



## STAFF REPORT ACTION REQUIRED

### Proposed Permanent Closure of a Portion of Cherry Street, East of Schooner Lane

<b>Date:</b>	September 23, 2009
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Acting Director, Transportation Services, Scarborough District
<b>Wards:</b>	Ward 44 – Scarborough East
<b>Reference Number:</b>	P:\2009\Cluster B\TRA\Scarborough\sc09068

#### SUMMARY

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This staff report is about a matter for which the Community Council does not have delegated authority from City Council to make a final decision.

Transportation Services recommends that a portion of Cherry Street, east of Schooner Lane, be permanently closed.

#### RECOMMENDATIONS

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**Transportation Services, Scarborough District, recommends that Scarborough Community Council recommend that City Council:**

1. Rescind Clause No. 17 of Scarborough Community Council Report No. 6, as adopted by City Council at its meeting held on July 22, 23 and 24, 2003.
2. Permanently close the portion of Cherry Street shown as Part 1 on the attached Sketch No. PS-2009-076a (the “Highway”), subject to compliance with the requirements of City of Toronto Municipal Code, Chapter 162, and subject to City Council approving the sale of the Highway to the abutting owner, Metrolinx.
3. If City Council approves the sale of the Highway to Metrolinx, authorize Transportation Services staff to give notice to the public of a proposed by-law to close the Highway in accordance with the requirements of City of Toronto Municipal Code, Chapter 162, with the Scarborough Community Council to hear any member of the public who wishes to speak to the matter during consideration of the proposed draft by-law.

4. Authorize Transportation Services staff 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 web site for at least five working days prior to the Scarborough Community Council meeting at which the proposed by-law to close the Highway will be considered.

### **Financial Impact**

The subject closing will not result in any costs to the City as Metrolinx will be responsible to pay all costs associated with the closing of the Highway as part of the sale transaction.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

### **DECISION HISTORY**

Pursuant to Clause No. 17 of Scarborough Community Council Report No. 6, as adopted by City Council at its meeting held on July 22, 23 and 24, 2003, City Council approved the closure of certain portions of Cherry Street, declared those portions of Cherry Street to be surplus and authorized the Commissioner of Corporate Services to invite an offer to purchase from the developer of the adjoining lands.

<http://www.toronto.ca/legdocs/2003/agendas/council/cc030722/sc6rpt/cl017.pdf>

### **ISSUE BACKGROUND**

Metrolinx acquired the lands on the east side of Port Union Road, south of Cherry Street in 2008. Metrolinx has submitted an application to the City for the development of its site for use as a commuter parking lot. Transportation Services has received a request from Metrolinx to investigate the feasibility of permanently closing the Highway for incorporation into the proposed parking lot.

### **COMMENTS**

Transportation Services has reviewed the feasibility of closing the Highway and has determined that the Highway can be permanently closed and sold.

The Chief Corporate Officer will submit a separate report to the Government Management Committee on the terms and conditions of the proposed sale transaction to Metrolinx.

The City’s real estate disposal process, as set out in Chapter 213 of the City of Toronto Municipal Code, stipulates that the Highway be declared surplus and notice of the proposed sale be given prior to approval of a sale transaction. Real Estate staff has advised that this process will be completed by the date City Council considers the proposed sale transaction.

The Council authority granted in July, 2003 should be rescinded, as Metrolinx’s current road closing proposal supercedes the road closing proposal that was approved in 2003.

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The requirements of the Municipal Class Environmental Assessment will be incorporated into the public notice advising the public of the by-law to close the Highway.

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Steven T. Kodama, P.Eng.  
Acting Director, Transportation Services, Scarborough District

DT: lab

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1. Sketch No. PS-2009-076a



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Metrolinx acquired the lands on the east side of Port Union Road, south of Cherry Street in 2008. Metrolinx has submitted an application to the City for the development of its site for use as a commuter parking lot. Transportation Services has received a request from Metrolinx to investigate the feasibility of permanently closing the Highway for incorporation into the proposed parking lot.

### **COMMENTS**

Transportation Services has reviewed the feasibility of closing the Highway and has determined that the Highway can be permanently closed and sold.

The Chief Corporate Officer will submit a separate report to the Government Management Committee on the terms and conditions of the proposed sale transaction to Metrolinx.

The City’s real estate disposal process, as set out in Chapter 213 of the City of Toronto Municipal Code, stipulates that the Highway be declared surplus and notice of the proposed sale be given prior to approval of a sale transaction. Real Estate staff has advised that this process will be completed by the date City Council considers the proposed sale transaction.

The Council authority granted in July, 2003 should be rescinded, as Metrolinx’s current road closing proposal supercedes the road closing proposal that was approved in 2003.

## **Closing Process**

The closing process requires two separate approvals from City Council. The first approval initiates the process to close the Highway and authorizes the terms and conditions of the sale of the Highway. The second approval authorizes the enactment of the closing by-law. Prior to enactment of the by-law, the public has the opportunity to speak to the matter if they wish to do so at the Scarborough Community Council during consideration of the draft by-law.

The requirements of the Municipal Class Environmental Assessment will be incorporated into the public notice advising the public of the by-law to close the Highway.

## **CONTACT**

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## **SIGNATURE**

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Steven T. Kodama, P.Eng.  
Acting Director, Transportation Services, Scarborough District

DT: lab

## **ATTACHMENTS**

1. Sketch No. PS-2009-076a



## STAFF REPORT ACTION REQUIRED

### Proposed Permanent Closure of a Portion of Cherry Street, East of Schooner Lane

<b>Date:</b>	September 23, 2009
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Acting Director, Transportation Services, Scarborough District
<b>Wards:</b>	Ward 44 – Scarborough East
<b>Reference Number:</b>	P:\2009\Cluster B\TRA\Scarborough\sc09068

#### SUMMARY

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This staff report is about a matter for which the Community Council does not have delegated authority from City Council to make a final decision.

Transportation Services recommends that a portion of Cherry Street, east of Schooner Lane, be permanently closed.

#### RECOMMENDATIONS

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**Transportation Services, Scarborough District, recommends that Scarborough Community Council recommend that City Council:**

1. Rescind Clause No. 17 of Scarborough Community Council Report No. 6, as adopted by City Council at its meeting held on July 22, 23 and 24, 2003.
2. Permanently close the portion of Cherry Street shown as Part 1 on the attached Sketch No. PS-2009-076a (the “Highway”), subject to compliance with the requirements of City of Toronto Municipal Code, Chapter 162, and subject to City Council approving the sale of the Highway to the abutting owner, Metrolinx.
3. If City Council approves the sale of the Highway to Metrolinx, authorize Transportation Services staff to give notice to the public of a proposed by-law to close the Highway in accordance with the requirements of City of Toronto Municipal Code, Chapter 162, with the Scarborough Community Council to hear any member of the public who wishes to speak to the matter during consideration of the proposed draft by-law.

4. Authorize Transportation Services staff 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 web site for at least five working days prior to the Scarborough Community Council meeting at which the proposed by-law to close the Highway will be considered.

### **Financial Impact**

The subject closing will not result in any costs to the City as Metrolinx will be responsible to pay all costs associated with the closing of the Highway as part of the sale transaction.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

### **DECISION HISTORY**

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#### RECOMMENDATIONS

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**Transportation Services, Scarborough District, recommends that Scarborough Community Council recommend that City Council:**

1. Rescind Clause No. 17 of Scarborough Community Council Report No. 6, as adopted by City Council at its meeting held on July 22, 23 and 24, 2003.
2. Permanently close the portion of Cherry Street shown as Part 1 on the attached Sketch No. PS-2009-076a (the “Highway”), subject to compliance with the requirements of City of Toronto Municipal Code, Chapter 162, and subject to City Council approving the sale of the Highway to the abutting owner, Metrolinx.
3. If City Council approves the sale of the Highway to Metrolinx, authorize Transportation Services staff to give notice to the public of a proposed by-law to close the Highway in accordance with the requirements of City of Toronto Municipal Code, Chapter 162, with the Scarborough Community Council to hear any member of the public who wishes to speak to the matter during consideration of the proposed draft by-law.



4. Authorize Transportation Services staff 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 web site for at least five working days prior to the Scarborough Community Council meeting at which the proposed by-law to close the Highway will be considered.

### **Financial Impact**

The subject closing will not result in any costs to the City as Metrolinx will be responsible to pay all costs associated with the closing of the Highway as part of the sale transaction.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

### **DECISION HISTORY**

Pursuant to Clause No. 17 of Scarborough Community Council Report No. 6, as adopted by City Council at its meeting held on July 22, 23 and 24, 2003, City Council approved the closure of certain portions of Cherry Street, declared those portions of Cherry Street to be surplus and authorized the Commissioner of Corporate Services to invite an offer to purchase from the developer of the adjoining lands.

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### **ISSUE BACKGROUND**

Metrolinx acquired the lands on the east side of Port Union Road, south of Cherry Street in 2008. Metrolinx has submitted an application to the City for the development of its site for use as a commuter parking lot. Transportation Services has received a request from Metrolinx to investigate the feasibility of permanently closing the Highway for incorporation into the proposed parking lot.

### **COMMENTS**

Transportation Services has reviewed the feasibility of closing the Highway and has determined that the Highway can be permanently closed and sold.

The Chief Corporate Officer will submit a separate report to the Government Management Committee on the terms and conditions of the proposed sale transaction to Metrolinx.

The City’s real estate disposal process, as set out in Chapter 213 of the City of Toronto Municipal Code, stipulates that the Highway be declared surplus and notice of the proposed sale be given prior to approval of a sale transaction. Real Estate staff has advised that this process will be completed by the date City Council considers the proposed sale transaction.

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The closing process requires two separate approvals from City Council. The first approval initiates the process to close the Highway and authorizes the terms and conditions of the sale of the Highway. The second approval authorizes the enactment of the closing by-law. Prior to enactment of the by-law, the public has the opportunity to speak to the matter if they wish to do so at the Scarborough Community Council during consideration of the draft by-law.

The requirements of the Municipal Class Environmental Assessment will be incorporated into the public notice advising the public of the by-law to close the Highway.

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## **SIGNATURE**

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Steven T. Kodama, P.Eng.  
Acting Director, Transportation Services, Scarborough District

DT: lab

## **ATTACHMENTS**

1. Sketch No. PS-2009-076a



## STAFF REPORT ACTION REQUIRED

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<b>Date:</b>	September 23, 2009
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Acting Director, Transportation Services, Scarborough District
<b>Wards:</b>	Ward 44 – Scarborough East
<b>Reference Number:</b>	P:\2009\Cluster B\TRA\Scarborough\sc09068

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The Council authority granted in July, 2003 should be rescinded, as Metrolinx’s current road closing proposal supercedes the road closing proposal that was approved in 2003.

## **Closing Process**

The closing process requires two separate approvals from City Council. The first approval initiates the process to close the Highway and authorizes the terms and conditions of the sale of the Highway. The second approval authorizes the enactment of the closing by-law. Prior to enactment of the by-law, the public has the opportunity to speak to the matter if they wish to do so at the Scarborough Community Council during consideration of the draft by-law.

The requirements of the Municipal Class Environmental Assessment will be incorporated into the public notice advising the public of the by-law to close the Highway.

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## **SIGNATURE**

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Steven T. Kodama, P.Eng.  
Acting Director, Transportation Services, Scarborough District

DT: lab

## **ATTACHMENTS**

1. Sketch No. PS-2009-076a



## STAFF REPORT ACTION REQUIRED

### Proposed Permanent Closure of a Portion of Cherry Street, East of Schooner Lane

<b>Date:</b>	September 23, 2009
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Acting Director, Transportation Services, Scarborough District
<b>Wards:</b>	Ward 44 – Scarborough East
<b>Reference Number:</b>	P:\2009\Cluster B\TRA\Scarborough\sc09068

#### SUMMARY

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This staff report is about a matter for which the Community Council does not have delegated authority from City Council to make a final decision.

Transportation Services recommends that a portion of Cherry Street, east of Schooner Lane, be permanently closed.

#### RECOMMENDATIONS

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**Transportation Services, Scarborough District, recommends that Scarborough Community Council recommend that City Council:**

1. Rescind Clause No. 17 of Scarborough Community Council Report No. 6, as adopted by City Council at its meeting held on July 22, 23 and 24, 2003.
2. Permanently close the portion of Cherry Street shown as Part 1 on the attached Sketch No. PS-2009-076a (the “Highway”), subject to compliance with the requirements of City of Toronto Municipal Code, Chapter 162, and subject to City Council approving the sale of the Highway to the abutting owner, Metrolinx.
3. If City Council approves the sale of the Highway to Metrolinx, authorize Transportation Services staff to give notice to the public of a proposed by-law to close the Highway in accordance with the requirements of City of Toronto Municipal Code, Chapter 162, with the Scarborough Community Council to hear any member of the public who wishes to speak to the matter during consideration of the proposed draft by-law.

4. Authorize Transportation Services staff 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 web site for at least five working days prior to the Scarborough Community Council meeting at which the proposed by-law to close the Highway will be considered.

### **Financial Impact**

The subject closing will not result in any costs to the City as Metrolinx will be responsible to pay all costs associated with the closing of the Highway as part of the sale transaction.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

### **DECISION HISTORY**

Pursuant to Clause No. 17 of Scarborough Community Council Report No. 6, as adopted by City Council at its meeting held on July 22, 23 and 24, 2003, City Council approved the closure of certain portions of Cherry Street, declared those portions of Cherry Street to be surplus and authorized the Commissioner of Corporate Services to invite an offer to purchase from the developer of the adjoining lands.

<http://www.toronto.ca/legdocs/2003/agendas/council/cc030722/sc6rpt/cl017.pdf>

### **ISSUE BACKGROUND**

Metrolinx acquired the lands on the east side of Port Union Road, south of Cherry Street in 2008. Metrolinx has submitted an application to the City for the development of its site for use as a commuter parking lot. Transportation Services has received a request from Metrolinx to investigate the feasibility of permanently closing the Highway for incorporation into the proposed parking lot.

### **COMMENTS**

Transportation Services has reviewed the feasibility of closing the Highway and has determined that the Highway can be permanently closed and sold.

The Chief Corporate Officer will submit a separate report to the Government Management Committee on the terms and conditions of the proposed sale transaction to Metrolinx.

The City’s real estate disposal process, as set out in Chapter 213 of the City of Toronto Municipal Code, stipulates that the Highway be declared surplus and notice of the proposed sale be given prior to approval of a sale transaction. Real Estate staff has advised that this process will be completed by the date City Council considers the proposed sale transaction.

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