





**CITY OF HAMILTON**  
**PUBLIC WORKS DEPARTMENT**  
Transportation Division  
and  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
Transportation Planning and Parking Division

<b>TO:</b>	Chair and Members Public Works Committee
<b>COMMITTEE DATE:</b>	February 5, 2024
<b>SUBJECT/REPORT NO:</b>	Garner Road and Highway 6 Ministry of Transportation Agreement (PW24006/PED24030) (Ward 12)
<b>WARD(S) AFFECTED:</b>	Ward 12
<b>PREPARED BY:</b>	Mike Field (905) 546-2424 Ext. 4576 Gavin Norman (905) 546-2424 Ext. 1255
<b>SUBMITTED BY:</b>	Carolyn Ryall Director, Transportation Division Public Works Department
<b>SIGNATURE:</b>	
<b>SUBMITTED BY:</b>	Brian Hollingworth Director, Transportation Planning and Parking Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

That the General Manager, Public Works or his designate be authorized and directed to execute an agreement with the Ministry of Transportation Ontario, and all amendments and ancillary documents, for the purpose of completing the installation of a new traffic signal, on behalf of the Ministry of Transportation Ontario, at the intersection of Garner Road East and the Highway 6 South off-ramp in a form satisfactory to the City Solicitor.

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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.

## **EXECUTIVE SUMMARY**

The need and warrants for a traffic signal at the Highway 6 South off-ramp terminal at Garner Road East were first established in 2016. At that time, the Ministry of Transportation indicated that a signal was required in conjunction with the now completed Ancaster Glen subdivision, located at John Frederic Drive in Ward 12. Since that time, the need has been further established through increased and planned development in the Airport Employment Growth District.

The implementation of a traffic signal at this location is critical to continued growth in the area and will be funded primarily through Development Charges. Specifically, the Ministry of Transportation has indicated that permits for development within their Permit Control Area, which includes all developments within a 300-metre radius of the intersection, as well some as other parcels within the Airport Employment Growth District, will not be approved until the new traffic signal is constructed.

The ramp terminal signal at Garner Road East is to be located within the Garner Road East right-of-way and within the Ministry of Transportation's Permit Control Area. In order to expedite the signal's implementation, the City has agreed to install the signal on behalf of the Ministry of Transportation, to their specifications and post construction, the ownership and the operation will be their responsibility.

In 2022, the Transportation Division commenced work to complete a detailed design for the traffic signal, as approved through Capital Project ID #4031980940. All design work is completed and ready to tender; however, Ministry of Transportation requirements include an executed agreement with the constructor which defines roles and responsibilities for the signal's construction. Staff do not have delegated authority to enter into such an agreement and requires Council's approval prior to issuing the tender for the works and ultimately commencing with the construction.

### **Alternatives for Consideration – N/A**

### **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** Funds for the design and construction of the new traffic signal were approved as part of the 2022 Budget Process Capital Project ID #4031980940. Most costs are funded through development charges.

**Staffing:** N/A

**Legal:** The proposed signals will be owned and operated by the Ministry of Transportation. For the City to construct the signals on their behalf, an agreement, which includes the Ministry of Transportation's approval of the

design of the traffic signal, construction requirements, and other details, is required. In order for the City to enter into such an agreement, Staff requires authorization from Council.

## **HISTORICAL BACKGROUND**

In 2022, Transportation staff initiated the design for a new traffic signal at the Highway 6 South off-ramp terminal at Garner Road East. The design was an update of previous work undertaken by the developer of the Ancaster Glen Subdivision, and hence, was largely an update to the design which the Ministry of Transportation had previously approved.

In 2023, the Transportation Division prepared a tender package for the signal construction. As part of the preparation of the tender, it was identified that staff did not have delegated authority to enter into an agreement with the Ministry of Transportation needed to construct the signal on their behalf.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

To enter into contracts with others, staff require the delegated authority of Council. In this case, staff does not have an existing authority to enter into an agreement for the construction of traffic signals on behalf of the Ministry of Transportation at the Highway 6 South off-ramp terminal.

## **RELEVANT CONSULTATION**

Throughout the design stage for the signal, staff consulted extensively with the Ministry of Transportation with respect to design standards and expectations.

Staff, from Transportation Planning, and Growth Management, have been involved extensively with the project given its importance to growth and development in the area.

Finally, staff from Legal Services have advised on the need to obtain authority to execute an agreement with the Ministry of Transportation. Staff from Legal Services have also been involved in the planning process for various developments within the vicinity of the signal.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Highway 6 South is a key gateway to the Airport Employment Growth District. Garner Road East is the first municipal road that Highway 6 South intersects with as it enters the area.

The need for a traffic signal at the off-ramp to Garner Road East dates back to 2016 when it was identified as part of a development application for the Ancaster Glen Subdivision (at John Frederick Drive). Work commenced on the design of the signal by the applicant for that subdivision but was put on hold as it was recognized that the signal played a larger role in facilitating development in the nearby employment area. It was also paused to ensure that the design considered the design and timing of the widening of Garner Road East, as evaluated through an Environmental Assessment completed in 2014.

The need to complete the construction of the new signal is well established. The Ministry of Transportation has indicated that permits will not be issued for developments within its Permit Control Area within 300-meters of this intersection until such time as the signal is constructed.

Although the City has an existing agreement for the operation of signalized intersections within the Ministry of Transportation-owned corridors, established in February 2020 through Report PW20011, delegated authority does not exist to enter into agreements with the Ministry of Transportation for the City to construct signals that are intended to be owned and operated by the Ministry of Transportation, which is the case in this situation.

Transportation Division has completed the design of the signal and it has been approved by the Ministry of Transportation. Next steps in the process are to execute the legal agreement with the Ministry of Transportation, tender the project, and then proceed to construction.

#### **ALTERNATIVES FOR CONSIDERATION**

N/A

#### **APPENDICES AND SCHEDULES ATTACHED**

N/A