



**PUBLIC WORKS COMMITTEE
REPORT 23-013**

1:30 p.m.

Monday, September 18, 2023

Council Chambers

Hamilton City Hall

71 Main Street West

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

**THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 23-013 AND
RESPECTFULLY RECOMMENDS:**

1. 2022 Annual Energy Report (PW21049(b)) (City Wide) (Item 9.1)

That Report PW21049(b), respecting 2022 Annual Energy Report, be received.

2. Accessible Transportation Services Quarterly Performance Report (PW22079(d)) (City Wide) (Item 9.2)

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

3. In-Service Road Safety Review of the Upper Paradise Road between Stone Church Road and Rymal Road Corridor (PW23059) (Ward 14) (Outstanding Business List Item) (Item 9.3)

That Report PW23059, respecting In-Service Road Safety Review of the Upper Paradise Road between Stone Church Road and Rymal Road Corridor (Ward 14), be received.

4. Accessible Transportation Services Contractor (DARTS) Fleet Budget (PW23060) (City Wide) (Item 9.4)

(a) That Report PW23060, respecting Accessible Transportation Services Contractor (DARTS) Fleet Budget, be received; and

- (b) That staff in the Accessible Transit Services Division formally meet with Corporate Services staff to determine if there are opportunities in the future to enable the application of Development Charges for vehicle purchases.

5. Cootes Drive Street Lighting TransCanada PipeLines Limited Crossing Agreement (PW23057) (Ward 13) (Item 11.1)

That the General Manager, Public Works or designate be authorized and directed to execute, on behalf of the City of Hamilton, a crossing agreement with TransCanada PipeLines Limited to permit the completion of street lighting-related underground work along Cootes Drive, east of Olympic Drive.

6. Funds Required for Award of Tender C15-43-23 (P) Alexander Park - Construction of a Skatepark Facility (PW23058) (Ward 1) (Ward 13) (Item 11.2)

That the budget for Alexander Park Skatepark project (Project ID 4401956922) be increased by \$757,880.00 and funded 95% or, \$719,986.00, from the Parkland Development Charge Reserve-Residential (DeptID 110316), and 5%, or \$37,894.00, from the Parkland Development Charge Reserve-Non-Residential (DeptID 110317).

7. Management of the Aviary at 85 Oak Knoll Drive (PW23062) (Ward 1) (Outstanding Business List Item) (Item 11.3)

- (a) That staff from the Animal Services Section of the Licensing and By-law Services Division (“Animal Services Staff”) engage a qualified veterinarian (the “Veterinarian”) to assist with the development of a plan to relocate the birds housed at the Aviary (the “Rehoming Strategy”);
- (b) That Animal Services Staff, in consultation with the Veterinarian and the Friends of the Aviary, be directed to develop a Rehoming Strategy and complete the rehoming of all birds housed at the Aviary (the “Aviary Birds”) not later than October 30, 2024;
- (c) That the General Manager, Public Works be authorized to negotiate the terms and conditions to transfer ownership of the Aviary Birds to the Friends of the Aviary not later than November 1, 2024, and to terminate the existing agreement with the Friends of the Aviary, once all of the Aviary Birds have been successfully rehomed in accordance with recommendation (b) of Report PW23062;

- (d) That, in the event that the General Manager, Public Works and the Friends of the Aviary are unable to negotiate an agreement that will facilitate the transfer of ownership of any of the Aviary Birds in accordance with recommendation (c) of Report PW23062, the General Manager, Public Works be authorized to transfer ownership of such Aviary Birds as the General Manager, Public Works deems appropriate;
- (e) That the Friends of the Aviary be required to vacate the Aviary building at 85 Oak Knoll Drive once all of the Aviary Birds have been rehomed in accordance with recommendation (b) of Report PW23062;
- (f) That the Chief Corporate Real Estate Officer be authorized and directed to terminate the Lease with the Royal Botanical Gardens for the leased premises at 85 Oak Knoll Drive, Hamilton, on such terms and conditions deemed appropriate by the Chief Corporate Real Estate Officer, in consultation with the General Manager, Public Works, taking into consideration the timing of vacating the Aviary building;
- (g) That, in the event that Royal Botanical Gardens terminates the City's tenancy at the existing Aviary facility located at 85 Oak Knoll Drive, Hamilton prior to all Aviary Birds being rehomed in accordance with recommendation (b), the General Manager, Public Works be authorized to arrange for the relocation of any remaining Aviary Birds to a temporary facility as deemed appropriate by the General Manager, providing that the health and wellbeing of the Aviary Birds is met while efforts continue to re-home those birds; and
- (h) That the General Manager, Public Works be authorized and directed to execute any and all necessary contracts, agreements or other documents arising from recommendations (a)-(g) of Report PW23062 or as otherwise required to complete the rehoming of the Aviary Birds, on terms satisfactory to the General Manager, Public Works and in a form satisfactory to the City Solicitor.

8. Consultation and Assessment of Transit Route Options as it relates to the Retirement of Route 58 Stoney Creek Local (Ward 5) (Item 12.1)

WHEREAS, year 7 of the Ten-Year Transit Strategy was approved on March 29, 2023, as part of the 2023 Annual Operating Budget;

WHEREAS, year 7 of the Ten-Year Transit Strategy is focused on growth and modal split and included service enhancements through route span improvements and route extensions in Stoney Creek;

WHEREAS, the City of Hamilton's Transit Division's Strategic direction is to make Transit your first choice, by providing customer-focused service that is safe, reliable, and inclusive;

WHEREAS, the City of Hamilton entrusts the Transit Division to make critical planning decisions to ensure that service is planned holistically to provide a balance of convenience, and ease of access for the City's residents travelling by transit throughout the City;

WHEREAS, the Transit Division uses Council approved Service Standards as a mechanism to objectively plan and manage service within budget;

WHEREAS, the Transit Division, through assessment using these Service Standards and historical data, and with consideration to the route extensions planned for year 7 of the Ten-Year Local Transit Strategy, determined that the route 58 Stoney Creek Local could be retired based on the route 5 Delaware extension in Stoney Creek, whereby services would be overlapped and duplicated, and whereby the route 5 Delaware provided a greater level of service in addition to facilitating improved connectivity across the entire transit network compared to the route 58 Stoney Creek Local;

WHEREAS, the Transit Division determined that the retirement of the route 58 Stoney Creek Local could provide reallocation of resources to support transit enhancements elsewhere in the City of Hamilton, and as such the resources were reallocated to other transit enhancements;

WHEREAS, the route 58 Stoney Creek Local was retired on September 2nd, 2023;

WHEREAS, the City of Hamilton promotes an open, transparent, and accessible approach to City government that engages with and empowers all citizens to be involved in their communities;

WHEREAS, Ward 5 Councillor Matt Francis received feedback from constituents of the Stoney Creek neighbourhood opposing the retirement of and requesting that route 58 Stoney Creek Local continue in operation; and

WHEREAS, constraints of time and resources including available operating budget prevent the continued operation of the route 58 Stoney Creek Local in 2023.

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to:
 - (i) Meet and consult with the Stoney Creek neighbourhood to determine their transit needs and priorities;
 - (ii) Complete an assessment of transit routing in Stoney Creek, to identify potential routing options that would allow for the restoration of direct connectivity from King Street West to Eastgate Square, and that would further improve transit services within Stoney Creek while limiting route duplication;
 - (iii) Report back to the Public Works Committee with route alternatives, inclusive of resource requirements to align with feedback from the community consultation and the objectives of the Ten-Year Local Transit Strategy for consideration; and
- (b) That the consultation and assessment of Transit Route Options as it relates to the Retirement of Route 58 Stoney Creek Local (Ward 5), be referred to the 2024 Operating Budget process.

9. Installation of Speed Cushions as a Traffic Calming Measure on Various Streets (Ward 1) (Added Item 12.2)

WHEREAS, the City of Hamilton has adopted Vision Zero approach which considers human error as part of the roadway safety equation;

WHEREAS, roads adjacent to parks and schools frequently see the greatest number of young pedestrians and cyclists at risk by speeding motorists; and

WHEREAS, Ward 1 residents have repeatedly advocated for the installation of speed cushions on various roadways throughout their neighbourhoods to address roadway safety concerns as a result of speeding and cut-through traffic.

THEREFORE, BE IT RESOLVED:

- (a) That the Transportation Division be authorized and directed to install traffic calming measures on the following roadways as part of the 2023 Traffic Calming program's fall application, as follows:
 - (i) Crooks Street between York Boulevard and Barton Street West (2 speed cushions);

- (ii) Ray Street North between York Boulevard and Barton Street West (2 speed cushions);
 - (iii) Herkimer Street between Locke Street South and Kent Street (1 speed cushion);
 - (iv) Herkimer Street between Kent Street and Queen Street South (1 speed cushion);
 - (v) Dalewood Crescent between King Street West and Sterling Avenue (1 speed cushion);
 - (vi) Haddon Avenue South between Main Street West and King Street West (1 speed cushion);
 - (vii) Ewen Road between Whitney Avenue and Iona Avenue (2 speed cushions);
 - (viii) Stroud Road between Westwood Avenue and Hadden Avenue South (1 speed cushion);
 - (ix) Stroud Road between Main Street West and Baxter Street (1 speed cushion);
- (b) That all costs associated with the installation of traffic calming measures at locations '(i)' through '(v)' be funded from the Ward 1 Capital Re-investment Reserve Account (#108051) at an upset limit, including contingency, not to exceed \$49,000;
 - (c) That all costs associated with the installation of traffic calming measures at locations '(vi)' through '(ix)' be funded from the Ward 1 Area Rating Traffic Calming (W1) Account (#424109104) at an upset limit, including contingency, not to exceed \$35,000; 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.

10. Installation of Speed Cushions as a Traffic Calming Measure on Various Streets (Ward 12) (Added Item 12.3)

WHEREAS, the City of Hamilton has adopted Vision Zero approach which considers human error as part of the roadway safety equation;

WHEREAS, Ward 12 residents advocate for the installation of speed cushions on various roadways throughout their neighbourhoods to address roadway safety concerns as a result of speeding and cut-through traffic; and

WHEREAS, improving road safety is a top priority for the Ward 12 office for this term of Council.

THEREFORE, BE IT RESOLVED:

- (a) That the Transportation Division be authorized and directed to install traffic calming measures on the following roadways as part of the 2023 Traffic Calming program's fall application, as follows:
 - (i) Harrogate Drive between Cloverleaf Drive and Stone Church Road (2 speed cushions);
 - (ii) Cloverleaf Drive between Harrogate Drive and Armour Crescent (1 speed cushion);
 - (iii) Cloverleaf Drive between Briggs Avenue/Playfair Court and Stonehenge Drive (1 speed cushion);
- (b) That all costs associated with the installation of traffic calming measures at locations '(i)' through '(iii)' be funded from the Ward 12 Minor Maintenance Account (#4031911612) at an upset limit, including contingency, not to exceed \$28,000; and
- (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.

11. Installation of Speed Cushions as a Traffic Calming Measure on Various Streets (Ward 5) (Added Item 12.4)

WHEREAS, the City of Hamilton has adopted Vision Zero approach which considers human error as part of the roadway safety equation; and

WHEREAS, Ward 5 residents advocate for the installation of speed cushions on various roadways throughout their neighbourhoods to address roadway safety concerns as a result of speeding and cut-through traffic;

THEREFORE, BE IT RESOLVED:

- (a) That the Transportation Division be authorized and directed to install traffic calming measures on the following roadways as part of the 2023 Traffic Calming program's fall application, as follows:
 - (i) Mountain Avenue North between Gemma Court and Collegiate Avenue (1 speed cushion);
 - (ii) Robroy Avenue between Bryant Court and Gailmont Drive (1 speed cushion);
 - (iii) Greenford Drive between Neil Avenue and Dover Drive (1 speed cushion);
- (b) That all costs associated with the installation of traffic calming measures at location '(i)' be funded from the Ward 5 Minor Maintenance Account (#4031911605) at an upset limit, including contingency, not to exceed \$7,000;
- (c) That all costs associated with the installation of traffic calming measures at locations '(ii)' and '(iii)' be funded from the Ward 5 Capital Re-investment Reserve (#108055) at an upset limit, including contingency, not to exceed \$14,000; 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.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

6. DELEGATION REQUESTS

- 6.1 Peter Summers, Churchill Park Community Garden, respecting Item 11.3, Management of the Aviary at 85 Oak Knoll Drive (PW23062) (Ward 1) (for today's meeting)

13. NOTICES OF MOTION

- 13.1 Father Sean O’Sullivan Memorial Park Junior Play Equipment Enhancement (Ward 5)
- 13.2 Installation of Speed Cushions as a Traffic Calming Measure on Various Streets (Ward 1)
- 13.3 Installation of Speed Cushions as a Traffic Calming Measure on Various Streets (Ward 12)
- 13.4 Installation of Speed Cushions as a Traffic Calming Measure on Various Streets (Ward 5)

The Agenda for the September 18, 2023 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 PREVIOUS MEETING (Item 4)

(i) September 8, 2023 (Item 4.1)

The Minutes of the September 8, 2023 meeting of the Public Works Committee were approved, as presented.

d) DELEGATION REQUESTS (Item 6)

(i) Peter Summers, Churchill Park Community Garden, respecting Item 11.3, Management of the Aviary at 85 Oak Knoll Drive (PW23062) (Ward 1) (Added Item 6.1)

The delegation request from Peter Summers, Churchill Community Garden, respecting Item 11.3, Management of the Aviary at 85 Oak Knoll Drive (PW23062) (Ward 1), was approved for today’s meeting.

(e) DELEGATIONS (Item 7)

(i) Sean Forde respecting concerns about the change in the schedule for the buses to Stoney Creek (approved September 8, 2023) (Item 7.1)

Sean Forde was not present when called upon.

- (ii) **Peter Summers, Churchill Park Community Garden, respecting Item 11.3, Management of the Aviary at 85 Oak Knoll Drive (PW23062) (Ward 1) (Item 7.2)**

Peter Summers, Churchill Park Community Garden, addressed the Committee respecting Item 11.3, Management of the Aviary at 85 Oak Knoll Drive (PW23062) (Ward 1), with the aid of a PowerPoint presentation.

The delegation from Peter Summers, Churchill Community Garden, respecting Item 11.3, Management of the Aviary at 85 Oak Knoll Drive (PW23062) (Ward 1), was received.

(f) **CONSENT ITEMS (Item 9)**

- (i) **Accessible Transportation Services Contractor (DARTS) Fleet Budget (PW23060) (City Wide) (Item 9.4)**

That Report PW23060, respecting Accessible Transportation Services Contractor (DARTS) Fleet Budget, be received.

Report PW23060, respecting Accessible Transportation Services Contractor (DARTS) Fleet Budget, was **amended**, by adding recommendation (b), to read as follows:

- (b) ***That staff in the Accessible Transit Services Division formally meet with Corporate Services staff to determine if there are opportunities in the future to enable the application of Development Charges for vehicle purchases.***

For disposition of this matter, refer to Item 4.

(g) **DISCUSSION ITEMS (Item 11)**

- (i) **Management of the Aviary at 85 Oak Knoll Drive (PW23062) (Ward 1) (Outstanding Business List Item) (Item 11.3)**

- (a) That staff from the Animal Services Section of the Licensing and By-law Services Division (“Animal Services Staff”) engage a qualified veterinarian (the “Veterinarian”) to assist with the development of a plan to relocate the birds housed at the Aviary (the “Rehoming Strategy”);

- (b) That Animal Services Staff, in consultation with the Veterinarian and the Friends of the Aviary, be directed to develop a Rehoming Strategy and complete the rehoming of all birds housed at the Aviary (the “Aviary Birds”) not later than October 30, 2024;
- (c) That the General Manager, Public Works be authorized to negotiate the terms and conditions to transfer ownership of the Aviary Birds to the Friends of the Aviary not later than November 1, 2024, and to terminate the existing agreement with the Friends of the Aviary, once all of the Aviary Birds have been successfully rehomed in accordance with recommendation (b) of Report PW23062;
- (d) That, in the event that the General Manager, Public Works and the Friends of the Aviary are unable to negotiate an agreement that will facilitate the transfer of ownership of any of the Aviary Birds in accordance with recommendation (c) of Report PW23062, the General Manager, Public Works be authorized to transfer ownership of such Aviary Birds as the General Manager, Public Works deems appropriate;
- (e) That the Friends of the Aviary be required to vacate the Aviary building at 85 Oak Knoll Drive once all of the Aviary Birds have been rehomed in accordance with recommendation (b) of Report PW23062;
- (f) That the Chief Corporate Real Estate Officer be authorized and directed to terminate the Lease with the Royal Botanical Gardens for the leased premises at 85 Oak Knoll Drive, Hamilton, on such terms and conditions deemed appropriate by the Chief Corporate Real Estate Officer, in consultation with the General Manager, Public Works, taking into consideration the timing of vacating the Aviary building;
- (g) That, in the event that Royal Botanical Gardens terminates the City’s tenancy at the existing Aviary facility located at 85 Oak Knoll Drive, Hamilton prior to all Aviary Birds being rehomed in accordance with recommendation (b), the General Manager, Public Works be authorized to arrange for the relocation of any remaining Aviary Birds to a temporary facility as deemed appropriate by the General Manager, providing that the health and wellbeing of the Aviary Birds is met while efforts continue to re-home those birds;
- (h) That the General Manager, Public Works be authorized and directed to execute any and all necessary contracts, agreements or other documents arising from recommendations (a)-(g) of Report

PW23062 or as otherwise required to complete the rehoming of the Aviary Birds, on terms satisfactory to the General Manager, Public Works and in a form satisfactory to the City Solicitor; and

- (i) That staff determine an alternative location for the community garden currently located at 85 Oak Knoll Drive, while ensuring the community is able to use it until October 31, 2024.

Report PW23062, respecting Management of the Aviary at 85 Oak Knoll Drive was **amended** by deleting recommendation (i), as follows:

~~(i) ***That staff determine an alternative location for the community garden currently located at 85 Oak Knoll Drive, while ensuring the community is able to use it until October 31, 2024.***~~

For disposition of this matter, refer to Item 7.

(h) NOTICES OF MOTION (Item 13)

Councillor Francis introduced the following Notice of Motion:

(i) Father Sean O’Sullivan Memorial Park Junior Play Equipment Enhancement (Ward 5) (Item 13.1)

WHEREAS, the play structure located at Father Sean O’Sullivan Memorial Park, 1139 Greenhill Avenue, Hamilton, was originally installed in the early 1990s;

WHEREAS, the play structure had surpassed its useful life span and was replaced July 2023, with play equipment manufactured by ABC Recreation;

WHEREAS, Council previously approved \$210,000 funded from the Ward 5 – Capital Infrastructure Reserve #108055 for the new play structure and safety surfacing;

WHEREAS, there is a community desire for additional junior play equipment at this park, that offers additional play features and increased play value for children 5 years and younger;

WHEREAS, the Ward 5 Councillor will seek feedback from a community group on potential junior play enhancement concepts provided by staff, prior to the selection of the additional play equipment;

WHEREAS, an increased budget is required for the enhanced junior play opportunities at this park location;

WHEREAS, play equipment in parks is proprietary and not interchangeable for parts or modifications by other play equipment manufacturers, such that ABC Recreation should be sole sourced to review, design and provide new junior equipment for the existing play structure; and

WHEREAS, staff workloads in the park capital delivery group are not able to accommodate additional projects in 2023, therefore this project will be added to the 2024 workplan for design and consultation with community, and construction to follow.

THEREFORE, BE IT RESOLVED:

- (a) That the purchase of additional junior play equipment, manufactured by ABC Recreation, be approved as a single source purchase pursuant to Procurement Policy #11 – Non-competitive Procurements;
 - (b) That the installation of additional junior play equipment at Father Sean O’Sullivan Memorial Park, 1139 Greenhill Avenue, Hamilton, to be funded from the Ward 5 Capital Re-Investment Reserve #108055 at an upset limit, including contingency, not to exceed \$100,000, be approved; and
 - (c) 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.
- (ii) Installation of Speed Cushions as a Traffic Calming Measure on Various Streets (Ward 1) (Item 13.2)**

The Rules of Order were waived to allow for the introduction of a Motion respecting Installation of Speed Cushions as a Traffic Calming Measure on Various Streets (Ward 1).

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

(iii) Installation of Speed Cushions as a Traffic Calming Measure on Various Streets (Ward 12) (Item 13.3)

The Rules of Order were waived to allow for the introduction of a Motion respecting Installation of Speed Cushions as a Traffic Calming Measure on Various Streets (Ward 12).

For further disposition of this matter, refer to Item 10.

(iv) Installation of Speed Cushions as a Traffic Calming Measure on Various Streets (Ward 5) (Item 13.4)

The Rules of Order were waived to allow for the introduction of a Motion respecting Installation of Speed Cushions as a Traffic Calming Measure on Various Streets (Ward 12).

For further disposition of this matter, refer to Item 11.

(i) 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 Considered Complete and Needing to be Removed (Item 14.1(a))
 - (i) Upper Paradise Road In-Service Road Safety Review (Ward 14) (14.1(a)(a))
Addressed as Item 9.3 on today's agenda - Report PW23059
Item on OBL: ADL
 - (ii) Management of the Aviary at 85 Oak Knoll Drive (14.1(a)(b))
Addressed as Item 11.3 on today's agenda – Report PW23062
Item on OBL: AAY
- (2) Items Requiring a New Due Date: (Item 14.1(b)):
 - (i) Opportunities to partner with Educational Institutions to Plant Trees (Item 14.1(b)(a))
Item on OBL: ADR
Current Due Date: October 2, 2023
Proposed New Due Date: October 30, 2023

(j) PRIVATE AND CONFIDENTIAL (Item 15)

(i) Closed Session Minutes – September 8, 2023 (Item 15.1)

The Public Works Committee Closed Session Minutes of September 8, 2023, were approved and remain confidential.

(k) ADJOURNMENT (Item 16)

There being no further business, the meeting adjourned at 3:39 p.m.

Respectfully submitted,

Councillor N. Nann, Chair,
Public Works Committee

Carrie McIntosh
Legislative Coordinator
Office of the City Clerk