



City of Hamilton

CITY COUNCIL REVISED

Wednesday, June 13, 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

3.1 Business Appreciation Awards (Wards 1 to 8)

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 May 23, 2018

4.2 May 31, 2018

5. COMMUNICATIONS

5.1 Correspondence from the County of Brant and the City of Brantford seeking the City Council's endorsement of the nomination of Mr. Paul Emerson as a shared appointee to the Lake Erie Source Protection Committee for a three-year term, expiring June, 2021.

Recommendation: Be endorsed.

- 5.2 Correspondence from the Honourable Ralph Goodale, Minister of Public Safety and Emergency Preparedness in response to the Mayor's letter respecting the legalization, regulation and restriction of cannabis.
- Recommendation: Be received.
- 5.3 Correspondence from John Leuser a resident of Ancaster respecting his objection to the proposed designation of "The Lampman House" as a heritage property under Section 29 of the Ontario Heritage Act.
- Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.
- 5.4 Correspondence from Josie Rudderham respecting her resignation from her role as Vendor Director for the Hamilton Farmers' Market Board.
- Recommendation: Be received.
- 5.5 Correspondence from the Niagara Region requesting support for their resolution respecting Cross Border Travel Improvements.
- Recommendation: Be received.
- 5.6 Correspondence from York Region respecting their report regarding Meeting Growth Plan Infrastructure Demands and Financial Sustainability: 2018 Update
- Recommendation: Be received.
- 5.7 Correspondence from the City of Quinte West requesting support for their resolution respecting a Request for a Cannabis Grace Period
- Recommendation: Be endorsed.
- 5.8 Correspondence from Gord Johns, MP, requesting support for his Private Member's Bill C-312, which will establish a National Cycling Strategy for Canada.
- Recommendation: Be endorsed.
- 5.9 Correspondence from Kristopher Brown respecting his resignation from the Hamilton Conservation Authority Board of Directors.
- Recommendation: Be received.
- 5.10 Correspondence from the Ministry of Children and Youth Services respecting a base funding increase for 2018/19 in the amount of \$104,310.40, pending the approval of the 2018 Ontario Budget.
- Recommendation: Be received and referred to the General Manager of Healthy and Safe Communities Department for appropriate action.

- 5.11 Correspondence from the Hamilton Beach Community Council requesting that the Skyway Park on Beach Boulevard be renamed to Jimmy Howard Park.
Recommendation: Be received and referred to the Facility Naming Sub-Committee
- 5.12 Correspondence from the Ministry of Natural Resources and Forestry in response to the Mayor's letter requesting the Hamilton Conservation Authority take formal steps to request an enlargement of their jurisdiction.
Recommendation: Be received and referred to the General Manager of Finance and Corporate Services for appropriate action.
- 5.13 Correspondence from the Ministry of Transportation in response to the Mayor's letter respecting the City of Hamilton positioning itself as a potential site for autonomous buses.
Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.
- *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.

6. COMMITTEE REPORTS

- 6.1 Special General Issues Committee Report 18-012 - May 31, 2018
- 6.2 Public Works Committee Report 18-008 - June 4, 2018
- 6.3 Planning Committee Report 18-009 - June 5, 2018
- 6.4 General Issues Committee Report 18-013 - June 6, 2018
- 6.5 Hamilton Utilities Corporation Shareholder Annual General Meeting Report 18-002 - June 6, 2018
- 6.6 Hamilton Enterprises Holding Corporation Shareholder Annual General Meeting Report 18-001 - June 6, 2018 (to be distributed)
- 6.7 Audit, Finance and Administration Committee Report 18-008 - June 11, 2018 (to be distributed)

- 6.8 Healthy and Safe Communities Committee Report 18-006 - June 11, 2018 (to be distributed)

7. MOTIONS

- 7.1 Amendment to Item 10(e) of Public Works Committee Report 16-020 respecting Ward 2 Area Rating Funded Projects (Upgrades to NHCHC Pathway at Picton St.)
- 7.2 Ward 3 Playground Improvements for Lifesavers Park, Birge Park and, Woodlands Park
- 7.3 Emergency Intersection Control Measures - Wards 11 and 12
- 7.4 Community Grants for Ward 3
- 7.5 Cartier Crescent Extension
- 7.6 Waterdown Memorial Parking Lot Project - REVISED

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

9. STATEMENTS BY MEMBERS

10. PRIVATE AND CONFIDENTIAL

11. BY-LAWS AND CONFIRMING BY-LAW

- 11.1 147

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

Schedule 5 (Stop Control)

Ward: 2, 3, 13

11.2 148

To Amend By-law No. 11-080, a By-law to Prohibit Smoking within City Parks and Recreation Properties

Ward: City Wide

11.3 149

Respecting Removal of Part Lot Control, Lots 1 to 70, 71, 72, 75-80 and Block 81, Registered Plan No. 62M-1243 – “Kaleidoscope – Phase 2”, 157 Parkside Drive

PLC-18-017

Ward: 15

11.4 150

Respecting Removal of Part Lot Control, Block 14, Registered Plan of Subdivision No. 62M-1226, “Ancaster Glen Phase 2”, municipally known as, 52, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 77 and 79; 2, 4, 6, 8, 10 and 12 Shay Lane; 50 and 58 John Frederick Drive

PLC-17-024

Ward: 12

11.5 151

To Amend Zoning By-law No. 87-57 (Ancaster) Respecting Lands Located at 449 Springbrook Avenue

ZAC-17-086

Ward: 12

11.6 152

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

Schedule 5 (Stop Control)

Ward: 11, 12

*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

11.9 155

To Confirm the Proceedings of City Council

12. ADJOURNMENT



**CITY COUNCIL
MINUTES 18-010**

5:00 p.m.

Wednesday, May 23, 2018

Council Chamber

Hamilton City Hall

71 Main Street West

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

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 Naveed Iqbal a Missionary with the Ahmadiyya Muslim Community to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED COMMUNICATION (Item 5)

5.17 Correspondence from Ms. Tsui’s Grade 2 Class, Pauline Johnson School respecting the single use of plastic water bottles.

Recommendation: Be received and referred to Item 5 of the Board of Health Report 18-005.

2. ADDED MOTIONS (Item 7)

7.2 Zoning of Residential Care Facilities

7.3 Zoning by-law Regulations for Accessory Apartments (Tabled at the May 9, 2019 Council Meeting)

3. ADDED NOTICES OF MOTION (Item 8)

- 8.1 Amendment to Item 15 (a), (c) and (d) of the General Issues Committee Report 18-002, January 17, 2018 (Tax Assistance Programs for Seniors and Low Income Persons with Disabilities (FCS18005) (City Wide)
- 8.2 Community Grants for Ward 3
- 8.3 Investment Stabilization Reserve Funded Projects (Ward 14)
- 8.4 Dedicated Parking Enforcement Officer in the Mohawk College Precinct
- 8.5 Heritage Green Community Fireworks Canada Day Display by Kingsview Church
- 8.6 Eringate Park Pathway Phase 2 Light Installation
- 8.7 A.M. Cunningham School Playground Replacement (Ward 4)

(Conley/VanderBeek)

That the agenda for the May 23, 2018 meeting of Council be approved, *as amended*.

CARRIED

CEREMONIAL ACTIVITIES

The Mayor recognized and congratulated Sunni Genesco and Matt Hayes on 25 years together as morning hosts at K-Lite FM. The Mayor thanked them for entertaining and informing Hamiltonians over the years on their morning show.

DECLARATIONS OF INTEREST

Councillor B. Johnson declared an interest with Item 5.17 and Item 5 of the Board of Health Report 18-005 as she has a family member employed by the beverage industry.

APPROVAL OF MINUTES OF PREVIOUS MEETING

- 4.1 May 9, 2018

(Collins/Merulla)

That the Minutes of the May 9, 2018 meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Pearson/Conley)

That Council Communications 5.1 to 5.17 be approved, as presented, as follows:

- 5.1 Correspondence from the Town of Lakeshore requesting support for their resolution respecting Renovation and/or Demolition of All Buildings Containing Hazardous Materials.

Recommendation: Be received.

- 5.2 Correspondence from Ontario Homes for Special Needs Association on behalf of the Residential Care Facilities Operators in appreciation for the “one time funding” approved by Council on April 25, 2018.

Recommendation: Be received.

- 5.3 Correspondence from the Honourable Dr. Helena Jaczek, Minister of Health and Long Term Care advising the City of Hamilton of one-time funding in the amount of \$1,328,964 for the 2018-19 funding year to support dedicated nurses to received ambulance patients at locally selected hospitals.

Recommendation: Be received.

- 5.4 Correspondence from the Accessibility Directorate of Ontario respecting the Transportation Standings Review: Final Recommendations.

Recommendation: Be received.

- 5.5 Correspondence from the Grand River Conservation Authority respecting a Progress Report on the Grand River Watershed Management Plan.

Recommendation: Be received and referred to the General Managers of Planning and Economic Development and Public Works.

- 5.6 Correspondence from the Environmental and Land Tribunal Ontario in response to the Mayor’s letter which outlined concerns around the possible scheduling delays for matters related to significant municipal planning initiatives for the City of Hamilton.

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

- 5.7 Correspondence from the Honourable Dipika Damerla, Minister of Seniors Affairs respecting the Ontario Senior Achievement Award.

Recommendation: Be received and referred to the Seniors Advisory Committee.

- 5.8 Correspondence from the Honourable Dipika Damerla, Minister of Seniors Affairs respecting Seniors' Month – June 2018.

Recommendation: Be received and referred to the Seniors Advisory Committee.

- 5.9 Correspondence from the Honourable Daiene Vernile, Minister of Tourism, Culture and Sport in response to the Mayor's letter supporting the public libraries and the Ontario Library Association/Federation of Public Libraries Pre-Budget Submission.

Recommendation: Be received.

- 5.10 Correspondence from the Town of Oakville requesting support for their resolution regarding CN Intermodal.

Recommendation: Be supported.

- 5.11 Correspondence from the Town of Oakville requesting support for their resolution regarding a Renewed Commitment to the Greenbelt.

Recommendation: Be supported.

- 5.12 A petition to upgrade the sidewalks on Hamilton Mountain containing 363 signatures.

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

- 5.13 Correspondence from Paul Dube, Ombudsman of Ontario respecting the investigation into whether the Waste Management Advisory Committee of the City of Hamilton held improper closed meetings on September 27, 2017 and January 31, 2018.

Recommendation: Be received.

- 5.14 Correspondence from the Honourable Kathryn McGarry, Minister of Transportation in response to the Mayor's letter requesting an annual investment in cycling infrastructure.

Recommendation: Be received.

- 5.15 Correspondence from the Honourable Dr. Helena Jaczek, Minister of Health and Long Term Care advising the Board of Health for the City of Hamilton, Public Health Services up to \$679,600 in additional base funding and up to \$337,200 in one-time funding for the 2018-19 funding year to support the provision of public health programs and services in the community.

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

- 5.16 Correspondence from the Honourable Steven Del Duca, Minister of Economic Development and Growth in response to the Mayor's letter regarding Council's resolutions respecting Hamilton Speciality Bar (HSB).

Recommendation: Be received.

- 5.17 Correspondence from Ms. Tsui's Grade 2 Class, Pauline Johnson School respecting the single use of plastic water bottles.

Recommendation: Be received and referred to Item 5 of the Board of Health Report 18-005.

CARRIED

(Partridge/VanderBeek)

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

CARRIED

PUBLIC WORKS COMMITTEE REPORT 18-007

(Jackson/Skelly)

That the SEVENTH Report of the Public Works Committee be adopted, as presented, and the information section received.

CARRIED

BOARD OF HEALTH REPORT 18-005

- 2. Suitability of Bayfront Beach as a Public Beach (BOH16008(b)) (City Wide) (Item 5.2)**

(Ferguson/Jackson)

That the General Manager of Public Works report back to the Public Works Committee on permanently addressing the suitability of Hamilton's beaches in consultation with Public Health.

CARRIED

Councillor Jackson wished to be recorded as OPPOSED to Item 2 of the Board of Health Report.

- 5. Recreation's Healthy Food and Beverage Action Plan(BOH18014/HSC18019) (City Wide) (Item 7.1)**

Item 5 was CARRIED on the following Recorded Vote:

Yeas: Eisenberger, A. Johnson, Farr, Green, Whitehead, Partridge, VanderBeek, Ferguson, Pearson

Total: 9

Nays: Merulla, Collins, Jackson, Skelly, Pasuta, Conley

Total: 6

Absent: B. Johnson
Total: 1

(Eisenberger/Partridge)

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

CARRIED

PLANNING COMMITTEE REPORT 18-008

9. An 18 Month Pilot on Patio Encroachment Agreement Amendment to Allow a BBQ and Taps on the Black Forest Inn Seasonal Patio. (Added Item)

(Farr/Collins)

That the recommendation of Item 9 of Planning Committee Report 18-008 respecting An 18 Month Pilot on Patio Encroachment Agreement Amendment to Allow a BBQ and Taps on the Black Forest Inn Seasonal Patio, be amended to include a subsection (c), as follows:

(c) *That the General Manager of Public Works be authorized to execute all necessary documents to implement Recommendations (a) and (b) to a form satisfactory to the City Solicitor.*

The amended Item 9 to read as follows:

WHEREAS, the International Village BIA has fully endorsed the permitting of a BBQ and a set of taps for seasonal patio use at the historic Black Forest Restaurant;

WHEREAS, the current by-law, established long ago, does not permit BBQ or taps on patios as part of the standard City encroachment agreement;

WHEREAS, the International Village BIA has had concerns respecting nefarious activities and serious vandalism in the immediate area and strongly feels that the patio and BBQ and tap enhancements would greatly assist in addressing these issues by bringing many more "eyes on the area;" an area that is central to the BIA at Ferguson Avenue and King Street;

WHEREAS, pilots are an effective way to measure ideas that seek to modify or amend dated by-laws;

WHEREAS, the City's newly adopted Downtown Secondary Plan encourages more vibrant streets and places; and

WHEREAS, the City of Hamilton is Open for Business;

THEREFORE, BE IT RESOLVED:

- (a) That the current by-law be amended so as to permit an 18 month seasonal pilot for a BBQ and taps (in conjunction with the approval of the Alcohol and Gaming Commission of Ontario (AGCO)) at the Black Forest Inn Restaurant;
- (b) That any City of Hamilton department stakeholders including Fire, Health, Risk Management, Planning, Municipal Law Enforcement, Public Works, and Legal be requested to monitor the 18 month seasonal pilot for a BBQ and taps on the patio at the historic Black Forest Inn Restaurant;
- (c) ***That the General Manager of Public Works be authorized to execute all necessary documents to implement Recommendations (a) and (b) to a form satisfactory to the City Solicitor.***

CARRIED

10. Update on LPAT Appeals (LPAT File Nos. PL170698, PL170699, PL170700 and PL170743) by Harbour West Neighbours Inc. et al, regarding Temporary Use By-law Nos. 17-082, 17-083, 17-084 and 17-096 (Entertainment on Outdoor Commercial Patios) (LS18018) (City Wide) (Item 12.2)

(A. Johnson/Farr)

That the recommendation of Item 10 of Planning Committee Report 18-008 respecting Update on LPAT Appeals (LPAT File Nos. PL170698, PL170699, PL170700 and PL170743) by Harbour West Neighbours Inc. et al, regarding Temporary Use By-law Nos. 17-082, 17-083, 17-084 and 17-096 (Entertainment on Outdoor Commercial Patios) (LS18018) be deleted in its entirety and the following be inserted therein:

~~That Report LS18018 respecting Update on LPAT Appeals (LPAT File Nos. PL170698, PL170699, PL170700 and PL170743) by Harbour West Neighbours Inc. et al, regarding Temporary Use By-law Nos. 17-082, 17-083, 17-084 and 17-096 (Entertainment on Outdoor Commercial Patios) be approved and remain private and confidential until approved by Council upon which the recommendations will be released.~~

- (a) That the Mayor and Clerk be authorized to execute the Minutes of Settlement, substantially in accordance with the Appendix "A" to Report LS18018;
- (b) That upon full execution of the Minutes of Settlement, that the appropriate staff be directed to take whatever action or steps may be necessary to implement the settlement.
- (c) That Report LS18018 remain confidential, and once executed by all parties the executed Minutes of Settlement may be released to the public.

CARRIED

(A. Johnson/Farr)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 18-011

(Eisenberger/VanderBeek)

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

CARRIED

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 18-007

(VanderBeek/Ferguson)

That the SEVENTH Report of the Audit, Finance and Administration Committee be adopted, as presented, and the information section received.

CARRIED

(Partridge/Pasuta)

That Committee Rise and Report.

CARRIED

MOTIONS

7.1 Amendment to Item 8 of the Public Works Committee Report 18-006

(Collins/B. Johnson)

WHEREAS, at its meeting of May 9, 2018, Council approved Item 8 of the Public Works Committee Report 18-006;

WHEREAS, the Fifty Road Parkette was not identified in the motion but has sustained extensive damage due to storm events and high water levels in 2017 that required the full removal and demolition of the existing parkette;

WHEREAS, the Fifty Road Parkette has been included in previous Information Updates dated June 30, 2017 and September 25, 2017 regarding storm damage;

WHEREAS, the Fifty Road Parkette is an existing capital project with design funds allocated from the 2018 capital budget to redesign the shoreline protection and the Parkette however no funding source for the reconstruction of the Parkette was identified, and;

WHEREAS, the Fifty Road Parkette is located to the east of Confederation Park and in the original motion the boundary for shoreline protection works only included land up to Confederation Park therefore requiring a change to the boundary.

THEREFORE BE IT RESOLVED:

- (a) That sub-section (c) to Item 8 of the Public Works Committee Report 18-006, respecting Emergency Shoreline Protection Works, be amended to read as follows:

- (c) That Environmental Services staff undertake a comprehensive study of the Lake Ontario and Hamilton Harbour shorelines, from the lift bridge to the ~~eastern boundary~~ **City-owned lands east of Confederation Park**, and the shoreline from Bayfront Park to Cootes, to determine options (including hard protection measures) and costs to protect City lands and residents from extreme storm events, and that the costs to undertake the study, estimated at ~~\$300,000~~ **\$340,000**, be funded from the unallocated capital reserve, and;
- (b) That sub-section (f) to Item 8 of the Public Works Committee Report 18-006, respecting Emergency Shoreline Protection Works, be added as follows:
 - (f) ***That the costs for reconstruction of the Fifty Road Parkette, valued at \$600,000 be funded from the unallocated capital reserve.***

CARRIED

7.2 Zoning for Residential Care Facilities (Added Item 7.2)

(Jackson/Skelly)

WHEREAS this matter is currently under the Residential Zoning Bylaw Review that will be coming back in early 2019 to the new term of Council;

THEREFORE BE IT RESOLVED:

That the motion respecting Zoning for Residential Care Facilities, be WITHDRAWN.

CARRIED

7.3 Zoning By-law Regulations for Accessory Apartments (Added Item 7.3)

(Jackson/Skelly)

That the motion respecting Zoning By-law Regulations for Accessory Apartments, be LIFTED from the table.

CARRIED

(Jackson/Skelly)

That the motion respecting Zoning By-law Regulations for Accessory Apartments, be WITHDRAWN.

CARRIED

7.4 Amendment to Item 15 (a), (c) and (d) of the General Issues Committee Report 18-002, January 17, 2018 (Tax Assistance Programs for Seniors and Low Income Persons with Disabilities (FCS18005) (City Wide)

(Jackson/Skelly)

WHEREAS, The Council of the City of Hamilton approved the criteria for the Deferral of Tax Increases Program, Full Tax Deferral Program and Seniors (65+) Tax Rebate Program, contained in Appendices D, E and F, respectively, to Item 15 of GIC Report

18-002 “Tax Assistance Programs for Seniors and Low Income Persons with Disabilities” (Report FCS18005); and

WHEREAS, Gross or Manifest Clerical Errors were included in the criteria.

THEREFORE BE IT RESOLVED:

- (a) That a three-year pilot for a Deferral of Full Taxes for Seniors and Low Income Persons with Disabilities Program (“Full Tax Deferral Program”) be approved under the criteria included in the attached **Amended** Appendix “D” to GIC Report 18-002, **to correct the following**:
- (i) Under the heading “Income”, “aggregate taxable income” should be amended to “**aggregate total income**”;
 - (ii) Under the heading “Application”, “tax account” should be amended to “**deferral account**”; and
 - (iii) Under the heading “Repayment”, “tax account” should be amended to “**deferral account**”.
- (c) That the revised criteria for the Deferral of Tax Increases for Seniors and Low Income Persons with Disabilities Program (“Deferral of Tax Increases Program”) listed in the attached **Amended** Appendix “E” to GIC Report 18-002 **to correct the following**, be approved;
- (i) Under the heading “Income”, “aggregate taxable income” should be amended to “**aggregate total income**”;
 - (ii) Under the heading “Application”, “tax account” should be amended to “**deferral account**”;
 - (iii) Under the heading “Repayment”, “tax account” should be amended to “**deferral account**”, and
 - (iv) Under the heading “Repayment”, the words “will continue to be subject to interest and” and “or if the owner is no longer eligible” should be deleted.
- (d) That the criteria for the Seniors (65+) Tax Rebate Program listed in the attached **Amended** Appendix “F” to Report 18-002, **to correct the following**, be approved;
- (i) Under the heading “Income”, “aggregate taxable income” should be amended to “**aggregate total income**”.

CARRIED

7.5 Community Grants for Ward 3

(Green/Merulla)

WHEREAS, cell tower revenues from Ward 3 of \$17,128.19 are available in project 3301609603 to provide financial support to community led projects and initiatives that benefit Ward 3;

THEREFORE BE IT RESOLVED:

- (a) That the funding for the following programs and initiatives, to be financed from the Cell Tower Revenues Project 3301609603, be approved:

- (i) That Crown Point Youth Soccer is granted funds in the amount of \$1,000 to support the purchase of much-needed equipment for the upcoming season of youth soccer and to ensure a barrier-free soccer experience for families of the Crown Point community;
 - (ii) That the Older Adult Network of Hamilton is granted funds in the amount of \$1,000 to support the Senior's Month Kick-Off Festival at the Michelangelo Event and Conference Centre. This one-day festival helps to connect seniors with numerous programs and services, and will feature entertainment, workshops, and refreshments at no cost;
 - (iii) That Gage Park Softball Association is granted funds in the amount of \$1,000 to support a locally accessible and affordable softball league, open to youth ages 4-18, with games taking place in Gage Park;
 - (iv) That Branches of Native Development is granted funds in the amount of \$1,500 to support the Indigenous component of the Strawberry Thunder Festival, which will include drumming, dancing, singing, and community education regarding Indigenous culture;
 - (v) That LUSO Support Centre of Hamilton is granted funds in the amount of \$1,000 to support the E.C.H.O. (Empowerment, Culture, Hope, and Opportunity) program for adults with special needs;
 - (vi) That Hamilton Dialogues is granted funds in the amount of \$1,000 to support deLight Fest 2018, a yearly festival celebrating winter and community. In 2018, the festival will take in Gage Park and will include a display of 'garbage trees' that seek to remind the community of the ecological impacts of our actions;
- (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 Investment Stabilization Reserve Funded Projects (Ward 14)

(Pasuta/Partridge)

WHEREAS, modern winters appear to have accelerated the deterioration of roads throughout Ward 14 as a result of increased frequency of freeze/thaw cycles and more extreme variability of temperatures; and,

WHEREAS, the City of Hamilton current has competitively bid projects and prices available as a base for comparison and negotiation that can be used to ensure value for money on the award of the proposed works; and,

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

THEREFORE BE IT RESOLVED:

- (a) That Concession 5 West from Westover Road to Middletown Road, at an estimated cost of \$100,000, with the work to include the rehabilitation of the existing asphalt with repaving as identified within C15-03-18(M) 2018 Surface Treatment Program – Cornell Construction (award pending); and,
- (b) That roads in the Greensville area, being Oak Ave, Mountain View Dr to 660m W of Rosebough, Greenwood Court, Bayview Avenue to End of Street, Maple Avenue, Park Avenue to End of Street, Park Avenue, Hillcrest Avenue to Maple Avenue, Bayview Avenue, Maple Avenue to End of Street, Flamboro Court, Rosebough Street to End of Street, Rosebough Street, Hwy # 8 to Maple Avenue, Valleydale Court, Rosebough Street to End of Street, Grandview Court, Rosebough St to End of Street, Jameson Dr, Mountain View Dr to Rosebough St, Jameson Dr, Rosebough St to End of Street, Webster, Mountain View Dr to Park Avenue, Marion Drive, Webster Street to Hillcrest Avenue, Hillcrest Drive, Park Avenue to End of Street, Newton Avenue, Park Avenue to End of Street, Highview Court, Park Avenue to End of Street, at an estimated cost of \$800,000, with the work to include the rehabilitation of the existing asphalt with repaving as identified within Contract C15-04-18(M) 2018 Bonded Wearing Course Program – Norjohn Contracting (award pending); and,
- (c) That the Ward 14 allocation, in the amount of \$900,000 (Project ID 4031811814) previously approved from the Investment Stabilization Reserve Account (112300) be utilized to fund the asset preservation of Concession 5 West from Westover Road to Middletown Road, and those roads previously identified within the Greensville area, and,
- (d) That upon project completion, should any surplus funding be generated, that the same be transferred to the Ward 14 road maintenance being project no. 4031611614.
- (e) 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**7.7 Dedicated Parking Enforcement Officer in the Mohawk College Precinct****(Whitehead/Skelly)**

WHEREAS, there are chronic parking issues in the Mohawk College precinct;

WHEREAS, from March 1st 2017 – March 1st 2018 there was a total of 2848 tickets issued in the Mohawk College Precinct totaling \$79,468.00 in parking fines; and

WHEREAS, these parking statistics demonstrate a pronounced demand for increasing the capacity in parking enforcement presence in the Mohawk College precinct;

THEREFORE BE IT RESOLVED:

That staff look at the feasibility of a dedicated parking enforcement officer in the Mohawk College precinct.

CARRIED

7.8 Heritage Green Community Fireworks Canada Day Display by Kingsview Church

(Conley/Pearson)

WHEREAS, the Kingsview Community Church supports the Heritage Green Community and,

WHEREAS, to celebrate Canada Day for the community on location.

THEREFORE, BE IT RESOLVED:

- (a) That the funding for the following initiative, to be financed from the Stoney Creek Compensation Royalties (Terrapure Landfill) Reserve 117036, Special Events Account 55948, be approved:
 - (i) That \$5,000 be provided to Kingsview Church to support upper Stoney Creek for their Canada Day celebration fireworks display to be put on at the Kingsview Church.
- (b) That the Mayor and 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

7.9 Eringate Park Pathway Phase 2 Light Installation

(Conley/Pearson)

WHEREAS, the Eringate Park pathway phase of this project had lights installed on the path between Second Road West and Gatestone Drive; and

WHEREAS, the pathway from Gatestone Drive to First Road West remains dark.

THEREFORE, BE IT RESOLVED:

- (a) That \$142,000 for the Recreation Department to fund the installation of solar lights along the Eringate Park pathway from Gatestone Drive to Second Road West, to be funded from the Ward 9 Minor Maintenance Account 4031611609, be approved; 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

7.10 A.M. Cunningham School Playground Replacement

(Merulla/Collins)

WHEREAS, the A.M. Cunningham School playground replacement project is an approved capital project through Item 10 of the Public Works Committee 18-001; and,

WHEREAS, staff have been working towards the required legal agreements and tender to proceed with the project; and,

WHEREAS, the tender has closed and additional funds are required to award the contract; and,

WHEREAS, the A.M. Cunningham School playground is an important recreational resource in the neighbourhood that requires replacement;

THEREFORE BE IT RESOLVED:

- (a) That \$100,000 from the Ward 4 Capital Reserve 108054 be allocated to the A.M. Cunningham School capital project id 4241809403 to allow the project to proceed; 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

NOTICES OF MOTION

8.1 Amendment to Item 15 (a), (c) and (d) of the General Issues Committee Report 18-002, January 17, 2018 (Tax Assistance Programs for Seniors and Low Income Persons with Disabilities (FCS18005) (City Wide)

Councillor Jackson introduced a Notice of Motion respecting 8.1 and Amendment to Item 15 (a), (c) and (d) of the General Issues Committee Report 18-002, January 17, 2018 (Tax Assistance Programs for Seniors and Low Income Persons with Disabilities (FCS18005) (City Wide).

(Jackson/Skelly)

That the Rules of Order be waived to allow for the introduction of a Motion respecting 8.1 an Amendment to Item 15 (a), (c) and (d) of the General Issues Committee Report 18-002, January 17, 2018 (Tax Assistance Programs for Seniors and Low Income Persons with Disabilities (FCS18005) (City Wide).

CARRIED

For disposition of this matter refer to Item 7.4.

8.2 Community Grants for Ward 3

Councillor Green introduced a Notice of Motion respecting Community Grants for Ward 3.

(Green/Merulla)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Community Grants for Ward 3.

CARRIED

For disposition of this matter refer to Item 7.5.

8.3 Investment Stabilization Reserve Funded Projects (Ward 14)

Councillor Pasuta introduced a Notice of Motion respecting Investment Stabilization Reserve Funded Projects (Ward 14).

(Pasuta/Partridge)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Investment Stabilization Reserve Funded Projects (Ward 14).

CARRIED

For disposition of this matter refer to Item 7.6.

8.4 Dedicated Parking Enforcement Officer in the Mohawk College Precinct

Councillor Whitehead introduced a Notice of Motion respecting Dedicated Parking enforcement Officer in the Mohawk College Precinct.

(Whitehead/Skelly)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Dedicated Parking enforcement Officer in the Mohawk College Precinct.

CARRIED

For disposition of this matter refer to Item 7.7.

8.5 Heritage Green Community Fireworks Canada Day Display by Kingsview Church

Councillor Conley introduced a Notice of Motion respecting the Heritage Green Community Fireworks Canada Day Display by Kingsview Church.

(Conley/Pearson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Heritage Green Community Fireworks Canada Day Display by Kingsview Church.

CARRIED

For disposition of this matter refer to Item 7.8.

8.6 Eringate Park Pathway Phase 2 Light Installation

Councillor Conley introduced a Notice of Motion respecting the Eringate Park Pathway Phase 2 Light Installation.

(Conley/Pearson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Eringate Park Pathway Phase 2 Light Installation.

CARRIED

For disposition of this matter refer to Item 7.9.

8.7 A.M. Cunningham School Playground Replacement (Ward 4)

Councillor Merulla introduced a Notice of Motion respecting the A.M. Cunningham School Playground Replacement.

(Merulla/Collins)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the A.M. Cunningham School Playground Replacement.

CARRIED

For disposition of this matter refer to Item 7.10.

STATEMENTS BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

Members of Council determined that no discussion respecting the Closed Session minutes dated May 9, 2018 was required and the minutes were approved in Open Session as shown below.

10.1 Closed Session Minutes – May 9, 2018

(Whitehead/Pearson)

That the Closed Session Minutes dated May 9, 2018 be approved, as presented, and remain confidential.

CARRIED

BY-LAWS

(Pearson/B. Johnson)

That Bills No. 18-122 to No. 18-145, as presented, be passed and that the Corporate Seal be affixed thereto, and that the By-laws, be numbered, be signed by the Mayor and the City Clerk to read as follows:

- 122** To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 2 (Speed Limits)
Schedule 3 (Flashing School Zones – Reduced Speed Limit)
Schedule 10 (No Left Turns)
Schedule 18 (Bicycle Lanes)
Wards: 1, 2, 3, 4, 11, 13
- 123** To Establish City of Hamilton Land Described as Blocks 8, 9, 10 and 11 on Plan 62M-1246 as Part of Springbrook Avenue
Ward: 12
- 124** Being a By-law to Appoint Municipal Law Enforcement Officers, Property Standards Officers, Area Weed Inspectors, and to Repeal By-law No. 15-131
Ward: City Wide
- 125** To amend the Council Code of Conduct, being By-law No. 16-290
Ward: City Wide
- 126** Being a By-law to Require the Conveyance of Land for Park or Other Public recreational Purposes as a Condition of Development or Redevelopment or the Subdivision of Land
Ward: City Wide
- 127** To Designate Land Located at 22 MacNab Street North, City of Hamilton, as Property of Cultural Heritage Value
Ward: 2
- 128** To Establish Tax Ratios and Tax Reductions for the Year 2018
Ward: City Wide
- 129** To Adopt Municipal Options for Tax Capping
Ward: City Wide
- 130** To Set Optional Property Classes Within the City of Hamilton for the Year 2018
Ward: City Wide
- 131** To Set and Levy the Rates of Taxation for the Year 2018
Ward: City Wide
- 132** To Levy a Special Charge Upon the Rateable Property in the Business Improvement Areas for the Year 2018
Ward: City Wide
- 133** A By-law Governing the Provision of a Seniors (65+) Tax Rebate
Ward: City Wide
- 134** A By-law to Provide Deferral of Taxes to Low Income Seniors and Low Income Persons with Disabilities who are Owners of Real Residential Property in the City of Hamilton
Ward: City Wide

- 135** A By-law to Provide Full Deferral of Taxes to Low Income Seniors and Low Income Persons with Disabilities who are Owners of Real Residential Property in the City of Hamilton
Ward: City Wide
- 136** Respecting Removal of Part Lot Control, Block K, Registered Plan No. M-181 PLC-18-015
Ward: 9
- 137** To Amend Zoning By-law No. 6593 Hamilton, Respecting Lands Located at 157 Gibson Avenue, Hamilton
Ward: 3
- 138** To Adopt Official Plan Amendment No. 103 to the Urban Hamilton Official Plan Respecting 84, 86, 88, 90, 92, 94, and 96 Lakeview Drive, Stoney Creek
Ward: 10
- 139** To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting the Lands Located at 84 Lakeview Drive and a Portion of 96 Lakeview Drive
ZAC-17-020
Ward: 10
- 140** To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting the Lands Located at 86, 88, 90, 92, 94, and a Portion of 96 Lakeview Drive, Stoney Creek
ZAC-17-020
Ward: 10
- 141** To Amend Zoning By-law No. 464 (Glanbrook) Respecting the Lands Located at 2126 Rymal Road East
ZAH-17-048
Ward: 11
- 142** To Amend Zoning By-law No. 87-57, 591 and 611 Garner Road West, Ancaster
ZAH-17-084
Ward: 12
- 143** To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 5 (Stop Control)
Scheduled 4 (Yield)
Wards: 4, 8, 9, 12
- 144** To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 8 (No Parking)
Schedule 10 (Alternate Side Parking)
Schedule 12 (Permit Parking)
Schedule 13 (No Stopping)
Wards: 2, 3, 4, 7, 11

145 To Confirm the Proceedings of City Council

CARRIED

(Pearson/Pasuta)

That, there being no further business, City Council be adjourned at 8:12 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon
Acting Clerk



SPECIAL CITY COUNCIL MINUTES 18-011

1:56 p.m.

Wednesday, May 31, 2018

Council Chamber

Hamilton City Hall

71 Main Street West

Present: Mayor F. Eisenberger, Deputy Mayor M. Pearson (Chair)
Councillors T. Whitehead, D. Skelly, T. Jackson, C. Collins, M. Green, J. Farr, A. Johnson, D. Conley, B. Johnson, L. Ferguson, J. Partridge

**Absent with
Regrets:** Councillors A. VanderBeek and R. Pasuta – Personal
Councillor Merulla - Bereavement

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.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. WITHDRAWN MOTIONS (Item 3)

- 3.3 Hamilton Transit Passenger Bill of Rights for Hamilton Street Railway (HSR) and the Light Rail Transit (LRT) (*Referred to staff for a report at the Special General Issues Committee (LRT) meeting prior to this meeting*)
- 3.4 Observing the Rules and Principles of the City of Hamilton Urban Forestry Strategy (*A Notice of Motion at the Special General Issues Committee (LRT) meeting prior to this meeting*)

2. ADDED MOTION (Item 3)

- 3.5 Early Opening and Late Closing of Splash Pads in the City of Hamilton

(A. Johnson/B. Johnson)

That the agenda for the May 31, 2018 special meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

There were no declarations of interest.

MOTIONS

3.1 Hamilton Light Rail Transit (LRT) Project Update (PED18116) (City Wide)

(A. Johnson/Farr)

That Report PED18116, respecting the Hamilton Light Rail Transit (LRT) Update, be received.

CARRIED

3.2 Operation and Maintenance of the Hamilton Light Rail Transit (LRT) System (PED18117/FCS18058) (City Wide)

(Conley/Ferguson)

That Report PED18117/FCS18058, Operation and Maintenance of the Hamilton Light Rail Transit (LRT) System, be received.

CARRIED

3.3 Hamilton Transit Passenger Bill of Rights for Hamilton Street Railway (HSR) and the Light Rail Transit (LRT)

Withdrawn as it was referred to staff for a report at the Special General Issues Committee (LRT) meeting prior to this meeting.

3.4 Observing the Rules and Principles of the City of Hamilton Urban Forestry Strategy

Withdrawn and left as a Notice of Motion at the Special General Issues Committee (LRT) meeting prior to this meeting.

3.5 Early Opening and Late Closing of Splash Pads in the City of Hamilton

(A. Johnson/Jackson)

WHEREAS in past years the summer heat starts earlier and earlier;

WHEREAS the operating season for a splash pad is relatively short given the financial investment;

WHEREAS many residents are anxious to see the splash pads open early to accommodate the hot weather;

WHEREAS some schools have asked to have the splash pads open early so that they can use them in the hot weather;

WHEREAS surrounding municipalities have their splash pads open before the long weekend in May; and

WHEREAS some Wards are paying an additional cost to have splash pads opened early.

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to open the splash pads in the City of Hamilton at this time;
- (b) That staff be directed to open splash pads in the City of Hamilton for the May long weekend, weather permitting, in future years;
- (c) That staff also be directed to have splash pads in the City of Hamilton remain open into the month September to accommodate an extended summer season when weather permits;
- (d) That, for 2018, the early opening and late closing of splash pads in the City of Hamilton be funded from the Tax Stabilization Reserve; and
- (e) That, for 2019, that the budgeting for splash pad be amended to reflect alignment with Stage 1 Heat advisories.

CARRIED

BY-LAWS

(Pearson/Conley)

That Bill No.18-146 be passed and that the Corporate Seal be affixed thereto, and that the By-law, be renumbered, and be signed by the Mayor and the City Clerk to read as follows:

By-law No.

18-146 To Confirm the Proceedings of City Council

CARRIED

(Pearson/Ferguson)

That, there being no further business, City Council be adjourned at 2:02 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon
Acting City Clerk



Sent Via E-mail: clerk@hamilton.ca

April 25, 2018

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

Attention: City Clerk, Public Works Committee

Re: Notice of Lake Erie Region Source Protection Committee Member Nomination

The County of Brant and the City of Brantford have both agreed to nominate Mr. Paul Emerson as a shared appointee to the Lake Erie Region Source Protection Committee for a three-year term, expiring June, 2021.

County of Brant, City of Brantford and City of Hamilton have shared one municipal representative on the Lake Erie Region Source Protection Committee since November, 2007. Roy Haggart held that position for the last 10 years. Given his resignation, it is being recommended that Paul Emerson be nominated to replace Roy and carry on the role and responsibilities of a Committee member representing County of Brant, City of Hamilton and City of Brantford.

Paul Emerson has been involved with Lake Erie Region Source Protection Committee matters since its inception. He meets all of the qualification requirements to be nominated as a member and be able to carry out the applicable responsibilities with his background knowledge and work experience as the CAO for the Grand River Conservation Authority and the County of Brant. Furthermore, City of Hamilton staff (Hamilton Water, Public Works) and the City of Brantford support this nomination.

Therefore we are seeking City Council's endorsement of the proposed nomination. Thank you for your ongoing assistance with the Drinking Water Source Protection Program. Please contact me for more information or if you have any questions.

Respectfully Submitted,

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

Heather Boyd
Manager of Council Services, Clerk
County of Brant

cc: Carmen Vega, Senior Project Manager, Source Water Protection, City of Hamilton
Brandon Hassan, Senior Policy Planner

attachment: letter from City of Brantford in support of application

County of Brant Corporate Services
26 Park Avenue P.O Box 160
Burford, ON N0E 1A0

T: 519.449.2451
TF: 1.888.250.2295
F: 519.449.2454



May 3, 2018

Mr. Martin Keller, Source Protection Manager
Grand River Conservation Authority
400 Clyde Road PO Box 729
Cambridge, ON N1R 5W6

RECEIVED

MAY - 9 2018

COUNTY OF BRANT

Initials _____

Dear Mr. Keller:

I am pleased to advise that Brantford City Council at its meeting held April 24, 2018 adopted Item 1 of Appointments Committee Report #2018-04-10 as follows:

1. **Nomination of Lake Erie Region Source Protection Committee (LERSPC) Municipal Representative [Financial Impact – None] (PW2018-020)**
 - A. THAT the Council of The Corporation of the City of Brantford ACCEPT, with regret, the resignation of Roy Haggart, appointed by the Lake Erie Region Source Protection Committee to represent the City of Brantford, the County of Brant and the City of Hamilton since 2007; and
 - B. THAT the Council of The Corporation of the City of Brantford NOMINATE Paul Emerson as the joint municipal representative on the Lake Erie Region Source Protection Committee to represent drinking water source protection interests for the City of Brantford, the County of Brant and the City of Hamilton for a four year term to expire in 2022; and
 - C. THAT a copy of this resolution BE FORWARDED to the Grand River Conservation Authority (GRCA) as the Source Protection Authority for the City of Brantford, as well as to the County of Brant and the City of Hamilton.

Should you require anything further from the City of Brantford, please do not hesitate to contact me directly.

Yours truly,

A handwritten signature in cursive script, appearing to read "Charlene".

Charlene Touzel
City Clerk

cc Selvi Kongara, Director, Environmental Services, City of Brantford
✓ Brandon F. Hassan, Senior Policy Planner, County of Brant
Carmen Vega, Senior Project Manager, Hamilton Water, City of Hamilton

Minister of Public Safety and
Emergency Preparedness



Ministre de la Sécurité publique
et de la Protection civile

Ottawa, Canada K1A 0P8

MAY 24 2018

Mayor Fred Eisenberger
City of Hamilton
71 Main Street West
Hamilton, Ontario L8P 4Y5

Dear Mayor Eisenberger:

The Office of the Prime Minister forwarded to me on April 9, 2018, your correspondence regarding the legalization, regulation and restriction of cannabis.

On September 8, 2017, the Government announced \$274 million in funding to support law enforcement in the implementation of Bills C-45 and C-46. To support the proposed *Cannabis Act* (Bill C-45), the Government has committed up to \$113.5 million in federal funding over the next five years to Public Safety Canada (PS), the Royal Canadian Mounted Police and the Canada Border Services Agency to develop policy, ensure organized crime does not infiltrate the legalized system and keep cannabis from crossing our borders. To support the proposed Bill C-46, the Government has committed up to \$81 million over the next five years to support provinces and territories (P/Ts) for new law enforcement training, capacity to build training and new technology to enforce drug-impaired driving. PS has been working closely with P/Ts and has identified current law enforcement capacity. The federal funding will be distributed to P/Ts based on need and current enforcement gaps. The idea is to develop a strategic plan to ensure that P/Ts have adequate capacity to enforce the proposed legalization of cannabis and new drug-impaired driving offences.

PS is working with all jurisdictions to ensure law enforcement can respond to the new framework for legalized cannabis and drug-impaired driving offences in our urban areas as well as rural, remote and Indigenous communities. Ultimately, it is up to the P/Ts to decide what amount of funding will be distributed to each municipality within their respective jurisdiction.

As new information emerges, it will be available on the following website:

www.canada.ca/en/services/policing/justice/legalization-regulation-marijuana.html

Thank you for taking the time to write.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'R. Goodale', written in a cursive style.

The Honourable Ralph Goodale, P.C., M.P.

May 19, 2018

Janet Pilon
City Clerk
Hamilton, Ontario

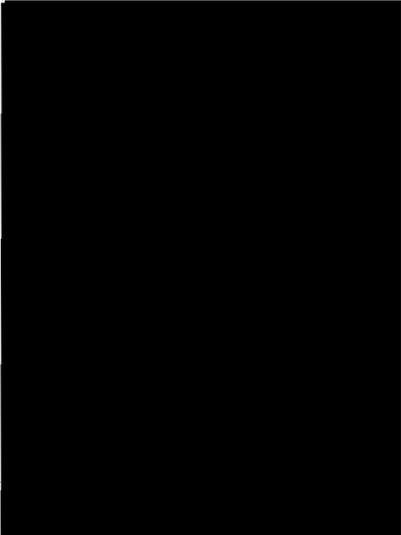
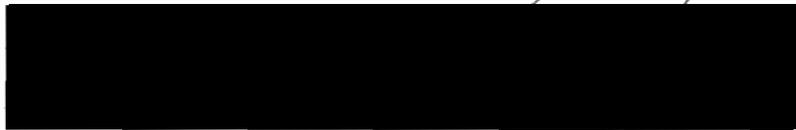
Dear Ms. Pilon:

Re: Heritage Planning
"The Lampman House"
1021 Garner Rd. E., Ancaster

I object to the proposed designation of the above property as a heritage property under Section 29 of the Ontario Heritage Act. The proposal should not proceed at this time since the current owner of the property has appropriate future plans for the property.

Respectfully Submitted,

John A. Leuser
John A. Leuser, CPA, CA





CAKE AND LOAF BAKERY 321 DUNDURN ST S HAMILTON
289 389 6581 CAKEANDLOAF@GMAIL.COM

CAKE AND LOAF MARKET 35 YORK BOULEVARD HAMILTON
905 577 9900 CAKEANDLOAFMARKET@GMAIL.COM

5.4

John Hertel
Director
Strategic Partnerships & Communications
City Manager's Office
City of Hamilton

Wilf Arndt
Chair
HMF Board

May 22, 2018

RE: RESIGNATION FROM HFM BOARD

Dear John and Wilf,

As I informed you both verbally May 7th, effective immediately, I will not be able to continue in my role as a Vendor Director for the Hamilton Farmers' Market Board. Although I believe the board is doing important work that I sorely wish to participate in, there are other priorities demanding my attention at this time. My young business and family need to be my focus and I cannot give the board the time I think it deserves and requires.

I have been honoured to be working with a group so committed to the improvement of our beloved market, even if our strong opinions sometimes saw us on different sides of issues. I believe every board member is there for the right reasons and I have deep respect for the time and emotional commitment you have all made.

Cake and Loaf is very proud to be part of the Hamilton Farmers' Market and I will continue in my capacity as business owner to do what I can to contribute positively and help the board meet their vision for the market.

Sincerely,

Josie Rudderham
Co-Owner
Cake and Loaf Bakery

Administration

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977

www.niagararegion.ca

May 28, 2018

DISTRIBUTION LIST***SENT ELECTRONICALLY*****RE: Cross Border Travel Improvements
Minute Item 13.1 CL 5-2018, April 12, 2018**

Regional Council at its meeting held on Thursday, April 12, 2018, passed the following resolution:

WHEREAS Niagara Region can play a role in facilitating cross border traffic;

WHEREAS Niagara has four bridges linking the Niagara Region to the United States critical to trade, tourism and travel;

WHEREAS the efficient and effective operations of Cross Border travel has a direct impact on the Region's economic well-being.

NOW THEREFORE BE IT RESOLVED:

1. That Niagara Region **SUPPORT** the following initiatives and pledge our support through targeted stakeholder meetings at AMO and FCM:
 - a) Advocate for the federal government to resource and manage the border crossings commensurate with their importance to Canada. In short, this means having inspection booths adequately staffed for traffic conditions to minimize border delays.
 - b) Encourage the federal government and Passport Canada to issue Radio Frequency Identification (RFID) enabled passport card along with the standard paper passport. This would match what the U.S. offers and allows for a wallet sized document that can be processed much quicker at the inspection booth by RFID readers already installed.
 - c) Promote the NEXUS trusted traveler program through the Niagara Region website and encourage web-site linkage where appropriate. The more people enrolled in NEXUS the more efficiently the border operates.
 - d) Encourage the Province of Ontario to promote enhanced driver's license. These licenses meet the requirements of the Western Hemisphere Travel Initiative (WHTI) and allow cross border travel without a passport.

2. That a copy of this resolution **BE CIRCULATED** to the Buffalo and Fort Erie Public Bridge Authority, Niagara Falls Bridge Commission, all Niagara Municipalities, all Niagara MPP's and MP's, the appropriate Federal and Provincial Ministries, City of Buffalo, New York, City of Niagara Falls, New York, City of Hamilton, as well as all relevant partners with a shared concern in the safe, secure, efficient travel of people and goods between Canada and the United States.

Yours truly,



Ann-Marie Norio
Acting Regional Clerk

CLK-C 2018-49

Distribution List:

M. Garneau, Federal Minister of Transport
R. Goodale, Minister, Public Safety and Emergency Preparedness
K. McGarry, Minister, Transportation (Ontario)
Buffalo and Fort Erie Peace Bridge Authority
Niagara Falls Bridge Commission
R. Caterini, City Clerk, City of Hamilton
S. Oosterhoff, MPP, Niagara West – Glanbrook
J. Bradley, MPP, St. Catharines
W. Gates, MPP, Niagara Falls
C. Forster, MPP, Welland
D. Allison, MP, Niagara West
C. Bittle, MP, St. Catharines
R. Nicholson, MP, Niagara Falls
V. Badawey, MP, Niagara Centre
B. Brown, Mayor, City of Buffalo
L. Vitello, City Clerk, City of Niagara Falls, NY



May 18, 2018

Ms. Rose Caterini
City Clerk
The City of Hamilton
City Hall, 71 Main Street W.
Hamilton, ON L8P 4Y5

Dear Ms. Caterini:

**Re: Meeting Growth Plan Infrastructure Demands and Financial Sustainability:
2018 Update**

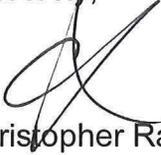
Regional Council, at its meeting held on May 17, 2018, adopted the following recommendations of Committee of the Whole regarding "Meeting Growth Plan Infrastructure Demands and Financial Sustainability: 2018 Update":

1. Council endorse the principle that the infrastructure required to meet Provincial Growth Plan directions requires that the revenue-raising powers currently only available to the City of Toronto be extended to York Region.
2. The Chairman, once again, appeal to the Province regarding the continued need for City of Toronto Act, 2006 revenue-raising powers.
3. The Regional Clerk circulate this report to:
 - (a) The local municipalities
 - (b) The Association of Municipalities of Ontario (AMO), Mayors and Regional Chairs of Ontario (MARCO), the Large Urban Mayors Caucus of Ontario (LUMCO), and the Municipal Finance Officers' Association of Ontario (MFOA)
 - (c) The Minister of Finance and the Minister of Municipal Affairs
 - (d) The local Members of Provincial Parliament
 - (e) The Building Industry and Land Development Association (BILD)
 - (f) All upper and single tier municipalities covered by the Provincial Growth Plan

A copy of Clause 7 of Committee of the Whole Report No. 9 is enclosed for your information.

Please contact Edward Hankins, Director, Treasury Office, at 1-877-464-9675 ext. 71644 if you have any questions with respect to this matter.

Sincerely,



Christopher Raynor
Regional Clerk

/C.Martin
Attachments

OFFICE OF THE CITY CLERK
MAY 28 2018
REF'D TO <u>Council June 13/18</u>
REF'D TO _____
REF'D TO _____
ACTION _____

The Regional Municipality of York

Committee of the Whole
Finance and Administration
May 10, 2018

Report of the
Commissioner of Finance

Meeting Growth Plan Infrastructure Demands and Financial Sustainability: 2018 Update

1. Recommendations

It is recommended that:

1. Council endorse the principle that the infrastructure required to meet Provincial Growth Plan directions requires that the revenue-raising powers currently only available to the City of Toronto be extended to York Region and other Growth Plan municipalities who request it.
2. The Chairman, once again, appeal to the Province regarding the continued need for *City of Toronto Act, 2006* revenue-raising powers.
3. The Regional Clerk circulate this report to:
 - a. The local municipalities
 - b. The Association of Municipalities of Ontario (AMO), Mayors and Regional Chairs of Ontario (MARCO), the Large Urban Mayors Caucus of Ontario (LUMCO), and the Municipal Finance Officers' Association of Ontario (MFOA)
 - c. The Minister of Finance and the Minister of Municipal Affairs
 - d. The local Members of Provincial Parliament
 - e. The Building Industry and Land Development Association (BILD)
 - f. All upper and single tier municipalities covered by the Provincial Growth Plan

Meeting Growth Plan Infrastructure Demands and Financial Sustainability: 2018 Update

2. Purpose

This report provides an update to Council on the fiscal pressures facing the Region, and the inability of current revenue sources to resolve these pressures. It also summarizes the revenue potential of *City of Toronto Act, 2006* revenue-raising powers and how those revenues could be used.

3. Background

Council has set three broad fiscal objectives that are consistent with financial sustainability objectives

Achieving financial sustainability is mostly about managing service levels and infrastructure. It requires taking the necessary steps to manage both short and long-term risks. In short, financial sustainability is about the stewardship of the long-term.

York Region will be in a financially sustainable position if it can offer a level of service that can accommodate the needs of growth and keep infrastructure in a state of good repair, while respecting Council's willingness to tax and residents' ability to pay (Table 1).

**Table 1
Financial Sustainability in the York Region Context**

Growth can be accommodated without unacceptable tax levy, user rate or debt increases
Infrastructure can be kept in a state of good repair and replaced at the right time
Service levels can be increased as the Region urbanizes
Service levels can be maintained in the face of changes in economic conditions
Financial responsibility is fairly shared between current and future residents (inter-generational equity)

In recent years, Council has set three broad fiscal objectives that underpin the Region's approach to achieving financial sustainability:

- Keep annual tax levy increases below three per cent per year
- Reduce reliance on debt
- Save for asset management needs

Meeting Growth Plan Infrastructure Demands and Financial Sustainability: 2018 Update

The Region has taken steps towards financial sustainability

York Region is committed to achieving financial sustainability, guided by a long range vision (Vision 2051) and a Strategic Plan that corresponds with the term of Council. Council decisions that contribute to financial sustainability include:

- An annually reviewed Fiscal Strategy that reduces the Region's reliance on debt, increases savings for capital asset replacement and ensures active management of the Region's ten-year capital plan, with consideration to inter-generational equity;
- A Financial Sustainability Plan for water and wastewater with rate increases that will enable the Region to achieve full cost recovery for water and wastewater in 2021; and
- Multi-year budgeting with a four-year cycle, also linked to the term of Council. This practice has helped the Region improve fiscal discipline, provide a longer-term outlook for service planning, and reduce uncertainty about future tax levies.

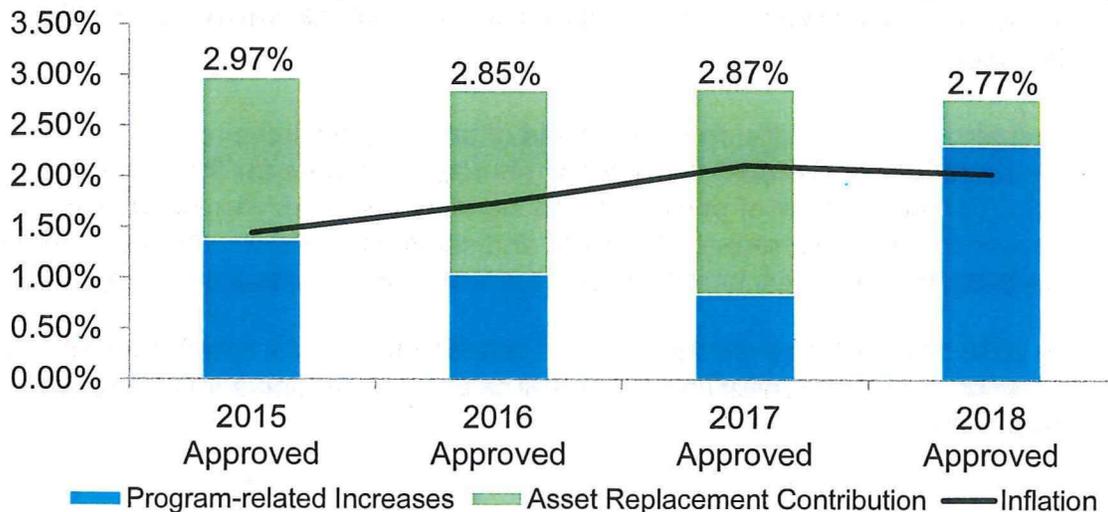
Regional spending is well-controlled

Over the course of the Region's first multi-year budget, annual tax levy increases averaged 2.87 per cent (Figure 1). These increases included contributions to capital asset replacement as well as program-related increases.

Program-related increases tracked well below the rate of inflation from 2015 to 2017, with a small catch-up in 2018. This allowed the Region to increase its contributions to asset replacement reserves.

Figure 1

Program Spending and Asset Replacement Contributions (2015 – 2018)



**Meeting Growth Plan Infrastructure Demands and
Financial Sustainability: 2018 Update**

Ontario municipalities have limited revenue-raising options

The *Municipal Act, 2001*, prescribes a limited set of revenue sources for Ontario municipalities, other than the City of Toronto. The revenue sources available to municipalities in Ontario are detailed in the table below.

**Table 2
Current Revenue Powers for Ontario Municipalities**

Revenue power	Relevant legislation
Property taxes, including the Vacant Unit Tax ¹	<i>Municipal Act, 2001</i> <i>Assessment Act, 1990</i>
User fees and charges (including fees and charges, permits and rents)	<i>Municipal Act, 2001</i>
Development charges	<i>Development Charges Act, 1997</i> <i>Municipal Act, 2001</i>
Fines and penalties	<i>Municipal Act, 2001</i> <i>Provincial Offences Act, 1990</i>
Investment income	<i>Municipal Act, 2001</i>
Road tolls ²	<i>Municipal Act, 2001</i>
Municipal Accommodation Tax (Hotel Tax)	<i>Municipal Act, 2001</i>

¹ Vacant Unit Tax is available to both upper-tier and lower-tier municipalities. In order to levy a Vacant Unit Tax a municipality first has to request it be 'designated' by the Minister of Finance. Once requested and approved, a regulation would be issued by the Province.

² Under the *Municipal Act, 2001*, municipalities can levy tolls on roads they own, but they must apply to the Province for an enabling regulation. To date no municipality other than Toronto has made this request. Toronto's request was rejected by the Province.

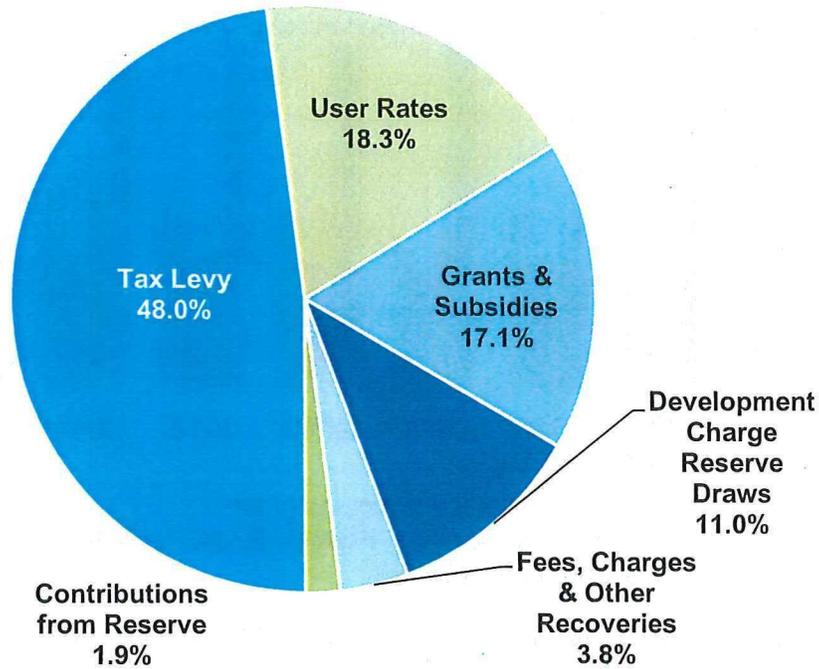
Property taxation is the largest source of revenue for York Region

Property taxation is the only major field of taxation available to most municipalities in Canada. It is a major source of revenue for the Region, and is used to fund the bulk of programs and services that York Region delivers (except for water and wastewater). Programs and services that are supported through property tax revenues include police, paramedics, road maintenance, and transit.

In 2018, the Region expects to raise approximately \$1.07 billion through property taxation, which is approximately 48 per cent of the Region's total revenue requirements.

**Meeting Growth Plan Infrastructure Demands and
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Figure 2
2018 Total Revenue -
\$2,232 Million



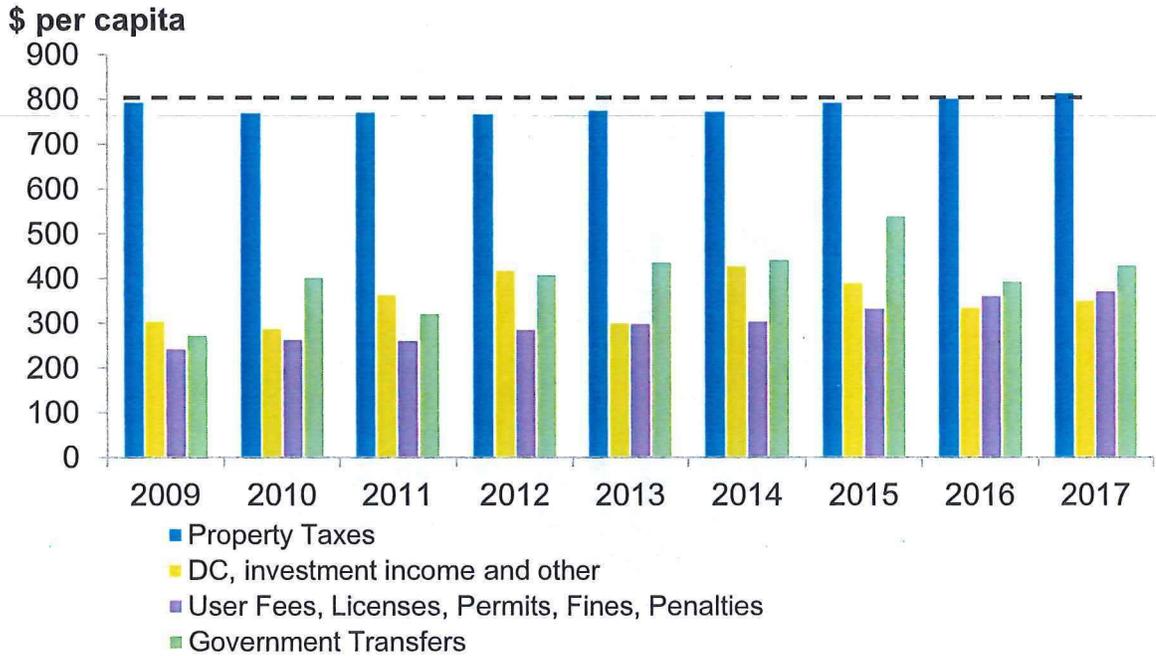
Regional property tax increases have stayed almost flat on a real per capita basis

From 2010 to 2016, Regional property tax revenues increased by 3.89 per cent annually (Figure 4). However, when adjusted for population growth and inflation, annual regional property tax revenue has remained relatively constant (Figure 3).

The Region has been able to do this while increasing spending on a real per capita basis due to growth in non-tax revenue.

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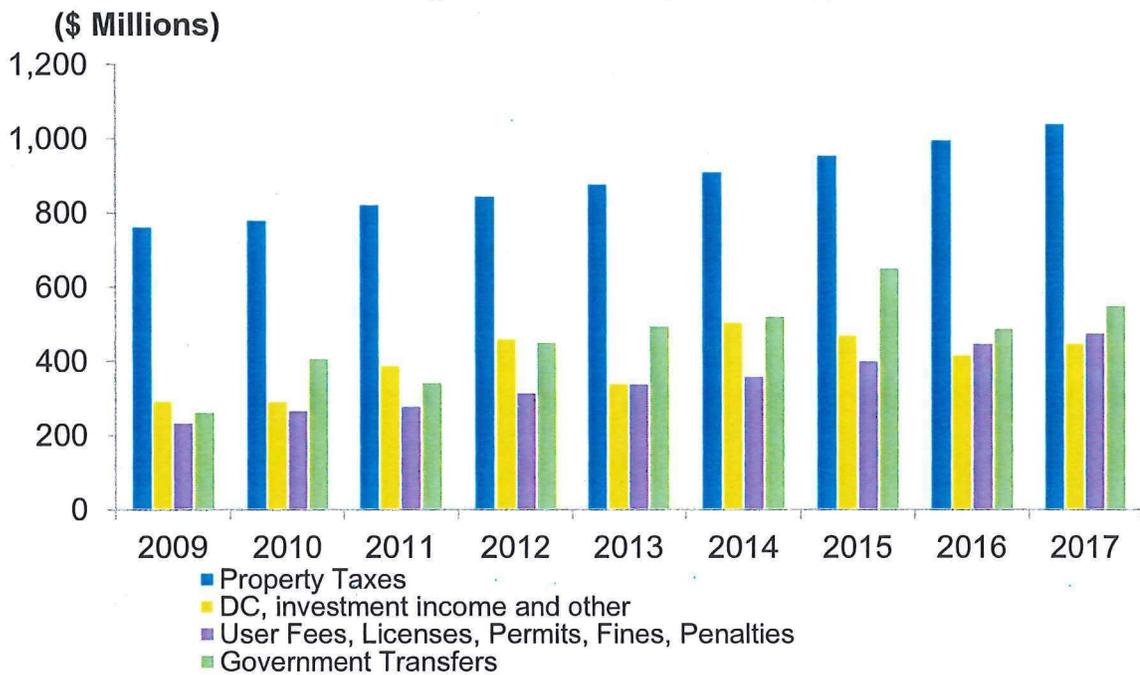
Figure 3
York Region Revenues, real per capita (2011 \$ per capita)



Source: Financial Information Returns, CANSIM Tables 051-0062 and 362-0021

Note: 2017 Figures are draft

Figure 4
York Region Revenues (Nominal \$)



Source: Financial Information Returns

Note: 2017 Figures are draft

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In 2017, Council endorsed a recommendation to seek *City of Toronto Act, 2006* revenue-raising powers

In May 2017, Council endorsed a staff report on [Financial Sustainability](#). This report discussed the fiscal pressures facing the Region, the inadequacy of current revenue sources, and a potential path for achieving financial sustainability.

The *City of Toronto Act, 2006* gives the City of Toronto additional revenue-raising powers beyond those available to other municipalities (Table 3).

In June 2017, at the direction of Regional Council, Chair Emmerson wrote to Premier Wynne, requesting that the Province extend the revenue-raising powers under the *City of Toronto Act, 2006* to York Region during the Fall 2017 session of the legislature.

**Table 3
City of Toronto Act, 2006 - Revenue Raising Powers**

Revenue raising power	Status in Toronto
Revenue-raising powers specific to the City of Toronto	
Municipal Land Transfer Tax (MLTT)	Implemented as of February 1, 2008
Vehicle Registration tax (VRT)	Implemented on September 1, 2008 and later repealed on January 1, 2011
Third Party Sign Tax (Billboard Tax)	Implemented on April 6, 2010
Alcohol Tax; Entertainment and Amusement Tax; Parking Levy; Tobacco Tax;	Not implemented
Revenue-raising powers also available to other municipalities	
Municipal Accommodation Tax (Hotels Tax)	Implemented on all hotel accommodation as of April 1, 2018 ¹
Vacant Unit Tax	Under consideration
Road tolls ²	Not implemented

¹ Tax on short-term rentals to be implemented on or after June 1, 2018, pending the enactment of the short-term rental bylaw.

² In December 2016, Toronto Council voted to explore the option of imposing road tolls on the Gardiner Expressway and the Don Valley Parkway, both of which are owned by the City. In rejecting the City of Toronto's request to levy toll roads, the Province noted that because there were no adequate public transit alternatives to the Don Valley Parkway and Gardiner Expressway, road tolls would have had a disproportionate effect on the most vulnerable in society.

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Implementing revenue measures similar to those that already exist in Toronto could generate significant revenue for York Region. Staff estimate that a Municipal Land Transfer Tax and a Vehicle Registration Tax could generate in the order of \$400 million to \$500 million per year.

Recent amendments to the *Municipal Act, 2001* provided municipalities with new revenue-raising powers, though none address the Region’s fiscal pressures

In 2017, the Provincial government passed two bills: *Bill 127, Stronger, Healthier Ontario Act (Budget Measures), 2017* and *Bill 68, Modernizing Ontario’s Municipal Legislation Act, 2016*. Through these measures, the Province provided additional revenue powers to qualified Ontario municipalities. These new powers include the ability to invest using the Prudent Investor Standard, the potential to levy a Vacant Unit Tax (by way of designation), and the power to levy a Municipal Accommodation Tax (Hotel Tax). Table 4 provides a summary of these new powers.

**Table 4
New Municipal Revenue Powers Granted by the Province**

Power	Detail	Considerations
Prudent Investor	Ability to invest using the Prudent Investor Standard extended to all qualifying municipalities Would allow the Region to diversify its portfolio more broadly, improving its ability to manage risk and invest in financial instruments with the potential for higher returns	Governance structure as proposed needs to be assessed to determine applicability to the Region
Vacant Unit Tax	Designated municipalities be granted authority to levy a vacant unit tax on residential development to discourage speculators who do not occupy the homes, or who leave them vacant for a prescribed period	Administrative costs and data collection challenges may limit positive revenue impact of the tax Revenue stream will likely decline over time
Municipal Accommodation Tax – MAT (Hotels Tax)	Single and lower tier municipalities have the power to levy a MAT	The MAT was not extended to upper tier municipalities

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While these were welcome changes, they do not address the Region's fiscal pressures. Firstly, the Province requires that qualifying municipalities wishing to invest using the Prudent Investor Standard must establish an investment board and delegate to it the control and management of the municipality's day-to-day investing. A thorough analysis is needed to determine if the additional cost of establishing an investment board could be recovered through a potential incremental increase in returns realized by investing using the prudent investor standard.

Secondly, the Vacant Unit Tax is intended to address affordable housing challenges. The revenue potential of this tax depends on a number of factors including how "vacancy" is defined, the tax rate, enforcement mechanisms, and the assessment value of homes that are deemed vacant. In addition, the vacant unit tax is likely to be a declining source of revenue, as homeowners are expected to occupy or rent out their homes to avoid the tax. In the City of Vancouver, where a vacant unit tax is levied (Empty Homes Tax), the initial implementation costs were \$7.5 million (which increased from their preliminary estimate of \$4.7 million) with operating costs in 2018 of \$2.5 million. Initially the City forecast gross annual revenues of \$2.2 million (and \$700,000 net of administrative costs). However since implementation, that forecast has increased to \$30 million in gross revenues for 2018. As of April 24, 2018 no Ontario municipalities have sought Provincial designation to levy the tax.

Finally, the Municipal Accommodation Tax is a tax on hotels and other short-term rental accommodations. This power is only available to single-tier and local municipalities. The revenue potential for this tax is also expected to be small.

The Association of Municipalities of Ontario launched a campaign urging the Province to increase the sales tax by one percentage point and dedicate it to municipal governments

In August 2017, the Association of Municipalities of Ontario launched the 'Local Share' campaign. It proposed that revenues from a one percentage point increase in the Provincial share of the Harmonized Sales Tax be dedicated to municipal governments to fund infrastructure needs. The Association of Municipalities of Ontario estimates that this could raise \$2.5 billion annually for distribution province-wide.

Soon after the Association of Municipalities of Ontario launched this campaign at their annual conference, Premier Kathleen Wynne, NDP Leader Andrea Horwath, and former PC Leader Patrick Brown rejected the proposal.

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In 2017, the Province announced an enhancement to the Provincial gas tax program

Currently, Ontario's gas tax program provides eligible municipalities with two cents per litre of Provincial gas tax revenues. This revenue can be used to fund transit-related operating and capital expenses. In 2017, the Province committed to increasing the municipal share from two cents to four cents a litre by 2021-22. This will be done gradually – with an increase to 2.5 cents per litre in 2019-20, three cents in 2020-21 and finally four cents in 2021-22.

The Provincial gas tax transfer is allocated to eligible municipalities through a formula based 70 per cent on ridership and 30 per cent on population. For the 2017-18 Provincial fiscal year, York Region is eligible to receive \$16.4 million.

Assuming York Region's share remains at 4.6 per cent of the total province-wide allocation (calculated based on York Region's estimated 2017-18 share), the Region would see its estimated Provincial gas tax allotment increase from \$16.4 million in 2017-18 to approximately \$29.5 million by 2021-22 (Table 5).

Table 5
Estimated Annual Provincial Gas Tax Share for York Region
(\$ Millions)

	2019-20	2020-21	2021-22
Estimated funding	401.3	481.5	642.0
York Region's Share	18.4	22.1	29.5

The 2018 Federal and Provincial budgets did not include substantial new grant funding for municipalities

Investing in Canada is a long-term Federal funding commitment that spans multiple terms of government. Through its 2018 budget, the Federal government affirmed its commitment to the \$180 billion Investing in Canada Plan, but re-profiled that funding and pre-2016 (also known as "legacy") infrastructure programs to later years.

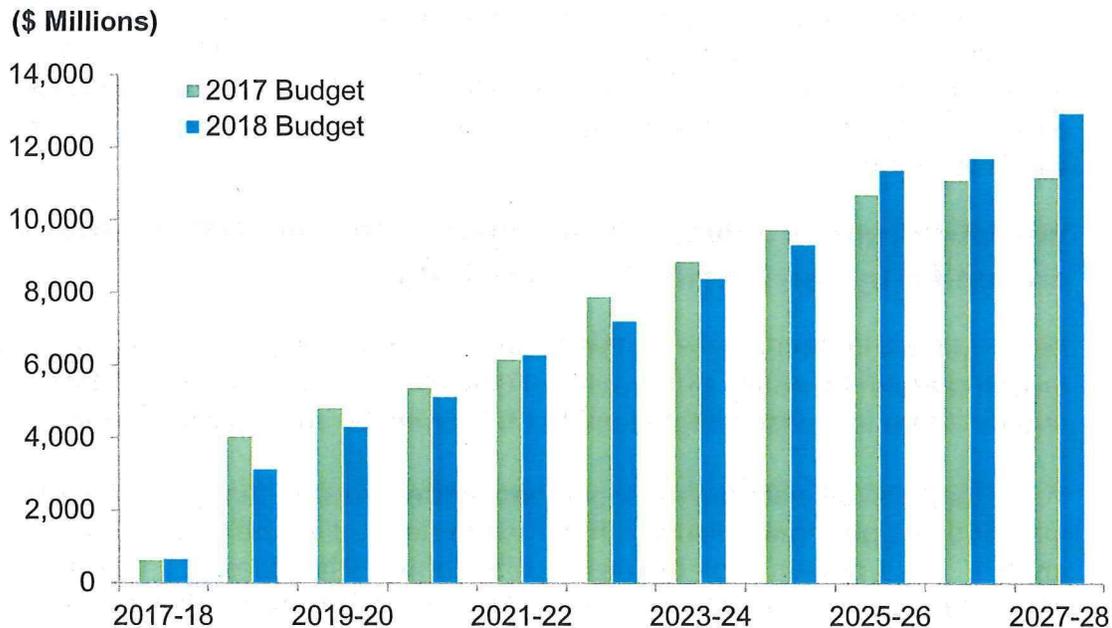
Figure 5 below shows the re-profiling under Phase II of the Investing in Canada Plan. The majority of re-profiling occurs in the Public Transit and Green Infrastructure streams. As a result of re-profiling, approximately \$3 billion of spending has been moved from the first eight years to the last three years.

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The Ontario government released its budget on March 28, 2018. The budget outlined new programs and initiatives for health care and child care. It did not include any substantial new funding for municipal infrastructure.

Figure 5

Investing in Canada Plan Phase II – Allocation Re-profile



4. Analysis and Implications

The most significant risk to the Region's future financial sustainability is capital related

Despite the steps that Council has taken towards financial sustainability, the Region continues to face two significant financial risks:

1. Inability to fund all of the needed growth-related investments to support the level of growth envisioned in the Provincial Growth Plan
2. Inadequate funding to meet future asset management needs

The challenge of funding needed growth-related investment stems from three main sources:

- A potential disconnect between actual growth and Growth Plan population forecast
- The limitations of development charges as the principal source of revenue for funding growth-related infrastructure

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- Rising capital intensity and complexity associated with large infrastructure projects, such as the Yonge Subway Extension, Upper York Sewage Solutions, and the related unpredictable escalation of costs through environmental assessment and other approval processes.

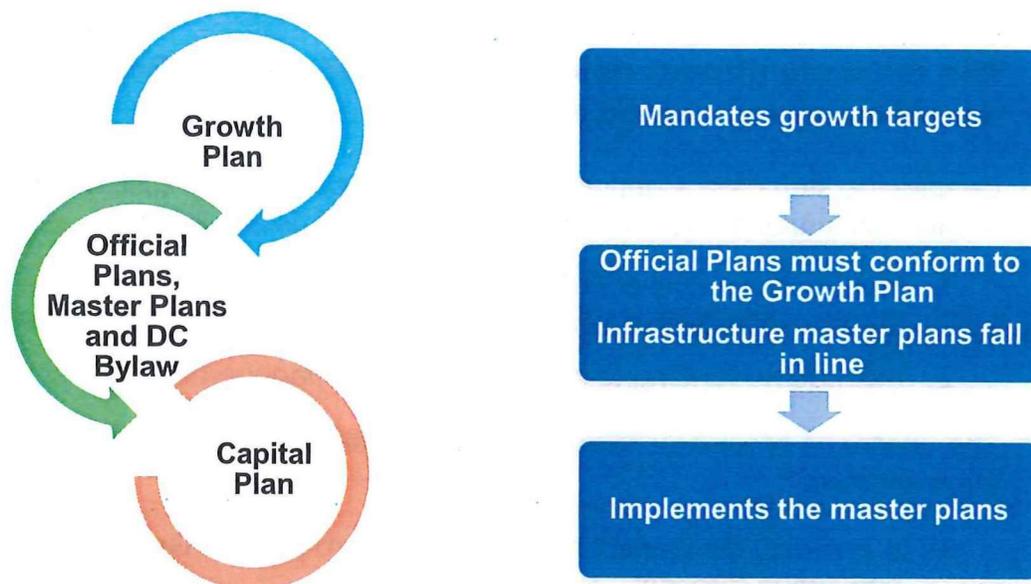
In addition, the Region has a large asset base, which has been growing faster than the rate of population growth. As the asset base ages, it will require major rehabilitation and ultimately replacement. Over this term of Council, the Region has substantially increased contributions to its asset replacement reserves as part of the Regional Fiscal Strategy. Contribution to these reserves will need to continue to grow.

Infrastructure is being built to support the population targets embodied by the Provincial Growth Plan

Municipalities in the Greater Golden Horseshoe are required to conform to the growth targets set out by the Provincial Growth Plan. Due to this legislative regime, there is a cascading effect that has financial implications (Figure 6).

York Region's Official Plan must conform to the Growth Plan, and infrastructure master plans generally include infrastructure needed for the mandated population growth. If the growth contemplated by the Growth Plan does not materialize, municipalities face the risk of stranded debt and under-used infrastructure.

Figure 6
How the growth plan informs the capital plan

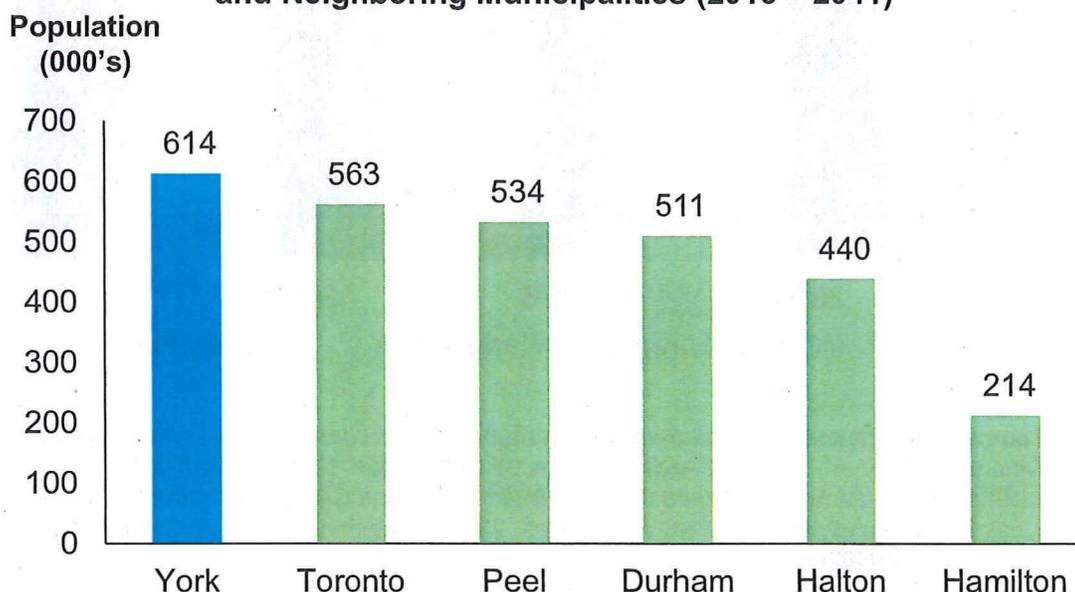


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Growth creates opportunities to achieve financial sustainability. High-growth municipalities like York Region tend to have a more robust revenue base and greater fiscal capacity. However, growth also necessitates significant infrastructure investments.

The Growth Plan mandates that the Region grow by 716,000 people and 358,000 jobs from 2011 to 2041. This is the highest level of growth anticipated in the GTHA for any upper or single-tier municipality (Figure 7).

Figure 7
Growth Plan Amendment II Population Growth Projections for York Region and Neighboring Municipalities (2016 – 2041)



Data Source: Growth Plan Amendment II technical addendum, Hemson Consulting Ltd.

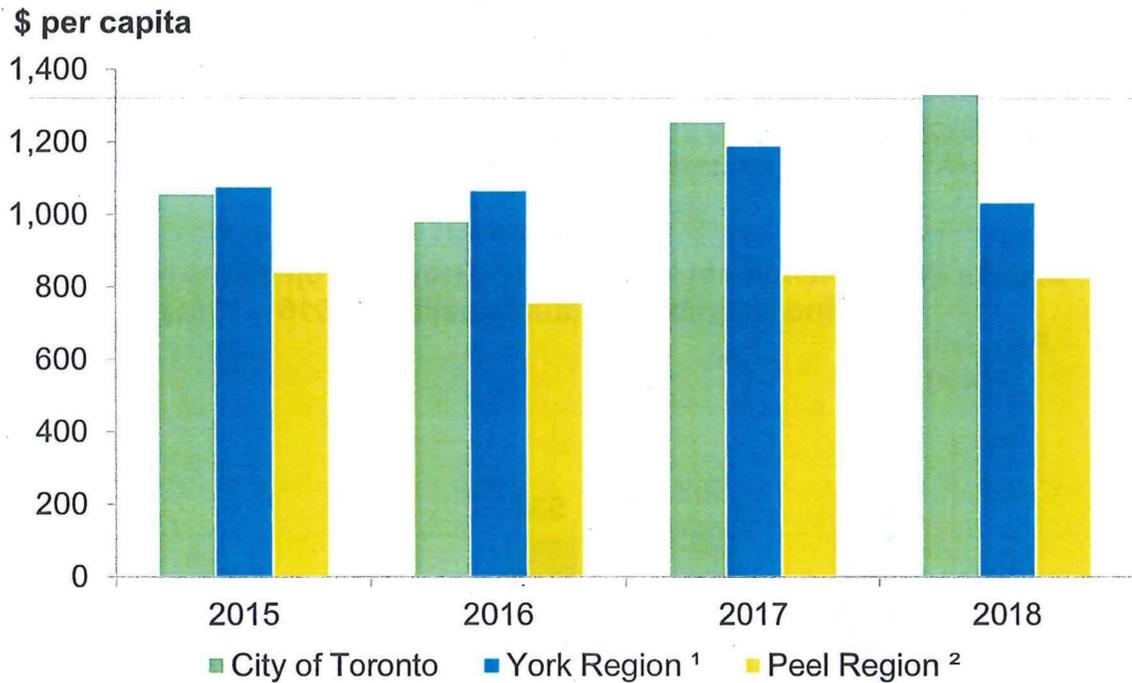
On a per capita basis, York Region's capital budget is similar to that of the City of Toronto

Meeting the needs of growth requires significant capital investment. From 2015 to 2018, on a real per capita basis, York Region and the nine local municipalities' average annual capital budget is approximately 94 per cent of the City of Toronto's and 1.3 times that of Peel Region (upper and lower tier total) (Figure 8). For the budget years 2015 to 2018, approximately 67 per cent of the Region's total capital budget is attributable to the upper tier level.

A municipality's capital budget does not necessarily match its actual capital spending. York Region's (upper tier portion only) capital delivery rate has been improving over the years, and averaged over 80 per cent between 2015 and 2017. According to a 2018 City of Toronto staff report, the spending rate on the city's capital and rate supported budget has consistently averaged 62 per cent.

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**Figure 8
2015-2018 Real Capital Budget per Capita (2017 \$)**



Source: York Region and local municipal budgets, City of Toronto Long Term Financial Plan, Ontario Ministry of Finance, CANSIM Tables 051-0062, 326-0021 and 327-0043

¹ Deflated using a mix of Toronto CMA NRBCPI (80%) and CPI (20%) figures. 2018 inflation calculated using average of previous years. 2018 population figures are Ontario Ministry of Finance forecasts.

² Includes local municipal capital budgets.

Compared to the City of Toronto, York Region’s capital budget is more heavily focused on growth-related investments. At the upper tier level, 61 per cent of York Region’s 2018 ten-year capital plan is for growth, versus 17 per cent in the City of Toronto’s 2018-2027 capital plan¹.

As shown in Table 6 below, York Region’s 2018 ten-year capital plan is among the largest in the 905 municipalities.

¹ The City of Toronto divides its capital plan into five categories: growth-related, state of good repair, service improvement, legislated, and health and safety. These additional categories related to service improvement, legislated, and health and safety are significant and may include spending that meets the needs of growth, but is not officially considered ‘growth-related’ by the City in its budget.

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Table 6
2018 Approved Ten-Year Capital Plans among Neighbouring 905 Municipalities

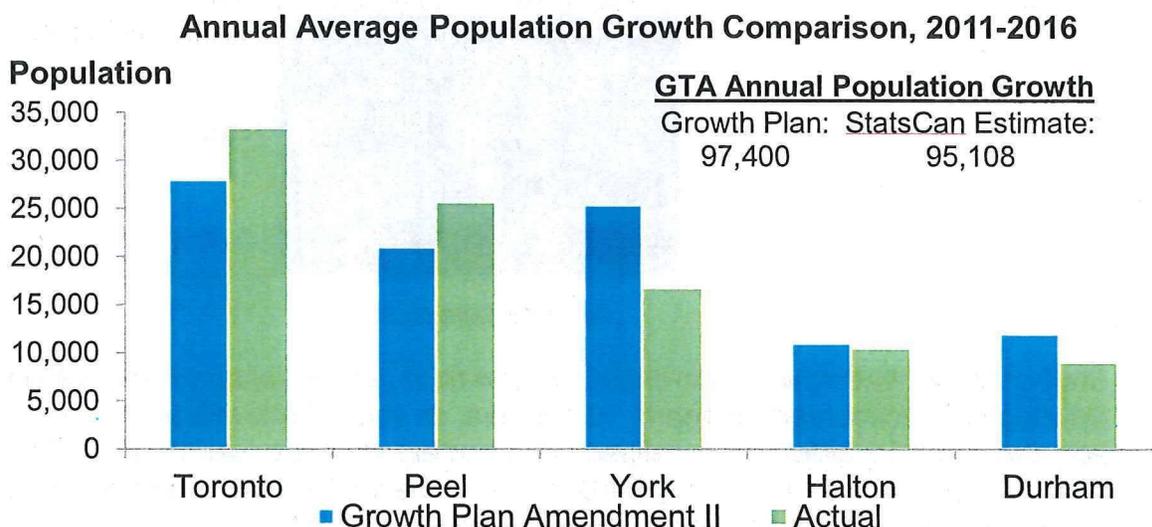
Municipality	Capital Plan (Upper tier only) (\$ Billions)
Peel Region	7.2
York Region	5.9
Durham Region	4.5
Halton Region	4.2

There is a potential disconnect between Growth Plan projections and actual population growth

While the Region has experienced significant growth, the rate of growth has slowed in recent years. From 2011 to 2016, population growth for the Region was only 67 per cent of its Growth Plan target.

From 2011 to 2016, the overall growth for the Greater Toronto Area was modestly less than what was expected by the Growth Plan. However, the distribution of that growth was not what was in the plan (Figure 9). Toronto and Peel have grown at levels exceeding the Growth Plan forecasts, while York, Halton and Durham have been growing more slowly than projected

Figure 9



Source: Growth Plan Amendment II, CANSIM 051-0062 (Updated February 21, 2018)

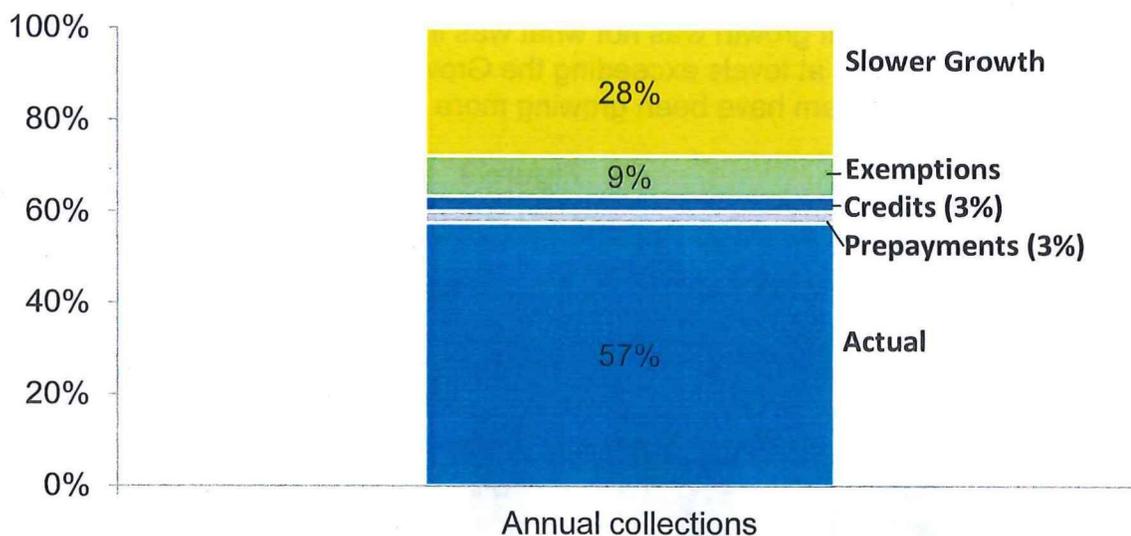
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Lower-than-expected growth results in lower-than-expected development charge collections

Development charge collections are highly dependent on the pace of growth. Firstly, the anticipated level of growth is a fundamental input into the development charge rate calculation. In the 2017 and 2018 Development Charge Background Studies, the level of projected growth is consistent with the targets set out by the Growth Plan. In other words, the Region's development charge rates are determined on the assumption that the growth targets set out by the Growth Plan will be realized. Secondly, actual annual development charge collections are a direct function of actual growth as measured by the number of housing units and the total square footage of non-residential development.

From mid-2012 to mid-2017 when the 2012 Development Charge Bylaw was in effect, the Region collected approximately \$1.6 billion in development charges, or approximately 57 per cent of the amount projected in the 2012 Background Study. Slower-than-expected growth is the largest contributor to the shortfall in development charge collections (Figure 10).

Figure 10
York Region Development Charge Collections
2012 background study forecast vs. actuals
(mid 2012 to mid 2017)

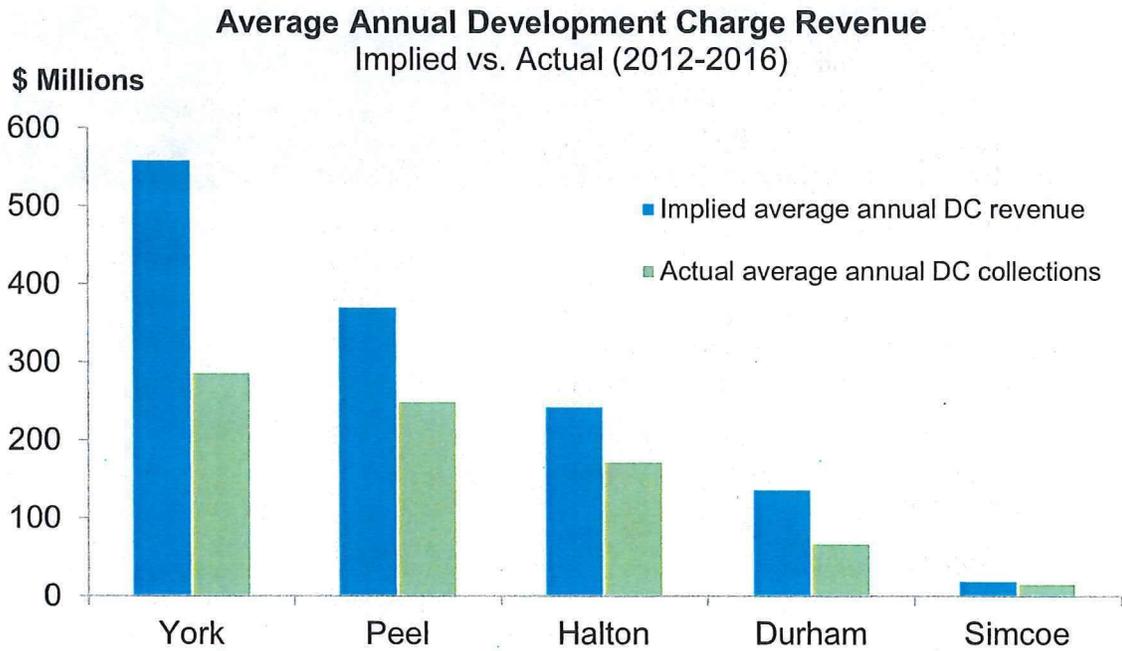


Staff estimate that slower-than-expected growth in residential and non-residential development accounted for nearly 30 per cent, or about \$800 million of the approximate \$1.2 billion in unrealized development charges over the mid-2012 to mid-2017 period. The remaining \$400 million of the \$1.2 billion collection shortfall can be explained by exemptions, prepayments and credits.

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York Region is not alone in experiencing development charge collection shortfalls (Figure 11). Other municipalities face similar challenges.

Figure 11



Even if growth occurs at anticipated levels, development charges cannot fully recover the cost of growth-related infrastructure

Development charges are the primary tool that a municipality uses to pay for growth-related infrastructure. However, the *Development Charges Act, 1997* limits and delays cost recovery through a number of statutory deductions (Table 7).

Due to these limitations, growth-related projects funded through development charges have a direct impact on debt, tax levy and user rates (Table 7). Non-development-charge-recoverable costs create a direct tax levy and user rate pressure, while any deductions that delay cost recovery create a debt pressure.

In addition, development charges only fund the initial capital costs of growth-related infrastructure. The lifecycle and operating costs associated with growth-related infrastructure must be funded through the tax levy and user rates.

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**Table 7
Limitations of Development Charges**

Non-Development Charge Recoverable Costs	Delayed Recovery of Development Charges	Asset Management Costs	Operating Costs of New Infrastructure
<ul style="list-style-type: none"> • Ineligible services • 10% statutory deduction (for some services) • Benefit to existing deduction • Exemptions 	<ul style="list-style-type: none"> • Post-period benefit • Level of service deductions (for some services) • Development charge deferrals • Exemptions 	<ul style="list-style-type: none"> • Rehabilitation and replacement costs 	<ul style="list-style-type: none"> • Operating and maintenance costs
Impact on:			
Tax levy and user rates	Debt	Tax levy and user rates	Tax levy and user rates

The Region has turned the corner on debt, although debt levels continue to remain high

Prior to the 2014 fiscal strategy, the Region’s peak outstanding debt was anticipated to be over \$5.0 billion by 2020. However, as a result of the measures adopted over the last four budget cycles, the total outstanding debt peaked at \$2.9 billion in 2017 and is now falling.

Figure 12 below shows the debt forecast from the 2018 budget. Although debt peaked at \$2.9 billion in 2017, the reduction in debt after 2017 will not be as rapid as had been anticipated in previous budget years, primarily due to a downward revision in forecast development charge revenue.

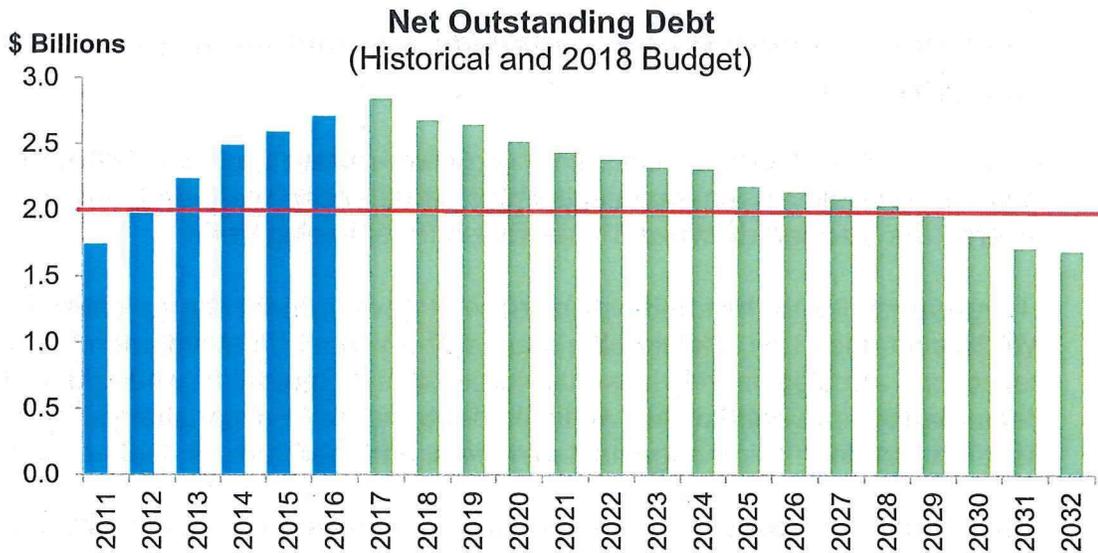
A decreasing debt profile is important because:

- It reduces the Region’s overall financial risk
- It frees up funding that can be spent directly on infrastructure, rather than on debt servicing

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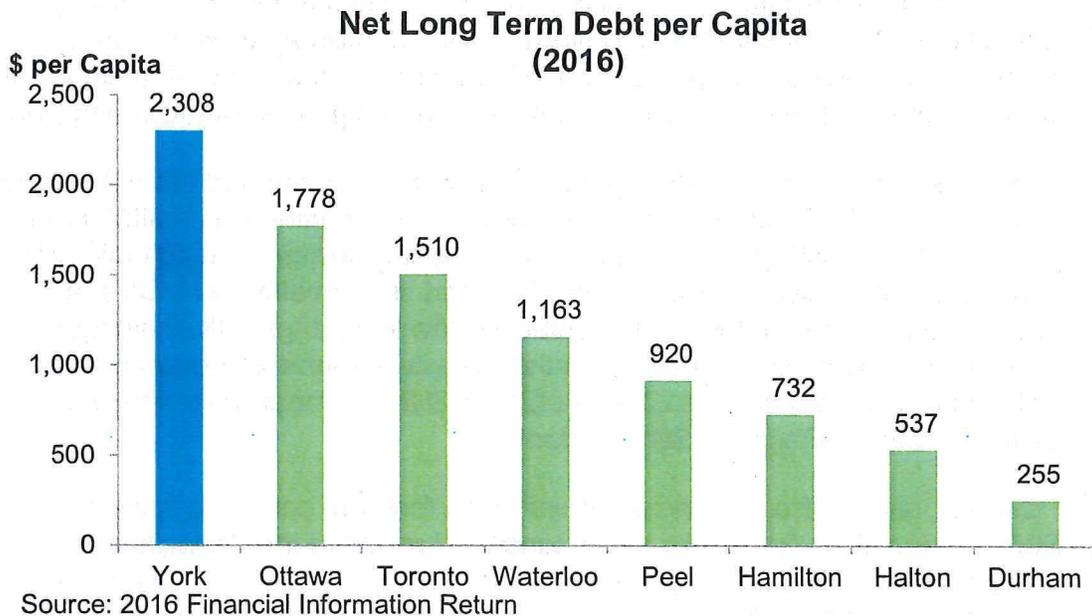
- It is a metric of financial sustainability – credit rating agencies have said that “greater-than-forecast debt” could lead to a potential rating downgrade
- It is expected to help the Region regain a triple A credit rating with S&P Global Ratings
- The Region must comply with the Province’s annual debt repayment limit

Figure 12



While the fiscal strategy has been effective at reducing debt levels, the Region’s overall debt still remains high compared to its peers (Figure 13).

Figure 13



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Approximately 90 per cent of the Region's outstanding debt will be serviced and repaid through development charges. This debt has enabled the construction of the infrastructure needed to support growth. The Region invested approximately \$1.85 billion in water and wastewater infrastructure from 2012 to 2016. This large investment increased debt by 27 per cent during this period. In addition, the higher debt level is a result of the pace of growth in the Region being slower than anticipated, resulting in less development charge collections that could have been used to pay for capital projects directly.

The Region's debt burden constrains spending on growth-related infrastructure

Using current revenue sources, funding growth-related projects above and beyond the Region's ten-year capital plan would mean more debt and could reverse the planned downward trajectory of outstanding debt.

The greatest risk to the capital plan lies with development charge collections, which is an uncertain and variable source of revenue. If development charge collections are significantly less than forecast, the Region may need to reduce or defer planned projects to stay within its debt and tax levy constraints. The Region needs to continue to manage its debt levels, and therefore its capital spending.

The Region's ability to reduce development charge debt while funding additional projects is contingent on achieving the level of growth envisaged by the Growth Plan

Development charge collections service existing development charge debt, and help avoid future debt. From 2013 to 2017 development charge servicing costs averaged approximately \$230 million per year, while development charge collections over the same period averaged \$285 million per year. The amounts above what is needed to pay annual debt servicing costs can be used to fund growth-related infrastructure in the ten-year capital plan without issuing new debt.

The Region has experienced a period of lower-than-expected growth and lower-than-expected collections. For the purpose of developing the capital budget, staff developed a growth projection that is more in line with historic actuals, which is lower than projections in the Growth Plan and the Development Charge Background Study. If the Region achieves the level of growth envisaged by the Provincial Growth Plan, development charge collections are forecast to be \$850 million higher over the next 20 years (2018-2037) compared to what was projected for the Region's 2018 budget.

However, even if the Provincial Growth Plan forecast comes to fruition, the Region will still be financially constrained to fund all of the projects in the 2018 Development Charge Background Study, which includes an additional \$1.5 billion of growth-related road projects compared to the 2017 Bylaw. As Figure 14

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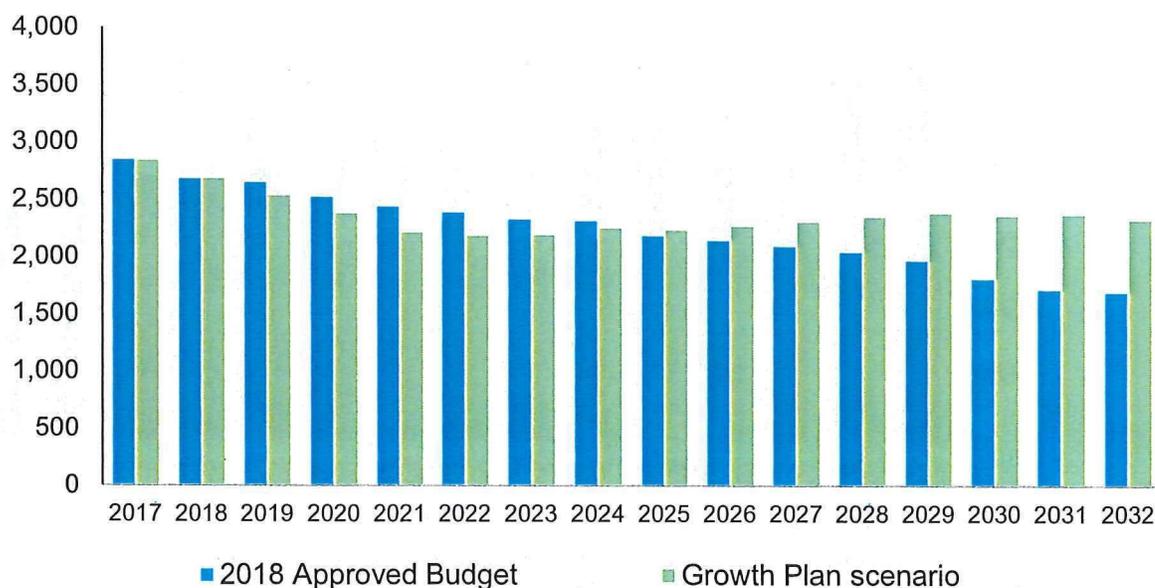
shows, the Region's outstanding debt projection, after incorporating the additional roads projects, is still higher than what was expected in the 2018 budget.

Figure 14

Outstanding Debt Projection

Growth Plan growth and funding all projects in 2018 Background study vs. 2018 Budget

(\$ Millions)



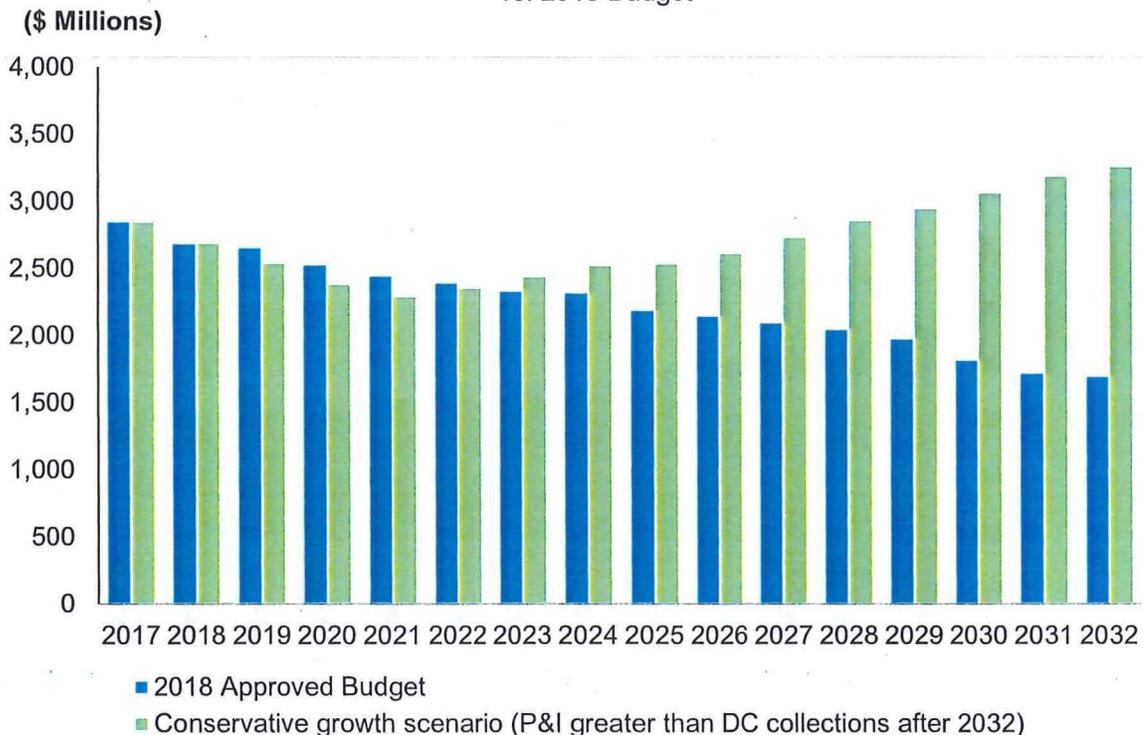
Furthermore, if growth proves to be less than forecast, there will be little to no opportunity to fund additional growth projects without increasing the outstanding debt profile. Figure 15 shows the Region's outstanding debt projection using more conservative growth estimates. The debt projection in this case exceeds what was anticipated in the 2018 budget after 2023, financially restricting the Region's ability to add further development charge funded projects.

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Figure 15

Outstanding Debt Projection

Conservative growth and funding all projects in the 2018 Background Study
vs. 2018 Budget



Under this scenario, development charge collections would be less than the amount needed for the annual principal and interest payments on development charge debt after 2032. The implication is that the shortfall would have to be drawn from the development charge reserve contingency previously established by Council. On average, the debt servicing costs exceed the development charge collections by roughly \$65 million per year after 2032. This situation results in consecutive development charge reserve draws that eventually deplete the development charge reserve of all its funds around 2037-2038.

An estimated \$60 million annual contribution to a Development Charge Debt Reduction reserve would be required to offset the development charge debt pressure of additional growth-related projects

Staff are exploring the possibility of creating a Development Charge Debt Reduction Reserve that will have similar characteristics to the Region’s Debt Reduction Reserve. The reserve could be used to fund growth projects temporarily to avoid taking on additional development charge debt. Future development charge collections would be used to replenish this reserve with accrued interest.

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A preliminary estimate indicates that the Development Charge Debt Reduction Reserve would require contributions of approximately \$60 million per year. Funds received from new revenue sources could fund this reserve.

The cost of growth-related projects not eligible to be recovered through development charges results in a fiscal pressure of approximately \$69 million per year

Although the majority of the initial capital costs related to growth projects are eligible to be recovered through development charges, there are still substantial costs that are not. Table 8 outlines the municipal costs that are not eligible to be recovered through development charges. These costs consist of both benefit-to-existing development and 10 per cent statutory deduction components of the 2018 Development Charge Bylaw Amendment.

**Table 8
Non-Development Charge Eligible Capital Costs, Excluding Water & Wastewater**

(\$ Millions)	2018 Budget with Development Charge Main List	Full Contingent List B	Total
Total Non-Development Charge Eligible Costs	900	138	1,038
Average Annual Amount	60	9	69

Note: Numbers may not add due to rounding

While tax levy increases of three per cent are sufficient to fund increases in the operating budget, including those related to growth assets, they are not sufficient to pay for these non-development charge eligible initial capital costs.

The Region’s asset base is growing much faster than its population

As of December 31, 2016, the Region owns and operates tangible capital assets with a net book value of more than \$7 billion and an estimated replacement value over \$12.3 billion (including Housing York Inc.). This includes \$6.0 billion in water and wastewater assets, \$4.1 billion in transportation assets and \$2.2 billion in other assets.

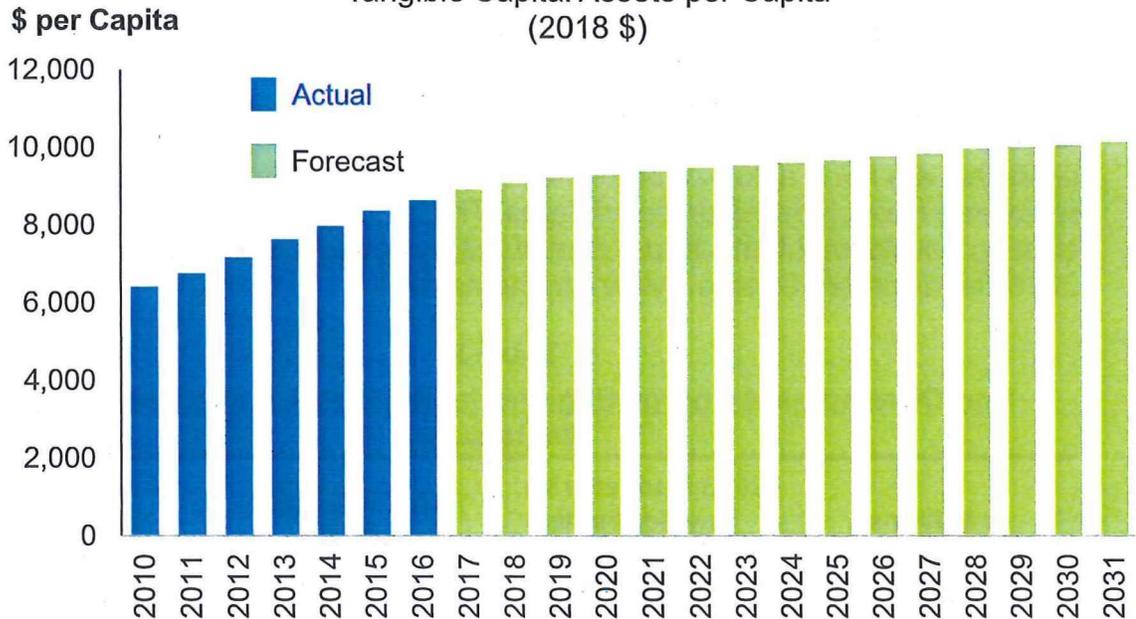
The Region’s asset base is expected to continue to grow significantly as new infrastructure is built to meet the needs of current and future residents. On a per

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capita basis, the asset base is expected to grow from roughly \$8,600 per capita in 2016 to \$10,100 per capita by 2031 (Figure 16).

Figure 16

Historic and Projected Asset Base per Capita
Tangible Capital Assets per Capita
(2018 \$)



The growth of the asset base is partially a result of the need to invest in major infrastructure, such as water and wastewater infrastructure, well in advance of population growth occurring. Fully funding the asset management needs of large and growing asset base will be a challenge. Staff are developing a Corporate Asset Management Plan, which is expected to be complete in 2018.

Fully funding asset management needs will put pressure on the tax levy

The Government of Ontario recently enacted a regulation (O. Reg. 588/17: Asset Management Planning for Municipal Infrastructure) that requires municipalities to prepare asset management plans. One component of the regulation is that municipalities must identify any funding shortfalls, as defined by the difference between available funding and the cost of delivering proposed levels of service. The Province is providing some funding to small rural and northern municipalities to address funding shortfalls. However, York Region does not meet the eligibility criteria, and staff do not expect the Region to receive a funding provision.

Through the user rates that were approved by Council in 2015, it is anticipated that the asset management needs for water and wastewater infrastructure can be fully funded by user rate reserves.

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For the Region’s other assets, current estimates suggest that an annual average of \$222 million will be required each year from 2019 to 2031 (Table 9) to maintain a state of good repair. It is estimated, however, that an average annual expenditures of \$202 million over the same period can be supported by tax levy increases capped at three per cent, creating a shortfall of approximately \$19 million per year (Table 9). The Region is continuing to develop its asset management plans and refine its estimates of the related financial requirements.

If all of the Contingency List B projects were to be added to the Region’s capital plan, the gap in asset management funding would increase further. While development charges are expected to recover approximately 91 per cent of the initial capital costs of these projects, all of the asset management costs would have to be raised through alternative means. It is currently estimated that \$3 million annually would be required to fully fund the asset management needs of these projects alone, in addition to the \$9 million in initial costs shown in Table 8 above.

Table 9
Summary of the Tax Levy Shortfall Related to Asset Management
(Annual Average Amount)

(\$ Millions)	2018 Budget with 2017 Development Charge Main List	Full Contingent List B	Total
Full asset management needs	222	3	224
Needs supported by tax levy increases capped at three percent	202	0	202
Average Annual Shortfall	19	3	22

Note: Numbers may not add due to rounding.

The full asset management needs incorporate current estimates of asset management requirements for existing assets and growth assets.

As the Region grows, it will require larger and more complex infrastructure that is both expensive and challenging to manage

As the Region continues to urbanize, infrastructure requirements become more complex, often requiring increasingly demanding conditions of Ministerial approval or tri-party agreements. These large infrastructure projects cannot be accommodated through own-source revenues and require third-party funding. Table 10 provides some examples of these future large infrastructure projects.

**Meeting Growth Plan Infrastructure Demands and
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**Table 10
Examples of Large Infrastructure Projects**

Project	Estimated cost (\$ Million)
Yonge Subway Extension (construction)	5,100 ¹
Bus Rapid Transit Plan (Metrolinx 2041 Regional Transportation Plan) <ul style="list-style-type: none"> • Highway 7 West BRT Extension (Highway 50 – Helen St.) • Yonge BRT (Richmond Hill, Aurora, Newmarket (19th Ave. – Mulock Dr.)) • Highway 7 East BRT Extension (Unionville GO – Donald Cousens Pkwy.) • Jane North BRT/LRT (Highway 7 – Major Mackenzie Dr.) • Steeles BRT/LRT (Jane St. – McCowan Rd.) • Leslie North BRT/LRT (Highway 7 – Major Mackenzie Dr.) • Major Mackenzie BRT/LRT (Jane St. – Leslie St.) • Major Mackenzie West Priority Bus (Highway 427 – Jane St.) • Major Mackenzie East Priority Bus (Leslie St. – Mount Joy GO) • Green Lane Priority Bus (Davis Dr. – East Gwillimbury GO) • Woodbine Ave. – Steeles Ave. to Major Mackenzie 	5,350 ²
Langstaff Road Extension (crossing the Macmillan CN rail yard)	620

¹ Project costs are as of September 2017. 75 per cent of the Yonge Subway Extension lies in York Region, while 25 per cent lies in the City of Toronto. \$5.1 billion is the current estimate, adjusted to future dollars for the expected years of construction.

² Other than the Yonge BRT (Richmond Hill, Aurora, Newmarket (19th Ave. – Mulock Dr.)) and the Highway 7 East BRT Extension (Unionville GO – Donald Cousens Pkwy.) all projects are in 2017 dollars.

The Region is challenged to fund new rapid transit priorities, including the Yonge Subway Extension and the Bus Rapid Transit Plan

While Metrolinx’s 2041 Regional Transportation Plan acknowledges the Region’s key transit projects, including Yonge Subway Extension and the Bus Rapid Transit Plan, funding details are vague. In the past, bus rapid transit projects in the Region have been fully funded by the Province. However, the Region contributed to the Toronto York Spadina Subway Extension.

The Yonge Subway Extension project is expected to require a Regional contribution along with funding from other levels of government. York Region’s share could be well over a billion dollars.(Table 11).

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**Table 11
Yonge Subway Extension Cost Share Scenarios**

(\$ Billions)	York Region's Contribution Assuming Toronto is NOT paying for its portion	York Region's Contribution Assuming Toronto is paying for its portion
York pays for 33%	1.70	1.28
York pays for 27%	1.38	1.03

Funding a regional contribution from existing revenue sources would put significant pressures on development charge debt and the tax levy.

Federal and provincial infrastructure programs will not likely be enough to address the Region's fiscal challenges

Through its budgets from 2016 to 2018, the federal government committed to invest more than \$180 billion in infrastructure over twelve years. While Phase I investments were focused on near-term projects, Phase II investments will focus on projects with a longer horizon. The federal government has recently finalized a bilateral agreement with Ontario to deliver Phase II infrastructure funding for public transit, green infrastructure, community, culture and recreation infrastructure, and rural and northern communities.

Of the \$81.2 billion Phase II commitment, the Public Transit Stream makes up a significant portion - \$20.1 billion. However, as a result of a ridership-based allocation formula, the Region, with a newer transit system, will receive less than other municipalities with more mature transit systems such as Toronto. The Region will receive a total of \$372 million (\$204 billion from the federal government, with 33 per cent matching funding or \$168 million from the Province), while Toronto will receive a total of \$8.9 billion. The \$372 million in transit funding from the federal and provincial governments would fund about three per cent of the Region's unfunded large transit projects.

To realize these funding opportunities, the Region will be required to contribute the remaining 27 per cent of the funding (i.e., between \$125 million and \$137 million depending on the types of projects to be funded). In the absence of the ability to generate new revenues, the Region will be required to come up with options to fund its contribution such as capital reductions or increases in development charges and tax rates.

Meeting Growth Plan Infrastructure Demands and Financial Sustainability: 2018 Update

The Association of Municipalities of Ontario 'Local Share' campaign is not likely to generate sufficient revenue to address the Region's fiscal gap

The Association of Municipalities of Ontario is advocating the allocation of revenues from a one per cent increase in the Harmonized Sales Tax to municipalities on a per dwelling unit basis at rates that decline with size of the municipality. This allocation methodology favours smaller municipalities, and does not recognize the infrastructure needs of rapidly growing municipalities. It also disadvantages municipalities with larger household sizes.

Under this methodology, York Region municipalities would receive \$160.6 million annually, or 6.4 per cent of the estimated provincial total. Of this amount, \$82.8 million per year would be for York Region, while \$77.8 million per year would be for the local municipalities. York Region's overall allocation is approximately \$145 per person. This is the 3rd lowest among the 202 single and upper tier municipalities in the province.

The Association of Municipalities of Ontario represents 444 municipalities across Ontario with differing structures, differing levels of responsibility and at different stages of growth. Having a 'one size fits all solution' like the "Local Share" does not address the different financial responsibilities that municipalities face.

The Province is unlikely to cede major fields of revenues to municipalities

Provincial legislation and regulations control the expenditure responsibilities and revenue-generating authorities of municipal governments.

The Province has its own challenges when it comes to program expenditures. Real per capita provincial spending has been declining in most program areas over the past five years. In addition, the Province is facing significant pressures on health care expenditures, particularly as the baby boom generation ages. Staff anticipate that the Province will be reluctant to cede its big revenue generators to municipalities, and that any new revenue-raising powers will require municipal accountability.

Advocating for *City of Toronto Act, 2006* revenue-raising powers may require consistent efforts over a number of years

Staff have consulted with the City of Toronto to better understand the process for advocating for their revenue powers under the *City of Toronto Act, 2006*. The process is likely to take considerable time, and require a consistent and concerted effort. It will also entail several touch points with the Province, Council, local municipalities, neighbouring municipalities, and other stakeholders (including the Building Industry and Land Development Association – York

Meeting Growth Plan Infrastructure Demands and Financial Sustainability: 2018 Update

Chapter, as well as local residents and business owners). The table below summarizes potential touchpoints with Council.

Table 12
Future Touchpoints with Council

Timeframe ¹	Touchpoint
Q4 2018	Council transition documents As part of the multi-year budget process
2019	Financial Sustainability update (Council report) As part of the Municipal Comprehensive Review
2020	As part of the 2020 Development Charge Background Study (update)

¹ Timeframe is tentative and subject to change

It is recommended that *City of Toronto Act, 2006* revenue-raising powers be used to address the capital-related fiscal gap

Building growth-related infrastructure to meet the population and employment targets contemplated by the Growth Plan has created capital-related fiscal pressures for the Region. These pressures are three-fold:

- Debt, tax levy and user rate pressures resulting from the upfront costs of building growth-related infrastructure, and the inability of development charges to fully fund those costs
- The inability to fully fund the ongoing lifecycle costs of growth-related assets and existing assets to ensure that they remain in a state of good repair while keeping tax levy increases below three per cent
- The Regional contributions to Federal-Provincial infrastructure projects

Unlike the City of Toronto, which uses revenue-raising powers like the Municipal Land Transfer Tax to help fund its operating budget², staff recommend the Region direct any new revenues derived from *City of Toronto Act, 2006* revenue-raising powers to address its capital-related fiscal gap.

² In the City of Toronto's "Long Term Financial Plan", released in March 2018, one of the recommendations was to reduce the cyclical risk of the Municipal Land Transfer Tax by allocating an appropriate portion of the revenue to capital reserves.

**Meeting Growth Plan Infrastructure Demands and
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5. Financial Considerations

The Region is facing a capital-related fiscal gap of over \$220 million per year

Preliminary estimates of the fiscal gap indicate that the Region needs additional revenue of over \$220 million annually to achieve financial sustainability (Table 13). Overcoming this fiscal gap will require new revenue sources. The fiscal gap can be categorized into three groups:

- \$60 million in annual contribution to a Development Charge Debt Reduction Reserve
- \$91 million in annual estimated tax levy shortfall/fiscal gap related to non-development charge recoverable costs and unfunded asset management costs
- \$69 million to \$113 million annually for a regional contribution to Federal-Provincial infrastructure projects, such as the Yonge Subway Extension

**Table 13
Annual Fiscal Gap**

	(\$ Millions)
Annual contribution to development charge debt reduction reserve	60
Tax levy shortfall/fiscal gap	
Unfunded asset management costs	22
Non- development charge eligible costs	69
Regional contribution to Federal-Provincial infrastructure projects	69 to 113
Annual requirement for long-term financial sustainability	220 to 264

The non-development charge eligible capital costs and unfunded asset management costs currently represent one of the greatest financial constraints to the Region. While Council has significantly increased contributions to asset replacement reserves in recent years, additional revenue is required to fully fund these needs in a manner that is consistent with the fiscal strategy, while simultaneously keeping tax levy increases under three per cent per year.

In addition, cost sharing associated with large Federal-Provincial infrastructure projects is expected to put significant debt and tax levy pressures on the Region. In the case of Yonge Subway Extension project, York Region’s share could

Meeting Growth Plan Infrastructure Demands and Financial Sustainability: 2018 Update

range between \$69 million and \$113 million per year depending on Toronto's commitment. This is equivalent to an 8.5 per cent to 14 per cent increase to the Region's 2018 capital budget.

A municipal land transfer tax could raise \$350 to \$430 million per year for York Region and the nine local municipalities

In the City of Toronto, a municipal land transfer tax is imposed on properties purchased in the City and on unregistered dispositions of a beneficial interest in land. Using current City of Toronto municipal land transfer tax rates (which are the same as the Ontario rates), a municipal land transfer tax in York Region could generate \$350 to \$430 million in revenues. This is approximately half of the amount that the City of Toronto has budgeted for its municipal land transfer tax revenue in 2017 (\$716 million).

The majority of the land transfer tax revenue in York Region would be from residential property transactions. Using Toronto Real Estate Board and RealNet data, staff estimate that almost 90 per cent of total property sales value in 2017 involve residential property (land or buildings).

These revenue estimates do not account for the potential impact of a first-time home buyers' rebate. In the City of Toronto, first-time home buyers are eligible to receive a rebate of up to \$4,475 if the property was purchased after March 1, 2017 or \$3,725 if it was purchased before this date. This rebate reduces the revenue potential from a Municipal Land Transfer Tax. Staff estimate that a first time home buyer rebate could reduce annual revenues by approximately \$5 million, assuming a program similar to the City of Toronto's.

A Vehicle Registration Tax could generate an additional \$65 to \$80 million per year depending on the fee

The revenue potential for a vehicle registration tax was estimated by applying an assumed vehicle registration fee of \$100 to \$120 per vehicle per year to the total number of private vehicles registered in York Region on an annual basis. Using this assumption, and applying an administrative fee approximating three per cent of revenue (City of Toronto's administrative costs in 2010), a vehicle registration tax could generate approximately \$65 to \$80 million annually. This amount is expected to grow each year, as vehicle registrations increase at an average rate of 1.6 per cent a year.

**Meeting Growth Plan Infrastructure Demands and
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6. Local Municipal Impact

New revenues could be shared with local municipalities

Revenues generated from *City of Toronto Act, 2006* revenue-raising powers, could be shared with local municipalities to address their infrastructure priorities. For example, the amount of revenue shared could be based on the size of capital budget, the value of capital assets owned by the Region and each of the local municipalities, or past capital expenditures.

7. Conclusion

***City of Toronto Act, 2006* revenue-raising powers are needed to enable the Region to grow in a financially sustainable way**

In order to for the Region to continue to build the infrastructure required for growth and address that infrastructure’s asset management costs in a financially sustainable way, new revenue sources are needed.

It is recommended that Council continue to advocate for all *City of Toronto Act, 2006* revenue-raising powers, including a municipal land transfer tax and a vehicle registration tax.

For more information on this report, please contact Edward Hankins, Director, Treasury Office, at 1-877-464-9675 ext. 71644.

The Senior Management Group has reviewed this report.

Recommended by:

Approved for Submission:

Bill Hughes
Commissioner of Finance

Bruce Macgregor
Chief Administrative Officer

April 27, 2018

8213018

Accessible formats or communication supports are available upon request

CITY OF QUINTE WEST

*Office of the Mayor
Jim Harrison*



*P.O. Box 490
Trenton, Ontario, K8V 5R6*

*TEL: (613) 392-2841
FAX: (613) 392-5608*

May 28, 2018

Ms. Lynn Dollin, President
Association of Municipalities of Ontario
200 University Ave, Suite 801
Toronto, ON M5H 3C6

RE: Resolution – Cannabis Grace Period Request

Dear: Ms. Lynn Dollin,

This letter will serve to advise that at a meeting of City of Quinte West Council held on May 22, 2018 Council passed the following resolution:

“That the Council of the City of Quinte West requests that once the cannabis legislation is passed that a six month grace period be enacted to ensure that municipal law enforcement officers and the Ontario Provincial Police are adequately trained to enforce the said legislation;

And further that this resolution be circulated to the local MP, MPP, AMO, and other municipalities. **Carried**”

We trust that you will give favourable consideration to this request.

Sincerely,

CITY OF QUINTE WEST

A handwritten signature in black ink that reads 'Jim Harrison'.

Jim Harrison
Mayor

cc: MP Neil Ellis, Bay of Quinte
cc: MPP Lou Rinaldi, Northumberland-Quinte West

Pilon, Janet

Subject: Support a National Cycling Strategy

From: Gord.Johns.A1@parl.gc.ca [mailto:Gord.Johns.A1@parl.gc.ca]

Sent: Tuesday, May 29, 2018 9:55 AM

To: Office of the Mayor <mayor@hamilton.ca>

Subject: Support a National Cycling Strategy

Greetings!

I'm writing to ask for your Municipality's support for my private Member's bill C-312, which will establish a National Cycling Strategy for Canada.

Cycling is a sustainable solution to many of the challenges Canada is facing, such as rising healthcare costs, gridlock and reducing GHG emissions. Riding a bike is low cost, eliminates pollution, and encourages healthy living. Many cycling advocates have endorsed my bill and agree with me that we need to do more to make Canada a cycling nation!

It is my hope that your board will pass a motion in support of bill C-312, and also call on your local Member of Parliament and ask them to support the bill.

Please find attached a toolkit (in both official languages) for your use and information.

Do not hesitate to contact my office with your questions and concerns.

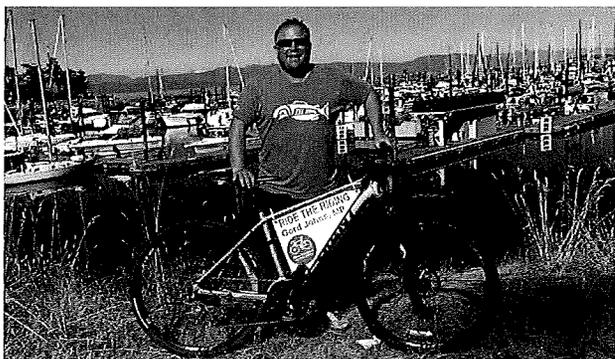
Thank you,
Gord Johns, MP

*Sent via
Christine Ackermann
Legislative Assistant to Gord Johns, MP
613-992-0903 office
613-240-0454 cell*

Bill C312: An Act to Establish a National Cycling Strategy



Toolkit for Municipalities



Our country is facing many challenges including soaring healthcare and infrastructure costs, reducing GHG emissions, and traffic congestion. Cycling is a sustainable transportation solution. It can be done anywhere and in any weather. It's low cost, eliminates pollution, and encourages healthy living.

We need to do more to make Canada a cycling nation!

On Tuesday, 4 October 2016, Gord Johns, Member of Parliament for Courtenay-Alberni, introduced a private Member's bill to establish a National Cycling Strategy.

Municipalities are asked to:

1. **Endorse Bill C312 by passing a motion at council** and emailing a copy to MP Gord Johns at gord.johns@parl.gc.ca
2. **Call on the local area Member of Parliament** and ask them to pledge their support for the bill.

Information about the benefits of a National Cycling Strategy, sample motion, a listing of organizations and municipalities that have endorsed the bill, a sample letter, and sources for further information are included in the pages below.

For questions, discussion, or further information please contact Member of Parliament Gord Johns' Office. Email gord.johns@parl.gc.ca or phone 1-844-620-9924.

More information can also be found at www.gordjohns.ca or on Facebook at <https://www.facebook.com/gordjohnscycling/>.

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Benefits of a National Cycling Strategy

What will a National Cycling Strategy do for Canadians?

- ✓ Commit the federal government to set clear targets for the expansion of cycling friendly infrastructure
- ✓ Encourage more Canadians to choose cycling as their mode of transportation
- ✓ Improve national safety standard measures, such as side guard rails for trucks
- ✓ Support cycle tourism in Canada
- ✓ Increase education for cyclists, pedestrians and motorists

Why is a National Cycling Strategy important?

Our country is facing soaring healthcare and infrastructure costs, GHG emissions, and traffic congestion. The rising costs of housing, gas, and groceries are making life increasingly unaffordable for many Canadians. Implementing a national cycling strategy will help Canada address many of these challenges.

Cycling is a sustainable transportation solution. It's low cost, environmentally friendly, and encourages healthy living!

The UN estimates that more than half of the world's population lives in urban areas and that figure is on the rise. We can foster a cycling culture in Canada by making people feel safe, by providing infrastructure that supports them, and by helping potential cyclists feel confident about the rules of the road. This will take an organized effort from local, provincial and federal governments.

MP Gord Johns' Bill C-312 is a multi-faceted proposal, requiring the collaboration of all levels of government, to develop cycling options across the country. This legislation addresses the social, economic, and environmental issues facing Canada today and provides a national plan for cycling infrastructure and education.

Did you know?

A study from Denmark shows that for every kilometer cycled, society enjoys a net profit of 23 cents; whereas for every kilometer driven by car we suffer a net loss of 16 cents.

In Canada, only 2 percent of children cycle to school and we do not do well when measured against other OECD countries with comparable climates. For example, in Germany, 15 percent of children cycle to school. In Sweden its 20 percent and it jumps to 50 percent in The Netherlands! Canada lags behind because these countries (*and many more*) have already implemented a National Cycling Strategy.

In BC, on average, 1400 cyclists are seriously injured and 9 people are killed in bicycle-vehicle collisions every year. According to Canadian Motor Vehicle Traffic Collision statistics, 35 cyclists died across Canada in 2014 alone. The number of cycling injuries and fatalities that occur every year is reason enough to act.

Endorsements

"Vélo Canada Bikes strongly supports the development of a national cycling strategy as part of an active transportation approach. Our health, environment, and economy are riding on it. Getting the conditions right for a bike-friendly nation takes coordinated effort and strong leadership. Adopting an ambitious national cycling strategy and investing heavily in cycling infrastructure throughout Canada are key steps that combine to make cycling easier and more convenient for everyone. The experience of countries like Germany, the UK or Norway shows that it is effective and necessary. Ultimately, people everywhere want safer streets, clear laws, effective programs and good investments. Once people of all ages and abilities feel comfortable connecting to their community and their country from the seat of a bicycle, our job will be done. Until then, we have a tremendous amount of work to do."

~ *Anders Swanson, Chair, Canada Bikes*

"Bike Ottawa feels the time is right for a National strategy to help provinces and cities across Canada address the challenge and leverage the opportunity of huge increases in people riding bicycles for transportation. A good strategy will focus on infrastructure, engineering and education standards, to help reduce emissions, congestion, road user conflicts, injuries and fatalities, all while increasing public health through sustainable and affordable transportation."

~ *Heather Shearer, President, Bike Ottawa*

"Cycling is a wonderful way for Canadians to integrate healthy exercise into their day while protecting the environment. It's time for Federal leadership to step forward and lead by summarizing research, establishing guiding principles and coordinating the development of a national cycling strategy. We need to set targets -- one can be that every child possible in Canada learns to ride a bicycle.

Cycling tourism can be part of the strategy, and of course, safety needs attention as well.

National Health and Fitness Day partners with Canada Bikes towards the development of a National Cycling Strategy and invites you to participate in Bike Day in Canada on May 29, 2018."

~ *Senator Nancy Greene Raine, champion alpine skier voted as Canada's Female Athlete of the 20th Century.*

Sample Motion

THAT "City Council write to Gord Johns, Member of Parliament, the Honourable Marc Garneau, Minister of Transportation, and the Honourable Catherine McKenna, Minister of Environment, encouraging the passage and implementation of Bill C-312, the National Cycling Strategy Act."

– City of Toronto, Ontario

"THAT the Village provide a letter of support to MP Gord Johns for Bill C-312: An Act to Establish a National Cycling Strategy."

– Village of Cumberland, British Columbia



Sample Letter

<<Address of Municipality>>

<<Date>>

<<Address of Member of Parliament>>

Dear <<Member of Parliament>>,

The *(Organization/Municipality)* recently passed a motion to endorse MP Gord Johns' Bill C312: 'An Act to Establish a National Cycling Strategy'.

In our community, <<Say a little bit about the actions being taken in your jurisdiction >>

We have found the development of cycling infrastructure to be invaluable to the health and safety of our community, but it is not a project we can continue to do on our own. It is imperative that the federal government work in collaboration with the province and municipalities to address the ongoing challenges of gridlock, pollution, and soaring health costs.

MP Gord Johns' Bill C312 delivers a solution to these challenges. We know that cycling can be done anywhere, in any weather, and is an option available to all Canadians regardless of age or ability. Cycling promotes healthy living, eliminates pollution, and is a low cost transportation solution. This legislation will bring all levels of governments together with cyclists, health advocates, educators, and business owners to build a comprehensive plan that will encourage and facilitate getting more Canadians on bicycles.

It is clear that a National Cycling Strategy will lead to a healthier society, more livable communities, safer cycling options, reduced congestion and significant savings for our healthcare system. Additionally, it will help promote Canada's unique landscape as a perfect draw for cycling tourism.

We need to do more to make Canada a cycling nation!

As such, we call on you, <<name of MP>> as the Member of Parliament for <<region>> to pledge your support for Bill C312 by voting in favor of the legislation, and encouraging your colleagues to do the same.

Thank you for your support in furthering active transportation in our region.

Sincerely,
<<Municipality/Organization>>

cc: Gord Johns, MP

Further Information

Gord Johns Cycling Website

Find complete information at <http://gordjohns.ndp.ca//cycling>

Text of Bill C312

The complete text of Bill C312: An Act to Establish a National Cycling Strategy.

Online Petition

You will find an online petition for cycling on Gord John's website. Please help us spread the word by circulating this link.

Paper Petition

Download, print and collect signatures on the attached paper petition. Circulate it in your neighbourhood, your community, among your friends and family. Once it's filled out, mail it (*postage free*) to MP Gord Johns, House of Commons, Ottawa ON, K1A 0A1.

Write to Your MP

Write in support of MP Gord Johns' Bill C312: An Act to Establish a National Cycling Strategy and encourage your community members to do the same. MP Contact Information can be found here: <http://www.ourcommons.ca/Parliamentarians/en/members>.

Social Media

Share this page on Facebook and Twitter. Together, we can make Canada a cycling nation!
<https://www.facebook.com/gordjohnscycling/>

Contacts

Find your Member of Parliament [online](#).

Please write to your own MP as well as the following key parliamentarians in support of MP Gord Johns' Bill C312.

Write to any of these Parliamentarians (*postage-free*) at this address:

**House of Commons
Ottawa, ON K1A 0A1**

Prime Minister Justin Trudeau

Gord Johns, MP (Courtenay-Alberni)

The Hon. Ginette Petitpas Taylor
Minister of Health

The Hon. Catherine McKenna
Minister of Environment and Climate Change

Hon. Marc Garneau
Minister of Transport



National Cycling Strategy
PETITION TO THE HOUSE OF COMMONS OF CANADA

WHEREAS:

- Cycling is one of the most sustainable methods of transportation, requiring fewer natural resources and producing less waste than any other transport alternative;
- The benefits of cycling should be made available to all Canadians, regardless of age, ability, gender, economic status or location;
- A national cycling strategy would promote research, help create infrastructure projects and establish a clear framework for investment in order to support and increase all types of cycling in Canada, including: commuter, tourism and recreational cycling;
- Cycling plays a positive role in healthy lifestyles and reduces healthcare spending as a result of increased physical activity and fitness;
- A national cycling strategy would enhance national safety standards including measures like mandatory side guards for trucks.
- Increased cycling would support Canada's goals to reduce greenhouse gas emissions.

We, the undersigned residents of Canada, call upon the House of Commons to establish a National Cycling Strategy.

Name	Email	Address	Telephone	Signature

Please return completed petitions to: Gord Johns, MP // House of Commons // Ottawa, ON // K1A 0A1

(no stamp required, please use an envelope)

Pilon, Janet

Subject: Resignation Letter for Kris Brown

From: Kristopher Brown

Sent: April-13-18 10:08 AM

To: Burnside, Lisa <Lisa.Burnside@conservationhamilton.ca>

Cc: Conley, Doug <Doug.Conley@hamilton.ca>

Subject: Re: HCA Strategic Plan Renewal - Response required

Hi Lisa,

I was going to speak to both you and Doug at our next meeting in May, but wanted to inform you both that I will be resigning from the Board of Directors effective after our June meeting. Needless to say there is no need to accommodate me for the opportunity to input on the strategic plan.

My wife and I are taking a year off and doing a round the world trip with our two kids. We have been planning this for the last four years and will be leaving at the end of June. We are all very excited about our trip but the amount of things we need to do is overwhelming. I have really enjoyed my time on the board and have been truly impressed at the professionalism of HCA staff and the amazing things they achieve.

I look forward to discussing this more at our next meeting.

Sincerely,

Kris Brown

**Ministry of Children and
Youth Services**

WEST REGION
Suite 203, 217 York Street
P.O. Box 5217
London ON N6A 5R1
Tel: 519-438-5111
Fax: 519-672-9510
Toll Free: 1-800-265-4197
TTY: 519-663-5276

**Ministère des Services à l'enfance
et à la jeunesse**

RÉGION DE L'OUEST
217, rue York, bureau 203
C.P. 5217
London ON N6A 5R1
Tél. : 519 438-5111
Télééc. : 519 672-9510
Sans frais : 1 800 265-4197
ATS : 519 663-5276



May 7, 2018

Kathy deJong, Program Manager
City of Hamilton
220 – 100 Main Street East
Hamilton, ON L8N 3W4

Dear Ms. deJong,

Further to the letter you received from the Honourable Michael Coteau, Minister of Children and Youth Services, on May 4, 2018, I am pleased to advise you that your base funding increase for 2018/19 will be \$104,310.40, pending approval of the 2018 Ontario Budget.

Base increases were calculated using your base child and youth mental health allocations for core services. They can be used for children and youth mental health system investments that support ongoing transformation, including staffing needs and administrative costs. This investment, alongside other system investments, will help strengthen existing services, improve quality, and reduce wait times.

Your program supervisor will be in contact to further discuss the details of this funding and next steps. Please contact them directly if you have any questions.

Thank you for your ongoing dedication in supporting the mental health needs of children and youth.

Sincerely,

Joanne Brown
On behalf of:
Linda Chihab
Director (A)

- c. Mayor Fred Eisenberger, Chair, Board of Health
Patti Moore, Program Supervisor

**Hamilton Beach Community Council
Hamilton, ON L8H 6X2**

June 5th, 2018

Attention: Hamilton City Council

RE: SKYWAY PARK ON BEACH BOULEVARD

Please accept this email as our official request to have the Skyway Park on Beach Boulevard renamed to Jimmy Howard Park.

Regards,

**Lisa Witherington
Secretary
Hamilton Beach Community Council**

Ministry of Natural
Resources and Forestry

Regional Operations
Division

Room 6610, Whitney Block
99 Wellesley Street West
Toronto ON M7A 1W3
Tel: 416-314-9075
Fax: 416-314-2629

Ministère des Richesses
naturelles et des Forêts

Division des opérations
régionales

Édifice Whitney, bureau 6610
99, rue Wellesley Ouest
Toronto (Ontario) M7A 1W3
Tél.: 416-314-9075
Télééc.: 416-314-2629



MNR7048MC-2018-82

His Worship Fred Eisenberger
Mayor
City of Hamilton
71 Main Street West 2nd Floor
Hamilton ON L8P 4Y5

Dear Mayor Eisenberger:

Thank you for sharing your letter to Premier Kathleen Wynne and the Honourable Nathalie Des Rosiers regarding your Council's resolution requesting the Hamilton Conservation Authority take formal steps to request an enlargement of their jurisdiction. I also note your concerns related to the levy apportionment provisions in the *Conservation Authorities Act*. I regret the delay in responding.

Under the act, conservation authority jurisdictions are generally established on a common watershed basis which allows for more effective resource management. Some municipal jurisdictions span more than one watershed and as such, a municipality may belong to more than one conservation authority.

With regard to your enlargement request, the area of the proposed enlargement currently falls within the boundaries of other adjacent conservation authorities. As a result, this is not an appropriate use of the enlargement provisions under the act. If you would like to pursue a change to the boundary between conservation authorities, please contact Kathy Woeller, A/Director, Integration Branch at (705) 755-1620 or kathy.woeller@ontario.ca.

Related to your concerns about the levies that have been apportioned to the City of Hamilton under the act, I understand that the City of Hamilton is currently seeking a judicial review of the Order of the Deputy Mining and Lands Commissioner made on December 21, 2017. As this matter is before the courts, it would be inappropriate to comment of the specifics of this case.

Please note, under the rules around elections and changes in government, correspondence to one Minister cannot be shared with a new Minister from a different government. This means that should there be a change in government following the June 7th provincial election, you may want to consider writing to the new Minister, once appointed, to bring your concerns to his or her attention as well.

Thank you again for writing.

Sincerely,



Monique Rolf von den Baumen
A/Assistant Deputy Minister
Regional Operations Division

c: Premier Kathleen Wynne
Kathy Woeller, A/Director, Integration Branch

Ministry of
Transportation

Ministère des
Transports



Ontario

Transportation Policy Branch 777 Bay Street, 30th Floor Toronto, Ontario M7A 2J8 Tel: 416 585-7628 Fax: 416 585-7204	Direction des politiques du transport 777, rue Bay, 30 ^e étage Toronto (Ontario) M7A 2J8 Tél. : 416 585-7628 Télééc. : 416 585-7204
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May 17, 2018

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

Dear Mayor Eisenberger:

Thank you for your April 3, 2018 letter concerning the recent resolution by the City of Hamilton to position itself as a potential test site for autonomous buses. I am pleased to respond on behalf of the minister during the current Ontario election period. I always appreciate being informed of transportation initiatives taking place in Ontario municipalities.

My ministry recognizes the importance of new vehicle technologies, especially those that can expand mobility options, create economic opportunities and enhance safety for Ontarians. We are committed to working with our municipal partners, including the City of Hamilton, to ensure that our transportation network is safe while allowing new technology to thrive.

As you know, the province is investing \$80 million over five years in the Autonomous Vehicle Innovation Network (AVIN), delivered in partnership with Ontario Centres of Excellence (OCE). AVIN capitalizes on the economic potential of connected and autonomous vehicles and helps the province's transportation systems and infrastructure adapt to new technologies. On May 2, 2018 OCE announced funding to six Regional Technology Development sites across the province as part of AVIN, including Hamilton. Each site will support the development of new CV/AV technologies and will have a unique focus area for research and testing. I am pleased to know that the Hamilton Region – of which you are a partner – will specifically focus on multimodal and integrated mobility. I look forward to hearing about your group's activities over the coming months.

Thank you again for informing me of the Council's resolution.

Sincerely,

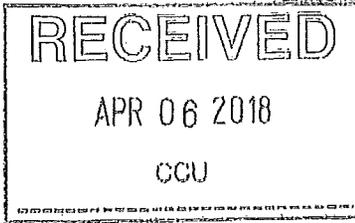
A handwritten signature in black ink, appearing to read 'Krista Adams', written in a cursive style.

Krista Adams, Director
Transportation Policy Branch

c: Raed Kadri, Director
Ontario Centres of Excellence

Joe Veloce, Director
Ministry of Economic Development and Growth

Stephanie Appave, Director
Ministry of Research, Innovation and Science



OFFICE OF THE MAYOR
CITY OF HAMILTON

April 3, 2018

The Honourable Kathryn McGarry
Minister of Transportation
3rd Floor, Ferguson Block
77 Wellesley Street West
Toronto, ON M7A 1Z8

Mr. Raed Kadri, Director
Automotive Technology and Mobility Innovations
Autonomous Vehicle Innovation Network
325 Front St. West, Suite 300
Toronto, ON M5V 2Y1

Dear Minister McGarry and Mr. Kadri,

At its meeting of March 28, 2018, Hamilton City Council approved Item 10 of the Public Works Committee Report 18-004 which reads as follows:

Self-Driving Buses

WHEREAS, technology is advancing rapidly in the field of driverless/autonomous buses,

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton inform the Province, and the industry, that the City is prepared to be considered as a test site for the emerging technology of driverless/ autonomous buses, and;
- (b) That staff be directed to report back to the Public Works Committee about the feasibility of using driverless/autonomous buses in the City of Hamilton.

We respectfully request your timely consideration to this matter and look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred Eisenberger", written over a horizontal line.

Mayor Fred Eisenberger

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
RESTORATION
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



SPECIAL GENERAL ISSUES COMMITTEE REPORT 18-012

9:30 a.m.
Thursday, May 31, 2018
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Mayor F. Eisenberger, Deputy Mayor M. Pearson (Chair)
Councillors T. Whitehead, D. Skelly, T. Jackson, C. Collins, M. Green, J. Farr, A. Johnson, D. Conley, B. Johnson, L. Ferguson, J. Partridge

**Absent with
Regrets:** Councillors A. VanderBeek and R. Pasuta – Personal
Councillor Merulla - Bereavement

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 18-012 FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

The Acting City Clerk advised of the following changes to the agenda:

1. DELEGATION REQUESTS (Item 4)

Respecting the LRT (for today's meeting):

- 4.1 Nicole Smith, Kumon Hamilton West End
- 4.2 Milena Balta
- 4.3 Carol Lazich, No LRT Hamilton

2. PUBLIC HEARINGS/DELEGATIONS (Item 6)

- 6.1 Lisa Hodge – WITHDRAWN

3. WRITTEN SUBMISSIONS (Item 7)

7.1(a) Correspondence from Gabriel Nicholson respecting the Hamilton Light Rail Transit (LRT) Project

Recommendation: Be received and referred to the consideration of the Hamilton Light Rail Transit (LRT) Project Update (PED18116)

4. NOTICES OF MOTION (Item 10)

10.1 Observing the Rules and Principles of the City of Hamilton Urban Forestry Strategy

10.2 Early Opening and Late Closing of Splash Pads in the City of Hamilton

The agenda for the May 31, 2018 Special General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) DELEGATION REQUESTS (Item 4)

Respecting the LRT (for today's meeting):

- (i) Nicole Smith, Kumon Hamilton West End (Item 4.1)
- (ii) Milena Balta (Item 4.2)
- (iii) Carol Lazich, No LRT Hamilton (Item 4.3)

The delegation requests submitted by Nicole Smith, Kumon Hamilton West End (Item 4.1); Milena Balta (Item 4.2) and Carol Lazich, No LRT Hamilton (Item 4.3) respecting the LRT, were approved to appear at today's meeting of the Special General Issues Committee.

(d) PUBLIC HEARINGS / DELEGATIONS (Item 6)

As noted in the changes to the agenda, Lisa Hodge (Item 6.1) withdrew her delegation request.

6.2 Nicole Smith, Kumon Hamilton West End

- 6.3 Nicole Smith was not in attendance.
Milena Balta

Milena Balta addressed Committee respecting the LRT project.

The delegation 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.

For disposition of these matters, please refer to Items (d)(i) and (ii).

- 6.4 Carol Lazich, No LRT Hamilton

Carol Lazich addressed Committee respecting the LRT project.

The delegation 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.

For disposition of these matters, please refer to Items (d)(i) and (ii).

(d) STAFF PRESENTATIONS (Item 7)

- (i) Hamilton Light Rail Transit (LRT) Update (PED18116) (City Wide) (Item 7.1)**

7.1(a) Correspondence from Gabriel Nicholson respecting the Hamilton Light Rail Transit (LRT) Project.

Was received and referred to the consideration of the Hamilton Light Rail Transit (LRT) Project Update (PED18116).

Kris Jacobson, Acting Director, LRT Project Coordination; and, Trevor Horzelenberg, Manager, Light Rail Transit, addressed Committee and provided a PowerPoint presentation respecting Report PED18116 – Hamilton Light Rail Transit (LRT) Update.

The presentation, respecting Report PED18116 - Hamilton Light Rail Transit (LRT) Update was received.

A copy of the presentation is available on-line at www.hamilton.ca or through the Office of the City Clerk.

Report PED18116, respecting the Hamilton Light Rail Transit (LRT) Update was received.

(ii) Operation and Maintenance of the Hamilton Light Rail Transit (LRT) System (PED18117/FCS18058) (City Wide) (Item 7.2)

Mike Zegarac, General Manager of Finance & Corporate Services, addressed Committee and provided a PowerPoint presentation respecting Report PED18117/FCS18058 - Operation and Maintenance of the Hamilton Light Rail Transit (LRT) System.

The presentation, respecting Report PED18117/FCS18058 - Operation and Maintenance of the Hamilton Light Rail Transit (LRT) System, was received.

A copy of the presentation is available on-line at www.hamilton.ca or through the Office of the City Clerk.

Report PED18117/FCS18058, Operation and Maintenance of the Hamilton Light Rail Transit (LRT) System was received.

(iii) Hamilton Transit Passenger Bill of Rights for Hamilton Street Railway (HSR) and the Light Rail Transit (LRT) (Item 9.1)

The following motion was referred to staff to report back to the Special General Issues Committee (LRT) in conjunction with the update the Committee received at the May 31, 2018 Special General Issues Committee (LRT) meeting:

WHEREAS, the residents of Hamilton, through elected City Councillors and the Mayor, should have direct oversight over any transit projects within in their jurisdiction, including the Hamilton LRT.

THEREFORE BE IT RESOLVED:

- (a) That Metrolinx build a mechanism into the contract with ProjectCo to allow Hamilton City Council, through Metrolinx, to initiate sanctions against ProjectCo, up to and including, termination of the Operating Agreement for LRT; and,
- (b) That the residents and transit users of the city of Hamilton are entitled to expect the following articles of their transit system, whether it be public or private, municipal or provincial including, but not limited, to Hamilton Street Railway and Hamilton Light Rail Transit operations (currently known as ProjectCo):

PASSENGER BILL OF RIGHTS

1. Safety and Accountability, Public Oversight
 - (i) That ProjectCo must comply with any and all public audit requests at expense of each contractor;
 - (ii) That ProjectCo submit, unredacted, any and all audits performed related to efficiency, labor, performance, and safety to [relevant agency, executive, and Council offices] within 30 days of any audit's completion;
 - (iii) That ProjectCo must commit to the highest level of maintenance and safety standards as defined by federal, provincial, and municipal regulations. In addition, each contractor must submit a summary report to Metrolinx, City Council and the Minister of Transportation of all infractions related to noncompliance with any relevant federal, provincial, or municipal regulatory statute; and,
 - (iv) If the designated bidder is headquartered outside of the Province of Ontario, said contract cost shall be increased by the amount of income tax revenue, if any, which will be lost to the province.
2. Reliability, Predictability and Service
 - (i) ProjectCo must demonstrate and adhere to providing high-quality transit service at levels that reflect and meet demand;
 - (ii) ProjectCo must commit to provide reliable transit service and submit quarterly reports on on-time performance and hours of missed service to Metrolinx, City Council and the Minister of Transportation;
 - (iii) ProjectCo must commit to working with the City of Hamilton and Hamilton Street Railway to optimize service integration; and,
 - (iv) To prepare for any event that the Hamilton LRT will experience service interruptions, delays, or stoppages, ProjectCo and HSR must have an established arrangement for HSR to provide bus service at ProjectCo's expense.

3. Affordability and Fares

- (i) Each private contractor must provide any and all operating and capital budget drafts and revisions for public review to Metrolinx, City Council and the Minister of Transportation;
- (ii) The total contract cost, inclusive of all cost considerations, outlined in this Passenger Bill of Rights, will be at least fifteen percent less than the estimated current year cost of the service provided by the public sector, or that could be were public sector partners afforded equal opportunity and resources; and,
- (iii) Hamilton LRT fares must be equal to current and future HSR fares, and ProjectCo must honour all HSR transfers and Presto discounts.

4. Equity and Accessibility

- (i) ProjectCo must honour all federal, provincial, and municipal transit discounts and special fares for persons with disabilities, senior citizens, low-income riders, children, and students. This must include all current and future rate-reductions provided by HSR; and,
- (ii) Hamilton LRT may not adopt a fare-by-distance model that would disproportionately affect riders from neighbourhoods with equity-seeking groups, who have been pushed out of the inner core due to gentrification and rising housing costs in Ontario.

Councillor A. Johson introduced the following Notice of Motion:

(iv) Observing the Rules and Principles of the City of Hamilton Urban Forestry Strategy

Councillor A. Johnson introduced the following Notice of Motion respecting Observing the Rules and Principles of the City of Hamilton Urban Forestry Strategy:

- (a) That Council ask Metrolinx to inform the LRT project bidders of the fact that the City of Hamilton Urban Forestry Strategy development process is currently underway, and

- (b) That Council ask Metrolinx to ensure that the company selected for the LRT contract is contractually bound to observe the rules and principles of the City of Hamilton Urban Forestry Strategy, when those rules and principles are finalized.

(v) Early Opening and Late Closing of Splash Pads in the City of Hamilton

Councillor B. Johnson introduced the following a Notice of Motion respecting the Early Opening and Late Closing of Splash Pads in the City of Hamilton.

The Rules of Order were waived to allow for the introduction of a motion regarding Early Opening and Late Closing of Splash Pads in the City of Hamilton.

WHEREAS in past years the summer heat starts earlier and earlier;

WHEREAS the operating season for a splash pad is relatively short given the financial investment;

WHEREAS many residents are anxious to see the splash pads open early to accommodate the hot weather;

WHEREAS some schools have asked to have the splash pads open early so that they can use them in the hot weather;

WHEREAS surrounding municipalities have their splash pads open before the long weekend in May; and

WHEREAS some Wards are paying an additional cost to have splash pads opened early.

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to open the splash pads in the City of Hamilton at this time;
- (b) That staff be directed to open splash pads in the City of Hamilton for the May long weekend, weather permitting, in future years;
- (c) That staff also be directed to have splash pads in the City of Hamilton remain open into the month September to accommodate an extended summer season when weather permits;

- (d) That, for 2018, the early opening and late closing of splash pads in the City of Hamilton be funded from the Tax Stabilization Reserve; and
- (e) That, for 2019, that the budgeting for splash pad be amended to reflect alignment with Stage 1 Heat advisories.

(e) ADJOURNMENT (Item 13)

There being no further business, the Special General Issues Committee be adjourned at 1:54 p.m.

Respectfully submitted,

M. Pearson, Deputy Mayor
Chair, General Issues Committee

Janet Pilon
Acting City Clerk



PUBLIC WORKS COMMITTEE

REPORT 18-008

9:30 a.m.

Monday, June 4, 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, D. Conley, A. VanderBeek
 T. Whitehead and R. Pasuta

Also Present: Councillor J. Farr

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 18-008 AND RESPECTFULLY RECOMMENDS:

1. Intersection Control List (PW18001(d)) (Wards) (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 "B" Dundas						
(a)	Chegwin Street/McMurray Street	Hope Street	WB	All	A	Operational Review – Clr. Approved 13
(b)	Hope Street	Chegwin Street/McMurray Street	WB	All	A	Operational Review – Clr. Approved 13
Section "E" Hamilton						
(c)	James Street	Strachan Street	EB/WB	All	B	Operational Review, Clr Approved 2

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
(d)	Elgin Street	Robert Street	EB	All	A	Operational Review, Clr Approved	2
(e)	Dunsmure Road	Fairholt Road	NB/SB	All	A	Operational Review, Clr Approved	3
(f)	Catharine Street	Robert Street	EB/WB	All	A	Operational Review, Clr Approved	3

Legend

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

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

2. Two-Way Conversion of Birch Avenue (PW18044) (Ward 3) (Item 5.2)

That Birch Avenue be converted from one-way to two-way traffic from Wilson Street to Barton Street East in 2019 and from Barton Street East to Burlington Street East between 2020 and 2022.

3. Amendments to Encroachments on City Property – Policy and Procedure (PW11024(a)) (City Wide) (Item 5.3)

That Report PW11024(a) respecting Amendments to Encroachments on City Property – Policy and Procedure, be received.

4. Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton (PW18047) (Ward 2) (Item 6.1)

That the application of the owner of 49 Walnut Street South, Hamilton, to permanently close and purchase a portion of the unassumed alleyway abutting the North side of 49 Walnut Street South, Hamilton, (“Subject Lands”), as shown on Appendix A, attached to PW Report 18-008, be approved, subject to the following conditions:

- (a) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, for an order to permanently close the Subject Lands, if required by the City, subject to:
 - (i) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and

- (ii) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;
- (b) 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;
- (c) 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 the owners of 49 Walnut Street South, Hamilton, as described in Report PW18047, 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;
- (d) That the applicant enters into agreements with any Public Utility requiring easement protection;
- (e) That all costs associated with the relocation of the hydro pole be paid for by the developer and that the relocation in now way negatively affect the neighbouring businesses.

5. Ancaster Tennis Bubble (PW17089(a)) (Ward 12) (Item 8.1)

- (a) That Report PW17089(a), be received;
- (b) That approval be given for the City's Capital Cost of \$60,000 be funded from the unallocated Capital Reserve;

- (c) That staff be directed to negotiate a change to the licensing agreement between the Ancaster Tennis Club (ATC) and the City to reflect a City loan to the ATC of \$290,000; and
- (d) That the ATC pay the \$190,000 in annual operating costs.

6. Mountain Climber Pilot Results and Expansion (PW17026(a)) (City Wide) (Item 8.2)

- (a) That the Mountain Climber Pilot on James Mountain Road be considered complete as a pilot, and continue on a permanent basis;
- (b) That the Transit Division implement two new Mountain Climber pilot locations: Beckett Drive and Kenilworth Access with a total one-time capital cost of \$2100 to be funded through the existing budgets in account and Dept ID 53070-530270. Included in this cost is the installation of signage and all related communications (internal and external);
- (c) That staff be directed to monitor both new pilot locations for a total of one year, and report results to Public Works Committee in 2019.

7. Fay Park Redevelopment (Ward 6) (Item 9.1)

WHEREAS, the play structure and safety surfacing at Fay Park located at 95 Broker Drive, Hamilton has reached its end of life cycle and has become worn-out;

WHEREAS, Fay Park would benefit from the addition of asphalt pathways to provide accessibility and help to better serve the community;

THEREFORE BE IT RESOLVED:

That play structure improvements at Fay Park, at an upwards cost of \$90,000, which includes the addition of a new play structure (demolition, design, construction and safety surfacing) as well as pathway additions, be funded as follows:

- (i) \$40,000 from the remaining funding available from the completed Macassa Irrigation System (#4241609603)
- (ii) \$50,000 funded through the Ward 6 Area Reserve, with any unspent funds to be returned to the Ward 6 Area Reserve.

8. Special Capital Re-Investment Reserve Funding Projects (Ward 11) (Item 9.2)

WHEREAS, modern winters appear to have accelerated the deterioration of roads throughout Ward 11 as a result of increased frequency of freeze/thaw cycles and more extreme variability of temperatures, and;

WHEREAS, the City of Hamilton current has competitively bid projects and prices available as a base for comparison and negotiation that can be used to ensure value for money on the award of the proposed works, and;

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

THEREFORE BE IT RESOLVED:

- (a) That Airport Road, from Homestead Drive to the Hamilton International Airport and Homestead Drive, Strathearne Drive., north to Upper James., at an estimated cost of \$900,000, be rehabilitated using asset preservation practices, with the work to include the rehabilitation of the existing asphalt with repaving;
- (b) That the Ward 11 allocation, in the amount of \$900,000 (Project ID 4031811811) previously approved from the Investment Stabilization Reserve Account (112300) be utilized to fund the asset preservation of Airport Road, from Homestead Drive to the Hamilton International Airport and Homestead Drive, Strathearne Drive., north to Upper James;
- (c) That upon project completion, should any surplus funding be generated, that the same be transferred to the Ward 11 road maintenance being project no. 4031611611;
- (d) That the General Manager of Public Works be authorized to procure all or some of the proposed works identified through Procurement Policy #11 Non-Competitive Procurements, where deemed appropriate, to expedite the works for this construction season.

9. Parkland Acquisition Strategy (Added Item 10.1)

(Whitehead/Conley)

WHEREAS, the City of Hamilton has Official Plans and Secondary Plans to guide the development of existing and future parkland across the city;

WHEREAS, there are many neighbourhoods across the city that have neighbourhood parkland deficiencies based on the supply criteria of 0.7 ha/1000 people;

WHEREAS, there are areas in the city experiencing growth and intensification, increasing the parkland deficiencies in these areas resulting in increasing pressures on existing parkland, and increasing the parkland deficiencies;

WHEREAS, land acquisition costs are increasing across the city, putting financial pressure on the city's limited funding for parkland purchase;

WHEREAS, there is an obligation to understand and evaluate parkland purchase opportunities against other city priorities, resources, and policies;

WHEREAS, the creation of a framework by which to evaluate the opportunities to purchase parkland as they arise would assist with the responsible expenditure of city funds and ensure consistent application of policies city-wide;

THEREFORE BE IT RESOLVED:

That staff from Public Works, and Planning and Economic Development departments complete a city-wide parkland acquisition strategy, and report back with recommendations to General Issues Committee.

10. Freelton Water Tower (Added Item 10.2)

WHEREAS, the existing Freelton Water Tower does not have lettering displayed on the tower;

WHEREAS, the Community has requested an identity be included on the tower and, as such, it is proposed to display the name "Freelton" with the City of Hamilton logo on the side of the tower facing Freelton Road;

WHEREAS, efficiencies can be maximized by utilizing the current Contractor for the upgrades to the Freelton Water Tower (Contract C13-04-18) to complete the lettering and logo work at no additional cost, with an anticipated completion by the end of 2018;

WHEREAS, there are no existing City policy for naming water towers;

THEREFORE BE IT RESOLVED:

That the Freelton Water Tower display the name "Freelton" with the City of Hamilton logo on the side facing Freelton Road.

11. Stinson Neighbourhood Association's Snail Mural (Ward 2) (Added Item 10.3)

WHEREAS; the City of Hamilton's Neighbourhood Action Strategy (NAS) encourages engagement of residents and brings confidence that City divisions will unify to assist residents in achieving positive action strategies for the benefit of their communities; and,

WHEREAS; the Stinson Neighbourhood Association (SNA) was the first community identified in the NAS; and,

WHEREAS; soon after the NAS designation, the SNA up with their own action to encourage drivers to be mindful of the many children and families that cross Victoria Street at Stinson street; and,

WHEREAS; the action was a mural of a "slow down snail" and the mural is complete with only installation needed; and,

WHEREAS, Public Works staff "generally do not have an issue with this *one* piece of art but we are concerned that it would be seen as precedent setting for additional requests."; and,

WHEREAS, there is a "possibility of driver distraction"; and,

WHEREAS, the current installation of a giant puppy dog near the sidewalk on Main Street West may be considered a greater driver distraction than an 8 x 12 mural of snail at a stop sign in a pedestrian area that encourages drivers to slow down; and,

WHEREAS, staff have an expectation that the Snail Mural would be vandalized regularly, yet a much larger mural on the adjacent wall was put in place two years ago and no vandalism has occurred; and,

WHEREAS, the SNA representative has vowed to address concerns if there is any vandalization in the future and pay for the clean-up; and,

WHEREAS, staff from the Culture Division have agreed to assist the SNA to erect, as a priority, the Snail Mural in a safe and secure manner and will address the need for the murals removal to facilitate the Ontario Structure Inspection Manual inspection once every 2 years and then reinstall the mural; and,

WHEREAS, staff from the Culture Division are currently in the process of developing polices on community art next year that will make this easier for similar neighbourhood initiated actions in the name of safety and beautification;

THEREFORE BE IT RESOLVED:

That the location of the Snail Mural on the east wall of the Clairmont Access at street level and the intersection of Victoria Avenue South and Stinson Street be approved and erected.

FOR INFORMATION:

(a) APPROVAL OF THE AGENDA (Item 1)

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

1. ADDED DELEGATION REQUESTS (Item 4)

- 4.3 Sergio Manchia, UrbanSolutions, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton (Item 6.1 of today's agenda)
- 4.4 Kalipso Terpoy, Lo Presti's at Maxwells Find Dining Restaurant, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton (Item 6.1 of today's agenda)

2. PUBLIC HEARINGS/DELEGATIONS (Item 6)

- 6.1 Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton (PW18047) (Ward 2)

There is a revision to page 4 of the report in order to correct a typographical error.

3. ADDED NOTICES OF MOTION (Item 10)

- 10.1 Parkland Acquisition Strategy
- 10.2 Freelton Water Tower
- 10.3 Stinson Neighbourhood Association's Snail Mural (Ward 2)

4. GENERAL INFORMATION/OTHER BUSINESS (Item 11)

11.1 Changes to the Outstanding Business List

11.1(b) Item requiring a revised due date:

Clean and Green Hamilton Strategy – Year End Update

Current Date: August 2018

Revised Date: September 6, 2018

The Agenda for the June 4, 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) May 14, 2018 (Item 3.1)

The Minutes of the May 14, 2018 Public Works Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Mathieu Koevoets, P. Eng., Ancaster Tennis Club, Proposal to Install a Dome/Bubble over the Tennis Courts in Village Green Park (Item 4.1)

The delegation request from Mathieu Koevoets, P. Eng., Ancaster Tennis Club, respecting the Installation of a Dome/Bubble over the Tennis Courts in Village Green Park, was approved for today's meeting.

(ii) Suzanne Mammel, Hamilton-Halton Home Builders' Association respecting Water Main Approval Issues and Recommendations for Master-water/wastewater Servicing Studies (Item 4.2)

The delegation request from Suzanne Mammel, Hamilton-Halton Home Builders' Association, respecting Water Main Approval Issues and Recommendations for Master-water/wastewater Servicing Studies, was approved for a future meeting.

(iii) Sergio Manchia, UrbanSolutions, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton (Added Item 4.3)

The delegation request from Sergio Manchia, Urban Solutions, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton, was approved for today's meeting.

- (iv) Kalipso Terpoy, Lo Presti's at Maxwells Fine Dining Restaurant, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton (Added Item 4.4)**

The delegation request from Kalipso Terpoy, Lo Presti's at Maxwells Fine Dining Restaurant, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton, was approved for today's meeting.

(e) PUBLIC HEARINGS / DELEGATIONS (Item 6)

- (i) Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton (PW18047) (Ward 2) (Item 6.1)**

Chair Ferguson advised that notice of the proposed permanent closure and sale of a Portion of a Public Alley Abutting 49 Walnut Street South 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 two individuals registered to speak to the matter.

Registered Speaker

1. Sergio Manchia, UrbanSolutions, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton

Mr. Sergio Manchia, with UrbanSolutions, representing the Applicant, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the official record and is available for viewing at www.hamilton.ca.

Mr. Manchia provided an overview of the Applicant's proposed development and showed a map of the area. He stated that the existing width restricts the functionality of the alleyway and that it is contaminated. The new development will provide public parking opportunities.

Mr. Manchia indicated that the Applicant is willing to cover the costs of relocating the utility pole in order to address the concerns of neighbouring property owners.

The delegation from Sergio Manchia, UrbanSolutions, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton, was received.

2. Kalipso Terpoy, with Lo Presti's at Maxwells Fine Dining Restaurant, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton

Ms. Kalipso Terpoy, with Lo Presti's at Maxwells Fine Dining Restaurant, addressed the Committee with the aid of speaking notes. A copy of the notes has been retained for the official record and are available for viewing at www.hamilton.ca.

Ms. Terpoy and her husband own and operate Lo Presti's at Maxwell's Fine Dining Restaurant. Mr. and Ms. Terpoy, along with their adjoining neighbours, have been using the ally to access the back parking and delivery areas for their businesses. Ms. Terpoy is concerned that the relocation of the hydro pole will negatively impact her business.

She reported that during a brief discussion with the developer before today's meeting, she was assured that the hydro and telephone utilities are going to be relocated underground at the expense of the developer.

Ms. Terpoy was satisfied with the plan to temporarily reposition the hydro pole, at the expense of the developer, until the permanent underground placement is completed.

The delegation from Kalipso Terpoy, with Lo Presti's at Maxwells Fine Dining Restaurant, respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton, was received.

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.

Report PW18047 respecting the Proposed Permanent Closure and Sale of a Portion of a Public Alley Abutting 49 Walnut Street South, Hamilton was amended by adding the following sub-section:

- (e) ***That all costs associated with the relocation of the hydro pole be paid for by the developer and that the relocation in now way negatively affect the neighbouring businesses.***

For disposition of this matter refer to Item 4.

- (ii) **Mathieu Koevoets, P. Eng., Ancaster Tennis Club, Proposal to Install a Dome/Bubble over the Tennis Courts in Village Green Park (Item 6.2)**

Mr. Mathieu Koevoets with the Ancaster Tennis Club addressed the Committee respecting the installation of a dome/bubble over the tennis courts in Village Green Park with the aid of speaking notes. A copy of the notes have been retained for the official record and are available at www.hamilton.ca.

Mr. Koevoets provided an overview about the Ancaster Tennis Club and expressed the need to have a dome/bubble installed over the courts.

The delegation from Mathieu Koevoets with the Ancaster Tennis Club respecting the installation of a dome/bubble over the tennis courts in Village Green Park, was received.

For disposition of this matter refer to Items (f)(i) and 5.

(f) **DISCUSSION ITEMS (Item 8)**

- (i) **Ancaster Tennis Bubble (PW17089(a)) (Ward 12) (Item 8.1)**

Chair Ferguson relinquished the Chair to Councillor VanderBeeck in order to introduce the following amendment.

- (a) ***That Report PW17089(a), be received;***
- (b) ***That approval be given for the City's Capital Cost of \$60,000 be funded from the unallocated Capital Reserve;***
- (c) ***That staff be directed to negotiate a change to the licensing agreement between the Ancaster Tennis Club (ATC) and the City to reflect a City loan to the ATC of \$290,000; and***
- (d) ***That the ATC pay the \$190,000 in annual operating costs.***

For disposition of this matter refer to Items (e)(ii) and 5.

Chair Ferguson assumed the Chair.

(g) NOTICES OF MOTION (Item 10)

(i) Parkland Acquisition Strategy (Added Item 10.1)

Councillor Whitehead introduced a notice of motion respecting the Parkland Acquisition Strategy.

The Rules of Order were waived to allow for the introduction of a motion respecting the Parkland Acquisition Strategy.

For disposition of this matter refer to Item 9.

(ii) Freelton Water Tower (Added Item 10.2)

Councillor Pasuta introduced a notice of motion respecting the Freelton Water Tower.

The Rules of Order were waived to allow for the introduction of a motion respecting the Freelton Water Tower.

For disposition of this matter refer to Item 10.

(iii) Stinson Neighbourhood Association's Snail Mural (Ward 2) (Added Item 10.3)

Councillor Merulla introduced a notice of motion respecting the Stinson Neighbourhood Association's Snail Mural.

The Rules of Order were waived to allow for the introduction of a motion respecting the Stinson Neighbourhood Association's Snail Mural.

For disposition of this matter refer to Item 11.

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

(i) Changes to the Outstanding Business List (Item 11.1)

(a) The following Item required a revised due date:

Emergency Shoreline Protection Works
Current due date: June 18, 2018
Revised due date: July 12, 2018

(b) The following Item required a revised due date:

Clean and Green Hamilton Strategy – Year End Update

Current due date: August 2018

Revised due date: September 6, 2018

(ii) Update from the General Manager of Public Works (Added Item 11.2)

Andrew Grice, Acting General Manager of the Public Works Department, provided an update to the Committee about the following matters:

- The annual Hamilton Children’s Water Festival took place last week. Over the course of three days approximately 3,000 grade 4 students from across Hamilton learned about water, water conservation and preservation of natural resources. A special thank you to sponsors and volunteers.
- Paul Greenaway, a City employee for over 15 years, won 2nd place at the first ever Ontario Public Works Week Rodeo in the Refuse Category.
- A special thank you to Horticulture staff for creating the beautiful floral display in front of City Hall of “Ralph the Dog”. It is very popular with residents and unique.

(i) ADJOURNMENT (Item 13)

There being no further business, the Public Works Committee be adjourned at 10:57 a.m.

Respectfully submitted,

Councillor L. Ferguson, Chair
Public Works Committee

Lauri Leduc
Legislative Coordinator
Office of the City Clerk



PLANNING COMMITTEE

REPORT 18-009

9:30 a.m.

Tuesday, June 5, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors A. Johnson, (Chair), J. Farr (1st Vice-Chair), D. Conley (2nd Vice Chair), C. Collins, M. Pearson, M. Green, B. Johnson, and R. Pasuta.

Also present: Councillor S. Merulla

Absent with

Regrets: Councillors J. Partridge and D. Skelly, personal

THE PLANNING COMMITTEE PRESENTS REPORT 18-009 AND RESPECTFULLY RECOMMENDS:

- 1. Kirkendall Neighbourhood Strategy (PED18099) (Ward 1) (Item 5.1)**
 - (a) That the Kirkendall Neighbourhood Strategy – Terms of Reference (attached as Appendix “A” to Report 18-009) be approved;
 - (b) That staff from Healthy and Safe Communities, Healthy and Safe Communities Department, be directed to retain a consultant to assist the neighbourhood in the preparation of a Neighbourhood Strategy for the Kirkendall Neighbourhood;
 - (c) That the procurement, budget and payment schedule be overseen and administered by the Children’s Services and Neighbourhood Development Division;
 - (d) That the Children’s Services and Neighbourhood Development Division provide ongoing support through the Neighbourhood Strategy process to the Kirkendall Neighbourhood Strategy Steering Committee.

2. Application to Amend the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 449 Springbrook Avenue, Ancaster (Ward 12) (PED18091) (Item 6.2)

- (a) That Amended Zoning By-law Amendment Application ZAC-17-086 by WEBB Planning Consultants Inc., on Behalf of Apollo Custom Builders Inc, (Owner), for a change in zoning from the Agricultural “A” Zone to the Residential “R4-692” Zone, Modified in order to permit the development of four lots for single detached dwellings for lands located at 449 Springbrook Avenue (Ancaster), as shown on Appendix “A” to Report PED18091 be APPROVED, on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED18091, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (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 (Places to Grow) and complies with the Urban Hamilton Official Plan;
- (b) That there were no public submissions received regarding this matter.

3. Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 15 Picardy Drive (Stoney Creek) (PED18114) (Ward 9) (Item 6.4)

- (a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-16-013, by Trillium Housing Highbury Non-Profit Corporation (owner), to re-designate the subject lands from “Low Density Residential 2b” to “Low Density Residential 3c” within the West Mountain Area (Heritage Green) Secondary Plan, to permit 28 maisonettes and 43 street townhouse dwelling units for a total of 71 units on a private (condominium) road for lands located at 15 Picardy Drive, as shown on Appendix “A” to Report PED18114 be APPROVED, on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18114, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017).
- (b) That Amended Zoning By-law Amendment Application ZAC-16-033 by Trillium Housing Highbury Non-Profit Corporation (owner) for a change in zoning from the Neighbourhood Development “ND” Zone to the Multiple Residential (Holding) “RM3-63(H)” Zone, Modified, to permit 28

maisonettes and 43 street townhouse dwelling units for a total of 71 units on a private (condominium) road for lands located at 15 Picardy Drive, as shown on Appendix “A” to Report PED18114, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “C” to Report PED18114, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (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 will comply with the Urban Hamilton Official Plan upon finalization of Official Plan Amendment No. XX;
- (iii) That the amending By-law apply the Holding Provision of section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed zoning.

The Holding Provision “RM3-63(H)” (Multiple Residential) Zone, Modified, be removed conditional upon:

- (a) The owner demonstrating that the existing sanitary sewer on Lormont Boulevard at Picardy Drive can be adequately upsized to provide sufficient capacity to meet City standards and to share in the upgrade costs for development greater than 40 units, to the satisfaction of the Senior Director, Growth Management.
- (b) City Council may remove the ‘H’ symbol and thereby give effect to the “RM3-63” (Multiple Residential) Zone, as amended by the special requirements of this By-law, by enactment of an amending By-law once the above condition has been fulfilled.
- (c) That the public submissions received regarding this matter did not affect the decision.

4. Applications for an Amendment to the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 115 and 121 Vansitmart Avenue, Hamilton (PED18124) (Ward 4) (Item 6.5)

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-17-026, by 1349010 Ontario Inc., Owner, to establish a site specific policy area to permit 40 maisonette dwellings on a private condominium road having a minimum net residential density of 48 units per hectare, for lands

located at 115 and 121 Vansitmart Avenue, as shown on Appendix “A” to Report PED18124, be APPROVED, on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18124, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (PPS) and conforms to the Growth Plan for the Greater Golden Horseshoe.
- (b) That Amended Zoning By-law Amendment Application ZAC-16-046, by 1349010 Ontario Inc., Owner, for a change in zoning from the “C” (Urban Protected Residential, etc.) District to the “RT-20/S-1762-‘H’” (Townhouse – Maisonette) District, Holding, Modified (Block 1), and “C/S-1762-‘H’” (Urban Protected Residential, etc.) District, Holding, Modified (Blocks 2 and 3) in order to permit a maximum of 40 maisonette dwellings, and two single detached dwellings, for lands located at 115 and 121 Vansitmart Avenue, as shown on Appendix “A” to Report PED18124 be APPROVED, on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED18124 which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as “RT-20/S-1762-‘H’” and “C/S-1762-‘H’”;
 - (iii) That this By-law is in conformity with the Urban Hamilton Official Plan, upon approval of Urban Hamilton Official Plan Amendment No. ; and,
 - (iv) That the amending By-law apply the Holding Provision of section 36(1) of the *Planning Act*, R.S.O. 1990 applicable to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed zoning:

The Holding Provision “C/S-1762-‘H’” (Urban Protected Residential, etc.) District, Holding, Modified, and “RT-20/S-1762-‘H’” (Townhouse – Maisonette) District, Holding, Modified, be removed conditional upon:

- (a) The Owner submitting a signed Record of Site Condition (RSC) to the City of Hamilton and the Ministry of the Environment and Climate Change (MOECC). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECC, and submission of the City of Hamilton’s current RSC administration fee.

- (c) That upon finalization of the amending By-law, that Block 1, as shown on Appendix "C" to Report PED18124, be re-designated from "Single and Double" to "Low Density Apartment" in the Homeside Neighbourhood Plan;
- (d) That the public submissions received regarding this matter did not affect the decision.

5. Hamilton Municipal Heritage Committee Report 18-005 (Item 8.1)

(a) Policy and Design Working Group Meeting Notes - March 19, 2018 (Item 8.2)

That the Policy and Design Working Group Meeting Notes of March 19, 2018, be received, and no action taken.

(b) Inventory & Research Working Group Meeting Notes - March 26, 2018 (Item 8.3)

(i) 170 Longwood Road North, Hamilton

- (1) That property at 170 Longwood Road North, Hamilton, be designated under Part IV of the Ontario Heritage Act; and
- (2) That the designation include glass structures at the rear of the building and on the second floor as well as make specific reference to the interior features of the property outlined in the Cultural Heritage Assessment.

(ii) 1401 King Street East, Hamilton (Grace Anglican Church)

That the property known as Grace Anglican Church, located at 1401 King Street East, Hamilton, be designated under Part IV of the Ontario Heritage Act.

(iii) 224 Robina Road, Ancaster

That the property located at 224 Robina Road, Ancaster, be added to the City's Register of Properties of Cultural Heritage Value or Interest as it represents an excellent example of a mid-century modern residence designed and owned by Stanley Roscoe who was architect for the Hamilton City Hall.

(iv) 2235 Upper James Street, Glanbrook

That the property located at 2235 Upper James Street, Glanbrook, be added to the City's Register of Properties of Cultural Heritage

Value or Interest as it represents a scarce example of a pre-Confederation masonry Regency cottage.

(v) 3600 Guyatt Road, Glanbrook

That the property located at 3600 Guyatt Road, Glanbrook be excluded from the City's Register of Properties of Cultural Heritage Value or Interest.

(vi) 6 Webster Falls Road, Dundas

That the property known as Springdale and located at 6 Webster Falls Road, Dundas be added to the City's Register of Properties of Cultural Heritage Value or Interest as well as the staff work plan for designation.

(c) Policy & Design Working Group Meeting Notes - April 16, 2018 (Added Item 8.5)

That the Policy & Design Working Group Meeting Notes of April 16, 2018, be received.

(d) Hamilton Municipal Heritage Committee's involvement in a Places of Faith Resource Event (Item 9.1)

WHEREAS, Hamilton has witnessed the closure and demolition of numerous places of faith (many historic structures) across the city in the past decade;

WHEREAS, places of faith are found to be vulnerable properties as the City of Hamilton witnesses record-setting levels of growth in recent years; and,

WHEREAS, the mandate of the Committee is to advise and assist Council on all matters related to programs and activities to increase public awareness and knowledge of heritage conservation issues and other cultural heritage conservation measures;

THEREFORE, BE IT RESOLVED:

That the Hamilton Municipal Heritage Committee's collaboration on Places of Faith Resource Events in Hamilton, in partnership with the National Trust for Canada, and Faith and the Common Good, be approved.

FOR INFORMATION:

(a) APPROVAL OF THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

1. ADDED DELEGATION REQUEST

4.2 Neil Smiley, Fasken Martineau Dumoulin LLP, on behalf of The Roman Catholic Diocese of Hamilton to speak to Item 8.1, Item 1, the recommendation of the Hamilton Municipal Heritage Committee to designate 378 Main Street East, Hamilton, the former Cathedral Boys' High School under Part IV of the *Ontario Heritage Act*. (For today's meeting.)

2. REPLACEMENT OF APPENDIX "B" TO ITEM 6.3

6.3 The attached Appendix "B" to Item 6.3 respecting Applications for an Amendment to the Rural Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 1915, 1995, and 1997 Jerseyville Road West, Ancaster (PED18118) (Ward 14) replaces the one printed in the agenda.

3 ADDED WRITTEN COMMENTS

6.4(a) Jose A. Medeiros, 80 Highland Road West, Stoney Creek respecting Item 6.4 Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 15 Picardy Drive (Stoney Creek) (PED18114) (Ward 9) (Copy attached.)

4. ADDED NOTICE OF MOTION

10.1 To Waive Road Widening Requirement for 71 Rebecca Street

The agenda for the June 5, 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) May 15, 2018 (Item 3.1)

The Minutes of the May 15, 2018 meeting were approved.

(d) DELEGATION REQUESTS (Item 4)

- (a) The following delegation request was approved to address Committee at a future meeting:
 - (i) Glenn Wise, Macassa Bay Year-Round Liveaboard Association, to discuss year-round liveaboard boat residency (Item 4.1)
- (b) The following delegation request was approved to address Committee at today's meeting:
 - (i) Neil Smiley, Fasken Martineau Dumoulin LLP, on behalf of The Roman Catholic Diocese of Hamilton to speak to Item 8.1, Item 1, the recommendation of the Hamilton Municipal Heritage Committee to designate 378 Main Street East, Hamilton, the former Cathedral Boys' High School under Part IV of the *Ontario Heritage Act*. (Added Item 4.2)

(e) DELEGATIONS/PUBLIC HEARING (Item 6)

(i) Application for a Condominium Conversion for lands known as 115 Main Street East, Hamilton (PED18080) (Ward 2) (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 Condominium Conversion, 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.

Daniel Barnett, Planning Technician, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the staff report. A copy of his presentation is available for viewing on the City's website.

The staff presentation was received.

Matt Johnston of UrbanSolutions Planning and Land Development Consultants Inc., representing the owner, addressed Committee with the aid of a PowerPoint presentation. A copy is available for viewing on the City's website. He requested that the report be deferred to afford staff the opportunity to evaluate the additional information that they provided as they now have 75% of the current tenants in support of the condominium conversion. David Horwood of Effort Trust, the property manager, was also in attendance and responded to questions from Committee.

The agents' presentation was received.

Registered Speaker

1. Sam Mason, Hamilton Community Legal Clinic

Sam Mason addressed Committee and indicated that he is a lawyer at the Hamilton Community Legal Clinic. All his clients are tenants and he is advocating on their behalf. There is a shortage of rental opportunities in the City. He submitted a copy of a report outlining the acute rental housing crisis in Hamilton which was distributed and a copy is available for viewing on the City's website. He indicated that he supports the staff recommendation to deny the application.

The delegation was received.

The public meeting was closed.

WHEREAS, Housing staff have advised that they have not had the opportunity to conduct a thorough evaluation;

WHEREAS, the proponent has expressed a willingness to contemplate building in conditions that may include, but not be limited, to assurances that financial incentives to encourage tenants to vacate will not be offered; WHEREAS, in consideration of the new information provided by the applicant (specific to meeting the 75% threshold post staff report submission), Planning staff have advised that the City would lose if an appeal is submitted to the Local Planning Appeal Tribunal (LPAT);

THEREFORE, BE IT RESOLVED:

That the staff Report PED18080, respecting Application for a Condominium Conversion for lands known as 115 Main Street East, Hamilton, be deferred in order to allow staff to review the new information.

The Motion to Defer CARRIED on the following standing recorded vote:

Yeas:	Conley, Pearson, B. Johnson, Pasuta, A. Johnson, Collins, Farr
Total:	7
Nays:	Green
Total:	1
Absent:	Partridge, Skelly
Total:	2

Staff were directed to review the policies of the Official Plan that allow for condominium conversions in situations where the minimum number of existing residents are supportive of the conversion and report back with

recommendations for amendments to strengthen the three general criteria in order to protect the existing rental housing stock.

(ii) Application to Amend the Town of Ancaster Zoning By-law No. 87-57 for Lands Located at 449 Springbrook Avenue, Ancaster (Ward 12) (PED18091) (Item 6.2)

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.

The public meeting was closed.

The staff presentation was waived.

Ward Councillor Ferguson was in attendance and asked questions and staff responded.

James Webb of WEBB Planning Consultants Inc., representing the owner, was in attendance. James Webb advised that the owner is in agreement with the staff report.

The recommendations were amended by adding the following subsection (b):

- (b) That there were no public submissions received regarding this matter.

For disposition of this matter refer to Item 2.

(iii) Applications for an Amendment to the Rural Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 1915, 1995, and 1997 Jerseyville Road West, Ancaster (PED18118) (Ward 14) (Item 6.3)

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, 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.

Brynn Nheiley, Senior Planner, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the report. A copy of the presentation is available for viewing on the City's website.

The staff presentation was received.

John Ariens of IBI Group, representing the owner, addressed Committee with the aid of a PowerPoint presentation. A copy is available for viewing on the City's website.

The agent's presentation was received.

Speakers

1. Scott Herring, 1911 Jerseyville Road

Scott Herring addressed Committee and indicated that as a neighbour of the operation he has concerns regarding the affect it will have on the value of his property and his family's quality of life. They were never consulted regarding the proposal.

The delegation was received.

That the public meeting was closed.

Ward Councillor Ferguson was in attendance and expressed concerns with the proposal and the timing of the staff report.

- (a) Report PED18118, respecting Applications for an Amendment to the Rural Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 1915, 1995, and 1997 Jerseyville Road West, Ancaster, was DEFERRED until after the Statutory Public Meeting regarding the upcoming staff report on marihuana growing facilities is held;
- (b) The Statutory Public Meeting is to be re-opened when Report PED18118 is included on a future Planning Committee agenda.

Councillors Pasuta, Pearson and Conley indicated that they wished to be recorded as OPPOSED to the deferral of this matter.

(iv) Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 15 Picardy Drive (Stoney Creek) (PED18114) (Ward 9) (Item 6.4)

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, 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.

Written Comments

6.4(a) Jose A. Medeiros, 80 Highland Road West, Stoney Creek

The added written comments, Item 6.4(a) were received.

No members of the public came forward.

The public meeting was closed.

The staff presentation was waived.

John Ariens of IBI Group, representing the owner, addressed Committee with the aid of a PowerPoint presentation. A copy is available for viewing on the City's website.

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 3.

(v) **Applications for an Amendment to the Urban Hamilton Official Plan and Zoning By-law for Lands Located at 115 and 121 Vansitmart Avenue, Hamilton (PED18124) (Ward 4) (Item 6.5)**

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, 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.

The public meeting was closed.

The staff presentation was waived.

Ward Councillor Merulla was in attendance and indicated that he is in support of the proposal.

Sergio Manchia of UrbanSolutions Planning and Land Development Consultants Inc., representing the owner, was in attendance. He indicated that the owner is in support of the staff report.

The recommendations were amended by adding the following subsection (d):

- (d) That the public submissions received regarding this matter did not affect the decision.

For disposition of this matter refer to Item 4.

(f) **DISCUSSION ITEMS (Item 8)**

(i) **Hamilton Municipal Heritage Committee Report 18-005 (Item 8.1)**

Chelsey Tyers addressed Committee with the aid of a PowerPoint presentation and provided an overview of the recommendation to designate the former Cathedral Boys High School under Part IV of the *Ontario Heritage Act*. A copy of the presentation is available for viewing on the City's website.

The staff presentation was received.

Delegation

1. Neil Smiley, Fasken Martineau Dumoulin LLP, on behalf of The Roman Catholic Diocese of Hamilton (Added 4.2)

Neil Smiley addressed Committee and requested, on behalf of his client, that the proposal to designate the property be TABLED for one year. Jim Long, from the Roman Catholic Diocese of Hamilton was also in attendance.

The delegation was received.

Item 1 of the Hamilton Municipal Heritage Committee Report 18-005 respecting Recommendation to Designate 378 Main Street East, Hamilton under Part IV of the *Ontario Heritage Act* (Ward 3) (PED18089) was TABLED for one year to allow for consultation with the Ward Councillor and the Stinson Neighbourhood Association to consider viable adaptive reuses for the building.

For disposition of the balance of this matter refer to Item 5.

(g) NOTICES OF MOTION (Item 10)

Councillor Farr introduced the following Notice of Motion:

(i) To Waive Road Widening Requirement for 71 Rebecca Street (Added Item 10.1)

WHEREAS, the Planning Act and the Urban Hamilton Official Plan state that the City shall reserve or obtain road widenings for rights-of-way as described in Schedule C-2 – Future Road Widenings;

WHEREAS, Official Plan Amendment and Zoning By-law Amendment applications (UHOPA-17-023 and ZAC-17-053) have been submitted for 71 Rebecca Street, Hamilton, for the development of a 30 storey, mixed use building; and

WHEREAS, road widenings for Rebecca Street and John Street North have been identified;

THEREFORE, BE IT RESOLVED:

That staff be directed to waive the requirement for road widenings for 71 Rebecca Street, Hamilton (UHOPA-17-023 and ZAC-17-053).

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

(i) Outstanding Business List (Item 11.1)

(a) The following new due dates were approved:

Item “B” - C.I. to Amend Hamilton Zoning By-law No. 6593 for 118 to 338 Mountain Brow Boulevard (Hamilton) (PED13101).

Due date: June 5, 2018

New due date: January, 2019

Item “P” - That staff report back with legislative options and alternatives to the regulation of driving schools in Hamilton that seeks to address the practice areas utilized by driving schools and individual driving instructors, and that the information contained in the report include, but not be limited to, legislation adopted by neighbouring municipalities who have adopted driving school rules and regulations.

Due date: June 5, 2018

New due date: August 14, 2018

Item “Q” - That Planning staff be directed to report to the Planning Committee about the City’s policies respecting Boulevard Standards and that the report outline the options & alternatives that are available for future designs.

Due date: June 5, 2018

New due date: September 18, 2018

Item “S” - Family Friendly Housing – staff to conduct feasibility study with appropriate public consultation and report back re: rental units, condos and affordable housing.

Due date: June 5, 2018

New due date: January, 2019

(b) The following Item was identified as completed and removed:

Item “J” – 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. (Item 5.1 on this agenda.)

(i) ADJOURNMENT (Item 12)

There being no further business, the Planning Committee adjourned at 1:11 p.m.

Respectfully submitted,

Councillor A. Johnson
Chair, Planning Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk

Kirkendall Neighbourhood Strategy

Terms of Reference

The Kirkendall Neighbourhood Association (KNA) is seeing professional services to assist with the development of a Neighbourhood Strategy. The professional consultant shall have proven expertise in the areas of community development, neighbourhood development, facilitation and community engagement.

1. Introduction

The Kirkendall Neighbourhood Association is pursuing a Neighbourhood Strategy to establish goals, objectives and actions that build on existing assets and that makes the Kirkendall neighbourhood a better and healthier place for all residents. The City of Hamilton is assisting the KNA in the development of the Terms of Reference and procurement of the project.

2. What is a Neighbourhood Strategy

Residents in all of the City of Hamilton neighbourhoods deserve to be healthy and deserve to live in vibrant places. One important way to make this happen is to engage people within neighbourhoods to identify, plan, and lead the changes that they want to see. All neighbourhoods have both strengths and problems. A Neighbourhood Strategy will help residents identify and address problems and enhance strengths by establishing and prioritizing implementable actions.

3. Project Objectives

The purpose of this project is to create an action-based plan for the residents of the Kirkendall neighbourhood by engaging with the neighbourhood, identifying assets, priorities, goals and objectives for maintaining and improving the neighbourhood. The Kirkendall Neighbourhood has identified the following objectives:

- To develop a Vision Statement for the neighbourhood based on resident values;
- To identify the key assets of the Kirkendall neighbourhood;
- To reach out to all residents, using a variety of methods, to identify strengths and issues;
- To inform residents about best practices related to urban issues;
- To develop recommendations and actions based on resident input;
- To prioritize actions and assign responsibilities to the relevant participants;
- To develop a final report that summarizes data and recommendations using clear language; and,
- To communicate the findings to the broader community using a variety of methods.

4. Context and Background

The Kirkendall Neighbourhood is bounded by Highway 403 to the west, Main Street West to the north, Queen Street South the east and Highland Gardens Park to the south. Aberdeen Avenue intersects the Kirkendall neighbourhood as a major arterial road and divides the neighbourhood into Kirkendall North and Kirkendall South. Kirkendall is a stable residential neighbourhood primarily comprised of single detached dwellings in a compact urban fabric. Recent development applications have revealed interest in a variety housing forms including condominium development and the conversion of single detached dwellings. Commercial streets such as Dundurn Street, Locke Street and Main Street help to contribute to the vibrancy of the neighbourhood by supporting the daily and weekly needs of the surrounding community as well as providing regional tourism opportunities. The West Hamilton Innovation District forms part of the western edge of the Kirkendall neighbourhood. The diversity of uses in the area helps to define the Kirkendall neighbourhood as a vibrant community where residents can to live, work, learn and play.

Historical Overview of Development in Kirkendall

The Kirkendall Neighbourhood began as a rural and natural area in Barton Township on the southwestern edge of the Town of Hamilton, framed by the Chedoke Creek to the west and the Niagara Escarpment to the south. Kirkendall North witnessed some of the earliest development in the neighbourhood, specifically in the area north of the Chedoke Creek tributary that ran east-west along what is now known as Bold Street. By the mid-1800s this area was subdivided by the Richard Beasley Survey to the west and the James Mills Survey to the east.

South of the creek, Kirkendall North was a destination for early recreation in Hamilton with the Race Course to the southwest and the Cricket Grounds to the east, which later became the Hamilton Amateur Athletics Association (HAAA) Grounds in 1910. Much of the established character of the neighbourhood resulted from the subdivision of the sizable Race Course lands in 1873 into over 350 developable lots.

Although primarily residential in character, Kirkendall North was also home to early industry including the Commercial Oil Company, the Zimmerman Knitting Factory and the Canadian Westinghouse Company’s West Plant. The Toronto, Hamilton & Buffalo Railway defined the border between the main industrial area west of Chedoke Creek, which included the TH&B Roundhouse, and the residential area to the east. The section of the TH&B Railway that travelled east from Dundurn Street to the station at James Street was constructed in 1895, divided the neighbourhood south of Hunter Street and resulted in the construction of bridges over each of the north-south streets.

Kirkendall South, tucked under the edge of the Escarpment, remained largely rural in character until the late-1800s. The section east of Locke Street was the first to

be subdivided for development in the 1870s, including the Alexander Miller property to the south and later the Mills and Nash estates to the north. On the west side of Locke Street were the Thomas Bush’s estate to the east of Dundurn and W.H. Nicholl’s property to the west. In 1881, the Beulah Plan subdivided the Bush estate and laid out a plan for the first prescribed park, known as Beulah Park. The Pioneer Homestead constructed circa 1847, located on South Street in the Beulah subdivision, is a vestige of the former Thomas Bush Estate.

By the early-1900s Kirkendall was well served by the Hamilton and Dundas Electric Railway and the final western portion of the neighbourhood was annexed into the City of Hamilton. The remaining undeveloped lands in Kirkendall North and South were subdivided by the likes of developer W.D. Flatt and others, offering housing on streets with scenic names like Hillcrest, Hyde Park, Glenside, Spruceside and Mapleside in the West Mount, Aberdeen and Westland Subdivisions. These developments offered close proximity to the Escarpment and the newly incorporated Hamilton Golf and Country Club to the west on the former Paradise Farm property. Kirkendall is considered to be an established historical neighbourhood. Approximately 90% of Kirkendall properties were developed prior to 1950 and the neighbourhood as a whole exhibits a unique character, illustrates historic development patterns and contains a concentration of cultural heritage resources.

The neighbourhood benefits from the following parks and open spaces, institutional and commercial uses:

Open Space and Parks:

- Beulah Park;
- Chedoke Golf Course;
- Chedoke Radial Trail;
- Chedoke Tot lot;
- Jackson Playground;
- Highland Gardens Park;
- Hill Street Park;
- Hill Street Community Garden;
- Hamilton Amateur Athletic Association;
- Mapleside Park; and,
- Radial Park;

Institutional Uses:

- Beth Jacob Synagogue;
- Ryerson Middle School;
- Earl Kitchener Jr. Public School;
- St. Joseph’s Catholic Elementary School;
- St. John Evangelist Church;
- St. Joseph’s Roman Catholic Church;

- Stanley Avenue Baptist Church;
- Melrose United Church;
- Aberdeen Gardens Retirement Residence; and,
- Ryerson Recreation Centre.

Commercial Areas:

Kirkendall is home to some of the City of Hamilton’s vibrant commercial areas. Main Street West, Dundurn Street South and Locke Street Business Improvement Area feature home-grown restaurants and local shops which attract residents, employees and tourists into the Kirkendall Neighbourhood. The unique streetscape and interesting built form create an enjoyable and interesting commercial experience and acts as an incentive for new businesses operate along these streets.

Employment Areas:

The West Hamilton Innovation District (WHID) also falls within the Kirkendall neighbourhood boundaries. As a prominent Business Park, WHID offers employment opportunities to the area as well as brings people in from outside the neighbourhood on a daily basis.

5. Scope of the Neighbourhood Strategy

The purpose of the Neighbourhood Strategy Study is to prepare a resident led action-based plan to ensure that the Kirkendall Neighbourhood is a healthy and vibrant place to live. The Neighbourhood Strategy process will engage the Kirkendall Neighbourhood to create a plan that lays out a clear vision for what the neighbourhood wants to achieve, acknowledge existing assets, identify attainable goals and objectives, as well as, meaningful, measurable action items that can reasonably be implemented by the residents and neighbourhood stakeholders.

Using the Neighbourhood Action Planning Tool Kit as a resource, the successful proponent will assist the neighbourhood to develop a plan that builds on the findings of each stage of the engagement process to establish a framework for implementation of identified actions. It is recognized that the plan may not encompass every situation or address every issue faced throughout the Kirkendall neighbourhood. There could be multiple approaches, including a more scoped issue-based process.

Once the Neighbourhood Strategy is drafted, engage the neighbourhood again to review, provide feedback, and the visions, goals, objectives, actions and quick win(s). Use these opportunities to gather information and test the ideas being discussed to ensure priorities are confirmed and actions are implementable.

Following the Engagement process, all of the information that has been generated should be documented using City of Hamilton’s Neighbourhood Action Plan templates or other templates developed for this project. Documentation should include asset mapping activities and results, neighbourhood profile, vision, goals,

objectives and action plan, terms of reference for a Neighbourhood Action Planning team and a general implementation plan for the action plan. The documentation of these elements together form the Neighbourhood Strategy and Action Plan. The final document should be approved by the Steering Committee and endorsed by the neighbourhood.

The Neighbourhood Strategy Steering Committee should establish a process to monitor and adjust the workplan regularly (e.g every 5 years). This should include a clearly documented transition of responsibility from the Neighbourhood Strategy Steering Committee back to the existing neighbourhood group.

6. Key Tasks, Deliverables, Reporting

The Successful Proponent shall undertake the following:

(a) Development of a Work Plan

Prepare a detailed Work Plan that identifies tasks, timing and deliverables throughout the study.

Deliverable: draft and final Work Plan documents

(b) Context Review

The Successful Proponent is required to familiarize themselves with relevant information pertaining to the study area and planning context. Information sources will include the KNA, and various City of Hamilton staff.

The KNA Context Review will include the following resources and processes:

- April 2018 Annual General Meeting – Minutes;
- April 6, 2017 Annual General Meeting – Minutes;
- Know and Grow your Neighbourhood (2010) Initiative findings; and,
- What We heard (2010) Initiative findings.

In addition, the Context Review will include the following resources and processes from the City of Hamilton:

- Our Future Hamilton Vision (2017);
- Urban Hamilton Official Plan (2013);
- Zoning By-law No. 6593 (relevant zones);
- Zoning By-law 05-200 (relevant zones);
- 2016 Census data for the Kirkendall Neighbourhood;
- GIS Mapping and relevant data sets;
- Kirkendall Neighbourhood Plans (North and South) (1974);
- City of Hamilton Neighbourhood Action Planning Toolkit;
- City of Hamilton Photovoice Toolkit;
- Locke Street BIA Commercial Market Assessment;

- Transportation Master Plan (2017);
- Cycling Master Plan (2009);
- Age Friendly Hamilton Plan (2016);
- Pedestrian Master Plan (2016); and,
- Other relevant documents and initiatives.

(c) Start up Meeting with KNA Executive

The Successful Proponent will be required to meet with the KNA Executive or members of the Executive to discuss work plan, deliverables and the consultation strategy. The KNA will review deliverables and consult with City Staff to determine fulfillment of tasks and deliverables established in the work plan.

(d) Establish a Terms of Reference for a Steering Committee and assist in the formation of the Committee

As a resident-led, asset-based plan, the Neighbourhood Strategy should be led by a group of people that can effectively reach out to the community, talk about the work being done, gather feedback, and help to develop and implement the Neighbourhood Strategy. The successful proponent should assist in the formation of the Steering Committee. The Steering Committee should be made up of residents, members of existing neighbourhood-based groups, service providers, and business owners. Additional resources could include City Staff, educators, and people who have knowledge of the community or a history of involvement.

The Terms of Reference for the Steering Committee should be created outlining the team leadership, practical details, including when the group will meet and where, and how the group will make decisions.

Deliverable: Steering Committee Formation and Terms of Reference

(e) Neighbourhood Engagement and Communication Plan

With input from the KNA, develop a Public Engagement and Communication Plan. The Plan will include innovative and creative ways to consult with the neighbourhood residents, Locke Street Business Improvement Area, commercial business owners, and local institutions. At a minimum, Neighbourhood engagement sessions will be required to undertake the following tasks:

- Develop a draft Vision for the Neighbourhood Strategy;
- Review of Neighbourhood Assets (that is anything that makes a neighbourhood a healthy, vibrant place to live), and Asset mapping;
- Develop Goals, Objectives, Actions /Strategies;
- Prioritize and identify ownership of Actions/Strategies;
- Establish an Implementation Plan for achieving identified actions; and,
- Present final Neighbourhood Strategy to the Neighbourhood and the appropriate committee of Hamilton City Council.

The KNA will play an active role in determining the appropriate method for communication and engagement. The Successful Proponent should prepare a summary of methods and decide with the KNA which will have the broadest reach within the Kirkendall Neighbourhood.

Deliverable: draft and final Engagement and Communications Plan

(f) Carry out Neighbourhood Strategy and Action Planning Process

Carry out the work program and Engagement and Communication Plan. Assist in planning of neighbourhood engagement activities and participate in the neighbourhood engagement activities for the tasks identified in (e) above.

Deliverables include:

- Draft and Final Vision;
- Draft and Final Asset mapping and Asset Report;
- Draft and Final Goals, Objectives, Actions/Strategies;
- Prioritization of Actions/Strategies;
- Draft and Final Implementation Plan; and,
- Draft and Final Neighbourhood Strategy and Action Plan Document.

(g) Conclusions and Presentations

The Successful Proponent will assist the Neighbourhood Strategy Steering Committee in crafting the final document, and prepare the Steering Committee for making presentations. The final Neighbourhood Strategy will be presented to the Kirkendall Neighbourhood Association, and to the City of Hamilton Healthy and safe Communities Committee. The successful proponent will be expected to attend presentations and support the Steering Committee in its presentations and budget for two to three presentations.

7. Roles and Responsibilities

The Successful Proponent will work together with the KNA and Neighbourhood Strategy Steering Committee to create the Neighbourhood Strategy. The following are suggested roles and responsibilities for the Successful Proponent, the KNA, the Neighbourhood Strategy Steering Committee, and the City of Hamilton:

Successful Proponents

The successful proponent may be an individual or a team that can provide the services and roles of a facilitator and a community developer in carrying out the scope of work:

- Facilitator

- Establish a workplan, schedule and consultation plan;
 - Plan and coordinate all scheduled consultations;
 - Summarize and report back on all consultations;
 - Track and summarize draft documentation of the draft Vision, Asset Mapping, Goals, Objectives, Actions/Strategies, and Prioritization Plan;
 - Create a report of the implementation plan based on the findings of the Vision, Asset Mapping, Goals, Objectives, Actions/Strategies, and Prioritization Plan;
 - Draft and Circulate the Neighbourhood Strategy to the Neighbourhood Strategy Steering Committee and Kirkendall Neighbourhood Association;
 - Present Draft Neighbourhood Strategy to the Kirkendall Neighbourhood;
 - Review Comments on the Draft Neighbourhood Strategy;
 - Prepare Final Neighbourhood Strategy; and,
 - Assist Neighbourhood Strategy Steering Committee in the preparation for presentations of the final Neighbourhood Strategy to the Kirkendall Neighbourhood, the KNA, and the City of Hamilton’s Planning Committee.
- **Community Developer**
 - Support local resident-led Neighbourhood Strategy Steering Committee using an Asset-Based Community Development framework;
 - Provide administrative support to increase the effectiveness and impact of the Neighbourhood Strategy Steering Committee;
 - Ensure that within the community all voices are heard, conflict is dealt with respectfully, and that the Neighbourhood Strategy reflects the residents’ common goals and projected outcomes;
 - Facilitate access to resources such as funding, learning opportunities, municipal departments, and city wide initiatives that encourage neighbourhood development; and,
 - Monitor implementation of the Neighbourhood Strategy and Action Plan for after finalizing the Plan for a defined period (1 year after is suggested).

The KNA

- Approval of the workplan, schedule, and consultation plan;
- Mobilize neighbourhood participation;
- Conduct less structured engagement (festivals/community get-togethers);
- Update the KNA website with information on the engagement stages, draft documentation and development of the Neighbourhood Strategy; and,
- Maintenance of ArcGIS mapping acquired by KNA.

The City of Hamilton

- Resource for census data, mapping, and relevant City of Hamilton reports;
- Contract management; and,

The Neighbourhood Strategy Steering Committee

- Develop Vision for the Neighbourhood Strategy;
- Work with the successful proponent(s) to plan and organize community meetings;
- Work with the community to create a neighbourhood profile, vision, asset mapping; work plan, goals, objectives, actions and strategies, and a priority plan; and,
- On-going implementation and monitoring of the Neighbourhood Strategy.

8. Project Deliverables Summary

- Engagement and Communication Plan;
- Terms of Reference for the Neighbourhood Strategy Steering Committee;
- Draft and Final Vision;
- Draft and Final Asset mapping and Asset Report;
- Draft and Final Goals, Objectives, Actions/Strategies;
- Prioritization of Actions/Strategies;
- Draft and Final Implementation Plan; and,
- Draft and Final Neighbourhood Strategy and Action Plan.

9. Deliverable Details

The Consultant shall provide the following, in addition to the deliverables listed above:

- (a) All electronic information shall be supplied to the Kirkendall Neighbourhood Association on a USB stick or CD-ROM or shared on a mutually agreed upon site, prepared in formats readable on a PC with Windows OP operating system.
 - i) All public communications;
 - ii) Mailing lists;
 - iii) All mapping;
 - iv) All draft documents and reports;
 - v) Neighbourhood Strategy document in a fully editable format
- (b) Detailed Work Plan and Gantt Chart. This shall be a living document that includes timing for each section (please include staff person, rate and hours for each component). It is expected that this Work Plan and Gantt Chart will be continuously updated and provided to the Kirkendall Neighbourhood Association on a monthly basis or upon completion of each phase.
- (c) All information and materials required to complete the deliverables outlined in Section 7.0 of this document.
- (d) All information will be provided to the Kirkendall Neighbourhood Association, for review and comment and will be subject to revisions as necessary.

- (e) All images shall be in JPG format and at a minimum 200dpi.
- (f) All Word Documents shall be provided in Microsoft Word format.
- (g) Cost estimates shall be provided in Microsoft Excel format. This budget shall be updated and when a bill is submitted, an updated Budget shall accompany it, in order to ensure budget forecasts are current and accurate.

10. Budget and Fee Proposal

The fee proposal shall include a detailed breakdown of the fees and disbursements coinciding with the tasks noted above.

11. Schedule

The Successful Proponent is required to begin immediately. A Work Plan and Gantt Chart shall be submitted prior to the commencement of work outlining a 12-15 month schedule of events and deliverables. The Work Plan shall clearly identify the project participants, the project manager from the consultant team, and a timeline including milestones. The following processes should be incorporated into the Work Plan and Gantt Chart and any modifications can be addressed during the process to accommodate any unforeseen circumstances and to adequately achieve the deliverables.

<p>Study Initiation</p> <ul style="list-style-type: none"> • Background Review • Engagement Strategy • Engagement with Existing Groups • Establish a Neighbourhood Strategy Steering Committee
<p>Engagement</p> <ul style="list-style-type: none"> • Visioning, Neighbourhood Profile, Goals and Objectives • Neighbourhood Strategy Workplan • Asset Mapping
<p>Engagement</p> <ul style="list-style-type: none"> • Review of Asset Mapping • Development of Actions
<p>Engagement</p> <ul style="list-style-type: none"> • Prioritization of Actions • Responsibility of Actions
<p>Develop a Draft Neighbourhood Strategy</p>
<p>Engagement</p> <ul style="list-style-type: none"> • Presentation of Draft Neighbourhood Strategy
<p>Conclusions and Presentations</p>



GENERAL ISSUES COMMITTEE REPORT 18-013

9:30 a.m.

Wednesday, June 6, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Deputy Mayor B. Johnson (Chair)
Councillors T. Whitehead, T. Jackson, C. Collins, S. Merulla,
M. Green, J. Farr, A. Johnson, D. Conley, M. Pearson,
L. Ferguson, A. VanderBeek

**Absent with
Regrets:** Mayor F. Eisenberger – Other City Business
Councillors D. Skelly, J. Partridge, R. Pasuta – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 18-013 AND RESPECTFULLY RECOMMENDS:

1. Westdale Village Business Improvement Area (BIA) Revised Board of Management (PED16015(b)) (Ward 1) (Item 5.2)

That the following individuals be appointed to the Westdale Village Business Improvement Area (BIA) Board of Management:

- (i) Donna Bacher; and,
- (ii) Robert Crockford

2. Open Government: Access to Information for City of Hamilton Funded Boards and Agencies (FCS18050) (City Wide) (Item 5.3)

That, in accordance with the motion approved at the October 18, 2017, General Issues Committee, the organizations listed in Appendix “A” to Report 18-013, as amended, be requested to post their Board or Agency agendas, minutes and all associated accompanying presentations and documents, inclusive of financial statements on their respective websites.

Council – June 13, 2018

3. Invitation to the Hamilton-Wentworth Catholic District School Board - City of Hamilton Property Acquisition Payments (Item 6.1)

That the Hamilton-Wentworth Catholic District School Board be invited to participate in the Hamilton-Wentworth District School Board's proposal respecting City of Hamilton Property Acquisition Payments, accordingly.

4. Pier 8 Development Opportunity Request for Proposals Evaluation (PED14002(h)) (Ward 2) (Item 7.2)

- (a) That the Waterfront Shores Corporation be approved as the Preferred Proponent for the Request for Proposal Contract Number C11-66-17 entitled "Pier 8 Development Opportunity for Prequalified Proponents", and that following a final Council decision on the Proponent, Appendix "D" remain confidential until such time as an Agreement has been fully executed by the parties, and Appendix "E" be available for release to the public;
- (b) That staff be authorized and directed to negotiate a Development Agreement between the City of Hamilton and the Preferred Proponent (identified in confidential Appendix "B" to Report PED14002(h)) required to give effect to Contract Number C11-66-17 for the Pier 8 Development Opportunity, with content satisfactory to the City Manager and in a form satisfactory to the City Solicitor;
- (c) That the Mayor and the City Clerk be authorized and directed to execute the Development Agreement and any ancillary agreements and documents required to give effect to Contract Number C11-66-17 for the Pier 8 Development Opportunity in a form satisfactory to the City Solicitor and report back for information;
- (d) That the Fairness Monitor's Report, attached as Appendix "B" to Report PED14002(h), which certifies that RFP C11-66-17 was completed in a fair, open, and transparent manner, be received;
- (e) That the properties owned by the City of Hamilton identified as the "Subject Lands" in RFP C11-66-17, as shown in Appendix "B" attached to Report 18-013 be declared surplus to the requirements of the City of Hamilton, in accordance with the "Procedural By-law for the Sale of Land" being By-law No. 14-204, and made available for sale without the requirement for an appraisal; and,
- (f) That subject to a successful negotiation of a Development Agreement between the City of Hamilton and the Preferred Proponent, that staff report

back with an information report respecting a summary of the 4 proposals.

5. Affordable Housing Demonstration Project (PED16263(a) (Ward 4) (Item 8.1))

- (a) That staff be directed to consult with the community and stakeholders regarding the proposed Community Improvement Plan Area (CIPA) boundary as detailed in Appendix "A" to Report PED16236(a);
- (b) That staff be authorized and directed to evaluate potential Community Improvement Plan Area (CIPA) incentives that will deliver a sustainable, accessible and affordable community including but not limited to forgivable loans equivalent to Development Charge and Parkland Dedication fees;
- (c) That Corporate Services staff be directed to present the option of removing Development Charge exemptions for affordable housing to the Development Charge Stakeholders Sub-Committee for consideration when recommending policy direction for the 2019 Development Charge Study; and,
- (d) That upon implementation of the approval the item respecting review of extending the Community Improvement Plan Area be removed from the Planning Committee Outstanding Business list.

6. Inventory of Brownfield Areas (PED18113) (City Wide)

That Report PED18113, respecting the Inventory of Brownfield Areas, be received.

7. Capital Projects Work-in-Progress Review Sub-Committee Report 18-003, May 22, 2018 (Item 8.3)

- (a) **Capital Project Closing Report as of December 31, 2017 (FCS17078(b)) (City Wide) (Item 8.1)**
 - (i) That the General Manager of Finance and Corporate Services be authorized to transfer a combined \$627,510.93 from the Unallocated Capital Levy Reserve and other Program Specific Reserves to the capital projects, as outlined in Appendix "C" to Report 18-013;
 - (ii) That the General Manager of Finance and Corporate Services be directed to close the completed and / or cancelled capital projects listed in Appendix "D" to Report 18-013, in accordance with the Capital Closing Policy;

- (iii) That Appendix “C” to Report FCS17078(b), Capital Projects Budget Appropriation Schedule for the period covering October 1, 2017 through December 31, 2017, be received for information; and,
- (iv) That Appendix “E” to Report 18-013, Capital Projects to be Debt Funded for the period covering October 1, 2017 through December 31, 2017 totalling \$240,000, be approved.

(b) Public Works - Capital Projects Status Report as of December 31, 2017 (FCS17076(b)) (City Wide) (Item 8.2)

- (i) That the Capital Projects Status Report, Public Works Tax Supported Projects, as of December 31, 2017, attached as Appendix “A” to Report FCS17076(b), be received; and,
- (ii) That the Capital Project Status Report, Public Works Rate Supported Projects, as of December 31, 2017, attached as Appendix “B” to Report FCS17076(b), be received.

8. Lease Agreement - Car Park #80, 191 King Street West and 22 and 30 Bay Street South (PED18119) (Ward 2) (Item 12.1)

- (a) That the City Solicitor be authorized and directed to complete the transaction on behalf of the City, respecting the Lease Agreement - Car Park #80, 191 King Street West and 22 and 30 Bay Street South, including paying any necessary expenses, and amend and waive terms and conditions on such terms as deemed reasonable;
- (b) That the Mayor and Clerk be authorized and directed to execute all necessary documents respecting the Lease Agreement - Car Park #80, 191 King Street West and 22 and 30 Bay Street South, in a form satisfactory to the City Solicitor;
- (c) That Report PED18119, respecting the Lease Agreement - Car Park #80, 191 King Street West and 22 and 30 Bay Street South, remain confidential and not be released as a public document; and,
- (d) That the direction provided to staff in Closed Session, respecting Report PED18119, Lease Agreement - Car Park #80, 191 King Street West and 22 and 30 Bay Street South, be approved.

9. Property Acquisition to Support the Transit Maintenance and Storage Facility (PED18115/PW18045) (Ward 3) (Item 12.2)

- (a) That the General Manager, Finance and Corporate Services Department, be authorized and directed to engage all required professional services to implement the Property Acquisition to Support the Transit Maintenance and Storage Facility, including but not limited to, external legal counsel and fiscal agents;
- (b) That the City Solicitor be authorized and directed to complete the transactions, for a Transit Maintenance and Storage Facility and Salt Dome on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as she considers reasonable;
- (c) That the Mayor and City Clerk be authorized and directed to execute any necessary documents respecting the Property Acquisitions to Support the Transit Maintenance and Storage Facility, in a form satisfactory to the Solicitor;
- (d) That all necessary By-law(s) be passed to authorize the debenture issue(s) negotiated, placed and secured in accordance with subsections (c), (d), (e) and (f) to Report PED18115/PW18045, respecting the Property Acquisitions to Support the Transit Maintenance and Storage Facility;
- (e) That Report PED18115/PW18045, respecting the Property Acquisitions to Support the Transit Maintenance and Storage Facility, remain confidential and not be released as a public document until completion of the Real Estate transactions; and,
- (f) That the direction provided to staff in Closed Session, respecting Report PED18115/PW18045, Property Acquisition to Support the Transit Maintenance and Storage Facility, be approved.

10. Labour Relations Matter (Item 12.4)

That the information provided in Closed Session respecting the Labour Relations Matter, be received.

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)

- 6.3 David Carter, Innovation Factory, to provide an update respecting the Innovation Factory Request for Funding Renewal Option – Annual Review
This delegate wishes to appear before Committee on June 20th; the same date that the staff report is to be before Committee for consideration.

2. CONSENT ITEMS (Item 5)

- 5.3 Open Government: Access to Information for City of Hamilton Funded Boards and Agencies (FCS18050) (City Wide)
Staff have advised that a correction needs to be made to Appendices “A” and “C” to Report FCS18050; therefore, an amending motion is before you for consideration.

3. DISCUSSION ITEMS (Item 8)

- 8.4 Pier 8 Development Opportunity Request for Proposals Evaluation (PED14002(h)) (Ward 2)
As there is a presentation to accompany Report PED14002(h), respecting the Pier 8 Development Opportunity Request for Proposals Evaluation, this matter has been moved up to Item 7.2.

4. PRIVATE & CONFIDENTIAL (Item 12)

- 12.3 City Manager’s 2017 Performance Review
Pursuant to Section 8.1, Sub-sections (b) and (d) of the City’s Procedural By-law 14-300, and Section 239(2), Sub-sections (b) and (d) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain personal matters about an identifiable individual, including City employees; and, labour relations or employee negotiations.
- 12.4 Labour Relations Matter (no copy)
Pursuant to Section 8.1, Sub-sections (b) and (d) of the City’s Procedural By-law 14-300, and Section 239(2), Sub-sections (b) and (d) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain personal matters about an identifiable individual, including City employees; and, labour relations or employee negotiations.

The agenda for the June 6, 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 MEETING (Item 3)

(i) May 16, 2018 (Item 3.1)

The Minutes of the May 16, 2018 meeting of the General Issues Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Anthony Marco, Hamilton Community Benefits Network (HCBN), respecting the HCBN's Mission and Vision (Item 4.1)

The delegation request, submitted by Anthony Marco, Hamilton Community Benefits Network (HCBN), respecting the HCBN's Mission and Vision, was approved to appear before the General Issues Committee on June 20, 2018.

(e) CONSENT ITEMS (Item 5)

(i) Minutes of Various Sub-Committees and Advisory Committees (Item 5.1)

The Minutes of the following Advisory Committees were received:

(a) Business Improvement Area Advisory Committee, April 10, 2018 (Item 5.1(a))

(b) Arts Advisory Commission, March 27, 2018 (Item 5.1(b))

(ii) Open Government: Access to Information for City of Hamilton Funded Boards and Agencies (FCS18050) (City Wide) (Item 5.3)

WHEREAS, two organizations were placed on Appendix "C" to Report FCS18050 (Boards and Agencies that Publish Agendas and Minutes) that should have been reflected on Appendix "A" to Report FCS18050 instead (Boards and Agencies that do not Publish Agendas and Minutes);

THEREFORE, BE IT RESOLVED:

- (a) Appendix “A” to Report FCS18050, respecting Open Government: Access to Information for City of Hamilton Funded Boards and Agencies, was amended by adding the following organizations:
 - (i) Hamilton Waterfront Trust;
 - (ii) Hamilton-Burlington SPCA; and,

- (b) Appendix “C” to Report FCS18050, respecting Open Government: Access to Information for City of Hamilton Funded Boards and Agencies, was amended by deleting the following organizations:
 - (i) Hamilton Waterfront Trust; and,
 - (ii) Hamilton-Burlington SPCA.

(f) PUBLIC HEARINGS / DELEGATIONS (Item 6)

- (i) Todd White, Chair, Hamilton-Wentworth District School Board (HWDSB) respecting the HWDSB Proposal for City of Hamilton Property Acquisition Payments (Item 6.1)**

Todd White, Chair, Hamilton-Wentworth District School Board, addressed Committee, respecting the HWDSB’s proposal for City of Hamilton property acquisition payments.

The presentation provided by Todd White, Chair, Hamilton-Wentworth District School Board, respecting the HWDSB’s proposal for City of Hamilton property acquisition payments, was received.

The recommendation, respecting the Hamilton-Wentworth District School Board’s proposal for City of Hamilton property acquisition payments, was amended by adding the words “an annual”, to read as follows:

That the request from the Hamilton-Wentworth District School Board (HWDSB), requesting that the City of Hamilton set an annual maximum payment amount for the acquisition of School Board property, should the City be the successful bidder, in a 5-year agreement, be referred to the General Manager of Planning and Economic Development and the City Solicitor for review, in consultation with HWDSB staff, and report back to the General Issues Committee.

The request from the Hamilton-Wentworth District School Board (HWDSB), requesting that the City of Hamilton set an annual maximum payment amount for the acquisition of school-board property, should the City be the successful bidder, in a 5-year agreement, was referred to the General Manager of Planning and Economic Development and the City Solicitor for review, in consultation with HWDSB staff, and report back to the General Issues Committee.

A copy of the handout is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

For disposition of this matter, please refer to Item 3.

(ii) Lorna Zaremba, Theatre Aquarius, respecting an Update regarding Theatre Aquarius (For a future GIC) (Item 6.2)

Lorna Zaremba, Theatre Aquarius, addressed Committee respecting an update regarding Theatre Aquarius.

The presentation provided by Lorna Zaremba, Theatre Aquarius, respecting an update regarding Theatre Aquarius, was received.

A copy of the presentation above is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

(iii) David Carter, Innovation Factory, to provide an update respecting the Innovation Factory Request for Funding Renewal Option – Annual Review (Item 6.3)

As noted in the Changes to the Agenda, this delegate will to appear before Committee on June 20th; the same date that the staff report is to be before Committee for consideration.

(iv) Shekar Chandrashekar respecting an opportunity to rebut information contained in Report FCS18030 (Item 6.4)

Shekar Chandrashekar addressed Committee respecting an opportunity to rebut information contained in Report FCS18030.

Mr. Shekar Chandrashekar was permitted additional time, beyond the permitted 5 minutes, to continue with his presentation.

The presentation provided by Shekar Chandrashekar respecting an opportunity to rebut information contained in Report FCS18030, was received.

A copy of the presentation above is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

(g) STAFF PRESENTATIONS (Item 7)

(i) City Manager's 2017 Performance Review (Item 7.1)

The City Manager's 2017 Performance Review, was TABLED to the June 20, 2018 General Issues Committee meeting.

(ii) Pier 8 Development Opportunity Request for Proposals Evaluation (PED14002(h)) (Ward 2) (Item 7.2)

Chris Phillips, Senior Advisor, addressed Committee and provided a PowerPoint presentation respecting Report PED14002(h) - Pier 8 Development Opportunity Request for Proposals Evaluation.

The presentation, respecting Report PED14002(h) - Pier 8 Development Opportunity Request for Proposals Evaluation, 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.

Sub-section (a) to Report PED14002(h) - Pier 8 Development Opportunity Request for Proposals Evaluation, was amended by deleting the words "Proponent identified in Confidential Appendices "D" and "E" to Report PED14002(h)" and the word "document"; and, by adding the words "until such time as an Agreement has been fully executed by the parties," to read as follows:

- (a) That the ~~Proponent identified in Confidential Appendices "D" and "E" to Report PED14002(h)~~ Waterfront Shores Corporation be approved as the Preferred Proponent for the Request for Proposal Contract Number C11-66-17 entitled "Pier 8 Development Opportunity for Prequalified Proponents", and that following a final Council decision on the Proponent, Appendix "D" remain confidential ~~document~~ until such time as an Agreement has been fully executed by the parties, and Appendix "E" be available for release to the public;

A new sub-section (f) was added to Report PED14002(h), respecting Pier 8 Development Opportunity Request for Proposals Evaluation, which reads as follows:

- (f) That subject to a successful negotiation of a Development Agreement between the City of Hamilton and the Preferred Proponent, that staff report back with an information report respecting a summary of the 4 proposals.

For disposition of this matter, please refer to Item 4.

(h) PRIVATE & CONFIDENTIAL (Item 12)

(i) City Manager's 2017 Performance Review (Item 12.3)

The City Manager's 2017 Performance Review was TABLED to the June 20, 2018 General Issues Committee meeting.

Committee moved into Closed Session respecting Appendices "D" and "E" to Item 7.2, as well as Items 12.1, 12.2 and 12.4, pursuant to Section 8.1, Sub-sections (b), (c), (d) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (b), (c), (d), (f), (i) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matters pertain to personal matters about an identifiable individual, including City employees; a proposed or pending acquisition or disposition of land for City purposes; labour relations or employee negotiations; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; 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 municipality or local board.

(ii) Lease Agreement - Car Park #80, 191 King Street West and 22 and 30 Bay Street South (PED18119) (Ward 2) (Item 12.1)

Staff was provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 8.

(iii) Property Acquisitions to Support the Transit Maintenance and Storage Facility (PED18115/PW18045) (Ward 3) (Item 12.2)

Staff was provided with direction in Closed Session.

For further disposition of the matter above, please refer to Item 9.

(i) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee adjourned at 2:34 p.m.

Respectfully submitted,

B. Johnson, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk

BOARD/AGENCY NAME	2017 BUDGET	PUBLISHED MINUTES & AGENDAS?		COMMENTS	Included in the Annual Remuneration Report	COUNCIL MEMBERS	COUNCIL APPOINTED CITIZENS
		YES	NO				
Art Gallery Hamilton	\$ 1,000,000.00		x		No	Pearson, Skelly	Keith Scott, Jiemin Zheng
Theatre Aquarius Board	\$ 250,000.00		x		No	Conley, Pasuta, VanderBeek	
Royal Botanical Gardens	\$ 616,090.00		x		No	A. Johnson	
Hamilton Beach Rescue Unit	\$ 130,390.00		x		No		
Hamilton-Burlington SPCA	\$ -		x			Johnson, Merulla	
Hamilton Waterfront Trust	\$ -		x			Farr, Jackson, Conley	
MPAC	\$ 6,417,100.00		x				



PIER DEVELOPMENT OPPORTUNITY -

Request for Proposals Contract (C11-66-17)

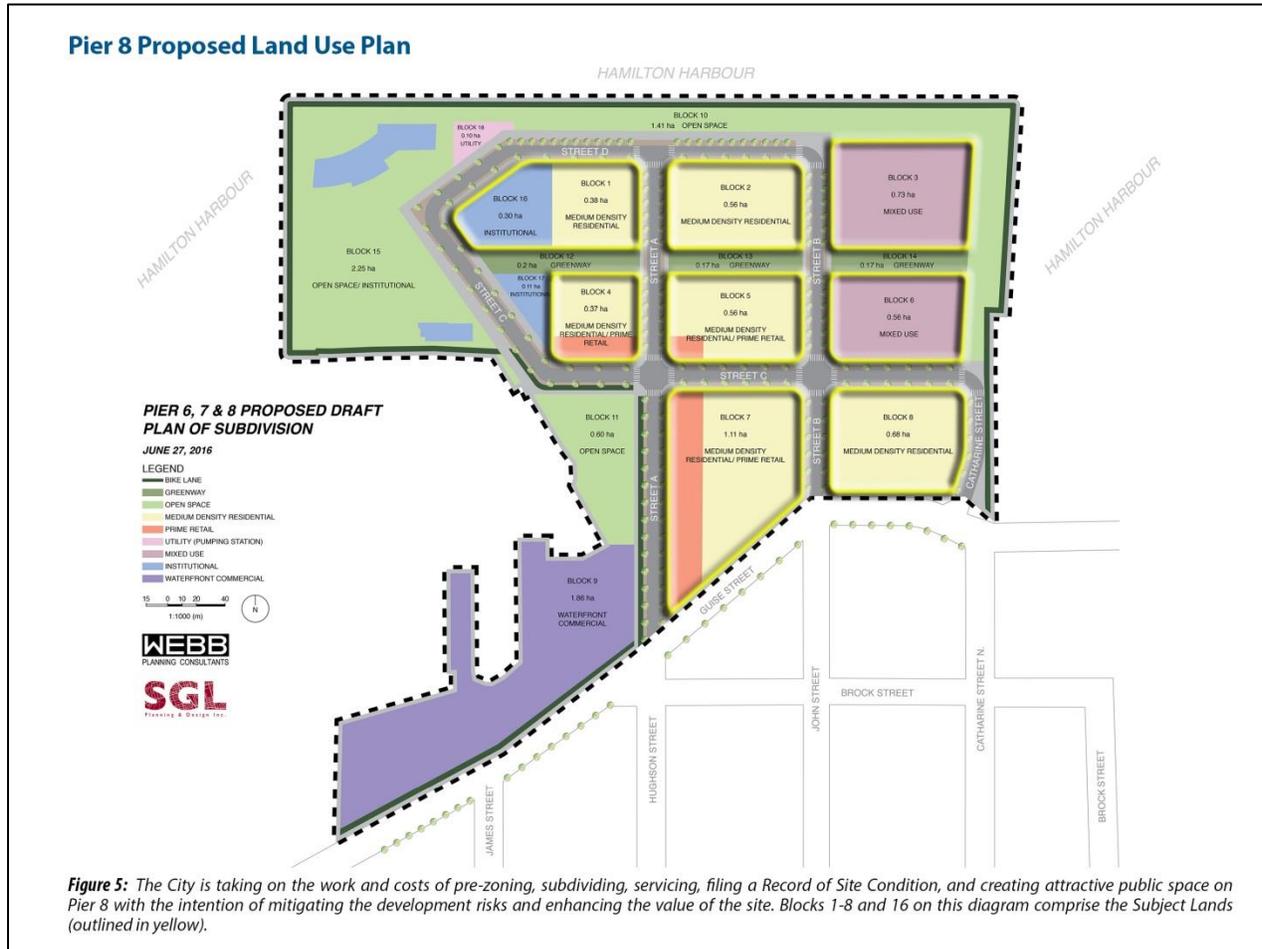
Map and Description of Pier 8 Subject Lands:

DESCRIPTION OF SUBJECT LANDS The Subject Lands shall be comprised of nine (9) individual Development Blocks which shall be created by the registration of the Draft Plan of Subdivision in accordance with Application 25T-201605.

The Draft Plan of Subdivision has not yet been registered. A copy of the Draft Plan of Subdivision can be found at: <https://www.hamilton.ca/city-initiatives/priority-projects/pier-8-development-electronic-data-room>

For the purposes of preparing Proposals, Proponents were directed to assume that the designated Development Blocks outlined in yellow in Figure 1 below shall represent the approximate locations and areas of the Subject Lands. Any reference to Development Block numbers within the RFP, Addenda, and Bid Forms shall correspond with this Figure 1. More specific, Blocks 1, 2, 3, 4, 5, 6, 7, 8, and 16 form the Subject Lands.

Figure 1: Simplified Location of Development Blocks



City of Hamilton						
Capital Project Closings						
As of December 31, 2017						
Projects impacting the Unallocated Capital Levy Reserve & Other Reserves						
Year Approved	ProjectID	Description	Surplus/ (Deficit) (\$)	Reserve	Description	
Projects requiring funds						
2013	6501355301	Hamilton Seniors' Strategy	(72.92)	108020	Unalloc Capital Levy	
2014	7901448401	Combined Heat Power Macassa	(41,163.62)	108020	Unalloc Capital Levy	
2017	7201754700	Outdoor Patio Cntrl Mem Rec	(15.30)	108020	Unalloc Capital Levy	
			(41,251.84)			
Projects returning funds						
			\$			
2010	6301051002	Lodges- Wireless Installation	5,539.73	108020	Unalloc Capital Levy	
2012	4401256593	Marimat Gardens University Gardens	2,265.06	108020	Unalloc Capital Levy	
2014	3541455001	Yard Capital Renewal Program	660.58	108020	Unalloc Capital Levy	
2014	6301451406	WL Wanderguard System	0.43	108020	Unalloc Capital Levy	
2016	4031611224	Sidewalk Rehabilitation Program - 2016	5.00	108020	Unalloc Capital Levy	
2016	4661620522	Traffic Engineering - Signal Design - 2016	38,485.62	108020	Unalloc Capital Levy	
2017	4031755622	Active Transportation Benchmarking - 2017	1,631.55	108020	Unalloc Capital Levy	
2017	4031707750	Industrial Zone Air Quality Initiative	50,000.00	108020	Unalloc Capital Levy	
2017	6771755701	Study Supervised Inject Site	36,963.05	108020	Unalloc Capital Levy	
			135,551.02			
Net impact to the Unallocated Capital Levy Reserve			94,299.18			
Projects requiring funds						
			\$			
2009	5140967952	ISF-687-Kenilworth Reservoir	(234,240.77)	5169309324	Unalloc Current Funds-Sanitary	
2011	4031180582	2011 Development Rd Urbanization	(4.98)	110306/110307	Related to a Highway-Res/ Highway-Non Res DC's	
2016	4241609205	Dog Park Amenities	(352.04)	108052	Ward 2-Capital Infrastructure	
2012	5181280287	Hannon Crk W Tribtry Drainage	(6,473.93)	110304/110305	Storm Water Drainage-Res/Storm Water Drainage- NonRes DC's	
2013	4241309203	Cent Mem Rec Cntr - dgtl sign	(204.55)	108052	Ward 2-Capital Infrastructure	
2015	5141567752	Water Outstation Inspections	(215,832.89)	5169309324	Unalloc Current Funds-Sanitary	
2014	5141467752	WW Outstation Inspection - AM	(106,023.80)	5169309324	Unalloc Current Funds-Sanitary	
2014	5161466713	Wastewater Maintenance Capital	(16,574.39)	5169309324	Unalloc Current Funds-Sanitary	
2014	5161455640	Non-Trunk Flow Monitoring	(47,896.40)	5169309324	Unalloc Current Funds-Sanitary	
2014	5161455010	Water System Planning	(67,328.02)	5169309324	Unalloc Current Funds-Sanitary	
2015	5161566713	Wastewater Maintenance Capital	(26,878.34)	5169309324	Unalloc Current Funds-Sanitary	
Net impact to Other Reserves			(721,810.11)			
Total Net impact to the Unallocated Capital Levy Reserve & Other Reserves			(627,510.93)			

CITY OF HAMILTON
 CAPITAL PROJECTS TO BE DEBT FUNDED
 FOR THE PERIOD COVERING OCTOBER 1, 2017 THROUGH DECEMBER 31, 2017

Recommendations

Appropriated From	Description	Appropriated To	Description	Amount (\$)	Comments
Planning & Economic Development					
<u>Tourism & Culture</u>					
7201741703	St.Mark's Restoration Phase 2	7201841803	St.Mark's Interior Restoration	240,000.00	Transfer approved Debt Financing from 7201741703 to 7201841803
Planning & Economic Development Total				240,000.00	
Total				240,000.00	

CITY OF HAMILTON
CAPITAL PROJECTS' CLOSING SCHEDULE
AS OF December 31 , 2017

YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$)	REVENUES (\$)	EXPENDITURES (\$)	PROJECT SURPLUS/ (DEFICIT) (\$)	% SPENT
			a	b	c	d = b - c	e=c/a
UNALLOCATED CAPITAL LEVY RESERVE							
2010	6301051002	Lodges- Wireless Installation	150,000.00	150,000.00	144,460.27	5,539.73	96.3%
2012	4401256593	Marimat Gardens University Gardens	136,794.94	136,804.42	134,539.36	2,265.06	98.4%
2013	6501355301	Hamilton Seniors' Strategy	145,000.00	145,000.00	145,072.92	(72.92)	100.1%
2014	3541455001	Yard Capital Renewal Program	192,904.94	192,904.94	192,244.36	660.58	99.7%
2014	6301451406	WL Wanderguard System	10,800.00	10,786.57	10,786.14	0.43	99.9%
2014	7901448401	Combined Heat Power Macassa	826,175.00	0.00	41,163.62	(41,163.62)	5.0%
2016	4031611224	Sidewalk Rehabilitation Program - 2016	577,995.00	578,000.00	577,995.00	5.00	100.0%
2016	4661620522	Traffic Engineering - Signal Design - 2016	300,000.00	261,514.38	223,028.76	38,485.62	74.3%
2017	4031755622	Active Transportation Benchmarking - 2017	30,000.00	28,352.05	26,720.50	1,631.55	89.1%
2017	4031707750	Industrial Zone Air Quality Initiative	50,000.00	50,000.00	0.00	50,000.00	0.0%
2017	6771755701	Study Supervised Inject Site	92,000.00	92,000.00	55,036.95	36,963.05	59.8%
2017	7201754700	Outdoor Patio Cntrl Mem Rec	128,300.00	128,282.29	128,297.59	(15.30)	100.0%
TOTAL FUNDS FROM UNALLOCATED CAPITAL LEVY (12)			2,639,969.88	1,773,644.65	1,679,345.47	94,299.18	63.6%
OTHER PROGRAM SPECIFIC RESERVES							
2009	5140967952	ISF-687-Kenilworth Reservoir	10,175,000.00	10,174,334.00	10,408,574.77	(234,240.77)	102.3%
2011	4031180582	2011 Develpment Rd Urbanization	367,880.00	367,880.00	367,884.98	(4.98)	100.0%
2016	4241609205	Dog Park Amenities	20,000.00	20,000.00	20,352.04	(352.04)	101.8%
2012	5181280287	Hannon Crk W Tribtry Drainage	290,000.00	290,000.00	296,473.93	(6,473.93)	102.2%
2013	4241309203	Cent Mem Rec Cntr - dgtl sign	35,000.00	35,000.00	35,204.55	(204.55)	100.6%
2015	5141567752	Water Outstation Inspections	440,000.00	440,000.00	655,832.89	(215,832.89)	149.1%
2014	5141467752	WW Outstation Inspection - AM	550,000.00	550,000.00	656,023.80	(106,023.80)	119.3%
2014	5161466713	Wastewater Maintenance Capital	1,000,000.00	1,000,000.00	1,016,574.39	(16,574.39)	101.7%
2014	5161455640	Non-Trunk Flow Monitoring	350,000.00	350,000.00	397,896.40	(47,896.40)	113.7%
2014	5161455010	Water System Planning	380,000.00	380,000.00	447,328.02	(67,328.02)	117.7%
2015	5161566713	Wastewater Maintenance Capital	1,050,000.00	1,050,000.00	1,076,878.34	(26,878.34)	102.6%
TOTAL FUNDS FROM PROGRAM SPECIFIC RESERVES (11)			14,657,880.00	14,657,214.00	15,379,024.11	(721,810.11)	104.9%
DELAYED/CANCELLED PROJECTS							
2016	4241609101	Native Wildflower Garden	5,000.00	0.00	0.00	0.00	0.0%
2016	4241609223	Picton Hughson Intersection	10,000.00	0.00	0.00	0.00	0.0%
2016	4241609523	CHH Pre Apprentice Youth	52,500.00	0.00	0.00	0.00	0.0%
2016	4401651601	Equipment Acquisition (DC) Program	247,000.00	3,793.12	3,793.12	0.00	1.5%
2016	5181660722	Municipal Drain Maintenance Program - 2016	40,000.00	0.00	0.00	0.00	0.0%
2016	4241609807	Shared Ice Surface Mohawk Coll	50,000.00	0.00	0.00	0.00	0.0%
2017	4401710555	2017 Chargebacks - LAS	0.00	0.00	0.00	0.00	0.0%
2017	5141766150	GAC Replacement	550,000.00	0.00	0.00	0.00	0.0%
2017	3541710555	2017 Chargebacks - Facilities	0.00	0.00	0.00	0.00	0.0%
2017	4411710555	2017 Chargebacks - W Harbour	0.00	0.00	0.00	0.00	0.0%
TOTAL DELAYED/CANCELLED PROJECTS (12)			954,500.00	3,793.12	3,793.12	0.00	0.4%

CITY OF HAMILTON
CAPITAL PROJECTS' CLOSING SCHEDULE
AS OF December 31 , 2017

YEAR	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$)	REVENUES (\$)	EXPENDITURES (\$)	PROJECT SURPLUS/ (DEFICIT) (\$)	% SPENT
APPROVED			a	b	c	d = b - c	e=c/a
COMPLETED PROJECTS							
Corporate Services, City Manager's Office and Councillor Infrastructure Programs (Tax Budget)							
Councillor Infrastructure Program							
2012	3301250231	City Motor Hotel Purchase	3,200,630.00	825,417.08	825,417.08	0.00	25.8%
2015	4241509116	Ph.1 SWL Gym Project	100,000.00	84,970.41	84,970.41	0.00	85.0%
Corporate Facilities							
2013	3541357001	Archibus-Facility Maintenance	29,400.00	29,372.37	29,372.37	0.00	99.9%
2014	3541441729	Copps Lifecycle Renewal Progrm	404,000.00	404,038.46	404,038.46	0.00	100.0%
2014	3541451004	HVAC Energy Efficiency Upgrade	204,225.55	204,185.86	204,185.86	0.00	100.0%
2014	3541451403	BAS System Relocate & Upgrade	76,000.00	76,025.42	76,025.42	0.00	100.0%
2017	2861751700	HBRU Renovations and Equipment	45,000.00	22,730.85	22,730.85	0.00	50.5%
Planning & Economic Development (Tax Budget)							
Tourism & Culture							
2015	7201558502	Cenotaphs and Monuments	136,245.00	140,462.57	140,462.57	0.00	103.1%
2016	7201655601	Rogers Hometown Hockey	50,000.00	28,936.05	28,936.05	0.00	57.9%
2016	7201655602	CANADA 150	428,000.00	407,501.29	407,501.29	0.00	95.2%
Economic Development							
2012	8201203613	Works in Dntown Neighborhoods	46,246.64	46,246.64	46,246.64	0.00	100.0%
Growth Management							
2003	4140346109	Subdivisions-Closed Projects	363,900.00	675,185.53	675,185.53	0.00	185.5%
2009	4030980985	Copes Lane - Jones to 330m E	1,000,000.00	281,712.09	281,712.09	0.00	28.2%
2010	4141046106	Pine Hill Drive Extension	358,000.00	321,670.56	321,670.56	0.00	89.9%
2011	4141146102	Summerlea West - Phase 2A	308,500.00	307,493.93	307,493.93	0.00	99.7%
2012	4031280582	2012 Development Rd Urbanization	500,000.00	500,000.00	500,000.00	0.00	100.0%
2012	4141246105	Summerlea West - Phase 3	200,000.00	194,605.31	194,605.31	0.00	97.3%
2012	4141246108	Ancaster Glen- Phase 1	246,575.62	246,575.62	246,575.62	0.00	100.0%
Planning Division							
2014	8121459100	Natural Areas Acquisition Fund	100,000.00	100,000.00	100,000.00	0.00	100.0%
2014	8121459101	Peer Review-Lafarge S Quarry X	104,475.23	83,216.31	83,216.31	0.00	79.7%
Community and Emergency Services (Tax Budget)							
Long Term Care Homes							
2010	6301051002	Lodges-Wireless Installation	150,000.00	373,043.49	373,043.49	0.00	248.7%
2011	6301141105	ML-Refurbish Kitchen-Flooring	1,276,000.00	1,275,978.07	1,275,978.07	0.00	100.0%
2014	6301451403	ML Replace Dietary Servery	793,000.00	792,606.13	792,606.13	0.00	100.0%
2015	6301551508	ML - Call Bell System	647,200.00	444,750.36	444,750.36	0.00	68.7%
2017	6301751701	Bld Heating Component Macassa	55,550.00	55,548.72	55,548.72	0.00	100.0%
2017	6301751706	Care Eqp Macassa & Wentworth	196,794.00	196,793.60	196,793.60	0.00	100.0%
Hamilton Fire Department							
2016	7401651600	2016 Fire Equipment	635,000.00	555,785.49	555,785.49	0.00	87.5%
2016	7401651601	2016 Fire Vehicles	4,639,450.00	4,686,222.94	4,686,222.94	0.00	101.0%

CITY OF HAMILTON
CAPITAL PROJECTS' CLOSING SCHEDULE
AS OF December 31 , 2017

YEAR	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$)	REVENUES (\$)	EXPENDITURES (\$)	PROJECT SURPLUS/ (DEFICIT) (\$)	% SPENT
APPROVED			a	b	c	d = b - c	e = c/a
Hamilton Paramedic Service							
2017	7641751700	2017 Paramedic Equipment	127,000.00	121,522.79	121,522.79	0.00	95.7%
2017	7641751701	2017 Paramedic Vehicles	708,000.00	709,983.43	709,983.43	0.00	100.3%
Hamilton Police Department							
2017	3761751100	2017 Police Vehicle Purchases	2,204,350.99	2,204,350.99	2,204,350.99	0.00	100.0%
Public Works (Tax Budget)							
Parks & Cemeteries (Tax Budget)							
2015	4401549007	Cemetery Columbarium	227,750.00	227,750.31	227,750.31	0.00	100.0%
2015	4401549107	Park Fencing Program	122,000.00	138,000.00	138,000.00	0.00	113.1%
2015	4401549607	Outdoor Ice Rink Program	50,000.00	50,000.00	50,000.00	0.00	100.0%
2015	4401549612	Cemetery Id Signs	40,000.00	40,000.00	40,000.00	0.00	100.0%
2016	4401649007	Cemetery Columbarium	50,000.00	50,000.00	50,000.00	0.00	100.0%
2016	4401649101	Park Pathway Resurfacing Program	182,400.00	182,407.88	182,407.88	0.00	100.0%
2016	4401649607	Outdoor Ice Rink Program	50,000.00	50,000.00	50,000.00	0.00	100.0%
2016	4401649612	Cemetery ID Sign Program	50,000.00	50,000.00	50,000.00	0.00	100.0%
2017	4401749101	Park Pathway Resurfacing	172,400.00	172,327.68	172,327.68	0.00	100.0%
Forestry & Horticulture (Tax Budget)							
2017	4451749701	W1 Beautification-Victoria Pk	70,000.00	12,936.91	12,936.91	0.00	18.5%
Open Space & Development (Tax Budget)							
2014	4241409204	Outdoor Bake Oven	15,000.00	0.00	0.00	0.00	0.0%
2015	4401556500	Meadowlands Park Ph 8 & 10	537,816.53	537,816.53	537,816.53	0.00	100.0%
2016	4401656602	Summerlea East and West Trail	141,400.00	134,101.77	134,101.77	0.00	94.8%
Recreation (Tax Budget)							
2012	4241209108	Churchill Prk Bwling Wintzng	200,000.00	179,464.67	179,464.67	0.00	89.7%
2012	7101254216	Program - Roof Management	569,200.00	569,187.66	569,187.66	0.00	100.0%
2014	7101454105	Park & Fieldhouse Retrofits	682,909.94	683,909.94	683,909.94	0.00	100.1%
2016	7101654601	Ice Plant Freon Upgrades	500,000.00	500,000.00	500,000.00	0.00	100.0%
2017	7201754700	Outdoor Patio Cntrl Mem Rec	128,300.00	128,297.59	128,297.59	0.00	100.0%
Waste (Tax Budget)							
2008	5120892410	West Hamilton Landfill Stabilization	250,000.00	249,914.78	249,914.78	0.00	100.0%
2014	5121492410	WH-Bank Stabilization South	2,245,000.00	2,243,914.21	2,243,914.21	0.00	100.0%
West Harbour							
2015	4411506101	Pier 7 Docks & Pier 8 Repair	4,481,581.82	4,481,581.82	4,481,581.82	0.00	100.0%
Energy Initiatives							
2014	7901448402	Transit Centre EE Lighting	365,400.00	366,094.19	366,094.19	0.00	100.2%
2016	7901641607	Olympic Arena Infa Heater	30,425.00	30,425.00	30,425.00	0.00	100.0%
2016	7901641608	Dundas Lion LED Light	25,000.00	17,407.78	17,407.78	0.00	69.6%
2016	7901641610	Ancaster Achievement Light	40,000.00	27,788.57	27,788.57	0.00	69.5%
2016	7901641611	Sackville Exterior Light	25,000.00	22,625.65	22,625.65	0.00	90.5%

CITY OF HAMILTON
CAPITAL PROJECTS' CLOSING SCHEDULE
AS OF December 31 , 2017

YEAR	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$)	REVENUES (\$)	EXPENDITURES (\$)	PROJECT SURPLUS/ (DEFICIT) (\$)	% SPENT
APPROVED			a	b	c	d = b - c	e = c/a
Transit (Tax Budget)							
2010	5311055001	Transit Rebranding & Marketing Survey	485,000.00	442,308.97	442,308.97	0.00	91.2%
2014	5301483002	Reserve Shortfall-OBR Program	700,000.00	700,000.00	700,000.00	0.00	100.0%
2014	5301583002	Reserve Shortfall-OBR Program	545,000.00	545,000.00	545,000.00	0.00	100.0%
2014	5301683002	Reserve Shortfall-OBR Program	700,000.00	700,000.00	700,000.00	0.00	100.0%
2015	5301558101	HSR New Bus Purchases	16,125,000.00	13,469,691.12	13,469,691.12	0.00	83.5%
2015	5301555820	Transport Demand Mngt Program	206,500.00	227,846.39	227,846.39	0.00	110.3%
Roads (Tax Budget)							
2013	4031314405	Contaminated Soil & Rock Disposal 2013	1,593,000.00	1,596,747.61	1,596,747.61	0.00	100.2%
2013	4031321350	Fleet Additions - Roads O&M	268,000.00	267,916.11	267,916.11	0.00	100.0%
2014	4241409105	W1 Alleyway Improvements	100,000.00	98,298.50	98,298.50	0.00	98.3%
2014	4241409705	Chipman Ave-Urbanization	350,000.00	0.00	0.00	0.00	0.0%
2015	4031511225	Geotechnical Investigation Program - 2015	208,000.00	208,000.00	208,000.00	0.00	100.0%
2015	4031515820	Traffic Counts Program - 2015	150,000.00	150,000.00	150,000.00	0.00	100.0%
2015	4031517241	Fencing/Sound Barrier Rehab/Replace within Road Allowance - 2015	131,000.00	131,000.00	131,000.00	0.00	100.0%
2015	4031517522	Shaver Road Yard Drainage Rehabilitation	251,000.00	250,847.04	250,847.04	0.00	99.9%
2015	4031518219	Structural Investigations and Reports - 2015	400,000.00	400,000.00	400,000.00	0.00	100.0%
2015	4031555522	State of the Infrastructure - Asset Management	470,000.00	470,000.00	470,000.00	0.00	100.0%
2015	4041510016	Street Lighting Program - New Lights - 2015	1,200,000.00	600,793.89	600,793.89	0.00	50.1%
2015	4041515019	Traffic Controller Replacement - 2015	125,000.00	125,000.00	125,000.00	0.00	100.0%
2016	4031610012	Railway Roadway Crossings Rehab Program - 2016	50,000.00	50,000.00	50,000.00	0.00	100.0%
2016	4031611223	Semi Barrier Rehabilitation Program - 2016	175,000.00	175,000.00	175,000.00	0.00	100.0%
2016	4031611225	Geotechnical Investigation Program - 2016	209,000.00	209,000.00	209,000.00	0.00	100.0%
2016	4031617241	Fencing/Sound Barrier Rehab/Replace within Road Allowance - 2016	59,000.00	59,000.00	59,000.00	0.00	100.0%
2016	4031617677	Preventative Maintenance Program - 2016	2,000,000.00	2,000,000.00	2,000,000.00	0.00	100.0%
2016	4031618218	OSIM Bridge and Culvert Inspections - 2016	220,000.00	220,000.00	220,000.00	0.00	100.0%
2016	4041610016	Street Lighting Program - New Lights - 2016	2,000,000.00	1,004,094.61	1,004,094.61	0.00	50.2%
2016	4041610417	Retaining Wall Rehabilitation - 2016	700,000.00	699,990.00	699,990.00	0.00	100.0%
2016	4041617124	On Street Bike Facilities - 2016	240,000.00	240,000.00	240,000.00	0.00	100.0%
2016	4041617384	Guide Rail Replacement Program - 2016	400,000.00	400,000.00	400,000.00	0.00	100.0%
2016	4241609212	Ladder Crossing James St	25,000.00	5,768.27	5,768.27	0.00	23.1%
2016	4661620001	ATMS - Advanced Traffic Management System - 2016	1,847,000.00	1,847,000.00	1,847,000.00	0.00	100.0%
2016	4661620531	APS - Accessible Pedestrian Signals - 2016	150,000.00	150,000.00	150,000.00	0.00	100.0%
2017	4041714001	Claremont Access Stabilization	1,113,000.00	1,119,362.20	1,119,362.20	0.00	100.6%
2017	4241709504	2017 Mountable Curbs (Ward 5)	200,000.00	173,160.24	173,160.24	0.00	86.6%
Public Works (Rate Budget)							
Water (Rate Budget)							
2007	5140795752	PD3 PS Hghind Grdns-W08	7,080,000.00	5,545,185.99	5,545,185.99	0.00	78.3%
2012	5141255010	Water System Planning	300,000.00	230,000.00	230,000.00	0.00	76.7%
2014	5141466713	Annual Water Maintenance	1,305,000.00	905,000.00	905,000.00	0.00	69.3%
2014	5141471301	WM Replace Program - Coordinated with Roads - 2014	12,690,000.00	12,705,550.00	12,705,550.00	0.00	100.1%
2015	5141560750	Unscheduled Valve, Hydrant etc - 2015	7,350,000.00	7,350,000.00	7,350,000.00	0.00	100.0%
2015	5141566713	Annual Water Maintenance	388,000.00	208,000.00	208,000.00	0.00	53.6%
2016	5141651610	Fleet Additions - Hamilton Water - 2016	400,000.00	400,000.00	400,000.00	0.00	100.0%
2016	5141660577	Metallic Watermain Condition Assessment Program - 2016	700,000.00	700,000.00	700,000.00	0.00	100.0%
2016	5141661502	Water Meter - Installation /Replacement/Repair - General Maintenance	2,000,000.00	2,000,000.00	2,000,000.00	0.00	100.0%

CITY OF HAMILTON
CAPITAL PROJECTS' CLOSING SCHEDULE
AS OF December 31 , 2017

YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$)	REVENUES (\$)	EXPENDITURES (\$)	PROJECT SURPLUS/ (DEFICIT) (\$)	% SPENT
			a	b	c	d = b - c	e=c/a
WasteWater (Rate Budget)							
2009	5160955953	Annual-Hydraulic Sewer Model	1,500,000.00	1,030,088.11	1,030,088.11	0.00	68.7%
2016	5161666713	Wastewater Maintenance Capital	800,000.00	800,000.00	800,000.00	0.00	100.0%
2013	5161360307	Charlton and Catharine - Sewer	93,000.00	92,497.60	92,497.60	0.00	99.5%
2014	5161471015	Sewer Lateral Replacement for Co-ordinated Projects - 2014	340,000.00	340,000.00	340,000.00	0.00	100.0%
2015	5161567752	Outstation Inspections	220,000.00	220,000.00	220,000.00	0.00	100.0%
2015	5161571015	Sewer Lateral Replacement for Co-ordinated Projects - 2015	50,000.00	50,000.00	50,000.00	0.00	100.0%
2015	5161571525	Parkdale - Barton to Burlington	2,921,000.00	2,917,314.00	2,917,314.00	0.00	99.9%
2016	5161649555	QA-QC Service Contract - 2016	110,000.00	110,000.00	110,000.00	0.00	100.0%
2016	5161655556	Mapping Update - 2016	70,000.00	63,228.19	63,228.19	0.00	90.3%
2016	5161660302	Emergency Repairs - Cross Connections - 2016	500,000.00	500,000.00	500,000.00	0.00	100.0%
2016	5161660711	PW Capital Water Consumption Program - 2016	50,000.00	50,000.00	50,000.00	0.00	100.0%
2016	5161666713	Wastewater Maintenance Capital	800,000.00	800,000.00	800,000.00	0.00	100.0%
StormWater (Rate Budget)							
2010	5181055060	Greenhill Storm Drainage - EA	120,000.00	96,644.43	96,644.43	0.00	80.5%
2011	5181155101	Stoney&Battlefield Crk Control	540,000.00	362,283.76	362,283.76	0.00	67.1%
2015	5181517152	Roadside Drainage Improvement Program - 2015	1,320,000.00	1,320,000.00	1,320,000.00	0.00	100.0%
2016	5181617152	Roadside Drainage Improvement Program - 2016	1,500,000.00	1,500,000.00	1,500,000.00	0.00	100.0%
2016	5181617458	Catch Basin Replacement/Rehabilitation Program - 2016	500,000.00	500,000.00	500,000.00	0.00	100.0%
2016	5181617549	Cross Road Culvert Rehabilitation/Repair - 2016	150,000.00	150,000.00	150,000.00	0.00	100.0%
2016	5181649555	QA-QC Service Contract - 2016	60,000.00	60,000.00	60,000.00	0.00	100.0%
2016	5181655556	Mapping Update - 2016	70,000.00	61,636.19	61,636.19	0.00	88.1%
2016	5181660622	SWM Pond-Creek Maintenance Program - 2016	1,500,000.00	1,500,000.00	1,500,000.00	0.00	100.0%
TOTAL COMPLETED PROJECTS (116)			109,407,626.32	98,846,138.52	98,846,138.52	0.00	90.3%
GRAND TOTAL COMPLETED/CANCELLED PROJECTS (151)			127,659,976.20	115,280,790.29	115,908,301.22	(627,510.93)	90.8%



City of Hamilton
HAMILTON UTILITIES CORPORATION
SHAREHOLDER ANNUAL GENERAL MEETING
REPORT 18-002

June 6, 2018, 2:45 p.m.
 Council Chambers, Hamilton City Hall, 71 Main Street West

Present: Deputy Mayor B. Johnson (Chair)
 Councillors T. Jackson, C. Collins, S. Merulla, M. Green, J. Farr,
 A. Johnson, D. Conley, M. Pearson, L. Ferguson, A. VanderBeek

**Absent with
 Regrets:** Mayor F. Eisenberger, T. Whitehead – Other City Business
 Councillors D. Skelly, J. Partridge, R. Pasuta – Personal

**THE HAMILTON UTILITIES CORPORATION SHAREHOLDER PRESENTS REPORT
 18-002 AND RESPECTFULLY RECOMMENDS:**

**1. Local Representation on the Hamilton Utilities Corporation and Alectra Inc.
 Boards (Item 5.5)**

WHEREAS, the former Hamilton Utilities Corporation (HUC) Boards were comprised with the majority of Directors being from leading Hamilton business and community organizations, with only a minority of the representatives being selected from outside of the city of Hamilton;

WHEREAS, currently, five of the seven HUC Board Directors are not from the city of Hamilton; and,

WHEREAS, Alectra Inc. has two Board seats for Hamilton and one representative resides outside of Hamilton;

THEREFORE, BE IT RESOLVED:

- (a) That, effective in 2019, with the appointment of the new Hamilton Utilities Corporation Board at the next Annual General Meeting,

with the exception of the two the members currently holding a two-year term, the majority of Directors of the Hamilton Utilities Corporation Board be residents of the city of Hamilton; and,

- (b) That, effective in 2019 with the appointment of the new Alectra Inc. Board at the next Annual General Meeting, both of the Hamilton representatives for the Alectra Inc. Board of Directors be residents of the city of Hamilton.

2. Consolidated Financial Statements of the Hamilton Utilities Corporation and Alectra Inc. for the year ended December 31, 2017; Appointment of the Hamilton Utilities Corporation Board of Directors; Appointment of Alectra Inc. Board of Directors and Appointment KPMG LLP as the Auditor of the Hamilton Utilities Corporation and Alectra Inc. (Item 5.1)

(a) Audited Consolidated Financial Statements for the year ended December 31, 2017

That the Audited Consolidated Financial Statements of Hamilton Utilities Corporation for the year ended December 31, 2017, as approved by the Board of Directors of Hamilton Utilities Corporation, be received by the Shareholder;

(b) Appointment of Directors to Hamilton Utilities Corporation

That the Resolutions set forth below be presented to the City of Hamilton for passage as Resolutions of the Shareholder of the Corporation as representing the recommendations of the Directors of the Corporation:

Number of Directors

WHEREAS, the Articles of the Corporation and subsequent special resolutions provide that the Corporation shall have seven Directors; and,

WHEREAS, it is desirable for the Corporation to have six Directors;

THEREFORE, BE IT RESOLVED:

- (i) That, as a special resolution, henceforth the Corporation shall have six Directors;

- (ii) That, inasmuch as each of the following persons was heretofore elected as a Director of the Corporation for a three-year term, each such person is confirmed as elected and has consented to continue to serve as a Director of the Corporation, as one of the “Private Directors” of the Corporation, for the period set opposite below and thereafter until the next annual general meeting of the Corporation:
- | | | |
|-----|------------------|--|
| (1) | Joseph Rinaldo | one-year term commencing June 30, 2018 |
| (2) | Laurie Tugman | one-year term commencing June 30, 2018 |
| (3) | Daryl Wilson | one-year term commencing June 30, 2018 |
| (4) | Christa Wessel | two-year term commencing June 30, 2018 |
| (5) | Lesley Gallinger | two-year term commencing June 30, 2018 |
- (iii) That, inasmuch as the Shareholder of the Corporation has previously directed that the Mayor or the Mayor’s designate is to be a Director of the Corporation and the Mayor is presently serving as a Director of the Alectra Utilities Corporation, the Mayor’s Designate, Councillor Maria Pearson, having heretofore consented to serve as a Director of the Corporation, is confirmed as elected to continue as a Director of the Corporation except and provided that the term shall end upon the earlier of the end of the term of the Mayor as Mayor of the City or the end of the term as Councillor for the City; and,
- (iv) That these Directors comprise the Hamilton Utilities Corporation Board of Directors, effective June 30, 2018;

(c) Appointment of Directors to Alectra Inc.

WHEREAS, under the Unanimous Shareholder Agreement pertaining to Alectra Inc. (“Alectra”), Hamilton Utilities Corporation is entitled and required to nominate two Directors to the Alectra Board of Directors, of which one director must be independent.

THEREFORE, BE IT RESOLVED:

- (i) That, inasmuch the Council of the City of Hamilton has previously directed that the Mayor is to be a Director of Alectra Inc. and the Mayor is presently serving as the Non-Independent Director of Alectra Inc., the Mayor, Fred Eisenberger, is confirmed as elected to continue as a Director of Alectra Inc. throughout his term as Mayor; and,

- (ii) That Paul Benson, having heretofore consented to serve as a Director of Alectra Inc., shall be the nominee of Hamilton Utilities Corporation to serve as the Independent Director of Alectra Inc., for one-year term commencing June 30, 2018 and thereafter until the next annual general meeting of the Corporation;

(d) Appointment of the Auditor

That KPMG LLP, Chartered Accountants, the present Auditor of the Corporation, is appointed the Auditor of Hamilton Utilities Corporation for the 2018 fiscal year of the Corporation.

3. Shareholder Declarations – Hamilton Utilities Corporation (Item 5.2)

WHEREAS, the City of Hamilton (the “Shareholder”), as the sole shareholder of Hamilton Utilities Corporation (“HUC”), approved the amalgamation of Horizon, PowerStream, Enersource and Hydro One Brampton to create Alectra Inc. on October 30, 2015;

WHEREAS, in light of the Alectra Inc. amalgamation, HUC was restructured, among other reasons, to create improved corporate governance and to avoid negative tax implications;

WHEREAS, upon restructuring, the assets of Alectra Inc. remained with HUC, but all other assets were transferred to the newly formed Hamilton Enterprises Holding Corporation (“HEHCo”) or its subsidiaries;

WHEREAS, as prudent practice, new unanimous Shareholder declarations were required for both HUC and HEHCo, as a result of the HUC restructuring;

WHEREAS, the Board of Directors of HUC and staff for the Shareholder have been involved in the drafting of the new unanimous Shareholder declarations for HUC and HEHCo; and,

WHEREAS, the Board of Directors of HUC passed a resolution on May 24, 2018, in the form set out in Appendix “A”, that recommends the adoption of the new unanimous Shareholder declarations by the Shareholder;

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton, acting in its capacity as sole shareholder of Hamilton Utilities Corporation, adopt the Unanimous Shareholder Declaration for Hamilton Utilities Corporation in the form attached as Appendix “A” to Report 18-002, as amended; and,
- (b) That the Mayor and Clerk of the City of Hamilton, acting in its capacity as Sole Shareholder of Hamilton Utilities Corporation, be authorized and directed to execute the Unanimous Shareholder Declaration for Hamilton Utilities Corporation in the form attached as Appendix “A” to Report 18-002, as amended.

4. Dividend Policy – Hamilton Utilities Corporation (Item 5.3)

WHEREAS, the Board of Directors of the Hamilton Utilities Corporation (Corporation) passed a resolution on May 24, 2018, in the form set out in Appendix “A” attached hereto, that approved a Dividend Policy for the Corporation, as set out in Appendix “B” attached hereto;

THEREFORE, BE IT RESOLVED:

That the City of Hamilton, acting in its capacity as Sole Shareholder of the Hamilton Utilities Corporation (Corporation), hereby approves Dividend Policy for the Corporation, as set out in Appendix “B” attached hereto.

5. Amendment to the Alectra Inc. Unanimous Shareholder Agreement (Item 5.4)

WHEREAS, the Corporation and the City of Hamilton (the “Shareholder”), among others, are parties to the Unanimous Shareholders Agreement (the “USA”) for Alectra Inc. (“Alectra”) dated the 31st of January 2017;

WHEREAS, the Corporation has received notice on April 13, 2018 that the Board of Directors of Alectra has approved and is recommending to its shareholders minor amendments to the Alectra USA;

WHEREAS, pursuant to the letter dated April 30, 2018, the Corporation provided notice to the Shareholder, advising of the Corporation’s intention to make a recommendation to the Shareholder;

WHEREAS, the Audit and Risk Management Committee (the “ARM”) met on May 7, 2018 to review the amendments to the Alectra USA and has recommended

approval to the Board of Directors of the Corporation (the “HUC Board”) and the Shareholder;

WHEREAS, the HUC Board has deliberated upon, and discussed, the ARM recommendation and the submission made by Alectra on April 13, 2018;

WHEREAS, on May 24, 2018, the HUC Board has recommended the amendments to the Alectra USA as prescribed in the resolution attached hereto as Appendix “A”; and,

WHEREAS the Shareholder is relying upon the recommendation of the HUC Board;

THEREFORE, BE IT RESOLVED:

- (a) That the Shareholder approve the amendments to the Alectra Inc. Unanimous Shareholder Agreement as prescribed in the resolution attached hereto as Appendix “A”;
- (b) That the Mayor and Clerk of the Shareholder be authorized and directed to execute the amendments to the Alectra Inc. Unanimous Shareholder Agreement as prescribed in the resolution attached hereto as Appendix “A”;
- (c) That the General Manager, Finance and Corporate Services, be authorized and directed to execute any ancillary documents in a form approved by the City Solicitor with content approved by the General Manager, Finance and Corporate Services; and,
- (c) That the Shareholder waive any approval rights it may have to allow the Hamilton Utilities Corporation Board to approve the amendments to the Alectra Inc. Unanimous Shareholder Agreement, as prescribed in the resolution attached hereto as Appendix “A”.

FOR THE INFORMATION OF THE SHAREHOLDER:

(a) CHANGES TO THE AGENDA (Item 1)

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

1. SHAREHOLDERS RESOLUTIONS (Item 5)

Hamilton Enterprises Holding Corporation has been removed from the following items and will be dealt with at their Inaugural Annual General Meeting following this meeting:

5.1 Consolidated Audited Financial Statements of the Hamilton Utilities Corporation and Alectra Inc. for the year ended December 31, 2017; Appointment of the Hamilton Utilities Corporation Board of Directors; Appointment of Alectra Inc. Board of Directors and Appointment of KPMG LLP as the Auditor of the Hamilton Utilities Corporation and Alectra Inc.

5.2 Shareholder Direction and Unanimous Shareholder Declaration – Hamilton Utilities Corporation

5.5 Local Representation on the Hamilton Utilities Corporation and Alectra Inc. Boards (Added Item)

2. PRIVATE & CONFIDENTIAL (Item 7)

7.1 Closed Session Minutes – January 17, 2018

The agenda for the June 6, 2018 Hamilton Utilities Corporation Shareholder Annual General Meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) December 6, 2017 (Item 3.1)

The Minutes of the November 22, 2017 Hamilton Utilities Corporation Shareholder meeting were approved, as presented.

(ii) January 17, 2018 (Item 3.2)

The Minutes of the January 17, 2018 Hamilton Utilities Corporation Shareholder meeting were approved, as presented.

(d) PRESENTATIONS (Item 4)

(i) Hamilton Utilities Corporation (including and update from Alectra Inc.) (Item 4.1)

Joe Rinaldo, Chair of the Hamilton Utilities Corporation Board of Directors; Max Cananzi, President of Alectra Inc.; John Basilio, Chief Financial Officer of Alectra Inc.; and, Troy Hare, President of HCE Telecom, addressed Committee and provided a PowerPoint presentation respecting Hamilton Utilities Corporation, Alectra Inc. and HCE Telecom.

The presentation respecting Hamilton Utilities Corporation, Alectra Inc. and HCE Telecom, was received.

Item 5.5, being a Resolution, respecting Local Representation on the Hamilton Utilities Corporation and Alectra Inc. Boards, was moved up on the agenda to be considered prior to Item 5.1.

(e) SHAREHOLDER RESOLUTIONS (Item 5)

(i) Shareholder Declarations – Hamilton Utilities Corporation (Item 5.2)

Section 3.02 – Alectra Directors, of Appendix “B” to the Hamilton Utilities Corporation Shareholder Declarations, be amended by adding the words “All the Corporation's appointees to the Board of Directors of Alectra shall be residents of the city of Hamilton. Subject to the foregoing,” to read as follows:

3.02 Alectra Directors: All the Corporation's appointees to the Board of Directors of Alectra shall be residents of the city of Hamilton. Subject to the foregoing, the Corporation shall cause the Nominating Committee constituted for the purposes of this HUC Declaration to use the same criteria and follow the same procedure to make a Timely report and recommendation to the Shareholder of candidates qualified for the City to select as the Corporation's appointees to the board of directors of Alectra. The Corporation shall not, without the approval of the Shareholder, place forward or nominate any appointee or nominee of the Corporation to the board of directors of Alectra. Once selected by the Shareholder, the Corporation shall notify Alectra of the appointees to the board of directors of Alectra selected by the Shareholder.

Councillor M. Pearson wished to be recorded as OPPOSED to the Amending Motion above.

Section 6.05 – Qualifications of Directors, of Appendix “B” to the Hamilton Utilities Corporation Shareholder Declarations, was amended by adding the words “Notwithstanding the foregoing, the majority of Directors shall be residents of the city of Hamilton.”, to read as follows:

6.05 Qualifications of Directors: When selecting persons to recommend to the Shareholder to be directors of the Corporation, the Nominating Committee of the Board and the Board will, generally, consider all of qualifications of candidates including sound judgment and personal integrity. In evaluating and nominating potential independent nominees for the Board, the Nominating Committee shall strive to achieve a Board composed of members that, as a group, have skills, experience and expertise in, among other things corporate and/or public management including strategic planning, governance, finance, project development and operations, regulated energy services, environmental matters, municipally-owned corporations and government relations. Preference may be given to qualified candidates who are residents of the City of Hamilton, however non-residents of the City of Hamilton shall not be excluded from serving as directors of the Corporation. Notwithstanding the foregoing, the majority of Directors shall be residents of the city of Hamilton. Candidates for being a director of the Corporation must consent to the disclosure of his or her director's remuneration to Council for the City of Hamilton and placed on the public record each fiscal year in a form and with sufficient details as prescribed by the Shareholder from time to time.

Councillor M. Pearson wished to be recorded as OPPOSED to the Amending Motion above.

(iv) Local Representation on the Hamilton Utilities Corporation and Alectra Inc. Boards (Item 5.5)

Sub-sections (a) and (b) to the Motion, respecting Local Representation on the Hamilton Utilities Corporation and Alectra Inc. Boards, were amended by adding the words “effective in 2019 with the appointment of the new Hamilton Utilities Corporation Board at the next Annual General Meeting, with the exception of the two members currently holding a two-year term,” and the words “effective in 2019 with the appointment of the new Alectra Inc. Board at the next Annual General Meeting,” respectively, be added to read as follows:

- (a) That, effective in 2019 with the appointment of the new Hamilton Utilities Corporation Board at the next Annual General Meeting, with the exception of the two members currently holding a two-year term, the majority of Directors of the Hamilton Utilities Corporation Board be residents of the city of Hamilton; and,
- (b) That, effective in 2019 with the appointment of the new Alectra Inc. Board at the next Annual General Meeting, both of the Hamilton representatives for the Alectra Inc. Board of Directors be residents of the city of Hamilton.

Councillor M. Pearson wished to be recorded as OPPOSED to the Amending Motion above.

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

Yeas: T. Jackson, C. Collins, S. Merulla, M. Green, J. Farr, A. Johnson, D. Conley
Total: 7
Nays: M. Pearson, A. VanderBeek, B. Johnson
Total: 3
Absent: F. Eisenberger, T. Whitehead, D. Skelly, L. Ferguson, R. Pasuta, J. Partridge
Total: 6

(f) PRIVATE & CONFIDENTIAL (Item 7)

(i) Closed Session Minutes – January 17, 2018

- (a) The Closed Session Minutes of the January 17, 2018 Hamilton Utilities Corporation Shareholder meeting were approved, as presented; and,
- (b) The Closed Session Minutes of the January 17, 2018 Hamilton Utilities Corporation Shareholder meeting shall remain confidential.

(g) ADJOURNMENT (Item 8)

There being no further business, the Hamilton Utilities Corporation Shareholders Annual General Meeting adjourned at 4:20 p.m.

Respectfully submitted,

Deputy Mayor Brenda Johnson
Chair

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk

SHAREHOLDER DIRECTION

and

UNANIMOUS SHAREHOLDER DECLARATION

City of Hamilton

to

Hamilton Utilities Corporation
as regards its interests in:

Alectra Inc.

JUNE 6, 2018

SHAREHOLDER DIRECTION

and

UNANIMOUS SHAREHOLDER DECLARATION

WHEREAS Hamilton Utilities Corporation (the “**Corporation**”) is a corporation incorporated and existing under the Ontario *Business Corporations Act*; and

WHEREAS the City of Hamilton (the “**City**”) is the beneficial and registered owner of all of the issued shares of the Corporation; and

WHEREAS through this Direction and Declaration made and issued by the City to the Corporation, it is the purpose of the City to:

- (i) inform the Corporation of certain expectations that the City has with respect to the Corporation and its activities;
- (ii) provide certain directions to the Corporation as to how its activities are to be conducted;
- (iii) provide certain restrictions on the investments, shares, securities, assets, business, activities and undertaking that the Corporation may own and conduct;
- (iv) provide certain principles that are to govern the activities of the Corporation;
- (v) restrict certain actions by the directors of the Corporation; and
- (vi) inform the residents of the City of the expectations, principles, directions and restrictions given by the City to the Corporation; and

NOW THEREFORE THIS DIRECTION AND DECLARATION MADE AND ISSUED BY THE CITY OF HAMILTON TO HAMILTON UTILITIES CORPORATION WITNESSETH:

ARTICLE 1 – DEFINITIONS

1.01 Definitions: In this Direction and Declaration (including the recitals hereto and this Section), unless the context otherwise necessarily requires, the words and phrases set forth below shall have the meaning provided therefor below, namely:

“**Alectra**” means Alectra Inc., an Ontario corporation having Ontario Corporation Number 1969562, as may be continued, amalgamated or reorganized.

“**Alectra Shareholders’ Agreement**” means a Unanimous Shareholders Agreement made as of January 31, 2017 between Enersource Corporation, Markham Enterprises Corporation, Barrie Hydro Holdings Inc., Vaughan Holdings Inc., Hamilton Utilities Corporation and St. Catharines Hydro Inc., as shareholders, and BPC Energy Corporation, the City of Hamilton, The Corporation of the City of Barrie,

The Corporation of the City of Mississauga, The Corporation of the City of St. Catharines, The Corporation of the City of Vaughan and The Corporation of the City of Markham, as principals, as amended from time to time.

“Applicable Laws” means: (i) all applicable federal, provincial, regional, county, municipal and other governmental laws, statutes and regulations; (ii) all guidelines, rules, ordinances, by-laws, guidelines, directives, policies, standards, codes and similar edicts having the force of law (including, without limitation, official plans, zoning by-laws, development and site plan agreements, building codes and ESA, CSA and Ontario Energy Board codes); and (iii) all orders, rulings, decisions, mandates and other requirements whatsoever of courts, regulatory and administrative bodies and other authorities having jurisdiction.

“Board” means the board of directors of the Corporation.

“City” means the City of Hamilton.

“Corporation” means Hamilton Utilities Corporation, an Ontario corporation having Ontario Corporation Number 1421133, as may be continued, amalgamated or reorganized.

“Council” means the City Council of the City of Hamilton.

“Effective Date” means June 6, 2018.

“HEHCo” means Hamilton Enterprises Holding Corporation., an Ontario corporation having Ontario Corporation Number 1986514, as may be continued, amalgamated or reorganized.

“HUC Declaration” means this Direction and Declaration made and issued by the Shareholder to the Corporation dated June 6, 2018, as amended from time to time.

“Management” means the senior employees of the Corporation who are responsible for the management of and conduct of operations by the Corporation, including the officers of the Corporations except the Chair of the Corporation.

“Prior Shareholder Declarations” means all written declarations made by the Shareholder to the Corporation of the nature of a “unanimous shareholder agreement” under the Ontario *Business Corporations Act* including: (i) the “Original Shareholder Declaration” effective July 1, 2000; (ii) the “Amended and Restated Shareholder Declaration” dated August 31, 2000; (iii) the Shareholder Declaration dated February 28, 2005 and effective March 1, 2005; (iv) the Amended and Restated Shareholder Declaration dated October 20, 2006 and effective November 1, 2006; (v) Resolutions of the Shareholder dated May 12, 2008; and (vi) the Interim Shareholder Declaration dated June 21, 2016 as amended by letters dated November 15, 2016 and January 5, 2017.

“Shareholder” means the City.

“Shareholder Representative” shall have the meaning provided therefor in Section 8.04.

“Subsidiary” has the meaning provided therefor in the Ontario *Business Corporations Act*.

“Timely” means within the time provided herein for a particular action or, if no such provision is made herein, means as quickly as circumstances reasonably allow taking into consideration, in appropriate circumstances, the time available for a decision required by an entity not controllable by the Corporation.

1.02 **OBCA Definitions:** Words and phrases used but not defined herein but that are defined in the Ontario *Business Corporations Act* shall have the meanings provided therefor in such Act.

ARTICLE 2 – TERMINATION OF PRIOR SHAREHOLDER DECLARATIONS

2.01 **Termination:** All of the Prior Shareholder Declarations are terminated effective as of the Effective Date.

ARTICLE 3 –MANAGEMENT OF ALECTRA INTERESTS

3.01 **Fundamental Approach to Alectra Interests:** It is the intention and requirement of the Shareholder, generally, to be fully informed by the Corporation with respect to all material decisions to be made relative to the interests of the Corporation in Alectra, the activities of the Corporation in relation to Alectra and the decisions of the Corporation under the agreements to which the Corporation is a party or bound relating to Alectra. Certain specific requirements of the Shareholder in such regards are provided for in the other Sections of this Article.

3.02 **Alectra Directors:** : All the Corporation's appointees to the board of directors of Alectra shall be residents of the city of Hamilton. Subject to the foregoing, the Corporation shall cause the Nominating Committee constituted for the purposes of this HUC Declaration to use the same criteria and follow the same procedure to make a timely report and recommendation to the Shareholder of candidates qualified for the City to select as the Corporation's appointees to the board of directors of Alectra. The Corporation shall not, without the approval of the Shareholder, place forward or nominate any appointee or nominee of the Corporation to the board of directors of Alectra. Once selected by the Shareholder, the Corporation shall notify Alectra of the appointees to the board of directors of Alectra selected by the Shareholder.

3.03 **Specific Matters Requiring Shareholder Approval:** Without first having obtained the written approval of the Shareholder, the Corporation shall not itself take any action or acquiesce in any action by another that would:

- (i) be an approval, consent or waiver by the Corporation under or pursuant to the Alectra Shareholder Agreement;
- (ii) amend or terminate the Alectra Shareholders Agreement; or
- (iii) enforce or exercise any right or remedy of the Corporation under the Alectra Shareholders Agreement.

The Shareholder shall endeavor to provide the Corporation in a Timely manner with a decision with respect to actions advised by the Corporation to the Shareholder for which the Shareholder may or may not grant approval. Notwithstanding the foregoing, in the event that the Corporation has not received written approval of the Shareholder in a Timely manner after having provided a

written notice to the Shareholder pursuant to this Section, should the Board determine on a reasonable and good faith basis that, in the best interests of the Corporation or in order to avoid a material breach by the Corporation under the Alectra Shareholders Agreement, the Corporation must act in relation to a matter of which the Corporation gave the Shareholder written notice pursuant to this Section, the Board may take such action as it determines is warranted. Promptly after taking any such action, the Corporation shall notify the Shareholder of the action taken accompanied by a detailed explanation of the basis upon which such action was taken. Provided circumstances allow, the Board will cause the Corporation to act in relation to a matter with respect to which the Board has acted without the written approval of the Shareholder pursuant to this Section in accordance with any written direction given by the Shareholder to the Corporation after the Board has so acted.

3.04 **Alectra Financial Statements & Corporation Report:** The Corporation shall forthwith deliver to the Shareholder copies of all audited financial statements and the quarterly reports received by the Corporation as a shareholder of Alectra forthwith upon receipt thereof, together with (upon request by the Shareholder with respect to the annual and quarterly financial statements): (i) a written report providing such background, additional information and analysis concerning such materials as the Corporation regards as necessary to understand the materials provided; and (ii) a recommendation to the Shareholder for any response to Alectra that the Corporation regards as appropriate in response to such materials.

3.05 **Notice to Shareholder:** The Corporation shall provide written notice of the following to the Shareholder in as Timely a manner as practicable following written receipt by the Corporation of relevant information:

- (i) **Notices:** each notice received by the Corporation under or pursuant to the Alectra Shareholders Agreement or otherwise in relation to Alectra;
- (ii) **Strategic Plans:** each successive Strategic Plan (including business plan and asset management plan) for Alectra;
- (iii) **Changes to Strategic Plan:** each change to the Strategic Plan (including any business plan or asset management plan) of Alectra proposed or approved by the board of Alectra;
- (iv) **Approvals, Consents and Waivers:** each request for an approval, consent or waiver received by the Corporation as a shareholder of Alectra pursuant to the Alectra Shareholders Agreement;
- (v) **Transfers:** any proposed transfer or transfer of ownership of shares or securities of Alectra;
- (vi) **Sections 2.20 and 2.21 Actions:** any action taken pursuant to a “Unanimous Shareholders Approval” under Section 2.20 of the Alectra Shareholders Agreement and pursuant to any Special Shareholder Approval under Section 2.21 of the Alectra Shareholders Agreement; and
- (vii) **Breaches:** any breach by a party to the Alectra Shareholders Agreement.

Each such notice shall be accompanied by: (i) a written report providing such background and additional information concerning such materials as the Corporation regards as necessary to

understand the materials provided; (ii) an analysis of such materials; and (iii) a recommendation to the Shareholder for any response that the Corporation regards as appropriate in response to such materials. If it is not practicable for a notice pursuant to this Section to be accompanied by such analysis and recommendation, the analysis and recommendation shall be provided to the City at the earliest practicable time following such notice.

3.06 **Responses by the Corporation:** The Corporation shall provide to Alectra any response to a notice received by the Shareholder from the Corporation pursuant to Section 3.05 of which the Shareholder gives the Corporation written notice. If the Shareholder gives the Corporation written notice in respect of any matter concerning Alectra or the Alectra Shareholders Agreement, the Corporation shall only act in a manner that it is authorized by such notice and at all times in furtherance of and consistent with such notice.

ARTICLE 4 – PERMITTED & PROHIBITED ACTIVITIES

4.01 **Businesses Permitted:** The sole and exclusive business that the Corporation may have and conduct are:

- (i) owning shares and securities of Alectra; and
- (ii) administering the ownership by the Corporation of shares and securities of Alectra and the receipt and disbursement of monies related to such ownership, including the relationship of the Corporation under the Alectra Shareholders Agreement.

The Corporation shall not, directly or indirectly, own howsoever any shares, securities, assets or interests therein or have any business or business interests, activities or undertaking whatsoever other than the forgoing. The business conducted by the Corporation must be conducted in a manner compliant with this HUC Declaration.

4.02 **No Sale or Encumbering of Alectra Shares or Interests:** Without first having obtained the approval of the Shareholder, the Corporation shall not:

- (i) sell, or otherwise alienate howsoever, or grant or allow to exist any security interest on any of the shares or securities of Alectra owned by the Corporation
- (ii) grant any security interest on the interests of the Corporation in or under the Alectra Shareholders Agreement or any other agreement to which the Corporation is a party or by which the Corporation is bound relating to the interests of the Corporation in Alectra.

4.03 **No Subsidiaries or Other Subordinate Vehicles:** The Corporation: (i) shall not have any Subsidiaries; and (ii) shall not have any ownership interests in any corporation, partnership, unincorporated association, trust, fund or other legal entity of any kind whatsoever except as permitted by Section 4.01.

ARTICLE 5 - EXPECTATIONS AND PRINCIPLES

5.01 **Shareholder Expectations:** It is the expectation of the Shareholder that the Corporation:

- (i) shall forthwith pay to the Shareholder the full amount of all distributions received by the Corporation attributable to the ownership of the Corporation of the shares, securities, assets or interests of or in Alectra, including dividends on the shares and securities of Alectra and distributions made under the Alectra Shareholders Agreement, after deducting only a reasonable amount: (1) to pay the operating expenses of the Corporation; and (2) to either pay or as a reserve to pay taxes payable or projected to be payable by the Corporation;
- (ii) will develop and maintain a prudent financial and capitalization structure consistent with sound financial principles, which will be established on the basis that the Corporation is intended to be financially self-sufficient;
- (iii) will manage all risks related to the business of the Corporation through the adoption of appropriate risk management strategies and internal controls consistent with industry norms; and
- (iv) will develop a long range strategic plan which is consistent with the maintenance of a viable business and preserves the value of its business.

5.02 **Directors Responsible:** The directors of the Corporation shall be responsible for determining and implementing the appropriate balance among the expectations set forth in Section 5.01 and for causing the Corporation to conduct its activities in accordance with such determination.

ARTICLE 6 - DIRECTORS

6.01 **Additional Definitions:** For purposes of this Article, the words and phrases set forth below shall have the meaning provided therefor below, namely:

“**Mayor**” shall have the meaning provided therefor in Section 6.03(1).

“**Mayor’s Surrogate**” shall have the meaning provided therefor in Section 6.03(1).

6.02 **Mandate of the Board:** Excepting matters requiring approval of the Shareholder under either the Ontario *Business Corporations Act* or this HUC Declaration, the mandate of the Board is to recommend the strategic direction for the Corporation to the Shareholder and to implement the strategic direction for the Corporation as approved by the Shareholder and to supervise and oversee the business, the affairs, and the Management of the Corporation in addition to such other duties and responsibilities as are required by Applicable Laws. The Board should consider and, if warranted, approve all significant decisions that affect the Corporation before they are implemented, and review the results. For matters requiring approval of the Shareholder under either the Ontario *Business Corporations Act* or this HUC Declaration, the mandate of the Board is to provide the Shareholder with a Timely report and recommendation.

6.03 **Number of Directors for the Corporation:** Initially, the Corporation shall have six (6) directors. The Corporation may, from time to time, change the number of Directors that the Corporation shall have by special resolution of the Shareholder.

6.04 **Composition of Board:** The directors of the Corporation shall at all times include:

- (i) the Mayor of the City (the "**Mayor**") or, should the Mayor either: (1) decline to serve as a director of the Corporation or (2) be a director of Alectra, a member of Council selected by the Council from time to time to serve instead of the Mayor (the "**Mayor's Surrogate**"); and
- (ii) five (5) individuals who are not members of Council or the administration of the City. A director of HEHCo may serve as a director of the Corporation.

6.05 **Qualifications of Directors:** When selecting persons to recommend to the Shareholder to be directors of the Corporation, the Nominating Committee of the Board and the Board will, generally, consider all of qualifications of candidates including sound judgment and personal integrity. In evaluating and nominating potential independent nominees for the Board, the Nominating Committee shall strive to achieve a Board composed of members that, as a group, have skills, experience and expertise in, among other things corporate and/or public management including strategic planning, governance, finance, project development and operations, regulated energy services, environmental matters, municipally-owned corporations and government relations. Preference may be given to qualified candidates who are residents of the City of Hamilton, however non-residents of the City of Hamilton shall not be excluded from serving as directors of the Corporation. Notwithstanding the foregoing, the majority of Directors shall be residents of the city of Hamilton. Candidates for being a director of the Corporation must consent to the disclosure of his or her director's remuneration to Council for the City of Hamilton and placed on the public record each fiscal year in a form and with sufficient details as prescribed by the Shareholder from time to time.

6.06 **Procedure to select Directors:** The Nominating Committee of the Board shall establish a process, and follow such process, to broadly canvass for (including advertising), identify, evaluate and validate, select and recommend to the Board candidates acceptable to the Nominating Committee to be Private Directors (as defined in Section 6.07 (iii)) of the Corporation. The Board shall select from the candidates for Private Directors recommended by the Nominating Committee the persons to be recommended by the Board to the Shareholder to be Private Directors of the Corporation. The Shareholder must approve each candidate for a Private Director prior to the candidate being appointed and elected as a Private Director of the Corporation. The Shareholder may accept or reject, but not substitute for, any person proposed to Council to be a Private Director.

6.07 **Term of Directors:** The terms of the various directors on the Board shall be:

- (i) **Mayor:** The Mayor shall be eligible to serve as director of the Corporation throughout the term of the Mayor as mayor of the City;
- (ii) **Mayor's Surrogate:** The term of any person serving as director on the Board as the Mayor's Surrogate shall end upon the earlier of: (1) the end of that person's term as a Councillor for the City; (2) the end of the term of the Mayor as mayor of the City; as the case may be; and
- (iii) **Private Directors:** Each person serving as a director of the Corporation other than the Mayor and the Mayor's Surrogate (a "**Private Director**") shall be elected to serve as a member of the Board for a term of three years. The terms of the Private

Directors shall be arranged such that the terms of approximately one-third of the Private Directors will expire each year.

6.08 **Chair:** The Board shall appoint the Chair of the Board and the Chair and Vice Chair, if any, of each committee of Board.

6.09 **Committees:** The Board may establish committees of the Board at its discretion. The Shareholder anticipates that the Board will establish the following committees:

- (i) Audit and Risk Management Committee, to review financial results and to provide direction relative to risk-related matters; and
- (ii) Nominating Committee, to fulfil the responsibilities provided in Section 6.06.

6.10 **Directors' Compensation:** The compensation of the directors of the Corporation will be determined by the Board from time to time in an amount sufficient to attract and retain directors with the necessary qualifications and on the recommendation of any Committee of the Board who shall consult with an independent consultant.

6.11 **Disclosure of Compensation:** The remuneration received from the Corporation by each director of the Corporation shall be disclosed to the Shareholder each fiscal year in a form and with sufficient details as prescribed by the Shareholder from time to time and may be placed by the Shareholder in the public record, and each director of the Corporation must irrevocably agree thereto as a precondition to becoming and continuing to be a director of the Corporation.

6.12 **Directors' Insurance:** The Corporation shall carry Directors and Officers Liability Insurance for the directors and officers of the Corporation in an amount and upon terms consistent with industry norms as determined by the Board or by any Committee of the Board.

ARTICLE 7 – CONDUCT OF ACTIVITIES

7.01 **Requirements:** The directors, officers and Management of the Corporation shall conduct their activities in accordance with the requirements of:

- (i) the Ontario *Business Corporations Act* and other Applicable Laws including, particularly, the provisions thereof dealing with conflict of interest;
- (i) this HUC Declaration;
- (iii) the Articles of the Corporation;
- (iv) the By-Laws of the Corporation;
- (v) the corporate policies, codes and values of the Corporation; and
- (vi) the charters established by the Board for the various committees of the Board.

These requirements are listed in order of precedence; and, in the event any requirement is in conflict with another requirement, the requirement with the higher precedence shall prevail and govern.

ARTICLE 8 - SHAREHOLDER MATTERS

8.01 **Matters Requiring Shareholder Approval:** Without first having obtained the approval of the Shareholder, the Corporation shall not, either directly or indirectly:

- (i) **Requisite Statutory Approvals:** enter into any transaction or take any action that requires the approval of the shareholder(s) of a corporation under the Ontario *Business Corporations Act* or under any other Applicable Laws;
- (ii) **Agreement Approvals:** enter into any transaction or take any action that requires the approval of the Shareholder under this HUC Declaration;
- (iii) **Shares and Securities:** issue, purchase, approve the transfer, sell, redeem, retract, convert, divide, contract or otherwise deal with howsoever any of its shares or securities or the terms or conditions thereof or enter into any agreement or warrant to do any of the foregoing;
- (iv) **Purchases and Sales:** make any acquisition or disposition of assets howsoever (including, without limitation, by way of subscription, lease, exchange, merger, arrangement, consolidation or other corporate reorganization);
- (v) **Dividends & Distributions:** declare any dividend or make any other distribution to the Shareholder except by the Board exercising its discretion having regard to the principles set out in any Dividend and/or Distribution Policy approved by the Shareholder;
- (vi) **Financial Transactions:**
 - (1) borrow any funds;
 - (2) make any capital expenditure;
 - (3) loan any funds to any entity;
 - (4) grant any guarantee of indebtedness or performance or provide financial assistance howsoever to any entity;
 - (5) grant any security; or
 - (6) invest any funds in any securities other than the debt of governments of Canada or any Canadian province or debt of Canadian chartered banks;
- (vii) **Non Arms-Length Transactions:** effect any transaction with any entity who does not deal at arm's length (as that term is interpreted under the *Income Tax Act* of Canada) with the Corporation or any director, officer or employee of the Corporation. The provisions of this paragraph do not apply to remuneration paid in the normal course of business to directors, officers and employees of the Corporation including, without limitation, fees, honoraria, wages, salaries and bonuses or any reimbursement for expenses incurred in performing duties.;
- (viii) **Changes in Status:** make any decision that would materially and adversely affect the tax or regulatory status of the Corporation;

- (ix) **Wind-up or Dissolution**: take any steps to wind-up or dissolve the Corporation;
- (x) **Litigation**: initiate any litigation, arbitration or other like proceedings against the Shareholder, any of its agencies local boards, or administrative subdivisions or any corporation or other body owned or controlled by the Shareholder or any director, officer, official, elected member or employee (including full-time, part-time and contract employees) of any of the foregoing entities in this Section 8.01(x);
- (xi) **Dividend Policy or Distribution Policy**: establish any dividend and/or distribution policy for the Corporation; and
- (xii) **Compliance with Agreement**: conduct any activities not allowed by this HUC Declaration.

8.02 **Materials to Accompany Approval Requests**: Requests by the Corporation to the Shareholder for approvals in relation to Section 8.01 shall be in writing and shall be accompanied by a written analysis and recommendation in connection with the matter in respect of which approval is requested; provided, however, that if it is not practicable for the request to be accompanied by such analysis and recommendation, the analysis and recommendation shall be provided to the Shareholder at the earliest practicable time following such request.

8.03 **Decisions of the Shareholder**: Approvals and decisions of the Shareholder in relation to this HUC Declaration will be given to the Corporation in writing signed by the Shareholder Representative, and approvals and decisions so signed may be relied upon by the Corporation as being the approval and decision of the Shareholder.

8.04 **Shareholder Representative**: The Shareholder hereby designates the City Clerk for the City or such other person as may be designated by the Council of the City from time to time as the legal representative of the Shareholder (the "**Shareholder Representative**") for purposes of: (1) communicating to the Corporation on behalf of the Shareholder any consent or approval required by the Ontario *Business Corporations Act* or providing any consent, approval, direction, communication or any information to be provided by the Shareholder to the Corporation for the purposes of this HUC Declaration; and (2) receiving from the Corporation any communications or information to be provided to the Shareholder by the Corporation for the purposes of this HUC Declaration. All communications for the purposes of this HUC Declaration between the Shareholder and the Corporation shall be transmitted to and from the President of the Corporation, on behalf of the Corporation, and the Shareholders Representative, on behalf of the Shareholder.

8.05 **Unanimous Shareholder Agreement**: This HUC Declaration is intended to be a unanimous shareholders agreement under Section 108 of the Ontario *Business Corporations Act* to the extent, but only to the extent, that it restricts in whole or in part the powers of the directors of the Corporation including, without limitation, in the management or supervising the management of the business and affairs of the Corporation, but is not intended to, and shall not be construed, to be a unanimous shareholders agreement except to such extent.

ARTICLE 9 – REPORTING

9.01 **Major Developments:** The Corporation shall, from time to time, report to the Shareholder Representative and, if requested by the Shareholder Representative, directly to the Council of the City on business developments regarded by the Board as major or adverse results regarded by the Board as material that pertain to the Corporation as the Board determines, in accordance with the standard of care required to be applied by the Board, appropriate to so report.

9.02 **Annual Meetings:** The Corporation shall hold its Annual Meeting each year in satisfaction of the requirements of the Ontario *Business Corporations Act* within six months after the end of each fiscal year of the Corporation.

9.03 **Annual Meeting Report:** In the course of each Annual Meeting of the Corporation, either the Chair of the Board or the President of the Corporation shall report with respect to the Corporation and Alectra (to the extent that information is available to the Corporation pursuant to the Alectra Shareholders Agreement or otherwise becomes available to the Corporation) and that is appropriate having regard to the forum, competitive position and confidentiality obligations of the Corporation in the following areas: (i) the business activities and prospects; (ii) any updates to strategic plans or business plans; (iii) business performance; (iv) financial performance and existing or potential tax liabilities; (v) any changes to corporate organization; and (vi) current and projected dividends. The Corporation will invite Management of Alectra to provide the Shareholder with an update on Alectra's activities, particularly as they relate to items (i) to (vi) in this Section.

9.04 **Right of Inspection and Inquiry:** The Corporation shall permit representatives designated by the Shareholder to examine the properties and assets of the Corporation and the financial and other records of the Corporation, at all reasonable times, as often as may be reasonably requested by the Shareholder, and at the expense of the Shareholder. The Corporation shall cause to be answered fully and fairly any inquiries that such representatives may have; and such representatives may, in the course of their investigations, discuss the business and affairs of the Corporation with the officers, employees and auditor of the Corporation.

ARTICLE 10 - GENERAL

10.01 **Paramountcy:** In the event of any inconsistency between the provisions of this HUC Declaration and of the by-laws of the Corporation, the provisions of this HUC Declaration shall prevail to the extent of the conflict.

10.02 **Revisions:** The Shareholder will endeavor to consult with the Board prior to completing any revisions to this HUC Declaration and will promptly provide the Board with copies of each such revision.

10.03 **Governing Law:** This HUC Declaration shall be governed by and construed in accordance with the laws applicable in the Province of Ontario.

10.04 **Legislation, Regulations, Codes and Rules:** Any reference in this HUC Declaration to all or any part of any law, statute, regulation, code or rule shall, unless otherwise expressly stated herein, be a reference to the statute, regulation, code or rule, or part thereof, as amended from time to time.

10.05 **Article, Section, Subsection and Item References:** The division of this HUC Declaration into Articles, Sections and Subsections is for convenience of reference only and shall not affect or be considered to affect the construction or interpretation of the provisions of this HUC Declaration. References in this HUC Declaration to an Article, Section or Subsection shall mean a reference to an Article, Section or Subsection within this HUC Declaration unless otherwise specified.

10.06 **Headings:** The headings of Articles, Sections and Subsections in this HUC Declaration, are inserted for convenience of reference only and shall not affect or be considered to affect the construction or interpretation of the provisions of this HUC Declaration.

10.07 **No Third Party Beneficiaries:** Nothing in this HUC Declaration shall entitle any entity other than the Shareholder to any claim, cause of action, remedy or right of any kind in respect of this HUC Declaration or the subject matter of this HUC Declaration.

10.08 **Effective Date:** Notwithstanding the date of execution hereof by the City and the date of delivery hereof by the City to the Corporation, this HUC Declaration shall become effective on the Effective Date.

DATED and DELIVERED at Hamilton, Ontario as of the 6th day of June, 2018.

CITY OF HAMILTON

By: _____
Name:
Title:

By: _____
Name:
Title:



City of Hamilton
HAMILTON ENTERPRISES CORPORATION
REPORT 18-001

June 6, 2018, 4:25 p.m.
 Council Chambers, Hamilton City Hall, 71 Main Street West

Present: Deputy Mayor B. Johnson (Chair)
 Councillors T. Jackson, C. Collins, S. Merulla, M. Green, J. Farr,
 A. Johnson, D. Conley, M. Pearson, L. Ferguson, A. VanderBeek

**Absent with
 Regrets:** Mayor F. Eisenberger, T. Whitehead – Other City Business
 Councillors D. Skelly, J. Partridge, R. Pasuta – Personal

**THE HAMILTON ENTERPRISES CORPORATION SHAREHOLDER PRESENTS
 REPORT 18-001 AND RESPECTFULLY RECOMMENDS:**

1. Local Representation on the Hamilton Enterprises Holding Corporation Board (Item 4.4)

That, effective in 2019, with the appointment of the new Hamilton Enterprises Holding Corporation Board at the next Annual General Meeting, with the exception of the two the members currently holding a two-year term, the majority of Directors of the Hamilton Enterprises Holding Corporation Board be residents of the city of Hamilton.

2. Confirmation of By-law No. 1 (Hamilton Enterprises Holding Corporation General By-law) (Item 4.1)

WHEREAS, By-Law No. 1 of the Corporation, being a by-law relating generally to the conduct of the business and affairs of the Corporation (herein referred to as the “General By-Law”), was enacted by the first Director of the Corporation on December 19, 2017;

WHEREAS, the General By-Law must be confirmed by the Shareholder at the next Meeting of the Shareholder in order to continue to be in effect;

WHEREAS, this meeting is the first meeting of the Shareholder since the General By-Law was enacted; and,

WHEREAS, it is desirable for the Shareholder to confirm the General By-Law:

THEREFORE, BE IT RESOLVED:

That the General By-Law made by the first Director of the Corporation is hereby confirmed without variation as a By-Law of the Corporation and, further, that the Chair of the Board of the Corporation is authorized to sign and seal the General By-Law so as to indicate that the General By-Law has been confirmed by the Shareholder of the Corporation and that the General By-Law so identified and signed and sealed by the Chair of the Board of the Corporation as such shall be the General By-Law of the Corporation.

3. Appointment of Hamilton Enterprises Corporation Board of Directors, Appointment of KPMG LLP as the Auditor of the Hamilton Enterprises Holding Corporation (Item 4.2)

(a) Appointment of Directors to Hamilton Enterprises Holding Corporation (“HEHCo”)

That the Resolutions set forth below be presented to the City of Hamilton for passage as Resolutions of the Shareholder of the new Corporation, Hamilton Enterprises Holding Corporation:

Number of Directors

WHEREAS, the incorporator of the Corporation, who as such is the initial director of the Corporation, has resigned as a director of the Corporation, and it is desirable to accept such resignation; and,

WHEREAS, it is desirable for the new Corporation to have six Directors;

- (i) That the resignation of the incorporator of the Corporation as the initial director of the Corporation be accepted effective immediately;
- (ii) That, as a special resolution, that henceforth Hamilton Enterprises Corporation shall have six Directors;
- (iii) That the following person(s), having heretofore consented to serve as a Director of the new Corporation, are elected as a Director of Hamilton Enterprises Corporation, for the period set opposite

below and thereafter until the next annual general meeting of the Corporation:

- (1) Joseph Rinaldo one-year term commencing June 30, 2018
- (2) Laurie Tugman one-year term commencing June 30, 2018
- (3) Daryl Wilson one-year term commencing June 30, 2018
- (4) Christa Wessel two-year term commencing June 30, 2018
- (5) Lesley Gallinger two-year term commencing June 30, 2018

- (iv) That, inasmuch as the Shareholder of the Corporation has previously directed that the Mayor or the Mayor' designate is to be a Director of the Hamilton Utilities Corporation and the Mayor is presently serving as a Director of the Alectra Utilities Corporation, the Mayor's Designate, Councillor Maria Pearson, having heretofore consented to serve as a Director of the Hamilton Enterprises Holding Corporation, is confirmed as elected as a Director of the Corporation except and provided that the term shall end upon the earlier of the end of the term of the Mayor as mayor of the city or the end of the term as Councillor for the City; and,
- (v) That these Directors comprise the Hamilton Enterprises Holding Corporation Board of Directors, effective June 30, 2018.

(b) Appointment of the Auditor

That KPMG LLP, Chartered Accountants, the present Auditor of the Hamilton Utilities Corporation, is appointed the Auditor of Hamilton Enterprises Holdings Corporation for the 2018 fiscal year of the Corporation.

4. Shareholder Direction and Unanimous Shareholder Declaration – Hamilton Enterprises Holding Corporation (Item 4.3)

WHEREAS, the City of Hamilton (the "Shareholder"), as the sole shareholder of Hamilton Utilities Corporation ("HUC"), approved the amalgamation of Horizon, PowerStream, Enersource and HydroOne Brampton to create Alectra on October 30, 2015;

WHEREAS, in light of the Alectra Inc. amalgamation HUC was restructured for, among other reasons, to create improved corporate governance and to avoid negative tax implications;

WHEREAS, upon restructuring the assets of Alectra Inc. remained with HUC, but all other assets were transferred to the newly formed Hamilton Enterprises Holding Corporation (“HEHCo”) or its subsidiaries;

WHEREAS, as prudent practice, new unanimous Shareholder declarations were required for both HUC and HEHCo as a result of the HUC restructuring;

WHEREAS, the Board of Directors of HUC and staff for the Shareholder have been involved in the drafting of the new unanimous Shareholder declarations for HUC and HEHCo; and,

WHEREAS, the Board of Directors of HUC passed a resolution on May 24, 2018 in the form set out in Appendix “A” that recommends the adoption of the new unanimous Shareholder declarations by the Shareholder;

THEREFORE, BE IT RESOLVED:

- (a) The City of Hamilton, acting in its capacity as sole shareholder of Hamilton Enterprises Holding Corporation, adopt the Unanimous Shareholder Declaration for Hamilton Enterprises Holding Corporation in the form in Appendix “B” attached to Report 18-001; and,
- (b) The Mayor and Clerk of the City of Hamilton, acting in its capacity as sole shareholder of Hamilton Enterprises Holding Corporation, be authorized and directed to execute the Unanimous Shareholder Declaration for Hamilton Enterprises Holding Corporation in the form in Appendix “B” attached to Report 18-001.

FOR THE INFORMATION OF THE SHAREHOLDER:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised that there were no changes to the agenda.

The agenda for the June 6, 2018 Hamilton Enterprises Holding Corporation Inaugural meeting was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(d) PRESENTATIONS (Item 3)

(i) Hamilton Enterprises Holding Corporation (Item 3.1)

Joe Rinaldo, Chair of the Hamilton Utilities Corporation Board of Directors, addressed Committee respecting the Hamilton Enterprises Holding Corporation.

The presentation, respecting the Hamilton Enterprises Holding Corporation, was received.

(e) SHAREHOLDER RESOLUTIONS (Item 4)

(i) Shareholder Direction and Unanimous Shareholder Declaration – Hamilton Enterprises Holding Corporation (Item 4.3)

Section 4:07 – Qualifications of Directors, of Appendix “B” to the Hamilton Enterprises Corporation Shareholder Declarations, was amended by adding the words “***Notwithstanding the foregoing, the majority of Directors shall be residents of the city of Hamilton.***”, to read as follows:

4.07 Qualifications of Directors: When selecting persons to recommend to the Shareholder to be directors of the Corporation, the Nominating Committee of the Board and the Board will, generally, consider all of qualifications of candidates including sound judgment and personal integrity. In evaluating and nominating potential independent nominees for the Board, the Nominating Committee shall strive to achieve a Board composed of members that, as a group, have skills, experience and expertise in, among other things corporate and/or public management including strategic planning, governance, human resources including compensation and health and safety, finance, project development and operations, telecom, non-regulated energy services, environmental matters, municipally-owned corporations and government relations. Preference may be given to qualified candidates who are residents of the City of Hamilton, however non-residents of the City of Hamilton shall not be excluded from serving as directors of the Corporation. ***Notwithstanding the foregoing, the majority of Directors shall be residents of the City of Hamilton.*** Candidates for being a director of the Corporation must consent to the disclosure of his or her director's remuneration to Council for the City of Hamilton and placed on the public record

each fiscal year in a form and with sufficient details as prescribed by the Shareholder from time to time.

Councillor M. Pearson wished to be recorded as OPPOSED to the amending motion above.

(ii) Local Representation on the Hamilton Enterprises Holding Corporation Board (Item 4.4)

Councillor M. Pearson wished to be recorded as OPPOSED to this motion.

(f) ADJOURNMENT (Item 7)

There being no further business, Hamilton Enterprises Holding Corporation Inaugural meeting adjourned at 4:36 p.m.

Respectfully submitted,

Mayor Fred Eisenberger

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk

SHAREHOLDER DIRECTION
and
UNANIMOUS SHAREHOLDER DECLARATION

City of Hamilton

to

Hamilton Enterprises Holding Corporation
and all its present and future Subsidiaries

JUNE 6, 2018

SHAREHOLDER DIRECTION

And

UNANIMOUS SHAREHOLDER DECLARATION

WHEREAS Hamilton Enterprises Holding Corporation (the “**Corporation**”) is a corporation incorporated and existing under the Ontario *Business Corporations Act*; and

WHEREAS the City of Hamilton (the “**City**”) is the beneficial and registered owner of all of the issued shares of the Corporation; and

WHEREAS through this Direction and Declaration made and issued by the City to the Corporation, it is the purpose of the City to:

- (i) inform the Corporation of certain expectations that the City has with respect to the Corporation and its subsidiaries and their activities;
- (ii) provide certain directions to the Corporation and its subsidiaries as to how their activities are to be conducted;
- (iii) provide certain restrictions on the investments, shares, securities, assets, business, activities and undertaking that the Corporation and its subsidiaries may own and conduct;
- (iv) provide certain principles that are to govern the activities of the Corporation and its subsidiaries;
- (v) restrict certain actions by the directors of the Corporation and of its subsidiaries; and
- (vi) inform the residents of the City of the expectations, principles, directions and restrictions given by the City to the Corporation and its subsidiaries.

NOW THEREFORE THIS DIRECTION AND DECLARATION MADE AND ISSUED BY THE CITY OF HAMILTON TO HAMILTON ENTERPRISES HOLDING CORPORATION WITNESSETH:

ARTICLE 1 – DEFINITIONS

1.01 **Definitions:** In this Direction and Declaration (including the recitals hereto and this Section), unless the context otherwise necessarily requires, the words and phrases set forth below shall have the meaning provided therefor below, namely:

“**Applicable Laws**” means: (i) all applicable federal, provincial, regional, county, municipal and other governmental laws, statutes and regulations; (ii) all guidelines, rules, ordinances, by-laws, guidelines, directives, policies, standards, codes and similar edicts having the force of law (including, without limitation, official plans, zoning by-laws, development and site plan agreements, building codes and ESA,

CSA and Ontario Energy Board codes); and (iii) all orders, rulings, decisions, mandates and other requirements whatsoever of courts, regulatory and administrative bodies and other authorities having jurisdiction.

“**Board**” means the board of directors of the Corporation.

“**City**” means the City of Hamilton.

“**Corporation**” means Hamilton Enterprises Holding Corporation, an Ontario corporation having Ontario Corporation Number 1986514.

“**Council**” means the City Council of the City of Hamilton.

“**Effective Date**” means June 6 2018.

“**HEHCo Declaration**” means this Direction and Declaration made and issued by the Shareholder to the Corporation dated June 6, 2018, as amended from time to time.

“**HUC**” means Hamilton Utilities Corporation, an Ontario corporation having Ontario Corporation Number 1421133, as may be continued, amalgamated or reorganized.

“**Management**” means the senior employees of the Corporation and the Subsidiaries who are responsible for the management of and conduct of operations by those corporations, including the officers of those corporations except the Chairs of those corporations.

“**Shareholder**” means the City.

“**Shareholder Representative**” shall have the meaning provided therefor in Section 6.04.

“**Subsidiaries**” means all subsidiaries of the Corporation and all subsidiaries of those subsidiaries, collectively; and “**Subsidiary**” means any one of the Subsidiaries separately. The “Subsidiaries” existing on the Effective Date are: (i) Hamilton Infrastructure Projects Corporation and its subsidiary HCE Energy Inc. and its subsidiaries HIPCO-FIT4 Projects Corporation, HIPCO-FIT5 Projects Corporation, HIPCO-MIP Projects Corporation, HIPCO-CUP Projects Corporation and HIPCO-Portlands Projects Corporation; and (ii) Hamilton Ventures Corporation and its subsidiaries HCE Telecom Inc. and its subsidiary Sunrise Interactive Solutions Inc., HCE Energy (2017) Inc. and its subsidiary HCE Energy (2018) Inc. and Hamover Power GP Inc. “Subsidiaries” include subsidiaries incorporated pursuant to Section 2.04 or acquired pursuant to Section 2.05 after the Effective Date. For the purposes of this definition “subsidiaries” has the meaning provided therefor in the Ontario *Business Corporations Act*.

“**Timely**” means within the time provided herein for a particular action or, if no such provision is made herein, means as quickly as circumstances reasonably allow taking into consideration, in appropriate circumstances, the time available for a decision required by an entity not controllable by the Corporation.

1.02 **OBCA Definitions:** Words and phrases used but not defined herein but that are defined in the Ontario *Business Corporations Act* shall have the meanings provided therefor in such Act.

ARTICLE 2 – PERMITTED BUSINESSES

2.01 **Businesses Permitted:** The Corporation and the Subsidiaries may engage only in the following businesses:

- (i) businesses permitted by Applicable Laws; and
- (ii) that are approved by the Board,

including the following business activities, some of which are presently being carried on by the Corporation and the Subsidiaries, namely:

- (1) district heating and cooling and related services, including domestic hot water;
- (2) telecommunications and related services;
- (3) generating, co-generating, retailing, distributing and transmitting electricity and related services (on and off grid);
- (4) generating renewable energy and related services (on and off grid);
- (5) distributing and retailing natural gas or any other energy product which is carried through pipes or wires to the user;
- (6) business activities the principal purpose of which is to use more effectively the assets of the Corporation and Subsidiaries, or any of them;
- (7) providing operation and maintenance services and support in the foregoing regards;
- (8) providing consulting services in the foregoing regards; and
- (9) holding investments in the foregoing.

Each business engaged in by the Corporation and the Subsidiaries must be conducted in a manner compliant with this HEHCo Declaration.

2.02 **Geographic Constraints on Activities:** Hamilton Infrastructure Projects Corporation and its Subsidiaries shall conduct its operations only within the geographical boundaries of the City of Hamilton. Hamilton Ventures Corporation and its Subsidiaries shall: (i) shall conduct all of their operations (except telecommunications activities) outside the municipal boundaries of the City of Hamilton; and (ii) may conduct their telecommunications activities within and/or outside the geographical boundaries of the City of Hamilton..

2.03 **Business Prohibited - Alectra:** Notwithstanding the provisions of Section 2.01, the Corporation and the Subsidiaries shall not have any ownership or other interest whatsoever, direct or indirect, in any of the shares, securities, assets, business, activities or undertaking of Alectra Inc. (an Ontario corporation having Ontario Corporation Number 1969562), as may be continued, amalgamated or reorganized, or any of the subsidiaries of Alectra Inc.

2.04 **Subordinate Vehicles:** Provided the Board determines that there is sufficient commercial reason, the Corporation and any Subsidiary may carry on the activities permitted for it by this HEHCo Declaration through a corporation, partnership, unincorporated association,

trustor other legal entity of any kind whatsoever which is wholly owned by the Corporation or such Subsidiary either alone or with one or more of the other Subsidiaries and the Corporation. Any such entity shall comply with the requirements herein applicable to the Subsidiaries except as otherwise provided herein. The Corporation shall forthwith advise the City of the formation of each new Subsidiary. Provided the Board determines that there is sufficient commercial reason, the Board may allow any Subsidiary, except Hamilton Infrastructure Project Corporation and Hamilton Ventures Corporation, to be wound up or dissolved. The Corporation shall forthwith advise the City of the winding up or dissolution of any Subsidiary. For clarity, the winding-up or dissolution of Hamilton Infrastructure Project Corporation or Hamilton Ventures Corporation requires the approval of the Shareholder pursuant to Section 6.01(ix).

2.05 **Partly-Owned Vehicles:** Provided the Board determines that there is sufficient commercial reason, the Corporation and/or any Subsidiary may acquire less than the entire ownership interest in a corporation, partnership, unincorporated association, trust or other legal entity of any kind whatsoever which conducts a business activity in which the Corporation or the particular Subsidiary, as the case may be, is empowered to engage under this HEHCo Declaration and no other business activity. The Corporation shall forthwith advise the City of each acquisition made by the Corporation or any Subsidiary pursuant to this Section.

ARTICLE 3 - EXPECTATIONS AND PRINCIPLES

3.01 **Shareholder Expectations:** It is the expectation of the Shareholder that the Corporation and each of the Subsidiaries:

- (i) **Financial Structure:** will develop and maintain a prudent financial and capitalization structure (including a debt/equity policy) in accordance with this HEHCo Declaration consistent with industry norms and sound financial principles, which will be established on the basis that the Corporation and each of the Subsidiaries are intended to be financially self-sufficient entities;
- (ii) **Rates:** will establish rates for their services which are:
 - (1) commercially reasonable; and
 - (2) intended to preserve and enhance the value of their business;
- (iii) **Services:** provide their services on a reliable, effective, efficient, commercially prudent and for-profit basis and which complies with all Applicable Laws, and emphasizes customer satisfaction;
- (iv) **Return:** will provide the Shareholder with a reasonable return on equity consistent with a prudent financial and capitalization structure;
- (v) **Risks:** will manage all risks related to their respective business through the adoption of appropriate risk management strategies and internal controls consistent with industry norms;
- (vi) **Strategic Plan:** will develop a long range strategic plan which is consistent with the maintenance of a viable, competitive business and preserves the value of their respective business; and

(vii) **Operations:** will operate in a safe and environmentally responsible manner.

3.02 Directors Responsible: The directors of the Corporation and each of the Subsidiaries shall be responsible for determining and implementing the appropriate balance among the expectations set forth in Section 3.01 and for causing the Corporation or the Subsidiary of which they are the directors to conduct its activities in accordance with such determination.

ARTICLE 4 - DIRECTORS

4.01 Additional Definitions: For purposes of this Article, the words and phrases set forth below shall have the meaning provided therefor below, namely:

“**Mayor**” shall have the meaning provided therefor in Section 4.04(1).

“**Mayor’s Surrogate**” shall have the meaning provided therefor in Section 4.04(1).

4.02 Mandate of the Board: Excepting matters requiring approval of the Shareholder under either the Ontario *Business Corporations Act* or this HEHCo Declaration, the mandate of the Board is to set and implement the strategic direction for the Corporation and the Subsidiaries and to implement such strategic directions and to supervise and oversee the business, the affairs, and the Management of the Corporation and Subsidiaries in addition to such other duties and responsibilities as are required by Applicable Laws. The Board should consider and, if warranted, approve all significant decisions that affect the Corporation or a particular Subsidiary before they are implemented, and review the results. For matters requiring approval of the Shareholder under either the Ontario *Business Corporations Act* or this HEHCo Declaration, the mandate of the Board is to provide the Shareholder with a Timely report and recommendation.

4.03 Number of Directors for the Corporation: Initially, the Corporation shall have six (6) directors. The Corporation may, from time to time, change the number of Directors that the Corporation shall have by special resolution of the Shareholder.

4.04 Composition of Board: The directors of the Corporation shall at all times include:

- (i) the Mayor of the City (the “**Mayor**”) or, should the Mayor either: (1) decline to serve as a director of the Corporation or (2) be a director of Alectra Inc. (as may be continued, amalgamated or reorganized), a member of Council selected by the Council from time to time to serve instead of the Mayor (the “**Mayor’s Surrogate**”); and
- (ii) five (5) individuals who are not members of Council or the administration of the City. A director of HUC may serve as a director of the Corporation.

4.05 Number of Directors for Subsidiaries and Subordinate Vehicles: The directors of each wholly-owned Subsidiary shall be designated by the Board and the shareholder of each Subsidiary shall cause the designees of the Board to be elected or appointed as directors of that particular Subsidiary.

Where a Subsidiary or other corporation is less than wholly-owned by the Corporation and/or one or more Subsidiaries (a “**Part-Owned Sub**”), the number of directors nominated for the Part-Owned

Sub by the Corporation and/or the Subsidiaries that are shareholders in the Part-Owned Sub shall be the maximum allowed for them under governing documents and the persons that shall be the nominees of the Corporation or the Subsidiary as directors of that Part-Owned Sub shall be designated by the Board; and the Corporation or Subsidiary that is the shareholder in the Part-Owned Sub shall cause the designees of the Board to be elected or appointed as directors of that particular Part-Owned Sub.

Any legal entity (other than a corporation) formed under Section 2.04 or acquired under Section 2.05 shall have as the governing persons appropriate for such entity, the persons designated by the Board, who shall be installed by the appropriate action by the Subsidiary that has the ownership interest in the particular entity.

A member of Management may serve as a director of all or any of the Subsidiaries and of any legal entity (other than a corporation) formed under Section 2.04 or acquired under Section 2.05.

4.06 **No Compensation for Management Serving as Directors:** Members of Management shall not receive any compensation for service as a director of the Corporation, of a Subsidiary or as a governing person for any legal entity (other than a corporation) formed under Section 2.04 or acquired under Section 2.05.

4.07 **Qualifications of Directors:** When selecting persons to recommend to the Shareholder to be directors of the Corporation, the Nominating Committee of the Board and the Board will, generally, consider all of qualifications of candidates including sound judgment and personal integrity. In evaluating and nominating potential independent nominees for the Board, the Nominating Committee shall strive to achieve a Board composed of members that, as a group, have skills, experience and expertise in, among other things corporate and/or public management including strategic planning, governance, human resources including compensation and health and safety, finance, project development and operations, telecom, non-regulated energy services, environmental matters, municipally-owned corporations and government relations. Preference may be given to qualified candidates who are residents of the City of Hamilton, however non-residents of the City of Hamilton shall not be excluded from serving as directors of the Corporation. Notwithstanding the foregoing, the majority of Directors shall be residents of the city of Hamilton. Candidates for being a director of the Corporation must consent to the disclosure of his or her director's remuneration to Council for the City of Hamilton and placed on the public record each fiscal year in a form and with sufficient details as prescribed by the Shareholder from time to time.

4.08 **Procedure for Selection of Directors:** The Nominating Committee of the Board shall establish a process, and follow such process, to broadly canvass for (including advertising), identify, evaluate and validate, select and recommend to the Board candidates acceptable to the Nominating Committee to be Private Directors (as defined in Section 4.09(iii)) of the Corporation. The Board shall select from the candidates for Private Directors recommended by the Nominating Committee the persons to be recommended by the Board to the Shareholder to be Private Directors of the Corporation. The Shareholder must approve each candidate for a Private Director prior to the candidate being appointed and elected as a Private Director of the Corporation. The Shareholder may accept or reject, but not substitute for, any person proposed to Council to be a Private Director.

4.09 **Term of Directors:** The terms of the various directors on the Board shall be:

- (i) **Mayor:** The Mayor shall be eligible to serve as director of the Corporation throughout the term of the Mayor as mayor of the City;
- (ii) **Mayor's Surrogate:** The term of any person serving as director on the Board as the Mayor's Surrogate shall end upon the earlier of: (1) the end of that person's term as a Councillor for the City; or (2) the end of the term of the Mayor as mayor of the City, as the case may be.
- (iii) **Private Directors:** Each person serving as a director of the Corporation other than the Mayor and the Mayor's Surrogate (a "**Private Director**") shall be elected to serve as a member of the Board for a term of three years. The terms of the Private Directors shall be arranged such that the terms of approximately one-third of the Private Directors will expire each year.

4.10 **Chairs:** The Board shall appoint the Chair of the Board and the Chair and Vice Chair, if any, of each committee of the Board.

4.11 **Committees:** The Board may establish committees of the Board at its discretion. The Shareholder anticipates that the Board will establish the following committees:

- (i) Audit and Risk Management Committee, to review financial results and to provide direction relative to risk-related matters;
- (ii) Nominating Committee to fulfil the responsibilities provided in Section 4:08; and
- (iii) Human Resources and Governance Committee, to provide direction and oversight on human resources policies and on corporate governance matters, to recommend Board and Management compensation, and which may act as the Nominating Committee.

4.12 **Directors' Compensation:** The compensation of the directors of the Corporation will be determined by the Board from time to time in an amount sufficient to attract and retain directors with the necessary qualifications and on the recommendation of the Human Resources and Governance Committee who shall consult with an independent consultant.

4.13 **Disclosure of Compensation:** The remuneration received from the Corporation and all Subsidiaries by each director of the Corporation shall be disclosed to the Shareholder each fiscal year in a form and with sufficient details as prescribed by the Shareholder from time to time and may be placed by the Shareholder in the public record, and each director of the Corporation must irrevocably agree thereto as a precondition to becoming and continuing to be a director of the Corporation.

4.14 **Directors' Insurance:** The Corporation shall carry Directors and Officers Liability Insurance for the directors and officers of the Corporation and all Subsidiaries in an amount and upon terms consistent with industry norms as determined by the Board or by any committee of the Board.

ARTICLE 5 – CONDUCT OF ACTIVITIES

5.01 **Requirements:** The directors, officers and Management of the Corporation and each Subsidiary shall conduct their activities in accordance with the requirements of:

- (i) the Ontario *Business Corporations Act* and other Applicable Laws including, particularly, the provisions thereof dealing with conflict of interest;
- (ii) this HEHCo Declaration;
- (iii) the Articles of the Corporation or the particular Subsidiary, as the case may be;
- (iv) the By-Laws of the Corporation or the particular Subsidiary, as the case may be;
- (v) the corporate policies, codes and values of the Corporation; and
- (vi) the charters established by the Board for the various committees of the Board.

These requirements are listed in order of precedence; and, in the event any requirement is in conflict with another requirement, the requirement with the higher precedence shall prevail and govern.

ARTICLE 6 - SHAREHOLDER MATTERS

6.01 **Matters Requiring Shareholder Approval:** Without first having obtained the approval of the Shareholder, the Corporation shall not and shall not allow any Subsidiary, either directly or indirectly, to:

- (i) **Requisite Statutory Approvals:** enter into any transaction or take any action that requires the approval of the shareholder(s) of a corporation under the Ontario *Business Corporations Act* or under any other Applicable Laws;
- (ii) **Agreement Approvals:** enter into any transaction or take any action that requires the approval of the Shareholder under this HEHCo Declaration;
- (iii) **Shares and Securities:** issue, purchase, approve the transfer, sell, redeem, retract, convert, divide, contract or otherwise deal with howsoever any of its shares or securities or the terms or conditions thereof or enter into any agreement or warrant to do any of the foregoing except that a corporation formed under Section 2.04 may issue shares to the Subsidiary which is intended to be the shareholder of that corporation;
- (iv) **Purchases and Sales:** make any acquisition or disposition howsoever (including, without limitation, by way of subscription, lease, exchange, merger, arrangement, consolidation or other corporate reorganization) of:
 - (1) any business; or
 - (2) any assets, shares, securities or equity, partnership or joint venture interests;
or
 - (3) any rights capable of becoming or effecting any of the foregoing,

which would either increase or decrease the consolidated book value of the Corporation and its Subsidiaries as stated in the consolidated financial statements for the last completed fiscal year of the Corporation and its Subsidiaries by more than twenty-five percent (25%) except that a corporation may be formed and acquired under Section 2.04. The Corporation shall forthwith advise the City of any acquisition or disposition made in reliance upon this item (iv) of Section 6.01;

- (v) **Dividends & Distributions:** declare any dividend or make any other distribution except:
 - (1) by the Corporation, exercising its discretion having regard to the principles set out in any Dividend and/or Distribution Policy prepared by the Board and approved to by the Shareholder; or
 - (2) dividends by any Subsidiary to its shareholder;

- (vi) **Financial Transactions:** the Corporation and any Subsidiary shall not:
 - (1) borrow any funds where, as a result, the debt/equity ratio of the Corporation and all Subsidiaries on a consolidated basis will be less than 75:25;
 - (2) loan any funds to any entity except to the Corporation or any Subsidiary;
 - (3) grant any guarantee of indebtedness or performance or provide financial assistance howsoever to any entity other than the Corporation or a Subsidiary;
 - (4) grant any security except to replace, restructure or change existing security where:
 - (I) the total amount of the debt or obligations secured is not increased; and
 - (II) the assets subjected to security are not expanded;
 - (5) invest funds in any securities other than the debt of governments of Canada or any Canadian province or debt of Canadian chartered banks;

- (vii) **Non Arms-Length Transactions:** effect any transaction with any entity who does not deal at arm's length (as that term is interpreted under the *Income Tax Act* of Canada) either with the Corporation or a Subsidiary or any director, officer or employee of the Corporation or a Subsidiary other than any transactions between or among the Corporation and the Subsidiaries. The provisions of this paragraph do not apply to remuneration paid in the normal course of business to directors, officers and employees of the Corporation and the Subsidiaries including, without limitation, fees, honoraria, wages, salaries and bonuses or any reimbursement for expenses incurred in performing duties;

- (viii) **Changes in Status:** make any decision that would materially and adversely affect the tax or regulatory status of the Corporation or any of its Subsidiaries;

- (ix) **Wind-up or Dissolution:** take any steps to wind-up or dissolve the Corporation, Hamilton Infrastructure Projects Corporation or Hamilton Ventures Corporation;
- (x) **Litigation:** initiate any litigation, arbitration or other like proceedings against the Shareholder, any of its agencies, local boards, or administrative subdivisions or any corporation or other body owned or controlled by the Shareholder, or any director, officer, official, elected member or employee (including full-time, part-time and contract employees) of any of the foregoing entities in this Section 6.01(x);
- (xi) **Dividend Policy or Distribution Policy:** establish any dividend and/or distribution policy for the Corporation; and
- (xii) **Compliance with Agreement:** conduct any activities not allowed by this HEHCo Declaration.

6.02 **Materials to Accompany Approval Requests:** Requests by the Corporation to the Shareholder for approvals in relation to Section 6.01 shall be in writing and shall be accompanied by a written analysis and recommendation in connection with the matter in respect of which approval is requested; provided, however, that if it is not practicable for the request to be accompanied by such analysis and recommendation, the analysis and recommendation shall be provided to the Shareholder at the earliest practicable time following such request.

6.03 **Decisions of the Shareholder:** Approvals and decisions of the Shareholder in relation to this HEHCo Declaration will be given to the Corporation in writing signed by the Shareholder Representative, and approvals and decisions so signed may be relied upon by the Corporation as being the approval and decision of the Shareholder.

6.04 **Shareholder Representative:** The Shareholder hereby designates the City Clerk for the City or such other person as may be designated by the Council of the City from time to time as the legal representative of the Shareholder (the "**Shareholder Representative**") for purposes of: (1) communicating to the Corporation on behalf of the Shareholder any consent or approval required by the Ontario *Business Corporations Act* or providing any consent, approval, direction, communication or any information to be provided by the Shareholder to the Corporation for the purposes of this HEHCo Declaration; and (2) receiving from the Corporation any communications or information to be provided to the Shareholder by the Corporation for the purposes of this HEHCo Declaration. All communications for the purposes of this HEHCo Declaration between the Shareholder and the Corporation shall be transmitted to and from the President of the Corporation, on behalf of the Corporation, and the Shareholder Representative, on behalf of the Shareholder.

6.05 **Unanimous Shareholder Agreement:** This HEHCo Declaration is intended to be a unanimous shareholders agreement under Section 108 of the Ontario *Business Corporations Act* to the extent, but only to the extent, that it restricts in whole or in part the powers of the directors of the Corporation, but is not intended to, and shall not be construed, to be a unanimous shareholders agreement except to such extent.

ARTICLE 7 – REPORTING

7.01 **Major Developments:** The Corporation shall, from time to time, report to the Shareholder Representative and, if requested by the Shareholder Representative, directly to the Council of the City on business developments regarded by the Board as major or adverse results regarded by the Board as material that pertain to the Corporation and its Subsidiaries as the Board determines, in accordance with the standard of care required to be applied by the Board, appropriate to so report.

7.02 **Annual Meetings:** The Corporation and the Subsidiaries shall hold their respective Annual Meeting each year in satisfaction of the requirements of the Ontario *Business Corporations Act* within six months after the end of each fiscal year of the Corporation. The annual meetings for the Subsidiaries may be effected by signed written resolutions.

7.03 **Annual Meeting Report:** In the course of each Annual Meeting of the Corporation, either the Chair of the Board or the President of the Corporation shall report to the extent that is appropriate having regard to the forum, competitive position and confidentiality obligations of the Corporation and its Subsidiaries in the following areas: **(i)** business activities and prospects; **(ii)** any updates to, and an overview of, strategic plans or business plans; **(iii)** business performance; **(iv)** financial performance and existing or potential tax liabilities; **(v)** any changes to corporate organization; and **(vi)** current and projected dividends.

7.04 **Right of Inspection and Inquiry:** The Corporation shall permit representatives designated by the Shareholder to examine the properties and assets of the Corporation and the Subsidiaries and the financial and other records of the Corporation and the Subsidiaries, at all reasonable times, as often as may be reasonably requested by the Shareholder, and at the expense of the Shareholder. The Corporation shall cause to be answered fully and fairly any inquiries that such representatives may have; and such representatives may, in the course of their investigations, discuss the business and affairs of the Corporation and the Subsidiaries with the officers, employees and auditor of the Corporation and the Subsidiaries.

ARTICLE 8 - GENERAL

8.01 **Paramourncy:** In the event of any inconsistency between the provisions of this HEHCo Declaration and of the by-laws of the Corporation, the provisions of this HEHCo Declaration shall prevail to the extent of the conflict. In the event of any inconsistency between the provisions of this HEHCo Declaration and of the by-laws of any of the Subsidiaries, the Corporation shall take all requisite corporate action such that the terms of this HEHCo Declaration shall prevail to the extent of the conflict.

8.02 **Control of Subsidiaries:** With respect to matters herein that relate to a Subsidiary of which the Corporation is the shareholder, the Corporation shall vote and otherwise act as a shareholder of such Subsidiary so as to carry out the provisions and intention of this HEHCo Declaration, insofar as such intention is discernable by the Corporation from the provisions of this HEHCo Declaration. With respect to matters herein that relate to a Subsidiary whose shares are held by another Subsidiary, the Corporation shall cause the shareholding Subsidiary, directly or indirectly, to vote and otherwise act as a shareholder so as to carry out the provisions and intention

of this HEHCo Declaration, insofar as such intention is discernable by the Corporation from the provisions of this HEHCo Declaration.

8.03 **Revisions:** The Shareholder will endeavor to consult with the Board prior to completing any revisions to this HEHCo Declaration and will promptly provide the Board with copies of each such revision.

8.04 **Governing Law:** This HEHCo Declaration shall be governed by and construed in accordance with the laws applicable in the Province of Ontario.

8.05 **Legislation, Regulations, Codes and Rules:** Any reference in this HEHCo Declaration to all or any part of any law, statute, regulation, code or rule shall, unless otherwise expressly stated herein, be a reference to the statute, regulation, code or rule, or part thereof, as amended from time to time.

8.06 **Article, Section, Subsection and Item References:** The division of this HEHCo Declaration into Articles, Sections and Subsections is for convenience of reference only and shall not affect or be considered to affect the construction or interpretation of the provisions of this HEHCo Declaration. References in this HEHCo Declaration to an Article, Section or Subsection shall mean a reference to an Article, Section or Subsection within this HEHCo Declaration unless otherwise specified.

8.07 **Headings:** The headings of Articles, Sections and Subsections in this HEHCo Declaration, are inserted for convenience of reference only and shall not affect or be considered to affect the construction or interpretation of the provisions of this HEHCo Declaration.

8.08 **No Third Party Beneficiaries:** Nothing in this HEHCo Declaration shall entitle any entity other than the Shareholder to any claim, cause of action, remedy or right of any kind in respect of this HEHCo Declaration or the subject matter of this HEHCo Declaration.

8.09 **Effective Date:** Notwithstanding the date of execution hereof by the City and the date of delivery hereof by the City to the Corporation, this HEHCo Declaration shall become effective on the Effective Date.

DATED and DELIVERED at Hamilton, Ontario as of the 6th day of June, 2017.

CITY OF HAMILTON

By: _____
Name:
Title:

By: _____
Name:
Title:



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 18-008

**9:30 a.m.
June 11, 2018
Council Chambers
Hamilton City Hall**

Present: Councillors A. VanderBeek (Chair), B. Johnson, M. Pearson,
L. Ferguson, C. Collins, and A. Johnson

**Absent with
Regrets:** Councillor D. Skelly - Personal

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 18-008 AND RESPECTFULLY RECOMMENDS:

1. 2017 Annual Energy Report on Commodity Price Hedging (FCS18055 / PW18043) (City Wide) (Item 5.1)

That Report FCS18055 / PW18043, respecting the 2017 Annual Energy Report on Commodity Price Hedging, be received.

2. 2018 First Quarter Request for Tenders and Proposals Report (FCS18037) (City Wide) (Item 5.2)

That Report FCS18037, respecting the 2018 First Quarter Request for Tenders and Proposals Report, be received.

3. 2018 First Quarter Emergency and Non-competitive Procurements Report (FCS18038) (City Wide) (Item 5.3)

That Report FCS18038, respecting the 2018 First Quarter Emergency and Non-competitive Procurements Report, be received.

4. First Quarter Non-compliance with the Procurement Policy Report (FCS18039) (City Wide) (Item 5.4)

That Report FCS18039, respecting the First Quarter Non-compliance with the Procurement Policy Report, be received.

Council – June 13, 2018

5. Tax Appeals under Sections 357 and 358 of the Municipal Act, (2001) (FCS18008(a)) (City Wide) (Item 5.5)

- (a) That Appendix “A” to Audit, Finance & Administration Report 18-008 respecting the Tax Appeals processed under Section 357 of the *Municipal Act, (2001)*, in the amount of \$442,011.74 be approved, **as amended**;
- (b) That Appendix “B” to Audit, Finance & Administration Report 18-008 respecting the Tax Appeals, due to a Gross or Manifest Clerical Error, Pursuant to Section 358 of the *Municipal Act, (2001)*, in the amount of \$232,124.31 be approved.

6. Development Charges Reserves Status Report as of December 31, 2017 (FCS18060) (City Wide) (Item 5.6)

- (a) That Report FCS18060, respecting “Development Charges Reserves Status Report as of December 31, 2017” be received and made available to the public;
- (b) That Report FCS18060, respecting “Development Charges Reserves Status Report as of December 31, 2017” be forwarded, if requested, to the Ministry of Municipal Affairs and Housing.

7. Follow Up to Audit Report 2013-02 Corporate Ethics Review (AUD18003) (City Wide) (Item 5.7)

That Report AUD18003, respecting the Follow Up to Audit Report 2013-02 Corporate Ethics Review, be received.

8. Human Rights, Diversity and Inclusion Annual Report (HUR18012) (City Wide) (Item 7.1)

That Report HUR18012, respecting the Human Rights, Diversity and Inclusion Annual Report, be received.

9. City of Hamilton Development Charges (DC) By-law Background Study Re: Amendments to the Downtown Community Improvement Project Area (CIPA) Exemption (PED18093 / FCS18054) (City Wide) (Item 7.2)

- (a) That Report PED18093 / FCS18054 be recognized as a DC Background Study under Section 10 of the *Development Charges Act, 1997*, as amended, for the purpose of providing background for amending policy of the existing Development Charge By-law 14-153;

- (b) That the approval of Report PED18093 / FCS18054 be considered the Public Release of the DC Background Study as required by Section 10 (4) of the *Development Charges Act, 1997, as amended*;
- (c) That the August 15, 2018 Audit, Finance and Administration Committee meeting be designated a public meeting as required under Section 12 (1) (a) of the *Development Charges Act, 1997, as amended*;
- (d) That the City Clerk be directed to provide appropriate notice of the Public Meeting in accordance with Section 12 (1) (b) of the *Development Charges Act, 1997, as amended*;
- (e) That staff be directed to prepare an amending by-law for consideration following any and all public delegations at the August 15, 2018 Public meeting; and
- (f) That Item BB respecting amendments to the Downtown Community Improvement Plan be identified as complete and removed from the Planning Committee Outstanding Business List.

10. 2017 City of Hamilton Financial Report and Audited Financial Statements (FCS18059) (City Wide) (Item 8.1)

That the 2017 City of Hamilton Financial Report and Audited Financial Statements, attached as Appendix “C” to Audit, Finance & Administration Report 18-008 be approved.

FOR INFORMATION:

(a) CEREMONIAL ACTIVITIES

1. CUPE 5167 Awards

Mike Zegarac and Jay Hunter, CUPE 5167 Vice-President recognized team members for receiving the following awards:

- In December of 2017, the team won a gold, international marketing and communications award from MarComm, in the digital media category.
- In January 2018, the team won another gold award, from the AVA Digital Awards, in the E-Learning category.

Team members that were recognized for these achievements are as follows:

Corporate Services Department:

- Dave Michal, Elections Officer, Elections, City Clerk's Office
- Ali Pouladi, External Disbursements Clerk, Accounts Payable, Financial Services Division
- Grace Fennema, Municipal Service Centre Representative, Customer Service and POA Division
- Diane Olcha-Brown, Customer Contact Centre Representative, Customer Service and POA Division
- Gabby Lyall, Service Desk Technician, Information Technology Division
- Adam Ghandour, Operations Analyst, Information Technology Division

Healthy and Safe Communities, Recreation Division

- Adam Degrow, Assistant Operator, Arena Operations, Recreation Division
- Donna Salisbury, District Support Clerk, Recreation Division
- Ashley Johnston, District Support Clerk, Recreation Division
- Gillian Vielberth, District Support Clerk, Recreation Division
- Michelle Stokes, CLASS and Legend System Administrator, Recreation Division
- Filip Pankov, CLASS and Legend System Administrator, Recreation Division
- Samantha Wheeler, Receptionist
- Damir Vincetic, Lifeguard 1

CUPE Members Not Available to Attend

- Monika Wolfe, Duty Guard, Recreation Division
- Cyndy Bramwell, District Support Clerk, Recreation Division
- Wendy Burgess, District Support Clerk, Recreation Division
- Rosanne DeNardis, Customer Contact Centre Representative, Customer Service and POA Division
- Robert Bowerman, Service Desk Analyst, Information Technology Division

Non-Union Staff That Were Recognized

- Patricia Shannon-Wilbur, Quality Assurance Administrator, Information Technology Division
- Kathy Miljanovic, Sr. Business Process Analyst, Information Technology Division

(b) CHANGES TO THE AGENDA (Item 1)

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

1. CONSENT ITEMS

- 5.5 Tax Appeals under Sections 357 and 358 of the Municipal Act, (2001) (FCS18008(a)) (City Wide) – revised Appendix “A”, pages 7 & 8

2. STAFF PRESENTATIONS

- 7.2 City of Hamilton Development Charges By-law Background Study Re: Amendments to the Downtown Community Improvement Project Area (CIPA) Exemption (PED18093 / FCS18054) (City Wide) – added staff presentation

The agenda for the June 11, 2018 Audit, Finance and Administration Committee meeting was approved, as amended.

(c) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) May 17, 2018 (Item 3.1)

The Minutes of the May 17, 2018 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(e) DELEGATION REQUESTS (Item 4)

(i) Assunta Zizza, Respecting a request to refund their fixed water and sewer charges on a new build (For a future meeting) (Item 4.1)

The delegation request from Assunta Zizza, respecting a request to refund their fixed water and sewer charges on a new build, was approved for a future meeting.

(f) CONSENT ITEMS (Item 5)

(i) Tax Appeals under Sections 357 and 358 of the Municipal Act, (2001) (FCS18008(a)) (City Wide) (Item 5.5)

Appendix "A" to Report FCS18008(a) respecting the Tax Appeals processed under Section 357 of the *Municipal Act, (2001)*, in the amount of \$442,011.74 **was amended by removing 225 Locke St S from page 3.**

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

(ii) Hamilton Status of Women Advisory Committee Minutes – March 22, 2018 (Item 5.8)

The Hamilton Status of Women Advisory Committee Minutes from the March 22, 2018 meeting, were received.

(g) STAFF PRESENTATIONS (ITEM 7)

(i) Human Rights, Diversity and Inclusion Annual Report (HUR18012) (City Wide) (Item 7.1)

Jodi Koch, addressed the Committee respecting Human Rights, Diversity and Inclusion Annual Report, with the aid of a presentation. A copy of the presentation has been included in the official record.

The presentation from staff respecting Human Rights, Diversity and Inclusion Annual Report, was received.

A copy of the presentation is available at www.hamilton.ca.

For further disposition of this matter, refer to Item 8.

(ii) City of Hamilton Development Charges By-law Background Study Re: Amendments to the Downtown Community Improvement Project Area (CIPA) Exemption (PED18093 / FCS18054) (City Wide) (Item 7.2)

Edward John, addressed the Committee respecting the City of Hamilton Development Charges By-law Background Study Re: Amendments to the Downtown Community Improvement Project Area (CIPA) Exemption, with the aid of a presentation. A copy of the presentation has been included in the official record.

The presentation from staff respecting the City of Hamilton Development Charges By-law Background Study Re: Amendments to the Downtown Community Improvement Project Area (CIPA) Exemption, was received.

A copy of the presentation is available at www.hamilton.ca.

For further disposition of this matter, refer to Item 9.

(h) GENERAL INFORMATION / OTHER BUSINESS (ITEM 8)

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

11.1.a Items requiring a new due date:

Joe Deschenes Smith, Trillium Housing, respecting implementation of by-law 14-153 and how the City can add its support for housing affordability at Trillium Housing's two affordable housing projects in Hamilton
Item On OBL: P
Due Date: June 25, 2018
Revised Due Date: July 2018

(i) ADJOURNMENT (Item 13)

There being no further business, the Audit, Finance and Administration Committee, was adjourned at 10:41 a.m.

Respectfully submitted,

Councillor VanderBeek, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

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

357-13-160	10-18 Kenilworth Ave N	No change in the tax liability or property classification is warranted	2013	0.00
357-14-274	375 McNeilly Rd	Classification change from Industrial to commercial	2014	-8,733.70
357-15-172	103 Old Ancaster Rd	Demolition was addressed by 2015 Omitted Assessment	2015	0.00
357-15-215	196 Wentworth St N	Classification change from Commercial to Exempt	2015	-16,297.82
357-16-060	0 Echovalley	Classification change from Residential to Exempt	2016	-1,868.66
357-16-078	265 Wellington St N	Demolition of Single Family Dwelling	2016	-721.76
357-16-159	149 Province St S	Demolition of detached garage	2016	-28.53
357-16-182	1 Bulls Lane	Pool and pool enclosure condition reduced to poor	2016	-426.62
357-16-193	141 Park St N	Classification change from Commercial to Residential	2016	-8,603.91
357-16-194	50-58 Jackson St W	Classification change from Commercial to Exempt	2016	-70,215.56
357-16-217	1046 Barton St E	No change in the tax liability or property classification is warranted	2016	0.00
357-16-221	8226 White Church Rd	The pole barn was not assessed for 2016 roll return. No change to the assessment	2016	0.00
357-16-222	526 Dundas St E	Demolition handled in recent Assessment Review Board settlement	2016	0.00
357-16-228	2 Locarno Ave	Demolition of detached garage	2016	-9.71
357-16-264	41 Carene Ave	Demolition of single family dwelling	2016	-604.54

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

357-16-274	19 Albert St	Classification change from Commercial to Residential	2016	-3,941.61
357-16-279	237 Bendamere Ave	Demolition of the pool	2016	-86.57
357-16-280	20 Miller Dr	Demolition of all structures on the property	2016	-12,123.78
357-16-286	112 Wentworth St S	Classification change from Multi-residential to Exempt	2016	-11,142.53
357-16-328	2641 Regional Rd 56	Partial demolition	2016	0.00
357-16-361	423-429 Barton St E	Commercial classification is confirmed, no change	2016	0.00
357-16-369	110 Essling Ave	Reduction due to the fire	2016	-27.75
357-17-003	2-100 King St W	Part of the property became Exempt	2017	-35,375.08
357-17-004	249 Hess St N	Classification change from Industrial to Exempt	2017	-1,767.08
357-17-009	423-429 Barton St E	Commercial classification is confirmed, no change	2017	0.00
357-17-024	2120 Concession 10 Rd W	The demolished structure was not assessed. No change to the assessment	2017	0.00
357-17-027	1658 Highway No 6	All buildings were demolished	2017	-1,263.58
357-17-036	51 Swayze Rd	Demolition resulted in the change to classification (industrial) with higher tax rate	2017	0.00
357-17-047	70 Melvin Ave	Classification change from Commercial to Residential	2017	-7,460.78
357-17-049	11 Market St S	No change in the property classification is warranted	2017	0.00

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

357-17-057	0 Ferguson Ave N	Gross or Manifest Error	2017	-66.15
357-17-060	1835 Burlington St E	No change in the property classification is warranted	2017	0.00
357-17-119	6 Romar Dr	Demolition of Single Family Dwelling and garage	2017	-3,143.21
357-17-122	675 Strathearne Ave	Demolition of all structures on the property	2017	-4,175.56
357-17-139	205 Melvin Ave	Demolition of structure on the property	2017	0.00
357-17-148	0 Harmony Hall Rd	Demolition of generator control building and sewage pump station	2017	-1,361.17
357-17-150	125 Margaret Ave	Error of fact	2017	-185.55
357-17-151	24 Leslie Dr	Demolition of single family dwelling	2017	-896.05
357-17-152	104 Emerson St	Classification change from Commercial to Residential	2017	-981.51
357-17-155	120 Park St N	Damage by fire	2017	-574.94
357-17-159	55 Wellington St N	Damage by fire	2017	-92.24
357-17-161	47 Chestnut Ave	Damage by fire	2017	-98.78
357-17-162	107 Gertrude St	Damage by fire	2017	-136.39
357-17-163	1486 Main St E	Classification change from Commercial to Residential	2017	-289.73

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

357-17-164	447-479 Cochrane Rd	Classification change from Commercial to Residential	2017	-1,654.26
357-17-166	57 Brigade Dr	Demolition of the pool	2017	-99.70
357-17-167	891 Upper James St	Classification change from Commercial to Exempt	2017	-9,457.81
357-17-168	2 Bulls Lane	Demolition of the pool	2017	-781.04
357-17-169	538 Upper James St	Classification change from Commercial to Residential	2017	-610.34
357-17-170	22 Legacy Lane	Classification change from Residential to Exempt	2017	-1,303.55
357-17-171	1334 Osprey Dr	Classification change from Industrial to Commercial	2017	-21,325.91
357-17-172	1541 Fiddlers Green Rd	Damage by fire	2017	-929.65
357-17-173	16 King St E	Demolition of structure on the property	2017	-477.77
357-17-174	823 Highway No. 6	Damage by fire	2017	-2,572.72
357-17-175	50 Mill St N	Classification change from Commercial to Residential	2016	-2,762.87
357-17-177	31 Parkside Ave	Demolition of structure on the property	2017	0.00
357-17-178	865 Centre Rd	Demolition of single family swelling and shed	2017	-741.39
357-17-179	1019 Wilson St W	Demolition of single family dwelling	2017	-428.41
357-17-184	87 Owen Pl	Demolition of single family dwelling	2017	-1,145.90

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

357-17-185	462 Mary St	Demolition of single family dwelling and garage	2017	-732.20
357-17-186	755 Beach Blvd	Demolition of single family dwelling and garage	2017	-656.60
357-17-189	24 Amberwood St	Standalone portables were not assessed. No change due to demolition	2017	0.00
357-17-190	79 Kensington Ave S	Demolition of single family dwelling and garage	2017	-620.23
357-17-191	237 Upper Mount Albion	Demolition of all structures on the property	2017	-695.31
357-17-193	188-232 Dewitt Rd	The structure demolished was not assessed. No change to the assessment	2017	0.00
357-17-194	961 Garner Rd E	Demolition of all structures on the property	2017	-3,890.07
357-17-197	97 Centennial Pkwy S	Partial demolition	2017	-306.14
357-17-198	202 Barton St	Demolition of single family dwelling	2017	0.00
357-17-202	221 Barton St E	The structure demolished was not assessed. No change to the assessment	2017	0.00
357-17-203	400 Concession 5 Rd W	Demolition of all structures on the property	2017	-708.04
357-17-205	8 Slinger Cres	Demolition of all structures on the property	2017	-709.10
357-17-206	585 Highway 6 N	Demolition of all structures on the property	2017	-893.67
357-17-249	132 Cline Ave S	Demolition of all structures on the property	2017	-216.09
357-17-250	49 Lloyd St	Eligible for property tax exemption as property is now Municipally owned	2017	-836.84

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

357-17-252	202 Concession 8 E	Demolition of secondary structure(s) on the property	2017	-33.99
357-17-253	302 14th Concession Rd E	No change in the tax liability or property classification is warranted	2017	0.00
357-17-255	225 Bay St S	Classification change from Commercial to Residential	2017	-86.83
357-17-256	227 St Clair Blvd	Reduction due to the fire	2017	-265.60
357-17-263	20 Nisbet Blvd	Reduction due to the fire	2017	-67.63
357-17-264	18 Nisbet Blvd	Reduction due to the fire	2017	-72.18
357-17-266	22 Nisbet Blvd	Reduction due to the fire	2017	-19.88
357-17-268	54 Nisbet Blvd Unit 14	No change in the tax liability or property classification is warranted	2017	0.00
357-17-269	54 Nisbet Blvd Unit 15	Reduction due to the fire	2017	-71.71
357-17-270	54 Nisbet Blvd Unit 16	Reduction due to the fire	2017	-71.71
357-17-271	135 Erie Ave	Demolition of all structures on the property	2017	-72.39
357-17-275	723 Ridge Rd	Demolition of secondary structure(s) on the property	2017	-38.33
357-17-281	21 South St W	Demolition of all structures on the property	2017	-80.54
357-17-283	684 Dunn Ave	Demolition of all structures on the property	2017	-70.22
357-17-284	951 Scenic Dr	Demolition of all structures on the property	2017	-415.44

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

357-17-286	143 Cayuga Ave	Demolition of all structures on the property	2017	-100.35
357-17-287	388 Springbrook Ave	Demolition of all structures on the property	2017	-129.45
357-17-288	372 Springbrook Ave	Demolition of all structures on the property	2017	-46.35
357-17-290	306 Carlisle Rd	Demolition of all structures on the property	2017	-181.11
357-17-291	46 Douglas Rd	Demolition of all structures on the property	2017	-80.47
357-17-292	1285 Wilson St E	The structure demolished was not assessed. No change to the assessment	2017	0.00
357-17-294	65 Floresta Crt	Demolition of all structures on the property	2017	-20.94
357-17-296	197 Terrence Park Dr	Demolition of all structures on the property	2017	-57.16
357-17-297	1527 Old Highway No. 99	Demolition of all structures on the property	2017	-272.32
357-17-299	747 Vernon Pl	Demolition of all structures on the property	2017	-26.11
357-17-300	798 Haig Rd	The structure demolished was not assessed. No change to the assessment	2017	0.00
357-17-301	20 Miller Dr	Demolition of all structures on the property	2017	-61,495.82
357-17-303	1 Bulls Lane	Condition of structures were reduced as they were less than average	2017	-455.98
357-17-310	293 Wellington St N	Eligible for property tax exemption based on Hamilton Health Sciences leasing 93% of the building	2017	-1,253.79
357-17-311	237 Bendamere Ave	Demolition of secondary structure(s) on the property	2017	-252.60

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

357-17-312	375 McNeilly Rd	Gross or Manifest Error. Tax class change from Industrial to Commercial carried forward from 2014 tax year	2017	-129,016.38
			TOTAL	-442,011.74

City of Hamilton
Corporate Services Department
Taxation Division
Section 358 Tax Appeals of the *Municipal Act, 2001*

358-16-015	0 Echovalley Dr	Municipally owned property. Tax class changed from Residential to Exempt.	2015	-1,837.56
358-16-061	112 Wentworth St S	Eligible for property tax exemption as a "house of refuge" and owned by not for profit company.	2015	-10,517.25
358-16-069	128 10th Con Rd E	Gross or Manifest Error. Unfinished allowance was not carried forward.	2015	-1,493.22
358-16-070	128 10th Con Rd E	Gross or Manifest Error. Unfinished allowance was not carried forward.	2014	-1,246.68
358-17-007	0 Ferguson Ave N	Property has nominal value. Described as an alleyway.	2016	-62.75
358-17-008	0 Ferguson Ave N	Property has nominal value. Described as an alleyway.	2015	-55.55
358-17-018	0 Upper Centennial Pkwy	Municipally owned property. Formerly owned by the Ministry of Transportation.	2015	-3,992.12
358-17-034	311 Strathearne Ave	Eligible for property tax exemption as a "house of refuge" and owned by not for profit company.	2015	-9,645.49
358-17-028	46 Kennedy Ave	Gross or Manifest Error. Incorrect square footage of property.	2016	-1,776.85
358-17-029	46 Kennedy Ave	Gross or Manifest Error. Incorrect square footage of property.	2015	-585.73
358-14-040	375 McNeilly	Gross or Manifest Error. Tax class change from Industrial to Commercial carried forward from 2014 tax year.	2015	-99,878.36
358-15-012	502-544 Centennial Pky N	Gross or Manifest Error based on easement of 4.02 acres of land.	2014	-50,216.51
358-15-013	502-544 Centennial Pky N	Gross or Manifest Error based on easement of 4.02 acres of land.	2013	-50,725.79

City of Hamilton
Corporate Services Department
Taxation Division
Section 358 Tax Appeals of the *Municipal Act, 2001*

358-17-037	202 Concession 8 Rd E	Gross or Manifest Error. Confirmed demolition of multiple structures.	2016	-45.99
358-17-038	202 Concession 8 Rd E	Gross or Manifest Error. Confirmed demolition of multiple structures.	2015	-44.46
			TOTAL	-232,124.31



Hamilton

FINANCIAL REPORT

2017

**City of Hamilton
71 Main Street West
Hamilton, Ontario
L8P 4Y5**

City of Hamilton
Financial Report
2017

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Accommodations for Readers with Disabilities

In accordance with the Ontario Human Rights Code, Ontarians with Disabilities Act, 2001 (ODA) and Accessibility for Ontarians with Disabilities Act, 2005 (AODA), the City of Hamilton will accommodate for readers with a disability upon request.

Section 1

City of Hamilton Five Year Financial and Statistical Review 2017

City of Hamilton
Five Year Financial and Statistical Review (unaudited)

(All amounts are reported in thousands of dollars except statistical information, ratios and per capita figures)

	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
Operating Revenue					
Taxation	\$ 876,880	\$ 854,709	\$ 831,645	\$ 792,317	\$ 764,684
Government grants and contributions	394,785	385,447	384,363	418,772	341,258
User charges	334,974	332,601	315,340	298,888	280,712
Development charges and subdivider contributions	50,313	82,025	25,611	47,102	22,031
Donated tangible capital assets	18,217	16,646	43,571	36,584	29,821
Investment and dividend income	28,070	27,067	30,284	35,452	32,268
Net income from Government Business Enterprises	134,914	22,857	18,758	3,622	15,449
Other	131,383	116,549	114,019	98,716	97,371
	<u>1,969,536</u>	<u>1,837,901</u>	<u>1,763,591</u>	<u>1,731,453</u>	<u>1,583,594</u>
Operating Expenses by Function					
General government	\$ 70,733	\$ 72,550	\$ 57,664	\$ 50,906	\$ 57,987
Protection services	312,564	306,629	300,362	283,934	278,774
Transportation services	326,274	310,190	318,605	323,253	282,486
Environmental services	239,488	238,553	219,339	206,052	198,720
Health services	99,125	98,443	105,377	91,846	91,564
Social and family services	315,218	302,830	294,343	284,733	276,984
Social housing	105,141	111,113	120,898	111,650	100,098
Recreation and cultural services	169,029	165,214	155,720	142,383	145,064
Planning and development	53,455	51,514	54,882	46,933	41,890
	<u>1,691,027</u>	<u>1,657,036</u>	<u>1,627,190</u>	<u>1,541,690</u>	<u>1,473,567</u>
Net Operating Revenue or Annual Surplus from Operations	<u>278,509</u>	<u>180,865</u>	<u>136,401</u>	<u>189,763</u>	<u>110,027</u>

Note: Amounts reported may have been restated from previous amounts presented to conform to 2017 Public Sector Accounting Board (PSAB) standards.

City of Hamilton Five Year Financial and Statistical Review (unaudited)

(All amounts are reported in thousands of dollars except statistical information, ratios and per capita figures)

	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
Taxation					
Taxation from real property	\$ 1,056,723	\$ 1,032,999	\$ 1,010,050	\$ 967,719	\$ 940,090
Taxation from other governments/payments in lieu of taxes	\$ 17,042	\$ 16,469	15,367	15,367	15,080
Taxation collected on behalf of school boards	(196,885)	(194,759)	(193,772)	(190,769)	(190,486)
Net taxes available for municipal purposes	<u>876,880</u>	<u>854,709</u>	<u>831,645</u>	<u>792,317</u>	<u>764,684</u>
Tax Levies					
City portion	\$ 845,392	\$ 827,668	\$ 797,619	\$ 761,745	\$ 737,350
School Board portion	193,714	191,734	188,861	186,846	187,274
	<u>1,039,106</u>	<u>1,019,402</u>	<u>986,480</u>	<u>948,591</u>	<u>924,624</u>
Tax arrears					
Taxes receivable	\$ 77,918	\$ 83,730	\$ 85,429	\$ 82,976	\$ 80,067
Taxes receivable per capita	140	155	155	152	148
Taxes receivable as a percentage of current years' levies	7.5%	8.2%	8.7%	8.7%	8.7%
Unweighted Taxable Assessment					
Residential	\$ 57,306,633	\$ 53,366,322	\$ 50,882,588	\$ 48,734,517	\$ 46,565,889
Non-Residential	7,908,588	7,571,212	7,262,270	6,937,908	6,791,790
	<u>65,215,221</u>	<u>60,937,534</u>	<u>58,144,858</u>	<u>55,672,425</u>	<u>53,357,679</u>
Weighted Taxable Assessment					
Residential	\$ 61,208,842	\$ 57,357,959	\$ 54,721,738	\$ 52,506,258	\$ 50,094,712
Non-Residential	17,376,301	16,428,325	15,809,651	15,125,118	14,946,695
	<u>78,585,143</u>	<u>73,786,284</u>	<u>70,531,389</u>	<u>67,631,376</u>	<u>65,041,407</u>
Residential vs Non-Residential Percentage of Total Weighted Taxable Assessment					
Residential	78%	78%	78%	78%	77%
Non-Residential	22%	22%	22%	22%	23%
Taxable Assessment Growth (weighted)					
	1.4%	0.7%	1.6%	1.3%	0.8%

Note: Amounts reported may have been restated from previous amounts presented to conform to 2017 Public Sector Accounting Board (PSAB) standards.

City of Hamilton
Five Year Financial and Statistical Review (unaudited)

(All amounts are reported in thousands of dollars except statistical information, ratios and per capita figures)

	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
Operating Expenses by Object					
Salaries, wages and employee benefits	\$ 755,403	\$ 741,847	\$ 723,337	\$ 693,067	\$ 667,736
Interest on long term liabilities	13,442	12,934	14,297	13,176	14,717
Materials	218,037	221,520	223,349	212,112	199,596
Contracted services	275,361	276,159	248,843	238,005	213,569
Rents and financial expenses	42,421	34,297	36,435	32,821	28,845
External transfers	194,241	184,546	202,881	177,383	176,435
Amortization of tangible capital assets	192,122	185,733	178,048	175,126	172,669
	<u>1,691,027</u>	<u>1,657,036</u>	<u>1,627,190</u>	<u>1,541,690</u>	<u>1,473,567</u>
Operating Expenses as Percentage of Total					
Salaries, wages and employee benefits	44.7%	44.8%	44.6%	45.0%	45.3%
Interest on long term liabilities	0.8%	0.8%	0.9%	0.9%	1.0%
Materials	12.9%	13.4%	13.7%	13.8%	13.5%
Contracted services	16.3%	16.7%	15.3%	15.4%	14.5%
Rents and financial expenses	2.5%	2.1%	2.2%	2.1%	2.0%
External transfers	11.5%	11.1%	12.5%	11.5%	12.0%
Amortization of tangible capital assets	11.3%	11.1%	10.8%	11.3%	11.7%
	<u>100.0%</u>	<u>100.0%</u>	<u>100.0%</u>	<u>100.0%</u>	<u>100.0%</u>
Long Term Liabilities					
Long Term Liabilities incurred by the City	\$ 418,145	\$ 472,805	\$ 394,295	\$ 444,766	\$ 388,663
Long Term Debt incurred by the City for which other entities have assumed responsibility	-	-	(3,239)	(6,280)	(9,136)
	<u>418,145</u>	<u>472,805</u>	<u>391,056</u>	<u>438,486</u>	<u>379,527</u>
Long Term Liabilities					
Housing operations	\$ 58,508	\$ 64,070	\$ 69,466	\$ 74,675	\$ 79,650
City operations	359,637	408,735	321,590	363,811	299,877
	<u>418,145</u>	<u>472,805</u>	<u>391,056</u>	<u>438,486</u>	<u>379,527</u>
Long term liabilities as a % of Reserves and Capital Surplus	58.60%	62.20%	62.30%	60.50%	56.80%

Note: Amounts reported may have been restated from previous amounts presented to conform to 2017 Public Sector Accounting Board (PSAB) standards.

City of Hamilton Five Year Financial and Statistical Review (unaudited)

(All amounts are reported in thousands of dollars except statistical information, ratios and per capita figures)

	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
Tangible Capital Assets					
General					
Land	\$ 333,818	\$ 315,467	\$ 304,977	\$ 287,316	\$ 265,406
Land improvements	152,325	150,337	135,252	137,563	142,054
Buildings	756,160	761,396	735,926	583,083	570,509
Vehicles	128,600	133,786	107,241	100,547	109,191
Computer hardware and software	11,821	11,058	7,876	6,701	4,928
Other	99,540	103,490	92,098	88,164	90,596
Infrastructure					
Roads	1,261,223	1,253,561	1,248,288	1,188,995	1,183,951
Bridges and structures	183,422	184,213	184,794	183,252	176,442
Water and wastewater facilities	403,647	396,884	385,404	391,440	388,850
Underground and other networks	1,789,334	1,761,542	1,713,019	1,631,570	1,585,462
Net Book Value	<u>5,119,890</u>	<u>5,071,734</u>	<u>4,914,875</u>	<u>4,598,631</u>	<u>4,517,389</u>
Assets under construction	309,974	199,680	235,413	359,541	223,286
	<u>5,429,864</u>	<u>5,271,414</u>	<u>5,150,288</u>	<u>4,958,172</u>	<u>4,740,675</u>
Accumulated Surplus or Municipal Financial Position					
Reserves and reserve funds					
Reserves	\$ 697,931	\$ 647,278	\$ 660,757	\$ 636,625	\$ 606,664
Hamilton Future Fund	44,322	43,079	37,711	46,436	61,116
	<u>742,253</u>	<u>690,357</u>	<u>698,468</u>	<u>683,061</u>	<u>667,780</u>
Capital surplus	\$ (28,137)	\$ 70,021	\$ (70,758)	\$ 41,550	\$ 44
Operating surplus	1,498	2,020	2,305	(1,862)	(71)
Investment in Government Business Enterprises	356,098	247,386	232,811	223,724	235,392
Investment in tangible capital assets	4,995,441	4,780,723	4,740,652	4,507,349	4,351,854
Unfunded liabilities - Employee future benefits	(343,679)	(333,787)	(326,627)	(313,254)	(297,989)
Unfunded liabilities - Solid waste landfill sites	(24,174)	(24,466)	(25,769)	(26,084)	(28,655)
	<u>5,699,300</u>	<u>5,432,254</u>	<u>5,251,082</u>	<u>5,114,484</u>	<u>4,928,355</u>

Note: Amounts reported may have been restated from previous amounts presented to conform to 2017 Public Sector Accounting Board (PSAB) standards.

City of Hamilton
Five Year Financial and Statistical Review (unaudited)

(All amounts are reported in thousands of dollars except statistical information, ratios and per capita figures)

	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
Statistical Information					
Population	558,397	558,397	550,700	545,850	540,000
Households	222,918	222,918	223,000	221,000	218,500
Area in hectares	112,775	112,775	112,775	112,775	112,775
Building Permit Values	\$1,364,145,419	\$1,056,237,746	\$1,108,192,846	\$1,143,192,706	\$1,025,785,758
Housing Starts	1,340	1,436	1,415	1,203	1,250
Residential Units - Building Permits	6,053	5,835	4,142	3,379	3,112
Average Monthly Social Assistance Case Load	12,807	12,753	12,946	12,388	12,619
Continuous Full Time Employees	6,664	6,670	6,597	6,405	6,411

Note: Amounts reported may have been restated from previous amounts presented to conform to 2017 Public Sector Accounting Board (PSAB) standards.

Section 2

City of Hamilton Consolidated Financial Statements 2017

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Independent Auditor's Report

<<NOTE: The Independent Auditor's Report will be inserted after the Financial Report is approved by the Audit, Finance and Administration Committee. >>

Independent Auditor's Report

<<NOTE: The Independent Auditor's Report will be inserted after the Financial Report is approved by the Audit, Finance and Administration Committee. >>

City of Hamilton Consolidated Statement of Financial Position

For the year ended December 31, 2017 (all numbers are in thousands of dollars)

	<u>2017</u>	<u>2016</u>
Financial assets		
Cash and cash equivalents (Note 2)	\$ 139,287	\$ 148,185
Taxes receivable	77,918	83,730
Accounts receivable	120,405	107,965
Other assets	1,327	651
Long term receivables (Note 3)	52,124	48,312
Portfolio investments (Note 2)	947,928	900,035
Investment in Government Business Enterprises (Note 4)	<u>356,098</u>	<u>247,386</u>
Total financial assets	<u>\$ 1,695,087</u>	<u>\$ 1,536,264</u>
Liabilities		
Accounts payable and accrued liabilities	\$ 319,187	\$ 268,174
Deferred revenue - general	67,667	59,618
Deferred revenue - obligatory reserve funds (Note 5 & 6)	252,156	213,247
Long term liabilities – Municipal Operations (Note 7)	359,637	408,735
Long term liabilities – Housing Corporation (Note 8)	58,508	64,070
Employee future benefits and other obligations (Note 9)	367,587	356,762
Solid waste landfill liabilities (Note 11)	<u>24,174</u>	<u>24,466</u>
Total liabilities	<u>1,448,916</u>	<u>1,395,072</u>
Net financial assets	<u>\$ 246,171</u>	<u>\$ 141,192</u>
Non-financial assets		
Tangible capital assets (Note 19)	\$ 5,429,864	\$ 5,271,414
Inventories	12,556	11,733
Prepaid expenses	<u>10,709</u>	<u>7,915</u>
Total non-financial assets	<u>5,453,129</u>	<u>5,291,062</u>
Accumulated surplus (Note 12)	<u>\$ 5,699,300</u>	<u>\$ 5,432,254</u>

Contractual obligations (Note 16)

Contingent liabilities (Note 18)

See accompanying notes to the consolidated financial statements.

City of Hamilton

Consolidated Statement of Operations

For the year ended December 31, 2017 (all numbers are in thousands of dollars)

	Budget <u>2017</u> (Note 22)	Actual <u>2017</u>	Actual <u>2016</u>
Revenue			
Taxation (Note 14)	\$ 874,187	\$ 876,880	\$ 854,709
Government grants and contributions (Note 15)	458,101	394,785	385,447
User charges	323,788	334,974	332,601
Development charges and subdivider contributions	53,200	50,313	82,025
Donated tangible capital assets	18,217	18,217	16,646
Investment and dividend income	33,897	28,070	27,067
Net income from Government Business Enterprises (Note 4)	-	134,914	22,857
Other	101,811	131,383	116,549
Total revenue	1,863,201	1,969,536	1,837,901
Expenses			
General government	\$ 69,600	\$ 70,733	\$ 72,550
Protection services	305,708	312,564	306,629
Transportation services	333,690	326,274	310,190
Environmental services	249,241	239,488	238,553
Health services	99,932	99,125	98,443
Social and family services	326,323	315,218	302,830
Social housing	99,017	105,141	111,113
Recreation and cultural services	171,480	169,029	165,214
Planning and development	64,067	53,455	51,514
Total expenses	1,719,059	1,691,027	1,657,036
Annual Surplus	\$ 144,142	\$ 278,509	\$ 180,865
Accumulated surplus			
Beginning of year	\$ 5,432,254	\$ 5,432,254	\$ 5,251,082
Other comprehensive income of Government Business Enterprises (Note 4)	-	(11,463)	307
End of year	\$ 5,576,396	\$ 5,699,300	\$ 5,432,254

See accompanying notes to the consolidated financial statements.

City of Hamilton Consolidated Statement of Changes in Net Financial Assets

For the year ended December 31, 2017 (all numbers are in thousands of dollars)

	Budget <u>2017</u> (Note 22)	Actual <u>2017</u>	Actual <u>2016</u>
Operating activities			
Annual surplus	\$ 144,142	\$ 278,509	\$ 180,865
Other comprehensive income (loss) of Government Business Enterprises	-	(11,463)	307
Acquisition of tangible capital assets	(410,891)	(350,916)	(301,133)
Loss on disposition of tangible capital assets	18,561	18,561	10,921
Amortization of tangible capital assets	192,122	192,122	185,732
Donated tangible capital assets	(18,217)	(18,217)	(16,646)
Increase (decrease) in inventories	-	(823)	(1,432)
Decrease in prepaid expenses	-	(2,794)	(1,382)
Net increase (decrease) in net financial assets	<u>(74,282)</u>	<u>104,979</u>	<u>57,232</u>
Net financial assets			
Beginning of year	<u>141,192</u>	<u>141,192</u>	<u>83,960</u>
 End of year	 <u>\$ 66,910</u>	 <u>\$ 246,171</u>	 <u>\$ 141,192</u>

See accompanying notes to the consolidated financial statements.

City of Hamilton Consolidated Statement of Cash Flows

For the year ended December 31, 2017 (all numbers are in thousands of dollars)

	<u>2017</u>	<u>2016</u>
Operating activities		
Annual surplus	\$ 278,509	\$ 180,865
Decrease (increase) in taxes receivable	5,812	1,699
Decrease (increase) in accounts receivable	(12,440)	9,718
Decrease (increase) in other assets	(676)	23
Increase (decrease) in accounts payable and accrued liabilities	51,013	16,240
Increase in deferred revenue - general	8,049	14,025
Increase (decrease) in deferred revenue – obligatory reserve fund	38,909	(13,498)
Decrease (increase) in inventories	(823)	(1,432)
Decrease (increase) in prepaid expenses	(2,794)	(1,382)
Non-cash activities		
Amortization of tangible capital assets	192,122	185,732
Donated tangible capital assets	(18,217)	(16,646)
Loss on disposition of tangible capital assets	18,561	10,921
Net income from Government Business Enterprises	(134,914)	(22,857)
Change in employee future benefits and other obligations	10,825	7,755
Change in solid waste landfill liabilities	(292)	(1,303)
	<u>433,644</u>	<u>369,860</u>
Investing activities		
Decrease (increase) in portfolio investments	(47,893)	(109,315)
Decrease (increase) in long term receivables	(3,812)	5,425
Dividends received from Government Business Enterprises	14,740	8,590
	<u>(36,965)</u>	<u>(95,300)</u>
Financing activities		
Long term debt issued – Municipal Operations	-	129,901
Debt principal repayment – Municipal Operations	(48,480)	(42,208)
Lease obligation payment – Municipal Operations	(619)	(548)
Debt principal repayment – Housing Corporation	(5,562)	(5,396)
	<u>(54,661)</u>	<u>81,749</u>
Capital activities		
Purchase of tangible capital assets	<u>(350,916)</u>	<u>(301,133)</u>
Net increase (decrease) in cash and cash equivalents	(8,898)	55,176
Cash and cash equivalents		
Beginning of year	<u>148,185</u>	<u>93,009</u>
End of year	<u>\$ 139,287</u>	<u>\$ 148,185</u>

See accompanying notes to the consolidated financial statements.

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

1. Significant accounting policies

The Consolidated Financial Statements of the City of Hamilton ("City") are prepared by management in accordance with Canadian public sector accounting standards, as recommended by the Public Sector Accounting Board ("PSAB") of the Chartered Professional Accountants of Canada.

Significant accounting policies adopted by the City are as follows:

(a) Reporting entity

- (i) The consolidated financial statements reflect the assets, liabilities, revenues, expenses, changes in accumulated surplus, changes in net financial assets of the reporting entity. The consolidated financial statements include the activities of all committees of Council and the following boards and enterprises which are under the control of and accountable to Council:

Hamilton Police Services Board
The Hamilton Public Library Board
The Hamilton Street Railway Company
CityHousing Hamilton Corporation
Hamilton Business Improvement Areas including Ancaster BIA, Barton Street Village BIA, Concession Street BIA, Downtown Hamilton BIA, Dundas BIA, International Village BIA, King Street West BIA, Locke Street BIA, Main Street West Esplanade BIA, Downtown Stoney Creek BIA, Ottawa Street BIA, Waterdown BIA, and Westdale BIA
Flamborough Recreation Sub-Committees
Confederation Park
Hamilton Farmers Market

Interdepartmental and organizational transactions and balances are eliminated.

CityHousing Hamilton Corporation was incorporated as Hamilton Housing Corporation on January 1, 2001 as a result of the provincial legislation, Social Housing Reform Act 2000, which transferred the operation of various local housing authorities to municipalities. The City of Hamilton assumed social housing responsibilities on December 1, 2001. The share capital of CityHousing Hamilton Corporation is 100% owned by the City of Hamilton and a separate Board of Directors has been established to provide oversight responsibilities for the Corporation.

CityHousing Hamilton Corporation has been consolidated on a line-by-line basis after conforming with the City's accounting principles after eliminating inter-organizational transactions and balances.

Hamilton Utilities Corporation ("H.U.C.") and Hamilton Renewable Power Inc. ("H.R.P.I.") are subsidiary corporations of the City and are accounted for on a modified equity basis, consistent with the generally accepted accounting treatment for government business enterprises (Note 4). Under the modified equity basis, the business enterprise's accounting principles are not adjusted to conform to those of the City and inter-organizational transactions and balances are not eliminated.

City of Hamilton trust fund assets that are administered for the benefit of external parties are excluded from the consolidated financial statements. Separate financial statements have been prepared.

Cemetery trust, and general trust funds administered by the City amounting to \$17,663,000 (2016 - \$16,579,000) have not been included in the Consolidated Statement of Financial Position nor have these operations been included in the Consolidated Statement of Operations. Homes for the Aged trust funds administered by the City amounting to \$452,000 (2016 - \$438,000) have not been included in the Consolidated Statement of Financial Position nor have these operations been included in the Consolidated Statement of Operations.

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

1. Significant accounting policies (continued)

(a) Reporting entity (continued)

- (ii) The financial activities of certain entities associated with the City of Hamilton are not consolidated. The City's contributions to these entities are recorded in the Consolidated Statement of Operations. The entities that are not consolidated are as follows:

Hamilton Region Conservation Authority
Disabled and Aged Regional Transit System
The Hamilton Municipal Retirement Fund
The Hamilton-Wentworth Retirement Fund
The Pension Fund of the Employees of the Hamilton Street Railway
The Hamilton and Scourge Foundation Inc.
Township of Glanbrook Non-Profit Housing Corporation

- (iii) The financial activities of programs administered by the City which are fully funded by the Province of Ontario or the Government of Canada on the basis of a March 31st year-end are excluded from these financial statements. The programs, which are not consolidated, are as follows:

Anonymous Testing Program
IDU Outreach Program
Child and Adolescent Services
Community Capacity Building - Choices and Changes Program
Community Mental Health and Addictions
Healthy Kids Community Challenge
Prenatal Nutrition & Support
Remedial Measures

- (iv) The taxation, other revenues, expenses, assets and liabilities with respect to the operations of various school boards are not reflected in the consolidated financial statements.

(b) Basis of accounting

Revenues are recorded on the accrual basis of accounting, whereby revenues are recognized as they are earned and measurable. Expenses are recognized in the period goods and services are acquired and a liability is incurred.

(c) Use of estimates

The preparation of financial statements in accordance with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Significant estimates include assumptions used in estimating provisions for allowance for doubtful accounts, donated tangible capital assets, solid waste landfill liabilities, liabilities for contaminated sites, and in performing actuarial valuations of employee future benefit obligations.

Where estimation uncertainty exists, the financial statements have been prepared within reasonable limits of materiality. Actual results could differ from those estimates.

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

1. Significant accounting policies (continued)

(d) Cash and cash equivalents

Cash and cash equivalents are comprised of cash on hand, cash held in financial institutions and temporary investments with maturities of 365 days or less. Temporary investments are recorded at cost and are written down to fair value when there has been a decline in value.

(e) Portfolio investments

Portfolio investments are comprised of fixed income securities primarily federal, provincial and municipal government bonds and federal government treasury bills. Portfolio investments are valued at cost less any amounts written off to reflect an other than temporary decline in value.

(f) Deferred revenue – obligatory reserve funds

Receipts which are restricted by legislation of senior governments or by agreement with external parties are in nature restricted revenues and are reported as deferred revenues. When qualifying expenses are incurred, deferred revenues are recognized into revenue in the fiscal period they are expended.

(g) Employee future benefits and other obligations

Employee future benefits and other obligations for retirement, post employment and pension benefits are reported in the Consolidated Statement of Financial Position. The accrued benefit obligations are determined using management's best estimates of expected investment yields, wage and salary escalation, mortality rates, termination and retirement ages. The actuarial gain or loss is amortized over the expected average remaining life expectancy of the members of the employee groups.

(h) Tangible capital assets

Tangible capital assets are recorded at cost which includes all amounts directly attributable to acquisition, construction, development or betterment of the asset. Donated or contributed assets are capitalized and recorded at their estimated fair value upon acquisition and recognized in revenue. Leased tangible capital assets are valued at the present value of the future minimum lease payments. Certain tangible capital assets for which historical cost information is not available have been recorded at current replacement cost deflated by a relevant inflation factor.

Amortization for road linear assets is calculated on a consumption basis using road deterioration curves. The City's open landfill site is amortized based on units of production (capacity used during the year). All other tangible capital assets are amortized on a straight-line basis over their estimated useful lives. One half of the annual amortization is recorded as amortization expense in the year of acquisition or construction and in the year of disposal. Estimated useful lives range from 3 years to 100 years as follows:

General - Land improvements	20 to 75 years
General - Buildings	20 to 50 years
General - Vehicles	4 to 20 years
General – Computer hardware and software	3 to 5 years
General – Other – Machinery and equipment	3 to 100 years
Infrastructure – Roads	10 to 50 years
Infrastructure – Bridges and other structures	40 to 75 years
Infrastructure – Water and wastewater facilities	20 to 40 years
Infrastructure – Water, wastewater, stormwater linear network	18 to 100 years

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

1. Significant accounting policies (continued)

(h) Tangible capital assets (continued)

The City has leased tangible capital assets which are amortized over the term of the lease, ranging from 5 to 50 years. The cost, accumulated amortization, net book value and amortization expense have been reported in these consolidated financial statements.

Assets under construction are not amortized until the asset is ready for use. All interest on debt incurred during construction of related tangible capital assets is expensed in operations in the year incurred. Works of art and historic treasures are not recorded as assets in these financial statements.

(i) Inventories

Inventories held for consumption or use are valued at the lower of cost and net realizable value.

(j) Government transfers

Government transfers are recognized as revenue in the financial statements when the transfer is authorized, any eligibility criteria are met and a reasonable estimate of the amount can be made except, when and to the extent that, stipulations by the transferor give rise to an obligation that meet the definition of a liability. Government transfers that meet the definition of a liability are recognized as revenue as the liability is extinguished.

(k) Long term receivables

Long term receivables are valued at cost. Recoverability is assessed annually and a valuation allowance is recorded when recoverability has been impaired. Long term receivables are written off when they are no longer recoverable. Recoveries of long term receivables previously written off are recognized in the year received. Interest revenue is recognized as it is earned. Long term receivables with significant concessionary terms are reported as an expense on the Consolidated Statement of Operations. Long term receivables are reported in Note 3.

(l) Tax revenue

Taxes receivable and tax revenue are recognized when they meet the definition of an asset, the tax is authorized and the taxable event has occurred.

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

2. Cash and portfolio investments

	<u>2017</u>	<u>2016</u>
Cash and cash equivalents are comprised of:		
Cash on hand	\$ 174	\$ 166
Cash held in banks	132,957	141,879
Temporary investments	6,156	6,140
	<u>\$ 139,287</u>	<u>\$ 148,185</u>
Portfolio investments are comprised of:		
Unrestricted investments	\$ 651,451	\$ 643,709
Designated investments (obligatory reserve funds)	252,155	213,247
Designated investments (Hamilton Future Fund)	44,322	43,079
	<u>\$ 947,928</u>	<u>\$ 900,035</u>

Portfolio investments have a market value of \$955,877,000 (2016 - \$927,573,000). The City has purchased \$7,426,000 (2016 - \$10,024,000) of its own debentures which have not been cancelled. This investment in own debentures is included in investments on the consolidated statement of financial position. The gross outstanding amount of these debentures is \$355,658,000 (2016 - \$404,138,000).

3. Long term receivables

The City has long-term receivables in the amount of \$52,124,000 (2016 - \$48,312,000). The long term receivables are comprised of:

	<u>2017</u>	<u>2016</u>
Development charge deferral agreements	\$ 26,987	\$ 22,117
Mortgages receivable:		
Downtown convert to rent program	11,422	10,470
Hamilton Utilities Corporation	7,128	8,100
Hamilton Renewable Power Inc.	808	1,304
Sheraton Hotel loan	977	1,086
Other City loan programs	3,802	3,719
Loans to other agencies and organizations	3,997	4,357
Less: Provision for loans with concessionary terms	(2,997)	(2,841)
	<u>\$ 52,124</u>	<u>\$ 48,312</u>

Development charge deferral agreements and mortgage receivables are loans which are secured by property, with interest rates varying from 0% to 4.75% and terms of one year to thirty years.

Loans to other agencies and organizations include loans to the Hamilton Conservation Authority, Catholic Children's Aid Society, Winona Peach Festival, Redeemer University College, the Bob Kemp Hospice, Canadian Football Hall of Fame, Rosedale Tennis Club with interest rates varying from 0% to 6.75% for terms of up to thirty years. □

4. Investment in Government Business Enterprises

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

Hamilton Utilities Corporation and Hamilton Renewable Power Inc. are subsidiary corporations of the City and are accounted for on a modified equity basis, consistent with the generally accepted accounting treatment for government business enterprises.

In compliance with provincial legislation enacted to restructure the electrical industry in Ontario, the Hamilton Utilities Corporation ("H.U.C.") was incorporated on June 1, 2000. All of the assets and liabilities of the predecessor hydro-electric systems were transferred to H.U.C. During 2004, Hamilton Hydro Energy Inc. was established with the City's acceptance of a dividend in kind in the form of one common share from H.U.C. Effective June 1, 2005, the articles of incorporation reflected the amendment of a name change to Hamilton Renewable Power Inc. ("H.R.P.I.").

The amounts related to government business enterprises as reported in the Consolidated Statement of Operations for 2017 and 2016 is as reported by the Hamilton Utilities Corporation and Hamilton Renewable Power Inc.

	<u>2017</u>	<u>2016</u>
Net income from H.U.C.	\$ 134,786	\$ 22,774
Net income from H.R.P.I.	<u>128</u>	<u>83</u>
Net income from Government Business Enterprises	<u>\$ 134,914</u>	<u>\$ 22,857</u>

The City's investment in Government Business Enterprises is reported in the Consolidated Statement of Financial Position as:

	<u>2017</u>	<u>2016</u>
Investment in H.U.C.	\$ 356,430	\$ 247,785
Investment in H.R.P.I.	<u>(332)</u>	<u>(399)</u>
	<u>\$ 356,098</u>	<u>\$ 247,386</u>

4. Investment in Government Business Enterprises (continued)

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

The following table provides condensed supplementary financial information for Hamilton Utilities Corporation reported by H.U.C. at December 31, 2017 and December 31, 2016 respectively.

	<u>2017</u>	<u>2016</u>
Financial Position		
Current assets	\$ 18,699	\$ 148,001
Capital assets	39,239	497,484
Intangible assets	2,400	20,005
Goodwill	582	18,923
Future payments in lieu of taxes	1,883	8,409
Investments in Alectra Inc.	347,238	-
Total assets	<u>410,041</u>	<u>692,822</u>
Current liabilities (including current portion of long term debt)	5,350	126,687
Non-current liabilities	48,149	263,267
Total liabilities	53,499	389,954
Minority Interest	112	55,083
Shareholders' equity	<u>\$ 356,430</u>	<u>\$ 247,785</u>
Results of operations		
Revenues	\$ 67,940	\$ 765,053
Operating expenses	(71,489)	(714,369)
Equity income in Alectra Holdings Inc.	13,659	-
Financing expenses	(1,097)	(7,745)
Investing expenses	(49)	(2,115)
Other income	159,544	605
Equity earnings from operations	168,508	41,429
Payment in lieu of taxes	(33,705)	(11,786)
Minority Interest	(17)	(6,869)
Net Income before other comprehensive income	134,786	22,774
Other comprehensive income	(11,463)	307
Net income	<u>\$ 123,323</u>	<u>\$ 23,081</u>
Dividends paid	\$ 14,678	\$ 8,529

4. Investment in Government Business Enterprises (continued)

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

The following table provides condensed supplementary financial information for Hamilton Renewable Power Inc. reported at December 31, 2017 and December 31, 2016 respectively.

	<u>2017</u>	<u>2016</u>
Financial Position		
Current assets	\$ 758	\$ 717
Capital assets	6,735	7,300
Other assets	<u>32</u>	<u>32</u>
Total assets	<u>7,525</u>	<u>8,049</u>
Current liabilities		
(including current portion of long term debt)	1,160	1,183
Future payment in lieu of taxes	419	457
Long term debt	<u>278</u>	<u>808</u>
Total liabilities	1,857	2,448
Common shares	<u>6,000</u>	6,000
Net deficit	<u>\$ (332)</u>	<u>\$ (399)</u>
Results of operations		
Revenues	\$ 3,182	\$ 3,264
Expenses	<u>(3,054)</u>	<u>(3,181)</u>
Net income	<u>\$ 128</u>	<u>\$ 83</u>
Dividends paid	\$ 62	\$ 61

Hamilton Utilities Corporations' non-current liabilities include long term debt owing to the City of Hamilton for secured borrowings of \$7,128,000 (2016 - \$8,100,000) bearing interest at 4.06% due 1 January 2020.

Hamilton Renewable Power Incorporated Capital Loan:

The City of Hamilton, the sole shareholder, has provided a capital loan in the amount of \$808,000 (2016 - \$1,304,000), bearing interest at 6.75% compounded semi-annually, due in semi-annual payments of \$287,698 principal and interest maturing in 2019.

4. Investment in Government Business Enterprises (continued)

The following summarizes the City's related party transactions with Hamilton Utilities Corporation and Hamilton Renewable Power Inc. for the year.

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

All transactions are in the normal course of operations, other than dividend revenue, and are recorded at the exchange value based on normal commercial rates, or as agreed to by the parties.

	<u>2017</u>	<u>2016</u>
Revenue		
Dividend revenue from H.U.C.	\$ 14,678	\$ 8,529
Dividend revenue from H.R.P.I.	62	61
Property and other taxes received by the City from H.U.C.	640	593
Sale of Methane to H.R.P.I.	872	920
Expenditures		
Hydro purchased by the City from H.U.C.	38,100	40,170
Water and sewer billing contracted service with H.U.C.	419	5,072
Thermal and Electrical Energy purchased from H.U.C.	2,378	1,916
Thermal Energy purchased from H.R.P.I.	360	428
Fibre Services purchased by the City from H.U.C.	1,077	780
Cooling changes related to Central Utilities Plant	1,802	1,788
Assets		
Accounts receivable from H.U.C.	1,363	1,285
Water user charges receivable from H.U.C.	-	14,480
Accounts receivable from H.R.P.I.	446	371
Long term receivable from H.U.C.	7,128	7,452
Long term receivable from H.R.P.I.	808	1,304
Liabilities		
Accounts Payable – H.U.C.	1,005	3,348

5. Deferred revenue – obligatory reserve funds

	<u>2017</u>	<u>2016</u>
Development charge reserve funds	\$ 158,996	\$ 127,959
Subdivider contributions	-	56
Recreational land dedicated under the Planning Act	35,235	32,493
Gasoline tax revenue: Provincial	16,692	18,774
Federal	21,919	16,265
Building Permit Revenue	19,285	17,671
Other (Ivor Wynne)	29	29
	<u>\$ 252,156</u>	<u>\$ 213,247</u>

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

6. Deferred revenue – obligatory reserve funds

The deferred revenue – obligatory reserve funds, reported on the consolidated statement of financial position, are made up of the following:

	<u>2017</u>	<u>2016</u>
Balance at the beginning of the year	\$ 213,247	\$ 226,745
Add:		
Developer and other contributions	90,155	84,994
Interest earned	4,706	3,775
Provincial and Federal Funding	43,238	42,297
	<u>138,099</u>	<u>131,066</u>
Less:		
Contributions used in operating and capital funds	<u>(99,190)</u>	<u>(144,564)</u>
Balance at the end of the year	<u>\$ 252,156</u>	<u>\$ 213,247</u>

7. Long term liabilities – municipal operations

- (a) The long term liabilities – municipal operations consists of long term debt for serial debentures and loans that mature in the years 2018 to 2044 with interest rates varying between 1.61% and 6.75% and obligations for leased tangible capital assets with payments from 2018 to 2051 at a discount rate of 5%. The balance of long term liabilities consists of the following:

	<u>2017</u>	<u>2016</u>
Long term liabilities incurred by the City	\$ 355,658	\$ 404,138
Long term liabilities incurred by the City for which other entities have assumed responsibility	<u>-</u>	<u>-</u>
Net long term debt	355,658	404,138
Long term liabilities for leased tangible capital assets incurred by the City	<u>3,979</u>	<u>4,597</u>
Net long term liabilities	<u>\$ 359,637</u>	<u>\$ 408,735</u>

- (b) Of the \$355,658,000 long term debt (2016 - \$404,138,000) certain principal payments do not represent a burden on general City revenue, as they are to be recovered in future years from other sources.

The total long term debt is to be recovered from the following:

	<u>2017</u>	<u>2016</u>
General revenues	\$ 233,406	\$ 275,662
Water & Wastewater user charges	122,252	128,475
Non-consolidated entities	-	1
	<u>\$ 355,658</u>	<u>\$ 404,138</u>

7. Long term liabilities – municipal operations (continued)

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

- (c) The total City principal repayments of long term debt in each of the next five years and thereafter are due as follows:

	General Revenues	Water & Wastewater User Charges	Total 2017
2018	27,466	10,284	\$ 37,750
2019	28,052	10,288	38,340
2020	23,849	10,293	34,142
2021	23,980	10,298	34,278
2022	24,397	10,303	34,700
2023 and thereafter	105,662	70,786	176,448
Total	<u>\$ 233,406</u>	<u>\$ 122,252</u>	<u>\$ 355,658</u>

- (d) The total City principal repayments of leased tangible capital assets in each of the next five years and thereafter are due as follows:

	2017
2018	\$ 619
2019	619
2020	619
2021	335
2022	62
2023 and thereafter	1,725
Total	<u>\$ 3,979</u>

- (e) Total charges for the year for long term debt are as follows:

	2017	2016
Principal repayments	\$ 48,480	\$ 42,208
Interest expense	11,716	11,059
	<u>\$ 60,196</u>	<u>\$ 53,267</u>

- (f) Total charges for the year for leased tangible capital assets are as follows:

	2017	2016
Principal repayments	\$ 619	\$ 548
Interest expense	238	177
	<u>\$ 857</u>	<u>\$ 725</u>

8. Long term liabilities – housing corporation

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

(a) The balance of long term debt – housing corporations reported on the Consolidated Statement of Financial Position represents capital assets of the CityHousing Hamilton that are financed by mortgages. The mortgages mature in the years 2018 to 2027 with interest rates varying between 0.96% and 5.83%. The mortgage obligations for CityHousing Hamilton are \$58,508,000 (2016 - \$64,070,000).

(b) The principal repayments of these mortgages in each of the next five years and thereafter are as follows:

	<u>2017</u>
2018	\$ 14,492
2019	16,771
2020	6,188
2021	4,054
2022	10,369
2023 and thereafter	6,634
	\$ 58,508

(c) Total charges for the year for long term debt - housing corporations are as follows:

	<u>2017</u>	<u>2016</u>
Principal repayments	\$ 5,562	\$ 5,396
Interest expense	1,489	1,697
	\$ 7,051	\$ 7,093

(d) Other long term debt incurred by the City of Hamilton's housing corporations, representing capital assets financed by debentures issued by the Ontario Housing Corporation of \$14,035,000 (2016 - \$17,016,000), is not included in the Consolidated Statement of Financial Position. The Social Housing Reform Act, 2000 transferred the ownership and responsibility for the administration of Province of Ontario public housing to the City of Hamilton as a local housing corporation. The transfer, effective January 1, 2001, included land and buildings at no cost. The servicing of long term debt remains the obligation of the Province of Ontario.

9. Employee future benefits and other obligations

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

The City provides certain employee benefits that require funding in future periods. An estimate of these liabilities has been recorded in the Consolidated Statement of Financial Position. These amounts are summarized as follows:

	<u>2017</u>	<u>2016</u>
Accrued Benefit Obligation		
Sick leave benefit plan	\$ 55,982	\$ 55,108
Long term disability	26,687	23,819
Workplace safety and insurance board liabilities (WSIB)	88,537	78,297
Retirement benefits	146,547	142,509
Vacation benefits	27,478	26,291
Pension benefit plans (Note 9f)	<u>9,132</u>	<u>32,634</u>
	354,363	358,658
Net unamortized actuarial (loss) gain	<u>13,224</u>	<u>(1,896)</u>
Accrued Liability	<u>\$ 367,587</u>	<u>\$ 356,762</u>

The City has established reserves for some of these liabilities totalling \$66,022,000 (2016 - \$66,142,000) as described in the following notes.

The continuity of employee future benefits and other obligations are summarized as follows:

	<u>2017</u>	<u>2016</u>
Liability for Employee Future Benefits and Other Obligations		
balance at beginning of the year	\$ 356,762	\$ 349,007
Plan amendment per actuarial valuation	-	861
Benefit expense	26,394	25,156
Interest expense	13,735	13,443
Amortization of actuarial loss on accrued benefit obligations	7,417	7,487
Amortization of actuarial gain on earnings on pension assets	(1,271)	(2,380)
Benefit payments	<u>(35,450)</u>	<u>(36,812)</u>
Liability for Employee Future Benefits and Other Obligations		
balance at end of the year	<u>\$ 367,587</u>	<u>\$ 356,762</u>

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

9. Employee future benefits and other obligations (continued)

The expenses related to these employee benefits and other obligations are reported in the Consolidated Statement of Operations. These expenses are summarized as follows:

	<u>2017</u>	<u>2016</u>
Plan amendment	\$ -	\$ 861
Benefit expense	26,394	24,941
Interest expense	13,735	13,443
Amortization of net actuarial loss	6,146	5,107
	<u>\$ 46,275</u>	<u>\$ 44,352</u>

Actuarial valuations are performed on post employment, retirement benefits and pension benefits to provide estimates of the accrued benefit obligations. These estimates are based on a number of assumptions about future events including interest rates, inflation rates, salary and wage increases, medical and dental cost increases and mortality. The assumptions are determined at the time of the actuarial valuations and are reviewed annually. Consequently, different assumptions may be used as follows:

	Discount Rate	Return on Assets	Inflation Rate	Payroll Increases	Dental Increases	Life Expectancy (Years)
Vested sick leave	3.50%	NA	2.0%	3.0%	NA	11.8 to 12.4
Long term disability	3.50%	NA	2.0%	3.0%	NA	8.0
Workplace safety and insurance	4.25%	NA	2.0%	3.0%	NA	10.0
Retirement Benefits Health and Dental	3.80%	NA	2.0%	3.0%	4	14.3 to 16.0
Pensions Benefits (non-OMERS)	4.90%	4.90%	2.25%	NA (2)	NA	7.9 to 10.0

Notes: (1) Drug costs increased by 8.2% in 2017 reducing by 0.20% each year to ultimate rate of 4.0%. Hospital and other medical services costs are assumed to increase by 4.0% per year.

(2) There is no estimate for future salary and wage increases in the non-OMERS pension plans as the active employees have been transferred to OMERS.

(a) Liability for sick leave benefit plans

The City provides a sick leave benefit plan for certain employee groups. Under the sick leave benefit plan of the City, unused sick leave can accumulate and employees may become entitled to a cash payment when they leave the City's employment. An actuarial valuation as at December 31, 2017 has estimated the accrued benefit obligation at \$55,982,000 (2016 - \$55,108,000). Changes in valuation assumptions have resulted in an increase in the liability to \$55,982,000 from the expected liability of \$49,867,000. The actuarial loss as at December 31, 2017 of \$6,115,000 is being amortized over 11.8 to 12.4 years, which is the expected average remaining life expectancy of the members of the employee groups. Reserves established to provide for this liability are included on the Consolidated Statement of Financial Position in the amount of \$7,955,000 (2016 - \$6,806,000).

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

9. Employee future benefits and other obligations (continued)

(b) Liability for long term disability

The City provides benefits in the event of total disability for certain employee groups. An actuarial valuation of the City's self-insured long term disability program as at December 31, 2015 has estimated the accrued benefit obligation at \$26,687,000 (2016 - \$23,819,000). Changes in valuation assumptions have resulted in an increase in the liability to \$26,687,000 from the expected liability of \$24,960,000. The actuarial loss as at December 31, 2017 of \$1,727,000 is being amortized over 8.0 years, which is the expected average remaining life expectancy of the members of the employee groups. Reserves established to provide for this liability are included on the Consolidated Statement of Financial Position in the amount of \$16,394,000 (2016 - \$16,629,000).

(c) Liability for workplace safety and insurance

The City is liable for compensation related to workplace injuries as stipulated by the Workplace Safety & Insurance Act. An actuarial valuation as at December 31, 2015 estimated the accrued benefit obligation for workplace safety & insurance existing claims and future pension awards at \$88,537,000 (2016 - \$78,297,000). Changes in valuation assumptions have resulted in an increase in the liability to \$88,537,000 from the expected liability of \$82,178,000. The actuarial loss of \$6,359,000 is being amortized over 10.0 years, which is the expected average remaining life expectancy of the plan members in various groups. Reserves established to provide for this liability are included on the Consolidated Statement of Financial Position in the amount of \$40,172,000 (2016 - \$41,240,000).

(d) Liability for retirement benefits

The City provides certain health, dental and life insurance benefits between the time an employee retires under the Ontario Municipal Employees Retirement System (OMERS) or the normal retirement age and up to the age of 65 years. An actuarial valuation at December 31, 2017 estimated the accrued benefit obligation at \$146,547,000 (2016 - \$142,509,000). Changes in valuation assumptions have resulted in an increase in the liability to \$146,547,000 from the expected liability of \$127,397,000. The actuarial loss of \$19,150,000 is being amortized over 14.3 to 16.0 years, which is the expected average remaining life expectancy of the plan members in various groups.

(e) Liability for vacation benefits

The City is liable for vacation days earned by its employees as at December 31, 2017 but not taken until a later date. The liability as at December 31, 2017 has been estimated at \$27,478,000 (2016 - \$26,291,000), of which \$17,096,000 is funded by City departments' budgets (2016 - \$16,708,000). Reserves established to provide for this liability are included on the Consolidated Statement of Financial Position in the amount of \$1,500,000 (2016 - \$1,467,000), and the remaining liability of \$8,882,000 is unfunded (2016 - \$8,116,000).

(f) Liability for pensions plans

In addition to the Ontario Municipal Employees Retirement System (OMERS) described in Note 10 the City also provides pension benefits under three other plans. The actuarial valuations at December 31, 2017 estimated the combined accrued benefit obligation of the pension plans at \$9,132,000 (2016 - \$32,634,000). Changes in valuation resulted in a decrease in the liability to \$9,132,000 from an expected liability of \$55,706,000. The actuarial gain of \$46,575,000 is being amortized over 7.9 to 10.0 years, which is the expected average remaining life expectancy of the plan members.

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

10. Pension agreements

(a) Ontario Municipal Employees Retirement System

The City makes contributions to the Ontario Municipal Employees Retirement System (OMERS), which is a multi-employer plan, on behalf of approximately 7,096 members of City staff and councillors. The plan is a defined benefit plan, which specifies the amount of retirement benefit to be received by employees, based on the length of credited service and average earnings.

The latest actuarial valuation as at December 31, 2016 (with projections to December 31, 2017) indicates a "going concern" Actuarial Deficit based on the plan's current member and employer contribution rates. Contributions were made in the 2017 calendar year at rates ranging from 9.0% to 15.8% depending on the member's designated retirement age and level of earnings. As a result \$56,454,000 (2016 - \$54,369,000) was contributed to the OMERS plan for current service.

As OMERS is a multi-employer pension plan, any pension plan surpluses or deficits are a joint responsibility of all Ontario municipalities and their employees.

(b) Other pension plans

Approximately 360 employees and 1011 former employees of the City are members of three defined benefit plans and are current or future beneficiaries under their terms and conditions. Actuarial valuations of the pension plans for funding purposes are required under the Pension Benefits Act every three years. The actuarial valuations of the pension plans for accounting purposes provide different results than the valuations for funding purposes. For funding purposes, one of the pension plans is in a surplus position and the other two of the pension plans are in a deficit position.

The actuarial valuation for these pension plans are based on a number of assumptions about future events including mortality, inflation and interest rates. The two plans with deficits are paying a number of amortization schedules that will be completed over a period ranging from two to fifteen years. The accrued pension liability reported in the Consolidated Statements of Financial Position is comprised as follows:

	<u>2017</u>	<u>2016</u>
Accrued pension benefit obligation - HWRF	\$ 60,494	\$ 66,463
Pension plan assets:		
Marketable securities (Market value)	<u>(59,418)</u>	<u>(59,443)</u>
	1,076	7,020
Unamortized actuarial gain	<u>8,594</u>	<u>2,498</u>
Accrued pension liability - HWRF	<u>\$ 9,670</u>	<u>\$ 9,518</u>

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

10. Pension agreements (continued)

(b) Other pension plans (continued)

The actuarial gain or loss on pension fund assets and the actuarial gain or loss on accrued pension benefit obligation are comprised as follows:

	<u>2017</u>	<u>2016</u>
Expected pension fund assets at end of year	\$ 57,132	\$ 57,735
Actual pension fund assets at end of year	<u>59,418</u>	<u>59,443</u>
Actuarial gain (loss) on pension fund assets - HWRF	<u>\$ 2,286</u>	<u>\$ 1,708</u>
Expected accrued pension benefit obligation at end of year	\$ 63,375	\$ 64,162
Actual accrued pension benefit obligation at end of year	<u>60,494</u>	<u>66,463</u>
Actuarial (loss) gain on accrued pension benefit obligation – HWRF	<u>\$ 2,880</u>	<u>\$ (2,301)</u>

The expenses related to the HWRF pension plan are comprised as follows:

	<u>2017</u>	<u>2016</u>
Amortization of net actuarial gain on accrued pension benefit obligation	\$ 532	\$ 347
Amortization of net actuarial loss on pension plan assets	<u>398</u>	<u>(811)</u>
Net Amortization	<u>930</u>	<u>(464)</u>
Interest on average accrued pension benefit obligation	\$ 3,229	\$ 3,672
Expected return on average pension plan assets	<u>(2,899)</u>	<u>(3,278)</u>
Net Interest	<u>330</u>	<u>394</u>
Total expenses	<u>\$ 1,260</u>	<u>\$ (70)</u>

Payments of \$1,107,200 (2016 - \$1,631,000) have been applied to reduce the HWRF pension plan deficit as actuarially determined for funding purposes. The pension deficit for the HWRF pension plan as at December 31, 2017 will be funded by the City with payments as follows:

2018	\$ 1,294
2019	1,466
2020	109
2021	109
2022 and thereafter	<u>109</u>
Total	<u>\$ 3,087</u>

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

10. Pension agreements (continued)

(b) Other pension plans (continued)

The actuarial valuation of the Hamilton Municipal Retirement Fund ("HMRF") pension plan as at December 31, 2014 is based on a number of assumptions about future events including mortality, inflation rates, salary and wage increases and interest rates. The unamortized actuarial gains and losses on plan assets and accrued benefit obligation are being amortized over eleven years representing the expected average remaining life expectancy of the plan members. The accrued pension liability reported in the Consolidated Statement of Financial Position is comprised as follows:

	<u>2017</u>	<u>2016</u>
Accrued pension benefit obligation - HMRF	\$ 71,064	\$ 72,825
Pension plan assets:		
Marketable securities (Market value)	<u>(77,680)</u>	<u>(77,162)</u>
	<u>(6,616)</u>	<u>(4,337)</u>
Unamortized actuarial gain	<u>9,245</u>	<u>5,885</u>
Accrued pension liability - HMRF	<u>\$ 2,629</u>	<u>\$ 1,548</u>

The actuarial gain or loss on pension fund assets and the actuarial loss on accrued pension benefit obligation are comprised as follows:

	<u>2017</u>	<u>2016</u>
Expected pension fund assets at end of year	\$ 74,683	\$ 74,946
Actual pension fund assets at end of year	<u>77,680</u>	<u>77,162</u>
Actuarial gain (loss) on pension fund assets - HMRF	<u>\$ 2,997</u>	<u>\$ 2,216</u>
Expected accrued pension benefit obligation at end of year	\$ 70,126	\$ 69,614
Actual accrued pension benefit obligation at end of year	<u>71,064</u>	<u>72,825</u>
Actuarial gain (loss) on accrued pension benefit obligation – HMRF	<u>\$ (938)</u>	<u>\$ (3,211)</u>

The expenses related to the HMRF pension plan are comprised as follows:

	<u>2017</u>	<u>2016</u>
Amortization of net actuarial gain on accrued pension benefit obligation	\$ 824	\$ 503
Amortization of net actuarial gain (loss) on pension plan assets	<u>479</u>	<u>700</u>
Net Amortization	<u>1,303</u>	<u>1,203</u>
Interest on average accrued pension benefit obligation	\$ 3,555	\$ 3,963
Expected return on average pension plan assets	<u>(3,776)</u>	<u>(4,253)</u>
Net Interest	<u>(221)</u>	<u>(290)</u>
Total expenses	<u>\$ 1,082</u>	<u>\$ 913</u>

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

10. Pension agreements (continued)

(b) Other pension plans (continued)

The actuarial valuation of the HSR pension plan as at January 1, 2017 is based on a number of assumptions about future events including mortality, inflation rates, salary and wage increases and interest rates. The unamortized actuarial gains and losses on plan assets and accrued benefit obligation are being amortized over nine years representing the expected average remaining life expectancy of the plan members. The accrued pension liability reported in the Consolidated Statement of Financial Position is comprised as follows:

	<u>2017</u>	<u>2016</u>
Accrued pension benefit obligation - HSR	\$ 219,330	\$ 223,442
Pension plan assets:		
Marketable securities (Market value)	<u>(204,658)</u>	<u>(193,491)</u>
	14,672	29,951
Unamortized actuarial gain	<u>28,736</u>	<u>18,341</u>
Accrued pension liability - HSR	<u>\$ 43,408</u>	<u>\$ 48,292</u>

The actuarial gain or loss on pension fund assets and the actuarial gain or loss on accrued pension benefit obligation are comprised as follows:

	<u>2017</u>	<u>2016</u>
Expected pension fund assets at end of year	\$ 196,874	\$ 187,923
Actual pension fund assets at end of year	<u>204,658</u>	<u>193,491</u>
Actuarial gain (loss) on pension fund assets - HSR	<u>\$ 7,784</u>	<u>\$ 5,568</u>
Expected accrued pension benefit obligation at end of year	\$ 223,456	\$ 207,914
Actual accrued pension benefit obligation at end of year	<u>219,330</u>	<u>223,442</u>
Actuarial (loss) gain on accrued pension benefit obligation – HSR	<u>\$ 4,126</u>	<u>\$ (15,528)</u>

The expenses related to the HSR pension plan are comprised as follows:

	<u>2017</u>	<u>2016</u>
Amortization of net actuarial (loss) gain on accrued pension benefit obligation	\$ 632	\$ (1,346)
Amortization of net actuarial loss on pension plan assets	<u>(2,147)</u>	<u>(2,268)</u>
Net Amortization	<u>(1,515)</u>	<u>(3,614)</u>
Interest on average accrued pension benefit obligation	\$ 11,113	\$ 11,612
Expected return on average pension plan assets	<u>(9,707)</u>	<u>(10,392)</u>
Net Interest	<u>1,406</u>	<u>1,220</u>
Total expenses	<u>\$ (109)</u>	<u>\$ (2,394)</u>

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

10. Pension agreements (continued)

(b) Other pension plans (continued)

Payments of \$4,774,800 (2016 – \$4,874,000) have been applied to reduce the HSR pension plan deficit as actuarially determined for funding purposes. The pension deficit for the HSR pension plan as at December 31, 2017 will be funded by the City with payments as follows:

2018	\$ 6,394
2019	6,501
2020	3,613
2021	3,613
2022 and thereafter	16,619
Total	\$ 36,740

11. Solid waste landfill liabilities

The City owns and operates one open landfill site and it owns and maintains twelve (12) closed landfill sites.

The active landfill site in the Glanbrook community was opened in 1980 covering 220 hectares over two phases with a capacity of 13,258,000 cubic metres of waste. Phase 1 has a capacity of 8,403,000 cubic metres. As at December 31, 2017 the remaining capacity of Phase 1 is estimated to be 143,000 cubic metres, representing 2% of its capacity. Phase 1 is expected to reach its capacity and close in 2018. Phase 2 has a capacity of 4,855,000 cubic metres and as at December 31, 2017 has yet to begin accepting fill. Phase 2 is estimated to reach its capacity and close in 2043.

In 2017 approximately 43% of waste generated was diverted from landfills (2016 – 45%).

The closure costs for the open Glanbrook landfill site and post closure care costs for the closed sites were based upon management estimates, adjusted by 3% inflation. These costs were then discounted back to December 31, 2017 using a discount factor of 4.5%. Post closure care for the Glanbrook site is estimated to be required for 50 years from the date of closure of each phase. Studies continue to be undertaken to assess the liability associated with the City's closed landfill sites and the estimates will be updated as new information arises.

Estimated expenses for closure and post-closure care are \$31,173,000 (2016 - \$31,725,000). The expenses remaining to be recognized are \$7,000,000 (2016 - \$7,259,000). The liability of \$24,174,000 (2016 - \$24,466,000) for closure of the operational site and post closure care of the closed sites has been reported on the Consolidated Statement of Financial Position. A reserve of \$1,080,000 (2016 - \$1,041,000) was established to finance the future cost for closed landfill sites.

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

12. Accumulated Surplus

The accumulated surplus balance is comprised of balances in reserves and discretionary reserve funds, operating surplus, capital surplus, unfunded liabilities to be recovered in the future, investment in government business enterprises and investment in tangible capital assets.

	<u>2017</u>	<u>2016</u>
Reserves and discretionary reserve funds set aside for specific purposes by Council are comprised of the following:		
Working funds	\$ 89,987	\$ 88,143
Contingencies	947	927
Replacement of equipment	59,658	58,083
Sick leave (Note 9)	7,955	6,806
Workplace Safety and Insurance Board (WSIB) (Note 9)	40,172	41,240
Pension Plans	3,178	2,977
Tax Stabilization	35,686	16,646
General Government	12,459	15,763
Protection Services	7,915	7,739
Transportation Services	28,973	28,579
Environmental Services	263,884	243,555
Health and Social Services	9,672	8,126
Recreation and Cultural Services	29,108	25,280
Planning and Development	13,261	10,917
Other Unallocated	95,076	92,497
Hamilton Future Fund (Note 13)	44,322	43,079
Total reserves and discretionary reserve funds	\$ 742,253	\$ 690,357
Operating surplus		
Flamborough recreation sub-committees	\$ 271	\$ 286
Business improvement areas	1,127	965
Housing Operations	(154)	(394)
Confederation Park Operations	254	1,163
Westfield Heritage Village Operations	-	-
Total operating surplus	\$ 1,498	\$ 2,020
Capital surplus		
Municipal Operations	\$ (37,423)	\$ 65,205
Housing Operations	9,286	4,816
Total capital surplus	\$ (28,137)	\$ 70,021
Unfunded liabilities		
Employee benefit obligations	\$ (343,679)	\$ (333,787)
Solid Waste Landfill Liabilities	(24,174)	(24,466)
Total unfunded liabilities	\$ (367,853)	\$ (358,253)
Investment in Government Business Enterprises (Note 4)	\$ 356,098	\$ 247,386
Investment in tangible capital assets	\$4,995,441	\$ 4,780,723
Accumulated surplus	\$5,699,300	\$ 5,432,254

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

13. Hamilton Future Fund

The Hamilton Future Fund was established by the Council of the City of Hamilton in 2002 from the proceeds from Hamilton Utilities Corporation of the net assets owed to the City upon restructuring of the electrical industry. The Hamilton Future Fund is used to create and protect a permanent legacy for current and future generations of Hamiltonians to enjoy economic prosperity and improved quality of life.

The continuity of the Hamilton Future Fund is as follows:

	<u>2017</u>	<u>2016</u>
Balance at the beginning of the year	\$ 43,079	\$ 37,711
Current Operations		
Investment Income	1,097	929
Repayment of Waste Management Projects	7,991	7,991
Waste Management Projects	(46)	(15)
Urban Development Bank	-	261
Other	(228)	(704)
	<u>8,814</u>	<u>8,462</u>
Tangible capital assets		
Waste Management Projects	(2,776)	(1,954)
Roads and Bridges	(335)	(865)
2015 Pan Am Games	(80)	-
Other	(4,380)	(275)
	<u>(7,571)</u>	<u>(3,094)</u>
Balance at the end of the year	<u>\$ 44,322</u>	<u>\$ 43,079</u>

14. Taxation

	Budget <u>2017</u>	Actual <u>2017</u>	Actual <u>2016</u>
Taxation from real property	\$1,051,407	\$ 1,056,723	\$1,032,999
Taxation from other governments payments in lieu of taxes	16,494	17,042	16,469
	<u>1,067,901</u>	<u>1,073,765</u>	<u>1,049,468</u>
Less: Taxation collected on behalf of school boards	(193,714)	(196,885)	(194,759)
Net taxes available for municipal purposes	<u>\$ 874,187</u>	<u>\$ 876,880</u>	<u>\$ 854,709</u>

The City is required to levy and collect taxes on behalf of the school boards. The taxes levied over (under) the amounts requisitioned are recorded as accounts payable (receivable).

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

15. Government transfers

(a) Government transfers - grants, subsidies and contributions

The City receives grants, subsidies and contributions from provincial and federal governments for general purposes, to finance specific program expenditures and to finance capital expenditures. Under the accrual basis of accounting these cash payments are recorded as grant revenues on the Consolidated Statement of Operations to the extent that the cash received is required to meet expenditures under the program. Any amount that is received for a specific purpose that remains unspent is recorded as Deferred Revenue - General on the Consolidated Statement of Financial Position. Any amounts owed by the other governments are recorded as Accounts Receivable on the Consolidated Statement of Financial Position. Amounts received for payments-in-lieu of taxes are not reported as government transfers.

During 2017, the City recognized revenue from the provincial and federal governments in the amount of \$394,785,000 (2016 - \$385,447,000) as follows:

	<u>2017</u>	<u>2016</u>
Government of the Province of Ontario	\$ 343,483	\$ 311,790
Government of Canada	<u>51,302</u>	<u>73,657</u>
Total	<u>\$ 394,785</u>	<u>\$ 385,447</u>

(b) Government transfers - payments for social assistance entitlements, housing subsidies and grants

The City makes discretionary and non-discretionary disbursements to individuals, institutions and agencies. These payments are recorded as expenditures in the Consolidated Statement of Operations to the extent that the payments meet the accrual basis of accounting. Amounts paid for Canada Pension Plan and investments in government debentures are not reported as government transfers. During 2017, the City issued payments as government transfers in the amount of \$211,374,000 (2016 - \$217,735,000) as follows:

	<u>2017</u>	<u>2016</u>
Payments for social assistance entitlements	\$ 129,089	\$ 122,225
Payments for housing subsidies	61,548	71,280
Grants to agencies and institutions	<u>20,737</u>	<u>24,230</u>
Total	<u>\$ 211,374</u>	<u>\$ 217,735</u>

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

16. Contractual obligations

- (a) The City has outstanding contractual obligations of approximately \$538,980,000 at December 31, 2017 for capital works (2016 - \$369,310,000). City Council has authorized the financing of these obligations.
- (b) The City has agreements with the Ontario Realty Corporation, an agency of the Provincial Government of Ontario, for various capital projects. The outstanding future obligations at December 31, 2017 amounting to \$3,465,000 (2016 - \$3,702,000) are not reflected in the Consolidated Financial Statements. Payments made to the Ontario Realty Corporation amounting to \$237,000 in 2017 (2016 - \$176,000) are reported in the Consolidated Statement of Operations.
- (c) The City is legislated under the Development Charges Act to fund Government of Ontario ("GO") Transit's Growth and Capital Expansion Plan. The obligation at December 31, 2017 of \$3,460,000 (2016 - \$3,460,000) is reported in the Consolidated Statement of Financial Position. Payments are collected through development charges and remitted to Metrolinx, an agency of the Government of the Province of Ontario. Payments made to Metrolinx in the amount of \$383,000 in 2017 (2016 - \$366,000) are reported in the Consolidated Statement of Operations.
- (d) The City has an agreement with a developer to design and install services in the Dundas and Waterdown community of the City of Hamilton. The City is committed to repaying the developer \$8,524,000 plus interest on the outstanding balance. Payments under the terms of the agreement are due by 2017 with an option to extend the term until 2022. The outstanding future obligation at December 31, 2017 amounting to \$0 (2016 - \$8,384,000) is not reflected in the Consolidated Financial Statements. Payments are collected by a special area charge and remitted to the developer. Payments made to the developer amounting to \$8,730,000 in 2017 (2016 - \$861,000) are reported in the Consolidated Statement of Operations.
- (e) The City has a contract with Progressive Waste Services (PWS) for the transfer, hauling and disposal of the City's solid waste, including the operations of the City's Transfer Stations and Community Recycling Centre. The term of the agreement is ten years and two months for the period of January 1, 2010 to February 29, 2020. The contract fees amounting to \$7,407,000 for 2017 (2016 - \$7,128,000) are reported in the Consolidated Statement of Operations.
- (f) The City has a contract with GFL Environmental Inc. for the provision of curbside/roadside collection of organics, garbage, leaf and yard, bulk waste for one-half of the City, including curbside/roadside recycling, automated recycling and bin waste collection for the entire City. The agreement ends on March 28, 2020 (with an option of one year extension). Contract fees amounting to \$17,418,000 for 2017 (2016 - \$16,710,000) are reported in the Consolidated Statement of Operations.
- (g) The City has lease agreements with Disabled and Aged Regional Transit System (D.A.R.T.S.) for the delivery of specialized transportation services. The term of the existing agreement is five years for the period of July 1, 2012 to June 30, 2017 with an option to renew for a further term up to five years. The annual contract fees amounting to \$17,031,000 (2016 - \$16,563,000) are reported in the Consolidated Statement of Operations.

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

16. Contractual obligations (continued)

- (h) The City has executed lease agreements for administrative office space, parking lots and other land leases requiring annual payments in future years as they become due and payable in the amount of \$50,676,000 (2016 - \$58,742,000). The minimum lease payments for these leases over the next five years and thereafter are:

2018	\$ 8,205
2019	7,315
2020	4,888
2021	2,936
2022	1,802
2023 and thereafter	25,530
Total	\$ 50,676

- (i) The City has a Credit Facility Agreement dated March 14, 2012 with a Canadian chartered bank to borrow up to \$117,740,000, consisting of \$65,000,000 in a revolving demand facility, and two non-revolving term facilities in the amounts of \$38,000,000 and \$14,740,000.

On May 8, 2012, the City took a drawdown of \$38,000,000 and \$14,740,000 from the two non-revolving term facilities, by undertaking two term loans. No other amounts have been drawn from the Credit Facility Agreement and therefore, as at December 31, 2017, the City has \$65,000,000 in a revolving demand facility.

The first term loan of \$14,740,000 was paid in full on May 8, 2017. The second term loan has an original principal of \$38,000,000, a term of 15 years, and an annual principal repayment of \$2,533,000. As at December 31, 2017, the remaining principal balance is \$0 (2016 - \$2,948,000) for the first term loan and \$25,335,000 (2016 - \$27,868,000) for the second term loan. The interest cost for the City is based on the 30-day Banker's Acceptance rate. These loans are included in Long term liabilities – Municipal Operations on the Statement of Financial Position.

17. Public liability insurance

The City has undertaken a portion of the risk for public liability, as a means of achieving cost effective risk management. As a result, the City is self-insured for public liability claims up to \$250,000 for any individual claim or for any number of claims arising out of a single occurrence. Outside insurance coverage is in place for claims in excess of \$250,000 to a maximum of \$50,000,000 per claim or occurrence.

The City has reported liabilities for insurance claims on the Consolidated Statement of Financial position in the amount of \$20,512,000 (2016 - \$20,394,000). Claim expenses for the year in the amount of \$10,062,000 (2016 - \$10,733,000) are reported as expenses in the Consolidated Statement of Operations.

18. Contingent liabilities

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

The City has outstanding contractual obligations with its unionized employee groups as of December 31, 2017. An estimated liability has been recorded on the Consolidated Statement of Financial Position to fund the two outstanding settlements. In December 2017 both of these unionized groups reached an arbitrated settlement and subsequent to December 31, 2017 both were paid the outstanding retroactive payments.

19. Tangible Capital Assets

Details of the tangible capital assets are included in the Schedule of Tangible Capital Assets (pages 2-36 and 2-37). The City has tangible capital assets valued at cost in the amount of \$8,558,913,000 (2016 - \$8,252,566,000) and a net book value of \$5,429,864,000 (2016 - \$5,271,414,000). The net book value of the tangible capital assets valued as at December 31, 2017 is as follows:

	<u>2017</u>	<u>2016</u>
General		
Land	\$ 333,818	\$ 315,467
Land improvements	152,325	150,337
Buildings	756,160	761,396
Vehicles	128,600	133,786
Computer hardware and software	11,821	11,058
Other	99,540	103,490
Infrastructure		
Roads	1,261,223	1,253,561
Bridges and structures	183,422	184,213
Water and wastewater facilities	403,647	396,884
Underground and other networks	<u>1,789,334</u>	<u>1,761,542</u>
Net Book Value	5,119,890	5,071,734
Assets under construction	309,974	199,680
Balance at the end of the year	<u>\$ 5,429,864</u>	<u>\$5,271,414</u>

Included are leased tangible capital assets with a net book value of \$3,979,000 (2016 - \$4,597,000). In addition, the City has works of arts and historical treasures including sculptures, fine art, murals, cemetery crosses, cenotaphs, cannons and artillery that are preserved by the City but are not recorded as tangible capital assets.

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

20. Reporting by Business Segment

The Consolidated Financial Statements provide a summary of the revenues and expenses for all of the services provided to the residents and businesses in the City of Hamilton as defined in the reporting entity (Note 1).

Certain allocation methodologies are employed in the preparation of segmented financial information. Services are funded primarily by taxation and user fees. Taxation revenue is allocated to the general government segment. Certain government grants, user charges and other revenues have been allocated based upon the same allocation as the related expenses. User fees are allocated based upon the segment that generated the fee.

Revenues and expenses are reported by the following functions and services:

- General government: Office of the Mayor and council, corporate administration including fleet and facilities
- Protection services: police, fire, conservation authorities
- Transportation services: roads, winter maintenance, traffic, parking, transit
- Environmental services: water, wastewater, storm water, waste management collection, diversion & disposal
- Health services: public health, cemeteries and emergency medical services/ambulance
- Social and family services: general assistance, hostels, homes for the aged, services to aged persons, child care services
- Social housing: public housing, non-profit housing, rent supplement programs
- Recreation and cultural services: parks, recreation programs, recreation facilities, golf courses, marinas, museums, libraries, tourism and HECFI.
- Planning and development: planning, zoning, commercial and industrial development and residential development

Financial information about the City's business segments is included in the Schedule of Operations for Business Segments (pages 2-37 and 2-38).

21. Liability for Contaminated Sites

The City of Hamilton estimates liabilities of \$5,701,000 as at December 31, 2017 for remediation of various lands using a risk-based approach (2016 - \$13,400,000). Total future undiscounted expenditures are estimated at \$6,043,000. The liabilities result from past industrial uses. Future expenditures are based on agreements with third parties, where available, as well as estimates. Future expenditures have been discounted using a 4% discount rate. The amount of estimated recoveries is nil (2016 – \$Nil).

22. Budget figures

The 2017 operating budget and capital financing for the housing corporation was approved by the CityHousing Hamilton Board at a meeting on December 8, 2016. The 2017 operating budget and capital financing for municipal operations was approved by City Council at a meeting on April 12, 2017.

The budget figures conform to the accounting standards adopted in CPA Canada Public Sector Accounting Handbook section *PS1200 Financial Statement Presentation*. As such, the budget figures presented in the consolidated financial statements differ from the presentation approved by City Council. A summary reconciliation follows:

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2017 (all numbers in columns are in thousands of dollars)

22. Budget figures (continued)

	<u>2017</u>
Revenue	
Council Approved Gross Revenue Operating Budget - Municipal	\$ 1,648,564
Council Approved Gross Revenue Capital Budget - Municipal	476,086
	<u>2,124,650</u>
Board Approved Gross Revenue Operating Budget - Housing Corporation	49,763
Board Approved Gross Revenue Capital Budget - Housing Corporation	8,300
	<u>58,063</u>
Adjustments to Revenues	
Less: Transfers from reserves and reserve funds Operating Budget Municipal Operations	(11,648)
Less: Transfers from reserves and reserve funds Capital Budget Municipal Operations	(108,248)
Less: Transfers from capital fund to current fund - Municipal Operations	(141,079)
Less: Transfers from capital fund to current fund - Housing Corporation	(8,300)
Less: Long term debt financing Capital Budget	(78,228)
Add: Donated tangible capital assets	18,217
Less: Reclassification - Municipal Operations	(100)
Add: Reserve & reserve funds	20,357
Add: Confederation Park and Westfield Heritage Village Consolidation	2,511
Less: Elimination for consolidation of Housing Corporation	(12,994)
	<u>(319,512)</u>
Consolidated	<u>\$ 1,863,201</u>
Expenses	
Council Approved Gross Expenditure Operating Budget - Municipal	\$ 1,648,564
Council Approved Gross Expenditure Capital Budget - Municipal	476,086
	<u>2,124,650</u>
Board Approved Gross Expenditure Operating Budget - Housing Corporation	49,763
Board Approved Gross Expenditure Capital Budget - Housing Corporation	8,300
	<u>58,063</u>
Adjustments to Expenditures	
Less: Debt principal repayment - Municipal Operations	(48,480)
Less: Debt principal repayment - Housing Corporation	(5,562)
Less: Transfers to reserves and reserve funds - Municipal Operations	(58,786)
Less: Transfers to capital from current funds - Municipal Operations	(141,079)
Less: Tangible capital assets - Municipal Operations	(402,591)
Less: Tangible capital assets - Housing Corporation	(8,300)
Less: Reclassification - Municipal Operations	(100)
Add: Change in employee future benefits and other obligations	9,892
Less: Change in solid waste landfill liability	(474)
Add: Amortization expense for tangible capital assets	192,122
Add: Confederation Park and Westfield Heritage Village Consolidation	2,511
Less: Elimination for consolidation of Housing Corporation	(21,368)
Add: Loss on disposition of tangible capital assets	18,561
	<u>(463,654)</u>
Consolidated	<u>\$ 1,719,059</u>

City of Hamilton
Notes to Consolidated Financial Statements

As at December 31, 2017 (all numbers in columns are in thousands of dollars)

2017 Schedule of Tangible Capital Assets

	General						Infrastructure					Assets Under Construction	TOTAL
	Land	Land Improvements	Buildings	Vehicles	Computer	Other	Roads	Bridges & Other Structures	W/WW Facilities	W/WW/SW Linear Network			
Cost													
Balance, Jan 1, 2017	\$ 315,467	\$ 304,272	\$ 1,321,748	\$ 296,495	\$ 17,461	\$ 156,733	\$ 2,324,278	\$ 242,556	\$ 751,248	\$ 2,322,628	\$ 199,680	\$ 8,252,566	
Additions, Betterments & Transfers in 2017	25,610	11,965	35,844	19,036	4,952	11,842	52,063	2,468	25,778	49,175	112,183	350,916	
Disposals & Writedowns in 2017	(7,259)	(227)	(14,796)	(26,450)	(2,551)	(6,127)	(1,966)	(43)	(521)	(959)	(1,889)	(62,788)	
Donations & Contributions in 2017	-	650	-	-	-	-	7,079	-	-	10,488	-	18,217	
Balance, Dec 31, 2017	\$ 333,818	\$ 316,660	\$ 1,342,796	\$ 289,081	\$ 19,862	\$ 162,448	\$ 2,381,454	\$ 244,981	\$ 776,505	\$ 2,381,332	\$ 309,974	\$ 8,558,911	
Accumulated Amortization													
Balance, Jan 1, 2017	\$ -	\$ 153,935	\$ 560,352	\$ 162,709	\$ 6,403	\$ 53,243	\$ 1,070,717	\$ 58,343	\$ 354,364	\$ 561,086	\$ -	\$ 2,981,152	
Amortization in 2017	-	10,448	33,267	23,209	4,189	15,793	51,362	3,244	18,739	31,871	-	192,122	
Acc'd Amortization Transfers in 2017	-	-	-	-	-	-	-	-	-	-	-	-	
Amortization on Disposals in 2017	-	(48)	(6,983)	(25,437)	(2,551)	(6,128)	(1,848)	(28)	(245)	(959)	-	(44,227)	
Balance, Dec 31, 2017	\$ -	\$ 164,335	\$ 586,636	\$ 160,481	\$ 8,041	\$ 62,908	\$ 1,120,231	\$ 61,559	\$ 372,858	\$ 591,998	\$ -	\$ 3,129,047	
Net Book Value Dec 31, 2017	\$ 333,818	\$ 152,325	\$ 756,160	\$ 128,600	\$ 11,821	\$ 99,540	\$ 1,261,223	\$ 183,422	\$ 403,647	\$ 1,789,334	\$ 309,974	\$ 5,429,864	
Assets Under Construction	\$ -	\$ 31,104	\$ 80,871	\$ 724	\$ 3,479	\$ 3,933	\$ 26,110	\$ 2,943	\$ 71,674	\$ 89,136	\$ 309,974		
Total	\$ 333,818	\$ 183,429	\$ 837,031	\$ 129,324	\$ 15,300	\$ 103,473	\$ 1,287,333	\$ 186,365	\$ 475,321	\$ 1,878,470	\$ -	\$ 5,429,864	

City of Hamilton
Notes to Consolidated Financial Statements

As at December 31, 2017 (all numbers in columns are in thousands of dollars)

2016 Schedule of Tangible Capital Assets

	General						Infrastructure				Assets Under Construction	TOTAL	
	Land	Land Improvements	Buildings	Vehicles	Computer	Other	Roads	Bridges & Other Structures	W/WW Facilities	W/WW/SW Linear Network			
Cost													
Balance, Jan 1, 2016	\$ 304,977	\$ 282,073	1,268,167	278,968	\$ 12,728	\$ 145,889	\$ 2,273,567	\$ 239,962	\$ 722,385	\$ 2,244,571	\$ 235,413	\$ 8,008,700	
Additions, Betterments & Transfers in 2016	10,487	29,718	59,654	49,542	6,848	25,617	55,096	2,637	28,904	67,194	(34,564)	301,133	
Disposals & Writedowns in 2016	(643)	(7,825)	(6,073)	(32,015)	(2,115)	(14,773)	(8,044)	(43)	(41)	(1,172)	(1,169)	(73,913)	
Donations & Contributions in 2016	646	306	-	-	-	-	3,659	-	-	12,035	-	16,646	
Balance, Dec 31, 2016	\$ 315,467	\$ 304,272	\$ 1,321,748	\$ 296,495	\$ 17,461	\$ 156,733	\$ 2,324,278	\$ 242,556	\$ 751,248	\$ 2,322,628	\$ 199,680	\$ 8,252,566	
Accumulated Amortization													
Balance, Jan 1, 2016	\$ -	\$ 146,821	\$ 532,241	\$ 171,727	\$ 4,852	\$ 53,791	\$ 1,025,279	\$ 55,168	\$ 336,981	\$ 531,552	\$ -	\$ 2,858,412	
Amortization in 2016	-	9,801	31,765	22,576	3,666	14,225	52,506	3,210	17,421	30,562	-	185,732	
Acc'd Amortization Transfers in 2016	-	-	-	-	-	-	-	-	-	-	-	-	
Amortization on Disposals in 2016	-	(2,687)	(3,654)	(31,594)	(2,115)	(14,773)	(7,068)	(35)	(38)	(1,028)	-	(62,992)	
Balance, Dec 31, 2016	\$ -	\$ 153,935	\$ 560,352	\$ 162,709	\$ 6,403	\$ 53,243	\$ 1,070,717	\$ 58,343	\$ 354,364	\$ 561,086	\$ -	\$ 2,981,152	
Net Book Value Dec 31, 2016	\$ 315,467	\$ 150,337	\$ 761,396	\$ 133,786	\$ 11,058	\$ 103,490	\$ 1,253,561	\$ 184,213	\$ 396,884	\$ 1,761,542	\$ 199,680	\$ 5,271,414	
Assets Under Construction	\$ -	\$ 16,839	\$ 40,077	\$ 386	\$ 3,325	\$ 614	\$ 16,330	\$ 2,487	\$ 59,088	\$ 60,534	\$ 199,680		
Total	\$ 315,467	\$ 167,176	\$ 801,473	\$ 134,172	\$ 14,383	\$ 104,104	\$ 1,269,891	\$ 186,700	\$ 455,972	\$ 1,822,076	\$ -	\$ 5,271,414	

City of Hamilton
Notes to Consolidated Financial Statements

As at December 31, 2017 (all numbers in columns are in thousands of dollars)

2017 Schedule of Operations for Business Segments

	General Government	Protection Services	Transportation services	Environmental services	Health services	Social and family services	Social housing	Recreation and cultural services	Planning and development	TOTAL 2017
Revenue										
Taxation	\$ 876,880	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 876,880
Government grants and contributions	3,735	7,990	43,248	5,845	56,550	242,234	31,910	1,398	1,875	394,785
User charges	5,888	5,493	58,278	212,157	3,030	16,123	646	22,235	11,124	334,974
Development charges and subdivider contributions	131	1,506	25,162	14,447	-	-	-	6,308	2,759	50,313
Donations of tangible capital assets	-	-	7,079	10,488	-	-	-	650	-	18,217
Investment income	12,860	1,774	1,981	8,818	40	159	1,157	871	410	28,070
Income from Government Business Enterprises	134,914	-	-	-	-	-	-	-	-	134,914
Other	24,783	25,772	12,207	1,473	72	31	47,647	17,082	2,316	131,383
Total	\$ 1,059,191	\$ 42,535	\$ 147,955	\$ 253,228	\$ 59,692	\$ 258,547	\$ 81,360	\$ 48,544	\$ 18,484	\$ 1,969,536
Expenses										
Salaries and benefits	\$ 63,037	\$ 265,325	\$ 108,156	\$ 41,524	\$ 77,895	\$ 82,205	\$ 14,766	\$ 74,066	\$ 28,429	\$ 755,403
Interest on long term debt	747	793	3,922	4,228	439	477	1,490	1,237	109	13,442
Materials supplies services	50,618	19,871	40,882	45,775	6,386	8,386	12,164	29,017	4,938	218,037
Contracted services	11,648	3,981	60,478	76,484	3,431	78,136	19,703	14,195	7,305	275,361
Rents and financial expenses	2,958	2,338	9,809	5,778	1,901	4,418	4,943	6,323	3,953	42,421
External transfers	466	5,766	-	1,618	11	133,583	45,290	5,938	1,569	194,241
Amortization	7,446	7,847	78,548	57,223	3,076	2,135	6,259	26,564	3,024	192,122
Interfunctional transfers	(66,187)	6,643	24,479	6,858	5,986	5,878	526	11,689	4,128	-
Total	\$ 70,733	\$ 312,564	\$ 326,274	\$ 239,488	\$ 99,125	\$ 315,218	\$ 105,141	\$ 169,029	\$ 53,455	\$ 1,691,027
Annual Surplus	\$ 988,458	\$ (270,029)	\$ (178,319)	\$ 13,740	\$ (39,433)	\$ (56,671)	\$ (23,781)	\$ (120,485)	\$ (34,971)	\$ 278,509

City of Hamilton
Notes to Consolidated Financial Statements

As at December 31, 2017 (all numbers in columns are in thousands of dollars)

2016 Schedule of Operations for Business Segments

	General Government	Protection Services	Transportation services	Environmental services	Health services	Social and family services	Social housing	Recreation and cultural services	Planning and development	TOTAL 2016
Revenue										
Taxation	\$ 854,709	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 854,709
Government grants and contributions	3,979	7,538	54,143	5,092	54,518	227,690	26,659	3,789	2,039	385,447
User charges	5,703	5,656	54,824	214,655	3,385	13,089	357	24,947	9,985	332,601
Development charges and subdivider contributions	269	1,594	32,362	26,635	0	0	0	16,133	5,032	82,025
Donations of tangible capital assets	0	0	3,659	12,191	219	0	0	577	0	16,646
Investment income	13,131	1,201	1,946	7,319	45	160	1,063	1,273	929	27,067
Income from Government Business Enterprises	22,857	0	0	0	0	0	0	0	0	22,857
Other	26,978	24,154	9,960	1,513	118	27	38,296	12,114	3,389	116,549
Total	\$ 927,626	\$ 40,143	\$ 156,894	\$ 267,405	\$ 58,285	\$ 240,966	\$ 66,375	\$ 58,833	\$ 21,374	\$ 1,837,901
Expenses										
Salaries and benefits	\$ 61,928	\$ 259,331	\$ 103,419	\$ 43,164	\$ 75,990	\$ 81,381	\$ 15,057	\$ 73,878	\$ 27,699	\$ 741,847
Interest on long term debt	665	941	4,387	3,286	388	563	1,700	916	88	12,934
Materials supplies services	45,527	18,633	43,233	37,702	7,202	8,752	26,899	27,960	5,612	221,520
Contracted services	22,895	3,274	52,171	81,078	3,688	77,225	12,877	13,962	8,989	276,159
Rents and financial expenses	2,817	1,783	5,208	7,921	2,423	2,744	5,936	4,752	713	34,297
External transfers	190	8,008	3	2,993	7	124,490	42,211	5,720	924	184,546
Amortization	6,922	7,762	77,836	54,095	2,786	1,912	5,872	25,472	3,076	185,733
Interfunctional transfers	(68,394)	6,897	23,933	8,314	5,959	5,763	561	12,554	4,413	-
Total	\$ 72,550	\$ 306,629	\$ 310,190	\$ 238,553	\$ 98,443	\$ 302,830	\$ 111,113	\$ 165,214	\$ 51,514	\$ 1,657,036
Annual Surplus (Deficit)	\$ 855,076	\$ (266,486)	\$ (153,296)	\$ 28,852	\$ (40,158)	\$ (61,864)	\$ (44,738)	\$ (106,381)	\$ (30,140)	\$ 180,865

Section 3

City of Hamilton Financial Statements for the Trust Funds Cemetery and General Trusts December 31, 2017

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Independent Auditor's Report

<<NOTE: The Independent Auditor's Report will be inserted after the Financial Report is approved by the Audit, Finance and Administration Committee. >>

Independent Auditor's Report

<<NOTE: The Independent Auditor's Report will be inserted after the Financial Report is approved by the Audit, Finance and Administration Committee. >>

City of Hamilton
Trust Funds – Consolidated

As at December 31, 2017

Statement of Financial Position

As at December 31, 2017

	<u>2017</u>	<u>2016</u>
Financial Assets		
Cash	\$ 2,240,189	\$ 785,508
Investments (Note 3)	14,446,656	15,028,172
Due from City of Hamilton - Cemetery (Note 4)	1,336,704	1,097,184
Due from City of Hamilton - Other Trust Funds (Note 4)	<u>48,471</u>	<u>56,692</u>
Total Financial Assets	<u>\$ 18,072,020</u>	<u>\$ 16,967,556</u>
Liabilities		
Deposits	<u>\$ 408,958</u>	<u>\$ 388,404</u>
Accumulated surplus (Note 5)	<u>\$ 17,663,062</u>	<u>\$ 16,579,152</u>

Statement of Operations

Year ended December 31, 2017

	<u>2017</u>	<u>2016</u>
Revenues		
Cemetery lots and interments	\$ 758,783	\$ 886,684
Investment income	<u>529,940</u>	<u>504,299</u>
Total revenue	<u>\$ 1,288,723</u>	<u>\$ 1,390,983</u>
Expenses		
Other	\$ 12,947	\$ 13,625
Transfers to the City of Hamilton	<u>191,866</u>	<u>641,596</u>
Total expenses	<u>\$ 204,813</u>	<u>\$ 655,221</u>
Annual surplus	<u>\$ 1,083,910</u>	<u>\$ 715,762</u>
Accumulated surplus at the beginning of the year	<u>16,579,152</u>	<u>15,863,390</u>
Accumulated surplus at the end of the year	<u>\$ 17,663,062</u>	<u>\$ 16,579,152</u>

See accompanying notes to the financial statements

City of Hamilton

Trust Funds

Notes To The Financial Statements

As at December 31, 2017

1. Significant accounting policies

The consolidated financial statements of the City of Hamilton Trust Funds (the "Trust Funds") are the representation of management prepared in accordance Canadian public sector accounting standards. Since precise determination of many assets and liabilities is dependent upon future events, the preparation of periodic financial statements necessarily involves the use of estimates and approximations.

(a) Basis of Consolidation

These consolidated statements reflect the revenues, expenditures, assets and liabilities of the following trust funds:

Fieldcote Farmer (Ancaster)
Dundas Knowles Bequest
Hamilton F. Waldon Dundurn Castle
Dundas Ellen Grafton
Ancaster Fieldcote Livingstone-Clarke
Ancaster Fieldcote Shaver
Hamilton Balfour Estate Chedoke
Cemetery Trust Funds
Municipal Election Surplus

(b) Basis of Accounting

- (i) Sources of financing and expenditures are reported on the accrual basis of accounting.
- (ii) The accrual basis of accounting recognizes revenues as they become available and measurable; expenditures are recognized as they are incurred and measurable.
- (iii) Revenues on the cemetery lots are recognized upon transfer of title of the deed.

2. Correction of an immaterial prior period error:

In 2017, management of the Trusts Funds became aware that investments held with the Hamilton Community Foundation ("HCF") were incorrectly treated as trust funds and should have been reported within the financial records of the Hamilton Public Library Board. The impact of the correction has been recorded retrospectively and the cumulative effect up to December 31, 2015 has been recorded as a decrease to accumulated surplus of \$3,704,341 as at that date. As a result, the comparative information for the year ended December 31, 2016 has been restated. The cumulative impact of the correction up to December 31, 2016 is a decrease to cash of \$319,758, decrease to investments held with the HCF of \$1,654,122, decrease of accrued interest receivable of \$844,234 and a decrease of due from City of Hamilton – Library trust funds of \$370,664. Investment income of \$179,909 has been derecognized in the statement of operations as at December 31, 2016 along with a transfer to the City of Hamilton in the amount of \$650,000 and miscellaneous expenditures of \$45,471.

City of Hamilton
Trust Funds
Notes To The Financial Statements

As at December 31, 2017

3. Investments

The total investments recorded at lower of cost or market value in the Statement of Financial Position are \$14,446,656 (2016 - \$15,028,172). These investments have a market value of \$15,389,152 (2016 - \$16,061,925) at the end of the year.

4. Due from City of Hamilton

The amount due from the City of Hamilton is non-interest bearing with no fixed repayment terms.

5. Accumulated Surplus

	<u>2017</u>	<u>2016</u>
The accumulated surplus consists of:		
Cemeteries	<u>\$ 17,010,339</u>	<u>\$ 15,928,506</u>
Other		
Fieldcote Farmer (Ancaster)	336,655	338,084
Knowles Bequest (Dundas)	250,666	248,293
F. Walden Dundurn Castle (Hamilton)	6,264	6,128
Ellen Grafton (Dundas)	7,686	7,598
Fieldcote Livingstone-Clarke (Ancaster)	5,155	5,155
Fieldcote Shaver (Ancaster)	5,155	5,155
Municipal Election (Hamilton)	6,889	6,737
Balfour Estate Chedoke (Hamilton)	<u>34,253</u>	<u>33,496</u>
	<u>\$ 652,723</u>	<u>\$ 650,646</u>
	<u>\$ 17,663,062</u>	<u>\$ 16,579,152</u>

City of Hamilton
Trust Funds – Cemetery

As at December 31, 2017

Statement of Financial Position

As at December 31, 2017

	<u>2017</u>	<u>2016</u>
Financial Assets		
Cash	\$ 1,967,119	\$ 522,736
Investments	14,115,474	14,696,990
Due from City of Hamilton (Note 4)	<u>1,336,704</u>	<u>1,097,184</u>
Total Financial Assets	<u>\$ 17,419,297</u>	<u>\$ 16,316,910</u>
Liabilities		
Deposits	<u>\$ 408,958</u>	<u>\$ 388,404</u>
Accumulated surplus	<u>\$ 17,010,339</u>	<u>\$ 15,928,506</u>

Statement of Operations

Year ended December 31, 2017

	<u>2017</u>	<u>2016</u>
Revenues		
Cemetery lots and interments	\$ 758,783	\$ 866,684
Investment income	<u>516,646</u>	<u>492,417</u>
Total revenue	<u>\$ 1,275,429</u>	<u>\$ 1,359,101</u>
Expenses		
Other	\$ 11,019	\$ 11,053
Transfers to the City of Hamilton	<u>182,577</u>	<u>633,203</u>
Total expenses	<u>\$ 193,596</u>	<u>\$ 644,256</u>
Annual surplus	<u>\$ 1,081,833</u>	<u>\$ 714,845</u>
Accumulated surplus at the beginning of the year	<u>15,928,506</u>	<u>15,213,661</u>
Accumulated surplus at the end of the year	<u>\$ 17,010,339</u>	<u>\$ 15,928,506</u>

See accompanying notes to the financial statements

City of Hamilton
Trust Funds – Other

As at December 31, 2017

Statement of Financial Position

As at December 31, 2017

	<u>2017</u>	<u>2016</u>
Financial Assets		
Cash	\$ 273,070	\$ 262,772
Investments	331,182	331,182
Due from City of Hamilton (Note 4)	<u>48,471</u>	<u>56,692</u>
Total Financial Assets	<u>\$ 652,723</u>	<u>\$ 650,646</u>
Accumulated surplus	<u>\$ 652,723</u>	<u>\$ 650,646</u>

Statement of Operations

Year ended December 31, 2017

	<u>2017</u>	<u>2016</u>
Revenues		
Investment income	<u>\$ 13,294</u>	<u>\$ 11,882</u>
Total revenue	<u>\$ 13,294</u>	<u>\$ 11,882</u>
Expenses		
Other	\$ 1,928	\$ 2,572
Transfers to the City of Hamilton	<u>9,289</u>	<u>8,393</u>
Total expenses	<u>\$ 11,217</u>	<u>\$ 10,965</u>
Annual surplus (deficit)	<u>\$ 2,077</u>	<u>\$ 917</u>
Accumulated surplus at the beginning of the year	<u>650,646</u>	<u>649,729</u>
Accumulated surplus at the end of the year	<u>\$ 652,723</u>	<u>\$ 650,646</u>

See accompanying notes to the financial statements

Section 4

City of Hamilton Financial Statements for the Trust Funds – Homes for the Aged December 31, 2017

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Independent Auditor's Report

<<NOTE: The Independent Auditor's Report will be inserted after the Financial Report is approved by the Audit, Finance and Administration Committee. >>

Independent Auditor's Report

<<NOTE: The Independent Auditor's Report will be inserted after the Financial Report is approved by the Audit, Finance and Administration Committee. >>

City of Hamilton Trust Funds – Homes for the Aged

As at December 31, 2017 with comparative information for 2016

Statement of Financial Position As at December 31, 2017

	Macassa Lodge Resident Trusts	Wentworth Lodge Resident Trusts	Macassa Lodge Other Trusts	Wentworth Lodge Other Trusts	Total 2017	Total 2016
Financial assets						
Cash	\$ 26,681	\$ 25,753	\$ 17,229	\$ 120,488	\$ 190,151	\$ 181,061
Investments	-	-	-	262,244	262,244	256,503
Liabilities						
Accounts Payable	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Accumulated surplus	<u>\$ 26,681</u>	<u>\$ 25,753</u>	<u>\$ 17,229</u>	<u>\$ 382,732</u>	<u>\$ 452,395</u>	<u>\$ 437,564</u>

Statement of Operations Year ended December 31, 2017

	Macassa Lodge Resident Trusts	Wentworth Lodge Resident Trusts	Macassa Lodge Other Trusts	Wentworth Lodge Other Trusts	Total 2017	Total 2016
Revenue						
Residents' deposits	\$ 113,502	\$ 115,365	\$ 4,132	\$ 19,434	\$ 252,433	\$ 233,283
Investment income	-	-	210	7,170	7,380	4,857
Donations	-	-	914	121	1,035	4,826
	<u>113,502</u>	<u>115,365</u>	<u>5,256</u>	<u>26,725</u>	<u>260,848</u>	<u>242,966</u>
Expenses						
Maintenance payments	\$ 1,363	\$ 16,972	\$ -	\$ -	\$ 18,335	\$ 23,017
Residents' charges	105,576	84,758	2,840	21,707	214,881	209,474
Payments to estates	9,260	3,541	-	-	12,801	14,824
Renovation expense	-	-	-	-	-	3,148
	<u>116,199</u>	<u>105,271</u>	<u>2,840</u>	<u>21,707</u>	<u>246,017</u>	<u>250,463</u>
Annual surplus (deficit)	(2,697)	10,094	2,416	5,018	14,831	(7,497)
Accumulated surplus at the beginning of the year	<u>29,378</u>	<u>15,659</u>	<u>14,813</u>	<u>377,714</u>	<u>437,564</u>	<u>445,061</u>
Accumulated surplus at the end of the year	<u>\$ 26,681</u>	<u>\$ 25,753</u>	<u>\$ 17,229</u>	<u>\$ 382,732</u>	<u>\$ 452,395</u>	<u>\$ 437,564</u>

See accompanying notes to the financial statements.

City of Hamilton
Trust Funds – Homes for the Aged
Notes to the Financial Statements

As at December 31, 2017

1. Purpose of Trust Funds

The various Trust Funds administered by the City of Hamilton are established for the following purposes:

Macassa and Wentworth Lodge Resident Trusts

These Trust Funds are established for residents to receive their funds and to pay for their various charges including monthly maintenance payments.

Macassa and Wentworth Lodge Other Trusts

These Trust Funds are established for the receipts of funds from donations and fund raising activities. The funds are to be used for the benefit of lodge residents over and above normal capital and operating expenses of the lodges.

2. Significant accounting policies

The financial statements of the Trust Funds of The City of Hamilton are the representation of management prepared in accordance with Canadian public sector accounting standards.

Basis of accounting

The Trust Funds follow the accrual method of accounting for revenues and expenses. Revenues are normally recognized in the year in which they are earned and measurable. Expenses are recognized as they are incurred and measurable as result of receipt of goods and services and/or the creation of a legal obligation to pay.

3. Investments

Investments are valued at cost less any amounts written off to reflect an other than temporary decline in value. The total investments recorded in the Statement of Financial Position are \$262,244 (2016 - \$256,503). These investments have a market value of \$275,518 (2016 - \$270,065) at the end of the year.



HEALTHY & SAFE COMMUNITIES COMMITTEE REPORT 18-006

1:30 pm

**Monday, June 11, 2018 Council Chambers
Hamilton City Hall
71 Main Street West, Hamilton**

Present: Councillors S. Merulla (Chair), J. Farr, M. Green, A. Johnson,
T. Jackson, T. Whitehead, J. Partridge

Absent with Regrets: Councillor D. Skelly - Personal

THE HEALTHY AND SAFE COMMUNITIES COMMITTEE PRESENTS REPORT 18-006 AND RESPECTFULLY RECOMMENDS:

1. Seniors Advisory Committee Minutes – March 2, 2018 (Item 5.2)

- (a) That the Seniors Advisory Committee Minutes dated March 2, 2018, be received; and,
- (b) That the Seniors Advisory Committee allot \$250 for printing of the information booklet on Winter Walking, with the funds coming from the Seniors Advisory Committee Budget Reserve Account 57555300320.

2. Seniors Advisory Committee Minutes – April 6, 2018 (Item 5.3)

- (a) That the Seniors Advisory Committee Minutes dated April 6, 2018, be received;
- (b) That the Seniors Advisory Committee purchase an advertisement totaling \$50 to be included in the June Events Calendar for the Older Adult Network event, with the funds coming from the Seniors Advisory Committee Budget Reserve Account 57555300320;
- (c) That the Seniors Advisory Committee provide \$40 towards the cost of refreshments for the Older Adult Network event, with the funds coming from the Seniors Advisory Committee Budget Reserve Account 57555300320; and,

(d) That the Seniors Advisory Committee designate \$250 to support the Senior of the Year Award nominator reception, with the funds coming from the Seniors Advisory Committee Budget Reserve Account 57555300320.

3. One Time Funding for Hamilton's Emergency Shelter System (Added Item 10.1)

WHEREAS, a delegation from the Good Shepherd Centres on behalf of Hamilton's Emergency Shelters presented at the June 11, 2018 Healthy and Safe Communities Committee;

WHEREAS, Hamilton's Emergency Shelters are currently block funded based on the number of beds at each facility, and there has been no cost of living increase in funding to the Emergency Shelters since April 1, 2014;

WHEREAS, the number of unique individuals accessing Hamilton's emergency shelters has decreased since 2010 but the occupancy rate has increased;

WHEREAS, individuals are staying in Hamilton's emergency shelters longer and the average number of nights in shelter is increasing;

WHEREAS, there has been an increase of asylum seekers in the Emergency shelters, particularly in the Family Shelter where 50% of people are refugees or refugee claimants (Asylum seekers) and it is anticipated that this number of people will increase;

WHEREAS, the current provincially funded CHPI funding allocation for Hamilton is \$19,455,174. The City of Hamilton has not had a significant increase in CHPI funding since its inception in 2013. The Province has confirmed an annual increase of \$190K per year until 2020. This is less than a 1% annual increase to support all 5 service categories of which emergency shelters is one; and,

WHEREAS, in April 2009 Hamilton City Council approved the Blueprint for Emergency Shelter services, which seeks to develop a sustainable system to better support homeless people as they move to permanent housing;

THEREFORE BE IT RESOLVED:

That the Mayor and Council correspond with the Provincial and Federal Governments requesting additional funds to support the current financial pressures in the Emergency Shelter system attributed to the minimal increase in provincial funding over the past several years, increased complexity of mental health and addiction issues of people in the shelters as well as the influx of asylum seekers into the Hamilton Emergency Shelter system over the past several months.

4. Ontario Works French Language Services Compliance Report (CS11038(c)) (City Wide) (Item 5.4)

That the Ontario Works French Language Services Compliance Report, attached as Appendix A to HSC Report 18-006, be approved.

5. Poverty Reduction Implementation Plan (CES16043(b)) (City Wide) (Item 5.5)

That Report CES16043(b) respecting the Poverty Reduction Implementation Plan, be received.

6. 2018 Homelessness Enumeration Preliminary Results (HSC18031) (City Wide) (Item 5.6)

That Report HSC18031 respecting the 2018 Homelessness Enumeration Preliminary Results, be received.

7. Vehicle Donations to Caribbean North Charities Foundation, and to the David McAntony Gibson Foundation in partnership with the Consulate-General of St. Vincent and the Grenadines (HSC18034) (City Wide) (Item 5.7)

(a) That the donation from Hamilton Paramedic Service of two (2) used Ambulances and two (2) used Emergency Response Vehicles (ERV) in “as is condition”, to Caribbean North Charities Foundation, a registered Canadian charity, be approved pursuant to Procurement Policy #16, Disposal of Surplus and Obsolete Goods;

(b) That the donation from Hamilton Paramedic Service of one (1) used Ambulance in “as is condition”, to the David McAntony Gibson Foundation, a registered Canadian charity, in partnership with the Consulate-General of St. Vincent and the Grenadines, be approved pursuant to Procurement Policy #16, Disposal of Surplus and Obsolete Goods; and,

(c) That the Paramedic Chief or his designate be authorized and directed to execute all necessary documents, in a form acceptable to both Procurement and Legal Services, to implement recommendations (a) and (b).

8. Standardization of Fire Equipment, Parts, Supplies and Services for the Mechanical Division within the Hamilton Fire Department (HSC18025) (City Wide) (Item 8.1)

- (a) That Council approve the standardization of the suppliers of fire apparatus equipment and services and Original Equipment Manufacturers (OEM) of equipment for fire apparatus and equipment as identified in Appendix B to HSC Report 18-006, pursuant to Procurement Policy #14 – Standardization and be approved as the single source of supply for the listed equipment, parts, supplies and services as the manufacturer's standard through to December 31, 2021 for the Hamilton Fire Department;
- (b) That the Fire Chief of the Hamilton Fire Department, or his/her designate, be authorized to negotiate, enter into and execute any required Contract and any ancillary documents required to give effect thereto with those suppliers identified in Appendix B to HSC Report 18-006 with content acceptable to the General Manager of Healthy and Safe Communities, and in a form satisfactory to the City Solicitor; and,
- (c) That the Fire Chief of the Hamilton Fire Department, or his/her designate, be authorized to amend any Contracts executed and any ancillary documents as required if a supplier identified in Appendix B to HSC Report 18-006 undergoes a name change.

9. GreenON Capital Funding for Social Housing (HSC18032) (City Wide) (Item 8.2)

- (a) That the General Manager of Healthy and Safe Communities, or his designate, be authorized and directed to enter into a Transfer Payment Agreement to deliver the GreenON Funding Program, with the Housing Services Corporation, in a form satisfactory to the City Solicitor; and,
- (b) That the General Manager of Healthy and Safe Communities, or his delegate, be authorized and directed to approve and execute funding agreements with eligible housing providers for funding allocated through the GreenON Program, in a form satisfactory to the City Solicitor.

10. Fire Apparatus Addition to Contract C5-13-17 for the Hamilton Fire Department (HSC18033) (City Wide) (Item 8.3)

That the Chief of the Hamilton Fire Department, or his/her designate, be authorized to purchase one additional fire apparatus, known as an Urban Engine, under existing City Contract C5-13-17 funded by the favourable variances existing within the 2017 and 2018 Fire Vehicle Replacement capital projects and in a form satisfactory to the City Solicitor.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

1. NOTICE OF MOTION (Item 10)

- 10.1 One Time Funding for Hamilton's Emergency Shelter System, which was moved up in the agenda to immediately follow the Delegation listed as Item 6.1.

The Agenda for the June 11, 2018 meeting of the Healthy & Safe Communities Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None declared.

(c) APPROVAL OF MINUTES (Item 3)

(i) May 7, 2018 (Item 3.1)

The Minutes of the May 7, 2018 Healthy & Safe Communities Committee meeting were approved, as presented.

(d) CONSENT ITEMS (Item 5)

(i) Hamilton Veterans Committee Minutes – November 28, 2017 (Item 5.1)

The Minutes of the Hamilton Veterans Committee dated November 28, 2017, were received.

(e) PUBLIC HEARINGS / DELEGATIONS (Item 6)

(i) Brother Richard MacPhee, Good Shepherd, respecting the Emergency Shelter System Situation (Item 6.1)

Carol Cowan-Morneau, Executive Director of Mission Services, and Katherine Kalinowski, Chief Operating Officer, Good Shepherd Centre, addressed the Committee on behalf of Brother Richard MacPhee respecting the Emergency Shelter System Situation with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the official record.

The Delegation from Carol Cowan-Morneau, and Katherine Kalinowski respecting the Emergency Shelter System Situation, was received.

(f) NOTICE OF MOTION (Item 10)

(i) One Time Funding for Hamilton's Emergency Shelter System (Added Item 10.1)

Councillor Merulla introduced a Notice of Motion respecting One Time Funding for Hamilton's Emergency Shelter System.

The Rules of Order were waived to allow for the introduction of a motion respecting One Time Funding for Hamilton's Emergency Shelter System.

For further disposition of this matter, refer to Item 3.

(g) 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:

Items Requiring New Due Dates:

Item O - Rolston Neighbourhood Action Plan
Current Due Date: June 2018
Proposed Due Date: December 17, 2018

Item FF - Re-introduction of the *Promoting Affordable Housing Act, 2016* (Bill 7)
Current Due Date: June 11, 2018
Proposed Due Date: August 15, 2018

Item LL - Heat Response Plan Initiative
Current Due Date: May 7, 2018
Proposed Due Date: Q2 2019

Item QQ - Mayor's Advisory Committee on Syrian Newcomers
Current Due Date: TBD
Proposed Due Date: August 15, 2018

Item UU - Hamilton Youth Engagement Collaboration
Current Due Date: June 11, 2018
Proposed Due Date: July 11, 2018

Item VV - Home for Good
Current Due Date: May 7, 2018
Proposed Due Date: August 15, 2018

Item XX - ACPD respecting Housing Issues
Current Due Date: June 11, 2018
Proposed Due Date: August 15, 2018

(h) ADJOURNMENT (Item 13)

There being no further business, the Healthy & Safe Communities Committee was adjourned at 2:19 p.m.

Respectfully submitted,

Councillor S. Merulla
Chair, Healthy & Safe
Communities Committee

Lisa Chamberlain
Legislative Coordinator
Office of the City Clerk

Objectives	Current Capacity	Yes	No	Partly	Current Capacity (please describe your current capacity)	Action Plan and Timeframes (please provide information if the answer is 'No' or 'Partly')
	Are calls answered in both English and French?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff record a bilingual greeting on voicemail, and respond to live calls or in-person interactions with a bilingual greeting. Business processes outline the expectations for staff when a client requests to be served in French. If a caller responds in French and wishes to converse in French, the staff person will warm transfer the call to a FLS designated staff. In face to face situations, staff will contact a FLS staff to assist the individual. FLS staff are located at our 250 Main St. E. office, however, they see FL speaking clients at our other offices, if needed. If FL speaking clients attend in-person and FLS staff are unavailable (e.g. seeing other clients) staff will utilize a "Language Aid" to communicate with the individual and redirect them to staff who speak French but who are not designated FLS.	We continue to utilize bilingual, FLS-designated staff to provide service. We are still in the midst of investigating options to offer a FLS telephony solution as part of our ongoing organizational review and the development of our new service delivery model. This review will be completed in 2018
	Is interior signage available in French?				Signage alerting clients to the availability of FLS is displayed at all OW offices.	
	Is exterior signage available in French?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Exterior signage at the entry doors identifies our designated FLS office as 250 Main St. E.	We are in the midst of investigating options to meet our future needs for physical office space. Given the costs, addressing bilingual exterior office signage will be included in any move to new offices or renewal of leases at current locations (tentative target for any change to accommodations is 2020). In the meantime, signage will be replaced with bilingual options as opportunities present themselves (e.g. signage becomes damaged).
	Is a recorded message available in English and French?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All individual staff persons' voicemail greetings are bilingual. Our general inquiry line (4800 line) is in English only.	As part of our ongoing organizational review and development of our new service delivery model, we are committed to a review of call handling procedures and technology to ensure that inquiries that come through our general inquiry line (4800) are greeted with FLS messaging. This review will be completed in 2018
	Are key sentences used to transfer French calls?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A "Language Aid" has been developed to assist staff with responding to FLS inquiries.	
	Are over the counter services available in French?				FL speaking clients requesting FLS, are actively linked to FLS designated staff.	
	Are professional translators used to ensure the quality of translations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Translation of documents is completed by professional services arranged through the OW Business and System Supports team.	
	Is qualified staff available to review French translations to ensure accuracy of translation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Translated documents are reviewed by professional services or by designated bilingual staff.	
Active Offer	Are materials intended for public distribution available in French?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Local brochure, "How to Apply for OW" is available in French. Materials provided by external service providers (e.g. MCSS, community agencies, etc.) are provided in French where available.	As part of our ongoing organizational review and development of our new service delivery model, we are committed to a review of all materials available to the public to determine if they are available in French (for externally-produced materials) or need to be translated (for internally-produced materials). This review will be completed in 2018.
	Is French correspondence (letters and e-mails) answered in French?				FL S designated staff respond to correspondence in French.	
	Is your website available in French?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The City of Hamilton's web site does not currently provide links to French pages.	As part of our ongoing organizational review and development of our new service delivery model, we are committed to engaging corporate IT services to determine the feasibility of offering digital information in French. This review will be completed in 2018.
	Are clients aware of available services in French?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	In addition to signage, clients are made aware of the opportunity to receive services in French via the bilingual greeting that they receive from staff. Clients who identify as FLS are offered FL services (e.g. their case will be transferred to a FLS-designated case manager).	
	Is client feedback on FLS obtained?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Client feedback regarding FL services at OW in the City of Hamilton, is not formally sought. All clients have the opportunity to provide feedback on the service that they receive through their case manager or through other channels (e.g. asking to escalate their concerns/feedback to a supervisor or other leader).	As part of our ongoing organizational review and development of our new service delivery model, we are committed to engaging our clients more proactively to obtain feedback regarding service delivery. Feedback regarding FLS will be included in this plan. The organizational review will be completed in 2018.
	From the first point of contact, is there a formal mechanism to determine if the client speaks French / or prefers services in French?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Clients are made aware of the opportunity to receive services in French via the bilingual greeting that they receive from staff. Clients who identify as FLS (e.g. by answering in French, by applying online in French) are offered FL services (e.g. their case will be transferred to a FLS-designated case manager).	
	Is intake conducted in French?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Clients who identify as FLS (e.g. by answering staff in French, by applying online in French) are offered FL services (e.g. their application will be transferred to a FLS designated staff person).	
	Is assessment conducted in French?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Clients who identify as FLS (e.g. by answering staff in French, by applying online in French) are offered FL services (e.g. their application will be transferred to a FLS designated staff person).	
	Are some resources and tools developed and/or adapted to meet the needs of Francophones?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A "Language Aid" was developed to assist non-FL speaking staff to support and communicate with FLS clients in the unlikely event that no bilingual staff are available.	
	Are services provided at the advanced or superior level of French proficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All FLS designated staff are tested for advanced proficiency in French, both written and verbal. This testing is done by an independent company and candidates must achieve an advanced level to be designated as FLS.	

Objectives	Current Capacity	Yes	No	Partly	Current Capacity (please describe your current capacity)	Action Plan and Timeframes (please provide information if the answer is 'No' or 'Partly')
Accountability Mechanisms and Management Practices	Do you have an adequate number of positions responsible for the provision of FLS?	<input checked="" type="checkbox"/>	<input type="checkbox"/>		We have two case manager positions, one intake clerk, one employment development counsellor and one receptionist dedicated to the provision of FLS.	Recruitment is ongoing for FLS case managers due to turnover. All postings for all positions now have an additional statement: 'Fluency in French is an asset'.
	Is staff assessed at the advanced or superior level of French proficiency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>		All FLS designated staff are tested for advanced proficiency in French, both written and verbal. This testing is done by an independent company and candidates must achieve an advanced level to be designated as FLS.	
	Is a mechanism identified to support resolution of complaints/issues pertaining to the delivery of FLS?	<input checked="" type="checkbox"/>	<input type="checkbox"/>		All complaints are directed to leadership for review, response and tracking. A bilingual member of the leadership team is assigned responsibility for reviewing complaints received in French and to provide a response in French.	
	Do staff and management receive training/orientation on FLS legislation, requirements and agency's obligations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>		FLS legislation and specifically our requirements/obligations are part of staff training curriculum.	
	Do board members receive training/orientation of FLS legislation, requirements and agency's obligations? (for municipalities, this refers	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Report (CS11038) on French Language Services outlining plans was presented and accepted by City of Hamilton Council in April 2011. FLS Compliance Reports are presented to Council annually as information reports. Included in that report is a background regarding FLS legislation and our requirements/obligations.	
	Is FLS included in performance appraisals of staff?	<input checked="" type="checkbox"/>	<input type="checkbox"/>		The City of Hamilton has a corporate Performance Accountability and Development (PAD) tool that does not explicitly include FLS as a competency.	While FLS is not an explicit competency included in the Corporate PAD, communicating in French as required/expected is included in PAD's for FLS designated staffs.
	Is FLS included in performance appraisals of management?	<input checked="" type="checkbox"/>	<input type="checkbox"/>		The City of Hamilton has a corporate Performance Accountability and Development (PAD) tool that does not explicitly include FLS as a competency.	While FLS is not an explicit competency included in the Corporate PAD, ensuring FLS service requirements are met by the OW division is part of the PAD for management charged with this responsibility.
	Are quality assurance mechanisms in place to ensure the provision of quality FLS?	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Business processes are in place and available for all staff. Leadership charged with ensuring FLS requirements are met regularly review processes and capacity to ensure appropriate levels of service are provided to FL speaking clients.	An FLS working group comprised of City of Hamilton divisions with FLS requirements (Childcare, Housing, Ontario Works) has been on hold pending the organizational review and implementation of our new service delivery model. This group will be reconvened in 2018.
	Are the most appropriate positions identified as requiring bilingual staff to ensure quality and permanency of FLS?	<input checked="" type="checkbox"/>	<input type="checkbox"/>		We have two case manager positions, one intake clerk, one employment development counsellor and one receptionist dedicated to the provision of FLS. All of these positions have direct contact with clients.	
	Is FLS a standing item in management and team meetings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>		For teams that have a FLS dedicated position, provision of FLS services is a regular agenda item during team meetings. FLS services are also discussed during other team meetings and huddles for teams that don't have a dedicated FLS staff person. FLS staff have also attended other staff meetings to provide clarity regarding FLS processes and requirements.	
Actively Promote Community Collaboration and Strategic Planning	Are you actively promoting, supporting and collaborating with partner agencies to support the provision of FLS in the community through strategic planning?	<input checked="" type="checkbox"/>	<input type="checkbox"/>		FLS staff (case manager and employment development counsellor), provide outreach services to French service providers which include Centre De Santé and Collège Boréal.	
	Are public forums and/or consultations offered in both English and French, with accompanying materials?	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Available upon request. We currently don't provide public forums and/or consultations in-house.	FLS staff are available to participate in external forums/events/consultations and routinely consider opportunities for participation and input.
	Are separate French consultations organized when applicable?	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Available upon request. We currently don't provide public forums and/or consultations in-house.	Available upon request. We currently don't provide public forums and/or consultations in-house.
	Is feedback from Francophone community/stakeholders obtained, analyzed and integrated into the planning and development of services?	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Leadership charged with ensuring FLS requirements are met regularly engage with the Francophone community partners to obtain feedback.	As part of our ongoing organizational review and development of our new service delivery model, we are committed to engaging our stakeholders more proactively to obtain feedback regarding service delivery. Feedback regarding FLS will be included in this plan. The organizational review will be completed in 2018.

HFD Standardized Equipment, Parts/Supplies and Services MECHANICAL DIVISION

Suppliers	Description of Equipment/Supplies and Ser	Single Source Possibility	2017 Actuals ¹	Other Details
C-MAX Fire Solutions	Local supplier of all KME Rev Group parts and services, along with being the warranty work provider for KME Rev Group vehicles through Metz Fire and Rescue. This includes mechanical, electronic and body type ancillary equipment as the OEM parts provider.	Yes	\$ 55,000	C-MAX Fire Solutions is the service provide of Metz Fire and Rescue who is the authorized Canadian representative of KME Rev Group
Central Equipment Sales and Services (formerly Paddock)	Pre-authorized KME Rev Group warranty work local provider for springs, suspensions, fuel tank, along with 24/7 emergency services/repairs/fabrication and parts availability	Yes	\$ 21,000	Central Equipment Sales and Services - pre-authorized KME Rev Group warranty work provider via Metz Fire and Rescue who is the authorized Canadian Representative
Wajax Power Systems	Local Detroit Diesel and Allison Transmission dealer in the Hamilton Area - provider of OEM parts (non KME Rev Group vehicles) along with after hours service availability.	Yes	\$ 1,000	Wajax Power Systems - warranty work on Allison transmissions plus remaining Detroit diesel engines that are in the fleet
Toromont CAT Engine & Transmission Dealer	Local CAT Engine and Transmission dealer in the Hamilton Area - provider of OEM parts - after hours service availability	Yes	\$ 53,000	Toromont CAT - warranty work on CAT Engines and Transmissions
Chiefs Collision	Pre-authorized KME, warranty work local provider, paint and body work along with 24/7 emergency services/body repairs/fabrication and parts (also warranty provider for Crestline Ambulance)	Yes	\$ 6,000	Chiefs Collision - pre-authorized KME Rev Group warranty work provider via Metz Fire and Rescue who is the authorized Canadian Representative
Commercial Truck Equipment ²	New local Pierce Fire Truck Manufacturing dealer in Ontario - parts/repairs and services for Pierce Fire Trucks	Yes	\$ 70,000	Commercial Truck Equipment - former provider was Darch Fire in 2017 of Pierce Fire Truck Parts
Dependable Emergency Vehicles	Local Ontario Spartan Truck parts provider - after hours parts availability	Yes	\$ 27,000	Dependable Emergency Vehicles - provider relied on for various parts and services with after hours availability
Altruck International	Local MaxForce and Cummins engine dealer in the Hamilton Area - provider of OEM parts and services - after hours service availability - CMAX -KME preferred local Pre-Delivery Inspection (PDI) provider	Yes	\$ 35,000	Altruck International - provides PDI work for in service KME vehicles plus warranty work provider for MaxForce and Cummins engines
			\$ 268,000	

***Notes**

1. Amount varies year over year due to the repair/equipment/part services required in any given year
2. Previous vendor Darch Fire no longer provider of Pierce Fire Truck equipment/parts now Commercial Truck Equipment for Ontario

CITY OF HAMILTON MOTION

Council: June 13, 2018

MOVED BY COUNCILLOR J. FARR.....

SECONDED BY COUNCILLOR

Amendment to Item 10(e) of Public Works Committee Report 16-020 respecting Ward 2 Area Rating Funded Projects (Upgrades to NHCHC Pathway at Picton St.)

WHEREAS, on December 14, 2016, Council of the City of Hamilton approved Item 10 (e) of Public Works Committee Report 16-020, for funding in the amount of \$20,000 for the upgrades to the NHCHC Pathway at Picton St. from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052; and

WHEREAS, the allocated funding in the amount of \$20,000, is no longer sufficient to fund the upgrades to the NHCHC Pathway at Picton St., Project Number: 4241609215.

THEREFORE BE IT RESOLVED:

That sub-section (d) of Item 10 of Public Works Committee Report 16-020 respecting Ward 2 Area Rating Funding Projects be **amended** to read as follows:

- (e) That funding in the amount of **\$28,843.25 (\$25,525.00, plus HST)** for upgrades to the NHCHC Pathway at Picton St. by paving and improving the current pathway connecting Picton Street between Hughson Street and John Street be approved from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;

CITY OF HAMILTON MOTION

Council: June 13, 2018

MOVED BY COUNCILLOR GREEN.....

SECONDED BY MAYOR / COUNCILLOR.....

Ward 3 Playground Improvements for Lifesavers Park, Birge Park and, Woodlands Park

WHEREAS, the play structures at Lifesavers Park and Birge Park have reached their end of life cycle and are now worn-out;

WHEREAS, Woodlands Park would benefit from a multi-age, multi-use court amenity; and,

WHEREAS, \$400,000 has been allocated to support park infrastructure investment with the funding from the Ward 3 Area Reserve;

THEREFORE, BE IT RESOLVED:

- (a) That Environmental Services staff be authorized and directed to proceed with the disposal of the existing play structure(s) as well as the design and construction of new play structure(s), and other park improvements at Birge Park, 167 Birge Street, Hamilton, at an approximate cost of \$175,000, to be funded from the Ward 3 Area Rating Reserve Account #108053;
- (b) That Environmental Services staff be authorized and directed to proceed with the disposal of the existing play structure(s) as well as the design and construction of new play structure(s), and other park improvements at Lifesavers Park, 100 Cumberland Avenue, Hamilton, at an approximate cost of \$125,000, to be funded from the Ward 3 Area Rating Reserve Account #108053; and,
- (c) That Environmental Services staff be authorized and directed to proceed with the design and construction of a new multi-use court in Woodlands Park, 501 Barton Street Ease, Hamilton, at an approximate cost of \$100,000, to be funded from the Ward 3 Area Rating Reserve Account #108053.

CITY OF HAMILTON MOTION

Council: June 13, 2018

MOVED BY COUNCILLOR L. FERGUSON.....

SECONDED BY COUNCILLOR B. JOHNSON.....

Emergency Intersection Control Measures – Wards 11 and 12

WHEREAS, the closure and reconstruction of Garner Road has impacted other roads in the area;

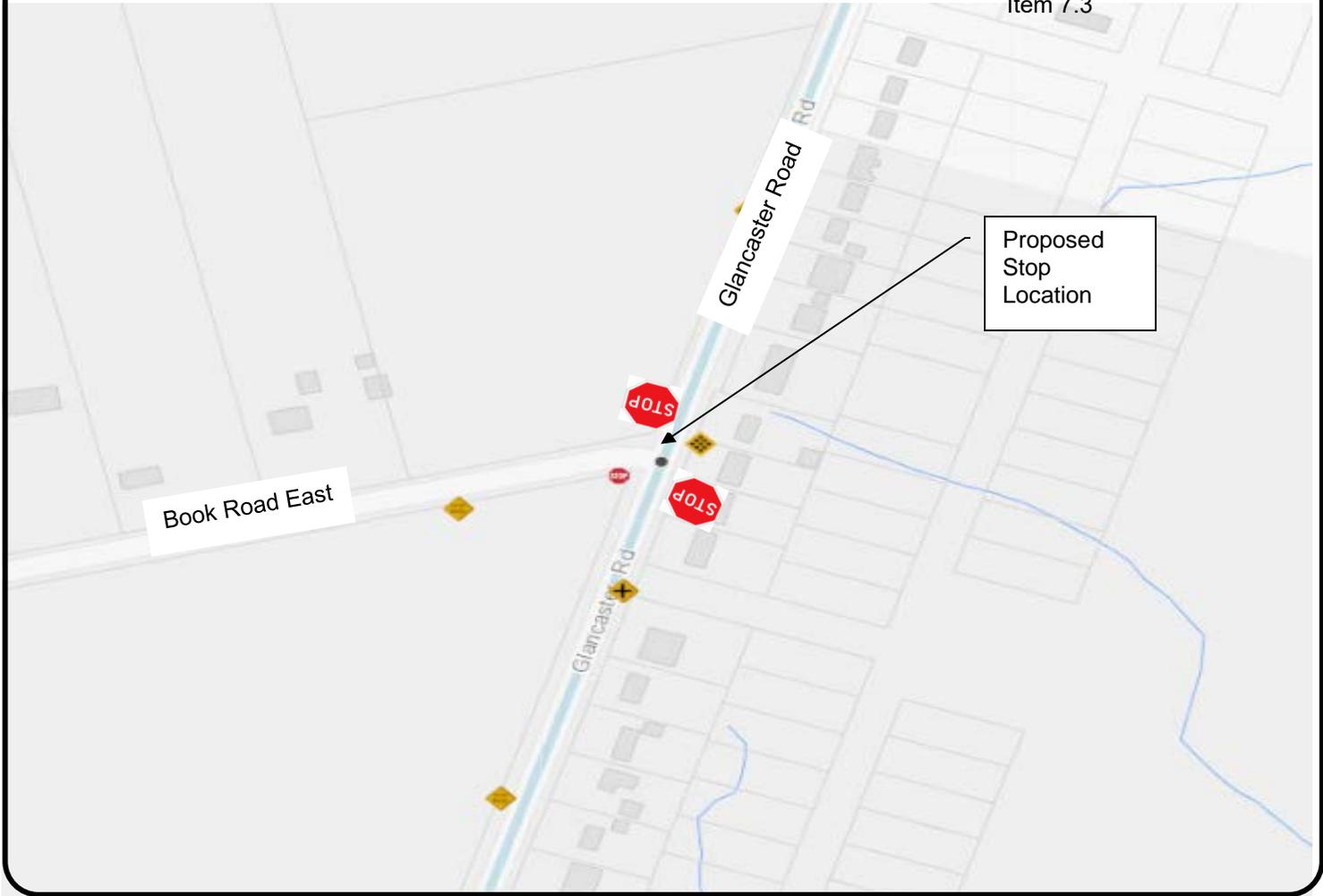
WHEREAS, in order to address traffic volume and ensure the safety of motorists on nearby roads;

WHEREAS, Clause 61(1) of Hamilton Traffic By-law 01-215 provides for staff to install stop controls quickly due to unique circumstances, and;

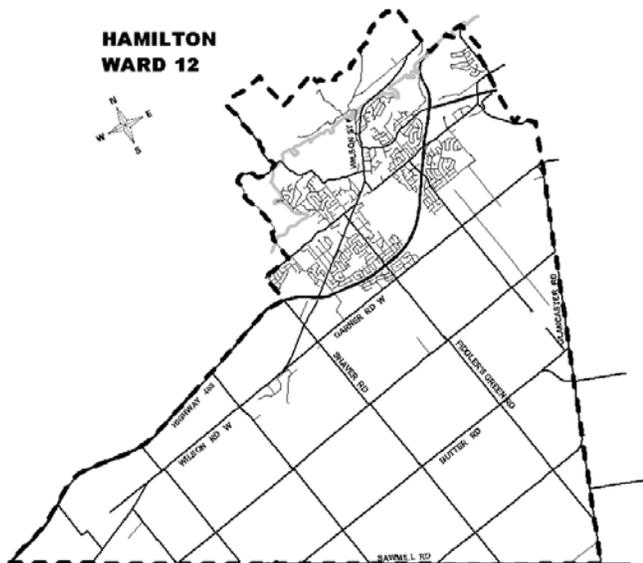
WHEREAS, a by-law is still required to complete the installation.

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to install stop controls, as outlined in the maps attached to this motion as Appendices A and B, and;
- (b) That the draft by-law, attached as Appendix C to this motion, be enacted by Council.



KEY MAP



LOCATION PLAN

PROPOSED STOP CONTROL:

Glancaster Road at Book Road

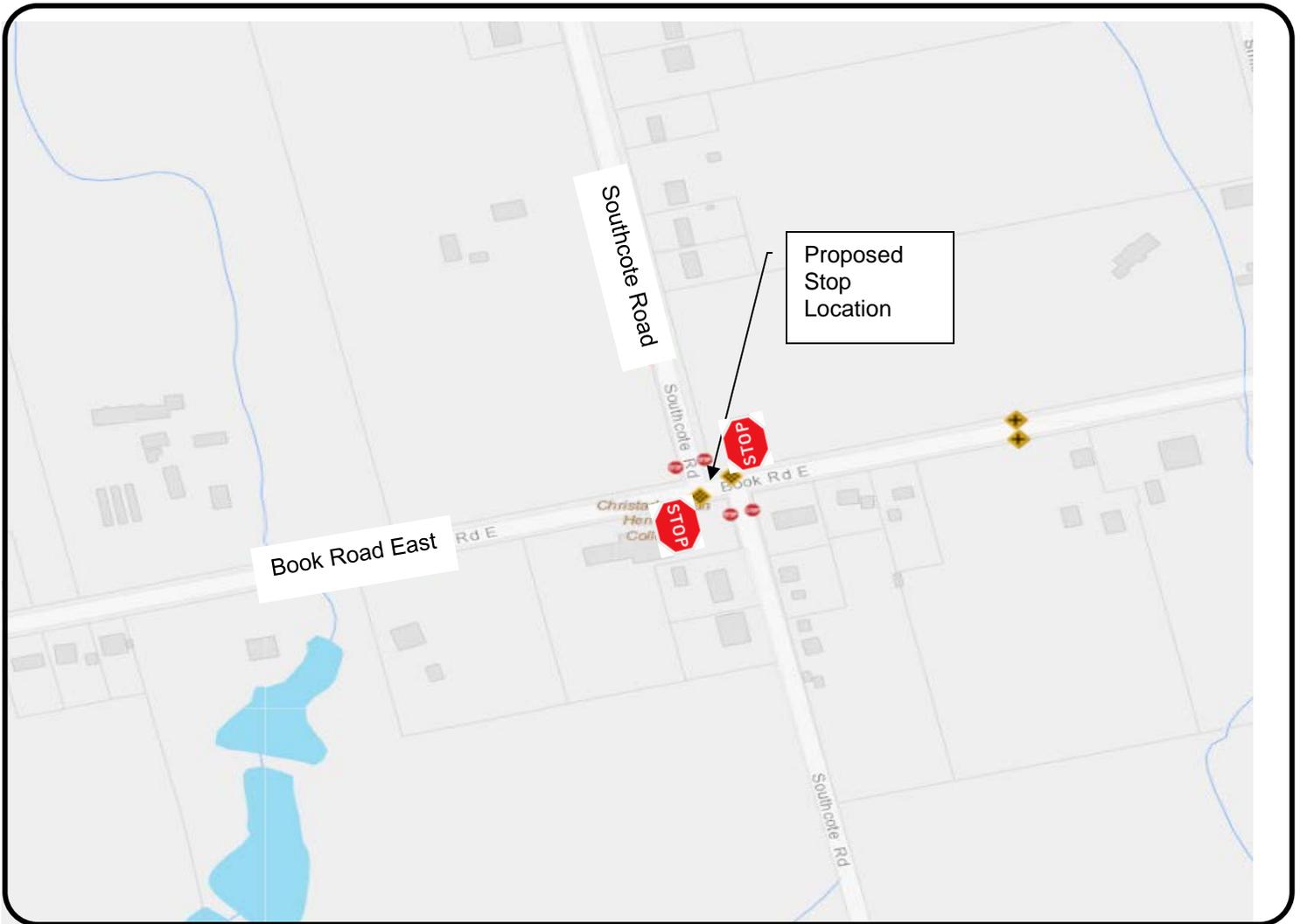
Corporate Assets & Strategic Planning
PUBLIC WORKS DEPARTMENT

LEGEND

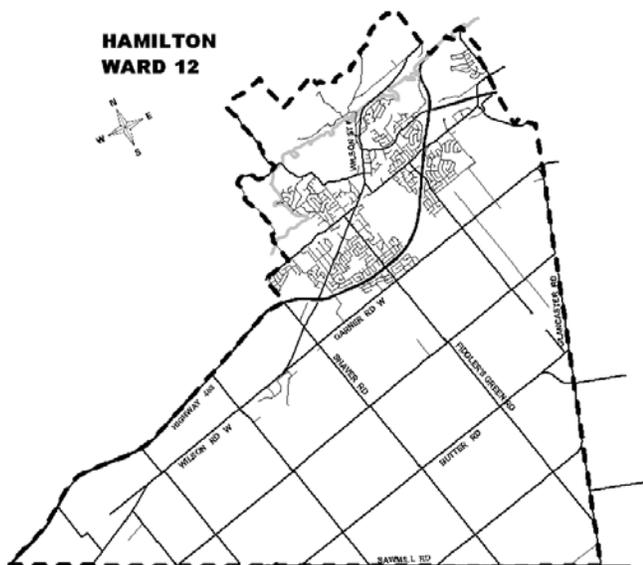
- EXISTING STOP
- PROPOSED STOP

SCALE
NOT TO SCALE

DATE
June 13, 2018



KEY MAP



LOCATION PLAN

PROPOSED STOP CONTROL:

Book Road at Southcote Road

Corporate Assets & Strategic Planning
PUBLIC WORKS DEPARTMENT

LEGEND

- EXISTING STOP
- PROPOSED STOP

SCALE
NOT TO SCALE

DATE
June 13, 2018

Appendix C to Item 7.3

Authority: Report X
CM: Date
Wards: 11 & 12

Bill No. ###

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 "A" (Ancaster) thereof the following items, namely;

Book Road East	Eastbound	Glancaster Road
Glancaster Road	Northbound & Southbound	Book Road East
Book Road East	Eastbound & Westbound	Southcote Road
Southcote Road	Northbound & Southbound	Book Road East

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 and ENACTED this <> day of <>, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

CITY OF HAMILTON MOTION

Council: June 13, 2018

MOVED BY COUNCILLOR M. GREEN.....

SECONDED BY COUNCILLOR.....

Community Grants for Ward 3

WHEREAS, cell tower revenues from Ward 3 of \$10,628.19 are available in project 3301609603 to provide financial support to community led projects and initiatives that benefit Ward 3;

THEREFORE BE IT RESOLVED:

- (a) That the funding for the following programs and initiatives, to be financed from the Cell Tower Revenues Project 3301609603, be approved:
 - (i) That Pride Hamilton is granted funds in the amount of \$1,500 to provide a free BBQ to the community during the Pride Festival;
 - (ii) That Recovery Awareness Day Hamilton is granted funds in the amount of \$1,000 to support outdoor events during Recovery Awareness Day in September, a day to acknowledge local community efforts in recovery from substance use;
 - (iii) That Ottawa Street BIA is granted funds in the amount of \$1,000 to support the Sew Hungry Festival, a free, annual restaurant and food truck rally held on Ottawa Street North to celebrate the eclectic and emerging food scene in Hamilton;
 - (iv) That Varsity Ticats is granted funds in the amount of \$1,500 to support player access and to reduce the financial barriers faced by families in Ward 3;
- (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.

CITY OF HAMILTON MOTION

Council: June 13, 2018

MOVED BY COUNCILLOR D. SKELLY.....

SECONDED BY COUNCILLOR.....

Cartier Crescent Extension

WHEREAS, Council approved the Butler Neighbourhood Plan in 1976, with the last revisions completed in 1995, which showed an extension of Cartier Crescent to Acadia Drive;

WHEREAS, the current configuration of Cartier Crescent was established by the Beaverton Heights Subdivision registered in February 1992 and Edan Heights Subdivision Phase 2, registered in July 1992;

WHEREAS, the extension of Cartier Crescent to Acadia Drive has not yet occurred;

WHEREAS, a proposed development at 1518, 1530 and 1540 Upper Sherman Avenue has raised concerns from the community about potential traffic impacts of extending Cartier Crescent; and

WHEREAS, representatives from the affected community have expressed their desire to maintain a dead-end on Cartier Crescent.

THEREFORE IT BE RESOLVED:

- (a) That staff be directed to undertake a review of the Butler Neighbourhood Plan and determine if the extension of Cartier Crescent as envisioned by the Neighbourhood Plan is warranted; and
- (b) That Staff be directed to report back at the September 18, 2018 Planning Committee meeting.

CITY OF HAMILTON

MOTION

Council: June 13, 2018

MOVED BY COUNCILLOR J. PARTRIDGE.....

SECONDED BY COUNCILLOR.....

Waterdown Memorial Parking Lot Project

WHEREAS, staff requires Council direction in order to establish the capital project for Waterdown Memorial Parking Lot Project; and,

WHEREAS, the approval of the project and its funding sources is time sensitive as the tender advertisement needs to be published by the end of June to allow for the contract to be awarded in August;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to proceed with a competitive bid process, in accordance with By-law No. 17-064 City of Hamilton Procurement Policy for the construction of the Waterdown Memorial parking lot;
- (b) That the General Manager, Public Works Department, be authorized and directed to negotiate, enter into and execute a Contract and any ancillary documents required to give effect thereto with successful vendor of the competitive bid process for the construction of the Waterdown Memorial parking lot, in a form Satisfactory to the City Solicitor; and,
- (c) That funding for the Waterdown Memorial Parking Lot project, in the amount of \$680,000, to be funded as follows, be approved:
 - (i) \$367,000 Ward 15 Councillor Minor Maintenance Project ID 4031611615; and,
 - (ii) \$313,000 Flamborough Reserve Account No. 108032.

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 1, Public Works Committee
Report 18-008
CM: June 4, 2018
Ward: 2, 3, 13

Bill No. 147

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 removing from Section "B" (Dundas) thereof the following item, namely;

Hope St.	Westbound	McMurray St.
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And by adding to Section "B" (Dundas) thereof the following items, namely;

Chegwin Street/McMurray Street	Northbound/Southbound	Hope Street
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Hope Street	Westbound	Chegwin Street/McMurray Street
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And by adding to Section "E" (Hamilton) thereof the following items, namely;

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

Page 2 of 2

Dunsmure Road	Eastbound/Westbound	Fairholt Road
James Street	Northbound/Southbound	Strachan Street
Strachan Street	Eastbound/Westbound	James Street
Catharine Street	Northbound/Southbound	Robert Street
Elgin Street	Northbound/Southbound	Robert 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.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 13th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 1, Board of Health
Report 18-005 (BOH07034(I))
CM: May 23, 2018
Ward: City Wide

Bill No. 148

CITY OF HAMILTON

BY-LAW NO. 18-

To Amend By-law No. 11-080, a By-law to Prohibit Smoking within City Parks and Recreation Properties

WHEREAS Council enacted a By-law to prohibit smoking within City Parks and Recreation Properties, being City of Hamilton By-law No. 11-080;

AND WHEREAS this By-law amends City of Hamilton By-law No.11-080;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "A" of By-law No. 11-080 is deleted and replaced by the Schedule "A" attached to and forming part of this By-law, being an updated list of the location of properties, addresses, places and areas where smoking is prohibited.
2. This By-law comes into force on the day it is passed.

PASSED this 13th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Schedule "A" to By-law 11-080

Parks and Recreation Properties Where Smoking is Prohibited

NAME	LOCATION	WARD
87 Acres Park	1165 Green Mountain Rd.	Ward 11
A.M. Cunningham Parkette	300 Roxborough Dr.	Ward 4
Agro Park	512 Dundas St. W., Waterdown	Ward 15
Albion Estates Park	52 Amberwood St.	Ward 9
Albion Falls Nghd. Open Space	221 Mud Street	Ward 6
Albion Falls Open Space (1 & 2)	199 Arbour Rd.	Ward 6
Albion Falls Park	768 Mountain Brow Blvd.	Ward 6
Alexander Park	201 Whitney Ave.	Ward 1
Allison Neighbourhood Park	51 Piano Dr.	Ward 7
Amberly Park	284 Nakoma Rd., Ancaster	Ward 12
Ancaster Aquatic Centre	47 Meadowbrook Dr., Ancaster	Ward 12
Ancaster Arbour Parkette	135 Emick Dr., Ancaster	Ward 12
Ancaster Heights Park	770 Alexander Rd., Ancaster	Ward 12
Ancaster Lion's Outdoor Pool	263 Jerseyville Rd. W., Ancaster	Ward 12
Ancaster Rotary Centre and Morgan Firestone Arena	385 Jerseyville Rd. W., Ancaster	Ward 12
Ancaster Senior Achievement Centre Park	622 Alberton Rd. S., Ancaster	Ward 12
Andrew Warburton Memorial Park	199 Tragina Ave. N.	Ward 4
Armes Lookout	633 Mountain Brow Blvd.	Ward 6
Arrowhon Natural Area	165 Boulding Ave.	Ward 15
Austin Park	36 Dartford Pl.	Ward 7
Aylmer Parkette	120 1/2 Aylmer Cres.	Ward 9
Balfour Park	406 Scenic Dr.	Ward 8
Barton Melvin Triangle	373 Pottruff Rd. N.	Ward 4
Barton St. / Lake Ave. Open Space	2635 Barton St. E.	Ward 5
Battlefield House, Museum and Park	77 King St. W.	Ward 9
Battlefield Park Open Space	77 King St. W.	Ward 9
Bayfront Park	200 Harbour Front Dr. (excluding Bayfront Park City Yard & excluding Hutch's patio)	Ward 2
Bayfront Park Trail	200 Harbourfront Dr. E. and Bay St. N.	Trail
Bayview Park (Hamilton)	52 Burlington St. W.	Ward 2
Bayview Park (Stoney Creek)	14 Thomas Crt.	Ward 10
Beach Blvd. Park #1	540 Beach Blvd.	Ward 5
Beach Blvd. Park #2 (Jimmy Lomax Park)	1120 Beach Blvd.	Ward 5
Beach Blvd. Park #3	80 Beach Blvd.	Ward 5
Beach Strip Open Space #1 (Beach Trail)	1151 Beach Blvd.	Ward 5
Beach Strip Open Space #2	499 Beach Blvd.	Ward 5

Schedule "A" to By-law 11-080

Parks and Recreation Properties Where Smoking is Prohibited

Beasley Park and Beasley Park Bowl	96 Mary St.	Ward 2
Belmont Park	101 Hollybush Dr.	Ward 15
Belview Park	205 Belmont Ave.	Ward 3
Ben Nevis Dr. SWM	29 Ben Nevis Dr.	Ward 10
Benetto Community Centre Park	450 Hughson St. N.	Ward 2
Berclin Drive Ravine Land	15 Berclin Dr.	Ward 1
Berrisfield Park	125 Birchcliffe Cres.	Ward 6
Beulah Park	59 Beulah Ave.	Ward 1
Beverly Community Park & Arena	680 Hwy. #8, Rockton	Ward 14
Bill Foley Parkette	41 Mountain Brow Blvd.	Ward 15
Billy Sherring Park	1530 Upper Sherman Ave.	Ward 7
Binbrook Park	2651 Hwy. #56, Binbrook	Ward 11
Binbrook Parkette	2680 Binbrook Rd., Binbrook	Ward 11
Binbrook Road Open Space	25 Royal Winter Drive, Binbrook	Ward 11
Birch Avenue Dog Park	235 Birch Ave.	Ward 3
Birch Avenue Park	171 Birch Ave.	Ward 3
Birge Park and Pool	167 Birge St.	Ward 3
Bishop's Park	91 East Ave. S.	Ward 2
Block 114 Park	7 Pinecreek Rd.	Ward 15
Block 87 Park	64 Duncan Ave.	Ward 15
Bobby Kerr Park	100 Reno Ave.	Ward 6
Bow Valley Open Space	70 Lake Ave. N.	Ward 5
Brampton Street Park	110 Mead Ave.	Ward 4
Brockhouse Park	61 Fiddler's Green Rd., Ancaster	Ward 12
Broughton Park West	106 Terni Blvd.	Ward 6
Bruce Park	145 Brucedale Ave. E.	Ward 7
Bruleville Nature Park	265 Limeridge Rd. E.	Ward 7
Bruleville Park	100 Bobolink Rd.	Ward 7
Bryna Park	16 Bryna Ave.	Ward 7
Buchanan Park	111 Columbia Dr.	Ward 8
Bullock's Corners	40 Park Ave.	Ward 14
Bumble Bee Hill Park	224 Pleasant Ave., Dundas	Ward 13
Burkholder Park	478 East 25th St.	Ward 7
Candlewood Dr. SWM	167 Candlewood Dr.	Ward 9
Captain Cornelius Park	180 Limeridge Rd. W.	Ward 8
Carlisle Community Centre Park	1496 Centre Rd.	Ward 15
Carlisle Memorial Park	1487 Centre Rd.	Ward 15
Carlisle Walkways	46 Woodend Drive, Carlisle	Ward 15
Carluke Hall	435 Carluke Rd. W., Ancaster	Ward 12
Carpenter Ave. Open Space #1	291 Eastdale Blvd.	Ward 10
Carpenter Ave. Open Space #2	2 Carpenter Ave.	Ward 10

Schedule "A" to By-law 11-080

Parks and Recreation Properties Where Smoking is Prohibited

Carpenter Neighbourhood Park	145 Eagleglen Way	Ward 8
Carter Park	32 Stinson St.	Ward 2
Cascades Park	66 Livingstone Dr., Dundas	Ward 13
Cathedral Park	707 King St. W.	Ward 1
Cenotaph Park	324 Hwy. #8	Ward 10
Centennial Heights Park	12 Karendale Cres.	Ward 14
Centennial Park	71 Cootes Dr., Dundas	Ward 13
Central Memorial Recreation Centre	93 West Ave. S.	Ward 2
Central Park	168 Bay St. N.	Ward 2
Century Street Park	28 Century St.	Ward 3
Chappel East Park #1	1837 Upper Wentworth St.	Ward 7
Chappel Estates Neighbourhood Park	30 Wagner Dr.	Ward 7
Chedoke Crossway	158 Stroud Rd.	Ward 1
Chedoke Expressway Open Space	643 Main W.	Ward 1
Chedoke Pool	West 25th St. and Bendemere Ave.	Ward 8
Chedoke Twin Pad Arena (Park)	91 Chedmac Dr.	Ward 8
Chegwin Park	27 Chegwin St., Dundas	Ward 13
Cherry Heights Park	90 Stoney Brook Dr.	Ward 10
Churchill Park	255 Glen Rd. (excluding Gardens & Aviary)	Ward 1
Claremont Access Parkettes	65 Wellington St. S.	Ward 2
Cliffview Park	26 Upper Paradise Rd.	Ward 8
Cline Park	66 Pinewoods Dr.	Ward 9
Cloverleaf Dr SWM	83 Cloverleaf Dr., Ancaster	Ward 12
Cochrane Parkette	381 Cochrane Rd.	Ward 4
Colquhoun Park	20 Leslie Ave.	Ward 8
Commando Crt. SWM	20 Volterra Court and 70 1/2 Chudleigh St.	Ward 15
Commonwealth Square	80 Main Street W.	Ward 2
Concession 3 Pt., Lot 52, SWM	109 Cloverleaf Dr., Ancaster	Ward 12
Concession/Upper Sherman Parkette	401 Upper Sherman Ave.	Ward 6
Confederation Beach Park	80 Van Wagner's Beach Blvd.	Ward 5
Conservation Run	24 Newcombe Rd, Dundas	Ward 13
Copetown Lions Park	1950 Governor's Rd.	Ward 14
Coreslab Dr. Open Space	181 Coreslab Dr.	Ward 15
Corktown Park	175 Ferguson Ave. S.	Ward 2
Corman Park	23 Teak St.	Ward 10
Coronation Park / Arena / Pool	81 Macklin St. N.	Ward 1
Corporal Nathan Cirillo Leash-Free Area	799 Golf Links Rd., Ancaster	Ward 12
Courtcliffe Community Park	159 Carlisle Rd.	Ward 15
Courtcliffe Park Open Space	open space beside Courtcliffe Park, 159 Carlisle Rd.	Ward 15

Schedule "A" to By-law 11-080

Parks and Recreation Properties Where Smoking is Prohibited

Crerar Natural Open Space	58 Sirente Dr.	Ward 7
Crerar Neighbourhood Park #1	260 Sirente Dr.	Ward 7
Cumberland Tot Lot	280 Cumberland Ave.	Ward 3
Dalewood Park	108 Gary Ave.	Ward 1
Dalewood Recreation Centre	1152 Main St. W.	Ward 1
Dave Andreychuk Mountain Arena / Skating Centre	25 Hester St	Ward 7
Dean Vista Park	940 Arvin Ave.	Ward 11
Delottinville Park	73 Newcombe Rd., Dundas	Ward 13
Delottinville Park Open Space	50 Davidson Blvd, Dundas	Ward 13
Delta Park	1100 Main St. E.	Ward 3
Dewitt Park	151 Glenashton Dr.	Ward 10
Dewitt Parkette	503 Dewitt Rd.	Ward 10
Dieppe Veterans' Memorial Park	1033 Beach Blvd.	Ward 5
Dofasco Parkette	276 Beach Rd.	Ward 3
Dominic Agostino Riverdale Recreation Centre	150 Violet Dr.	Ward 5
Dover Park	66 Dover Dr.	Ward 5
Dr. William Bethune Park	60 Dicenso Dr.	Ward 7
Dundas Community Pool	39 Market St. S., Dundas	Ward 13
Dundas Driving Park #1	71 Cross St. (excluding Dundas Driving Park City Yard), Dundas	Ward 13
Dundas Driving Park #2	71 Cross St. (excluding Dundas Driving Park City Yard), Dundas	Ward 13
Dundas Lion's Memorial Community Centre	10 Market St. S., Dundas	Ward 13
Dundas Open Space	50 Davidson Blvd, Dundas	Ward 13
Dundurn National Historic Site	610 York Blvd.	Ward 1
Dundurn Park	610 York Blvd.	Ward 1
Dundurn Parkette	490 York Blvd.	Ward 1
Durand Park	250 Park St. S.	Ward 2
East Kiwanis Place Parkette	236 Ottawa St. N.	Ward 4
Eastdale Park	81 Lincoln Rd.	Ward 10
Eastmount Park	115 East 26th St.	Ward 7
Eastwood Park and Arena	111 Burlington St. E.	Ward 2
Edgelake Park	12 Church St.	Ward 10
Edward's Memorial Park	55 Mercer St., Dundas	Ward 13
Eleanor Park	80 Presidio Dr.	Ward 7
Elmar Park	140 Brigade Dr.	Ward 7
Eringate Park	45 Shadyglen Dr.	Ward 9
Ernie Seager Parkette (formerly Grays Rd Parkette)	655 Grays Rd.	Ward 10
Escarpment Open Space #1	220 Charlton Ave. E.	Ward 2
Escarpment Open Space #2	75 James Mountain Rd.	Ward 2
Escarpment Ward 1	534 Dundurn St. S., 600 Scenic Dr.	Ward 1
Escarpment Ward 2	460 Charlton Ave. E.	Ward 2

Schedule "A" to By-law 11-080

Parks and Recreation Properties Where Smoking is Prohibited

Escarpment Ward 3	side of Sherman Access; from west of Ottawa St. S. to Graham Ave S along north side of Mountain Brow; 259 Wentworth St. S.	Ward 3
Escarpment Ward 4	from Graham St. S. around Mountain Brow to Mohawk Sports Park; 15 Kennilworth Access	Ward 4
Escarpment Ward 5 - #1	50, 102, 129 Kimberley Dr., 3 Greenhill Ave.	Ward 5
Escarpment Ward 5 - #2	590 Greenhill Ave; 460 & 500 Quigley Rd.; 190 & 200 Country Club Dr.	Ward 5
Escarpment Ward 5 - #3	760 Greenhill Ave.; 104 Centennial Pkwy S.	Ward 5
Faircourt Park	40 Faircourt Dr.	Ward 9
Fairfield Park	1501 Barton St. E.	Ward 4
Fairgrounds Community Park	305 Fall Fair Way	Ward 11
Falkirk West Park	1030 Upper Paradise Rd.	Ward 8
Father Sean O'Sullivan Memorial Park #1	1141 Greenhill Ave.	Ward 5
Father Sean O'Sullivan Memorial Park #2	1139 Greenhill Ave.	Ward 5
Fay Avenue Park	95 Broker Dr.	Ward 6
Felker Park	41 John Murray St.	Ward 9
Ferguson Station Park	244 King St. E.	Ward 2
Fernwood Park	796 Ninth Ave.	Ward 6
Ferrie Street Lot	449 Wellington St. N.	Ward 2
Ferris Park	25 Lynwood Dr.	Ward 10
Fieldcote Memorial Park	64 Sulphur Springs Rd., Ancaster	Ward 12
Fifty Rd. Parkette	622 Fifty Rd.	Ward 11
Fisher's Mill Park	370 King St. W., Dundas	Ward 13
Flamborough Centre Park	969 Centre Rd., Flamborough	Ward 15
Fonthill Park	289 Wendover Dr.	Ward 8
Frederick Parkette	2 Frederick Ave.	Ward 10
Freelton Community Park	170 Freelton Rd., Freelton	Ward 14
Gage Park	1000 Main St. E.	Ward 3
Garner Rd. E. SWM	1131 Garner Rd. E., Ancaster	Ward 12
Garth St. Reservoir	327 Stone Church Rd. W.	Ward 8
Garth St/Twenty Rd. Open Space	1995 Garth St.	Ward 8
Gary Hill Parkette	80 Queen St. N.	Ward 2
Gatesbury Park	28 Niska Dr., Waterdown	Ward 15
Gatestone Open Space	70 Second Rd. W.; 131 Gatestone Dr.; 73 First Rd. W.	Ward 9
Gilkson Park	50 Gemini Dr.	Ward 8
Glanbrook Sports Complex	4300 Binbrook Rd.	Ward 11
Glen Allen Drive Natural Open Space	25 Glen Allen Dr.	Ward 10
Glen Castle Park	30 Glen Castle Dr.	Ward 5
Glen Manor - The Veevers Home	22 Veevers Dr.	Ward 5
Glendale Park	255 Rainbow Dr.	Ward 5
Glenhollow Open Space	18 Glenhollow Dr.	Ward 9

Schedule "A" to By-law 11-080

Parks and Recreation Properties Where Smoking is Prohibited

Glenholme Avenue Park	308 Glenholme Ave.	Ward 4
Glow Park	159 Mead Ave.	Ward 4
Golf Links Park #1	226 Seymour Dr., Ancaster	Ward 12
Golf Links Park #2	226 Seymour Dr., Ancaster	Ward 12
Golf Links Rd. Open Space #1	1225 Golf Links Rd., Ancaster	Ward 12
Golf Links Rd. Open Space #2	1226 Golf Links Rd., Ancaster	Ward 12
Golf Links Rd. Open Space #3	1258 Golf Links Rd., Ancaster	Ward 12
Gore Park	1 Hughson St. S.	Ward 2
Gourley Park	142 Duncairn Cres.	Ward 8
Gourley Park Open Space	142 Duncairn Cres.	Ward 8
Green Acres Outdoor Pool	50 Randall Ave.	Ward 10
Green Acres Park	880 Queenston Rd.	Ward 9
Green Millen Trail	7 Shoreview Pl.	Trail
Greenhill Open Space #1	415 Greenhill Ave.	Ward 5
Greenhill Open Space #2	351 Mount Albion Rd., 400 Greenhill Ave.	Ward 5
Greenhill Park	589 Greenhill Ave.	Ward 5
Greenhill Reservoir	22 Webster Rd.	Ward 5
Greenside Acres Park	171 St. Margaret's Rd., Ancaster	Ward 12
Guy Brown Park	154 Brian Blvd.	Ward 15
H.G. Brewster Pool	200 Dewitt Rd.	Ward 10
Hamilton Amateur Athletics Assoc.	250 Charlton Ave. W.	Ward 1
Hamilton Beach Recreational Trail	Grays Rd.	Trail
Hamilton Children's Museum	1072 Main Street East	Ward 3
Hamilton Dr. SWM	439 Hamilton Dr., Ancaster	Ward 12
Hamilton Harbour Waterfront Trail (Bayfront Trail)	Bayfront Park to Desjardins Canal; 200 Harbourt Front Dr.; 355 Longwood Dr. N.	Trail
Hamilton Military Museum	610 York Blvd.	Ward 1
Hammer Park (formerly Powell Park)	53 Birch Ave.	Ward 3
Hampton Park	28 Lupin Ave.	Ward 6
Hannon South Open Space / Dog Park	1450 Rymal Rd. E.	Ward 6
Harmony Park	484 Annalee Dr., Ancaster	Ward 12
Harry Howell Arena	27 Highway 5 W.	Ward 15
Harvey Park	618 York Blvd.	Ward 1
Hayward Park	13 Dalkeith Ave.	Ward 3
Hemming Park Open Space	263 Jerseyville Rd. W, Ancaster	Ward 12
Henry & Beatrice Warden Park	55 Lake Ave. N.	Ward 5
Heritage Green Community Trust Leash-Free Dog Park, Open Space & Trail	297 First Rd. W.	Ward 9
Heritage Green Sports Park	355 First Rd. W. (excluding Heritage Green Sports Park City Yard)	Ward 9
High Park	630 Hendry Lane, Ancaster	Ward 12

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Parks and Recreation Properties Where Smoking is Prohibited

Highland Gardens Park	55 Hillcrest Ave.	Ward 1
Highland Gardens Reservoir	55 Hillcrest Ave.	Ward 1
Highland Green Park	287 Highland Rd. W.	Ward 9
Highview Park	879 Brucedale Ave.	Ward 6
Hill Park Recreation Centre	465 East 16th St	Ward 7
Hill Street Park / Lots/ community gardens	13 & 26 Hill St.	Ward 1
Hillcrest Park	8 Eastwood Rd.	Ward 4
Hillside Park	57 Hillside Avenue, Dundas	Ward 13
Hixon Parkette	308 Hixon Rd.	Ward 5
Holbrook Park	442 Sanatorium Rd.	Ward 8
Homebrook Park	204 Stagecoach Dr.	Ward 11
Honorable Bob Mackenzie Park	122 Province Street N.	Ward 4
Hopkins Rotary Park	19 Second St. N.	Ward 9
Hunter Estates Park	314 MacIntosh Drive	Ward 10
Hunter Street General Open Space	95 James St. S.	Ward 2
Huntington Park / Recreation Centre	40 Broker Dr.	Ward 6
Huntingwood Ave. Open Space	18 Huntingwood Avenue, Dundas	Ward 13
Inch Park / Arena / Outdoor Pool	400 Queensdale Ave	Ward 7
J.L. Grightmire Arena	35 Market St. S., Dundas	Ward 13
Jack C. Beemer Park	68 Victoria Ave N	Ward 3
Jackie Washington Rotary Park	363 Wellington St. North	Ward 2
Jackson Heights Open Space	170 Tanglewood Dr.	Ward 11
Jackson Heights Park	188 Tanglewood Dr.	Ward 11
Jackson Park	439 Jackson St. W.	Ward 1
James Smith Park	50 Braithwaite Avenue, Ancaster	Ward 12
Jerome Neighbourhood Park	1306 Upper Wellington St.	Ward 7
Jerseyville Park	2688 Jerseyville Road West	Ward 14
Jimmy Thompson Pool	1099 King St. E.	Ward 2
Joe Sams Leisure Park	752 Centre Rd (excluding Joe Sam's City Yard)	Ward 15
John Prentice Park	45 Renata Court, Dundas	Ward 13
John Santarelli Plateau Park	4 Millen Road	Ward 10
John Watson Park	77 1/2 Donn Ave.	Ward 9
John Willson Park	480 Winona Road	Ward 11
Johnson Tew Park	71 Tews Lane	Ward 14
Joshua Ave. Open Space	33 Joshua Ave., Ancaster	Ward 12
Joshua Ave. SWM	36 Joshua Ave., Ancaster	Ward 12
Kaga Corner	6 York Rd., Dundas	Ward 13
Kay Drage Park	150 Macklin St. N.	Ward 1
Keith Park	90 Burton St.	Ward 3
Kenilworth Access Parkette #1	255 Kenilworth Ave. S.	Ward 4

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Parks and Recreation Properties Where Smoking is Prohibited

Kenilworth Access Parkette #2	250 Kenilworth Ave. S.	Ward 4
Kenilworth Access Parkette #3	230 Kenilworth Ave. S.	Ward 4
Kennedy East Open Space	165 Christopher Dr.	Ward 8
Kennedy East Park	130 Malton Dr.	Ward 8
Kernighan Neighbourhood Park	20 Forbes St.	Ward 8
King Street Parkette	324 Highway 8	Ward 10
King Street West General Open Space	263 King St. W.	Ward 2
King Y Battlefield	70 King St. W.	Ward 9
King's Forest Park	150 Greenhill Ave	Ward 5
King's Mead Park	180 Lynbrook Dr.	Ward 8
Kinsman Park	387 Beach Blvd.	Ward 5
Kitty Murray Park	120 Kitty Murray Lane, Ancaster	Ward 12
Kopperfield Park	20 Idlewilde Lane	Ward 11
Laidman Park	170 Great Oak Trail, Binbrook	Ward 11
Lake Avenue Park	140 Lake Ave. N.	Ward 5
Lake Ontario Waterfront Trail	Bayfront Park and Desjardins Canal to Red Hill Valley	Trail
Lake Pointe Park	60 Westhampton Way	Ward 11
Langs Park	1119 Scenic Dr.	Ward 8
Lawfield Park / Arena	150 Folkstone Ave.	Ward 7
Lawrence P. Sayers Park	39 Lakegate Drive	Ward 10
Leadale Place Parkette	29 Leadale Place	Ward 8
Leaside Park	1155 Leaside Rd.	Ward 4
Leisure Park Open Space	752 Centre Rd	Ward 15
Leslie B. Coudrey Park	19 Bridlewood Drive, Dundas	Ward 13
Lifesavers Park	100 Cumberland Ave.	Ward 3
Lions Gate Park	79 Elmira Dr.	Ward 8
Lion's Outdoor Pool (Hemming Park)	263 Jerseyville Rd. W., Ancaster	Ward 12
Lisgar Park	95 Carson Dr.	Ward 6
Little Albert Park	1198 King St. E.	Ward 3
Little John Park	110 Little John Road, Dundas	Ward 13
Little League Park Ancaster (Spring Valley Bowl)	286 Jerseyville Rd., Ancaster	Ward 12
Little League Park Stoney Creek	880 Queenston Rd	Ward 9
Lucy Day Park	33 Clinton St.	Ward 3
Lynden Legion Park	206 Lynden Rd	Ward 14
Lynden Lions South Park	4070 Governor's Road	Ward 14
Macassa Bay Walkway	102 Harbour Front Dr.	Ward 2
Macassa Park	777 Upper Sherman Ave.	Ward 6
Macklin St. N. SWM	330 Macklin St. N.	Ward 1
Mahony Park	1655 Barton St E	Ward 4
Mansfield Park	141 Mansfield Drive, Ancaster	Ward 12
Maple Ave. Open Space	2 Maple Ave.	Ward 9

Schedule "A" to By-law 11-080

Parks and Recreation Properties Where Smoking is Prohibited

Maple Lane Park	157 Miller Drive, Ancaster	Ward 12
Mapledene Park	32 President Drive	Ward 10
Mapleside Park	13 Mapleside Ave.	Ward 1
Maplewood Green Park	155 First Road West	Ward 9
Maplewood Park	150 Second Rd. W.	Ward 9
Margaret Street Park	17 Margaret Street, Waterdown	Ward 15
Marimat Gardens	30 Marimat Court, Dundas	Ward 13
Mark Anthony Graham Memorial Olympic Park	948 Mohawk Rd. W.	Ward 8
Marston Street SWM	268 Winterberry Dr.	Ward 9
Martino Memorial Park	147 King Street East, Dundas	Ward 13
Matilda Street Natural Playground	236 King St. W., Dundas	Ward 13
Matt Broman Park	645 Mountain Brow Blvd	Ward 6
McLaren Park	160 John St. N.	Ward 2
Meadowbank Parkette	44 Meadowbank Dr.	Ward 8
Meadowbrook Park	365 Wilson Street West, Ancaster	Ward 12
Meadowlands Park	160 Meadowlands Blvd., Ancaster	Ward 12
Meadowlands Soccer Pitch	933 Golf Links Rd, Ancaster	Ward 12
Memorial Park (Stoney Creek)	87 Glen Cannon Drive	Ward 10
Mill Street Open Space	300 Mill St., Dundas	Ward 13
Millgrove Community Park	855 Millgrove Side Rd	Ward 15
Mohawk / Sanatorium Parkette	260 Mohawk Rd. W.	Ward 8
Mohawk Gardens	1 Indian Cres.	Ward 7
Mohawk Meadows Park	645 Iroquois Avenue, Ancaster	Ward 12
Mohawk Sports Park	700 Mountain Brow Blvd. (excluding Mohawk Sports Park City Yard & excluding Lookout Lounge patio)	Ward 6
Montgomery Park	1570 Main St E	Ward 4
Moorland Park	160 Moorland Cres., Ancaster	Ward 12
Morton Park	50 Lorraine Avenue, Dundas	Ward 13
Mount Albion Open Space	535 Mount Albion Rd. open space by Escarpment	Ward 5
Mount Hope Park	3027 Homestead Dr.	Ward 11
Mount Lions Park	450 Queen Victoria Dr.	Ward 6
Mountain Brow Park West	181 Mountain Park Ave.	Ward 7
Mountain Drive Park	935 Concession St.	Ward 6
Mountsberg Hall Park	2133 Centre Road	Ward 15
Mountsberg Park	2126 Centre Rd.	Ward 15
Mountside / Rifle Range Natural Open Space	1 Mountside Dr.	Ward 1
Mountview Park	115 San Antonio Dr.	Ward 8
Museum of Steam & Technology	900 Woodward Ave.	Ward 4
Myrtle Park	13 Delaware Ave.	Ward 3
Natural Open Space Ward 2	409 Queen St. S. / 405 Hess St. S.	Ward 2

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Parks and Recreation Properties Where Smoking is Prohibited

Newcombe Rd. Open Space	74 1/2 Newcombe Rd., Dundas	Ward 13
Newlands Park	137 Lynbrook Dr.	Ward 8
Noble Kirk Park	1 Gavin Dr.	Ward 14
Norman Pinky Lewis Recreation Centre	192 Wentworth St. N.	Ward 3
Normanhurst Community Centre	1621 Barton St E	Ward 4
North Central Community Park	467 Wentworth St. N.	Ward 3
North Wentworth Community Park	27 Hwy. 5, Millgrove	Ward 15
Norwood Park	187 Terrace Dr.	Ward 7
Oak-Knoll Park	701 Mountain Brow Blvd.	Ward 6
Oakridge / Lindsay Open Space	20 1/2 Oakridge Dr.	Ward 10
Oakwood Place Park	132 Sterling St.	Ward 1
Olympic Sports Park #1 and Olympic Arena	70 Olympic Dr., Dundas	Ward 13
Olympic Sports Park #2	71 Olympic Dr., Dundas	Ward 13
Open Space - 7 Innovation Drive	7 Innovation Dr.	Ward 15
Open Space - Aylmer Parkette	77 Mistywood Dr.	Ward 9
Open Space - North Wentworth Park #1	533 Hwy. 6	Ward 15
Open Space - North Wentworth Park #2	135 Hwy 5 W.	Ward 15
Open Space - North Wentworth Park #3	50 Clappison Ave.	Ward 15
Open Space - North Wentworth Park #4	182 Coreslab Dr.	Ward 15
Open Space Beside Coronation Arena	99 Macklin St. N.	Ward 1
Optimist Park (Ancaster)	237 Manitou Way, Ancaster	Ward 12
Palomino Ranch	6 Oldenburg Rd.	Ward 15
Paramount Drive Open Space	1 Chilton Dr; 2 Chilton Dr; 2 Pembroke St.	Ward 9
Paramount Park	1170 Paramount Dr.	Ward 9
Park Corridor	south side of the Lincoln Alexander Expressway from TB McQueston Park (Upper Wentworth St.) to Upper Ottawa Street; 140 Rexford Dr.; 15 Queenslea Dr.	Ward 6/7
Park Row North Parkette	190 Park Row North	Ward 4
Parkdale Park / Arena / Outdoor Pool	1770 Main St. E.	Ward 4
Peace Memorial Park	85 East 36th St.	Ward 6
Peace Park	530 Montgomery Dr., Ancaster	Ward 12
Peachwood Parkette	115 Peachwood Cres	Ward 10
Perth Park	300 Woodworth Dr., Ancaster	Ward 12
Pier 4 Park	64 Leander Drive	Ward 2
Pier 4 Park Trail	Pier 4 Park - Bay St N at Leander Dr.	Trail
Pinecrest Park	490 Evergreen Avenue, Ancaster	Ward 12
Pinky Lewis Parkette	169 Sanford Ave. N.	Ward 3
Pipeline Park	1203 Main St. E.	Ward 4
Pleasant Ave. Parkette	114 Pleasant Ave., Dundas	Ward 13
Postlawn Park	46 Fairlawn Court, Ancaster	Ward 12
R.T. Steele Park	45 Ellis Ave	Ward 4

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Parks and Recreation Properties Where Smoking is Prohibited

Radial Park	1 Spruceside Ave.	Ward 1
Randall Park	140 Robson Cres.	Ward 7
Red Hill / Vincent Open Space	2400 King St. E.	Ward 5
Red Hill Bowl	1570 Lucerne Ave.	Ward 4
Red Hill Neighbourhood Park	320 Albright Rd.	Ward 5
Richwill Park	27 Richwill Rd.	Ward 8
Riverdale East Park (Oaklands)	141 Vittorito Ave.	Ward 5
Riverwalk Park	5 Blueheron Lane, Carlisle	Ward 15
Robert E. Wade Ancaster Community Park	385 Jerseyville Rd. W.	Ward 12
Rockcliffe Gardens Park	40 Riley Street	Ward 15
Rockcliffe Gardens Woodlot	40 Riley Street	Ward 15
Rockview Summit Park	16 Grindstone Way, Waterdown	Ward 15
Rosebough Park	23 Rosebough Street, Greensville	Ward 14
Rosedale Arena	100 Greenhill Ave.	Ward 5
Rosedale Park / Pool	150 Greenhill Ave	Ward 5
Roxborough Park	70 Reid Ave. N.	Ward 4
Rushdale Park	130 Southpark Ave.	Ward 7
Ryckmans Neighbourhood Park & Natural Open Space	539 DiCenzo Dr.	Ward 7
Ryerson Recreation Centre	247 Duke St.	Ward 1
Sackville Hill Park	770 Upper Wentworth St	Ward 7
Saltfleet Arena	24 Sherwood Park Rd.	Ward 10
Sam Lawrence Park	255 & 371 Concession St.	Ward 7
Sam Lawrence Parkette	276 Concession St.	Ward 7
Sam Manson Park	80 Nash Rd. N.	Ward 5
Sanctuary Park	27 Sanctuary Dr., Dundas	Ward 13
Sanctuary Parkette	25 Sanctuary Dr., Dundas	Ward 13
Scenic Park	565 Aberdeen Ave.	Ward 8
Scenic Parkette	609 Scenic Dr.	Ward 8
Scenic Woods Park	220 Lavender Drive	Ward 12
Scott Park and Arena	1055 King St. E.	Ward 3
Seabreeze Park	75 Seabreeze Cres	Ward 11
Sealey Park	115 Main St S	Ward 15
Shamrock Park	105 Walnut St. S.	Ward 2
Shaver Estates Park	33 Brooking Crt	Ward 12
Shawinigan Park	1 Guildwood Dr.	Ward 8
Shawn Allen Eades Memorial Parkette (formerly Mohawk / Sanatorium Parkette)	260 Mohawk Rd. W.	Ward 8
Sheffield Ball Park	1227 Sheffield Rd	Ward 14
Sheldon Manor	22 Don Street, Dundas	Ward 13

Schedule "A" to By-law 11-080

Parks and Recreation Properties Where Smoking is Prohibited

Sherwood Meadows Park	14 Sherwood Park Rd	Ward 10
Sherwood Park	14 Sherwood Park Rd	Ward 10
Sherwood Vale Lot	15 Robinhood Drive, Dundas	Ward 13
Signature Park	950 Golf Links Road, Ancaster	Ward 12
Simcoe Street Lot	209 Simcoe St. E.	Ward 2
Simcoe Tot Lot	38 Strachan St W.	Ward 2
Sir Allan MacNab Rec Centre and Park	145 Magnolia Dr	Ward 8
Sir Wilfrid Laurier Recreation Centre	70 Albright Rd.	Ward 5
Sir Winston Churchill Recreation Centre	1715 Main Street East	Ward 4
Skyway Park	189 Beach Blvd.	Ward 5
Smokey Hollow Park	150 Mill St. S., Flamborough	Ward 15
Somerset Park	256 Lloyminn Avenue, Ancaster	Ward 12
Southam Park	480 Upper James St.	Ward 8
Southampton Estates Park	185 Thames Way	Ward 11
Southbrook Park	111 Southbrook Dr.	Ward 11
Spring Valley Arena	29 Orchard Dr., Ancaster	Ward 12
St. Christopher Park	119 McAnulty Blvd.	Ward 4
St. Joseph's Dr. SWM	502 St. Joseph's Dr.	Ward 4
St. Joseph's Park	321 John St. S.	Ward 2
Stinson Street Playground	200 Stinson St.	Ward 2
Stoneham Park	50 Halson St., Ancaster	Ward 12
Stoney Creek Arena & Community Park	37 King St. E.	Ward 9
Stoney Creek Recreation Centre	45 King St. W., Stoney Creek	Ward 9
Stoneywood Park	271 Winterberry Drive	Ward 9
Strabane Community Park	1315 Brock Rd.	Ward 14
Strachan Street General Open Space	29 & 51 Strachan St. W.; 36, 76, 98, 134 Strachan St. E.; 376 Ferguson Ave.; 400-358, 399 James St. N.; 329-335 Hughson St. N.	Ward 2
Stroud Road Park	145 Stroud Rd.	Ward 1
Summerbrook Park	301 Brookview Crt., Ancaster	Ward 12
Summerlea West Park	151 Binhaven Blvd., Binbrook	Ward 11
Summit Park	215 Pinehill Dr.	Ward 11
T. B. McQuesten Park and Park Corridor	1199 Upper Wentworth St	Ward 7/6
T. Melville Bailey Park	45 Cloverhill Rd.	Ward 8
Talbot Lot	2121 Barton St. E.	Ward 4
Tapleystown Men's Club Park	315 Mud Street East	Ward 11
Tapleystown Park	368 Mud Street East	Ward 11
Templemead Park	30 Independence Dr.	Ward 6
Thorner Park	100 Deerborn Drive	Ward 7
Tim Horton's Stadium	75 Balsam Ave. N.	Ward 3
Todd Ofield Memorial Park	205 Orkney Rd.	Ward 14
Tom Street Park	92 Tom St.	Ward 1

Schedule "A" to By-law 11-080

Parks and Recreation Properties Where Smoking is Prohibited

Tower Park	46 Woodend Drive, Carlisle	Ward 15
Town Square Park	79 King Street East	Ward 9
Trenholme Open Space	135 Trenholme Cres.	Ward 6
Trenholme Park	135 Trenholme Cres.	Ward 6
Trillium Open Space	1135 North Service Rd.	Ward 11
Troy Tot Lot	2310 Highway 5 W.	Ward 14
Turnball	232 Kirkwood Dr., Dundas	Ward 13
Turner Park	344 Rymal Rd. E. (excluding Turner Park City Yard)	Ward 7
Tweedsmuir	50 Victoria Ave. N.	Ward 3
Tyne Place Park	10 Tyne Place	Ward 8
Upper King's Forest Park	701 Mountain Brow Blvd	Ward 6
Upper Wellington / Fennell Park	244 Fennell Ave. E.	Ward 7
Valens Park	1818 Valens Rd	Ward 14
Valley Community Centre Park	287 Old Guelph Rd, Dundas	Ward 13
Valley Park Aquatic Centre, Community Centre, Arena and Pool	970 Paramount Dr	Ward 9
Veevers Park	688 Greenhill Ave.	Ward 5
Veterans Memorial Park	105 Huntingwood Ave., Dundas	Ward 13
Veterans Park Open Space	105 Huntingwood Ave., Dundas	Ward 13
Victoria Park	500 King St. W.	Ward 1
Village Green Park	291 Lodor St., Ancaster	Ward 12
Vincent / Gershome Open Space	2730 King St. E.	Ward 5
Vincent Massey Park	East 37th St. & 7th Ave.	Ward 6
Volunteer Field Park	27 Olympic Dr., Dundas	Ward 13
Walkers Outdoor Pool	Stonechurch Rd. E. and DiCenzo Dr.	Ward 7
Warren Park	46 1/2 Tally Ho Dr., Dundas	Ward 13
Waterdown Memorial Park	200 Hamilton St. N.	Ward 15
Waterford Park	10 Waterford Cres.	Ward 11
Wellington Park	399 King St. E.	Ward 3
Westdale North Open Space	203 Paradise N., 19 Macklin N., 182 Longwood N.	Ward 1
Westmount Recreation Centre	39 Montcalm Dr.	Ward 8
White Deer Park	25 Whitedeer Rd.	Ward 9
White Deer Park Natural Open Space	206 Gatestone Dr.	Ward 9
Whitehern	41 Jackson St. W.	Ward 2
Whitton Parkette	57 Whitton Rd.	Ward 4
Wildan Extension Park	3 Savona Cres, Freelon	Ward 15
Wildan Tot Lot	1 Wildan Drive, Freelon	Ward 15
Wildwood Park	639 Greenravine Dr., Ancaster	Ward 12
William Connell Park	1086 West 5th St.	Ward 8
William McCulloch Park	200 Bonaventure Dr.	Ward 8

Schedule "A" to By-law 11-080

Parks and Recreation Properties Where Smoking is Prohibited

William Schwenger Park	86 Claudette Gate	Ward 8
Windermere Basin Park	105 Eastport Dr.	Ward 4
Winona Park	1328 Barton St. E.	Ward 11
Winterberry Drive Open Space	400 Winterberry Dr.	Ward 9
Witherspoon Park	70 Witherspoon Dr.	Ward 13
Woodburn Ball Park	1040 Golf Club Rd.	Ward 11
Woodlands Park	501 Barton St E	Ward 3
Woodlot Royal Conservatory	576 7th Concession Rd. E.	Ward 15
Woodward Park	589 Woodward Ave.	Ward 4
Woolverton Park	90 Charlton Ave. E.	Ward 2
York Blvd. General Open Space	889 York Blvd.	Ward 1
York Blvd. Parkette #1	12 York Blvd.	Ward 2
York Blvd. Parkette #2	397 York Blvd.	Ward 1
York Blvd. Parkette #3	324 York Blvd.	Ward 1
York Blvd, Parkette #4 (formerly York St.)	250 York Blvd.	Ward 2
Yorkshire Heights Park	106 Watsons Lane, Dundas	Ward 13

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 15

Bill No. 149

CITY OF HAMILTON

BY-LAW NO. 18-

Respecting Removal of Part Lot Control Lots 1 to 70, 71, 72, 75-80 and Block 81 Registered Plan No. 62M-1243 “Kaleidoscope – Phase 2”, 157 Parkside Drive

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 ninety-one (91) utility, maintenance and access easements, shown as Parts 1 to 103, inclusive, on deposited Reference Plan 62R-20683, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Part of Lots 1 to 70, 72, 75-80 and Block 81 Registered Plan No. 62M-1243, 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 13th day of June, 2020.

Respecting Removal of Part Lot Control Lots 1 to 70, 71, 72, 75-80 and Block 81 Registered Plan No. 62M-1243, "Kaleidoscope – Phase 2", 157 Parkside Drive

Page 2 of 2

PASSED this 13th day of June, 2018.

F. Eisenberger
Mayor

PLC-18-017

J. Pilon
Acting City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 12

Bill No. 150

CITY OF HAMILTON

BY-LAW NO. 18-

Respecting Removal of Part Lot Control

Block 14, Registered Plan of Subdivision No. 62M-1226, "Ancaster Glen Phase 2" municipally known as, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 77 and 79; 2, 4, 6, 8, 10 and 12 Shay Lane; 50 and 58 John Frederick Drive

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. Subsection 5 of Section 50 of the *Planning Act*, for the purpose of twenty-one (21) lots for townhouse dwellings (Parts 1 to 21 inclusive), utility and service easements (Parts 22 and 23), an exclusive use common element with restrictive access (Part 28) and land comprised of a private road, sidewalks, visitor parking, landscaped area and utilities for a Common Element Condominium (Parts 22 to 28 inclusive), as shown on Deposited Reference Plan 62R-20862, shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Block 14, Registered Plan of Subdivision 62M-1226, 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

Block 14, Registered Plan of Subdivision No. 62M-1226, "Ancaster Glen Phase 2" municipally known as, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 77 and 79; 2, 4, 6, 8, 10 and 12 Shay Lane; 50 and 58 John Frederick Drive

Page 2 of 2

3. This By-law shall expire and cease to be of any force or effect on the 13th day of June, 2020.

PASSED this 13th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

PLC-17-024

Authority: Item 2, Planning Committee
Report 18-009 (PED18091)
CM: June 13, 2018
Ward: 12

Bill No. 151

CITY OF HAMILTON

BY-LAW NO. 18-

To Amend Zoning By-law No. 87-57 (Ancaster) Respecting lands located at 449 Springbrook Avenue

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”;

WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

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;

WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the on the 22nd day of June, 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

WHEREAS the Council of the City of Hamilton, in adopting Item 2 of Report 18-009 of the Planning Committee, at its meeting held on the 13th day of June, 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 Map No.1337 of Schedule “A”, appended to and forming part of By-law No. 87-57 (Ancaster), is amended as follows:
 - (a) by changing the zoning from the Agricultural “A” Zone to Residential “R4-692” Zone, Modified.
2. That Subsection 34: Exceptions of Zoning By-law 87-57 (Ancaster), as amended, is hereby further amended by adding a new Exception, “R4-692”, as follows:

“R4-692” 449 Springbrook Avenue, Schedule “A”, Map No. 1337

Notwithstanding the provisions of Subsection 12.2 (b) and (c) of the Residential “R4” Zone and Subsection 7.13 (a) “Special Setbacks” on those lands zoned “R4-692” by this By-law, the following shall also apply:

- | | |
|--------------------------|--|
| (a) Maximum Lot Coverage | 40% lot coverage for interior lots |
| (b) Minimum Lot Frontage | 12 metres except on corner lots the minimum frontage shall be 14.35 metres |
| (c) Daylight triangle | 4.57 metre x 4.57 metre daylight triangle |

In addition to the definition of Subsection 3.112 “Porch, Unenclosed” on those lands zoned “R4-692” by this By-law, the following shall also apply:

- | | |
|-----------------|---|
| (d) Definitions | “Porch, Unenclosed” – a second unenclosed porch shall be required to provide access to the side entrance of the flankage elevation of a dwelling on a corner lot. |
|-----------------|---|

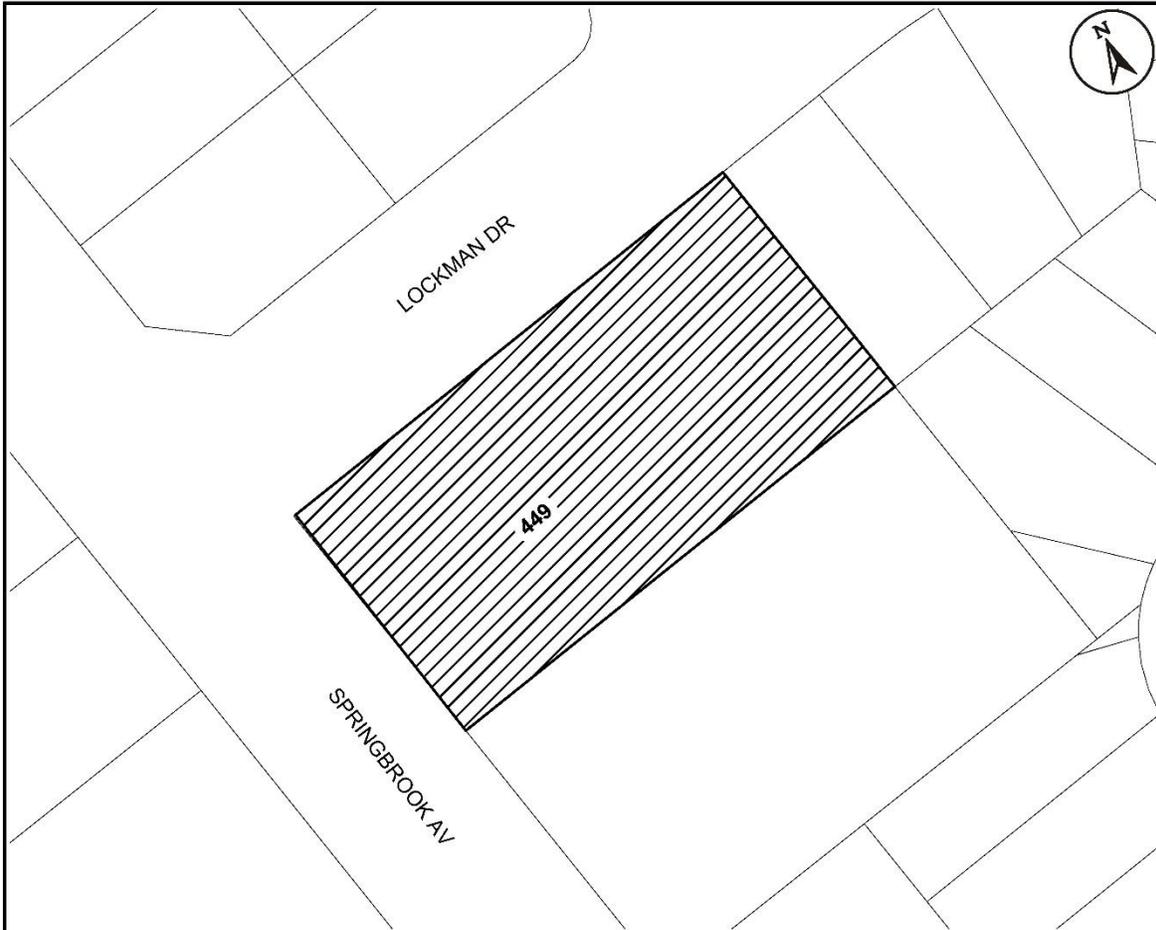
That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 13th day of June, 2018

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAC-17-086



This is Schedule "A" to By-law No. 18- Passed the day of, 2018	----- Mayor ----- Clerk
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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: 0 0 0 0;">to Amend By-law No. 87-57</p>	<p>Subject Property 449 Springbrook Avenue</p> <p> Change in Zoning from Agricultural "A" Zone to Residential "R4-692" Zone, Modified</p>
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Scale: N.T.S.	File Name/Number: ZAC-17-086	
Date: Feb. 26, 2018	Planner/Technician: JR/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Motion 7.3
Council: June 13, 2018
Ward: 11, 12

Bill No. 152

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 "A" (Ancaster) thereof the following items, namely;

Book Road East	Eastbound	Glancaster Road
Glancaster Road	Northbound & Southbound	Book Road East
Book Road East	Eastbound & Westbound	Southcote Road
Southcote Road	Northbound & Southbound	Book Road East

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.

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

Page 2 of 2

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

PASSED this 13th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

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:

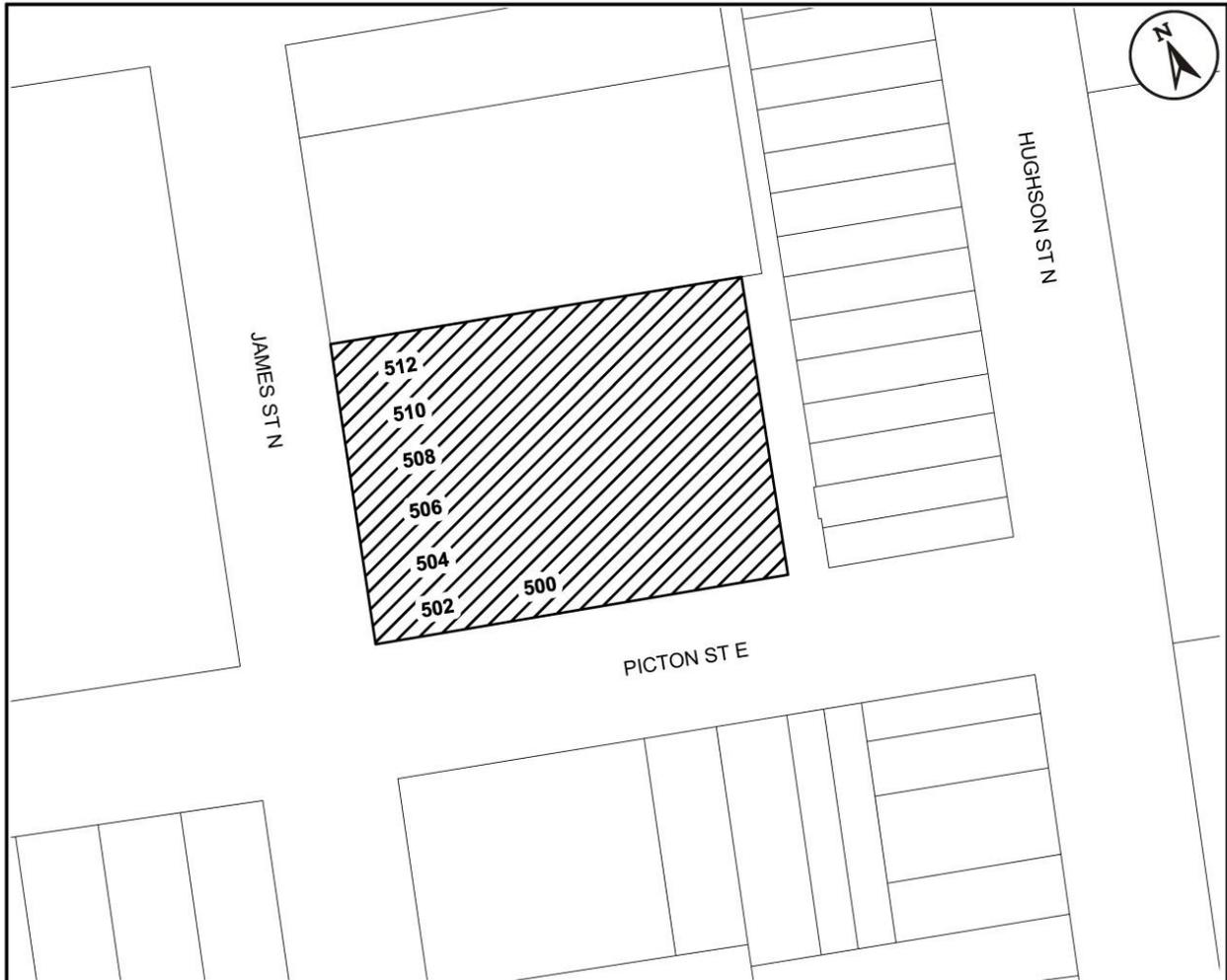
1. That Schedule "A" appended to and forming part of Zoning By-law No. 6593 (Hamilton) as amended by By-law No.17-152, is hereby amended by changing the zoning from the Community Shopping and Commercial, etc. "H/S-1751- H" Zone, Modified, Holding to Community Shopping and Commercial, etc. "H/S-1751" 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

CITY OF HAMILTON

BY-LAW NO. 18-

To Confirm the Proceedings of City Council at its meeting held on June 13, 2018.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 13th day of June, 2018, in respect of each recommendation contained in,

Special General Issues Committee Report 18-012 – May 31, 2018,
Public Works Committee Report 18-008 – June 4, 2018,
Planning Committee Report 18-009 – June 5, 2018,
General Issues Committee Report 18-013 – June 6, 2018,
Hamilton Utilities Corporation Shareholder Annual General Meeting Report 18-001 – June 6, 2018,
Hamilton Enterprises Holding Corporation Shareholder Annual General Meeting Report 18-001 – June 6, 2018
Audit, Finance & Administration Committee Report 18-008 – June 11, 2018,
and
Healthy & Safe Communities Committee Report 18-006 – June 11, 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 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 13th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk