SUBJECT: Proposed Permanent Closure and Sale of Portions of the Road Allowance of Ship, Niagara and Hillyard Streets, Hamilton (PW08093) - (Ward 2)

RECOMMENDATION:
That the application of the Hamilton Port Authority to permanently close and purchase portions of the road allowance of Ship, Niagara and Hillyard Streets be denied.

EXECUTIVE SUMMARY:
The Hamilton Port Authority has applied to permanently close and purchase portions of the road allowance of Ship, Niagara and Hillyard Streets in Hamilton. As several other businesses use these streets to access their properties (for deliveries), they are opposed to the closures, thus staff cannot support the request.

BACKGROUND:
The information/recommendation contained within this report primarily affects Ward 2. An application has been received from the Hamilton Port Authority to permanently close and purchase portions of the road allowance of Ship, Niagara and Hillyard Streets in Hamilton. The closures are being requested to consolidate Hamilton Port Authority road accesses at the Pier 14/15 border for the purposes of port security and to facilitate future development.
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Notices:
Notice was circulated to public utilities and to municipal departments and the results are as follows:

Horizon Utilities will require an easement for overhead and underground plants. Bell will require an easement for manholes, conduit and cables. Union Gas will require an easement for gas mains.

There were no negative comments from any municipal departments.

Notice was circulated to a 400’ radius of the neighbourhood and the results are as follows:

Number of Notices: 20
In Favour: 0  Opposed: 2  No comment: 18

Owners of a business located on Niagara Street advise that the closures would be detrimental to the company, suggesting that it would be extremely difficult, if not impossible, to ship or receive material and products for everyday operations, as all vehicles would have to back in or out of the facility from at least a block and a half away, creating an unsafe environment for residents. As well, the owners suggested that vandalism and disposal of debris along the street will increase due to the creation of a dead end area.

Owners of another business on Niagara Street advised through their solicitor that it would be impossible for transport delivery trucks to back up into the bay and difficult to back up onto Burlington Street following a delivery. As well, they anticipate an increase in vandalism due to the creation of a dead end street and advise that street parking is an issue because employees park all the way down Niagara Street.

Analysis/Rationale:
As the closure and sale could result in truck accessibility being restricted for local businesses on Niagara Street, this Department cannot support the application.

Alternatives for Consideration:
N/A

Financial/Staffing/Legal Implications:
The applicant has paid a user fee. The City will not receive the proceeds from the sale of the lands at fair market value.

Policies Affecting Proposal:
The recommendation supports the Public Works Strategic Plan vision priorities of:
(a) maintaining "open, transparent and accountable working relationships"
(b) maintaining "mutually beneficial charters with external customers."
RELEVANT CONSULTATION:

Notices were circulated to:

- 400’ radius of the neighbourhood.
- Public utilities: Horizon Utilities, Union Gas, Bell Canada and Hydro One
- Municipal departments: Planning & Economic Development, Public Works
- Office of the Mayor

Ward 2 Councillor Bob Bratina supports the denial of the application.

CITY STRATEGIC COMMITMENT:

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
The business community in the area will continue to have the convenience of truck travel along these roads.

Environmental Well-Being is enhanced. ☐ Yes ☑ No

Economic Well-Being is enhanced. ☐ Yes ☑ No

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
PROPOSED CLOSURE OF PORTION OF SHIP, NIAGARA AND HILLYARD STREETS

CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

REFERENCE FILE NO: PW08093

SCALE: NOT TO SCALE
DATE: 2008-09-03