



PUBLIC WORKS COMMITTEE

REPORT 18-009

9:30 a.m.

Monday, June 18, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillor L. Ferguson (Chair)
Councillor T. Jackson (Vice Chair)
Councillors C. Collins, S. Merulla, D. Conley, A. VanderBeek
T. Whitehead and R. Pasuta

Also Present: Mayor Eisenberger
Councillor J. Farr

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 18-009 AND RESPECTFULLY RECOMMENDS:

1. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 102 Francis Street, Hamilton (PW18049) (Ward 3) (Item 6.2)

That the application of the owner of 102 Francis Street, Hamilton, to permanently close and purchase a portion of the unassumed alleyway abutting the West side of 102 Francis Street, Hamilton, ("Subject Lands"), as shown on Appendix "A", attached to PW Report 18-009, be approved, subject to the following conditions:

- (a) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, for an order to permanently close the Subject Lands, if required by the City, subject to:
 - (i) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and
 - (ii) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;

- (b) That the applicant be fully responsible for the deposit of a 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;
- (c) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved:
 - (i) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;
 - (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed alleyway to the owners of 102 Francis Street, Hamilton, as described in Report PW18049, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
 - (iii) The City Solicitor be authorized to complete the transfer of the Subject Lands to the owners of 102 Francis Street, Hamilton pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;
 - (iv) The City Solicitor be authorized and directed to register a certified copy of the by-laws permanently closing and selling the alleyway in the proper land registry office;
 - (v) The Public Works Department provide any required notice of the City's intention to pass the by-laws and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204;
- (d) That the applicant enters into agreements with any Public Utility requiring easement protection.

2. Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 357 Wilson Street East, Ancaster (PW18048) (Ward 12) (Item 6.3)

That the application of the owner of 357 Wilson Street East, Ancaster, to permanently close and purchase a portion of road allowance abutting 357 Wilson Street East, Hamilton ("Subject Lands"), as shown on Appendix "B", attached to Report PW18048 be approved, subject to the following conditions:

- (a) That the City Solicitor be authorized and directed to prepare any necessary by-laws to permanently close and sell the Subject Lands, for enactment by Council;

- (b) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed highway to the owners of 357 Wilson Street East, Hamilton, shown on Appendix "A", as described in PW Report 18-009 in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
- (c) The City Solicitor be authorized to complete the transfer of the subject lands to the owners of 357 Wilson Street East, Ancaster pursuant to an Agreement of Purchase and Sale as negotiated by the Real Estate Section of the Planning and Economic Development Department;
- (d) That the City Solicitor be authorized and directed to register a certified copy of the by-laws permanently closing and selling the highway in the proper land registry office;
- (e) That the Public Works Department provide any required notice of the City's intention to pass the by-laws and/or permanently sell the closed highway pursuant to the City of Hamilton Sale of Land Policy By-law 14-204;
- (f) That the applicant enters into agreements with any Public Utility requiring easement protection;
- (g) That the applicant be fully responsible for the deposit of a 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.

3. Cannon Street Bi-Directional Cycle Track Pilot Project (PED18136) (Wards 2 and 3) (Item 8.2)

- (a) That the Cannon Cycle Track pilot project (Hess Street to Sherman Avenue) be confirmed and that the facility be recognized as a permanent cycling infrastructure;
- (b) That the allocation of the remaining Cannon Cycle Track pilot project funds (4041417125) for the enhancement of the existing cycle track separators in conjunction with the Cannon Street resurfacing project be approved.

4. William Connell Winter Wonderland Park Development Concept (PW18046) (City Wide) (Item 8.1)

- (a) That Council approve the single source procurement to Baker Turner Inc., pursuant to Procurement Policy #11 – Non-competitive Procurements, for the detailed design work for the creation of a winter destination at William Connell Park;

- (b) That the General Manager of Public Works, or his designate be authorized to negotiate, enter into and execute a contract and any ancillary documents required to give effect thereto with Baker Turner Inc, in a form satisfactory to the City Solicitor;
- (c) That the detail design work in the amount of \$100,000, be funded through the previously approved \$200,000 upset limit (\$100,000 for 2017 and \$100,000 for 2018 from Ward 8 Area Rating Reserve 108058), be approved;
- (d) That when and if the toboggan hill at William Connell is constructed and functioning, staff be directed to remove Garth Street Reservoir from the list of approved and maintained toboggan hill locations and replace it with William Connell Park.

5. John Rebecca Park – Donation, 76 John Street North, Hamilton (PW18050) (Ward 2) (Item 8.3)

- (a) That the Director of Environmental Services be authorized to negotiate, enter into and execute a contract and any ancillary documents required to give effect thereto with the Patrick J. McNally Charitable Foundation for the receipt of a donation in the amount of \$1 million dollars which shall be used to fund the construction of John Rebecca Park, with content acceptable to the General Manager of Finance and Corporate Services and in a form satisfactory to the City Solicitor;
- (b) That the donation amount of \$1 million dollars from the Patrick J. McNally Charitable Foundation be placed into capital budget account number 4401856615 to be used for the construction of John Rebecca Park;
- (c) That the associated operating impacts from park development, totalling \$121,540 and 0.73 FTE be added to the Operating Budget base in 2019;
- (d) That the Mayor send a letter of thanks, on behalf of the City, to the Patrick J. McNally Charitable Foundation for its gracious donation.

6. Bus Shelter at McMaster University (Item 9.1)

WHEREAS, transit is vital to the health and well-being of a city, and;

WHEREAS, McMaster University is a vital institution in our community and many of its students, faculty and staff rely on public transit, and;

WHEREAS, new bus shelters are required for helping to deliver a safe and comfortable passenger experience, and;

WHEREAS, McMaster University and the McMaster Student Union have expressed an interest in working in partnership with the City in facilitating more bus shelters on campus,

THEREFORE BE IT RESOLVED:

- (a) That \$50,000 from the Ward 1 2017 area rating discretionary account be allocated for the refurbishment and placement of oversized HSR shelters, formerly located at CF Lime Ridge, to McMaster Campus and for the re-location of existing Ward 1 shelters on McMaster Campus; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

7. Installation of Rainbow Crosswalks (Added Item 10.1)

WHEREAS, Hamilton is home to people with diverse cultures, religions and ethnicities, and;

WHEREAS, Hamilton is also home to people of the LGBTQ community, and;

WHEREAS, Hamilton takes pride in promoting a safe and welcoming community for all individuals, and;

WHEREAS, installing rainbow crosswalks is a clear and visible sign of the community's support and has been done in cities across the world, and;

WHEREAS, members of the Hamilton LGBTQ Advisory Committee have expressed their support for the installation of rainbow crosswalks near McMaster University and City Hall, and;

WHEREAS, funding for the four rainbow crosswalk installations, in the amount of \$6000 per location, is available in the Traffic Department's Crosswalk Budget,

THEREFORE BE IT RESOLVED:

That staff be directed to install rainbow crosswalks at the following four locations:

- (i) Stirling Street and Forsyth Avenue (in two directions)
- (ii) Main Street West at Summers Lane (in two directions)

FOR INFORMATION:

(a) APPROVAL OF THE AGENDA (Item 1)

The Committee Clerk advised of the following changes to the agenda:

1. ADDED DELEGATION REQUESTS (Item 4)

- 4.1 Dr. Lynda Lukasik, Environment Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project
- 4.2 Elise Desjardins, Cycle Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project

2. ADDED NOTICE OF MOTION (Item 10)

- 10.1 Installation of Rainbow Crosswalks

The agenda for the June 18, 2018 meeting of the Public Works Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) June 4, 2018 (Item 3.1)

The Minutes of the June 4, 2018 Public Works Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Dr. Lynda Lukasik, Environment Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project (Added Item 4.1)

The delegation request from Dr. Lynda Lukasik, Environment Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project, was approved for today's meeting.

- (ii) Elise Desjardins, Cycle Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project (Added Item 4.2)**

The delegation request from Elise Desjardins, Cycle Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project, was approved for today's meeting.

(e) CONSENT ITEMS (Item 5)

- (i) Hamilton Water Financial Plan (PW18051) (City Wide) (Item 5.1)**

Report PW18051 respecting the Hamilton Water Financial Plan, was TABLED to the July 12, 2018 meeting of the Public Works Committee.

(f) PUBLIC HEARINGS / DELEGATIONS (Item 6)

- (i) Suzanne Mammel, Hamilton-Halton Homebuilders' Association respecting Water Main Approval Issues and Recommendations for Master-water/wastewater Servicing Studies (Item 6.1)**

Ms. Suzanne Mammel with the Hamilton-Halton Homebuilders' Association addressed the Committee respecting Water Main Approval Issues and Recommendations for Master-water/wastewater Servicing Studies.

Ms. Mammel expressed the concerns of Homebuilders' Association with watermain design standards and how applications are reviewed and approved. She is also concerned about the impact approvals have on project timelines, construction costs and ongoing maintenance and replacement costs to taxpayers.

The delegation from Suzanne Mammel, Hamilton-Halton Homebuilders' Association respecting Water Main Approval Issues and Recommendations for Master-water/wastewater Servicing Studies, was received.

Chair Ferguson relinquished the Chair to Vice Chair Jackson in order to second the following motion.

Staff were directed to report back to the Public Works Committee with a response to the concerns raised by the Hamilton-Halton Homebuilders' Association, an outline of how long it takes for water main approvals to be processed and what issues affect how long it takes for the applications to be processed and approved.

Chair Ferguson assumed the Chair.

(ii) Proposed Permanent Closure and Sale of a Portion of Public Alley Unassumed Abutting 102 Francis Street, Hamilton (PW18049) (Ward 3) (Item 6.2)

Chair Ferguson advised that notice of the proposed permanent closure and sale of a Portion of Public Unassumed Alley Abutting 102 Francis Street in Hamilton was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised no individuals registered to speak to the matter.

The Chair asked if there were any members of the public in attendance who wished to come forward to speak to the matter. No individuals came forward.

For disposition of this matter refer to Item 1.

(iii) Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 357 Wilson Street East, Ancaster (PW18048) (Ward 12) (Item 6.3)

Chair Ferguson advised that notice of the proposed permanent closure and sale of a Portion of Road Allowance Abutting 357 Wilson Street East in Ancaster was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised no individuals registered to speak to the matter.

The Chair asked if there were any members of the public in attendance who wished to come forward to speak to the matter. No individuals came forward.

For disposition of this matter refer to Item 2.

(iv) Dr. Lynda Lukasik, Environment Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project (Added Item 6.4)

Dr. Lynda Lukasik with Environment Hamilton addressed the Committee about Report PED18136 respecting the Cannon Street Bi-directional Cycle Track Pilot Project.

Dr. Lukasik expressed her support for the staff recommendation to make the Cannon Street bike lane permanent. She outlined the health and environmental benefits that cycling has as well as her desire that remaining pilot project funds be allocated to enhance the existing cycle track separators.

The delegation from Dr. Lynda Lukasik, Environment Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project, be received.

(v) Elise Desjardins, Cycle Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project (Added Item 6.5)

Ms. Elise Desjardins with Cycle Hamilton addressed the Committee about Report PED18136 respecting the Cannon Street Bi-directional Cycle Track Pilot Project.

Ms. Desjardins expressed her support for the staff recommendation to make the Cannon Street bike lane permanent. She stated that the bike lane is important because it is inter-connected to other cycling lanes and it improves mobility.

The delegation from Elise Desjardins, Cycle Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project, was received.

Item 8.2 being Report PED18136 respecting the Cannon Street Bi-Directional Cycle Track Pilot Projects was moved up in the agenda to be considered at this time.

For disposition of this matter refer to Item 3.

(g) DISCUSSION ITEMS (Item 8)

(i) William Connell Winter Wonderland Park Development Concept (PW18046) (City Wide) (Item 8.1)

At the request of the Chair, let the record show that the main motion CARRIED unanimously, with all members present.

For disposition of this matter refer to Item 4.

(h) NOTICES OF MOTION (Item 10)

(i) Rainbow Crosswalk Installations (Added Item 10.1)

Mayor Eisenberger introduced a notice of motion respecting the Installation of Rainbow Crosswalks.

The Rules of Order were waived to allow for the introduction of a motion respecting the Installation of Rainbow Crosswalks.

For disposition of this matter refer to Item 7.

(i) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Changes to the Outstanding Business List (Item 11.1)

(a) Item requiring a revised due date:

The following change to the Outstanding Business List, was approved:

Glen Carey Delegation (respecting a berm on his property)

Current due date: June 18, 2018

Revised due date: September 6, 2018

(ii) Update from the General Manager of Public Works (Added Item 11.2)

Dan McKinnon, General Manager of the Public Works Department, provided an update to the Committee about the following matters:

- Thank you to the outgoing General Manager of Engineering Services, Gary Moore and welcome to the new GM, Gord McGuire
- Thank you to the outgoing General Manager of Roads and Traffic, Betty Mathews-Malone and welcome to the new GM, Ed Soldo
- A new feature called ParkFinder was recently launched on the City's website
- The feature allows residents to easily locate a park or a particular park amenity
- The idea for the on-line tool came out of the Department's Cutting Edge of Leadership Program

(j) ADJOURNMENT (Item 13)

There being no further business, the Public Works Committee adjourned at 10:55 a.m.

Respectfully submitted,

Councillor L. Ferguson, Chair
Public Works Committee

Lauri Leduc
Legislative Coordinator
Office of the City Clerk