



City of Hamilton

PUBLIC WORKS COMMITTEE REVISED

Meeting #: 24-007
Date: June 3, 2024
Time: 1:30 p.m.
Location: Council Chambers
Hamilton City Hall
71 Main Street West

Carrie McIntosh, Legislative Coordinator (905) 546-2424 ext. 2729

	Pages
1. CEREMONIAL ACTIVITIES	
*1.1 17th Annual Children's Water Festival	
2. APPROVAL OF AGENDA	
(Added Items, if applicable, will be noted with *)	
3. DECLARATIONS OF INTEREST	
4. APPROVAL OF MINUTES OF PREVIOUS MEETING	
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Recommendation: Be received and referred to Item 8.1	
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- *13.2 Fencing Installation for Gage Park Community Garden Located at 1000 Main Street East, Hamilton (Ward 3)

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14. GENERAL INFORMATION / OTHER BUSINESS

14.1 Amendments to the Outstanding Business List

a. Items Considered Complete and Needing to be Removed:

- a. Maintenance and Beautification of Birch Avenue Greenspace and Gardens (Ward 3)

Addressed as Item 11.1 on today's agenda - Report PW24031 (City Wide)

b. Items Requiring a New Due Date:

- a. Municipal Class Environmental Assessment and Conceptual Design of Ancaster Elevated Water Reservoir (PW17022(b)) (Ward 12)

Current Due Date: Q1 2024

Proposed New Due Date: Q2 2025

- b. HSR / ATS / DARTS Passenger Policies for Persons with Disabilities

Current Due Date: November 28, 2022

Proposed New Due Date: October 15, 2024

- c. York Boulevard/Wilson Street and James Street North Safety Review and Signalized Intersection Safety Enhancements (Ward 2, City-Wide)

Current Due Date: Q1 2024

Proposed New Due Date: July 10, 2024

- d. That the Transportation Division report back to the Public Works Committee on the expanded use of no right turn on red restrictions and leading pedestrian and cycling intervals at signalized intersections city-wide in Q3 or earlier of 2024

Current Due Date: Q3 2024

Proposed New Due Date: October 15, 2024

15. PRIVATE AND CONFIDENTIAL

Members of the public can contact the Clerk's Office to acquire the documents considered at this meeting, in an alternate format.

15.1 Stage 3 Phase 2 Glanbrook Landfill Construction (Confidential)
(PW23079(a)/LS24015) (City Wide)

Pursuant to Section 9.3, Sub-section (e) and (f) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-section (e) and (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City or a local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

16. ADJOURNMENT

4.1



**PUBLIC WORKS COMMITTEE
MINUTES 24-006**

1:30 p.m.

Monday, May 13, 2024

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors M. Spadafora (Chair), A. Wilson (Vice-Chair) J. Beattie, M. Francis, T. Jackson, C. Kroetsch, T. McMeekin, N. Nann, E. Pauls and M. Tadeson

Absent with

Regrets: Councillor Cassar – City Business
Councillor Danko – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Removal of Roadway Bollards on Fellowes Crescent (PW24026) (Ward 15) (Item 9.1)

(Pauls/McMeekin)

That Report PW24026, Removal of Roadway Bollards on Fellowes Crescent, be received.

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes – Ward 1 Councillor Maureen Wilson
 Yes – Ward 2 Councillor Cameron Kroetsch
 Yes – Ward 3 Councillor Nrinder Nann
 Yes – Ward 5 Councillor Matt Francis
 Yes – Ward 4 Councillor Tammy Hwang
 Yes – Ward 6 Councillor Tom Jackson
 Yes – Ward 7 Councillor Esther Pauls
 Not Present – Ward 8 Councillor John Paul Danko
 Yes – Ward 10 Councillor Jeff Beattie
 Yes – Ward 11 Councillor Mark Tadeson
 Not Present – Ward 12 Councillor Craig Cassar
 Yes – Ward 13 Councillor Alex Wilson
 Yes – Ward 14 Councillor Mike Spadafora

Yes – Ward 15 Councillor Ted McMeekin

2. Annual Wastewater Treatment Bypass Report (PW24028) (City Wide) (Item 9.2)

(A. Wilson/Hwang)

That Report PW24028, Annual Wastewater Treatment Bypass Report, be received.

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes – Ward 1 Councillor Maureen Wilson
 Yes – Ward 2 Councillor Cameron Kroetsch
 Yes – Ward 3 Councillor Nrinder Nann
 Yes – Ward 5 Councillor Matt Francis
 Yes – Ward 4 Councillor Tammy Hwang
 Yes – Ward 6 Councillor Tom Jackson
 Yes – Ward 7 Councillor Esther Pauls
 Not Present – Ward 8 Councillor John Paul Danko
 Yes – Ward 10 Councillor Jeff Beattie
 Yes – Ward 11 Councillor Mark Tadeson
 Not Present – Ward 12 Councillor Craig Cassar
 Yes – Ward 13 Councillor Alex Wilson
 Yes – Ward 14 Councillor Mike Spadafora
 Yes – Ward 15 Councillor Ted McMeekin

3. Appropriation Transfer of Funds for Bridge 296 Governors Road Rehabilitation (PW24032) (Ward 13) (Item 11.1)

(A. Wilson/Pauls)

- (a) That the General Manager, Public Works be authorized and directed to award Contract C15-20-23 (BRHW) Bridge 296 Governors Road Rehabilitation in the amount of \$4,145,843.00 (not including contingency and Non-Refundable HST) and execute the contract and any ancillary documents required to give effect thereto with Decew Construction Inc., in a form satisfactory to the City Solicitor;
- (b) That a budget adjustment be approved to increase Capital Project ID 4031818296 (Bridge 296 Governors Road Rehabilitation) by \$425,000 from \$2,340,000 to \$2,765,000 and that this increase be funded by a transfer of previously approved funding of \$425,000 from Project ID 4031918126 (Bridge 126 – Regional Road 56,605m n/o Guyatt Road);
- (c) That a budget adjustment be approved to increase Capital Project ID 4032219196 (Governor's – Main to Ogilvie) by \$215,000 from \$1,476,000 to \$1,691,000 and that this increase be funded by a transfer of previously

approved funding of \$215,000 from Project ID 4031918126 (Bridge 126 – Regional Rd 56, 605m n/o Guyatt Road); and

- (d) That a budget adjustment be approved to increase Capital Project ID 5142271296 (Bridge 296 watermain replacement) by \$298,000 from \$485,000 to \$783,000 and that this increase be funded by a transfer of previously approved Rate revenues of \$298,000 from Project ID 5142360080 (Valve Replacement Program).

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes – Ward 1 Councillor Maureen Wilson
 Yes – Ward 2 Councillor Cameron Kroetsch
 Yes – Ward 3 Councillor Nrinder Nann
 Yes – Ward 5 Councillor Matt Francis
 Yes – Ward 4 Councillor Tammy Hwang
 Yes – Ward 6 Councillor Tom Jackson
 Yes – Ward 7 Councillor Esther Pauls
 Not Present – Ward 8 Councillor John Paul Danko
 Yes – Ward 10 Councillor Jeff Beattie
 Yes – Ward 11 Councillor Mark Tadeson
 Not Present – Ward 12 Councillor Craig Cassar
 Yes – Ward 13 Councillor Alex Wilson
 Yes – Ward 14 Councillor Mike Spadafora
 Yes – Ward 15 Councillor Ted McMeekin

4. Installation of Speed Cushions as a Traffic Calming Measure on Fellowes Crescent (Ward 15) (Item 12.1)

(McMeekin/Hwang)

WHEREAS, the City of Hamilton has adopted a Vision Zero approach which considers human error as part of the roadway safety equation; and

WHEREAS, Ward 15 residents on Fellowes Crescent have advocated for traffic calming in their neighbourhood to address roadway safety concerns once bollards are removed with a potential for speeding and cut-through traffic.

THEREFORE, BE IT RESOLVED:

- (a) That the Transportation Division be authorized and directed to install 1 speed cushion as a traffic calming measure on Fellowes Crescent in the same location that temporary bollards were installed as part of the 2024 Traffic Calming program's spring application;
- (b) That all costs associated with the installation of traffic calming measures at be completed through the CP Minor Maintenance Ward 15 account 4031911615 at an upset limit, including contingency, not to exceed \$5,000;

- (c) That the Transportation Division examine the implementation of temporary dynamic speed signs, extension to “no stopping” and “no parking”, hatch mark pavement markings in the no stopping/no parking area, and additional signage per the Ontario Traffic Manual in the general proximity of where the temporary bollards were installed to further promote traffic calming; and
- (d) That the General Manager of Public Works 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 12 to 0, as follows:

Yes – Ward 1 Councillor Maureen Wilson
 Yes – Ward 2 Councillor Cameron Kroetsch
 Yes – Ward 3 Councillor Nrinder Nann
 Yes – Ward 5 Councillor Matt Francis
 Yes – Ward 4 Councillor Tammy Hwang
 Yes – Ward 6 Councillor Tom Jackson
 Yes – Ward 7 Councillor Esther Pauls
 Not Present – Ward 8 Councillor John Paul Danko
 Yes – Ward 10 Councillor Jeff Beattie
 Yes – Ward 11 Councillor Mark Tadeson
 Not Present – Ward 12 Councillor Craig Cassar
 Yes – Ward 13 Councillor Alex Wilson
 Yes – Ward 14 Councillor Mike Spadafora
 Yes – Ward 15 Councillor Ted McMeekin

5. Improvements to Hampton Park, 28 Lupin Avenue, Hamilton (Ward 6) (Item 12.2)

(Jackson/Beattie)

WHEREAS, a new Hampton Park Citizens Committee has been established and is working with the Ward 6 Councillor’s office to support and inform improvements to Hampton Park, 28 Lupin Avenue, Hamilton;

WHEREAS, a previous motion was brought forward and approved by Council on January 16, 2023, to fund the playground replacement at Hampton Park, 28 Lupin Avenue, Hamilton, at a cost of \$250,000 including contingency, out of the Ward 6 Capital Re-Investment Reserve (#108056);

WHEREAS, following community engagement regarding the new playground design, the Hampton Park Citizens Committee has expressed desire for enhanced accessibility within the new playground, which currently includes the use of engineered wood fiber safety surfacing;

WHEREAS, engineered wood fiber safety surfacing meets Ontario accessibility standards; however, it may be a challenging surface for some residents to navigate depending on mobility devices and mobility levels;

WHEREAS, in order to provide enhanced accessibility within the new playground, a rubberized safety surface would increase mobility access;

WHEREAS, additional funding is required to support this safety surface enhancement; and

WHEREAS, this ongoing project is currently within the Parks & Cemeteries work plan, and this funding enhancement/change in scope will not result in any project delays or additional work for staff.

THEREFORE, BE IT RESOLVED:

- (a) That the supply and installation of rubberized safety surfacing within the playground at Hampton Park, 28 Lupin Avenue, Hamilton, be funded from the Ward 6 Capital Re-Investment Reserve (#108056), at an upset limit including contingency not to exceed \$250,000 be approved; and
- (b) That the General Manager of Public Works be authorized and directed to approve and execute any and all required agreements and ancillary documents, in a form satisfactory to the City Solicitor, related to the supply and installation of rubberized safety surfacing at Hampton Park, 28 Lupin Avenue, Hamilton.

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes – Ward 1 Councillor Maureen Wilson
 Yes – Ward 2 Councillor Cameron Kroetsch
 Yes – Ward 3 Councillor Nrinder Nann
 Yes – Ward 5 Councillor Matt Francis
 Yes – Ward 4 Councillor Tammy Hwang
 Yes – Ward 6 Councillor Tom Jackson
 Yes – Ward 7 Councillor Esther Pauls
 Not Present – Ward 8 Councillor John Paul Danko
 Yes – Ward 10 Councillor Jeff Beattie
 Yes – Ward 11 Councillor Mark Tadeson
 Not Present – Ward 12 Councillor Craig Cassar
 Yes – Ward 13 Councillor Alex Wilson
 Yes – Ward 14 Councillor Mike Spadafora
 Yes – Ward 15 Councillor Ted McMeekin

6. Corman Park Path Replacement, 23 Teak Street, Hamilton (Ward 10) (Item 12.3)

(Beattie/Spadafora)

WHEREAS, the existing park pathway, which does not meet current width standards and is end-of-life condition, poses a health and safety risk;

WHEREAS, there is no capital funding to support the full replacement of this park asset, and additional funding is needed to support the full replacement of the park pathway system;

WHEREAS, this work will be undertaken by the Parks Section capital team and because of the poor condition and risk for users, the work will be added to the existing work plan and ongoing projects; and

WHEREAS, resources are limited, and this work will be initiated in 2024, and may be prioritized above other works underway because of the risk component of the work. This schedule may vary due to unforeseen challenges such as procurement timing, supply chain issues, weather, etc.

THEREFORE, BE IT RESOLVED:

- (a) That the replacement of the pedestrian pathway at Corman Park, 23 Teak Street, Hamilton, be funded from the Ward 10 Minor Maintenance Account (4031911610) at an upset limit, including contingency, not to exceed \$80,000; and
- (b) That the General Manager of Public Works be authorized and directed to approve and execute any and all required agreements and ancillary documents, in a form satisfactory to the City Solicitor.

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes – Ward 1 Councillor Maureen Wilson
 Yes – Ward 2 Councillor Cameron Kroetsch
 Yes – Ward 3 Councillor Nrinder Nann
 Yes – Ward 5 Councillor Matt Francis
 Yes – Ward 4 Councillor Tammy Hwang
 Yes – Ward 6 Councillor Tom Jackson
 Yes – Ward 7 Councillor Esther Pauls
 Not Present – Ward 8 Councillor John Paul Danko
 Yes – Ward 10 Councillor Jeff Beattie
 Yes – Ward 11 Councillor Mark Tadeson
 Not Present – Ward 12 Councillor Craig Cassar
 Yes – Ward 13 Councillor Alex Wilson
 Yes – Ward 14 Councillor Mike Spadafora
 Yes – Ward 15 Councillor Ted McMeekin

7. Inch Park Accessible Portable Toilets, 400 Queensdale Avenue East, Hamilton (Ward 7) (Added Item 12.4)

(Pauls/Beattie)

WHEREAS, Inch Park, 400 Queensdale Avenue East, Hamilton, is home to Hamilton Challenger Baseball, an organization that provides sports for players with special needs;

WHEREAS, Hamilton Challenger Baseball consists of more than 190 players and 60 dedicated volunteers and offers the opportunity for those with developmental and physical disabilities to be empowered and assert their independence through sport;

WHEREAS, Challenger Baseball has funded improvements to Inch Park, 400 Queensdale Avenue East, Hamilton, over the years; and

WHEREAS, additional funding for the rental and cleaning of accessible portable toilet(s) for the 2024 season is required.

THEREFORE, BE IT RESOLVED:

- (a) That the provision of accessible portable toilet(s) to support Challenger Baseball 2024 season be funded from the Ward 7 Capital Discretionary Account (#3302109700), at an upset limit including contingency not to exceed \$1,250 be approved; and
- (b) That the General Manager of Public Works or designate and City Clerk be authorized and directed to approve and execute all required agreements and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes – Ward 1 Councillor Maureen Wilson
 Yes – Ward 2 Councillor Cameron Kroetsch
 Yes – Ward 3 Councillor Nrinder Nann
 Yes – Ward 5 Councillor Matt Francis
 Yes – Ward 4 Councillor Tammy Hwang
 Yes – Ward 6 Councillor Tom Jackson
 Yes – Ward 7 Councillor Esther Pauls
 Not Present – Ward 8 Councillor John Paul Danko
 Yes – Ward 10 Councillor Jeff Beattie
 Yes – Ward 11 Councillor Mark Tadeson
 Not Present – Ward 12 Councillor Craig Cassar
 Yes – Ward 13 Councillor Alex Wilson
 Yes – Ward 14 Councillor Mike Spadafora
 Yes – Ward 15 Councillor Ted McMeekin

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

7. DELEGATIONS

- 7.1 Steven Oliver respecting the Bollards on Fellowes Crescent
- a. Petition – REVISED

11. DISCUSSION ITEMS

- 11.1 Appropriation Transfer of Funds for Bridge 296 Governors Road Rehabilitation (PW24032) (Ward 13)

13. NOTICES OF MOTION

- 13.1 Inch Park Accessible Portable Toilets, 400 Queensdale Avenue East, Hamilton (Ward 7)

(Beattie/Hwang)

That the Agenda for the May 13, 2024, Public Works Committee meeting be approved, as amended.

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes – Ward 1 Councillor Maureen Wilson
 Yes – Ward 2 Councillor Cameron Kroetsch
 Yes – Ward 3 Councillor Nrinder Nann
 Yes – Ward 5 Councillor Matt Francis
 Yes – Ward 4 Councillor Tammy Hwang
 Yes – Ward 6 Councillor Tom Jackson
 Yes – Ward 7 Councillor Esther Pauls
 Not Present – Ward 8 Councillor John Paul Danko
 Yes – Ward 10 Councillor Jeff Beattie
 Yes – Ward 11 Councillor Mark Tadeson
 Not Present – Ward 12 Councillor Craig Cassar
 Yes – Ward 13 Councillor Alex Wilson
 Yes – Ward 14 Councillor Mike Spadafora
 Yes – Ward 15 Councillor Ted McMeekin

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)**(i) April 29, 2024 (Item 4.1)****(Beattie/Pauls)**

That the Minutes of the April 29, 2024, meeting of the Public Works Committee be approved, as presented.

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes – Ward 1 Councillor Maureen Wilson
 Yes – Ward 2 Councillor Cameron Kroetsch
 Yes – Ward 3 Councillor Nrinder Nann
 Yes – Ward 5 Councillor Matt Francis
 Yes – Ward 4 Councillor Tammy Hwang
 Yes – Ward 6 Councillor Tom Jackson
 Yes – Ward 7 Councillor Esther Pauls
 Not Present – Ward 8 Councillor John Paul Danko
 Yes – Ward 10 Councillor Jeff Beattie
 Yes – Ward 11 Councillor Mark Tadeson
 Not Present – Ward 12 Councillor Craig Cassar
 Yes – Ward 13 Councillor Alex Wilson
 Yes – Ward 14 Councillor Mike Spadafora
 Yes – Ward 15 Councillor Ted McMeekin

(d) DELEGATIONS (Item 7)**(i) Steven Oliver respecting the Bollards on Fellowes Crescent (Approved April 2, 2024) (Item 7.1)****(1) (McMeekin/Jackson)**

That Steven Oliver be granted an additional 2 minutes, beyond the 5-minute time limit, to complete their delegation respecting the Bollards on Fellowes Crescent.

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes – Ward 1 Councillor Maureen Wilson
 Yes – Ward 2 Councillor Cameron Kroetsch
 Yes – Ward 3 Councillor Nrinder Nann
 Yes – Ward 5 Councillor Matt Francis
 Yes – Ward 4 Councillor Tammy Hwang
 Yes – Ward 6 Councillor Tom Jackson

Yes – Ward 7 Councillor Esther Pauls
 Not Present – Ward 8 Councillor John Paul Danko
 Yes – Ward 10 Councillor Jeff Beattie
 Yes – Ward 11 Councillor Mark Tadeson
 Not Present – Ward 12 Councillor Craig Cassar
 Yes – Ward 13 Councillor Alex Wilson
 Yes – Ward 14 Councillor Mike Spadafora
 Yes – Ward 15 Councillor Ted McMeekin

Steven Oliver addressed the Committee respecting the Bollards on Fellowes Crescent, with the aid of a PowerPoint presentation.

(2) (Kroetsch/A. Wilson)

That the Delegation from Steven Oliver respecting the Bollards on Fellowes Crescent, be received and referred to the consideration of Item 9.1.

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes – Ward 1 Councillor Maureen Wilson
 Yes – Ward 2 Councillor Cameron Kroetsch
 Yes – Ward 3 Councillor Nrinder Nann
 Yes – Ward 5 Councillor Matt Francis
 Yes – Ward 4 Councillor Tammy Hwang
 Yes – Ward 6 Councillor Tom Jackson
 Yes – Ward 7 Councillor Esther Pauls
 Not Present – Ward 8 Councillor John Paul Danko
 Yes – Ward 10 Councillor Jeff Beattie
 Yes – Ward 11 Councillor Mark Tadeson
 Not Present – Ward 12 Councillor Craig Cassar
 Yes – Ward 13 Councillor Alex Wilson
 Yes – Ward 14 Councillor Mike Spadafora
 Yes – Ward 15 Councillor Ted McMeekin

(e) NOTICES OF MOTION (Item 13)

(i) Inch Park Accessible Portable Toilets, 400 Queensdale Avenue East, Hamilton (Ward 7) (Item 13.1)

(Pauls/Beattie)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Inch Park Accessible Portable Toilets, 400 Queensdale Avenue East, Hamilton (Ward 7).

Result: Motion CARRIED by a 2/3 majority vote of 12 to 0, as follows:

Yes – Ward 1 Councillor Maureen Wilson
 Yes – Ward 2 Councillor Cameron Kroetsch
 Yes – Ward 3 Councillor Nrinder Nann
 Yes – Ward 5 Councillor Matt Francis
 Yes – Ward 4 Councillor Tammy Hwang
 Yes – Ward 6 Councillor Tom Jackson
 Yes – Ward 7 Councillor Esther Pauls
 Not Present – Ward 8 Councillor John Paul Danko
 Yes – Ward 10 Councillor Jeff Beattie
 Yes – Ward 11 Councillor Mark Tadeson
 Not Present – Ward 12 Councillor Craig Cassar
 Yes – Ward 13 Councillor Alex Wilson
 Yes – Ward 14 Councillor Mike Spadafora
 Yes – Ward 15 Councillor Ted McMeekin

For disposition of this matter, refer to Item 7.

(ii) (Kroetsch/Spadafora)

(1) That the Rules of Order be waived to allow for the introduction of a Motion respecting Portable Temporary Washrooms in Parks.

Result: Motion CARRIED by a 2/3 majority vote of 12 to 0, as follows:

Yes – Ward 1 Councillor Maureen Wilson
 Yes – Ward 2 Councillor Cameron Kroetsch
 Yes – Ward 3 Councillor Nrinder Nann
 Yes – Ward 5 Councillor Matt Francis
 Yes – Ward 4 Councillor Tammy Hwang
 Yes – Ward 6 Councillor Tom Jackson
 Yes – Ward 7 Councillor Esther Pauls
 Not Present – Ward 8 Councillor John Paul Danko
 Yes – Ward 10 Councillor Jeff Beattie
 Yes – Ward 11 Councillor Mark Tadeson
 Not Present – Ward 12 Councillor Craig Cassar
 Yes – Ward 13 Councillor Alex Wilson
 Yes – Ward 14 Councillor Mike Spadafora
 Yes – Ward 15 Councillor Ted McMeekin

(Kroetsch/Spadafora)

(2) That Public Works staff be directed to work with the Ward 2 Councillor to identify locations and funding to support Portable Temporary Washrooms in Parks and report back to the Public Works Committee at a future meeting.

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Yes – Ward 1 Councillor Maureen Wilson
 Yes – Ward 2 Councillor Cameron Kroetsch
 Yes – Ward 3 Councillor Nrinder Nann
 Yes – Ward 5 Councillor Matt Francis
 Yes – Ward 4 Councillor Tammy Hwang
 Yes – Ward 6 Councillor Tom Jackson
 Yes – Ward 7 Councillor Esther Pauls
 Not Present – Ward 8 Councillor John Paul Danko
 Yes – Ward 10 Councillor Jeff Beattie
 Yes – Ward 11 Councillor Mark Tadeson
 Not Present – Ward 12 Councillor Craig Cassar
 Yes – Ward 13 Councillor Alex Wilson
 Yes – Ward 14 Councillor Mike Spadafora
 Yes – Ward 15 Councillor Ted McMeekin

(f) ADJOURNMENT (Item 16)

(Nann/Beattie)

That there being no further business, the Public Works Committee meeting be adjourned at 3:12 p.m.

Result: MOTION, CARRIED by a vote of 12 to 0, as follows:

Not Present – Ward 1 Councillor Maureen Wilson
 Yes – Ward 2 Councillor Cameron Kroetsch
 Yes – Ward 3 Councillor Nrinder Nann
 Yes – Ward 5 Councillor Matt Francis
 Not Present – Ward 4 Councillor Tammy Hwang
 Yes – Ward 6 Councillor Tom Jackson
 Yes – Ward 7 Councillor Esther Pauls
 Yes – Ward 8 Councillor John Paul Danko
 Yes – Ward 10 Councillor Jeff Beattie
 Yes – Ward 11 Councillor Mark Tadeson
 Yes – Ward 12 Councillor Craig Cassar
 Yes – Ward 13 Councillor Alex Wilson
 Yes – Ward 14 Councillor Mike Spadafora
 Yes – Ward 15 Councillor Ted McMeekin

Respectfully submitted,

Councillor M. Spadafora, Chair,
Public Works Committee

**Public Works Committee
Minutes 24-006**

**May 13, 2024
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Carrie McIntosh
Legislative Coordinator
Office of the City Clerk

West End Home Builders' Association

1112 Rymal Road East, Hamilton

Serving members in Hamilton, Burlington, and Grimsby

May 31, 2024

TO: Members of Hamilton Public Works Committee

CC: Angela Storey, Director, Waste Management

WE HBA Letter: City of Hamilton Private Waste Collection

The West End Home Builders' Association (WE HBA) is the voice of the land development, new housing and professional renovation industries in Hamilton, Burlington, and Grimsby. The WE HBA represents over 300 member companies made up of all disciplines involved in land development and residential construction, including: builders, developers, professional renovators, trade contractors, consultants, and suppliers.

As Hamilton grows with a significant focus on intensification and higher density new communities while facilitating the construction of 47,000 new housing units by 2031, a focus on aligning all City policy and guideline documents must be maintained. Cities across North America face similar issues as they move to densify, and Hamilton is not unique in this regard. Hamilton's waste development guidelines mandate design standards based on the turning radii of the City's largest waste truck and a requirement that trucks do not reverse. As a result, developers are increasingly turning to private pick-up due to design constraints on higher-density developments including townhome and mid-and high-rise condo projects.

In Fall 2023, WE HBA engaged a team of master's students at the University of Waterloo's School of Planning to examine the City's Waste Requirements for Design of New Developments and Collection and determine alternatives for consideration. WE HBA encourages Committee to review the attached report prepared by the student team and consider future opportunities to develop the Waste Design Guidelines to provide flexibility and support growth in the City of Hamilton. WE HBA looks forward to future dialogue with the City and Council regarding the Guidelines.

Sincerely,



Michelle Diplock, RPP, MCIP, MPI

Manager of Planning and Government Relations

West end Home Builders' Association



HAMILTON DEVELOPMENT GUIDELINE REVIEW: WASTE STANDARDS



PREPARED BY **KRCM CONSULTING**

TO **THE WEST END HOME BUILDERS' ASSOCIATION (WE HBA)**

NOVEMBER 2023

This report was prepared by **KRCM Consulting** in response to the *Request for Proposal for "Infill Development Guideline Review – Urban Standards"* for the **West End Home Builders' Association (WE HBA)**.

This research project was conducted as a component of the Master's in Planning program's *PLAN 721 – Advanced Planning Project Studio* course at the School of Planning, University of Waterloo.

Research team

Caleb Babin, MA in Planning Candidate, University of Waterloo

Kieran James, MA in Planning Candidate, University of Waterloo

Mario Neto, MA in Planning Candidate, University of Waterloo

Rachita Gupta, MA in Planning Candidate, University of Waterloo

November 2023

EXECUTIVE SUMMARY

This document highlights the current challenges posed by urban standards governing waste collection facilities in new multi-unit residential developments in the City of Hamilton. Many aspects of these standards have been recently pointed out as potential barriers to the achievement of both provincial policy objectives and the Hamilton's own intensification targets. Responding to these impediments, this report compiles potential avenues to making Hamilton's urban standards more conducive to harmonizing the interests of developers, the municipality, province, and the goal of waste reduction for the public good.

To this end, a program evaluation focused on the City's waste collection guidelines was conducted to identify inadequacies. This evaluation was supported by engagement with local developers through a survey and a virtual discussion facilitated by the research team. Four main issues were identified and emphasized in this report: turnaround requirements, continuous forward motion, storage requirements, and clarity in the application process for private pickup.

It was found that there is a current mismatch between the City's waste removal standards and its targets to densify its built-up area. Additionally, a lack of clarity in the phrasing of certain guidelines was identified. However, an examination of how nearby municipalities address these highlighted issues reveals a consistent pattern across the Greater Golden Horseshoe Area, with slight variations among these municipalities.

Supported by the examination of neighboring municipalities' practices on waste collection standards and international examples of innovation in this regard, this report recommends a variety of both short and long-term potential pathways to be considered by the City of Hamilton to address the issues discussed.

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1. INTRODUCTION

This report was pursued with the intent of understanding the impact of the City of Hamilton's urban standards governing waste collection on residential development by members of the WE HBA. The WE HBA is an association advocating for the interests of the residential construction industry. The WE HBA works to ensure construction remains an accessible process, to allow an adequate number of cost-effective homes to be built for current and future residents of the Hamilton-Halton region. This report was informed by research on two axes: preliminary research constituted of a policy scan of waste standards throughout the region, before being complimented by data obtained from a survey and semi-structured interviews with local developers. After reviewing initial findings on the challenges faced by the WE HBA homebuilders, a second round of research on international best practices was conducted.

The structure of the report is as follows: A preface first explains the relationship between intensification and waste reduction goals, laying the ground to explore the roles urban standards regulating waste both currently and ought to play. Second, Hamilton's current urban standards regulating waste are evaluated. Third, the results of the survey and interviews are analyzed. Best practices from neighbouring regions and abroad are analysed for their strengths before recommendations are provided.

2. INTENSIFICATION AND WASTE COLLECTION IN THE CITY OF HAMILTON

In the City of Hamilton, urban standards regulating waste requirements in the design of new developments are perceived by many developers to create spatial and fiscal inefficiencies that hamper long-term municipal and provincial policy objectives. Waste management challenges are arising as Major Transit Station Areas (MTSA) are expected to accommodate between 30-40% of Hamilton's residential intensification, as targeted by the City's Official Plan. Developers must meet the City's waste requirements if a new multi-unit residential building is to be serviced by public pickup. In multi-unit residential buildings, developers may opt to sacrifice satisfying waste standards if the development is to be financially feasible. Condo boards must then pay for private services, causing residents of new-build developments to pay twice for waste collection services. Private pickup is contracted out to the same provider as the City, indicating the means for pickup already exist.

This report scopes common challenges faced by property developers, desired solutions, contrasts urban standards in other municipalities and looks to the horizon for industry best practices both local and abroad. As the facilities required to process household waste and the standards that regulate them are tied to the volumes of waste produced, this report transitions into a broader study of waste reduction strategies.

The ultimate recommendations outlined in this report align with Canada's waste management strategy, which is guided by the overarching goal of reducing the volume of solid waste destined for landfills. This comprehensive strategy adopts a hierarchical approach, as illustrated by Figure 1.

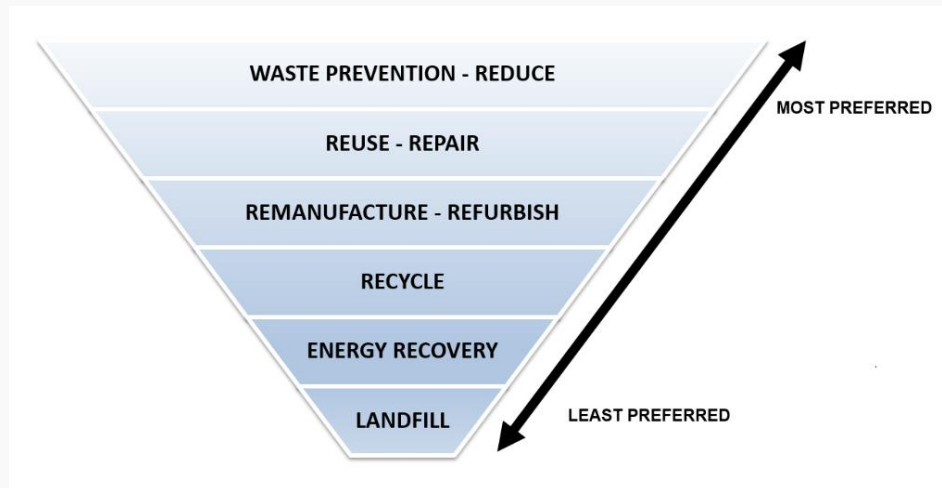


Figure 1 - Canada's waste management strategy¹

The strategy begins with a focus on waste prevention, aiming to curb the generation of waste at various levels. The subsequent step involves the reduction of materials entering the recycling and solid waste stream, contributing to a more sustainable waste management system. The next step is promoting the reuse of materials. This involves the repair and refurbishment of materials and products before they enter the recycling or solid waste stream.

The strategy also places significant importance on recycling, where materials are collected, sorted, and repurposed, either as a resource input or by selling them to secondary markets. Additionally, recovery plays a role, focusing on utilizing materials or waste that cannot be reused or recycled to produce fuel or energy through innovative technologies.

This waste reduction strategy seeks to reintroduce materials into the manufacturing process, thereby preventing waste and generating economic benefits. By transitioning away from the linear "take, make, waste" model, the circular economy concept promotes

¹ Government of Canada. (2021). *Reducing municipal solid waste*. Retrieved from <https://www.canada.ca/en/environment-climate-change/services/managing-reducing-waste/municipal-solid/reducing.html>

the continuous use of materials and products, extending their lifespan through recycling, refurbishing, or repurposing².

While the national agenda presents a broad strategy, the provinces bear responsibility for shaping waste reduction policies, wielding the authority to approve waste management facilities. In Ontario, the Provincial Policy Statement (PPS) requires waste management systems to simultaneously “*accommodate present and future requirements*” and “*facilitate, encourage and promote reduction, reuse and recycling objectives*” (1.6.10.1). Municipalities, in turn, are responsible for the management of these facilities in addition to the collection and disposal of household waste³.

In alignment with this framework, Hamilton’s official plan places emphasis on waste reduction: “*The City’s waste management system shall facilitate, encourage and promote reduction, re-use, composting, and recycling objectives*” (5.5.6). To this end, the City claims to pursue new forms of waste disposal that divert waste from landfills.

² Government of Canada. (2021). *Reducing municipal solid waste*. Retrieved from <https://www.canada.ca/en/environment-climate-change/services/managing-reducing-waste/municipal-solid/reducing.html>

³ Government of Canada. (2022). *Municipal solid waste: a shared responsibility*. Retrieved from <https://www.canada.ca/en/environment-climate-change/services/managing-reducing-waste/municipal-solid/shared-responsibility.html>

3. THE CITY'S WASTE COLLECTION DESIGN GUIDELINES

In November 2021, the City approved new *Waste Requirements for Design of New Developments and Collection*⁴ (Figure 2). These requirements were created to ensure safe waste collection services, efficient movement of waste collection vehicles, and that designs provided equal access to garbage disposal and waste diversion programs for all building occupants.

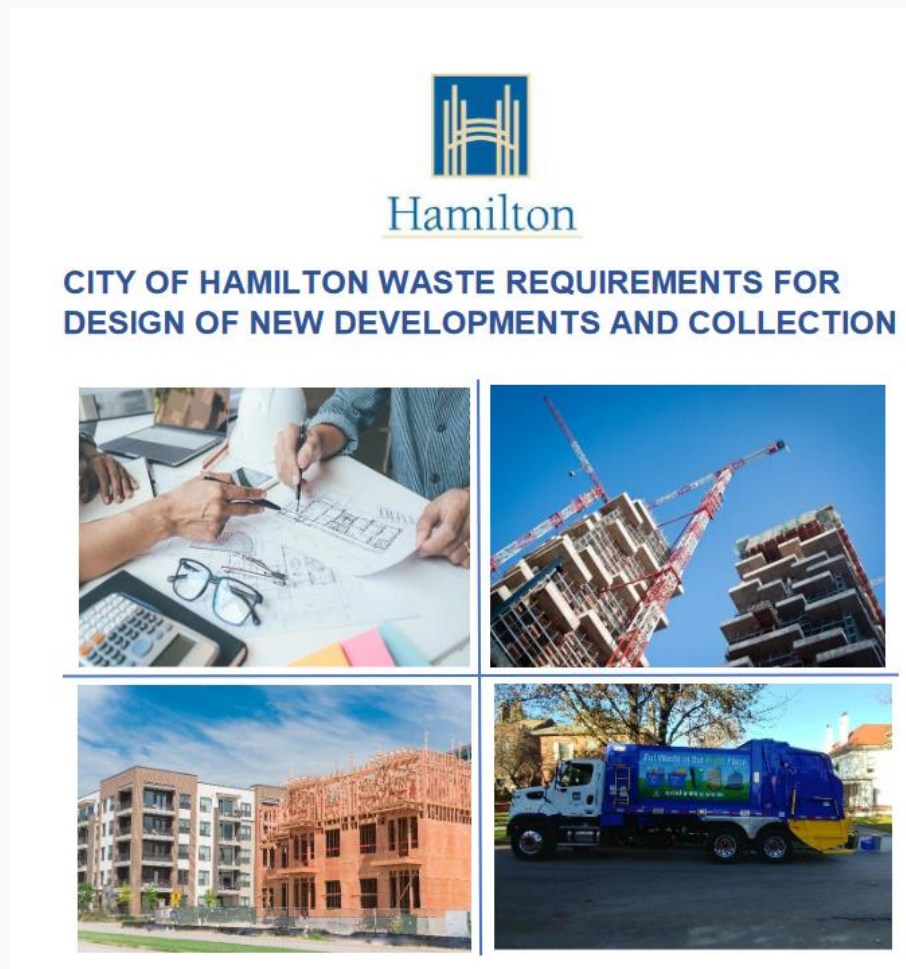


Figure 2 - Hamilton's Document for Waste Design Requirements

⁴ City of Hamilton. (2021). Waste Requirements for Design of New Developments and Collection. *City of Hamilton*. Retrieved from <https://www.hamilton.ca/sites/default/files/2022-11/pedpolicies-waste-requirements-new-development-design.pdf>

To meet these goals, the design requirements include specific provisions regulating aspects of waste management for new developments such as:

- Waste storage
- Waste separation
- Collection vehicle access
- Collection vehicle movement
- Safety measures for collection

All of these guidelines must be adhered to by new developments in order to receive waste collections services from the City. However, the City's waste design requirements have provisions that can act as barriers and prevent developments from receiving municipal waste collection. Many of these provisions require dedicated infrastructure, which on intensification sites with spatial restraints can interfere with other site aspects such as parking, greenspace, density, or the number of units provided.

The growth targets set out through Hamilton's Official Plan, the Ontario Provincial Policy Statement, and the Places to Grow Growth Plan require most of the Hamilton's growth to occur as intensification within the existing urban boundary. However, as the City's waste design requirements require dedicated infrastructure, these guidelines act as a barrier for intensification. Out of the existing provisions, three key issues have been identified as having the most negative impact on site design:

- Turnaround requirements for collection vehicles,
- The continuous forward motion of collection vehicles, and,
- On-site storage requirements.

To address these issues, developments would need to be altered in a way that could reduce the financial viability of a project. As an alternative, developments may wish to receive private waste collection services, however the City's waste design requirements include restrictive and often ambiguous regulations on qualifying for private pickup, limiting the ability for developers to receive private services.

The four main issues, and their related policies, will be discussed in the subsequent sections:

- Turnaround requirements
- Continuous forward motion
- Storage requirements
- Process for private pickup

3.1 Turnaround requirements

Space for collection vehicles to navigate is throughout a development currently assured by turnaround requirements. The permitted dimensions are as follows:

3.1.4.1 – Changes of direction on the Access Route must have turning radii of at least 10.4 metres for the inside of the curve, and 13 metres for the outside of the curve if the curb or sidewalk is higher than 0.375 metres.

3.1.4.1 – The Access Route may have a Turning Radius of 9.4 metres for the inside of the curve and 12 metres for the outside of the curve if the curb is shorter than 0.375 metres and, if the City will permit a portion of the Waste Collection Vehicle to hang over areas not designated as Access Routes as indicated on plans during movement.

Dead-ends are only permitted in temporary situations, meaning larger cul-de-sacs are required. It's not only the space dedicated to waste collection vehicles that must remain clear of other uses, but adjacent areas as well. This entails no parking at all times, with signage to be placed around the entrance to the waste collection area. In addition to parking, this impacts snow storage, density, greenspace, and location of waste storage.

3.2 Continuous forward motion

Linked to the City's turnaround requirements, there is a requirement for waste collection vehicles to be continuously forward moving throughout the property. This means the vehicle must enter and exit the property in a forward motion. Continuous forward motion extends to the path that collection vehicles must take throughout the development. One

notable instance where continuous forward motion doesn't translate into public pickup is that Laneways not maintained by the City are not to receive service from the City. While collection performed by doing no more than a three-point turn is also permitted, this must be done within turnaround areas within the development. The City will nonetheless permit turnaround areas in multi-unit residential developments with one private road as long as they meet the following requirements:

- *Have no more than one entrance;*
- *The one Private Road terminates with a dead-end;*
- *Reversing of collection vehicles is only made on the turnaround area; and*
- *Collection of Waste from all Dwelling Units can occur by the Waste Collection Vehicle making no more than one three-point turn*

In addition to potentially limiting the number of units provided, the space required for continuous forward motion impacts parking space provision, snow storage, density, greenspace, and location of waste storage.

3.3 Storage requirements

As public pickup is offered on 8-day cycles, enough storage must be provided to accommodate eight days of waste. Developers are expected to provide 2.5 square meters of waste storage per household, enough to contain vessels for recycling, compost, and garbage. This storage area is excluded from being in the front yard. However, multi-residential townhouse developments are expected to have a designated receptacle area located no more than 100 metres from any occupant. Garbage compactors are an existing avenue for reducing the amount of storage space required in multi-residential townhouse developments, reducing the number of required storage bins by one third (1/3). In ground *Earth Bin* waste storage containers are currently being contemplated by the City.

3.4 Process for private pickup

Developments that cannot meet Hamilton's design requirements will not receive municipal waste collection and must instead rely on private collection services. However the process

for receiving private collection is based on City staff's subjective evaluation that can be ambiguous to developers:

2.1 - The Design Requirements include specific requirements that should be satisfied when designing certain development types, however, staff will exercise on a case by case basis flexibility in applying the Design Requirements. This flexibility is intended to satisfy the purpose of Occupants receiving equal access to Waste Diversion Programs and Garbage collection in cases where application of the Design Requirements could result in a new development conflicting with the existing character of the street, the urban design and density objectives of the applicable land use policies, existing heritage features and/or the existing surrounding context.

3.1.6 - It is the responsibility of the Developer to inform the City in all Development Applications if there is a desire to retain Private Waste Collection Services for the Development. The City may allow for an eligible Development to be designed in a manner that does not conform to the Design Requirements and retain Private Waste Collection Services but only if staff determine the site has constraints that make it impossible for all the applicable requirements in the Design Requirements to be met without having a significant negative impact on the development with respect to the City's objectives related to land use, urban design and density.

4. WHAT DEVELOPERS ARE SAYING

A 19-question survey was developed for WEHBA to be forwarded to its members. It was comprised of a mix of discussion-based and multiple-choice questions, aiming at eliciting past residential development experiences by respondents. The survey focused on critical issues related to three items: *Waste Storage, Vehicle Turnaround Radii and Continuous Forward Motion*. While the survey emphasized these items, respondents were also encouraged to address any of their other perceived issues. Furthermore, respondents were asked to compare their experiences in the City of Hamilton against those in other municipalities they have worked with. Finally, respondents were asked about their willingness to participate in a more in-depth interview to elucidate upon survey results.

The Google Forms survey (Appendix I) was disseminated with the client having assumed responsibility for engaging with a select group of respondents. The survey received a total of eight (8) respondents and three (3) members of the *West End Home Builders' Association* engaged in a virtual discussion in coordination with the research team and client.

All respondents stated public pickup would be preferable if they could comply with the waste removal standards. The survey highlighted barriers preventing new-build developments from qualifying for the public pickup of waste. Among projects worked on by respondents, difficulties in meeting urban standards were especially challenging among townhomes, midrise and high-rises. One respondent estimated that if these waste removal standards had applied to their previous project, conformity would have cost a 22% reduction in residential units.

It can be deduced that waste removal guidelines posed the greatest challenges where developers sought compact urban form in pursuit of an “*efficient use of land, infrastructure, and public service facilities*” as stated by Ontario’s PPS (1.1.3.6). the following subsections outline the participants’ responses on the four main issues addressed in this report.

4.1 Turnaround requirements

Survey respondents were split as to whether Hamilton's required turning radii for waste removal vehicles alone were to blame for impeding the satisfaction of waste removal standards. As one respondent pointed out, the required turnaround radii were not dissimilar to other municipalities. Instead, the need for exclusive loading areas and continuous forward motion were causing the most difficulty. Nonetheless many respondents felt as if the required radii still occupied too much of the site and could significantly alter the structure of residential buildings if collection occurs indoors.

A site plan was shared by one of the participants illustrating how the City's turnaround requirements can impact the development. Figure 3 outlines the site plan before and after applying Hamilton's turnaround requirements. The right-hand side shows a Hammerhead turn which is in line with Hamilton's requirements. This requirement reduced the unit count by 20 as a result of the decreased parking and reduction in building area.

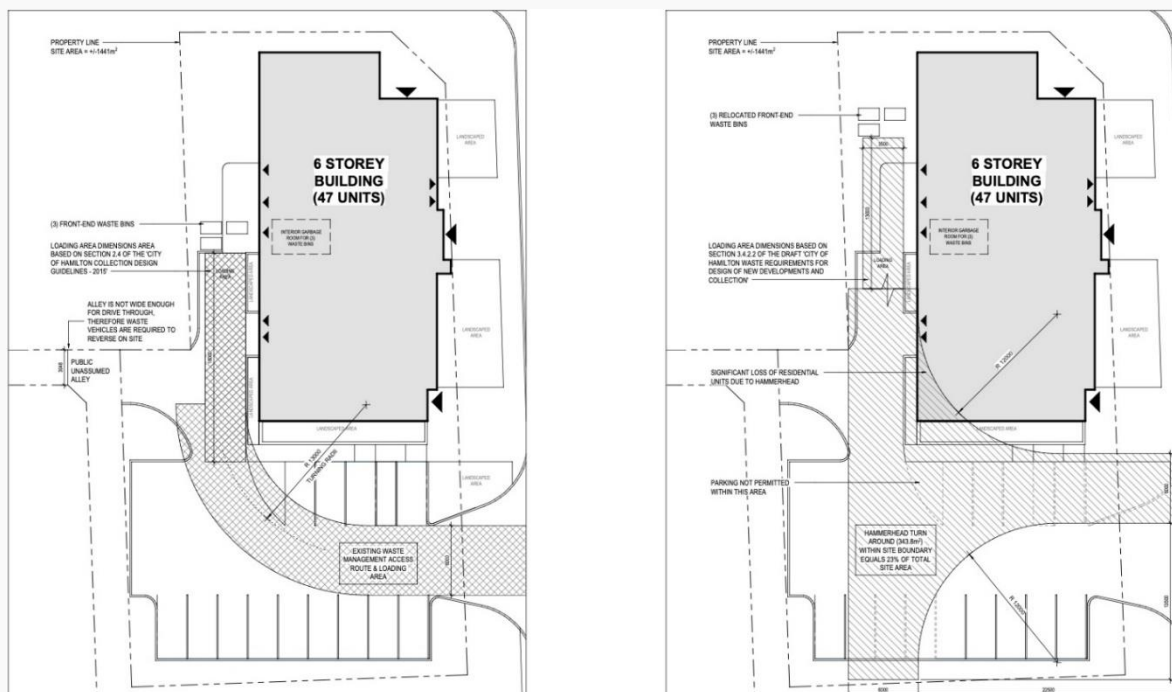


Figure 3 - Site plan before and after the City's approval

One respondent highlighted what they perceived to be unfair standards compared to fire routes, which allegedly require smaller turning radii. While respecting the City's layouts requirements, it was thought more recognition ought to be given to industry-leading software tools to assist in the road design such as *Autoturn* (Figure 4).

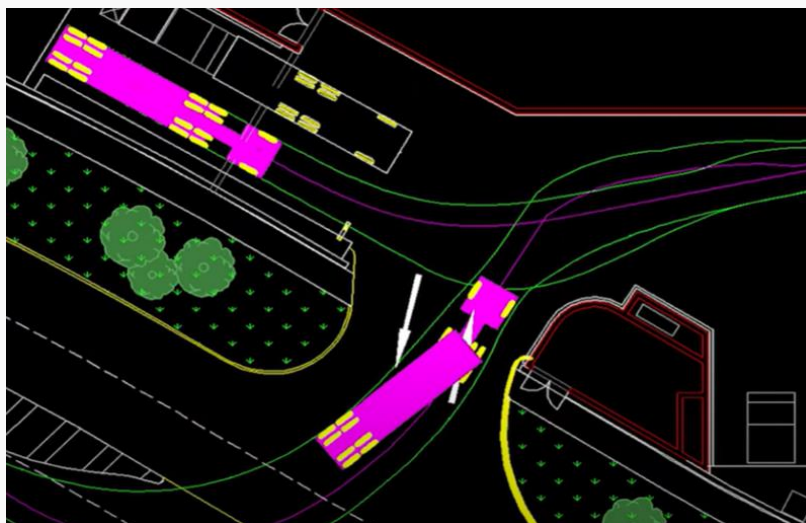


Figure 4 - Autoturn software for turning radius design⁵

As stated above, the most severe source of problems related to turnaround requirements was the need for exclusive loading areas, particularly the exclusion of parking. Respondents were aware of the potential for conflict uses such as parking could pose for waste collection, however thought the waste removal standards did not account for how vehicles could maneuver in practice. Areas of a site devoted to waste removal must remain free of obstacles, yet tend to be the same areas conducive to parking. The exclusion of parking from near waste removal areas is cited as a major hinderance to the provision of visitor parking. It's suggested waste removal standards should allow visitor parking adjacent to turnaround areas to maximize the efficient use of space.

⁵ Source: AutoTURN - Swept Path Analysis Software. Retrieved from: <https://www.youtube.com/watch?v=wQtvea4Keb4>

4.2 Continuous forward motion

The need for waste pickup to be executed with continuous forward motion of waste collection vehicles was cited as a barrier to obtaining municipal service. It was commented that the need for continuous forward motion wasn't experienced when applying to other municipalities. Additionally, there were perceived double-standards about continuous forward motion requirements fueled further frustration as a respondent highlighted seeing waste removal vehicles performing three-point turns in what they saw as exceptions for some recent residential developments.

Seven out of eight (7/8) respondents thought waste collection vehicles should be allowed to make more than a three-point turn and be able to reverse even then the road is not dead-end. Additionally, six respondents stated that reversing should be allowed in areas other than turnaround areas.

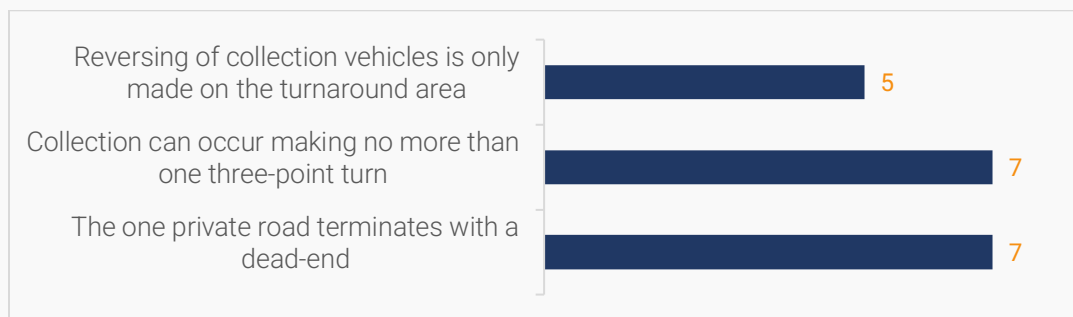


Figure 5 - What requirements should be lifted or made more flexible regarding continuous forward motion.

The principal problem posed by waste removal standards to be overcome are spatial inefficiencies, due to cul-de-sacs needed for continuous forward motion and the storage. One respondent suggested hammerhead turn-arounds as a more efficient alternative. According to them, tried and tested compact turn-around designs are available, most notably hammerhead turn-arounds allowing 3-point turns.

4.3 Storage requirements

As illustrated by Figure 6, more flexibility was sought by developers with regards to several of the storage requirements. One aspect receiving more votes than others was reducing the space devoted to waste storage per household.

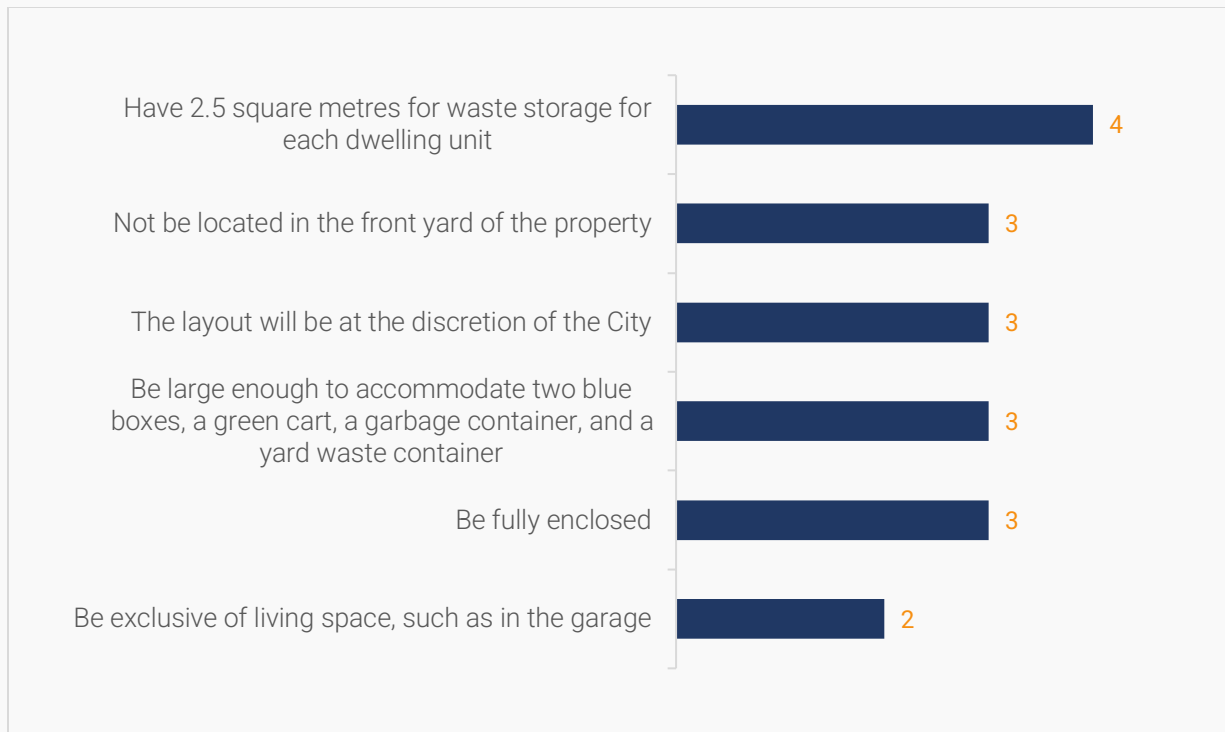


Figure 6 - What requirements should be lifted or made more flexible according to respondents.

To this end, as Figure 7 outlines, technological solutions that stood out among respondents was permitting in-ground waste storage containers and models other than earth bin.

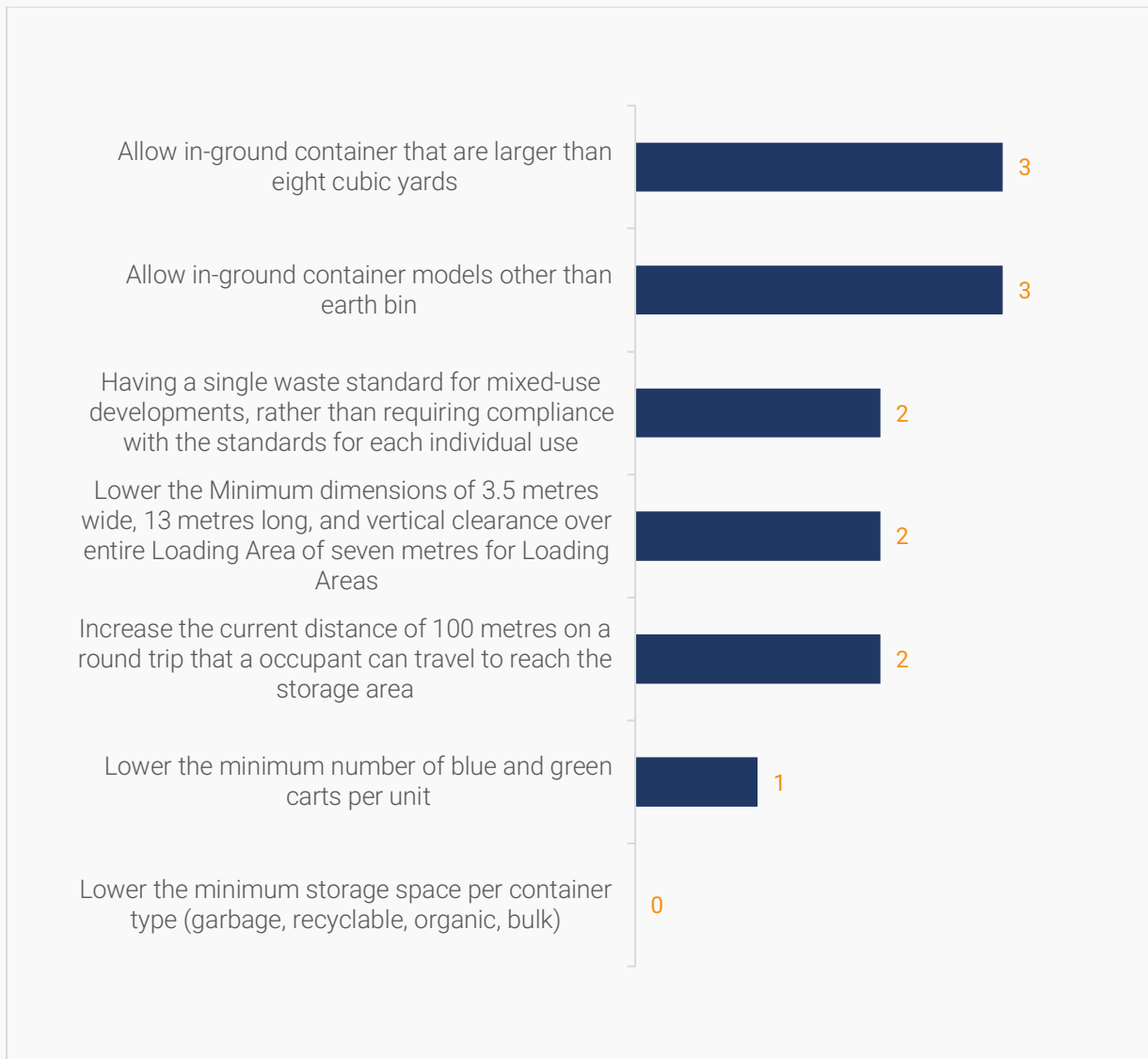


Figure 7 - What changes would facilitate Multi-Residential Townhouse Developments in meeting the storage requirements for public waste collection.

The root cause of what was deemed excessive storage areas in multi-residential units was the infrequency of public collection. Private pickup would occur multiple time per week, whereas public pickup would only be offered every eight (8) days.

With regards to storage, it was suggested that less space would be required if the municipality provided pickup more frequently than its current 8-day schedule. Developers have expressed openness to in-ground storage containers as an innovative, convenient, and compact pickup solution. The most impactful way to reduce the amount of space

devoted to waste storage without paying for private pickup, according to one of the respondents, is to reduce the amount of storage space required per household. This, however, would require a reduction the amount of waste permissibly produced per household.

4.4 Process for private pickup

Regarding the application process for private pickup, respondents desired clarity and consistency from the municipality. Complaints emerged about the lack of clearly written standards and comments from municipal staff during the application process. For example, the City of Hamilton indicated it could provide public pickup for townhouse developments on a private road if a concrete pickup platform were constructed. Despite the City's initial gesture towards accommodation, there was no further instruction on what shape or form the concrete platform must take. In another instance, the City of Hamilton initially stated in the site-plan approval stage that a development was eligible for public pickup, only to later tell the developer at the occupancy dates the City would never consider their project for public pickup and were simply stating everyone is technically eligible.

5. LEARNING FROM NEIGHBOURING PRACTICES

To provide benchmarks on how other municipalities address the key issues outlined, a policy review of neighboring municipalities with similar urban structures and that have recently adopted MTSAs policies in alignment with the Growth Plan was conducted. The three municipalities examined may serve as case studies for the City of Hamilton in an eventual process of updating its waste collection design standards.

Experiencing population growth and pursuing intensification like Hamilton, the **City of Vaughan**⁶ and **Peel Region**⁷ offer suitable precedents in the GTHA. Both are concentrating intensification near MTSAs and improving infrastructure to adapt to population growth. Situated in the GTHA, both municipalities are more likely to have overlapping developers with Hamilton. Additionally, the **Niagara Region**⁸ was chosen as another example, as it had been cited as an exemplary precedent by survey respondents. Its waste standards were analyzed to evaluate the source of their praise.

The following subsections provide an overview of the current state of intensification and public waste collection eligibility in each municipality and explore key policies on turnaround requirements, continuous forward motion, and storage requirements. Additionally, the application process for private pickup is discussed.

5.1 City of Vaughan

The City of Vaughan (Figure 8) offers Public Municipal Waste Collection for residential units. However, institutional and commercial developments are not eligible for this service

⁶ City of Vaughan. (2022). *Waste Collection Design Standards*. Retrieved from: <https://www.vaughan.ca/sites/default/files/2022-12/Waste%20Collection%20Design%20Standards%20-%20October%202022.pdf?file-verison=1679367600043>

⁷ Region of Peel. (2020). *Waste Collection Design Standards Manual*. Retrieved from: <https://www.peelregion.ca/public-works/design-standards/pdf/waste-collection-design-standards-manual.pdf>

⁸ The Regional Municipality of Niagara. (2022). *By-Law No. 2022-32 – A by-law o regulate the use of the waste management system for the Regional Municipality of Niagara*. Retrieved from: <https://www.niagararegion.ca/government/bylaws/pdf/by-law-2022-32-waste-management.pdf>

and must seek a private waste collection service provider. Mixed Use Developments may be eligible for Municipal Collection Services for residential waste only if the owner can demonstrate clear separation of residential waste from commercial waste and fulfill a series of specific requirements.



Figure 8 - Envision plan for the Vaughan Metropolitan Centre⁹

5.2 Niagara Region

Niagara Region (Figure 9) is looking to accommodate the Region's growth through intensification and higher densities in specific areas. These areas are meant to be serviced by the appropriate infrastructure, public services, and transit. They have been identified in the Official Plan, and future infrastructure investments are targeted for these areas specifically. The Region offers public pickup services for a wide variety of developments, including Institutional, Commercial, and Mixed-Use Premises within Designated Business Areas (DBAs) every week. For Low-Density Residential, Multi-Residential, Mixed-Use Premises, and Accommodations with four (4) or more bedrooms outside the DBAs, pickup occurs every other week. The Region also provides enhanced services as requested, approved, and funded by local municipalities.

⁹ Source: Downtown Vaughan Metropolitan Centre. Retrieved from: <https://myvmc.ca/welcome-to-downtown-vaughan/>



Figure 9 - St. Catharines' Downtown area¹⁰

5.3 Peel Region

The Region of Peel's (Figure 10) Official Plan defines MTSAs as areas including and around major transit stations within a radius of approximately 500 metres or about a 10-minute walk. They are recognized as focal points for the investment of public services and infrastructure. Development in these areas is intended to be compact and encourage public transit and active transportation uses. A minimum density of 200 residents and jobs combined per hectare is required by 2031 or earlier in these areas to optimize the use of the existing land supply of the Region by directing a significant portion of growth to the built-up areas through intensification.

¹⁰ Source: City of St. Catharines. Retrieved from: <https://www.stcatharines.ca/en/index.aspx>



Figure 10 - Downtown Mississauga¹¹

The Region is responsible for waste management in Peel and is committed to planning for the current and future needs of residents. The Region provides waste collection services to residential units, some institutions, and small businesses within Business Improvement Areas and located within Residential Neighborhoods. Industrial, Commercial, and Institutional establishments are not serviced by public waste collection.

Additionally, Peel's Official Plan states that the Region shall adopt policies that actively encourage, promote, and support the efforts of government, the area municipalities, the private sector, and the public to reduce waste or emphasize reuse and recycling.

5.4 Turnaround requirements

Regarding Turnaround requirements, the **Peel Region** sets a minimum radius of 13m from the center line for all turns. Meanwhile, the **City of Vaughan** requires that the depth of the turnaround shall be no less than 11m. Additionally, the inside curb radius must be no less than 9m, and the cul-de-sac outside curb radius should be no less than 13m. These are consistent with Hamilton's requirements for turning radii. In contrast, the **Niagara Region** does not prescribe a specific turnaround depth. Instead, they seem to provide general wording, which can likely be interpreted as necessary and then advocated for. As the City's

¹¹ Source: Insauga. Retrieved from: <https://www.insauga.com/6-reasons-why-downtown-mississauga-is-the-future-of-urban-living/>

design standards state in its 20.1.a.ii item, “the Region may enter Private Property for collection purposes provided that”:

have widths, turning radii, means of access, and means of egress meeting or exceeding the requirements of the Region's Policy on Requirements for Waste Collection, as amended from time to time. (p. 38)

None of the case studies examples require an exclusive turnaround area such as the City of Hamilton. Adjacent areas can be used for parking and other uses.

5.5 Continuous forward motion

Peel Region requires that road layouts be designed to allow Waste Collection Vehicles to move forward without reversing. If this requirement cannot be met, a Cul-de-sac or T-turnaround is necessary. The **City of Vaughan** also requires roads to facilitate forward motion, as collection vehicles can only reverse up to 11m. When these requirements are not met, a three-point turn or cul-de-sac is specified as an alternative. The **Niagara Region**, however, has no specific guidelines for continuous forward motion.

5.6 Storage requirements

The collection point For Curbside Waste Collection in the **Peel Region** must be as close as possible to the travelled portion of the road, be accessible by waste collection vehicle, and be free from obstructions.

For multi-residential complexes, the internal waste storage rooms must be a minimum of 10 square metres for the storage of bulky items and the indoor collection point must be a minimum of 6 metres wide for the storage of multiple front-end bins. A 6 cubic yard bin is only permissible for multi residential or stacked townhouse developments where garbage and recycling are stored outdoors. They must be permanently located at a collection point accessible to the front-end waste collection vehicle. The size of the waste storage room is determined by the number of Front-End Bins and Recycling Bins needed, as opposed to prescribing a specific storage area, as Figure 11 illustrates.

Multi-Residential Complexes and Stacked Townhouses

Type of Bin	3 yd ³ (units/bin)	4 yd ³ (units/bin)	6 yd ³ (units/bin)
Compacted Garbage	54	72	N/A
Non-compacted Garbage	18	24	36
Recyclable Materials	45	60	90

Figure 11 - Number of required bins in multi-residential developments in the Peel Region¹²

This allows for flexibility for developers, as they can choose what size of bin is most appropriate, rather than prescribing a specific storage space requirement

Additionally, the Waste Storage room must be within 100 metres to all occupants and the area should be sufficient to accommodate the required number of front-end of recycling carts. Garbage is collected twice weekly, and recycling and bulky items are collected weekly.

If a chute system is used, then separate chutes must be provided for garbage and recyclable materials. If a single chute is used it must be equipped with an automated mechanical separation system to direct garbage and recyclable materials into separate front-end bins. Additionally, recycling cannot be compacted.

The **City of Vaughan** requires Waste Storage Facilities to be able to store up to eight (8) days of waste generated on the premises.

Regarding multi-residential dwellings, there are no specific requirements for the storage of waste materials, collection location and method of collection in small residential premises (2 to 6 units). The City's standards states, however, that design of storage facilities for this type of development "will be to the satisfaction of the Deputy City Manager of Public Works or designate" (p. 16).

While not providing explicit requirements for developments with 2 to 6 units, the City presents clear guidelines for mid-sized and large developments. Mid-size Residential

¹² Region of Peel. (2020). *Waste Collection Design Standards Manual*. Retrieved from: <https://www.peelregion.ca/public-works/design-standards/pdf/waste-collection-design-standards-manual.pdf>

premises (7 to 29 units) are required to meet one or more of the following collection types to be provided with collection services:

a) Recycling & Other Waste Streams

- *cart – 32 to 95 gallons*
- *front-end (bulk lift) un-compacted – 1.5 yds³ to 8 yds³*

b) Garbage

- *front-end (bulk lift) mechanically compacted – 2 yds³ to 4 yds³*
- *front-end (bulk lift) un-compacted – 1.5 yds³ to 8 yds³ (p. 16)*

Whereas collection for large residential premises (30 or more units) shall be provided using one or more of the following collection types:

a. Recycling & Other Waste Streams

- *cart – 32 to 95 gallons (up to 45 units)*
- *front-end (bulk lift) un-compacted – 1.5 yds³ to 8 yds³*

b. Garbage

- *front-end (bulk lift) mechanically compacted – 2 yds³ to 4 yds³ (p.16)*

Waste storage room requirements are 2sqm per residential unit. There is no specific distance required between residential units and the waste storage room

Regardless the size of the multi-residential development, they are required to provide a three-stream waste system using three separate chutes. The access to three-stream disposal must be installed on each floor – through chute room, for instance – and each separate building of a Multi-residential or Mixed-Use Development must have its own Waste Storage Facility. This includes developments that have a shared walkway/podium.

The **Niagara Region** requires owners to not to place the material out for collection at any Premises except at their own Premises. Specific guidelines regarding location and where to properly accommodate the material for pickup are stated in the items 15.1 and 15.2 of the document:

15.1 Except as set out in Section 15.2 the Owner of Premises shall set out Material for collection by placing it at Curbside in front of the Premises in a location to

clearly distinguish separation from a neighbouring Premises and as close as possible to the travelled portion of the road without obstructing or interfering with the travelled portion of the road or any sidewalk.

15.2 The Owner of Premises shall set out Material at a collection point or Communal Collection point approved or as determined by the Region. Dwelling Units that place their Material at a Communal Collection point must ensure all collection containers are labelled with the Dwelling Unit address to clearly distinguish separation from neighbouring Dwelling Units.

5.7 Process for private pickup

In **Peel Region**, the developer is responsible for waste collection and disposal until 90% occupancy has been achieved. The developer must then apply for public pickup. The Waste Management Division will visit the site within 5-10 business days and determine if the site is compliant with the Manual. Private waste collection for developments that include residential units will not be permitted unless approved by the council. The application process involves the submission of a form to the Commission of Public Works by developers.

In the **City of Vaughan**, private residential developments eligible for Municipal Collection Service are limited to registered condominiums under the Condominium Act and do not include apartments with rental units. Eligibility is restricted to Condominium developments that have facilities, access, and containers for the collection of waste materials, as approved by the City of Vaughan, following the residential board turnover meeting, and achieving seventy (70) percent occupancy.

To gain access to the service, condominiums are required to submit an application, facilitate an on-site inspection, and execute an Agreement with the City of Vaughan. The form is not publicly available, and developers must contact the Environmental Services Department, Solid Waste Management Division to access it. Private Residential Developments/redevelopments not currently eligible for Municipal Collection Services are required to seek a private waste collection service provider.

The **Niagara Region's** waste collection guidelines do not address the process for private pickup, implying that developers may opt for private pickup at their discretion if requirements for public service are not met.

5.8 The main takeaways

In **Peel Region**, the design guidelines provide extra flexibility and services to multi-residential units. This is likely to promote high density areas, as in line with their Official Plan. The municipality offers twice weekly garbage collection to minimize the need for a larger storage space. There is also added flexibility for the developer to choose what type of storage space will be available, instead prescribing one rate for all developments. The private pickup process is transparent and easy to follow. Turnaround areas are also not prohibited to have adjacent uses.

In the **City of Vaughan**, the private pickup process is similarly straightforward, and while continuous motion is encouraged, some reversal is allowed, limited to 11 meters. Waste storage requirements are less stringent. Waste storage room requirements are 2sqm per unit as opposed to 2.5sqm in Hamilton despite having the same 8-day collection cycle. There is also no prescribed distance required from dwelling units and the waste storage room.

In the **Niagara Region**, waste management policies are less specific, relying on a case-by-case basis. The directions for applying for private pickup are undefined, offering developers flexibility in waste management practices within the Region.

While disparities in waste collection standards weren't overwhelming, the differences do allow developers in other GTHA municipalities to have added flexibility and clarity. These differences can promote higher density development, as opposed to hindering it which is what the City of Hamilton's policies currently appear to do. Table 1 outlines an overview of the waste collection standards in the three municipalities examined.

	City of Vaughan	Niagara Region	Peel Region
Turnaround Requirements	<ul style="list-style-type: none"> Turning radius requirements were consistent with Hamilton No restriction was placed on the use of adjacent spaces 	<ul style="list-style-type: none"> No specific turnaround radius required. Instead, it is stated that widths, turning radii, and means of access should meet the requirements of the Region's Policy 	<ul style="list-style-type: none"> Turning radius requirements were consistent with Hamilton No restriction was placed on the use of adjacent spaces
Continuous Forward Motion	<ul style="list-style-type: none"> Continual forward motion is required Waste collection vehicles can only reverse up to 11m 	<ul style="list-style-type: none"> No specific guidelines against continual forward motion are prescribed 	<ul style="list-style-type: none"> Require continual forward motion A cul-de-sac or T Turnaround is permitted if not possible
Storage Requirements	<ul style="list-style-type: none"> Garbage is collected twice weekly from multi-residential complexes Recycling and Bulky items are collected weekly Size of the waste storage room is determined by the number of Front-End Bins and Recycling Bins needed 	<ul style="list-style-type: none"> Few standards exist It is prescribed that the collection point must be approved by the Region 	<ul style="list-style-type: none"> 2sqm of storage space is required per residential unit There are no distance requirements between residential units and waste storage areas
Private Pickup Process	<ul style="list-style-type: none"> Developments that are not eligible for municipal collection are required to seek private waste collection 	<ul style="list-style-type: none"> No prescribed policy 	<ul style="list-style-type: none"> Developer must apply for private pickup, subjected to Council approval

Table 1 - Summary of the local practices review

6. LOOKING AHEAD: INTERNATIONAL EXAMPLES

While tackling the issues outlined in the short term, the City of Hamilton should also explore the implementation of long-term waste management broader and innovative policies. Embracing comprehensive strategies that incorporate innovation to reduce waste and improve its management has the potential to facilitate the introduction of greater flexibility into its waste collection standards in the future as the City potentially experiences a more intense densification of its built-up area.

This section offers an overview of best practices drawn from various cities worldwide that have implemented innovative initiatives to enhance their waste management services. These initiatives are designed not only to improve operational efficiency but also to foster positive economic, social, and environmental outcomes. Among these strategies are integrated waste management and social inclusion, the promotion of innovative waste collection services, and the utilization of digital mapping for solid waste management.

The showcased examples have been sourced from two reports^{13,14} produced by the C40 Cities Climate Leadership Group, a global network that comprises nearly 100 mayors from cities around the world who are collaboratively addressing the climate crisis. These cities are actively engaged in critical areas aimed at reducing greenhouse gas emissions and mitigating climate risks. By drawing inspiration from such innovative practices, the City of Hamilton can position itself to navigate its challenges in waste management while striving for sustainability and resilience in the long run.

¹³ C40 Cities. (2016). *Good Practice Guide: Sustainable Solid Waste Systems*. Retrieved from: <https://www.c40.org/wp-content/uploads/2022/02/C40-Good-Practice-Guides-Sustainable-Solid-Waste-Systems.pdf>

¹⁴ C40 Cities. (2020). *C40 Advancing Towards Zero Waste Declaration*. Retrieved from: https://www.c40.org/wp-content/uploads/2022/02/C40-Advancing-Towards-Zero-Waste-Declaration_Public-progress-report_Feb-2022.pdf

6.1 Buenos Aires

Buenos Aires, the capital city of Argentina, introduced a Municipal Solid Waste Reduction Project aiming to reduce landfill waste through waste separation, recovery, and recycling (Figure 12). They aimed to create a shared sense of responsibility for waste management amongst citizens through education campaigns. Additionally, the city has made significant investments into local recycling centers for organic and recyclable materials. This has made waste sorting and reduction more accessible to local communities, leading to a reduction in overall landfill use, simultaneously reducing emissions from waste transportation.



Figure 12 - Recycling collection spot in Buenos Aires¹⁵

6.2 Bogota

Bogota, the Colombian capital city, has created a zero-waste education program that aims to integrate all members of society and change waste management behaviours. This program focuses on a behavioural shift in waste practices emphasizing the reduce-reuse-recycle model, moderated consumerism, and social integration at all levels. While this program explicitly targets the informal economy and underserved workers, it has had

¹⁵ Source: La Defensoría del Pueblo de CABA. Retrieved from: <https://defensoria.org.ar/noticias/consejos-de-reciclaje-para-un-ambiente-sano-2/>

success at all social levels in reducing CO₂ emissions as well as the cost of waste collection services by 15%.

6.3 Dhaka

Dhaka, the capital city of Bangladesh, has partnered with an NGO to transform its organic waste into fertilizer at 5 decentralized community-based composting plants. The fertilizer is then sold off to companies. While profits belong to the NGO, the initiative has also helped create new jobs, as well as offset CO₂ emissions and local contamination. This approach was an effective solution for adopting options beyond landfill disposal and boosting the local economy.

6.4 Boston

Boston, Massachusetts, has implemented a comprehensive municipal residential recycling and composting program that focuses on waste separation at the source, including yard waste collection as part of the curbside collection services. Additionally, the city has provided neighbourhood textile drop boxes (Figure 13) for the decentralized textile collection to promote textile recycling.



Figure 13 - Textiles drop boxes in Boston¹⁶

¹⁶ Source: The Boston Scope. Retrieved from: <https://thescopeboston.org/5419/news-and-features/news/have-old-clothes-you-plan-to-throw-in-the-trash-you-can-now-recycle-them-through-city-drop-boxes-instead/>

6.5 Milan

Milan, Italy, has implemented a waste weighing system during the collection phase and allow for the identification of users. This has helped the city target areas of higher waste production in the city. Additionally, Milan has created tax-based incentives for the reduction of food waste. These programs have contributed to a local waste reduction rate of 63%.

6.6 San Francisco

San Francisco, California, launched the "ReThink Disposable" initiative, initially targeting food service businesses in a specific district, to transition to reusable foodware. This project has now been extended city-wide. Additionally, San Francisco is collaborating with local non-profits and restaurant associations for the "Reusables Win" campaign, promoting the adoption of reusable items in restaurants. The city has utilized a \$500,000 state grant to help large food businesses minimize food waste and donate edible items, employing advanced data technology tools. Furthermore, San Francisco continues to offer new grants to non-profits for developing unique approaches in source reduction, reuse, recycling, and composting.

6.7 New York City

New York City, United States, has banned single-use foam products, supported a state-level prohibition on plastic bags, and introduced a 5-cent charge on paper bags to encourage the use of reusable alternatives. To improve its waste diversion rate, New York City is focusing on a significant portion of its waste stream by reinstating and expanding its curbside composting program and increasing the availability of food scrap drop-off locations (Figure 14) for community composting.

Additionally, New York City is broadening various programs targeting materials beyond traditional recyclables like metal, glass, plastic, and paper. These initiatives include the

proper disposal of electronics, textiles, and hazardous household waste, helping to divert these more challenging materials from landfills and incinerators.



Figure 14 - Drop-off composting site in New York City¹⁷

6.8 The main takeaways

While the exploration of international practices may not align perfectly as case studies offering immediate insights for the City to address its current issues, they serve as a valuable resource for envisioning and shaping the city's future. The variety of inspiring models from both the Global North and the Global South suggests that certain initiatives could be effectively incorporated within the context of Hamilton.

¹⁷ Source: Brooklyn Paper. Retrieved from: <https://www.brooklynpaper.com/smart-compost-bins-appear-in-bed-stuy/>

7. KEY FINDINGS AND CONSIDERATIONS

The challenges faced by developers in meeting waste collection standards in high-density developments highlight a disconnect between these policies and the City's objectives to intensify its built-up areas, particularly within the MTSAs. Specifically, local developers face challenges in meeting guidelines related to continuous forward motion, turnaround requirements, storage requirements, and the private pickup process. However, examining how nearby municipalities address these specific issues reveals a consistent pattern across the Greater Golden Horseshoe Area, with slight variations among the municipalities. In terms of future work beyond these suggestions the following two distinct assumptions require further exploration:

1. There is a widely disseminated over-restrictive approach across the region concerning waste collection guidelines. This may necessitate adaptations to accommodate the region's intense population growth and the province's goal to concentrate that population in built-up areas, particularly around transit stations. It could even warrant a provincial initiative mandating municipalities to adopt more flexible guidelines suited for high-density areas.
2. The restrictive guidelines might reflect technical and financial constraints requiring the municipality to adopt specific standards to provide pickup services with quality and efficiency. In this scenario, further investigation is necessary to identify the specific causes leading to these restrictive guidelines. This knowledge would guide the City in determining the measures needed before adopting more flexible guidelines, ensuring it does not overwhelm its own capacity.

8. EVALUATING ALTERNATIVES AND RECOMMENDATIONS

Close collaboration with all stakeholders involved, particularly local developers, is crucial to achieving a set of guidelines that ensures high quality waste collection while adapting to the city's current intensification. The key findings highlighted in this report suggest a variety of ways for the City of Hamilton to address the mismatch between the municipality's design standards and its current intensification.

- There are several road design technologies available that enable more precise studies on the feasibility of vehicle movement. The city could allow developers to adopt these technologies and include vehicle movement studies in the development's application material, resulting in increased efficiency and accuracy when reviewing applications.
- The city may consider increasing the frequency of waste collection in areas facing intense densification to meet the growing demand for this service. A higher collection frequency would address the increased demand while enabling the city to reduce storage requirements. This, in turn, would provide developers with more space to build additional residential units.
- Adopting clear directions and more well-defined guidelines would facilitate streamlining practices, resulting in faster application process approvals. This is particularly critical in the context of the urgent need for increased housing supply in the region. While the application process for private pickup was identified as a main point requiring clarity, an approach to identify other specific standards lacking clarity which resulted in delays in past development applications processes should also be considered.
- The City may consider implementing a tax rebate policy as a solution for situations where the minimum requirements for eligibility for public waste collection services are not met. In such cases, residents living in developments that do not meet the specified criteria would be eligible for a tax rebate, effectively exempting them from

the financial burden of paying for a service that is collectively funded by their taxes. This approach acknowledges that not all developments may be able to comply with the minimum requirements for public waste collection and seeks to mitigate any potential financial strain on residents.

Table 2 provides additional policy recommendations for each of the four key issues addressed in this report.

Turnaround Requirements	<ul style="list-style-type: none"> ▪ Permit for feasibility studies to be provided through <i>AutoTurn</i> or other recognized software ▪ Remove the restriction placed on areas adjacent to the turning area
Continuous Forward Motion	<ul style="list-style-type: none"> ▪ Permit for feasibility studies to be provided through <i>AutoTurn</i> or other recognized software ▪ Allow for waste removal vehicles to reverse and/or make more than 3-point turns
Storage Requirements	<ul style="list-style-type: none"> ▪ Increase garbage collection days for high density areas ▪ Allow in-ground waste collection bins, which can help maximize capacity and efficiency
Private Pickup Process	<ul style="list-style-type: none"> ▪ Private pickup process should be transparent and simple ▪ Some form of property tax rebate should be contemplated especially if public pickup feasibility is demonstrated but still not accepted

Table 2 - Recommendations for policy updates

While there is a sense of urgency among stakeholders to address the issues discussed, the City may also explore innovative strategies to enhance waste management efficiency in the long run. Measures to reduce waste could lead to a decreased need for pickup, and, as illustrated by international examples, circular economy initiatives can be integrated into strategies to achieve positive economic, social, and environmental outcomes.

Submitted on Wed, 05/29/2024 - 09:03

Submitted by: Anonymous

Submitted values are:

Committee Requested

Committee
Public Works Committee

Will you be delegating in-person or virtually?
Virtually

Will you be delegating via a pre-recorded video?
No

Requestor Information

Requestor Information
James Kemp
n/a



Preferred Pronoun
he/him

Reason(s) for delegation request
To highlight concerns regarding the HSR's front door entry policy for people with disabilities and lack of accessible fare payment options regarding Presto.

Will you be requesting funds from the City?
No

Will you be submitting a formal presentation?
No

Submitted on Thu, 05/30/2024 - 22:07

Submitted by: Anonymous

Submitted values are:

Committee Requested

Committee
Public Works Committee

Will you be delegating in-person or virtually?
In-person

Will you be delegating via a pre-recorded video?
No

Requestor Information

Requestor Information
Brenda Duke
Gibson and Landsdale Area (GALA) Community Planning Team




Reason(s) for delegation request
I wish to speak to the staff report on the Maintenance and Beautification of Birch Avenue Green Space and Gardens (PW24031) (City Wide)

Will you be requesting funds from the City?
No

Will you be submitting a formal presentation?
No



CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Waste Management Division

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	June 3, 2024
SUBJECT/REPORT NO:	Response to Motion for Servicing Condo Boards Previously Deemed Not Eligible for Municipal Waste Collection (PW24035) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Ryan Kent (905) 546-2424 Ext. 7686
SUBMITTED BY:	Angela Storey Director, Waste Management Public Works Department
SIGNATURE:	

RECOMMENDATION

That Council continue to support the current service level of only providing waste collection to properties that have been designed according to the policy “City of Hamilton Waste Requirements for Design of New Developments and Collection” which was approved by Council on November 10, 2021 through Report PW21061.

EXECUTIVE SUMMARY

At the meeting of City Council held on October 25, 2023, a Motion was put forward with direction “That staff report back to the Public Works Committee with preferred options to either have the City compensate such condo boards for the denied service through tax credits which GFL then provides privately or to permit the City’s contracted waste company, GFL, to reverse from cul-de-sacs with a safety person, but not limited to the above options”.

Since that time, staff have reviewed both options provided in the motion as well as a third option to determine if any are feasible solutions to assist developments in receiving waste collection services from the City. Following this review, it is the opinion of staff that all three options would be problematic from financial and/or operational perspectives and are therefore recommending not implementing any of the options.

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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.

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Report PW24035 provides information on the options provided in the Motion; a tax credit for those properties not receiving waste collection from the City, allowing waste collection vehicles to reverse in townhouse developments and “other”.

Option1: Tax Credit for properties deemed not eligible for municipal waste collection.

Staff from the Financial Planning Administration and Policy Division were consulted and provided information related to this option. Under the City of Hamilton’s methodology of collection of property tax, the cost of all municipal services are shared by all properties and property classes regardless of utilization of services. Property taxes distribute the cost of many municipal services including transit, emergency services, street lighting and waste collection to all properties and residents do not have the ability to opt out of paying property taxes for services they don’t utilize. Designing a tax credit that would compensate residents for services they do not use would be complicated and have the potential to significantly impact the operating budget.

This methodology is similar to how the school portion of property taxes are distributed. Whether you have a child that is school age or not, all properties pay the school portion of their taxes on their tax bill. If a tax credit for properties who are deemed not eligible for municipal waste collection was approved, the tax credit would need to be developed, a reconciliation of the number of affected properties would need to be completed and a budget would need to be prepared and approved to recover the funds of the tax credit from the remaining property tax customers. It is important to note that a tax credit would be provided to the property owner of each property deemed not eligible for municipal waste collection as opposed to condominium boards as indicated in the motion.

Option 2: Amend the current Waste Design Requirements to allow for reversing in townhouse developments.

Staff from Legal and Risk Management Services were consulted, and feedback was gathered through a municipal scan to review this option. This option would allow City and City-contracted collection vehicles to reverse from private roads on to public roads while also removing current restrictions on these waste collection vehicles reversing on private roads. If approved, the City would be agreeing to take on a significant amount of risk related to the reversals of large vehicles. Results from a municipal scan showed no other surveyed municipality allows for this due to this related risk and information from industry and safety organizations share the opinion that there are increased risks associated with waste collection vehicles reversing. In addition, to allow for reversing of waste collection vehicles, each waste collection vehicle would be required to add a person to provide “flagging” duties during the reversal. This would add to the staff complement resulting in a modest budget increase.

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Option 3: Other (to allow shared, or pile waste collection)

In considering the Motion, staff identified an “other” option related to shared, or pile waste collection, as there are grandfathered properties across the City who were approved to have this option prior to updating the Waste Design Requirements policy. This option would allow shared or pile waste collection at the entrances of private property developments that have been deemed not eligible for municipal waste collection under the Waste Design Requirements policy. If approved, the current Waste Design Requirements policy, which was developed to support safe and efficient waste collection and waste diversion, would need to be revised.

Shared waste piles are not only unsightly along the roadway, but also make it more difficult to manage bag limits, distinguish property owner diversion containers and tend to attract illegal dumping. This option could prove difficult for many developments that have been deemed not eligible for municipal waste collection as there likely is not sufficient space which is required to accommodate waste set out at the entrance to the property.

The purpose of this report is to provide information related to the options outlined in the Motion. After considering the options, staff recommends to continue to require townhouse developments to design new properties to align to the City’s Waste Design Requirements so that waste collection can be safe and efficient and accessible to all residents living in Hamilton.

Alternatives for Consideration – See Page 9

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND

The subject of private waste collection and identifying properties as not eligible for municipal waste collection, has come up numerous times over the years and below is a brief history of this subject. The reason why this issue has been brought to Council previously is that developers have, on occasion, opted to design developments with more units and therefore do not meet the City’s design requirements for municipal waste collection, resulting in developments receiving private waste collection. Once

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property owners take possession of these units, they sometimes object to having to pay for private waste collection through condominium fees in addition to property taxes that include this service as they see this as being charged double for the same service.

On April 10, 2012, Report FCS12020/PW12011 titled “Municipal Services and Property Taxation on Condominium Properties” was received for information. This report identified services such as garbage and recycling collection as typically provided on public property by the City and by the property owner on private property and that extending these services to one type of private property, i.e. residential, may result in having to provide these services to other types of private properties, i.e. commercial.

This report included that “Property taxes are not a fee-for-service, but instead a method of distributing the cost for public services and programs throughout the municipality. The Municipal Act further dictates that municipalities must collect property taxes from “all of the taxable assessment” base. The City of Hamilton sets its annual tax rates based on the approved annual budget. The annual budget accounts for municipal services/ programs and does not make any allowance for services/programs not being provided (i.e., specific services to private properties).”

On November 10, 2021, Council approved report PW21061 creating a revised policy related to design standards titled “City of Hamilton Waste Requirements for Design of New Developments and Collection”. This policy provides, among other things, direction to developers on how to design developments to permit municipal waste collection. There have been several versions of this document over the years, however, the 2021 version was significantly revised to include two important changes relevant to report PW24035. First, a limit was placed on the number of reversals within a development. This policy limits the number of reversals on private roads to one, and the one reversal is only permitted on small in-fill developments where it is not possible to enter and exit a site in a forward motion without reversing to turn around on site.

The second important change required developers to provide rationale for not meeting the City’s design standards for municipal waste collection. In previous versions of this policy, developers could opt out of designing according to City standards so development projects could accommodate more units. In these cases, private waste collection was required. With this new policy, developers are not able to opt out of meeting these standards but must have staff accept their rationale for private waste collection as the only option for the site based on site restrictions such as size.

At its meeting on October 25, 2023, Council approved Motion 7.2 with direction “That staff report back to the Public Works Committee with preferred options to either have the City compensate such condominium boards for the denied service through tax credits which GFL then provides privately or to permit the City’s contracted waste

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company, GFL, to reverse from cul-de-sacs with a safety person, but not limited to the above options.”

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The recommendation in Report PW24035 is consistent with both the “City of Hamilton Waste Requirements for Design of New Developments and Collection” and the City of Hamilton Solid Waste Management By-law 20-221.

RELEVANT CONSULTATION

Corporate Services, Legal and Risk Management Services
 Corporate Services, Financial Planning, Administration and Policy

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Report PW24035 is recommending that the City of Hamilton continue to only provide waste collection to developments that meet the standards outlined in the City’s Waste Requirements for Design of New Developments and Collection policy. Staff have analyzed both options included in the motion, as well as a third option of providing shared waste collection to private developments, and found that all three of these options are problematic. A detailed analysis of these three options is provided below.

Tax Credit or Refund

Staff conducted a municipal scan on how municipalities in Ontario tax for waste management services and if they offered a credit or a rebate to properties that are not eligible to receive the service provided by the municipality. Of the seven municipalities that responded, five (London, and the regions of Durham, Halton, Peel and Waterloo) do not provide a credit or a rebate on the basis that this is not a pay-per-use service, and two provide some relief (Toronto and the District of Muskoka). In Toronto’s case, waste collection services are not funded through property taxes but are charged as a utility based on the service level received. Toronto has a cart-based waste collection system and property owners pay a fee that corresponds to the size of the garbage cart they have at their property.

If there is no garbage cart assigned to the property, then no waste utility charges are billed to that property. In the District of Muskoka, property owners are not allowed to opt out of solid waste collection services. Properties that abut a designated collection route on a publicly owned road that is maintained all year round are not eligible for the credit. However, where curbside collection services are not available to a multi-residential building due to accessibility issues, the owner of the property may apply for a credit

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against solid waste special rating area levies payable with respect to the property in an amount not exceeding the amount of the levy. Neither of these approaches are applicable in the City of Hamilton. The District of Muskoka is clear in their policy that the credit applies only if the property does not abut a designated collection route on a publicly owned road that is maintained all year round, which is not the case in Hamilton. In the case of Toronto, the service is provided on pay-per-use basis, which is not the system used by Hamilton since the levy for waste management services is included as part of the general property tax levy.

The Region of Waterloo had a rebate program for multi-residential and condominium buildings not receiving municipal waste collection, but this was discontinued as of January 1, 2022 on the basis that “the Region was the only municipality still offering such a program, and that the municipal property tax model works on the principle that municipal services are “public goods” and all property owners share the cost of providing those services to the entire community, whether the individual receives/uses the services or not”.

The City does not keep data on the number of properties that have been deemed not eligible for municipal waste collection and must retain private services. However, staff did collect data for the period from 2019 to 2023. For this period, there were 4,163 new single-family residential properties constructed in the City of Hamilton. Of these, 781 (18.8%) were located on private roads, and of these, 90 (2.2%) were deemed not eligible for public service and require private waste collection services. In 2024, the portion of property taxes dedicated to waste collection for an average Hamilton home with an assessment value of \$385,900 was \$223.

Therefore, this is what has been estimated as the average annual tax credit that would need to be provided to property owners that have been deemed not eligible for municipal waste collection services. For the 90 properties from 2019 to 2023, this would total \$20,070 annually and would be adjusted on an annual basis based on the tax increase. However, this number only reflects the costs for these 90 units and does not account for the number of properties deemed not eligible for municipal waste collection prior to 2019, which could be considerably higher. In addition, any funds paid out as a tax credit or refund would have to be recovered from the tax base and therefore this would result in an increase in the tax rate to all other properties in the City.

Reversal of Waste Collection Vehicles

Municipalities that have consistent collection requirements to Hamilton in relation to waste collection vehicle reversals include: Guelph, Markham, Richmond Hill, Toronto, Vaughan and the Regions of Durham, Halton, Niagara, Peel and Waterloo. There are no municipalities in southern Ontario known to staff that permit the reversal of waste

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collection vehicles on to public roads from private roads. In addition, these municipalities limit the reversals on private roads to using a defined turnaround area. The reason why municipalities do not permit the reversing of collection vehicles onto public roads, and limit reversals on private roads, is due to the increased risk associated with this activity. Although there are ways to mitigate these risks, such as audio reversal signals (back-up beepers) and cameras, spotters/flag person, none are as effective as not carrying out the activity.

Industry and safety organizations share the opinion of municipalities that waste collection vehicles reversing unnecessarily increases risk and should be avoided. The Solid Waste Association of North America included on their website on April 14, 2024, a post titled “Safety First: Safe Backing Practices”¹. This included that “Backing manoeuvres are among the leading causes of accidents in various industries, including waste and resource management” and included a link to their Backing Best Management Practices document that includes “According to industry and OSHA data, backing represents approximately 25 percent of all injuries and accidents in the solid waste collection industry” and that workers should “Plan ahead and avoid backing whenever possible.”

This association is considered a leading authority in the waste industry on safety. The United Kingdom’s Waste Industry Safety and Health Forum published the document “Safe Operation of Waste and Recycling Collection Vehicles”² in September 2019 which includes “Reversing is a high-risk activity and should be eliminated wherever possible or otherwise minimised” and the document explains how to manage risks associated with vehicle operation “including reversing which has been the main cause of fatalities in the sector”.

A health and safety document titled “Waste and recycling vehicles in street collection”³ published by the United Kingdom’s BIP Solutions includes a section on reversing that states “Reversing causes a disproportionately large number of moving vehicle accidents in the waste/recycling industry. Injuries to collection workers or members of the public by moving collection vehicles are invariably severe or fatal.” The document goes on to say, “Unlike many other workplaces complete control often cannot be exercised over the environment during collection because of factors such as street geography; street furniture; other vehicles; pedestrians; and weather.” The United States’ Occupational

¹<https://swana.org/news/blog/swana-post/swana-blog/2024/04/14/safety-first-safe-backing-practices>

²<https://www.wishforum.org.uk/wp-content/uploads/2020/10/WASTE-04-Safe-operation-of-waste-and-recycling-collection-vehicles-September-2019.pdf>

³[Waste and recycling vehicles in street collection \(bipsolutions.com\)](https://www.bipsolutions.com/waste-and-recycling-vehicles-in-street-collection)

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Safety and Health Administration has reported that garbage trucks were fifth in the country between 2005-2010 in backover fatalities, behind only dump trucks, semi/tractor trailers, forklifts and other trucks⁴. All of these sources clearly indicate there is increased risk with waste collection vehicles reversing and that this activity should be avoided whenever possible.

Shared/Pile Curbside Collection

There have been cases in the past where developments didn't meet the City's reversal and turnaround requirements and developers have proposed to use shared collection, otherwise known as pile collection. This is where residents place all waste in one location at the entrance to the private development for waste collection. Although implementing a shared collection system for the developments in question would provide service to them while avoiding the risk of waste collection vehicle reversals and increased tax burden, there are impacts that need to be understood. In situations where residents share a waste collection area, these areas have historically attracted illegal dumping especially when bulk/furniture waste is set out for collection and contribute to litter. This can be unsightly for residents and has an operational impact to City staff as these locations can require more time for collection and require By-law Officers to investigate. Additionally, shared collection sites do not support waste diversion as set out limits do not need to be followed, allowing residents to set out additional garbage without having to use tags or utilize waste diversion programs. This is because City staff have no way to identify the waste set out from each property.

Waste Design Requirements

The most common reason for developments being deemed not eligible for municipal waste collection is that from time to time, developers have opted to allow for more units to be built and therefore requiring the reversal of waste collection vehicles within the property. However, staff have seen a decrease in this approach over the last couple of years. This is because on November 10, 2021, Council approved a new version of the "City of Hamilton Waste Requirements for Design of New Developments and Collection". This policy is guided by the principle of providing safe and efficient waste collection and provides direction to developers on how to design developments to permit municipal waste collection.

There have been several versions of this document over the years, however, the 2021 version was significantly revised from the previous one. An important change was that it

⁴[Preventing Backovers - Additional Resources | Occupational Safety and Health Administration \(osha.gov\)](https://www.osha.gov)

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required developers to provide rationale for not meeting the City's design standards for municipal waste collection. Previously, a developer could decide they didn't want to design for municipal waste collection without providing any reasoning. Staff believe that this change in policy has, for the most part, solved this issue and resulted in developments being designed to allow for municipal waste collection. In both the current version of this policy and the previous version, shared waste collection is not supported as this often results in lower waste diversion and increased illegal dumping and litter. In addition, both the current and previous versions of this policy require developers to notify property owners if their property has been deemed not eligible for municipal waste collection in sales agreements prior to the properties being purchased.

ALTERNATIVES FOR CONSIDERATION

Alternative 1 – Implement a tax credit or refund for properties that have been deemed not eligible for municipal waste collection services

Council could approve a process to provide a tax credit to property owners that were deemed not eligible for municipal waste collection. This alternative would require staff to determine all properties in the City that currently do not receive municipal waste collection.

Financial: Any amount of funds provided to property owners through a tax credit would need to be recovered by the tax base. For properties constructed between 2019 and 2023, this annual cost is approximately \$20,070 according to the average property taxes for 2024. However, as the total number of single-family properties city wide that do not receive municipal waste collection is unknown, so is the total financial impact. As these costs only reflect the number of properties over the last five years that have been deemed not eligible to receive service, staff believe a conservative estimate of the total number of single-family properties not receiving municipal waste collection to be twice this number which would be an annual cost of \$40,140.

It should also be noted, that although the recommendation does not include multi-residential or condominium buildings, there are numerous multi-residential and condominium buildings in the City that do not receive municipal waste collection and providing a tax credit to single-family properties could result in these buildings also requesting a tax credit or refund. The financial implication of this would be significantly higher than for single-family properties alone.

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Additionally, if Council were to approve a tax credit to properties not receiving waste services, this may put the City in a position to have to provide a tax credit or refund to property owners that don't receive other services. In addition to the direct cost of the tax credit, there are costs associated with the staffing implications related to this alternative which are estimated to be \$50,000 annually. Therefore, the total estimated annual cost for this alternative is \$90,140.

Staffing: Depending on the number of applications and the complexity of the tax credit or refund program, additional staff of 0.5 FTE may be required.

Legal: A new policy and a new by-law would need to be developed to approve properties for a tax credit, provide the initial tax credit, and continue to provide the tax credit on an annual basis. If approved, this policy would be included in the Tax Policy Report for 2025.

Alternative 2 – Allow both City collection vehicles and City-contracted collection vehicles to increase reversals

Council could direct staff to allow waste collection vehicles to reverse on to public roads from private roads and increase the number of reversals on private roads with the aid of a flag person. This alternative would require policies such as the “City of Hamilton Waste Requirements for Design of New Developments and Collection” to be revised and approved by Council before taking effect as this direction is inconsistent with the current policies and results in a higher level of risk to be assumed by the City to carry out waste collection.

Financial: The minimum annual financial impact of Alternative 2 is \$45,321 based on the need for an additional 0.5 FTE.

Staffing: Although most contracted and City waste collection vehicles currently have two staff, a minimum of 0.5 FTE's would be required to serve as flag people for the developments constructed between 2019 and 2023, however this alternative may require more FTE's once a full list of developments is created.

Legal: Current policies including the City of Hamilton Waste Requirements for Design of New Developments and Collection and the Solid Waste By-law would need to be revised.

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Alternative 3 – Permit shared / pile waste collection for properties that have been deemed not eligible for municipal waste collection.

Council could direct staff to allow developments that have been deemed not eligible for municipal waste collection to be serviced through shared waste collection at the entrances of the development. As this service is not currently permitted, this alternative would require policies such as the “City of Hamilton Waste Requirements for Design of New Developments and Collection” to be revised and approved by Council before taking effect as this direction is inconsistent with the current policies. Additionally, in the few developments where this service is provided this alternative approach has resulted in increased illegal dumping, increased litter and decreased waste diversion as this alternative does not allow staff to enforce policies such as waste set out limits. It is also possible that this alternative is not suitable for all developments as a certain amount of space is required for waste set out based on the number of units in the development and therefore this alternative may only be a solution for some developments.

Financial: N/A

Staffing: N/A

Legal: Current policies including the City of Hamilton Waste Requirements for Design of New Developments and Collection and the Solid Waste By-law would need to be revised.

APPENDICES AND SCHEDULES ATTACHED

N/A



Response to Motion for Servicing Condo Boards
Previously Deemed Not Eligible for
Municipal Waste Collection
(PW24035) (City Wide)

Introduction/Summary

- Council approved motion on October 25, 2023 by Councillor Clark
- “That staff report back to the Public Works Committee with preferred options to either have the City compensate such condo boards for the denied service through tax credits which GFL then provides privately or to permit the City’s contracted waste company, GFL, to reverse from cul-de-sacs with a safety person, but not limited to the above options”

Options

1. Tax credit applied or refund provided to properties / units who do not received municipal waste collection services due to not meeting approved design requirements at their site
2. Allowing City and City contracted waste collection vehicles to reverse while collecting waste
3. Other – pile waste collection on the municipal road allowance

Option 1: Tax Credit or Refund

- Tax collection method in Hamilton: Property taxes distribute the cost of all non area rated municipal services to all properties without the ability to opt out of paying property taxes for services a property doesn't utilize
- Staff reviewed records from 2019 – 2023 as a sample size and found 90 single family / townhouse units on private roads that do not receive city provided waste collection service; historical estimate 3x amount

Property Type	Number	Tax portion	Total Lost Revenue
SF/townhouse	90	\$223	\$20,000
SF/townhouse	270	\$223	\$60,000
Condo high rise	5,000	\$223	\$1,115,000
Condo high rise	10,000	\$223	\$2,230,000

- If required, the Financial Planning, Administration and Policy team would require an increase of 0.5 FTE to develop and support the new tax credit

Option 2: Allow Collection Vehicles to Reverse

- The reversal of waste collection vehicles significantly increases the risk of waste collection
- Industry associations have documented that “backing maneuvers are among the leading causes of accidents in various industries, including waste and resource management” and that “according to industry data, backing represents approximately 25 percent of all injuries and accidents in the solid waste collection industry”
- This has resulted in industry associations stating that workers should “plan ahead and avoid backing whenever possible.”
- Implementing this option would require changes to the Waste Design Requirements policy
- The Waste Collection Section would require an additional 0.5 FTE to support collection vehicles to have a flag person

Municipal Scan

Municipality	Allow Reversal of Collection Vehicles on to Public Roads	Limit Reversals on Private Property to One Movement
Hamilton	No	Yes
Guelph	No	Yes
Markham	No	Yes
Richmond Hill	No	Yes
Toronto	No	Yes
Vaughan	No	Yes
Durham Region	No	Yes
Halton Region	No	Yes
Niagara Region	No	Yes
Peel Region	No	Yes
Waterloo Region	No	No – no reversing permitted

Option 3: Shared / Pile Waste Collection

- Allowing shared waste collection through “piles” at entrances to developments where collection vehicles cannot access without reversing
- This service is not currently permitted due to increased illegal dumping, increased litter and decreased waste diversion associated with this practise
- Implementing this option would require changes to the Waste Design Requirements policy
- This option may not be feasible for all properties not receiving service as it requires a certain amount of space for set out and is not practical for developments with a large number of units

Waste Design Requirements

- On November 10, 2021, Council approved the policy “City of Hamilton Waste Requirements for Design of New Developments and Collection”
- Goal is for all for all residents in the city to have access to city provided waste collection and diversion programs in a safe and efficient manner
- This policy directs developers how to design new developments to receive municipal waste collection and includes:
 - Limiting the number of reversals on private roads to one on small in-fill developments where it is not possible to enter and exit in a forward motion without reversing on-site
 - Developers are not permitted to opt for private waste collection without staff accepting the rationale for this option

Staff Recommendation

- Staff recommends that Council continue to support the current service level of only providing waste collection to properties that have been designed according to the policy “City of Hamilton Waste Requirements for Design of New Developments and Collection” which was approved by Council on November 10, 2021, through Report PW21061
- The recommendation supports a consistent approach across the City that maintains safety and reduces risk, does not impact the tax base and provides accessible and efficient waste collection





Hamilton

Thank you.



INFORMATION REPORT

TO:	Mayor and Members Public Works Committee
COMMITTEE DATE:	June 3, 2024
SUBJECT/REPORT NO:	Woodlands Park Washroom Rehabilitation (PW24033)
WARD(S) AFFECTED:	Ward 3
PREPARED BY:	Anne McArthur (905) 546-2424 Ext. 1223 Robyn Ellis (905) 546-2424 Ext. 2616
SUBMITTED BY:	Indra Maharjan Director of Corporate Facilities & Energy Management Public Works
SIGNATURE:	
SUBMITTED BY:	Cynthia Graham Director of Environmental Services Public Works
SIGNATURE:	

COUNCIL DIRECTION

N/A

INFORMATION

Historical Background:

A fire damaged the washroom structure at Woodlands Park, 501 Barton Street East, Ward 3, on January 2, 2024. The fire was extinguished, and security was provided to prevent public access to the facility. An associated order to comply was issued by the City of Hamilton's Building Division on the same day for a structural assessment to be completed and either a demolition or building permit to be issued to repair the building and make it safe for use.

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SUBJECT: Woodlands Park Washroom Rehabilitation (PW24033) (Ward 3)
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The washroom building at Woodlands Park is approximately 50 years old and a one-storey building structure without a basement. Before the fire event, the building superstructure consisted of roof wood sheathing on pre-engineered roof wood trusses and joists supported by steel beams, columns, and concrete block masonry walls.

Other existing park amenities include pathways, soccer field, multi-use court and playground. In 2024 the site will have a new spray pad amenity constructed northwest of the washroom facility. The construction of the spray pad will continue as scheduled through the summer of 2024.

A security team was on site 24/7 to maintain the safety, security and integrity of the facility while the roof was demolished, and the site was assessed. Current security measures include a mobile security team conducting 2 inspections of the property every 24 hours to ensure that the fencing remains intact and that access to the building remains secure. Signage has been applied to the existing fencing providing the 24-hour security dispatch number should any resident wish to report suspicious activity related to the property.

A portable toilet has been installed on site. These temporary washroom facilities are open approximately from 6 a.m. to 6 p.m. Times may vary based on staff availability to arrive on site.

A community placemaking project had installed artwork called, “Woodlands Park: Ghost Landscape”, at two locations of Woodlands Park, one of which was affixed to the side of the washroom facility. In order to avoid damage to the artwork, it has been removed from the washroom facility and is being stored at a City site while the washroom is being worked on. Coordination with the artist is underway.

Completed Milestones:

A structural engineer was hired and completed a preliminary assessment of the washroom facility on January 23, 2024. However, at that time the engineer was unable to enter the facility as the debris from the fire and partially collapsed roof did not allow for safe entry. A full proposal for structural engineering services was received and a purchase order was issued February 12, 2024 to coordinate the next steps to make the site safe for entry to complete the full structural assessment and determine what parts of the building might be salvageable. On March 14, 2024, a contractor was hired and secured a partial demolition permit to demolish the remaining roof structure of the Woodlands Park washroom facility. As part of this work the fencing perimeter was increased, protecting the public from any debris that may fall during the partial demolition. The contractor mobilized on site for the demolition and removal of debris which was ultimately completed on April 2, 2024.

SUBJECT: Woodlands Park Washroom Rehabilitation (PW24033) (Ward 3)
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With the site now safe for entry by qualified workers, the fulsome structural assessment was completed on April 5 and the final engineering report was received on April 17, 2024. The structural assessment included a review of the interior spaces of the building and walking the exterior perimeter to visually review and randomly hammer tap the remnant structural framing, concrete block walls and steel beams. The engineer identified that the structural integrity of the remnant structural framing of the washroom building at Woodlands Park had not been compromised by the fire and can be salvaged to support a new roof structure. This means that the building does not need to be demolished but can be restored to be a functional park washroom again.

Facilities and Environmental Services staff attended a Ward 3 public consultation meeting on April 30, 2024 and provided a presentation update on the facility and listened to the discussions from attendees. The community was supportive of continued access to washrooms at this park, and articulated desire for keeping safety, accessibility, inclusivity, and future improvements (such as potential for future community space and parking) top of mind. Facilities and Environmental Services staff have committed to working with the Ward 3 Councillor to continue community conversations about park design overall including possible phase 2 improvements at the washroom facility, pending future capital budget request approvals.

The City has this facility on its insurance policy, which carries a deductible of \$500,000. An insurance adjuster has been involved since the fire occurred. An estimate of \$800,000 to \$950,000 has been provided associated with the construction costs for the rehabilitation of the facility. After soft costs and operational costs, including the structural assessment, security and portable washrooms, are taken into consideration, it is estimated that the total project cost will be \$1.1 to \$1.3 million dollars.

Future Milestones:

Staff will continue to engage with the City's insurer to ensure a qualified contractor is retained to complete the work. This is in compliance with the City of Hamilton's *Procurement By-Law 22-255*, Schedule B Exemptions. Facility staff will oversee and approve the design and construction to ensure the rehabilitation of the facility is in line with City standards and policies, and consideration of community use and needs. The estimated costs to restore the Woodlands Park washroom exceeds the City's insurance policy deductible of \$500,000. All costs will be incurred under the open claim with Risk Management Services. Any amounts not recoverable (i.e. Deductible) from the City's insurer, will be charged back to the City's Woodland's Park Project ID 3542441105. The following includes the costs to be submitted to the insurer for reimbursement over and above the deductible, in order to rehabilitate the facility:

- Site Safety, including security patrol;
- Temporary Portable Washroom, currently portable toilets;

SUBJECT: Woodlands Park Washroom Rehabilitation (PW24033) (Ward 3)
– Page 4 of 4

- Site inspections, by the structural engineer and insurance cost consultant;
- Site rehabilitation to meet the current Ontario Building Code.

By utilizing a general contractor and third-party cost consultant, the City can ensure quality work on an expedited timeline, with anticipated completion of approximately 12 months. The construction timeline may be impacted on factors such as weather and lead times. The work will supply a public washroom facility that is in line with the amenities available before the fire with upgrades as required to meet the current Ontario Building Code.

Woodlands Park has had a washroom facility for the past 50 years and the community has grown to rely on this service for visitors to the park or community members when they are out and about. Decisions about improvements to the park, such as the construction of the spray pad to be completed in 2024, have been based on the fact that there is a washroom at the park. Because washroom access is a historic service at the park, and to support the amenities at this park, the reconstruction of the washroom building to restore washroom access is consistent with City standards, and aligns with City Council priorities, specifically Priority 2, Safe and Thriving Neighbourhoods, Outcome 3, provide vibrant parks, recreation, and public spaces.


The restoration of the washroom facility does not preclude additional consultation and future improvements at Woodlands Park. Future improvements to the Woodlands Park, including upgrades to the washroom facility, will be managed by a Parks Master Plan which considers public and stakeholder input, demographic data and growth forecasts, park usage levels, parkland trends and best practices, ongoing planning initiatives, and more. In this way, the priorities and recommendations advanced in the Plan are evidenced-based and respond to dynamic needs across the entire city.

APPENDICES AND SCHEDULES ATTACHED

N/A



CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Environmental Services Division

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	June 3, 2024
SUBJECT/REPORT NO:	Maintenance and Beautification of Birch Avenue Green Space and Gardens (PW24031) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Kara Bunn (905) 546-2424 Ext. 4334 Robyn Pollard (905) 546-2424 Ext. 3919
SUBMITTED BY:	Cynthia Graham Director, Environmental Services Public Works Department
SIGNATURE:	

RECOMMENDATION

- (a) That staff be directed to enter into an updated lease agreement with Hydro One to allow for pollinator gardens at Birch Avenue Green Space, 171 Birch Avenue;
- (b) That required resources, anticipated to be \$2,500 annually, to support the Birch Avenue Green Space and Pipeline Trail pollinator gardens going forward into future years, be referred to the 2025 operating budget process; and
- (c) That staff be directed to report to Public Works Committee outlining an enhanced community gardens program, to support new and existing community-led efforts for native pollinator gardens which contribute to the key priorities of the Biodiversity Action Plan (BAP) and Climate Action Strategy, identifying any additional resources required to oversee the new enhancements.

EXECUTIVE SUMMARY

Delegates attended Public Works Committee on March 20, 2023, to make a request of

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SUBJECT: Maintenance and Beautification of Birch Avenue Green Space (PW24031) (City Wide) – Page 2 of 6

staff to supply water and support services for volunteer gardens in Wards 3 and 4. Specifically, support was requested for the Birch Avenue Green Space (which is owned by Hydro One) and the Crown Point Gardens along the Pipeline Trail. Staff were directed through a motion at the April 3, 2023, Public Works Committee to:

- (b) That staff be directed to review the delegation requests from the Public Works Committee on March 20, 2023, regarding support for water access to help maintain the Birch Avenue Green Space and report back with possible recommendations that could also be applied city wide where applicable; 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.

Report PW24031 is the summary of the investigation that staff conducted to determine the legal requirements, labour, cost, and coordination implications of formalizing an agreement with Hydro One for the gardens at the Birch Avenue Green Space and supports the investigation of increased support for volunteer pollinator patches and gardens throughout City of Hamilton parks.

Further, Report PW24031 seeks to expand the existing agreement with Hydro One to allow the volunteer gardens to continue to be located on the property but managed by the City of Hamilton, and to report back with enhancements to support the community gardens that would oversee and support community-led garden spaces across the City.

In 2024, support will be given to both the Birch Avenue Green Space gardens and the Pipeline Trail gardens, and the costs will be allocated to 446020 – General Horticultural Maintenance. Staff are directed in Recommendation (b) of Report PW24031 to submit a budget request for consideration as part of the 2025 budget process to continue to support these locations for future years. Staff are directed in Recommendation (c) of Report PW24031 to report back on costs and resources to expand the community gardens program. An understanding of the actual costs of support for the two garden locations is anticipated to be understood once the cost of this work is determined at the end of the 2024 growing season.

Alternatives for Consideration – see page 6

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: It is anticipated that the costs to support the two garden locations in 2024 are able to be accommodated in the existing 446020 – General Horticultural Maintenance Department ID in order to keep the gardens in good condition until a more permanent program can be established. The costs for 2024 are

SUBJECT: Maintenance and Beautification of Birch Avenue Green Space (PW24031) (City Wide) – Page 3 of 6

anticipated to be \$2,000. Future resources required to continue this support will be identified as a 2025 budget consideration.

Staffing: It is anticipated that in 2024, the existing complement of staff will support these two locations as part of their horticultural duties.

Legal: Corporate Real Estate staff and Legal and Risk Management Services staff will work with Environmental Services staff to ensure that the existing agreement with Hydro One is modified to allow City oversight over pollinator beds pending approval on design and location by Hydro One as per their requirements.

HISTORICAL BACKGROUND

The City of Hamilton has made a pledge to be a Bee City in support of pollinator projects and efforts have sought to expand habitats and empower citizens to take action and support pollinators and biodiversity within Hamilton. Healthy natural ecosystems and the creation of corridors through natural spaces and pocket planting is also supported by the City of Hamilton Biodiversity Action Plan, which focuses on a holistic approach to making Hamilton more liveable for all by working together and supporting community engagement through neighbourhood placemaking and beautification.

Hamilton's Climate Action Strategy, action 8.1 in the Climate Change Impact Adaptation Plan, supports working with local partners to continue tree planting and preservation, and exploring community partnerships and naturalization programs to reduce urban heat island and enhance ecosystem function.

Pollinator gardens have been approved through requests made to the Parks section in the past and the installation, maintenance, and watering of the garden beds became the responsibility of the volunteers. Staff have not been resourced or funded to support these gardens in the past. Volunteers have noted that as their membership ages or moves away that they would benefit from some support from the City with the provision of water or some weeding of beds, to keep their gardens in place and this was highlighted in the delegation from March 2023. Without staff resources or supports, the alternative is that gardens may need to be removed if there is no one actively maintaining them.

The City of Hamilton's license agreement with His Majesty the King in Right of Ontario as represented by the Minister of Infrastructure, as represented by Ontario Infrastructure and Lands Corporation (OILC), has allowed staff to add recreational uses to hydro corridors throughout the City. The master agreement was signed August 2018 and was due for renewal on December 31, 2023; the Birch Avenue Green Space is one of the properties included in this agreement. Hydro One Networks Inc. (HONI) is

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responsible for the day-to-day management of activities associated with the licensed lands on behalf of Ontario Infrastructure and Lands Corporation (OILC), and are offering a license agreement for a five-year term, effective January 1, 2024, with the understanding that the City will continue to use the licensed lands for the purpose of public recreational purposes only. Staff have delayed the agreement renewal in light of the requirement and desire to add additional properties into the agreement. The pending renewal of the agreement gives the City an opportunity to add in the language to allow pollinator gardens on these properties.

In addition to adding gardens as an approved use on the leased lands, the City will still be required to follow the guidelines set out by Hydro One for where gardens can be located in relation to their infrastructure and gain approval for the species planted in the gardens. Currently, the existing gardens in the Birch Avenue Green Space do not meet the requirements of Hydro One; and if the recommendations of Report PW24031 are approved, staff will work with the volunteers to bring them into compliance once the plans are approved by Hydro One.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Overview of Requirements for Land Use Proposals from Hydro One strives to work with proponents to review secondary land use proposals on the right-of-ways to ensure they are compatible with the safety and maintenance requirements of its high-voltage equipment. Technical reviews for each proposal must be completed by Hydro One. These reviews may require several weeks or months to complete depending on the complexity of the proposal. Currently, the turnaround time is about 12 to 16 weeks. Resubmissions may require the same timelines.

Hydro One technical reviews must be approved, and occupation agreements in place, prior to any construction work. Detailed drawings that need to be created by staff and submitted include: site plan, grading, drainage, lighting, landscaping, signage (including any other above-grade structures), and profiles for underground works. Plantings which grow to a maturity height over 3 metres are not permitted on the right-of-ways. Hydro One has a Compatible Species List which must be utilized. Garden beds must respect offset zones to provide for a 6 metres access route through the corridor, 15 metres maintenance exclusion zones around each affected tower, and 10 metres construction exclusion zones around each affected tower.

The existing license agreement with His Majesty the King in Right of Ontario as represented by the Minister of Infrastructure, as represented by Ontario Infrastructure and Lands Corporation (OILC) and the City of Hamilton, Master Licence Renewal Agreement – (Recreational) August 2018, will require updating and renewal based on the recommendations within Report PW24031.

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RELEVANT CONSULTATION

The following internal City groups were consulted and are supportive of the recommendations of Report PW24031:

Corporate Real Estate - has been working with Parks staff to update and negotiate the renewal of the Hydro One Networks Inc. agreement.

Office of Climate Change Initiatives – the community garden program currently lies within this office and will work with Environmental Services staff to determine how pollinator gardens can be brought into the existing program.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The Office of Climate Change Initiatives has an existing community gardens program that oversees food-producing community run gardens located on City owned or leased parkland. This program provides support to these gardens including the delivery of compost, woodchip mulch, and in some circumstances irrigation systems. The program is well received within the City of Hamilton and has delivered this beneficial service to participants who may not be able to produce food otherwise or enjoy gardening and community stewardship. Within the program, the Forestry and Horticulture section assists by supplying the woodchip mulch and rototilling plots when assistance is needed to add new plots. These expenses are allocated to 446020 – General Horticultural Maintenance and 445021 - Tree Maintenance.

The Biodiversity Action Plan (BAP) is a coordinated effort to protect, restore, enhance, and explore biodiversity in Hamilton. Key priorities include enhancement of public stewardship opportunities and consideration of biodiversity in all municipal decision making. Expansion of the existing food-producing community gardens program to include support for native pollinator gardens is in alignment with these priorities.

The Parks section has worked over the years to accommodate requests received by the community to utilize parkland for non-food producing community gardens, some of which are beneficial pollinator gardens. This accommodation is to meet the needs of the community but is not funded or formalized through agreements. The lack of a formal process has led to some gardens being neglected and then removed due to the lack of funding to continue maintenance if volunteers are no longer available to maintain them.

Report PW24031 provides recommendations to review and report back to Committee on how more gardens might be supported by the city in the future as requests come forward. To ensure the impact on the existing gardens is mitigated, Horticulture will provide supplemental supports for the 2024 growing season, including watering at the

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: Maintenance and Beautification of Birch Avenue Green Space (PW24031) (City Wide) – Page 6 of 6

existing gardens in the Birch Avenue Green Space and periodic maintenance in collaboration with the volunteers at the Pipeline Trail gardens.

ALTERNATIVES FOR CONSIDERATION

An alternative to the Recommendations (a), (b), and (c) of Report PW24031, would be to continue status quo in relation to the Pipeline Trail gardens, which means the volunteer group would continue without any assistance from the City. For Birch Avenue Green Space gardens, due to the requirements of Hydro One to have native plantings which are maintained by the parties listed in the agreement, the gardens would be removed to reduce the costs associated with re-designing the gardens to ensure compliance with Hydro One's acceptable plant list and the ongoing operating costs to maintain them through the Horticulture section.

With this alternative, staff would attempt to salvage valued plants to replant in existing beds. In addition, there would be no action to investigate expansion of the existing community gardens program administered through the Office of Climate Change Initiatives. Because this alternative does not meet the needs identified by the delegates, does not help meet Bee City goals, Climate Action Strategy goals or Biodiversity Action Plan goals, staff do not recommend this alternative.

Financial: This alternative includes the operating cost to remove the existing garden and establish low maintenance grass seed within the existing garden locations. The costs to do this are not known, but could be absorbed into the existing operating budget 446020 – General Horticultural Maintenance Dept ID.

Staffing: N/A

Legal: N/A

APPENDICES AND SCHEDULES ATTACHED

N/A

12.1

CITY OF HAMILTON

MOTION

Public Works Committee: June 3, 2024

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

SECONDED BY COUNCILLOR

Funding for Tree Planting on Mohawk College Fennell Campus, 135 Fennell Avenue West, Hamilton (Ward 8)

WHEREAS, the City of Hamilton has declared a climate emergency;

WHEREAS, the Opportunities to Partner with Educational Institutions to Plant Trees (PW23066) (City Wide) Report directs staff to pursue and present opportunities to Ward Councillors with representatives from Conservation Authorities and educational institutions in the City of Hamilton to plan tree planting projects on lands which are readily accessed by the public and owned by these Organizations;

WHEREAS, through increased tree planting initiatives on public property, the City continues to work towards meeting targets for the 40% urban tree canopy coverage, as set in the Council approved Urban Forestry Strategy;

WHEREAS, increasing the urban tree canopy by planting trees on private property has many environmental benefits to the residents of Ward 8 and the wider City;

WHEREAS, tree planting on Mohawk College properties is not currently funded under existing City funded tree planting programs; and

WHEREAS, Mohawk College has shown interest in having trees planted on their Fennell Campus property.

THEREFORE, BE IT RESOLVED:

- (a) That the supply and installation, of 18 large caliper (50mm to 70mm) trees be planted on Mohawk College Fennell Campus property at 135 Fennell Avenue West, Hamilton, in coordination with Mohawk College funded from the Ward 8 Capital Discretionary Account (#3302309800) at an upset limit, including

contingency not to exceed \$9,000; and

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

CITY OF HAMILTON

MOTION

Public Works Committee: June 3, 2024

MOVED BY COUNCILLOR M. WILSON.....

SECONDED BY COUNCILLOR

Victoria Park Combination Drinking Fountain / Water Bottle Fill Station (Ward 1)

WHEREAS, the City has both water bottle filling stations and drinking fountains throughout Hamilton, with outdoor units mapped on the City's website;

WHEREAS, in accordance with Report PW21006 entitled Moving Hamilton Towards a Zero Plastic Waste Plan, water bottle fill stations and drinking fountains can help in reducing the use of single-use plastics;

WHEREAS, Victoria Park Outdoor Pool Building at 100 Strathcona Avenue North, Hamilton, located in Victoria Park, can be enhanced with a combination drinking fountain/ water bottle fill station to support residents and visitors to stay hydrated at the park;

WHEREAS, adding a drinking fountain /water bottle fill station on the East side of the building (further North) will address resident concern of parents losing sight of multiple children (visibility blocked by the building), while at the playground;

WHEREAS, an existing drinking fountain on the Southwest side of the building allows access to water particularly for transit users and bus drivers, the addition of a combination drinking fountain/ water bottle fill station will benefit a variety of other public park visitors within the Strathcona neighborhood, including patrons of the outdoor pool, playground, spray pad, community garden, pollinator paradise, outdoor fitness equipment, washroom, and other amenities throughout the park;

WHEREAS, staff have looked into all that would be required to install the combination drinking fountain/ water bottle fill station at a cost of \$23,500 for the following infrastructure work:

- Plumbing
- Electrical
- Concrete work
- Drinking water/ bottle fill station itself; and

WHEREAS, Hamilton Water has a relevant capital program to assist in funding the project, based on Hamilton Water Efficiency, Outreach and Education.

THEREFORE, BE IT RESOLVED:

- (a) That a combination drinking fountain / water bottle fill station at Victoria Park Fieldhouse, 100 Strathcona Avenue North, Hamilton, be funded from the Ward 1 Capital Discretionary Account #3302309100 at an upset limit, including contingency, not to exceed \$3,500 and Hamilton Water Efficiency Capital Project #5142355851 at an upset limit, including contingency, not to exceed \$20,000; and
- (b) That the General Manager of Public Works, or their designate, 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.

12.3

CITY OF HAMILTON

MOTION

Public Works Committee: June 3, 2024

MOVED BY COUNCILLOR T. JACKSON.....

SECONDED BY COUNCILLOR.....

Improvements to Eleanor Park, 80 Presidio Drive, Hamilton (Ward 6)

WHEREAS, Eleanor Park, 80 Presidio Drive, Hamilton, experiences drainage issues due to existing conditions/historical design solutions that have been exacerbated by changing weather patterns;

WHEREAS, a stormwater review and design solution by a qualified professional are needed to address the issues of moving stormwater through/from the park to ensure appropriate drainage of park assets;

WHEREAS, additional funding is required to support this engineered design solution; and

WHEREAS, any unallocated funding from this motion may be used towards the implementation of the drainage improvements.

THEREFORE, BE IT RESOLVED:

- (a) That the funding be provided to support the engagement of a consultant to review the existing drainage of the parkland and provide a designed solution to address parkland stormwater for Eleanor Park, 80 Presidio Drive, Hamilton, to be funded from the Ward 6 Capital Re-Investment Reserve (#108056), at an upset limit including contingency not to exceed \$125,000; and
- (b) That the General Manager of Public Works or designate be authorized and directed to approve and execute any and all required agreements and ancillary documents, in a form satisfactory to the City Solicitor, related to the stormwater review and design at Eleanor Park, 80 Presidio Drive, Hamilton.

12.4

CITY OF HAMILTON

MOTION

Public Works Committee: June 3, 2024

MOVED BY COUNCILLOR C. KROETSCH.....

SECONDED BY COUNCILLOR.....

Parks Accessible Portable Toilets (Ward 2)

WHEREAS, the availability of public washrooms had become a concern highlighted by the COVID-19 Pandemic when few public washrooms were available;

WHEREAS, a community survey conducted in 2022 and 2023 reinforced the desire of parks users to have access to washroom facilities;

WHEREAS, public washrooms in parks provide a much-needed amenity, especially for those who wish to extend their stay in the park;

WHEREAS, the parks in Ward 2 are heavily used, and existing washroom facilities do not provide enough capacity or are missing from some park spaces that would benefit from a facility; and

WHEREAS, the Parks section does not have a budgeted program for portable toilets and additional funding for the rental and cleaning of these facilities for the 2024 season is required.

THEREFORE, BE IT RESOLVED:

- (a) That the provision of accessible portable toilet(s) to support Ward 2 parks in need of washroom facilities for 2024 be funded from the Ward 2 Special Capital Reinvestment Reserve (#108052) at an upset limit, including contingency, not to exceed \$25,000; and
- (b) That the General Manager of Public Works or designate be authorized and directed to approve and execute all required agreements and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

CITY OF HAMILTON

NOTICE OF MOTION

Public Works Committee: June 3, 2024

MOVED BY COUNCILLOR C. KROETSCH.....

Strachan Open Space Redevelopment (Ward 2)

WHEREAS the Strachan Open Space located along the south side of Strachan Street West between Bay Street North and Ferguson Avenue North, provides a valuable asset for the community as a green corridor of mature trees and sod areas;

WHEREAS this area contains an underutilized surface parking lot that could be repurposed for much needed public amenities;

WHEREAS, as the site is adjacent to an active rail line, the Ward Councillor has met with representatives from CN Railway to discuss any requirements they may have;

WHEREAS the community is supportive of maintaining this space for public use subject to consultation with the Ward Councillor;

WHEREAS there are city wide parks in the area and the neighbours would benefit from a more community focused park area with amenities;

WHEREAS there is an active transportation route through the site allowing ease of movement through the space;

WHEREAS there are some activations that can commence without added Capital funds such as benches, picnic tables, and parkland signs and staff will work with the Ward Councillor for these additions; and

WHEREAS future improvements that would enhance the space for more neighbourhood uses would require budget and work prioritization.

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to submit a capital detail sheet for the first phase of the Strachan Open Space improvement project for Council consideration as part of an upcoming budget process.

13.2

CITY OF HAMILTON

NOTICE OF MOTION

Public Works Committee: June 3, 2024

MOVED BY COUNCILLOR N. NANN

Fencing Installation for Gage Park Community Garden Located at 1000 Main Street East, Hamilton (Ward 3)

WHEREAS, the Gage Park Community Garden located at 1000 Main Street East Hamilton, has been operating in its current location since 2011 and provides opportunities for residents to grown their own food, beautify an area of the park and gather and make connections with fellow community members;

WHEREAS, the recent construction activities at the adjacent Rosedale Tennis Club has reconfigured the existing fencing that borders the community garden; and

WHEREAS, the existing garden fencing is in disrepair and needs to be replaced and reconfigured to connect to the new tennis club fencing.

THEREFORE, BE IT RESOLVED THAT:

- (a) An allocation of \$6,749 be made from the Ward 3 Discretionary Funds (Project ID#3302309300) to fund the installation of new fencing along the southern portion of the Gage Park Community Garden located at 1000 Main Street East, Hamilton.