



PUBLIC WORKS COMMITTEE

MINUTES 22-013

1:30 p.m.

Friday, September 9, 2022

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent with Regrets: Councillor S. Merulla – Personal
Councillor T. Whitehead – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Proposed Permanent Closure and Sale of Portion of Public Unassumed Alleyway Abutting 154 Lottridge Street, 798 Barton Street East, and 800 Barton Street East, Hamilton (Ward 3) (PW22074) (Item 9.1)

(Pearson/Powers)

That the application of the owners of 154 Lottridge Street, 798 Barton Street East, and 800 Barton Street East, Hamilton, to permanently close and purchase a portion of the unassumed alleyway abutting 154 Lottridge Street, 798 Barton Street East, and 800 Barton Street East, Hamilton ("Subject Lands"), attached to Report PW22074 as Appendix "A", be approved, 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, for an order to permanently close the Subject Lands, if required by the City, subject to:
 - (1) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and
 - (2) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;

- (ii) That the applicant be fully responsible for the deposit of a 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;
- (iii) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved:
 - (1) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;
 - (2) That the City Solicitor be authorized to amend and waive such terms as they consider reasonable to give effect to this authorization and direction;
- (iv) The Corporate Real Estate Office of the Planning and Economic Development Department be authorized and directed to enter into any requisite easement agreements, right of way agreements, and/or other agreements deemed necessary to affect the orderly disposition of the Subject Lands and to proceed to sell the Subject Lands to the owners of 154 Lottridge Street, 798 Barton Street East, and 800 Barton Street East, Hamilton, as described in Report PW22074, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
- (v) The City Solicitor be authorized to complete the transfer of the Subject Lands to the owners of 154 Lottridge Street, 798 Barton Street East, and 800 Barton Street East, Hamilton pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Corporate Real Estate Office of the Planning and Economic Development Department;
- (vi) The City Solicitor be authorized and directed to register a certified copy of the by-laws permanently closing and selling the alleyway in the proper land registry office; and
- (vii) The Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204.

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

YES – Ward 2 Councillor Jason Farr

YES – Chair – Ward 3 Councillor Nrinder Nann

NOT PRESENT – Ward 4 Councillor Sam Merulla
YES – Vice Chair – Ward 5 Councillor Russ Powers
YES – Ward 6 Councillor Tom Jackson
YES – Ward 7 Councillor Esther Pauls
YES – Ward 8 Councillor John-Paul Danko
YES – Ward 10 Councillor Maria Pearson
YES – Ward 12 Councillor Lloyd Ferguson
YES – Ward 13 Councillor Arlene VanderBeek
NOT PRESENT – Ward 14 Councillor Terry Whitehead

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

6. DELEGATION REQUESTS

6.1 Kristeen Sprague respecting Safety on HSR Buses (for today's meeting). Approval will be for a future meeting.

11. MOTIONS

11.1 Totem Pole that was Located at Confederation Beach Park (200 Van Wagners Beach Road) (Ward 5) – WITHDRAWN. To be presented at a future meeting of the General Issues Committee.

13. GENERAL INFORMATION / OTHER BUSINESS

13.1(a)(c) Accessible Transportation Services and the Disabled and Aged Regional Transportation Service Policy
Item on OBL: ACT
Current Due Date: July 6, 2022
Proposed New Due Date: September 19, 2022
Corrected Proposed New Due Date: November 28, 2022

13.1(a)(d) Accessible Transportation Services
Item on OBL: ACU
Current Due Date: August 10, 2022
Proposed New Due Date: November 28, 2022
Corrected Proposed New Due Date: September 19, 2022

(Powers/Farr)

That the agenda for the September 9, 2022 Public Works Committee meeting be approved, as amended.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

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

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) August 10, 2022 (Item 4.1)

(Ferguson/Pearson)

That the Minutes of the August 10, 2022 meeting of the Public Works Committee be approved, as presented.

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

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

(d) DELEGATION REQUESTS (Item 6)

(VanderBeek/Powers)

That the following Delegation Requests, be approved:

- (i) Kristeen Sprague respecting Safety on HSR Buses (for a future meeting) (Item 6.1)
- (ii) Peter Whittaker respecting the Speed Limit on West Street and Stop Sign at West Street and Baldwin Street (for today's meeting) (Item 6.2)

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

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

(e) CONSENT ITEMS (Item 7)

- (i) **Hamilton Cycling Committee Meeting Minutes - July 6, 2022 (Item 7.1)**

(Pauls/Danko)

That the Hamilton Cycling Committee Meeting Minutes of July 6, 2022, be received.

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

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

NOT PRESENT – Ward 14 Councillor Terry Whitehead

(f) PUBLIC HEARINGS / DELEGATIONS (Item 9)

(i) Proposed Permanent Closure and Sale of Portion of Public Unassumed Alleyway Abutting 154 Lottridge Street, 798 Barton Street East, and 800 Barton Street East, Hamilton (Ward 3) (PW22074) (Item 9.1)

Councillor Nann advised that the notice of the Proposed Permanent Closure of a Portion of Chapple Street, Hamilton was provided as required under the City's By-law No. 14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that there were no registered speakers.

The Chair asked three times if there were any members of the public in attendance who wished to come forward to speak to the matter. No individuals came forward.

(Pearson/Ferguson)

That the public meeting be closed.

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

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

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

(i) Peter Whittaker respecting the Speed Limit on West Street and Stop Sign at West Street and Baldwin Street (Item 9.2)

Peter Whittaker addressed to the Committee concerns respecting speeding vehicles on West Street and requested that a stop sign be installed at West Street and Baldwin Street.

(VanderBeek/Ferguson)

That the delegation from Peter Whittaker respecting the Speed Limit on West Street and Stop Sign at West Street and Baldwin Street, be received.

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

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

(g) GENERAL INFORMATION / OTHER BUSINESS

(Pearson/Powers)

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

- (a) Items Requiring a New Due Date: (Item 13.1(a)):
- (i) Improving Truck Route Detouring during Construction Closures (Item 13.1(a)(a))
Item on OBL: ABY
Current Due Date: September 19, 2022
Proposed New Due Date: March 30, 2023
 - (ii) Protected Bike Lane Curbs (Hamilton Cycling Committee - Citizen Committee Report) (Item 13.1(a)(b))
Item on OBL: ACA
Current Due Date: September 19, 2022
Proposed New Due Date: November 28, 2022
 - (iii) Accessible Transportation Services and the Disabled and Aged Regional Transportation Service Policy (Item 13.1(a)(c))
Item on OBL: ACT
Current Due Date: July 6, 2022
Proposed New Due Date: November 28, 2022

- (iv) Accessible Transportation Services (Item 13.1(a)(d))
Item on OBL: ACU
Current Due Date: August 10, 2022
Proposed New Due Date: September 19, 2022

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

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

(h) ADJOURNMENT (Item 15)

(Jackson/Pearson)

That there being no further business, the meeting adjourned at 2:07 p.m.

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

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

Respectfully submitted,

Councillor N. Nann, Chair,
Public Works Committee

Carrie McIntosh
Legislative Coordinator
Office of the City Clerk