

CITY OF HAMILTON

NOTICE OF MOTION

Council: March 28, 2018

MOVED BY COUNCILLOR A. JOHNSON.....

Reconsideration of Item 11 of the General Issues Committee Report 16-017, respecting Report PED16141 - Desjardin Canal Hwy 403 Bridge Commemorative Public Art

WHEREAS, at its meeting of July 16, 2016, Council approved sub-sections (a) and (b) to Item 11 of the General Issues Committee Report 16-017, which read as follows:

11. Desjardin Canal Hwy 403 Bridge Commemorative Public Art (PED16141) (City Wide) (Item 8.6) (attached hereto)

- (a) That, pending the successful selective demolition of the existing east bound Highway 403 Bridge over the Desjardin Canal and capping of the ten remaining concrete columns by the Ministry of Transportation (MTO), the City of Hamilton **take ownership** of the columns for a future commemorative public art project;
- (b) That the Mayor and City Clerk be authorized and directed to execute an agreement between the City of Hamilton and Ministry of Transportation (MTO) for the City of Hamilton to **take ownership** of the remaining bridge columns at the 403 Bridge over the Desjardin Canal, in a form satisfactory to the City Solicitor;

WHEREAS, after further consideration, the Ministry of Transportation (MTO) no longer wishes to enter into an agreement with the City of Hamilton (City) to take ownership of the ten capped-columns that will remain, subsequent to the successful demolition of the existing east-bound Highway 403 bridge over the Desjardin Canal;

WHEREAS, the MTO has advised that as it allows for flexibility in the event of a future widening of Highway 403; and, would provide clarity for ongoing responsibilities between the MTO and City with respect to the existing trail and public art on the Hwy 403 right-of-way, a agreement for the City of Hamilton to take over the maintenance of the remaining bridge columns at the 403 Bridge over the Desjardin Canal and the Waterfront Trail through the Hwy 403 right of way, is the only available option at this time;

THEREFORE BE IT RESOLVED:

That sub-sections (a) and (b) to Item 11 of the General Issues Committee Report 16-017, respecting Report PED16141 - Desjardin Canal Hwy 403 Bridge Commemorative Public Art, be reconsidered.