

TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON NOVEMBER 29, 2016
FROM:	KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT:	CLOSING OF LILAC AVENUE

RECOMMENDATION

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to closing Lilac Avenue north of Ironwood Road:

- (a) the closing of Lilac Avenue north of Ironwood Road on plan 33M-514 **BE APPROVED**; and,
- (b) the attached proposed by-law (Appendix 'A') for the purpose of closing Lilac Avenue north of Ironwood Road **BE INTRODUCED** at a future meeting of Municipal Council upon expiry of the appeal period for the zoning bylaw amendment on the abutting development lands and the precise legal description being confirmed.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None.

2015-19 STRATEGIC PLAN

The proposed road closing By-law benefiting The Ridge At Byron Inc. supports the Strategic Plan through the strategic focus area of *Leading in Public Service* by providing excellent service delivery.

BACKGROUND

Lilac Avenue north of Ironwood Road is a “stub street” established by 33M-514 for the purposes of creating a future road link to undeveloped lands to the north of the subdivision. The owner of those undeveloped lands is now planning to develop the property as a vacant land condominium which eliminates the need for the City to retain Lilac Avenue as a public street. Where changing development patterns results in the situation that a “stub street” is no longer required for public usage but it is still needed to provide access to abutting lands, the City often closes and conveys the unneeded street to the owner/developer of the abutting property so that it can be incorporated into the new development as a private entrance. As a prerequisite to the conveyance, the street must be legally closed as public highway which is the purpose of this report.

DISCUSSION

The owner of vacant lands immediately north of Lilac Avenue on 33M-514, namely The Ridge At Byron Inc., has applied to close and purchase Lilac Avenue so that it can be incorporated into a proposed vacant land condominium and be used as a private entrance.

Since Lilac Avenue is no longer needed as a public road allowance, it is in both the developer's and City's best interest that the street be closed and transferred to the developer for incorporation into the proposed condominium. This allows the developer to control the access, erect fences and entrance features etc. and relieves the City from the burden of future maintenance. Although the street was built out by the developer of 33M-514 and contains stub water and sewer services, it is not publically travelled and only provides access to the vacant development lands. The two flanking lots on Lilac Avenue front onto and are serviced from Ironwood Road, hence Lilac Avenue can be closed and conveyed together with the municipal services without effecting the general public or other property owners.



Upon expiry of the appeal period for the zoning by-law amendment for the proposed condominium development the closing by-law will be formally submitted to Council for approval. Once the road allowance has been legally closed as public highway, Realty Services will seek approval for the transfer of the road allowance to the developer by way of a separate report to the Corporate Services Committee.

CONCLUSION

Since Lilac Avenue north of Ironwood Road is not required for public travel, it is recommended the street be stopped up and legally closed as public highway so that it can be conveyed to the owner of abutting lands in support of a proposed condominium development.

PREPARED BY:	REVIEWED AND CONCURRED BY:
A. GARY IRWIN, O.L.S., O.L.I.P. CHIEF SURVEYOR AND DIVISION MANAGER, GEOMATICS	EDWARD SOLDO, P.ENG. DIRECTOR, ROADS AND TRANSPORTATION
RECOMMENDED BY:	
KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR ENVIRONMENTAL SERVICES AND CITY ENGINEER	

November 24, 2016

cc: Terry Grawey
Allister MacLean
Bryan Baar

APPENDIX ‘A’

Bill No. _____

2016

By-law No. S - _____

A By-law to stop up and close Lilac Avenue north of Ironwood Road.

WHEREAS it is expedient to stop up and close Lilac Avenue north of Ironwood Road on Plan 33M-514 in the City of London;

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

1. Lilac Avenue shall be stopped up and forever closed and cease to be and form public highway:

Lilac Avenue north of Ironwood Road on Plan 33M-514 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 _____

Mat Brown
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –