

## **Permanent Closure of a Portion of the East side of Cooper Street at Queens Quay East to Permit the Proposed Realignment of the West Side of Cooper Street at Queens Quay East**

**Date:** November 6, 2017  
**To:** Toronto and East York Community Council  
**From:** Acting Director, Transportation Services, Toronto and East York District  
**Wards:** Ward 28 – Toronto Centre-Rosedale

### **SUMMARY**

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Transportation Services recommends that the easterly portion of Cooper Street be permanently closed for the proposed realignment of Cooper Street, north of Queens Quay East. The lands needed to complete the realignment will be conveyed to the City by the adjacent property owner, at no cost to the City. The realignment of Cooper Street is consistent with the recommendations of the Lower Yonge Precinct Municipal Class Environmental Assessment, which was endorsed by City Council at its meeting of July 4, 5, 6 and 7, 2017.

### **RECOMMENDATIONS**

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General Manager, Transportation Services recommends that:

1. City Council authorize the permanent closure of the easterly portion of Cooper Street, designated as Part 8 on Reference Plan 66R-29537, and shown as Part 1 on Sketch No. PS-2017-026 (the "Highway"), attached to the report dated November 6, 2017, from the Acting Director, Transportation Services, Toronto and East York District.
2. City Council enact a by-law substantially in the form of the draft by-law attached as Appendix "A" to the report dated November 6, 2017, from the Acting Director, Transportation Services, Toronto and East York District.

## **FINANCIAL IMPACT**

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The closing of the Highway will result in the payment of \$64,820.63 by the City for the Land Transfer Tax (LTT) and registration costs of \$75.63 for the Highway. Menkes Development Ltd. (the "Applicant"), will pay the applicable LLT for their land, shown as Parts 2 and 3 on Sketch No. PS-2017-026, as a condition of the agreed upon exchange of lands to facilitate the realignment of Cooper Street.

Funding is available in 2017-2026 Capital Budget & Plan for Transportation Services (project CTP817-24).

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

## **DECISION HISTORY**

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At its meeting of July 4, 5 6 and 7, 2017, City Council endorsed the preferred designs for the transportation infrastructure identified in the Lower Yonge Precinct Municipal Class Environmental Assessment (MCEA) Study. The MCEA identifies key transportation improvements needed to support the redevelopment of the Lower Yonge Precinct, including the realignment of Cooper Street between Queens Quay East and Lake Shore Boulevard East.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PW22.7>

In accordance with the City's Real Estate Disposal By-law No. 814-2007 (City of Toronto Municipal Code Chapter 213), the Highway was declared surplus on August 8, 2017 by DAF No. 2017-207, conditional upon City Council approving the permanent closure of the Highway. The intended manner of disposal is by way of a sale of the Highway to the Applicant by way of a Land Exchange Agreement (LEA).

By DAF No. 2017-289, dated November 3, 2017, the Deputy City Manager, Internal Corporate Services, 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 and the Municipal Class Environmental Assessment for Schedule "A+" activities. Also by DAF No. 2017-289, the Deputy City Manager, Internal Corporate Services also authorized the sale of the Highway to the Applicant, conditional upon City Council authorizing the permanent closure of the Highway.

## COMMENTS

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Transportation Services has reviewed the feasibility of closing the Highway. Given that the Highway is required to form part of larger transportation network improvements that have been endorsed by City Council, and that the Applicant has provided the City with an Indemnity in respect of any potential highway closing claims, it has been determined that the Highway can be closed and sold to the Applicant for the proposed realignment of Cooper Street. The closure will be subject to the reservation of easements for Toronto Water, Bell Canada, Enbridge Gas and Group Telecom.

All costs for the removal and relocation of the above-noted municipal services and public utilities are the sole responsibility of the Applicant.

The proposed method of disposal will include an exchange of land. The Applicant has agreed to convey Parts 2 and 3, shown on Sketch No. PS-2017-026, in order to facilitate the realignment of Cooper Street to remove the kink in the existing alignment, in exchange for the Highway.

The closing process requires approval from City Council. The draft by-law is an Appendix to this report and is tabled at the same Toronto and East York Community Council meeting at which the public has the opportunity to speak to the matter if they wish to do so.

The requirements under the MCEA for Schedule "A+" activities will be met during the posting of the public notice on the notices page of the City's web site 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.

## **CONTACT**

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## **SIGNATURE**

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Dave Twaddle, Acting Director  
Transportation Services  
Toronto and East York District

## **ATTACHMENTS**

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Attachment 1 – Appendix "A" – Draft By-law  
Attachment 2 – Sketch No. PS-2017-026, dated March 22, 2017

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**APPENDIX "A"**

Authority: Toronto and East York Community Council Item No. TExX, as adopted by City of Toronto Council on December 6 and 7, 2017

**CITY OF TORONTO**

**Bill No.**

**BY-LAW No. -2017**

**To permanently close part of the public highway at the intersection of Cooper Street and Queens Quay East**

WHEREAS it is recommended that a portion of the the public highway at the intersection of Cooper Street and Queens Quay East be permanently closed; and

WHEREAS notice of the proposed by-law to permanently close the said public lane 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 no one appeared to address the Toronto and East York Community Council at its meeting held on November 14, 2017;

The Council of the City of Toronto enacts:

1. The public highway, described as follows, is hereby permanently closed:

Part of PIN 21384-0067 (LT)

Part of Church Street, Plan 153E Toronto (AKA Cooper Street), Church Street Plan 666E Toronto (AKA Cooper Street) being Church Street between Queens Quay and Lakeshore Blvd., Toronto, City of Toronto, designated as Part 8 on Plan 66R-29537.

Enacted and passed on , 2017.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)

