

## Report to Civic Works Committee

**To:** Chair and Members  
Civic Works Committee

**From:** Kelly Scherr, P. Eng., MBA, FEC, Deputy City Manager,  
Environment & Infrastructure

**Subject:** Closing part of Upper Canada Crossing

**Date:** May 31, 2022

## Recommendation

That on the recommendation of the Deputy City Manager, Environment & Infrastructure, the following actions **BE TAKEN** with respect to the closing of part of Upper Canada Crossing:

- (a) the closing of Upper Canada Crossing abutting Lots 24 & 25 on Plan 33M-624 **BE APPROVED**, and
- (b) the attached proposed by-law (Appendix 'A') **BE INTRODUCED** at the Municipal Council meeting to be held on June 14, 2022, for the purpose of closing part of Upper Canada Crossing.

it being noted that subject to the passing and registration of the attached closing by-law in the Land Registry Office, the City will retain a municipal services easement over the road allowance and reserve Block 186, 33M-624 for a watermain, and for the purposes of prohibiting the erection of any structures on the subject lands.

## Linkage to the Corporate Strategic Plan

The following report supports the Strategic Plan through the strategic focus area of “Building a Sustainable City” by closing a street which is no longer needed for public use and transferring ownership to support a proposed apartment and townhouse development.

## Analysis

### 1.0 Background Information

The easterly leg of Upper Canada Crossing north of Raleigh Boulevard was established by Plan 33M-624 and was intended to provide a road link to the undeveloped lands to the north of the subdivision on the presumption those lands would also be developed as a residential subdivision. However, the owner and developer of those lands is now proposing an apartment and townhouse development which eliminates the need for the City to retain the stub as a public street and allows it to be transferred to the developer as a private entrance to the development. As a prerequisite to the conveyance the street must first be legally closed as public highway, which is the purpose of this report.

### 2.0 Discussion and Considerations

Southside Construction Management Limited, the owner of the undeveloped lands lying north of 33M-624 known municipally as 799 Southdale Road West, has submitted a site plan application for an apartment and townhouse development. The site plan layout includes a sharp bend at the point of connection from Upper Canada Crossing to the internal road system and the lack of a “hammer-head” turnaround will make it difficult for



the sanitary sewer stub will be transferred to the developer along with the road allowance lands.

Once the closing bylaw has been passed and registered on title, Realty Services submit a report to the Corporate Services Committee formerly declaring the street as surplus land and authorizing its conveyance to the developer.

### **3.0 Financial Impact/Considerations**

The closing and conveyance of the subject portion of Upper Canada Crossing will have no financial impact on the City.

## **Conclusion**

The change in development of the abutting lands from residential subdivision to a private apartment and townhouse complex eliminates the need for the City to retain the east leg of Upper Canada Crossing for public use. Moreover, the design of the development creates safety issues for the City's Transportation and Mobility road operations staff. It is therefore recommended that the street be stopped up and closed as public highway so that it can be conveyed and incorporated into the proposed apartment and townhouse development.

**Prepared by:** A. Gary Irwin, O.L.S., O.L.I.P. Division Manager,  
Geomatics and City Surveyor

**Submitted by:** Jennie A. Dann, P. Eng., Director, Construction &  
Infrastructure Services

**Recommended by:** Kelly Scherr, P. Eng., MBA, FEC, Deputy City Manager,  
Environment & Infrastructure

May 5, 2022

Attach: Appendix A: By-law to close part of Upper Canada Crossing

copy: Michael Pease  
Bryan Baar  
Dhaval Harpal

## APPENDIX A: By-law to close part of Upper Canada Crossing

Bill No.

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

A By-law to stop up and close the east stub of Upper Canada Crossing north of Raleigh Boulevard.

WHEREAS it is expedient to stop up and close the east stub of Upper Canada Crossing north of Raleigh Boulevard on Plan 33M-624 in the City of London;

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

1. Upper Canada Crossing shall be stopped up and forever closed and cease to be and form public highway:

Upper Canada Crossing abutting Lots 24 & 25 on Plan 33M-624 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

Michael Schulthess  
City Clerk

First Reading –  
Second Reading –  
Third Reading –