewalk and curbs will be carried out at the time of the new park construction. This is acceptable to Transportation Services.

The closing process requires two separate approvals from City Council. The first approval authorizes the closing of the Highways, while the second approval authorizes the By-law. In

addition, the public has the opportunity to speak to the matter if they wish to do so at Community Council during consideration of the draft by-law.

The closing of the Highways is exempt from the requirements of the Municipal Class Environmental Assessment as the Highways are untravelled highways.

Conclusions:

As the Highways are not required for Transportation Services purposes and in order to facilitate the request from Councillor Michael Walker to close the Highways for incorporation into the abutting Lionel Conacher Park, the Highways should be closed and jurisdiction transferred to PF & R.

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List of Attachments:

Sketch No. PS-2006-094 dated July 12, 2006

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