

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 ISAAC DRIVE

RECOMMENDATION

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to closing Isaac Drive south Clayton Walk:

- (a) the closing of Isaac Drive south of Clayton Walk **BE APPROVED**; and,
- (b) the attached proposed by-law (Appendix 'A') for the purpose of closing Isaac Drive south of Clayton Walk **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 has been confirmed.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None.

2015-19 STRATEGIC PLAN

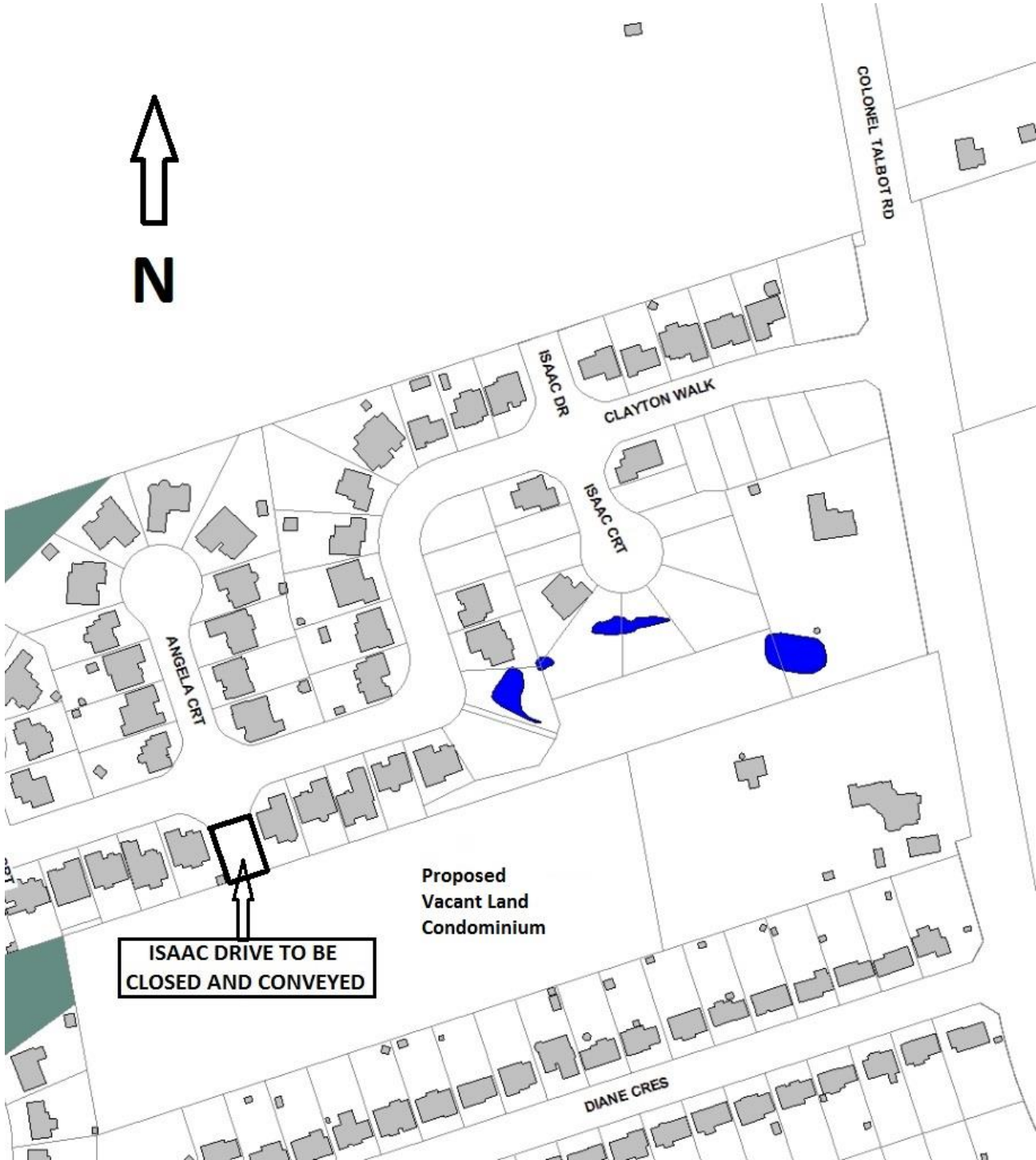
The proposed road closing By-law benefiting 1822094 Ontario Inc. supports the Strategic Plan through the strategic focus area of *Leading in Public Service* by providing excellent service delivery.

BACKGROUND

Isaac Drive south of Clayton Walk is a “stub street” established by 33M-524 for the purposes of creating a future road link to undeveloped lands to the south of the subdivision. The owner of those lands is now planning to develop the property as a vacant land condominium which eliminates the need for the City to retain Isaac Drive 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 south of Isaac Drive on 33M-524, namely 1822094 Ontario Inc., has applied to close and purchase Isaac Drive so that it can be incorporated into a proposed vacant land condominium and be used as a private entrance. Since Isaac Drive 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-524 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 Isaac Drive front onto and are serviced from Clayton Walk, hence Isaac Drive can be closed and conveyed together with the municipal services without effecting the general public or other property owners.



Upon expiry of the rezoning appeal period 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 Isaac Drive south of Clayton Walk 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 SOLDI, 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 Isaac Drive south of Clayton Walk.

WHEREAS it is expedient to stop up and close Isaac Drive south of Clayton Walk on Plan 33M-524 in the City of London;

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

1. Isaac Drive shall be stopped up and forever closed and cease to be and form public highway:

Isaac Drive south of Clayton Walk on Plan 33M-524 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 –