



CITY COUNCIL MINUTES 12-024

5:00 p.m.

Wednesday, December 12, 2012

Council Chambers

Hamilton City Hall

71 Main Street West

Present:	Mayor R. Bratina Councillors B. McHattie, J. Farr, B. Morelli, S. Merulla, C. Collins, S. Duvall, T. Whitehead, B. Clark, M. Pearson, B. Johnson, L. Ferguson, R. Powers, R. Pasuta, J. Partridge
Absent with Regrets:	Councillor T. Jackson – Other City Business

Mayor Bratina called the meeting to order, and called upon Pastor Dwayne Cline of Hughson St. Baptist Church, to lead Council in prayer.

The Mayor recognized members of the Bishop Ryan Sign Language Club; the Educational Assistant of the Club, Jutta Custodio, and the students Chester Lazar, Lukasz Orzel and Riley Kisel, who were in attendance to sign the National Anthem. The group performs at school assemblies, talent shows, Masses and other special events. They have signed for both the Canadian and the American National Anthems at Bulldogs games and on December 14th will be signing for the Toronto Raptors.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED COMMUNICATIONS

- 5.7 Correspondence from Earl D. Basse, Integrity Commissioner respecting a Complaint against Councillor Russ Powers

Recommendation: Be received.

- 5.8 Correspondence from the Honourable Jim Bradley, Minister of the Environment respecting remediation of Randle Reef, upgrades to the Woodward Waste Water Treatment Plant, remediation of the Perfluorooctane sulfonate (PFOS) contamination at the Hamilton International Airport and urban forestry pests

Recommendation: Be received.

2. ADDED REPORT

- 6.8 General Issues Committee Report 12-024(b), December 11, 2012

3. NOTICES OF MOTION

- 8.2 Installations of Ground Mount Solar PV Systems by QPA Solar Inc.

(Pearson/Johnson)

That the agenda for the December 12, 2012 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

There were no declarations of interest.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS
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3.1 Presentation by Linda Shuker, President of the Winona Peach Festival

Linda Shuker, President of the Winona Peach Festival, provided the City of Hamilton with a cheque, in the amount of \$13,000 toward the payment of the Peach Festival's loan to the City.

3.2 Presentation by Argyll and Sutherland Highlanders of Canada to the City of Hamilton

Lieutenant Colonel Lawrence Hatfield, Commanding Officer of the Argyll and Sutherland Highlanders of Canada, presented the City with the Argyll and Sutherland Highlanders Diamond Jubilee gift; a bust of Her Majesty Queen Elizabeth II, by Christian Cardel-Corbett.

APPROVAL OF MINUTES

4.1 November 28, 2012

(Johnson/Pearson)

That the Minutes of the November 28, 2012, meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Morelli/Farr)

That Council Communications 5.1 through 5.8 be approved, as amended, as follows:

- 5.1 Correspondence from David Adames, President and CEO of the Hamilton Chamber of Commerce respecting complete streets and one-way conversion – research needed for an evidence based decision.

Recommendation: **(Farr/Morelli)** Be received and referred to the One-Way to Two-Way Study Group.

- 5.2 Correspondence from Reverend Aaron Gerrard, on behalf of the Churches of the Ancaster Ministerial Association expressing their opposition to any proposals to bring a casino into downtown Hamilton .

Recommendation: **(Ferguson/Powers)** Be received and referred to the Gaming Facility Proposal Sub-Committee.

- 5.3 Memo from Dan Mathieson, Chair, MPAC Board of Directors, respecting Update from MPAC

Recommendation: **(Pearson/Powers)** Be received.

- 5.4 E-mail correspondence from Ryan McGreal respecting backyard hens.

Recommendation: **(Morelli/Farr)** Be received.

- 5.5 Correspondence from Catherine Burden respecting backyard hens.

Recommendation: **(Ferguson/Powers)** Be received.

- 5.6 Correspondence from Cathie Mason, Regional Manager, Services and Operation, CNIB Hamilton, respecting City Council's decision to eliminate the transit subsidy provided to CNIB card holders who are blind or partially sighted.

Recommendation: **(Pearson/Powers)** Be received.

- 5.7 Correspondence from Earl D. Basse, Integrity Commissioner respecting a Complaint against Councillor Russ Powers

Recommendation: **(Ferguson/Farr)** Be received.

- 5.8 Correspondence from the Honourable Jim Bradley, Minister of the Environment respecting remediation of Randle Reef, upgrades to the Woodward Waste Water Treatment Plant, remediation of the perfluorooctane sulfonate (PFOS) contamination at the Hamilton International Airport and urban forestry pests

Recommendation: **(Johnson/Pearson)** Be received.

CARRIED

(Collins/Morelli)

That Council move into Committee of the Whole for consideration of the Committee Reports.

CARRIED

PUBLIC WORKS COMMITTEE REPORT 12-014

(Ferguson/Powers)

That the FOURTEENTH Report of the Public Works Committee be adopted, and the information section received (attached hereto).

CARRIED

BOARD OF HEALTH REPORT 12-010

(Bratina/Partridge)

That the TENTH Report of the Board of Health be adopted, and the information section received (attached hereto).

CARRIED

PLANNING COMMITTEE REPORT 12-019

9. 2013 Tariff of Fees (PED12231) (City Wide) (Item 7.1)

(Clark/Pearson)

That Item 9 of the Planning Committee Report 12-019, respecting 2013 Tariff of Fees, be amended by adding subsection (e) as follows:

- (e) That for the purposes of the Tariff of Fees By-law a 'Routine Variance' shall mean "All singles, duplexes, and semis, not including conversions to other uses or proposed additional uses."

Item 9, as amended, CARRIED on the following vote:

Yeas: Bratina, Whitehead, Duvall, Collins, Merulla, Farr, McHattie, Clark,
Pearson, Johnson, Powers, Partridge, Morelli
Total: 13
Nays: Ferguson, Pasuta
Total: 2
Absent: Jackson
Total: 1

13. Keeping of Chickens in Urban Areas (PED12247/BOH212039) (City Wide) (Item 8.9)

(Farr/McHattie)

That Item 13 of the Planning committee Report 12-019, respecting the Keeping of Chickens in Urban Areas, be referred back to the Planning Committee.

The above motion was withdrawn.

(Powers/Clark)

That, for the purpose of voting on each matter separately, the recommendation in Item 13 be split into subsections (a) and (b), to read as follows:

- (a) That Information Report PED12247/BOH12039, respecting the Keeping of Chicken in Urban Areas, be received;
- (b) That no further action be taken.

Sub-section (a) above was approved on the following vote:

Yeas: Bratina, Whitehead, Duvall, Collins, Morelli, Pearson, Johnson,
Ferguson, Partridge, Merulla, Farr, Clark, Powers, Pasuta
Total: 14
Nays: McHattie,
Total: 1
Absent: Jackson
Total: 1

Sub-Section (b) above was approved on the following vote:

Yeas: Bratina, Whitehead, Duvall, Collins, Morelli, Pearson, Johnson,
Ferguson, Partridge
Total: 9
Nays: Merulla, Farr, McHattie, Clark, Powers, Pasuta
Total: 6
Absent: Jackson
Total: 1

(Clark/Pearson)

That the NINETEENTH Report of the Planning Committee be adopted, as amended, and the information section received (attached hereto).

CARRIED

GENERAL ISSUES COMMITTEE 12-035
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(h) MOTIONS

(i) Declaration of Surplus Property – 50 Main Street East, Hamilton (Old Court House (Item 9.2))

(Duvall/Whitehead)

That the recorded vote for the amendment made to sub-section (c) be amended by deleting the name "Whitehead" from the Yeas section; and, by adding the name "Duvall" to the Yeas section.

CARRIED

(Bratina/Partridge)

That the THIRTY-FIFTH Report of the General Issues Committee be adopted, as amended, and the information section received (attached hereto).

CARRIED

GENERAL ISSUES COMMITTEE 12-031(a)

(Bratina/Powers)

That Report 12-031(a) of the General Issues Committee be adopted, and the information section received (attached hereto).

CARRIED

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 12-010

22. Wireless Hamilton Wi-Fi Project (FCS09028(a)) (City Wide) (Item 8.8)

(Collins/Whitehead)

That Item 22 of AF&A Report 12-010 be amended by adding sub-section (b) to read as follows:

- (a) That the Wireless Hamilton infrastructure implemented in 2007 be dismantled and all public facing Wi-Fi established through this initiative be discontinued at an estimated one-time cost of \$30,000 funded from existing capital project 2050757701.
- (b) *That staff be directed to report back to the Audit, Finance & Administration Committee with a plan that seeks to address Wi Fi capabilities in Municipal buildings and regional parks.*

**AMENDMENT CARRIED
MOTION AS AMENDED CARRIED**

(Johnson/Pearson)

That the TENTH Report of the Audit, Finance & Administration Committee be adopted, as amended, and the information section received (attached hereto).

CARRIED

EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 12-011

(Partridge/Merulla)

That the ELEVENTH Report of the Emergency & Community Services Committee be adopted, and the information section received (attached hereto).

CARRIED

(Bratina/Johnson)

That the rules of order respecting the passing of 48 hours for the consideration of a Standing Committee Report be suspended, pursuant to Section 5.6(3) of the City's Procedural By-law in order to permit the introduction of General Issues Committee Report 12-024(b).

CARRIED

GENERAL ISSUES COMMITTEE 12-024(b)

(Bratina/Pearson)

That Report 12-024(b) of the General Issues Committee be adopted, and the Information section received (attached hereto).

CARRIED

(Merulla/Collins)

That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

7.1 The Hamilton Association of Business Improvement Areas (H.A.B.I.A.) Terms of Reference and Strategic Plan (PED11193) (Wards 1, 2, 3, 4, 6, 7, 9, 12, 13 and 15)

(Whitehead/Duvall)

That Item 7.1, a motion respecting the Hamilton Association of Business Improvement Areas (H.A.B.I.A.) Terms of Reference and Strategic Plan (PED11193), be tabled to the January 23, 2013 meeting of Council.

CARRIED

7.2 Council Meeting Start Time

(Powers/Ferguson)

That Council meeting start time be confirmed to commence at 5:00 p.m.

Item 7.2 CARRIED on the following vote:

Yeas: Bratina, McHattie, Morelli, Merulla, Duvall, Clark, Pearson, Johnson,
Ferguson, Powers, Pasuta, Partridge

Total: 12

Nays: Farr, Collins, Whitehead

Total: 3

Absent: Jackson

Total: 1

7.3 Federation of Canadian Municipalities' (FCM) Caribbean Local Economic Development (CARILED) Program

(Duvall/Whitehead)

Whereas on November 19, 2012, the City of Hamilton's Planning and Economic Development Department was selected to the resource pool of Canadian municipalities that will offer their expertise as part of the Federation of Canadian

Municipalities' (FCM) CARILED program in the Caribbean over the next five (5) years;

And whereas Hamilton's selection was based on the Planning and Economic Development Department organizational model that has been recognized nationally and internationally as a best practise in service delivery; and the fact that senior staff within the Planning and Economic Development Department have previously participated in FCM's local economic development programs in the Czech Republic, Namibia and Malawi;

And whereas Hamilton's Planning and Economic Development Department has a diverse and experienced staff in a number of disciplines including; small business development, business attraction, building services, Geographic Information System (GIS), urban renewal, planning, growth management, by-law services, business licensing, and tourism and culture;

And whereas the CARILED Program will help develop the mechanisms, expertise, information and other resources needed to local Caribbean authorities to facilitate and co-ordinate local economic development and to create tools and management models that will, in turn, be disseminated throughout the entire Commonwealth Caribbean region.

And whereas Hamilton staff will share their expertise, advice and best practises to support an improved enabling environment for local economic development in Caribbean countries that are members of the British Commonwealth;

And whereas FCM will cover all participant travel, accommodation and meal expenses related to these missions through funding from the Canadian International Development Agency (CIDA).

Therefore Be It Resolved;

- (a) That City Council endorse the participation of the City of Hamilton in the FCM CARILED program for a period of 5 years;
- (b) That the assignment of municipal staff to specific projects in the Caribbean and/or the hosting of delegations to Canada on a periodic basis be authorized and approved;
- (c) That staff report back annually to the General Issues Committee on the results and value of their participation in this humanitarian FCM program.

CARRIED

7.4 Reconsideration of Transit Fare Parity, AODA Integrated Standard (PW03128(e)) (City Wide)

(Merulla/Collins)

That sub-sections (a) and (b) of item 5 of Public Works Committee Report 12-011, approved by Council on October 30, 2012 be amended by deleting the words "January" and replacing them with the words "April", to read as follows:

5. Transit Fare Parity, AODA Integrated Standard (PW03128(e)) (City Wide) (Item 7.1)

- (a) That the General Manager of Public Works be directed to implement a Fare Parity policy respecting the Conventional Transit (HSR) and Specialized Transit (ATS/DARTS) programs effective **April** 1, 2013, in accordance with the Transportation Standards regulations made under the *Accessibility for Ontarians with Disabilities Act, 2005*;
- (b) That the Voluntary Pay Policy for persons using Personal Mobility Devices (PMD), including 4-point canes, walkers, scooters and wheelchairs, on the HSR and free fare for CNIB cardholders be eliminated effective **April** 1, 2013;

**AMENDMENT CARRIED
MOTION AS AMENDED CARRIED**

7.5 Installations of Ground Mount Solar PV Systems by QPA Solar Inc.

(Powers/Pasuta)

That Hamilton City Council has no objection to the approval of the seven installations of Ground Mount Solar PV Systems by QPA Solar Inc. in the locations outlined in the attached Appendix "A".

CARRIED

NOTICES OF MOTION

Councillor Merulla introduced the following Notice of Motion:

8.1 Reconsideration of Transit Fare Parity, AODA Integrated Standard (PW03128e) (City Wide)

That Item subsection (b) to 5 of Public Works Committee Report 12-011, approved by Council on October 30, 2012, be reconsidered:

5. Transit Fare Parity, AODA Integrated Standard (PW03128e) (City Wide) (Item 7.1)

- (a) That the General Manager of Public Works be directed to implement a Fare Parity policy respecting the Conventional Transit (HSR) and Specialized Transit (ATS/DARTS) programs effective January 1, 2013, in accordance with the Transportation Standards regulations made under the *Accessibility for Ontarians with Disabilities Act, 2005*;
- (b) That the Voluntary Pay Policy for persons using Personal Mobility Devices (PMD), including 4-point canes, walkers, scooters and wheelchairs, on the HSR and free fare for CNIB cardholders be eliminated effective January 1, 2013;
- (c)
 - (i) That a Senior Monthly Bus Pass, equivalent to 10% of the Senior Annual Pass and a Senior single ride equivalent to the Student Ticket fare be introduced on PRESTO only (anticipated to occur in 2013);
 - (ii) That the brochure “For Safety’s Sake: Safe Travel Tips for HSR’s Senior Customers”, which will include the notice of the senior bus fare rates, be circulated widely;
- (d) That staff be directed to pursue implementation of a PRESTO solution on the ATS service in coordination with Metrolinx;
- (e) That a comprehensive public Communications Plan, as outlined in Appendix D to Report 12-011, be developed and implemented;
- (f) That the current paper media accepted on HSR also be accepted on DARTS and outstanding DARTS tickets be refunded from the HSR Ticket Float Account #23109 – 006100.

(Merulla/Collins)

That the rules of order be waived to allow the Notice of Motion respecting the reconsideration of Sub-section (b) to Item 5 of Public Works Committee Report 12-011 to proceed as Motion.

The reconsideration was replaced with an amendment outlined in Item 7.4..

Councillor Powers introduced the following Notice of Motion:

8.2 Installations of Ground Mount Solar PV Systems by QPA Solar Inc.

(Powers/Pasuta)

That Hamilton City Council has no objection to the approval of the seven installations of Ground Mount Solar PV Systems by QPA Solar Inc. in the locations outlined in the attached Appendix "A".

(Powers/Pasuta)

That the rules of order be waived to allow the introduction of a Motion respecting the approval of the seven installations of Ground Mount Solar PV Systems by QPA Solar Inc.

CARRIED

STATEMENT BY MEMBERS

Members of Council used this opportunity to discuss matters of general interest.

PRIVATE AND CONFIDENTIAL

BY-LAWS

(Morelli/Merulla)

That the Bill List for the November 28, 2012 meeting of Council be amended by adding the following as Bills 288, 289, 290, 291 and 292 (attached hereto) and renumbering the balance:

Bill No.

- 288** To Amend the Waterworks By-law No. R84-026, and Implement the 2013 Water Fees and Charges
- 289** To Amend the Sewer and Drain By-law No. 06-026, and Implement the 2013 Fees and Charges
- 290** To Amend the Sewer Use By-law No. 04-150, and Implement the 2013 Sewer Use Fees and Charges
- 291** To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272 and Implement the 2013 Fees and Charges
- 292** To Establish the 2013 Water and Wastewater Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton

AMENDMENT CARRIED

(Morelli/Merulla)

That Bills No. 268 to 293 attached hereto be passed, as amended, and that the Corporate Seal be affixed thereto, and that the By-laws be numbered and signed by the Mayor and the City Clerk and read as follows:

Bill No.

- 268** To Amend By-law No. 01-215, To Regulate Traffic:
Schedule 18 – Bicycle Lanes
- 269** To Amend By-law No. 01-215, To Regulate Traffic:
Schedule 5 – Stop Control
- 270** To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking:
Schedule 6 – Time Limit Parking
Schedule 8 – No Parking Zones
Schedule 10 – Alternate Side Parking
Schedule 12 – Permit Parking Zones
Schedule 13 – No Stopping Zones
Schedule 14 – Wheelchair Loading Zones
Schedule 15 – Commercial Vehicle Loading Zones
Schedule 20 – School Bus Loading Zones
- 271** To Incorporate City Land Designated as Parts 1, 4 and 6 on Plan 62R-6407 and Part 1 on 62R-4920 into Rymal Road East
- 272** To Repeal By-law No. 12-225 and To Incorporate City Land Designated as Block 125 on Plan 62M-1128 into Country Fair Way
- 273** To Repeal By-law No. 12-223 and To Incorporate City Land Designated at Block 126 on Plan 62M-1128 into Hitching Post Ridge
- 274** Being a By-law To Permanently Close a Portion of Penny Lane being Block 108, Plan 62M-1172, City of Hamilton
- 275** Being a By-law To Permanently Close a Portion of Jessica Street, being Parts 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 27, 30, 34, 38 & 46 on 62R-19312, City of Hamilton
- 276** Respecting Removal of Part Lot Control, Part of Block 14, Registered Plan No. 62M-989 “Chappel East Estates”
- 277** Respecting Removal of Part Lot Control, Part of Block 14, Registered Plan No. 62M-989, “Chappel East Estates”
- 278** Respecting Removal of Part Lot Control, Part of Block 14, Registered Plan No. 62M-989, “Chappel East Estates”
- 279** Respecting Removal of Part Lot Control, Part of Block 13, Registered Plan No. 62M-989, “Chappel East Estates”
- 280** To Repeal By-law No. 12-199 and To Remove Part Lot Control from Block 172 (Parts 1-3) of Plan No. 62M-1159 and Block 311 (Parts 4-6) of Plan No. 62M-1158

Bill No.

- 281** To Amend By-law No. 08-161, A By-law Respecting Building Permits and Related Matters
- 282** Respecting Tariff of Fees
- 283** To Adopt Official Plan Amendment No. 172 to the Former Stoney Creek Official Plan Respecting:1925 Rymal Road East
- 284** To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 1925 Rymal Road East
- 285** To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 438, 444, 446, and 450 Concession Street and 18 East 18th Street, in the City of Hamilton
- 286** To Remove Lands from Zoning By-law No. 05-200, Respecting Lands Located at 450 Concession Street, Hamilton
- 287** To Amend Zoning By-law No. 05-200, Respecting Lands Located at 586 Beach Road (Hamilton)
- 288** To Amend the Waterworks By-law No. R84-026, and Implement the 2013 Water Fees and Charges
- 289** To Amend the Sewer and Drain By-law No. 06-026, and Implement the 2013 Fees and Charges
- 290** To Amend the Sewer Use By-law No. 04-150, and Implement the 2013 Sewer Use Fees and Charges
- 291** To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272 and Implement the 2013 Fees and Charges
- 292** To Establish the 2013 Water and Wastewater Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton
- 293** To Confirm the Proceedings of City Council

CARRIED

(Pearson/Johnson)

That, there being no further business, the City Council meeting be adjourned at 8:35 p.m.

CARRIED

Respectfully submitted,

Mayor B. Bratina

R. Caterini, B. Comm., AMCT
City Clerk
Office of the City Clerk



PUBLIC WORKS COMMITTEE

REPORT 12-014

10:00 a.m.

Monday, December 3, 2012

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillor L. Ferguson (Vice Chair)
C. Collins, T. Jackson, S. Merulla, R. Powers, T. Whitehead

**Absent with
Regrets:** Councillor B. McHattie (Chair) – Vacation
Councillor R. Pasuta – City Business
Councillor S. Duvall - Illness

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 12-014 AND RESPECTFULLY RECOMMENDS:

1. Appointment of Chair and Vice-Chair for 2013 (Item B)

- (a) That Councillor L. Ferguson be appointed Chair of the Public Works Committee for 2013;
- (b) That Councillor T. Whitehead be appointed Vice-Chair of the Public Works Committee for 2013.

2. Intersection Control List (PW12001(g)) (Wards 1 & 7) (Item 5.1)

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

Intersection		Stop Direction		Class	Location / Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
(a)	Hillcrest Ave.	Beulah Ave.	All-way	S/B	A	South of Aberdeen, East of Dundurn	1
(b)	Shadow Ct.	Distin Dr.	N/C	EB	A	North of Stone Church, West of Upper Wentworth	7

**3. 2013 Volunteer Committee Budget - Clean City Liaison Committee (PW12095)
(City Wide) (Item 5.2)**

That the Clean City Liaison Committee 2013 base budget submission attached as Appendix A to Report PW12095, in the amount of \$18,250, be approved and forwarded to the 2013 budget process (GIC).

**4. 2013 Volunteer Committee Budget - Hamilton Cycling Committee
(PW12098) (City Wide) (Item 5.3)**

(a) That the Hamilton Cycling Committee 2013 base budget submission in the amount of \$8,000, as described in Appendix A to report PW12098 be approved;

(b) That in addition to the base funding, that a one-time budget allocation for 2013 of \$2,000, funded by the Volunteer Committee reserve be approved.

**5. Mountain Park Avenue Bridge Municipal Class Environmental Assessment
(PW12096) (Wards 6 & 7) (Item 5.4)**

(a) That the General Manager, Public Works, be authorized and directed to file the Mountain Park Road Bridge Class Environmental Assessment Project File Report with the Municipal Clerk for a minimum thirty (30) day public review period;

(b) That upon completion of the minimum thirty (30) day public review period, the General Manager, Public Works, be authorized and directed to proceed with the implementation of the preferred alternative, to be funded through the Capital Budget Process for 2013.

**6. 2012 Single Family Waste Composition Study Results (PW12094) (City Wide)
(Item 8.1)**

That Report PW12094 respecting 2012 Single Family Waste Composition Study Results, be received.

**7. Clean City Strategy 2012 Work Plan Fall Update (PW11052(d)) (City Wide)
(Item 8.2)**

That Report PW11052(d) respecting Clean City Strategy 2012 Work Plan Fall Update be received.

8. Hamilton Pan Am Soccer Stadium - Tree Removal (PW12099) (Ward 3) (Item 8.3)

That the existing trees identified in Appendix A to Report 12-014 attached hereto be approved for removal in order to facilitate the construction of the new Pan Am Soccer Stadium.

9. Standardization of Traffic Control Equipment and Materials (PW12097) (City Wide) (Item 8.4)

- (a) That in accordance with the City of Hamilton's Procurement Policy #14 - Standardization, Tacel Ltd. be approved as the single source supplier for Polara brand Accessible Pedestrian Traffic Signal Equipment (Bulldog, Navigator, control boards and components) through December 31, 2017;
- (b) That in accordance with the City of Hamilton's Procurement Policy #14 - Standardization, Fortran Traffic Signal Hanger be approved as the standard through December 31, 2017. Single source supplier - Fortran Traffic Systems Ltd.;
- (c) That in accordance with the City of Hamilton's Procurement Policy #14 - Standardization, Eltec School Zone Flashers and component parts be approved as the Standard through December 31, 2017. Single source supplier - Tacel Ltd.;
- (d) That in accordance with the City of Hamilton's Procurement Policy #14 - Standardization, Novax Accuwave Presence Single Phase Detector be approved as the standard through December 31, 2017. Single source supplier - Electromega Ltd.;
- (e) That in accordance with the City of Hamilton's Procurement Policy #14 - Standardization, 3M Vinyl Reflective Traffic Sign Sheeting be approved as the standard through December 31, 2017. Single source supplier - 3M Canada;
- (f) That the General Manager of Public Works or his designate be authorized and directed to negotiate all prices, quantities, terms and conditions with the identified single source suppliers.

10. All way stop at the intersection of Wardrobe Avenue and Trevor Drive removed and replaced with all way stop at the intersection of Wardrobe Avenue and Robb Avenue (Ward 9)(Item 9.1)

- (a) That staff be directed remove the all way stop at the intersection of Wardrobe Avenue and Trevor Drive and replace it with an all way stop at the intersection of Wardrobe Avenue and Robb Avenue;

- (b) That an appropriate by-law to amend the City of Hamilton Traffic By-law 01-215 be passed.

11. All way stop at the intersection of Dunsmure and St. Claire Avenue (Ward 3) (Item 9.2)

- (a) That all-way stop control be implemented at the intersection of Dunsmure Rd. and St. Clair Avenue;
- (b) That an appropriate by-law to amend the City of Hamilton Traffic By-law 01-215 be passed and enacted.

FOR THE INFORMATION OF COUNCIL:

(a) CEREMONIAL ACTIVITIES (Item A)

(i) HSR Bus Operators 30 and 35 years Safe Driving Certificates (Item A)

Vice-Chair Ferguson acknowledged four HSR operators who have achieved 30 years of safe driving and one operator who has reached the 35-year milestone. Reaching this safe driving milestone means that these operators did not have any preventable collisions for 30 and 35 years respectively.

Don Hull and Keith Andrews of the Transit group joined Councillor Ferguson in presenting Jagtar Singh with his 35 year Safe Driving Certificate and recognized Harminder Sandhu, Gord Nash, Vijay Sareen, and Laurent Shand with 30 year certificates.

(b) CHANGES TO THE AGENDA (Item 1)

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

- (i) Delegation request from Stephen Reavley, Vice President Canadian Council of the Blind, Hamilton Chapter, respecting Transit Fare Parity changes.

The December 3, 2012 Public Works Committee Agenda was approved, as amended.

(c) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(d) MINUTES (Item 3)

(i) November 19, 2012 (Item 3.1)

The Minutes of the November 19, 2012 Public Works Committee meeting were approved as presented.

(e) DELEGATION REQUEST (Item 4.1)

(i) Delegation request from Stephen Reavley, Vice President Canadian Council of the Blind, Hamilton Chapter, respecting Transit Fare Parity changes. (Added Item 4.1)

(a) The delegation request from Stephen Reavley Vice President Canadian Council of the Blind - Hamilton Chapter, respecting Transit Fare Parity changes was approved to be heard today.

(b) The delegation by Stephen Reavley was moved up in the agenda to be heard before consent items.

(f) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) Delegation by Stephen Reavley, Vice President Canadian Council of the Blind, Hamilton Chapter, respecting Transit Fare Parity changes. (Added Item 6.1)

Stephen Reavley, Vice President Canadian Council of the Blind - Hamilton Chapter, addressed committee respecting the increased financial hardships the Transit Fare Parity changes will have on those with visual disabilities when they come into effect on January 1, 2013

Cathy Mason, Regional Manager of the Canadian National Institute for the Blind addressed the Committee respecting the impacts of the transit fare parity changes.

On a Motion staff were directed to provide an Information Update to Members of Council clarifying the provisions of Section 38 of the *Accessibility of Ontarians with Disabilities Act* as they relate to the concerns raised by the delegation on Transit Fare Parity.

The delegation by Stephen Reavley, Vice President Canadian Council of the Blind, Hamilton Chapter, respecting Transit Fare Parity changes, was received.

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

(i) Outstanding Business List Amendments (Item 11.1)

(a) New Due Dates:

On a Motion the following due dates were revised:

- (i) Item "E" - Region of Halton Discussions for Processing of Source Separated Organics
Due date: February 4, 2013
Proposed due date: March 18, 2013
- (ii) Item "G" - Petition from Residents of Sanford Avenue South regarding Traffic Calming Measures"
Due date: December 3, 2012
Proposed due date: March 18, 2013
- (iii) Item "J" - Bus Shelter Installations
Due date: December 3, 2012
Proposed due date: February 4, 2013

(h) ADJOURNMENT (Item 13)

There being no further business, the Public Works Committee adjourned at 10:37 a.m.

Respectfully submitted,

Councillor L. Ferguson, Vice- Chair
Public Works Committee

Andy Grozelle
Legislative Coordinator
Office of the City Clerk



**BOARD OF HEALTH
REPORT 12-010
1:30 p.m.
Monday, December 3, 2012
Council Chambers
Hamilton City Hall**

Present: Mayor B. Bratina, Chair
Councillors C. Collins, J. Farr, L. Ferguson, T. Jackson, S. Merulla,
B. Morelli, J. Partridge, R. Pasuta, M. Pearson, R. Powers,
T. Whitehead

Absent with
regrets: Councillor B. Clark – Personal Business
Councillor S. Duvall – Illness
Councillor B. Johnson – City Business
Councillor B. McHattie – Vacation

**THE BOARD OF HEALTH PRESENTS REPORT 12-010 AND RESPECTFULLY
RECOMMENDS:**

**1. Research and Evidence-Based Planning and Decision Making (BOH12036)
(City Wide) (Item 5.1)**

That the policies regarding Public Health Services research and ethical review of research and evaluation projects as described in Appendix A and B attached to Board of Health Report 12-010 be approved.

**2. Neighbourhood Air Quality In Hamilton's Industrial Core (BOH12035)
(Wards 1, 2, 3, 4, and 5) (Outstanding Business List) (Item 8.1)**

That Clean Air Hamilton establish a working group to investigate and make recommendations to the City on actions that can be taken to reduce air pollution in Hamilton.

3. Public Health Nurse Staffing (BOH12033) (City Wide) (Item 8.2)

That the Medical Officer of Health be authorized and directed to balance the complement of permanent Public Health Nurses by up to 6.0 FTE to be funded within the existing budget, with corresponding reduction of temporary positions.

4. Healthy Babies Healthy Children Screening Liaison Public Health Nurse (BOH12038) (City Wide) (Item 8.3)

- (a) That the Medical Officer of Health be authorized and directed to receive, utilize and report on new 100% base funding for the Healthy Babies Healthy Children Program from the Ministry of Children and Youth Services;
- (b) That the Council authorize and direct the Medical Officer of Health to increase complement in the Healthy Babies Healthy Children program by 1.0 full time equivalent Public Health Nurse.

5. Health and Social Impacts of Gambling (BOH12040) (City Wide) (Item 8.4)

That Report BOH12040, respecting Health and Social Impact of Gambling, be referred to the Gaming Sub-Committee for deliberation.

FOR THE INFORMATION OF COUNCIL:**(a) CHANGES TO THE AGENDA (Item 1)****1. ADDED DISCUSSION ITEMS**

8.4 Health and Social Impacts of Gambling (BOH12040) (City Wide)

2. ADDED GENERAL INFORMATION

11.1 Correspondence from the Minister of Health and Long-Term Care respecting funds up to \$48,000 in one-time funding, to provide two additional practicum placements for two Public Health Inspector students.

Recommendation: Be referred to the Medical Officer of Health for the appropriate action.

The agenda was approved as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) MINUTES (Item 3)**(i) November 19, 2012 (Item 3.1)**

The minutes from the November 19, 2012 Board of Health meeting, were approved.

(d) PUBLIC HEARINGS/DELEGATIONS (Item 6)**(i) Delegation request from Mark Holland, representing the Heart & Stroke Foundation wishing to speak to the Board regarding how to make Hamilton a more cardiac safe City (approved at the October 15, 2012 Board of Health Meeting) (Item 6.1)**

Mark Holland was unable to attend today's meeting. In his place, Harpreet Dillon spoke to the Committee respecting making Hamilton Cardiac Safe City. A copy of Ms. Dillon's presentation was retained by the Clerk.

The recommendations provided by the Heart and Stroke Foundation were referred to staff for a report back to the Board of Health.

(e) PRESENTATION (Item 7)**(i) 2012 PHS Strategic Business Plan - Progress Report (BOH11016(c)) (City Wide) (Item 7.1)**

The presentation respecting Report BOH11016(c) regarding the 2012 PHS Strategic Business Plan - Progress Report, was deferred to the January 16, 2013 meeting of the Board of Health.

(f) DISCUSSION ITEMS (Item 8)**(i) Neighbourhood Air Quality In Hamilton's Industrial Core (BOH12035) (Wards 1, 2, 3, 4, and 5) (Outstanding Business List) (Item 8.1)**

Item "D" respecting neighbourhood air quality in Hamilton's industrial core was removed from Board of Health Outstanding Business List.

(ii) Public Health Nurse Staffing (BOH12033) (City Wide) (Item 8.2)

The Committee asked questions with respect to the financial implications and budgeting of public health nurse staffing.

The staff recommendation was amended by deleting the word “increase” and replace with “balance” and the following be added after “funded within the existing budget” “with corresponding reductions of temporary positions”

(g) GENERAL INFORMATION (Item 11)

(i) Correspondence from the Minister of Health and Long-Term Care respecting funds up to \$48,000 in one-time funding, to provide two additional practicum placements for two Public Health Inspector students. (Item 11.1)

Recommendation: Be referred to the Medical Officer of Health for the appropriate action.

(h) ADJOURNMENT (Item 13)

The Board of Health adjourned at 2:45 p.m.

Respectfully submitted,

Mayor R. Bratina
Chair, Board of Health

Christopher Newman
Legislative Coordinator

Public Health Services Policy and Procedure Manual

Chapter	07	Research and Education	07-04
Section	00		
Subject	04	Registering Research and Evaluation Projects	
Signature	_____		<u>XXXX-XX-XX</u>
Approved by:	Board of Health		Date

Intent

Public Health Services (PHS) is committed to evidence based practice and the efficiency and effectiveness of departmental programs and services through the integration of research and evaluation. The intent of this policy is to outline the responsibilities of PHS staff when conducting research.

Policy

The Board of Health has a responsibility to assure the methodological and ethical quality of research and evaluation projects conducted at PHS by ensuring compliance with the ethical standards as defined in the Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans (CIRH, NSERC and SSHRC, 2010). All research/evaluation projects will be documented and registered in an accurate and consistent manner to facilitate communication and collaboration on projects and to prevent duplication of research/evaluation activities between PHS Divisions and amongst researchers and practitioners in Hamilton, Ontario, and Canada.

PHS has adopted the following principles regarding formal research being done by PHS:

- PHS will collaborate with key partners on research projects (to be defined as below).
- PHS will act as the primary researcher only in circumstances where there is appropriate expertise and resources to carry out the project, the project will add value to the organization’s programs and services, and the activity is in keeping with individual workplans and learning and development plans.

The following criteria will be used when considering research requests:

- consistent with PHS mandate and priorities;
- will inform PHS programming;
- related to identified community need;
- PHS has capacity and resources to participate; and

- request comes from a capable partner.

Procedure

The following process will be used when determining research priorities at the departmental and divisional level.

- Research priorities at both levels should align with the Departmental Business Plan (DBP) and the Corporate Strategic Plan.
- Any research question or issue that arises outside of the annual DBP planning process should be pursued based on the research criteria that is outlined above
- Any current research projects that do not fit with any of the processes above should be completed within a reasonable timeframe but not expanded.
- Evaluation should be considered as part of the approval process for research activities.

The annual Research Report produced by the Applied Research and Evaluation team will serve as a research inventory of all research activities in PHS and as a reporting mechanism on the outcomes of the projects.

Approval for internal research activities and projects include those projects led/conducted by PHS Program staff or students. Internally funded projects are required to complete a Research Project Charter Template Form (Attachment A). Approval for external research includes those projects where PHS clients or staff are being studied. Externally funded projects are required to complete a Research Project Review & Registration (RPRR) Form (Attachment B).

Research activities that must be registered include internally and externally funded projects as well as those that access study participants from PHS, but do not include those projects where data collection is part of routine program delivery.

Board of Health

Through PHS staff:

- Foster collaboration with McMaster University and other academic institutions in order to promote partnerships in research and evaluation activities.

Researcher

- Communicates research intent to relevant PHS division/program
- Completes Parts I & II of Research Project Review and Registration form (RPRR) and Application for Review by Research Ethics Board (if Researcher has not already complied with Research Ethics Board Guidelines)

- Submits RPRR to relevant Divisional Director and Associate Medical Officer of Health for initial review and approval
- Provides notification of completion of research project to the Divisional Director and Associate Medical Officer of Health

- Approves proposed project
 - Completes Sections III - IV of RPRR

Divisional Director and Associate Medical Officer of Health

Definitions

Program Evaluation: is defined as “the systematic gathering, analysis, and reporting of data about a program to assist in decision-making.” (Ontario Public Health Standards, 2008)

Program Monitoring: “The collection of information on indicators on how well programs perform, particularly with regard to the delivery of services (outputs) and the achievement of results (outcomes) (Rossi et al., 1999). Program monitoring...is also referred to as ‘performance measurement’ or ‘results-based management’.” (Aubry, Flynn, & Ready, 2003).

Research: is “the organized and purposeful collection, analysis, and interpretation of data.” (Ontario Public Health Standards, 2008)

Situational Assessment: “Influences planning by examining the legal/political environment, stakeholders, population health needs, past literature, previous evaluations, and the vision for the project.” (The Health Communications Network, 2008)

References

Canadian Institutes of Health Research, Natural Sciences and Engineering Research Council of Canada, and the Social Sciences and Humanities Research Council of Canada, *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans*, December 2010. Available at: http://www.ethics.gc.ca/pdf/eng/tcps2/TCPS_2_FINAL_Web.pdf

Personal Health Information Protection Act, 2004 S. O. 2004, c.3, Sched. A, available at: http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/04p03_e.htm

Resources**Attachment 07-04A**

- Research Project Charter Template

Attachment 07-04B

- Research Project Review and Registration

History

07-04 Teaching Health Unit/PHRED Program - Registering Research & Evaluation Projects approved by Council 2000-10-03

07-04 Teaching Health Unit/PHRED Program - Registering Research & Evaluation Projects changed to 07 04 Program Policy & Planning Division – Registering Research & Evaluation Projects and revised by Jane Soldera, Director, Program Policy & Planning Division 2005-02-11.

Approved by DMT 2005-02-14 and approved by City Council 2005-03-23.

07 04 Program Policy & Planning Division – Registering Research & Evaluation Projects changed to 07-04 Registering Research & Evaluation Projects 2007-09-13; approved by Teresa Bendo, Director Planning & Continuous Improvement 2008-01-25.

07-04 Registering Research and Evaluation Projects updated by ??? November 2012; approved by Board of Health 2012-xx-xx.

Public Health Services Policy and Procedure Manual

Chapter	07	P&CI: Applied Research & Evaluation	07-03
Section	00		
Subject	03	Ethical Review of Research and Evaluation Projects	
Signature	_____		<u>XXXX-XX-XX</u>
Approved by:	Board of Health		Date

Intent

Hamilton Public Health Services (PHS) intends to carry out ethically sound research and evaluation projects in accordance with the relevant provisions of the Personal Health Information Protection Act, 2004, S.O. 2004, c.3.

This Policy and Procedure applies to research and evaluation projects that have been registered in accordance with Departmental Policy and Procedure 07-04- Registering Research and Evaluation Projects.

Policy

PHS recognizes that protecting the privacy of personal health information is an essential part of our commitment to quality service, programs and care. PHS will collect, use and disclose the personal health information of clients responsibly and in compliance with all applicable laws.

Ethical issues are considered and addressed before approval of Departmental research projects.

The collection and/or disclosure of personal health information for research and evaluation purposes/plans is carried out in accordance with the requirements of the Personal Health Information Protection Act, 2004, S.O. 2004, c.3.

The requirements for research plans are set out in the Act and include the nature and objectives of the research and the public or scientific benefit of the research. Personal health information may be disclosed to a researcher if a research ethics board has approved the researcher's research plan.

PHS complies with the ethical standards as set out by Hamilton Health Sciences/McMaster Faculty of Health Sciences Research Ethics Board and the University of Guelph Research Ethics Board as supported by the Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans (Medical Research Council of Canada, 2003) which guides the use of human participants in research by Canadian institutions (Attachment A).

PHS accepts the mandate of the McMaster University and the University of Guelph Research Ethics Boards (REB) in their role to safeguard the rights, safety and well-being of all research participants. The REB's review and approve research projects that meet acceptable ethical and scientific standards and for which adequate facilities and resources are available. PHS also accepts that the REB's provide advice on the ethical, scientific and technical aspects of planning research projects.

All research projects carried out at PHS require ethics approval by a Research Ethics Board affiliated with a university or hospital institution.

Those researchers associated with McMaster University require approval from the Research Ethics Board (REB) at Hamilton Health Sciences/McMaster Faculty of Health Sciences. Those researchers associated with the University of Guelph require the approval from the University of Guelph Ethics Review Board. At the University of Guelph, low/minimal risk submissions can request an expedited ethical review process.

Procedure Researcher

- Complies with Guidelines from the particular REB.
- For McMaster affiliated researchers - Submission of Research Projects Form (Attachment B) directs the completion and submission of the Application for Review by the Research Ethics Board at McMaster (Attachment C). Project revisions for approval to REB are completed using Research Ethics Board Amendment Request (Attachment C)
- For University of Guelph researchers- Submission of Research Projects Form (Attachment D) directs the completion and submission of the Application for Review by Research Ethics Board at Guelph (Attachment E).
- Provides REB with an annual review of project status if the project exceeds 1 year in duration.
- Collaborates with PHS program staff as needed to facilitate the submission of the Application for Review by Research Ethics Board.

Definitions

Personal Health information (PHI) means any form of information regarding an individual's physical or mental health. PHI records may include family health history, health numbers, the identity of a substitute decision maker, any documentation concerning the provision of health care, long term care service plans, payments or eligibility for health care, and tissue donations. PHI may be oral or recorded. Identifying information does not necessarily name the individual, but has the foreseeable potential to be utilized alone or with additional information to identify an individual.

Research: is "the organized and purposeful collection, analysis, and interpretation of data." (Ontario Public Health Standards, 2008)
Research activities that must be registered with PHSMT include internally and externally funded projects as well as those that access study participants from PHS, but do not include those projects where data collection is a part of routine program delivery.

Researcher is a person who conducts research.

Research Ethics Board is a board of persons established for the purposes of approving research plans that meets prescribed requirements

References

Departmental P&P

- 03-24 Privacy of Personal Health Information

Departmental P&P

- 07-04 Registering Research & Evaluation Projects

Legislation

- Personal Health Information Protection Act, 2004, S.O. 2004, c.3.
available at:

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_04p03_e.htm

Resources

Attachment 07- 03A

- Medical Research Council of Canada; Natural Sciences and Engineering Research Council of Canada; and Social Sciences and Humanities Research Council of Canada. (June, 2003). *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans*. Ottawa, Canada: MRC.

http://pre.ethics.gc.ca/policy-politique/tcps-epc/docs/TCPS%20October%202005_E.pdf

(Also see pdf attached)

<N:\Department Info\Policy & Procedures\2008 PHS Policies & Procedures\7.0 P & CI-Applied Research & Evaluation\07-03 Ethical Review of Research and Evaluation Projects\07-03 A Ethical conduct for Research Involving Humans.pdf>

Please check the following websites to assure that the most current version of the attachments below are used:

McMaster Faculty of Health Sciences Ethics Research Board Website
<http://fhs.mcmaster.ca/healthresearch/reb/index.html>

- Attachment 07- 03 B**
- Hamilton Health Sciences/ McMaster Faculty of Health Sciences, Health Research Services, (October, 2009). *General Research Ethics Application*. Hamilton, Ontario.
<http://fhs.mcmaster.ca/healthresearch/reb/forms.html>
- Attachment 07- 03 C**
- Hamilton Health Sciences/ McMaster Faculty of Health Sciences, Health Research Services, (October, 2009). *Amendment Request*. Hamilton, Ontario.
<http://fhs.mcmaster.ca/healthresearch/reb/forms.html>
- Attachment 07-03 D**
- University of Guelph, Office of Research (January, 2006). *The Application Process Form 3-G-001*
http://www.uoguelph.ca/research/humanParticipants/reb_guidelines.shtml
- Attachment 07-03 E**
- University of Guelph, Office of Research (January, 2006). *Application to Involve Human Subjects in Research*
<http://www.uoguelph.ca/research/forms/documents/Word/Application%20to%20Involve%20Human%20Participants%20in%20Research.doc>

Advice can be received from the Research Ethics Officer at:

McMaster University
Oliver Klimek
klimeko@mcmaster.ca
(905) 525-9140 ext. 22577

Guelph University
Sandy Auld
sauld@uoguelph.ca
1-(519) 824-4120 ext. 56606

History

07-03 Research, Evaluation & Survey Ethics approved 2000-10-03

07-03 Research, Evaluation & Survey Ethics changed to *07-03 Ethical Review of Research and Evaluation Projects* and revised by Jane Soldera, Director, Program, Policy & Planning Division 2005-03-15. Reviewed by Legal Services 2005-05-30. Approved by DMT 2005-06-06

07-03 Ethical Review of Research and Evaluation Projects revised by *Colleen Van Berkel* 2007-01-25; approved by Teresa Bendo, Director Planning & Continuous Improvement, 2007-09-13.



PLANNING COMMITTEE REPORT 12-019

As amended by Council on December 12, 2012

9:30 am

Tuesday, December 4, 2012

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors B. Clark (Chair), J. Farr (1st Vice Chair), B. Johnson (2nd Vice Chair), C. Collins, L. Ferguson, J. Partridge, R. Pasuta, M. Pearson and T. Whitehead

Also Present: Councillor S. Duvall

THE PLANNING COMMITTEE PRESENTS REPORT 12-019 AND RESPECTFULLY RECOMMENDS:

- 1. Appointment of Chair and Vice-Chairs (Item A)**
 - (a) That Councillor Farr be appointed as Chair of the Planning Committee for 2013;
 - (b) That Councillor Johnson be appointed as 1st Vice Chair of the Planning Committee for 2013;
 - (c) That Councillor Partridge be appointed as 2nd Vice Chair of the Planning Committee for 2013.

- 2. Application for an Amendment to Ministry of Environment Environmental Compliance Approval (Waste Site) No. 8902-8HKPN, Ministry of Environment Reference #7216-8CZLEL, 565 Arvin Avenue (Stoney Creek) (PED12230) (Ward 10) (Item 5.1)**

That the Environmental Assessment and Approvals Branch of the Ontario Ministry of Environment (MOE) be advised that should the Ministry consider approving **Application MOE-CA-12-002, by Mida International Inc., Applicant,** for an amendment to Environmental Compliance Approval (Waste Site) No. 8902-8HKNPN, to permit an increase in the total amount of waste and processed materials stored at any one time from 890 tonnes to 1,100 tonnes at the current waste disposal facility, on the lands located at 565 Arvin Avenue (Stoney Creek), as shown on Appendix "A" to Report PED12230, that the City of Hamilton requests:

- (a) That, if approved, the Environmental Compliance Approval (ECA) include the following requirements:
 - (i) That the applicant applies for and receives final approval of a Site Plan application from the City's Planning Division, if required, to the satisfaction of the Manager, Development Planning;
 - (ii) That the Environmental Compliance Approval limit the daily processing of waste to a maximum annual average of 200 tonnes per day, a maximum of 25,000 tonnes per year, and a maximum storage of 1,100 tonnes of waste at any one time;
 - (iii) That an inventory of waste types stored on site should be updated daily, and be provided to the Ministry of Environment;
 - (iv) That the waste streams accepted at this facility be limited to non-hazardous municipal solid waste comprised of waste electronic and electrical equipment (WEEE) collected under the Ontario Electronic Stewardship (OES) Program, as well as scrap metal from residential, and industrial, commercial, and institutional (IC&I) sources;
 - (v) That the proponent be aware that Arvin Avenue is a Reduced Load Roadway from March 1 to April 30, where full loading of standard trucks is not permitted;
 - (vi) That a waste screening and testing program be developed and implemented to deal with unanticipated received materials;
 - (vii) That any fugitive hazardous waste quantities (i.e. batteries, leaded glass, ink, mercury switches, etc.) be identified and stored accordingly, and be sent to an approved recycler;
 - (viii) That an effective odour/dust/noise mitigation control plan for day-to-day activities be implemented;

- (ix) That excellent on site housekeeping practices be implemented for overall general maintenance, including litter and vermin control;
 - (x) That the proponent shall comply with the Fire Safety Inspection Report, dated September 27, 2012, and Fire Marshal's Inspection Order;
 - (xi) That the spills prevention and containment measures plan include measures to deal with douse water or fire water in the event of a fire;
 - (xii) That the proponent shall implement on site spills prevention and containment measures included in the Environmental Compliance Approval. That the Contingency Plans for spills on and off site, and clean-up procedures, are covered under the Environmental Compliance Approval, and that the City's Spill Reporting Line (905) 540-5188 and the Ministry of the Environment Spills Action Centre (800) 268-6060 be included in the company's Contingency Plan. Further, that a copy of the Contingency Plan be forwarded to the Compliance and Regulations Section, Water and Wastewater Division, Public Works Department, City of Hamilton. That the spill prevention and contingency plan be submitted, to the satisfaction of the Ministry of the Environment;
 - (xiii) That the exterior lock box located on the front gate of the west side of the building continue to have a current copy of the approved fire safety plan, daily product inventory list, including product quantities and exact location within the facilities, along with the MSDS sheets, as applicable, in a manner such that all noted documents are readily available to Hamilton Emergency Services - Fire, 24 hours a day, 7 days a week, 365 days a year;
 - (xiv) That waste accepted be limited to waste generated only from within Canada;
 - (xv) That the proponent be required to provide financial assurance to the Ministry of Environment to cover final clean-up of the site, following the cessation of use;
 - (xvi) That a Ministry of Environment staff person be identified to the City as the contact for all issues and complaints regarding the subject property;
- (b) That a copy of Report PED12230 be forwarded to the Environmental Assessment and Approvals Branch of the Ministry of Environment for their consideration;

- (c) That the Environmental Assessment and Approvals Branch of the Ministry of Environment be requested to forward a copy of its final decision respecting the Environmental Compliance Approval to the Clerk, City of Hamilton.

3. Committee of Adjustment Minor Variance Application GL/A-12:163 for the Property Located at 8226 White Church Road (Glanbrook), Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment (PED12232) (Ward 11) (Item 5.2)

That Council direct appropriate Legal Services and Planning staff to attend the Ontario Municipal Board (OMB) hearing to support the Committee of Adjustment's decision to deny Committee of Adjustment Minor Variance Application GL/A-12:163, to permit the construction of a 9.8m wide x 14.7m deep x 4.8m high accessory structure in the rear yard of the property located at 8226 White Church Road (Glanbrook), as shown on Appendix "A" to Report PED12232, supported by the Planning and Economic Development Department, but denied by the Committee of Adjustment.

4. Hamilton Municipal Heritage Committee Minutes 12-010 (Item 5.3)

That the Hamilton Municipal Heritage Committee Minutes 12-010, be received.

5. Delegation from Ken Kelly respecting a driveway adjustment (Item 6.1)

That Ken Kelly be allowed the width requested for his driveway at no cost to him and that all fees be waived.

6. Increase to Fees Under the Building By-law (PED12227) (City Wide) (Item 6.4)

- (a) That the By-law, attached as Appendix "A" to Report PED12227 to amend City of Hamilton By-law No. 08-161, the Building By-law, be enacted;
- (b) That the fees prescribed in the By-law, attached as Appendix "A" to Report PED12227, be included in the User Fees and Charges By-law, replacing the fees listed under the heading "Classes of Permits and Fees New Construction and Additions Building Classifications per the Building Code".

7. Application for Approval of an Amendment to Hamilton Zoning By-law Nos. 6593 and 05-200 for Lands Known as 438, 444, 446, and 450 Concession Street and 18 East 18th Street (Hamilton) (PED12239) (Ward 7) (Item 6.5)

That approval be given to Amended Zoning Application ZAC-11-002, by 2110044 Ontario Inc. (Concession Medical Pharmacy) and Rita Corsini, Owners, for changes in zoning from the “H” (Community Shopping and Commercial, Etc.) District to the “H/S-1656” (Community Shopping and Commercial, Etc.) District, Modified, with a Special Exception (Blocks 1 and 2); from the Neighbourhood Institutional (I1) Zone to the “H/S-1656” (Community Shopping and Commercial, Etc.) District, Modified, with a Special Exception (Block 3); from the “H” (Community Shopping and Commercial, Etc.) District to the “G-3/S-1656-‘H” (Public Parking Lots - Holding) District, Modified, with a Special Exception and a Holding Provision (Blocks 4 and 5); from the Neighbourhood Institutional (I1) Zone to the “G-3/S-1656-‘H” (Public Parking Lots - Holding) District, Modified, with a Special Exception and a Holding Provision (Block 6); and from the “C” (Urban Protected Residential) District to the “G-3/S-1656-‘H” (Public Parking Lots - Holding) District, Modified, with a Special Exception and a Holding Provision (Blocks 7 and 8), to permit the establishment of a public parking lot for the existing commercial buildings, with site-specific parking requirements, on lands located at 438, 444, 446, and 450 Concession Street; and to permit the retention of the existing dwelling on lands located at 18 East 18th Street (Hamilton), as shown on Appendix “A” to Report PED12239 on the following basis:

- (a) That the Draft By-law, attached as Appendix “B” to Report PED12239, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the amending By-law, attached as Appendix “B” to Report PED12239, be added to District Map Nos. E-15 and W-14 of Zoning By-law No. 6593;
- (c) That the Draft By-law, attached as Appendix “C” to Report PED12239, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (d) That the lands referred to in the amending By-law, attached as Appendix “C” to Report PED12239, be removed from Map No. 1039 of Schedule “A” of By-law 05-200;
- (e) That the proposed changes in zoning conform to the Hamilton-Wentworth Official Plan and the Hamilton Official Plan.

8. Appeal of the City of Hamilton Committee of Adjustment Decision to Approve Severance Application HM/B-12:01, David and Sharon Almas (Owners), 11 Springside Drive (Hamilton) (PED12229) (Ward 7) (Item 8.1)

That Council agrees to the following actions, as detailed in Report PED12229, respecting the appeal of City of Hamilton Committee of Adjustment Severance Application HM/B-12:01 (David and Sharon Almas, Owners), 11 Springside Drive (Hamilton) to permit the conveyance of an 850 sq. m. ± parcel of land for residential purposes and to retain a 915 sq. m. ± parcel of land containing an existing single detached dwelling, as shown on Appendix "A" to Report PED12229, approved by the Committee of Adjustment but recommended for denial by the Planning and Economic Development Department:

- (a) That Council of the City of Hamilton proceed with the appeal to the Ontario Municipal Board (OMB) against the decision of the Committee of Adjustment to approve Application HM/B-12:01;
- (b) That Council directs appropriate Legal Services and Planning staff be authorized and directed to attend the future Ontario Municipal Board (OMB) Hearing in support of the appeal.

9. 2013 Tariff of Fees (PED12231) (City Wide) (Item 7.1)

- (a) That the draft amended Tariff of Fees by-law be added to Appendix "A" to Report PED12231, 2013 Tariff of Fees, to accompany Schedule "A", Schedule of Fees;
- (b) That By-law No. 04-003, being a By-law respecting Tariff of Fees, be repealed and replaced with the amended Tariff of Fees by-law, as attached as Appendix "A" to Report PED12231, 2013 Tariff of Fees;
- (c) That the Tariff of Fees by-law and Schedule of Fees, as attached as Appendix "A" to Report PED12231, 2013 Tariff of Fees, which has been prepared in a form satisfactory to the City Solicitor, be enacted and effective January 1, 2013;
- (d) That there be no fee increase for "routine" Committee of Adjustment applications for 2013;
- (e) That for the purposes of the Tariff of Fees By-law a 'Routine Variance' shall mean "All singles, duplexes, and semis, not including conversions to other uses or proposed additional uses."

10. Pan Am Stadium (PED12218) (Ward 3) (Item 7.2)

That Information Report PED12218, Pan Am Stadium, be received.

11. Draft Provincial Policy Statement Review 2012 - City of Hamilton Comments (PED12235) (City Wide) (Item 7.3)

- (a) That City Council inform Ministry of Municipal Affairs and Housing that it supports the draft revisions to the Provincial Policy Statement (PPS), dated September 2012, in principle, and recommends the following action and changes identified in Appendix "A", as attached hereto:
 - (i) To hold the proposed changes to Section 2.5 - Mineral Aggregate Resources of the draft PPS in abeyance, and to combine the PPS Policy review with the ongoing Aggregate Resources Act (ARA) review;
 - (ii) To modify policies and definitions for the purposes of clarification;
 - (iii) To add new policies, terms, and definitions to strengthen policies;
 - (iv) To delete policies that weaken or that may impact the City in a negative way;
- (b) That City Council request the Ministry of Municipal Affairs and Housing to amend the PPS to allow the Committee of Adjustment to impose conditions of approval on consents (severances) to ensure farm consolidation occurs in cases where residences become surplus to a farming operation;
- (c) That the City Clerk be requested to forward the recommendations and this staff Report to the Ministry of Municipal Affairs and Housing, Provincial Planning Policy Branch.

12. Committee of Adjustment Consent Application GL/B-11:102 for Lands Located at 6355 White Church Road (Glanbrook) (PED12238) (Ward 11) (Item 8.3)

- (a) That staff be directed to reimburse the applicant for all associated surveying costs related to Application GL/B-11:102, for the property known municipally as 6355 White Church Road (Glanbrook), as it relates only to the change in lot configuration;

- (b) That the funding be provided from Dept. ID 812025, Account 44785, in the amount of \$1,808.00 and that payment is being made “without prejudice”.

13. Keeping of Chickens in Urban Areas (PED12247/BOH12039) (City Wide) (Item 8.4)

- (a) That Information Report PED12247/BOH12039, respecting the Keeping of Chicken in Urban Areas, be received;

- (b) That no further action be taken.

14. Ministry of the Environment Environmental Compliance Approvals Process (Previously Certificate of Approvals Process) (PED12246) (Item 8.5)

That Planning staff be authorized to prepare and submit comments, on behalf of the City of Hamilton with concurrence from the respective Ward Councillor, to the Ministry of Environment, on applications for an Amendment to an Environmental Compliance Approval for Waste, as set out in Report PED12246.

15. Application for Approval of a Draft Plan of Condominium (Vacant Land) (25CDM-201205) for Lands Known as 3-35 Greenleaf Lane (Formerly 306 Woodworth Drive) (Ancaster) (PED12199) (Ward 12) (referred from November 6, 2012) (Item 8.7)

That approval be given to Condominium Application 25CDM-201205, Schuit Homes Inc., Owner, to establish a Draft Plan of Condominium (Vacant Land) to create a vacant land condominium for 9 single-detached dwelling units, a common element road and natural area, and a 3.0m public access across the property, subject to an easement in favour of the City of Hamilton, on lands known as 3-35 Greenleaf Lane (formerly 306 Woodworth Drive) (Ancaster), as shown on the attached location map marked as Appendix “A” to Report PED12199, subject to the following conditions:

- (a) That this approval shall apply to the plan, prepared by A.J. Clarke and Associates Ltd., and certified by B.J. Clarke, O.L.S., dated May 25, 2012, as red-lined revised, showing the residential dwelling lots as Units 1-9, common elements, including Part 1 as a 3.0m access easement for public use, attached as Appendix “B” to Report PED12199;
- (b) That the Final Plan of Condominium shall comply with all of the applicable provisions of Ancaster Zoning By-law No. 87-57 and By-law 09-064 as amended;
- (c) That prior to the registration of the final plan, the owner shall provide the Senior Director of Growth Management with a copy of the Condominium

Declaration Document detailing the maintenance requirements and obligations of the Condominium Corporation with respect to the common element road, constructed with the Hanson Aquapave permeable pavement system; and the owner shall further provide that the Condominium Corporation shall obtain the necessary approvals from the City of Hamilton for any change in construction material with respect to the common element road;

- (d) That prior to the registration of the final plan, the owner shall provide the Senior Director of Growth Management with a copy of the Condominium Declaration Document detailing the City of Hamilton's interest in Part 1 of the draft plan for the purposes of providing an easement exclusively for public use;
- (e) That the owner shall enter into a Development Agreement to ensure that each of the proposed 9 condominium units has legal interest, in common, to the Vacant Land Condominium, to the satisfaction of the City Solicitor;
- (f) That the owner shall agree to include in all Agreements of Purchase and Sale, and any rental or lease agreements required for occupancy, the following warning notices advising perspective buyers/tenants:
 - (i) "Purchasers/Tenants are advised that the future Condominium Corporation is responsible for all aspects of on-going maintenance, repair, and replacement, as need be, of all sewers, rear yard and street catch basins, and stormwater management systems located on the property and which service more than one unit, in accordance with the approved Site Plan (DA-11-072), along with any and all applicable maintenance schedules included with the Condominium Declaration Document."
 - (ii) "Purchasers/Tenants are advised that the future Condominium Corporation is responsible for all aspects of on-going maintenance, repair, and replacement, as need be, of all trees, shrubs, and other vegetative plantings, decorative walls, pergolas, arbours, and visual barriers within the common elements of the property, in accordance with the approved Site Plan (DA-11-172)."
 - (iii) "Purchasers/Tenants are advised that the erection or use of any building or structure (permanent or temporary) and fencing, the removal of any existing vegetation, and any maintenance, including the mowing of lawns or trimming of trees, within the 10.0m common element natural area provided at the rear of Units 6-9, and referenced in the approved Site Plan (DA-11-172), is prohibited, without the written approval of both the City of Hamilton and the Hamilton Conservation Authority."

- (iv) “Purchasers/Tenants are advised that the 3.0m easement connecting Robina Road to Perth Park, referenced in the approved Site Plan (DA-11-172), shall be provided in favour of the City of Hamilton exclusively for public use, and shall be maintained in accordance with the easement documents.”
 - (v) “Purchasers/Tenants are advised that large truck/vehicular movement will be limited throughout the approved condominium. As a result, municipal garbage collection vehicles will not enter the site. Garbage pick-up will, therefore, be co-ordinated and executed through the Condominium Agreement.”
 - (vi) “Purchasers/Tenants are advised that the City of Hamilton will not be providing maintenance or snow removal service for the private condominium road.”
 - (vii) “Purchasers/Tenants are advised that parking shall be provided in designated areas only, and that no obstruction to the fire route is permitted.”
- (g) That the owner shall provide the Manager of Design and Construction with evidence that satisfactory arrangements, financial and otherwise, have been made with a telecommunication service provider, approved by the Canadian Radio and Telecommunication Commission (CRTC), that adequate telecommunication service will be provided to the condominium, including 9-1-1 emergency calling service that identifies, at a minimum, the caller’s name and location information;
- (h) That the owner shall complete the following, to the satisfaction of the Senior Director of Growth Management and Canada Post:
- (i) Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
 - (1) That the home/business mail delivery will be from a designated Centralized Mail Box.
 - (2) That the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations, prior to the closing of any home sales.
 - (ii) The owner further agrees to:

- (1) Work with the Senior Director of Growth Management and Canada Post to determine and provide temporary suitable Centralized Mail Box locations, which may be utilized by Canada Post, until the curbs, boulevards, and sidewalks are in place in the remainder of the condominium.
 - (2) Install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post and the Senior Director of Growth Management, to facilitate the placement of Community Mail Boxes.
 - (3) Identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of condominium.
 - (4) Determine the location of all centralized mail receiving facilities in co-operation with Canada Post and the Senior Director of Growth Management, and to indicate the location of the centralized mail facilities on appropriate maps, information boards, and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
- (i) That prior to registration, the owner shall agree that the lands, as shown in the draft plan, are subject to the conditions and undertaking of the final approved Site Plan (DA-11-172). The owner shall further agree that this information shall also be included in all Purchase and Sale and/or Lease/Rental Agreements for all units within the Vacant Land Condominium;
 - (j) That the owner shall agree to deed, free and clear to the City of Hamilton, any easements that may be required for utility purposes;
 - (k) That the owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton;
 - (l) That the owner shall enter into and register on title the Condominium Agreement incorporating the approved plan of condominium and related conditions.
- 16. Application for an Amendment to Hamilton Zoning By-law No. 05-200 for the Property Located at 586 Beach Road (Hamilton) (PED12118) (Ward 4) (tabled on July 10, 2012) (Item 8.8)**

That approval be given to Zoning Application ZAR-12-071, by Posner Processing Ltd., Owner, for a change in zoning from the Light Industrial (M6) Zone to the Light Industrial (M6, 447, H48) Zone, with a Special Exception and Holding Provision, in Hamilton Zoning By-law No. 05-200, in order to permit the expansion of the existing Salvage Yard at 610 Beach Road onto 586 Beach Road (Hamilton), as shown on Appendix “A” to Report PED12118, on the following basis:

- (a) That the revised draft By-law, that reflects the discussions between staff, the ward Councillor, the applicant and public stakeholders and implements a satisfactory form of buffering between the subject lands and adjacent residential uses. attached as Appendix “B” to Report PED12118, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the change in zoning conforms to the Hamilton-Wentworth Official Plan and the Hamilton Official Plan;
- (c) That the applicant also agrees that no torch cutting will occur until such time that all required Certificates of Approval from the Ministry of Environment have been obtained.

FOR THE INFORMATION OF COUNCIL:

(a) APPOINTMENT OF CHAIR AND VICE-CHAIRS (Item A)

Councillor Partridge was nominated as the 2nd Vice Chair of the Planning Committee for 2013.

For disposition on this Item, refer to Item 1.

(b) CHANGES TO THE AGENDA (Item 1)

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

4. DELEGATION REQUESTS

- 4.2 Delegation Request from Anthony Chiarella respecting item 7.1, 2013 Tariff of Fees (PED12231) and item 8.2, City of Hamilton Revised Sidewalk Policy for New Development (PED12234), for today’s meeting

- 4.3 Delegation Request from Wilfred Hart respecting item 8.1, Appeal of the City of Hamilton Committee of Adjustment Decision to Approve Severance Application HM/B-12:01, David and Sharon Almas (Owners), 11 Springside Drive (Hamilton) (PED12229), for today's meeting
- 4.4 Delegation Request from Ward Campbell respecting item 7.1, 2013 Tariff of Fees (PED12231), for today's meeting

7. PRESENTATIONS

7.1 2013 Tariff of Fees (PED12231) (City Wide)

- (iii) Correspondence from Losani Homes
- (iv) Correspondence from Marz Homes
- (v) Correspondence from Dussin Quality Homes
- (vi) Correspondence from Sonoma Homes
- (vii) Correspondence from New Horizon Development Group Inc.

The Agenda for the December 4, 2012 meeting of the Planning Committee be approved, was amended.

(c) DECLARATIONS OF INTEREST (Item 2)

Councillor Ferguson declared a conflict of interest for Item 7.3, Draft Provincial Policy Statement Review 2012 - City of Hamilton Comments (PED12235) (City Wide), as his family is involved in the aggregate industry.

(d) APPROVAL OF MINUTES (Item 3)

(i) November 20, 2012

The Minutes of the November 20, 2012 Planning Committee meeting were approved.

(e) DELEGATION REQUESTS (Item 4)

- (i) Delegation Request from David Almas respecting Item 8.1, Appeal of the City of Hamilton Committee of Adjustment Decision to Approve Severance Application HM/B-12:01, David and Sharon Almas (Owners), 11 Springside Drive (Hamilton) (Item 4.1)**

The delegation request from David Almas, respecting item 8.1, Appeal of the City of Hamilton Committee of Adjustment Decision to Approve Severance Application HM/B-12:01, David and Sharon Almas (Owners), 11 Springside Drive (Hamilton), was approved.

(ii) Delegation Request from Anthony Chiarella respecting item 7.1, 2013 Tariff of Fees (PED12231) and item 8.2, City of Hamilton Revised Sidewalk Policy for New Development (PED12234) (Item 4.2)

The delegation request from Anthony Chiarella, respecting item 7.1, 2013 Tariff of Fees (PED12231) and item 8.2, City of Hamilton Revised Sidewalk Policy for New Development (PED12234), was approved.

(iii) Delegation Request from Wilfred Hart respecting item 8.1, Appeal of the City of Hamilton Committee of Adjustment Decision to Approve Severance Application HM/B-12:01, David and Sharon Almas (Owners), 11 Springside Drive (Hamilton) (PED12229) (Item 4.3)

The delegation request from Wilfred Hart, respecting item 8.1, Appeal of the City of Hamilton Committee of Adjustment Decision to Approve Severance Application HM/B-12:01, David and Sharon Almas (Owners), 11 Springside Drive (Hamilton) (PED12229), was approved.

(iv) Delegation Request from Ward Campbell respecting item 7.1, 2013 Tariff of Fees (PED12231) (Item 4.4)

The delegation request from Ward Campbell, respecting item 7.1, 2013 Tariff of Fees (PED12231), was approved.

(f) PUBLIC HEARINGS AND DELEGATIONS (Item 6)

(i) Delegation from Ken Kelly respecting a driveway adjustment (Item 6.1)

Mr. Kelly addressed the Planning Committee respecting the widening of his driveway and requested that his driveway be adjusted to match the width of his garage.

The presentation from Ken Kelly respecting a driveway adjustment, was received.

For disposition on this Item, refer to item 5.

(ii) Delegation from James Roberts respecting the Hamilton Animal Control By-law (Item 6.2)

Mr. Roberts addressed the Planning Committee with the aid of speaking notes. A copy of the speaking notes has been included in the public record.

Discussion included allowing for staff to work with Mr. Roberts and his neighbours by using the Neighbourhood Dispute Resolution Initiative.

The presentation from James Roberts respecting a driveway adjustment, was received.

(iii) Delegation from Darlene Miller respecting increased licensing fees for body rub parlours (Item 6.3)

The delegation request from Darlene Miller respecting increased licensing fees for body rub parlours, was tabled until proceedings have been completed at the Licensing Tribunal.

(iv) Increase to Fees Under the Building By-law (PED12227) (City Wide) (Item 6.4)

No public speakers came forward.

The public meeting respecting, Report PED12227, Increase to Fees Under the Building By-law, was closed.

The staff presentation respecting, Report PED12227, Increase to Fees Under the Building By-law, was waived.

For disposition on this Item, refer to item 6.

(v) Application for Approval of an Amendment to Hamilton Zoning By-law Nos. 6593 and 05-200 for Lands Known as 438, 444, 446, and

**450 Concession Street and 18 East 18th Street (Hamilton)
(PED12239) (Ward 7) (Item 6.5)**

In accordance with the provision of the Planning Act, Vice-Chair J. Farr advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the zoning by-law amendments, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

The public meeting respecting, Report PED12239, Application for Approval of an Amendment to Hamilton Zoning By-law Nos. 6593 and 05-200 for Lands Known as 438, 444, 446, and 450 Concession Street and 18 East 18th Street (Hamilton), was closed.

The staff presentation respecting, Report PED12239, Application for Approval of an Amendment to Hamilton Zoning By-law Nos. 6593 and 05-200 for Lands Known as 438, 444, 446, and 450 Concession Street and 18 East 18th Street (Hamilton), was waived.

For disposition on this Item, refer to item 7.

Item 8.1, Report PED12229, Appeal of the City of Hamilton Committee of Adjustment Decision to Approve Severance Application HM/B-12:01, David and Sharon Almas (Owners), 11 Springside Drive (Hamilton), was heard at this time.

(vi) Appeal of the City of Hamilton Committee of Adjustment Decision to Approve Severance Application HM/B-12:01, David and Sharon Almas (Owners), 11 Springside Drive (Hamilton) (PED12229) (Ward 7) (Item 8.1)

The staff presentation respecting PED12229, Appeal of the City of Hamilton Committee of Adjustment Decision to Approve Severance Application HM/B-12:01, David and Sharon Almas (Owners), 11 Springside Drive (Hamilton), was received.

Speakers:

1. Al Freeman

Mr. Al Freeman, on behalf of David Almas, addressed committee and requested that the item be tabled until the January 15, 2013.

2. Wilfred Hart

Mr. Hart addressed committee with concerns over maintaining the open concept of the area.

The public presentations respecting PED12229, Appeal of the City of Hamilton Committee of Adjustment Decision to Approve Severance Application HM/B-12:01, David and Sharon Almas (Owners), 11 Springside Drive (Hamilton), were received.

The main motion CARRIED on the following vote:

Yeas: J. Farr, C. Collins J. Partridge, R. Pasuta, L. Ferguson,
T. Whitehead, B. Johnson

Total: 7

Nays: M. Pearson

Total: 1

Absent: B. Clark

Total: 1

For disposition on this Item, refer to item 8.

(g) PRESENTATIONS (Item 7)

(i) 2013 Tariff of Fees (PED12231) (City Wide) (Item 7.1)

(aa) Correspondence from Winzen Homes Ltd.

(bb) Correspondence from Starward Homes Ltd.

(cc) Correspondence from Losani Homes

(dd) Correspondence from Marz Homes

(ee) Correspondence from Dussin Quality Homes

(ff) Correspondence from Sonoma Homes

(gg) Correspondence from New Horizon Development Group Inc.

Guy Papparella provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

Jim Bruzzese, BMA Management Consulting, provided an overview of the consultant's report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation and consultants presentation respecting Report PED12231, 2013 Tariff of Fees, was received.

Speakers:

1. Sergio Manchia

Mr. Manchia, IBI Group, expressed concern with the increases and provided a spreadsheet with the increases outlined.

2. Anthony Chiarella

Mr. Chiarella, Hamilton-Halton Home Builders Association, expressed concerns with the increases and suggested that the fees be deferred.

Suzanne Mammel, Chair of Development Council, of HHHBA also addressed questions from the Committee.

3. Ward Campbell

Mr. Campbell, President, Starward Homes Ltd., expressed concerns with 100% cost recovery and the rate of increases.

The public presentations and correspondence respecting Report PED12231, 2013 Tariff of Fees, were received.

That Report PED12231, 2013 Tariff of Fees, be tabled until January 15, 2013.

The motion LOST on the following vote:

Yeas: R. Pasuta, L. Ferguson, M. Pearson, T. Whitehead

Total: 4

Nays: B. Clark, C. Collins, J. Farr, B. Johnson, J. Partridge

Total: 5

Report PED12231, 2013 Tariff of Fees, was amended as follows:

- (a) That the draft revised Tariff of Fees by-law be added to Appendix "A" to accompany Schedule "A";
- (b) That By-law No. 04-003, being a By-law respecting Tariff of Fees, be rescinded and replaced with the revised Tariff of Fees by-law, as attached as Appendix "A";
- (c) That the Tariff of Fees by-law, as attached as Appendix "A", which has been prepared in a form satisfactory to the City Solicitor, be enacted;
- (d) That Planning and Engineering staff report back to Planning Committee with options/alternatives as it relates to a reduced fee schedule on tax incentive programs for heritage building applications;
- (e) That the report include a summary of current incentives offered to heritage property owners.
- (f) That there be no fee increase for "routine" Committee of Adjustment applications for 2013.

For disposition on this Item, refer to item 9.

Planning Committee recessed at 2:10 p.m., and reconvened at 2:26 p.m.

(ii) Pan Am Stadium (PED12218) (Ward 3) (Item 7.2)

Heather Travis, Senior Planner, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting Report PED12218, Pan Am Stadium, was received.

Robert Johnston and Neil Vorhrah, design team and developer for the stadium, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The presentation respecting Report PED12218, Pan Am Stadium, was received.

Staff were directed to report back to the Planning Committee to show final schematics of the stadium and civic plaza once they are satisfied it meets the Urban Design criteria.

For disposition on this Item, refer to item 10.

(iii) Draft Provincial Policy Statement Review 2012 - City of Hamilton Comments (PED12235) (City Wide) (Item 7.3)

Staff were directed to request a definition of “economic opportunities” from the Provincial Government for Rural Areas, specifically in Section 1.1.4.8.

For disposition on this Item, refer to item 11.

(h) DISCUSSION ITEMS (Item 8)

(i) City of Hamilton Revised Sidewalk Policy for New Development (PED12234) (City Wide) (Item 8.2)

Sally Yong-Lee, Acting Manager, Infrastructure Planning, and Tony Sergi, Senior Director of Growth Management, provided an overview of the revised policy and answered questions from Committee members.

Matt Johnson was permitted to speak to Report PED12234, City of Hamilton Revised Sidewalk Policy for New Development.

Speakers:

1. Anthony Chiarella

Mr. Chiarella, Hamilton-Halton Home Builders Association, expressed concerns with the sidewalks with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

Mr. Chiarella also asked that this item be deferred.

2. Matt Johnston

Mr. Johnston, IBI Group, expressed concerns with sidewalks on both sides of the road.

The public presentations respecting Report PED12234, City of Hamilton Revised Sidewalk Policy for New Development, was received.

Report PED12234, City of Hamilton Revised Sidewalk Policy for New Development, was referred back to staff and that the revised sidewalk policy be reviewed and reported back as part of the report on the Comprehensive review of engineering guidelines for development.

(ii) Committee of Adjustment Consent Application GL/B-11:102 for Lands Located at 6355 White Church Road (Glanbrook) (PED12238) (Ward 11) (Item 8.3)

The recommendations were deleted and replaced with the following recommendations, to read as follows:

- (a) That staff be directed to reimburse the applicant for all associated surveying costs related to Application GL/B-11:102, for the property known municipally as 6355 White Church Road (Glanbrook), as it relates only to the change in lot configuration;
- (b) That the funding be provided from Dept. ID 812025, Account 44785, in the amount of \$1,808.00 and that payment is being made “without prejudice”.

For disposition on this Item, refer to item 12.

(iii) Keeping of Chickens in Urban Areas (PED12247/BOH12039) (City Wide) (Item 8.4)

The main motion CARRIED on the following vote:

Yeas: L. Ferguson, C. Collins, R. Pasuta, J. Partridge, M. Pearson,
T. Whitehead

Total: 6

Nays: J. Farr

Total: 1

Absent: B. Clark, B. Johnson

Total: 2

For disposition on this Item, refer to item 13.

(iv) Hamilton Municipal Heritage Committee Report 12-005 (Item 8.6)

The Hamilton Municipal Heritage Committee Report 12-005, was tabled in order to have staff report back to the Planning Committee with further details.

(v) Application for an Amendment to Hamilton Zoning By-law No. 05-200 for the Property Located at 586 Beach Road (Hamilton) (PED12118) (Ward 4) (tabled on July 10, 2012) (Item 8.8)

Report PED12118, Application for an Amendment to Hamilton Zoning By-law No. 05-200 for the Property Located at 586 Beach Road (Hamilton), was amended as follows:

(a) That a revised draft by-law be attached and replace Appendix B to Report PED12118, Application for an Amendment to Hamilton Zoning By-law No. 05-200 for the Property Located at 586 Beach Road (Hamilton), and that the revised by-law reflects the discussions between staff, the ward Councillor, the applicant and public stakeholders and implements a satisfactory form of buffering between the subject lands and adjacent residential uses;

(b) That recommendation (i) to Report PED12118, Application for an Amendment to Hamilton Zoning By-law No. 05-200 for the Property Located at 586 Beach Road (Hamilton), be amended by adding the words "revised" before the words "draft By-law";

- (c) That the applicant also agrees that no torch cutting will occur until such time that all required Certificates of Approval from the Ministry of Environment have been obtained.

For disposition on this Item, refer to item 13.

(i) NOTICES OF MOTION (Item 10)

Councillor Collins introduced the following Notice of Motion:

(i) Pier 8 Master Plan (Item 10.1)

- (a) That upon receipt of the Setting Sail OMB order for Pier 8 and the completion of servicing studies, Master Plan Options be developed for the pier;
- (b) That the scope of work include new street/access configurations, land tenure/subdivision of lands, urban design guidelines/features; all to best accommodate the approved land use scheme;
- (c) That part of the Master Planning exercise include a public Design Charrette to solicit public input.

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

(i) Outstanding Business List Amendments (Item 11.1)

The following Outstanding Business List due dates were revised:

- (aa) Item B: Woodland Manor (PED08306)
Current Due Date: December 4, 2012
New Due Date: June 18, 2013
- (bb) Item E: Protection Measures for Existing Stable Residential Areas (Monster Homes) (PED11196)
Current Due Date: December 4, 2012
New Due Date: September 17, 2013
- (cc) Item I: Racing Pigeons
Current Due Date: December 4, 2012
New Due Date: February 19, 2012

- (dd) Item K: By-law 05-200, to Modify General Commercial "C3-116" and "C3-117" Zone and add Site Specific General Commercial "C3-275" Zone to the Glanbrook Zoning By-law No. 464
Current Due Date: December 4, 2012
New Due Date: April 30, 3013
- (ee) Item L: Municipal Services and Property Taxation on Condo Properties
Current Due Date: December 4, 2012
New Due Date: April 2, 2013

The following items were removed from the Outstanding Business List:

- (a) Item S: Pan Am Stadium
- (b) Item C: Sidewalk Policy
- (c) Item F: Presentation from Tesfaye Gebrezghi, P. Eng., from the Ministry of the Environment respecting the Certificate of Approvals Process
- (d) Item J: Urban Chickens

(ii) News from the General Manager (Item 11.2)

The General Manager provided updates of current events and initiatives within the department.

Mr. McCabe also thanked Councillor Clark for a job well done as Chair of the Planning Committee for 2012.

(k) ADJOURNMENT

There being no further business, the Planning Committee adjourned at 6:26 p.m.

Respectfully submitted,

Councillor B. Clark

Vanessa Robicheau
Legislative Coordinator
Office of the City Clerk

Chair, Planning Committee

City of Hamilton Comments on Draft Provincial Policy Statement

PART 1 - Preamble

No comments.

PART II - Legislative Authority

No comments.

PART III - How to Read the Provincial Policy Statement

The enhancement of this section provides much needed clarity, as it relates to the interpretation of the policies within the PPS. Significant attention has been paid to describing how the policies are to be interpreted, the geographic scale of the policies, and that the policies represent minimum standards. Great detail has been provided with respect to the policy language and the intent of specific terminology. The Province is to be commended for enhancing this important and often overlooked part of the Provincial Policy Statement.

Part III would be improved by adding “cultural factors” to the first sentence: “The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic, social, and cultural factors in land use planning”. By adding “cultural factors”, the province would acknowledge the four pillars of sustainable development. The fourth pillar (culture) would need to be referenced in other sections of the Report as well. The change would also support that culture contributes to overall well-being, as reflected in the Canadian Index of Wellbeing (CIW).

If the intent is to provide a clear description of how the policies are to be interpreted, the section entitled “Consider Specific Policy Language” could be simplified by stating there is some flexibility in the interpretation and application of some policies, but those policies with limitations/directives do not have flexibility with respect to implementation.

In the policies, there appears to be an implied importance in the policies based on what Sub-sections get **bolded** titles or preambles. If this is not the case, then consistency is required in formatting. How are preambles to be regarded? Preambles provide important context and meaning for the policies and, in some cases, contain policy-type language. Therefore, wording in a preamble holds the same weight as a numbered policy. Part II should clarify how preamble text is to be used and considered.

PART IV - Vision for Ontario’s Land Use Planning System

The concepts of complete and healthy communities should be part of the vision to set the context for the policies.

The concept of complete and healthy communities ought to include cultural vibrancy (acknowledging that culture is the fourth pillar of sustainable development). Specifically:

- Add “and a vibrant culture” to the end of the first sentence.
- Add “culturally” to the last sentence in Paragraph four to read: “Strong, livable, and healthy communities promote and enhance human health, social, and cultural well-being, and are economically and environmentally sound, and are resilient to climate change”.
- Add “cultural” to the second sentence in Paragraph eight to read: “Long-term prosperity, human, and environmental health and social and cultural well-being should take precedence over short-term considerations.

PART V - Policies

1.0 BUILDING STRONG, HEALTHY COMMUNITIES	
Draft Policy Number	Comment
GENERAL	<p>There are many new policies, revisions, and clarifications in this section. Many help to clarify direction; others need additional work to clarify or explain the outcome to be achieved.</p> <p>The PPS is going in the right direction in attempting to address sustainability and climate change issues, as they can be impacted by the land use planning system. Some additional clarification on the new terms is needed to ensure appropriate interpretation.</p> <p>Culture and “cultural factors” need to be reflected when overall sustainability is referenced in order to acknowledge that there are four pillars of sustainable development (economic prosperity, social development, environmental balance, and cultural vibrancy).</p>

<p>1.1</p>	<p>Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns</p> <p>The term “resilient” is used throughout the draft PPS - additional explanation/context needs to be included to put meaning to the term and allow appropriate interpretation.</p>
<p>1.1.1 h)</p>	<p>What does “resilience to climate change” mean?</p> <p>Suggest adding a point to reflect planning for food systems - land use patterns that promote retention of agricultural lands and access to local food production sources.</p>
<p>1.1.2</p>	<p>New language that recognition of the longer planning horizon for planning of infrastructure and public service facilities will be helpful.</p>
<p>1.1.3</p>	<p>Settlement Areas</p> <p>It is hard to distinguish between policies (whole PPS) that apply to urban and rural Settlement Areas (RSAs), and it is important that there be clear distinctions between them. Moving RSAs from the definition to the beginning of the preamble makes the issue more obvious. The problem is not just that certain policies should not apply to RSAs, but that they promote the opposite of what is appropriate for RSAs: intensification, compact form, densities, and requirements for authorities to set intensification targets. Given the reliance on septic systems and groundwater, be it municipal or private, to meet sourcewater protection and <u>Clean Water Act</u> requirements, planning for RSAs means large lots, less dense development. A separate section for RSAs is preferred.</p>
<p>1.1.3.2 a)</p>	<p>Staff supports the additions of language on active transportation, transit-supportive, and efficient movements of goods (4, 5 and 6).</p>
<p>1.1.3.2 b) and 1.1.3.3</p>	<p>Sub-section b) links to 1.1.3.3, which is awkward. Staff suggests that b) is not necessary, as all the points under a) and Policy 1.1.3.3 adequately express the need to identify and promote intensification and redevelopment and plan for a range of uses. Sub-section b) can be removed.</p>

	<p>Policy 1.1.3.3 requires municipalities to promote intensification. Balancing language needs to be added, either as part of this policy or in a new policy. Language, clearly stating that intensification is not appropriate in all contexts or circumstances and shouldn't be contemplated at any place or at any time, would be helpful for municipalities in both local policy development and in reviewing applications for intensified development.</p>
1.1.3.8 d)	<p>This new provision is too inflexible, potentially limiting expansion on land planned to accommodate growth targets throughout the process of growth management. With the long time horizons involved in Settlement Area expansion, MDS requirements are likely to change throughout the planning process.</p>
1.1.4	<p>Rural Areas in Municipalities</p> <p>Preamble, second paragraph.</p> <p>It is not clear if the term "Settlement Areas" means urban, rural, or both and, consequently, if 1.1.4 applies within rural Settlement Areas. It is not italicized, so it is unclear if it means something different than the definition of "Settlement Areas".</p>
1.1.4.4	<p>The rural functions also require protection from incompatible uses. Recommend adding reference to functions of the rural area in the policy as follows: "Development that is compatible with the functions of the rural area and the rural landscape"</p>
1.1.4.6	<p>It is not clear what the term "resource areas" includes, so a definition is needed.</p>
1.2	Coordination
1.2.1	<p>The additions of economic development strategies, multi-modal transportation systems, and a regional housing strategy as matters to be coordinated are supported. There are funding implications associated with coordination, and municipalities would benefit from further provincial direction and participation in the development of these strategies.</p> <p>Regional coordination is also required for addressing air quality and climate change. These items should be added to the policy.</p>
1.2.2	<p>The term "encouraged to coordinate" needs to be clarified. "Coordinate" is a different process than "consult". Some explanation and further direction is warranted, particularly in the complexities of aboriginal consultation.</p>

1.2.3	<p>Clarification on the concept of “resilient communities” would be beneficial.</p> <p>Add “cultural” to read: “...economic, environmental, cultural, and social planning considerations...”</p>
1.2.6	<p>Land Use Compatibility</p> <p>This policy is new in the PPS. Compatibility is a basic principle of land use planning, but the policy could benefit from a preamble providing context and explaining why land use compatibility is important and how it contributes to strong, healthy communities. The policy intent is not clear. Is this policy focusing on large facilities, adverse impacts, or true compatibility? If the policy is intending to prevent adverse impacts from odour, noise, and other contaminants, all facilities that have similar impacts should be addressed, not just the defined larger facilities. If the policy is to focus on compatibility in general, this policy does not address the objective.</p> <p>Land use compatibility is a critical element of policy, particularly in areas covered by the growth plan where intensification policies are a critical element of local growth directions. Policy on compatibility could be greatly expanded.</p>
1.3	<p>Employment</p> <p>The clarification and differentiation between “employment” and “employment areas” is helpful.</p>
1.3.2.3	<p>The definition of “major goods movement facilities and corridors” should not contain language about approaches for protection. Those statements belong as policies under 1.3.2.</p>
1.3.2.4	<p>We support this new policy allowing long term protection of employment areas.</p>
1.4	<p>Housing</p> <p>There is only one change to these policies to address active transportation. This change is supported; however, the Province is missing the opportunity to strengthen a foundational component of building strong healthy communities. While land use planning cannot guarantee affordability, nor can it guarantee housing tenure, it can provide opportunities of intrinsic affordability through densities, mix and range of housing types, development standards, and other articulate policy objective.</p>

1.4.1 and 1.4.3	<p>These policies should refer to “full range” rather than “appropriate range” of housing types, and should be revised to refer to “all” current and future residents.</p> <p>The promotion of energy efficiency and new ‘green’ housing forms is another policy direction that could be added to this section.</p>
1.4.3 a)	<p>Amend this policy to read “establishing and implementing minimum targets based on identified need for the provision of housing, which is affordable to low and moderate income households...”</p>
1.4.3. b) 1.	<p>Amend this policy to read:</p> <p>1. All forms of housing, including special needs housing, required to meet the social, cultural, health, and well-being requirements of all current and future residents; and”</p> <p>The existing PPS definition describes housing, not people. This policy change is more consistent with the definition. Urban Hamilton Official Plan uses the term “housing with supports”, which is a more accepted and up-to date term in social service community.</p>
1.4.3.e)	<p>Amend this policy to read “establishing development standards...which minimize the cost of housing to facilitate achievement of the targets established as per 1.3.4.a), and facilitate compact form while maintaining...”</p>
1.5	<p>Public Spaces, Recreation, Parks Trails, and Open Space</p> <p>In 1.5.1, suggest adding points on complete streets, as well as shade provision in parks and public spaces. These measures are the means of achieving promoting healthy and active communities.</p> <p>Add “culturally vibrant” to (a).</p>
1.6	<p>Infrastructure and Public Service Facilities</p> <p>Generally, staff is concerned that the PPS does not address the operation and maintenance costs associated with infrastructure.</p>
1.6.1	<p>By adding the phrase “that considers the impacts from climate change”, implies that those impacts are known and can be factored in to an analysis. This is not always the case.</p>

	<p>The second statement under this policy should be given its own number. The first two words (“planning for”) could be struck out to simplify. As an alternative way to clarify the intent, the entire paragraph could be reworded as follows:</p> <p>“Infrastructure and public service facilities shall be coordinated and integrated with land use planning to meet current and projected needs, while considering financial viability over their life cycle.”</p>
1.6.2	Adaptive reuse should be defined.
1.6.5	<p>Sewage, Water, and Stormwater</p> <p>The draft PPS adds helpful clarifications, specificity, and refinements to the sewage and water policies as they apply to the rural area. Changes follow provincial legislative changes (i.e., <u>Clean Water Act</u>, sourcewater planning), as well as City policy.</p> <p>Revisions to the servicing policies for the rural area are helpful, particularly the “no negative impacts” test in 1.6.5.4 and 1.6.5.5</p> <p>The new stormwater policies in 1.6.5.7 are appropriate and helpful.</p>
1.6.5.1 a)	What does “optimizing” mean? Please define.
1.6.6	<p>Transportation Systems</p> <p>Staff supports the inclusion of active transportation throughout the PPS. However, there are implications for municipalities in the implementation of active transportation, if this is not contemplated through other relevant legislation, including the <u>Highway Traffic Act</u>. Hamilton has made active transportation a priority in the City-Wide Transportation Master Plan, and the direction through the PPS provides additional strength to the City’s efforts to introduce enhanced active transportation measures through the municipality. This section should include a greater emphasis on public transit and public mobility over single occupancy vehicles.</p>
1.6.6.2	<p>This policy is the only place where transportation demand management (TDM) is mentioned. Consider removing “where feasible” in this policy. TDM elements and actions are so broad that there will always be an ability to apply some type of TDM element to projects. Please consider a stronger emphasis on TDM throughout the PPS. Additional policies in this section could be added identifying complementary actions to the land use response to transportation, such as encouraging the use of</p>

	community based social marketing programs to promote active transportation.
1.6.7	<p>Transportation and Infrastructure Corridors</p> <p>Complete streets language is not well articulated in this draft, yet it is an important philosophy that the Province is promoting through its work on transportation planning and in the Transit Supportive Guideline. It is an important mechanism for implementing active transportation measures, both at a local level as well as through coordination with other municipalities, and should be addressed in the PPS. A suggestion would be to add another policy to this section as follows:</p> <p>1.6.7.7 - Adopt a complete streets design philosophy when developing and redeveloping transportation corridors.</p>
1.6.7.2	Are “planned corridors” a subset of “major goods movement facilities and corridors”? How are they connected? Should the definitions be coordinated? What constitutes “protected”? It is not clear at what point these corridors are protected.
1.6.7.3	Staff supports the inclusion of the new language, but recommends that second sentence be expressed as a separate policy, as it is a distinct direction from the first sentence.
1.6.8	<p>Airport, Rail, and Marine Facilities</p> <p>City staff is encouraged to see that rail and marine facilities are recognized for their economic role in goods movement.</p> <p>The definition of Rail Facilities should differentiate between heavy rail corridors and light rail corridors.</p>
1.6.9	<p>Waste Management</p> <p>Staff supports the additional language on the implications of development and land systems patterns on waste generations, management, and diversion in 1.6.9.1. The definition of “waste management systems” should be revised to include the waste collection systems, an important aspect of the system.</p> <p>Additional policies to encourage innovative municipal composting or recycling facilities and programs in new development would assist in creating sustainable communities.</p>

1.6.10	<p>Energy Supply</p> <p>Is “renewable energy”, as defined under the <i>Green Energy Act</i>? Please consider policies promoting energy demand management programs.</p>
1.7	<p>Long Term Economic Prosperity</p> <p>The additional directions are welcomed and are supported. Urban design, cultural planning, goods movement, sustaining an agricultural economy, promoting energy conservation, and achieving sustainability are part of the City of Hamilton’s strategic directions and key elements in our land use planning and economic development activities.</p> <p>Please define “investment - readiness” in 1.7.1 e).</p>
1.7.1	<p>Suggest adding additional language linking complete streets, quality built environments that produce desirable environments for business. Could be achieved by rewording points c) and d), or a new point.</p>
1.8	<p>Energy Conservation, Air Quality, and Climate Change</p> <p>Promotion of TDM measures and active transportation could be added to 1.8.1c).</p>
1.8.1 g)	<p>This section identifies that development patterns need to “increase vegetation within Settlement Areas, where feasible.”</p> <p>The policy could be reworded to say “increase vegetation and provide for shade within”.</p> <p>Also, a reference to protection of natural heritage features, as directed in Section 2.1, should be added, and “where feasible” removed. As currently drafted, 1.8.1 g) is contrary to the directives in Section 2.1, which directs that natural features “shall be protected”.</p>
<p>2.0 WISE USE AND MANAGEMENT OF RESOURCES</p>	
General and Preamble	<p>The Natural Heritage draft policies are general in nature, which provides a certain level of flexibility, which is very important since not every location where these policies are applied is the same. Policy 2.0 indicates Ontario’s long-term prosperity, environmental health, and social well-being depend on maintaining biodiversity. The definition of biodiversity is missing. To make sure that the same definition is being used to understand this concept, this</p>

	should be included within the definition section.
2.1	<p>Natural Heritage</p> <p>(Also see comments on Section 2.5 Mineral Aggregate Resources).</p>
2.1.1	<p>Inconsistency in terms is confusing - “natural features and areas” in 2.1.1, “natural features in an area” in 2.1.2, and the defined term “natural <u>heritage</u> features and areas”. Suggest using the same term and spelling out any intended differences.</p>
2.1.2	<p>Additional direction on ecosystem restoration could be considered for the PPS. Restoration has been alluded to in this policy (which has not changed from 2005), but clear definition of restoration has not been provided. A stronger position and definition of restoration would strengthen the ability to maintain biodiversity and support the systems approach to development of an NHS.</p>
2.1.3	<p>This Policy requires that municipalities identify a Natural Heritage System. The inclusion of this policy strengthens the movement of restoration and overall protection of the natural environment. The policy also provides further recognition in the movement from a features-based approach to a systems-based approach in the protection of natural heritage features and their functions. The use of landscape ecology principles provides a less piece-meal approach to land use planning. The City of Hamilton has already taken this step in its new Urban and Rural Official Plans.</p> <p>The City has some concerns about the portion of the policy which reads, “recognizing that considerations in planning for natural heritage systems in Settlement Areas, rural area, and prime agricultural areas may vary.” This statement is not clear; if a natural feature has been identified as significant and worthy of protection, it should not matter whether the feature is within a rural settlement, rural, or prime agricultural area. Staff is concerned about applying different policy interpretation to significant natural features, based on their location in the landscape. This policy should be revised to “Natural Heritage Systems” and shall be identified in Ecoregions 6E and 7E, in Settlement Areas, rural areas, and prime agricultural areas”.</p>

2.1.5 f)	This policy should be more inclusive and include unevaluated and local wetlands. Currently, the only protection afforded to these features and their functions may be in individual Official Plans. It would be prudent to include these wetlands within this policy because they may otherwise be lost, even if they provide a role in the local ecosystem.
2.1.7	This new policy recognizes that the MNR is able to update what is considered to be habitat for endangered or threatened species, and is responsible for issuing permits that would authorize the destruction of species habitat. The term “significant” is removed from the definition, and a new definition has been included, which recognizes both regulated and non-regulated habitat. This policy may be more restrictive, but it aids in attaining the goal of maintaining biodiversity. The City is supportive of this change. Implementation may be more difficult. Municipal staff will need guidance from MNR staff on how much habitat to protect for an individual species. The Province will need to ensure that those resources are available to municipalities.
2.3	Agriculture
2.3.2	What are the “guidelines developed by the Province”?
2.3.3	<p>Permitted Uses</p> <p>The changes broaden the uses permitted. Overall, these changes are positive, but the lack of clarity of some new terms and complete removal of the “small scale” condition for agriculture-related uses permits an overly broad list of uses. There is no easy answer of how to balance the sometimes conflicting goals of protection of agricultural land and promotion of all aspects of the business of agriculture.</p> <p>The changes to the uses permitted as agriculture or related to agriculture respond to common concerns that important aspects of the business of agriculture are not currently permitted. Overall these changes are positive, but some changes lead to an overly broad list of uses.</p> <p>Careful attention should be paid to definitions, as they are integral to the policy. For more staff discussion on key definitions, see definition sections (Pages 15 to17 - Appendix ‘A’) below for further discussion of the definitions of “agri-tourism uses”, “on-farm diversified uses” and “residence surplus to a farming operation”.</p>

<p>2.3.4 2.3.4.1</p>	<p>Lot Creation and Lot Adjustments</p> <p>Staff supports the addition of c) 1.</p> <p>Staff suggests adding a definition of “farm consolidation”, and suggests the wording mirror that of the Greenbelt Plan (see Section 6.0, below).</p> <p>Staff suggests an additional provision for b) and c) that severance “shall not hinder” (2.3.3.1)/negatively impact agricultural operations on vacant remnant parcel or on adjacent lands.</p>
<p>2.5</p>	<p>Mineral Aggregate Resources</p>
<p>2.5.2 2.5.2.1</p>	<p>Protection of Long-Term Resource Supply</p> <p>This policy is not new, but should be removed. While proximity to market is desirable, it should not outweigh a consideration of the impacts of the extraction operation on the surrounding population and local environment. Proximity to market results in extraction operations being proposed and located in environmentally significant and populated areas. The desire for proximity to market must be balanced against all other impacts.</p> <p>Further, it should be within an approval authority’s jurisdiction to request a supply/demand analysis when a new or expanding pit or quarry is proposed. Review of supply and demand analysis is a typical planning consideration when evaluating new or expanding land uses and, therefore, should also be applicable to the evaluation of extraction operations.</p>
<p>2.5.2.2</p>	<p>This policy should be rewritten to include economic impacts. There is a concern about cost to municipalities as a result of extraction operation in relation to impacts on roads and infrastructure along the haul route. The long term costs of perpetual pumping below the water table quarry operations during the extraction and rehabilitation period is also of concern, Agreements are required to ensure that municipalities will not be responsible for these long term costs, particularly once the extraction period is complete.</p> <p>This policy should also clarify that “Extraction” refers to both the period of extraction and rehabilitation, particularly in relation to environmental impacts. Recent quarry proposals have been based on complicated groundwater recirculation systems, which require long term pumping for the life of the quarry (including extraction and rehabilitation) and possibly, in perpetuity. Reliance is being placed on Adaptive Management Plans (AMPs)</p>

	<p>to address issues that may arise during extraction and rehabilitation. As such, it is critical to recognize that the above noted policy shall also apply to the rehabilitation stage.</p> <p>This policy should add “cultural” impacts so that all four pillars of sustainable development are represented.</p>
2.5.2.3	2.5.2.3 Defining “conservation” and replacing the word “should” with “shall” significantly changes the meaning of 2.5.2.3. See comment on definition of “conservation” in Section 6, below.
2.5.3 2.5.3.1	<p>Rehabilitation</p> <p>Staff has concerns with the use of the word “interim”. While it is agreed that the extraction process itself is “interim”, as noted above under 2.5.2.2 comments, the “interim” nature of the quarry operation is questionable. Further, the reliance on AMPs during the rehabilitation phase raises further questions, and does not provide certainty for approval authorities regarding the long term rehabilitation and of the quarry lands.</p>
2.5.3.2	<p>A policy regarding the permitting of extraction does not fit within this section on rehabilitation. A new section, “Extraction in Natural Heritage Features and Areas” to mirror Section 2.5.4., is needed.</p> <p>This policy weakens Natural Heritage Policies 2.1.5 and 2.1.8, which prohibit development and site alteration within and adjacent to specified features unless it has been determined that there will be no negative impact. Hamilton does not support a policy that would enable extraction to meet the “no negative impacts” test by commitment to restore natural heritage features at the time of rehabilitation, thereby allowing the features to be removed for the life of the operation.</p> <p>Staff is concerned that crucial functions of our natural heritage system (groundwater recharge one of many) could be lost for a substantial period of time, causing significant negative impacts for the life of the operation. Of particular concern, is extraction where progressive rehabilitation is not feasible, such as quarries below the water table, and negative impacts off-site that cannot be rehabilitated by actions on-site.</p>

2.5.3.3	<p>The concept of comprehensive rehabilitation is supported. However, the feasibility of achieving a comprehensive approach is questionable. There is currently a lack of understanding of the long term impacts which may arise from recent quarry proposals. Long term issues are described in comments on Policies 2.5.2.2 and 2.5.3.1. Without a clear understanding of the impacts of a single quarry operation, it would be difficult to fully achieve a comprehensive approach.</p>
2.5.4 title	<p>Extraction in Prime Agricultural Areas</p> <p>The title should be changed by adding “and Specialty Crop Areas”, as the policies address both.</p>
2.5.4.1	<p>There is no effective change for Hamilton, since changes mirror Greenbelt Plan policies, but the draft mineral aggregate policies for prime agricultural and specialty crop areas need to be clarified. The provision of separate direction for specialty crop areas, previously subsumed under prime agriculture, and the addition of specialty crop specific criteria from the Greenbelt Plan, are supported.</p> <p>Structure of these policies creates confusion. A separate policy for “specialty crop areas”, and a sequential provision structure like Greenbelt Plan 4.3.2.8 c), will provide clarity.</p> <p>The definition of “high quality” is vague with respect to bedrock. There is a need to clarify the difference between “high quality mineral aggregate resources”, “deposits of mineral aggregate resources”, and the Greenbelt term “substantial aggregate deposit warranting extraction”. “High Quality” is only used in this policy, and doesn’t add any specificity to this policy with respect to bedrock.</p>
2.6	<p>Cultural Heritage and Archaeology</p> <p>The policy purview needs to be expanded. The policy needs to be expanded beyond conservation efforts and reflect broader cultural heritage stewardship which encompasses tangible and intangible (values, beliefs, knowledge, and traditions).</p>
2.6.1	<p>PPS requires municipalities to “conserve” significant resources. “Significant” is a broad definition that would cover properties worthy of designation, as well as listed properties.</p>

	<p>Definition of “conserved” was changed to specify protection and retention under the <u>Ontario Heritage Act</u>. The City currently uses heritage impact assessments for properties not designated under the OHA, but listed locally. Therefore, this policy now limits our ability to protect resources that are not formally designated under OHA, either through a heritage impact statement or other tools contemplated under our Official Plans.</p> <p>By tying conservation to OHA designation in the definition, the PPS now weakens the City’s ability to protect its cultural heritage. A careful review and revisions to this section to ensure that policy and definitions are clear is needed.</p>
2.6.4	<p>How does one “consider and promote” archaeological management plans and cultural plans? Does it mean consider the ‘use of’ these items as a means of conserving cultural heritage resources? Please clarify. Are these tools only to be used for properties protected under OHA, or can they be used for listed properties through the development approvals process?</p>
2.6.5	<p>What does “consider the interests” mean? How is it to be done?</p>
3.0 PROTECTING PUBLIC HEALTH AND SAFETY	
General	<p>The preamble of this section identifies the need to protect from “natural and human-made hazards”. Human-made hazards are not defined, but indicated through Policy 3.2.1. This section could be revised to recognize the inter-relationship between public health and the built environment, referring to other policies, where appropriate.</p>
4.0 IMPLEMENTATION AND INTERPRETATION	
General	<p>The additional language and policies in this section are helpful. This section should also recognize that in addition to Official Plan and Zoning By-laws, other programs, policies, and actions at both Local, Regional, and Provincial governments and agencies are required in order to fully achieve the directions envisioned in the PPS.</p>
6.0 DEFINITIONS	
General	<p>The terms climate change, air quality, and climate change impacts are used throughout the draft PPS. This is new policy language and required clarity in terms.</p>

Active transportation	Would this definition include E-bikes?
Agricultural uses	What does “value-retaining facilities” mean?
Agriculture-related uses	<p>Removal of “small scale” opens the door for uses that are overly large. Is there a way to permit uses bigger than small scale, but not leave the scale totally open-ended?</p> <p>Staff supports the addition of agriculture supportive functions.</p> <p>Does “the farm operation” mean an individual farm operation? If so, reword appropriately for clarity.</p> <p>What does “as an exclusive activity” mean? Does it mean that the entire agricultural related use has to directly serve agriculture? If so, this is difficult to implement, and staff suggests replacing “exclusive activity” with “primary activity”.</p>
Agri-tourism uses	<p>Staff supports a new definition as long as agri-tourism uses remain permitted only as on-farm diversified uses (small-scale and secondary). Otherwise, the proposed definition is too broad in scope and scale, and could be interpreted to include almost anything. Also, staff would question whether accommodation should be part of the definition. B&Bs can be permitted on farms under other provisions, and don’t have to be related to a farming operation.</p> <p>An alternative description of agri-tourism is found from the OMAFRA website, and is described as follows:</p> <p>“Agri-tourism supports a growing desire by consumers to head outdoors and to the country for more leisure opportunities. The University of California's Small Farm Center defines Agricultural Tourism as "the act of visiting a working farm or any agricultural, horticultural or agribusiness operation for the purpose of enjoyment, education, or personal involvement in the activities of the farm or operation." Agri-tourism is a subset of a larger recreational industry called rural tourism that includes visits to rural settings or rural environments to participate in or experience activities, events, or attractions not readily available in urbanized areas.”</p> <p>Staff suggests a more appropriate definition can be derived from some of the concepts identified in this material.</p>

<p>Conservation (aggregate context)</p>	<p>Staff supports the addition of “a) promoting recycling of aggregates”, however, with regard to “b) ...extraction of on-site mineral aggregate resources prior to development occurring” indicates that extraction is part of conservation, when the intent is using other sources of aggregate that become available through other activities, not related to an aggregate operation.</p>
<p>Conserved (cultural heritage context)</p>	<p>Definition contains policy direction on ways to conserve cultural heritage resources. This language should be moved into the policies. However, as drafted, the list of suggested tools conflicts with the policy direction in 2.6.1.</p>
<p>Cultural heritage landscape</p>	<p>The definition of cultural heritage needs to be expanded. The current definition is too narrow in that it is conservation focused (and takes a limited view of conservation). The definition needs to reflect cultural heritage stewardship which encompasses tangible and intangible (values, beliefs, knowledge, and traditions). The definition should align to the federal and provincial definitions of cultural assets.</p>
<p>Farm consolidation (new)</p>	<p>Staff recommends including a definition of “farm consolidation” for consistency with Greenbelt Plan as follows: “the acquisition of additional farm parcels to be operated as one farm operation.”</p>
<p>Green infrastructure</p>	<p>Green infrastructure is part of the lexicon of planning. The new definition indicates that natural heritage features and systems, parklands, stormwater management systems, urban forests, permeable surfaces and green roofs can be components of green infrastructure. Staff has concerns with this definition, since the inclusion of all natural heritage features and systems may not be appropriate in the development of green infrastructure.</p>
<p>Heritage attributes</p>	<p>The definition of heritage needs to be expanded. The current definition is too narrow in that it is conservation focused (and takes a limited view of conservation). The definition needs to reflect heritage stewardship which encompasses tangible and intangible (values, beliefs, knowledge, and traditions). The definition should align to the federal and provincial definitions of cultural assets.</p>
<p>Major goods movement facilities and corridors</p>	<p>The sentence that begins with “Approaches” is unclear. Is it referring back to Policy 1.3.2.3 as approaches for protection? If so, that language belongs in a policy under 1.3.2.3.</p>

Natural heritage features and areas	Add “cultural” to the last sentence “...which are important for their environmental, cultural, and social values...”.
Recreation	Add “culture” to the definition of recreation to read: “...personal enjoyment, cultural experience, positive social interaction...”.
Regional market area	Add “cultural” to the definition to read: “Refers to an area that has a high degree of social, cultural, and economic interaction...”.
Significant woodlands	Change in definition specifies that MNR criteria are to be used to identify significant woodlands. This language should be removed from the definition and placed in policy. This definition is problematic to the City of Hamilton, as the City’s significant woodlands are based on local criteria. Re-evaluating those woodlands under MNR criteria only may result in the loss of protection of local woodlands, thus compromising the entire NHS system, as described and specified in the new City of Hamilton Urban Official Plan (under appeal) and City of Hamilton Rural Official Plan (in effect).
Special needs	This definition should be changed to “Special needs housing”.
Residence surplus to a farming operation	Staff supports the addition of the word “ <i>habitable</i> ” to the definition.
Resource Areas (new)	Staff recommends defining this term as used in the context of Policy 1.1.4.6.



GENERAL ISSUES COMMITTEE

REPORT 12-035

(as amended and approved by Council on December 12, 2012)

9:30 a.m.

Wednesday, December 5, 2012

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Deputy Mayor B. Morelli (Chair)
Mayor R. Bratina
Councillors B. Clark, C. Collins, S. Duvall, J. Farr,
L. Ferguson, T. Jackson, B. Johnson, S. Merulla,
M. Pearson, R. Pasuta, J. Partridge, R. Powers T. Whitehead

Absent with Regrets: Councillor B. McHattie – Vacation

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 12-035 AND RESPECTFULLY RECOMMENDS:

1. Concession Street Business Improvement Area (BIA) Revised Board of Management (PED10250(b)) (Wards 6 and 7) (Item 5.1)

That Steve Vucko be appointed to the Concession Street Business Improvement Area (BIA) Board of Management.

2. International Village Business Improvement Area (BIA) – Proposed Budget and Schedule of Payment for 2013 (PED12242) (Wards 2 and 3) (Item 5.2)

- (a) That the 2013 Operating Budget for the International Village Business Improvement Area (BIA) (attached as Appendix "A" to Report PED12242), in the amount of \$140,000, be approved;
- (b) That the levy portion of the Operating Budget for the International Village Business Improvement Area (BIA), in the amount of \$140,000, be approved;
- (c) That the General Manager of Finance and Corporate Services be authorized and directed to prepare the requisite by-law pursuant to Section 208, The Municipal Act, 2001, to levy the 2013 Budget as referenced in recommendation (b) above;

- (d) That the following schedule of payments for 2013 be approved:

January	\$70,000
June	\$70,000

Note: Assessment appeals may be deducted from the levy payments.

3. Downtown Hamilton Business Improvement Area (BIA) – Proposed Budget and Schedule of Payment for 2013 (PED12244) (Ward 2) (Item 5.3)

- (a) That the 2013 Operating Budget for the Downtown Hamilton Business Improvement Area (BIA) (attached as Appendix “A” to Report PED12244), in the amount of \$364,800, be approved;
- (b) That the levy portion of the Operating Budget for the Downtown Hamilton Business Improvement Area (BIA), in the amount of \$275,000, be approved;
- (c) That the General Manager of Finance and Corporate Services be authorized and directed to prepare the requisite by-law pursuant to Section 208, The Municipal Act, 2001, to levy the 2013 Budget as referenced in recommendation (b), above;
- (d) That the following schedule of payments for 2013 be approved:

January	\$68,750
April	\$68,750
July	\$68,750
October	\$68,750

Note: Assessment appeals may be deducted from the levy payments.

4. Infrastructure Ontario (IO) Surplus Land – Project 8874 – Located at 2 Zellens Road, described as Lot 8, Plan 836, in the Former Town of Dundas, now City of Hamilton (PED12236) (Ward 13) (Item 5.4)

- (a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise Infrastructure Ontario that the City of Hamilton has no interest in acquiring their land located at 2 Zellens Road, described as Lot 8, Plan 836, in the former Town of Dundas, now City of Hamilton, as shown on Appendix “A” attached to Report PED12236;

- (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise Infrastructure Ontario of the City of Hamilton's requirements to the development of the site identified in Appendix "B", attached to Report PED12236.

5. Declaration of Surplus Property and Sale of Vacant Land – 2791 King Street East, Hamilton (PED12243) (Ward 5) (Item 5.5)

- (a) That the property municipally known as 2791 King Street East, legally described as part of Lot 28, Concession 3, former Township of Saltfleet, being composed of part of Part 1 on Plan 62R-17856, comprising an area of approximately 650 square metres (6,996 square feet) on the north limit of King Street East and the west limit of Owen Place, identified as PIN 17299-0102(LT) and Roll No. 251805044207090, as shown on Appendix "A" attached to Report PED12243, be declared surplus to the requirements of the City of Hamilton;
- (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to sell the subject lands at fair market value, in accordance with the Procedural By-law for the Sale of Land, being By-law 04-299.

6. License Renewal between City of Hamilton and Binbrook Agricultural Society (BAS), 2600 Highway 56, Binbrook Memorial Hall (PED12237) (Ward 11) (Item 5.6)

- (a) That an existing License Agreement between the City and the Binbrook Agricultural Society (BAS) for the premises commonly known as the Binbrook Memorial Hall, identified as Parcel "A" on Appendix "A" attached to Report PED12237, be renewed for a period of ten (10) years from January 1, 2013 to December 31, 2023, with an option to renew for a further term of ten (10) years;
- (b) That a portion of the Binbrook Lion's Park, held by the City, identified as Parcel "B" on Appendix "A" attached to Report PED12237, be licensed to the Binbrook Agricultural Society for a period of three (3) days per annum for the purpose of facilitating the annual Binbrook Agricultural Fair through the years 2013 to 2023, with the option to renew for a further term of ten (10) years;

- (c) That the premises identified as Parcel “C” on Appendix “A”, attached to Report PED12237, be licensed to the Binbrook Agricultural Society for periodic parking for a term of ten (10) years from January 1, 2013 to December 31, 2023, with an option to renew for a further term of ten (10) years;
- (d) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to complete the License Agreement for the subject lands, in accordance with the terms set out in Report PED12237 and with By-law 04-299;
- (e) That the Mayor, General Manager of Finance and Corporate Services and City Clerk be authorized and directed to execute the License in a form satisfactory to the City Solicitor.

7. Vision 2020 Sustainability Indicators Report 2012 (CM12019) (City Wide) (Item 5.7)

That Report CM12019 respecting Vision 2020 Sustainability Indicators Report 2012 be received.

8. Capital Projects’ Status and Closing Report as of September 30, 2012 (FCS12074(a)) (City Wide) (Item 5.8)

- (a) That the September 30th, 2012, Capital Projects’ Status and Projects’ Closing Report and the attached Appendices A, B, C, D, and E to Report FCS12074(a) for the Tax Levy and the Rate Supported capital projects be received;
- (b) That the General Manager of Finance & Corporate Services be directed to close the completed capital projects listed in Appendix B to Report FCS12074(a) in accordance with the Capital Closing Policy and that the net transfers be applied as listed below and as detailed by project in Appendix B to Report FCS12074(a):

Summary of Net Transfers

<u>Dedicated Reserves/Projects</u>	\$ To\From
Rate Reserves	7,060,000
Unallocated Capital Levy Reserve	273,054
Net Transfers	<u>7,333,054</u>

9. Update on Immigration Initiatives within the City of Hamilton (CS12037/C12018/PED12223) (City Wide) (Item 5.9)

That Report CS12037/C12018/PED12223 respecting Update on Immigration Initiatives within the City of Hamilton be received.

10. Water, Wastewater and Stormwater Rate Structure Review Report (Outstanding Business List Item) (FCS11025(c)) (City Wide) (Item 7.1)

- (a) That the “Rate Structure Review Recommended Scope of Work”, attached hereto as Appendix “A”, be approved with staff to report back to Committee with a recommended rate structure by June 2013;
- (b) That a proposed Water/Wastewater User Service Fee and Charges Policy be developed with staff to report back to the Audit, Finance and Administration Committee by June 2013.

11. Tourism and Culture Division Restructuring (PED12241) (City Wide) (Item 7.2)

- (a) That one FTE from the Community Services Department be transferred to the Tourism and Culture Division, Planning and Economic Development Department;
- (b) That one FTE from the Economic Development Division be transferred to the Tourism and Culture Division, Planning and Economic Development Department;
- (c) That the confidential Appendix “B” to Report PED12241 respecting the 2012 Tourism and Culture Organizational Restructuring remain confidential as the subject pertains to personal matters about identifiable individuals.

12. Community Economic Development (CED) Strategy (PED12189) (City Wide) (Item 8.1)

- (a) That a Community Economic Development (CED) Strategy be investigated and developed through a consultation process with stakeholders (i.e. Hamilton Roundtable for Poverty Reduction, organizations involved in social enterprise, etc.) from the community, and that the CED strategy be subject to the review and approval by City Council;

- (b) That in order to test a Community Economic Development (CED) Strategy, a three-year pilot project be formulated in a geographically defined neighbourhood, chosen by Council, and that staff from the City Manager's Office, Planning and Economic Development, Community Services and Corporate Services Departments be involved on an "as needed" basis to ensure successful development of this special project.
- 13. Donation of Gandhi Statue (PED12240) (City Wide) (Outstanding Business List Item) (Item 8.2)**
- (a) That the Mahatma Gandhi Statue, gifted by the Government of India to the City of Hamilton, be located on the grounds of City Hall, as shown on Appendix "A" to Report PED12240;
- (b) That the costs of installing the Mahatma Gandhi Statue be funded from Capital Project ID 7101058710 – Monuments.
- 14. Lease Extension for Public Health Services – 35 King Street East/1 Hughson Street North – Park Place Real Estate Limited Partnership (PED12013) (Ward 2) (Item 8.4)**
- (a) That a lease extension with Park Place Real Estate Limited Partnership for the premises occupied by Public Health Services in the Right House, municipally known as 35 King Street East/1 Hughson Street North, Hamilton, be approved with the following conditions:
- (i) **Extended Term:** From March 31, 2013 to June 30, 2014;
- (ii) **Property:** 35 King Street East/1 Hughson Street North, Hamilton, comprising Suites 202 and 204 on the second floor (storage space) and 32,713 square feet of office space distributed across floors 3, 4 and 6;
- (iii) **Rental Rate:** The City shall continue to pay rent based on \$19.50 per square foot plus H.S.T. for the area occupied as office space. The second floor storage space will also remain at the current rent which is \$6.00 per square foot plus H.S.T.;
- (iv) **Operating Costs:** The City shall be responsible for its share of the actual operating costs over the 2007 Base Year;
- (b) That all rent and operating costs be funded from Account No. 791403-55358;

- (c) That Legal Services be authorized to prepare a by-law under Section 110 of the Municipal Act to designate the leased space as a Municipal Capital Facility, thereby exempting the City from payment of realty taxes; and,
- (d) That the Mayor, General Manager of Finance and Corporate Services and City Clerk be authorized and directed to execute the Lease in a form satisfactory to the City Solicitor.

15. Hamilton Waterfront Trust Update – GST Audit and Operating Losses (FCS12092) (City Wide) (Outstanding Business List Item) (Item 8.5)

That Report FCS12092 respecting Hamilton Waterfront Trust Update – GST Audit and Operating Losses be received.

16. Red Hill Business Park Transit Service (PW12100/PED12249) (Ward 11) (Item 8.6)

- (a) That the General Manager of Public Works be authorized to modify the existing TransCab service supplied to Canada Bread and Countrywide Recycling, such that service is provided through a dedicated shuttle vehicle, effective December 1, 2012 until June 2013, at an unbudgeted cost of \$127,000, to be funded from the Tax Stabilization Reserve;
- (b) That a Service Enhancement Request be submitted for Council's consideration within the 2013 budget deliberations, recommending replacement of the dedicated shuttle vehicle service to Canada Bread and Countrywide Recycling effective June 2013, with an extension of fixed route bus service serving the entire Red Hill Business Park.

17. Report 12-002 of the Open for Business Sub-Committee – November 28, 2012 (Item 8.7)

- (a) **“Open for Business” Sub-Committee - Report of Preliminary Findings and “Open for Business” Action Plan (PED12164(a)) (City Wide)**
 - (i) That items listed as “*Actions Items*”, as outlined in Appendix “B” attached hereto and entitled, “*Open for Business Action Plan*”, be endorsed.

- (ii) That staff be directed to include all “*Action Items*”, as outlined in Appendix “B” attached hereto into the 2013 Planning and Economic Development Departmental Business Plan and/or the respective 2013 Divisional Work Plans, with identified deadlines and staff leads;
- (iii) That staff formalize the Staff Working Group, to act as a resource for the “*Open for Business*” Sub-Committee, as referred to in Item 1.15 of the “Open for Business Action Plan”;
- (iv) That Items 8.4, 9.1, and 9.3 of the “Open for Business Action Plan”, which focus specifically on the “Open for Business” issues of the City of Hamilton website, be referred to the Corporate Web Strategy team;
- (v) That Item 12.1 of the “Open for Business Action Plan”, regarding recommended new fees for Planning Applications and Engineering Services, be referred to the Planning Committee for consideration;
- (vi) That the “General Scope of Committee Work and Deliverables”, as detailed in the “*Open for Business*” Sub-Committee Terms of Reference, attached as Appendix “B” to Report PED12164(a) (hereto attached), as approved on December 15, 2011, be deemed complete;
- (vii) That the “*Open for Business*” Sub-Committee continue in support of the approved mandate and objectives, with meetings to be arranged on a bi-annual basis, or at the call of the Committee chair.

(b) Business Licensing Fee Review (PD01104(g)) (City Wide)

That Item 2 of Report 12-004 of the Open for Business Sub-Committee respecting Business Licensing Fee Review be referred to the January 15, 2013 meeting of the Planning Committee to obtain clarification on the fees and fee structure, and to address concerns expressed at the December 4 meeting of the Planning Committee.

18. Gaming Facility Proposal Sub-Committee Report 12-004 – November 30, 2012 (Item 8.8)

(a) Public Education Forum

That in the absence of a virtual town hall meeting not being possible at the City Hall, that one additional public education forum be held on Hamilton Mountain.

(b) Correspondence received from Matt Jelly on behalf of the Central Neighbourhood Association expressing opposition to a gaming facility being placed in the Central neighbourhood and/or the downtown core

That the correspondence from Matt Jelly, on behalf of the Central Neighbourhood Association, expressing opposition to a gaming facility being placed in the Central neighbourhood and/or the downtown core, attached hereto as Appendix "C", be received.

19. Landscape Maintenance for Grounds and Public Parks surrounding National Historic Sites under the City's Stewardship (Item 9.1)

Whereas the grounds and public parks surrounding the national historic sites under the City's stewardship (Dundurn, Battlefield, Whitehern and Steam Museum) include important heritage landscapes much appreciated by Hamiltonians and visitors;

And Whereas several of these landscapes have been restored to their historical appearance and maintenance manuals have been developed to guide their preservation;

And Whereas the Parks and Cemetery Division and the Forestry and Horticulture Division of Public Works maintain the grounds to a high standard; however, resources are lacking to preserve the grounds to the highest levels of historical accuracy in all instances.

Therefore Be It Resolved:

That a request for a \$50,000 increase to the Tourism and Culture Division operating budget for the purposes of ensuring that these landscapes remain as showpieces and visitor attractions for Hamilton be referred to the 2013 budget deliberations.

20. Declaration of Surplus Property – 50 Main Street East, Hamilton (Old Court House) (Ward 2) (Item 9.2)

- (a) That Real Estate staff initiate proceedings to declare 50 Main Street East (Old Courthouse) as surplus;
- (b) That in the event the property is declared surplus, that McMaster University, current and long-time tenant at 50 Main Street East, be given first right of refusal to purchase this surplus property at fair market value;
- (c) That in the event the property is declared surplus and McMaster University does not exercise its first right of refusal, staff be authorized and directed to negotiate the sale of the subject lands;
- (d) That in the event of the sale of 50 Main Street East, that the proceeds of the transaction be deposited into the Unallocated Capital Reserve and earmarked as a possible funding source for the purchase of surplus School Board properties or replacement accommodations for Provincial Offences Administration offices;
- (e) That in the event of the sale of 50 Main Street East, Corporate Facilities staff report back to the General Issues Committee on the feasibility of closing the following Work-in-Progress (WIP) accounts:
 - (i) Facility Upgrade – Courthouse – 50 Main Street East
Account No. 3541041019
Balance as at August 31, 2012: \$261,185.96
 - (ii) Courthouse Parking Improvements – 50 Main Street East
Account No. 3540941932
Balance as at August 31, 2012: \$411,642.01
 - (iii) Old Courthouse Facility Upgrade
Account No. 3540741733
Balance as at August 31, 2012: \$161,865.86
 - (iv) McMaster Facility Capital Replacement Reserve
Account No. 108039
Balance: \$231,787 (2012 Projected)

21. City v. Metcalfe Mansfield Corp. et al (FCS09066(d)/LS09006(d) (City Wide) (Item 12.2)

That Report FCS09066(d)/LS09006(d) respecting City v. Metcalfe Mansfield Corp. et al be received and that the contents remain confidential.

**22. Land Acquisition – 90 Pritchard Road, Hamilton (PW12093/PED12246)
(Ward 6) (Item 12.3)**

- (a) That an Option to Purchase executed by Christine Dwyer and scheduled to close on February 19, 2013, to purchase lands legally described as Part of Lot 1, Concession 7, in the Former Township of Barton, now in the City of Hamilton, as in Instrument Number HL 107382, being all of PIN 16933-0012(LT), known municipally as 90 Pritchard Road, Hamilton, shown on Appendix “A” attached to report (PW12093/PED12245), be approved and completed at the purchase price of \$301,000;
- (b) That the financial details remain confidential until the completion of the transaction and that the balance of Report (PW12093/PED12245) not be released as a public document, following approval by City Council;
- (c) That the budget for the purchase of the property listed in Recommendation a) and all associated costs, totaling \$384,000 be funded from the City’s Capital Project account No. 44006566660 and 44008566660;
- (d) That, as consideration, the amount of \$2, paid to the owners pursuant to the agreement, be deducted from the purchase price;
- (e) That the completion of this Option to Purchase is conditional upon the City being permitted a period of 60 days from the date of acceptance of the Option to Purchase, to enter on the property for the purpose of carrying out environmental inspections, investigations and testing pursuant to the Authority to Enter provided by the owner to the City. Following these investigations, should the City not be satisfied with these findings, the City may terminate this agreement;
- (f) That the Mayor and Clerk be authorized and directed to execute and necessary documents, in a form satisfactory to the City Solicitor;
- (g) That the related maintenance costs for 90 Pritchard Road be expensed within the existing 2012 Maintenance and Operating Budget and noted as an unfunded expenditure for 2012 and further that the full years operating expense of \$1,820 be included as an operating pressure to the 2013 Operations and Maintenance budget submission.

**23. City of Hamilton Interest in Bishop Ryan School Board Lands (Ward 5)
(Item 12.4)**

- (a) That Real Estate staff be authorized and directed to submit a bona fide offer to the Hamilton-Wentworth District Catholic School Board to purchase an area of approximately 3 acres of land at the Bishop Ryan Secondary School municipally known as 50 Albright Road, Hamilton, at fair market value;
- (b) That the Mayor and City Clerk be authorized and directed to execute all necessary documents in a form satisfactory to the Acting City Solicitor;
- (c) That the General Manager of Corporate Services be requested to report back to the General Issues Committee with a funding source for this purchase.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes to the agenda:

ADDED DISCUSSION ITEMS

- (i) Red Hill Business Park Transit Service (PW12100/PED12249) (Ward 11)
(Added Item 8.6)
- (ii) Report 12-002 of the Open for Business Sub-Committee – November 28, 2012 (Added Item 8.7)
- (iii) Report 12-004 of the Gaming Facility Proposal Sub-Committee – November 30, 2012 (Added Item 8.8)

ADDED MOTIONS

- (iv) Declaration of Surplus Property – 50 Main Street East, Hamilton (Old Court House) (Added Item 9.2)

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

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) APPROVAL OF PREVIOUS MINUTES

On a motion, the Clerk's Minutes of the September 13, 2012 General Issues Committee meeting were approved, as presented.

On a motion, the October 29, 2012 Minutes of the General Issues Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS

On a motion, the delegation request from Ryan Moran, Hamilton HIVE, respecting policy directions from 2nd Annual HIVE X Young Professional Conference, was approved.

(e) PUBLIC DELEGATIONS/HEARINGS

(i) Nic Schulz, Director of Outreach, Social and Environmentally Responsible Aggregates/Aggregate Forum of Ontario (SERA/AFO) (Item 6.1)

Nic Schulz, Director of Outreach, Cornerstone Standards Council, appeared before the Committee to make the City aware of this organization and its functions. With the assistance of a power point presentation, Mr. Schulz spoke to the following:

- Why certification? Why now?
- Outcomes of resource sector conflicts
- CSC Aggregate Standards – what it can mean for municipalities
- Why draft standards
- Consultation
- How to be heard – providing input
- CSC Merger of SERA and AFO
- Background to CSC Merger
- CSC's Board of Directors
- CSC's Standards Development Panel
- Contacts

A copy of the presentation was submitted to the Clerk for the public record and is available for viewing on the City of Hamilton website.

On a motion, the presentation from Nic Schulz, Director of Outreach, Cornerstone Standards Council, respecting their organization and function, was received.

(ii) Craig Foye, Hamilton Community Legal Clinic, (Item 6.2)

Craig Foye, Staff Lawyer, Hamilton Community Legal Clinic, appeared before the Committee to express the clinic's support for the staff recommendation respecting a community economic development strategy pilot project and to express the clinic's recommendation that the City include "pro-poor" or poverty reduction economic development strategies in the City Economic Development Strategy.

A copy of Mr. Foye's comments was submitted to the Clerk for the public record and is available for viewing on the City of Hamilton website.

On a motion, the presentation from Craig Foye, Staff Lawyer, Hamilton Community Legal Clinic, respecting Pro-Poor and Community Economic Development Strategies, was receive

(iii) Christine Gibson respecting Accountability and Transparency (Item 6.3)

Christine Gibson appeared before the Committee respecting the Accountability and Transparency (A&T) Committee and more specifically, the Committee's review of legislation to create a lobbyist registry. Her comments included, but were not limited to, the following:

- A&T appears to have stopped meeting
- When the Committee met in October 2011, it was recommended that the City's Legal staff meet with the City of Toronto and the Integrity Commissioner of Ontario to gather information and feedback respecting the initiation of a mandatory lobbyist registry
- When will A&T meet again to discuss this issue
- In the interim, it would seem prudent for Councillors to keep track of meetings with representatives of various business groups and provide information to the public e.g., all residents have a right to know when Councillors are meeting with representatives of large companies such as Enbridge
- Why would anyone want relations with corporate partners to be cloaked in secrecy
- Options for Councillors when requested to meet include refuse to meet, create a lobbyist registry or continue to meet with business representatives without knowledge to constituents.

Councillor Ferguson advised that the next meeting of the Accountability & Transparency Committee is scheduled for January 22, 2013. If there is a failure to obtain quorum, the alternative date is January 29, 2013.

On a motion, the presentation from Christine Gibson respecting the Accountability & Transparency Committee, was received.

(iv) Madeleine Levy respecting Commemoration and Recognition of Raoul Wallenberg in the City of Hamilton (Item 6.4)

Madeleine Levy, Co-Chair, introduced the delegation from the Hamilton Jewish Federation Holocaust Education Committee which included Dr. Nadia Rosa, Co-Chair, Lanie Goldberg, Lois Freeman and Ernie Mason.

With the assistance of a power point presentation, Madeleine Levy, Dr. Nadia Rosa and Ernie Mason spoke to the heroism and humanitarian acts of Raoul Wallenberg and requested the Committee's consideration to honour this humanitarian legacy in the City with special recognition befitting Canada's first honorary citizen.

A copy of the presentation was submitted to the Clerk for the public record and is available for viewing on the City of Hamilton website.

On a motion, the presentation from Madeleine Levy, Dr. Nadia Rosa and Ernie Mason respecting the commemoration of Raoul Wallenberg, was

On a motion, the commemoration and recognition of Raoul Wallenberg in the City was referred to staff for a report to the Facility Naming Sub-Committee for consideration and report back to the General Issues Committee

(f) PRESENTATIONS

(i) Water, Wastewater and Stormwater Rate Structure Review Report (Outstanding Business List Item) (FCS11025(c)) (City Wide) (Item 7.1)

Rob Rossini introduced the report and provided background information.

With the assistance of a power point presentation, John Savoia, Senior Policy Advisor, Current Budgets, provided an overview which spoke to the following:

- Rate Structure Review Timeline
- Guiding Principles
- Hamilton Current Structure
- Hamilton Rate Budgeting
- Assessment of Hamilton Structure
- Detailed Analysis Scope Recommendations
- Lifeline Rate Pricing
- Detailed Analysis Scope Alternatives

- Next Steps
- Recommendations

A copy of the power point presentation is available for viewing on the City of Hamilton website.

On a motion, the presentation respecting the Water, Wastewater and Stormwater Rate Structure Review Report, was received.

On a motion, sub-section (c) was added to read as follows:

- (c) That the Item respecting Water, Wastewater and Stormwater Rate Structure Review be removed from the General Issues Committee's Outstanding Business List.

The Committee recessed and reconvened at 12:50 p.m.

**(ii) Tourism and Culture Division Restructuring (PED12241) (City Wide)
(Item 7.2)**

Tim McCabe, General Manager of Planning & Economic Development, provided introduction and background on the staff report, the responsible management approach to the design of the reorganization, consultation techniques used and FTE and budget impacts.

The purpose of the presentation was to inform the Committee of the reorganization prior to the City Manager's final approval; the recommendations all relate to Council's new complement control policy.

With the assistance of a power point, Anna Bradford, Director of Tourism, provided a presentation on the Tourism and Culture Division reorganization, and addressed the following issues:

- Transforming Hamilton through Culture
- Culture's Role
- Objectives: Seize Opportunities; Develop Synergies; Effectiveness
- Four New Sections/New Alignment: Cultural Planning & marketing; Creative Industries; Tourism & Visitor Services; Heritage Resource Management
- Alignment – Economic Development Strategy
- Outcomes

A copy of the power point presentation is available for viewing on the City of Hamilton website.

On a motion, the presentation respecting the Tourism and Culture Division Restructuring, was received.

(g) DISCUSSION ITEMS

(i) Community Economic Development (CED) Strategy (PED12189) (City Wide) (Item 8.1)

On a motion, sub-section (b) was amended by deleting the words, “and implemented” following the word, “formulated”.

The Amendment CARRIED and the Motion as amended CARRIED

(ii) Feasibility Study and Business Case for the Development of a Tourism Gateway Centre and Declaration of Surplus Property and Sale of Land – 1400 Baseline Road, Stoney Creek (PED12228) (Ward 11) (Item 8.3)

On a motion, Report PED12228 respecting Feasibility Study and Business Case for the Development of a Tourism Gateway Centre and Declaration of Surplus Property and Sale of Land – 1400 Baseline Road, Stoney Creek was tabled to allow the opportunity for further discussions with staff.

(iii) Lease Extension for Public Health Services – 35 King Street East/1 Hughson Street North – Park Place Real Estate Limited Partnership (PED12013) (Ward 2)

On a motion, Report PED12013 respecting Lease Extension for Public Health Services – 35 King Street East/1 Hughson Street North – Park Place Real Estate Limited Partnership was lifted from the table.

(iv) Gaming Facility Proposal Sub-Committee Report 12-004 – November 30, 2012 (Item 8.8)

(aa) Casino Conditions

The following conditions respecting the casino were forwarded to the Gaming Facility Proposal Sub-Committee for consideration:

- If the casino is located in Hamilton proper and not in Flamborough, concerned about providing parking for the casino
- Casino should be responsible to provide 24/7 first response on casino property; want to ensure that with thousands of people on the premises on an on-going basis, that there is quick response
- Capital funds for a centre of excellence for Substance and Gambling Addiction in Hamilton

- Given size of casino structures, require LEED certification on any new facility that is built; will have significant impact on the community
- Suggest direction to City Manager to meet with City Managers of other possible host communities and ascertain exactly what each of those municipalities is wanting as a standard for a fee and come to an agreement together

Deputy Mayor Morelli advised Committee members that any additional conditions be forwarded to the Clerk of the Gaming Facility Proposal Sub-Committee.

(bb) Public Education Forum

On a motion, Item 1 of Gaming Facility Proposal Sub-Committee Report 12-004 respecting Public Education Forum was amended by adding the words, “in the absence of a virtual town hall meeting being possible at the City Hall public education forum” following the word, “that”.

(h) MOTIONS

(i) Declaration of Surplus Property – 50 Main Street East, Hamilton (Old Court House) (Item 9.2)

On a motion, sub-section (c) was amended by adding the words, “or replacement accommodations for Provincial Offences Administration offices” following the word, “properties”.

The Amendment CARRIED.

On a motion, the following was added as sub-section (b) and the balance of the sections re-numbered accordingly:

- (b) That in the event the property is declared surplus, that McMaster University, current and long-time tenant at 50 Main Street East, be given first right of refusal in the purchase of this surplus property at fair market value;

The Amendment CARRIED.

On a motion, sub-section (c) (formerly (b)) was deleted in its entirety and replaced with the following in lieu thereof:

- (c) That in the event the property is declared surplus and McMaster University does not exercise its first right of refusal, staff be authorized and directed to negotiate the sale of the subject lands;

The Amendment CARRIED.

The Main Motion, as amended, CARRIED on the following Recorded Vote:

Yeas: Clark, Pearson, Johnson, Pasuta, Partridge, Morelli, **Duval**,
Jackson, Collins, Merulla, Farr
Total Yeas: 11
Nays: Whitehead
Total Nays: 1
Absent: Bratina, McHattie, Ferguson, Powers
Total Absent: 4

(i) GENERAL INFORMATION/OTHER BUSINESS (Item 11.1)

(i) Outstanding Business Items List

(aa) On a motion, the revised due dates for the following items on the Outstanding Business List were approved:

Planning

Item A: Canadian Ballet Youth Ensemble
Due Date: November 21, 2012
Revised Due Date: February 6, 2013

Item C: Removal of Fill from Toxic Contaminated Site at John
C. Munro/Hamilton International Airport
Due Date: November 21, 2012
Revised Due Date: April 17, 2013

Item D: Hamilton LEEDing the Way
Due Date: November 7, 2012
Revised Due Date: January 14, 2013

Item E: City of Hamilton Events Strategy
Due Date: December 5, 2012
Revised Due Date: January 14, 2013

Item K: Economic Development Advisory Committee
Due Date: Q1 2014
Revised Due Date: Q1 2015.

(bb) On a motion, the following items were removed from the Outstanding Business List:

Corporate Services

Item B: Water and Wastewater Rate Structure Review

Item H: Hamilton Waterfront Trust

Planning

Item F: Lease Extension for Public Health Services – 35 King Street East/1 Hughson Street North

(j) PRIVATE & CONFIDENTIAL

(i) Closed Session Minutes – October 17, 2012 (Item 12.1)

On a motion, the Minutes of the Closed Session Meeting of the General Issues Committee held on October 17, 2012 were approved;. These Minutes will remain confidential and restricted from public disclosure in accordance with the exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

On a motion, the Committee moved into closed session pursuant to sub-section (b) of the City's Procedural By-law and Section 239.1(b) of the Municipal Act as the subject matter pertains to personal matters about an identifiable individual, including municipal or local board employees, respecting, Tourism and Culture Division Restructuring – Appendix "B" to Report PED12241.

The Committee reconvened in Open Session at 2:25 p.m.

(ii) Tourism and Culture Division Restructuring – Appendix "B" to Report PED12241 (Item 7.1/Item 12.5)

See Item 11 for the disposition of this item.

On a motion, the Committee move into closed session at 3:31 pursuant to sub-sections (c), (e) and (f) of the City's Procedural By-law and Sections 239.1(c), (e) and (f) of the Municipal Act as the subject matters pertain to:

- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose,

respecting City v Metcalfe Mansfield Corp. et al (FCS09066(d)/LS09006(d)) (City Wide) (Item 12.2)

- (c) a proposed or pending acquisition or disposition of land by the municipality or local board,

respecting Land Acquisition – 90 Pritchard Road, Hamilton (PW12093/ PED12245) (Ward 6) (Item 12.3); and City of Hamilton Interest in Bishop Ryan School Board Lands (Ward 5) – Verbal Update (Item 12.4)

The Committee reconvened in Open Session at 3:48 p.m.

- (iii) City v Metcalfe Mansfield Corp. et al (FCS09066(d)/LS09006(d))
(City Wide) (Item 12.2)**

See Item 21 for the disposition of this item.

- (iv) Land Acquisition – 90 Pritchard Road, Hamilton
(PW12093/ PED12245) (Ward 6) (Item 12.3)**

See Item 22 for the disposition of this item.

- (v) City of Hamilton Interest in Bishop Ryan School Board Lands
(Item 12.4)**

See Item 23 for the disposition of this item.

(I) ADJOURNMENT

There being no further business, the Committee adjourned at 3:50 p.m.

Respectfully submitted

Councillor B. Morelli
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
Office of the City Clerk

City of Hamilton Rate Structure Review Recommended Scope of Work

	Review Component	Status Quo (Current Practice)	Recommended Analysis
1	Rate Budget Methodology	<ul style="list-style-type: none"> Budget expenses for the three Rate budget services (Water, Wastewater and Stormwater) separately with the revenue funding for these services not budgeted separately. Industry practice is to budget each service as separate discrete programs each with separate expenses and their own unique rates often with differing rate increases. 	<ul style="list-style-type: none"> Continue to discretely identify the expenses for all three rate supported services except going forward to budget both the expenses and revenues for wastewater and storm separate from water revenues. <ul style="list-style-type: none"> - Water service separate with Wastewater and Stormwater treated as one service.
2	Water Pricing		
(a)	- Fixed Charges	<ul style="list-style-type: none"> Hamilton is the only municipality in Ontario that includes the first 5m³ of consumption each month (>20mm meters first 15m³) within its fixed charge This unique inclusion has complicated efforts to provide detailed billings to customers that would be easy to understand Currently fixed charges are progressive based on meter size. The difference in charges between meter sizes known as the meter equivalency (ME) ratio has not been reviewed for years and does not follow industry standards Review of 2012 rate budget indicates over 85% of costs are fixed in nature Fixed charge revenues contributed 22% of total 2012 Rate budget revenues with remainder from volumetric charges 	<ul style="list-style-type: none"> Analyze the elimination of minimum consumption allowance and develop options to minimize the impact to residential customers through the introduction of a Lifeline Rate applicable to residential customers Given above examine a changed detailed bill layout to develop a customer friendly water bill Consider amending base of fixed charges from meter size to inlet pipe size and analyze modification of ME ratios with likely not full adoption of CWWA ratios Identify impact of above to achieve recommended fixed charge revenue target of 25 - 30% of total rate revenues
(b)	- Variable Charges (Volumetric Rate)	<ul style="list-style-type: none"> Similar to most other Ontario municipalities, Hamilton currently utilizes a Uniform rate water pricing structure whereby the cost per unit (m³) remains the same regardless of volume consumed. The uniform rate is applied to all customer classes in Hamilton. 	<ul style="list-style-type: none"> The introduction of a Lifeline rate would create essentially an inclining block structure for residential customers. Recommend no further analysis for ICI variable water pricing by continuing uniform rate structure for this sector.

	Review Component	Status Quo (Current Practice)	Recommended Analysis
3	Wastewater & Stormwater Pricing	<ul style="list-style-type: none"> • Mirrors two-part structure of water with Fixed charge and a volumetric rate • Billing based on a % of water bill in lieu of common practice to express rate as \$/m3 of metered water (current rate of 100% unchanged for many years). • Follow common industry practice to base charge on 100% of water consumption • Unique stormwater funding sources of both rates and taxes (approximately 85%:15% funding share ratio) 	<ul style="list-style-type: none"> • Study a modified “City of Ottawa” model whereby wastewater and stormwater are budgeted as one service with one surcharge rate funding both services expressing rate as \$/m3 of metered water • Continue industry standard to base charge on 100% of water consumption • Continue to maintain funding sources of both rates and taxes with existing approximate funding share ratios

Open for Business Action Plan

Action Items	Additional Details	Start Date	Short, Medium, or Long Term Goal: Estimated Completion Date Quarter/Year	Name of Lead Division including Staff lead and Support	Further Approvals Required for Implementation
Customer Service					
Training:					
1.1 Develop and enhance an internal mentoring and Customer Service Training Program targeted towards business clients.		January 2013	Medium Term Q3 2013	GMO and HR Debbie Spence	
1.2 Training for all front-line staff that includes customer service, making sure that they are looking at the bigger picture of each Project, and providing advice where they are able to or immediately referring to other staff or resources where needed. All Managers to be committed to cross-departmental training for their staff, and to create an understanding about all Planning and Economic Development Department (PED) process and their impacts on small business owners.	Schedule training sessions for staff and use presentations from Open for Business as a starting point for cross training purposes. A key element is to have staff answer questions that aren't being asked by the applicant.	February 2013	Completion date for staff presentations: Q3 2013 Training Component - Ongoing	Lead: Planning, Licensing, and Economic Development Steve Robichaud Al Fletcher Dio Ortiz Support: GMO Debbie Spence	
1.3 Provide additional and frequent communication updates and training to the Contact Centre regarding small business services available at the One-Stop for Business and across the Department to ensure accurate and timely referrals.		August 2012	Ongoing	GMO Debbie Spence	
One Point of Contact:					
1.4 Continue to provide one point of contact through the One-Stop for Business and increase the awareness and promotion of the One-Stop for Business services, especially the Business Facilitation service. Please see the Communications and Promotion Section (Public Awareness Campaign) for more details regarding Recommended Actions.		June 2010	Ongoing	Lead: Planning, Licensing, and Economic Development Steve Robichaud Al Fletcher Kristin Huigenbos Support: GMO Debbie Spence	

Action Items	Additional Details	Start Date	Short, Medium, or Long Term Goal: Estimated Completion Date Quarter/Year	Name of Lead Division including Staff lead and Support	Further Approvals Required for Implementation
1.5 Building Services to provide one point of contact via the One-Stop. Building staff will follow business owners through their permit process (the same staff person will be assigned to provide the initial consultation, plan examination, communication of any deficiencies, and approval of building permit).		August 2012	Short Term Q1 2013	Building George Wong	
Consistency: 1.6 Officially instated 48 hour return call/email Policy.		May 28 2012	N/A: Complete	GMO Tim McCabe and Debbie Spence	
1.7 Development Engineering to analyze/investigate service delivery option that entails morphing from geographic based teams to application based teams.		February 2013	Medium Term Q4 2013	Development Engineering Tony Sergi	
Resources & Tools: 1.8 Implement a Department-wide customer referral form, which will help enhance communication between staff and provide client background information (i.e. Zoning).		January 2013	Short Term Q1 2013	GMO Debbie Spence	
1.9 Conduct an audit of resources (applications, brochures, online content, video etc.); determine if any new materials need to be created and prioritize all resources to be revised and simplified.		November 2012	Short Term Q2 2013	GMO Debbie Spence	
1.10 Review and revise all content and layout for current brochures that provide information for small businesses.	Staff to review brochures to ensure they are current with respect to policies, practices, and protocols.	Q1 2013	Medium Term Q1 2014	Lead: GMO Support: ALL Steve Robichaud/Scott Baldry Gavin Norman Al Fletcher Jorge Caetano	
1.11 Review the types of resource formats to determine if these meet small business owners' needs (i.e. are printed brochures the most effective tool?).		Q1 2013	Medium Term Q3 2013	Lead: GMO Support: Planning, Licensing, Building, and Economic Development	

Action Items	Additional Details	Start Date	Short, Medium, or Long Term Goal: Estimated Completion Date Quarter/Year	Name of Lead Division including Staff lead and Support	Further Approvals Required for Implementation
1.12 Look into improving/revising the "BizPal" tool, which is Provincially funded, to make it more effective and less overwhelming for Hamilton's business owners.	<p>BizPal is a government on-line business permit and license identification system. From a single point of contact, business owners and entrepreneurs can see what permits and licences for their businesses are required at the Federal, Provincial, and Municipal levels.</p> <p>The template and interface for the BizPal tool remain with the Province of Ontario and are not to the discretion of the Municipal partners. Content within the tool is driven by each Municipal governments licensing and permit process.</p> <p>Monthly updates are facilitated through the SBEC and the Economic Development Division.</p>	Q1 2013	Q1 2014	<p>Economic Development</p> <p>Kristin Huigenbos Elizabeth Konca</p>	
<p>Facilitating Development:</p> <p>1.13 The Small Business Enterprise Centre (SBEC) will take the lead on small business start-ups and coordinate their Municipal needs through the Business Facilitators, Licensing Facilitators, and bring in any other City staff as required.</p>	<p>In 2011, the SBEC facilitated 1,163 one-to-one business consultations with new and expanding businesses. Through these consultations and general inquiries, SBEC consultants identify business licensing, zoning and building permit issues, and will continue to facilitate conversations and dialog with the appropriate Departments.</p>	Ongoing	Short Term Ongoing	<p>Lead: SBEC</p> <p>Kristin Huigenbos</p> <p>Support: Planning and Licensing</p> <p>Steve Robichaud/Scott Baldry Al Fletcher</p>	
1.14 The Economic Development Division's Business Development Consultants (BDCs) will take the lead with medium to large enterprises looking to locate or expand operations in Hamilton.	<p>Through the Division's Corporate Calling Program, BDC's respond to a number of questions regarding the City of Hamilton's development process and other related Municipal issues. The One-Stop's Business Facilitators address the majority of these questions through direct contact by phone, email, and face to face meetings at City Hall. On occasion, the Facilitators will accompany the BDCs on a site visit to meet with the company.</p>	Ongoing	Short Term Ongoing	<p>Lead: Economic Development</p> <p>Norm Schleeahn</p> <p>Support: Planning</p> <p>Scott Baldry</p>	

Action Items	Additional Details	Start Date	Short, Medium, or Long Term Goal: Estimated Completion Date Quarter/Year	Name of Lead Division including Staff lead and Support	Further Approvals Required for Implementation
1.15 Formalize the current Open for Business Staff Working Group as a permanent resource for the Open for Business Sub-Committee and Departmental Management Team, with a mandate to set combined goals, review business trends, and find creative solutions to help ensure Hamilton is "Open for Business". This group should meet at least on a quarterly basis.		January 2013	Short and Medium Term Ongoing	Lead: GMO Debbie Spence Support: ALL	
1.16 SBEC will establish education sessions for specific businesses to assist in developing an understanding as to the City's requirements, processes, and timelines. These can target specific groups of businesses or other business organizations such as Chamber of Commerce, Realtors, etc. as many businesses contact these organizations prior to starting a new business.	On-going monthly meetings will be facilitated with the SBEC, and Licensing to plan quarterly information sessions by sector. Current areas of focus include; general contractors, food establishments, and mobile service vehicles.	Q1 2013	Short Term Ongoing	Lead: SBEC Kristin Huigenbos Support: Licensing Al Fletcher	
Communications & Promotions					
Public Awareness Campaign:					
2.1 Develop a comprehensive communications and marketing plan/campaign to include a broad range of tactics including ads, presentations, media relations, enhanced or brand new e-newsletter for small business owners, and increased communication with business associations on current and new resources along with updates on where we are at with our recommended actions coming out of the Open for Business Sub-Committee. Target audience will be small business owners and secondary audience with all City staff.		Q1 2013	Short Term Ongoing	GMO Debbie Spence	
2.2 Maintain the "One-Stop for Business" branding.	Evaluate promotional campaign and response to branding.	Ongoing	Medium Term Q4 2013	GMO Debbie Spence	
2.3 Enhance the presence of the physical location of the One-Stop, which will include signage and a new resource/brochure display.		July 2012	Short Term Q1 2013	GMO Debbie Spence	

Action Items	Additional Details	Start Date	Short, Medium, or Long Term Goal: Estimated Completion Date Quarter/Year	Name of Lead Division including Staff lead and Support	Further Approval Required for Implementation
2.4 Continue to collect feedback from clients and associations (via verbal suggestions, emails, and online feedback form www.hamilton.ca/onestop) regarding recommendations for enhancing the One-Stop experience and implement changes where ever possible.	<p>Licensing – current staff resources, workloads, and increasing inquiries at One-Stop do not provide opportunity to undertake this direction.</p> <p>SBEC completes monthly surveys with clients to re-engage and follow-up on clients needs. An annual e-survey in combination with telephone survey is completed each year in Q4.</p> <p>Based on the SBEC model, the Business Facilitation staff will initiate follow-up calls with clients to ensure clients have the information they require, and to provide additional assistance as required.</p> <p>Business Facilitation staff attend Corporate calls with Economic Development staff where it is known that a business is contemplating an expansion and/or relocation or after the expansion/relocation has occurred to debrief with the client on the Municipal approvals process, etc.</p>	Ongoing	<p>Medium Term</p> <p>Q2 2013: Business Facilitation to begin tracking feedback</p> <p>Ongoing initiative</p> <p>Q4 2013: Licensing to monitor and assess staffing needs to maintain/improve customer service.</p>	<p>Lead: Economic Development, Planning, Licensing, and Building</p> <p>Steve Robichaud/Scott Baldry Al Fletcher Kristin Huigenbos Dio Ortiz</p> <p>Support: GMO Debbie Spence</p>	Licensing – to undertake a review of staff resources at One-Stop and counter staff relocated to increase business license activity.
2.5 Report and distribute annually all statistics for performance metrics such as: average processing timelines for building permits, site plan approval, clearance of site plan conditions, business licences, sign permits, and distribute through.	Dependant on multiple PED Divisions using AMANDA).	Q1 2013	<p>Short Term</p> <p>Ongoing</p>	<p>Lead: ALL</p> <p>Dio Ortiz Steve Robichaud Gavin Norman Al Fletcher</p> <p>Support: GMO Debbie Spence</p>	
Communication with Partners: avoid duplication of services					
2.6 Complete the revisions to the Memo of Understanding (MOU) with the Conservation Authorities (CA), to align City and CA policies on key issues related to development, resulting in fewer conflicts between the comments and approval requirements of both agencies.		Q1 2012	<p>Short Term</p> <p>Q1 2013</p>	<p>Growth Management</p> <p>Guy Paparella Ray Lee Michelle Sergi</p>	

Action Items	Additional Details	Start Date	Short, Medium, or Long Term Goal: Estimated Completion Date Quarter/Year	Name of Lead Division including Staff lead and Support	Further Approvals Required for Implementation
Timelines					
Benchmarking:					
3.1 Compile a list of timelines for all processes as a reference guide and post this information in on the City's website in a customer-focused manner.	Growth Management to provide timelines for processes and will use data base to track and update process timelines as required.	Q1 2012	Medium Term Q2 2013	GMO Debbie Spence (to coordinate) ALL to provide timelines	Timelines and fees will also be reported on through the Service Delivery Review that is being presented to the General Issues Committee.
Building Permit Application Submission Prior to Site Plan Approval:					
3.2 Consider amending the site plan approval process to permit certain conditions to be satisfied after site plan application has been formally approved. In lieu of, or in addition to, a site plan application receiving conditional approval, an application would be able to be "approved with conditions".	The City's current Best Practice is to "approve site plans with conditions". Conditions of approval are structured into the following groups: <ul style="list-style-type: none"> ▪ prior to the commencement of grading on the site; ▪ prior to the application for a building permit; ▪ prior to occupancy; and, ▪ within 1 year of occupancy. Look at re-focusing the site plan application approval notification by changing the wording to reflect "approving site plans with conditions".	Q4 2012	Short Term Q2 2013	Lead: Planning Steve Robichaud Support: Building Dio Ortiz	
3.3 Consider amending and limiting waiver policy for building permit applications based on construction project scope and size (i.e. waiver policy to permit small business projects under a certain scope and size, to submit a building permit application before they clear certain site plan approved conditions).		Complete	Ongoing	Lead: Building Dio Ortiz Support Paul Mallard Jorge Caetano Tony Sergi	

Action Items	Additional Details	Start Date	Short, Medium, or Long Term Goal: Estimated Completion Date Quarter/Year	Name of Lead Division including Staff lead and Support	Further Approvals Required for Implementation
3.4 Consider initiating strict timelines for review of detailed plans (grading, landscaping, lighting, urban design, tree saving etc.) that are conditions of the site plan. Also refer to 3.5.	Timelines ultimately depend on completeness and quality of submissions, and status of plan with external agencies (MTO, CAs, etc.). Planning staff have established a timeline of four (4) weeks to review plans that are conditions of the site plan approval.	Q2 2012	Completed	Planning Lead Steve Robichaud Support Building Dio Ortiz Growth Management Gavin Norman	
<p>Review or Creation of Timelines where none currently exist:</p> 3.5 Growth Management Division will establish a timeline of four (4) weeks to review engineering submissions related to a site plan submission. Continue to track timelines for processing through 2013 and make any revisions to these timelines in 2014.	Staffing levels are directly impacted by both activity levels and revenue. Ultimately, timelines are based on Divisional capacity to perform work. Will report on issues that appear to be causing delays.	Q2 2012	Medium Term Q4 2013	Growth Management Gavin Norman	Performance to be tracked and evaluated. May require additional FTEs (and corresponding increase in fees for cost recovery) to meet consistent, improved timelines.
3.6 Licensing staff will continue to review the existing internal business licensing processes to create efficiencies and remove current backlog.	These reviews take place as part of the normal daily operations. Reviews have been completed with reports submitted to OFBSC in September 2012 (PED12150, PED12151).	September 2012	Short Term Ongoing	Licensing Al Fletcher	
3.7 Determine an average timeframe to process a Business Licence.	A current backlog of business licence exists. Processes as outlined in Reports PED12150 and PED12151 (see Action Item 3.7 above) will assist with this backlog. Limited staffing resources, new licence categories, workload, increase in charges (zoning verifications), and increasing inquiries especially with the One-Stop for Business Services, directly affect the timing of issuing licenses.	Q1 2013	Medium Term Q2 2013 Ongoing (yearly reporting)	Licensing Al Fletcher	Licensing – to undertake a review of staff resources at One-Stop and counter staff relocated to increase business license activity.

Action Items	Additional Details	Start Date	Short, Medium, or Long Term Goal: Estimated Completion Date Quarter/Year	Name of Lead Division including Staff lead and Support	Further Approvals Required for Implementation
	Additional staffing resources required to meet workload requirements.				
Signs:		Completed	Completed August 2012	Building Jorge Caetano	
3.8 Create one application for all signs as part of the issuance of the building permit, related only to wall and ground signs.		Completed	Completed August 2012	Building Jorge Caetano	
3.9 Include Sign By-Law on checklist for new business applications.	The Development Kit has been revised to explicitly identify the City of Hamilton Sign By-Law and sign permit.	Q3 2012	Complete	Planning and Licensing Steve Robichaud	N/A
3.10 Move to a completely on-line sign application and approval process.		Q1 2013	Long Term Q1 2014	Building and Licensing Dio Ortiz (OBC Signs) Al Fletcher (Temp Signs)	Delays may result from timing of City Web Strategy Initiative.
Site Plan Process					
Improve Patio Process:		Q1 2012	Short Term Complete Q4 2012	Lead: Planning Steve Robichaud	
4.1 Prepare and implement a simple communication tool that will outline the process and protocols for patios.	Proposals for an Outdoor Patio within the road allowance require approval from Public Works, proponents must submit an outdoor patio application. For outdoor patios on private property, a minor site plan application is required. Where an application is on both public and private property, staff coordinate the circulation and review process. A draft "Patio" brochure has been prepared by Public Works staff for patios within the road allowance.	Q1 2012	Short Term Complete Q4 2012	Lead: Planning Steve Robichaud	
4.2 Consider changes to the Site Plan processes where a property has gone through a minor variance process and the proposed addition/renovation has no impacts on zoning or parking.		Q3 2013	Medium Term Q4 2013	Planning Paul Mallard	
Single Point of Contact for Planning Applications:		Q1 2013	Ongoing	Lead: Planning Steve Robichaud/Scott Baldry	
4.3 Increase awareness and education of the role of the Planner and Business Facilitator within the One-Stop for Business Services, by		Q1 2013	Ongoing	Lead: Planning Steve Robichaud/Scott Baldry Support: GMO	

Action Items	Additional Details	Start Date	Short, Medium, or Long Term Goal: Estimated Completion Date Quarter/Year	Name of Lead Division including Staff lead and Support	Further Approvals Required for Implementation
establishing a proactive awareness campaign.				Debbie Spence	
Clear and publicly available guidelines: 4.4 Update the site plan guidelines and ensure these are described and available to all consultants and businesses.	Site plan submission guide updated on an ongoing basis. Last update was October 2012 regarding single detached dwellings in the Beach area.	Ongoing	Ongoing	Planning Steve Robichaud/Joe Gravina	
Engineering Guidelines: 4.5. Update and distribute current engineering guidelines by end of 2012, and ensure these are described and available to all consultants and businesses.	Method of publishing and notification to be determined.	Q3 2012	Short Term Q1 2013	Growth Management Gavin Norman John Morgante Sally Yong-Lee	
4.6 Complete a comprehensive review of Engineering and Growth Management guidelines, policies, and requirements to ensure they are current and aligned. This review will include comparison to other Municipalities as well as consultation with the development and engineering industry to identify market and industry.	Council approved and provided funding for staff to undertake a comprehensive review of our Engineering Guidelines for 2013. It is anticipated that the comprehensive review is to be completed in Q4 2013. An interim update will be issued in Q1 2013 with recent changes to ensure the stakeholders are designing to current requirements. Regularly publish changes to individual sections and policies within the guideline as required in consultation with the industry.	Q2 2012	Short Term Q1 2013/Q4 2013 September 26, 2012 (Report was approved by Planning Committee).	Growth Management Guy Paparella	
4.7 Develop a guide and/or checklist to help first-time customers understand the Growth Management process including: general timelines and an easy to understand description on how and why approval is needed for detailed engineering plans (sewer and storm water management).		Q1 2013	Medium Term Q2 2013	Growth Management Gavin Norman	
Building Processes					
5.1 Implement recommendations from the Report (PED12161) from Building Services entitled Recognition of Legally Established Business Uses Where Property Records are Non-Existent.		Q3 2012	Short Term Complete	Building Dio Ortiz	
5.2 Increase promotion of the Ontario Building Code (OBC) pre-		September	Short Term	Building and GMO	

Action Items	Additional Details	Start Date	Short, Medium, or Long Term Goal: Estimated Completion Date Quarter/Year	Name of Lead Division including Staff lead and Support	Further Approvals Required for Implementation
consultation meeting.		2012	On Going	Dio Ortiz and Debbie Spence	
5.3 Dedicate two (2) Building Service staff members as the main contact for the "One-Stop" and the broader small and medium size business sector, to assist and guide them through the building permit processes including: OBC pre-consultation, plans examination, communication of deficiencies and/or approval of building permits.	Currently the related OBC staff are struggling to keep up with existing workloads which are assigned based on Municipal address.	Ongoing	Short Term Q2 2013	Building Dio Ortiz	Staffing will be reviewed during 2013 to enhance services at One-Stop and may require further staffing enhancements as part of 2014 Budget.
Zoning & Parking Requirements					
Reducing Parking Requirements in Strategic Areas:					
6.1 Report back to GIC with respect to staff Report PED12114 entitled "Study of a Community Improvement Plan for the Creative Industries, and a Review of City Policies and By-Laws". The Report recommends an amendment to the zoning By-Law in order to reduce or relax parking requirements in strategic areas where we need to encourage investment (i.e. BIA areas, James Street North and South).	The Report was tabled at the June 27, 2012 GIC meeting for further consultation with the Ward Councillor.	Q1 2012	Medium Term Q3 2013	Planning Lead Steve Robichaud Support Economic Development and Parking	
6.2 Conduct stakeholder consultation on the proposed zoning changes. Consultation will occur in.	The Report was tabled at the June 27, 2012 GIC meeting for further consultation with the Ward Councillor. It is anticipated to bring forward a staff Report on the proposed zoning By-Law changes in Q3 2013.	Q1 2013	Medium Term Q3 2013	Planning Steve Robichaud	
Legal Non-Conforming Status:					
6.3 Implement recommendations from the Report (PED12162) from Building Services on Legal Non-Conforming Status.		Q3 2012	Complete	Building Dio Ortiz	
Temporary Occupancy Permit:					
6.4 Develop temporary occupancy permit application form and track number of properties that apply.	Report presented to OFBSC September 2012 (PED12151).	Q3 2012	Complete	Licensing Al Fletcher	

Action Items	Additional Details	Start Date	Short, Medium, or Long Term Goal: Estimated Completion Date Quarter/Year	Name of Lead Division including Staff lead and Support	Further Approvals Required for Implementation
Business Licensing					
7.1 Develop a new Liquor Licensing process.	Once fully developed, an Information Report will be provided to Council to outline the new process.	Q3 2012	Short Term Q1 2013	Licensing Al Fletcher	
Technology					
8.1 Review all current electronic tools to help make it easier for staff to monitor, communicate, and report on an individual applicant's status, and to recommend ways to increase the effectiveness of these tools (e.g. enhance current functionality on mobile devices) as well as new technology where necessary and financially feasible.	Presently, the Building Services Division provides parent AMANDA support to other users. Currently, Building Services and Municipal Law Enforcement AMANDA support are approx. 6 – 9 months behind in existing projects. New users will not have adequate support to implement, develop and maintain AMANDA.	Q1 2013	Medium Term Q4 2013	AMANDA Governance Team – Building, Growth Management, MLE, Planning Support: GMO and IT	Requires approval of \$400,000 2013 Capital Budget Request. Completion of these objectives may require additional Division specific support to develop and maintain the AMANDA system. Staffing to be reviewed in 2013 for possible enhancements as part of the 2014 Budget. It is anticipated that AMANDA support staff from the 4 Divisions will form a Cross-Divisional Support Team. IT support through their work plan is important.

Action Items	Additional Details	Start Date	Short, Medium, or Long Term Goal: Estimated Completion Date Quarter/Year	Name of Lead Division including Staff lead and Support	Further Approvals Required for Implementation
8.2 Enhance the current file management and monitoring system (e.g. AMANDA), to ensure proactive pre-application submission discussions are held between staff and clients. These discussions should include explaining the application process itself, associated fees, timelines, and ensure that all relevant issues are flagged at the beginning of the process.	Planning and Growth Management processes to be integrated into AMANDA system.	Q4 2012	Long Term 2014	Building, Planning, Growth Management, and Licensing Sally Yong-Lee Gavin Norman Steve Robichaud Al Fletcher/Joe Xamin Dio Ortiz	
8.3 Implement and train all relevant staff on using AMANDA, other technologies, and software to ensure more efficient data collective and enhanced customer service.	Growth Management to expand use of AMANDA for facilitating grading approvals and site plan inspection.	Q4 2012	Medium Term Ongoing	Building and Growth Management Sylvia Bishop Dio Ortiz John Morgante	
8.4 Review the potential of an electronic "public portal application" that will allow business owners and developers to submit applications online, check their application's status (i.e. being reviewed or approved), and allow outside agencies such as HCA to review applications and electronically submit their comments, which will connect with our main database AMANDA.		Q4 2012	Long Term 2014	Building, Planning, Growth Management, and Licensing Steve Robichaud Al Fletcher/Joe Xamin Dio Ortiz	Timing for this will be dependent on advancement of the Corporate Web Development Strategy.
8.5 Improve the File Management system to centralize responsibility for staff circulation and comments with one staff member throughout the lifetime of the Project, in order to provide a convenient liaison for the development industry.	Planning Division is the lead on this Project.	Q4 2013	Long Term 2015	Planning and Growth Management	
8.6 Develop or enhance technology to allow comments for circulation from relevant City Departments and external agencies (e.g. HCA) to take place electronically for Planning, Growth Management and Special Events processes.	Implement e-Review module via AMANDA.	Q3 2013	Long Term 2014	Building, Planning, Growth Management, and Tourism and Culture (AMANDA) Dio Ortiz Wayne Schrapp Steve Robichaud Bridget MacIntosh	
8.7 Engage discussions with the Corporate Information Technology Divisions regarding the development of a Corporate Cloud Technology Policy.	This project is related to both the Open Data Policy and Web Redevelopment Project.	Q2 2013	Medium Term Q4 2013	Open Data Policy Team and Web Redevelopment Team Al Little Mike Kirkopoulos Mike Zegeac	
Website					

Action Items	Additional Details	Start Date	Short, Medium, or Long Term Goal: Estimated Completion Date Quarter/Year	Name of Lead Division including Staff lead and Support	Further Approvals Required for Implementation
9.1 Establish "Open for Business" as being a top priority in the City's on-line service, and refer this endorsement to the Corporate Web Strategy Team.	The Open for Business Sub-Committee passed a motion requesting that 'Business Resources' for the website be a top priority. The motion that was passed at the June 13, 2012 Open for Business Sub-Committee was, that the Open for Business Sub-Committee supports "Open for Business" as a priority on-line service as part of the whole Web Re-development Strategy.	Q3 2012	Complete	Lead: Corporate Services Mike Zegarac Support: GMO Bill Janssen/Debbie Spence	
9.2 Establish that all Downtown properties (heritage status inventory) will be available online and "user-friendly" as part of the Downtown Built Heritage Inventory Project.	Database has been populated, ongoing heritage evaluation of properties, migration to the web pending the update of the City website.	Q2 2012	Medium Term Q3 2013	Planning Paul Mallard Michelle Sergi Steve Robichaud	Part of an approved Capital Budget Project.
9.3 Continue to improve the navigation and content using the current, but limited, web templates and technology and will discuss with Corporate Services what opportunities may be available for defining and completing the enhancement of online business resources.		Q1 2012	Short Term Ongoing	Lead: GMO Debbie Spence Support: ALL and Cartographic and Graphic Services PED Web Advisory Team	
Parkland Dedication Fees and By-Law					
10.1 Review the Parkland Dedication By-Law.	On January 17, 2012, Planning Committee already directed, "That staff report back to the Planning Committee on the issue of current high parkland dedication fees required for medium to high density residential Projects using the density formula, which is having an impact on multiple residential and intensification Projects proceeding".	Q4 2012	Medium Term Q4 2013	Real Estate, Finance, Public Works, and Planning Keith Anderson Michelle Sergi Finance Public Works	Discussed at Senior Management Team, November 2012. Moving forward delayed pending consideration of "Park Acquisition Strategy" Report by Public Works.
10.2 Review and make recommendations on allowing dedication revenues to be used in areas where they are collected. As part of this review, consultation needs to be undertaken with other affected Departments (i.e. Community Services and Public Works) as well as industry and community stakeholders.		Q4 2012	Medium Term Q4 2013	Finance/PED Rob Rossini Joe Spiler/Tim McCabe	

Action Items	Additional Details	Start Date	Short, Medium, or Long Term Goal: Estimated Completion Date Quarter/Year	Name of Lead Division including Staff lead and Support	Further Approvals Required for Implementation
Rural/Agricultural Needs					
11.1 Review current rural official plan and the rural zoning, and propose amendments that will make it easier for rural-based economic opportunities to be approved and recognized.	Rural Official Plan approved by the Ontario Municipal Board in March, 2012. Rural Official Plan contains policies for on-farm economic development opportunities. Rural Zoning By-Law being prepared to implement Rural Official Plan Policies.	Q2 2012	Q4 2013	Planning Joanne Hickey Evans	
11.2 Consider adding a new Business Facilitator position or task a current Business Facilitator to take on the role and expertise of "Rural Business Facilitator".	A Business Facilitator currently attends Rural and Agricultural Advisory Committee Meetings to provide assistance to the rural community, and is identified point of contact for rural affairs.	Q3 2012	Ongoing initiative	Planning Steve Robichaud Joe Gravina	Staffing models to be reviewed.
Fees					
12.1 Prepare a comprehensive Fee Review Study as part of the 2013 Budget.	This fee review is currently on going and will be a part of the 2013 Budget process.	Q3 2011	Q4 2012	Planning and Growth Management Guy Paparella Tony Sergi	Scheduled for consideration by Planning Committee December 4, 2012.
Letters of Credit (LCs)					
13.1 Review staffing based on activity levels and revenue.	Staffing is subject to the User Fee review, which is currently underway.	Q1 2013	Q4 2013	Growth Management John Morgante	
13.2 Continue to work collaboratively with the development industry and in particular the Hamilton-Halton Home Builders Association, to analyze potential new security vehicles to expedite the Letter of Credit process, and to streamline reductions and improve timelines.	HHHBA recently provided update as to their investigation into other approaches being implemented in the Greater Toronto Area.	Ongoing	Medium Term Q4 2013	Growth Management Tony Sergi	
13.3 Staff to monitor and track LC processing timing and implement staff cross-training to assist in processing LCs.	Reallocation of resources to address this may impact inspection and approval timing. Will investigate other options available and those currently being used by other	Ongoing	Medium Term Q4 2013	Growth Management John Morgante	Results of monitoring and process review may have a staffing impact

Action Items	Additional Details	Start Date	Short, Medium, or Long Term Goal: Estimated Completion Date Quarter/Year	Name of Lead Division including Staff lead and Support	Further Approvals Required for Implementation
	Municipalities. Staffing levels are directly affected by activity levels and revenue.				requiring additional FTEs and corresponding increase in fees.
Intensification Policies & Guidelines					
14.1 Develop and implement an intensification and re-urbanization Education Program.	City staff will consult widely, and work in particular with the HHHBA.	Q3 2012	Medium Term Q4 2013	Planning Christine Newbold	Strategy will require Council approval.
14.2 New Urban Design Guidelines will be prepared for the James Street North and Centennial Parkway corridors.	James Street North will be the first priority for this Project.	Q1 2013	Medium Term Q4 2014	Planning Anita Fabac	
Public Health Inspections					
15.1 A Quality Assurance Advisor position has been developed for the development of Quality Assurance processes and to monitor each Public Health Inspector for consistency in inspection practices.		Q1 2013	Ongoing	Public Health George Rice	
15.2 The Public Health Services Quality Advisor will evaluate inspection staff to determine the level of consistency in inspections and investigations in the field.		Q1 2013	Ongoing	Public Health George Rice	



GENERAL ISSUES COMMITTEE

REPORT 12-031(a)

(as approved by City Council on December 12, 2012)

9:30 a.m.

Friday, December 7, 2012

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Deputy Mayor B. Morelli (Chair)
Mayor R. Bratina
Councillors C. Collins, S. Duvall, J. Farr, L. Ferguson,
T. Jackson, B. Johnson, S. Merulla, R. Pasuta, J. Partridge,
R. Powers T. Whitehead

Absent with Regrets: Councillor B. McHattie – Vacation
Councillor M. Pearson – Illness
Councillor B. Clark – Personal Business

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 12-031(a) AND RESPECTFULLY RECOMMENDS:

1. Horizon Utilities Water and Wastewater 2012 Service Activity Report (FCS12077) (City Wide) (Item 3.1)

That Report FCS12077 respecting Horizon Utilities Water and Wastewater 2012 Service Activity Report, be received.

2. Anthony Chiarella, Vice President, Hamilton-Halton Home Builders' Association, respecting the 2013 Rate Budget for Water, Wastewater and Stormwater (New Business)

That the correspondence from Michael Barton, Policy Director for the Hamilton-Halton Home Builders' Association, expressing the HHHBA's concerns, attached hereto as Appendix "A", be received.

3. 2013 Recommended Water, Wastewater and Storm Budget (FCS12076/PW12085) (City Wide) (Item 5.1)

(a) That the metered water rate effective January 1, 2013, be increased by 4.25% from \$1.174 to \$1.224 per cubic meter;

- (b) That the monthly and bi-monthly water basic charge effective January 1, 2013 be increased by 4.25%;
- (c) That the metered sanitary sewer surcharge rates effective January 1, 2013, remain 100% of the water charge;
- (d) That the combined “non-metered” water and wastewater services charge effective January 1, 2013 be increased by 4.25% from the fixed rate of \$857.06 to \$893.48 per annum;
- (e) That the 2013 Water and Wastewater Proposed User Fees and Charges be approved as per Appendix “F”, as amended, and attached hereto as Appendix “B”;
- (f) That the 2013 Water, Wastewater and Stormwater Management Rate Supported Operating Budget in the amount of \$171,971,770 be approved as per Appendix “A” to FCS12076/PW12085;
- (g) That the long-term financing plan for the Water, Wastewater and Stormwater programs and related rate increases required to meet sustainable financing, as identified in the 2013-2022 Water, Wastewater and Stormwater Management Rate Supported Operating Budget forecast (Appendix “A”) to FCS12076/PW12085 be approved in principle;
- (h) That the 2013 Water, Wastewater and Stormwater Management Rate Supported Capital Budget and Financing Plan in the amount of \$182,443,000 be approved as per Appendix “G” to FCS12076/PW12085;
- (i) That the 2013-2022 Water, Wastewater and Stormwater Management Rate Supported Capital Budget forecast and financing plan (Appendix “I”) to FCS12076/PW12085 be approved in principle;
- (j) That the City Solicitor and Corporate Counsel be authorized and directed to prepare all necessary by-laws, for Council approval, respecting the 2013 water and wastewater user fees and charges set out in recommendations (a) through (e) of Report FCS12076/PW12085.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

DELEGATION REQUEST

- (i) Anthony Chiarella, Vice President, Hamilton-Halton Homebuilders' Association, respecting the 2013 Rate Budget for Water, Wastewater and Stormwater (Added New Business)

MATERIAL DISTRIBUTED

- (ii) Revised Appendix "F" to the 2013 Rate Budget and Services Over-view – 2013 Proposed User Fees & Charges Rate Supported

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

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) DELEGATION REQUEST

- (i) **Delegation Request from Anthony Chiarella, Vice President, Hamilton-Halton Home Builders' Association, respecting the 2013 Rate Budget for Water, Wastewater and Stormwater**

On a motion, the delegation request from Anthony Chiarella, Vice President, Hamilton-Halton Home Builders' Association, respecting the 2013 Rate Budget for Water, Wastewater and Stormwater was approved, and the rules of order were suspended to allow the opportunity for Mr. Chiarella to address the Committee at today's meeting.

(d) PUBLIC HEARINGS/DELEGATIONS

- (i) **Anthony Chiarella, Vice President, Hamilton-Halton Home Builders' Association, respecting the 2013 Rate Budget for Water, Wastewater and Stormwater**

Mr. Chiarella appeared before the Committee on behalf of the Hamilton-Halton Home Builders' Association to express their concern respecting the expansion and upgrade of the Woodward Wastewater Treatment Plant as related to the 2013 Rate Budget.

On a motion, the presentation by Anthony Chiarella, Vice President, Hamilton-Halton Home Builders' Association, respecting the 2013 Rate Budget for Water, Wastewater and Stormwater, was received.

(e) STAFF PRESENTATIONS

**(i) 2013 Recommended Water, Wastewater and Stormwater Budget
(FCS12076/PW12085) (City Wide)**

On a motion, the staff presentation respecting the 2013 Recommended Water, Wastewater and Stormwater Budget was waived.

NOTE: A copy of the power point presentation is available for viewing on the City of Hamilton website.

(f) ADJOURNMENT

There being no further business, the Committee adjourned at 10:40 a.m.

Respectfully submitted

Councillor B. Morelli
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
Office of the City Clerk



Community Builders...Building Communities

December 7, 2012

General Issues Committee
City of Hamilton
71 Main Street West
Hamilton, ON L8P 4Y5

Re: 2013 Rates Budget for Water and Wastewater

We are writing to express our concerns with portions of the 2013 Rates Budget for Water and Wastewater as it relates to the planned upgrades and expansion of the Woodward Wastewater Treatment Plant (WWWTP). The Rates Budget has been prepared based on revised project costs, revised phasing/timing of the project(s), and revised assumptions of the Development Charges component that will be used to partially finance the project, none of which are in keeping with the current Development Charges (DC) By-Law. It is our position that the Rates Budget should have been prepared to reflect the currently approved DC By-law, and not be based on revised assumptions in advance of the 2014 DC Review Process.


The 2012 Budget and current DC By-Law included \$770 million for upgrade and expansion of the WWWWTP as one project. By comparison, the 2013 Budget includes \$480 million for water quality projects to be completed by 2016 as Phase 1 one of the project, and \$262 million included for expansion of the WWWWTP beyond 2022 as a second phase. Phasing of these projects results in dramatic deviations from the 2012 Budget, as well as the assumptions used in preparing the 2011 DC By-Law. As a result of phasing the projects in this manner, the overall component paid by DCs for the combined projects increases, while total project costs have decreased. Furthermore, the report makes suggestions about how DCs collected will result in a surplus in early years, to be applied to projects in later years. It is our position that changes to the methodology and/or revision of DCs should be done as part of a DC Review process only. As a consequence of these changes, the City will be collecting DCs on the basis of assumptions about the upgrades and expansion of the WWWWTP that are no longer consistent with its intent for proceeding, nor its approved Capital Budgets. Moreover, the changes are based on assumptions about the costs and timing of works that will be determined through the 2014 DC Review, and predetermines the outcomes of that process.

These changes create a problematic situation that needs to be addressed. We wish to go on record as voicing our strong opposition to this Rates Budget setting a precedent for the next DC By-Law, thereby precluding the review of projects, splits between growth/non-growth, normally carried out at that time. We further wish to note that our Association will expect a full accounting of the funds that have already been collected, and will continue to be collected, under the 2011 DC By-Law, and if appropriate, refunds to account for overpayments. Lastly, we wish to reiterate our position made in our presentation to committee on August 13, 2012 regarding grant allocation, and advise that our membership expects grants to be allocated to the overall project costs and split between growth and non-growth, as originally calculated in the 2011 DC-Bylaw. In order to avoid these challenges, we highly recommend that the City amend the components of the 2013 Rates Budget related to the WWWWTP to be consistent with the Background Study to the 2011 DC By-Law. Future Rates Budgets could then be prepared consistently with any revised assumptions of the approved 2014 DC By-Law.

In summary, it is our position that it is not appropriate for the Rates Budget to be used as a precedent to be followed in undertaking a subsequent Development Charges Review Process.

Yours truly,

HAMILTON-HALTON HOME BUILDERS' ASSOCIATION


Michael Barton
Policy Director

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CITY OF HAMILTON
2013 WATER AND WASTEWATER FEES AND CHARGES
Effective January 1, 2013

A) Minimum Charge

The minimum charge per billing period is as follows:

Meter Size	Approved Bi-Monthly Rate	Minimum Volume/ Bi-Monthly	Approved Monthly Rate	Minimum Volume/Month
15 mm	\$17.56	10 m ³	\$8.78	5 m ³
16 mm	\$17.56	10 m ³	\$8.78	5 m ³
20 mm	\$17.56	10 m ³	\$8.78	5 m ³
25 mm	\$92.86	30 m ³	\$46.43	15 m ³
38 mm	\$103.16	30 m ³	\$51.58	15 m ³
50 mm	\$122.70	30 m ³	\$61.35	15 m ³
75 mm	\$212.56	30 m ³	\$106.28	15 m ³
100 mm	\$272.26	30 m ³	\$136.13	15 m ³
150 mm	\$481.76	30 m ³	\$240.88	15 m ³
200 mm	\$831.86	30 m ³	\$415.93	15 m ³
250 mm	\$1,280.64	30 m ³	\$640.32	15 m ³

Haldimand/Halton Meter Size

50 mm	\$184.04	30 m ³	\$92.02	15 m ³
100 mm	\$408.38	30 m ³	\$204.19	15 m ³
150 mm	\$722.68	30 m ³	\$361.34	15 m ³
200 mm	\$1,247.76	30 m ³	\$623.88	15 m ³

B) Consumption Charge

The consumption charge for water used over and above the volume per bi-monthly billing is as follows:

Meter Size		Usage Charge Per Cubic Metre
15 mm - 20 mm	10 m ³	\$1.223 > 10 m ³
25 mm - 250 mm	30 m ³	\$1.223 > 30 m ³
Haldimand & Halton	30 m ³	\$1.836 > 30 m ³

C) SANITARY SURCHARGE IS 100% OF THE METERED WATER RATE*

*(1) Applies to minimum charges and consumption charges with the exception of Haldimand, Halton and water haulers.

D) NON-METERED ANNUAL WATER AND WASTEWATER RATE

Flat Rate Water Customers Annual Rate: \$446.74

Flat Rate Sewer Customers Annual Rate: \$446.74

Combined Flat Rate Water & Sewer Customers Annual Rate: \$893.48

City of Hamilton - 2013 Private Fire Line Rates

This service shall consist of permanent unmetered connections to the main for the purpose of supplying water to private fire protection systems such as automatic sprinkler systems, standpipes and private hydrants. This service shall also include reasonable quantities of water used for testing check valves and other backflow protection devices.

Unmetered Service

Size of Connection		Monthly Rate
mm	inches	
25	1	\$ 3.00
38	1.5	\$ 6.90
50	2	\$ 12.00
75	3	\$ 27.00
100	4	\$ 48.00
150	6	\$ 108.00
200	8	\$ 192.00
250	10	\$ 192.00
300	12	\$ 192.00

2013 PROPOSED USER FEES AND CHARGES

Department: **PUBLIC WORKS**
 Division: **WATER, WASTEWATER & STORMWATER**

Year Fee Last Revised	Dept. By-Law #	Dept ID	Account #	Ref #	Service Offered	2012 Existing Fee	2013 Proposed Fee	HST (y/n)	2013 vs 2012 % Fee Change	Basis for Fee Increase
					WATER DISTRIBUTION					
2012	R84-026	510220	47220	1	Water Meter Permit Fees include supply and installation of water meter and remote reading device by City and related inspection.					
				1 a)	16mm Displacement	\$351.60	\$359.70	n	2.3%	
				1 b)	20mm Displacement	\$395.50	\$404.60	n	2.3%	
				1 c)	25mm Displacement	\$546.80	\$559.40	n	2.3%	
				1 d)	38mm Displacement	\$817.60	\$836.40	n	2.3%	
				1 e)	50mm Displacement	\$979.10	\$1,001.60	n	2.3%	
				1 f)	50mm Compound with Strainer	\$3,241.80	\$3,316.40	n	2.3%	
				1 g)	100mm Turbine with Strainer	\$3,058.80	\$3,129.20	n	2.3%	
				1 h)	100mm Compound with Strainer	\$4,770.70	\$4,880.40	n	2.3%	
				1 i)	100mm Fire Service Compound	\$4,947.50	\$5,061.30	n	2.3%	
				1 j)	150mm Turbine with Strainer	\$5,278.60	\$5,400.00	n	2.3%	
				1 k)	150mm Compound with Strainer	\$9,426.90	\$9,643.70	n	2.3%	
				1 l)	150mm Fire Service Turbine	\$5,437.00	\$5,562.10	n	2.3%	
				1 m)	150mm Fire Service Compound	\$10,240.40	\$10,475.90	n	2.3%	
				1 n)	200mm Fire Service Turbine	\$9,451.50	\$9,668.90	n	2.3%	
				1 o)	200mm Fire Service Compound	\$14,011.60	\$14,333.90	n	2.3%	
				1 p)	250mm Fire Service Compound	\$19,925.90	\$20,384.20	n	2.3%	
				1 q)	Other Sizes & Types	Cost + 10% OH	Cost + 10% OH	n		
NEW	R84-026	514330	45590	2	Construction Water					
				2 a)	Single Residential (per lot or townhouse)	\$0.00	\$75.00	n		Charge for unmetered water used for construction prior to meter installation.
				2 b)	Multi-residential (per apartment/condo unit)	\$0.00	\$35.00	n		
				2 c)	Industrial/Commercial/Institutional (\$/1,000sqft of building area)	\$0.00	\$25.00	n		
2012	R84-026	510220	45519	3	Water Meter Removal Fee	Cost + 10% OH	Cost + 10% OH	n		
2012	R84-026	510220	45519	4	Inspection Services					
				4 a)	Regular Inspection	\$69.40	\$71.00	n	2.3%	
				4 b)	Complex or Development inspection (per service)	\$69.40	\$71.00	n	2.3%	
				4 c)	Regular Inspection - after hours	\$106.50	\$108.90	n	2.3%	
2012	R84-026	514330	47224	5	Existing Water Service Replace or Repair Fee aka Poor Pressure Permit - not including new water meter (if required)					
				5 a)	Service replacement from <20mm to 20mm diameter (public and private portion)	\$297.20	\$304.00	n	2.3%	
				5 b)	Service replacement from <20mm to 20mm diameter (private portion only) * additional fees will apply for service size upgrades based on size and length	\$224.20	\$229.40	n	2.3%	
				5 c)	Upgrade from 20mm to 25mm - Short Side	\$27.50	\$28.10	n	2.2%	
				5 d)	Upgrade from 20mm to 25mm - Long Side	\$51.60	\$52.80	n	2.3%	

Note: If HST = "y", HST is collected in addition to the Proposed Fee
 Regular hours are 7:00 am to 4:30 pm Monday to Friday for billing purposes

2013 PROPOSED USER FEES AND CHARGES

Department: **PUBLIC WORKS**
 Division: **WATER, WASTEWATER & STORMWATER**

Year Fee Last Revised	Dept. By-Law #	Dept ID	Account #	Ref #	Service Offered	2012 Existing Fee	2013 Proposed Fee	HST (y/n)	2013 vs 2012 % Fee Change	Basis for Fee Increase
2012	R84-026	514330	45679	6	For Turning Water On or Off					
				6 a)	For turning water on (Regular Hours)	\$69.40	\$71.00	n	2.3%	
				6 b)	For turning water off (Regular Hours)	\$69.40	\$71.00	n	2.3%	
				6 c)	For turning water on (After Hours)	\$106.50	\$108.90	n	2.3%	
				6 d)	For turning water off (After Hours)	\$106.50	\$108.90	n	2.3%	
				6 e)	For turning water off and on during the same call (Regular Hours)	\$104.20	\$106.60	n	2.3%	
				6 f)	For turning water off and on during the same call (After Hours)	\$158.40	\$162.00	n	2.3%	
2012	R84-026	514330	45636	7	Hydrant Flow Test	\$100.90	\$103.20	n	2.3%	
				8	Hydrant Adaptor Fees					
					This service requires a usage deposit and a damage deposit					
2012	R84-026	514330	41208	8 a)	Usage Cost (Metered Hauled Water Rate / m3)	\$1,761/m3	\$1,836/m3	n	4.25%	Equivalent to volumetric water rate increase
2012	R84-026	514330	45636	8 b)	Connection/Disconnection Fee - Regular Hours	\$196.20	\$200.70	n	2.3%	
2012	R84-026	514330	45636	8 c)	Connection/Disconnection Fee - After Hours	\$296.40	\$303.20	n	2.3%	
2012	R84-026	514330	41209	8 d)	Usage Deposit	\$280.00	\$285.00	n	1.8%	
2012	R84-026	514330	41209	8 e)	Damage Deposit	\$5,596.50	\$5,715.00	n	2.1%	
2012	R84-026	514330	41209	8 f)	Hydrant adaptor base rental fee includes first 7 days	\$76.70	\$78.00	n	1.7%	
2012	R84-026	514330	41209	8 g)	Per Diem hydrant adaptor rental fee after initial 7 days	\$5.60	\$5.70	n	1.8%	
2012	R84-026	510220	45608	9	Replacement Cost for Lost Meter:					
				9 a)	16mm Displacement	\$188.00	\$192.30	n	2.3%	
				9 b)	20mm Displacement	\$278.50	\$284.90	n	2.3%	
				9 c)	25mm Displacement	\$345.40	\$353.30	n	2.3%	
				9 d)	38mm Displacement	\$770.10	\$787.80	n	2.3%	
				9 e)	50mm Displacement	\$883.50	\$903.80	n	2.3%	
				9 f)	50mm Compound with Strainer	\$3,706.80	\$3,792.10	n	2.3%	
				9 g)	100mm Turbine with Strainer	\$3,190.70	\$3,264.10	n	2.3%	
				9 h)	100mm Compound with Strainer	\$5,155.00	\$5,273.60	n	2.3%	
				9 i)	100mm Fire Service Compound	\$8,084.00	\$8,269.90	n	2.3%	
				9 j)	150mm Turbine with Strainer	\$5,871.40	\$6,006.40	n	2.3%	
				9 k)	150mm Compound with Strainer	\$8,934.30	\$9,139.80	n	2.3%	
				9 l)	150mm Fire Service Turbine	\$8,376.30	\$8,569.00	n	2.3%	
				9 m)	150mm Fire Service Compound	\$12,934.40	\$13,231.90	n	2.3%	
				9 n)	200mm Fire Service Turbine	\$11,306.40	\$11,566.40	n	2.3%	
				9 o)	200mm Fire Service Compound	\$17,785.90	\$18,195.00	n	2.3%	
				9 p)	250mm Fire Service Compound	\$25,126.90	\$25,704.80	n	2.3%	
				9 q)	Other Sizes & Types	Cost + 10% OH	Cost + 10% OH	n		
2012	R84-026	510220	45690	10	Bench testing Water Meters, referred to in Section 9 of the By-Law					
				10 a)	16 mm - 25 mm Diameter	\$130.30	\$133.30	n	2.3%	
				10 b)	38 mm to 50 mm Diameter	\$192.60	\$197.00	n	2.3%	
				10 c)	100 mm plus diameter	Cost + 10% OH	Cost + 10% OH	n		
				10 d)	In Situ testing of water meters (all sizes)	Cost + 10% OH	Cost + 10% OH	n		

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 Regular hours are 7:00 am to 4:30 pm Monday to Friday for billing purposes

2013 PROPOSED USER FEES AND CHARGES

Department: **PUBLIC WORKS**
 Division: **WATER, WASTEWATER & STORMWATER**

Year Fee Last Revised	Dept. By-Law #	Dept ID	Account #	Ref #	Service Offered	2012 Existing Fee	2013 Proposed Fee	HST (y/n)	2013 vs 2012 % Fee Change	Basis for Fee Increase
2012	R84-026	510220	45608	11 a)	Service Call (Regular Hours)	\$69.40	\$71.00	n	2.3%	
2012	R84-026	510220	45608	11 b)	Service Call (After Hours)	\$106.50	\$108.90	n	2.3%	
2012	R84-026	variable	45690	12	Repair or Replace City Property (Labour, Materials and Equipment Costs)	Cost + 33% OH	Cost + 33% OH	n		
2012	R84-026	514330	45679	13	Watermain Valve turn on or off (per valve)	Cost + 33% OH	Cost + 33% OH	n		
2012	R84-026	514330	47244	14	Private Water Station Agreement Fees					
				14 a)	Renewal	\$336.20	\$343.90	n	2.3%	
				14 b)	New Application	\$1,121.10	\$1,146.90	n	2.3%	
2012	R84-026	514330	47232	15	Water Haulage License Fee (includes 2 cards)	\$190.60	\$195.00	n	2.3%	
2012	R84-026	510220	45519	16	General Administration Fees					
				16 a)	Extra/lost card replacement	\$44.90	\$45.90	n	2.2%	
				16 b)	Account review	\$98.80	\$101.10	n	2.3%	
				16 c)	General requests (per hour)	\$50.60	\$51.70	n	2.2%	
				16 d)	NSF Cheque	\$30.90	\$31.60	n	2.3%	
				16 e)	Permit Cancellation administrative fee	\$27.50	\$28.10	n	2.2%	
				16 f)	Permit Renewal Fee	\$38.40	\$39.30	n	2.3%	
2012	R84-026	510220	45644	17	Backflow Prevention Program					
				17 a)	Backflow Prevention program registration in accordance with section 4.2 of the Backflow Prevention By-law (annual fee)	\$102.20	\$104.60	n	2.3%	
				17 b)	Test Report receipt and processing (per submission - each test report)	\$51.10	\$52.30	n	2.3%	
				17 c)	Cross Connection Survey Form receipt and processing (per form upon submission)	\$102.20	\$104.60	n	2.3%	
				17 d)	Backflow Prevention Device Installation Permit (outside building)	\$122.60	\$125.40	n	2.3%	
				17 e)	Backflow Prevention Device Inspection - Regular Hours	\$69.40	\$71.00	n	2.3%	
				17 f)	Backflow Prevention Device Inspection - After Hours	\$106.50	\$108.90	n	2.3%	

Note: If HST = "y", HST is collected in addition to the Proposed Fee
 Regular hours are 7:00 am to 4:30 pm Monday to Friday for billing purposes

2013 PROPOSED USER FEES AND CHARGES

Department: **PUBLIC WORKS**
 Division: **WATER, WASTEWATER & STORMWATER**

Year Fee Last Revised	Dept. By-Law #	Dept ID	Account #	Service Offered	2012 Existing Fee	2013 Proposed Fee	HST (y/n)	2013 vs 2012 % Fee Change	Basis for Fee Increase
				COLLECTION SYSTEM INSPECTION & MAINTENANCE					
2012	06-026	516175	47230	Basic Fee for any Sewer Permit (Recovery of Administration Costs)	\$59.80	\$61.20	n	2.3%	
				In addition to the basic fee described in the above subsection, the following fees are payable:					
2012	06-026	516175	47230	for a sanitary sewer lateral private	\$25.10	\$25.60	n	2.0%	
2012	06-026	516175	47230	for a sanitary sewer lateral public	\$25.10	\$25.60	n	2.0%	
2012	06-026	516175	47230	for a storm water sewer lateral private	\$25.10	\$25.60	n	2.0%	
2012	06-026	516175	47230	for a storm water sewer lateral public	\$25.10	\$25.60	n	2.0%	
2012	06-026	516175	47230	for a lateral connection to sewer lateral private	\$25.10	\$25.60	n	2.0%	
2012	06-026	516175	47230	for a catch basin including connection to a storm sewer lateral private	\$25.10	\$25.60	n	2.0%	
2012	06-026	516175	47230	inspect Storm Sewer	\$25.10	\$25.60	n	2.0%	
2012	06-026	516175	47230	inspect Sanitary Sewer	\$25.10	\$25.60	n	2.0%	

Note: If HST = "y", HST is collected in addition to the Proposed Fee
 Regular hours are 7:00 am to 4:30 pm Monday to Friday for billing purposes

2013 PROPOSED USER FEES AND CHARGES

Department: **PUBLIC WORKS**
 Division: **WATER, WASTEWATER & STORMWATER**

Year Fee Last Revised	Dept. By-Law #	Dept ID	Account #	Service Offered	2012 Existing Fee	2013 Proposed Fee	HST (y/n)	2013 vs 2012 % Fee Change	Basis for Fee Increase
2012	06-026	516175	45519	Sanitary sewer lateral private Weekends (1 Inspector) + public portion inspection	\$251.20	\$257.00	n	2.3%	
2012	06-026	516175	45519	Complete Sewer Lateral Investigation - Regular Hours	\$530.40	\$473.00	n	-10.8%	Decreased costs associated with new contract pricing resulting from recently completed procurement.
2012	06-026	516175	45519	Complete Sewer Lateral Investigation - After Hours	\$630.70	\$561.00	n	-11.1%	
2012	06-026	516175	45519	Partial Sewer Lateral Cleaning - Regular Hours	\$435.80	\$275.00	n	-36.9%	
2012	06-026	516175	45519	Partial Sewer Lateral Cleaning - After Hours	\$527.50	\$319.00	n	-39.5%	
2012	06-026	516175	45519	Abandoned Sewer Lateral Investigation - Regular Hours	\$435.80	\$297.00	n	-31.8%	
2012	06-026	516175	45519	Abandoned Sewer Lateral Investigation - After Hours	\$516.00	\$374.00	n	-27.5%	
2012	06-026	516175	45519	Expired Permit Extension (Renewal)	\$37.60	\$38.40	n	2.1%	
2012	06-026	516175	45519	Service Call for Missed Appointments and Inspections not Ready	\$112.10	\$114.70	n	2.3%	

Note: If HST = "y", HST is collected in addition to the Proposed Fee
 Regular hours are 7:00 am to 4:30 pm Monday to Friday for billing purposes

2013 PROPOSED USER FEES AND CHARGES

Department: **PUBLIC WORKS**
 Division: **WATER, WASTEWATER & STORMWATER**

Year Fee Last Revised	Dept. By-Law #	Dept ID	Account #	Service Offered	2012 Existing Fee	2013 Proposed Fee	HST (y/n)	2013 vs 2012 % Fee Change	Basis for Fee Increase
LABORATORY SERVICES									
Inorganic Tests:									
2011	03-357	510250	45519	pH Test	\$10.05	\$10.28	y	2.3%	
2011	03-357	510250	45519	Conductivity	\$10.05	\$10.28	y	2.3%	
2011	03-357	510250	45519	Turbidity	\$10.05	\$10.28	y	2.3%	
2011	03-357	510250	45519	Ammonia	\$21.16	\$21.66	y	2.3%	
2011	03-357	510250	45519	Total Kjeldhal Nitrogen (TKN)	\$27.94	\$28.58	y	2.3%	
2011	03-357	510250	45519	Nitrate, Nitrite	\$21.16	\$21.66	y	2.3%	
2011	03-357	510250	45519	Phosphorus Total	\$27.94	\$28.58	y	2.3%	
2011	03-357	510250	45519	Reactive Phosphorus	\$21.16	\$21.66	y	2.3%	
2011	03-357	510250	45519	Fluoride	\$21.16	\$21.66	y	2.3%	
2011	03-357	510250	45519	Chloride	\$21.16	\$21.66	y	2.3%	
2011	03-357	510250	45519	Sulphate	\$21.16	\$21.66	y	2.3%	
2011	03-357	510250	45519	Total Suspended Solids (TSS)	\$21.16	\$21.66	y	2.3%	
2011	03-357	510250	45519	Total Volatile Solids (TVS)	\$21.16	\$21.66	y	2.3%	
2011	03-357	510250	45519	Chemical Oxygen Demand (COD)	\$21.16	\$21.66	y	2.3%	
2011	03-357	510250	45519	Biochemical Oxygen Demand (BOD)	\$40.21	\$41.13	y	2.3%	
2011	03-357	510250	45519	Phenolics	\$30.16	\$30.85	y	2.3%	
2011	03-357	510250	45519	Total Cyanide	\$30.16	\$30.85	y	2.3%	
2011	03-357	510250	45519	Other non-listed inorganic tests	\$21.16	\$21.66	y	2.3%	
2011	03-357	510250	45519	Chlorine	\$10.05	\$10.28	y	2.3%	
2011	03-357	510250	45519	Ion Chromatograph Anion Scan	\$49.20	\$50.33	y	2.3%	
2011	03-357	510250	45519	Dissolved Organic Carbon	\$30.16	\$30.85	y	2.3%	
Microbiology Tests:									
2011	03-357	510250	45519	Total Coliform	\$13.33	\$13.65	y	2.4%	
2011	03-357	510250	45519	E. coli	\$13.33	\$13.65	y	2.4%	
2011	03-357	510250	45519	Heterotrophic Plate Count	\$21.16	\$21.66	y	2.3%	

Note: If HST = "y", HST is collected in addition to the Proposed Fee

2013 PROPOSED USER FEES AND CHARGES

Department: **PUBLIC WORKS**
 Division: **WATER, WASTEWATER & STORMWATER**

Year Fee Last Revised	Dept. By-Law #	Dept ID	Account #	Service Offered	2012 Existing Fee	2013 Proposed Fee	HST (y/n)	2013 vs 2012 % Fee Change	Basis for Fee Increase
				Metals:					
2012	03-357	510250	45519	Hydride Generation	\$33.55	\$34.31	y	2.3%	
2012	03-357	510250	45519	Graphite Furnace	\$30.16	\$30.85	y	2.3%	
2012	03-357	510250	45519	Mercury	\$44.65	\$45.68	y	2.3%	
2012	03-357	510250	45519	ICP Scan (25 elements)	\$71.52	\$73.16	y	2.3%	
				Non-routine tests by:					
2012	03-357	510250	45519	Technician (per hour)	\$66.86	\$68.40	y	2.3%	
2012	03-357	510250	45519	Technologist (per hour)	\$67.82	\$69.38	y	2.3%	
2012	03-357	510250	45519	Chemist (per hour)	\$97.97	\$100.22	y	2.3%	
				Organic Tests:					
2012	03-357	510250	45519	Total Oil & Grease	\$46.97	\$48.05	y	2.3%	
2012	03-357	510250	45519	Total Oil & Grease Vegetable & Mineral	\$72.59	\$74.24	y	2.3%	
2012	03-357	510250	45519	Semi-Volatiles - Full Scan plus Base Neutral Targets (Include PAH's)	\$478.08	\$489.08	y	2.3%	
2012	03-357	510250	45519	Volatiles - Full Scan plus Chlorinated and Aromatic Targets	\$251.37	\$257.15	y	2.3%	
	03-357	510250	45519	Oil ID	\$157.52	\$161.14	y	2.3%	
2012	03-357	510250	45519	BTEX	\$134.05	\$137.13	y	2.3%	
2012	03-357	510250	45519	Trihalomethanes	\$113.94	\$116.56	y	2.3%	
2012	03-357	510250	45519	PCB's	\$119.55	\$122.29	y	2.3%	
2012	03-357	510250	45519	Cold and Hot Extractable Hydrocarbons plus BTEX	\$239.10	\$244.61	y	2.3%	

Note: If HST = "y", HST is collected in addition to the Proposed Fee

2013 PROPOSED USER FEES AND CHARGES

Department: **PUBLIC WORKS**
 Division: **WATER, WASTEWATER & STORMWATER**

Year Fee Last Revised	Dept. By-Law #	Dept ID	Account #	Service Offered	2012 Existing Fee	2013 Proposed Fee	HST (y/n)	2013 vs 2012 % Fee Change	Basis for Fee Increase
				To Regulate the Discharge of any Matter into the Sanitary, Combined, and Storm Sewer Systems.					
2012	04-150	516175	47232	<u>Annual Permit to discharge hauled sewage</u>	\$283.31	\$289.83	n	2.3%	
				Discharge fees for hauled sewage generated:					
				<u>Inside the City - Compliant</u>					
2012	04-150	516175	41314	up to 1000 imperial gallons (4.54 m3) or any part thereof greater than 1000 (4.54 m3) but less than or equal to 3500	\$42.64	\$43.62	n	2.3%	
2012	04-150	516175	41314	Imperial gallons (15.9m3) greater than 3500 (15.9 m3) but less than or equal to 5000	\$42.64	\$43.62	n	2.3%	
2012	04-150	516175	41314	Imperial gallons (22.7 m3) greater than 5000 (22.7 m3) but less than or equal to 8000	\$85.27	\$87.24	n	2.3%	
2012	04-150	516175	41314	Imperial gallons (36.3 m3) greater than 8000 (36.3 m3) but less than or equal to 10000	\$127.92	\$130.86	n	2.3%	
2012	04-150	516175	41314	Imperial gallons (45.43 m3)	\$170.55	\$174.48	n	2.3%	
				<u>Inside the City - Non-Compliant</u>					
2012	04-150	516175	41314	up to 1000 imperial gallons (4.54 m3) or any part thereof greater than 1000 (4.54 m3) but less than or equal to 3500	\$42.64	\$43.62	n	2.3%	
2012	04-150	516175	41314	Imperial gallons (15.9m3) greater than 3500 (15.9 m3) but less than or equal to 5000	\$85.27	\$87.24	n	2.3%	
2012	04-150	516175	41314	Imperial gallons (22.7 m3) greater than 5000 (22.7 m3) but less than or equal to 8000	\$127.92	\$130.86	n	2.3%	
2012	04-150	516175	41314	Imperial gallons (36.3 m3) greater than 8000 (36.3 m3) but less than or equal to 10000	\$213.17	\$218.10	n	2.3%	
2012	04-150	516175	41314	Imperial gallons (45.43 m3)	\$255.80	\$261.72	n	2.3%	

Note: If HST = "y", HST is collected in addition to the Proposed Fee

2013 PROPOSED USER FEES AND CHARGES

Department: **PUBLIC WORKS**
 Division: **WATER, WASTEWATER & STORMWATER**

Year Fee Last Revised	Dept. By-Law #	Dept ID	Account #	Service Offered	2012 Existing Fee	2013 Proposed Fee	HST (y/n)	2013 vs 2012 % Fee Change	Basis for Fee Increase
2012	04-150	516175	41314	<u>Holding Tanks for Recreational Vehicles</u>	\$5.60	\$5.75	n	2.7%	
				<u>Overstrength and Compliance Program Discharge Fees</u>					
2012	04-150	516080	41315	Biochemical Oxygen Demand	\$0.6802	\$0.6958	n	2.3%	
2012	04-150	516080	41315	Suspended Solids	\$0.5440	\$0.5566	n	2.3%	
2012	04-150	516080	41315	Solvent Extractable Matter (animal/vegetable)	\$0.5713	\$0.5844	n	2.3%	
2012	04-150	516080	41315	Kjeldahl Nitrogen	\$2.0711	\$2.1188	n	2.3%	
2012	04-150	516080	41315	Phosphorus	\$1.4569	\$1.4904	n	2.3%	
				<u>Administrative Fees for Sewer Use Agreements</u> (charge per quarter)					
2012	04-150	510260	45519	Overstrength Discharge Agreement	\$279.41	\$285.83	n	2.3%	
2012	04-150	510260	45519	Sanitary Sewer Surcharge Agreement	\$279.41	\$285.83	n	2.3%	
2012	04-150	510260	45519	Chloride Discharge Agreement	\$279.41	\$285.83	n	2.3%	
2012	04-150	510260	45570	Spills Response Fee (per hour)	\$60.42	\$61.81	n	2.3%	
2012	04-150	510260	45519	Information Requests	\$128.54	\$131.50	n	2.3%	
				<u>Wastewater Sampling</u>					
2012	04-150	510260	45532	Wastewater Sampling Vehicle Fee (per hour)	\$5.73	\$5.87	n	2.3%	
2012	04-150	510260	45532	Wastewater Sampling Equipment Fee (per day)	\$15.64	\$16.00	n	2.3%	
2012	04-150	510260	45532	Wastewater Sampling Technician Fee (per hour)	\$40.44	\$41.37	n	2.3%	

Note: If HST = "y", HST is collected in addition to the Proposed Fee

2013 PROPOSED USER FEES AND CHARGES

Department: **PUBLIC WORKS**
 Division: **WATER, WASTEWATER & STORMWATER**

Year Fee Last Revised	Dept. By-Law #	Dept ID	Account #	Service Offered	2012 Existing Fee	2013 Proposed Fee	HST (y/n)	2013 vs 2012 % Fee Change	Basis for Fee Increase
				<u>Fees related to the Wastewater Abatement Program</u>					
2012	03-272	510260	45532	Initial Application Processing Fee (section 10)	\$119.65	\$122.40	n	2.3%	
2012	03-272	510260	45532	Supplementary Application Fee (section 11) plus Full cost recovery for peer review (section 11)	\$358.76	\$367.00	n	2.3%	
2012	03-272	510260	45532	Annual Administration Fee (where annual Abatement exceeds \$500 - sub-section 22 (b))	\$478.40	\$489.40	n	2.3%	



**AUDIT, FINANCE AND ADMINISTRATION COMMITTEE
AS AMENDED BY COUNCIL DECEMBER 12, 2012
REPORT 12-010**

9:30 a.m.

Monday, December 10, 2012

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors B. Johnson (Chair), M. Pearson (Vice Chair)
B. Clark, B. Morelli and R. Powers

**THE AUDIT, FINANCE & ADMINISTRATION COMMITTEE PRESENTS REPORT 12-010
AND RESPECTFULLY RECOMMENDS:**

- 1. Appointment of Chair and Vice Chair for 2013**
 - (a) That Councillor M. Pearson be appointed as Chair of the Audit, Finance & Administration Committee for 2013; and,
 - (b) That Councillor R. Powers be appointed as Vice Chair of the Audit, Finance & Administration Committee for 2013.

- 2. Reciprocal Agreements for the Collection of Outstanding *Provincial Offences Act* Fines (FCS12087) (City Wide) (Item 5.1)**

That Report FCS12087, respecting the Reciprocal Agreements for the Collection of Outstanding *Provincial Offences Act* Fines, be received.

- 3. Status of Provincial Offences Administration (POA) Fine Collections and Staffing (FCS12098) (City Wide) (Item 5.2)**
 - (a) That Report FCS12098, respecting the Status of Provincial Offences Administration (POA) Fine Collections and Staffing, be received.

4. Update – Needs Assessment of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Community of Hamilton (FCS11104(c)) (City Wide) (Item 5.3)

That Report FCS11104(c), respecting the Update on the Needs Assessment of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Community of Hamilton, be received.

5. Monthly Status Report of Tenders and Requests for Proposals for October 13, 2012 to November 9, 2012 (FCS12018(h)) (City Wide) (Item 5.4)

That Report FCS12018(h), respecting the Monthly Status Report of Tenders and Requests for Proposals for October 13, 2012 to November 9, 2012, be received.

6. Tax Appeals under Section 357 and 358 of the *Municipal Act* (2001) (FCS12007(h)) (City Wide) (Item 5.5)

(a) That Appendix “A” attached to Report 12-010, respecting the “Tax Write-Offs processed under Section 357 of the *Municipal Act*, 2001”, in the amount of \$408,310 be approved;

(b) That Appendix “B” attached to Report 12-010, respecting the “Tax Appeals due to a Gross or Manifest Clerical Error, pursuant to Section 358 of the *Municipal Act*, 2001”, in the amount of \$210,979 be approved.

7. Treasurer’s Apportionment of Land Taxes for Properties in Stoney Creek and Glanbrook (FCS12005(g)) (Wards 10 and 11) (Item 5.6)

(a) That the 2012 land taxes in the amount of \$2,804 for 161 Roxborough Ave. (Roll #2518 003 285 18400 0000) be apportioned and split amongst the two newly created parcels as set out in Appendix “C” to Report 12-010;

(b) That the 2011 land taxes in the amount of \$50,922 for 1824 Rymal Rd. E., Glanbrook (Roll #2518 901 130 66600 0000) be apportioned and split amongst the four newly created parcels as set out in Appendix “C” to Report 12-010;

(c) That the 2012 land taxes in the amount of \$10,343 for 0 Pelech Cres., Glanbrook (Roll #2518 901 130 00681 0000) be apportioned and split amongst the twenty-six newly created parcels as set out in Appendix “C” to Report 12-010.

8. 2011 Audited Financial Statements for City of Hamilton Business Improvement Areas (FCS12106) (City Wide) (Item 5.7)

That Report FCS12106, respecting the 2011 Audited Financial Statements for City of Hamilton Business Improvement Areas, be received.

9. 2011 City of Hamilton Municipal Performance Measurement Program (FCS12105) (City Wide) (Item 5.8)

That Report FCS12105, respecting the 2011 City of Hamilton Municipal Performance Measurement Program, be received.

10. Employee Attendance Performance Measures Q3 2012 (HUR12018) (City Wide) (Item 5.9)

That Report HUR12018, respecting Employee Attendance Performance Measures Q3 2012, be received.

11. Employee Occupational Health Program (HUR12019) (City Wide) (Item 5.10)

That Report HUR12019, respecting the Employee Occupational Health Program, be received.

12. 400 Glover Road Water/Wastewater Deferred Payment Arrangement (FCS12109) (Ward 10) (Item 5.11)

That the General Manager of Finance and Corporate Services be authorized to enter into a deferred payment arrangement with a 60 month repayment period pertaining to water and wastewater charges for a total amount of \$193,620.38 re Horizon Account Number 416128-001, 400 Glover Road, Stoney Creek.

13. Status Update Report - 2012 Annual Accessibility Plan (FCS12103) (City Wide) (Item 7.1)

That the Status Update Report - 2012 Annual Accessibility Plan for the City of Hamilton, attached as Appendix "A" to Report FCS12103, be received.

14. 2013-2017 Multi-Year Accessibility Plan – Accessibility for Ontarians with Disabilities Act (FCS12102) (City Wide) (Item 7.2)

That the 2013–2017 Multi-Year Accessibility Plan (the “Multi-Year Accessibility Plan”) for the City of Hamilton attached as Appendix “D” to Report 12-010 be approved.

15. 2012 City of Hamilton External Audit Plan (FCS12107) (City Wide) (Item 7.3 - formerly 8.7)

That the 2012 City of Hamilton Audit Planning Report prepared by KPMG, attached as Appendix “E” to Report 12-010, be approved.

16. Follow Up to Audit Report 2010-08 – Human Resources Recruitment and Selection (HUR12020) (City Wide) (Item 8.1)

That Report HUR12020, respecting the Follow Up to Audit Report 2010-08 – Human Resources Recruitment and Selection, be received.

17. Industrial Development Charges – January 6, 2013, Step Increase (FCS12100) (City Wide) (Item 8.2)

That the January 6, 2013, Industrial Development Charge Increase from \$8.07 per square foot to \$9.21 per square foot be administratively capped at \$8.78 per square foot, until an Ontario Municipal Board order amending the Development Charges By-laws is received.

18. 2012 Tax Budget Restatements (FCS12104) (City Wide) (Item 8.3)

(a) That, in accordance with the “Budget Control Policy”, the 2012 tax budget restatements, transferring budget from one cost category to another or one department/division to another with no impact on the levy, as outlined in Appendix “F” to Report 12-010, be approved;

(b) That, in accordance with the “Budgeted Complement Control Policy”, the 2012 complement transfers, transferring complement from one department/division to another with no impact on the levy, as outlined in Appendix “G” to Report 12-010, be approved.

19. Treasurer's Write-Off of Outstanding Taxes for Hamilton Ballet Youth Ensemble under Section 354 of the *Municipal Act*, 2001 (FCS12094) (Ward 2) (Item 8.4)

That the Treasurer, under Section 354(4)(b) of the Municipal Act, (2001), write off taxes as uncollectible on 145 Main Street East, Hamilton, (Tax Roll Number 020.151.00250) in the amount of \$41,098 to the benefit of the Hamilton Ballet Youth Ensemble (HBYE), as conducting a tax sale would not be in the best interest of the municipality.

20. 2013 Budget Requests - Volunteer Advisory Committees (FCS12099) (City Wide) (Item 8.5)

That the Volunteer Advisory Committee 2013 base budget submissions be approved as follows and forwarded to the 2013 budget process (GIC):

- (a) Advisory Committee on Immigrants & Refugees in the amount of \$3,500;
- (b) Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee in the amount of \$3,890;
- (c) Aboriginal Advisory Committee in the amount of \$3,500;
- (d) Hamilton Mundialization Committee in the amount of \$5,890;
- (e) Hamilton Status of Women Committee in the amount of \$3,500;
- (f) Committee Against Racism in the amount of \$3,890.

21. 2013 Advance Payments to External Boards and Agencies (FCS12101) (City Wide) (Item 8.6)

- (a) That, effective January 1, 2013, an advancement of funds be provided to the external Boards and Agencies, in the specified amount and on the specific dates, as shown on the attached Appendix "H" to Report 12-010;
- (b) That any outstanding arrears due to the City of Hamilton, by any external Boards or Agencies (as shown on the attached Appendix "H" to Report 12-010), be first applied against the approved grant funding, including advances, until the debt is satisfied, prior to that Agency or Board receiving the balance of any approved payment.
- (c) That notwithstanding (b) above and the amounts owed to HECFI, Opera Hamilton's advance be paid in full but the organization be advised that future grant payments may be withheld or suspended and that staff be directed to monitor the situation and take appropriate actions.

22. Wireless Hamilton Wi-Fi Project (FCS09028(a)) (City Wide) (Item 8.8)

- (a) That the Wireless Hamilton infrastructure implemented in 2007 be dismantled and all public facing Wi-Fi established through this initiative be discontinued at an estimated one-time cost of \$30,000 funded from existing capital project 2050757701.
- (b) That staff be directed to report back to the Audit, Finance & Administration Committee with a plan that seeks to address Wi Fi capabilities in Municipal buildings and regional parks.

23. Governance Review Sub-Committee Report 12-005, dated November 26, 2012 (Item 8.9)

(a) Disclosure of Expenses of Council and Senior Staff (CL12010) (City Wide) (Item 4.1)

That Information Report CL12010, respecting Disclosure of Expenses of Council and Senior Staff, be received.

(b) Review of Process for Private and Confidential Reports (CL12006) (City Wide) (Item 4.2)

- (i) That the City Clerk be directed to amend the City of Hamilton Agenda Template, as attached in Appendix "I", for all Committee and Council Agendas, to reflect under the Private and Confidential Section, the reasons relied on under the *Ontario Municipal Act* and City's Procedural By-law, for which Committee or Council will consider a particular matter in Closed Session;
- (ii) That staff investigate options for securing confidential documents and reports.

(c) Electronic Recording of Closed Session Meetings (CL12005) (City Wide) (Item 4.3)

That Information Report CL12005, respecting the Electronic Recording of Closed Session Meetings, be received.

**(d) Quorum at Council and Standing Committees (City Wide) (LS12030)
(Outstanding Business List Item) (Item 4.4)**

That Information Report LS12030, respecting Quorum at Council and Standing Committees, be received.

(e) Workshop on Pecuniary Interest and Declarations of Interest

That a General Issues Committee educational workshop be held respecting pecuniary interest and declarations of interest for members of Council.

**(f) Electronic Recording of Closed Session Meeting, Legal Implications
(LS12033) (City Wide) (Item 6.1)**

That Report LS12033, respecting Electronic Recording of Closed Session Meeting, Legal Implications, be received and it remain confidential.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

- (i) Added as Item 4.1 – a delegation request, submitted by Gord O’Coin, of the Christian Labour Association of Canada (CLAC), respecting Item 8.10 – Report (FCS12083/HUR12015), Proposed Fair Wage Policy and Fair Wage Schedule
- (ii) Added as Item 4.2 – a delegation request, submitted by Joe Beattie, of the Hamilton-Brantford, Ontario Building and Construction Trades Council, respecting Item 8.10 – Report (FCS12083/HUR12015), Proposed Fair Wage Policy and Fair Wage Schedule
- (iii) Added as Item 5.11 – Report FCS12109, respecting 400 Glover Road Water/Wastewater Deferred Payment Arrangement
- (iv) Item 8.7 has been renumbered as Item 7.3, as there is a verbal presentation to go with Report FCS12107.

The agenda for the December 10, 2012 Audit, Finance & Administration Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) November 12, 2012 (Item 3.1)

The Minutes of the November 12, 2012 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Gord O'Coin, of the Christian Labour Association of Canada (CLAC), respecting Item 8.10 – Report (FCS12083/HUR12015), Proposed Fair Wage Policy and Fair Wage Schedule (Item 4.1)

The delegation request from Gord O'Coin, of the Christian Labour Association of Canada (CLAC), respecting Item 8.10 – Report (FCS12083/HUR12015), Proposed Fair Wage Policy and Fair Wage Schedule, was approved to the January 17, 2013 Audit, Finance & Administration Committee meeting.

(ii) Joe Beattie, of the Hamilton-Brantford, Ontario Building and Construction Trades Council, respecting Item 8.10 – Report (FCS12083/HUR12015), Proposed Fair Wage Policy and Fair Wage Schedule (Item 4.2)

The delegation request submitted by Joe Beattie, of the Hamilton-Brantford, Ontario Building and Construction Trades Council, respecting Item 8.10 – Report (FCS12083/HUR12015), Proposed Fair Wage Policy and Fair Wage Schedule, was approved to the January 17, 2013 Audit, Finance & Administration Committee meeting.

(e) Status of Provincial Offences Administration (POA) Fine Collections and Staffing (FCS12098) (City Wide) (Item 5.2)

Staff was directed to investigate the feasibility of part-time, temporary locations for the Provincial Offences Administration Court House; specifically, the existing

Stoney Creek, Dundas and Glanbrook Municipal Service Centres and report back to the Audit, Finance & Administration Committee.

Staff was directed to investigate locations for long-term use by the Provincial Offences Administration Court House, prior to the expiration of the current lease in the Hamilton Court House in 2017, and report back to the Audit, Finance & Administration Committee.

(f) Update – Needs Assessment of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Community of Hamilton (FCS11104(c)) (City Wide) (Item 5.3)

Staff was directed to report back to the Audit, Finance & Administration Committee in six (6) months, with an update on the Needs Assessment of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Community of Hamilton, particularly the Wellness Centre.

(g) Status Update Report - 2012 Annual Accessibility Plan (FCS12103) (City Wide) (Item 7.1)

Jane Lee, Director of Customer Service, Access & Equity, provided a PowerPoint presentation outlining both Reports FCS12103 and FCS12102. The presentation included, but was not limited to, the following:

- **2012 Accessibility Plan Status Update:**
 - Required by the *Ontarians with Disabilities Act* (ODA).
- **2013-2017 Multi-Year Accessibility Plan:**
 - Required by the *Accessibility for Ontarians with Disabilities Act* (AODA).
 - Replaces Annual Accessibility Plan.
 - Requires annual status report, but not a new plan each year.
 - New Plan required at least every 5 years.
- **Demographics, based on 2006 Census information in the Hamilton CMA:**
 - 138,245 people in Hamilton with disabilities (20%).
 - Provincial rate was 19%.
 - National rate was 17%.
 - Higher unemployment rate.
 - Lower annual average income.

- **2012 Accessibility Plan Update:**

- Provides update on initiatives in the 2012 plan.
- Items incomplete will continue to be monitored and reported on in the future in the Annual Plan status update reports.
- Major focus in the new multi-year plan is on addressing barriers in accordance with the AODA standards and meeting compliance timelines.

The presentation, respecting Report FCS12103, the Status Update Report - 2012 Annual Accessibility Plan, was received.

(h) **2013-2017 Multi-Year Accessibility Plan – *Accessibility for Ontarians with Disabilities Act (FCS12102) (City Wide) (Item 7.2)***

Jane Lee, Director of Customer Service, Access & Equity, provided a PowerPoint presentation outlining both Reports FCS12103 and FCS12102. The presentation included, but was not limited to, the following:

- New plan is derived from the regulations approved pursuant to the AODA, including the Customer Service Standard, and the Integrated Accessibility Standard, which contains the following:
 - Information and Communications Standard
 - Employment Standard
 - Transportation Standard
 - Not included in the plan is the Built Environment Standard – not yet approved.
- **Statement of Commitment:**
 - The City of Hamilton is committed to ensuring that Council, all levels of Corporate management and staff plan, implement and evaluate strategies and opportunities that sustain and maintain the rights of persons with disabilities and their families to barrier-free programs, services and opportunities. In so doing, the City implements the Human Rights Code and the *Accessibility for Ontarians with Disabilities Act, 2005* according to the legislation's standards for: Customer Service (already approved);

Transportation; Employment; the Built Environment; Information and Communications.

- The City of Hamilton is committed to providing customer service to persons with disabilities in a manner that:
 - Respects their dignity and independence;
 - Is integrated as fully as practicable into the method of service delivery;
 - Ensures reasonable efforts are made to provide equitable opportunities to accessing goods and services; and,
 - Allows persons with disabilities to benefit from the same services, programs and opportunities in ways that are based on their own needs and self-determination.

- **Strategic Goals of the Accessibility Plan:**
 - Designed to guide our implementation of the standards.
 - Aligned to the focus areas of the Standards.
 - Strategic Goal One - Persons with disabilities receive equitable, inclusive and accessible customer service that meets their needs when accessing and utilizing City's services, programs, resources and opportunities.
 - Strategic Goal Two - Persons with disabilities who are potential employees will be accommodated and supported throughout the recruitment, assessing, selecting and hiring process and when they are seeking advancement opportunities as employees.
 - Strategic Goal Three - Information and communication and supports including the City's website and self-service kiosks are fully accessible and available in accessible formats.
 - Strategic Goal Four - Persons with disabilities access barrier free services and programs when using Hamilton Street Railway (HSR) and Accessible Transit System (ATS).
 - Strategic Goal Five - City facilities are fully accessible and/or will provide accessibility measures to meet the needs of persons with disabilities when accessing programs, services, resources and opportunities.

- Strategic Goal Six - Through training and experiential learning, staff is knowledgeable and able to recognize and identify barriers to accessibility when designing, planning, delivering and implementing services, programs and opportunities to the public as well as when procuring or acquiring goods, services or facilities.
- Provided feedback about the implementation of the Integrated Accessibility Standard and the Multi-Year Plan.
- Focused on the details of what the barriers are related to the Information and Communications Standard, Employment Standard and Transportation Standard as well as the Built Environment.
- Staff will look to this feedback as they work on implementation of each of the requirements of the standards and the Multi-Year plan.
- Areas of Focus and Effort for 2013:
 - Employment Standards
 - Information and Communications
 - Transportation
 - Training and Awareness and Understanding
- Concern about ability to meet the compliance requirements in all areas.

Committee expressed gratitude to the Advisory Committee for Persons with Disabilities (ACPD) for their advice and contribution towards the completion of the Accessibility Plan.

The presentation, respecting Report FCS12102, 2013-2017 Multi-Year Accessibility Plan – *Accessibility for Ontarians with Disabilities Act*, was received.

(i) Treasurer's Write-Off of Outstanding Taxes for Hamilton Ballet Youth Ensemble under Section 354 of the *Municipal Act*, 2001 (FCS12094) (Ward 2) (Item 8.4)

Councillor B. Clark wished to be recorded as OPPOSED to Item 8.4.

(j) 2012 City of Hamilton External Audit Plan (FCS12107) (City Wide) (Item 7.3 - formerly 8.7)

Barry Frieday and John Pryke, of KPMG, provided a brief verbal overview of the Hamilton Audit Planning Report.

The verbal presentation, provided by Barry Frieday and John Pryke, of KPMG, respecting the 2012 City of Hamilton External Audit Plan, was received.

**(k) Proposed Fair Wage Policy and Fair Wage Schedule (FCS12083/HUR12015)
(City Wide) (Item 8.10)**

Report FCS12083/HUR12015, respecting the Proposed Fair Wage Policy and Fair Wage Schedule, remained tabled to the January 17, 2013 meeting.

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

11.1 Amendments to the Outstanding Business List

The following items were considered complete and removed from the Audit, Finance & Administration Committee's Outstanding Business List:

- (i) Item "M" – Status of Provincial Offences Administration Fine Collections and Staffing
- (ii) Item "N" – Reciprocal Agreements with Provinces and States for the Collection of Outstanding *Provincial Offences Act* Fines
- (iii) Item "Q" – Follow up of Audit Report 2010-08 – Human Resources – Recruitment and Selection

(m) ADJOURNMENT (Item 13)

There being no further business, the Audit, Finance and Administration Committee adjourned at 11:43 a.m.

Respectfully submitted,

Councillor B. Johnson, Chair
Audit, Finance and Administration Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk
December 10, 2012

City of Hamilton
Corporate Services Department
Taxation Division
Section "357" Appeals of the Municipal Act, 2001

Appeal No.	Property Address	Roll Number	Explanation	YEAR	Amount
357-12-137	8 Oriole Ave	003110128000000	Gross or Manifest Error in valuation lot is unbuildable	2012	-2,441.83
357-12-054	420 Glover Rd	003110384000000	Demolition of all structures on the property	2012	-12,423.80
357-12-109	370 Green Rd	003140086000000	Tax Class Conversion manufacturing ceased	2012	-9,116.23
357-12-055	246 Gray Rd	003285184000000	Demolition of old house	2012	-1,356.54
357-12-129	110 Aubrey Ave	003850084000000	Demolition of old house new home under construction	2012	-1,021.12
357-12-143	208 Locke St S	010095057000000	Demolition of old commercial structure	2012	-535.23
357-08-092	120 King St W	020122010000000	Exempt 9th floor of 120 King W Capital Facility	2008	-70,695.32
357-10-245	120 King St W	020122010000000	Exempt 9th floor of 120 King W Capital Facility	2010	-180,972.27
357-10-245	120 King St W	020122010000000	Exempt 9th floor of 120 King W Capital Facility	2010	9,731.25
357-12-062	228 Hess St N	020125035200000	Demolition of structures on City property value reduced property already exempt	2012	0.00
357-11-137	224 James St S	020139057300000	Exempt occupied by St Joes	2011	-13,219.81
357-12-182	224 James St S	020139057300000	Exempt occupied by St Joes	2012	-14,053.56
357-11-138	39 Charlton Ave E	020142003700000	Exempt occupied by St Joes	2011	-13,867.98
357-12-147	150 Main St E	020144594500000	Tax Class Conversion the CTN ITN were reversed	2012	-5,946.40
357-12-116	108-112 James St N	020153004600000	Exempt does not meet criteria for exemption	2012	0.00
357-12-063	60 Catharine St N	020154013300000	Exempt City purchase from Metrolinx	2012	-5,698.37
357-11-249	0 Robert St	020182002900000	Exempt leased by HHSC for parking	2011	-400.22
357-12-179	0 Robert St	020182002900000	Exempt leased by HHSC for parking	2012	-409.33
357-11-247	0 Barton St E	020182073750000	Exempt part of the property is leased by HHSC for parking	2011	-10,456.66
357-12-181	0 Barton St E	020182073750000	Exempt part of the property is leased by HHSC for parking	2012	-21,325.52
357-11-248	0 Barton St E	020182073800000	Exempt leased by HHSC for parking	2011	-496.18
357-12-180	0 Barton St E	020182073800000	Exempt leased by HHSC for parking	2012	-1,023.33
357-11-160	429 Barton St E	030215053600000	Exempt - no recommendation has not supplied any corroborating material	2011	0.00
357-11-228	20 Land St	030223078300000	Tax Class Conversion no longer manufacturing a produce	2011	-3,500.95
357-12-144	810 Main St E	030254047700000	Fire building destroyed - demolished	2012	-3,465.31
357-12-145	150 Hillyard St	030272024700000	Tax Class Conversion lease expired	2012	1,031.82
357-12-146	150 Hillyard St	030272024700000	Tax Class Conversion lease expired	2012	116.61
357-12-145	150 Hillyard St	031247001610000	Tax Class Conversion lease expired	2012	-1,031.82
357-12-146	150 Hillyard St	031247003050000	Tax Class Conversion lease expired	2012	-116.61
357-11-232	246 Balmoral Ave N	040284548800000	Tax Class Conversion com space converted to bachelor apartment	2011	-616.55
357-12-009	516 Parkdale Av N	050401005200000	Demolition denied handled through a MOS	2012	0.00
357-12-152	900 Concession St	060623025200000	Fire late last year moved back in this July 2012	2012	-348.39
357-12-152	900 Concession St	060623025200000	Fire late last year moved back in this July 2012	2011	-136.84
357-12-153	872 Concession St	060623027000000	Tax Class Conversion basement converted to residential	2012	-998.19
357-12-077	850 Fennell Ave E	070631008500000	Tax Class Conversion new owners using 100% of property as residence	2012	-312.87

City of Hamilton
Corporate Services Department
Taxation Division
Section "357" Appeals of the Municipal Act, 2001

Appeal No.	Property Address	Roll Number	Explanation	YEAR	Amount
357-12-172	520 Limeridge Rd E	070681001300000	Demolition of all structures on the property	2012	-3,263.32
357-12-174	508 Limeridge Rd E	070681001900000	Demolition of all structures on the property	2012	-103.44
357-12-121	741 Rymal Rd E	070741082100000	Demolition of structures on the property	2012	-861.63
357-11-252	661-679 Upper James St	080891007000000	Demolition of lotto Kiosk	2011	-1,844.32
357-12-078	110 McElroy Rd E	080893048800000	Demolition of pool	2012	-86.45
357-12-155	37 Malton Dr	081101046100000	Gross or Manifest Error incorrect date used to value the property	2012	-228.04
357-12-081	1185 Highway # 2	140220327000000	Gross or Manifest Error-buildings vandalized change valuation from income to cost	2012	-2,282.69
357-11-195	0 Wilson St W	140220331000000	Exempt Airport property	2011	-168.18
357-12-131	39 Joanne Ct	140240016000000	Demolition of original structure new home completed	2012	-2,410.86
357-12-158	38 Joanne Ct	140240123000000	Demolition of original house new owners have moved into new house	2012	-2,263.46
357-12-132	851 Alexander Rd	140260174000000	Demolition 3/4 of structures on the property	2012	-2,397.83
357-12-082	232 Stonehenge Unit 33	140280546370000	Fire - house and garage damaged by the fire	2012	-1,502.80
357-12-103	232 Stonehenge Unit 34	140280546380000	Fire house and garage demolished by the fire	2012	-1,780.94
357-12-113	125 Meadowbrook Dr	140320098990000	Gross or Manifest Error this was a grow op house	2012	-1,473.15
357-12-104	143 Wilson St W	140320520000000	Demolition of house and garage	2012	-4,699.94
357-12-105	153 Wilson St W	140320522000000	Demolition of house, garage and shed	2012	-2,690.72
357-12-083	202 Rosemary Lane	140350170000000	Demolition of house	2012	-2,997.29
357-12-159	121 Rosemary Lane	140350234000000	Demolition of original house new owners have moved into new house	2012	-903.49
357-12-114	35 Sunrise Cres	260020136000000	Demolition of in ground pool	2012	-126.99
357-12-084	2086 Gore Rd	301910402000000	Demolition of mobile home and in ground pool	2012	-257.56
357-12-107	293 Highway 8	302110030000000	Demolition of garage	2012	-24.14
357-12-085	22 Rosebough St	302110664000000	Demolition of in ground pool	2012	-73.88
357-12-015	1464 Highway 6	303820076000000	Demolition of old restaurant	2012	-4,617.66
357-12-149	38-42 Ottawa St N	0403110100000000	Exempt part of Hamilton Regional Indian Centre	2012	-3,928.37
357-12-167	2623 Upper James St	902320008000000	Demolition of house and garage	2012	-545.34
357-12-169	0 Highway 6	902320018000000	Tax Class Conversion OMAFRA granted farm status as at date of purchase	2012	-1,656.36
357-12-168	0 Highway 6	902320036000000	Tax Class Conversion OMAFRA granted farm status as at date of purchase	2012	-13.48
				Total	-408,309.88

City of Hamilton
 Corporate Services Department
 Taxation Division
 Section "358" Appeals of the Municipal Act, 2001
 Realty Tax Applications for overcharges

B- overcharge (Assessment Roll)

B1 -overcharged-application denied

E - Exempt

Appeal No.	Property Address	Roll Number	Reason	Explanation	Year	Amount
358-12-023	36 Leckie Ave	003850192000000	B1	Cancelled handled through an apportionment	2011	0.00
358-10-119	120 King St W	020122010000000	E	The city leases the 9th floor - therefore a capital facility	2009	-99,697.85
358-12-062	120 King St W	020122010000000	E		2011	-85,498.09
358-11-086	39 Charlton Ave E	020142003700000	E	Now part of St Joseph Hospital	2010	-13,628.20
358-12-050	108 James St N	020153004600000	B1	Does not meet criteria under the Assessment Act to have exemption	2011	0.00
358-12-051	108 James St N	020153004600000	B1		2010	0.00
358-12-043	673 King St E	030232564500000	B	The commercial and residential portions were incorrectly allocated	2011	-1,091.31
358-12-044	673 King St E	030232564500000	B		2010	-1,045.09
358-12-059	38-42 Ottawa St N	040311010000000	E	Property used in conjunction with Hamilton Regional Indian Centre therefore meets the criteria for exemption	2011	-4,013.75
358-12-060	38-42 Ottawa St N	040311010000000	E		2010	-2,535.75
358-12-037	15 Forestage Dr	081072015440000	B	Damage due to flooding missed on the roll	2011	-39.98
358-12-054	39 Joanne Ct	140240016000000	B	Original house demolished but still on the tax roll	2011	-1,059.74
358-12-055	851 Alexander	140260174000000	B	3/4 of original house demolished for new addition but still on	2011	-2,369.19
358-12-014	125 Wilson St W	140320006060000	B1	Cancelled handled through Sec 33 Minutes	2011	0.00
					Total	-210,978.95

APPORTIONMENT OF TAXES

That the original land taxes recorded against;

- (a) **Roll #2518 003 285 18400 0000** – (161 Roxborough Ave., Stoney Creek) in the amount of \$2,803.51 be split amongst the two newly created lots listed below:

YEAR	ADDRESS	ROLL NUMBER	APPORTIONED ASSESSMENT	TAX AMOUNT
2012	161 Roxborough Ave.	2518 003 285 18300 0000	73,477	\$ 949.27
2012	157 Roxborough Ave.	2518 003 285 18400 0000	143,523	1,854.24
		Total	217,000	\$ 2,803.51

- (b) **Roll #2518 901 130 66600 0000** – (1824 Rymal Rd. E., Glanbrook) in the amount of \$50,921.60 be split amongst the four newly created lots listed below:

YEAR	ADDRESS	ROLL NUMBER	APPORTIONED ASSESSMENT	TAX AMOUNT
2012	1824 Rymal Rd. E.	2518 901 130 66650 0000	3,245,798	\$ 40,913.23
2012	1816 Rymal Rd. E.	2518 901 130 66700 0000	276,000	3,478.98
2012	374 Pinehill Dr.	2518 901 130 66725 0000	283,000	3,567.21
2012	0 Pinehill Dr.	2518 901 130 66750 0000	235,000	2,962.17
		Total	4,039,798	\$ 50,921.59

- (c) **Roll #2518 901 130 00681 0000** – (0 Pelech Cres., Glanbrook) in the amount of \$10,343.45 be split amongst the twenty-six newly created lots listed below:

YEAR	ADDRESS	ROLL NUMBER	APPORTIONED ASSESSMENT	TAX AMOUNT
2012	74 Aster Ave.	2518 901 130 00802 0000	33,055	\$ 399.42
2012	72 Aster Ave.	2518 901 130 00803 0000	32,205	389.15
2012	70 Aster Ave.	2518 901 130 00804 0000	32,205	389.15
2012	68 Aster Ave.	2518 901 130 00805 0000	32,205	389.15
2012	66 Aster Ave.	2518 901 130 00806 0000	32,205	389.15
2012	64 Aster Ave.	2518 901 130 00807 0000	33,900	409.63
2012	60 Aster Ave.	2518 901 130 00808 0000	34,465	416.46
2012	58 Aster Ave.	2518 901 130 00809 0000	32,770	395.98
2012	56 Aster Ave.	2518 901 130 00810 0000	32,770	395.98

Appendix "C" to Item 7 of AF&A Report 12-010

YEAR	ADDRESS	ROLL NUMBER	APPORTIONED ASSESSMENT	TAX AMOUNT
2012	54 Aster Ave.	2518 901 130 00811 0000	32,770	395.98
2012	52 Aster Ave.	2518 901 130 00812 0000	35,030	423.28
2012	4 Carnation St.	2518 901 130 00813 0000	35,030	423.28
2012	6 Carnation St.	2518 901 130 00814 0000	32,488	392.57
2012	8 Carnation St.	2518 901 130 00815 0000	32,488	392.57
2012	10 Carnation St.	2518 901 130 00816 0000	32,488	392.57
2012	12 Carnation St.	2518 901 130 00817 0000	32,488	392.57
2012	14 Carnation St.	2518 901 130 00818 0000	35,048	423.49
2012	30 Cornflower Cres.	2518 901 130 00819 0000	32,770	395.98
2012	32 Cornflower Cres	2518 901 130 00820 0000	31,923	385.74
2012	34 Cornflower Cres	2518 901 130 00821 0000	31,923	385.74
2012	36 Cornflower Cres	2518 901 130 00822 0000	31,923	385.74
2012	38 Cornflower Cres	2518 901 130 00823 0000	31,923	385.74
2012	40 Cornflower Cres	2518 901 130 00824 0000	32,770	395.98
2012	9 Carnation St.	2518 901 130 00825 0000	33,335	402.79
2012	7 Carnation St.	2518 901 130 00826 0000	32,488	392.57
2012	5 Carnation St.	2518 901 130 00827 0000	33,335	402.79
		Total	856,000	\$ 10,343.45

CITY OF HAMILTON MULTI-YEAR ACCESSIBILITY PLAN
STRATEGIC DIRECTION 2013 – 2017

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1. Introduction

The Ontarians with Disabilities Act, 2001, (also referred to as the ODA), was passed by the Province of Ontario and received Royal Assent on December 14, 2001 to “improve opportunities for persons with disabilities and to provide for their involvement in the identification, removal and prevention of barriers to their full participation in the life of the province. The sections of the Ontarians with Disabilities Act which apply to municipalities were proclaimed on September 30, 2002, and apply to all Ontario municipalities. The Ontarians with Disabilities Act, 2001 continues to be in force until repealed in whole or part.

In addition to the ODA, the Province of Ontario passed the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) on May 10, 2005 and received Royal Assent on June 13, 2005. The AODA is a provincial law that recognizes the history of discrimination against persons with disabilities in Ontario and will require the “...development, implementation and enforcement of standards” for accessibility to goods, services, facilities, employment, accommodation, and buildings for persons with disabilities. Persons with disabilities made up at least 50% of the membership of the standards development committees.

Ontario’s first accessibility standard, Accessibility Standards for Customer Service, became law on January 1, 2008, and the Integrated Accessibility Standards (Information and Communication, Transportation & Employment) was enacted in June 3, 2011. These standard sets out requirements that organizations, businesses and municipalities are legally required to comply with. The Accessibility Standard for the Built Environment, which only apply to new construction and extensive renovation is currently being developed, and will help remove barriers in buildings and outdoor spaces for people with disabilities. In order to implement the AODA integrated accessibility standards, sub-committees of Advisory Committee for Persons with Disabilities (ACPD), Built Environment Standards (BESC), Employment Standards and the Transportation Standards (TSC) have initiated their work to monitor the implementation of the AODA standards and provide advice to staff.

The City of Hamilton is committed to ensuring that Council, all levels of corporate management and staff, plan, implement and evaluate strategies and opportunities that sustain and maintain the rights of persons with disabilities and their families to barrier-free programs, services and opportunities, in accordance with the Human Rights Code, the Accessibility for Ontarians with Disabilities Act, 2005 and standards for Customer Service, Transportation, Employment, the Built Environment, Information and Communications. The AODA provides for enforcement of the Customer Service Standard and Integrated Accessibility Standards through inspections, compliance orders and administrative penalties. The City of Hamilton provided its first compliance report prior to March 31, 2010 and was compliant in all areas. Moving forward, the City of Hamilton will continue to proactively implement its obligations under the Accessibility for Ontarians with Disabilities Act, 2005, Accessibility Standards for Customer Service and Integrated Accessibility Standards, while pending approval of the Built-Environment Standard.

2. Demographic Profile of Persons with Disabilities in Ontario and Hamilton

As we move forward in addressing the barriers of persons with disabilities in Hamilton, it is important to have an understanding of the numbers of persons with disabilities in Hamilton and how they participate or do not participate in the life of the community and, where information is not available for Hamilton specifically, to look at information available for Ontario. This information will help us in the planning processes for programs, services and opportunity to be more inclusive and reflective of the community we serve.

According to Census 2006 - Sex and Age Report¹ released on July 17, 2007 by Statistics Canada; Hamilton's 65 years and over population has reached 104,435 people and represents 15% of the total population of this municipality while the population 14 years of age and under has reached 123,990 and represents 18% of the total population. In comparing these results with Census 2001, the population 14 years of age and under has experienced a negative population change (-2.7%) whereas the population 65 years of age and over, has the highest population change (10.5%) and the adult population (15-64) a moderate one (5.5%). The age group (40-64) close to retirement represents 35% of the total population. In just a few years, Hamilton will have a significant percentage of the population at retirement age. This situation could increase the demands in some sectors, including health care, affordable housing, decent pensions and labour shortages. In addition, Hamilton's fertility rate (1.2%) is lower than the national rate (1.59%)². As Hamilton's older generation continues to grow increasingly large it is becoming a pressing need to attract new immigrants to the city in order to maintain the population levels.

In 2006, there were 138,245³ persons with disabilities in Hamilton. This number represented 20% of the total population in that period (692,910 Hamiltonians⁴). The prevalence of disability rate in Hamilton is

¹ Statistics Canada. 2007. *2006 Census – Sex and Age*. Statistics Canada Catalogue no. 97-551-XWE 2006002. Ottawa. July 17. <http://www12.statcan.ca/english/census06/data/highlights/agesex/Index.cfm> (accessed July 20, 2007)

² Statistics Canada, Births and Total Fertility Rates by Province and Territory. <http://www.statcan.gc.ca/tables-tableaux/sum-som/I01/cst01/hlth85b-eng.htm>.

³ Hamilton is represented by Census Metropolitan Area (CMA) which includes Burlington and Grimsby; Statistics Canada, Census 2006. Custom Product. Beyond 20/20.

⁴ Hamilton's population is represented by CMA.

higher than the provincial (19%) and the national rate (17.6%).⁵ This high rate of persons with disabilities could be attributed to the high poverty rate (18.1%) in Hamilton in which there is a correlation between the level of functioning and income.⁶ More specifically, persons with disabilities, 15 years and over, earned an annual average of \$9,960 less than persons without disabilities.⁷

With regard to the labour force, it was noted that the unemployment rate for people with activity limitations was 8.2 % in 2006 compared to Hamilton’s overall unemployment rate of 6.5%. Similarly, the national rate closely mirrored that of Ontario; in 2006 persons with disabilities had an unemployment rate of 8% compared to Ontario’s overall unemployment rate of 6.4%.⁸ There is a connection between unemployment and type of disability. In Canada, of all the types of activity limitations in 2006, persons with hearing limitations had the highest employment rate at 57.8% whereas persons with developmental limitations had the lowest employment rate at 27.8%.⁹ On a national level, in 2006, the employment rate for persons with disabilities was 1,250,720 compared to that of 14,069,780 for persons without disabilities. In terms of employment distribution between the sexes, there is an almost equal employment rate between female and male individuals with disabilities, 50.7% and 49.3% respectively. Conversely, for persons without disabilities, females have a slightly lower employment rate at 47.1% compared to that of 52.9% for males.¹⁰

⁵ Statistics Canada, Census 2006. Custom Product. Beyond 20/20.

⁶ Statistics Canada, PALS 2006.

⁷ Statistics Canada, Census 2006. Custom Product. Beyond 20/20.

⁸ Statistics Canada, PALS 2006.

⁹ “Employment Rates by Disability Type, Canada, 2001 and 2006,” Statistics Canada, 2008, <http://www.statcan.gc.ca/pub/89-628-x/2008007/c-g/5201150-eng.htm>

¹⁰ “Total Employment for People with and without Disabilities, by Sex and Age Group, Canada, 2001 and 2006,” Statistics Canada, 2008, <http://www.statcan.gc.ca/pub/89-628-x/2008007/t/5201157-eng.htm>

3. City of Hamilton Policy Statement of Commitment to Accessibility and Persons with Disabilities

The City of Hamilton is committed to ensuring that Council, all levels of corporate management and staff, plan implement and evaluate strategies and opportunities that sustain and maintain the rights of persons with disabilities and their families to barrier-free programs, services and opportunities. In so doing, the City implements the Human Rights Code and the Accessibility for Ontarians with Disabilities Act, 2005 according to the legislation's standards for: Customer Service (already approved); Transportation; Employment; the Built Environment; Information and Communications.

The City of Hamilton is committed to providing customer service to persons with disabilities in a manner that:

- respects their dignity and independence;
- is integrated as fully as practicable into the method of service delivery;
- ensures reasonable efforts are made to provide equitable opportunities to accessing goods and services;
- allows persons with disabilities to benefit from the same services, programs and opportunities in ways that are based on their own needs and self-determination.

4. City of Hamilton Vision, Mission, Values and Strategic Priorities

Vision:

To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.

Mission:

We provide quality public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

Values:

Accountability
Cost Consciousness
Equity
Excellence
Honesty
Innovation
Leadership
Respect
Teamwork

Strategic Priorities:

Strategic Priority #1

A Prosperous & Healthy Community

We enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.

Strategic Priority #2

Valued & Sustainable Services

We deliver high quality services that meet citizen needs and expectations, in a cost effective and responsible manner.

Strategic Priority #3

Leadership & Governance

We work together to ensure we are a government that is respectful towards each other and that the community has confidence and trust in.

5. Identification of Participants

The participants identified below are instrumental in the completion of the Multi-year Accessibility Plan, and the City of Hamilton staff, management and Council offers its thanks and heartfelt gratitude for the committee’s dedication and commitment to helping make improvements by providing advice regarding the removal of barriers and ensuring that new barriers are not put in place and hence improve the quality of life for persons with disabilities.

The groups that were instrumental in the collection of information and the preparation of the multi-year accessibility plan are the Advisory Committee for Persons with Disabilities, the Staff Access and Equity Support Committee and the Equity and Diversity Strategic Implementation Team.

5.1. Advisory Committee for Persons with Disabilities

The City of Hamilton’s advisory committee, the Advisory Committee for Persons with Disabilities provides significant input and monitors the implementation of the Multi-year Accessibility Plan.

In addition to the responsibilities noted above, the advisory committee has additional specific roles noted in the ODA, as follows:

- to advise Council about the annual accessibility plan, including its preparation, implementation and effectiveness
- to review site plan & drawings under section 41 of the Planning Act, as selected by the Committee

The Advisory Committee for Persons with Disabilities, and its sub-committees, has been invaluable in providing advice to the Council and staff of the City of Hamilton, in identifying barriers experienced by persons with disabilities, in establishing priorities for ongoing review and developing new initiatives and in providing oversight and input to the staff preparing the Multi-year Accessibility Plan.

Advisory Committee for Persons with Disability (Term 2010-2014)

Current Members: Aznive Mallett, Chair

Tim Nolan, Vice Chair
Paula Kilburn
Tim Murphy
Robert Thompson
Roger-Wayne Cameron
Kim Nolan
Mary Smithson
Terry Wallis
Raihanna Hirji-Khalfan
Brian Lane
Denise Maraj
Debbie Sanche
Patti Cameron
Robert Semkow

5.2. Staff Access and Equity Committee

The Staff Access and Equity Committee is made up of at least one staff member representing each department. Some of the responsibilities of this committee include gathering information concerning accessibility initiatives in their respective departments that are currently in place, those that are planned for the future, reviewing and identifying how and when the issues identified in the audit and through consultations will be addressed and assisting with the preparation of the Multi-year Accessibility Plan.

Current Members:

- Maxine Carter, Access and Equity Coordinator, Customer Service Access and Equity, Corporate Services
- Jane Lee, Director, Customer Service Access and Equity, Corporate Services
- May-Marie Duwai-Sowa, Access and Equity Specialist, Access and Equity Office
- Jaffar Hayat, Access and Equity Policy Advisor, Access and Equity Office
- Carolyn Bish, Administrative Assistant, Customer Service Access and Equity, Corporate Services

- Annie Strojin, Human Rights Specialist, Human Resources, City Manager’s Office
- Sheila DuVerney, Community Services
- John Verbeek, Fire Prevention Officer- Public Information, EMS, Fire
- Teresa Bendo, Director, Planning & Continuous Improvement Public Health Services,
- Joanne Kohut, Manager, Planning & Continuous Improvement, Public Health Services,
- Erika Liao, Accommodations Planning & Design Technician, Facility Services, Public Works
- Owen Quinn, Coordinator of Accessible Transit, Transit, Public Works
- Doug Waugh, Manager, Operations and Logistical Support, EMS
- Meghan Stewart, Landscape Architect, Environment and Sustainable Infrastructure, Public Works
- Andrea McDonald, Senior Planner, Community Planning and Design, Planning and Economic Development

Key Contacts:

Aznive Mallett, Chair
Advisory Committee for Persons with Disabilities
Corporate Services – Customer Service, Access & Equity Division
71 Main Street W., 2nd floor
Hamilton, ON L8P 4Y5

Maxine Carter
Access & Equity Coordinator, Customer Service, Access and Equity
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71 Main Street W., 2nd floor
Hamilton, ON L8P 4Y5
TEL: 905-546-2424 ext. 6419
FAX: 905-546-2652
EMAIL: maxine.carter@hamilton.ca

Jane Lee

Director, Customer Service, Access and Equity
71 Main Street W., 2nd floor
Hamilton, ON L8P 4Y5
TEL: 905-546-2424 ext. 2654
FAX: 905-546-2652
EMAIL: jane.lee@hamilton.ca

5.3 Equity and Diversity Strategic Implementation Team

The Equity and Diversity Strategic Implementation Team consists of at least one Director from each department, the Access & Equity Coordinator and the Director of Customer Services, Access & Equity. The committee provides strategic input to the implementation of corporate-wide initiatives with respect to equity, access, inclusion and diversity, ensuring that the principles are included in the City of Hamilton’s future decisions, policies, programs and other activities.

Current Members:

- Mary Agro, Manager, Organizational Development, Human Resources, City Manager’s Office
- Denise Crawford, Human Rights Specialist, Human Resources, City Manager’s Office
- Carolyn Bish, Administrative Assistant to Director of Customer Service, Access & Equity, Corporate Services
- Maxine Carter, Access & Equity Coordinator, Corporate Services
- Jane Lee, Director of Customer Service, Access & Equity, Corporate Services
- Rob Rossini, General Manager, Finance & Corporate Services
- Colin McMullan, Manager, Community Services
- Joe Xamin, Manager, Operational Strategies, Planning & Economic Development
- Angela Storey, Manager, Business and Support Services, Public Works
- Susan Jacob, Manager, Design, Public Works

6. MULTI-YEAR PLAN OVERVIEW

Establishing, implementing and maintaining a multi-year accessibility plan is a key requirement under the AODA Integrated Accessibility Standards. Progress and updates on accessibility initiatives and activities will be reported and reflected in the multi-year accessibility plan. The multi-year plan will be updated at least once every five years and shall be made available to members of the public in an accessible format, upon request.

The multi-year plan contains the following sections:

- Strategic Goals
- Compliance Activities
- Resources, Cost and Budget Amount
- Compliance Timelines
- Status Updates

Strategic Goals

There are six strategic goals outlined in the multi-year plan, demonstrating the City’s commitment to fulfilling the requirements of the AODA, 2005, Customer Service Standard and Integrated Accessibility Standards. Each strategic goal addresses a key aspect of how we plan to design, deliver and implement policies, programs, services, resources and opportunities to persons with disabilities in an equitable manner that respects their dignity and independence, as well as takes into account the person’s disability.

The strategic goals are as follows:

Strategic Goal One: Persons with disabilities receive equitable, inclusive and accessible customer service that meets their needs when accessing and utilizing City’s services, programs, resources and opportunities.

Strategic Goal Two: Persons with disabilities who are potential employees will be accommodated and supported throughout the recruitment, assessing, selecting and hiring process and when they are seeking advancement opportunities as employees.

Strategic Goal Three: Information and communication and supports including the City’s website and self-service kiosks are fully accessible and available in accessible formats.

Strategic Goal Four: Persons with disabilities access barrier free services and programs when using Hamilton Street Railway (HSR) and Accessible Transit System (ATS).

Strategic Goal Five: City facilities are fully accessible and or will provide accessibility measures to meet the needs of persons with disabilities when accessing program, services, resources and opportunities.

Strategic Goal Six: Through training and experimental learning, staff is knowledgeable and able to recognize and identify barriers to accessibility when designing, planning, delivering and implementing services, programs and opportunities to the public as well as when procuring or acquiring goods, services or facilities.

Compliance Activities

This section outlines compliance activities detailing the initiatives, consultations and actions staff will undertake to ensure each strategic goal is achieved. The compliance activities are outlined with sections numbered to correspond with the Regulation requirements.

Resources, Costing and Budget Amount

This section outlines the departmental resources, anticipated cost and budget amount allocated towards achieving each goal.

Compliance Timelines

This section states the anticipated implementation timeframe for each initiative or activity. Compliance timelines have been established to foster accountability, efficiency and ensure that the strategic goals are achieved within a considerable timeframe.

Status Update

A status update is also provided for each initiative or activity, outlining what has been achieved and any plans for future initiatives.

7. MULTI-YEAR PLAN STRATEGIC GOALS 2013-2017

7.1. STRATEGIC GOAL ONE

Persons with disabilities receive equitable, inclusive and accessible customer service that meets their needs when accessing and utilizing City's services, programs, resources and opportunities.

WHAT WILL BE DONE?

Customer Service Standard Regulation Requirement (section 3):

- Establish and communicate accessibility policies, practices and procedures

Compliance Activities:

- 3.1.** Establish policies, practices and procedures governing the provision of its goods and services to persons with disabilities.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2010

Status: Compliant. Policies, practices and procedures governing the provision of goods and services to persons with disabilities have been established.

- 3.2.** Use reasonable efforts to ensure that all its goods and services are provided in a manner that respects the dignity and independence of persons with disabilities.

3.2.2. Where applicable shall integrate the provision of goods and services for persons with disabilities and others, unless an alternate measure is necessary.

3.2.3. Ensure that services are provided in an equitable manner so that one method of service does not create an advantage or disadvantage over another method of service.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2010

Status: Compliant. Policies, practices and procedures have been developed to ensure that staff, management, third party contractors and volunteers use reasonable efforts to ensure that goods and services are provided in a manner that respects the dignity and independence of persons with disabilities.

3.3. Ensure that where applicable, all policies deal with the use of assistive devices by persons with disabilities to obtain, use or benefit from its goods and services.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2010

Status: Compliant. The City has developed an Assistive Devices Policy which deals with the use of assistive devices by person with disabilities to obtain, use or benefit from goods and services.

- 3.4. Utilize alternative methods of communication, when communicating with a person with a disability, taking into account the person's disability.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2010

Status: Compliant. Currently utilize alternative methods of communication including in-person, telephone, fax, in-home, text and email, with the aid of various audio, visual and other technology-based assistive devices to communicate with persons with disabilities.

- 3.5. Prepare one or more documents describing its policies, practices and procedures and upon request, shall give a copy of the document to any person.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2010

Status: Compliant. Document describing policies, practices and procedures developed and is available to the public upon request.

Integrated Accessibility Standards Regulation Requirement (section 3, 4, 41)

- Establish, implement, maintain multi-year Accessibility Plan

Compliance Activities:

- 3.1. Develop, implement and maintain policies to achieve accessibility.
- 3.2. Develop statement of commitment to meet the accessibility needs of persons with disabilities.
- 3.3. Prepare written documents describing its policies and make them publicly available and in an accessible format upon request.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: In progress. Statement of commitment, policies, practices and procedures to meet the needs of persons with disabilities to be drafted and reviewed by staff and management.

- 4.1. Establish, implement, maintain multi-year Accessibility Plan
- 4.2. Post the accessibility plan on the website
- 4.3. Provide the plan in an accessible format upon request
- 4.4. Review and update the accessibility plan at least once every five years.
- 4.5. Consult with Advisory Committee for Persons with disabilities.
- 4.6. Provide annual status report on the progress of accessibility plan initiatives.
- 4.7. Post the status report on the website, and provide the report in an accessible format.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: In progress. Multi-year accessibility plan being drafted and will be submitted to departments for review.

41.1. Conventional transportation services shall identify the process for managing, evaluating and taking action on customer feedback.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: Compliant

42.1. Specialized transportation service providers shall, in their accessibility plans,

- identify the process for estimating the demand for specialized transportation services; and
- develop steps to reduce wait times for specialized transportation services.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: Compliant

43.1. Conventional transportation service providers and specialized transportation service providers shall, in their accessibility plans, describe procedures for dealing with accessibility equipment failures on their respective types of vehicles.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2012

Status: Compliant

7.2 STRATEGIC GOAL TWO

Persons with disabilities who are potential employees will be accommodated and supported throughout the recruitment, assessing, selecting and hiring process and when they are seeking advancement opportunities as employees.

WHAT WILL BE DONE?

Integrated Accessibility Standards Regulation Requirements (sections 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32):

- Accommodate and support potential employees throughout recruitment, assessing, selection, hiring and advancement process

Resources:

Costing (if known): \$120,000 for Employment Systems review to identify barriers in employment processes for people with disabilities and proposes solutions to address the barriers

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2014

Status: Review expected to commence in First Quarter, 2013

Compliance Activities:

22. Notify employees and the public about the availability of accommodation for applicants with disabilities in the recruitment processes.

Resources:

Costing (if known):

Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2014

Status:

23. If a selected applicant requests an accommodation, consult with the applicant and provide or arrange for the provision of a suitable accommodation.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2014

Status:

24. When making an offer of employment, notify successful applicant of the policies for accommodating employees with disabilities.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2014

Status:

25. Inform employees and new employees of polices to support employees with disabilities, including job accommodations.

25.1. Provide updated information on change in the existing policies or when there is a change in employee's accessibility needs due to disability.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2014

Status:

- 26.** Consult with the employee for the provision of accessible formats and communication supports for,
- information needed to perform the employee's job; and
 - Information that is generally available to employees in the workplace.
- 26.2.** Consult with the employee making the request in determining the suitability of an accessible format or communication support.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2014

Status:

- 27.1.** Provide individualized workplace emergency response information to employees with disability.
- 27.2.** Provide the emergency response information to the designated person to provide assistance to the employee with employee's consent.
- 27.3.** Review the individualized workplace emergency response information,
- when the employee moves to a different location

- accommodations needs or plans are reviewed; and
- when the employer reviews its general emergency response policies

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2012

Status: Individualized Workplace emergency response information, policies and procedures have been finalized and shared with Advisory Committee for Persons with Disabilities, Integrated Accessibility Standard sub-committee and staff. Implementation is underway. Access and Equity staff is working on the process to evaluate the implementation.

28.1. Develop a process for the development of documented individual accommodation plans for employees with disabilities.

The process must entail:

- Employee’s participation
- Means by which the employee is assessed on individual basis
- Employer can request an evaluation by outside expert at employer’s expense
- Participation of a representative from employee’s bargaining agent, where the employee is represented by a bargaining agent
- Steps taken to protect the privacy of the employee’s personal information
- The frequency of review/update and the manner of the individual accommodation plan
- Reasons for the denial of individual accommodation will be provided to the employee
- The means of providing the individual accommodation plan in a format that takes into account the employee’s accessibility needs due to disability

28.2. The individual accommodation plans shall include:

- any information regarding accessible formats and communication supports

- Individualized workplace emergency response information
- Identify any other accommodation that is to be provided

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2014

Status:

- 29.1.** Develop and have in place a return to work process for employees who have been absent from work due to a disability and require disability-related accommodations in order to return to work; and document the process.

The return to work process shall outline:

- The steps taken to facilitate the return to work of employees who were absent because of their disability
- Documented individual accommodation plans

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2014

Status:

- 30.** When using a performance management process, take into account the accessibility needs of employees with disabilities, as well as individual accommodation plans.

Resources:

Costing (if known):
Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2014
Status:

31. When providing career development and advancement to employees, take into account the accessibility needs of employees with disabilities as well as any individual accommodation plans.

Resources:
Costing (if known):
Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2014

Status:

32. When redeploying employees, take into account the accessibility needs of employees with disabilities, as well as their individual accommodation plans.

Resources:
Costing (if known):
Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2014

Status:

7.3 STRATEGIC GOAL THREE

Information and communication and supports including the City's website and self-service kiosks are fully accessible and available in accessible formats.

WHAT WILL BE DONE?

Customer Service Standards Regulation Requirements (sections 8, 9):

- Provide accessibility information, service disruption notices on City website, eNet and City premises

Compliance Activities:

- 8.1.** Establish procedure to notify persons to whom goods or services are provided about the availability of all documents by posting the notification of City's website, e-net and other conspicuous locations
- 8.2.** Post all notices and information relating to the Regulation on the City's website, eNet and other conspicuous locations on its premises.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2010

Status: Compliant. Procedure established and all notices and information relating to the Regulation available on City's website, eNet, conspicuous locations on City premises and available to the public upon request.

9.1. If a provider of goods or services is required by this Regulation to give a copy of a document to a person with a disability, the provider shall give the person the document, or the information contained in the document, in a format that takes into account the person's disability.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2010

Status: Compliant. Documents containing Regulation information, policies, practices and procedures are available to the public upon request.

Integrated Accessibility Standards Regulation Requirements (sections 6, 11, 12, 13, 14):

- Incorporate accessibility features when designing, procuring and acquiring self-service kiosks
- Provide documents, emergency procedures, plans or public safety information in accessible formats and communication supports
- Provide accessible formats and communication supports
- Develop accessible websites and web content

Compliance Activities:

6.1. Incorporate accessibility features when designing, procuring or acquiring self-service kiosks.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: In progress. Access and Equity Coordinator is having consultations with procurement staff to finalize the criteria for incorporating accessibility features when designing, procuring and acquiring self-service kiosks.

- 11.1. Provide accessible formats and communications supports for receiving and responding to the feedback.
- 11.2. Notify the public about the availability of accessible formats and communication supports.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2014

Status: Compliant. Process in place since January 2010. A corporate communication plan is being developed. All City advertisements provide information on the accessibility accommodations in meetings and services.

- 12.1. Provide accessible formats and communication supports:
 - By taking into account the person's accessibility needs and in a timely manner.
 - At a cost that is no more than the regular cost charged to other persons.
 - Consult with the person making the request in determining the suitability of an accessible format.
- 12.2. Notify the public about the availability of accessible formats and communication supports.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2015

Status:

- 13.1. Provide the emergency procedures, plans or public safety information:
 - In an accessible format or with appropriate communication supports.
- 13.2. Make emergency procedures, plans or public safety information available to the public.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2012

Status: Compliant. Policy and procedures have been finalized and shared with Advisory Committee for Persons with Disabilities, Integrated Accessibility Standards Sub-Committee and staff. Access and Equity Office is working on the process to evaluate the implementation.

- 14.1. All new internet websites and web content conforming with WCAG 2.0 Level A.
- 14.2. All internet websites and web content must conform with WCAG 2.0 Level AA.
 - Success criteria 1.2.4 Captions (live)
 - Success criteria 1.2.5 Audio Description (Pre-recorded)
 - Web content published on a website after January 1, 2012.

Resources:

Costing (if known): Re-development of the City's website is estimated at \$2.4 million, and will include AODA compliance. Only part of the budget estimate relates to AODA compliance. Phase one of the project includes development of a business case which will estimate AODA related costs.
Budget amount / year (2012-2015): Part of \$2.4 million web redevelopment project/ 2012-2014
Compliance Timeline: Multiple

Status:

7.4 STRATEGIC GOAL FOUR

Persons with disabilities access barrier free services and programs when using Hamilton Street Railway (HSR) and Accessible Transit System (ATS).

WHAT WILL BE DONE?

Integrated Accessibility Standards Regulation Requirements: (sections 34, 37, 38, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 78, 79, 80)

- Ensure barrier free access to services, programs and vehicles
- Ensure fare parity for persons with disabilities and no charge of fare to support persons
- Ensure accessible signage, surfaces, lighting and announcements on vehicles
- Develop guidelines for licensing accessible taxicabs

Compliance Activities:

34.1. Provide current information on accessibility equipment and features of vehicles, routes and services in an accessible format.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2012

Status: Compliant

- 35.1.** If the accessibility equipment on a vehicle is not functioning and equivalent service cannot be provided, staff shall take reasonable steps to accommodate persons with disabilities who would otherwise use the equipment and repair the equipment as soon as is practicable.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2011

Status: Compliant

- 37.1.** Establish, implement, maintain and document emergency preparedness and response policies that provide for the safety of persons with disabilities.
- Make those policies available to the public in an accessible format, upon request.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2012

Status: Compliant

- 38.1.** No charge of fare to a support person who is accompanying a person with a disability, where person with a disability has a need for a support person.
- 38.2.** It is the responsibility of a person with a disability to demonstrate to a service provider their need for a support person to accompany them.

Resources:

Costing (if known):

Budget amount / year (2012-2015): Estimated at \$115,000 – implemented in 2010

Compliance Timeline: January 1, 2014

Status: Compliant

44.1. Conventional transportation service providers shall:

- deploy lifting devices, ramps or portable bridge plates upon the request of a person with a disability;
- ensure that adequate time is provided to persons with disabilities to safely board, be secured and deboard transportation vehicles and that assistance be provided, upon request, for these activities;
- assist with safe and careful storage of mobility aids or mobility assistive devices used by persons with disabilities
- allow a person with a disability to travel with a medical aid.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2012

Status: Compliant

45.1. An alternative accessible method of transportation for persons with disabilities who can not use the service.

Resources:

Costing (if known):

Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2013

Status: Not applicable- does not apply where specialized transit services are provided by a specialized transportation service provider in the same jurisdiction where the conventional transportation service provider provides transportation services.

- 46.1. No conventional transportation service provider shall charge a higher fare to a person with a disability than the fare that is charged to a person without a disability where the person with a disability uses conventional transportation services, but a conventional transportation service provider may charge a lesser fare for a person with a disability.
- 46.2. Conventional transportation service providers that do not provide specialized transportation services, shall make available alternative fare payment options to persons with disabilities who cannot, because of their disability, use a fare payment option.

Resources:
Costing (if known):
Budget amount / year (2012-2015):
Compliance Timeline: Multiple

Status: Compliant

- 47.1. Ensure that persons with disabilities are able to board or deboard a transportation vehicle at the closest available safe location, as determined by the operator that is not an official stop, if the official stop is not accessible and the safe location is along the same transit route.
- 47.2. In determining where a safe location may be situated for the purposes of subsection (1), the conventional transportation service provider shall give consideration to the preferences of the person with a disability.

- 47.3.** Ensure that operators of their transportation vehicles promptly report to an appropriate authority where a transit stop is temporarily inaccessible or where a temporary barrier exists.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2012

Status: Compliant

- 48.1.** Charge no fee for the storage of a mobility aid or a mobility assistive device on conventional transportation service.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: Multiple

Status: Compliant

- 49.1.** Clearly mark courtesy seating for persons with disabilities
- 49.2.** The courtesy seating for persons with disabilities shall be located as close as practicable to the entrance door of the vehicle.
- 49.3.** The courtesy seating for persons with disabilities shall be signed to indicate that passengers, other than persons with disabilities, must vacate the courtesy seating if its use is required by a person with a disability.

49.4. A communications strategy shall be designed to inform the public about the purpose of courtesy seating.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2012

Status: Compliant

50.1. Where a route or scheduled service is temporarily changed and the change is known in advance of the commencement of the trip, conventional transportation service providers to which this section applies (transit buses, motor coaches, streetcars, subways, light rail, commuter rail, inter-city rail) shall,

- (a) make available alternate accessible arrangements to transfer persons with disabilities to their route destination where alternate arrangements for persons without disabilities are inaccessible;
- (b) ensure information on alternate arrangements is communicated in a manner that takes into account the person's disability.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: July 1, 2013

Status: To be compliant by July 1, 2013

51.1. Ensure that there are, on request, pre-boarding verbal announcements of the route, direction, destination or next major stop.

- 51.2.** Ensure that there are electronic pre-boarding announcements of the route, direction, destination or next major stop on its transportation vehicles and that that these announcements satisfy the regulation requirements.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: Multiple

Status:

- 52.1.** Ensure that there are audible verbal announcements of all destination points or available route stops on its transportation vehicles while the vehicle is on route or while the vehicle is being operated.
- 52.2.** Every conventional transportation service provider shall ensure that all destination points or available route stops,
- (a) are announced through electronic means; and
 - (b) are legibly and visually displayed through electronic means.
- 52.3.** Visual displays of destination points or stop information shall satisfy the regulation requirements

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: Multiple

Status: Compliant

53.1. Ensure that all conventional transportation vehicles to which this section applies (transit buses, motor coaches, street cars, subways, light rail, commuter rail, inter-city rail), that are manufactured on or after January 1, 2013 are equipped with grab bars, handholds, handrails or stanchions that are provided where appropriate.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: Compliant

54.1. Ensure that all conventional transportation vehicles manufactured on or after January 1, 2013 to which this section applies (transit buses, motor coaches, street cars, subways, light rail, commuter rail, inter-city rail):

(a) have floors that produce a minimal glare and are slip resistant;

(b) any carpeted surfaces have a low, firm and level pile or loop and are securely fastened.

54.4. Where a conventional transportation service provider enters into a contractual obligation to purchase new or used vehicles of a type referenced above the transportation service provider shall ensure the vehicles meet the requirements of this section.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: Compliant

- 55.1.** Ensure that all conventional transportation vehicles manufactured on or after January 1, 2013 to which this section applies (transit buses, motor coaches, street cars, subways, light rail, commuter rail, inter-city rail) shall:
- (a) have two or more allocated mobility aid spaces, with each space being a minimum of,
 - (i) 1,220mm by 685mm for vehicles designed to have a seating capacity of 24 passengers or less
 - (ii) 1,220mm by 760mm for vehicles designed to have a seating capacity of more than 24 passengers
 - (b) are equipped, as appropriate, with securement devices.
- 55.2.** Spaces on transportation vehicles that are allocated as mobility aid spaces may be used for other passenger purposes, if not required for use by a person with a disability who uses a mobility aid.
- 55.5.** where a conventional transportation service provider enters into a contractual obligation to purchase new or used vehicles of a type referenced above, on or after July 1, 2011, the transportation service provider shall ensure the vehicles meet the requirements of this section.
- 55.6.** Subsection (5) does not apply if the installation of mobility aid spaces would impair the structural integrity of the vehicle.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: Compliant

- 56.1.** Every conventional transportation service provider shall ensure that all of its transportation vehicles manufactured on or after January 1, 2013 to which this section applies (transit buses, motor coaches, street cars, subways, light rail, commuter rail, inter-city rail) are equipped with accessible

stop-requests and emergency response controls that are located throughout the transportation vehicle, including places within reach of allocated mobility aid spaces and courtesy seating locations.

- 56.2.** Accessible stop-requests and emergency response controls must meet the following standards:
1. They must provide auditory and visual indications that the request has been made.
 2. They must be mounted no higher than 1,220mm and no lower than 380mm above the floor.
 3. They must be operable with one hand and must not require tight grasping, pinching or twisting of the wrist.
 4. They must be high colour-contrasted with the equipment to which the control is mounted.
 5. They must provide tactile information on emergency response controls.
- 56.3.** With respect to stop-requests, this section applies to the following:
1. Transit buses.
 2. Motor coaches.
 3. Street cars.
- 56.4.** With respect to emergency response controls, this section applies to the following:
1. Subways.
 2. Light rail.
 3. Commuter rail.
 4. Inter-city rail.
- 56.5.** Despite subsection (1), where a conventional transportation service provider enters into a contractual obligation to purchase new or used vehicles of the type referenced above, on or after July 1, 2011, the transportation service provider shall ensure the vehicles meet the requirements of this section.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: Compliant

- 57.1.** Every conventional transportation service provider shall ensure that all of its transportation vehicles manufactured on or after January 1, 2013 to which this section applies (transit buses, motor coaches, streetcars, subways, light rail, commuter rail, inter-city rail) are equipped with lights above or beside each passenger access door that are constantly lit when the door is open and that illuminate the lifting device, ramp, portable bridge plate or step nosings, as the case may be.
- 57.2.** The light above or beside each passenger access door must,
- (a) when the door is open, illuminate the ground surface for a distance of at least 0.9m perpendicular to the bottom step tread or lift outer edge
 - (b) be shielded to protect the eyes of entering and exiting passengers.
- 57.5.** Despite subsection (1), where a conventional transportation service provider enters into a contractual obligation to purchase new or used vehicles of the type referenced above on or after July 1, 2011, the transportation service provider shall ensure the vehicles meet the requirements of this section.
- 57.6.** Subsection (5) does not apply if the installation of the lights would impair the structural integrity of the vehicle.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: Compliant

- 58.1.** Every conventional transportation service provider shall ensure that all of its transportation vehicles manufactured on or after January 1, 2013 to which this section applies (transit buses, motor

coaches, streetcars, subways, light rail, commuter rail, inter-city rail) display the route or direction of the transportation vehicle or its destination or next major stop.

- 58.2.** For the purposes of subsection (1), the signage displaying the route or direction or destination or next stop may include pictograms or symbols, but the signage must,
- (a) be visible at the boarding point
 - (b) be consistently located
 - (c) have a glare-free surface
 - (d) be positioned to avoid shadow areas and glare.
- 58.3.** Every conventional transportation service provider shall ensure that the signage displaying the route or direction or destination or next stop,
- (a) is consistently shaped, coloured and positioned, when used in the same type of transportation vehicle to give the same type of information
 - (b) has text that:
 - (i) is high colour-contrasted with its background, in order to assist with visual recognition,
 - (ii) has the appearance of solid characters.
- 58.5.** Despite subsection (1), where a conventional transportation service provider enters into a contractual obligation to purchase new or used vehicles, to which this section applies (transit buses, motor coaches, streetcars, subways, light rail, commuter rail, inter-city rail), on or after July 1, 2011, the transportation service provider shall ensure the vehicles meet the requirements of this section.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: Compliant

- 59.1.** Every conventional transportation service provider shall ensure that all of its transportation vehicles manufactured on or after January 1, 2013 to which this section applies (transit buses, motor coaches, streetcars, subways, light rail, commuter rail, inter-city rail) are equipped with lifting devices, ramps or portable bridge plates and that each of them has,
- (a) a colour strip that runs its full width marking the bottom edge and that is high colour contrasted with its background to assist with visual recognition;
 - (b) a slip resistant platform surface
 - (c) raised edges of sufficient height to prevent a mobility aid from rolling off the edge of the ramp during the boarding or de-boarding of passengers.
- 59.3.** This section does not apply to vehicles that are equipped with lifting devices, ramps or portable bridge plates and that are regulated under Regulation 629 of the Revised Regulations of Ontario, 1990 (Vehicles for the Transportation of Physically Disabled Passengers) made under the Highway Traffic Act.
- 59.4.** Despite subsection (1), where a conventional transportation service provider enters into a contractual obligation to purchase new or used vehicles (transit buses, motor coaches, streetcars, subways, light rail, commuter rail, inter-city rail) on or after July 1, 2011, the transportation service provider shall ensure the vehicles meet the requirements of this section.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: Compliant

- 60.1.** Every conventional transportation service provider shall ensure that where transportation vehicles are equipped with steps, the steps meet the following requirements:
- The top outer edge of each step is marked by a colour strip that is high colour-contrasted with its background, to assist with visual recognition, that runs the full width of the leading edge of the step, excluding any side edge mouldings, and can be viewed from both directions of travel.
 - The steps have surfaces that are slip resistant and that produce minimal glare.
 - The steps have uniform, closed riser heights and tread depths, subject to the structural limitations of the vehicle.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: Compliant

- 61.1.** Every conventional transportation service provider shall ensure that where its transportation vehicles have a ramp, lifting device or a kneeling function, each of them is equipped with a visual warning lamp indicator mounted on the exterior near the mobility aid accessible door and with an audible warning alarm.
- 61.2.** The visual warning lamp indicator and the audible warning alarm must function when the kneeling function, ramp or lifting device is in motion.
- 61.3.** If a ramp or lifting device is being manually operated, no warning lamp indicator or warning alarm is required.

Resources:

Costing (if known):

Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2013

Status: Compliant

- 62.1. Every conventional transportation service provider whose transportation services include light rail, commuter rail or inter-city rail shall ensure that at least one rail car per train is accessible to persons with disabilities who use mobility aids.
- 62.2. Every conventional transportation service provider whose transportation services include light rail, commuter rail or inter-city rail shall ensure that where washrooms are provided on the rail cars there is at least one mobility aid accessible washroom on the mobility aid accessible rail car.

Resources:
Costing (if known):
Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2013

Status: Not applicable

- 63.1. Every specialized transportation service provider shall have three categories of eligibility to qualify for specialized transportation services,
 - (a) unconditional eligibility
 - (b) temporary eligibility
 - (c) conditional eligibility
- 63.2. For purposes of eligibility for specialized transportation services, specialized transportation service providers shall categorize persons with disabilities as follows:

1. A person with a disability that prevents them from using conventional transportation services shall be categorized as having unconditional eligibility.
2. A person with a temporary disability that prevents them from using conventional transportation services shall be categorized as having temporary eligibility.
3. A person with a disability where environmental or physical barriers limit their ability to consistently use conventional transportation services shall be categorized as having conditional eligibility.

63.3. A specialized transportation service provider may deny requests for specialized transportation services to persons who are categorized as having temporary eligibility or conditional eligibility if the conventional transportation service is accessible to the person and the person has the ability to use it.

Resources:

Costing (if known):

Budget amount / year (2012-2015): \$5.7 million (once revised eligibility policy is fully implemented)

Compliance Timeline: January 1, 2017

Status: To be compliant in late 2012, part of assessment process for the revised Eligibility process for Specialized Transit

- 64.1.** If a person has completed an application for eligibility for specialized transportation services and the person's eligibility has not been determined within 14 calendar days after the completed application is received by the specialized transportation service provider, the person shall be considered to have temporary eligibility for specialized transportation services until a decision on his or her eligibility is made.
- 64.2.** A specialized transportation service provider shall not charge a fee to persons with disabilities who apply or who are considered eligible for specialized transportation services.

- 64.3. A specialized transportation service provider may require a reassessment of the eligibility of temporarily eligible registrants at reasonable intervals.
- 64.4. A specialized transportation service provider shall, upon the request of the person requesting specialized transportation services, make available to the requester all of his or her specialized transportation services eligibility application and decision information in accessible formats.
- 64.5. A specialized transportation service provider shall establish an independent appeal process to review decisions respecting eligibility.
- 64.6. A specialized transportation service provider shall make a decision on an appeal with respect to eligibility within 30 calendar days after receiving the complete appeal application, but if a final decision is not made within the 30 days, the applicant shall be granted temporary eligibility until a final decision is made.
- 64.8. A specialized transportation service provider shall have policies respecting the collection, use and disclosure of personal information collected for purposes of determining eligibility under this section.

Resources:

Costing (if known):

Budget amount / year (2012-2015): Part of the \$5.7 million eligibility policy implementation costs

Compliance Timeline: January 1, 2014

Status: To be compliant in 2012; part of the revised Eligibility process for Specialized transit

- 65.1. Specialized transportation service providers shall develop procedures respecting the provision of temporary specialized transportation services earlier than in the 14 calendar days referred to in subsection 64 (1),
 - (a) where the services are required because of an emergency or on compassionate grounds; and
 - (b) where there are no other accessible transportation services to meet the person's needs.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2014

Status: To be compliant by January 1, 2014

- 66.1. Where conventional transportation services and specialized transportation services are provided by separate transportation service providers in the same jurisdiction, the specialized transportation service provider shall not charge more than the highest fare charged for conventional transportation services in the same jurisdiction.
- 66.2. Every conventional transportation services and specialized transportation services shall ensure that there is fare parity between conventional transportation services and specialized transportation services.
- 66.3. Every conventional transportation services and specialized transportation services shall ensure that the same fare structure is applied to conventional transportation services and specialized transportation services.
- 66.4. Every conventional transportation services and specialized transportation services shall ensure that the same fare payment options are available for all transportation services, but alternative options shall be made available to persons with disabilities who cannot because of their disability use a fare payment option.

Resources:

Costing (if known):

Budget amount / year (2012-2015): Estimated at \$450,000/2013

Compliance Timeline: Multiple

Status: To be compliant by January 1, 2013

- 67.1.** Every specialized transportation service provider shall:
- (a) make specialized transportation services available to visitors
 - (b) consider as eligible,
 - (i) visitors who provide confirmation that they are eligible for specialized transportation services in the jurisdiction in which they reside, or
 - (ii) visitors who meet the specialized transportation services eligibility requirements of the specialized transportation service provider.
- 67.2.** Every specialized transportation service provider shall develop criteria to determine who falls into the category of visitor for the purposes of this section.
- 67.3.** Specialized transportation service providers shall meet the requirements of this section by January 1, 2013.
- 67.4.** A specialized transportation service provider shall have policies respecting the collection, use and disclosure of personal information collected for purposes of determining eligibility under this section.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: Compliant

- 68.1.** Every specialized transportation service provider shall provide origin to destination services within its service area that takes into account the abilities of its passengers and that accommodates their abilities.
- 68.2.** Origin to destination services may include services on any accessible conventional transportation services.

Resources:
Costing (if known):
Budget amount / year (2012-2015):
Compliance Timeline: July 1, 2011

Status: Compliant

- 69.1. Where specialized transportation services are provided in adjacent municipalities within contiguous urban areas, the specialized transportation service providers shall facilitate connections between their respective services.
- 69.2. Specialized transportation service providers to which subsection (1) applies shall determine the accessible stops and drop off locations in the contiguous urban areas that have specialized transportation services.

Resources:
Costing (if known):
Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2013

Status: Compliant

- 70.1. Where conventional transportation services and specialized transportation services are provided by separate transportation service providers in the same jurisdiction, the specialized transportation service provider shall ensure that it has, at a minimum, the same hours and days of service as any one of the conventional transportation service providers.

70.2. Where a transportation service provider provides both conventional transportation services and specialized transportation services, it shall ensure that the specialized transportation services have, at a minimum, the same hours and days of service as the conventional transportation services.

Resources:

Costing (if known):

Budget amount / year (2012-2015): \$100,000/2013

Compliance Timeline: Multiple

Status: To be compliant by January 1, 2013

71.1. Every specialized transportation service provider shall, where the specialized transportation services require reservations,
(a) provide same day service to the extent that it is available; and
(b) where same day service is not available, accept booking requests up to three hours before the published end of the service period on the day before the intended day of travel.

71.2. A specialized transportation service provider to whom subsection (1) applies shall provide accessible means to accept reservations.

Resources:

Costing (if known):

Budget amount / year (2012-2015): \$125,000/2013-2014

Compliance Timeline: January 1, 2014

Status: Compliant

72.1. No specialized transportation service provider shall limit the availability of specialized transportation services to persons with disabilities by:

- (a) restricting the number of trips a person with a disability is able to request; or
- (b) implementing any policy or operational practice that unreasonably limits the availability of specialized transportation services.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2014

Status: Compliant

- 73.1.** Every specialized transportation service provider, where the specialized transportation services require reservations, shall provide information on the duration of service delays to affected passengers by a method agreed to by the specialized transportation service provider and passenger.
- 73.2.** For the purposes of this section, a service delay is a delay of 30 minutes or more after.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: To be compliant by January 1, 2013

- 74.1.** Every specialized transportation service provider shall allow companions to travel with persons with disabilities if space is available and will not result in the denial of service to other persons with disabilities.

- 74.2.** Every specialized transportation service provider shall allow dependants to travel with a person with a disability who is the parent or guardian of the dependant if appropriate child restraint securement systems and equipment are, if required, available.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2012

Status: Compliant

- 78.1.** Consult with Advisory Committee for Persons with Disabilities, the public and persons with disabilities in the development of accessible design criteria to be considered in the construction, renovation or replacement of bus stops and shelters.
- 78.2.** Identify planning for accessible bus stops and shelters, including any steps that will be taken to meet the goal of accessible bus stops and shelters, in the accessibility plan
- 78.3.** Upon entering into arrangements with a person respecting the construction of bus stops and shelters in its jurisdiction, ensure that the person participates in the consultation and planning

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: Compliant

- 79.1.** Consult with Advisory Committee for Persons with Disabilities, the public and persons with disabilities to determine the proportion of on-demand accessible taxicabs required in the community.

79.2. Identify progress made toward meeting the need for on-demand accessible taxicabs, including any steps that will be taken to meet the need, in the accessibility plan

Resources:

Costing (if known):

Budget amount / year (2012-2015): \$100,000/2013-2014

Compliance Timeline: January 1, 2013

Status: City's licensing division reviewing this requirement.

80.1. When licensing taxicabs, ensure that owners and operators of taxicabs are prohibited,
(a) from charging a higher fare or an additional fee for persons with disabilities than for persons without disabilities for the same trip; and

(b) from charging a fee for the storage of mobility aids or mobility assistive devices.

80.2. When licensing taxicabs, ensure that owners and operators of taxicabs place vehicle registration and identification information on the rear bumper of the taxicab.

80.3. When licensing taxicabs, ensure that owners and operators of taxicabs make available vehicle registration and identification information in an accessible format to persons with disabilities who are passengers.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: City's licensing division reviewing this requirement.

7.5 STRATEGIC GOAL FIVE

City facilities are fully accessible and or will provide accessibility measures to meet the needs of persons with disabilities when accessing program, services, resources and opportunities.

WHAT WILL BE DONE?

Design of Public Spaces Standards (Accessibility Standards for the Built Environment) Regulation Requirements (section 80):

- Design of Open Spaces will be achieved
- Ensure compliance with technical requirements for recreational trails, beach access routes, boardwalks, ramps, landings, nosings, handrails, outdoor play spaces, exterior paths of travel, curb ramps, depressed curbs, pedestrian signals, rest areas, accessible parking spaces, on-street parking spaces, service counters, fixed queuing guides and waiting areas
- Ensure maintenance of accessible elements

Compliance Activities:

To be determined

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2016

Status:

Barrier-Free Design Guidelines

- Achieve intent of the guidelines
- Departmental initiatives, activities and consultations

Customer Service Standard Regulation Requirements (section 4, 5, 7):

- Establish guidelines regarding fees for support persons
- Provide notice of temporary service disruptions
- Establish feedback process for receiving and responding to feedback
- Establish policy, practices and procedures to permit service animals and support persons accompanying persons with disabilities

Compliance Activities:

- 4.1.** Establish policy and procedure permitting guide dogs or other service animals to enter City premises and keep the animal with him or her, unless the animal is excluded by law

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2010

Status: Compliant. Policies, practices and procedures established to accommodate guide dogs and service animals on City premises.

- 4.2.** Ensure the animal is not separated from the persons with disability, as well as while on ambulances

Resources:

Costing (if known):

Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2010

Status: Compliant. Policies, practices and procedures established to accommodate guide dogs and service animals on City premises.

- 4.3. If a service animal is excluded by law from the premises, utilize alternative methods of service including in-person, telephone, email, postal mail, texting, fax, in-home and over the counter, to provide services to persons with disabilities

Resources:
Costing (if known):
Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2010

Status: Compliant. Policies, practices and procedures established to accommodate guide dogs and service animals exclude by law, by utilizing alternative methods of service.

- 4.4. If a person with disability is accompanied by a support person, ensure that both persons are permitted to enter the premises together and that person is not prevented from having access to the support person while on the premises

Resources:
Costing (if known):
Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2010

Status: Compliant. Policies, practices and procedures established to accommodate support persons on City premises.

- 4.5. Allow a person with disability to be accompanied by a support person when on City premises, if the support person is necessary for the health or safety of the person with disability or the health or safety of others on the premises

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2010

Status: Compliant. Policies, practices and procedures established to accommodate support persons on City premises.

- 4.6. Establish policy and guidelines to waive fee or notify persons with disabilities in advance, of any amount payable by a support person for admission to City premises

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2010

Status: Compliant. Policies, practices and procedures established to notify support persons in advance of amount payable for admission to City premises.

- 4.7. Prepare one or more documents describing policies, practices and procedures with respect to guide dogs or other service animals and support persons and upon request, give a copy of the document to any person

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2010

Status: Compliant. Document outlining accessibility policies, practices and procedures developed and available to the public upon request.

- 5.1. Provide notification to the public of temporary disruption in facilities or services in a timely manner and in alternative formats

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2010

Status: Compliant. Policies, practices and procedures established to notify the public about temporary disruptions in facilities or services.

- 5.2. Notice of the disruption must include information about the reason for the disruption, its anticipated duration and a description of alternative facilities or services, if any.

Resources:

Costing (if known):

Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2010

Status: Compliant. Policies, practices and procedures established to notify the public about temporary disruptions in facilities or services.

- 5.3. Post disruption notice at a conspicuous location on premises and utilize alternative communication channels including City's website, email, eNet, telephone and text message

Resources:
Costing (if known):
Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2010

Status: Compliant. Policies, practices and procedures established to notify the public about temporary disruptions in facilities or services in alternative formats.

- 5.4. Prepare one or more documents outlining steps to be taken in connection with temporary disruptions and upon request, give a copy of the document to any person.

Resources:
Costing (if known):
Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2010

Status: Compliant. Document outlining accessibility policies, practices and procedures developed and available to the public upon request.

- 7.1. Establish a feedback process for receiving and responding to feedback about the manner in which goods and services are provided to persons with disabilities and make the information readily available to the public in accessible formats

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2010

Status: Compliant. Feedback process developed and implementation underway.

- 7.2. Ensure the feedback process allows persons with disabilities to provide their feedback in various forms including telephone, writing, texting, email, CD.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2010

Status: Compliant. Feedback process developed and implementation underway.

- 7.3. Establish a feedback process which outlines procedures (actions, timelines, process chain, contact person(s), when a complaint is received

7.3.1. Communicate the feedback process to staff, persons with disabilities and the public

Resources:

Costing (if known):

Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2010

Status: Compliant. Feedback process developed and implementation underway.

- 7.4. Prepare one or more documents describing the feedback process and upon request, give a copy of the document to any person.

Resources:
Costing (if known):
Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2010

Status: Compliant. Document outlining feedback policy, procedure and process developed and available to the public upon request.

7.6 STRATEGIC GOAL SIX

Through training and experimental learning, staff is knowledgeable and able to recognize and identify barriers to accessibility when designing, planning, delivering and implementing services, programs and opportunities to the public as well as when procuring or acquiring goods, services or facilities.

WHAT WILL BE DONE?

Customer Service Standard Regulation Requirement (section 6):

- Provide training, information and awareness to staff on serving persons with disabilities.

Compliance Activities:

- 6.1. Ensure that the following persons receive training about the provision of its goods or services to persons with disabilities:
 - (i). Every person who deals with members of the public or other third parties on behalf of the provider, whether the person does so as an employee, agent, volunteer or otherwise.
 - 6.1.1 Develop a strategy to ensure that every employee, volunteer, agent, contractor or otherwise, who deals with members of the public or other third parties on its behalf, receives training about the provision of goods and services to persons with disabilities.
 - 6.1.2. Develop a strategy to ensure that every employee, volunteer, agent, contractor or otherwise, who participates in developing policies, practices and procedures governing the provision of goods and services to members of the public or other third parties on its behalf, receives training about the provision of its goods and services to persons with disabilities.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2010

Status: Compliant. Training strategy developed and implementation is underway.

- 6.2.** Ensure that a review of the purposes of the Act and the requirements of this Regulation and instructions are incorporated into the training curriculum.
- 6.2.1.** Ensure that every employee, volunteer, agent, contractor or otherwise, who deals with members of the public or other third parties on its behalf, receives training on interacting and communicating with persons with various types of disability.
- 6.2.2.** Ensure that every employee, volunteer, agent, contractor or otherwise, who deals with members of the public or other third parties on its behalf, receives training on how to interact with people who use an assistive device (such as wheel chairs, lifts), or require the assistance of a guide dog or other service animal or the assistance of a support person.
- 6.2.3.** Ensure that every employee, volunteer, agent, contractor or otherwise, who deals with members of the public or other third parties on its behalf, receives training on how to use equipment and devices available on its premises.
- 6.2.4.** Ensure that every employee, volunteer, agent, contractor or otherwise, who deals with members of the public or other third parties on its behalf, receives training on what to do if a person with a particular type of disability is having difficulty accessing goods or services.

Resources:

Costing (if known):

Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2010

Status: Compliant. Training implementation is underway.

- 6.3. Ensure that every employee, volunteer, agent, contractor or otherwise, who deals with members of the public or other third parties on its behalf, receives training within a practicable timeframe, in accordance with the stipulated Regulation implementation timeframe.

Resources:
Costing (if known):
Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2010

Status: Compliant. Training implementation is underway.

- 6.4. Ensure that every employee, volunteer, agent, contractor or otherwise, who deals with members of the public or other third parties on its behalf, receives training on an ongoing basis in connection with changes to the policies, practices and procedures governing the provision of goods and services to persons with disabilities

Resources:
Costing (if known):
Budget amount / year (2012-2015):
Compliance Timeline: January 1, 2010

Status: Compliant. Training implementation is underway.

- 6.5. Prepare one or more documents describing the training policy including a summary of the training content, details, schedule and timeframe

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2010

Status: Compliant. Document outlining training policy, practices and procedures developed and available to the public, upon request.

- 6.6. Develop a mechanism for keeping records of the training provided including training dates and attendance

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2010

Status: Compliant. Training implementation is underway.

Integrated Accessibility Standards Regulation Requirements (section 5, 7, 36):

- Develop policies, practices and procedures for procuring or acquiring goods, services or facilities
- Provide training on Regulation and Human Rights Code

Compliance Activities:

5.1. Incorporate accessibility criteria and features when procuring or acquiring goods, services or facilities.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: Guidelines for procurement staff have been made available. Access and Equity team is working on a process for appropriate language and communication. Access and Equity Coordinator is consulting with procurement staff to finalize the criteria.

5.2. Provide a written explanation if it is not possible to incorporate accessibility criteria, upon request.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2013

Status: Guidelines for procurement staff have been made available. Access and Equity team is working on a process for appropriate language and communication. Access and Equity Coordinator is consulting with procurement staff to finalize the criteria.

7.1. Provide training on Regulation and the Human Rights Code;

- all employees, and volunteers;
- all persons developing the organization's policies; and

- all other persons who provide goods, services or facilities on behalf of the organization.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2014

Status: In progress. A request for proposal is being developed for a consultant to develop an overarching training strategy. People soft has already been synchronized with the AODA Customer Service Standard online training. A similar process will be used for the Integrated Accessibility Standard training.

7.2. Staff training as soon as practicable and be appropriate to the duties of employees.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2014

Status: In progress. A request for proposal is being developed for a consultant to develop an overarching training strategy. People soft has already been synchronized with the AODA Customer Service Standard online training. A similar process will be used for the Integrated Accessibility Standard training.

7.3. Ensure to keep record of all training including attendance and content

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2014

Status: In progress. A request for proposal is being developed for a consultant to develop an overarching training strategy. People soft has already been synchronized with the AODA Customer Service Standard online training. A similar process will be used for the Integrated Accessibility Standard training.

36.1. Conduct employee and volunteer accessibility training on:

- the safe use of accessibility equipment and features;
- acceptable modifications to procedures in situations where temporary barriers exist or accessibility equipment on a vehicle fails; and
- Emergency preparedness and response procedures that provide for the safety of persons with disabilities.

36.2. Keep a record of the training provided under this section, including the date and number of participants.

Resources:

Costing (if known):

Budget amount / year (2012-2015):

Compliance Timeline: January 1, 2014

Status: To be compliant by January 1, 2014

8. APPENDICES

8.1. Appendix I

Municipal Highlights/Overview

The City of Hamilton lies within an area of 1,117.21 square kilometres on the western end of Lake Ontario and currently has a population of 504,559 people. Hamilton is currently the fourth most populated urban center in the Province of Ontario after Toronto, Ottawa-Gatineau and Mississauga; the third one in the Golden Horseshoe Area and the ninth in the national rank. The City of Hamilton is strategically located about one hour from Canada’s business and most populated urban centre, Toronto; and one hour from Niagara Falls and the United States Canada border.

The Council for the City of Hamilton is comprised of a Mayor elected at large and 15 ward Councillors, each with a specific area in the City to represent. Bob Bratina is Hamilton’s 61st Mayor and has been elected for the period of 2011 - 2014. The administration of the City is guided by a City Manager and a Senior Management Team composed of the department heads of each of the City departments as follows:

- City Managers Office
- Community Services
- Corporate Services
- Emergency Services
- Planning & Economic Development
- Public Health
- Public Works

8.2. Appendix II

Key Definitions

There are some key definitions in the ODA, 2001 and the AODA, 2005 which are important to keep in mind when developing and implementing the City of Hamilton Annual Accessibility Plan.

The Acts define a disability as:

- a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- b) a condition of mental impairment or a developmental disability,
- c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- d) a mental disorder, or
- e) an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997; (“handicap”)

In addition, the Act defines a barrier as:

anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice; (“obstacle”).

Making an organization accessible requires you to have regard for visible and invisible barriers to participation. Some of these barriers are:

Architectural or structural barriers may result from the design of a building such as stairs, doorways, the width of hallways and even room layout.

Information and communications barriers can make it difficult for people to receive or convey information. Things like small print size, low colour contrast between text and background, confusing design of printed materials and the use of language that is not clear or plain can all cause difficulty.

Technology, or lack of it, can prevent people from accessing information. Everyday tools like computers, telephones and other aids can all present barriers.

Systemic barriers can occur through policies and procedures. These are any practices or rules that restrict people with disabilities – for example, denying access to a person with a service animal.

Attitude is perhaps the most difficult barrier to overcome. Some people don’t know how to communicate with those who have visible or non-visible disabilities or they simply discriminate against them because of stereotypes and myths and misconceptions that perpetuate. Some people may feel that they could offend the individual with a disability by offering help or they ignore or avoid people with disabilities altogether.

AUDIT

The Corporation of the City of Hamilton

Audit Planning Report

For the year ending December 31, 2012

KPMG LLP, Chartered Accountants, Licensed Public Accountants

kpmg.ca

Dear Audit, Finance and Administration Committee members,

Audit planning is the cornerstone of an effective, efficient and high quality audit. In developing our audit plan, we have worked with management to obtain a common understanding of the issues and related financial reporting risks facing the Corporation of the City of Hamilton and have designed our audit to focus on those areas of risk.

As members of the Audit, Finance and Administration Committee, you have a significant role to play in the oversight of our audit and we welcome any and all observations you may have regarding the decisions reflected in this audit plan.

Audit quality

Audit quality is receiving an increased level of scrutiny around the world. Audit quality is at the core of everything we do at KPMG, and we believe that it is not just about providing the right audit opinion, but also the steps we take to provide that audit opinion. One component of our efforts in this area is the development and implementation of the KPMG Audit Quality Framework to help ensure that every partner and professional concentrates on the fundamental skills and behaviours required to deliver an appropriate and independent audit opinion. We invite you to review "KPMG's Audit Quality Framework", summarized in the appendices of this report.

We believe this audit plan embodies our commitment to audit quality.

Reaching out to audit committees

KPMG's Audit Committee Institute (ACI) provides information, resources, and knowledge-sharing opportunities to help audit committees and directors strengthen the integrity of their financial reporting process and the quality of their corporate governance practices. The ACI's Audit Committee Roundtables are held across the country twice yearly. You are cordially invited to attend. For information on ACI's audit committee resources and roundtable registration, please visit www.kpmg.ca/auditcommittee.


We sincerely hope this Audit Planning Report is of assistance to you, and we look forward to discussing it in detail and answering any questions you may have at the upcoming Audit, Finance and Administration Committee meeting.

Yours sincerely,



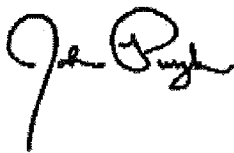
Barry F. Frieday

Lead Partner, City of Hamilton



Lois Ouellette

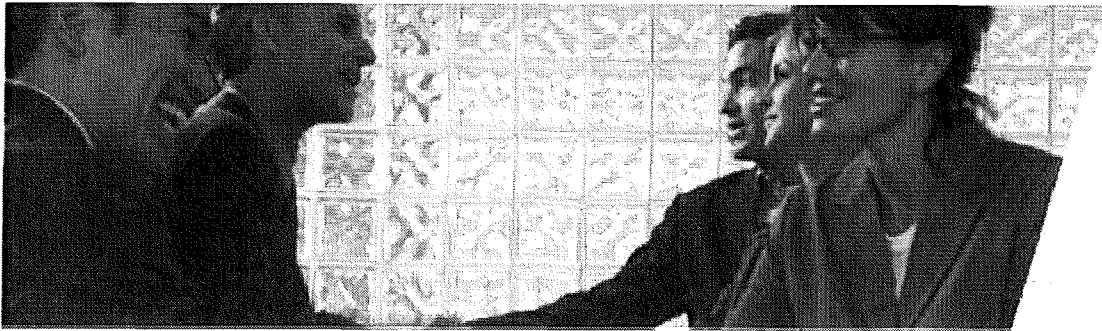
Engagement Partner, City of Hamilton



John Pryke

Engagement Partner, Related Entities

At KPMG, we are passionate about earning your trust. We take deep personal accountability, individually and as a team, to deliver exceptional service and value in all our interactions with you. Ultimately, we measure our success from the only perspective that matters—yours.



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Audit plan

We have prepared this audit plan to inform you of the planned scope and timing of the audit for the purpose¹ of carrying out and discharging your responsibilities and exercising oversight over our audit of the consolidated financial statements.

What has changed from last year

We have set out below a summary of changes that have been taken into consideration in planning the audit for the current period:

Your organization

- Transfer of management of the HECFI facilities to Global Spectrum / Live Nation and the Carmen's Group
- Senior Management changes
- Debt issuance and swap agreement
- Pan Am games agreement

Accounting standards

- No changes for current year
- Upcoming changes with effective dates ranging from December 31, 2013 to December 31, 2016 include Government Transfers, Tax Revenue, Financial Instruments, Foreign Currency Translation and Liability for Contaminated Sites.
- Refer to the appendices for further discussion on this matter.

Auditing standards

- No changes for current year

Annual inquiries related to risks of fraud:

Canadian Auditing Standards require that we ask you questions in connection with your oversight of management's process for identifying and responding to the risks of fraud:

- What are your views about fraud risks in the entity?
- How do you provide effective oversight of programs and controls to prevent, detect and deter fraud, including oversight over internal controls management has established to mitigate fraud risks?

¹ This Audit Planning Report should not be used for any other purpose or by anyone other than the Audit, Finance and Administration Committee. KPMG shall have no responsibility or liability for loss or damages or claims, if any, to or by any third party as this Audit Planning Report has not been prepared for, and is not intended for, and should not be used by, any third party or for any other purpose.

- Are you aware of, or have you identified any instances of, actual, suspected or alleged fraud, including misconduct or unethical behaviour related to financial reporting or misappropriation of assets? If so, have the instances been appropriately addressed and how have they been addressed?

Scope of the audit

The purpose of an audit is to enhance the degree of confidence of the users of the financial statements through the expression of an opinion on whether the financial statements fairly present, in all material respects, the consolidated financial position, its consolidated results of operations, consolidated changes in net financial assets, and consolidated cash flows of the Corporation of the City of Hamilton in accordance with Canadian public sector accounting standards.

In planning our audit, we have considered the level of audit work required to support our opinion, including each of the following matters:

Our responsibilities

- Our responsibilities in carrying out our audit, as well as management's responsibilities, are set out in the engagement letter included in the appendices to this report.

Materiality

- We determine materiality in order to plan and perform the audit and to evaluate the effects of identified misstatements on the audit and of any uncorrected misstatements on the financial statements.
- For the current period, materiality of \$25,600,000 has been determined.
- We will reassess materiality at period-end to confirm whether it remains appropriate for evaluating the effects of uncorrected misstatements on the financial statements.
- We will communicate uncorrected misstatements to you, other than those that are clearly trivial.
- Should uncorrected misstatements remain, in accordance with professional standards, we will:
 - request of management and of the Audit, Finance and Administration Committee that all uncorrected misstatements be corrected.
 - communicate the effect that uncorrected misstatements, individually or in aggregate, may have on our audit opinion.

Equity method investees ("components") in consolidated financial statements

Professional standards require that we obtain an understanding of the Corporation of the City of Hamilton's organizational structure, including its components, and their environments that is sufficient to identify those components that are financially significant or that contain specific risks that must be addressed during our audit. Where component auditors will perform work on the financial information of such components, we are required to evaluate whether we, as group auditors, will be able to be involved in the work of those component auditors to the extent necessary to obtain sufficient appropriate audit evidence.

As group auditors, the basis for servicing as group auditor is premised on the ability to obtain sufficient appropriate audit evidence regarding component financial information. The components upon which we will plan to perform audit procedures are listed below:

Significant components

Hamilton Utilities Corporation
Involvement of other auditors/KPMG member firms ("component auditor")
None, KPMG Hamilton is also the component auditor.
Type of work to be performed on component financial information
Statutory audit of component financial statements

Financial reporting risks

As part of our audit planning, we identify significant financial reporting risks that, by their nature, require special audit consideration. By focusing on these risks, we are able to target our procedures and deliver a high quality audit that is both efficient and effective

The financial reporting risks identified during our audit planning are listed below:

Portfolio investments and related income
Risk of material misstatement prior to consideration of internal controls
Existence, accuracy and valuation of investments and related income
Summary of planned audit approach
Performing substantive procedures
Tangible capital assets
Risk of material misstatement prior to consideration of internal controls
Completeness, existence and classification of tangible capital assets between capital and operating
Summary of planned audit approach
Performing substantive procedures
Taxation revenue
Risk of material misstatement prior to consideration of internal controls
Completeness and accuracy of taxation revenue
Summary of planned audit approach
Performing substantive procedures
User charges revenue
Risk of material misstatement prior to consideration of internal controls
Completeness, occurrence and accuracy of revenue; valuation of related receivables
Summary of planned audit approach
Testing selected relevant controls over cash receipts and performing substantive procedures

Government grants and contributions
Risk of material misstatement prior to consideration of internal controls
Completeness of grant revenue and accuracy of timing of revenue recognition
Summary of planned audit approach
Performing substantive procedures
Expenditures and payables
Risk of material misstatement prior to consideration of internal controls
Completeness, existence, accuracy and classification of expenditures and completeness of related accounts payable and accrued liabilities
Summary of planned audit approach
Testing selected relevant controls over payroll and non-payroll expenditures and performing substantive procedures
Employee future benefits (Pension obligation; Retirement benefits; Long-term disability; Sick Leave and WSIB)
Risk of material misstatement prior to consideration of internal controls
Completeness and accuracy of employee future benefits and related expenses
Summary of planned audit approach
Performing substantive procedures Use of management's expert – the Actuary
Solid waste landfill liabilities
Risk of material misstatement prior to consideration of internal controls
Completeness and accuracy of liability and related expenses
Summary of planned audit approach
Performing substantive procedures, including review of application of assumptions
Transfer of management of the HECFI facilities
Risk of material misstatement prior to consideration of internal controls
Completeness and accuracy of liability and related expenses and disclosure
Summary of planned audit approach
Performing substantive procedures

Fees and assumptions

In determining the fees for our services, we have considered the nature, extent and timing of our planned audit procedures as described above. Our fees are in accordance with our most recent successful proposal. These fees are based on the assumptions described in the engagement letter in the appendices to this report.

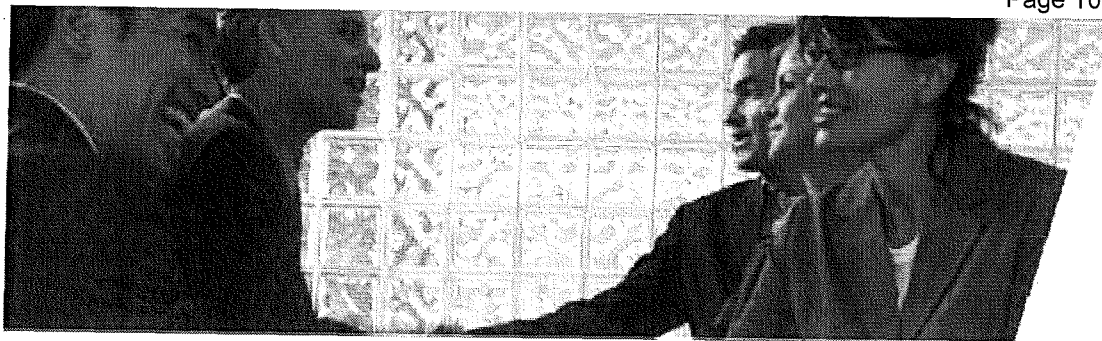
Timing of the audit

We have discussed the key audit deliverables with management and the expected dates indicated below have been agreed upon:

Key deliverables and expected dates	
Deliverables	Expected date(s)
Conduct interim audit field work	October 1 to 19, 2012
Present Audit Planning Report to the Audit, Finance and Administrations Committee	TBD
Conduct year-end audit field work	March 25 to April 30, 2013
Present the Audit Findings Report to the Audit, Finance and Administration Committee	June 2013
Provide audit opinion on financial statements	June 2013

Performance improvement observations

During the course of our audit, we may become aware of opportunities for improvements in financial or operational processes or controls. We will discuss any such opportunities with management and provide our recommendations for performance improvement.



Appendices

KPMG's Audit Quality Framework

Current developments

Engagement letter

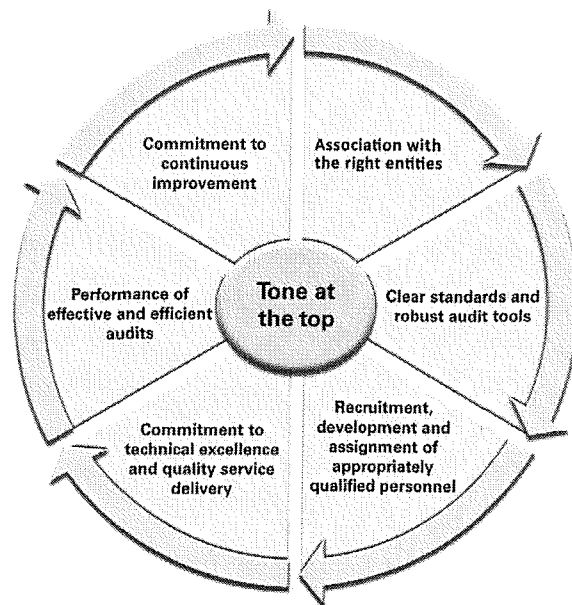
KPMG’s Audit Quality Framework

Audit quality, and the respective roles of the auditor and audit committee, is fundamental to the integrity of financial reporting in our capital markets.

This is why audit quality is at the core of everything we do at KPMG. And we believe that it is not just about reaching the right opinion, but how we reach that opinion.

To help ensure that every partner and employee concentrates on the fundamental skills and behaviours required to deliver an appropriate and independent opinion, we have developed our global Audit Quality Framework.

The framework comprises seven key drivers of audit quality.



The seven key drivers of audit quality

Driver	What it does	What it means to you
Tone at the top	<p>Audit quality is part of our culture and our values and therefore non-negotiable</p> <p>Allows the right behaviours to permeate across our entire organization and each of our engagements</p>	<p>Assures you that:</p> <ul style="list-style-type: none"> • Our culture supports our promise to you of excellent service and a high quality audit—consistently • You’re receiving an independent, transparent, audit opinion • You’re receiving an efficient and high quality audit that will help you maintain stakeholder confidence in your financial statements. <p>Provides you with:</p> <ul style="list-style-type: none"> • An engagement team handpicked for your business needs – a team with relevant professional and industry experience • An audit engagement team whose qualifications evolve as your business grows and changes
Association with the right entities	<p>Ethics above all</p> <p>Eliminates any potential independence and conflict-of-interest issues</p>	
Clear standards and robust audit tools	<p>A solid rule book</p> <p>Rigorous internal policies and guidance that help ensure our work meets applicable professional standards, regulatory requirements, and KPMG’s standards of quality</p>	
Recruitment, development and assignment of appropriately qualified personnel	<p>People who add value</p> <p>Helps us attract and retain the best people and reinforces the importance of developing their talents</p> <p>Assigns Partners’ portfolios based on</p>	

Driver	What it does	What it means to you
	their specific skill sets	Assists you with:
Commitment to technical excellence and quality service delivery	<p>The right tools for the right job</p> <p>Promotes technical excellence and quality service delivery through training and accreditation, developing business understanding and industry knowledge, investment in technical support, development of specialist networks, and effective consultation processes</p>	<ul style="list-style-type: none"> • Assessing the effectiveness and efficiency of the audit • Performing your governance role with confidence.
Performance of effective and efficient audits	<p>We understand that how an audit is conducted is as important as the final result.</p> <p>A code of conduct, audit delivery tools, and internal policies and procedures that help ensure the work performed by engagement personnel meets applicable professional standards, regulatory requirements, and our standards of quality</p>	
Commitment to continuous improvement	<p>Comprehensive and effective monitoring</p> <p>We regularly solicit feedback from the audit committees of the entities we audit. Our robust internal quality review program ensures the work of each partner is reviewed every three years. Additionally, our procedures and a sample of our audits of listed entities are reviewed by the Canadian Public Accountability Board (CPAB), the independent regulator of the accountancy profession in Canada. The Public Company Accounting Oversight Board (PCAOB) in the US also conducts an annual inspection of a sample of our audits of SEC registrants. Finally, a sample of other audits and reviews is undertaken annually by the various provincial institutes in Canada. We consider the recommendations that come from these reviews and implement actions to strengthen our policies and procedures, as appropriate.</p>	

The regulatory landscape is changing

Uncertain economic forecasts and a changing regulatory environment define today's world; reliable financial information and high-quality audits have never been more essential.

We believe that high quality audits contribute directly to market confidence and we share your objectives of credible and transparent financial reporting.

Our Audit Quality Framework is particularly relevant to Audit Committees, and we see our role in being transparent to you as a key mechanism to support you in the execution of your responsibilities.

Our commitment to quality

The independence, judgment and professional skepticism of your auditors add value to your financial statements, and we believe it is important to be transparent about the processes we follow to develop a KPMG audit report. We want you to have absolute confidence in us and in the quality of your audit.

Our own professional standards dictate technical requirements for reaching and communicating an audit opinion. And we live and abide by these requirements. We invest heavily in our quality, and the Audit Quality Framework helps ensure these investments are the right ones—that they help us continuously drive and maximize our quality improvements. But we feel it is also important that we communicate to you how we view and implement audit quality. The seven key drivers outlined here, combined with the commitment of each individual in KPMG, are meant to do just that.

KPMG member firms across the world use this audit quality framework to describe, focus on and enhance audit quality for the benefit of the entities we audit and in support of the efficacy of our capital markets.

It is our hope that sharing our vision of what audit quality means is a significant step in building confidence in the value of our audits.

Audit quality is fundamental to the way we work.

Current developments

Revised Standard on Government Transfers

Highlights

PSAB issued a revised standard for accounting for Government Transfers. This standard sets out standards on how to account for and report government transfers to individuals, organizations and other governments from both a transferring government and a recipient government perspective.

Effective date and transition

The standard is effective for fiscal periods beginning on or after April 1, 2012 however earlier adoption is encouraged. The standard may be applied retroactively or prospectively.

Implications

The standard will be applicable to the December 31, 2013 fiscal year. This standard could affect the timing of revenue recognition for certain government transfers. Retroactive application of this standard, if chosen, will be challenging since financial records and terms for government transfers received in prior years for capital purposes may not be available.

New Standard on Tax Revenue

Highlights

A new standard has been issued which establishes standards on how to account for and report tax revenue.

Effective date and transition

The standard is effective for fiscal periods beginning on or after April 1, 2012 however earlier adoption is encouraged.

Implications

This standard will be applicable to the December 31, 2013 fiscal year. This standard is not expected to impact the City.

New Standard on Financial Instruments

Highlights

A new standard has been issued establishing a standard on accounting for and reporting all types of financial instruments including derivatives.

Effective date and transition

The standard is effective for fiscal periods beginning on or after April 1, 2015 however earlier adoption is permitted. An entity early adopting this standard must also adopt the revised Foreign Currency Translation standard. PSAB intends to review the application of this standard for governments by December 31, 2013.

Implications

This standard will require the City to identify any contracts that have embedded derivatives and recognize these on the statement of financial position at fair value. Changes in fair value will be reported in a new financial statement – statement of re-measurement gains and losses. Long term debt that has been purchased by the City (i.e., investments in own debentures) will have to be accounted for as an extinguishment of that debt. This standard sets out a number of disclosures in the financial statements designed to give the user an understanding of the significance of financial instruments to the City. These disclosures include classes of financial instruments and qualitative and quantitative risk disclosures describing the nature and extent of risk by type (credit, liquidity and market).

Revised Standard on Foreign Currency Translation

Highlights

A revised standard has been issued establishing standards on accounting for and reporting transactions that are denominated in a foreign currency.

Effective date and transition

The standard is effective for fiscal periods beginning on or after April 1, 2015 however earlier adoption is permitted. An entity early adopting this standard must also adopt the new Financial Instruments standard. PSAB intends to review the application of this standard for governments by December 31, 2013.

Implications

Exchange gains and losses arising prior to settlement are recognized in the statement of re-measurement gains and losses.

New Standard on Liability for Contaminated Sites

Highlights

PS 3260 – Liability for Contaminated Sites was approved by PSAB in March 2010.

Effective date and transition

This standard is effective for fiscal years beginning on or after April 1, 2014 however earlier adoption is encouraged.

Implications

A liability for remediation of contaminated sites should be recognized when an environmental standard exists, the contamination exceeds the environmental standard, the government is directly responsible or accepts responsibility, it is expected future economic benefits will be given up and a reasonable estimate of the amount can be made.

Engagement letter



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www.kpmg.ca

Mr. Roberto Rossini
General Manager, Finance and Corporate Services
City of Hamilton
71 Main Street West
Hamilton, ON L8P 4Y5

November 12, 2012

Dear Mr. Rossini,

The purpose of this letter is to outline the terms of our audit engagements commencing with the year ending December 31, 2012.

The terms of the engagement outlined in this letter will continue in effect from period to period, unless amended or terminated in writing. The attached Terms and Conditions form an integral part of the terms of this engagement and are incorporated herein by reference (collectively the "Engagement Letter"). The terms of this letter will apply to the specific engagements referenced herein as well as various audit engagements that may be requested from time to time.

FINANCIAL REPORTING FRAMEWORK FOR THE FINANCIAL STATEMENTS

The financial statements will be prepared and presented in accordance with Canadian accounting standards for the public sector (hereinafter referred to as the "financial reporting framework") for the Corporation of the City of Hamilton ("the Entity"). For the program audits, the financial information will be prepared in accordance with a basis of accounting described in the notes to the financial information.

The financial statements will include an adequate description of the financial reporting framework.

MANAGEMENT'S RESPONSIBILITIES FOR THE FINANCIAL STATEMENTS

Management acknowledges and understands that they are responsible for:

- (a) the preparation and fair presentation of the financial statements in accordance with the financial reporting framework referred to above.
- (b) ensuring that all transactions have been recorded and are reflected in the financial statements
- (c) such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error. Management also acknowledges and understands that they are responsible for the design, implementation and maintenance of internal control to prevent and detect fraud.
- (d) providing us with access to all information of which management is aware that is relevant to the preparation of the financial statements such as records, documentation and other matters.
- (e) providing us with additional information that we may request from management for the purpose of the audit.

- (f) providing us with unrestricted access to persons within the Entity from whom we determine it necessary to obtain audit evidence.
- (g) providing us with written representations required to be obtained under professional standards and written representations that we determine are necessary. Management also acknowledges and understands that professional standards require that we disclaim an audit opinion when management does not provide certain written representations required.

An audit does not relieve management or those charged with governance of their responsibilities.

AUDITORS' RESPONSIBILITIES REGARDING THE AUDIT OF THE FINANCIAL STATEMENTS

Our function as auditors of the Entity is:

- to express an opinion on whether the Entity's financial statements, prepared by management with the oversight of those charged with governance, are, in all material respects, in accordance with the financial reporting framework referred to above and
- to report on the financial statements.

We will conduct the audit of the financial statements in accordance with Canadian generally accepted auditing and relevant ethical requirements, including those pertaining to independence. (hereinafter referred to as applicable "professional standards").

We will plan and perform the audit to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error. Accordingly, we will, among other things:

- identify and assess risks of material misstatement, whether due to fraud or error, based on an understanding of the Entity and its environment, including the Entity's internal control. In making those risk assessments, we consider internal control relevant to the Entity's preparation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.
- obtain sufficient appropriate audit evidence about whether material misstatements exist, through designing and implementing appropriate responses to the assessed risks.
- form an opinion on the Entity's financial statements based on conclusions drawn from the audit evidence obtained.
- communicate matters required by professional standards, to the extent that such matters come to our attention, to the appropriate level of management, those charged with governance and/or the Council. Refer to Appendix B for a listing of such matters and the form and timing of such communication.

AUDITORS' DELIVERABLES

The expected form and content of our audit report(s) is provided in Appendix A. However, there may be circumstances in which a report may differ from its expected form and content.



OTHER MATTERS

SEPARATE ENGAGEMENT LETTERS

This engagement letter does not cover our audit and reporting on the following entities:

- Hamilton Public Library
- Hamilton Entertainment and Convention Facilities Inc.
- Hamilton Performing Arts Foundation
- City Housing
- Hamilton Wentworth Retirement Fund Pension Plan
- Hamilton Municipal Retirement Fund Pension Plan
- Hamilton Street Railway Employees Pension Plan
- Hamilton Renewable Power Inc.
- CANUSA Games
- Canadian Football Hall of Fame and Museum

These services will be subject to the terms and conditions of separate engagement letters for each of these entities.

TAX ADVISORY SERVICES

Tax advisory services are outside the scope of this letter. These services will be subject to the terms and conditions of a separate engagement letter

FEES

Our fees for professional services to be performed under this Engagement Letter are in accordance with our most recent successful proposal.

We are available to assist the Corporation of the City of Hamilton, upon request, with a wide range of services beyond those outlined above. Additional services are subject to separate terms and arrangements.

We are proud to serve the Corporation of the City of Hamilton and we appreciate your confidence in our work. We shall be pleased to discuss this letter with you at any time. If the arrangements outlined are in accordance with the Corporation of the City of Hamilton's requirements and if the above terms are acceptable to the Corporation of the City of Hamilton, please sign the duplicate of this letter in the space provided and return it to us.



Yours very truly,

KPMG LLP

Barry F. Frieday, John Pryke, Lois Ouellette
Partners responsible for the engagement and its performance, and for the reports that are issued on
behalf of KPMG LLP, and who, where required, have the appropriate authority from a professional,
legal or regulatory body
(905) 523-2212

Enclosure

cc: Audit, Finance and Administration Committee

The terms of the engagement set out are as agreed:

Mr. Roberto Rossini, General Manager,
Finance and Corporate Services

Date (dd/mm/yy)



Appendix A – Expected Form of Report

INDEPENDENT AUDITORS' REPORT

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Hamilton

We have audited the accompanying consolidated financial statements of the Corporation of the City of Hamilton ("the entity"), which comprise the consolidated statements of financial position as at December 31, 2012, the consolidated statements of operations, changes in net financial assets and cash flows for the year then ended, and notes, comprising a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these consolidated financial statements based on our audits. We conducted our audits in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the consolidated financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the consolidated financial statements. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the consolidated financial statements, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the consolidated financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the consolidated financial statements.

We believe that the audit evidence we have obtained in our audits is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the consolidated financial statements present fairly, in all material respects, the consolidated financial position of the Corporation of the City of Hamilton as at December 31, 2012, and its consolidated results of operations, its consolidated changes in net financial assets and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Appendix B – Matters to communicate

Matters required to be communicated under professional standards to the appropriate level of management include:

Engagement partner

- identity and role of the engagement partner

Fraud and non-compliance with laws and regulations

- any identified fraud or any information obtained that indicates that a fraud may exist.
- any identified non-compliance with laws or regulations or suspected non-compliance.

Control deficiencies

- any significant deficiencies in the Entity's internal control that we intend to communicate to those charged with governance unless it would be inappropriate to communicate directly to management in the circumstances.
- other deficiencies in internal control that have not been communicated to management by other parties and that, in our professional judgment, are of sufficient importance to merit management's attention.

Misstatements

- if a misstatement is found in the opening balances that could materially affect the current period's financial statements.
- any accumulated misstatements, other than those that are clearly trivial. Furthermore, we request that management correct all misstatements communicated.

Appendix B – Matters to communicate (continued)

Matters required to be communicated, on a timely basis, under professional standards to those charged with governance include:

Engagement partner

- identity and role of the engagement partner

Audit approach

- an overview of the planned scope and timing of the audit.

Fraud and non-compliance with laws and regulations

- any identified fraud or suspected fraud that may exist involving management, employees who have significant roles in internal control, or others where the fraud results in a material misstatement in the financial statements.
- any matters related to fraud that are, in our judgment, relevant to your responsibilities.
- any identified non-compliance with laws or regulations or suspected non-compliance, other than when the identified or suspected non-compliance is clearly inconsequential.

Control deficiencies

- any significant deficiencies, in writing, in the Entity's internal control

Misstatements

- any accumulated uncorrected misstatements (amounts or disclosures) other than those that are clearly trivial. Furthermore, we request all uncorrected misstatements be corrected
- if we conclude that a possible material misstatement exists that affects the prior period financial statements on which the predecessor auditor had previously reported without modification.

Accounting practices

- our views about significant qualitative aspects of the accounting practices including accounting policies, accounting estimates and financial statement disclosures.

Significant difficulties

- any significant difficulties that we encountered during the audit. For example, if we conclude that management's refusal to allow us to send a confirmation request is unreasonable or when we are unable to obtain relevant and reliable audit evidence from alternative audit procedures.

Significant matters

- significant matters, if any, arising from the audit that were discussed, or subject to correspondence with management (e.g., management's consultation with other accountants, major issues discussed with management prior to retention or any disagreements with management, whether or not satisfactorily resolved, about matters that individually or in the aggregate could be significant to the financial statements or report thereon), including when group management refuses to communicate to component management matters that are significant to the financial statements of the component.
- other significant matters arising from the audit, if any, that, in our professional judgment, are significant to the oversight of the financial reporting process, including those significant matters arising from the audit in connection with the Entity's related parties
- instances where our evaluation of the work of a component auditor gave rise to a concern about the quality of that auditor's work.
- any limitations on the group audit, for example, where our access to information may have been restricted.

Management representations

- copies of written representations requested from management.

Going concern

- events or conditions identified that may cast significant doubt on the Entity's ability to continue as a going concern.

Reporting

- any expected modifications to the audit report.
- any expected emphasis of matter or other paragraphs in the audit report.
- management refuses to remove a scope limitation in the audit.

Other information

- any revision necessary to, or material misstatement of fact included in, financial and non-financial information which is included, either by law, regulation or custom, in a document containing the audited financial statements and our audit report thereon ("other information") that we identified when reading such information, which management refuses to correct.
- our responsibilities with respect to other information in documents containing audited financial statements.
- any significant matters resulting from the procedures performed in accordance with professional standards on the other information.

Note: Significant findings from the audit will be communicated in writing if, in our professional judgment, oral communication would not be adequate.

Appendix B – Matters to communicate (continued)

Matters required to be communicated under professional standards to the Council include:

Fraud and non-compliance with laws and regulations

- any identified non-compliance with laws or regulations or suspected non-compliance where we suspect that management or those charged with governance are involved.



The Terms and Conditions are an integral part of the accompanying engagement letter from KPMG that identifies the engagement to which they relate (and collectively form the "Engagement Letter"). The Engagement Letter supersedes all written or oral representations on this matter.

1. SEVERABILITY.

If any of the provisions of this Engagement Letter are determined to be invalid or unenforceable, the remaining provisions shall remain in effect and be binding on the parties to the fullest extent permitted by law.

2. GOVERNING LAW.

This Engagement Letter shall be subject to and governed by the laws of the province where KPMG's principal office performing this engagement is located (without regard to such province's rules on conflicts of law) and all disputes arising hereunder or related thereto shall be subject to the exclusive jurisdiction of the courts of such province of Canada.

3. LLP STATUS.

KPMG LLP is a registered limited liability Partnership ("LLP") established under the laws of the Province of Ontario and, where applicable, has been registered extra-provincially under provincial legislation. KPMG is a partnership, but its partners have a degree of limited liability. A partner is not personally liable for any debts, obligations or liabilities of the LLP that arise from a negligent act or omission by another partner or by any other person under that other partner's direct supervision or control. The legislation relating to limited liability partnerships does not, however, reduce or limit the liability of the firm. The firm's insurance exceeds the mandatory professional indemnity insurance requirements established by the various Institutes/Ordre of Chartered Accountants. Subject to the other provisions hereof, all partners of the LLP remain personally liable for their own actions and/or actions of those they directly supervise or control.

4. DOCUMENTS AND INFORMATION.

Management's cooperation in providing us with documents and related information and agreed-upon assistance on a timely basis is an important factor in being able to issue our report. KPMG shall be entitled to share all information provided by the Entity with all other member firms of KPMG International Cooperative ("KPMG International") performing services hereunder. All work papers, files and other internal materials created or produced by KPMG during the engagement and all copyright and intellectual property rights in our work papers are the property of KPMG.

5. INFORMATION PROCESSING OUTSIDE OF CANADA.

Personal and/or confidential information (e.g. entries into KPMG's time and billing system and into KPMG's conflicts database) collected by KPMG during the course of this engagement may be processed and stored outside of Canada by KPMG, KPMG International member firms performing services hereunder or third party processors. Such personal and/or confidential information may be subject to disclosure in accordance with the laws applicable in the jurisdiction in which the information is processed or stored, which laws may not provide the same level of protection for such information as will Canadian laws.

6. PERSONAL INFORMATION CONSENTS AND NOTICES.

Any collection, use or disclosure of personal information is subject to KPMG's Privacy Policy available at www.kpmg.ca. KPMG may be required to collect, use and disclose personal information about individuals during the course of this engagement.

The Entity represents and warrants that: (i) it will obtain any consents reasonably required to allow KPMG to collect, use and disclose personal information in the course of the engagement, and (ii) it has provided notice of the potential processing of such personal information outside of Canada (as described in paragraph 5 above). KPMG's Privacy Officer noted in KPMG's Privacy Policy is able to answer any individual's questions about the collection of personal information required for KPMG to deliver services hereunder.

The Entity consents to KPMG sending to the Entity, its officers, directors and employees, as applicable, electronic messages (including emails) relating to KPMG products and services and other matters of interest to the Entity.

7. OFFERS OF EMPLOYMENT.

In order to allow issues of independence to be addressed, management agrees that prior to extending an offer of employment to any KPMG partner, employee or contractor, the matter is communicated to the engagement partner or associate partner.

8. OFFERING DOCUMENTS.

If the Entity wishes to include or incorporate by reference the financial statements and our report thereon in an offering document, we will consider consenting to the use of our report and the terms thereof at that time. Prior to issuing an offer, consent, comfort or advice letter, if any, we will be required to perform procedures as required by professional standards. Management agrees to provide us with adequate notice of the preparation of such documents.

9. FEE ARRANGEMENTS.

KPMG's estimated fee is based on the quality of the Entity's accounting records, the agreed-upon level of preparation and assistance from the Entity's personnel, and adherence to the agreed-upon timetable. KPMG's estimated fee also assumes that the Entity's financial statements are in accordance with the applicable financial reporting framework and that there are no significant new or changed accounting policies or issues, or financial reporting, internal control over financial reporting or other reporting issues. KPMG will inform the Entity on a timely basis if these factors are not in place.

Additional time may be incurred for such matters as significant issues, significant unusual and/or complex transactions, informing management about new professional standards, and any related accounting advice. Where these matters arise and require research, consultation and work beyond that included in the estimated fee, the Entity and KPMG agree to revise the estimated fee. No significant additional work will proceed without management's concurrence, and, if applicable, without the concurrence of those charged with governance. Upon completion of these services KPMG will review with the Entity any fees and expenses incurred in excess of KPMG's estimate, following which KPMG will render the final billing.

KPMG's invoices are due and payable upon receipt. Amounts overdue are subject to interest. In order to avoid the possible implication that unpaid fees might be viewed as creating a threat to KPMG's independence, it is important that KPMG's bills be paid promptly when rendered. If a situation arises in which it may appear that KPMG's independence is threatened because of significant unpaid bills, KPMG may be prohibited from signing the report and, if applicable, any consent.

Fees for any other services will be billed separately from the services described in this engagement letter and may be subject to written terms and conditions supplemental to those in this letter.

Canadian Public Accountability Board (CPAB) participation fees, when applicable, are charged to the Entity based on the annual fees levied by CPAB.

10. LEGAL PROCESSES.

The Entity on its own behalf hereby acknowledges and agrees to cause its subsidiaries and affiliates to hereby acknowledge that KPMG may from time to time receive requests or orders from the Canadian Public Accountability Board or from professional, securities or other regulatory, judicial or governmental authorities (both in Canada and abroad) to provide them with information and copies of documents in KPMG's files including working papers and other work-product relating to the affairs of the Entity, its subsidiaries and affiliates. Except where prohibited by law, if a request or order is directly related to an inspection or investigation of KPMG's audit of the Entity, KPMG will advise the Entity of the request or order. The Entity hereby acknowledges that KPMG will provide these documents and information without further reference to, or authority from, the Entity, its subsidiaries and affiliates.

When such an authority requests access to KPMG's working papers and other work-product relating to the Entity's affairs, KPMG will, on a reasonable efforts basis, refuse access to any document over which the Entity has expressly informed KPMG at the time of delivery that the Entity asserts privilege, except where disclosure of documents is required by law. The Entity must mark any document over which it asserts privilege as "privileged". If and only if the authority requires such access to privileged documents pursuant to the laws of a jurisdiction in which express consent is required for such disclosure, then the Entity hereby provides its consent.



Where privileged Entity documents are disclosed, KPMG is directed to advise the authority that the Entity is permitting disclosure only to the extent required by law and for the limited purpose of the authority's exercise of statutory authority. KPMG is directed to advise the authority that the Entity does not intend to waive privilege for any other purpose and that the Entity expects its documents to be held by the authority as privileged and confidential material (held securely, limited distribution, etc.). For greater certainty, the Entity and KPMG hereby agree that this acknowledgement (and, if required, consent) does not negate or constitute a waiver of privilege for any purpose and the Entity expressly relies upon the privilege protections afforded under statute and otherwise under law. The Entity agrees to reimburse KPMG, upon request, at standard billing rates for KPMG's professional time and expenses, including reasonable legal fees, incurred in dealing with the matters described above.

11. KPMG INTERNATIONAL MEMBER FIRMS.

The Entity agrees that any claims that may arise out of this engagement will be brought solely against KPMG, the contracting party, and not against any other KPMG International Cooperative ("KPMG International") member firms participating in this engagement.

12. CONNECTING TO THE ENTITY'S IT NETWORK.

KPMG personnel are authorized to connect their computers to the Entity's IT Network, subject to any restrictions communicated to KPMG from time to time. Connection to the Entity's IT Network or the Internet via the Network, while at the Entity's premises, will be for the express purpose of conducting normal business activities, primarily relating to facilitating the completion of work referred to in this letter.

13. DELIVERABLES OR COMMUNICATIONS.

KPMG may issue other deliverables or communications as part of the services described in this Engagement Letter. Such deliverables or communications may not be included in, summarized in, quoted from or otherwise used or referred to, in whole or in part, in any documents or public oral statement.

KPMG expressly does not consent to the use of any communication, report, statement or opinion prepared by us on the interim financial statements and such communication, report, statement or opinion may not be included in, summarized in, quoted from or otherwise used in any document or public oral statement

www.kpmg.ca

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The independent member firms of the KPMG network are affiliated with KPMG International, a Swiss entity. Each KPMG firm is a legally distinct and separate entity, and describes itself as such.

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CITY OF HAMILTON
BUDGET RESTATEMENT SCHEDULE

BUDGET RESTATEMENT

Budget Transfer to another division or department

ITEM #	TRANSFER FROM			TRANSFER TO		
	Department	Division	Amount	Department	Division	Amount
1.1	Community Services	Recreation	(\$150,530)	Public Works	Facilities	\$150,530
	Explanation: Recreation rent budget for 77 James Suite 400					
1.2	Community Services	Employment & Income Support	(\$138,100)	Community Services	Benefit Eligibility	\$138,100
	Explanation: All Resource Centre Facility charges related to the Upper James and Barton office to be centralized under OW Admin funding, thereby reflecting all rental costs under one area.					
1.3	Public Health Services	Health Protection	\$75,200	Public Health Services	Healthy Living	(\$75,200)
	Explanation: Distribute General Fees from Health Protection Administration to Healthy Living - Tobacco Control MPSG for Tobacco related fees to align fees with programming					
1.4	Public Health Services	Various	(\$53,010)	Public Health Services	Office of Medical Officer of Health	\$53,010
	Explanation: OMOH PHS Professional Development (various Public Health Department deptIDs) responds to new corporate policies on learning and development and creates alignment of training with strategic objectives and ensures efficient use of training time and resources through departmental					
1.5	Public Health Services	Office of Medical Officer of Health	(\$513,440)	PHS & PHS RMRCH	Various	\$513,440
	Explanation: Allocate cost allocations for 100% funded and March programs currently allocated to the Levy into their respective programs to ensure full costs are rolled up on Ministry claims					

Note - Above budget transfers remain in the same cost category.

**CITY OF HAMILTON
BUDGET RESTATEMENT SCHEDULE**

BUDGET RESTATEMENT

Budget Transfer from one cost category to another cost category

ITEM #	DEPARTMENT/DIVISION			TRANSFER FROM		TRANSFER TO	
	Department	Division	Dept ID	Cost Category	Amount	Cost Category	Amount
1.6	HES	Emergency Medical Services	various	Contribution from Reserves	\$362,930	Grants and Subsidies	(\$362,930)
	Explanation: EMS 2012 Council Approved Enhancements were budgeted to be funded from the Tax Stabilization Reserve but the Province funded the enhancements and no Tax Stabilization funding was required. This restatement will align the budget with actual funding and improve year to year						
1.7	Community Services	Housing Services	673000	Building and Ground	(\$14,540)	Employee Related Costs	\$14,540
	Community Services	Housing Services	673000	Building and Ground	(\$16,230)	Reserves/Recoveries	\$16,230
	Explanation: Costs associated with new office space to be realigned (Employee Related Cost is parking; facilities recovery as opposed to "cleaning")						
1.8	Community Services	Housing Services	624010	Fees and General	\$89,830	Grants and Subsidies	(\$89,830)
	Explanation: Revenue change from "admin fee" to "provincial rent supplement" subsidy pertaining to administrative costs in rent supplement programs (provincially funded)						
1.9	Community Services	Hamilton Farmers' Market	720400	Material and Supply	(\$20,400)	Contractual	\$20,400
	Explanation: Budget transfer to correctly assign to Community Programming account, under the Contractual cost category						
2.0	Community Services	Wentworth Lodge	632035	Contractual	(\$20,500)	Building & Ground	\$20,500
	Community Services	Wentworth Lodge	632035	Material & Supply	(\$16,580)	Building & Ground	\$16,580
	Explanation: Building Services realigning budgets against actual spending within various different operating expense lines.						
2.1	Public Health Services	Clinical & Preventive Services	678405	Materials & Supplies	(\$20,000)	Financial	\$20,000
	Explanation: To transfer costs based on historical and program need based on anticipated spending requirements (from Medical Supplies to Fees For Service) for Needle Exchange Program						
2.2	Public Health Services	Clinical & Preventive Services	678331	Financial	\$50,180	Grants & Subsidies	(\$50,180)
	Explanation: Approved Panorama Funding included in 2012 Provincial Program Based Funding, but after 2012 Budget Load						
2.3	Public Health Services	Clinical & Preventive Services	678115	Materials & Supplies	(\$4,000)		
	Public Health Services	Office Of Medical Officer of Health	677300			Employee Related Cost	\$1,940
	Public Health Services	Office Of Medical Officer of Health	677300			Building & Grounds	\$260
	Public Health Services	Office Of Medical Officer of Health	677300			Contractual	\$1,200
	Public Health Services	Office Of Medical Officer of Health	677300			Reserves & Recoveries	\$600
Explanation: Transfer of operating expenses for 2.0 PHN's transferred in 2011 to Social Determinants of Health							

**CITY OF HAMILTON
BUDGETED COMPLEMENT TRANSFER SCHEDULE**

BUDGETED COMPLEMENT TRANSFER

Complement Transfer to another division or department ⁽¹⁾

ITEM #	TRANSFER FROM				TRANSFER TO			
	<u>Department</u>	<u>Division</u>	<u>Position Title</u> ⁽²⁾	<u>FTE</u>	<u>Department</u>	<u>Division</u>	<u>Position Title</u> ⁽²⁾	<u>FTE</u>
1.1	Public Health Services	Healthy Living	Program Secretary	(0.6)	Public Health Services	Health Protection	Program Secretary	0.6
Explanation: Transfer 0.6 FTE Program Secretary from Healthy Living to Health Protection to support Health Hazards Program								

Note (1) - All other budgeted complement changes that require Council approval per Budgeted Complement Control Policy must be done through either separate report or the budget process (ie. Increasing/decreasing budgeted complement, changing budgeted complement type).

Note (2) - If a position is changing, the impact of the change must be within 1 pay band or separate Council approval is required.

List of Boards and Agencies Requiring Advance Payments in 2013¹

#	Board or Agency	Advance Payment Schedule		# of Payments per Year	2012 Approved Annual Gross Budget	2013 Advance Payment Amount
1	Hamilton Conservation Authority	28-Feb-13	30-Apr-13	4	3,569,320	1,784,660
2	Niagara Peninsula Conservation Authority	16-Mar-13		4	513,470	128,368
3	Grand River Conservation Authority	30-Apr-13		3	238,160	79,387
4	Halton Region Conservation Authority	30-Apr-13		3	179,660	59,887
5	Royal Botanical Gardens ²	1st of each Month		12	599,210	199,737
6	Hamilton Beach Rescue Unit ³	2-Feb-13		3	126,810	10,000
7	Art Gallery of Hamilton	1st of each Month		12	1,000,000	333,333
8	HWCA - Festival of Friends	1st of each Month		12	85,270	28,423
9	Hamilton Philharmonic Orchestra	1st of each Month		12	113,700	37,900
10	Opera Hamilton ⁵	1st of each Month		12	126,930	42,310
11	Westfield Village ⁴	28-Feb-13	30-Apr-13	4	546,560	273,280
Totals					7,099,090	2,977,284

NOTES:

1	Assumed that the 2013 budget is approved by April 30, 2013. The proposed pro rata payments are based on the gross amounts of grants approved in 2012.
2	Payments to Royal Botanical Gardens is based on the approved funding formula with the Region of Halton.
3	Historically, Hamilton Beach Rescue Unit requests an ad hoc advance payment of \$10,000 in February.
4	The proposed payments for Westfield Village are made to the Hamilton Conservation Authority based on a contracted services arrangement which is yet to be formally completed.
5	Opera Hamilton owes HECFI \$19,841.35 as of November 1, 2012

CURRENT AGENDA TEMPLATE

- 1. CHANGES TO THE AGENDA**
- 2. DECLARATIONS OF INTEREST**
- 3. APPROVAL OF MINUTES OF PREVIOUS MEETING**
- 4. DELEGATION REQUESTS**
- 5. CONSENT ITEMS**
- 6. PUBLIC HEARINGS/DELEGATIONS**
- 7. PRESENTATIONS**
- 8. DISCUSSION ITEMS**
- 9. MOTIONS**
- 10. NOTICES OF MOTION**
- 11. GENERAL INFORMATION/OTHER BUSINESS**
- 12. PRIVATE AND CONFIDENTIAL**
 - 12.1 Settlement of Court Action No. 2306/03 – Personal Injury Claim – HECFI
- 13. ADJOURNMENT**

REVISED AGENDA TEMPLATE

1. CHANGES TO THE AGENDA

2. DECLARATIONS OF INTEREST

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

4. DELEGATION REQUESTS

5. CONSENT ITEMS

6. PUBLIC HEARINGS/DELEGATIONS

7. PRESENTATIONS

8. DISCUSSION ITEMS

9. MOTIONS

10. NOTICES OF MOTION

11. GENERAL INFORMATION/OTHER BUSINESS

12. PRIVATE AND CONFIDENTIAL

12.1 Settlement of Court Action No. 2306/03 – Personal Injury Claim – HECFI

This matter is proposed for consideration in closed session further to the Ontario Municipal Act Section 239/City's Procedural By-law Section 8.1 (e) - Litigation or potential litigation, including matters before administrative tribunals, affecting the City

and

Section 8.1 (f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose

13. ADJOURNMENT



EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 12-011

1:30 p.m.
Monday, December 10, 2012
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Councillor J. Partridge, Chair
Councillor T. Whitehead, Vice-Chair
Councillors S. Duvall, J. Farr, T. Jackson, B. McHattie, S. Merulla and
B. Morelli

THE EMERGENCY AND COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 12-011 AND RESPECTFULLY RECOMMENDS:

1. Election of Chair and Vice Chair

- (a) That Councillor Terry Whitehead be appointed Chair of the Emergency and Community Services Committee for 2013;
- (b) That Councillor Jason Farr be appointed Vice Chair of the Emergency and Community Services Committee for 2013.

2. Hamilton Youth Advisory Committee (HYAC) 2013 Budget Submission (CS12039) (City Wide) (Item 5.2)

- (a) That the Hamilton Youth Advisory Committee (HYAC) 2013 base budget submission in the amount of \$3,890, be approved and forwarded to the 2013 budget process (GIC);
- (b) That, in addition to the base funding, that a one time budget allocation of \$2,500 funded by the Hamilton Youth Advisory Committee Reserve, be approved and forwarded to the 2013 budget process (GIC).

3. Food & Shelter Advisory Committee 2013 Budget Submission (CS12041) (City Wide) (Item 5.3)

That the Food and Shelter Advisory Committee's 2013 base budget submission in the amount of \$500 be approved and forwarded to the 2013 budget process (GIC).

4. Tenant Advisory Committee 2013 Budget Submission (CS12038) (City Wide) (Item 5.4)

That the Tenant Advisory Committee's 2013 base budget submission in the amount of \$1,000 be approved and forwarded to the 2013 budget process (GIC).

5. Hamilton Centre for Civic Inclusion - Funding Agreement (CS11023(d)) (City Wide) (Item 5.5)

That Report CS11023(d) respecting the Hamilton Centre for Civic Inclusion - Funding Agreement be received for information.

6. EMS Monthly Response Time Performance Report – January 1, 2012 to October 31, 2012 (HES12022) (City Wide) (Item 5.6)

That Report HES12022 respecting EMS Monthly Response Time Performance Report – January 1, 2012 to October 31, 2012 be received for information.

7. Defibrillator Standardization and Single Source for the Hamilton Paramedic Service and Hamilton Fire Department and Standardization for the City-Wide Public Access Defibrillation Program (HES12020) (City Wide) (Item 5.7)

- (a) That paramedic and firefighter electrocardiogram (ECG) monitor-defibrillators be standardized to the Zoll Medical Corporation and that those products be a single source purchase directly from the manufacturer;
- (b) That the negotiation with the Zoll Medical Corporation as a single source be conducted by staff of the Hamilton Paramedic Service and the Hamilton Fire Department;
- (c) That staff be authorized to negotiate with the Zoll Medical Corporation as the single source for the supply of any replacement parts and accessory equipment associated with the standardized electrocardiogram monitor-defibrillators;

- (d) That staff be authorized to single source the maintenance and biomedical testing contracts for issues not otherwise captured by the warranty from the Zoll Medical Corporation;
- (e) That staff be authorized to standardize the purchase of public access defibrillator units (AEDs) from the Zoll Medical Corporation in compliance with Procurement Policy # 5.1 – Low Dollar Value Procurements, Policy # 5.1 – Request for Quotations, Policy # 5.3 – Request for Tenders or Policy # 5.4 – Requests for Proposals, as applicable;
- (f) That the procurement of accessory equipment for the public access defibrillators be a single source directly from the Zoll Medical Corporation.

8. Standardization of Emergency Response Vehicles (HES12021) (City Wide) (Item 5.8)

- (a) That the Chevrolet Tahoe Special Service Duty Vehicle manufactured by General Motors be approved as the City's standard for the Hamilton Paramedic Service for use as an Emergency Response Vehicle (ERV);
- (b) That staff be authorized to single source all Emergency Response Vehicle (ERV) conversions to Rowland Emergency Vehicle Products Inc.

9. Community Homelessness Prevention Initiative (CHPI) (CS12031(a)) (City Wide) (Item 8.1)

- (a) That the General Manager, Community Services Department, or designate, be authorized and directed to deliver and administer the Community Homelessness Prevention Initiative;
- (b) That the Housing Stability Benefit Implementation Plan, attached as Appendix A to Report 12-011, be approved;
- (c) That the Mayor and City Clerk be authorized and directed to execute the Service Agreement attached as Appendix B to Report (CS12031(a)) between the City of Hamilton and the Ministry of Municipal Affairs and Housing, with respect to the Community Homelessness Prevention Initiative, in a form satisfactory to the City Solicitor;
- (d) That the General Manager, Community Services Department, or designate, be authorized and directed to execute all ancillary agreements as may be required to deliver the Community Homelessness Prevention Initiative, in a form satisfactory to the City Solicitor.

10. Hamilton Seniors Strategy (CS12040) (City Wide) (Item 8.2)

- (a) That staff work with key community stakeholders and the Seniors Advisory committee to develop a Hamilton Seniors Strategy;
- (b) That the cost of developing a Hamilton Seniors Strategy in the amount of \$145,000 be funded from previously approved Capital project #7100954703.

11. Living Wage (Item 9.1)

Whereas, the City of Hamilton had adopted a report that identifies a wage of \$14.95 as a living wage in Hamilton;

And Whereas, all full-time City of Hamilton staff are paid a living wage;

And Whereas, it is important that the City of Hamilton continues to be seen as a leader in advancing the living wage project;

Therefore, be it resolved that staff report back to the General Issues Committee during the 2013 budget process on the feasibility and cost of implementing a living wage rate for all City of Hamilton part time employees.

12. Appointment to the Hamilton Veterans Committee (Item 12.1)

That Larry McMorran be appointed to the Hamilton Veterans Committee for the balance of the 2012 – 2014 term of Council or until such time as a successor is appointed by Council.

13. Interim Manager for Hamilton Farmers' Market (CS12045) (Ward 1) (Item 12.2)

- (a) That staff be directed to enter into a service contract for management of the Hamilton Farmers' Market for a period of 6 months, while the Council directed study of privatizing the management of the Hamilton Farmers' Market is being completed;
- (b) That Report CS12045 respecting the Interim Manager for Hamilton Farmers' Market remain confidential and not be released as a public document as the information relates to identifiable individuals.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

- (i) Added delegation request from Mr. Will Rowe of the Well (the LGBTQ Community Wellness Centre of Hamilton) wishing to speak to the same topic as the delegation in Item 6.1 the issue of public washrooms. Copies have been distributed; (4.2)
- (ii) Added delegation request from Tom Cooper, of the Hamilton Roundtable for Poverty Reduction wishing to provide Councillors with an update on local and provincial activities around the campaign to reverse the provincial cuts to community start up and maintenance benefit. (4.3)
- (iii) Copy of Report SAC 12003 from the Seniors Advisory Committee with recommendations for the Planning Committee respecting the Regulation of Rental Housing, which will be considered at tomorrow's Special Planning Committee meeting. For information only. (Copy attached)
- (iv) Added Notice of Motion 10.1 from Councillor McHattie respecting Living Wage, copies have been distributed.
- (v) Amendment to the recommendation of the Private and Confidential report, Item 12.2 respecting the Interim Manager for the Hamilton Farmers' Market, copies have been distributed.

The agenda was approved as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were none declared.

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

The Minutes of the November 12, 2012 meeting were approved as presented.

(d) DELEGATION REQUESTS (Item 4)

- (i) The following delegation request was approved:

Lena Bassford, Food4Kids Hamilton Halton Niagara, to provide general information about the Food4Kids Program. (Item 4.1)

- (ii) The following delegation requests were approved and the rules of order waived in order to hear the delegation at today's meeting:

1. Will Rowe, The Well (the LGBTQ) Community Wellness Centre of Hamilton) respecting gender specific public washrooms. (See Item 6.1) (Added Item 4.2)
2. Tom Cooper, of the Hamilton Roundtable for Poverty Reduction wishing to provide Councillors with an update on local and provincial activities around the campaign to reverse the provincial cuts to community start up and maintenance benefit.

(e) CONSENT (Item 5)

(i) VARIOUS ADVISORY COMMITTEE MEETING MINUTES (Item 5.1):

The following Advisory Committee Meeting Minutes were received:

- (i) Hamilton Youth Advisory Committee Minutes of June 19, 2012 meeting.
- (ii) Hamilton Youth Advisory Committee Minutes of September 18, 2012 meeting.
- (iii) Hamilton Youth Advisory Committee Minutes of October 16, 2012 meeting.
- (iv) Seniors Advisory Committee Minutes of October 5, 2012 meeting

(ii) Report SAC 12003 from the Seniors Advisory Committee (Added Item 5.9)

Report SAC 12003 from the Seniors Advisory Committee containing recommendations for the Planning Committee respecting the Regulation of Rental Housing was received for information.

(f) PUBLIC HEARINGS/DELEGATION REQUESTS (Item 6)

(i) Jim Enos, Hamilton-Wentworth Family Action Council respecting Public Washrooms in City Facilities and a recent decision from the Toronto District School Board to allow boys to use girls washrooms. (Item 4.1)

Jim Enos addressed Committee and read from a prepared statement, copies of which were distributed and a copy was placed in the Clerk's file for the public record and is also available for viewing on the City's website.

Mr. Enos spoke against opposite biological gender usage of washrooms, change rooms and shower facilities in the City of Hamilton.

Mr. Enos submitted a petition of 336 signatures for the Clerk's file, requesting that the City of Hamilton examine its policies and by-laws and work with legal

counsel and the Hamilton Police to ensure that all washrooms, change rooms and shower facilities in the City of Hamilton are places of safety and security by restricting biological males from entering female facilities and biological females from entering male facilities (except in cases of young children in care of a parent and in cases of medical or mechanical emergency or routine cleaning.)

On a motion, Committee received the delegation.

(ii) Will Rowe, The Well (the LGBTQ) Community Wellness Centre of Hamilton) respecting gender specific public washrooms. (See Item 6.1) (Added Item 4.2)

Will Rowe addressed Committee and read from a prepared statement, copies of which he submitted to the Clerk for the official record. He advised that he is a Trans Advocacy and Outreach Co-ordinator at the Well. He is a social worker, married with children and is transgendered. He spoke in support of the right of transgendered people to use public facilities that match their gender identity and he submitted six letters from local institutions also in support of this right.

On a motion, Committee received the delegation.

(iii) Tom Cooper, of the Hamilton Roundtable for Poverty Reduction wishing to provide Councillors with an update on local and provincial activities around the campaign to reverse the provincial cuts to community start up and maintenance benefit. (Added Item 4.3)

Tom Cooper addressed Committee with the aid of a PowerPoint presentation. He advised that various communities from across the Province have been invited to attend at Hamilton City Hall on Friday, December 14, 2012 to discuss the issue of the Provincial cuts. Some of the communities attending are from Windsor, Guelph, Brantford, York Region, and Peel Region. This is a united effort. A meeting has taken place with Minister John Milloy. Also, all Liberal leadership candidates, the NDP Leader, Andrea Horwath and the Progressive Conservative Leader Tim Hudak will be contacted.

Tom Cooper responded to questions from the Committee.

On a motion, Committee received the delegation.

(g) PRESENTATIONS (Item 7)

**(i) 2012 Hamilton Youth Advisory Committee Summary (HYAC12-001)
(Item 7.1)**

Camilo Sanchez Galindo, of the Hamilton Youth Advisory Committee addressed Committee with the aid of a PowerPoint presentation. A copy of the hand-out was printed in the agenda.

The topics covered by Camilo Sanchez Galindo included but were not limited to the following:

- Soundtrack for Change Summit;
- Wesley Urban Ministries – Raising the Roof;
- Mental illness among Canadian youth;
- Canada's youth suicide is third highest in the world;
- New Hamilton Youth Advisory Committee members;
- Youth Week Hamilton;
- Moving forward: Navigating your own success;
- Team building;
- Support;
- Future Focus

Committee thanked the presenter.

On a motion, Committee received the presentation.

**(ii) Food & Shelter Advisory Committee respecting achievements to date
(Item 7.2)**

Alexander Ramirez, Chair of the Food and Shelter Advisory Committee addressed Committee with the aid of a PowerPoint presentation. A copy of the hand-out was printed in the agenda

The topics covered by Alexander Ramirez included but were not limited to the following:

- Mandate and Membership;
- Action Plan for 2013;
- 2012 Follow up;
- Engagement Continuum; and,
- Final messages – article in the Toronto Globe and Mail by John Ibbitson entitled *Kudos in order as PH shepherds G20 to surprising consensus.*

Committee thanked the presenter.

On a motion, Committee received the presentation.

(iii) Tenant Advisory Committee respecting achievements to date. (Item 7.3)

John Hawker, Chair of the Tenant Advisory Committee addressed Committee with the aid of a PowerPoint presentation. A copy of the hand-out was printed in the agenda

The topics covered by John Hawker included but were not limited to the following:

- Mandate;
- Objectives;
- Membership;
- 2012 Work Plan;
- Renters as voters;
- Tenant Access to City Hall;
- Monitoring the Official Plan Targets;
- Rooming Houses and Landlord Registry; and,
- Other activities.

Committee thanked the presenter.

On a motion, Committee received the presentation.

(h) DISCUSSION

(i) Community Homelessness Prevention Initiative (CHPI) (CS12031(a)) (City Wide) (Item 8.1)

Joe-Anne Priel and Gillian Hendry responded to questions from Committee.

(ii) Craig Foye, from the Hamilton Community Legal Clinic requesting to address Committee on December 10, 2012 regarding the staff report on the Consolidated Homelessness prevention Initiative (CHPI). (Item 4.2)

Craig Foye, Community Legal Clinic addressed Committee and read from a prepared statement copies of which were distributed and a copy was also placed in the Clerk's file for the public record and is uploaded on the City's website.

Craig Foye advised that the Clinic supports the staff recommendations of the Housing Stability Benefit Implementation Plan but he outlined some areas of concern around the implementation of this new benefit. The Community Legal Clinic recommended approval of the report.

Committee thanked the delegation.

On a motion, Committee received the delegation.

Committee approved the staff report.

(i) NOTICES OF MOTION (Item 10)

Councillor McHattie presented the following notice of motion:

Living Wage (Item 10.1)

Whereas, the City of Hamilton had adopted a report that identifies a wage of \$14.95 as a living wage in Hamilton; and,

Whereas, all full-time City of Hamilton staff are paid a living wage; and,

Whereas, it is important that the City of Hamilton continues to be seen as a leader in advancing the living wage project;

Therefore, be it resolved that, staff report back during the 2013 budget process with a plan to implement a living wage rate for City of Hamilton part time employees.

On a motion, Committee waived the rules to introduce a motion respecting the living wage.

Committee amended the motion by deleting the words "with a plan to implement" and inserting the words "on the feasibility and cost of implementing" therein.

For disposition of this item see Item 11 of this Report.

(j) GENERAL INFORMATION (Item 11)

Outstanding Business List

(i) The following New Due Date was approved:

Item "E" – How Allocation for Domiciliary Hostel Funding was Spent
Due dated: December 10, 2012
Proposed New Due Date: January 17, 2013

- (ii) The following item was identified as completed and removed from the Outstanding Business List:

Item "I" – Implementation Plan for the Community Homelessness Initiative

(k) PRIVATE AND CONFIDENTIAL (Item 11)

On a motion Committee moved into Closed Session at 3:24 p.m. pursuant to Section 8.1(b) of the Procedural By-law and Section 239 of the Municipal Act to deal with personal matters about an identifiable individual, including municipal or local board employees;

Committee reconvened in Open Session at 3:47 p.m.

(i) Appointment to the Hamilton Veterans Committee (Item 12.1)

For disposition of this Item see Item 12 of this Report.

(ii) Interim Manager for Hamilton Farmers' Market (CS12045) (Ward 1) (Item 12.2)

For disposition of this Item see Item 13 of this Report

(l) ADJOURNMENT

There being no further business, the Emergency & Community Services Committee meeting adjourned at 3:48 p.m.

Respectfully submitted,

Councillor J. Partridge, Chair
Emergency & Community Services Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk

**City of Hamilton
Community Homelessness Prevention Initiative**

**Housing Stability Benefit
2013 Six Month Implementation Plan**

Community Homelessness Prevention Initiative

The Community Homelessness Prevention Initiative (CHPI) aims to prevent, address and reduce homelessness by improving access to adequate, suitable and affordable housing that is linked to flexible support services based on people's needs. The CHPI is a result of the consolidation of funding from five provincial homelessness-related programs.

Housing Stability Benefit

On January 1, 2013 the Province will eliminate the Community Start Up and Maintenance Benefit (CSUMB) as a mandatory benefit from social assistance. CSUMB is an important resource for Ontario Works and Ontario Disability Support Program (ODSP) clients. It provides financial assistance to households who are at risk of losing their housing or who are homeless and trying to secure new housing. In this new fiscal environment, the Province has decided that the provision of financial supports for housing is now at the discretion of each municipality who must determine how best to deliver supports and will fall under CHPI.

In Hamilton, a locally designed and funded Housing Stability Benefit (HSB) will be implemented for a period of six months beginning January 1, 2013 to fill the gap left by the removal of CSUMB. HSB is no longer a mandatory Ontario Works or ODSP benefit. It is now a component of the City of Hamilton's Community Homelessness Prevention Initiative.

In 2011, the Ontario Works Program issued CSUMB to 4,590 individuals or families. Based on 2011 spending, it is estimated that ODSP issued CSUMB to 2,200 individuals or families. This means that there must be capacity to provide the HSB to approximately 2,475 Ontario Works participants and 1,100 ODSP clients for the first six months of 2013.

Funding

On November 14, 2012 Council approved a motion to maintain the current service levels for CSUMB for the first six months of 2013. The cost will be funded through provincial CHPI funding, the restatement of the net levy portion of existing programs to CHPI and then from the Community Services Department surplus, corporate surplus, tax stabilization reserve, Social Services Initiative Reserve, OMPF reconciliation or any other combination of funding. The funding required for the continuation of the CSUMB for the second six months of 2013 was referred to the 2013 Budget deliberations.

- A total of \$3,830,200 budgeted for the Housing Stability Benefit for the first six months of 2013. Of that total:
 - \$1,385,000 is allocated to the Housing Help Centre for ODSP clients
 - \$2,445,200 is allocated for Ontario Works participants
- Expenditures will be closely monitored and may be reallocated between Ontario Works and ODSP based on demand

Eligibility

Households in receipt of Ontario Works (OW) and Ontario Disability Support Program (ODSP) may apply for HSB. Households must be at risk of losing their housing or be homeless and seeking new housing.

The Housing Stability Benefit (HSB) is a benefit provided to assist in establishing a new principal residence, or to prevent eviction or the discontinuance of utilities or heating in an existing residence. The HSB is designed to provide financial assistance at the same level and with the same eligibility criteria as CSUMB for the first six months of 2013.

Ontario Works and Housing Help Centre staff will be referred to as the Administrator of HSB in this document.

The benefit may also be issued where there is a threat to health or welfare in a non-start up situation.

The amount of the HSB payable, as determined by the Administrator of HSB is up to a maximum of \$1500 families with one or more dependent children in a 24-month period; or up to a maximum of \$800 where there are no dependent children in a 24-month period.

Each request for the HSB is reviewed on its own merit. HSPB is provided only where needs have been identified and where no other funds are available.

The approved amount is based on verifiable costs which are necessary to establish a permanent residence in the community, to maintain an existing residence or to maintain utilities. Costs must be verified and documented.

The HSB may be paid in separate amounts provided it covers only one "start- up" event and does not exceed the maximum amounts.

Additional payments may be approved the administrator of HSB if there are exceptional circumstances.

Eligibility Criteria

Establishing a New Principal Residence

In the case of establishing a new principal residence, HSB may be provided if:

- the benefit applicant is establishing a new principal residence within the geographic boundaries of the City of Hamilton;
- the administrator of HSB is satisfied that the recipient will need financial assistance to establish the new principal residence; and
- the benefit applicant meets one of the following criteria:
 - is being discharged from an institution that provided for their basic needs and shelter;
 - has satisfied the administrator of HSB that it would be harmful to their health or welfare to remain in their current residence; or
 - has been evicted from their current residence.

,The need for the recipient to leave their residence must be clearly identified and documented, and a reasonable plan to move into a new residence is in place.

The request for benefits must occur within one month from the date of the establishment of a new principal residence. HSB covers a move into boarding, rental accommodation or rent-to-own, but does not cover a move into a per diem funded residence or group home.

The benefit is provided for:

- victims of family violence
- persons who are homeless
- persons who reside in uninhabitable premises (where the uninhabitable conditions are not clearly evident, verification is sought from a third party, e.g., a building or health inspector or physician)
- persons leaving a residence due to:

- incapacity or death of a supporting care-giver/family member(s);
- overcrowding within the premises;
- documented need for children and sole-support parents to relocate;
- eviction from the premises; or
- a move to more affordable accommodations, where the applicant or recipient was experiencing undue hardship because of extreme shelter costs.
- persons being discharged from institutions such as:
 - correctional facilities;
 - hospitals;
 - hostels;
 - long-term care homes;
 - special care homes; or
 - interval and transition homes.

Allowable Costs

Examples of the cost of establishing a new residence in the community include:

- clothing
- fuel and hydro deposits
- household furnishings
- last month's rent deposit
- moving and transportation to the home of the recipient
- any other costs approved by the Administrator of HSB

Maintaining an Existing Residence

HSB may also be issued where there is a threat to the health or welfare of a recipient or a member of the benefit unit in maintaining their existing residence providing there is eligibility within the 24-month period.

Examples of eligible costs:

- Costs to purchase/rent a generator where it is required to maintain a recipient's health and welfare.
- Costs to purchase or repair household appliances necessary to the health and well-being of the benefit unit where recipients own their homes and are in receipt of the maximum shelter allowance.
- Costs of new or replacement smoke alarms and batteries for recipients who own their homes and are in receipt of the maximum shelter allowance.
- Costs to eradicate bed bugs where there is an isolated case of bed bug infestation to the recipient's belongings

In the case of maintaining an existing residence, HSB may be provided if:

- the benefit applicant will be remaining in their current residence;
- the Administrator of HSB is satisfied that assistance is required to remain in their current residence; and
- the benefit applicant meets one of the following criteria:
 - requires an item necessary to maintain the residence (e.g., appliances necessary to maintain the health and well-being of the benefit unit);
 - has received an eviction notice and has satisfied the Administrator of HSB that, if a payment is made, they will not be evicted;
 - has had a utility or the heating to the current residence cut off and has satisfied the Administrator of HSB that if a payment is made the service will be reconnected; or
 - has received a notice that a utility or the heating to the current residence will be cut off and has satisfied the administrator of HSB that if a payment is made the service will not be discontinued.

In the event that HSB has been exhausted for utility arrears, both OW and ODSP recipients may be referred to the Ontario Works Utility Arrears Program. The OW Utility Arrears Program includes arrears, deposits, removal of load limiters, inspection charges and connection fees for; gas, hydro, water and sewage and furnace or water heater rentals.

Exceptional Circumstances

There may be situations where there is a need to provide HSB more than once in a 24-month period. If exceptional circumstances exist, the Administrator of HSB may approve additional HSB up to the maximum amount.

The following are considered exceptional circumstances:

- the necessity to relocate as a result of a catastrophic event (e.g., flood, fire);
- the necessity to relocate as a result of domestic violence; or
- the necessity to relocate as a result of a disability (e.g., where a recipient is moving to a home that better meets their disability-related needs).

Other exceptional circumstances may be considered where the Administrator of HSB is satisfied that not providing the additional funds would be harmful to the health and well-being of the recipient and/or other members of the benefit unit.

Service Delivery of HSB

Emergency Shelters

People staying in emergency shelters may access the HSB in the shelters. They will be served by OW Hostel Case Managers who regularly visit each of the emergency shelters. The OW Hostels Case Manager will determine eligibility for HSB and issue payments. OW Hostel Case Managers will serve recipients of OW and ODSP, rather than just OW as was previously the case.

Ontario Works Participants

OW participants who are not living at an emergency shelter will access HSB through their OW Case Manager. The OW Case Managers will review applications, determine eligibility for financial assistance and issue payments.

ODSP Clients

ODSP clients who are not living at an emergency shelter will be referred by their ODSP Case Manager to the Housing Help Centre. The Housing Help Centre will be responsible for reviewing applications, determining eligibility and issuing financial assistance to recipients of ODSP.

Eligibility criteria and processes will be the same for both Ontario Works and ODSP clients for the issuance of the HSB.

Notice of Decision

All decisions affecting eligibility and the amount of the HSB will be communicated in writing and will include the following information:

- the decision that has been made;
- the reason(s) for the decision;
- the effective date of the decision;
- the decision cannot be appealed to the Social Benefits Tribunal (SBT);
- that a request for a re-assessment of the decision or the amount of the benefit can be submitted in writing to the administrator of HSB within 30 calendar days after receipt or deemed receipt of the decision letter;

- the rules and procedures of the re-assessment process, the timeline for reviewing the decision and providing notice, and the form of notice.

Clear written explanations to applicants and recipients are intended to prevent requests for re-assessments that are based on misunderstandings regarding a decision.

The decision letter will be sent by mail or delivered in person. A copy of the notice will be retained by Housing Services Division.

Request for Re-Assessment

An applicant may request a re-assessment of the decision to the administrator of the HSB.

If an applicant disagrees with the decision, he/she must request a re-assessment within 30 calendar days from the day the decision is received or deemed to be received. The request must be made in writing by letter/note signed by the applicant or recipient.

The letter/note should include:

- a statement indicating that the applicant wishes to have the decision reviewed;
- the reason he/she disagrees with the decision; and
- the name, case identification number? and signature of the applicant or recipient requesting the review.

The Re-Assessment Request

A re-assessment request is an informal administrative process, and the applicant does not require legal representation. However, the applicant may choose to bring representation to any interview that is conducted during the re-assessment process.

Once a request has been received from an applicant or recipient, the re-assessment must be completed within 10 calendar days.

The reviewer cannot be the original decision-maker, however he/she should have the same or higher decision-making authority.

During the re-assessment process the reviewer should examine the request, including the decision, to determine if the decision was:

- consistent with the Housing Stability Benefit guidelines;
- based on the correct application of the guidelines;
- reasonable;

- based on information that was factual and comprehensive;
- based on the correct interpretation of facts;
- the result of appropriate use of discretionary power; and not the result of administrative error;
- considers additional information provided by the applicant or recipient related to the decision;
- makes a decision based on the test of reasonableness and information available to the reviewer;
- clearly summarizes the reason(s) for arriving at that decision; and
- documents the re-assessment process.

Audit Requirements

Adequate documentation is on file for the verification of costs to support all decisions and the level of benefit issued.

Review of Housing Stability Benefit

A review will be undertaken of the Housing Stability Benefit to determine its effectiveness in meeting its goals after three months and six months. Data regarding the issuance of HSB will be collated every month from both OW and the Housing Help Centre for analysis. The review will also include the participant's experience of the program and preferences regarding future service delivery in the form of focus groups and interviews. Community agencies, Ontario Works and Housing Help Centre staff and community will also be consulted for their feedback regarding this six-month pilot project.



GENERAL ISSUES COMMITTEE

REPORT 12-024(b)

9:30 a.m.

Tuesday, December 11, 2012

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Deputy Mayor B. Morelli (Chair)
Mayor R. Bratina
Councillors B. Clark, C. Collins, S. Duvall, J. Farr,
L. Ferguson, T. Jackson, B. Johnson, B. McHattie, S. Merulla,
J. Partridge, R. Pasuta, M. Pearson, R. Powers T. Whitehead

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 12-024(b) AND RESPECTFULLY RECOMMENDS:

1. 2013 Tax Supported Capital Budget (FCS12096) (City Wide)

- (a) That the 2013 Tax Supported Capital Levy in the amount of \$90,177,000, be approved;
- (b) That the 2013 Tax Capital Budget & Financing Plan in the amount of \$252,235,000 attached as Appendix "A" to Report FCS12096, be approved;
- (c) That the Tax Supported Discretionary Net Capital Funding Forecast 2013 – 2022 attached as Appendix "B" to Report FCS12096, which assumes a 0.5% levy increase in each year from 2013 to 2022, be approved, in principle, and re-visited by Council each budget year;
- (d) That the operating and FTE impacts of the 2013 capital budget, estimated to be \$1,343,700 and 4.1 FTE's, attached as Appendix "C" to Report FCS12096, be incorporated into the 2014 Tax Supported base Operating Budget;
- (e) That staff investigate options to mitigate the financial impact identified in Recommendation (d) during the 2014 tax supported operating budget process;

- (f) That the Chedoke Clubhouse Design Project in the amount of \$200,000 be parked pending further direction from Council in regard to efficiency and effectiveness opportunities through future Service Delivery Review deliberations;
- (g) That \$200,000 be allocated for the Chedoke Clubhouse Maintenance Project, to be funded from the Golf Course Reserve;
- (h) That the \$500,000 funding for the Gage Park Aviary and Tropical House Capital Project be re-allocated to the following unfunded Forestry Capital:
 - (i) Traffic Island Reinstatement
Project No. 4451349000 \$375,000
 - (ii) Forestry Mechanical and Storage Facility Upgrade
Project No. 4451351008 \$125,000
- (i) That the Hamilton Waterfront Trust capital forecast be received for consideration (Appendix "D").

**2. Community Infrastructure Improvement Fund Program Intake
(FCS12061(a)) (City Wide)(Outstanding Business List Item)**

- (a) That the Ancaster Senior Achievement Centre expansion project (7101354104) be approved, and that it be funded from the following sources:
 - (i) \$500,000 Ancaster Senior Achievement Centre Advisory Board;
 - (ii) \$500,000 Federal Grant;
 - (iii) \$250,000 Development Charges;
 - (iv) \$150,000 from Project 7101241706 – Recreation Centre Retrofits;
 - (v) \$100,000 Ancaster Capital Reserve;
- (b) That the upset limit of \$100,000 for the use of the Consultant Roster (Purchasing Policy #9) be waived for the design of the Ancaster Senior Achievement Centre Expansion Project;
- (c) That Thier + Curran Architects Inc. be approved as a single source design consultant for the Ancaster Senior Achievement Centre Expansion Project to ensure the project is completed by the March 31, 2014 Community Infrastructure Improvement Fund deadline;
- (d) That subject to the approval of Recommendation (a), the annual operating impact of \$12,600, be approved and incorporated into the 2014 Tax Supported Operating Budget;

- (e) That the Sackville Senior Centre – Life Cycle Renewal project (7101341212) be approved, and that it be funded from the following sources:
 - (i) \$650,000 Federal Grant;
 - (ii) \$150,000 Ward 7 Area Rating Special Capital Re-Investment Reserve;
 - (iii) \$300,000 from Project 7101241706 – Recreation Centre Retrofits;
 - (iv) \$200,000 from Project 3541241409 – Code & Legislative Compliance;

- (f) That the Mayor and City Clerk be authorized and directed to execute, on behalf of the City of Hamilton, all necessary documentation, including the Contribution Agreement for funding under the Community Infrastructure Improvement Fund, in order to implement projects C1767, Expansion and Upgrades to the Ancaster Senior Achievement Centre and C1787, Rehabilitation and Upgrade of Sackville Senior Centre, with content acceptable to the General Manager of Finance and Corporate Services, and in a form satisfactory to the City Solicitor;

- (g) That the Mayor and City Clerk be authorized and directed to execute, on behalf of the City of Hamilton, a funding agreement with the Ancaster Senior Achievement Centre Advisory Board for their \$500,000 contribution toward the Ancaster Senior Achievement Centre Expansion project, with content acceptable to the General Manager of Finance and Corporate Services, and in a form satisfactory to the City Solicitor.

3. Municipal Infrastructure Investment Initiative Capital Program Intake (FCS12110)

- (a) That staff be directed to submit the expression of interest for the Claremont Access Escarpment Stabilization project, with an estimated cost of \$2,250,000, attached as Appendix “A” to Report FCS12110, requesting funding in the amount of \$2,000,000 under the Municipal Infrastructure Investment Initiative (MIII) Capital Program;

- (b) That the Province of Ontario be advised that:
 - (i) The information in the Expression of Interest is factually accurate;

 - (ii) The City Of Hamilton has a comprehensive asset management plan that includes all of the information and analysis described in Building Together: Guide for Municipal Asset Management Plans in place;

- (c) That the Mayor be authorized and directed to execute the documentation associated with applications under the MIII capital program, including the expression of interest and any related future application forms;
- (d) That should the application under the MIII program be approved for funding, the Mayor and City Clerk be authorized and directed to execute, on behalf of the City of Hamilton, all necessary documentation to implement the Claremont Access Escarpment Stabilization project, all with content acceptable to the General Manager of Finance and Corporate Services, and in a form satisfactory to the City Solicitor;
- (e) That should the application under the MIII program be approved for funding, the City share of funding in the amount of \$250,000 be re-appropriated from the Escarpment Slope Stabilization Project 4031310004.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

ADDED DISCUSSION ITEMS

- (i) Community Infrastructure Improvement Fund Program Intake (FCS12061(a)) (City Wide) (New Business #1)
- (ii) Municipal Infrastructure Investment Initiative Capital Program Intake (FCS12110) (City Wide) (New Business #2)

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

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) PUBLIC HEARINGS/DELEGATIONS

- (i) **David Adames, President and CEO, Hamilton Chamber of Commerce, respecting the City's 2013 Capital Budget (Item 4.1)**

David Adames, President and CEO of the Hamilton Chamber of Commerce, appeared before the Committee on behalf of the Chamber and specifically, the Light Rail Transit (LRT) Task Force, to recommend that capital funding for rapid transit improvements be considered as part of the City's 2014 Capital Budget and its 10-year capital forecast.

A copy of Mr. Adames' comments were submitted to the Clerk for the public record and are attached hereto as Appendix "A".

On a motion, the presentation from David Adames, President and CEO, Hamilton Chamber of Commerce, respecting the City's 2013 Capital Budget, was received.

(d) STAFF PRESENTATIONS

(i) 2013 Tax Supported Capital Budget (FCS12096) (City Wide)

Mike Zegarac, Director, Financial Planning and Policy, provided a power point presentation respecting the 2013 Tax Supported Capital Budget and spoke to the following:

- 2013 Tax Capital Process and Objectives
- 2013-2022 Tax Capital Objectives
- Tax Capital History
- Capital Funding compared to September Budget Workshops
- Gross Tax Capital Funding Sources
- 2013 Capital Budget by Program
- 2013 Capital Highlights
- 2013 Proposed Capital Budget
- 2013 Roads Capital Program
- Discretionary Funding
- Future Unfunded Projects (not included in Financing Plan)
- 2013 Capital Funding
- 2013-2022 Capital Forecast by Program
- 2013-2022 Capital Funding Forecast
- Tax Capital Forecast 2013-2022
- Discretionary Funding Forecast
- Capital Funding Sources (2013-2022)
- Debt Forecast 2013-2022
- Consolidated Outstanding Debt Forecast 2013-2022
- Annual Repayment Limit
- Unallocated Capital Reserve -2010-2016 Balances
- Central Fleet Reserve – 2010-2017 Balances
- Fire Equipment, Fire Vehicle and EMS Equipment Reserves – 2010-2016 Balances

On a motion, the presentation respecting the 2013 Tax Supported Capital Budget, was received.

2013 Tax Supported Capital Budget (FCS12096) (City Wide)

On a motion:

- (a) Sub-section (f) of Report FCS12096 respecting the 2013 Tax Supported Capital Budget was deleted in its entirety and replaced with the following in lieu thereof:

“(f) That the Chedoke Clubhouse Design Project in the amount of \$400,000 be parked pending further direction from Council in regard to efficiency and effectiveness opportunities through future Service Delivery Review deliberations.”

- (b) The following was added as sub-section (g) and the balance of the sections re-numbered accordingly:

“(g) That the \$500,000 funding for the Gage Park Aviary and Tropical House Capital Project be re-allocated to the following unfunded Forestry Capital:

- | | | |
|------|--|-----------|
| (i) | Traffic Island Reinstatement
Project No. 4451349000 | \$375,000 |
| (ii) | Forestry Mechanical and Storage Facility Upgrade
Project No. 4451351008 | \$125,000 |

The Amendment CARRIED.

On a motion,

- (a) Sub-section (f) was amended by reducing the \$400,000 to \$200,000, and \$200,000 was allocated to the Chedoke Clubhouse Maintenance Project, to be funded from the Golf Course Reserve;
- (b) The balance of the sections were re-numbered accordingly.

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

Staff Direction resulting from Discussions respecting the 2013 Tax Supported Capital Budget

On a motion, staff was directed to explore joint municipal opportunities for bulk purchases of capital equipment and vehicles such as fire trucks and land ambulances, and report back to the General Issues Committee on progress.

On a motion, Staff was directed to report to the General Issues Committee with a five-year plan regarding two-way street conversions, and that the report identify those projects that can be implemented with existing departmental budgets, and those that are currently unfunded.

(e) NEW BUSINESS

**(i) Ancaster Senior Achievement Centre Expansion Project
(FCS12061(a)) (Ward 12)**

On a motion, the following were added as sub-sections (b) and (c) and the balance of the sections re-numbered accordingly:

- (b) That the upset limit of \$100,000 for the use of the Consultant Roster (Purchasing Policy #9) be waived for the design of the Ancaster Senior Achievement Centre Expansion Project;
- (c) That Thier + Curran Architects Inc. be approved as a single source design consultant for the Ancaster Senior Achievement Centre Expansion Project to ensure the project is completed by the March 31, 2014 Community Infrastructure Improvement Fund deadline.

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

(f) ADJOURNMENT

There being no further business, the Committee adjourned at 12:37 p.m.

Respectfully submitted

Councillor B. Morelli
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
Office of the City Clerk



December 11, 2012

**General Issues Committee
Hamilton City Council
Re: Capital Budget 2013**

Dear Members of Council:

I am here today representing both the Hamilton Chamber of Commerce and the Hamilton Chamber's LRT task force, specifically at the request of the LRT task force.

I would like to congratulate Council and staff on developing another comprehensive capital budget that addresses a number of policy priorities.

I know that sometimes Council and staff say that as one budget is approved that works begins on next year's budget. And it's for next year's capital budget consideration and planning that brings me here today, particularly in relation to funding for LRT.

We know that it was too early to include any capital allocation for LRT in the 2013 Capital budget. We also recognize that tremendous work is underway by City staff on not only rapid transit but also mobility generally. The Hamilton Chamber is looking forward with anticipation, as are many stakeholders in Hamilton, on the next report from staff that provides an update on rapid transit and its relationship with other modes of transportation.

The Hamilton Chamber of Commerce has long been a proponent of two key public transit infrastructure investments: the all day, two-way GO train service to Toronto (which we understand has been confirmed for June 2015) and LRT in Hamilton.

To support the policy position on LRT and to provide our members' input on LRT, the Hamilton Chamber formed an LRT task force that met for the first time in January of 2012. The task force includes a representative from each of the Chamber's committees and divisions as well as the Realtors Association of Hamilton-Burlington and the Hamilton-Halton Home Builders Association. And as Council knows, Council passed a motion in November (2012) to have Mayor Bob Bratina, or his designate, and three members of Council, Councillors Jason Farr, Lloyd Ferguson and Brian McHattie join the Hamilton Chamber's LRT Task Force. We will be providing Council with copies of the task force meeting minutes.

We have also established four sub-committees of the task force to study key issues more in-depth including:

- Government relations
- Funding tools
- Public engagement
- Land-use planning and development

This coming year – 2013 - will prove to be a pivotal year for Metrolinx's Big Move plan and Hamilton's involvement in that plan.

We were encouraged with the (re) confirmation of Hamilton's LRT inclusion in the second round of projects as announced recently by Metrolinx.

We also recognize that there are many considerations associated with LRT that need to be discussed as a community in the coming weeks and months – including how we have that conversation as a community; how we approach and maximize land use planning on the LRT corridor and how it integrates with GO train service – which will help address the demand side of LRT; how we fund the infrastructure investment; and how we position Hamilton to be at or near the top of the projects to receive funding and the green light to proceed.

In short, this period will allow us to assess the return on investment over the long-term of investing in this 21st century transit infrastructure.

Very soon, Metrolinx will release a consultation paper on possible funding tools that will be considered as part of Metrolinx’s investment strategy for the Big Move. These funding tools will be an integral part of not only Hamilton’s consideration of how we pay for LRT but also for other municipalities in the GTHA.

The Hamilton Chamber welcomes the opportunity to help with the assessment of these funding tools. We will be working through the LRT task force to engage with the business community as well as other key stakeholders including the Ontario Chamber of Commerce (the Hamilton Chamber serves on the OCC’s Sustainability Committee and its “Big Move” sub-committee), CivicAction and the Toronto Board of Trade. Where possible, we look forward to hosting joint “town hall” consultation meetings, including discussing the funding tools consultation paper.

One of the sensitive issues around LRT that has arisen is “how much will the City need to pay for LRT?”, particularly from the City’s Capital budget. Of course we know that this question will be answered in the context of the return on investment as well as the comparison of on-going operating costs for transit. It will also involve assessing what has taken place in other jurisdictions such as Toronto (which has received 100% funding to date for a

number of transit projects) and, outside the GTHA, Waterloo and Ottawa which have received a combination of provincial and federal funding but are also contributing municipal capital dollars.

However, in one way, it's far too early to know if or how much may be required from the City's capital budget. Although we need to be active in the consultation on Metrolinx's funding tools paper and the overall investment plan, we must also ensure that we do not lose sight of our own ability as a municipality to plan for and fund future rapid transit improvements, outside of the LRT funding discussion. In a few months time, the picture will be much clearer on two key aspects of Hamilton's LRT future: what is the cost-benefit of LRT for Hamilton and what, if anything, will the City need to contribute in terms of capital funding. Regardless of the outcome, the Hamilton Chamber recommends that capital funding for rapid transit improvements be considered as part of the City's 2014 Capital Budget and its 10 Year Capital Forecast.

I welcome questions from committee.

Thank you

A handwritten signature in black ink, appearing to read "D. Adames". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

David Adames
President and CEO