SUBJECT: To Incorporate Certain City Land Into Various Streets by By-Law (PW06002e) - (Affects Wards 7, 9, and 11)

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

<table>
<thead>
<tr>
<th>Street</th>
<th>Parts/Blocks</th>
<th>Plan Number</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>Candlewood Drive</td>
<td>Parts 4 and 5</td>
<td>Plan 62R-11998</td>
<td>9</td>
</tr>
<tr>
<td>Fulmar Way</td>
<td>Part 3</td>
<td>Plan 62R-17514</td>
<td>11</td>
</tr>
<tr>
<td>Hampton Brook Way</td>
<td>Parts 5, 6, 7, and 8</td>
<td>Plan 62R-17514</td>
<td>11</td>
</tr>
<tr>
<td>Hollybank Way</td>
<td>Part 1</td>
<td>Plan 62R-17514</td>
<td>11</td>
</tr>
<tr>
<td>Pebble Valley Avenue</td>
<td>Part 3</td>
<td>Plan 62R-17522</td>
<td>11</td>
</tr>
<tr>
<td>Rosebury Way</td>
<td>Part 2</td>
<td>Plan 62R-17514</td>
<td>11</td>
</tr>
<tr>
<td>Springstead Avenue</td>
<td>Part 2</td>
<td>Plan 62R-17522</td>
<td>11</td>
</tr>
<tr>
<td>Tanglewood Drive</td>
<td>Blocks 106, 107, 108, 109, and 112</td>
<td>Plan 62M-1016</td>
<td>11</td>
</tr>
</tbody>
</table>
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 7, 9, and 11.

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>Candlewood Drive</td>
<td>Parts 4 and 5</td>
<td>N/A</td>
<td>To complete final street widths</td>
</tr>
<tr>
<td></td>
<td>Plan 62R-11998 17088-0387</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fulmar Way</td>
<td>Part 3</td>
<td>N/A</td>
<td>To complete final street widths</td>
</tr>
<tr>
<td></td>
<td>Plan 62R-17514 17400-0561</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hampton Brook Way</td>
<td>Parts 5, 6, 7, and 8</td>
<td>N/A</td>
<td>To complete final street widths</td>
</tr>
<tr>
<td></td>
<td>Plan 62R-17514 17400-0561</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Incorporating into Street Name | Land Description Being Incorporated | Financial Implications | Reason for Being Incorporated
--- | --- | --- | ---
Hollybank Way | PIN 17400-0661 17400-0564 | N/A | To complete final street widths
| Part 1  Plan 62R-17514  PIN 17400-0558 | | |
Pebble Valley Avenue | PIN 17400-0558 | N/A | To complete final street widths
| Part 3  Plan 62R-17522  PIN 17370-0601 | | |
Rosebury Way | PIN 17400-0558 | N/A | To complete final street widths
| Part 2  Plan 62R-17514  PIN 17400-0558 | | |
Springstead Avenue | PIN 17370-0601 | N/A | To complete final street widths
| Part 2  Plan 62R-17522  PIN 17370-0601 | | |
Tanglewood Drive | PIN 17384-0894  17384-0895  17384-0896  17384-0897  17384-0900 | N/A | To complete final street widths
Thames Way | PIN 17400-0561  17400-0564 | N/A | To complete final street widths
| Parts 4, 9, 10, and 11  Plan 62R-17514  PIN 17400-0561  17400-0564 | | |
Theodore Drive | PIN 16943-0215  PIN 16943-0646 | N/A | To complete final street widths
| Parts 3 and 6  Plan 62R-17313  PIN 16943-0646 | | |

**ANALYSIS/RATIONALE:**

Current provincial legislation requires a municipal By-law be 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 $6,018.19 per lane kilometre per annum operating, and $10,446.15 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. 06-
TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 4 AND 5 ON PLAN 62R-11998
INTO CANDLEWOOD 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 Candlewood 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 Candlewood Drive.

   Part of Lot 26, Concession 8 in the Geographic Township of Saltfleet, now in the City of Hamilton. Designated as Parts 4 and 5 on Plan 62R-11998.

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. 06-
TO INCORPORATE CITY LAND
DESIGNATED AS PART 3 ON PLAN 62R-17514
INTO FULMAR WAY

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 Fulmar Way 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 Fulmar Way.

   Part of Block 191 on Plan 62M-992 in the City of Hamilton. Designated as Part 3 on Plan 62R-17514.

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
Ward Number 11
Hollybank Way, Rosebury Way, Fulmar Way, Thames Way and Hampton Brook Way
By law

CITY OF HAMILTON
Public Works Department
General Manager, Scott Stewart

DATE: June 12, 2008  N.T.S.
CITY OF HAMILTON
BY-LAW NO. 06-
TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 5, 6, 7, AND 8 ON PLAN 62R-17514
INTO HAMPTON BROOK WAY

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,
wideno, 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 Hampton Brook Way 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 Hampton Brook Way.

   Part of Block 191 on Plan 62M-992 in the City of Hamilton. Designated as
   Parts 5, 6, 7 on Plan 62R-17514, and Part of Block 194 on Plan 62M-992,
   designated as Part 8 on Plan 62R-17514.

   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. 06-
TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 ON PLAN 62R-17514
INTO HOLLYBANK WAY

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 Hollybank Way 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 Hollybank Way.

   Part of Block 188 on Plan 62M-992 in the City of Hamilton. Designated as Part 1 on Plan 62R-17514.

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. 06-
TO INCORPORATE CITY LAND
DESIGNATED AS PART 3 ON PLAN 62R-17522
INTO PEBBLE VALLEY AVENUE

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 Pebble Valley Avenue 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 Pebble Valley Avenue.

   Part of Block 195 on Plan 62M-987 in the City of Hamilton. Designated as Part 3 on Plan 62R-17522.

   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. 06-
TO INCORPORATE CITY LAND
DESIGNATED AS PART 2 ON PLAN 62R-17514
INTO ROSEBURY WAY

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 Rosebury Way 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 Rosebury Way.

Part of Block 188 on Plan 62M-992 in the City of Hamilton. Designated as Part 2 on Plan 62R-17514.

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. 06-
TO INCORPORATE CITY LAND
DESIGNATED AS PART 2 ON PLAN 62R-17522
INTO SPRINGSTEAD AVENUE

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 Springstead Avenue 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 Springstead Avenue.


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. 06-  
TO INCORPORATE CITY LAND  
DESIGNATED AS BLOCKS 106, 107, 108, 109, AND 112 ON PLAN 62M-1016  
INTO TANGLEWOOD 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 Tanglewood 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 Tanglewood Drive.  


   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   CLERMEN
CITY OF HAMILTON
BY-LAW NO. 06-
TO INCORPORATE CITY LAND DESIGNED AS PARTS 4, 9, 10, AND 11 ON PLAN 62R-17514 INTO THAMES WAY

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 Thames Way 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 Thames Way.

   Part of Block 191 on Plan 62M-992 in the City of Hamilton. Designated as Part 4 on Plan 62R-17514.

   Part of Block 194 on Plan 62M-992 in the City of Hamilton. Designated as Part 9, 10, and 11 on Plan 62R-17514.

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. 06-
TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 5, 6, 7, 8, 9, AND 10 ON PLAN 62R-13766 AND PARTS 3 AND 6 ON PLAN 62R-17313 INTO THEODORE 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 Theodore 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 Theodore Drive.

   Part of Lot 14, Concession 7 in the Geographic Township of Barton, now in the City of Hamilton. Designated as Parts 5, 6, 7, 8, 9, and 10 on Plan 62R-13766, and Parts 3 and 6 on Plan 62R-17313.

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