



CITY OF
ST. CATHARINES

At the meeting of November 16, 2015, General Committee approved the Recommendation to hold a public meeting on November 30, 2015, as which time General Committee will consider the STAFF RECOMMENDATION.

Corporate Report

Report from Transportation and Environmental Services, Geomatics

Date of Report: October 19, 2015

Date of Meeting: November 16, 2015

Report Number: TES-305-2015

File: 77.44.99

Subject: Stopping up and Closing Part of the Road Allowance between Concessions 9 and 10, across Lot 23 shown as Part 2 on Plan 30R-14612, being Part of PIN 46414-0548(LT) in the former Geographic Township of Grantham, now In the City of St. Catharines, Regional Municipality of Niagara, Municipally known as 30 Power Glen

Recommendation

That Council refer the report for consideration after the public meeting scheduled for November 30, 2015; and

That the required public notice be given in accordance with By-law 2007-310 as amended. FORTHWITH

Staff Recommendation

That Council authorize the stopping up and closing of part of the Road Allowance between Concessions 9 and 10, across Lot 23 shown as Part 2 on Plan 30R-14612, being Part of PIN 46414-0548(LT) in the former Geographic Township of Grantham, now In the City of St. Catharines, Regional Municipality of Niagara; and

That the City Solicitor be directed to prepare the necessary by-law and documents. FORTHWITH

Background

We received a formal request from Daniel & Partners LLP representing the owners Rinaldi Homes (Niagara) Inc., for the stopping up and closing part of the original road allowance lying between Concessions 9 and 10, Lot 23 in the Geographic Township of Grantham, now in the City of St. Catharines, Regional Municipality of Niagara more particularly described as Part 2, Plan 30R-14612 being Part of PIN 46414-0548(LT) lying within the parcel of land municipally known as 30 Power Glen.

The stopping up and closing of the subject road allowances will allow an application for conversion to Land Titles Absolute prior to development of the subject land to proceed.

Report

The original road allowances in the Geographic Township of Grantham were established by survey in a regular grid pattern in the late 1700's without any consideration of the topography and how it would impact the future construction of roads or development. In this particular area it was more practical to construct Power Glen Road formerly known as Old Pelham Road or Old Pelham Stone Road along the top of the Twelve Mile Creek valley.

In 1939, the former Township of Grantham conveyed parts of the original road allowance between Concession 9 and 10, in Lots 22 and 23, in the Geographic Township of Grantham to Clifford G. Hooper in lieu of Old Pelham Road and was registered as Instrument Number 18392.

In 1955 the Township of Grantham passed a By-law Number 1596, registered as Instrument 5985 in June of 1956 that authorized the sale and conveyance; and again transferred by way of Instrument 5987 a part of the original road allowance lying between Concessions 9 and 10 within Lot 23 in the Geographic Township of Grantham in lieu of Old Pelham Road without first stopping up and closing said road allowance.

The widening of Power Glen Road along the frontage of 30 Power Glen was authorized by City of St. Catharines By-law 72-248 registered as Instrument 255381 and deeded to the City of St. Catharines by Instrument 255382 for highway purposes as detailed on a reduced copy of Plan 30R-14612 attached hereto as Appendix 1.

In order to formalize the Township of Grantham's original intention to convey part of the road allowances in lieu of the roads as constructed we are recommending that Council authorize the stopping up and closing of that part of the original road allowance lying between Concessions 9 and 10, Lot 23, shown as Part 2, Plan 30R-14612 in the former Geographic Township of Grantham, now in the City of St. Catharines, Regional Municipality of Niagara.

Financial Implications

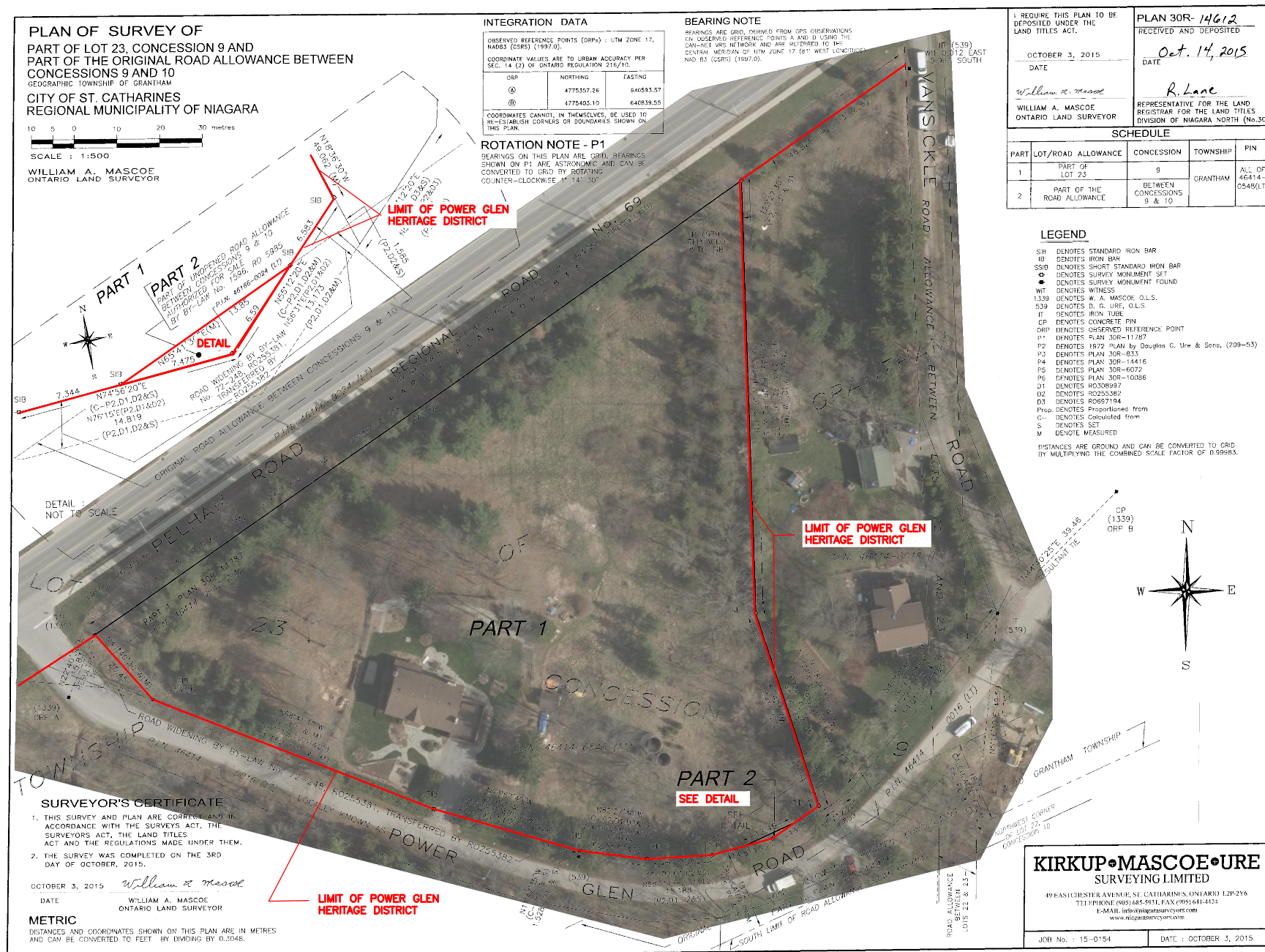
The cost of processing this request is less than \$100 for registration of the necessary By-law and documents in the Land Registry Office for Niagara North.

Notification

It is in order to notify Mr. Callum Shedden of Daniel & Partners LLP, P.O. Box 24022, 39 Queen Street, St. Catharines, ON L2R 7P7 of the public meeting to be held on November 30, 2015, prior to the City of St. Catharines considering the by-law to stop up and close the subject road allowance as it affects their clients interest in the land.

Prepared and Submitted by: David Stringer, Manager of Geomatics

Approved by: Dan Dillon, P.Eng.,
Director, Director of Transportation and Environmental Services



IMAGERY:

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