

This same owner dedicated, without compensation, the lane under subdivision Plan LMP14051 in November 1991. Consequently, the ±3,211 ft.² portion of lane will be returned to the Trustees of the Congregation of the Grace Presbyterian Church at no cost, as they were the original dedicator of the lane and have retained ownership of the properties comprising the consolidation since the time of dedication. The City's Policy Manual P-4, (2) (a) indicates that compensation is not required when "the applicant has remained the original owner since the time the road and/or lane to be closed was initially dedicated." The applicant will be responsible to pay for all other costs to complete the lane closure.

D. Process

Prior to final approval of Council, a reference plan prepared at the applicant's expense will be submitted to the Legislative Services Department requesting Introduction and Adoption of a By-law to close and remove the dedication as highway. Prior to Final Adoption of the By-law, in conformance with Sections 40 (3) and 94 of the Community Charter, notice of the closure will be advertised for two consecutive weeks in a local newspaper, and a notice will be posted at City Hall. The advertisement provides information to the public at large on the details of the closure and indicates that all pertinent data can be obtained from the Realty Services Division. All concerns from the public will be addressed prior to completion of the closure. In addition, as required under Section 40 (4) of the Charter, notice of the City's intention to close the lane will be directed to all utility companies considered to be affected by the proposed closure. Legislative Services will then request Council to provide Final Adoption of the By-law. Upon completion of these requirements, the By-law will then be registered at the Land Title Office. The Realty Services Division will then advertise the disposition of the lane in a local newspaper and will post a notice at City Hall as prescribed under Sections 26 and 94 of the Charter. The advertisement and notice will contain a description of the land. Upon completion of these items, a final report will be submitted to Council to approve the sale. The City will then prepare transfer documents to transfer the lane to the applicant, and registration will take place at the Land Title Office.

As required under Section 40 (4) of the Community Charter, all utility companies potentially affected by the lane closure have been consulted. All have advised that the closing of this portion of lane does not affect their services.

E. Conclusion

The portion of lane is not required for road purposes, and the closing and consolidation of this lane does not affect the surrounding area. As a result of the City Policy Manual, P-4 (2a), the applicant is not required to compensate the City for the closed lane.

Consequently, the Engineering Department is recommending that Council authorize the proposed road closure as outlined in this report.

Paul Ham, P. Eng.
General Manager, Engineering

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Appendices

- I. Site Map
- II. Aerial Photograph of Site

III. Proposed Site Plan