Public Works, Infrastructure and Environment Committee

REPORT 06-010
As amended by Council June 14, 2006
9:30 a.m.
Monday, June 5, 2006
Council Chambers
2nd Floor, Hamilton City Hall
71 Main Street West, Hamilton

Present: Councillors M. McCarthy, Chair, S. Merulla, Vice-Chair
Councillors D. Braden, C. Collins, P. Bruckler, T. Jackson,
D. Mitchell, and M. Pearson

Absent with regrets: Councillor M. Ferguson, Illness

Also Present: Councillor A. Samson
G. Peace, City Manager
S. Stewart, General Manager, G. Davis, J. Harnum,
D. Hull, J. Mater, C. Murray, B. Shynal, J. Dahms, and
C. Murdoch Public Works Department
D. Edwards, H. Vastis, Legal Services
B. Hollingsworth, I. B.I. Group
D. Adames, Executive Director of Tourism Hamilton
I. Bedioui, Clerk’s Office

THE PUBLIC WORKS, INFRASTRUCTURE AND ENVIRONMENT COMMITTEE PRESENTS REPORT 06-010 AND RESPECTFULLY RECOMMENDS:

1. Volunteer/Sub-Committee Minutes – For Information:
   That the following Volunteer/Sub-Committee Meeting Minutes be received for information:
   (a) Keep Hamilton Clean Committee Meeting Minutes of March 1, 2006.
   (b) Keep Hamilton Clean Committee Meeting Minutes of April 5, 2006.

Council – May 24, 2006
2. **Lane Designation Change on Dundas Street at Hamilton Street, Waterdown (PW06071) - (Ward 15) (Item 5.2)**

(a) That the eastbound curb lane on Dundas Street at Hamilton Street, Waterdown be designated for right turning traffic only.

(b) That the By-law outlined in Report PW06071 as Appendix “A” to amend the City of Hamilton Traffic By-law 01-215 be passed and enacted.

3. **Proposed Permanent Closure and Sale of a Portion of Public Assumed Alleyway Abutting 112 King Street East, Hamilton (PW06069) - (Ward 2) (Item 6.1)**

That the application of Grand Connaught Development Group Inc. to permanently close and purchase a portion of the public assumed alley running east/west at the rear of the property known as 112 King Street East, Hamilton, be approved, subject to the following conditions:

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

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

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

(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.

**Council – June 14, 2006**
(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.

4. Proposed Permanent Closure of Portion of a Public Unassumed Alley at the Rear of 404 to 414 Mary Street and Between 127 and 129 Simcoe Street East, Hamilton (PW06072) - (Ward 2) (Item 6.3)

(a) That the application of the registered owners of 127 and 129 Simcoe Street East and 404 to 414 Mary Street, to permanently close and purchase a portion of public unassumed alley abutting each property, be approved, subject to the following conditions:

(i) That the applicants 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 a portion of the un-assumed alley running north/south between 127 and 129 Simcoe Street East and at the rear of municipal numbers 404, 406, 408, 410, 412 and 414 Mary Street, Hamilton.

(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 applicants, to the satisfaction of the City Solicitor.

(iv) That the applicants 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.

(v) That the applicants 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 applicants deposit a reproducible copy of said plan with the Senior Project Manager, Survey and Technical Services.

(b) That provided the Judge's Order to permanently close the public un-assumed 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.
(iii) That the Development and Real Estate Division, Planning and Development Department be authorized and directed to sell this closed highway in accordance with the Procedural By-law for the Sale of Land, By-law No. 04-299.

(iv) 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.

(v) 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.

(vi) That the Public Works Department publish a notice pursuant to Section 300 of the Municipal Act, R.S.O. 1990, of the City’s intention to pass the By-law.

5. Provincial Gas Tax Transit Master Plan Steering Committee Report 06-004 (Item 7.2)

(a) Transit Asset Management Plan (Item 5.1)
That the Transit Asset Management Plan, attached as Appendix “A” hereto, be approved and a copy be forwarded to the Province.

(b) Transit Ridership Growth Strategy (Item 5.2)
That the Transit Ridership Growth Strategy, attached as Appendix “B” hereto, be approved and a copy be forwarded to the Province.

(c) Discounted Transit Pass Sub-Committee
(i) That a Discounted Transit Pass Sub-Committee be established to consider creating an employee or neighbourhood transit pass in order to promote transit ridership.

(ii) That the following members be appointed to the Discounted Transit Pass Sub-Committee:
Daryl Bender
Heather Donison
Daniel Rodrigues
A representative from Hamilton Health Sciences

(iii) That the following resource staff be assigned to the Discounted Transit Pass Sub-Committee: Trevor Horzelenberg and Andy McLaughlin.
(d) That staff be directed to find synergies between inner city landlords and associated tenants and the Hamilton Street Railway to establish a partnership to increase ridership (HSR) through neighbourhood bus passes to mitigate vehicular intensification and related quality of life issues.

6. Request for a Speed Limit Reduction and a Designated Right Turn Lane - Mud Street between Paramount Drive and Upper Centennial Parkway (PW06055) - (Ward 9)(Item 8.2)

That the request for a designated Westbound Right Turn Lane into the Heritage Hills Shopping Plaza on the north side of Mud Street, east of Paramount Drive be approved.

7. Intersection Control List, June 5, 2006 (PW06001c) (Item 8.3)

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

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Street 1</th>
<th>Street 2</th>
<th>Existing</th>
<th>Requested</th>
<th>Class</th>
<th>Location / Comments / Petition</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Sasha Ct.</td>
<td>Hemlock Ave.</td>
<td>N/C</td>
<td>S/B Stop</td>
<td></td>
<td>B</td>
<td>E. of Green and N. of Queenston</td>
<td>10</td>
</tr>
<tr>
<td>(b) Inksetter Rd.</td>
<td>Old Governors Rd.</td>
<td>N/C</td>
<td>S/B Stop</td>
<td></td>
<td>A</td>
<td>E. of R.R. 52 and S. of Governors</td>
<td>14</td>
</tr>
<tr>
<td>(c) Paramount Dr.</td>
<td>Mistywood Dr.</td>
<td>W/B</td>
<td>All Way</td>
<td></td>
<td>B</td>
<td>N. of Mud St, E. of Winterberry</td>
<td>9</td>
</tr>
<tr>
<td>(d) Beach Rd.</td>
<td>Dofasco Blvd</td>
<td>W/B Yield</td>
<td>W/B Stop</td>
<td></td>
<td>B</td>
<td>S. of Burlington, W. of Kenilworth</td>
<td>4</td>
</tr>
<tr>
<td>(e) Bow Valley Dr.</td>
<td>Berkindale Dr.</td>
<td>W/B</td>
<td>N/B &amp; S/B</td>
<td></td>
<td>C</td>
<td>E. of Lake and S. of Barton</td>
<td>5</td>
</tr>
<tr>
<td>(f) Parkdale Ave. S.</td>
<td>Sinclair Ct./Sylvia Ave</td>
<td>E/B &amp; W/B</td>
<td>All Way</td>
<td></td>
<td>B</td>
<td>Parkdale, South of Lawrence</td>
<td>5</td>
</tr>
</tbody>
</table>


(a) That as a result of a formal request for an Inquiry Hearing from one of the subject land owners, being DiCenzo Construction Company Limited, that the Council of the City of Hamilton as the Approving Authority in respect of the expropriation of part of 1073 West 5th, being Part 2 on Plan 62R-15255 (attached hereto as Appendix “C”), be directed to give notice to the Chief Inquiry Officer of the Ministry.

Council – June 14, 2006
of the Attorney General to request the services of a Hearing Officer
to examine this matter.

(b) That the costs for the hearing be charged to Capital Budget Item
No. 5160480483 West 5th Street Sanitary Sewer.

(c) That the Mayor and City Clerk be authorized and directed to
execute any necessary documents in a form satisfactory to the City
Solicitor.

9. 2006 Provincial Grant Allocation (PW06074/FCS06060) - (City Wide)
(Item 8.5)

(a) That the General Manager of Public Works be authorized and
directed to proceed with the design, tender and construction of road
works, at a total estimated cost of $5,000,000, as identified on
Schedule A to Report PW06074/FCS06060.

(b) That the $5,000,000 be funded from the Roads, Bridges and Traffic
Reserve 108041 which was established with the one-time
unconditional grant monies from the Province ($20,834,975) under
the "Move Ontario - Improving Roads and Bridges Budget
Initiative".

(c) That the remaining $15,834,975 in one-time funding received from
the Province be considered during the 2007 Capital Budget process
for funding of Roads, Bridges & Traffic capital projects.

10. 2006 Canadian Open Golf Tournament (PW06068/PED06186) - (Ward
12) (Item 8.6)

(a) That the application from the Royal Canadian Golf Association
(R.C.G.A.) for the temporary closure of the following roadways as
outlined in Appendix "D" attached hereto, from Monday, September
4, 2006 through Sunday, September 10, 2006, from 7:00a.m. To
7:00p.m. each day be approved:

(i) Golf Links Road from McNiven Road to Halson Street.
(ii) Halson Street from Wilson Street to Golf Links Road.
(iii) Kitty Murray Lane from Garner Road to Stonehenge Drive.
(iv) Southcote Road from Garner Road to Golf Links Road.
(v) Garner Road from Fiddler’s Green Road to Glancaster
Road.
(vi) McNiven Road from Mohawk Road/Rousseau Street to Golf
Links Road - Southbound only.

(b) That the General Manager of Public Works and/or General
Manager of Planning and Economic Development Department or
their designates be granted delegated authority to temporarily install, remove or revise existing parking regulations or initiate new temporary traffic regulations along the required roadways to facilitate the 2006 Canadian Open Golf Event.

(c) That a residential parking plan be adopted within the defined boundaries as outlined in Appendix “E” attached hereto.

(d) That “permit parking” restrictions be in effect where parking is permitted on residential streets within the defined boundaries, as outlined in Appendix “E” attached hereto, during the 2006 Canadian Open (from Monday, September 4, 2006 until Sunday, September 10, 2006 from 7:00a.m. to 7:00p.m. each day), through the erection of temporary signs.

(e) That the City On-street Parking By-law 01-218 be amended accordingly.

(f) That “Special Event Parking/Access Permits” be issued to area residents in accordance with the criteria outlined in Appendix “F” attached hereto.

(g) That the LLCBO be advised that the City of Hamilton has no objection to the issuance of the ACGO liquor license application from the Royal Canadian Golf Association for the 2006 Canadian Open being held on the grounds of the Hamilton Golf & Country Club from September 4, 2006 to September 10, 2006 inclusive.

11. Rymal Road Planning Area Class Environmental Assessment Master Plan - (PW06073) - (Wards 9 and 11) (Item 8.7)

(a) That the Rymal Road Planning Area Class Environmental Assessment Master Plan be endorsed.

(b) That the General Manager, Public Works Department, be authorized and directed to file the Rymal Road Planning Area Class Environmental Assessment Master Plan Schedule “B” projects with the Municipal Clerk for a minimum thirty (30) day public review period.

(c) That subject to finalization of the minimum 30-day public review, the General Manager, Public Works Department, be authorized and directed to proceed with the implementation of the Rymal Road Planning Area Class Environmental Assessment Master Plan Schedule “B” projects.
12. 2006 Capital Budget Reallocation (PW06067) - (City Wide) (Item 8.8)

(a) That the appropriation adjustments, as outlined in Appendix “G” attached hereto, be approved.

(b) That the watermain replacement on Lakeshore Road at an estimated cost of $200,000 be included in the 2006 Water Program, to be coordinated with the development driven project being the reconstruction of Lakeshore Road as part of the Bridgeport Subdivision and that all associated expenditures be charged to Capital Budget Project ID 5140671301 (Replacement Projects Coordinated with Roads).

Subsection (b)(ii) of the following Item was referred back for input from the Agriculture and Rural Affairs Committee:

13. City of Hamilton Public Trees By-law (Reports PW06034 and PW06034a) - (City Wide) (Items 8.9 and 8.10)

(a) That the City of Hamilton Public Trees By-law attached as Appendix A to Report PW06034 be passed and enacted with the following amendments to provide legislation regarding the planting, maintenance, and preservation of trees on or affecting public property:

(i) That Section 4(2) of the proposed City of Hamilton Public Tree By-law which states:

“The Director has the authority to authorize policy changes, and changes to level of service standards, which do not carry with it financial implications of any sort.”

be deleted and the subsequent sections renumbered.

(ii) That Section 1(1)(q) of the proposed City of Hamilton Public Tree By-law which states:

“Municipal Waste” means household, commercial or industrial waste collected or accepted by the City for disposal;”

be deleted and the subsequent sections renumbered.

(iii) That Section 1(1)(v) of the proposed City of Hamilton Public Tree By-law which states:

“Planning and Development Department refers to the Planning and Development of the City of Hamilton and includes its successor.”

be deleted and replaced with:
“Planning and Economic Development Department refers to the Planning and Economic Development of the City of Hamilton and includes its successor.”

(b) That the following policies as outlined in Report PW06034 as Appendix “B”, “C”, “D”, “E”, “F” and “G” be approved as amended:

(i) City of Hamilton Street Tree Planting Policy - Planning and Design (Appendix B)

(aa) That Section 1(d) of the City of Hamilton Street Tree Planting Policy - Planning and Design (Report PW06034, Appendix “B”) which states:

“Curb Face Sidewalk Setback: Tree plantings adjacent to curb face sidewalks must achieve a minimum setback of 1.0 m (and remain in the road allowance)”

be deleted and replaced with:

“Curb Face Sidewalk Setback: Tree plantings adjacent to curb face sidewalks must achieve a minimum setback of 1.0 m from the back of the walk (and remain in the road allowance)”

(ii) City of Hamilton Street Tree Planting Policy - Rural Roadways (Appendix C)

(iii) City of Hamilton Street Tree Planting Policy - New Developments (Appendix D)

(aa) That Section 1(d) of the City of Hamilton Street Tree Planting Policy - New Developments (Report PW06034, Appendix “D”) - the Planting Layout Regulations which states:

“Curb Face Sidewalk Setback: Tree plantings adjacent to curb face sidewalks must achieve a minimum setback of 1.0 m (and remain in the road allowance).

be deleted and replaced with:

“Curb Face Sidewalk Setback: Tree plantings adjacent to curb face sidewalks must achieve a minimum setback of 1.0 m from the back of the walk (and remain in the road allowance).

(bb) That Section 1(j) of the City of Hamilton Street Tree Planting Policy - New Developments (Report PW06034, Appendix “D”) - the Planting Layout Regulations which states:
“Tree Spacing: Larger, maturing trees should be spaced 10 m apart and smaller maturing trees 6 m apart.”

be deleted and replaced with:

“Tree Spacing: Larger, maturing trees should be spaced a minimum of 10 m apart and smaller maturing trees a minimum of 6 m apart.”

(iv) City of Hamilton Reforestation Policy - Municipally Owned Lands (Appendix E)

(aa) That the proposed City of Hamilton Public Tree By-law and the City of Hamilton Urban Reforestation Policy shall not apply to site plan or consent applications that have received conditional approval or approval prior to the date of the enactment of the proposed Public Tree By-law, provided that the existing public trees are removed within one year of the enactment of the Public Tree By-law and associated policies.

(bb) That the proposed City of Hamilton Public Tree By-law and the City of Hamilton Urban Reforestation Policy shall not apply to any subdivision applications with complete engineering submissions submitted prior to the enactment of the Public Tree By-law and associated policies, or where previous approval has been obtained from the City under the current tree by-law, provided the existing public trees are removed within one year of the enactment of the Public Trees By-law and associated policies

(cc) That all lands dedicated to the City of Hamilton for road and roadway widening purposes as a condition of all Planning Act approvals, be exempt from the City of Hamilton Public Tree By-law and the City of Hamilton Urban Reforestation Policy

(dd) That the first paragraph of the City of Hamilton Street Urban Reforestation Policy - Municipally Owned Lands (Report PW06034 Appendix “E”) policy which states:

“This policy forms part of the City of Hamilton Forestry Management Plan. In addition to the regulations listed in By-law 06###, and in the City of Hamilton Public Tree Removal Policy, the provisions of this policy shall apply to all public trees on public property

Council – June 14, 2006
under the jurisdiction of the City of Hamilton. All definitions listed under Section 1 of By-law 06### are deemed to have the same meaning and application in this Policy. It should be noted that reimbursement for the total removal and replacement cost shall be sought by the Public Works Department.”

be amended to read:

“This policy forms part of the City of Hamilton Forestry Management Plan. In addition to the regulations listed in By-law 06###, and in the City of Hamilton Public Tree Removal Policy, the provisions of this policy shall apply to all public trees on public property under the jurisdiction of the City of Hamilton, except in those circumstances where exemptions as outlined in Report PW06034a under the Transition Policy and Additional Exemptions Section have been permitted. All definitions listed under Section 1 of By-law 06### are deemed to have the same meaning and application in this policy. It should be noted that reimbursement for the total removal and replacement cost shall be sought by the Public Works Department.”

(v) City of Hamilton Tree Preservation & Protective Measures For Trees Affected by Construction Policy. (Appendix F)

(vi) City of Hamilton Public Tree Removal Policy (Appendix G)

(aa) That the Public Tree Removal Provisions - General Application Section of the City of Hamilton Street Urban Reforestation Policy - Municipally Owned Lands (Report PW06034, Appendix “E”) which states:

“Any person, contractor, owner, or Department of the City of Hamilton shall ensure that the required permission is sought before undertaking the removal of any public trees. If permission is granted, the requestor shall be responsible for paying to the Forestry and Horticulture Section of the Public Works Department, the total removal and replacement cost for each tree removed, plus an additional administration fee.

Any person, contractor, owner or department of the City of Hamilton who damages or injures a public tree on public property shall be responsible for paying to the Forestry and Horticulture Section the replacement

Council – June 14, 2006
and removal cost of the tree, plus an additional administration fee, as outlined in the “Tree Removal Estimation” equation and the “Tree Replacement Estimation” equation below.

Any person, contractor, owner or department of the City of Hamilton who removes a public tree shall be responsible for reimbursing the Forestry and Horticulture Section for the complete removal and replacement cost of each tree, plus an additional administration fee, as outlined in this policy.”

be deleted and replaced with:

“Any person, contractor, owner, or Department of the City of Hamilton shall ensure that the required permission is sought before undertaking the removal of any public trees. If permission is granted, the requestor shall be responsible for paying the total removal and replacement cost (as applicable) for each tree removed as outlined in the “Tree Removal Estimation” equation and the “Tree Replacement Estimation” equation below.

Any person, contractor, owner, or department of the City of Hamilton who damages or injures a public tree on public property shall be responsible for paying the replacement and removal cost of each tree (as applicable) as outlined in the “Tree Removal Estimation” equation and the “Tree Replacement Estimation” equation below.

Any person, contractor, owner, or department of the City of Hamilton who removes a public tree shall be responsible for reimbursing the Forestry and Horticulture Section for the replacement cost of each tree as outlined in this policy.”

(bb) That the Public Tree Removal Provisions - Related to Landscape Budgets Section of the City of Hamilton Street Urban Reforestation Policy - Municipally Owned Lands (Report PW06034, Appendix “E”) which states:

“(b) If the approved landscaping budget for tree planting is less than the cost for tree replacement costs (as calculated based on the estimation equation below), the department will be required to pay the variance between the
approved budget allocation and the total collective costs for tree removal and tree replacement to the Forestry and Horticulture Section;”

be deleted and replaced with:

“(b) If the approved landscaping budget for tree planting is less than the cost for tree replacement costs (as calculated based on the estimation equation below), the contractor, developer or department will be required to pay the variance between the approved budget allocation and the costs for tree replacement to the Forestry and Horticulture Section.”

(cc) That the notification requirements of the City of Hamilton Public Tree Removal Policy - (Report PW06034 Appendix “G”) which states:

“2. Where trees are still in leaf, but have been approved for removal in accordance with the terms of the by-law and associated policies, a registered letter will be sent to the owner advising of the tree removal.”

be deleted and replaced with:

"2. Where a tree has been designated for removal in accordance with the terms of the by-law and associated policies, a registered letter will be sent to the owner advising of the tree removal. A second registered letter will be sent to the affected property owner should the tree fail to be removed within six months of the date of the original registered letter.”

(c) That By-law 4513-99 (Dundas) as amended be further amended by deleting Section 3(e) which states:

“Trees overhanging onto private land whether they be on public land or on an abutting private property area specifically included under the control of this By-law.”

and replacing it with the following:

“Trees overhanging onto private land from abutting private lands are specifically included under the control of this By-law.”

(d) That staff be directed to include funds in the amount of $20,000 in the 2007 proposed budget to cover cost sharing for the removal of private trees encroaching on public lands, in accordance with
existing tree removal criteria and that the appropriate policy for private trees be prepared and presented to Council for approval.

(e) That Outstanding Business Item O referred from the Public Works, Infrastructure & Environment Committee meeting of February 20, 2006, be removed from the Outstanding Business List.

The following Item was deleted and replaced with the following:


"Whereas the City of Hamilton recognizes that Household Hazardous Waste (HHW) and Household Special Waste (HSW) represent a small portion of the waste stream, but that this material has the potential to severely impact on public health and the environment; and

Whereas the municipality's cost of operating HHW and HSW programs is significant; and

Whereas it is desirable for HHW and HSW to be designated under the Waste Diversion Act so that product stewardship can be implemented to assist with municipal program costs; and

Whereas the Minister of the Environment posted a draft regulation for the designation of HHW and HSW on the Environmental Bill of Rights Registry with a commenting period to July 9, 2006;

Now therefore, the City of Hamilton supports the draft Association of Municipalities of Ontario (AMO) and Association of Municipal Recycling Coordinators (AMRC) Proposal for a Provincial Household Hazardous Waste and Special Waste Strategy, in principle; and

Council directs staff to comment on the draft regulation for the designation of HHW and HSW, those comments to consider the draft Association of Municipalities of Ontario (AMO) and Association of Municipal Recycling Coordinators (AMRC) Proposal for a Provincial Household Hazardous Waste and Special Waste Strategy and this Council resolution; and

That AMO and the AMRC be so advised."

15. Floral Traffic Island Program (New Business)

Whereas the phased floral traffic island conversion program (floral to non floral) was completed in 2005 as approved during the 2003 budget
process in order to balance the program service level with the available budget resources, and

Whereas private sponsorship support for the program does not provide sufficient supplementary program funding to plant the remaining inventory traffic island features available to accommodate floral plantings,

Whereas there is strong public support for the reinstatement of the Floral Traffic Island Program to the previous service level,

Therefore, be it resolved that staff be directed to prepare cost estimates for the full reinstatement of the Floral Traffic Island Program (addressing all existing non-floral, irrigated traffic island features) for consideration by Committee of the Whole, as a program enhancement during the 2007 budget process and including recommendations to provide an equitable distribution of the program inventory across the urban areas.

16. Cemeteries Partnership R.F.P. Update (PW04108a) - (City Wide)

Public Works, Infrastructure & Environment Committee

Outstanding Business List

(a) That Request for Proposals No. C3-20-03 (Construction and Operation of a Crematorium/Visitation Centre as a Co-operative Enterprise) be cancelled.

(b) That Park Lawn Company Limited be formally notified of the City Council decision to cancel Request for Proposals No. C3-20-03.

(c) That the item relating to Additional cemetery RFP be removed from the Public Works, Infrastructure & Environment Outstanding Business List.

FOR THE INFORMATION OF COUNCIL:

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

The Clerk advised of the following changes to the agenda which were approved:

(i) Items 7.1 and 8.1 were moved up to be considered prior to consent Items.

(ii) Items 8.9 and 8.10 were moved up to the Presentations section following Item 7.3.

(iii) Added delegation request from Jake Sudac, District Manager of Dufferin Construction Company requesting to appear at the June 19 PWIE Committee meeting with respect to the tender award for

Council – June 14, 2006
the main line paving for the Red Hill Valley Project. (Added Item 4.1) (Copy attached.)

(iv) Added Registered Speakers as follows:

6.2 Proposed Closure and Sale - Portion of Road Allowance - Blagden Road, Flamborough (PW06070) - (Ward 15)

Registered Speakers
6.2.1 Jack Dennison

6.3 Proposed Permanent Closure of Portion of a Public Unassumed Alley at the Rear of 404 to 414 Mary Street and Between 127 and 129 Simcoe Street East, Hamilton (PW06072) - (Ward 2)

Registered Speakers
6.3.1 Ronald Lewis
6.3.2 Mary and Gary Jacobs

(v) Added Motion from Councillor Pearson respecting support for AMO’s position on household hazardous waste. (Copy attached.)

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

(c) Minutes (Item 3)
The Minutes of the May 15, 2006 meeting were approved as presented.

(d) Richard Morin, President of Media StreetSeen – presentation of cheque to the City (No copy) (Item 7.1)
Richard Morin, President of Media StreetSeen presented Chair Margaret McCarthy with a cheque in the amount of $19,902.00 payable to the City of Hamilton and representing a percentage of the sales of transit ads which out-performed the guaranteed minimum under the City’s contract with StreetSeen.

(e) Delegation Request
(i) Jake Sudac, District Manager of Dufferin Construction Company requesting to appear at the June 19 PWIE Committee meeting with respect to the tender award for the main line paving for the Red Hill Valley Project. (Added Item 4.1)
The Committee referred the delegation request from Jake Sudac, District Manager of Dufferin Construction Company to the Corporate Administration Committee as it deals with RFP and tender issues.

(f) Public Hearings/Delegations (Item 6)

(i) Proposed Permanent Closure and Sale of a Portion of Public Assumed Alleyway Abutting 112 King Street East, Hamilton (PW06069) - (Ward 2) (Item 6.1)

Registered Speakers
1. Sergio Manchia, Principal, Senior Planner, PEIL, 360 James Street North, Suite 200, East Wing, Hamilton, May 4, 2006. (Item 6.1.1.)
   Sergio Manchia stated that he is in support of the application.

The Chair invited any other member of the public wishing to speak to this issue to come forward. No one came forward.

The Committee approved the staff recommendation.

(ii) Proposed Closure and Sale - Portion of Road Allowance - Blagden Road, Flamborough (PW06070) - (Ward 15) (Item 6.2)

The Committee deferred this Item until the next meeting scheduled for June 19, 2006 in order to allow the abutting property owners to work out an agreeable division of the road allowance.

(iii) Proposed Permanent Closure of Portion of a Public Unassumed Alley at the Rear of 404 to 414 Mary Street and Between 127 and 129 Simcoe Street East, Hamilton (PW06072) - (Ward 2) (Item 6.3)

Registered Speakers
1. Ronald Lewis (Added Item 6.3.1)
   Ronald Lewis indicated that his residence has a garage with a rear access alley. He is opposed to the closure of the alleyway as he wants to use his garage. If the access to his garage is eliminated, he feels he should be compensated.

2. Gary Jacobs (Added Item 6.3.2)
   Gary Jacobs indicated that he has lived on Ferrie Street for 30 Years. He bought his house because it has a garage and he uses it for car repairs. He is paying taxes and fire
insurance premiums on the garage and he is opposed to the closure of the alleyway and doesn’t feel it’s fair that the applicants can purchase the land for $1.00.

The Chair invited any other member of the public wishing to address Committee with respect to Item 6.3 to come to the podium and print their name, address, and telephone number on the sheets provided.

3. Domenic Paolini

Domenic Paolini advised the Committee that this application has been going on for two years. He indicated that he has been looking after the alley. He advised that Mr. Jacobs had indicated to him that he doesn’t want to purchase the alley because it is contaminated as years ago it was used by a motor vehicle repair shop. He said that the City does not maintain the alley.

4. Joe Costa

Joe Costa indicated that he is a neighbour of Mr. Jacobs. He presented photos of Mr. Jacob’s garage to the Committee to illustrate that it is very much in disrepair. He said that people are constantly walking through the alley which poses a safety concern. He indicated that no one is maintaining the alley and the weeds are ankle high.

5. Gord Ellis

Gord Ellis advised that his neighbour has applied for the closure of the alley in 2003. He indicated that he has never seen a car parked in Mr. Lewis’s garage and Mr. Jacob’s garage is not structurally sound. He noticed that it was opened for the first time about two months ago.

6. Albert Nicholls

Albert Nicholls stated that at his end of the street, there is no conflict among the neighbours with respect to the proposed alleyway closure and there’s ample parking available.

Staff responded to various questions posed by the Committee. The Committee discussed the existing process, the need for a written policy with respect to alleyway closures, who is responsible for paying the legal fees and whether the City is getting market value of its land.
The Committee approved the staff recommendation.

(g) Staff Presentations

(i) Provincial Gas Tax Transit Master Plan Steering Committee Report 06-004 (Item 7.2)

Don Hull introduced Brian Hollingworth of I.B.I. Group who made a PowerPoint Presentation respecting the Asset Management and Ridership Growth Plans which will be forwarded to the Province after Council’s approval. He provided background information respecting the development of the plans.

After discussing the issues, the Committee amended the report by adding subsection (d).

(ii) Transit’s Customer Information Systems Upgrades (Item 7.3)

Don Hull and Jim Dahms made a PowerPoint Presentation illustrating the new technology which will be launched at the end of June 2006 to provide transit users with information about the City’s transit service. The current hardware and software are outdated and the new technology will be interactive with the user. It will be more convenient and will save on staffing costs. A hand-out of the presentation was distributed.

(h) Accessing Waste Transfer Stations without a vehicle - (No copy) (Item 8.1)

The Committee discussed the issue of allowing pedestrians to access waste transfer stations and noted the prohibitive cost increase to insurance premiums that would result. Councillor Samson indicated that he would like to see the transfer stations more welcoming however, he noted that batteries can be dropped off at any Municipal Service Centre and the resident should have been advised of this.

The Committee received the verbal update provided by staff.

(i) Request for a Speed Limit Reduction and a Designated Right Turn Lane - Mud Street between Paramount Drive and Upper Centennial Parkway (PW06055) - (Ward 9)(Item 8.2)

The Committee amended the staff recommendation.

(j) Intersection Control List, June 5, 2006 (PW06001c) (Item 8.3)

The Committee amended the staff recommendation.
(k) 2006 Canadian Open Golf Tournament (PW06068/PED06186) - (Ward 12) (Item 8.6)

David Adames, Executive Director of Tourism Hamilton addressed Committee and outlined the communication strategies that the tournament organizers will be implementing to inform the residents of Hamilton and the Ancaster area of this event. He also answered questions posed by the Committee. The Committee approved the staff recommendation.

(l) City of Hamilton Public Trees By-law (PW06034) - (City Wide) (Referred back to staff March 6, 2006 – (Item 8.9) and

City of Hamilton Public Trees By-law (PW06034a) - (City Wide) Public Works, Infrastructure & Environment Committee Outstanding Business Item “O” (See Item 8.10)

The Committee approved Report PW06034 and Report PW06034a which amended it. Two more amendments were made by the Committee with respect to notifying the property owners of the removal of City trees and the inclusion of funds in the 2007 budget to cover cost sharing for the removal of private trees encroaching on City lands.

Councillor Mitchell will discuss the issue of trees in the rural area with staff to see if an agreed upon strategy could be reached before the next Council meeting.

(m) General Information/Other Business

(i) The Outstanding Business List was amended by changing the due dates as follows:


2. Outstanding Business List Item P, Whistle Blowing at Parkside Drive due date changed to August 9, 2006 COW Meeting.

3. Outstanding Business List Item Q, Fifty Point Sub-division – Lochside Drive – diversion of storm sewer and sanitary sewer trenches due date changed to July 12, 2006 COW Meeting.

4. Outstanding Business List Item R, Urban Braille – Advisory Committee for Persons with Disabilities due date changed to October 17, 2006 PED Committee.
5. Outstanding Business List Item Y, Petition from Winona residents requesting traffic light at corner of Highway 8 and Winona Road due date changed to **July 12, 2006 COW Meeting.**

6. Outstanding Business List Item Z, Access and Egress from Pioneer Gas Station on Upper Centennial Parkway across from Green Mountain Road due date changed to **September 11, 2006.**

(n) **Private and Confidential**

(i) Cemeteries Partnership R.F.P. Update (PW04108a) - (City Wide) Public Works, Infrastructure & Environment Committee Outstanding Business List (Item 12.1)

On a motion (Jackson/Braden) Committee moved In-Camera to discuss a matter which is subject to solicitor-client privilege.

On a motion (Pearson/Jackson) Committee reconvened in open session and approved the staff recommendation which can now be made public with the balance of the report remaining private and confidential.

(o) **Adjournment**

There being no further business, the meeting of the Public Works, Infrastructure and Environment Committee adjourned at 12:20 p.m.

Respectfully submitted,

Councillor Margaret McCarthy, Chair
Public Works, Infrastructure and Environment Committee

Ida Bediou, Legislative Assistant
Public Works, Infrastructure and Environment Committee
June 5, 2006

Council – June 14, 2006