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The Corporation of the Town of Niagara-on-the-Lake Information Report to Council

SUBJECT: Closure of a Portion of Tanbark Road
DATE: 2024-01-30
REPORT #: OPS-23-065
PREPARED BY: Darren MacKenzie, (A) Director of Operations
DEPARTMENT: Operations Services

BACKGROUND INFORMATION

Town Staff and the Town's solicitor have had numerous discussions with the three property owners who utilize Dyck Lane to access their respective properties. Those discussions were a result of complaints to Staff and Council about dust dating back to at least 2017, which originated from neighbouring residences within the Courtland Valley subdivision directly abutting Dyck Lane.

As a result of discussions in June 2022, Council directed that the access from Dyck Lane to Tanbark Road be closed by the municipality and that access to the three properties to Tanbark Road be via Hickory Avenue. A reference plan was prepared to describe the portion of Tanbark Road that would be required to be closed. Council's direction was communicated to the owners, and discussions ensued regarding improvements to the intersection of Dyck Lane and Hickory Avenue.

Subsequently, the property developer and builder, Kekoo Gatta, signed agreements to purchase a portion of Dyck Lane, which abuts Tanbark Road and some adjacent lands, for the purposes of developing a residential subdivision in this area. These lands are privately owned and are not Town-owned lands.

This has effectively led to cutting off access from Tanbark Road to the three properties at the end of Dyck Lane. These properties still have access to a portion of Dyck Lane that was not purchased for development and can access Hickory Avenue to enter or leave their properties.

During the Closed Session meeting of September 19, 2023, the Town's Legal Council recommended a number of options for Council's consideration. Subsequently, Staff and the Town's Legal Council took the necessary steps to follow Council's direction.

NEXT STEP / CONCLUSION

Based on the recommendations that were approved, Staff drafted By-law No. 2024-005

(**Appendix I**) to authorize the Stopping up and Closing of a portion of Tanbark Road, identified as Part 1 on 30R-15969, and to dedicate the reserved block at the south end of Hickory Avenue, identified as Block 46 Plan 30M-387 as a Public Highway.

By doing this, Dyck Lane will officially be closed from Tanbark Road to just east of the Hickory Avenue access. A map showing the road closure is attached as **Appendix II**.

The residents on Dyck Lane will not have any change to their 911 numbering and will still be identified as living on Dyck Lane. The three residents will now utilize only Hickory Avenue to access their properties.

The Town will be updating all appropriate signage and wayfinding in the area to ensure there is no interruption in services to the residents.

A letter has been sent to each of the residents providing an update on the closure of Dyck Lane and the steps being taken to ensure their properties can be located.

ATTACHMENTS

- **Appendix I** – Draft Tanbark Hickory By-law No. 2024-005
- **Appendix II** – Map of Dyck Lane