



**Public Works Committee  
REPORT 10-002**

**(as approved by Council on February 10, 2010)**

**9:30 a.m.**

**Monday, February 1, 2010  
Hamilton Convention Centre  
One Summer's Lane  
Albion Room  
Hamilton, Ontario**

**Present:** Chair S. Merulla  
Vice Chair T. Jackson  
Councillors B. Bratina, M. McCarthy, D. Mitchell, C. Collins,  
L. Ferguson, R. Powers

**Also Present:** G. Davis – General Manager, Public Works  
J. Harnum – Senior Director, Environment and Sustainable  
Infrastructure  
B. Goodger – Senior Director, Operations and Waste  
Management  
J. Mater – Senior Director, Transportation, Energy and  
Facilities  
G. Lupton – Director, Energy, Fleet and Facilities  
C. Biggs – Legislative Assistant, City Clerk's

**THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 10-002 AND  
RESPECTFULLY RECOMMENDS**

**1. Intersection Control List (PW10001) (Wards 1, 8, 11 and 15) (Item 5.3)**

That the appropriate By-law to provide traffic control as follows, be passed and enacted:

Intersection		Stop Direction		Class	Location / Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
(a)	Golf Club Rd.	Hendershot Rd.	NB/SB	EB/WB	C	S. of RR. 20., E. of RR. 56	11
(b)	Arcade Cr.	Claremont Dr.	N/C	NB	A	Escarpment brow, between West 5 <sup>th</sup> and Upper James	8
(c)	Devon Pl.	Parkside Dr.	N/C	WB	A	E. of Churchill Fields Park	1

Intersection		Stop Direction		Class	Location / Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
(d)	Desjardins Ct.	Paradise Rd. N.	N/C	EB – Yield	B	N. of King, W. of Longwood	1
(e)	Freeland Ct.	Paradise Rd. N.	N/C	WB - Yield	B	N. of King, W. of Longwood	1
(f)	Main St. S.	Union St.	WB	NB/SB	B	S, of Hwy.5 E., W. of Mill St. S.	15

**2. Clean City Liaison Committee Recommendation – 2009 Litter and Graffiti Index (PW10013) (City Wide) (Item 5.3)**

That Report PW10013 respecting Clean City Liaison Committee Recommendation – 2009 Litter and Graffiti Index, be received.

**3. Hess Village Review – Outdoor Boulevard Café Encroachment Agreement Terminations (PW10012) (Ward 2) (Item 7.1)**

(a) That the following Outdoor Boulevard Café Agreements, which exist at the “pleasure of Council”, be hereby terminated effective immediately:

Establishment Name	Address	Original Party to the Agreement / Current Owner (Principal)	Date of Agreement
Sizzle	25 Hess St	David Ivory/1669517 Ontario Inc. (Arthur Boiago)	May 13, 1987
Elixir b	20 Hess St	William H. Robinson/Paradise Lane Developments Hamilton Inc. (Douglas Dore)	June 25, 1986
Elixir b	20 Hess St	William Harold Robinson, Mario Joseph Cairo/Paradise Lane Developments Hamilton Inc. (Douglas Dore)	April 9, 1987
Funky Monkey	115/117 George St	Norman Wallace Dobell, Tynor Holdings Limited/1612422 Ontario Inc. (Dean Collett)	Feb. 3, 1977

(b) That the Mayor and City Clerk be authorized and directed to execute new Outdoor Boulevard Café Encroachment Agreements for the businesses within the Hess Village Review area, in a form satisfactory to the City Solicitor, as required by Report PED090127.

**4. Waterdown Road Corridor Class Environmental Assessment  
– Environmental Study Report (PW10010) (Ward 15) (Item 7.2)**

- (a) That the Waterdown Road Corridor Class Environmental Assessment Phases 3 and 4, Environmental Study Report (ESR) be endorsed and the General Manager of the Public Works Department be authorized and directed to file the ESR, as per the Municipal Class Environmental Assessment (October 2007), on the public record with the Municipal Clerk for a forty-five day public review;
- (b) That upon the completion of the forty-five day public review, the General Manager of the Public Works Department be authorized and directed to program and include the recommended projects road design in the Environmental Study Report in the capital budget for future years, provided no comments or “bump-ups” are received that cannot be resolved, or Part II Orders issued;
- (c) That the Cities of Hamilton and Burlington enter into a legal agreement on the cost funding arrangement for the portion of construction road works in the City of Burlington limits for the Waterdown Road Corridor and that the General Manager, Public Works, be authorized to enter into and negotiate the agreements; and,
- (d) That the Cities of Hamilton and Burlington enter into a legal agreement for the scheduling of works related to property acquisition and road construction including detailed design for the road works that fall within the City of Burlington and that the General Manager, Public Works, be authorized to enter into and negotiate the agreements;
- (e) That the Mayor and City Clerk be authorized and directed to execute the agreements referred to in sub-sections (c) and (d), in a form satisfactory to Legal Services.

**5. Chamber of Commerce Correspondence respecting Transit Governance  
(PW10002) (City Wide) (Outstanding Business Item) (Item 8.1)**

- (a) That the presentation by Dan Rodrigues, Chair of the Transportation Committee of the Hamilton Chamber of Commerce, be received;
- (b) That Report PW10002 respecting Chamber of Commerce Correspondence respecting Transit Governance, be received.

**6. Request to Single Source the Supply and Delivery of Specialty Gases to the Environmental Laboratory (PW10011) (City Wide) (Item 8.2)**

That the General Manager of Public Works be authorized to negotiate the single source purchase of the supply and delivery of specialty gases to Praxair Distribution, Division of Praxair Canada for a term of 10 years with an estimated annual expenditure of \$21,000.

**7. Rapid Transit Studies – B-line Underground Life Cycle Assessment (PW10014) (City Wide) (Item 8.3)**

That \$350,000, to be used for the B-line Underground Life Cycle Assessment, be transferred from the Rapid Transit Reserve (108047) to the Rapid Transit Studies Project (5300855100).

**8. Report 10-001 of the City Hall Renovations Steering Committee (Item 8.4)**

**(a) Application to the Municipal Heritage Committee respecting Finish to be used on the “Wishbone”**

- (i) That the General Manager of Public Works be authorized and directed to submit a heritage permit application to the Municipal Heritage Committee requesting that the “wishbone” be finished in an opaque sealer to give a uniform finish;
- (ii) That staff report back to the next meeting on an opaque sealer that would provide a uniform sealer to the surface of the “wishbone”.

**(b) First Floor Food Services (No Copy) (Item 6)**

That staff be authorized to proceed with a Request for Proposal (RFP) on the basis that the eatery will have a café with no alcohol, and that the tender evaluation include base rent plus a percentage of sales.

**9. Spring Valley Ball Diamond – Request to Waive Fees**

That the City fees of \$8,163.70 associated with the construction of the new clubhouse at the Spring Valley Ball Diamond, owned by the City, which will host the 2010 National Little League Championship, be waived.

10. **Request from Hockey Night in Canada's Play On! 4 on 4 for Temporary Road Closure – Saturday May 15, 2010 to Sunday May 16, 2010 – Street Hockey Tournament (Ward 1) (Item 10.1)**
- (a) That the application from Hockey Night in Canada's Play On! 4 on 4 to temporarily close King Street West, between Cline Avenue South to Cline Avenue North, from 1:00 a.m. on Saturday May 15, 2010 to 8:00 p.m. on Sunday May 16, 2010 for a Street Hockey Tournament, be approved;
  - (b) That the event organizers be required to submit a Certificate of Insurance and pay the required full road closure permit fee of \$560.39 prior to the closure;
  - (c) That all other costs related to the road closure be the responsibility of Hockey Night in Canada's Play On! 4 on 4.

**FOR THE INFORMATION OF COUNCIL:**

**A. CEREMONIAL ACTIVITIES**

- (i) **Presentation of Award of Merit for Outstanding Service to Urban Forestry from the Society of Municipal Arborists to Tami Sadonoja, Urban Forestry Technician, Operations and Waste Management, Environmental Services Division**

Chair Merulla called upon Tami Sadonoja, Urban Forestry Technician, Operations and Waste Management, Environmental Services Division, to the podium to present her with the Award of Merit for Outstanding Services to Urban Forestry. This award is given by the Society of Municipal Arborists and recognizes outstanding meritorious services in advancing the principles, ideals and practices of arboriculture and is awarded to a member who has contributed materially to the promotion of the Society. Beth Goodger, Senior Director, Operations and Waste Management, and Mike McNamara, Manager of Forestry and Horticulture, were also at the podium for the award presentation.

- (ii) **Cheque Presentation from the Optimist Club respecting Courtcliffe Park**

Chair Merulla called upon the following representatives from the Carlisle Optimist Club: Brian Harrison, President; Chris Ilias, Past President, and Logan Naftel, Margaret McCarthy, Ward 15 Councillor, Robert Norman, Manager of Open Space Development and Park Planning, and Jill Stephen, Acting Director, Strategic Planning and Rapid Transit, to approach the podium. The Optimist Club representatives presented a

cheque in the amount of \$22,750 to the City of Hamilton as their contribution to the cost of installing a children's play structure at Courtcliffe Park on Carlisle Road in Flamborough, which was raised through various fundraising efforts.

**(a) CHANGES TO THE AGENDA (Item 1)**

The Clerk advised of the following changes:

- 4.2 Delegation Request from Richard Breznik respecting staff's recommendations for the North-South Route of the Waterdown Aldershot Master Transportation Plan (Cross Reference Item 7.2)
- 10.1 Request from Hockey Night in Canada's Play On! 4 on 4 for Temporary Road Closure – Saturday May 15, 2010 to Sunday May 16, 2010 – Street Hockey Tournament

On a motion, the agenda was approved, as amended.

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

None

**(c) APPROVAL OF MINUTES (Item 3.1)**

On a motion, the Minutes of the January 18, 2010 meeting of the Public Works Committee were approved, as presented.

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

- (i) Request to appear from John Dolbec, on behalf of the Hamilton Chamber of Commerce, respecting Report PW10002 – Transit Governance**

On a motion, the rules of order were waived to allow the Hamilton Chamber of Commerce representative the opportunity to address the Committee at today's meeting.

- (ii) **Request to appear from Richard Breznik respecting staff's recommendations for the North-South Route of the Waterdown Aldershot Master Transportation Plan**

On a motion, the rules of order were waived to allow Richard Breznik the opportunity to address the Committee at today's meeting.

(e) **CONSENT AGENDA**

- (i) **Minutes of Various Sub-Committees (Item 5.1)**

On a motion, the following Sub-Committee Minutes were received:

5.1.1 City Hall Renovations Steering Committee

- (a) October 5, 2009
- (b) November 2, 2009

5.1.2 Clean City Liaison Committee

- (a) November 19, 2009
- (b) December 17, 2009

5.1.3. Hamilton Cycling Committee – December 2, 2009

- (ii) **Minutes of the Lake Erie Region Source Protection Committee – December 3, 2009 (Item 5.2)**

On a motion, the December 3, 2009 Minutes of the Lake Erie Region Source Protection Committee were received.

- (iii) **Intersection Control List (Ward 15) (Item 5.3)**

On a motion, the implementation of an all-way stop control at the intersection of Main Street and Union Street was approved and that the appropriate amending by-law be passed.

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

- (i) **Majic (Mike) Mladen respecting Snow Cleaning (Item 6.1)**

Mr. Mladen appeared before the Committee to express concerns with regard to why the taxpayers of the City of Hamilton are not getting the same level of service with respect to snow clearing on sidewalks which is public property which in turn, residents are paying for within their taxes.

He requested that the City adopt the same policies as other cities with respect to snow clearing.

On a motion, the presentation by Majic (Mike) Mladen respecting snow clearing was received.

**(ii) Ray Paquette respecting Loss of Parking in favour of Bike Lanes on Dundurn Street South (Item 6.2)**

Mr. Paquette spoke on behalf of the Dundurn Street merchants and residents respecting the loss of parking in favour of bike lanes on Dundurn Street South. His comments included, but were not limited to, the following:

- Loss of parking spaces will have grave and serious impact on the whole community
- Have not had due process as merchants and residents; proper circulation has never been done
- Would like to bring forth a recommendation to have decision reviewed.

Mr. Paquette distributed a colour photo of Dundurn Street South, labeled with the various businesses/offices and public school which line both sides of the street. A copy has been retained in the Office of the City Clerk for the public record.

James Clarkson, business resident of a State Farm Insurance office at the corner of Herkimer and Dundurn Streets, requested a format which would be appropriate for all of the community to be brought to the table. His comments included, but were not limited to, the following:

- Feel that business owners and residents have been neglected on this issue
- As a new business owner, he would not have chosen this location had he known that there would be a restriction on parking
- Barely making ends meet to pay bills
- Pointed out that in a 2005 residents' survey, 65 respondents expressed concerns about bike lanes; however, 120 respondents indicated that parking availability was important
- Hopefully, there is a compromise.

Peggy Knill, resident in the neighbourhood for 30 years, stated that most of her needs can be met on Dundurn Street; however, parking on Dundurn Street is required. With having mobility issues, there are no accessible parking spaces on Dundurn; need to keep parking on both sides of the street.



The final speaker was an owner of a hair salon business on Dundurn Street who has clients from out of town (Toronto, Mississauga). She stated that if there is no parking in front of her salon or in the area, her clients will not come and she may have to close her salon because of lost business.

Staff advised that with respect to the status of the bike lanes on Dundurn Street, the project is in the design stages; not gone to tender yet; approved as part of the overall capital budget.

The delegation indicated that there had been no consultation with the merchants or neighbours other than a memo that they received. Since that time, meetings have been held to provide information with respect to what will be occurring; however, there was no forum to find out if other options could be considered. They have worked with Councillor McHattie to find other solutions; however, keeping the existing parking and adding additional parking spaces would be ideal.

Councillor Bratina concluded that the missing piece is the neighbourhood/public meetings to determine the impacts of the stretches of bicycle lanes in the neighbourhood and how did the public engage in the design or routing of the cycling plan. He stated the importance that every neighbourhood has an opportunity to meet with staff prior to a final decision being made and requested that detailed neighbourhood public information sessions be arranged with staff prior to any decisions being made.

Staff indicated that they will follow up on this request.

Councillor McHattie spoke to this issue, outlining various measures which have been taken to maximize parking locations throughout the neighbourhood.

On a motion, the presentation by Ray Paquette, on behalf of Dundurn Street Merchants and Residents, respecting loss of parking in favour of bike lanes on Dundurn Street South and impact on surrounding area streets was received. **CARRIED**

**(iii) Hamilton Chamber of Commerce respecting Transit Governance (Added Item 6.3)**

Dan Rodrigues, Chair of the Transportation Committee, spoke on behalf of the Hamilton Chamber of Commerce and conveyed regrets on behalf of John Dolbec and Ruth Liebersbach that they were unable to attend the meeting.

Mr. Rodrigues' presentation addressed the issues contained in Report PW10002 – Chamber of Commerce Correspondence respecting Transit Governance, which provides a brief overview of the history of the governance structures of transit systems in Canada.

Mr. Rodrigues stated that recognizing the examples provided in Report PW10002, the Chamber encourages further investigation into the feasibility of operating under an independent Transit Commission.

In conclusion, the Chamber would be supportive of the formation of an "ad-hoc" committee comprised of City staff, Chamber representation, as well as key business representation to provide additional commentary and possible recommendations for Council to support.

A copy of the Chamber's comments was distributed to the Committee and has been retained in the Office of the City Clerk for the public record.

**(iv) Richard Breznik, respecting Staff Recommendations for the North-South Route of the Waterdown Aldershot Master Transportation Plan (Added Item 6.4)**

Mr. Breznik appeared before the Committee with respect to the North-South Road recommendations on the Waterdown Aldershot Master Transportation Plan. His comments included, but were not limited to, the following:

- Requesting that Committee advise staff to issue their draft Environmental Study Reports (ESR) on both the East-West and North-South studies immediately for the public to review and bring their concerns forward
- Delay the decision to pass the current recommendations and have staff present their recommendations on both the north-south and east-west roads at the same time, after the public has had time to review the studies
- Have no idea if comments have been addressed until ESR's have been reviewed; therefore, how can any presentation of concerns be made to Committee/Council.

Copies of Mr. Breznik's comments were distributed to the Committee and has also been retained in the Office of the City Clerk for the public record.

Staff confirmed that the 45-day review period as recommended in the report allows the proponents to make their concerns known to the Ministry of the Environment and if there are any major concerns, staff will bring a report back to the Committee.

On a motion, the presentation by Richard Breznik respecting Staff Recommendations for the North-South Route of the Waterdown Aldershot Master Transportation Plan was received.

**(g) PRESENTATIONS**

**(i) Hess Village Review – Outdoor Boulevard Café Encroachment Agreement Terminations (PW10012) (Ward 2) (Item 7.1)**

Chair Merulla advised that no requests were received to address the Committee on this issue; therefore, the Committee did not require the staff presentation.

**(ii) Waterdown Road Corridor Class Environmental Assessment – Environmental Study Report (PW10010) (Ward 15) (Item 7.2)**

Christine Lee-Morrison, Manager, Environmental and Sustainable Infrastructure, gave a power point presentation outlining the following:

- Background: Official Plan Amendment No. 28; Waterdown/Aldershot Transportation Master Plan Study; Phases 1 and 2
- Process and Public Consultation: Schedule C Environmental Assessment; Public Information Centres held during Phase 3
- Discussion on Sections W1 to W7 of the Waterdown Road Corridor. Showing location and preferred design
- Next steps
- Staff report recommendations.

Paul McLeod from Dillon Consulting was in attendance to respond to questions of the Committee.

On a motion, the following was added as sub-section (e):

- (e) That the Mayor and City Clerk be authorized and directed to execute the agreements referred to in sub-sections (c) and (d), in a form satisfactory to the City Solicitor.

The Amendment CARRIED and the Main Motion, as amended, CARRIED.

**(h) REPORT 10-001 OF THE CITY HALL RENOVATIONS STEERING COMMITTEE (Item 8.4)**

**(i) Columns in Councillors' Offices**

On a motion, this item was referred back to the City Hall Renovations Steering Committee to allow Councillor Ferguson the opportunity to provide an update.

**(ii) First Floor Food Services**

The motion **CARRIED** on the following recorded vote:

Yeas:	Merulla, Powers, Ferguson, Mitchell, Collins, Jackson
Total Yeas:	6
Nays:	Bratina
Total Nays:	1
Absent:	McCarthy
Total Absent:	1

**(i) NOTICES OF MOTION**

On a motion, the rules of order were waived to allow for the introduction of a motion with respect to the Spring Valley Ball Diamond.

On a motion, the rules of order were waived to allow the Notice of Motion to be dealt with as a motion and added to Public Works Committee Report 10-002.

See Item 9.

On a motion, the rules of order were waived to allow for the introduction of a motion with respect to a request from Hockey Night in Canada's Play On! 4 on 4 for temporary road closure from Saturday, May 15 to Sunday, May 16, 2010 for a street hockey tournament.

On a motion, the rules of order were waived to allow the Notice of Motion to be dealt with as a motion and added to Public Works Committee Report 10-002.

See Item 10.

**(j) GENERAL INFORMATION/OTHER BUSINESS**

**(i) Outstanding Business List Items**

On a motion, the following items on the Public Works Committee Outstanding Business List were amended to reflect the proposed new due dates:

**Council – February 10, 2010**

- (aa) Item K: Parkland Dedication Fees  
Due Date: March 22, 2010  
Proposed New Due Date: May 31, 2010
  
- (bb) Item S: Littering, Illegal Dumping, Graffiti and Security Issues affecting Municipal Properties abutting Railway Lands  
Due Date: March 1, 2010  
Proposed New Due Date: May 31, 2010
  
- (cc) Item Y: Community Garden Policy  
Due Date: March 22, 2010  
Proposed New Due Date: April 19, 2010

**(ii) Outstanding Business List – Items to be Removed**

On a motion, the following item was deemed to be complete and removed from the Outstanding Business List:

- (aa) Item F: Recommendations from the Chamber of Commerce re: Public Transit Policy

There being no further business, the Committee adjourned at 11:35 a.m.

Respectfully submitted

Councillor S. Merulla, Chair  
Public Works Committee

Carolyn Biggs  
Legislative Assistant  
February 1, 2010