SUBJECT: To Incorporate Certain City Land Into Various Streets by By-Law (PW06002a) - (Affects Wards 8 and 12)

RECOMMENDATION:

(a) That the following City land be incorporated into the following streets:

- Citino Drive
  - Parts 1 and 2
  - Plan 62R-10161
  - Ward 8

- Duncairn Crescent
  - Part 8
  - Plan 62R-12372

  - Part 2
  - Plan 62R-12403

  - Ward 8

- Forbes Street
  - Parts 3, 4, and 5
  - Plan 62R-10161

  - Part 4
  - Plan 62R-10269

  - Ward 8

- Fortissimo Drive
  - Part 3
  - Plan 62R-10269

  - Ward 8

- Raymond Road
  - Part 1
  - Plan 62R-17384

  - Ward 12

- Waterberry Trail
  - Blocks 24 and 25
  - Plan 62M-1024

  - Ward 8

(b) That the By-Laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the Corporate Counsel and be enacted by Council.
(c) That the General Manager, Public Works, be authorized and directed to register the By-Laws.

Scott Stewart, C.E.T.
General Manager
Public Works

**EXECUTIVE SUMMARY:**

These lands have been acquired at a nominal cost of $2.00 by the City of Hamilton for road purposes as part of the development process.

**BACKGROUND:**

The information/recommendations contained within this report primarily affect Wards 8 and 12.

In order to facilitate orderly development, the City has been acquiring lands through the subdivision dedication process or direct transfer. These lands are ultimately required to be a part of the public highway system.

To complete conditions of severance and to complete final street widths, it is necessary to incorporate City land into the road allowance as indicated below:

<table>
<thead>
<tr>
<th>Incorporating into Street Name</th>
<th>Land Description Being Incorporated</th>
<th>Financial Implications</th>
<th>Reason for Being Incorporated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Citino Drive</td>
<td>Parts 1 and 2</td>
<td>N/A</td>
<td>To complete final street widths</td>
</tr>
<tr>
<td></td>
<td>Plan 62R-10161 PIN 16944-0059</td>
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<tr>
<td>Duncairn Crescent</td>
<td>Part 8</td>
<td>N/A</td>
<td>To complete final street widths</td>
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<td></td>
<td>Plan 62R-12372 PIN 16945-1037</td>
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<td></td>
<td>Part 2</td>
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<td>Plan 62R-12403 PIN 16945-0537</td>
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<tr>
<td>Forbes Street</td>
<td>Parts 3, 4, and 5</td>
<td>N/A</td>
<td>To complete final street widths</td>
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<tr>
<td></td>
<td>Plan 62R-10161 PIN16944-0059</td>
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<td>Part 4</td>
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<td></td>
<td>Plan 62R-10269 PIN 16944-0052</td>
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<tr>
<td>Fortissimo Drive</td>
<td>Part 3</td>
<td>N/A</td>
<td>To complete final street widths</td>
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<td></td>
<td>Plan 62R-10269 PIN 16944-0052</td>
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<tr>
<td>Raymond Road</td>
<td>Part 1</td>
<td>N/A</td>
<td>To complete final street widths</td>
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<td>Plan 62R-17384 PIN 17565-2799</td>
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</tr>
<tr>
<td>Waterberry Trail</td>
<td>Blocks 24 and 25</td>
<td>N/A</td>
<td>To complete final street widths</td>
</tr>
<tr>
<td></td>
<td>Plan 62M-1024 PIN16945-1349</td>
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<tr>
<td></td>
<td>16945-1348</td>
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</tbody>
</table>
ANALYSIS/RATIONALE:
Current provincial legislation requires a municipal by-law passed by council to incorporate lands into the municipal public highway system. This report follows requirements of that legislation.

ALTERNATIVES FOR CONSIDERATION:
The alternative to not incorporating these lands into public highway would be to bar legal access to abutting lands. This would conflict with the development strategy and approved road patterns.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
FINANCIAL: These lands have been acquired at nominal costs during the development process. Life Cycle costs associated with extensions of the road network are estimated at $6,800 per lane kilometre per annum operating, and $11,200 per lane kilometre per annum capital.

STAFFING: There are no associated staffing implications, other than operations and maintenance impacts with road network extensions.

LEGAL: The City of Hamilton is complying with the relevant legislation by enacting these By-Laws.

POLICIES AFFECTING PROPOSAL:
This recommendation does not bind the corporation to any policy matter.

RELEVANT CONSULTATION:
In consultation with the Planning and Economic Development Department, Development Engineering Section it has been determined that the development funding has been satisfied. As such this process should proceed to facilitate an orderly development pattern.

CITY STRATEGIC COMMITMENT:
By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
Public services and programs are delivered in an equitable manner, coordinated, efficient, effective and easily accessible to all citizens.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
A sustainable transportation network provides many options for people and goods movement; vehicle-dependency is reduced.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Investment in Hamilton is enhanced and supported.
A co-ordinated effective transportation network that allows access from all properties in accordance with development standards enhances the economic well being of Hamilton.
Does the option you are recommending create value across all three bottom lines?  
☑ Yes  ☐ No

By following provincial guidelines and City driven development guidelines we enhance the delivery of this public service.

Do the options you are recommending make Hamilton a City of choice for high performance public servants?  
☐ Yes  ☑ No
CITY OF HAMILTON
BY-LAW NO. 05-
TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 1 AND 2 ON PLAN 62R-10161
INTO CITINO DRIVE

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Citino Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Citino Drive.

    Part of Lot 6 on Plan 427, in the City of Hamilton. Designated as Parts 1 and 2 on Plan 62R-10161.

    City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this th day of , 2006

______________________________   ____________________
MAYOR                        CLERK
CITY OF HAMILTON
BY-LAW NO. 05-
TO INCORPORATE CITY LAND
DESIGNATED AS PART 8 ON PLAN 62R-12372 AND PART 2 ON PLAN 62R-12403
INTO DUNCAIRN CRESCENT

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Duncairn Crescent within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Duncairn Crescent.

   Part of Lot 18, Concession 7 in the Geographic Township of Barton, now in the City of Hamilton. Designated as Part 8 on Plan 62R-12372.


City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this th day of , 2006

________________________________________   _________________________
MAYOR                                         CLERK
CITY OF HAMILTON
BY-LAW NO. 05-
TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 3, 4, AND 5 ON PLAN 62R-10161 AND PART 4 ON PLAN 62R-10269
INTO FORBES STREET

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Forbes Street within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Forbes Street.

   Part of Lot 5 on Registered Plan 427 in the City of Hamilton. Designated as Parts 3, 4, and 5 on Plan 62R-10161, and Part 4 on Plan 62R-10269.

City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this th day of , 2006
CITY OF HAMILTON
BY-LAW NO. 05-
TO INCORPORATE CITY LAND
DESIGNATED AS PART 3 ON PLAN 62R-10269
INTO FORTISSIMO DRIVE

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Fortissimo Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Fortissimo Drive.

   Part of Lot 8 on Registered Plan 427 in the City of Hamilton. Designated as Part 3 on Plan 62R-10269.

   City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this th day of , 2006

_________________________________________    __________________________
MAYOR  CLERK
CITY OF HAMILTON
BY-LAW NO. 05-
TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 ON PLAN 62R-17384
INTO RAYMOND ROAD

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Raymond Road within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Raymond Road.

   Part of Block 144 on Plan 62M-1017 in the Geographic Township of Ancaster, now in the City of Hamilton. Designated as Part 1 on Plan 62R-17384.

City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this th day of , 2006

_________________________________________  ______________________________
MAYOR                                           CLERK
CITY OF HAMILTON
BY-LAW NO. 05-
TO RESCIND BY-LAW 05-358 AND TO INCORPORATE CITY LAND
DESIGNATED AS BLOCKS 24 AND 25 ON PLAN 62M-1024
INTO WATERBERRY TRAIL

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS through inadvertence the Council of the City of Hamilton passed By-Law 05-358 which referred incorrectly to Block 25 on Plan 62M-974.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Waterberry Trail within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Waterberry Trail.

   Blocks 24 and 25 on Plan 62M-1024.

   By-Law 05-358 is Repealed.

   City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this th day of , 2006

________________________________   ________________
MAYOR       CLERK