To: Chair and Members  
Public Works Committee

Outstanding Business Item: Truck Traffic on Fruitland Road

From: Gerry Davis, CMA  
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Re: Update on Fruitland Road Class Environmental Assessment, Truck Route Master Plan and Fruitland-Winona Secondary Plan (PW09078) - (Wards 10 and 11)

Council Direction:

There are three studies underway that impact Fruitland Road between Barton Street and Highway No. 8. They are: Fruitland Road Class Environmental Assessment (EA) (study area map is located in Appendix A), City - Wide Truck Route Master Plan (Municipal Class EA) and the Fruitland-Winona Secondary Plan (study area map is located in Appendix B).

As a result of the delegation to Public Works Committee, represented by Cal DiFalco, on June 15, 2009, respecting Truck Traffic on Fruitland Road, Impact of Excessive Speeding and Traffic Volumes, Request for Remedies and Fruitland Road By-Pass, Committee directed staff to provide an update on the three co-ordinated projects impacting Fruitland Road.

BACKGROUND:

FRUITLAND ROAD CLASS ENVIRONMENTAL ASSESSMENT (study area can be found in Appendix A):

The Fruitland Road Class Environmental Assessment (between Barton Street and Highway No.8) is addressing the following issues:

1. The current traffic behavior, including speeding;
2. The noise and vibration from truck traffic which is perceived to be impacting the quality of life for residents fronting onto Fruitland Road; and,
3. The opportunity to realign Fruitland Road and make provisions to accommodate 25-year traffic volume projections under the Secondary Plan process.

Fruitland Road is currently designated as a full time through Truck Route, and is classified a “Minor Arterial” (Urban Official Plan, 2009 (Council Approved only, pending provincial approval)), “Arterial” road, under the Stoney Creek Official Plan.
The preliminary alternatives being considered to date, and presented at the Fruitland-Winona Secondary Plan Public Information Centre No. 4 are as follows:

- Alternative 1 - Do Nothing
- Alternative 2a - Realign Fruitland Rd 360m East with closed Access at Sandy Drive with T- Intersection at Sherwood Drive and Realigned Fruitland Road and Maintain Local Access on Existing Fruitland Road.
- Alternative 2b - Realign Fruitland Rd. 360 m East with no access to realigned Fruitland Road at Sandy Drive with T-Intersection at Sherwood Drive and Realigned Fruitland Road and Cul-de-sac existing Fruitland Rd at Highway 8.
- Alternative 3 - Traffic calming measures
- Alternative 4 - Hybrid Alternative: Alternative 2a with traffic calming measures.
- Alternative 5 - New North-South Collector Road with New Barton Street Intersection Between Fruitland Road and Jones Road and Cul-de-sac existing Fruitland Road South of Barton Street.

The evaluation of alternatives was completed under the premise that Fruitland Road will remain a full time through truck route, until deemed otherwise. The preferred alternative will be presented to the public by the end of January 2010, at an advertised Public Information Centre (PIC). The PIC will provide the public an opportunity to comment on the project’s findings. During the fall of 2009, prior to the PIC, the project team will meet with the Fruitland-Winona Secondary Plan Community Advisory Committee (CAC) to gather input and comments.

Staff will report to Public Works Committee with recommendations in first quarter of 2010. Upon Council’s decision, the public, agencies and stakeholders will once again have an opportunity to comment during the minimum 30 day review period as required by the Municipal Engineers Associations’ Municipal Class Environmental Assessment Document (October 2000, as amended in 2007).

The possible preferred alternatives for the Fruitland Road Class EA could result in a road project classification of Schedule A, A+, B to C. The ongoing Fruitland Road Class EA will fulfil the requirements of Phase 1 and 2 (Schedule B) of the Class EA process. If the preferred alternative is determined to be Schedule B or C the public will have an opportunity, within the 30 day review period, to request a Part II Order from the Ministry of Environment (MOE). It should be noted that if the preferred alternative triggers a Schedule C project then further studies will need to be conducted in order to fulfil the required Phases 3 and 4 of the Municipal Class EA planning process.

The concerns of the June 15th delegation have been made clear to staff and are being considered during the development and evaluation of the preferred alternative.

**TRUCK ROUTE MASTER PLAN:**

The Truck Route Master Plan is determining the network of roads designated for through truck traffic. The project’s objective is to address concerns of stakeholders/residents with through truck traffic and at the same time address goods movement/economic vitality requirements of the City. The final decision of this study regarding Fruitland Road (between Barton Street and Highway No. 8) will affect the
Fruitland Rd. Class EA and Fruitland-Winona Secondary Planning processes. It should be noted that a change in designation of Fruitland Road as a truck route would ban through trucks but, under the City’s by-laws would still permit local deliveries required to use the road to reach a local destination.

The Truck Route Master Plan is following a Municipal Class EA planning process, which will fulfil the requirements of Phase 1 & 2, or requirements of Schedule A, A+ or B projects under the Municipal Engineers Association’s Municipal Class Environmental Assessment document (October 2000 as amended in 2007). Should this Master Plan identify any Schedule C projects further studies will need to be conducted to fulfil the Phase 3 & 4 requirements of the Municipal Class Environmental Assessment planning process. Four Public Information Centres are planned for late Fall of 2009, at locations across Hamilton. The planned PICs will provide the public an opportunity to view and comment on the preferred truck route network alternative.

The project team has noted the June 15th delegates’ concerns and will incorporate them into the following next steps of the planning process:

- The preferred alternatives for the Master Plan will be presented to the Truck Route Sub-committee during the Fall of 2009.
- The resulting preferred network alternatives will be available for public comment at Public Information Centres later in the Fall of 2009.
- Staff will report to the Truck Route Sub-Committee once more prior to reporting to Committee of the Whole in early 2010.
- Council’s decision will be incorporated in the Draft Project File, which will be available for public comment for a minimum of 30 days. According to the Municipal Engineers Association’s Municipal Class Environmental Assessment document (October 2000, as amended in 2007) the public may request a Part II Order from the Ministry of Environmental (MOE) if any Schedule B or C projects are identified within this Master Plan.

FRUITLAND-WINONA SECONDARY PLAN (study area can be found in Appendix B):

The Fruitland-Winona Secondary Plan (formerly known as SCUBE) is determining the land use and associated policies guiding the development of the study area. This planning process will result in an Official Plan Amendment.

A Community Advisory Committee (CAC) has been created as part of the planning process. The role of the CAC is to provide citizen advisory input into the secondary plan. The CAC has been given an opportunity to participate in the drafting of the proposed land use Concepts prior to them being presented to the general public. Mr. Cal DiFalco, and Mrs. Teresa DiFalco, who were present during the delegation to Public Works Committee on June 15, 2009, are members of the CAC and have been involved in the community shaping process throughout. Mr. Cal DiFalco also has been fulfilling the role of “Chair” over the proceedings of the CAC since its initiation.

Future opportunities for public input on the secondary plan are as follows:

- The project team will meet with the CAC to gather comments and input during the Fall of 2009.
Before the end of January 2010 the public will have an opportunity to offer further comments and suggestions about the Preferred Secondary Plan at Public Information Centre #4. Any outcomes from this PIC will be incorporated into the planning process as well as in the other two previously mentioned studies.

The staff will report and present its recommendation to the Planning and Economic Development Committee and Council for approval.

The public will have an opportunity to appeal Council’s decision respecting adoption of the Official Plan Amendment (OPA) to the Ontario Municipal Board, within a 20 day period, as per the Planning Act (2009). Once completed, the process will result in an OPA.

RATIONALE FOR CURRENT STUDIES:

Cal DiFalco and several fellow residents of Fruitland Road appeared before the Public Works Committee on June 15, 2009. The delegation also represented other residents whose sentiments were expressed, but who could not be in attendance. The delegation spoke about their quality of life and how it was impacted by the noise generated by vehicular and truck traffic. They referred to previous studies and previous promises made by the former City of Stoney Creek to make their road a local road. They also referred to the Fruitland Road By-pass Class Environmental Assessment, 1992 study which deemed Fruitland Road a proposed by-pass and resulted in a City of Stoney Creek Official Plan amendment. They expressed their frustration with the City taking more time to study the area and not taking any action in resolving their concerns.

The Fruitland Road By-pass Class Environmental Assessment, 1992 preferred alternative cannot currently be implemented because the study is now expired, and because of the changes which have taken place in the City of Hamilton since its completion. The City’s legal obligation is to construct projects triggering the Environmental Assessment Act only based on current studies. It should be noted that Class EA projects are considered current if construction is initiated no more than 10 years after the studies’ completion date, according to the MEA Class EA document (October 2000, as amended in 2007).

The study area subject to Fruitland Road Class EA constitutes the western most border of the Stoney Creek Urban Boundary Expansion area currently undergoing the Fruitland-Winona Secondary Planning process. The Truck Route Master Plan is a City-Wide planning process, and may, in the end, keep the entire Fruitland Road as a designated truck route. Therefore the three processes’ study areas overlap within the area in question.

The three studies are each necessary in order for the issues on Fruitland Road between Barton Street and Highway No. 8 to be fully understood. The combined efforts of the three studies will look at the following issues:

- Immediate study area residents’ needs;
- Fruitland-Winona Secondary Planning area current and future residents needs;
- Other areas of the Former Municipality of Stoney Creek residents’ needs; and,
- Needs of the City as a whole, including its economic viability and growth.
City staff are considering transportation needs of its residents, City services, goods movement as well as the proposed solutions' impacts on the current and future residents' quality of life, commerce and economy, City services and the natural and cultural environment of the area.

Each project’s team members understand the complexities of this specific study area and as a result keep each other informed in order to develop the best solution(s) and/or opportunities to this portion of Fruitland Road. The three projects need to be conducted in collaboration with the other and not in isolation.

In conclusion, it is important to complete all three studies because only upon completion of each can Council be sure that the final outcome resolving the concerns of the delegation of Fruitland Road residents will also serve the best interests of citizens within the study areas of the other two studies.

PUBLIC CONSULTATION:

The Fruitland Road Class EA has been following the consultation requirements set out by the Municipal Class Environmental Assessment, Municipal Engineers Association Document (October 2000, as amended in 2007), which has an extensive public consultation component.

A contact list of potentially interested internal and external participants, agencies, residents and stakeholders was developed at the start-up phase of the project, continues to be updated and includes the Fruitland-Winona Secondary Plan’s Community Advisory Committee (CAC). All land owners in the 120 m radius of the study area for Fruitland Road Class EA, as well as the Fruitland-Winona Secondary Plan CAC were added to the mailing list, and will be sent the Notice of Public Information Centre by direct mail. The same notice will also be advertised in the area newspapers. City Staff have not yet held a Public Information Centre for the Fruitland Rd. Class EA, however, they have met with the above mentioned members of the CAC and have had contact with some of the affected citizens to date.

The preliminary alternatives for Fruitland Road Class EA were presented to the public at the Fruitland-Winona Secondary Plan PIC #3 on June 9, 2009. Some of the following relevant comments were received:

- Truck traffic, especially during night time, causes residents abutting Fruitland Rd. to lose sleep at night and has caused property damage.
- The citizens are not interested in hearing more studies, but require immediate action, such as immediate removal of Fruitland Rd. from the Truck Route.
- Past promises (of the by-pass, and making of Fruitland Rd. a local road possibly with a cul-de-sac) made by the City of Stoney Creek should be upheld.
- Fruitland Road residents do not wish for the area to become urbanized, since when they moved to this area, they were hoping to get away from an urban area into a rural one.
- Some land owners in the Secondary Plan study area, would like relevant studies to be finished as soon as possible, and would like to offer help in order to facilitate faster development of the area, if applicable/possible.
All comments received from public and agencies were reviewed and responded to (where appropriate) by the City of Hamilton Project Team and continue to be considered when determining the preferred alternative.

The Truck Route Master Plan project is following the Class Environmental Assessment process. The project team, under direction from the Truck Route Sub-Committee, has held a set of four Public Information Centres (PIC) and an external Technical Advisory Committee meeting with external stakeholders at the beginning of the process. The above PICs were held during the Spring of 2008, one in the Stoney Creek Municipal Centre, where comments related to the delegation's issues were received and are summarized as follows:

- Truck traffic, especially during night time, causes residents abutting Fruitland Road to lose sleep at night.
- Truck traffic has caused property damage.
- Truck traffic has increased since the building of Red Hill Expressway.
- The residents wish to have Fruitland Road excluded from the designated truck route system and to have the road cul-de-sac 'ed.
- If the truck route must be maintained the citizens would like the City to build a by-pass, as one was to be built according to past studies and the resulting Official Plan Amendment. Some residents bought their homes under the premise that a by-pass would be built in the future and their road would become designated as a "local road".

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Appendix A

Fruitland Road Realignement - Highway 8 to Barton Street

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August 2009

Map Not to Scale