Public Works Committee
REPORT 07-007
(as amended by City Council on May 16, 2007)
9:30 a.m.
Monday, May 7, 2007
Council Chambers
Hamilton City Hall
71 Main Street West, Hamilton

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

Also Present: Councillor M. Pearson

G. Peace – City Manager
S. Stewart – General Manager, Public Works
G. Davis – Director, Capital Planning and Implementation
J. Mater – Director, Fleet and Facilities
B. Shynal – Director, Operations and Maintenance
D. Hull – Director, Transit
B. Goodger – Director, Waste Management
J. Harnum – Senior Director, Water/Wastewater
C. Murray – Acting Director, Red Hill Valley Project
J. Dahms, Manager, Transit Planning and Customer Services
P. Barkwell, City Solicitor
I. Bedioui – Legislative Assistant, City Clerk’s

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 07-007 AND RESPECTFULLY RECOMMENDS:

1. Minutes of Various Citizen Committees (Item 5.1)

That the Minutes of the following citizen committees be received:
(a) Glanbrook Landfill Co-ordinating Committee – February 26, 2007
(b) Niagara-Hamilton WastePlan Joint Working Group- October 12, 2006
(d) Waste Reduction Task Force – February 21, 2007
2. To Incorporate Certain Lands into Various Streets by By-law (PW07002(c)) (City Wide) (Item 5.2)

(a) That the following City land be incorporated into the following streets:

<table>
<thead>
<tr>
<th>Street</th>
<th>Lot or Block</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adelaide Street</td>
<td>Part of Lot 18</td>
<td>14</td>
</tr>
<tr>
<td>Bradley Avenue</td>
<td>Blocks 104 and 110, Plan 62M-1060</td>
<td>11</td>
</tr>
<tr>
<td>Magnificent Way</td>
<td>Blocks 107 and 108, Plan 62M-1060</td>
<td>11</td>
</tr>
<tr>
<td>Voyager Pass</td>
<td>Block 257, Plan 62M-1061</td>
<td>11</td>
</tr>
<tr>
<td>Whitwell Way</td>
<td>Block 105, Plan 62M-1060</td>
<td>11</td>
</tr>
<tr>
<td>Windwood Drive</td>
<td>Blocks 109 and 111, Plan 62M-1060</td>
<td>11</td>
</tr>
</tbody>
</table>

(b) That the By-Laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the Corporate Counsel and be enacted by Council;

(c) That the General Manager, Public Works, be authorized and directed to register the By-Laws.

3. Intersection Control List (PW07001(c)) (City Wide) (Item 5.3)

That the appropriate By-law be presented to Council to provide traffic control as follows:

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Stop Direction</th>
<th>Class</th>
<th>Location / Comments / Petition</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alexander Rd.</td>
<td>E/B Yield</td>
<td>A</td>
<td>N. of Rousseaux, E of Wilson</td>
<td>12</td>
</tr>
<tr>
<td>Magnificent Way</td>
<td>N/C</td>
<td>A</td>
<td>W. of Hwy 56, S. of Binbrook</td>
<td>11</td>
</tr>
<tr>
<td>Tapleytown Rd.</td>
<td>E-W Stop</td>
<td>C</td>
<td>N. of Mud, E. of Up. Centennial</td>
<td>11</td>
</tr>
</tbody>
</table>
4. **Temporary Closure of King Street West – Westdale Village B.I.A. Street Festival (Ward 1) (PW07063) (Item 5.4)**

That the application from the Westdale B.I.A. for the one day temporary closure of King Street West between North Oval and Sterling Street/Newton Avenue on Saturday, June 16, 2007 from 6:00 a.m. until 12:00 midnight 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. The certificate must be provided to the City of Hamilton prior to the event;

(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 warning boards be installed in advance by the Public Works Department on the affected roadways at the cost of the applicant;

(e) 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;

(f) That no property owner or resident within the barricaded area be denied access to their property upon request;

(g) 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;

(h) That the applicant pay the required full road closure permit fee of $503.88 made payable to “The City of Hamilton” prior to the road closure.

5. **Temporary Closure of Hess Street, from George Street to King Street, for Street Festivals (Ward 2) (PW07064) (Item 5.5)**

(a) That the applications to close Hess Street South between George Street and King Street to hold festivals be for the following days and time periods:

(i) Friday, June 22nd at 9:00 a.m. to Sunday, June 24th at 9:00 a.m.

(ii) Wednesday, July 11th at 9:00 a.m. to Sunday, July 15th at 9:00 a.m.

(iii) Friday, August 17th at 9:00 a.m. to Sunday, August 19th at 9:00 a.m.

Council – May 16, 2007
(b) That approval of these closures be subject to the following conditions:

(i) 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;

(ii) 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. The certificate for all events must be provided to the City of Hamilton prior to the first event;

(iii) 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;

(iv) That warning boards be installed in advance by the Public Works Department, on the affected roadways at the cost of the applicant;

(v) 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;

(vi) That no property owner or resident within the barricaded area be denied access to their property upon request;

(vii) 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;

(viii) That the Alcohol and Gaming Commission of Ontario (AGCO) be advised that the City of Hamilton is aware of the application by Diana Vranich, located at 366 King Street West, to serve alcohol on the road allowance of Hess Street South on Friday, June 22, 2007 to Saturday, June 23, 2007; and Wednesday, July 11, 2007 to Saturday, July 14, 2007; and Friday, August 17, 2007 to Saturday, August 18, 2007 from 12:00 noon to 12:00 a.m. each day;

(ix) That the applicants be granted an amendment to the City of Hamilton’s Noise By-law No. 79-292 to allow music to be played between the hours of 11:00 a.m. to 12:00 midnight on June 22-23, 2007, on July 13-14, 2007, and on August 17-18, 2007, and that a Licensing & Standards Officer monitor the event and be in attendance if necessary, at the expense of the applicant;

(x) That no other music be played outside of any establishments within the closure area at any time, pursuant to the City of Hamilton Zoning By-law, including live music and outdoor speakers;
(xi) That the applicant pay the required full road closure permit fee of $503.88 per event made payable to “The City of Hamilton” prior to road closures;

6. Eastgate Transit Terminal Reconstruction (Ward 5) (PW07070) (Item 7.2)

(a) That the City of Hamilton enter into a transportation services licence agreement, in a form acceptable to the City Solicitor, between The Hamilton Street Railway Company (HSR) and Eastgate Square Holdings Inc. for the operation and maintenance of the Eastgate Transit Terminal for the period September 1, 2007 to August 31, 2027;

(b) That the Mayor and City Clerk be authorized to execute as signatories to the licence agreement, consistent with their respective roles as President and Secretary of The Hamilton Street Railway Company;

(c) That the General Manager of Finance & Corporate Services be authorized and directed to provide $1,600,000 in capital funding, representing the City share of the construction and maintenance cost of the works, and that these funds be drawn from the one-time dedicated Federal Public Transit Gas Tax Reserve;

(d) That items related to Tiara Apartments and traffic improvements at Eastgate Square be removed from the Outstanding Business List of the Public Works Committee.

7. Hill Street Park – Free Running Area Designation (Wards 1 and 12) (PW07066) (Item 8.1)

(a) That Hill Street Park be designated as a Free Running Area in accordance with the City of Hamilton’s “Leash Free Parks Program Policy” as approved by Council in June 2003 (PW03067);

(b) That dogs be allowed to run off leash at Hill Street Park during the following times:
   (i) March 1 to October 31 - from 6 a.m. to 9 a.m. inclusive; and from 8 p.m. to 11 p.m. inclusive;
   (ii) November 1 to February 28 - no time restrictions;

(c) That By-law 01-169 as amended (outlined in Report PW07066 as Appendix “A”), be further amended to include Hill Street Park as a free running area regulated by the above noted time restrictions as outlined in the amending By-law attached to Report PW07066.
The following item was **DEFEATED**:


(a) That the City of Hamilton advise the Director of the Environmental Assessment and Approval Branch, that it intends to switch to the Environmental Screening Process, in the event that the completion of the “Alternatives to” step in the Niagara-Hamilton WastePlan Environmental Assessment (EA) Study concludes that the preferred disposal system includes a thermal treatment component with the recovery of energy;

(b) That copies of this report be forwarded to the Minister of the Environment and the Members of Provincial Parliament representing the City of Hamilton.

**9. Proposed Right-turn Lane (Northbound) at Upper Paradise and Rymal Road (referred from the Economic Development and Planning Committee) (Item 8.4)**

That Public Works staff be requested to consider in their next capital budget the inclusion of a dedicated northbound right-turn lane at the Upper Paradise/Rymal Road intersection.


(a) That the resolution from the Council of the Municipality of Powassan respecting Support for Resolution 2007-117 regarding Drinking Water Quality Management Standard (OWQMS) be received;

(b) That the Ministry of the Environment be advised that the City of Hamilton supports third-party audits as outlined in the final Drinking Water Quality Management Standard and requests that the Province cover the costs of such audits.

**11. AMO Communication respecting Environmental Assessment Reforms – Supporting Alternatives to Direct Landfill Disposal (Referred from Council on April 11, 2007)(Item 8.5b)**

(a) That the AMO Communication entitled *Environmental Assessment Reforms – Supporting Alternatives to Direct Landfill Disposal* be received;
(b) That the Minister of the Environment be advised that the City of Hamilton supports the Environmental Assessment Reforms.

12. **Speed Limit on Cootes Drive, from just South of the Overpass at McMaster University to Main Street** (Note: Deferred by the Public Works Committee on April 16, 2007)(Item 9.1a)

That no action be taken with respect to this Item concerning speed limit on Cootes Drive, from just South of the Overpass at McMaster University to Main Street.

13. **Speed Limit on Cootes Drive, in the Vicinity of McMaster University** (Item 9.1(b))

Whereas, a recent McMaster University study found that between 8:00 a.m. – 6:00 p.m., 3,712 individuals were observed crossing Cootes Drive at the pedestrian traffic light, and that the peak hour of crossing, from noon to 1:00 p.m., had approximately 425 people crossing, and that the study also noted potential conflicts observed, including near accidents involving pedestrians and vehicles, and;

Whereas, there was a pedestrian fatality at this crossing in February 2006, and;

Whereas, the primary issue is pedestrians and cyclists travelling to and from McMaster University who disobey the pedestrian traffic signal indications or who cross Cootes Drive at locations other than at the safe location provided by the traffic signal;

Therefore Be It Resolved:

(a) That the existing 60 km/h speed limit on Cootes Drive, from just south of the overpass at McMaster University to Main Street, be revised to be a full-time 40 km/h speed zone;

(b) That a transition speed zone of 60 km/h be implemented from the north limit of the aforementioned 40 km/h zone to a point approximately 325 metres northerly;

(c) That an appropriate by-law to amend the City of Hamilton Traffic By-law 01-215 be passed and enacted.
14. **Contractual Issue respecting Operation of the City’s Central Composting Facility (Item 12.2)**

(a) That the City authorize the current operators of its Central Composting Facility, Maple Reinders Construction Ltd. and AIM Environmental, to submit a proposal in response to the Regional Municipality of Halton Request for Proposals P-064-07 for Organics Waste Processing as agents of the City of Hamilton, in a form satisfactory to the General Manager of Public Works and the City Solicitor;

(b) That such a proposal be submitted only where, in the opinion of staff, there will be a net financial benefit to the City resulting from the acceptance of the said proposal;

(c) That the City pay the cost of preparation and submission of the said proposal in an amount not to exceed $10,000.00 ($5,000.00 for cost preparation plus $5,000.00 for a refundable bid security) to be funded from Capital Account 5120294115;

(d) That City staff, in consultation with the operator, continuously monitor the capacity of the Central Composting Facility during the term of any contract resulting from acceptance of the said proposal and develop a contingency plan for the processing of the City’s organic waste should the facility exceed capacity during the term of the said contract;

(e) That any net revenue derived from the acceptance of the said proposal by Halton be cost-shared between the City and the operator of the Central Composting Facility to the satisfaction of the General Manager of Public Works;

(f) That the Mayor and Clerk, or the General Manager of Public Works, as the case may be, are hereby authorized to execute any documentation required, in the opinion of the City Solicitor, to implement the above recommendations.

15. **Contractual Issue respecting Operation of the City’s Materials Recycling Facility (Added Item 12.3)**

(a) That in accordance with Recommendation (h) of Report PW07057/FCS07052 – "Evaluation of Alternatives for the Delivery of the Recycling Program Services and Award of Relevant Contracts" approved by Council at its meeting of April 24, 2007 which authorized staff to further investigate the regionalization of the Materials Recycling Facility including discussions of potentially sharing the facility with other municipalities, staff be authorized to submit a proposal in response to the Regional Municipality of Halton Request for Proposals P-063-07 for Processing and Marketing of Recyclable Material;

Council – May 16, 2007
(b) That such a proposal be submitted only where, in the opinion of staff, there will be a net financial benefit to the City resulting from the acceptance of the said proposal;

(c) That the City pay the cost of preparation and submission of the said proposal in an amount not to exceed $50,000.00 (a refundable bid security) to be funded from Capital Account 5120790136;

(d) That City staff continuously monitor the capacity of the Material Recycling Facility during the term of any contract resulting from acceptance of the said proposal and develop a contingency plan for the processing of the City’s recyclable material should the facility exceed capacity during the term of the said contract;

(e) That the Mayor and Clerk, or the General Manager of Public Works, as the case may be, are hereby authorized to execute any documentation required, in the opinion of the City Solicitor, to implement the above recommendations.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes:

(i) Added delegation request Item 4.1 from Mr. Don Watson, who wishes to address the Committee this morning with respect to the closure of Mount Albion Road. If approved, Mr. Watson will be heard as Item 6.2.

(ii) Added private and confidential Item 12.3 dealing with a contractual issue with respect to the operation of the City’s Material Recycling Facility.

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

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) APPROVAL OF MINUTES (Item 3)

On a motion, the Minutes of the April 16, 2007 meeting of the Public Works Committee were approved as presented.

Council – May 16, 2007
(d) DELEGATION REQUEST (Item 4)

(i) Request from Mr. Don Watson to appear before the Committee respecting Mount Albion Road Closure (Added Item 4.1)

On a motion, the request from Mr. Don Watson to appear before the Committee today respecting the Mount Albion Road Closure was approved.

(e) MINUTES OF VARIOUS CITIZEN COMMITTEES (Item 5.1)

(i) D.A.R.T.S. Board of Directors – March 22, 2007 (Item 5.1g)

Councillor Jackson noted that a motion in the Minutes of the D.A.R.T.S. Board of Directors was seconded by an ex-officio member. Don Hull will address this issue.

(f) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) Mr. Kenneth Alford respecting the Mount Albion Road Closure (Approved April 16, 2007)(Item 6.1)

Mr. Alford addressed Committee and provided two hand-outs for distribution. He referred to his submission to Committee which was included in the agenda (Items 6.1).

His expressed concerns with the closure of Mount Albion Road which included but were not limited to the following reasons:

- The City initially justified the closure of Mount Albion Road because the Red Hill Valley Expressway was to come down Mount Albion Road;
- No public meeting was held with respect to the closure of Mount Albion Road;
- He doesn’t agree with the City that it would cost millions to keep the road open; the City could reconnect to Mud Street on City property; the road only needs to be extended by 300 metres;
- The closure would cause serious safety concerns forcing elderly residents and bus and D.A.R.T.S. drivers to use the Expressway;
- There won’t be adequate access for emergency vehicles;
- A petition with 3,500 signatures opposing the closure has been presented to City Council;
• The Honourable Lincoln Alexander advised him that Mount Albion Road is a heritage road and he agrees with the residents who oppose the road closure;

• There were 400 concerned residents at a public meeting concerning the road closure last Monday.

Mr. Alford asked that Council listen to the concerns of their constituents and revisit the issue of closing Mount Albion Road.

On a motion the Committee received Mr. Alford’s presentation and his submission which was included in the agenda as Item 6.1.

(ii) Mr. Don Watson to appear before the Committee respecting Mount Albion Road Closure (Added Item 6.2)

Mr. Watson advised Committee that he has lived on Mount Albion for 24 years.

He is in support of the closure of Mount Albion Road and his comments included but were not limited to the following:

• The closure of the road was published in the Red Hill Valley Project – Valley Wide News Letter at least seven times;

• The wording on the petition is ambiguous as it refers to medical and aging problems of the residents – these are facts of life and not reasons to prevent a road closure;

• To modify the roadway would cost $2 Million dollars of tax payers’ money;

• Currently there’s high speed and traffic volume on Mount Albion and closing it would eliminate these safety concerns;

• Only upper Mount Albion Road would be closed – the access to King Street would not be closed. This may not be known by the residents on the lower portion of the road;

• Increased development will eventually increase the volume on the road;

• Credibility of the petition is questionable - i.e. information (such as addresses) is incomplete;

• Closing the road will be safer and will allow the establishment of a recreation area and will reduce noise, garbage, speed and the volume of traffic.
On a motion Committee received Mr. Watson’s presentation and his letter addressed to Councillor Collins which was included in the agenda as Item 8.1.

The Committee asked that staff respond to some of the concerns expressed by Mr. Alford. Staff clarified the issues and indicated that this information is available on the City’s web site.

Committee emphasized the importance of providing the residents with all the information so that there are no misunderstandings.

(g) STAFF PRESENTATIONS

(i) 2007 National Public Works Week (No Copy) (Item 7.1)

Chris Murray, Director of Red Hill Valley Project, made a PowerPoint presentation and provided a hand-out and brochure for distribution.

He indicated that Public Works Week occurs once a year and it provides staff a chance to inform the residents how public works affects their everyday lives.

He indicated some of the past awards won by the Department and advised that there will be 21 events taking place this year.

On a motion Committee received the presentation.

(ii) Eastgate Transit Terminal Reconstruction (Ward 5) (PW07070) (Item 7.2)

Jim Dahms made a PowerPoint presentation and advised that the owners of Eastgate are renovating their mall and have approached the City to relocate the transit terminal. This will be a public/private partnership and involves a one-time dedicated Federal Gas tax expenditure. The new transit terminal will be located nearer to Queenston Road and will be the end of the line for the future Bus Rapid Transit (BRT).

The City has taken this opportunity to also make other improvements. Some of the improvements will include:

- better passenger and operator amenities
- improved pedestrian safety
- better access and egress for the buses
- a safe crossing point from the Tiara Apartment
- will be more visible to other motorists that it is a terminal
Jim Dahms also indicated that the proposed changes conform to GRIDS and the City's Transportation Master Plan. It will better serve the greater community with respect to business, safety issues and transit.

On a motion, the Committee received the staff presentation and approved the report.

(h) Hill Street Park – Free Running Area Designation (Wards 1 and 12) (PW07066) (Item 8.1)

On a motion the Committee TABLED subsection (d) of the staff recommendations concerning Cinema Park until further notice from Councillor Ferguson and approved the balance as outlined in Item 7 of this report.

(i) Impact of Environmental Assessment (EA) Waste Regulation on the Niagara-Hamilton Waste Plan EA Study (City Wide) (PW07065)(Item 8.2)

The Committee amended the staff recommendations by removing the reference to the Region of Niagara and approved the recommendations, as amended, on the following votes:

Yeas: McCarthy, Powers, Collins, Ferguson, Jackson, Mitchell
Total: 6
Nays: Bratina, Merulla
Total: 2

(j) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

11.1 Outstanding Business Items

(a) Stoney Creek Trans Cab - In-House Bid (Due Date: May 7, 2007)
New Due Date: July 11, 2007 (Committee of the Whole)

(b) Proposed Changes to The Nutrient Management Regulation
(Due Date: April 2, 2007) New Due Date: September 17, 2007

On motion, the Outstanding Business List of the Public Works Committee was amended accordingly.
(k) PRIVATE AND CONFIDENTIAL (Item 12)

(i) Approval of Minutes of Closed Session Meeting held on April 19, 2007

On a motion, the Minutes of the Closed Session of the Public Works Committee meeting of April 19, 2007 were approved. These Minutes will remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

On motion, the Committee moved in Closed Session to consider financial details of two contractual issues respecting the Operations of the City’s Waste Diversion Facilities.

On motion, the Committee reconvened in Open Session.

(ii) Contractual Issue respecting Operation of the City’s Central Composting Facility (Item 12.2)

Committee amended subsection (c) of the staff recommendation to clarify that the $10,000 to be paid by the City includes $5,000 cost preparation and $5,000 refundable bid security.

See Item 14 of this Report for the recommendation as amended.

(iii) Contractual Issue respecting Operation of the City’s Materials Recycling Facility (Added Item 12.3)

Committee amended subsection (c) of the staff recommendation to clarify that the $50,000 to be paid by the City represents a refundable bid security.

See Item 15 of this Report for the recommendation as amended.

There being no further business, the Committee adjourned at 11:15 a.m.

Respectfully submitted

Councillor M. McCarthy, Chair
Public Works Committee

Ida Bedioui
Legislative Assistant
May 7, 2007