Public Works, Infrastructure and Environment Committee

MINUTES 05-018
9:30 a.m.
Monday, December 5, 2005
Council Chambers
2nd Floor, Hamilton City Hall
71 Main Street West, Hamilton

Present: Councillors D. Mitchell, Chair and M. McCarthy, Vice Chair

Also Present: Councillor T. Whitehead
A. Little, Corporate Services
V. DiPietro, Planning and Economic Development
R. Sabo, Legal Services
I. Bedioui, Clerk’s Office

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Appointment of Chair
   (Braden/Bruckler)
   That Councillor Margaret McCarthy be appointed Chair of the Public Works, Infrastructure and Environment Committee for 2006.
   
   CARRIED

2. Appointment of Vice Chair
   (Braden/Bruckler)
   That Councillor Sam Merulla be appointed Vice Chair of the Public Works, Infrastructure and Environment Committee for 2006.
   
   CARRIED

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3. **Volunteer/Sub-Committee Minutes – For Information (Item 5.1):**

   *(Jackson/Ferguson)*

   That the following Volunteer/Sub-Committee Minutes be received for information:

   (a) Niagara-Hamilton WastePlan Working Group Minutes of October 20, 2005 Public Meeting

   (b) Solid Waste Management Master Plan Steering Committee Minutes of October 11, 2005 Public Meeting

   (c) Hamilton Cycling Committee Minutes of September 7, 2005 Public Meeting

   (d) Keep Hamilton Clean Committee Minutes of October 11, 2005 Public Meeting

   **CARRIED**

4. **Proposed Permanent Closure of a Portion of Public Unassumed Alley South of 10 Weir Street North – (PW05141) – (Ward 4) (Item 6.1)**

   *(Merulla/Collins)*

   (a) That the application to permanently close and purchase a portion of the public unassumed alley running east/west beside 10 Weir Street North, Hamilton, from the entrance of the alley to the rear property limit of 10 Weir Street North, Hamilton, be approved, subject to the following:

   (i) That the applicant make an application to a District Court Judge, under Section 88 of the Registry Act, R.S.O. 1990, for an order to permanently close and purchase the unassumed alley south of 10 Weir Street North.

   (ii) That the General Manager, Public Works or his designate sign the appropriate documentation confirming that no public funds have been expended on the portion of alley to be closed.

   (iii) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor.

   (iv) That the applicant register a reference plan under the Registry Act and that said plan be prepared by an Ontario Land Surveyor to the satisfaction of the Senior Project Manager, Survey and Technical Services and that the applicant deposit a reproducible copy of said plan with the Senior Project Manager, Survey and Technical Services.

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(b) That provided the Judge's Order to permanently close the public unassumed alley is granted:

   (i) That the City Solicitor be authorized and directed to prepare a By-law to permanently close the highway.

   (ii) That the appropriate By-law be introduced and enacted by Council.

   CARRIED

5. Proposed Permanent Closure of a Portion of Unopened Road Allowance of Beach Boulevard, Stoney Creek (PW05135) – (Ward 10) (Item 6.2)

(Collins/Bruckler)
That the portion of Beach Boulevard road allowance known as Parts 4 and 5, on Registered Plan 862, and the portion of road allowance to the west of said Parts, terminating at Deerhurst Road, in the former City of Stoney Creek, be permanently closed and sold, subject to the following conditions:

(a) That the application to permanently close a portion of the road allowance of Beach Boulevard (the highway), known as Parts 4 and 5 on Registered Plan 862 and the portion of road allowance to the west of said Parts, terminating at Deerhurst Road, in the former City of Stoney Creek, be approved.

(b) That the City Solicitor be authorized and directed to prepare a by-law to permanently close the highway.

(c) That the appropriate by-law be introduced and enacted by Council.

(d) That the Real Estate Section, Planning and Development Department be authorized and directed to sell this closed highway at fair market value and in accordance with the Procedural By-law for the Sale of Land, By-law No. 04-299.

(e) That the City Solicitor be authorized and directed to register a certified copy of the by-law permanently closing the highway in the proper land registry office.

(f) That the by-law permanently closing the highway does not take effect until a certified copy of the by-law is registered in the proper land registry office.

   CARRIED
6. **Public Works – Intergraph Licensing Agreement**
   (PW05145/FCS05129) – (City Wide) Item 7.1

   **(Bruckler/Collins)**
   That Council authorize the General Manager of Public Works to enter into a three year agreement with Intergraph Canada for the purpose of expanding existing GeoMedia GIS software Licences at a discounted cost of $400,000 in 2005, and $412,000 in 2006 and $424,360 in 2007, plus contingency and applicable taxes, to be funded from Capital Account 5140657644.

   CARRIED

7. **West Harbour Trail Link, Hamilton (PW05151) – (Ward 1) (Item 7.2)**

   **(Collins/Bruckler)**
   (a) That Trail Route B – York Boulevard to Valley Inn Road to Spring Garden Road Alignment, attached hereto as Appendix “A”, be approved in principle;

   (b) That the final design of the portion of the Trail Route B option for Valley Inn Road and the Valley Inn Road Bridge be based on the outcome of the Valley Inn Road Bridge Municipal Class Environmental Assessment;

   (c) That the final design of the portion of the Trail Route B option from Dundurn Castle on York Boulevard to Valley Inn Road be based on the outcome of the York Boulevard commuter cycling Municipal Class Environmental Assessment;

   (d) That staff continue to work with the project partners in refining the Trail Route B alignment in 2006 as the results of the Valley Inn Road Bridge Class Environmental Assessment and the York Boulevard commuter cycling Class Environment Assessment are concluded and that staff report back as part of the 2007 Capital Budget process on the design and implementation of the recommended trail alignment.

   CARRIED

8. **Trees Across Hamilton – Volunteer Naturalization Planting Program**
   (PW05148) – (City Wide) Public Works, Infrastructure and Environment Committee Outstanding Business List. (Item 8.1)

   **(Ferguson/Bruckler)**
   (a) That City of Hamilton Forestry staff be directed to develop an ongoing community based naturalized tree planting program, known as “Trees Across Hamilton” as presented in Report

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PW05148 for the solicitation of corporate and private donations and/or sponsorship to enhance the urban forest infrastructure through new planting investments in City owned parks, open spaces and other publicly owned properties.

(b) That the proposed “Trees Across Hamilton” Interim Program Delivery Model presented in Report PW05148 and the Interim Guideline as outlined in Appendix “B”, attached hereto, be endorsed to guide staff in the development and delivery of the program.

(c) That staff be directed to include a “program enhancement” within the 2006 Operating Budget submission in the amount of $50K to provide baseline funding for the purchase of materials and services.

(d) That staff be directed to proceed with the planning and implementation of the 2006 Trees Across Hamilton program and submit a final program strategy by July 2006 for approval by Council in conjunction with a consultant’s recommendation for program fundraising and program models outlining the dissemination of the program.

(e) That the item relating to the Toronto Tree Advocacy Program be removed from the Public Works, Infrastructure & Environment Committee Outstanding Business List.

CARRIED

9. Intersection Control List, December 5, 2005, PW05001g – Wards 8 & 4. (Item 8,2)

(Merulla/Collins)
That the appropriate By-law be presented to Council to provide traffic control as follows:

<table>
<thead>
<tr>
<th>Street 1</th>
<th>Street 2</th>
<th>Stop Direction</th>
<th>Class</th>
<th>Location - Comments</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Fortissimo Drive</td>
<td>Citino Dr</td>
<td>N/C</td>
<td>S/B</td>
<td>N. of Stone Church, E of West 5th</td>
<td>8</td>
</tr>
<tr>
<td>(b) Stonepine Cres. W. Leg</td>
<td>Citino Dr</td>
<td>N/C</td>
<td>N/B</td>
<td>N. of Stone Church, E of West 5th</td>
<td>8</td>
</tr>
<tr>
<td>(c) Stonepine Cres. E. Leg</td>
<td>Citino Dr</td>
<td>N/C</td>
<td>N/B</td>
<td>N. of Stone Church, E of West 5th</td>
<td>8</td>
</tr>
<tr>
<td>(d) Bell Ave.</td>
<td>Coulter Ave.</td>
<td>E/B</td>
<td>N/B &amp; S/B</td>
<td>S. of Queenston Traffic Circle</td>
<td>4</td>
</tr>
<tr>
<td>(e) Central Ave.</td>
<td>Bell Ave.</td>
<td>S/B</td>
<td>E/B &amp; W/B</td>
<td>S. of Queenston Traffic Circle</td>
<td>4</td>
</tr>
</tbody>
</table>

CARRIED
10. **Holbrook Park Purchase from the Chedoke Health Corporation, 559 Sanatorium Road (PW05150) – Ward 8 (Item 8.3)**

   (Bruckler/Ferguson)
   
   (a) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to negotiate the purchase of the lands described as part of Lot 21, Concession 5 in the former Geographic Township of Barton, designated as Part 1 on Plan 62R-15857, as in Instrument WE83384, PIN# 1740-00300 having a municipal number of 559 Sanatorium Road, also known as Holbrook Park.

   (b) That the acquisition cost for Holbrook Park be funded from the Unallocated Capital Levy Reserve account no.108020 in the amount of $210,000.

   (c) That the additional annual maintenance costs associated with the new creative play structure, estimated at $3,700, be included in the Operations and Maintenance Division 2006 operating budget submission for Council's consideration during the 2006 budget process.

   **CARRIED**

11. **Cancellation of the Public Works, Infrastructure and Environment Committee Meeting scheduled for January 3, 2006**

   (McCarthy/Ferguson)

   That the Public Works, Infrastructure and Environment Committee Meeting scheduled for January 3, 2006 be cancelled as there is no pressing business requiring the Committee's consideration.

   **CARRIED**

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**FOR THE INFORMATION OF COUNCIL:**

(a) **Changes to the agenda (Item 1):**

   (Ferguson/Braden)

   That the following changes to the agenda be approved:

   (i) Addition of a verbal update respecting a litigation matter or potential litigation which is subject to solicitor client-privilege (Added Item 12.1).

   (ii) Addition of a delegation request from Mr. Chris Krucker, Chair of Safe on 52 Committee, wishing to speak to Item 5.3 respecting Highway 52 Speed Limit (Added Item 4.1).

   **CARRIED**
(b) Declarations of Interest (Item 2)
None declared.

(c) Minutes (Item 3)
(Jackson/Merulla)
That the Minutes of the November 21, 2005 meeting be approved as presented.

CARRIED

(d) Delegation Requests
(Braden/Jackson)
That the delegation request from Mr. Chris Krucker, Chair of Safe on 52 Committee, wishing to speak to Item 5.3 respecting Highway 52 Speed Limit be approved to be heard today as added Item 5.3(a).

CARRIED

(e) 2006 Public Works Volunteer Committees Budget Submission (PW05147) – City Wide (Item 5.2)
(Ferguson/Bruckler)
That Report PW05147 and the proposed budgets for the Hamilton Cycling Committee and the Keep Hamilton Clean Committee be received and referred to the 2006 budget process.

CARRIED

(f) Public Hearings/Delegations
(i) Highway 52 Speed Limit (PW05146) – Wards 12 and 14 (Item 5.3)

1. Chris Krucker, Chair of Safe on 52 Committee (Added Item 5.3a)

Mr. Chris Krucker addressed Committee and explained that the Safe on 52 Committee was formed after the occurrence of several fatal automobile accidents on Highway 52 in 2003. The Safe on 52 Committee had requested that the speed limit be reduced to 70 kilometres per hour and has received positive responses from the public since the City has changed the limit. Mr. Krucker is of the opinion that motorists have slowed down as a result of the reduced speed limit and it should be kept at the 70 km/h limit.

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Mr. Krucker expressed his concerns that the highway is still unsafe and that three critical accidents have occurred this fall. He indicated that further measures need to be undertaken to improve the safety of the highway. Mr. Krucker submitted a written copy of his delegation which was distributed to the Committee.

Councillors Ferguson and Braden supported Mr. Krucker’s statement that the current speed limit of 70 km/h not be changed and they moved a motion to receive the staff report and to direct staff to review the feasibility of installing a roundabout at the intersection of Highway 52 and Jerseyville Road and report back to Committee with their findings.

(ii) Proposed Permanent Closure of a Portion of Public Unassumed Alley South of 10 Weir Street North – (PW05141) – (Ward 4) (Item 6.1)

Ed Switenky provided an overview of the proposed permanent closure of a portion of a public unassumed alley south of 10 Weir Street North and provided a photo of the alley.

1. Mr. Robin Adams and Mrs. Joanne Adams

Mr. and Mrs. Adams addressed Committee. They indicated that they wish to purchase the alley as the neighbourhood has a drug problem and drug paraphernalia has been found in the alley. Also, Sharp Monuments, a neighbouring business, blocks their driveway with debris and the operator of Daleo Motors, another neighbouring business does car maintenance in the alley and instructs his customers to use the alley.

2. Mr. Felice Passariello

Mr. Felice Passariello operator of Daleo Motors addressed Committee and advised that his business has been at this location for 20 years. He uses the alley on a daily basis. He maintains it by clearing the snow with his snow blower. He advised that the monument company, mentioned by the previous speakers, uses the alley for its business and the resident on Fairview (his garage is seen in the photo provided by staff) uses it as an access to his garage. He said that the Adams bought their home knowing that the alley was shared by other residents and business operators.

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The Chair asked if there was anyone else wishing to speak to this issue, and no one came forward.

The Committee discussed the issues and noted that the staff recommendation was just the first step and that it would be determined later who would purchase the alley as feasibly it could be sold to all (3) interested parties. Staff were requested to consult with the City’s legal services division regarding the next steps and check into the history of this area and provide Committee with the information by e-mail.

The Committee approved the staff recommendation.

(iii) Proposed Permanent Closure of a Portion of Unopened Road Allowance of Beach Boulevard, Stoney Creek (PW05135) – (Ward 10) (Item 6.2)

Ed Switenky provided an overview of the proposed permanent closure of a portion of unopened road allowance of Beach Boulevard. He advised Committee of the public response received as a result of the proposal. Of 55 notices that were circulated the City received three (3) responses which were opposed and 52 no comments.

The Chairman invited anyone from the public wishing to speak to this issue to come forward. No one came forward.

The Committee approved the staff recommendation.

(g) STAFF PRESENTATIONS

(i) Public Works – Intergraph Licensing Agreement PW05145/FCS05129) – (City Wide) (Item 7.1)

John Murray, Manager of Capital Planning and Implementation made a PowerPoint presentation which outlined the report. He provided a hard copy for distribution and answered question posed by the Committee.

Al Little, the G.I.S. Manager, also answered questions posed by the Committee. After a lengthy discussion, the Committee expressed its support of this technology and approved the staff recommendation.
(ii) **West Harbour Trail Link, Hamilton (PW05151) – (Ward 1) (Item 7.2)**

Robert Norman made a PowerPoint presentation which provided an overview of the staff report.

Brenda Axxon of Conservation Halton made a PowerPoint presentation with respect to the wildlife and the endangered species in the area.

Werner Plessl, Executive Director of Hamilton Waterfront Trust provided an overview of the proposed trail.

The Committee debated whether it would be preferable to put the trail along the waterfront (Trail Route A). Staff explained that it depends on whether the Federal Government will support Trail Route A due to concerns with protecting the wildlife and vegetation.

The Committee approved the staff recommendation however, it was understood that Trail Route B may not be the final choice.

(iii) **Status Report on City’s Closed Landfills (PW05149) (City Wide) (Item 7.3)**

Beth Goodger provided an introduction of the PowerPoint presentation by Craig Murdoch, Manager of Waste Disposal. A hard copy of the presentation was distributed and David Kerr, Supervisor of Landfills was also in attendance to respond to any questions.

The Committee recognized staff for all their hard work with respect to this issue and noted that this should be added to the City’s report card and for which it should receive a good grade for the progress made in this area.

The Committee received (Bruckler/Jackson) the report and the staff presentation.

(h) **Intersection Control List for December 5, 2005 (PW05001g) (Wards 8 & 4)**

Councillor Merulla presented a petition with 24 signatures from residents of Bell Avenue requesting a 4 way stop sign at the intersection of Bell
Avenue and Colter Avenue and a stop sign at Central Avenue at Bell Avenue.

On a motion (Merulla/Collins) Committee amended the staff recommendation to include on the intersection control list the intersection of Bell Avenue and Colter Avenue as subsections (d) to install a four way stop sign and the intersection of Bell Avenue and Central Avenue as subsection (e) to install a stop sign.

Committee approved the recommendation as amended.

(i) General Information / Other Business

Changes were made to the Outstanding Business List as follows:

11.1 Outstanding Business List Item D, Review of Maintenance Agreement for Westbrook Road, due date changed to April 24, 2006

11.2 Outstanding Business List Item I, Additional Cemetery RFP, due date changed to March 6, 2006

11.3 Outstanding Business List Item J, Implementation of Roundabouts in Ward 4, due date changed to March 6, 2006

11.4 Outstanding Business List Item N, Patio Fees, due date changed to February 6, 2006.

11.5 Outstanding Business List Item Q, Native tree nursery initiative, due date changed to March 6, 2006

11.6 Outstanding Business List Item T, Policy respecting removal of trees on public property posing threat to public safety or property, due date changed to February 20, 2006

11.7 Outstanding Business List Item AA, Cooperative RFP with Toronto for street sweepers, due date changed to March 6, 2006

11.8 Outstanding Business List Item FF, Non-chemical weed treatment on City boulevards and medians is subject to 2006 budget process and was removed from the outstanding business list.

11.9 Outstanding Business List Item II, Flooding caused by a resident’s pool – (No copy) - Staff will be reporting to the Planning and Economic Development Committee with respect to this issue. – The Item was transferred to the Planning and Economic Development Committee.

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(j) Private and Confidential

(a) Verbal update respecting a litigation matter or potential litigation which is subject to solicitor client-privilege (Added Item 12.1.)

On a motion (McCarthy/Bruckler) the Committee moved In Camera to consider a subject matter pertaining to litigation or potential litigation which is subject to solicitor client-privilege.

On a motion (McCarthy/Ferguson) the Committee reconvened in Open Session and received the verbal update.

There being no further business, the meeting of the Public Works, Infrastructure and Environment Committee adjourned at 1:05 p.m.

Respectfully submitted,

Councillor David Mitchell, Chair
Public Works, Infrastructure and Environment Committee

Ida Bedioui, Legislative Assistant
Public Works, Infrastructure and Environment Committee
December 5, 2005