



**PUBLIC WORKS COMMITTEE
REPORT 23-017**

1:30 p.m.

Monday, November 13, 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. Hwang, T. Jackson, C. Kroetsch, T. McMeekin, M. Spadafora, M. Tadeson, A. Wilson and M. Wilson

**THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 23-017 AND
RESPECTFULLY RECOMMENDS:**

1. **Safari Road Petition for Drainage Works Request for Full Engineer's Report (PW22070(a)) (Ward 13) (Item 10.1)**
 - (a) That the Preliminary Report under Section 10(1) of the *Drainage Act, RSO, 1990 c.D.17*, prepared by Robinson Consultants, appointed Drainage Engineer under Section 8(1) of the *Drainage Act, RSO, 1990 c.D.17*, be accepted and approved; and
 - (b) That the General Manager, Public Works or designate, be authorized to instruct Robinson Consultants to prepare a full Engineer's Report as per Section 10(5) of the *Drainage Act, RSO, 1990 c.D.17*.
 - (c) That staff be directed to investigate the impacts of alleged illegal dumping and any blocked culverts on private property, and report back on impacts of these activities including enforcement options and coordination with Provincial authorities as required.

2. **Standardization of Original Equipment Manufacturer (OEM) for Parks Assets – Playgrounds, Spray Pads, Ball Diamonds, and Benches (PW23069) (City Wide) (Item 11.1)**
 - (a) Pursuant to Procurement Policy #14 – Standardization, that the standardization of the products, services and manufacturers identified in the attached Appendices "A" Play Equipment , "B" Spray Pads, "C" Ball

Diamonds and “D” Benches to Public Works Committee Report 23-017 and as the single source of supply for the listed products, supplies and services for the Parks and Cemeteries Section be approved;

- (b) That the General Manager, Public Works, or their designate, be authorized to negotiate, enter into, and execute any required contract(s) and any ancillary documents required to give effect thereto with those suppliers identified in Appendices “A” Play Equipment, “B” Spray Pads, “C” Ball Diamonds, and “D” Benches to Public Works Committee Report 23-017 with content acceptable to the General Manager of Public Works, and in a form satisfactory to the City Solicitor; and
- (c) That the General Manager, Public Works, or their designate, be authorized to amend any contract(s) executed and any ancillary documents as required in the event that a service provider, manufacturer, or distributor identified in Appendices “A” Play Equipment, “B” Spray Pads, “C” Ball Diamonds and “D” Benches to Public Works Committee Report 23-017 undergoes a name change, and it shall be in a form satisfactory to the City Solicitor.

3. Updated Sewer & Drain By-law (PW23070) (City Wide) (Item 11.2)

That the By-law attached as Appendix “A” to Report PW23070, to Regulate the Installation, Connection and Use of Sewers and Drains in the City of Hamilton (Short Title: “the Sewer & Drain By-law”), which has been prepared in a form satisfactory to the City Solicitor, be enacted.

4. Updated Water Works By-law (PW23071) (City Wide) (Item 11.3)

- (a) That the By-law attached as Appendix “A” to Report PW23071, to Regulate the Management, Distribution, and Maintenance of the Water Works System of the City of Hamilton (Short Title: “Water Works By-law”) which has been prepared in a form satisfactory to the City Solicitor, be enacted; and
- (b) That upon enactment of the By-law that staff be directed to apply to the Ministry of the Attorney General for approval of set fines for offences under the By-law.

5. Award of Request for Tender C11-45-23 for the Operation, Maintenance, Removal and Disposal Services for the City of Hamilton’s Household Hazardous Waste Depots (PW23072) (City Wide) (Item 11.4)

- (a) That the General Manager, Public Works be authorized and directed to execute, on behalf of the City, the Contract, including any ancillary

agreements or documents related thereto regarding C11-45-23 Operation, Maintenance, Removal and Disposal Services for Three City of Hamilton Household Hazardous Waste (HHW) Depots, with GFL Environmental Services Inc. in a form satisfactory to the City Solicitor; and

- (b) That the City submit a letter to the Ontario Ministry of the Environment, Conservation and Parks and Resource Productivity and Recovery Authority to advocate that the Province broadens the list of designated materials under Ontario Regulation 449/21 and ensures full compensation for municipalities which collect designated materials through the Province's Municipal Hazardous and Special Waste program.

6. Accessible Transit Services Review Sub-Committee Report 23-001 - June 29, 2023 (Added Item 11.5)

(a) Appointment of Chair and Vice-Chair (Item 1)

- (i) That Councillor Tadeson be appointed Chair of the Accessible Transit Services Review Sub-Committee for 2022-2026.
- (ii) That Councillor Kroetsch be appointed Vice-Chair of the Accessible Transit Services Review Sub-Committee for 2022-2026.

7. Road Resurfacing on First Road West from Isaac Brock Drive to Branthaven Drive (Ward 9) (Item 12.1)

WHEREAS, First Road West from Highland Road to Isaac Brock Drive was resurfaced back in 2018 by Engineering to extend the roadway life expectancy, and not continued north of Isaac Brock Drive because of upcoming development work; and

WHEREAS, First Road West from Isaac Brock Drive to Branthaven Drive Ward 9, is optimal for road resurfacing to extend the life of the roadway and therefore improve service levels and reduce maintenance costs.

THEREFORE, BE IT RESOLVED:

- (a) That the Transportation Division be directed to resurface the road and associated concrete works on First Road West between Isaac Brock Drive to Branthaven Drive;
- (b) That all costs associated with the road resurfacing scope of work be funded from the Ward 9 Minor Maintenance accounts 4031911609 (\$69,704) and 4032311609 (\$230,296) at an upset limit, including contingency, not to exceed \$300,000, with construction anticipated to be completed in 2024; 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.

8. Parkette at 505 Beach Boulevard, Hamilton (Ward 5) (Item 12.2)

WHEREAS, the parks in Ward 5 provide valuable recreation and connectivity opportunities to residents;

WHEREAS, 505 Beach Boulevard, is city-owned property which could be designated a parkette, located in the Beach Community, Hamilton; and

WHEREAS, resources are limited, and this work will be initiated in 2024 for design and public consultation with construction in a future year, subject to unforeseen challenges such as procurement timing, supply chain issues or other factors.

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to add the creation of a parkette at 505 Beach Boulevard, to workplans to start in 2024, at a cost of \$57,853 to be funded from the Hamilton Beach Park Reserve (#108037); and
- (b) That the General Manager of Public Works be authorized and directed to approve and execute any and all required agreements and ancillary documents, in a form satisfactory to the City Solicitor, related to the creation of a parkette at 505 Beach Boulevard, Hamilton.

9. Funding of Water Service Installation for a Community Garden Located at 200 Jones Road, Stoney Creek (Ward 10) (Added Item 12.4)

WHEREAS, a community garden had been in place and operated by Kiwanis at 200 Jones Road, Stoney Creek for over ten years;

WHEREAS, the demolition of the former Kiwanis community building on the property in 2022 resulted in the water service for the community garden being removed and the garden ceasing to operate;

WHEREAS, there is continued interest from residents to be able to access a community garden to grow their own food and to provide fresh produce to others in the community and the food bank located in adjacent the Stoney Creek Municipal Service Centre building;

WHEREAS, the lands where the former Kiwanis building stood are now vacant and provide an ideal new location for the community garden on the property but

require a new water service to be installed for the community garden to operate;
and

WHEREAS Neighbourhood Development has supported community initiatives that create opportunities to support engagement and make positive change in neighbourhoods;

THEREFORE, BE IT RESOLVED:

- (a) That installation of a water service from the Municipal Service Centre building to the new community garden location, located at 200 Jones Road, at a cost of \$11,696, in funding be allocated from the following:
 - (i) A one-time commitment not to exceed \$5,000 from the Neighbourhood Development 2023 Operating Budget, Dept ID 624023; and
 - (ii) A one-time upset limit including contingency not to exceed \$6,696 from the Ward 10 Non-Property Tax Revenue Account #3301609610.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

5. COMMUNICATIONS

- 5.1 Correspondence from Natalie Feisthauer and Gerald Tetreault respecting Item 10.1, Safari Road Petition for Drainage Works Request for Full Engineer's Report (PW22070(a)) (Ward 13)

Recommendation: Be received and referred to the consideration of Item 10.1

11. DISCUSSION ITEMS

- 11.5 Accessible Transit Services Review Sub-Committee Report 23-001 - June 29, 2023

13. NOTICES OF MOTION

- 13.1 Remembrance Day Crosswalk Design for the Stoney Creek Saltfleet Memorial and at other Memorial Locations in the City
- 13.2 Funding of Water Service Installation for a Community Garden Located at 200 Jones Road, Stoney Creek (Ward 10)

14. GENERAL INFORMATION / OTHER BUSINESS

- 14.1 Amendments to the Outstanding Business List
 - 14.1(a) Items Requiring a New Due Date:
 - 14.1(a)(b) Implementation plan for the two-way conversion of Main Street
Item on OBL: ACW
Current Due Date: November 13, 2023
Proposed New Due Date: December 4, 2023
 - 14.1(a)(c) Reassessment of one-way streets
Item on OBL: ACX
Current Due Date: November 13, 2023
Proposed New Due Date: December 4, 2023

The Agenda for the November 13, 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) October 30, 2023 (Item 4.1)

The Minutes of the October 30, 2023 meeting of the Public Works Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

- (i) Correspondence from Natalie Feisthauer and Gerald Tetreault respecting Item 10.1, Safari Road Petition for Drainage Works Request for Full Engineer's Report (PW22070(a)) (Ward 13) (Item 5.1)**

That the correspondence from Natalie Feisthauer and Gerald Tetreault respecting Item 10.1, Safari Road Petition for Drainage Works Request for Full Engineer's Report (PW22070(a)) (Ward 13), be received and referred to the consideration of Item 10.1.

(e) DELEGATION REQUESTS (Item 6)

- (i) Delegation Requests respecting Item 10.1, Safari Road Petition for Drainage Works Request for Full Engineer's Report (PW22070(a)) (Ward 13) (for today's meeting) (Item 6.1)**

The Delegation Requests for today's meeting were approved, as follows:

- (i) John Fitzgerald (Item 6.1(a))
- (ii) Tina Osborne (Item 6.1(b))
- (iii) Paul Osborne (Item 6.1(c))
- (iv) Natalie Feisthauer (Item 6.1(d))
- (v) Achim Klaas (Item 6.1(e))

(f) PUBLIC HEARINGS (Item 10)

- (i) Safari Road Petition for Drainage Works Request for Full Engineer's Report (PW22070(a)) (Ward 13) (Item 10.1)**

Councillor Nann advised that in accordance with Section 10(2) of the *Drainage Act*, affected landowners, public utilities, road authorities, Conservation Authority, Minister of Natural Resources and Minister of Agriculture, Food and Rural Affairs were notified of the opportunity to attend a meeting to consider the preliminary report.

The Committee Clerk advised that there were five registered speakers.

The following Delegates addressed the Committee respecting the Safari Road Petition for Drainage Works Request for Full Engineer's Report (PW22070(a)):

- (i) John Fitzgerald
 - (ii) Tina Osborne
 - (iii) Paul Osborne
 - (iv) Natalie Feisthauer
 - (v) Achim Klaas
- (ii)** The following Delegations respecting the Safari Road Petition for Drainage Works Request for Full Engineer's Report (PW22070(a)), be received:
- (i) John Fitzgerald
 - (ii) Tina Osborne
 - (iii) Paul Osborne
 - (iv) Natalie Feisthauer
 - (v) Achim Klaas

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. One individual came forward.

(iii) Additional Delegation:

Cody Carey addressed the Committee respecting the Safari Road Petition for Drainage Works Request for Full Engineer's Report (PW22070(a)).

The Delegation from Cody Carey respecting the Safari Road Petition for Drainage Works Request for Full Engineer's Report (PW22070(a)), was received.

- (iv)** The public meeting was closed.
- (v)** (a) That the Preliminary Report under Section 10(1) of the *Drainage Act, RSO, 1990 c.D.17*, prepared by Robinson Consultants, appointed Drainage Engineer under Section 8(1) of the *Drainage Act, RSO, 1990 c.D.17*, be accepted and approved; and

- (b) That the General Manager, Public Works or designate, be authorized to instruct Robinson Consultants to prepare a full Engineer's Report as per Section 10(5) of the *Drainage Act, RSO, 1990 c.D. 17*.

Report PW22070(a), respecting Safari Road Petition for Drainage Works Request for Full Engineer's Report, was **amended**, by adding recommendation (c), to read as follows:

- (c) ***That staff be directed to investigate the impacts of alleged illegal dumping and any blocked culverts on private property and report back on impacts of these activities including enforcement options and coordination with Provincial authorities as required.***

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

(g) NOTICES OF MOTION (Item 13)

Councillor Beattie introduced the following Notice of Motion:

- (i) Remembrance Day Crosswalk Design for the Stoney Creek Saltfleet Memorial, and at other Memorial Locations in the City (Added Item 13.1)**

WHEREAS, Remembrance Day, marks the end of hostilities during the First World War, which ended on the 11th hour of the 11th day of the 11th month in 1918;

WHEREAS, Remembrance Day in Canada honours the service and sacrifice of our Armed Forces, Veterans, and their families, who have served, and continue to serve our country during times of war, conflict and peace. Particularly the First & Second World Wars, the Korean War, and all conflicts since then in which members of the Canadian Armed Forces have participated;

WHEREAS, Since 1921, the Poppy has stood as a national symbol of Remembrance to recognize the sacrifice of soldiers in times of war and is often worn on the left lapel close to the heart. The Poppy is a powerful symbol of Remembrance, worn by millions of Canadians and our Commonwealth partners, each year;

WHEREAS, the Dominion Command of The Royal Canadian Legion has registered the trademark of the Poppy image and the Poppy insignia as a protected mark through an Act of Parliament in 1948;

WHEREAS, any proposed usage of the Poppy symbol must be submitted to and approved by the Dominion Command of The Royal Canadian Legion in compliance with the Legion Poppy Manual; and

WHEREAS, the Stoney Creek Saltfleet Memorial located at the south-west corner of King Street and Queenston Road (Highway 8) was constructed in 1922, in memory of the men of Saltfleet Township, who gave their lives in the First World War and is one of the many locations throughout the City that is used to observe Remembrance Day every November 11th.

THEREFORE, BE IT RESOLVED:

- (a) That the Transportation Division contact the Dominion Command of The Royal Canadian Legion and seek permission to use the poppy and/or other significant symbols in the crosswalk on King Street closest to the Stoney Creek Saltfleet Memorial in the name of honoring those who served and continue to serve in the nation's defense; and
- (b) That upon the conclusion of the application process with the Dominion Command of The Royal Canadian Legion the Transportation Division work with Wards 10 and 5 on a final crosswalk design for the Stoney Creek Saltfleet Memorial, and at other memorial locations in the City, to be implemented for Remembrance Day 2024.

(i) Funding of Water Service Installation for a Community Garden Located at 200 Jones Road, Stoney Creek (Ward 10) (Added Item 13.2)

The Rules of Order were waived to allow for the introduction of a Motion respecting Funding of Water Service Installation for a Community Garden Located at 200 Jones Road, Stoney Creek (Ward 10).

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

(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) Joint Action by City of Hamilton and Hamilton Police Service to Improve Pedestrian Safety (Item 14.1(a)(a))
Item on OBL: ADJ
Current Due Date: December 4, 2023
Proposed New Due Date: Q2 2024
- (ii) Implementation plan for the two-way conversion of Main Street (Item 14.1(a)(b))
Item on OBL: ACW
Current Due Date: November 13, 2023
Proposed New Due Date: December 4, 2023
- (iii) Reassessment of one-way streets (Item 14.1(a)(c))
Item on OBL: ACX
Current Due Date: November 13, 2023
Proposed New Due Date: December 4, 2023

(i) ADJOURNMENT (Item 16)

There being no further business, the meeting adjourned at 4:24 p.m.

Respectfully submitted,

Councillor N. Nann, Chair,
Public Works Committee

Carrie McIntosh
Legislative Coordinator
Office of the City Clerk

**Goods and Services
for City of Hamilton Play Structures**

Vendor Name	Goods	Services	Est. Annual Spend 2023	Annual Spent 2022	Annual Spent 2021	Annual Spent 2020	Annual Spent 2019	Totals	Comments
ABC Recreation Ltd.	Replacement parts for ABC Recreation structures can only be provided by ABC Recreation Ltd. Parks requires various replacement parts on different occasions to bring play equipment that has failed CSA inspection back to compliance to ensure it is safe for children to use.	Occasionally installations and repairs to play equipment must be completed by the distributor.	\$20,000	\$36,556	\$23,907	\$1,103	\$32,619	\$114,185	
Playpower LT Canada Inc.	Replacement parts for Playpower LT Canada Inc. structures can only be provided by Playpower LT Canada Inc. Parks requires various replacement parts on different occasions to bring play equipment that has failed CSA inspection back to compliance to ensure it is safe for children to use.	Occasionally installations and repairs to play equipment must be completed by the distributor.	\$17,000	\$15,775	\$849	\$22,950		\$56,573	
Henderson Recreation	Replacement parts for Henderson Recreation structures can only be provided by Henderson Recreation. Parks requires various replacement parts on different occasions to bring play equipment that has failed CSA inspection back to compliance to ensure it is safe for children to use.	Occasionally installations and repairs to play equipment must be completed by the distributor.	\$30,000	\$19,404	\$43,597	\$11,990	\$3,840	\$108,832	

New World Park Solutions Inc.	Replacement parts for New World Park Solutions Inc. structures can only be provided by New World Park Solutions Inc. Parks requires various replacement parts on different occasions to bring play equipment that has failed CSA inspection back to compliance to ensure it is safe for children to use.	Occasionally installations and repairs to play equipment must be completed by the distributor.	\$25,000	\$18,790	\$28,303	\$10,227	\$82,320	\$82,320	
Open Space Solutions Inc.	Replacement parts for New World Park Solutions Inc. structures can only be provided by New World Park Solutions Inc. Parks requires various replacement parts on different occasions to bring play equipment that has failed CSA inspection back to compliance to ensure it is safe for children to use.	Occasionally installations and repairs to play equipment must be completed by the distributor.	\$30,000	\$9,165	\$7,547			\$46,711	
Park N Play Design Co. Ltd.	Replacement parts for Park N Play Design Co. Ltd. structures can only be provided by Park N Play Design Co. Ltd. Parks requires various replacement parts on different occasions to bring play equipment that has failed CSA inspection back to compliance to ensure it is safe for children to use.	Occasionally installations and repairs to play equipment must be completed by the distributor.	\$20,000	\$16,846	warranty work			\$36,846	New to the city in 2021
Park N Water Ltd. (Burke Play Equipment)	Replacement parts for Park N Water Ltd. structures can only be provided by Park N Water Ltd. Parks requires various replacement parts on different occasions to bring play equipment that has failed CSA inspection back to compliance to ensure it is safe for children to use.	Occasionally installations and repairs to play equipment must be completed by the distributor.	warranty work						New to the city 2023 no replacement parts ordered

S.F Scott Manufacturing Company Limited (Blue Imp)	Replacement parts for S.F. Scott Manufacturing Company Limited structures can only be provided by S.F. Scott Manufacturing Company Limited. Parks requires various replacement parts on different occasions to bring play equipment that has failed CSA inspection back to compliance to ensure it is safe for children to use.	Occasionally installations and repairs to play equipment must be completed by the distributor.	\$10,000	warranty work	warranty work			\$10,000	New to the city 2021. no replacement parts ordered
								\$455,467	

**Goods and Services
 for City of Hamilton Spray Pads**

Vendor Name	Goods	Services	Est. Annual Spend 2023	Annual Spent 2022	Annual Spent 2021	Annual Spent 2020	Annual Spent 2019	Totals	Comments
Open Space Solutions INC	Replacement parts for Open Space Solutions INC structures can only be provided by Open Space Solutions INC. Parks requires various replacement parts on different occasions to bring spray pad equipment that has failed CSA inspection back to code to ensure it is operational throughout the summer months.	Occasionally installations and repairs to spray pad equipment must be completed by the distributor.		\$432	\$4,823	\$737	\$6,177	\$12,169	
ABC Recreation Ltd.	Replacement parts for ABC Recreation Ltd. structures can only be provided by ABC Recreation Ltd. Parks requires various replacement parts on different occasions to bring spray pad equipment that has failed CSA inspection back to code to ensure it is operational throughout the summer months.	Occasionally installations and repairs to spray pad equipment must be completed by the distributor.		\$6,363	\$4,706			\$11,069	
New World Park Solutions INC	Replacement parts for New World Park Solutions INC structures can only be provided by New World Park Solutions INC. Parks requires various replacement parts on different occasions to bring spray pad equipment that has failed CSA inspection back to code to ensure it is operational throughout the summer months.	Occasionally installations and repairs to spray pad equipment must be completed by the distributor.	warranty work	warranty work					New to the city 2022. No spray pad replacement parts ordered yet

Park N Water Ltd.	Replacement parts for Park N Water Ltd. structures can only be provided by Park N Water Ltd. Parks requires various replacement parts on different occasions to bring spray pad equipment that has failed CSA inspection back to code to ensure it is operational throughout the summer months.	Occasionally installations and repairs to spray pad equipment must be completed by the distributor.							New to the city 2023. No spray pad replacement parts ordered yet
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\$23,239

**Goods and Services
for City of Hamilton Ball Diamonds**

Vendor Name	Goods	Services	Est. Annual Spend 2023	Annual Spent 2022	Annual Spent 2021	Annual Spent 2020	Annual Spent 2019	Total	Comments
Mar-Co Clay Products Inc.	Provide all specialized materials (such as In field clay, Redibrick, Redi Mound, an dRedikit) necessary for the maintenance of ball diamonds with the exception of mag lime screenings.	Specialized materials and services related to the maintenance and restoration of ball diamonds.	\$ 90,500.00	\$ 43,391.15	\$ 9,463.08	\$ 1,169.15	\$ 5,959.38	\$ 150,482.76	Annual expenditure represents actual dollars spent on ball diamond grading and materials and not necessarily with Mar-Co Clay Products Inc.

**Parts and Equipment
for City of Hamilton Park Benches**

Vendor Name	Goods	Est. Annual Spend 2023	Annual Spent 2022	Annual Spent 2021	Annual Spent 2020	Annual Spent 2019	Total	Comments
Classic Displays	Park bench components including but not limited to: recycled plastic bench boards, riverside bench ends with arms, and riverside bench ends without arms. Supply and delivery of Riverside benches for full replacement due to vandalism	\$ 20,364.00	\$ 61,456.80	\$ 35,509.22	\$ 29,286.56	\$ 12,539.00	\$ 159,155.58	