



Staff Report

Planning & Development Services

Report To: Council Meeting
Meeting Date: December 16, 2024
Report Number: PDS.24.154
Title: Municipal Land Use Agreement for Alice Street Unopened Road Allowance
Prepared by: Adam Smith, Director of Planning & Development Services

A. Recommendations

THAT Council receive Staff Report PDS.24.154, entitled “Municipal Land Use Agreement for Alice Street Unopened Road Allowance”;

AND THAT Council supports OR does not support the execution of a Municipal Land Use Agreement for the upgrade of Alice Street East to municipal standards in order to provide lot frontage and access to a proposed lot through Consent Application B09-2024.

B. Overview

Municipal land use agreements are generally reviewed and executed at the administrative level due to these matters being technical in nature with consideration of operational impacts and engineering standards. Town staff are considering a proposal to formally open a portion of Alice Street East with the intent of providing access to a new building lot. Based on concerns associated with necessary improvements impacting the Beaver River Trail and anticipated tree removals, staff are seeking direction from Council as to whether access can be provided through Alice Street East.

C. Background

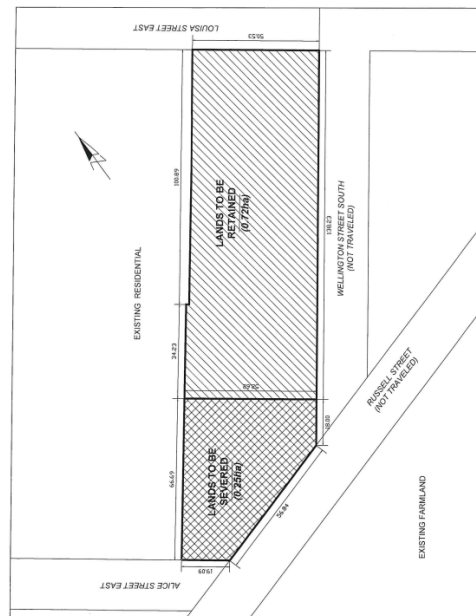
At the August 21st, 2024 Committee of Adjustment meeting staff presented [PDS.24.102 Recommendation Report – Consent Application B09-2024 – Alice Street \(Elmes\)](#). The application will have the effect of creating a new residential lot with a frontage of approximately 19 metres on Alice Street East and approximately 18 metres along Wellington Street, both being unopened Road Allowances. The Committee of Adjustment deferred the “application for 90 days, pending presentation to the Committee of agreement(s) with the town for access to an open and maintained municipal road.”

Staff has received a Tree Inventory Plan Drawing including details on tree protection, tree removal, and area of required site works including road extension and ditch/grading works. While staff are not in receipt of detailed engineering drawings associated with the proposed

works on the Alice Street East ROW, this is anticipated to be a condition of the Consent Application proceeding to a future Committee of Adjustment meeting. Generally, works required for the purpose of enabling access to new lots are dealt through conditions of approval. Prior to a recommendation of approval, staff must be satisfied that access can be provided in a manner that conforms to Town policies and standards. The detailed engineering associated with this access is confirmed and approved as part of the process to clearing the conditions of the application. In the case of the access that is proposed through an existing municipal road allowance, it is the preferred option that the lands be improved to municipal road standards and remain under Town ownership. Alternatively, the land can either be conveyed to the applicant through a Council-approved disposition process or the execution of a Municipal Land Use Agreement that is a delegated approval to the Director of Operations, or enter into an agreement with the Town to use the road allowance for private access. It should be noted that private access road agreements have led to issues over time.

D. Analysis

As a result of the public concern expressed in relation to the proposed Alice Street East ROW and potential impacts to a community asset being the Beaver River Trail, staff are seeking Council direction regarding access to the subject property below:



Alice Street East offers the advantage of efficient service delivery to the lot proposed given the proximity of water/sewer infrastructure and ease to which an entranceway to the new lot can be constructed. To do so, improvements will be required for the road allowance that would abut the Beaver River Trail and lead to the removal of approximately 18 trees. Despite the tree loss, the works would also include an accessible, formalized access to the Beaver River Trail which is currently not designated as a trailhead.

In the event that Council does not support a Municipal Land Use Agreement to provide access through the Alice Street East ROW, the owner will be required to provide access by 1)

improving the Wellington Street road allowance to municipal standards, or 2) consider a temporary easement across the retained lands until such time as the retained lands are developed and a new municipal road can be constructed. At this time, staff are seeking direction from Council on whether or not a Municipal Land Use Agreement can be used for the upgrade of Alice Street to provide the necessary access to the proposed new lot.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

F. Environmental Impacts

To make the necessary improvements, approximately 18 trees would have to be removed for the purpose of facilitating access to the new lot and formalizing access to the trail. Alternative access points will still lead to vegetation loss but not encompass mature trees.

G. Financial Impacts

All improvements associated with providing access to the subject property will be at the expense of the applicant.

H. In Consultation With

Shawn Postma, Manager of Community Planning

Jim McCannell, Manager of Roads and Drainage

I. Public Engagement

The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Adam Smith, directorplanningdevelopment@thebluemountains.ca

J. Attached

1. N/A

Respectfully submitted,

Adam Smith
Director of Planning & Development Services

For more information, please contact:
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