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<b>TO:</b>	<b>CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON FEBRUARY 2, 2016</b>
<b>FROM:</b>	<b>JOHN BRAAM, P.ENG. MANAGING DIRECTOR, ENVIRONMENTAL &amp; ENGINEERING SERVICES AND CITY ENGINEER</b>
<b>SUBJECT:</b>	<b>GORE ROAD AREA PROJECT BRAESYDE &amp; DENGATE INFRASTRUCTURE REPLACEMENT REPEAL BY-LAW 3316 &amp; REMOVAL OF EASEMENT</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions **BE TAKEN** with respect to repealing Township of London By-law 3316:

- (a) The sewer easement expropriated by Township of London By-law 3316 be released;
- (b) the attached proposed By-law in Schedule 'A' **BE INTRODUCED** at the Municipal Council meeting to be held on February 16, 2016, for the purpose of repealing Township of London By-law 3316; and
- (c) the Civic Administration **BE AUTHORIZED** to take all necessary actions to release the easement from the subject property.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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- Civic Works Committee – November 3, 2014 – Gore Road Area Project, Braesyde & Dengate Infrastructure Replacement, Appointment of Consultant Engineer

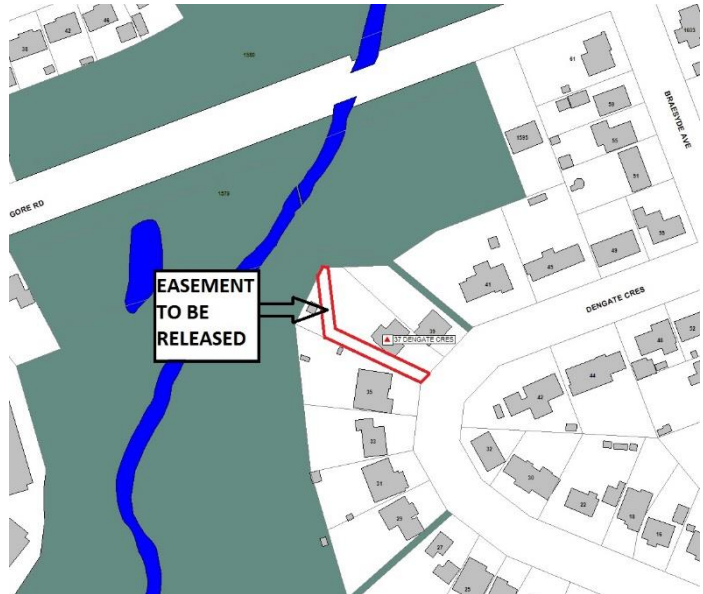
<b>BACKGROUND</b>
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**Purpose**

This report seeks the approval of the Municipal Council to repeal the Township of London By-law 3316 and release the sanitary sewer easement expropriated on April 21, 1959 over lands known municipally as 37 Dengate Crescent.

<b>DISCUSSION</b>
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In 2015 Tri-Con Excavating Inc. was the successful bidder for City of London Contract No. 13 (Tender No. 15-58). The work in contract included reconstructing Braesyde Avenue and Dengate Crescent, rerouting the sanitary sewer on Dengate Crescent to Braesyde Avenue and ultimately to Gore Road. This work eliminated the need for the pipe crossing 37 Dengate Crescent in addition to the pipe bridge and piers over the Pottersburg Creek. As part of the contract, the pipe bridge was removed while the remaining section of abandoned pipe was grouted in place.



The work was completed in October 2015. Now that the sewer has been abandoned and the easement is no longer required, it is in the best interest of both the City and the owner of 37 Dengate Crescent to release the easement lest it continue to burden the property unnecessarily.

**Acknowledgements:**

This report was prepared by John Bos C.E.T. of the Wastewater and Drainage Engineering Division with input from Gary Irwin, Manager of Geomatics and Chief Surveyor.

<b>PREPARED BY:</b>	<b>REVIEWED AND CONCURRED BY:</b>
<b>TOM COPELAND, P. ENG. DIVISION MANAGER, WASTEWATER AND DRAINAGE ENGINEERING</b>	<b>JOHN LUCAS, P. ENG. DIRECTOR, WATER AND WASTEWATER</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN BRAAM, P.ENG. MANAGING DIRECTOR ENVIRONMENTAL SERVICES AND CITY ENGINEER</b>	

January 25, 2016

Attach: Schedule 'A' – repealing By-law

Agenda Item #	Page #

**SCHEDULE 'A'**

Bill No.  
2016

By-law No. S.-\_\_\_\_\_

A by-law to repeal Township of London By-law No. 3316 entitled "Being a By-law to expropriate an easement for a sewer over certain lands in the Township of London."

WHEREAS The Corporation of the Township of London expropriated a sanitary sewer easement from the property known municipally as 37 Dengate Crescent by Township of London By-law No. 3316 passed on the 21<sup>st</sup> day of April, 1959, it being noted the said property has since been annexed by the City of London;

AND WHEREAS The Corporation of the City of London recently constructed new sewer works in the area resulting in the subject sanitary sewer being permanently abandoned;

AND WHEREAS The Corporation of the City of London has no further need for the sewer easement and it is in the best interest of both the City and the owner of the property known municipally as 37 Dengate Crescent to have the sewer easement released from the property lest the easement continue to burden the property unnecessarily;

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

1. By-law No. 3316 passed on the 21<sup>st</sup> day of April 1959, entitled "Being a By-law to expropriate an easement for a sewer over certain lands in the Township of London." registered in the Land Titles Division of Middlesex East (No. 33) on the 20<sup>th</sup> day of April 1960, as Instrument Number 133926, is hereby repealed.
2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading –  
Second Reading –  
Third Reading –