

# CITY OF HAMILTON

## AMENDING MOTION

Council: June 23, 2021

MOVED BY COUNCILLOR A. VANDERBEEK.....

SECONDED BY COUNCILLOR.....

### **Amendment to Item 3 of the Public Works Committee Report 19-014 respecting a Proposed Underground Tunnel under Concession Road 4 West, Flamborough (PW19082) (Ward 13)**

WHEREAS, on October 9, 2019, Council approved report PW19082, which authorized Lafarge Canada Inc. to construct an underground Tunnel under Concession 4 Road West, Flamborough in order to connect the Dundas North Quarry (ARA Licence # 5473) and Dundas South Quarry (ARA Licence #5473 and ARA Licence # 625711) during operations;

WHEREAS, on April 20, 2021, Lafarge Canada Inc. contacted the City of Hamilton to formally request an amendment to the location and size of the proposed underground tunnel under Concession Road 4 West, Flamborough, subject to the same conditions previously approved under report PW19082;

WHEREAS, based on production levels anticipated for the quarry, combined with extensive geotechnical work and design, it was determined that the final tunnel should be a twin single lane tunnel design to improve safety and productivity (as opposed to the initial conceptual design of a one-lane tunnel);

WHEREAS, the new design would include 2 single lane tunnels, approximately 8m in height and 9.4m wide with an estimated 11.6m pillar in between, ranging from 21m below grade for the roof to 29m below grade for the floor; and,

WHEREAS, staff are supportive of the revised design for the new underground tunnel design which increases the safety and productivity of the tunnel without additional impacts to residents or public utilities;

THEREFORE, BE IT RESOLVED:

That Sub-section (a) to Item 3 of the Public Works Committee Report 19-014, respecting a Proposed Underground Tunnel under Concession Road 4 West, Flamborough (PW19082) (Ward 13), be **amended** to revise Appendices "C", "D" and "E" (attached hereto) to alter the final tunnel to **a twin single lane tunnel design**,

***approximately 8m in height and 9.4m wide with an estimated 11.6m pillar in between, ranging from 21m below grade for the roof to 29m below grade for the floor, as follows:***

**3. Proposed Underground Tunnel under Concession Road 4 West, Flamborough (PW19082) (Ward 13) (Item 10.1)**

- (a) That the proposal from Lafarge Canada Inc. to build an underground tunnel under Concession Road 4 West, Flamborough, ("Subject Lands"), as shown on Appendix ***Revised Appendices "C", "D" and "E", altering the final tunnel to a twin single lane tunnel design, approximately 8m in height and 9.4m wide with an estimated 11.6m pillar in between, ranging from 21m below grade for the roof to 29m below grade for the floor,*** attached to Public Works Committee Report 19-014, be approved, subject to the following conditions:
  - (i) That the applicant enters into an Easement Agreement with the City of Hamilton over the Subject Lands;
  - (ii) 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;
  - (iii) 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;
  - (iv) 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 Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
  - (v) 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;
  - (vi) 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;

- (vii) 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;
- (viii) That the closure and sale of a portion of Moxley Road approved through report PW18082 be completed;
- (ix) That the Applicant apply for all required permits through the Building Division;
- (x) 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;
- (xi) 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,
- (xii) That the Applicant fully reimburse the City for any out-of-pocket costs related to the underground tunnel project.