



The Corporation of the Town of LaSalle

To: Mayor and Members of Council

Prepared by: K. Miller, Deputy Clerk / D. Dadalt, Legal Counsel

Department: Administration

Date of Report: November 30, 2020

Report Number: AD-11-2020

Subject: Alley I2 Referral – J. Greer and W. Magyar

Recommendation

That the report of the Deputy Clerk and Legal Counsel dated November 30, 2020 (AD-11-2020) regarding the alley referral request by J. Greer and W. Magyar BE RECEIVED and that Council CONFIRM the amended decision of Administration and direct that the distribution of the remaining portion of the alley proceed in accordance with Figure 5 to Report AD-11-2020.

Report

Applications were received by the Town to close and convey portions of the closed alley located east of Front Road between Ulster Ave. and Elsworth Ave. (refer to Figure 1). In accordance with municipal practice, Administration ordered a survey to identify all existing structures/encumbrances in the alley. As shown on Figure 2 attached, the survey identified a number of fences/gates/sheds/utility poles and utility infrastructure.

On review of the policy, the location of all the structures/encumbrances and considering past practices, portions of the alley were offered to the abutting owners as shown on the alley distribution plan (refer to Figure 3). Following notification to the owners of the intended distribution, Administration was contacted by K. Wardell of 125 Ulster Ave expressing concern that he was not being conveyed half of the alley. Mr. Wardell was advised that due to the installation of a storm sewer, that the entire alley was being conveyed to the lots fronting Elsworth. Mr. Wardell noted that when the Ulster St subdivision was constructed, that the storm sewer was not installed at the rear of his property. Administration was able to examine the as-built drawings for the development and was able to confirm that the rear yard storm sewer stopped at the lot east of Mr. Wardell. With this new information confirmed, a revised letter was sent to the adjacent

owners amending the original distribution to provide half of the alley to Mr. Wardell (refer to Figure 4).

A referral was also received from J. Greer of 120 Elsworth. The nature of the referral was to obtain half of the north/south alley adjacent to his property. It was explained that past practice of the municipality has been to convey the entirety of alleys to the commercial properties on Front Road. Given the limited depth of the lots, the entire alley is deemed necessary to allow for the maximum potential of development or redevelopment of the commercial properties. Mr. Greer also expressed concern regarding a portion of the alley original proposed to be conveyed to him revised and offered to 125 Ulster (K. Wardell).

The last referral was received from W. Magyar, owner of the commercial-zoned property at 621 Front Road. The purpose of the referral was to obtain ownership to half of the alley adjacent to the property. Mr. Magyar recently took title to the property from his grandmother and indicated that they have maintained that part of the alley for numerous years. The original intent was to convey the alley to the lots on Elsworth recognizing the shallow depth as compared to the lots on Ulster Ave. However, given the location of the existing fence for 120 Elsworth and recognizing that the commercial-zoned property at 621 Front Road has been actively maintaining the alley for several years, it is recommended that that referral be given consideration and the distribution plan be further amended to convey the remaining portion of the east/west alley in accordance with Figure 5 attached. The final distribution would convey the north/south alley highlighted in yellow to 611 Front Road; the portion of the east/west alley highlighted in orange to 621 Front Road; and, the portion of the east/west alley highlighted in blue to 125 Ulster Ave.

As with previous alley referral requests, Council will hear from and consider the submissions of the owners who have requested the referral. In the event that Council deems it appropriate to amend the recommendation of Administration, it would be appropriate to hear submissions from any other property owner that would be affected by that decision.

Consultations

N/A

Financial Implications

N/A

Prepared By:

A handwritten signature in black ink, appearing to read 'Kevin Miller'.

Kevin Miller, Deputy Clerk

A handwritten signature in black ink, appearing to read 'D. Dadalt'.

Legal Counsel

Domenic Dadalt, Legal Counsel

Link to Strategic Goals

	Enhancing organizational excellence
	Sustain strong public services and infrastructure
	Strengthen the community's engagement with the Town
	Grow and diversify the local economy
	Build on our high-quality of life

Communications

yes	Not applicable
	Website
	Social Media
	News Release
	Local Newspaper
	Bids & Tenders
	Notification pursuant to the Planning Act

Notifications

Name	Address	Email
	120 Elsworth Ave	
	125 Ulster St.	
	621 Front Rd.	
	611 Front Rd.	

Report Approval Details

Document Title:	AD-11-2020 - Alley I2 Referral - J. Greer and W. Magyar.docx
Attachments:	<ul style="list-style-type: none">- attachments I2 report.pdf- K Wardell_Delegation Form_Redacted.pdf- W Magyar_Delegation From_Redacted.pdf
Final Approval Date:	Nov 30, 2020

This report and all of its attachments were approved and signed as outlined below:



Chief Administrative Officer

Joe Milicia