



## **PUBLIC WORKS COMMITTEE**

### **REPORT 14-010**

**Tuesday, September 2, 2014**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

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**Present:** Councillors T. Whitehead (Chair), S. Merulla (Vice Chair),  
C. Collins, L. Ferguson, T. Jackson, B. McHattie, R. Pasuta,  
R. Powers

**Regrets:** Councillor S. Duvall – City Business

**Also Present:** Councillor M. Pearson

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### **THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 14-010 AND RESPECTFULLY RECOMMENDS:**

**1. Cherry Beach Shoreline Protection Infrastructure Class Environmental Assessment Project File Report (PW14094) (Ward 10) (Item 5.2)**

- (a) That the General Manager, Public Works, be authorized and directed to file the Cherry Beach Shoreline Protection Infrastructure Class Environmental Assessment Project Report with the Municipal Clerk for a mandatory minimum thirty (30) day public and all relevant agencies review period in September 2014;
- (b) That the General Manager, Public Works, be authorized and directed to proceed with implementation of the Cherry Beach Shoreline Protection Infrastructure works, subject to budget submission and approval, at the completion of the Municipal Class Environmental Assessment process.

**2. 2013 City of Hamilton Corporate Greenhouse Gas Report (PW14092) (City Wide) (Item 5.3)**

That Report PW14092 respecting the 2013 City of Hamilton Corporate Greenhouse Gas Report, be received.

**3. Temporary Closure of King Street West from Sterling Avenue to North Oval -Westfest (PW14095) (Ward 1) (Item 5.4)**

That the application from the Westdale Village B.I.A. for the temporary closure of King Street West between Sterling Avenue and North Oval at 10:00 p.m. on Friday, September 19, 2014 until 4:00 a.m. on Sunday, September 21, 2014, for a street festival, be approved subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his designate is received, and that such permits or authorizations that may be required by the Chief of Police or his designate are obtained;
- (b) That the applicant provide proof of \$5,000,000 public liability insurance naming the City of Hamilton as an added insured party with a provision for cross liability, and holding the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;
- (c) That all barricading, detour signing and traffic control be subject to the direction and satisfaction of the General Manager of Public Works, or his designate with all costs to be the responsibility of the applicant;
- (d) That all barricading be supplied by and at the expense of the applicant;
- (e) That "Temporary Road Closure" signs be installed in advance by the Public Works Department, on the affected roadways, if deemed necessary by the General Manager of Public Works at the sole cost of the applicant;
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the General Manager of Public Works at the expense of the event organizer;
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
- (h) That all property owners and tenants along the closed portion of the road be notified of the event by the applicant prior to the event in a form acceptable to the General Manager of Public Works.

**4. Standardization of Fleet Equipment and Parts (PW09074(b)) (City Wide) (Item 5.5)**

- (a) That the products, services and suppliers identified in Appendix A to Report PW09074b, be approved as amendments to the Standardization of Fleet Equipment and Parts approved by Council on June 13, 2012, as part of Public Works Committee Report 12-007, thereby removing or adding recommended products and recommended services and suppliers;

- (b) That the language in Standardization of Fleet Equipment and Parts, Report PW09074a, approved by Council on June 13, 2012, be amended to include single source purchases for items previously approved in PW09074a and the items listed in Appendix A to Report PW09074b to include new vehicle acquisition as well as labour and parts when performing ongoing life cycle repairs.

**5. North End Traffic Management Study: Permanent Closure of a Portion of Hughson Street North to Vehicular Traffic (PW08094(c)) (Ward 2) (Item 8.1)**

That part of the Hughson Street North road allowance, be hereby permanently closed to vehicular traffic, as shown on Appendix "A" to Report PW08094c, subject to the following conditions:

- (a) That the General Manager of Public Works or his duly authorized agent is hereby authorized to erect barricades to enforce the due observance of the provisions of this by-law;
- (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 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;
- (e) 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;
- (f) That the Public Works Department publish a notice pursuant to Section 34 of the Municipal Act 2001, S.O. 2001, c.25, as amended, of the City's intention to pass the by-law.

**6. Funding Request for Energy Efficiency Projects (PW14097) (City Wide) (Item 8.2)**

- (a) That the City of Hamilton proceed with the implementation of the Energy Efficiency projects identified in Table 1 of Report PW14097, at a capital cost of \$3.14 million;
- (b) That project costs be secured using \$1.751 million from the Energy Reserve (112272), expected incentives of \$889,000 also be secured from the Energy Reserve (112272) and \$500,000 from Facilities Macassa Lodge Replacements and Refurbishing (project ID 6301341301);
- (c) That staff be directed to execute the appropriate agreements to participate in the Ontario Power Authority's Demand Response program as per the Corporate Energy

Policy (PW14050), subject to the satisfaction of the General Manager, Public Works (or designate) and the City Solicitor;

- (d) That the energy savings and incentives from these projects, as supported by the Corporate Energy Policy, be used to repay the funds borrowed, plus applicable interest, from the Energy Reserve (112272) and once those funds are paid back, direct future savings to the Energy Reserve as per Appendix A, B, C and D to Report PW14097.

**7. Policy 11 Single Source Provider (Extension) for Project Management Advisory Services for the Pan Am Stadium (PW13059(a)) (City Wide) (Item 8.4)**

That the General Manager of Public Works be authorized and directed to retain MHPM Project Managers Inc. (MHPM), as a Procurement Policy #11 - Single Source Provider, to extend project management advisory services for the construction phase of the new Pan Am Stadium to an upset limit of \$60,000 for the remainder of the project.

**8. Coordinated Street Furniture Program (PW09033(c)) (City Wide) (Item 8.7)**

- (a) That the City of Hamilton enter into an agreement to amend the terms of an existing Advertising Licence Agreement with Creative Outdoor Advertising for the placement of advertising and non-advertising benches (known as transit benches/waste receptacles) on approved locations within the City's road allowance;
- (b) That the Mayor and City Clerk be authorized and directed to execute the amended Advertising Licence Agreement referred to in subsection (a) together with all necessary associated documents, in a form satisfactory to the City Solicitor and with content acceptable to the General Manager of Public Works.

**9. All Way Stop Control - Keith Street and Cheever Street (Item 9.1)**

- (a) That an all-way stop control be implemented at the intersection of Keith Street and Cheever Street; and,
- (b) That an appropriate by-law to amend the City of Hamilton Traffic By-law 01-215 be passed and enacted.

**10. Tree Removal at 166 East 42nd Street (Item 10.1)**

That forestry staff be directed to remove the tree located at 166 East 42nd Street.

**11. Tree Removal between 12 Dianne Court and 14 Dianne Court (Item 10.2)**

That forestry staff be directed to remove the tree located between 12 Dianne Court and 14 Dianne Court.

**FOR THE INFORMATION OF COUNCIL:**

**(a) APPROVAL OF THE AGENDA (Item 1)**

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

- (i) Added as Item 4.1 - Delegation Request from Carl Fraser respecting the Dog Park on York Rd, Dundas (request to speak today)
- (ii) Added as Item 4.2 – Delegation Request from Don Bell respecting the shoreline at 69 Cherry Beach Road (request to speak today)
- (iii) Withdrawal of Item 5.6 - Report 14-001 of the Hamilton Utilities Corporation Joint Advisory Committee, dated August 27, 2014 (the August 27, 2014 meeting of the Hamilton Utilities Joint Advisory Committee was cancelled and rescheduled for September 2, 2014)
- (iv) Added as Item 10.3 – a Notice of Motion respecting a Tree Removal at 7 Atkins Drive, Hamilton
- (v) Added as Item 10.4 - a Notice of Motion respecting a Tree Removal at 819 Garth Street, Hamilton
- (vi) Added as Item 10.5 - Installation of a Stop Control at Davinci Boulevard and Michelangelo Lane (to the west) and Sistine Court (to the east), Hamilton

The September 2, 2014 Public Works Committee Agenda was approved as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

Councillor Powers declared an interest respecting Items 6.2 a Delegation from Matthew Di Vona regarding the Hopkins Dog Park, Item 6.3 a Delegation from Carl Fraser regarding the Dog Park at York Road, Dundas and Item 8.3 respecting the Borer's Falls Dog Park – Site Evaluation (PW14096) (Ward 13) because of solicitor/client advice that he has received.

Councillor Powers advised that he will refrain from discussion and voting on Items 6.2, 6.3 and 8.3 and that he will excuse himself from Council Chambers when these items are being discussed.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

The Minutes of the August 14, 2014 Public Works Committee meeting were approved as presented.

**(d) DELEGATION REQUESTS (Item 4)**

**(i) Delegation Request from Carl Fraser respecting the Dog Park on York Rd, Dundas (request to speak today) (Added Item 4.1)**

The delegation request from Carl Fraser respecting the Dog Park on York Rd, Dundas, was approved for today's meeting.

**(ii) Delegation Request from Don Bell respecting the shoreline at 69 Cherry Beach Road (request to speak today) (Added Item 4.2)**

The delegation request from Don Bell respecting the shoreline at 69 Cherry Beach Road was approved for today's meeting.

**(e) CONSENT ITEMS (Item 5)**

**(i) Minutes of the June 17, 2014 meeting of the Keep Hamilton Clean and Green Committee (Item 5.1)**

The Minutes of the June 17, 2014 meeting of the Keep Hamilton Clean and Green Committee were received.

**(f) PUBLIC HEARINGS/DELEGATIONS (Item 6)**

**(i) Delegation from Tys Theysmeyer, Royal Botanical Gardens, respecting Rare Turtle Recovery, Wildlife Corridor Issues and Roads of Issue at Cootes Paradise (Item 6.1)**

Mr. Tys Theysmeyer from the Royal Botanical Gardens (RBG) addressed the Committee respecting Rare Turtle Recovery, Wildlife Corridor Issues and Roads of Issue at Cootes Paradise.

Mr. Theysmeyer addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the public record.

The presentation included, but was not limited, to the following:

- Project Map – RBG Turtle Plan
- Wetland Habitat Challenges
  - Urban Stormwater
  - Western Desjardins Canal Contaminants
  - Dundas Wastewater Treatment Plant Effluent
  - Non Native Plants

- Identified Nesting Locations
- Location of Turtle Road Kills on Cootes Drive and Olympic Drive and Corridors
- Community Garden in Dundas

The delegation from Tys Theysmeyer, Royal Botanical Gardens, respecting Rare Turtle Recovery, Wildlife Corridor Issues and Roads of Issue at Cootes Paradise was received.

The presentation material provided by Mr. Tys Theysmeyer, Royal Botanical Gardens (RBG), respecting Rare Turtle Recovery, Wildlife Corridor Issues and Roads of Issue at Cootes Paradise was referred to staff for a report to the Public Works Committee on measures to address the concerns of the RBG respecting Rare Turtle Recovery, Wildlife Corridor Issues and Roads of Issue at Cootes Paradise.

Staff was directed to consult with the Royal Botanical Gardens in formulating a report about measures to address concerns respecting Rare Turtle Recovery, Wildlife Corridor Issues and Roads of Issue at Cootes Paradise.

**(ii) Delegation from Matthew Di Vona respecting the Hopkins Dog Park (Item 6.2)**

Mr. Matthew Di Vona, Davis Howe Partners LLP, addressed the Committee respecting the Hopkins Dog Park. Mr. Di Vona is the solicitor for Ms. Shirley Hoskins whose property is adjacent to the Hopkins Dog Park. Mr. Di Vona reported that the concerns of the homeowner include noise and intrusion on her property as a result of the Dog Park. Mr. Di Vona outlined suggestions on ways to mitigate the concerns of the homeowner.

The delegation from Matthew Di Vona respecting the Hopkins Dog Park was received.

**(iii) Delegation from Carl Fraser respecting the Dog Park on York Rd, Dundas (Added Item 6.3)**

Mr. Carl Fraser addressed the Committee respecting the Dog Park on York Rd, Dundas.

Mr. Fraser spoke in support of the Dog Park on York Road in Dundas. Mr. Fraser indicated that he has spoken to community members and he has collected a petition with 271 names in support of the Dog Park. Mr. Fraser submitted the petition to the Committee Clerk and a copy has been retained for the public record.

The delegation from Carl Fraser respecting the Dog Park on York Rd, Dundas was received.

**(iv) Delegation from Don Bell respecting the shoreline at 69 Cherry Beach Road (Added Item 6.4)**

Mr. Don Bell addressed the Committee respecting the shoreline at 69 Cherry Beach Road.

Mr. Bell informed the Committee that he owns property at 69 Cherry Beach Road and is concerned about shoreline erosion on his property. Mr. Bell reported that between 1 and 2 metres of shoreline is being lost in the area every year. Mr. Bell feels that the proposed revetement plan being proposed by the City will negatively affect the integrity of the shoreline at his property.

The delegation from Don Bell respecting the shoreline at 69 Cherry Beach Road was received.

**(g) PRESENTATIONS (Item 7)**

**(i) Storm Water Infrastructure Maintenance Overview (Item 7.1)**

Mr. Darrell Smith, Manager, Roads and Maintenance, presented an overview respecting Storm Water Infrastructure Maintenance to the Committee with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the public record.

The presentation included, but was not limited, to the following:

- Stormwater System
  - Make Up
  - Responsibilities
  - Mission and Inventory
  - Core Activities and Budget
- Improvement Initiatives
- Challenges and Opportunities

The presentation respecting a Storm Water Infrastructure Maintenance Overview was received.

**(ii) Presentation by the Hamilton Cycling Committee (HCyC) respecting the Hamilton Cycling Committee Annual Update (Item 7.2)**

Mr. Bob Brown, Member, Hamilton Cycling Committee, provided the Committee the Annual Update from the Hamilton Cycling Committee with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the public record.

The presentation included, but was not limited, to the following:



- HCyC Annual Education Campaign
- Hamilton's Cycling Master Plan
- Recent Successes
- Upcoming Projects
- Putting the Cycling Master Plan Together
- Summary and Overview of Progress

The presentation from the Hamilton Cycling Committee (HCyC) respecting the Hamilton Cycling Committee Annual Update was received.

**(h) DISCUSSION ITEMS (Item 8)**

**(i) North End Traffic Management Study: Permanent Closure of a Portion of Hughson Street North to Vehicular Traffic (PW08094(c)) (Ward 2) (Item 8.1)**

Councillor Collins, Acting Chair, informed Committee members that because Item 8.1 relates to a proposed permanent closure of a Portion of Hughson Street North to Vehicular Traffic that a public meeting was required. Acting Chair Collins indicated that a notice about the public meeting was placed in the Hamilton Spectator on Friday August 22, 2014 and on the City's website advising that any members of the public may appear before the Committee to speak to this matter. The Committee Clerk advised that no one registered to speak to this issue nor were any written comments received. Acting Chair Collins asked if any members of the public wished to come forward to speak to this matter. No members of the public came forward.

For disposition of this matter refer to Item 5.

**(ii) Borer's Falls Dog Park – Site Evaluation (PW14096) (Ward 13) (Item 8.3)**

Report PW14096 respecting the Borer's Falls Dog Park was received and referred back to staff for a report to the Public Works Committee to examine mitigation measures to address the concerns of the property owner adjacent to the Borer's Falls Dog Park.

**(iii) Sidewalk Winter Maintenance Summary (PW14098) (City Wide) (Item 8.5)**

Report PW14098 respecting Sidewalk Winter Maintenance Summary was received and referred back to staff for a report respecting costing options and phasing-in options for Sidewalk Winter Maintenance for consideration as part of the 2015 budget deliberations.

**(iv) Intersection Windrow Removal – Cost Estimate (PW14099) (City Wide) (Item 8.6)**

Report PW14099 respecting Intersection Window Removal – Cost Estimate was received and referred back to staff for a report on options for possible inclusion as part of the 2015 budget deliberations.

**(j) NOTICES OF MOTIONS (Item 10)**

Councillor Jackson introduced the following Notice of Motion:

**(i) Tree Removal at 166 East 42<sup>nd</sup> Street (Item 10.1)**

Whereas, the residents of 166 East 42<sup>nd</sup> Street have indicated that the 62 cm Oak leaf Mountain Ash Tree is deceased and causing safety concerns; and

Whereas, sidewalk and road reconfiguration work on East 42<sup>nd</sup> Street has changed the survey results at 166 East 42<sup>nd</sup> Street therefore affecting the tree and the property; and

Whereas, recent survey results by the homeowner have determined that this is a City tree and not a private tree; and

Whereas, the property owners of 166 East 42<sup>nd</sup> Street have expressed their desire to their Ward Councillor that the City remove the tree;

Therefore be it resolved:

That forestry staff be directed to remove the tree located at 166 East 42<sup>nd</sup> Street.

The rules of order were waived to allow the introduction of a Motion respecting a Tree Removal at 166 East 42<sup>nd</sup> Street.

For disposition on this matter refer to Item 10.

Councillor Jackson introduced the following Notice of Motion:

**(ii) Tree Removal between 12 Dianne Court and 14 Dianne Court (Item 10.2)**

Whereas, the residents of 12 Dianne Court and 14 Dianne Court have indicated that the 80 cm Green Ash tree is deceased due to the Emerald Ash Borer and is therefore causing safety concerns; and

Whereas, recent survey results by the homeowner have determined that this is a City tree and not a private tree; and

Whereas, the property owners of 12 Dianne Court and 14 Dianne Court have expressed their desire to their Ward Councillor that the City remove the tree;

Therefore be it resolved:

That forestry staff be directed to remove the tree located between 12 Dianne Court and 14 Dianne Court.

The rules of order were waived to allow the introduction of a Motion respecting a Tree Removal between 12 Dianne Court and 14 Dianne Court.

For disposition on this matter refer to Item 11.

Councillor Powers introduced the following Notice of Motion:

**(iii) Tree Removal at 7 Atkins Drive, Hamilton (Added Item 10.3)**

Whereas, the tree located on a City Easement at 7 Atkins Drive, Hamilton, has been damaged by the ice storm of 2013-2014;

And Whereas, a neighbouring property owner has expressed their desire to their Ward Councillor that the City remove the tree;

Therefore be it resolved:

That Forestry staff be directed to remove the tree located at 7 Atkins Drive, Hamilton.

Councillor Powers introduced the following Notice of Motion:

**(iv) Tree Removal at 819 Garth Street, Hamilton (Added Item 10.4)**

Whereas, the Ash Tree located at 819 Garth Street, Hamilton, is deceased;

And Whereas, the Ash Tree was planted by the City of Hamilton;

Therefore be it resolved:

That Forestry staff be directed to remove the tree located at 819 Garth Street, Hamilton.

Councillor Powers introduced the following Notice of Motion:

**(v) Installation of a Stop Control at Davinci Boulevard and Michelangelo Lane (to the west) and Sistine Court (to the east), Hamilton (Added Item 10.5)**

(a) That an all way stop control be installed at Davinci Boulevard and Michelangelo Lane (to the west) and Sistine Court (to the east), Hamilton; and,

(b) That the appropriate amending By-law, to install an all way stop control at Davinci Boulevard and Michelangelo Lane (to the west) and Sistine Court (to the east), Hamilton; be passed.

**(k) ADJOURNMENT (Item 13)**

There being no further business, the Public Works Committee adjourned at 12:05 p.m.

Respectfully submitted,

Councillor T. Whitehead, Chair  
Public Works Committee

Lauri Leduc  
Legislative Coordinator  
Office of the City Clerk