PUBLIC WORKS COMMITTEE
REPORT 21-002

1:30 p.m.
Monday, February 1, 2021
Council Chambers
Hamilton City Hall
71 Main Street West

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

Absent with Regrets: Councillor T. Whitehead – Personal

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 21-002 AND RESPECTFULLY RECOMMENDS:

1. Intersection Control List (PW21001) (Wards 1, 8, 9 and 13) (Item 6.1)

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 "C" Flamborough							
(a)	Rosebough Street	Oak Avenue	EB/WB	NB/SB	A	Sightline issues, converting to All-way	13
Section "E" Hamilton							
(b)	Davis Crescent	Kingsview Drive	NC	WB	A	Housekeeping, missing stop control	9
(c)	Prince George Avenue	Churchill Avenue	NC	NB	A	Housekeeping, missing stop control	8

Intersection			Stop Control Direction		Class	Comments / Petition	Ward
Street 1		Street 2	Existing	Requested			
(d)	Paisley Avenue North	Dalewood Crescent	EB/WB	NB/SB	B	Road reconstruction	1

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

2. Maintenance Standards for Municipal Highways Policy (PW18096(a)) (City Wide) (Item 9.1)

That Appendix "A" to Public Works Committee Report 21-002, respecting Maintenance Standards for Municipal Highways Policy, be approved.

3. Locke Street South Business Improvement Area (BIA) Lighting (Ward 1) (Item 10.1)

WHEREAS, residents of Kirkendall and the Locke Street South BIA patrons previously enjoyed enhanced seasonal lighting on the hydro poles along Locke Street;

WHEREAS, the outlets were removed when Alectra replaced all hydro poles along Locke Street South in 2018; and,

WHEREAS, improvements to the lighting on the street increases activity and vitality to the neighbourhood and promotes a healthy and engaged community;

THEREFORE, BE IT RESOLVED:

(a) That $5,000 be provided to the Locke Street Business Improvement Area to help support the addition of outlets to the hydro poles from the Ward 1 Area Rating Capital Reinvestment Discretionary Fund (3301909100); 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.

4. Inch Park Play Structure Improvements, 400 Queensdale Avenue East, Hamilton (Ward 7) (Item 10.2)

WHEREAS, the play structure and safety surfacing located within Inch Park at 400 Queensdale Avenue, Hamilton has reached end of life;

WHEREAS, this community amenity is a valuable recreation opportunity for children, youth and families within the Inch Park neighbourhood and beyond, especially during the Covid 19 pandemic;

WHEREAS, the Hamilton Challenger Baseball Association has a long running and successful inclusive baseball program located in Inch Park;

WHEREAS, the Hamilton Challenger Baseball Association has partnered with the City of Hamilton, to fundraise and support the implementation of a fully inclusive play structure; and,

WHEREAS, a collaboration of Parks capital funding, Ward 7 Capital Infrastructure Reserve and fundraised dollars will provide opportunities for fully inclusive play equipment, accessible rubber surfacing, and shade provision options;

THEREFORE, BE IT RESOLVED:

(a) That $150,000 of funding be allocated from the Ward 7 Capital Infrastructure Reserve #108057, to support the implementation of a new inclusive Inch Park play structure, rubber surfacing and shade opportunities, be approved; and,

(b) That the General Manager of Public Works, or their designate, be authorized and directed to approve and execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

5. Ferguson Avenue North Beautification (Ward 2) (Item 10.3)

WHEREAS, following the considerable damage that was caused by the occupation of approximately 80 tents at Hamilton’s largest encampment site during the summer of 2020, dozens of Ferguson Street residents participated in a walk-a-bout with the Ward Councillor in an effort to share their ideas on how we may restore and enhance their public realm;

WHEREAS, there is interest from Ward 2 residents for enhanced beautification on Ferguson Avenue North from Cannon Street East to Barton Street East;

WHEREAS, beautification in the form of planting beds and hanging baskets are appreciated by residents and visitors to the City of Hamilton;

WHEREAS, beautification increases the public profile of the City of Hamilton; and,

WHEREAS, there is currently no funding in the Horticulture Section for the proposed enhancement;

THEREFORE, BE IT RESOLVED:

(a) That staff be directed to install 5 perennial shrub beds on Ferguson Avenue North, from Cannon Street East to Barton Street East, at a cost of $10,000 to be funded from Ward 2 Capital Infrastructure Reserve (#108052);

(b) That hanging baskets be installed on existing light standards on Ferguson Avenue North, from Cannon Street East to Barton Street East, at a cost of $8,000 to be funded from the Ward 2 Capital Infrastructure Reserve (#108052);

(c) That $19,050 and 0.16 FTE for the annual planting, irrigation and maintenance of perennial shrub beds and hanging baskets on Ferguson Avenue North, from Cannon Street East to Barton Street East, to be included in the Environmental Services Division's 2021 annual base operating budget, be approved; and,

(d) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents for the installation and annual maintenance of additional beautification to Ferguson Avenue North, with such terms and conditions in a form satisfactory to the City Solicitor.

6. Montgomery Park Pedestrian Lighting Improvements (Ward 4) (Item 10.4)

WHEREAS, Montgomery Park is an active community park in Ward 4 with pathways that promote active transportation through the community;

WHEREAS, parks provide local opportunities for physical fitness and recreation, throughout the year;

WHEREAS, pedestrian pathway lighting exists in a portion of Montgomery Park, supporting commuters and park users, and is in need of lifecycle replacement; and,

WHEREAS, the northern pathway loop and southern pathway loop area of Montgomery Park pathway is not currently lit and park users would benefit with the addition of pedestrian pathway lighting;

THEREFORE, BE IT RESOLVED:

(a) That $194,577 be allocated from the Ward 4 Special Capital Re-Investment Reserve, to implement new pedestrian pathway lighting along the north and south pathway loops of Montgomery Park and that the existing pathway lights be replaced;

(b) That $4,500 for the annual cost of electricity and maintenance for Montgomery Park pedestrian lighting improvements, to be added to the Parks and Cemeteries Section's 2021 annual base operating budget, be approved; and,

(c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

7. Father Sean O'Sullivan Memorial Park Improvements, 1139 Greenhill Avenue, Hamilton (Ward 5) (Item 10.5)

WHEREAS, the play structure located at Father Sean O'Sullivan Memorial Park, 1139 Greenhill Avenue, Hamilton was originally installed in the early 1990s; and,

WHEREAS, the play structure has surpassed its useful life span and needs to be replaced;

THEREFORE, BE IT RESOLVED:

(a) That a play structure and safety surfacing be installed at Father Sean O'Sullivan Memorial Park, 1139 Greenhill Avenue, Hamilton, at an estimated cost of $120,000 to be funded from the Ward 5 – Capital Infrastructure Reserve #108055; and,

(b) That the General Manager of Public Works, or their designate, be authorized and directed to approve and execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

8. Dover Park Improvements, 66 Dover Drive, Hamilton (Ward 5) (Item 10.6)

WHEREAS, the Hamilton Wentworth District School Board ordered the removal of the City owned play structure at Sir Isaac Brock School, 130 Greenford Drive, Hamilton;

WHEREAS, the City owns Dover Park at 66 Dover Drive, Hamilton, which is adjacent to Sir Isaac Brock School; and,

WHEREAS, residents have requested the installation of a replacement play structure at Dover Park;

THEREFORE, BE IT RESOLVED:

(a) That a play structure and safety surfacing be installed at Dover Park, 66 Dover Drive, Hamilton, at an estimated cost of $100,000 to be funded from the Ward 5 Capital Infrastructure Reserve #108055; and,

(b) That the General Manager of Public Works, or their designate, be authorized and directed to approve and execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

9. Red Hill Neighbourhood Park Improvements, 320 Albright Road, Hamilton (Ward 5) (Item 10.7)

WHEREAS, the Hamilton Wentworth District School Board has sold the former Red Hill School at 300 Albright Road which is adjacent to the City's Red Hill Neighbourhood Park;

WHEREAS, the Hamilton Wentworth District School Board has also indicated the pending closure of Elizabeth Bagshaw School at 350 Albright Road, which is also adjacent to the Red Hill Neighourhood Park; and,

WHEREAS, the sale and pending sale of these properties has and will result in a loss of green space and recreation opportunities in the area;

THEREFORE, BE IT RESOLVED:

(a) That a play structure and safety surfacing be installed at Red Hill Neighbourhood Park, 320 Albright Road, Hamilton, at an estimated cost of $100,000 to be funded from the Ward 5 Capital Infrastructure Reserve #108055;

(b) That $8,900 and 0.03 FTE for the annual cost of maintenance and contribution to the Capital Reserve for replacement, to be included in the Parks and Cemeteries Section's 2021 annual base operating budget, be approved; and,

(c) That the General Manager of Public Works, or their designate, be authorized and directed to approve and execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

10. Road Resurfacing and Sidewalk Replacement on Oakland Drive (between Kentley Drive and Ellingwood Avenue) and Ellingwood Avenue, Hamilton (Ward 5) (Added Item 10.8)

(a) That Public Works staff be authorized and directed to resurface the roads and replace the sidewalks on Oakland Drive, Hamilton, between Kentley Drive and Ellingwood Avenue, at an estimated cost of $590,000 to be funded from the Ward 5 Area Rating Reserve Account (#108055);

(b) That Public Works staff be authorized and directed to resurface the roads and replace the sidewalks on Ellingwood Avenue, Hamilton, at an estimated cost of $410,000, to be funded from the Ward 5 Area Rating Reserve Account (#108055); and,

(c) 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.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

7. PUBLIC HEARINGS / WRITTEN DELEGATIONS / VIRTUAL DELEGATIONS

7.1 Timothy Taylor and Tiffany Bound-Koocher respecting a Petition to Lower the Speed Limit on Upper Gage Avenue between Stone Church Road East and Rymal Road East (Ward 6) (approved on January 11, 2021)

7.1(a) Added Petition

11. NOTICES OF MOTION (Item 11)

11.1 Road Resurfacing and Sidewalk Replacement on Oakland Drive (between Kentley Drive and Ellingwood Avenue) and Ellingwood Avenue, Hamilton (Ward 5)

The agenda for the February 1, 2021 Public Works Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) January 11, 2021 (Item 3.1)

The Minutes of the January 11, 2021 meeting of the Public Works Committee were approved, as presented.

(d) PUBLIC HEARINGS / WRITTEN DELEGATIONS / VIRTUAL DELEGATIONS (Item 7)

(i) Timothy Taylor and Tiffany Bound-Koocher respecting a Petition to Lower the Speed Limit on Upper Gage Avenue between Stone Church Road East and Rymal Road East (Ward 6) (approved on January 11, 2021) (Item 7.1)

Timothy Taylor addressed the Committee respecting a Petition (Added Item 7.1(a)) to Lower the Speed Limit on Upper Gage Avenue between Stone Church Road East and Rymal Road East (Ward 6).

Councillor Jackson was granted an extension to the five minute time limit.

The delegation from Timothy Taylor, respecting a Petition (Added Item 7.1(a)) to Lower the Speed Limit on Upper Gage Avenue between Stone Church Road East and Rymal Road East (Ward 6), was received and referred to Transportation Operations & Maintenance staff for appropriate action.

(ii) Peter Nielsen respecting the Trillium Open Space - Erosion Protection Plan (approved on January 11, 2021) (Item 7.1)

Peter Nielsen addressed the Committee respecting the Trillium Open Space - Erosion Protection Plan, with the aid of a presentation.

The delegation from Peter Nielsen, respecting the Trillium Open Space - Erosion Protection Plan, was received and referred to appropriate staff for review and a report back to the Public Works Committee.

(e) NOTICES OF MOTION (Item 11)

(i) Road Resurfacing and Sidewalk Replacement on Oakland Drive (between Kentley Drive and Ellingwood Avenue) and Ellingwood Avenue, Hamilton (Ward 5) (Added Item 11.1)

The Rules of Order were waived to allow for the introduction of a Motion respecting Road Resurfacing and Sidewalk Replacement on Oakland Drive (between Kentley Drive and Ellingwood Avenue) and Ellingwood Avenue, Hamilton (Ward 5).

For further disposition of this matter, refer to Item 10.

(f) GENERAL INFORMATION / OTHER BUSINESS (Item 12)

(i) Amendments to the Outstanding Business List (Item 12.1)

The following amendments to the Public Works Committee's Outstanding Business List, were approved:

(a) Items Requiring a New Due Date:

(i) Redevelopment / Reuse of the former King George School Site, at 77 Gage Avenue North
Item on OBL: V
Current Due Date: March 22, 2021
Proposed New Due Date: June 14, 2021

(ii) Certificate of Recognition (COR™) Program
Item on OBL: AQ
Current Due Date: Q1 2021
Proposed New Due Date: June 14, 2021

(iii) Wastewater Treatment Plant Bypass and Combined Sewer Overflow Reporting
Item on OBL: AAM
Current Due Date: December 7, 2020
Proposed New Due Date: May 3, 2021

(iv) City of Hamilton's Cemeteries Business Plan
Item on OBL: AAO
Current Due Date: February 19, 2021
Proposed New Due Date: March 22, 2021

(v) Municipal Class Environmental Assessment and Conceptual Design of Ancaster Elevated Water Reservoir
Item on OBL: AAP
Current Due Date: Q1 2021
Proposed New Due Date: June 14, 2021

(vi) Enhanced Inspections and Monitoring - Hamilton Water and Wastewater
Item on OBL: ABB
Current Due Date: Q2 2021
Proposed New Due Date: June 14, 2021

(vii) Correspondence from Jim MacLeod, Vice President, Ancaster Village Heritage Community requesting the creation of a Community Safety Zone (CSZ)
Item on OBL: ABH
Current Due Date: February 19, 2021
Proposed New Due Date: September 20, 2021

(viii) Stormwater Gap Evaluation
Item on OBL: ABM
Current Due Date: Q1 2021

Proposed New Due Date: March 22, 2021

(b) Items Considered Complete and Needing to be Removed:

(i) Minimum Maintenance Standards Changes
Addressed as Item 2 on today's agenda - Report PW18096(a)
Item on OBL: AC

(g) ADJOURNMENT (Item 14)

There being no further business, the Public Works Committee was adjourned at 2:31 p.m.

Respectfully submitted,

Councillor A. VanderBeek
Chair, Public Works Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk

Public Works Department Policy	Hamilton	Content Updated: Feb 2021
Maintenance Standards for Municipal Highways		
Policy No: PW-TOM-Y-026		Version No: 1
Page 1 of 5		Approval: February 2021

Maintenance Standards for Municipal Highways Policy

POLICY STATEMENT	Part III of the *Municipal Act, 2001 S.O. 2001, Chapter 25*, gives municipalities jurisdiction over highways and provides for the municipality to keep the highway or bridge in a state of repair that is reasonable in the circumstances, including the character and location of the highway or bridge, 2001, c. 25, s. 44(1). In addition, the Minister of Transportation may make regulations establishing minimum standards of repair for highways and bridges or any class of them, 2001, c. 25, s. 44(4). The Minister made Ontario Regulation 239/02, amended by Ontario Regulation 366/18, filed on May 3, 2018 which provides for Minimum Maintenance Standards for Municipal Highways and is the foundation for the highway maintenance program. The City of Hamilton is committed to providing a safe, accessible and efficient transportation system for the movement of people, goods and services across the City in keeping with applicable provincial legislation, accepted standards, and Council approved service levels. This Policy outlines the City’s approach to maintenance of its municipal highways.
PURPOSE	The purpose of this policy is to clarify that the City of Hamilton will reference the Minimum Maintenance Standards for Municipal Highways (O. Reg. 239/02 as amended) as a guideline for delivering a level of service for maintenance operations. This policy will provide the Road Authority with clear direction from Council on the level of maintenance effort as it relates to the different classification of municipal highways. The provisions and standards in this policy should be followed to manage the City’s liability and risk to keep its highway infrastructure, including sidewalks in a good state of repair.
SCOPE	This policy shall apply to all highways assumed and maintained as public highways by the City of Hamilton. Not withstanding the foregoing, neither the City of Hamilton nor its officials or employees make any promise, assurance or guarantee that the services provided by the Road Authority will be in excess of the minimum standard, as required by regulation and detailed herein. Inherent within the standard is the expectation that drivers will act responsibly and will operate their vehicles, at all times, reasonably

	with due regard for the prevailing weather and roadway conditions. The Minimum Maintenance Standards in O. Reg. 239/02 (MMS) identifies road classifications, levels of maintenance and service frequencies for various highway components. The standards apply to a range of infrastructure elements including but not limited to: • Pavement surface • Street Light Luminaires • Signs • Traffic Control • Winter maintenance • Monitoring In the MMS, municipally owned highways are classified based on their average daily traffic and posted speed limits. Based on the classification, the MMS defines minimum levels of inspection and repair. Associated maintenance activities will be established to protect the quality, integrity and safety of the transportation infrastructure.
PRINCIPLES (if applicable)	The following principles apply to this Policy: 1. Operational activities of the Road Authority shall be directed to maintain the City of Hamilton’s public highways to the prescribed standards herein. Care shall be taken first to assure that the minimum standards are maintained and secondly that such services are efficiently and effectively rendered. 2. Neither the City nor its officials make any promises or assurance that public highways or any public highway in particular will be maintained in excess of the minimum standards herein defined now or in the future. The fact that the City may exceed those standards, when the resources available permit it to do so, does not change the minimum standards prescribed herein. 3. The Maintenance Standards Policy is based on the assumption that not all infrastructure need be maintained at the same level of service but depends on its role in the total transportation network and on other various services the City provides, be they emergency or non-emergency. 4. This policy uses the MMS as a guide to set out the level of

	service for maintenance of highways, with the exception of winter maintenance and streetlighting, which is a higher Council approved level of service. 5. That where situations arise or applications be made which fall outside of the scope of standards, the Road Authority shall respond in a manner that is appropriate with respect to budgetary constraint and reasonable best practice. 6. This policy will promote environmental stewardship by managing lifecycle costs of asset ownership and making use of acceptable recycled materials. 7. The standards will assist in inform preparing budgets and decisions prioritizing resources.
TERMS & CONDITIONS	The following terms and conditions apply to this Policy: (From the *Highway Traffic Act*, R.S.O. 1990, c. H.8) **Highway** – includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof **Roadway** – means the part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a highway includes two or more separate roadways, the term “roadway” refers to any one roadway separately and not to all of the roadways collectively (From the Minimum Maintenance Standards for Municipal Highways, O. Reg. 239/02 as amended) **Classification of Highways** – every highway or part of a highway under the jurisdiction of a municipality in Ontario is classified 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). (From the *Public Transportation and Highway Improvement Act*, R.S.O. 1990, c. P.50) **Road Authority** – means a body having jurisdiction and control of a highway.

	Maintenance – includes repair.
COMPLIANCE	The City is required to maintain all highways and sidewalks within its jurisdiction in a reasonable state of repair. The City must keep records to prove that at the time an action arose the alleged default was covered by the standard and that the service provided by the municipality met or exceeded the standard. The policy recognizes that operational decisions during the winter season will need to be made based on local conditions in the field depending upon the extent and severity of a winter storm event, and as a result, there may need to be some reasonable deviations from this policy. Under such circumstances, the City will endeavour to recover winter maintenance operations in accordance with the level of service as soon as practicable. This policy is based on normal circumstances (e.g. winter weather conditions), reliability and availability of resources both human and physical. The City does not guarantee a level of service under abnormal, emergency, or extreme winter conditions nor in the event of a work stoppage. It is acknowledged that conditions may occur which temporarily prevent achieving levels assigned. In such cases, efforts will be made to keep roads open and in a reasonable state, consistent with available resources.
RELATED	The following documents are related to the Maintenance Standards for Municipal Highways Policy and employees must be aware and abide by these as well: • City of Hamilton Maintenance Guidelines for Levels of Service for Highways • By-Law 03-296, the Snow Removal By-Law • Strategic Asset Management Policy • *Municipal Act 2001, S. O. 2001, c. 25* • Minimum Maintenance Standards for Municipal Highways (O. Reg. 239/02 as amended) • *Highway Traffic Act, R.S.O. 1990, c. H.8* • Standards for Bridges (O. Reg. 104/97) • Ontario Traffic Manual, Book 11
HISTORY	The following stakeholders were consulted in the creation or revisions made to this Policy:

	Public Works Department, Transportation Operations & Maintenance Division – Roadway Maintenance Section, Transportation Operations Section Public Works Department, Engineering Services Division – Asset Management Section Planning and Economic Development Department - Transportation Planning and Parking Division Corporate Services Department, Legal & Risk Management Services Division – Legal Services Section, Risk Management Section