



PUBLIC WORKS COMMITTEE REPORT 24-009

1:30 p.m.
Wednesday July 10, 2024
Council Chambers
Hamilton City Hall
71 Main Street West

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

Absent with Regrets: Councillors N. Nann, Pauls, M. Wilson – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. 2023 Wastewater Quality Management System Annual Summary Report (PW24045) (City Wide) (Item 9.1)

That Report PW24045 respecting 2023 Wastewater Quality Management System Annual Summary Report, be received.

2. Speed Cushion Process (PW24039) (City Wide) (Item 9.2)

That Report PW24039 respecting Speed Cushion Process, be received.

3. Proposed Permanent Closure and Sale of a Portion of Public Highway Abutting 191 Victoria Avenue South, Hamilton (PW24043) (Ward 3) (Item 10.1)

(a) That the application of the owner of 191 Victoria Avenue South, Hamilton, to permanently close and purchase a portion of the public highway abutting the south side of 191 Victoria Avenue South, Hamilton ("Subject Lands"), as shown on Appendix "A", to Public Works Committee Report 24-009, be approved, subject to the following conditions:

(i) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the highway, for enactment by Council;

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- (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 191 Victoria Avenue South, Hamilton, as described in Report PW24043, 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 191 Victoria Avenue South, 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;
- (iv) 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) The City Solicitor be authorized to amend and waive such terms as they consider reasonable to give effect to this authorization and direction;
- (vi) 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; and
- (vii) 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.

4. Single Source Contract Extension for Locates (PW24046) (City Wide) (Item 11.1)

- (a) That pursuant to Procurement Policy #11 – Non-competitive Procurements, Council approve the extension of Contract C11-30-18 Contractor Required for Utility Locates until April 1, 2025 and that the General Manager, Public Works, or his designate be authorized to negotiate and execute the amendment to the contract and any ancillary documents required to give effect thereto with PVS Contractors Inc., in a form satisfactory to the City Solicitor; and

- (b) That the General Manager of Public Works, or their designate, be authorized to amend any Contract executed and any ancillary documents as required if the vendor identified in this Report undergoes a name change, in a form satisfactory to the City Solicitor.

5. Internal Infill Pilot Program to Address Activities on City Right-of-Way (PW24044/PED24086) (City Wide) (Item 11.2)

- (a) That Licensing and By-Law Services staff be directed to consult with Legal Services and Engineering Services to develop amendments to the Installation of Equipment on Roads By-Law 15-091 pertaining to the enforcement of permits issued for work within public Right-of-Way and to report back to the Public Works Committee by Q4 2024;
- (b) That Licensing and By-Law Services staff be directed to consult with Legal Services and Engineering Services to develop amendments to the Streets By-Law 86-77 pertaining to the enforcement of permits issued for Right-of-Way occupancies, and to report back to the Public Works Committee by Q4;
- (c) That the internal Infill Pilot Program between Licensing and By-Law Services and Engineering Services, be approved as a permanent program, subject to the approval of the staffing resourcing outlines in Recommendation (d) and (e);
- (d) That subject to the approval of Recommendations (c) and (e) of Report PW24044/PED24086, one full-time (1.0 FTE) Municipal Law Enforcement Officer, at an estimated annual cost of \$140,000 funded by user fees collected by Engineering Services be approved; and
- (e) That subject to the approval of Recommendation (c) and (d) of Report PW24044/PED24086, the purchase of one vehicle at an estimated initial cost of \$54,525, and an estimated annual operating cost of \$6,250, be approved, for Licensing and By-Law Services.

6. Installation of Speed Cushions as a Traffic Calming Measure Seneca Avenue (Ward 11) (Item 12.1)

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

WHEREAS, residents on Seneca Avenue in Ward 11 have advocated for the installation of speed cushions to address roadway safety concerns as a result of speeding;

WHEREAS, the adjacent street Springside Drive has speedbumps, and traffic is diverting to Seneca Avenue;

WHEREAS, the local car dealerships use this neighbourhood for test driving, resulting in excessive volume and speeds leaving residents with concerns; and

WHEREAS, signatures were collected from residents resulting in support by 26 of 36 (72%) homes on Seneca Avenue for the installation of speed cushions as a traffic calming measure.

THEREFORE, BE IT RESOLVED:

- (a) That the Transportation Division be authorized and directed to install up to 3 speed cushions on Seneca Avenue between Alderlea Avenue and Twenty Road East as part of the Transportation's 2024 Traffic Calming program for fall implementation;
- (b) That all costs associated with the installation of traffic calming measures be funded from the Ward 11 Minor Maintenance Account #4031911611 at an upset limit, including contingency, not to exceed \$15,000; and
- (c) That the General Manager of Public Works 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.

7. Funding for Tree Planting on R.A. Riddell Elementary School, 200 Cranbrook Drive, Hamilton (Ward 14) (Item 12.2)

WHEREAS, the City of Hamilton has declared a climate emergency;

WHEREAS, through increased tree planting initiatives on public property, the City continues to work towards meeting targets for the 40% urban tree canopy coverage, as set in the Council approved Urban Forestry Strategy;

WHEREAS, increasing the urban tree canopy by planting trees on private property has many environmental benefits for the residents of Ward 14 and the wider City;

WHEREAS, tree planting on Hamilton-Wentworth District School Board properties is not currently funded under existing City funded tree planting programs; and

WHEREAS, R.A. Riddell Elementary School, 200 Cranbrook Drive, Hamilton, has shown interest in having trees planted on their property.

THEREFORE, BE IT RESOLVED:

- (a) That the supply and installation of 9 large caliper (50mm to 70mm) trees on R.A. Riddell Elementary School property at 200 Cranbrook Drive, Hamilton, be funded from the Ward 14 Capital Discretionary Account [3302109014] at an upset limit, including contingency, not to exceed \$4,500; 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.

8. Installation and Maintenance of a Bird Habitat Structure Proposal by Glenn Meldrum, Johnson Tew Park, 71 Tews Lane, (Dundas) Hamilton (Ward 13) (Added Item 13.1)

WHEREAS, Johnson Tew Park is located at 71 Tews Lane, (Dundas) Hamilton;

WHEREAS, this City of Hamilton park contains naturalized areas, an outdoor arboretum, playground, and pathways maintained by the City of Hamilton;

WHEREAS, resident Glenn Meldrum has fundraised for the fabrication of a bird habitat structure and installation of said structure at Johnson Tew Park, 71 Tews Lane, Hamilton, to encourage the nesting of Barn Swallows (species-at-risk), in an effort to mitigate the decline in this species;

WHEREAS, the bird habitat structure will be designed to replicate desirable nesting habitat for the Barn Swallow and will be an open shed on concrete piers with a steel roof, of which the plans will be reviewed by a structural engineer, will be built and installed by a local union, and donated to the City;

WHEREAS, the City of Hamilton staff will assist with in-kind project management, and any permits required by the City of Hamilton and the Hamilton Conservation Authority;

WHEREAS, the maintenance of the bird habitat structure will be completed under the supervision of Parks staff and volunteers; and

WHEREAS, this proposed bird habitat structure aligns with the goals of the Biodiversity Action Plan.

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to assist with the implementation of the proposed bird habitat structure at Johnson Tew Park, 71 Tews Lane, Hamilton, and to support the development of an agreement to facilitate the donation by resident Glenn Meldrum, as required; and
- (b) That the General Manager of Public Works or designate 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 proposed bird habitat structure at Johnson Tew Park, located at 71 Tews Lane, Hamilton.

9. 357 Wilson Street East, Ancaster (PW24047/LS24017) (Added Item 15.1)

- (a) That the directions to staff outlined in Report PW24047/LS24017, respecting 357 Wilson Street East, Ancaster, be approved and remain confidential.
- (b) That Report PW24047/LS24017, respecting 357 Wilson Street East, Ancaster, remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

5. COMMUNICATIONS

5.1 Correspondence respecting the Closure of The Aviary

- (e) Lorraine Smith
- (f) Yousaf Malik

13. NOTICES OF MOTION

13.1 Installation and Maintenance of a Bird Habitat Structure Proposal by Glenn Meldrum, Johnson Tew Park, 71 Tews Lane, (Dundas) Hamilton (Ward 13)

15. PRIVATE AND CONFIDENTIAL

15.1 357 Wilson Street East, Ancaster (PW24047/LS24017)

The Agenda for the July 10, 2024, 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) June 17, 2024 (Item 4.1)

The Minutes of the June 17, 2024, meeting of the Public Works Committee were approved, as presented.

(d) COMMUNICATION ITEMS (Item 5)

The following Communication Items were received:

(i) Correspondence respecting the Closure of the Aviary (Item 5.1)

- (a) Bennet Sabourin (Item 5.1(a))
- (b) Lauren Misiaszek (Item 5.1(b))
- (c) Joanne Edmiston (Item 5.1(c))
- (d) Sonja Babovic (Item 5.1(d))
- (e) Lorraine Smith (Added Item 5.1(e))
- (f) Yousaf Malik (Added Item 5.1(f))

(e) PUBLIC HEARINGS (Item 10)

(i) Proposed Permanent Closure and Sale of a Portion of Public Highway Abutting 191 Victoria Avenue South, Hamilton (PW24043) (Ward 3) (Item 10.1)

Councillor Spadafora advised that the notice of the Proposed Permanent Closure and Sale of a Portion of Public Highway Abutting 191 Victoria Avenue South, 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 3.

(f) MOTIONS (Item 12)

Councillor Spadafora relinquished the Chair to Councillor A. Wilson in order to introduce the following Motion:

(i) Funding for Tree Planting on R.A. Riddell Elementary School, 200 Cranbrook Drive, Hamilton (Ward 14) (Item 12.2)

For disposition of this matter, refer to Item 7.

(g) NOTICES OF MOTION (Item 13)

(i) Installation and Maintenance of a Bird Habitat Structure Proposal by Glenn Meldrum, Johnson Tew Park, 71 Tews Lane, (Dundas) Hamilton (Ward 13) (Added Item 13.1)

The Rules of Order were waived to allow for the introduction of a Motion respecting Installation and Maintenance of a Bird Habitat Structure Proposal by Glenn Meldrum, Johnson Tew Park, 71 Tews Lane, (Dundas) Hamilton (Ward 13).

For disposition of this matter refer to Item 8.

(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) Ward 1 Victoria Park Solar Compacting Waste Containers (Item 14.1(a)(a))
Current Due Date: September 16, 2024
Proposed New Due Date: November 18, 2024

(ii) Environmentally Sustainable Solutions for Food Trucks in Bayfront (and other Park(s)) (PW22041) (City Wide) (Item 14.1(a)(b))
Current Due Date: Q4 2024
Proposed New Due Date: Q4 2025

(i) PRIVATE AND CONFIDENTIAL (Item 15)

(i) 357 Wilson Street East, Ancaster (PW24047/LS24017) (Added Item 15.1)

The Public Works Committee determined that discussion of Report PW24047/LS24017, 357 Wilson Street East, Ancaster, was not required in Closed Session.

For disposition of this matter, refer to Item 9.

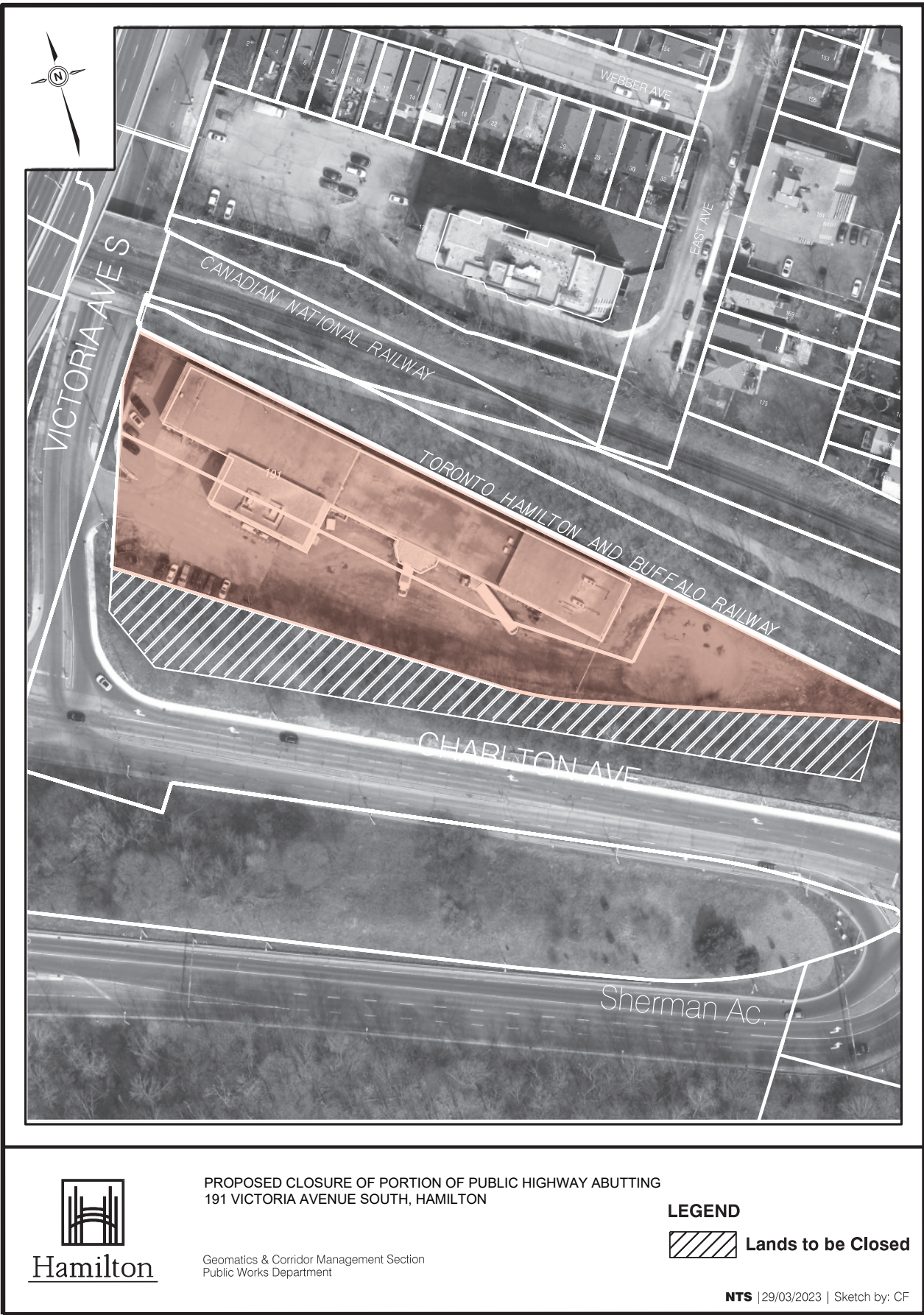
(j) ADJOURNMENT (Item 16)

There being no further business, the Public Works Committee meeting adjourned at 2:46 p.m.

Respectfully submitted,

Councillor M. Spadafora, Chair,
Public Works Committee

Carrie McIntosh
Legislative Coordinator
Office of the City Clerk



PROPOSED CLOSURE OF PORTION OF PUBLIC HIGHWAY ABUTTING
191 VICTORIA AVENUE SOUTH, HAMILTON

Geomatics & Corridor Management Section
Public Works Department

LEGEND

 **Lands to be Closed**

NTS | 29/03/2023 | Sketch by: CF