



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Growth Management Division

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| TO: | Chair and Members Planning Committee |
| COMMITTEE DATE: | August 9, 2022 |
| SUBJECT/REPORT NO: | To Extend and Open a Portion of Lands as Public Highway being Sonoma Lane by By-law (PED22049) (Ward 10) |
| WARD(S) AFFECTED: | Ward 10 |
| PREPARED BY: | George T. Zajac (905) 546-2424 Ext. 3933 |
| SUBMITTED BY: | Ashraf Hanna Director, Growth Management Planning and Economic Development Department |
| SIGNATURE: | |

RECOMMENDATION

- (a) That the following Lands designated as Parts 1, 2, and 6, inclusive, on Plan 62R-21744 be established as a public highway to form part of Sonoma Lane;
- (b) That the By-law to incorporate the City lands to form part of Sonoma Lane be prepared to the satisfaction of the City Solicitor and be enacted by Council;
- (c) That the City Solicitor, or designate, be authorized and directed to register the By-law.

EXECUTIVE SUMMARY

As per the decision of the Ontario Municipal Board (OMB) now the Ontario Land Tribunal (OLT) in matter PL120721 regarding Draft Plan of Subdivision File No. 25T-201107 "Foothills of Winona Phase 2"; and, the corresponding City of Hamilton By-law No. 20-149 being OPA #133 to the Urban Hamilton Official Plan (UHOP), Policy B.7.4.18.9(d) states:

"It is the intent of Council that a Draft Plan of Subdivision is not required to facilitate the orderly development of the lands per Policy F.1.14.1.1 of Volume 1, and that the extension of Sonoma Lane to Fifty Road may proceed by way of a deposited reference plan and deeming by-law and be designed in accordance with Policy Section C.4.5 of

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Volume 1, provided the City receives all necessary assurances and related securities respecting the construction and dedication of the road extension, to the satisfaction of the City.”

Accordingly, per Parts 1, 2 and 6, inclusive, on Plan 62R-21744, the owner/applicant has proposed an extension of Sonoma Lane to Fifty Road, as a public highway.

An External Works Agreement has also been applied to satisfy that the City receives all necessary assurances and related securities respecting the construction and dedication of the road extension.

Additionally, Parts 4 and 7 of 62R-21744 would be retained by the City as a One-Foot Reserve, to be incorporated into Sonoma Lane at a future date upon lifting of said reserves.

Lastly, it is noted that a portion of the existing Pinot Crescent shown as Parts 8 and 9, inclusive, on Plan 62R-21744, are subject to a road closure By-law authored by Public Works staff under Report PW21043, which are to be transferred to the owner/applicant for subsequent development.

Alternatives for Consideration – See Page 4

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: There are no financial implications arising from this Report.

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

As per the decision of the OMB now OLT in matter PL120721 regarding Draft Plan of Subdivision File No. 25T-201107 “Foothills of Winona Phase 2”; and, the corresponding City of Hamilton By-law No. 20-149 being OPA #133 to the UHOP, Policy B.7.4.18.9(d) states:

“It is the intent of Council that a Draft Plan of Subdivision is not required to facilitate the orderly development of the lands per Policy F.1.14.1.1 of Volume 1, and that the extension of Sonoma Lane to Fifty Road may proceed by way of a deposited reference plan and deeming by-law and be designed in accordance with Policy Section C.4.5 of Volume 1, provided the City receives all necessary assurances and related securities

OUR Vision: To be the best place to raise a child and age successfully.

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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respecting the construction and dedication of the road extension, to the satisfaction of the City.”

Accordingly, per Parts 1, 2 and 6, inclusive, on Plan 62R-21744, the owner/applicant has proposed an extension of Sonoma Lane to Fifty Road, as a public highway. An External Works Agreement has also been applied to satisfy that the City receives all necessary assurances and related securities respecting the construction and dedication of the road extension. See Location Map attached as Appendix “A” to Report PED22049 and Reference Plan 62R-21744 attached as Appendix “B” to Report PED22049.

Additionally, Parts 4 and 7 of 62R-21744 would be retained by the City as a One-Foot Reserve, to be incorporated into Sonoma Lane at a future date upon lifting of said reserves.

Lastly, it is noted that a portion of the existing Pinot Crescent shown as Parts 8 and 9, inclusive, on Plan 62R-21744, are subject to a road closure By-law authored by Public Works staff under Report PW21043, which are to be transferred to the owner/applicant for subsequent development.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Per Official Plan Amendment #133 to the UHOP, Policy B.7.4.18.9(d) states:

“It is the intent of Council that a Draft Plan of Subdivision is not required to facilitate the orderly development of the lands per Policy F.1.14.1.1 of Volume 1, and that the extension of Sonoma Lane to Fifty Road may proceed by way of a deposited reference plan and deeming by-law and be designed in accordance with Policy Section C.4.5 of Volume 1, provided the City receives all necessary assurances and related securities respecting the construction and dedication of the road extension, to the satisfaction of the City.”

Accordingly, per Parts 1, 2, and 6, inclusive, on Plan 62R-21744, the owner/applicant has proposed an extension of Sonoma Lane to Fifty Road, as a public highway.

RELEVANT CONSULTATION

- Public Works Department, Engineering Services Division, Geomatics and Corridor Management Section; and,
- Corporate Services Department, Legal Services Division.

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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 extend Sonoma Lane would be contrary to OMB, now OLT decision in matter PL120721 regarding Draft Plan of Subdivision File No. 25T-201107 “Foothills of Winona Phase 2”; and, the corresponding City of Hamilton By-law No. 20-149 being OPA No. 133 to the UHOP.

Additionally, it is noted that the Extension of Sonoma Lane has been constructed and would pose a risk and liability by not opening it as public highway by By-law.

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” to Report PED22049 – Location Map

Appendix “B” to Report PED22049 – Reference Plan 62R-21744

Appendix “C” to Report PED22049 – By-Law No. XX – To incorporate Lands designated as Parts 1, 2, and 6, inclusive, on Plan 62R-21744, be established as a Public Highway to extend Sonoma Lane.

GZ/ch