



What is involved in acquiring the land?

The applicant has the right to accept or decline the offer to acquire his/her share of the property. If it is available, you could acquire the entire width by completing the Purchase of Closed Street or Alley Form. On the other hand, you could choose not to acquire the land, waiving your rights by completing the Waiver Releasing Interest in Right-of-Way Form. That means that the owner on the opposite side of the alley can acquire your share of the street/alley, if desired.

After the final date of the advertisement, the Building & Development Department compiles a list of all those who wish to purchase the desired land. A letter is sent requesting funds for deed preparation.

Please allow four to six months to process the application.

For general City of Windsor information, telephone 311.

For specific inquiries:
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Streets & Alleys Closing

Building & Development Department

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The Corporation of
 The City of Windsor



Streets & Alleys

The City of Windsor Street and Alley Technical Advisory Committee receives and considers applications for alley closings. The majority of applications are to close an alley.

How are streets and alleys defined?

Streets and alleys are public rights-of-way, on which no buildings are allowed. If an abutting property owner requires access through the public right-of-way, access cannot be denied. Therefore, streets and alleys cannot be closed unless an alternate access is provided.

Why should I close my alley?

If the alley is not used for municipal purposes, you have the right to close your alley. Once the alley is closed, it can be added to your property and fenced. This eliminates debris and weeds from the back of the property and possibly assists in reducing vandalism.

Why would my street be closed?

Street closings occur less often, usually in areas where the street is not used or paved for vehicular traffic. The procedure for street closing is similar to an alley closing.

How do I apply to close my alley?

For a fee, a Street and/or Alley Search Form, found on the City of Windsor website www.citywindsor.ca - search "Streets and Alleys" - can be used to determine whether the street or alley is open. If so, then any abutting owner of property may apply to close the alley or street. The form is also available in the Building & Development Department, 4th floor, City Hall.

For the next step, the necessary Closed Street or Alley Form can also be found on the web site - search "Property Applications" or in the Building & Development Department. Neighbours or other people benefiting from the closure often agree to share the cost. If the applicant withdraws the

application or City Council denies it, a portion of the application fee paid will be refunded.

What is the procedure to close?

Upon receipt of an application and fee, the Building & Development Department circulates a notice to municipal departments and utilities for their comments. These include such areas as Public Works, Parks, Transit Windsor, Fire, Police et cetera, as well as Windsor Utilities, Enwin Powerlines, Union Gas, Cogeco Cable Systems and Bell Canada. In most cases, these departments and agencies do not object, although easements may be required.

What is an easement?

Often, utility companies have equipment in the alley or street. If the alley is closed and acquired by you, they require the right to service their equipment. You may construct fences but you may not erect any buildings or permanent structures in the alley or street. If the situation warrants, moveable fences are sometimes approved as a condition of closure.

When the City of Windsor has received comments from the municipal departments and utilities, the application is then submitted to the Street and Alley Technical Advisory Committee.

What is the Street and Alley Technical Advisory Committee?

This committee consists of representatives of various City of Windsor departments and the utilities providers. When comments have been received, a report is submitted to the committee. All abutting and/or affected property owners will be notified of and invited to attend a meeting and raise any concerns to the committee. The committee considers all concerns of property owners as well as comments from the utility companies. The committee then submits recommendations to City Council regarding each application, including any special conditions that the City of Windsor might place on the sale of the

lands.

How much are the land costs?

The conveyance of closed rights-of-way is determined using the following criteria:

- The purchase price of closed alley lands shall be set at market value except for those adjacent to residential areas zoned RD1, RD2 or DRD1 in By-law 8600 and R.1, R.2 and PD.1 in By-law 3072, which are to be conveyed for \$1.00.
- Street allowances are to be offered for sale at market value as building lots where possible.
- Where the purchaser can create a severable building lot, the lands offered for sale shall be set at market value.
- Any expense for the relocation or removal of a utility service is to be added to the total expense of the affected property owner(s).
- Conveyances shall be subject to easements.
- If at least 75 per cent of abutting property owners agree, the City of Windsor will be held responsible for preparing a Reference Plan showing the limits of the right-of-way to be closed and the manner in which it will be divided. Otherwise, the purchaser(s) shall be responsible for full costs in advance of the adopting of the by-law to close.

How is City Council involved?

All property owners shall receive a notification of the date of the meeting and a copy of the committee report that includes conditions, easements required, costs, and disposition of the land. City Council considers the application and recommendations of the committee, as well as hearing property owners' comments. City Council then makes a decision. If approved, an advertisement is placed in a local newspaper informing the community of the decision. The advertisement is also mailed to the property owners. It contains a second date by which the applicant must advise the City of Windsor whether he/she wishes to acquire his/her share of the land.

(SEE REVERSE)