



City of Hamilton

CITY COUNCIL ADDENDUM

Wednesday, June 13, 2018, 5:00 P.M.
Council Chambers, Hamilton City Hall
71 Main Street West

5. COMMUNICATIONS

- *5.14 Correspondence from Fared Ahmad Alamgir respecting concerns with the proposed development at 15 Picardy Dr.

Recommendation: Be received and referred to the consideration of Item 3 of the Planning Committee Report 18-009.

- *5.15 Correspondence from the Niagara Restoration Council respecting the Niagara Peninsula Conservation Authority Vice-Chair, Mr. James Kaaspersetz.

Recommendation: Be received and referred to the Integrity Commissioner for review.

8. NOTICES OF MOTIONS

- *8.1 New Stop Controls - Hatt Street at McMurray Street (Ward 13)
- *8.2 Opposition to Buy American Policies and the Tariffs Recently Imposed by the Trump Administration
- *8.3 Connection to the Sanitary Sewers by the Ancaster Fair Grounds at 630 Trinity Road, Ancaster
- *8.4 Future Council Vacancy - Office of Councillor Ward 7

11. BY-LAWS AND CONFIRMING BY-LAW

*11.7 153

To Amend Zoning By-law No. 6593 (Hamilton), as amended by By-law No. 17-152, respecting lands located at 500-512 James Street North

ZAH-18-031

Ward: 2

*11.8 154

To Amend By-law No. 01-215, Being a By-law to Regulate Traffic

Schedule 5 (Stop Control)

Ward: 13

Pilon, Janet

Subject: Concerns with the proposed development at 15 Picardy Dr.

From: Fareed Ahmad Alamgir

Sent: June-07-18 3:58 PM

To: Zajac, George

Subject: Concerns with the proposed development at 15 Picardy Dr.

Hi George T. Zajac,

My name is Fareed Ahmad Alamgir. I reside at 82 Highland Road West, Stoney Creek.

I'm emailing you today with respect to the notice I received in the mail, which outlines the proposed development at 15 Picardy Dr.

The proposed development is directly behind my backyard, and I have multiple concerns which are listed below:

1. Sources have led me to believe the townhouses are being advertised as affordable housing. Will this not depreciate the value of homes in close proximity?
2. The current site plan proposes 3 storey townhouses directly adjacent to the existing single-family dwellings on Highland Road. Will the overall height of these townhouses exceed the height of the existing residential houses (my house and the houses on Highland Rd W)? If so, privacy is a major concern and the ability to continue to enjoy our property (backyard) will be affected.
3. Would there be any consideration in flipping the 3 storey townhouses with the 2 storey townhouses? Therefore, addressing concerns with privacy, and providing a proper transition between existing heights (singles on Highland Rd W) and the new development.

Thank you for your time and consideration.

Sincerely,

Fareed Ahmad Alamgir



**NIAGARA
RESTORATION
COUNCIL**

P. O. Box 21011, Northtown Postal Outlet | Welland, ON L3C 7E6
905-932-1046 | info@niagararestoration.org | www.niagararestoration.org

MAY 14, 2018

Mayor Eisenberger & Members of Council
Hamilton City Hall
2nd floor - 71 Main Street West
Hamilton, Ontario L8P 4Y5

Re: Niagara Peninsula Conservation Authority Vice-Chair, Mr. James Kaspersetz

We are writing to report a series of concerning emails the Niagara Restoration Council (NRC) has received from Hamilton representative and Niagara Peninsula Conservation Authority (NPCA) Vice Chair James Kaspersetz.

We received thirteen emails from Mr. Kaspersetz between February 14 and May 12 in which he demanded information about our organization. The correspondence began when the NPCA locked the NRC out of our office space for seven weeks. He called Allison Graszat, our Project Manager, requesting our board minutes.

On February 14, Mr. Kaspersetz emailed the NRC requesting our financial statements, our meeting minutes and our Canada Revenue Agency Business Number. When asked why Mr. Kaspersetz was in need of this information, he replied that it was a personal request, but if we did not give him this information, he would “appreciate a formal letter from your organization stating your reasons for not allowing public access to this information.”

Our Chairperson, Dr. John Bacher replied to Mr. Kaspersetz explaining that as a private non-profit corporation we are not legally required to disclose this information.

On February 23, Mr. Kaspersetz wrote again to say that he had contacted one of our funders, suggesting that they may be able to answer his questions or that the funder would be able to instruct the NRC “on how to deal with my request regarding financial transparency of public funds. I am now asking for a full accounting of monies spent on restoration work performed by your organization paid for by the Ontario Taxpayers”.

Mr. Kaspersetz’s tone in this email was threatening; He implied that by refusing his request, we were conceding that there was some misuse of funds. Also, by advising us that he would be contacting our funder, he was inferring that our future funding may be at risk if we did not obey his wishes.

As this point, the NRC Project Co-ordinator found it to be of importance to send an email to the Ontario Trillium Foundation, letting them know of this potential request for information and informing them this was done without the consent of the NRC. The entire NPCA Board of Directors was copied on this email to Ontario Trillium Foundation.

At the NRC’s board meeting on February 27, the board unanimously agreed on a policy that states anyone requesting information about the NRC will be referred to our website, so Dr. Bacher replied telling Mr.



NIAGARA RESTORATION COUNCIL

Kaspersetz exactly that. Mr. Kaspersetz, presumably unsatisfied with this answer, continued his emails in what was becoming a harassing manner.

Mr. Kaspersetz wrote on March 28: "Other than the funding you received from the Trillium Foundation and precious funding from the NPCA, I wondered if you received any other provincial funding?" He stated that he no longer was only asking this information as a private citizen, rather he now was "requesting this information as Vice Chair of the NPCA".

Later on March 28, he requested contact information for the NRC's lawyer, adding that he would be giving us the information for the NPCA's lawyer.

The next day he emailed, asking for the names of our current Board Members. As the names are clearly listed on our website, it appears that Mr. Kaspersetz either ignored our advice to refer to our website or he sent this email to cause the NRC further stress.

On April 19, Mr. Kaspersetz emailed Dr. Bacher a list of information he requested and was "still waiting" to receive, including "verification that the intended money used for various restoration projects on private lands were indeed done for restoration purposes" and a "copy of your conflict of interest guidelines." Once again Mr. Kaspersetz refused to accept our information policy and inferred that our failure to disclose our information implied deceitfulness.

Dr. Bacher responded May 10, reminding Mr. Kaspersetz of our board's policy on information and asked that he cease with his email inquiries. Mr. Kaspersetz persisted, replying the same day, saying that the NRC is "required to disclose to the public and he [sic] held accountable" and said that "to deny my request for a full accounting is very concerning".

"As Vice Chairman of the NPCA, I [sic] have a duty to the taxpayers of our Watershed to ask for a full accountability of monies paid by the NPCA. Additionally, I have the right as a taxpayer to request and review all documentation with respect to funds received from the Ontario Trillium Fund."

He goes on to say, "I am going to take advantage of the fact that we have the Auditor General at the NPCA and I will now request in writing that the AG review the relationship between the NPCA and the NIAGARA [his emphasis] Restoration Council and request that they determine if public funds used were properly vested."

He ends the email saying, "Your cooperation is greatly appreciated in helping restore accountability and transparency of your organization".

Mr. Kaspersetz clearly states that the "accountability and transparency" of the NRC is at stake, and if we do not give in to his requests, we will lose our credibility. Furthermore, by using the phrase "helping to restore", he implies that trust in our accountability and transparency was, in some manner, already lost. He does not give any basis for his claims or cite any legislation that states as a private non-profit we are legally bound to disclose any of this information and yet he threatens us with the possibility of an audit.

In an email sent May 12, Mr. Kaspersetz writes, "I am concerned regarding your lack of accountability and transparency in the use of public monies", adding "Your denial since last year to openly share financial, Board Member Minutes and financial information in various projects has created a deep concern." He said he is now "requesting a detailed copy of the expense reconciliation and or reporting ledgers breaking down how the funds were distributed" for the Twelve Mile Creek Island Habitat Enhancement project. He ending the email saying:



**NIAGARA
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COUNCIL**

"Please regard this as an Official Notification in accordance with the Freedom of Information Act." He copied a funder on this email as well.

In all of Mr. Kaspersetz's correspondence, there was neither an explanation of why this information was requested nor what he hoped to gain by receiving this information. His constant emails and requests caused unneeded and undeserved stress to the staff and board members of the NRC. His goal seemed to not be protecting public funds, but rather harass an organization that does not meet with the NPCA's approval.

As mentioned previously, the NPCA Board of Directors was made aware of this correspondence firstly on February 28, 2018. They have since been copied on other email correspondence between the NRC and Mr. Kaspersetz and they have failed to take action and cease these requests.

We hope you will take all of this into consideration,

A handwritten signature in black ink, appearing to read "Allison Graszat".

Allison Graszat

Executive Director/Project Manager

Niagara Restoration Council

& on behalf of Niagara Restoration Council Board of Directors

CITY OF HAMILTON

NOTICE OF MOTION

Council Date: June 13, 2018

MOVED BY COUNCILLOR A. VANDERBEEK.....

New Stop controls – Hatt Street at McMurray Street (Ward 13)

WHEREAS, the City of Hamilton is committed to creating safe neighbourhoods and vibrant communities; and,

WHEREAS, ensuring the safety of both pedestrians and motorists is a priority; and,

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to take the required steps to add new stop controls on Hatt Street at McMurray Street;
- (b) That the draft by-law, attached as Appendix A to this motion, be enacted by Council.

CITY OF HAMILTON NOTICE OF MOTION

Council: June 13, 2018

MOVED BY COUNCILLOR C. COLLINS.....

Opposition to Buy American Policies and the Tariffs Recently Imposed by the Trump Administration

WHEREAS, at its meeting of June 11, 2018, the Town of Halton Hills passed the following resolution:

WHEREAS, since 2009, Council for the Town of Halton Hills have been leaders in taking opposition to Buy American Policies and other punitive trade legislation;

AND WHEREAS, the Buy American Policies have had negative impacts on local Canadian industries and Municipalities;

AND WHEREAS, their impacts have negatively affected Canadian Municipalities and their economies and families;

AND WHEREAS, NAFTA governs nearly every aspect of Canada and the U.S. economic relationship and even minor changes to the established trade relationship could have far-reaching consequences for communities on both sides of the border;

AND WHEREAS, recent trade disputes with the U.S. on softwood lumber and potential tariffs on other commodities has caused business uncertainty and impacted local economies;

AND WHEREAS, Canada's economic future and the continued well-being of communities and their local economies depend on free and fair trading relationships based in current and future international agreements;

AND WHEREAS, the recent imposition by the United States government of tariffs on steel and aluminum imports from Canada, purportedly based on national security grounds, are an affront to the decades-long alliance between Canada and the United States;

AND WHEREAS, given the actions of the United States government, it is imperative that Municipalities and individual Canadian businesses and citizens, as consumers of goods and services, take proactive action to support and protect Canadian interests.

THEREFORE BE IT RESOLVED, that the Town of Halton Hills supports the recent resolution passed by FCM to continue to work with the federal government to support the interests of municipalities across Canada affected by trade disputes and during ongoing trade agreement negotiations;

AND FURTHER THAT the Council for the Town of Halton Hills continues to support free and fair trade and vehemently opposes restrictive trade practices;

AND FURTHER THAT the Town of Halton Hills stands with those Municipalities, Employers, Families who may be impacted by the latest tariffs imposed by the Trump Administration;

AND FURTHER THAT that the Town of Halton Hills encourage residents and businesses with the Town to become knowledgeable about the origin of the products and services that they purchase, consider avoiding the purchase of U.S. products where substitutes are reasonably available and communicating with U.S. businesses and individuals of Canadian concern about the decisions of the United States Government;

AND FURTHER THAT this resolution be forwarded to the Prime Minister, Minister of Trade, Minister Freeland, Mayor Iveson (Edmonton) Chair of the Big City Mayors, Halton MP's, MPP's, Premier, Premier elect, Halton MPP elects, Canadian Chamber of Commerce, Halton Hills Chamber of Commerce, Canadian Manufacturers & Exporters, Federal Opposition Leaders, Mayors of Windsor, Hamilton, Halton Region, Burlington, Milton, Oakville, FCM and AMO.

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton strongly support the above resolution, co-sponsored by the City of Hamilton at the 2018 FCM Conference, respecting Opposition to Buy American Policies and the tariffs recently imposed by the Trump Administration; and,
- (b) That a copy of this resolution be forwarded to Prime Minister, Minister of Trade, Minister Freeland, Mayor Iveson (Edmonton), Chair of the Big City Mayors, Hamilton MP's, MPP's, Federal Opposition Leaders, FCM and AMO.

CITY OF HAMILTON

NOTICE OF MOTION

Council Date: June 13, 2018

MOVED BY COUNCILLOR L. FERGUSON.....

Connection to the Sanitary Sewers by the Ancaster Fair Grounds at 630 Trinity Road, Ancaster

WHEREAS Cormorant Road is now scheduled to have full municipal servicing installed by late fall of 2018;

WHEREAS Cormorant Road western limit is located adjacent to property of owned by Ancaster Fair (Ancaster Agricultural Society) known as 630 Trinity Road in Ancaster;

WHEREAS the sewerage flow rate currently put out by Ancaster Fair Grounds is acceptable to Development engineering; and

WHEREAS the clay soil conditions at the Fair Grounds are creating problems for the Ancaster Fair Grounds as it is not pervious enough.

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to allow the connection to the sanitary sewers by the Ancaster Fair Grounds at 630 Trinity Road which are being installed by the City of Hamilton on Cormorant Road in the Fall of 2018; and
- (b) That the City place a stub at Trinity and Cormorant to allow the connection; and
- (c) That the connection be made by and at the expense of the Ancaster Fair.

CITY OF HAMILTON

NOTICE OF MOTION

Council Date: June 13, 2018

MOVED BY COUNCILLOR M. GREEN.....

Future Council Vacancy – Office of Councillor Ward 7

That Council, as required by subsection 263(1) of the *Municipal Act, 2001*, invite applications and appoint in accordance with the process as set out below, to appoint a qualified person to hold the office of Councillor, Ward 7, once the seat is declared vacant by Council; and

That the City Clerk be authorized to take the steps necessary to carry out the application process.

APPOINTMENT PROCEDURE FOR FILLING VACANCY ON COUNCIL

- An Advertisement is placed in the Hamilton Spectator and in a local newspaper serving Ward 7 if applicable. The advertisement includes Council's intention to appoint a qualified person to fill the vacancy and the process to be followed. Communication using the city's website and or other communication methods may also be used where appropriate.
- All applicants must, on or before 2:00 p.m., on a date to be determined, complete and submit, in person to the Clerk's Office, a Council Vacancy Application and a Declaration of Qualification and provide personal identification showing his or her name and an address within the City of Hamilton.
- Applicants who have met the application submission deadline, and requirements set out in the Declaration of Qualification, may address Council for no more than five minutes each at the on a date to be determined General Issues Committee meeting. The order of the addresses is determined by lot.
- After hearing all of the applicants, Council appoints an applicant to fill the office of Councillor by way of a run-off ballot. In the case of a tie, the successful candidate is chosen by lot.
- The appointee is responsible for attending Council, Board of Health, General Issues Committee and 2 Standing Committees (as per section 5.3(6) of the City's Procedural By-law 14-300, as amended) to represent Ward 7.
- The appointee is not obligated to serve on agencies, boards or committees unless appointed by Council.

Authority: Item 31 Planning and Economic
Development Committee
Report: 06-005
CM: April 12 ,2006
Ward: 2

Bill No. 153

CITY OF HAMILTON

BY-LAW NO. 18-

**To Amend Zoning By-law No. 6593 (Hamilton), as amended
By By-law 17-152, respecting lands located at 500-512
James Street North**

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap.14, Sch. C did incorporate, as of January 1st, 2001, the municipality “City of Hamilton”;

AND 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”;

AND 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;

AND 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);

AND WHEREAS the Council of the City of Hamilton, in adopting item 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April 2006, recommended that the Director of Development and Real Estate be authorized to give notice and prepare by-laws for presentation to Council, to remove the “H” Holding Provision from By-laws where the conditions have been met; and,

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:

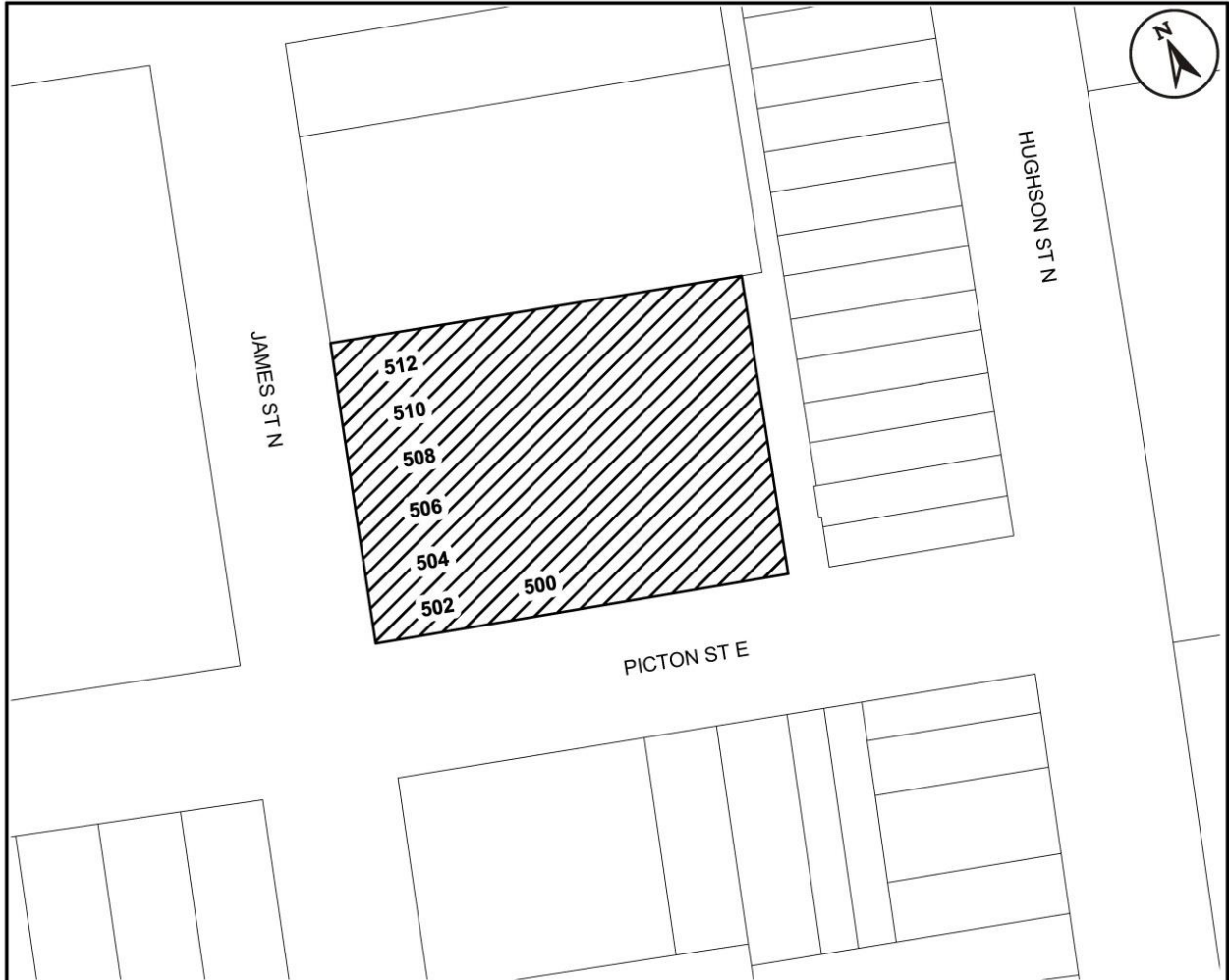
1. That Schedule "A" appended to and forming part of Zoning By-law No. 6593 (Hamilton) as amended by By-law No.17-152, is hereby amended by changing the zoning from the Community Shopping and Commercial, etc. "H/S-1751- H" Zone, Modified, Holding to Community Shopping and Commercial, etc. "H/S-1751" Zone, Modified on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. 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/S-1751" (Community Shopping and Commercial, etc.) District, Modified provisions.
3. 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 13th day of June, 2018.

F. Eisenberger
Mayor

J.Pilon
Acting City Clerk

ZAH-18-031



<p>This is Schedule "A" 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;">Clerk</p>
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 18-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 6593</p>	<p>Subject Property 500 - 512 James Street North</p> <p> Change in Zoning from the Community Shopping and Commercial, etc "H/S-1751-H" Zone, Modified, Holding to the Community Shopping and Commercial, etc "H/S-1751" Zone, Modified</p>
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<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAH-18-031</p>	
<p>Date: June 8, 2018</p>	<p>Planner/Technician: JS/AL</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

Authority: Item 8.1 (Motion)
CM: June 13, 2018
Ward: 13

Bill No. 154

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 "B" (Dundas) thereof the following items, namely;

Hatt Street

Eastbound & Westbound

McMurray Street

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.

This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 13th of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk