



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Growth Management Division

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| TO: | Chair and Members Planning Committee |
| COMMITTEE DATE: | April 16, 2019 |
| SUBJECT/REPORT NO: | To Incorporate City Lands into Upper Mount Albion Road by By-law (PED19080) (Ward 9) |
| WARD(S) AFFECTED: | Ward 9 |
| PREPARED BY: | Alvin Chan (905) 546-2424 Ext. 2978 |
| SUBMITTED BY: | Tony Sergi Senior Director, Growth Management Planning and Economic Development Department |
| SIGNATURE: | |

RECOMMENDATION(S)

- (a) That the following City lands designated as Parts 6 and 8 on Plan 62R-20860, be established as a public highway to form part of Upper Mount Albion Road;
- (b) That the By-law to incorporate the City lands to form part of Upper Mount Albion Road be prepared to the satisfaction of Corporate Counsel and be enacted by Council;
- (c) That the General Manager of Public Works be authorized and directed to register the By-law.

EXECUTIVE SUMMARY

On July 9, 2009 Council, adopted the Urban Hamilton Official Plan, which came into force and effect on August 16, 2013, save and except for, the policies, schedules, maps and appendices that are still under appeal to the Ontario Municipal Board (OMB) / Local Planning Appeal Tribunal (LPAT). In particular, the adoption of the Urban Hamilton Official Plan and the Trinity West Secondary Plan are not subject to any appeals to the OMB / LPAT; and, are in full force and effect.

Additionally, Council also adopted Official Plan Amendment No. 53 and Draft Approved Plans of Subdivision File No. 25T-201402 on April 26, 2016 (now registered as 62M-1250 as of June 7, 2018), and File No. 25T-201805, on September 26, 2018; all of

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

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which, amended the Trinity West Secondary Plan to reflect the proposed development applications. In particular, the connection from “Upper Mount Albion Road” to “Rymal Road East” is to be removed and a cul-de-sac established.

As such, the proposed By-law seeks to implement the Secondary Plan in removing the connection of “Upper Mount Albion Road” to “Rymal Road East” in accordance with Council approvals and the Urban Hamilton Official Plan.

Alternatives for Consideration – See Page 3

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: There are no financial implications arising from this Report. The removal of the connection of Upper Mount Albion Road to Rymal Road East (the cul-de-sac) is being constructed by the developer as part of Registered Plan 62M-1250 and Draft Approved Plan of Subdivision File No. 25T-201805.

Staffing: There are no associated staffing implications.

Legal: The City of Hamilton is complying with the relevant legislation by enacting this By-law.

HISTORICAL BACKGROUND

On July 9, 2009, Council adopted the Urban Hamilton Official Plan, which came into force and effect on August 16, 2013, save and except for, the policies, schedules, maps and appendices that are still under appeal to the Ontario Municipal Board (OMB) / Local Planning Appeal Tribunal (LPAT). In particular, the adoption of the Urban Hamilton Official Plan and the Trinity West Secondary Plan are not subject to any appeals to the OMB / LPAT; and, are in full force and effect.

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The removal of the connection of Upper Mount Albion Road to Rymal Road East (the cul-de-sac) is being constructed by the developer as part of Registered Plan 62M-1250 and the Draft Approved Plans of Subdivision File No. 25T-201805.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The recommendations do not bind the corporation to any policy matter.

RELEVANT CONSULTATION

Geomatics and Corridor Management of the Public Works Department and Legal Services of the City Manager's Office have been consulted.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

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 as a public highway to form part of Upper Mount Albion Road would bar legal access to abutting lands and the development of Registered Plan 62M-1250, and Draft Approved Plan of Subdivision File No. 25T-201805.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

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" - Key Location Map
- Appendix "B" - By-law No. XX – To incorporate City lands designated as Parts 6 and 8 of 62R-20860 into Upper Mount Albion Road

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