



CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Engineering Services Division

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	September 30, 2019
SUBJECT/REPORT NO:	Proposed Underground Tunnel under Concession Road 4 West, Flamborough (PW19082) (Ward 13)
WARD(S) AFFECTED:	Ward 13
PREPARED BY:	Gary Kirchknopf (905) 546-2424 Ext. 7217 Cetina Farruggia (905) 546-2424 Ext. 5803
SUBMITTED BY:	Gord McGuire Director, Engineering Services Public Works
SIGNATURE:	

RECOMMENDATION(S)

That the proposal from Lafarge Canada Inc. to build an underground tunnel under Concession Road 4 West, Flamborough, ("Subject Lands"), as shown on Appendix "A", "B" and "C", attached to Report PW19082, be approved, subject to the following conditions:

- (a) That the applicant enters into an Easement Agreement with the City of Hamilton over the Subject Lands;
- (b) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to enter into an easement agreement over the Subject Lands on such terms and conditions deemed appropriate by the General Manager of Planning and Economic Development, and to the satisfaction of the General Manager of Public Works and the City Solicitor;
- (c) That the applicant submits all required structural engineering and design drawings prepared by a Professional Engineer and peer reviewed by a Professional Engineer to the satisfaction of the Director, Engineering Services;
- (d) That the applicant be fully responsible for the deposit of a stratified reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management

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Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;

- (e) (i) That the structure would remain under the ownership of the applicant, who is therefore responsible for renewal, rehabilitation and/or maintenance for all and/or any associated costs related to and including the structure at 100% owners expense;
- (ii) That the applicant be compliant with the Ontario Structural Inspection Manual (OSIM) and provide a biannual inspection report to the satisfaction of the Manager, Asset Management Section;
- (f) That the applicant submit a Hydrogeological Brief conducted by a qualified Professional Engineer on the proposed tunnel project to the satisfaction of the Director, Hamilton Water;
- (g) That the closure and sale of a portion of Moxley Road approved through report PW18082 be completed;
- (h) That the Applicant apply for all required permits through the Building Division;
- (i) That the City Solicitor be authorized to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as considered reasonable;
- (j) That the applicant enters into an Encroachment Agreement through the City's Corridor Management Section for the existing Conveyor Belt tunnel encroaching under Concession Road 4 West, Flamborough; and,
- (k) That the Applicant fully reimburse the City for any out-of-pocket costs related to the underground tunnel project.

EXECUTIVE SUMMARY

On February 19, 2019 staff received a formal request from Lafarge Canada Inc. to construct an underground tunnel under Concession Road 4 West in order to connect the Dundas North Quarry (ARA Licence # 5473) and Dundas South Quarry (ARA Licence # 5473 and ARA Licence # 625711) during operations. The purpose of the tunnel would be to allow a one-lane thoroughfare for haul trucks and quarry traffic to move between the licenced lands to the north and south of Concession Road 4 West without impacting traffic on Concession Road 4 West and reducing impacts on surrounding residents. Staff circulated the request to various divisions and departments for comment. There was no objection received from any internal department or division. As the proposed tunnel is

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proposed to be located 20m below grade, there is no impact to any existing or future utilities. As the encroachment is not deemed to be minor in nature, staff determined that an Easement Agreement over the lands would be the preferred method of formalizing this proposal. As there were no objections and no direct impacts to utilities or residents, staff are in support of the proposed request.

Alternatives for Consideration – See Page 5

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: There is no application fee associated with this report.

Staffing: An Easement Agreement over the Subject Lands will be negotiated by the Real Estate Section of the Planning and Economic Development Department.

Legal: The City Solicitor will complete the transfer easement of the Subject Lands to Lafarge Canada Inc., pursuant to an Easement Agreement negotiated by the Real Estate Section of the Planning and Economic Development Department.

HISTORICAL BACKGROUND

Lafarge Canada Inc. currently operates the Lafarge Dundas Quarry (ARA Licence #5473) which is located to the east of Moxley Road. Lafarge recently received OPA (RHOPA-13-015) and Zoning By-Law Amendment (ZAC-13-051) approval through PED17194 approved by Council on November 22, 2017.

On April 9, 2018 Lafarge then received an Aggregate Resource Act license from the Ministry of Natural Resources and Forestry (MNRF) for the Dundas South Quarry Extension (ARA Licence #625711) which include lands to the east and west of Moxley Road.

As part of the pre-consultation process for the South Quarry Extension application, the City of Hamilton asked if Lafarge would consider applying to close a portion of Moxley Road if the South Quarry Extension licence was approved.

On May 15, 2018, an application to close and purchase the Subject Lands was received in order to facilitate maximization of aggregate resource and more efficient operation and rehabilitation plans. Furthermore, the closure of this section of Moxley Road would remove the requirement for a road crossing between Phases 1 and 2, which will facilitate the transfer of material from Phase 2 to the processing area in the approved South Quarry to the east. The request for closure and sale was approved through PW18082.

On February 19, 2019 staff received a formal request from Lafarge Canada Inc. to construct an underground tunnel under Concession Road 4 West in order to connect the

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Dundas North Quarry (ARA Licence # 5473) and Dundas South Quarry (ARA Licence # 5473 and ARA Licence # 625711) during operations.

The purpose of the tunnel would be to allow a one-lane thoroughfare for haul trucks and quarry traffic to move between the licenced lands to the north and south of Concession Road 4 West without impacting traffic on Concession Road 4 West and reducing impacts on surrounding residents.

Currently Lafarge is permitted to process aggregate from the South Quarry at the North Quarry primary crusher. The aggregate would be shipped from the South Quarry by a significant quantity of trucks to the North Quarry at the existing signalized at-grade crossing on Concession Road 4 West.

The location for the proposed tunnel would ideally be at the terminus of Moxley Road as shown on Appendix "A", attached to Report PW19082.

The tunnel is proposed to be approximately 8 m high, 10 m wide, and approximately 20m below the surface of the existing road surface and between 115m – 255m long, depending on the final approved design.

Staff circulated the request to various divisions and departments for comment. There were no objections received from any internal department or division. As the proposed tunnel is proposed to be located 20m below grade, there is no impact to any existing or future utilities.

As the encroachment is not deemed to be minor in nature, staff determined that an Easement Agreement over the lands would be the preferred method of formalizing this proposal. As there were no objections and no direct impacts to utilities or residents, staff are in support of the proposed request.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

The following public utilities, City departments and divisions were provided with a copy of the proposal and were invited to provide comments:

- Planning and Economic Development Department: Development Engineering, Building, Economic Development, Real Estate, and Planning
- Public Works Department: Engineering Services, Hamilton Water
- Corporate Services Department: Budgets and Finance
- Ward Councillor

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There were no objections received from any City departments and divisions.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

As there were no objections received from internal departments or divisions, and no direct impacts to utilities or residents, staff are in support of the proposed request.

ALTERNATIVES FOR CONSIDERATION

The City could deny this proposal and the lands would remain unaltered.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Built Environment and Infrastructure

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

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PW19082 - Aerial Drawing

Appendix “B” to Report PW19082 - Location Plan

Appendix “C” to Report PW19082 - Cross Sectional Drawing