



City of North Bay Report to Council

Report No: CSBU-2024-052

Date: November 7, 2024

Originator: Peter Carello, Senior Planner – Current Operations

Business Unit:

Department:

Community Services

Planning & Building Department

Subject: Proposed Laneway Closure – 468 Kehoe Street

Closed Session: yes no

Recommendation

That:

1. the application by Paulin Polepole Rukiko to close the laneway, as shown on Schedule "A" attached to Report to Council CSBU 2024-052, dated November 7, 2024, from Peter Carello be approved by Council;
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 a laneway in the block bounded by Kehoe Street, Front Street, O'Brien Street and Eva Street.

Notice of this proposed closure was circulated to the abutting property owner as well as to all parties that may have an interest in this matter.

The City received the following comments in response to the circulation of the notice of application:

- 1) City Solicitor – No concerns expressed

- 2) Engineering Department – The Engineering Department indicated they had no comments or concerns with the closure.
- 3) Public Works and Parks – The Public Works Department confirmed that there is not any municipal infrastructure in the laneway, therefore had no objections.
- 4) Building Services – No concerns expressed
- 5) North Bay-Mattawa Conservation Authority – No concerns expressed
- 6) Bell Canada – Did not offer any objections to the proposed closure, but did request an easement be granted in their favour to protect their existing infrastructure. A complete copy of Bell’s comments is attached to this report as Appendix A.
- 7) Ministry of Transportation – No concerns expressed
- 8) Enbridge Gas – Enbridge Gas Inc. has completed a review and indicated that they have no interest in the subject lands.
- 9) North Bay Hydro – No concerns expressed
- 10) Hydro One – No concerns expressed

There is one privately owned property that abuts the portion of the lane subject to this closure. The owner indicated within the application form that they had no interest in acquiring the laneway.

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

Planning staff attended the property on November 7, 2024. There were no matters of municipal interest noted in the laneway during this visit.

Should Council choose to close the laneway as requested, staff would recommend making this approval conditional upon the granting of the necessary easement to Bell Canada.

Financial/Legal Implications

There are no financial implications to the City of North Bay. All costs associated with the closure are borne by the applicant. The legal implications to the City would be the eventual transfer of a parcel of laneway into private ownership.

Corporate Strategic Plan

Natural North and Near

Economic Prosperity

Affordable Balanced Growth Spirited Safe Community

Responsible and Responsive Government

Specific Objectives

- Promote and support public and private sector investment

Options Analysis

Option 1: Do not close the laneway.

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

Option 2: Close and transfer the laneway as set out on Schedule "A" attached to Report to Council CSBU 2024-052, dated November 7, 2024, from Peter Carello.

This is the recommended option.

Recommended Option

That:

1. the application by Paulin Polepole Rukiko to close the laneway, as shown on Schedule "A" attached to Report to Council CSBU 2024-052, dated November 7, 2024, from Peter Carello be approved by Council;
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.

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, Community Services

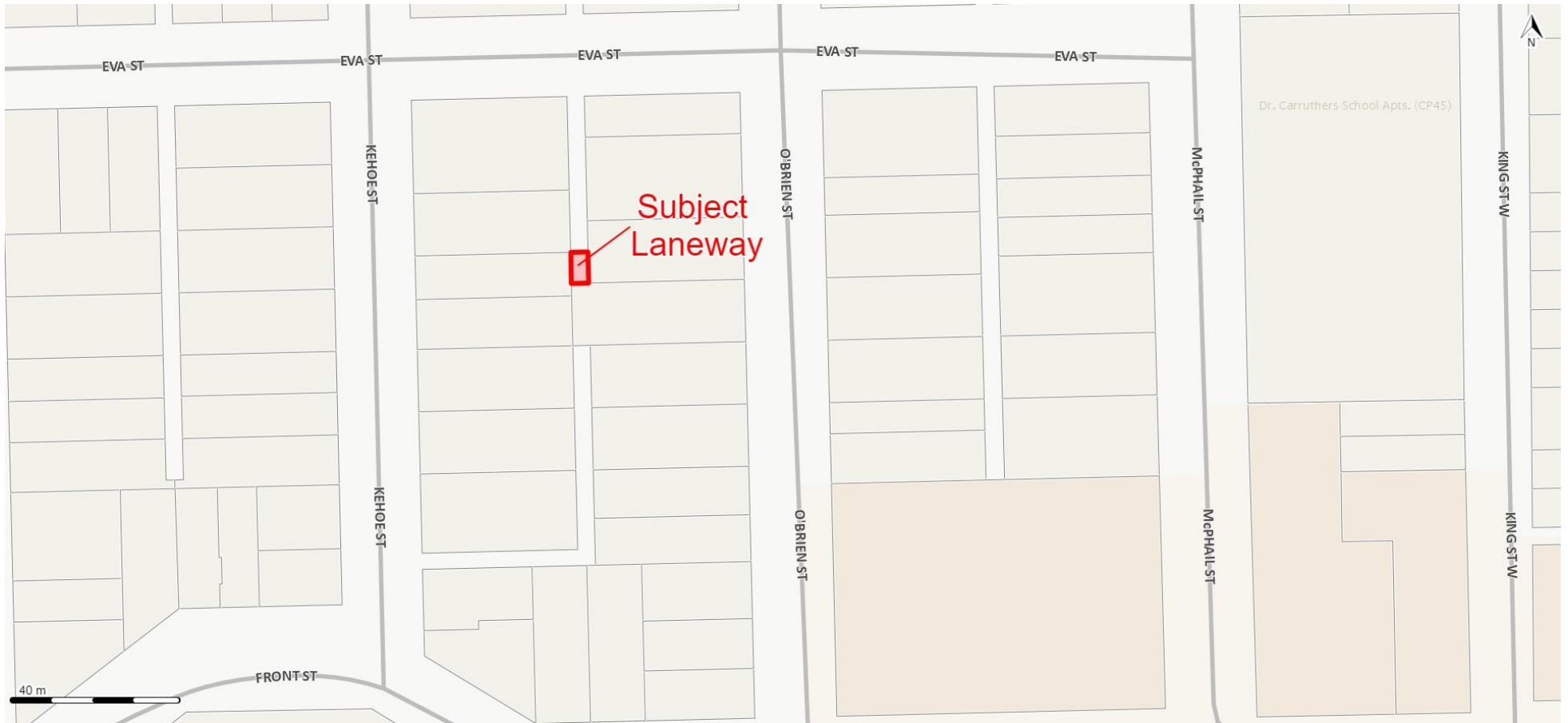
Name: John Severino, P.Eng., MBA

Title: Chief Administrative Officer

Personnel designated for continuance:

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

Schedule A



Bell Canada
Fl-2, 140 Bayfield St.
Barrie, Ontario
L4M 3B1

Fax: 705-726-4600
Tel: 416-343-4415
E-mail: laurie-ann.lee@bell.ca

August 28, 2024

City of North Bay
200 McIntyre St. East
P.O Box 360
North Bay, ON
P1B 8H8

Attention: Robyn Jackowski - robyn.jackowski@northbay.ca (email only)

Dear Robyn:

Subject: North Bay
468 Kehoe Street
Close a laneway in the block bounded by Kehoe Street, Front Street,
O'Brien Street and Eva Street
Bell File: 705-24-497

We acknowledge receipt and thank you for your correspondence August 27, 2024.

Subsequent to review of the Proposed Lane Closure by our local Engineering Department it has been identified that Bell Canada will require a transfer of easement over these lands, to protect existing buried and aerial facilities, supply service to the properties and to maintain service in the area. Our records show that the facilities that run along the laneway as shown on the attached sketch

Bell Canada would like to confirm that a blanket easement over the Closure or a 3.0m wide corridor to be measured 1.5m on either side of the aerial line, then to extend from the pole to a minimum of 1.0m past any anchor installation to be measured 0.5m on either side of the guy, as can be accommodated, would satisfy our needs.

We would also like to confirm that a blanket easement over the Closure or a specific easement measured 3.0m wide (1.5m on either side of the buried plant), and to a minimum of 1.0m past pedestal/ONU/OPI installation as can be accommodated, would satisfy our needs. Concerning the buried plant, it will be necessary for the surveyor to arrange for a conduit/cable locate to identify its location.



Bell Canada kindly requests that the easement be granted from the City of North Bay prior to the sale of these lands into private ownership. Please find attached to this e-mail, Bell's Standard Schedule and a sketch showing the approximate location of our facilities.

Since the easement is necessary in order to provide and maintain service to this area, all costs associated with this transaction will be the responsibility of the Owner.

We hope this proposal meets with your approval. We look forward to the City's Solicitor contacting us.

If there are any questions or concerns, please do not hesitate to call.

Yours truly,

Laurie-Ann Lee

Associate Name
Right of Way Associate

