



PUBLIC WORKS COMMITTEE MINUTES 19-004

9:30 a.m.

Monday, March 18, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors L. Ferguson (Chair), J.P. Danko (Vice-Chair), C. Collins, J. Farr, S. Merulla, N. Nann, M. Pearson, A. VanderBeek, and T. Whitehead

**Absent with
Regrets:** Councillor T. Jackson – Illness
Councillor E. Pauls – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. GO Expansion Full Business Case (PED19061) (City Wide) (Item 7.2)

(Collins/Merulla)

That Report PED19061, respecting GO Expansion Full Business Case, be received.

CARRIED

2. Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 600 5th Concession Road West, Flamborough (PW19027) (Ward 15) (Item 8.1)

(VanderBeek/Pearson)

That the application of the owner of 600 5th Concession Road West, Flamborough, to permanently close and purchase a portion of road allowance abutting the East side of 600 5th Concession Road West, Flamborough ("Subject Lands"), as shown on Appendix "A", attached to Report PW19027, 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 600 5th Concession Road West, Flamborough, 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 600 5th Concession Road West, Flamborough 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(s) 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 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.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

NOT PRESENT - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson

3. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 20 Birch Avenue, Hamilton (PW19028) (Ward 3) (Item 8.2)

(Nann/Danko)

- (a) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, for an order to permanently close the Subject Lands, if required by the City, subject to:

- (i) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and,
 - (ii) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;
- (b) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
- (c) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved:
 - (i) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;
 - (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed alleyway to the owners of 20 Birch Avenue, Hamilton, as described in Report PW19028, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
 - (iii) The City Solicitor be authorized to complete the transfer of the Subject Lands to the owners of 20 Birch Avenue, Hamilton, pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;
 - (iv) The City Solicitor be authorized and directed to register a certified copy of the by-laws permanently closing and selling the alleyway in the proper land registry office; and,
 - (v) The Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204;
- (d) That the applicant enters into agreements with any Public Utility requiring easement protection; and,
- (e) That the City of Hamilton retain any necessary road widenings to the satisfaction of the Manager, Geomatics and Corridor Management, in accordance with the City of Hamilton Official Plan.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

NOT PRESENT - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson

4. 2018 Annual Drinking Water Report (PW19024) (City Wide) (Item 9.1)

(Nann/Danko)

That Report PW19024, respecting the 2018 Annual Drinking Water Report, be received.

CARRIED

5. Proposed Amendments to City of Hamilton By-law No. 10-103 Respecting the Prevention of Backflow into the Water Distribution System of the City of Hamilton (PW19023) (City Wide) (Item 10.1)

(Whitehead/VanderBeek)

That a By-law to amend the City of Hamilton Backflow Prevention By-law No. 10-103, substantially in the form attached as Appendix "B" to Report PW19023, and as satisfactory to the City Solicitor, be enacted.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

NOT PRESENT - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson

6. Speed Limit Reduction on Highland Park Drive and Lynndale Drive (Ward 13) (Item 11.1)

(VanderBeek/Whitehead)

WHEREAS, in 2018 during construction on Governors Road residents of Highland Park Drive had many safety concerns due to increased traffic volumes and perceived speeding issues;

WHEREAS, there are areas on Highland Park Drive that do not have sidewalks and pedestrians have to walk on the roadway to access St. Bernadette Catholic Elementary School; and,

WHEREAS, Highland Park Drive and Lynndale Drive are planned to be reduced to 40km/h as part of the Bill 65 "Safer School Zones" Act;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to implement a 40km/h speed limit on Highland Park Drive between Bridlewood Drive and Lynndale Drive;
- (b) That staff be directed to implement a 40km/h speed limit on Lynndale Drive between Highland Park Drive and Creighton Drive;
- (c) That the by-law authorizing staff to implement a 40km/h speed limit on Highland Park Drive between Bridlewood Drive and Lynndale Drive and on Lynndale Drive between Highland Park Drive and Creighton Drive, attached as Appendix "A" to the Motion respecting Speed Limit Reduction on Highland Park Drive and Lynndale Drive, be approved; and,
- (d) That funding for signage for the speed limit reductions, as outlined above, be taken from the Red Light Camera Fund at an upwards costs of \$2,000.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

NOT PRESENT - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson

7. Conversion of Queen St. S. to Two-Way Traffic Between King St. W. and Main St. W. (Wards 1 and 2) (Item 11.3)

(Merulla/Danko)

WHEREAS, Queen Street South is approved for two-way conversion between Aberdeen Avenue and Main Street West in the summer of 2019;

WHEREAS, the previous direction of Council to staff was to review the two-way conversion of Queen Street South between Main Street West and King Street West in consultation with the LRT office without holding up the current approved conversion; and,

WHEREAS, staff have reviewed and have no objections to the conversion of Queen Street South between Main Street West and King Street West;

THEREFORE, BE IT RESOLVED:

- (a) That Queen Street South from King Street West to Main Street West be converted from one-way to two-way traffic and that the appropriate bylaw be passed; and,
- (b) That staff be directed to begin designing the two-way conversion of Queen Street South between Main Street West and King Street West in 2019 to be funded from Capital Account No. 4661820522 (Design) and that construction be tentatively scheduled for 2020 and that the costs associated with implementation be submitted as part of the 2020 Capital Budget submission for Council's consideration.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

NOT PRESENT - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

The Committee Clerk advised that there were no changes to the agenda.

(Collins/Pearson)

That the agenda for the March 18, 2019 Public Works Committee meeting be approved, as presented.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF THE PREVIOUS MEETING (Item 4)

(i) February 22, 2019 (Item 4.1)

(VanderBeek/Whitehead)

That the Minutes of the February 22, 2019 meeting of the Public Works Committee be approved, as presented.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Maria Pearson

(d) DELEGATION REQUESTS (Item 6)

- (i) Anne Pearson and Gail Rappolt, United Nations Association in Canada Hamilton Branch and Culture of Peace Hamilton, respecting April 25th Peace Luncheon with a Focus on the Reduction of Plastic Use (For a future meeting) (Item 6.1)**

(Whitehead/Merulla)

That the delegation request, submitted by Anne Pearson and Gail Rappolt, United Nations Association in Canada Hamilton Branch and Culture of Peace Hamilton, respecting an April 25th Peace Luncheon with a Focus on the Reduction of Plastic Use, be approved for a future meeting.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Maria Pearson

(e) CONSENT ITEMS (Item 7)

- (i) Keep Hamilton Clean and Green Committee Minutes - January 22, 2019 (Item 7.1)**

(VanderBeek/Nann)

That the Minutes of the January 22, 2019 meeting of the Keep Hamilton Clean and Green Committee be received, as presented.

CARRIED

(f) PUBLIC HEARINGS/DELEGATIONS (Item 8)

- (i) Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 600 5th Concession Road West, Flamborough (PW19027) (Ward 15) (Item 8.1)**

Chair Ferguson advised that notice of the Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 600 5th Concession

Road West, Flamborough (PW19027) (Ward 15) 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 no registered speakers.

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.

(VanderBeek/Pearson)

That the public meeting be closed.

CARRIED

For disposition of this matter, refer to Item 2.

(ii) Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 20 Birch Avenue, Hamilton (PW19028) (Ward 3) (Item 8.2)

Chair Ferguson advised that notice of the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 20 Birch Avenue, Hamilton (PW19028) (Ward 3) 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 no registered speakers.

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.

(Nann/Merulla)

That the public meeting be closed.

CARRIED

For disposition of this matter, refer to Item 3.

(g) STAFF PRESENTATIONS (Item 9)

(i) 2018 Annual Drinking Water Report (PW19024) (City Wide) (Item 9.1)

Cari Vanderperk, Manager, Compliance & Regulations, addressed Committee and provided a PowerPoint presentation respecting Report PW19024, the 2018 Annual Drinking Water Report. The presentation has been included in the official record.

(Pearson/VanderBeek)

That the presentation, respecting Report PW19024, the 2018 Annual Drinking Water Report, be received.

CARRIED

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

For disposition of this matter, refer to Item 4.

(h) MOTIONS (Item 11)

(i) Public Planning Results for 2018 Plan Local Initiative Resulting in Ward 2 Area Rating Funded Projects (Ward 2) (Item 11.2)

(Nann/Merulla)

That consideration of the following Motion, respecting Public Planning Results for 2018 Plan Local Initiative Resulting in Ward 2 Area Rating Funded Projects, be deferred to the next Public Works Committee meeting:

- (a) (Central, Durand and Stinson Neighbourhood) That \$400 for a total of 13 metal containers, at \$30 per metal container be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;
- (b) (Central Neighbourhood 15, Corktown Neighbourhood 1, Durand Neighbourhood 7, Stinson Neighbourhood 3) That \$39,000 for public bench seating (the installation of 32 standard bench seating), be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;
- (c) (Stinson Neighbourhood) That \$149,850 for Graffiti removal and curbing by Mural(s) Under Claremont Access to act as a "gateway", as Wards 2 and 3 meet at the Access, be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;
- (d) (Beasley Neighbourhood) That \$75,000 for Graffiti Removal/Prevention at Ferguson Station and a public art mural at 250 King St. E. be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052; and that the International Village BIA be authorized to facilitate these initiatives;
- (e) (Beasley Neighbourhood) That \$27,000 for Concrete Planters for the Cannon Bike Track be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;

- (f) (Beasley and Central Neighbourhood) That funding in the amount of \$69,000 for trees be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052 (15k for Central, 54k for Beasley);
- (g) (Corktown Neighbourhood) That \$60,000 for playground equipment for Corktown Park & Shamrock park be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;
- (h) (Central, Corktown and Durand Neighbourhood) That \$105,000 for installation of a solar lighting be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052; (Central 5, Corktown 1 and Durand 1);
- (i) (Corktown Neighbourhood) That \$75,000 for Bike path at Shamrock Park 120m long multi-use path beside the existing sidewalk so cyclists can ride from existing Ferguson bike lanes to the tunnel – to Young St., be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;
- (j) (Durand Neighbourhood) That \$15,000 for installation of completion of the Durand heritage neighbourhood street signage be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;
- (k) (Central Neighbourhood) That \$6000 for 15 Hanging Baskets be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;
- (l) (North End Neighbourhood) That \$100,000 for bathroom upgrades at Eastwood Park be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;
- (m) (North End Neighbourhood) That \$56,000 for playground equipment for Eastwood Park be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;
- (n) (Central Neighbourhood) That \$21,000 for planters be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052; and,
- (o) 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

(i) NOTICES OF MOTION (Item 12)

(i) Implementation of Alternate Concept Design for Concrete Planters on James St. S. Between Duke St. and Bold St. (Ward 2) (Item 12.1)

The following Notice of Motion will be placed on the next Committee agenda as a Motion:

WHEREAS, the recent installation of concrete planters to act as required pedestrian safety measures on the west side of James Street South between Duke Street and Bold Street requires adequate modification as a result of input by local businesses stating that the current configuration greatly limits visibility of their businesses; and,

WHEREAS, an alternate concept design requires the removal of some planters and replacement with an enhanced railing and some permanent seating has been approved by local business and residents following consultation respecting what a modification should entail;

THEREFORE, BE IT RESOLVED:

- (a) That Public Works implement the alternate concept design attached as Appendix "A" to this Notice of Motion and, in keeping with City standards, be funded from the Ward 2 Area Rating Special Capital Reserve No. 108052 up to \$100,000; 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.

(j) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(i) Amendments to the Outstanding Business List (Item 13.1)

(Pearson/Nann)

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

- (a) Items requiring a new due date:
 - (i) Making Upper James Street More Pedestrian Friendly
Item on OBL: E
Current Due Date: March 18, 2019
Proposed New Due Date: July 10, 2019

- (ii) Feasibility of Joining a Sidewalk from the Mount Hope Urban Boundary to the John C. Munro International Airport Lands
Item on OBL: W
Current Due Date: February 4, 2019
Proposed New Due Date: April 29, 2019
- (iii) On Street Parking and Bike Lanes
Item on OBL: X
Current Due Date: February 4, 2019
Proposed New Due Date: April 1, 2019
- (iv) Tiger Tail Stop Signs
Item on OBL: AH
Current Due Date: March 18, 2019
Proposed New Due Date: July 10, 2019

Result: Motion CARRIED by a vote of 8 to 0, as follows:

NOT PRESENT - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Chair Lloyd Ferguson
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson

(k) ADJOURNMENT (Item 15)

(Danko/Collins)

That there being no further business, the Public Works Committee be adjourned at 10:20 a.m.

CARRIED

Respectfully submitted,

Councillor L. Ferguson
Chair, Public Works Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk