





CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Hamilton Water Division
and
Engineering Services Division

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	May 30, 2022
SUBJECT/REPORT NO:	Highway 5 - Grindstone Creek Bridge Utility Relocation Class Environmental Assessment and Conceptual Design (PW16085(a)) (Ward 15)
WARD(S) AFFECTED:	Ward 15
PREPARED BY:	Udo Ehrenberg (905) 546-2424 Ext. 2499 Winston Wang (905) 546-2424 Ext. 4092 Omozokpia Ajayi (905) 546-2424 Ext. 2436
SUBMITTED BY:	Mark Bainbridge Director, Water and Wastewater Planning and Capital Public Works Department
SIGNATURE:	
SUBMITTED BY:	Susan Jacob Acting Director Engineering Services Public Works Department
SIGNATURE:	

RECOMMENDATIONS

- (a) That the General Manager, Public Works Department be directed to proceed with the design and construction of a single all-encompassing bridge, as an alternate to the standalone utility bridge, separate from the existing parallel transportation bridge previously recommended by the 2016 Municipal Class Environmental Assessment, for the Highway 5 - Grindstone Creek Bridge Utility Relocation; and,

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

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- (b) Subject to the approval of proceeding with the design and construction of a single all-encompassing bridge on Highway 5 over the Grindstone Creek, that the General Manager, Public Works be directed to notify all stakeholders of the changed bridge design and the abandonment of the Municipal Class Environmental Assessment process.

EXECUTIVE SUMMARY

Council, at its meeting of October 12, 2016, through Report PW16085, approved filing the Notice of Completion and Project File Report of the Class Environmental Assessment for Highway 5 - Grindstone Bridge Utility Relocation and Conceptual Design for 30-day public review; and proceeding with the detailed design and implementation of the Class Environmental Assessment (EA) preferred solution. During the detailed design stage of the utility bridge, it was determined that property acquisition was necessary to construct the parallel utility bridge. However, an adjacent landowner after numerous negotiation attempts was not willing to sell the required land or grant an easement. With this impasse, an alternative conceptual design for a single all-encompassing bridge was then completed.

Acceptance of the Recommendations of Report PW16085(a) is required to proceed with the implementation of this single all-encompassing bridge that consists of a single series of pillars and abutments, and a single bridge deck. All utilities, vehicular traffic, pedestrian and cycling traffic over the Grindstone Creek and railroad track will be aggregated into one structure. The deck layout will include an eastbound, a westbound, centre-turning lane; and a barrier-separated, multi-use path on the south side.

Alternatives for Consideration – See Page 5

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The final project estimated costs including third party utility costs is \$9.55M. Existing Council approved Capital Budget of \$9.9M is available to fund this project

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND

In 2015, Hamilton Water Division, Public Works Department initiated the Class EA process to determine the best alternative for the relocation of existing utilities affixed to the existing Highway 5 – Grindstone Creek Bridge, at the location shown on the map attached to Report PW16085(a) as Appendix “A”.

Council, at its meeting of October 12, 2016, through Report PW16085, approved the filing of the Notice of Completion and Project File Report of the Class EA for Highway 5 - Grindstone Bridge Utility Relocation and Conceptual Design for 30-day public review; and proceeding with the detailed design and implementation of the Class EA preferred solution.

During the detailed design stage, it was determined that property acquisition was necessary to construct the parallel utility bridge which was not foreseen during the Class EA stage. However, the property owner is not willing to sell the required land or grant an easement. Furthermore, an adjacent property is also being considered for designation as a heritage property. Mature trees may be impacted by construction within the land acquisition zone as well.

With this impasse, a conceptual design for a single all-encompassing bridge was completed. Recommendation a) in Report PW16085(a) seeks direction to proceed with a single all-encompassing style of bridge. This single all-encompassing bridge is considered as a schedule A+ project in the Municipal Class EA process, and can proceed directly to implementation.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Approval of the recommendations in Report PW16085(a) will not affect corporate policies or legislative requirements.

Abandoning the Municipal Class EA and communication thereof to stakeholders is discretionary according to the Municipal Class EA Procedure Manual.

Notification to Council and stakeholders of these changes aligns with the Community Engagement and Participation priority of the Corporate Strategic Plan.

RELEVANT CONSULTATION

Numerous consultation events were held with an adjacent landowner. The history of the Class Environmental Assessment process, the nature of the project, and impact to the property were communicated.

- Agreement to sell the portion of the property (43 square meters initial, then reduced to 10 square metres through redesign along the north property boundary) or seek permission to grant an easement were rejected. The homeowner also submitted a letter to the Mayor's Office itemizing concerns and disagreement with process, the project scope, and related engagement with staff. It is expected that the approval of the recommendations in this report align with the concerns of this resident.

Consultation with Transit staff was completed and summarized as follows:

- The project as a single all-encompassing bridge will result in impacts to transit. Specifically, any conventional HSR transit service or HSR myRide, on-demand stop-to-stop service which is currently a one-year pilot will be affected. Maintaining traffic flow is critical to the Business Improvement Area (BIA) and the important Mill Street/Waterdown Road north-south corridor, for connections to GO Transit, VIA Rail and Burlington Transit services. Selection and careful implementation of a construction option that minimizes impacts on transit directness of routing and overall trip time is critical. Maintaining transit movement with priority over other traffic through the construction site is needed. Given the uncertainty in the project phase timing and duration, HSR staff are unable to determine the total extent of impacts to service levels and as a result to transit customers. A funding source within the approved capital project budget may need to be identified to help offset increases in operating costs.

Planning and Economic Development Department, Economic Development Division, Real Estate Section staff were engaged to negotiate with the property owner and advise on land acquisition options.

- Expropriation was identified as a challenging option needing additional funds and additional time. Expropriation is not recommended.

The Ward Councillor has been consulted and is in agreement.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

An evaluation of costs between proceeding with two (2) separate bridges, versus one (1) single all-encompassing bridge was completed. The estimated costs were close; however, the latter option was estimated to be approximately \$180,000 less expensive to construct and does not require additional funds for land acquisition. The estimated timing for major stages of the single all-encompassing bridge is as follows:

- Third party utilities relocation in 2022
- Design, permits and approvals in 2022/2023
- Replacement of the bridge in 2024/2025/2026

ALTERNATIVES FOR CONSIDERATION

Proceeding with the original concept of two (2) parallel bridges, the existing bridge for transportation, plus a new utility bridge is not recommended for the following reasons.

Land expropriation would be necessary. Funding needed to complete this step does not exist (legal, real estate and land purchase costs). Furthermore, expropriation would cause an appreciable delay in implementation of the needed construction work. There is risk that the foundational process needed to justify expropriation may not be adequate. Additional funds and time to document the supporting rationale for expropriation would be needed.

Financial: The existing bridge requires regular maintenance due to its age which represents a prolonged cost to the City of Hamilton (City) until such time that a complete reconstruction is completed.

Additional costs related to staff resources and inter-departmental billing to pursue this alternative will also be needed.

Additional funding would be required to pursue expropriation. The actual funds needed will depend on complexity of the process.

Staffing: N/A

Legal: Expropriation requires the support of staff from the City's Legal and Real Estate Divisions.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and 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

Our People and Performance

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

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PW16085(a) – Location Map