SUBJECT: Proposed Permanent Closure and Transfer of Road Allowance at Eramosa Karst (PW07067) - (Ward 9)

RECOMMENDATION:

That the application to permanently close the unopened road allowance between Upper Mount Albion Road and Second Road West, from Rymal Road to Highland Road, and to transfer the lands to the Hamilton Conservation Authority, 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 to sell the closed highway to the Hamilton Conservation Authority for a nominal fee and in accordance with the Procedural By-law for the Sale of Land, By-law No. 04-299;

(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 effect until a certified copy of the By-law is registered in the proper Land Registry Office.

Scott Stewart, C.E.T.
General Manager
Public Works
EXECUTIVE SUMMARY:
An application has been received from the Hamilton Conservation Authority to acquire an unopened road allowance running through the new Eramosa Karst conservation area. The lands will be used to link an internal trail system at the Karst. As the lands are surplus to the City’s needs, this Department supports the request.

BACKGROUND:
The information/recommendation contained within this report primarily affects Ward 9. The Hamilton Conservation Authority has requested to permanently close and purchase an unopened road allowance within the Eramosa Karst conservation area. The road allowance runs between Upper Mount Albion Road and Second Road West, from Rymal Road to Highland Road. The City will retain frontage on Highland Road as a possible access for future development. The lands are proposed to be incorporated into the existing conservation area and would be transferred from the City for a nominal fee.

A notice of the proposed closure has been printed in the Hamilton Spectator and no negative responses have been received. The Conservation Authority has received favourable responses from the neighbouring property owners who support this natural area in place of development.

As the lands are surplus to the needs of the City, this Department is in favour of the closure and sale.

ANALYSIS/RATIONALE:

ALTERNATIVES FOR CONSIDERATION:
The City could retain the lands however; the lands will be used to enhance an existing conservation area which the City supports.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
The lands will be transferred to the Hamilton Conservation Authority for a nominal (two dollar) fee.

POLICIES AFFECTING PROPOSAL:
The lands must be permanently closed by by-law under the Municipal Act.

RELEVANT CONSULTATION:
The Ward Councillor supports the closure. Discussions were held with Capital Planning & Implementation (Open Space Development) and the Red Hill Valley Project office and they are in support of this closure.
CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, and 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.

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<tr>
<th>Community Well-Being is enhanced.</th>
<th>Yes</th>
<th>No</th>
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<td>Environmental Well-Being is enhanced.</td>
<td>Yes</td>
<td>No</td>
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The transfer of the road allowance will allow the Conservation Authority to consolidate the lands and increase the area of this environmentally sensitive site.

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<th>Economic Well-Being is enhanced.</th>
<th>Yes</th>
<th>No</th>
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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 OF ROAD ALLOWANCE AT ERAMOSA KARST CONSERVATION AREA
CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

SCALE
NOT TO SCALE
DATE
2007-05-23
REFERENCE FILE NO: PW07067