

TO:	CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON JUNE 18, 2019
FROM:	KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT:	CLOSING OF ISAAC DRIVE

<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 closing Isaac Drive north of Clayton Walk:

- (a) the closing of Isaac Drive north of Clayton Walk **BE APPROVED**; and,
- (b) the attached proposed by-law (Appendix 'A') for the purpose of closing Isaac Drive north of Clayton Walk **BE INTRODUCED** at the June 25<sup>th</sup>, 2019 Council Meeting,

it being noted that subject to the passing and registration of the attached closing by-law in the Land Registry Office, utility easements shall be conveyed to utility owners as needed and the City will retain a municipal services easement over the lands to be conveyed.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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None.

<b>2019-23 STRATEGIC PLAN</b>
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The proposed road closing By-law supports the Strategic Plan through the strategic focus area of *Leading in Public Service* by providing excellent service delivery.

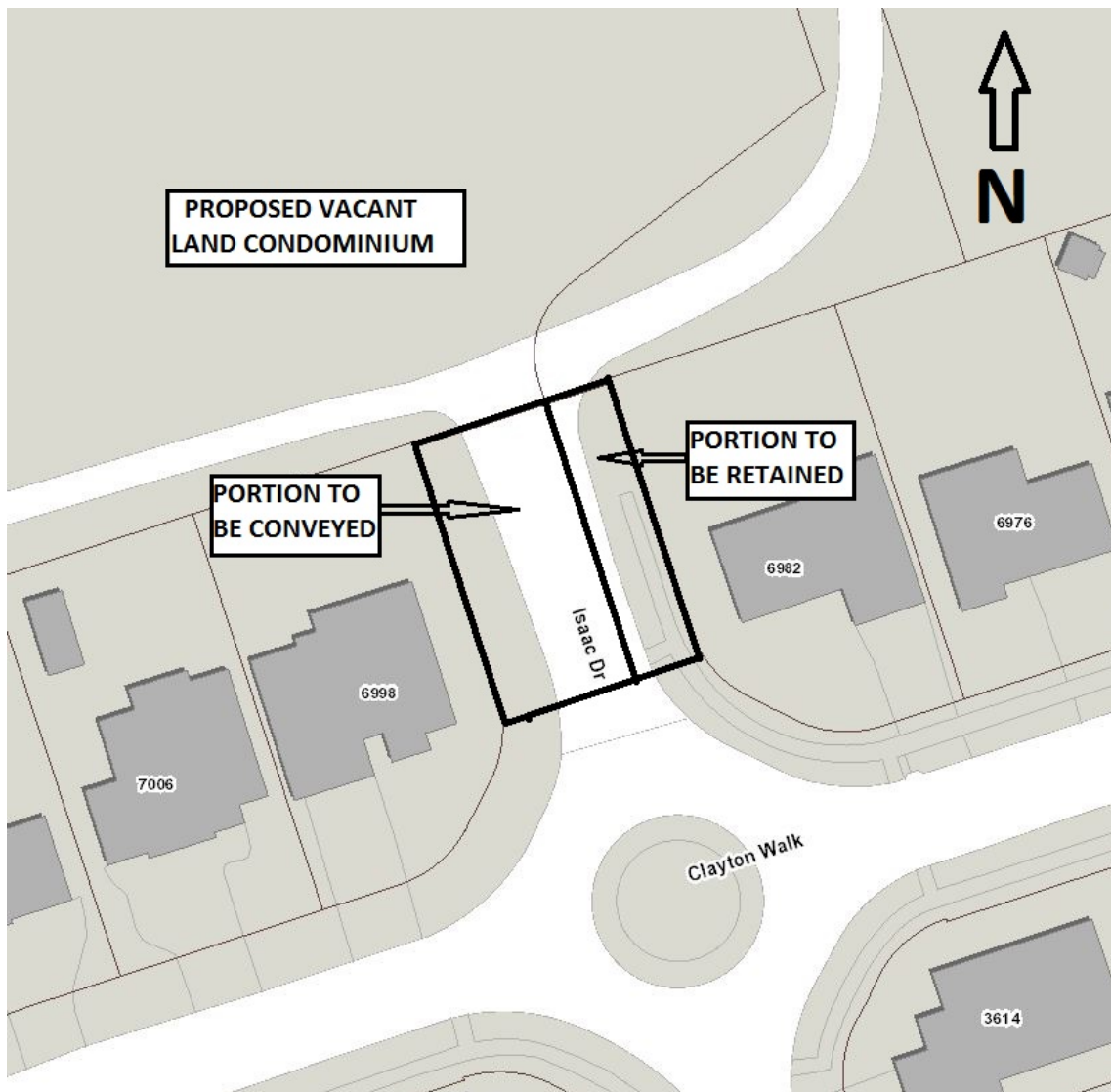
<b>BACKGROUND</b>
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Isaac Drive north of Clayton Walk is a “stub street” originally established by Plan 33M-524 to provide a future road link to the undeveloped lands north of the subdivision. When changing development patterns lead to the situation where a street is no longer required for public usage but can be converted to a private entrance, the City requires that the street be transferred to private ownership. As a prerequisite to the conveyance, the street must first be legally closed as public highway which is the purpose of this report.

## DISCUSSION

As a condition of site plan approval, the owner of vacant lands immediately north of Isaac Drive on 33M-524, namely 2219008 Ontario Limited, has applied to close and acquire a portion of Isaac Drive so that it can be incorporated into a proposed vacant land condominium to be used as a private entrance. Due to changes in area development patterns, Isaac Drive is no longer needed as a public road and it is in both the developer's and City's best interest that the street be closed and the surplus portion transferred to the developer to be incorporated into the proposed condominium. This provides the developer with full control over the entrance to the private development and relieves the City from the responsibilities for future maintenance. The street is not being used for public travel and the flanking lots on Isaac Drive front onto, and are serviced from, Clayton Walk. Therefore Isaac Drive can be closed and conveyed without effecting the public or abutting property owners.

The City will be retaining a 7 metre wide strip of land along the east side of the road allowance to accommodate a public pathway link from Clayton Walk to and through the open space on the lands to the north. The City will also be retaining a municipal services easement for trunk sewers and will be conveying any utility easements that may be required.



Once the road allowance has been legally closed as public highway by by-law, Realty Services will seek approval for the transfer of the surplus portion of the road allowance to the developer by way of a separate report to the Corporate Services Committee.

<b>CONCLUSION</b>
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Since Isaac Drive north 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 the westerly portion of the street can be conveyed to the owner of abutting lands in support of a proposed condominium development.

<b>PREPARED BY:</b>	<b>REVIEWED AND CONCURRED BY:</b>
<b>A. GARY IRWIN, OLS, OLIP CITY SURVEYOR AND DIVISION MANAGER, GEOMATICS</b>	<b>DOUG MACRAE, P.ENG., MPA DIRECTOR, ROADS AND TRANSPORTATION</b>
<b>RECOMMENDED BY:</b>	
<b>KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR ENVIRONMENTAL &amp; ENGINEERING SERVICES AND CITY ENGINEER</b>	

May 23, 2019

Appendix A: Proposed By-law

cc: Dan FitzGerald  
Adam Ostrowski

**APPENDIX 'A'**

Bill No. \_\_\_\_\_

2019

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

A By-law to stop up and close Isaac Drive north of Clayton Walk.

WHEREAS it is expedient to stop up and close Isaac Drive north 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 north of Clayton Walk on Plan 33M-524 designated as Parts 3 and 4 on Plan 33R-20114, 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 \_\_\_\_\_

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading –  
Second Reading –  
Third Reading –