



## **PUBLIC WORKS COMMITTEE REPORT 19-014**

9:30 a.m.

Monday, September 30, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

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

**Absent with**

**Regrets:** Councillor N. Nann – Personal  
Councillor T. Whitehead – City Business

### **THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 19-014 AND RESPECTFULLY RECOMMENDS:**

**1. Backflow Prevention Program and Enforcement Update (PW19085) (City Wide) (Item 7.1)**

That Report PW19085, respecting Backflow Prevention Program and Enforcement Update, be received.

**2. Beach Boulevard Community Stormwater Ponding Study (PW19084) (Ward 5) (Item 9.1)**

- (a) That Appendix “A” attached to Public Works Committee Report 19-014, respecting the Beach Boulevard Community Stormwater Ponding Study, be endorsed;
- (b) That staff be directed to proceed with the next steps in the planning of infrastructure improvements to the Beach Boulevard Community through a Municipal Class Environmental Assessment including Public Consultation;
- (c) That a transfer of landlocked City parcels abutting the Ministry of Transportation Noise Barrier wall to the Ministry of Transportation at a

nominal consideration (Two dollars - \$2) be approved as per details in Appendix "B" attached to Public Works Committee Report 19-014;

- (d) That the Planning and Economic Development Department be directed to undertake and report back at the November 19, 2019 Planning Committee meeting on a City initiative, for properties on the west side (bay side) of Beach Boulevard, to amend;
  - (i) The "C S/1436 and S/1436a" (Urban Protected Residential, etc.) and the "G/S-1436" (Neighbourhood Shopping Centre, etc) districts in Hamilton Zoning By-law No. 6593 to increase the minimum ground floor elevation of any building or addition from 76.0 metres to 76.5 metres above sea level; and,
  - (ii) The Neighbourhood Commercial (C2) Zone in Zoning By-law No. 05-200 to include similar restrictions respecting the elevation, setbacks and other requirements from Zoning By-law No. 6593;
- (e) That a hold be placed on the sale of City of Hamilton owned properties located in areas where future stormwater infrastructure may be installed; this hold is recommended until the Municipal Class Environmental Assessment is completed and preferred solutions are confirmed.

*(Due to bulk, Appendix "A" to Item 2 of Public Works Committee Report 19-014, is not printed in the agenda, it is however, available for viewing in the City Clerk's Office and on-line at [www.hamilton.ca](http://www.hamilton.ca))*

**3. Proposed Underground Tunnel under Concession Road 4 West, Flamborough (PW19082) (Ward 13) (Item 10.1)**

- (a) That the proposal from Lafarge Canada Inc. to build an underground tunnel under Concession Road 4 West, Flamborough, ("Subject Lands"), as shown on Appendix "C", "D" and "E", attached to Public Works Committee Report 19-014, be approved, subject to the following conditions:
  - (i) That the applicant enters into an Easement Agreement with the City of Hamilton over the Subject Lands;
  - (ii) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to enter into an easement agreement over the Subject Lands on such terms and conditions deemed appropriate by the General Manager of Planning and Economic Development, and to the satisfaction of the General Manager of Public Works and the City Solicitor;

- (iii) That the applicant submits all required structural engineering and design drawings prepared by a Professional Engineer and peer reviewed by a Professional Engineer to the satisfaction of the Director, Engineering Services;
- (iv) That the applicant be fully responsible for the deposit of a stratified reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
- (v) That the structure would remain under the ownership of the applicant, who is therefore responsible for renewal, rehabilitation and/or maintenance for all and/or any associated costs related to and including the structure at 100% owners expense;
- (vi) That the applicant be compliant with the Ontario Structural Inspection Manual (OSIM) and provide a biannual inspection report to the satisfaction of the Manager, Asset Management Section;
- (vii) That the applicant submit a Hydrogeological Brief conducted by a qualified Professional Engineer on the proposed tunnel project to the satisfaction of the Director, Hamilton Water;
- (viii) That the closure and sale of a portion of Moxley Road approved through report PW18082 be completed;
- (ix) That the Applicant apply for all required permits through the Building Division;
- (x) That the City Solicitor be authorized to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as considered reasonable;
- (xi) That the applicant enters into an Encroachment Agreement through the City's Corridor Management Section for the existing Conveyor Belt tunnel encroaching under Concession Road 4 West, Flamborough; and,
- (xii) That the Applicant fully reimburse the City for any out-of-pocket costs related to the underground tunnel project.

**4. Operations and Maintenance of the Material Recycling Facility Request for Proposals C11-12-19 Selection of Successful Proponent (PW19086) (City Wide) (Item 10.2)**

- (a) That Project B, Operation and Maintenance of the City's Material Recycling Facility Container Line and the off-site Transfer, Processing and Marketing of Fibre Materials, be selected as the preferred option for operating and maintaining the City's Material Recycling Facility;
- (b) That Canada Fibers Limited be selected as the Successful Proponent for Project B of Request for Proposals Contract C11-12-19, for the operation and maintenance of the City's Material Recycling Facility;
- (c) That the one-time transition cost for Project B of approximately \$1.115M be partially funded by Capital Project ID 5122051700 MRF Lifecycle Replacement (approximately \$650,000) with the remaining funds to be funded by the Waste Management Recycling Program Reserve #112270;
- (d) That the General Manager of Public Works be authorized and directed to finalize the terms and conditions of the contract with Canada Fibres Limited, in accordance with the provisions of Request for Proposals Contract C11-12-19 for Project B; and,
- (e) That the Mayor and City Clerk be authorized and directed to execute the contract with Canada Fibers Limited and any ancillary documents for Contract C11-12-19 for Project B, with content acceptable to the General Manager of Public Works and in a form acceptable to the City Solicitor.

**5. DARTS 2018 Variance Funding (PW19088) (City Wide) (Item 10.3)**

That the General Manager of Public Works be authorized and directed to pay DARTS an additional \$312,634 from account 12607-006100 for 53,330 additional trips provided for the year 2018, over and above those funds approved within the 2018 Transit Division budget.

**6. Central Park Remediation Project (Ward 2) (Item 11.1)**

WHEREAS, in 2014, the City of Hamilton's Waste Management Division retained SNC Lavalin Inc. (SNC) under a Roster Contract to undertake Central Park Phase I and Phase II Environmental Site Assessment (ESA) investigations. These reports were finalized in 2014 and 2018, respectively;

WHEREAS, in 2018, the Waterfront Development Office retained SNC, under the Procurement By-Law 17-064 Policy 11, to prepare the Central Park Remedial Action Plan (RAP), Risk Assessment (RA), Risk Management Measures (RMM),

and Voluntary Abatement Program (VAP) necessary to start soil remediation of the park as part of the planned park redevelopment project in 2020; the total value of this assignment being \$249,000;

WHEREAS, SNC has completed their scope of work, they identified an opportunity to fine tune each RMM through additional design of underground infrastructure, testing, and implementation support that will reduce future risk, extraneous work and the overall cost of soil remediation;

WHEREAS, staff intends to undertake this additional work; however, staff's authority to assign any more of the work to SNC has reached the threshold set by the Procurement By-Law (Policy 11) of \$250,000;

WHEREAS, if SNC is retained for any additional work on this project, it must be through a RFP process or approved directly by Council as a single source; and,

WHEREAS, SNC is best suited to expedite this technical work in order that the City can maintain its 2020 construction schedule; at significant risk if undertaking a normal RFP process;

THEREFORE, BE IT RESOLVED:

- (a) That staff be authorized and directed to negotiate with SNC Lavalin Inc. a price (estimated at \$375,000) to carry-out supplemental site assessments, detailed design of underground infrastructure, and additional implementation support for the Central Park Remediation Project; and,
- (b) That, should an acceptable Engineering Fee with SNC Lavalin Inc. be agreed upon for the Central Park Remediation Project, staff be authorized and directed to enter into and execute any required contract and any ancillary documents required to give effect thereto with SNC Lavalin Inc. in a form satisfactory to the City Solicitor, to be funded from the approved budget Project ID #5121692001 Central Park Remediation.

**7. Installation of Speed Cushions on London Street South, Hamilton, between King Street East and Main Street East (Ward 4) (Item 11.2)**

WHEREAS, a petition respecting the installation of speed cushions on London Street South, Hamilton, between King Street East and Main Street East was received with 43 signatures (attached as Appendix "F" to Public Works Committee Report 19-014);

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to install speed cushions (2 locations) on London Street South, Hamilton, between King Street East and Main Street East, at

a cost not to exceed \$12,000, be funded from the Ward 4 Area Rating Reserve Fund (108054); and,

- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents to install speed cushions on London Street South, Hamilton, between King Street East and Main Street East, with such terms and conditions in a form satisfactory to the City Solicitor.

**8. Capital Improvement Projects (Ward 2) (Added Item 11.3)**

WHEREAS, the new Community Centre at 125 Barton Street is an adaptive reuse of a former City of Hamilton Carpenters Shop, and the new community use would greatly benefit from the addition of an accessible rear door;

WHEREAS, speed cushions are the most desired street calming infrastructure in Ward 2 and over the last year and several residents have petitioned their neighbours for speed cushions; and,

WHEREAS, the safety and security of residents at City Housing Hamilton (CHH) remains a very high priority in addition to engaging with each other, CHH staff, and City of Hamilton staff and their Ward Councillor;

THEREFORE, BE IT RESOLVED:

- (a) That funding for the following Capital Improvement projects, to be financed from the Ward 2 Area Rating Capital Reserve Fund (108052), be approved:
  - (i) \$70,000 for an accessible rear door at 125 Barton Community Hall; and,
  - (ii) \$35,000 towards speed cushions in Ward 2;
- (b) That funding for the following Capital Improvement projects, to be financed from the Ward 2 Area Rating Capital Reserve Discretionary Account (3301809200), be approved:
  - (i) \$16,046 for high efficiency window replacement in the Community Room at 226 Rebecca Street; and,
  - (ii) \$8,350 for protective fencing at 226 Rebecca Street;
- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

**9. 35 Market Street, Dundas (CONFIDENTIAL LS19009(c)/PW19020(c)/HSC19054) (City Wide) (Outstanding Business List Item) (Item 14.2)**

- (a) That the directions, respecting Report LS19009(c)/PW19020(c)/HSC19054, be approved; and,
- (b) That the recommendations and content of Report LS19009(c)/PW19020(c)/HSC19054 remain confidential.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

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

**5. COMMUNICATIONS (Item 5)**

- 5.1 Correspondence from Suzanne Mammel, Hamilton-Halton Home Builders' Association, respecting the Implementation of the Proposed New Hamilton Fire Flow Policy

Recommendation: Be received.

**6. DELEGATION REQUESTS (Item 6)**

- 6.1 Larry Di Ianni, Monument Builders of Hamilton, respecting the City of Hamilton's Cemeteries Business Plan (for a future meeting)
- 6.2 Doug King, Ontario Monument Builders Association, respecting the City of Hamilton's Cemeteries Business Plan (for a future meeting)
- 6.3 Warren Haley, Sharp Monuments, respecting the City of Hamilton's Cemeteries Business Plan (for a future meeting)
- 6.4 Marty Langlois, Woodland Memorials, respecting the City of Hamilton's Cemeteries Business Plan (for a future meeting)

**12. NOTICES OF MOTION (Item 12)**

- 12.1 Gage Park Accessible Swing Addition (Ward 3)
- 12.2 RA Riddell School and Gilkson Park Improvements (Ward 14)

The agenda for the September 30, 2019 Public Works Committee meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES OF THE PREVIOUS MEETING (Item 4)**

**(i) September 16, 2019 (Item 4.1)**

The Minutes of the September 16, 2019 meeting of the Public Works Committee were approved, as presented.

**(d) COMMUNICATIONS (Item 5)**

**(i) Correspondence from Suzanne Mammel, Hamilton-Halton Home Builders' Association, respecting the Implementation of the Proposed New Hamilton Fire Flow Policy (Added Item 5.1)**

The correspondence from Suzanne Mammel, Hamilton-Halton Home Builders' Association, respecting the Implementation of the Proposed New Hamilton Fire Flow Policy, was received.

The correspondence from Suzanne Mammel, Hamilton-Halton Home Builders' Association, respecting the Implementation of the Proposed New Hamilton Fire Flow Policy, was referred to Public Works staff for appropriate action and a report back to the Public Works Committee meeting on November 18, 2019, respecting the City of Hamilton's Watermain Fire Flow Requirement Design Guideline Policy (Outstanding Business List Item).

**(e) DELEGATION REQUESTS (Item 6)**

The following delegation requests were approved for a future meeting:

- (i) Larry Di Ianni, Monument Builders of Hamilton, respecting the City of Hamilton's Cemeteries Business Plan (Added Item 6.1)
- (ii) Doug King, Ontario Monument Builders Association, respecting the City of Hamilton's Cemeteries Business Plan (Added Item 6.2)
- (iii) Warren Haley, Sharp Monuments, respecting the City of Hamilton's Cemeteries Business Plan (Added Item 6.3)
- (iv) Marty Langlois, Woodland Memorials, respecting the City of Hamilton's Cemeteries Business Plan (Added Item 6.4)



(f) **CONSENT ITEMS (Item 7)**

(i) **Keep Hamilton Clean and Green Committee Minutes (Item 7.2)**

The following minutes from the Keep Hamilton Clean and Green Committee, were received:

- (1) May 21, 2019 (Item 7.2(a))
- (2) June 18, 2019 (Item 7.2(b))

(g) **STAFF PRESENTATIONS (Item 9)**

(i) **Beach Boulevard Community Stormwater Ponding Study (PW19084) (Ward 5) (Item 9.1)**

Mark Bainbridge, Director, Water & Wastewater Planning and Capital, addressed Committee respecting Report PW19084, the Beach Boulevard Community Stormwater Ponding Study, with the aid of a presentation.

The presentation, respecting Report PW19084, the Beach Boulevard Community Stormwater Ponding Study, was received.

A copy of the presentation is available on the City's website at [www.hamilton.ca](http://www.hamilton.ca) or through the Office of the City Clerk.

Report PW19084, respecting the Beach Boulevard Community Stormwater Ponding Study, was **amended** by revising recommendation (d) to include direction to Staff to report back at the November 19, 2019 Planning Committee meeting, as follows:

- (d) That the Planning and Economic Development Department be directed to undertake **and report back at the November 19, 2019 Planning Committee meeting on** a City initiative, for properties on the west side (bay side) of Beach Boulevard, to amend:
  - (i) The "C S/1436 and S/1436a" (Urban Protected Residential, etc.) and the "G/S-1436" (Neighbourhood Shopping Centre, etc) districts in Hamilton Zoning By-law No. 6593 to increase the minimum ground floor elevation of any building or addition from 76.0 metres to 76.5 metres above sea level; and,
  - (ii) The Neighbourhood Commercial (C2) Zone in Zoning By-law No. 05-200 to include similar restrictions respecting the elevation, setbacks and other requirements from Zoning By-law No. 6593.

For disposition of this matter, refer to Item 2.

**(h) NOTICES OF MOTION (Item 12)**

**(i) Gage Park Accessible Swing Addition (Ward 3) (Added Item 12.1)**

As Councillor Nann was not in attendance, the following Notice of Motion will be considered as a Motion at the November 4, 2019 Public Works Committee meeting:

WHEREAS, Gage Park is an active City Wide park in Ward 3, with recreational amenities supporting the community;

WHEREAS, a community minded and engaged resident initiated a fundraising program to support the addition of an independent swing for children and adults in wheelchairs at the westerly play area of Gage Park; and,

WHEREAS, the addition of this new amenity would also require site preparation and rubber surfacing;

THEREFORE, BE IT RESOLVED:

- (a) That Environmental Services Division staff be directed to initiate the implementation of a new wheelchair swing at the Gage Park westerly play area, including site preparation, rubber surfacing and swing, with an upset limit of \$50,000.00, to be funded from the Ward 3 Area Rating Reserve Account 108053;
- (b) That money received by the City from the citizen-led fundraising program for the implementation of a new wheelchair swing at the Gage Park westerly play area, be placed in the Ward 3 Area Rating Reserve Account 108053 to offset the costs of the project; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents for the implementation of a new wheelchair swing at the Gage Park westerly play area, with such terms and conditions in a form satisfactory to the City Solicitor.

**(ii) RA Riddell School and Gilkson Park Improvements (Ward 14) (Added Item 12.2)**

As Councillor Whitehead was not in attendance, the following Notice of Motion will be considered as a Motion at the November 4, 2019 Public Works Committee meeting:

WHEREAS, an existing basketball court located on Hamilton Wentworth School Board (HWDSB) lands at 200 Cranbrook Drive (RA Riddell School), adjacent to Gilkson Park, provides active use for the Gilkson community residents;

WHEREAS, the basketball court was constructed and maintained by the City of Hamilton on HWDSB lands in 1994;

WHEREAS, the basketball court is beyond its lifecycle and the community and park users would benefit from the replacement of this amenity; and,

WHEREAS, the community and park users would also benefit from a pathway connection from the play structure to the basketball court;

THEREFORE, BE IT RESOLVED:

- (a) That the existing basketball court located at 200 Cranbrook Drive, adjacent to Gilkson Park, be replaced with a new standard multi-use court and new park pathway, at a cost of \$120,000, to be funded from the Ward 14 Area Rating Account #108064; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents for the replacement of the existing basketball court located at 200 Cranbrook Drive with a new standard multi-use court and new park pathway, with such terms and conditions in a form satisfactory to the City Solicitor.

**(iii) Capital Improvement Projects (Ward 2) (Added Item 12.3)**

The Rules of Order were waived to allow for the introduction of a Motion respecting Capital Improvement Projects (Ward 2).

For further disposition of this matter, refer to Item 8.

**(i) GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

**(i) Amendments to the Outstanding Business List (Item 13.1)**

The following amendments to the Public Works Committee's Outstanding Business List, were approved:

- (a) Items Requiring a New Due Date:
- (i) Waste Management System Development – Public Engagement Strategy Results and Preliminary Waste Management System Alternatives  
Item on OBL: I  
Current Due Date: December 2, 2019  
Proposed New Due Date: February 2020
  - (ii) Functional Traffic Study for Kenilworth Avenue from Main Street to Barton Street  
Item on OBL: J  
Current Due Date: October 18, 2019  
Proposed New Due Date: November 4, 2019
  - (iii) PRESTO Operating Agreement  
Item on OBL: N  
Current Due Date: September 30, 2019  
Proposed New Due Date: November 4, 2019
  - (iv) Sackville Hill Seniors Recreation Centre's Expansion  
Item on OBL: Q  
Current Due Date: September 30, 2019  
Proposed New Due Date: December 2, 2019
  - (v) Emergency Shoreline Protection Works  
Item on OBL: R  
Current Due Date: November 4, 2019  
Proposed New Due Date: November 18, 2019
  - (vi) Hamilton-Halton Homebuilders' Association (HHHBA) Delegation on Water Main Approval Issues and Recommendations for Masterwater/wastewater Servicing Studies  
Item on OBL: T  
Current Due Date: October 18, 2019  
Proposed New Due Date: November 18, 2019
  - (vii) To Create a Hamilton General Hospital Safety Zone  
Item on OBL: U  
Current Due Date: November 4, 2019  
Proposed New Due Date: February 21, 2020
  - (viii) Redevelopment / Reuse of the former King George School Site, at 77 Gage Avenue North  
Item on OBL: V

Current Due Date: September 30, 2019  
Proposed New Due Date: December 2, 2019

(ix) Timely Notice of Any Discharges of Untreated or Partially Treated Sewerage into Hamilton Harbour from Local Municipal Sewerage Treatment Plants  
Item on OBL: AJ  
Current Due Date: September 16, 2019  
Proposed New Due Date: November 18, 2019

(x) Eligibility Requirements for Riders to Access DARTS Transit  
Item on OBL: AN  
Current Due Date: September 30, 2019  
Proposed New Due Date: Q4 2019

(xi) Additional Report on Vision Zero  
Item on OBL: AP  
Current Due Date: October 18, 2019  
Proposed New Due Date: November 4, 2019

(xii) Road Safety Review and Appropriate Measures at the York Road and Newman Road Intersection  
Item on OBL: AAE  
Current Due Date: October 18, 2019  
Proposed New Due Date: February 21, 2020

(b) Items Considered Complete and Needing to be Removed:

(i) 35 Market Street, Dundas  
Addressed as Item 14.2 on today's agenda - Report LS19009(c)/PW19020(c)/HSC19054  
Item on OBL: AS

**(j) PRIVATE AND CONFIDENTIAL (Item 14)**

Committee determined that discussion of Item 14.1 was not required in Closed Session, so the item was addressed in Open Session, as follows:

**(i) Closed Session Minutes - September 16, 2019 (Item 14.1)**

The Closed Session Minutes of the September 16, 2019 meeting of the Public Works Committee were approved, as presented, and shall remain confidential.

Committee determined that discussion of Item 14.2 was not required in Closed Session, so the item was addressed in Open Session, as follows:

- (ii) 35 Market Street, Dundas (LS19009(c)/PW19020(c)/HSC19054) (City Wide) (Outstanding Business List Item) (Item 14.2)**

For disposition of this matter, please refer to Item 9.

**(k) ADJOURNMENT (Item 15)**

There being no further business, the Public Works Committee was adjourned at 10:59 a.m.

Respectfully submitted,

Councillor L. Ferguson  
Chair, Public Works Committee

Alicia Davenport  
Legislative Coordinator  
Office of the City Clerk