



## STAFF REPORT ACTION REQUIRED

### Permanent Closure of the Southeast Portion of Lower Sherbourne Street, North of Queens Quay East for Incorporation into Sherbourne Park North

<b>Date:</b>	March 4, 2010
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Transportation Services, Toronto and East York District
<b>Wards:</b>	Toronto Centre-Rosedale – Ward 28
<b>Reference Number:</b>	Ts10030te.top.doc

#### SUMMARY

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The East Bayfront Class EA Master Plan contemplates that Lower Sherbourne Street will be realigned with Dockside Drive, south of Queens Quay East, in order to improve the road network and eliminate a skewed intersection. This new road alignment will also permit the future buildout of Sherbourne Park North, which requires the closure of a section of roadway generally located in the southeast portion of Lower Sherbourne Street for incorporation into Sherbourne Park North.

Transportation Services recommends that the southeast portion of Lower Sherbourne Street be permanently closed.

#### RECOMMENDATIONS

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##### Transportation Services recommends that:

1. City Council authorize the permanent closure of the northeast corner of Lower Sherbourne Street shown as Part 1 on the attached Sketch No. PS-2010-008 (the “Highway”), subject to:
  - (a) easement interests for the easements required by Hydro One, Toronto Hydro, Enbridge Gas and any other utility provider, if necessary, having been declared surplus in accordance with City of Toronto Municipal Code Chapter 213 and authority having been granted to convey the easements to Hydro One, Toronto Hydro, Enbridge Gas and any other utility provider,

- if necessary, in and over the closed Highway for nominal consideration;  
and  
(b) compliance with the requirements of City of Toronto Municipal Code Chapter 162.
2. City Council authorize Transportation Services staff to give notice to the public, after authority has been granted to convey the required easements to Hydro One, Toronto Hydro, Enbridge Gas and any other utility provider, if necessary, of a proposed by-law to close the Highway in accordance with the requirements of the City of Toronto Municipal Code, Chapter 162, with the Toronto and East York Community Council to hear any member of the public who wishes to speak to the matter during consideration of the draft by-law; and
  3. City Council 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 website for at least five working days prior to the Toronto and East York Community Council meeting at which the proposed by-law to close the Highway will be considered.

### **Financial Impact**

There are no financial implications for the City from the adoption of this report, as Waterfront Toronto (WT) will be responsible for all costs associated with the closure of the Highway.

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

### **ISSUE BACKGROUND**

Transportation Services staff received a request from WT to process the request to permanently close the Highway for incorporation into the new Sherbourne Park North and to facilitate the future re-alignment of Lower Sherbourne Street as identified in the East Bayfront Class EA Master Plan.

### **COMMENTS**

Transportation Services staff have carried out a preliminary review of the request to close the Highway and have determined that the Highway can be closed given the planned realignment of Lower Sherbourne.

As of the writing of this report, the usual Divisional and public utility circulation has not been completed. However, WT has advised that they are coordinating with the Toronto Public Utilities Coordination Committee (TPUCC) to ensure adequate relocation and/or easement protection, as necessary.

An existing City-owned Combined Sewer Overflow is located within the Highway and will remain in place permanently. In addition, the existing Hydro One and Toronto Hydro services cannot be relocated and will remain in place pursuant to permanent easements. It is also proposed that the existing City-owned sanitary sewer and watermain, as well as the services of Enbridge Gas and any other utility provider, if necessary, will be temporarily left in place and will require temporary easements. Once the new external sanitary sewer for East Bayfront is constructed, these services will be capped-off and relocated within the new road allowance.

As of the writing of this report, the easement interests to be granted to Hydro One, Toronto Hydro and Enbridge Gas have not yet been declared surplus and authority to grant the easements, which the Chief Corporate Officer has delegated authority to approve, has not yet been obtained but is expected to occur in the near future.

In addition, staff of Real Estate Services advises that the transfer of operational management of the Highway from Transportation Services to Parks, Forestry and Recreation for incorporation into Sherbourne Park North, for which the city Manager has approval authority, is anticipated to be approved in the near future.

WT advises that in order to meet the Federal funding project deadline, Sherbourne Park North must be completed by March 2011. Accordingly, the process to permanently close the Highway must begin now.

## **Closing Process**

The closing process requires two separate approvals from City Council. The first approval initiates the process to close the Highway. The second approval authorizes 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 Toronto and East York Community Council during consideration of the draft by-law.

The requirements of the Municipal Class Environmental Assessment (Schedule “A+”) will be met during the posting of the above-noted public notice.

## **CONTACT**

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## **SIGNATURE**

Peter Noehammer, P. Eng., Director,  
Toronto and East York District, Transportation Services

## **ATTACHMENTS**

Sketch No. PS-2010-008 dated February 1, 2010

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