

DATE OF MEETING OCTOBER 16, 2023

AUTHORED BY NANCY SKEELS, PROPERTY AGENT, REAL ESTATE

**SUBJECT Highway Closure and Dedication Removal a Portion of Melideo Road and a Portion of Old Victoria Road Adjacent to 1044 & 1048 Old Victoria Road Bylaw 2023 No. 7367**

## **OVERVIEW**

### **Purpose of Report**

To obtain Council approval to close a portion of Melideo Road and a portion of Old Victoria Road and obtain approval to enter into a Land Exchange Agreement with the Owners of 1044 & 1048 Old Victoria Road to dedicate part of their property for road in exchange for the road closure areas.

### **Recommendation**

That:

1. Council authorize the road closure and disposition of a portion of Melideo Road and a portion of Old Victoria Road, and direct Staff to enter into a Road Closure and Land Exchange Agreement;
2. “Highway Closure and Dedication Removal Bylaw 2023 No. 7367” (to provide for highway closure and dedication removal of a portion of Melideo Road and portion of Old Victoria Road adjacent to 1044 and 1048 Old Victoria Road) pass first reading;
3. “Highway Closure and Dedication Removal Bylaw 2023 No. 7367” pass second reading; and
4. Council direct Staff to proceed with public notice for the closure and disposition of a portion of Melideo Road and a portion of Old Victoria Road.

## **BACKGROUND**

1044 and 1048 Old Victoria Road (the “Property”) is currently subject of a rezoning bylaw amendment under application RA000486 (Bylaw No. 4500.212) to rezone the Property from Single Dwelling Residential (R1) to High Tech Industrial (I3) to facilitate a light industrial development.

At the 2023-SEP-16 Special Council Meeting, Third Reading of Bylaw 4500.212 was passed. For Fourth Reading (Final Adoption) of the bylaw to occur, Old Vic Holdings Ltd., (the “Owner”) must address a number of conditions. One condition of the rezoning application is for a portion of the Property to be dedicated for road and a portion of Old Victoria Road and Melideo Road to be closed to meet the road dedication requirements.

The Owner has submitted a road closure application to meet this condition. Staff are seeking Council’s authorization for the road closure and disposition to remove the road dedication from a portion of Old Victoria Road and Melideo Road.

## **DISCUSSION**

### **Road Closure and Land Exchange Proposal**

#### *Old Victoria Road*

Old Victoria Road is designated an Industrial Collector in Schedule 4 (“Road Network”) of City Plan which requires a 25.0m road dedication. The existing road dedication varies from approximately 19.15m to 32.08m. As such, a portion of 1044 Old Victoria Road will be need to be dedicated and a portion along Old Victoria Road closed to meet the required road width standards.

#### *Melideo Road*

A portion of 1048 Old Victoria Road along Melideo Road will need to be dedicated, additionally a portion of Melideo Road will need to be closed to align with the required road width standards and to accommodate a hammerhead turnaround.

#### *Road Closure Application*

The Owner proposes to close 170.9 m<sup>2</sup> of City-owned road and in exchange will dedicate 244.8 m<sup>2</sup> for road as shown on Attachment A. Accordingly, as the amount of land being dedicated for road versus road closure is greater, no compensation issues exist with the proposed exchange.

Staff have reviewed the proposed road closure against all City standards and have confirmed that this road right-of-way at Melideo Road and Old Victora Road are deemed to be surplus to City requirements. Staff are seeking Council’s authorization of the Road Closure and Land Exchange Agreement and for Council to provide first and second reading to “Highway Closure and Dedication Removal Bylaw 2023 No. 7367”.

### **Next Steps:**

If Council provides first and second reading of “Highway Closure and Dedication Removal Bylaw 2023 No. 7367”, the next steps will occur:

1. a Notice of Disposition will be published, as required by Sections 40 and 94 of the *Community Charter*;
2. After publication of the Notice, Bylaw 2023 No. 7367 will be brought back to Council for their consideration of Third Reading; and
3. If Third Reading of Bylaw 2023 No. 7367 is passed, the Bylaw will be scheduled for Final Adoption at a forthcoming Council meeting. ]

## **OPTIONS**

1. That:
  1. Council authorize the road closure and disposition of a portion of Melideo Road and a portion of Old Victoria Road, and direct Staff to enter into a Road Closure and Land Exchange Agreement;

2. “Highway Closure and Dedication Removal Bylaw 2023 No. 7367” (to provide for highway closure and dedication removal of a portion of Melideo Road and portion of Old Victoria Road adjacent to 1044 and 1048 Old Victoria Road) pass first reading;
  3. Highway Closure and Dedication Removal Bylaw 2023 No. 7367” pass second reading; and
  4. Council direct Staff to proceed with public notice for the closure and disposition of a portion of Melideo Road and a portion of Old Victoria Road.
    - Advantages: By providing approval to the road closure and land exchange for the road dedication area, the road dedication requirements will be met, and the Owner can continue with the process to rezone the Property as proposed. Staff will publish a notice of intent and disposition as required by Sections 40 and 94 of the *Community Charter*.
    - Disadvantages: None identified.
    - Financial Implications: No Financial implications to the City. The Owner has agreed to pay their legal and surveying costs and half of the costs to publish the required notices.
2. That Council deny the road closure and disposition of a portion of Melideo Road and portion of Old Victoria Road adjacent to 1044 and 1048 Old Victoria Road.
- Advantages: None identified.
  - Disadvantages: The Owner will not meet the road dedication requirements that are part of the rezoning bylaw amendment application.
  - Financial Implications: None

### **SUMMARY POINTS**

- A road closure application has been received in connection with a rezoning bylaw amendment application, RA000486, for 1044 and 1048 Old Victoria Road.
- Part of the land that is included within the proposed rezoning application is City-owned road at Melideo Road and Old Victoria Road. To meet the rezoning application road dedication requirements, the Owner, Old Vic Holdings Ltd., has submitted an application for a road closure over parts of these roads. The Owner will exchange a portion of 1044 and 1048 Old Victoria Road in exchange for the road closure areas.
- Staff have reviewed the proposed road closure against all City standards and have confirmed this road right-of-way at Melideo Road and Old Victoria Road are deemed to be surplus to City requirements. Staff support the road closure and land exchange as it will improve the road network.

### **ATTACHMENTS:**

ATTACHMENT A: Location Plan  
“Highway Closure and Dedication Removal Bylaw 2023 No. 7367”

**Submitted by:** |

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Director, Corporate and Business  
Development

**Concurrence by:**

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Manager, Current Planning

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