



**City of Hamilton**  
**GENERAL ISSUES COMMITTEE**  
**ADDENDUM**

**Meeting #:** 25-004  
**Date:** March 19, 2025  
**Time:** 9:30 a.m.  
**Location:** Council Chambers  
Hamilton City Hall  
71 Main Street West

Angela McRae, Legislative Coordinator (905) 546-2424 ext. 5987

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**6. DELEGATIONS**

\*6.2 Delegations respecting Item 9.4 - Development of the Community Benefits Protocol or Social Value Framework, from the following individuals:

\*a. Karl Andrus (In-Person)

**7. ITEMS FOR INFORMATION**

\*7.5 PW24011(a)

Management Update on Red Hill Valley Parkway Inquiry (City Wide)

**8. ITEMS FOR CONSIDERATION**

8.6 PED24163(a)

\*a. Correspondence from Anthony Salemi, West End Home Builders' Association respecting Item 8.6 - Report PED24163, Proposed Pilot Downtown Hamilton Office Conversion Grant Program (Ward 2)

\*8.8 PW25014

Temporary On-Street Patio Traffic Control and Safety Devices (City Wide)

**11. 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.

\*11.3 PED25005

Acquisition of Land in the City of Hamilton (Ward 11) - REVISED

Pursuant to Section 9.3, Sub-Section (c) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-section (c) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for City purposes or a local board.

Submitted on Fri, 03/14/2025 - 12:05

Submitted by: Anonymous

Submitted values are:

**Committee Requested**

Committee  
General Issues 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  
Karl  
Andrus

[karlandrus@hcbn.ca](mailto:karlandrus@hcbn.ca)

Preferred Pronoun  
she/her

Reason(s) for delegation request  
9.4 - Development of the Community Benefits Protocol or Social Value Framework

Will you be requesting funds from the City?  
No

Will you be submitting a formal presentation?  
Yes



## City of Hamilton Memorandum

**To:** Chair and Members  
General Issues Committee

**Date:** March 19, 2025

**Report No:** PW24011(a)

**Subject/Title:** Management Update on Red Hill Valley Parkway Inquiry

**Ward(s) Affected:** City Wide

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### Recommendation

That Report PW24011(a) **BE RECEIVED** for information.

### Key Facts

- This Memorandum is to provide an update on the progress of implementing the recommendations from the “Report of the Red Hill Valley Inquiry” (“Inquiry Report”) from the Honourable Mr. Justice Herman J. Wilton- Siegal, dated November 2023.
- A comprehensive list of the action items addressing the recommendations and completion status is depicted in the Red Hill Valley Inquiry Action Plan is included as Appendix “A” to Report PW24011(a).
- A Status Update Infographic - Year One Progress Update, included in Appendix “B” to Report PW24011(a), was created to address Council’s request to communicate progress of action items with the public. Upon approval, this infographic will be made available for the public at [Red Hill Valley Parkway Judicial Inquiry Overview](#).
- To date, 9 of the 36 action items (25%) have been completed. The remaining action items are in progress to be completed by Quarter 1, 2026.
- Future updates will continue bi-annually until actions are complete.

### Financial Considerations

- As required, a subsequent report will be provided to the General Issues Committee by September 2025 which will include a further status update on the progress of implementing the recommendations from the Inquiry Report. This

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report will also provide information on resources/cost associated with the facilitation of the required training for staff, the specifics of which are being finalized.

## Background

- On November 29, 2023, the Honourable Mr. Justice Herman J. Wilton- Siegal released the Inquiry Report which provides a summary of the key evidence received by the Inquiry and Commissioner's findings on the Terms of Reference, including recommendations to prevent any future incidents of non-disclosure of significant information to Council.
- Report PW23029(a), considered by Council at its meeting held on December 2023, provided a high-level summary of the Commissioner's findings relating to the key Terms of Reference. The Commissioner has made a total of 36 recommendations in response to the matters outlined in the Inquiry Terms of Reference. These recommendations include making changes to the City's by-laws, policies, and procedures and are aimed at preventing any future incidents of non-disclosure of information to Council. Of the 36 recommendations, 11 have been identified as having a city-wide impact, with the remaining 25 recommendations pertaining to Public Works.
- To address the recommendations mentioned in the November 29, 2023, Red Hill Valley Parkway Inquiry Report from the Honourable Mr. Justice Herman J. Wilton- Siegal, Council instructed the General Manager, Public Works to establish an Interdepartmental Working Group on December 13, 2023.

## Updates

- The Interdepartmental Working Group, chaired by Public Works, formed in December 2023, has driven notable progress in implementing the action plan through regular meetings and collaboration among Human Resources, Information Technology, Transportation, Engineering Services, Planning and Economic Development and Healthy & Safe Communities, resulting in greater efficiency and effectiveness.
- The recommendations have been categorized into the following eight categories:
  - Traffic Safety on the Red Hill Valley Parkway and Lincoln M. Alexander Parkway
  - Delineating the Roles and Responsibilities of City Staff
  - The Culture Within the Public Works Department
  - Information Sharing and Communication Among Staff
  - Staff Reporting Obligations
  - Staff Communications with the Media and Public
  - Consultant Engagements and Assignments
  - Staff Reports

## Management Update on Red Hill Valley Parkway Inquiry (PW24011(a)) (City Wide)

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- The Working Group has identified 36 actionable items from the 36 recommendations within these categories, the status of which is presented in this report and the attached appendices.
- The sections below summarize the key progress made on action items related to the 8 categories and displays the action items in progress for completion.

**Traffic Safety**

- The following key actions have been successfully implemented:
  - Annual Collision Report.
  - Parkway Management Committee with safety as a standing agenda item.
  - The appointment of a Chief Roads Official; subsequent merger of that role into the Director of Transportation.
- The following summarizes the key action items in progress for completion in 2025:
  - Field investigation/survey analysis to confirm geometry and grading between Greenhill Avenue to Queenston Road.
  - Creating and updating Standard Operating Procedures related to Traffic Safety including Friction, Fatal Injury Investigations and Red Hill Valley Parkway/Lincoln M Alexander Parkway Operation and Maintenance Plan.
  - Roadway safety training module for staff involved in planning, design, construction, operation, and maintenance.

**Delineating the Roles and Responsibilities of City Staff**

- The following summarizes the key action items in progress for completion in 2025:
  - Update Public Works Project Management Standard Operating Procedure and Charter.
  - Job Specific Code of Conduct Training - Relevant case studies will educate on collaboration and accountability between departments with overlapping responsibilities. To monitor efforts, training completion metrics will be monitored regularly.

**The Culture Within the Public Works Department**

- The following key actions have been successfully implemented:
  - Update to the Public Works Departmental Training Procedure to ensure staff complete Code of Conduct training as required.
  - Inclusion of specific competencies related to collaboration, cooperation, transparency, and accountability in performance documents of Public Works staff.
- The following summarizes the key action items in progress for completion in 2025 (Note: The employee surveys will be administered in 2025, with results

available in Q1 2026. The 2024 Cyber Incident has impacted the training timelines due to resource reallocation.):

- Career mobility and development discussions for Public Works.
- Create Public Works Competence Procedure and administer Performance Accountability Training: To ensure that required competencies are effectively included in performance documents and middle management receive additional training on creating development plans centred around identified leadership competencies.
- Employee Surveys for Public Works Leaders - to assess the extent to which Public Works leadership demonstrates collaboration, transparency, and accountability.

### **Information Sharing and Communication Among Staff**

- The following summarizes the key action items in progress for completion in 2025:
  - Implement an Electronic Documents and Records Management System including library for consultant documentation.
  - Update Public Works Off-boarding process to improve succession planning and sharing of institutional knowledge.

### **Staff Reporting Obligations**

- The following summarizes the key action items in progress for completion in 2025:
  - Update Staff Council Relationship Policy to ensure communication of accurate and truthful information.

### **Staff Communications with the Media and Public**

- The following key actions have been successfully implemented:
  - Update to the Media Relations Policy to ensure City staff shall endeavour to be truthful and accurate at all times when speaking with the media and public.
- The following summarizes the key action items in progress for completion in 2025:
  - City Wide Media Training - This training will include explicit guidelines for honest communication with the media and public, particularly on difficult issues.

### **Consultant Engagements and Assignments**

- The following key actions have been successfully implemented:
  - Create Tracking and Sharing Consultant Report Recommendations, and Actions – Public Works Standard Operating Procedure.
- The following summarizes the key action items in progress for completion in 2025:

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- Updating existing Tracking and Sharing Consultant Report Recommendations, and Actions – Public Works Standard Operating Procedure.
  - Update Corporate Procurement Policy to include requirements around consultant assignments.
  - Update Code of Conduct Policy.

**Staff Reports**

- The following summarizes the key action items in progress for completion in 2025:
  - City Wide Report Writing Training - Improved training to ensure effective interactions with Council.

**Next Steps**

- As required, a subsequent report will be provided to the General Issues Committee by September 2025 which will include a further status update on the progress of implementing the recommendations from the Inquiry Report. Updates will continue bi-annually until actions are closed.

**Previous Reports Submitted**

- [PW24011, Red Hill Valley Parkway Inquiry: Management Update, April 3, 2024](#)
- [PW23029\(a\), Red Hill Valley Parkway Inquiry Final Report, December 6, 2023](#)

**Consultation**

Carrie Brooks-Joiner, Director, Strategic Initiatives, Healthy and Safe Communities  
 Nenzi Cocca, Director, HR Systems & Operations, Human Resources, City Manager's Office

Brian Hollingworth, Director, Transportation Planning and Parking, Planning and Economic Development

Doug Kay, Director, Information Technology, Corporate Services

Jackie Kennedy, Director, Engineering Services, Public Works

Carolyn Ryall, Director, Transportation, Public Works

Ann Thomas, Acting Manager, Departmental Programs and Initiatives, Public Works

Andrea Vargas, Acting Director, Corporate Asset Management, Public Works

Matthew Trennum, City Clerk, Corporate Services

**Appendices and Schedules Attached**

Appendix A: Red Hill Valley Inquiry Action Plan

Appendix B: Communication Plan



Management Update on Red Hill Valley Parkway Inquiry (PW24011(a)) (City Wide)

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**Prepared by:** Marlene Schmidt, Quality Management Coordinator  
Departmental Programs and Initiatives, Public Works

**Submitted and  
recommended by:** Carlyle Khan, General Manager  
Public Works

#	Action	Applies to RHVPI Report Recommendation Number	Applies to RHVPI Report Core Categories	Status	Projected Completion Date
1	Create PW Asset Responsibilities Within the Right-of-Way (PW-P-026-002)	12.14.2 1(4)	Traffic Safety On The RHVP And LINC	Completed	March, 2021
2	Create Escarpment Access Closure Procedure (PW-P-026-003)	12.14.2 1(4)	Traffic Safety On The RHVP And LINC	Completed	July, 2021
3	The appointment of a Chief Roads Official; subsequent merger of that role into the Director of Transportation	12.14.2 1(1)	Traffic Safety On The RHVP And LINC	Completed	March, 2023
4	Create standardized Public Works Project Management Charter	12.14.5 14(1 and 2)	Traffic Safety On The RHVP And LINC; Delineating The Roles And Responsibilities Of City Staff; Consultant Engagements And Assignments	Completed	November, 2023
5	Create ongoing Network Screening Lists	12.14.2 2(2) and 2(3) and 2(4)	Traffic Safety On The RHVP And LINC	Completed	June, 2024
6	Develop an Annual Collision Report with a section specific for the Parkways	12.14.2 1(1) and 2(2) and 2(3) and 2(4)	Traffic Safety On The RHVP And LINC	Completed	September, 2024
7	Parkway Management Committee with safety as a standing agenda item	12.14.2 1(2) and 1(3)	Traffic Safety On The RHVP And LINC	Completed	September, 2024
8	Field investigation to determine if the 420 m radius curve between the King Street and Greenhill Avenue interchanges was constructed with a superelevation of at least 6%.	12.14.2 (3)	Traffic Safety On The RHVP And LINC	In Progress	2025 Q1
9	Update Policy Red Hill Valley Parkway/Lincoln M Alexander Parkway Operation and Maintenance Plan (PW-Y-026-001)	12.14.2 1(1) and 1(4)	Traffic Safety On The RHVP And LINC	In Progress	2025 Q1
10	Update Parkway Management Committee Terms of Reference to confirm role of management level staff	12.14.2 1(1) and 1(3)	Traffic Safety On The RHVP And LINC	In Progress	2025 Q1
11	Job description review and approval processes of the Overall Responsible person for matters related to Traffic Safety	12.14.2 1(2) and 12.14.3 (4)	Traffic Safety On The RHVP And LINC; Delineating The Roles And Responsibilities Of City Staff	In Progress	2025 Q1
12	Communication and Change Management Strategy	12.14.2 1(2 and 4) and 2(6)	Traffic Safety On The RHVP And LINC	In Progress	2025 Q1
13	Create new Procedure for Formalizing Fatal Injury Investigations and Reporting	12.14.2 2(2)	Traffic Safety On The RHVP And LINC	In Progress	2025 Q1
14	Identify any gaps requiring further analysis and reporting to Parkway Management Committee by communication between Engineering service Transportation and Planning	12.14.2 2(3 and 4)	Traffic Safety On The RHVP And LINC	In Progress	2025 Q1

15	Create a Roles and Responsibilities document for matters related to Traffic Safety	12.14.2 1(1 and 2) and 2(5) and 12.14.3 (4)	Traffic Safety On The RHVP And LINC; Delineating The Roles And Responsibilities Of City Staff	In Progress	2025 Q2
16	Training on Roadway safety fundamentals to other Divisions	12.14.2 2(5)	Traffic Safety On The RHVP And LINC	In Progress	2025 Q2
17	Create new Procedure on Friction	12.14.2 2(6)	Traffic Safety On The RHVP And LINC	In Progress	2025 Q2
18	Correspondence and Confirmation with Ministry of Transportation on safety standards	12.14.2 2(1)	Traffic Safety On The RHVP And LINC	In Progress	2025 Q2
19	Adopt processes for a comprehensive traffic safety approach similar to the MTO to monitor and address traffic safety issues that arise on the RHVP and LINC.	12.14.2 2(1)	Traffic Safety On The RHVP And LINC	In Progress	2025 Q3
20	Analysis of recommendations from the Peer Review by Ministry of Transportation	12.14.2 2(1)	Traffic Safety On The RHVP And LINC	In Progress	2025 Q2
21	Update Project Management Level II Standard Operating Procedure and Charter	12.14.2 1(4); 12.14.3 (5); 12.14.5 14 (1 and 2) and 12.14.8 (26)	Delineating The Roles And Responsibilities Of City Staff; Consultant Engagements And Assignments; Traffic Safety On The RHVP And LINC; Information Sharing And Communication Among Staff	In Progress	2025 Q1
22	Administer Code Of Conduct Training and monitor through completion metric	12.14.3 6(1, 2 and 3); 12.14.4 9(1, 2 and 3) and (11 and 12)	Delineating The Roles And Responsibilities Of City Staff; Culture Within Public Works; Consultant Engagements And Assignments	In Progress	2025 Q4
23	Update to the Public Works Departmental Training Procedure	12.14.3 6(2) and 12.14.4 9(2)	Culture Within Public Works	Completed	January, 2025
24	Create Public Works Competence Procedure to clarify competencies expected of staff	12.14.4 (7)	Culture Within Public Works	In Progress	2025 Q3
25	Career mobility and development discussions for Public Works	12.14.4 8(1 and 2)	Culture Within Public Works	In Progress	2025 Q4
26	Performance Accountability Training	12.14.4 8(1 and 2)	Culture Within Public Works	In Progress	2025 Q4
27	Employee Surveys for Public Works People Leaders	12.14.4 (10)	Culture Within Public Works	In Progress	2026 Q1
28	Implement an Electronic Document and Record Management System	12.14.5 13(2) and 15 (1 and 2) and 12.14.8 (27)	Information Sharing And Communication Among Staff	In Progress	2025 Q4
29	Update PW off-boarding process to ensure succession planning	15(1)	Information Sharing And Communication Among Staff	Not Initiated	2025 Q4

30	Update Staff Council Relationship Policy to ensure communication of accurate and truthful information	12.14.6 (16, 17, 18, 19 and 20) and 12.14.9 (30, 33 and 35)	Staff's Reporting Obligation; Staff Reports	In Progress	2025 Q4
31	Update Media Relations Policy/Training	12.14.7 (22 and 23 and 24)	Staff Communications With The Media And Public	In Progress	2025 Q4
32	Create Tracking and Sharing Consultant Report Recommendations, and Actions – Public Works Standard Operating Procedure	12.14.2 1(1) and 12.15.5 13 (1 and 2)	Consultant Engagements And Assignments; Information Sharing And Communication Among Staff	Completed	January, 2022
33	Update Corporate Procurement Policy to include requirements around Consultant assignments	12.14.8 (25)	Consultant Engagements And Assignments	In Progress	2025 Q2
34	Update Code of Conduct Policy	12.14.6 (21); 12.14.7 (24); 12.14.8 (28); 12.14.9 (32, 35 and 36) and 12.14.4 (12)	Consultant Engagements And Assignments; Staff's Reporting Obligation; Culture Within Public Works; Staff Communications With The Media And Public; Staff Reports	In Progress	2025 Q4
35	Update existing Sharing of Consultant Reports Standard Operating Procedure	12.14.5 13(1 and 2); 12.14.8 27 (1, 2 and 3) and (29)	Consultant Engagements And Assignments; Information Sharing And Communication Among Staff	In Progress	2025 Q4
36	Implement Report Writing Training City-wide	12.14.9 (31)	Staff Reports; Staff's Reporting Obligation	In Progress	2025 Q4

Inquiry Ref. No.	Action NO.	Sub-Action No.	Audit Recommendation
12.14.2	1	1 (1)	Implement mechanisms that reinforce traffic safety, particularly traffic safety on the RHVP and the LINC, as a concern and a responsibility of all members of Public Works and as a joint responsibility of the Transportation Operations & Maintenance Division and Engineering Services.
12.14.2	1(a)	1 (2)	Designate a Public Works staff person with overall responsibility for the operation, maintenance, and traffic safety of the municipal expressways, reporting directly to the General Manager of Public Works (a "Designated Road Authority Official").
12.14.2	1(b)	1 (3)	<p>Maintain the City's existing Parkway Management Committee or another such committee to provide leadership on the safe and efficient operation and maintenance of the LINC and the RHVP.</p> <p>This committee should include:</p> <ul style="list-style-type: none"> <li>(i) Management-level staff from all divisions within Public Works whose mandates include responsibility for the RHVP and the LINC,</li> <li>(ii) the General Manager of Public Works, and</li> <li>(iii) the Designated Road Authority Official.</li> </ul> <p>Management-level staff on the committee should have the authority to resolve any issues as between divisions of the Public Works department in connection with the responsibility to investigate and recommend countermeasures pertaining to traffic safety on the expressways.</p>
12.14.2	1(c)	1 (4)	<p>Develop a guideline document for the management of the operation and maintenance of the LINC and RHVP, which should:</p> <ul style="list-style-type: none"> <li>(i) Define the roles and responsibilities of relevant divisions, the management committee, and the Designated Road Authority Official;</li> <li>(ii) provide guidelines based on industry best practices or consultation with traffic safety or other highway management professionals for the overall maintenance and operations of the municipal expressways;</li> <li>(iii) establish reporting requirements to the Designated Road Authority Official, the General Manager, and to Council or to the appropriate standing committee(s) of Council; and</li> </ul>

			<p>(iv) require the creation of project charters for all ongoing, ad hoc, or special projects relating to the RHVP and the LINC, which should include:</p> <ol style="list-style-type: none"> <li>1. a designated most responsible person,</li> <li>2. the individuals on a project team,</li> <li>3. the project manager(s),</li> <li>4. the project scope,</li> <li>5. the timelines for the project, relevant stakeholders,</li> <li>6. consultant retainers and roles of the consultant(s),</li> <li>7. the roles and responsibilities of the divisions, sections, groups, and individuals on the project team, and</li> <li>8. desired outcomes of a project.</li> </ol> <p>The project charters should state that issues that cannot be resolved at the project team level should be referred to the Parkway Management Committee or another committee charged with responsibility for the RHVP and LINC for a decision.</p>
12.14.2		1 (4)	
12.14.2	2	2 (1)	Adopt processes for a comprehensive traffic safety approach similar to the MTO to monitor and address traffic safety issues that arise on the RHVP and LINC.
12.14.2	2(a)	2 (2)	Regularly collect traffic statistics to permit identification of any "hot spots" or other abnormal accident experience.
12.14.2	2(b)	2 (3)	Analyze traffic statistics on the LINC and the RHVP on a regular basis by personnel from both the Traffic group and Engineering Services to determine whether further investigation, countermeasures, or other recommendations to the Parkway Management Committee (or another such committee charged with responsibility for the RHVP and LINC) are warranted.
12.14.2	2(c)	2 (4)	Circulate summaries of traffic statistics and the analyses, and recommendations from the Traffic group and Engineering Services in respect of these statistics and the analyses, to the Parkway Management Committee (or another such committee charged with responsibility for the RHVP and LINC) for review on a regular basis.
12.14.2	2(d)	2 (5)	The Traffic group and Engineering Services should jointly participate in the management of any traffic safety project whether conducted internally or by an external consultant.

12.14.2	2(e)	2 (6)	<p>Develop a practice relating to friction that requires:</p> <ul style="list-style-type: none"> <li>(1) consideration of friction testing in identified "hot spots" areas or areas with an abnormal accident experience, or</li> <li>(2) measurement of friction on a fixed schedule to take advantage of the City's knowledge of existing baseline friction levels on the RHVP, and</li> <li>(3) assessment thereof by appropriate personnel in the Traffic group and Engineering Services, and</li> <li>(4) circulation of the assessment to appropriate personnel in the Traffic group and Engineering Services staff.</li> </ul>
12.14.2	3	3	The Parkway Management Committee should consider whether to undertake a field investigation or survey to determine if the 420 m radius curve between the King Street and Greenhill Avenue interchanges was constructed with a superelevation of at least 6%.
12.14.3	4	4	Clearly delineate the responsibilities of the Public Works divisions, sections, and/or groups, where there are overlapping responsibilities for matters of traffic safety.
12.14.3	5	5	<p>Designate a most responsible staff member where a continuing matter or project crosses departmental, divisional, or other organizational lines within the City.</p> <p>The most responsible staff member should develop a project charter with detail that is proportionate to the scope of the project, to clearly articulate the scope, resources, responsibilities of the divisions, sections, or groups, and the desired outcomes of the project.</p> <p>Settle any difference of opinion regarding the respective roles and responsibilities of staff for a project at the outset in connection with the creation of the project charter.</p> <p>The project charter should also indicate that issues that cannot be resolved at the project team level will be referred to a pre-determined senior level for a decision.</p>
12.14.3	6	6 (1)	Management should ensure that staff receive regular, practical, and job-specific training on the Code of Conduct, as updated, and best practices for working collaboratively where divisions of Public Works have overlapping responsibilities.
12.14.3	6	6 (2)	Management should ensure that staff receive regular, practical, and job-specific training on the Code of Conduct, as updated, and best practices for working collaboratively where divisions of Public Works have overlapping responsibilities.
12.14.3	6	6 (3)	Management should ensure that staff receive regular, practical, and job-specific training on the Code of Conduct, as updated, and best practices for working collaboratively where divisions of Public Works have overlapping responsibilities.

12.14.4	7	7	Include competencies such as collaboration, cooperation, transparency, and accountability in performance documents to ensure that staff are clear about their duties and the desired behaviours of individuals across the organization.
12.14.4	8	8 (1)	Ensure middle managers receive training and attend leadership conferences that address leadership competencies, including transparency and escalation.
12.14.4	8	8 (2)	Ensure middle managers receive training and attend leadership conferences that address leadership competencies, including transparency and escalation.
12.14.4	9	9 (1)	Public Works staff should receive training on communicating respectful disagreement and/or other contentious issues to their colleagues, in a manner consistent with the existing requirements set out in the 2020 Code of Conduct.
12.14.4	9	9 (2)	Public Works staff should receive training on communicating respectful disagreement and/or other contentious issues to their colleagues, in a manner consistent with the existing requirements set out in the 2020 Code of Conduct.
12.14.4	9	9 (3)	Public Works staff should receive training on communicating respectful disagreement and/or other contentious issues to their colleagues, in a manner consistent with the existing requirements set out in the 2020 Code of Conduct.
12.14.4	10	10	Implement processes such as 360 reviews and employee surveys to measure whether Public Works staff in leadership roles are practicing collaboration, cooperation, transparency, and accountability.
12.14.4	11	11	Establish policies, procedures, or standard practices stipulating that when Public Works staff require intervention from a superior, staff's request(s) for that intervention should be clear, explicit, and in writing.
12.14.4	12	12	Strengthen existing policies, procedures, and channels by which Public Works staff can bring forward concerns that they do not feel comfortable speaking about with their supervisors, including: (i) an internal complaint procedure, (ii) and/or internal whistleblower policies, and (iii) ensure that staff have confidence in such procedures.
12.14.5	13	13 (1)	Each division of Public Works should maintain a library of all consultant and other third-party reports, staff reports to Council and formal internal reports (including collision statistics and analyses, consultant retainer agreements and project proposals). This library should be: (i) accessible to staff in all divisions within Public Works, (ii) catalogued and retained in a manner which is easily accessible to staff within the division, (iii) accessible to the General Manager of Public Works, the Designated Road Authority Official, and the City Manager, and (iv) maintained in accordance with the City's confidentiality provisions and all applicable privacy legislation.



12.14.5	13	13 (2)	<p>Each division of Public Works should maintain a library of all consultant and other third-party reports, staff reports to Council and formal internal reports (including collision statistics and analyses, consultant retainer agreements and project proposals). This library should be:</p> <ul style="list-style-type: none"> <li>(i) accessible to staff in all divisions within Public Works,</li> <li>(ii) catalogued and retained in a manner which is easily accessible to staff within the division,</li> <li>(iii) accessible to the General Manager of Public Works, the Designated Road Authority Official, and the City Manager, and</li> <li>(iv) maintained in accordance with the City's confidentiality provisions and all applicable privacy legislation.</li> </ul>
12.14.5	14	14 (1)	<p>Implement a formal project tracking process for any case where multiple divisions in Public Works are working jointly to implement directions from Council. The General Manager of the Public Works department should be responsible for designating which divisions are in leading and supporting roles.</p> <p>This tracking process could include:</p> <ul style="list-style-type: none"> <li>a) guidance or process for escalating any issue of the delineation of responsibilities to the General Manager, a process by which the General Manager formally assigns responsibility for each action item approved by Council, including those resulting from staff and consultant reports, to an appropriate division within Public Works for implementation; and</li> <li>b) additional safeguards for situations in which managerial staff, such as directors or managers, take primary responsibility for overseeing projects, consultant engagements, and/or consultant assignments.</li> </ul>
12.14.5	14	14 (2)	<p>Implement a formal project tracking process for any case where multiple divisions in Public Works are working jointly to implement directions from Council. The General Manager of the Public Works department should be responsible for designating which divisions are in leading and supporting roles.</p> <p>This tracking process could include:</p> <ul style="list-style-type: none"> <li>a) guidance or process for escalating any issue of the delineation of responsibilities to the General Manager, a process by which the General Manager formally assigns responsibility for each action item approved by Council, including those resulting from staff and consultant reports, to an appropriate division within Public Works for implementation; and</li> <li>b) additional safeguards for situations in which managerial staff, such as directors or managers, take primary responsibility for overseeing projects, consultant engagements, and/or consultant assignments.</li> </ul>
12.14.5	15	15 (1)	<p>Implement formal expectations and requirements for directors and managers within Public Works in their transition to retirement or in planned departures to ensure that institutional knowledge is not lost with the retirement or departure of senior staff.</p>

12.14.5	15	15 (2)	Implement formal expectations and requirements for directors and managers within Public Works in their transition to retirement or in planned departures to ensure that institutional knowledge is not lost with the retirement or departure of senior staff.
12.14.6	16	16	Public Works staff should receive continuing education on their relationship with Council.
12.14.6	17	17	<p>Public Works staff should conduct themselves with transparency and give their best advice to Council.</p> <p>Supplement the Council/Staff Relationship Policy to provide that:</p> <ul style="list-style-type: none"> <li>(i) staff must not conceal or manipulate information in dealings with Council,</li> <li>(ii) staff must conduct themselves with integrity, courtesy, and respect at meetings of Council, and</li> <li>(iii) staff must refrain from making statements carelessly which would have the result, intentionally or otherwise, of misleading Council or the public.</li> </ul> <p>Public Works staff should receive training that if staff have concerns about a proposed course of action, it is their role to identify objections in an objective manner and to communicate those objectives to Council as appropriate.</p>
12.14.6	18	18	Make it explicit in the Code of Conduct, Council/Staff Relationship Policy, and/or another City policy that staff must place the interests of objective, accurate, and timely reporting of information to Council, including information that may not be received favourably by Council, ahead of their own self-interest and/ or concerns for the reaction of Council or the public to such information.
12.14.6	19	19	<p>Develop a policy that tracks any commitments made by staff to Council outside of formal processes.</p> <p>If a commitment is made to Council by staff outside of the formal process, staff must inform the General Manager of Public Works about this commitment to ensure the General Manager is aware of the commitment and can take steps to ensure it is met.</p>
12.14.6	20	20	<p>Develop a policy that stipulates:</p> <ul style="list-style-type: none"> <li>(i) that staff should make efforts to correct the record with Council in a timely manner if and when they learn that inaccurate information has been provided to Council,</li> <li>(ii) a clear process for staff to report material errors in staff reports to Council or committees of Council, and</li> <li>(iii) if staff are uncertain as to how to correct the record with Council or about the materiality of an error, they should escalate the issue to their superior.</li> </ul>

12.14.6	21	21	<p>Stipulate in the Code of Conduct that City staff have an obligation to report if they have reasonable grounds to believe that a staff member (or “employee” as defined in the 2020 Code of Conduct) has concealed, withheld, and/or misrepresented facts or information to Council.</p> <p>Develop a policy regarding the mechanisms for staff to bring reports of this nature to the immediate attention of their superior and leadership of the department, or to an alternative individual in the event that a staff member’s immediate superior is the subject of the report.</p>
12.14.7	22	22	<p>Provide in the Code of Conduct that City staff shall endeavour to be truthful and accurate at all times when speaking with the media and public.</p>
12.14.7	23	23	<p>Provide media training for staff identified as media spokespersons which should include:</p> <ul style="list-style-type: none"> <li>a) the importance of making accurate and truthful statements to the media; and</li> <li>b) the need to ensure that any inaccuracies are corrected promptly when identified and the proper procedure to so do.</li> </ul>
12.14.7	24	24	<p>Stipulate in the Code of Conduct that if staff become aware, or have reason to believe that another member of City staff has misrepresented facts or information to the public and/or media, they have an obligation to bring this information to the attention of their superior.</p> <p>Put a process in place to escalate such misrepresentations to directors, who should then pass the information on to corporate communications staff and the City Manager for review.</p>
12.14.8	25	25	<p>Clearly document all consultant engagements within Public Works in a retainer agreement which identifies:</p> <ul style="list-style-type: none"> <li>(i) the responsible City staff contact for the assignment,</li> <li>(ii) the scope of the assignment, and</li> <li>(iii) the anticipated timelines for the assignment.</li> </ul> <p>Where an assignment emanates from the City’s roster program, and there is no retainer agreement for the project, document the consultant’s engagement through a consultant proposal.</p>
12.14.8	26	26	<p>Create a project charter for each consultant assignment within Public Works, with detail proportionate to the scope of the project.</p>
12.14.8	27	27	<p>Each division of Public Works should maintain a log of all consultant engagements, assignments, and/or projects, which is accessible to all other City staff.</p>
12.14.8	27 (a)	27 (1)	<p>The log of consulting engagements should contain information about:</p> <ul style="list-style-type: none"> <li>(i) the governing retainer agreement and/or project charter,</li> <li>(ii) the purpose of the consulting engagement,</li> <li>(iii) whether the consulting engagement is responsive to a Council motion (and if so, details of that motion),</li> <li>(iv) the staff member(s) responsible for the consulting engagement, and</li> <li>(v) the status of the consulting engagement.</li> </ul>

12.14.8	27 (b)	27 (2)	<p>Update the log of consulting engagements once a consulting engagement is completed to reflect that the consultant report and covering staff report has been uploaded into the library of reports (referenced in recommendation 13).</p> <p>If no consultant report is finalized further to the consultant engagement, record the rationale for this decision on the log.</p> <p>If staff do not present a staff report to Committee or Council in connection with the consultant engagement, record the rationale for this decision in the log.</p>
12.14.8	27 (c)	27 (3)	<p>The directors of each division should review this log with the managers reporting to them at regular intervals.</p> <p>In turn, the General Manager of Public Works should review this log with the directors in Public Works at regular intervals.</p>
12.14.8	28	28	<p>Develop a policy that establishes the principles for dealing with external consultants that includes:</p> <ul style="list-style-type: none"> <li>(a) a process to encourage the sharing of information and reports of relevance to all City staff (including the establishment of the library as proposed in recommendation 13);</li> <li>(b) processes to document changes in scope (minor or material);</li> <li>(c) appropriate communication channels for discussions with consultants working on City projects;</li> <li>(d) processes for prioritization of consultant recommendations (based on urgency and/or effectiveness);</li> <li>(e) guidelines for when City staff may request changes to consultant reports;</li> <li>(f) processes for the finalization of consultant reports;</li> <li>(g) procedures stipulating that councillors should have equal access to information; and</li> <li>(h) processes and a culture that emphasizes shared ownership of consultant reports.</li> </ul>
12.14.8	29	29	<p>Ensure that staff who learn from a consultant of a risk to the health or safety of the citizens of Hamilton connected to the RHVP or LINC follow up with the consultant to obtain an informed understanding of the risk, whether or not the risk falls into the definition of "imminent" set out in the existing City policies on the disclosure of consultant reports to supervisors and/or Council.</p> <p>Staff should use their professional judgement, exercised in good faith and in consultation with their superior and the General Manager of Public Works where appropriate, to make recommendations to mitigate, remove, or otherwise address the risk.</p>

12.14.9	30	30	<p>Provide in the 2021 Council/Staff Relationship Policy that:</p> <p>(a) staff reports must be objective and identify a full range of options for Council to consider with the risks and fiscal impacts of each option clearly and fully presented;</p> <p>(b) it is not the role of staff to pre-empt discussion by Council, even if staff are of the view that a proposed course of action is not feasible or realistic; and</p> <p>(c) staff should express such views in the staff report for Council's review and consideration.</p>
12.14.9	31	31	<p>Staff should receive training on how to draft clear, accurate, objective, and comprehensive staff reports to Committee and Council</p>
12.14.9	32	32	<p>Circulate a draft of any staff report to the project teams, divisions, and/or departments with involvement in the issue for their review and input on the content of the report.</p> <p>The Code of Conduct should be clear that if staff see anything in the draft report that they question or that raises concerns during their review, they should reach out to the drafter of the report. If their questions or concerns are not subsequently addressed, the staff person who raised the issue should escalate them to someone more senior within their division or department.</p>
12.14.9	33	33	<p>Expand the 2021 Council/Staff Relationship Policy to stipulate that staff reports should not be shared or disclosed in draft form to an individual councillor unless expressly authorized by Council.</p>
12.14.9	34	34	<p>Council should not either formally or informally delegate an issue of traffic safety on the LINC or RHVP to a subset of individual councillors, including those whose wards are contiguous to the expressways, outside delegation to a standing committee.</p>
12.14.9	35	35	<p>If a councillor requests information from a staff person on a matter of general significance, the requested information should be provided to all Council members.</p> <p>Provide in the Code of Conduct that staff should make every effort to ensure that each councillor has the same information.</p>

Develop a policy to address procedures, processes, and best practices for staff reports that summarize consultant reports (together with recommendation 30), with a view to the following principles:

- (a) where City staff summarize a consultant report, they have an obligation to do so accurately and comprehensively (in accordance with recommendation 17);
- (b) if a consultant report is complex or technical in nature, the consultant should provide an executive summary of the report for staff to utilize in their staff report, rather than for staff to attempt to summarize or explain the findings of the report. The consultant should be available to speak to the relevant Committee or to Council and to respond to questions and issues that arise, particularly if the consultant's report is lengthy or complex; and
- (c) consultant reports should be appended to staff reports or be made available at the request of councillors. If the consultant's report deals with traffic safety on the RHVP or the LINC, it is highly preferable for the report to be made available to councillors in advance of the Committee or Council meeting where the corresponding staff report is presented and for the consultant to be present to speak to Council about the substance of the consultant's findings and the consultant's recommendations to avoid any misunderstanding.

12.14.9

36

36

## **RHVPI RECOMMENDATIONS – PROGRESS UPDATE**

### **Communications Plan - Redhill Valley Parkway Inquiry Recommendations Progress Updates**

#### **PURPOSE**

To ensure that City Council, residents, and staff receive regular updates on the progress of the recommendations from the “Report of the Red Hill Valley Inquiry” from the Honourable Mr. Justice Herman J. Wilton- Siegal dated November 29, 2023.

#### **OBJECTIVES**

- To enhance transparency and accountability while ensuring that information is communicated in a clear and easily understandable manner.
- To increase community understanding about the City’s efforts to address the inquiry recommendations and the ongoing work to prioritize and continually enhance roadway safety.

#### **TARGET AUDIENCES**

##### **Internal**

- City of Hamilton, City Council
- City of Hamilton, Senior Leadership Team
- City of Hamilton, Staff

##### **External**

- City of Hamilton residents
- Media

#### **ATTACHED**

- Year 1 Progress Update

See page 2 and 3 for an overview of the Communication Tactics which will be used to support the Reports being provided to Council and Committee.

**COMMUNICATION PLAN**

<b>Purpose of Communication</b>	<b>Audience</b>	<b>Frequency</b>	<b>Formats</b>	<b>High-level Content of Communications</b>	<b>Person Responsible for Communication</b>
Bi-Annual updates to GIC	Mayor and Council	6 months (targeting spring and fall)	Information Report; Presentation to Council as needed	Summary of the progress on RHVPI recommendations and resultant action items, including expected completion dates.	RHVPI Working Group Chair (Director of Corporate Asset Management, Public Works)
Status of RHVPI Recommendations - Progress Updates for General Public	General Public	Every 6 months in conjunction with update to GIC	City Website - RHVPI webpage <a href="http://www.hamilton.ca/red-hill-valley-parkway-inquiry">www.hamilton.ca/red-hill-valley-parkway-inquiry</a>	Status of recommendations, key action items and expected completion dates (summarized version of the Information Report to Council)	RHVPI Working Group Chair and Communications
Status of RHVPI Recommendations - Progress Updates for General Public	General Public	Every 6 months in conjunction with update to GIC and as needed	Post on appropriate City Social Media Channels – Twitter/X, Bluesky, Facebook, LinkedIn	Summary of the progress towards recommendations and linking to RHVPI webpage	Communications
Status of RHVPI Recommendations - Progress Updates for General Public	Electronic Newsletter Subscribers	Every 6 months in conjunction with update to GIC and as needed	Inclusion in City Electronic Newsletter	Summary of the progress towards recommendations and linking to RHVPI webpage	Communications



Purpose of Communication	Audience	Frequency	Formats	High-level Content of Communications	Person Responsible for Communication
Status of RHPVI Recommendations - Progress Updates for General Public	Media, General Public	Following Council ratification of GIC Report	Issue Media Release	Summary of the progress towards recommendations and linking to RHPVI webpage	Communications with Public Works GM, RHPVI Working Group Chair and City Manager’s Office
Status of RHPVI Recommendations - Progress Updates to City Manager, Senior Leadership Team	City Manager, Senior Leadership Team	6 months	Briefing Note/ Copy of Council Information Report	Progress on RHPVI recommendations and corresponding action items including expected completion dates and deviations, if any, from previously reported target dates.	Public Works General Manager; RHPVI Working Group Chair
Communications to City Staff	City Staff	On-going, as needed	Communication from Senior Leadership Team; Inclusion of relevant material in training, seminars, workshops etc.	Communications related to the importance of actioning the recommendations and related requirements.	RHPVI Working Group members

# Red Hill Valley Parkway Inquiry | Year 1 Progress Update

January 2025

Appendix B

## RHVPI ACTION ITEMS



**Traffic Safety** on the Red Hill Valley Parkways  
and Lincoln M Alexander Parkway

13

7



Delineating the **Roles and Responsibilities** of City Staff

2



**The Culture** within the  
Public Works Department

4

1



**Information Sharing** and  
Communication among Staff

2



Staff **Reporting Obligations**

1



Staff **Communications**  
with Media and Public

1



**Consultant Engagements**  
and Assignments

3

1



Staff **Reports**

1

### STATUS OF ACTION ITEMS:

In progress



Completed



## Red Hill Valley Parkway Inquiry | Year 1 Progress Update

January 2025

Appendix B

### ANNUAL HIGHLIGHTS / TARGETS

#### COMPLETED TO DATE

Regular publishing of an **Annual Collision Report**

Establishment of a **Parkway Management Committee** to identify and resolve issues for road safety across the organization

Incorporation of **collaboration, transparency and accountability** in the required core competencies for people leaders

Released corporate **Code of Conduct**, including requirements for sharing consultant reports

Standardized **Project Management Charter and guidelines** across the Public Works Department

#### PROJECTED IN 2025



Continue to incorporate inspection and investigation protocols to **meet road safety** requirements



Enhance **roadway safety training** for staff involved in planning, design, construction, operation, and maintenance.



Reinforce the review of existing **City-wide procedures and policies** (e.g. Code of Conduct, Council Staff Relationship Policy, etc.)



Strengthen a **culture of accountability and transparency** through City-wide training and workshops

\* All action items have an overall target completion date of 2026.



March 18, 2025

From:  
**West End Home Builders' Association**  
 1112 Rymal Road East  
 Hamilton, Ontario L8W 3N7

To:  
**Members of General Issues Committee**  
 City of Hamilton  
 71 Main St W, Hamilton, ON L8P 4Y5

#### **WE HBA Letter: Hamilton Downtown Office Conversion Pilot**

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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. WE HBA represents 320 member companies made up of all disciplines involved in land development and residential construction.

WE HBA understands that the City is proposing to bring forward to GIC a proposed pilot Downtown Hamilton Office Conversion Grant program, which will provide grants on a per-unit basis as well as for the cost of feasibility studies. Downtown Hamilton is facing two related challenges; difficulties in offices in finding and retaining tenants, as well as an extremely difficult new condo market in Downtown and across the City. As identified in the report, office conversions can be extremely difficult to carry out at great cost to developers. This program is welcome to help address challenges in Downtown and in office conversions, and supporting the new home industry. While WE HBA appreciates and supports the program being brought forward, we are concerned there will be a lack of uptake due to the amounts proposed. WE HBA appreciates the intent to create an incentive for long-term office investors to reconsider long-term plans, as well as a desire not undercut affordable housing development incentives offered by the City. However, in future, a Tax Increment Equivalent Grant system directed at office conversions, or higher grant values if approved, would improve uptake and drive economic development Downtown. Additionally, WE HBA encourages 21a. to be modified to allow for a longer lapsing period in better alignment with proposed Site Plan lapsing provisions presented to DILG in January. Those proposed provisions allow for two-one-year extensions and extension criteria for clearance of conditions needed to be cleared by an outside agency or where the applicant is unable to clear a condition due to delays in the completion of City infrastructure projects. WE HBA greatly appreciates the focus of Planning and Economic Development in advancing Community Improvement Plans and development incentives. We are eager to work collaboratively with Council to ensure Hamilton is an attractive place for investment in housing supply and for jobs in construction as we work together to achieve Hamilton's housing target of 47,000 new homes by 2031.

Sincerely,

**Anthony Salemi, BURPI**  
 Planner, Policy and Government Relations  
 West End Home Builders' Association



## City of Hamilton Report for Consideration

**To:** Chair and Members  
 General Issues Committee  
**Date:** March 19, 2025  
**Report No:** PW25014  
**Subject/Title:** Temporary On-Street Patio Traffic Control and  
 Safety Devices  
**Ward(s) Affected:** City Wide

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### Recommendations

- (a) That staff **BE AUTHORIZED** and **DIRECTED** to retain a third-party contractor for the supply, installation and removal of safety devices and barriers for on-street patios per the Ontario Traffic Council guidelines, for the 2025 season, to be funded from Project ID 4042549220 as a one-year pilot project;
- (b) That Staff **BE DIRECTED** to report back to the General Issues Committee with results of the pilot project by Q4 2025; and,
- (c) That the General Manager, Public Works and City Clerk **BE AUTHORIZED** and **DIRECTED** to execute any required agreement(s) and ancillary documents, with content acceptable to the General Manager, Public Works with such terms and conditions in a form satisfactory to the City Solicitor.

### Key Facts

- The purpose of this report is to respond to a December 2024 motion directing staff to investigate the feasibility of internal facilitation of safety devices/barriers for restaurant patios within the right-of-way per the Ontario Traffic Council (OTC) Guidelines.
- This report is referring to on-street patios and pedestrian by-passes on the municipal right-of-way in parking spaces or curb lanes.
- Staff are recommending the City retain a third-party contractor for the supply, installation and removal of safety devices and barriers per the Ontario Traffic

Council (OTC) guidelines for safety around on-street patios; staff will report back to Council with results of the 2025 patio season pilot project and recommendations for future years.

- It is estimated that the number of patios for the 2025 season will be 15 – 18 which would equate to a budget of \$75,000 - \$99,000.
- This initiative assists with revitalization and re-envisioning throughout the City of Hamilton.

## Financial Considerations

As an interim solution for 2025, the recommendation is for the City to retain a third-party contractor to supply, install and remove safety devices/barriers at all on-street patios and pedestrian by-passes on the municipal right-of-way. This applies City-wide to on-street patios within Business Improvement Areas (BIA's) and Community Improvement Plan Areas (CIPA's).

It is estimated that the number of patios for the 2025 season will be 15 – 18 which would equate to a budget of \$75,000 - \$99,000 to be funded from the Transportation Division budget Project ID 4042549220.

Communications to patio businesses regarding any change in process will be done proactively through the Program Administrator, Planning and Economic Development Department as well as on the city website portal for the patio program:

<https://www.hamilton.ca/build-invest-grow/starting-small-business/permits-inspections/temporary-outdoor-patio-program>.

There are no FTE impacts associated with this recommendation.

## Background

The initial On-Street Patio Pilot Program began in 2016 and was approved as a permanent program in 2017. This program focused on temporary patios located on-street, primarily in on-street parking spaces.

In May 2020, in response to the COVID-19 pandemic, an expanded Outdoor Dining Districts Program was approved by Council. It expanded the On-Street Patio Program by providing for temporary patios on public property (including sidewalks, boulevards and off-street parking areas), occupying metered parking spaces where allowed in accordance with City By-laws and on private property such as the parking areas of malls and strip malls.

On February 23, 2022, Council approved Report PED22051 to permanently adopt the Temporary Outdoor Patio Program, which combined the On-Street Patio Program and the Outdoor Dining Districts Program, and to establish applicable annual user fees. It is important to note that the Temporary Outdoor Patio Program applies only to

temporary, seasonal patios (April 1 - October 31 each year). Any proposals for permanent patios that would permanently occupy public or private property would be reviewed on a case-by-case basis in accordance with the City's existing Planning, Real Estate and Leasing/Licensing.

In June 2022, [Communication Update - On-Street Patio Modifications](#) informed Council of some modifications that were to be made to existing on-street patios across the City. The modifications included the installation of additional barriers and other improvements for pedestrian and patron safety. The changes were made in response to a new "Restaurant Patio Guidelines within the Right of Way" document that was recently released by the provincial Ontario Traffic Council.

Staff have utilized the new provincial guidelines for the type and placement of physical barriers with the exact set-up varying by location depending on site and surrounding conditions. For the 2022 patio season, these safety enhancements were implemented by the City at no cost to the business owner, in accordance with Council's direction to offset the costs of the temporary patio program as part of our post-COVID economic recovery.

In February 2023 [Communication Update - Temporary Outdoor Patio Program 2023](#) advised Council of the roll-out of the Temporary Outdoor Patio Program. This report indicated that in 2023, applicants would be required to pay all applicable fees for the program. Different ward offices and business since then have come forward with general concerns about the overall costs to implement a patio, in particular the installation of safety devices and crash barriers.

In addition, from an economics perspective, we would like Hamilton to be an employer of choice, a destination for residents and visitors. The City's success and image are vital to how Hamiltonians identify their city and how the city is viewed as a place to live, work, play, and invest in. As the majority of on-street patios are in the downtown core, this is an opportunity to help with the revitalization and re-envisioning while still maintaining safety elements set out in the Ontario Traffic Manual guidelines. This also applies City-wide to other Business Improvement Areas (BIA's), Community Improvement Plan Areas (CIPA's). This led to a motion being made at the December 4, 2024, General Issues Committee, which is attached as Appendix "A" to Report PW25014.

As part of the 2025 pilot project evaluation, staff will also assess the feasibility of aesthetic enhancements and report back to the General Issues Committee with recommendations for future years. Input from businesses, BIA's, and other stakeholders will help identify solutions that prioritize both safety and visual appeal. While the primary objective of the proposed safety devices and barriers is to enhance public safety and ensure compliance with Ontario Traffic Council guidelines, their visual impact is also an important consideration. Well-designed streetscapes contribute to vibrant business districts, pedestrian-friendly environments, and an inviting urban experience.

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## Temporary Outdoor Patio Program and Current Process

This program allows eligible local businesses to establish temporary seasonal patios and seating areas on municipal or private property (if current zoning is compliant). Temporary Outdoor Patios are permitted in Business Improvement Areas (BIA's), Community Improvement Plan Areas (CIPA's) and Private Property (zoning compliant) (see link for map of [Business Improvement Areas \(BIA's\), Community Improvement Plan Areas \(CIPA's\)](#)).

The Temporary Outdoor Patio Program is administered by Commercial Districts and Small Business, Planning and Economic Development Department with consultation from various internal stakeholders.

Businesses must complete an online application (refer to link [Temporary Outdoor Patio Application - Municipal Property | City of Hamilton](#)). Applications for patios can be submitted starting March 1, 2024 and must be received prior to June 1, 2024.

For the purpose of this report, we are focusing on on-street patios (patios on the curb lane, parking lane, or with pedestrian by-pass/sidewalk). Please refer to Appendix "B" to Report PW25014 for examples.

### Fees/Costs to Businesses (2018 – 2024)

Application fees for patios were established in 2022; however, the fee has been waived from 2022–2024. In 2025 the fee is being phased in, beginning at \$351.77 (50%) for the 2025 season.

Any patio that occupies an on-street or off-street municipal parking space is also required to pay a Temporary Patio Occupation of Parking Space fee of \$950.71 per space as per the Tax Supported User Fee By-Law.

Businesses are also required to retain a third-party contractor to install a pop-up patio (patio platform) to raise to sidewalk/curb height. Each pop-up patio is built on a reinforced metal frame and includes accessible ramps, railings, cane detection strips and high contrast markings for safety. This is a cost of approximately \$3,500 - \$4,000 per patio.

More recently, for patios or pedestrian by-passes on-street the applicant is required to hire an Ontario Traffic Manual Book 7 certified contractor to install crash barriers. The cost is approximately \$5,000–\$5,500 per patio.

In summary, in 2025, the range in costs/fees for businesses could be \$9,800 - \$12,250 based on a number of factors such as type of patio (on-street parking lane or pedestrian by-pass), speed of road and number of parking spaces being occupied.



## Temporary On-Street Patio Traffic Control and Safety Devices (PW25014) (City Wide)

Page 5 of 9

The following table identifies history of Fees/Costs to Businesses from 2018 to present.

Table 1: Number of Patios and Fees/Costs to Businesses

Fees/Costs to Businesses							
Year	# of Patios (on-street)	Application Fee	Fee Details	Metered Parking Space Fee	Fee Details	Crash Barriers as per OTC	Cost Details
2018	20	✗	No fee	✓	Fee	✗	No cost
2019	9	✗	No fee	✓	Fee	✗	No cost
2020	13	✗	No fee	✓	Fee waived	✗	No cost
2021	25	✗	No fee	✓	Fee waived	✗	No cost
2022	26	✓	Fee waived	✓	Fee waived	✓	Barriers were introduced -cost covered by City
2023	8	✓	Fee waived	✓	Fee	✓	Cost incurred by business
2024	11	✓	Fee waived	✓	Fee	✓	Cost incurred by business
2025	TBD	✓	Fee to be phased in -50% of approved fee	✓	Fee	✓	TBD

### Safety Devices/Barriers and Ontario Traffic Manual Guidelines

In 2022, new guidelines for safety devices were established under the Ontario Traffic Council “Restaurant Patio Guidelines within the Right of Way” ([B001463 OTC Restaurant Patio Guidelines e02.pdf](#)). The Ontario Traffic Council is a provincial member-based organization that provides diverse expertise in traffic engineering, transportation planning, safety and traffic enforcement.

These guidelines were created for the benefit of those road authorities who have not developed their own guidelines and as a supplementary resource to those road authorities who have developed their guidelines but are seeking additional guidance on the topics outlined within the document.

The intention of applying these guidelines is to ensure that universal accessibility, public safety and the streetscape experience are enhanced and not negatively impacted by the introduction of a patio within the road authorities' right-of-way.

## **Analysis**

### **Feedback from Business Owners**

A customer satisfaction survey was issued to businesses in Q3 2024. There were a total of 101 surveys distributed and 30 responses.

Overall, there was 80-100% satisfaction with customer service and turnaround times regarding the patio program.

All concerns identified in the survey were related to the applicant costs of the mandatory use of crash barriers; this being the major reason that the applicant may not participate in 2025.

### **Jurisdictional Scan**

Staff have consulted with internal stakeholders and completed a best practice review of the following municipalities: Toronto, Burlington, Oakville, and Kingston, details of which are attached as Appendix "C" of Report PW25014.

Most municipalities impose some degree of safety devices and barriers, however, do not fully mandate the Ontario Traffic Council guidelines. For Toronto, Oakville, Kingston and Burlington safety devices are supplied, installed and paid for by the municipality. Oakville and Kingston both retained consultants to prepare guidelines specific to their municipality that are less stringent than the OTC.

### **Recommendation for 2025 Season**

As a pilot project for the 2025 patio season, staff are recommending the Transportation Division retain a third-party contractor, following City of Hamilton's purchasing policies and guidelines. This contractor would supply the traffic lay-out per Ontario Traffic Council guidelines and install/remove all safety devices/barriers.

The contractor would be required to be Book 7 certified and follow the Ontario Traffic Council guidelines.

The cost is approximately \$5,000 - \$5,500 per patio and staff are estimating there will be 15 – 18 patios in 2025. The total cost would be approximately \$75,000 - \$99,000. Staff will evaluate the results of the pilot project and report back to Council with recommendations for future years by Q4 2025.

From a risk standpoint, this option would carry a low/medium risk as both the business and contractor would carry the required insurance and indemnify the City, should any claims arise.

## **Alternatives Considered**

A number of alternatives were considered for the 2025 patio season and future years.

Alternative 1 – Applicant to retain and pay for third-party Contractor (current state)  
Currently businesses are paying to retain a third-party contractor to install the safety devices/barriers as outlined in the Ontario Traffic Council guidelines; in addition to other patio related fees (refer to Background section). When these guidelines came into effect, the City paid for the installations at no cost to businesses in the 2022 patio season. Subsequent 2023/2024 patio seasons, businesses have incurred that cost, however the City has determined that there is a decrease in patios where the restaurants incur this additional cost on top of other fees and this negatively affects the City's initiatives on revitalization.

Alternative 2 – Retain Third Party Contractor to Provide Patio Layouts and Installation/Removal of Safety Devices/Barriers (City led initiative)  
This is the recommended option for the 2025 patio season. Refer to the Analysis section where this is outlined.

Alternative 3 – Internal Facilitation of Safety Devices through the Transportation Division (City led initiative)  
This alternative would be for the internal facilitation of safety devices/barriers following the Ontario Traffic Manual guidelines, led by the Transportation Division, Roadway Maintenance Section.

The overall cost is estimated at \$600,000 (capital in 2026) and \$241,800 (annual operating). The 2026 one-time capital cost of approximately \$600,000 is for the procurement of vehicles and materials for this program:

- Urban Safety Barriers
- Signage
- Knock Down Sticks (Flexible Delineators)
- New truck with crane arm (current fleet of vehicles does not have current capacity to move barriers)

This alternative would be using Transportation Division staffing during afterhours/night shift out of the Roadway Maintenance section with a new FTE staffing request of 2

operators to administer the program. It is anticipated that patios would require set up during the months of April and disassembly during the month of November. For the purpose of cost estimates, staff are approximating there will be 25 on-street patios in the year 2026. Operating costs would be \$168,800 for 2 new FTE's and an annual staff/vehicle usage cost of \$73,000; totalling an annual operating cost of \$241,800. This alternative will be further explored in the Q4 2025 report.

Alternative 4 – Provide grants to eligible applicants.(initiative)

This alternative was require the assessment and potential development of a grant program.

Alternative 5 – Retain Consultant to Create Hamilton Specific Guidelines (City-led initiative)

This alternative was reviewed and not recommended from a safety and risk perspective. The recommendation is to adhere to the Ontario Traffic Council guidelines.

## Relationship to Council Strategic Priorities

The recommendation in this report is in direct alignment with the following Council Priorities:

1. Sustainable Economic & Ecological Development
  - 1.2. Facilitate the growth of key sectors
2. Safe & Thriving Neighbourhoods
  - 2.2. Make sure people can safely and efficiently move around by foot, bike, transit or car

## Previous Reports Submitted

[Communication Update - On-Street Patio Modifications](#)

[Communication Update - Temporary Outdoor Patio Program 2023](#)

## Consultation

- Cristina Geissler, Judy Lam, Norm Schleeahn Commercial Districts and Small Business, Planning and Economic Development Department
- John Searles, Bob Marques and Peter Sniulis, Transportation Division, Public Works Department
- Robyn Pollard and Lorne McArthur, Environmental Services Division, Public Works Department
- Joanne Starr, Transportation Planning and Parking, Planning and Economic Development Department.
- Stefanie Navascues and Gavin Chamberlain, Legal and Risk Management Division, Corporate Services Department

## **Appendices and Schedules Attached**

Appendix A: General Issues Committee Motion, dated December 4, 2024

Appendix B: Examples of On-Street Patios and Ontario Traffic Council Layouts

Appendix C: Jurisdictional Scan

**Prepared by:** Adrienne Kupchanko, Senior Project Manager  
Public Works Department, Transportation Division

**Submitted and  
Recommended by:** Carolyn Ryall, Director  
Public Works Department, Transportation Division

# CITY OF HAMILTON

## MOTION

**General Issues Committee: December 4, 2024**

**MOVED BY COUNCILLOR C. KROETSCH.....**

**SECONDED BY COUNCILLOR M. WILSON.....**

### **2025 Temporary Outdoor Patio Program With Traffic Control Plans And Control Measures**

WHEREAS, the City of Hamilton first launched the temporary On-Street Patio Pilot Program in 2016, which became the permanent Temporary Outdoor Patio Program in 2022;

WHEREAS, the Temporary Outdoor Patio Program provides an opportunity for restaurants and cafes to open temporary outdoor patios in on-street parking spaces, off-street parking lots, sidewalks, alleyways and boulevards;

WHEREAS, the Temporary Outdoor Patio Program provides an important opportunity for local restaurants and cafes to increase their capacity through outdoor dining, and also helps to animate local commercial areas;

WHEREAS, during COVID, the City waived all applicable City fees for the Temporary Outdoor Patio Program in order to support economic recovery;

WHEREAS, in 2022 the Ontario Traffic Council (OTC) issued guidelines for Restaurant Patios within the Right of Way which recommended enhanced traffic control measures and safety devices, which the City subsequently incorporated as a local practice for the patio program;

WHEREAS, in 2023 business owners again became responsible for some costs of the program including costs associated with the occupancy of metered parking spaces, patio set-up and installation of crash barriers, with Council approval to continue to waive other safety device installation costs (traffic control plans, signs and delineators) and the program application fees;

WHEREAS, local restaurants and cafes continue to be impacted by reduced business as a result of hybrid working and reduced foot traffic in some of our commercial areas; and

WHEREAS, at the General Issues Committee Budget meeting of January 30, 2024, staff were directed to investigate and report back on any potential savings that may exist in transferring the event coordination responsibilities to in-house from the current

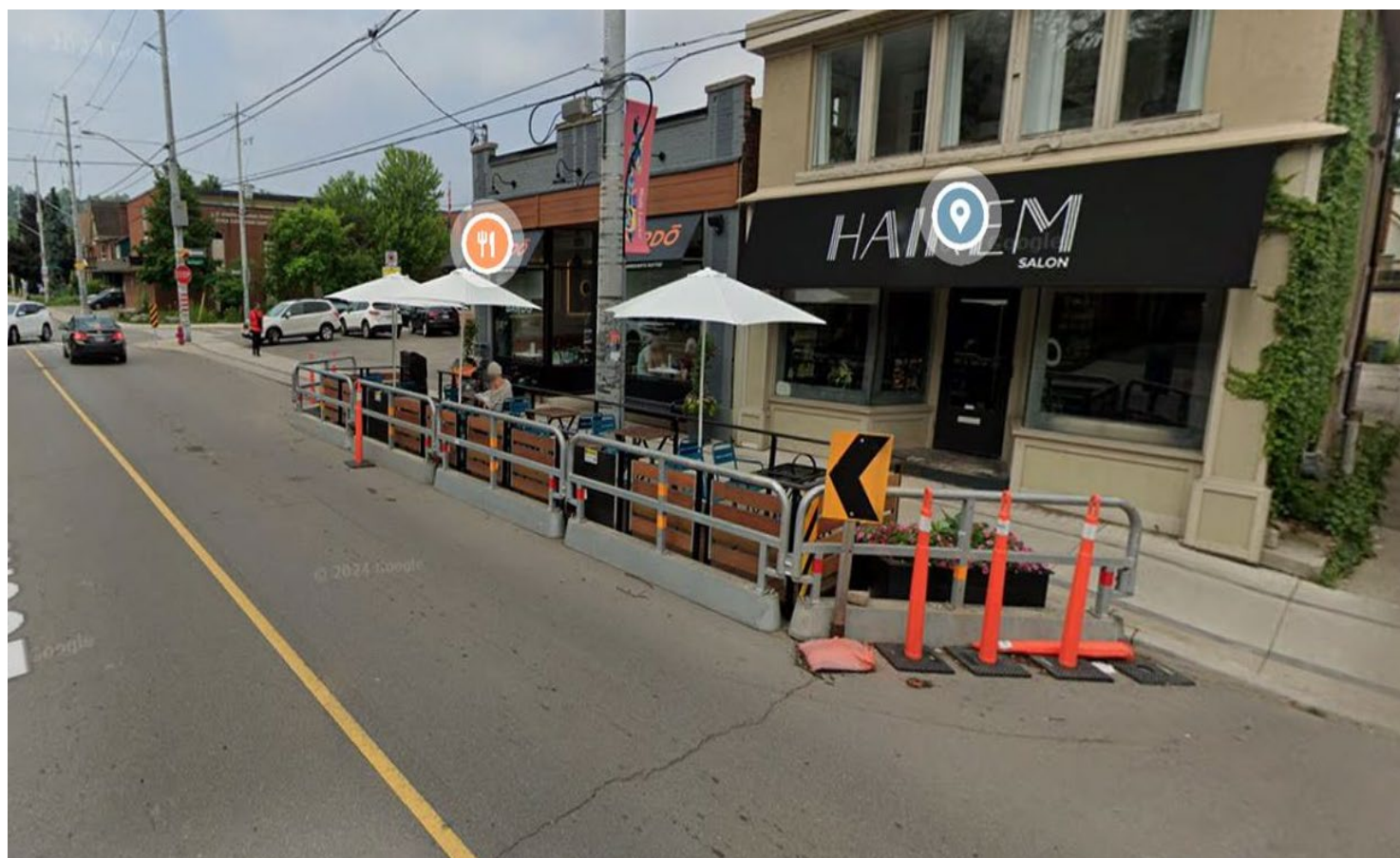
SEAT model, and identify the resources (staffing, material and vehicle costs) and processes required for a cross-departmental City of Hamilton Team to facilitate all processes, including development, approval, and implementation of Traffic Control Plans for temporary closures needed by Event Organizers as part of this review.

THEREFORE BE IT RESOLVED:

- (a) That the General Managers of Public Works and Planning and Economic Development, be directed to include in their report back to the General Issues Committee respecting Internal Facilitation of Restaurant Patios within the Right of Way per the Ontario Traffic Council (OTC) Guidelines, per the following additional items:
  - (i) The resources (staffing, material and vehicle costs) and processes required for a cross-departmental City of Hamilton Team to facilitate the installation of Traffic Control Plans associated with the Temporary Outdoor Patio Program;
  - (ii) Identify any potential savings that may exist in transferring the responsibility for installing all Traffic Control Devices (safety devices including crash barriers) associated with the Temporary Outdoor Patio Program for set-up of patios on the City road allowance, from business owners to the City;
  - (iii) Provide a jurisdiction scan on the adoption of the 2022 Ontario Traffic Council (OTC) issued guidelines for Restaurant Patios within the Right of Way requirements by other municipalities;
  - (iii) Input from Legal & Risk Management Services Division respecting risks, liability and insurance costs; and
  - (iv) That local businesses be responsible for covering all other costs associated with the Temporary Outdoor Patio Program.

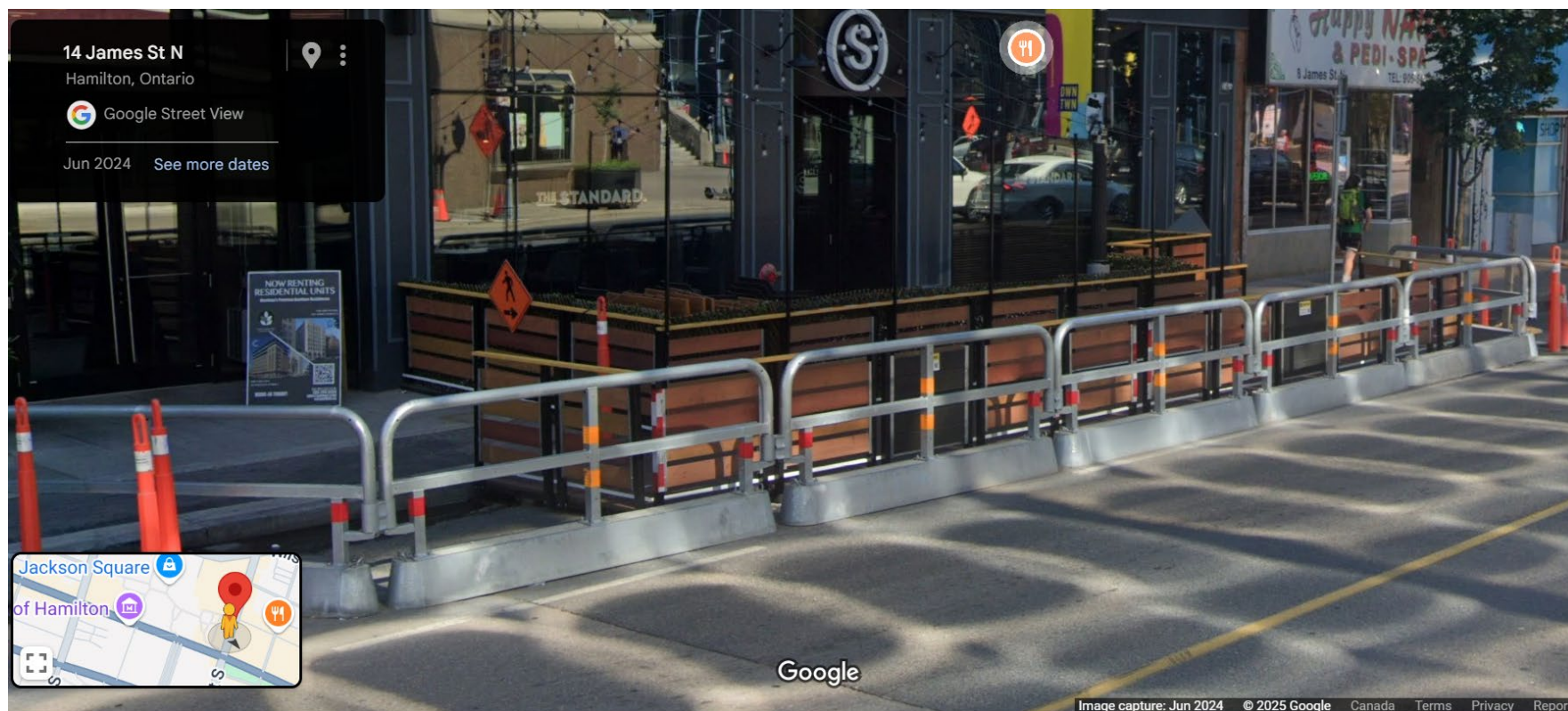
## Examples of Patios and Layouts

Example of On-street Patio

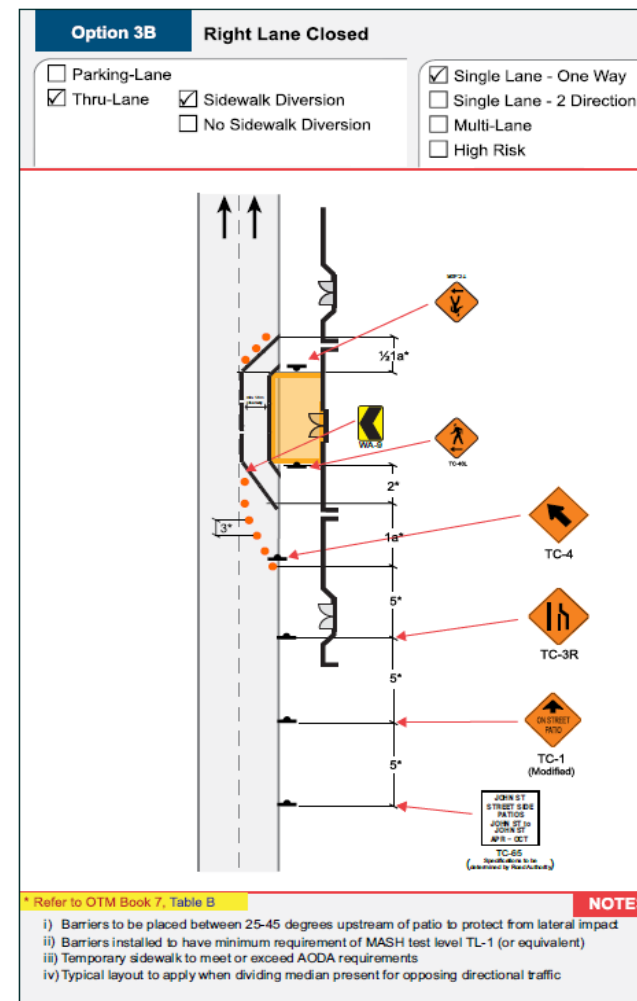
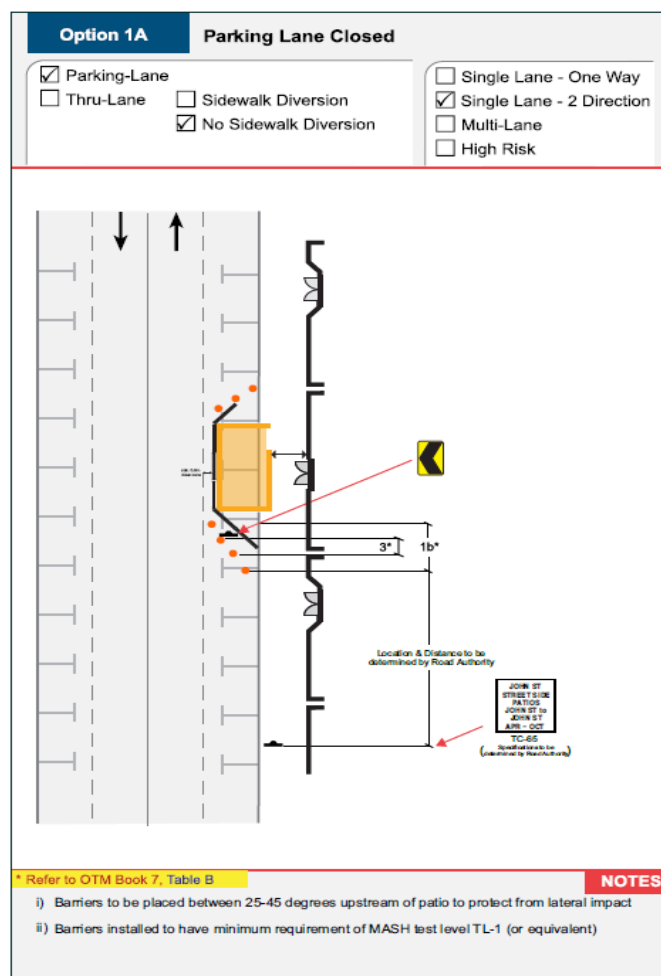




### Example of Patio with Pedestrian By-Pass



## Ontario Traffic Council Guidelines Example Layouts



## Jurisdictional Scan - Outdoor Patio Program

Municipality	Responsibility of Installation of Safety Equipment (Signage, barricades etc. )	Following Ontario Traffic Council (OTC) Patio Guidelines?	Resources
City of Burlington	The City of Burlington has taken responsibility for the purchase, installation and removal of the water-filled barriers.	<p>Burlington does not completely adhere to OTC Guidelines</p> <p>Staff have determined that barriers will only be required on certain streets/roads. For example, water-filled barriers are required on busier roads such Lakeshore Road where a patio is also occupying a lane of traffic. However, water-filled safety barriers are not required but fencing is on quieter streets such as Pine Street where patios are occupying only parking spaces.</p>	<a href="#">Guideline</a>  <a href="#">Report</a>
Town of Oakville	In 2024, the town implemented new temporary traffic calming/safety measures. This includes new edge-line treatments on streets with an on-street patio, new road signs to inform motorists of upcoming patios, and vertical centre line treatments (in-street flexible signs). These new measures are intended to improve the overall experience and safety for both drivers and diners.	<p>The town commissioned CIMA+ Engineering to develop Oakville-specific guidelines for safety equipment.</p> <p>CIMA report did not require any locations to have barriers as per OTC.</p>	<a href="#">Web Page</a>  <a href="#">Guideline</a>

City of Toronto	<p>Team members from the Transportation Services division review the feasibility and traffic safety requirements for each curb lane café.</p> <p>Transportations operational teams manage and deploy traffic safety equipment, City-wide</p> <p>Patio business must supply the fencing at their expense.</p>	<p>Toronto does not completely adhere to OTC Guidelines</p> <p>City installs a jersey barrier and concrete blocks as well as signage.</p>	<p><a href="#">CafeTO</a></p> <p><a href="#">Guidebook</a></p> <p><a href="#">Sample Traffic Control Plan</a></p>
City of Kingston	<p>Business is to install fencing around patios -</p> <p>Fencing must be constructed of metal, wood, or composite materials (not required to be MASH TL1 barriers).</p>	<p>Does not fully follow OTC.</p> <p>However, contracted consultant to create Kingston specific guidelines. Kingston has unique set up with majority of patios in a lay-by lane.</p>	<p><a href="#">Street Patio Program   City of Kingston</a></p> <p><a href="#">City of Kingston - Street Patio Standards and Application Guide</a></p>