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TO:	CHAIR AND MEMBERS BUILT AND NATURAL ENVIRONMENT COMMITTEE MEETING ON OCTOBER 31, 2011
FROM:	JOHN LUCAS, P.ENG. ACTING DIRECTOR OF ROADS AND TRANSPORTATION ENVIRONMENTAL AND ENGINEERING SERVICES
SUBJECT	OAKRIDGE DRIVE LANE CLOSING

RECOMMENDATION

That, on the recommendation of the Acting Director of Roads and Transportation:

- (a) the closing of the unnamed Lane between Lot 5 and Lot 116 on Registered Plan 784 **BE APPROVED**; and,
- (b) Jeffrey D. Elliott, Solicitor, **BE APPOINTED** as the City's Solicitor in accordance with the City's Street and Lane Closing Procedure for the purpose of obtaining the Court Order necessary to close the lane.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None.

BACKGROUND

Purpose:

The purpose of this report is to obtain the Council resolution necessary to initiate legal proceedings to close as public highway the unnamed lane between Lot 5 and Lot 116 on Registered Plan 784. Upon approval being given, the applicant's Solicitor will be authorized to obtain the Ontario Divisional Court Order necessary to close the lane prior to it being sold.

Discussion:

An application has been received by the owner and developer of MN 563 Riverside Drive to close and purchase the unnamed lane lying between Lot 5 and Lot 116 on Registered Plan 784 that that abuts his property. The intent is that the 6.096 metre (20 foot) wide lane will be purchased and amalgamated into a proposed condominium development as intended by Condition 11 of the approved draft Plan of Condominium, File No. 39CD-08506 which provides that:

- 11) *The Owner shall apply to close and purchase the City owned lane at the northerly limit of this draft plan in order to have it consolidated within this draft plan.*

The subject lane was created by Registered Plan 784 to provide access from Oakridge Drive to the development parcel since physical access from Riverside Drive was restricted by a steep embankment.

No Civic departments objected to the closing and sale which, once complete, reduces the City's liability of owning an unassumed public lane. No other property owners are affected by the closing and no easements are required for utilities.

Once the lane has been closed by Court Order it will be declared surplus before being sold, which will be the subject of a separate report to be brought forward by Realty Services. Realty Services has already obtained a verbal purchase and sale agreement with the owner.

Summary:

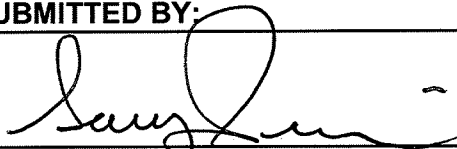
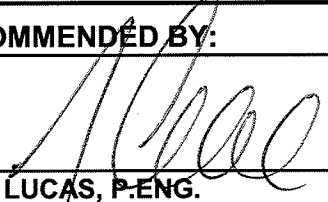
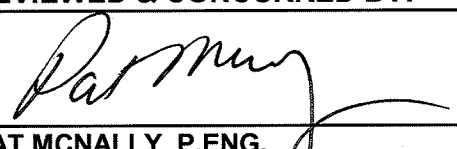
In accordance with the intent of Condition No. 11 of Draft Plan of Condominium File 39CD-08506, it is recommended the lane be closed and Mr. Jeffrey D. Elliott be appointed as the City's Solicitor for the purpose of obtaining the Court Order necessary to close the lane prior to it being sold in accordance with the City's policies for the disposition of surplus land.

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Acknowledgement:

This report was prepared by Gary Irwin.

SUBMITTED BY:	RECOMMENDED BY:
	
A. GARY IRWIN, O.L.S., O.L.I.P. CHIEF SURVEYOR & DIVISION MANAGER, GEOMATICS	JOHN LUCAS, P.ENG. ACTING DIRECTOR, ROADS & TRANSPORTATION
REVIEWED & CONCURRED BY:	
	
PAT MCNALLY, P.ENG. EXECUTIVE DIRECTOR, PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES	

October 18, 2011
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cc. J. Braam, P.Eng, City Engineer