

REPORT

Council

Meeting Date: September 19, 2022

FROM: Legal Department

DATE: September 6, 2022

SUBJECT: By-law 2022-102 - A by-law to dedicate certain land as part of a public highway (Part 4, Plan 20R-21672, and Parts 4 and 5, Plan HR1780838 - Dante Court)

LOCATION: Cul de sac off Wyecroft Road for access to 700 and 656 Kerr Street

WARD: Ward 2

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RECOMMENDATION:

That By-law 2022-102 - A by-law to dedicate certain land as part of a public highway (Part 4, Plan 20R-21672, and Parts 4 and 5, Plan HR1780838 - Dante Court) be passed.

KEY FACTS:

The following are key points for consideration with respect to this report:

- Part 4 on Plan 20R-21672 and Part 6 on Plan 20R-21340 (collectively the “Lands”) were acquired as part of the Kerr Street Grade Separation project to provide a secondary access from Wyecroft Road to 656 and 700 Kerr Street.
- A secondary access was identified as the preferred planning alternative in the Addendum study to the 2009 Kerr Street at Lakeshore Rail Corridor Grade Separation Environmental Study Report.
- A by-law is required to dedicate the Lands as a public highway identified as Dante Court.

BACKGROUND:

In 2018, an addendum study (the “ESR Addendum”) to the 2009 Kerr Street at Lakeshore Rail Corridor Grade Separation Environmental Study Report was undertaken to review access requirements to 656 and 700 Kerr Street. The ESR Addendum recommended providing a new municipal right of way access to 656 and 700 Kerr Street from Wyecroft Road. This secondary access will provide an opportunity to reduce conflict points at Kerr Street and would separate truck and

personal traffic. The results of the ESR Addendum were presented to Council on January 27, 2019 in a report from the Engineering and Construction Department titled "*Kerr Street at Lakeshore Rail Corridor - Grade Separation Addendum to the 2009 Environmental Study Report*".

Part 4 on Plan 20R-21672 and Part 6 on Plan 20R-21340 were acquired from the owners of 656 and 700 Kerr Street for the purpose of creating this recommended secondary access from Wyecroft Road.

A by-law is required to dedicate the Lands as a public highway identified as Dante Court.

COMMENT/OPTIONS:

The Transportation and Engineering Department has no objection to the passing of By-law 2022-102 dedicating these Lands as a public highway.

The Legal Department does not consider there to be any exposure to the Town in passing this by-law.

CONSIDERATIONS:

(A) PUBLIC

The dedication of these lands will provide a secondary legal access to 656 and 700 Kerr Street.

(B) FINANCIAL

There are no financial considerations in dedicating these lands other than ongoing maintenance of the roadway.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The Roads and Works Operations Department will be required to continue maintaining the roadway.

(D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal to improve the Town's multi-modal transportation network to support effective movement of people and goods.

(E) CLIMATE CHANGE/ACTION

N/A

APPENDICES:

Appendix A – Location Map

Appendix B – By-law 2022-102

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