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Date September 27, 2022 **Report No.** 2022-619

To Chair and Members
Combined Committee of the Whole – O&PA

From Inderjit Hans, P. Eng., PMP
General Manager, Public Works Commission

1.0 Type of Report

Consent Item ☐
Item For Consideration ☒

2.0 Topic Wayne Gretzky Parkway Roadway Dedication [Financial Impact – None]

3.0 Recommendation

- A. THAT Report 2022-619 titled Wayne Gretzky Parkway Roadway Dedication BE RECEIVED; and
- B. THAT the following by-law BE PRESENTED to City Council for ADOPTION:
 - i. By-law to declare and dedicate part of Lot 37, Concession 3 in the Geographic Township Brantford, now the City of Brantford, designated as Part 4, Reference Plan 2R-5402, AND Part 1 and 2, Reference Plan 2R-8462, as part of the Public Highway, to be known as Wayne Gretzky Parkway.

4.0 Executive Summary

Following the 1991 MTO release of its controlled access highway designation, subsequent by-laws and property sales, the Wayne Gretzky Parkway corridor between Highway 403 and Lynden Road was left without dedication as a Public

Highway. Public Works staff have completed the required Reference Plans and are completing the dedication at this time.

Dedicating these lands will formalize the status of Wayne Gretzky Parkway as a Public Highway and create 0.3m reserves along both sides between Highway 403 and Lynden Road.

At the time of this report, the Reference Plan for the development of Costco was not finalized and registered. Following successful planning application review, the finalized plan will be registered. This Report and by-law will be brought to Council at a later date.

5.0 Purpose and Overview

To declare and dedicate a portion of municipally owned land as road right of way, described as part of Lot 37, Concession 3, in the Geographic Township of Brantford, now the City of Brantford designated as Part 4, Reference Plan 2R-5402 and Part 1 and 2, Reference Plan 2R-8462, as part of the Public Highway, to be known as Wayne Gretzky Parkway.

6.0 Background

In 1991, after MTO released its controlled access highway designation over the Brantford Southern Access Route (BSAR) lands, the City of Brantford passed by-law 139-91 designating the entire BSAR lands as a controlled access highway. For the portion between Highway 403 and Lynden Road (highlighted in red in Appendix A) the width of the corridor was approximately 107m.

When Wayne Gretzky Parkway was constructed, the entirety of the original designated corridor was not required, resulting in survey plans 2R-5402 and 2R-5727. The two plans together created a corridor of approximately 60m wide upon which the roadway currently exists. These plans also delineated the portions of the original 107m wide corridor that became surplus land and Plan 2R-5402 also surveyed 0.3m reserves along each side of the 60m corridor.

In order for surplus lands to be sold, the controlled access designation of By-law 139-91 was repealed over the northerly three quarters by by-law 45-99 and over the remaining southerly quarter by by-law 24-2001, encompassing the Tourism Centre and land to the east. (See appendix B). A small triangular parcel adjacent to the west of the Tourism Centre was not repealed, as also depicted in Appendix B.

Lands not required for the Wayne Gretzky Parkway and Tourism Centre were sold while Edmonson Street and the small road stub at the entrance to Lynden park mall were dedicated as public highways. The actual Wayne Gretzky Parkway corridor was not dedicated as public highway at that time.

7.0 Corporate Policy Context

N/A

8.0 Input From Other Sources

This report has been circulated within the Engineering Services Department. It has been reviewed by the Legal Services and Economic Development & Tourism Departments.

9.0 Analysis

Public Works staff have completed the required Registered Plans. This report and accompanying by-law will formalize the status of Wayne Gretzky Parkway as a Public Highway between Highway 403 and Lynden Road.

At the time of this report, the Reference Plan for the development of Costco was not finalized and registered. Following successful planning application review, the finalized plan will be registered. This Report and by-law will be brought to Council at a later date.

10.0 Financial Implications

There are no costs associated with the recommendations in this report. The costs to dedicate these lands are generally staff time required to generate the Deposited Plan, prepare and review the report and have been accommodated within the existing approved operating budgets in the Engineering Services Department and Legal and Real Estate Department.

11.0 Climate and Environmental Implications

There are no anticipated climate or environmental impacts as a result of this report.

12.0 Conclusion

Dedicating these lands will formalize the status of Wayne Gretzky Parkway as a Public Highway and create 0.3m reserves along both sides between Highway 403 and Lynden Road.



Inderjit Hans, P. Eng., PMP
General Manager, Public Works Commission

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Attachments (if applicable)

Appendix A

Appendix B

Appendix C

Appendix D – 2R-5402

Appendix E – 2R-8462

Wayne Gretzky Parkway – Road Dedication By-law

Copy to:

In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

By-law required ☒ yes ☐ no

Agreement(s) or other documents to be signed by Mayor and/or City Clerk ☐ yes ☒ no

Is the necessary by-law or agreement being sent concurrently to Council? ☒ yes ☐ no