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Date November 14, 2023 **Report No.** 2023-630
To Chair and Members
Committee of the Whole - Planning and Administration
From Michael Bradley
Commissioner of Community Development

1.0 Type of Report

Consent Item
Item For Consideration

2.0 Topic Lane Closing and Conveyance – Lawrence Street;
Lyons Avenue; Ridgewood Drive; and Abigail Avenue
[Financial Impact – None]

3.0 Recommendation

- A. THAT Report 2023-630, entitled “Lane Closing and Conveyance on Lawrence Street; Lyons Avenue; Ridgewood Drive; and Abigail Avenue” BE RECEIVED; and,
- B. THAT the necessary By-law to close and convey the Lane, Plan 110A, Adjoining Lots 80, to 82, and Lots 144 and 145; City of Brantford; Being all of the PIN 32163-0322 (LT) to the abutting property owners BE PRESENTED to City Council for adoption at its November 28, 2023 Regular Meeting, following the prescribed public notice process.

4.0 Executive Summary

This report presents a request from the abutting property owners of the laneway fronting on Lawrence Street and Ridgewood Drive to acquire the City owned

laneway with a size of 2,500 sq. ft. The laneway in question is no longer required by the City.

Following receipt of a request from one of the abutting property owners to close the lane, Staff completed a circulation to adjacent landowners, City departments, and external utilities regarding the potential laneway closure. The response from the circulation reveal that all adjacent landowners are interested in adding portions of the laneway to their existing properties. Requirements for utility easements have been addressed and there were no other concerns expressed regarding the closure and transfer of the laneway. Accordingly, it is recommended that the laneway be closed and transferred to all the adjoining properties.

5.0 Purpose and Overview

The purpose of this report is to obtain Council approval to close and convey the subject laneway fronting on Lawrence Street and Ridgewood Drive (the “Lane”) to the abutting property owners within the block at the corner of Lyons Avenue and Lawrence Street, including 2 Lyons Avenue, 4 Lyons Avenue, 6 Lyons Avenue and 3 Abigail Avenue.

6.0 Background

The Lane (shown on Figures 1 and 2) was created and acquired by Plan 110A that was registered on September 30th, 1889.



Figure 1 - Aerial map identifying the subject Lane

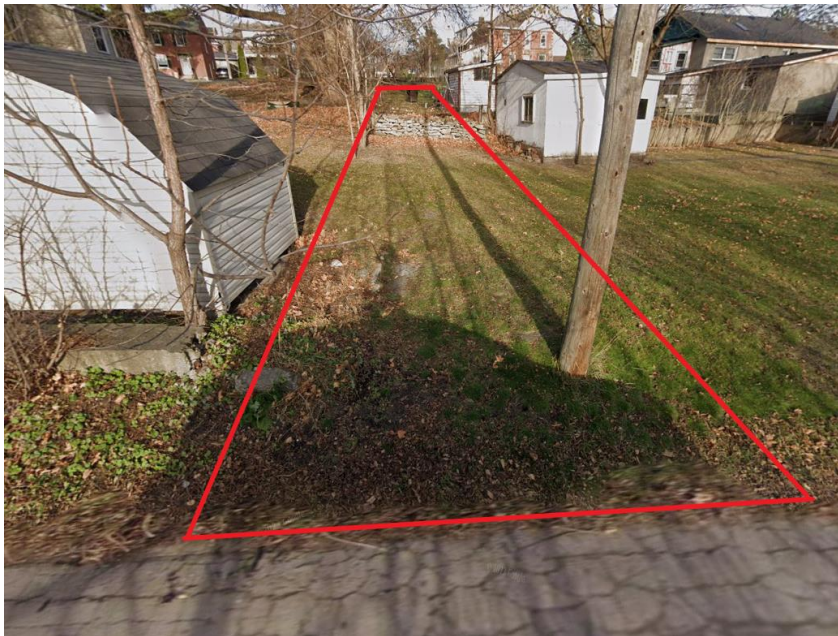


Figure 2 - Picture showing the subject Lane and abutting properties. Source: Google

City staff first received an inquiry from one of the abutting property owners about the lane in February 2023. Pursuant to section 3.9 of the **Acquisition and Disposition of Interests in Lands Policy (CORPORATE-042)** regarding

Lane/Alley Closings (Close and Convey to Abutting Owners), a petition was sent out to the abutting property owners and the responses received confirmed that they are all interested in acquiring the lane.

A circulation was sent to all the utility companies to determine if they required an easement over the lane; Rogers and Bell both required easements. Also, an internal circulation returned with no objection to the lane closing. The property at 2 Lyons Avenue is owned by the City.

Should Council approve the closing and conveyance of the Lane, the entire portion will form part of the adjacent properties.

7.0 Corporate Policy Context

The lane closure and conveyance will contribute to Council Priority #6a of the **2023-2026 Council Priorities**: “Effectively and consistently engage with the community.”

The acquisition and disposition of City-owned lands are subject to **CORPORATE-042 Acquisition & Disposition of Interest in Lands Policy**. Section 3.9(f) also notes that, “The conveyance cost will be set at a nominal value, plus the purchaser will be required to pay their proportionate share of the administrative costs to close and convey the subject lands, including but not limited to survey costs, advertising costs, and registrations costs.”

8.0 Input From Other Sources

This report has been prepared by the Economic Development, Tourism & Cultural Initiatives Department in collaboration with the Legal Services Department.

9.0 Analysis

9.1 Property Description

The City no longer requires the Lane for any purpose. The size, approximately 2,500 sq. ft., is not appropriate for any development. Upon closure and conveyance, it will form part of the adjacent properties as shown on the location plan in **Appendix A**.

Part 1 will become part of 3 Abigail Avenue; Part 2 will form part of the City owned lands at 2 Lyons Avenue; Part 3 will become part of 4 Lyons

Avenue; Part 4 will become part of 6 Lyons Avenue; and Part 5 will become part of the vacant land at the corner of Lyons Avenue and Lawrence Street.

9.2 Lane Closing Procedure

In accordance with **Chapter 15 (Council Procedure), Article 15 (Notice)**, advertisement will be posted on the City's website at least one week in advance of the meeting, which will provide notice that Council will consider a By-law to close the lane that fronts onto Lawrence Street and Ridgewood Drive at its meeting to be held on Tuesday, November 28, 2023. Members of the public may appear as a delegation should they wish to speak to this matter.

10.0 Financial Implications

There are no financial implications for the City in this transaction. Per the **Acquisition and Disposition of Interest in Lands Policy**, the conveyance cost will be set at a nominal value with the Purchaser(s) being required to pay their proportionate share of the administrative costs to close and convey the subject lands. There is potential for additional revenue to the City in the form of property tax resulting from an increase to the sizes of the abutting properties, which is determined by the Municipal Property Assessment Corporation (MPAC) and cannot be measured at this time.

Also the City owned property at 2 Lyons Avenue will increase by approximately 200 sq. ft. from its current size of 3,900 sq. ft. which will generate more value if sold or developed and presents a minimal additional impact related to property maintenance. There is potential for development of this property in the future; the current size is large enough to develop a single detached dwelling per the current zoning R1D, which requires a minimum 270 sq m (2,900 sq ft) lot size.

The closure and conveyance will dispose a future contingent liability by disposing of the property. From an insurance and risk management perspective, it is not possible to accurately estimate the financial impact of this transaction. The benefit for the City in this case is that it will relieve the City from any future liability based on the City's ownership of the land.

As staff cannot anticipate the future condition of the land or the severity of any injury which may be sustained by a person accessing the lands, it is not possible to accurately estimate the financial impact associated with this transaction.

11.0 Climate and Environmental Implications

The recommendations made as a result of this report will have no Climate or Environmental Implications.

12.0 Conclusion

It is recommended that Council pass the required By-law to close the Lane fronting on Lawrence Street and Ridgewood Drive and convey to the abutting property owners. The closure of the Lane will relieve the City of all future contingent liability with respect to the property, and will potentially be a source of additional revenue to the City in the form of property tax.



Michael Bradley
Commissioner of Community Development

Prepared By:

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Attachments:

Appendix A - Lawrence Street and Ridgewood Drive Lane Closing Location Plan

In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

By-law required yes no

Agreement(s) or other documents to be signed by Mayor and/or City Clerk yes no

Is the necessary by-law or agreement being sent concurrently to Council? yes no