

PUBLIC WORKS COMMITTEE MINUTES 17-010

9:30 a.m.
Thursday, August 17, 2017
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Councillor A. VanderBeek (Chair)

Councillor L. Ferguson (Vice Chair)

Councillors S. Merulla, C. Collins, T. Jackson, R. Pasuta

Absent

with Regrets:

Councillors T. Whitehead and D. Conley – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Intersection Control List (PW17001(e)) (Wards 1, 6, 8 and 13) (Item 5.1)

(Jackson/Collins)

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

Intersection			Stop Control Direction		Class	Comments / Petition	Ward			
Street 1		Street 2	Existing	Requested	Class	Comments / Petition	vvaru			
Section "B" Dundas										
(a)	Princess Street	Victoria Street	NC	NB	Α	Housekeeping – missing t-type stop sign	13			
Section "E" Hamilton										
(b)	Cordingley Court	Hepburn Crescent	NC	NB	А	Housekeeping – missing t-type stop sign	8			
(c)	Aterno Drive	Tivoli Drive	NC	NB	Α	Housekeeping – missing t-type stop sign	8			
(d)	Krafty Court	Lavina Crescent	NC	WB	А	Housekeeping – missing t-type stop sign	8			
(e)	San	San	NC	NB	Α	Housekeeping – missing	8			

	Fernando Drive	Francisco Avenue				t-type stop sign	
(f)	Santa Fe Court	San Francisco Avenue	NC	NB	А	Housekeeping – missing t-type stop sign	8
(g)	Sancrest Court	San Francisco Avenue	NC	NB	Α	Housekeeping – missing t-type stop sign	8
(h)	San Marino Crescent	San Greco Drive	NC	NB	Α	Housekeeping – missing t-type stop sign	8
(i)	San Greco Drive	San Paulo Drive	NC	EB	А	Housekeeping – missing t-type stop sign	8
(j)	San Marino Crescent	San Paulo Drive	NC	ЕВ	Α	Housekeeping – missing t-type stop sign	8
(k)	Beamis Avenue	San Pedro Drive	NC	NB	Α	Housekeeping – missing t-type stop sign	8
(1)	Miller Avenue	San Pedro Drive	NC	NB	А	Housekeeping – missing t-type stop sign	8
(m)	Dallas Avenue	East 36 th Street	NB/SB	EB/WB	А	Traffic Safety Improvements	6
(n)	Chatham Street	Frid Street	EB/WB	NC	Α	Removing AWS – Councillor approved	1

CARRIED

2. Delegated Authority to Temporarily Close Roadways for Special Events (TOE09009(b)) (City Wide) (Item 5.4)

(Ferguson/Jackson)

- (a) That the General Manager of Public Works, or his designate, be delegated the authority to approve all temporary full road closures related to special events:
- (b) That this report replace "Delegated Authority to Close Roadways for Special Events (TOE02009a)" approved by Council on January 21, 2009.

CARRIED

3. Delegated Authority for Grade Level Railway Crossing Agreements (PW17066) (City Wide) (Item 5.5)

(Merulla/Collins)

(a) That the General Manager of Public Works or their designate be delegated the authority to negotiate, enter into and execute on behalf of the City of Hamilton any Crossing agreement, renewal, amendment and necessary

ancillary document respecting a Grade Level Railway Crossing, with content satisfactory to the General Manager of Public Works, and in a form satisfactory to the City Solicitor, subject to the following conditions:

- (i) The Agreement contains terms and conditions consistent with similar existing Agreements and/or federal transportation agency orders, if such exist; and,
- (ii) The Agreement contains terms and conditions consistent with the Canadian Transportation Agency's guide to Railway Charges for Crossing Maintenance and Construction or any equivalent guideline in effect at the time of execution; and,
- (iii) The General Manager of Public Works is of the view that the terms and conditions of the Crossing Agreement are commercially reasonable in the circumstances.
- (b) That the General Manager of Public Works or their designate be delegated the authority to file any Crossing Agreement referenced in subsection (a) with the Canadian Transportation Agency or another relevant regulatory or governmental authority if the General Manager of Public Works determines that such a filing is appropriate.

CARRIED

4. Anti-Graffiti Film on Buses (PW17068) (City Wide) (Item 5.6)

(Ferguson/Collins)

That Report PW17068 respecting Anti-Graffiti Film on Buses, be received.

CARRIED

5. Woodward Avenue Facility Power Failure (PW17067) (Wards 4, 5 and 10) (Item 5.7)

(Merulla/Collins)

- (a) That PW Report 17067 respecting the Woodward Avenue Facility Power Failure, be received;
- (b) That Public Works staff, in consultation with the City's Legal Services staff, be directed to seek full financial compensation from Alectra Utilities for the damage caused to both public and private property that resulted from the power failure at the Woodward Avenue Treatment Facility on October 29, 2016; and,
- (c) That the City's representative on the Board of Directors for Alectra Utilities be informed about this matter.

CARRIED

6. Sidewalks for the Winona Road and Fifty Road Overpasses (PW17060) (Ward 11) (Item 5.8)

(Pasuta/Jackson)

That Report PW17060 respecting Sidewalks for the Winona Road and Fifty Road Overpasses, be received.

CARRIED

7. Proposed Permanent Closure and Sale of Portions of Public Unassumed Alleys Abutting 1415 Barton Street East, Hamilton (PW17064) (Ward 4) (Item 6.1)

(Merulla/Collins)

- (a) That portions of the north/south and east/west public unassumed alleys abutting 1415 Barton Street East, Hamilton, as shown on Appendix "A", attached to Report PW17064 (the Subject Lands), be permanently closed and sold to the owner of 1415 Barton Street East, Hamilton, subject to the following conditions:
 - (i) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, R.S.O. 1990, for an order to permanently close the Subject Lands;
 - (ii) That the General Manager, Public Works or his designate sign the appropriate documentation to obtain the order;
 - (iii) That the documentation regarding the application to the Ontario Superior Court of Justice be prepared by the applicant, to the satisfaction of the City Solicitor;
 - (iv) That the applicant deposit a reference plan under the Registry Act and that said plan be prepared by an Ontario Land Surveyor to the satisfaction of the Manager, Geomatics and Corridor Management Section and that the applicant deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section.
- (b) That provided the application to the Ontario Superior Court of Justice to permanently close the Subject Lands is approved:
 - (i) That the City Solicitor be authorized and directed to prepare the bylaw to permanently close the highway;
 - (ii) That the appropriate by-law be introduced and enacted by Council;
 - (iii) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed highway to the owner of 1415 Barton Street East, Hamilton, in accordance with By-Law 14-204, (Sale of Land Policy By-Law), at fair market value for those lands abutting lands zoned other than

residential and at nominal fee for those lands abutting lands zoned residential;

- (iv) That the City Solicitor be authorized and directed to register a certified copy of the by-law permanently closing the highway in the proper land registry office, upon confirmation from the Public Works Department that all applicable fees and costs associated with the application have been paid by the applicant;
- (v) That the by-law permanently closing the highway does not take effect until a certified copy of the by-law is registered in the proper land registry office;
- (vi) That the Public Works Department publish a notice of the City's intention to pass the by-law pursuant to City of Hamilton By-law 14-204 (Sale of Land Policy By-law);
- (vii) That the applicant enters into agreements with any Public Utility requiring easement protection.

CARRIED

8. Proposed Permanent Closure and Sale of Moonlight Court and Bowridge Court, Hamilton (PW17065) (Ward 9) (Item 6.2)

(Jackson/Collins)

That the application of Parkside Developments (Albion) Limited to permanently close and purchase the lands known as Moonlight Court and Bowridge Court, Hamilton, as shown on Appendix "A", attached to Report PW17065, be approved, subject to the following conditions:

- (a) That the City Solicitor be authorized and directed to prepare a by-law to permanently close the highway;
- (b) That the appropriate by-law be introduced and enacted by Council;
- (c) That the Economic Development and Real Estate Division of the Planning and Economic Development Department be authorized and directed to sell the closed highway to Parkside Developments (Albion) Limited, in accordance with By-law 14-204 (Sale of Land Policy), for a nominal fee;
- (d) That the City Solicitor be authorized and directed to register a certified copy of the by-law permanently closing the highway in the proper land registry office;
- (e) That the by-law permanently closing the highway does not take effect until a certified copy of the by-law is registered in the proper land registry office;
- (f) That the Public Works Department publish a notice pursuant of the City's intention to pass the by-law pursuant to City of Hamilton By-law 14-204 (Sale of Land Policy);

(g) That the applicant enters into agreements with any Public Utility requiring easement protection.

CARRIED

9. Ontario Municipal Commuter Cycling (OMCC) 2018 Funding Application (PW17069) (City Wide) (Item 8.1)

(Collins/Jackson)

- (a) That the list of proposed cycling projects described in Appendix A to Report PW17069 be approved for submission to the Ontario Ministry of Transportation (MTO) for the Ontario Municipal Commuter Cycling (OMCC) 2018 Funding Application;
- (b) That the Mayor and City Clerk be directed to sign the Ontario Municipal Commuter Cycling (OMCC) Program Application Declaration, Appendix B to Report PW17069, to be submitted to the Ontario Ministry of Transportation;
- (c) That the General Manager of Public Works, or their designate, be authorized and directed to enter into and sign, on behalf of the City of Hamilton, all negotiated agreements and associated documents with the Province of Ontario, Ministry of Transportation, for funding from the Ontario Municipal Commuter Cycling Program (OMCC) in a form satisfactory to the City Solicitor;
- (d) That a By-law authorizing and directing the Mayor, the City Clerk, and the General Manager, Finance and Corporate Services to sign a Letter of Agreement between the City of Hamilton and the Province of Ontario with respect to funding under the Ontario Municipal Commuter Cycling (OMCC) Program, be prepared;
- (e) That the funding requirement over the three year Ontario Ministry of Transportation (MTO) completion deadline be forwarded to Council for consideration in the 2018 to 2020 Capital Budget Process.

CARRIED

10. Sulphur Springs Well (Ward 12) (Item 9.1)

(Ferguson/Pasuta)

WHEREAS; in accordance with Provincial regulations the Medical Officer of Health has lowered was directed by the Province to lower the acceptable level of arsenic allowed in drinking water from 25 parts per billion (PPB) to 10 PPB; and,

WHEREAS, the Sulphur Springs artesian well (on the lands owned by the Hamilton Conservation Authority) currently tests between 19 and 21 PPB of arsenic; and,

WHEREAS, a number of Hamilton residents use the well as a source of drinking water; as they prefer water with no chlorine or fluoride; and,

WHEREAS, Hamilton Public Works staff are the authority on water issues and not the **Committee Hamilton Conservation Authority**;

THEREFORE BE IT RESOLVED:

That the General Manager of Public Works report back to the Public Works Committee on how the water at the Sulphur Springs artesian well can be brought into compliance with the new arsenic level limits and that the report include an estimate on the cost of doing this treatment.

Main Motion as Amended CARRIED

11. Improvements to the Montgomery Park Path (Ward 4) (Item 9.2)

(Merulla/Collins)

- (a) That staff be directed to remove the pathway at Montgomery Park and replace it with a 3 metre wide asphalt path;
- (b) That funding for the project, at an upwards cost of \$55,000, be funded through the Ward 4 Area Rating Account (#108054).

CARRIED

12. Speed Limit Reduction Feasibility Study on the Lincoln Alexander Expressway (LINC) and the Red Hill Valley Parkway (RHVP) (Item 9.3)

(Merulla/Jackson)

WHEREAS, speeding is an ongoing concern on the Lincoln Alexander Expressway (LINC) and the Red Hill Valley Parkway (RHVP); and,

WHEREAS, speed-related accidents have lead to serious injuries and fatalities; and,

WHEREAS, reducing the speed limit on the LINC and RHVP may alleviate accidents and improve safety,

THEREFORE BE IT RESOLVED:

That staff from Traffic Operations and Engineering be directed to study the feasibility and safety benefits of reducing the speed limit on the Lincoln Alexander Expressway (LINC) and the Red Hill Valley Parkway (RHVP) from 90 km/h to 80 km/h and report the finding back to the Public Works Committee in one year's time.

CARRIED

13. Agreement with the Hamilton Hebrew Academy for the Dow Parkette Project (Ward 1) (Item 9.4)

(Merulla/Pasuta)

WHEREAS, since approximately 1989, the City of Hamilton has inspected and maintained a playground structure on property owned by the Hamilton Hebrew Academy at 60 Dow Avenue, Hamilton and the structure is used by both Academy students and members of the public; and,

WHEREAS, the structure has now become obsolete and the Academy has requested City assistance in disposing of the present structure and constructing a replacement structure as well as implementing landscaping improvements; and,

WHEREAS, \$180,000 has previously been approved for landscaping and design and another \$60,000 for the replacement of the play structure, with the funding coming from the Ward 1 Area Rating Account;

THEREFORE BE IT RESOLVED:

That the General Manager of Public Works be directed and authorized, on behalf of the City, to approve and execute, any and all required agreements with the Hamilton Hebrew Academy, in a form satisfactory to the City Solicitor, for the landscaping, design and construction of a replacement play structure at 60 Dow Avenue.

CARRIED

14. Wentworth Stairs Maintenance Project (Wards 3 and 7) (Item 9.5)

(Jackson/Merulla)

WHEREAS, the Wentworth Stairs, located in Ward 3 and Ward 7, are a key part of the active transportation network that moves pedestrians and cyclists through our community, and safely up and down the escarpment; and,

WHEREAS, this infrastructure was originally constructed in 1985 and requires repair work to address erosion issues that are affecting the concrete footings; and,

WHEREAS, the maintenance project currently has no funding within the Parks & Cemeteries budget;

THEREFORE BE IT RESOLVED:

- (a) That funding for the Wentworth Stairs maintenance project in the amount of \$128,065.00 be funded equally through the Wards 3 and 7 Area Rating accounts;
- (b) That funding for the installation of a water fountain at the bottom of the Wentworth Stairs be funded from the Ward 3 Area Rating account at an amount not to exceed \$25,000.

CARRIED

FOR THE INFORMATION OF THE COMMITTEE:

(a) APPROVAL OF THE AGENDA (Item 1)

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

1. ADDED CONSENT ITEM (Item 5)

5.9 Secretary's Report from the Hamilton Water Sub-Committee – July 6, 2017

2. ADDED NOTICE OF MOTION (Item 10)

10.1 Wentworth Stairs Maintenance Project

(Pasuta/Ferguson)

That the Agenda for the August 17, 2017 meeting of the Public Works Committee be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Ferguson declared a conflict regarding Item 7.1 – a presentation regarding Micro-transit Solutions as he is involved with the taxi industry as a plate owner.

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

(i) July 13, 2017 (Item 3.1)

(Jackson/Ferguson)

That the Minutes of the July 13, 2017 Public Works Committee meeting be approved, as presented.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

(i) Kim Lackie respecting Barriers for the LINC and Red Hill Valley Parkway (Item 4.1)

(Ferguson/Jackson)

- (a) That the delegation request from Kim Lackie respecting Barriers for the LINC and Red Hill Valley Parkway be approved for a future meeting and;
- (b) That the Committee Clerk be directed to advise Ms. Lackie that a comprehensive report about the LINC and Red Hill Valley Parkway is coming forward in December 2017 and that she may wish to consider speaking at this time.

CARRIED

(ii) Treena Williams respecting Barriers for the Red Hill Valley Parkway and the LINC (Item 4.2)

(Ferguson/Jackson)

- (a) That the delegation request from Treena Williams respecting Barriers for the Red Hill Valley Parkway and the LINC be approved for a future meeting and;
- (b) That the Committee Clerk be directed to advise Ms. Williams that a comprehensive report about the LINC and Red Hill Valley Parkway is coming forward in December 2017 and that she may wish to consider speaking at this time.

CARRIED

(iii) Victor Blashkiw respecting Roadwork on Glen Castle Drive in Stoney Creek (Item 4.3)

(Ferguson/Merulla)

That the delegation request from Victor Blashkiw respecting Roadwork on Glen Castle Drive in Stoney Creek tabled at the April 20th, 2017 meeting of the Public Works Committee, be LIFTED from the table.

CARRIED

(Ferguson/Pasuta)

(a) That the delegation request from Victor Blashkiw respecting Roadwork on Glen Castle Drive in Stoney Creek be denied as the matter has been resolved by staff; and,

(b) That the matter regarding the delegation request from Victor Blashkiw be removed from the Outstanding Business List of the Public Works Committee.

CARRIED

(iv) Glen Carey respecting Truck Traffic and the Installation of a Berm on his property (Item 4.4)

(Ferguson/Jackson)

That the delegation request from Glen Carey respecting Truck Traffic and the Installation of a Berm on his property, be approved for a future meeting.

CARRIED

(e) CONSENT ITEMS (Item 5)

(i) Minutes of the Glanbrook Landfill Coordinating Committee dated March 27, 2017 (Item 5.2)

(Collins/Pasuta)

That the Minutes of the Glanbrook Landfill Coordinating Committee dated March 27, 2017, be received.

CARRIED

(ii) Minutes 16-001 of the Hamilton Utilities Corporation Joint Advisory Committee dated July 27, 2016 (Item 5.3)

(Collins/Ferguson)

That Minutes 16-001 of the Hamilton Utilities Corporation Joint Advisory Committee dated July 27, 2016, be received.

CARRIED

(iii) Delegated Authority to Temporarily Close Roadways for Special Events (TOE09009(b)) (City Wide) (Item 5.4)

(Ferguson/Jackson)

That Report TOE09009(b) respecting Delegated Authority to Temporarily Close Roadways for Special Events, which was tabled at the January 16, 2017 meeting of the Public Works Committee, be LIFTED from the table.

CARRIED

For disposition of this matter, refer to Item 2.

(iv) Secretary's Report from the Hamilton Water Sub-Committee – July 6, 2017 (Added Item 5.9)

(Collins/Pasuta)

That the Secretary's Report from the Hamilton Water Sub-Committee dated July 6, 2017, be received.

CARRIED

(f) PUBLIC HEARINGS / DELEGATIONS (Item 6)

(i) Proposed Permanent Closure and Sale of Portions of Public Unassumed Alleys Abutting 1415 Barton Street East, Hamilton (PW17064) (Ward 4) (Item 6.1)

Chair VanderBeek informed Committee members that because Item 6.1 relates to a proposed permanent closure of a portion of an unassumed alley that a public meeting was required.

Chair VanderBeek indicated that a notice about the public meeting was placed in local newspapers and posted on the City's website advising that anyone whose lands are prejudicially affected may appear before the Committee.

The Committee Clerk advised that no individuals had registered to speak to this issue.

Chair VanderBeek asked if there were any members of the public who wished to come forward to speak to this matter. No members of the public came forward.

For disposition of this matter, refer to Item 7.

(ii) Proposed Permanent Closure and Sale of Moonlight Court and Bowridge Court, Hamilton (PW17065) (Ward 9) (Item 6.2)

Chair VanderBeek informed Committee members that because Item 6.2 relates to a proposed permanent closure and sale of lands that a public meeting was required.

Chair VanderBeek indicated that a notice about the public meeting was placed in local newspapers and posted on the City's website advising that anyone whose lands are prejudicially affected may appear before the Committee.

The Committee Clerk advised that no individuals had registered to speak to this issue.

Chair VanderBeek asked if there were any members of the public who wished to come forward to speak to this matter. No members of the public came forward.

For disposition of this matter, refer to Item 8.

(g) PRESENTATIONS (Item 7)

(i) Sophia Calkhoven and Daniel Levin, winners of the "Hack the City" Competition (Transportation Stream), respecting Shuttlr: Microtransit Solutions (Item 7.1)

Ms. Sophia Calkhoven winner of the "Hack the City" Competition (Transportation Stream), made a presentation to the Committee respecting Shuttlr: Micro-transit Solutions.

The presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

(Collins/Merulla)

That the presentation respecting Shuttlr: Micro-transit Solutions, be received and referred to staff for review.

CARRIED

(ii) Derrick Beach, P. Eng, Monitoring and DataServices Directorate, Meteorological Service of Canada, Environment and Climate Change Canada, respecting Water Levels in Lake Ontario (Item 7.2)

Mr. Derrick Beach, P. Eng, with Environment and Climate Change Canada addressed the Committee respecting Water Levels in Lake Ontario.

The presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

(Collins/Ferguson)

That the presentation from Derrick Beach, P. Eng, with Environment and Climate Change Canada respecting Water Levels in Lake Ontario, be received.

CARRIED

(iii) Culture Development Plan (Item 7.3)

Dan McKinnon, General Manager of the Public Works Department addressed the Committee about the Culture Development Plan.

(Collins/Jackson)

That the presentation respecting the Culture Development Plan, be received.

CARRIED

(h) MOTIONS (Item 9)

(i) Sulphur Springs Well (Ward 12) (Item 9.1)

(Ferguson/Pasuta)

That the motion respecting the Sulphur Springs Well be amended to read as follows:

WHEREAS; in accordance with Provincial regulations the Medical Officer of Health has lowered was directed by the Province to lower the acceptable level of arsenic allowed in drinking water from 25 parts per billion (PPB) to 10 PPB; and,

WHEREAS, the Sulphur Springs artesian well (on the lands owned by the Hamilton Conservation Authority) currently tests between 19 and 21 PPB of arsenic; and,

WHEREAS, a number of Hamilton residents use the well as a source of drinking water; as they prefer water with no chlorine or fluoride; and,

WHEREAS, Hamilton Public Works staff are the authority on water issues and not the **Committee Hamilton Conservation Authority**;

THEREFORE BE IT RESOLVED:

That the General Manager of Public Works report back to the Public Works Committee on how the water at the Sulphur Springs artesian well can be brought into compliance with the new arsenic level limits and that the report include an estimate on the cost of doing this treatment.

Amendment CARRIED

For disposition of this matter, refer to Item 10.

(i) NOTICES OF MOTION (Item 10)

(i) Wentworth Stairs Maintenance Project (Wards 3 and 6) (Added Item 10.1)

Councillor Jackson introduced a Notice of Motion respecting the Wentworth Stairs Maintenance Project.

(Jackson/Merulla)

That the Rules of Order be waived to allow for the introduction of a motion respecting the Wentworth Stairs Maintenance Project.

CARRIED

For disposition of this matter, refer to Item 14.

(j) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(Pasuta/Collins)

That the following changes to the Outstanding Business List be approved:

- (i) Items requiring a revised due date (Item 11.1)
 - (a) Ancaster Tennis Club Dome Current Date: June 19, 2017 Revised Date: November 13, 2017
 - (b) Dundas Wastewater Treatment Plant and Cootes Paradise Current Date: August 17, 2017 Revised Date: October 16, 2017
- (ii) Items considered complete and to be removed (Item 11.2)
 - (a) Graffiti/Vandalism Deterring Film on Bus Windows (Item 5.6 of today's agenda)
 - (b) Woodward Avenue Facility Power Failure (Item 5.7 of today's agenda)
 - (c) Sidewalk for the Winona Road and Fifty Road Overpasses (Item 5.8 of today's agenda)

CARRIED

(k) ADJOURNMENT (Item 13)

(Merulla/Jackson)

That there being no further business, the Public Works Committee be adjourned at 11:10 a.m.

CARRIED

Respectfully submitted,

Councillor A. VanderBeek, Chair Public Works Committee

Lauri Leduc Legislative Coordinator Office of the City Clerk