SUBJECT: Open Space Replacement Strategy (PW04051a) - (City Wide)

RECOMMENDATION:

(a) That staff of Public Works and the Real Estate Division be directed to proceed with negotiations for the purchase of the properties of 109 and 115 Arbour Road.

(b) That the budget for the purchase of the properties listed in Recommendation (a) totalling $575,000 be funded from the City’s Unallocated Capital Reserve No. 108020.

(c) That any funds spent on the Open Space Replacement Strategy (estimated total of $4,000,000) be repaid to the City’s Unallocated Capital Reserve from any future capital surplus in the Red Hill Valley Project.

(d) That the Mayor, Clerk and Legal Services be directed to execute all documents related to the purchase of properties identified in Recommendation (a).

(e) That the related maintenance costs for 109 and 115 Arbour Road properties be expensed within the existing 2006 Operations and Maintenance Budget and noted as an unfunded expenditure for 2006 and further that the full year operating expense of $3,700 be included as a operating pressure to the 2007 Operations and Maintenance budget submission.

John Mater, C.E.T.
Acting General Manager
Public Works
EXECUTIVE SUMMARY:

The Open Space Replacement Strategy was presented to Council on May 12, 2004, through Report No. PW04051. This report outlined the strategic direction to create a loop trail of new open space to compensate for impacted open spaces through the creation of the Red Hill Valley Parkway.

This report furthers the initiative in recommending acquiring lands to create the open space replacement strategy, particularly lands between Arbour Road and Pritchard Road. Currently, there is an opportunity to purchase 109 and 115 Arbour Road. In the future, a goal of the strategy is to obtain all the lands in this area on a willing seller basis, to create an open space node, which will be a part of the proposed 9 kilometre trail loop through Wards 6 and 9.

BACKGROUND:

Since 1997, the City of Hamilton has explored ways to reduce the impact of the Red Hill Valley Project on the local area. Of particular concern is the loss of open space and the need to ensure east Hamilton continues to have quality recreational areas to access and enjoy. An open space replacement strategy was developed by the City of Hamilton to replace the 70 hectares of open space permanently displaced by the Red Hill Valley Parkway.

Council, at its meeting of May 12, 2004, approved Item #7 of the Public Works, Infrastructure and Environment Committee Report No. 04-011 (Report No. PW04051) accepting the open space replacement and trail concept as illustrated in Appendix A, as the basis for developing an implementation strategy that will protect lands for open space and trail purposes in Wards 4, 5, 6 and 9. Capital Planning and Implementation staff collaborated with the Hamilton Conservation Authority and established a five-member committee comprised of two City of Hamilton representatives, two Hamilton Conservation Authority representatives and one local Member of Provincial Parliament (and his/her alternate) to guide the development of the open space strategy. In addition, the City would assign the Mayor (and alternate) and the Director of Capital Planning and Implementation to the Committee. The results of the collaboration of the committee confirmed the development of the nine kilometre trail and goal of attaining seventy hectares of additional open space.

The open space replacement strategy has been implemented under the following guiding principles (from Background section of Report No. PW04051):

- the replacement open space should be new, not existing parkland;
- the replacement land should be as close to the Red Hill Valley as possible;
- the replacement land should all be connected;
- ownership and management of the replacement land as public open space with trails, outdoor education, natural environment, and recreational will be resolved by the City of Hamilton and the Hamilton Conservation Authority.

Council gave further direction in 2004 to include the Rennie Street and the Woodward Airport Strip for consideration. Council further directed that other relevant stakeholders
including neighbourhood associations and/ or the Friends of the Red Hill Valley be invited to participate in the Open Space Replacement Strategy.

**ANALYSIS/RATIONALE:**

**Vision of Open Space Strategy and Trail:**

As noted, the vision and strategic direction for the creation of a trail to replace seventy hectares of open space lost by the construction of the Red Hill Valley Parkway was approved by Council on May 12, 2004, in the Open Space Replacement Strategy Report PW04051.

At that time, the City and Hamilton Conservation Authority were seeking to acquire 46.9 hectares of land from the Province of Ontario for the replacement of open space, in addition to other lands sought from the Board of Education, Hydro and private landowners. The Province of Ontario agreed to transfer the Karst lands 73 hectares (180.55 acres) and the Environmentally Significant Area (ESA) lands 5.5 hectares (13.5 acres) adjacent to Felkers Falls for a nominal amount, (Appendix A), to the Hamilton Conservation Authority. However, the Province would not commit to any further lands and is seeking to investigate development options. One of these areas is the lands east of Davis Creek between Mud Street and Felker’s Falls. In this area, a top of bank set back of 30 metres is required by the City of Hamilton which will allow a trail connection along the east side of Davis Creek in this area. The second tract of land for development by the Province is the lands north of Rymal Road, south of Highland, east and west of Upper Mount Albion Road. Again, the City will seek a corridor through these lands to provide a trail connection. To date, the Province has been receptive to working with the City to achieve this vision for the 9 kilometre trail loop through this area.

The combination of the Karst lands and the Felker’s Falls ESA lands would generate an additional 78.5 hectares of new open space, under the jurisdiction of the Hamilton Conservation Authority.

In order to increase the amount of open space further and support the proposed nine kilometre trail loop, staff are seeking to acquire lands as originally identified in the 2004 Report PW04051 in the vicinity of Arbour Road, Old Mud Road and Pritchard Road. Details of the lands are indicated in the next section of this report entitled, “Open Space Node at Arbour Road and Pritchard Road”.

The 2004 Report PW04051 noted the goal of creating a nine kilometre trail as shown on Appendix A in cooperation between the City of Hamilton and the Hamilton Conservation Authority. The anticipated design of the trail would follow the design guidelines developed in the Draft Trails Master Plan for the City of Hamilton, which is currently being finalized. As the trail is to be a multi-purpose recreational trail, for use by cyclists, pedestrians, and in-line skaters, the trail will be designed as an asphalt trail, four metres in width in order to accommodate multi-directional and multi-recreational use. A key link proposed for the trail will be a pedestrian crossing of the Lincoln Alexander Parkway at Arbour Road, which will facilitate the movement of trail users across this major highway. Other amenities associated with the proposed trail will include the installation of park benches at regular intervals, which will allow users to rest along the way. Trail head signage at key locations will also be installed, as well as distance markers to demarcate the length of trail travelled.
The envisaged loop of the open space replacement strategy trail, shown in Appendix A, would connect existing open space nodes in Wards 6 and 9. These nodes include the new Red Hill Valley Trail, the Red Hill Valley hub at the Grassie Blacksmith Shop, the Karst lands, the Mount Albion Conservation Area in Ward 6, Stoneywood Park, Valley Park, Paramount Park, and Conservation Authority lands across the brow of the escarpment in Ward 9. The loop trail will utilize an existing underpass connection at Mud Street (Appendix A), and proposes the construction of a pedestrian bridge across the Lincoln Alexander Parkway at Arbour Road (Appendix D).

This proposed nine kilometre trail would also link to the Bruce Trail, the Chippewa Trail, Red Hill Valley Trail and by these connections to the Lake Ontario Waterfront Trail and the Trans-Canada Trail. The opportunity for the public to undertake recreational exercise on these trails will translate into health benefits and economic savings as a healthier population results in reduced health care. The additional open space and natural habitat translates further into a healthier environment for wildlife and adds to the “quality of life” for attracting business and related new employees.

**Open Space Node at Arbour Road and Pritchard Road:**

The properties flanked by Arbour Road and Pritchard Road on the west and east respectively, and Mud Street and the Lincoln Alexander Parkway on the north and south, would create a new open space node of eleven hectares (27 acres) along the trail, as per the guiding principles of Report No. PW04051, as shown in Appendix B. This new open space node could support passive recreation, including cycling, hiking, and enjoyment of nature. The design treatment of the lands at this node would include a dry-meadow or upland forest planting treatment, landscapes that would have been found in this location historically, augmented with interpretive and trailhead signage. It should be noted that the City currently owns four properties with a remaining fifteen properties held in private ownership. The two properties being recommended in this report to be purchased would reduce the number of remaining privately held properties to thirteen.

The zoning for these lands are primarily AA or agricultural. The lands to the south adjacent to the Lincoln Alexander Parkway are zoned M12 and M13, which is prestige industrial. The Official Plan designation for this area is residential. The Planning and Economic Development Department have noted that following the City acquiring all lands required for the open space node, on a willing seller basis, the City would need to undertake an Official Plan Amendment and re-zoning applications.

Details of costs of acquisition of these properties are outlined in the Financial Implications section of this report. It is recommended that staff seek these properties only on a willing seller basis.

**Arbour Road Properties:**

Staff has recently learned that two properties within the proposed open space node specifically 109 and 115 Arbour Road, as shown in Appendix C, are available for purchase by the City. The acquisition of these properties would continue the City’s efforts to acquire the large open space node at the head of the Red Hill Valley trail, as previously described above and illustrated in Appendix B. These two properties have been previously approved by the City for severance through an application by the owner to create six lots. A zoning application ZAR-06-07 is currently under review by the City.
for the six lots. It is vital that the opportunity to purchase the properties is not missed, as the costs of acquisition will increase if these properties are developed as severed lands. Details of costs of acquisition are outlined in the Financial Implications section of this report.

Once these properties are acquired, the Fleet & Facilities Division of Public Works will be directed to demolish and remove the housing and outbuilding structures that are currently located on the properties.

**ALTERNATIVES FOR CONSIDERATION:**

The City recognizes the need and challenge to replace open space impacted by the Red Hill Valley Parkway. A vision of the open space replacement strategy is to create an entire open space node between Arbour Road and Pritchard Road (see Appendix B). The benefits of the open space replacement strategy to both wildlife and citizens of the City of Hamilton, and particularly those in Wards 6 and 9, warrant action by the City, and are consistent with the previous direction from Council in Report PW04051 approved May 12, 2004. Therefore, staff do not recommend a “do nothing” option.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

**Open Space Node at Arbour Road and Pritchard Road:**

The costs of acquisition of all lands indicated as ‘Lands owned by others’ in Appendix B are estimated at $4 - $4.5 million. Staff's intention is to acquire these lands as they become available for sale to the City on a willing seller basis. As these lands become available, staff would notify Council as to a funding source. Since the lands are to be acquired over time, it is anticipated that the development of the lands as a complete open space node would only occur when a majority of the properties are in City ownership.

Due to the lands being required because of the impacts of the Red Hill Valley Project, staff are also recommending that any future identified capital surplus in the Red Hill Valley Project be used to repay the funding source for new land acquisition to create the open space node.

Maintenance implications:

The total land area of the proposed open space node is approximately eleven hectares (27 acres). This would result in maintenance costs of the properties of approximately $59,400 annually for the eleven hectares of open space, to be undertaken by the Operations and Maintenance Division of Public Works. It is also projected that approximately $19,000 would be required to maintain the proposed nine kilometre trail loop and $4,500 annually for waste collection. The trail loop could be constructed in 2008. Waste collection and a detailed analysis of the maintenance cost implications of the land will be identified when capital budget submission for development of the properties is made.

**109 and 115 Arbour Road properties:**

Two properties currently could be purchased, located at 109 and 115 Arbour Road, shown in Appendix C. The estimated costs to acquire these lands are $575,000. The costs are broken down as follows:
The two properties currently have houses on them, as well as several outbuildings, which would require demolition and removal for creation of open space as soon as the properties are purchased.

Funding is required immediately to take advantage of the opportunity to purchase these lands before they are developed as severed properties and the costs of acquisition would rise.

Maintenance implications:

The total land area of these two properties is 4,040 m² or 0.4 hectares. This would result in an annual increase to the maintenance costs of the additional open space of $3,700. Operations and Maintenance Division of Public Works would undertake the maintenance of this property.

Policies Affecting Proposal:

Hamilton Trails Master Plan (Draft):

The vision of the Trails Master Plan document is to create a multi-purpose trail system that caters to the broadest range of users and embrace people of varied levels of health, mobility, skill age and interests. Trails shall connect residential, employment, commercial and institutional areas. These connections contribute to attaining the City’s Municipal land use, sustainable development, transportation and economic development goals and implement Vision 2020.

Barrier-Free Design Guidelines:

Council approved the City of Hamilton Barrier-Free Design Guidelines document (Report PW06056/FCS06045) on May 24, 2006. This document outlines the requirement for City projects to adhere, where possible, to various principles for accessibility, including exterior pedestrian routes.

The document states that:

“Grade and elevation changes shall, wherever possible, not exceed a 1:20 slope on pedestrian routes; shall, wherever possible, be minimized in order to maintain a level path of travel; shall provide accessible ramps close to where an elevation change of 1:20 or greater may not be avoided…” (page 33, Section 5.1.5).

An accessible ramp is defined as “A continuous unobstructed path connection accessible elements and spaces…” (page 8).
The design requirements for ramps include:

“Any part of an accessible route with a slope steeper than 1:25 shall be considered a ramp and comply with this section. Accessible ramps shall be on an accessible route complying with Section 5.1.4 Accessible Routes, Paths and Corridors. The running slope shall have a maximum slope of 1:20 and the maximum horizontal length between landings shall not exceed 9 m (29 ft. 6 in.)” (page 57, Section 5.1.12).

The use of this document by the City is described in the document.

“The Barrier-Free Design Guidelines 2006 is intended for use by all Departments and Divisions of the City of Hamilton; involved in the planning, design, construction, and maintenance of physical facilities, including buildings, parks and open spaces, infrastructure, and any other space that is to be open and fully accessible to the public.” (page 1, Section 1.0).

It is staffs’ intention to fulfill the requirements of the Barrier-Free Design Guidelines and the Hamilton Trails Master Plan in the development of this trail.

**RELEVANT CONSULTATION:**

**Internal:**

Public Works - Red Hill Valley Project: consulted regarding the vision for the Open Space Replacement Strategy and strategic direction for development of the trail and purchase of properties.

Public Works - Operations and Maintenance: consulted regarding the maintenance implications of the acquisition of the open space node at Arbour Road and Pritchard Road, and specifically for the implications of acquisition of 109 and 115 Arbour Road.


Planning and Economic Development - Real Estate Division: consulted regarding the costs of acquisition of both the properties at 109 and 115 Arbour Road and demolition costs, as well as the costs to acquire the entire open space node between Arbour Road and Pritchard Road.

Corporate Finance: consulted regarding the funding of the acquisition of the lands in question.

**External:**

Hamilton Conservation Authority: has been included as part of the initiative for the open space replacement and trail proposal, including members of the five-member committee.

**CITY STRATEGIC COMMITMENT:**

The replacement of open space lost as a result of the construction of the Red Hill Expressway is consistent with the principles of Vision 2020, which include the protection of green space.
By evaluating the “Triple Bottom Line”, (community, environment, 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
Participation in community life is accessible to all Hamiltonians.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
A sustainable transportation network provides many options for people and goods movement; vehicle-dependency is reduced.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Investment in Hamilton is enhanced and supported.

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No
Community Well-Being, Environmental Well-Being, and Economic Well-Being are enhanced.

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☑ Yes ☐ No
The creation of new open spaces in an urban environment is challenging.
Open Space Replacement Strategy Trail Location

Capital Planning and Implementation, Open Space Development and Park Planning

Appendix A
June 2006
N.T.S.

General Manager
Scott Stewart, C.E.T.

Hamilton Public Works

- Felker’s Falls
- ESA
- Underpass at Mud St.
- Valley Park
- Stoneywood Park
- Karst Lands
- Open Space Replacement Trail
- Mt. Albion Conservation Area
- Red Hill Creek Expressway
- Blacksmith Shop
- Conservation Lands
- Paramount Park
- Conservation Lands
- Lincoln Alexander Expressway
- PRITCHARD ROAD
- UPPER MT. ALBION RD
- MUD STREET W
- STONE CHURCH RDE
- PARAMOUNT DRIVE
- STONE CHURCH RD E
- MUD STREET W

NORTH
Capital Planning and Implementation,
Open Space Development and Park Planning

Open Space Node
City Owned Lands vs. Privately Owned Lands

Legend
- City-owned lands
- Lands owned by others

Area of potential Open Space ‘Node’ to be created by acquisition of lands
City-owned lands
Lands owned by others
Lincoln Alexander Expressway
Area of potential Open Space ‘Node’ to be created by acquisition of lands

109 & 115 Arbour Road

Lincoln Alexander Expressway

Properties to be acquired

109 & 115 Arbour Road

Capital Planning and Implementation, Open Space Development and Park Planning

Appendix C

General Manager
Scott Stewart, C.E.T.

June 2006

N.T.S.
Open Space Replacement
Strategy Trail Location

Lincoln Alexander Expressway

Proposed Pedestrian Bridge Location

Open Space Replacement Trail