



PUBLIC WORKS COMMITTEE REPORT 24-013

1:30 p.m.

Monday, September 30, 2024

Council Chambers (Hybrid)

Hamilton City Hall

71 Main Street West

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

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 24-013 AND RESPECTFULLY RECOMMENDS:

1. Opportunities for Improvements to Address Food Waste Management, Safe Food Donations, and Recycling Improvements at Tim Horton's Field (Generated from Item 7.1)

That staff be directed to report back to the Public Works Committee with opportunities for improvements to address food waste management, safe food donations, and recycling improvements at Tim Horton's Field, including minimum food orders.

2. Dundas Wastewater Treatment Plant Upgrades (PW24059) (Ward 13) (Item 8.1)

- (a) That the budget for capital project ID 5161266213 - Dundas Wastewater Treatment Plant Improvements be increased by \$110M in the recommended 2025 Water, Wastewater, and Stormwater Rate Budget, to fully fund the Dundas Wastewater Treatment Plant upgrades,
- (b) That the Hamilton Water Divisional staff complement be increased by two new permanent Full-Time Equivalents as detailed in Appendix "A" to Report PW24059 to deliver the Dundas Wastewater Treatment Plant upgrades,

- (c) That the two Full-Time Equivalents identified in recommendation (b) to Report PW24059 be funded from capital project ID 5161266213 - Dundas Wastewater Treatment Plant Improvements at an approximate annual cost of \$335K;
- (d) That staff be directed to replace the amenities currently available in Martino Memorial Park and that the replacement of these amenities be:
 - (i) Aligned with the Recreation Master Plan and the Parks Master Plan;
 - (ii) Listed as a priority action in the forthcoming Recreation Implementation Plan;
 - (iii) Completed prior to the construction of the Dundas Waste Water Treatment Plant upgrade in 2028;
- (e) That staff report back to the Public Works Committee on potential locations, property costs, and required capital investment to replace the amenities currently available in Martino Memorial Park; and
- (f) That, as part of the Dundas Waste Water Treatment Plant upgrades, staff be directed to develop a multi-year community engagement plan, including the formation of a Community Liaison Committee and community updates and townhall meetings at strategic project points in time.

3. Waste Management Sub-Committee Report 24-003 - September 12, 2024 (Item 9.1)

That Waste Management Sub-Committee Report 24-003 – September 12, 2024, be received.

4. Canada Public Transit Fund – Permanent Baseline Funding (PW24058) (City Wide) (Item 9.2)

That Report PW24058, respecting Canada Public Transit Fund – Permanent Baseline Funding, be received.

5. Surface Water Quality Program 2023 Annual Update (PW24060) (City Wide) (Item 9.3)

That Report PW24060, respecting Surface Water Quality Program 2023 Annual Update, be received.

6. Proposed Permanent Closure and Sale of a Portion of Road Allowance at 37 Mountain Avenue North, Stoney Creek (PW24056) (Ward 5) (Item 10.1)

- (a) That the applications of the owners of 40 Lake Avenue Drive and 42 Lake Avenue Drive, Stoney Creek, to permanently close and purchase a portion of the public highway at 37 Mountain Avenue North (“Subject Lands”), as shown on Appendix "A", attached to Public Works Committee Report 24-013, 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 40 Lake Avenue Drive and 42 Lake Avenue Drive, Stoney Creek, as described in Report PW24056, 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 40 Lake Avenue Drive and 42 Lake Avenue Drive, Stoney Creek 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.
 - (b) That all net proceeds of the sale of the Subject Lands, being the lands at 37 Mountain Avenue North, Stoney Creek, be transferred to the Ward 5 Non-Property Tax Account #3301609605 for the purpose of funding future general infrastructure projects in compliance with the Area Rating Special Capital Re-investment Reserve Policy within Ward 5, to the satisfaction of the Director, Transportation Planning & Parking.
- 7. Nash Road Transmission Main Leak Rehabilitation (PW24065) (Added Item 11.1)**
 - (a) That Council approve the single source procurement, pursuant to Procurement Policy #11 – Non-competitive Procurements, for the provision of consultancy services for the Nash Road Transmission Main Leak Rehabilitation project, and that the General Manager, Public Works Department be authorized to negotiate, enter into and execute the extension to Contract C12-31-21 and any ancillary documents required to give effect thereto with Robinson Consultants Inc. in a form satisfactory to the City Solicitor;
 - (b) That Council approve the single source procurement, pursuant to Procurement Policy #11 – Non-competitive Procurements, for the completion of the work or supply of goods and services for the Nash Road Transmission Main Leak Rehabilitation project to the aggregate upset limit of \$6.5M, and that the General Manager, Public Works Department be authorized to negotiate, enter into and execute any Contract and any ancillary documents required to give effect thereto with required contractors and suppliers, in a form satisfactory to the City Solicitor; and
 - (c) That up to \$6.5M from the Waterworks Capital Reserve (#108015) be allocated to fund the works required for the Nash Road Transmission Main Leak Rehabilitation project; and
 - (d) That the General Manager, Public Works, or their designate be directed to provide an Information Report to the Public Works Committee detailing the final costs for the for the Nash Road Transmission Main Leak Rehabilitation project.

8. Rural Broadband (Item 12.1)

WHEREAS, reliable, high-speed internet access is essential for economic growth, educational opportunities, healthcare, and the overall well-being of residents in both urban and rural areas;

WHEREAS, the COVID-19 pandemic has highlighted the growing need for equitable access to high-speed internet for remote work, online education, telehealth, digital business operations and agriculture technologies;

WHEREAS, expanding broadband infrastructure is aligned with the City of Hamilton's long-term strategy for fostering economic development, enhancing quality of life, and ensuring that all residents benefit from connected communities' initiatives and digital transformation;

WHEREAS access to reliable internet service is critical to attracting new businesses, supporting innovation, and providing modern services in rural areas, contributing to sustainable economic development and workforce training opportunities;

WHEREAS improved broadband access in rural areas will support remote learning and work opportunities, increasing educational access and workforce flexibility for rural residents;

WHEREAS increasing broadband connectivity in the rural areas will enable the municipality to enhance digital public services, including emergency response, public health, and local government communications;

WHEREAS expanded broadband infrastructure will improve the efficiency and safety of rural roads by supporting smart transportation systems and providing internet-based GPS tools for drivers;

WHEREAS, the federal and provincial governments have recognized the importance of rural broadband expansion and have established programs, such as the Universal Broadband Fund and Ontario's Accelerated High-Speed Internet Program (AHSIP), which provide funding and support for local initiatives, offer cost-sharing partnerships with municipalities and internet service providers to close the digital divide and achieve the federal Basic Service Objective (BSO) of 50 Mbps download and 10 Mbps upload speeds, making large-scale broadband and projects feasible and affordable;

WHEREAS, over 75% of the City of Hamilton is considered “rural” and many of these rural communities, including areas such as Flamborough, Glanbrook, Ancaster, Stoney Creek, and other rural zones, continue to face significant challenges in accessing reliable and affordable broadband services, are currently not serviced by fibre broadband infrastructure, creating a significant digital divide between urban and rural residents;

WHEREAS, the City of Hamilton's Rural Broadband Study, conducted by the University of Guelph in 2021, demonstrated that the median download internet speed for rural Hamilton to be 7 Mbps vs 49 Mbps for urban Hamilton, the median upload speed for rural Hamilton to be 1 Mbps vs 10 Mbps for urban Hamilton and median latency to be 33 ms for rural Hamilton vs 15 ms for urban Hamilton; only 9.4% of rural respondents achieved the federal BSO, compared to 40.57% in urban areas; 42.31% of rural respondents reported data caps compared to only 7.76% in urban areas; 0.6% of rural residents had access to fibre broadband connection vs 13.6% in urban areas; and 96% of farms and 84% of home-based businesses in rural areas were below the BSO, negatively impacting business opportunities;

WHEREAS, the City of Hamilton has actively supported via letter of reference any applications for funding programs when requested and has previously developed an innovative permitting approval process, funded by the Internet Service Provider;

WHEREAS, the City of Hamilton Engineering Services staff have a track record of issuing permits within ten business days from receipt of a complete and compliant application for fibre installation; and

WHEREAS the City of Hamilton Digital & Innovation Office staff has interviewed several rural Internet Service Providers, done an environmental scan of various installation techniques allowed in various municipalities, identified areas of opportunities for consideration including plough in fibre method of installation and shared the findings with relevant internal stakeholders.

THEREFORE, BE IT RESOLVED:

- (a) That the Council of the City of Hamilton supports the establishment of partnerships with local internet service providers and regional stakeholders to plan, fund, and implement high-speed broadband expansion along rural roads and underserved areas;

- (b) That Council commits to working with relevant provincial and federal authorities to ensure that rural broadband expansion remains a priority for the long-term growth and prosperity of the City of Hamilton and advocate for continued and increased Federal and Provincial funding to support broadband infrastructure development in rural communities;
- (c) That Council directs staff to work with Internet Service Provider(s) to seek a rural broadband expansion plan, including identification of candidate rural roads in Hamilton where alternative installation techniques, such as plough-in (considering both Roadside and Property line), may be implemented for faster broadband deployment, taking into consideration costs vs risks vs benefits;
- (d) That the identification and investigation work to be led by Engineering Services and includes Transportation Services, Hamilton Water, and Internet Service Provider(s) and includes consultation with any other relevant City departments;
- (e) That Council directs Engineering Services staff to report back within 4 months on the progress of the rural broadband expansion plan, risks and mitigation plan, possible partnerships, costs and any potential funding sources if available and timelines for implementation; and
- (f) That Council directs Engineering Services staff to continue actioning upon the rural broadband expansion plan in consultation with other departments and Internet Service Provider on a regular basis and report back to Council every 6 months until the completion of the program in 2025.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

11. DISCUSSION ITEMS

11.1 Nash Road Transmission Main Leak Rehabilitation (PW24065)

The Agenda for the September 30, 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) September 16, 2024 (Item 4.1)

The Minutes of the September 16, 2024, meeting of the Public Works Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) The following Delegation Requests, were approved:

- (1)** Aileen Black, respecting the significant issue of food waste and the lack of recycling practices at Tim Hortons Field, a city-owned sports venue (In-Person) (For today's meeting) (Item 6.1)
- (2)** Jennifer Valeri, respecting adding the pride bench design to the commemorative benches that can be purchased in memoriam (Virtually) (For a future meeting) (Item 6.2)

(e) DELEGATIONS (Item 7)

(i) Aileen Black, respecting the significant issue of food waste and the lack of recycling practices at Tim Hortons Field, a city-owned sports venue (In-Person) (Added Item 7.1)

Aileen Black addressed Committee respecting the significant issue of food waste and the lack of recycling practices at Tim Hortons Field, a city-owned sports venue, with the aid of a PowerPoint presentation.

The delegation from Aileen Black respecting the significant issue of food waste and the lack of recycling practices at Tim Hortons Field, a city-owned sports venue, was received.

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

(f) STAFF PRESENTATIONS (Item 8)

(i) Dundas Wastewater Treatment Plant Upgrades (PW24059) (Ward 13)
(City Wide) (Item 8.1)

- (1) Stuart Leitch, Manager - Capital Delivery, addressed Committee respecting the Dundas Wastewater Treatment Plant Upgrades (PW24059) (Ward 13), with the aid of a PowerPoint presentation.

The presentation from Stuart Leitch, Manager - Capital Delivery, respecting Report PW24059, Dundas Wastewater Treatment Plant Upgrades, was received.

- (2) (a) That the budget for capital project ID 5161266213 - Dundas Wastewater Treatment Plant Improvements be increased by \$110M in the recommended 2025 Water, Wastewater, and Stormwater Rate Budget, to fully fund the Dundas Wastewater Treatment Plant upgrades,
- (b) That the Hamilton Water Divisional staff complement be increased by two new permanent Full-Time Equivalents as detailed in Appendix "A" to Report PW24059 to deliver the Dundas Wastewater Treatment Plant upgrades,
- (c) That the two Full-Time Equivalents identified in recommendation (b) to Report PW24059 be funded from capital project ID 5161266213 - Dundas Wastewater Treatment Plant Improvements at an approximate annual cost of \$335K;
- (d) That staff be authorized and directed to pursue the acquisition of property within the Dundas area to replace the Martino Memorial Park amenities that will be repurposed for the Dundas Wastewater Treatment Plant upgrades, and to meet any other Parks Masterplan requirements in the area if possible, and report back on potential locations, property costs, and required capital investment.
- (3) Report PW24059, respecting Dundas Wastewater Treatment Plant Upgrades, was **amended** by replacing sub-section (d) and by adding sub-sections (e) and (f), as follows:

~~(d) That staff be authorized and directed to pursue the acquisition of property within the Dundas area to replace~~

~~*the Martino Memorial Park amenities that will be repurposed for the Dundas Wastewater Treatment Plant upgrades, and to meet any other Parks Masterplan requirements in the area if possible, and report back on potential locations, property costs, and required capital investment.*~~

- (d) *That staff be directed to replace the amenities currently available in Martino Memorial Park and that the replacement of these amenities be:*
 - (i) *Aligned with the Recreation Master Plan and the Parks Master Plan;*
 - (ii) *Listed as a priority action in the forthcoming Recreation Implementation Plan;*
 - (iii) *Completed prior to the construction of the Dundas Waste Water Treatment Plant upgrade in 2028;*
- (e) *That staff report back to the Public Works Committee on potential locations, property costs, and required capital investment to replace the amenities currently available in Martino Memorial Park; and*
- (f) *That, as part of the Dundas Waste Water Treatment Plant upgrades, staff be directed to develop a multi-year community engagement plan, including the formation of a Community Liaison Committee and community updates and townhall meetings at strategic project points in time.*

For further disposition of this matter, refer to Item 2.

(g) PUBLIC HEARINGS (Item 10)

- (i) **Proposed Permanent Closure and Sale of a Portion of Road Allowance at 37 Mountain Avenue North, Stoney Creek (PW24056) (Ward 5) (Item 10.1)**

Councillor Spadafora advised that the notice of the Proposed Permanent Closure and Sale of a Portion of Road Allowance at 37 Mountain Avenue North, Stoney Creek, 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.

- (1) The public meeting was closed.
- (2) (a) That the applications of the owners of 40 Lake Avenue Drive and 42 Lake Avenue Drive, Stoney Creek, to permanently close and purchase a portion of the public highway at 37 Mountain Avenue North (“Subject Lands”), as shown on Appendix "A", attached to Report PW24056, 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 40 Lake Avenue Drive and 42 Lake Avenue Drive, Stoney Creek, as described in Report PW24056, 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 40 Lake Avenue Drive and 42 Lake Avenue Drive, Stoney Creek 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.
- (3) The motion was **amended** by adding thereto sub-section (b) as follows:
- (b) ***That all net proceeds of the sale of the Subject Lands, being the lands at 37 Mountain Avenue North, Stoney Creek, be transferred to the Ward 5 Non-Property Tax Account #3301609605 for the purpose of funding future general infrastructure projects in compliance with the Area Rating Special Capital Re-investment Reserve Policy within Ward 5, to the satisfaction of the Director, Transportation Planning & Parking.***

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

(h) **PRIVATE AND CONFIDENTIAL (Item 15)**

Committee determined that discussion of Item 15.1 was not required in Closed Session; therefore, the matter was addressed in Open Session as follows:

(i) **Closed Session Minutes – September 16, 2024 (Item 15.1)**

The Closed Session minutes of the September 16, 2024 Public Works Committee meeting, were approved and remain confidential.

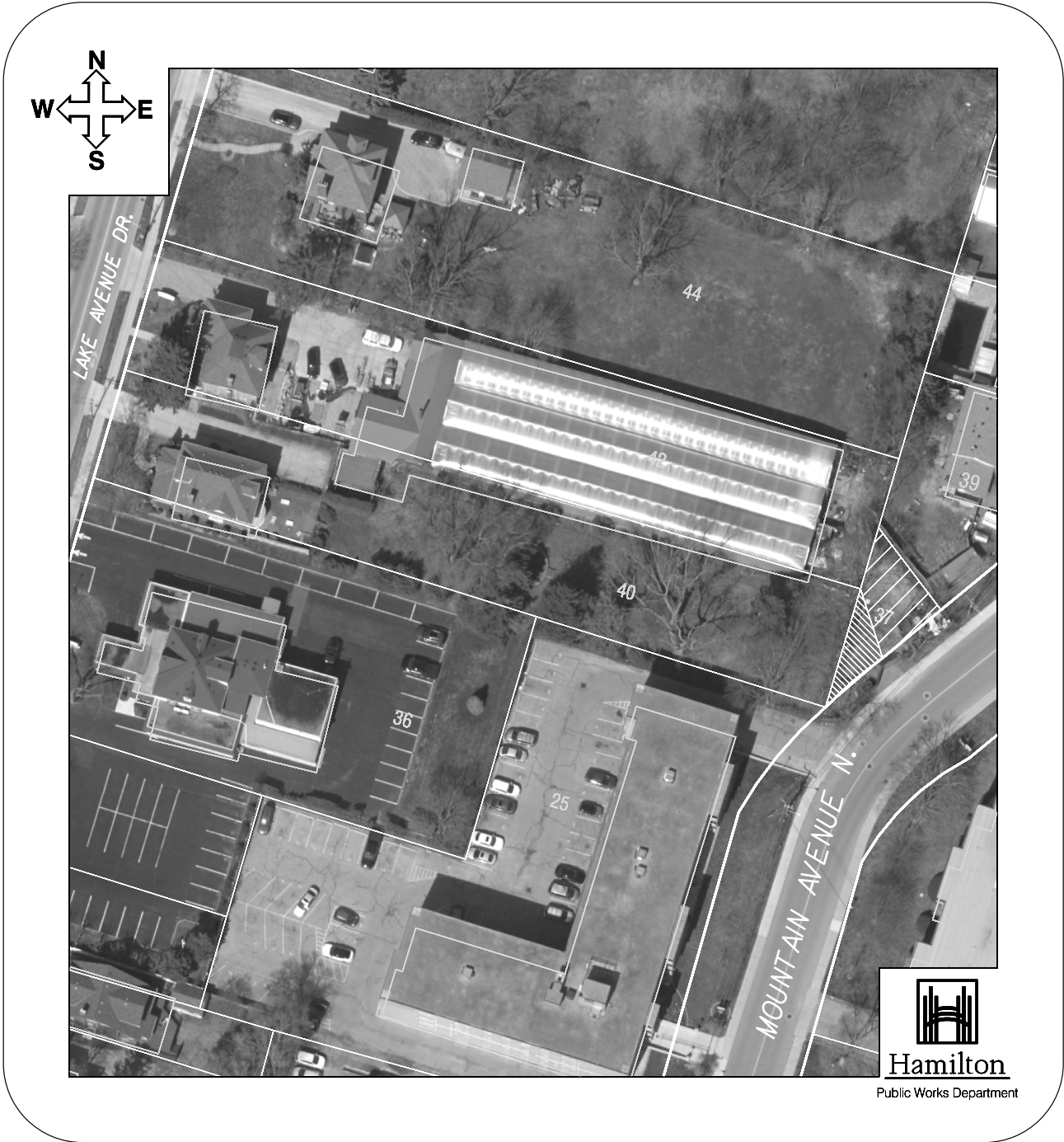
(i) ADJOURNMENT (Item 16)

There being no further business, the Public Works Committee meeting adjourned at 3:54 p.m.

Respectfully submitted,

Councillor M. Spadafora, Chair,
Public Works Committee

Carrie McIntosh
Legislative Coordinator
Office of the City Clerk



AERIAL DRAWING

PROPOSED CLOSURE OF
 ROAD ALLOWANCE AT
**37 Mountain Avenue North,
 Stoney Creek**

CITY OF HAMILTON
 PUBLIC WORKS | ENGINEERING SERVICES

LEGEND

	Part A - 40 Lake Avenue Drive, Stoney Creek
	Part B - 42 Lake Avenue Drive, Stoney Creek

SUBJECT LANDS

DATE: 04/24/2024	Not to Scale	Sketch By: LLF
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REFERENCE FILE NO: PW24_ _