

To: COUNCIL

Meeting Date: 11/7/2023

Subject: 23-325-CD - Remove 0.3metre Reserves along frontage of Equestrian Way to allow access to development block - Block 2, Registered Plan 58M-677 (River Mill Subdivision)

Submitted By: Sylvia Rafalski-Misch, Manager Development Planning

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Report No.: 23-325-CD

File No.: 30T-12104 & SP20/20

Wards Affected: Ward 1

RECOMMENDATION(S):

THAT Report 23-325-CD - Remove 0.3metre Reserves along frontage of Equestrian Way to allow access to development block - Block 2, Registered Plan 58M-677 (River Mill Subdivision) be received;

AND THAT the By-law included as Appendix A to Report 23-325-CD be passed.

EXECUTIVE SUMMARY:

Purpose

To remove, through the passing of a by-law, a 0.3 m (1.0 ft) reserve block across the frontage of development Block 1 on Registered Plan 58M-677 within River Mill Subdivision.

Key Findings

- Block 2 on Registered Plan 58M-620 is identified as a 0.3 m reserve across the frontage of Block 1, which is intended for a 70-unit townhouse development including two mixed use buildings.
- A 0.3 m reserve was acquired by the City at the time of subdivision registration which prevents vehicular access to this development block.

- The site is subject to an approved site plan and a common element plan of condominium has been registered for Block 1, therefore the 0.3 m reserve is no longer necessary and can be lifted.

Financial Implications

There are no financial implications.

STRATEGIC ALIGNMENT:

☐ Strategic Action

OR

☒ Core Service

Program: Development Approvals

Core Service: Transportation Planning

BACKGROUND:

A 0.3m reserve is a strip of land 0.3 m (1.0 ft) wide that runs across the frontage of a property. 0.3 m (1.0 ft) reserves are acquired temporarily by a municipality as a condition of subdivision approval, and has the effect of preventing access to a development block until certain conditions are met. In this case the 0.3 m (1.0 ft) reserve was acquired to prevent access and servicing of the development block until it had received site plan approval. Site plan approval process has been completed.

ANALYSIS:

Equestrian Way has now been fully constructed. A Plan of Condominium has been established for the townhouse development on the site. It is now appropriate to lift the reserve block, and dedicate it as part of Equestrian Way to provide access to the townhouse block.

EXISTING POLICY / BY-LAW(S):

Section 31(2) of the Municipal Act states that land may only become a highway by virtue of a by-law establishing the highway.

FINANCIAL IMPACT:

There is no financial impact.

PUBLIC VALUE:

Posted publicly as part of the report process.

ADVISORY COMMITTEE INPUT:

Not Applicable

PUBLIC INPUT:

Posted publicly as part of the report process.

INTERNAL / EXTERNAL CONSULTATION:

This report and by-law has been prepared in consultation with Legal Services and Engineering staff.

CONCLUSION:

This report recommends approval of a by-law that will lift a 0.3 m (1.0 ft) reserve across the frontage of development Block 1 on Registered Plan 58M-677 and dedicate the reserve as a public highway. This will permit access from Equestrian Way to the 70-unit townhouse development.

REPORT IMPACTS:

Agreement: **No**

By-law: **Yes**

Budget Amendment: **No**

Policy: **No**

APPROVALS:

This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:

Director

Deputy City Manager

Chief Financial Officer

City Solicitor

City Manager

ATTACHMENTS:

1. 23-325-CD Appendix A – Draft By-law
2. 23-325-CD Appendix B –Reference Plan 58R-21160