



## REPORT

### Council

**Meeting Date: September 19, 2022**

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**FROM:** Legal Department

**DATE:** September 6, 2022

**SUBJECT:** By-law 2022-111 - A by-law to dedicate certain land as part of public highway – (Part 10, Plan 20R-16898, and Part 11, Plan 20R-21375 – Oak Walk Drive)

**LOCATION:** Oak Walk Drive between Taunton Road and Trafalgar Road

**WARD:** Ward 5 Page 1

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#### **RECOMMENDATION:**

That By-law 2022-111- A by-law to dedicate certain land as part of public highway – (Part 10, Plan 20R-16898, and Part 11, Plan 20R-21375 – Oak Walk Drive) be passed.

#### **KEY FACTS:**

The following are key points for consideration with respect to this report:

- Part 10 on Plan 20R-16898 is a reserve that was put in place when a section of Oak Walk Drive adjacent to the Town's transit facility at 271 Oak Walk Drive was opened as a public road.
- Part 11 on Plan 20R-21375 is the section of Oak Walk Drive from the Town's transit facility to Trafalgar Road.
- The development at 278 Dundas Street East requires this section of Oak Walk Drive (Part 11) for legal access.
- The developer still has some work to complete on the intersection at Trafalgar Road and Oak Walk Drive, so access to this intersection will be temporarily closed until the work is complete to the satisfaction of the Region of Halton.

#### **BACKGROUND:**

Part 10 on Plan 20R-16898 is a one foot reserve designed to prevent access to Oak Walk Drive from the lands at 278 Dundas Street East. This was put in place in 2011 when a portion of Oak Walk Drive adjacent to the Town's transit facility at 271 Oak Walk Drive was opened as a public road.

Part 11 on Plan 20R-21375 was transferred to the Town in 2020 by the owner of 278 Dundas Street East as part of the site plan process. This part will extend Oak Walk Drive from the transit facility to Trafalgar Road.

The full build out of 278 Dundas Street East includes four residential towers, two podiums, 750 residential units, commercial/offices uses, outdoor amenity space, and underground parking for all users including visitor parking. One of the residential towers is complete and residents have moved in and are currently using this section of Oak Walk Drive for access. A by-law is required to dedicate this section of Oak Walk Drive as a public highway.

**COMMENT/OPTIONS:**

The Transportation and Engineering Department has no objection to the passing of By-law 2022-111 dedicating these lands as a public highway. The Legal Department does not consider there to be any exposure to the Town in passing this by-law. There is still some work to be done on this section of Oak Walk Drive before the Town will assume the road, but the road is in a condition suitable for public use. Assumption of the road would be considered at a later date once the works have been completed, inspected and passed any warranty period.

The intersection of Oak Walk Drive at Trafalgar Road will be restricted to right-in/right-out movements. The developer still has some work to do on the intersection before the Region of Halton will allow it to be open to Trafalgar Road. The intersection is currently being used by the public, but Region staff have indicated it needs to be closed until this work is complete. Staff will temporarily close access to this intersection and block it off with temporary bollards until the Region has approved opening the intersection. Temporary bollards will signify to drivers that the intersection is closed to vehicular access but would allow Fire, EMS or police to access the area in the event of an emergency. Authority to temporarily close town roads, including this intersection, has been previously delegated to the Director, Transportation and Engineering. Traffic from 278 Dundas Street East will take Oak Walk Drive to Taunton Road (southbound) to access the broader road network until this intersection is complete and opened to the public.

**CONSIDERATIONS:**

**(A) PUBLIC**

The dedication of these lands will provide legal access to the lands at 278 Dundas Street East.

**(B) FINANCIAL**

There are no financial considerations in dedicating these lands other than ongoing maintenance of the roadway once it has been assumed.

**(C) IMPACT ON OTHER DEPARTMENTS & USERS**

The Roads and Works Operations Department will be required to maintain the roadway once work is complete and the road is assumed.

**(D) CORPORATE STRATEGIC GOALS**

This report addresses the corporate strategic goal to improve the Town's multi-modal transportation network to support effective movement of people and goods.

**(E) CLIMATE CHANGE/ACTION**

N/A

**APPENDICES:**

Appendix A – Plan 20R-16898

Appendix B – Plan 20R-21375

Appendix C – By-law 2022-111

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