SUBJECT: To Incorporate Certain City Land Into Various Streets by By-law (PW05002e) - (Affects Wards 10 and 11)

RECOMMENDATION:

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

- Hemlock Avenue Part 1
  Plan 62R-17212  Ward 10

- Kopperfield Lane Parts 1, 2, 3, and 4
  Plan 62R-17151  Ward 11

(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.

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 10 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 road 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>
<th>File No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hemlock Avenue</td>
<td>Part 1 Plan 62R-17212 PIN 17332-0381</td>
<td>N/A</td>
<td>To open street and allow orderly development</td>
<td>S-600-01</td>
</tr>
<tr>
<td>Kopperfield Lane</td>
<td>Parts 1, 2, 3, and 4 Plan 62R-17151 PIN 16901-0282</td>
<td>N/A</td>
<td>To open street and allow orderly development</td>
<td>S-600-01</td>
</tr>
</tbody>
</table>

ANALYSIS OF ALTERNATIVES:
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.

CONSULTATION WITH RELEVANT DEPARTMENTS/AGENCIES:
In consultation with the Planning & 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:

The series of By-laws completes the development cycle originated under the Official Plans and the Vision 2020 document.
CITY OF HAMILTON
BY-LAW NO. 05-
TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 ON PLAN 62R-17212
INTO HEMLOCK 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 Hemlock 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 Hemlock Avenue.

   Part of Block ‘EX’ on Registered Plan M-183 in the City of Hamilton. Designated as Part 1 on Plan 62R-17212.

   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 , 2005

__________________________________________  ________________________________
MAYOR                                           CLERK
CITY OF HAMILTON
BY-LAW NO. 05-
TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 1, 2, 3, AND 4 ON PLAN 62R-17151
INTO KOPPERFIELD LANE

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 Kopperfield Lane 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 Kopperfield Lane.

   Part of Block 54 on Plan 62M-873 in the Geographic Township of Glanford, now in the City of Hamilton. Designated as Parts 1, 2, 3, and 4 on Plan 62R-17151.

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 , 2005
PARTS 1, 2, 3 & 4
Plan 62R-17151
0.3m Reserve