



**PUBLIC WORKS COMMITTEE
REPORT 18-008**

AS AMENDED BY COUNCIL ON JULY 12, 2019

9:30 a.m.

Monday, June 4, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

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

Also Present: Councillor J. Farr

**THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 18-008 AND
RESPECTFULLY RECOMMENDS:**

1. Intersection Control List (PW18001(d)) (Wards) (Item 5.1)

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				
Section “B” Dundas							
(a)	Chegwin Street/McMurray Street	Hope Street	WB	All	A	Operational Review – Clr. Approved	13
(b)	Hope Street	Chegwin Street/McMurray Street	WB	All	A	Operational Review – Clr. Approved	13
Section “E” Hamilton							

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Intersection		Stop Control Direction		Class	Comments / Petition	Ward
Street 1	Street 2	Existing	Requested			
(c) James Street	Strachan Street	EB/WB	All	B	Operational Review, Clr Approved	2
(d) Elgin Street	Robert Street	EB	All	A	Operational Review, Clr Approved	2
(e) Dunsmure Road	Fairholt Road	NB/SB	All	A	Operational Review, Clr Approved	3
(f) Catharine Street	Robert Street	EB/WB	All	A	Operational Review, Clr Approved	3

Legend

No Control Existing (New Subdivision) - **NC**

Intersection Class: **A** - Local/Local **B** - Local/Collector **C** - Collector/Collector

2. Two-Way Conversion of Birch Avenue (PW18044) (Ward 3) (Item 5.2)

That Birch Avenue be converted from one-way to two-way traffic from Wilson Street to Barton Street East in 2019 and from Barton Street East to Burlington Street East between 2020 and 2022.

3. Amendments to Encroachments on City Property – Policy and Procedure (PW11024(a)) (City Wide) (Item 5.3)

That Report PW11024(a) respecting Amendments to Encroachments on City Property – Policy and Procedure, be received.

4. Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton (PW18047) (Ward 2) (Item 6.1)

That the application of the owner of 49 Walnut Street South, Hamilton, to permanently close and purchase a portion of the unassumed alleyway abutting the North side of 49 Walnut Street South, Hamilton, ("Subject Lands"), as shown on Appendix A, attached to PW Report 18-008, be approved, subject to the following conditions:

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

- (i) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and
 - (ii) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;
- (b) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
- (c) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved:
 - (i) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;
 - (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed alleyway to the owners of 49 Walnut Street South, Hamilton, as described in Report PW18047, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
 - (iii) 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;
 - (iv) The Public Works Department provide any required notice of the City's intention to pass the by-laws and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204;
- (d) That the applicant enters into agreements with any Public Utility requiring easement protection;
- (e) That all costs associated with the relocation of the hydro pole be paid for by the developer and that the relocation in no way negatively affect the neighbouring businesses.

5. Ancaster Tennis Bubble (PW17089(a)) (Ward 12) (Item 8.1)

- (a) That Report PW17089(a), **respecting the Ancaster Tennis Bubble**, be received;
- (b) That approval be given for the City's Capital Cost of \$60,000 be funded from the unallocated Capital Reserve;
- (c) That staff be directed to negotiate a change to the licensing agreement between the Ancaster Tennis Club (ATC) and the City to reflect a City **interest free** loan to the ATC of \$290,000;
- (d) That the ATC pay the \$190,000 in annual operating costs; and,
- (e) ***That the annual repayment on the interest-free loan, provided to the Ancaster Tennis Club for the installation of a tennis dome, in the amount of \$290,000, to be paid in the amount of \$19,333.33 over 15 years on the anniversary dates of the loan advance.***

6. Mountain Climber Pilot Results and Expansion (PW17026(a)) (City Wide) (Item 8.2)

- (a) That the Mountain Climber Pilot on James Mountain Road be considered complete as a pilot, and continue on a permanent basis;
- (b) That the Transit Division implement two new Mountain Climber pilot locations: Beckett Drive and Kenilworth Access with a total one-time capital cost of \$2100 to be funded through the existing budgets in account and Dept ID 53070-530270. Included in this cost is the installation of signage and all related communications (internal and external);
- (c) That staff be directed to monitor both new pilot locations for a total of one year, and report results to Public Works Committee in 2019.

7. Fay Park Redevelopment (Ward 6) (Item 9.1)

WHEREAS, the play structure and safety surfacing at Fay Park located at 95 Broker Drive, Hamilton has reached its end of life cycle and has become worn-out;

WHEREAS, Fay Park would benefit from the addition of asphalt pathways to provide accessibility and help to better serve the community;

THEREFORE BE IT RESOLVED:

That play structure improvements at Fay Park, at an upwards cost of \$90,000, which includes the addition of a new play structure (demolition, design, construction and safety surfacing) as well as pathway additions, be funded as follows:

- (i) \$40,000 from the remaining funding available from the completed Macassa Irrigation System (#4241609603)
- (ii) \$50,000 funded through the Ward 6 Area Reserve, with any unspent funds to be returned to the Ward 6 Area Reserve.

8. Special Capital Re-Investment Reserve Funding Projects (Ward 11) (Item 9.2)

WHEREAS, modern winters appear to have accelerated the deterioration of roads throughout Ward 11 as a result of increased frequency of freeze/thaw cycles and more extreme variability of temperatures, and;

WHEREAS, the City of Hamilton current has competitively bid projects and prices available as a base for comparison and negotiation that can be used to ensure value for money on the award of the proposed works, and;

WHEREAS, given the current resources along with the time needed to complete a tender and award process, road improvements cannot be addressed within the normal process manner during the 2018 construction process;

THEREFORE BE IT RESOLVED:

- (a) That Airport Road, from Homestead Drive to the Hamilton International Airport and Homestead Drive, Strathearne Drive., north to Upper James,, at an estimated cost of \$900,000, be rehabilitated using asset preservation practices, with the work to include the rehabilitation of the existing asphalt with repaving;
- (b) That the Ward 11 allocation, in the amount of \$900,000 (Project ID 4031811811) previously approved from the Investment Stabilization Reserve Account (112300) be utilized to fund the asset preservation of Airport Road, from Homestead Drive to the Hamilton International Airport and Homestead Drive, Strathearne Drive., north to Upper James;
- (c) That upon project completion, should any surplus funding be generated, that the same be transferred to the Ward 11 road maintenance being project no. 4031611611;
- (d) That the General Manager of Public Works be authorized to procure all or some of the proposed works identified through Procurement Policy #11

Non-Competitive Procurements, where deemed appropriate, to expedite the works for this construction season.

9. Parkland Acquisition Strategy (Added Item 10.1)

(Whitehead/Conley)

WHEREAS, the City of Hamilton has Official Plans and Secondary Plans to guide the development of existing and future parkland across the city;

WHEREAS, there are many neighbourhoods across the city that have neighbourhood parkland deficiencies based on the supply criteria of 0.7 ha/1000 people;

WHEREAS, there are areas in the city experiencing growth and intensification, increasing the parkland deficiencies in these areas resulting in increasing pressures on existing parkland, and increasing the parkland deficiencies;

WHEREAS, land acquisition costs are increasing across the city, putting financial pressure on the city's limited funding for parkland purchase;

WHEREAS, there is an obligation to understand and evaluate parkland purchase opportunities against other city priorities, resources, and policies;

WHEREAS, the creation of a framework by which to evaluate the opportunities to purchase parkland as they arise would assist with the responsible expenditure of city funds and ensure consistent application of policies city-wide;

THEREFORE BE IT RESOLVED:

That staff from Public Works, and Planning and Economic Development departments complete a city-wide parkland acquisition strategy, and report back with recommendations to General Issues Committee.

10. Freelton Water Tower (Added Item 10.2)

WHEREAS, the existing Freelton Water Tower does not have lettering displayed on the tower;

WHEREAS, the Community has requested an identity be included on the tower and, as such, it is proposed to display the name "Freelton" with the City of Hamilton logo on the side of the tower facing Freelton Road;

WHEREAS, efficiencies can be maximized by utilizing the current Contractor for the upgrades to the Freelton Water Tower (Contract C13-04-18) to complete the

lettering and logo work at no additional cost, with an anticipated completion by the end of 2018;

WHEREAS, there are no existing City policy for naming water towers;

THEREFORE BE IT RESOLVED:

That the Freelon Water Tower display the name "Freelon" with the City of Hamilton logo on the side facing Freelon Road.

11. Stinson Neighbourhood Association's Snail Mural (Ward 2) (Added Item 10.3)

WHEREAS; the City of Hamilton's Neighbourhood Action Strategy (NAS) encourages engagement of residents and brings confidence that City divisions will unify to assist residents in achieving positive action strategies for the benefit of their communities; and,

WHEREAS; the Stinson Neighbourhood Association (SNA) was the first community identified in the NAS; and,

WHEREAS; soon after the NAS designation, the SNA up with their own action to encourage drivers to be mindful of the many children and families that cross Victoria Street at Stinson street; and,

WHEREAS; the action was a mural of a "slow down snail" and the mural is complete with only installation needed; and,

WHEREAS, Public Works staff "generally do not have an issue with this *one* piece of art but we are concerned that it would be seen as precedent setting for additional requests."; and,

WHEREAS, there is a "possibility of driver distraction"; and,

WHEREAS, the current installation of a giant puppy dog near the sidewalk on Main Street West may be considered a greater driver distraction than an 8 x 12 mural of snail at a stop sign in a pedestrian area that encourages drivers to slow down; and,

WHEREAS, staff have an expectation that the Snail Mural would be vandalized regularly, yet a much larger mural on the adjacent wall was put in place two years ago and no vandalism has occurred; and,

WHEREAS, the SNA representative has vowed to address concerns if there is any vandalism in the future and pay for the clean-up; and,

WHEREAS, staff from the Culture Division have agreed to assist the SNA to erect, as a priority, the Snail Mural in a safe and secure manner and will address the need for the murals removal to facilitate the Ontario Structure Inspection Manual inspection once every 2 years and then reinstall the mural; and,

WHEREAS, staff from the Culture Division are currently in the process of developing policies on community art next year that will make this easier for similar neighbourhood initiated actions in the name of safety and beautification;

THEREFORE BE IT RESOLVED:

That the location of the Snail Mural on the east wall of the Clairmont Access at street level and the intersection of Victoria Avenue South and Stinson Street be approved and erected.

FOR INFORMATION:

(a) APPROVAL OF THE AGENDA (Item 1)

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

1. ADDED DELEGATION REQUESTS (Item 4)

- 4.3 Sergio Manchia, UrbanSolutions, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton (Item 6.1 of today's agenda)
- 4.4 Kalipso Terpoy, Lo Presti's at Maxwells Find Dining Restaurant, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton (Item 6.1 of today's agenda)

2. PUBLIC HEARINGS/DELEGATIONS (Item 6)

- 6.1 Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton (PW18047) (Ward 2)

There is a revision to page 4 of the report in order to correct a typographical error.

3. ADDED NOTICES OF MOTION (Item 10)

- 10.1 Parkland Acquisition Strategy
- 10.2 Freelon Water Tower

10.3 Stinson Neighbourhood Association's Snail Mural (Ward 2)

4. GENERAL INFORMATION/OTHER BUSINESS (Item 11)

11.1 Changes to the Outstanding Business List

11.1(b) Item requiring a revised due date:

Clean and Green Hamilton Strategy – Year End Update

Current Date: August 2018

Revised Date: September 6, 2018

The Agenda for the June 4, 2018 meeting of the Public Works Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) May 14, 2018 (Item 3.1)

The Minutes of the May 14, 2018 Public Works Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Mathieu Koevoets, P. Eng., Ancaster Tennis Club, Proposal to Install a Dome/Bubble over the Tennis Courts in Village Green Park (Item 4.1)

The delegation request from Mathieu Koevoets, P. Eng., Ancaster Tennis Club, respecting the Installation of a Dome/Bubble over the Tennis Courts in Village Green Park, was approved for today's meeting.

(ii) Suzanne Mammel, Hamilton-Halton Home Builders' Association respecting Water Main Approval Issues and Recommendations for Master-water/wastewater Servicing Studies (Item 4.2)

The delegation request from Suzanne Mammel, Hamilton-Halton Home Builders' Association, respecting Water Main Approval Issues and Recommendations for Master-water/wastewater Servicing Studies, was approved for a future meeting.

- (iii) **Sergio Manchia, UrbanSolutions, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton (Added Item 4.3)**

The delegation request from Sergio Manchia, Urban Solutions, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton, was approved for today's meeting.

- (iv) **Kalipso Terpoy, Lo Presti's at Maxwells Fine Dining Restaurant, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton (Added Item 4.4)**

The delegation request from Kalipso Terpoy, Lo Presti's at Maxwells Fine Dining Restaurant, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton, was approved for today's meeting.

(e) PUBLIC HEARINGS / DELEGATIONS (Item 6)

- (i) **Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton (PW18047) (Ward 2) (Item 6.1)**

Chair Ferguson advised that notice of the proposed permanent closure and sale of a Portion of a Public Alley Abutting 49 Walnut Street South in Hamilton was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that two individuals registered to speak to the matter.

Registered Speaker

- 1. Sergio Manchia, UrbanSolutions, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton**

Mr. Sergio Manchia, with UrbanSolutions, representing the Applicant, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the official record and is available for viewing at www.hamilton.ca.

Mr. Manchia provided an overview of the Applicant's proposed development and showed a map of the area. He stated that the existing

width restricts the functionality of the alleyway and that it is contaminated. The new development will provide public parking opportunities.

Mr. Manchia indicated that the Applicant is willing to cover the costs of relocating the utility pole in order to address the concerns of neighbouring property owners.

The delegation from Sergio Manchia, UrbanSolutions, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton, was received.

2. Kalipso Terpoy, with Lo Presti's at Maxwells Fine Dining Restaurant, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton

Ms. Kalipso Terpoy, with Lo Presti's at Maxwells Fine Dining Restaurant, addressed the Committee with the aid of speaking notes. A copy of the notes has been retained for the official record and are available for viewing at www.hamilton.ca.

Ms. Terpoy and her husband own and operate Lo Presti's at Maxwell's Fine Dining Restaurant. Mr. and Ms. Terpoy, along with their adjoining neighbours, have been using the ally to access the back parking and delivery areas for their businesses. Ms. Terpoy is concerned that the relocation of the hydro pole will negatively impact her business.

She reported that during a brief discussion with the developer before today's meeting, she was assured that the hydro and telephone utilities are going to be relocated underground at the expense of the developer.

Ms. Terpoy was satisfied with the plan to temporarily reposition the hydro pole, at the expense of the developer, until the permanent underground placement is completed.

The delegation from Kalipso Terpoy, with Lo Presti's at Maxwells Fine Dining Restaurant, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton, was received.

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

Report PW18047 respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton was amended by adding the following sub-section:

- (e) *That all costs associated with the relocation of the hydro pole be paid for by the developer and that the relocation in no way negatively affect the neighbouring businesses.***

For disposition of this matter refer to Item 4.

(ii) Mathieu Koevoets, P. Eng., Ancaster Tennis Club, Proposal to Install a Dome/Bubble over the Tennis Courts in Village Green Park (Item 6.2)

Mr. Mathieu Koevoets with the Ancaster Tennis Club addressed the Committee respecting the installation of a dome/bubble over the tennis courts in Village Green Park with the aid of speaking notes. A copy of the notes have been retained for the official record and are available at www.hamilton.ca.

Mr. Koevoets provided an overview about the Ancaster Tennis Club and expressed the need to have a dome/bubble installed over the courts.

The delegation from Mathieu Koevoets with the Ancaster Tennis Club respecting the installation of a dome/bubble over the tennis courts in Village Green Park, was received.

For disposition of this matter refer to Items (f)(i) and 5.

(f) DISCUSSION ITEMS (Item 8)

(i) Ancaster Tennis Bubble (PW17089(a)) (Ward 12) (Item 8.1)

Chair Ferguson relinquished the Chair to Councillor VanderBeek in order to introduce the following amendment.

- (a) *That Report PW17089(a), be received;***
- (b) *That approval be given for the City's Capital Cost of \$60,000 be funded from the unallocated Capital Reserve;***
- (c) *That staff be directed to negotiate a change to the licensing agreement between the Ancaster Tennis Club (ATC) and the City to reflect a City loan to the ATC of \$290,000; and***
- (d) *That the ATC pay the \$190,000 in annual operating costs.***

For disposition of this matter refer to Items (e)(ii) and 5.

Chair Ferguson assumed the Chair.

(g) NOTICES OF MOTION (Item 10)

(i) Parkland Acquisition Strategy (Added Item 10.1)

Councillor Whitehead introduced a notice of motion respecting the Parkland Acquisition Strategy.

The Rules of Order were waived to allow for the introduction of a motion respecting the Parkland Acquisition Strategy.

For disposition of this matter refer to Item 9.

(ii) Freelon Water Tower (Added Item 10.2)

Councillor Pasuta introduced a notice of motion respecting the Freelon Water Tower.

The Rules of Order were waived to allow for the introduction of a motion respecting the Freelon Water Tower.

For disposition of this matter refer to Item 10.

(iii) Stinson Neighbourhood Association's Snail Mural (Ward 2) (Added Item 10.3)

Councillor Merulla introduced a notice of motion respecting the Stinson Neighbourhood Association's Snail Mural.

The Rules of Order were waived to allow for the introduction of a motion respecting the Stinson Neighbourhood Association's Snail Mural.

For disposition of this matter refer to Item 11.

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

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

(a) The following Item required a revised due date:

Emergency Shoreline Protection Works
Current due date: June 18, 2018

Revised due date: July 12, 2018

(b) The following Item required a revised due date:

Clean and Green Hamilton Strategy – Year End Update

Current due date: August 2018

Revised due date: September 6, 2018

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

Andrew Grice, Acting General Manager of the Public Works Department, provided an update to the Committee about the following matters:

- The annual Hamilton Children's Water Festival took place last week. Over the course of three days approximately 3,000 grade 4 students from across Hamilton learned about water, water conservation and preservation of natural resources. A special thank you to sponsors and volunteers.
- Paul Greenaway, a City employee for over 15 years, won 2nd place at the first ever Ontario Public Works Week Rodeo in the Refuse Category.
- A special thank you to Horticulture staff for creating the beautiful floral display in front of City Hall of "Ralph the Dog". It is very popular with residents and unique.

(i) ADJOURNMENT (Item 13)

There being no further business, the Public Works Committee be adjourned at 10:57 a.m.

Respectfully submitted,

Councillor L. Ferguson, Chair
Public Works Committee

Lauri Leduc
Legislative Coordinator
Office of the City Clerk