

REGIONAL MUNICIPALITY OF OTTAWA-CARLETON
MUNICIPALITÉ RÉGIONALE D'OTTAWA-CARLETON

REPORT
RAPPORT

Our File/N/Réf.	R.2.7.114
DATE	12 September 1997
TO/DEST.	Co-ordinator, Transportation Committee
FROM/EXP.	Regional Solicitor
SUBJECT/OBJET	ROAD CLOSING - PART OF HUNT CLUB ROAD AT THE CORNER OF BANK STREET - CITY OF OTTAWA

DEPARTMENTAL RECOMMENDATION

That Transportation Committee recommend that:

- 1. Regional Council pass a By-law to close those parts of Hunt Club Road at the corner of Bank Street described as Parts 1 and 9 on Plan 5R-14483 and Block E on Plan 4M-235;**
- 2. Staff proceed with the sale of those Parts as directed by Council.**

PURPOSE

This report recommends that Regional Council proceed with the closing of that part of Hunt Club Road described as Parts 1 and 9 on Plan 5R-14483 and Block E on Plan 4M-235, shown on the attached Annex "A" to this report.

BACKGROUND

The reconstruction of Hunt Club Road from Mountain Crescent to Cahill Drive was completed in 1991. As part of the reconstruction, Hunt Club Road was realigned resulting in the closing of part of Hunt Club Road, being Parts 2 - 8 and 10 on Plan 5R-14483. By-Law 36 of 1992 was passed by Council closing those portions of Hunt Club Road.

It appears that there are 3 additional portions of land which have become surplus to the Region's requirements, those being Parts 1 and 9 on Plan 5R-14483 and Block E on Plan 4M-235 and as shown on Sketch 911-19901 attached as Annex "A" to this report.

Since the passing of the Road Closing By-Law in 1992, all of the lands outlined on the attached Sketch No. 911-19901 have been leased to the abutting land owner, Truscan Realty Limited. The lands are used for parking and access for the shopping centre.

A separate staff report to The Corporate Services and Economic Development Committee recommends the sale of Parts 1 and 9 on Plan 5R-14483 and Block E on Plan 4M-235 to Truscan Realty Limited.

As required under the Municipal Act, R.S.O. 1990, Chapter M.45 and The Regional Municipalities Act, R.S.O. 1990, Chapter R.8 an advertisement was placed in the Ottawa Citizen, The Ottawa Sun and Le Droit, providing Public Notice of the Hunt Club Road Closing on July 5, 12, 19 and 26, 1997. This advertisement provided that "Any person desiring to be heard concerning the proposed By-law must give notice, IN WRITING, on or before the 1st day of August, 1997, to:

Rosemary Nelson, Transportation Committee
111 Lisgar Street
Ottawa, Ontario K2P 2L7
Telephone: 560-1243

No notice in writing concerning the proposed By-law has been received.

STATUTORY REQUIREMENTS

Section 298 of the Municipal Act, provides that the Council of every municipality may pass By-laws for stopping up any highway or part of a highway.

Section 300 of the Municipal Act, provides that the Council shall publish notice of the proposed By-law and shall hear any person who claims that his land shall be prejudicially affected by the By-law and who applies to be heard.

Section 315 of the Municipal Act, provides that where Council decides to close and sell part of a highway, it shall offer it to the abutting land owner.

CONCLUSION

The portions of road are no longer required, and should not therefore be retained as such by the Regional Corporation.

Approved by
J. Douglas Cameron

