



**PUBLIC WORKS COMMITTEE
REPORT 23-009**

1:30 p.m.

Monday, June 12, 2023

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors N. Nann (Chair), E. Pauls (Vice-Chair), C. Cassar, J.P. Danko, M. Francis, T. Jackson, C. Kroetsch, T. McMeekin, M. Spadafora, M. Tadeson, A. Wilson and M. Wilson

**Absent with
Regrets:** Councillor J. Beattie – Personal

**THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 23-009 AND
RESPECTFULLY RECOMMENDS:**

1. Accessible Transportation Services Performance Report (PW22079(c)) (City Wide) (Item 9.1)

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

2. Surface Water Quality Program 2022 Annual Update (PW23040) (City Wide) (Item 9.2)

That Report PW23040, respecting Surface Water Quality Program 2022 Annual Update, be received.

3. Sewer Use By-law Program 2022 Annual Update (PW23039) (City Wide) (Item 9.3)

That Report PW 23039, respecting Sewer Use By-law Program 2022 Annual Update, be received.

4. Feasibility of Implementation of a Digital Automated Information System on the Lincoln Alexander Parkway and Red Hill Valley Parkway (PW23043) (City Wide) (Outstanding Business List Item) (Item 9.4)

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That Report PW23043, respecting Feasibility of Implementation of a Digital Automated Information System on the Lincoln Alexander Parkway and Red Hill Valley Parkway, be received.

5. Road Safety Review - 1415 Trinity Church Road (PW23042) (Ward 11) (Item 9.5)

That Report PW23042, respecting Road Safety Review - 1415 Trinity Church Road, be received.

6. Proposed Permanent Closure and Sale of Portion of Unassumed Alleyway Abutting 428 Main Street West, Hamilton (PW23037) (Ward 1) (Item 10.1)

- (a) That the application of the owner of 428 Main Street West, Hamilton to permanently close and purchase a portion of the unassumed alleyway abutting 428 Main Street West, Hamilton, ("Subject Lands"), as shown on Appendix "A" and "B", attached to Report PW23037, 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 428 Main Street West, Hamilton, as described in Report PW23037, 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 428 Main Street West, 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;
- (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;
- (viii) That the applicant enter into a Maintenance Agreement with the City's Transportation Division for full maintenance and use of the southerly east-west leg and north-south leg of the alleyway as shown on Appendix "C" attached to Report PW23037, to the satisfaction of the Director, Transportation Division.

7. Bereavement Authority of Ontario Consumer Protection Fee (PW23036) (City Wide) (Item 11.1)

- (a) That the Cemetery License Fee as regulated by the Bereavement Authority of Ontario (BAO) be increase to \$30.00 per burial effective July 1, 2023, from the current license fee of \$13.63, as approved by Council on December 7, 2022; and

- (b) That the Cemetery License Fee be renamed to the Bereavement Authority of Ontario Consumer Protection Fee on the user fee schedule and listed as a line item on the cemetery business service contracts with consumers and on the Cemetery Price List.

8. By-law Drainage Superintendent (PW23038) (City Wide) (Item 11.2)

- (a) That By-law 22-126, being a By-law to appoint a Drainage Superintendent for the City of Hamilton, dated June 8, 2022, be repealed; and,
- (b) That the draft By-law attached Appendix “A” to Report PW23038, respecting the appointment of a Drainage Superintendent for the City of Hamilton which has been prepared in a form satisfactory to the City Solicitor, be approved and enacted.

9. Waste Management Sub-Committee Report 23-01 - May 11, 2023 (Item 11.3)

(i) Appointment of Chair and Vice Chair 2022 (Item 1)

- (a) That Councillor M. Francis be appointed Chair of the Waste Management Sub-Committee for the balance of the 2022- 2026 term.
- (b) That Councillor A. Wilson be appointed Vice-Chair of the Waste Management Sub-Committee for the balance of the 2022- 2026 term.

10. Drinking Fountain Installation as Part of the Zero Plastic Waste Initiative (Ward 3) (Item 12.1)

WHEREAS, the installation of water drinking fountains and bottle filling stations can help reduce the use of single-use plastic water bottles, having a measurable impact on Hamilton’s ecosystems and public health;

WHEREAS, water drinking fountains and bottle filling stations encourage residents to take advantage of tap water rather than buying bottled water or other beverages; and

WHEREAS, water drinking fountains and bottle filling stations support residents staying hydrated in the heat and improve local health.

THEREFORE, BE IT RESOLVED:

- (a) That a feasibility review and installation of water drinking fountains be added to the 2024 workplan, as part of a zero plastic waste initiative at the

following parks and spaces, to be funded from the Ward 3 Capital Re-Investment Reserve #108053 at an upset limit, including contingency, not to exceed \$285,000:

- (i) Belview Park - 205 Belmont Avenue
 - (ii) Birch Avenue Park - 625 Wilson Street
 - (iii) Birge Park - 167 Birge Avenue
 - (iv) Bishops Park - 91 East Avenue South
 - (v) Lifesavers Park - 100 Cumberland Avenue
- (b) That the appropriate staff be authorized to choose the best suited location for such water drinking fountains based on best practices;
- (c) That the annual operating impacts of \$13,500 for the supply of water, maintenance, and winterization be included in the 2025 Public Works Department base operating budget submission; and,
- (d) 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.

11. Funding to Support Community Group with User Fee at T.B. McQuesten Park, 130 Southpark Avenue (Ward 7) (Item 12.2)

WHEREAS, the Wentworth District organization is coordinating a 3 vs. 3 basketball tournament fundraiser at T.B. McQuesten Park, 130 Southpark Avenue, to support child and youth mental health for to City of Hamilton residents;

WHEREAS, user fees are charged by the City of Hamilton to offset costs outside normal service levels, to support events and tournaments within Parks; and

WHEREAS, this group is seeking funding support to assist with these user fees for their event costs.

THEREFORE, BE IT RESOLVED:

- (a) That \$2,020.21, to support the user fee costs associated with the Wentworth District 3 vs.3 at T.B. McQuesten Park, 130 Southpark Avenue, to be funded from the Ward 7 Discretionary Fund, account 3302109700, be approved;
- (b) That the Mayor and City Clerk be authorized and directed to approve and execute all required agreements and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

12. Mural in Churchill Park (Ward 1) (Added Item 12.3)

WHEREAS, the land upon which the Churchill Clubhouse resides sits on the traditional territories of the Erie, Neutral, Huron-Wendat, Haudenosaunee and Mississaugas

WHEREAS, the visual language of art can help tell the stories of Indigenous experiences, oral traditions, and teaching

WHEREAS, Truth & Reconciliation require supporting Aboriginal peoples' culture revitalization and integrating Indigenous knowledge, systems, oral histories

WHEREAS, at the Truth and Reconciliation Commission included the funding of Indigenous art as priority to contribute to the reconciliation process

WHEREAS, the City of Hamilton is committed to the ongoing implementation of public art to enhance our sense of community and public spaces

THEREFORE, BE IT RESOLVED:

- (a) That the installation of art mural on the rear portion of the Churchill Club House, 167 Cline Avenue North, Hamilton, to be funded from the Ward 1 Capital Discretionary Account #3302109100 at an upset limit, including contingency, not to exceed \$20,000 be approved, be approved; and
- (b) 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.

FOR INFORMATION:

(a) CEREMONIAL ACTIVITIES (Item 1)

(i) City of Hamilton Recognized as a Leader in Waste Education (Item 1.1)

Chair Nann advised that the City of Hamilton received four awards for waste promotion and education at the Municipal Waste Association's spring workshop on May 17, 2023. The Municipal Waste Association promotion and education awards are granted each year to municipalities that display exceptional creativity and originality in educating residents about waste. The City of Hamilton received a **gold award** for the "Clear a Safe Space for Your Waste" safety campaign, **silver awards** for the design of waste collection vehicle wraps and the updated leaf and yard waste

sticker, and a **bronze award** for waste sorting stations piloted at special events. Educating residents about waste is a key factor in having a successful waste management program in Hamilton, which in turn protects the environment and our community.

Emil Prpic a member of the Board for Municipal Waste Association presented the FOUR awards and accepting the awards on behalf of the City is Alyona Goran, Community Program Analyst, Jacquie Colangelo, Project Manager of Community Outreach and Ryan Kent, Manager of Waste Policy and Planning.

On behalf of the Public Works Committee, Chair Nann, thanked the Municipal Waste Association for rewarding municipalities for their work and congratulated the Waste Management Division's Community Outreach team for being recognized for the design of their waste management promotion and education material.

(b) APPROVAL OF AGENDA (Item 2)

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

13. NOTICES OF MOTION

13.1 Installation of Windscreens at Sir Allan MacNab Tennis Court, 145 Magnolia Drive, Hamilton (Ward 14)

The Agenda for the June 12, 2023 Public Works Committee meeting was approved, as amended.

(c) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) May 29, 2023 (Item 4.1)

The Minutes of the May 29, 2023 meeting of the Public Works Committee were approved, as presented.

(e) PUBLIC HEARINGS (Item 10)

(i) Proposed Permanent Closure and Sale of Portion of Unassumed Alleyway Abutting 428 Main Street West, Hamilton (PW23037) (Ward 1) (Item 10.1)

Councillor Nann advised that the notice of the Proposed Permanent Closure and Sale Proposed Permanent Closure and Sale of Portion of Unassumed Alleyway Abutting 428 Main Street West, 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.

The public meeting closed.

For further disposition of this matter, refer to Item 6.

(f) MOTIONS

Councillor Nann relinquished the Chair to Councillor Pauls in order to introduce the following Motion:

(i) Drinking Fountain Installation as Part of the Zero Plastic Waste Initiative (Ward 3) (Item 12.1)

For disposition of this matter, refer to Item 10.

(g) NOTICES OF MOTION (Item 13)

(i) Installation of Windscreens at Sir Allan MacNab Tennis Court, 145 Magnolia Drive, Hamilton (Ward 14) (Added Item 13.1)

In Councillor Spadafora's absence the Committee was advised that the following motion will be considered at the June 12th Public Works Committee meeting:

WHEREAS, two existing tennis courts located on Hamilton Wentworth District School Board (HWDSB) lands at Sir Allan MacNab High School, 45 Magnolia Drive, Hamilton, provide active recreational use for the Fessenden Neighbourhood community residents and beyond;

WHEREAS, the two tennis courts were constructed and are maintained by the City of Hamilton on HWDSB lands;

WHEREAS, this is a public tennis amenity, which would not typically be operationally provided with windscreens on the fencing; and

WHEREAS, Area Rating funding of \$7,000 will fund the one-time acquisition and installation of the windscreens, and future replacements have not been included in the Parks operational budget.

THEREFORE, BE IT RESOLVED:

- (a) That the installation of windscreens at the tennis courts located at Sir Allan MacNab High School, 145 Magnolia Drive, Hamilton, at a cost of \$7,000, to be funded from the Ward 14 Special Capital Re-Investment Reserve #108064 be approved; and
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents for the installation of windscreens at the tennis courts located at Sir Allan MacNab High School, 145 Magnolia Drive, Hamilton, with such terms and conditions in a form satisfactory to the City Solicitor.

(ii) Mural in Churchill Park (Ward 1) (Added Item 13.2)

The Rules of Order were waived to allow for the introduction of a Motion respecting Mural in Churchill Park (Ward 1).

For disposition of this matter, refer to Item 12.

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 14)

(i) Amendments to the Outstanding Business List (Item 14.1)

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

- (1) Items Requiring a New Due Date (Item 14.1(a)):
 - (i) Free-Floating Carshare Pilot Program (Item 14.1(a)(a))
Item on OBL: ABW
Current Due Date: August 16, 2023
Proposed New Due Date: September 8, 2023
 - (ii) Security Report on Theft and Vandalism Prevention in City-Owned Spaces - Results of 2-Year Pilot Program (Item 14.1(a)(b))
Item on OBL: ADC

Current Due Date: May 29, 2023
Proposed New Due Date: July 12, 2023

- (iii) Winterizing Public Washrooms (Item 14.1(a)(c))
Item on OBL: ABV
Current Due Date: July 12, 2023
Proposed New Due Date: August 16, 2023
 - (iv) Traffic Calming Management Policy (Item 14.1(a)(d))
Item on OBL: N/A
Current Due Date: Q3 2023
Proposed New Due Date: Q4 2023
 - (v) Management of the Aviary at 85 Oak Knoll Drive (Item 14.1(a)(e))
Item on OBL: AAY
Current Due Date: Q2 2023
Proposed New Due Date: September 18, 2023
 - (vi) Bayfront Park – Transit Service Extension (Item 14.1(e)(f))
Item on OBL: ADA
Current Due Date: Q4 2023
Proposed New Due Date: December 4, 2023
- (2) Items to be Removed: (Item 14.1(b)):
- (i) Enhanced Safety and Security Measures at John Rebecca Park, 76 John Street North, Hamilton (Beasley Neighbourhood) (Ward 2) (Item 14.1(b)(a))
Item on OBL: ADD

(i) ADJOURNMENT (Item 16)

There being no further business, the meeting adjourned at 2:40 p.m.

Respectfully submitted,

Councillor N. Nann, Chair,
Public Works Committee

Carrie McIntosh
Legislative Coordinator
Office of the City Clerk