

City of North Bay Report to Council

Report No: CSBU-2022-043

Date: July 27, 2022

Originator: Peter Carello

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Laneway Closure Application – 328 King Street West

Closed Session: yes ☐ no ☒

Recommendation

1. That the application by Gerardo Ortega to close the laneway, as shown on Schedule "A" attached to Report to Council CSBU 2022-043, be approved;
2. That the closure of the laneway be subject to the granting of any required easements; and
3. That the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject laneway.

Background

Section 34(1) of the Municipal Act 2001 (S.O. 2001, c.25) permits municipalities to pass By-laws for "stopping up any highway or part of a highway".

The City of North Bay received an application to close an existing laneway on the block bounded by King Street West, Cassells Street, Princess Street West and High Street.

Notice of this proposed closure was circulated to all parties that may have an interest in this matter with the following comments received:

- 1) City Solicitor – No concerns expressed
- 2) Engineering Department – "I have reviewed the lane closure, no concerns with closing the laneway."

- 3) Director, Public Works and Parks – No concerns expressed.
- 4) Building Services – “The Building Services department has no concerns with the closure of this laneway.”
- 5) North Bay-Mattawa Conservation Authority – “We have no objection to this application”
- 6) Bell Canada – No concerns expressed
- 7) Ministry of Transportation – “In regard to this proposal the MTO has no comments.”
- 8) Enbridge Gas – “Enbridge Gas Inc. has reviewed the proposal and has no interest in the subject lands for the portion proposed for sale.”
- 9) North Bay Hydro – No concerns expressed
- 10) Hydro One – No concerns expressed

Staff received correspondence from one neighbour abutting the laneway to the south about their potential interest in acquiring a portion of the land. This neighbour showed some interest in acquiring the property, but ultimately withdrew their interest. Staff was supportive of this neighbour withdrawing their interest, as the laneway presently serves as the applicant’s laneway.

No further correspondence was received from any circulated internal department or external agency regarding this matter.

Should Council choose to close the laneway as requested, staff would recommend making this approval conditional upon the granting of the necessary easement to any utility that may require an easement.

Financial/Legal Implications

A portion of municipally owned laneway would be transferred from the City into private ownership.

Corporate Strategic Plan

- | | |
|---|--|
| <input type="checkbox"/> Natural North and Near | <input type="checkbox"/> Economic Prosperity |
| <input type="checkbox"/> Affordable Balanced Growth | <input type="checkbox"/> Spirited Safe Community |
| <input checked="" type="checkbox"/> Responsible and Responsive Government | |

Specific Objectives

Promote quality customer service as a practice

Options Analysis

Option 1:

Close and transfer the laneway as set out on Schedule A attached to Report to Council CSBU 2022-043.

Option 2:

Do not close the laneway. This option is not recommended because there is no municipal requirement for the subject laneway.

Recommended Option

Option 1 is the recommended option.

Respectfully submitted,

Name: Peter Carello, MCIP RPP
Title: Senior Planner – Current Operations

I concur with this report and recommendation

Name: Beverley Hillier, MCIP RPP
Title: Manager, Planning & Building Services

Name: Ian Kilgour, MCIP RPP
Title: Director of Community Development and Growth

Name: David Euler, P.Eng
Title: Chief Administrative Officer

Personnel designated for continuance:
Name: Peter Carello, MCIP RPP
Title: Senior Planner – Current Operations

Schedule A

