




CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Engineering Services Division

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	August 10, 2022
SUBJECT/REPORT NO:	Proposed Permanent Closure of a Portion of Chapple Street, Hamilton (PW22067) (Ward 3)
WARD(S) AFFECTED:	Ward 3
PREPARED BY:	Cetina Farruggia (905) 546-2424 Ext. 5803
SUBMITTED BY:	Susan Jacob Acting Director, Engineering Services Public Works Department
SIGNATURE:	

RECOMMENDATION

- (a) That the application of the City of Hamilton's Landscape Architectural Services Division to permanently close a portion of Chapple Street, Hamilton ("Subject Lands"), as shown on Appendix "A" & "B", attached to Report PW22067, be approved, subject to the following conditions:
- (i) That the City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close the highway, for enactment by Council;
 - (ii) That the City Solicitor be authorized and directed to register a certified copy of the by-law(s) permanently closing the highway in the proper land registry office;
 - (iii) That the City Solicitor be authorized to amend and waive such terms as they consider reasonable to give effect to this authorization and direction;
 - (iv) That the Public Works Department publish any required notice of the City's intention to pass the by-laws to permanently close the highway pursuant to the City of Hamilton Sale of Land Policy By-law 14-204, if required;

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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.

- (v) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section.

EXECUTIVE SUMMARY

The City of Hamilton's Landscape Architectural Services Section has made an application to permanently close a portion of Chapple Street, Hamilton to be merged with Brightside Park to create a park access road linking the new Brightside Park parking lot to Lloyd Street, Hamilton, in accordance with the Stadium Precinct Master Plan (2013). The Brightside Park properties were acquired to replace Brian Timmis Field which was lost due to the realignment of Tim Hortons Field. Located in an area of Hamilton that has historically been dominated by industrial development, this site is an opportunity to provide parkland and recreational amenities in a community that is deficient in green space. As there were no objections from internal staff or public utilities, and the City of Hamilton is the only abutting landowner, staff are supportive of the application to close and convert the Subject Lands into parkland.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The applicant has paid the Council approved user fee of \$4,868.50

Staffing: N/A

Legal: The City Solicitor will prepare all necessary by-laws to permanently close the Subject Lands and will register such by-laws in the Land Registry Office once Council has approved the by-law. The by-law does not take effect until the certified copy of the by-law is registered in the proper land registry office.

HISTORICAL BACKGROUND

The Subject Lands were created by Plan of Subdivision RP-1488 in 1928, formerly known as Agnes Street prior to the Name Change By-Law No. 1459 registered as BL358. On February 18, 2022 staff received an application from the City of Hamilton's Landscape Architectural Services Section to permanently close the Subject Lands in order to convert the Subject Lands into parkland in accordance with the Stadium Precinct Master Plan (2013). The Subject Lands will create a park access road linking

the new Brightside Park parking lot to Lloyd Street, Hamilton. As there were no objections from any City department, division, or public utility, and the City of Hamilton is the only abutting landowner, staff are supportive of the closure and conversion of the Subject Lands into parkland.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

A by-law must be passed to permanently close the lands in accordance with the *Municipal Act, 2001*.

RELEVANT CONSULTATION

The following public utilities, City departments and divisions were provided with a copy of the application and were invited to provide comments:

- Planning and Economic Development Department: Development Engineering, Building, Economic Development, Real Estate, and Planning;
- Public Works Department: Engineering Services, Hamilton Water, Transportation Operations and Maintenance, and Environmental Services;
- Hamilton Emergency Services;
- Corporate Services Department: Budgets and Finance;
- Mayor and Ward Councillor; and
- Bell, Alectra Utilities, Hydro One, and Enbridge Gas

There were no objections received from any public utilities, City departments and divisions.

Bell and Alectra Utilities have advised that they will require easement protection.

As the City of Hamilton is the only abutting land owner, there was no external circulation for this application.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

As the closure of the Subject Lands supports the Stadium Precinct Master Plan (2013) and there were no objections from any City department, division, or public utilities, and the City of Hamilton is the only abutting landowner, staff are supportive of the closure of the Subject Lands.

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

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 PW22067 – Aerial Drawing

Appendix “B” to Report PW22067 – Location Plan