

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: JANUARY 16, 2017

FROM: Legal Department

DATE: November 25, 2016

SUBJECT: **By-law 2017-003 - A By-law to Dedicate Certain Land as Part of a Public Highway - (Parts 1, 2, 3, 4, 5, Plan 20R-20462, Blocks 51, 52, 53, Plan 20M-1163, Block 133, Plan 20M-1173 - Ernest Applebe Boulevard, Fowley Drive, Mintwood Circle, Squire Crescent, Lane 156)**

LOCATION: North of Dundas Street East Between Sixth Line and Trafalgar Road

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RECOMMENDATION:

That By-law 2017-003, a by-law to dedicate certain land as part of a public highway (Parts 1, 2, 3, 4, 5, Plan 20R-20462, Blocks 51, 52, 53, Plan 20M-1163, Block 133, Plan 20M-1173 - Ernest Applebe Boulevard, Fowley Drive, Mintwood Circle, Squire Crescent, Lane 156) be passed.

KEY FACTS:

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

- Reserves of land are required by the municipality when processing new plans of subdivision in order to block access to the subdivision from abutting undeveloped lands until those abutting lands are developed. Upon such development those reserves are then released by by-law, incorporating them into the public highway.
- Development of the abutting lands in Plans 20M-1175 and 20M-1176 has proceeded such that the reserves that are the subject of this report can be released in order to provide connected road access between the subdivisions.
- In order to provide such connected road access, it is also necessary to dedicate as part of the public highway Parts 1 to 5 on Plan 20R-20462, which were originally part of the draft plan for Plan 20M-1176 (Mattamy Petgor Phase 1B) but were separated from the draft plan and transferred to the municipality as a requirement for Plan 20M-1175 (Green Ginger Phase 1 Stage 2).

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BACKGROUND:

Reserves of land are required by the municipality when processing new plans of subdivision in order to block access to the subdivision from abutting undeveloped lands until those abutting lands are developed. Upon such development those reserves are then released by by-law, incorporating them into the public highway. Development of the abutting lands in Plans 20M-1175 and 20M-1176 has proceeded such that the reserves that are the subject of this report can be released in order to provide connected road access between the subdivisions. In order to provide such connected road access, it is also necessary to dedicate as part of the public highway Parts 1 to 5 on Plan 20R-20462, which were originally part of the draft plan for Plan 20M-1176 (Mattamy Petgor Phase 1B) but were separated from the draft plan and transferred to the municipality as a requirement for Plan 20M-1175 (Green Ginger Phase 1 Stage 2).

COMMENT/OPTIONS:

The Development Engineering Department has no objection to the passing of By-law 2017-003 dedicating these lands as part of a public highway. The Legal Department does not consider there to be any exposure to the Town in passing this by-law. Full-size copies of Plans 20M-1163, 20M-1173, 20M-1175, 20M-1176 and 20R-20462, which show the location of the lands being dedicated, are available for inspection in the Legal Department.

CONSIDERATIONS:

The by-law to this report is located under the by-law section of the agenda.

(A) PUBLIC

The dedication of these lands will provide connected local road access to the homeowners in Plans 20M-1163, 20M-1173, 20M-1175 and 20M-1176.

(B) FINANCIAL

There are no financial considerations in dedicating these lands other than ongoing maintenance of the roadway.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The Roads and Works Department will be required to continue maintaining the roadway.

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be accountable in everything we do

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(E) COMMUNITY SUSTAINABILITY

This issue addresses the economic sustainability of the community.

APPENDICES:

Appendix A – Plan 20M-1175

Appendix B – Plan 20M-1176

Appendix C – Plan 20R-20462

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