

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 Chief Surveyor **BE AUTHORIZED** to submit the By-law to legally stop up and close Lilac Avenue north of Ironwood Road to Council for approval when and as requested by the Manager of Development Services and Planning Liaison, it being noted that the closing and conveyance of the road allowance to the owner of the abutting lands will be dependent upon the owner receiving approval to develop those lands.

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

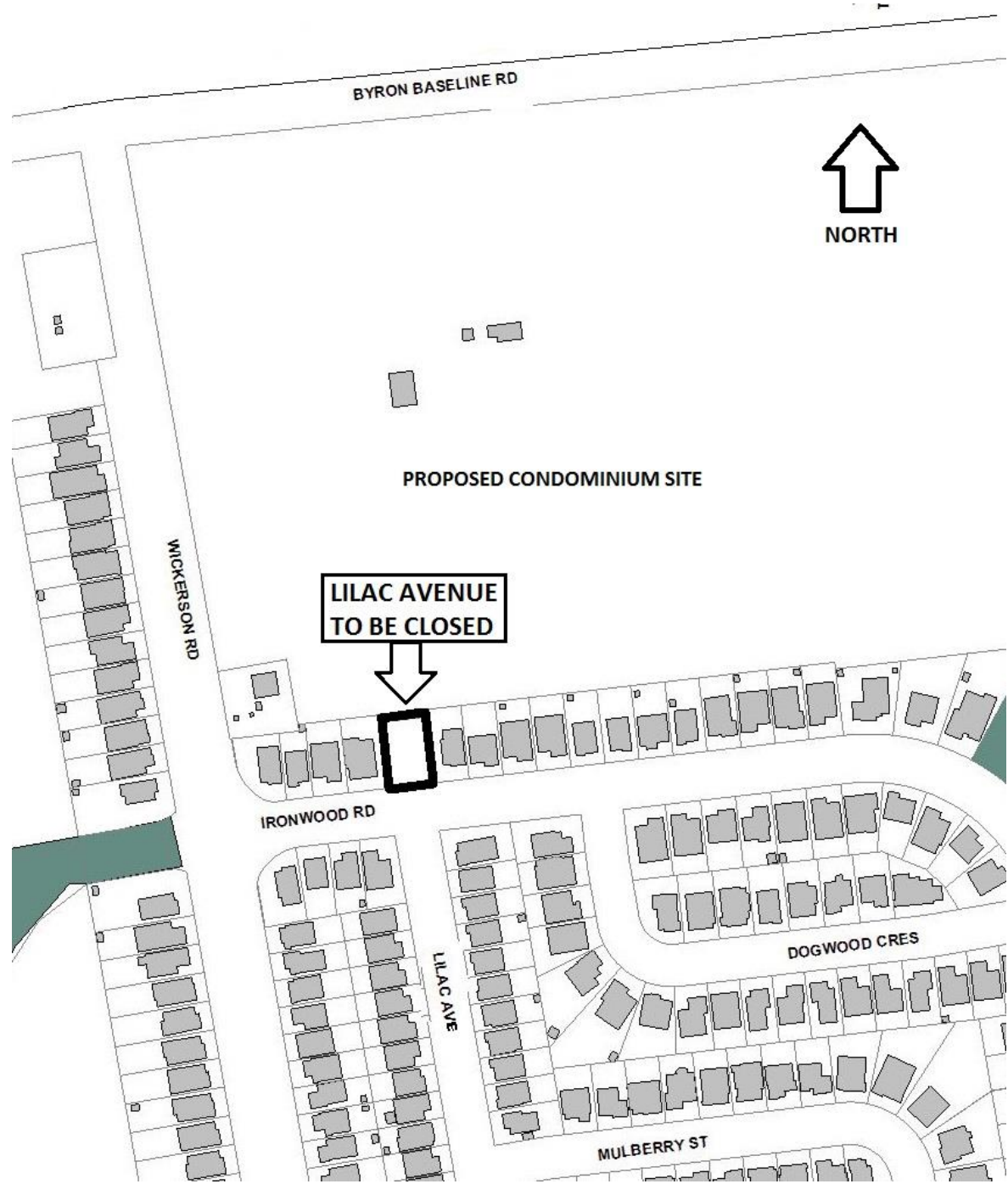
Lilac Avenue north of Ironwood Road is a “stub street” established by 33M-514 for the purposes of creating a future road link to undeveloped lands to the north of the subdivision. The owner of those undeveloped lands is now planning to develop the property as a vacant land condominium which eliminates 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 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.

At the appropriate point in the development approval process for the condominium, the Manager of Development Services and Planning Liaison will request that the Chief Surveyor submit the closing By-law through the Clerk’s office 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

As 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 and the Chief Surveyor be authorized to submit the closing By-law directly to Council when and as requested by the Manager of Development Services and Planning Liaison 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 10, 2016

cc: Terry Grawey
Allister MacLean
Bryan Baar