

**Authority:** Item 19, Public Works  
Committee Report 07-011  
CM: September 26, 2007

**Bill No. 287**

## **CITY OF HAMILTON**

### **BY-LAW NO. 07-287**

#### **To Amend By-law 01-215 respecting Heavy Traffic Routes**

**WHEREAS** Council desires to accommodate some construction-related and other heavy traffic movements to access the McMaster University campus Sterling Street entrance, so as to allow travel from the Main Street truck route, with heavy traffic moving from the Main Street entrance, using the University's internal road system to reach Forsyth Avenue and moving northbound to enter the Sterling Street entrance;

**AND WHEREAS** Council desires to provide for such heavy traffic herein on a limited basis, for the period of September 1, 2007 through to January 31, 2008, both dates inclusive, with additional restrictions intended to limit the impacts on City roads, traffic and the public affected by such traffic, including restrictions on direction of travel, time of day, number of such vehicles and delivery type;

**AND WHEREAS** Council desires that future heavy traffic along Forsyth or other City roads in the vicinity of McMaster University campus not designated as part of the City's heavy traffic route system, to be part of further committee or sub-committee deliberations considering further the interests of the community and broader municipal interest, before any change to the permanent heavy traffic route system or any further extension of time in respect of the temporary route herein, but recognizing that the University may approach the City to request consideration for temporary or other allowances in respect of future construction and heavy traffic movement;

**AND WHEREAS** the City of Hamilton requires McMaster University's cooperation in directing and accommodating heavy traffic having destinations on McMaster University grounds through their internal road system, with signage on University roadways, by efforts to control the number of such vehicles entering the University through the Sterling Street entrance and using Forsyth Avenue, and in sharing information with the City in respect of same to ensure heavy traffic is in compliance with the restrictions herein, and further requires McMaster's cooperation in sharing information on its truck management plans both short and long term, and on construction and other heavy traffic movements and other truck data to allow further consideration of heavy traffic needs and impacts by the City;

**AND WHEREAS** of the 18<sup>th</sup> day of September 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

**AND WHEREAS** Sections 8, 9 and 10 of the *Municipal Act, 2001*, S. O. 2001, c. 25 as amended, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality, health, safety and well-being of persons, the provision of any service or thing considered necessary or desirable for the public, and the protection of persons and property;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule 33 respecting Heavy Traffic Lanes of By-law 01-215 as amended, be further amended by adding the following as fifth and sixth columns:
  - (a) in Column five, under a heading of "Destination", the destination for the heavy traffic movement; and
  - (b) in Column six, under a heading of "Purposes and Numbers of Vehicles", the purpose of the pick-up, delivery or other attendance of the heavy traffic at its

destination and the numbers of such vehicles permitted within the restrictions provided.

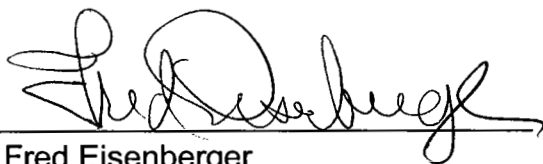
2. Schedule 33 respecting Heavy Traffic Lanes of By-law 01-215 as amended, be further amended by adding the following in a row in the respective columns indicated, in section E (Hamilton) of the said Schedule:
  - (a) under Column 1 for name of the street: "Forsyth Avenue";
  - (b) under Column 2 for the limits of the said highway where the prohibition is in force: "from Sterling Street to the point Forsyth Avenue ends at the internal road system of McMaster University";
  - (c) under Column 3 for the lane or lanes and direction of travel where heavy traffic is permitted notwithstanding the prohibition: "east curb lane, being the northbound direction of Forsyth Avenue only";
  - (d) in Column 4 being the times and days of week when heavy traffic is permitted: "from 8:45 a.m. to 3:15 p.m. from Monday to Friday both days inclusive, but excepting holidays,
  - (e) in Column 5 being the destination of the heavy traffic: "McMaster University Sterling Street Entrance"
  - (f) in Column 6 being the purpose and number of vehicles constituting heavy traffic permitted: "A maximum of fifteen (15) vehicles per day for construction purposes entering the McMaster University entrance at Sterling Street and a maximum of ten (10) vehicles per day for other McMaster University purposes entering such entrance".
  
3. Subsection 56(7) of By-law No. 01-215 as amended, originally being subsection 56(6) as added by amending by-law No. 02-181 and subsequently re-numbered, be further amended by the following sentence at the end: "Further where a destination or limit on a category of heavy traffic or number of such vehicles is provided respectively in columns 5 or 6 of Schedule 33, no person shall drive any vehicle included in the definition of heavy traffic on any highway set out in Column 1 thereof, between the limits set out in Column 2 thereof, in

the direction set out in Column 3 thereof, during the times and days set out in column 4 thereof, unless such vehicle has a destination as provided for in Column 5 thereof and is of a purpose provided for in Column 6 thereof if any,

and further is within the number of such vehicles per day if any, as specified in column 6.”

4. (1) Subject to this section, upon enactment this by-law shall be deemed to have come in to force on September 1, 2007.  
(2) This by-law, and for greater certainty the heavy traffic route provided hereby, shall be deemed to be repealed effective February 1, 2008.
5. Subject to the amendments made in this by-law, in all other respects By-law No. 01-215 and the Schedules thereto as amended are confirmed without change.

**PASSED and ENACTED** this 10<sup>th</sup> day of October, 2007.



Fred Eisenberger  
Mayor



Rose Caterini  
Acting City Clerk