

August 27, 2019

**NOTICE OF COMMUNITY MEETING September 17TH:
Lighting on Multi-Use Trail from Caldwell Avenue to Indian Grove**

Dear Resident:

We have scheduled a public meeting on **Tuesday, September 17th from 6:30-8:00 pm at Clarkson Community Church, 1880 Lakeshore Road West**, to seek public input on lighting on the above section of the multi-use trail.

Below is some additional information on the history of this particular section of land.

In 2014, Mayor McCallion received a request from a Ward 2 resident to formalize the worn path across the City-owned parcel between Caldwell Avenue and Indian Grove. The letter (on reverse) was sent from Mayor McCallion's office highlighting several key points: (i) the property owner of 1548 Indian Grove held a right-of-way over the whole City-owned parcel which prevented a walkway from being constructed; (ii) this right-of-way could be released if the City declared the parcel as a public highway; and (iii) it was highly unlikely that the City would extend Caldwell Avenue to Indian Grove.

In 2015, staff from the Community Services Department approached Transportation and Works Department staff regarding a conflict in their hydro corridor trail project, *Off-Road Trail #2 / Nine Creeks Trail*, restricting their ability to extend the trail along the hydro corridor segment parallel to Caldwell Avenue between Woodeden Drive and Indian Grove. The on-street Caldwell Avenue to Indian Grove connection was raised as a possible alternative route. However, the right-of-way in favour of 1548 Indian Grove prevented the trail connection to move forward at that time.

In 2017, the right-of-way in favour of 1548 Indian Grove over the City-owned parcel was released through a Committee of Adjustment application thus allowing the planning, design and construction of the trail connection to proceed. Also, the release of the right-of-way meant that the City did not have to declare the parcel public highway in order to construct the trail connection. Therefore, this parcel remains in City ownership, but is not a public highway.

In 2018, the construction of the multi-use trail connection was included in a City-wide contract for asphalt pathway construction and construction began in October 2018. As is routine, construction notices were distributed to homes in the vicinity of the project, including approximately 40 homes along Caldwell Avenue.

During construction, Transportation and Works staff determined that lighting for the trail would be appropriate given the nature of the property and concerns for public safety of pedestrians and cyclists using the pathway. The installation of the lighting was scheduled to take place this summer. Completion of the trail will be commenced once there is a determination on lighting.

Should you have any additional questions, please contact me.

Kind regards,



Karen Ras
Councillor, Ward 2

June 27, 2014

[REDACTED]

Further to your e-mail dated May 26, 2014 regarding your request for walkway improvements to the City owned property adjacent to 1548 Indian Grove, the City's Transportation and Works Department has been investigating the City-owned lands in terms of the existing sanitary sewer encumbrance and the City's ability to formalize the existing pathway along the property that connects Indian Grove with Caldwell Avenue.

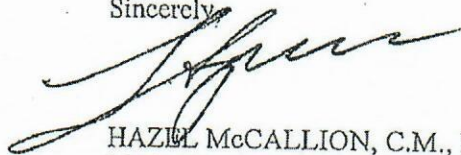
As part of staff's continued investigation into the property encumbrance, it has been confirmed that the adjacent property owner, 1548 Indian Grove, has a right-of-way over the whole parcel which remains in effect until such time that the City dedicates the lands as public highway. The property was acquired many years back to reserve the opportunity for a future extension of Caldwell Avenue to Indian Grove, however, it is highly unlikely that there would be a rationale to extend the street. In discussions with Legal Services, staff were advised that the property could be designated as public highway without the need to construct a road extension. Under Section 35 of the *Municipal Act*, a by-law can be enacted by Council that would designate the land as public highway while restricting it from vehicular use. This would eliminate the right-of-way agreement with the owner of 1548 Indian Grove, and allow the City to use the property in a manner deemed appropriate.

Since the adjacent property owner has had a right-of-way over the City lands for many years, a courtesy call/meeting will be arranged with the owner to advise of the City's intentions. Staff will also discuss whether the owner would permit the Transportation and Works Department to undertake some minor maintenance/cleanup of the property as an interim measure.

Subsequent to this discussion with the owner, a questionnaire will be prepared for distribution to the adjacent residents proposing the construction of a more formal walkway. If the public feedback is supportive, a report will be prepared to Council recommending the designation of the City lands as public highway subject to Section 35 of the *Municipal Act*. Concurrent to Council approval to this, a design and cost estimate will be developed for a formal walkway and submitted for consideration as part of the 2015 Capital Budget and Forecast.

If you have any questions pertaining to this matter please contact Steve Barrett, Manager, Transportation Infrastructure Management, at (905) 615-3200, ext. 3017.

Sincerely,



HAZEL McCALLION, C.M., LL.D.
MAYOR

cc: Councillor Patricia Mullin, Ward 2
Martin Powell, Commissioner, Transportation and Works
Steve Barrett, Manager, Transportation Infrastructure Management