



## City of Hamilton

# PUBLIC WORKS COMMITTEE REVISED COMMITTEE REVISED

**Meeting #:** 18-013  
**Date:** December 10, 2018  
**Time:** 9:30 a.m.  
**Location:** Council Chambers, Hamilton City Hall  
71 Main Street West

Alicia Davenport, Legislative Coordinator (905) 546-2424 ext. 4102

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	<b>Pages</b>
<b>1. APPOINTMENT OF CHAIR AND VICE-CHAIR</b>	
<b>2. APPROVAL OF AGENDA</b>	
(Added Items, if applicable, will be noted with *)	
<b>3. DECLARATIONS OF INTEREST</b>	
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<b>9.</b>	<b>STAFF PRESENTATIONS</b>	
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*12.1	Transit Passenger Counts	93
<b>13.</b>	<b>GENERAL INFORMATION / OTHER BUSINESS</b>	
13.1	Outstanding Business List:	
13.1.a	Items considered complete and needing to be removed:  Information Update respecting Dundas J.L. Grightmire Arena Item 7.1 on today's agenda Item on OBL: AB	
<b>14.</b>	<b>PRIVATE AND CONFIDENTIAL</b>	
14.1	Closed Minutes - September 17, 2018  Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (e) and (f) of the <i>Ontario Municipal Act</i> , 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, advice that is subject to solicitor/client privilege, including communications necessary for that purpose.	

15. ADJOURNMENT



## PUBLIC WORKS COMMITTEE MINUTES 18-012

9:30 a.m.

Monday, September 17, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

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

**Absent with  
Regrets:** Councillor D. Conley - Personal

### THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

**1. Asset Management and Regulations Update (PW18085) (City Wide) (Item 5.1)**

**(Jackson/VanderBeek)**

That Report PW18085, respecting Asset Management and Regulations Update, be received.

**CARRIED**

**2. Intersection Control List (PW18001(e)) (Wards 2, 4, 7, 8, 10, 14 and 15) (Item 5.2)**

**(VanderBeek/Collins)**

That the appropriate By-law be presented to Council to provide traffic control as follows:

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
<b>Section "C" Flamborough</b>							
(a)	Cole Street	Browview Drive	EB	All	A	Converting to allway stop – Clr Approved	15
(b)	Chudleigh Street	Culotta Drive (West Leg)	NB	All	A	Converting to allway stop – Clr Approved	15
(c)	Chudleigh	Culotta Drive	All	All	A	Housekeeping – Adding	15

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
	Street	(East Leg)			to By-law		
(d)	Riley Street	Chudleigh Street	WB	All	B	Converting to allway stop – Clr Approved	15
(e)	4 <sup>th</sup> Concession West (Westerly Intersection)	Sheffield Road	EB	All	D	Converting to allway stop – Clr Approved	14
(f)	4 <sup>th</sup> Concession West (Easterly Intersection)	Sheffield Road	WB	All	D	Converting to allway stop – Clr Approved	14
<b>Section “E” Hamilton</b>							
(g)	West 4 <sup>th</sup> Street	Richwill Road	NB/SB Yield	NB/SB	A	Housekeeping – Converting yield sign to stop sign	8
(h)	Golfwood Drive	Atkins Drive	EB	All	A	Converting to allway stop – Clr Approved	8
(i)	Roxborough Avenue	Frederick Avenue	SB	All	A	Converting to allway stop – Clr Approved	4
(j)	Hunter Street	East Avenue	NB/SB	All	A	Converting to allway stop – Clr Approved	2
(k)	Strachan Street	Catharine Street	SB	All	A	Converting to allway stop – Clr Approved	2
(l)	McElroy Road	Howard Avenue	EB/WB	ALL	A	Converting to allway stop – Clr Approved	7
(m)	McElroy Road	Clarendon Avenue	EB/WB	ALL	A	Converting to allway stop – Clr Approved	7
(n)	Dragoon Drive	Fusilier Drive	EB/WB	ALL	A	Converting to allway stop – Clr Approved	7
(o)	Osgoode Court	Presidio Drive	None	SB	A	Housekeeping – no control Clr Approved	7
<b>Section “F” Stoney Creek</b>							
(p)	Hewitson Road	Dupont Street	None	ALL	A	Converting to allway stop – Clr Approved	10
(q)	Margaret Avenue	Guernsey Drive	EB/WB	ALL	A	Converting to allway stop – Clr Approved	10

**Legend**No Control Existing (New Subdivision) - **NC**Intersection Class: **A** - Local/Local    **B** - Local/Collector**C** - Collector/Collector    **D** – Arterial/Collector**CARRIED**

3. **Glen Carey (270 Tenth Road East) respecting Truck Traffic and Construction of a Berm on Property (PW18083) (Ward 11) (Item 5.3)**

**(Merulla/Jackson)**

That Report PW18083, respecting Glen Carey (270 Tenth Road East) respecting Truck Traffic and Construction of a Berm on Property, be received.

**CARRIED**

4. **Clean and Green Hamilton Strategy 2017 Year-End Update (PW11052(I)) (City Wide) (Item 5.4)**

**(Jackson/VanderBeek)**

That Report PW11052(I), respecting Clean and Green Hamilton Strategy 2017 Year-End Update, be received.

**CARRIED**

5. **Proposed Permanent Closure and Sale of a Portion of Binkley Road and a Portion of Original Road Allowance Between the Townships of Beverly and West Flamborough, Dundas, ON (PW18081) (Ward 13 & Ward 14) (Item 6.1)**

**(Pasuta/VanderBeek)**

That the applications of the owners of 29 Middletown Road, 107 Middletown Road, and 67 Middletown Road, Dundas, ON, to permanently close and purchase a portion of Binkley Road (Forced Road) and a Portion of Original Road Allowance between the Townships of Beverly and West Flamborough, Dundas, ON ("Subject Lands"), as shown on Appendix "A", attached to Report PW18081, be approved, subject to the following conditions:

- (a) That the City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the highway, 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 29 Middletown Road, 107 Middletown Road, and 67 Middletown Road, Dundas, ON, 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 29 Middletown Road, 107 Middletown Road, and 67 Middletown Road, Dundas, ON pursuant to Agreements of Purchase and Sale or Offer to Purchases 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 publish 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; and,
- (f) That the applicants 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.

**CARRIED**

**6. Proposed Permanent Closure and Sale of a Portion of Moxley Road, Dundas, ON (PW18082) (Ward 14) (Item 6.2)**

**(Pasuta/VanderBeek)**

That the application of Lafarge Canada Inc., to permanently close and purchase the northerly portion of Moxley Road between Concession 4 West and Highway 5 Dundas, ON ("Subject Lands"), as shown on Appendix "A", attached to Report PW18082, be approved, subject to the following conditions:

- (a) That the City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the highway, 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 Lafarge Canada Inc. 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 Lafarge Canada Inc. 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;
- (d) That the City Solicitor be authorized and directed to register a certified copy of the by-law permanently closing and selling the highway in the proper land registry office;
- (e) That the Public Works Department publish 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; and,
- (h) That the applicant is fully responsible for the construction of a cul-de-sac at the northern limit of the public road allowance, to City Standards, as determined by the Road Operations Division, Public Works Department.

**CARRIED**

**7. Corrosion Control Program for the Woodward Drinking Water System (PW18080) (City Wide) (Item 7.1)**

**(Whitehead/Collins)**

That Report PW18080, respecting Corrosion Control Program for the Woodward Drinking Water System, be received.

**CARRIED**

**8. Red Hill Valley Project Integrated Environmental Monitoring Program Final Summary (PW18087) (City Wide) (Item 7.2)**

**(Collins/Merulla)**

(a) That a \$25,000 grant be awarded to the Stewards of Red Hill Watershed to assist with Red Hill Valley Stream 'Cleanout' Days to be funded from the Ward 5 Area Rating Reserve; 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.

**CARRIED**

**9. William Connell Fieldhouse: Tender C13-34-18 Award (PW18086) (Ward 8) (Item 8.1)**

**(Whitehead/Jackson)**

(a) That the General Manager, Public Works Department be authorized to negotiate, enter into and execute a Contract and any ancillary documents required to give effect thereto with acceptable lowest bidder of Tender C13-34-18, in a form satisfactory to the City Solicitor;



- (b) That the following funding strategy for an additional \$1.7M be approved in order to complete the final phase of the project as well as cover any ancillary project costs and fees:
  - (i) \$330K be approved from the Ward 8 Area-rating reserve 108058 and transferred to PID 7101654802;
  - (ii) \$980K be advanced from the 2019 Budget Forecast for William Connell Fieldhouse and be approved in 2018 from the Recreational Facilities Development Charges Reserves 110320/110321 and be transferred to PID 7101654802; and,
  - (iii) \$390K from the Outdoor Recreation Development Charges Reserves 110316 (\$367.5K) & 110317 (\$22.5K) be transferred to PID 4401356124; and,
- (c) ***That staff be directed to report back to Committee members prior to the September 26, 2018 Council Meeting with the number of bids that were submitted and the revised negotiated pricing.***

**Main Motion, as Amended CARRIED**

**10. Third Party Processing of Green Bin Organic Material and Temporary Removal of Grass and Leaf & Yard Waste from the Green Bin Program (PW18088) (City Wide) (Item 8.2)**

**(Jackson/Merulla)**

- (a) That Council approve the single source procurement, pursuant to Procurement Policy #11 – Non-competitive Procurements, for one or more third-party service providers to process all, or a portion of the City's organic material collected through the City's Green Bin program, as outlined in this Report;
- (b) That the General Manager, Public Works Department be authorized to select, negotiate, enter into and execute short-term contracts and any ancillary documents required to give effect thereto with third-party service providers selected, in a form satisfactory to the City Solicitor;
- (c) That the cost associated with the short-term contact(s) referred to in recommendation (a) be funded from the Central Composting Facility contractual services operating account 55916-512725;
- (d) That the City of Hamilton temporarily remove grass and leaf & yard waste as acceptable materials within the City's Green Bin program ***effective April 1, 2019***; and,

- (e) That \$50,000 from the Central Composting Facility contractual services operating Account 55916, Dept. ID. 512725 be allocated for communicating with City residents about the temporary removal of grass and leaf & yard waste from the City's Green Bin program and to promote the use of the curbside Leaf & Yard Waste program.

**Main Motion, as Amended CARRIED**

Councillors Collins and VanderBeek wished to be recorded as OPPOSED.

**11. City of Hamilton's Waste Transfer and Disposal System Request for Proposals C11-08-18 Selection of Successful Proponent(s) (PW16059(f)) (City Wide) (Item 8.3)**

**(Collins/Merulla)**

- (a) That Waste Connections of Canada Inc. be selected as the successful proponent for Project A of Request for Proposals Contract C11-08-18, for the operation and maintenance of the City's three Transfer Stations, three Community Recycling Centres, the Reuse Centre at the Mountain Community Recycling Centre, haulage of materials from the Transfer Stations and Community Recycling Centres to end markets and the Glanbrook Landfill, and marketing of specified recyclable materials from the Transfer Stations and Community Recycling Centres;
- (b) That Waste Management of Canada Corporation be selected as the successful proponent for Project B of Request for Proposals Contract C11-08-18, for the operation and maintenance of the Glanbrook Landfill and Leaf and Yard Waste Composting site;
- (c) That the General Manager of Public Works be authorized and directed to finalize the terms and conditions of the contract with Waste Connections of Canada Inc. in accordance with the provisions of Request for Proposals Contract C11-08-18 for Project A;
- (d) That the General Manager of Public Works be authorized and directed to finalize the terms and conditions of the contract with Waste Management of Canada Corporation in accordance with the provisions of Request for Proposals Contract C11-08-18 for Project B; and,
- (e) That the Mayor and City Clerk be authorized and directed to execute all necessary documents respecting the City of Hamilton's Waste Transfer and Disposal System Request for Proposals C11-08-18 Selection of Successful Proponent(s) with content acceptable to the General Manager of Public Works, in a form acceptable to the City Solicitor.

**CARRIED**

**12. Mandatory Waste Receptacles at Drive-Through Food Premises (PED18171 / PW18067) (City Wide) (Item 8.4)****(Merulla/Jackson)**

- (a) That Schedule 21 of the Business Licensing By-law 07-170 relating to Food Premises be amended to require the installation and maintenance of waste and recycling receptacles at drive-through food premises as described in Report PED18171/PW18067;
- (b) That staff be directed to prepare the appropriate By-law respecting Mandatory Waste Receptacles at Drive-Through Food Premises, with content acceptable to the General Manager of the Planning and Economic Development Department, in a form satisfactory to the City Solicitor; and,
- (c) That the item respecting Mandatory Drive-Thru Garbage Containers be identified as complete and removed from the Public Works Committee Outstanding Business List.

**CARRIED****13. Accessible Entrance Improvements to the Dundas Lawn Bowling Club (Item 9.1)****(VanderBeek/Collins)**

WHEREAS, the Dundas Lawn Bowling Club is located in a City facility in the Dundas Driving Park, which is used extensively from April to October by the club patrons and guests, including clubs from other municipalities for practices, games and tournaments;

WHEREAS, the Dundas Lawn Bowling Club has approached the City requesting structural capital improvements, for the first time in at least 25 years, to accommodate an aging population who increasingly experience accessibility challenges in this building and is requesting inclusive use of this recreational amenity;

WHEREAS, the current entrance is not accessible or barrier-free, offers no entrance way protection from the sun or rain, has a single entrance door with a reduced and non-standard height, and is limited by the existing structure and roofline, requiring structural modification to the roof;

WHEREAS, a proposed renovation would provide needed repairs to the front of the building and more inclusive access to the facility for patrons participating in recreational programs, allowing the club to sustain its membership and operation;

WHEREAS, the Club will, at their expense, contribute a concrete path and entrance pad (an added value of approximately \$15,000), which will further improve accessibility at this City facility, once the new entranceway is in place; and,

WHEREAS, the work needs to be undertaken during the Club's winter closure, starting in the fall of 2018, so it can be completed early in 2019.

THEREFORE, BE IT RESOLVED:

- (a) That the accessible entrance improvements to be completed at the City's facility in the Dundas Driving Park, which accommodates the Dundas Lawn Bowling Club, in the amount of \$175,000, to be funded as follows, be approved:
  - (i) \$25,000 from the Ward 13 Cell Tower Account Number 3301609613; and,
  - (ii) \$150,000 from the Unallocated Capital Reserve Account Number 108020; and,
- (b) That the General Manager, Public Works Department, be authorized and directed to negotiate, enter into and execute a contract and any ancillary documents with the acceptable lowest bidder, for the accessible entrance improvements to be completed at the City's facility in the Dundas Driving Park, in a form satisfactory to the City Solicitor.

**CARRIED**

**14. Ice Fee Waivers for the Dundas Blues Junior C Hockey Club and the Dundas Minor Hockey Association for the 2018-2019 Hockey Season (Item 9.2)**

**(VanderBeek/Whitehead)**

WHEREAS, the Dundas Blues Junior C Hockey Club and the Dundas Minor Hockey Association have long standing histories in the Town of Dundas;

WHEREAS, the Dundas Blues Junior C Hockey Club and the Dundas Minor Hockey Association play their home games at the J.L. Grightmire Arena in Dundas;

WHEREAS, the J.L. Grightmire Arena has been closed for extensive renovations since the spring of 2017;

WHEREAS, due to the closure of the G.L Grightmire Arena, the Dundas Blues Junior C Hockey Club has been relocated to play their home games at Olympic Arena; and, Dundas Minor Hockey Association has been relocated to play their home games at various arenas across the City;

WHEREAS, the renovation project at the J.L. Grightmire Arena was scheduled to be completed prior to the 2018 – 2019 hockey season;

WHEREAS, the City of Hamilton has been advised by the general contractor that the completion of the construction project will be delayed;

WHEREAS, the delay in the construction project will force the two hockey associations to be relocated for a portion of the 2018-2019 hockey season; and,

WHEREAS, the relocation of the of the two hockey associations will create a financial hardship for both groups for the 2018-2019 hockey season;

THEREFORE, BE IT RESOLVED:

That staff be directed to waive ice fees for the Dundas Blues Junior C Hockey Club and the Dundas Minor Hockey Association in the amount of \$ 25,000 each (for a total of \$50,000) for the 2018-2019 hockey season to compensate for the financial loss due to the continued closure of the J.L. Grightmire Arena.

**CARRIED**

**15. Removal of Infected Ash Trees at 87, 281 and 283 Quigley Road (Item 9.3)**

**(Collins/Merulla)**

That in consultation with the affected homeowners, forestry staff be directed to arrange the removal of infected Ash Trees at 87, 281 and 283 Quigley Road, to be funded from the Emerald Ash Borer Plan #4451153001.

**CARRIED**

**16. Hamilton Public Bike Share System Contract Negotiations (PED18223) (City Wide) (Item 12.1)**

**(Jackson/VanderBeek)**

That Report PED18223, respecting Hamilton Public Bike Share System Contract Negotiations, be received and remain confidential.

**CARRIED**

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

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

**1. DISCUSSION ITEMS (Item 8)**

8.5(a) Correspondence from Susan Mammel, Hamilton-Halton Home Builders Association requesting that Item 11.1(a) respecting Hamilton-Halton Home Builders' Association Delegation on Water Main Approval Issues and Recommendations remain as an Outstanding Business List Item until staff have provided further information at which time she would like to appear before Committee to speak to the matter

**2. NOTICES OF MOTION (Item 10)**

- 10.1 Ice Fee Waivers for the Dundas Blues Junior C Hockey Club and the Dundas Minor Hockey Association for the 2018-2019 Hockey Season

**(VanderBeek/Jackson)**

That the agenda for the September 17, 2018 Public Works Committee meeting be approved, as amended.

**CARRIED****(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES OF THE PREVIOUS MEETING (Item 3)****(i) August 16, 2018 (Item 3.1)****(Merulla/Collins)**

That the Minutes of the August 16, 2018 meeting of the Public Works Committee be approved, as presented.

**CARRIED****(d) DELEGATION REQUESTS (Item 4)**

- (i) Kevin Gonci, Golden Horseshoe Track & Field Council, respecting the Phase 3 Renewal Proposal for the Mohawk Sports Park Outdoor Track & Field Facility (For today's meeting) (Item 4.1)**

**(Jackson/VanderBeek)**

That the delegation request, submitted by Kevin Gonci, Golden Horseshoe Track & Field Council, respecting the Phase 3 Renewal Proposal for the Mohawk Sports Park Outdoor Track & Field Facility, be approved for today's meeting.

**CARRIED**

- (ii) Jonathan Jones, respecting Safety and Scheduling Concerns with DARTS (For today's meeting) (Item 4.2)**

**(VanderBeek/Collins)**

That the delegation request, submitted by Jonathan Jones, respecting Safety and Scheduling Concerns with DARTS, be approved for today's meeting.

**CARRIED**

- (iii) **Giovanni Puzzo, respecting On Street Parking and Bike Lanes (For today's meeting) (Item 4.3)**

**(Collins/Merulla)**

That the delegation request, submitted by Giovanni Puzzo, respecting On Street Parking and Bike Lanes, be approved for today's meeting.

**CARRIED**

**(e) PUBLIC HEARINGS/DELEGATIONS (Item 6)**

- (i) **Proposed Permanent Closure and Sale of a Portion of Binkley Road and a Portion of Original Road Allowance Between the Townships of Beverly and West Flamborough, Dundas, ON (PW18081) (Ward 13 & Ward 14) (Item 6.1)**

Chair Ferguson advised that notice of the proposed permanent closure and sale of a Portion of Binkley Road and a Portion of Original Road Allowance Between the Townships of Beverly and West Flamborough, Dundas, ON was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that there were 4 registered speakers.

**Delegations**

6.1(a) Sunchul Kim

Sunchul Kim was not present when called upon.

6.1(b) Gary Neven

Gary Neven addressed the Committee and spoke in favour of the proposed permanent closure and sale of a Portion of Binkley Road and a Portion of Original Road Allowance Between the Townships of Beverly and West Flamborough, Dundas, ON.

**(Collins/VanderBeek)**

That the delegation by Gary Neven, respecting the proposed permanent closure and sale of a Portion of Binkley Road and a Portion of Original Road Allowance Between the Townships of Beverly and West Flamborough, Dundas, ON, be received.

**CARRIED**

6.1(c) Michelle Stark

Michelle Stark addressed the Committee and spoke in favour of the proposed permanent closure and sale of a Portion of Binkley Road and a Portion of Original Road Allowance Between the Townships of Beverly and West Flamborough, Dundas, ON.

**(Pasuta/VanderBeek)**

That the delegation provided by Michelle Stark, respecting the proposed permanent closure and sale of a Portion of Binkley Road and a Portion of Original Road Allowance Between the Townships of Beverly and West Flamborough, Dundas, ON, be received.

**CARRIED**

## 6.1(d) Trung Nguyen

Trung Nguyen was not present when called upon.

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

**(Pasuta/VanderBeek)**

That the public meeting be closed.

**CARRIED**

For disposition of this matter refer to Item 5.

**(ii) Proposed Permanent Closure and Sale of a Portion of Moxley Road, Dundas, ON (PW18082) (Ward 14) (Item 6.2)**

Chair Ferguson advised that notice of the proposed permanent closure and sale of a Portion of Moxley Road, Dundas, ON was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that there was one registered speaker.

**Delegations**

## 6.2(a) Brian Zeman, MHBC Planning, on behalf of Lafarge Canada Inc.

Brian Zeman, MHBC Planning, addressed the Committee on behalf of Lafarge Canada Inc. supporting the recommendations of the proposed permanent closure and sale of a Portion of Moxley Road, Dundas, ON.

**(VanderBeek/Merulla)**

That the delegation provided by Brian Zeman, respecting the proposed permanent closure and sale of a Portion of Moxley Road, Dundas, ON be received.

**CARRIED**

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



**(Pasuta/VanderBeek)**

That the public meeting be closed.

**CARRIED**

For disposition of this matter, refer to Item 6.

**(iii) Kevin Gonci, Golden Horseshoe Track & Field Council, respecting the Phase 3 Renewal Proposal for the Mohawk Sports Park Outdoor Track & Field Facility (Item 6.3)**

Kevin Gonci from the Golden Horseshoe Track & Field Council, addressed the Committee respecting the Phase 3 Renewal Proposal for the Mohawk Sports Park Outdoor Track & Field Facility, with the aid of a presentation.

**(Jackson/Merulla)**

That Kevin Gonci be permitted to address the Committee for an additional 5 minutes in order to complete his presentation.

**CARRIED**

**(Jackson/Collins)**

That the presentation from Kevin Gonci, Golden Horseshoe Track & Field Council, respecting the Phase 3 Renewal Proposal for the Mohawk Sports Park Outdoor Track & Field Facility, be received.

**CARRIED**

A copy of the presentation is available on the City's website or through the Office of the City Clerk.

**(Jackson/Merulla)**

That the presentation from Kevin Gonci, Golden Horseshoe Track & Field Council, respecting the Phase 3 Renewal Proposal for the Mohawk Sports Park Outdoor Track & Field Facility, be referred to staff to report to the 2019 General Issues Committee Budget Process.

**CARRIED**

**(iv) Jonathan Jones, respecting Safety and Scheduling Concerns with DARTS (Item 6.4)**

Jonathan Jones addressed the Committee respecting Safety and Scheduling Concerns with DARTS.

**(Merulla/Collins)**

That the delegation provided by Jonathan Jones, respecting Safety and Scheduling Concerns with DARTS, be received.

**CARRIED**

**(Merulla/Collins)**

That staff be directed to review the concerns respecting DARTS safety and scheduling raised by Jonathan Jones, and report back to the Public Works Committee.

**CARRIED****(v) Giovanni Puzzo, respecting On Street Parking and Bike Lanes (Item 6.5)**

Giovanni Puzzo addressed the Committee respecting On Street Parking and Bike Lanes.

**(Merulla/Whitehead)**

That the delegation provided by Giovanni Puzzo, respecting On Street Parking and Bike Lanes, be received.

**CARRIED****(Merulla/Collins)**

That staff be directed to meet with Giovanni Puzzo to obtain additional information about his on street parking concerns and report back to the Public Works Committee.

**CARRIED****(f) STAFF PRESENTATIONS (Item 7)****(i) Corrosion Control Program for the Woodward Drinking Water System (PW18080) (City Wide) (Item 7.1)**

Andrew Grice, addressed the Committee respecting the Corrosion Control Program for the Woodward Drinking Water System, with the aid of a presentation.

**(Whitehead/Collins)**

That the presentation, respecting Report PW18080, Corrosion Control Program for the Woodward Drinking Water System, be received.

**CARRIED**

A copy of the presentation is available on the City's website or through the Office of the City Clerk.

**(Whitehead/Merulla)**

That staff be directed to report back to the Public Works Committee on the feasibility of a Grant Program for residents for any lead pipe watermain replacement.

**CARRIED**

For further disposition of this matter, refer to Item 7.

**(ii) Red Hill Valley Project Integrated Environmental Monitoring Program Final Summary (PW18087) (City Wide) (Item 7.2)**

Matt Senior, Wood Environment & Infrastructure Solutions, addressed the Committee respecting the Red Hill Valley Project Integrated Environmental Monitoring Program Final Summary, with the aid of a presentation.

**(Jackson/Collins)**

That the presentation from Matt Senior, Wood Environment & Infrastructure Solutions, respecting the Red Hill Valley Project Integrated Environmental Monitoring Program Final Summary, be received.

**CARRIED**

A copy of the presentation is available on the City's website or through the Office of the City Clerk.

**(Collins/Merulla)**

That staff be directed to report back to the Public Works Committee, on a regular basis, with respect to recommendations relating to the Red Hill Valley Project Integrated Environmental Monitoring Plan, and the cost of resources that would be required to fulfil these recommendations which are not currently funded through the Public Works Department's Operating Budget.

**CARRIED**

For further disposition of this matter, refer to Item 8.

**(g) DISCUSSION ITEMS (Item 8)****(i) William Connell Fieldhouse: Tender C13-34-18 Award (PW18086) (Ward 8) (Item 8.1)****(Whitehead/Jackson)**

That Report PW18086, respecting William Connell Fieldhouse: Tender C13-34-18 Award, be **amended** by adding a new sub-section (c) to read as follows:

- (c) *That staff be directed to report back to Committee members prior to the September 26, 2018 Council Meeting with the number of bids that were submitted and the revised negotiated pricing.***

**Amendment CARRIED**

For disposition of this matter, refer to Item 9.

- (ii) **Third Party Processing of Green Bin Organic Material and Temporary Removal of Grass and Leaf & Yard Waste from the Green Bin Program (PW18088) (City Wide) (Item 8.2)**

**(Jackson/Merulla)**

That Report PW18088, respecting Third Party Processing of Green Bin Organic Material and Temporary removal of Grass and Leaf & Yard Waste from the Green Bin Program, be **amended** by revising sub-section (d) to read as follows:

- (d) That the City of Hamilton temporarily remove grass and leaf & yard waste as acceptable materials within the City's Green Bin program **effective April 1, 2019;**

**Amendment CARRIED**

For disposition of this matter, refer to Item 10.

- (iii) **Mandatory Waste Receptacles at Drive-Through Food Premises (PED18171 / PW18067) (City Wide) (Outstanding Business List Item) (Item 8.4)**

Chair Ferguson advised that public notice was given for the City of Hamilton's Waste Transfer and Disposal System Request for Proposals C11-08-18 Selection of Successful Proponent(s), which invited interested parties to make representations at today's meeting. There were no registered speakers and no one in attendance came forward to speak to the proposed changes.

For disposition of this matter, refer to Item 12.

- (iv) **Approval of Water Servicing for Development (PW18084) (City Wide) (Item 8.5) and (Item 8.5(a))**

**(Whitehead/Jackson)**

That Report PW18084, respecting Approval of Water Servicing for Development and Item 8.5(a), correspondence from Susan Mammel, Hamilton-Halton Home Builders' Association respecting Approval of Water Servicing for Development be DEFERED to a future Public Works Committee Meeting in the new 2018 – 2022 term of Council to allow for Susan Mammel, Hamilton-Halton Home Builders' Association to delegate at that meeting.

**CARRIED**

**(h) NOTICES OF MOTION (Item 10)****(i) Ice Fee Waivers for the Dundas Blues Junior C Hockey Club and the Dundas Minor Hockey Association for the 2018-2019 Hockey Season (Added Item 10.1)**

Councillor VanderBeek introduced a Notice of Motion respecting Ice Fee Waivers for the Dundas Blues Junior C Hockey Club and the Dundas Minor Hockey Association for the 2018-2019 Hockey Season.

**(VanderBeek/Whitehead)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting Ice Fee Waivers for the Dundas Blues Junior C Hockey Club and the Dundas Minor Hockey Association for the 2018-2019 Hockey Season.

**CARRIED**

For disposition of this matter, refer to Item 14.

**(ii) Removal of Infected Ash Trees at 87, 281 and 283 Quigley Road (Added Item 10.2)**

Councillor Collins introduced a Notice of Motion respecting the Removal of Ash Trees at 87, 281 and 283 Quigley Road.

**(Collins/Merulla)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Removal of Ash Trees at 87, 281 and 283 Quigley Road.

**CARRIED**

For disposition of this matter, refer to Item 15.

**(i) GENERAL INFORMATION / OTHER BUSINESS (Item 11)****(i) Amendments to the Outstanding Business List (Item 11.1)****(Collins/Merulla)**

That the following amendments to the Public Works Committee's Outstanding Business List, be approved **as amended**:

**(a) Items to be removed:**

- ~~(i) Hamilton-Halton Homebuilders' Association (HHHBA)  
Delegation on Water Main Approval Issues and  
Recommendations for Master-water wastewater Servicing  
Studies  
Item 8.5 on today's agenda  
Item on OBL: T~~

- (ii) Glen Carey Delegation (re: berm on his property)  
Item 5.3 on today's agenda  
Item on OBL: L
- (iii) Mandatory Drive Thru Garbage Containers  
Item 8.4 on today's agenda  
Item on OBL: P

***Amendment CARRIED***

**(j) PRIVATE AND CONFIDENTIAL (Item 12)**

**(VanderBeek/Pasuta)**

That Committee move into Closed Session respecting Item 12.1, pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, advice that is subject to solicitor/client privilege, including communications necessary for that purpose.

**CARRIED**

**(k) ADJOURNMENT (Item 13)**

**(Pasuta/VanderBeek)**

That there being no further business, the Public Works Committee be adjourned at 12:13 p.m.

Respectfully submitted,

Councillor L. Ferguson  
Chair, Public Works Committee

Angela McRae  
Legislative Coordinator  
Office of the City Clerk

**Form: Request to Speak to Committee of Council**

Submitted on Wednesday, November 14, 2018 - 11:41 am

==Committee Requested==

**Committee:** Public Works

==Requestor Information==

**Name of Individual:** Suzie Scott

**Name of Organization:**

**Contact Number:** [REDACTED]

**Email Address:** [REDACTED]

**Mailing Address:**

**Reason(s) for delegation request:** In August/September of 2018, the traffic engineering department erected things known as “tiger tails” on the poles beneath the stop signs near my home. The tiger trails are “construction orange” and go from the bottom of the stop signs to the ground. They are extremely bright (brighter than most construction signs on out highways), and iridescent at night. I have noticed that these tiger tails are going up all over town. These particular tiger tails appear to be a result of the Crown Point traffic study (presented to the Public Works Committee on November 13, 2017). The Crown point study indicates only that the intersection of Balmoral/ Justine, “requires two-way stop,” which it already had. That same chart indicates that traffic engineering’s assessment is, “Good sightlines. No problem discovered.” Yet a work order was issued on June 1, 2018, for the tiger tails. My first concern was that my own green, leafy street was marred by the presence of these extremely

bright, ugly, tiger tails; however, I have now noticed them popping up across Hamilton. I have been in touch with London, Ottawa, and Toronto traffic engineering departments, and none of those cities use them. Apparently, Mississauga uses them, but they are half-size, striped red-and-white, not glow-in-the-dark construction orange. The question is: Exactly how ugly do we want Hamilton to get? I have tried to get some answers from traffic engineering about the “why?” Of tiger tails, but to no avail. I notice when the presentation was made on November 13, 2017, that traffic engineering was to take the information under advisement and report back to Public Works on the actions to be taken and the costs of doing so, yet I am unable to find any follow-up.

**Will you be requesting funds from the City? No**

**Will you be submitting a formal presentation? Yes**





# INFORMATION REPORT

<b>TO:</b>	Chair and Members Public Works Committee
<b>COMMITTEE DATE:</b>	December 10, 2018
<b>SUBJECT/REPORT NO:</b>	Dundas J.L. Grightmire Arena (PW18093) (Ward 13) (Outstanding Business List Item)
<b>WARD(S) AFFECTED:</b>	Ward 13
<b>PREPARED BY:</b>	Sam Gargarello 905-546-2424, Extension 6658
<b>SUBMITTED BY:</b>	Rom D'Angelo, C.E.T.; CFM Director, Energy, Fleet and Facilities Management Public Works Department
<b>SIGNATURE:</b>	

## Council Direction:

At its meeting of September 26, 2018 City Council approved Communication Item 5.23 as follows:

5.23 An Information Update respecting Dundas J.L. Grightmire Arena

Recommendation: Be received and staff be directed to report back to the Public Works Committee, as soon as possible, with a project update regarding the renovations to the J. L. Grightmire Arena and strategies to assist the community stakeholders (hockey clubs).

## Information:

The first week of November, City staff received a revision to the construction schedule. At this time, a firm date for resuming programming within the arena remains uncertain, and it is unlikely that the hockey teams will be able to return to Grightmire in the 2018-2019 season. The City was disappointed in this information, and began working quickly to make appropriate arrangements for users of the arena.

Staff are continuing to work closely with the contractor to address the remaining items on the schedule, ensure the contractor is able to meet their revised schedule, and are taking steps to make sure the community is able to realize the valuable renovations as soon as possible.

On Thursday, November 8th, City officials met with the leadership of the Dundas hockey groups and the local councillor to advise the groups on the current situation, and to discuss how to best assist the teams as the renovations are completed.

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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.*

**SUBJECT: Dundas J.L. Grightmire Arena (PW18093) (Ward 13)  
(Outstanding Business List Item) ~ Page 2 of 2**

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The City thanks residents of Dundas and user groups at Grightmire Arena for their cooperation and patience as we work with the contractor to ensure these renovations are completed and can be fully enjoyed by all users in the new year.

As of November, important dates and milestones remaining in the latest Schedule include but are not limited to the following:

1. Parking Lot Completed and Fire Route completed (affects Dundas Little Theatre and the Dundas Community Pool);
2. Roof Top Air Handling Units completed and operational;
3. Site service connections;
4. Life safety items such as Spray Fireproofing, Intumescent Fire Protection, and Support for Overhead Door;
5. Shop drawing review for the manufacture of various items;
6. Arena ready for staff begin the process of making ice;
7. Occupancy achieved with Building Department and ready for use by the City.
8. Completion of Passenger Elevator;
9. Glass handrails and guardrails on stairs;
10. Active Flood Proofing Measures (required by Hamilton Conservation Authority).

#### **BACKGROUND**

The Dundas J.L. Grightmire Arena is the oldest and one of the most visited hockey arenas in the city. Community interest in renovating the facility began in 2010 when the community won the national Hockeyville contest, receiving \$100,000 toward completion of renovations. In 2016, Council approved the remainder of the \$7 million capital investment in the facility.

In response to community interest and to help ensure hockey teams using the arena would only miss one season in their home arena, the renovation project was planned using an expedited schedule. Renovations on the facility began in the fall of 2017.

The contractor had agreed to a number of interim substantial performance dates which they have been unable to meet to allow the arena to return for the 2018 season.

#### **Appendices and Schedules Attached**

Not applicable.

Martin White, Extension 4345  
PW18001(f)

**INTERSECTION CONTROL LIST**  
**Public Works Committee – December 10<sup>th</sup>, 2018**

**PUBLIC WORKS DEPARTMENT**  
**Roads and Traffic Division**  
**Traffic Operations & Engineering Section**

**RECOMMENDATION**

That the appropriate By-law be presented to Council to provide traffic control as follows:

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
<b>Section "A" Ancaster</b>							
(a)	Raymond Road	Sutherland Crescent	SB	All	B	Converting to allway stop – Clr approved	12
<b>Section "B" Dundas</b>							
(b)	Park Street	Albert Street	All	All	B	Housekeeping	13
(c)	Park Street	Sydenham Street	All	All	D	Housekeeping	13
<b>Section "D" Glanbrook</b>							
(d)	Terryberry Road	Dalgleish Trail	NC	SB	B	Plan of New Subdivision	9
(e)	Cittadella Boulevard	Dalgleish Trail	NC	EB	A	Plan of New Subdivision	9
(f)	Dalgleish Trail	Regional Road 56	NC	EB	D	Plan of New Subdivision	9
(g)	Dolomiti Court	Dalgleish Trail	NC	EB	A	Plan of New Subdivision	9
(h)	Bethune Avenue	Dalgleish Trail	NC	EB	A	Plan of New Subdivision	9
(i)	Piazzetta Avenue	Dolomiti Court	NC	SB	A	Plan of New Subdivision	9
(j)	Piazzetta Avenue	Cittadella Boulevard	NC	NB/SB	A	Plan of New Subdivision	9
(k)	Piazzetta Avenue	Bethune Avenue	NC	NB	A	Plan of New Subdivision	9
(l)	Bethune Avenue	Rockledge Drive	NC	WB	A	Plan of New Subdivision	9

**Martin White, Extension 4345  
PW18001(f)**

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
		Existing	Requested				
Street 1	Street 2						
(m)	Rockledge Drive	Dalgleish Trail	NC	NB	A	Plan of New Subdivision	9
(n)	Rockledge Drive	Cittadella Boulevard	NC	SB	A	Plan of New Subdivision	9
<b>Section "E" Hamilton</b>							
(o)	Nellida Crescent	Verne Court	NB	WB	A	Housekeeping – missing t-type stop sign	8
(p)	John Street	Wood Street	NB	All	B	John Street Bike Lanes	2
(q)	John Street	Macaulay Street	NB	All	B	John Street Bike Lanes	2
(r)	John Street	Picton Street	NB	All	B	John Street Bike Lanes	2
(s)	John Street	Ferrie Street	NB	All	B	John Street Bike Lanes	2
(t)	John Street	Simcoe Street	NB	All	B	John Street Bike Lanes	2
<b>Section "F" Stoney Creek</b>							
(u)	Times Square Boulevard	Upper Mount Albion Road	NC	EB	B	Plan of New Subdivision	9
(v)	Greenwich Avenue	Times Square Boulevard	NC	NB	A	Plan of New Subdivision	9
(w)	Lexington Avenue	Greenwich Avenue	NC	WB	A	Plan of New Subdivision	9
(x)	Greenwich Avenue	Soho Street	NC	SB	A	Plan of New Subdivision	9
(a)	Soho Street	Lexington Avenue	NC	EB	A	Plan of New Subdivision	9
(y)	Columbus Gate	Lexington Avenue	NC	EB	A	Plan of New Subdivision (north intersection)	9
(z)	Lexington Avenue	Columbus Gate	NC	SB	A	Plan of New Subdivision (south intersection)	9
(aa)	Columbus Gate	Upper Mount Albion Road	NC	EB	B	Plan of New Subdivision	9

**Legend**No Control Existing (New Subdivision) - **NC**Intersection Class: **A** - Local/Local    **B** - Local/Collector    **C** - Collector/Collector    **D** – Arterial/Collector

**Authority:** Name of Committee  
 Report:  
 Date:  
 Wards: 2, 8, 9, 12, 13

**Bill No.**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**To Amend By-law No. 01-215  
 Being a By-law To Regulate Traffic**

**WHEREAS** sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, 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 that it considers necessary or desirable for the public; and the protection of persons and property;

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

**AND WHEREAS** it is necessary to amend By-law No. 01-215.

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

1. Schedule 5 (Stop Control) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "A" (Ancaster) thereof the following items, namely;

Raymond Road	Eastbound/Westbound	Sutherland Crescent
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And by adding to Section "B" (Dundas) thereof the following items, namely;

Park Street	Eastbound/Westbound	Albert Street
Albert Street	Northbound/Southbound	Park Street
Park Street	Eastbound/Westbound	Sydenham Street

To Amend By-law No. 01-215  
Being a By-law to Regulate Traffic

Page 2 of 4

Sydenham Street                      Northbound/Southbound                      Park Street

And by adding to Section "D" (Glanbrook) thereof the following items, namely;

Terryberry Road	Southbound	Dalgleish Trail
Cittadella Boulevard	Eastbound	Dalgleish Trail
Dalgleish Trail	Eastbound	Regional Road 56
Dolomiti Court	Eastbound	Dalgleish Trail
Bethune Avenue	Eastbound	Dalgleish Trail
Piazzetta Avenue	Southbound	Dolomiti Court
Rockledge Drive	Southbound	Cittadella Boulevard
Piazzetta Avenue	Northbound	Bethune Avenue
Piazzetta Avenue	Northbound/Southbound	Cittadella Boulevard
Bethune Avenue	Westbound	Rockledge Drive
Rockledge Drive	Northbound	Dalgleish Trail

And by removing from Section "E" (Hamilton) thereof the following items, namely;

Verne Court	Northbound	Nellida Crescent
John Street	Northbound	Wood Street
John Street	Northbound	Picton Street
John Street	Northbound	Simcoe Street
John Street	Northbound	Macauley Street
John Street	Northbound	Ferrie Street

To Amend By-law No. 01-215  
Being a By-law to Regulate Traffic

Page 3 of 4

And by adding to Section “E” (Hamilton) thereof the following items, namely;

Nellida Crescent	Westbound	Nellida Crescent/Verne Court
John Street	Northbound/Southbound	Wood Street
John Street	Northbound/Southbound	Macaulay Street
John Street	Northbound/Southbound	Picton Street
John Street	Northbound/Southbound	Ferrie Street
John Street	Northbound/Southbound	Simcoe Street

And by adding to Section “F” (Stoney Creek) thereof the following items, namely;

Times Square Boulevard	Eastbound	Mount Upper Albion Road
Greenwich Avenue	Northbound	Times Square Boulevard
Lexington Avenue	Westbound	Greenwich Avenue
Greenwich Avenue	Southbound	Soho Street
Soho Street	Eastbound	Lexington Avenue
Columbus Gate	Eastbound	Lexington Avenue (north intersection)
Lexington Avenue	Southbound	Columbus Gate (south intersection)
Columbus Gate	Eastbound	Upper Mount Albion Road

- Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
- This By-law shall come into force and take effect on the date of its passing and enactment.

To Amend By-law No. 01-215  
Being a By-law to Regulate Traffic

Page 4 of 4

**PASSED and ENACTED** this 19<sup>th</sup> day of December, 2018.

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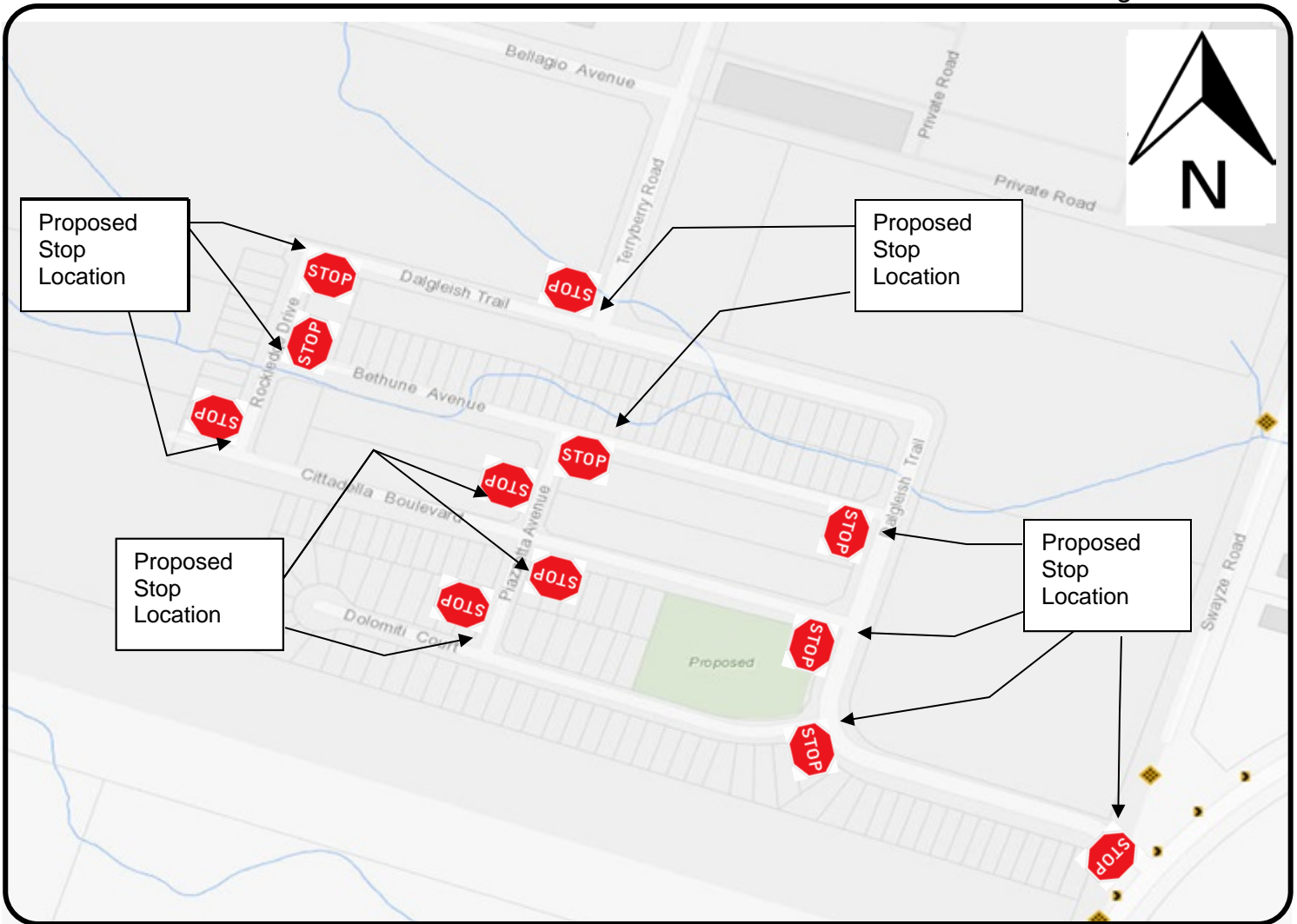
F. Eisenberger  
Mayor

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Janet Pilon  
City Clerk







**KEY MAP**



**LOCATION PLAN**

*PROPOSED STOP CONTROL:*

**Summit Park Phase 10**

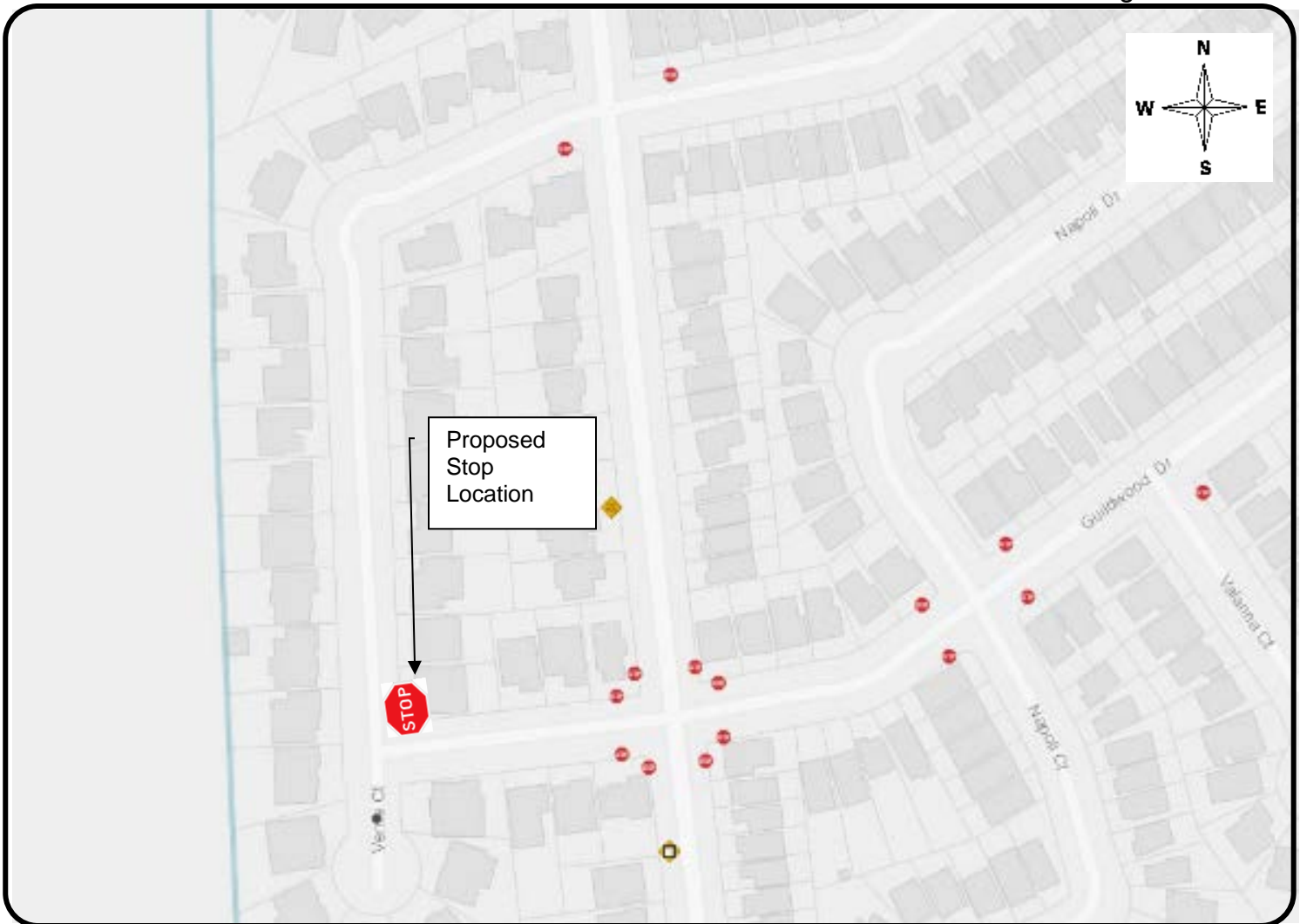
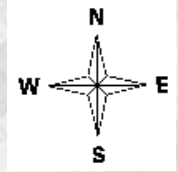
Roads and Traffic Division  
PUBLIC WORKS DEPARTMENT

**LEGEND**

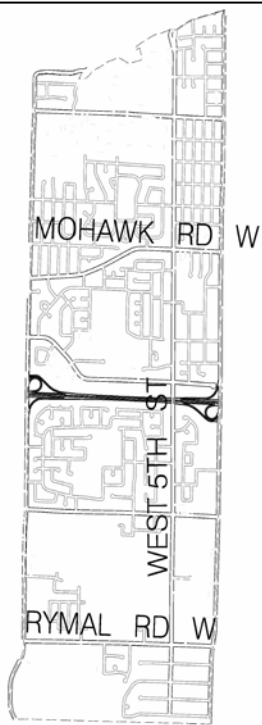
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- PROPOSED STOP

SCALE  
**NOT TO SCALE**

DATE  
**Dec 10, 2018**



KEY MAP



HAMILTON  
WARD 8



LOCATION PLAN

*PROPOSED STOP CONTROL:*

**Nellida Crescent at Verne Court**

Roads and Traffic Division  
PUBLIC WORKS DEPARTMENT

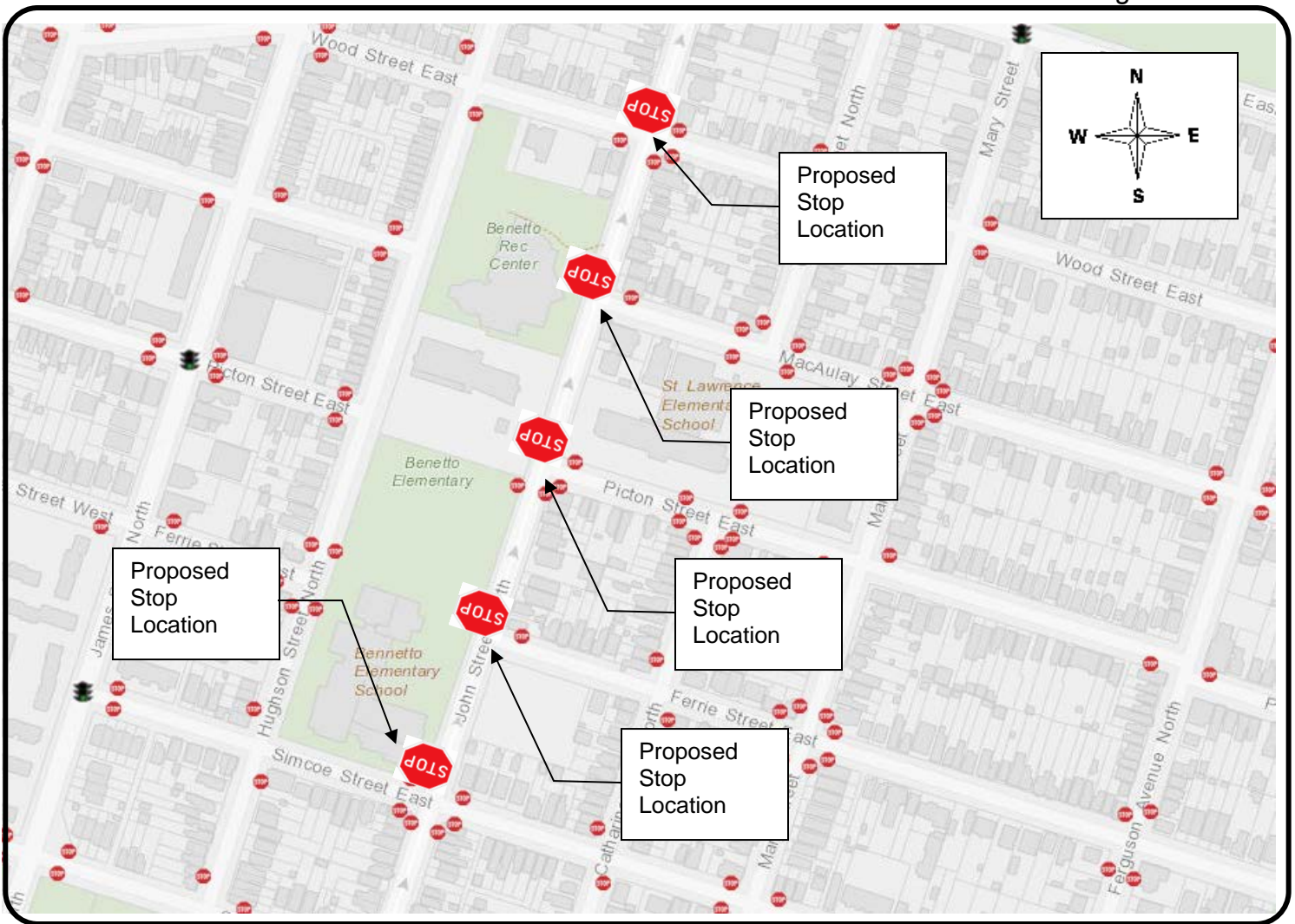
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-  EXISTING STOP
-  PROPOSED STOP

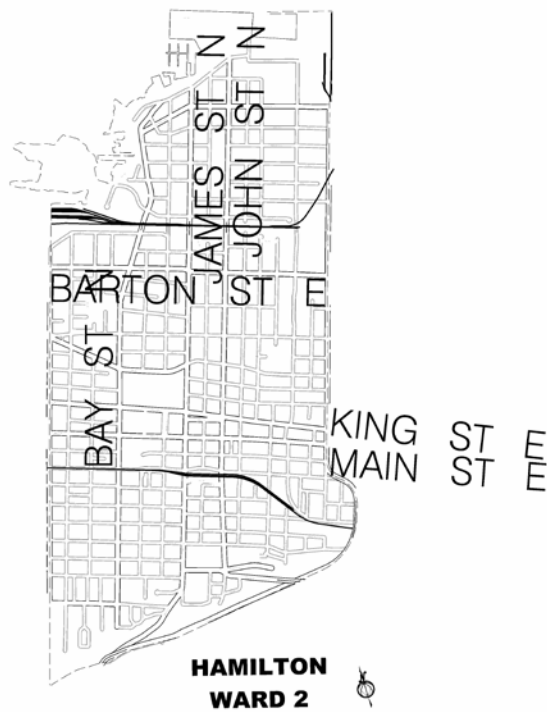
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DATE  
**Dec 10, 2018**





**KEY MAP**



**LOCATION PLAN**

**PROPOSED STOP CONTROL:**  
**John Street at Wood Street**  
**John Street at Macaulay Street**  
**John Street at Picton Street**  
**John Street at Ferrie Street**  
**John Street at Simcoe Street**

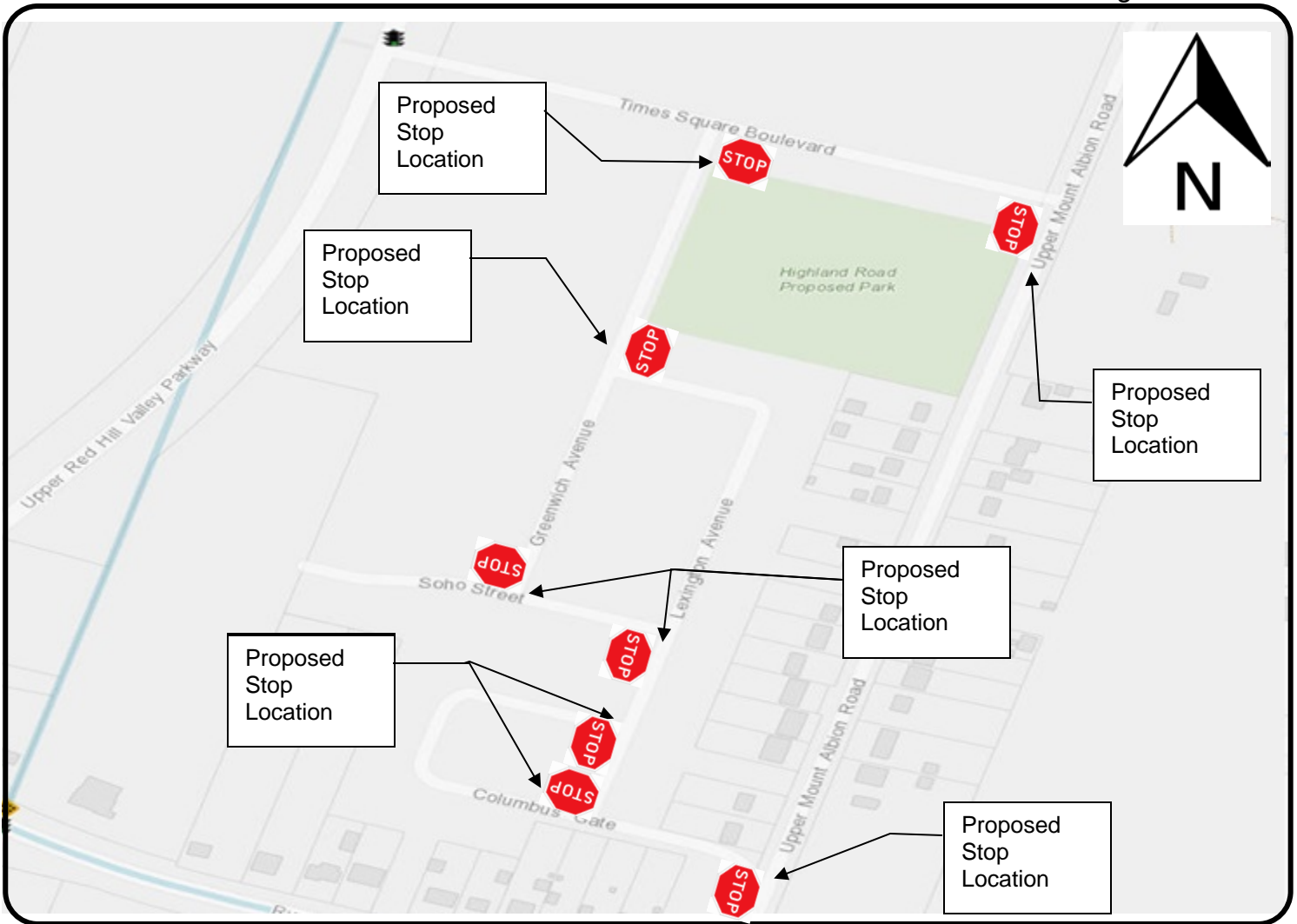
Roads and Traffic Division  
 PUBLIC WORKS DEPARTMENT

**LEGEND**

- EXISTING STOP
- PROPOSED STOP

SCALE  
**NOT TO SCALE**

DATE  
**Dec 10, 2018**



**KEY MAP**




**LOCATION PLAN**

*PROPOSED STOP CONTROL:*

**Central Park**

Roads and Traffic Division  
PUBLIC WORKS DEPARTMENT

**LEGEND**

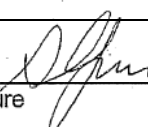
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SCALE  
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DATE  
**Dec 10, 2018**



# CITIZEN COMMITTEE REPORT

<b>To:</b>	Chair and Members Public Works Committee
<b>From:</b>	Sharon Gibbons  Hamilton Cycling Committee - Chair Signature
<b>Date:</b>	September 17, 2018
<b>Re:</b>	<b>Cycling Education in Ontario Schools – follow-up</b>

## Recommendation:

That the attached letter (Appendix A) be sent to the Ontario Ministry of Education in support of mandatory cycling education in Ontario.

## Background:

The Hamilton Cycling Committee (HCyC), with the approval of PWC, sent a letter to the Ministry of Education in 2016 specifically asking that “cycling education in schools be investigated by the Ministry and adopted as mandatory in-classroom instruction”. Various municipal cycling committees including Niagara, Brampton, and Mississauga sent letters with this same message to the Province at that time.

## Analysis/Rationale:

Two years have passed, and the HCyC has not received a response from the Ministry of Education. There was some informal information conveyed prior to the change in provincial government; but as there has been no formal response, and with the change in government, the HCyC would like to follow-up with the Ministry to seek clarity on the current plans for cycling education in schools.

## Appendices:

- Appendix A – Letter requested to be sent to the Provincial Ministry of Education**
- Appendix B – Letter sent to the Provincial Ministry of Education June 27, 2016**

**SUBJECT: Cycling Education in Ontario Schools – follow-up - Page 2 of 4**

**Appendix A – Letter requested to be sent to the Provincial Ministry of Education**

Ministry of Education,  
Province of Ontario.

The Hamilton Cycling Committee (HCyC) is writing to follow-up on our letter sent to your Ministry on June 27, 2016. In that letter the committee discussed the deficit of education around cycling in Ontario. The HCyC expressed concerns about youth and road safety in our communities, and suggested that cycling education be included in the Ontario academic curriculum.

Subsequent to that letter we have heard nothing in the way of a response from your Ministry.

Some of our members have attended provincial events, where it has been indicated that the Province will not be including cycling education in the curriculum. We hear rumours of other avenues of education, but no formal response has clarified this for our Committee.

Therefore we are writing this follow-up as a request to get a response to our letter and to understand which direction the province plans to pursue on this issue. We appreciate your attention to this matter.

Yours Truly,

Sharon Gibbons  
Hamilton Cycling Committee, Chair

Cc: Minister of Education  
Ministry of Children & Youth Services  
Ministry of Health and Long-Term Care  
Ministry of Transportation  
Ministry of Tourism, Culture and Sport  
Hamilton-Wentworth Catholic District School Board  
Hamilton-Wentworth District School Board  
Hamilton Police Service

**SUBJECT: Cycling Education in Ontario Schools – follow-up - Page 3 of 4****Appendix B – Letter sent to the Provincial Ministry of Education June 27, 2016**

Ministry of Education,

At a joint meeting of cycling committees from the western end of Lake Ontario in May 2015, attendees passed the following motion “That Bicycle Education be included in all Ontario schools as part of their Safety Curriculum”.

We therefore ask that this subject, cycling education in schools, be investigated by the Ministry and adopted as mandatory in-classroom instruction (as a minimum) in the Ontario Elementary and Secondary School Curricula; on a graduated basis, integrated with existing curriculum, from grade one to grade ten, including both safety and skills training.

We offer the following as additional background justification:

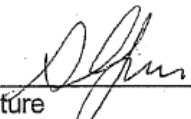
- #CycleON - Ontario’s Cycling Strategy (MTO, 2013) clearly identifies the merits of cycling as a mode of transport, and cycling is to be encouraged for all ages;
- Share the Road Cycling Coalition’s Green Paper states “Curriculum-based learning which is complemented by bicycling tests, in the same vein as driving tests measure learned skills, is seen as a critical step forward in standardizing cycling education in schools in Ontario and encouraging children and their parents to consider cycling to school as a viable option<sup>i</sup> ;
- studies have shown that active transportation to school increases brain activity for up to four hours, and increases academic performance and decision-making opportunities<sup>ii iii</sup>;
- City of Hamilton staff have been actively promoting cycling to school children for the past five years;
- fewer students are walking or cycling to school and the percentage being driven is increasing. In Hamilton, students walking or cycling to/from elementary school has decreased from 60% to 41% between 1986 and 2011. During the same 25 year period, elementary students being driven (excluding school bus) has increased from 7% to 20%<sup>iv</sup> ;
- only four to seven per cent of Canadian school-age children and youth receive the requisite one hour per day of moderate to vigorous physical activity<sup>v</sup> ;
- reduced driving would ease parking lot congestion, may increase safety of students in school zones, and would reduce air pollution; enhancing the health of students and staff, thus improving community health and reducing costs<sup>vi</sup> ;
- The City of Washington, DC is an example of a jurisdiction that has implemented a mandatory cycling education program in schools.<sup>vii</sup>



**SUBJECT: Cycling Education in Ontario Schools – follow-up - Page 4 of 4**

We look forward to a response from the Ministry providing details of the results of the investigation.

Regards,



Signature

Sharon Gibbons  
Hamilton Cycling Committee

Cc: Minister of Education  
Ministry of Children & Youth Services  
Ministry of Health and Long-Term Care  
Ministry of Transportation  
Ministry of Tourism, Culture and Sport  
Hamilton-Wentworth Catholic District School Board  
Hamilton-Wentworth District School Board  
Hamilton Police Service

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<sup>i</sup> Share the Road. When Ontario Bikes, Ontario Benefits, March 2010, p.22

<https://www.peelregion.ca/health/resources/healthbydesign/pdf/moh-report.pdf>

<sup>ii</sup> Vinther D. Children who walk to school concentrate better, Science Nordic, November 30, 2012

<http://sciencenordic.com/children-who-walk-school-concentrate-better>

<sup>iii</sup> Hillman C.H. et al. (2009). The effect of acute treadmill walking on cognitive control and academic achievement in preadolescent children. Neuroscience. 159(3):1044-1054.

<sup>iv</sup> Buling R. Colley M. McGowan J. Salmon B., School Travel in the City of Hamilton: A Report on Trends, December 2015, p6-7

[www.metrolinx.com](http://www.metrolinx.com)

<sup>v</sup> Active Healthy Kids Canada. The 2014 Active Healthy Kids Canada Report Card on Physical Activity for Children and Youth

[http://www.participaction.com/wp-content/uploads/2015/03/AHKC\\_2014\\_ReportCard\\_ENG.pdf](http://www.participaction.com/wp-content/uploads/2015/03/AHKC_2014_ReportCard_ENG.pdf)

<sup>vi</sup> Mowat D. Gardner C. McKeown D. Tran N. Moloughney B. Bursery G., Medical Officers of Health. Improving Health by Design in the Greater Toronto-Hamilton Area: A Report of Medical Officers of Health in the GTHA, May 2014 2nd Edition, p.26

<https://www.peelregion.ca/health/resources/healthbydesign/pdf/moh-report.pdf>

<sup>vii</sup> Washington Post: [https://www.washingtonpost.com/local/education/all-dc-public-schools-students-will-learn-to-ride-a-bike-in-second-grade/2015/09/23/22a0b356-6203-11e5-b38e-06883aacba64\\_story.html](https://www.washingtonpost.com/local/education/all-dc-public-schools-students-will-learn-to-ride-a-bike-in-second-grade/2015/09/23/22a0b356-6203-11e5-b38e-06883aacba64_story.html)



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

<b>TO:</b>	Chair and Members Public Works Committee
<b>COMMITTEE DATE:</b>	December 10, 2018
<b>SUBJECT/REPORT NO:</b>	2019 Volunteer Committee Budget Submission – Hamilton Cycling Committee (PED18224) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Rachel Johnson (905) 546-2424 Ext. 1473
<b>SUBMITTED BY:</b>	Brian Hollingworth Director, Transportation Planning and Parking Planning and Economic Development Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

- (a) That the Hamilton Cycling Committee (HCyC) 2019 base budget submission, in the amount of \$10,000, as described in Appendix “A” to Report PED18224, be approved and referred to the 2019 budget process for consideration;
- (b) That, in addition to the base funding, a one-time budget allocation for 2019 of \$3,500, funded by the Hamilton Cycling Committee (HCyC) reserve, be approved and referred to the 2019 budget process for consideration.

### EXECUTIVE SUMMARY

The Hamilton Cycling Committee (HCyC) has developed a request for funding, for planned activities in 2019. With the endorsement of the HCyC members, this request for funding is submitted to the Public Works Committee as Appendix “A”. This report presents this proposed budget to the Public Works Committee for consideration as part of the 2019 budget process.

The HCyC is proposing a 2019 budget of \$13,500. Their proposed budget would be financed with \$10,000 from the levy and \$3,500 from their reserve. This budget would, therefore, have a zero impact on the 2019 budget as their approved budget in 2018 also had \$10,000 funded from the levy.

### ***Alternatives for Consideration – See page 4***

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**SUBJECT: 2019 Volunteer Committee Budget Submission – Hamilton Cycling Committee (PED18224) (City Wide) - Page 2 of 4**

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**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: For 2019, the HCyC has requested a budget of \$13,500. The proposed budget will finance community educational activities, plus, the production of safety and promotional materials.

A comparison of the budgeted projects for 2019, versus 2018, reveals that the HCyC continues to focus on safety and cycling promotions.

Item	2018 Budget	Proposed 2019 Budget	Difference
Share the Road Ad Campaign	\$1,500	\$0	- \$1,500
Promotions - Cycling Safety	\$3,000	\$4,000	+ \$1,000
Promotions - Local Cycling	\$500	\$500	0
Special Cycling Events	\$4,000	\$4,000	0
International Bike Show Booth	\$1,500	\$1,500	0
Cycling Conferences	\$1,000	\$1,000	0
Meeting Expenses	\$1,000	\$1,000	0
Ontario By Bike Tourism Promotions	\$0	\$500	+ \$500
Cycling and Gender Research	\$0	\$1,000	+ \$1,000
<b>Total</b>	<b>\$12,500</b>	<b>\$13,500</b>	<b>+ \$1,000</b>
<b>Funds from Levy</b>	<b>\$10,000</b>	<b>\$10,000</b>	<b>0</b>
<b>Funds from Reserve</b>	<b>\$2,500</b>	<b>\$3,500</b>	<b>+ \$1,000</b>

Staffing: Planning and Economic Development, Transportation Planning staff will continue to act as the staff liaison to the HCyC, thus, no changes to staffing.

Legal: N/A

**HISTORICAL BACKGROUND**

The HCyC advises the City of Hamilton on all matters related to cycling - monitoring the implementation of the Cycling Master Plan (CMP), planning for bicycling facilities (e.g. bike parking), educating citizens on matters of traffic safety, and promoting cycling both for recreation and commuting. Cycling helps to maintain personal health, thus, it helps to foster a healthier community. In 2018, approximately 40,000 bike maps were distributed, and approximately 24 kms of cycling infrastructure was installed in Hamilton. The HCyC provided valuable input into these cycling projects. The HCyC's activities also help to achieve the objectives of the Transportation Master Plan. (TMP).

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**SUBJECT: 2019 Volunteer Committee Budget Submission – Hamilton Cycling Committee (PED18224) (City Wide) - Page 3 of 4**

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**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

This report strongly aligns with the City's Vision Statement, the City's Mission Statement, and, the City's Priorities in the Strategic Plan; as these statements make reference to engaged citizens, children, health, safety, and sustainability. The City's TMP and CMP both advance a well-connected cycling network, the promotion of active transportation, and safety education, all supported by an engaged HCyC.

**RELEVANT CONSULTATION**

In preparation of this report, Public Works staff consulted the HCyC and Corporate Services Finance and Administration staff.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

Feedback received by members of the HCyC ensures cycling projects are well vetted by the community, thereby, improving the quality of cycling facilities - both for recreation and commuting.

In 2018, a number of highly successful special events were hosted by the HCyC, including a Planning and Economic Development Talk (PEDTalk), which attracted over 200 individuals, a meeting of western Lake Ontario cycling committees, a documentary screening, and a bike ride entitled, Jane's Ride: A Trail of Two Cities.

The Committee promotes cycling safety through their very successful distribution of Share the Road car magnets and stickers, and the distribution of bicycle lights at special events, to stress the message of improved visibility of cyclists.

Committee members, in conjunction with community groups, promote cycling in Hamilton during events like Bike for Mike, Bike to Work Day, Supercrawl, and other City festivals. The HCyC also proposes to grow the profile of cycling in Hamilton by promoting and hosting more cycling events in Hamilton. The committee plans to work with stakeholders to conduct research exploring the relationship between gender and cycling in Hamilton.

The committee members serve as volunteer staff for the HCyC booth at the Toronto International Bike Show, promoting Hamilton as a cycling destination, and receiving feedback from people that cycle on Hamilton facilities – including Hamilton residents attending the show. The Committee works with Tourism Hamilton to promote the City's recreational assets by distributing the City map "Bike Routes, Trails & Parks", pamphlets printed by the Hamilton Conservation Authority, and plans to financially contribute to the Ontario cycling organization, Ontario By Bike, to provide Hamilton specific information online.

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**SUBJECT: 2019 Volunteer Committee Budget Submission – Hamilton Cycling Committee (PED18224) (City Wide) - Page 4 of 4**

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**ALTERNATIVES FOR CONSIDERATION**

The Public Works Committee could choose to modify the funding level of this Volunteer Committee of Council. If the HCyC's 2019 budget request is not approved, they would have to adjust their proposed 2019 work plan to accommodate the approved funding level. The members feel that their planned budget for 2019 reflects a commitment to improving safety in Hamilton, promoting cycling as an economic engine in tourism, and fostering a healthier community.

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN****Community Engagement & 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.

**Economic Prosperity and Growth**

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

**Healthy and Safe Communities**

Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

**Clean and Green**

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

**Built Environment and Infrastructure**

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

**Culture and Diversity**

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" – 2019 Volunteer Committee Budget Submission HCyC

RJ:cr

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# **CITY OF HAMILTON**

**2019**

## **ADVISORY COMMITTEES**

### **BUDGET SUBMISSION**

**Hamilton Cycling Committee (HCyC)**

#### **PART A: General Information**

**Appendix “A” to Report PED18224  
Page 2 of 4**

**ADVISORY COMMITTEE MEMBERS:**

Pierre Barras	Sharon Gibbons
Kate Berry	Kevin Love
Greg Blunsdon	Ann McKay
Jeff Axisa	Linda Meerveld
Robert Corsini	Cora Muis
Brandon Curtas	Brad Tyleman

**MANDATE:**

The purpose of the Hamilton Cycling Committee (HCyC) is to advise the City Government on all matters related to cycling, to monitor implementation of the Hamilton Cycling Master Plan, to encourage and participate in planning for bicycling facilities, to encourage citizens to cycle instead of drive, to educate the public on the benefits and necessities of cycling, and to integrate the work of neighbouring municipal bicycle committees.

**PART B: Strategic Planning**

**STRATEGIC OBJECTIVES:**

The Committee's goals are:

- Review progress in implementing the City of Hamilton Cycling Master Plan and to take action to influence progress if necessary;
- Ensure community input on specific details associated with implementing the Master Plan;
- Ensure that cycling needs are emphasized in all transportation related decisions;
- Encourage legislation and policy changes that are supportive of cycling;
- Promote cycling for transportation and recreation through relevant events;
- Educate the public on the benefits, necessities and safety aspects of cycling;
- Assist in establishing secure, adequate bicycle parking facilities;
- Represent the cycling community at City of Hamilton sponsored functions/events;
- Encourage the formation of, and liaise with other municipal cycling committees; and
- Foster a mutual respect between cyclists and other road users.

**Appendix "A" to Report PED18224  
Page 3 of 4**

**ALIGNMENT WITH CORPORATE GOALS:**

Please check off which Council approved Strategic Commitments your Advisory Committee supports			
1) Community Engagement & Participation	<input checked="" type="checkbox"/>	2) Economic Prosperity & Growth	<input checked="" type="checkbox"/>
3) Healthy & Safe Communities	<input checked="" type="checkbox"/>	4) Clean & Green	<input checked="" type="checkbox"/>
5) Built Environment & Infrastructure	<input checked="" type="checkbox"/>	6) Culture & Diversity	<input checked="" type="checkbox"/>
7) Our People & Performance	<input checked="" type="checkbox"/>		

<b>PART C: Budget Request</b>
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**INCIDENTAL COSTS:**

Meeting expenses	\$ 1000
<b>SUB TOTAL</b>	<b>\$ 1000.00</b>

**SPECIAL EVENT/PROJECT COSTS:**

Promotions – cycling safety	\$ 4000
Promotions – local cycling	\$ 500
Special Cycling Events	\$ 4000
International Bike Show booth (Toronto)	\$ 1500
Conferences	\$ 1000
Ontario By Bike Tourism Promotions	\$ 500
Cycling and Gender Research	\$ 1000
<b>SUB TOTAL</b>	<b>\$ 12,500.00</b>

<b>TOTAL COSTS</b>	<b>\$ 13,500.00</b>
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<b>Funding from Advisory Committee Reserve (only available to Advisory Committees with reserve balances)</b>	<b>\$ 3500.00</b>
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**Appendix "A" to Report PED18224  
Page 4 of 4**

<b>TOTAL 2019 BUDGET REQUEST (net of reserve funding)</b>	<b>\$ 10,000.00</b>
<b>PREVIOUS YEAR (2018) APPROVED BUDGET (2018 Request \$10,000.00)</b>	<b>\$ 10,000.00</b>

**CERTIFICATION:**

Please note that this document is a request for a Budget from the City of Hamilton Operating budget. The submission of this document does not guarantee the requested budget amount. Please have a representative sign and date the document below.

**Representative's Name:**     **Sharon Gibbons**

**Signature:**

  
Signature

**Date:**                     **August 1, 2018**

**Telephone # :**



**CITY OF HAMILTON**  
**PUBLIC WORKS DEPARTMENT**  
*Roads and Traffic Division*

<b>TO:</b>	Chair and Members Public Works Committee
<b>COMMITTEE DATE:</b>	December 10, 2018
<b>SUBJECT/REPORT NO:</b>	2019 Volunteer Committee Budget - Keep Hamilton Clean and Green Committee (PW18095) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Diedre Rozema (905)546-2424, Extension 5089
<b>SUBMITTED BY:</b>	Edward Soldo, P.Eng. Director, Roads and Traffic Public Works Department
<b>SIGNATURE:</b>	

### RECOMMENDATION

- (a) That the Keep Hamilton Clean and Green Committee's 2019 base budget submission attached as Appendix A to Report PW18095 in the amount of \$18,250, be approved and referred to the 2019 operating budget process for consideration;
- (b) That, in addition to the base funding, a one-time budget allocation of \$15,615, funded by the Volunteer Committee Reserve (112212), be approved and referred to the 2019 operating budget process for consideration.

### EXECUTIVE SUMMARY

The Keep Hamilton Clean and Green (KHCG) Committee has prepared their annual funding request for proposed activities in 2019. With the endorsement of the KHCG Committee members, this request for funding is submitted to the Public Works Committee (Appendix A to Report PW18095) for review and consideration during the 2019 operating budget process.

The KHCG Committee is requesting a \$33,865 budget for 2019. This request is consistent with the previous years' approved base budget of \$18,250, with an additional \$15,615 funded by the Volunteer Committee Reserve. The additional funds to be directed toward enhanced support for graffiti initiatives and the purchase of additional clean up supplies to support growing volunteer efforts. As the term of Advisory

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**SUBJECT: 2019 Volunteer Committee Budget - Keep Hamilton Clean and Green  
Committee (PW18095) (City Wide) – Page 2 of 6**

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Committee members aligns with that of elected officials, additional funds are requested for a KHCG Committee orientation and work planning session to guide the committee's work over the next four years.

***Alternatives for Consideration – See Page 5***

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: The KHCG Committee is requesting a 2019 budget of \$33,865 (Deptid 300361), representing a \$15,615 increase from the previous year budget allocation.

The funds will allow the KHCG Committee to deliver on its mandate to affect behaviours and attitudes conducive to a clean, healthy and safe community through leadership and action. Specifically, the funds will support the committee's on-going work of engaging citizens to take greater responsibility for improving our community environment through programs and initiatives aimed at litter prevention, illegal dumping prevention, graffiti management, neighbourhood beautification, and environmental stewardship.

Spending in 2018 included the purchase of Team Up to Clean Up supplies, the awarding of ten (10) Clean & Green Neighbourhood Grants, vouchers for victims of graffiti, the Keep America Beautiful (KAB) affiliate fee and expenses associated with one committee member's attendance at the KAB National conference.

The KHCG Committee is requesting a one-time budget allocation of \$15,615 from the Volunteer Committee Reserve (112212) to fund additional activities in 2019. The reserve balance as of November 2018 is \$35,344.

Staffing: Public Works staff will continue to act as staff liaison to the KHCG Committee. Due to its cross-program mandate, the KHCG Committee includes staff representation as required from Municipal Law Enforcement, Hamilton Police Services, and various divisions of the Planning and Economic Development and Public Works departments.

Legal: N/A

**HISTORICAL BACKGROUND**

A Council-endorsed citizen volunteer group has existed since municipal amalgamation to address litter, graffiti and beautification issues across the City. The committee's name was changed from the Clean City Liaison Committee to the Keep Hamilton Clean and

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**SUBJECT: 2019 Volunteer Committee Budget - Keep Hamilton Clean and Green  
Committee (PW18095) (City Wide) – Page 3 of 6**

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Green Committee in October 2013 to better reflect its alignment with the vision, principles and objectives of the Clean & Green Hamilton Strategy.

The KHCG Committee coordinates and promotes litter and graffiti remediation and prevention programs, as well as beautification and environmental stewardship initiatives in the community. Acting as the Board of the City's Keep America Beautiful (KAB) affiliate, the committee has initiated KAB programming such as the Cigarette Litter Prevention Program and has been successful in obtaining KAB training, grants and other benefits as a KAB affiliate.

In the fall of each year, the City's volunteer committees submit a proposed budget for the following operating year. The 2019 operating budget request attached to Report PW18095 as Appendix A was produced in consultation with the members of the KHCG Committee.

### **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The recommendations provided in this report support the Vision and Mission of the City of Hamilton's 2016-2025 Strategic Plan and are fully aligned with the Clean and Green Priority.

The recommendations also support the three key principles of the Clean & Green Hamilton Strategy, as they:

- Contribute to an enhanced quality of life for our citizens through clean and green initiatives;
- Support community and stakeholder engagement through partnerships, collaboration and consultation, and;
- Contribute to the social, economic and environmental wellbeing of Hamilton.

### **RELEVANT CONSULTATION**

In preparation of this report, staff consulted with the members of the KHCG Committee and externally with community organizations which anticipate an increase in the number of clean up volunteers in 2019 and associated Team Up to Clean Up supplies. Staff also consulted internally with internal groups working on the Graffiti Management Strategy to determine which graffiti related initiatives anticipated for 2019 could be supported by the committee and the cost of these initiatives. The 2019 operating budget request was reviewed and approved at the KHCG Committee meeting held on September 18, 2018.

### **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The KHCG Committee is representative of Hamilton's citizen and business community, education sector and youth. Its mandate includes providing input and advice to staff and Council on engaging citizens to take greater responsibility for improving our community

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**SUBJECT: 2019 Volunteer Committee Budget - Keep Hamilton Clean and Green  
Committee (PW18095) (City Wide) – Page 4 of 6**

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environment. The committee's primary focus is fostering behaviours and attitudes conducive to a clean, healthy and safe community through leadership and action.

The proposed 2019 KHCG Committee base budget supports various activities that align with the five focus areas of the Clean & Green Hamilton Strategy: litter, illegal dumping, graffiti, beautification and environmental stewardship as follows:

**Litter**

- Lead the development and marketing of a coordinated cigarette litter prevention program
- Lead the promotion and collaboration with community partners for the implementation of Team Up to Clean Up
- Administer KAB's Community Appearance Index survey annually
- Support and promote City and community litter remediation and prevention initiatives

**Illegal Dumping**

- Support the development of educational and communication tools to prevent illegal dumping

**Graffiti**

- Support stakeholder engagement strategies and victim assistance initiatives with prevention and remediation tools and programs

**Beautification**

- Recognize volunteer contributions to beautification initiatives and projects that support the Clean & Green Hamilton Strategy
- Support neighbourhood beautification and greening initiatives as needed

**Environmental Stewardship**

- Support and promote the engagement of citizen volunteers in programs and initiatives that encourage ecological integrity and minimize human impact on natural habitats and ecosystems on public and private properties

The proposed 2019 KHCG Committee base budget includes administrative and meeting costs.

In 2017, the committee's citizen engagement programs resulted in over 8,000 bags of waste and 6,000 bags of recycling collected from public spaces in Hamilton through the efforts of over 23,000 volunteers. The success of citizen engagement programs in Hamilton stems from the clean-up supplies provided to volunteers free of charge. Expanding volunteer efforts within the community have required the KHCG Committee to request additional funds from the Volunteer Committee Reserve to support the

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**SUBJECT: 2019 Volunteer Committee Budget - Keep Hamilton Clean and Green  
Committee (PW18095) (City Wide) – Page 5 of 6**

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purchase of garbage and recycling bags in 2019. The purchase of bags is anticipated to cost approximately \$10,000 (due to minimum quantity requirements), which is \$4,748 more than what is budgeted for in the KHCG Committee annual base budget.

In 2018, the KHCG Committee provided \$2,000 to the Graffiti Management Strategy team to distribute gift cards to repeat victims of graffiti. In September 2018, Report PW11052(I) updated Council on the Clean & Green Hamilton Strategy and the success of the victim assistance program. To continue the success of this program in 2019, the KHCG Committee is requesting \$2,000 from the reserve to provide continued victim assistance support and an additional \$5,000 from the reserve to support a proactive graffiti prevention or deterrent initiative based on recommendations to be developed by the City's internal Graffiti Working Group.

The KHCG Committee also acts as the Board of Directors of the KAB affiliate. As such, the Board's mission is to engage citizens to take greater responsibility for improving the local environment. Turnover in membership is anticipated following the 2018 municipal election and a request for approximately \$3,867 from the reserve to fund an in-depth, facilitated orientation session has been put forward. The session will familiarize members with the Clean & Green Strategy and ensure the current priority actions are communicated to new members. In addition, the orientation session will allow members to raise new issues that they feel the committee should address and support the development of an action oriented workplan for the 2018-2022 term. The planning session will be an opportunity for the KHCG Committee to consider current activities, relationships and resource allocation and make improvements or realign to the community's needs if necessary.

### **ALTERNATIVES FOR CONSIDERATION**

An alternative for consideration would be to eliminate or reduce support for the KHCG Committee in 2019. If the 2019 operating budget requests are not approved, an adjustment to the 2019 work plan to accommodate a lower funding level would be required. The orientation and work planning session to guide the committee's work for the 2018-2022 term would have to be reassessed. Alternate forms of funding would need to be found for the Team Up to Clean Up program, the Clean & Green Neighbourhood grant program that supports resident led greening and beautification projects, contributions towards the graffiti victim assistance and prevention programs and existing litter, graffiti and illegal dumping prevention programs. As the Board of the KAB affiliate, the KHCG Committee and City staff would further need to reassess the City's affiliation with the KAB organization.

It is the opinion of staff that the KHCG Committee's operating budget request of \$18,250 plus \$15,615 from the reserve is an investment in grassroots neighbourhood development initiatives, environmental stewardship initiatives and behaviour modification. It represents good value for the City and should be approved for the

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**SUBJECT: 2019 Volunteer Committee Budget - Keep Hamilton Clean and Green  
Committee (PW18095) (City Wide) – Page 6 of 6**

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purpose of including it in the 2019 operating budget deliberations. For these reasons, staff does not recommend eliminating or reducing support for the KHCG Committee in 2019.

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

**Community Engagement & 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.*

**Healthy and Safe Communities**

*Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.*

**Clean and Green**

*Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.*

**APPENDICES AND SCHEDULES ATTACHED**

Appendix A – 2019 Advisory Committees Budget Submission for the Keep Hamilton Clean & Green Advisory Committee

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# **CITY OF HAMILTON**

**2019**

**ADVISORY COMMITTEES**

**BUDGET SUBMISSION**

**Keep Hamilton Clean & Green Advisory Committee**



## **PART A: General Information**

### **ADVISORY COMMITTEE MEMBERS:**

<b>Larry Husack, Chair</b>	<b>Sue Dunlop, HWDSB Rep</b>
<b>Ron Speranzini, Vice Chair</b>	<b>Marisa DiCenso, HWCDSB Rep</b>
<b>Lennox Toppin</b>	<b>Councillor. Chad Collins – Council Rep</b>
<b>Bruce Thomson</b>	<b>Councillor. Tom Jackson – Council Rep</b>
<b>Mallory Pace</b>	<b>Councillor. Maria Pearson – Alternate Council Rep</b>
<b>Allan Mills</b>	<b>Diedre Rozema (Staff Liaison)</b>
<b>Rick Lipsitt</b>	

### **MANDATE:**

Reporting through the Public Works Committee, the Keep Hamilton Clean & Green (KHCG) committee will provide input and advice to staff and Council on engaging citizens to take greater responsibility for improving our community environments. The KHCG's primary focus is on effecting behaviours and attitudes conducive to a clean, healthy and safe community through leadership and action.

The committee will provide input and guidance to City staff, Council and other stakeholders on community involvement, private sector involvement and identification of resources to sustain Clean & Green Hamilton programs and initiatives that aim to beautify our community, promote environmental stewardship and prevent litter, illegal dumping and graffiti.

## PART B: Strategic Planning

### STRATEGIC OBJECTIVES: Litter

- Lead the development and marketing of a coordinated cigarette litter prevention program.
- Lead the promotion and collaboration with community partners for the implementation of Team Up to Clean Up.
- Administer Keep America Beautiful's Community Appearance Index survey in 2019.
- Support and promote City and community litter remediation and prevention initiatives.

### Illegal Dumping

- Support the development of educational and communication tools to prevent illegal dumping.

### Graffiti

- Support stakeholder engagement strategies and victim assistance initiatives with prevention and remediation tools.

### Beautification

- Recognize volunteer contributions to beautification initiatives and projects that support the Clean & Green Hamilton Strategy.
- Support neighbourhood beautification and greening initiatives as needed.

### Environmental Stewardship

- Support and promote the engagement of citizen volunteers in programs and initiatives that encourage ecological integrity and minimize human impact on natural habitats and ecosystems on public and private properties.

### ALIGNMENT WITH CORPORATE GOALS:

Please check off which Council approved Strategic Commitments your Advisory Committee supports			
1) Community Engagement & Participation	✓	2) Economic Prosperity & Growth	
3) Healthy & Safe Communities	✓	4) Clean & Green	✓
5) Built Environment & Infrastructure		6) Culture & Diversity	
7) Our People & Performance			

**PART C: Budget Request**

**INCIDENTAL COSTS:**

Meeting Refreshments	\$1,500
New Committee term – facilitated orientation and work planning session	\$3,867
Keep America Beautiful Network Service Fee	\$648
Training/Workshops	\$3,200
Parking	\$250
<b>SUB TOTAL</b>	<b>\$9,465</b>

**SPECIAL EVENT/PROJECT COSTS:**

Litter/Illegal Dumping prevention, citizen engagement and public education initiatives	\$12,225
Graffiti prevention and victim assistance initiatives	\$7,000
Beautification and greening, volunteer recognition and neighbourhood initiatives	\$5,175
<b>SUB TOTAL</b>	<b>\$24,400</b>

<b>TOTAL COSTS</b>	<b>\$33,865</b>
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<b>Funding from Advisory Committee Reserve (only available to Advisory Committees with reserve balances)</b>	<b>\$15,615</b>
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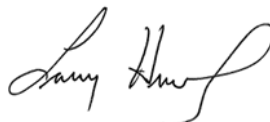
<b>TOTAL 2019 BUDGET REQUEST (net of reserve funding)</b>	<b>\$ 33,865</b>
<b>PREVIOUS YEAR (2018) APPROVED BUDGET (2018 Request \$20,250)</b>	<b>\$20,250</b>

**CERTIFICATION:**

Please note that this document is a request for a Budget from the City of Hamilton Operating budget. The submission of this document does not guarantee the requested budget amount. Please have a representative sign and date the document below.

**Representative's Name:**Larry Husack  

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**Signature:**  

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**Date:**October 2, 2018  

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**Telephone # :**Staff Liaison Diedre Rozema ext. 5089  

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**CITY OF HAMILTON**  
**Public Works Department**  
**Roads & Traffic Division**

<b>TO:</b>	Chair and Members Public Works Committee
<b>COMMITTEE DATE:</b>	December 10, 2018
<b>SUBJECT/REPORT NO:</b>	Minimum Maintenance Standards Changes (PW18096) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Tammy Blackburn 905-546-2424, Extension 7646  Bob Paul 905-546-2424, Extension 7641
<b>SUBMITTED BY:</b>	Edward Soldo, P.Eng. Director, Roads & Traffic Public Works Department
<b>SIGNATURE:</b>	

## RECOMMENDATIONS

- (a) That staff be directed to develop, and report back to Council, an updated policy setting out maintenance standards of repair for highways under the jurisdiction of the City of Hamilton, with consideration of the standards contained in the *Municipal Act, 2001*, Ontario Regulation (O.Reg.) 239/02 - Minimum Maintenance Standards for Municipal Highways, and the existing winter operational level of service standards;
- (b) That the General Manager of Public Works or designate, be authorized and directed to declare the beginning and end of a significant weather event for the purposes of the *Municipal Act, 2001*, O.Reg. 239/02 – Minimum Maintenance Standards for Municipal Highways, on such terms as the General Manager of Public Works or designate considers appropriate;
- (c) That the City Solicitor be authorized and directed to prepare, for Council approval, all necessary by-laws to implement Recommendation (b) of Report PW18096.

## EXECUTIVE SUMMARY

On May 3, 2018, a revised Ontario Regulation 239/02 - Minimum Maintenance Standards for Municipal Highways - made under the *Municipal Act, 2001* (MMS) came

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**SUBJECT: Minimum Maintenance Standards Changes  
(PW18096) (City Wide) – Page 2 of 7**

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into force. MMS outline the minimum maintenance standards for municipal highways in Ontario, and are attached to Report PW18096 as Appendix A.

The MMS were implemented by the Province to assist municipalities with managing the risk associated with the maintenance of roads and as a defence from claims citing negligence. Compliance is voluntary. MMS with proof of compliance through documentation has now become an industry norm used by the courts to assess the compliance of municipalities.

Some of the notable changes implemented into the amended MMS are:

- The ability for municipalities to declare a significant weather event with implications for winter maintenance on roadways, bicycle lanes and sidewalks during the duration of the event;
- The introduction of winter maintenance standards for bicycle lanes; and
- The introduction of winter maintenance standards, including patrol obligations for sidewalks.

Staff identified that existing maintenance processes, procedures and practices utilized within the Roads & Traffic Division require an in-depth evaluation to ensure they are aligned with the current legal standards. Roads & Traffic staff will be conducting reviews from an operational and resourcing perspective to ensure that all regulated activities are delivered in compliance with the provincially legislated minimum standards and capture the benefits of improved public safety, and greater ability to defend claims against the municipality.

Creation of the “Quality Control Manual” will provide staff with clear expectations, detailed procedures, ownership responsibility and communication.

The amendments to the MMS introduced the concept of a significant weather event, which is defined as an approaching or occurring weather hazard with the potential to pose a significant danger to users of the highways within a municipality.

During the course of a declared significant weather event, the standard for addressing winter maintenance is simply "to monitor the weather in accordance with section 3.1" and to deploy resources to address the issue "starting from the time that the municipality deems appropriate to do so." Once the significant weather event is declared to have been concluded, the municipality shall address the issue pursuant to the regular standards for maintenance.

The ability to declare a “significant weather event” will allow supervisory staff to effectively plan and maximize resources in anticipation of and/or during a significant weather event when all resources may be exhausted.

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**SUBJECT: Minimum Maintenance Standards Changes  
(PW18096) (City Wide) – Page 3 of 7**

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Staff will notify the public and stakeholders at the start and end of a significant weather event. This communication will provide messaging to the travelling public that will assist them in making informed travel decisions regarding the severity of the event.

The communication will be completed in one or more of the following ways:

- City of Hamilton Website;
- Social Media Platform (i.e. Twitter);
- Radio Media; and
- Council and/or Media Release

***Alternatives for Consideration – See Page 7***

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** Review of all operational impacts, program changes or additional resource requirements will be analysed during the 2018-19 winter season and recommendations will be brought forward as possible considerations in the 2020 budget. Any costs incurred prior to 2020 budget will be accommodated within the existing winter program funding.

**Staffing:** Review of all operational impacts, program changes or additional resource requirements will be analysed during the 2018-19 winter season and recommendations will be brought forward as possible considerations in the 2020 budget.

**Legal:** The ability to declare a significant weather event will permit Roads & Traffic Supervisory staff to effectively plan to maximize resources in anticipation of and/or during a weather hazard, while the MMS will deem the roads to be in repair, subject to the reduced minimum maintenance standards being observed of: monitoring the weather and deploying resources to address the issues starting from the time that the municipality deems appropriate to do so.

**HISTORICAL BACKGROUND**

The most current version of the MMS came into force on May 3, 2018. Staff have reviewed the amended MMS and current programs from an operational and resourcing perspective to ensure that all regulated activities within Roads & Traffic are delivered in compliance with the provincially legislated minimum standards and capture the benefits of improved public safety, and a greater ability to defend claims against the municipality.

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**SUBJECT: Minimum Maintenance Standards Changes  
(PW18096) (City Wide) – Page 4 of 7**

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The amendments include:

- Revising the Table Classification of Highways to better reflect 2016 traffic volumes, especially in large urban centres
- Adding a standard for cycling networks. Bicycle lanes are defined as a portion of the roadway that has been designated by pavement markings or signage for the preferential or exclusive use of cyclists, or a portion of a roadway that has been designated for the exclusive use of cyclists by signage and a physical or marked buffer. This does not include multi-use pathways within raised boulevards in areas like Garth and Rymal area or Cootes Drive Trail

This winter level of service for bicycle lanes is identified in the table below:

Bicycle Lane winter maintenance table - snow removal		
Class of Highway/Adjacent Highway	Depth	Time
1	2.5 cm	8 hours
2	5 cm	12 hours
3	8 cm	24 hours
4	8 cm	24 hours
5	10 cm	24 hours

After snow accumulation has ended, the snow accumulation is to be reduced to a depth less than or equal to the depth set out in the Table above to provide a minimum bicycle lane width of the lesser of one (1) metre or the actual bicycle lane width.

The cycling network that is currently part of our road network with no segregation between the bike lane and roadway will be maintained at the same level as the winter road class. The Winter Control Level of Service Standards is attached to Report PW18096 as Appendix B.

The cycling network that is segregated from the road with either barriers or other devices, may incur additional costing due to size of equipment needs, increased man power and contractor costs.

The pilot for the Cannon Street segregated bike lanes has just been completed and the operational impacts and cost analysis are being reviewed considering the newly enacted maintenance standards. In regard to new segregated bike lanes recently installed (i.e. Bay Street), staff will monitor during the 2018-19 winter season to determine the cost implications and will bring forward for possible consideration any financial impact in the 2020 budget. Summer maintenance will include asphalt patching, sweeping, line marking and signing.

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**SUBJECT: Minimum Maintenance Standards Changes  
(PW18096) (City Wide) – Page 5 of 7**

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- Encroachment area near the sidewalk, and on either side, is to be inspected at the same frequency as the sidewalk and if the encroachment constitutes a significant hazard to pedestrians, the standard is to treat the encroachment within 28 days.
- Standards for winter sidewalk. The MMS standard has a threshold to clear sidewalk once 8 cm of accumulation occurs and allows 48 hours to clear the sidewalk after the snowfall ends. This would apply to sidewalks the City currently maintains in their winter maintenance programs.
- New standards for prevention of ice formation on sidewalks and icy sidewalks.
- Standards for 'Winter Sidewalk Patrol'. When it is determined by the municipality that there is a substantial probability of snow accumulation on sidewalks in excess of 8 cm, ice formation on sidewalks or icy sidewalks, the standard for patrolling sidewalks is to patrol sidewalks that are selected as representative of its sidewalks at intervals deemed necessary, and to complete a visual observation of those sidewalks.
- New ability to declare a 'significant weather event'. Where severe weather with the potential to pose a significant danger to users of the highways within a municipality is approaching or occurring, a municipality may declare a significant weather event. During the course of a declared significant weather event, the standard for addressing winter maintenance is reduced to monitoring the weather in accordance with the standards and to deploying resources to address the issues starting from the time that the municipality deems appropriate to do so. If those amended standards are followed, the road is deemed to be in repair for the duration of the significant weather event. Once the significant weather event is declared to have concluded, the municipality must address the issue pursuant to the regular standards of maintenance. The declaration allows supervisory staff to effectively plan and maximize resources in anticipation of and/or during the significant weather event when all resources may be exhausted.
- Standards for luminaires identifies that if three or more consecutive luminaires on the same side of the highway are not functioning, the standard is to repair within the time set out as described in the table below:

Class of Highway	Time
1	7 days
2	7 days
3	14 days
4	14 days
5	14 days

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**SUBJECT: Minimum Maintenance Standards Changes  
(PW18096) (City Wide) – Page 6 of 7**

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For high mast illumination, if all of the luminaires on consecutive poles on the same side of the highway are not functioning, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the luminaires.

Operational impacts may result in exceeding repair timelines due potentially from extent of repair and locates being completed by third party.

Other notable amendments to the MMS include:

- The definition of “surface discontinuity” which deals with sidewalk surface discontinuities was amended to add “any vertical height difference between a utility appurtenance found on or within the sidewalk and the surface of the sidewalk.”
- Potholes are identified as the surface area of a pothole and do not include any area that is depressed and not yet broken fully through the surface of the roadway.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The amended MMS clarify the scope of the statutory defence available to the City under clause 44(3)(c) of the *Municipal Act, 2001*, as it relates to its roadway and sidewalk maintenance obligations.

## **RELEVANT CONSULTATION**

Corporate Services – Legal Services Division has been consulted in the preparation of this Report.

Public Works Department

Planning and Economic Development – Transportation Planning and Parking

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The following was considered as part of the analysis for these recommendations:

**Evaluate existing processes:** Evaluation is required of existing maintenance processes, procedures and practices utilized in the Roads and Traffic Division to ensure they are aligned by utilizing the tools provided in the MMS.

**Delegation of winter events:** The ability to declare a significant weather event will allow staff to maximize resources and plan more affectively in anticipation of and/or during a

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**SUBJECT: Minimum Maintenance Standards Changes  
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significant weather event. This will also provide more opportunities to provide communication on type of event and travel warnings.

Financial Impacts: The revised maintenance standards, such as those that relate to the level of service for bike lanes, winter sidewalk patrol and ice prevention/formation, will require additional monitoring of staff resources and material usage. Staff will be required to monitor a designated section of sidewalk for snow and ice accumulations as well as review any preventative measures. Due to this being the first year to implement, a financial impact review as well as procedure workflow and processes need to be undertaken.

**ALTERNATIVES FOR CONSIDERATION**

Not conducting a review of the City's existing road maintenance standards will impact the ability to align those standards with the current regulatory framework, and is not recommended.

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

**Community Engagement & 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.*

**Built Environment and Infrastructure**

*Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.*

**Our People and Performance**

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

**APPENDICES AND SCHEDULES ATTACHED**

Appendix A – O.Reg. 239/02 – Minimum Maintenance Standards for Municipal Highways

Appendix B – Winter Control Level of Service Standards

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**ONTARIO REGULATION 239/02 MINIMUM MAINTENANCE STANDARDS  
FOR MUNICIPAL HIGHWAYS****MUNICIPAL ACT, 2001  
LOI DE 2001 SUR LES MUNICIPALITÉS****ONTARIO REGULATION 239/02  
MINIMUM MAINTENANCE STANDARDS FOR MUNICIPAL HIGHWAYS**

**Consolidation Period:** From May 3, 2018 to the [e-Laws currency date](#).

Last amendment: 366/18.

Legislative History: 288/03, 613/06, 23/10, 47/13, 366/18.

***This Regulation is made in English only.***

**1. DEFINITIONS**

(1) In this Regulation,

**“*bicycle facility*”** means the on-road and in-boulevard cycling facilities listed in Book 18 of the Ontario Traffic Manual;

**“*bicycle lane*”** means,

- a) a portion of a roadway that has been designated by pavement markings or signage for the preferential or exclusive use of cyclists, or
- b) a portion of a roadway that has been designated for the exclusive use of cyclists by signage and a physical or marked buffer;

**“*cm*”** means centimetres;

**“*day*”** means a 24-hour period;

**“*encroachment*”** means anything that is placed, installed, constructed or planted within the highway that was not placed, installed, constructed or planted by the municipality;

**“*ice*”** means all kinds of ice, however formed;

**“*motor vehicle*”** has the same meaning as in subsection 1 (1) of the *Highway Traffic Act*, except that it does not include a motor assisted bicycle;

**“*non-paved surface*”** means a surface that is not a paved surface;

**“*Ontario Traffic Manual*”** means the Ontario Traffic Manual published by the Ministry of Transportation, as amended from time to time;

**“*paved surface*”** means a surface with a wearing layer or layers of asphalt, concrete or asphalt emulsion;

**“pothole”** means a hole in the surface of a roadway caused by any means, including wear or subsidence of the road surface or subsurface;

**“roadway”** has the same meaning as in subsection 1 (1) of the *Highway Traffic Act*;

**“shoulder”** means the portion of a highway that provides lateral support to the roadway and that may accommodate stopped motor vehicles and emergency use;

**“sidewalk”** means the part of the highway specifically set aside or commonly understood to be for pedestrian use, typically consisting of a paved surface but does not include crosswalks, medians, boulevards, shoulders or any part of the sidewalk where cleared snow has been deposited;

**“significant weather event”** means an approaching or occurring weather hazard with the potential to pose a significant danger to users of the highways within a municipality;

**“snow accumulation”** means the natural accumulation of any of the following that, alone or together, covers more than half a lane width of a roadway:

1. Newly-fallen snow.
2. Wind-blown snow.
3. Slush;

**“substantial probability”** means a significant likelihood considerably in excess of 51 per cent;

**“surface”** means the top of a sidewalk, roadway or shoulder;

**“utility”** includes any air, gas, water, electricity, cable, fiber-optic, telecommunication or traffic control system or subsystem, fire hydrants, sanitary sewers, storm sewers, property bars and survey monuments;

**“utility appurtenance”** includes maintenance holes and hole covers, water shut-off covers and boxes, valves, fittings, vaults, braces, pipes, pedestals, and any other structures or items that form part of or are an accessory part of any utility;

**“weather”** means air temperature, wind and precipitation.

**“weather hazard”** means the weather hazards determined by Environment Canada as meeting the criteria for the issuance of an alert under its Public Weather Alerting Program. O. Reg. 239/02, s. 1 (1); O. Reg. 23/10, s. 1 (1); O. Reg. 47/13, s. 1; O. Reg. 366/18, s. 1 (1, 2).

**(2)** For the purposes of this Regulation, every highway or part of a highway under the jurisdiction of a municipality in Ontario is classified in the Table to this section as a Class 1, Class 2, Class 3, Class 4, Class 5 or Class 6 highway, based on the speed limit applicable to it and the average daily traffic on it. O. Reg. 239/02, s. 1 (2); O. Reg. 366/18, s. 1 (3).

**(3)** For the purposes of subsection (2) and the Table to this section, the average daily traffic on a highway or part of a highway under municipal jurisdiction shall be determined,

- a) by counting and averaging the daily two-way traffic on the highway or part of the highway; or
- b) by estimating the average daily two-way traffic on the highway or part of the highway. O. Reg. 239/02, s. 1 (3); O. Reg. 23/10, s. 1 (2); O. Reg. 366/18, s. 1 (3).

**(4)** For the purposes of this Regulation, unless otherwise indicated in a provision of this Regulation, a municipality is deemed to be aware of a fact if, in the absence of actual knowledge of the fact, circumstances are such that the municipality ought reasonably to be aware of the fact. O. Reg. 366/18, s. 1 (4).

**TABLE**  
**CLASSIFICATION OF HIGHWAYS**

Column 1 Average Daily Traffic (number of motor vehicles)	Column 2 91 - 100 km/h speed limit	Column 3 81 - 90 km/h speed limit	Column 4 71 - 80 km/h speed limit	Column 5 61 - 70 km/h speed limit	Column 6 51 - 60 km/h speed limit	Column 7 41 - 50 km/h speed limit	Column 8 1 - 40 km/h speed limit
53,000 or more	1	1	1	1	1	1	1
23,000 - 52,999	1	1	1	2	2	2	2
15,000 - 22,999	1	1	2	2	2	3	3
12,000 - 14,999	1	1	2	2	2	3	3
10,000 - 11,999	1	1	2	2	3	3	3
8,000 - 9,999	1	1	2	3	3	3	3
6,000 - 7,999	1	2	2	3	3	4	4
5,000 - 5,999	1	2	2	3	3	4	4
4,000 - 4,999	1	2	3	3	3	4	4
3,000 - 3,999	1	2	3	3	3	4	4
2,000 - 2,999	1	2	3	3	4	5	5
1,000 - 1,999	1	3	3	3	4	5	5
500 - 999	1	3	4	4	4	5	5
200 - 499	1	3	4	4	5	5	6
50 - 199	1	3	4	5	5	6	6
0 - 49	1	3	6	6	6	6	6

O. Reg. 366/18, s. 1 (5).

## 2. APPLICATION

**(1)** This Regulation sets out the minimum standards of repair for highways under municipal jurisdiction for the purpose of clause 44 (3) (c) of the Act. O. Reg. 288/03, s. 1.

(2) REVOKED: O. Reg. 23/10, s. 2.

(3) This Regulation does not apply to Class 6 highways. O. Reg. 239/02, s. 2 (3).

## 2.1 Purpose

The purpose of this Regulation is to clarify the scope of the statutory defence available to a municipality under clause 44 (3) (c) of the Act by establishing maintenance standards which are non-prescriptive as to the methods or materials to be used in complying with the standards but instead describe a desired outcome. O. Reg. 366/18, s. 2.

## MAINTENANCE STANDARDS

### 3. PATROLLING

(1) The standard for the frequency of patrolling of highways to check for conditions described in this Regulation is set out in the Table to this section. O. Reg. 23/10, s. 3 (1); O. Reg. 366/18, s. 3 (2).

(2) If it is determined by the municipality that the weather monitoring referred to in section 3.1 indicates that there is a substantial probability of snow accumulation on roadways, ice formation on roadways or icy roadways, the standard for patrolling highways is, in addition to that set out in subsection (1), to patrol highways that the municipality selects as representative of its highways, at intervals deemed necessary by the municipality, to check for such conditions. O. Reg. 47/13, s. 2; O. Reg. 366/18, s. 3 (2).

(3) Patrolling a highway consists of observing the highway, either by driving on or by electronically monitoring the highway and may be performed by persons responsible for patrolling highways or by persons responsible for or performing highway maintenance activities. O. Reg. 23/10, s. 3 (1).

(4) This section does not apply in respect of the conditions described in section 10, subsections 11 (0.1) and 12 (1) and section 16.1, 16.2, 16.3 or 16.4. O. Reg. 23/10, s. 3 (1); O. Reg. 366/18, s. 3 (3).

**TABLE**  
**PATROLLING FREQUENCY**

Class of Highway	Patrolling Frequency
1	3 times every 7 days
2	2 times every 7 days
3	once every 7 days
4	once every 14 days
5	once every 30 days

O. Reg. 239/02, s. 3, Table; O. Reg. 23/10, s. 3 (2).

### **3.1 Weather monitoring**

**(1)** From October 1 to April 30, the standard is to monitor the weather, both current and forecast to occur in the next 24 hours, once every shift or three times per calendar day, whichever is more frequent, at intervals determined by the municipality. O. Reg. 47/13, s. 3; O. Reg. 366/18, s. 4.

**(2)** From May 1 to September 30, the standard is to monitor the weather, both current and forecast to occur in the next 24 hours, once per calendar day. O. Reg. 47/13, s. 3; O. Reg. 366/18, s. 4.

## **4. SNOW ACCUMULATION, ROADWAYS**

**(1)** Subject to section 4.1, the standard for addressing snow accumulation on roadways is,

- a) after becoming aware of the fact that the snow accumulation on a roadway is greater than the depth set out in the Table to this section, to deploy resources as soon as practicable to address the snow accumulation; and
- b) after the snow accumulation has ended, to address the snow accumulation so as to reduce the snow to a depth less than or equal to the depth set out in the Table within the time set out in the Table,
  - i. to provide a minimum lane width of the lesser of three metres for each lane or the actual lane width, or
  - ii. on a Class 4 or Class 5 highway with two lanes, to provide a total width of at least five metres. O. Reg. 47/13, s. 4; O. Reg. 366/18, s. 5 (1).

**(2)** If the depth of snow accumulation on a roadway is less than or equal to the depth set out in the Table to this section, the roadway is deemed to be in a state of repair with respect to snow accumulation. O. Reg. 47/13, s. 4.

**(3)** For the purposes of this section, the depth of snow accumulation on a roadway and, if applicable, lane width under clause (1) (b), may be determined in accordance with subsection (4) by a municipal employee, agent or contractor, whose duties or responsibilities include one or more of the following:

- 1) Patrolling highways.
- 2) Performing highway maintenance activities.
- 3) Supervising staff who perform activities described in paragraph 1 or 2. O. Reg. 47/13, s. 4; O. Reg. 366/18, s. 5 (2).

**(4)** The depth of snow accumulation on a roadway and lane width may be determined by,

- a) performing an actual measurement;
- b) monitoring the weather; or
- c) performing a visual estimate. O. Reg. 47/13, s. 4; O. Reg. 366/18, s. 5 (3).

**(5)** For the purposes of this section, addressing snow accumulation on a roadway includes,

- a) plowing the roadway;
- b) salting the roadway;



- c) applying abrasive materials to the roadway;
- d) applying other chemical or organic agents to the roadway;
- e) any combination of the methods described in clauses (a) to (d). O. Reg. 366/18, s. 5 (4).

- (6)** This section does not apply to that portion of the roadway,
- a) designated for parking;
  - b) consisting of a bicycle lane or other bicycle facility; or
  - c) used by a municipality for snow storage. O. Reg. 366/18, s. 5 (4).

**TABLE**  
**SNOW ACCUMULATION - ROADWAYS**

Class of Highway	Depth	Time
1	2.5 cm	4 hours
2	5 cm	6 hours
3	8 cm	12 hours
4	8 cm	16 hours
5	10 cm	24 hours

O. Reg. 47/13, s. 4; O. Reg. 366/18, s. 5 (5).

#### **4.1 Snow accumulation on roadways, significant weather event**

**(1)** If a municipality declares a significant weather event relating to snow accumulation, the standard for addressing snow accumulation on roadways until the declaration of the end of the significant weather event is,

- a) to monitor the weather in accordance with section 3.1; and
- b) if deemed practicable by the municipality, to deploy resources to address snow accumulation on roadways, starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 7.

**(2)** If the municipality complies with subsection (1), all roadways within the municipality are deemed to be in a state of repair with respect to snow accumulation until the applicable time in the Table to section 4 expires following the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 7.

**(3)** Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

- a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
- b) address snow accumulation on roadways in accordance with section 4. O. Reg. 366/18, s. 7.

#### **4.2 Snow accumulation, bicycle lanes**

**(1)** Subject to section 4.3, the standard for addressing snow accumulation on bicycle lanes is,

- a) after becoming aware of the fact that the snow accumulation on a bicycle lane is greater than the depth set out in the Table to this section, to deploy resources as

soon as practicable to address the snow accumulation; and

- b) after the snow accumulation has ended, to address the snow accumulation so as to reduce the snow to a depth less than or equal to the depth set out in the Table to this section to provide a minimum bicycle lane width of the lesser of 1 metre or the actual bicycle lane width. O. Reg. 366/18, s. 7.

**(2)** If the depth of snow accumulation on a bicycle lane is less than or equal to the depth set out in the Table to this section, the bicycle lane is deemed to be in a state of repair in respect of snow accumulation. O. Reg. 366/18, s. 7.

**(3)** For the purposes of this section, the depth of snow accumulation on a bicycle lane and, if applicable, lane width under clause (1) (b), may be determined in the same manner as set out in subsection 4 (4) and by the persons mentioned in subsection 4 (3), with necessary modifications. O. Reg. 366/18, s. 7.

**(4)** For the purposes of this section, addressing snow accumulation on a bicycle lane includes,

- a) plowing the bicycle lane;
- b) salting the bicycle lane;
- c) applying abrasive materials to the bicycle lane;
- d) applying other chemical or organic agents to the bicycle lane;
- e) sweeping the bicycle lane; or
- f) any combination of the methods described in clauses (a) to (e). O. Reg. 366/18, s.7.

**TABLE**  
**SNOW ACCUMULATION – BICYCLE LANES**

Column 1 Class of Highway or Adjacent Highway	Column 2 Depth	Column 3 Time
1	2.5 cm	8 hours
2	5 cm	12 hours
3	8 cm	24 hours
4	8 cm	24 hours
5	10 cm	24 hours

O. Reg. 366/18, s. 7.

#### **4.3 Snow accumulation on bicycle lanes, significant weather event**

**(1)** If a municipality declares a significant weather event relating to snow accumulation, the standard for addressing snow accumulation on bicycle lanes until the declaration of the end of the significant weather event is,

- a) to monitor the weather in accordance with section 3.1; and
- b) if deemed practicable by the municipality, to deploy resources to address snow accumulation on bicycle lanes, starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 7.

**(2)** If the municipality complies with subsection (1), all bicycle lanes within the municipality are deemed to be in a state of repair with respect to snow accumulation until the applicable time in the Table to section 4.2 expires following the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 7.

**(3)** Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

(a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and

(b) address snow accumulation on bicycle lanes in accordance with section 4.2. O. Reg. 366/18, s. 7.

## **5. ICE FORMATION ON ROADWAYS AND ICY ROADWAYS**

**(1)** The standard for the prevention of ice formation on roadways is doing the following in the 24-hour period preceding an alleged formation of ice on a roadway:

1. Monitor the weather in accordance with section 3.1.
2. Patrol in accordance with section 3.
3. If the municipality determines, as a result of its activities under paragraph 1 or 2, that there is a substantial probability of ice forming on a roadway, treat the roadway, if practicable, to prevent ice formation within the time set out in Table 1 to this section, starting from the time that the municipality determines is the appropriate time to deploy resources for that purpose. O. Reg. 366/18, s. 8.

**(2)** If the municipality meets the standard set out in subsection (1) and, despite such compliance, ice forms on a roadway, the roadway is deemed to be in a state of repair until the applicable time set out in Table 2 to this section expires after the municipality becomes aware of the fact that the roadway is icy. O. Reg. 366/18, s. 8.

**(3)** Subject to section 5.1, the standard for treating icy roadways is to treat the icy roadway within the time set out in Table 2 to this section, and an icy roadway is deemed to be in a state of repair until the applicable time set out in Table 2 to this section expires after the municipality becomes aware of the fact that a roadway is icy. O. Reg. 366/18, s. 8.

**(4)** For the purposes of this section, treating a roadway means applying material to the roadway, including but not limited to, salt, sand or any combination of salt and sand. O. Reg. 366/18, s. 8.

**(5)** For greater certainty, this section applies in respect of ice formation on bicycle lanes on a roadway but does not apply to other types of bicycle facilities. O. Reg. 366/18, s. 8.

**TABLE  
ICE FORMATION PREVENTION**

Class of Highway	Time
1	6 hours
2	8 hours
3	16 hours
4	24 hours
5	24 hours

O. Reg. 366/18, s. 8.

**TABLE  
TREATMENT OF ICY ROADWAYS**

Class of Highway	Time
1	3 hours
2	4 hours
3	8 hours
4	12 hours
5	16 hours

O. Reg. 366/18, s. 8.

**5.1 Icy roadways, significant weather event**

(1) If a municipality declares a significant weather event relating to ice, the standard for treating icy roadways until the declaration of the end of the significant weather event is,

- a) to monitor the weather in accordance with section 3.1; and
- b) if deemed practicable by the municipality, to deploy resources to treat icy roadways, starting from the time that the municipality deems appropriate to do so.

O. Reg. 366/18, s. 8.

(2) If the municipality complies with subsection (1), all roadways within the municipality are deemed to be in a state of repair with respect to any ice which forms or may be present until the applicable time in Table 2 to section 5 expires after the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 8.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

- a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
- b) treat icy roadways in accordance with section 5. O. Reg. 366/18, s. 8.

**6. POTHOLES**

(1) If a pothole exceeds both the surface area and depth set out in Table 1, 2 or 3 to this section, as the case may be, the standard is to repair the pothole within the time set out in Table 1, 2 or 3, as appropriate, after becoming aware of the fact. O. Reg. 239/02, s. 6 (1); O. Reg. 366/18, s. 8 (1).

**(1.1)** For the purposes of this section, the surface area and depth of a pothole may be determined in accordance with subsections (1.2) and (1.3), as applicable, by a municipal employee, agent or contractor whose duties or responsibilities include one or more of the following:

1. Patrolling highways.
2. Performing highway maintenance activities.
3. Supervising staff who perform activities described in paragraph 1 or 2. O. Reg. 366/18, s. 8 (2).

**(1.2)** The depth and surface area of a pothole may be determined by,

- a) performing an actual measurement; or
- b) performing a visual estimate. O. Reg. 366/18, s. 8 (2).

**(1.3)** For the purposes of this section, the surface area of a pothole does not include any area that is merely depressed and not yet broken fully through the surface of the roadway. O. Reg. 366/18, s. 8 (2).

**(2)** A pothole is deemed to be in a state of repair if its surface area or depth is less than or equal to that set out in Table 1, 2 or 3, as appropriate. O. Reg. 239/02, s. 6 (2); O. Reg. 47/13, s. 6.

**TABLE**  
**POTHOLES ON PAVED SURFACE OF ROADWAY**

Class of Highway	Surface Area	Depth	Time
1	600 cm <sup>2</sup>	8 cm	4 days
2	800 cm <sup>2</sup>	8 cm	4 days
3	1000 cm <sup>2</sup>	8 cm	7 days
4	1000 cm <sup>2</sup>	8 cm	14 days
5	1000 cm <sup>2</sup>	8 cm	30 days

O. Reg. 239/02, s. 6, Table 1.

**TABLE**  
**POTHOLES ON NON-PAVED SURFACE OF ROADWAY**

Class of Highway	Surface Area	Depth	Time
3	1500 cm <sup>2</sup>	8 cm	7 days
4	1500 cm <sup>2</sup>	10 cm	14 days
5	1500 cm <sup>2</sup>	12 cm	30 days

O. Reg. 239/02, s. 6, Table 2.

**TABLE**  
**POTHoles ON PAVED OR NON-PAVED SURFACE OF SHOULDER**

Class of Highway	Surface Area	Depth	Time
1	1500 cm <sup>2</sup>	8 cm	7 days
2	1500 cm <sup>2</sup>	8 cm	7 days
3	1500 cm <sup>2</sup>	8 cm	14 days
4	1500 cm <sup>2</sup>	10 cm	30 days
5	1500 cm <sup>2</sup>	12 cm	60 days

O. Reg. 239/02, s. 6, Table 3.

### 7. SHOULDER DROP-OFFS

(1) If a shoulder drop-off is deeper than 8 cm, for a continuous distance of 20 metres or more, the standard is to repair the shoulder drop-off within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 366/18, s. 9 (1).

(2) A shoulder drop-off is deemed to be in a state of repair if its depth is less than 8 cm. O. Reg. 366/18, s. 9 (1).

(3) In this section,

**“shoulder drop-off”** means the vertical differential, where the paved surface of the roadway is higher than the surface of the shoulder, between the paved surface of the roadway and the paved or non-paved surface of the shoulder. O. Reg. 239/02, s. 7 (3).

**TABLE**  
**SHOULDER DROP-OFFS**

Class of Highway	Time
1	4 days
2	4 days
3	7 days
4	14 days
5	30 days

O. Reg. 366/18, s. 9 (2).

### 8. CRACKS

(1) If a crack on the paved surface of a roadway is greater than 5 cm wide and 5 cm deep for a continuous distance of three metres or more, the standard is to repair the crack within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 366/18, s. 10 (1).

(2) A crack is deemed to be in a state of repair if its width or depth is less than or equal to 5 cm. O. Reg. 366/18, s. 10 (1).

**TABLE  
CRACKS**

Column 1 Class of Highway	Column 2 Time
1	30 days
2	30 days
3	60 days
4	180 days
5	180 days

O. Reg. 366/18, s. 10 (2).

**9. DEBRIS**

(1) If there is debris on a roadway, the standard is to deploy resources, as soon as practicable after becoming aware of the fact, to remove the debris. O. Reg. 239/02, s. 9 (1); O. Reg. 366/18, s. 11.

(2) In this section,

“**debris**” means any material (except snow, slush or ice) or object on a roadway,

- a) that is not an integral part of the roadway or has not been intentionally placed on the roadway by a municipality, and
- b) that is reasonably likely to cause damage to a motor vehicle or to injure a person in a motor vehicle. O. Reg. 239/02, s. 9 (2); O. Reg. 47/13, s. 9.

**10. LUMINAIRES**

(0.1) REVOKED: O. Reg. 366/18, s. 12.

(1) The standard for the frequency of inspecting all luminaires to check to see that they are functioning is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 366/18, s. 12.

(2) For conventional illumination, if three or more consecutive luminaires on the same side of a highway are not functioning, the standard is to repair the luminaires within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 366/18, s. 12.

(3) For conventional illumination and high mast illumination, if 30 per cent or more of the luminaires on any kilometre of highway are not functioning, the standard is to repair the luminaires within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 366/18, s. 12.

(4) Despite subsection (2), for high mast illumination, if all of the luminaires on consecutive poles on the same side of a highway are not functioning, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the luminaires. O. Reg. 366/18, s. 12.

(5) Despite subsections (1), (2) and (3), for conventional illumination and high mast illumination, if more than 50 per cent of the luminaires on any kilometre of a Class 1 highway with a speed limit of 90 kilometres per hour or more are not functioning, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the luminaires. O. Reg. 366/18, s. 12.

(6) Luminaires are deemed to be in a state of repair,

- a) for the purpose of subsection (2), if the number of non-functioning consecutive luminaires on the same side of a highway does not exceed two;
- b) for the purpose of subsection (3), if more than 70 per cent of luminaires on any kilometre of highway are functioning;
- c) for the purpose of subsection (4), if one or more of the luminaires on consecutive poles on the same side of a highway are functioning;
- d) for the purpose of subsection (5), if more than 50 per cent of luminaires on any kilometre of highway are functioning. O. Reg. 366/18, s. 12.

(7) In this section,

**“conventional illumination”** means lighting, other than high mast illumination, where there are one or more luminaires per pole;

**“high mast illumination”** means lighting where there are three or more luminaires per pole and the height of the pole exceeds 20 metres;

**“luminaire”** means a complete lighting unit consisting of,

- a) a lamp, and
- b) parts designed to distribute the light, to position or protect the lamp and to connect the lamp to the power supply. O. Reg. 239/02, s. 10 (7).

#### TABLE LUMINAIRES

Class of Highway	Time
1	7 days
2	7 days
3	14 days
4	14 days
5	14 days

O. Reg. 239/02, s. 10, Table.

### 11. SIGNS

(0.1) The standard for the frequency of inspecting signs of a type listed in subsection

(1) to check to see that they meet the retro-reflectivity requirements of the Ontario Traffic Manual is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 23/10, s. 7 (1); O. Reg. 47/13, s. 11 (1); O. Reg. 366/18, s. 13.



(0.2) A sign that has been inspected in accordance with subsection (0.1) is deemed to be in a state of repair with respect to the retro-reflectivity requirements of the Ontario Traffic Manual until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge that the sign has ceased to meet these requirements. O. Reg. 47/13, s. 11 (2).

(2) If any sign of a type listed in subsection (2) is illegible, improperly oriented, obscured or missing, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair or replace the sign. O. Reg. 239/02, s. 11 (1); O. Reg. 23/10, s. 7 (2); O. Reg. 366/18, s. 13.

(3) This section applies to the following types of signs:

1. Checkerboard
2. Curve sign with advisory speed tab
3. Do not enter
4. Load Restricted Bridge
5. Low Bridge
6. Low Bridge Ahead.
7. One Way
8. School Zone Speed Limit
9. Stop
10. Stop Ahead.
11. Stop Ahead, New
12. Traffic Signal Ahead, New.
13. Two-Way Traffic Ahead
14. Wrong Way
15. Yield
16. Yield Ahead
17. Yield Ahead, New. O. Reg. 239/02, s. 11 (2); O. Reg. 23/10, s. 7 (3)

## **12. REGULATORY OR WARNING SIGNS**

(1) The standard for the frequency of inspecting regulatory signs or warning signs to check to see that they meet the retro-reflectivity requirements of the Ontario Traffic Manual is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 23/10, s. 8; O. Reg. 47/13, s. 12 (1); O. Reg. 366/18, s. 13.

(1.1) A regulatory sign or warning sign that has been inspected in accordance with subsection (1) is deemed to be in a state of repair with respect to the retro-reflectivity requirements of the Ontario Traffic Manual until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge that the sign has ceased to meet these requirements. O. Reg. 47/13, s. 12 (2).

(2) If a regulatory sign or warning sign is illegible, improperly oriented, obscured or missing, the standard is to repair or replace the sign within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 23/10, s. 8; O. Reg. 366/18, s. 13.

**(3)** In this section,

**“regulatory sign”** and **“warning sign”** have the same meanings as in the Ontario Traffic Manual, except that they do not include a sign listed in subsection 11 (2) of this Regulation. O. Reg. 23/10, s. 8.

**TABLE**  
**REGULATORY AND WARNING SIGNS**

Class of Highway	Time
1	7 days
2	14 days
3	21 days
4	30 days
5	30 days

O. Reg. 239/02, s. 12, Table.

### **13. TRAFFIC CONTROL SIGNAL SYSTEMS**

**(1)** If a traffic control signal system is defective in any way described in subsection (2), the standard is to deploy resources as soon as practicable after becoming aware of the defect to repair the defect or replace the defective component of the traffic control signal system. O. Reg. 239/02, s. 13 (1); O. Reg. 366/18, s. 13.

**(2)** This section applies if a traffic control signal system is defective in any of the following ways:

1. One or more displays show conflicting signal indications.
2. The angle of a traffic control signal or pedestrian control indication has been changed in such a way that the traffic or pedestrian facing it does not have clear visibility of the information conveyed or that it conveys confusing information to traffic or pedestrians facing other directions.
3. A phase required to allow a pedestrian or vehicle to safely travel through an intersection fails to occur.
4. There are phase or cycle timing errors interfering with the ability of a pedestrian or vehicle to safely travel through an intersection.
5. There is a power failure in the traffic control signal system.
6. The traffic control signal system cabinet has been displaced from its proper position.
7. There is a failure of any of the traffic control signal support structures.
8. A signal lamp or a pedestrian control indication is not functioning.
9. Signals are flashing when flashing mode is not a part of the normal signal operation. O. Reg. 239/02, s. 13 (2).

**(3)** Despite subsection (1) and paragraph 8 of subsection (2), if the posted speed of all approaches to the intersection or location of the non-functioning signal lamp or pedestrian control indication is less than 80 kilometres per hour and the signal that is not functioning is a green or a pedestrian “walk” signal, the standard is to repair or

replace the defective component by the end of the next business day. O. Reg. 239/02, s. 13 (3); O. Reg. 366/18, s. 13.

(4) In this section and section 14,

**“cycle”** means a complete sequence of traffic control indications at a location;

**“display”** means the illuminated and non-illuminated signals facing the traffic;

**“indication”** has the same meaning as in the *Highway Traffic Act*;

**“phase”** means a part of a cycle from the time where one or more traffic directions receive a green indication to the time where one or more different traffic directions receive a green indication;

**“power failure”** means a reduction in power or a loss in power preventing the traffic control signal system from operating as intended;

**“traffic control signal”** has the same meaning as in the *Highway Traffic Act*;

**“traffic control signal system”** has the same meaning as in the *Highway Traffic Act*. O. Reg. 239/02, s. 13 (4).

#### 14. TRAFFIC CONTROL SIGNAL SYSTEM SUB-SYSTEMS

(1) The standard is to inspect, test and maintain the following traffic control signal system sub-systems once per calendar year, with each inspection taking place not more than 16 months from the previous inspection:

1. The display sub-system, consisting of traffic signal and pedestrian crossing heads, physical support structures and support cables.
2. The traffic control sub-system, including the traffic control signal cabinet and internal devices such as timer, detection devices and associated hardware, but excluding conflict monitors.
3. The external detection sub-system, consisting of detection sensors for all vehicles, including emergency and railway vehicles and pedestrian push-buttons. O. Reg. 239/02, s. 14 (1); O. Reg. 47/13, s. 13 (1); O. Reg. 366/18, s. 13.

(1.1) A traffic control signal system sub-system that has been inspected, tested and maintained in accordance with subsection (1) is deemed to be in a state of repair until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge that the traffic control signal system sub-system has ceased to be in a state of repair. O. Reg. 47/13, s. 13 (2).

(2) The standard is to inspect, test and maintain conflict monitors every five to seven months and at least twice per calendar year. O. Reg. 239/02, s. 14 (2); O. Reg. 47/13, s. 13 (3); O. Reg. 366/18, s. 13.

(2.1) A conflict monitor that has been inspected, tested and maintained in accordance with subsection (2) is deemed to be in a state of repair until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge that the conflict monitor has ceased to be in a state of repair. O. Reg. 47/13, s. 13 (4).

(3) In this section,

**“conflict monitor”** means a device that continually checks for conflicting signal indications and responds to a conflict by emitting a signal. O. Reg. 239/02, s. 14 (3).

## 15. BRIDGE DECK SPALLS

(1) If a bridge deck spall exceeds both the surface area and depth set out in the Table to this section, the standard is to repair the bridge deck spall within the time set out in the Table after becoming aware of the fact. O. Reg. 239/02, s. 15 (1); O. Reg. 366/18, s. 13.

(2) A bridge deck spall is deemed to be in a state of repair if its surface area or depth is less than or equal to that set out in the Table. O. Reg. 239/02, s. 15 (2); O. Reg. 47/13, s. 14.

(3) In this section,

**“bridge deck spall”** means a cavity left by one or more fragments detaching from the paved surface of the roadway or shoulder of a bridge. O. Reg. 239/02, s. 15 (3).

**TABLE**  
**BRIDGE DECK SPALLS**

Class of Highway	Surface Area	Depth	Time
1	600 cm <sup>2</sup>	8 cm	4 days
2	800 cm <sup>2</sup>	8 cm	4 days
3	1,000 cm <sup>2</sup>	8 cm	7 days
4	1,000 cm <sup>2</sup>	8 cm	7 days
5	1,000 cm <sup>2</sup>	8 cm	7 days

O. Reg. 239/02, s. 15, Table.

## 16. ROADWAY SURFACE DISCONTINUITIES

(1) If a surface discontinuity on a roadway, other than a surface discontinuity on a bridge deck, exceeds the height set out in the Table to this section, the standard is to repair the surface discontinuity within the time set out in the Table after becoming aware of the fact. O. Reg. 23/10, s. 9; O. Reg. 366/18, s. 13.

(1.1) A surface discontinuity on a roadway, other than a surface discontinuity on a bridge deck, is deemed to be in a state of repair if its height is less than or equal to the height set out in the Table to this section. O. Reg. 47/13, s. 15.

(2) If a surface discontinuity on a bridge deck exceeds five centimetres, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the surface discontinuity on the bridge deck. O. Reg. 23/10, s. 9; O. Reg. 366/18, s. 13.

(2.1) A surface discontinuity on a bridge deck is deemed to be in a state of repair if its height is less than or equal to five centimetres. O. Reg. 47/13, s. 15.

(3) In this section,

**“surface discontinuity”** means a vertical discontinuity creating a step formation at joints or cracks in the paved surface of the roadway, including bridge deck joints, expansion joints and approach slabs to a bridge. O. Reg. 23/10, s. 9.

**TABLE**  
**SURFACE DISCONTINUITIES**

Class of Highway	Height	Time
1	5 cm	2 days
2	5 cm	2 days
3	5 cm	7 days
4	5 cm	21 days
5	5 cm	21 days

O. Reg. 239/02, s. 16, Table.

### 16.1 Sidewalk surface discontinuities

(1) The standard for the frequency of inspecting sidewalks to check for surface discontinuity is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 23/10, s. 10; O. Reg. 47/13, s. 16 (1); O. Reg. 366/18, s. 13.

(1.1) A sidewalk that has been inspected in accordance with subsection (1) is deemed to be in a state of repair with respect to any surface discontinuity until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge of the presence of a surface discontinuity in excess of two centimetres. O. Reg. 47/13, s. 16 (2).

(2) If a surface discontinuity on or within a sidewalk exceeds two centimetres, the standard is to treat the surface discontinuity within 14 days after acquiring actual knowledge of the fact. O. Reg. 366/18, s. 14.

(2.1) REVOKED: O. Reg. 366/18, s. 14.

(3) A surface discontinuity on or within a sidewalk is deemed to be in a state of repair if it is less than or equal to two centimetres. O. Reg. 366/18, s. 14.

(4) For the purpose of subsection (2), treating a surface discontinuity on or within a sidewalk means taking reasonable measures to protect users of the sidewalk from the

discontinuity, including making permanent or temporary repairs, alerting users' attention to the discontinuity or preventing access to the area of discontinuity. O. Reg. 366/18, s. 14.

(5) In this section,

**“surface discontinuity”** means a vertical discontinuity creating a step formation at any joint or crack in the surface of the sidewalk or any vertical height difference between a utility appurtenance found on or within the sidewalk and the surface of the sidewalk. O. Reg. 366/18, s. 14.

### **16.2 Encroachments, area adjacent to sidewalk**

(1) The standard for the frequency of inspecting an area adjacent to a sidewalk to check for encroachments is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 366/18, s. 15.

(2) The area adjacent to a sidewalk that has been inspected in accordance with subsection (1) is deemed to be in a state of repair in respect of any encroachment present. O. Reg. 366/18, s. 15.

(3) For greater certainty, the area adjacent to a sidewalk begins at the outer edges of a sidewalk and ends at the lesser of the limit of the highway, the back edge of a curb if there is a curb and a maximum of 45 cm. O. Reg. 366/18, s. 15.

(4) The area adjacent to a sidewalk is deemed to be in a state of repair in respect of any encroachment present unless the encroachment is determined by a municipality to be highly unusual given its character and location or to constitute a significant hazard to pedestrians. O. Reg. 366/18, s. 15.

(5) If a municipality determines that an encroachment is highly unusual given its character and location or constitutes a significant hazard to pedestrians, the standard is to treat the encroachment within 28 days after making such a determination, and the encroachment is deemed in a state of repair for 28 days from the time of the determination by the municipality. O. Reg. 366/18, s. 15.

(6) For the purpose of subsection (4), treating an encroachment means taking reasonable measures to protect users, including making permanent or temporary repairs, alerting users' attention to the encroachment or preventing access to the area of the encroachment. O. Reg. 366/18, s. 15.

### **16.3 Snow accumulation on sidewalks**

(1) Subject to section 16.4, the standard for addressing snow accumulation on a sidewalk after the snow accumulation has ended is,

- a) to reduce the snow to a depth less than or equal to 8 centimetres within 48 hours; and
- b) to provide a minimum sidewalk width of 1 metre. O. Reg. 366/18, s. 15.

(2) If the depth of snow accumulation on a sidewalk is less than or equal to 8 centimetres, the sidewalk is deemed to be in a state of repair in respect of snow accumulation. O. Reg. 366/18, s. 15.

(3) If the depth of snow accumulation on a sidewalk exceeds 8 centimetres while the snow continues to accumulate, the sidewalk is deemed to be in a state of repair with respect to snow accumulation, until 48 hours after the snow accumulation ends. O. Reg. 366/18, s. 15.

(4) For the purposes of this section, the depth of snow accumulation on a sidewalk may be determined in the same manner as set out in subsection 4 (4) and by the persons mentioned in subsection 4 (3) with necessary modifications. O. Reg. 366/18, s. 15.

(5) For the purposes of this section, addressing snow accumulation on a sidewalk includes,

- a) plowing the sidewalk
- b) salting the sidewalk
- c) applying abrasive materials to the sidewalk
- d) applying other chemical or organic agents to the sidewalk; or
- e) any combination of the methods described in clauses (a) to (d). O. Reg. 366/18, s. 15.

#### **16.4 Snow accumulation on sidewalks, significant weather event**

(1) If a municipality declares a significant weather event relating to snow accumulation, the standard for addressing snow accumulation on sidewalks until the declaration of the end of the significant weather event is,

- a) to monitor the weather in accordance with section 3.1; and
- b) if deemed practicable by the municipality, to deploy resources to address snow accumulation on sidewalks starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 15.

(2) If the municipality complies with subsection (1), all sidewalks within the municipality are deemed to be in a state of repair with respect to any snow present until 48 hours following the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 15.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

- a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
- b) address snow accumulation on sidewalks in accordance with section 16.3. O. Reg. 366/18, s. 15.

#### **16.5 Ice formation on sidewalks and icy sidewalks**

(1) Subject to section 16.6, the standard for the prevention of ice formation on sidewalks is to,

- a) monitor the weather in accordance with section 3.1 in the 24-hour period preceding an alleged formation of ice on a sidewalk; and

- b) treat the sidewalk if practicable to prevent ice formation or improve traction within 48 hours if the municipality determines that there is a substantial probability of ice forming on a sidewalk, starting from the time that the municipality determines is the appropriate time to deploy resources for that purpose. O. Reg. 366/18, s. 15.

**(2)** If ice forms on a sidewalk even though the municipality meets the standard set out in subsection (1), the sidewalk is deemed to be in a state of repair in respect of ice until 48 hours after the municipality first becomes aware of the fact that the sidewalk is icy. O. Reg. 366/18, s. 15.

**(3)** The standard for treating icy sidewalks after the municipality becomes aware of the fact that a sidewalk is icy is to treat the icy sidewalk within 48 hours, and an icy sidewalk is deemed to be in a state of repair for 48 hours after it has been treated. O. Reg. 366/18, s. 15.

**(4)** For the purposes of this section, treating a sidewalk means applying materials including salt, sand or any combination of salt and sand to the sidewalk. O. Reg. 366/18, s. 15.

#### **16.6 Icy sidewalks, significant weather event**

**(1)** If a municipality declares a significant weather event relating to ice, the standard for addressing ice formation or ice on sidewalks until the declaration of the end of the significant weather event is,

- a) to monitor the weather in accordance with section 3.1; and
- b) if deemed practicable by the municipality, to deploy resources to treat the sidewalks to prevent ice formation or improve traction, or treat the icy sidewalks, starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 15.

**(2)** If the municipality complies with subsection (1), all sidewalks within the municipality are deemed to be in a state of repair with respect to any ice which forms or is present until 48 hours after the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 15.

**(3)** Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

- a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
- b) address the prevention of ice formation on sidewalks or treat icy sidewalks in accordance with section 16.5. O. Reg. 366/18, s. 15.

#### **16.7 Winter sidewalk patrol**

**(1)** If it is determined by the municipality that the weather monitoring referred to in section 3.1 indicates that there is a substantial probability of snow accumulation on sidewalks in excess of 8 cm, ice formation on sidewalks or icy sidewalks, the standard for patrolling sidewalks is to patrol sidewalks that the municipality selects as



representative of its sidewalks at intervals deemed necessary by the municipality. O. Reg. 366/18, s. 15.

**(2)** Patrolling a sidewalk consists of visually observing the sidewalk, either by driving by the sidewalk on the adjacent roadway or by driving or walking on the sidewalk or by electronically monitoring the sidewalk and may be performed by persons responsible for patrolling roadways or sidewalks or by persons responsible for or performing roadway or sidewalk maintenance activities. O. Reg. 366/18, s. 15.

### **16.8 Closure of a highway**

**(1)** When a municipality closes a highway or part of a highway pursuant to its powers under the Act, the highway is deemed to be in a state of repair in respect of all conditions described in this Regulation from the time of the closure until the highway is re-opened by the municipality. O. Reg. 366/18, s. 15.

**(2)** For the purposes of subsection (1), a highway or part of a highway is closed on the earlier of,

- a) when a municipality passes a by-law to close the highway or part of the highway; and
- b) when a municipality has taken such steps as it determines necessary to temporarily close the highway or part of a highway. O. Reg. 366/18, s. 15.

### **16.9. Declaration of significant weather event**

A municipality declaring the beginning of a significant weather event or declaring the end of a significant weather event under this Regulation shall do so in one or more of the following ways:

1. By posting a notice on the municipality's website.
2. By making an announcement on a social media platform, such as Facebook or Twitter.
3. By sending a press release or similar communication to internet, newspaper, radio or television media.
4. By notification through the municipality's police service.
5. By any other notification method required in a by-law of the municipality. O. Reg. 366/18, s. 15. REVIEW OF REGULATION

## **17. REVIEW**

**(1)** The Minister of Transportation shall conduct a review of this Regulation and Ontario Regulation 612/06 (Minimum Maintenance Standards for Highways in the City of Toronto) made under the *City of Toronto Act, 2006* every five years. O. Reg. 613/06, s. 2.

**(2)** Despite subsection (1), the first review after the completion of the review started before the end of 2007 shall be started five years after the day Ontario Regulation 23/10 is filed. O. Reg. 23/10, s. 11.

**18.** OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION). O. Reg. 239/02, s. 18.

**WINTER CONTROL LEVEL OF SERVICE STANDARDS 2018**

ROAD CLASSIFICATION HAMILTON/PROVINCIAL			SURFACE CONDITION			SNOW ACCUMULATION			TREATMENTS				COMMENTS
TYPE	PRIORITY RATING	PROV CLASS.	TARGET SURFACE COND.	REASONABLE RESPONSE TIME (1)	PROV MIN RESPONSE	TARGET RESPONSE Accum/cm	PROV TARGET RESPONSE	Time to completion (2)	ANTI ICING	DE-ICING	MATERIALS Salt    Sand Salt    Salt		
Linc/ Arterials	1	1	Bare	immediate	4 hrs	2.5 cm	2.5 cm	4 hrs	*	*	*	*	
Escarpment Crossings	1	1 – 5	Bare	immediate	6 hrs	5 cm	5 cm	4 hrs	*	*	*	*	
Collectors Primary	2A	2	Bare	4 hrs	6 hrs	8 cm	5 cm	8 hrs		*	*	*	
Collectors Secondary	2B	2-3	Centre bare	4hrs	6-12 hrs	8 cm	5-8 cm	8 hrs		*	*	*	
Rural Roads Hard Surface	3	4-6	Centre bare	8hrs	12-24 hrs	10 cm	8-10 cm	24 hrs				*	Hills and intersections
Residential **	3	5	Bare**	8hrs	24 hrs	8 cm**	10 cm	24 hrs		*	*	*	Hills and intersections
Loose top Rural Roads	3	6	Snow packed	12hrs	24 hrs	10 cm	10 cm	24 hrs					

\*\*Priority 3 Residential service change as per City of Hamilton Council direction of 2013.

(1)-from commencement

(2)- from end of storm

# CITY OF HAMILTON M O T I O N

Public Works Committee: December 10, 2018

**MOVED BY COUNCILLOR .....**

**SECONDED BY COUNCILLOR .....**

## **Interview Sub-committee to the Public Works Committee**

That the following five Councillors be appointed to the Interview Sub-Committee to the Public Works Committee for the balance of the 2018-2022 term of Council:

(i) \_\_\_\_\_

(ii) \_\_\_\_\_

(iii) \_\_\_\_\_

(iv) \_\_\_\_\_ (alternate member)

(v) \_\_\_\_\_ (alternate member)

# CITY OF HAMILTON MOTION

PW Committee Date: December 10, 2018

MOVED BY COUNCILLOR ..... L. FERGUSON

SECONDED BY COUNCILLOR.....

## Transit

**WHEREAS** the Public Works Committee approved the purchase of a passenger count system for \$2.2 million dollars;

**WHEREAS** we are going into year 4 of the Transit Master Plan; and,

**WHEREAS** significant investment has been made in the first three years of implementing the 10-year plan;

### **THEREFORE BE IT RESOLVED:**

- (a) That staff report back at Transit day the results of the passenger counts and a list of routes that are carrying less than 15 passengers per trip at peak times; and,
- (b) That staff report back on Transit day with a review of assumptions made when the 10-year transit study was done and compare them to the actual results or issues like ridership and population.

# CITY OF HAMILTON NOTICE OF MOTION

PW Committee Date: December 10, 2018

MOVED BY COUNCILLOR ..... L. FERGUSON

## Transit

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