




**CITY OF HAMILTON**  
**PUBLIC WORKS DEPARTMENT**  
**Engineering Services Division**

<b>TO:</b>	Chair and Members Public Works Committee
<b>COMMITTEE DATE:</b>	August 14, 2024
<b>SUBJECT/REPORT NO:</b>	Proposed Permanent Closure of a Portion of Upper Centennial Parkway and Regional Road 20, Stoney Creek (PW24049) (Ward 9)
<b>WARD(S) AFFECTED:</b>	Ward 9
<b>PREPARED BY:</b>	Laura-Lynn Fernandes (905) 546-2424 Ext. 6164
<b>SUBMITTED BY:</b>	Jackie Kennedy Director, Engineering Services Public Works / Engineering Services
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (a) That the application of the City of Hamilton's Corporate Real Estate Office, to permanently close a portion of Upper Centennial Parkway and Regional Road 20, Stoney Creek ("Subject Lands"), as shown on Appendix "A" & "B" attached to Report PW24049, 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 and retaining 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 and/or permanently sell the closed highway pursuant to the City of Hamilton Sale of Land Policy By-law 14-204, if required;

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- (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 Corporate Real Estate Office of the Planning and Economic Development Department has made an application to permanently close a portion of Upper Centennial Parkway and Regional Road 20, Stoney Creek, being the north-east corner of the said intersection, being all of PIN 17376-0030, in order to support and prepare the lands for future development for the purposes of Municipal service delivery. As there were no objections from internal staff or public utilities, and there are no objections from abutting landowners, staff support the application to close the Subject Lands.

**Alternatives for Consideration – Not Applicable**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: The applicant has paid the Council approved user fee of \$5,048.65. The Subject Lands will be retained by the Corporate Real Estate Office of the Planning and Economic Development Department

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 (formally King's Highway Number 20) that forms part of this closure application was transferred to the Regional Municipality of Hamilton-Wentworth from the Ministry of Transportation through an Order in Council being OIC 2165/98 registered in the Land Registry Office as Instrument LT526214 dated October 22, 1998. This highway formed part of the Regional Road network until amalgamation. The subject lands once served as a right-hand slip that facilitated westerly bound traffic along

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Highway 20 to intersect northerly bound traffic along Highway 20 to aid in the movement of vehicles at the intersection of Elfrida Corners.

**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, and Environmental Services
- Hamilton Emergency Services
- Corporate Services Department: Financial Planning, Administration and Policy
- Mayor and Ward Councillor
- Bell, Alectra Utilities, Hydro One, and Enbridge Gas

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

Enbridge Gas Inc. has advised that they will require easement protection.

Notice of the proposal was sent to all abutting property owners of the Subject Lands, as shown on Appendix “B”, attached to Report PW24049 for comment. In this instance, there were 2 notices mailed, and the results are as follows:

In favour: 0                                      Opposed: 0                                      No comment: 0

Staff did not receive any responses during the circulation period.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

As the closure of the Subject Lands supports future development and there were no objections from any City department, division, or public utilities, and there were no objections from abutting landowners, staff are supportive of the closure of the Subject Lands.

**ALTERNATIVES FOR CONSIDERATION**

N/A

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PW24049 - Aerial Drawing

Appendix “B” to Report PW24049 - Location Plan