TO: Chair and Members  
   Public Works Committee

WARD(S) AFFECTED: WARDS 10 & 11

COMMITTEE DATE: September 20, 2010

SUBJECT/REPORT NO:
Fruitland Road Municipal Class Environmental Assessment  
(PW10087) - (Wards 10 & 11)

SUBMITTED BY:
Geoff Rae, MBA, P.Eng.  
Acting General Manager  
Public Works Department

PREPARED BY:
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SIGNATURE:

RECOMMENDATION

(a) That the General Manager, Public Works, be authorized and directed to file the Fruitland Road Class EA Project File Report with the Municipal Clerk for a minimum thirty (30) day public review period;

(b) That following construction and prior to opening of the proposed North-South road the Truck Route Sub-Committee of Public Works Committee considers an amendment to remove the current truck route designation on Fruitland Road and permanently relocate this designation to a new North-South road to be developed as part of the new Fruitland-Winona Secondary Plan area and community as this road will be built for this purpose;

(c) That the General Manager, Public Works, be authorized and directed upon opening of the proposed North-South road, to monitor local traffic network operations to ensure that any issues with the new road network are addressed and reported back to the Truck Route Sub-Committee;

(d) That the General Manager, Public Works, together with Planning and Economic Development Department staff, be authorized and directed to proceed with the investigation of proposed gateway features and enhanced pedestrian crosswalks as identified in the Fruitland Road from Barton Street to Highway 8 Municipal Class Environmental Assessment Study (August 2010) for Fruitland Road at Barton Street and at Highway No 8, subject to future budget deliberations.
EXECUTIVE SUMMARY

Fruitland Road from Barton Street to Highway 8 (see Appendix A) has a long history of difficulty with the presence of trucks in a residential area. The study project team has worked closely with the Fruitland-Winona Secondary Plan staff to take advantage of the opportunity that the proposed development of this area offers in helping resolve the above-mentioned problem. The preferred alternative, (3D), recommends that through trucks utilize a proposed new North-South road, east of the existing Fruitland Road between Highway 8 and Barton Street and that the existing section of Fruitland Road between Highway 8 and Barton Street remains open. In addition proposed gateway features and enhanced pedestrian crosswalks on Fruitland Road at Highway 8 and at Barton Street, will become a new visual traffic calming measure and highlight to motorists that they are entering a residential neighbourhood and to drive accordingly.

The Fruitland Road from Barton Street to Highway 8 Municipal Class Environmental Assessment Study (August 2010) has followed the Municipal Engineers Association Municipal Class Environmental Assessment (EA) process for Phases 1 and 2 and the preferred alternative has been confirmed to be a Schedule C project. Phases 3 and 4 will be required to be completed. However the road project may be implemented through a Planning Act process, in which case the City would not be the proponent.

Seven (7) alternatives were evaluated through this EA process to address the problem/opportunity statement. The overlap with the ongoing Fruitland-Winona Secondary Plan’s roadway requirements has helped provide a preferred alternative (3D). The proposed North-South road will be designated as the truck route in the Fruitland-Winona area and new development and roadway network will be designed so that negative conflicts will not be created. This study includes a review of archaeology, natural inventory (terrestrial, avian & fisheries), emergency response assessment, Watercourse 5&6 Study and traffic conditions that would be affected by the recommended new road alternative.

Alternatives for Consideration - See Page 10

FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial: The majority of funding for the proposed new North-South road, approximately 75%, is expected to come from the development community with the anticipated approval of the Fruitland-Winona Secondary Plan, with the City paying the remainder of the costs.

The overall construction cost for the new road between Barton Street and Highway 8 is approximately $7.7 Million. The proposed gateway features and enhanced pedestrian crosswalks would cost approximately $162,000, funded through a future capital budget.

The City would be responsible for approximately 25% of the overall roadway construction cost of approximately $1.9 Million.

Alternative 3D has two options within the alternative. The eastern option is more costly due to additional property acquisition, therefore, the western option for Alternative 3D is
recommended from the City’s cost perspective only, however, the Phase 3 & 4 studies need to be completed prior to making a final recommendation.

NOTE: Additional property purchases of approximately $3.0 Million will be required if the easterly road alignment option is chosen subject to finalization of Phases 3 and 4. If this additional property acquisition cost is required, it will be shared by future developers at 75% and the City contributing towards the remainder.

Staffing: There are no staffing changes anticipated.

Legal:

Municipal Class Environmental Assessment Process

The study has been conducted in accordance with the Municipal Class EA process with the intent to determine road location and design. As a result, the study has fulfilled the Class EA requirements for Phases 1 and 2 to determine the preferred solution has been confirmed to be a Schedule C project. Phases 3 and 4 will be required to be completed. Class EA requirements for Schedule C projects include the following four phases:

Phase 1 - problem identification
Phase 2 - review alternative solutions - (end of City process)
Phase 3 - provide alternative design concepts for preferred solutions
Phase 4 - provide a detailed environmental study report

Given that the project is located in lands which will be developed by private landowners it is likely that the City will not be constructing the proposed new North-South road and further implementation will be through Planning Act review/processes.

The City will be providing the project file report to the public for a minimum thirty (30) day review in order for the public to provide any final comments that they may have with respect to Phases 1 and 2. There will be no opportunity for a Part II Order (appeal) because Phases 1 and 2 were completed in order to arrive at a preferred solution. If any appeals were to occur, they would only be permitted following Phases 3 and 4.

HISTORICAL BACKGROUND

In September 1992, the former Regional Municipality of Hamilton - Wentworth (now the City of Hamilton) completed the Fruitland Road Realignment Class Environmental Assessment (Class EA) Study. The study followed the 1987 Ontario Municipal Engineers Association (MEA) Municipal Class EA Schedule C (Phases 1 to 4) planning process and focused on addressing problems related to traffic flow and volumes on Fruitland Road and recommended the realignment of Fruitland Road from Barton Street to Highway No 8, which did not rule out a future extension up to the Niagara Escarpment. This realignment was subsequently adopted in the former City of Stoney Creek’s and Regional Municipality of Hamilton - Wentworth’s Official Plans.

The budget was set aside for construction but the former City of Stoney Creek council decided that the initiation of this work be deferred pending the initiation of the Stoney Creek Urban Boundary Expansion (SCUBE) which included Fruitland Road in its study.
area and provided the opportunity to have the lands dedicated through the Planning Act plan of subdivision process. The Region at the time, did proceed with the purchase of several key properties along the east side of Fruitland Road south of Barton Street.

On January 1, 2001, the new City of Hamilton was formed through the amalgamation of the former city and the other constituent lower-tier municipalities of the Regional Municipality of Hamilton-Wentworth with the upper-tier regional government.

In 2003 the City began the development of new Rural and Urban Official Plans for the entire amalgamated City. The Rural Official Plan (OP) was approved by the Province in December 2008, but is currently under appeal to the Ontario Municipal Board (OMB). The Urban Hamilton OP was completed in July 2009 and is awaiting approval from the Ministry of Municipal Affairs and Housing (MMAH). Until the new Official Plan is approved, the former area Municipal (i.e., City of Stoney Creek) and Regional Municipality of Hamilton Official Plans will remain in effect.

In October 2003, City Council adopted the Regional Official Plan Amendment (ROPA No. 14) and Stoney Creek Official Plan Amendment (OPA No. 99) to permit the expansion of the urban area in lower Stoney Creek. Following the OMB decision to approve the expansion, the City of Hamilton initiated the Stoney Creek Urban Boundary Expansion (SCUBE) exercise which today is referred to as the Fruitland - Winona Secondary Plan.

Additionally, in 1992 the approved EA did not rule out a future extension up to the Niagara Escarpment however, since that time the Red Hill Valley Parkway has been approved and built and no City plans exist indicating a need for an additional Niagara Escarpment Crossing south of Highway 8 in the community of Stoney Creek. This and other factors have been considered when evaluating the alternative solutions to the problem and opportunity statement for this process.

**POLICY IMPLICATIONS**

**Fruitland - Winona Secondary Plan/OPA** - The Fruitland-Winona Secondary Plan is being completed parallel to the Fruitland Road from Barton Street to Highway 8 Municipal Class Environmental Assessment Study. The proposed Fruitland - Winona Secondary Plan will determine land use and associated policies guiding the development of the study area. This planning process will result in an Official Plan Amendment under the Planning Act with appropriate appeal procedures.

**SCUBE West Sub watershed Study** - This study is reviewing the drainage boundaries for streams which drain the proposed future development lands within the Fruitland-Winona Secondary Plan. This study is presently being completed under the EA process and if any projects are identified from this study (Schedule B or C) there is an opportunity to submit a Part II Order.

**Truck Route Study** - The City wide truck route study has been recently been completed and Fruitland Road is designated as a truck route. This policy will need to be amended when the proposed north south road is constructed and designated as the new truck route and remove Fruitland Road as a truck route.
Public Works Strategic Plan “Innovate Now” - “Services our communities connect with and trust”

The proposed gateway features and enhanced pedestrian crosswalk improvements to Fruitland Road at Highway 8 and at Barton Street comply with the Public Works Department - Business Plan, because community needs are the focus. These improvements will benefit the neighbourhood by providing a more efficient and safer means to travel through the community.

The road infrastructure improvements conform to the City of Hamilton Strategic Plan, Healthy Community focus area because of the alternative location can be designed to a positive standard for a new community. The improvements may encourage walking and cycling as transportation options through the community, therefore contributing to the aspirations of achieving a healthy community.

RELEVANT CONSULTATION

Municipal Class Environmental Assessment

Public consultation is a key component of the Municipal Class EA process.

The Notice of Study Commencement and Public Information Centre No. 1 and 2 was published in the Stoney Creek News on April 22 and 29, 2010 as well as the Hamilton Spectator on April 23 and 30, 2010. All notices were also available on the city’s website at www.myhamilton.ca/fruitlandEA.

The same notice was delivered to the land owners and residents inside and outside of the study area limits. The boundary limits for the drop mail included all properties along and south of Barton Street to the Niagara Escarpment, along and east of Dewitt Road to Jones Road, and from Fruitland Road and Highway 8 intersection to properties along Highway 8. The drop mail distribution took place on Thursday, April 15, 2010.

Fruitland - Winona Community Advisory Committee

Through the EA planning process the City met with the Fruitland–Winona Community Advisory Committee (CAC) on two occasions. The first was on January 22, 2009 to discuss the Fruitland Road Municipal Class EA Study as part of the meeting hosted by the Planning and Economic Development Department staff.

The purpose of meeting was to:

- Introduce the Fruitland Road EA Project Team and meet the CAC members.
- Acquire background information from a wide variety of potentially affected members of the public and other stakeholders.
- Explain how this Municipal Class EA fits with the Fruitland-Winona Secondary Plan process and how CAC will participate in the Fruitland Road Municipal Class EA study.
- Review Municipal Class EA goals and objectives.
- Review the study area issues to date.
- Break out into groups to gather input and ask questions.
Present the next steps.

The City also met with the CAC for a second time on May 11, 2010. A brief presentation summarizing work completed to date and an overview of the alternative solutions was given. The main component of the meeting was to break the attendees into working groups to receive feedback on the following:

- Purpose of the Study;
- Problem and Opportunity Statement;
- Proposed Evaluation Criteria; and
- Proposed Alternative Solutions.

There was no consensus among the Committee as to which alternative would be preferred. Comments were provided which resulted in modifications to the evaluation criteria; however no changes to the alternative solutions themselves were made.

**Public Information Centre #1**

The first PIC was held on May 4, 2010 from 6:00 pm to 8:00 pm at the Stoney Creek Municipal Service Centre.

**Attendance**

101 attendees signed in at this PIC. The majority of the participants were residents and members of the CAC, land developers and local business owners.

**Comments and Responses**

From the one on one discussions and submitted comment sheets, most agreed with the problem statement and the fact that there is an issue with Fruitland Road, however most disagreed with the alternatives noting that the problems on Fruitland Road would only be transferred to a new road.

In general, most agreed with the realignment of Fruitland Road and maintaining local access on the existing Fruitland Road. They also agreed with the objective of realigning the road to help reduce vehicle speeds/aggressive driving of trucks and other vehicles that has caused difficulties for residents on Fruitland Road with entering and exiting their driveways.

**Public Information Centre #2**

The second PIC was held on June 15, 2010 from 6:00 pm to 8:00 pm at the Stoney Creek Municipal Service Centre.

**Attendance**

There were 58 people who signed in at the PIC. The majority of the participants were residents and members of the CAC, land developers and local business owners.

**Comments and Responses**

From discussions with PIC attendees, the general consensus was split. From the one on one discussion and submitted comment sheets, it was indicated that the preliminary recommended solution (alternative 3D) is needed for Fruitland Road. Alternatively
some attendees expressed concern about the construction of a new north-south road between Fruitland Road and Jones Road.

In general most attendees expressed agreement with the objective of alternative 3D and believe that this alternative will address the problem statement.

Consultation occurred through meetings and/or correspondence to the stakeholders and agencies listed in Appendix ‘C’. All comments that have been received have been addressed in the Phase 1 and 2 Report.

**ANALYSIS / RATIONALE FOR RECOMMENDATION**

**Screening of Alternative Solutions**

The Fruitland Road from Barton Street to Highway 8 Municipal Class Environmental Assessment Study (August 2010) has followed the Municipal Engineers Association Municipal Class Environmental Assessment (EA) process for Schedule C projects, but only to date fulfilling Phase 2 portion of the complete process. Phases 3 and 4 will be required to be completed.

The Class EA process recognizes that there are many ways of solving a particular problem and requires various alternative solutions to be considered. A possible alternative solution to address the problem and opportunity statement would be to widen Fruitland Road (i.e., provide a centre turning lane) which would improve traffic safety and operations. However, as there would be significant property acquisition and encroachment on the dwellings fronting Fruitland Road, this alternative was screened out and not carried forward for evaluation.

**Rationale for Selection of Alternative Solutions**

Alternative solutions were developed to address the problem and opportunity statement with a specific focus on improving safety and traffic operations on Fruitland Road. In addition to the “Do Nothing” alternative specific road realignment alternatives were developed based on carrying forward with the realignment option proposed in the 1992 ESR. For this alternative, two variations (referred to as Alternative 2 series) were developed with one including a cul-de-sac on Fruitland Road north of Sandy Drive. The second Alternative 2 series option includes two cul-de-sacs, on Fruitland Road with one located north of Sandy Drive and the other north of Highway 8. The evaluation of alternatives revealed that this is not the recommended series of alternatives.

A second series (referred to as Alternative 3 series) of road realignment options was developed based on utilizing a proposed new North-South road east of Fruitland Road as identified through the Fruitland-Winona Secondary Plan process. The proposed new North-South road would intersect with Sunnyhurst Avenue at Barton Street and extend southerly to Highway 8. Four (4) options for the proposed new North-South road alternative were developed as follows:

- Maintain Fruitland Road with no access restrictions in conjunction with the implementation of gateway features and enhanced pedestrian crosswalks at the
intersections of Fruitland Road at Highway 8 and at Barton Street (Appendix B – Alternative 1)
- Partially closed access on Fruitland Road south of Barton Street (north bound restrictions only). A barrier would be located across the northbound lane, north of Sandy Drive, permitting only southbound traffic to enter (see Appendix B – Alternative 2A).
- A cul-de-sac located south of Barton Street on Fruitland Road (see Appendix B – Alternative 2B);
- Partially closed access on Fruitland Road south of Barton Street and Sherwood Park Road (north and south bound restrictions). To restrict traffic from using Fruitland Road a barrier would be located across the northbound lane, north of Sandy Drive, permitting only southbound traffic to enter. Also a barrier would be located across the southbound lane, south of Sherwood Park Road, permitting only northbound traffic to enter (see Appendix B - Alternative 3B);

**Identification and Description of Alternative Solutions**

The following seven alternative solutions were identified and evaluated as part of this study and are described below in **Table 1** as well as illustrated in **Appendix B**.

**Table 1 Planning Alternative Solutions**

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<tr>
<th>Planning Alternative Solutions</th>
<th>Description</th>
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<tr>
<td>Alternative 1</td>
<td><strong>Do Nothing</strong></td>
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| | • No improvements or changes would be undertaken to existing alignment of Fruitland Road between Barton Street and Highway 8.  
| | • The “Do Nothing” alternative represents what would likely occur if none of the alternative solutions were implemented.  
| | • Fruitland Road would receive a gateway feature and enhanced pedestrian crosswalk to signify that traffic is entering into a residential area. |
| Alternative 2A | **Realign Fruitland Road**  |
| | • Realign Fruitland Road 360 metres east of existing intersection with Highway 8.  
| | • Maintain local access on existing Fruitland Road.  
| | • No access to new realigned Fruitland Road at Sandy Drive.  
| | • Intersection at Sherwood Drive and new realigned Fruitland Road.  
| | • Truck route designated to new realigned Fruitland Road.  
| | • Integrated with Secondary Plan development concepts. |
| Alternative 2B | **Realign Fruitland Road**  |
| | • Alternative 2B is the same as Alternative 2A with the following exception:  
| | • Cul-de-sac at existing Fruitland Road at Highway 8 (use of church parking lot for cul-de-sac). |
| Alternative 3A | **New North-South Road**  |
| | • Construct new North-South Road east of Fruitland Road intersecting at Barton Street and Sunnyhurst Avenue to the north and intersecting Highway 8  
| | • New North-South Road would become the new designated truck route.  
| | • Cul-de-sac at existing Fruitland Road south of Barton Street.  
| | • Integrated with Secondary Plan development concepts. |
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<th>Planning Alternative Solutions</th>
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<tbody>
<tr>
<td>Alternative 3B</td>
<td>New North-South Road</td>
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|                               | • Alternative 3B is the same as Alternative 3A with the following exception:  
|                               | • Cul-de-sac at existing Fruitland Road south of Barton Street is replaced with a one way southbound entry access (i.e., barrier) south of the Fruitland Square Plaza and one way northbound entry access at Sherwood Park Drive. |
| Alternative 3C               | New North-South Road |
|                               | • Alternative 3C is the same as Alternative 3B with the following exception:  
|                               | • One way northbound entry access at Sherwood Park Drive is removed. |
| Alternative 3D               | New North-South Road |
|                               | • Alternative 3D would have Fruitland Road remain open with no access restrictions.  
|                               | • Fruitland Road would receive a gateway feature and enhanced pedestrian crosswalk to signify that traffic is entering into a residential area.  
|                               | • Trucks would continue to use Fruitland Road until the new North-South Road was constructed and designated as the truck route.  
|                               | • Once development takes place in the growth area and the trucks are rerouted to the new North-South Road, Fruitland Road would be examined for re-classification, to a potential classification lower than an Arterial Road; therefore the warrants for various traffic calming/controls would be examined at that time. |

Preferred Alternative

Based on the evaluation of the alternative solutions it was concluded that Alternative 3D (Proposed new North-South road east of the existing Fruitland Road with Fruitland Road gateway features and enhanced pedestrian crosswalks) is the preferred alternative based on the following rationale:

- Addresses the problem and opportunity statement; and,
- Can be implemented in conjunction with Fruitland-Winona Secondary Plan; and,
- Low impact on traffic operations as well as fire/emergency and municipal services; and,
- Truck Route is relocated to the new North-South road in conjunction with the proposed Fruitland – Winona Secondary Plan development; and,
- Implementation of Gateway Features and Enhanced Pedestrian Crosswalks on Fruitland Road at Highway 8 and at Barton Street is not dependent on timing of Fruitland-Winona Secondary Plan and could be constructed sooner, subject to future budget deliberations, thus providing some benefits to Fruitland Road residents at relatively low cost.
- Additional property purchases of approximately $3.0 million could be required for Alternative 3D if the easterly option of this alternative is chosen (to acquire property where the proposed new road intersections with Highway 8).

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The preferred alternative solution has been identified using an evaluation and screening process that fulfils the requirements of the Municipal Engineers Association (MEA) Municipal Class EA document for Phases 1 and 2 for Schedule C projects. Municipal
projects processed under the Schedule C provisions are considered to be approved under the Environmental Assessment Act provided the projects follow the appropriate planning and design process outlined in the MEA Municipal Class EA document.

The MEA Municipal Class EA document was approved under the Environmental Assessment Act. If the City does not follow the process outlined in the Municipal Class EA document, the City would be in violation of the document and as a result would have contravened the EA Act. The Minister of the Environment could revisit the approval of a project or take away the City’s right to use the Municipal Class EA document.

The preferred alternative solution is to proceed with Alternative 3D. There are two alternatives for Council to consider with respect to the recommendations of this report:

1. To file the Fruitland Road Municipal Class Environmental Assessment Phase 1 and 2, Schedule C project with the City Clerk for a minimum thirty (30) day public review period in order to complete the first two phases of the process. This will enable landowners to continue this process to lead to the implementation of development.

2. To not file the Fruitland Road Municipal Class Environmental Assessment Phase 1 and 2, Schedule C project with the City Clerk for a minimum thirty (30) day public review period and, as a consequence, not proceed with implementation.

Should Council not wish to approve the filing of the Fruitland Road Municipal Environmental Assessment Class EA Phase 1 and 2, Schedule C project, the Municipal Class EA process would be considered by the provincial government as incomplete and the City will not have approval under provincial environmental legislation to implement the future Schedule C improvements required to address transportation issues in the study area. The outcome would be equivalent to the do nothing alternative, which would result in the inability to effectively address both the short-term and the long-term transportation infrastructure needs for the study area. Eventually the City would have to repeat the Class EA process, which would likely result in the same recommendations.

The issue of proposed gateway features and enhanced pedestrian crosswalks as identified in the Fruitland Road from Barton Street to Highway 8 Municipal Class Environmental Assessment Study (August 2010) for Fruitland Road at Barton Street and at Highway No 8, will require further study and consideration as to exactly what the features will include. The project will need to be included in future workplans and once a design is completed along with any property needs identified for the installation, the project would be included in the appropriate capital budget and considered during the deliberation process.

CORPORATE STRATEGIC PLAN


Skilled, Innovative & Respectful Organization

- A culture of excellence
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**Financial Sustainability**
- Financially Sustainable City by 2020
- Effective and sustainable Growth Management
- Generate assessment growth/non-tax revenues

**Intergovernmental Relationships**
- N/A

**Growing Our Economy**
- Competitive business environment

**Social Development**
- People participate in all aspects of community life without barriers or stigma

**Environmental Stewardship**
- Natural resources are protected and enhanced

**Healthy Community**
- Plan and manage the built environment
- An engaged Citizenry

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**APPENDICES / SCHEDULES**

- Appendix ‘A’ - Study Area Boundary
- Appendix ‘B’ - Figures of Alternatives
- Appendix ‘C’ - Stakeholders and Agencies involved
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APPENDIX “C”

Stakeholders and Agencies Involved

City Departments
Ward 10 and 11 Councillors
Mayor’s Office
City Manager’s Office
Corporate Services - City Clerk
Community Services
Planning and Economic Development - Community Planning & Design
Planning and Economic Development - Economic Development & Real Estate
Public Works - Traffic Engineering
Public Works - Design
Public Works - Operations & Waste Maintenance
Public Works - Transit
Hamilton Police Services
Hamilton Conservation Authority
Hamilton Emergency Services

Other Municipalities and Agencies:
Hamilton Conservation Authority
Ministry of Transportation
Ministry of Agriculture and Food
Ministry of the Environment
Ministry of Natural Resources
Ministry of Citizenship & Immigration
Ministry of Culture
Ministry of Community and Social Services
Ministry of Culture
Municipal Affairs & Housing
Niagara Escarpment Commission
Environment Canada
TransCanada Pipelines
Enbridge Pipelines Inc.
Union Gas
Cogeco Cable Inc.
Hamilton Utilities Corporation
Hydro One
Union Gas
Sun Canadian Pipeline
Canadian Pacific Railway
South Mount Cable Ltd
CN Rail - Engineering & Environmental Services
Mountain Cablevision

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Imperial Oil Products & Chemical Division
Horizon Utilities Corporation
Cogeco Cable Inc - 950 Syscon Road
Southern Ontario Railway
Canadian National Railway
Royal Botanical Gardens
Stoney Creek BIA
Niagara Escarpment Commission
Hamilton Regional Indian Centre

First Nations Groups
Indian and Northern Affairs Canada
Department of Indian and Northern Affairs
Ministry of Aboriginal Affairs
De dwa da dehs nyes Aboriginal Health Centre
Canadian Métis Council
Métis Nation of Ontario Training Initiative
Native Women's Centre
Niwasaa Aboriginal Early Learning Programs
Sacajawea Non-Profit Housing Inc
Urban Native Homes Incorporated
McMaster University - Indigenous Studies Program
Mohawk College - Aboriginal Student Services
Hamilton Executive Directors' Aboriginal Coalition