



PUBLIC WORKS COMMITTEE

MINUTES 22-014

1:30 p.m.

Monday, September 26, 2022

Council Chambers

Hamilton City Hall

71 Main Street West

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

**Absent with
Regrets:** Councillor J. Farr – Personal
Councillor T. Jackson – Personal
Councillor S. Merulla – Personal
Councillor T. Whitehead – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Truck Route Sub-Committee Report 22-002 (Item 7.1)

(i) Truck Route Network Monitoring and Evaluation Framework (PED19073(d)) (City Wide) (Outstanding Business List Item) (Item 8.1)

(Pearson/Pauls)

- (a) That the framework and associated criteria for the evaluation of approved truck route network described in this Report PED19073(d) be received and approved;
- (b) That staff be directed to operationalize the truck route network evaluation framework including all required data collection, public and stakeholder engagement and analysis commencing in early 2023 and through 2023/2024 and report back to the Truck Route Sub-Committee by no later than Q4 2024;
- (c) That the estimated upset limit cost of \$20,000 associated with implementing and promoting a public opinion survey be funded from Project ID 4032155744 Transportation Master Plan (TMP) Modelling and Monitoring;

- (d) That the estimated upset limit cost of \$30,000 to conduct targeted data collection including truck volume and routing surveys, be funded from Project ID 4662115820 Traffic Count Program;
- (e) That Outstanding Business List Item ACP, respecting Public Works Report 22-005, Item 5 (PED19073(c)), staff to develop a framework and associated criteria that can be used to evaluate changes to the approved Truck Route Network in order to inform future revisions to the truck route network and that the criteria be presented to the Truck Route Sub-Committee by Q3, 2022 with the results of the evaluation being completed no later than 2024, be identified as completed and removed from the Public Works Committee Outstanding Business List.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

NOT PRESENT – 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
NOT PRESENT – 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

**2. Woodward Water Treatment Plant – Phase 2 Process Upgrades (PW22078)
(City Wide) (Item 7.2)**

(Pearson/Pauls)

That Report PW22078, respecting Woodward Water Treatment Plant – Phase 2 Process, be received.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

NOT PRESENT – 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
NOT PRESENT – 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

3. Accessible Transportation Services Performance Report (PW22079) (City Wide) (Outstanding Business List Item) (Item 7.3)

(VanderBeek/Pauls)

That Report PW22079, respecting Accessible Transportation Services Performance Report, be received.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

NOT PRESENT – 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
NOT PRESENT – 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

4. Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 400 McCrae Station Road, Flamborough (PW22077) (Ward 15) (Item 9.2)

(Powers/VanderBeek)

- (a) That the application of the owner of 400 McCrae Station Road, Flamborough, to permanently close and purchase a portion of road allowance abutting 400 McCrae Station Road, Flamborough (“Subject Lands”), as shown on Appendix "A", attached to Report PW22077, be approved, subject to the following conditions:
- (i) That the City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the highway, for enactment by Council;
 - (ii) 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 400 McCrae Station Road, Flamborough, as described in Report PW22077, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;

- (iii) The City Solicitor be authorized to complete the transfer of the Subject Lands to 400 McCrae Station Road, Flamborough 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;
- (iv) That the City Solicitor be authorized and directed to register a certified copy of the by-law(s) permanently closing and selling the highway in the proper land registry office;
- (v) That the City Solicitor be authorized to amend and waive such terms as they consider reasonable to give effect to this authorization and direction;
- (vi) That the Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed highway pursuant to the City of Hamilton Sale of Land Policy By-law 14-204;
- (vii) 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.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

NOT PRESENT – 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
NOT PRESENT – 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

5. Request for By-law Amendments Respecting 386 Wilcox Street (PW22083/LS22033) (City Wide) (Item 10.1)

(Nann/Danko)

That staff be directed to prepare the by-laws amending the City's Sewers and Drains By-law No. 06-026 and the City's Waterworks By-law R84-026 on a site-specific basis for existing services for the lands at 386 Wilcox Street on a temporary basis, until such time as the required Concept Plan and Master Servicing Strategy are implemented as required by the Holding Provision, for Council's consideration on September 28, 2022.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

NOT PRESENT – 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
NOT PRESENT – 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 Daniel Artenosi, Overland LLP, and Steven Dejonckheere, Slate Asset Management respecting the Request for By-law Amendments Respecting 386 Wilcox Street (PW22083/LS22033) (Item 10.1) (for today's meeting)

10. DISCUSSION ITEMS

- 10.1 Request for By-law Amendments Respecting 386 Wilcox Street (PW22083/LS22033) (City Wide)

(Pearson/VanderBeek)

That the agenda for the September 26, 2022 Public Works Committee meeting be approved, as amended.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

NOT PRESENT – 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
NOT PRESENT – Ward 6 Councillor Tom Jackson
YES – Ward 7 Councillor Esther Pauls
YES – Ward 8 Councillor John-Paul Danko
YES – Ward 10 Councillor Maria Pearson
NOT PRESENT – 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) September 9, 2022 (Item 4.1)

(Powers/Danko)

That the Minutes of the September 9, 2022 meeting of the Public Works Committee be approved, as presented.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

NOT PRESENT – 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
NOT PRESENT – Ward 6 Councillor Tom Jackson
YES – Ward 7 Councillor Esther Pauls
YES – Ward 8 Councillor John-Paul Danko
YES – Ward 10 Councillor Maria Pearson
NOT PRESENT – Ward 12 Councillor Lloyd Ferguson
YES – Ward 13 Councillor Arlene VanderBeek
NOT PRESENT – Ward 14 Councillor Terry Whitehead

(d) DELEGATION REQUESTS (Item 6)

- (i) Daniel Artenosi, Overland LLP, and Steven Dejonckheere, Slate Asset Management respecting the Request for By-law Amendments Respecting 386 Wilcox Street (PW22083/LS22033) (Item 10.1) (for today's meeting) (Item 6.1)**

(Pauls/Pearson)

That the delegation request by Daniel Artenosi, Overland LLP, and Steven Dejonckheere, Slate Asset Management respecting the Request for By-law Amendments Respecting 386 Wilcox Street (PW22083/LS22033), be approved for today's meeting.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

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

(e) PUBLIC HEARINGS / DELEGATIONS (Item 9)

- (i) Kristeen Sprague respecting Safety on HSR Buses (approved September 9, 2022) (Item 9.1)**

Kristeen Sprague was not present when called upon.

- (ii) Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 400 McCrae Station Road, Flamborough (PW22077) (Ward 15) (Item 9.2)**

Councillor Nann advised that the notice of the Proposed Permanent Closure of a Portion of Road Allowance Abutting 400 McCrae Station Road, Flamborough 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.

(Ferguson/Powers)

That the public meeting be closed.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

NOT PRESENT – 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
NOT PRESENT – 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 4.

(iii) Daniel Artenosi, Overland LLP, and Steven Dejonckheere, Slate Asset Management respecting the Request for By-law Amendments Respecting 386 Wilcox Street (PW22083/LS22033) (Item 10.1) (for today's meeting) (Item 9.3)

Daniel Artenosi, Overland LLP, and Steven Dejonckheere, Slate Asset Management provided a verbal overview respecting the request for By-law Amendments Respecting 386 Wilcox Street.

(Ferguson/Danko)

That the verbal presentation from Daniel Artenosi, Overland LLP, and Steven Dejonckheere, Slate Asset Management respecting the request for By-law Amendments Respecting 386 Wilcox Street, be received.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

NOT PRESENT – 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

NOT PRESENT – 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) DISCUSSION ITEMS (Item 10)

(i) Request for By-law Amendments Respecting 386 Wilcox Street (PW22083/LS22033) (City Wide) (Item 10.1)

(Powers/Danko)

That Slate HWF L.P.'s request for an exemption to the City of Hamilton's (City) Sewers and Drains By-law No.06-026 and the City's Waterworks By-law R84-026 for 386 Wilcox Street, be refused.

Result: Motion DEFEATED by a vote of 1 to 6, as follows:

NOT PRESENT – Ward 2 Councillor Jason Farr
NO – Chair – Ward 3 Councillor Nrinder Nann
NOT PRESENT – Ward 4 Councillor Sam Merulla
NO – Vice Chair – Ward 5 Councillor Russ Powers
NOT PRESENT – Ward 6 Councillor Tom Jackson
YES – Ward 7 Councillor Esther Pauls
NO – Ward 8 Councillor John-Paul Danko
NO – Ward 10 Councillor Maria Pearson
NO – Ward 12 Councillor Lloyd Ferguson
NO – Ward 13 Councillor Arlene VanderBeek
NOT PRESENT – Ward 14 Councillor Terry Whitehead

For further disposition of this matter, refer to Item 5.

(g) ADJOURNMENT (Item 15)

(Pearson/Pauls)

That there being no further business, the meeting adjourned at 2:05 p.m.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

NOT PRESENT – 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

NOT PRESENT – 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