



CITY OF HAMILTON
CITY MANAGER'S OFFICE
Legal Services Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	March 1, 2017
SUBJECT/REPORT NO:	Street Hockey LS17006 (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	R. Sabo x4520
SUBMITTED BY:	Janice Atwood-Petkovski City Solicitor City Manager's Office
SIGNATURE:	

Council Direction:

Council directed a report back to Committee on the question of how the City of Toronto overcame the barrier which prevented the City of Hamilton from permitting street hockey in 2002.

Information:

Toronto

In July of 2016 the City of Toronto enacted by-laws allowing hockey and basketball on some streets. The Toronto by-laws are restrictive, applying to streets with speed limits of 40 km/h or less with conditions on time of day and location. The by-laws make it the responsibility of players or persons permitting play to choose specific locations safe for play and to play in a safe manner, as alternatives to Toronto upgrading roads, issuing road closure permits or enforcing safe play. The restrictions, if complied with, can help limit some risks of injury, property damage and liability. Toronto Council decided the availability of space for sports in the vicinity of homes was worthwhile though posing risks to persons, property and potential municipality liability primarily arising from use of roadways, based on an approach that avoided other significant cost implications. This decision was taken despite staff reports recommending that the prohibition of street sports for safety and liability reasons be maintained. As of the writing of this report, Toronto staff had no added information on experience with the new by-laws.

Hamilton

In 2002 Hamilton Committee of the Whole received a staff report with requested information on the implications of allowing hockey and other road sports on residential streets, and identifying ways to eliminate the potential impact to private property and

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injury to persons. The information report was received in camera and the following statement was released after it was considered: "Accordingly, the recommended course is to maintain the status quo and to encourage playing sports in public and private areas already available to, and designed for, players and sports." Consultation between Legal Services and Public Works in 2016 confirms the staff supports this statement, that there be a prohibition (the status quo) due to safety and liability concerns.

Draft Amending By-law

A draft by-law is attached which amends Hamilton's by-laws. The amending by-law would lift prohibitions on hockey for some streets and provide for some conflicting road uses:

- prohibits play on the majority of streets including those with speed limits above 40 km/h, and on roads designated for higher traffic flows shown on maps found in Official Plans;
- restricts play on streets with a 40 km/h speed limit or less by time of day, location, for passage of other traffic and other specific road uses; and
- makes players or persons supervising players responsible for specific decisions on the location used in play, conduct of play and use of safety equipment.

The draft amending by-law is intended to allow consideration and debate, and if Committee so desires, to recommend its enactment to provide for street hockey.