SUBJECT: Road Closures of Portions of Millen and Fifty Roads (PW08097) - (Ward 10 & 11)

RECOMMENDATION:

That the General Manager, Public Works, be authorized and directed to proceed with implementation of “Windows to the Lake” parkettes at Fifty Road and Millen Road subject to funding approval through the 2009 Capital Budget Process.

EXECUTIVE SUMMARY:

In 2006 it was recommended that City of Hamilton staff evaluate road closure options for a number of road ends that terminate at Lake Ontario within Wards 10 and 11. This report evaluated Fifty Road (North of McCollum Road) and Millen Road (North of Frances Avenue).

In October 2007 the Municipal Class Environmental Assessment process was amended resulting in road closures being classified as a ‘Schedule A+’ activity, rather than a ‘B’. This means that municipalities can close a road to vehicular traffic as long as the public is notified. Due to sensitivities of the closure of these road ends it was decided, by staff, to follow a modified ‘Schedule B’ process.

The preferred option is to close the road ends to vehicular traffic and to construct a parkette. The parkette will allow for public viewing of Lake Ontario, while maintaining access by City Staff to the storm sewer outfalls for maintenance purposes.
Adjacent property owners and agencies were consulted, via a mail out, and no significant concerns were raised.

**BACKGROUND:**

The information/recommendation contained within this report primarily affects Wards 10 and 11.

In January 2006, Council direction was given to staff to begin reviewing policy work done by the former City of Stoney Creek on “Windows to the Lake”. The background review was two-fold and consisted of the following:

- A review of literature was undertaken to examine all existing policies pertaining to Waterfront Parks and Open Space Areas for municipal owned sites bordering Lake Ontario.
- A review of existing City roads terminating at Lake Ontario were looked at to investigate the potential to develop these unique road ends for public access.

In 2006 it was recommended that the City of Hamilton evaluate road closure options for road ends that terminate at the lake. The locations to consider are as follows:

1. Fifty Road
2. Winona Road
3. Lewis Road
4. McNeilly Road
5. Glover Road
6. Jones Road
7. Fruitland Road
8. Millen Avenue
9. Green Road

This staff report considers the Fifty Road and Millen Road ends only (see Appendix A for study locations).

Winona, Lewis, McNeilly, Glover, Jones, Fruitland and Green Road are still outstanding and will follow a master plan modified ‘Schedule B’ process in the 2008/2009 work program. Grays Road Project File Report was completed in December 2005 and was recently implemented.

**ANALYSIS/RATIONALE:**

Under the Municipal Engineers Association’s (MEA) Municipal Class Environmental Assessment (EA) (October 2000, amended 2007) document, road closures or retirements are now considered “Schedule A+” activities and, therefore may proceed directly to implementation as long as public notification is provided. Due to potential sensitivities of the closure of these road ends it was decided, by staff, to follow a modified ‘Schedule B’ process. The process involves completing the documentation for Phase 1 and 2 of the Municipal Class EA process. Agencies and local property owners were circulated a Notice of Commencement and Invitation for Public Comment.
Selection of the Preferred Alternative for Millen and Fifty Roads

City staff involved a process of developing problem/opportunity identification, alternative solutions identification, inventory of the natural, social and economic environments, an evaluation of alternative solutions and the selection of a preferred solution. Alternative solutions considered include:

- Option 1: Do nothing;
- Option 2: Keep the road open to vehicular traffic and improve public access to the waterfront;
- Option 3: Keep the road allowance open, but close it permanently to vehicular traffic and use for pedestrian access only as well as the implementation of a new parkette; or,
- Option 4: Sell the subject lands to the adjacent landowners.

Based on the evaluation, the preferred option is Option 3, keep the road allowance open, but close it permanently to vehicular traffic and use for pedestrian access only as well as the implementation of a new parkette for Millen and Fifty Road.

**ALTERNATIVES FOR CONSIDERATION:**

The preferred alternative solution has been identified using an evaluation and screening process that follows a modified ‘Schedule B’ process outlined in the MEA Municipal Class EA document.

The preferred alternative solution is not normally reconsidered at the end of the process unless there is an issue that is proven to affect the outcome of the evaluation process. There are two alternatives for Council to consider with respect to the recommendations of this report:

1. Endorse the plan and implement the preferred strategy.
2. Not implement the preferred strategy.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

With respect to Fifty Road, $20,000 has been collected from the local developer to be applied to the construction of “Window to the Lake”. Funding for detailed design and the remainder of the project construction costs will be brought forward to Council as part of the 2009 Capital Budget Program. It is anticipated that the total construction cost will be $80,000 based on the cost of the Grays Road “Window to the Lake”, with design cost being approximately $20,000.

For Millen Road, the proposed “Window to the Lake” is currently not budgeted for in the 10 year capital budget. Funding for detailed design and project construction will be brought forward to Council as part of the 2009 Capital Budget Program. The cost of this “Window to the Lake” is expected to be similar to Grays Road; however, there is currently no funding available from local developers for this site.

Parkettes will be constructed after funding has been approved.
POLICIES AFFECTING PROPOSAL:

The recommended strategy aligns with the Public Works Strategic Plan by showing that the City of Hamilton is a leader in “greening and stewardship of the city”.

The recommended strategy also conforms to the Stoney Creek Official Plan, Recreation and Culture Master Plan - Stoney Creek 1988, and Parks and Waterfront Access.

RELEVANT CONSULTATION:

The Notice of Commencement and Invitation for Public Comment was mailed out to 29 adjacent residents at Millen Road and thirteen adjacent residents at Fifty Road. Public comments received were supportive of the creation of parkettes at these locations, with some comments relating to design elements that are suggested to be incorporated. These comments will be passed along to the Open Space Development Section.

Agencies were also circulated the Notice of Commencement and Invitation for Public Comments. No significant comments were received from Agencies.

The following City of Hamilton departments were contacted for this project:

- Hamilton Emergency Services
- Planning and Economic Development (Community Planning and Design, Economic Development, Development Engineering)
- Public Works (Operations & Maintenance, Transit, Traffic Engineering & Operations, Waste Management, Capital Planning and Implementation, Parking and By-Law Services, Open Space Development)
- Community Services (Culture and Recreation)
- Corporate Services (Legal Services)

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, and economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

**Community Well-Being is enhanced.** ☑ Yes ☐ No
Increasing opportunities for public access to the waterfront

**Environmental Well-Being is enhanced.** ☑ Yes ☐ No
Ecological function and the natural heritage system are protected.

**Economic Well-Being is enhanced.** ☑ Yes ☐ No
Hamilton’s high-quality environmental amenities are maintained and enhanced.

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☐ Yes ☑ No
Appendix “A” - Location Map

Figure 1.1: Millen Road Study Location
Figure 1.2: Fifty Road Study Location