



CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Engineering Services Division

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	July 10, 2019
SUBJECT/REPORT NO:	To Incorporate City Lands into Acadia Drive by By-law (PW19063) (Ward 7)
WARD(S) AFFECTED:	Ward 7
PREPARED BY:	David Lamont (905) 546-2424 Ext. 4413
SUBMITTED BY:	Gord McGuire Director, Engineering Services Public Works Department
SIGNATURE:	

RECOMMENDATION(S)

- (a) That the following City Lands be incorporated into the following Street:
- (i) Acadia Drive, Parts 1 and 4 on Plan 62R-20060;
- (b) That the By-Law as outlined in Report PW19063 as Appendix "A" to carry out the incorporation of the said lands into the foregoing Street be prepared to the satisfaction of the Corporate Counsel and be enacted by Council; and
- (c) That the General Manager of Public Works, be authorized and directed to register the By-Law.

EXECUTIVE SUMMARY

The portion of road is situated south of Acadia Drive as established by By-Law 71-106, registered as Instrument AB201531 dated April 14th, 1971, which travels south-easterly and terminates at Upper Sherman Avenue which has never been dedicated as a Public Highway. This section of road through Billy Sherring Park was built in order to provide improved means of access to the "Southmount High School" (Now known as St. Jean de Brébeuf Catholic Secondary School). Once this section of road has been incorporated into a public highway by Public Works, Parks can direct the Real Estate section to circulate the parcel of land to the north of Acadia Drive for surplus.

Alternatives for Consideration – See Page 3

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: These lands have been acquired through a land swap with The Board of Education for the City of Hamilton on November 17th, 1961 by instrument HL185780.

Staffing: There are no associated staffing implications, other than the operation by enacting this By-Law.

Legal: The City of Hamilton is complying with the relevant legislation by enacting this By-Law as outlined in Report PW19063 as Appendix “B”.

HISTORICAL BACKGROUND

The portion of road is situated south of Acadia Drive as established by By-Law 71-106, registered as Instrument AB201531 dated April 14th, 1971, which travels south-easterly and terminates at Upper Sherman Avenue which has never been dedicated as a Public Highway. This section of road through Billy Sherring Park was built in order to provide improved means of access to the “Southmount High School” (Now known as St. Jean de Brébeuf Catholic Secondary School).

A Report of the Committee on Works dated May 18th, 1965 was received by City of Hamilton Council and Paragraph 15(b) of the report outlined the following recommendation:

15(b) That the City Engineer be authorized to proceed with the construction of a Preliminary Road on this portion of Acadia Drive, as well as on the lands owned by the City of Hamilton located at the South Limit of Proposed Extended Acadia Drive to connect Acadia Drive with Upper Sherman Avenue, in order to provide improved means of access to the Southmount High School, at a total estimated cost of \$6000.00, and that \$5000.00 of the cost of constructing the said Preliminary Roadway be charged to Department of Engineering Budget account No. 0351-5500 for the construction of Preliminary Roadways, and that the Board of Control be requested to provide an additional \$1000.00 required to complete the cost of constructing this work.

The design of the road took place in 1965 as shown on a Board of Works plan numbered A-313- B of W. The existing street light poles were installed in 1983; however, the City does not have any record to confirm this fact nor the existence of street lights prior to 1983.

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In 2008, an existing pond to the south of the proposed road was retrofitted for the development of Stone Ridge Estates and storm sewers were installed along the proposed road allowance.

At the corner of Upper Sherman and Acadia Drive the Traffic Department installed Traffic Lights with approval from the Public Works Committee on September 16th, 2013 and in 2016 by PW Contract C15-51-16(H) the city installed sidewalks along the south limit of the proposed road between Upper Sherman Ave and Acadia Drive as established by By-Law 71-106.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

This recommendation does not bind the corporation to any policy matters.

RELEVANT CONSULTATION

Engineering Services consulted with Planning and Economic Development and Transportation, Operations and Maintenance departments to confirm the necessity to formalize this public highway.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Current Provincial legislation requires a Municipal By-Law passed by Council to incorporate lands into the Municipal public highway system. This report follows the requirements of that legislation.

ALTERNATIVES FOR CONSIDERATION

Not incorporating the lands into a public highway to form part of Acadia Drive would bar legal access to abutting lands and would conflict with the Rymal Road Area Class Environmental Assessment Master Plan study to address transportation needs to support the development of the ROPA 9 lands.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report PW19063: Key Location Map

Appendix "B" to Report PW19063: By-Law 19-## To Establish City of Hamilton Land Described a Parts 1 and 4 on Plan 62R-20060 as Part of Acadia Drive