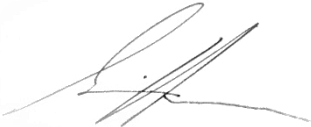




CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Growth Management Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	December 7, 2021
SUBJECT/REPORT NO:	To Incorporate City Lands into Clappison Avenue by By-law (PED21231) (Ward 15)
WARD(S) AFFECTED:	Ward 15
PREPARED BY:	Sally Yong-Lee (905) 546-2424 Ext. 1428
SUBMITTED BY:	Gavin Norman Acting Director, Growth Management Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That the following City lands designated as Part 1 on Plan 62R-21786 and Block 6 on Plan 62M-1081 be established as a public highway to form Clappison Avenue;
- (b) That the By-law to incorporate the City lands to form part of Clappison Avenue be prepared to the satisfaction of the City Solicitor and be enacted by Council;
- (c) That the General Manager of Public Works be authorized and directed to register the By-law.

EXECUTIVE SUMMARY

The Borer's Creek channel block identified as Part 5 on Plan 62M-1081 was transferred to the City as a condition of approval for the Plan of Subdivision "Flamborough Power Centre (25T200404)".

In 2020, Clappison Avenue was extended from its terminus south of Borer's Creek northerly to connect to Parkside Drive including the crossing of Borer's Creek. Clappison Avenue extension was constructed under a Subdivision Agreement between the Developer for the "Flamborough Power Centre North (25T201507)" and the City.

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Part 1 on Plan 62R-21786 and Block 6 on Plan 62M-1081 is where Clappison Avenue crosses Borer's Creek and it is necessary to incorporate these lands into the road allowance for the purpose of establishing Clappison Avenue as a public highway.

Alternatives for Consideration – See Page 3

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

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

HISTORICAL BACKGROUND

The Borer's Creek channel block identified as Part 5 on Plan 62M-1081 was transferred to the City as a condition of approval for the Plan of Subdivision "Flamborough Power Centre" (25T200404)".

In 2020, Clappison Avenue was extended from its terminus south of Borer's Creek northerly to connect to Parkside Drive including the crossing of Borer's Creek. Clappison Avenue extension was constructed under a Subdivision Agreement between the Developer for the "Flamborough Power Centre North (25T201507)" and the City.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The recommendations do not bind the organization 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

Part 1 on Plan 62R-21786 and Block 6 on Plan 62M-1081 is where Clappison Avenue crosses Borer's Creek and it is necessary to incorporate these lands into the road allowance for the purpose of establishing Clappison Avenue as a public highway.

**SUBJECT: To Incorporate City lands into Clappison Avenue by By-law
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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 Clappison Avenue would bar legal access across the creek.

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 PED21231 – Key Location Map

Appendix “B” to Report PED21231 – By-law No. XX – That the following City lands designated as Part 1 on Plan 62R-21786 and Block 6 on Plan 62M-1081 be established as a public highway to form part of Clappison Avenue

SYL:sf