



CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Corporate Assets and Strategic Planning Division

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	January 16, 2017
SUBJECT/REPORT NO:	Kay Drage Park Trail Construction Agreement, Hamilton (PW16081a) (Ward 1)
WARD(S) AFFECTED:	Ward 1
PREPARED BY:	Julia van der Laan de Vries Landscape Architectural Services (905) 546-2424, Extension 2347
SUBMITTED BY:	Robert Norman, OALA, CSLA Director of Strategic Planning Public Works Department
SIGNATURE:	

RECOMMENDATION

- (a) That the General Manager of Public Works be authorized and directed to negotiate and enter into a construction, maintenance and funding agreement with the Hamilton-Wentworth Catholic District School Board that will facilitate the development of the Kay Drage Park Trail; and
- (b) That the General Manager of Public Works be authorized and directed to execute, on behalf of the City, a construction, maintenance and funding agreement, per attached Appendix A in Report PW16081a, with the Hamilton-Wentworth Catholic District School Board, as well as any other ancillary documents, in a form satisfactory to the City Solicitor, to facilitate the development of the Kay Drage Park Trail.

EXECUTIVE SUMMARY

The purpose of this report to get authorization for a Construction Funding and Licensing Agreement per attached Appendix A in Report PW16081a to complete a trail connection to Kay Drage Park through the Hamilton-Wentworth Catholic District School Board lands in Ward 1.

Previously, on September 24, 2016, Council approved a similar report (PW16081) for the City to enter into a similar legal agreement with the Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario in order to construct this trail. The recommendations included:

- (a) That the General Manager of Public Works be authorized and directed to negotiate and enter into a construction, maintenance and funding agreement with The Roman Catholic Episcopal Corporation of the Diocese of Hamilton that will facilitate the development of the Kay Drage Park Trail;

- (b) That the General Manager of Public Works be authorized and directed to execute, on behalf of the City, a construction, maintenance and funding agreement, attached as Appendix A to Report PW16081, with The Roman Catholic Episcopal Corporation of the Diocese of Hamilton, as well as any other ancillary documents, in a form satisfactory to the City Solicitor, to facilitate the development of the Kay Drage Park Trail.

During finalization of the agreement with the Diocese for the construction of the trail, it became clear that a portion of the trail alignment crosses lands owned by the Hamilton-Wentworth District School Board. This current staff report and associated legal agreement is required to reflect this ownership by Hamilton-Wentworth Catholic District School Board of lands that the preferred alignment of the trail will cross.

The Catholic School Board is supportive of this trail development and believes it will improve the existing conditions of the footpath that connects their lands at Nicholas Mancini Centre (44 Hunt Street) to Kay Drage Park.

The Kay Drage Park Trail was identified as a trail initiative (#1 - 6) in the City of Hamilton's Recreational Trails Master Plan (2007). This initiative was re-evaluated through the Recreational Trails Master Plan Update (2016) and was deemed important for the surrounding neighbourhood of Strathcona. Staff report back to Council on trail planning and development through the annual Capital Budget process.

This trail development project was also identified in the Strathcona Secondary Plan, Official Plan Amendment and the Strathcona Transportation Management Plan per Report PED13143 / PW13053. On October 9th, 2013, Council approved the Strathcona Transportation Master Plan report and authorized and directed the General Manager of Public Works to consider the listed projects in that report for the purpose of future Capital Budget submissions. The Kay Drage Park Trail project was received and approved as a recommended project.

The portions of the trail which are located on City lands and lands owned by the Roman Catholic Diocese have received previous approval and will commence construction in the fall of 2016. The section of trail that is located on School Board lands will be constructed in the spring of 2017, subject to the approval of Report PW16081a and legal agreement finalization. This will provide the City with adequate time to enter into and execute an agreement with the Catholic School Board prior to construction on their respective lands.

Alternatives for Consideration – See Page 6

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial:

The capital construction of this trail was approved through the 2016 Capital Budget and is funded through the Capital Budget (Project ID: 4401556504). The construction budget has been identified under the Trails Master Plan Implementation account (4401556504), and the cost for the trail development is estimated at \$86,460.00.

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There are sufficient funds in this project account for the estimated construction costs of \$86,460.00. Additionally, the Roman Catholic Diocese contributed \$25,000 towards the capital cost for this project.

The Operational cost for this project is projected at \$12,000.00 annually. This impact was identified on the 2016 Capital Budget submission.

Staffing:

No additional FTE is required.

Legal:

The City Solicitor's office was consulted on this initiative and is actively supporting the negotiation and completion of this agreement with the Hamilton-Wentworth Catholic District School Board.

HISTORICAL BACKGROUND

Recreational Trails Master Plan

The first iteration of the City's Recreational Trails Master Plan was approved by Council on April 25th 2007 (Public Works Committee Report 07-006, dated April 16, 2007). The document directed staff to, "utilize the Recreational Trails Master Plan Design Criteria, Trail Classification and Phasing Criteria for planning Hamilton's future trails."

The Recreational Trails Master Plan contains information on existing recreational trail routes and proposed initiatives with mapping for each Ward within the municipality. This document provides clear direction for development of the trail system throughout the City and is utilized as a working tool offering valuable information to make informed planning decisions on a City-wide basis. Extensive public consultation took place from 2005 to 2006 to help create and shape the original Master Plan document.

The Kay Drage Park Trail was identified as Trail Initiative #1 - 6 in the Recreational Trails Master Plan. It represents a significant linkage to the Desjardins Trail and the on-street bike system. It also provides a linkage from the Strathcona neighbourhood to Kay Drage Park.

In 2016, staff completed an update to the Recreational Trails Master Plan. The purpose was to illustrate existing trails through mapping, to identify linkage opportunities in the trail network, and to ensure compatibility with new and updated policies. Extensive public consultation took place from April to October in 2015. Staff also collaborated with partner agencies, local interest groups, and various trail stewards in order to conduct a sufficient review of their respective trail initiatives.

The proposed Kay Drage Park Trail is considered an important secondary trail connection for the surrounding neighbourhoods. The proposed trail is approximately 350 metres in length. The southern section of the trail (130 m) is located on the Roman Catholic Diocese's land. Approximately 18 metres of the trail is located on Catholic School Board lands. The remainder of the trail is located on City lands, within Kay

Drage Park. The trail will be 1.5 metres wide and constructed of limestone screenings to suit the existing woodlot and park setting.

Strathcona Transportation Management Plan

On October 9th, 2013, Council endorsed the Strathcona Transportation Management Plan and authorized and directed the General Manager of Public Works to consider the projects for the purpose of future Capital Budget submissions.

The Strathcona Transportation Management Plan Study area is predominately residential. There are commercial uses along the arterial roads and institutional uses dispersed throughout the neighbourhood. The industrial uses are limited to the waterfront areas. The study area includes Victoria Park, Kay Drage Park, Dundurn Castle, and the Waterfront Trail and Royal Botanical Gardens.

The Strathcona Transportation Management Plan needed to accommodate City Wide requirements, while addressing neighbourhood concerns by enhancing the connectivity in and beyond the neighbourhood transportation network, for all modes of transportation, including movement of pedestrians, cyclists, transit, and vehicles.

One of the objectives of the Strathcona Transportation Management Plan was to expand the trail system in the study area to connect major points of interest. Kay Drage Park Trail was identified in the recommendations of the Strathcona Transportation Management Plan subject to the budget approval process and discussions with adjacent land owners south of the park.

A staff report (PW16081) was approved on September 19, 2016 by Public Works Committee and September 24, 2016 by Council in order to obtain approval to enter into a legal agreement regarding the construction and funding of a portion of the trail on the lands of the Roman Catholic Episcopal Corporation of the Diocese of Hamilton. The recommendations were:

- (a) That the General Manager of Public Works be authorized and directed to negotiate and enter into a construction, maintenance and funding agreement with The Roman Catholic Episcopal Corporation of the Diocese of Hamilton that will facilitate the development of the Kay Drage Park Trail;
- (b) That the General Manager of Public Works be authorized and directed to execute, on behalf of the City, a construction, maintenance and funding agreement, attached as Appendix A to Report PW16081, with The Roman Catholic Episcopal Corporation of the Diocese of Hamilton, as well as any other ancillary documents, in a form satisfactory to the City Solicitor, to facilitate the development of the Kay Drage Park Trail.

The legal agreement with the Roman Catholic Diocese was executed in November, 2016. This staff report is required in order to enter into a similar legal agreement with the Hamilton-Wentworth Catholic District School Board, since they are also landowners upon which a portion of the trail will be constructed.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

A number of strategic City documents relate to the creation of this trail. They include but are not limited to: The Corporate Strategic Plan, Public Works Business Plan, Our Future Hamilton (formerly Vision 2020), Hamilton Recreational Trails Master Plan, Pedestrian Mobility Master Plan, City Wide Transportation Master Plan, Cycling Master Plan, Active Transportation Benchmarking Program, Bike Share Pilot Project and Strathcona Transportation Master Plan.

The creation of the trail contributes to the off-road connections and network of the City, as supported by the above plans. In addition, the trail brings opportunities for Active Transportation and contributes to active and healthy lifestyles by providing more routes to walk and bike off-road.

There are no legislated requirements for this trail development.

RELEVANT CONSULTATION

Hamilton-Wentworth Catholic District School Board staff met with City staff, the Roman Catholic Diocese and the Ward Councillor. The Catholic School Board is supportive of this trail connection and embraces the opportunity to formalize the existing footpath.

Forestry – No concerns with regards to the trail alignment through the woodlot.

Parks and Cemeteries – No issues have been identified with regards to the trail alignment and the annual maintenance.

Recycling and Waste Disposal (Landfills) - No concerns with the construction and the proposed design as it relates to the Kay Drage Park which is a former landfill (now capped).

Ward Councillor – The Ward 1 Councillor is supportive of this trail connection and the agreements to be made with the Hamilton-Wentworth Catholic District School Board.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The development of the trail is specifically included in the Recreational Trails Master Plan and the Strathcona Transportation Master Plan to increase off-road and direct connections to both Kay Drage Park and the Desjardins Trail system. The trail formalizes an existing footpath and helps to establish a low impact route for cyclists and pedestrians traversing the woodlot.

Trail initiatives are ranked by priority based upon several criteria. This trail initiative meets several criteria including:

- (a) having outside contribution of funds,
- (b) fulfilling a recommendation by one or more city-supported studies, and;
- (c) being a Councillor or community priority.

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ALTERNATIVES FOR CONSIDERATION

The alternative is for Council to not support the trail initiative and to not authorize the General Manager of Public Works to enter into the legal agreement. This direction would be in conflict with the Recreational Trails Master Plan and the Strathcona Transportation Master Plan, plus larger initiatives to create opportunities for alternative transportation. A direction not to proceed would also be in conflict with previous Council direction in Report PW16081. Staff recommends proceeding with the trail initiative.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Healthy and Safe Communities

Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix A – Draft Kay Drage Park Trail Construction and Licensing Agreement with Hamilton-Wentworth Catholic District School Board.

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