



City of Hamilton

CITY COUNCIL REVISED

Wednesday, April 25, 2018, 5:00 P.M.
Council Chambers, Hamilton City Hall
71 Main Street West

Call to Order

1. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with *)

2. DECLARATIONS OF INTEREST

3. CEREMONIAL ACTIVITIES

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 April 11, 2018

5. COMMUNICATIONS

5.1 Correspondence from Enbridge Pipelines Inc. respecting the Proposed Sale of Enbridge Line 10 Pipeline to United Refining Company Notification of Future Assignment of Permanent Pipeline Crossings

Recommendation: Be received.

5.2 Correspondence from the Ministry of the Environment and Climate Change respecting Regulatory decisions - Clean Water Act & Safe Drinking Water Act.

Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.

- 5.3 Correspondence from the Township of Killaloe, Hagarty and Richards requesting support for their resolution calling on the Province to formally grant municipalities the authority to approve landfill projects in or adjacent to their communities, prior to June 2018.
- Recommendation: Be received.
- 5.4 Correspondence from Ernie Hardeman, MPP, Oxford requesting support for a private members' bill which would give municipalities the authority to decide whether or not they would be willing to receive a landfill.
- Recommendation: Be received.
- 5.5 Correspondence from the Honourable Kathleen Wynne, Premier, in response to the Mayor's letter respecting recognition of January 29 as a Day of Remembrance and Action on Islamophobia.
- Recommendation: Be received.
- 5.6 Correspondence from the Township of Selwyn requesting support for their resolution strongly urging the Province of Ontario to reconsider the implementation procedure and include transition policies to provide greater flexibility for those applications that were made prior to February 9, 2018 and are impacted by the Agricultural System (AS) or Natural Heritage System (NHS) mapping.
- Recommendation: Be received.
- 5.7 Correspondence from Imperial Oil's Community Awareness/Right of Way Coordinator requesting that their agricultural neighbours contact Imperial Oil before they perform activities outside of normally accepted farming practices which may disturb the ground in excess of 30cm, and or involve placement or clean out of drainage facilities in order to eliminate any potential pipeline conflicts on your property.
- Recommendation: Be received.
- 5.8 Correspondence from Shekar Chandrashekar respecting the Hamilton Police Services Budget.
- Recommendation: Be received.
- 5.9 Correspondence respecting Official Plan Amendment and Zoning By-law Amendment for the Downtown Hamilton Secondary Plan:
- Recommendation: Be received and referred to the consideration of Item 7 of Planning Committee Report 18-006.

- 5.9.a WEBB Planning Consultants Inc. on behalf of DiCenzo Construction Limited.
- 5.9.b Bousfield Inc on behalf of Television City Hamilton Inc., 163 Jackson Street West, Hamilton
- 5.9.c People's Plan for Downtown
- 5.9.d Gabriel Zelea
- 5.10 Correspondence respecting Modifications to the Existing Residential "ER" Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods:

Recommendation: Be received and referred to the consideration of Item 3 of Planning Committee Report 18-006
 - 5.10.a Jana Pekarcikova
 - 5.10.b Meg Tyrell
- 5.11 Correspondence from The Honourable Kathryn McGarry, Minister of Transportation and the Honourable Daiene Vernile, Minister of Tourism, Culture and Sport respecting the Launch of #CycleON Action Plan 2.0.

Ontario's Cycling Strategy - <http://www.mto.gov.on.ca/english/publications/cycleon-ontario-cycling-strategy.shtml>

Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.
- *5.12 Correspondence from the Hamilton-Halton Home Builders' Association respecting the Draft Downtown Secondary Plan and Zoning By-law.

Recommendation: Be received and referred to Item 7 of the Planning Committee Report 18-006.
- *5.13 Correspondence from Turkstra Mazza objecting to the Downtown Hamilton Secondary Plan and Zoning By-law in their current form.

Recommendation: Be received and referred to Item 7 of the Planning Committee Report 18-006.

6. COMMITTEE REPORTS

- 6.1 Public Works Committee Report 18-005 - April 16, 2018
- 6.2 Board of Health Report 18-004 - April 16, 2018

- 6.3 Planning Committee Report 18-006 - April 17, 2018
- 6.4 General Issues Committee Report 18-009 - April 18, 2018
- 6.5 Audit, Finance and Administration Committee Report 18-005 - April 23, 2018 (to be distributed)
- 6.6 Healthy and Safe Communities Committee Report 18-004 - April 23, 2018 (to be distributed)

7. MOTIONS

- 7.1 Removal of Norway Spruce Tree at 148 Valleyview Drive, Ancaster, Ward 12
- 7.2 Amendment to Item 4 of the General Issues Committee Report 17-024, respecting Report PED16089(b) - City Operated Events - Determine Interests of Event Vendors

8. NOTICES OF MOTIONS

- 8.1 Zoning By-Law Regulations for Accessory Apartments
- *8.2 Capital Funding for the John Rebecca Park Project
- *8.3 One Time Funding for Residential Care Facilities

9. STATEMENTS BY MEMBERS

10. PRIVATE AND CONFIDENTIAL

11. BY-LAWS AND CONFIRMING BY-LAW

- 11.1 100
To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 5 (Stop Control)
Ward: 8
- 11.2 101
To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 2 (Speed Limits)
Ward: 9

- 11.3 102
Respecting Removal of Part Lot Control, Lot 73, Plan No. 62M-1150 "Summerlea West Phase 2A", 3 and 9 Binhaven Boulevard
Ward: 11
PLC-18-016
- 11.4 103
Respecting Removal of Part Lot Control, Block 6, Registered Plan No. 62M-417
Ward: 12
PLC-16-028
- 11.5 104
To Amend Site Plan Control By-law No. 15-176 Respecting Lands Located in Certain Residential Areas of Ancaster ("ER" Zoned Lands)
Ward: 12
CI-18-A
- 11.6 105
To Amend Zoning By-law No. 87-57 To Delete Certain Regulations and Implement New Regulations for the Existing Residential "ER" Zone (Ancaster)
Ward: 12
CI-18-A
- 11.7 106
To Amend Zoning By-law No. 6593 Respecting Lands Located at 500 Upper Wellington Street (Hamilton)
Ward: 7
ZAC-17-061

11.8 107

To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking

Schedule 6 (Time Limit Parking)

Schedule 8 (No Parking)

Schedule 10 (Alternate Side Parking)

Schedule 12 (Permit Parking Zones)

Schedule 14 (Wheelchair Loading Zones)

Ward: 2, 3, 4, 6, 7, 8, 11

*11.9 108

Respecting Removal of Part Lot Control, Blocks 8, 10 to 12, 21 to 25, Part of Block 9, Registered Plan of Subdivision No. 62M-1241, municipally known as 57 – 72 Foothills Lane, 1 – 15, 17, 19, 21, 23, 25, 27, 29, 29, 31 and 33 – 65 Pinot Crescent, 101, 103, 105, 107, 109, 111, 113, 115, 117, 119 – 131 Sonoma Lane, 2, 4, 6, and 8 – 20 Zinfandel Drive, Stoney Creek

Ward: 11

PLC-18-018

11.10 109

To Confirm the Proceedings of City Council

12. ADJOURNMENT



CITY COUNCIL MINUTES 18-006

5:00 p.m.
Wednesday, April 11, 2018
Council Chamber
Hamilton City Hall
71 Main Street West

Present: Mayor F. Eisenberger, Deputy Mayor J. Partridge, Councillors S. Merulla, T. Whitehead, D. Skelly, T. Jackson, M. Green, J. Farr, C. Collins, M. Pearson, L. Ferguson, A. VanderBeek, R. Pasuta, A. Johnson, and B. Johnson

**Absent with
Regrets:** D. Conley - Medical

Mayor Eisenberger called the meeting to order and recognized that Council is meeting on the traditional territories of the Mississauga and Haudenosaunee nations, and within the lands protected by the “Dish with One Spoon” Wampum Agreement.

The Mayor called upon Dr. Nadia Rosa a Hamilton Jewish Foundation Holocaust Survivor, to provide the invocation. Dr. Rosa spoke about the importance of remembering the tragic events and those that lost their lives during the Holocaust.

The Mayor called for a moment of silence to remember the victims of the Rwandan Genocide, as April 7th marked the somber anniversary where an estimated one million Rwandans were slaughtered.

Councillor Whitehead spoke to the Humboldt tragedy and gave his condolences to all those affected by the loss.

Councillor Jackson also addressed Committee about the anniversary of the Armenian Genocide on April 24th, which is also known as the Armenian Holocaust.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. CORRESPONDENCE (Item 5)

- 5.4 Correspondence from Conservation Halton respecting the 2018 Budget Municipal Funding Apportionment

Recommendation: Be received and referred to the General Manager of Finance and Corporate Services for appropriate action.

- 5.5 Correspondence from the Hamilton Beach Community Council respecting Zoning By-law 05-200 (PED18064)

Recommendation: Be received and referred to the consideration of Item 6 of the Planning Committee Report 18-005.

- 5.6 Correspondence from Gabriel Nicholson respecting Item 8 of the Audit, Finance and Administration Committee Report 18-004.

Recommendation: Be received and referred to the consideration of Item 8 of the Audit, Finance and Administration Committee Report 18-004.

2. MOTIONS (Item 7)

- 7.4 CityHousing Development Strategy - WITHDRAWN

3. NOTICES OF MOTION (Item 8)

- 8.2 Renovations at 430 Cumberland Avenue, Hamilton
- 8.3 Hamilton Specialty Bar Tax Program
- 8.4 Sidewalk and Mountable Curb Repairs (Ward 8)

(Green/A. Johnson)

That the agenda for the April 11, 2018 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

There were no declarations of interest.

APPROVAL OF MINUTES OF PREVIOUS MEETING
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- 4.1 March 28, 2018

(Ferguson/Pearson)

That the Minutes of the March 28, 2018 meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Partridge/Jackson)

That Council Communications 5.1 to 5.6 be approved, as presented, as follows:

- 5.1 Correspondence from the Federation of Canadian Municipalities respecting the 2018-2019 Membership Invoice - Optional Legal Defense Fund.

Recommendation: Be approved and funded through the 2018 Corporate Financials Program and that the funds for the 2019-2020 Membership Invoice - Optional Legal Defense Fund be included in the 2019 Legislative Budget.

- 5.2 Correspondence from Phil Verster, President & CEO, Metrolinx in response on behalf of the Province and Metrolinx to the December 18, 2017 motion regarding the procurement model for the Hamilton Light Rail Transit (LRT) system.

Recommendation: Be received and referred to the Light Rail Transit Sub Committee.

- 5.3 An invitation to participate in the first public meeting for the Development of the Borer's Falls - Rock Chapel and Cootes Paradise Heritage Lands.

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.

- 5.4 Correspondence from Conservation Halton respecting the 2018 Budget Municipal Funding Apportionment

Recommendation: Be received and referred to the General Manager of Finance and Corporate Services for appropriate action.

- 5.5 Correspondence from the Hamilton Beach Community Council respecting Zoning By-law 05-200 (PED18064)

Recommendation: Be received and referred to the consideration of Item 6 of the Planning Committee Report 18-005.

- 5.6 Correspondence from Gabriel Nicholson respecting Item 8 of the Audit, Finance and Administration Committee Report 18-004.

Recommendation: Be received and referred to the consideration of Item 8 of the Audit, Finance and Administration Committee Report 18-004.

CARRIED

(Merulla/Collins)

That Council move into Committee of the Whole to consider the Committee Reports.

CARRIED

PLANNING COMMITTEE REPORT 18-005

6. **Proposed Official Plan Amendment and Amendment to Hamilton Zoning By-law No. 05-200 to rezone Industrial Zones for the Port Lands, Certain Remnant Industrial Zoned Lands, and Institutional and Open Space Zones, and Amendment to Hamilton Zoning By-law No. 6593 to delete Harbour Zones (Wards 2, 3, 4 and 5) (PED18064) (Item 6.6)**

(Pearson/Green)

That Item 6 of Planning Committee Report 18-005 respecting Proposed Official Plan Amendment and Amendment to Hamilton Zoning By-law No. 05-200 to rezone Industrial Zones for the Port Lands, Certain Remnant Industrial Zoned Lands, and Institutional and Open Space Zones, and Amendment to Hamilton Zoning By-law No. 6593 to delete Harbour Zones be amended as outlined below:

- (a) ***That Appendix “A” to Report PED18064 referenced in subsection (a)(i) be amended by adding an Urban Site Specific Policy for lands located at Nos. 440 Victoria Avenue North, 3-28 Studebaker Place, 341, 345, and 349 Ferrie Street East, and lands on the north side of Mars Avenue:***
1. ***To add Urban Site Specific Policy (UHE-8) to permit the following commercial uses on the subject lands:***
 - ***Commercial Recreation; and,***
 - ***Commercial School.***
 2. ***To update Volume 3 Map 2 – Urban Site Specifics Key Map to identify the subject lands as UHE-8.***
- (b) ***That Appendix “C” to Report PED18064 referenced in subsection (c)(iii) be amended with respect to the property located at Nos. 440 Victoria Avenue North, 3-28 Studebaker Place, 341, 345, and 349 Ferrie Street East, and lands on the north side of Mars Avenue:***
1. ***To add the following new uses:***
 - ***animal shelter,***
 - ***biomedical establishment***
 - ***landscape contracting establishment,***
 - ***commercial motor vehicle washing establishment,***
 - ***commercial recreation,***
 - ***commercial school,***
 - ***pharmaceutical and medical establishment***
 - ***science and technology establishment***
 - ***microbrewery;***
 2. ***To include additional technical changes related to:***
 - ***municipal number addressing,***
 - ***lot areas and widths,***
 - ***landscaping/setbacks abutting parts of Ferrie Street East and Mars Avenue,***

- *allow training facilities on the north side of Studebaker Place to have outdoor training,*
 - *maximum accessory retail of 25% of gross floor area of building instead of 25% of gross floor area or 500 square metres whichever is the lesser,*
 - *office size 4,000 square metres instead of 3,500 square metres*
- (c) *That the draft Official Plan Amendment attached as Appendix “A” to Report PED18064 be replaced with the draft Official Plan Amendment hereto attached and be enacted by Council*
- (d) *That the draft by-law attached as Appendix “C” to Report PED18064 be replaced with the draft by-law hereto attached and be enacted by Council Amendment, CARRIED*
6. **Proposed Official Plan Amendment and Amendment to Hamilton Zoning By-law No. 05-200 to rezone Industrial Zones for the Port Lands, Certain Remnant Industrial Zoned Lands, and Institutional and Open Space Zones, and Amendment to Hamilton Zoning By-law No. 6593 to delete Harbour Zones (Wards 2, 3, 4 and 5) (PED18064) (Item 6.6)**

(Collins/Merulla)

That Item 6 of Planning Committee Report 18-005 respecting Proposed Official Plan Amendment and Amendment to Hamilton Zoning By-law No. 05-200 to rezone Industrial Zones for the Port Lands, Certain Remnant Industrial Zoned Lands, and Institutional and Open Space Zones, and Amendment to Hamilton Zoning By-law No. 6593 to delete Harbour Zones be amended as outlined below:

- (a) *That Appendix “B” to Report PED18064 referenced in subsection (b)(i) be amended by deleting the words “tarpaulin or other materials” from Subsection 9.13.3i)ii) of the Shipping and Navigation (Port Lands) (M13) Zone and Subsection 9.14.3.i)ii) of the Shipping and Navigation (East Port) (M14) Zone.*
- (b) *That the draft by-law attached as Appendix “B” to Report PED18064 be replaced with the draft by-law hereto attached and be enacted by Council.*

*Amendment, CARRIED
Main Motion as Amended CARRIED*

7. Community Energy Plan Terms of Reference (City Wide) (PED18057) (Item 8.1)**(A. Johnson/Farr)**

That in order to identify the funding source, Item 7 of Planning Committee Report 18-005 respecting Community Energy Plan Terms of Reference be amended by:

- (a) adding the following subsection (d) and re-lettering the balance:
 - (d) ***That the budget for the Community Energy Plan (CEP) be set at \$180,000 and that funding be appropriated from: the Development Charges Study and Grids Update Account 8121655602; the Hamilton Growth Management Review Account 8141555600; and the Community Planning Studies Account 8120955900.***
- (b) adding the words ***“and directed to transfer any funding received through these grant projects back to the Development Charges Study and Grids Update Account 8121655602; the Hamilton Growth Management Review Account 8141555600; and the Community Planning Studies Account 8120955900”*** to subsection (e);

The amended Item 7 to read as follows:

- (a) That the City of Hamilton Community Energy Plan (CEP) Terms of Reference, attached as Appendix “A” to Report PED18057, be received for information;
- (b) That staff be directed to undertake a process to develop a Community Energy Plan in accordance with the Community Energy Plan (CEP) Terms of Reference as set out in Appendix “A” to Report PED18057;
- (c) That staff be directed and authorized to prepare a Request for Proposal (RFP) to retain a consultant to prepare the Community Energy Plan (CEP);
- (d) ***That the budget for the Community Energy Plan (CEP) be set at \$180,000 and that funding be appropriated from: the Development Charges Study and Grids Update Account 8121655602; the Hamilton Growth Management Review Account 8141555600; and the Community Planning Studies Account 8120955900.***
- (e) That staff be authorized to submit an application to the Federation of Canadian Municipalities’ Green Municipal Fund or the Province of Ontario’s Municipal Energy Plan Program to obtain additional funding sources for the project ***and directed to transfer any funding received through these grant projects back to the Development Charges Study and Grids Update Account 8121655602; the Hamilton Growth Management Review Account 8141555600; and the Community Planning Studies Account 8120955900;***

- (f) That should the City be successful in an application for funding, from the Federation of Canadian Municipalities' Green Municipal Fund and/or the Province of Ontario' s Municipal Energy Plan Program, the Mayor and Clerk be authorized and directed to execute the Agreement together with any ancillary documentation, in a form satisfactory to the City Solicitor.

**Amendment, CARRIED
Main Motion as Amended CARRIED**

(Farr/Green)

That Information Item (e)(iii) of the Planning Committee Report 18-005, respecting Support for Changing the By-law to Allow for Backyard Hens in Hamilton (which was defeated) be lifted from the Information Section and added as Item 9 for discussion.

9. Support for Changing the By-law to Allow for Backyard Hens in Hamilton

WHEREAS; since a 2012 Backyard Hens report to Council, it appears that all of Hamilton's neighboring communities now allow backyard hens;

WHEREAS; since 2012 Backyard Hens report to Council, ticks have become a major health concern in the City of Hamilton;

WHEREAS; it is suggested that chicken poop out nitrogen-rich fertilizer which may be composted with yard waste;

WHEREAS; backyard hens address the issue of food security; and

WHEREAS; a chicken makes a great pet;

THEREFORE, BE IT RESOLVED:

- (a) That the appropriate staff be requested to provide PED Committee with an update related to their 2012 Backyard Hens Report;
- (b) That the staff update include an analysis of previously identified issues that included, but are not limited to, health, odor, nuisance, etc.
- (c) That by-laws respecting the permissions of backyard hens in all neighboring municipalities be considered in the staff report;
- (d) That the report be considered in informing a potential pilot for Wards 1, 2 and 3.

CARRIED

Councillors Pearson, Collins, and Partridge wish to be recorded as OPPOSED.

9. **Support for Changing the By-law to Allow for Backyard Hens in Hamilton**

(Farr/Green)

WHEREAS; since a 2012 Backyard Hens report to Council, it appears that all of Hamilton's neighboring communities now allow backyard hens;

WHEREAS; since 2012 Backyard Hens report to Council, ticks have become a major health concern in the City of Hamilton;

WHEREAS; it is suggested that chicken poop out nitrogen-rich fertilizer which may be composted with yard waste;

WHEREAS; backyard hens address the issue of food security; and

WHEREAS; a chicken makes a great pet;

THEREFORE, BE IT RESOLVED:

- (a) That the appropriate staff be requested to provide PED Committee with an update related to their 2012 Backyard Hens Report;
- (b) That the staff update include an analysis of previously identified issues that included, but are not limited to, health, odor, nuisance, etc.
- (c) That by-laws respecting the permissions of backyard hens in all neighboring municipalities be considered in the staff report;
- (d) That the report be considered in informing a potential pilot for Wards 1, 2 and 3.

Councillor Farr requested a Standing Recorded Vote.

The Motion was DEFEATED on the following Standing Recorded Vote:

Yeas: Farr, Green, Merulla, VanderBeek, A. Johnson
Total: 5
Nays: Eisenberger, Collins, Jackson, Skelly, Whitehead, Partridge, Pasuta, Ferguson, B. Johnson, Pearson
Total: 10
Absent: Conley
Total: 1

(A. Johnson/Farr)

That the FIFTH Report of the Planning Committee be adopted, *as amended*, and the information section received.

CARRIED

GENERAL ISSUES COMMITTEE REPORT 18-008

(Mayor Eisenberger/Pasuta)

That the EIGHTH Report of the General Issues Committee be adopted, as presented, and the information section received.

CARRIED

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 18-004
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- 8. Ward-Specific Funding Initiatives - Area Rating Special Capital Re-investment Reserves, Discretionary Spending, Cell Tower and Minor Maintenance Council Priority Capital Projects Update as of December 31, 2017 (FCS18014) (City Wide) (Outstanding Business List Item) (Item 8.3)**

(Collins/Merulla)

- (e) That Appendix "C" to AF&A Report 18-004, detailing the balance and projects funded from the Wards 1 to 8 Area Rating Special Capital Re-investment Reserves as of December 31, 2017 *as amended, with the removal of the Riverdale Salad Bowl from the Ward 5 Community Events Section (Page 6 of 9) as the funding was for a community garden fence located on City property*, be received;

Amendment, **CARRIED**
Main Motion as *Amended* **CARRIED**

- 9. Commercial Relationship Between City of Hamilton and M.J. Dixon Construction Limited (LS13018(b) / FCS13041(b)) (City Wide) (Item 12.1)**

(B. Johnson/Collins)

That the recommendation of Item 9 of Audit, Finance and Administration Committee Report 18-004 respecting the Commercial Relationship Between City of Hamilton and M.J. Dixon Construction Limited (LS13018(b)/ FCS13041(b)), be deleted in its entirety and the following be inserted therein:

~~That the recommendations of Report LS13018(b)/FCS13041(b), respecting "Commercial Relationship Between City of Hamilton and M.J. Dixon Construction Limited" be approved and the recommendations remain private and confidential until approved by Council.~~

- (a) That, due to the impairment of the commercial relationship between the City of Hamilton and M.J. Dixon Construction Limited ("M.J. Dixon") that has resulted from litigation and the difficulties in implementing a settlement, staff be directed to reject any current and future bids, proposals or quotations received from M.J. Dixon or any of its related corporate or individual entities, until December 8, 2022;

- (b) That the City of Hamilton not enter into any contract with M.J. Dixon or any of their related corporate or individual entities until and including December 8, 2022;
- (c) That staff be directed to review the operations of M.J. Dixon Construction Limited, in the 5th year of the bid, proposal and quotation ban, and report back to the Audit, Finance & Administration Committee.
- (d) That Report LS13018(b)/FCS13041(b) respecting the Commercial Relationship Between City of Hamilton and M.J. Dixon Construction Limited, remain confidential.

CARRIED

(VanderBeek/Pasuta)

That the FOURTH Report of the Audit, Finance & Administration Committee be adopted, **as amended**, and the information section received.

CARRIED

HEALTHY & SAFE COMMUNITIES COMMITTEE REPORT 18-003

(Merulla/Collins)

That the THIRD Report of the Healthy & Safe Communities Committee be adopted, as presented, and the information section received.

CARRIED

(Merulla/Collins)

That Committee Rise and Report.

CARRIED

MOTIONS

7.1 Area Rating Special Capital Re-Investment Reserve Funded Projects – Upper Sherman Street (Ward 7)

(Skelly/Jackson)

WHEREAS, modern winters appear to have accelerated the deterioration of Upper Sherman from Limeridge Road to Fennell Avenue, as a result of increased frequency of freeze/thaw cycles and more extreme variability of temperatures; and,

WHEREAS, Upper Sherman from the LINC to Mohawk is identified within the Road Capital program for rehabilitation in 2027, and,

WHEREAS, given current resources along with the time needed to complete a tender and award process, road improvements cannot be addressed within our normal process manner during the 2018 construction season,

THEREFORE BE IT RESOLVED:

- (a) That Upper Sherman Street (from Limeridge Road to Fennell Avenue) be rehabilitated using asset preservation practices, with the work to include the rehabilitation of the existing asphalt, complete base repairs, along with high risk concrete curb and sidewalk repairs and re-paving and;
- (b) That \$1,370,000 from Reserve #108057 – Ward 7 Area Rating Special Capital Reinvestment Reserve – be utilized to fund the asset preservation of Upper Sherman Street, and;
- (c) That the Ward 7 allocation, in the amount of \$900,000 and previously approved from the Investment Stabilization Reserve Account (No. 4031811807), be utilized to fund the asset preservation of Upper Sherman Street, and;
- (d) That the rules of procurement rules be waived, and;
- (e) That the General Manager of Public Works and/or his designate to award the work on sole source negotiated price basis as per the policy 10 protocol.

CARRIED

7.2 Corktown Neighbourhood Association Grant

(Farr/Green)

WHEREAS, the Ward 2 Revenue (cell tower) project No. 3301609602 has available funds to provide financial support to community led projects and initiatives that benefit Ward 2;

THEREFORE BE IT RESOLVED:

- (a) That the Corktown Neighbourhood Association be provided a grant, in the amount of \$6,500, to support community events and engagement through projects to include, but not be limited to, community mail-outs, a public skating rink, facility rental fees and applicable insurance, to be funded through the Ward 2 Revenue (Cell Tower) project No. 3301609602; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, to give effect to the grant to the Corktown Neighbourhood Association, in the amount of \$6,500, with such terms and conditions in a form satisfactory to the City Solicitor.

CARRIED

7.3 Funding for Public Art Installations within the Concession Street BIA (Ward 7)

(Skelly/Whitehead)

That the following motion be TABLED until clarification from staff can be provided as to whether beautification projects on streets within Business Improvement Areas qualify for the use of this funding:

WHEREAS, Concession Street is a vibrant shopping district on Hamilton's Mountain, known for its scenic location along the mountain brow;

WHEREAS, the Concession Street BIA has proposed that art installations be installed on six blank wall spaces within the Business Improvement Area, in order to further beautify the streetscape of Concession Street;

WHEREAS, the art installations would be printed onto panels, mounted onto the business walls, and include an anti-graffiti coating;

WHEREAS, the Concession Street BIA has obtained permission to use photos from I Fotograf Hamilton and the Mountain Heritage Society, and the images would be a combination of modern and historic photos of Hamilton; and,

WHEREAS, three tendered bids collected by the Concession Street BIA have identified a preferred candidate for this project;

THEREFORE IT BE RESOLVED:

- (a) That a maximum of \$15,000, to be funded from the Ward 7 Discretionary Project fund (Account No. 3301709700), be provided to the Concession Street BIA to assist in funding the installation of art on six blank wall spaces in the Concession Street BIA; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

CARRIED

7.4 Reconsideration of Item 11 of the General Issues Committee Report 16-017, respecting Report PED16141 - Desjardin Canal Hwy 403 Bridge Commemorative Public Art

(A. Johnson/Farr)

WHEREAS, at its meeting of July 16, 2016, Council approved sub-sections (a) and (b) to Item 11 of the General Issues Committee Report 16-017, which read as follows:

11. Desjardin Canal Hwy 403 Bridge Commemorative Public Art (PED16141) (City Wide) (Item 8.6) (attached hereto)

- (a) That, pending the successful selective demolition of the existing east bound Highway 403 Bridge over the Desjardin Canal and capping of the ten remaining concrete columns by the Ministry of Transportation (MTO), the City of Hamilton take ownership of the columns for a future commemorative public art project;
- (b) That the Mayor and City Clerk be authorized and directed to execute an agreement between the City of Hamilton and Ministry of Transportation (MTO) for the City of Hamilton to take ownership of the remaining bridge columns at the 403 Bridge over the Desjardin Canal, in a form satisfactory to the City Solicitor;

WHEREAS, after further consideration, the Ministry of Transportation (MTO) no longer wishes to enter into an agreement with the City of Hamilton (City) to take ownership of the ten capped-columns that will remain, subsequent to the successful demolition of the existing east-bound Highway 403 bridge over the Desjardin Canal;

WHEREAS, the MTO has advised that as it allows for flexibility in the event of a future widening of Highway 403; and, would provide clarity for ongoing responsibilities between the MTO and City with respect to the existing trail and public art on the Hwy 403 right-of-way, a agreement for the City of Hamilton to take over the maintenance of the remaining bridge columns at the 403 Bridge over the Desjardin Canal and the Waterfront Trail through the Hwy 403 right of way, is the only available option at this time;

THEREFORE BE IT RESOLVED:

That sub-sections (a) and (b) to Item 11 of the General Issues Committee Report 16-017, respecting Report PED16141 - Desjardin Canal Hwy 403 Bridge Commemorative Public Art, be reconsidered.

CARRIED on a 2/3rds Majority

(A. Johnson/Farr)**11. Desjardin Canal Hwy 403 Bridge Commemorative Public Art (PED16141)
(City Wide) (Item 8.6)**

(a) That subsection (a) to Item 11 of the General Issues Committee Report 16-017 be amended by deleting the words “take ownership” and replacing them with the words “**take over the maintenance**”; and, by adding the words “**and the Waterfront Trail through the Hwy 403 right of way**” to read as follows:

(a) That, pending the successful selective demolition of the existing east bound Highway 403 Bridge over the Desjardin Canal and capping of the ten remaining concrete columns by the Ministry of Transportation (MTO), the City of Hamilton **take over the maintenance** of the columns, for a future commemorative public art project, **and the Waterfront Trail through the Hwy 403 right of way**;

(b) That subsection (b) to Item 11 of the General Issues Committee Report 16-017, be amended by deleting the word “ownership” and replacing it with the words “**take over the maintenance**”; and, by adding the words “**and ancillary documents**”, “**and the Waterfront Trail through the Hwy 403 right of way**” and “**with content acceptable to the General Manager of Public Works and the General Manager of Planning and Economic Development**”, to read as follows:

(b) That the Mayor and City Clerk be authorized and directed to execute any agreements **and ancillary documents**, between the City of Hamilton and Ministry of Transportation (MTO), for the City of Hamilton to **take over the maintenance** of the remaining bridge columns at the 403 Bridge over the Desjardin Canal **and the Waterfront Trail through the Hwy 403 right of way, with content acceptable to the General Manager of Public Works and the General Manager of Planning and Economic Development**, in a form satisfactory to the City Solicitor;

CARRIED

7.5 Renovations at 430 Cumberland Avenue, Hamilton**(Green/Collins)**

WHEREAS, Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life;

WHEREAS, investments in affordable housing are necessary to build a vibrant community where all can work, live and age successfully;

WHEREAS, safe and dignified housing is a human right; and,

WHEREAS, interior maintenance of 430 Cumberland has been deferred including painting for 7 years, and carpet replacement for the past 21 years and these repairs are badly needed to further improve tenant quality of life and pest control.

THEREFORE BE IT RESOLVED:

- (a) That \$163,000 be provided to City Housing Hamilton for the following renovations at the property located at 430 Cumberland Avenue, Hamilton, to be funded from the Ward 3 Area Rating Account No. 108053.
 - (i) removal of carpet and replacement with vinyl flooring on floors 2 to 8;
 - (ii) patch and repair existing all existing drywall including the basement;
 - (iii) prime and paint all walls, baseboards, unit doors, all trim, etc., and other associated work; and,
 - (iv) refurbish the entranceway; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

CARRIED

7.6 Hamilton Specialty Bar Tax Program

(Green/Merulla)

WHEREAS, the City of Hamilton has a long and very proud history of producing the steel that built this country's manufacturing sector with good jobs and the growth of related supporting businesses,

WHEREAS, in recent years our Steel sector has suffered loses of direct jobs, pensions, benefits as well as the impacts on the local small businesses associated to these plants, as a result of bankruptcies most notably with MANA and US Steel/Stelco.

WHEREAS, Hamilton Specialty Bar has produced high quality steel for over 100 years supporting the automotive industry with 3 generations of workers dating back 1910 and at present has the capacity to employ 250 workers when in full production,

WHEREAS, the extended deadline to save Hamilton Specialty Bar with an approved bidder has officially passed and the liquidation bidder American Iron & Metals has taken over the plant.

WHEREAS, interested bidders including KAL Advisory Partners LLC and the United Steel Workers are still working diligently to keep the viability of steel production and operations at the Hamilton Specialty Bar plant a "Going Concern"; and,

WHEREAS, on March 28, Hamilton City Council unanimously passed a motion calling for City Staff That the City Manager Chris Murray, the General Manager of Planning and Economic Development Jason Thorne, and the General Manager of Corporate Services Mike Zegarac be directed to meet the interested parties as appropriate, to explore any and all opportunities for City supports to keep Hamilton Specialty Bar a “Going Concern” with the continued production of specialty steel, the 250 related jobs and workers.

THEREFORE BE IT RESOLVED:

- a) That Council support, in principal, potential future owners/operators of the Hamilton Specialty Bar operations as it relates to potential property tax payment plans;
- b) That should the Hamilton Specialty Bar operations require future relief as it relates to property tax penalties and interest, that staff be directed to report back to Council with options, including potential support from the Province of Ontario;
- c) That the Mayor on behalf of Council correspond with the Premier the Honourable Kathleen Wynne and the Minister of Economic Development and Growth the Honourable Steven Del Duca to explore any and all avenues of emergency and long term support for the continued production at Hamilton Specialty Bar, the 250 related jobs, workers and pensioners.
- d) That the Mayor on behalf of Council correspond with the Prime Minister the Right Honourable Justin Trudeau and the Minister of International Trade the Honourable François-Philippe Champagne to explore any and all avenues of emergency and long term support for the continued production at Hamilton Specialty Bar, the 250 related jobs, workers, and pensioners.

CARRIED

7.7 Sidewalk and Mountable Curb Repairs (Ward 8)

(Whitehead/Skelly)

- (a) That Public Works staff be directed to repair/replace the deficient sidewalks & bay replacements in Ward 8 for 2018 utilizing a total of \$100,000.00 to be taken from Reserve # 108058 - Ward 8 Area Rating Special Capital Reinvestment Reserve; and,
- (b) That Public Works staff be directed to repair/replace mountable curbs in Ward 8 for 2018 utilizing a total of \$115,000.00 to be taken from reserve #108058- Ward 8 Area Rating Special Capital Reinvestment Reserve.

CARRIED

NOTICES OF MOTION

8.1 Reconsideration of Item 11 of the General Issues Committee Report 16-017, respecting Report PED16141 - Desjardin Canal Hwy 403 Bridge Commemorative Public Art

Councillor A. Johnson introduced a Notice of Motion regarding the Reconsideration of Item 11 of the General Issues Committee Report 16-017, respecting Report PED16141 - Desjardin Canal Hwy 403 Bridge Commemorative Public Art.

(A. Johnson/Farr)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the reconsideration of Item 11 of the General Issues Committee Report 16-017, respecting Report PED16141 - Desjardin Canal Hwy 403 Bridge Commemorative Public Art.

CARRIED

For disposition of this matter, please refer to Item 7.4.

8.2 Renovations at 430 Cumberland Avenue, Hamilton

Councillor Green introduced a Notice of Motion regarding Renovations at 430 Cumberland Avenue, Hamilton.

(Green/Collins)

That the Rules of Order be waived to allow for the introduction of a Motion regarding Renovations at 430 Cumberland Avenue, Hamilton.

CARRIED

For disposition of this matter, please refer to Item 7.5.

8.3 Hamilton Specialty Bar Tax Program

Councillor Green introduced a Notice of Motion regarding Hamilton Specialty Bar Tax Program.

(Green/Merulla)

That the Rules of Order be waived to allow for the introduction of a Motion regarding Hamilton Specialty Bar Tax Program.

CARRIED

For disposition of this matter, please refer to Item 7.6.

8.4 Sidewalk and Mountable Curb Repairs (Ward 8)

Councillor Whitehead introduced a Notice of Motion regarding Sidewalk and Mountable Curb Repairs.

(Whitehead/Skelly)

That the Rules of Order be waived to allow for the introduction of a Motion regarding Sidewalk and Mountable Curb Repairs.

CARRIED

For disposition of this matter, please refer to Item 7.7.

STATEMENTS BY MEMBERS

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

PRIVATE & CONFIDENTIAL

As Council determined that discussion of Item 10.1 was not required in Closed Session, the matter was addressed in Open Session, as follows:

10.1 Closed Session Minutes – March 28, 2018

(Partridge/B. Johnson)

- (a) That the Closed Session Minutes of the March 28, 2017 Council meeting, be approved; and,
- (b) That the Closed Session Minutes of the March 28, 2017 Council meeting remain confidential.

CARRIED

BY-LAWS

(Partridge/Pasuta)

That Bills No.18-081 to 18-099 be passed, **as amended** and that the Corporate Seal be affixed thereto, and that the By-law, be renumbered, be signed by the Mayor and the City Clerk to read as follows:

By-law No.

18-081 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic Schedule 10 (No Left Turns)
Ward: 1, 2

18-082 To Impose a Storm and Sanitary Sewer Charge Upon Owners of Land Abutting Rymal Road West from 350 Rymal Road West to Approximately 200m Westerly, in the City of Hamilton
Ward: 8

- 18-083** To Amend By-law No. 17-225, a By-law to Establish a System of Administrative Penalties
Ward: City Wide
- 18-084** To Adopt Official Plan Amendment No. 98 to the Urban Hamilton Official Plan Respecting Administrative Amendment
Ward: 1-13, 15
- 18-085** To Adopt Official Plan Amendment No. 99 to the Urban Hamilton Official Plan Respecting 417, 419, 421 and 423 Highway No. 8 and Portions of 176 Millen Road and 175 Margaret Road
Ward: 10
- 18-086** To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 417, 419, 421 and 423 Highway 8, 176 Millen Road and 175 Margaret Avenue, Stoney Creek
ZAC-17-028/UHOPA-17-15
Ward: 10
- 18-087** A By-law to Amend Zoning By-law No. 05-200 Respecting Lands Located at 417, 419, 421 and 423 Highway 8, and a Portion of the Lands Located at 176 Millen Road and 175 Margaret Avenue, Stoney Creek
ZAC-17-028/UHOPA-17-15
Ward: 10
- 18-088** To Adopt Official Plan Amendment No. 100 to the Urban Hamilton Official Plan Respecting 1288 Baseline Road (Stoney Creek)
Ward: 11
- 18-089** To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 1288 Baseline Road (Stoney Creek)
ZAC-17-067/UHOPA-17-029
Ward: 11
- 18-090** A By-law to Amend Zoning By-law No. 05-200 Respecting Lands Located at 1288 Baseline Road (Stoney Creek)
ZAC-17-067/UHOPA-17-029
Ward: 11
- 18-091** To Adopt Official Plan Amendment No. 101 to the Urban Hamilton Official Plan Respecting Lands Located on Piers 10 to 15 inclusive, Piers 22 to 27 inclusive, and a Portion of the Canal Reserve Lands, City of Hamilton
Ward: 2, 3, 4, 5
- 18-092** To Amend By-law No. 05-200 To Create New Industrial Zones for Lands Located at Piers 11, 12, 14, 15 and 22-27 at Hamilton Harbour and Owned by the Hamilton Port Authority
CI-18-B
Ward: 3, 4, 5
- 18-093** To Amend By-law No. 05-200 to Rezone Existing Industrial Zone Lands Located Along Hamilton Harbour to Industrial and Institutional Zones, and Update Certain Lands Zones Open Space along Hamilton Harbour
CI-18-B
Ward: 2, 3, 4

- 18-094** To Repeal the “F-2” (Open Space Harbour) District and the “F2A” (Harbour) District located on Hamilton Harbour (Water) from Hamilton Zoning By-law No. 6593
Ward: City Wide
- 18-095** To Amend Zoning By-law No. 6593 (Hamilton), as amended, Respecting Lands Located at 412 Aberdeen Avenue, Hamilton
ZAR-17-040
Ward: 1
- 18-096** To Amend Zoning By-law No. 6593, Respecting Lands Located at 1011 Fennell Avenue East, Hamilton
ZAC-16-063
Ward: 6
- 18-097** To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 218 Highway No. 8 (Flamborough)
ZAH-18-014
Ward: 14
- 18-098** To Designate Land Located at 1014 King Street West, City of Hamilton as Property of Cultural Heritage Value
Ward: 1
- 18-099** To Confirm the Proceedings of City Council

CARRIED

(B. Johnson/VanderBeek)

That, there being no further business, City Council be adjourned at 8:16 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon
Acting Clerk



Enbridge Pipelines Inc.
 Western Research Park
 1086 Modeland Road
 Building 1050, First Floor
 Sarnia, ON N7S 6L2
www.enbridge.com

April 4, 2018

CITY OF HAMILTON

RE: ENBRIDGE PIPELINES INC.

**PROPOSED SALE OF ENBRIDGE LINE 10 PIPELINE TO UNITED REFINING COMPANY
 NOTIFICATION OF FUTURE ASSIGNMENT OF PERMANENT PIPELINE CROSSINGS**

Dear Sir or Madam,

Please be advised that Enbridge has chosen to exercise an option to sell the Line 10 pipeline to Westover Express Pipelines Limited (Westover Express), a wholly owned company of United Refining Company (United) under the terms of an agreement announced in 2014.

A New York state based independent refiner and marketer of petroleum products, United has been in business for more than 100 years. Founded in 1902, today United fuels cars, trucks, farm and construction equipment and heats homes and businesses in Pennsylvania and portions of New York and Ohio.

United owns and operates a modern, fully equipped refinery in Warren, Pennsylvania which produces unleaded gasoline, kerosene, diesel fuel, Number 2 home heating oil, industrial fuels, liquefied petroleum gas, propane and several grades of asphalts. Line 10 provides feedstock for this refinery, via a United-owned connecting pipeline near Buffalo, New York.

The proposed sale of Line 10 is part of Enbridge's ongoing asset divestiture program and requires National Energy Board (NEB) approval.

The pipeline sale and purchase requires NEB approval (under paragraphs 74(1)(a) and (b) as well as section 21 of the NEB Act). Enbridge and Westover Express anticipate filing a joint application with the NEB toward the end of the first quarter of 2018. In order to receive regulatory approval, Westover Express will be required to:

- meet the requirements in the NEB filing guidelines¹; and
- demonstrate it would continue to be in the public interest to operate Line 10.

No change to the operation or permitted capacity will be included in this application for approval of the purchase and sale. Any proposed changes to operation or capacity would require NEB approval and would be subject to a separate application. However, at this time there are no plans to change the operation or capacity of the pipeline.

Enbridge is committed to ensuring a seamless transition of ownership of Line 10 to Westover Express. Under the terms of our agreement, Enbridge will continue to operate and maintain the pipeline and the right of way

¹ National Energy Board Filing Manual, Release 2017-01, Guide R – Transfer of Ownership, Lease or Amalgamation (NEB paragraph 74(1)(a), (b) and (c) <https://www.neb-one.gc.ca/bts/ctr/gnnb/flngmnl/fmgdr-eng.html>)

until at least 2022 following its sale. Enbridge will continue to operate Line 10 in accordance with all applicable regulatory requirements, current crossing approvals and to the standards our stakeholders in the community expect and deserve. Upon approval of the sale, Enbridge will assign all existing facility crossing agreements that are held solely for Line 10 to Westover Express.

Should you have any questions regarding the proposed sale, please call our toll-free line at **1-888-263-3654** or email projects@enbridge.com.

We thank you for your cooperation and understanding.

Sincerely,

A handwritten signature in black ink, appearing to read 'JP' with a stylized flourish extending to the right.

Jeff Paetz
Director, Eastern Region Operations
Enbridge Pipelines Inc.

Pilon, Janet

Subject: Regulatory decisions – Clean Water Act & Safe Drinking Water Act

From: protection, source (MOECC) <source.protection@ontario.ca>

Sent: April-05-18 5:53 PM

Subject: Regulatory decisions – Clean Water Act & Safe Drinking Water Act

Dear Ontario Municipalities,

I am pleased to advise you that we have posted two regulatory Decision Notices on the Environmental Registry. These decisions are intended to ensure sources of drinking water continue to be protected by the *Clean Water Act* and have an effective date of July 1, 2018. The regulations were consulted on through the Environmental Registry and various stakeholder sessions and we appreciate all feedback received.

The first decision notice (<https://ero.ontario.ca/notice/013-1840>) refers to the regulation developed under the *Safe Drinking Water Act, 2002*. This regulation requires:

- municipal residential drinking water system owners ensure work to assess the vulnerability of new or expanding drinking water systems is completed, and accepted by the local source protection authority, before they can apply for a drinking water works permit; and
- that water not be provided to the public until the source protection plan that protects the system is approved.

The second decision notice (<https://ero.ontario.ca/notice/013-1839>) identifies the amendments that were made to Ontario Regulation 287/07 – “General” under the *Clean Water Act, 2006*.

- The amendments to the General regulation improve the regulatory framework by:
 - requiring liquid hydrocarbon pipelines be assessed in all source protection areas and, where necessary, that policies be included in updated source protection plans,
 - expanding the list of administrative amendments that are permitted without requiring full public consultation – such as removing decommissioned systems, and
 - increasing transparency through additional notification requirements so that municipalities and other implementing bodies are aware of changes that could reduce the need for policy implementation.
- To support the implementation of the new regulation under the *Safe Drinking Water Act*, the regulation requires that source protection authorities issue a notice to a drinking water system owner when they have received, and are satisfied with, vulnerable area information for any new or expanding drinking water system where it differs from that affects existing vulnerable areas. The notice must also, and identify what changes to the source protection plan are required.

The summaries provided above reflect changes made as a result of comments received on the regulation proposals. Changes affect how municipalities or drinking water system owners ensure the vulnerable areas for new or expanding municipal residential drinking water systems are included in source protection plans. Initially it was proposed that a municipal council resolution endorsing these vulnerable areas be submitted with a drinking water works permit application. The regulation now requires the application for a new or amended drinking water works permit include a notice from the source protection authority that they have, and are satisfied with, the vulnerable area information. The notice must also indicate when the source protection authority can proceed with any necessary amendments to the source protection plan. The regulation under the *Safe Drinking Water Act* also requires the Director to include a condition on drinking water works permits or licenses to ensure the system does not provide drinking water to the public until the source protection plan amendments are approved.

To ensure that these regulations do not cause unnecessary delays for municipalities, it's important that you engage your local source protection authority project manager in the early stages of planning for municipal residential drinking water systems, whether you are planning for a new system or expanding an existing system. By engaging them early, they can provide advice on the work that needs to be done, or even help with this work. This will also allow them to begin to prepare the notice you will need for a drinking water works permit application, and begin discussions on necessary source protection plan updates. We are working with source protection authorities to ensure they understand their role in implementing these new requirements.

Comments received on the regulation proposals also identified the need for guidance and raised concerns about the ability to fund this work. We are developing guidance to ensure municipalities, system owners and source protection authorities are aware of the regulatory requirements and begin work to identify vulnerable areas early, in order to avoid delays at the permitting stage. If, as we roll out this guidance, you feel there is a gap, please let us know. In terms of funding, municipalities have various options available to them to recover the costs for building in source protection planning in new or expanding drinking water systems, including the use of development charges or through water rates. Additionally, the province continues to fund source protection authorities to implement the program and support municipalities with technical work and policy development. In some circumstances there may be additional opportunity for funding where eligible under the Ontario Community Infrastructure Fund, or other funding for small rural municipalities.

If you have any questions about these regulations please feel welcome to contact me, Debbie Scanlon, Manager, Source Protection Approvals or Jennifer Moulton directly at (519) 860-7851 or by email Jennifer.l.moulton@ontario.ca.

Sent on behalf of Heather Malcolmson

Heather Malcolmson

*Director, Source Protection Programs Branch
Ministry of the Environment and Climate Change
Phone: 416-212-6459 Mobile: 416-302-4063
email: heather.malcolmson@ontario.ca*

***Clean Water Act, 2006 General Regulation (O. Reg. 287/07) Amendment and
New Regulation under the Safe Drinking Water Act, 2002***
Questions and Answers
EBR Decision Notices: April 5, 2018

KEY MESSAGES

- Ontario is taking action to ensure safe drinking water sources through new requirements and updates to existing rules.
- The new regulation under the *Safe Drinking Water Act* will ensure protections are in place for new or expanding drinking water systems before treated water is provided to the public.
- The updates to the General regulation under *Clean Water Act* will ensure source protection plans are kept up to date, reduce administrative burdens, clarify requirements for amendments that deal with new or alterations to existing municipal drinking water systems and add pipelines as a new threat of provincial interest.
- The new regulation and changes take effect on July 1, 2018.

Q1. What's the news?

The Ministry of the Environment and Climate Change (ministry) has established a new regulation under the *Safe Drinking Water Act* to ensure sources of drinking water for new or expanding municipal drinking water systems are protected before treated water is provided to the public. The ministry also made changes to the General regulation (O. Reg. 287/07) under the *Clean Water Act* to improve how source protection plans are kept up to date and relevant.

Q2. Why did the ministry make regulatory changes?

The ministry is committed to continuous improvement of the source water protection framework and to ensure that source protection plans remain relevant and up to date. Regulatory changes were made to ensure that new or expanding municipal residential drinking water systems within source protection areas are protected by source protection plans before treated water is provided to the public. The changes also address implementation challenges, reduce burden and improve transparency for some additional types of administrative amendments and also improve consistency in protecting drinking water sources from liquid hydrocarbon pipelines.

Q3. What are the details of the regulatory changes?

New Regulation under the *Safe Drinking Water Act*:

We learned through the first round of source protection planning that it was not always clear when and how a future source of drinking water should be protected. The regulation under the *Safe Drinking Water Act* is intended to address this ambiguity and ensure that new and expanding municipal residential drinking water systems within source protection areas are proactively included in source protection plans before

treated water is provided to the public. By working together, drinking water system owners and source protection authorities can ensure plans are updated in a timely manner.

The regulation made under the *Safe Drinking Water Act* requires that, prior to an application being submitted for a drinking water works permit for new or expanding municipal residential drinking water wells or intakes, the owner of the system ensures the technical work necessary under the *Clean Water Act* to identify vulnerable areas has been completed. When submitting an application for the drinking water works permit the system owner will be required to include a notice from the source protection authority. The requirements of that notice are set out in the *Clean Water Act* regulatory amendments.

In addition, the regulation requires that a condition be included within the drinking water works permit or municipal drinking water license specifying that drinking water will not be supplied to users of the new or expanding system until the amended source protection plan is approved. This provision works in tandem with the amendment to the General regulation (O.Reg.287/07) under the *Clean Water Act*, which ensures that source protection authorities initiate work to update the source protection plans when vulnerable areas are provided for these systems. Under the *Clean Water Act* regulation, when a source protection authority issues the notice needed for a drinking water works permit application, the source protection authority must confirm they are satisfied that the necessary wellhead protection areas or intake protection zones have been identified and provide details on how the plan will be updated.

Together these changes will help ensure that source protection plans are updated, putting environmental protections in place prior to treated water being provided to the public. The regulation does not apply in emergencies: when an application for a drinking water works permit is being made to alleviate an immediate drinking water health hazard or is subject to emergency exceptions under the *Environmental Assessment Act*.

This approach also recognizes that municipalities should be building the costs of source protection planning into the cost of a new or expanding drinking water system where possible. There are a number of options for municipalities to recover these costs as set out in Question 8. In addition, the province continues to fund source protection authorities to support the implementation of this program and they will work with municipalities to support technical work and policy development.

Amendments to the General Regulation (O.Reg. 287/07) under the Clean Water Act:

Plan Amendments: When source protection plans require amendments they must be consulted on and submitted to the Minister for approval unless they qualify as a typographical or other administrative amendment. The regulatory changes allow for additional types of amendments to qualify as administrative and exempt source protection authorities from the requirement to consult on and submit these types of amendments to the ministry for approval.

The two additional types of administrative amendments are those that account for:

- properly decommissioned wells or surface water intakes, and
- changes the province has made to the terminology in the Tables of Drinking Water Threats.

Amendments to Incorporate New or Expanding Systems: Additional amendments made to the General regulation under the *Clean Water Act* work in tandem with the new regulation under the *Safe Drinking Water Act*. When the source protection authority receives notice of a system owner's intent to establish or expand a drinking water system, they are required to issue a notice to the owner when they have, and are satisfied with, the necessary vulnerable area information. The regulation requires the notice provided to the owner also identify any necessary source protection plan amendments, the timing for such amendments, and if any of the amendments have been or will be implemented as a result of a source protection committee updating the plan as a result of a comprehensive review under section 36 of the *Clean Water Act*.

Prescribed Threats: When developing assessment reports all source protection committees were required to identify areas where prescribed threats pose a risk to drinking water. They were also allowed to seek approval to include local activities of concern within their communities ("local threats"). Liquid hydrocarbon pipelines were included as local threats by 5 local source protection committees, leading to an inconsistent approach across the province. The ministry heard that this activity should be evaluated consistently. In response to this, the ministry amended the General regulation to include the establishment and operation of liquid hydrocarbon pipelines on the list of prescribed drinking water threats, putting requirements in place for source protection plan policies to be developed where pipelines could pose a significant risk to drinking water sources.

Q4. What pipelines will be captured in the amended regulation and changes to the technical rules?

The amended regulation under the *Clean Water Act* will primarily capture large pipelines that are designated for transmitting or distributing liquid hydrocarbons to terminals and distribution centres. The pipeline circumstances added to the Tables of Drinking Water Threats do not capture pipelines operated by the Ministry of Natural Resources and Forestry as defined in the *Oil, Gas and Salt Resources Act*, however, this may be re-evaluated in the future.

Q5. What kind of protection plan policies could be included in local plans to address pipelines, now that they are included as a prescribed threat?

With the addition of pipelines to the list of prescribed threats in the General regulation, additional areas of the province may be subject to policies addressing pipelines. Existing policies for pipelines focused on spills prevention, emergency preparedness, education and good planning, and were not legally binding on pipeline operators or owners. These approaches have been successful in improving spills response preparedness and the consideration of vulnerable areas by pipeline companies and at

the Ontario and National Energy Boards; it makes sense that similar policies be included in other source protection plans. New pipeline policies will provide consistent environmental protection of drinking water sources across all source protection areas.

The regulation includes an exemption from including pipeline policies where there is no reasonable prospect of a pipeline being constructed (for example in a vulnerable area that is already fully developed such that a new pipeline could not be extended through that zone).

Q6. Do these regulatory changes ensure transparency and accountability when plan amendments are made?

Yes, new measures included in the General regulation for administrative amendments ensure notification is provided to the ministry and others responsible for implementing plan policies. A requirement was also included to ensure that the Explanatory Document developed by source protection committees and authorities includes any rationale used in making decisions not to include policies to address future significant drinking water threats such as pipelines.

Q7. Why is water quantity work not required as part of the new regulatory requirements?

Our expectation is that if a municipality has made a decision to establish a new drinking water system, or expand an existing one, that they have looked at whether there is sufficient water in the area to support that system. In fact, existing watershed and sub-watershed scale water budgets have already been completed for all source protection areas and this information can be used by municipalities as they make decisions on where to access sources of drinking water for growth.

When municipalities are considering new or expanded sources of drinking water in areas where water quantity may be stressed in the future, a water quantity risk assessment (water budget) will be required. These can be completed during comprehensive assessment report and source protection plan reviews under section 36 of the *Clean Water Act*. As such, specific updates to water quantity assessments are not required within the regulatory changes. Assessment reports should instead include a workplan to identify when and how any necessary water quantity assessments will proceed where the work will not be completed at the time of source protection plan amendments.

Where a municipality and source protection authority choose to undertake water quantity risk assessments (water budgets) in advance of the application being submitted for a drinking water works permit under the *Safe Drinking Water Act*, the work should be included in the amended source protection plan.

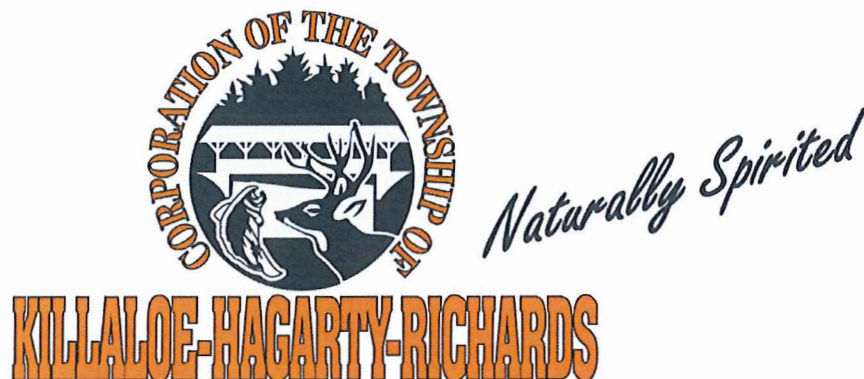
Q8. How can municipalities recover the costs associated with source protection?

Source protection planning is an important and necessary part of developing new or expanding drinking water systems. Through Ontario's investment of over \$270 million

we have built a foundation of watershed science that can be used when undertaking technical work to identify wellhead protection areas or intake protection zones for new or expanding drinking water systems. This will reduce the overall costs of source protection and the cost for any new technical work should be factored into the costs associated with system expansion or development. Municipalities have various options available to them to recover costs including the use of development charges where new or expanded systems are needed to support growth or through their water rates when systems are being developed to support established areas.

In some areas, as development is being established, private companies construct drinking water systems that will be assumed by the municipality at some time in the future. When these systems are assumed by the municipality, they will be subject to the *Clean Water Act*. Where drinking water works permit applications are being made, municipalities will be responsible for ensuring technical work is completed so that local source protection authorities can add them into the local source protection plan. Given this, municipalities may want to consider putting in place requirements that developers undertake the required source protection technical work before the municipality assumes the system.

Where the municipality cannot recover costs through development charges, they may wish to determine their eligibility under the Ontario Community Infrastructure Fund. This fund is generally to help cover costs associated with capital infrastructure expenditures for small, rural and northern municipalities. The ministry will also continue to work to provide funding for small rural municipalities where necessary.



TOWNSHIP OF KILLALOE, HAGARTY AND RICHARDS

Date: April 3, 2018

Resolution No.: 9

Moved By: Ted R. C.

Seconded By: John H. Jeffrey

WHEREAS municipal governments in Ontario do not have the right to approve landfill projects in their communities, but have authority for making decisions on all other types of development;

AND WHEREAS this out-dated policy allows private landfill operators to consult with local residents and municipal Councils, but essentially ignore them;

AND WHEREAS proposed Ontario legislation (Bill 139) will grant municipalities additional authority and autonomy to make decisions for their communities;

AND WHEREAS municipalities already have exclusive rights for approving casinos and nuclear waste facilities within their communities,

AND FURTHER that the province has recognized the value of municipal approval for the siting of power generation facilities;

AND WHEREAS the recent report from Ontario's Environmental Commissioner has found that Ontario has a garbage problem, particularly from Industrial, Commercial and

Institutional (ICI) waste generated within the City of Toronto, where diversion rates are as low as 15%;

AND UNLESS significant efforts are made to increase recycling and diversion rates, a new home for this Toronto garbage will need to be found, as landfill space is filling up quickly;

AND WHEREAS municipalities across Ontario are quietly being identified and targeted as potential landfill sites for future Toronto garbage by private landfill operators;

AND WHEREAS other communities should not be forced to take Toronto waste, as landfills can contaminate local watersheds, air quality, dramatically increase heavy truck traffic on community roads, and reduce the quality of life for local residents;

AND WHEREAS municipalities should be considered experts in waste management, as they are responsible for this within their own communities, and often have decades' worth of in-house expertise in managing waste, recycling, and diversion programs;

AND WHEREAS municipalities should have the exclusive right to approve or reject these projects, and assess whether the potential economic benefits are of sufficient value to offset any negative impacts and environmental concerns;

THEREFORE BE IT RESOLVED THAT the Township of Killaloe, Hagarty and Richards calls upon the Government of Ontario, and all political parties, to formally grant municipalities the authority to approve landfill projects in or adjacent to their communities, prior to June 2018;

AND THAT in the case of a two-tier municipality, the approval be required at both the upper-tier and affected lower-tier municipalities;

AND FURTHER THAT the Township of Killaloe, Hagarty and Richards encourage all other municipalities in Ontario to consider this motion calling for immediate provincial action.

Carried: _____

Not Carried: _____



Ontario
LEGISLATIVE ASSEMBLY

5.4

APR 11 2018

ERNIE HARDEMAN, M.P.P.

Oxford

March 26, 2018

Fred Eisenberger

City of Hamilton

Hamilton City Hall 71 Main St. W

Hamilton, ON L8P 4Y5

Queen's Park Office:
Room 413, Legislative Bldg.
Toronto, Ontario
M7A 1A8

Tel. (416) 325-1239
Fax (416) 325-1259

Constituency Office:
12 Perry Street
Woodstock, Ontario
N4S 3C2

Tel. (519) 537-5222
Fax (519) 537-3577

Dear Mayor Eisenberger,

I am writing to let you know that I recently introduced a private members' bill which would give municipalities the authority to decide whether or not they would be willing to receive a landfill. I have enclosed a copy for your information and comments. I believe municipalities should have a say in the location of something that would have such a lasting impact on their community.

As you know, today municipal governments can decide where a Tim Hortons should go, but they can't decide where something as significant as a landfill should go. That doesn't make sense.

Currently, only the Ministry of the Environment approves a new landfill, but Bill 16, *Respecting Municipal Authority Over Landfilling Sites*, would ensure that waste companies are required to have approval from the municipality as well before they can move forward with the landfill placement.

I know that this authority has been requested by a number of municipalities. The Mayor of Ingersoll requested this legislative change during a committee hearing on Bill 139 last fall at Queen's Park. Since then, nearly 30 municipalities have passed resolutions of support and another 150 municipal leaders have signed petitions to demand this right.

I would appreciate hearing your comments on the bill and any support you can offer. For your convenience I have enclosed a sample resolution of support.

Thank you for your consideration. As always please feel free to contact me if I can be of assistance.

Sincerely,

Ernie Hardeman, MPP

Oxford



Draft resolution

**MUNICIPALITIES CALL ON PROVINCE FOR “RIGHT TO APPROVE”
LANDFILL DEVELOPMENTS**

WHEREAS municipal governments in Ontario do not have the right to approve landfill projects in their communities, but have authority for making decisions on all other types of development;

AND WHEREAS this out-dated policy allows private landfill operators to consult with local residents and municipal Councils, but essentially ignore them;

AND WHEREAS municipalities already have exclusive rights for approving casinos and nuclear waste facilities within their communities, AND FURTHER that the province has recognized the value of municipal approval for the siting of power generation facilities;

AND WHEREAS the recent report from Ontario’s Environmental Commissioner has found that Ontario has a garbage problem, particularly from Industrial, Commercial and Institutional (ICI) waste generated within the City of Toronto, where diversion rates are as low as 15%;

AND WHEREAS municipalities across Ontario are quietly being identified and targeted as potential landfill sites;

AND WHEREAS municipalities should be considered experts in waste management, as they are responsible for this within their own communities, and often have decades’ worth of in-house expertise in managing waste, recycling, and diversion programs;

AND WHEREAS municipalities should have the right to approve or reject these projects, and assess whether the potential economic benefits are of sufficient value to offset any negative impacts and environmental concerns;

THEREFORE BE IT RESOLVED THAT the **[INSERT NAME OF MUNICIPALITY]** supports *Bill 16, Respecting Municipal Authority Over Landfilling Sites Act* introduced by MPP Ernie Hardeman and calls upon the Government of Ontario, and all political parties, to formally grant municipalities the authority to approve landfill projects in or adjacent to their communities

AND FURTHER THAT the **[INSERT NAME OF MUNICIPALITY]** send copies of this resolution to MPP Ernie Hardeman and all municipalities.

APR 10 2018

5.5

The Premier of Ontario

Legislative Building, Queen's Park
Toronto, Ontario M7A 1A1



La première ministre de l'Ontario

Édifice de l'Assemblée législative, Queen's Park
Toronto (Ontario) M7A 1A1

April 5, 2018

His Worship Fred Eisenberger
Mayor
City of Hamilton
71 Main Street West, Second Floor
Hamilton, Ontario
L8P 4Y5

Dear Mayor Eisenberger:

Thank you for your letter informing me of council's resolution regarding the recognition of January 29 as a Day of Remembrance and Action on Islamophobia. I appreciate your keeping me informed of council's decisions and activities.

As this matter would also interest my colleague the Honourable Michael Coteau, Minister Responsible for Anti-Racism, I have sent him a copy of your letter. I trust that the minister will also take council's views into consideration.

Thank you again for the information. Please accept my best wishes.

Sincerely,

A handwritten signature in black ink that reads "Kathleen Wynne". The signature is written in a cursive, flowing style.

Kathleen Wynne
Premier

c: The Honourable Michael Coteau

April 4, 2018

Kathleen Wynne, Premier
Legislative Building
Queen's Park
Toronto ON M7A 1A1

Dear Premier Wynne:

Please be advised that at its meeting held the 27th day of March 2018, the Council of the Township of Selwyn passed the following resolution:

Resolution No. 2018 - 063 – Agricultural Systems and Natural Heritage System Mapping – Transition Policies

Deputy Mayor Sherry Senis – Councillor Anita Locke –

Whereas the Agricultural Systems (AS) and the Natural Heritage System (NHS) mapping was released by the Province of Ontario on February 9, 2018; and

Whereas the implementation procedures for the Agricultural System (AS) and the Natural Heritage System (NHS) mapping in Ontario's Greater Golden Horseshoe (GGH) was also issued by the Province on February 9, 2018 and the Province indicated that the implementation procedures for AS take effect immediately as stated by "*OMAFRA's agricultural land base mapping, issued on February 9, 2018, applies to all GGH land use planning decisions.*" and for NHS as stated by "*Ontario has mapped a provincially-led Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe (hereafter referred to as the Natural Heritage System for the Growth Plan), including criteria, methods and a regional Natural Heritage System map*"; and

Whereas this implementation procedure means that all planning decisions must be consistent with the Provincial February 9, 2018 statement where agricultural systems and natural heritage systems have been identified by the Province regardless of when pre-consultation took place or when the planning application was made; and

Whereas planning staff for the County of Peterborough and Township of Selwyn have attempted to contact applicants that were expected to be impacted by the AS and NHS prior to the release of the mapping and the implementation procedures to advise them if their planning application

Mailing Address
PO Box 270
Bridgenorth
Ontario K0L 1H0

Tel: 705 292 9507
Fax: 705 292 8964

was not considered and approved as of the implementation date (February 9, 2018) that their application must be consistent with the Provincial mapping resulting in applications being denied due to non-conformity with the new mapping; and

Whereas traditionally when new legislation is implemented, the Province includes transition policies that would permit applications in the 'queue' to be considered under the former legislation;

Now therefore be it resolved that the Township of Selwyn strongly urge the Province of Ontario to reconsider the implementation procedure and include transition policies to provide greater flexibility for those applications that were made prior to February 9, 2018 and are impacted by the AS or NHS mapping and that a copy of this Resolution be sent to the Ministry of Municipal Affairs and Housing, Minister of Agriculture, Food and Rural Affairs and local M.P.P. Jeff Leal, the County of Peterborough, the City of Kawartha Lakes and upper and single tier municipalities within the GGH.

Mayor Mary Smith – yes
Councillor Donna Ballantyne – yes
Councillor Gerry Herron – yes
Councillor Anita Locke – yes
Deputy Mayor Sherry Senis – yes

Carried.

Should you have any questions regarding the above-noted matter, please do not hesitate to contact the office directly.

Regards,

Tania Goncalves

Tania Goncalves
Deputy Clerk

cc: Ministry of Municipal Affairs and Housing
Minister of Agriculture, Food and Rural Affairs
Jeff Leal, M.P.P.
County of Peterborough
City of Kawartha Lakes
Regional Municipality of Durham
Regional Municipality of York
City of Toronto
Regional Municipality of Peel
Regional Municipality of Halton

City of Hamilton
County of Northumberland
City of Peterborough
County of Simcoe
City of Barrie
City of Orillia
County of Dufferin
County of Wellington
City of Guelph
Regional Municipality of Waterloo
County of Brant
City of Brantford
County of Haldimand
Regional Municipality of Niagara



Hallie MacCuaig
Community Awareness/ROW Coordinator
587-216-2207 Tel.
Hallie.maccuaig@esso.ca

Dear Neighbor

We are reaching out to you as spring is in the air. I am sure after the seemingly long winter we are all ready to get outdoors and prepare the land for planting, the yards for landscaping, and to get started on the outdoor project list. In conjunction with this we would like to remind you to contact us in the planning stages of your project so we can mark our line and associated easement to avoid future issues, delays. If you are doing any type of ground disturbance we ask that you **Click Before You Dig** www.clickbeforeyoudig.com so all utilities can be identified, this step is important for the safety of yourself, your neighbors, and the environment.

We have many planned, and ongoing projects on our pipeline and within our facilities this year. Imperial works hard to ensure we operate to the highest regulatory standards, as a result we are continually surveying, inspecting, and upgrading our pipelines and facilities. We ask for your help by reporting anything you see that looks out of the ordinary, or suspicious. We appreciate your patience, understanding, and assistance with this.

For our agricultural neighbors we ask that outside of the normally accepted farming practices you contact us when you are performing activities that may disturb the ground in excess of 30cm, and or involve placement or clean out of drainage facilities. This will allow us the opportunity to eliminate any potential pipeline conflicts on your property.

Please take the time to enjoy your spring, and summer and as always we are here if you have any questions, concerns, or suggestion.

Warmest Regards
Hallie MacCuaig
Community Awareness/Right of Way Coordinator
Imperial Oil

OFFICE OF THE CITY CLERK	
APR 13 2018	
REF'D TO	<i>Council April</i>
REF'D TO	_____
REF'D TO	_____
ACTION	_____

Shekar Chandrashekar

Date: April 17, 2018

To
Mr. Mayor and Members of Council

Attention: Ms. Caterini, City Clerk

Subject: Hamilton Police Services Budget

Mr. Mayor, Members of Council and Hamilton taxpayers, I have appeared several times as a delegate presenting my concerns regarding the inflated Hamilton Police Services budget. This had been an outstanding issue for over three years and I am requesting that you consider taking action.

Police and City staff should be separating Hamilton Police Service's capital budget from their operating budget. The Act stipulates that the two are to be separate (**see attached OCPC and Legal opinion**). Hamilton Police Services have been using operating surpluses to provide capital financing for projects such as the Forensic building. As a result, the integrity of both the operating and capital budgets is called into question. Padding the operating budget to provide funds for capital is against standard rules of financial accountability for a public body. It weakens the authority of Council over financing decisions and results in an inflated police budget.

This practice has taken place for a number of years. The surpluses that have accumulated over the years from police budgets have been substantial. They have been substantial enough that it is now proposed that they be used to fund a new Forensic building. Yet the police budgets continue to rise year over year. I have been trying to draw attention to the inflated in Police Budgeting to the City Manager of Finance and Corporate Services who is in charge of all accounting records, including those of Hamilton Police. To date, I have been unsuccessful.

Mr. Mayor, Members of Council and Hamilton taxpayers, as a concerned private Citizen I am appealing to you to eliminate the customary practice of presenting an inflated budget by Hamilton Police Services.

My Mission is Taxpayers.

Respectfully submitted by a concerned private Citizen

Shekar Chandrashekar



Michael A. M. Mantle
Direct: (905) 572-5829
Fax: (905) 526-0732
Email: mmantle@rossmcbride.com

March 18, 2018

VIA EMAIL:



Dear Mr. Chandrashaker:

Client: Mirle (Shekar) Chandrashaker
Your File No.: 1835633-001
RE: – Research Question – *Police Services Act* – Statutory Interpretation – “Operating” and “Capital” Estimates –

YOUR RESEARCH QUESTION:

You have asked me to provide you with a legal interpretation of Section 39(1) of the *Police Services Act*, R.S.O. 1990, c. P.15, specifically with respect to the “operating” and “capital” estimates portion of the provision.

THE RELEVANT PORTION OF THE ACT:

Section 39(1) of the *Act* reads as follows:

Estimates

39 (1) The board shall submit operating and capital estimates to the municipal council that will show, separately, the amounts that will be required,
(a) to maintain the police force and provide it with equipment and facilities; and
(b) to pay the expenses of the board’s operation other than the remuneration of board members.
[Emphasis Added]

STATUTORY INTERPRETATION AT A GLANCE:

As previously discussed Mr. Chandrashaker, statutory interpretation is a highly complex area of law. Various principles and guidelines exist to assist the reader to arrive at the intended meaning of a given statutory provision.

One of the central principles that jurists rely on to interpret legislation is what is known as Driedger’s Modern Principle.

In his work entitled: *Construction of Statutes* (1983) Driedger noted that the reader should contemplate the following when attempting to interpret a given legislative provision:

"Today there is only one principle or approach, namely, the words of an Act are to be read in their entire context and in their grammatical and ordinary sense harmoniously with the scheme of the Act, the object of the Act, and the intention of Parliament" (at page 87).

This principle has been utilized in thousands of cases, including *Rizzo & Rizzo Shoes Ltd. (Re)*, [1998] 1 S.C.R. 27, since it was espoused by Driedger in his seminal work.

It is through the lens of Driedger's Modern Principle that I viewed section 39(1) of the *Police Services Act*.

BASIC LEGAL OPINION:

Upon reviewing section 39(1) of the *Police Services Act*, as well as other relevant portions of the legislation at hand, it is my opinion that the aforesaid portion of the *Act* calls for there to be a clear demarcation between "operating" and "capital" estimates. In other words, it seems as though these two types of estimates are meant to be presented separately.

While many statutory provisions are marred in ambiguity, I do not believe that this is one of them.

APPLICATION TO MATERIALS PROVIDED:

Furthermore, Mr. Chandrashaker, you have previously provided me with the *Hamilton Police Services Operation Budget (2018)* – Item 5.1 PSB 17-135. I have reviewed it several times.

While I am by no means an accountant or an expert in finance, I could not find any evidence that there was a clear separation of "operating" estimates and "capital" estimates in this report. In fact, I could only find mention of "operating" budget/estimates within the said report.

Given my limited knowledge of accounting I am not sure whether or not "operating" and "capital" estimates were subsumed into one figure or if the "capital" estimates portion was not included in the literature provided. Perhaps the "capital" estimates figures are included in another report.

I hope this is of some assistance.

Please feel free to call or contact me if you have any questions.

Yours Very Truly,
ROSS & McBRIDE LLP

Per:



Michael A. M. Mantle
B.A. (Hons.), J.D., LL.M.
Associate Lawyer

RE: Hamilton Police Board

Ontario Civilian Police Commission Registrar <OCPCRegistrar@ontario.ca>

Reply

Today, 9:24 AM

You;

SLASTOinfo (MAG) (SLASTOinfo@ontario.ca);

+1 more

You replied on 2018-03-20 9:31 AM.

Dear Mr. Chandrashekar,

This is to acknowledge receipt of your correspondence dated March 7, 2018. With regard to your concern around capital budgeting of police services, it is the responsibility of the Board to submit operating and capital estimates. If the board is not satisfied that the budget established for it by the council is sufficient to maintain an adequate number of police officers or the other employees of the police force with adequate equipment or facilities, the board may request that the Commission determine the question. You may wish to bring these concerns to the Hamilton Police Services Board.

Sincerely,

Celia Lieu
Manager of Operations/Registrar
Ontario Civilian Police Commission
Animal Care Review Board | Fire Safety Commission
Safety, Licensing Appeals and Standards Tribunals Ontario
20 Dundas Street West, 5th Floor, Suite 530
Toronto, Ontario, Canada M5G 2C2
Tel: (416) 314-3011
Cell: (416) 258-1902
Email: Celia.Lieu@ontario.ca

Ministry of
Municipal Affairs

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel.: 416 585-7000
Fax: 416 585-6470

Ministère des
Affaires municipales

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M5G 2E5
Tél. : 416 585-7000
Télééc. : 416 585-6470



Ontario

AUG 18 2017

17-71802

Dear Mr. Chandrashekar:

Thank you for your email regarding your concerns about the accounting transactions of Police Services.

As Minister of Municipal Affairs, I understand the importance of financial accountability on open and transparent governments.

Section 294.1 of the *Municipal Act, 2001*, stipulates that municipalities "prepare annual financial statements for the municipality in accordance with generally accepted accounting principles for local government as recommended, from time to time, by the Public Sector Accounting Board (PSAB) of the Chartered Professional Accountants of Canada."

Section 296 requires a licensed auditor under the *Public Accounting Act, 2004*, to audit the accounts and transactions of the municipality and its local boards. Furthermore, the ministry collects municipal financial information through the Financial Information Return (FIR) on a yearly basis as mandated by section 294(1). To ensure public confidence in public sector entities, legislation is in place to facilitate independently established accounting and assurance standards.

I encourage you to have a discussion and share your concerns with PSAB and/or the City of Hamilton.

Thank you for bringing your concerns to the attention of the government. Please accept my best wishes.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bill Mauro'.

Bill Mauro
Minister

▶ ♥\$ = ♥↔=

RE: Letter frm the Honourable Bill Mauro, Minster of
Municipal Affairs

AA

Ali Ahmed <aahmed@psabcanada.ca>

Reply

Yesterday, 2:09 PM

You

You forwarded this message on 2017-09-06 2:19 PM

Hello Mr. Shekar,

I would confirm that Public Sector Accounting Board (PSAB) issues standards and guidance with respect to matters of accounting in public sector. Public sector refers to government, government components, government organizations and government partnerships.

These standards apply to all public sector entities that issue general purpose financial statements unless :

- (a) Specifically directed or permitted to use alternative standards by PSAB, or
- (b) Limited in applicability as outlined in the individual sections.

Kind Regards

Ali

Ali Ahmed, CPA, CGA, FCCA (UK)

Principal/Directeur de projets

Public Sector Accounting Board / Conseil sur la comptabilité dans le secteur
public

Tel / Tél. : 416.204.3315

aahmed@psabcanada.ca

| www.frascanada.ca | [LinkedIn](#) | [@FRASCanada](#) |

Chief administrative officer

229 A municipality may appoint a chief administrative officer who shall be responsible for,

- (a) exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and
- (b) performing such other duties as are assigned by the municipality. 2001, c. 25, s. 229.

PART VII
FINANCIAL ADMINISTRATION

Fiscal year

285 (1) The fiscal year of a municipality and a local board of a municipality is January 1 to December 31. 2001, c. 25, s. 285 (1).

Treasurer

286 (1) A municipality shall appoint a treasurer who is responsible for handling all of the financial affairs of the municipality on behalf of and in the manner directed by the council of the municipality, including,

- (a) collecting money payable to the municipality and issuing receipts for those payments;
- (b) depositing all money received on behalf of the municipality in a financial institution designated by the municipality;
- (c) paying all debts of the municipality and other expenditures authorized by the municipality;
- (d) **maintaining accurate records and accounts of the financial affairs of the municipality;**
- (e) providing the council with such information with respect to the financial affairs of the municipality as it requires or requests;
- (f) ensuring investments of the municipality are made in compliance with the regulations made under section 418. 2001, c. 25, s. 286 (1).

Signatures of cheques

287 A municipality may provide that the signatures on a cheque of the municipality be mechanically or electronically reproduced. 2006, c. 32, Sched. A, s. 118.



Hamilton

City of Hamilton
PO. Box 2040 LCD1
Hamilton, ON L8N 0A3

Royal Bank
100 King Street West
Hamilton, ON L8P 1A2

SECURITY FEATURES
INCLUDED
SEE BACK FOR DETAILS

838149

MIRLE CHANDRASHAKER
SEVEN AND XX / 100 DOLLARS

2017-06-14
YYYY MM DD

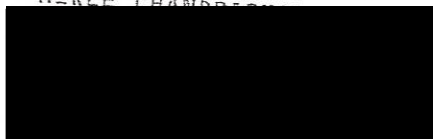
PAY

SEVEN AND XX / 100 DOLLARS

S***7.00

TO THE
ORDER
OF

MIRLE CHANDRASHAKER



Mayor

Treasurer

⑈38149⑈ ⑆01822⑆003⑆ 000⑆00L⑆21⑆

For Accounts Payable inquiries please call 905-546-2424 Ext. 2214

Cheque Date: Jun/14/2017

Invoice Date

Invoice Number

Voucher ID

Gross Amount

Cheque No. 838149

Jun/06/2017

17JUN06

02813373

7.00

Discount

Paid Amount

HPS-FOI REIMBURSEMENT

0.00

7.00

12

Vendor Id	Loc	Name		Total Discounts	Total Paid Amount
0000104635	001	MIRLE CHANDRASHAKER		\$0.00	
Cheque Number	Date	Pymnt Hndlg Code	Total Amount	Discounts Taken	
838149	Jun/14/2017	RE	\$7.00	0.00	



April 16, 2018

City of Hamilton
Planning Committee
71 Main Street West
Hamilton ON L8P 4Y5

Attention: Chair A. Johnson & Committee Members

Dear Mr. Johnson and Committee Members,

RE: Proposed Downtown Hamilton Secondary Plan and Downtown Zones
Submission on behalf of DiCenzo Construction Limited

WEBB Planning Consultants are retained by DiCenzo Construction Limited (DCL) to provide land use planning services for their properties throughout the City of Hamilton.

The City will be holding a Public Meeting on April 17th, 2018, to consider the adoption of proposed amendments to the Urban Hamilton Official Plan, the Downtown Secondary Plan and amendments to Zoning Bylaw No. 05-200 to implement broad reaching Policies and Regulations for Downtown Hamilton.

We have undertaken a review of the proposed UHOP, Secondary Plan and Zoning By-law Amendments on behalf of DCL and have noted the potential for impacts to lands that are owned by DCL within Downtown, in particular, 117 Jackson Street East. This property is proposed to be designated as Downtown Mixed Use and Zoned as "D1" Zone – Downtown Central Business District Zone. The property is subject to Holding Provisions No.'s 17, 19 & 20 which limit building height until such time as specified Conditions have been satisfied.

Based on our review of the proposed amendments, we have noted the potential for conflicts with the future development of 117 Jackson Street and it's intended use as a high density residential site. The specific concerns relate the incorporation of built form Regulations that are informed by the draft Tall Buildings Guidelines. While Policy states it is not the intent of the Guidelines to limit creativity and innovation in design, the incorporation of Regulations into the Zoning By-law may in fact have this effect.

We have noted potential concerns with the scope of the Holding provisions that apply to the property including the requirement to enter into Section 37 Bonusing Agreements as a Condition to achieving the maximum building height that is proposed in the draft Policies and Zoning Regulations. Policy acknowledges that the City needs to conduct additional work to develop an implementation protocol for Bonusing Agreements under Section 37 and for this reason we would suggest it is premature to adopt this approach.

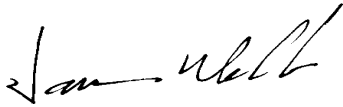
In summary, we would like to extend our congratulations to planning staff on bringing forward this significant component of the planning framework that will guide the future development of Hamilton's evolving downtown.

We will be in attendance at the Public Meeting scheduled for April 17th to monitor the consideration of the Staff Report and Recommendations and would respectfully request that we be provided written notice of the Committee and Council decisions on this matter.

Please contact our office immediately should you have any questions or require additional information regarding this submission.

Yours truly,

WEBB Planning Consultants Inc.

A handwritten signature in black ink, appearing to read "James Webb", written in a cursive style.

James Webb, MCIP, RPP

cc: DiCenzo Construction Limited



Project No.: 1748

April 16, 2018

Sent VIA EMAIL

Ida Bedioui, Legislative Coordinator
Planning Committee
City of Hamilton
71 Main Street West, 1st Floor
Hamilton, ON L8P 4Y5

***Re: Item 13.1 of the April 17, 2018 Planning Committee
Downtown Hamilton Secondary Plan
163 Jackson Street West, Hamilton***

We are the planning consultants with respect to the above-noted property (herein referred to as the “subject site”). On behalf of the ownership group (Television City Hamilton Inc.), we request that the Planning & Development Committee consider the following comments on the proposed Official Plan Amendment and Zoning By-law for the Downtown Hamilton Secondary Plan.

Existing Applications:

As you are aware, applications to amend the Urban Hamilton Official Plan (File No. UHOPA-17-027) and Hamilton Zoning By-law 05-200 (File No. ZAC-17-063) have been filed with the city for a proposed mixed commercial and residential redevelopment of the subject site and have been appealed to the Ontario Municipal Board. Given that these applications are being reviewed on a site specific basis, we request that the subject site be identified as a site specific policy area that recognizes the resolution of the current development applications.

Niagara Escarpment:

The proposed Downtown Hamilton Secondary Plan (Appendix “B” to Report PED18074) recognizes the importance of the Niagara Escarpment and incorporates a policy framework that is intended on protecting views and connections to it. In this regard, it is important to understand that the Niagara Escarpment Commission (the “NEC”) is a statutory provincial body who’s mandate is to develop, interpret and apply policies, including the Niagara Escarpment Plan (the “NEP”), that maintain and

enhance the vitality of the Escarpment's unique environmental and landscape features. Furthermore, the NEP includes objectives, land use designations, development criteria, and parks and open space system policies. The NEP provides a planning policy framework to ensure, among other things, that development within and adjacent to the escarpment does not negatively impact it, including negative impacts to views of the escarpment. It is important to acknowledge that the majority of Downtown Hamilton Secondary Plan area, including the subject site, fall outside of the NEP and NEC's authority.

Building Height Cap:

The proposed Downtown Hamilton Secondary Plan (see Policy B.6.1.4.14) establishes a maximum building height, where no building is to be taller than the height of the escarpment. The proposed Zoning By-law Amendment (Appendix "D" to Report PED18074) establishes a maximum building height of 77 metres for the subject site.

Provincial policy provides policy direction that supports intensification and the optimization of land on sites that are well served by municipal infrastructure, particularly higher order public transit. In this regard, the Downtown Secondary Plan Area is identified as the City's *Urban Growth Centre* and includes a number of *Major Transit Station Areas* that cover the entire Downtown Secondary Plan Area, including the subject site. In our opinion, the optimization of density on the subject site and throughout the Downtown Secondary Plan Area is consistent with both good planning practice and overarching Provincial and City policy direction. Optimization of land use in the Downtown Secondary Plan Area would support transit ridership; support regionally-significant employment, institutional, recreational, retail and entertainment uses; and, support walking and cycling as viable alternative modes of transportation. Furthermore, optimizing residential and commercial intensification on the subject site and throughout the downtown will result in population and job growth that will contribute to the achievement of forecasts in the Growth Plan and the UHOP.

In our opinion, the maximum building heights proposed in the Draft Secondary Plan and Draft Zoning By-law Amendment does not give full effect to the Growth Plan and UHOP and an increase to the proposed heights contemplated for the subject site and throughout the Downtown Secondary Plan area is appropriate. In this regard, the proposed secondary plan does not rationalize the proposed maximum building heights, however, the Staff Report (PED18074) and Summary Report (Appendix "A" to PED18074) note the following:

“Downtown Hamilton Viewshed Analysis

Part of the review and update of the Downtown Hamilton Secondary Plan included carrying out a viewshed analysis in order to identify locations within the Downtown where additional detailed visual impact assessments should be provided in order to understand and limit the loss of views to the Niagara Escarpment to ensure that the contribution the Escarpment makes to the character of the Downtown is not impaired. The viewshed analysis was based on a 35 year build out scenario for the Plan area to determine if there were existing views to the Niagara Escarpment and Hamilton Harbour. The current views were compared to the view in the 35 year build out model to determine what views would be impacted by future development. Recommendations from the viewshed study have been implemented in the Secondary Plan.”

It appears the Downtown Hamilton Viewshed Analysis (the “Viewshed Analysis”) was used to rationalize and generate the maximum building heights (including the cap of the top of the escarpment) and Appendix C (Draft Viewshed Analysis), which includes *Locations where there may be impacts to views*, *Locations where there are impacts to views*, and *View corridor to Niagara Escarpment*. However, based on our review and understanding, the Viewshed Analysis was never presented at any public consultation event, made available to the public and/or stakeholder groups, and/or circulated for comment by any interested parties or third party peer reviewers.

The resulting building height cap has far reaching implications related to optimizing land in the downtown and matters of urban design related to a uniform versus a varied skyline. Given the importance of this issue, it is our opinion that the proposed secondary plan should not be approved until the Viewshed Analysis has been presented to the public, including key stakeholder groups, and peer reviewed by a third party such as the City’s Design Review

In summary, thank you for the opportunity to comment on the proposed secondary plan and draft zoning by-law amendment. We respectfully request that the Planning & Development Committee consider the proposed modifications for the subject site and table the item until the Viewshed Analysis has been properly analyzed.

Also, we request to be notified of the City's decision and all future meetings related to the proposed Downtown Hamilton Secondary Plan and Zoning By-law Amendment.

Should you require any additional information, please do not hesitate to contact the undersigned.

Respectfully Submitted,

Bousfields Inc.



David Falletta, MCIP, RPP

/DF:jobs

cc. Television City Hamilton Inc. (via e-mail)

N. Smith, Turkstra Mazza Associates (via e-mail)

1 | Re: People's Plan for Downtown comments APRIL 17, 2018

Hello to you all. I wanted to present in person but am unable to now. Take care, peace, S. J. Creer

Send to; Maria Pearson (Chair, Ward 10): Maria.Pearson@hamilton.ca

Aidan Johnson (1st Vice-Chair, Ward 1): Aidan.Johnson@hamilton.ca

Jason Farr (2nd Vice-Chair, Ward 2): Jason.Farr@hamilton.ca

Judi Partridge (Ward 15): Judi.Partridge@hamilton.ca

Matthew Green (Ward 3): Matthew.Green@hamilton.ca

Chad Collins (Ward 5): Chad.Collins@hamilton.ca

Doug Conley (Ward 9): Doug.Conley@hamilton.ca

Robert Pasuta (Ward 14): Robert.Pasuta@hamilton.ca

Donna Skelly (Ward 7): Donna.Skelly@hamilton.ca

Brenda Johnson (Ward 11): Brenda.Johnson@hamilton.ca

Accessible Hamilton was started to give voice to wider accessibility issues in the City. There are many. The City has made some progress but there is still so much to do. I believe that everyone has a disability; they are just not all visible. Accessible Hamilton wants to overcome the negative attitude as well. The motto 'Do Not Hold Us Back'.

COMMENTS AND CONCERNS; respectfully submitted.

Pg. 2

- e) *Downtown is healthy and safe.* Downtown neighbourhoods will be designed and built to provide a foundation for healthy living by promoting physical activity (connected streets, active transportation, mixed land uses, parks and open space), healthy diets (farmer's markets, community gardens), and supportive environments (places to gather, cultural spaces, architecture and public art). There are many ways the built environment can impact health and this Plan recognizes the importance of improving public health and preventing disease through built form and changes to the environment.

Complete streets often mean that those with disabilities are left out by inaccessible road design and use. By that I mean that the City allows restaurants to use metered parking spaces as extensions to their businesses. Citizens with disabled parking permits who need those spaces are discriminated against. And the City is considering giving a City parking lot to the Anglican Cathedral. That means that those citizens with disabled parking permits will have a City lot taken away from them to use on the busy James St. N. Another similar concern to the parking space restaurants is that the City allows the fish market on James St. N. to put boxes of produce on the sidewalk rendering the sidewalk impassable for those with mobility devices. This is wrong-headed and discriminatory. There are some photos at the end under 'References' which show some other concerns including a display stand and a garbage container on Main St. in Dundas which block the sidewalk for those with wheelchair/mobility devices and strollers, making people go on the street which is dangerous.

The new Ottawa St. BIA location; I am not sure if the new location is accessible. I phoned on April 16th, 2018 and emailed but have gotten no response as yet.

Pg. 4 item b: exactly what is 'affordable' housing and based on what criterion? How will the affordable housing be managed? To whom will they report?

Please do not sell the City parking lot behind the Anglican Cathedral to them for their pending development. There are not enough lots on James N. for citizens who use them in the area. I know the Chair and the Beasley Community group are concerned about the Cathedral's plans as well.

Pg. 5 a); Identify priority streets for specialized urban design treatment. What does that mean?

And pg. 5 d)

- d) Identify and integrate the key civic spaces through a public realm master planning process.

My comments as Accessible Hamilton char; the City does not have anyone with a disability/design experience on the 'Design review panel'. The Ottawa St. BIA has a new building but no one knows if it is accessible and/or has a public washroom as the former one did.

There also needs to be visitor parking with all new builds/condos. I have friends who work as visiting in-home physiotherapists and they are frustrated with apartment/condo units with no visitor parking.

Will there be any adapted units in the new Harbour condo/CHH buildings?

The City's Pier 8 design does not have disabled/trans washroom. The Pier 8 park design is not disability friendly.

Page 5. Pt. 6.1.3.5; MOBILITY AND COMPLETE STREETS;

I have issues with these for a few reasons; I use my vehicle for work and volunteering which has included the Good Food Box program of picking up and dropping off food boxes to friends/tenants I know. If the City does not have parking available near these sorts of agencies or businesses then it makes it will be too hard continuing to volunteer in that capacity.

I personally cannot cycle. I recycle, shop second-hand and do what I can to protect our environment. My Toastmaster club friends and I car share. I drive people to appointments/surgeries.

The City is not really disability friendly; that means when I hear about 'forcing people onto transit' I get concerned. Many folks with disabilities need their 'single occupant' vehicle as their wheelchair is in there as well. I know two people with wheelchairs whose job is to bring patients from the outpatient clinic in Simcoe to the outpatient programs at St. Joseph's and McMaster. If metered parking spaces are removed these volunteer drivers are also negatively affected. Hamilton is not a city unto itself and local decisions affect those outside our City.

A mobility issue; ever since the Charlton/Locke St. bike lanes were installed the lanes have confused drivers and taken space away from the churches in the area. Friends I know at one church are suffering spiritually since they cannot always get parked near their church. They also have friends who cycle and who agree those lanes are badly designed. The bike lane on Herkimer is dangerous for drivers, walkers, cyclists, etc. and that bad design gets in the way of the EMS vehicles.

The LRT is going to mess up DARTS drop-offs.

Establish an overall plan that appropriately allocates safe space for all users of the street including pedestrians, cyclists, motorists, people with disabilities, and public transit users as well as goods delivery, service vehicles and emergency vehicles.

b) Prioritize pedestrians, cyclists, and public transit relative to private automobiles through the application of Complete, Livable, Better Streets Policy.

c) Reduce dependence on single occupant vehicles. **This attitude is what I called 'Able-ist' and is problematic for those with mobility issues and devices. And these folks need to get to appointments/clinics at the various hospitals as well.**

BIKE LANES; I have complained that the Cannon St. bike lane has huge heavy flower boxes that stick out into the driving lane which is dangerous. Nothing has been done so far.

Bay St. Bike lanes took 5 metered parking spots; discriminates against people with disabilities by doing that. Trying to turn left onto Bay St. from Wilson is dangerous now when driving and you get stuck in all 3 lanes of oncoming traffic. The City is looking at fining anyone who stops in a bike lane. That is wrong for those with disabilities who need to stop outside doctors' offices or medical buildings to drop off someone with a disability.

(<https://globalnews.ca/news/3866675/hamilton-bike-lanes-bylaws/>)

DANGEROUS BUILDS; the City is allowing developers to ruin malls. Centre Mall, Fiesta Mall, Mountain Plaza Mall, Ancaster near the Walmart, Stoney Creek Mountain, Waterdown are almost all boring same old, same old boring stores that are dangerous and not remotely pedestrian/child/disability friendly. I spoke to my councillor when Centre Mall got changed and he put me in touch with Councillor Merulla who admitted the City had done a bad job there. Regardless, the City keeps allowing developers to 'mangle malls' as I call it.

There are new retail mall stores on the east Mountain that have an automatic door at the front but not the washroom. Why is that allowed? There are offices about the Reitman's store in the Mountain Plaza Mall. There is an automatic door opener and an elevator to take people to the second floor. However, none of the many upstairs offices or washrooms have and automatic door openers on them. Why not?

Pg. 7/8 BUILDING HEIGHTS;

Personally I am absolutely not in favour of buildings that are too tall; we do not need to pander to Toronto developers. The CHCH building plan is awful as are others. Citizens need to see the escarpment to enjoy it and covering it up is awful.

Pg. 9. Social housing;

- b) an acceptable tenant relocation and assistance plan addressing the right to return to occupy the replacement housing at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen the hardship, is provided.

How exactly will this be managed? City Housing Hamilton has an awful track record of keeping track of tenants, repairs, etc. There is no good system for making sure that tenants do not get forgotten about. I know one CHH building that has had three property managers (PM) in the last year and each PM asks the same questions and sends out the same forms. No new PM knows about the outstanding repairs, so you can see why I don't believe that CHH tenants will not get lost in a move.

Pg. 10; Building Heights; I do not like the idea of buildings over 30 storeys. Each new building must have at least two elevators plus a service elevator.

High-Rise (Tall) Buildings; Why is the Connaught going to be 36 stories?

6.1.4.18 The following policies shall apply to High-rise (tall) buildings:

- a) a tall building is any building that is greater than 12 storeys in height;
- b) new tall buildings shall be no greater than the height of the top of the Escarpment as measured between Queen Street and Victoria Avenue;
- c) a tall building is typically defined as having a *building base* component (also known as podium), a *tower* component and *tower top*, however, Policies B.6.1.4.18 through B.6.1.4.24 shall also apply to other typologies of a tall building;
- d) a *building base* is defined as the lower storeys of a tall building w

pg. 12. We need more playgrounds that are accessible. Accessible playgrounds should be the norm for any new build.

Pg. 14. BUILT FORM

The Anglican Cathedral is putting in condos that look like shipping containers. That design hardly fits the surrounding area or building. When I was at the first People's Plan for the Downtown Meeting there were eight of us at our table and everyone at the table had concerns about the design. They also

commented that the Anglican Cathedral has not been forthcoming with information and a lot of citizens are confused.

Pg. 14; 6.1.4.26 All *development* shall be oriented toward the surrounding streets and shall include direct pedestrian access, including barrier free access from grade level, to the principle entrances.

Too many new buildings only have one accessible entrance. All new buildings should have Rick Hanson Access4all inclusive design components. If we want **Senior's to 'age in place'** then there has to be visitor parking for in-home treatment providers who carry treatment beds with them (physiotherapist, chiropractor, massage therapist, live-in nurse/PSW, etc.). There also needs to be at least two elevators in every new building. The new Westmount Recreation Centre only has one elevator which breaks down almost every week. I know people who work there and they say that the City Recreation department has probably paid for the second elevator a few times over with the number of refunds to patrons with disabilities they have had to cancel when the elevator is broken. My Nanni used to call those decisions '...penny wise and pound foolish...'. Nanni lived through the Depression.

Please do not let designers build anything like the new Waterdown Library. It had a dreadful design and it hard on anyone with mobility issues. They should have put elevators there as it is 6 floors of walking upwards which is painful! The Seniors centre is down a long scary ramp and there is no washroom near the Centre.

OTHER DESIGN ISSUES; there needs to be visitor parking and room for DARTS vehicles.

Pg. 16. Parking!!!! – THESE REQUIREMENTS DISCRIMINATE AGAINST PEOPLE WITH DISABILITIES!!!! If a Senior has a disabled parking permit they are entitled to park at a meter on the street. If anyone with a disabled parking permit needs to use that retail/shop space in that building or do an event as I do, that is discriminatory. It is what I call 'Able-ist thinking'; not everyone can take transit, ride bikes or walk well. What if someone with a wheelchair van is going to the hospital or a doctor's appointment?

6.1.4.40 There shall be no vehicular surface parking along the street frontage.

6.1.4.41 Above-ground vehicular parking shall be fronted by permitted uses other than parking at street level and upper storeys shall be screened from view from the street.

6.1.4.42 Parking standards shall ensure that the re-use of *existing* buildings is not compromised.

6.1.4.43 Surface parking lots *existing* on the date of adoption shall be legal non-complying uses to the Downtown Hamilton Secondary Plan.

6.1.4.44 New surface parking lots shall not be permitted.

Pg. 18; DOWNTOWN MIXED USE DESIGNATION

Pg. 19. PEDESTRIAN STREET FOCUS

Pg. 20. PARKS, ETC.

parks and open spaces shall be designed to achieve the following:

- i) direct at-grade access to the streets, bicycle paths, trails or pedestrian routes on which they front with clearly identified pedestrian and cycling access points from surrounding areas;
- ii) continuity of design between the public spaces, the streets that surround them, and the buildings that face them; and,
- iii) on-site parking shall be discouraged.

Again, these plans discriminates against those with disabilities by not allowing disabled parking, DARTS, other service vehicles, etc. the City already has too many 'pay to view spaces' like the area falls, etc. Now you are telling the disability community they cannot go to the parks in their neighbourhood?

ALL THE HARBOUR/NORTH END/ANY CITY DEVELOPMENT NEEDS TO HAVE DISABLED PARKING, visitor parking and DARTS spaces.

Plowing of sidewalks in Hamilton is so very bad. I know people whose children have service dogs. The children are having trouble getting out in bad weather when they need to.

Pg. 20; CIVIC SPACES; Citizens with disabilities are already disappointed and frustrated every time a big event happens at Hamilton Place. By that I mean all the event trucks/movie vans, etc. take up all the available metered parking spaces. When these spots are taken away that means that anyone with a disabled parking permit is forced to travel further to get where they need to go.

Pg. 20 Pt. about Civic spaces

- iii) on-site parking shall be discouraged.

CONTINUING 'ABLE-IST' THINKING ABOUT HOW PEOPLE WITH DISABILITIES USE THE DOWNTOWN SPACE. What about DARTS, Driving Ms. Daisy vehicles, etc.?

pg. 21; pt. 8d

- i) be publicly accessible;

- ii) be designed for uses of all ages and abilities;

REFER TO MY COMMENTS ABOUT CIVIC SPACES.

Pg. 23 views...

Pg. 24; GENERAL TRANSPORTATION POLICIES;

6.1.12.3 The Downtown Transportation Master Plan is the primary policy document for multi-modal transportation in the Downtown. All plans and improvement programs for Downtown Streets, including street reconstruction and public improvements, must conform to this Plan and are subject to the Downtown Transportation Master Plan.

Pg. 25.

6.1.12.4 *Development* in the Downtown shall implement the approved parking strategy providing for the consolidation of parking opportunities in strategic locations.

CONSOLIDATION OF PARKING SPACES; I am confused by the change here from pg. 20; my comments; These may be too difficult for those with disabilities/wheelchairs, etc.

6.1.12.7 Provision of on-street parking shall be a priority in the Downtown. Designs for street improvements shall maximize opportunities for on-street parking. The requirements for public *transit* stops and the effect on *transit* route travel times shall be reviewed prior to establishing additional on-street parking.

6.1.12.8 Where residential uses abut a street, enhanced landscaped boulevards

Pg. 26. Need visitor parking for in-home treatment services (Physiotherapy, accident related treatments, DARTS, etc.)

Pg. 27. BIKE LANES; See my previous notes.

Pg. 28 LRT AND CIVIC SPACES:

6.1.12.22 In locations where the public right-of-way of streets intersect the *priority transit corridor* on King Street and where full vehicular access is maintained, the following design elements shall be considered:

a) **relocate curbs to maximize the pedestrian through-zone and plantings zone to accommodate street trees, where feasible; DARTS will be negatively affected. I know Mary Sinclair and others have LRT concerns.**

b) ensure that safe access to loading facilities are maintained;

a) **Comments;** the issue in the City is that in various Roundabouts in the City drivers cannot see through the centre of the roundabout to actually see what large vehicles or pedestrians are on the sidewalk or in the crosswalk. The roundabout near the Ancaster Fire Station on Wilson St. is terrible with awful sight lines. The roundabout at Stonechurch Rd. in the Meadowlands area is awful as it is not very wide and you cannot see any oncoming traffic, cyclists or pedestrians trying to cross. There is a school there as well which means safety is more important.

Pg. 31.

Pg. 33-34 BIKE LANES;

Pg. 36;

Main Street

- Widen public sidewalk where feasible
- Improve vehicular pedestrian separation through wider sidewalks, street tree plantings and parallel parking
- Strengthen pedestrian and cycling linkages to east-west streets and north-south streets, *transit* hubs
- Provision of additional on-street parking where feasible

THIS IS GOOD.

OTHER ACCESSIBILITY ISSUES;

LRT; the award winning Hamilton Wheelchair Square dancers are really concerned about the LRT as they rehearse downtown. The group has many volunteers who drive the dancers to different events, etc. They are also really concerned about DARTS issues and there will be more if the LRT goes ahead. The LRT stops are too far apart for those with mobility issues.

RESTAURANTS IN METERED PARKING SPACES;

When the City allows a restaurant to use a metered parking space as an extension of their dining space, they discriminate against those citizens with disabled parking permits. I consider the thinking behind that 'able-ist' which is frustrating. Permits can legally be issued when someone has trouble walking more than a certain amount, getting in/out of their vehicle, recovering from an accident or illness.

MISC. ISSUES;

The City also puts flower boxes on the sidewalk on Concession St. that are too close for anyone with a wheelchair to get it out.

Annoyed that City/Province are forcing riders onto transit. I cannot use transit for a few reasons but mostly as it does not go where I need it to and the hours are not reliable. The City/province are making it too hard for drivers who need to drive to do so (see 'Carmageddon article in references).

CITY HEALTH PLANNING ISSUES; Rob McIsaac is monetizing health care. McMaster needs to be full hospital again as do other closed hospitals. We do not need women's/children's Hospital near the General but full service hospitals everywhere in the City. Please allow for those institutions in the City plans.

I have already shared my concerns about pot legalization at the City Public Health committee.

From Susan Creer, Chair Accessible Hamilton

References;

Carmageddon'? Skyway bus lanes, car-free downtown Hamilton floated at transportation forum

Skyway the Hamilton Spectator By [Jon Wells](#)

'...Transportation is a complex, hot-button issue, and a few in the room were not all-in with the presentations. Advocates for accessible public transit were disappointed to hear no references from the panel about their concerns. "All this talk of walking and biking, what about those who cannot?" said Terri Wallis, who sat in a wheelchair. On that note, accessibility advocates Paula Kilburn and Mary Sinclair said they oppose the LRT plan. They say the line would inhibit DARTS vehicles that provide specialized transit service...'

Forcing citizens to use transit - some comments; some of my own activities outside work involve directing and producing plays in different community theatre groups in the area, including Waterdown where there is no public transit going anywhere I need. I work as an event planner and am a theatre professional to carry around set pieces/properties, etc. I have organized Environment Hamilton Good Food Box in my two building complex which means driving to a number of locations to drop off the money and pick up the orders.

I was a caregiver for my dad before he died in January 2014. My parents lived out in Greensville. There was no transit out there and many of his doctors were in different cities including Hamilton, Brantford and London.

Hamilton's big move plan seems to be telling me that I have to give up my van? There is a lady in my building who does not drive so I routinely take donations we have collected to the second hand stores – do you want me to take the bus for that? I volunteer on a charity board in Dundas (Routes Youth Centre) and routinely use my vehicle for fundraising activities and to buy Christmas party supplies – are you suggesting I give up my vehicle for that?

Bio; Susan J. Creer B.A. 01. Susan is a local gal with a strong interest in people as well as disability and poverty concerns. Susan has been volunteering since she was a teen and continues to do so. Susan's background includes professional and community theatre, event planning, administration, professional public speaking. Susan has a B.A. 01 (double major in Psychology and Theatre Arts) from Redeemer University College and also an Event and Conference Management Certificate from Mohawk College, '12.

Susan currently works part-time teaching acting to children/youth which she loves. Susan is involved with Accessible Hamilton (2017) the HRPR. 'Susan is also an Associate board member of the Routes Youth Centre in Dundas as

well as a Toastmaster International club member. Susan preaches and writes opinion/editorial pieces for the Spectator, LinkedIn and the Mohawk College alumni blog. Susan is an advocate from the pulpit, podium and in print.

Photos;



And;



And;



This one is awful as it is out in the heat and children play on it.

Lastly out in Ancaster.



My good friend Sandy W. who is in a wheelchair hates the Ancaster Mall. The City/developers are losing money with these outdoor malls as they are not accessible or safe.

Pilon, Janet

Subject: comments on city plan

From: Gabriel Zelea

Sent: April 17, 2018 8:56 AM

To: Bedioui, Ida <Ida.Bedioui@hamilton.ca>

Subject: Re: comments on city plan

Dear Ida

As well as to allow stratifying lane way houses and coach homes

Gabriel Zelea



Hamilton

Proposed Downtown Hamilton Secondary Plan, Tall Buildings Study and Guidelines, and Downtown Zoning

Open House, Monday, April 9, 2018

OPEN HOUSE COMMENT FORM

Thank you for attending today's Open House and Information Session. Please use this Comment Form to share further comments regarding the Proposed Downtown Hamilton Secondary Plan, Tall Buildings Study and Guidelines, and Downtown Zoning. City Staff will be presenting the Proposed Downtown Hamilton Secondary Plan, Zoning and Tall Buildings Study and Guidelines for approval at the Planning Committee Meeting to be held on April 17, 2018 at 9:30 a.m. Comments received at this Public Open House will be forwarded to Planning Committee. See reverse side of this Form to learn how you can submit comments to Planning Committee.

COMMENTS:

That the property at 156 Sanford Ave South, a legal duplex be included in urban transit orientated corridor for increased density and also the legal duplex property at 12 Fairholt Ave South that directly abuts the urban transit corridor be included as well.



Hamilton

(Optional)

Name: Gabriel Zelea

Address: 156 Sanford Ave South Hamilton

Phone No: [REDACTED]

E-mail: [REDACTED]

HOW CAN YOU SEE THIS PLAN?

- At this Open House
- At 71 Main Street West, City Hall, 5th Floor, Monday to Friday 8:30 a.m. to 4:30 p.m.
- On-line at www.hamilton.ca/downtownhamiltonreview

HOW CAN YOU COMMENT ON THE PLAN?

- Submit written comments to the Legislative Co-ordinator (information below) by noon on April 16th, 2018.
- Register to speak by noon on April 16th, 2018 by contacting the Legislative Co-ordinator (information below)

Ida Bedioui
 Legislative Co-ordinator for the Planning Committee
 City Clerks Office
 1st Floor, 71 Main Street West
 Hamilton, Ontario, L8P 4Y5
 Email: ida.bedioui@hamilton.ca

- Attend the Planning Committee Meeting on April 17, 2018 at 9:30 am where staff will present the Proposed Secondary Plan, Zoning, and Tall Buildings Guidelines for Approval
- The Planning Committee Agenda will be posted on April 11, 2018 at: www.hamilton.ca/planningcommittee
- Any questions about the plan can be directed to

Alissa Mahood
 Senior Project Manager
 Community Planning & GIS Section
 City of Hamilton
 Phone: 905-546-2424 ext. 1250

Shannon Mckie
 Senior Planner
 Community Planning & GIS Section
 City of Hamilton
 Phone: 905-546-2424 ext. 1288

email: downtownhamiltonreview@hamilton.ca

Pilon, Janet

Subject: ER zoning

From: jana pekarcikova

Sent: April 16, 2018 5:03 PM

To: Bedioui, Ida <Ida.Bedioui@hamilton.ca>; Fulford, Alana <alana.fulford@hamilton.ca>

Subject: ER zoning

Dear Alana and Ida,

I had spoke with Alana briefly last week regarding the proposed changes to the ER zoning..I am not in favor of the proposed changes to the Height, Side Yard and Lot coverage % changes you are currently considering. I am building a new house and the Lot coverage change will affect my backyard design that is completed by a Landscape Architect for my new greenhouse. Please understand there will always be someone unhappy with what a neighbour does or doesn't do, but it's my property and my right to build what I want. I will be very unhappy if these changes go through and will be looking at an appeal. Please enforce the current By-Law which has been in place for a long time and accepted by most for the past years. It's the loud dog that barks that most hear, but many of us keep to ourselves and don't bother anyone. Some neighbors around my property have been neglecting their property upkeep for years and years. They cut down trees and leave them to rot, it looks like field, the weeds are 6 feet high and this is bringing animals such as deers with lime diseases, possums, and racoons with possible rabies. I promote the redevelopment of this area because all these people are waiting to sell their properties at top dollar with old houses that are built with hazardous materials and falling apart and new buyers don't want to live in old houses as they want to moderize and kept clean and not deal with vermiculate houses with lead water lines!!!

Thank you

Jana Pekarcikova
Ancaster

Pilon, Janet

Subject: Modifications to Ancaster Zoning By Law

From: Meg Tyrell

Sent: April 18, 2018 12:25 PM

To: Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>; Bedioui, Ida <Ida.Bedioui@hamilton.ca>; Fulford, Alana <alana.fulford@hamilton.ca>

Subject: Modifications to Ancaster Zoning By Law

Dear Mr Ferguson, Ms Bedioui and Ms Fulford

Thank you for your work on the bill amendment, as a long time resident I appreciate that there is finally consideration for parameters in building in Ancaster.

It's become quite an ordeal for most residents. As recent as yesterday, neighbours have experienced flooding due to new homes being built surrounding their properties. These new homes are well above grade and over 3500 square feet. Keep in mind that these houses did not require a variance.

Also, please feel free to direct me to another point of contact if there a better forum for my concerns and comments.

I support the bylaw amendments, save for the revision of the 2 story limitation from 25% back up to 35%. I find it very disappointing that this is being reneged on, based simply on some builder's feedback. Could a middle ground not be reached? You might not think 35% is excessive, but when you add a garage and covered porch to the footprint of the home, it is. You can see how excessive this is simply by driving through any Ancaster neighbourhood.

The presentation by Alana Fulford was clear and justified the need for sizing limitations of two-story homes. Since when did size (or the prospective size) of a home connote value? Also, since when does the voice of builders trump the concerns of the community? I find the decision to increase the lot coverage of two-story homes back up to 35%, based non-evidence based and anecdotal accounts by realtors and builders to be quite flimsy. It is also obvious that they have different priorities than the residents of Ancaster.

Reneging on the decision to curb the size of two-story homes is not respectful to neighbours and the statistics will show that the majority of new homes being built in Ancaster are not one-story homes, but rather two stories. There should be more incentive to build one-story bungalows that are more in-line with the character of this community.

In short, as Alana Fulford indicated, the logic of 25% supports residents' ongoing concerns about massing and scale. This is further reinforced by the presentation of the first delegate. If you push ahead with the amendment for increasing lot coverage of two-story homes, this by-law does not have any teeth. Rather, it provides Ancaster residents with some false hope in curbing the development of monster homes in this community.

I ask that you please reconsider moving forward with this amendment and uphold the original proposal to reduce the lot coverage of two-story homes by 25%.

Also, can you clarify when this will be in effect?

Thank you for reading,

Meg Tyrell

612 Iroquois Ave

Ancaster L9G 3B4

Pilon, Janet

Subject: Launch of #CycleON Action Plan 2.0

From: MTO Cycling <Cycling@ontario.ca>
Sent: April-18-18 2:53 PM
Subject: Launch of #CycleON Action Plan 2.0

Dear cycling partner,

Today, we are excited to announce that Ontario is continuing to make it easier to cycle in the province with the release of [#CycleON Action Plan 2.0](#). The Action Plan sets out the second wave of initiatives to help achieve the vision of [#CycleON: Ontario's Cycling Strategy](#).

Together with our predecessors, Minister Eleanor McMahon and Minister Steven Del Duca, we would like to thank the Ministers' Advisory Panel on Cycling and all those who have provided ideas and comments on the action plan. Your input continues to play a crucial role to help Ontario become a North American leader in cycling.

The Action Plan sets out initiatives across all five targeted Strategic Directions outlined in [Ontario's Cycling Strategy](#), ensuring that we continue to take the comprehensive approach needed to advance cycling in Ontario. The plan will promote cycling as a great choice for commuting, active living, recreation and tourism, encourage people to learn how to cycle and share the road, and build communities, routes and dedicated infrastructure that support cycling.

Some of the initiatives in Action Plan 2.0 include:

- A continued commitment to investing in municipal cycling infrastructure
- Developing a comprehensive cycling education framework that will provide program standards for cycling curriculum, instructional development and certification, and provincewide course delivery
- Showcasing Ontario as a premier cycling tourism destination through focused marketing, and highlighting cultural and heritage sites along identified cycling routes
- Launching a public education campaign on cyclist rights and responsibilities.

We encourage you to read the action plan to learn more about these and other initiatives we will take to advance cycling in Ontario.

We hope you will consider sharing our [Facebook post](#) and [Tweet](#) about today's announcement so others can learn more about how we are advancing cycling in Ontario.

Once again, thank you for advocating for cycling. Together we can ensure that cycling plays an important role in connecting communities, promoting a healthy lifestyle, and enhancing our quality of life.

With kind regards,

Kathryn McGarry
Minister of Transportation

Daiene Vernile
Minister of Tourism, Culture and Sport



#CycleON

Action Plan 2.0

Visit <https://www.ontario.ca/page/cycling-ontario>
to download electronic copies of this and other cycling documents.



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#CycleON

Action Plan 2.0

Cycling in Ontario

Cycling is a core part of Ontario's transportation system and is integral to fostering healthier and more prosperous communities. Increasing cycling opportunities in Ontario offers many benefits, including improved well-being, lower rates of chronic conditions and reduced health care costs as a result of active living, reduced traffic congestion in urban areas, a cleaner environment and increased tourism opportunities across the province.

To promote cycling and cycling safety in Ontario, the provincial government released #CycleON: Ontario's Cycling Strategy¹ in 2013. #CycleON is a 20-year vision to have cycling recognized as a respected and valued mode of transportation within Ontario. It includes five Strategic Directions to guide action by the government and partners across Ontario:

- 1. Design Healthy, Active and Prosperous Communities**
- 2. Improve Cycling Infrastructure**
- 3. Make Highways and Streets Safer**
- 4. Promote Cycling Awareness and Behavioural Shifts**
- 5. Increase Cycling Tourism Opportunities**

#CycleON is being implemented through a series of multi-year action plans, rolled out every five years. #CycleON Action Plan 1.0², released in 2014, was the first in the series. Action Plan 2.0 will be implemented between 2018 and 2023.



**\$150–225
million**

**Investment identified in
Ontario's Climate Change Action
Plan to accelerate and
enhance implementation of
Ontario's Cycling Strategy
and Action Plans**

Cycling in Ontario

(continued)

Progress to Date

Action Plan 1.0 outlined a plan to work toward the goals set out in #CycleON: Ontario's Cycling Strategy. The initiatives completed under Action Plan 1.0 include:

- Launching the \$10 million Ontario Municipal Cycling Infrastructure Program, an initiative to help build municipal cycling infrastructure across Ontario
- Investing \$15 million in provincial cycling infrastructure
- Releasing Ontario Traffic Manual Book 18: Cycling Facilities³ to provide guidelines for developing municipal cycling facilities
- Releasing the Bikeways Design Manual to provide guidelines for developing provincial cycling facilities
- Engaging stakeholders and communities across the province to identify a draft province-wide cycling network⁴
- Introducing legislative and regulatory amendments to promote cyclist safety. The new laws that came into effect September 1, 2015 include, but are not limited to:
 - Requirement that drivers of motor vehicles maintain a minimum distance of one metre, where practicable, when passing cyclists
 - Permitted contra-flow bicycle lanes on one-way highways
 - Increased fine range for “dooring” from \$60–\$500 to \$300–\$1,000 and increased demerit points from two to three

- Building the Pan/Parapan American Games Velodrome
- Investing more than \$3.5 million in trails as part of Ontario's celebration and legacy of the 2015 Pan/Parapan American Games
- Launching the Cycling Tourism Plan: Tour by Bike⁵, to support and promote cycling as a tourism draw in Ontario communities
- Providing stakeholder partners with close to \$380,000 of new funding from 2015–2016 to develop, enhance or deliver cycling skills training programs, through the Cycling Training Fund
- Looking for opportunities to support cycling in reviews of the Greenbelt Plan and Growth Plan. The new Growth Plan for the Greater Golden Horseshoe⁶ that came into effect on July 1, 2017 includes strengthened active transportation policies

Ontario's Climate Change Action Plan⁷, released in 2016, included a commitment to accelerate and enhance implementation of Ontario's Cycling Strategy and Action Plans through an investment of \$150 million to \$225 million from cap and trade proceeds. So far, proceeds have been directed to:

- Providing 62 municipalities from across Ontario with over \$400,000 in early 2018 to deliver safe cycling education initiatives and promote cycling as a healthy mode of transportation for all purposes through the Safe Cycling Education Fund
- The Ontario Municipal Commuter Cycling program, which provided \$94 million in direct funding to 118 municipalities to support the development of commuter cycling infrastructure
- Starting to add cycling infrastructure to provincial highways and bridges
- Installing 112 bike lockers at 14 commuter parking lots
- An investment of \$1 million to install bike parking and storage at tourism and cultural attractions

#CycleON

Action Plan 2.0

Action Plan 2.0 sets out the second wave of initiatives to help achieve the vision of #CycleON: Ontario's Cycling Strategy. It will be implemented by ministries and agencies across the government of Ontario.

To inform the development of Action Plan 2.0, a Ministers' Advisory Panel on Cycling was convened with expert stakeholders. Through a series of consultations, members of the Advisory Panel provided strategic advice and recommendations on the design and development of #CycleON Action Plan 2.0. A list of members of the Ministers' Advisory Panel on Cycling can be found on page 11.

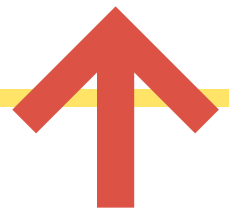
Further feedback on moving forward with #CycleON was provided by individuals, municipalities, cycling organizations, transportation organizations, public health units and other groups through an online consultation.

Some of the initiatives included in Action Plan 2.0 have already begun or are in the planning stage. Others are new commitments that are not yet underway.

Action Plan 2.0 outlines actions across all five of #CycleON's Strategic Directions, ensuring that we continue to take the comprehensive approach needed to advance cycling in Ontario. The Action Plan also guides efforts across ministries, strategies and initiatives to ensure we're collaboratively working toward the vision and goals of #CycleON and that our actions are coordinated and complementary. Through this Action Plan, we will help to promote cycling as a great choice for commuting, active living, recreation and tourism, help people learn how to cycle and share the road, and help to plan and build communities, routes and dedicated infrastructure that support cycling.

With Action Plan 2.0, we are building on the success of Action Plan 1.0 and shifting provincial initiatives – and cycling in Ontario – into a higher gear.

Over 90%
Share of Ontario's population
living in a municipality that
participated in the Ontario
Municipal Commuter Cycling
program in 2017/18



1

Design Healthy, Active and Prosperous Communities

1.1 Work with municipalities to ensure active transportation policies are included in their official plans – *MMA*

Continue to work with municipalities to ensure that active transportation and complete streets policies are included in their official plans.

1.2 Implement active transportation policies in northern Ontario – *MTO*

Support cycling in northern Ontario by encouraging planning for compact urban form that supports active transportation, connecting the province-wide cycling network, and partnering with municipalities and First Nation communities to improve cycling options.

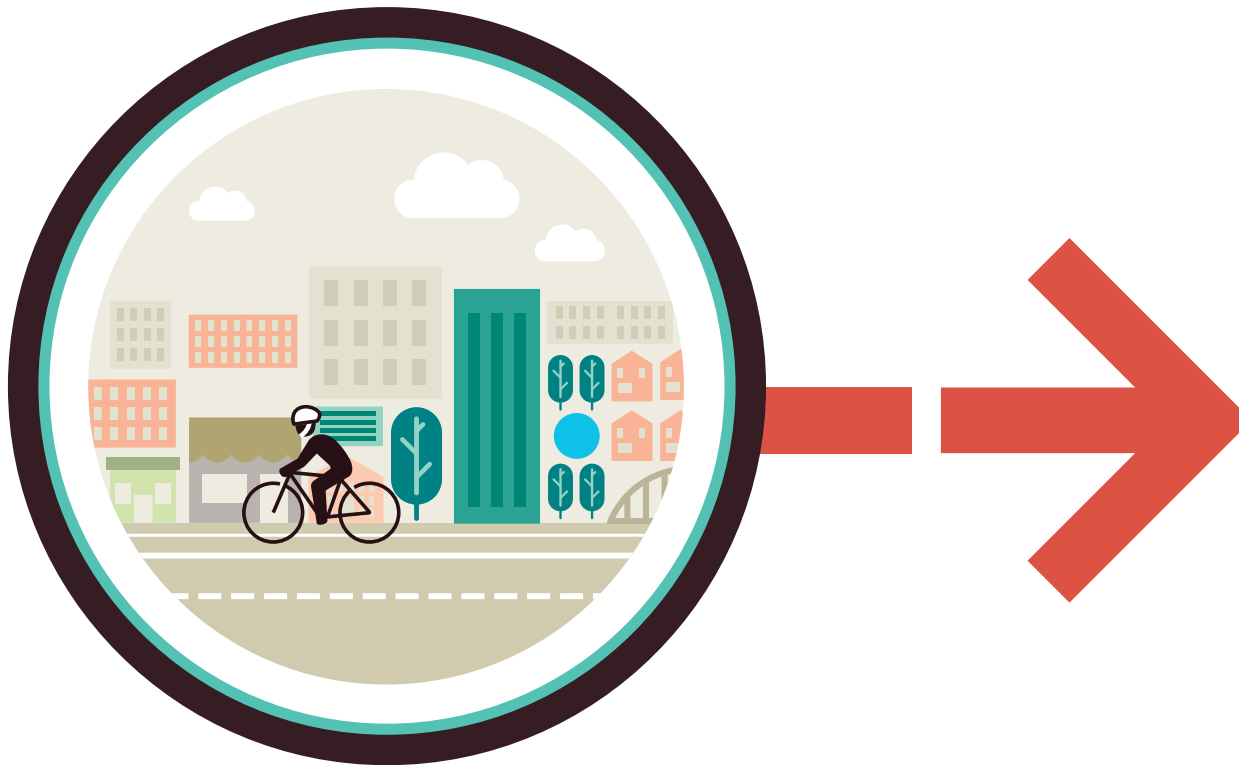
1.3 Implement cycling elements in the 2041 Regional Transportation Plan (RTP) for the GTHA and the GO Rail Station Access Plan – *Metrolinx*

Cycling elements in the 2041 RTP⁸ include implementation of a Regional Cycling Network, first- and last-mile solutions, all-season maintenance, expanded bike-share, a regional approach to Vision Zero and Complete Streets, cycling-supportive community planning and more.

The GO Rail Station Access Plan⁹ includes implementation of safe and direct routes to stations, expanded bicycle parking including secure parking, wayfinding and bike-share around stations.

1.4 Identify new opportunities to allow passengers to take bikes onto buses and trains – *MTO, Metrolinx*

Identify regulations and policies that could be modernized to create new opportunities for passengers to take their bikes with them when travelling by bus or train, as one of the ways to support cycling for the first and last part of a trip.



1. Design Healthy, Active and Prosperous Communities *(continued)*

1.5 Collaborate on guidelines for use of e-bikes on cycling facilities – *MTO*

Work with stakeholders to investigate regulations surrounding e-bikes, including the categorization of e-bikes to differentiate between heavy scooters and pedal assisted bikes.

1.6 Support initiatives that promote and expand active school travel – *EDU, Metrolinx*

Provide project funding to support the establishment and operation of a province-wide service to facilitate and promote active and safe routes to schools.

This project and other complementary initiatives aim to bring together school and community stakeholders to improve children’s mobility and health through investing in active transportation.

1.7 Identify opportunities to encourage safe cycling near and around schools – *MTO*

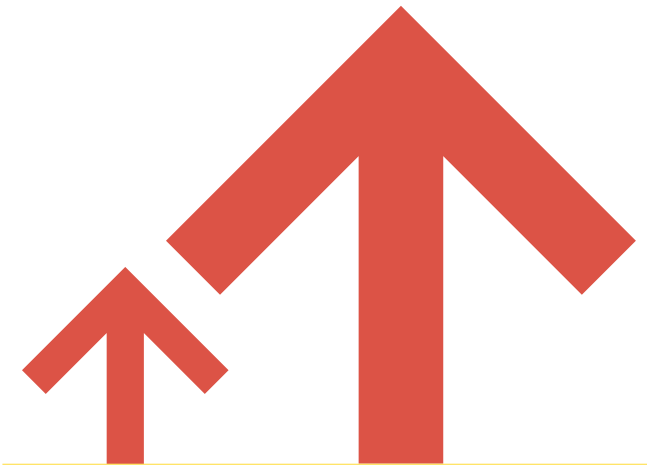
As part of the review of Ontario Traffic Manual Book 18: Cycling Facilities, Ontario will work with municipalities to identify opportunities to improve guidelines for cycling infrastructure near and around schools, and promote safety and access for students that cycle to school.

1.8 Include cycling as a key example of how children and youth can achieve 60 minutes of physical activity connected to the school day – *EDU*

Where possible, explore opportunities to promote cycling as part of co-curricular activities before, during and after school. This could include developing cycling-related tools and materials to support educators and learners.

1.9 Support and celebrate Bike Month to promote cycling at the local, community and provincial levels – *MTCS*

Explore opportunities to build on existing local Bike Month programs and expand them province-wide.



**\$3.5
million**

**Funds being invested in
the Ontario Active School
Travel Project**

2

Improve Cycling Infrastructure

2.1 Invest in new cycling infrastructure for commuting, active living and recreational purposes under the Climate Change Action Plan 2017–2021 – MTO

Invest funds from Ontario’s carbon market to create new cycling infrastructure at the municipal and provincial levels, which will provide Ontarians with new access and opportunities via cycling.

2.2 Invest in new parking for cycling – MTO

Invest in new bike parking infrastructure at a variety of locations, which will provide Ontarians with new access and opportunities for cycling.

2.3 Develop a long-term implementation plan to guide the construction, recognition, signage and branding of the province-wide cycling network – MTO

In consultation with stakeholders, develop an implementation plan for the province-wide cycling network.

2.4 Start to include cycling infrastructure in provincial highway construction projects using the province-wide cycling network as a foundation – MTO

For each highway that is part of the province-wide cycling network, Ontario will develop a plan to confirm the most appropriate cycling infrastructure for that corridor.

Ontario will also start including cycling infrastructure in upcoming construction projects on provincial highways using the province-wide cycling network as a basis.

2.5 Develop a program to support municipal implementation of the province-wide cycling network – MTO

Explore options to help municipalities build and maintain portions of the province-wide cycling network that fall under municipal jurisdiction.

2.6 Work with municipalities to update Ontario Traffic Manual Book 18: Cycling Facilities – MTO

Work with the Ontario Traffic Council and stakeholders/municipalities to update Book 18, drawing on best practices from around the world (e.g., improving trail crossing standards specifically in relation to cyclists).

2.7 Support the development of municipal minimum maintenance standards for cycling infrastructure – MTO

Work with municipalities and stakeholders to establish minimum maintenance standards for municipal cycling infrastructure.



→ **Over**
9,800 kilometres
Length of cycling routes
identified in the province-wide
cycling network

3

Make Highways and Streets Safer

3.1 Develop a recognition program for cycling safety champions – MTO

Look into methods to recognize cycling safety champions for the contributions they make to improving cycling safety across Ontario.

3.2 Launch a public education campaign on cyclist rights and responsibilities – MTO

Identify opportunities to improve cycling safety and improve motor vehicle/cyclist interactions through education and awareness for all road users.

3.3 Improve content about motorist-cyclist interactions in Beginner Driver Education – MTO

Identify opportunities to improve motor-vehicle/cyclist interactions through improved educational material.

3.4 Continue to reach out to road safety experts (safety organizations, enforcement, municipal and provincial partners) – MTO

Make Ontario's roads safer by engaging road safety groups and community members across the province to work together to promote road and cycling safety.

3.5 Continue to promote local cycling safety campaigns as part of MTO's Road Safety Challenge and promote cycling safety at events across the province – MTO

Continue supporting road safety partners across Ontario in the development of local awareness and public education campaigns and activities on various road safety topics, including cycling, through the ministry's Road Safety Challenge.

3.6 Continue to promote safety for all ages through the Cycling Skills Guide and Young Cyclist's Guide¹⁰ – MTO

Increase road safety for cyclists by distributing current and relevant educational materials that inform the public about proper equipment, rules of the road, signage, etc.

3.7 Work to improve awareness of cycling rules and procedures – MTO

Work with police services and other partners to improve awareness of cycling rules and procedures, including identifying strategies to reduce bicycle theft.

→ Over
315,000

Number of Cycling Skills Guides and Young Cyclist's Guides distributed in the last 5 years



4

Promote Cycling Awareness and Behavioural Shifts



4.1 Develop a comprehensive cycling education program that will provide program standards for cycling curriculum, instructional development and certification, and province-wide course delivery – *MTCS*

Leverage international best practices and build partnerships with municipalities, not-for-profit and private sector organizations to deliver cycling education programs.

Ontario’s cycling education program will use provincially endorsed standards delivered by certified instructors.

4.2 Develop a distinct brand for Ontario’s cycling education program and instructor certification that will be used for marketing and promoting cycling education – *MTCS*

Promote the benefits of cycling and make it a visible and attractive choice for Ontario’s diverse populations by:

- Branding cycling education programming and instructor certification to demonstrate provincial endorsement
- Developing multi-channel instructional materials including online modules, and
- Creating materials to engage new Canadians and people of diverse backgrounds.

4.3 Develop an Integrated Multi-Channel Marketing and Awareness Campaign – *MTO, MTCS*

Working with stakeholders, Ontario will promote the benefits of cycling and “nudge” Ontarians to change their behaviour to cycle more often and cycle safely.

4.4 Build on the Pan/ParaPan American Games legacy to leverage the Velodrome to support cycling for all purposes – *MTCS*

Build on the legacy of the 2015 Pan/Parapan American Games to advance cycling in Ontario.

The province will continue to work with municipalities and sector partners to build momentum and enthusiasm for cycling by promoting, showcasing and leveraging this world-class multi-purpose facility.

4.5 Create an Ontario Cycling Coordination Committee – *MTCS*

Establish an ongoing coordinating committee of government and stakeholders to support the implementation of #CycleON.

4.6 Monitor and track progress on attitudinal and behavioural changes related to cycling, as well as cycling program outputs and outcomes – *MTO, MTCS*

Develop a performance measurement framework for Action Plan 2.0 and report at program and population levels to demonstrate progress on outputs and outcomes.

4.7 Build capacity and provide tools for organizations and communities to be more bike-friendly – *MTCS*

Work with stakeholders to create capacity building supports and tools that will enable communities to be more bicycle-friendly.

Over \$400,000 – Funds invested in 62 municipalities to deliver safe cycling education initiatives and promote cycling as a healthy mode of transportation for all purposes

5

Increase Cycling Tourism Opportunities

5.1 Showcase Ontario as a premier cycling tourism destination through focused marketing, and highlight cultural and heritage sites along identified cycling routes – MTCS

Promote Ontario as a world class cycling tourism destination from the Great Lakes to the Greenbelt to the Great North through continued implementation of Tour by Bike, Ontario’s cycling tourism strategy.

5.2 Develop tools to make it easier for cycling tourists, including route mapping and an enhanced cycling portal – MTCS

Continue to work collaboratively with regional partners and stakeholders to explore cycling tourism information and products.

5.3 Build partnerships with the hospitality industry to be more bike-friendly – MTCS

Work with the tourism and hospitality sector to continue to leverage relationships and encourage collaboration between stakeholders to support healthy and economically prosperous destinations and communities.

5.4 Research and disseminate data on the impact of cycling as a tourist activity – MTCS

Encourage and promote sharing of research data and information among cycling and regional partners to promote awareness of the impacts of cycling tourism.

5.5 Develop a multi-day road cycling event across Ontario for both high performance and recreational cyclists – MTCS

Promote the province as a premier cycling tourism destination by hosting a multi-day road cycling event for both high performance and recreational cyclists.

5.6 Improve wayfinding for cyclists – MTCS

Work with key stakeholders and partners to explore and promote opportunities to improve wayfinding.

5.7 Establish a Cycling Recreation and Tourism Trails Infrastructure Fund – MTCS

Create an infrastructure fund to support rural and off-road trails.

5.8 Promote cycling tourism strategy with stakeholders – MTCS

Support regional partners and other stakeholders to align cycling tourism marketing and product development through continued implementation of Tour by Bike.



\$497 Million

The dollar amount generated by 1.7 million visitors to Ontario through cycling tourism in 2015

Members of the Ministers' Advisory Panel on Cycling

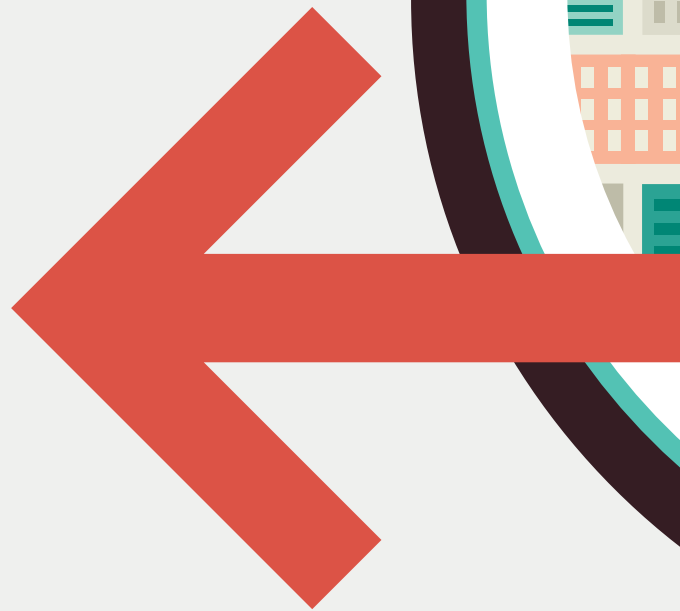
- **Craig Reid**, Senior Advisor, *Association of Municipalities of Ontario*
- **Teresa Di Felice**, Assistant Vice President of Government and Community Relations, *Canadian Automobile Association*
- **Zlatko Krstulic**, Senior Project Manager, *City of Ottawa*
- **Sue Sauvé**, Transportation Demand Management Planner, *City of Peterborough*
- **Adam Krupper**, Mobility Coordinator in the Engineering Division, *City of Thunder Bay*
- **Shawn Dillon**, Manager of Cycling Infrastructure & Programs, *City of Toronto*
- **Jacquelyn Hayward-Gulati**, Director of Transportation Infrastructure Management, *City of Toronto*
- **Jane Mustac**, Manager of Transportation Planning and Development, *County of Essex*
- **Keagan Gartz**, Director of Programs and Engagement, *Cycle Toronto*
- **Susan Murray**, Vice President of Communications and Operations, *Friends of the Greenbelt Foundation*
- **Leslie Woo**, Chief Planning and Development Officer, *Metrolinx*
- **Louisa Mursell**, Executive Director, *Ontario By Bike / Transportation Options*
- **Scott R Butler**, Manager of Policy and Research, *Ontario Good Roads Association*
- **Sgt. Brett Carson**, Coordinator of Provincial Offences and Devices, Highway Safety Division – Provincial Traffic Operations Traffic Safety and Operational Support, *Ontario Provincial Police*
- **Sue Shikaze**, Health Promoter – Haliburton, Kawartha, Pine Ridge District Health Unit, *Ontario Public Health Association*
- **Karen Cameron**, CEO, *Ontario Public Transit Association*
- **Andrew Claerhout**, Former Head of Infrastructure and Natural Resource, *Ontario Teachers' Pension Plan*
- **Marco D'Angelo**, Executive Director, *Ontario Traffic Council*
- **Marco Beghetto**, Vice President of Communications & New Media, *Ontario Trucking Association*
- **Cathy Denyer**, CEO, *Parks and Recreation Ontario*
- **Jamie Stuckless**, Executive Director, *Share the Road Cycling Coalition*
- **Nancy Smith Lea**, Director, *Toronto Centre for Active Transportation*
- **Beth Potter**, President and CEO, *Tourism Industry Association of Ontario*
- **Richard Joy**, Executive Director, *ULI Toronto District Council*
- **Marlaine Koehler**, Executive Director, *Waterfront Regeneration Trust*
- **J. David McLaughlin**, National Active Transportation Manager & Senior Project Manager of Planning and Advisory and Transportation, *WSP Canada*

Endnotes

1. <https://www.ontario.ca/page/cycling-ontario>
2. <https://www.ontario.ca/page/cycling-ontario>
3. <http://www.mto.gov.on.ca/>
4. <https://www.ontario.ca/page/cycling-ontario>
5. <http://www.mtc.gov.on.ca/>
6. <https://www.ontario.ca/page/ministry-municipal-affairs>
7. <https://www.ontario.ca/page/ministry-environment-and-climate-change>
8. <http://www.metrolinx.com/>
9. <http://www.metrolinx.com/>
10. <http://www.mto.gov.on.ca/>

Acronyms

- MTO** Ministry of Transportation
MMA Ministry of Municipal Affairs
EDU Ministry of Education
MTCS Ministry of Tourism, Culture and Sport





#CycleON

Action Plan 2.0

Visit <https://www.ontario.ca/page/cycling-ontario> to download electronic copies of this and other cycling documents.

#CycleON Action Plan 2.0

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Disponible en français.



Community Builders...Building Communities

Honorable Mayor and members of Council

April 24, 2018

c/o Ms. Rose Caterini
City Clerk

City of Hamilton
71 Main Street West, 1st Floor
Hamilton, ON L8P 4Y5

Dear Honorable Mayor and Members of Council,

Re: Draft Downtown Secondary Plan and Zoning By-law

Thank you for providing the Hamilton-Halton Home Builders' Association (HHHBA) with the opportunity to comment on the March, 2018 revised draft Downtown Secondary Plan and Zoning By-law. To date, the HHHBA has actively engaged with the City via previous written submissions and through our attendance at various stakeholder engagement meetings. Those Council members on Planning Committee will recall the delegation made by this Association at the April 17, 2018 statutory public meeting on this matter wherein the following comments were made:

- The HHHBA understands and appreciates the opportunity created by the use of bonusing via Section 37 of the *Planning Act* and we do not object to its utilization.
- The March version of the draft Secondary Plan and Zoning By-law contained a fundamental shift with regards to building height and density in relation to the utilization of benefits permitted through the use of Section 37 of the *Planning Act*;
- The current version of the Secondary Plan and Zoning By-law require proponents to enter into a Section 37 agreement in order to have Council approval the removal of a Holding Provision from the Zoning By-law, yet the City has not established a protocol for the agreement. Further, there is no indication as to how the value of the benefit is to be established nor estimates on what this value might be for any given development.
- Prior to the release of the March version of the draft, there was no consultation with the HHHBA on this fundamental shift with regards to the implementation of Section 37 agreements and the use of holding provisions in the Zoning By-law. The four weeks between the March release of the revised draft Secondary Plan and Zoning By-law and the April statutory public meeting did not afford the HHHBA the necessary opportunity to liaise with City staff to properly consider the fundamental change to the Section 37 approach.



- The proposed framework between maximum building heights on Map B.6.1-2 of the Secondary Plan and Schedule F – Figure 1 of the Zoning By-law may create a disconnect in ultimately determining the value of the Section 37 benefit therefor further frustrating the Section 37 Agreement process.

Ultimately, the HHHBA applauds staff on the process as a majority of the previous concerns raised by this Association have been incorporated into the final draft Secondary Plan and Zoning By-law. However, the HHHBA has significant concerns with lack of consultation and the proposed approach to utilize Section 37 of the *Planning Act*.

Until the Section 37 agreement process is established, it is premature to approve the Secondary Plan and Zoning By-law in their current form.

The HHHBA respectfully request the Secondary Plan and Zoning By-law be approved as drafted, with the exception of that the proposed Holding provisions for Section 37 be removed and/or held in abeyance until associated agreement protocol is established.

In accordance with the *Planning Act*, please provide the HHHBA with a written notice of any Council decision regarding this matter.

Thank you again for the opportunity to comment. Please feel free to contact the undersigned with any questions or comments.

Regards,

Matt Johnston
2018 President

cc: Messrs. Jason Thorne and Steve Robichaud, City of Hamilton
Mses. Alissa Mahood and Shannon McKie, City of Hamilton
Ms. Suzanne Mammel, Executive Officer/Policy Director, HHHBA



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Facsimile 905 529 3663
nsmith@tmalaw.ca

EMAIL LETTER

To: Mayor and Members of Council

cc: Steve Robichaud, Chief Planner, Director of Planning
Anita Fabac, Manager, Development Planning, Heritage & Design Planning Division
Rose Caterini, City Clerk

Re: Downtown Hamilton Secondary Plan & Downtown Hamilton Zoning By-law
163 Jackson Street West "the Property"

From: Nancy Smith

Date: April 24, 2018

INTRODUCTION

We represent Television City Hamilton Inc. ("TV City"), owners of the Property. We object to the Downtown Hamilton Secondary Plan and Zoning By-law in their current form.

As you know, we appealed our site specific applications (mixed use – commercial and residential) to the Ontario Municipal Board (OMB, now LPAT). We await the scheduling of our appeal.

OUR CONCERNS

Enclosed please find correspondence dated April 16, 2018 from TV City's planning consultants, Bousfields Inc. We raise three (3) concerns that have not been satisfactorily addressed within the proposed planning instruments before you:

The contents of this email transmission are private and confidential, intended only for the recipient names above and are subject to lawyer and client privilege. It may not be copied, reproduced, or used in any manner without the express written permission of the sender. If you have received this transmission and are not the intended recipient, please destroy it and notify the sender at 905 529-3476, collect if long distance. Thank you.

NANCY SMITH PROFESSIONAL CORPORATION
TURKSTRA MAZZA ASSOCIATES, LAWYERS

1. No placeholder for the implementation of the LPAT decision in our appeal;
2. Inappropriate conflation of Niagara Escarpment Plan (the "Plan") policy with the proposed planning instruments notwithstanding the fact that the majority of the Downtown Hamilton Secondary Plan, including the Property, fall outside the Plan and the Niagara Escarpment Commission jurisdiction;
3. Inappropriate cap on building height (thereby limiting the proper implementation of provincial policy) without justification from a publically available and vetted study.

In their present form, the Downtown Hamilton Secondary Plan and Zoning By-law are:

- Inconsistent with Provincial Policy Statements – Section 3(1) of the *Planning Act*.
- Do not conform/conflict with Provincial Plans.

THE REMEDY

The following changes will remedy the inconsistency/non-conformity noted above:

1. To remedy the lack of future implementation of the LPAT decision in our appeal, add a site specific policy that applies to the Property.
2. To remedy the NEP/NEC jurisdiction problem, add policy that defers any viewshed impacts to NEP lands only.
3. To remedy the building height cap problem (with no publically vetted supporting study), defer decision-making until the Viewshed Analysis has been presented to the public, including key stakeholder groups and peer reviewed by a third party, such as your Design Review Panel.

The changes we request are reasonable and will ensure consistency with Provincial Policy Statements and conformity/no conflict with provincial plans. We respectfully request that you press pause on your decision-making in order to address our concerns.

Yours truly,



Nancy Smith
ns/l



BOUSFIELDS INC.

Project No.: 1748

April 16, 2018

Sent VIA EMAIL

Ida Bedioui, Legislative Coordinator
Planning Committee
City of Hamilton
71 Main Street West, 1st Floor
Hamilton, ON L8P 4Y5

**Re: *Item 13.1 of the April 17, 2018 Planning Committee
Downtown Hamilton Secondary Plan
163 Jackson Street West, Hamilton***

We are the planning consultants with respect to the above-noted property (herein referred to as the "subject site"). On behalf of the ownership group (Television City Hamilton Inc.), we request that the Planning & Development Committee consider the following comments on the proposed Official Plan Amendment and Zoning By-law for the Downtown Hamilton Secondary Plan.

Existing Applications:

As you are aware, applications to amend the Urban Hamilton Official Plan (File No. UHOPA-17-027) and Hamilton Zoning By-law 05-200 (File No. ZAC-17-063) have been filed with the city for a proposed mixed commercial and residential redevelopment of the subject site and have been appealed to the Ontario Municipal Board. Given that these applications are being reviewed on a site specific basis, we request that the subject site be identified as a site specific policy area that recognizes the resolution of the current development applications.

Niagara Escarpment:

The proposed Downtown Hamilton Secondary Plan (Appendix "B" to Report PED18074) recognizes the importance of the Niagara Escarpment and incorporates a policy framework that is intended on protecting views and connections to it. In this regard, it is important to understand that the Niagara Escarpment Commission (the "NEC") is a statutory provincial body who's mandate is to develop, interpret and apply policies, including the Niagara Escarpment Plan (the "NEP"), that maintain and

enhance the vitality of the Escarpment's unique environmental and landscape features. Furthermore, the NEP includes objectives, land use designations, development criteria, and parks and open space system policies. The NEP provides a planning policy framework to ensure, among other things, that development within and adjacent to the escarpment does not negatively impact it, including negative impacts to views of the escarpment. It is important to acknowledge that the majority of Downtown Hamilton Secondary Plan area, including the subject site, fall outside of the NEP and NEC's authority.

Building Height Cap:

The proposed Downtown Hamilton Secondary Plan (see Policy B.6.1.4.14) establishes a maximum building height, where no building is to be taller than the height of the escarpment. The proposed Zoning By-law Amendment (Appendix "D" to Report PED18074) establishes a maximum building height of 77 metres for the subject site.

Provincial policy provides policy direction that supports intensification and the optimization of land on sites that are well served by municipal infrastructure, particularly higher order public transit. In this regard, the Downtown Secondary Plan Area is identified as the City's *Urban Growth Centre* and includes a number of *Major Transit Station Areas* that cover the entire Downtown Secondary Plan Area, including the subject site. In our opinion, the optimization of density on the subject site and throughout the Downtown Secondary Plan Area is consistent with both good planning practice and overarching Provincial and City policy direction. Optimization of land use in the Downtown Secondary Plan Area would support transit ridership; support regionally-significant employment, institutional, recreational, retail and entertainment uses; and, support walking and cycling as viable alternative modes of transportation. Furthermore, optimizing residential and commercial intensification on the subject site and throughout the downtown will result in population and job growth that will contribute to the achievement of forecasts in the Growth Plan and the UHOP.

In our opinion, the maximum building heights proposed in the Draft Secondary Plan and Draft Zoning By-law Amendment does not give full effect to the Growth Plan and UHOP and an increase to the proposed heights contemplated for the subject site and throughout the Downtown Secondary Plan area is appropriate. In this regard, the proposed secondary plan does not rationalize the proposed maximum building heights, however, the Staff Report (PED18074) and Summary Report (Appendix "A" to PED18074) note the following:

"Downtown Hamilton Viewshed Analysis

Part of the review and update of the Downtown Hamilton Secondary Plan included carrying out a viewshed analysis in order to identify locations within the Downtown where additional detailed visual impact assessments should be provided in order to understand and limit the loss of views to the Niagara Escarpment to ensure that the contribution the Escarpment makes to the character of the Downtown is not impaired. The viewshed analysis was based on a 35 year build out scenario for the Plan area to determine if there were existing views to the Niagara Escarpment and Hamilton Harbour. The current views were compared to the view in the 35 year build out model to determine what views would be impacted by future development. Recommendations from the viewshed study have been implemented in the Secondary Plan."

It appears the Downtown Hamilton Viewshed Analysis (the "Viewshed Analysis") was used to rationalize and generate the maximum building heights (including the cap of the top of the escarpment) and Appendix C (Draft Viewshed Analysis), which includes *Locations where there may be impacts to views*, *Locations where there are impacts to views*, and *View corridor to Niagara Escarpment*. However, based on our review and understanding, the Viewshed Analysis was never presented at any public consultation event, made available to the public and/or stakeholder groups, and/or circulated for comment by any interested parties or third party peer reviewers.

The resulting building height cap has far reaching implications related to optimizing land in the downtown and matters of urban design related to a uniform versus a varied skyline. Given the importance of this issue, it is our opinion that the proposed secondary plan should not be approved until the Viewshed Analysis has been presented to the public, including key stakeholder groups, and peer reviewed by a third party such as the City's Design Review

In summary, thank you for the opportunity to comment on the proposed secondary plan and draft zoning by-law amendment. We respectfully request that the Planning & Development Committee consider the proposed modifications for the subject site and table the item until the Viewshed Analysis has been properly analyzed.

Also, we request to be notified of the City's decision and all future meetings related to the proposed Downtown Hamilton Secondary Plan and Zoning By-law Amendment.

Should you require any additional information, please do not hesitate to contact the undersigned.

Respectfully Submitted,
Bousfields Inc.



David Falletta, MCIP, RPP

/DF:jobs

cc. Television City Hamilton Inc. (via e-mail)

N. Smith, Turkstra Mazza Associates (via e-mail)



PUBLIC WORKS COMMITTEE

REPORT 18-005

9:30 a.m.

Monday, April 16, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillor L. Ferguson (Chair)
 Councillor T. Jackson (Vice Chair)
 Councillors C. Collins, S. Merulla, R. Pasuta, A. VanderBeek,
 T. Whitehead

Absent with Regrets: Councillor D. Conley - Personal

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 18-005 AND RESPECTFULLY RECOMMENDS:

1. Intersection Control List (PW18001)(b) (Ward 8) (Item 5.1)

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

Intersection		Stop Control Direction		Class	Comments / Petition	Ward
Street 1	Street 2	Existing	Requested			
Section "E" Hamilton						
(a)	Hazelton Avenue	Alessio Drive	EB/WB	NB/SB	A	Plan of New Subdivision 8

Legend

No Control Existing (New Subdivision) - **NC**

Intersection Class: **A** - Local/Local **B** - Local/Collector **C** - Collector/Collector **D** - Arterial/Collector

E - Arterial/local

2. Small Equipment Manufacturer's Standardization Renewal (PW18028) (City Wide) (Item 5.5)

- (a) That a five-year extension for "Stihl" equipment as a manufacturer's standard for the purchase of string and hedge trimmers, chainsaws, leaf blowers, multi-purpose "Kombi" system engines and attachments, and other commercial grade small equipment for the Public Works Department be approved;
- (b) That a five-year extension for "Honda" equipment as a manufacturer's standard for the purchase of walk behind lawnmowers, generators, water pumps, and engine components for lawn edgers, aerating equipment, rototillers, compactors, debris loaders, walk-behind leaf blowers, and other commercial grade small equipment for the Public Works Department be approved;
- (c) That staff be authorized to negotiate "accounts" based on standard government pricing for the supply of equipment, repair and maintenance service with "Stihl" and "Honda" manufacturers and/or licensed distributors of the approved equipment standards.

3. Consulting Assignment Extension for Contract Administration on the Sanitary Trunk Sewer Main along Upper Centennial Parkway and Regional Road 56 from Green Mountain Road to Guyatt Road (PW18031) (Ward 11) (Item 5.6)

That Council approves the single source procurement, pursuant to Procurement Policy #11 - Non-competitive Procurements and that the General Manager of Public Works be authorized to:

- (a) Negotiate with the consultant, WSP Canada Group Ltd., to carry out additional contract administration, site inspection and hydrogeological monitoring as required under Contract C11-43-13 for construction Contract C15-47-14(HS) for the Upper Centennial Trunk Sewer currently being constructed by McNally Construction Inc.;
- (b) Should an acceptable price be negotiated for the additional consulting work, that the General Manager, Public Works Department be authorized to enter into and execute any required Contract and any ancillary documents required to give effect thereto with WSP Canada Group Ltd., in a form satisfactory to the City Solicitor;
- (c) That the funding for the proposed work of approximately \$600,000 is available in Project ID: 5161395358 Binbrook (Hwy 56 Force Main and Twinning WW-21).

4. Proposed Permanent Closure and Sale of a Portion of Public Assumed Alley Abutting 60 King William Street, Hamilton (PW18032) (Ward 2) (Item 6.2)

That the application of King William Residences Inc. to permanently close and purchase a portion of the assumed alleyway abutting the West side of 60 King William Street, Hamilton, ("Subject Lands"), as shown on Appendix "A" to PW Report 18-005, be approved, subject to the following conditions:

- (a) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
- (b) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved:
 - (i) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;
 - (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed alleyway to King William Residences Inc., as described in Report PW18032, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
 - (iii) The City Solicitor be authorized and directed to register a certified copy of the by-laws permanently closing and selling the alleyway in the proper land registry office;
 - (iv) The Public Works Department provide any required notice of the City's intention to pass the by-laws and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204;
- (c) That the applicant enters into agreements with any Public Utility requiring easement protection;
- (d) That the applicant enter into private agreements with those property owners abutting any portion of the full Alleyway and the City of Hamilton, to allow unobstructed access to their properties and to provide through access over an East/West portion of the Lands known as 43 King William Street as referenced in PED18013 and included as a holding provision in Zoning Amendment By-Law 18-011.

5. 2018 Conventional Bus Replacement (PW18029) (City Wide) (Item 8.1)

- (a) That the General Manager of Public Works or delegate be authorized to amend the approved 2018 Transit Fleet replacement capital budget to purchase up to twelve (12) sixty-foot (60') articulated CNG (Compressed Natural Gas) buses at an upset cost of \$10,800,000. The total cost of this purchase is accommodated with the approved Capital project "2018 HSR Bus Replacement" (5301883100);
- (b) That the General Manager of Public Works or delegate be authorized to single source the purchase using Purchasing Policy #11 – Non-competitive Procurements, of up to twelve (12) CNG sixty foot articulated buses from New Flyer Industries with the understanding that they are the only Canadian manufacturer.

6. Road Resurfacing works due to Winter Damage (PW18020(a)) (City Wide) (Item 8.2)

- (a) That the road segments identified in Appendix "B" to PW Report 18-005, be approved for capital rehabilitation as part of the 2018/19 Corridor Capital Program totalling to a maximum of \$5.9M;
- (b) That the road segments to be rehabilitated in Appendix "A" be funded from the Investment Stabilization Reserve (Account No.112300) and be repaid over a 15 year term, at a cost to borrow of 3.1% as moved in a motion by the Mayor at the March 2, 2018 General Issues Committee Budget meeting and approved by Council on March 8, 2018;
- (c) That the General Manager of Public Works be authorized to procure all or some of the works identified in Appendix "A" through Procurement Policy #11 Non-Competitive Procurements, where deemed appropriate, to expedite the works for this construction season.

7. Sidewalks and Mountable Curb Repairs (Ward 5) (Item 9.1)

That Public Works staff be directed to replace the deficient sidewalks and mountable curbs at various locations through Ward 5, at an estimated cost of \$256,000, to be funded from the Ward 5 Area Rating Reserve Fund (Account #108055).

FOR INFORMATION:

(a) APPROVAL OF THE AGENDA (Item 1)

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

1. DELEGATION REQUESTS (Item 4)

- 4.2 Julie Gordon respecting Opposition to the Aerial Spraying to combat Gypsy Moths (for a future meeting).

The Agenda for the April 16, 2018 meeting of the Public Works Committee 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) March 19, 2018 (Item 3.1)

The Minutes of the March 19, 2018 Public Works Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Michael Gemmell, Executive Director, Green Venture, respecting an Update on Green Venture's Outreach and Education work completed on behalf of the City of Hamilton (Item 4.1)

The delegation request from Michael Gemmell, Executive Director, Green Venture, respecting an Update on Green Venture's Outreach and Education work completed on behalf of the City of Hamilton, was approved for a future meeting.

(ii) Julie Gordon respecting Opposition to Aerial Spraying to combat Gypsy Moths (Added Item 4.2)

The delegation request from Julie Gordon respecting Opposition to Aerial Spraying to combat Gypsy Moths, was approved for a future meeting.

(e) CONSENT ITEMS (Item 5)

(i) Minutes of the Waste Management Advisory Committee – January 31, 2018 (Item 5.2)

The Minutes of the Waste Management Advisory Committee dated January 31, 2018, were received.

(ii) Minutes of the Hamilton Cycling Committee – November 1, 2017 (Item 5.3)

The Minutes of the Hamilton Cycling Committee dated November 1, 2017, were received.

(iii) Minutes of the Hamilton Cycling Committee – January 3, 2018 (Item 5.4)

The Minutes of the Hamilton Cycling Committee dated January 3, 2018, were received.

(f) PUBLIC HEARINGS / DELEGATIONS (Item 6)

(i) Kevin Gonci, The Golden Horseshoe Track and Field Council, respecting an Update on the Mohawk Sports Park renewal project from a community user group perspective (Item 6.1)

Mr. Kevin Gonci with the Golden Horseshoe Track and Field Council, provided the Committee with an update on the Mohawk Sports Park renewal project. A copy of Mr. Gonci's presentation has been retained for the official record and is available through the Office of the City Clerk and on www.hamilton.ca.

The delegation from Kevin Gonci, The Golden Horseshoe Track and Field Council, respecting an Update on the Mohawk Sports Park renewal project from a community user group perspective, was received.

(ii) Proposed Permanent Closure and Sale of a Portion of Public Assumed Alley Abutting 60 King William Street, Hamilton (PW18032) (Ward 2) (Item 6.2)

Chair Ferguson advised that notice of the proposed permanent closure and sale of a Portion of Assumed Alley Abutting 60 King William Street in Hamilton was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that no individuals registered to speak to the matter.

The Chair asked if there were any members of the public in attendance who wished to come forward to speak to the matter. No individuals came forward.

For disposition of this matter, refer to Item 4.

(g) MOTIONS (Item 9)

(i) Sidewalk and Mountable Curb Repairs (Ward 5) (Item 9.1)

The Motion respecting Sidewalk and Mountable Curb Repairs, was amended by changing the amount from \$250,000 to **\$256,000**.

For disposition of this matter, refer to Item 7.

(h) NOTICES OF MOTION (Item 10)

(i) Scenic Drive Repairs (Added Item 10.1)

Councillor Whitehead introduced the following Notice of Motion respecting Scenic Drive Repairs:

That staff be directed to shave and pave Scenic Drive between Garth Drive and Upper Paradise this year, as part of the \$900,000 allotment.

(ii) Area Rating Special Capital Re-Investment Reserve Funding Projects (Added Item 10.2)

Councillor Collins introduced the following Notice of Motion respecting Area Rating Special Capital Re-Investment Reserve Funding Projects:

WHEREAS, modern winters appear to have accelerated the deterioration of roads in the Davis Creek Neighbourhood, as a result of increased frequency of freeze/thaw cycles and more extreme variability of temperatures; and,

WHEREAS, the sidewalks of Fairway Drive, Nicklaus Drive, St. Andrews Drive, Elford Crescent, Wedgewood Avenue, Glen Manor Street and Chipping Place were replaced in 2017 and funded through the 2017 Ward 5 Area Rating Reserve Account; and,

WHEREAS, given the current resources along with the time needed to complete a tender and award process, road improvements cannot be

addressed within our normal process manner during the 2018 construction process;

THEREFORE BE IT RESOLVED:

- (a) That St. Andrews Drive, at an estimated cost of \$730,000, Fairway Drive, at an estimated cost of \$220,000, Glen Manor Street, at an estimated cost of \$80,000, Chipping Place, at an estimated cost of \$50,000, Wedgewood Avenue, at an estimated cost of \$90,000 and Nicklaus Drive, at an estimated cost of \$160,000, be rehabilitated using asset preservation practices, with the work to include the rehabilitation of the existing asphalt with repaving; and,
- (b) That \$430,000 from Ward 5 Area Rating Reserve No. 108055 be utilized to fund the asset preservation of the aforementioned streets, and,
- (c) That the Ward 5 allocation, in the amount of \$900,000 and previously approved from the Investment Stabilization Reserve Account (No. 4031811807), be utilized to fund the asset preservation of various Davis Creek Neighbourhood streets, and,
- (d) That the rules of procurement be waived; and,
- (e) That the General Manager of Public Works and/or his designate be directed to award the work on a sole source negotiated prices basis as per the Policy 10 Protocol.

Councillor Ferguson relinquished the Chair to Councillor Jackson.

(iii) Meadowbrook Drive Repairs (Added Item 10.3)

Councillor Ferguson introduced the following Notice of Motion respecting Meadowbrook Drive Repairs:

That staff consider a shave and pave at Meadowbrook Drive between Wilson Street and Jerseyville Road, as part of the \$900,000 allotment.

Councillor Ferguson assumed the Chair.

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

(i) Update from the General Manager of Public Works respecting Items/Matters of Interest to the Committee (Item 11.1)

Dan McKinnon, General Manger of the Public Works Department, provided the Committee with an update respecting items and matters of general interest. Mr. McKinnon's remarks included, but were not limited to: the weekend ice storm and City efforts to keep the roadways clear, transit running, and mitigate flooding.

The update from Dan McKinnon, General Manager of the Public Works Department, was received.

(ii) Outstanding Business List (Item 11.2)

The following amendments to the Outstanding Business List, were approved:

(a) Item requiring a revised due date (Item 11.2(a))

Review and Update Option 4 – Strategic Renewal and New Construction Strategy (every 5 years)

Current Date: April 16, 2018
Revised Date: June 18, 2018

(b) Item considered complete and to be removed (Item 11.2(b))

Resource Recovery and Circular Economy Act (dealt with in Report PW16059(c) approved by Committee on February 22, 2018)

(j) ADJOURNMENT (Item 13)

There being no further business, the Public Works Committee was adjourned at 11:09 a.m.

Respectfully submitted,

Councillor L. Ferguson, Chair
Public Works Committee

Lisa Chamberlain
Legislative Coordinator
Office of the City Clerk



Hamilton

PROPOSED CLOSURE OF PORTION OF ASSUMED ALLEY
AT 60 KING WILLIAM STREET

Geomatics & Corridor Management Section
Public Works Department

LEGEND

 Lands to be Closed

NTS
16/01/2018
Sketch By: KM

Appendix "B" to Item 6 of PW Report 18-005

Priority	Project	Limits	Estimated Cost	Lane KM	Current Programmed Construction Year (\$Value)	Proposed Range
Recommended Rehabilitation Projects						
1	Burlington Street – Sherman Ave to Nikola Tesla Boulevard	Burlington Street EB - Sherman to Gage Burlington Street EB - Ottawa to Nikola Tesla Burlington Street EB - Nikola Tesla to Kenilworth Burlington Street WB - Kenilworth to Ottawa Industrial Drive WB - Ottawa to Gage Burlington Street WB - Gage to Wilcox	\$2,400,000	11.9	2020 (\$5.2M) 2021 (\$2.29M) 2022 (\$4.39M)	2026 - 2028 2027 - 2029 2028 - 2030
2	Burlington Street – Tire Street to MTO limit	Burlington Street EB lanes	\$900,000	3.9	2024 (\$1.2M)	2030 - 2032
3	Upper Gage Avenue – LINC to Mohawk	all lanes	\$950,000	4.49	2023 (\$1.25M)	2029 - 2031
4	Cannon Street - Sherman to James	all lanes	\$1,650,000	10.4	N/A	N/A
			Subtotal	\$5,900,000		
Supplemental Listing (in the event of favorable pricing)						
5	Barton Street – Gage to Kenilworth	all lanes	\$1,800,000	8.65	N/A	N/A
6	Barton Street – Sanford to Lottridge	all lanes	\$1,100,000	5.45	N/A	N/A
7	Highway No. 5 - Mill to Evans	all lanes	\$2,000,000	12	N/A	N/A
8	Osler Drive - West Park to South	all lanes	\$1,350,000	4.8	2022 (\$2.02M)	2028 - 2030
9	Upper Sherman Avenue - Southampton to Mohawk	all lanes	\$900,000	2.4	2027 (\$0.89M)	
10	Upper James - Fennell to Mohawk	Upper James - Fennell to Mohawk SB Upper James - Mohawk to 60M n/o McElroy NB	\$400,000	1.77	2028 (\$4.2M)	2034 - 2036
11	Upper James - Kennedy to Christopher	Kennedy to 70m s/o Christopher 70m s/o Christopher to Twenty Road SB	\$550,000	1.23	N/A	N/A
			Subtotal	\$8,100,000		
			Total	\$14,000,000		

** The recommended treatment is up to 80mm mill and resurface



**BOARD OF HEALTH
REPORT 18-004**

1:30 p.m.
Monday, April 16, 2018
Council Chambers
Hamilton City Hall

Present: Mayor F. Eisenberger
Councillors A. Johnson, J. Farr, S. Merulla, C. Collins, T. Jackson, D. Skelly, T. Whitehead, M. Pearson, L. Ferguson, and A. VanderBeek

Absent with regrets: Councillors D. Conley, B. Johnson, R. Pasuta and J. Partridge – Personal, Councillor M. Green – City Business

THE BOARD OF HEALTH PRESENTS REPORT 18-004 AND RESPECTFULLY RECOMMENDS:

1. Stock Epinephrine Auto Injector Expansion in Restaurants (BOH13040(d)) (City Wide) (Item 5.1)

That Report BOH13040(d), respecting Stock Epinephrine Auto Injector Expansion in Restaurants, be received.

2. Public Health Services 2017 Annual Report (BOH18010) (City Wide) (Item 5.2)

That Report BOH18010, respecting the Public Health Services 2017 Annual Report, be received.

3. Board of Health Self-Evaluation (BOH18011) (City Wide) (Item 5.3)

That Report BOH18011, respecting a Board of Health Self-Evaluation, be received.

4. Reduction of Airborne Particulates in Hamilton (BOH18018) (City Wide) (Item 5.4)

That Report BOH18018, respecting a Reduction of Airborne Particulates in Hamilton, be received.

5. Hamilton Airshed Modelling System (BOH18016) (City Wide) (Item 7.1)

- (a) That staff work with Golder Associates to undertake sub-region analyses using the Hamilton Airshed Modelling System, and in consultation with key stakeholders and affected residents;
- (b) That staff examine the feasibility of using Hamilton Airshed Modelling System to estimate morbidity and mortality outcomes associated with air pollution and report back to Board of Health, if applicable;
- (c) That the Board of Health direct Public Health Services' staff to work with City of Hamilton Planning staff to review the Hamilton Airshed Modelling System analysis and determine appropriate applications for planning directions and decisions and report back to Planning Committee in Q1 2019;
- (d) That the Board of Health request the Ministry of Environment and Climate Change to work with the City of Hamilton, other Ontario municipalities and levels of government regarding traffic-related air pollutants to address transboundary transportation contributions impacting the City of Hamilton;
- (e) That the Board of Health advocate that the province of Ontario adopt the 24-hour Canadian Ambient Air Quality Standard for fine particulate matter (PM 2.5) of 28 micrograms per cubic metre of air (28 µg/m³) as air quality benchmarks for the maximum desirable concentration of particulate matter in the City of Hamilton; and
- (f) Support the Ministry of the Environment and Climate Change in their proposal for a new policy focusing on Cumulative Effects Assessment in air approvals: "to more effectively consider cumulative impacts from multiple air pollution sources - both industrial and non-industrial" to address air quality issues in the City of Hamilton.

6. Correspondence from the Assistant Deputy Minister, Health and Long-Term Care, respecting Ontario Public Health Standards: Requirements for Programs, Services and Accountability (Item 11.1)

That the Correspondence from the Assistant Deputy Minister, Health and Long-Term Care, respecting Ontario Public Health Standards: Requirements for Programs, Services and Accountability, be received.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised the Board of the following change:

1. REVISED STAFF PRESENTATION

7.1 Hamilton Airshed Modelling System (BOH18016) (City Wide) (Item 7.1)

A revised version of the presentation has been distributed to the Board, and uploaded to the website.

The agenda for the April 16, 2018 Board of Health were approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None.

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

(i) March 19, 2018 (Item 3.1)

The Minutes of the March 19, 2018 meeting of the Board of Health were received, as presented.

(d) PRESENTATION (Item 7)

(i) Hamilton Airshed Modelling System (BOH18016) (City Wide) (Item 7.1)

Kevin McDonald addressed the Board with an overview of the presentation for Report BOH18016, respecting the Hamilton Airshed Modelling System.

Matt Lawson addressed the Board with an introduction of Anthony Ciccone, Ph.D., Golder.

Anthony Ciccone, Ph.D., Golder addressed the Board with a presentation on Report BOH18016, respecting the Hamilton Airshed Modelling System, with the aid of a PowerPoint presentation. A copy of the presentation has been included in the official record.

The presentation for Report BOH18016, respecting the Hamilton Airshed Modelling System, was received.

Sub-section (b) of Report BOH18016, respecting the Hamilton Airshed Modelling System, was amended by deleting the phrase “if necessary”, and replacing it with the phrase “if applicable”:

- (b) That staff examine the feasibility of using Hamilton Airshed Modelling System to estimate morbidity and mortality outcomes associated with air pollution and report back to Board of Health, ~~if necessary~~; **if applicable**

For further disposition of this matter, refer to Item 5.

The presentation is available at www.hamilton.ca

(e) MOTION (Item 9)

(i) Feasibility of Workspace for the Physician Recruitment Specialist (Added Item 9.1)

Staff were directed to investigate the feasibility of providing an office space for the Physician Recruitment Specialist, within their offices.

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

(i) Amendments to the Outstanding Business List (Item 11.2)

The following Items were marked as completed and removed from the Outstanding Business List:

Item A - Staff to report on Food Waste Management
January 12, 2015
(Addressed under Item 5.3 of the March 19, 2018 meeting)

Item D - Physician Recruitment - Policy respecting managed entry into the Family Health Network or Family Health Organizations - Q code enrolment premiums
May 21, 2015
(Letter sent out October 13, 2017)

Item I - Pilot-Project to Eliminate Sales of Products with Peanuts or Tree Nuts in four City of Hamilton Facilities
June 13, 2016
(Addressed under Item 8.1 at the March 19, 2018 meeting)

Item MM - Amendment to the City of Hamilton’s Food Strategy (Revised)
(Addressed under Items 8.1 and 8.2 at the February 22, 2018 meeting)

Item CC - Millgrove Public School respecting a Food Recovery Program from Stores and Farmers for the Benefit of the FoodBank

June 19, 2017
(Addressed under Item 5.3 at the March 19, 2018 meeting)

Item DD - Stock Epinephrine Auto Injector Expansion in Restaurants
(BOH13040(c))
June 19, 2017
(Addressed under Item 5.1 of this agenda)

Item EE - Reduction of Airborne Particulate in Hamilton
July 13, 2017
(Addressed under Item 5.4 of this agenda)

The following Item's Due Date was revised:

Item L - Food Strategy Priority Actions 2 &3
August 11, 2016
Due Date: Q4 2018
Revised Due Date: Q1 2019

(g) ADJOURNMENT (Item 13)

There being no further business, the Board of Health adjourned at 2:40 p.m.

Respectfully submitted,

Mayor F. Eisenberger
Chair, Board of Health

Loren Kolar
Legislative Coordinator
Office of the City Clerk



PLANNING COMMITTEE

REPORT 18-006

9:30 a.m.

Tuesday, April 17, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors A. Johnson, (Chair), J. Farr (1st Vice-Chair), C. Collins, M. Pearson, B. Johnson, D. Skelly, R. Pasuta and J. Partridge

Absent with

Regrets: Councillor D. Conley (2nd Vice Chair), illness
Councillor M. Green, personal

Also Present: Councillor L. Ferguson

THE PLANNING COMMITTEE PRESENTS REPORT 18-006 AND RESPECTFULLY RECOMMENDS:

1. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (City Wide) (PED18087) (Item 5.1)

That Report PED18087 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications be received.

2. Application for Amendment to Zoning By-law No. 6593 for Lands Located at 500 Upper Wellington Street, Hamilton (Ward 7) (PED18079) (Item 6.1)

- (a) That Amended Zoning By-law Application ZAC-17-061, by BFM Foundation Real Estate Management (Garry Glasbergen and Frank Oostdyk, Owner), for a change in zoning from the "C" (Urban Protected Residential, etc.) District (Block 1) and the "H" (Community Shopping and Commercial, etc.) District (Block 2) to the "H/S-1759" (Community Shopping and Commercial, etc.) District, Modified, in the City of Hamilton Zoning By-law No. 6593, to permit the phased redevelopment of the existing thrift store for commercial uses on lands located at 500 Upper Wellington Street (Hamilton), as shown on Appendix "A" to Report PED18079, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED18079, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017), and complies with the Urban Hamilton Official Plan.
- (b) That approval be given for a change in zoning from the Mixed Use – Medium Density, Pedestrian Focus (C5a) Zone to the Mixed Use – Medium Density, Pedestrian Focus (C5a, 685) Zone in the Hamilton Zoning By-law No. 05-200, to permit the phased redevelopment of the existing thrift store on lands located at 500 Upper Wellington Street (Hamilton), as shown on Appendix “A” to Report PED18079, subject to the following:
- (i) That the draft By-law, attached as Appendix “C” to Report PED18079, be held in abeyance until such time as the Commercial and Mixed Use Zones are in force and effect; and,
 - (ii) That staff be directed to bring forward the draft By-law, attached as Appendix “C” to Report PED18079, for enactment by City Council, once the Commercial and Mixed Use Zones are in force and effect;
- (c) That the public submissions received regarding this matter did not affect the decision.

3. Modifications to the Existing Residential “ER” Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods (Ancaster) (Ward 12) (PED18036(a)) (Public meeting held March 20, 2018) (Item 5.3) (Item 8.1)

- (a) That the information contained in Report PED18036(a) (City Initiative CI-18-A) to amend the Existing Residential “ER” Zone regulations in the Town of Ancaster Zoning By-law No. 87-57, to address the redevelopment of single detached dwellings in mature neighbourhoods, be received;
- (b) That City Initiative CI-18-A to amend the Existing Residential “ER” Zone regulations in the Town of Ancaster Zoning By-law No. 87-57, to address the redevelopment of single detached dwellings in mature neighbourhoods, as amended, be APPROVED on the following basis:
 - (i) That the Draft By-law, attached as Appendix “B” to Report PED18036(a), which has been prepared in a form satisfactory to the City Solicitor, be amended to permit a maximum lot coverage of

35 percent for two-storey dwellings on lots with an area less than or equal to 1,650 square metres, and be enacted by Council;

- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (PPS) 2014, conforms to the Growth Plan for the Greater Golden Horseshoe, 2017 (P2G), and complies with the Urban Hamilton Official Plan;
 - (iii) That in accordance with Subsection 34(17) of the *Planning Act*, no additional public meeting notice is required.
- (c) That approval be given to amend Site Plan Control By-law No.15-176 to include single detached dwellings, as well additions, accessory structures, and decks for lands located in the established residential areas of Ancaster (“ER” zoned lands) attached as Appendix “C” to Report PED18036(a):
- (i) Relabel the three maps for the Beach strip from Schedule “B” of By-law No. 15-176 to “B1”, “B2” and “B3”;
 - (ii) Delete and replace Section 9.3 of By-law No. 15-170 as follows:
 - “9.3 any single detached dwelling, duplex dwelling and semi-detached dwelling, including accessory buildings and structures, decks, and additions, for lands located:
 - (i) east and west of Beach Boulevard, as shown on the maps attached to and forming part of this by-law as Schedules "B1" to “B3”;
 - (ii) in certain residential areas of Ancaster, as shown on the maps attached to and forming part of this by-law as Schedules "C1" to “C13”.”
 - (iii) Add 13 new Schedules (“C1” to “C13”) to By-law No. 15-176 identifying the area in Ancaster to which site plan control applies to any single detached dwelling, duplex dwelling and semi-detached dwelling, including accessory buildings and structures, decks, and additions.
- (d) That the Tariff of Fees By-law No. 12-282 be amended to establish a new fee of \$5,000 for a Site Plan Control By-law Application for the “ER” Zoned lands in Ancaster.
- (e) That a minimum refundable deposit of \$10,000 for performance securities indexed annually to the Consumer Price Index, in the form of a Letter of Credit or cash, be required as part of a Site Plan Control Application.

- (f) That any Building Permit Application received prior to April 26, 2018 be exempt from Site Plan Control, provided the permit is issued within 6 months of the effective date, unless already required by Section 9.1, 9.2, or 9.4 to 9.12 of Site Plan Control By-law No. 15-176;
- (g) That the public submissions received regarding this matter affected the decision by supporting the approval of the by-law amendments.

4. Hess Village Paid Duty Policing (PED18081) (City Wide) (Outstanding Business List Item) (Item 8.2)

WHEREAS; as indicated on page 5 of 7 in report PED18081, staff confirm that, "The cost for city staff to administer the current Paid Duty Policing Program exceeds the cost paid by the Hess Village Entertainment District licence holders;"

WHEREAS; if the 2018 Hess Village operators' portion of the Paid Duty fees (approximately 50k) was funded one-time through the Tax Stabilization Reserve, the City of Hamilton would not have to incur much greater costs related to administrative functions from the Hamilton Police Service, Corporate Services (Finance), Legal Services, Licensing and By-Law Services (enforcement, suspensions and tribunal preparation) and Councillors on the Tribunal would no longer be focused on the collection of fees for Paid Duty Policing;

THEREFORE, BE IT RESOLVED:

- (a) That the Hess Village licence holders' portion of the 2018 Paid Duty fee of approximately 50k be funded one-time from the Tax Stabilization Reserve;
- (b) That this portion of the Paid Duty fee be referred to the City of Hamilton and the Hamilton Police Service's 2019 budget process;
- (c) That Schedule 21 of the Business Licensing By-law 07-170 be amended to reflect the above changes respecting the Paid Duty Policing and the amending by-law, prepared in a form satisfactory to the City Solicitor, be presented to Council for enactment.

5. GRIDS 2 and Municipal Comprehensive Review – Work Plan and Consultation Update (City Wide) (PED17010(b)) (Item 8.3)

That Report PED17010(b)) respecting GRIDS 2 and Municipal Comprehensive Review – Work Plan and Consultation Update (City Wide) (PED17010(b)) be received.

6. Significant Municipal Planning Initiatives Before the Ontario Municipal Board (now the Local Planning Appeals Tribunal) (Item 9.1)

WHEREAS the Province has introduced a new legislative process for appeals of land use planning matters;

WHEREAS the transition regulations for the new process are such that a number of “legacy” Planning Act matters will still be heard under the former Ontario Municipal Board process;

WHEREAS these “legacy” matters include appeals of significant municipal planning initiatives, such as Hamilton’s Commercial and Mixed Use Zoning By-law as well as other municipally-initiated Planning Act applications;

WHEREAS the hearing of these appeals will be delayed as a result of the new appeal process, thereby delaying when these important municipal planning initiatives can come into force and effect;

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton urge the Province and the Environment and Lands Tribunals Ontario to prioritize municipally-initiated matters for expedited hearings where these matters remain subject to the old Ontario Municipal Board process;
- (b) That the City of Hamilton urge the Province to provide the necessary resources to the Local Planning Appeals Tribunal to ensure that these municipally-initiated matters that are identified by the municipality for expedited hearings are dealt with as quickly as possible.

7. Official Plan Amendment and Zoning By-law Amendment for the Downtown Hamilton Secondary Plan (Wards 2 and 3) (PED18074) (Item 13.1)

- (a) That approval be given to Official Plan Amendment (OPA) No. XX to the Urban Hamilton Official Plan (UHOP) to amend policies, schedules and maps, to implement up-to-date mapping and policies for Downtown Hamilton, the lands bound by Cannon Street to the north, Victoria Avenue to the east, Hunter Street to the south and Queen Street to the west and the properties fronting onto James Street North from Cannon Street to the West Harbour GO Station and fronting onto James Street South from Hunter Street to Charlton Avenue, on the following basis:
 - (i) That the Draft Official Plan Amendment, attached as Appendix “B” to Report PED18074, be adopted by Council; and,

- (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (PPS) 2014, and conforms to Growth Plan for the Greater Golden Horseshoe, 2017 (P2G).
- (b) That the West Harbour (Setting Sail) Secondary Plan (2012), in the City of Hamilton Official Plan, be amended to remove lands as shown on Appendix “C” to Report PED18074;
- (c) That City-initiated Zoning By-law Amendment to facilitate the implementation of the Downtown Secondary Plan to delete the Downtown Local Commercial (D4) Zone, delete the Downtown Central Business District (D1) Zone, Downtown Prime Retail Streets (D2) Zone and Downtown Residential (D5) Zone and replace with the Downtown Central Business District (D1) Zone, Downtown Mixed Use – Pedestrian Focus (D2) Zone and Downtown Residential (D5) Zone respectively, to add Section 13.2 Utility (U2) Zone, to add lands, to add and amend special exceptions, to amend parking provisions, to amend general provisions, and other administrative sections of Zoning By-law 05-200 to implement the revisions to the Downtown Zones, be APPROVED on the following basis:
 - (i) That the Draft By-law, attached as Appendix “D” to Report PED18074, which has been prepared in a form satisfactory to the City Solicitor, be amended to include the following:

“Notwithstanding any other provisions of this By-law, parking spaces located within any Downtown Zone and approved or subject to a Formal Consultation or Development Application after May 25, 2005 and prior to the effective date of this By-law, be recognized and deemed to comply with the Zoning By-law regulations in terms of length, width and are permitted by this By-law”,
and be enacted by Council; and,
 - (ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No. ____.
- (d) That the Downtown Hamilton Tall Building Study and Guidelines, attached as Appendix “E” to Report PED18074, be approved;
- (e) That the Downtown Shadow Impact Study Terms of Reference, Pedestrian Level Wind Study Terms of Reference, and Visual Impact Assessment Study Terms of Reference, attached as Appendix “F” to Report PED18074, be approved;
- (f) That upon final approval of the Draft Zoning By-law amendment staff be directed and authorized to incorporate the Heritage Character Zone Design Guidelines, Shadow Impact Study Terms of Reference, Visual

Impact Assessment Terms of Reference, and Pedestrian Level Wind Study Terms of Reference into the Site Plan Guidelines;

- (g) That the Lansdale and Stinson Neighbourhood Plans be amended to remove the lands from the Neighbourhood plans that are within the Downtown Secondary Plan boundaries; and,
- (h) That the Director, Planning and Chief Planner be authorized to designate an area or specific site as a Class 4 Area in accordance with the NPC-300 for lands within the Downtown Hamilton Secondary Plan where a noise study required as a condition of development approval recommends that an area be Class 4 and a noise study has been approved by the Director, Planning and Chief Planner.
- (i) That the public submissions received regarding this matter supported the approval of the proposal with amendments.

FOR INFORMATION:

(a) APPROVAL OF THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

1. ADDED DELEGATION REQUESTS

- 4.5 Kim Zanello, 15 Ridgemount Drive, to ask the City to oppose the OMB (now LPAT) appeal from Sonoma Homes for 1518-1540 Upper Sherman Avenue (For future meeting) (Copy attached)
- 4.6 Brenda Khes, GSP Group, on behalf of 20 Miller Drive, Ancaster, respecting Item 8.1, Modifications to the Existing Residential "ER" Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods (Ancaster) (Ward 12) (PED18036(a)) (For today's meeting)
- 4.7 Shawn Murray, 127 Cayuga Avenue, Ancaster, respecting Item 8.1, Modifications to the Existing Residential "ER" Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods (Ancaster) (Ward 12) (PED18036(a)) (For today's meeting)

2. ADDED WRITTEN COMMENTS

The following added written comments have been received respecting Item 8.1, Modifications to the Existing Residential “ER” Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods (Ancaster) (Ward12) (PED18036(a)):

8.1(d) Brenda Khes, GSP Group, on behalf of 20 Miller Drive, Ancaster

8.1(e) Ramon Akiopkian, 137 and 138 Valleyview Drive, Ancaster

3. REVISED MOTION

9.1 Significant Municipal Planning Initiatives Before the Ontario Municipal Board (now the Local Planning Appeals Tribunal) (Copy attached.)

4. REVISED OUTSTANDING BUSINESS LIST:

(a) Items requiring new due dates:

Item “H” – ACPD Report 16-002 – Re: financial incentives for taxi operators to make replacement vehicles accessible
Due date: April 17, 2018
New due date: May 15, 2018

Item “I” – That staff be directed to present to the Planning Committee an updated digital sign by-law.
Due date: April 17, 2018
New due date: June 5, 2018

Item “J” – That staff be directed to report back on how to revise Council’s current policy respecting OMB appeals for non-decision to ensure the public has the opportunity to provide input.
Due date: April 17, 2018
New due date: June 19, 2018

Item “K” – That staff report to the Planning Committee on a proposed scope and terms of reference for a consultant assignment to undertake the Kirkendall Neighbourhood Strategy in collaboration with the Kirkendall Neighbourhood Association.
Due date: April 17, 2018
New due date: June 19, 2018

Item “L” - That Staff report back to Committee following consultation with the Alleyway Management Strategy Working Group on a

process for including appropriate permissions for laneway housing as part of the review and update of the City's Residential Zoning By-law planned for 2017-2018.

Due date: April 17, 2018

New due date: June 19, 2018

Item "W" – Update re: Losani OMB appeal and sign variance application appeal.

Due date: April 17, 2018

New due date: June 19, 2018

(b) Item identified as complete to be removed:

Item "S" – Staff to report back on Class 4 Noise receptor status for Downtown Secondary Plan and/or broader city-wide policy.

(Item 13.1 on this agenda)

5. REVISED APPENDICES AND ADDED WRITTEN COMMENTS:

13.1 Official Plan Amendment and Zoning By-law Amendment for the Downtown Hamilton Secondary Plan (Wards 2 and 3) (PED18074)

Sections of Appendices "B", "D" and "F" have been revised. Copies have been distributed on white paper and staff will provide an overview of the revisions in their presentation. In addition, a new clause has been added to the by-law in Appendix "D".

13.1(e) Petition from People's Plan for Downtown

13.1(f) Kyle Bittman, Coletara Development, respecting 15 Queen Street South

13.1(g) Glenn Wellings, Wellings Planning Consultants Inc., respecting 71 Rebecca Street

13.1(h) Beth Molnar, Property Manager, Aragon Properties

13.1(i) Bill Johnston, 17 Witherspoon Street, Dundas

13.1(j) Jeff de Bruin, resident of Downtown Hamilton

13.1(k) Sergio Manchia and Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc.

13.1(l) Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc., respecting 71 Rebecca Street

13.1(m) Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc., on behalf of 80 John Street North

13.1(n) Sergio Manchia and Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc. on behalf of 44 Hughson Street South, 75 James Street South and 9 Jackson Street East

- 13.1(o) Sergio Manchia and Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc. on behalf of 154 Main Street East & 49 Walnut Street South
- 13.1(p) Sarah Kovacs, Central Neighbourhood Association
- 13.1(q) Rick Yates, President - 2478845 Ontario Inc., respecting 154 and 156 Cannon Street
- 13.1(r) Scott Patterson, Labreche Patterson & Associates Inc., respecting 107 MacNab Street North, Copley
- 13.1(s) Christopher Redmond, President, Durand Neighbourhood Association on behalf of the Association's Board of Directors
- 13.1(t) Gabriel Zelea, respecting 156 Sanford Avenue South and 12 Fairholt Avenue South
- 13.1(u) Bryan Dykstra, Partner, Blacks Point Development Inc., respecting 107 MacNab Street North, Copley
- 13.1(v) Franz Kloibhofer, A. J. Clarke and Associates Ltd, Respecting 206-208 King Street West
- 13.1(w) Ian P. Ladd, Chief Executive Officer, CARSTAR LC Group, respecting 154 and 156 Cannon Street East, 124 Ferguson Avenue North and 66 Kelly Street

The agenda for the April 17, 2018 meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were none declared.

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

(i) April 3, 2018 (Item 3.1)

The Minutes of the April 3, 2018 meeting were approved.

(d) DELEGATION REQUESTS (Item 4)

- (a) The following delegation requests were approved to address Committee at a future meeting:

- 4.1 Mayor Ted Comiskey, Town of Ingersoll, to speak concerning the Demand the Right Campaign which is to promote municipalities gaining the right to say yes or no to proposed landfill projects within their boundaries.

- 4.2 Doug Lockhart, 108 Chamomile Drive, Hamilton to speak to the staff report regarding the Sonoma Homes' appeal to the OMB (now LPAT) respecting 1518 – 1540 Upper Sherman Avenue.
 - 4.3 Bob Huget, 225 Acadia Drive, to address Committee when the report regarding the Sonoma Homes' appeal to the OMB (now LPAT) respecting 1518 – 1540 Upper Sherman Avenue is on the agenda.
 - 4.5 Kim Zanello, 15 Ridgemount Drive, to ask the City to oppose the OMB (now LPAT) appeal from Sonoma Homes for 1518-1540 Upper Sherman Avenue.
- (b) The following delegation requests were approved to address Committee at today's meeting:
- 4.4 Ron Sebastian, to present information respecting the proposed changes to the Existing Residential "ER" Zone in the Town of Ancaster Zoning By-law No. 87-57, Item 8.1.
 - 4.6 Brenda Khes, GSP Group, on behalf of 20 Miller Drive, Ancaster, respecting Item 8.1, Modifications to the Existing Residential "ER" Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods (Ancaster) (Ward 12) (PED18036(a)).
 - 4.7 Shawn Murray, 127 Cayuga Avenue, Ancaster, respecting Item 8.1 titled Modifications to the Existing Residential "ER" Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods (Ancaster) (Ward 12) (PED18036(a)).

(e) DELEGATIONS/PUBLIC HEARING (Item 6)

- (i) Application for Amendment to Zoning By-law No. 6593 for Lands Located at 500 Upper Wellington Street, Hamilton (Ward 7) (PED18079) (Item 6.1)**

In accordance with the provisions of the *Planning Act*, Chair A. Johnson 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 makes a decision regarding the Zoning By-law Amendment, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

No members of the public came forward.

Stuart Hastings and Brenda Khes of GSP Group, and the owner Gary Glasbergen were in attendance. Stuart Hasting advised that the owner is in agreement with the staff report.

The staff presentation was waived.

The recommendations were amended by adding the following subsection (c):

- (c) That the public submissions received regarding this matter did not affect the decision.

For disposition of this matter refer to Item 2.

(f) DISCUSSION ITEMS (Item 8)

- (i) Modifications to the Existing Residential “ER” Zone in the Town of Ancaster Zoning By-law No. 87-57 - Redevelopment in Mature Neighbourhoods (Ancaster) (Ward 12) (PED18036(a)) (Public meeting held March 20, 2018) (Item 8.1)**

The following written comments were received:

8.1(a) Ilango Thirumoorthi

8.1(b) Jesse Wilson, Project Director, S R Architecture Inc.

8.1(c) Drew Bellenie on behalf of Andree Bellenie, 773 Montgomery Drive

8.1(d) Brenda Khes, GSP Group, on behalf of 20 Miller Drive, Ancaster

8.1(e) Ramon Akiopkian, 137 and 138 Valleyview Drive, Ancaster

Alana Fulford, Planner, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the report. A copy is available for viewing on the City's website.

The staff presentation was received.

Ward Councillor Ferguson was in attendance and spoke to this matter.

Speakers

1. **Ron Sebastian**

Ron Sebastian addressed Committee with the aid of a PowerPoint presentation which is available for viewing on the City's website. He indicated his support for the proposed regulations.

2. **Brenda Khes, GSP Group, on behalf of 20 Miller Drive, Ancaster**

Brenda Khes of GSP Group addressed Committee on behalf of 20 Miller Drive. In response to her delegation, staff confirmed that 20 Miller Drive, which is the Maple Lane School site, is exempt from the "ER" Zone.

3. **Shawn Murray, 127 Cayuga Avenue, Ancaster**

Shawn Murray addressed Committee and indicated that the proposed reduction to the maximum lot coverage for two storey dwellings is not fair.

The delegations were received.

Chair A. Johnson relinquished the Chair and Councillor Skelly assumed the Chair.

The recommendations were amended:

- (a) To permit a maximum lot coverage of 35 percent for two-storey dwellings on lots with an area less than or equal to 1,650 square metres;
- (b) By adding the following subsection (g):
 - (g) That the public submissions received supported the approval of the zoning amendments.

Chair A. Johnson assumed the Chair.

For disposition of this matter refer to Item 3.

(ii) **Hess Village Paid Duty Policing (PED18081) (City Wide) (Outstanding Business List Item) (Item 8.2)**

Speakers

1. **Dean Collette, representing the Hess Village Merchants**

Dean Collette addressed Committee and spoke against the staff recommendations that the merchants share the costs of the Paid Duty Policing fees.

The delegation was received.

2. **Sean Baird, representing the George Street Merchant Association**

Sean Baird addressed Committee and spoke against the staff recommendation that the merchants be required to share the cost of the Paid Duty Policing fees.

The delegation was received.

For disposition of this matter refer to Item 4.

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

(i) **OUTSTANDING BUSINESS LIST:**

(a) The following new due dates were approved:

Item "H" – ACPD Report 16-002 – Re: financial incentives for taxi operators to make replacement vehicles accessible

Due date: April 17, 2018

New due date: May 15, 2018

Item "I" – That staff be directed to present to the Planning Committee an updated digital sign by-law.

Due date: April 17, 2018

New due date: June 5, 2018

Item "J" – That staff be directed to report back on how to revise Council's current policy respecting OMB appeals for non-decision to ensure the public has the opportunity to provide input.

Due date: April 17, 2018

New due date: June 19, 2018

Item “K” – That staff report to the Planning Committee on a proposed scope and terms of reference for a consultant assignment to undertake the Kirkendall Neighbourhood Strategy in collaboration with the Kirkendall Neighbourhood Association.

Due date: April 17, 2018

New due date: June 19, 2018

Item “L” - That Staff report back to Committee following consultation with the Alleyway Management Strategy Working Group on a process for including appropriate permissions for laneway housing as part of the review and update of the City’s Residential Zoning By-law planned for 2017-2018.

Due date: April 17, 2018

New due date: June 19, 2018

Item “W” – Update re: Losani OMB appeal and sign variance application appeal.

Due date: April 17, 2018

New due date: June 19, 2018

(b) The following Items were identified as complete and were removed:

Item “U” – That the appropriate City of Hamilton staff be requested to address the issue of declining establishments paying into the Paid Duty program in Hess Village and report back to the Planning Committee 45 days before the start of the 2018 Paid Duty season with solutions.

(Item 8.2 on this agenda)

Item “S” – Staff to report back on Class 4 Noise receptor status for Downtown Secondary Plan and/or broader city-wide policy.

(Item 13.1 on this agenda)

(h) PRIVATE AND CONFIDENTIAL

(i) Closed Session Minutes of the April 3, 2018 Meeting

(a) The Closed Session Minutes of the April 3, 2018 meeting were approved;

(b) That the Closed Session Minutes of the April 3, 2018 meeting are to remain private and confidential and restricted from public disclosure.

(i) **PUBLIC HEARINGS/DELEGATIONS (Continued) (Item 13)**

(i) **Official Plan Amendment and Zoning By-law Amendment for the Downtown Hamilton Secondary Plan (Wards 2 and 3) (PED18074) (Item 13.1)**

In accordance with the provisions of the *Planning Act*, Chair A. Johnson 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 makes a decision regarding the Official Plan and Zoning By-law Amendments for the Downtown Hamilton Secondary Plan, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The following written comments were received:

- 13.1(a) John Boddy
- 13.1(b) Jason Leach
- 13.1(c) Jared Marcus of IBI Group on behalf of the Royal Connaught Inc.
- 13.1(d) Jared Marcus of IBI Group on behalf of Rockwater Group
- 13.1(e) Petition form People's Plan for Downtown
- 13.1(f) Kyle Bittman, Coletara Development, respecting 15 Queen Street South
- 13.1(g) Glenn Wellings, Wellings Planning Consultants Inc., respecting 71 Rebecca Street
- 13.1(h) Beth Molnar, Property Manager, Aragon Properties
- 13.1(i) Bill Johnston, 17 Witherspoon Street, Dundas
- 13.1(j) Jeff de Bruin, resident of Downtown Hamilton
- 13.1(k) Sergio Manchia and Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc.
- 13.1(l) Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc., respecting 71 Rebecca
- 13.1(m) Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc., on behalf of 80 John Street North

- 13.1(n) Sergio Manchia and Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc. on behalf of 44 Hughson Street South, 75 James Street South and 9 Jackson Street East
- 13.1(o) Sergio Manchia and Matt Johnston, UrbanSolutions Planning & Land Development Consultants Inc. on behalf of 154 Main Street East & 49 Walnut Street South
- 13.1(p) Sarah Kovacs, Central Neighbourhood Association
- 13.1(q) Rick Yates, President - 2478845 Ontario Inc., respecting 154 and 156 Cannon Street
- 13.1(r) Scott Patterson, Labreche Patterson & Associates Inc., respecting 107 MacNab Street North, Copley
- 13.1(s) Christopher Redmond, President, Durand Neighbourhood Association on behalf of the Associations Board of Directors
- 13.1(t) Gabriel Zelea, respecting 156 Sanford Avenue South and 12 Fairholt Avenue South
- 13.1(u) Bryan Dykstra, Partner, Blacks Point Development Inc., respecting 107 MacNab Street North, Copley
- 13.1(v) Franz Kloibhofer, A. J. Clarke and Associates Ltd., Respecting 206-208 King Street West
- 13.1(w) Ian P. Ladd, Chief Executive Officer, CARSTAR LC Group, respecting 154 and 156 Cannon Street East, 124 Ferguson Avenue North and 66 Kelly Street

Alissa Mahood, Senior Project Manager, and Shannon McKie, Senior Planner, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the report. A copy is available for viewing on the City's website. Copies of the hand-out were distributed and a copy has been retained for the public record.

Registered Speakers

1. Carol Priamo, Beasley Neighbourhood Association

Carol Priamo of the Beasley Neighbourhood Association addressed Committee with the aid of a PowerPoint presentation which is available for viewing on the City's website. She also provided a hard copy for the public record. She spoke in support of the staff report but expressed some concerns with the building heights.

2. Cameron Kroetsch, 211 Jackson Street East, Hamilton

Cameron Kroetsch addressed Committee with the aid of a PowerPoint presentation which is available for viewing on the City's website. He is in favour of the Plan but thinks it needs more work.

3. Nicole Smith, Kumon Hamilton West End

Nicole Smith addressed Committee and indicated that more apartments are required in Corktown. More amenities would be needed and infrastructure would need to be improved for the new apartment residents.

4. Michelle Hruschka, 78 Dundurn Street North

Michelle Hruschka was not in attendance.

5. Lynda Lukasik, Environment Hamilton

Lynda Lukasik addressed Committee with the aid of a PowerPoint presentation which is available for viewing on the City's website. She outlined her concerns with the Plan. She submitted more detailed written comments to the Committee Clerk which is available for viewing on the City's website.

6. Matias Rozenberg, 87 Wilson Street

Matias Rozenberg addressed Committee and expressed his concerns with the Plan.

7. Kojo Easy Dampley, Afro-Soul Musician & Scholar-Practitioner

Kojo Easy Dampley addressed Committee and presented three concerns on behalf of the Hamilton arts community.

8. Kyle Bittman, Coletara Development, respecting 15 Queen Street South

Kyle Bittman was unable to attend the meeting.

9. Glenn Wellings, Wellings Planning Consultants Inc., respecting 71 Rebecca Street

Councillor Farr spoke on behalf of Mr. Wellings and indicated that Mr. Wellings has been made aware that his concerns respecting 71 Rebecca Street are best brought before the Committee of Adjustment.

10. Susan Creer

Susan Creer was unable to attend.

11. Lachlan Holmes, Hamilton Forward – An Urban Development Advocacy Group

Lachlan Holmes addressed Committee with the aid of a PowerPoint presentation which is available for viewing on the City's website.

Hard copies were distributed. He expressed concerns with the height restrictions, setbacks and shadows, and the Wesanford Site Policy.

12. Janice Brown, Durand Neighbourhood Association

Janice Brown addressed Committee and indicated that Durand Neighbourhood Association is generally in favour of the Plan and asks that the City be mindful in implementing the Plan, to protect the views and to continue with public consultation.

13. Matt Johnson, UrbanSolutions Planning & Land Development Consultants Inc.

Matt Johnson explained that he no longer needs to speak to this matter.

14. Matt Johnson, UrbanSolutions Planning & Land Development Consultants Inc., representing the Hamilton-Halton Home Builders' Association

Matt Johnson addressed Committee on behalf of the Hamilton-Halton Home Builders' Association with the aid of a PowerPoint presentation which is available for viewing on the City's website. He spoke in support of the Plan, however, he asked that the implementation of Section 37 agreements be held in abeyance until the public consultation is completed.

15. John Ariens, IBI Group, on behalf of Royal Connaught Inc., 84-112 King Street East

Jared Marcus spoke on behalf John Ariens who had to leave the meeting. He referred to the concerns outlined in the written comments that were submitted on behalf of Royal Connaught Inc.

16. Jared Marcus, IBI Group, Rock Water Group, 64 Main Street East

Jared Marcus addressed Committee and referenced the concerns that are outlined in the written comments that were submitted on behalf of Rock Water Group.

17. Elbert van Donkergoed, Terra Coeur on behalf of Victor Veri, owner of downtown properties

Elbert van Donkergoed indicated that Victor Veri is in support of the Plan but he is interested in providing short term housing for people

who aren't ready to find permanent housing and requested that the proposed permitted uses include more categories.

18. Leisha Dawson, 129 Bold Street

Leisha Dawson was unable to attend.

19. Dave Cherkewski, 160 Wilson Street

Dave Cherkewski addressed Committee and his concerns included the trucks on Wilson Street and in the downtown and the availability of affordable housing, recreational facilities and green space.

20. Ute Schmid-Jones, 200 Bay Street South

Ute Schmid-Jones addressed Committee and indicated that she is a renter and is Hamilton's own Snowflake Lady and recognizes the importance of building infrastructure and of service providers. She proceeded to present an art installation which she calls Been There and Got the T-Shirt.

21. David Falletta from Bousfields Inc. respecting 163 Jackson Street West

David Falletta addressed Committee representing 163 Jackson Street West and expressed concerns which were outlined in written comments which he provided and which were distributed. A copy is available for viewing on the City's website.

22. Barbara Murray, 23 Wood Street East

Barbara Murray addressed Committee and the concerns that she expressed included the maximum building height, how the buildings will be designed, and heritage preservation.

23. Joey Coleman, 126 Catherine Street North

Joey Coleman addressed Committee on behalf of the members of the Executive of the Beasley Neighbourhood Association who had to leave the meeting. He indicated that the Beasley Neighbourhood is the most impacted by this Plan. There needs to be a right balance with development and implementation of the Plan is key.

24. Rob Fiedler, 78 Simcoe Street East, member of the Beasley Neighbourhood Executive

Rob Fiedler was able to return to the meeting. He spoke in support of the Plan and says it strikes a good balance and provides a good framework.

The delegations were received.

The public meeting was closed.

- (a) Appendix "D" to Staff Report PED18074 was amended to include the following:

"Notwithstanding any other provisions of this By-law, parking spaces located within any Downtown Zone and approved or subject to a Formal Consultation or Development Application after May 25, 2005 and prior to the effective date of this By-law, be recognized and deemed to comply with the Zoning By-law regulations in terms of length, width and are permitted by this By-law." That Schedule 21 of the Business Licensing By-law 07-170 be amended to reflect the above changes respecting the Paid Duty Policing and the amending by-law, prepared in a form satisfactory to the City Solicitor, be presented to Council for enactment.

- (b) The recommendations were amended by adding the following subsection (i):

- (i) That the public submissions received supported the approval of the proposal with amendments.

For disposition of this matter refer to Item 7.

(j) ADJOURNMENT (Item 14)

There being no further business, the Planning Committee was adjourned at 4:42 p.m.

Respectfully submitted,

Councillor A. Johnson
Chair, Planning Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk



GENERAL ISSUES COMMITTEE REPORT 18-009

9:30 a.m.

Wednesday, April 18, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Mayor F. Eisenberger, Deputy Mayor J. Partridge (Chair)
Councillors T. Whitehead, D. Skelly, T. Jackson, C. Collins,
S. Merulla, J. Farr, A. Johnson, M. Pearson, B. Johnson

Absent with

Regrets: Councillor M. Green – Personal
Councillor D. Conley – Illness
Councillors A. VanderBeek, R. Pasuta, L. Ferguson – Other City Business

**THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 18-009 AND
RESPECTFULLY RECOMMENDS:**

1. 2017 Municipal Tax Competitiveness Study (FCS18021) (City Wide) (Item 5.1)

That Report FCS18021, respecting the 2017 Municipal Tax Competitiveness Study, be received.

2. Canada Day – Operating Model (CM18010) (City Wide) (Item 5.2)

That Report CM18010, respecting the Canada Day Operating Model, be received.

**3. Barton Village Business Improvement Area (BIA) Revised Board of
Management (PED16081(c)) (Wards 2 and 3) (Item 5.3)**

That the following individual be appointed to the Barton Village Business Improvement Area (BIA) Board of Management:

- (i) Kate Penney

4. Use of City Resources during an Election Period Policy (CL18004) (City Wide) (Item 8.1)

That the use of City Resources during an Election Period Policy, attached as Appendix "A" to Report 18-009, be approved.

5. Public Transit Infrastructure Fund Phase Two (PTIF II) (FCS18048) (City Wide) (Item 8.2)

That Report FCS18048, respecting the Public Transit Infrastructure Fund Phase Two (PTIF II), be received.

6. 2018 Tax Policies and Area Rating (FCS18035) (City Wide) (Item 8.3)

(a) That the following optional property classes be continued for the 2018 taxation year:

- (i) Parking Lot and Vacant Land; and,
- (ii) Large Industrial;

(b) That, based on the 2018 final approved Tax Operating Budget, the following final tax ratios be established for the 2018 taxation year:

(i)	Residential	1.0000
(ii)	Multi-Residential	2.6342
(iii)	New Multi-Residential	1.0000
(iv)	Commercial (Residual)	1.9800
(v)	Parking Lot and Vacant Land	1.9800
(vi)	Industrial (Residual)	3.4115
(vii)	Large Industrial	4.0004
(viii)	Pipeline	1.7947
(ix)	Farm	0.1767
(x)	Managed Forest	0.2500
(xi)	Landfills	2.9696

(c) That the following tax reductions be established for the 2018 taxation year:

(i)	Excess Land Subclass (Residual Commercial)	30%
(ii)	Excess Land Subclass (Residual Industrial)	30%
(iii)	Vacant Land Subclass (Residual Industrial)	30%
(iv)	Excess Land Subclass (Large Industrial)	30%
(v)	Farmland Awaiting Development (1 st Subclass)	25%
(vi)	Farmland Awaiting Development (2 nd Subclass)	0%

- (d) That the existing Seniors' (65+) Tax Rebate Program be continued, with the following criteria updated for the 2018 taxation year:
 - (i) Income threshold (150% of GIS couple): \$35,300 (\$34,800 in 2017);
 - (ii) Assessment cap (120% of City-wide average): \$437,000 (\$409,200 in 2017); and,
 - (iii) Rebate (increased by the Consumer Price Index - CPI): \$190 (\$186 in 2017);

- (e) That the Deferral of Tax Increases for Seniors and Low Income Persons with Disabilities Program (Deferral of Tax Increases Program) be continued, with the following criteria updated for the 2018 taxation year:
 - (i) Income threshold (150% of GIS couple): \$35,300;

- (f) That the criteria for Full Tax Deferral Program for Seniors and Low Income Persons with Disabilities Program (Full Tax Deferral Program) be updated for the 2018 taxation year, as follows:
 - (i) Income threshold (150% of GIS couple): \$35,300; and,
 - (ii) Interest on deferred amounts: 5% compounded annually;

- (g) That the annual income threshold for the Full Tax Deferral Program be set on January of the taxation year, based on the latest data released by the Government of Canada for Old Age Security payment amounts;

- (h) That the existing 40% Tax Rebate for eligible charities and similar organizations be continued for the 2018 taxation year;

- (i) That the existing 100% Tax Rebate for veterans' clubhouses and legion halls be continued for the 2018 taxation year;

- (j) That the Multi-Residential property class be excluded from capping protection for 2018 and any subsequent years;

- (k) That, for the 2018 taxation year, the tax capping percentage for any assessment-related tax increases in the Commercial and Industrial property classes be set at the maximum allowable of 10% of previous year's Current Value Assessment (CVA) level taxes;

- (l) That, for the 2018 taxation year, any capped property in the Commercial and Industrial property classes that is within \$500 of its Current Value Assessment (CVA) taxes in 2018, be moved directly to its full Current Value Assessment (CVA) taxes;
- (m) That capping protection will be limited only to reassessment related changes, prior to 2017;
- (n) That the four-year capping phase-out program be initiated for the Commercial property class;
- (o) That vacant lands that are currently subject to capping protection be excluded from the phase-out eligibility criteria where all properties must be within 50% of CVA level taxes;
- (p) That, for the 2018 taxation year, the minimum percentage of Current Value Assessment (CVA) taxes for properties eligible for the new construction / new to class treatment be set at 100% of Current Value Assessment (CVA) taxes;
- (q) That, for the 2018 taxation year, any property in the Commercial and Industrial property class, which paid full Current Value Assessment (CVA) taxes in 2017, no longer be eligible for capping protection in 2018 and future years;
- (r) That, for the 2018 taxation year, all properties eligible for a tax reduction under the existing capping program receive the full decrease, funded from the approved capping program operating budget;
- (s) That, for the 2018 taxation year, the Area Rated Levies, be approved as identified in Appendix "A" to Report FCS18035 "2018 Tax Policies and Area Rating"; and,
- (t) That the City Solicitor and Corporate Counsel be authorized and directed to prepare all necessary by-laws, for Council approval, for the purposes of establishing the tax policies and tax rates for the 2018 taxation year.

7. Open for Business Sub-Committee Report 18-001 (Item 8.4)

- (a) Outdoor Boulevard Café Process Improvement (PED18075) (City Wide) (Item 7.2)**
 - (i) That the Encroachment on City Property Policy, approved by City Council at its meeting of April 29, 2009, through Report PED09127 on the Hess Village Review, which required a patio layout plan to be approved to the satisfaction of the Manager of Development Planning

prior to approval of an Encroachment Agreement, be amended to only require a patio layout plan, if the patio construction also requires a Building Permit, as defined in the *Building Code Act*,

- (ii) That the General Manager of Public Works be authorized and directed to make any and all necessary changes to the existing Encroachment on City Property Policy, previously approved via Report PW11024, to remove the requirement for a minor site plan approval for patios that do not trigger a Building Permit requirement under the Ontario Building Code and to streamline the circulation process for applications for Encroachment Agreements for patios; and,
- (iii) That Legal Services be authorized to modify existing precedent agreements used in granting encroachments, including Outdoor Boulevard Cafés, where required, in accordance with the recommendations made in Recommendation (a) and (b) of Report PED18075.

8. Commercial Retail Outlets (Item 9.1)

WHEREAS, the City of Hamilton has approved new Commercial Mixed Use Zoning, pending the outcome of appeals, that contemplates residential and mixed use intensification within commercial uses, such as malls and plazas;

WHEREAS, new Secondary Plans, including the Centennial Neighbourhoods Secondary Plan, contemplate residential uses within Mixed Use Medium and Mixed Use High Density designations;

WHEREAS, the current review of the Growth Related Integrated Development Strategy (GRIDS) process will be identifying mixed use and higher residential intensification targets in certain corridors (e.g. major transit station areas);

WHEREAS, the City of Hamilton, through its Urban Official Plan and Zoning By-law 05-200, generally supports mixed use intensification of many commercial sites within existing urban areas;

WHEREAS, complete communities and sustainable growth recognize the importance in commercial mixed use areas; and,

WHEREAS, commercial models are changing and many precedents now exist wherein new residential, commercial and office uses have been sensitively integrated onto commercial sites;

THEREFORE BE IT RESOLVED:

That Economic Development staff be directed to consult with operators and owners of commercial properties, with respect to the new, expanded potential for residential and mixed use intensification within many existing commercial areas, such as shopping malls; to explore their interest in mixed use development; and, to identify if any further barriers remain to supporting this form of development.

9. Funding to Backfill an Administrative Staff Position in Ward 6 (Item 9.2)

WHEREAS, the 2018 Ward budgets do not reflect funding required to backfill for administrative staff collecting Short Term Disability benefits; and,

WHEREAS, Ward 6 is being faced with the requirement to backfill an administrative staff position for a temporary, but extended length of time during 2018.

THEREFORE BE IT RESOLVED:

That funding from the General Legislative Budget (300100), to an upset limit of \$13,000, be approved to backfill the administrative staff position in Ward 6 during a temporary, short-term Disability absence in 2018.

10. Funding to Backfill an Administrative Staff Position in Ward 8 (Item 9.3)

WHEREAS, the 2018 Ward budgets do not reflect funding required to backfill for administrative staff collecting Short Term or Long Term Disability benefits; and,

WHEREAS, Ward 8 is being faced with the requirement to backfill an administrative staff position for an extended length of time during 2018;

THEREFORE BE IT RESOLVED:

That funding, first from the General Legislative Budget (300100) to an upset limit of \$12,000 and then from the Tax Stabilization Reserve (110046) to an upset limit of \$22,000, be approved to fund the backfilling costs incurred by Ward 8, as a result of an absence during 2018.

11. Residential Municipal Relief Assistance Program for Basement Flooding for the Weather Event of April 14 and 15, 2018 (City Wide) (Item 9.4)

- (a) That for the purpose of invoking the Residential Municipal Relief Assistance Program for Basement Flooding, City Council declare the rainstorm event of April 14 and 15, 2018, as a "Disaster" for all affected properties within the City of Hamilton;

- (b) That payment of claims be based on compassionate grounds only and not to be construed as an admission of liability on the part of the City of Hamilton;
- (c) That the Eligibility Criteria for the Residential Municipal Disaster Relief Assistance Program, as previously approved in Report FCS06007, be applied;
- (d) That the costs associated with these claims be funded from the Storm Sewer Reserve (108010); and,
- (e) That staff be authorized, if required, to retain an independent adjuster for the administration of claims under the Residential Municipal Disaster Relief Assistance Program and that these administrative costs be funded from the Storm Sewer Reserve (108010).

12. Additional Funding Requirement for the Mount Hope Park Project (Item 9.5)

WHEREAS, the following motion was passed at the October 25, 2017 City Council meeting:

Mount Hope Park Project (Item 9.2)

WHEREAS, staff were directed to negotiate with the contractor, Caird-Hall Construction Inc., to expedite the spray pad development at the Mount Hope Park in order to prevent the Ministry of Labour deeming the City of Hamilton the Constructor; and,

WHEREAS, the negotiations did not result in the anticipated economies of scale and the costs proposed by the contractor were not to the satisfaction of the General Manager of Public Works; and,

WHEREAS, the demolition of the existing ancillary building at the Mount Hope Park is already included in the scope of work for the Mount Hope Hall Renovations project; and,

WHEREAS, the quote from Caird-Hall Construction Inc. for the demolition of the existing ancillary building at the Mount Hope Park meets the satisfaction of the General Manager of Public Works,

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to proceed with the tender of the spray pad and play area projects at the Mount Hope Park under the normal procurement processes through a public tender; and,

- (b) That staff be directed to proceed with the demolition of the ancillary building at the Mount Hope Park, with the work to be completed by Caird-Hall Construction Inc., as approved through Item 18 of Report 17-007 of the Public Works Committee and attached as Appendix "A" to PW Report 17-012.

WHEREAS, the Mount Hope Park project was tendered and the lowest compliant bid is \$355,000 over available funds in the Mount Hope Project id; and,

WHEREAS, the Mount Hope Park development will provide needed community-level park amenities to the Mount Hope Community;

THEREFORE BE IT RESOLVED:

- (a) That a \$355,000 Capital budget increase, for the additional funding required for the Mount Hope Park project, to be funded as follows: \$140,000 from Capital Project #4401656605 Upper Stoney Splash Pad (appropriation – levy funded), and \$215,000 Development Charges (Parkland Development DC Reserves), be approved;
- (b) That the parkland development Capital Block amount be reduced by \$135,000 for 2019 (as the Mount Hope Park development project was included as a 2019 Capital Project and will now be deleted); and,
- (c) That staff be directed to include the Mount Hope Community Park in the 2019 Development Charge study.

13. Provincial Investments for Affordable Housing Initiatives under the Province's Affordable Housing Lands Program (PAHLP) (Item 9.6)

WHEREAS, in early 2017, Infrastructure Ontario began working with the Ministry of Finance, the Ministry of Housing and the Ministry of Infrastructure on the design of the Provinces Affordable Housing Lands Program; otherwise known as the PAHLP;

WHEREAS, the PAHLP was one of the measures included in the governments fair housing planning announcement, as a program to leverage the value of surplus provincial land assets across the Province to develop a mix of market housing with new, permanent, affordable and sustainable housing; and,

WHEREAS, the PAHLP program is being rolled out in a phased approach across Ontario, with the first three projects being identified in the city of Toronto;

THEREFORE BE IT RESOLVED:

That the City of Hamilton request that Infrastructure Ontario and the Provincial government investigate properties that they own, within the city of Hamilton, to ensure that Hamilton receives provincial investments for affordable housing initiatives under the PAHLP program.

14. Stadium Litigation Update (CM18011/LS18015) (City Wide) (Item 12.2)

That Report CM18011/LS18015, including the recommendations contained therein and the appendix, respecting the Stadium Litigation remain confidential and not be released as a public document.

15. Potential Acquisition of Former Hamilton Psychiatric Hospital Lands (Ward 8) (PED16254(c)) (Item 12.3)

That Report PED16254(c), respecting the Potential Acquisition of Former Hamilton Psychiatric Hospital Lands, remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

1. PUBLIC HEARINGS/DELEGATIONS (Item 6)

- 6.1 Brian G. Buckle, 13th Battalion Auchmar Heritage Trust, to present and read an open letter to the City, on behalf of the Auchmar Trust, regarding Auchmar House and Clairmont Park (no copy)

The delegate has withdrawn his request.

2. DISCUSSION ITEMS (Item 8)

- 8.1 Use of City Resources during an Election Period Policy (CL18004) (City Wide)

Appendix "A" to Report CL18004 has been revised to reflect the City's Boards.

- 8.3 Advisory Committee for Persons with Disabilities Report 18-003, March 13, 2018

Table 1 on page 4 of 14 has been revised to reflect the correct numbers.

- 8.4 Open for Business Sub-Committee Report 18-001, March 27, 2018

3. NOTICES OF MOTION (Item 10)

- 10.1 Funding to Backfill and Administrative Position in Ward 6

- 10.2 Funding to Backfill and Administrative Position in Ward 8

- 10.3 Residential Municipal Relief Assistance Program for Basement Flooding for the Weather Event of April 14 and 15, 2018 (City Wide)

- 10.4 Additional Funding Requirement for the Mount Hope Park Project

4. PRIVATE & CONFIDENTIAL (Item 12)

- 12.1 Closed Session Minutes – April 4, 2018

This item has been withdrawn from the agenda, as Committee did not move into Closed Session on that date.

The agenda for the April 18, 2018 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF THE PREVIOUS MEETINGS (Item 3)

(i) April 4, 2018 (Item 3.1)

The Minutes of the April 4, 2018 meeting of the General Issues Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

- (i) Viv Saunders respecting the Use of Municipal Resources during a Municipal Election (Item 4.1)**

This delegation request was withdrawn.

(e) PUBLIC HEARINGS / DELEGATIONS (Item 6)

- (i) G. Buckle, 13th Battalion Auchmar Heritage Trust, to present and read an open letter to the City on behalf of the Auchmar Trust regarding Auchmar House and Clairmont Park (For April 18, 2018) (Item 6.1)**

This delegation was withdrawn.

(f) NOTICES OF MOTION (Item 10)

- (i) Funding to Backfill an Administrative Staff Position in Ward 6 (Item 10.1)**

Councillor T. Jackson introduced a Notice of Motion respecting funding to backfill an administration staff position in Ward 6.

The Rules of Order were waived to allow for the introduction of a Motion respecting funding to backfill an administration staff position in Ward 6.

For disposition of this matter, please see Item 9.

- (ii) Funding to Backfill an Administrative Staff Position in Ward 8 (Item 10.2)**

Councillor T. Whitehead introduced a Notice of Motion respecting funding to backfill an administration staff position in Ward 8.

The Rules of Order were waived to allow for the introduction of a Motion respecting funding to backfill an administration staff position in Ward 8.

For disposition of this matter, please see Item 10.

(iii) Residential Municipal Relief Assistance Program for Basement Flooding for the Weather Event of April 14 and 15, 2018 (Item 10.3)

Councillor M. Pearson introduced a Notice of Motion respecting the Residential Municipal Relief Assistance Program for Basement Flooding for the Weather Event of April 14 and 15, 2018.

The Rules of Order were waived to allow for the introduction of a motion respecting Residential Municipal Relief Assistance Program for Basement Flooding for the Weather Event of April 14 and 15, 2018 (City Wide).

For disposition of this matter, please see Item 11.

(iv) Additional Funding Requirement for the Mount Hope Park Project (Item 10.4)

Councillor B. Johnson introduced a Notice of Motion respecting the Additional Funding Requirement for the Mount Hope Park Project.

The Rules of Order were waived to introduce a Motion respecting Additional Funding Requirement for the Mount Hope Park Project.

For disposition of this matter, please see Item 12.

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

(i) Amendments to the Outstanding Business List (Item 11.1)

The following amendment to the General Issues Committee's Outstanding Business List, was approved:

(a) Proposed New Due Date:

- (i) Open Government: Access to Information for City of Hamilton Funded Boards and Agencies**
Current Due Date: April 18, 2018
Proposed New Due Date: June 6, 2018

(ii) Damage from the April 14 and 15, 2018 Weather Event

Councillor Skelly asked staff about the damage to the Pier (break walls and docks) and the warranty coverage that may be available for repairs or replacement.

Councillor J. Farr noted that the storm also damaged the Royal Hamilton Yacht Club and is asking staff how it may be possible to repair the area before their event in May.

Staff are to report back with respect to both Councillors Skelly and Farr's questions and concerns respecting the damage from the April 14 and 15, 2018 weather event.

Councillor Collins also spoke to the trail damage along the lake and outstanding West Harbour area repairs; noting that he will be bringing forward a Motion respecting those matters to a future meeting.

(h) PRIVATE & CONFIDENTIAL (Item 12)

Committee moved into Closed Session respecting Items 12.2 and 12.3, pursuant to Section 8.1, Sub-sections (c), (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (c), (e) and (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land for City purposes; litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(i) Stadium Litigation Update (CM18011/LS18015) (Item 12.2)

Staff was provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 14.

(ii) Potential Acquisition of Former Hamilton Psychiatric Hospital Lands (PED16254(c)) (Ward 8) (Item 12.3)

Staff was provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 15.

(i) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee adjourned at 11:55 a.m.

Respectfully submitted,

J. Partridge, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk

USE OF CITY RESOURCES DURING AN ELECTION PERIOD POLICY

1. Purpose

The purpose of this Policy is to provide a consistent approach and direction regarding the use of City resources and those of its Local Boards during an election campaign. Should any Local Board or the City of Hamilton adopt its own policy governing the use of its resources for elections, such policy shall take precedence over this policy.

2. Application and Scope

This Policy applies to Members of Council and its Local Boards, candidates, registered third parties in a municipal election and staff during a campaign period.

Exceptions:

- 2.1 Municipal information prepared, posted and maintained by the City, names and photographs of Members of Council, their contact information, and a list of current representation on committees that is prepared, posted and maintained by the City.
- 2.2 Agendas and minutes of Council and Committee meetings.
- 2.3 Media releases and City materials that describe inter-governmental activities of the Mayor, in the capacity as Head of Council, and Chief Executive Officer of the City.

3. Outcome

This policy is intended to:

- 3.1 Ensure compliance with the *Municipal Elections Act, 1996*, in regards to the role of the City contributing to a municipal and trustee election campaign.
- 3.2 Ensure candidates and registered third parties are treated fairly and consistently.
- 3.3 Ensure the integrity of the election process is maintained at all times.
- 3.4 Establish the appropriate use of resources during an election period, in order to:
 - a. protect the interests of Members of Council, candidates, registered third parties, staff and the Corporation; and,
 - b. ensure accountable and transparent election practices.

4. Policy Statement(s)

4.1 Candidates, Registered Third Parties and Members of Council

In accordance with the MEA, Members of Council, candidates and/or registered third parties in a campaign period are not permitted to:

- (a) Use equipment, supplies, services, staff or other resources of the City for any campaign or campaign related activities;
- (b) Use City funds to acquire any resources for any campaign or campaign related activities, including ordering of stationery and office supplies;
- (c) Use City facilities or property for campaign events, unless the facility or property is rented in accordance with an agreement and the appropriate rates are paid;

Note: Such rental must be paid from the campaign account of the candidate or registered third party.

- (d) Use City funds to print or distribute any material that makes reference to, or contains the names or photographs, or identifies candidates or registered third parties;
- (e) Make reference to and/or identify any individual as a candidate, political party, registered third party or a supporter or opposition of a question on a ballot during an election, on any social media sites, blogs, and other new media created and managed by City employees;
- (f) Use a City brand, logo, crest, coat of arms, slogan or corporate program identifiers on any election campaign related material, either printed or on a campaign website; and,

Note: This provision includes the Municipal Election logo and any related identifiers.

- (g) Use City Information Technology (IT) assets, infrastructure, or data (e.g. computers, wireless devices, portals, corporate email, web pages, blogs, telephone) to communicate election related messages.

4.2 Advertising and Publications

The following services will be discontinued for Members of Council who are candidates as of August 30:

- (a) All forms of advertising, including municipal publications (e.g. paper or web-based); and,

- (b) All printing services, including printing, photocopying and distribution of publications, such as newsletters and ward reports, with the exception of communications specifically related to an authorized or scheduled City event (e.g. Public Meeting).

4.3 Candidate and Registered Third Party Conduct

- (a) Candidates and registered third parties may attend City organized events but are not permitted to campaign or disseminate election-related campaign materials;
- (b) A Member of Council attending an event as a representative of City Council is not to campaign while conducting City business. A Member of Council may speak at an event, as a representative of City Council, but is not permitted to use the event as an opportunity to campaign; and,
- (c) Candidates or registered third parties are not permitted to engage in campaign activities directed at City employees while those employees are at their workplace or engaged in work for the City.

4.4 City Staff Conduct

- (a) City staff shall not perform any work in support of a candidate or registered third party (e.g. campaign), during hours in which a person is receiving any compensation from the City, except during scheduled time off (e.g. scheduled vacation time). Staff shall not post or distribute campaign material on behalf of a candidate or registered third party at City facilities or on City property.

5. Roles and Responsibilities

The City Clerk's Office is responsible for communicating this policy to candidates and registered third parties.

Chiefs, Commissioners, Directors, Managers and Supervisors are responsible for communicating this policy to their staff and to investigate reported contraventions to ensure that there is compliance.

Members of Council, election candidates, registered third parties and staff are accountable to comply with this policy.

6. Definitions

Campaign Period	<p>For candidates, the date on which the Nomination Form is filed until December 31 in the year of an election (unless a request for extension of campaign period has been filed).</p> <p>For registered third parties, the date on which the Notice of Registration as a third party advertiser is filed until December 31 in the year of an election (unless a request for extension of campaign period has been filed).</p>
Candidate	Person who has filed a Nomination Form as a candidate in the municipal election.
City	The City of Hamilton and its local boards.
Local Board	Means a local board as that term is defined in the <i>Municipal Affairs Act, R.S.O. 1990, C.M. 46</i> .
Nomination Day	4th Friday in July in the year of the election, as prescribed in the <i>Municipal Elections Act, 1996 (MEA)</i> .
Registered Third Party	An individual, corporation or trade union that has filed a Notice of Registration as a third-party advertiser in the municipal election.
Social Media	Online technologies and practices used to share opinions, insights, experiences, and perspectives through words, pictures, music, videos and audio. Social media can take many different forms, including but not limited to internet forums, web logs (blogs), social blogs, messaging, wikis, podcasts, pictures, video, music sharing, rating and bookmarking.
Staff	All full-time, part-time and contract employees of the City.



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 18-005

**9:30 a.m.
April 23, 2018
Council Chambers
Hamilton City Hall**

Present: Councillors A. VanderBeek (Chair), Councillor B. Johnson, M. Pearson, D. Skelly, L. Ferguson, C. Collins, and A. Johnson

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 18-005 AND RESPECTFULLY RECOMMENDS:

1. Whistleblower Information Update for Q1 2018 (AUD18002) (City Wide) (Item 5.1)

That Report AUD18002, respecting Whistleblower Information Update for Q1 2018, be received.

2. Hamilton Future Fund Investment Performance Report - December 31, 2017 (FCS18042) (City Wide) (Item 5.2)

That Report FCS18042, respecting the Hamilton Future Fund Investment Performance Report - December 31, 2017, be received.

3. Reserve / Revenue Fund Investment Performance Report - December 31, 2017 (FCS18043) (City Wide) (Item 5.3)

That Report FCS18043, respecting the Reserve / Revenue Fund Investment Performance Report - December 31, 2017, be received.

4. Cemetery Trust Accounts Investment Performance Report - December 31, 2017 (FCS18044) (City Wide) (Item 5.4)

That Report FCS18044, respecting the Cemetery Trust Accounts Investment Performance Report - December 31, 2017, be received.

5. Tax and Rate Operating Budget Variance Report as at December 31, 2017 - Budget Control Policy Transfers (FCS17060(b)) (City Wide) (Item 7.1)

- (a) That, in accordance with the “Budget Control Policy”, the 2017 budget amendment transferring budget from one department / division to another and / or from one cost category to another with no impact on the levy, as outlined in Appendix “A” to Audit, Finance & Administration Report 18-005, be approved;
- (b) That, in accordance with the “Budgeted Complement Control Policy”, the 2017 complement transfer transferring complement from one department / division to another with no impact on the levy, as outlined in Appendix “B” to Audit, Finance & Administration Report 18-005, be approved;
- (c) That the Social Housing Stabilization Reserve (110041), with a balance of approximately \$2.1M, be repurposed from a stabilization reserve to providing development charge exemptions for affordable housing; and
- (d) That, subject to final audit, the Disposition of 2017 Year-End Operating Budget Surplus / Deficit be approved as follows:

Table 1

DISPOSITION / RECONCILIATION OF YEAR-END SURPLUS/ (DEFICIT)	\$	\$
Corporate Surplus from Tax Supported Operations		\$ 24,969,167
Less: Disposition to Self-Supporting Programs & Agencies		\$ (778,531)
Police (Transfer to Police Reserve)	\$ (611,711)	
Library (Transfer to Library Reserve)	\$ (166,820)	
Balance of Corporate Surplus		\$ 24,190,636
Less: Transfer to Unallocated Capital Levy Reserve		\$ (6,586,334)
Less: Transfer to Unallocated Capital for 2019 and 2020 Capital Financing Plan		\$ (5,000,000)
Less: Transfer to the Non-Residential Roads Development Charge Reserve		\$ (8,000,000)
Less: Transfer to Flamborough Capital Reserve		\$ (272,000)
Less: Transfer to Tax Stabilization Reserve		\$ (4,332,302)
Balance of Tax Supported Operations		\$ 0
Corporate Surplus from Rate Supported Operations		\$ 18,101,234
Less: Transfer to the Rate Supported Water Reserve		\$ (8,698,579)
Less: Transfer to the Rate Supported Wastewater Reserve		\$ (7,771,462)
Less: Transfer to the Rate Supported Stormwater Reserve		\$ (1,631,193)
Balance of Rate Supported Operations		\$ 0

6. Hamilton Car Share Loan Agreement Transfer (City Wide) (PED18084) (Item 8.1)

- (a) That Community CarShare Co-Operative Inc. (“Car Share”)’s request to assign its May 30, 2012 Loan Agreement with the City (the "Agreement") to Virtue Transportation Systems Incorporated ("Vrtucar") on the terms and conditions outlined in Report PED18084, including that Vrtucar assumes all of Car Share’s rights, responsibilities, obligations and covenants under the Agreement, be approved; and

- (b) That the General Manager, Planning and Economic Development, be authorized, on behalf of the City, to negotiate, enter into and execute an agreement and any ancillary documents required to give effect to this assignment in a form satisfactory to the City Solicitor.

7. Custody Services – Authorization to Execute Agreement (FCS15006(a)) (City Wide) (Item 8.2)

That the General Manager, Finance and Corporate Services, or his designate, be authorized and directed to negotiate and execute, on behalf of the City of Hamilton, Custodian and Trust Services agreements and any ancillary documents with RBC Investor Trust Services with a five-year term and an option to renew for an additional five-year period, with content satisfactory to the General Manager, Finance and Corporate Services, and in a form satisfactory to the City Solicitor.

8. Governance Review Sub-Committee Report 18-002 - April 5, 2018 (Item 8.3)

(a) Memorandum of Understanding - City of Hamilton and Royal Botanical Gardens (LS18002)(City Wide)(Item 8.1(a))

That the City of Hamilton appoint a maximum of two members to the board of directors of the Royal Botanical Gardens, to be comprised of elected officials and/or citizens.

- (i) That the Mayor and City Clerk be authorized to execute a Memorandum of Understanding between the City of Hamilton and the Royal Botanical Gardens on terms satisfactory to the City Solicitor to provide for the appointment of a maximum of two members to the board of directors of the Royal Botanical Gardens by the City, subject to The Regional Municipality of Halton entering into a similar agreement with the Royal Botanical Gardens to reduce the number of representatives Halton appoints to the board of directors to a maximum of two members.

(b) Correspondence from George Rust-D'Eye, Integrity Commissioner and Lobbyist Registrar to the City of Hamilton, respecting the Code of Conduct for Members of Council - Proposed Amendment (Item 8.2)

- (i) That the Council amend its By-law No. 16-290, to delete sections 8(2), 8(3)(a), (b), and (c) and 8(4), there from;
- (ii) That the appropriate form of draft By-law Amendment be introduced in Council to give effect thereto;

- (iii) That the City Solicitor examine the background information on the current Accountability and Transparency Policy;
- (iv) That the Integrity Commissioner and the City Solicitor work together to bring a written report back to GIC; and
- (v) That staff provide Councillors two weeks advanced notice of the presentation of the report, to allow Councillors to prepare questions related to the Accountability and Transparency Policy addressed by the report.

(c) 2019 Committee / Council Calendar (Item 8.3)

That the 2019 Council / Committee Calendar, as attached in Appendix "C" to Audit, Finance & Administration Report 18-005 be approved as amended, as follows:

- (i) That the December 11, 2019 Council meeting be held at 9:30 a.m.; and
- (ii) That staff refrain from booking Committee Meetings during the week of March 4, 2019.

(d) Electronic Participation at Council and/or Committee Meetings (CL18002) (City Wide) (Item 8.4)

That staff be directed to prepare the necessary provision in the Procedural By-law to prohibit electronic participation at Council and/or Committee Meetings at this time.

9. Negotiation for the Continued Supply of Raw Water to 690 Strathearne Avenue North (FCS18049/LS18014) (Ward 4) (Item 12.2)

- (c) That the Mayor and City Clerk be authorized and directed to execute, on behalf of the City, all necessary documentation to implement recommendations (a) and (b) in Report FCS18049 / LS18014, all with content acceptable to the General Manager of Finance and Corporate Services, General Manager of Public Works, and General Manager of Planning and Economic Development, as applicable, and in a form satisfactory to the City Solicitor;
- (d) That the General Manager of Finance and Corporate Services be directed to bring an Information Report to Audit, Finance and Administration Committee after the recommendations contained in Report FCS18049 / LS18014 have been implemented;
- (e) That Recommendations (a) and (b) contained in Report FCS18049 / LS18014 remain confidential; and

- (f) That Report FCS18049 / LS18014, respecting contractual negotiations carried on by the City, remains confidential and not be released as a public document.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised there were no changes to the agenda.

The agenda for the April 23, 2018 Audit, Finance and Administration Committee meeting was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) April 9, 2018 (Item 3.1)

The Minutes of the April 9, 2018 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) Kyra Kozole and Jocelyn Heaton, respecting LGBTQ and 2S communities needs assessment and requesting support for the creation of a LGBTQ and 2S Centre (Approved at the April 9, 2018 AF&A Meeting) (Item 6.1)

Kyra Kozole and Jocelyn Heaton, addressed the Committee respecting LGBTQ and 2S communities needs assessment and requesting support for the creation of a LGBTQ and 2S Centre, with the aid of a presentation.

The delegation from Kyra Kozole and Jocelyn Heaton, respecting LGBTQ and 2S communities needs assessment and requesting support for the creation of a LGBTQ and 2S Centre, was received.

A copy of the presentation is available at www.hamilton.ca.

(e) STAFF PRESENTATIONS (Item 7)

(i) Tax and Rate Operating Budget Variance Report as at December 31, 2017 - Budget Control Policy Transfers (FCS17060(b)) (City Wide) (Item 7.1)

Mike Zegarac, addressed the Committee respecting the Tax and Rate Operating Budget Variance Report as at December 31, 2017 - Budget Control Policy Transfers, with the aid of a presentation.

The presentation from staff respecting the Tax and Rate Operating Budget Variance Report as at December 31, 2017 - Budget Control Policy Transfers, was received.

A copy of the presentation is available at www.hamilton.ca.

Staff was directed to report back to the Audit, Finance and Administration Committee on trends on the Rate Budget Surpluses with recommendations on the potential to soften further water rate increases.

For further disposition of this matter, refer to Item 5.

(f) GENERAL INFORMATION / OTHER BUSINESS (ITEM 11)

The following amendments to the Outstanding Business List, were approved:

11.1.a Items requiring a new due date:

Limit Agricultural Use Development
Item On OBL: C
Due Date: April 9, 2018
Revised Due Date: January 2019

Staff Reports Respecting Supplement Taxes and Assessment
Complaints Respecting 500 Eastport Blvd
Item On OBL: N
Due Date: TBD
Revised Due Date: June 11, 2018

(g) PRIVATE AND CONFIDENTIAL (ITEM 12)

(i) Closed Session Minutes – April 9, 2018 (Item 12.1)

- (a) The Closed Session Minutes of the April 9, 2018 Audit, Finance and Administration meeting, were approved as presented; and
- (b) The Closed Session Minutes of the April 9, 2018 Audit, Finance and Administration meeting, remain confidential.

Committee moved into Closed Session respecting Item 12.2 pursuant to Section 8.1, Sub-section (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to advice that is subject to solicitor/client privileges, including communications necessary for that purpose; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the City.

(ii) Negotiation for the Continued Supply of Raw Water to 690 Strathearne Avenue North (FCS18049/LS18014) (Ward 4) (Item 12.2)

For disposition of this matter, please refer to Item 9.

(h) ADJOURNMENT (Item 13)

(Pearson/Collins)

There being no further business, the Audit, Finance and Administration Committee, was adjourned at 11:42 a.m.

CARRIED

Respectfully submitted,

Councillor VanderBeek, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

**CITY OF HAMILTON
BUDGET AMENDMENT SCHEDULE**

BUDGET AMENDMENT

Budget Transfer from one cost category to another cost category

ITEM #	<u>Department</u>	<u>Dept ID</u>	<u>Division</u>	<u>Cost Category</u>	<u>Amount</u>	<u>Department</u>	<u>Dept ID</u>	<u>Division</u>	<u>Cost Category</u>	<u>Amount</u>
1.1	Community & Emergency Services	672260	Ontario Works	Agencies & Support Payments	\$13,000	Public Health Services	675500	Healthy Families	Materials and Supplies	\$13,000
	Explanation: To streamline process for pediculosis shampoo as Public Health administers this program.									
1.2	Public Works	461010	Operations (Roads & Traffic)	Cost Allocations	\$195,240	Public Works	461010	Operations (Roads & Traffic)	Fees & General	\$195,240
	Explanation: To align Red Light camera revenue distribution between departments.									
1.3	Corporate Services	338035	Financial Planning, Admin & Policy	Reserves/Recoveries	\$140,000	Corporate Services	338035	Financial Planning, Admin & Policy	Fees & General	\$140,000
	Explanation: To transfer budget from Reserve Funding to Interest Income.									

**CITY OF HAMILTON
BUDGETED COMPLEMENT TRANSFER SCHEDULE**

STAFF COMPLEMENT CHANGE

Complement Transfer to another division or department ⁽¹⁾

ITEM #	TRANSFER FROM				TRANSFER TO			
	Department	Division	Position Title (2)	FTE	Department	Division	Position Title (2)	FTE
1.1	Public Works	General Manager's Office	Sr. Project Mgr Transporstation	1.00	Public Works	General Manager's Office	Mgr Strategy, Cont Improv&Qual	1.00
	Explanation: Due to Public Works regorganization, changing a Sr. Project Manager (Grade 6) to the Manager of Strategy, Continuous Improvement & Quality (Grade 8).							
1.2	Public Works	Hamilton Water	Quality Assurance Analyst - Co-op Student	1.00	Public Works	Hamilton Water	Quality Assurance Analyst	1.00
	Explanation: Increasing workloads related to Health & Safety and Training & Certification of Licensed Operators requires an additional permanent Quality Assurance Analyst for the Water Distribution & Wastewater Collection Section. Instead of requesting a new FTE it has been determined that an existing Student position is no longer required and can be converted. The difference in positions will be mitigated through Hamilton Water's existing budget.							
1.3	Public Works	Transit	Inspector	1.00	Public Works	Transit	Attendance Management Administrator	1.00
	Explanation: To establish the Program Manager Attendance position within the current complement of Transit. This position has been created to address absenteeism at HSR. This position will assume accountability and responsibility for implementing strategies in support of attendance management programs for the Transit division, ensure service quality, cost effective and timely service delivery and legislative compliance and monitoring the progress of major support program initiatives.							
1.4	Public Works	Transit	Maintainer Farebox Painter Body Shop Foreperson Automotive Mechanic Apprentice Mechanic Component Mechanic Labourer Casual	1.00 0.60 0.10 1.00 0.50 0.60 0.20	Public Works	Transit	Maintainer Transit On Board System Technician Body Shop Foreperson Payroll Clerk	1.00 1.00 1.00 1.00
	Explanation: Over time, partial positions have been added or created in Transit in respect of the use of winddown employees and as proportionate increases as Transit has grown. These partial positions are being converted so that full time positions can be recruited to better match the current requirements and in consideration of the reduced dependency on winddown employees in Maintenance. Further, with the increased complement and workload in Transit payroll, the Payroll Clerk position will be better able to meet the demands of the increased Operations and Maintenance groups.							
1.5	Planning & Economic Development	Growth Management	Director	1.00	Planning & Economic Development	Transportation, Planning, and Parking	Director	1.00
	Explanation: Transfer a Director position between Divisions.							
1.6	Planning & Economic Development	Licensing & By-law Services	Licensing Facilitator	2.00	Planning & Economic Development	Building	Zoning Correlators	2.00
	Explanation: Restructuring as a result of a One Stop Service Counter review resulted in defining new roles.							
1.7	Corporate Services	Financial Planning, Admin & Policy	FA11	0.50	Corporate Services	Financial Services	Contract Coordinator	0.50
	Explanation: Procurement work being done by F&A staff.							
1.8	Public Health Services	Healthy Environments	Quality Assurance Advisor	1.0	Public Health Services	Planning & Business Improvement	Quality Assurance Advisor	1.0
	Explanation: Centralizing resourcing of quality assurance and continuous improvement work.							

Note - Complement transfers include the transfer of corresponding budget.

(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 (i.e. Increasing/decreasing budgeted complement).

(2) - If a position is changing, the impact of the change is within 1 pay band unless specified.

January 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 NEW YEAR'S DAY	2	3	4	5
6	7	8	9	10	11	12
13	14 PW – 9:30 a.m. BoH – 1:30 p.m.	15 Planning – 9:30 a.m.	16 GIC – 9:30 a.m.	17 AF&A – 9:30 a.m. H&SC – 1:30 p.m.	18	19
20	21	22	23 5:00 p.m. COUNCIL	24	25	26
27	28	29	30	31		

GIC = General Issues Committee

PW = Public Works Committee

PLANNING = Planning Committee

AF&A = Audit, Finance & Administration Committee

H&SC - Healthy & Safe Communities Committee

BOH = Board of Health

All meetings will be in the COUNCIL Chambers, Hamilton City Hall

** Denotes meeting is subject to change

February 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4 PW – 9:30 a.m.	5 Planning – 9:30 a.m.	6 GIC – 9:30 a.m.	7 AF&A – 9:30 a.m. H&SC – 1:30 p.m.	8	9
10	11	12	13 5:00 p.m. COUNCIL	14	15	16
17	18 FAMILY DAY	19 Planning – 9:30 a.m.	20 GIC – 9:30 a.m.	21 ** AF&A – 9:30 a.m. If required ** H&SC – 1:30 p.m. If required	22 PW – 9:30 a.m. BoH – 1:30 p.m.	23
24	25	26	27 5:00 p.m. COUNCIL	28		

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** Denotes meeting is subject to change

March 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6	7	8	9
NO MEETINGS – PLEASE DO NOT USE						
10	11	12	13	14	15	16
MARCH BREAK		MARCH BREAK		MARCH BREAK		MARCH BREAK
17	18 PW – 9:30 a.m. BoH – 1:30 p.m.	19 Planning – 9:30 a.m.	20 GIC – 9:30 a.m.	21 AF&A – 9:30 a.m. H&SC – 1:30 p.m.	22	23
24	25	26	27 5:00 p.m. COUNCIL	28	29	30
31						

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BOH = Board of Health

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** Denotes meeting is subject to change

April 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 PW – 9:30 a.m.	2 Planning – 9:30 a.m.	3 GIC – 9:30 a.m.	4 AF&A – 9:30 a.m. H&SC – 1:30 p.m.	5	6
7	8	9	10 5:00 p.m. COUNCIL	11	12	13
14	15 PW – 9:30 a.m. BoH – 1:30 p.m.	16 Planning – 9:30 a.m.	17 GIC – 9:30 a.m.	18 ** AF&A – 9:30 a.m. If required ** H&SC – 1:30 p.m. If required	19 GOOD FRIDAY	20
21	22 EASTER MONDAY	23	24 5:00 p.m. COUNCIL	25	26	27
28	29 PW – 9:30 a.m.	30 Planning – 9:30 a.m.				

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** Denotes meeting is subject to change

May 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 GIC – 9:30 a.m.	2 AF&A – 9:30 a.m. H&SC – 1:30 p.m.	3	4
5	6	7	8 5:00 p.m. COUNCIL	9	10	11
12	13 PW – 9:30 a.m. BoH – 1:30 p.m.	14 Planning – 9:30 a.m.	15 GIC – 9:30 a.m.	16 ** AF&A – 9:30 a.m. If required ** H&SC – 1:30 p.m. If required	17	18
19	20 VICTORIA DAY	21	22 5:00 p.m. COUNCIL	23	24	25
26	27	28	29	30	31	

GIC = General Issues Committee

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AF&A = Audit, Finance & Administration Committee

H&SC - Healthy & Safe Communities Committee

BOH = Board of Health

All meetings will be in the COUNCIL Chambers, Hamilton City Hall

** Denotes meeting is subject to change

June 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 PW – 9:30 a.m.	4 Planning – 9:30 a.m.	5 GIC – 9:30 a.m.	6 AF&A – 9:30 a.m. H&SC – 1:30 p.m.	7	8
9	10	11	12 5:00 p.m. COUNCIL	13	14	15
16	17 PW – 9:30 a.m. BoH – 1:30 p.m.	18 Planning – 9:30 a.m.	19 GIC – 9:30 a.m.	20 ** AF&A – 9:30 a.m. If required ** H&SC – 1:30 p.m. If required	21	22
23	24	25	26 5:00 p.m. COUNCIL	27	28	29
30						

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PLANNING = Planning Committee

AF&A = Audit, Finance & Administration Committee

H&SC - Healthy & Safe Communities Committee

BOH = Board of Health

All meetings will be in the COUNCIL Chambers, Hamilton City Hall

** Denotes meeting is subject to change

July 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 CANADA DAY	2	3	4	5	6
7	8 GIC – 9:30 a.m.	4 Planning – 9:30 a.m.	5 PW – 9:30 a.m. BoH – 1:30 p.m.	6 AF&A – 9:30 a.m. H&SC – 1:30 p.m.	7 9:30 a.m. COUNCIL	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

GIC = General Issues Committee

PW = Public Works Committee

PLANNING = Planning Committee

AF&A = Audit, Finance & Administration Committee

H&SC - Healthy & Safe Communities Committee

BOH = Board of Health

All meetings will be in the COUNCIL Chambers, Hamilton City Hall

** Denotes meeting is subject to change

August 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5 CIVIC HOLIDAY	6	7	8	9	10
11	12 GIC – 9:30 a.m.	13 Planning – 9:30 a.m.	14 PW – 9:30 a.m. BoH – 1:30 p.m.	15 AF&A – 9:30 a.m. H&SC – 1:30 p.m.	16 9:30 a.m. COUNCIL	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

GIC = General Issues Committee

PW = Public Works Committee

PLANNING = Planning Committee

AF&A = Audit, Finance & Administration Committee

H&SC - Healthy & Safe Communities Committee

BOH = Board of Health

All meetings will be in the COUNCIL Chambers, Hamilton City Hall

** Denotes meeting is subject to change

September 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 LABOUR DAY	3 Planning – 9:30 a.m.	4 GIC – 9:30 a.m.	5 AF&A – 9:30 a.m. H&SC – 1:30 p.m.	6 PW – 9:30 a.m.	7
8	9	10	11 5:00 p.m. COUNCIL	12	13	14
15	16 PW – 9:30 a.m. BoH – 1:30 p.m.	17 Planning – 9:30 a.m.	18 GIC – 9:30 a.m.	19 ** AF&A – 9:30 a.m. If required ** H&SC – 1:30 p.m. If required	20	21
22	23	24	25 5:00 p.m. COUNCIL	26	27	28
29	30 PW – 9:30 a.m.					

GIC = General Issues Committee

PW = Public Works Committee

PLANNING = Planning Committee

AF&A = Audit, Finance & Administration Committee

H&SC - Healthy & Safe Communities Committee

BOH = Board of Health

All meetings will be in the COUNCIL Chambers, Hamilton City Hall

** Denotes meeting is subject to change

October 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 Planning – 9:30 a.m.	2 GIC – 9:30 a.m.	3 AF&A – 9:30 a.m. H&SC – 1:30 p.m.	4	5
6	7	8	9 5:00 p.m. COUNCIL	10	11	12
13	14 THANKSGIVING DAY	15 Planning – 9:30 a.m.	16 GIC – 9:30 a.m.	17 ** AF&A – 9:30 a.m. If required ** H&SC – 1:30 p.m. If required	18 PW – 9:30 a.m. BoH – 1:30 p.m.	19
20	21	22	23 5:00 p.m. COUNCIL	24	25	26
27	28	29	30	31		

GIC = General Issues Committee

PW = Public Works Committee

PLANNING = Planning Committee

AF&A = Audit, Finance & Administration Committee

H&SC = Healthy & Safe Communities Committee

BOH = Board of Health

All meetings will be in the COUNCIL Chambers, Hamilton City Hall

** Denotes meeting is subject to change

November 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4 PW – 9:30 a.m.	5 Planning – 9:30 a.m.	6 GIC – 9:30 a.m.	7 AF&A – 9:30 a.m. H&SC – 1:30 p.m.	8	9
10	11	12	13 5:00 p.m. COUNCIL	14	15	16
17	18 PW – 9:30 a.m. BoH – 1:30 p.m.	19 Planning – 9:30 a.m.	20 GIC – 9:30 a.m.	21 ** AF&A – 9:30 a.m. If required ** H&SC – 1:30 p.m. If required	22	23
24	25	26	27 5:00 p.m. COUNCIL	28	29	30

GIC = General Issues Committee

PW = Public Works Committee

PLANNING = Planning Committee

AF&A = Audit, Finance & Administration Committee

H&SC - Healthy & Safe Communities Committee

BOH = Board of Health

All meetings will be in the COUNCIL Chambers, Hamilton City Hall

** Denotes meeting is subject to change

December 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 PW – 9:30 a.m.	3 Planning – 9:30 a.m.	4 GIC – 9:30 a.m.	5 AF&A – 9:30 a.m. H&SC – 1:30 p.m.	6	7
8	9	10	11 9:30 a.m. COUNCIL	12	13	14
15	16	17	18	19	20	21
22	23	24	25 CHRISTMAS DAY	26 BOXING DAY	27 SHUTDOWN	28
29	30 SHUTDOWN	31 SHUTDOWN				

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H&SC - Healthy & Safe Communities Committee

BOH = Board of Health

All meetings will be in the COUNCIL Chambers, Hamilton City Hall

** Denotes meeting is subject to change



HEALTHY & SAFE COMMUNITIES COMMITTEE

REPORT 18-004

1:30 pm

Monday, April 23, 2018

Council Chambers

Hamilton City Hall

71 Main Street West, Hamilton

Present: Councillors S. Merulla (Chair), J. Farr, A. Johnson, T. Jackson, D. Skelly, J. Partridge

Absent with Regrets: Councillor T. Whitehead – City Business
Councillor M. Green - Personal

THE HEALTHY AND SAFE COMMUNITIES COMMITTEE PRESENTS REPORT 18-004 AND RESPECTFULLY RECOMMENDS:

1. Defining Affordable Housing and Hamilton's Rental Housing Market (HSC18003) (City Wide) (Item 5.1)

That Report HSC18003 respecting Defining Affordable Housing and Hamilton's Rental Housing Market, be received.

2. Hamilton Paramedic Service 2017 Annual Report (HSC18020) (City Wide) (Item 7.2)

That Report HSC18020 respecting Hamilton Paramedic Service 2017 Annual Report, be received.

3. Organizational Structure Changes for the Healthy & Safe Communities Department (HSC18018) (City Wide) (Item 12.1)

That Report HSC18018 respecting Organizational Structure Changes for the Healthy and Safe Communities Department, be approved and remain confidential until such time as it is approved by Council.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised there were no changes to the agenda.

The Agenda for the April 23, 2018 meeting of the Healthy & Safe Communities Committee was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

None declared.

(c) APPROVAL OF MINUTES (Item 3)

(i) April 9, 2018 (Item 3.1)

The Minutes of the April 9, 2018 Healthy & Safe Communities Committee meeting were approved, as presented.

(d) STAFF PRESENTATIONS (Item 7)

(i) Hamilton MedVents (City Wide) (Item 7.1)

Russell Crocker, Deputy Chief of Paramedic Services, and Dave Wharrie, Paramedic, addressed the Committee respecting Hamilton MedVents with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the official record.

The presentation respecting Hamilton MedVents, was received.

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

(ii) Hamilton Paramedic Service 2017 Annual Report (HSC18020) (City Wide) (Item 7.2)

Michael Sanderson, Chief, Hamilton Paramedic Service, addressed the Committee respecting the Hamilton Paramedic Service 2017 Annual Report, with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the official record.

The presentation respecting the Hamilton Paramedic Service 2017 Annual Report, was received.

For further disposition of this matter, please refer to Item 2.

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

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

(i) Changes to the Outstanding Business List (Item 11.2)

The following changes to the Outstanding Business List, were approved:

(a) Items to be Removed:

Item NN – Request for Incentives for Building Affordable Rental Housing at 210 Main Street East
(addressed as Item 5.1)

Item ZZ – One Time Funding for Residential Care Facilities
(addressed as Item 8.1 on the April 9, 2018 agenda)

(f) PRIVATE AND CONFIDENTIAL (Item 12)

(i) Organizational Structure Changes for the Healthy & Safe Communities Department (HSC18018) (City Wide) (Item 12.1)

Members of the Healthy and Safe Communities Committee had read the Report Recommendations in the private and confidential report and determined that no discussion of the matter was required in Closed Session. The direction to staff was approved in Open Session and remains confidential.

For further disposition of this matter, please refer to Item 3.

(g) ADJOURNMENT (Item 13)

There being no further business, the Healthy & Safe Communities Committee was adjourned at 3:42 p.m.

Respectfully submitted,

Councillor S. Merulla
Chair, Healthy & Safe
Communities Committee

Lisa Chamberlain
Legislative Coordinator
Office of the City Clerk

**CITY OF HAMILTON
MOTION**

Council: April 25, 2018

MOVED BY COUNCILLOR L. FERGUSON.....

SECONDED BY COUNCILLOR

Removal of Norway Spruce Tree at 148 Valleyview Drive, Ancaster, Ward 12

WHEREAS, the owner would like to remove a Norway Spruce tree at 148 Valleyview Drive;
and,

WHEREAS, the owner will do so at their own expense;

THEREFORE BE IT RESOLVED:

That approval be given to the owner to remove the Norway Spruce tree on private property at 148 Valleyview Drive, at their own expense.

CITY OF HAMILTON AMENDING MOTION

Council: April 25, 2018

MOVED BY MAYOR / COUNCILLOR T. JACKSON.....

SECONDED BY MAYOR/ COUNCILLOR

Amendment to Item 4 of the General Issues Committee Report 17-024, respecting Report PED16089(b) - City Operated Events – Determine Interests of Event Vendors

WHEREAS, at its meeting of November 22, 2017, Council approved Item 4 of the General Issues Committee Report 17-024, which reads as follows:

4. City Operated Events – Determine Interests of Event Vendors (PED16089(b)) (City Wide) (Outstanding Business List Item) (Item 8.2)

- (a) That staff be directed to issue a Request for Proposals (RFP) through Centralized Procurement to retain a service provider to develop and implement the Winterfest Program through a three-year contract beginning in 2019, to be funded from the Planning and Economic Development Department (Tourism and Culture) Operating Budget;
- (b) That staff be directed to work with Legal Services to execute a three-year service contract between the City of Hamilton and the Downtown Hamilton Business Improvement Area (Downtown BIA) to retain the services of the Downtown BIA to operate on behalf of the City the annual Gore Park Holiday Tree Lighting event, working in conjunction with CHML/Y108 and the Parks and Cemeteries Section of the Public Works Department beginning in 2018, to be signed by the Mayor and the City Clerk;
- (c) That the City of Hamilton provided the Downtown Hamilton Business Improvement Area (Downtown BIA) \$17,000 for each year that the service contract related to the City’s annual Holiday Tree Lighting event at Gore Park is in place; with \$7,000 to be funded from the Planning and Economic Development Department (Tourism and Culture) Operating Budget and \$10,000 to be funded from the Public Works Department Operating Budget; and,

- (d) That a Request for Proposals (RFP) not be issued for Canada Day and the Canadian Pacific Holiday Train events.

WHEREAS, Procurement staff are recommending that the original 3-year contract be changed to a 5-year contract;

WHEREAS, the rationale for issuing a Request for Proposal (RFP) to retain a service provider to develop and implement the Winterfest Program through a 5-year contract (beginning in 2019) as opposed to a 3-year contract, is as follows:

- (1) The successful proponent to the RFP will be paid a modest, fixed fee-for-service for planning, developing and implementing the Winterfest Program. Therefore, a longer-term contract will attract a great number of qualified responses because the successful proponent can realize efficiencies in the later years through knowledge retention and established relationships with program participants;
- (2) The successful proponent will have the option to enhance the Winterfest Program budget beyond the City's contractual contribution through revenue sources such as cash sponsorships and grants from other levels of government. The majority of these opportunities operate on multi-year funding cycles. As a result, a 5-year contract would increase the realization of mutually beneficial business partnerships and successful grant applications;
- (3) The successful proponent will have the option to leverage in-kind contributions of goods and services to enhance marketing and promotion of community events that participate in Winterfest. The successful proponent will solicit and secure effective marketing partnerships and media relations through a longer-term contract; and,
- (4) The term of a 5-year RFP contract would be for a one-year period that may be extended for a maximum of four, one-year terms at the sole discretion of the City. Therefore, there is no risk to the City in offering a longer contract term that allows for greater flexibility for revenue generation and programming direction;

THEREFORE BE IT RESOLVED:

That sub-section (a) to Item 4 of the General Issues Committee Report 17-024, respecting Report PED16089(b) - City Operated Events – Determine Interests of Event Vendors, be amended by deleting the word “three” and replacing it with the word “**five**”, to read as follows:

- (a) That staff be directed to issue a Request for Proposals (RFP) through Centralized Procurement to retain a service provider to develop and implement the Winterfest Program through a ~~three~~ **five**-year contract beginning in 2019, to be funded from the Planning and Economic Development Department (Tourism and Culture) Operating Budget;

CITY OF HAMILTON

NOTICE OF MOTION

Council: April 25, 2018

MOVED BY COUNCILLOR T. JACKSON.....

Zoning By-Law Regulations for Accessory Apartments

WHEREAS the City of Hamilton Zoning By-law No. 6593 permits accessory apartments as of right throughout the former City of Hamilton;

WHEREAS the Hamilton regulations were updated in 1992 with the intent of encouraging accessory apartments throughout the entire City;

WHEREAS the Urban Hamilton Official Plan policies permit and encourage accessory apartments throughout residential areas on the entire urban areas of Ancaster, Dundas, Hamilton, Flamborough, Glanbrook and Stoney Creek;

WHEREAS the Places to Grow Plan requires the City of Hamilton to prepare and implement a comprehensive housing strategy that includes accessory apartments; and

WHEREAS the City is currently in the process of updating the zoning by-law for the residential areas.

THEREFORE BE IT RESOLVED:

That staff be directed to:

- a) review and report back on the current accessory apartment zoning by-law permissions for all residential areas in the urban areas of the City; and,
- b) review the process going forward for revising the regulations to harmonize accessory apartment zoning permissions to implement the UHOP and conform to provincial requirements.

CITY OF HAMILTON NOTICE OF MOTION

Council: April 25, 2018

MOVED BY COUNCILLOR J. FARR.....

Capital Funding for the John Rebecca Park Project

WHEREAS, the John Rebecca Park has approved design funding as part of the 2018 Capital budget;

WHEREAS, Information Report PW16096 was received by General Issues Committee on November 2, 2016, and outlined the history of the park design;

WHEREAS, the Beasley Neighbourhood currently has a deficit of parkland of 3.9 hectares and the citizens have long advocated for the advancement of the park design and construction through delegations to committee;

WHEREAS, the capital construction costs are estimated at \$2.5 million, and are shown in project id 4401856615 in 2021 and 2022 capital budget forecast;

WHEREAS, the new Downtown Secondary Plan places an emphasis on enhancing parks and open spaces in our Downtown Growth Centre and the John Rebecca Park plan aligns with the sustainable themes the plan endorses;

WHEREAS, through thorough consultation and engagement over time, the well-established and regarded Patrick J. McNally Charitable Foundation graciously committed one million dollars toward the capital funding of the John Rebecca Park project; and

WHEREAS, the city owns a majority of the future park and can proceed with development of the park once an approved capital funding source for construction is identified;

THEREFORE BE IT RESOLVED:

That the \$2.5 Million construction cost for the John Rebecca Park be funded as follows:

- (a) \$1,000,000 external revenues (private donation – agreement to be signed)
- (b) \$750,000 from the Capital Account Property Purchases and Sales (3560150200)
- (c) \$750,000 from the Parking Capital Reserve #108021

CITY OF HAMILTON

NOTICE OF M O T I O N

Council: April 25, 2018

MOVED BY COUNCILLOR T. WHITEHEAD.....

One Time Funding for Residential Care Facilities

WHEREAS, a delegation from the Residential Care Facilities presented at the January 22, 2018 Emergency & Community Services Committee;

WHEREAS, the Residential Care Facilities are currently funded at \$50 per diem, and there has been no per diem or cost of living increase in funding to the Residential Care Facilities since April 1, 2015;

WHEREAS, the average cost per diem for other Residential Care Facilities in Ontario is \$52 per diem;

WHEREAS, in March 2017, through the Long Term Affordable Housing Strategy (LTAHS) the Province released its Supportive Housing Policy Framework with guidelines on a review of the Residential Care Facilities to ensure alignment with Housing First legislation;

WHEREAS, staff will be using the LTAHS Supportive Housing Policy Framework and Best Practices to conduct a review of the Residential Care Facilities in 2018 with a focus on outcomes and funding models; and

WHEREAS, Council received the information report requested on February 14, 2018, regarding the One Time Funding for Residential Care Facilities.

THEREFORE BE IT RESOLVED:

That the appropriate staff from Emergency & Community Services be authorized to provide an additional \$200,000 to the Residential Care Facilities Program on a one time basis within existing 2017/2018 CHPI budget to mitigate some of their financial pressures, pending the 2018 review of the Residential Care Facilities.

Authority: Item 1, Public Works Committee
Report 18-005 (PW18001(b))
CM: April 25, 2018
Ward: 8

Bill No. 100

CITY OF HAMILTON

BY-LAW NO. 18-

To Amend By-law No. 01-215 Being a By-law To Regulate Traffic

WHEREAS sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Control) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" (Hamilton) thereof the following item, namely;

Hazelton Avenue

Northbound/Southbound

Alessio Drive

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 25th day of April, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 9, Public Works Committee
Report 07-016 (PW07153)
Date: December 12, 2007
Ward: 9

Bill No. 101

CITY OF HAMILTON

BY-LAW NO. 18-

**To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 2 (Speed Limits) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "F" (Stoney Creek) thereof the following item, namely:

Second Street North	King Street West	Charles Street	40 km/h
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2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 25th day of April, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 11

Bill No. 102

CITY OF HAMILTON

**BY-LAW NO. 18-
Respecting Removal of Part Lot Control
Lot 73, Plan No. 62M-1150 "Summerlea West Phase 2A",
3 and 9 Binhaven Boulevard**

WHEREAS the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the *Planning Act*, provides as follows:

"(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law."

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of transferring lands shown as Parts 1 and 2 on Plan 62R-19184, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lot 73, Registered Plan No. 62M-1150, in the City of Hamilton.

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 25th day of April, 2020.

PASSED this 25th day of April, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 12

Bill No. 103

CITY OF HAMILTON

BY-LAW NO. 18-

Respecting Removal of Part Lot Control Block 6, Registered Plan No. 62M-417

WHEREAS the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating four (4) lots for single detached dwellings, shown as Parts 1-4, inclusive, on deposited Reference Plan 62R-20726, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

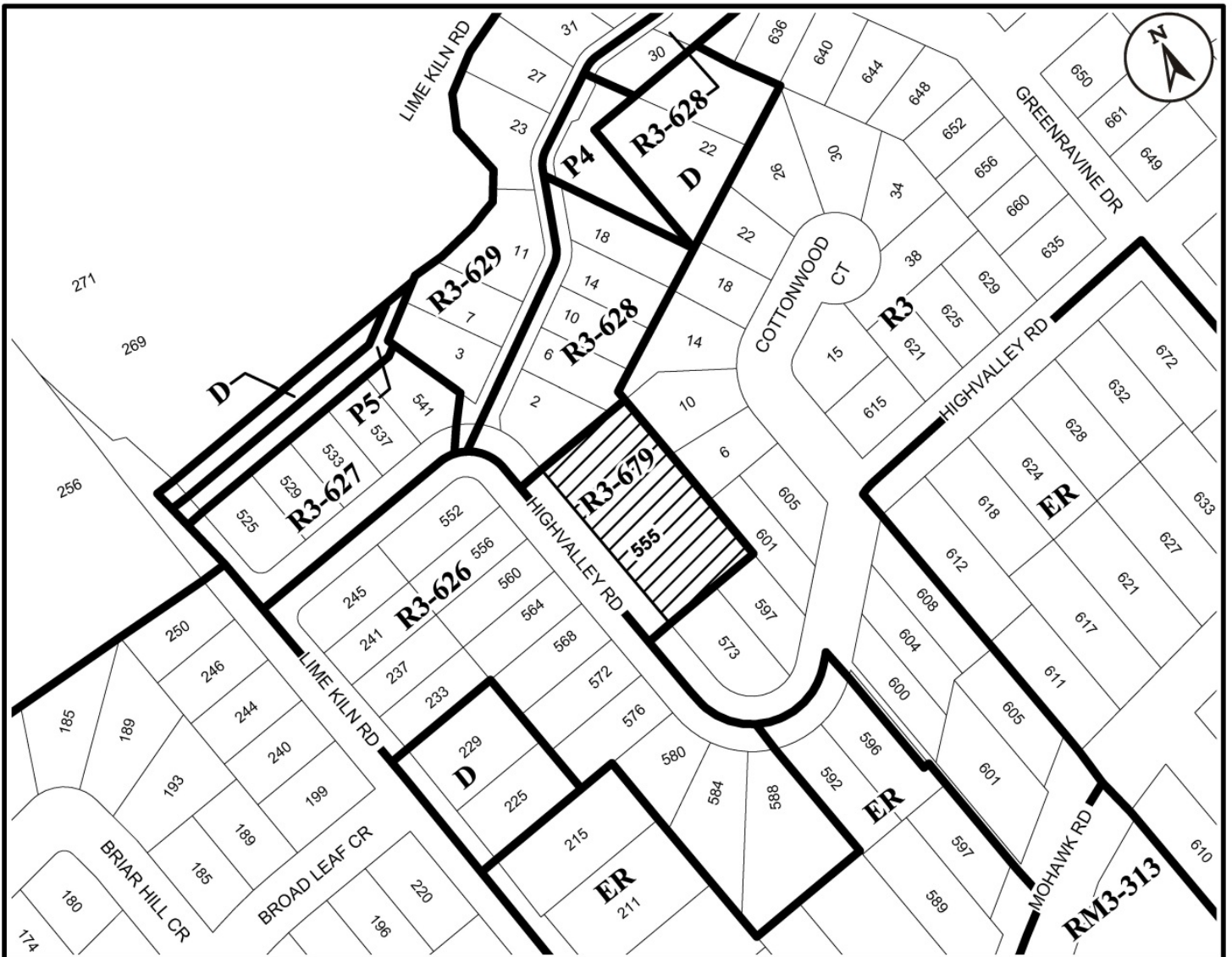
Block 6, Registered Plan No. 62M-417, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 25th day of April 2020.

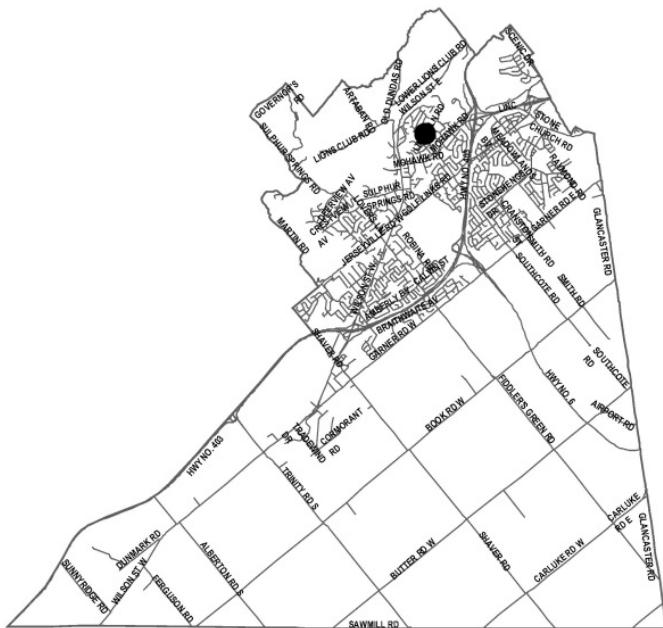
PASSED this 25th day of April, 2018.

Fred Eisenberger
Mayor

Rose Caterini
City Clerk



● Site Location



Key Map - Ward 12

N.T.S.



Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
PLC-16-028

Date:
April 4, 2018

Appendix "A"

Scale:
N.T.S.

Planner/Technician:
AC/AL

Subject Property



555 Highvalley Road

Authority: Item 3, Planning Committee
Report 18-006 (PED18036a)
CM: April 25, 2018
Ward: 12

Bill No. 104

CITY OF HAMILTON

BY-LAW NO. 18-

**To Amend Site Plan Control By-law No. 15-176
Respecting Lands Located in Certain Residential Areas of Ancaster
("ER" Zoned Lands)**

WHEREAS, under the provisions of Section 41 of the Planning Act, a Council of a Municipality may by by-law designate the whole or any part of the Municipality as a Site Plan Control Area:

AND WHEREAS the City of Hamilton passed Site Plan Control By-law No. 15-176;

AND WHEREAS the Urban Hamilton Official Plan in effect for the City of Hamilton that describe a proposed site plan control area and contain policies related to Site Plan Control;

AND WHEREAS it is desirable that the policies of the Official Plans be applied to the proposed site plan control area by way of a designation and implementation by-law;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 3 of Report 18-008 of the Planning Committee, at its meeting held on the 25th day of April, 2018, which recommended that Site Plan Control By-law No. 15-176 be amended as hereinafter provided;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Section 9.3 be deleted and replaced as follows:

"9.3 any single detached dwelling, duplex dwelling and semi-detached dwelling, including accessory buildings and structures, decks, and additions, for lands located:

- (i) east and west of Beach Boulevard, as shown on the maps attached to and forming part of this by-law as Schedules "B1" to "B3";
- (ii) in certain residential areas of Ancaster, as shown on the maps attached to and forming part of this by-law as Schedules "C1" to "C13"."

To Amend Site Plan Control By-law No. 15-176
Respecting Lands Located in Certain Residential Areas of Ancaster
("ER" Zoned Lands)

Page 2 of 15

2. Rename Schedule "B" in the Beach strip from Schedule "B" to Schedule "B1", Schedule "B2" and Schedule "B3";
3. Add 13 new Schedules as Schedule "C1" to "C13", attached as Schedule "C1" to "C13" to this By-law.
4. Add a new Section 11 as follows:

"Transition

11.1 Building Permit applications received by the City before April 26, 2018 are not subject to Section 9.3 (ii) of this By-law, provided the Building Permit is issued within 6 months of the effective date of this By-law.

11.2 Site Plan Control for the lands described in Section 9.3 (ii) shall not come into effect until April 26, 2018."

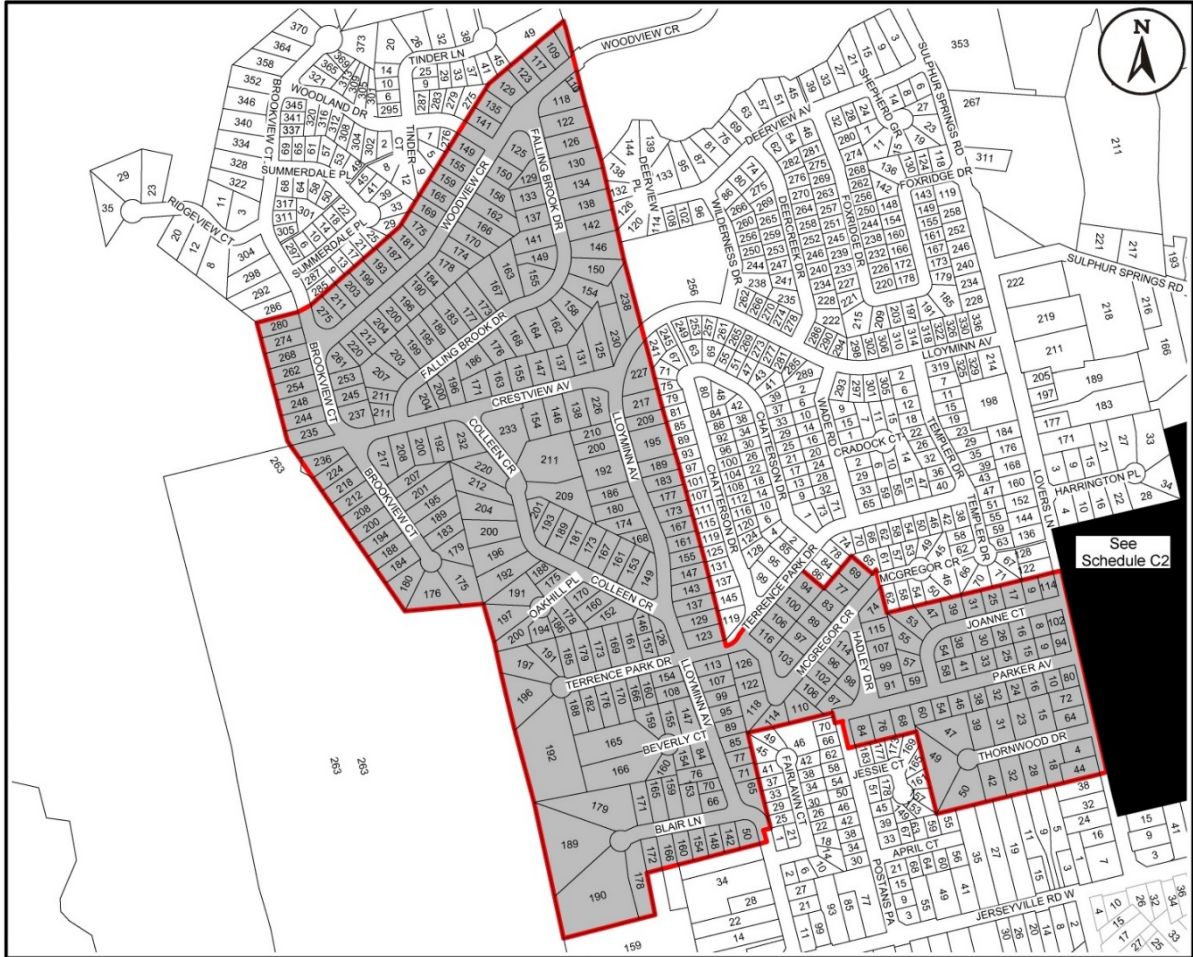
PASSED this 25th day of April, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

CI-18-A

To Amend Site Plan Control By-law No. 15-176
 Respecting Lands Located in Certain Residential Areas of Ancaster
 ("ER" Zoned Lands)





This is Schedule "C1" to By-law No. 18-
 Passed the day of, 2018

 Mayor

 City Clerk

Schedule "C1"
 Map Forming Part of
 By-law No. 15-176
 as Amended by By-law No. 18-___

Subject Property
 Lands to be regulated by By-law No. 15-176,
 as amended by By-law No. 18-___

Scale: N.T.S.	File Name/Number: CI-18-A	 Hamilton
Date: April 4, 2018	Planner/Technician: JHE/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

To Amend Site Plan Control By-law No. 15-176
 Respecting Lands Located in Certain Residential Areas of Ancaster
 ("ER" Zoned Lands)




This is Schedule "C2" to By-law No. 18-
 Passed the day of, 2018

 Mayor

 City Clerk

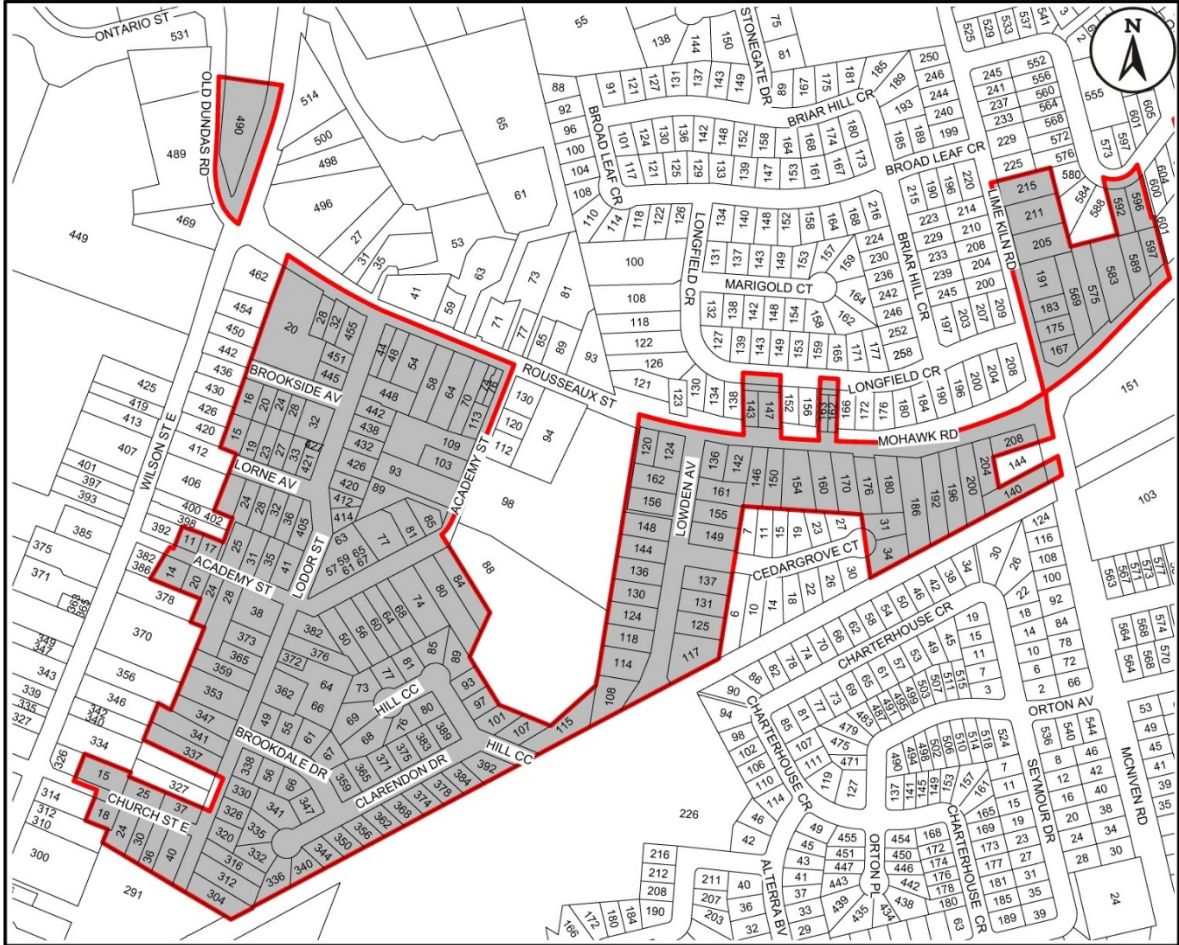
Schedule "C2"

Map Forming Part of
 By-law No. 15-176
 as Amended by By-law No. 18-___

Subject Property
 Lands to be regulated by By-law No. 15-176,
 as amended by By-law No. 18-___

Scale: N.T.S.	File Name/Number: CI-18-A	
Date: April 4, 2018	Planner/Technician: JHE/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

To Amend Site Plan Control By-law No. 15-176
 Respecting Lands Located in Certain Residential Areas of Ancaster
 ("ER" Zoned Lands)





This is Schedule "C3" to By-law No. 18-
 Passed the day of, 2018

 Mayor

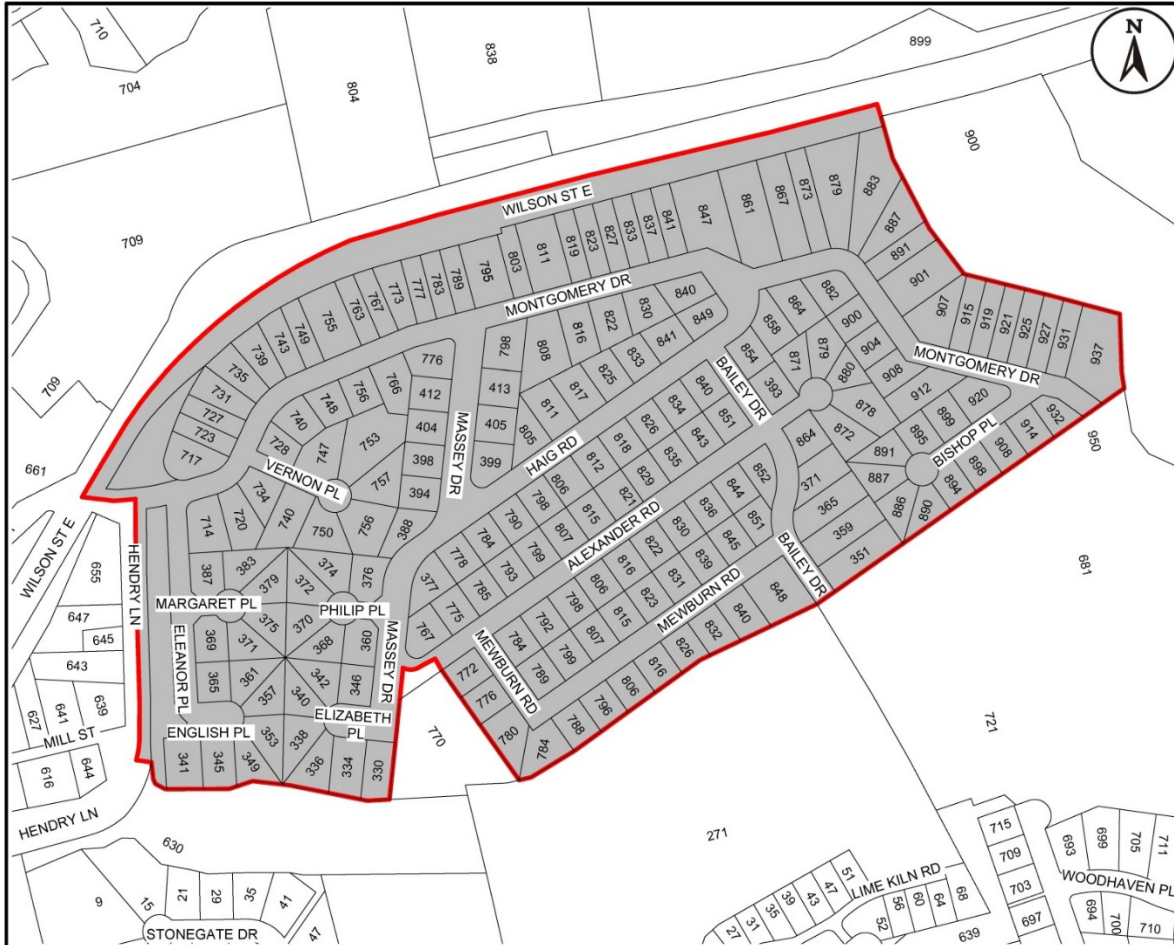
 City Clerk

Schedule "C3"
 Map Forming Part of
 By-law No. 15-176
 as Amended by By-law No. 18-___

Subject Property
 Lands to be regulated by By-law No. 15-176,
 as amended by By-law No. 18-___

Scale: N.T.S.	File Name/Number: CI-18-A	 Hamilton
Date: April 4, 2018	Planner/Technician: JHE/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

To Amend Site Plan Control By-law No. 15-176
 Respecting Lands Located in Certain Residential Areas of Ancaster
 ("ER" Zoned Lands)




This is Schedule "C4" to By-law No. 18-
 Passed the day of, 2018

 Mayor

 City Clerk

Schedule "C4"

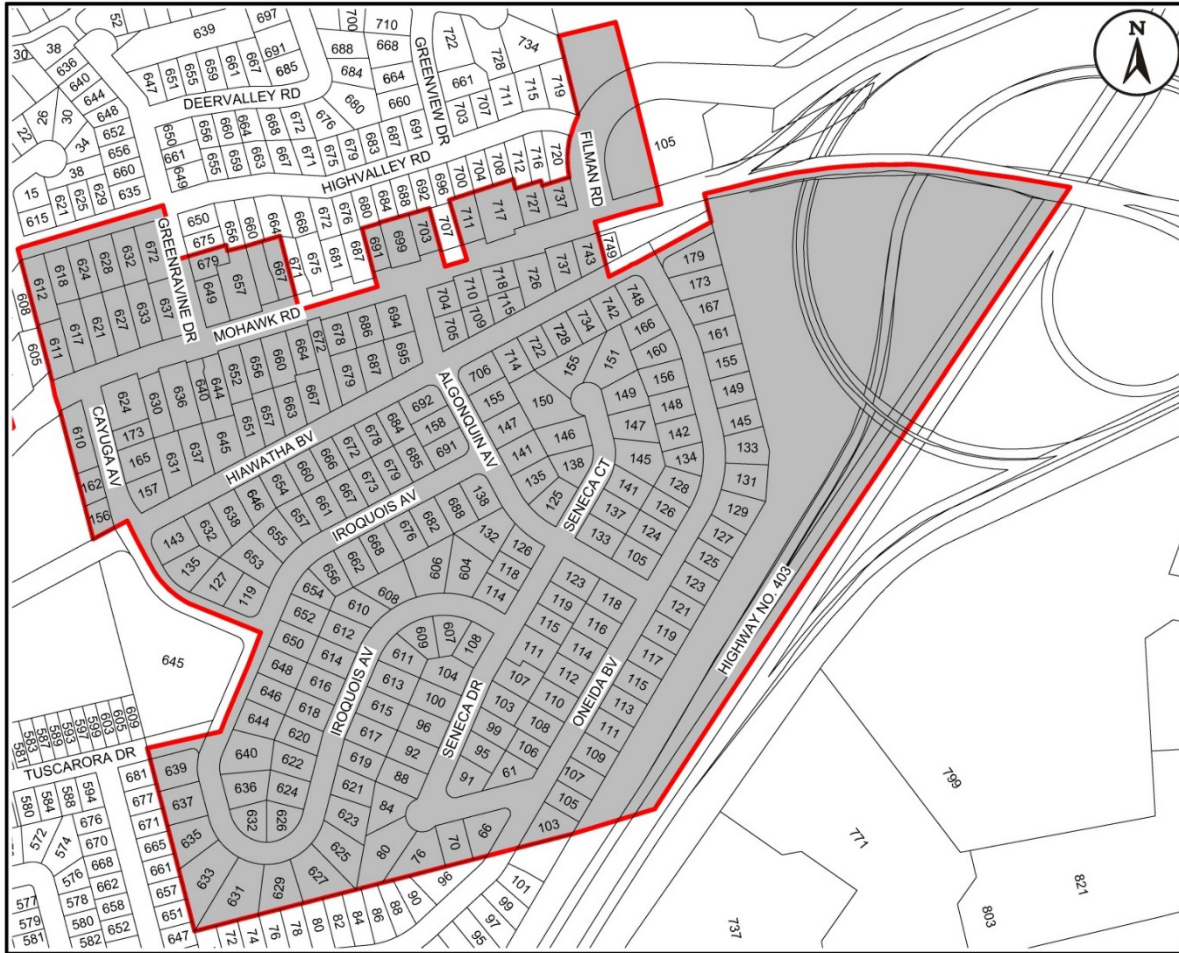
Map Forming Part of
 By-law No. 15-176
 as Amended by By-law No. 18-___


Subject Property
 Lands to be regulated by By-law No. 15-176,
 as amended by By-law No. 18-___

Scale: N.T.S.	File Name/Number: CI-18-A
Date: April 4, 2018	Planner/Technician: JHE/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

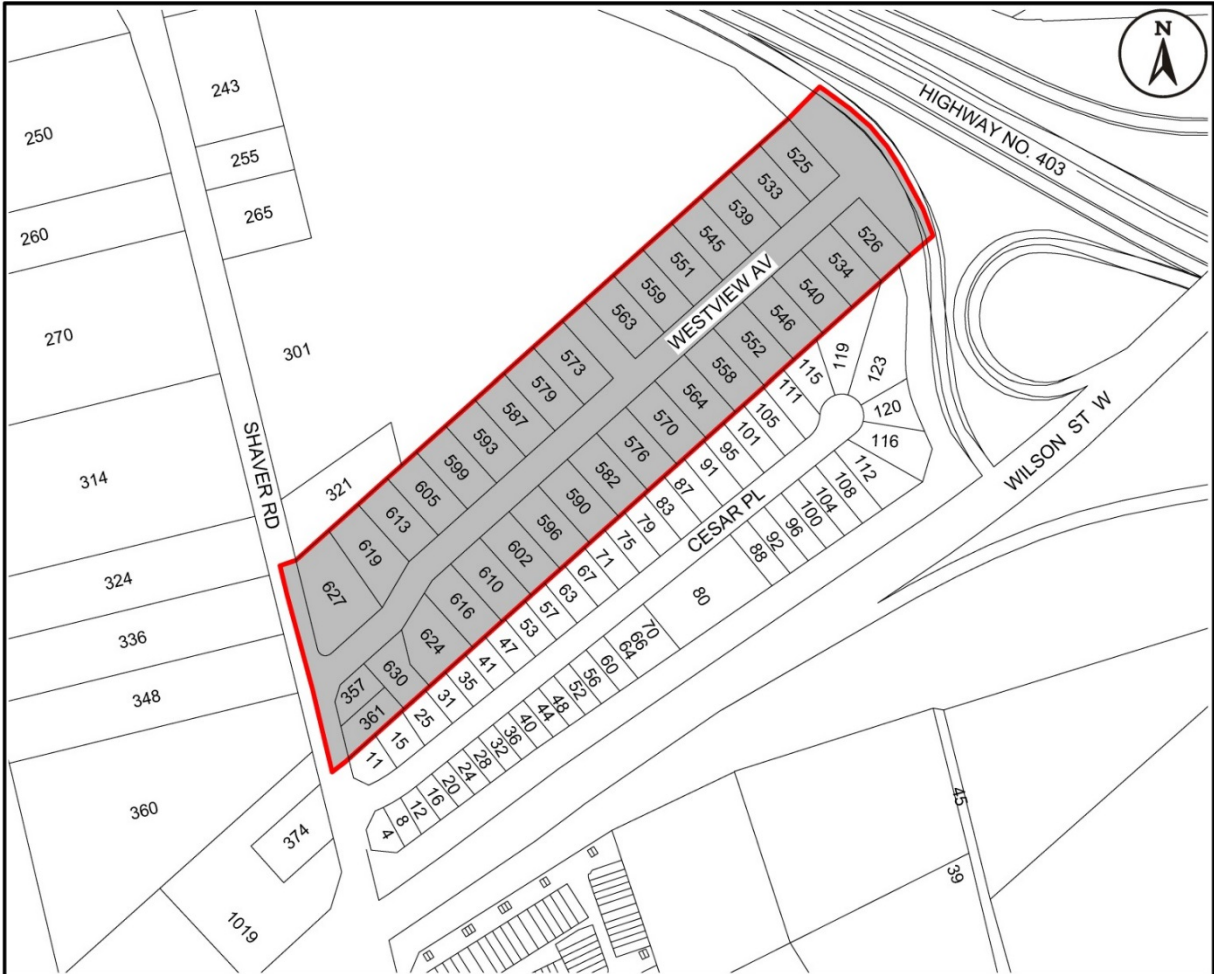


To Amend Site Plan Control By-law No. 15-176
 Respecting Lands Located in Certain Residential Areas of Ancaster
 ("ER" Zoned Lands)



<p>This is Schedule "C5" to By-law No. 18-</p> <p>Passed the day of, 2018</p>	<p style="text-align: center;">-----</p> <p style="text-align: center;">Mayor</p> <p style="text-align: center;">-----</p> <p style="text-align: center;">City Clerk</p>		
<p style="text-align: center;">Schedule "C5"</p> <p style="text-align: center;">Map Forming Part of By-law No. 15-176</p> <p style="text-align: center;">as Amended by By-law No. 18-___</p>	<p>Subject Property</p> <p> Lands to be regulated by By-law No. 15-176, as amended by By-law No. 18-___</p>		
<p>Scale: N.T.S.</p> <p>Date: April 4, 2018</p>	<p>File Name/Number: CI-18-A</p> <p>Planner/Technician: JHE/AL</p>	 Hamilton	<p style="text-align: center;">PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>

To Amend Site Plan Control By-law No. 15-176
 Respecting Lands Located in Certain Residential Areas of Ancaster
 ("ER" Zoned Lands)



<p>This is Schedule "C6" to By-law No. 18-</p> <p>Passed the day of, 2018</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">City Clerk</p>
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<h2 style="margin: 0;">Schedule "C6"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 15-176</p> <p style="margin: 10px 0 0 0;">as Amended by By-law No. 18-___</p>	<p>Subject Property</p> <p> Lands to be regulated by By-law No. 15-176, as amended by By-law No. 18-___</p>
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<p>Scale: N.T.S.</p>	<p>File Name/Number: CI-18-A</p>	<p style="margin: 0;">Hamilton</p>
<p>Date: April 4, 2018</p>	<p>Planner/Technician: JHE/AL</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

To Amend Site Plan Control By-law No. 15-176
 Respecting Lands Located in Certain Residential Areas of Ancaster
 ("ER" Zoned Lands)




This is Schedule "C7" to By-law No. 18-
 Passed the day of, 2018

 Mayor

 City Clerk

Schedule "C7"
 Map Forming Part of
 By-law No. 15-176
 as Amended by By-law No. 18-___

Subject Property
 Lands to be regulated by By-law No. 15-176,
 as amended by By-law No. 18-___

Scale: N.T.S.	File Name/Number: CI-18-A
Date: April 4, 2018	Planner/Technician: JHE/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	



To Amend Site Plan Control By-law No. 15-176
 Respecting Lands Located in Certain Residential Areas of Ancaster
 ("ER" Zoned Lands)



This is Schedule "C8" to By-law No. 18-

Passed the day of, 2018

 Mayor


 City Clerk

Schedule "C8"

Map Forming Part of
 By-law No. 15-176

as Amended by By-law No. 18-___

Subject Property

 Lands to be regulated by By-law No. 15-176,
 as amended by By-law No. 18-___

Scale:
 N.T.S.

File Name/Number:
 CI-18-A

Date:
 April 4, 2018

Planner/Technician:
 JHE/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

To Amend Site Plan Control By-law No. 15-176
 Respecting Lands Located in Certain Residential Areas of Ancaster
 ("ER" Zoned Lands)

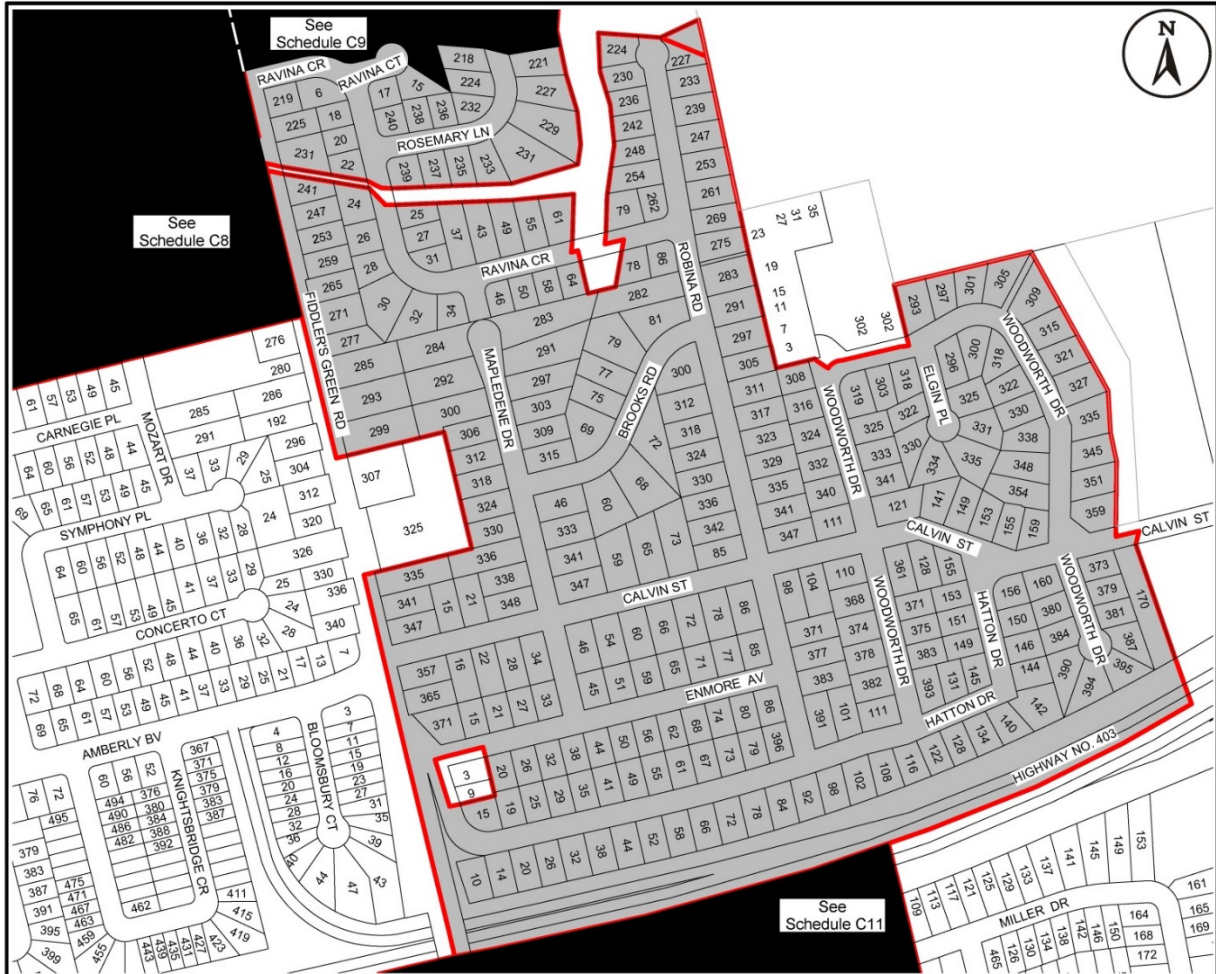


<p>This is Schedule "C9" to By-law No. 18-</p> <p>Passed the day of, 2018</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">City Clerk</p>
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<p style="text-align: center;">Schedule "C9"</p> <p style="text-align: center;">Map Forming Part of By-law No. 15-176</p> <p style="text-align: center;">as Amended by By-law No. 18-__</p>	<p>Subject Property</p> <p> Lands to be regulated by By-law No. 15-176, as amended by By-law No. 18-__</p>
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<p>Scale: N.T.S.</p>	<p>File Name/Number: CI-18-A</p>	 Hamilton
<p>Date: April 4, 2018</p>	<p>Planner/Technician: JHE/AL</p>	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

To Amend Site Plan Control By-law No. 15-176
 Respecting Lands Located in Certain Residential Areas of Ancaster
 ("ER" Zoned Lands)




This is Schedule "C10" to By-law No. 18-
 Passed the day of, 2018

 Mayor

 City Clerk

Schedule "C10"

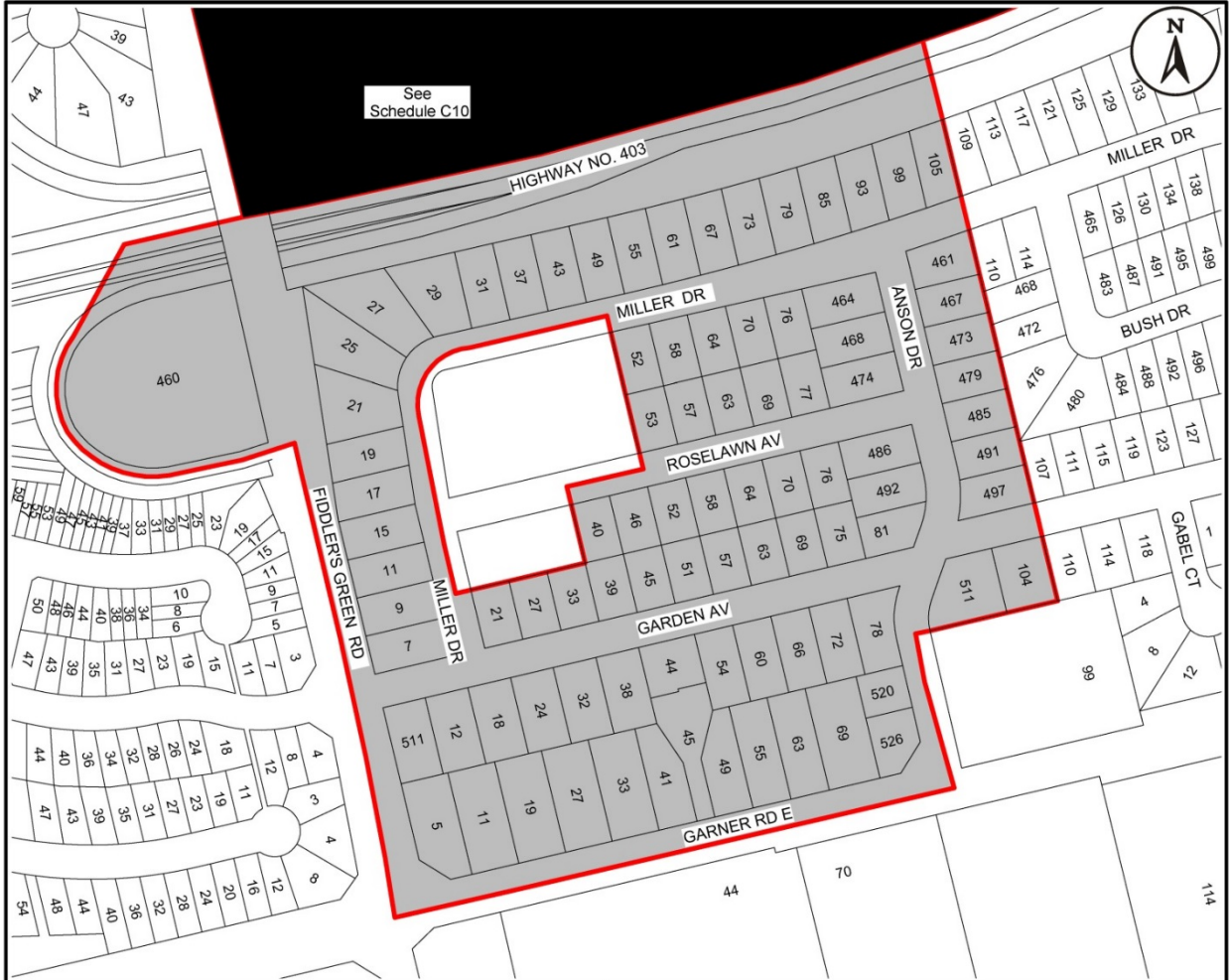
Map Forming Part of
 By-law No. 15-176
 as Amended by By-law No. 18-___

Subject Property
 Lands to be regulated by By-law No. 15-176,
 as amended by By-law No. 18-___

Scale: N.T.S.	File Name/Number: CI-18-A
Date: April 4, 2018	Planner/Technician: JHE/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	



To Amend Site Plan Control By-law No. 15-176
 Respecting Lands Located in Certain Residential Areas of Ancaster
 ("ER" Zoned Lands)




This is Schedule "C11" to By-law No. 18-
 Passed the day of, 2018

 Mayor

 City Clerk

Schedule "C11"

Map Forming Part of
 By-law No. 15-176
 as Amended by By-law No. 18-_____

Subject Property
 Lands to be regulated by By-law No. 15-176,
 as amended by By-law No. 18-_____

Scale: N.T.S.	File Name/Number: CI-18-A	 Hamilton
Date: April 4, 2018	Planner/Technician: JHE/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

To Amend Site Plan Control By-law No. 15-176
 Respecting Lands Located in Certain Residential Areas of Ancaster
 ("ER" Zoned Lands)



This is Schedule "C12" to By-law No. 18-
 Passed the day of, 2018


 Mayor


 City Clerk

Schedule "C12"

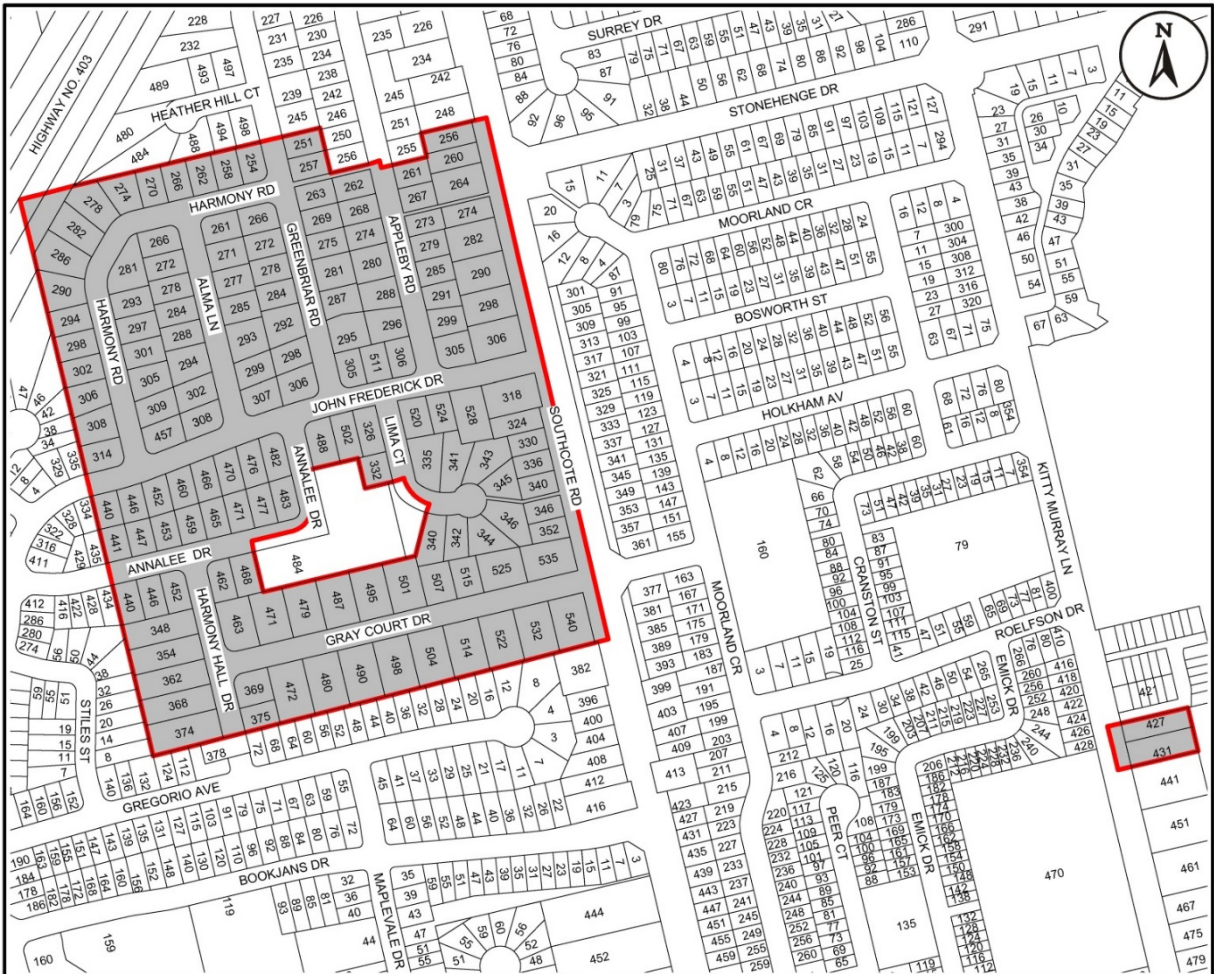
Map Forming Part of
 By-law No. 15-176
 as Amended by By-law No. 18-___

Subject Property

 Lands to be regulated by By-law No. 15-176,
 as amended by By-law No. 18-___

Scale: N.T.S.	File Name/Number: CI-18-A	 Hamilton
Date: April 4, 2018	Planner/Technician: JHE/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

To Amend Site Plan Control By-law No. 15-176
 Respecting Lands Located in Certain Residential Areas of Ancaster
 ("ER" Zoned Lands)




This is Schedule "C13" to By-law No. 18-
 Passed the day of, 2018

 Mayor

 City Clerk

Schedule "C13"
 Map Forming Part of
 By-law No. 15-176
 as Amended by By-law No. 18-____

Subject Property
 Lands to be regulated by By-law No. 15-176,
 as amended by By-law No. 18-____

Scale: N.T.S.	File Name/Number: CI-18-A
Date: April 4, 2018	Planner/Technician: JHE/AL



Authority: Item 3, Planning Committee
Report 18-006 (PED18036(a))
CM: April 25, 2018
Ward: 12

Bill No. 105

CITY OF HAMILTON

BY-LAW NO. 18-

To Amend Zoning By-law No. 87-57 To Delete Certain Regulations and Implement New Regulations for the Existing Residential “ER” Zone (Ancaster)

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the Town of Ancaster” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the *City of Hamilton Act, 1999* provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 3 of Report 18-006 of the Planning Committee at its meeting held on the 25th day of April, 2018, which recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That SECTION 10: EXISTING RESIDENTIAL “ER” ZONE of Zoning By-law No. 87-57 is amended as follows:
 - 1.1 That SECTION 10.2: REGULATIONS, be deleted and replaced as follows:

10.2 Definitions

Notwithstanding Subsections 3.154, 3.155, 3.156, 3.157, 3.158, 3.159, the following definitions shall apply for the purposes of Existing Residential “ER” Zone:

“**Lot Line, Flankage**” means a lot line other than a front lot line that abuts a street.

“**Setback**” means the distance between a lot line and the nearest part of any building or specified structure exclusive of any permitted yard projections on the lot.

“**Yard, Flankage**” means a yard extending from the front yard to the rear yard of a lot along a lot line which abuts a street measured to the nearest part of a building on a lot.

“**Yard, Front**” means a yard extending across the full width of a lot measured between the front lot line and the nearest part of a building on a lot.

“**Yard, Rear**” means a yard extending across the full width of a lot measured between the rear lot line and the nearest part of a building on the lot.

“**Yard, Side**” means a yard extending from the front yard to the rear yard measured between the side lot line and the nearest part of a building on a lot.

10.3 Regulations

The regulations for the lots in the ER Zone are set out in the clauses below and Tables 10.3.1 to 10.3.7:

Table 10.3.1 – Minimum Lot Area

Regulation	
Lot Area	Minimum 695 square metres

Table 10.3.2 – Lot Frontage

Regulation	
Lot Frontage	Minimum 18 metres

Table 10.3.3 – Maximum Lot Coverage

Regulation		
	One-storey	Two-Storey
Lots with an area less than or equal to 1,650 square metres	Maximum 35 percent	

Regulation		
Lots with an area greater than 1,650 square metres	Maximum 30 percent	Maximum 20 percent

Table 10.3.4 – Front Yard Setback

Regulation	
Lot between two interior lots or a lot between an interior lot and a corner lot that has two adjacent dwellings facing the same street	Within 20 percent of the average front yard setback of the two nearest principal dwellings on either side of the lot (1) (2)
Lot between an interior lot and a corner lot that has one adjacent dwelling facing another street	Within 20 percent of the average front yard setback of the one nearest principal dwelling of the interior lot (1) (2)
Corner Lot that has one adjacent dwelling facing the same street	Within 20 percent of the average front yard setback of the one nearest principal dwelling facing the same street (1) (2) (3)
Other cases not described in this Table	Minimum 7.5 metres Maximum 9.0 metres
(1) In no cases shall the front yard setback be less than 5.0 metres.	
(2) In cases where the average front yard setback of the nearest principal dwelling(s) is less than 5.0 metres, the minimum front yard setback shall not be less than 5.0 metres and greater than 6.0 metres.	
(3) In cases where the principal dwelling on the corner lot faces the flankage lot line, Table 10.3.4 shall be applied to the flankage yard and Table 10.3.5 shall be applied to the front yard.	

Table 10.3.5 – Side Yard Setback

Regulation	
Lots with a frontage less than or equal to 23 metres	2.0 metres for an interior side yard (1) 6.0 metres for a flankage yard (1)
Lots with a frontage greater than 23 metres	10 percent of the lot frontage to a maximum setback of 5.0 metres for an interior side yard (1) 6.0 metres for a flankage yard (1)
(1) A minimum of one metre within the side yard shall be unobstructed and shall not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod.	

Table 10.3.6 – Rear Yard Setback

Regulation	
Lots with a depth less than or equal to 40 metres	25 percent of the lot depth and no less than 7.5 metres (1)
Lots with a depth greater than 40 metres and less than or equal to 45 metres	30 percent (1)
Lots with a depth greater than 45 metres and less than or equal to 50 metres	35 percent (1)
Lots with a depth greater than 50 metres	40 percent (1)
(1) A minimum of one metre within the rear yard shall be unobstructed and shall not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod.	

Table 10.3.7 – Maximum Height

Regulation	
One-storey	Maximum 7.5 metres(1)
Two-storeys	Maximum 9.5 metres(1)
(1) Section 7.11(a) shall not apply.	

- 10.3.1 An attached or detached garage or carport shall be permitted to project a maximum of 2.0 metres beyond the front façade of a dwelling, and a maximum of 2.0 metres beyond the side façade of a dwelling situated on a corner lot. In no case shall an attached or detached garage or carport be located within a front yard or flankage yard.
- 10.3.2 Notwithstanding Subsection 7.12 (c) and (d), balconies, decks, and enclosed and unenclosed porches shall not be permitted above the first storey within any side yard.
- 10.3.3 Subsection 7.13 (c) shall not apply to any lot within an Existing Residential “ER” Zone.
- 10.3.4 Schedule “C” shall not apply to any lot within an Existing Residential “ER” Zone.
- 10.3.5 Notwithstanding Subsection 7.15 and any other provisions of this By-law, any lot within the Existing Residential “ER” Zone of this By-law and the location thereon of any building or structure, existing on the effective date of this By-law, shall be deemed to comply with the regulations for any required setbacks, front yard, side yard, flankage yard, rear yard, lot frontage, lot area and building height and are permitted by this By-law.
- 10.3.6 Parking Regulations
- (i) Notwithstanding Subsection 7.14 (a) (xii), each parking space shall have a minimum width of 3.0 metres and a minimum length of 5.8 metres, exclusive of any land required for access or driveways.
 - (ii) In addition to clause 10.3.5 (i), for parking spaces located within private residential garages, the parking space shall have a minimum width of 3.5 metres and

a minimum length of 6.0 metres, exclusive of any land used for access, manoeuvring, driveways or a similar purpose. A single step, hose bibs, electrical devices and/or ductwork and closet enclosures may project not more than 0.3 metres into the required width or length of a parking space.

10.3.7 Accessory Buildings The provisions of Subsection 7.18 (a) shall apply.

2. That SECTION 34.2: LANDS AFFECTED ON SCHEDULE "B", be amended by deleting the following site specific exceptions in their entirety:
 - a. ER-204 (Mansfield/Judith Court Area) – as shown on Schedule "A1";
 - b. ER-210 (36 Cait Street, 73,79,80,90, 96 Irma Court) – as shown on Schedule "A1";
 - c. ER-322 (22 Valleyview Drive) – as shown on Schedule "A2";
 - d. ER-323 (26 Valleyview Drive) – as shown on Schedule "A2";
 - f. ER-454 (178 and 182 Central Drive) – as shown on Schedule "A2";
 - g. ER-564 (part of 130 Fiddlers Green Road) – as shown on Schedule "A2"; and,
 - h. ER-588 (427 and 431 Kitty Murray Lane) – as shown on Schedule "A3".

3. That SECTION 34.2: LANDS AFFECTED ON SCHEDULE "B", be amended by deleting and replacing the following site specific exceptions:
 - a. ER-201

Notwithstanding Table 10.3.5 – Side Yard Setback of SECTION 10: EXISTING RESIDENTIAL "ER" ZONE, a minimum interior side yard of 3.0 metres shall be required for any interior lot with a lot frontage of less than 30 metres.
 - i. Notwithstanding site specific exception ER-201, for the property located at 38 Park Lane, a minimum westerly side yard of 1.5 metres shall be permitted.
 - b. ER-358

- i. Notwithstanding Subsection 10.1: Permitted Uses of SECTION 10: EXISTING RESIDENTIAL "ER" ZONE, for the property located at 194 Sioux Drive, only one detached dwelling with no garage shall be permitted; and,
- ii. In addition to Subsection 10.3: Regulations of SECTION 10: EXISTING RESIDENTIAL "ER" ZONE, for the property located at 194 Sioux Drive, the maximum gross floor area of the detached dwelling shall not be greater than 134 square metres.

c. ER-380

Notwithstanding Table 10.3.7 – Maximum Height of SECTION 10: EXISTING RESIDENTIAL "ER" ZONE, for the properties located at 49 and 53 Valleyview Drive, the maximum building height shall not be greater than one-storey (7.5 metres).

d. ER-392

Notwithstanding Subsection 7.14.(a)(xii) – Parking and Loading of SECTION 7: GENERAL PROVISIONS, for the property located at 14 Valleyview Drive, one of the two required parking spaces may have a minimum length of 5.1 metres.

e. ER-393

Notwithstanding Table 10.3.7 – Maximum Height of SECTION 10: EXISTING RESIDENTIAL "ER" ZONE, for the properties located at 16 and 20 Valleyview Drive, the maximum building height shall not be greater than one and half storeys (8.25 metres).

4. That SECTION 34.2: LANDS AFFECTED ON SCHEDULE "B", be amended by adding the following site specific exceptions:

a. ER-691

Notwithstanding Table 10.3.3, Table 10.3.4, Table 10.3.5, and Table 10.3.6 of SECTION 10: EXISTING RESIDENTIAL "ER" ZONE, for the property located at 357 Shaver Road, the following regulations shall apply:

- i. A maximum lot coverage of 42%;
- ii. A minimum front yard setback of 7.0 metres;
- iii. A minimum side yard setback of 3.0 metres to the daylight triangle;
- iv. A minimum side yard setback of 3.8 metres on the side lot line abutting Westview Avenue; and,
- v. A minimum rear yard setback of 5.8 metres on the northerly rear lot line.

b. ER-695

Notwithstanding Table 10.3.3 of SECTION 10: EXISTING RESIDENTIAL "ER" ZONE, for the property located at 196 Woodview Crescent, the following regulation shall apply:

- i. A maximum lot coverage of 41%.
5. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Existing Residential "ER" Zone provisions.
6. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law in accordance with the *Planning Act*.
7. That for the purposes of the Building Code, this by-law or any part of it is not made until it has come into force as provided by Section 34 of the *Planning Act*.
8. That this By-law comes into force in accordance with Section 34 of the *Planning Act*.

PASSED this 25th day of April, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

CI-18-A



Schedule "A1"

Map Forming Part of
By-law No. 18-_____

This is Schedule "A" to By-law No. 18-

Passed the day of, 2018

Lands Affected



Lands zoned Existing Residential "ER" Zone
Town of Ancaster Zoning By-law No. 87-57

Delete Site Specific Exceptions 204, 210, add
Site Specific Exception 695

----- Mayor

----- Clerk

Scale:
N.T.S.

File Name/Number:
CI-18-A

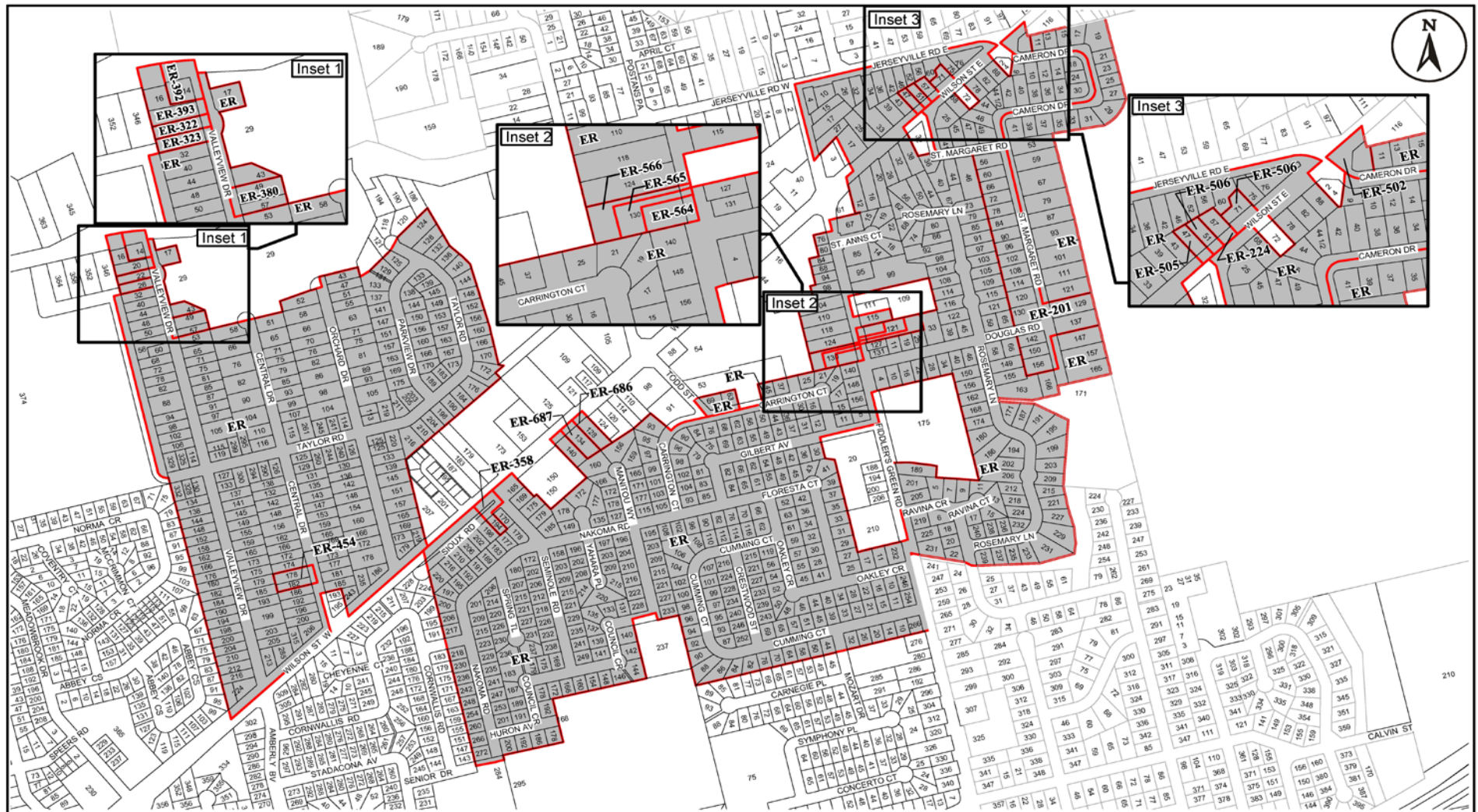
Date:
March 26, 2018

Planner/Technician:
AF/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



Schedule "A2"

Map Forming Part of
By-law No. 18-


This is Schedule "A" to By-law No. 18-

Passed the day of, 2018

Mayor

Clerk

Lands Affected

 Lands zoned Existing Residential "ER" Zone
Town of Ancaster Zoning By-law No. 87-57

Delete Site Specific Exception 322, 323, 454, 564

Scale:
N.T.S.

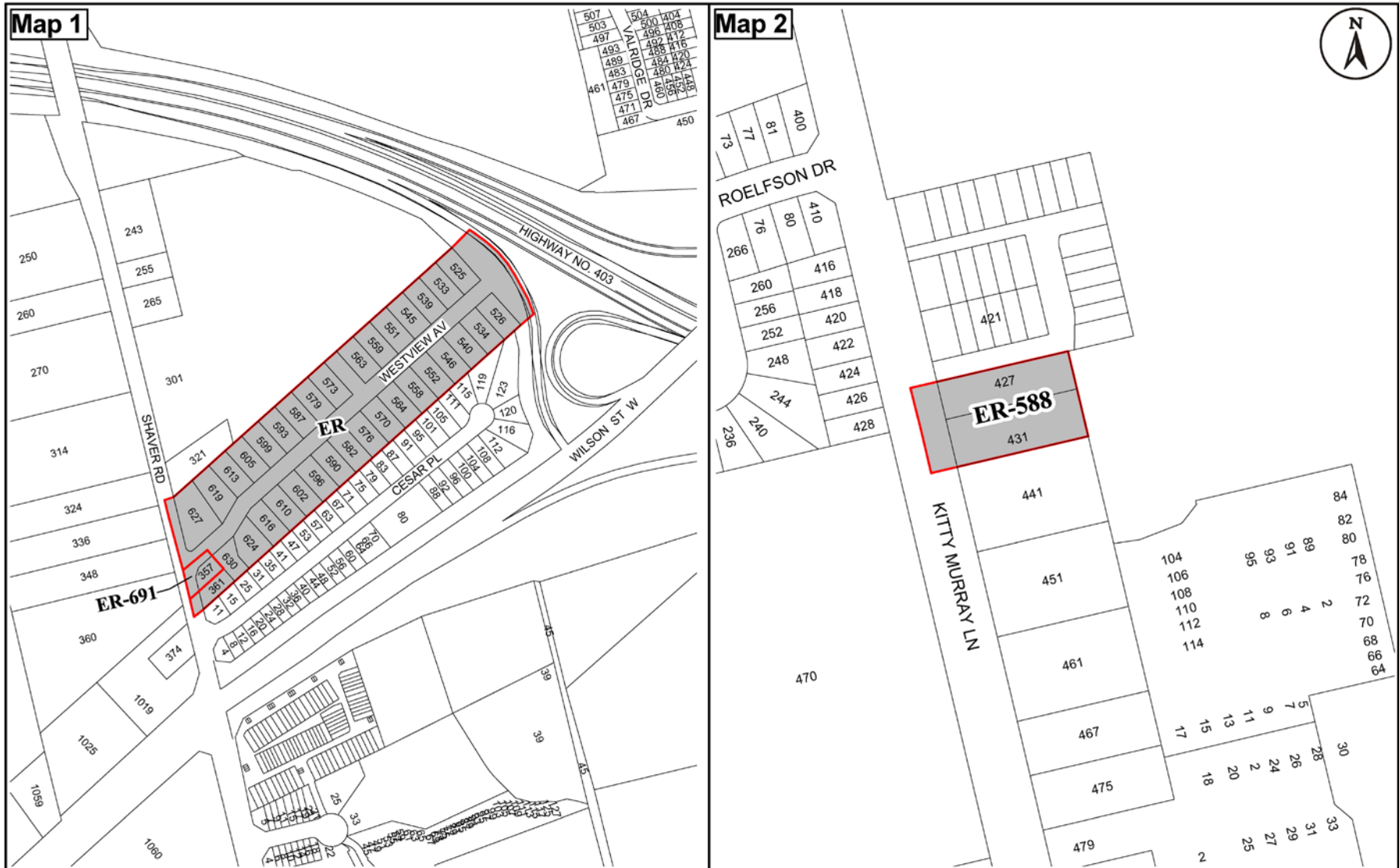
Date:
March 26, 2018

File Name/Number:
CI-18-A

Planner/Technician:
AF/AL



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



Schedule "A3"

Map Forming Part of By-law No. 18-_____

This is Schedule "A" to By-law No. 18-

Passed the day of, 2018

Lands Affected



Lands zoned Existing Residential "ER" Zone
Town of Ancaster Zoning By-law No. 87-57
Delete Site Specific Exception 588,
add Site Specific Exception 691

----- Mayor -----
----- Clerk -----

Scale: N.T.S.	File Name/Number: CI-18-A
Date: March 26, 2018	Planner/Technician: AF/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	



Authority: Item 2, Planning Committee
Report 18-006 (PED18079)
CM: April 25, 2018
Ward: 7

Bill No. 106

CITY OF HAMILTON

BY-LAW NO. 18-

To Amend Zoning By-law No. 6593 Respecting Lands Located at 500 Upper Wellington Street (Hamilton)

WHEREAS, the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap.14, Schedule. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

WHEREAS, the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Hamilton", and is the successor of the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

WHEREAS, the *City of Hamilton Act, 1999* provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

WHEREAS, the Council of the Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which By-law was approved by the Ontario Municipal Board by Order, dated the 7th day of December 1951, (File No. P.F.C. 3821);

WHEREAS, the Council of the City of Hamilton, in adopting Item 2 of Report 18- 006 of the Planning Committee, at its meeting held on the 25th day of April, 2018, which recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

WHEREAS, this By-law is in conformity with the Urban Hamilton Official Plan.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No. E7 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton) is amended, by changing the zoning from the "C" (Urban Protected Residential, etc.) District to the "H/S-1759" (Community Shopping and Commercial, etc.) District, Modified (Block 1), and from the "H" (Community Shopping and Commercial, etc.) District to the "H/S-1759" (Community Shopping and Commercial, etc.) District, Modified (Block 2) on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That the “H” (Community Shopping and Commercial, etc.) District provisions are contained in Section 14 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:
 - (a) That notwithstanding Subsection 14(9), where any parking space or manoeuvring space is adjacent to a side or rear lot line, a landscaped area having a minimum average width of 0.75 metres, but not less than 0.50 metres, shall be provided and maintained along the entire lot line abutting a residential district.
 - (b) That in addition to Subsection 18(3)(vi)(d), a roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, shall be distant at least 0.3 metres from the front lot line, and the enclosure of such a porch to the following extent shall not be deemed enclosure for the purpose of this Section.
 - (c) That notwithstanding Subsection 18A(1)(d) and Table 4(3), a commercial use having greater than 900 to 1,850 square metres shall have a minimum one loading space with minimum dimensions of 9.0 metres long, 3.7 metres wide, and 3.0 metres high.
 - (d) That notwithstanding Subsection 18A(11)(a), the boundary for a parking area shall be not less than 0.5 metres from the adjoining residential district boundary.
 - (e) That notwithstanding Subsection 18A(7), every required parking spaces, other than a parallel parking space, shall have dimensions not less than 3.0 metres wide and 5.8 metres long.
3. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the “H” District provisions, subject to the special requirements in Section 2 of this By-law.
4. That By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1759.
5. That Sheet No. E7 of the District maps be amended by making the lands referred to in Section 1 of this By-law as Schedule S-1759.

6. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 25th day of April, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAC-17-061




This is Schedule "A" to By-law No. 18-
 Passed the day of, 2018


 Mayor

 Clerk

Schedule "A"
 Map Forming Part of
 By-law No. 18-_____
 to Amend By-law No. 6593

Subject Property
 500 Upper Wellington Street

 **Block 1** - Change in Zoning from the "C" (Urban Protected Residential, Etc.) District to the "H/S-1759" (Community Shopping and Commercial, etc.) District, Modified

 **Block 2** - Change in Zoning from the "H" (Community Shopping and Commercial, Etc) District to the "H/S-1759" (Community Shopping and Commercial, Etc.) District, Modified

Scale:
 N.T.S.

Date:
 Feb. 26, 2018

File Name/Number:
 ZAC-17-061

Planner/Technician:
 MS/AL



Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: February 6, 2001
Ward: 2, 3, 4, 6, 7, 8, 11

Bill No. 107

CITY OF HAMILTON

BY-LAW NO. 18-

To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking

WHEREAS Section 11(1)1 of the *Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. By-law No. 01-218, as amended, is hereby further amended by adding/deleting from the identified Schedules and Sections noted in the table below as follows:

Schedule	Section	Highway	Side	Location	Duration	Times	Days	Adding/ Deleting
6 – Time Limit	E	Bay St. S.	East	From 28m north of Charlton Ave. W. to 21m north of Robinson St.	3 hr	8 am - 6 pm	Mon - Fri	Deleting
6 – Time Limit	E	Bay St. S.	East	From 13.2m north of Charlton Ave. W. to 15m northerly	3 hr	12 pm - 6pm	Mon - Fri	Deleting
6 – Time Limit	E	Bay St. S.	East	24m north of Charlton Ave. to Robinson St.	3 hr	8 am - 6 pm	Mon - Fri	Adding

To Amend By-law No. 01-218, as amended,
Being a By-law to Regulate On-Street Parking

Schedule	Section	Highway	Side	Location	Duration	Times	Days	Adding/ Deleting
<i>6 – Time Limit</i>	<i>E</i>	Bay St. S.	East	13m north of Charlton Ave. to 11m northerly	3 hr	12 pm- 6 pm	Mon - Tues	Adding
<i>6 – Time Limit</i>	<i>E</i>	Bay St. S.	East	13m north of Charlton Ave. to 11m northerly	3 hr	8 am - 6 pm	Wed - Fri	Adding
<i>6 – Time Limit</i>	<i>E</i>	Verona Pl.	Both	Columbia Dr. to easterly end	1 hr	8 am - 6 pm	Mon - Fri	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
<i>8 - No Parking</i>	<i>E</i>	Hempstead	South	from 91.3m west of Ditton to 18.2m westerly	Anytime	Deleting
<i>8 - No Parking</i>	<i>E</i>	Hempstead	North	Nebo to Ditton	Anytime	Deleting
<i>8 - No Parking</i>	<i>E</i>	Hempstead Dr.	South	Nebo Rd. to 275m easterly	Anytime	Adding
<i>8 - No Parking</i>	<i>E</i>	Newlands Ave.	North	28m west of Cope St. to 9m westerly	Anytime	Adding
<i>8 - No Parking</i>	<i>E</i>	Dydzak Crt.	North	30m west of Courtland Ave. to 7m westerly	Anytime	Adding
<i>8 - No Parking</i>	<i>E</i>	Danson Dr.	North	32m west of Spadara Dr. to 7m westerly	Anytime	Adding
<i>8 - No Parking</i>	<i>E</i>	Bay St. S.	East	From 13.2m north of Charlton Ave. W. to 15m northerly	7:00 am to 12 Noon	Deleting
<i>8 - No Parking</i>	<i>E</i>	Bay St.	East	13m north of Charlton Ave. to 11m northerly	7 am -12 pm Mon & Tues	Adding
<i>8 - No Parking</i>	<i>E</i>	Rendell Ave	East	Fennell Ave. to 45m northerly	Anytime	Adding
<i>8 - No Parking</i>	<i>D</i>	Valiant Cir.	South	Fall Fair Way to 85m easterly	Anytime	Deleting
<i>8 - No Parking</i>	<i>D</i>	Valiant Cir.	South	Fall Fair Way to 30m easterly	Anytime	Adding

To Amend By-law No. 01-218, as amended,
Being a By-law to Regulate On-Street Parking

Schedule	Section	Highway	Location	NPA from 8am on 1st day of each month to 11pm the 15th day of each month AND Dec-Mar	NPA from 8am the 16th day of each month to 11 pm the last day of each month Apr-Nov	Adding/Deleting
<i>10 – Alt. Side</i>	<i>E</i>	Verona Pl.	Columbia Dr. to easterly end	North	South	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/Deleting
<i>12 – Permit</i>	<i>E</i>	Roxborough Ave.	North	8m east of westerly end to 6m easterly	Anytime	Adding
<i>12 – Permit</i>	<i>E</i>	Carrick Ave.	West	12m north of Vineland Ave. to 6m southerly	Anytime	Adding
<i>12 – Permit</i>	<i>E</i>	Carrick Ave.	East	12m north of Vineland Ave. to 6m southerly	Anytime	Adding
<i>12 - Permit</i>	<i>E</i>	Campbell	North	from 32m west of Grosvenor to 6.4m westerly	Anytime	Deleting
<i>12 - Permit</i>	<i>E</i>	Campbell	South	from 25.3m west of Grosvenor to 6.4m westerly	Anytime	Deleting
<i>12 - Permit</i>	<i>E</i>	Gibson	West	from 121.6m north of Cannon to 6m northerly	Anytime	Deleting
<i>12 - Permit</i>	<i>E</i>	Gibson	East	from 125.6m north of Cannon to 6m northerly	Anytime	Deleting

To Amend By-law No. 01-218, as amended,
Being a By-law to Regulate On-Street Parking

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
14 – Wheelchair LZ	E	Niagara	West	from 77.6m south of Brant to 6m southerly	Anytime	Deleting
14 – Wheelchair LZ	E	Bruce Dale Ave.	North	37m east of East 15th St. to 20m easterly	5 pm – 9 pm Mon & Tue, May 1st - Nov. 1st	Adding

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 25th day of April, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 11

Bill No. 108

CITY OF HAMILTON

BY-LAW NO. 18-

Respecting Removal of Part Lot Control, Blocks 8, 10 to 12, 21 to 25, Part of Block 9, Registered Plan of Subdivision No. 62M-1241, municipally known as 57 – 72 Foothills Lane, 1 – 15, 17, 19, 21, 23, 25, 27, 29, 29, 31 and 33 – 65 Pinot Crescent, 101, 103, 105, 107, 109, 111, 113, 115, 117, 119 – 131 Sonoma Lane, 2, 4, 6, and 8 – 20 Zinfandel Drive, Stoney Creek

WHEREAS the sub-section 50(5) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the *Planning Act*, provides as follows:

“Designation of lands not subject to part lot control. -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Subsection 5 of Section 50 of the *Planning Act*, for the purpose of creating one hundred and ten (110) lots for townhouses (Parts 1 to 196 inclusive), access and maintenance easements (Parts 111 to 187 inclusive), as shown on Deposited Reference Plan 62R-20844, shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Blocks 8, 10 to 12, 21 to 25, Part of Block 9, Registered Plan of Subdivision No. 62M-1241 in the City of Hamilton.

2. This By-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.

Respecting Removal of Part Lot Control, Blocks 8, 10 to 12, 21 to 25, Part of Block 9,
Registered Plan of Subdivision No. 62M-1241, municipally known as 57 – 72 Foothills Lane, 1 – 15, 17, 19, 21,
23, 25, 27, 29, 29, 31 and 33 – 65 Pinot Crescent, 101, 103, 105, 107, 109, 111, 113, 115, 117, 119 – 131
Sonoma Lane, 2, 4, 6, and 8 – 20 Zinfandel Drive, Stoney Creek

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3. This By-law shall expire and cease to be of any force or effect on the 25th day of April, 2020.

PASSED this 25th day of November, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

PLC-18-018

CITY OF HAMILTON

BY-LAW NO. 18-

To Confirm the Proceedings of City Council at its meeting held on April 25, 2018.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 25th day of April, 2018, in respect of each recommendation contained in,

Public Works Committee Report 18-005 – April 16, 2018
Board of Health Report 18-004 – April 16, 2018
Planning Committee Report 18-006 – April 17, 2018,
General Issues Committee Report 18-009 – April 18, 2018,
Audit, Finance & Administration Committee Report 18-005 – April 23, 2018,
and
Healthy and Safe Communities Committee Report 18-004 – April 23, 2018,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED this 25th day of April, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk