



## The Corporation of the Town of Tecumseh

Legislative & Clerk Services

**To:** Mayor and Members of Council

**From:** Jennifer Alexander, Acting Clerk

**Date to Council:** September 13, 2022

**Report Number:** LCS-2022-31

**Subject:** Alley Closing and Transfer of Land Abutting 374 and 382 Barry Avenue and 12748 Little River Boulevard

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### Recommendations

It is recommended:

**That** Report LCS-2022-31 entitled “Alley Closing and Transfer of Land Abutting 374 and 382 Barry Avenue and 12748 Little River Boulevard”, **be received;**

**And that** the Acting Clerk **prepare** a by-law to close up and authorize the sale of the alley located between 374 and 382 Barry Avenue and Little River Boulevard **to be read** at the September 27, 2022 Regular Council Meeting;

**And further that** a Notice **be posted** on the Town’s website regarding the Alley Closure and the Transfer of Land along with the intention to pass a By-law at the next Regular Council Meeting;

**And furthermore that** the cost of the closure and conveyance of the Subject Alley **be confirmed** to be the responsibility of the neighbouring property owner(s) acquiring the lands.

### Background

In 2014, The Corporation of the Town of Tecumseh (Corporation) received a request to close the alley which abuts the properties municipally known as 374 and 382 Barry

Avenue and 12748 Little River Boulevard (Subject Alley), and to transfer the lands to the neighbouring property owner or owners.

A map of the Subject Alley is shown on [Appendix 1](#).

At the September 9, 2014 Regular Council Meeting, Council approved resolution RCM 365/14 which declared the alley abutting the properties municipally known as 374 and 382 Barry Avenue and 12748 Little River Boulevard be declared surplus to the needs of The Corporation of the Town of Tecumseh.

The utilities, namely Union Gas, Bell Canada, Cogeco Cable, and Essex Powerlines Corporation, were notified of the request to close up the Subject Alley and to convey it to the abutting landowners. The utilities were asked to advise whether any of their utility services were in the Subject Alley and to submit any comments and/or concerns should the Corporation decide to close up and convey the Subject Alley. Union Gas, Bell Canada, Essex Powerlines Corporation and Cogeco Cable responded with no objection to the closing and conveyance of the Subject Alley.

In accordance with the Town's Sale of Land By-law No. 2003-09, notice was mailed to the owners of 374 and 382 Barry Avenue and 12748 Little River Boulevard and public notice was published in the Shoreline Newspaper and the Town's website. The Town received correspondence from an affected property owner regarding some concerns with municipal trees at which time the alley closing process was paused.

## **Comments**

Since that time, the two properties on Barry Avenue have new owners. In April 2022, a request was received to reinstate the original request to close up and convey the Subject Alley. A notice was mailed to the affected property owners and the Town has received confirmation on the interest from all abutting properties to close the Subject Alley. Public Works & Engineering Services confirmed there are no municipal services, such as a watermain, storm or sanitary sewer in the Subject Alley.

Given the time lapse since the original request, this report is to advise Council that Administration is moving forward with this request and recommends that By-Law 2022-074 be adopted and that the cost of the closure and conveyance be the responsibility of all the neighbouring property owners. A notice of the forthcoming by-law will be posted on the Town's website indicating that it will be considered for adoption by Council at the Regular Council Meeting scheduled on Tuesday, September 27, 2022.

## **Consultations**

Public Works & Engineering Services

## Financial Implications

The legal, advertising, appraisal, and survey costs to close and convey the Subject Alley are estimated to be \$4,500 and would be recovered from the neighbouring property owners acquiring the lands.

## Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input type="checkbox"/>	Ensure that Tecumseh’s current and future growth is built upon the principles of sustainability and strategic decision-making.
<input type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh’s plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town’s “continuous improvement” approach to municipal service delivery to residents and businesses.
<input type="checkbox"/>	Demonstrate the Town’s leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

## Communications

Not applicable

Website     Social Media     News Release     Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Jennifer Alexander, MPA  
Acting Clerk

Reviewed by:

Phil Bartnik, P.Eng.  
Director Public Works & Engineering Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Map of Subject Area