SUBJECT: Proposed Closure of Unopened Road Allowance Abutting #42, 14th Concession East, Flamborough (PW06049) - (Ward 15)

RECOMMENDATION:

That the application of the registered owner of 42 14th Concession, in the former Town of Flamborough, to purchase a portion of road allowance abutting the property, from 14th Concession to approximately halfway to Campbellville Road, be approved, subject to the following conditions:

(a) That the City Solicitor be authorized and directed to prepare a by-law to permanently close the highway.

(b) That the appropriate by-law be introduced and enacted by Council.

(c) That the Real Estate Section, Planning and Economic Development Department be authorized and directed to sell the closed highway at fair market value and in accordance with the Procedural By-law for the Sale of Land, By-law No. 04-299 and that the funds be used by the City for property purchases and sales.

(d) That the City Solicitor be authorized and directed to register a certified copy of the by-law permanently closing the highway in the proper land registry office.

(e) That the by-law permanently closing the highway does not take affect until a certified copy of the by-law is registered in the proper land registry office.
EXECUTIVE SUMMARY:
An application has been received from the registered owner of 42 14\textsuperscript{th} Concession to close and purchase the unopened road allowance abutting the property. The applicant proposes to merge the road allowance with the existing property and create a larger lot. As there have been no objections from any municipal departments or public utilities this Department supports the request.

BACKGROUND:
The information/recommendation contained in this report primarily affects Ward 15. An application was received from the owner of 42 14\textsuperscript{th} Concession in Flamborough to permanently close and purchase a portion of road allowance abutting the property. The applicant proposes to purchase the lands and merge them with the existing lot to create a larger property.

Notice of the closure was circulated to municipal departments and public utilities and no objections were received.

Notice was circulated to a 400’ radius of the neighbourhood and the results are as follows:

Number Circulated: 6 In favour: 6 Opposed: 0 No comment: 0

Notice was circulated to municipal departments and public utilities and no negative comments were received. The Surveys/Technical Services section comments that as the road in question is untravelled, the entire road allowance should be closed from Concession to Concession.

As no objections have been received, this Department supports the request.

ANALYSIS/RATIONALE:
Notices were circulated to a 400’ radius of the neighbourhood and municipal departments and public utilities. No negative comments were received.

ALTERNATIVES FOR CONSIDERATION:
The applicant could be required to close and purchase the entire road allowance from Concession to Concession as stated by the Survey/Technical Services section.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
The applicant has paid the user fee. The lands will be transferred at fair market value as determined by the Real Estate Division.

POLICIES AFFECTING PROPOSAL:
An Environmental Assessment is not required for this closure.
RELEVANT CONSULTATION:

The Ward Councillor supports the application. Municipal departments and public utilities were circulated for comment and no objections were received.

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
Environmental Well-Being is enhanced. ☐ Yes ☑ No
Economic Well-Being is enhanced. ☑ Yes ☐ No

The funds from the sale of the lands will be deposited into the City’s account for future real estate purchases.

Does the option you are recommending create value across all three bottom lines? ☐ Yes ☑ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☐ Yes ☑ No
PROPOSED CLOSURE:
UNOPENED ROAD ALLOWANCE
SOUTH OF
# 42 - 14TH CONCESSION EAST
IN FLAMBOURGH
CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

REFERENCE FILE NO: PW06049

SCALE: NOT TO SCALE
DATE: 2006-04-19