

Report to Civic Works Committee

To: Chair and Members
Civic Works Committee

From: Kelly Scherr, P. Eng., MBA, FEC
Deputy City Manager, Environment & Infrastructure

Subject: Closing Phillip Street Road Allowance

Date: September 10, 2024

Recommendation

That on the recommendation of the Deputy City Manager, Environment & Infrastructure, the following actions **BE TAKEN** with respect to the closing of Phillip Street on Registered Plan 38:

- (a) the closing of part of Phillip Street on Registered Plan 38 designated as Part 2 on Plan 33R-21948 **BE APPROVED**, and
- (b) the attached proposed by-law (Appendix 'A') **BE INTRODUCED** at the Municipal Council meeting to be held on September 24, 2024 for the purpose of closing Phillip Street.

Linkage to the Corporate Strategic Plan

The following report supports the Strategic Plan through the focus areas of “Economic Growth, Culture and Prosperity” and “Well Run City” by supporting economic development.

Analysis

1.0 Background Information

Phillip Street was originally established by Registered Plan 38 in 1853. It was renamed McMillan Street in 1991 by By-law S.-3451-115, but for the purpose of this report it will be referred to by its original name which is also the street's legal description.

The Phillip Street road allowance that lies between River Road and Gore Road was never built out or used for public travel. The road allowance is currently vacant.

2.0 Discussion and Considerations

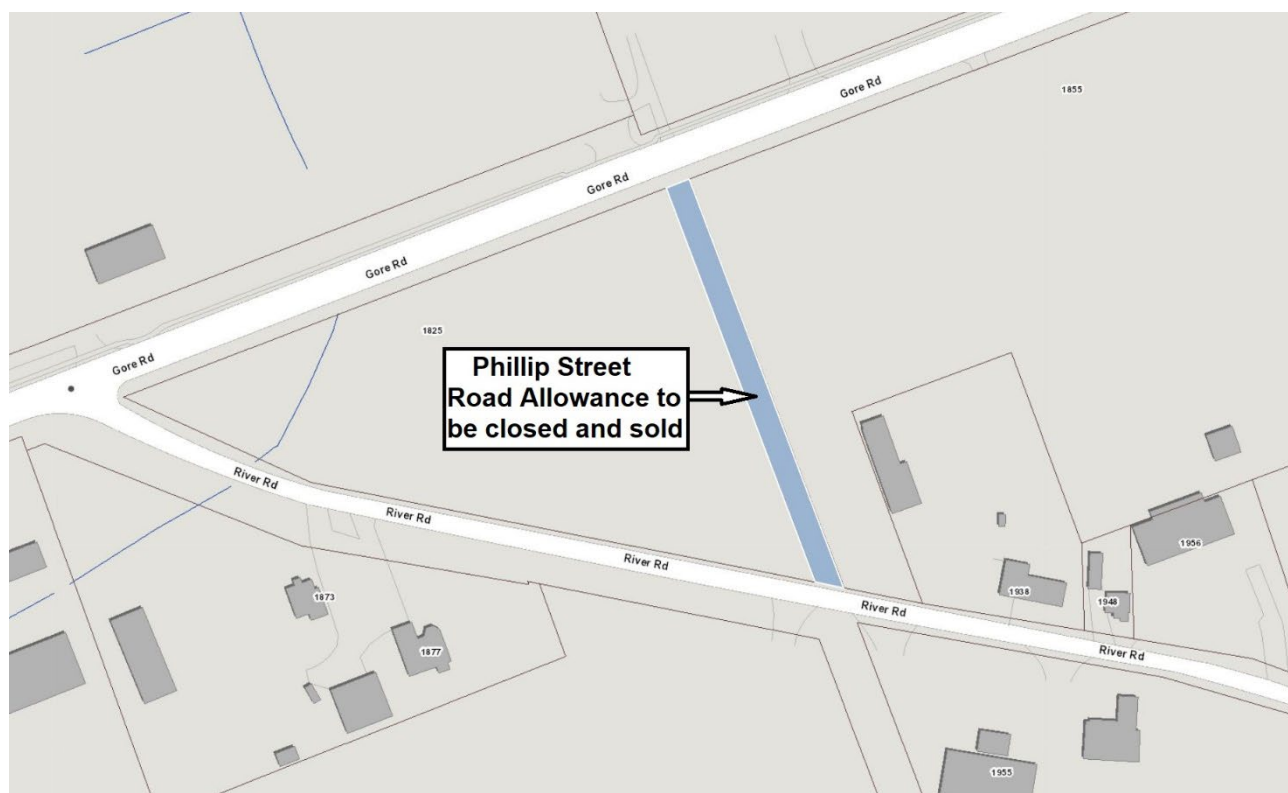
An application has been received on behalf of 14058631 Canada Inc., the owner of properties known municipally as 1825 & 1855 Gore Road, to close and purchase the untravelled Phillip Street road allowance that lies between their properties. The applicant wishes to develop the two properties and wants to amalgamate the road allowance into the development to form one contiguous development parcel. As a prerequisite to the sale, the road allowance must first be legally closed as public highway which is the purpose of this report.

The road allowance is not publicly travelled and is not needed for future public use. Closing the road allowance will not impact the public or other property owners. The applicant owns all the lands on either side of the road allowance. No City services or

private utilities are affected by the closing. The City will retain a small portion of the road allowance to accommodate future road widenings on Gore Road and River Road.

3.0 Financial Impact/Considerations

The applicant is responsible for all costs including the reference plan, their legal fees and for the cost to purchase the lands at fair market value. The terms of the sale will be the subject of a separate report from Realty Services brought forward to the Corporate Services Committee.



Conclusion

The Phillip Street road allowance to be closed is not publicly travelled and is not required for future public use. It is therefore recommended the road allowance be closed and the attached bylaw in Appendix 'A' be approved as a prerequisite to being sold to 14058631 Canada Inc. to support a planned development.

Prepared by: A. Gary Irwin, O.L.S., O.L.I.P. Division Manager,
Geomatics and City Surveyor

Submitted by: Jennie A. Dann, P. Eng., Director, Construction &
Infrastructure Services

Recommended by: Kelly Scherr, P. Eng., MBA, FEC, Deputy City Manager,
Environment & Infrastructure

Attach: Appendix A: By-law to close Phillip Street
copy: John Turedi

APPENDIX A: By-law to close Phillip Street

Bill No.

By-law No. S - _____

A By-law to stop up and close part of Phillip Street also known as McMillan Street.

WHEREAS it is expedient to stop up and close part of Phillip Street on Registered Plan 38, also known as McMillan Street by By-law S.-3451-115, in the City of London;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Phillip Street shall be stopped up and forever closed and cease to be and form public highway:

Phillip Street on Registered Plan 38 designated as Part 2 on plan 33R-21948 in the City of London and County of Middlesex.

2. The lands comprising the said street hereby stopped up and closed shall continue to be vested in the Corporation of the City of London to be dealt with from time to time as the Council of the Corporation may see fit and deem proper.

3. This By-law comes into force and effect on the day it is passed.

PASSED in Open Council on _____

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading –
Second Reading –
Third Reading –