



City of Hamilton
PUBLIC WORKS COMMITTEE
AGENDA

Meeting #: 20-012
Date: December 7, 2020
Time: 1:30 p.m.
Location: Due to the COVID-19 and the Closure of City Hall

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

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13.1.a.a Minimum Maintenance Standards Changes

Item on OBL: AC

Current Due Date: Q2 2021

Proposed New Due Date: January 11, 2021

13.1.a.b Operations and Maintenance of the Central Composting Facility

Item on OBL: AV

Current Due Date: February 1, 2021

Proposed New Due Date: March 22, 2021

13.1.a.c Roadway Safety Measures on Aberdeen Avenue from Queen Street to Longwood Road

Item on OBL: AZ

Current Due Date: 2021

Proposed New Due Date: May 3, 2021

13.1.a.d City of Hamilton's Cemeteries Business Plan

Item on OBL: AAO

Current Due Date: Q1 2021

Proposed New Due Date: February 19, 2021

13.1.a.e Municipal Class Environmental Assessment and Conceptual Design of Ancaster Elevated Water Reservoir

Item on OBL: AAP

Current Due Date: December 7, 2020

Proposed New Due Date: Q1 2021

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Item on OBL: AAT
Current Due Date: Q1 2021
Proposed New Due Date: Q1 2022

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Item on OBL: AAU
Current Due Date: January 11, 2021
Proposed New Due Date: June 14, 2021

- 13.1.a.h Management of the Aviary at 85 Oak Knoll Drive
Item on OBL: AAY
Current Due Date: Q2 2021
Proposed New Due Date: June 14, 2021

- 13.1.a.i Enhanced Inspections and Monitoring - Hamilton Water and Wastewater
Item on OBL: ABB
Current Due Date: December 7, 2020
Proposed New Due Date: Q2 2021

- 13.1.a.j COVID-19 Recovery Phase Mobility Plan
Item on OBL: ABE
Current Due Date: December 7, 2020
Proposed New Due Date: March 22, 2021

14. PRIVATE AND CONFIDENTIAL

15. ADJOURNMENT



PUBLIC WORKS COMMITTEE MINUTES 20-011

1:30 p.m.

Monday, November 16, 2020

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent with Regrets: Councillor T. Whitehead – Personal

Also Present: Councillor B. Johnson

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. **Solid Waste Management Master Plan Five-Year Review (PW20072) (City Wide) (Item 8.1)**

(Pauls/Nann)

That the proposed City of Hamilton Solid Waste Management Master Plan 2020 Update be approved, as summarized in Appendix “A” attached to Report PW20072.

Result: **Motion CARRIED by a vote of 10 to 0, as follows:**

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Vice Chair - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Chair - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 10 Councillor Maria Pearson

**2. Public Bike Share Program Phased Procurement Process (PED20109(c))
(City Wide) (Item 8.2)**

(Nann/Pearson)

- (a) That staff undertake a phased approach to the securement of a long-term operator for the City's bike share operations, comprising the following:
- (i) Entering into a contract extension with Hamilton Bike Share Inc. for a period up to December 31, 2022 to continue operation of the existing base bike share system based substantially on the same terms and conditions as the existing agreement;
 - (ii) Establishing a fee-based non-exclusive contract system for the operation of micro-mobility technologies in the City right-of-way, and initiating an open, non-exclusive process for private operators to obtain the ability to operate micro-mobility technologies in the City;
- (b) That staff be directed to report back to the Public Works Committee on the recommended process, structure, scope and fees for a micro-mobility contract system as well as any necessary by-law changes;
- (c) That Council authorizes, directs, and delegates authority to the General Manager, Planning and Economic Development Department, to execute, on behalf of the City of Hamilton, the necessary agreements to extend the existing contract with Hamilton Bike Share Inc. for a period up to December 31, 2022, all in a form satisfactory to the City Solicitor; and,
- (d) That staff evaluate the results of the phased approach for the securement of the City's bike share operations and report back to the Public Works Committee no later than Q2 2022 with a recommended procurement process to secure a long-term micro-mobility operator or operators for 2023 and beyond.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Vice Chair - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Chair - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 10 Councillor Maria Pearson

3. City of Hamilton Watermain Fire Flow Requirement Design Guidelines Policy (PW19096(a)) (City Wide) (Item 9.2)

(Pearson/VanderBeek)

That the City of Hamilton Watermain Fire Flow Requirement Design Guidelines Policy attached as Appendix "A" to Report PW19096(a) be approved.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Vice Chair - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Chair - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 10 Councillor Maria Pearson

4. Universal Concession Fare Policy (PW20069) (City Wide) (Item 9.3)

(Pearson/Farr)

(a) That effective January 1, 2021, Hamilton Street Railway (HSR) fare policy be changed to reflect:

- (i) children five (5) years of age and under ride public transit for free;
- (ii) youth thirteen (13) to nineteen (19) years of age ride public transit at a discounted Youth rate when they show proof of age at boarding either with student identification or government-issued identification; and,
- (iii) the discounted Summer Youth 2 for 1 pass be removed.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Vice Chair - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Chair - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 10 Councillor Maria Pearson

5. Cross-boundary Connection with Niagara Regional Transit On-Demand Transit Pilot (PW20070) (City Wide) (Item 9.4)**(Pearson/Danko)**

- (a) That Niagara Regional Transit (NRT) be permitted to operate within the City of Hamilton's municipal boundary to provide a cross-boundary transit connection at Winona Crossing (Fifty Road and South Service Road); and,
- (b) That the General Manager of Public Works be authorized and directed to negotiate and execute an agreement with Niagara Region, to the satisfaction of the City Solicitor, with respect to the terms upon which public bus transportation shall be furnished by the adjoining municipality within our municipality, pursuant to the *Municipal Act, 2001*.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Vice Chair - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Chair - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 10 Councillor Maria Pearson

6. Waste Free Ontario Act - Proposed Regulation to amend the Blue Box Program (PW20073) (City Wide) (Item 9.5)**(Pearson/Nann)**

That the comments in Appendix "A" attached to Report PW20073 be forwarded to the Ontario Ministry of the Environment, Conservation and Parks (MECP) in response to Ontario's Environmental and Regulatory Registries (ERO #019-2579) posting respecting the proposed Regulation to make producers responsible for operating Ontario's Blue Box Program.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Vice Chair - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Chair - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek

YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 10 Councillor Maria Pearson

7. Kenilworth Traffic Circle Water Feature and Beautification (Ward 4) (Item 10.1)

(Merulla/Jackson)

WHEREAS, there is interest from Ward 4 residents to enhance the Kenilworth Traffic Circle to allow for the potential installation of water feature and additional floral planting beds to beautify the roadway;

WHEREAS, floral beautification and design elements in the road allowance is appreciated by residents and visitors to the City of Hamilton;

WHEREAS, a preliminary design concept is required to understand the servicing requirements and to develop a cost estimate for a water feature and planting bed; and;

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

THEREFORE, BE IT RESOLVED:

- (a) That staff engage a consultant to develop a conceptual plan and cost estimate for the construction of a water feature and additional floral planting beds in the Kenilworth Traffic Circle, with a capital cost of \$25,000 to be funded from the Ward 4 Special Capital Re-Investment Reserve Account;
- (b) That any funds remaining in the Project ID after the Kenilworth Traffic Circle water feature and beautification study is completed, be returned to the Ward 4 Special Capital Re-Investment Reserve Account; 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 9 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 3 Councillor Nrinder Nann
YES - Vice Chair - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Chair - Ward 8 Councillor John-Paul Danko
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 10 Councillor Maria Pearson

8. Lisgar Park Bocce Courts and Lisgar Park Clubhouse/Washroom Facilities Security Enhancements (Ward 6) (Item 10.2)**(Jackson/Collins)**

WHEREAS, the City of Hamilton (the “City”) is the owner of the lands and buildings located at Lisgar Park, municipally known as 95 Carson Drive, Hamilton and which property includes the Lisgar Park Bocce Courts and Lisgar Park Clubhouse/ Washroom Facilities, hereinafter collectively referred to as (“Lisgar Park”);

WHEREAS, the City is committed to providing safe and inclusive spaces for all residents to enjoy recreational activities within their neighborhoods by implementing measures that mitigate risks associated with vandalism and other security breaches;

WHEREAS, several initiatives are currently in progress consistent with City Council’s July 2020 approval of Report #PW20046 whereby staff committed to creating a Parks Security Committee (PSC) in Q3 of 2020 that will identify all applicable park properties and categorize each property as a regular site or high priority property based on recent activities and criminal behaviors (past 3 years) and whereby a 2-year pilot “Parks Security Patrol” program is set to commence in the spring of 2021;

WHEREAS, there have been an increasing number of repeated vandalism and security incidents over the past several years at the Lisgar Park, including three separate break and enter incidents in 2020, and such incidents undeniably have caused erosion of the public trust and confidence in the safety of the Lisgar Park facilities;

WHEREAS, since 2018 over \$6,000 has been spent on repairs, graffiti and damages directly related to vandalism; and,

WHEREAS, the City wishes to proactively address the safety concerns of the community at Lisgar Park, as well as, to mitigate future risks of repeated vandalism incidents;

THEREFORE, BE IT RESOLVED:

- (a) That, in advance of the start of the Parks Security Patrol Program, staff designate Lisgar Park as a high priority for implementation of proactive security measures, so as to mitigate further risks of destructive behaviours at this park;
- (b) That the Corporate Security Office and staff in the Parks Division work collaboratively to procure and install security enhancing measures at Lisgar Park including, but not limited to, CCTV cameras, intrusion detection systems, enhanced lighting, signage, fencing and horticulture related sightline mitigation and any other security measures as may

deemed appropriate by the Corporate Security Specialist working collaboratively with the Manager of Parks;

- (c) That funding for the security enhancement measures at Lisgar Park, estimated at \$20,000 +/- 10% contingency, be funded from the Ward 6 Special Capital Re-Investment Discretionary Fund (#3302009600) and that the operating impact of capital estimated at \$150 annually for monitoring costs be appropriated to Operating Account Dept Id #792667; 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 9 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Vice Chair - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Chair - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 10 Councillor Maria Pearson

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

4. COMMUNICATIONS (Item 4)

- 4.1 Correspondence from Hamilton Bike Share Inc. respecting Item 8.2 - Public Bike Share Program Phased Procurement Process (PED20109(c)) (City Wide)

Recommendation: Be received and referred to the consideration of Item 8.2 - Public Bike Share Program Phased Procurement Process (PED20109(c)) (City Wide).

- 4.2 Correspondence from Joanna Chapman respecting Item 9.1 - Road Safety Review and Appropriate Measures at the York Road and Newman Road Intersection (PW20071/PED20196) (Ward 13)

Recommendation: Be received and referred to the consideration of Item 9.1 - Road Safety Review and Appropriate Measures at the York Road and Newman Road Intersection (PW20071/PED20196) (Ward 13)

(Nann/VanderBeek)

That the agenda for the November 16, 2020 Public Works Committee meeting be approved, as amended.

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

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Vice Chair - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Chair - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 10 Councillor Maria Pearson

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF THE PREVIOUS MEETING (Item 3)**(i) October 19, 2020 (Item 3.1)****(Pauls/Pearson)**

That the Minutes of the October 19, 2020 meeting of the Public Works Committee be approved, as presented.

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

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Vice Chair - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Chair - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 10 Councillor Maria Pearson

(d) COMMUNICATIONS (Item 4)

- (i) Correspondence from Hamilton Bike Share Inc. respecting Item 8.2 - Public Bike Share Program Phased Procurement Process (PED20109(c)) (City Wide) (Added Item 4.1)**

(Pearson/Farr)

That the correspondence from Hamilton Bike Share Inc., respecting Item 8.2 - Public Bike Share Program Phased Procurement Process (PED20109(c)) (City Wide), be received and referred to the consideration of Item 8.2.

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

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Vice Chair - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Chair - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 10 Councillor Maria Pearson

For further disposition of this matter, refer to Items 2 and (f)(ii).

- (ii) Correspondence from Joanna Chapman respecting Item 9.1 - Road Safety Review and Appropriate Measures at the York Road and Newman Road Intersection (PW20071/PED20196) (Ward 13) (Added Item 4.2)**

(VanderBeek/Jackson)

That the correspondence from Joanna Chapman respecting Item 9.1 - Road Safety Review and Appropriate Measures at the York Road and Newman Road Intersection (PW20071/PED20196) (Ward 13), be received and referred to the consideration of Item 9.1.

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

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Vice Chair - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Chair - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - Ward 14 Councillor Terry Whitehead

YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 10 Councillor Maria Pearson

For further disposition of this matter, refer to Item (g)(i).

(e) CONSENT ITEMS (Item 6)

(Pearson/VanderBeek)

(a) That Consent Items 6.1 and 6.2 be received, as presented:

- (i) **Hamilton Cycling Committee Minutes - September 2, 2020 (Item 6.1)**
- (ii) **Hamilton Cycling Committee Minutes - October 7, 2020 (Item 6.2)**

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

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Vice Chair - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Chair - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 10 Councillor Maria Pearson

(f) STAFF PRESENTATIONS (Item 8)

- (i) **Solid Waste Management Master Plan Five-Year Review (PW20072) (City Wide) (Item 8.1)**

Angela Storey, Manager, Business Programs, addressed Committee respecting Report PW20072, Solid Waste Management Master Plan Five-Year Review, with the aid of a presentation.

(Ferguson/Pearson)

That the presentation, respecting Report PW20072, Solid Waste Management Master Plan Five-Year Review, be received.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Vice Chair - Ward 4 Councillor Sam Merulla

YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Chair - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 10 Councillor Maria Pearson

For further disposition of this matter, refer to Item 1.

**(ii) Public Bike Share Program Phased Procurement Process
(PED20109(c)) (City Wide) (Item 8.2)**

Peter Topalovic, Project Manager, Sustainable Mobility, addressed Committee respecting Report PED20109(c), Public Bike Share Program Phased Procurement Process, with the aid of a presentation.

(Nann/Farr)

That the presentation, respecting Report PED20109(c), Public Bike Share Program Phased Procurement Process, be received.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Vice Chair - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Chair - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 10 Councillor Maria Pearson

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

(g) DISCUSSION ITEMS (Item 9)

**(i) Road Safety Review and Appropriate Measures at the York Road and Newman Road Intersection (PW20071/PED20196) (Ward 13)
(Outstanding Business List Item) (Item 9.1)**

(VanderBeek/Jackson)

That Report PW20071/PED20196, respecting a Road Safety Review and Appropriate Measures at the York Road and Newman Road Intersection (Ward 13), be DEFERRED to a future Public Works Committee meeting to

allow staff the opportunity to meet with the Ward Councillor and review their concerns.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Vice Chair - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Chair - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 10 Councillor Maria Pearson

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

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

(Pearson/Pauls)

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

(a) Items Requiring a New Due Date:

- (i) Redevelopment / Reuse of the former King George School Site, at 77 Gage Avenue North
 Item on OBL: V
 Current Due Date: November 16, 2020
 Proposed New Due Date: March 22, 2021
- (ii) Moving Hamilton Towards a Zero Plastic Waste Plan
 Item on OBL: AY
 Current Due Date: December 7, 2020
 Proposed New Due Date: February 1, 2021
- (iii) Ward 1 Multi-Modal Connections Review
 Item on OBL: ABD
 Current Due Date: November 16, 2020
 Proposed New Due Date: April 9, 2021
- (iv) COVID-19 Recovery Phase Mobility Plan
 Item on OBL: ABE
 Current Due Date: November 2, 2020
 Proposed New Due Date: December 7, 2020

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

YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Vice Chair - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Chair - Ward 8 Councillor John-Paul Danko
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 10 Councillor Maria Pearson

(i) ADJOURNMENT (Item 14)

(Pearson/VanderBeek)

That there being no further business, the Public Works Committee be adjourned at 3:26 p.m.

Result: Motion CARRIED by a vote of 7 to 1, as follows:

YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Vice Chair - Ward 4 Councillor Sam Merulla
NO - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Chair - Ward 8 Councillor John-Paul Danko
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 10 Councillor Maria Pearson

Respectfully submitted,

Councillor J.P. Danko
Chair, Public Works Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk

5.1

From: Peter Hurrell

Sent: November 13, 2020 12:50 PM

Subject: With regards to the proposed traffic light at Old Guelph road and York Road

Hello I sent this letter to the Dundas Star and I thought I would send you a copy. Please feel free to send it to anyone you might think would be interested

I am a 30 year resident of Old Guelph Road and I would like to say from the outset that I am very much opposed to the addition of another 950 students and 80 staff to the existing 51 students presently at Columbia College. I am also opposed to the addition of a traffic light at Old Guelph and York Road. As well as the road widening, to accommodate a bicycle lane. While during the "rush hour" the intersection can be very busy, the "All Ways Stop" ensures that the traffic flows smoothly, one vehicle at a time. The addition of a traffic light would cause inevitable back up while having to wait for the light to change. More than dangerous for the residents of York Road between Old Guelph Road and Hwy 6 trying when to enter or leave their properties. It would also be totally out of place in Pleasant view and the Eco Park. In the off peak hours the residents would often be the only vehicle to be stopped at a red light. If it is deemed absolutely necessary that a light be put in place, thought should be given to having the light revert to an "All Way Stop" in the off peak hours by having all four red lights flash red. This is something many sets of traffic lights throughout the city would benefit from. Not only would the traffic move more smoothly it would cut idling time and the frustration of being the only car at a junction and stopped at a red light.

Pete

Mike Field, Extension 4576
PW20001(c)

INTERSECTION CONTROL LIST
Public Works Committee – December 7, 2020
PUBLIC WORKS DEPARTMENT
Transportation Operations & Maintenance Division
Traffic Operations Section

RECOMMENDATION

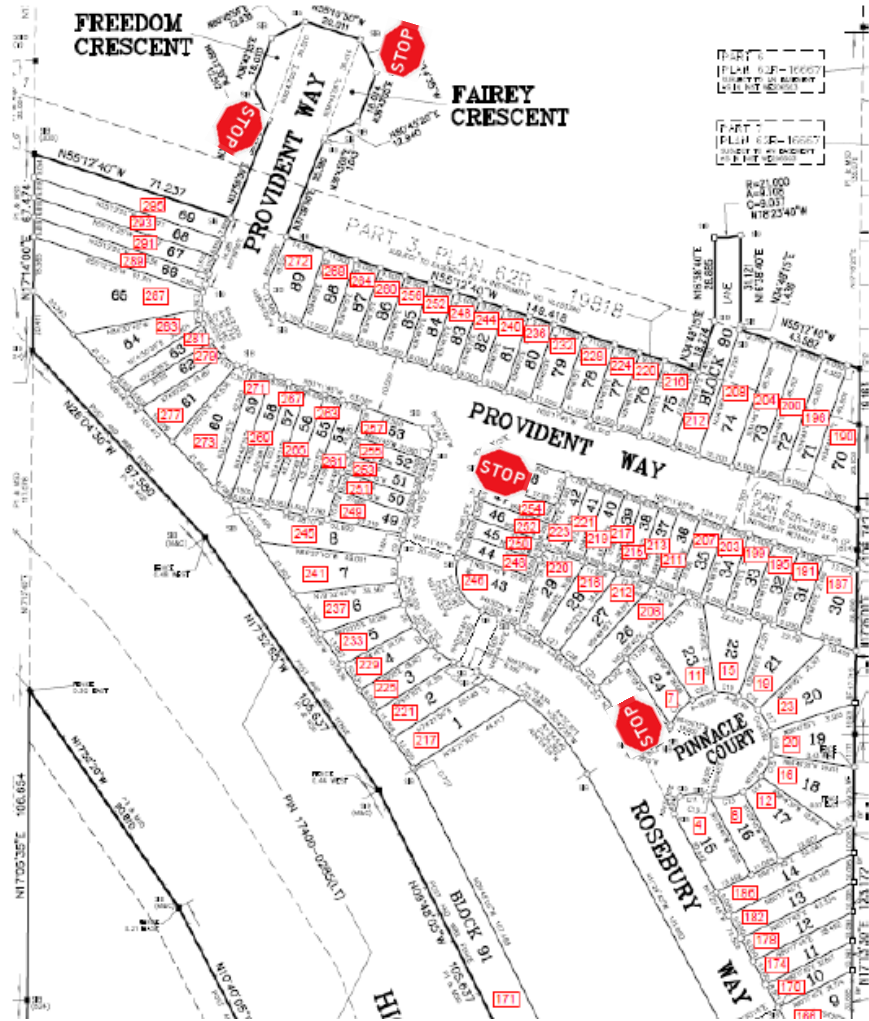
That the appropriate By-law be presented to Council to provide traffic control as follows:

Intersection		Stop Control Direction		Class	Comments / Petition	Ward
Street 1	Street 2	Existing	Requested			
Section “D” Glanbrook						
(a)	Pinnacle Court	Rosebury Way	NC	WB	A	Plan of new subdivision 11
(b)	Rosebury Way	Provident Way	NC	NB	A	Plan of new subdivision 11
(c)	Fairey Crescent	Provident Way	NC	WB	A	Plan of new subdivision 11
(d)	Freedom Crescent	Provident Way	NC	EB	A	Plan of new subdivision 11
Section “F” Stoney Creek						
(e)	Soho Street	Upper Red Hill Parkway	NC	WB	B	Housekeeping – missing stop control 9

Legend

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

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



KEY MAP



LOCATION PLAN

PROPOSED STOP CONTROL:

- Pinnacle Court at Rosebury Way**
- Rosebury Way at Provident Way**
- Freedom Crescent/Fairey Crescent at Provident Way**

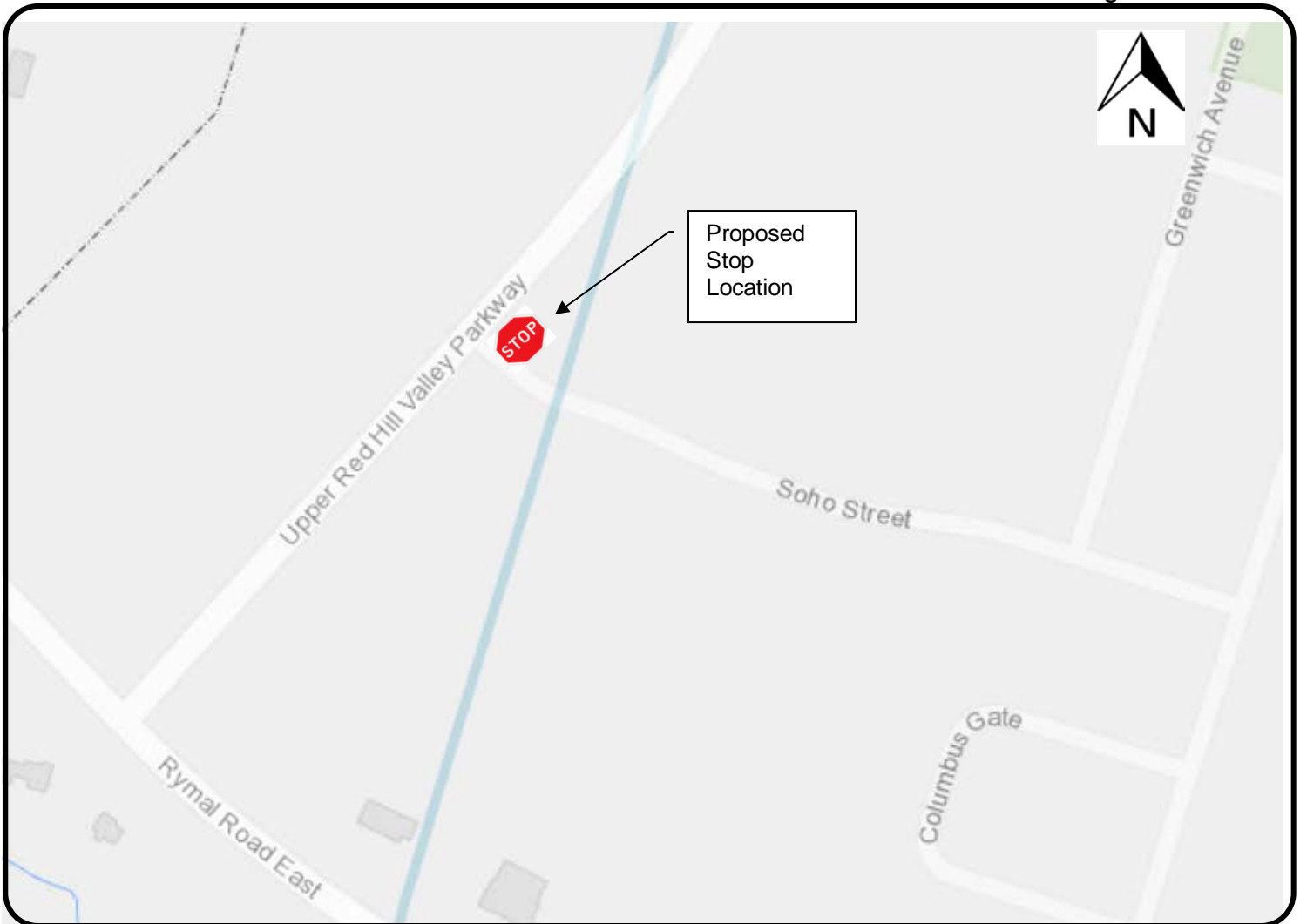
Transportation Operations & Maintenance Division
PUBLIC WORKS DEPARTMENT

LEGEND

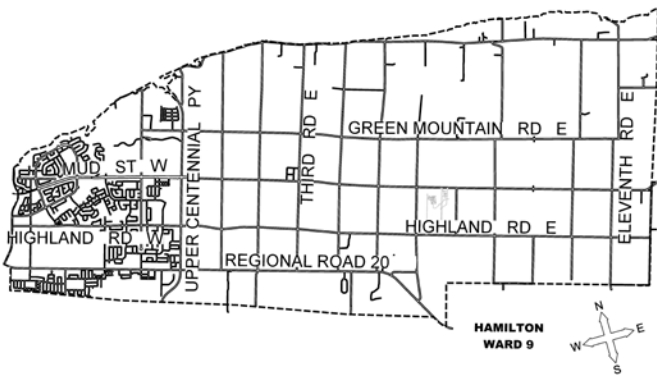
 **PROPOSED STOP**

SCALE
NOT TO SCALE

DATE
December 7, 2020



KEY MAP



LOCATION PLAN

PROPOSED STOP CONTROL:

Soho Street at Upper Red Hill Valley Parkway

Transportation Operations & Maintenance Division
PUBLIC WORKS DEPARTMENT

LEGEND

 **PROPOSED STOP**

SCALE
NOT TO SCALE

DATE
December 7, 2020

Authority: Name of Committee:
 Report:
 Date:
 Wards: 9, 11

Bill No.

CITY OF HAMILTON

BY-LAW NO. 20-

**To Amend By-law No. 01-215
 Being a By-law To Regulate Traffic**

WHEREAS sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215.

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

1. Schedule 5 (Stop Control) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "D" (Glanbrook) thereof the following item, namely;

Pinnacle Court	Westbound	Rosebury Way
Rosebury Way	Northbound	Provident Way
Fairey Crescent	Westbound	Provident Way
Freedom Crescent	Eastbound	Provident Way

And by adding to Section "F" (Stoney Creek) thereof the following items, namely;

Soho Street	Westbound	Upper Red Hill Valley Parkway
-------------	-----------	----------------------------------

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

Page 2 of 2

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk



Hamilton

MINUTES

KEEP HAMILTON CLEAN AND GREEN COMMITTEE

Meeting #: 20-001
Date: January 28, 2020
Time: 5:00 p.m.
Location: Room 264, 2nd Floor
City Hall, 71 Main Street West

Diedre Rozema, Clean and Green Coordinator (905) 546-2424 ext. 5089

Present: Chair: Felicia Van Dyk
Vice-Chair: Lennox Toppin
Members: Brenda Duke
Danielle Hudson
Marisa DiCenso
Rick Lipsitt
Kerry Jarvi
Sue Dunlop

Absent with
Regrets: Leisha Dawson
Heather Donison
Councillor N. Nann

Also Present: Diedre Rozema, Clean & Green Coordinator, Business Programs
Theresa Phair, Community Liaison Coordinator, Business Programs
Raffaella Morello, Senior Project Manager, Business Programs

A. APPOINTMENT OF CHAIR AND VICE-CHAIR

(Jarvi/Duke)

- a) That Felicia Van Dyk be appointed as Chair of the Keep Hamilton Clean and Green Committee for 2020; and,
- b) That Lennox Toppin be appointed as Vice-Chair of the Keep Hamilton Clean and Green Committee for 2020.

CARRIED



MINUTES

Keep Hamilton Clean & Green Committee
Tuesday January 28, 2020, 5:00 pm
City Hall, Room 264
71 Main Street West

1. CEREMONIAL ACTIVITIES

There were no ceremonial activities.

2. APPROVAL OF AGENDA

(Di Censo/Jarvi)

That the agenda for the January 28, 2020 Keep Hamilton Clean & Green Committee meeting be approved as amended.

CARRIED

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1. Keep Hamilton Clean & Green Advisory Committee Minutes, dated November 19, 2019

(Hudson/Toppin)

That the Minutes of the November 19, 2019 meeting of Keep Hamilton Clean & Green Committee be approved, as presented.

CARRIED

5. COMMUNICATIONS

No communications have been received.

6. DELEGATION REQUESTS

No delegation requests have been received.

7. CONSENT ITEMS

7.1. Clean & Green Final Project Reports 2019

7.1.1. Beautiful Alleys



MINUTES

Keep Hamilton Clean & Green Committee
 Tuesday January 28, 2020, 5:00 pm
 City Hall, Room 264
 71 Main Street West

Committee discussed Beautiful Alley's submission, including how certain projects utilize Clean & Green Neighbourhood grant funding for volunteer recognition (e.g. refreshments during or after project activities) rather than on project materials. Volunteer recognition is not an ineligible use of Clean & Green Neighbourhood Grant funding as per the program guidelines previously approved by the Committee. Members of the future adjudication teams will be asked to specifically look at proposed expenses to assess whether funds are appropriate and align to the grant program guidelines.

Committee noted that not all successful applicants submit a written final report. The Committee Chair and Vice Chair will be responsible for following up with applicants that do not submit a final report as requested.

(Toppin/Hudson)

That the final report submitted by Beautiful Alleys respecting the Clean & Green Neighbourhood Grant for 2019 be received.

CARRIED

7.1.2. Pauline Johnson School

(Toppin/Jarvi)

That the final report submitted by Pauline Johnson School respecting the Clean & Green Neighbourhood Grant for 2019 be received.

CARRIED

8. PUBLIC HEARINGS / DELEGATIONS

There are no public hearings or delegations on the agenda for this meeting.

9. STAFF PRESENTATIONS

There are no staff presentations on the agenda for this meeting.

10. DISCUSSION ITEMS



MINUTES

Keep Hamilton Clean & Green Committee
 Tuesday January 28, 2020, 5:00 pm
 City Hall, Room 264
 71 Main Street West

10.1. Clean & Green Neighbourhood Grants Process for 2020

Staff proposed the following dates for the upcoming Clean & Green Neighbourhood Grants process:

- Grant opportunity opens: Friday, January 31
- Application deadline: February 21, 2020 at 4:30 PM
- Staff review period: February 24 - 28
- Committee adjudication period: March 2-11
- Adjudication meeting date: March 11 or 13 (based on adjudicator availability)
- Committee approval date: at the KHCG meeting scheduled for March 24, 2020
- Notification to applicants: mid to late April
- Cheques to go out: late April to early May

All grant information and the application form will be available online at: Hamilton.ca/clean&greengrant

Staff will share promotional poster and social media with Committee members after the grant opportunity opens. Committee members will share the information to their contacts.

Three Committee members are required to participate as adjudication team members. Committee members Felicia Van Dyk and Brenda Duke volunteered. Committee suggested the names of members who are not present, who will be contacted by staff by email.

(Di Censo/Toppin)

That the Clean & Green Neighbourhood Grants Process for 2020 be implemented as proposed.

CARRIED

10.2. Draft Presentation for the KAB Conference



MINUTES

Keep Hamilton Clean & Green Committee
Tuesday January 28, 2020, 5:00 pm
City Hall, Room 264
71 Main Street West

Felicia Van Dyk presented the draft presentation, Committee members provided comments and feedback. Felicia and City staff will continue to revise the presentation based on comments received.

10.3. Green Venture Depave Proposal

Committee members discussed the details of Green Venture's project plan for Depave Paradise on Barton. Green Venture is welcome to apply for project funding through the Clean & Green Neighbourhood Grants program.

11. MOTIONS

There are no motions.

12. NOTICES OF MOTION

There are no notices of motion.

13. GENERAL INFORMATION / OTHER BUSINESS

Committee members discussed their thoughts on the recent news of the combined sewage spill into Chedoke Creek. Committee members identified better management of stormwater as a possible strategy to prevent future instances of sewage runoff into Hamilton Harbour.

Committee members and City staff will continue to follow any developments regarding Chedoke Creek to determine what opportunities are available for the Committee to support relevant projects that address, prevent or mitigate stormwater flooding. Several community based environmental organizations, City Councillors and indigenous communities are undertaking green infrastructure projects or advocating for stormwater management solutions or fees.

All publicly available information about Chedoke Creek is online at:
[Hamilton.ca/chedokecreek](https://hamilton.ca/chedokecreek).

14. PRIVATE AND CONFIDENTIAL



MINUTES

Keep Hamilton Clean & Green Committee
Tuesday January 28, 2020, 5:00 pm
City Hall, Room 264
71 Main Street West

There were no private and confidential matters to discuss.

15. ADJOURNMENT

(Toppin/Hudson)

That, there being no further business, the meeting be adjourned at 6:45 p.m.

CARRIED

Respectfully submitted,

Felicia Van Dyk
Chair, Keep Hamilton Clean and
Green Committee

Diedre Rozema
Clean & Green Coordinator, Business Programs
Environmental Services Division, Public Works Department



Hamilton

NOTES

KEEP HAMILTON CLEAN AND GREEN COMMITTEE

February 25, 2020

5:00 p.m.

City Hall, Room 264, City Hall, 71 Main Street West

Present:	Chair:	Felicia Van Dyk
	Vice-Chair:	Lennox Toppin
	Members:	Brenda Duke
		Danielle Hudson
		Heather Donison
		Sue Dunlop

Absent with Regrets:	Kerry Jarvi
	Leisha Dawson
	Councillor N. Nann

Also Present:	Diedre Rozema, Clean & Green Coordinator, Business Programs
	Theresa Phair, Community Liaison Coordinator, Business Programs

Pursuant to Section 5.4(4) of the City of Hamilton's Procedural By-law 18-270 at 5:00 p.m. the Staff Liaison to the Committee advised those in attendance that, based on email communications received from those not present, quorum would not be achieved within 30 minutes after the time set for the Keep Hamilton Clean and Green Advisory Committee. Therefore, the Staff Liaison to the Committee noted the names of those in attendance and the meeting stood adjourned. Those in attendance decided to continue the meeting to hear the delegations in attendance.

1. CEREMONIAL ACTIVITIES

There were no ceremonial activities.

2. CHANGES TO THE AGENDA

The Staff Liaison advised of the following changes to the agenda:

5. COMMUNICATIONS**5.1 Citizen Resignations from the Keep Hamilton Clean and Green Advisory Committee – Rick Lipsitt**

Since quorum was not achieved, those in attendance decided to proceed with the meeting using the agenda as amended. Any agenda items requiring decisions would be added to the next meeting agenda.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. APPROVAL OF MINUTES OF PREVIOUS MEETING**(i) January 28, 2020**

This item will be added to the next meeting agenda.

5. COMMUNICATIONS**(i) Citizen Resignation from the Keep Hamilton Clean and Green Committee – Rick Lipsitt (Item 5.1)**

This item will be referred by the Staff Liaison to the Legislative Coordinator to the Public Works Committee.

6. DELEGATION REQUESTS

No delegation requests have been received.

7. CONSENT ITEMS

There are no consent items on the agenda.

8. PUBLIC HEARINGS / DELEGATIONS

There are no public hearings or delegations on the agenda.

9. STAFF PRESENTATIONS**(i) Clean & Green Neighbourhood Grant Project (Item 9.1)**

Brandon, Lisa, Kaitlin and Olivia provided the Committee with a presentation respecting the group's clean and green efforts in their neighbourhood and a summary of how their Clean & Green Neighbourhood Grant funding in 2018 and 2019 was used.

Those in attendance thanked the group for their presentation.

10. DISCUSSION ITEMS**(i) KAB Conference Recap (Item 10.1)**

Committee Chair Felicia Van Dyk shared a verbal update about her experience at the Keep America Beautiful conference in Memphis, Tennessee.

Those in attendance discussed the value of the Committee's membership in KAB going forward. The value of the Committee's participation seems to be the opportunity to hear about other local affiliates activities and share good news stories. It was observed that sharing local good news stories, such as the project shared in Item 9.1, with elected officials on the Public Works Committee would help to support the Committee's activities and relationship building efforts in Hamilton.

Those in attendance and thanked Felicia for her presentation.

(ii) Clean & Green Neighbourhood Grant Update (Item 10.2)

The application period for 2020 Clean & Green Neighbourhood Grants closed on Friday, February 21, 2020. Those in attendance shared their thoughts on successes and what could be improved in future program years.

(iii) 'Butt Blitz' Cleanup Event (Item 10.3)

A Greener Future is hosting another Canada-wide 'Butt Blitz' cleanup on Saturday, April 18. Staff shared information about the event and opportunities for the Committee to be involved. Those present will look for opportunities to share event information in their communities.

(iv) Community Liaison Coordinator Update (Item 10.4)

Theresa Phair joined Environmental Services as the Community Liaison Coordinator in January. Theresa provided those present with a short verbal update about the job duties associated with the role, her experience so far, and a few observations about how she hopes to collaborate with the Committee on future initiatives.

Those in attendance thanked Theresa for her update.

(v) Graffiti Victim Assistance Program Update (Item 10.5)

Municipal Law Enforcement staff have provided the Committee with a summary of the 2-year pilot program to provide more dedicated service to address graffiti in the community. As part of the pilot program activities, the Committee provided MLE with funding for gift cards to distribute to victims of graffiti to help them purchase supplies to clean graffiti off their property. The results of the graffiti victim assistance program appear to be very positive. The Committee looks forward to programs of this nature receiving more permanent funding so efforts to engage residents in this manner can continue.

11. MOTIONS

There are no motions.

12. NOTICES OF MOTION

There are no notices of motion.

13. GENERAL INFORMATION / OTHER BUSINESS

(i) “Land and Climate, People and Plants” Event

Staff will share event information with the Committee by email.

14. PRIVATE AND CONFIDENTIAL

There are no private and confidential matters to discuss.

15. ADJOURNMENT

Pursuant to Section 5.4(5) of the City of Hamilton’s Procedural By-law 18-270 at 7:00 p.m. the Staff Liaison to the Committee advised those in attendance that quorum had not been achieved since 5:00 p.m., therefore, the meeting would stand adjourned.

Respectfully submitted,

Felicia Van Dyk
Chair, Keep Hamilton Clean and
Green Advisory Committee

Diedre Rozema
Clean & Green Coordinator, Business Programs
Environmental Services Division, Public Works Department



Hamilton

NOTES

Keep Hamilton Clean and Green Advisory Committee

Tuesday, September 15, 2020

5:00 p.m.

Due to the COVID-19 and the Closure of City Hall

Electronic meeting can be viewed at:

City's YouTube Channel:

<https://www.youtube.com/user/InsideCityofHamilton>

Present:	Chair:	Felicia Van Dyk
	Vice-Chair:	Lennox Toppin
	Members:	Brenda Duke
		Heather Donison
		Kerry Jarvi
		Marisa Di Censo
		Pauline Szczepanski

Absent with Regrets:	Sue Dunlop
	Jen Baker
	Leisha Dawson

Absent:	Councillor Nann
	Theresa Movre
	Steve Watts

Also Present:	Angela Storey, Manager, Business Programs, Environmental Services
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Raffaella Morello, Senior Project Manager, Business Programs, Environmental Services
Theresa Phair, Community Liaison, Business Programs, Environmental Services
Steve Sedor, Manager Solutions, Business Applications, Corporate Services
Alicia Davenport, Legislative Coordinator, Legislative Services
Diane Butterworth, Clean and Green Coordinator, Business Programs, Environmental Services

Pursuant to Section 5.4(4) of the City of Hamilton's Procedural By-law 18-270 at 5:15 p.m. the Staff Liaison to the Committee advised those in attendance that quorum had not been achieved within 15 minutes after the time set for the Keep Hamilton Clean and Green Advisory Committee, therefore, the Staff Liaison to the Committee noted the names of those in attendance and the meeting stood adjourned.

Respectfully submitted,

Diane Butterworth
Clean and Green Coordinator
Business Programs,
Environmental Services



Hamilton

MINUTES

KEEP HAMILTON CLEAN AND GREEN COMMITTEE

Meeting #: 20-004
Date: October 20, 2020
Time: 5:00 p.m.
Location: Due to the COVID-19 and the Closure of City Hall
Electronic meeting can be viewed at:
City's YouTube Channel:
<https://www.youtube.com/user/InsideCityofHamilton>

Diane Butterworth, Clean and Green Coordinator (905) 546-2424 ext. 5089

Present:
Chair: Felicia Van Dyk
Vice-Chair: Lennox Toppin
Members: Brenda Duke
Jen Baker
Marisa Di Censo
Kerry Jarvi
Sue Dunlop
Heather Donison

Absent:
Leisha Dawson
Councilor N. Nann
Theresa Movre
Steve Watts
Pauline Szczepanski

Also present:
Angela Storey, Manager, Business Programs
Raffaella Morello, Senior Project Manager, Business Programs
Theresa Phair, Community Liaison Coordinator, Business Programs
Diane Butterworth, Clean and Green Coordinator, Business Programs



Hamilton

MINUTES

Keep Hamilton Clean & Green Committee
Tuesday October 20, 2020, 5:00 pm

THE KEEP HAMILTON CLEAN & GREEN COMMITTEE PRESENTS THE OCTOBER 20, 2020 MINUTES AND RECOMMENDS THE FOLLOWING:

1. Clean and Green Neighbourhood Funding (Item 8.1)

That the following grants be approved:

- (a) **(Baker/Di Censo)**
That the Keep Hamilton Clean and Green Committee approves Clean & Green Neighbourhood funding of \$500 for St. Paul's Presbyterian Church's pollinator friendly garden project as recommended by the Grants Working Group,
- (b) **(Toppin/Duke)**
That the Keep Hamilton Clean and Green Committee approves Clean & Green Neighbourhood funding for McQuesten Urban Farm's stewardship and education initiative at a value of \$500 as recommended by the Grants Working Group,
- (c) **(Toppin/Duke)**
That the Keep Hamilton Clean and Green Committee approves Clean & Green Neighbourhood funding for Hamilton Public Library – Barton Branch's garden box and teaching opportunities project at a value of \$500 as recommended by the Grants Working Group,
- (d) **(Duke/Donison)**
That the Keep Hamilton Clean and Green Committee approves Clean & Green Neighbourhood funding for Halam Park Housing Cooperative Inc. dog waste receptacles project at a value of \$1,000 as recommended by the Grants Working Group,
- (e) **(Duke/Di Censo)**
That the Keep Hamilton Clean and Green Committee approves Clean & Green Neighbourhood funding for Green Team Gardeners' community mural and community beautification project at a value of \$500 as recommended by the Grants Working Group.
- (f) **(Duke/Di Censo)**
That the Keep Hamilton Clean and Green Committee approves Clean & Green Neighbourhood funding for Green Team Gardeners' community mural and community beautification project at a value of \$500 as recommended by the Grants Working Group.



Hamilton

MINUTES

Keep Hamilton Clean & Green Committee
Tuesday October 20, 2020, 5:00 pm

(Baker/Di Censo)

- (g) That the Keep Hamilton Clean and Green Committee approves Clean & Green Neighbourhood funding of \$500 for Jeffery Stock's native planting Project as recommended by the Grants Working Group,

(Baker/Toppin)

- (h) That the Keep Hamilton Clean and Green Committee approves Clean & Green Neighbourhood funding of \$500 for the Barton Village BIA's impermeable surface project as recommended by the Grants Working Group,

(Di Censo/Jarvi)

- (i) That the Keep Hamilton Clean and Green Committee approves Clean & Green Neighbourhood funding for the Barton Village BIA's impermeable surface project at a value of \$500 as recommended by the Grants Working Group

CARRIED

That the following grants be denied:

(Baker/Jarvi)

- (a) That the Keep Hamilton Clean and Green Committee does not approve Clean & Green Neighbourhood funding for Bob Mallette's community garden project for CHH tenants as recommended by the Grants Working Group. Feedback will be provided to this applicant to improve future applications,

(Toppin/Donison)

- (b) That the Keep Hamilton Clean and Green Committee does not approve Clean & Green Neighbourhood funding for the Bonnington Betterment information and community project as recommended by the Grants Working Group. Feedback will be provided to this applicant to improve future applications.

(Baker/Duke)

- (c) That the Keep Hamilton Clean and Green Committee does not approve Clean & Green Neighbourhood funding for the Community Permaculture Lab permeable surface project as recommended by the Grants Working



Hamilton

MINUTES

Keep Hamilton Clean & Green Committee
Tuesday October 20, 2020, 5:00 pm

Group. Feedback will be provided to this applicant to improve future applications.

(Baker/Donison)

- (d) That the Keep Hamilton Clean and Green Committee does not approve Clean & Green Neighbourhood funding for MHBC's community garden project as recommended by the Grants Working Group. Feedback will be provided to this applicant to improve future applications.

(Donison/Baker)

- (e) That the Keep Hamilton Clean and Green Committee does not approve Clean & Green Neighbourhood funding for the Brandon Agnew's Salvation Army Autism Centre showcase project as recommended by the Grants Working Group. Feedback will be provided to this applicant to improve future applications.

(Toppin/Baker)

- (f) That the Keep Hamilton Clean and Green Committee does not approve Clean & Green Neighbourhood funding for the Inch Park / Eastmount neighbourhood cleanup and beautification project as recommended by the Grants Working Group. Feedback will be provided to this applicant to improve future applications.

(g) **(Baker/Toppin)**

That the Keep Hamilton Clean and Green Committee does not approve Clean & Green Neighbourhood funding for the Inch Park / Eastmount neighbourhood cleanup and beautification project as recommended by the Grants Working Group. Feedback will be provided to this applicant to improve future applications.

CARRIED

1. APPROVAL OF AGENDA

(Toppin/Di Censo)

That the agenda for the October 20, 2020 Keep Hamilton Clean and Green Committee meeting be approved as amended.

CARRIED



Hamilton

MINUTES

Keep Hamilton Clean & Green Committee
Tuesday October 20, 2020, 5:00 pm

2. DECLARATIONS OF INTEREST

Heather Donison declared a personal conflict of interest regarding item 8.1 Clean and Green Neighbourhood Grant and would no longer be able to speak to Green Venture's 2020 Clean and Green Neighbourhood Grant application submission as she is currently employed by the grantee.

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

(i) January 28, 2020

(Di Censo/Jarvi)

That the Minutes of the January 28, 2020 meeting of Keep Hamilton Clean and Green Committee be approved, as presented.

CARRIED

(ii) February 25, 2020

(Di Censo/Toppin)

That the Notes of the February 25, 2020 meeting of the Advisory Committee for Keep Hamilton Clean and Green, be received, as presented.

CARRIED

(iii) September 15, 2020

(Donison/Baker)

That the Notes of the September 15, 2020 meeting of the Advisory Committee for Keep Hamilton Clean and Green, be received, as presented.

CARRIED



Hamilton

MINUTES

Keep Hamilton Clean & Green Committee
Tuesday October 20, 2020, 5:00 pm

4. COMMUNICATIONS

(i) Correspondence from Keep America Beautiful

Committee Staff Liaison, Diane Butterworth, spoke respecting the 2019 Keep America Beautiful President's Circle Award presented to the Keep Hamilton Clean and Green Advisory Committee for continued commitment and efforts in providing valuable reporting information and continued participation in clean and green initiatives.

(Baker/Toppin)

That the Communication from Keep America Beautiful be received, as presented.

CARRIED

5. DISCUSSION ITEMS

(i) Clean and Green Neighbourhood Grant

The 2020 Clean and Green Neighbourhood Grant respecting Advisory Committee discussion on the adjudication process, scoring rationale and consensus of the approval on the awarding of grant funds to applicants.

The Clean and Green Grant Working Committee, comprising of Committee Chair, Felicia Van Dyk and Committee Members Brenda Duke and Heather Donison, provided a review of the sixteen eligible grant applications and all associated scoring rationale. The Grant Working Group is seeking final consensus from the Committee.

For further disposition of this matter, refer to Item 1

(ii) Status of Clean and Green Neighbourhood Grant Applicants' 2020 projects and initiatives during COVID-19 (Item 8.2)

Staff Liaison, Diane Butterworth, Clean and Green Coordinator, provided an update respecting the collection of data related to the statuses of the 2020 Clean and Green Neighbourhood Grant applicants identified as being awarded funding. On September 17, 2020, a document much like that used for the CEF Grant process to track project and initiative progress



Hamilton

MINUTES

Keep Hamilton Clean & Green Committee
Tuesday October 20, 2020, 5:00 pm

during COVID-19, was developed and sent to the nine award applicants. Six responses were received. A separate correspondence was sent on September 30, 2020, for any additional responses. All documentation was shared with the Advisory Committee. Based on what was provided, it was decided that additional details were required. Staff will work to contact the applicants for additional information and details on program and initiative progress.

6. GENERAL INFORMATION / OTHER BUSINESS

(i) 2020 Fall and Garden Mum Show Update

Staff Liaison, Diane Butterworth, Clean and Green Coordinator, provided an update respecting the 2020 Fall and Garden Mum Show, scheduled to take place at the Gage Park Greenhouse, from October 23 to November 1, 2020. The Mum Show is open daily from 9:00 am to 5:00 pm. Tickets must be booked or reserved for hourly time slots via the City's online ticket system. Visitors will need to follow safety measures and Public Health guidelines due to COVID-19. Space is limited to comply with provincial gathering restriction. Masks and face coverings are required. Staff member Theresa Phair, Community Liaison Coordinator, provided a further update that all online tickets had been booked for the event; however, there would be a limit of 10 tickets per hour, specifically for walk-in visitors.

(ii) Beautiful Alleys Fall Clean-up Event Update

Committee Member, Brenda Duke, provided an update respecting the Beautiful Alleys' Fall Clean-up event that took place on October 3, 2020. A total of a 140 people participated in cleaning 90 alleys, four parks and two schools across the City of Hamilton. Participants collected a total of 290 garbage bags as well as various bulk items.

(iii) Volunteer-made Promotional Video for the Clean and Green Trailers

Committee Member, Brenda Duke, provided information respecting a video that was developed for the Clean-up Trailer by a Beautiful Alleys volunteer. The video was created as a promotional tool for the Community Clean-Up Trailers. Staff noted that the Clean-up Trailers aren't currently being used due to COVID-19 restrictions. It was suggested that the video



Hamilton

MINUTES

Keep Hamilton Clean & Green Committee
Tuesday October 20, 2020, 5:00 pm

could be used in the future to share information about the Clean-up Trailers once they are approved for use and following all required safety guidelines. Brenda will provide a copy of the video to the Staff Liaison for distribution to the Committee.

11. ADJOURNMENT

(Donison/Baker)

That, there being no further business, the meeting be adjourned at 6:36 p.m.

CARRIED

Respectfully submitted,

Felicia Van Dyk
Chair, Keep Hamilton Clean and Green
Committee

Diane Butterworth
Clean & Green Coordinator, Business Programs
Environmental Services Division, Public Works Department

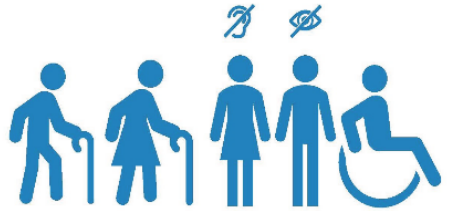


Hamilton



Accessible Transportation Services (ATS) Eligibility Audit

ATS at a Glance (2019)



17,000

Registered ATS clients
~9,000 active clients who take one or more trips per year



844,007

Passenger Trips Completed by DARTS
City cost \$26.71 per trip

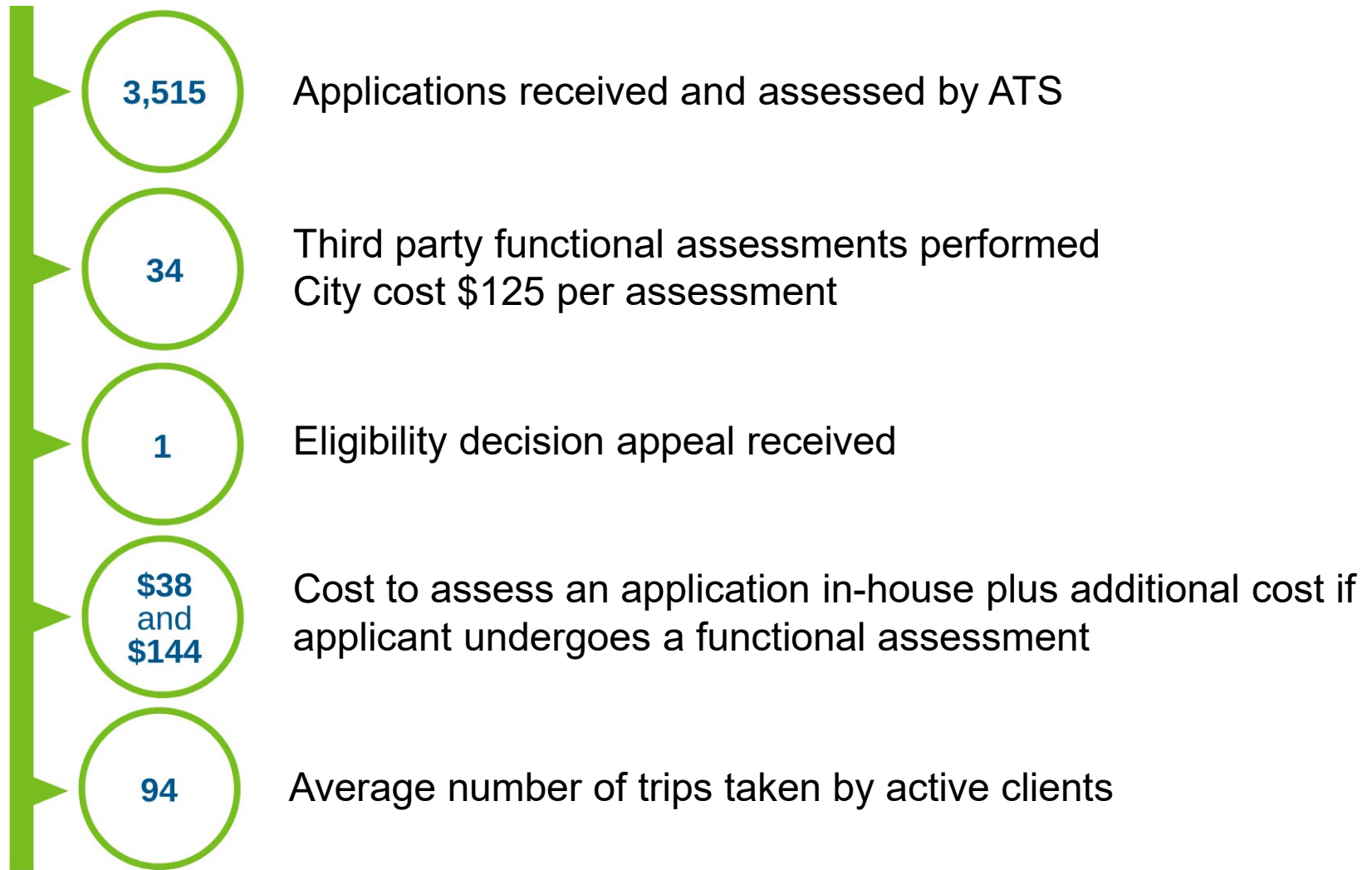


\$ 22.5M

This includes DARTS,
Taxi Scrips, and Travel Training

2019 ATS Actual Net Operating Costs

Overview of ATS in 2019



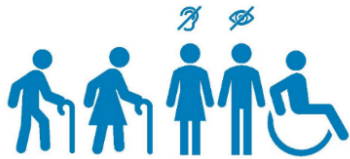
Findings - Eligibility Outcomes Drive Service Levels and Costs



On average, each 1% of eligibility drives potentially \$225,000 in costs

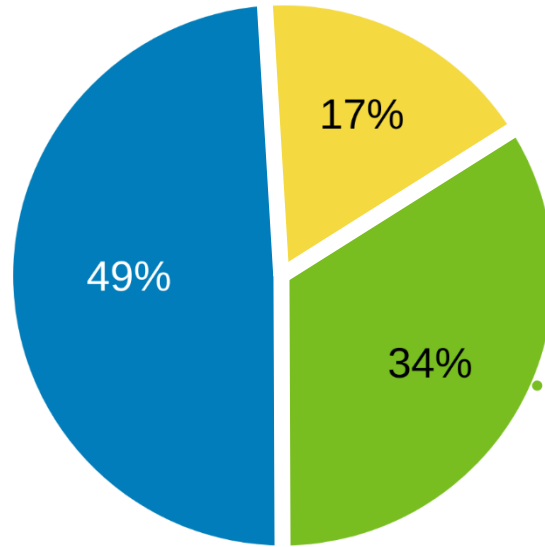
Findings - Variation Exists in Eligibility Decisions

ATS



150

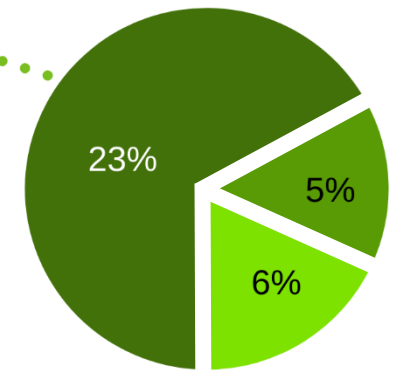
ATS Applications Assessed
January 1, 2019 to February 29, 2020



- Same Result 49%
- More Information Needed 17%
- Different Result 34%

Lifemark

Different Result Breakdown

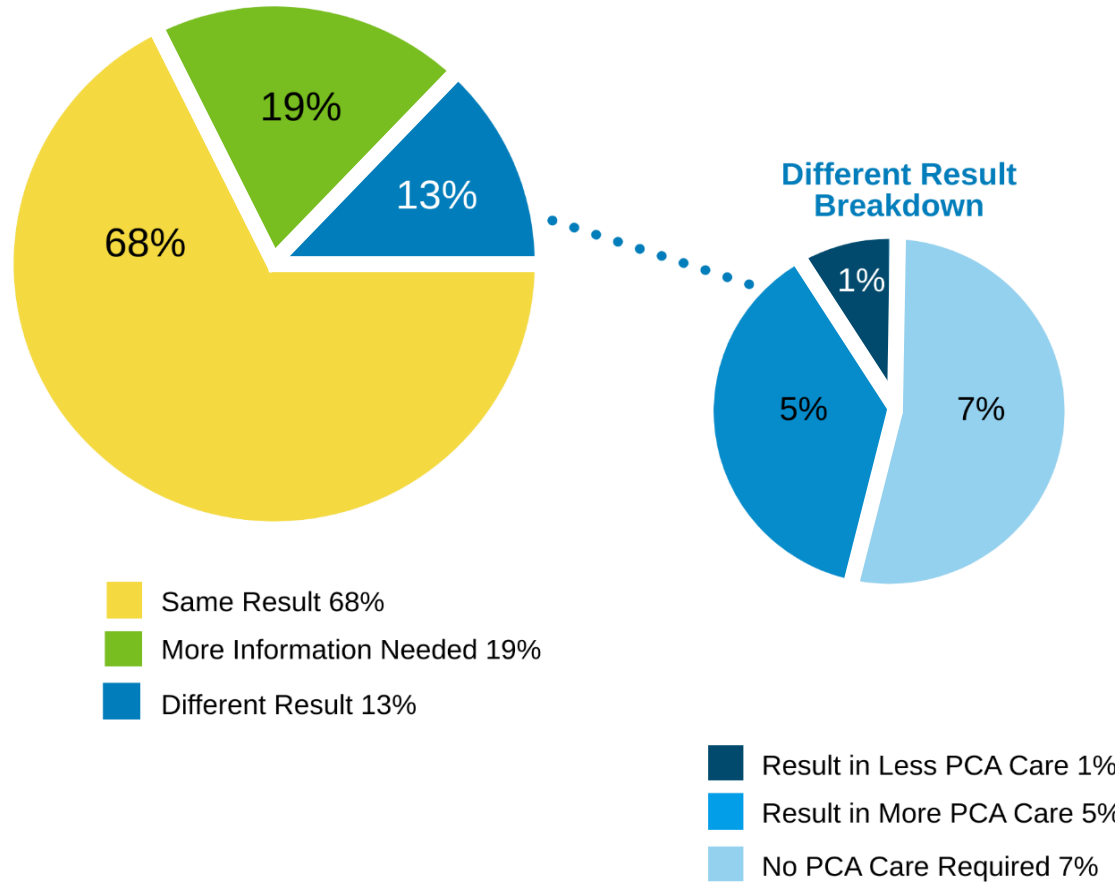


- Access to Less Service 23%
- Access to More Service 5%
- Not Eligible 6%

Findings – Variation Exists in Safety Considerations

Lifemark Personal Care Attendant Decision

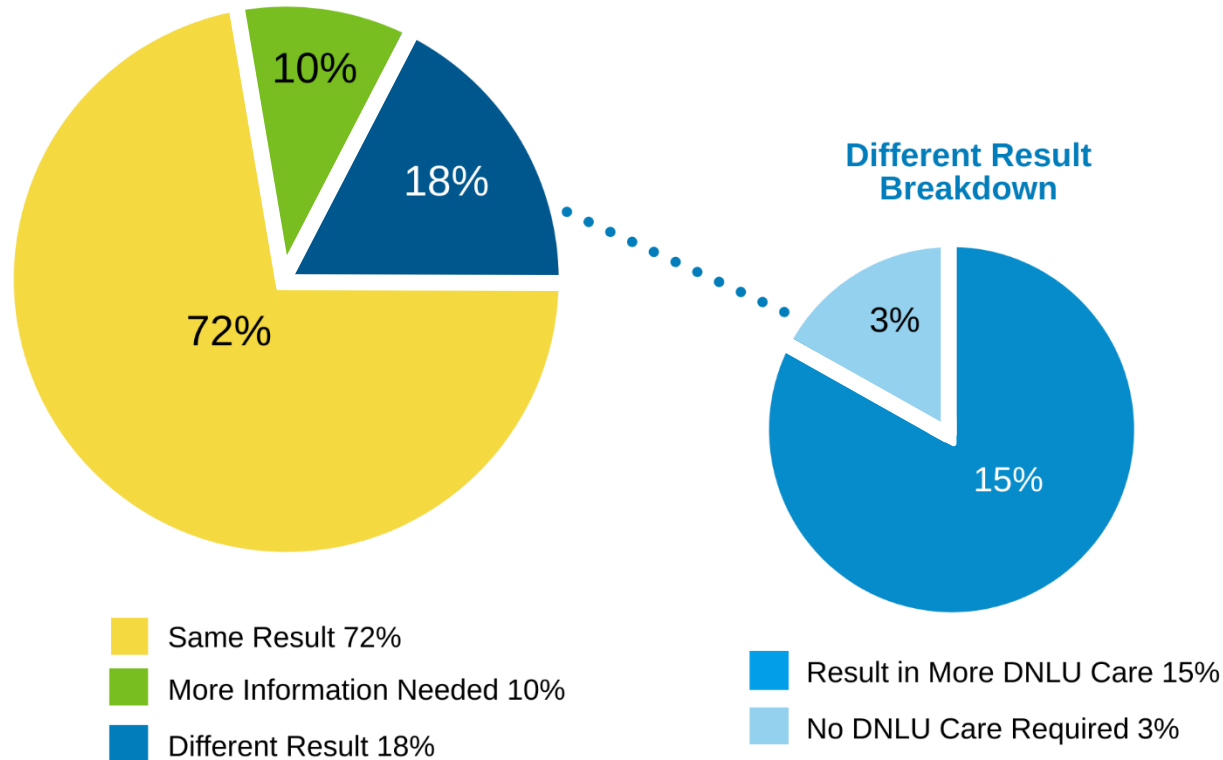
As compared to 150 ATS Applications Assessed from January 1, 2019 to February 29, 2020



Findings – Variation Exists in Safety Considerations

Lifemark Do Not Leave Unattended Decision

As compared to 150 ATS Applications Assessed from January 1, 2019 to February 29, 2020



Findings – Eligibility Reassessment

- City of Ottawa reassesses eligibility of all customers once every three years on a rotational basis
- Eligibility Reassessments should be considered



Findings – Improvement Opportunities

- Processes and Quality Control
- Staff Training and Oversight
- Application Form
- Data Management



Findings – Service Option Opportunities

- Different Service Options Should be Explored
 - Expanded Taxi Scrip Program
 - Integrated Service Model
 - Expanded Travel Training
 - Shuttles
 - Community Buses



Findings – Waste and Control Weakness



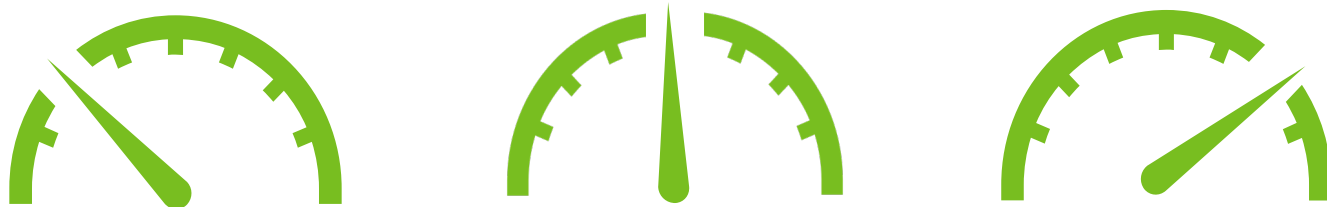
- Control Weakness Identified with Functional Assessment Payments



- Waste Identified with the Travel Training Program

Findings – Few Performance Measures

ATS does not have the performance measures to track how well processes are operating or the impact of their services on the community



Audit Themes

- The eligibility process drives demand and ultimately costs
- There is a critical need to have quality assurance embedded throughout the eligibility assessment process
- The eligibility assessment process requires improvement and potential redesign
- Benchmarking to other municipalities suggests routine reassessment, exploration of service options
- 14 recommendations were made, all were agreed to



QUESTIONS?



CITY OF HAMILTON
CITY MANAGER'S OFFICE
Office of the City Auditor

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	December 7, 2020
SUBJECT/REPORT NO:	Accessible Transportation Services (ATS) Eligibility Audit (AUD20009) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Amy Bodner CPA, CA, CIA (905) 546-2424 Ext. 4438 Brigitte Minard CPA, CA, CIA, CGAP (905) 546-2424 Ext. 3107
SUBMITTED BY:	Charles Brown CPA, CA, CPA (Illinois) City Auditor Office of the City Auditor
SIGNATURE:	

RECOMMENDATIONS

- (a) That Appendices "A", "C", and "D" of Report AUD20009, respecting the Accessible Transportation Service (ATS) Eligibility Audit Report, be received;
- (b) That the Management Responses as detailed in revised Appendix "B" be approved;
- (c) That the General Manager of Public Works be directed to instruct the appropriate staff to have the Management Responses (attached as revised Appendix "B" to Report AUD20009) implemented; and
- (d) That Item AAQ, respecting Eligibility Audit of Clients Registered for DARTS, be identified as completed and be removed from the Public Works Committee Outstanding Business List.

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: Accessible Transportation Services (ATS) Eligibility Audit (AUD20009)
(City Wide) – Page 2 of 4**

EXECUTIVE SUMMARY

In November 2019, the Public Works Committee requested the City Auditor to complete an accessible transportation services eligibility audit.

As a result, the Office of the City Auditor (OCA) carried out an audit which included obtaining independent third-party expertise, benchmarking with other municipalities and performing data analyses.

The overall objective of this audit was to assess current accessible transit eligibility processes and services with an aim to identify opportunities for efficiency, effectiveness and cost containment.

Fourteen recommendations were made to strengthen controls, increase process efficiencies and explore cost saving opportunities for accessible transportation services. The results of this audit are presented in a formal audit report containing the audit findings, conclusions, recommendations and management responses. This audit report is attached as Appendices “A” and “B” to Report AUD20009.

Alternatives for Consideration – Not Applicable**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: None.

Staffing: None.

Legal: None.

HISTORICAL BACKGROUND

At the request of the Public Works Committee in November 2019, the OCA undertook an audit of eligibility for accessible transportation services. The results of this audit are attached as Appendices “A” and “B” to Report AUD20009.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11
(commonly known as AODA legislation)

**SUBJECT: Accessible Transportation Services (ATS) Eligibility Audit (AUD20009)
(City Wide) – Page 3 of 4**

RELEVANT CONSULTATION

Appendix “B” to Report AUD20009 includes responses from management responsible for overseeing the accessible transportation services eligibility process within the City’s Transit Division of the Public Works Department.

The Talent and Diversity Section in the Human Resources Division was also consulted during this audit.

ANALYSIS AND RATIONALE FOR RECOMMENDATIONS

The audit objectives were to assess current accessible transit eligibility processes and services with an aim to identify opportunities for efficiency, effectiveness and cost containment.

The OCA interviewed staff, reviewed documents, performed data analyses, benchmarked with other municipalities, and hired an independent third-party expert to understand and assess processes in place for assessment eligibility for accessible transportation services. Appendix “A” to Report AUD20009 contains a formal Audit Report containing the audit observations. The OCA made 14 recommendations to strengthen controls, increase process efficiencies and explore cost savings opportunities. These recommendations can be found in Appendix “B” to Report AUD20009.

Management agreed with all 14 recommendations. Management provided management responses for implementation, with completion anticipated by 2022.

The application form for accessible transit services can be found in Appendix “C” to Report AUD20009. An infographic summarizing the key information for this audit can be found in Appendix “D” to Report to AUD20009.

The Office of the City Auditor is currently considering other audits that may be performed in the future regarding accessible transit services.

ALTERNATIVES FOR CONSIDERATION

Not applicable.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Our People and Performance

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

**SUBJECT: Accessible Transportation Services (ATS) Eligibility Audit (AUD20009)
(City Wide) – Page 4 of 4**

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report AUD20009 – Audit Report

Appendix “B” to Report AUD20009 – Recommendations and Management Responses

Appendix “C” to Report AUD20009 – Application for Accessible Transportation Services

Appendix “D” to Report AUD20009 – ATS Audit Infographic



Hamilton

Office of the City Auditor

Accessible Transportation Services (ATS) Eligibility Audit



December 7, 2020

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Executive Summary

In November 2019, the Public Works Committee requested the City Auditor to complete an accessible transportation services eligibility audit. The City Auditor completed this audit as fulfillment of its planned DARTS-related audit already included on the 2019-2022 Office of the City Auditor Workplan.

As a result, the Office of the City Auditor conducted the audit during which independent third-party expertise was obtained, benchmarking with other municipalities conducted and data analyses performed to assess the accuracy of current eligibility decisions and identify opportunities for process improvement and cost containment. The City Auditor has brought forward 14 recommendations to strengthen controls, increase process efficiencies and explore cost saving opportunities. Management in Accessible Transit Services agreed with all 14 recommendations. Action plan completion dates range from Q4 2020 to Q2 2022.

Introduction and Background

Municipal governments are responsible for providing local public transportation services. The *Ontario Human Rights Code* mandates that every person has a right to equal treatment with respect to services provided by municipal governments, including public transit, without discrimination because of disability. In addition, the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) provides municipalities with specific accessibility standards that must be adopted in the provision of transportation services.

The City of Hamilton provides both conventional and specialized public transportation services. The City's conventional bus service is operated by the Hamilton Street Railway (HSR), the Transit Division within the Public Works department. HSR buses are compliant with AODA standards. There are customers who are unable to use HSR service due to functional limitations stemming from their disabilities. In response, the City provides specialized paratransit service for persons with disabilities.

The City's specialized paratransit service is overseen by Accessible Transportation Services (ATS), a group within the Customer Experience & Innovation section within the Transit Division. ATS is responsible for assessing eligibility for paratransit services and managing providers contracted to perform specific services.

Introduction and Background

ATS provides the following services:

DARTS

The Disabled and Aged Regional Transportation System (DARTS), a nonprofit charitable organization, is contracted by the City to provide assisted accessible door-to-door shared-ride transportation. DARTS fares are the same as those for HSR, which is required by the AODA standards.

Taxi Scrip

The Taxi Scrip Program is available to City residents who are eligible for DARTS service. This program provides subsidized taxi fares allowing passengers to receive a 40% discount when travelling with two local taxi companies. Passengers buy a Taxi Scrip booklet for \$24 which contains \$40 worth of coupons used to pay their taxi fares. Up to three Taxi Scrip coupon booklets may be purchased each month.

Travel Training

The City has provided permanent funding to an outside agency for a Travel Training Program. This program teaches those with cognitive disabilities who are using developmental services in Hamilton to ride the HSR independently. The program consists of both classroom instruction and one-on-one on-bus training to teach skills required to plan a route and use HSR safely. The agency reaches out to student and community partners to recruit candidates for this program.

Eligibility for paratransit services is considered on a case-by-case basis and depends on an applicant's functional ability to use HSR rather than the person's disability, medical diagnosis or income level. The eligibility categories outlined in the AODA (which had to be implemented by January 1, 2017) include:

Eligibility	Description
Unconditional	An applicant is unable to use HSR; eligible for all trips on DARTS.
Conditional	An applicant is able to use HSR under certain conditions; eligible for some trips on DARTS as follows: <ul style="list-style-type: none"> Seasonal – Travel during winter only (November 1 to April 30). Trip by Trip – Travel to approved locations only.
Temporary	An applicant is unable to use HSR due to a temporary condition; eligible for all trips on DARTS for a specific time period.
Not Eligible	An applicant is able to use HSR; not eligible for any trips with DARTS.

Introduction and Background

These eligibility categories were adopted early by the City of Hamilton on November 1, 2012. Prior to this date, applicants who used a mobility device, received dialysis treatment or were diagnosed with Alzheimer's disease were provided unlimited use of DARTS. The City grandfathered all existing DARTS clients as of November 1, 2012, meaning these clients were automatically given unconditional eligibility without being reassessed under the new eligibility criteria.

An application form must be completed by an applicant and their health care provider to be considered for specialized transit. Applicants may be required to attend a third-party functional assessment in order to determine eligibility. Applicants who are unsatisfied with their eligibility decision may submit an appeal form to ATS. An appeal panel provides a final decision regarding the applicant's paratransit eligibility.

On November 18, 2019, as a result of rising trip counts and costs, the Public Works Committee requested the City Auditor to complete an eligibility audit. This report contains the results of this work.

The City of Hamilton, in accordance with its obligation to ensure that it is providing efficient and fair delivery of City services, has appointed an Auditor General, known as the City Auditor, who is the leader of the Office of the City Auditor (OCA). The City Auditor receives direction from Committee and Council from time to time to perform audits of specific processes. Council requested the City Auditor in 2017 to conduct an annual audit of DARTS, with no specified topic, which was included in the 2019-2022 Office of the City Auditor Workplan. This eligibility audit was carried out to fulfil that request and is intended to provide Council with the OCA's findings and conclusions regarding potential weaknesses in City processes and opportunities for improvement.

Overview of ATS in 2019

\$22.5M

2019 ATS Actual Net Operating Cost

This includes DARTS, Taxi Scrips, and Travel Training



17,000 Registered Clients
 ~9,000 active clients who take one or more trips per year

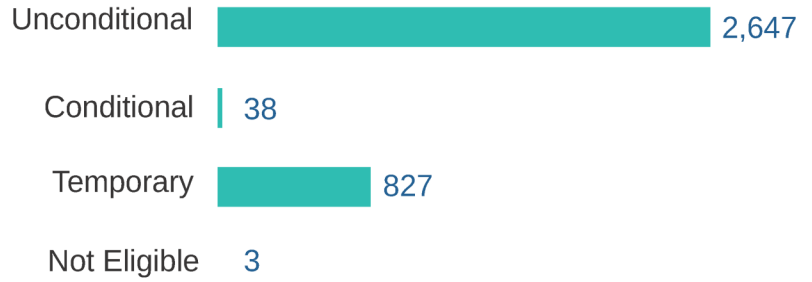


844,007 Passenger Trips Completed by DARTS
 City cost \$26.71/trip



26,314 Taxi Scrip Booklets Sold
 City cost \$16/booklet

Result of Applications Received and Assessed by ATS



34

Third party functional assessments performed
 City cost \$125/assessment

1

Eligibility decision appeal received

\$38 and \$144

Cost to assess an application in-house plus additional cost if applicant undergoes a functional assessment

3,515

Applications received and assessed by ATS

94

Average number of trips taken by active clients



47 Travel Training Recruits
 City cost \$175 K

Key Terms

Accessible Transportation Services (ATS): Group within the Transit Division responsible for assessing eligibility for paratransit services and managing providers contracted to perform specific services. Three service options offered by ATS include DARTS, Taxi Scrip and Travel Training.

Accessibility for Ontarians with Disabilities Act, 2005 (AODA): Provincial law that requires municipalities to adopt specific accessibility standards, including those related to public transportation services.

Conditional Eligibility: An applicant can use HSR under certain conditions and is therefore eligible for some trips on DARTS. Seasonal eligibility allows travel during winter only (November 1 to April 30). Trip by trip eligibility allows travel to approved locations only.

Conventional Transportation Service: Scheduled transit service performed by HSR where buses serve identified transit stops at established times along established routes.

Developmental Services: Services provided by agencies which are funded by the Ministry of Children, Community and Social Services. Services include supports to help people take part in their community, person-directed planning, housing supports, respite for caregivers, etc.

Disability: An impairment that makes it more difficult for an individual to do certain activities. This may include either short-term or long-term visual, sensory, cognitive, mental health and physical conditions.

Disabled and Aged Regional Transportation System (DARTS): Nonprofit charitable organization contracted by the City to provide assisted accessible door-to-door shared-ride transportation.

Functional Ability: Individuals need a minimum level of physical, cognitive and social skills to safely access public transportation. Functional ability measures an individual's capacity to apply these skills to perform certain tasks. Some tasks associated with public transit include being able to get to the stop, boarding and exiting the bus, paying fare, navigating through various environmental conditions, handling unexpected situations, and traveling safely in the community.

Key Terms

Grandfathered Clients: Pre-existing DARTS clients who were automatically provided unconditional eligibility on November 1, 2012 when the City implemented the new AODA eligibility categories.

Specialized Transportation Service or Paratransit: Transit service performed by DARTS where vehicles provide individualized rides without fixed routes or timetables.

Taxi Scrip: Subsidized program where passengers receive a 40% discount when travelling by taxi. Passengers buy a Taxi Scrip booklet for \$24 which contains \$40 worth of coupons to pay their fares.

Temporary Eligibility: An applicant is unable to use HSR due to a temporary condition and is therefore eligible for all trips on DARTS for a specific time period.

Trapeze: System used by ATS to record applicant information and the outcome of eligibility assessments.

Travel Training: Program that teaches those with cognitive disabilities who are using developmental services in Hamilton to ride the HSR independently.

Unconditional Eligibility: An applicant is unable to use HSR and is therefore eligible for all trips on DARTS.

Audit Objective

The overall objective of this audit was to assess current accessible transit eligibility processes and services with an aim to identify opportunities for efficiency, effectiveness and cost containment.

Audit Scope

The scope of work included processes related to the evaluation of accessible transit application forms received from January 1, 2019 to December 31, 2019. As required, more current or historical information was used to carry out specific audit procedures.

What We Did

1. Gained an appreciation of the challenges and needs of persons with disabilities.
2. Gained an understanding of the operational processes, assessment methods, and judgement involved with assessing accessible transit application forms.
3. Assessed the accuracy of current eligibility determinations.
4. Compared ATS' application form, assessment methods and specialized transit service options to those in other Ontario municipalities.
5. Calculated the cost and amount of time taken to evaluate application forms.
6. Determined how eligibility was assessed before AODA's eligibility categories existed and the impact of pre-existing clients on current service demands.
7. Gained an understanding of how improvements to the accessibility of conventional transit and changes in clients' functional abilities impact current service demands.
8. Obtained insights from the Canadian Urban Transit Association (CUTA) 2013 research study *Canadian Code of Practice for Determining Eligibility for Specialized Transit*, and the Nelson Nygaard Consulting Associates 2009 report *Implementation of New Eligibility Policy at Accessible Transportation Services*.

Audit Scope

How We Did It

- Reviewed applicable legislation, reports, agreements and research papers.
- Attended internal training sessions.
- Interviewed various personnel and other City employees.
- Documented pertinent processes in a narrative.
- Examined electronic and paper documents, reports and transactions.
- Performed data analyses.
- Compared operations with other Ontario municipalities.
- Hired an independent third-party expert to re-assess a sample of applications.

Findings

Eligibility Outcomes Drive Service Level and Costs

ATS' eligibility decision is a critical driver of specialized transportation service levels and costs. Since ATS does not reassess existing clients, those with unconditional or conditional eligibility may remain as such forever (unless a client voluntarily submits another application and triggers a new assessment). If ATS makes a mistake or is too lenient in their assessment, there is a risk that an applicant is provided more eligibility than what is required, creating inequity within the paratransit system and placing a larger burden on the City's financial resources. From 2017 to 2019, we found there were only seven applications denied out of 8,598 applications received and assessed.

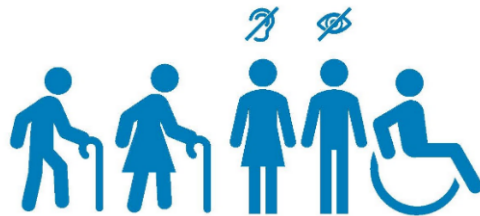
A small number of applicants given eligibility in error has a significant impact. In 2019, DARTS provided about 844,000 trips to 9,000 active clients at a cost of \$26.71 per trip. If only 1% of active clients were incorrectly assessed as eligible for DARTS, this could potentially translate to approximately \$225,000 in average savings each year. We caution that this is a simplified version of a complex calculation to illustrate the extent to which eligibility outcomes drive cost and does not represent guaranteed savings. ATS must carry out more analysis to determine the true financial impact of clients whose service eligibility may be different now as compared to the original assessment.

Findings

Eligibility Outcomes Drive Service Level and Costs

To gain confidence over how well ATS evaluates applications and makes eligibility decisions, the OCA hired Lifemark, an independent third-party with technical expertise and experience evaluating accessible transit applications, to re-evaluate 150 applications assessed by ATS from January 1, 2019 to February 29, 2020.

Lifemark is the rehabilitation division of Lifemark Health Group with over 300 locations across Canada. Lifemark offers a wide range of services including physiotherapy, massage therapy, occupational therapy, kinesiology, chiropractic treatments, acupuncture and sport therapy. The City of Ottawa contracts their determination of accessible transit eligibility to Lifemark. ATS' applications were re-evaluated by qualified healthcare professionals that possess an understanding of the different types of disabilities and the expertise to review and assess applications to determine an applicant's functional ability to use conventional transit. The OCA ensured all personal identifying information about the applicant, as well as ATS' eligibility decision, was redacted from documentation sent to Lifemark to minimize bias and maximize the validity of the results. In addition, Lifemark carried out an internal quality control review to ensure decisions were balanced, consistent, objective and fair before results were provided to the OCA.



150

ATS Applications Assessed
January 1, 2019 to February 29, 2020

Findings

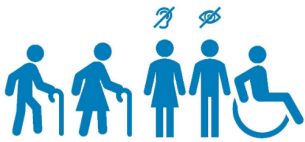
Variation Exists in Eligibility Decisions

A significant difference exists between how ATS and Lifemark evaluated applications. The following chart compares the eligibility decisions of Lifemark to ATS:

Comparison of ATS and Lifemark Eligibility Decisions

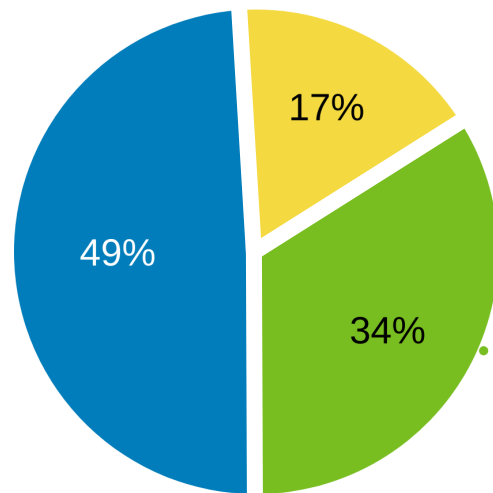
ATS

Lifemark



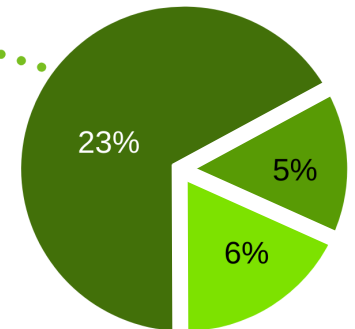
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ATS Applications Assessed
 January 1, 2019 to February 29, 2020



- Same Result 49%
- More Information Needed 17%
- Different Result 34%

Different Result Breakdown



- Access to Less Service 23%
- Access to More Service 5%
- Not Eligible 6%

Lifemark reached the same eligibility decision for only 49% of the applications. This included applications assessed directly by ATS and those sent to third-party for functional assessment.

Lifemark indicated that they needed more information to assess 17% of the applications. Lifemark wanted more details about the applicant's functional abilities, diagnosis and/or behaviours on public transit. Questions within the application form were answered vaguely or there were inconsistencies between the applicant's responses and those from their health care provider.

Findings

Variation Exists in Eligibility Decisions

Lifemark reached a different eligibility decision for the remaining 34% of the applications. The majority of Lifemark's eligibility decisions would have resulted in the applicant receiving access to less paratransit service (e.g. ATS provided unconditional eligibility whereas Lifemark assessed as conditional or temporary eligibility). Smaller percentages of Lifemark's decisions resulted in the applicant receiving more service (e.g. Lifemark decided unconditional eligibility while ATS provided temporary eligibility) or no service at all. As calculated previously, if 1% of active clients use an average of \$225,000 worth of DARTS trips per year, the 6% of applicants Lifemark found to be ineligible may translate to approximately \$1.35 million in average annual savings. We caution that this is an estimate and does not represent guaranteed savings. ATS must carry out more analysis, including reevaluation, to determine the true financial impact of clients whose service eligibility may be different now as compared to the original assessment.

Due to time constraints, the OCA was unable to take a deeper dive into the applications to understand exactly why differences existed between ATS and Lifemark. Instead, the OCA used Lifemark's comments and knowledge of ATS to identify opportunities related to the application form, processes and people. These are the three main inputs into the assessment and eligibility outcome.

Findings

Variation Exists in Safety Considerations

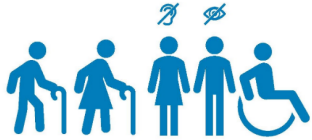
In addition to the eligibility outcome, the OCA asked Lifemark to provide their opinion on whether an applicant should have a personal care attendant or be classified as "do not leave unattended" at their location. A personal care attendant (PCA) accompanies a passenger who would otherwise be unable to travel on a vehicle by themselves. A PCA provides the passenger with care and assistance beyond what the vehicle operator is required to provide. The requirement "do not leave unattended" (DNLU) describes someone who cannot be left alone safely at their destination. In these cases, the vehicle operator hands off the passenger to another person at their destination.

Some differences exist between how ATS and Lifemark evaluated the need for a PCA and the DNLU requirement.

The following charts compare the outcomes reached by Lifemark as compared to ATS:

Comparison of ATS and Lifemark Personal Care Attendant Decisions

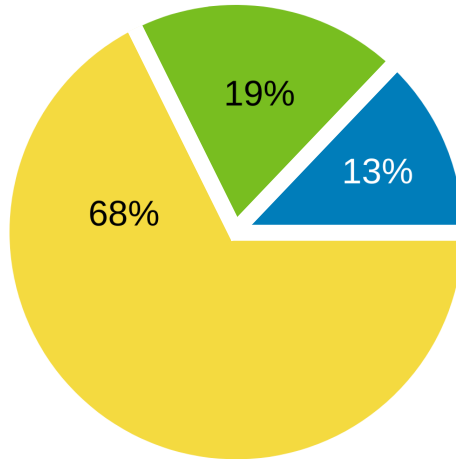
ATS



150

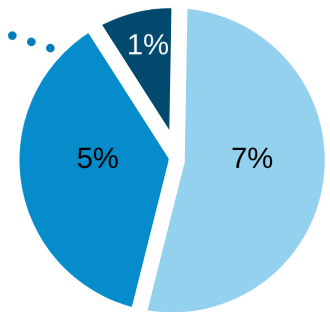
ATS Applications Assessed
 January 1, 2019 to February 29, 2020

Lifemark



- Same Result 68%
- More Information Needed 19%
- Different Result 13%

Different Result Breakdown



- Result in Less PCA Care 1%
- Result in More PCA Care 5%
- No PCA Care Required 7%

Comparison of ATS and Lifemark Do Not Leave Unattended Decisions

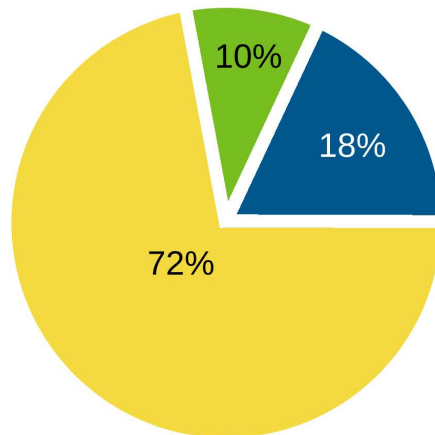
ATS



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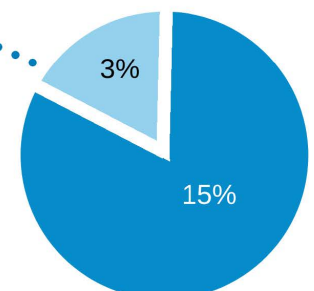
ATS Applications Assessed
 January 1, 2019 to February 29, 2020

Lifemark



- Same Result 72%
- More Information Needed 10%
- Different Result 18%

Different Result Breakdown



- Result in More DNLU Care 15%
- No DNLU Care Required 3%

Findings

Lifemark reached a different decision for 32% of PCA related and 28% of DNLU related applications with a higher level of care being required for 5% of the PCA decisions and 15% of the DNLU decisions. The OCA is concerned about the potential impact to these clients' safety.

Variation Exists in Safety Considerations

Lifemark also indicated that 7% of the applications currently with a PCA do not require a PCA. This has a financial impact because the City pays for the PCA's trip on accessible transit while accompanying the passenger.

Due to time constraints, the OCA was unable to take a deeper dive into the applications to understand exactly why differences existed between ATS and Lifemark. Such factors may include not having clear definitions and guidelines outlining the functional limitations where a PCA or DNLU would be recommended.

Findings

Opportunities Exist to Improve the Application Form

The application form is the primary tool used by ATS in the evaluation process. Information collected from the applicant and their health care provider must be appropriate and sufficient to make a well-informed decision. Please refer to Appendix "C" to Report AUD20009 for a copy of the current application form.

The OCA compared ATS' application form to those used by other municipalities and identified the following opportunities for improvement:

Guiding Principles

Several municipalities have published guiding principles that outline what will not be considered when deciding an applicant's eligibility for specialized transit. Examples include:

- Eligibility is not based on your age, income level, disability, use of an assistive device or the inability to drive.
- Eligibility is not based on how familiar you are with conventional transit or the availability or convenience of conventional transit where you live.
- Not for those who are reluctant or unwilling to use conventional transit.

This is a proactive measure to ensure applicants, and their health care providers, understand and are applying for specialized transit for the right reasons.

Findings

Opportunities Exist to Improve the Application Form

Functional Ability

Several municipalities require the applicant and/or their health care provider to describe the disabilities generated by their condition or diagnosis and how it affects their functional ability to use conventional transit. This is more detailed as compared to ATS' application. Obtaining more information from either the applicant or their health care provider about functional abilities will help in making more informed eligibility decisions.

Conventional Transit Accessibility Features

Several municipalities describe the accessibility features of their regular buses and bus stops and highlight how these features make traveling easier for those with disabilities. If an applicant or their health care provider is unfamiliar with conventional transit and its accessibility features, they may not realize when the applicant may be capable of using regular transit.

Test Results

Some municipalities ask if the applicant underwent a functional assessment, test or other evaluation related to their disability in the last 24 months that measured their ability to travel independently. Where an evaluation was performed, the application asks for the test date, name, purpose, result and impact. Obtaining previous evaluations provides valuable insight without the added expense for ATS to conduct their own third-party functional assessment.

Travel Distance

ATS asks both the applicant and their health care provider the furthest distance the applicant can travel on the sidewalk in good weather. Other municipalities combine their distance question with reference to the applicant's assistive device (where applicable), which provides a clearer picture of the distance they can travel.

Personal Care Attendant

ATS asks the health care provider whether the applicant requires a PCA. However, unlike other municipalities, ATS does not define the role of a PCA or describe the functional limitations where a PCA would be recommended. Providing guidelines would help ensure all applicants are held to the same standard, resulting in more consistent and informed responses.

Findings

Opportunities Exist to Improve the Application Form

Health Care Provider's Eligibility Opinion

ATS asks the health care provider to indicate if the applicant's medical diagnosis or condition requires permanent, temporary or seasonal transportation. CUTA warns that health care providers should not be asked whether the applicant is eligible for specialized transit, as this can create problems if ATS has a different opinion. Rather, information requested from the health care provider should focus on the diagnosis and onset of disability, and how this affects the applicant's ability to ride regular transit.

Health Care Provider's Review of the Applicant's Responses

Some municipalities require the health care provider to read the applicant's responses and indicate whether they agree with the information provided by the applicant. The health care provider is asked to explain why they do not agree. This may provide ATS with some perspective when differences or inconsistencies exist between the two sets of responses.

Findings

Opportunities Exist to Improve Processes

There is a fair amount of judgement involved in assessing ATS applications. It is not as simple as seeing which box is checked off and matching it to an eligibility category. It is very easy for personal biases to creep into the decision making. Processes and controls should be in place to ensure staff remain objective and exercise reasonable judgment to arrive at balanced, consistent, fair and objective eligibility decisions.

The OCA identified the following process control improvements:

Guidelines

There are no policies, procedures, instructions or decision trees for staff to reference during the evaluation process, which increases the risk for inconsistent decision making.

Quality Control

There are no peer review or management review processes in place to ensure all factors are considered and that the decision outcome is balanced and objective.

Findings

Opportunities Exist to Improve Processes

Strategies

ATS has developed some strategies, or consistent practices, as to the type of eligibility assigned to applicants with certain medical conditions. For example, applicants unable to mobilize as a result of a knee replacement surgery are given temporary eligibility because their condition is expected to improve within a few months.

However, ATS must take care these practices do not violate AODA requirements, especially those where decisions may not be assessed on a case-by-case basis. For example, staff told the OCA that all dialysis patients are automatically given unconditional eligibility. The OCA validated that 96% of applications received and assessed in 2019 involving dialysis patients received unconditional eligibility. Based on research, it is the OCA's understanding that not all dialysis patients are similar. There are variations in the lengths of time between treatments and how long it takes a patient to recover and start feeling better after their treatments. As a result, some patients may only need specialized transit on a trip-by-trip basis, after their dialysis treatment.

There are other cases where an evaluation strategy would be helpful. For example, applicants with autism spectrum disorder exhibit a wide variety of skills and abilities. Unless enough information is provided in the application form, ATS should be sending applicants with autism for a functional assessment to gain a better understanding of their functional ability to take conventional transit.

In-Person Contact

Research performed by the OCA suggests that in-person contact, either through an interview, telephone conversation or functional assessment, results in more accurate eligibility outcomes than reviewing a paper application alone. CUTA found that paper applications can provide useful baseline information; however, they are very limited in their ability to make accurate eligibility decisions. Although in-person contact with applicants occurs during functional assessments and when staff call applicants about their application form, the OCA estimates that this is a small proportion of the applicant group. This increases the risk of inaccurate eligibility decisions and higher long-term costs.

Findings

Opportunities Exist to Improve Staff Training and Oversight

ATS applications are evaluated either by staff or an outside party who performs functional assessments. ATS relied on its staff to make eligibility decisions for 99% of applications received in 2019. Therefore, it is important to make sure that staff have the right skills, experience, knowledge and time to make these decisions.

Lifemark always used qualified healthcare professionals (e.g. Occupational Therapists) to both re-evaluate application forms for the OCA and make eligibility determinations for the City of Ottawa. ATS has a mix of short- and long-term staff with various backgrounds whose qualifications matched those for the position when hired, either through a competitive process or successful work accommodation placement.

It is **not** a requirement for ATS staff to have a medical or healthcare qualification to carry out this work. The OCA verified from the job description that staff are responsible for making service eligibility decisions. The two qualifications that related most to this job duty were:

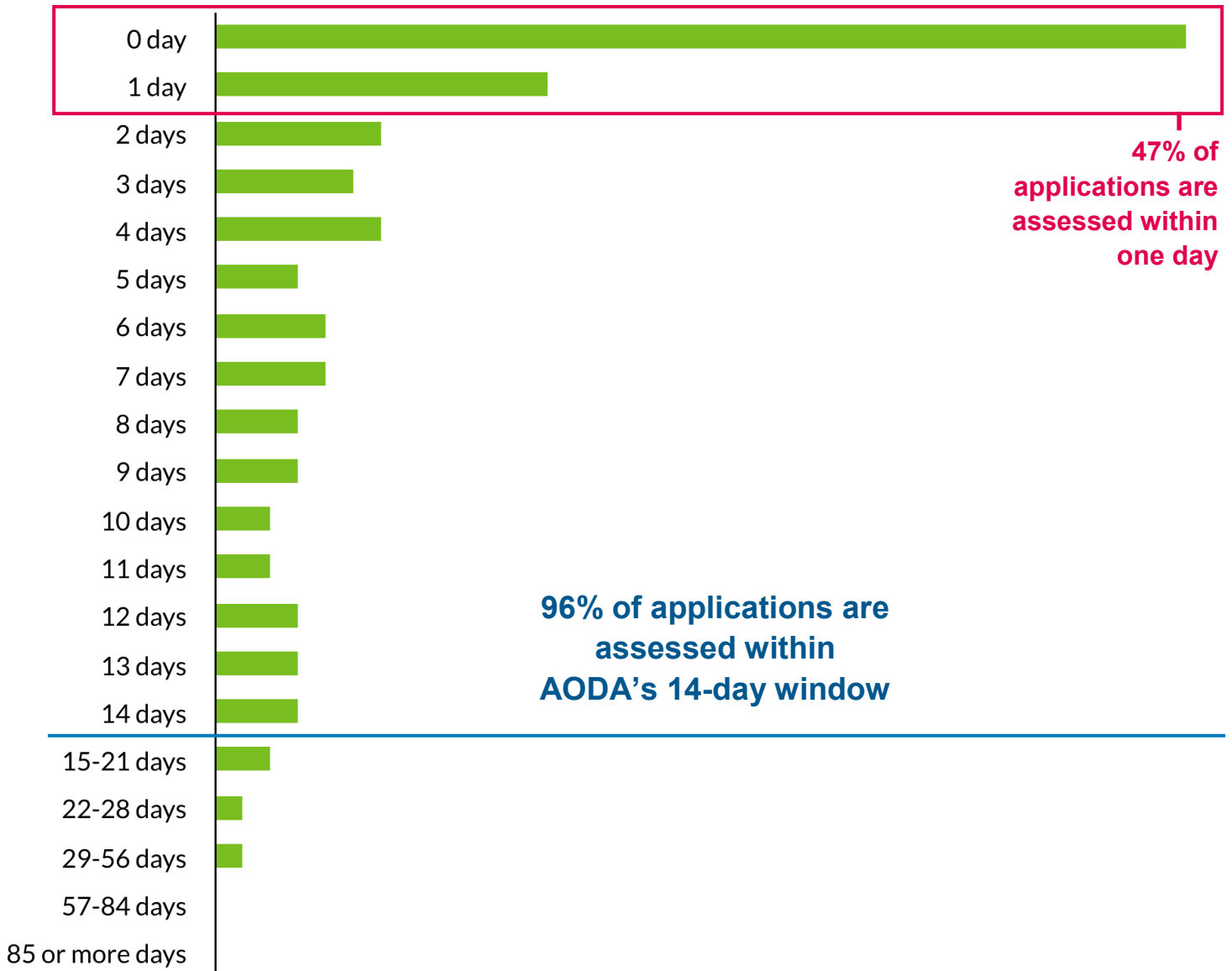
- Experience in and/or knowledge of accessibility and transit is an asset; and
- Strong empathy for, and understanding of the needs of, persons with disabilities and older adults.

It is the OCA's opinion that these two qualifications do not encompass the technical or medical/healthcare expertise that one would expect for medical-related eligibility determinations. A lack of technical knowledge is normally compensated for by a formal training program and quality review process to build skills over time and provide feedback to staff. Apart from staff supporting each other, and a few short technical presentations during monthly staff meetings in early 2020, little training or direct oversight is provided.

From a timing perspective, staff assess applications and come to eligibility conclusions quickly. The AODA outlines that the City has 14 calendar days to make an eligibility decision once they have received a completed application. If more time is needed, the applicant is provided temporary eligibility until a decision is made. As seen in the following chart, ATS evaluates 47% of applications within one day.

Findings

Time to Assess ATS Applications and Reach an Eligibility Determination 2019



Due to time constraints, the OCA was unable to take a deeper dive into these timelines to determine the extent to which applications arrive at ATS with missing information, or if other factors may have pressured staff to process applications quickly. Such factors may include the volume of applications received and those awaiting assessment, the number of available staff and the demand on staff for other non-assessment duties.

Findings

Eligibility Reassessments are Recommended

Opportunities exist to improve the accessible transit application form, processes and staff training and oversight, which all contribute to making the eligibility decision more balanced, consistent, objective and equitable. Over time, changes to the conventional transit system and/or a client's functional abilities may necessitate a review or reassessment of the client's eligibility status.

Significant changes have occurred, and continue to occur, with the conventional transit fleet and related infrastructure that makes HSR more accessible to everyone. The HSR fleet became 100% accessible in June 2009. Some accessibility features include a ramp, ability to kneel (lower) the bus, priority seating, dedicated spaces for passengers with assistive devices and voice and visual announcements for all stops. Approximately 64% of HSR bus stops are accessible (e.g. shelter, benches and larger platform areas and entrance openings) and plans are in place to achieve 100% AODA compliance by 2025.

ATS has approximately 3,800 grandfathered clients who used DARTS and/or Taxi Scrip last year who accounted for approximately 25% of DARTS trips and Taxi Scrip booklets sold. All of these clients were provided unconditional eligibility in November 2012, without considering that the HSR fleet became fully accessible in June 2009.

In addition to changes in the conventional transit system, there is a possibility that existing clients' functional abilities may improve over time with changes in the built environment, new assistive technologies and medical advancements.

Therefore, it is possible that some clients who currently use accessible transit services (both grandfathered clients and those who applied under the current eligibility criteria), may be functionally able to take conventional transit.

The AODA requires that clients with temporary eligibility be reassessed at regular intervals. Clients with temporary eligibility resubmit another application form at the end of their eligibility period if they feel they continue to need specialized transit. The AODA neither requires nor prohibits municipalities from reassessing their entire client population at a reasonable interval.

Findings

Eligibility Reassessments are Recommended

Other municipalities have implemented eligibility renewal or reassessment processes in order to ensure that the people using paratransit services are the ones who need it. In the municipalities we benchmarked, a client's eligibility is reviewed on a periodic basis in order to capture changes in a timely manner and control administrative costs. This continues to foster equity within the paratransit system and frees up financial resources to provide service to those who are eligible or to continue enhancing the accessibility of the conventional transit system. The cost of reassessment can be significant, so some municipalities have opted to review a certain portion of their client population every year.

Findings

Different Service Options Should be Explored

Services offered by ATS include DARTS, Taxi Scrip and Travel Training. The OCA compared ATS' services to those provided in other municipalities to identify different service options that may make ATS more financially sustainable. The merits of the following options should be explored further:

Expanded Taxi Scrip Program (for clients who choose to use this service)

Of those who used ATS services last year, 70% of clients used DARTS only. The remaining 30% of clients used Taxi Scrip either alone or in combination with DARTS. The OCA estimates that, on average, it costs the City about 82% less per trip when clients use Taxi Scrip as compared to DARTS in large part due to the cost-sharing nature of the Taxi Scrip Program. ATS may want to explore more ways to expand the Taxi Scrip Program to take advantage of the lower cost Taxi Scrip option for clients who choose to use it. Expansion options may include increasing the number of booklets clients may purchase each month, increasing the portion subsidized by the City, or increasing awareness and promotional activities.

Findings

Different Service Options Should be Explored

Integrated Service Model

The AODA outlines that the City must provide origin to destination services to eligible people with disabilities. Origin to destination refers to a package of transportation services, which may include a combination of specialized and conventional transit, where the specialized service acts as a "feeder" into the accessible conventional system. This recognizes that some people with disabilities can use HSR but may require DARTS for portions of their trip.

Durham, York and Toronto have adopted this integrated service model or family of services approach. In these municipalities, door-to-door service is not necessarily a direct ride. Trips are delivered using more than one accessible vehicle. A portion of the client's trip may be taken using conventional transit, with specialized service normally at the beginning or end of the trip (as required).

Recognizing that not all clients or trips would benefit from a family of services approach, conditions are factored into the eligibility assessment and trip booking process to help guide when these trips would be appropriate. For example, integrated trips may be scheduled when:

- The destination is more than three kilometres from the trip origin;
- The number of vehicle transfers is within the client's abilities; and
- Accessible transfer locations are available to provide shelter, seating and/or adequate concrete pad.

ATS may want to explore whether an integrated service model may reduce costs. The more people streamed to conventional public transit, even for part of their trip, reduces the overall cost of transit for the City. This model may work well in areas without HSR service, or within the HSR service area where a client's most limiting factor is the distance they must travel to the nearest bus stop.

Findings

Different Service Options Should be Explored

Expanded Travel Training

The City's Travel Training Program teaches those with cognitive disabilities who are using developmental services in Hamilton to ride the HSR independently. There may be an opportunity to provide a different level of training to others within the community who may be unfamiliar with the conventional transit system.

Several municipalities have more inclusive travel training programs for a variety of transit users. Grand River Transit (whose service area includes Kitchener, Waterloo and Cambridge) offers training to people with disabilities (not only cognitive disabilities), older adults and local people new to transit services on how to travel confidently and safely. People can learn how to plan a trip, read and understand route maps and schedules, how to board a bus, how to purchase and pay fare, etc. Different training methods and content are used depending on the needs of the trainee. These activities are meant to support customers, improve travel skills, increase confidence and reduce anxiety or fear of the unknown. A more inclusive training program may be beneficial if ATS implements an eligibility renewal program or adopts an integrated service model.

Shuttles

London has implemented a shuttle service which provides dedicated trips for passengers that require a higher level of service. A vehicle picks up clients from a location, such as a dialysis clinic, drops them off at their destinations, and then returns to the dialysis clinic to pick up more passengers. ATS may explore whether dedicated vehicle use at key locations would provide another service option for clients at a lower cost for the City.

Community Buses

London, Toronto and Ottawa have accessible fixed route community buses that connect clients to various popular destinations along a unique neighborhood route. The bus stops at the front door of various buildings and landmarks (e.g. senior's homes, community centres, medical centres, shopping malls) according to a schedule. Community buses bring more personalized assistance and the routes minimize walking distance rather than fast, direct travel which is attractive to clients with limited mobility.

Findings

Opportunities Exist to Improve Data Management

In order to further explore different service options, or why Lifemark's eligibility decisions differ, ATS will need to improve client documentation and data entry into Trapeze to run reports and carry out various analyses. The OCA identified the following data management challenges throughout the audit which provide improvement opportunities:

Electronic Client Files

ATS began saving client documents electronically last year. Staff are supposed to scan and save documents to the client's electronic folder on ATS' local drive when their application is closed. The OCA was unable to find documents in the electronic client files. Although paper documents are retained and staff double check to make sure they are scanned electronically before destroying the paper, this happens months afterward. This process is inefficient and increases the risk of maintaining incomplete client records.

Inconsistent Data Input

Application data is not entered into Trapeze consistently by all staff, especially when there is a history of applications and eligibility updates for a client. Without knowing what information must be captured in Trapeze and setting a standard as to how this information is entered, data analysis becomes difficult, time consuming and inaccurate.

Limiting Factor

ATS currently records an applicant's medical diagnoses or conditions in Trapeze. An applicant's medical diagnosis does not always reflect the disability or functional ability that limits the applicant from taking conventional transit. By not capturing the applicant's most limiting factor, which contributed most to their eligibility status, it makes it difficult to identify clients who may benefit from different service options or improvements to conventional transit accessibility that are being considered.

Reports

The Trapeze report wizard contains hundreds, if not thousands, of reports organized in various folders. Commonly used reports are not identified and segregated into a separate folder for use by all staff. This increases the risk that incorrect data will be generated and used for analyses and reporting.

Findings

Waste Identified with the Travel Training Program

The City provides \$175,000 each year to an outside agency to train 100 people with cognitive disabilities how to ride HSR independently. For a four-year period from 2016 to 2019, ATS confirmed that the City paid \$700,000 to this agency to train 400 people. Although the agency only recruited 233 people to the Training Program, they received the full \$700,000. Therefore, ATS effectively overpaid the agency \$292,250 for services not provided.

Control Weaknesses Identified with Functional Assessment Payments

Applicants may be required to attend a third-party functional assessment in order to determine their eligibility. ATS contracted an outside agency to perform these functional assessments. ATS does not track which applicants are sent for functional assessments. When ATS receives an invoice, staff uses the spreadsheet prepared by the vendor to validate that the functional assessment was performed. No steps are taken to verify with staff that the functional assessment was completed or that a report was received before payment occurs. This creates a risk of the agency invoicing ATS for functional assessments that were not performed. The OCA discovered a few discrepancies in the agencies' spreadsheet as well as the invoicing which should be further investigated by ATS and resolved with the agency (this agency is no longer performing functional assessments for ATS).

Inadequate Performance Measures

ATS tracks one performance measure – the percentage of applications assessed with AODA's 14-day window. This is measured each month and included in the Public Works quality assurance dashboard. Although this is an important item to track for AODA compliance purposes, ATS does not have performance measures to track how well their processes are operating or how well their services are impacting the community.

Findings

Other Administrative Items

During the audit, the OCA identified the following administrative issues:

Discrepancy in Eligibility Decision

From the sample of applications sent for third-party re-evaluation, the OCA discovered three clients where the eligibility determination reached by the third-party functional assessment provider was different than the final eligibility outcome for the client. Since ATS normally accepts the functional assessment provider's determination with no question, the OCA is unsure why these differences exist. The OCA was unable to locate documentation to reconcile the difference.

Status of Pending Applications

The OCA observed applicants in Trapeze with the following status codes as at February 29, 2020:

Status	Application Received In		
	2019	2018	2017
Pending Functional Assessment	3	1	1
Pending Orientation	1	1	-
Received	5	19	4
Blank	3	5	14

With the amount of time that has passed, especially with the 2017 and 2018 applications, the OCA is concerned whether these applications were forgotten or misplaced.

Findings

Other Administrative Items

Old Application Forms Submitted

While selecting sample applications for Lifemark to evaluate, the OCA observed that many applicants submitted old versions of the application form which were accepted by staff. If ATS changes the content of its application form significantly, it will be important that staff only accept the most current version of the application form.

Shortened Application Form

The OCA observed that it is common practice for long term care and nursing home applicants to only submit pages 1, 5 and 6 of the application form. Since there are different questions in the applicant and health care provider sections, it is important that the entire form is completed.

More Timely Taxi Scrip Sales Information

Staff selling Taxi Scrip booklets at Municipal Service Centres, Mountain Transit Centre, etc. manually record the sale on a sheet, which is manually entered into the Taxi Scrip database later. As sales are recorded manually at various locations, there is an opportunity for clients to purchase booklets at different locations during the month, thus being able to go over the 3-booklet limit without staff knowing at the time of the sale.

Appeal Process

Staff told the OCA that one appeal was received in 2019. This appeal was not captured on the appeal tracking sheet. Although the application form indicates that appeals are forwarded to the Eligibility Appeal Panel, this appeal was resolved by sending the applicant for a functional assessment. If ATS changes its process and there is an increase in appeals, there should be a clear and consistent process on how appeals are tracked and managed.

Recommendations

Please refer to Appendix "B" to Report AUD20009 for a list of Recommendations and the related Management Responses that will strengthen controls, increase process efficiencies and explore cost saving opportunities.

Conclusion

The OCA has brought forward several observations and recommendations to help identify opportunities for cost savings, strengthen controls and increase process efficiencies in order to ensure eligible residents who need accessible transportation services receive it. Transit and Accessible Transportation Services have an opportunity to undertake transformative change in this area. The OCA is confident that the passion, motivation and dedication shown by staff throughout this audit can be harnessed to undertake courageous change.

The OCA would like to thank Accessible Transportation Services and other participants for their openness, enthusiasm and contributions throughout this project. We look forward to following up with management in the future to see the progress of their action plans and their impact on maintaining equitable and cost sustainable services.

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Hamilton

Office of the City Auditor

Accessible Transportation Services (ATS) Eligibility Audit

RECOMMENDATIONS AND MANAGEMENT RESPONSES

December 7, 2020

The following 14 recommendations will strengthen controls, increase process efficiencies and help identify cost saving opportunities in order to ensure eligible residents who need accessible transportation services receive it:

Recommendation 1

We recommend that management use the third-party evaluator's results, municipal benchmarking and their own experiences to evaluate and potentially redesign the eligibility assessment process.

Management Response

Agreed. ATS will develop an operational plan (subject to budgetary/resource approvals) to further investigate the differing third-party assessment outcomes and conduct municipal benchmarking. The purpose of the operational plan is to conduct an in-depth assessment of the Lifemark results, review and evaluate the current design, and identify redesign options for an eligibility assessment process.

Anticipated completion date (operational plan): Q2 2022.

Recommendation 2

We recommend that management update the application form by adopting the following: guiding principles, functional ability, conventional transit accessibility features, test results, travel distance, personal care attendant, health care provider's eligibility option, and health care provider's review of the applicant's response.

Management Response

Agreed. ATS will develop a project plan to review the application form and identify immediate, medium, and longer-term improvements. The goal is to improve the effectiveness of the application, address strategic information gaps and optimize the application process.

Anticipated completion date (immediate improvements and project plan): Q2 2021.

Recommendation 3

We recommend that standard operating procedures and assessment guidelines be created for all assessment processes. These procedures may include instructions and evaluation strategies to assist staff in making consistent and supported eligibility decisions.

Management Response

Agreed. The standard operating procedures and assessment guidelines will be in alignment with the development of a redesigned process in recommendation #1.

Anticipated completion date: Q2 2022 (with standard operational procedures to follow).

Recommendation 4

We recommend that management implement a quality control process where all eligibility decisions are reviewed for accuracy and approved by someone with adequate expertise and experience before results are communicated to applicants. Review objectives may also include ensuring timely management of client information.

**Management
Response**

Agreed. The development of a quality control process will be implemented as an interim measure while the eligibility assessment process is reviewed and redesigned in recommendation #1.

Anticipated implementation date: Q2 2021.

Recommendation 5

We recommend that management incorporate more in-person contact into the eligibility assessment process within the next year.

**Management
Response**

Agreed. ATS will incorporate more in-person contact into the eligibility assessment process.

Anticipated implementation date: Q2 2021.

Recommendation 6

We recommend that management assess the need for strengthening the professional qualifications and experience required for making eligibility determinations.

**Management
Response**

Agreed. ATS will include an assessment of the professional qualifications and experience required to make effective eligibility determinations in the operational plan to redesign the eligibility process in recommendation #1.

Anticipated completion date (operational plan): Q2 2022 (with qualification assessment to follow).

Recommendation 7

We recommend that management prepare a business case outlining the costs and benefits of reassessing all existing clients.

Management Response

Agreed. ATS will develop a business case to assess the costs and benefits of reassessing all existing clients and alternative options.

Anticipated completion date (business case): Q2 2021 (with implementation to follow).

Recommendation 8

We recommend that management explore the feasibility, potential savings, costs and benefits of the following service options: expanded Taxi Scrip Program, integrated service model, expanded travel training, shuttles and community buses.

Management Response

Agreed. ATS will develop a business case to assess the costs and benefits of reassessing all existing clients and alternative options.

Anticipated completion date (business case): Q2 2021 (with implementation to follow).

Recommendation 9

We recommend that management enhance which assessment and eligibility data is captured in Trapeze for current and future strategic purposes, including historical application information and the limiting factor that contributed most to the eligibility decision.

Management Response

Agreed. ATS will develop a business case to review and assess the eligibility data captured in Trapeze to enhance the data collected and stored.

Anticipated completion date (business case): Q3 2021 (with implementation to follow).

Recommendation 10

We recommend that a report library be created in Trapeze containing standard and frequently used reports that have been tested and validated for accuracy for more efficient data analysis.

**Management
Response**

Agreed. ATS will develop a business case to investigate the report library options with the goal of creating standard, accurate, valid reports that enable efficient data analysis.

Anticipated completion date (business case): Q3 2021 (with implementation to follow).

Recommendation 11

We recommend that management re-evaluate funds spent on travel training services to ensure that value for money is being obtained.

**Management
Response**

Agreed. The Travel Training program has been suspended since May 2020 (due to COVID) and the terms are being redrafted.

Anticipated completion date: Q2 2021

Recommendation 12

We recommend that ATS maintain a record of clients sent for functional assessment and use this to validate invoices received for payment.

**Management
Response**

Agreed. All functional assessments are suspended (due to COVID). The process to validate invoices will be established.

Anticipated implementation date: Q4 2020.

Recommendation 13

We recommend that management create performance metrics to measure process efficiencies and community impact and report on these regularly.

Management Response

Agreed. The definition of performance metrics will be an added element in the development of the operational plan in recommendation #1. The optimization of the new metrics will be monitored through the existing performance measurement methodology via the divisional balanced scorecard.

Anticipated completion date (operational plan): Q2 2022 (with implementation to follow).

Recommendation 14

We recommend that management address the administrative issues identified by:

- Ensuring adequate document is kept about differences between the eligibility recommendation of the functional assessment provider and ATS' final eligibility decision;
- Reviewing Trapeze status codes at least annually and investigate the state of pending applications;
- Ensuring staff only accept completed current versions of the application form;
- Creating a separate, shortened application for long term care and nursing home applicants that obtains more information from their health care provider;
- Exploring how to use technology to track Taxi Scrip sales in a timelier manner and providing sales locations with access to up-to-date client sales records; and
- Evaluating and potentially redesigning the application appeal process.

Management Response

Agreed. ATS will develop a workplan to assess the feasibility and address the administrative issues identified.

Anticipated completion date (workplan): Q1 2021 (with implementation to follow).

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Hamilton

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APPLICATION FOR ACCESSIBLE TRANSPORTATION SERVICES

I) ELIGIBILITY FOR SERVICE

Accessible Transportation Services (ATS) are intended for persons with physical or functional disabilities or health conditions who are unable to access fixed-route public transit such as Hamilton Street Railway (HSR) buses. Eligibility is considered on a case-by-case basis and is not based on a particular disability, nor is it based on income level.

II) ATS PROGRAMS & SERVICES

The following services are available through ATS:

- **DARTS** is an accessible, shared-ride service, providing door-to-door transportation from one accessible building entrance to another accessible building entrance. The Taxi Scrip Program is offered in conjunction with DARTS service, providing subsidized taxi fares to City of Hamilton residents only.
- **HSR Travel Training** – ATS coordinates travel training for persons interested in learning how to travel on HSR buses.

III) HOW TO APPLY FOR SERVICE

To receive an ATS application form, call 905-529-1212 and press "1" for Customer Service, or visit the ATS website at www.hamilton.ca/ats.

All sections of the ATS application must be fully completed:

- Part 1A to 1E (Pages 1 to 4) – to be completed by applicant.
- Part 2A and 2B (Pages 5 & 6) – must be completed by one of the following Health Care Professionals: **Physician, Nurse Practitioner, Registered Nurse (RN), Chiropractor, Physiotherapist, Occupational Therapist or Recreational Therapist.**
- Completed applications may be submitted to ATS by mail or fax.

Applicants may be required to attend a third party functional assessment in order to determine eligibility.

ATS will provide a determination of the applicant's eligibility for service, as listed in Section A) Eligibility Determination.

- **Registrations and orientations for service are conducted by appointment only.**
- Incomplete applications will be returned to you, or you may be contacted by ATS for further information.



Hamilton

Accessible Transportation Services

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E-mail: ats@hamilton.ca Website: www.hamilton.ca/ats

APPLICATION FOR ACCESSIBLE TRANSPORTATION SERVICES (cont'd)

IV) ELIGIBILITY DETERMINATION

- **Unconditional Eligibility** - applicant is not able to use HSR service; therefore they are eligible for all trips with DARTS.
- **Conditional Eligibility** - applicant is able to use HSR service under certain conditions; therefore they are eligible for some trips with DARTS as follows:
 - **Seasonal Eligibility** – Winter months only from November 1 to April 30, and/or
 - **Trip by Trip Eligibility** – travel to approved locations only.
- **Temporary Eligibility** - applicant is not able to use HSR service at the current time due to a condition that is expected to improve; therefore they are eligible for trips with DARTS on a temporary basis.
- **Not Eligible** - applicant is able to use HSR service; therefore they are not eligible for any trips with DARTS.

V) ELIGIBILITY APPEAL PROCESS

Should the applicant or their caregiver disagree with the ATS decision regarding eligibility determination, there is an appeal process available. In order to appeal an eligibility decision, an Eligibility Appeal Form **must be completed** and submitted to ATS.

In order to obtain an Eligibility Appeal Form, contact ATS at 905-529-1212, Ext. 1829, or visit the ATS website at www.hamilton.ca/ats.

Upon receipt of a completed Appeal Form, ATS will forward the appeal to the Eligibility Appeal Panel, who will render a decision regarding the applicant's eligibility determination.

VI) CONTACT ATS

For further information or assistance with the ATS application process, please call 905-529-1212 and Press "1" for AT Customer Service.

Completed applications or Eligibility Appeal Forms must be returned to:

Via Mail: Accessible Transportation Services
P.O. Box 340
2200 Upper James Street
Mount Hope, ON L0R 1W0

Via Fax: 905-679-7305

Via Email: ats@hamilton.ca

Website: www.hamilton.ca/ats



Hamilton

Accessible Transportation Services

2200 Upper James Street

P.O. Box 340

Mount Hope, ON L0R 1W0

Phone: 905.529.1212 Fax: 905.679.7305

E-mail: ats@hamilton.ca Website: www.hamilton.ca/ats

APPLICATION FOR ACCESSIBLE TRANSPORTATION SERVICES

PART 1A: APPLICANT INFORMATION (Please complete pages 1 – 4)

Name of Applicant: _____
Last Name (Please Print) Mr/Miss/Mrs/Ms First Name Middle Initial

Date of Birth: ____ - ____ - ____ Gender: Male Female
YYYY MM DD

Home Address: _____ Apt/Unit# _____

City: _____ Province: _____ Postal Code: _____

Telephone: Home (____) _____ Work (____) _____ Ext. _____ Cell (____) _____

E-mail Address: _____

Does applicant reside in a long-term care facility? Yes No

Name of Facility: _____ Ward/Room# _____

Permanent Convalescent Respite Short-term

Mailing Address (if different): _____ Apt/Unit# _____

City: _____ Province: _____ Postal Code: _____

Telephone: Home (____) _____ Work (____) _____ Ext. _____ Cell (____) _____

E-mail Address: _____

Emergency Contact Information: In event of emergency, please provide at least one (1) emergency contact that is different from your home telephone number.

1. Name: _____ Relationship: _____

Address: _____

Telephone: Home (____) _____ Work (____) _____ Ext. _____ Cell (____) _____

2. Name: _____ Relationship: _____

Address: _____

Telephone: Home (____) _____ Work (____) _____ Ext. _____ Cell (____) _____

Additional Contact Information:

Family Doctor: _____ Telephone: (____) _____ Ext. _____

Social Worker/Therapist: _____ Telephone: (____) _____ Ext. _____

NAME OF APPLICANT: _____

PART 1B: INFORMATION ABOUT YOUR MOBILITY & EQUIPMENT

1. What is the disability or condition that prevents you from using public transit (HSR)?

2. Which of the following mobility/communication aids do you use? (Please check all that apply)

- Cane
- Crutches
- Manual Wheelchair
- Portable Oxygen
- White/Red Cane
- Prosthesis
- Power Wheelchair
- Communication Aid
- Walker
- Power Scooter
- Service Animal (Copy of Certification Required)
- None of the above
- Other (please describe): _____

MOBILITY DEVICES:

The standard size for a mobility device (wheelchair or scooter) that can be accommodated on an HSR bus or DARTS vehicle is as follows:

- 76 cm (30 inches) wide
- 122 cm (48 inches) long
- maximum combined weight of mobility device and occupant is 363 kg (800 pounds)

ATS-DARTS policy states that wheelchairs and scooters must be in good working condition in order to be transported. Scooters must have a lap belt. Wheelchairs must have a lap belt and footrests. Exemptions for lap belts or footrests must be approved by a designated Health Care Professional (Physician, Nurse Practitioner, Registered Nurse (RN), Physiotherapist, Occupational Therapist or Recreational Therapist).

ACCESSIBILITY:

ATS-DARTS policy states that service is provided from one accessible building entrance to another accessible building entrance. Accessible is defined as no more than one (1) step for wheelchairs. Drivers will assist passengers using walkers both up and down stairs.

COMMUNICATION:

The ATS Application and user guides are available in alternate communication formats, including large print and braille (upon request).

NAME OF APPLICANT: _____ PAGE 3 OF 6

PART 1C: INFORMATION ABOUT YOUR FUNCTIONAL ABILITY

Answers should be based on how you feel most of the time, under normal circumstances, and whether you can perform this activity without the help of another person. **For each question provide one answer only (unless otherwise noted).**

Can you independently:

1. Walk up and down three steps if there are handrails on both sides?
 Always Sometimes Never Not sure

2. Use the telephone to get information?
 Always Sometimes Never Not sure

- 3a. If the weather is good, what is the furthest distance you can walk/travel on the sidewalk? An average urban block is 100 metres (328 feet) on a level surface.
 Up to half (1/2) level block Up to one (1) level block
 Up to two (2) level blocks More than two (2) level blocks
 None of the above Not sure

- 3b. If you are able to do this, how long does it take you?
 Less than 5 minutes 5 to 15 minutes More than 15 minutes Not sure

4. Cross the street, if there are curb cuts (depressed curbing)?
 Always Sometimes Never Not sure

5. Ask for and follow directions/instructions if you have a question or problem?
 Always Sometimes Never Not sure

- 6a. Have you ever received training to learn how to use public transit (HSR), or for travel around your community?
 Yes No

- 6b. If you answered "Yes", when and where did you receive the training? _____

- 6c. If you answered "No", do you think you could learn to ride an HSR bus if you received training?
 Yes No Not sure

NAME OF APPLICANT: _____ PAGE 4 OF 6

PART 1D: INFORMATION ABOUT CURRENT USE OF PUBLIC TRANSIT (HSR)

Only answer PART 1D if you have previously used public transit. Answers should be based on your use of fixed-route public transit, such as the Hamilton Street Railway (HSR), or the public transit system in your area.

1. Are you currently able to use public transit (HSR) by yourself?
 Always Sometimes Never Not sure
2. Are you currently able to use the HSR riding with someone else?
 Always Sometimes Never Not sure
3. Is HSR service available in your area?
 Yes No Not sure
4. When was the last time you used HSR?
 Within 3 months Within a year More than a year Never Not sure
- 5a. Does the weather effect your ability to use HSR?
 Always Sometimes Never Not sure
- 5b. If you answered yes, please explain _____
6. Are you able to wait for an HSR bus? (Check all that apply)
 Always Sometimes Never Not sure Only if there is a bench
 Only if there is a shelter Not more than 15 minutes More than 15 minutes

PART 1E: APPLICANT SIGNATURE

I certify that the information provided in this application is true and correct. I understand that misinformation or misrepresentation of facts will be cause for disqualification or rejection of my eligibility. I also understand that additional information relating to my disability or health condition may be required to determine eligibility. I hereby consent to the transit operator and their assessment agency to contact my health care professional if additional information or if clarification is required.

Applicant or Preparer's Signature: _____ Date: _____

If someone other than the applicant is preparing this form, please provide the following:

Name of Preparer: _____ Daytime Phone: (____) _____

Address: _____

Relationship: _____

NAME OF APPLICANT: _____ PAGE 5 OF 6

PART 2A: MUST BE COMPLETED BY HEALTH CARE PROFESSIONAL

Pages 5 and 6, must be completed by one of the following Health Care Professionals: Physician, Nurse Practitioner, Chiropractor, Registered Nurse (RN), Physiotherapist, Occupational Therapist or Recreational Therapist.

DISABILITY INFORMATION (Please PRINT):

1a. Applicant's medical diagnosis(es) and how it compromises their mobility to use HSR service (public transit); include the **date of onset**, staging and prognosis for each condition.

1b. Currently enrolled in a Treatment Program: Yes No

1c. Approximate length required for treatment: 3 months 6 months One year

2a. Does the applicant require the use of a mobility device? Yes No

2b. When traveling in the community what is the primary mobility device used?

Walker Wheelchair Scooter

3. Does the applicant's medical diagnosis(es) or health condition require permanent, temporary or seasonal transportation?

Permanent

Temporary: _____ Week(s) _____ Month(s) _____ Year(s)

Seasonal: Spring Summer Fall Winter

4. Is the applicant physically able to climb or descend stairs? Yes No

5. If the weather is good, what is the furthest distance the applicant can walk/travel on the sidewalk? (An average urban block is 100 metres on a level surface)

Up to half (1/2) level block Up to one (1) level blocks

Up to two (2) level blocks More than two (2) level blocks

None Not sure

Can the applicant wait for up to one (1) hour for a bus? Yes No

7. **Behaviour** - In a transportation situation, does the applicant exhibit behaviours (impulsiveness, aggressiveness, etc.) that could be detrimental to his or her own safety, or to the safety of other persons?

HSR Bus Service: Yes No DARTS Transportation: Yes No

If yes, please explain behaviour: _____

NAME OF APPLICANT: _____ PAGE 6 OF 6

PART 2A: MUST BE COMPLETED BY HEALTH CARE PROFESSIONAL (continued)

8. **Safety** - Are there conditions which affect the applicant's safety in the community?
Please specify:
Does the applicant comprehend safety risks in the community? Yes No
Is the applicant at risk for wandering or becoming lost in the community? Yes No
Can the applicant be safely left unattended at their destination? Yes No
Other (please specify): _____

9. **Support Persons** - DARTS drivers assist passengers door to door but do not provide on-board care or assist passengers beyond the accessible entrance of their destination. A support person may be required for further assistance.

9a. Does the applicant require the assistance of a Support Person in order to travel on:
HSR Bus Service: Yes – always Yes – some times No
DARTS Transportation: Yes – always Yes – some times No

9b. If yes, Is a support person required for assistance due to:
Cognitive ability Yes No Communication Yes No
Mobility issues Yes No Vulnerability Yes No
Behaviour challenges Yes No Medical needs Yes No
Other (please specify): _____

10. **Service Animal** - Does the applicant require the assistance of a certified Service Animal in order to travel on DARTS or HSR? (Copy of certification required)
 Yes No

PART 2B: CERTIFICATION BY HEALTH CARE PROFESSIONAL

I hereby certify that the information I have provided is accurate and complete to the best of my knowledge.

Health Care Professional's Signature _____ Date _____

Professional Name (Please PRINT) _____

Professional Designation: _____ Telephone: (____) _____ Ext. _____

Address: _____ Fax: (____) _____

REGISTRATION FOR ATS CONDUCTED BY APPOINTMENT ONLY

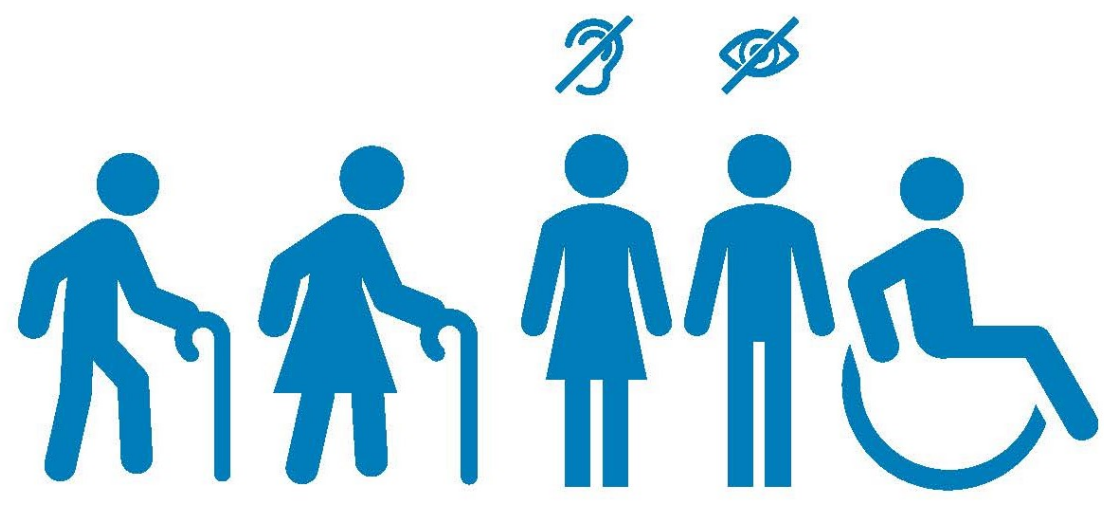
Personal information on this form is collected under the authority of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended, and is used solely to determine eligibility for specialized transit services offered by the City of Hamilton. This information is held in strict confidence. Questions about this collection should be directed to: Accessible Transportation Services, Attention: Customer Service Coordinator, P.O. Box 340, 2200 Upper James Street, Mount Hope, ON L0R 1W0.



Hamilton

Office of the City Auditor

Accessible Transportation Services (ATS) Eligibility Audit



17,000

Registered ATS clients

~9,000 active clients who take one or more trips per year



844,007

Passenger Trips Completed by DARTS

City cost \$26.71 per trip

\$ 22.5M

This includes DARTS, Taxi Scrips, and Travel Training

2019 ATS Actual Net Operating Costs

Overview of ATS in 2019

26,314

Taxi Scrip Booklets Sold
City cost \$16 per booklet

47

Travel Training Recruits. City cost \$175K

3,515

Applications received and assessed by ATS

34

Third party functional assessments performed. City cost \$125 per assessment

1

Eligibility decision appeal received

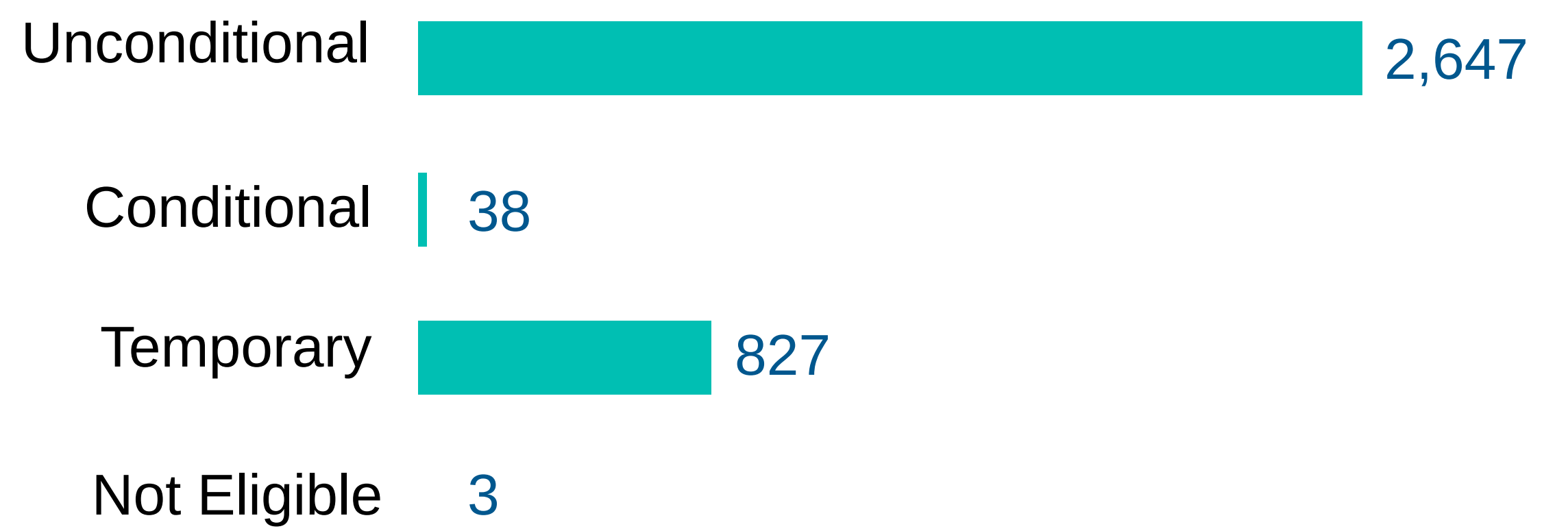
\$38 and \$144

Cost to assess an application in-house plus additional cost if applicant undergoes a functional assessment

94

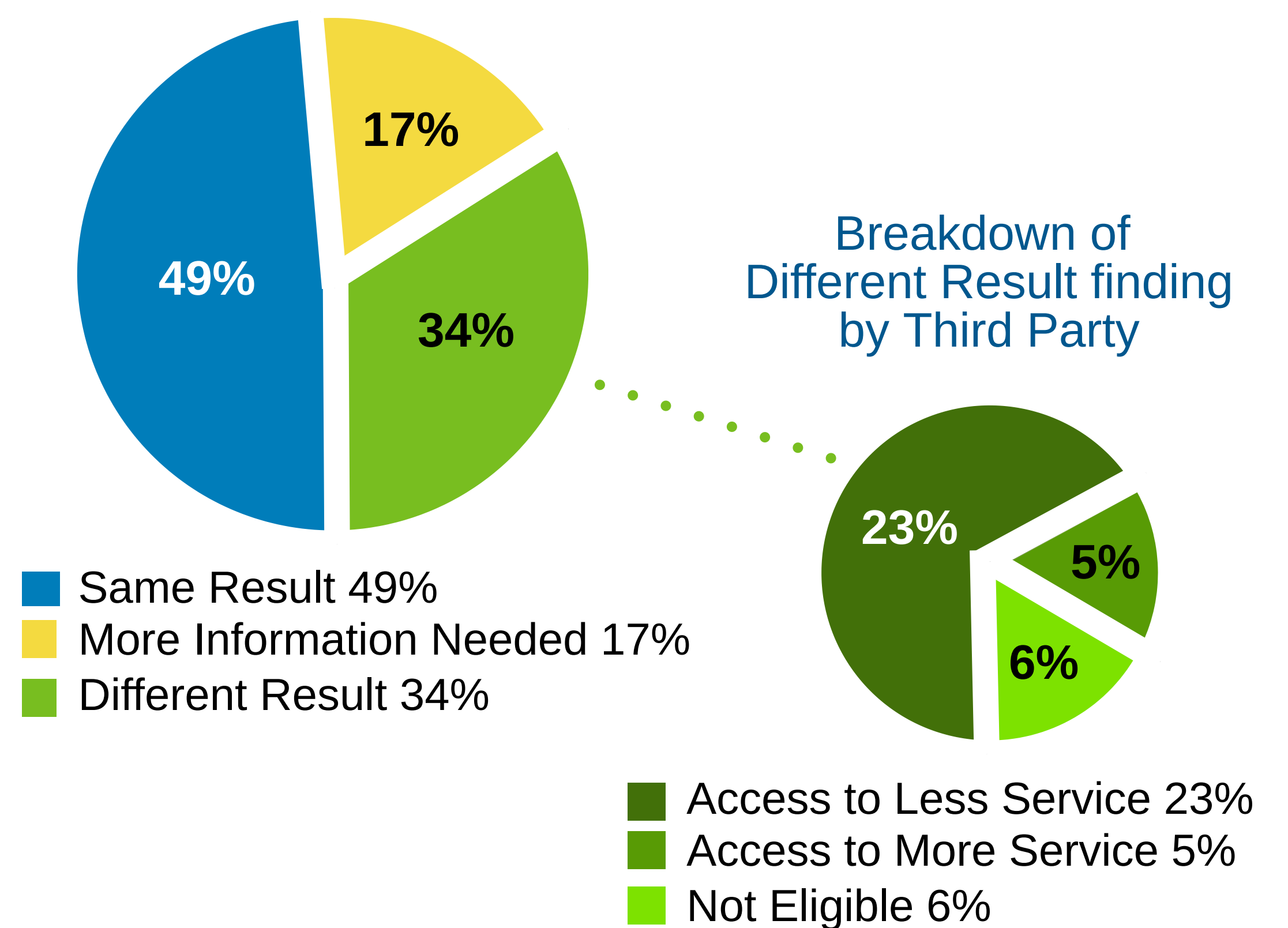
Average number of trips taken by active clients

Result of Applications Received and Assessed by ATS



Findings of ATS Application Samples Assessed by Third Party

150 ATS Applications from January 1, 2019 to February 29, 2020 were assessed by a third party



Audit Themes

- ▶ The eligibility process drives demand and ultimately costs
- ▶ There is a critical need to have quality assurance embedded throughout the eligibility assessment process
- ▶ The eligibility assessment process requires improvement and potential redesign
- ▶ Benchmarking to other municipalities suggests routine reassessment, exploration of service options



REGULATION OF E-SCOOTERS IN HAMILTON

December 7, 2020

Outline of Presentation

- What is an e-scooter
- Current Provincial Regulations
- Practices in other Jurisdictions
- Commercial Operations
- Next Steps




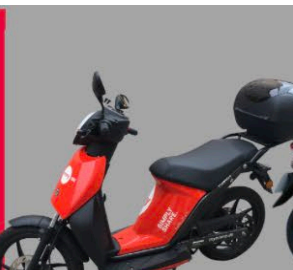




What is an E-Scooter?

- Kick-style electric scooters (e-scooters) are typically a two-wheeled device a rider stands on, holding a handlebar
- E-scooters are powered by an electric motor and are limited to speeds of 24 km/r
- Commercially operated e-scooters can be shared through app-based technology



E-scooters would become a part of the Shared Micromobility system in Hamilton (highlighted in red)

					
<p>Pedal-Powered Bike</p>	<p>Electric, or E-Bike</p>	<p>Electric Kick-Style Scooter or E-Scooter</p>	<p>Electric Sit-On-Top Scooter</p>	<p>Electric Pedal Assist</p>	<p>Motor-assisted Bicycle</p>
<p>Allowed on Bike Lanes, Roads, and Trails.* Not allowed on sidewalks</p>	<p>Allowed on Bike Lanes, Roads, and Trails.* Not allowed on sidewalks</p>	<p>Boundaries TBD By Council Same as Bikes Recommended</p>	<p>Allowed on Bike Lanes and Roads. Not allowed on trails or sidewalks</p>	<p>Allowed on Bike Lanes and Roads. Not allowed on trails or sidewalks</p>	<p>Allowed on Roads, not allowed on bike lanes, sidewalks, or trails</p>
<p>Max Speed 20km/h * Except where prohibited</p>	<p>Max Speed 25km/h</p>	<p>Max Speed 24km/h</p>	<p>Max Speed 24km/h</p>	<p>Max Speed 30km/h</p>	<p>Max Speed 65km/h</p>

Ontario E-Scooter Legislation

- In January 2020, the Province of Ontario (the Province) announced that it would begin a five-year pilot program which would permit e-scooters on municipal roads throughout the Province, if a municipality passed a by-law to “opt in”.
- E-scooter use within a municipality is not allowed unless a municipality permits their use by municipal by-law
- By-law may restrict where scooters operate (e.g. restrict their use on sidewalks) and where they may be parked

Practices in other Jurisdictions

Current E-scooter systems in Canada and the United States



Practices in other Jurisdictions

- E-scooters currently permitted in Ottawa, Windsor, Calgary, Edmonton and Kelowna, for example
- Other regions have programs in the planning stage (example: Waterloo and London)
- Commercially operated e-scooters were recently paused in Montreal for 2020
- The use and parking of e-scooters is currently prohibited in Toronto - a July 2020 staff report recommended further measures be put in place to ensure safe operations prior to the introduction of commercial operators)

E-scooter Operational Benefits & Challenges

E-scooters have been controversial, but after four years of operational experience, they have improved consistently

Benefits	Challenges
<ul style="list-style-type: none"> • Reduced auto reliance • First-last mile transit support • Increased mobility convenience • Reduced air pollution • Reduced GHG impacts • Enhanced safety measures in new devices 	<ul style="list-style-type: none"> • User safety • Pedestrian safety • Parking on sidewalks and abandoning scooters • Responsibilities for enforcement • Lack of clarity on liability and collision reporting

E-scooter Operating Areas

E-scooters are transportation modes that can enable more sustainable short trips – however, they will not be permitted in all areas as follows:

Permitted Areas	Banned Areas
<ul style="list-style-type: none"> • All local roads • All on-street bike lanes • All multi-use paths adjacent to road ways • Some key trails that provide a community connection benefit, are sufficiently wide and routinely maintained (and signed for use) 	<ul style="list-style-type: none"> • All sidewalks and pedestrian areas • Most parks that do not constitute a transportation connection

Commercially operated e-scooters

- Staff recommend “opting in” to allow e-scooters on municipal roads and this report is seeking that approval
- Commercial e-scooter operations that are similar to bike share operations will be considered at a separate Public Works Committee meeting in Q1 2021
- If e-scooters are permitted, staff will develop and recommend an operations framework for commercial e-scooter operators, as part of the overall micromobility strategy for the City.

Recommendations

- (a) That the amending By-law to City of Hamilton By-law 01-215, being a by-law to Regulate Traffic (“City of Hamilton Traffic By-law”), to add the definition and regulations for the operation and use of electric kick-scooters (“E-Scooters”), attached to Report PED20134/PW20050 as Appendix “A”, and which has been prepared in a form satisfactory to the City Solicitor be enacted and effective immediately;
- (b) That a temporary prohibition on commercial E-Scooter operations be put in place until an operating framework and related regulations for commercial E-Scooters has been established;
- (c) That the By-law to Regulate Commercial E-Scooters attached as Appendix “B” to Report PED20134/PW20050 prepared in a form satisfactory to the City Solicitor, be enacted and effective immediately;

**“Opt In” to
Provincial pilot**

**Hold on
Commercial
operations until
framework
developed**

**Regulate e-
scooters**

Recommendations

- e) That the set fines for regulations pertaining to E-Scooters and updated fines for the Traffic By-law, attached as Appendix “C” to Report PED20134/PW20050 prepared in a form satisfactory to the City Solicitor, be submitted to the Ministry of the Attorney General for approval;
- f) That the draft amending By-law to Manage and Regulate Municipal Parks and to amend By-law 17-225, being a By-law to Establish a System of Administrative Penalties, attached as Appendix “D” to Report PED20134/PW20050 prepared in a form satisfactory to the City Solicitor, be enacted and effective immediately;
- g) That the City of Hamilton User Fees and Charges By-law 19-160 be amended to reflect an administrative and enforcement cost of \$246.01 and a storage charge of \$62.83 per commercial E-Scooter per day;
- h) That staff be directed to report back to Public Works Committee with a strategy for regulating commercial operations of E-Scooters and their integration with the bike-share system.

Set fines

Set rules for operations in Parks

Discourage commercial operations temporarily

Report Back

12



Hamilton

THANK YOU



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
 Transportation Planning and Parking Division
 and
PUBLIC WORKS DEPARTMENT
 Transportation Operations and Maintenance Division

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	December 7, 2020
SUBJECT/REPORT NO:	Regulation of E-Scooters (PED20134/PW20050) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Brian Hollingworth (905) 546-2424 Ext. 2953 Monica Ciriello (905) 546-2424 Ext. 5809 Peter Topalovic (905) 546-2424 Ext. 5129
SUBMITTED BY: SIGNATURE:	Brian Hollingworth Director, Transportation Planning and Parking Planning and Economic Development Department
SUBMITTED BY: SIGNATURE:	Edward Soldo Director, Transportation Operations & Maintenance Public Works Department

RECOMMENDATION

- (a) That the amending By-law to City of Hamilton By-law 01-215, being a by-law to Regulate Traffic ("City of Hamilton Traffic By-law"), to add the definition and regulations for the operation and use of electric kick-scooters ("E-Scooters"), attached to Report PED20134/PW20050 as Appendix "A", and which has been prepared in a form satisfactory to the City Solicitor be enacted and effective immediately;
- (b) That a temporary prohibition on commercial E-Scooter operations be put in place until an operating framework and related regulations for commercial E-Scooters has been established;

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: Regulation of E-Scooters (PED20134/PW20050) (City Wide) - Page 2 of 9

- (c) That the By-law to Regulate Commercial E-Scooters attached as Appendix “B” to Report PED20134/PW20050 prepared in a form satisfactory to the City Solicitor, be enacted and effective immediately;
- (d) That the set fines for regulations pertaining to E-Scooters and updated fines for the Traffic By-law, attached as Appendix “C” to Report PED20134/PW20050 prepared in a form satisfactory to the City Solicitor, be submitted to the Ministry of the Attorney General for approval;
- (e) That the draft amending By-law to Manage and Regulate Municipal Parks and to amend By-law 17-225, being a By-law to Establish a System of Administrative Penalties, attached as Appendix “D” to Report PED20134/PW20050 prepared in a form satisfactory to the City Solicitor, be enacted and effective immediately;
- (f) That the City of Hamilton User Fees and Charges By-law 20-168 be amended to reflect an administrative and enforcement cost of \$246.01 and a storage charge of \$62.83 per commercial E-Scooter per day;
- (g) That staff be directed to report back to Public Works Committee with a strategy for regulating commercial operations of E-Scooters and their integration with the bike-share system.

EXECUTIVE SUMMARY

In January 2020, the Province of Ontario (the Province) announced that it would begin a five-year pilot program which would permit E-Scooters on municipal roads throughout the Province, if a municipality passed a by-law to “opt-in”. The five-year pilot launched January 1, 2020, under *Ontario Regulation 389/19* attached as Appendix “E” to this Report made under the *Highway Traffic Act*, R.S.O. 1990, c. H.8 (*HTA*) with the goal of evaluating the use of E-Scooters by evaluating their ability to safely integrate with other vehicle types and determine whether existing rules of the road are adequate.

Under this pilot, the City has the option to pass a by-law to permit E-Scooters on roads, trails, sidewalks, bike lanes, and in public parks. If the City does not pass such a by-law, E-Scooters remain prohibited in that jurisdiction.

At the time of this Report, there has been some uptake on the pilot by other jurisdictions. Both Ottawa and Windsor have adopted by-laws to allow E-Scooters, while Toronto has delayed adoption in order to ensure an operating framework is put in place allowing for safe operations and enforcement prior to the introduction of commercial operators. Outside of Ontario, E-Scooter programs have been implemented in Calgary, Edmonton, and Montreal.

SUBJECT: Regulation of E-Scooters (PED20134/PW20050) (City Wide) - Page 3 of 9

From a mobility perspective, E-Scooters provide a convenient and cost-effective solution for facilitating “first-mile, last-mile” connections, including trips to access transit. Broader benefits include reduced auto dependence, reduced air pollution, and reduced greenhouse gas emissions. E-scooters are also very space efficient. Challenges with E-Scooters include user safety, pedestrian safety, parking on sidewalks, and abandoning of scooters, particularly with the introduction of a large number of scooters, which may be the case with commercial operations. In Ontario, there is also uncertainty around responsibilities for enforcement and lack of clarity on liability and collision reporting.

As more programs have been launched, and commercial operators and municipalities gain experience and develop ways to mitigate issues, many of the early challenges with E-Scooters are diminishing. Notwithstanding this, staff are recommending a staged approach. Staff recommend a by-law be approved to permit E-Scooters to operate on municipal roads and designated pathways, throughout the City during the Province of Ontario’s five-year pilot, but that this apply to personal scooters only until such time as a regulatory system is put in place for commercial operators. A conservative approach is being adapted whereby E-Scooters would be allowed to operate generally where bicycles are currently permitted, and not be allowed on sidewalks or in City parks except where specifically designated.

Alternatives for Consideration – See Page 9

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: There are no staffing implications associated with this Report given that the recommendations only permit personal E-Scooters at this time. Enforcement of the Traffic-By-law will be by Hamilton Police Services and enforcement of operations within Parks will be overseen by Licensing and By-law Services Division. Enforcement and staffing needs associated with commercial operators will be reviewed as part of the development of an operations framework.

Legal: N/A

HISTORICAL BACKGROUND

E-Scooters have emerged as a new mode of transportation with an electric motor and the ability to be imminently shareable through app-based technology. Shared commercially operated E-Scooters have been launched in more than 125 cities across the United States and are quickly launching in the Canadian market. Ontario joins

SUBJECT: Regulation of E-Scooters (PED20134/PW20050) (City Wide) - Page 4 of 9

Alberta and Quebec amongst the growing number of Canadian Provinces allowing E-Scooters on the roadway.

On May 14, 2019, Information Report PED19099, was before the Planning Committee and advised that the Province of Ontario, through the Ministry of Transportation (MTO), was undergoing a review to determine if E-Scooters would be allowed on roadways, and if so, with what restrictions. Previously, the *HTA* did not allow E-Scooters to be used on the roadway.

The MTO has the authority under section 228 of the *HTA* to conduct pilot projects by regulation of up to 12 years to test and evaluate the safe integration of new vehicles on Ontario's roadways.

On November 27, 2019, the Province announced that it would begin a five-year pilot program which would permit E-Scooters on municipal roads throughout the Province, if the municipality passed a by-law. The five-year pilot launched January 1, 2020, under *Ontario Regulation 389/19* made under the *HTA* with the goal of evaluating the use of E-Scooters by evaluating their ability to safely integrate with other vehicle types and determine whether existing rules of the road are adequate.

Under this pilot, municipalities across the Province have the option to pass by-laws to allow E-Scooters on roads, trails, sidewalks, bike lanes, and in public parks. If a municipality does not pass such a by-law, E-Scooters remain prohibited in that jurisdiction.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

This Report was prepared in consultation with staff from Transportation Planning, Licencing and By-law Services, Environmental Services Division, and Transportation Operations and Maintenance Division, working closely with Legal Services.

Staff from Hamilton Municipal Parking, and Hamilton Police Services were consulted with respect to operations and enforcement matters.

On September 8, 2020, a presentation on E-Scooters was made to the Advisory Committee for Persons with Disabilities Committee (ACPD) and feedback was received. Members of the ACPD expressed concerns about the operation of E-Scooters on sidewalks and their impacts on safety. The ACPD would prefer to ban the use of E-Scooters on all City roads, sidewalks, pathways and in all other areas of the City until

SUBJECT: Regulation of E-Scooters (PED20134/PW20050) (City Wide) - Page 5 of 9

such time that E-Scooters are fully and completely regulated and their operators properly trained, licensed and insured in the same manner as any other motor vehicle in the province of Ontario.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The Provincial Pilot

Ontario Regulation 389/19 sets out the broad rules and requirements for E-Scooters, which apply Province-wide, such as helmet requirements, minimum age, and maximum speed, as well as, data requirements.

An E-Scooter is defined as a vehicle that has:

- Two wheels placed along the same longitudinal axis, one placed at the front of the kick-scooter and one at the rear;
- A platform for standing between the two wheels;
- A steering handlebar that acts directly on the steerable wheel; and,
- An electric motor not exceeding 500 watts that provides a maximum speed of 24 km/hour.

Since E-Scooter meets the definition of vehicle under the *HTA* all rules of the road will apply to the operation of E-Scooters, including:

- Requirement to stop when requested by a police officer, surrendering his or her driver's licence;
- Penalties in *HTA* s. 228(8) will also apply to violations in the pilot (fine range from \$250-\$2,500);
- Duty to report to the police an E-Scooter accident with a pedestrian, animal or vehicle that results in personal injury or property damage; and,
- E-scooter operators impaired by drugs, alcohol or both may face charges under the *Criminal Code*¹.

The Province has further outlined minimums for safe operation, including:

- E-scooter operators must be at least 16;
- E-scooter operators under 18 must wear helmets;
- A maximum speed limit of 24 km/hr;

¹ E-Scooter meets the definition of "motor vehicle" under the *Criminal Code* R.S.C., 1985, c. C-46.

SUBJECT: Regulation of E-Scooters (PED20134/PW20050) (City Wide) - Page 6 of 9

- E-Scooters must be equipped with front and rear lights, which must be used by an E-Scooter operator any time from one-half hour before sunset to one-half hour after sunrise and at any other time when there is insufficient light;
- E-scooters must be equipped with a horn or a bell and kept in good working order;
- E-scooters cannot be fitted with baskets, pedals or seats, and operators must be standing at; and,
- E-scooter operators are not permitted to tow or have passengers.

Section 13 of *Ontario Regulation 389/19* requires municipalities to provide the Province with E-Scooter data, as specified and requested by the Minister. The specific data requirements are not outlined in the Regulations, however, further consultation with the Province has indicated that the Province will be requesting semi-annual data on all collisions involving E-Scooters and E-Scooter rider data including: total trips, unique riders, distance travelled, median distance/trip, and median time/trip.

Practices in Other Jurisdictions

As seen in the chart below, municipalities are still in the early stages of developing E-Scooter regulations. What is clear, is that, municipalities have opted to start with a pilot program, allowing staff, riders and operators to report back to Council on lessons learned, and implement modifications if required.

City	Approach to Regulating E-Scooters
Toronto (ON)	The use and parking of E-Scooters is currently prohibited. A July 2020 staff report recommended further measures be put in place to ensure safe operations and enforcement prior to the introduction of commercial operators.
Ottawa (ON)	In June 2020, the City of Ottawa “opted-in” to the provincial pilot and approved a one-year trial with the participation of a private service provider(s) and with a maximum initial shared fleet size of 600 E-Scooters. Three commercial providers are currently operating in designated geographic areas.
London (ON)	In process of seeking a private company to operate E-scooters and bike share.
Waterloo Region (ON)	Pilot from 2018-2019 on private property (Laurel Trail and University of Waterloo), next steps are unknown.
Windsor (ON)	Amended Traffic By-law in 2020 to allow individual personal E-Scooters on the road, prohibited on sidewalks and park trails.

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: Regulation of E-Scooters (PED20134/PW20050) (City Wide) - Page 7 of 9

City	Approach to Regulating E-Scooters
Calgary (AB)	Pilot from July 2018 – October 2019, resuming in 2020 with a permit, allowed on sidewalks prohibited on the road.
Edmonton (AB)	Permit issued in 2019, prohibited on sidewalks.
Kelowna (BC ²)	Permit issued under the bike share permit program, limited to the Okanagan Rail Trail.
Montreal (QC)	Pilot in 4 of its 19 boroughs, banned in 2020.

Within Canada, two of the most advanced pilots exist in Ottawa and Calgary. In Ottawa, three companies were permitted to operate a combined 600 E-Scooters in summer 2020 and over the course of the pilot project, more than 200,000 rides were taken by more than 50,000 individual riders. In Calgary, the pilot was started in 2019 and renewed in 2020 and over one-million trips had been made on commercially operated E-Scooters as of June 2020.

Benefits and Consequences of E-Scooters

E-Scooters are increasingly being promoted as a means for improving mobility within a community because of their convenience for short trips and low space requirements. E-Scooters assist with the first-mile or last-mile commute and can support connections to transit. Since they are powered by electricity, they also have environmental benefits including reduced air emissions. However, there are also challenges such as parking compliance, illegal sidewalk riding, and safety, both for the user and for pedestrians. These issues tend to increase with the number of E-Scooters in operation. As a result of their low cost and ability to be rented out by a simple application, large number of E-Scooters can potentially be deployed where commercial operators exist.

Operating Considerations for the City of Hamilton

Ontario Regulation 389/19 allows the City of Hamilton (the City) to determine whether to pass a by-law permitting E-Scooters, and if so, decide where E-Scooters would be permitted/prohibited, looking at roads, bike lanes, parks trails, as well as, where parking would be located for E-Scooters and overall how E-Scooters would be managed. To assist and support municipalities develop E-Scooter regulations, the Province developed a best practices document attached as Appendix “F” to this Report.

The regulations and by-laws presented as part of this report are based on the general approach that E-Scooters will be treated similar to bicycles in that they are permitted to

² Under the British Columbia Provincial *Motor Vehicle Act*, e-scooters not permitted on roadway or sidewalk.

SUBJECT: Regulation of E-Scooters (PED20134/PW20050) (City Wide) - Page 8 of 9

operate within the road right-of-way as a vehicle and not be permitted to operate on sidewalks. This is in part, due to the fact, that E-Scooters operate with similar speeds to bicycles but also takes into account that many sidewalks in Hamilton's older areas are often narrow and do not have generous furniture zones and the operation of E-Scooters on sidewalks could compromise the pedestrian environment.

It is proposed, however, that E-Scooters be allowed to operate on selected pathways through parks. This would be a permissive approach, whereby, E-Scooters would not be allowed to operate in parks, unless in a designated area where City signs are posted. The focus would be on allowing their use on pathways that provide key community connections, are sufficiently wide, and are routinely maintained. Pathways, where E-Scooters are allowed, will be signed as such, keeping in mind the need to restrict access to private connections. It is noted, that with commercially operated E-Scooters, it is also possible to restrict speeds of the devices through areas such as parks using geo-fencing technology, and this practice exists in several cities.

As with any new mode, enforcement will be a key consideration. Similar to bicycles, the enforcement of traffic by-laws will be carried out by Hamilton Police Services, and operations within Parks will be enforced by Licencing and By-Law Services. Enforcement requirements for personal e-scooters are expected to be fairly modest but depend on uptake.

In terms of commercial operations, staff will report back to Council on a proposed operations framework that encourages and enables E-Scooters to operate within the City in a safe and enforceable manner. This framework will address matters including, but not limited to, parking, areas of operation, allowable fleet sizes, data sharing, insurance requirements, user education and communications, and fees.

Enforcement needs associated with commercial operations will be reviewed as part of the development of an operations framework. Many enforcement needs, such as parking of E-scooters and removal of abandon devices can be built into operations agreements.

Decision for Committee

Despite *Ontario Regulation 389/19*, there is nothing that requires the City to pass a by-law and permit E-Scooters in Hamilton. If the City does not pass a by-law, E-Scooters would remain prohibited. The City could take a phased approach and opt-in at any time during the five-year pilot and wait until:

- Industry standards are in place;
- There is further clarity on data requirements to the Province made available from other municipal pilots; and,

SUBJECT: Regulation of E-Scooters (PED20134/PW20050) (City Wide) - Page 9 of 9

- Wait and see what other Ontario municipalities do.

Staff is recommending that a by-law be passed to allow E-Scooters to operate in the City. One of the reasons for this, is that, it will provide for the ability to enforce personal E-Scooters, which is not possible in the absence of any municipal regulations.

However, further work is required to assess different models for commercial operations, and how to mitigate some of the challenges experienced by other cities. In addition, it is appropriate that regulatory models for commercial operations be considered in conjunction with an overall strategy for shared mobility in the City, including bikeshare operations.

ALTERNATIVES FOR CONSIDERATION

The City can choose not to pass a by-law, and E-Scooters would remain prohibited in the City.

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.

Our People and Performance

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

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” - Amending by-law to City of Hamilton By-law 01-215

Appendix “B” - By-law to Regulate Commercial E-Scooters

Appendix “C” - Proposed Set Fines for Traffic By-law

Appendix “D” - Amending by-law to City of Hamilton By-law 01-219 and By-law 17-225

Appendix “E” - Ontario Regulation 389/19

Appendix “F” - Ministry of Transportation Best Practices

BH:MC:PT:cr

Appendix "A" to Report PED20134/PW20050

Page 1 of 4

Authority: Item ,
Report
CM:
Ward: City Wide

Bill No.

CITY OF HAMILTON

BY-LAW NO.

A By-law to Amend By-law 01-215, A By-law to Regulate Traffic

WHEREAS Ontario Regulation 389/19 regarding a pilot project for electric kick-scooters, prohibits the operation of electric kick-scooters unless such operation is permitted by and in accordance with a municipal by-law;

AND WHEREAS Council deems it necessary to amend the Traffic By-law to permit electric kick-scooters ("E-Scooters") in Hamilton;

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

1. The amendments in this By-law include any necessary grammatical, numbering and letter changes.
2. The following definition shall be included in By-law 01-215:

"E-Scooter" means a vehicle that has,

- (a) two wheels placed along the same longitudinal axis, one placed at the front of the e-scooter and one at the rear,
- (b) a platform for standing between the two wheels,
- (c) a steering handlebar that acts directly on the steerable wheel, and
- (d) an electric motor not exceeding 500 watts that provides a maximum speed of 24 kilometres per hour

3. The heading for Part 4 – Pedestrians, Bicyclists and Animals shall be repealed and replaced with:

Part 4 – PEDESTRIANS, BICYCLISTS, E-SCOOTERS AND ANIMALS

4. Subsection 21 (1) shall be amended to add "E-Scooter," after the word coaster.
5. The subheading "**E-SCOOTERS**" shall be added after subsection 46 (4) and before the subheading "BICYCLES LANES".
6. The following rules regarding E-Scooters shall be added under the new subheading "E-SCOOTERS":

Appendix "A" to Report PED20134/PW20050**Page 2 of 4****E-SCOOTERS**

- 46.1 (1) No person shall ride an E-Scooter on a roadway unless the E-Scooter is in a bicycle lane or is ridden as close as practicable to the right hand curb or edge of the roadway, except while overtaking or passing another vehicle proceeding in the same direction, or while preparing for a left turn at an intersection or into a private road or driveway.
- (2) No person shall ride or push an E-Scooter along a roadway abreast of another E-Scooter or bicycle.
- (3) No person riding an E-Scooter on a roadway shall carry any package or article or act in such a way as to prevent that person from maintaining one hand on the handlebars at all times, including while signaling for a turn or stop and in any case, no person shall fail to maintain control of an E-Scooter.
- (4) No person shall cause an obstruction to pedestrian and/or vehicular traffic by parking an E-Scooter on a roadway or sidewalk.
- (5) No person under the age of 16 years shall operate an E-Scooter.
- (6) Every person under the age of 18 years old shall wear a helmet that complies with the Highway Traffic Act when operating an E-Scooter.
- (7) No person operating an E-Scooter shall carry any other person thereon.
- (8) No person operating an E-Scooter shall tow another person, vehicle or device.
- (9) No person operating an E-Scooter shall attach themselves to another E-Scooter, vehicle or device for the purpose of being drawn or towed.
- (10) No person operating an E-Scooter shall operate it in any position other than while standing at all times.
- (11) No person shall carry cargo on an E-Scooter.
- (12) The operator of an E-Scooter shall keep a safe distance from pedestrians and other users of the roadway, shoulder, bicycle lane, trail, path, walkway, or multi-use pathway trail at all times and shall give way to a pedestrian or bicycle by slowing or

Appendix “A” to Report PED20134/PW20050**Page 3 of 4**

stopping, as necessary, where there is sufficient space for the pedestrian or bicycle and the E-Scooter to pass.

- (13) No person shall operate an E-Scooter on a trail, or in a park, or multi-use pathway at a speed that is markedly greater than the speed of the pedestrians who are proximate to the E-Scooter.
 - (14) Every owner or operator of an E-Scooter shall ensure that the E-Scooter is equipped with a bell or horn, which shall be kept in good order and sounded whenever it is reasonably necessary to notify cyclists, pedestrians or others of its approach.
 - (15) When operated at any time from one-half hour before sunset to one-half hour after sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles are not clearly discernible at a distance of 150 metres or less, every operator of an E-Scooter shall carry a lighted lamp displaying a white or amber light at the front and a lighted lamp displaying a red light at the rear. The lamps may be attached to the E-Scooter or may be carried or worn by the operator on his or her person.
 - (16) No person shall operate, or cause to be operated, or use an E-Scooter on a highway with a legal speed limit greater than 50 kilometers per hour, unless within a bicycle lane.
 - (17) No person shall operate or use an E-Scooter in such a manner that it may harm, injure or damage, either directly or indirectly, any person or property.
7. Subsection 47 (2), shall be amended to add “and E-Scooters” after the words “...set aside for the exclusive use of cyclists...”.
 8. Subsection 47 (5) shall be amended to add “and E-Scooters” at the end of the sentence.
 9. Subsection 47 (8) shall be amended to add “and E-Scooters” at the end of the sentence.
 10. Subsection 48 (1) shall be amended by adding “and E-Scooter” after the words “motor assisted bicycles”.
 11. Subsection 53 (1) shall be repealed and replaced with the following:
 - 53. (1) Notwithstanding any other provisions this By-law, no person shall ride a bicycle or E-Scooter, upon, along or across any highway or part of a highway described in Schedule 26.
 12. In all other respects, By-01-215 is confirmed; and

Appendix "A" to Report PED20134/PW20050

Page 4 of 4

13. The provisions of this By-law shall become effective on the date approved by City Council.

PASSED this _____ day of _____, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Appendix “B” to Report PED20134/PW20050
Page 1 of 5

Authority: Item ,
Report
CM:
Ward: City Wide

Bill No.

CITY OF HAMILTON
BY-LAW NO.

A By-law to Regulate the Use of Commercial E-Scooters in Hamilton

WHEREAS Ontario Regulation 389/19 regarding a pilot project for electric kick-scooters (“E-Scooters”), prohibits the operation of electric kick-scooters unless such operation is permitted by and in accordance with a municipal by-law;

AND WHEREAS on **December 16, 2020**, Council passed a by-law permitting E-Scooters on a Highway within the City of Hamilton;

AND WHEREAS the City is currently seeking proposals for a Commercial E-Scooter operator(s) to run an E-Scooter sharing program in the City of Hamilton;

AND WHEREAS other municipalities have experienced problems regarding commercial E-Scooters being “dumped” in a municipality prior to regulations being in place and E-Scooters being left on sidewalks, boulevards, parks and other areas that cause health and safety concerns as well as nuisance issues for residents;

AND WHEREAS the City considers it desirable and necessary to enact a by-law to prohibit the operation of all Commercial E-Scooters in Hamilton until a Commercial E-Scooter operator has been selected by the City’s procurement process and rules have been implemented regarding the provision and use of Commercial E-Scooters;

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

DEFINITIONS

“**City**” means the City of Hamilton;

“**Commercial E-Scooter**” means an E-Scooter that is owned by a corporation or individual that allows other individuals or corporations to use the E-Scooter on a temporary membership basis or fee per use basis or any other commercial arrangement, including free trials, between the parties for the use of the E-scooter;

“**Director**” means the Director of Licensing and By-law Services, or his or her designate;

“**E-Scooter**” means a vehicle that has,

Appendix “B” to Report PED20134/PW20050**Page 2 of 5**

- (a) two wheels placed along the same longitudinal axis, one placed at the front of the e-scooter and one at the rear,
- (b) a platform for standing between the two wheels,
- (c) a steering handlebar that acts directly on the steerable wheel, and
- (d) an electric motor not exceeding 500 watts that provides a maximum speed of 24 kilometres per hour.

“**Officer**” means a Police Officer, a Municipal Law Enforcement Officer, or any staff of the City whose duties include those provided for or assigned under this By-law;

“**Highway**” means a highway as defined in the *Highway Traffic Act*, R.S.O. 1990, c. H.8;

“**Person**” includes an individual or corporation;

“**Police Officer**” includes an officer of the Hamilton Police Service;

PROHIBITIONS

1. No Person shall provide or cause to be provided Commercial E-Scooters anywhere in the City, unless specifically authorized by the corporation of the City of Hamilton by way of permit, licence or contract with the corporation of the City of Hamilton.

EXEMPTIONS

2. For greater clarity, this By-law does not apply to personal E-Scooters that are being used by individuals in the City, in accordance with the relevant by-laws and legislation for personal use on a Highway.

ADMINISTRATION AND ENFORCEMENT

3. The Director is responsible for administration and enforcement of this By-law and may appoint delegates or assign duties to City staff under this By-law.
4. City staff who carry out any action under this By-law are deemed to be Officers for the purposes of this By-law, in the absence of evidence to the contrary.
5. Officers may, at any reasonable time, enter and inspect property that is subject to this By-law for the purposes of determining compliance with this By-law.
6. For the purposes of an inspection under section 5, Officers may,
 - a) require the production for inspection of documents or things relevant to the inspection;
 - b) inspect and remove documents or things relevant to the inspection for the purposes of making copies or extracts;
 - c) require information from any person concerning a matter related to the inspection; and

Appendix "B" to Report PED20134/PW20050**Page 3 of 5**

- d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
7. Where any Person contravenes any provision of this By-law, an Officer may direct such Person, verbally or in writing, to comply with this By-law. Every Person so directed shall comply with such direction without delay.
8. Any Commercial E-Scooter found in the City, may be removed immediately by an Officer without notice or compensation.
9. Any Officer is authorized to pick up or remove, without notice, any Commercial E-Scooter that is found in the City in contravention of this By-law and the owner shall pay for any associated expenses incurred by the City.
10. Any Commercial E-Scooter removed as provided for in section 9 shall be stored by the City or an independent contractor for a period of not less than 28 days. During this period, the Commercial E-Scooter owner or his/her agent may redeem the Commercial E-Scooter after completing a signed acknowledgment and release on the prescribed form and after making payment satisfactory to the City of the amounts as outlined in the City's User Fee and Charges Bylaw. Such costs or expenses may be recovered in accordance with section 391 of the *Municipal Act*, S.O. 2001, c.25 as may be amended from time to time.
11. The Director is further authorized to charge a fee as outlined in the City's User Fee and Charges Bylaw to reflect the administrative and enforcement costs of the removal, whether or not the Commercial E-Scooter is returned.

OFFENCES AND PENALTIES

12. Every person, other than a corporation, who contravenes any provision of this By-law, is guilty of an offence and on conviction is liable, for every day or part thereof upon which such offence occurs or continues, to a fine of not more than \$10,000 for a first offence; and not more than \$25,000 for any subsequent conviction.
13. Every corporation which contravenes any provision of this By-law, is guilty of an offence and on conviction is liable, for every day or part thereof upon which such offence occurs or continues, to a fine of not more than \$50,000 for a first offence and not more than \$100,000 for any subsequent conviction.
14. Without limiting any other section of this By-law, every Person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a penalty as set out in the *Provincial Offences Act*, R.S.O. 1990, C. P. 33.
15. The court in which the conviction has been entered and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted and such order shall be in addition to any other penalty imposed on the person convicted.

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16. If any person is in contravention of any provision of this By-law, and the contravention has not been corrected, the contravention of the provision shall be deemed to be a continuing offence for each day or part of a day that the contravention remains uncorrected.

CONFLICT

17. In the event of a conflict between any provision of this By-law and any applicable Act or regulation, the provision that is the most restrictive prevails.

SEVERABILITY

18. Should any section of this By-law be declared by a Court of competent jurisdiction to be ultra vires or illegal for any reason, the remaining parts shall nevertheless remain valid and binding, and shall be read as if the offending section or part had been struck out.

SHORT TITLE

19. This By-law may be referred to as a By-law to Regulate Commercial E-Scooters in Hamilton.

EFFECTIVE DATE

20. The provisions of this By-law shall become effective on the date approved by City Council.

PASSED this _____ , _____

F. Eisenberger
Mayor

A. Holland
City Clerk

Appendix "B" to Report PED20134/PW20050

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Schedule "A"

Service or Activity Provided	Fee
Administrative and Enforcement cost of the removal of an Unlawful Commercial E-Scooter	\$246.01
Storage Charge of an Unlawful Commercial E-Scooter- per e-scooter/day	\$62.83
<i>*Note: Fees do not include HST which will be added where applicable</i>	

Appendix "C" to Report PED20134/PW20050

Page 1 of 4

Set Fine Schedule

City of Hamilton
Part I Provincial Offences Act

ITEM	Short Form Wording	Provision creating or defining offence	Set Fine
	City of Hamilton Traffic By-law No. 01-215, as amended		
1	Make Prohibited Right Turn	Section 12	\$80.00
2	Make Prohibited Right Turn At Red Signal	Section 13	\$80.00
3	Make Prohibited Left Turn	Section 14	\$80.00
4	Make Prohibited Left Turn At Red Signal	Section 15	\$80.00
5	Make Prohibited U-Turn On Divided Highway	Section 16	\$80.00
6	Make Prohibited U-Turn	Section 17	\$80.00
7	Proceed Contrary To Marked Direction of Travel	Section 18(1)	\$80.00
8	Unauthorized Use of Transit Only Lane	Section 18(3)	\$80.00
9	Drive On Sidewalk	Section 20	\$80.00
10	Ride Bicycle Or Similar Device On Sidewalk	Section 21(1)	\$80.00
11	Ride Skateboard Or Similar Device On Sidewalk	Section 21(1)	\$80.00
12	Ride Skis Or Similar Device On Sidewalk	Section 21(1)	\$80.00
13	Ride Coaster Or Similar Device On Sidewalk	Section 21(1)	\$80.00
14	Ride E-Scooter or Similar Device on Sidewalk	Section 21 (1)	\$80.00
15	Play On Roadway	Section 22	\$80.00
16	Take Part In Game On Roadway	Section 22	\$80.00
17	Take Part In Sport On Roadway	Section 22	\$80.00
18	Ride Skateboard Or Similar Device On Roadway	Section 22	\$80.00
19	Ride Roller Skates Or Similar Device On Roadway	Section 22	\$80.00
20	Ride Coaster Or Similar Device On Roadway	Section 22	\$80.00
21	Ride Skis Or Similar Device On Roadway	Section 22	\$80.00
22	Ride Toy Vehicle Or Similar Device On Roadway	Section 22	\$80.00
23	Fail To Yield Right-Of-Way To Pedestrian On Sidewalk	Section 23	\$80.00
24	Fail To Yield Right-Of-Way To Pedestrian On Footpath	Section 23	\$80.00
25	Fail To Yield Right-Of-Way To Pedestrian On Side Boulevard	Section 23	\$80.00
26	Drive Clockwise Direction In Traffic Circle Or Roundabout	Section 25	\$80.00
27	Drive From Highway Onto Driveway Contrary To Direction Of Operation Of Driveway	Section 26	\$80.00
28	Drive From Driveway Onto Highway Contrary To Direction Of Operation Of Driveway	Section 26	\$80.00
29	Interfere With Procession	Section 29	\$80.00
30	Drive On Closed Highway Or Part Highway	Section 30	\$80.00

Note: The general penalty section for the offences created above is Section 68 of The City of Hamilton Traffic By-Law 01-215, as amended and Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33.

Appendix "C" to Report PED20134/PW20050

Page 2 of 4

Item	Short Form Wording	Provision creating or defining offence	Set Fine
31	Fail To Stop Before Entering Highway From Private Road	Section 32	\$80.00
32	Fail To Stop Before Crossing Highway From Private Road	Section 32	\$80.00
33	Fail To Stop Before Entering Highway From Private Driveway	Section 32	\$80.00
34	Fail To Stop Before Crossing Highway From Private Driveway	Section 32	\$80.00
35	Fail To Stop Before Crossing Sidewalk From Private Road	Section 32	\$80.00
36	Fail To Stop Before Crossing Sidewalk From Private Driveway	Section 32	\$80.00
37	Obstruct Signalized Intersection	Section 34	\$80.00
38	Drive Motorized Snow Vehicle Along Serviced Roadway At Restricted Time	Section 35	\$80.00
39	Drive Motorized Snow Vehicle Across Serviced Roadway At Restricted Time	Section 35	\$80.00
40	Drive Motorized Snow Vehicle Upon Highway Or Part of Highway At Restricted Time	Section 35	\$80.00
41	Pedestrian Fail To Keep To Sidewalk	Section 38	\$80.00
42	Pedestrian Fail To Face Oncoming Traffic On Highway	Section 39	\$80.00
43	Pedestrian Fail To Keep To Left On Roadway	Section 39	\$80.00
43	Pedestrian Fail To Cross Roadway By Shortest Route	Section 40	\$80.00
44	Pedestrian Proceed Over Or Under Permanent Sidewalk Railing Or Barrier	Section 41	\$80.00
45	Pedestrian Cross Or Enter Highway Where Prohibited	Section 42	\$80.00
46	Pedestrian Impede Traffic	Section 43	\$80.00
47	Unauthorized Person On Restricted Highway	Section 45	\$80.00
48	Cyclist Fail To Keep To Bicycle Lane	Section 46(2)(a)	\$80.00
49	Cyclist Fail To Keep To Right	Section 46(2)(a)	\$80.00
50	Ride Bicycle Along Roadway Abreast Of Another Bicycle	Section 46(2)(b)	\$80.00
51	Push Bicycle Along Roadway Abreast Of Another Bicycle	Section 46(2)(b)	\$80.00
52	Fail To Maintain Control Of Bicycle	Section 46(3)	\$80.00
53	Obstruct Traffic With Parked Bicycle	Section 46(4)	\$80.00
54	E-Scooter Fail to Keep to bicycle Lane	Section 46.1 (1)	\$80.00
55	E-Scooter Fail to Keep to Right	Section 46.1 (1)	\$80.00
56	Ride E-Scooter Along Roadway Abreast of another E-Scooter or Bicycle	Section 46.1 (2)	\$80.00
57	Push E-Scooter Along Roadway Abreast of Another E-Scooter or Bicycle	Section 46.1 (2)	\$80.00
58	Fail to Maintain Control of E-Scooter	Section 46.1 (3)	\$150.00
59	Obstruct Traffic with Parked E-Scooter	Section 46.1 (4)	\$150.00
60	Person under the age of 16 years operating an E-Scooter	Section 46.1 (5)	\$80.00
61	Person under the age of 18 years old failing to wear a helmet that complies with the Highway Traffic Act	Section 46.1 (6)	\$80.00
62	Operating an E-Scooter carrying any other person thereon	Section 46.1 (7)	\$80.00
63	Operating an E-Scooter towing another person, vehicle or device	Section 46.1 (8)	\$80.00

Note: The general penalty section for the offences created above is Section 68 of The City of Hamilton Traffic By-Law 01-215, as amended and Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33.

Appendix "C" to Report PED20134/PW20050

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ITEM	Short Form Wording	Provision creating or defining offence	Set Fine
64	Operating an E-Scooter and attaching himself or herself to another E-Scooter (vehicle or device) for the purpose of being drawn (or towed)	Section 46.1 (9)	\$150.00
65	Operating an E-Scooter in any position other than while standing at all times	Section 46.1 (10)	\$80.00
66	Operating an E-Scooter and carrying cargo	Section 46.1 (11)	\$80.00
Item	Short Form Wording	Provision creating or defining offence	Set Fine
67	Operator of an E-Scooter failing to keep a safe distance from pedestrians (and other users) at all times	Section 46.1 (12)	\$80.00
68	Operator of an E-Scooter failing to give way to a pedestrian (or bicycle) where there is insufficient space for the E-Scooter to pass	Section 46.1 (12)	\$80.00
69	Operator of an E-Scooter driving at a speed that is markedly greater than the speed of the pedestrians who are proximate to the E-Scooter	Section 46.1 (13)	\$80.00
70	Operator of an E-Scooter fail to ensure the E-Scooter is equipped with a bell (or horn) in good working order	Section 46.1 (14)	\$80.00
71	Operator of an E-Scooter fail to carry (or attach) a lighted lamp at the front and rear	Section 46.1 (15)	\$80.00
72	Operate (or cause to be operated, or use) an E-Scooter on a highway with a legal speed limit greater than 50 km per hour not in a bike lane	Section 46.1 (16)	\$150.00
73	Operate (or use) an E-Scooter in such a manner that may (harm, injure or damage) any person (or property)	Section 46.1 (17)	\$250.00
74	Drive Unauthorized Motor Vehicle Upon Bicycle Lane	Section 48(1)	\$80.00
75	Drive Unauthorized Motor Vehicle Upon Bicycle Path	Section 48(1)	\$80.00
76	Drive Unauthorized Motor Vehicle Upon Combined Foot And Bicycle Path	Section 48(1)	\$80.00
77	Fail To Keep To Right On Bicycle Path	Section 48(2)	\$80.00
78	Fail To Keep To Right On Combined Foot And Bicycle Path	Section 48(2)	\$80.00
79	Fail To Safely Pass On Bicycle Path	Section 48(3)(a)	\$80.00
80	Fail To Safely Pass On Combined Foot And Bicycle Path	Section 48(3)(a)	\$80.00
81	Fail To Pass On Left Side On Bicycle Path	Section 48(3)(b)	\$80.00
82	Fail To Pass On Left Side On Combined Foot And Bicycle Path	Section 48(3)(b)	\$80.00
83	Fail To Stay To Right Of Centre When Passing On Bicycle Path	Section 48(3)(c)	\$80.00
84	Fail To Stay To Right Of Centre When Passing On Combined Foot And Bicycle Path	Section 48(3)(c)	\$80.00
85	Cyclist Fail To Sound Audible Warning When Passing On Bicycle Path	Section 48(3)(d)	\$80.00
86	Cyclist Fail To Sound Audible Warning When Passing On Combined Foot And Bicycle Path	Section 48(3)(d)	\$80.00
87	Fail To Stop On Bicycle Path At Intersecting Roadway	Section 49(1)	\$80.00
88	Fail To Stop On Combined Foot And Bicycle Path At Intersecting Roadway	Section 49(1)	\$80.00
89	Fail To Stop On Bicycle Path At Intersecting Sidewalk	Section 49(1)	\$80.00
90	Fail To Stop On Combined Foot And Bicycle Path At Intersecting Sidewalk	Section 49(1)	\$80.00

Note: The general penalty section for the offences created above is Section 68 of The City of Hamilton Traffic By-Law 01-215, as amended and Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33.

Appendix "C" to Report PED20134/PW20050

Page 4 of 4

ITEM	Short Form Wording	Provision creating or defining offence	Set Fine
91	Fail To Stop On Bicycle Path At Intersecting Route Not A Roadway Or Sidewalk	Section 50(1)	\$80.00
92	Fail To Stop On Combined Foot And Bicycle Path At Intersecting Route Not A Roadway Or Sidewalk	Section 50(1)	\$80.00
93	Fail To Yield On Bicycle Path At Intersecting Route Not A Roadway Or Sidewalk	Section 51(1)	\$80.00
94	Fail To Yield On Combined Foot And Bicycle Path At Intersecting Route Not A Roadway Or Sidewalk	Section 51(1)	\$80.00
95	Pedestrian Use Bicycle Path Where Adjacent Sidewalk Exists	Section 52	\$80.00
Item	Short Form Wording	Provision creating or defining offence	Set Fine
96	Pedestrian Use Bicycle Lane Where Adjacent Sidewalk Exists	Section 52	\$80.00
97	Permit Animal On Highway When Not Under Control	Section 54(1)	\$80.00
98	Permit Animal In Public Place When Not Under Control	Section 54(1)	\$80.00
99	Drive Animal Without Due Care And Attention Or Consideration	Section 54(3)	\$80.00
100	Fail To Produce Permit On Demand	Section 55(4)	\$250.00
101	Move Over-Sized Load Not In Compliance With Permit	Section 55(5)	\$105.00
102	Move Over-Weight Load Without Permit	Section 55(5.1)	\$105.00
103	Move Over-Sized Load Without Permit	Section 55(5.1)	\$105.00
104	Drive Heavy Traffic On Restricted Highway	Section 56(2)	\$105.00
105	Permit Heavy Traffic To Be Driven On Restricted Highway	Section 56(2)	\$105.00
106	Heavy Traffic Fail To Keep To Right-Hand Curb Lane	Section 56(5)(a)	\$105.00
107	Drive Over-Weight Vehicle On Restricted Bridge	Section 57(1)	\$250.00
108	Erect Unauthorized "No Parking" Or "No Stopping" sign	Section 60(2)	\$80.00
109	Install Unauthorized "No Parking" Or "No Stopping" sign	Section 60(2)	\$80.00
110	Place Or otherwise Use Unauthorized "No Parking" Or "No Stopping" sign	Section 60(2)	\$80.00
111	Display Sign Or Similar Device Above, On Or Under A City Bridge Over A Highway	Section 62.1(a)	\$105.00
112	Place Unauthorized Traffic Sign Or Device	Section 63(1)	\$80.00
113	Maintain Unauthorized Traffic Sign Or Device	Section 63(1)	\$80.00
114	Display Unauthorized Traffic Sign Or Device	Section 63(1)	\$80.00
115	Place Prohibited Sign Or Device	Section 63(2)	\$80.00
116	Maintain Prohibited Sign Or Device	Section 63(2)	\$80.00
117	Display Prohibited Sign Or Device	Section 63(2)	\$80.00
118	Fail To Remove Prohibited Sign Or Device	Section 63(3)	\$80.00
119	Move Traffic Sign Or Traffic Control Device	Section 63(5)	\$80.00
120	Interfere With Traffic Sign Or Traffic Control Device	Section 63(5)	\$80.00
121	Drive Vehicle Over Freshly Applied Painted Markings	Section 64	\$80.00
122	Drive Vehicle Over Or Through Or Around Painted Marking Warning Device	Section 64	\$80.00

Note: The general penalty section for the offences created above is Section 68 of The City of Hamilton Traffic By-Law 01-215, as amended and Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33.

Appendix "D" to Report PED20134/PW20050

Page 1 of 4

Authority: Item ,
Report
CM:
Ward: City Wide

Bill No.

CITY OF HAMILTON**BY-LAW NO.****A By-law to Amend By-law 01-219, To Manage and Regulate Municipal Parks and to Amend By-law 17-225, Being a By-law to Establish a System of Administrative Penalties**

WHEREAS Ontario Regulation 389/19 regarding a pilot project for electric kick-scooters, prohibits the operation of electric kick-scooters unless such operation is permitted by and in accordance with a municipal by-law;

AND WHEREAS Council deems it necessary to amend the Parks By-law to explicitly prohibit electric kick-scooters ("E-Scooters") in Hamilton parks except in designated areas and to provide regulations for their permitted use;

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

1. The amendments in this By-law include any necessary grammatical, numbering and letter changes.
2. The following definition shall be included in By-law 01-219:

"E-Scooter" means a vehicle that has,

- (a) two wheels placed along the same longitudinal axis, one placed at the front of the e-scooter and one at the rear,
 - (b) a platform for standing between the two wheels,
 - (c) a steering handlebar that acts directly on the steerable wheel, and
 - (d) an electric motor not exceeding 500 watts that provides a maximum speed of 24 kilometres per hour
3. The definition of "motorized recreational vehicle" in By-law 01-219 shall be repealed and replaced with the following:
 - (m) "motorized recreational vehicle" means a snowmobile, go-cart, trail bike, mini bike, all-terrain vehicle, or similar vehicle, or E-Scooter, or similar vehicle, propelled or driven by an internal combustion engine, battery, or other form of power, other than muscular power;

Appendix "D" to Report PED20134/PW20050**Page 2 of 4**

4. That subsection 30. (2) in By-law 01-219 be repealed and replaced with the following:

30. (2) Unless authorized by permit, and except as provided in section 34 with respect to bicycles or as provided in section 34.1 with respect to E-Scooters, no person shall while in any park, drive, operate, pull or ride any vehicle except on a roadway or public parking area.

5. The following rules regarding E-Scooters shall be added under the new subheading "E-Scooters" in By-law 01-219:

E-Scooters

- 34.1 (1) No person shall ride an E-Scooter in a park, unless in a designated area where City signs are posted to permit same.
- (2) No person shall operate, or cause to be operated, or use an E-Scooter in a park, or part thereof, where cycling, skateboarding or rollerblading is prohibited.
 - (3) No person shall ride or push an E-Scooter in a park abreast of another E-Scooter or bicycle.
 - (4) No person riding an E-Scooter in a park shall carry any package or article or act in such a way as to prevent that person from maintaining one hand on the handlebars at all times, including while signaling for a turn or stop and in any case, no person shall fail to maintain control of an E-Scooter.
 - (5) No person shall cause an obstruction to pedestrian and/or vehicular traffic by parking an E-Scooter in a path or trail.
 - (6) No person under the age of 16 years shall operate an E-Scooter.
 - (7) Every person under the age of 18 years old shall wear a helmet that complies with the Highway Traffic Act when operating an E-Scooter.
 - (8) No person operating an E-Scooter shall carry any other person thereon.
 - (9) No person operating an E-Scooter shall tow another person, vehicle or device.
 - (10) No person operating an E-Scooter shall attach themselves to another E-Scooter, vehicle or device for the purpose of being drawn or towed.
 - (11) No person operating an E-Scooter shall operate it in any position other than while standing at all times.

Appendix “D” to Report PED20134/PW20050**Page 3 of 4**

- (12) The operator of an E-Scooter shall keep a safe distance from pedestrians and other users of the roadway, shoulder, bicycle lane, trail, path, walkway, or multi-use pathway trail at all times and shall give way to a pedestrian or bicycle by slowing or stopping, as necessary, where there is sufficient space for the pedestrian or bicycle and the E-Scooter to pass.
- (13) No person shall operate an E-Scooter on a trail, or in a park, or multi-use pathway at a speed that is markedly greater than the speed of the pedestrians who are proximate to the E-Scooter.
- (14) Every owner or operator of an E-Scooter shall ensure that the E-Scooter is equipped with a bell or horn, which shall be kept in good order and sounded whenever it is reasonably necessary to notify cyclists, pedestrians or others of its approach.
- (15) When operated at any time from one-half hour before sunset to one-half hour after sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles are not clearly discernible at a distance of 150 metres or less, every operator of an E-Scooter shall carry a lighted lamp displaying a white or amber light at the front and a lighted lamp displaying a red light at the rear. The lamps may be attached to the E-Scooter or may be carried or worn by the operator on his or her person.
- (16) No person shall operate or use an E-Scooter in such a manner that it may harm, injure or damage, either directly or indirectly, any person or property.

6. Schedule A of By-law 17-225 is amended by adding the following to Table 12:
By-law No. 01-219 to Manage and Regulate Municipal Parks:

TABLE 12: BY-LAW NO. 01-219 TO MANAGE AND REGULATE MUNICIPAL PARKS				
ITEM	COLUMN 1 DESIGNATED BY- LAW & SECTION		COLUMN 2 SHORT FORM WORDING	COLUMN 4 SET PENALTY
528	01-219	34.1 (1)	Operate E-Scooter where prohibited	\$100.00
529	01-219	34.1 (2)	Operate E-Scooter in a park where cycling, skateboarding or rollerblading is prohibited	\$100.00
530	01-219	34.1 (3)	Ride or push E-Scooter in a park abreast of another E-Scooter or Bicycle	\$75.00
531	01-219	34.1 (4)	Fail to Maintain Control of E-Scooter	\$100.00
532	01-219	34.1 (5)	Obstruct others with parked E-Scooter	\$75.00
533	01-219	34.1 (6)	Person under the age of 16 years operating an E-Scooter	\$75.00

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ITEM	COLUMN 1 DESIGNATED BY- LAW & SECTION		COLUMN 2 SHORT FORM WORDING	COLUMN 4 SET PENALTY
534	01-219	34.1 (7)	Person under the age of 18 years old failing to wear a helmet that complies with the Highway Traffic Act	\$75.00
535	01-219	34.1 (8)	Operating an E-Scooter carrying any other person thereon	\$75.00
536	01-219	34.1 (9)	Operating an E-Scooter towing another person, vehicle or device	\$75.00
537	01-219	34.1 (10)	Operating an E-Scooter and attaching himself or herself to another E-Scooter (vehicle or device) for the purpose of being drawn (or towed)	\$75.00
538	01-219	34.1 (11)	Operating an E-Scooter in any position other than while standing at all times	\$75.00
539	01-219	34.1 (12)	Operator of an E-Scooter failing to keep a safe distance from pedestrians (and other users) at all times	\$75.00
		34.1 (12)	Operator of an E-Scooter failing to give way to a pedestrian (or bicycle) where there is insufficient space for the E-Scooter to pass	\$75.00
540	01-219	34.1 (13)	Operator of an E-Scooter driving at a speed that is markedly greater than the speed of the pedestrians who are proximate to the E-Scooter	\$75.00
541	01-219	34.1 (14)	Operator of an E-Scooter fail to ensure the E-Scooter is equipped with a bell (or horn) in good working order	\$75.00
542	01-219	34.1 (15)	Operator of an E-Scooter fail to carry (or attach) a lighted lamp at the front and rear	\$75.00
543	01-219	34.1 (16)	Operate (or use) an E-Scooter in such a manner that may (harm, injure or damage) any person (or property)	\$100.00

7. In all other respects, By-01-219 and By-law 17-225 are confirmed; and

8. The provisions of this By-law shall become effective on the date approved by City Council.

PASSED this _____ day of _____, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Français

ONTARIO REGULATION 389/19

made under the

HIGHWAY TRAFFIC ACT

Made: November 6, 2019

Filed: November 27, 2019

Published on e-Laws: November 27, 2019

Printed in *The Ontario Gazette*: December 14, 2019**PILOT PROJECT - ELECTRIC KICK-SCOOTERS****Definitions**

1. (1) In this Regulation,

“electric kick-scooter” means a vehicle that has,

- (a) two wheels placed along the same longitudinal axis, one placed at the front of the kick-scooter and one at the rear,
- (b) a platform for standing between the two wheels,
- (c) a steering handlebar that acts directly on the steerable wheel, and
- (d) an electric motor not exceeding 500 watts that provides a maximum speed of 24 kilometres per hour; (“trottinette électrique”)

“public park” means a provincial park or land designated by a municipality for use as a park. (“parc public”)

(2) An electric kick-scooter is deemed not to be a motor vehicle under the Act.

(3) Despite subsection (2), any municipal by-law that governs or prohibits the operation of a motorized vehicle applies to an electric kick-scooter unless the by-law provides otherwise.

Pilot project re electric kick-scooters

2. A pilot project to evaluate the use and operation of electric kick-scooters is established.

Prohibition

3. No person shall operate an electric kick-scooter on a highway, sidewalk, trail, path or walkway or in a public park or exhibition ground unless,

- (a) such operation is permitted by and in accordance with this Regulation; and
- (b) where the highway, sidewalk, trail, path, walkway, public park or exhibition ground is under the jurisdiction of a municipality, such operation is permitted by and in accordance with a municipal by-law.

Where electric kick-scooters permitted

4. (1) Subject to subsection (2), a person may operate an electric kick-scooter on a roadway or on the shoulder of a highway.

(2) An electric kick-scooter shall not be operated on,

- (a) those parts of the controlled-access highways described in Schedule 1 to Regulation 627 of the Revised Regulations of Ontario, 1990 (Use of Controlled-Access Highways by Pedestrians) made under the Act;
- (b) those parts of the controlled-access highways described in Schedule 1 to Regulation 630 of the Revised Regulations of Ontario, 1990 (Vehicles on Controlled-Access Highways) made under the Act; or
- (c) any highway to which access by pedestrians or bicycles is prohibited under any Act, regulation or municipal by-law.

Roadway use

5. (1) Where bicycle lanes are provided on a highway, an electric kick-scooter shall only be operated in the bicycle lanes.

(2) Despite subsection (1), where the highway is located in a tunnel or underpass, an electric kick-scooter may be operated on a sidewalk in the tunnel or underpass rather than the bicycle lane except where such operation is prohibited by municipal by-law.

(3) Where bicycle lanes are not provided on a highway or where the operation of electric kick-scooters in bicycle lanes is prohibited by municipal by-law, an electric kick-scooter shall only be operated,

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- (a) if there is a shoulder on the highway, on the shoulder as close to the right edge of the shoulder as possible; or
- (b) if there is no shoulder on the highway, on the right side of the roadway as close to the edge of the roadway as possible.

Application of the Act

6. (1) Parts II, IV, VI and X.3, sections 179 and 199 and subsection 214 (2) of the Act do not apply to the operation of an electric kick-scooter or to a person who operates an electric kick-scooter.

(2) Sections 140 and 144 of the Act apply to an electric kick-scooter as if the electric kick-scooter were a bicycle.

(3) When an electric kick-scooter is being operated on a sidewalk, trail, path or walkway or in a public park or exhibition ground, the provisions of the Act, other than the Parts and sections listed in subsection (1), apply to the operation of the electric kick-scooter and to the operator of the electric kick-scooter as if the electric kick-scooter were a bicycle and the operator a cyclist.

(4) When an electric kick-scooter is being operated on a roadway or on the shoulder of a highway, the provisions of the Act, other than the Parts and sections listed in subsection (1) or the provisions listed in subsection (2), apply to the operation of the electric kick-scooter and to its operator as if the electric kick-scooter were a bicycle and the operator a cyclist.

Safe operation

7. (1) The operator of an electric kick-scooter shall keep a safe distance from pedestrians and other users of the roadway, shoulder, sidewalk, trail, path, walkway, public park or exhibition ground at all times and shall give way to a pedestrian or bicycle by slowing or stopping, as necessary, where there is insufficient space for the pedestrian or bicycle and the electric kick-scooter to pass.

(2) An electric kick-scooter shall not be operated on a sidewalk, trail, path or walkway or in a public park or exhibition ground at a speed that is markedly greater than the speed of the pedestrians who are proximate to the electric kick-scooter.

(3) Every electric kick-scooter shall be equipped with a bell or horn which shall be kept in good working order and sounded whenever it is reasonably necessary to notify cyclists, pedestrians or others of its approach.

(4) When operated at any time from one-half hour before sunset to one-half hour after sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles are not clearly discernible at a distance of 150 metres or less, every electric kick-scooter shall carry a lighted lamp displaying a white or amber light at the front and a lighted lamp displaying a red light at the rear.

(5) The lamps referred to in subsection (4) may be attached to the electric kick-scooter or may be carried or worn by the operator on his or her person.

(6) An electric kick-scooter shall not be operated in such a manner that it may harm, injure or damage, either directly or indirectly, any person or property.

General rules re operation

8. (1) No person under the age of 16 years shall operate an electric kick-scooter.

(2) No person operating an electric kick-scooter shall carry any other person thereon.

(3) No person operating an electric kick-scooter shall tow another person, vehicle or device.

(4) No person operating an electric kick-scooter shall attach himself or herself to another electric kick-scooter, vehicle or device for the purpose of being drawn or towed.

(5) No person operating an electric kick-scooter shall operate it in any position other than while standing at all times.

(6) No cargo may be carried on an electric kick-scooter.

(7) No person operating an electric kick-scooter shall leave it in a location that is intended for the passage of vehicles or pedestrians.

Equipment

9. (1) An electric kick-scooter shall have one or more electric batteries that are the sole source of power to the motor.

(2) An electric kick-scooter shall not have,

(a) a seat, surface or structure that could be used as a seat;

(b) pedals attached to it;

(c) a basket attached to it;

(d) wheels with a diameter of more than 430 millimetres; or

(e) any structure to enclose the electric kick-scooter.

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(3) The weight of an electric kick-scooter, including the weight of the battery but otherwise unladen, shall not exceed 45 kilograms.

(4) The battery and motor of an electric kick-scooter shall be securely fastened to the electric kick-scooter to prevent them from moving while the electric kick-scooter is in motion.

(5) All electric terminals on an electric kick-scooter shall be completely insulated and covered.

(6) An electric kick-scooter shall not be modified after its manufacture in any way that may result in increasing its power or its maximum speed beyond the limits set out in the definition of “electric kick-scooter”.

(7) The motor of an electric kick-scooter shall cease to propel the electric kick-scooter forward if the accelerator is released or the brakes are applied.

(8) The braking system of an electric kick-scooter must be capable of bringing the electric kick-scooter, while being operated at a speed of 24 kilometres per hour on a clean, paved and level surface, to a full stop within nine metres from the point at which the brakes were applied.

(9) An electric kick-scooter and all of its components shall be maintained in good working order at all times.

Helmets

10. A person who is under 18 years old shall wear a helmet that complies with the requirements of subsection 104 (1) or (2.1) of the Act when operating an electric kick-scooter.

Operator to stop for police officer

11. Every operator of an electric kick-scooter shall stop when required to do so by a police officer and shall, on the demand of the police officer,

(a) surrender his or her driver’s licence, if he or she has one and has it in his or her possession, for reasonable inspection by the officer; or

(b) provide the officer with his or her correct name, address and date of birth.

Duty to report accident

12. (1) Where an electric kick-scooter is involved in an accident with a pedestrian, animal or vehicle that results in personal injury or property damage, the operator of the electric kick-scooter shall forthwith report the accident to a police officer and furnish him or her with the information concerning the accident as may be required by the officer under subsection (2).

(2) A police officer receiving a report of an accident, as required by this section, shall secure from the person making the report, or by other inquiries where necessary, the particulars of the accident, the persons involved, the extent of the personal injuries or property damage, if any, and the other information that may be necessary to complete a written report concerning the accident and shall forward the report to the Registrar within 10 days of the accident.

(3) The report of a police officer under subsection (2) shall be in the form that is approved by the Minister.

Reports to Minister

13. Any municipality in which electric kick-scooters are being used shall, if requested by the Minister, report to the Minister on the use of electric kick-scooters in the municipality, or on any aspect of such use as may be specified by the Minister.

Revocation

14. This Regulation is revoked on the fifth anniversary of the day it is filed.

Commencement

15. This Regulation comes into force on the later of January 1, 2020 and the day it is filed.

Français

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Ontario e-scooter pilot program – increasing mobility options

Pilot framework for permitting the use of electric kick-style scooters (e-scooters) on Ontario roads.

Municipalities that want to allow e-scooters to operate on their roads must pass by-laws to permit their use and to determine what is best for their communities.

Best Practices

Provincial Requirements	<p>Vehicle and Safety Requirements:</p> <ul style="list-style-type: none"> • Must be electric • No pedals or seat allowed • Must have horn or bell • Must have front and back light • Must have 2 wheels and brakes • Maximum wheel diameter 17 inches • Maximum weight 45 kg • Maximum power output 500W that can provide a maximum speed of 24 km/h • Must be parked in municipally approved parking area(s) <p>Municipalities are required to remit incident/collision and injury-related data to the province upon request.</p>	<p>Operator and Safety Requirements:</p> <ul style="list-style-type: none"> • No drugs or alcohol permitted when operating an e-scooter (consequences under the Criminal Code of Canada may apply) • Must be age 16 or older • Bicycle helmet required for those under age 18 • Riders must stand at all times • No passengers allowed • No cargo may be carried • No baskets • Must not be operated on sidewalks • Not for commercial use
Municipal Considerations	<p>Municipalities that want to allow e-scooters to operate within their boundaries may wish to consider the points outlined below:</p>	
Parking	<p>Municipalities should clearly define where e-scooters can park (e.g. setting up designated parking locations, using corrals). This will help prevent them from being left on the road obstructing traffic or being a nuisance on private property. Designated parking locations provides control over their use and reduces interference with the public.</p> <p>E-scooter parking locations should not block access to businesses, fire doors, or be located outside of restaurants and bars, etc. This will help prevent a hazardous situation.</p> <p>Municipalities should:</p> <ul style="list-style-type: none"> • Establish overnight responsibility for e-scooter non-parking compliance. • Decide who receives the penalty if e-scooter is not parked in a designated location or left stranded. • Decide a penalty structure to apply if e-scooter is not returned to its parking location. • Establish overnight responsibility for e-scooter non-parking compliance. • Decide who receives the penalty if e-scooter is not parked in a designated location or left stranded. • Decide a penalty structure to apply if e-scooter is not returned to its parking location. 	
Operating Parameters	<p>Based on experiences in other jurisdictions, municipalities should develop operating parameters for e-scooter companies and riders. E-scooters should not be allowed to operate on sidewalks – sidewalks are for pedestrians, including persons with disabilities. Municipalities should clearly communicate with companies about their expectations and requirements around contracts, permits, licences, operating agreements, etc.</p> <p>Municipalities to decide:</p> <ul style="list-style-type: none"> • Should a permit be required for an e-scooter business? If yes, clearly define performance standards that companies must adhere to and violation terms. • Where should e-scooters be allowed to travel (e.g. bike paths, parks, trails, etc.)? • Who is responsible for removing e-scooters that are left stranded, damaged or deemed unsafe? • Should there be a limit on the number of e-scooters allowed in certain areas to combat congestion? • How will e-scooters integrate with other road users (e.g. pedestrians, cyclists, and people using personal mobility devices)? 	
Interoperability/Synergies	<p>Municipalities should:</p> <ul style="list-style-type: none"> • Consider how e-scooters can enhance connectivity, mode choice and multimodal access to jobs, housing, goods and services. • Identify ways for e-scooters to help reduce local vehicular congestion and improve air quality. • Where feasible, ensure safe, convenient and adequate e-scooters access/storage at transit stops and stations. 	
Liability	<ul style="list-style-type: none"> • Municipalities should require e-scooter companies to indemnify the municipality and hold appropriate insurance requirements. • Municipalities should determine the appropriate insurance coverage - the type and coverage amounts. 	
Offences	<p>Similar to bicycles, Ontario Highway Traffic Act (HTA) rules of the road apply to the operation of e-scooters in Ontario. Penalties in HTA s. 228(8) also apply to violations of pilot regulation (fine of \$250 to \$2,500). By-law offences may also apply. There are serious consequences for an e-scooter operator impaired by drugs, alcohol or both. Additional consequences under the Criminal Code of Canada may apply.</p>	
More information	<p>This document is a guide only. For official purposes, please refer to the Ontario Highway Traffic Act and regulations. For more information, please visit Ontario.ca/transportation. You may also refer to the American Association of Motor Vehicle Administrators' (AAMVA) Electric Dockless Scooters Whitepaper, and the National Association of City Transportation Officials' (NACTO) Guidelines for Regulating Shared Micromobility.</p>	

PW20083
ITEM 7.3



Hamilton

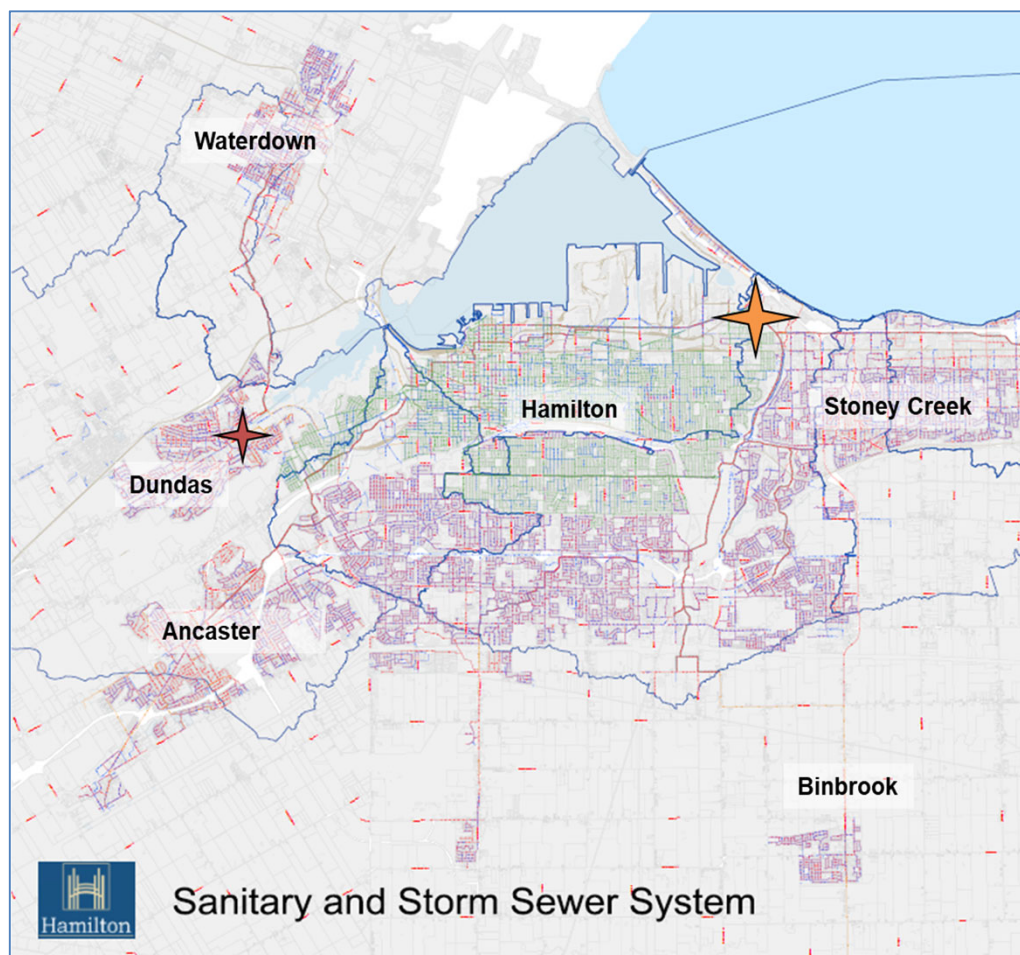
CHEDOKE WATERSHED IMPROVEMENT EVALUATION

December 7, 2020

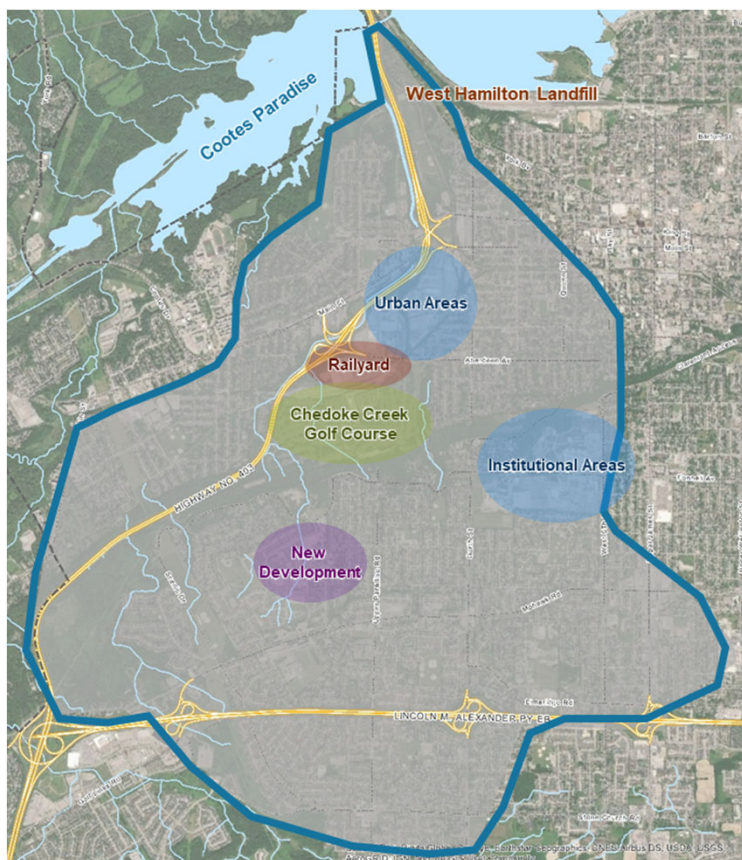
Public Works Department
Hamilton Water Division

City of Hamilton – A Long Term HHRAP Partner

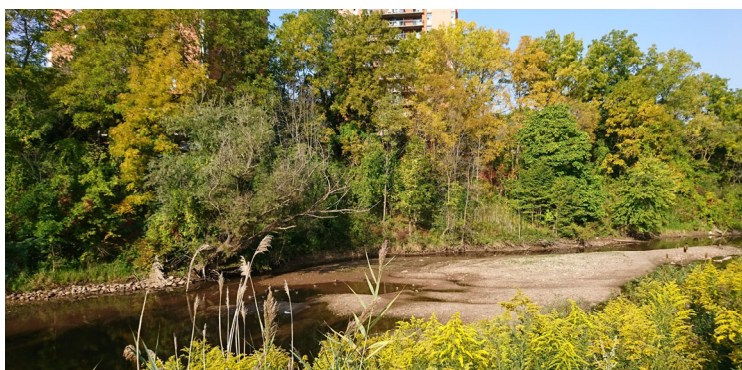
- CSO Tank Program 1988-2010
 - 9 locations \$90M
- Real Time Control
 - Phase 1&2 \$16M
- Wastewater Treatment Upgrades
- Public Outreach & Education
- CSO Monitoring and Feasibility Study
- Academic and other agency support
- Cross Connection Program
- Chedoke Watershed Evaluation



Project Context & Objectives



- February 2020 – Council direction to meet with Royal Botanical Gardens (RBG).
- The Chedoke Water Quality Improvement Study is focused at a watershed level and includes:
 - Develop a series of short to longer term solutions for improving water quality
 - Engage internal and external stakeholders to facilitate solution development
 - Technically evaluate solutions to determine feasibility and implementation strategies

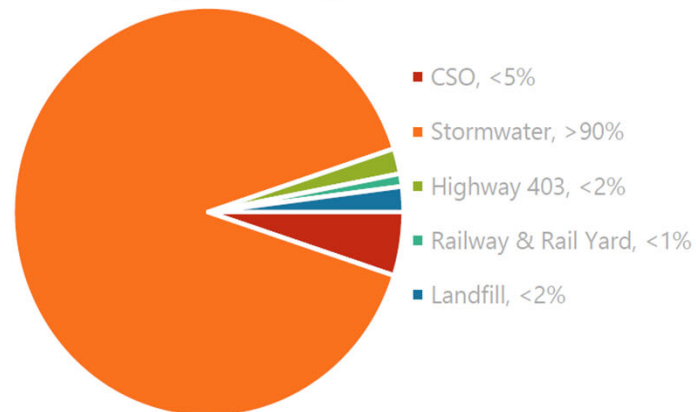




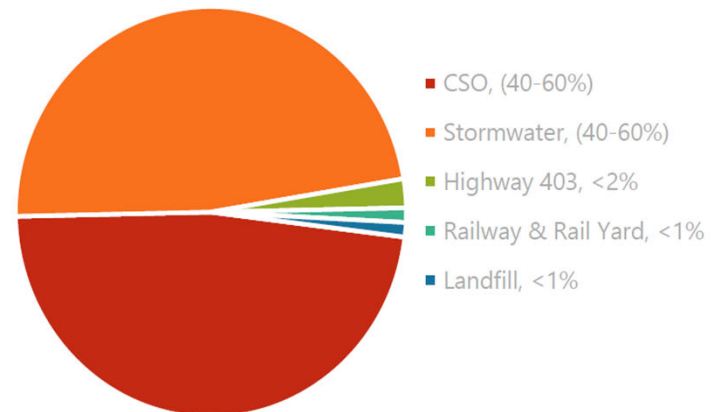
Project Context & Objectives

- Complements ongoing Hamilton Harbour Remedial Action Plan work and City's investments of \$52M to mitigate environmental impacts to Chedoke Creek and/or Cootes Paradise
- Study looks at both point and non-point sources of contaminants entering Chedoke Creek
- Non-point pollution sources (i.e. stormwater runoff) are becoming a higher priority due to recognized relative contribution to watersheds

TP Loading - Average Year



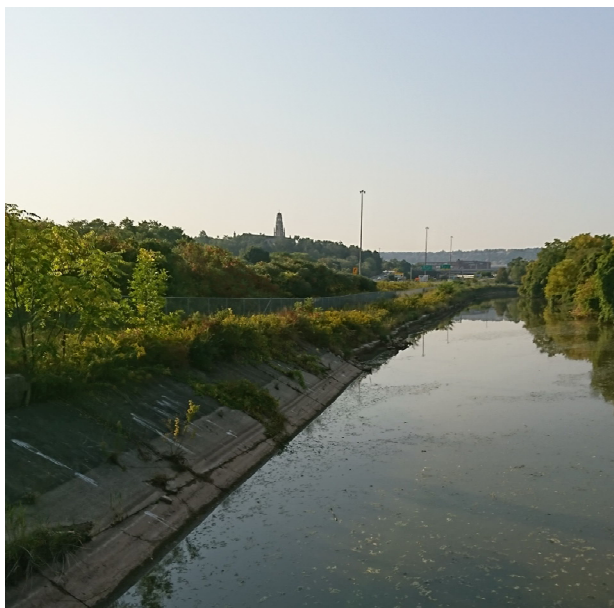
TP Loading - Peak Event



Project Timeline



Stakeholder Engagement



Project Team

- Public Works
 - Hamilton Water
 - Environmental Services
- Consultant Team
 - GM BluePlan
 - Jemma Consultants
 - Wood Canada Ltd.

External Stakeholders

- Bay Area Restoration Council
- Conservation Halton
- Environment Hamilton
- Fisheries and Oceans Canada
- Hamilton Conservation Authority
- Hamilton Harbour Remedial Action Plan
- Indigenous Water Walker representatives
- Ontario Ministry of Transportation
- Royal Botanical Gardens (with MT Planners, Consultant)

Engagement Milestones to Date

- **Project Kick-off** - with the Project Team
- **Site visit** – with Royal Botanical Gardens and Project Team
- **Background review** - including a set of over 80 documents
- **External Stakeholder Workshop #1** - project objectives introduced and initial ideas & feedback were discussed. Discussion of ultimate vision of Chedoke/Cootes
- **Internal Stakeholder Workshop #1** - a first draft of potential solutions introduced based on background review and results of External Workshop #1
- **External Stakeholder Workshop #2** – Held December 2nd and preliminary solutions, evaluations and recommendations discussed

Evaluation of Solutions



- All potential solutions from first two workshops compiled
- Any solutions with potential net benefit carried forward to evaluation
- Each solution evaluated on:
 - Cost
 - Timing
 - Implementation
 - Land ownership
 - Benefits
 - Effectiveness
- Best value solutions categorized and prioritized

Preliminary Prioritization – Capital Works

Near-Term Capital Projects (<3 Years)

1. Hwy 403 trunk sewer twinning (ongoing)
2. Rehabilitate Hwy 403 storm pipe from Kay Drage Park
3. Treat runoff from Chedoke Golf Course
4. Hwy 403 water quality improvements

Long-Term Capital Projects (>3 Years)

1. Class EA Study for Lower Chedoke
2. Sewer separation and inlet controls (ongoing)
3. Class EA Study for Upper Chedoke
4. Expand storage and conveyance capacity
5. Expand leachate collection system

Preliminary Prioritization - Operations

Near-Term O&M Programs

(<2 Years)

1. CSO monitoring and Real Time Control Phase implementation (ongoing)
2. Inspection & repair – tanks, trunk sewers
3. Continue cross-connection program
4. Enhanced street sweeping

Long-Term O&M Programs

(>2 Years)

1. Inflow & infiltration monitoring
2. Enhance inflow & infiltration program management
3. Improve snow management program
4. Enhance Hwy 403 and City roads salt management programs

Preliminary Prioritization – Policy & Engagement

Policy and Engagement


1. Engage residents, stakeholders, City
 2. Enhance stormwater management policies for development
 3. Develop Low Impact Development (LID) policy for road reconstruction projects
 4. General LID policy / stormwater user rate
 5. Wet weather flow policy for separated sewer areas
- Next steps include refinement of proposed solutions based on External Workshop #2 feedback, preparation of summary report and presentation of final suite of recommendations during the final Internal Workshop #2.



THANK YOU



INFORMATION REPORT

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	December 7, 2020
SUBJECT/REPORT NO:	Chedoke Watershed Improvement Evaluation (PW20083) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Mark Bainbridge (905) 546-2424 Ext. 5929 Christina Cholkani (905) 546-2424 Ext. 6234
SUBMITTED BY:	Andrew Grice Director, Hamilton Water Public Works Department
SIGNATURE:	

COUNCIL DIRECTION

Not Applicable

INFORMATION

The City of Hamilton has been a partner in the Hamilton Harbour Remedial Action Plan since very early in its development. Over the course of many years working with stakeholders, a number of key projects are ongoing, or have been completed by the City of Hamilton (City) that currently provide positive benefits to our local watersheds. Since 1988, the City has invested over \$550M towards projects benefitting receiving waters, with approximately \$52M of those funds directed specifically to projects mitigating environmental impacts to Chedoke Creek and/or Cootes Paradise. Our work in this regard goes beyond the regulatory requirement for managing wastewater systems, in order to address more stringent goals under the Remedial Action Plan (RAP) process for Hamilton Harbour.

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**SUBJECT: Chedoke Watershed Improvement Evaluation
(PW20083) (City Wide) - Page 2 of 5**

Historically, focus has been placed on point sources of pollutants affecting local waters, for example combined sewer overflows, regulated plant discharges, or accidental spills. In more recent years, attention has been focussing more on non-point sources of material in conjunction with efforts to study non-point source contributions by the Hamilton Harbour RAP process. Non-point pollution sources, in the context of surface water quality, generally refers to stormwater runoff, which picks up various pollutants along its path and discharges to surface water throughout the watershed rather than at specific points. Hamilton Water has been proactively working on initiatives to look at these non-point sources affecting the broader watershed.

On February 21, 2020, Hamilton Water staff were directed by Council to “meet with Royal Botanical Gardens (RBG) staff to review potential solutions to Chedoke Creek and report back to General Issues Committee (GIC) with their findings”. To complete a wholesome review, a Chedoke Creek Water Quality Improvement Study was initiated by Hamilton Water, and included a number of external stakeholders in which RBG’s proposed solutions could be technically analysed and evaluated amongst other water quality improvement solutions on a more holistic subwatershed basis. This effort was developed in conjunction with the ongoing events surrounding Chedoke Creek, with the intent of a broader proactive focus.

Project Scope

In June, the Chedoke Creek Water Quality Improvement Study was initiated with the following objectives:

- Develop a series of short to longer term solutions for improving water quality in Chedoke Creek
- Engage internal and external stakeholders and facilitate solution development
- Technically evaluate solutions to determine feasibility and implementation strategies.

A multidisciplinary team consisting of GM BluePlan, Jemma Consultants and Wood Canada Ltd. was retained to provide best value services in achieving the above objectives. The project kicked off in September 2020 with a meeting that brought all of the project team players together.

The project approach at a high level includes: a background review of materials from the City and external stakeholders, a series of engagement workshops, solution compilation and technical evaluation, then ultimately a report outlining a proposed program framework for project implementation.

**SUBJECT: Chedoke Watershed Improvement Evaluation
(PW20083) (City Wide) - Page 3 of 5**

Stakeholder Collaboration

The stakeholders involved in this study are representatives from various internal (Public Works) and external groups, selected based on previous involvement in similar environmental initiatives. All groups have been contacted with initial and ongoing project information, with a majority participating in the online engagement workshops held to date. A list of the external consulted groups is shown in Table 1, below.

Table 1: Stakeholder Group

Stakeholder Group
Bay Area Restoration Council
Conservation Halton
Environment Hamilton
Fisheries and Oceans Canada
Hamilton Conservation Authority
Hamilton Harbour Remedial Action Plan
Indigenous Water Walker representatives
Ontario Ministry of Transportation
Royal Botanical Gardens (with MT Planners, Consultant)

To date, the following key milestones have been completed:

- September 21, 2020 - Project kick-off, with the project consultant team and various Hamilton Water internal stakeholders
- September 25, 2020 - Creek site visit with RBG
- September - October 2020 - Background review, including a set of over 80 documents (which is ongoing as additional documents are received from external stakeholders)
- October 27, 2020 - External Stakeholder Workshop #1, in which the project objectives were introduced, and initial comments were discussed
- November 4, 2020 - Internal Stakeholder Workshop #1, in which a first draft of potential solutions was introduced and discussed with internal stakeholders based on background review and the results of the first external workshop
- October - November 2020 - Compilation of a draft program framework

External Workshop #2 is scheduled for December 2, 2020, which is the final formal engagement point with external stakeholders for this assignment. The objective of this workshop is to present the preliminary framework vision and solutions developed by the consultants and to gather stakeholder feedback. This meeting will include the participation of Hamilton Water senior leadership to bridge the gap between 'internal' and 'external' stakeholder engagement.

**SUBJECT: Chedoke Watershed Improvement Evaluation
(PW20083) (City Wide) - Page 4 of 5**

Evaluation of Options

A long list of various water quality improvement solutions are being considered as a result of inputs and ideas generated through discussion with stakeholders and the technical expertise of the firms hired for this work. It should be noted that the technical evaluations of these options are still ongoing and prioritization or conclusive recommendations have not yet been made. The solutions include RBG's recommendation (of naturalization/floating wetlands and mechanical aeration at the mouth of Chedoke Creek), along with a series of others under the following three broad categories:

Capital Works:

- Capital improvements to the landfill and/or culvert at Kay Drage Park;
- Creek works such as constructed wetlands, floating wetlands, mechanical aeration, general naturalization, sediment capping, chemical inactivation or hydraulic dredging;
- Infrastructure improvements such as combined sewer separation (i.e. new storm sewers), sewer capacity upgrades, combined sewer overflow (CSO) tank capacity upgrades, new CSO tanks, continuation of cross connection program, new end of pipe or source stormwater management; and,
- Additional stormwater management by/for Ministry of Transportation (MTO) highway runoff contribution.

Operational Procedures:

- Inspections and state of good repair works at CSO tanks;
- Operation of Real Time Control Phase 2 for enhanced control and monitoring of combined sewer flows; and,
- Enhanced street sweeping.

Policy and Engagement:

- Requirement of Low Impact Development for road reconstruction projects;
- Stormwater user rate and/or incentive programs; and,
- Transparency in water quality monitoring programs, events, tours, educational outreach for internal City staff and residents.

The suite of solutions will be evaluated based on effectiveness, cost, implementation feasibility, and visibility. The criteria for effectiveness will be as quantitative as possible, e.g. how the solution impacts the frequency of combined sewer overflow events, permanency of solution effectiveness, the percent of urban runoff area receiving treatment, the percent area of creek channel naturalized, the predicted reduction of a

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**SUBJECT: Chedoke Watershed Improvement Evaluation
(PW20083) (City Wide) - Page 5 of 5**

pollutant loading to the creek (e.g. phosphorus), etc. Cost will be evaluated from a life cycle perspective, including initial capital and ongoing operations and maintenance. Implementation will consider land ownership, required timelines, further studies and approvals. Visibility will consider public perceptions of the solutions and how effectively a solution can demonstrate progress in the subwatershed.

The benefits of the projects that will be recommended within this study will be both short term (1-2 years) and long term (10+ years) in improving the water quality of Chedoke Creek, and consequently Cootes Paradise. The consultants have defined this study as a first step, “Establishing the Roadmap”, towards achieving a long-term vision of a restored environment in Chedoke Creek. The study recommendations will provide the City with a suite of projects beneficial to the Chedoke Creek subwatershed, allowing for quick mobility and flexibility in implementation.

Next steps for this project include completing two more workshops (one external, one internal), completion of the solutions evaluation and a compilation of the recommendations into a summary report. The anticipated completion of the remaining scope for this project is expected for February 2021. Finalized conclusions will provide the basis for future decisions to be made moving forward with actions that will translate to positive watershed benefits in the future. These efforts will continue the progress that has been made over many years in Hamilton to improve Harbour Water quality.

APPENDICES AND SCHEDULES ATTACHED

None.



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Transportation Planning and Parking Division

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	December 7, 2020
SUBJECT/REPORT NO:	Hamilton Cycling Committee Budget 2021 (PED20212) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Rachel Johnson (905) 546-2424 Ext. 1473
SUBMITTED BY:	Brian Hollingworth Director, Transportation Planning and Parking Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That the Hamilton Cycling Committee 2021 base budget submission, in the amount of \$10,000, as described in Appendix "A" attached to Report PED20212 be approved and referred to the 2021 budget process for consideration;
- (b) That, in addition to the base funding, a one-time budget allocation for 2021 of \$4,000, will be used to initiate a community grant program to support community events and initiatives that meet the mandate of the Committee, to be funded by the Hamilton Cycling Committee reserve, be approved and referred to the 2021 budget process for consideration.

EXECUTIVE SUMMARY

The Hamilton Cycling Committee (HCyC) has developed a request for funding for planned activities in 2021. With the endorsement of the HCyC members, this request for funding is submitted to the Public Works Committee as Appendix "A" attached to this Report. This Report presents the proposed budget to the Public Works Committee for consideration as part of the 2021 budget process.

The HCyC is proposing a 2021 budget of \$14 K. Their proposed budget would be financed with \$10 K from the levy through the Public Works Standing Committee and \$4 K from the HCyC reserve. As of November 2020, the HCyC has a reserve of \$17 K, therefore, there is no request to increase from the levy in 2021.

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**SUBJECT: Hamilton Cycling Committee Budget 2021 (PED20212) (City Wide) -
Page 2 of 4**

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Annually, citizen advisory committees are funded by the levy to fund activities that supports the Committee’s mandate. Typically, the annual budget for advisory committees is \$10,000. For 2021, the HCyC has requested a budget of \$14,000 comprised of \$10,000 from the levy and \$4,000 from the HCyC reserve. The proposed budget will finance community educational activities, plus the production of safety and promotional materials. The \$4,000 from the reserve will be used to initiate a community grant program to support community events and initiatives that meet the mandate of the Committee. As of November 2020, the HCyC has a reserve of \$17,000. This does not include the surplus budget from 2020.

The following table highlights the proposed 2021 budget.

Item	Proposed 2021 Budget
Social Media Campaign	\$500
Special Projects	\$5,000
Group Rides	\$1,000
Tourism Promotions - supporting Ontario By Bike	\$500
Supporting Community Events to Raise Awareness for Cycling	\$3,000
Special Cycling Events	\$2,000
Conferences	\$1,000
Meeting Expenses	\$1,000
TOTAL	\$14,000
Funds from levy	\$10,000
Funds from reserve	\$4,000

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND

The HCyC advises the City of Hamilton on all matters related to cycling - monitoring the implementation of the Hamilton Cycling Master Plan, planning for bicycling facilities (e.g. bike parking), educating citizens on matters of traffic safety, and promoting cycling, both

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**SUBJECT: Hamilton Cycling Committee Budget 2021 (PED20212) (City Wide) -
Page 3 of 4**

for recreation and commuting. Cycling helps to maintain personal health, thus, it helps to foster a healthier community.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

In preparation of this Report, the HCyC, the City of Hamilton Corporate Services Financial Planning, Administration, and Policy staff, and, the Office of the City Clerk were consulted. This Report has been prepared in consistency with the legislative requirements to request funding for advisory committees

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

Feedback received by members of the HCyC ensures cycling projects are well vetted by the community, thereby, improving the quality of cycling facilities for both recreation and commuting purposes.

In April 2019, new HCyC members were appointed. These members sit on the Committee until 2022, correlating with Council appointments. In 2020, the Committee was unable to accomplish a significant portion of their workplan, nor able to spend the majority of their 2020 budget. COVID-19 meant the Committee could not meet between the months of April and August, and outreaches, conferences, and public engagement events were cancelled.

In a typical year, the Committee promotes cycling safety through their distribution of Share the Road car magnets and stickers, and the distribution of bicycle lights at special events, to stress the importance of improved visibility of cyclists. Typically, Committee members, in conjunction with community groups, promote cycling in Hamilton during events like Bike Day, Supercrawl, and other City festivals. The HCyC also proposes to grow the profile of cycling in Hamilton by promoting and hosting more cycling events across the City

The Committee works with Tourism Hamilton to promote the City's recreational assets by distributing the City map "Bike Routes, Trails & Parks", pamphlets printed by the Hamilton Conservation Authority, and financially contributes to the Ontario cycling organization, Ontario By Bike, to provide Hamilton specific cycling information online.

ALTERNATIVES FOR CONSIDERATION

N/A

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**SUBJECT: Hamilton Cycling Committee Budget 2021 (PED20212) (City Wide) -
Page 4 of 4**

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

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

Clean and Green

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

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" - 2021 Volunteer Committee Budget Submission HCyC

RJ:cr

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CITY OF HAMILTON

2021

ADVISORY COMMITTEES

BUDGET SUBMISSION FORM

Hamilton Cycling Committee (HCyC)

**Appendix “A” to Report PED20212
Page 2 of 4**

PART A: General Information

ADVISORY COMMITTEE MEMBERS:

Jeff Axisa	Kevin Vander Muelen
Kate Berry	Joachim Brouwer
Roman Caruk	Sharon Gibbons
Yaejin Kim	Cathy Sutherland
Ann McKay	Jane Jamnik
Jessica Merolli	Cora Muis
William Oates	Chris Ritsma
Christine Yachouh	Gary Rogerson
Councillor Esther Pauls	Councillor Terry Whitehead

MANDATE:

The purpose of the Hamilton Cycling Committee (HCyC) is to advise the City Government on all matters related to cycling, to monitor implementation of the Hamilton Cycling Master Plan, to encourage and participate in planning for bicycling facilities, to encourage citizens to cycle instead of drive, to educate the public on the benefits and necessities of cycling, and to integrate the work of neighbouring municipal bicycle committees.

PART B: Strategic Planning

STRATEGIC OBJECTIVES:

**Appendix "A" to Report PED20212
Page 3 of 4**

The Committee's goals are:

- Review progress in implementing the City of Hamilton Cycling Master Plan and to take action to influence progress if necessary;
- Ensure community input on specific details associated with implementing the Master Plan;
- Ensure that cycling needs are emphasized in all transportation related decisions;
- Encourage legislation and policy changes that are supportive of cycling;
- Promote cycling for transportation and recreation through relevant events;
- Educate the public on the benefits, necessities and safety aspects of cycling;
- Assist in establishing secure, adequate bicycle parking facilities;
- Represent the cycling community at City of Hamilton sponsored functions/events;
- Encourage the formation of, and liaise with other municipal cycling committees; and
- Foster a mutual respect between cyclists and other road users.

ALIGNMENT WITH CORPORATE GOALS:

Please check off which Council approved Strategic Commitments your Advisory Committee supports			
1) Community Engagement & Participation	<input checked="" type="checkbox"/>	2) Economic Prosperity & Growth	<input checked="" type="checkbox"/>
3) Healthy & Safe Communities	<input checked="" type="checkbox"/>	4) Clean & Green	<input checked="" type="checkbox"/>
5) Built Environment & Infrastructure	<input checked="" type="checkbox"/>	6) Culture & Diversity	<input checked="" type="checkbox"/>
7) Our People & Performance	<input checked="" type="checkbox"/>		

PART C: Budget Request

INCIDENTAL COSTS:

Meeting expenses	\$1000
SUB TOTAL	\$1,000.00

SPECIAL EVENT/PROJECT COSTS:

Appendix "A" to Report PED20212

Page 4 of 4

Social Media Campaign	\$500
Special Projects	\$5,000
Group Rides	\$1,000
Tourism Promotions- supporting Ontario By Bike	\$500
Supporting Community Events to Raise Awareness for Cycling	\$3,000
Special Cycling Events	\$2,000
Conferences	\$1,000
SUB TOTAL	\$13,000

TOTAL COSTS	\$14,000
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Funding from Advisory Committee Reserve (only available to Advisory Committees with reserve balances)	\$4,000
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TOTAL 2021 BUDGET REQUEST (net of reserve funding)	\$ 10,000.00
PREVIOUS YEAR (2020) APPROVED BUDGET (2020 Request \$ 13,000)	\$13,000.00

CERTIFICATION:

Please note that this document is a request for a Budget from the City of Hamilton Operating budget. The submission of this document does not guarantee the requested budget amount. Please have a representative sign and date the document below.

Representative's Name: Chris Ritsma- Chair of the Hamilton Cycling Committee

Signature:




Date:

November 5, 2020

Telephone # :



CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Hamilton Water Division

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	December 7, 2020
SUBJECT/REPORT NO:	Wastewater Quality Management System (WWQMS) Operational Plan Summary Report (PW20076) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Cari Vanderperk (905) 546-2424 Ext. 5833 Jesmy D'Cruz (905) 546-2424 Ext. 5833
SUBMITTED BY:	Andrew Grice Director, Hamilton Water Public Works Department
SIGNATURE:	

RECOMMENDATION

- (a) That the Wastewater Quality Management System (WWQMS) Operational Plan Summary Report attached as Appendix "A" to Report PW20076 be approved; and,
- (b) That the Mayor, City Clerk, General Manager of Public Works and Director of Hamilton Water, be authorized and directed to execute the Wastewater Quality Management System Operational Plan Summary Report by signing the Commitment and Endorsement page within the Summary Report, attached as Appendix "A" of Report PW20076.

EXECUTIVE SUMMARY

The Hamilton Water Division has recently developed a Wastewater Quality Management System (WWQMS) as part of the City of Hamilton's (City) efforts to:

- Consistently process wastewater that meets applicable legislative, regulatory and other requirements; and,

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**SUBJECT: Wastewater Quality Management System (WWQMS) Operational Plan
Summary Report (PW20076) (City Wide) - Page 2 of 6**

- Enhance environmental performance through the effective application and continual improvement of the Quality Management System.

As part of the 2019 Water, Wastewater and Stormwater Rate Budget, Council approved the hiring of a Wastewater Compliance Technologist to develop and implement a WWQMS for the City.

The WWQMS is a framework that documents processes, procedures, and responsibilities to effectively and efficiently collect and treat wastewater. Revised processes and procedures will be integrated within the City of Hamilton's Beyond Compliance Operating System (BCOS).

A highly successful staff engagement exercise was undertaken to develop the WWQMS Policy that is referred to by the acronym "CLEAN" and can be found in Section 2.2 of the WWQMS Operational Plan Summary Report attached as Appendix "A" to Report PW20076. In 2019/2020, the team developed the Standard, performed a WWQMS Gap Analysis on the current program, established a WWQMS Working Group, facilitated a Wastewater Compliance Audit completed by a third-party, and developed associated documents including this Operational Plan.

The "Owner" of a wastewater system (City of Hamilton - Mayor and Council) have specific responsibilities under the Environmental Compliance Approvals issued to the City by the province for various wastewater related assets. The Hamilton Water Division acts as the "Operating Authority" for our wastewater systems. Hamilton Water has taken the initiative to develop the WWQMS Operational Plan and all ancillary documentation.

As required by our internal WWQMS Standard, Top Management (General Manager of Public Works and the Director of Hamilton Water) for the WWQMS is seeking Council's endorsement of the first WWQMS Policy and Operational Plan Summary Report, attached as Appendix "A" to Report PW20076.

Alternatives for Consideration – See Page 4

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: All costs to support the Operational Plan were approved as part of the 2020 Water, Wastewater and Stormwater Rate Budget.

Staffing: There are no staffing impacts associated with this report.

Legal: There is currently no legal requirement to have an approved Operational Plan for wastewater.

**SUBJECT: Wastewater Quality Management System (WWQMS) Operational Plan
Summary Report (PW20076) (City Wide) - Page 3 of 6**

HISTORICAL BACKGROUND

The implementation of the Wastewater Quality Management System (WWQMS) is a continual improvement action. It is a voluntary system that was developed by Hamilton Water utilizing the combination of the Drinking Water Quality Management Standard and the ISO 14001 Environmental Management Standard as the framework. Apart from the obvious benefit of enhanced environmental protection, the WWQMS is structured so that everyone from top management to the worker will know why this is important for the City, and will help to:

- Ensure continued compliance with legal requirements;
- Have awareness and management of environmental risks;
- Improve cost control measures;
- Ensure higher rate of success when implementing changes;
- Enable quicker improvement of processes;
- Enhance employee engagement in the knowledge that they are working in an environmentally focused organization;
- Demonstrate our commitment to improving the impact of our wastewater on the environment; and,
- Develop credibility with public and ensure transparency by reporting annually.

Council has been discussing the need for greater oversight of the wastewater operations, especially with regards to overflows and by-passes where there could be an impact to the environment and the WWQMS will support this need. The WWQMS provides the City with greater awareness of the requirements and a systematic approach to compliance.

The WWQMS is a companion to our provincially required Drinking Water Quality Management System (DWQMS) that has been successfully implemented and maintained since 2008. The DWQMS has helped us deliver safe, high quality, and consistent supply of drinking water to customers, while always improving the DWQMS, following and complying with applicable legislation and ensuring effective and open communication with the community concerning matters of drinking water quality.

In 2019, Council approved the hiring of a Wastewater Compliance Technologist to develop and implement a WWQMS for the City. Since mid-2019, the Wastewater Compliance Technologist has been working with the WWQMS Working Group and has completed the following tasks:

- Developed the WWQMS Standard for the City of Hamilton;
- Developed and received approval from Top Management for the WWQMS Policy;

**SUBJECT: Wastewater Quality Management System (WWQMS) Operational Plan
Summary Report (PW20076) (City Wide) - Page 4 of 6**

- Developed the WWQMS Operational Plan;
- Revised and/or developed wastewater related procedures and documents;
- Completed a WWQMS Gap Analysis;
- Facilitated a Wastewater Compliance Audit completed by a third-party;
- Completed a Wastewater Assets and Impacts Assessment;
- Developed Wastewater Objectives and Targets with associated Wastewater Programmes and received approval from Top Management; and,
- Facilitated the first full Top Management Review on November 5, 2020.

At this time, it is being requested that Council approve the WWQMS Policy and sign the Commitment and Endorsement by the “Owner” in the WWQMS Operational Plan Summary document.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The WWQMS Operational Plan Summary Report meets the intent of the WWQMS Policy approved by Top Management (General Manager of Public Works and Director of Hamilton Water) on January 27, 2020. At this time, we are requesting Council to approve the WWQMS Policy and commit to and endorse the WWQMS by signing the WWQMS Operational Plan Summary Report.

Of environmental interest, the WWQMS is a sub-system of the Beyond Compliance Operating System (BCOS) which is Hamilton Water’s integrated environmental, health & safety management system. With the implementation of WWQMS, BCOS continues to expand and improve Hamilton Water processes.

RELEVANT CONSULTATION

Following the endorsements of the WWQMS Operational Plan Summary Report, signed copies of the WWQMS Operational Plan Summary Report will be made available to the public on the City’s website, Clerk’s Office, City Hall and the Hamilton Water storefront at 330 Wentworth Street North.

Should the public have any questions, comments, or suggestions, they can contact the WWQMS System Management Representative (Manager, Compliance and Regulations) and their comments will be considered for continual improvement of the WWQMS.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The WWQMS Operational Plan Summary Report is an integrated document for all the Hamilton Wastewater Systems including the Woodward Avenue Wastewater Treatment Plant, Dundas Wastewater Treatment Plant and Wastewater Collection System.

**SUBJECT: Wastewater Quality Management System (WWQMS) Operational Plan
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A full copy of the WWQMS Operational Plan Summary Report is attached as Appendix “A” to Report PW20076. The WWQMS Operational Plan Summary Report provides a concise summary of the entire WWQMS and refers to the more detailed Level III system procedures and records.

It is recommended that the Operational Plan be endorsed by the System Owner and Top Management of the Wastewater System(s) similar to the Drinking Water Quality Management System (DWQMS). As such, Section 3.0 of the Operational Plan Summary Report includes a section entitled Commitment and Endorsement. Space has been allotted for the signatures of the Mayor and City Clerk as signing authority for the Owner, and the General Manager of Public Works and the Director of Hamilton Water as Top Management of the Operating Authority. Signatures will be added after Council endorses the WWQMS Operational Plan Summary Report as evidence of Owner and Operating Authority’s commitment and endorsement.

ALTERNATIVES FOR CONSIDERATION

The Ministry of Environment, Conservation and Parks (MECP) is supporting the Canadian Standards Association (CSA) in the development of a Wastewater Quality Management System Standard. This Standard will be voluntary across Canada. The City is supporting this initiative financially and a staff member is being considered for the Technical Committee responsible for its development. It is anticipated that work will commence on the Standard in 2020/2021.

Staff will continue to monitor the development of the voluntary CSA WWQMS and will consider making changes to the City’s WWQMS as part of continual improvement.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

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

**SUBJECT: Wastewater Quality Management System (WWQMS) Operational Plan
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Clean and Green

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

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

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 PW20076 - Wastewater Quality Management System
Operational Plan Summary Report



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PREFACE

Hamilton Water is committed to the protection of worker health, public health, property, and the environment. Beyond Compliance Operating System (BCOS) was developed to support this commitment. BCOS is an integrated management system that currently oversees the Drinking Water Quality Management System, Environmental Laboratory QMS and the Occupational Health and Safety Management System.

The Wastewater Quality Management System (WWQMS) falls within the BCOS umbrella. WWQMS is being implemented to effectively collect and treat wastewater and protect the environment. As no WWQMS Standard currently exists, the voluntary standard for the WWQMS was developed internally by Hamilton Water by merging the existing ISO14001:2015 and Drinking Water Quality Management Standard. The requirements of the WWQMS are stated throughout the Operational Plan Summary Report and have been developed by subject matter experts within Hamilton Water

BCOS Framework & WWQMS



Access to Reports

Following the endorsements of the WWQMS Operational Plan Summary Report, signed copies of the WWQMS Operational Plan Summary Report will be made available to the public on the City’s website, Clerk’s Office, City Hall and the Hamilton Water storefront at 330 Wentworth.

The WWQMS Operational Plan Summary Report is also accessible to staff through the BCOS Database and the Sectional Workspaces.





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1 QUALITY MANAGEMENT SYSTEM

1.1 Purpose

The purpose of the Wastewater Quality Management System (WWQMS) Operational Plan is to document the City of Hamilton’s WWQMS as part of the City’s efforts to:

- a. consistently process wastewater that meets applicable legislative, regulatory and other requirements, and
- b. enhance environmental performance through the effective application and continual improvement of the Quality Management System.

1.2 Scope

The WWQMS Operational Plan applies to Hamilton Water (HW), which is the Operating Authority for the City’s wastewater collection and treatment system (WWS).

HW has developed a WWQMS Operational Plan Manual (PW-WW-M-001-007) outlining the procedures and documents appropriate to the wastewater systems located in the City of Hamilton. The purpose of the WWQMS Operational Plan Manual (PW-WW-M-001-007) is to ensure that the requirements of the WWQMS is efficiently and effectively communicated to HW staff and key stakeholders. The WWQMS Operational Plan Manual also includes a map entitled “[City of Hamilton Wastewater Collection System Map \(PW-WW-V-011-001\)](#)” which illustrates the geographic scope of the City’s wastewater systems.

1.3 Definitions

BCOS	Beyond Compliance Operating System – Environmental, Health and Safety Management System for the Hamilton Water Division. BCOS is an umbrella system to the Environmental Laboratory QMS, DWQMS, and WWQMS sub-systems.
BCOS Database	Electronic management system software provided by Intelx. Scope of software is EQH&S and meets the requirements of the BCOS standards.
BLT	BCOS Lead Team - Includes SMR, Compliance Support Group, and Sectional QAs or designates from the Hamilton Water Division.
C&R	Compliance and Regulations Section





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CD	Capital Delivery Section
COH	City of Hamilton
Collection System	The entire network of equipment, processes, and service pipes that collect wastewater from customers
Combined Sewer Overflow Tank (CSO Tank)	Tanks designed for the storage of combined sewage during heavy rain events. Gates in the sewer system direct flow into the CSO tanks. The combined sewage is stored in the tanks until the rain event has ceased at which point the wastewater is directed back to the sewer system and onto the WWTP for treatment. These tanks help decrease the volume of water in the combined sewer system being transported to the WWTP and also decrease the number of CSOs to the natural environment.
Combined Sewer System	A wastewater collection system which conveys sanitary wastewaters (domestic, commercial and industrial wastewaters) and stormwater runoff through a single-pipe system to a Sewage Treatment Plant (STP) or treatment works. Combined sewer systems which have been partially separated and in which roof leaders or foundation drains contribute stormwater inflow to the sewer system conveying sanitary flows are still defined as combined sewer systems.
Continual Improvement	Recurring process of enhancing the management system in order to achieve improvements in overall performance consistent with the organization's policy. Continual improvement tools include identification of existing or potential non-conformances, root cause analysis, implementation of corrective / preventive action requests and verification of the effectiveness of corrective / preventive actions.



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Controlled documents	<p>Document deemed to be important to the functioning of Hamilton Water Division, as updated, reviewed, approved by the indicated staff, and authorized for release and distribution. The document is available to staff in a format that cannot be modified without appropriate approval. The document available to staff is always the most current version of the document. The document is subject to monitoring, auditing and update. Controlled documents have a unique BCOS issuance number.</p> <ul style="list-style-type: none"> Includes: procedures, manuals, checklists, forms, templates, lists, visual aids, guidelines and brochures.
Corrective Action	Action to eliminate the cause of a detected non-conformance or non-compliance.
CSG	Compliance Support Group
CS&CO	Customer Service and Community Outreach Section
DWQMS	Drinking Water Quality Management System
ECA	Environmental Compliance Approval



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E2	<p>The Environmental Emergency (E2) Regulations came into force under the authorities of the Canadian Environmental Protection Act, 1999 (CEPA 1999). The E2 Regulations were put in place to enhance the safety of the environment and human life and health of Canadians by preventing, preparing for, responding to and recovering from environmental emergencies. Under the E2 Regulations, any person who owns or has the charge, management or control of a listed substance on a fixed facility may be required to:</p> <ul style="list-style-type: none"> • identify substance and place; • prepare an environmental emergency plan (E2 plan); • implement, update and test the E2 plan annually; • provide notice of closure or decommissioning; and • report environmental emergencies involving regulated substances.
EQH&S	Environmental, quality, health and safety
Hamilton Water (HW)	Hamilton Water Division, which is the water, wastewater, and stormwater Operating Authority for the City of Hamilton.
HW - SMT	The Hamilton Water Senior Management Team includes the Directors & Section Managers of the Hamilton Water Division.
IPS	Infor Public Sector (formerly HANSEN). Departmental and cross-sectional modular software system, offering a variety of packages designed to handle different aspects of municipal operations such as infrastructure assets inventory, work management, stock inventory systems, service applications and call centers, licensing and enforcement.
Level III Document	A controlled document that applies to the Hamilton Water Division.
Level III Document (Scoped)	A controlled document that applies to two or more but not all the sections of the Hamilton Water Division.



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Level IV Document	A controlled document that applies to one Section of the Hamilton Water Division.
MOE	Ontario Ministry of Environment as amended (i.e. Ministry of Environment (MOE), Ministry of Environment and Energy (MOEE), Ministry of Environment and Climate Change (MOECC), Ministry of Environment, Conservation and Parks (MECP))
Operating Authority	Staff within the Hamilton Water Division responsible for the operation, maintenance and providing support services to the COH DWSs (including water treatment and distribution) and WWSs (including collection and water treatment).
Owner (DWS / WWS)	Every person who is a legal or beneficial owner of the City's DWSs and WWSs. Since the City's DWSs and WWSs are publicly owned and operated, the Mayor and Council of the City of Hamilton have been identified as Owners of the City's DWSs and WWSs.
PMATS	Plant Maintenance and Technical Services Section
PO	Plant Operations Section
Preventative Maintenance	Schedule of planned maintenance actions aimed at the prevention of breakdowns and failures.
QA	<p>Quality Assurance (process): Planned and systematic pattern of actions necessary to ensure that management and technical controls are being followed.</p> <p>Quality Assurance (staff): Staff who are responsible for maintaining quality within HW's Quality Management Systems. e.g. Sectional Quality Assurance Analyst, Quality Assurance Supervisor etc.</p>
RTC	Real Time Control



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SMR	Systems Management Representative (for the BCOS, DWQMS, and WWQMS Systems) - Manager of Compliance and Regulations Section. Equivalent to QMS Representative as described in the DWQMS Standard.
Top Management (DWQMS / WWQMS)	The DWQMS and WWQMS Top Management has been identified as: the General Manager of Public Works and the Director of Hamilton Water Division.
Wastewater	Water that has been used at home, in a business or as a part of an industrial process. Excludes surface runoff or stormwater unless it enters combined sewer systems.
Objective	Objective set by Hamilton Water consistent with its WWQMS Policy
Target	Means for providing verifiable evidence that wastewater objectives have been met
Wastewater System (WWS)	Any works for the collection, transmission, treatment and disposal of sewage or any part of such works, but does not include plumbing
WD&WWC	Water Distribution and Wastewater Collection Section
WWQMS	Wastewater Quality Management System
WWWPC	Water & Wastewater Planning & Capital
WWWSP	Water & Wastewater Systems Planning Section

2 QUALITY MANAGEMENT SYSTEM POLICY

2.1 Requirements

2.1.1 The Operational Plan shall document a Quality Management System Policy that provides the foundation for the Quality Management System, and:



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- c. includes a commitment to the maintenance and continual improvement of the Quality Management System,
- d. includes a commitment to comply with applicable legislation and regulations,
- e. includes a commitment to pollution prevention, and
- f. is in a form that can be communicated to all Operating Authority personnel and the Owner.

2.1.2 The Operating Authority shall establish and maintain a Quality Management System that is consistent with the Quality Management System Policy.

2.2 WWQMS Policy

2.2.1 The WWQMS Policy was approved by Top Management on January 27, 2020. It has been communicated to HW staff as per the [Internal Communications \(PW-WW-P-008-001\)](#) procedure.

The WWQMS Policy is communicated to the public through posting on the City’s website.





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WWQMS Policy

**WASTEWATER
QUALITY MANAGEMENT
SYSTEM POLICY**

The City of Hamilton owns, maintains and operates various wastewater systems. The City is committed to:

C *Compliance with all legal and other requirements*

L *Leaders in pollution prevention*

E *Effective Communication with the community*

A *Always improving the Wastewater Quality Management System*

N *Noteworthy innovation*

Hamilton BCOS
BEYOND COMPLIANCE OPERATING SYSTEM

3 COMMITMENT AND ENDORSEMENT

3.1 Requirements

- 3.1.1 The Operational Plan shall contain a written endorsement of its contents by Top Management and the Owner.
- 3.1.2 Top Management shall provide evidence of its commitment to an effective Quality Management System by:





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- a. ensuring that a Quality Management System is in place that meets the requirements of this Standard,
- b. ensuring that the Operating Authority is aware of all applicable legislative and regulatory requirements,
- c. communicating the Quality Management System according to the procedure for communications, and
- d. determining, obtaining or providing the resources needed to maintain and continually improve the Quality Management System.

3.2 Commitment and Endorsement

- 3.2.1 The Owner (Mayor and Council) and Top Management (General Manager of Public Works and the Director of HW) of the Operating Authority (HW) support the development, implementation, maintenance and continual improvement of the WWQMS, which supports the COH’s WWS.
- 3.2.2 The Owner acknowledges their role through the receipt and review of WWQMS reports related to the adequacy of infrastructure, audits and management reviews, and by provision of resources to support the WWQMS.
- 3.2.3 Top Management supports the WWQMS through provision of resources, ensuring staff are aware of relevant legal requirements, and supporting WWQMS communications.
- 3.2.4 The WWQMS Operational Plan will be endorsed at minimum every four years, following the municipal election cycle. The signatures that follow serve as evidence of the endorsement of the WWQMS Operational Plan Manual (PW-WW-M-001-007).





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Fred Eisenberger Mayor WWS Owner Representative	Dan McKinnon General Manager, Public Works Department WWQMS Top Management Representative
---	---

Andrea Holland City Clerk (Signing Authority on Behalf of Council)	Andrew Grice Director, Hamilton Water Division WWQMS Top Management Representative
--	--

4 WWQMS SYSTEM REPRESENTATIVE

4.1 Requirements

- 4.1.1 The Operational Plan shall identify a Quality Management System representative.
- 4.1.2 Top Management shall appoint and authorize a Quality Management System representative who, irrespective of other responsibilities, shall:
 - a. administer the Quality Management System by ensuring that processes and procedures needed for the Quality Management System are established and maintained
 - b. report to Top Management on the performance of the Quality Management System and any need for improvement,
 - c. ensure that current versions of documents required by the Quality Management System are being used at all times,
 - d. ensure that personnel are aware of all applicable legislative and regulatory requirements that pertain to their duties for the operation of the Subject System, and
 - e. promote awareness of the Quality Management System throughout the Operating Authority.





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4.2 WWQMS Representative

4.2.1 The Manager of Compliance & Regulations has been appointed as the Systems Management Representative (SMR) for WWQMS. The SMR is responsible for:

- ensuring that the WWQMS is established, implemented, and maintained,
- reporting to Top Management and HW - SMT regarding WWQMS performance including recommended continual improvement initiatives,
- promoting awareness of the WWQMS and of HW staff roles and responsibilities,
- overseeing the document control process including the development, review, approval and release of WWQMS System procedures and revoking obsolete documents,
- ensuring that HW and other staff are aware of all applicable legal requirements related to their duties and the WWQMS, and
- managing the WWQMS Internal Audit Program.

5 DOCUMENTS AND RECORDS CONTROL

5.1 Requirements

5.1.1 The Operational Plan shall document a procedure for Documents and Records Control that describes how:

Documents required by the Quality Management System are:

- a. kept current, legible and readily identifiable,
- b. retrievable,
- c. stored, protected, retained and disposed of, and

Records required by the Quality Management System are:

- a. kept legible, and readily identifiable,
- b. retrievable, and
- c. stored, protected, retained and disposed of.

5.1.2 The Operating Authority shall implement and conform to the procedure for Document and Records control and shall ensure that the Quality Management System documentation for the WWQMS includes:

- a. the Operational Plan and its associated policies and procedures,





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- b. documents and records determined by the Operating Authority as being needed to ensure the effective planning, operation and control of its operations, and
- c. the results of internal and third-party Audits and management reviews.

5.2 Hamilton Water Document and Record Management System

- 5.2.1 Procedures have been developed that outline the document and record control processes for the Operating Authority.
- 5.2.2 The procedure entitled [Control of Documents \(PW-WW-P-010-001\)](#) is an integrated procedure that outlines document control processes for the Operating Authority. The purpose of this procedure is to control the issue, change, and approval of documents, ensuring that only up to date, approved documentation is used by Operating Authority staff. The Control of Documents procedure also ensures that staff can locate and access documents relevant to their work, in the format most suitable to their work, whether the documents are created internally or externally to the Operating Authority.
- 5.2.3 [Control of Records \(PW-WW-P-016-001\)](#) is an integrated procedure that applies to all HW sections. The purpose of this procedure is to ensure that both COH and externally generated non-COH records identified as critical are properly collected, identified, accessed, filed, stored, maintained, reviewed, and disposed of after their designated retention times.

6 WASTEWATER SYSTEMS DESCRIPTIONS

6.1 Requirements

- 6.1.1 The Operational Plan shall document for the Wastewater System:
 - a. the name of the Owner and Operating Authority,
 - b. a general description of the system including all components of Wastewater Collection and applicable Treatment System processes
 - c. a description including:
 - general characteristics of the receiving water body(ies),
 - common event-driven fluctuations, and
 - any resulting operational challenges and threats.
- 6.1.2 The Operating Authority shall ensure that the description of the Wastewater System is kept current.



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6.2 Wastewater System Process Descriptions

6.2.1 Process descriptions meeting the WWQMS requirements are found in [WWQMS Descriptions of Hamilton Wastewater Systems \(PW-WW-P-004-009\)](#). The map entitled [City of Hamilton Wastewater Collection System Map \(PW-WW-V-011-001\)](#) illustrates the geographic scope of the COH's wastewater collection and treatment systems.

7 ENVIROMENTAL ASPECTS & IMPACTS

7.1 Requirements

7.1.1 The Operational Plan shall develop an environmental aspects and impacts process to identify and assess environmental aspects and impacts associated with the collection and treatment of wastewater that:

- a. identifies the environmental aspects of its activities, and services (outputs) within the scope of the WWQMS that it can control or influence,
- b. takes into account planned or unplanned changes or modified activities, products and services,
- c. takes into account abnormal conditions and reasonably foreseeable emergency situations,
- d. identifies the environmental aspects that can have a significant impact on the environment using established criteria,
- e. identifies control measures to address the potential impacts,
- f. ensures that the significant environmental aspects are taken into account in establishing, implementing and maintaining the wastewater management system,
- g. describes how it shall communicate its significant environmental aspects among various levels and functions of the organization,
- h. identifies a method to verify, at least once every calendar year, the currency of the information, and
- i. conducts the assessment at least once every three years.

7.1.2 The Operational Plan shall document:

- a. the identified environmental aspects and associated impacts,
- b. criteria used to determine its significant environmental aspects, and
- c. the impacts rated significant.





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The Operating Authority shall ensure that the record of environmental aspects and impacts is kept current.

7.2 Hamilton Wastewater Systems’ Aspects and Impacts Assessment

7.2.1 The procedure entitled [Environmental Aspects & Impacts Assessment \(PW-WW-P-003-001\)](#) has been developed to document the process followed by HW to identify and assess the environmental aspects and impacts associated with the activities, products and services related to the collection and treatment of wastewater. Once the Aspect and Impact pairs are identified and rated, their Significant Impact Rating can be calculated as the product of likelihood, severity and detectability. A summary of the significant aspects and associated control measures are identified and recorded in [Aspects and Impacts Register \(PW-WW-R-003-001\)](#).

7.2.2 The Aspects and Impacts Assessment is conducted every 3 years and the WWQMS Environmental Aspects and Impacts Register is assessed annually. The Aspects and Impacts Assessment is also conducted for a new wastewater facility or a major process modification within six months after the commissioning date. Communication about significant environmental aspects is carried out as per the [Internal Communications \(PW-WW-P-008-001\)](#) procedure.

8 OBJECTIVES & TARGETS

8.1 Requirements

8.1.1 The Operating Authority shall ensure that wastewater objectives and targets are established considering significant environmental aspects and associated compliance obligations. The environmental objectives shall be:

- a. consistent with the policy,
- b. measurable (if practicable),
- c. monitored,
- d. communicated, and
- e. updated as appropriate.

When setting objectives, the Operating Authority shall determine:

- a. what will be done,
- b. what resources will be required,
- c. who will be responsible,





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- d. when it will be completed, and
- e. how the results will be evaluated, including applicable indicators for monitoring progress towards achievement.

The Operating Authority shall establish, implement and maintain a programme(s) for achieving its objectives and targets. Programme(s) shall include:

- a. designation of responsibility for achieving objectives and targets at relevant functions and levels of the organization, and
- b. the means and time frame by which they are to be achieved.

8.1.2 The Operating Authority shall maintain documented information about its environmental objectives, targets and management programmes.

The Operating Authority shall consider how actions to achieve its environmental objectives can be integrated into the organization’s business processes.

8.2 Hamilton Wastewater Systems’ Objectives and Targets

8.2.1 The procedure entitled [Wastewater Objectives and Targets \(PW-WW-P-005-001\)](#) documents the process by which Hamilton Water sets objectives and targets to avoid or minimize environmental impacts of WWS. Objectives are established after considering evaluation criteria outlined in the procedure. Targets established provide quantifiable milestones for measuring performance against set objectives. Management programmes established list the specific tasks or means by which to achieve the desired objective and target.

8.2.2 The list of objectives, targets and wastewater management programmes is recorded in [Objectives and Targets Summary \(PW-WW-R-005-001\)](#) and approved by Top Management annually.

9 ORGANIZATIONAL STRUCTURE, ROLES, RESPONSIBILITIES & AUTHORITIES

9.1 Requirements

- 9.1.1 The Operational Plan shall:
- a. describe the organizational structure of the Operating Authority including respective roles, responsibilities and authorities,
 - b. delineate corporate oversight roles, responsibilities and authorities where the Operating Authority operates multiple Wastewater Systems,





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- c. identify the person, persons or group of people within the management
- d. identify the structure of the organization responsible for undertaking the Management Review described in Section 21,
- e. identify the person, persons or group of people, having Top Management responsibilities required by this Standard, along with their responsibilities, and
- f. identify the Owner of the Wastewater System.

9.1.2 The Operating Authority shall keep current the description of the organizational structure including respective roles, responsibilities and authorities, and shall communicate this information to Operating Authority personnel and the Owner.

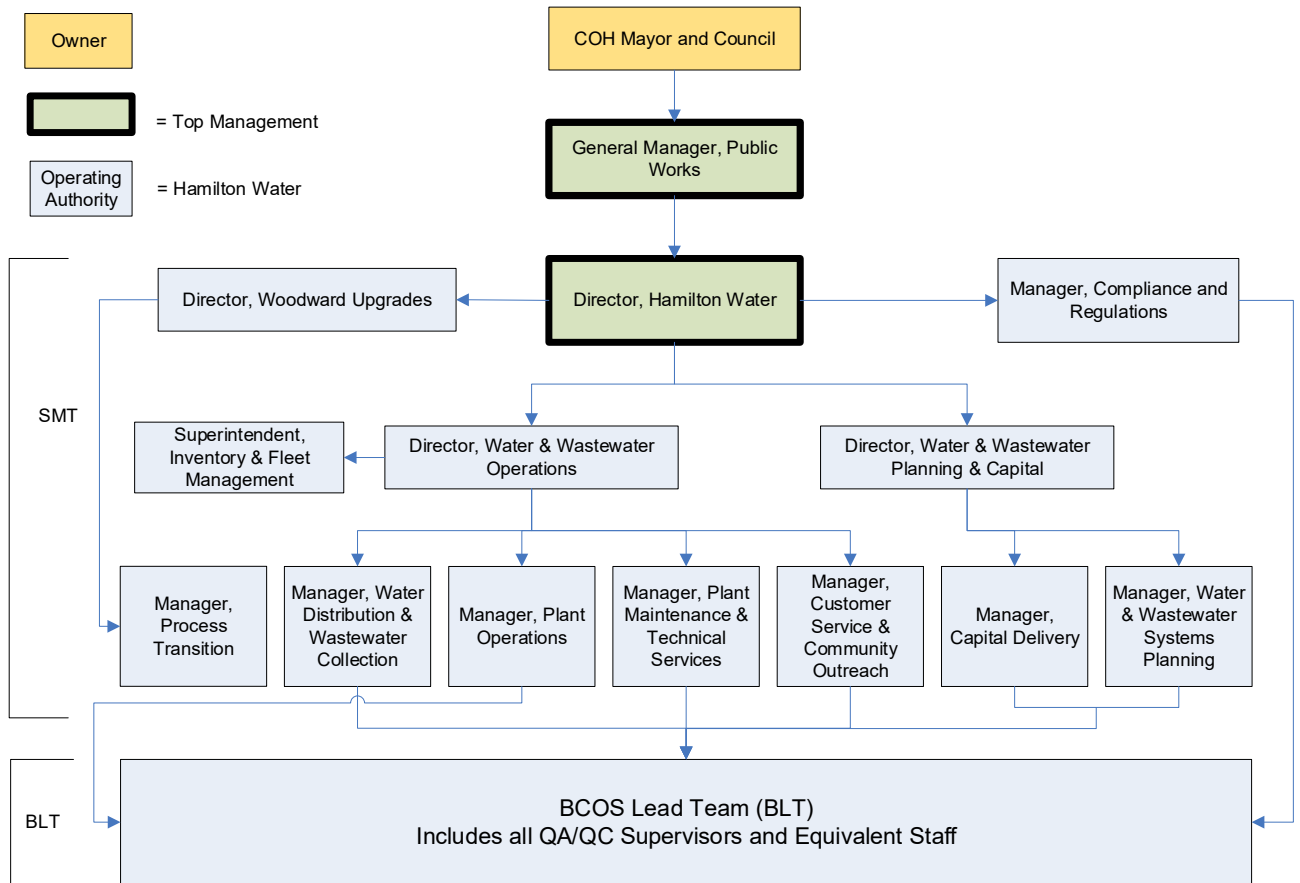
9.2 Hamilton Water Organizational Structure, Roles, Responsibilities, and Authorities

9.2.1 [Roles, Responsibilities & Authorities \(PW-WW-P-006-001\)](#) is an integrated procedure for BCOS including DWQMS and WWQMS that describes how roles, responsibilities, and authorities are defined, communicated, and maintained to ensure accountability in the implementation of these systems. The [Hamilton Water – Photo Organizational Chart \(PW-WW-R-006-002\)](#) identifies key roles and/or titles within HW. The [Roles, Responsibilities and Authorities Matrix \(PW-WW-G-006-001\)](#) outlines the roles, responsibilities and authorities relating to the BCOS systems.

9.2.2 The Roles, Responsibilities & Authorities Procedure applies to all sections of HW. CSG and BLT are responsible for ensuring that Operating Authority staff are kept aware of their respective roles, responsibilities and authorities as they relate to WWQMS. The organizational chart below delineates key wastewater positions.



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10 COMPETENCIES

10.1 Requirements

10.1.1 The Operational Plan shall document:

- competencies required for personnel performing duties directly affecting quality of wastewater collected and treated,
- activities to train, develop and/or maintain competencies for personnel performing duties directly affecting quality of treated wastewater, and
- activities to ensure that personnel are aware of the relevance of their duties and how they affect the quality of wastewater discharges into the environment.

10.1.2 The Operating Authority shall undertake activities to:

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- a. meet and maintain competencies for personnel directly affecting quality of treated wastewater and shall maintain records of these activities, and
- b. ensure that personnel are aware of the relevance of their duties and how they affect the quality of wastewater discharges into the environment and shall maintain records of these activities.

10.2 WWQMS Competencies

- 10.2.1 The [Competency and Training Procedure \(PW-WW-P-033-001\)](#) provides the framework for the identification, delivery and tracking of training requirements related to the Hamilton Water Division. The procedure is also created to document how the Division ensures competencies of staff that could have a direct impact on wastewater collection and treatment.
- 10.2.2 The [Hamilton Water Division Core Training Guideline \(PW-WW-G-033-002\)](#) lists required core and developmental competencies for job positions that could impact wastewater quality. Positions potentially impacting quality of wastewater have been identified as:
 - Positions that require a Wastewater Operator’s License (Treatment or Collection) Positions that supervise licensed Operators or Water Quality Analysts and
 - Other positions recommended by Section Manager
- 10.2.3 All Operating Authority staff are expected to be aware of their roles, responsibilities and authorities. WWQMS Awareness Training is a core training requirement for all staff of the Operating Authority. WWQMS Awareness Training is an on-going training provided to new staff at the Hamilton Water New Employee Orientation. In addition, refresher training may be provided as needed. Staff are also updated about WWQMS as per [Internal Communications \(PW-WW-P-008-001\)](#) procedure.
- 10.2.4 Further, this training may be provided to other City staff outside of the Operating Authority as required.
- 10.2.5 In order to better connect staff to available training, use training resources effectively and help manage training records, HW utilizes the IT Tool – the Learning Management Database.



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11 PERSONNEL COVERAGE

11.1 Requirements

11.1.1 The Operational Plan shall document, implement and conform to a procedure to ensure that sufficient personnel meeting identified competencies are available for duties that directly affect wastewater collection and treatment.

11.2 WWS Personnel Coverage

11.2.1 The [Personnel Coverage \(PW-WW-P-034-003\)](#) procedure outlines the process by which the Hamilton Water Division ensures that adequate staffing and personnel coverage are maintained for its water and wastewater operations. The procedure details personnel coverage measures followed during regular business hours as well as evenings, weekends and holidays. Where applicable, Level 4 (Sectional) personnel coverage procedures should be referenced for Section-specific Personnel Coverage processes.

12 COMMUNICATION

12.1 Requirements

12.1.1 The Operational Plan shall implement, document and conform to a procedure for communications that describes how the relevant aspects of the WWQMS are communicated between Top Management and:

- a. the Owner,
- b. Operating Authority personnel,
- c. Suppliers that have been identified as essential, and
- d. the Public.

12.2 Communications

12.2.1 The [Internal Communications \(PW-WW-P-008-001\)](#) procedure describes processes for internal communications on various elements of the organization 's management systems, policies and objectives. This procedure has been developed to ensure effective and timely communication with internal stakeholders.

12.2.2 [External Regulatory and Other Communications \(PW-WW-P-008-002\)](#) describes HW communication processes with regulatory agencies, general public and other external stakeholders.





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13 OPERATIONAL PLANNING AND CONTROLS

13.1 Requirements

13.1.1 The Operational Plan shall establish, implement, control and maintain processes needed to meet WWQMS requirements, and shall implement actions identified in the aspects and impacts assessment process and Objectives planning process by:

- a. establishing operating criteria for the process(es), and
- b. implementing control of the process(es), in accordance with the operating criteria.

The Operating Authority shall control planned changes and review the consequences of unintended changes, taking action to mitigate any adverse effects, as necessary.

The Operating Authority shall ensure that outsourced processes are controlled or influenced. The type and extent of control or influence to be applied to the process(es) shall be defined within the WWQMS.

13.1.2 The Operational Plan shall maintain documented information to the extent necessary to have confidence that the processes have been carried out as planned.

13.2 WWQMS Operational Planning Controls for WWS

13.2.1 The [Environmental Aspects & Impacts Assessment \(PW-WW-P-003-001\)](#) procedure documents the process followed by Hamilton Water to identify operational controls to address significant environmental impacts related to the collection and treatment of wastewater. The [Aspects and Impacts Register \(PW-WW-R-003-001\)](#) records the control measures associated with aspects and impacts including preventative maintenance, inspections and monitoring, standardized work instructions and/or improvement projects.

13.2.2 The [Essential Supplies and Services \(PW-WW-P-035-001\)](#) procedure documents the process followed by Hamilton Water to identify and review the quality of essential supplies and services provided from outside of the City of Hamilton Drinking Water and Wastewater Systems managed by the HW Division that can introduce quality, safety or environmental risks.

14 EVALUATION OF COMPLIANCE

14.1 Requirements

14.1.1 The Operational Plan shall:





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- a. document a procedure for periodically evaluating compliance with legal and other requirements and taking actions if needed,
- b. keep records of the results of the periodic evaluations and action taken,
- c. maintain knowledge and understanding of its compliance status, and
- d. establish implement and maintain processes to evaluate and fulfill its compliance obligations.

14.1.2 The Operating Authority shall implement and conform to the procedure and communicate the findings to Owner.

14.2 Hamilton Wastewater Systems' Compliance

14.2.1 The [Legal and Other Requirements \(PW-WW-P-004-004\)](#) procedure indicates how applicable legal and other requirements related to COH's WWS are identified, communicated and managed. The BCOS Database is used to list requirements, track and assign tasks associated with legal and other requirements. Wastewater approval related requirements are tracked in the [Approvals Register \(PW-WW-R-004-020\)](#) that is updated at least annually. In addition, external third-party compliance audits of WWS may be conducted as required.

15 REVIEW AND PROVISION OF INFRASTRUCTURE

15.1 Requirements

15.1.1 The Operational Plan shall document a procedure for reviewing the adequacy of the infrastructure necessary to operate and maintain the wastewater System that:

- a. considers the significant impacts described in Section 7, and
- b. ensures that the adequacy of the infrastructure necessary to operate and maintain the wastewater System is reviewed at least once every Calendar Year.

15.1.2 The Operating Authority shall implement and conform to the procedure and communicate the findings of the review to the Owner.

15.2 Hamilton Water Infrastructure Review

15.2.1 The [Review and Provision of Infrastructure procedure \(PW-WW-P-025-001\)](#) documents the process followed by Hamilton Water in reviewing the adequacy of its wastewater system infrastructure. The procedure applies to all City of Hamilton WWS infrastructure, including both vertical and horizontal infrastructure and other





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infrastructure required for the operation of the WWS including offices, workspaces, buildings and critical software.

16 INFRASTRUCTURE MAINTENANCE, REHABILITATION & RENEWAL

16.1 Requirements

16.1.1 The Operational Plan shall document:

- a. a summary of the Operating Authority’s infrastructure maintenance, rehabilitation and renewal programs for the wastewater System, and
- b. a long term forecast of major infrastructure maintenance, rehabilitation and renewal activities.

16.1.2 The Operating Authority shall:

- a. keep the summary of the infrastructure maintenance, rehabilitation and renewal programs current,
- b. ensure that the long-term forecast is reviewed at least once every Calendar Year,
- c. communicate the programs to the Owner, and
- d. monitor the effectiveness of the maintenance program.

16.2 Hamilton Water Infrastructure Maintenance, Rehabilitation and Renewal

16.2.1 The procedure [Infrastructure Maintenance, Rehabilitation and Renewal \(PW-WW-P-026-001\)](#) describes how Hamilton Water implements infrastructure maintenance, rehabilitation, and renewal programs depending on the condition of infrastructure, redundancy of equipment and the related operational risk. Infrastructure maintenance is addressed by both planned and unplanned maintenance activities carried out by PMATS, PO and WD&WWC.

17 SAMPLING, TESTING & MONITORING

17.1 Requirements

17.1.1 The Operational Plan shall document:

- a. a sampling, testing and monitoring procedure for process control and finished wastewater quality including requirements for sampling, testing and monitoring at the conditions most challenging to the wastewater System,





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- b. a description of relevant sampling, testing or monitoring activities, if any, that take place downstream of the wastewater System, and
- c. a procedure that describes how sampling, testing and monitoring results are recorded and shared between the Operating Authority and the Owner, where applicable.

17.1.2 The Operating Authority shall implement and conform to the procedures.

17.2 Hamilton Water Sampling, Testing and Monitoring

17.2.1 The [Sampling, Testing and Monitoring \(PW-WW-P-013-004\)](#) procedure describes how wastewater sampling, testing and monitoring activities are undertaken and how the results are communicated as per regulatory requirements.

17.2.2 The responsibilities for performing the required sampling in the City of Hamilton’s wastewater collection system and wastewater treatment plants are outlined in the [City of Hamilton Wastewater Sampling Plan \(PW-WW-P-013-006\)](#). The [City of Hamilton Wastewater Sampling Schedule \(PW-WW-L-013-003\)](#) identifies the list of samples to be collected and tests to be performed by staff to meet City of Hamilton’s compliance obligations.

18 MEASUREMENT & RECORDING EQUIPMENT, CALIBRATION & MAINTENANCE

18.1 Requirements

18.1.1 The Operational Plan shall document, implement and conform to a procedure for the calibration and maintenance of measurement and recording equipment.

18.2 Hamilton Water Measurement and Recording Equipment, Calibration and Maintenance

18.2.1 The procedure entitled [Calibration & Maintenance of Measurement and Recording Equipment \(PW-WW-P-036-001\)](#) describes the requirements for the calibration, verification and maintenance of measurement and recording equipment used in the operation of WWS. The procedure identifies responsible personnel, recording requirements, frequency and method for calibration, verification and maintenance of measurement and recording equipment.





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19 EMERGENCY MANAGEMENT

19.1 Requirements

19.1.1 The Operational Plan shall document a procedure to maintain a state of emergency preparedness that includes:

- a. a list of potential emergency situations or service interruptions,
- b. processes for emergency response and recovery,
- c. emergency response training and testing requirements,
- d. Owner and Operating Authority responsibilities during emergency situations,
- e. references to municipal emergency planning measures as appropriate, and
- f. an emergency communication protocol and an up-to-date list of emergency contacts.

19.1.2 The Operating Authority shall implement and conform to the procedure.

19.2 Hamilton Water Emergency Management

19.2.1 The [Hamilton Water Emergency Response Plan \(PW-WW-P-012-001\)](#) describes the City's Corporate, Departmental, Divisional, and Sectional Emergency Response structure. Emergency Response Plan (ERP) Manuals (binders) are available at various locations within Hamilton Water inclusive of the Hamilton Water Emergency Response Plan. A Risk Assessment approach is used to identify possible risks or emergencies that could potentially impact the City's WWS, Annual testing of the COH (Corporate) Emergency Response Plan, the HW Emergency Response Plan, and the Plant Operation's E2 Plan is required. Upon completion of testing, a debrief is held to determine possible improvement actions and document any procedural upgrades that may be required.

19.2.2 HW staff must receive training for all emergency response plans and/or procedures related to their job or responsibilities. Divisional training requirements are listed in the [Hamilton Water Division Core Training Guideline \(PW-WW-G-033-002\)](#). The City's Emergency Management Office determines training requirements for the COH's Emergency Response Plan.



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20 INTERNAL AUDITS

20.1 Requirements

- 20.1.1 The Operational Plan shall document a procedure for internal Audits that:
 - a. evaluates conformity of the Quality Management System with the requirements of this Standard,
 - b. identifies internal Audit criteria, frequency, scope, methodology and record-keeping requirements,
 - c. considers previous internal and third-party Audit results, and
 - d. describes how Quality Management System Corrective Actions are identified and initiated.
- 20.1.2 The Operating Authority shall implement and conform to the procedure and shall ensure that internal Audits are conducted at least once every Calendar Year.

20.2 WWQMS Internal Audit

- 20.2.1 The [Internal Auditing procedure \(PW-WW-P-017-001\)](#) is an integrated procedure that describes how HW conducts objective and systematic internal audits as a means of measuring the performance of its BCOS, including WWQMS.
- 20.2.2 The SMR holds overall responsibility for ensuring that internal audits are planned and executed annually according to the requirements of this procedure. Internal auditors are appointed by HW - SMT and are identified in the [Internal Auditor List \(PW-WW-L-017-003\)](#).
- 20.2.3 Audit findings are recorded in the BCOS database and may indicate the need for corrective, preventive, or improvement actions (See Section 22.0 of this Operational Plan).
- 20.2.4 Once scheduled internal audits are completed, the SMR (or designate) reviews audit findings and compiles the information for presentation to SMT. In addition, the Internal Audit Program is reviewed on an annual basis as an input to Management Review (See Section 21.0 of this Operational Plan).





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21 MANAGEMENT REVIEW

21.1 Requirements

21.1.1 The Operational Plan shall document a procedure for management review that evaluates the continuing suitability, adequacy and effectiveness of the Quality Management System and that includes consideration of:

- a. incidents of regulatory non-compliance and response actions,
- b. the effectiveness of the wastewater aspects and impacts process (changes in significant wastewater aspects),
- c. objectives and targets, and status of wastewater Management Programmes,
- d. internal audit results,
- e. summary of WWQMS non-conformance reports, including Essential Supplies and Services' non-conformances,
- f. results of emergency response testing,
- g. operational performance,
- h. influent and effluent wastewater quality trends,
- i. follow-up on action items from previous management reviews,
- j. the status of management action items identified between reviews,
- k. changes that could affect the Quality Management System,
- l. internal & external communication,
- m. the resources needed to maintain the Quality Management System,
- n. the results of the infrastructure review,
- o. Operational Plan currency, content and updates, and
- p. staff suggestions.

21.1.2 Top Management shall implement and conform to the procedure and shall:

- a. ensure that a management review is conducted at least once every Calendar Year,
- b. consider the results of the management review and identify deficiencies and actions items to address the deficiencies,



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- c. provide a record of any decisions and action items related to the management review including the personnel responsible for delivering the action items and the proposed timelines for their implementation, and
- d. report the results of the management review, the identified deficiencies, decisions and action items to the Owner.

21.2 Hamilton Water Management Review

- 21.2.1 The [Management Review procedure \(PW-WW-P-018-001\)](#) documents the process for planning, executing, and documenting Management Reviews, including provision of feedback to the Hamilton Water Division and reporting of review results to the Owner.
- 21.2.2 The SMR coordinates the annual Management Review meetings and compiles the required input data for presentation to Top Management. Top Management is responsible for reviewing the input materials presented and generating outputs as specified in the Management Review procedure. The SMR or delegate prepares minutes of Management Review meetings as proof of completion.
- 21.2.3 Top Management or their delegates are responsible for communicating Management Review results to the Owner. In addition, results of management reviews are summarized in the annual WWQMS Summary Report which is circulated to the WWS Owner.

22 NON-CONFORMANCE, CORRECTIVE & PREVENTIVE ACTION

22.1 Requirements

- 22.1.1 The Operating Authority shall develop a procedure for tracking and measuring effectiveness of its Quality Management System by:
 - a. documenting a process for identification and management of Quality Management System Corrective Actions that includes:
 - investigating the cause(s) of an identified non-conformity,
 - documenting the action(s) that will be taken to correct the nonconformity and prevent the non-conformity from re-occurring, and
 - reviewing the action(s) taken to correct the non-conformity, verifying that they are implemented and are effective in correcting and preventing the re-occurrence of the nonconformity.



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b. documenting a process for identifying and implementing Preventive Actions to eliminate the occurrence of potential non-conformities in the Quality Management System that includes:

- reviewing potential non-conformities that are identified to determine if preventive actions may be necessary,
- documenting the outcome of the review, including the action(s), if any, that will be taken to prevent a non-conformity from occurring, and
- reviewing the action(s) taken to prevent a non-conformity, verifying that they are implemented and are effective in preventing the occurrence of the non-conformity.

22.1.2 The Operating Authority shall implement and conform to the procedure

22.2 Hamilton Water Non-Conformance, Corrective and Preventative Action Process

22.2.1 The integrated [Non-conformance, Corrective & Preventive Action Process procedure \(PW-WW-P-015-002\)](#) documents the non-conformance, corrective and preventative action process that ensures the effective resolution of system non-conformances and legal non-compliances related to the WWQMS.

Non-conformances are entered into the "Findings" Application of the BCOS Database. Once details of the nature of the non-conformance are entered into BCOS, a root cause analysis can be completed, and an action plan can be developed to correct or prevent the non-conformance. All action plans are verified as being complete. Verification for effectiveness may occur at the discretion of the SMR. All of the above information must be entered into the BCOS Database. Once the completion of the plan has been verified, the non-conformance report can be closed out.

23 CONTINUAL IMPROVEMENT

23.1 Requirements

23.1.1 The Operating Authority shall develop a procedure for tracking and measuring continual improvement of its Quality Management System.

23.1.2 The Operating Authority shall strive to continually improve the effectiveness of its Quality Management System by implementing and conforming to the procedure.





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23.2 Hamilton Water Continual Improvement Process

23.2.1 The COH is committed to continually improving its WWQMS. The Public Works departmental Continual Improvement procedure is currently under development. In addition, Hamilton Water follows the section on continual improvement found in [Non-conformance, Corrective & Preventive Action Process procedure \(PW-WW-P-015-002\)](#). Hamilton Water uses tools such as management reviews, internal audits, communications, BIMA scorecard and benchmarking initiatives to track and measure the continual improvement of WWQMS.

BCOS software tracks the revision history of document.



CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Transportation Operations and Maintenance Division

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	December 7, 2020
SUBJECT/REPORT NO:	Red Light Camera Program (PW20077) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	David Ferguson (905) 546-2424 Ext. 2433 Rodney Aitchison (905) 546-2424 Ext. 2067 Mike Field (905) 546-2424 Ext. 4576
SUBMITTED BY:	Edward Soldo Director, Transportation Operations & Maintenance Public Works Department
SIGNATURE:	

RECOMMENDATIONS

- (a) Pursuant to Procurement Policy By-law 20-205, Policy #11 Non-Competitive Procurements, that the General Manager of Public Works be authorized to negotiate, enter into and execute an amendment to the existing agreement and any ancillary documents for the provision of maintenance, operation and data transfer services of the existing 33 red light cameras with Traffipax LLC, to include:
- (i) an extension of the agreement until December 31, 2026; and
 - (ii) the conversion of the existing 33 red light camera locations to the new RLC technology in accordance with the principles contained in this Report PW20077, all in a form satisfactory to the City Solicitor.
- (b) That the costs for the equipment rental and servicing under the existing agreement be charged to the Red Light Camera Reserve, account 55916-461010;
- (c) Pursuant to Procurement Policy By-law 20-205, Policy #12 – Cooperative Procurements, that the General Manager of Public Works be authorized to negotiate, enter into and execute an agreement and any ancillary documents for the provision of new radar-equipped red light cameras, associated equipment,

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: Red Light Camera Program (PW20077) (City Wide) – Page 2 of 7

maintenance and data transfer services for the period of 2021-2027 with Traffipax LLC, in accordance with the terms and conditions of the Request for Approvals executed by the City of Toronto on behalf of the Red Light Camera consortium, all in a form satisfactory to the City Solicitor; and

- (d) That the costs for the new equipment rental and servicing to be charged to the Red Light Camera Reserve, account 55916-461010.

EXECUTIVE SUMMARY

The City of Hamilton has been operating a Red Light Camera (RLC) program since November 2000 as part of the RLC municipal consortium. The intent of the program is to improve road safety by reducing right-angle collisions at traffic signals, which are typically caused by drivers failing to obey the red traffic signal.

Council approval and agreements are in place to continue the RLC program until the end of 2021 with a provision to extend the agreement until the end of 2026. Transportation Operations & Maintenance recommends extending the current agreement for the operation and maintenance of the existing 33 RLC locations.

With new municipalities joining the RLC program and with RLC technology having significantly improved to reduce impacts and costs, the City of Toronto, designated lead for the municipal consortium, began a Request for Proposal process in 2019 to procure a new contractor. As a result of this process, the successful vendor was Traffipax LLC, which is also the current designated vendor for RLC operations.

Based on the cost savings and reduced infrastructure foot print of the new radar based RLC program, Transportation Operations & Maintenance is recommending the City of Hamilton enter into a new agreement with Traffipax LLC for all new RLC locations. Further, it is recommended that Transportation Operations & Maintenance negotiate with Traffipax LLC to convert the existing 33 RLC locations to the new RLC technology.

Alternatives for Consideration – See Page 6**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: All recommendations in this report can be achieved without impact on the municipal tax levy. The RLC program is a safety initiative and the revenues are intended to be utilized to make safety improvements as identified through the Hamilton Strategic Road Safety Program and Vision Zero Action Plan.

The operating costs associated with the current Red Light Camera program is as follows:

SUBJECT: Red Light Camera Program (PW20077) (City Wide) – Page 3 of 7

- Maintenance and operation of the RLC equipment is approximately \$24,550 per year/per location (\$808,500 annually for all locations) and is conducted by the RLC vendor;
- Processing violations is approximately \$6,250 per year/per location (\$206,250 annually for all locations) and is conducted on the City of Hamilton's behalf by the City of Toronto;
- Processing licence plate information is approximately \$700 per year/per location (\$23,100 annually for all locations) and is conducted by the Ministry of Transportation of Ontario; and
- Provincial Offences Court administrative costs is approximately \$41,700 per year/per location (\$1,376,100 annually for all locations).

The following charts provide a cost comparison between the two RLC operating systems and costs associated with installing new cameras.

Current RLC Operating System Costs:		
Installation Year	Agreement Year	Daily Cost/Camera
2021	5 (current)	\$183.99
2022	6 (extended)	\$113.48
2023	7 (extended)	\$113.48
2024	8 (extended)	\$113.48
2026	9 (extended)	\$179.18
2027	10 (extended)	\$220.79
Proposed New RLC Operating System Costs:		
Installation Year	Agreement Year	Daily Cost/Camera
2021	1	\$45.75
2022	2	\$67.28
2023	3	\$67.28
2024	4	\$101.74
2026	5	\$123.27
2027	6 & 7	\$113.48

There is a significant cost advantage to using the proposed new RLC program contract when compared to the existing contract. If the City were to install five new RLC locations in 2021 under the current RLC program contract, the cost in 2021 would be \$335,781 (\$183.99/day). Conversely, if five new RLC locations were installed in 2021 under the new RLC program contract, the cost would be approximately \$83,494 (\$45.75/day). Therefore, the cost differential between the current RLC program and proposed RLC program contract is \$252,287.

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Staffing: N/A

Legal: Legal is required to review of the agreements that would be required to be executed for Traffipax LLC, City of Toronto and the Ministry of Transportation per the recommendations.

HISTORICAL BACKGROUND

The City has been operating a Red Light Camera (RLC) program since November 2000 as part of a municipal consortium. Under the program, the City of Toronto is designated as the lead municipality on the behalf of the consortium and undertake all administration responsibilities for the operation of the program, which includes developing contracts, proposal reviews and agreement development. Over the past 20 years the RLC program has grown to 33 camera sites operating full time. Locations are attached to Report PW20077 as Appendix “A”.

On October 28, 2015 (Report PW15073) Council approved the extension of the RLC program for the period 2017-2021 and authorized staff to enter an agreement with Traffipax LLC for this period which included the costs to expand the number of sites over the five (5) year term.

In 2019 the City of Toronto issued a request for proposal (RFP) to seek out vendors for new RLC technology which includes provision for radar detection and wireless communications. The RFP was submitted on behalf of the RLC municipal consortium which has been the approved process since the inception of RLC's. In Q2 of 2020, the City of Toronto awarded a contract for the new RLC system to Traffipax LLC (who is also the vendor for the existing system).

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

There are no implications to current policies or changes to current legislation required to add Red Light Camera sites in Hamilton.

RELEVANT CONSULTATION

Procurement has identified that report PW20077 is requesting approval to partner onto the procurement process and agreement undertaken by the City of Toronto for the implementation of a new RLC system and Procurement. The City of Hamilton is a member of the RLC municipal consortium but was not involved in vetting documents or contracts issued by the City of Toronto.

Through consultation with Legal and Procurement, the execution of contracts related to the RLC program falls within the requirements of Procurement Policy By-law 20-205, Policy #12 – Cooperative Procurements and therefore why it is recommended to

SUBJECT: Red Light Camera Program (PW20077) (City Wide) – Page 5 of 7

procure services from the same vendor that was chosen in the cooperative process completed by the City of Toronto on behalf of the municipal consortium. This procurement strategy has been used since the inception of the RLC program in Hamilton.

ANALYSIS AND RATIONALE FOR RECOMMENDATIONS

Red light running is a major cause of angle collisions, which are one of the most severe collision types and often results in serious injuries. A review of the City's most recent five years of collision data (2015 to 2019) showed that City-wide, an average of 500 right-angle collisions occurred per year at signalized intersections and an average of 167 of these collisions resulted in injuries.

The RLC program improves road safety by reducing right-angle collisions at traffic signals, which are typically caused by drivers failing to obey the red traffic signal. As reported in the 2018 Annual Collision report, an evaluation of data between 2016 and 2018, identified that for all existing RLC locations, right angle collisions were reduced by 53% and injury/fatal collisions reduced by 69% compared to the previous three years prior to RLC operations.

The RLC program has been a financially self-sufficient program since its inception in 2000 and the RLC Reserve has funded traffic safety initiatives throughout the City of Hamilton. These improvements are implemented through the Hamilton Strategic Road Safety Program and Vision Zero Action Plan.

The City currently has an agreement in place with Traffipax LLC that runs to the end of 2021. This agreement operates the current 33 locations and consists of older technology that has changed minimally since the program was implemented in 2000. Under the current system, the RLC infrastructure includes a camera and flash hosted on two poles, loop detectors in the roadway and requires the RLC vendor to visit each location regularly to download violation images/data and transport the information to the City of Toronto Joint Processing Center. The existing agreement has a provision to extend it an additional 5 years to the end of 2026. In order to maintain the operation of the 33 RLC locations, in the current cost model, the existing agreement must be extended otherwise the vendor will remove the RLC equipment at the end of the term of the agreement in 2021.

Due to new municipalities planning to join the RLC program/RLC municipal consortium and the significant advancement of RLC technology which uses radar and communications that lowers operating costs and increases the flexibility of site selection, the City of Toronto issued a request for proposal (RFP). The RFP was submitted on behalf of the new joining municipal members and the existing RLC municipal consortium. The successful vendor through this process was Traffipax LLC, who is also the vendor for the existing system. The new system operates on radar/video

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SUBJECT: Red Light Camera Program (PW20077) (City Wide) – Page 6 of 7

which reduces the infrastructure footprint requiring only one pole and no roadway loops. In addition, a secured network communication to each location permits violations to be uploaded remotely, rather than having the vendor physically visit each location. As a result of these advantages the new RLC system is significantly less costly to operate. Transportation Operations & Maintenance recommends that the City enter into a new agreement to take advantage of the benefits for all new RLC installations.

Further, it is recommended that Transportation Operations and Maintenance convert all 33 existing RLC locations to the new RLC technology to take advantage of the operational/contractual savings.

ALTERNATIVES FOR CONSIDERATION

Council could choose not to extend the current agreement with Traffipax LLC in order to maintain the existing 33 locations and allow the agreement to expire in 2021. This alternative is not recommended as it would result in the removal of the existing 33 locations, a potential loss of the proven safety benefits at these locations and loss of financial contributions to the RLC reserve.

Council could choose to not support entering into a new agreement for the new RLC system and rather extend the current system for maintaining existing locations and installation of new locations. Under this scenario, the program would continue to run under the current RLC agreement that is less flexible and more costly, and as a result this alternative is not recommended.

Council could choose to not extend the current agreement with Traffipax LLC and enter into a new agreement for the new RLC system to take advantage of the operating savings for all existing RLC locations and new locations. This is not recommended because all 33 existing locations could not be converted to the new RLC system prior to the end of the current contract (2021) which would result in an operational gap for the City's RLC program.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

SUBJECT: Red Light Camera Program (PW20077) (City Wide) – Page 7 of 7

Healthy and Safe Communities

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Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PW20077 – Existing Red Light Camera Locations

Existing Red Light Camera (RLC) Locations


Location	Direction Monitored	Installation Date
Mud Street West at Paramount Drive	WB	July 2008
Stone Church Road East at Upper Wentworth Street	EB	July 2008
Burlington Street East at Gage Avenue North	EB	August 2008
Cannon Street West at Hess Street North	WB	August 2008
Dundurn Street South at Main Street West	EB	August 2008
King Street West at Dundurn Street North	WB	August 2008
Kenilworth Avenue North at Cannon Street East	SB	October 2010
Bay Street South at Main Street West	NB	October 2012
Main Street East at Sanford Avenue South	EB	October 2012
Main Street West at Bay Street South	EB	October 2012
Upper James Street at Brantdale Avenue	NB	October 2012
Main Street West at Longwood Road South	WB	November 2013
Upper Gage Avenue at Mohawk Road East	SB	November 2013
Fennell Avenue East at Upper Gage Avenue	WB	November 2014
King Street East at Lawrence Road/RHVP	EB	December 2014
Mohawk Road East at Upper Wellington Street	EB	December 2014
King Street West at Macklin Street South	WB	January 2015
Mohawk Road East at Upper Wentworth Street	EB	February 2015
Wellington Street South at Main Street East	SB	February 2015
Dundas Street East at Mill Street North	WB	July 2017
Highway 8 at Green Road	WB	August 2017
John Street South at Charlton Avenue East	SB	August 2017
Mohawk Road West at Upper Paradise Road	WB	August 2017
York Boulevard at Hess Street North	EB	August 2017
Upper James Street at Fennell Avenue East	NB	September 2018
Upper James Street at Twenty Road West	SB	September 2018
Stone Church Road East at Upper Gage Avenue	EB	October 2018
Wentworth Street North at Wilson Street	SB	October 2018

Location	Direction Monitored	Installation Date
Cannon Street East at James Street North	WB	December 2018
Barton Street East at Ottawa Street North	WB	December 2019
Main Street West at Queen Street South	EB	December 2019
Catharine Street North at King Street East	SB	January 2020
Sanford Avenue North at Wilson Street	NB	March 2020
* Charlton Avenue West at Queen Street South	SB	TBD

* Delayed installation due to Two-Way Conversion Project



CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Transportation Operations and Maintenance Division

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	December 7, 2020
SUBJECT/REPORT NO:	Community Safety Zones (PW20045(a)) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	David Ferguson (905) 546-2424 Ext. 2433 Mike Field (905) 546-2424 Ext. 4576
SUBMITTED BY:	Edward Soldo Director, Transportation Operations & Maintenance Public Works Department
SIGNATURE:	

RECOMMENDATIONS

- (a) That the amendment to the Automated Speed Enforcement pilot project deployment plan and schedule October 2020-September 2021, attached to Report PW20045(a) as Appendix "A" be approved;
- (b) That the additional designated Community Safety Zones which supports the amendment to the Automated Speed Enforcement pilot project, attached to Report PW20045(a) as Appendix "B" and directs staff to amend By-law 01-215, Schedule 34, for implementation in 2021 be approved; and
- (c) That the Outstanding Business List Item, Auxiliary List of Potential Automated Speed Enforcement Locations be identified as completed and removed.

EXECUTIVE SUMMARY

City Council approved the use of Automated Speed Enforcement (ASE) in January of 2020 for a one-year pilot project. Transportation Operations & Maintenance had planned to undertake extensive traffic studies through the spring and summer months of 2020 to create a comprehensive list of locations for the installation of Automated Speed Enforcement. Due to the COVID-19 pandemic and the significant reduction in traffic

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SUBJECT: Community Safety Zones (PW20045(a)) (City Wide) - Page 2 of 5

volumes, traffic count programs were suspended, and staff were only able to evaluate 75 locations.

With the approval of Report PW20045 Community Safety Zones (CSZ) in July 2020, Council directed staff to report back to Public Works in Q4 of 2020 with an auxiliary list for consideration in consultation with Councillors. Transportation Operations & Maintenance evaluated a list of 58 priority locations identified through the consultation with Councillors and reprioritized the Automated Speed Enforcement pilot project plan.

Each new location was evaluated based on Provincial guidelines and regulations and a new deployment plan and schedule has been created as outlined in Appendix "A" to Report PW20045(a). Due to required notification requirements set by the Province, changes in the schedule will not take place until April 2021 and a new two-week rotation schedule for ASE sites will begin at that time.

The additional locations that were identified by Councillors for consideration of the installation of Automated Speed Enforcement have been identified in Appendix "B" to Report PW20045(a).

Alternatives for Consideration – See Page 4**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: Not applicable; funding for community safety zones and automated speed enforcement was previously approved on January 13, 202 via Automated Speed Enforcement Report PW20002.

Staffing: N/A

Legal: Amendment to Traffic By-law 01-25, Schedule 34 Designated Community Safety Zones

HISTORICAL BACKGROUND

In February 2019, Council approved the Hamilton Strategic Road Safety Program and Vision Zero Action Plan 2019-2023 through Report PW19015, which identified the use of ASE technology.

On January 13, 2020, Council directed staff to initiate a one-year ASE pilot program to be used in designated school zones and community safety zones utilizing two mobile ASE units to assess the technology and impacts on the City and Provincial offences Court system through Automated Speed Enforcement Report PW20002.

SUBJECT: Community Safety Zones (PW20045(a)) (City Wide) - Page 3 of 5

In July 2020, Council approved Report PW20045 Community Safety Zones, which established twelve (12) CSZ's in Hamilton as required under ASE operations. Council further provided the following direction;

- (d) That staff report back to the Public Works Committee no later than Q4 2020 with an auxiliary list of potential Automated Speed Enforcement locations upon consultation with Ward Councillors.

In October of 2020, the ASE pilot project began with the installation and activation of ASE equipment on Stone Church Road East between Pritchard Road and Anchor Road.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

N/A

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Based on Provincial guidelines for the implementation of ASE and CSZ's, Transportation Operations & Maintenance developed a joint guideline for the implementation of ASE and CSZ's. This guideline is intended to provide a consistent, repeatable, transparent and defined method for designating CSZ's and ASE.

The scored ranking criteria takes roadway characteristics into account such as daily traffic volume, vehicle operating speed, pedestrian volumes, collision history and the presence (or lack of) multi modal amenities to determine areas that would benefit from being designated as a CSZ and ASE installation. The ranking of locations that meet the guideline will ensure that roadways with a greater number of vulnerable road users and higher exposures to roadway safety risk factors will receive priority designation.

During the initial review, a total of seventy-five (75) locations were evaluated for consideration of CSZ and ASE. Due to COVID-19, additional candidate locations were paused as a result of traffic volume counting being suspended during COVID-19 conditions.

As per Council direction, Transportation Operations & Maintenance undertook consultation with all Councillors and revised the ranking of candidate locations. A revised schedule of roadways for inclusion of ASE operations considering Provincial Municipal Consortium guidelines, Provincial regulations and a one-year pilot operation as directed by Council is attached to Report PW20045(a) as Appendix "A".

SUBJECT: Community Safety Zones (PW20045(a)) (City Wide) - Page 4 of 5

Transportation Operations & Maintenance re-started traffic counting and speed studies in October of 2020.

While volumes have not returned to pre-COVID-19 volumes, the volumes have returned to a level where data is reasonable in relation to evaluating the additional candidate locations. New candidate locations (58) were reviewed and assessed. Six (6) new locations are proposed to be added (reference Appendix "C" to Report PW20045(a) – ASE New Proposed Location Map) to the ASE pilot program, thereby increasing the total number of locations increased from 12 to 18. In order to accommodate additional locations, Transportation Operations & Maintenance is recommending moving to a two (2) week operation rotation beginning in April for each location.

While generally the top ranked locations were included in the proposed revised ASE pilot deployment schedule, there were several locations identified by Councillors for review and consideration that have not been included in the ASE pilot program. All locations are listed in Appendix "B" to Report PW20045(a), including their ranking score and justification (when necessary) for exclusion for the ASE pilot program. The ASE pilot program is limited in the number of locations that can be assessed due to the use of two cameras, the notification requirements, 12-month pilot schedule term, and other factors such as physical constraints which would interfere with the operation of the ASE cameras.

The eighteen ASE pilot locations, inclusive of the six (6) new proposed locations, provides the pilot program with thorough and representative types of roadways that will provide valuable information for the pilot. The proposed additional locations further enhance the quality and reliability of the post-pilot analysis and reporting.

Transportation Operations & Maintenance will be reporting to Public Works Committee in Q4 of 2021 with a summary of the results of the ASE.

ALTERNATIVES FOR CONSIDERATION

Council has already approved and directed Transportation Operations & Maintenance to implement ASE in designated school zones and community safety zones.

While Council may choose to identify alternate candidates for ASE locations, it is recommended that the guideline be utilized in order to focus on the highest priority locations and to provide a consistent, repeatable, transparent and defined method for implementations.

SUBJECT: Community Safety Zones (PW20045(a)) (City Wide) - Page 5 of 5

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APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PW20045(a) – Automated Revised Deployment Schedule
October 2020 – September 2021

Appendix “B” to Report PW20045(a) – ASE Auxiliary Location List

Appendix “C” to Report PW20045(a) – ASE New Proposed Location Map

Appendix "A" to Report PW20045(a)

**Automated Speed Enforcement (ASE)
Revised Deployment Schedule October 2020-September 2021**

Location	Operation Date
Stone Church Road between Dartnall Road and Pritchard Road	October 2020
Glancaster Road between Rymal Road and Twenty Road	November 2020
Bellagio Drive between Fletcher Road and Keystoney Crescent	December 2020
Lawrence Road between Gage Avenue and Ottawa Street	January 2021
Lawrence Road between Cochrane Ave and Mt Albion Road	February 2021
Lewis Road between Barton Street and Highway 8	March 2021
Trinity Church Road between Guyatt Road and Dickenson Road	April 2021 (first 2 weeks of month)
Hunter Street between James Street and Wellington Street*	April 2021 (second 2 weeks of month)
Harvest Road between Tews Lane and Forest Avenue	May 2021 (first 2 weeks of month)
Lottridge Street between Cannon Street and Beechwood Avenue*	May 2021 (second 2 weeks of month)
Main Street between Parkside Drive and John Street	June 2021 (first 2 weeks of month)
Mountain Brow Boulevard between Broker Drive and Mohawk Road*	June 2021 (second 2 weeks of month)
Broker Drive between Kingslea Drive and Brentwood Drive	July 2021 (first 2 weeks of month)
Gage Avenue between Cannon St and Beechwood Avenue*	July 2021 (second 2 weeks of month)
Second Street between Charles Street and King Street	August 2021 (first 2 weeks of month)
Regional Road 56 between Golf Club Road and Guyatt Road*	August 2021 (second 2 weeks of month)
Greenhill Avenue between Quigley Road and Mt. Albion Road	September 2021 (first 2 weeks of month)
Highway 5 between Harrisburg Road and Troy Road*	September 2021 (second 2 weeks of month)

* - Denotes new location added to the ASE pilot project.

Locations Reviewed for Automated Speed Enforcement Consideration

Candidate Location	Ward	School Name (if present)	CSZ Ranking Score	Prohibitive Factor(s) & Comments
John Street North - John Street South to Barton Street East	2		67	ASE camera cannot be used due to roadway geometrics and on-street parking.
Hunter Street East - Hunter Street West to Wellington Street South	2		58	1 of 6 new locations added to the ASE pilot list.
Lottridge Street - Cannon Street East to Beechwood Avenue	3	Prince of Wales Elementary School	56	2 of 6 new locations added to the ASE pilot list.
Sanford Avenue North - Cannon Street East to Barton Street East	3	Cathy Weaver Elementary School	50	School zone flasher present.
Mohawk Road East - Mall Road to Bishopsgate Avenue	7	Our Lady of Lourdes Elementary School	48	ASE camera cannot be used due to five lane arterial configuration and recommended for the installation of a future school zone flasher.
Highway No. 8 - Green Road to Ellington Avenue	10	St. Francis Xavier Elementary School	47	ASE camera cannot be used due to five lane arterial configuration and school zone flasher present.
Mountain Brow Boulevard - Broker Drive to Mohawk Road East	6		43	3 of 6 new locations added to the ASE pilot list.
Regional Road 56 - Golf Club Road to Guyatt Road	11		41	4 of 6 new locations added to the ASE pilot list.
Highway No. 5 West - Harrisburg Road to Troy Road	12		41	5 of 6 new location added to the ASE pilot list.
Highway No. 5 East - Evans Road to Kerns Road	15		41	ASE camera cannot be used due to five lane arterial configuration.

Candidate Location	Ward	School Name (if present)	CSZ Ranking Score	Prohibitive Factor(s) & Comments
Dewitt Road - Highway No. 8 to Cresthaven Drive	10	Orchard Park Secondary School	38	School zone flasher present.
Dakota Boulevard - Rymal Road East to Pinehill Drive	9	Bishop Ryan Secondary School	38	On-street parking restricts ability to use ASE
Centre Road - Concession 6 East to Concession 5 East	15	Flamborough Centre School	37	Current speed limit reduction and school zone flasher present.
Whitedeer Road - Rymal Road East to Highbury Drive	9	St. Mark Elementary School	37	Current midblock all-way stop and parking restricts ability to use ASE cameras.
Upper James Street - English Church Road East to Airport Road East	11		37	ASE camera cannot be used due to roadway geometrics (width).
Regional Road 56 - Guyatt Road to Cemetery Road	11		37	6 of 6 new locations added to the ASE pilot list.
Regional Road 56 - Hall Road to Haldibrook Road	11		37	Below ranking threshold based upon total number of available additional ASE locations (6).
Highway No. 8 - Fifty Road to east boundary limits	10		37	Below ranking threshold based upon total number of available additional ASE locations (6).
Glancaster Road - Twenty Road West to Book Road East	11		37	Below ranking threshold based upon total number of available additional ASE locations (6).
Carlisle Road - Progreston Road to Milborough Line	15		37	Below ranking threshold based upon total number of available additional ASE locations (6).
Cranbrook Drive - Gretna Court to Gemini Drive	14	R.A. Riddell Elementary School	36	Below ranking threshold based upon total number of available additional ASE locations (6).

Candidate Location	Ward	School Name (if present)	CSZ Ranking Score	Prohibitive Factor(s) & Comments
Beach Boulevard - Eastport Drive to Van Wagner's Beach Road	5		36	Below ranking threshold based upon total number of available additional ASE locations (6).
Cannon Street East - Edgemont Street North to Robins Avenue	4	Queen Mary Elementary School	35	Below ranking threshold based upon total number of available additional ASE locations (6) and school zone flasher present.
Highland Road East - Highland Road West to Third Road East	9		35	Below ranking threshold based upon total number of available additional ASE locations (6).
Wilson Street - Mary Street to Ferguson Avenue North	2	Dr. Davey Elementary School	34	Below ranking threshold based upon total number of available additional ASE locations (6) and school zone flasher present.
Westbrook Road - Binbrook Road to Concession 5 Road	11		34	Below ranking threshold based upon total number of available additional ASE locations (6).
Millgrove Sideroad - Concession 5 West to Concession 6 East	15		34	Below ranking threshold based upon total number of available additional ASE locations (6).
Concession 5 West - Millgrove Sideroad to Carey Street	13	Millgrove Public School	33	Below ranking threshold based upon total number of available additional ASE locations (6).
Twenty Road East - Greti Drive to Twenty Road West	11		33	Below ranking threshold based upon total number of available additional ASE locations (6).
Upper James Street - Twenty Road East to Dickenson Road East	11		33	Below ranking threshold based upon total number of available additional ASE locations (6).

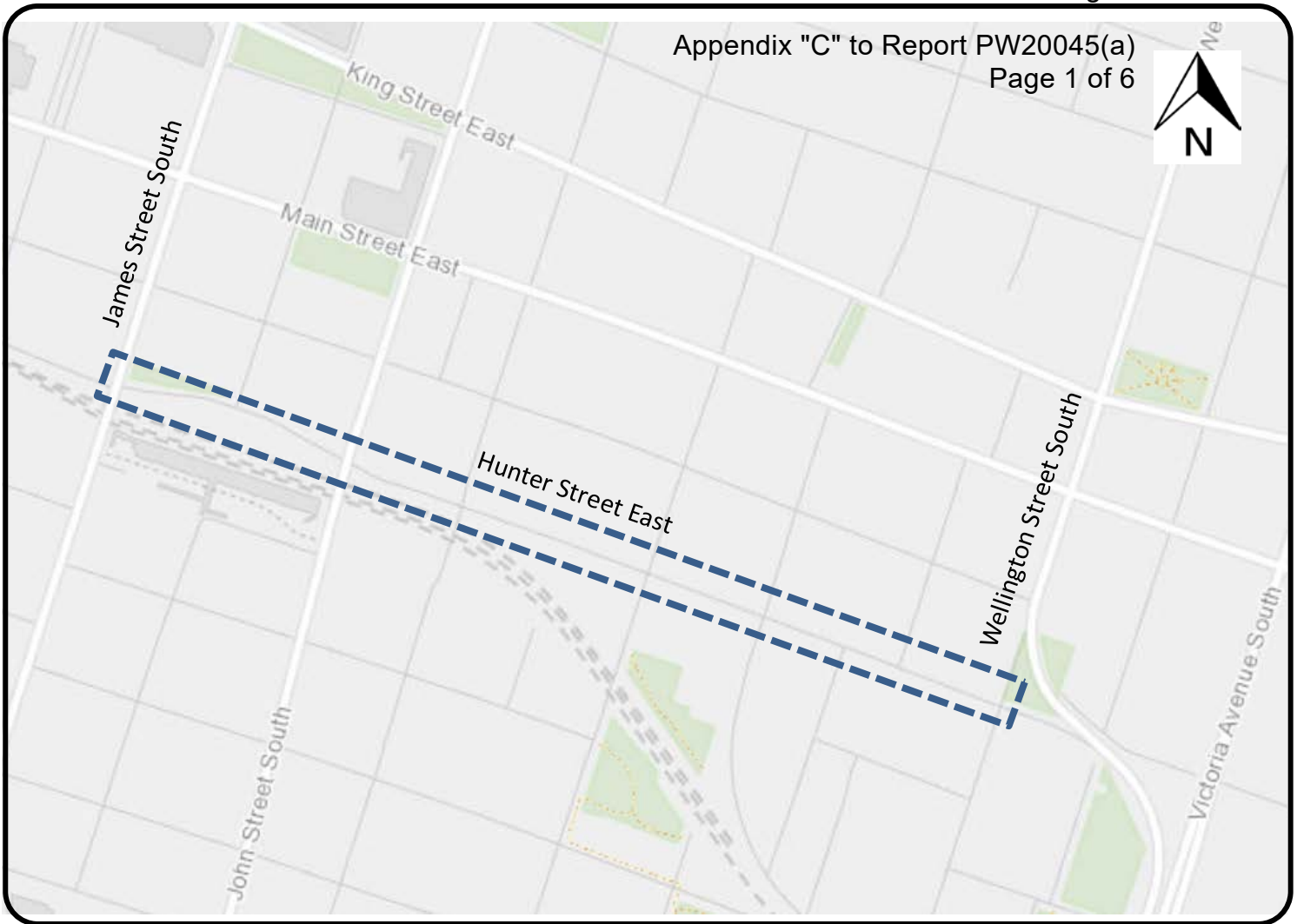
Candidate Location	Ward	School Name (if present)	CSZ Ranking Score	Prohibitive Factor(s) & Comments
Highway No. 8 - Jones Road to Glover Road	10		33	Below ranking threshold based upon total number of available additional ASE locations (6).
Highway No. 5 East - Spring Creek Drive to Evans Road	15		33	Below ranking threshold based upon total number of available additional ASE locations (6).
Mud Street East - First Road East to Third Road East	9		32	Below ranking threshold based upon total number of available additional ASE locations (6).
Barton Street - Napa Lane to Fifty Road	10	St Gabriel Elementary School	31	Below ranking threshold based upon total number of available additional ASE locations (6) and school zone flasher present.
Lawrence Road - Ottawa Street South to Kenilworth Avenue South	4		31	Below ranking threshold based upon total number of available additional ASE locations (6).
Mountain Brow Boulevard - Oakcrest Drive to Margate Avenue	6		31	Below ranking threshold based upon total number of available additional ASE locations (6).
Mud Street East - Third Road East to Tapleypoint Road	9	Tapleypoint Elementary School	31	Below ranking threshold based upon total number of available additional ASE locations (6) and school zone flasher present.
Highland Road West - Highbury Drive to First Road West	9	Saltfleet Secondary School	31	Below ranking threshold based upon total number of available additional ASE locations (6).
Mill Street South - Union Street to Mountain Brow Road	15		31	Below ranking threshold based upon total number of available additional ASE locations (6).

Candidate Location	Ward	School Name (if present)	CSZ Ranking Score	Prohibitive Factor(s) & Comments
Concession 5 East - Highway No. 6 to Centre Road	15		31	Below ranking threshold based upon total number of available additional ASE locations (6).
Gage Avenue North - Cannon Street East to Beechwood Avenue	4		30	Below ranking threshold based upon total number of available additional ASE locations (6).
Dewitt Road - Cresthaven Drive to Barton Street	10	Our Lady of Peace Elementary School	30	Below ranking threshold based upon total number of available additional ASE locations (6) and school zone flasher present.
Frances Avenue - Teal Avenue to Green Road	10		30	Below ranking threshold based upon total number of available additional ASE locations (6).
Mountain Brow Boulevard - Upper Ottawa Street to Mountain Brow Boulevard	6		30	Below ranking threshold based upon total number of available additional ASE locations (6).
Concession 5 East - Centre Road to Robson Road	15		30	Below ranking threshold based upon total number of available additional ASE locations (6).
Binbrook Road - Westbrook Road to Woodburn Road	11		30	Below ranking threshold based upon total number of available additional ASE locations (6).
Gatestone Drive - Shadyglen Drive to Highbury Drive	9	Gatestone Elementary School	29	Below ranking threshold based upon total number of available additional ASE locations (6).
Upper Ottawa Street - Mountain Brow Boulevard to Queensdale Avenue East	6		29	Below ranking threshold based upon total number of available additional ASE locations (6).

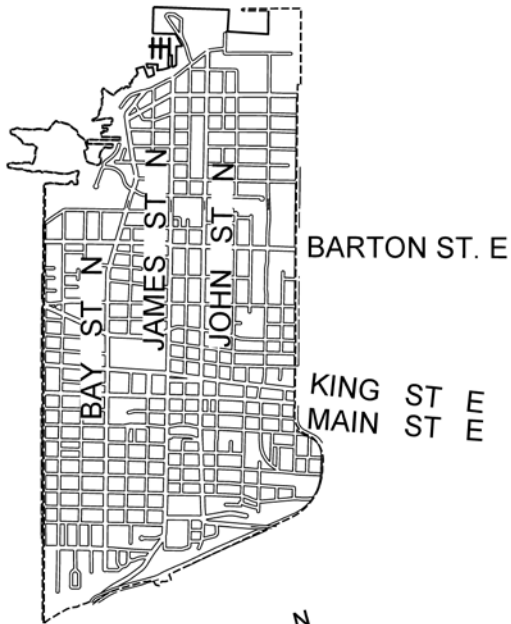
Candidate Location	Ward	School Name (if present)	CSZ Ranking Score	Prohibitive Factor(s) & Comments
Upper James Street - White Church Road East to Highway No. 6	11		29	Below ranking threshold based upon total number of available additional ASE locations (6).
Highway No. 5 East - Riley Street to Berry Hill Avenue	15		29	Below ranking threshold based upon total number of available additional ASE locations (6).
Concession 6 East - Centre Road to John Martin Crescent	15		29	Below ranking threshold based upon total number of available additional ASE locations (6).
Upper Ottawa Street - Queensdale Avenue East to Brucedale Avenue East	6		28	Below ranking threshold based upon total number of available additional ASE locations (6).
Hendershot Road - Golf Club Road to Guyatt Road	11		27	Below ranking threshold based upon total number of available additional ASE locations (6).
Fletcher Road - Rymal Road East to Pinehill Drive	9	Our Lady of the Assumption	27	Below ranking threshold based upon total number of available additional ASE locations (6) and school zone flasher present.
Concession 8 East - Centre Road to Green Spring Road	15		27	Below ranking threshold based upon total number of available additional ASE locations (6).
Highway No. 5 East - Mill Street South to Reynold Street	15		27	Below ranking threshold based upon total number of available additional ASE locations (6).
Centre Road - Concession 14 East to	15		26	Below ranking threshold based upon total number of available additional ASE locations (6).

Candidate Location	Ward	School Name (if present)	CSZ Ranking Score	Prohibitive Factor(s) & Comments
Mill Street North - Mill Street South to Church Street	15		25	Below ranking threshold based upon total number of available additional ASE locations (6).

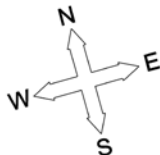
Note: under Provincial regulations, ASE installation is not permitted in school zones where school zone flashers are present and that control speed limits.



WARD



**HAMILTON
WARD 2**



LOCATION PLAN

PROPOSED AREA:

Hunter Street East between James Street South and Wellington Street South

Transportation Operations & Maintenance
PUBLIC WORKS DEPARTMENT

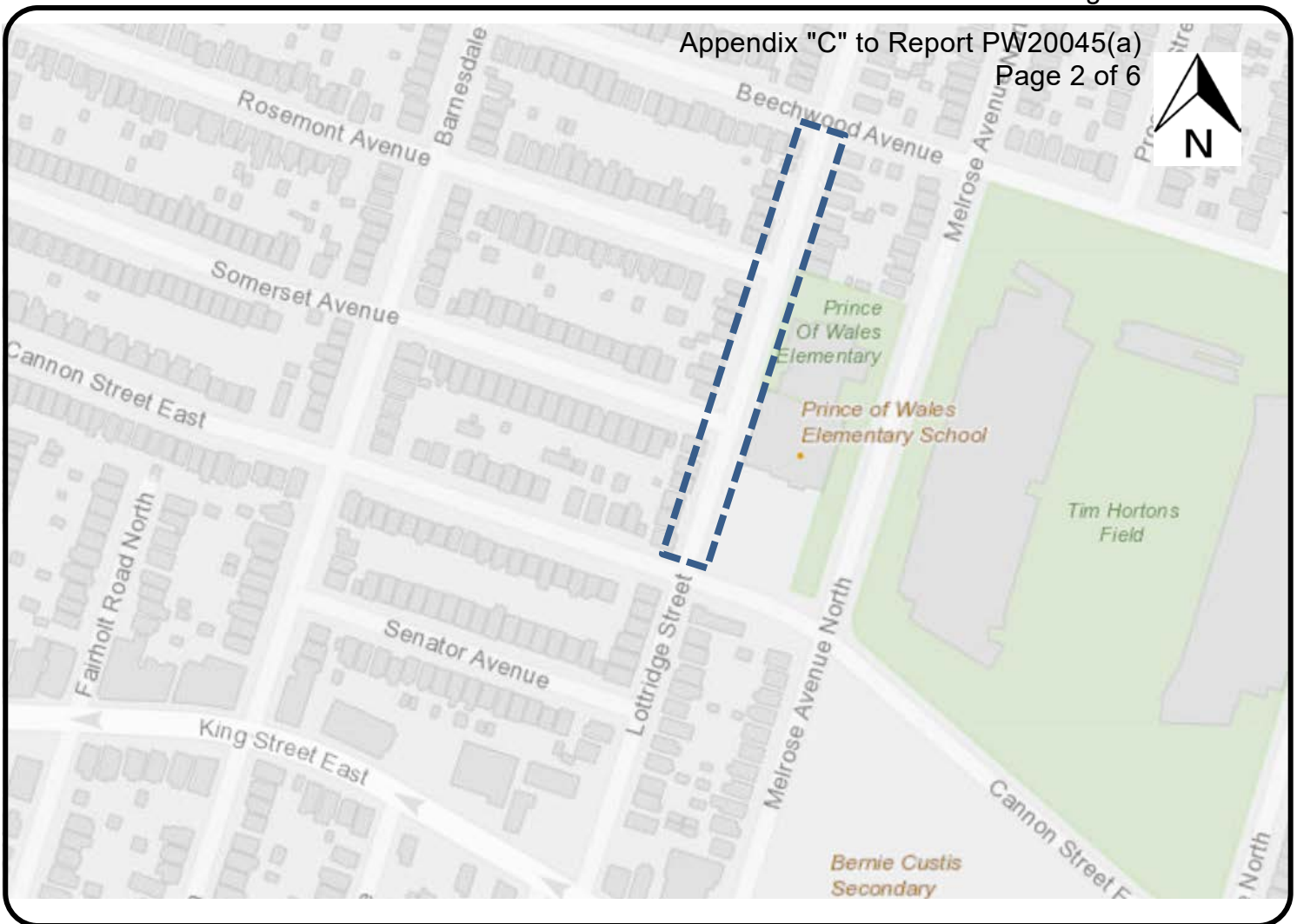
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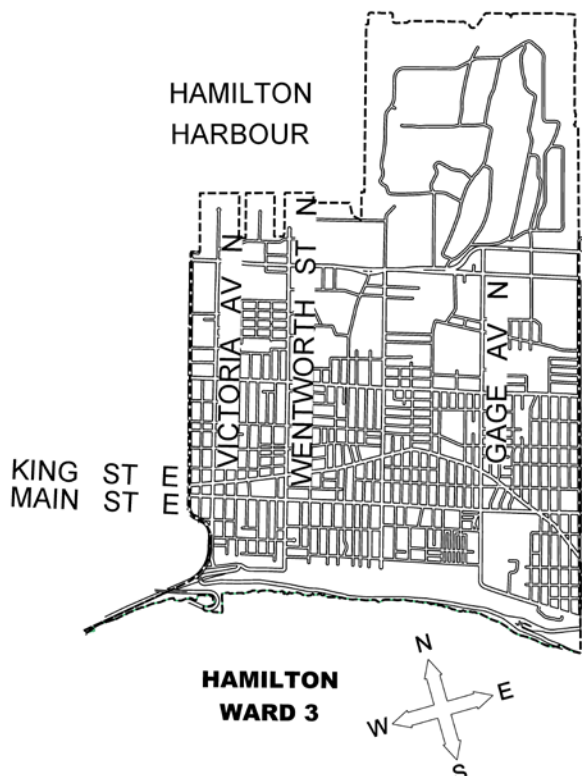
Proposed Community Safety Zone/Automated Speed Enforcement Area

SCALE
NOT TO SCALE

DATE
December 7, 2020



WARD




LOCATION PLAN

PROPOSED AREA:

Lottridge Street between Beechwood Avenue and Cannon Street East

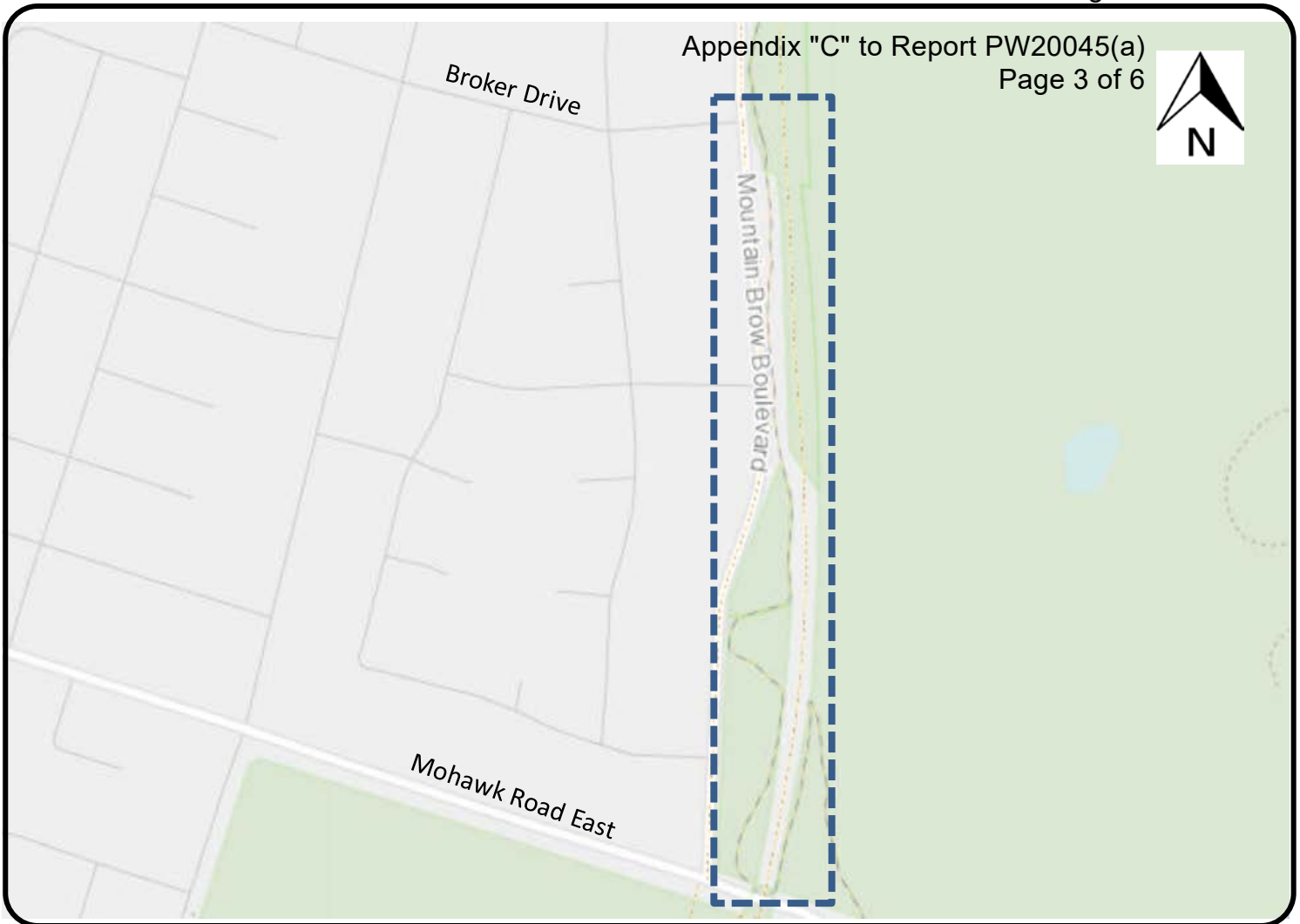
Transportation Operations & Maintenance
PUBLIC WORKS DEPARTMENT

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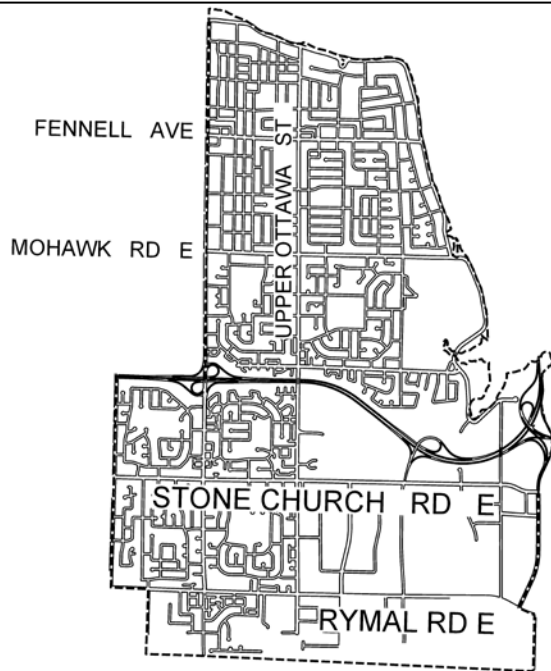
 Proposed Community Safety Zone/Automated Speed Enforcement Area

SCALE
NOT TO SCALE

DATE
December 7, 2020



WARD



**HAMILTON
WARD 6**



LOCATION PLAN

PROPOSED AREA:

Mountain Brow Boulevard between Broker Drive and Mohawk Road East

Transportation Operations & Maintenance
PUBLIC WORKS DEPARTMENT

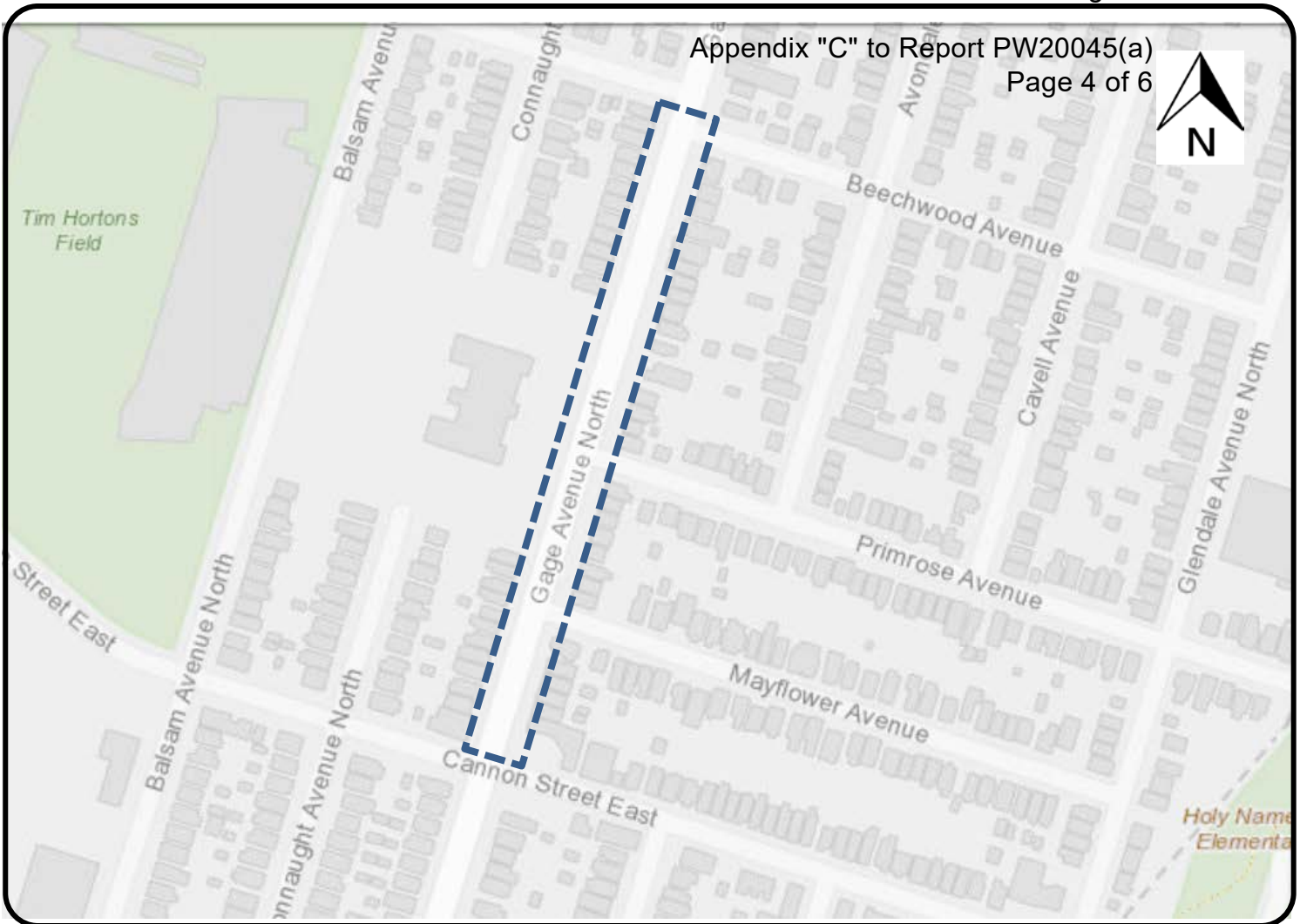
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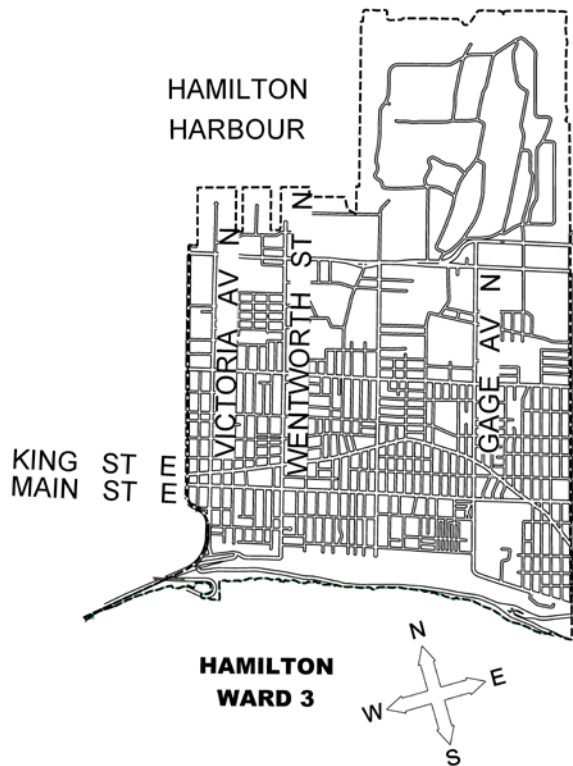
Proposed Community Safety Zone/Automated Speed Enforcement Area

SCALE
NOT TO SCALE

DATE
December 7, 2020



WARD



LOCATION PLAN

PROPOSED AREA:

Gage Avenue North between Beechwood Avenue and Cannon Street East

Transportation Operations & Maintenance
PUBLIC WORKS DEPARTMENT

LEGEND



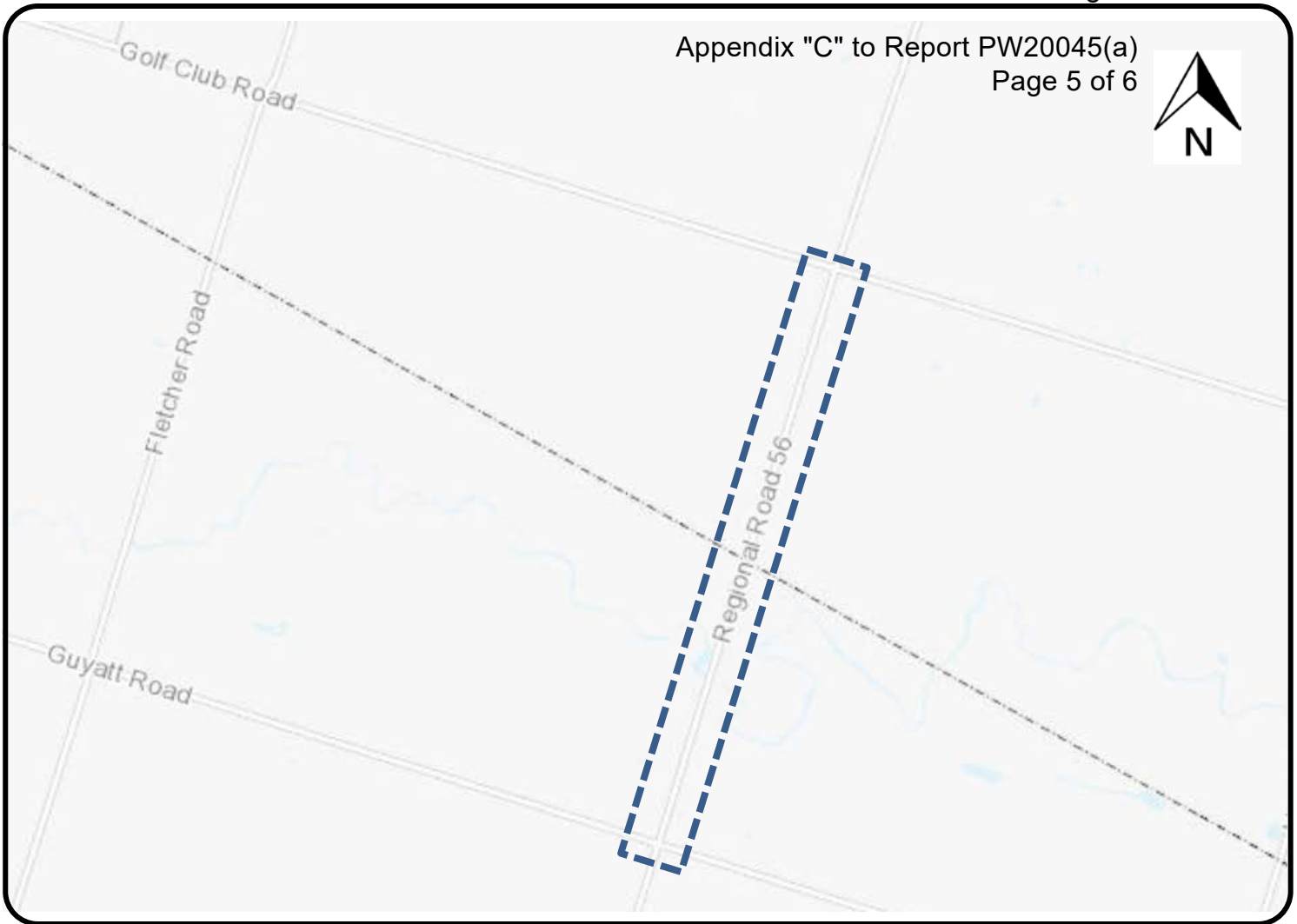
Proposed Community Safety Zone/Automated Speed Enforcement Area

SCALE

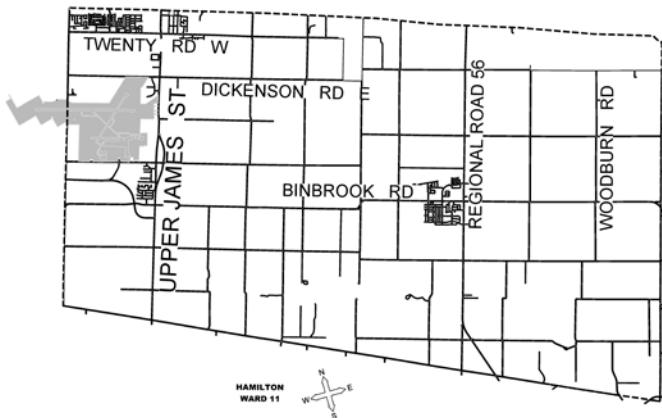
NOT TO SCALE

DATE

December 7, 2020



WARD



HAMILTON
WARD 11

LOCATION PLAN

PROPOSED AREA:

Regional Road 56 between Golf Club Road
and Guyatt Road

Transportation Operations & Maintenance
PUBLIC WORKS DEPARTMENT

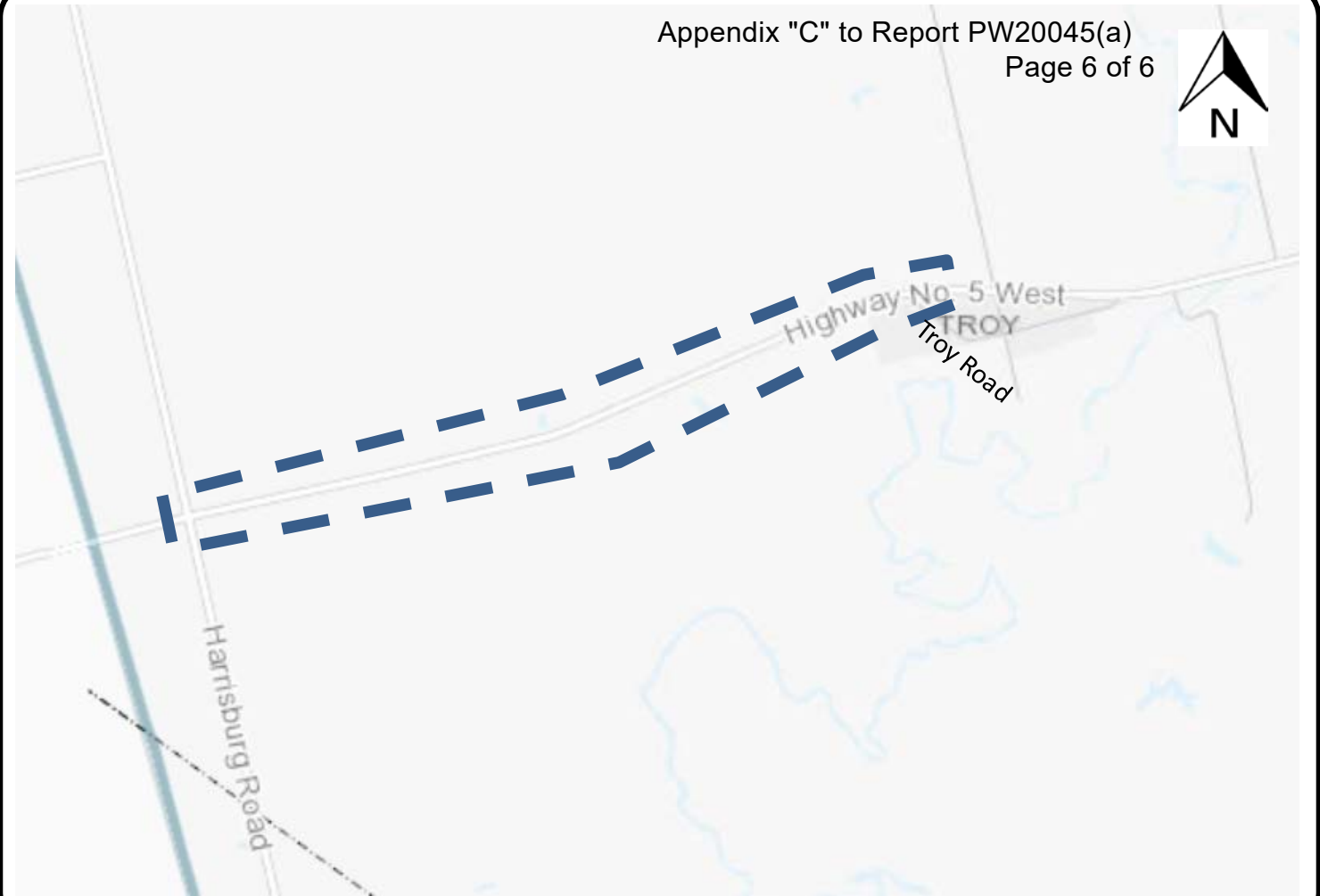
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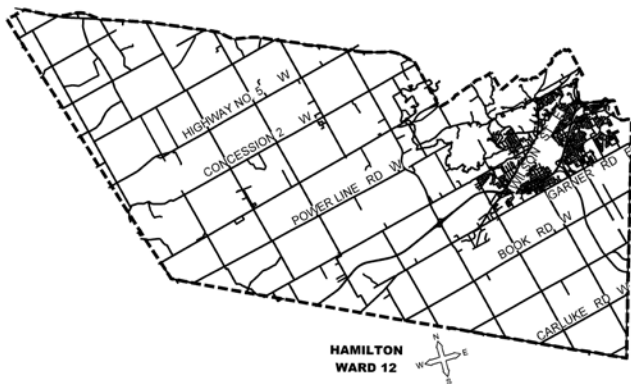
Proposed Community Safety
Zone/Automated Speed
Enforcement Area

SCALE
NOT TO SCALE

DATE
December 7, 2020



WARD



HAMILTON
WARD 12

LOCATION PLAN

PROPOSED AREA:

Highway 5 between Harrisburg Road and
Troy Road

Transportation Operations & Maintenance
PUBLIC WORKS DEPARTMENT

LEGEND



Proposed Community Safety
Zone/Automated Speed
Enforcement Area

SCALE
NOT TO SCALE

DATE
December 7, 2020



CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Transportation Operations and Maintenance Division

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	December 7, 2020
SUBJECT/REPORT NO:	Hamilton General Hospital Safety Zone (PW20079) (Ward 3) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	David Ferguson (905) 546-2424 Ext. 2433 Mike Field (905) 546-2424 Ext. 4576
SUBMITTED BY:	Edward Soldo Director, Transportation Operations & Maintenance Public Works Department
SIGNATURE:	

RECOMMENDATIONS

- (a) That \$5,000 in funding from each of the Ward 2 and Ward 3 Area Rating Funds (\$10,000 total) be approved to implement an alleyway bike path with direct access to Hamilton General Hospital;
- (b) That the operational improvements consisting of enhanced signage, pavement markings and traffic calming measures as outlined in Report PW20079 in the area of the Hamilton General Hospital be implemented;
- (c) That the amendment to Schedule 34 (Designated Community Safety Zones) of City of Hamilton By-law 01-215, attached to Report PW20079 as Appendix "A", be approved; and,
- (d) That the Outstanding Business List Item to create a Hamilton General Hospital Safety Zone be considered complete and removed from the Public Works Committee Outstanding Business List.

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: Hamilton General Hospital Safety Zone (PW20079) (Ward 3)
– Page 2 of 7

EXECUTIVE SUMMARY

At the July 13, 2018 meeting of City Council, Transportation Operations & Maintenance were asked to implement and examine several items relating to roadway safety and traffic calming in the general proximity of the Hamilton General Hospital.

A comprehensive review was conducted over the past several years in consultation with the Ward Councillor, Transportation Planning and Friendly Streets Hamilton (Environment Hamilton and Cycle Hamilton) in response to the Council direction. This review identified that the area around the General Hospital would benefit from a variety of enhancements.

This report addresses the Council motion and recommends implementing specific treatments to enhance roadway safety and traffic calming for the Hamilton General Hospital, specifically designating a 'Community Safety Zone' and the installation of enhanced pedestrian crosswalks.

Alternatives for Consideration – See Page 6

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The Hamilton General Hospital Safety Zone recommendations are estimated to cost \$88,000 and would be funded from the following sources:

Alleyway bike path (Ward 2 & Ward 3 Area Rating)	\$10,000
Signage enhancements (Capital Project ID 4662020053)	\$ 3,000
Pavement markings (Capital Project ID 4032020048)	\$50,000
Traffic calming bump-outs (Capital Project ID 4032020053)	\$20,000
Pedestrian Countdown Timers (Capital Project ID 4032020053)	\$ 5,000

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND

At the July 13, 2018 City Council meeting, the following resolution was passed:

7.10 To Create a Hamilton General Hospital Safety Zone
(Green/Merulla)

SUBJECT: Hamilton General Hospital Safety Zone (PW20079) (Ward 3)
– Page 3 of 7

WHEREAS, friendly Streets Hamilton, an initiative of Environment Hamilton and Cycle Hamilton, have been working to support and engage community stakeholders in securing safer cycling and walking conditions in urban Hamilton;

WHEREAS, friendly Streets Hamilton engaged over 200 community stakeholders and residents in assessing current challenges and barriers to walking and biking in the Beasley, Keith, and Gibson-Landsdale neighbourhoods;

WHEREAS, residents of the Beasley, Keith, and Gibson-Landsdale neighbourhoods have raised concerns about the challenges they face when walking or biking in the area;

WHEREAS, the area surrounding the Hamilton General Hospital in particular has a high volume of trucks and vehicles, with insufficient pedestrian crossings and bike lanes, making it hazardous for patients, visitors, and residents navigating the area; and,

WHEREAS, a natural foot-route to the hospital entrance from the parking lot and to the medical centre with over 2,000 patients per month attend Stroke Clinic at that corner which is currently unsafe due to high truck traffic.

THEREFORE, BE IT RESOLVED:

- (a) That an overhead pedestrian crossing with appropriate signage be installed on Victoria Avenue North at Copeland Avenue to be funded out of the Ward 3 Capital Reserve account 108053 to the upset amount of \$75,000;
- (b) That the appropriate staff report back on the feasibility of re-routing trucks away from Victoria Avenue North and Wellington Avenue North;
- (c) That the appropriate staff report back to the Public Works Committee respecting creating an alleyway bike path with direct access to the hospital; and,
- (d) That staff be directed to investigate any additional traffic calming measures that would enhance the safety of the area surrounding the Hamilton General Hospital.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

The following key stakeholders have been consulted with respect to the development and content of this report:

SUBJECT: Hamilton General Hospital Safety Zone (PW20079) (Ward 3)
– Page 4 of 7

- Friendly Streets Hamilton;
- Hamilton Health Sciences;
- Transportation Planning;
- Public Health Services;
- Corporate Services, Finance and Administration; and
- City Clerks.

ANALYSIS AND RATIONALE FOR RECOMMENDATIONS

Based on directions that were provided at the July 13, 2018 Council meeting the following provides an outline of each item:

Pedestrian crossing on Victoria Avenue North at Copeland Avenue:

A pedestrian activated traffic signal was installed and commissioned on May 12, 2020 at the intersection of Victoria Avenue North and Copeland Avenue as per Council direction. This new signal assists with the safe crossing of pedestrians to the medical facilities on the east side of Victoria Avenue North.

Re-routing trucks away from Victoria Avenue North:

Planning and Economic Development's Transportation Planning division is in the process of undertaking a review of the Truck Route Master Plan. The feasibility of re-routing trucks away from Victoria Avenue North and Wellington Avenue North, as per the direction provided, will be contemplated as part of this initiative.

Creation of an alleyway bike path:

The east-west connection from Ferguson Avenue to the Hamilton General Hospital has been identified by Planning and Economic Development's Transportation Planning division. Bicycle lanes to the primary bicycle parking facility at the hospital will be installed in 2021. The installation of the cycling connection will require approximately sixteen (16) signs, five (5) bicycle pavement marking stencils, and minor modifications at access points, including bollards, to provide clear wayfinding guidance for cyclists travelling both eastbound and westbound along the hospital's internal access roadway and Copeland Avenue.

Traffic calming measures:

Transportation Operations & Maintenance conducted a thorough examination of the areas around the Hamilton General Hospital taking into consideration enhanced traffic calming options and through the lens of Vision Zero principals. A variety of enhancements were identified and are summarized as follows:

SUBJECT: Hamilton General Hospital Safety Zone (PW20079) (Ward 3)
– Page 5 of 7

- Designate abutting roadways in proximity of the Hamilton General Hospital as Community Safety Zones (CSZs). Identification of these roadways as a CSZs will double the fines for any traffic violations and permit the use of Automated Speed Enforcement in the future. The extents of the CSZs on each roadway will be established via the installation of signage at the limits of the designated area;
- Enhance all pedestrian crosswalks located on the roadways within the CSZs around the Hamilton General Hospital. Enhancements would include the installation of ladder crosswalk pavement markings to further enhanced their visibility to all road users; and
- Install curb bump-outs at strategic locations, specifically where pedestrian crossings are located to further enhance pedestrian safety by shortening the crosswalks and providing ‘pinch-points’ that would act as a traffic calming measure for motorists. The bump-outs would be installed without negatively impacting roadway operations such as reducing vehicle capacity.

Hamilton General Hospital Work Plan

The following action items are recommended to be implemented in the area of Hamilton General Hospital in 2020 and 2021, also shown in Appendix “B” attached to Report PW20079:

1. Designation of Community Safety Zones and installation of associated signage on roadways abutting the Hamilton General Hospital, specifically:
 - Barton Street East – Ferguson Avenue North to East Avenue North;
 - Wellington Street North – Simcoe Street East to Robert Street;
 - Victoria Avenue North – Robert Street to Shaw Street; and
 - Birge Street – Wellington Street North to Victoria Avenue North.
2. Install ladder crosswalks, crosswalk pavement markings at designated pedestrian crosswalks, specifically:
 - Barton Street East and Victoria Avenue North;
 - Barton Street East and Wellington Street North;
 - Victoria Avenue North and Copeland Avenue; and
 - Wellington Street North and Copeland Avenue.
3. Install a curb bump-out on the southeast corner of Barton Street East and Wellington Street North.

SUBJECT: Hamilton General Hospital Safety Zone (PW20079) (Ward 3)
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4. Install pedestrian countdown timer signals and examine the benefit of implementing a pedestrian lead phase at intersections that currently do not include them, specifically:
 - Barton Street East and Victoria Avenue North; and
 - Wellington Street North and Copeland Avenue.

5. Monitor and evaluate the effectiveness of the above enhancements to measure their effectiveness and to determine if the abutting roadways around the Hamilton General Hospital would benefit from additional roadway safety and traffic calming measures.

Future City-wide Hospital Safety Enhancements

Based on the evaluation and review of the proposed measures after they have been installed, Transportation Operations & Maintenance will examine if similar enhancements would be suitable to be applied at the other hospitals in the City.

ALTERNATIVES FOR CONSIDERATION

Council could approve portions of the recommended implementation plan; however, this would/could reduce the overall effectiveness of the measures in terms of overall safety of road users.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Healthy and Safe Communities

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

Clean and Green

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

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

SUBJECT: Hamilton General Hospital Safety Zone (PW20079) (Ward 3)
– Page 7 of 7

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 PW20079 – Community Safety Zone By-law Amendment

Appendix “B” to Report PW20079 – General Hospital Proposed Enhancements

Authority: Item
Report:
Date:
Wards: 3

Bill No.

CITY OF HAMILTON

BY-LAW NO. 20-XXX

**To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215.

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

1. Schedule 34 (Designated Community Safety Zones) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" (Hamilton) thereof the following items, namely:

Barton Street East	Ferguson Avenue North to East Avenue North	Anytime
Wellington Street North	Simcoe Street to Robert Street	Anytime
Victoria Avenue North	Robert Street to Shaw Street	Anytime
Birge Street	Wellington Street North to Victoria Avenue	Anytime

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

Page 2 of 2

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

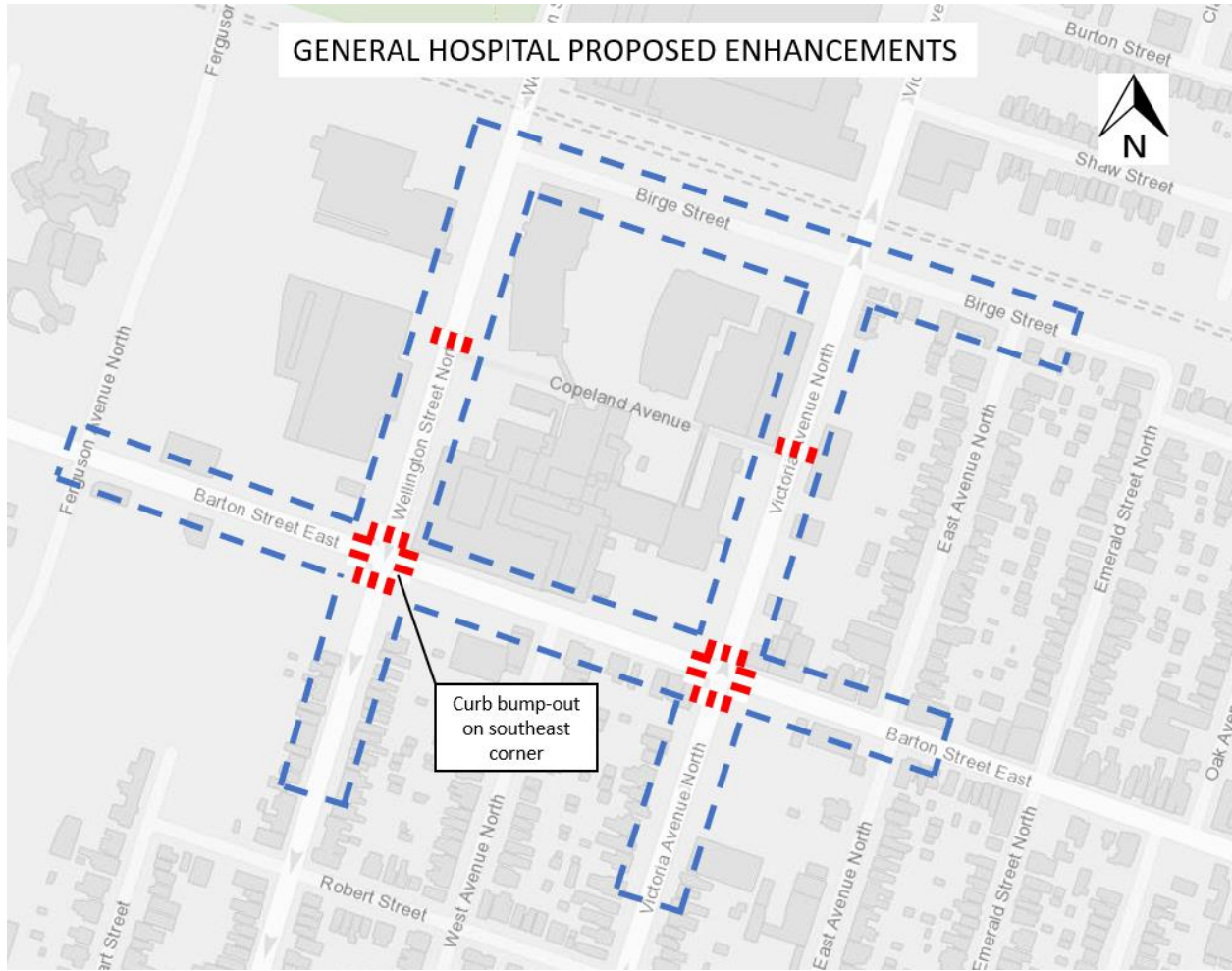
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 16 day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Appendix "B" to Report PW20079



11.1

CITY OF HAMILTON

MOTION

Public Works Committee: December 7, 2020

MOVED BY COUNCILLOR N. NANN.....

SECONDED BY COUNCILLOR

Park Improvements (Ward 3)

WHEREAS, Parks in Ward 3 benefit the residents health and well-being by providing community space and recreational amenities, which is especially important during the COVID-19 pandemic, and;

WHEREAS, Dofasco Park, Hayward Park, Lucy Day Park, Keith Park, Lifesavers Park and Pinky Lewis Parkette have been identified for key capital park amenity improvements;

THEREFORE, BE IT RESOLVED:

- (a) That the following projects be approved, and the Capital work be funded from Ward 3 Capital Infrastructure Reserve #108053:
 - (i) That Dofasco Park, located on 274B Beach Road, Hamilton, be improved with a play structure at a replacement cost of \$25,000 and the installation of a new drinking water fountain at a cost of \$45,000, with \$2,500 in annual operating costs to be added to the 2021 base budget;
 - (ii) That Haywood Park, located at 13 Dalkeith Avenue, Hamilton, be improved with a play structure at a replacement cost of \$35,000, a drinking water fountain replacement at a cost of \$15,000, and asphalt pathway replacement at a cost of \$15,000;
 - (iii) That three (3) new floral planters be installed in Haywood Park, located at 13 Dalkeith Avenue, Hamilton, and that a portion of the grassed area be converted to a pollinator garden, at a combined cost of \$3,030, with \$2,400 in annual operating costs added to the 2021 base budget;
 - (iv) That Lucy Day Park, located at 33 Clinton Street, Hamilton, be improved with new security fencing along the rear portion of the park, at a cost of \$40,000, and that decorative fencing be added to the front portion of the park, at cost of \$20,000;
 - (v) That Keith Park, located at 90 Burton Street, Hamilton, be improved with a play structure at a replacement cost of \$50,000, and the installation of

Motion respecting Park Improvements (Ward 3)

Page 2 of 2

a new drinking water fountain at a cost of \$45,000, with \$2,500 in annual operating costs to be added to the 2021 base budget;

- (vi) That eight (8) new floral planters be installed in Pinky Lewis Parkette, located at 169 Sanford Avenue North, Hamilton, and that a portion of the grassed area be converted to a pollinator garden, at a combined cost of \$5,700, with \$3,900 in annual operating costs and 0.16 FTE added to the 2021 base budget; and,
 - (vii) That Lifesavers Park, located at 100 Cumberland Avenue, Hamilton, be improved with pedestrian lighting at a cost of \$35,000, with \$500 in annual operating costs to be added to the 2021 base budget;
- (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.