



City of Hamilton
PUBLIC WORKS COMMITTEE ADDENDUM

Meeting #: 19-017
Date: December 2, 2019
Time: 9:30 a.m.
Location: Council Chambers, Hamilton City Hall
71 Main Street West

Alicia Davenport, Legislative Coordinator (905) 546-2424 ext. 2729

		Pages
5.	COMMUNICATIONS	
5.1	Correspondence respecting Item 9.1 - Friends of the Aviary Business Case Review and Extension of Agreement (PW17080(a))	
*5.1.c	Marlena Sokolowska	2
*5.1.d	Sara Shwadchuck	3
*5.1.e	Stephanie Brown and Tom Priestly, Friends of the Aviary	4
*5.1.f	Tom Priestly, Friends of the Aviary	5
	Recommendation: Be received and referred to the consideration of Item 9.1.	
10.	DISCUSSION ITEMS	
*10.6	Appendix "A" to DARTS Master Operating Agreement Renewal (PW19110/LS19047) (City Wide)	8
	See Item 14.1 for Private & Confidential Report PW19110/LS19047	
12.	NOTICES OF MOTION	
*12.1	Feasibility of Implementation of a Digital Automated Information System on the Lincoln Alexander Parkway and Red Hill Valley Parkway (City Wide)	10

Added Item 5.1(c)

From: Marlena [REDACTED]
Sent: November 25, 2019 11:40 PM
To: Collins, Chad <Chad.Collins@hamilton.ca>
Subject: The Hamilton Aviary

Chad Collins and Alicia Davenport;

The Hamilton Aviary has been a cultural institution in Hamilton since 1927. The Hamilton Aviary is important to us and Hamilton. I'm writing in support of keeping our Aviary open and hope you do all that is necessary to save our birds, please for the love of birds! Thank you!

Marlena Sokolowska

Added Item 5.1(d)

From: Sara Angela S [REDACTED]
Sent: November 28, 2019 9:49 AM
To: Collins, Chad <Chad.Collins@hamilton.ca>; Davenport, Alicia <Alicia.Davenport@hamilton.ca>
Subject: Friends of the Aviary

Good morning, Chad & Alicia:

I'm writing to you with regards to the Friends of the Aviary. I have been a volunteer there for 7 years. My involvement includes caring for the birds, fundraising & events, tour guide, admin coordination & education.

I'm so very grateful for stumbling upon this gem back in the day. It has become home. It's been wonderful to see a growing community of people caring for birds and not only does it heal the birds' souls, it heals our souls too. I can say with full confidence that the birds are very much loved.

The Friends of the Aviary has recently been recognized as one of Hamilton's favourite tourist facility, but I think of it more as a sanctuary and educational facility. These are all rescued birds in need of care. Not only do we care for them, but we also educate people about the status of birds around the world and inspire a need to protect and conserve them. We also educate people on just how many birds end up being rehomed as a result of not knowing just how much care birds require. We hope this will play a small role in our fight against the exotic animal trade. We are striving towards becoming more and more of an educator to the public.

The Aviary truly is a gem in the heart of Hamilton and I hope it will forever remain. It's a wonderful place to visit on a Saturday or Sunday afternoon and one where you don't have to spend any money, which makes it a wonderful place for families on a low or fixed income. All we ask is a donation, if possible, with 100% of the proceeds going towards the birds. As a tour guide, I have loved seeing people smile and falling in love with birds and especially, when those who visit then become volunteers themselves.

I ask for your support for The Friends of the Aviary.

Thank you so much for your time in reading this,

Sara Shwadchuck



November 26, 2019

Public Works Committee
71 Main St West
Hamilton, ON L8P 4Y5

RE: The Hamilton Aviary

Dear Councillors,

I am writing to you today on behalf of Friends of the Aviary (FOA), a charitable organization located in the Westdale neighbourhood, whose mission it is to provide sanctuary to tropical birds.

It is my understanding that FOA and a potential anonymous donor are to be part of the PWC's agenda for Monday December 2, 2019. **I would like to request your support in calling for any action regarding the Hamilton Aviary to be tabled so that stakeholders can have a timely conversation about the Aviary's future.**

If an anonymous donor truly wishes to make a sizeable gift to the benefit of the Hamilton Aviary, as was reported by the Hamilton Spectator, it would be more appropriate to conduct these conversations outside of the political spectrum.

It is my hope that we can partner together to see this matter resolved.

Yours in service,

Stephanie Brown
Friends of the Aviary
Fundraiser & Board Liaison

Tom Priestly
Friends of the Aviary
President of the Board

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November 29, 2019

Members of the Public Works Committee
Hamilton City Hall
2nd Floor- 71 Main Street West
Hamilton, ON L8P 4Y5

Dear Councillors,

The following is in support of an exotic bird sanctuary in the Hamilton community. The Hamilton Aviary provides a sanctuary for exotic birds in need of a home and/or healing due to no fault of their own. The Friends of the Aviary are more than volunteers who run the Aviary. We are stewards preserving the beauty of aviculture for generations to come. Our activities inspire visitors to develop a deeper connection with nature and form a community of compassionate caretakers.

Our Mission is to advocate for exotic birds; rehabilitate and retrain; educate and foster academics; focus on the health and wellness of people and birds; and create a beautiful attraction and destination. We seek to use the Aviary and our flock as an educational tool to improve awareness of nature, conservation, and the many aspects of responsible care required by exotic birds.

Our Vision: Healing Hamilton with humanity, compassion, and feathered friends. For our community. For the love of birds.

A decision to close the Aviary is not in the best interest of the flock and will only add to a nationwide problem. Exotic animals are vulnerable to abuse, backyard breeders, and inadequate care. Many parrots end up rehomed multiple times in their lifespan due to a variety of reasons. Exotic birds are companion animals, they are wild, and they are not pets. They have not been domesticated over the course of centuries like dogs and cats. Parrots, much like our flock, tend to be 1-3 generations removed from their wild habitat and instincts, or were themselves wild-caught as fledglings by poachers. You inherited "the bird business" by decisions made almost a century ago by your predecessors. You have a responsibility to the human and avian residents of Hamilton.

Ontario's Ministry of the Solicitor General, Animal Welfare Task Force Report in October 2012 referred to the "One Health" concept, which recognizes the increasing convergence of animal, human and ecosystem health, and emphasizes that maintaining animal health is integral to maintaining the health of humans.

CTV Ottawa reported on "Canada's parrot problem" published on Friday, August 14, 2015. The article discusses the work done by Parrot Partners, a charity based in Smiths Falls, Ontario providing sanctuary and training for abandoned parrots.

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CBC News reported on “‘We thought we’d will her to our son’: Bird ownership proves tough commitment” published on October 18, 2016. ‘Rare is the parrot who does have a forever home,’ stated by aviculturalist Melanie Shura. The article discusses Greyhaven Exotic Bird Sanctuary in B.C. caring for approximately 600 homeless birds. The author also states “There is no reliable information on parrot ownership in Canada, but the American Pet Products Association conducted a survey in 2015 that suggested there are 14 million birds living in homes across the U.S.”

Melissa Matlow, Senior Wildlife Campaign Manager with World Animal Protection stated in a media release dated Dec 18, 2018 "Whether they are sourced from the wild or bred in captivity, many wild animals suffer and die when crudely transported, handled and kept as pets in inappropriate conditions that can't meet their complex needs. Exotic pets are often an impulse buy and we know people are pressed to make quick decisions over the holidays. We urge people to take time to consider what is needed to care for these animals properly. Once they are informed, we believe they will understand why wild animals are not appropriate gifts or pets."

The Hamilton Aviary often receives requests to take in new birds when parrot owners decide that their companion bird is no longer a good fit for them; they no longer have the time for a parrot; or they are unable to cope with behavioural concerns. The general public do not realize that parrots are by nature vocally loud, destructive, time consuming, and expensive. They also do not always take in to consideration the lifespan of up to 80 years for large parrots, up to 40-60 years for medium parrots, and up to 20-30 years for small parrots; as their owners pass away these parrots find themselves homeless. Parrots require commitment and future planning. The Aviary’s mission is to advocate for exotic birds and educate the community on what responsible ownership of companion birds entails. By doing so, we are taking an upstream approach to mitigate future animal health and welfare concerns that burden government funding.

A sanctuary in Hamilton, Ontario with a purpose-built facility would provide access to services to the residents of Southern Ontario whom are unable to travel far distance to reputable organizations such as Parrot Partners or Greyhaven. It would reduce the strain on government animal welfare services. We were recently recognized as Hamilton’s top tourist attraction- we will continue to add to tourism. It is known that there is an offer for a significant donation on your table. At the time the letter from the donor’s representatives was written to you, they did not know that the Hamilton Aviary was operated by a charitable organization, Friends of the Aviary; they assumed it was a City of Hamilton program. **I would like to request that any action regarding the Hamilton Aviary be tabled so that stakeholders can have a conversation about the future of the Aviary.**

Our business case presented to you in February 2019 was difficult to produce due to a lack of transparency from the City of Hamilton. The annual Horticulture budget for the Aviary was unknown to us and we presented other barriers. In our meeting with the City in August 2019, we questioned the last 4-year average for the care and maintenance of the birds and building being \$46,000. We also did not receive clarity on whether or not “maintenance” costs included just the Aviary building or the contents of Churchill Park in general (ie. the entire grounds or the problem-prone gate which is shared with the

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teaching gardens) or how maintenance billing was coded separately. We did not receive clarity on the cost of \$1,471,500 in improvements to the current Aviary structure at 85 Oak Knoll Drive.

The Hamilton Aviary has been a cultural institution in Hamilton since 1927. It is my hope that the Friends of the Aviary and the City of Hamilton can partner together to find a resolution to keep the Hamilton Aviary in operation.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Priestly", is written over a light yellow rectangular background.

Tom Priestly RN, BSc, BScN
President
Friends of the Aviary

cc: Maureen Wilson, Ward 1 Councillor

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t: 905-546-4842 | e: info@hamiltonaviary.ca | PO Box 89071, 85 Oak Knoll Drive, Hamilton, ON L8S 4R5

Item 24 of General Issues Committee Final Operating Budget Report 17-002, as approved by Council on April 12, 2017:

24. DARTS (PW17019) (City Wide) (Item 8.2)

- (a) That subject to subsections (b) and (c), the Master Operational Agreement ("MOA") between the City of Hamilton ("City") and Disabled and Aged Regional Transit System ("DARTS") be extended from July 1, 2017 to June 30, 2020;
- (b) That the Public Works Department 2017 Operating budget be:
 - (i) increased by \$235,000 to be funded from the tax levy to match the final DARTS budget submission;
 - (ii) that one time funding be provided from ATS reserve account #110023 in an amount not to exceed \$1,000,000 to cover the forecast negative variance in the DARTS 2017 operating budget relating to the transition to a different fleet mix of vehicles necessary to achieve operational savings as directed by Council Report PW16015;
- (c) That the Memorandum of Agreement (MOA) be amended to reflect the following:
 - (i) updated service standards and performance metrics, as outlined in Report PW17019;
 - (ii) DARTS, instead of the City, will be fully responsible for the acquisition of all new vehicles, equipment and capital assets, including the maintenance for same;
 - (iii) an annual value for money audit will be performed by the City's Audit Services Division for each 18 months of the extension;
 - (iv) DARTS will provide the City, by no later than November 30th of each year, DARTS' projected year-end budget forecast;
 - (v) DARTS will provide the City, by no later than January 10th of each year, DARTS' preliminary budget for the calendar year;
 - (vi) DARTS will be required to attend as a delegation, on a quarterly basis and more often, if requested, at the sole discretion of the City, at an Accessible Transportation Services (ATS) Review Sub-Committee meeting to provide a comprehensive presentation to the Sub-Committee on DARTS' operational and financial performance

during the previous quarter with respect to DARTS' obligations under the Memorandum of Agreement, and answer in good faith all questions asked by members of the Sub-Committee;

(vii) DARTS will also be required to attend as a delegation at a special ATS Review Sub-Committee meeting to be held when any of the following events have occurred:

1. DARTS being 10% above the budget for any given month under the MOA;
2. DARTS being 15% over/under on the required number trips for any given month;
3. DARTS' Commercial Vehicle Operator's Registration (CVOR) rating reaches 60 or greater;
4. Any material impact on DARTS performance under the MOA;

and to provide a comprehensive presentation on the reasons for the event(s) having occurred, the steps taken to correct the situation and the steps to be taken to prevent a future similar event from occurring, and to answer in good faith all questions asked by members of the Sub-Committee;

(viii) DARTS will be required to attend any other Committee or Council meeting, where requested by the City, and to answer in good faith all questions asked by members of Committee or Council;

(ix) the representative of DARTS that is to attend at all meetings described in clauses (vi), (vii) and (viii) be the Executive Director of DARTS, unless a substitution is approved by the City in advance of the meeting;

(x) such other terms and conditions, as are necessary, in the opinion of the General Manager of Public Works for the proper implementation of the services to be provided under the MOA, and associated costs, until June 30, 2020.

Added Item 12.1

CITY OF HAMILTON

NOTICE OF MOTION

Public Works Committee: December 2, 2019

MOVED BY COUNCILLOR T. WHITEHEAD.....

Feasibility of Implementation of a Digital Automated Information System on the Lincoln Alexander Parkway and Red Hill Valley Parkway (City Wide)

- (a) That Transportation, Operations and Maintenance staff be directed to undertake a feasibility study for the implementation of a digital automated information system that provides incident and travel time information to road users on the Lincoln Alexander Parkway and Red Hill Valley Parkway and report back to the Public Works Committee in September 2020 with a proposal for funding and implementation; and,
- (b) That staff be directed to consult with the Ministry of Transportation Ontario on coordinating incident management messaging as part of a digital automated information system.