



City of Hamilton

PUBLIC WORKS COMMITTEE REVISED

Meeting #: 21-015
Date: October 18, 2021
Time: 1:30 p.m.
Location: Due to the COVID-19 and the Closure of City Hall (CC)

All electronic meetings can be viewed at:

City's Website:
<https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel:
<https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

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

	Pages
1. CEREMONIAL ACTIVITIES	
2. APPROVAL OF AGENDA	
(Added Items, if applicable, will be noted with *)	
3. DECLARATIONS OF INTEREST	
4. APPROVAL OF MINUTES OF PREVIOUS MEETING	
4.1. October 4, 2021	4
5. COMMUNICATIONS	
6. DELEGATION REQUESTS	
7. CONSENT ITEMS	
*7.1. Waste Management Advisory Committee Minutes - May 10, 2021	19

8.	STAFF PRESENTATIONS	
9.	PUBLIC HEARINGS / DELEGATIONS	
10.	DISCUSSION ITEMS	
10.1.	Amendment to Solid Waste Management By-Law 20-221(PW20066(a)) (City Wide)	25
10.2.	Winterizing Public Washrooms - Winter Operations (PW21031(a)) (City Wide)	40
11.	MOTIONS	
11.1.	Design of Mountain Brow Multi-Use Pathway between Fennell Avenue and Sam Lawrence Park (Ward 8)	51
11.2.	Kenilworth Traffic Circle Beautification (Ward 4)	52
11.3.	Installation of Traffic Calming Measures at Various Locations throughout Ward 7	53
*11.4.	Installation of Traffic Calming Measures onPinehill Drive (Ward 9)	54
12.	NOTICES OF MOTION	
13.	GENERAL INFORMATION / OTHER BUSINESS	
13.1.	Amendments to the Outstanding Business List	
13.1.a.	Items Requiring a New Due Date:	
13.1.a.a.	Roadway Safety Measures on Aberdeen Avenue from Queen Street to Longwood Road	
	Item on OBL: AZ Current Due Date: November 1, 2021 Proposed New Due Date: November 15, 2021	
13.1.a.b.	Municipal Class Environmental Assessment and Conceptual Design of Ancaster Elevated Water Reservoir	
	Item on OBL: AAP Current Due Date: October 18, 2021 Proposed New Due Date: November 15, 2021	

- 13.1.a.c. 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: November 1, 2021

Proposed New Due Date: November 15, 2021

14. PRIVATE AND CONFIDENTIAL

- 14.1. Renegotiation of the City of Hamilton Contract C11-64-20 for Waste Diversion Containers (PW21058/FCS21092) (City Wide)

Pursuant to Section 9.1, Sub-sections ((i), (j) and (k) of the City's Procedural By-law 21-021, and Section 239(2), Sub-sections (i), (j) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the City or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; a trade secret or scientific, technical, commercial or financial information that belongs to the City or a local board and has monetary value or potential monetary value; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the City or a local board.

15. ADJOURNMENT



PUBLIC WORKS COMMITTEE MINUTES 21-014

1:30 p.m.

Monday, October 4, 2021

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent with Regrets: Councillor T. Whitehead – Leave of Absence
Councillor S. Merulla – City Business

Also Present: Councillor J. Partridge

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

- 1. Sustainable Mobility Programs Annual Report 2020 (PED19124(b)) (City Wide) (Item 7.1)**

(Nann/Farr)

That Report PED19124(b), respecting the Sustainable Mobility Programs Annual Report 2020, be received.

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

YES - Ward 2 Councillor Jason Farr
YES - Vice Chair - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 10 Councillor Maria Pearson
YES - Ward 12 Councillor Lloyd Ferguson
YES - Chair - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 14 Councillor Terry Whitehead

**2. Proposed Permanent Closure and Sale of a Portion of Road Allowance
Abutting 241 Dundas Street East, Waterdown (PW21057) (Ward 15) (Item
9.1)****(Pearson/Ferguson)**

- (a) That the application of the owner of 241 Dundas Street East, Waterdown, to permanently close and purchase a portion of road allowance abutting 241 Dundas Street East, Waterdown ("Subject Lands"), as shown on Appendix "A" and Appendix "B", attached to Report PW21057, be approved, subject to the following conditions:
- (i) 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;
 - (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to enter into any requisite easement agreements, right of way agreements, and/or other agreements deemed necessary to affect the orderly disposition of the Subject Lands and to proceed to sell the Subject Lands to the owners of 241 Dundas Street East, Waterdown, as described in Report PW21057, 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 241 Dundas Street East, Waterdown 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) 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;
 - (v) That the City Solicitor be authorized to amend and waive such terms as they consider reasonable to give effect to this authorization and direction;
 - (vi) 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;
 - (vii) 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:

YES - Ward 2 Councillor Jason Farr
 YES - Vice Chair - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Chair - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 14 Councillor Terry Whitehead

3. HSR Fare Incentives for Ridership Recovery (PW21056) (City Wide) (Item 10.1)

(Pearson/Jackson)

- (a) That, effective November 1, 2021, the HSR loyalty program be temporarily reduced to 8 paid rides per week from the current 11 rides per week until December 31, 2022, providing users an opportunity to earn free fare faster;
- (b) That, effective November 1, 2021, children aged 6 - 12 ride free with a PRESTO card until October 31, 2022 as a one-year pilot project;
- (c) That, effective November 1, 2021 until December 31, 2021, a promotion be offered on Route 18 Waterdown to encourage the use of the on-demand pilot by offering free fare when using PRESTO between the hours of 5 am to 10 am, Monday through Friday; and,
- (d) That the General Manager of Public Works receive delegated authority to establish future short-term fare promotions, such as the Route 18 Waterdown fare promotion described above in (c), for the purpose of stimulating ridership recovery until December 2022, supported by an annual report to Council.

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

YES - Ward 2 Councillor Jason Farr
 YES - Vice Chair - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Chair - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 14 Councillor Terry Whitehead

**4. Water Treatment Plant Clearwell Improvement (PW20026(a)) (City Wide)
(Item 10.2)****(Ferguson/Pearson)**

- (a) That the single source procurement, pursuant to Procurement Policy #11 – Non-competitive Procurements, for construction services for the clearwell improvements at the Woodward Water Treatment Plant with a current upset limit of \$1,300,000 be increased to \$2,500,000 and awarded to Bennett Mechanical Installations (2001) Ltd. and funded from Project ID No. 5141166110;
- (b) 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 Bennett Mechanical Installations (2001) Ltd. in a form satisfactory to the City of Hamilton (City) Solicitor;
- (c) That the single source procurement, pursuant to Procurement Policy #11 – Non-competitive Procurements, for consultancy services including project management, contract administration during construction, site inspection and commissioning / warranty services for the clearwell improvements at the Woodward Water Treatment Plant current upset limit of \$300,000 be increased to \$400,000 and awarded to AECOM Canada Ltd. and funded from Project ID No. 5141166110; and,
- (d) 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 AECOM Canada Ltd. in a form satisfactory to the City Solicitor.

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

YES - Ward 2 Councillor Jason Farr
 YES - Vice Chair - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Chair - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 14 Councillor Terry Whitehead

5. Amendments to By-law 12-031, a By-law for Responsible Animal Ownership, for the Purpose of the Inclusion of the Rail Trail Leash Free Dog Park (Ward 2) and the Globe Leash Free Dog Park (Ward 4) and Updating Mapping for the Corporal Nathan Cirillo Leash Free – Free Running Area (Ward 12) (deferred from the September 20, 2021 meeting) (Item 11.1)

(Farr/Ferguson)

WHEREAS, Council enacted a by-law for responsible animal ownership being City of Hamilton By-law 12-031;

WHEREAS, this By-law provides for the addition of a Leash Free Area to subsection 7.4(a) of By-law 12-031;

WHEREAS, Corporal Nathan Cirillo Leash Free – Free Running Area is operated as a secondary function within Storm Water Management Facility (SWMF) #70;

WHEREAS, for operational, and health and safety considerations, Hamilton Water is restricting public access to a portion of SWMF #70; and,

WHEREAS, a housekeeping amendment to By-law 12-031 is required to include the leash free dog park locations in Corktown Park (named Rail Trail Leash Free Dog Park) (Ward 2) and Globe Park (named Globe Leash Free Dog Park) (Ward 4) and to reflect the permitted leash free portion of SWMF #70;

THEREFORE, BE IT RESOLVED:

- (a) That By-law 12-031 be amended to:
 - (i) Include the dog park portion of Corktown Park known as Rail Trail Leash Free Dog Park as a Leash Free Dog Park location, as indicated in Appendix “A” (Map 1 of proposed Leash Free Dog Park);
 - (ii) Include the dog park portion of Globe Park known as Globe Leash Free Dog Park as a Leash Free Dog Park location, as indicated in Appendix “A” (Map 2 of proposed Leash Free Dog Park);
- (b) That the City Solicitor be authorized and directed to prepare the appropriate by-law to amend By-law 12-031, a By-law for Responsible Animal Ownership, in the City of Hamilton, to include Rail Trail Leash Free Dog Park in Corktown Park and Globe Leash Free Dog Park in Globe Park as leash free dog park locations; and,

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

YES - Ward 2 Councillor Jason Farr
 YES - Vice Chair - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Chair - Ward 13 Councillor Arlene VanderBeek

NOT PRESENT - Ward 14 Councillor Terry Whitehead

6. 2021 Mum Show Admission Fees (City Wide) (Item 11.2)

(Jackson/Nann)

WHEREAS, if approved by the Emergency Operations Centre, the City of Hamilton's 2021 Fall Garden and Chrysanthemum Show is planned to be held from October 22nd to October 31st at the Gage Park Greenhouses;

WHEREAS, to minimize the spread of COVID-19 in the community, the Ontario Provincial Government, through the document 'A Framework for Reopening our Province', has implemented restrictions on many activities; and,

WHEREAS, similar to the 2020 show, COVID-19 related health and safety restrictions are in place, eliminating features of the show, such as interactive displays & events, vendors and the café;

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton's 2021 Fall Garden and Chrysanthemum Show admission fees as approved by Council in the Tax Supported User Fees (FCS20085) be reduced to zero, making the event free for all ages; and,
- (b) That any reduction of budgeted admission fees of \$39,000 from the event, be accommodated within the existing 2021 Environmental Service Division's operating budget.

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

YES - Ward 2 Councillor Jason Farr
 YES - Vice Chair - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Chair - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 14 Councillor Terry Whitehead

7. Installation of Speed Cushion(s) on Dulgaren Street, between Eaglewood Drive/Chamomile Drive and Dysan Avenue, Hamilton (Ward 6) (Item 11.3)

(Jackson/Danko)

WHEREAS, residents are requesting the installation of a speed cushion along Dulgaren Street, to address roadway safety concerns as a result of speeding and cut through traffic;

WHEREAS, the residents of Dulgaren Street have submitted a petition containing 54 signatures for the installation of speed cushions on Dulgaren Street, between Eaglewood Drive/Chamomile Drive and Dysan Avenue, to address roadway safety concerns as a result of speeding, cut-through traffic; and,

WHEREAS, this installation is not a new addition to the Transportation Operations & Maintenance planned workload in 2021, but is instead a replacement of a previously approved location(s) with this location;

THEREFORE, BE IT RESOLVED:

- (a) That staff be authorized and directed to install up to two speed cushions on Dulgaren Street, between Eaglewood Drive/Chamomile Drive and Dysan Avenue, Hamilton, at a cost not to exceed \$14,000, to be funded from the Ward 6 Minor Maintenance Account (4031911606); 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.

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

YES - Ward 2 Councillor Jason Farr
 YES - Vice Chair - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Chair - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 14 Councillor Terry Whitehead

8. Installation of Dynamic Speed Signs on Limeridge Road East, between Upper Ottawa Street and Mountain Brow Boulevard, Hamilton (Ward 6) (Item 11.4)

(Jackson/Pauls)

WHEREAS, the City of Hamilton is committed to creating safe neighborhoods and vibrant communities through the Vision Zero Action plan;

WHEREAS, ensuring the safety of both pedestrians and motorists is a priority; and,

WHEREAS, residents along Limeridge Road have advocated for traffic calming measures;

THEREFORE, BE IT RESOLVED:

- (a) That staff be authorized and directed to take the required steps to purchase 4 new Dynamic Speed Signs to be permanently installed on Limeridge Road East, between Upper Ottawa Street and Mountain Brow Boulevard, Hamilton;
- (b) That all costs associated with the installation of Dynamic Speed Signs on Limeridge Road East, Hamilton, be funded from the Ward 6 Special Capital Re-Investment Reserve (108056) at an upset limit, including contingency, not to exceed \$19,000; 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.

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

YES - Ward 2 Councillor Jason Farr
 YES - Vice Chair - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Chair - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 14 Councillor Terry Whitehead

9. Installation of Rainbow Crosswalk in Waterdown (Ward 15) (Item 11.5)**(Farr/VanderBeek)**

WHEREAS, Equity, Diversity & Inclusion is one of the eight 2018-2022 term of Council priorities;

WHEREAS, this priority goal strives to ensure that equity-seeking communities will feel safe, supported and have an enhanced sense of belonging through strengthening community capacity, City responsiveness and creating inclusive engagement opportunities;

WHEREAS, Council approved a Decorative Crosswalk Guideline on July 17, 2020 which promotes and enables the installation of decorative crosswalks in the City;

WHEREAS, the Valeri family who are residents of Waterdown have requested the installation of a Rainbow Crosswalk at the intersection of Parkside Drive and Keewaydin Street and generously offered to donate funding for the installation in compliance with the Decorative Crosswalk Guideline; and,

WHEREAS, the intersection of Parkside Drive and Keewaydin Street is a gateway to a community hub in Waterdown which includes Allan A. Greenleaf Elementary School, Waterdown District High School and the Flamborough Family YWMC;

THEREFORE, BE IT RESOLVED:

- (a) That Transportation Operations and Maintenance staff be authorized and directed to install a Rainbow Crosswalk at the intersection of Parkside Drive and Keewaydin Street in Waterdown (Ward 15) in 2021;
- (b) That all costs associated with the installation of the Rainbow Crosswalk at the intersection of Parkside Drive and Keewaydin Street in Waterdown (Ward 15), be funded from the Valeri family's donation of \$2,000;
- (c) That \$400 for the annual maintenance of the Rainbow Crosswalk be added to the Transportation Operations & Maintenance Division's 2022 annual base operating budget; and,
- (d) 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.

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

YES - Ward 2 Councillor Jason Farr
 YES - Vice Chair - Ward 3 Councillor Nringer Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Chair - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 14 Councillor Terry Whitehead

10. HSR Property Update (LS21026/PW21042) (City Wide) (Added Item 14.1)

(Ferguson/Farr)

- (a) That the direction provided to staff in Closed Session, respecting Report LS21026/PW21042, an HSR Property Update, be approved; and,
- (b) That Report LS21026/PW21042, respecting an HSR Property Update, remain confidential.

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

YES - Ward 2 Councillor Jason Farr
 YES - Vice Chair - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Chair - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 14 Councillor Terry Whitehead

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

14. PRIVATE AND CONFIDENTIAL

14.1 HSR Property Update (LS21026/PW21042) (City Wide)

(Pearson/Nann)

That the agenda for the October 4, 2021 Public Works Committee meeting be approved, as amended.

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

YES - Ward 2 Councillor Jason Farr
 YES - Vice Chair - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Chair - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 14 Councillor Terry Whitehead

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF THE PREVIOUS MEETING (Item 4)**(i) September 20, 2021 (Item 4.1)****(Ferguson/Pauls)**

That the Minutes of the September 20, 2021 meeting of the Public Works Committee be approved, as presented.

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

YES - Ward 2 Councillor Jason Farr
 YES - Vice Chair - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Chair - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 14 Councillor Terry Whitehead

(d) PUBLIC HEARINGS / DELEGATIONS (Item 9)**(i) Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 241 Dundas Street East, Waterdown (PW21057) (Ward 15) (Item 9.1)**

Councillor VanderBeek advised that notice of the Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 241 Dundas Street East, Waterdown (PW21057) (Ward 15) was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

No members of the public were registered as Delegations.

(Pearson/Ferguson)

That the public meeting be closed.

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

YES - Ward 2 Councillor Jason Farr
 YES - Vice Chair - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Chair - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 14 Councillor Terry Whitehead

For further disposition of this matter, refer to Item 2.

(e) MOTIONS (Item 11)

- (i) Amendments to By-law 12-031, a By-law for Responsible Animal Ownership, for the Purpose of the Inclusion of the Rail Trail Leash Free Dog Park (Ward 2) and the Globe Leash Free Dog Park (Ward 4) and Updating Mapping for the Corporal Nathan Cirillo Leash Free – Free Running Area (Ward 12) (deferred from the September 20, 2021 meeting) (Item 11.1)**

(Farr/Ferguson)

WHEREAS, Council enacted a by-law for responsible animal ownership being City of Hamilton By-law 12-031;

WHEREAS, this By-law provides for the addition of a Leash Free Area to subsection 7.4(a) of By-law 12-031;

WHEREAS, Corporal Nathan Cirillo Leash Free – Free Running Area is operated as a secondary function within Storm Water Management Facility (SWMF) #70;

WHEREAS, for operational, and health and safety considerations, Hamilton Water is restricting public access to a portion of SWMF #70; and,

WHEREAS, a housekeeping amendment to By-law 12-031 is required to include the leash free dog park locations in Corktown Park (named Rail Trail Leash Free Dog Park) (Ward 2) and Globe Park (named Globe Leash Free Dog Park) (Ward 4) and to reflect the permitted leash free portion of SWMF #70;

THEREFORE, BE IT RESOLVED:

- (a) That By-law 12-031 be amended to:
- (i) Include the dog park portion of Corktown Park known as Rail Trail Leash Free Dog Park as a Leash Free Dog Park location,

- as indicated in Appendix "A" (Map 1 of proposed Leash Free Dog Park);
- (ii) Include the dog park portion of Globe Park known as Globe Leash Free Dog Park as a Leash Free Dog Park location, as indicated in Appendix "A" (Map 2 of proposed Leash Free Dog Park);
 - (iii) Accurately depict the publicly accessible area of SWMF #70 for the purpose of Corporal Nathan Cirillo Leash Free - Free Running Area, as indicated in Appendix "A" (Map 3);
- (b) That the City Solicitor be authorized and directed to prepare the appropriate by-law to amend By-law 12-031, a By-law for Responsible Animal Ownership, in the City of Hamilton, to include Rail Trail Leash Free Dog Park in Corktown Park and Globe Leash Free Dog Park in Globe Park as leash free dog park locations; and,
 - (c) That the City Solicitor be authorized and directed to prepare the appropriate by-law to amend By-law 12-031, a By-law for Responsible Animal Ownership, in the City of Hamilton to accurately reflect the publicly accessible area of SWMF #70/Corporal Nathan Cirillo Leash Free – Free Running Area.

(Ferguson/Farr)

That sub-sections (a)(iii) and (c) be deleted in their entirety from the Motion respecting Amendments to By-law 12-031, a By-law for Responsible Animal Ownership, for the Purpose of the Inclusion of the Rail Trail Leash Free Dog Park (Ward 2) and the Globe Leash Free Dog Park (Ward 4) and Updating Mapping for the Corporal Nathan Cirillo Leash Free – Free Running Area.

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

YES - Ward 2 Councillor Jason Farr
 YES - Vice Chair - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Chair - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 14 Councillor Terry Whitehead

For further disposition of this matter, refer to Item 5

(f) GENERAL INFORMATION / OTHER BUSINESS (Item 13)**(i) Amendments to the Outstanding Business List (Item 13.1)**

(Ferguson/Farr)

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

- (a) Items Requiring a New Due Date:
- (i) Ward 1 Multi-Modal Connections Review
Item on OBL: ABD
Current Due Date: November 1, 2021
Proposed New Due Date: November 15, 2021
 - (ii) COVID-19 Recovery Phase Mobility Plan
Item on OBL: ABE
Current Due Date: October 18, 2021
Proposed New Due Date: November 15, 2021
 - (iii) Stormwater Gap Evaluation
Item on OBL: ABM
Current Due Date: October 4, 2021
Proposed New Due Date: November 15, 2021
 - (iv) Complete Liveable Better Streets Design Manual
Item on OBL: ABO
Current Due Date: October 4, 2021
Proposed New Due Date: December 6, 2021

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

YES - Ward 2 Councillor Jason Farr
YES - Vice Chair - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 10 Councillor Maria Pearson
YES - Ward 12 Councillor Lloyd Ferguson
YES - Chair - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 14 Councillor Terry Whitehead

(g) PRIVATE AND CONFIDENTIAL (Item 14)

The Committee determined that discussion of Item 14.1 was not required in Closed Session.

For disposition of this matter, refer to Item 10.

(h) ADJOURNMENT (Item 15)

(Ferguson/Pearson)

That there being no further business, the Public Works Committee be adjourned at 2:38 p.m.

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

YES - Ward 2 Councillor Jason Farr
YES - Vice Chair - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Ward 10 Councillor Maria Pearson
YES - Ward 12 Councillor Lloyd Ferguson
YES - Chair - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 14 Councillor Terry Whitehead

Respectfully submitted,

Councillor A. VanderBeek
Chair, Public Works Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk



Hamilton

MINUTES WASTE MANAGEMENT ADVISORY COMMITTEE

Monday May 10, 2021
10:00 a.m.

Due to COVID-19 and the Closure of City Hall
All electronic meetings can be viewed at the City's YouTube Channel:
<https://www.youtube.com/user/InsideCityofHamilton>

Present: Chair: Councillor Maria Pearson
Vice-Chair: Councillor John-Paul Danko
Members: Councillor Nrinder Nann
Kevin Hunt

Regrets: Lynda Lukasik

Also Present: Craig Murdoch, Director, Environmental Services
Angela Storey, Manager of Business Programs
Joel McCormick, Manager of Waste Collection
Anthony Ventura, Superintendent of Waste Collection
Rob Conley, Acting Manager, Recycling & Waste Disposal
Scott Hembruff, Senior Project Manager, Waste Processing
Ryan Kent, Waste Planning Program Coordinator
Raffaella Morello, Senior Project Manager, Waste Operations

1. CHANGES TO THE AGENDA

There were no changes to the agenda.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. APPROVAL OF MINUTES OF PREVIOUS MEETING**3.1 March 9, 2021****(Danko/Hunt)**

That the Minutes of the March 9, 2021 meeting of the Waste Management Advisory Committee be approved, as presented.

CARRIED**4. CONSENT ITEMS****(i) Solid Waste Management Master Plan - Status of 2020 SWMMP
Action Items (Item 6.1)**

Staff provided information on the status of the 2020 Solid Waste Management Master Plan action items.

(Danko/Hunt)

That the Solid Waste Management Master Plan Status of 2020 Action Items, be received.

CARRIED**5. DISCUSSION ITEMS****(Nann/Hunt)**

That the following discussion items, be received.

(i) 2020 Waste System Contract Planning (Item 8.1)**(a) C11-46-20 – Management and Processing of the City of
Hamilton’s Green Cart Material**

Staff provided an update on the Request for Proposals (RFP) for the management and processing of the City of Hamilton green cart material, which closed on January 4, 2021. A recommendation report outlining the RFP outcome will be presented at the May 17, 2021 Public Works Committee meeting.

(ii) Waste-Free Ontario Act Updates (Item 8.2)**(a) Status of the Blue Box Transition**

Staff provided an update on the status of the Blue Box program transition. The Blue Box Program Regulation is expected to be released by Spring 2021. Hamilton Staff joined the Continuous Improvement Fund’s (CIF) Transition Working Groups to help

prepare Ontario municipalities and First Nations communities to transition their Blue Box Programs.

(b) Proposed Hazardous and Special Products (HSP) Regulation

Staff provided information on the Proposed Hazardous and Special Products (HSP) Regulation. On April 29, 2021, the Minister of the Environment, Conservation and Parks (MECP) directed Stewardship Ontario to extend the deadline to wind up the existing Municipal Hazardous or Special Waste (MHSW) Program from June 30, 2021 to September 30, 2021. The proposed HSP regulation is to make producers environmentally accountable and financially responsible for collecting and managing HSP at end-of-life.

(iii) Operations Update (Item 8.3)

(a) Waste Collection Service Contract Commencement

Staff provided an update on the new waste collection service contract which began on March 29, 2021. GFL Environmental Inc. is the service provider for the new contract. The transition has been smooth with no service interruptions.

(b) Hamilton-Wentworth Catholic District School Board Request for Tender for Waste and Recycling Collection and Disposal Services

Staff shared information on the Hamilton-Wentworth Catholic District School Board (HWCDSB) Request for Tender for Waste and Recycling Collection and Disposal Services. On April 15, 2021, the HWCDSB issued a Tender for the collection and disposal of garbage, recycling and organic materials with a work start date of September 1, 2021. The City currently provides recycling and green cart collection and processing services for the HWCDSB. The City is unable to bid on the Tender since it is outside of the City's waste collection contract scope. The City's existing services for the HWCDSB will end by August 31, 2021.

(c) Multi-Residential Waste Audits

Staff provided a summary of the multi-residential waste audits which were undertaken in January to March 2021. Preliminary audit information included waste generation, waste diversion rate, capture rate and contamination rate. Additional information on the final results will be presented at a future meeting.

(d) Solid Waste Collection Design Requirements for Developments

Staff provided information on the proposed changes to the Waste Collection Design Requirements document. The new document will include the requirement for buildings to install a chute system capable of diverting waste, as per Council direction. Staff is developing the transition policy for development application to meet the new design requirements. The new design requirements will also include the parameters to consider private waste collection.

(e) Community Outreach and Education

Staff provided an update on the implementation of online request forms for frequently used waste programs including scheduling a bulk waste pick-up and obtaining a service number to pick up a blue box or green bin at a Community Recycling Centre.

(f) Clean and Green Initiatives

Staff provided information on Ontario's official Day of Action on Litter and shared a summary on local clean-up activities.

CARRIED

6. MOTIONS

(Danko/Nann)

That the following items, be received.

(a) Approval of All Advisory Committee Event Date and Selection of a Presenter (Item 10.1)

Staff provided an update on the planning process for the 'All Advisory Committees' Event'. The purpose of All Advisory Committee event is to provide the opportunity for Citizen Committees to meet each other and learn about each other's activities.

The Office of the City Clerk has asked that each Advisory Committee pass a motion to approve the date and to appoint a representative to deliver a five-minute presentation on the Committee's behalf respecting the Committee's purpose, successes and challenges.

**Waste Management Advisory Committee
Minutes**

**May 10, 2021
Page 5 of 6**

MOTION:

WHEREAS, the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee recommended that an All Advisory Committee Event be hosted for the purpose of providing City Advisory Committees with an opportunity to introduce themselves to one another and educate each other in terms of their respective Committee's purpose (mandate) and goals;

WHEREAS, an All Advisory Committee Event was approved by Hamilton City Council on April 14, 2021 (see Item 4 of Audit, Finance and Administration Committee Report 21-005 for reference);

WHEREAS, at the All Advisory Committee Event, each Advisory Committee will be allotted 5 minutes to introduce their respective Committee's purpose (mandate) and discuss the successes and the challenges the Advisory Committee has experienced; and,

WHEREAS, the staff liaisons for each Advisory Committee met and mutually agreed upon a tentative date for the All Advisory Committee Event;

THEREFORE, BE IT RESOLVED:

- a) That the proposed date of Monday, September 27, 2021, commencing at 4:00 p.m., for the All Advisory Committee Event be approved; and,
- b) That Kevin Hunt be authorized to represent the Waste Management Advisory Committee at the All Advisory Committee Event and deliver a 5-minute presentation on the Committee's behalf respecting the Committee's purpose (mandate), successes and challenges.

CARRIED

7. GENERAL INFORMATION / OTHER BUSINESS

There was no general information or other business.

8. ADJOURNMENT

(Hunt/Nann)

That, there being no further business, the meeting be adjourned at 10:36 a.m.

CARRIED

Respectfully submitted,

**Waste Management Advisory Committee
Minutes**


**May 10, 2021
Page 6 of 6**

Councillor M. Pearson
Chair, Waste Management Advisory Committee

Raffaella Morello
Senior Project Manager-Waste Operations, Waste Policy and Planning
Waste Management Division, Public Works Department



CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Waste Management Division

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	October 18, 2021
SUBJECT/REPORT NO:	Amendment to Solid Waste Management By-Law 20-221 (PW20066(a)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Ryan Kent (905) 546-2424 Ext. 7686
SUBMITTED BY:	Angela Storey Director, Waste Management Public Works Department
SIGNATURE:	

RECOMMENDATION

- (a) That the amending By-law attached as Appendix "A" to Report PW20066(a) amending By-law 20-221, being a By-law to Provide for and Regulate a Waste Management System for the City of Hamilton, and which has been prepared in a form satisfactory to the City Solicitor, be enacted and effective immediately by Council; and
- (b) That Staff take all steps necessary to update set fines for By-law 20-221 attached as Appendix "B" to Report PW20066(a), being a By-law to Provide for and Regulate a Waste Management System for the City of Hamilton.

EXECUTIVE SUMMARY

The updated Solid Waste Management By-law 20-221 (Waste By-law) was approved by Council in the Fall of 2020. Since that time, staff has been advised by the Ontario Ministry of the Attorney General (MAG) that amendments to the Waste By-law are required to enable the City of Hamilton (City) to update and issue fines for offences related to the Waste By-law. Waste Management By-law enforcement Staff issue notices and associated fines for violations of the Waste By-law.

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: Amendment to Solid Waste Management By-Law 20-221
(PW20066(a)) (City Wide)- Page 2 of 6**

In addition to the amendment requested by the MAG, staff is taking this opportunity to update the Waste By-law to include alignment with proposed revisions to the Solid Waste Collection Design Guidelines for Developments (Design Guidelines), addressing operational challenges experienced by staff. In addition, minor housekeeping revisions have been made. Proposed revisions to the Design Guidelines include allowing recycling and organics to be collected with front-end containers from multi-residential buildings. It is important to note that by approving the updated acceptable containers listing in the Waste By-law this does not approve the updated Design Guidelines, rather it aligns the Waste By-law with proposed changes to the Design Guidelines that will be presented to Public Works Committee at an upcoming meeting. Operational challenges include residents setting out containers for collection that are too large for Staff to safely collect them and minor housekeeping revisions include updates to section numbering.

The purpose of Report PW20066(a) is to seek approval for proposed amendments to the Solid Waste By-law as detailed in Appendix "A" attached to Report PW20066(a).

Alternatives for Consideration – See page 6 of this document

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: Approving the recommendations in Report PW20066(a) would enable staff to issue fines under the Waste By-law and update said fines.

HISTORICAL BACKGROUND

At its meeting on October 28, 2020, City Council approved the current version of the Waste By-law. The recommendations included in this report are seeking approval to update set fines under the Waste By-Law, to align the acceptable container portion of the bylaw with the proposed Design Guidelines coming to Public Works Committee later this year and to perform some housekeeping related to operational challenges and section numbering.

Issuing Fines

As part of the update to the Waste By-law, staff determined it necessary to update the set fines associated with the Waste By-law as the set fines had not been updated since 2005. Following Council approval of the Waste By-law, City staff provided the updated Waste By-law to the MAG with the intent to update the set fines. The MAG advised Staff that amendments to the Waste By-law are necessary to enforce fines. Currently,

**SUBJECT: Amendment to Solid Waste Management By-Law 20-221
(PW20066(a)) (City Wide)- Page 3 of 6**

for staff to issue fines under the Waste By-law a formal process must be followed. First, the City receives a complaint in violation of the Waste By-law and staff investigate the complaint. If the investigation finds a violation, and it is a first offence, staff issue a warning (either written or verbal) and provide educational material. If a warning had been previously issued, an offence will be issued with the associated fine. The offender then has the option to pay the set fine or dispute it. The Set Fine Schedule is included as Appendix "B" attached to Report PW20066(a)

Expanded Services to Multi-Residential Buildings

Waste Management staff has been working on a comprehensive update to the current Design Guidelines. One of the proposed revisions to the Design Guidelines includes requiring multi-residential buildings of a certain size to include waste chutes for residents to dispose of organics and recycling. Currently, the Design Guidelines only permit garbage to be disposed through chutes. To accommodate this change, the acceptable containers listing for multi-residential buildings set out in the Solid Waste By-law must be expanded to include collecting recycling and organics in front-end containers. Staff have included in Appendix "A" attached to Report PW20066(a) the amendments necessary for the Solid Waste By-law to permit this change. By approving the updated acceptable containers listing in the Waste By-law this does not approve the updated Design Guidelines, rather it aligns the Waste By-law with proposed changes to the Design Guidelines that will be presented to Public Works Committee for approval at an upcoming meeting.

Operational Challenges

Operational challenges experienced by staff since the Waste By-law update in 2020 include residents setting out containers for collection that are too large for staff to safely collect. Specifically, this has been observed with garbage and yard waste containers that are either too wide or too tall to be handled safely. Other operational challenges include staff having to open lids and latches before being able to collect material in containers. This can result in safety concerns and additional time per stop for staff to collect material.

Housekeeping Items

Housekeeping amendments to the Waste By-law include revisions that staff consider minor as they do not change the designed meaning of the Waste By-law, and include updates to section numbering.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The Solid Waste By-law will be amended to include changes recommended by the MAG to allow the City to issue set fines under the By-law in addition to other minor amendments. The amendments included in Appendix "A" attached to Report PW20066(a) are consistent with proposed changes to the Design Guidelines to allow

**SUBJECT: Amendment to Solid Waste Management By-Law 20-221
(PW20066(a)) (City Wide)- Page 4 of 6**

the expansion of services to multi-residential buildings. This expansion of service supports the guiding principles of the City's Solid Waste Management Master Plan and the Strategic Plan's clean and green priority.

RELEVANT CONSULTATION

The following groups have been consulted and are supportive of the recommendations included in this report:

Corporate Services Department – Legal and Risk Management Services Division
Public Works Department – Waste Management Division – Waste Collections
Planning and Economic Development Department – Licensing and By-Law
Enforcement Division
Ontario Ministry of the Attorney General

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Issuing Fines

Waste Management By-law enforcement staff issue notices and associated fines for violations of the Waste By-law. Where education and warnings are not successful, this is an important tool to correct resident behaviour and the way they prepare and set out their waste for collection. The fine amounts for violations of the Solid Waste By-law are included in the Set Fine Schedule and the Set Fine Schedule has not been updated since 2005. Staff have proposed updated fine amounts and the revised Set Fine Schedule is included as Appendix "B" attached to Report PW20066(a). There is a total of fifty-seven fines included in Appendix "B" attached to Report PW20066(a) with eight fines being new, and the balance being updates to existing fines. The updated dollar amounts were determined by comparing the set fines to those of Niagara Region and Peel Region. The rationale for new fines is that new prohibitions were created by the 2020 update to the Waste By-law and these new fines are associated with the new prohibitions. Appendix "C" attached to Report PW20066(a) is a comparison between the existing fines and the proposed updated fines and identifies new fines.

When staff reached out to the MAG to update the Set Fine Schedule, the MAG responded with direction that the Waste By-law needed additional language to allow notices and fines to be issued for violations. This additional language has been added to the General Prohibitions section of the Waste By-law and reads "Every person who contravenes any provision of the By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended".

**SUBJECT: Amendment to Solid Waste Management By-Law 20-221
(PW20066(a)) (City Wide)- Page 5 of 6**

Expanded Services to Multi-Residential Buildings

Staff recently completed a review of the City's Solid Waste Collection Design Guidelines for Developments (Design Guidelines). The purpose of the Design Guidelines is to ensure that new developments within the City are designed to permit safe and efficient waste collection and to provide residents with uniform access to waste collection services and diversion programs provided by the City. This review is now complete and revised Design Guidelines will be provided to the Public Works Committee for approval at an upcoming meeting. The revised Design Guidelines include a new requirement that all new multi-residential buildings with 30 or more dwelling units, and 7 or more storeys, be designed so the separation of organics and recycling can occur through chutes on each floor. For chutes to be used for the disposal of recycling and organics, multi-residential buildings must use front-end containers at the bottom of chutes. The current Solid Waste By-law does not allow in Schedule "D" Permitted Waste Containers, for multi-residential buildings to use front-end containers to dispose of organics and recycling containers.

It is important to note that by approving the updated acceptable containers listing in the Waste By-law this does not approve the updated Design Guidelines, rather it aligns the Waste By-law with proposed changes to the Design Guidelines that will be presented to the Public Works Committee for approval at an upcoming meeting.

Operational Challenges

Since the update to the Waste By-law in 2020, staff have dealt with operational challenges that can be rectified with minor amendments to the By-law. These amendments are detailed in Appendix "A" attached to Report PW20066(a) and focus on containers used to set out garbage and yard waste. The Solid Waste By-law currently includes a 23kg weight limit and a 135-litre volume limit for garbage and yard waste containers, however, the Solid Waste By-law does not currently include limits on the dimensions of garbage and yard waste containers for single-family homes. This has created situations where containers that are either impossible or extremely difficult for the City and its contractors to collect are set out by residents. Appendix "A" attached to Report PW20066(a) proposes to limit the height of garbage and yard waste containers to 91cm and the diameter of garbage and yard waste containers to 61cm to eliminate these situations. Appendix "A" attached to Report PW20066(a) also includes if any container has a lid, the lid must be readily separable from the container, and any devices used to tie down or secure any lids must be removed by the resident prior to collection.

Housekeeping Items

There are several proposed amendments to the Solid Waste By-law that are housekeeping in nature requiring updating. An example of one of these amendments is updating the definition of the Waste Management Advisory Committee from a sub-committee of Council to accurately describe this committee as a volunteer advisory

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: Amendment to Solid Waste Management By-Law 20-221
(PW20066(a)) (City Wide)- Page 6 of 6**

committee. These minor amendments have been included in Appendix “A” attached to Report PW20066(a).

ALTERNATIVES FOR CONSIDERATION

Council could approve recommendation (a) but not approve recommendation (b), and the set fines for existing prohibitions would remain unchanged from the current set fines established in 2005. Additionally, any new prohibitions established in the 2020 update to the Waste By-law would be assigned a set fine of \$100 to be consistent with the current set fines. These new prohibitions are identified in Appendix “C” to Report PW20066(a).

There are no financial, legal or staffing implications associated with this alternative.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Clean and Green

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

Our People and Performance

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

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PW20066(a) – Amending By-law to Solid Waste Management By-law 20-221

Appendix “B” to Report PW20066(a) – Amended Set Fine Schedule

Appendix “C” to Report PW20066(a) – Set Fine Schedule Comparison

Authority: Item ,
Report (XXX)
CM:
Ward: City Wide

Bill No.

**CITY OF HAMILTON
BY-LAW NO. 21-**

**To Amend City of Hamilton By-law No. 20-221,
being a By-law to Provide for and Regulate a Waste Management System for the
City of Hamilton**

WHEREAS Council enacted a by-law to provide for and regulate a waste management system for the City of Hamilton, being City of Hamilton By-law No.20-221;

AND WHEREAS Council wishes to amend By-law No. 20-221;

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

1. The amendments in this By-law include any necessary grammatical, numbering and lettering changes.
2. Section 2.1(jj) of By-law 20-221 is amended by replacing "sub-committee of Council" with "volunteer advisory committee" and by replacing "sub-committee" with "volunteer advisory committee" in all instances.
3. Section 2.2 of By-law 20-221 is amended by replacing the number "374" with number "347".
4. Section 5.6 including subsections 5.6.1, 5.6.2 and 5.6.3 of By-law 20-221 shall be deleted in its entirety and replaced with the following:
 - 5.6 No owner shall set out organic materials for collection unless organic materials are:
 - 5.6.1 placed in a permitted container either loosely or in a paper bag or a compostable liner bag certified by the Biodegradable Products Institute (BPI) or Bureau de Normalisation du Quebec (BNQ), or, if they are wood ashes, cold and wrapped in newspaper or placed in a

bag described in this Section 5.6.1 and separated from other types of materials; and

5.6.2 absent from plastic wrap, rubber bands and stickers, and all labels are removed.

5. Section 6 of By-law 20-221 is amended by adding the following section 6.1 thereto:

General Prohibition respecting Bulk Waste

6.1 No person shall set out any bulk items for collection without prior authorization.

6. Section 7.4.7 of By-law 20-221 is amended by replacing "unless authorized to do so by the General Manager" with "without authorization", and by adding "or permit others to place waste" after "place waste".
7. Section 7.4.9 of By-law 20-221 is amended by adding "or permit others to deposit" after "deposit".
8. Section 9 of By-law 20-221 is amended by adding the following section 9.30 thereto:

General Prohibition

9.30 Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

9. Section 1 to and including Section 4 of Schedule A of By-law 20-221 is amended by renumbering such sections to be consistent with Schedule B of By-law 20-221.
10. Section 3.2 to and including Section 3.8 of Schedule F of By-law 20-221 is amended by renumbering such sections consecutively as Section 2.4 to Section 2.10.
11. Section 1.1 of Schedule "D" is amended by replacing "with a maximum volume of 135 litres and maximum weight of 23 kilograms" with "with a maximum volume of 135 litres, maximum weight of 23 kilograms, a maximum height of 91 cm, and a maximum diameter of 61 cm, provided that if any container has a lid, the lid must be readily separable from the container, and any devices used to tie down or secure any lids must be removed by the resident prior to collection".
12. Section 5.5 of Schedule "D" is amended by replacing "material only" with "and containers material".

13. Section 8 of Schedule "D" is amended by adding ", or front-end containers with a volume of no more than 1,529 litres" after the word "each".
14. Section 10.1 of Schedule "D" is amended by replacing "a maximum volume of 135 litres and maximum weight of 23 kilograms each" with "a maximum volume of 135 litres, maximum weight of 23 kilograms, a maximum height of 91 cm, and a maximum diameter of 61 cm, provided that if any container has a lid, the lid must be readily separable from the container, and any devices used to tie down or secure any lids must be removed by the resident prior to collection".
15. This By-law shall come into effect on the day it is passed.
16. In all other respects, By-law 20-221 is confirmed.

PASSED this _____ day of _____, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

**The Corporation of the City of Hamilton
Part I Provincial Offences Act
Set Fine Schedule**

ITEM	Short Form Wording	Provision creating or defining offence	Set Fine
	Solid Waste Management By-law No. 20-221		
1	Set Out Waste Except that Generated on the Subject Property	Section 5.1.1	\$200.00
2	Set Out Waste in Unpermitted Container	Section 5.1.2	\$200.00
3	Set Out Waste in Container Not Maintained for Safe Collection	Section 5.1.3	\$300.00
4	Set Out Contaminated Waste	Section 5.1.5	\$200.00
5	Set Out Waste Container that Exceeds the Weight Limit	Section 5.1.6	\$300.00
6	Set Out Waste Container that Exceeds the Volume Limit	Section 5.1.6	\$200.00
7	Set Out Waste Before 7:00 p.m. on Day Before Scheduled Collection Day	Section 5.2	\$200.00
8	Set Out Waste After 7:00 a.m. on Scheduled Collection Day	Section 5.2	\$200.00
9	Fail to Remove Waste Container by 7:00 p.m. on Scheduled Collection Day	Section 5.3	\$200.00
10	Fail to Remove Uncollected Waste by 7:00p.m. on Scheduled Collection Day	Section 5.3	\$200.00
11	Fail to Leak-Proof Wet Garbage	Section 5.4.1	\$200.00
12	Fail to Securely Tie Garbage Bags	Section 5.4.2	\$200.00
13	Fail to Double-Bag Home Healthcare Waste	Section 5.4.3	\$200.00
14	Fail to Double-Bag Household Pet Waste	Section 5.4.3	\$200.00
15	Fail to Secure Broken Glass as Specified	Section 5.4.4	\$300.00
16	Fail to Secure Sharp Objects as Specified	Section 5.4.4	\$300.00
17	Fail to Separate Container and Paper Recyclables	Section 5.5.2	\$200.00
18	Fail to Remove Lids from Container Recyclables	Section 5.5.4	\$200.00
19	Fail to Rinse or Empty Containers	Section 5.5.5	\$200.00
20	Set Out Cardboard that Exceeds Size Limit	Section 5.5.6	\$200.00
21	Set Out Organics in a Non-Compostable Bag	Section 5.6.1	\$200.00
22	Fail to Cool Wood Ashes	Section 5.6.2	\$200.00
23	Fail to Contain Wood Ashes	Section 5.6.2	\$200.00
24	Fail to Remove Plastic Wrap, Rubber Bands, Stickers or Labels from Organics	Section 5.6.3	\$200.00
25	Set Out Brush or Woody Material that Exceeds the Weight Limit	Section 5.7.2	\$300.00
26	Set Out Brush or Woody Material that Exceeds the Size Limit	Section 5.7.2	\$200.00
27	Set Out Christmas Tree that Exceeds the Size Limit	Section 5.8.1	\$200.00
28	Fail to Remove All Decorations from a Christmas Tree	Section 5.8.1	\$200.00

Note: The general penalty section for the offences created above is Section 9.27 of The City of Hamilton Solid Waste Management By-Law 20-221 and Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33.

**The Corporation of the City of Hamilton
Part I Provincial Offences Act
Set Fine Schedule**

ITEM	Short Form Wording	Provision creating or defining offence	Set Fine
29	Set Out Unscheduled Bulk Items	Section 6.1	\$200.00
30	Set Out Bulk Items that Exceed the Weight Limit	Section 6.3.3	\$300.00
31	Set Out Bulk Items that Exceed the Size Limit	Section 6.3.4	\$200.00
32	Fail to Secure All Moving Parts of Bulk Items	Section 6.3.5	\$300.00
33	Fail to Roll and Securely Tie Carpet	Section 6.3.6	\$200.00
34	Fail to Remove Batteries or Light Bulbs from Bulk Items	Section 6.3.7	\$300.00
35	Fail to Securely Wrap Mirrors as Specified	Section 6.3.8	\$300.00
36	Fail to Wrap Bed Bug Infested Bulk Items in Plastic	Section 6.3.10	\$300.00
37	Set Out Prohibited Waste for Collection	Section 7.1	\$200.00
38	Place Waste on Owned or Occupied Property Except as Authorized	Section 7.4.1	\$200.00
39	Permit Others to Place Waste on Owned or Occupied Property Except as Authorized	Section 7.4.1	\$200.00
40	Permit Waste to Remain on Owned or Occupied Property Except as Authorized	Section 7.4.1	\$200.00
41	Set Out Waste Except as Generated on the Subject Property	Section 7.4.2	\$200.00
42	Permit Others to Set Out Waste Except as Generated on the Subject Property	Section 7.4.2	\$200.00
43	Throw, Cast or Otherwise Deposit Waste on Public Property	Section 7.4.3	\$300.00
44	Permit Others to Throw, Cast or Otherwise Deposit Waste on Public Property	Section 7.4.3	\$300.00
45	Pick Over, Interfere With, Disturb, Remove or Scatter Waste Set Out for Collection	Section 7.4.4	\$200.00
46	Permit Others to Pick Over, Interfere With, Disturb, Remove or Scatter Waste Set Out for Collection	Section 7.4.4	\$200.00
47	Allow Animals to Pick Over, Interfere With, Disturb, Remove or Scatter Waste Set Out for Collection	Section 7.4.6	\$200.00
48	Set Out Waste on Public Property for Collection by a Private Agency	Section 7.4.7	\$200.00
49	Permit Others to Set Out Waste on Public Property for Collection by a Private Agency	Section 7.4.7	\$200.00
50	Store or Accumulate Waste so that it becomes a Public Nuisance, Emits Odors or Attracts Vermin	Section 7.4.8	\$200.00
51	Deposit Waste Generated on Private Property in Public Waste Receptacles	Section 7.4.9	\$300.00
52	Permit Others to Deposit Waste Generated on Private Property in Public Waste Receptacles	Section 7.4.9	\$300.00
53	Deposit Waste on Public Property Except in Public Waste Receptacles	Section 7.4.10	\$300.00
54	Permit Waste Set Out for Collection to Blow Away or Otherwise Escape	Section 7.4.11	\$200.00

Note: The general penalty section for the offences created above is Section 9.27 of The City of Hamilton Solid Waste Management By-Law 20-221 and Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33.

**The Corporation of the City of Hamilton
Part I Provincial Offences Act
Set Fine Schedule**

ITEM	Short Form Wording	Provision creating or defining offence	Set Fine
55	Set Out Waste in a Manner which Obstructs Vehicular Traffic	Section 7.4.12	\$300.00
56	Set Out Waste in a Manner which Obstructs Pedestrian Traffic	Section 7.4.12	\$300.00
57	Permit a Waste Container or Bag to Be or Remain Damaged	Section 7.4.14	\$200.00

Note: The general penalty section for the offences created above is Section 9.27 of The City of Hamilton Solid Waste Management By-Law 20-221 and Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33.

**The Corporation of the City of Hamilton
Part I Provincial Offences Act
Set Fine Schedule Comparison 2005 to 2021**

ITEM	Short Form Wording	Set Fine (2005)	Set Fine (2021)
	Solid Waste Management By-law No. 20-221		
1	Set Out Waste Except that Generated on the Subject Property	\$100.00	\$200.00
2	Set Out Waste in Unpermitted Container	\$100.00	\$200.00
3	Set Out Waste in Container Not Maintained for Safe Collection	\$200.00	\$300.00
4	Set Out Contaminated Waste	\$100.00	\$200.00
5	Set Out Waste Container that Exceeds the Weight Limit	\$200.00	\$300.00
6	Set Out Waste Container that Exceeds the Volume Limit	\$200.00	\$200.00
7	Set Out Waste Before 7:00 p.m. on Day Before Scheduled Collection Day	\$100.00	\$200.00
8	Set Out Waste After 7:00 a.m. on Scheduled Collection Day	\$100.00	\$200.00
9	Fail to Remove Waste Container by 7:00 p.m. on Scheduled Collection Day	\$100.00	\$200.00
10	Fail to Remove Uncollected Waste by 7:00p.m. on Scheduled Collection Day	\$100.00	\$200.00
11	Fail to Leak-Proof Wet Garbage	\$200.00	\$200.00
12	Fail to Securely Tie Garbage Bags	\$200.00	\$200.00
13	Fail to Double-Bag Home Healthcare Waste	\$200.00	\$200.00
14	Fail to Double-Bag Household Pet Waste	\$200.00	\$200.00
15	Fail to Secure Broken Glass as Specified	\$200.00	\$300.00
16	Fail to Secure Sharp Objects as Specified	\$200.00	\$300.00
17	Fail to Separate Container and Paper Recyclables	\$100.00	\$200.00
18	Fail to Remove Lids from Container Recyclables	\$100.00	\$200.00
19	Fail to Rinse or Empty Containers	NO FINE	\$200.00
20	Set Out Cardboard that Exceeds Size Limit	\$100.00	\$200.00
21	Set Out Organics in a Non-Compostable Bag	\$200.00	\$200.00
22	Fail to Cool Wood Ashes	\$200.00	\$200.00
23	Fail to Contain Wood Ashes	\$200.00	\$200.00
24	Fail to Remove Plastic Wrap, Rubber Bands, Stickers or Labels from Organics	NO FINE	\$200.00
25	Set Out Brush or Woody Material that Exceeds the Weight Limit	\$200.00	\$300.00
26	Set Out Brush or Woody Material that Exceeds the Size Limit	\$200.00	\$200.00
27	Set Out Christmas Tree that Exceeds the Size Limit	\$200.00	\$200.00
28	Fail to Remove All Decorations from a Christmas Tree	\$200.00	\$200.00

Note: The general penalty section for the offences created above is Section 9.27 of The City of Hamilton Solid Waste Management By-Law 20-221 and Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33.

**The Corporation of the City of Hamilton
Part I Provincial Offences Act
Set Fine Schedule Comparison 2005 to 2021**

ITEM	Short Form Wording	Set Fine (2005)	Set Fine (2021)
29	Set Out Unscheduled Bulk Items	\$200.00	\$200.00
30	Set Out Bulk Items that Exceed the Weight Limit	\$200.00	\$300.00
31	Set Out Bulk Items that Exceed the Size Limit	\$200.00	\$200.00
32	Fail to Secure All Moving Parts of Bulk Items	\$200.00	\$300.00
33	Fail to Roll and Securely Tie Carpet	\$200.00	\$200.00
34	Fail to Remove Batteries or Light Bulbs from Bulk Items	\$200.00	\$300.00
35	Fail to Securely Wrap Mirrors as Specified	NO FINE	\$300.00
36	Fail to Wrap Bed Bug Infested Bulk Items in Plastic	NO FINE	\$300.00
37	Set Out Prohibited Waste for Collection	\$100.00	\$200.00
38	Place Waste on Owned or Occupied Property Except as Authorized	\$100.00	\$200.00
39	Permit Others to Place Waste on Owned or Occupied Property Except as Authorized	\$100.00	\$200.00
40	Permit Waste to Remain on Owned or Occupied Property Except as Authorized	\$100.00	\$200.00
41	Set Out Waste Except as Generated on the Subject Property	NO FINE	\$200.00
42	Permit Others to Set Out Waste Except as Generated on the Subject Property	NO FINE	\$200.00
43	Throw, Cast or Otherwise Deposit Waste on Public Property	\$100.00	\$300.00
44	Permit Others to Throw, Cast or Otherwise Deposit Waste on Public Property	\$100.00	\$300.00
45	Pick Over, Interfere With, Disturb, Remove or Scatter Waste Set Out for Collection	\$100.00	\$200.00
46	Permit Others to Pick Over, Interfere With, Disturb, Remove or Scatter Waste Set Out for Collection	\$100.00	\$200.00
47	Allow Animals to Pick Over, Interfere With, Disturb, Remove or Scatter Waste Set Out for Collection	\$100.00	\$200.00
48	Set Out Waste on Public Property for Collection by a Private Agency	NO FINE	\$200.00
49	Permit Others to Set Out Waste on Public Property for Collection by a Private Agency	NO FINE	\$200.00
50	Store or Accumulate Waste so that it becomes a Public Nuisance, Emits Odors or Attracts Vermin	\$100.00	\$200.00
51	Deposit Waste Generated on Private Property in Public Waste Receptacles	\$100.00	\$300.00
52	Permit Others to Deposit Waste Generated on Private Property in Public Waste Receptacles	\$100.00	\$300.00
53	Deposit Waste on Public Property Except in Public Waste Receptacles	\$100.00	\$300.00
54	Permit Waste Set Out for Collection to Blow Away or Otherwise Escape	\$100.00	\$200.00

Note: The general penalty section for the offences created above is Section 9.27 of The City of Hamilton Solid Waste Management By-Law 20-221 and Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33.

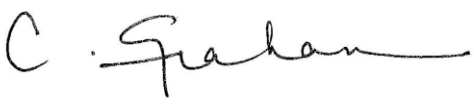

**The Corporation of the City of Hamilton
Part I Provincial Offences Act
Set Fine Schedule Comparison 2005 to 2021**

ITEM	Short Form Wording	Set Fine (2005)	Set Fine (2021)
55	Set Out Waste in a Manner which Obstructs Vehicular Traffic	\$200.00	\$300.00
56	Set Out Waste in a Manner which Obstructs Pedestrian Traffic	\$200.00	\$300.00
57	Permit a Waste Container or Bag to Be or Remain Damaged	\$100.00	\$200.00

Note: The general penalty section for the offences created above is Section 9.27 of The City of Hamilton Solid Waste Management By-Law 20-221 and Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33.



CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Environmental Services Division
and
Energy, Fleet and Facilities Management Division

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	October 18, 2021
SUBJECT/REPORT NO:	Winterizing Public Washrooms - Winter Operations (PW21031(a)) (City Wide) (Outstanding Business Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Adriana Byrne (905) 546-2424 Ext. 2156 Sam Ciardullo (905) 546-2424 Ext. 4924
SUBMITTED BY:	Cynthia Graham Acting Director, Environmental Services Public Works Department
SIGNATURE:	
SUBMITTED BY:	Rom D'Angelo, C.E.T.; CFM Director, Energy, Fleet and Facilities Management Public Works Department
SIGNATURE:	

RECOMMENDATION

- (a) That the park washroom locations listed in Appendix "A" attached to Report PW21031(a) be approved under a two-year pilot program to operate 16 of the recommended winter washroom locations for the 2021-2022 winter season (for which 4 are portable toilets) running from October 1 to May 1 and that the remaining recommended locations begin operation in the 2022-2023 winter season after capital upgrades are complete;
- (b) That Staff report back to Council in the Summer of 2023 with the results of the two- year pilot program;

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: Winterizing Public Washrooms - Winter Operations
(PW21031(a)) (City Wide) – Page 2 of 6**

- (c) That the Capital Budget of \$168,125 be approved to support the capital upgrade requirements of the pilot program as outlined in Appendix “A” attached to Report PW21031(a) to be funded from the Unallocated Capital Levy Reserve (#108020);
- (d) That the Capital Budget of \$172,500 be approved to support security infrastructure for the pilot program as outlined in Appendix “A” attached to Report PW21031(a) to be funded from the Unallocated Capital Levy Reserve (#108020);
- (e) That the operating costs of \$5,250 to support security monitoring during the two-year pilot program as outlined in Appendix “A” attached to Report PW21031(a) to be funded from the Tax Stabilization Reserve (#110046);
- (f) That the operating costs of \$671,200 be approved to support the sites during the two-year pilot program as outlined in Appendix “A” attached to Report PW21031(a) to be funded from the Tax Stabilization Reserve (#110046); and,
- (g) That Winter Public Washrooms be identified as complete and removed from the Public Works Committee Outstanding Business List.

EXECUTIVE SUMMARY

Standalone washrooms in parks are not open for use from October 1 to May 1 through the existing Parks program; however, a few locations are operated by the Healthy and Safe Communities Department, Recreation Division to support ice skating rinks in the winter months. The availability of public washrooms has become a concern highlighted by the COVID-19 Pandemic when few public washrooms were available. Information Report PW21031 detailing the feasibility of making standalone park washrooms available year-round was presented to Public Works Committee on May 17, 2021 and approved at Council on May 26, 2021. Staff were directed to meet with all Ward Councillors to discuss the feasibility of making some park washrooms within their respective wards available for use year-round. The recommendations in Report PW21031(a) represent those consultations. Through a two-year pilot program, washroom sites at select parks will be made available for use from October 1 to May 1. Starting in 2021, 12 locations will receive the necessary capital upgrades required for winter use and 4 locations will have portable toilets. In October 2022, an additional 11 locations will receive the necessary capital upgrades required for winter use, offering 27 washrooms in total during the pilot program. The total cost of the pilot program is \$1,017,075; \$340,625 in capital costs and \$676,450 in operating costs (inclusive of security/monitoring) for the two years. The security measures being recommended support building condition and environmental monitoring and does not include CCTV cameras with the privacy concerns inherent with video surveillance. This recommended security technology will be used to provide intrusion monitoring of the building after operational hours and includes additional sensors such as flood and heat

**SUBJECT: Winterizing Public Washrooms - Winter Operations
(PW21031(a)) (City Wide) – Page 3 of 6**

monitoring that trigger alarms if temperatures in the washrooms fall below a certain threshold or if plumbing leaks are detected. This is prudent during winter months. If an event was to occur afterhours, or even during operational hours (i.e. broken window, heat turns off, water pipe burst), the system would trigger a response to the City to investigate and repair as required.

Alternatives for Consideration – See Page 5

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The winterizing of public washrooms requires a total Capital funding of \$340,625, of which \$168,125 pertains to capital costs relating to the winterization and \$172,500 relating to the security infrastructure. This capital funding is required to support the requirements of the pilot program as outlined in Appendix “B” to Report PW21031(a) - Capital and Operating Cost Summary to be funded from the Unallocated Capital Levy Reserve (#108020). Additionally, the total operating funding of \$676,450 of which \$671,200 relates to winter maintenance for a two year period and \$5,250 relating to security monitoring, is required to support the sites during the pilot program as outlined in Appendix “B” to Report PW21031(a)- Capital and Operating Cost Summary to be funded from the Tax Stabilization Reserve (#110046).

Staffing: A temporary 0.50 FTE Parks Supervisor to bring a Seasonal 0.50 FTE Parks Supervisor to full time for the duration of the pilot program. This position will be funded from the divisional gapping at an estimated amount of \$121,000 and is expected to be at a duration of less than 24 months therefore, follows the Complement Control Policy.

Legal: There are no legal implications.

HISTORICAL BACKGROUND

An Information Report on Winterizing Public Washrooms – Winter Operations was presented at the May 17, 2021 Public Works Committee meeting. Information Report PW21031 included a preliminary review of expanding the availability of winter washrooms in parks and listed the locations that are already winterized to permit use during the winter, the locations that require capital investment to be operable for the winter and the locations that are not feasible to winterize. The Report also detailed security considerations, servicing through contracted services, the option of portable toilets in lieu of washroom facilities and the estimated capital and operational costs. Staff were asked to consult with each of the Ward Councillors to recommend a list of park washrooms for consideration in a pilot project offering winterized washrooms. Staff

**SUBJECT: Winterizing Public Washrooms - Winter Operations
(PW21031(a)) (City Wide) – Page 4 of 6**

from Public Works Department, Environmental Services Division, Parks and Cemeteries Section and the Energy, Fleet and Facilities Management Division, Facilities Operations and Maintenance Section met with each of the ward Councillors to consult on the park washrooms within each ward. Those discussions have resulted in the recommendations of Report PW21031(a) and selection of the washroom locations listed in Appendix “A” attached to Report PW21031(a) to operate under a pilot program for the winter season, from October 1 to May 1.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Not applicable.

RELEVANT CONSULTATION

Staff from the Public Works Department, Environmental Services Division, Parks and Cemeteries Sections and the Energy, Fleet and Facilities Management Division, Facilities Operations and Maintenance Section have consulted with each of the Ward Councillors regarding the washrooms within their respective Ward.

Staff from Financial Planning, Administration & Policy Division were consulted.

The following user groups have been consulted:

The Energy, Fleet and Facilities Management Division, Facilities Operations and Maintenance Section regarding specific locations where the management of the washroom facility is a joint effort:

Bruce Park – Centremount Neighbourhood Association,
Buchanan Park – Buchanan Softball Organization.

The approved list of winter washrooms will be shared with the Healthy and Safe Communities, Recreation Division for their review and the possibility of providing winter programs in parks that have winter washrooms available.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Staff made recommendations to each Ward Councillor on specific locations for the winter washroom pilot. Recommendations supported the opening of washrooms in parks that are well used in the winter months, have generally lower risk of vandalism, and are not located adjacent to other City of Hamilton (City) facilities offering washrooms, such as arenas, libraries and community centres. Appendix “A” attached to Report PW21031(a) is the listing of park washrooms that are supported by the Ward Councillors for the pilot program. The use of accessible portable toilets was

**SUBJECT: Winterizing Public Washrooms - Winter Operations
(PW21031(a)) (City Wide) – Page 5 of 6**

recommended in specific situations where, for example, a park location that does not include a washroom facility and would otherwise be a good candidate for winter washrooms. These locations are also listed in Appendix “A” attached to Report PW21031(a).

Through this pilot program, the washrooms will be available from October 1st to May 1st, weekdays, weekends and statutory holidays, with a focus on availability during daylight hours subject to change based on the cleaning schedule. The closing of park washrooms in the winter months will be earlier than in the summer months to ensure the facilities can safely be closed before dusk. The Energy, Fleet and Facilities Management Division, Facilities Operations and Maintenance Section will perform the necessary capital work to make the facilities operable for winter use. The pilot project is an initial small-scale implementation that staff can use to prove the viability of this project and to allow for operational improvements. The two-year pilot project will enable the Energy, Fleet and Facilities Management Division, Facilities Operations and Maintenance Section to open in the first-year existing washrooms with minor Capital costs giving the City the opportunity to manage the risk of a new program and identify any deficiencies before substantial resources are committed to opening sites with major capital requirements. Appendix “A” attached to Report PW21031(a) identifies the sites that will be available for the 2021/2022 season and those that will be added for the 2022/2023 winter season. For the 2022/2023 season, the Energy, Fleet and Facilities Management Division, Facilities Operations and Maintenance Section will require a minimum of 6 weeks, upon Council approval, to complete the necessary work (such as: installation of heaters, insulation plumbing pipes/ plumbing spaces and installation of anti-slip flooring for any ice rink site) prior to making the washrooms available for use. Therefore, the 2021-2022 season will have a delayed start for opening. The washrooms will be opened, cleaned and closed by a contracted vendor managed by the Environmental Services Division, Parks and Cemeteries Section. Portable toilets will be provided and serviced by a contracted vendor. The level of service provided will be based on the City’s standard level of service for washroom cleaning. A webpage will be created to show the locations of the winter washrooms and their availability for the winter season.

ALTERNATIVES FOR CONSIDERATION

Alternative 1: winter washroom facilities can be made available exclusively through the use of portable toilet rentals.

Financial: The financial implications of a single accessible toilet are estimated to be \$2,000 per winter season, therefore the total cost for 27 portable toilets is approximately \$54,000 per winter season.

Staffing: There are no staffing implications.

**SUBJECT: Winterizing Public Washrooms - Winter Operations
(PW21031(a)) (City Wide) – Page 6 of 6**

Legal: There are no legal implications.

Alternative 2: winter washrooms can be operated without the recommended security infrastructure and monitoring.

Financial: The financial implications of removing the recommended security infrastructure and monitoring will be avoidance of \$172,500 in capital costs and \$5,250 in operating costs, however damage due to break and enter issues or the potential for frozen infrastructure damage could far outweigh any savings.

Staffing: There are no staffing implications.

Legal: There are no legal implications.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Healthy and Safe Communities

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

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PW21031(a) – Budget Impact - October 1 - May 1

Appendix “B” to Report PW21031(a) – Capital and Operating Cost Summary

Budget Impact – October 1 to May 1 (30 Weeks)

Ward	Park	Pilot Year	Capital Costs		Annual Winter Operating Costs							
			Winterize	Security Infrastructure	Winter Preparation (To be winter-ready)	Repairs and Graffiti Removal (Allowance)	*Cleaning (Janitorial) /Portable Toilet Rental	Supplies	Utilities (Water/ Sewer & Hydro)	Snow Removal	Security (Third Party Monitoring)	Operating Total per Site
1	Alexander Park	2021/2022	\$0	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	\$2,250	\$150	\$21,050
1	Victoria Park Baseball Washrooms	2021/2022	\$0	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	-	\$150	\$18,800
1	Churchill Park	2022/2023	\$18,750	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	-	\$150	\$18,800
1	HAAA Park	2022/2023	\$18,750	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	-	\$150	\$18,800
2	Bayfront Park	2022/2023	\$31,250	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	-	\$150	\$18,800
2	Pier 4 Park (Gartshore Thomson) Building)	2021/2022	\$0	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	-	\$150	\$18,800
3	Woodland Park	2021/2022	\$1,875	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	-	\$150	\$18,800
3	JC Beemer Park	2022/2023	\$6,250	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	-	\$150	\$18,800
3	Gage Park Washroom (by Baseball Diamond)	2021/2022	\$3,750	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	-	\$150	\$18,800

Ward	Park	Pilot Year	Capital Costs		Annual Winter Operating Costs							
			Winterize	Security Infrastructure	Winter Preparation (To be winter-ready)	Repairs and Graffiti Removal (Allowance)	*Cleaning (Janitorial) /Portable Toilet Rental	Supplies	Utilities (Water/ Sewer & Hydro)	Snow Removal	Security (Third Party Monitoring)	Operating Total per Site
3	Gage Park Washroom (by Splash Pad)	2021/2022	\$2,500	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	-	\$150	\$18,800
5	Confederation Beach Park – Sports Park	2022/2023	\$0	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	-	\$150	\$18,800
5	Hamilton Beach Trail (Lift Bridge)	2022/2023	\$18,750	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	-	\$150	\$18,800
5	Hamilton Beach Trail (Kinsmen Park)	2022/2023	\$18,750	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	-	\$150	\$18,800
6	Mohawk Sports Park Parks storage building	2021/2022	\$0	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	\$2,250	\$150	\$21,050
6	Mohawk Sports Park Hornets Building	2022/2023	\$3,750	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	\$2,250	\$150	\$21,050

Ward	Park	Pilot Year	Capital Costs		Annual Winter Operating Costs							
			Winterize	Security Infrastructure	Winter Preparation (To be winter-ready)	Repairs and Graffiti Removal (Allowance)	*Cleaning (Janitorial) /Portable Toilet Rental	Supplies	Utilities (Water/ Sewer & Hydro)	Snow Removal	Security (Third Party Monitoring)	Operating Total per Site
6	Mohawk Sports Park Track Building	2022/2023	\$18,750	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	\$2,250	\$150	\$21,050
6 & 7	Mountain Drive Park (new build in 2022-2023)	2022/2023	-	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	\$2,250	\$150	\$21,050
6 & 7	Portable Toilet: Mountain Drive Park (if desired)	2021/2022	-	-	-	-	\$2,000	-	-	-	-	\$2,000
7	T. B. McQuesten Park	2021/2022	\$3,750	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	-	\$150	\$18,800
7	Portable Toilet: Eastmount Park	2021/2022	-	-	-	-	\$2,000	-	-	-	-	\$2,000
8	Bruce Park	2021/2022	\$0	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	\$2,250	\$150	\$21,050
8	Buchanan Park	2021/2022	\$0	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	\$2,250	\$150	\$21,050

Ward	Park	Pilot Year	Capital Costs		Annual Winter Operating Costs							
			Winterize	Security Infrastructure	Winter Preparation (To be winter-ready)	Repairs and Graffiti Removal (Allowance)	*Cleaning (Janitorial) /Portable Toilet Rental	Supplies	Utilities (Water/ Sewer & Hydro)	Snow Removal	Security (Third Party Monitoring)	Operating Total per Site
8	Portable Toilet: Sam Lawrence Park	2021/2022	-	-	-	-	\$2,000	-	-	-	-	\$2,000
8	William Connell Park	2021/2022	\$2,500	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	-	\$150	\$18,800
13	Dundas Driving Park	2021/2022	\$0	\$7,500	\$0	\$1,100	\$4,600	\$1,000	\$800	-	\$150	\$7,650
13	Strabane Community Park	2022/2023	\$18,750	\$7,500	\$1,600	\$2,500	\$10,750	\$2,000	\$1,800	-	\$150	\$18,800
15	Portable Toilet: Joe Sam's Park	2021/2022	-	-	-	-	\$2,000	-	-	-	-	\$2,000
Sub-Total			\$168,125	\$172,500	\$35,200	\$56,100	\$249,100	\$45,000	\$40,400	\$15,750	\$3,450	\$445,000

Capital and Operating Cost Summary

Year 1 2021/2022 Season				Year 2 2022/2023 Season				Total Capital	Total Security Infrastructure	Total Security Monitoring Operating Costs	Total Operating Costs (Excl. Security Monitoring)
Capital	Security Infrastructure	Security Monitoring	Operating	Capital	Security Infrastructure	Security Monitoring	Operating				
\$15,625	\$90,000	\$1,800	\$229,650	\$152,500	\$82,500	\$3,450	\$441,550	\$168,125	\$172,500	\$5,250	\$671,200

Total Unallocated Capital Reserve Funding
Total Tax Stabilization Funding Request

\$340,625
\$676,450

Total Pilot Program Costs
\$1,017,075

11.1

CITY OF HAMILTON

MOTION

Public Works Committee: October 18, 2021

MOVED BY COUNCILLOR J.P. DANKO.....

SECONDED BY COUNCILLOR

Design of Mountain Brow Multi-Use Pathway between Fennell Avenue and Sam Lawrence Park (Ward 8)

WHEREAS, the Mountain Brow Multi-Use Pathway Feasibility Study was approved by Public Works Committee on July 12, 2018, and staff have been working to implement the design and construction of the trail;

WHEREAS, an important Mountain Brow Multi-Use Pathway connection is planned to link Fennell Avenue to the Keddy Access Trail, and an active transportation route is planned to connect the Keddy Access Trail eastward to Sam Lawrence Park;

WHEREAS, the creation and improvement of active transportation corridors to encourage cycling and walking throughout the city are supported by the Pedestrian Mobility Plan, the Transportation Master Plan, and the Recreational Trails Master Plan; and,

WHEREAS, the Ward Councillor has identified this initiative to be a priority in Ward 8;

THEREFORE, BE IT RESOLVED:

- (a) That the conceptual design for the Mountain Brow Multi-Use Pathway and active transportation route project for the section between Fennell Avenue and Sam Lawrence Park at a capital cost of \$150,000 be funded from the Ward 8 Special Capital Re-investment Reserve Fund (108058) to the Mountain Brow Path project ID 4401756703; 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.

11.2

CITY OF HAMILTON

MOTION

Public Works Committee: October 18, 2021

MOVED BY COUNCILLOR S. MERULLA.....

SECONDED BY COUNCILLOR.....

Kenilworth Traffic Circle Beautification (Ward 4)

WHEREAS, the renovation of the Kenilworth Traffic Circle will increase civic pride and create an attractive entry feature into Ward 4;

WHEREAS, the installation of a large water feature, as well as tree and perennial plantings and the design and inclusion of a “Welcome” sign will provide the level of beautification desired by residents of Ward 4; and,

WHEREAS, there is currently no funding for the proposed enhancements;

THEREFORE, BE IT RESOLVED:

- (a) That the funding for the Kenilworth traffic circle upgrades, at a cost of \$275,000, be funded from project 4242009401 to support the redesign of the Kenilworth traffic circle by installing a water feature, perennial plantings, and signage, be approved;
- (b) That \$15,667 for the annual planting and maintenance of the floral beds and water feature upkeep be added to the Environmental Services Division’s 2022 annual base operating budget; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents for the purchase, installation and maintenance of the Kenilworth traffic circle design with such terms and conditions in a form satisfactory to the City Solicitor.

11.3

CITY OF HAMILTON

MOTION

Public Works Committee: October 18, 2021

MOVED BY COUNCILLOR E. PAULS.....

SECONDED BY COUNCILLOR

Installation of Traffic Calming Measures at Various Locations throughout Ward 7

WHEREAS, residents are requesting the installation of speed cushions on various roadways throughout Ward 7, via neighbourhood engagement, to address roadway safety concerns as a result of speeding and cut-through traffic;

THEREFORE, BE IT RESOLVED:

- (a) That Transportation Operations and Maintenance staff be authorized and directed to install traffic calming measures on the following roadways as part of the 2022 Traffic Calming program:
 - (i) Byng Street, between Upper Wellington Street and Naples Boulevard, Hamilton (1 speed cushions);
 - (ii) Massena Drive, between Rymal Road East and Byng Street, Hamilton (2 speed cushions);
 - (iii) Acadia Drive, between Ridgemount Drive and Mapleridge Drive, Hamilton (2 speed cushions);
- (b) That all costs associated with the installation of traffic calming measures be funded from the Ward 7 Minor Maintenance Account (4031911607) at an upset limit, including contingency, not to exceed \$35,000; 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.

CITY OF HAMILTON

MOTION

Public Works Committee: October 18, 2021

MOVED BY COUNCILLOR T. JACKSON.....

SECONDED BY COUNCILLOR

Installation of Traffic Calming Measures on Pinehill Drive (Ward 9)

WHEREAS, residents are requesting the installation of speed cushions on Pinehill Drive to address roadway safety concerns as a result of speeding and cut-through traffic;

THEREFORE, BE IT RESOLVED:

- (a) That Transportation Operations and Maintenance staff be authorized and directed to install traffic calming measures on the following roadways as part of the 2022 Traffic Calming program:
 - (i) Pinehill Drive, between Trinity Church Road and Fletcher Road (7 speed cushions);
- (b) That all costs associated with the installation of traffic calming measures be funded from the Ward 9 Minor Maintenance Account 4031911609 at an upset limit, including contingency, not to exceed \$49,000; 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.