Council Direction:

That staff be directed to report back to Public Works Committee following discussions with landowners regarding the recommended alignment of the Trinity Church Arterial Corridor.

Information:

The requirements for a Trinity Church Arterial Corridor were identified in the Rymal Road Planning Area (ROPA 9) Master Plan Class Environmental Assessment (portion north of Rymal Road) and in the North Glenbrook Industrial Business Park Transportation Master Plan (portion south of Rymal Road). These reports addressed Phases 1 and 2 of the Municipal Class Environmental Assessment (EA). Phases 3 and 4 of the Municipal Class EA were addressed through the Trinity Church Arterial Corridor Class Environmental Assessment.

The Trinity Church Arterial Corridor Class EA was filed on the public record for a 45 day review period on June 15, 2007. On June 18, 2007, a group of landowners representing 1603, 1631 and 1645 Rymal Road East appeared as a delegation at Public Works Committee. The landowners were concerned with the proposed Trinity Church Road alignment and requested a neutral party be assigned to negotiate a resolution to their concerns with staff. A key concern of the landowners was that the proposed alignment goes through the middle of their parcels, and prevents them from going ahead with a potential development (note: no development application for these lands has been submitted to the City). Staff advised Committee that meetings with the landowners would be held, that the Ministry of the Environment would be informed that the discussions were taking place, and that any resolution to the issues raised by these landowners must be cognizant of the process followed with other property owners.

Staff arranged three meetings with the representatives of 1603, 1631 and 1645 Rymal Road East.

The first meeting was held on July 12, 2007, at the Hamilton City Centre. The meeting was attended by four people representing the three properties, the City’s transportation
consultant for this assignment (iTRANS), a third party facilitator (from Urban Strategies Inc.) two councillors and staff from Development Planning, Development Engineering, Real Estate, Strategic Planning, Environmental Planning and Traffic Engineering. Prior to the meeting, Mr. Nick Jackson the representative of the properties had provided a proposal to the City’s project manager to shift the corridor to the west. The “New Option” as it was termed at the July 12, 2007 meeting, would still impact their lands, but would leave them with a larger parcel which they could still develop. This is almost the same proposal, but a more detailed version of the one submitted by Nick Jackson at the June 18 Public Works Committee meeting. The “New Option” was forwarded to iTRANS to review, and at the July 12, 2007, meeting, iTRANS presented a detailed discussion and evaluation of the “New Option”. Their analysis determined that there were geometric concerns, operational and safety issues with the “New Option” and that the alignment recommended in the Environmental Study Report (Option 4) was still preferred. iTRANS also compared the Class EA alternative (Option 5) that was closest to the “New Option” to the preferred alternative and presented that information to the group. Again, the alignment recommended in the Environmental Study Report was found to be the preferred one. The evaluation of Option 5 is documented in the Environmental Study Report (ESR).

The meeting concluded with a commitment from Staff to extend the review period for the representatives of 1603, 1631, and 1645 Rymal Road East, if both parties need more time, so that discussions could continue. The landowners were to provide iTRANS with a copy of their latest site plan proposal and iTRANS was to determine if there was a way to provide the landowners with a more consolidated development parcel. As both parties felt the need for more time before the end of the review period, on July 25, 2007 the review period was extended for the above three property owners to August 29, 2007 with intimation to the Ministry of Environment. The owners were also granted a time of 7 days after the extended review period for requesting any Part II order, should their issues remain unresolved and they wish to do so.

Subsequently iTRANS prepared a new alignment (Option 4A) which is technically acceptable and also prepared a comparison of the Option 4 (recommended one) and 4A. This comparison was based on the geometric requirements, property requirements, land use and development potential, natural environment, and the associated risks involved. Even this option would impact the properties, but would leave the owners a slightly bigger parcel on the east side. This Option 4A and the analysis was sent to the property owners prior to the second meeting held on August 3, 2007.

In this second meeting which was attended by four representatives of the property owners, three councillors, City staff and third party facilitator, iTRANS presented the Option 4A, the analysis and held common discussions. The City finally concluded that Option 4A has more overall impact and associated risks than Option 4 and stated that Option 4 was still the preferred alternative.

In this meeting, questions were raised why the existing Trinity Church Corridor (Option 3 in the ESR) was not carried forward during the Environmental Assessment Study Process. It was decided that another meeting be scheduled to present the analysis related to Option 3.
Accordingly, a third meeting was held on August 22, 2007. In this meeting iTRANS presented a detailed analysis and evaluation of Option 3 and comparison with the recommended Option 4. Option 4 remained the preferred alternative, based on higher benefits in terms of cost and impact on properties, when compared with Option 3.

The minutes of first and second meetings were prepared and distributed to all concerned. The minutes of the third meeting are being finalized and will be distributed soon.

The extended review period provided to the representatives ends on August 29, 2007. The group has until September 5, 2007 to file a Part II Order Request ("bump up" request) with the Ministry of the Environment, if they are unsatisfied with the outcome of the consultation with staff.

Scott Stewart, C.E.T.
General Manager
Public Works
Recommended Trinity Church Corridor Alignment (Option 4)