



City of Hamilton

CITY COUNCIL AGENDA

Wednesday, June 27, 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 9 to 15 and the Mayor's Office)

3.2 Settimio Salvatore, Vice Mayor, Brittolli, Italy

3.3 James Cimba, Recipient of the Lincoln Alexander Award for Community Service

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 June 13, 2018

4.2 June 21, 2018

5. COMMUNICATIONS

5.1 Correspondence from John-Paul Danko respecting the Vacant Ward 7 Council Seat Appointment.

Recommendation: Be received.

- 5.2 Correspondence from Yolanda vdWeerd respecting Hamilton Traffic Feedback.
Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.
- 5.3 Correspondence from Laura Pettigrew, General Counsel, Ombudsman Ontario respecting the Ombudsman Investigation into a complaint respecting the Election Compliance Audit Committee.
Recommendation: Be received.
- 5.4 Correspondence from Laura Pettigrew, General Counsel, Ombudsman Ontario respecting the Ombudsman Investigation into a complaint respecting the Property Standards Committee.
Recommendation: Be received.
- 5.5 Correspondence respecting Proposed Changes to the Official Plans and Zoning By-law No. 05-200 - Medical Marihuana Growing and Harvesting Facilities, Aquaponics and Greenhouses (PED18120)
- 5.5.a Hermann and Christa Koeppe
- 5.5.b Karl and Isolde Koeppe
Recommendation: Be received and referred to the consideration of Item 7 of Planning Committee Report 18-010.
- 5.6 Correspondence from S.J. Creer respecting the Amendment to On-Street Parking Permit Qualification Criteria.
Recommendation: Be received and referred to the consideration of Item 3 of Planning Committee Report 18-010.
- 5.7 Correspondence from PJ Mercanti, CEO, Carmen's Group respecting the Future Management of Hamilton's Downtown Entertainment Venues.
Recommendation: Be received.

6. COMMITTEE REPORTS

- 6.1 Public Works Committee Report 18-009 - June 18, 2018
- 6.2 Planning Committee Report 18-010 - June 19, 2018
- 6.3 General Issues Committee Report 18-014 - June 20, 2018
- 6.4 Audit, Finance & Administration Committee Report 18-009 - June 25, 2018

6.5 Healthy & Safe Communities Committee Report 18-007 - June 25, 2018

7. MOTIONS

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

7.2 Public Works Capital Project Manager for CityHousing Hamilton Projects

7.3 Appointment of an Acting City Clerk

8. NOTICES OF MOTIONS

9. STATEMENTS BY MEMBERS

10. PRIVATE AND CONFIDENTIAL

10.1 Election Compliance Audit Committee - Selection Committee Report 18-001
(distributed under separate cover)

Pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (b) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal information about identifiable individuals.

11. BY-LAWS AND CONFIRMING BY-LAW

11.1 157

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

Schedule 10 (No Left Turns)

Ward: 1, 13

11.2 158

Being a By-law to Permanently Close a Public Unassumed Alley between Sydenham Road, Cross Street, Alma Street and Victoria Street, Dundas, Ontario, established by Registered Plan 1447, in the Corporation of the Town of Dundas, now City of Hamilton, designated as Part 1 on Reference Plan 62R-20670 and Part 1 on Reference Plan 62R-20715, being Part of PIN 17585-0103 (LT), City of Hamilton

Ward: 13

11.3 159

Respecting Removal of Part Lot Control, Part of Lots 1 to 15, 17 to 33, 58 to 67 and 100 to 136, Registered Plan of Subdivision No. 62M-1251, "Summit Park – Phase 10", municipally known as 238, 242, 246, 250, 254, 258, 262, 266, 270, 274, 278, 282, 286, 290, 294, 298, 302, 306, 310, 404, 408, 412, 416, 420, 424, 428, 432, 436, 440, 444, 448, 452, 456 and 460 Dalglish Trail; 4, 8, 12, 16, 20, 24, 28, 32, 36, 40, 44, 45, 48, 49, 52, 53, 56, 57, 60, 61, 64 and 68 Dolomiti Court; 33, 37, 39, 43 and 47 Cittadella Boulevard and 2, 4, 8, 10, 12, 16, 20, 22, 26, 28, 32, 36, 40, 42, 44, 48, 52 and 54 Bethune Avenue (Glanbrook)

PLC-18-013 (20900)

Ward: 11

11.4 160

Respecting Removal of Part Lot Control, Part of Lots 34 to 44, 47 to 55, 70 to 82, 85 to 99, 137, 141 to 145 and 148 to 150, Registered Plan of Subdivision No. 62M-1251, "Summit Park – Phase 10", municipally known as 72, 76, 79, 80, 83, 84, 87, 88, 91, 92, 95, 96, 99, 100, 103, 104, 107, 108, 111 and 112 Dolomiti Court; 63, 67, 69, 71, 75, 77, 81, 83, 87, 91, 93, 95 and 99 Cittadella Boulevard; 56, 60, 64, 66, 70, 84, 88 and 90 Rockledge Drive; 58, 62, 66, 68, 70, 74, 78, 80, 82, 86, 88, 92, 96, 98 and 102 Bethune Drive; and 234 Dalglish Trail (Glanbrook)

PLC-18-013 (20902)

Ward: 11

11.5 161

Respecting Removal of Part Lot Control, Part of Block 154, Registered Plan of Subdivision No. 62M-1251, "Summit Park – Phase 10", municipally known as 100 Terryberry Road (Glanbrook)

PLC-18-013 (20897)

Ward: 11

11.6 162

To Amend Zoning By-law No. 6593, as amended by By-law No. 92-244, respecting lands located at 690-692 Upper James Street, in the City of Hamilton

ZAH-17-029

Ward: 8

11.7 163

To Amend Zoning By-law No. 05-200, as amended by By-law No. 14-296, respecting lands located at 406 Pritchard Road, in the City of Hamilton

ZAH-17-042

Ward: 6

11.8 164

To Adopt Official Plan Amendment No. 104 to the Urban Hamilton Official Plan Respecting 115 and 121 Vansitmart Avenue

Ward: 4

11.9 165

To Amend Zoning By-law No. 6593 (Hamilton), Respecting Land Located at 115 and 121 Vansitmart Avenue (Hamilton)

UHOPA-17-026/ZAC-16-046

Ward: 4

11.10 166

To Adopt Official Plan Amendment No. 105 to the Urban Hamilton Official Plan Respecting 15 Picardy Drive (Stoney Creek)

Ward: 9

11.11 167

To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 15 Picardy Drive (Stoney Creek)

ZAC-16-033

UHOPA-16-013

Ward: 9

11.12 168

To Amend Zoning By-law No. 87-57, Respecting Lands Located at 20 Miller Drive

ZAC-16-048

25T-201606

Ward: 12

- 11.13 169
To Amend By-law No. 01-218, Being a By-law to Regulate On-Street Parking
Ward: City Wide
- 11.14 170
To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 6 (Time Limit Parking)
Schedule 8 (No Parking Zones)
Schedule 10 (Alternate Side Parking)
Schedule 12 (Permit Parking Zones)
Schedule 14 (Wheelchair Loading Zones)
Ward: 1, 2, 3, 4, 7, 9, 11, 12
- 11.15 171
To Amend By-law No. 01-220, Being a By-law to Regulate the Parking of Motor Vehicles on Private and Municipal Property
Ward: City Wide
- 11.16 172
To Repeal By-law Nos. 10-055 and 14-336, and to Appoint an Acting City Clerk for the City of Hamilton
Ward: City Wide
- 11.17 176
To Confirm the Proceedings of City Council

12. ADJOURNMENT



CITY COUNCIL MINUTES 18-012

5:00 p.m.

Wednesday, June 13, 2018

Council Chamber

Hamilton City Hall

71 Main Street West

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

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 Lane Fusillier, of Philpott Church, to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. COMMUNICATIONS

- 5.14 Correspondence from Fareed 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 Kaspersetz.

Recommendation: Be received.

2. MOTIONS

- 7.6 Waterdown Memorial Parking Lot Project – REVISED

3. NOTICES OF MOTION

- 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

4. Added By-laws

- 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
- 154 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic Schedule 5 (Stop Control) Ward: 13

(Collins/Green)

That the agenda for the June 13, 2018 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

Mayor F. Eisenberger declared an interest in Item (e)(iii) of the Planning Committee Report 18-009, respecting Report PED18091 – Application to Amend the Town of Ancaster Zoning By-law 87-57 for lands located at 449 Springbrook Avenue, Ancaster, as his family has an interest in a legal marijuana grow operation.

CEREMONIAL ACTIVITIES

3.1 2018 Business Appreciation Awards (for Wards 1 through 8)

The following 2018 Business Appreciation Awards (for Wards 1 through 8) were presented:

- Ward 1 Bitten
 Hydromantis Environmental Software Solutions, Inc.
- Ward 2 Fisher’s Pier 4 Pub
 Ross & McBride LLP

- Ward 3 Cannon Coffee Co.
 Rebel's Rock Irish Pub
- Ward 4 Bob's Scuba Shop Inc.
 Mike's Submarines
- Ward 5 Barangas on the Beach
 Nella Cutlery (Hamilton) Inc.
- Ward 6 Ace Restaurant and Sports Bar
 Carmen's
- Ward 7 Lukaya Cafe
 Mohawk Express Carwash
- Ward 8 Good Health Mart
 The Keg Steakhouse + Bar

3.2 Intelligent Community Forum (ICF) 2018 Top 7 Intelligent Communities Award

The Mayor acknowledged the City of Hamilton's receipt of the Intelligent Community Forum (ICF) 2018 Top 7 Intelligent Communities Award, and presented the award to Council, staff and the community.

These cities exemplify best practices in broadband deployment and use, workforce development, innovation, digital inclusion and advocacy that offer lessons to regions, cities, towns and villages around the world. They are marking new paths to lasting prosperity for their citizens, businesses and institutions.

APPROVAL OF MINUTES OF PREVIOUS MEETING
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4.1 May 23, 2018

(VanderBeek/B. Johnson)

That the Minutes of the May 23, 2018 meeting of Council be approved, as presented.

CARRIED

4.2 May 31, 2018 - Special

(Skelly/Merulla)

That the Minutes of the May 31, 2018 Special meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(B. Johnson/Ferguson)

That Council Communications 5.1 to 5.15 be approved, *as amended*, as follows:

- 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; ***and, that the original letter be readdressed and sent to the new Minister of Natural Resources and Forestry for information and 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 Fareed 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 Kaspersetz.

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

CARRIED

(Pearson/Conley)

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

CARRIED

SPECIAL GENERAL ISSUES COMMITTEE REPORT 18-012

(Eisenberger/Partridge)

That the TWELFTH Report of the General Issues Committee be received for information.

CARRIED

PUBLIC WORKS COMMITTEE REPORT 18-008

(Ferguson/VanderBeek)

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

CARRIED

PLANNING COMMITTEE REPORT 18-009

- (e)(i) Application for a Condominium Conversion for lands known as 115 Main Street East, Hamilton (PED18080) (Ward 2) (Item 6.1)**

(Green/A. Johnson)

That Item (e)(i), respecting Report PED18080 Application for a Condominium Conversion for lands known as 115 Main Street East, Hamilton, be lifted from the Information Section and added as Item 6 to the Planning Committee Report 18-009.

CARRIED

(Green/Merulla)

That staff be directed to include, in their report back to the Planning Committee, respecting the application for a Condominium Conversion for lands known as 115 Main Street East, Hamilton, with the verification and certification of the 75% threshold and the average rent.

CARRIED

Councillor Ferguson wished to be recorded as OPPOSED to the Motion above.

(A. Johnson/Farr)

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

CARRIED

GENERAL ISSUES COMMITTEE REPORT 18-013

9. Property Acquisition to Support the Transit Maintenance and Storage Facility (PED18115/PW18045) (Ward 3) (Item 12.2)

(Pearson/B. Johnson)

That Report PED18115/PW18045, respecting a Property Acquisition to Support the Transit Maintenance and Storage Facility, be referred back to the General Issues Committee.

CARRIED

(Pearson/Ferguson)

That the THIRTEENTH Report of the General Issues Committee be adopted, *as amended*, and the information section received.

CARRIED

HAMILTON UTILITIES CORPORATION SHAREHOLDER REPORT 18-003

(Pearson/Eisenberger)

That the THIRD Report of the Hamilton Utilities Corporation Shareholder be adopted, as presented, and the information section received.

CARRIED

HAMILTON ENTERPRISES HOLDING CORPORATION SHAREHOLDER REPORT 18-001

(Pearson/Eisenberger)

That the FIRST Report of the Hamilton Enterprises Holding Corporation Shareholder be adopted, as presented, and the information section received.

CARRIED

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 18-008

(VanderBeek/B. Johnson)

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

CARRIED

HEALTHY & SAFE COMMUNITIES COMMITTEE REPORT 18-006

(Merulla/Collins)

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

CARRIED

(Pearson/Pasuta)

That Committee Rise and Report.

CARRIED

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.)

(Farr/Green)

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 Street 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 Street, 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 Street 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;

CARRIED

7.2 Ward 3 Playground Improvements for Lifesavers Park, Birge Park and, Woodlands Park

(Green/Merulla)

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.

CARRIED

7.3 Emergency Intersection Control Measures – Wards 11 and 12

(Ferguson/B. Johnson)

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.

CARRIED

7.4 Community Grants for Ward 3

(Green/Farr)

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 be 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 be 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 be 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 be granted funds in the amount of \$1,500 to support player access and to reduce the financial barriers faced by families in Ward 3; and,
 - (v) That the Association of Community Organizations for Reform Now (ACORN) be granted funds in the amount of \$1,500 to support tenant advocacy engagement for low-income tenants; 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

7.5 Cartier Crescent Extension

(Skelly/Jackson)

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.

CARRIED

7.6 Waterdown Memorial Parking Lot Project

(Partridge/Pasuta)

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.

CARRIED

7.7 New Stop Controls – Hatt Street at McMurray Street (Ward 13)

(VanderBeek/Ferguson)

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;

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.

CARRIED

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

(Ferguson/Pasuta)

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 the 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;
- (b) That the City place a stub at Trinity Road and Cormorant Road to allow the connection to the sanitary sewers; and,
- (a) That the connection, of the sanitary sewers at 630 Trinity Road, be made by and at the expense of the Ancaster Fair.

CARRIED

7.9 Future Council Vacancy – Office of Councillor Ward 7

(Whitehead/Skelly)

That the following Motion, respecting the Future Council Vacancy – Office of Councillor Ward 7, be referred to the Governance Review Sub-Committee for discussion:

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.

The above Motion CARRIED on the following Standing Recorded Vote:

Yeas: Eisenberger, Whitehead, Skelly, Jackson, Collins, Merulla, Conley,
Pearson, B. Johnson, Ferguson, VanderBeek, Pasuta
Total: 12
Nays: Green, Farr, A. Johnson
Total: 3
Absent: Partridge
Total: 1

7.10 Resignation from the Governance Review Sub-Committee

(Green/Farr)

That the resignation, by Councillor Matthew Green, from the Governance Review Sub-Committee, be received.

CARRIED

7.11 Appointment to the Governance Review Sub-Committee

(Merulla/Whitehead)

That Councillor Doug Conley be appointed to the Governance Review Sub-Committee for the balance of the 2014-2018 term of Council.

CARRIED

NOTICES OF MOTION

Councillor A. VanderBeek introduced a Notice of Motion respecting New Stop Controls – Hatt Street at McMurray Street (Ward 13).

8.1 New Stop Controls – Hatt Street at McMurray Street (Ward 13)

(VanderBeek/Ferguson)

That the Rules of Order to be waived to allow for the introduction of a motion respecting New Stop Controls – Hatt Street at McMurray Street (Ward 13).

CARRIED

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

Councillor C. Collins introduced the following Notice of Motion:

8.2 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 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.

Councillor L. Ferguson introduced a Notice of Motion respecting a Connection to the Sanitary Sewers by the Ancaster Fair Grounds at 630 Trinity Road, Ancaster.

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

(Ferguson/Pasuta)

That the Rules of Order be waived to allow for the introduction of a Motion respecting a Connection to the Sanitary Sewers by the Ancaster Fair Grounds at 630 Trinity Road, Ancaster.

CARRIED

For disposition of this matter, please refer to Item 7.8.

Councillor Green introduced a Notice of Motion respecting the Future Council Vacancy – Office of Councillor Ward 7.

8.4 Future Council Vacancy – Office of Councillor Ward 7

(Green/Farr)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Future Council Vacancy – Office of Councillor Ward 7.

CARRIED

For disposition of this matter, please refer to Item 7.9.

Councillor Green introduced a Notice of Motion respecting his resignation from the Governance Review Sub-Committee.

8.5 Resignation from the Governance Review Sub-Committee

(Green/Farr)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Councillor Matthew Green's resignation from the Governance Review Sub-Committee.

CARRIED

For disposition of the above matter, please refer to Item 7.10.

8.6 Appointment to the Governance Review Sub-Committee

Councillor S. Merulla introduced a Notice of Motion respecting an appointment to the Governance Review Sub-Committee.

(Merulla/Whitehead)

That the Rules of Order be waived in order introduce a Motion respecting an appointment to the Governance Review Sub-Committee.

CARRIED

For disposition of this matter, please refer to Item 7.11.

STATEMENTS BY MEMBERS

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

BY-LAWS

(B. Johnson/Skelly)

That Bills No. 18-147 to No. 18-155, 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:

By-Law

- 147 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic Schedule 5 (Stop Control)
Wards: 2, 3, 13
- 148 To Amend By-law No. 11-080, a By-law to Prohibit Smoking within City Parks and Recreation Properties
Ward: City Wide
- 149 Respecting Removal of Part Lot Control, Lots 1 to 70, 71, 72, 75-80 and Block 81 PLC-18-017
Ward: 15
- 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

- 151 To Amend Zoning By-law No. 87-57 (Ancaster) Respecting Lands Located at 449 Springbrook Avenue ZAC-17-086
Ward: 12
- 152 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic Schedule 5 (Stop Control)
Wards: 11, 12
- 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
- 154 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic Schedule 5 (Stop Control)
Ward: 13
- 155 To Confirm the Proceedings of City Council

CARRIED

(Ferguson/B. Johnson)

That, there being no further business, City Council be adjourned at 8:06 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon
Acting City Clerk



City of Hamilton
SPECIAL CITY COUNCIL

MINUTES 18-013

June 21, 2018, 10:42 a.m.

Room 264, Hamilton City Hall, 71 Main Street West

Present: Mayor F. Eisenberger, Deputy Mayor B. Johnson
 Councillors L. Ferguson, C. Collins, J. Farr, M. Green, R. Pasuta, S. Merulla, M. Pearson, J. Partridge.

Absent with Regrets: Councillor D. Skelly – Personal
 Councillor D. Conley – Personal
 Councillor T. Whitehead – City Business
 Councillor A. VanderBeek – City Business
 Councillor A. Johnson – City Business
 Councillor T. Jackson – City Business

Mayor Eisenberger called the meeting to order.

APPROVAL OF THE AGENDA

The Clerk advised that there were no changes to the agenda.

(Ferguson/Pasuta)

That the agenda for the June 21, 2018 Special meeting of Council be approved, as presented.

CARRIED

DECLARATIONS OF INTEREST

There were no declarations of interest.

MOTIONS

3.1 Consolidated Financial Statements of the CityHousing Hamilton Corporation for the year ended December 31, 2017

(Collins/Green)

RESOLVED THAT the audited Consolidated Financial Statements of the CityHousing Hamilton Corporation for the year ended December 31, 2017, as approved by the Board of Directors of CityHousing Hamilton, be received by the Shareholder.

THE FOREGOING RESOLUTION is hereby consented to by the shareholders of the Corporation pursuant to the provision of the *Business Corporations Act* (Ontario).

CARRIED

OTHER BUSINESS

Members of Council congratulated Councillor Merulla on his birthday.

BY-LAWS AND CONFIRMING BY-LAW

(B. Johnson/Pasuta)

That Bill No. 18-156 be passed and that the Corporate Seal be affixed thereto, and that the By-law be numbered and signed by the Mayor and the City Clerk to read as follows:

By-law No.

156 To Confirm the Proceedings of City Council

CARRIED

ADJOURNMENT

(Merulla/Farr)

That, there being no further business, Council be adjourned at 10:47 a.m.

CARRIED

Respectfully submitted,

Mayor Fred Eisenberger

Janet Pilon
Acting City Clerk

Pilon, Janet

Subject: Vacant Ward 7 Council Seat Appointment

From: JP Danko

Sent: June 11, 2018 9:36 AM

To: clerk@hamilton.ca

Cc: Office of the Mayor <mayor@hamilton.ca>; Johnson, Aidan <Aidan.Johnson@hamilton.ca>; Farr, Jason <Jason.Farr@hamilton.ca>; Green, Matthew <Matthew.Green@hamilton.ca>; Merulla, Sam <Sam.Merulla@hamilton.ca>; Collins, Chad <Chad.Collins@hamilton.ca>; Jackson, Tom <Tom.Jackson@hamilton.ca>; Skelly, Donna <Donna.Skelly@hamilton.ca>; Whitehead, Terry <Terry.Whitehead@hamilton.ca>; Conley, Doug <Doug.Conley@hamilton.ca>; Pearson, Maria <Maria.Pearson@hamilton.ca>; Johnson, Brenda <Brenda.Johnson@hamilton.ca>; Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>; VanderBeek, Arlene <Arlene.VanderBeek@hamilton.ca>; Pasuta, Robert <robert.pasuta@hamilton.ca>; Partridge, Judi <Judi.Partridge@hamilton.ca>

Subject: Vacant Ward 7 Council Seat Appointment

Good morning Rose,

It is my understanding that Council is required to fill Councilor Skelly's empty Ward 7 seat within 60 days of it officially being declared vacant.

My preference would be for the seat to remain vacant with Councilors Jackson and Whitehead filling in until the Municipal Election in October (as they did when Scott Duvall was elected MP) - however, it does not appear that this is possible.

As a new by-election is not feasible this close to a full municipal election, I believe that the most democratic option would be for Council to appoint the empty seat to the first runner up in the most recent election - the 2016 Ward 7 by-election.

I do not believe that a vacated council seat should automatically be awarded to the next place finisher - but in this case, the 2016 Ward 7 by-election was a statistical tie (with just 92 votes separating Councilor Skelly and myself), therefore in this situation it makes particular sense for the seat to go to the runner up.

Awarding a vacated council seat to the runner up has recent precedent in many nearby Ontario municipalities including: Oshawa City Council, Kitchener Waterloo Regional Council, St. Catharines City Council, Milton Local and Regional Council and Kincardine Town Council (newspaper links below).

<http://oshawaexpress.ca/new-policy-in-place-for-filling-council-vacancies/>

<http://www.kincardinews.com/2014/04/22/kincardine-council-takes-preliminary-steps-to-appoint-guy-anderson-to-councillor-at-large-seat-vacated-by-ron-coristine>

<http://www.cbc.ca/news/canada/kitchener-waterloo/elizabeth-clarke-appointed-to-regional-council-1.3197182>

<https://www.stcatharinesstandard.ca/news-story/8176251-laura-ip-appointed-to-st-catharines-council/>

<https://www.insidehalton.com/news-story/4326095-milton-council-appoints-brian-penman-to-vacant-seat/>

I understand that Council may desire avoiding appointing the seat to someone who will run in the upcoming 2018 Municipal election.

However, in my opinion, appointing the seat to the runner up is entirely different than appointing it to a random candidate who would have an advantage in the next election.

In this case, as the runner up in a statistical tie, I have already established a very recent democratic will to represent Ward 7. The situation would be exactly the same as for any incumbent councilor who is running for re-election.

Further, I am committed to running in the 2018 Municipal election in Ward 8, not Ward 7.

Finally, I understand that Council would like to appoint Councilor Skelly's seat to someone who has previous experience on Council. While this may be expedient, I do not believe that experience on Council is a sufficient reason to override a much more democratic option - after all, Candidates do not require experience on Council in order to run.

I do acknowledge that there would be a steep learning curve and that the time frame is short, but as a professional engineer I do have significant experience at an executive level and senior project management of multi-million dollar construction projects.

I request that these points be addressed by the City and included in any report that goes to Council regarding filling the vacancy left by Councilor Skelly.

I further request the opportunity to present these points to Council in person as a delegation, and answer any questions Councilors may have.

Thank you,

John-Paul Danko

Pilon, Janet

Subject: Hamilton Traffic FEEDBACK

Importance: High

From: Yolanda vdWeerd

Sent: June 13, 2018 10:34 AM

To: City Information <info@hamilton.ca>; letters@thespec.com; Hickey-Evans, Joanne <Joanne.Hickey-Evans@hamilton.ca>; City Information <info@hamilton.ca>; Office of the Mayor <mayor@hamilton.ca>; Whitehead, Terry <Terry.Whitehead@hamilton.ca>

Cc: Small Business Enterprise Centre <Small.BusinessEnterpriseCentre@hamilton.ca>; Tourism Information Center <tourism@hamilton.ca>; PW Waste Management - Customer Service <PW.Waste.Management-CustomerService@hamilton.ca>; clerk@hamilton.ca; Economic Development <economicdevelopment@hamilton.ca>

Subject: Hamilton Traffic FEEDBACK

Importance: High

As an elderly Hamiltonian born in the Netherlands; I am appalled at how bike lanes, have impacted the flow of traffic here. In Holland [the world's cycling capital] the plan for traffic is equalized; all pedestrians, cyclists, buses, & cars share the road fairly; "each must care for the other" -the responsibility for safety is in EVERYONE's hands; this is called "the Naked Roads Plan" because instead of using ramps, guardrails, poles, edges, traffic signals, stop signs; which imparts a false sense of reliance on physical barriers people are expected to think & act responsibly ALL THE TIME for themselves and others !

Hamilton has a ridiculous plethora of stupid **4-way Stops**, something that confuses many drivers, and is unheard of in most of Europe. Hamilton even has 3-way Stops at T-intersections; in who's mind is this even a good idea???

Hamilton / Ancaster use **RoundABOUTs** for intersections; another completely stupid idea; RoundABOUTs were specifically invented for entrances to cities [or densely populated areas to help direct traffic efficiently & help drivers plan their navigation.

Hamilton has a long winter climate, yet has decided to place **poles** around many of the downtown core corners..... -this is actually too funny for words..... -just ask a snowplough driver trying to clear a road in the winter.... -or simply watch the debris pile up daily in other seasons because the street sweepers also can't get in there.....yup; too funny!!

But I save the best for last; Hamilton, in it's rush for "**Bike Lanes**" has reduced Bay Street S [when travelling North-bound] to one lane at the Main Street traffic signal.....-if you don't move to the most easterly lane before the light; you will sit behind Left-Turners who are waiting for all the "cyclists" [except there rarely are any there] light to change.....-I love it....

-oh wait; while I'm ranting; can we also talk about the Herkimer **parking** in the middle of the street situation; no, I have absolutely no words for that..... -let it speak for itself while visitors to the city sit quietly in their cars behind the parked vehicles; waiting for the "traffic" to move.....lovely welcome that is!

--oh and one more, please..... travelling on Queen Street there's a lovely spot, where in the middle of the road; there are actually 5 [I counted them] large blinking **pedestrian warning signs** in the physical space of less than 12 feet..... -yes; in the middle of the road ! -I couldn't hold myself back from photographing this travesty of saneness & posting it; people all over the world are seriously laughing at us..... -they mostly believe it's a joke by the city on it's citizens!

I do love my city; but whomever is in charge of all this nonsense needs to travel more-there are far better ways of planning traffic flow; like using the European [after all; they do know population density] concept of "**Through**" **Traffic vs**

“Yield” Traffic..... [would save us \$\$\$\$ on signs] & **Smart Traffic Signals**; which only activate when vehicles are actually in the area, and changing the suburban Traffic Signals to blinking Red/Amber during night hours; to avoid the hassle of drivers sitting at empty intersections at 2am.....

--Visitors to Hamilton do get a nice laugh when traveling around here though; maybe that was the point all along...???

-next RANT will be about the new “Construction Plan” Hamilton has enacted on it’s citizens this year; we don’t move traffic around a construction zone anymore; NO! -in Hamilton we CLOSE the entire street; let the people suffer, let the businesses die..... we know what we’re doinglol

*Yolanda vdWeerd
Hamilton ON*



ONTARIO'S WATCHDOG
CHIEN DE GARDE DE L'ONTARIO

June 18, 2018

Via mail and email

Election Compliance Audit Committee
c/o Janet Pilon, Acting Clerk
Hamilton City Hall
2nd floor - 71 Main Street West
Hamilton, ON L8P 4Y5


Dear Election Compliance Audit Committee:

Re: Ombudsman Investigation

Pursuant to the June 1, 2018 decision of the Ontario Court of Appeal (2018 ONCA 502), the Ombudsman has discontinued his investigation into a complaint that, on September 6, 2016, the Election Compliance Audit Committee for the City of Hamilton held a meeting that did not comply with the open meeting rules in the *Municipal Act, 2001*.

Please do not hesitate to contact us should you have any questions respecting this letter.

Sincerely,



Laura Pettigrew
General Counsel

cc: Council for the City of Hamilton
Byrdena MacNeil, Solicitor, City of Hamilton

Bell Trinity Square
483 Bay Street, 10th Floor, South Tower, Toronto, ON M5G 2C9
483, rue Bay, 10^e étage, Tour sud, Toronto (Ontario) M5G 2C9
Tel./Tél. : 416-586-3300
Facsimile/Télécopieur : 416-586-3485 TTY/ATS : 1-866-411-4211

June 18, 2018

Via mail and email

Property Standards Committee
c/o Janet Pilon, Acting Clerk
Hamilton City Hall
2nd floor - 71 Main Street West
Hamilton, ON L8P 4Y5

Dear Property Standards Committee:

Re: Ombudsman Investigation

Pursuant to the June 1, 2018 decision of the Ontario Court of Appeal (2018 ONCA 502), the Ombudsman has discontinued his investigation into a complaint that, on September 12, 2016, the Property Standards Committee for the City of Hamilton held a meeting that did not comply with the open meeting rules in the *Municipal Act, 2001*.

Please do not hesitate to contact us should you have any questions respecting this letter.

Sincerely,



Laura Pettigrew
General Counsel

cc: Council for the City of Hamilton
Byrdena MacNeil, Solicitor, City of Hamilton

June 18, 2018

To Whom it may Concern:

We are writing this letter due to our concern regarding the proposed greenhouse operation, that is to be built on Jerseyville Road. Our concern is that this facility will be built on prime agricultural land and also bring into play the issues of traffic, water, lighting and odour.

We have noted a marked increase in traffic on Jerseyville Road. Since this road is a rural road, there is frequent use by tractors and farm equipment. Also it is quite narrow and hilly making passing difficult and also frequently used by cyclists. Increased traffic affects the safety of this road, as well as the condition. There have been more pot holes this spring with the increase of trucks and other construction vehicles.

We have been living at this location for over 40 years and drilled a well in 2007. Our well only yields 6 litres of water per minute and our concern is that our well will be affected due to the increased water demand from this large operation. We are concerned about the affect it will have on the water table levels. We submitted a Water Well Reconnaissance Survey, but have not been contacted or consulted about this matter.

We have also noted that lighting is a concern. There are bright lights on all night that illuminate the area and are visible from our location.

There is also the issue of odour coming from greenhouses growing cannabis in close proximity to residences. The scale of this operation will affect the quality of life of the rural neighbours.

Nevertheless the primary concern is still the fact that this proposed facility is being built on prime farm land, soil that is used for the production of food by a farmer. The decision made will affect the ability of farmers to produce food locally. Also permitting the size of this operation will set a precedent for subsequent requests. The decision made on this issue will affect the future of agriculture for the future generation.

Yours truly

Hermann and Christa Koeppel

June 18, 2018

To Whom it may Concern:

We write this letter as we are greatly concerned about the proposed greenhouse operation to be built across the road from us. We realize that this facility will be built however to pave over prime agricultural land is not the place for this, nor a price the farming community should have to pay, not to mention concerns about traffic, lighting, water and odours in the rural area.

We have experienced a great deal of increased traffic on Jerseyville Road at certain times of the day. For residence attempting to get in or out of their driveways it poses a greater risk. Given that the road is quite hilly, it is very difficult to navigate farm equipment from field to field as people get impatient with slow moving vehicles and try passing where it is not safe, add to that the fact that Jerseyville road is a favourite route for cyclists and it is an accident waiting to happen, increasing the traffic on this road creates a very dangerous situation. Not to mention the wear and tear on the roads with all construction vehicles and trucks turning into the site.

We have been farming at this location for over 50 years and in that time have not had our well run dry. With this new proposed facility, we are greatly concerned about how it will affect the water table levels. We had met with the staff at the Green Organic Dutchman to discuss this along with other area farmers and residents. At that time, we were told that a meter would be installed on our well to monitor how their water usage would affect our water levels. To our dismay this was not done. We are livestock farmers and cannot be without water for our animals. The increased water demand from the large cannabis operation in the area will not only be from the greenhouse operations but also from the increased usage from septic systems, and day to day use due to the increase in employees at the facility.

Living across from the proposed location of the facility light pollution is also a great concern. Currently there are very bright lights on all night illuminating the area (lights that are over and above what a rural resident or agricultural business has). We cannot imagine the increase in this pollution once the large greenhouses are built.

Odours from Cannabis operations are another great concern. In Norfolk county families have been forced from their homes due to odours and light issues caused by large greenhouses and their proximity to residences. Quality of life should not be affected by allowing this corporation to build their facility close to rural residences on prime agricultural land.

The most important issue to us however is the fact that this facility is paving over agricultural land. Land that once paved over will be lost forever. The argument has come forth that cannabis is considered an agricultural product. The difference however is that there are no farmers involved. The large cucumber greenhouses they compare themselves too are producing food by a farmer on his/her land, or the farmers who produce cut flowers for the markets, these are farmers using the soil to grow the product and if they are grown in greenhouses the amount of land used by the greenhouse is not as vast as the proposed cannabis facility. The greenhouse can be erected on marginal land and continue their operations, farming cannot be done on marginal land with any success.

The decision made on this issue will affect the future of agriculture for generations. This will affect the ability of farmers to produce food locally. We are asking that you please consider the consequences of paving over prime agricultural land, land that has proven it can produce food for the citizens of Hamilton. Land that once paved over will lose that value forever.

Sincerely,



Karl and Isolde Koeppe

City of Hamilton pot mtg. June 19, 2018

Item 5.3; Amendment to On-Street Parking Permit
Qualification Criteria
(PED18139) (City Wide)]

To begin; the smell of pot makes me ill! Second-hand smoke bothers me as well. I presented my concerns about cigarettes and illegal pot in City Housing buildings at the City Public Health committee meeting in January this year. My 'thoughts on pot' have not changed. Last week the Spec printed my anti-pot article titled 'The PM's pot plans will poison children'. Bill C45 and Bill C46 the impairment Bills are wrong for so many reasons. Our PM is a well-known user and his rich friends are benefiting from the legalization. When one is in public office they should not be looking to benefit from that position. These marijuana Bills are nothing to do with taking pot away from criminals.

Issues about pot/marijuana; I do not want to smell pot coming out of restaurants or stinking up a drive in the country. My parents moved my family to Greenville when I was a teen and we enjoyed living there except for when 'El stinko' which is what we called the local rendering plant was working overtime. In a similar vein, the City literally cannot get a lid on the smells from their plant in the North End/Beasley area. My concerns would be that the proposed greenhouses would have similar issues with smell as well as particulate matter getting into the air which is toxic. I agree with Councillor Lloyd Ferguson and his concerns about farmland being used for pot not food.

There are issues with these possible changes to zoning and bylaws. Item T from the City agenda notes they want more details about pot from the Feds and the

Province. I could not get anyone at the province to respond to my pot concerns.

Smoke Free Ontario has rules and regulations about where smoking can happen and pot should be in the same category. It may be a legal crop but no one has the right to stink out their neighbours as is proposed in Jerseyville and may be in Mt. Hope.

I do not agree with making the Airport area a pot zone. The airport area needs to be kept 'clean' as it were for enjoyment of the airport, CWH, fly-ins, public events at the CWH and other public events in the area. There are schools in Mt. Hope that could be affected by pot greenhouses and that is not acceptable for the children attending those schools. The Bible says '...all things are permissible but not all things are wise...'

Item T from the June 19, 2018 Agenda has a note to contact the FEDs and the Prov about the pot legalization issue. I feel that no changes should be made to the existing Hamilton bylaws until the Province and Feds have a specific plan. Otherwise there will be too many potential health concerns that citizens could suffer from such as smoke, smell, particulate matter, etc. I am sure the City Tobacco office has concerns as well.

There are still illegal pot shops near at high school on Main E. near Kenilworth. Why have they not been dealt with?

Bill C45 and Bill C46 which is the impairment Bill have not said anything about smoking/using in homes or apartments. According to MADD Canada and other reputable sources there are no viable roadside sobriety

tests for drugs so there will be more issues with impaired driving. Impaired driving went up by a huge amount in Colorado after legalization.

Bill C45 is going to poison children and others who should be protected. The Feds nor the Province have decided how to protect children/tenants in apartment complexes. John Dickie who is the President of the Canadian Federation of Apartment Associations of Apartment rental society has concerns about pot as well.

Second-hand smoke of any sort is indoor air pollution.
I have health issues due to second-hand smoke in the family home so know that second-hand smoke in the building could be a precursor to childhood asthma/allergies and pot residue stays in your system.

Mayor Fred Eisenberger has stated pot is a 'green' business but it is nothing like that at all. Marijuana, legal or not, creates second-hand smoke, which is a form of indoor air pollution. Nobody should have to breathe second-hand marijuana smoke at work or where they live, learn, shop, or play. The issues with the proposed greenhouses include security issues as well as the smoke and smell. How will the City ensure that the businesses involved will protect the neighbours and other bystanders?

Thank you for the opportunity to present at this meeting. I appreciate it.

ISSUES; Smoke is smoke and marijuana smoke is a form of indoor air pollution. Read ANR's position paper, *Protecting Nonsmokers from Secondhand Marijuana Smoke* for more information. <http://no-smoke.org/aboutus.php/www.sbwire.com/learnmore.php?id=845>

American stats; A JAMA Pediatrics article explains the dramatic rise in children's hospitalizations related to marijuana in Colorado since legalization. In 10 cases, the product was not in a child-resistant container; in 40 scenarios (34%) there was poor child supervision or product storage. Edible products were responsible for 51 (52%) of exposures. The report claimed that child-resistant packaging has not been as effective in reducing kids' unintended exposure to pot as hoped.

From agenda;

Item "T" - That staff consult with the Feds and the Prov and review and report back on the revisions to the Economic Development Strategy, Official Plan Policies and Zoning Regulations with respect to medical & recreational marijuana

(cannabis) production, distribution and sales and staff review

the appropriate standards for recreational marijuana, using the

current standards for medical marijuana as a guideline, and

report back to the Planning Committee (Item 6.6 on this agenda)

12. PRIVATE AND CONFIDENTIAL

13. ADJOURNMENT

Page 4 of 369



MAY 11 2018

May 11, 2018

Dear Mayor Eisenberger and Members of Hamilton City Council:

Re: The Future Management of Hamilton's Downtown Entertainment Venues

We are writing to update you on progress that has taken place since our letter in February, 2018, at which time the Carmen's Group formally requested City Council examine alternative contract management arrangements regarding the current three downtown entertainment venues. Our two-fold strategic objective remains clear; to maximize the potential of the existing former HECFI facilities in their current form, while concurrently moving forward with a collaboration process to build the private-public partnership model that best produces a renewed vision for the future of Hamilton's entertainment venues. Back in February, in light of the impending conclusion date on the first management contracts for the three venues set for the end of this calendar year, the Carmen's Group made our formal request to City Council, which then voted to instruct staff to investigate and report back.

As we await the staff report, our group wanted to ensure City Council be kept up-to-date on all relevant developments. We are excited to inform you that our Local Group has added an important new relationship. The Carmen's Group working in partnership with Scott Warren, has reached an agreement to work with the Oak View Group (OVG), headquartered in Los Angeles, regarding the proposed operation of the three venues. OVG was founded by Tim Leiweke, Irving Azoff and Madison Square Garden Entertainment. Tim Leiweke, now CEO of OVG, is the former president and CEO of Maple Leaf Sports and Entertainment (MLSE). Before coming to Toronto in 2013 he was president and CEO of the Anschutz Entertainment Group (AEG) in Los Angeles, where he developed the Staples Center, L.A. LIVE and the StubHub Center. He returned to L.A. in 2015 to found OVG with his partner Irving Azoff, who is formerly chairman and CEO of Ticketmaster Entertainment, executive chairman of Live Nation Entertainment, and CEO of Front Line Management. Azoff is currently chairman of Full Stop Management which represents recording artists such as the Eagles, Harry Styles, Christina Aguilera, Journey, Don Henley, Joe Walsh, Van Halen, Thirty Seconds to Mars, Steely Dan, Gwen Stefani, Fleetwood Mac, Bon Jovi, Jimmy Buffett and more. Since 2013 he has been chairman and CEO of Azoff MSG Entertainment, a venture with the Madison Square Garden Company, which controls live events at the Madison Square Garden arena and Theater at MSG. In addition to the Garden itself, MSG Entertainment owns the rights to operate two theaters in Manhattan, Radio City Music Hall and the Beacon Theatre, controls operations of the Chicago Theater, co-books the Wang Theater in Boston, and also purchased and renovated the Forum in Inglewood, California, transforming the former home of the L.A. Kings and Lakers into one of Southern California's most successful live event venues.

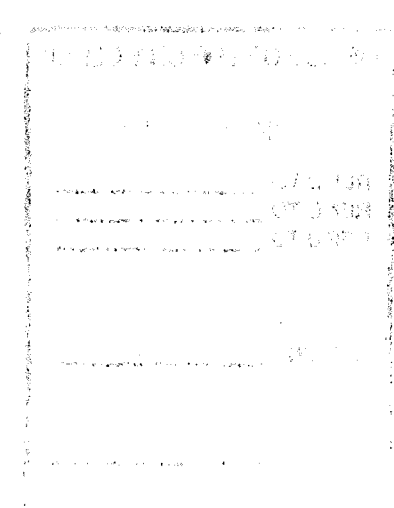
The coming together of these visionary partners to create the Oak View Group produced a world-class leader in facility management, business development, live-event bookings, sponsorships and global partnerships. Many top-level sports and entertainment executives joined the company, including Peter Luukko, co-chairman of OVG's Arena Alliance and current executive chairman and member of the NHL's Board of Governors for the Florida Panthers. Luukko was formerly president of Comcast Spectacor and president of the Philadelphia Flyers. With this exceptional team in place, OVG is currently developing the transformation of the KeyArena at Seattle Center, and was recently selected by the State of New York to develop the new home of the New York Islanders at Belmont Park on Long Island. Further, OVG's relationships in the touring entertainment business are second to none, and the Hamilton venues will benefit from the direct support that will be provided by the executives of OVG. The company is excited to provide venue-management and facility operation services to our Local Group, and this project represents their first venture in Canada.



Our team understands and respects that City Council will have to determine how best to move forward in light of the pending conclusion date on the existing management contracts, and we will work within whatever process you decide. That said, we want to make clear that this venue-management proposal, crafted by our Local Group working with OVG, will mark a great improvement over the existing contracts, providing improved financial arrangements and entertainment services for all stakeholders throughout the term of a renewed engagement. We also want to let you know that as we pursue these considerations of the immediate contracts, our emerging Carmen's-led private-sector consortium also anticipates the presentation of an unsolicited bid regarding a comprehensive private-public partnership to establish the Precinct Plan that delivers the "next-generation" of sports, entertainment, convention and hospitality facilities in the heart of Hamilton's urban core. As these exciting projects proceed, we look forward to working with you in the days, weeks, years and generations to come.

Yours very sincerely,

PJ Mercanti
CEO, Carmen's Group





PUBLIC WORKS COMMITTEE

REPORT 18-009

9:30 a.m.

Monday, June 18, 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: Mayor Eisenberger
 Councillor J. Farr

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 18-009 AND RESPECTFULLY RECOMMENDS:

1. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 102 Francis Street, Hamilton (PW18049) (Ward 3) (Item 6.2)

That the application of the owner of 102 Francis Street, Hamilton, to permanently close and purchase a portion of the unassumed alleyway abutting the West side of 102 Francis Street, Hamilton, ("Subject Lands"), as shown on Appendix "A", attached to PW Report 18-009, 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 102 Francis Street, Hamilton, as described in Report PW18049, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
 - (iii) The City Solicitor be authorized to complete the transfer of the Subject Lands to the owners of 102 Francis Street, Hamilton pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;
 - (iv) 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;
 - (v) 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.

2. Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 357 Wilson Street East, Ancaster (PW18048) (Ward 12) (Item 6.3)

That the application of the owner of 357 Wilson Street East, Ancaster, to permanently close and purchase a portion of road allowance abutting 357 Wilson Street East, Hamilton ("Subject Lands"), as shown on Appendix "B", attached to Report PW18048 be approved, subject to the following conditions:

- (a) That the City Solicitor be authorized and directed to prepare any necessary by-laws to permanently close and sell the Subject Lands, for enactment by Council;

- (b) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed highway to the owners of 357 Wilson Street East, Hamilton, shown on Appendix "A", as described in PW Report 18-009 in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
- (c) The City Solicitor be authorized to complete the transfer of the subject lands to the owners of 357 Wilson Street East, Ancaster pursuant to an Agreement of Purchase and Sale as negotiated by the Real Estate Section of the Planning and Economic Development Department;
- (d) That the City Solicitor be authorized and directed to register a certified copy of the by-laws permanently closing and selling the highway in the proper land registry office;
- (e) That the Public Works Department provide any required notice of the City's intention to pass the by-laws and/or permanently sell the closed highway pursuant to the City of Hamilton Sale of Land Policy By-law 14-204;
- (f) That the applicant enters into agreements with any Public Utility requiring easement protection;
- (g) 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.

3. Cannon Street Bi-Directional Cycle Track Pilot Project (PED18136) (Wards 2 and 3) (Item 8.2)

- (a) That the Cannon Cycle Track pilot project (Hess Street to Sherman Avenue) be confirmed and that the facility be recognized as a permanent cycling infrastructure;
- (b) That the allocation of the remaining Cannon Cycle Track pilot project funds (4041417125) for the enhancement of the existing cycle track separators in conjunction with the Cannon Street resurfacing project be approved.

4. William Connell Winter Wonderland Park Development Concept (PW18046) (City Wide) (Item 8.1)

- (a) That Council approve the single source procurement to Baker Turner Inc., pursuant to Procurement Policy #11 – Non-competitive Procurements, for the detailed design work for the creation of a winter destination at William Connell Park;

- (b) That the General Manager of Public Works, or his designate be authorized to negotiate, enter into and execute a contract and any ancillary documents required to give effect thereto with Baker Turner Inc, in a form satisfactory to the City Solicitor;
- (c) That the detail design work in the amount of \$100,000, be funded through the previously approved \$200,000 upset limit (\$100,000 for 2017 and \$100,000 for 2018 from Ward 8 Area Rating Reserve 108058), be approved;
- (d) That when and if the toboggan hill at William Connell is constructed and functioning, staff be directed to remove Garth Street Reservoir from the list of approved and maintained toboggan hill locations and replace it with William Connell Park.

5. John Rebecca Park – Donation, 76 John Street North, Hamilton (PW18050) (Ward 2) (Item 8.3)

- (a) That the Director of Environmental Services be authorized to negotiate, enter into and execute a contract and any ancillary documents required to give effect thereto with the Patrick J. McNally Charitable Foundation for the receipt of a donation in the amount of \$1 million dollars which shall be used to fund the construction of John Rebecca Park, with content acceptable to the General Manager of Finance and Corporate Services and in a form satisfactory to the City Solicitor;
- (b) That the donation amount of \$1 million dollars from the Patrick J. McNally Charitable Foundation be placed into capital budget account number 4401856615 to be used for the construction of John Rebecca Park;
- (c) That the associated operating impacts from park development, totalling \$121,540 and 0.73 FTE be added to the Operating Budget base in 2019;
- (d) That the Mayor send a letter of thanks, on behalf of the City, to the Patrick J. McNally Charitable Foundation for its gracious donation.

6. Bus Shelter at McMaster University (Item 9.1)

WHEREAS, transit is vital to the health and well-being of a city, and;

WHEREAS, McMaster University is a vital institution in our community and many of its students, faculty and staff rely on public transit, and;

WHEREAS, new bus shelters are required for helping to deliver a safe and comfortable passenger experience, and;

WHEREAS, McMaster University and the McMaster Student Union have expressed an interest in working in partnership with the City in facilitating more bus shelters on campus,

THEREFORE BE IT RESOLVED:

- (a) That \$50,000 from the Ward 1 2017 area rating discretionary account be allocated for the refurbishment and placement of oversized HSR shelters, formerly located at CF Lime Ridge, to McMaster Campus and for the re-location of existing Ward 1 shelters on McMaster Campus; 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.

7. Installation of Rainbow Crosswalks (Added Item 10.1)

WHEREAS, Hamilton is home to people with diverse cultures, religions and ethnicities, and;

WHEREAS, Hamilton is also home to people of the LGBTQ community, and;

WHEREAS, Hamilton takes pride in promoting a safe and welcoming community for all individuals, and;

WHEREAS, installing rainbow crosswalks is a clear and visible sign of the community's support and has been done in cities across the world, and;

WHEREAS, members of the Hamilton LGBTQ Advisory Committee have expressed their support for the installation of rainbow crosswalks near McMaster University and City Hall, and;

WHEREAS, funding for the four rainbow crosswalk installations, in the amount of \$6000 per location, is available in the Traffic Department's Crosswalk Budget,

THEREFORE BE IT RESOLVED:

That staff be directed to install rainbow crosswalks at the following four locations:

- (i) Stirling Street and Forsyth Avenue (in two directions)
- (ii) Main Street West at Summers Lane (in two directions)

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)

- 4.1 Dr. Lynda Lukasik, Environment Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project
- 4.2 Elise Desjardins, Cycle Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project

2. ADDED NOTICE OF MOTION (Item 10)

- 10.1 Installation of Rainbow Crosswalks

The agenda for the June 18, 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) June 4, 2018 (Item 3.1)

The Minutes of the June 4, 2018 Public Works Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Dr. Lynda Lukasik, Environment Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project (Added Item 4.1)

The delegation request from Dr. Lynda Lukasik, Environment Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project, was approved for today's meeting.

- (ii) Elise Desjardins, Cycle Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project (Added Item 4.2)**

The delegation request from Elise Desjardins, Cycle Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project, was approved for today's meeting.

(e) CONSENT ITEMS (Item 5)

- (i) Hamilton Water Financial Plan (PW18051) (City Wide) (Item 5.1)**

Report PW18051 respecting the Hamilton Water Financial Plan, was TABLED to the July 12, 2018 meeting of the Public Works Committee.

(f) PUBLIC HEARINGS / DELEGATIONS (Item 6)

- (i) Suzanne Mammel, Hamilton-Halton Homebuilders' Association respecting Water Main Approval Issues and Recommendations for Master-water/wastewater Servicing Studies (Item 6.1)**

Ms. Suzanne Mammel with the Hamilton-Halton Homebuilders' Association addressed the Committee respecting Water Main Approval Issues and Recommendations for Master-water/wastewater Servicing Studies.

Ms. Mammel expressed the concerns of Homebuilders' Association with watermain design standards and how applications are reviewed and approved. She is also concerned about the impact approvals have on project timelines, construction costs and ongoing maintenance and replacement costs to taxpayers.

The delegation from Suzanne Mammel, Hamilton-Halton Homebuilders' Association respecting Water Main Approval Issues and Recommendations for Master-water/wastewater Servicing Studies, was received.

Chair Ferguson relinquished the Chair to Vice Chair Jackson in order to second the following motion.

Staff were directed to report back to the Public Works Committee with a response to the concerns raised by the Hamilton-Halton Homebuilders' Association, an outline of how long it takes for water main approvals to be processed and what issues affect how long it takes for the applications to be processed and approved.

Chair Ferguson assumed the Chair.

(ii) Proposed Permanent Closure and Sale of a Portion of Public Alley Unassumed Abutting 102 Francis Street, Hamilton (PW18049) (Ward 3) (Item 6.2)

Chair Ferguson advised that notice of the proposed permanent closure and sale of a Portion of Public Unassumed Alley Abutting 102 Francis Street in Hamilton was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

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

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

For disposition of this matter refer to Item 1.

(iii) Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 357 Wilson Street East, Ancaster (PW18048) (Ward 12) (Item 6.3)

Chair Ferguson advised that notice of the proposed permanent closure and sale of a Portion of Road Allowance Abutting 357 Wilson Street East in Ancaster was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

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

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

For disposition of this matter refer to Item 2.

(iv) Dr. Lynda Lukasik, Environment Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project (Added Item 6.4)

Dr. Lynda Lukasik with Environment Hamilton addressed the Committee about Report PED18136 respecting the Cannon Street Bi-directional Cycle Track Pilot Project.

Dr. Lukasik expressed her support for the staff recommendation to make the Cannon Street bike lane permanent. She outlined the health and environmental benefits that cycling has as well as her desire that remaining pilot project funds be allocated to enhance the existing cycle track separators.

The delegation from Dr. Lynda Lukasik, Environment Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project, be received.

(v) Elise Desjardins, Cycle Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project (Added Item 6.5)

Ms. Elise Desjardins with Cycle Hamilton addressed the Committee about Report PED18136 respecting the Cannon Street Bi-directional Cycle Track Pilot Project.

Ms. Desjardins expressed her support for the staff recommendation to make the Cannon Street bike lane permanent. She stated that the bike lane is important because it is inter-connected to other cycling lanes and it improves mobility.

The delegation from Elise Desjardins, Cycle Hamilton, respecting Item 8.2 on today's agenda about the Cannon Street Bi-directional Cycle Track Pilot Project, was received.

Item 8.2 being Report PED18136 respecting the Cannon Street Bi-Directional Cycle Track Pilot Projects was moved up in the agenda to be considered at this time.

For disposition of this matter refer to Item 3.

(g) DISCUSSION ITEMS (Item 8)

(i) William Connell Winter Wonderland Park Development Concept (PW18046) (City Wide) (Item 8.1)

At the request of the Chair, let the record show that the main motion CARRIED unanimously, with all members present.

For disposition of this matter refer to Item 4.

(h) NOTICES OF MOTION (Item 10)

(i) Rainbow Crosswalk Installations (Added Item 10.1)

Mayor Eisenberger introduced a notice of motion respecting the Installation of Rainbow Crosswalks.

The Rules of Order were waived to allow for the introduction of a motion respecting the Installation of Rainbow Crosswalks.

For disposition of this matter refer to Item 7.

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

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

(a) Item requiring a revised due date:

The following change to the Outstanding Business List, was approved:

Glen Carey Delegation (respecting a berm on his property)

Current due date: June 18, 2018

Revised due date: September 6, 2018

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

Dan McKinnon, General Manager of the Public Works Department, provided an update to the Committee about the following matters:

- Thank you to the outgoing General Manager of Engineering Services, Gary Moore and welcome to the new GM, Gord McGuire
- Thank you to the outgoing General Manager of Roads and Traffic, Betty Mathews-Malone and welcome to the new GM, Ed Soldo
- A new feature called ParkFinder was recently launched on the City's website
- The feature allows residents to easily locate a park or a particular park amenity
- The idea for the on-line tool came out of the Department's Cutting Edge of Leadership Program

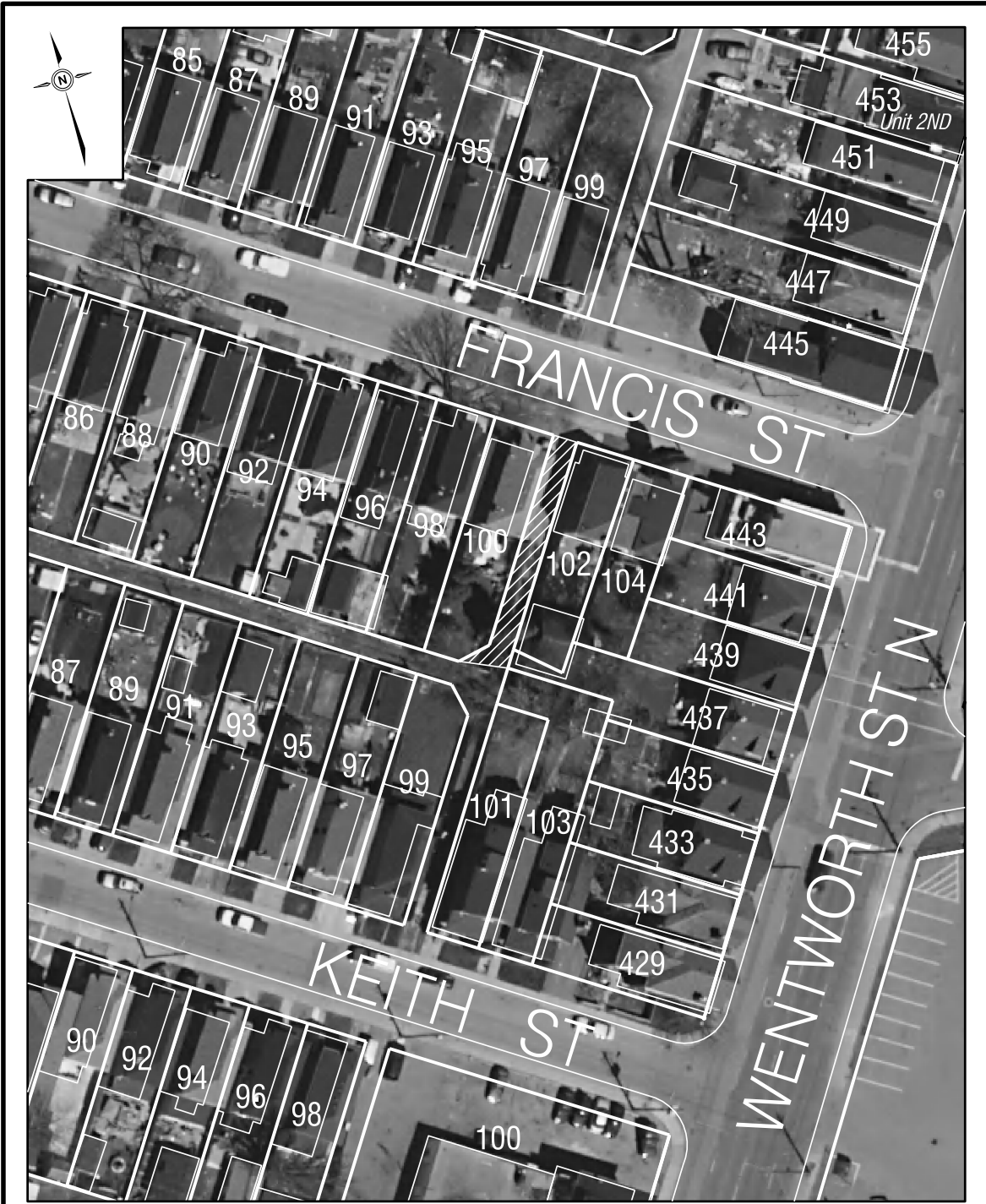
(j) ADJOURNMENT (Item 13)

There being no further business, the Public Works Committee adjourned at 10:55 a.m.

Respectfully submitted,

Councillor L. Ferguson, Chair
Public Works Committee

Lauri Leduc
Legislative Coordinator
Office of the City Clerk



PROPOSED CLOSURE OF PORTION OF UNASSUMED
ALLEY AT 102 FRANCIS STREET

Geomatics & Corridor Management Section
Public Works Department

LEGEND

 **Lands to be Closed**



PROPOSED ROAD CLOSURE
PART A & B - NORTH OF 22 QUEEN STREET, ANCASTER

Geomatics & Corridor Management Section
Public Works Department

LEGEND

 **Lands to be Closed**



PLANNING COMMITTEE

REPORT 18-010

9:30 a.m.

Tuesday, June 19, 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, J. Partridge, and R. Pasuta.

Also present: Councillor L. Ferguson

Absent with

Regrets: Councillor D. Skelly, personal

THE PLANNING COMMITTEE PRESENTS REPORT 18-010 AND RESPECTFULLY RECOMMENDS:

1. **Enforcement of Accessible Parking Spaces on Municipal and Private Property (PED12226(a)) (City Wide) (Item 5.1)**
 - (a) That By-law No. 01-220 to “Regulate Parking of Motor Vehicles on Private and Municipal Property”, be amended as attached in Appendix “A” to PED12226(a), which has been prepared in a form satisfactory to the City Solicitor, to allow for enforcement of accessible parking spaces without prior permission of property owners;
 - (b) That By-law No. 01-220 to “Regulate Parking of Motor Vehicles on Private and Municipal Property” be amended to remove and replace outdated terminology;
 - (c) That By-law No. 01-220 to “Regulate Parking of Motor Vehicles on Private and Municipal Property” be amended to allow the placement of accessible parking permits on vehicle dashboards or sun visor.
2. **Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED18125) (City Wide) (Item 5.2)**

That Report PED18125 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

3. Amendment to On-Street Parking Permit Qualification Criteria (PED18139) (City Wide) (Item 5.3)

That By-law No. 01-218 to Regulate On-Street Parking, be amended as attached in Appendix "A" to Report PED18139, which has been prepared in a form satisfactory to the City Solicitor, to remove the requirement that only residents with Ontario License Plates be granted On-street Parking Permits.

4. Applications to Amend the City of Hamilton Urban Hamilton Official Plan, Zoning By-law No. 05-200 and for Approval of a Draft Plan of Subdivision "Flamborough Power Centre North" for Lands Located at 56, 74, 78, 90, 96, 100 and 566 Parkside Drive, Flamborough (PED18133) (Ward 15) (Item 6.2)

(a) That Urban Hamilton Official Plan Amendment Application UHOPA-18-012 by Flamborough Power Centre Inc., Flamborough Capital Corp. Inc., and Ankara Realty Ltd. (Owners), to remove existing Core Areas (Significant Woodlands and Streams) and Linkages and add new Core Areas (Significant Woodlands) and Linkages on Schedules B, B-2 and B-8; designate Clappison Avenue as a Minor Arterial on Schedule C and establish a Site Specific Policy Area to protect the existing Natural Heritage features, as shown on Appendix "B" to Report PED18133, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED18133 be enacted by City Council;
- (ii) That the proposed Official Plan 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-15-039 by Flamborough Power Centre Inc., Flamborough Capital Corp. Inc., and Ankara Realty Ltd. (Owners), for changes in zoning from the Prestige Business Park (M3, 437) Zone, General Business Park (M2) Zone, and Prestige Business Park (M3, 388) Zone to Conservation / Hazard Land (P5) Zone (Blocks 1, 2, and 3) to protect natural features and from Prestige Business Park (M3) Zone to Prestige Business Park (M3, 437) Zone (Block 5) to permit a Fitness Club and Medical Clinic for lands located at 56, 74, 78, 90, 96, 100 and 566 Parkside Drive Flamborough, as shown on Appendix "A" to Report PED18133, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix "C" to Report PED18133, 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 Schedule C – Special Exceptions of Zoning By-law No. 05-200;
 - (iii) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX.
- (c) That Draft Plan of Subdivision Application 25T-201507 by Flamborough Power Centre Inc., Flamborough Capital Corporation Inc. and Ankard Realty Ltd., (Owners), to establish a Draft Plan of Subdivision known as “Flamborough Power Centre North”, Flamborough, on lands located at 56, 74, 78, 90, 96, 100 and 566 Parkside Drive, as shown on Appendix “D” to Report PED18133 be APPROVED, subject to the following:
- (i) That this approval apply to the Draft Plan of Subdivision “Flamborough Power Centre North”, 25T-201507, prepared by J.D. Barnes and certified by R.S. Querubin, dated January 30, 2018, consisting of six blocks for employment uses (Blocks 1, 3, 4, 7, 8, and 9), three blocks for Conservation / Hazard Lands (Blocks 5, 6 and 10), one block for a future road widening (Block 12), one block for a Stormwater Management Facility (Block 2), one Block for a 0.3 m reserve (Block 11), and three proposed streets subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the special conditions attached as Appendix “E” to Report PED18133.
- (d) That Payment of Cash-in-Lieu or dedication of Parkland will be required, pursuant to Section 51 of the *Planning Act*, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of each building permit;
- (e) That the public submissions received regarding this matter did not affect the decision.
- 5. Applications to Amend the Town of Ancaster Zoning By-law No. 87-57 and for a Draft Plan of Subdivision for Lands Located at 20 Miller Drive, Ancaster (PED18123) (Ward 12) (Item 6.3)**
- (a) That Amended Zoning By-law Amendment Application ZAC-16-048 by 1921753 Ontario Ltd., (Faizal Javer, Owner), for a change in zoning from the Institutional “I” Zone to the Residential “R4-697” Zone, Modified (Block 1), Residential “R4-693” Zone, Modified (Block 2) and Residential “R4-694’ Zone, Modified (Block 3) for lands located at 20 Miller Drive (Ancaster), as shown on Appendix “A” to Report PED18123, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED18123, 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 Schedule “B”, Map No. 1 of By-law No. 87-57;
 - (iii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2014), conform to the Growth Plan for the Greater Golden Horseshoe (2017), and comply with the Urban Hamilton Official Plan.
- (b) That Draft Plan of Subdivision Application 25T-201606 by 19217853 Ontario Ltd., (Faizal Javer, Owner), to establish a Draft Plan of Subdivision known as “20 Miller Drive” on lands known as 20 Miller Drive (Ancaster), as shown on Appendix “A” to Report PED18123, be APPROVED subject to the following conditions:
- (i) That this approval apply to the Draft Plan of Subdivision “20 Miller Drive” 25T-201606, prepared by A.T. McLaren Ltd, and certified by S. D. McLaren, O.L.S., dated July 15, 2016, consisting of twenty-two lots for single detached dwellings (Lots 1-22) and the extension of Roselawn Avenue, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions, attached as Appendix “D” to Report PED18123.
 - (ii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the *Planning Act*, prior to the issuance of each building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of each building permit, in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council.
 - (iii) Acknowledgement by the City of Hamilton of its responsibility for cost-sharing with respect to this development shall be in accordance with the City’s Financial Policies and will be determined at the time of the development. The City of Hamilton will share costs with the owner for urbanization of roads as follows:
 - (1) Concrete curb on the side of Miller Drive opposite the proposed development;
 - (2) Catch basins on Miller Drive opposite the proposed development as required to provide adequate storm drainage of the street; and,

- (3) Minimal restoration to back-of-curb of existing lots fronting on Miller Drive opposite the proposed development.
 - (c) That the public submissions received regarding this matter did not affect the decision.

- 6. Amendments to City of Hamilton Zoning By-law No. 6593 to allow secondary dwelling units in detached structures for properties adjoining a laneway (“Laneway Housing”) (PED16200(a)) (Parts of Wards 1, 2, 3 and 4) (Item 6.5)**
 - (a) That Report PED16200(a) (City Initiative CI-18-F) to amend regulations of Section 19 of Zoning By-law No. 6593 to allow secondary units within detached structures for those properties within the lower City (parts of Wards 1, 2, 3 and 4) adjoining a laneway, be received;
 - (b) That Report PED16200(a), together with any written submissions and input from delegations received at Planning Committee, be referred to staff for consideration and to be incorporated into a further report and amending by-law which shall also address specific options regarding ‘tiny homes’ to be presented to a future Planning Committee meeting;
 - (c) That Corporate Services staff be requested to present Report PED16200(a) to the Development Charges Stakeholders Subcommittee for consideration when recommending policy direction for the 2019 Development Charges Study and in addition, bring forward for Council’s consideration at the earliest possible date a standalone amendment to the Development Charges By-law to deal specifically with laneway-related housing developed in accordance with Report PED16200(a);
 - (d) That, as part of the report back on a standalone Development Charges By-law amendment, staff include options for potentially retroactively applying any reduced Development Charges requirement, or benefit of any reduced Development Charges requirement, to recently completed laneway housing projects;
 - (e) That the appropriate staff from Planning and Economic Development meet with staff from the Housing Division in an effort to build in incentive opportunities for some laneway and ‘tiny homes’ projects as affordable housing.

7. Proposed Changes to the Official Plans and Zoning By-law No. 05-200 – Medical Marihuana Growing and Harvesting Facilities, Aquaponics and Greenhouses (PED18120) (City Wide) (CI-18-D) (Item 6.6)

That Report PED18120 (City Initiative CI-18-D) to amend the Rural Hamilton Official Plan, the Urban Hamilton Official Plan, and Zoning By-law No. 05-200, to modify the definition and associated regulations for a medical marihuana growing and harvesting facility, be received.

8. Animal Adoption Fees (PED18004(a)) (City Wide) (Item 8.1)

- (a) That the proposed Animal Adoption Fees set out in Appendix “A” to Report PED18004(a) be approved;
- (b) That the Animal Adoption Fees described in subsection (a) be added to the User Fees and Charges By-law, in a form satisfactory to the City Solicitor.

9. Financial Incentives for Taxi Operators to Provide Accessible Taxicab Trips (PED18082) (City Wide) (Outstanding Business List Item) (Item 8.2)

- (a) That the Licensing and By-Law Services Division create a one year pilot program to provide a subsidy for accessible taxicab trips to further support the provision of accessible taxicab services for the accessible community;
- (b) That, subject to the approval of Recommendation (a) of Report PED18082, Financial Incentives for Taxi Operations to Provide Accessible Taxicab Trips, the following be approved:
 - (i) That a one year pilot program be created within the Licensing Section to provide a \$5 flat subsidized rate to all qualified accessible taxicab drivers for each accessible taxi trip dispatched with Hamilton Cab and Blue Line Taxi Brokers, at an estimated cost of \$115,000;
 - (ii) That \$20,000 be allocated from the Tax Stabilization Reserve to support the funding of the pilot program. The \$20,000 represents the “in lieu of accessibility” voluntary annual revenue received in 2017;
 - (iii) That in support of achieving compliance with the *Accessibility for Ontarians with Disabilities Act, 2005, S.O, 2005, c.11 (AODA)* standards and to support the Advisory Committee for Persons with Disabilities with the on-demand accessible taxicab initiative, the

- results of the pilot program be referred to the 2019 budget process for further consideration;
- (iv) That Report PED18082 respecting Financial Incentives for Taxi Operators to Provide Accessible Taxicab Trips be brought to the next Advisory Committee for Persons with Disabilities meeting for information only;
 - (v) That 0.25 temporary full-time equivalent (FTE) be approved for program administration, to be funded from the Personal Transportation Providers revenues generated from new licences;
 - (vi) That the Director of Licensing and By-Law Services and/or designate be authorized and directed to negotiate and execute a new agreement with Blue Line Taxi and Hamilton Cab, in a form satisfactory to the City Solicitor, for the provision of accessible taxicab subsidized payments in the amount of \$5.00 per dispatched trip;

10. Alternative Road Allowance Width for the Roxborough Redevelopment Project (Added 10.1)

WHEREAS, applications have been submitted for the redevelopment of the lands located at 20 Reid Avenue North, 22-116 Lang Street, and 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24 Hayes Avenue, known as the Roxborough redevelopment;

WHEREAS, the Official Plan sets a maximum width for a local street of 20 metres;

WHEREAS, the City's Engineering Guidelines require that local streets be 20 metres in width;

WHEREAS, a 20 metre road is appropriate in a Greenfield context but the Roxborough redevelopment is an urban infill redevelopment opportunity; and
WHEREAS, it is important that infill redevelopment maintain the character of the community;

NOW THEREFORE BE IT RESOLVED:

That Planning and Economic Development Department staff be authorized to accept an alternative road allowance width of 18.0 metres for the Roxborough redevelopment project.

11. To Change Zoning of the properties known as 1215, 1217, 1219, 1221, 1227, 1231, 1235 and 1239 Barton Street, Stoney Creek from R2 Residential to R1 Residential (Added 10.2)

WHEREAS, the properties known as 1215, 1217, 1219, 1221, 1227, 1231, 1235 and 1239 Barton Street, Stoney Creek, are located in a single family residential area;

WHEREAS, 1215, 1217, 1219, 1221, 1227, 1231, 1235 and 1239 Barton Street, Stoney Creek, were rezoned from Industrial to Residential in 2012, to reflect the surrounding residential neighbourhood;

WHEREAS, the said lands are currently zoned R2 Residential in the Stoney Creek Secondary "Fruitland Winona Secondary Plan";

WHEREAS, the existing homes are well established brick homes in good condition the property owners have a desire to remain in their homes moving into the future;

WHEREAS, the property owners further have a desire to sever a lot from their properties as the lot size would permit;

WHEREAS, the current R2 residential zoning does not permit severing for a single family lot; and

WHEREAS, single family homes are currently what exists in the immediate neighbourhood;

THEREFORE, BE IT RESOLVED:

That staff be directed to prepare an Official Plan Amendment and associated Zoning By-law changes for consideration as a public meeting of the Planning Committee no later than September 18, 2018, for the lands located at 1215, 1217, 1219, 1221, 1227, 1231, 1235 and 1239 Barton Street, Stoney Creek, to recognize the existing single family dwellings and to permit the severing of single family lots, which would be in keeping with the existing homes.

FOR INFORMATION:

(a) APPROVAL OF THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:

1. DELEGATION DEFERRED TO NEXT MEETING

- 6.1 Glenn Wise, Macassa Bay Year-Round Liveaboard Association, to discuss year-round liveaboard boat residency will be attending at the July 10, 2018 meeting.

2. ADDED WRITTEN COMMENTS

- (i) The following written comments have been received respecting Item 6.2, Applications to Amend the City of Hamilton Urban Hamilton Official Plan, Zoning By-law No. 05-200 and for Approval of a Draft Plan of Subdivision “Flamborough Power Centre North” for Lands Located at 56, 74, 78, 90, 96, 100 and 566 Parkside Drive, Flamborough (PED18133) (Ward 15):

6.2(a) Terrance Glover, Urban in Mind, Professional Urban Planning, Land Development & CPTED Consultants on behalf of Vince Ferraiuolo, 32 Parkside Drive, Flamborough

- (ii) The following written comments have been received respecting Item 6.4, Application for an Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 100 Cumberland Avenue (Ward 3) (PED18129):

6.4(a) Tom Broen, 231 Sherman Avenue South

6.4(b) Brian Gilham, 183 Burris Street

6.4(c) Ricardo Campos, 137 Gladstone Avenue

6.4(d) Andre and Ursula Erasmus, 145 Gladstone Avenue

- (iii) The following written comments have been received respecting Item 6.6, Proposed Changes to the Official Plans and Zoning By-law No. 05-200 – Medical Marihuana Growing and Harvesting Facilities, Aquaponics and Greenhouses (PED18120) (City Wide) (CI-18-D):

6.6(a) Meaghan Barrett, Aird Berlis, on behalf of the owners of 284 and 294 Green Mountain Road East

6.6(b) Joint written submission from Sasha Pejic, 284 Green Mountain Road East and Fred Mattiuz, 294 Green Mountain Road East

6.6(c) Paul Silvestri, President, Silvestri Investments

3. ADDED NOTICE OF MOTION

10.1 Alternative Road Allowance Width for the Roxborough
Redevelopment Project

4. CHANGES TO THE OUTSTANDING BUISNESS LIST

(a) Items requiring new due dates:

Item “K” - Staff to report back on the feasibility of amending the Licensing By-law including comparators across the country, to clearly define adult services in relation to the distinction between strip clubs and other performances, including but not limited to burlesques.

Due date: June 19, 2018

New due date: July 10, 2018

Item “M” - That staff monitor the operations of the Personal Transportation Providers (Schedule 24 of the Licensing By-law 17-170) licensing category over the next year to determine if any adjustments are required and report back to Committee.

Due date: June 19, 2018

New due date: July 10, 2018

Item “S” - Update re: Losani OMB appeal and sign variance application appeal.

Due date: June 19, 2018

New due date: August 14, 2018

(b) Items identified as completed to be removed:

Item “G” – ACPD Report 16-002 – Re: financial incentives for taxi operators to make replacement vehicles accessible.
(Item 8.2 on this agenda.)

Item “I” - C That staff be directed to report back on how to revise Council’s current policy respecting OMB appeals for non-decision to ensure the public has the opportunity to provide input

Due date: June 19, 2018

New due date: Report LS16027(c)/PED16237(b) approved by Committee on February 6, 2018

Item “J” - That Staff report back to Committee following consultation with the Alleyway Management Strategy Working Group on a process for including appropriate permissions for laneway housing as part of the review and update of the City’s Residential Zoning By-law planned for 2017-2018.

(Item 6.5 on this agenda.)

Item “T” - That staff consult with the Feds and the Prov and review and report back on the revisions to the Economic Development Strategy, Official Plan Policies and Zoning Regulations with respect to medical & recreational marijuana (cannabis) production, distribution and sales and staff review the appropriate standards for recreational marijuana, using the current standards for medical marijuana as a guideline, and report back to the Planning Committee
(Item 6.6 on this agenda)

5. CHANGE TO THE ORDER OF THE AGENDA

Item 6.4 respecting Application for an Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 100 Cumberland Avenue (Ward 3) (PED18129) will be considered first under the Public Meetings section of the agenda.

The agenda for the June 19, 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) June 5, 2018 (Item 3.1)

The Minutes of the June 5, 2018 meeting were approved.

(d) DELEGATIONS/PUBLIC HEARING (Item 6)

(i) Glenn Wise, Macassa Bay Year-Round Liveaboard Association, to discuss year-round liveaboard boat residency. (No copy) (Approved June 5, 2018.) (Item 6.1)

Deferred to the next meeting at the request of Mr. Wise.

(ii) Applications to Amend the City of Hamilton Urban Hamilton Official Plan, Zoning By-law No. 05-200 and for Approval of a Draft Plan of Subdivision “Flamborough Power Centre North” for Lands Located at 56, 74, 78, 90, 96, 100 and 566 Parkside Drive, Flamborough (PED18133) (Ward 15) (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 Official Plan Zoning By-law Amendments and Draft Plan of Subdivision, 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

6.2(a) Terrance Glover, Urban in Mind, Professional Urban Planning, Land Development & CPTED Consultants on behalf of Vince Ferraiuolo, 32 Parkside Drive, Flamborough

The added written comments Item 6.2(a) were received.

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

The staff presentation was received.

Ed Fothergill of Fothergill Development Inc., was in attendance representing the owner. Mr. Fothergill addressed Committee and indicated that the owner is in support of the staff report and provided some background information.

1. Vince Ferraiuolo, 32 Parkside Drive

Vince Ferraiuolo addressed Committee and referred to the comments expressed in Item 6.2(a) which were submitted by his agent and outlined his concerns.

2. Lynda Tarves, 53 Parkside Drive

Lynda Tarves addressed Committee and indicated that she is speaking on behalf of her husband and mother-in-law. She posed questions regarding timing of the project and the future plans for the north side of the property.

The delegations were received.

The public meeting was closed.

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

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

For disposition of this matter refer to Item 4.

(iii) Applications to Amend the Town of Ancaster Zoning By-law No. 87-57 and for a Draft Plan of Subdivision for Lands Located at 20 Miller Drive, Ancaster (PED18123) (Ward 12) (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 Zoning By-law Amendments and Draft Plan of Subdivision, 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.

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

Sarah Knoll of GSP Group Inc., was in attendance representing the owner. She addressed Committee with the aid of a PowerPoint presentation and a copy is available for viewing on the City's website. She indicated that the owner is in support of the staff report and provided an overview of the proposal.

Speakers

1. Jamie Akazawa, 53 Roselawn

Jamie Akazawa addressed Committee and expressed his concerns with the proposal.

2. Justin deVries, 40 and 46 Roselawn

Justin deVries addressed Committee and expressed his concerns with the proposal.

The delegations were received.

The public meeting was closed.

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 5.

(iv) Application for an Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 100 Cumberland Avenue (Ward 3) (PED18129) (Item 6.4)

- (a) Report PED18129 respecting Application for an Amendment to City of Hamilton Zoning By-law No. 6593 for Lands Located at 100 Cumberland Avenue was TABLED until the August 14, 2018 Planning Committee Meeting to allow for a community consultation meeting hosted by the Ward Councillor;
- (b) Notice is to be re-issued advising that the statutory Public Meeting is moved to August 14, 2018.

(v) Amendments to City of Hamilton Zoning By-law No. 6593 to allow secondary dwelling units in detached structures for properties adjoining a laneway (“Laneway Housing”) (PED16200(a)) (Parts of Wards 1, 2, 3 and 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 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.

Edward John, Senior Project Manager, 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.

Registered Speakers

1. Elizabeth Fleming

Elizabeth Fleming spoke in support of laneway houses.

2. Emma Cubitt, Invizij Architects Inc., 248 Hunter Street South

Emma Cubitt displayed four photographic images and spoke in support of the laneway houses. (Copies of the images are available for viewing on the City's website.)

3. Alan H. Bureau, resident of Ward 3, Hamilton

Alan Bureau spoke in support of the laneway houses.

4. Brenda Duke, 28 Fullerton Avenue, Hamilton

Brenda Duke spoke in support of the laneway houses.

The delegations were received.

The public meeting was closed.

(a) Recommendation (b) of Report PED16200(a) was amended by inserting the words "which shall also address specific options regarding 'tiny homes'" after the word "by-law" to read as follows:

(b) That Report PED16200(a) together with any written submissions and input from delegations received at Planning Committee, be referred to staff for consideration and to be incorporated into a further report and amending by-law which shall also address specific options regarding 'tiny homes', to be presented to a future Planning Committee meeting;

(b) Recommendation (c) was amended by adding the words "and in addition, bring forward for Council's consideration at the earliest possible date a standalone amendment to the Development Charges By-law to deal specifically with laneway-related housing developed in accordance with Report PED16200(a)" after the word "Study" to read as follows:

(c) That Corporate Services staff be requested to present Report PED16200(a) to the Development Charges Stakeholders Subcommittee for consideration when recommending policy direction for the 2019 Development Charge Study and in addition, bring forward for Council's

consideration at the earliest possible date a standalone amendment to the Development Charges By-law to deal specifically with laneway-related housing developed in accordance with Report PED16200(a);

The following subsections were added:

- (d) That, as part of the report back on a standalone Development Charges By-law amendment, staff include options for potentially retroactively applying any reduced Development Charges requirement, or benefit of any reduced Development Charges requirement, to recently completed laneway housing projects;
- (e) That the appropriate staff from Planning and Economic Development meet with staff from the Housing Division in an effort to build in incentive opportunities for some laneway and 'tiny homes' projects as affordable housing.

For disposition of this matter refer to Item 6

(vi) Proposed Changes to the Official Plans and Zoning By-law No. 05-200 – Medical Marihuana Growing and Harvesting Facilities, Aquaponics and Greenhouses (PED18120) (City Wide) (CI-18-D) (Item 6.6)

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

- 6.6(a) Meaghan Barrett, Aird Berlis, on behalf of the owners of 284 and 294 Green Mountain Road East
- 6.6(b) Joint written submission from Sasha Pejic, 284 Green Mountain Road East and Fred Mattiuz, 294 Green Mountain Road East
- 6.6(c) Paul Silvestri, President, Silvestri Investments

The added written comments, Items 6.6(a) to 6.6(c) were received.

Joanne Hickey-Evans, Manager of Planning Policy and Zoning By-law Reform, addressed Committee with the aid of a PowerPoint presentation and provided an overview of the staff report. A copy of her presentation is available for viewing on the City's website.

The staff presentation was received.

Registered Speakers

1. Shelley Yeudall, 1951 Shaver Road, Ancaster

Shelley Yeudall addressed Committee and indicated that she is speaking on behalf of her family, neighbours and community. She spoke against the proposal to grow marihuana on agricultural land and indicated it should be grown on industrial land.

2. Bill Panagiotakopoulos will be speaking instead of Gordon Harvey representing Beleave Inc., 1653 Highway No. 6 North, Flamborough

Bill Panagiotakopoulos, addressed Committee and indicated that he is the founder of Beleave Inc. a medical marihuana grow operation. He spoke in support of these operations being on agricultural land.

3. John Ariens of IBI Group speaking instead of Ian Wilms, on behalf of The Green Organic Dutchman, 1915, 1995, and 1997 Jerseyville Road West, Ancaster

John Ariens addressed Committee with the aid of a PowerPoint presentation and spoke in support of the marihuana grow operations being classified as an agricultural use and being permitted on agricultural land. A copy of his presentation is available for viewing on the City's website.

4, Janice Currie, 251 Carluke Road West, Ancaster

Janice Currie read from a prepared statement and spoke against marihuana grow operations on prime agricultural land. She submitted a copy of her prepared statement for the official record and a copy is available for viewing on the City's website.

5. Kimberlee VanSickle, 1140 Butter Road West, Ancaster

Kimberlee VanSickle read from a prepared statement and spoke against marihuana grow operations on prime agricultural land. She

submitted a copy of her prepared statement for the official record and a copy is available for viewing on the City's website.

6. Roy Stevenson, 130 Butter Road West, Ancaster

Roy Stevenson was in attendance but indicated that he did not need to speak.

7. Susan Creer, Hamilton

Susan Creer was in attendance but had left the meeting.

8. Irene Hauzar, Registered Planner, on behalf of Sasha Pejdic, 284 Green Mountain Road, Stoney Creek

Irene Hauzar addressed Committee and spoke against the medical marihuana grow operation located on Green Mountain Road East.

9. Fred Mattiuz, 294 Green Mountain Road East, Stoney Creek

Fred Mattiuz addressed Committee and spoke against the medical marihuana grow operation located on Green Mountain Road East.

10. Dale Biehn, 11 Green Mountain Road, Stoney Creek

Dale Biehn addressed Committee and spoke against the medical marihuana grow operation located on Green Mountain Road East.

11. Jessica Butter, 357 Butter Road West, Ancaster

Jessica Butter addressed Committee and indicated that she is representing the Butter family. She is in opposition to growing marihuana on prime agricultural land and indicated that it would be better as a re-purpose use for the industrial area.

12. Tony Gibbings, 309 Green Mountain Road East, Stoney Creek

Tony Gibbings addressed Committee and spoke against the medical marihuana grow operation located at 286 and 288 Green Mountain Road East.

13. Jeff Sewa, 418 Upper Centennial Road, Stoney Creek

Jeff Sewa addressed Committee and spoke against the medical marihuana grow operation located at 286 and 288 Green Mountain Road East.

14. John Plas, 2254 Jerseyville Road West, Flamborough

John Plas addressed Committee and spoke against any expansion of the medical marihuana grow operation on Jerseyville Road. He indicated that marihuana should be grown on brown fields.

15. Hailey VanSickle, 1140 Butter Road, Ancaster

Hailey VanSickle addressed Committee and expressed concerns that marihuana grow operations consume large quantities of water which is a scarce commodity in the rural areas.

16. Pat Donald, 4220 Laidman Road, Binbrook

Pat Donald indicated concerns with marihuana grow operations which in her opinion should not be classified as an agricultural use due to the negative affects on the neighbours (including light pollution and security concerns) and on the water table.

The delegations were received.

The public meeting was closed.

Committee approved subsection (a) of the recommendations.

Councillor Pasuta indicated that he wished to be recorded as OPPOSED to Committee's decision.

For disposition of this matter refer to Item 7.

(e) DISCUSSION ITEMS (Item 8)

(i) Animal Adoption Fees (PED18004(a)) (City Wide (Item 8.1))

No members of the public spoke to this issue.

For disposition of this matter refer to Item 8.

(f) MOTIONS (Item 9)

(i) To Waive the Road Widening Requirement for 71 Rebecca Street (Item 9.1)

The motion To Waive the Road Widening Requirement for 71 Rebecca Street was TABLED for two weeks.

(g) NOTICES OF MOTION (Item 10)

(i) Alternative Road Allowance Width for the Roxborough Redevelopment Project (Added Item 10.1)

Councillor Collins introduced a notice of motion respecting Alternative Road Allowance Width for the Roxborough Redevelopment Project.

The rules of order were waived to allow for the introduction of a motion respecting Alternative Road Allowance Width for the Roxborough Redevelopment Project.

For disposition of this matter refer to Item 10.

(ii) To Change Zoning of the properties known as 1215, 1217, 1219, 1221, 1227, 1231, 1235 and 1239 Barton Street, Stoney Creek from R2 Residential to R1 Residential (Added 10.2)

Councillor Pearson introduced a notice of motion To Change Zoning of the properties known as 1215, 1217, 1219, 1221, 1227, 1231, 1235 and 1239 Barton Street, Stoney Creek from R2 Residential to R1 Residential.

The rules of order were waived to allow for the introduction of a motion To Change Zoning of the properties known as 1215, 1217, 1219, 1221, 1227, 1231, 1235 and 1239 Barton Street, Stoney Creek from R2 Residential to R1 Residential.

For disposition of this matter refer to Item 11.

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

(i) Outstanding Business List (Item 11.1)

(a) The following new due dates were approved:

Item "K" - Staff to report back on the feasibility of amending the Licensing By-law including comparators across the country, to clearly define adult services in relation to the distinction between strip clubs and other performances, including but not limited to burlesques.

Due date: June 19, 2018

New due date: July 10, 2018

Item "M" - That staff monitor the operations of the Personal Transportation Providers (Schedule 24 of the Licensing By-law 17-170) licensing category over the next year to determine if any adjustments are required and report back to Committee.

Due date: June 19, 2018

New due date: July 10, 2018

Item "S" - Update re: Losani OMB appeal and sign variance application appeal.
Due date: June 19, 2018
New due date: August 14, 2018

(b) The following Items were identified as completed and removed:

Item "G" – ACPD Report 16-002 – Re: financial incentives for taxi operators to make replacement vehicles accessible.
(Item 8.2 on this agenda.)

Item "I" - That staff be directed to report back on how to revise Council's current policy respecting OMB appeals for non-decision to ensure the public has the opportunity to provide input
Due date: June 19, 2018
New due date: Report LS16027(c)/PED16237(b) approved by Committee on February 6, 2018

Item "J" - That Staff report back to Committee following consultation with the Alleyway Management Strategy Working Group on a process for including appropriate permissions for laneway housing as part of the review and update of the City's Residential Zoning By-law planned for 2017-2018.
(Item 6.5 on this agenda.)

Item "T" - That staff consult with the Feds and the Prov and review and report back on the revisions to the Economic Development Strategy, Official Plan Policies and Zoning Regulations with respect to medical & recreational marijuana (cannabis) production, distribution and sales and staff review the appropriate standards for recreational marijuana, using the current standards for medical marijuana as a guideline, and report back to the Planning Committee
(Item 6.6 on this agenda)

(i) ADJOURNMENT (Item 12)

There being no further business, the Planning Committee was adjourned at 3:36 p.m.

CARRIED

Respectfully submitted,

Councillor A. Johnson
Chair, Planning Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk



GENERAL ISSUES COMMITTEE REPORT 18-014

9:30 a.m.

Wednesday, June 20, 2018
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Mayor F. Eisenberger, 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, J. Partridge

**Absent with
Regrets:** Councillors R. Pasuta, D. Skelly – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 18-014 AND RESPECTFULLY RECOMMENDS:

1. **Capital Projects Work-in-Progress Review Sub-Committee Report 18-004, May 28, 2018 (Item 5.1)**

Capital Projects Status Report (Excluding Public Works), as of December 31, 2017 (FC517077(b)) (City Wide) (Item 8.1)

That the Capital Projects Status Report (Excluding Public Works), as of December 31, 2017, attached as Appendix "A" to Report FCS17077(b), be received.

2. **Small Business Enterprise Centre – 2017 Activity Report (PED18140) (City Wide) (Item 5.2)**

That Report PED18140, respecting the Small Business Enterprise Centre – 2017 Activity Report, be received.

3. **Special Events Advisory Team (SEAT) Customer Service Improvement Review Update (PED17112(a)) (City Wide) (5.3)**

That Report PED17112(a), respecting the Special Events Advisory Team (SEAT) Customer Service Improvement Review Update, be received.

Council – June 27, 2018

4. Status of the Hamilton Downtown, Barton/Kenilworth Multi-Residential Property Investment Program and Other Urban Renewal Initiatives (PED18102) (City Wide) (Item 5.4)

That Report PED18102, respecting the Status of the Hamilton Downtown, Barton/Kenilworth Multi-Residential Property Investment Program and Other Urban Renewal Initiatives, be received.

5. Establishment of a Community Benefits Protocol Advisory Committee (Item 6.4)

WHEREAS, the Hamilton Community Benefits Network has organized a coalition of community groups, organized labour, and building trades to build a frame work on infrastructure, based on the following priorities:

- (i) Provide equitable economic opportunities that promote economic inclusion through apprenticeships;
- (ii) Contribute to the integration of skilled, marginalized population into professional, administrative and technical jobs;
- (iii) Support social enterprises and other related vehicles to economic inclusion through commitments to social procurement; and,
- (iv) Contribute to neighbourhood and environment improvement through building new infrastructure;

THEREFORE, BE IT RESOLVED:

- (a) That a Community Benefits Protocol Advisory Committee be established to be comprised of two members of Council and two members of the Hamilton Community Benefits Network;
- (b) That the appropriate staff be directed to attend meetings of the Community Benefits Protocol Advisory Committee, as required;
- (c) That staff be directed to draft a Terms of Reference for the Community Benefits Protocol Advisory Committee and report back to the General Issues Committee;
- (d) That staff be directed to draft a Protocol for a clear policy for implementing community benefits agreements, and report to the Community Benefits Protocol Advisory Committee; and,

- (e) That Councillors M. Green and J. Farr be appointed to the Community Benefits Protocol Advisory Committee, for the balance of the 2014 to 2018 term of Council.

6. Innovation Factory Request for Funding Renewal Option – 2018 (PED18132) (City Wide) (Item 7.1)

- (a) That the request by the Innovation Factory to exercise their renewal option of the City's 2018 Annual Community Partnership contribution of \$50,000, per previous General Issues Committee (GIC) Report PED16123, be approved;
- (b) That this \$50,000 annual contribution for the Innovation Factory be funded from the Economic Development Investment Reserve Account No. 112221; and,
- (c) That City staff, together with the Innovation Factory, report back to the General Issues Committee with an annual review of the Municipal Funding Program, prior to the approval of a renewal option for 2019 and subject to satisfactory Key Performance Indicator results of the previous year.

7. Hamilton Immigration Partnership Council – Annual Report (PED18138/HSC18035) (City Wide) (Item 7.3)

That Report PED18138/HSC18035, respecting the Hamilton Immigration Partnership Council – Annual Report, be received.

8. 18-28 King Street East, Extension of Conditional Approval, Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program (PED16253(b)) (Ward 2) (Item 8.1)

- (a) That the deadline for the submission of a separate, completed Hamilton Heritage Property Grant Program (HHPGP) Application for each 18, 20, 22, 24 and 28 King Street East, for the previously approved conditional grant commitment to an upset limit of \$850,000 for the Hughson Business Space Corporation (Linda Barnett, David Blanchard, Ronald Quinn and William Rogan) the registered owners, be extended to no later than July 31, 2019, conditional upon the receipt of a Building Permit Application being submitted to the City for the redevelopment of 18-28 King Street East no later than January 31, 2019;
- (b) That the deadline for the submission of a separate, completed GORE Building Improvement Grant Program (GBIGP) Application for each 18, 20, 22, 24 and 28 King Street East, for the previously approved conditional grant commitment to an upset limit of \$250,000 under the GORE Building

Improvement Grant Program (GBIGP) for Hughson Business Space Corporation (Linda Barnett, David Blanchard, Ronald Quinn and William Rogan), the registered owners, be extended to no later than July 31, 2019, conditional upon the receipt of a Building Permit Application being submitted to the City for the redevelopment of 18-28 King Street East no later than January 31, 2019; and,

- (c) That, should the Hughson Business Space Corporation (Linda Barnett, David Blanchard, Ronald Quinn and William Rogan) the registered owners of 18, 20, 22, 24 and 28 King Street East not submit a Building Permit Application for the redevelopment of 18-28 King Street East by January 31, 2019, staff be directed to report back to the General Issues Committee for direction as to whether or not the conditional grant commitments, under the Hamilton Heritage Property Grant Program (HHPGP) and GORE Building Improvement Grant Program (GBIGP), for those properties should continue to be valid.

9. Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company) (PED18130) (Wards 12 and 14) (Item 8.2)

- (a) That City staff be authorized and directed to raise potential municipal issues of concern to the City of Hamilton relating to the sale of Enbridge Line 10 Pipeline directly with Enbridge Pipelines Inc. and the proposed purchaser of Line 10, Westover Express Pipeline Limited, and to submit a Letter of Comment outlining these concerns to the National Energy Board (NEB) if provided the opportunity to do so by NEB;
- (b) That the municipal issues of concerns referred to in recommendation (a) may include:
 - (i) That National Energy Board mandate that Westover Express Pipeline Limited to be bound to comply with all regulatory requirements, approvals, agreements, easements and permits set out by National Energy Board and with the City of Hamilton;
 - (ii) That National Energy Board require Westover Express Pipeline Limited to assume, by way of an Agreement, the responsibilities and obligations of Enbridge Pipelines Inc. under an existing Licence Agreement dated May 9, 2017, as amended, and ancillary agreements as they relate to the Line 10 Pipeline crossings of City of Hamilton right-of-ways;
 - (iii) That representatives of Westover Express Pipeline Limited meet with the Hamilton Fire Department, prior to the handover of operations of Line 10 Pipeline to provide for review and input into

their emergency response and emergency resource plan for the Westover Site and Line 10 Pipeline; and,

- (iv) That the onsite emergency response resources currently maintained at the Line 10 Pipeline Westover Site by Enbridge Pipelines Inc. be maintained at the current or enhanced level after handover of operations to Westover Express Pipeline Limited;
- (c) That subject to the approval of the sale of Line 10 by Enbridge Pipelines Inc. to Westover Express Pipeline Limited by the National Energy Board, the General Manager of Public Works be authorized to negotiate and execute, on behalf of the City of Hamilton, a Crossing Licence Agreement for the Line 10 Pipeline and any ancillary documents, which set out the roles, responsibilities and obligations of the parties with respect to the Line 10 Pipeline where it crosses City-owned right-of-ways, in a form satisfactory to the City Solicitor and with content satisfactory to the General Manager of Public Works and General Manager of Planning and Economic Development, as applicable;
- (d) That the matter respecting Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited, a wholly owned subsidiary of the United Refining Company, be identified as complete and removed from the Planning Committee's Outstanding Business List; and,
- (e) That staff be directed to include in the Letter of Comment, to the National Energy Board, respecting the Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company) the City's position respecting the removal of the decommissioned pipeline, and that a copy of that letter be sent to Westover Express Pipeline.

10. Waterdown Rotary Memorial Park Skating Loop Public Art Project (PED18127) (Ward 15) (Item 8.3)

That staff be directed to undertake the planning, selection and implementation of a public art work for Waterdown Memorial Park to be funded by transfers of \$20,000 from the Public Art Reserve (108044), \$40,000 from the Waterdown Rotary Memorial Park Skating loop project (PID 7101454202), and \$15,000 from the Waterdown Memorial Hall project (PID 7101741701 Community Halls Retrofits).

11. Downtown Public Art (PED18061) (Wards 2 and 3) (Item 8.4)

That a Downtown Public Art Capital Project 7101858812 be established, and funded in the amount of \$936,350 from the Downtown Public Arts Reserve

(108049), for the planning, administration and implementation of public art projects in the Downtown Hamilton Community Improvement Project Area, as listed in Appendix "A" to Report 18-014.

12. Hamilton-Wentworth District School Board Liaison Sub-Committee Report 18-002, May 23, 2018 (Item 8.5)

Dominic Agostino Riverdale Community Hub Proposal (HSC18029) (Ward 5) (Item 12.2)

- (a) That the Dominic Agostino Riverdale Community Hub Proposal, attached as Appendix "B" to Report HCS18029, be approved; and,
- (b) That the contents of Report HSC18029, respecting the Dominic Agostino Riverdale Community Hub Proposal and Appendices remain confidential.

13. Municipal Green House Gas (GHG) Challenge Fund Round Two (PW17079(a)/FCS17082(a)) (City Wide) (Item 8.6)

- (a) That the Hamilton Takes Charge Electric Bus Pilot Project for the requested funding amount of \$2,000,000 be approved for consideration under the Municipal Greenhouse Gas (GHG) Challenge Fund Round Two;
- (b) That the Mayor and Clerk be authorized to execute all necessary documentation, including Grant Contracts and Funding Agreements for funding under the Municipal Green House Gas (GHG) Challenge Fund Round Two, in a form satisfactory to the City Solicitor; and,
- (c) That copies of Report PW17079(a)/FCS17082(a), respecting the Municipal Green House Gas (GHG) Challenge Fund Round Two, be forwarded to local Members of Provincial Parliament.

14. Steel Committee Report 18-001, June 18, 2018 (Item 8.7)

(a) Selection of Vice Chair (Item 1.1)

That Councillor M. Green be appointed as the Vice Chair of the Steel Committee for the remainder of the 2014-2018 Term of Council.

(b) Support for the Canadian Steel Industry (Item 8.1)

WHEREAS, the loss or reduction of workers' pensions directly impact the fixed incomes of our residents;

WHEREAS, retired workers on a fixed income were severely impacted by bankruptcies at U.S. Steel/Stelco under the *Companies' Creditors Arrangement Act* (CCAA) as well as at Hamilton Specialty Bar;

WHEREAS, current workers' pensions are being listed as corporate debt rather than the workers being listed as primary creditors; and,

WHEREAS, Hamilton Mountain MP, Scott Duvall, is currently fighting for pension reform;

THEREFORE, BE IT RESOLVED:

- (i) That the Mayor, on behalf of Council and our retired workers, correspond with Hamilton-area MPs, MPPS, the Prime Minister and the Premier to request a full revision of bankruptcy laws to prioritize and protect pensions;
- (ii) That the letter express Council's support for reforming the *Companies' Creditors Arrangement Act* (CCAA) so that workers and their pensions are protected; and,
- (iii) That the letter encourage the Federal and Provincial governments to be supportive of workers, should there be further job losses.

(c) Reforming the Canadian International Trade Tribunal (Item 8.1)

That the Mayor correspond with Hamilton-area MPs, MPPS, the Prime Minister and the Premier to express Council's support for the idea of reforming the Canadian International Trade Tribunal to ensure that the industry and the community are appropriately protected from further harm.

(d) Endorsement of the Canadian Government's Position against the Steel Tariffs (Item 8.1)

WHEREAS, the Prime Minister has stated publicly that the Federal government will be working with steel and aluminum producers to make sure Canadian jobs are protected; and,

WHEREAS, the Prime Minister has said, on the record, the he wants “Canadian workers and communities to continue to do ok despite these unnecessary and punitive actions.”;

THEREFORE, BE IT RESOLVED:

That the Mayor correspond with the Prime Minister to confirm Council’s support of, and endorsement for, his strategy of supporting Canadian jobs and his government’s stand on opposition to the steel tariffs.

(e) Information Report Request on Matters relating to the Steel Industry (Item 8.1)

(i) That staff be directed to report back to the Steel Committee with information outlining what the impacts of the tariffs on steel, imposed by the Trump Administration, will be and how it will affect Hamilton with the report to include, but not be limited to, the following information:

- (1) The impact on secondary businesses in Hamilton that provide goods and services that support steel producers;
- (2) The property tax implications that would result should steel production move out of Hamilton; and,
- (3) The impact that the tariffs may have on the City’s rate budget and other City services such as water rates; and,

(ii) That staff consult Arcelor Mittal Dofasco, U.S. Steel Canada and union stakeholders in researching this report.

15. Stelco Inc. and Receiver Lands (Item 9.1)

WHEREAS, the court appointed Receiver for U.S. Steel Canada Inc. recently sold much of the land occupied by U.S Steel Canada to Stelco;

WHEREAS, the City has an interest in maximizing the potential for job creation and tax assessment from these lands while protecting the interests of pensioners;

WHEREAS, the City has previously completed work to identify the significant job creation potential for the lands, should they be wisely and appropriately utilized;

WHEREAS, the Receiver has not sold three parcels of land to Stelco and has indicated these parcels will soon be available for sale on the open market;

WHEREAS, the City of Hamilton submitted an offer in February to the Receiver for a parcel of approximately 2 acres in the Barton/Tiffany area that is integral to the City's plans for that area; and,

WHEREAS, there has been no response to the City's offer;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to identify strategic lands, within the lands sold to Stelco Inc. by the Receiver as well as lands retained by the Receiver, that may contribute to the City's economic development objectives;
- (b) That staff be directed to inquire, of Stelco Inc. and the Receiver, their willingness and interest in selling strategic lands to the City; and,
- (c) That staff be directed to report back to the General Issues Committee for further direction, should there be an opportunity to acquire strategic employment lands.

16. Outdoor Furniture at City Hall (Item 9.2)

WHEREAS, a community place can strengthen the positive connection between people and the places they share;

WHEREAS, the Hamilton City Hall Forecourt has a strong connection and history as an important social, cultural and community place;

WHEREAS, the Hamilton City Hall Forecourt has become an engaging and interactive civic commons for passive and interactive programming including the popular Hamilton sign;

WHEREAS, activities such as Music Mondays have provided comfortable outdoor non-permanent seating for attendees to the concerts; and,

WHEREAS, the outdoor non-permanent seating is owned by the City and stored at City Hall;

THEREFORE, BE IT RESOLVED:

- (a) That City Hall Facilities staff be directed to provide this non-permanent, outdoor furniture on the Hamilton City Hall Forecourt for citizens to use at any time during operating hours every Monday to Friday, June to September; and,

- (b) That staff be directed to include a placemaking-based analysis and recommendations for the Hamilton City Hall Forecourt as part of the upcoming Animation Strategy.

17. Disposition of City Owned Lands–Car Park Lot 76–75 Catharine Street South, Hamilton (PED17227(a)) (Ward 2) (Item 12.3)

- (a) That an Offer to Purchase for the sale of the property attached as Appendix “A” to Report PED17227(a), which is scheduled to close on or before November 4, 2018, be approved, in accordance with the terms and conditions attached as Appendix “B” to Report PED17227(a);
- (b) That \$51,941.09 from the sale proceeds be credited to Account No. 45408-812036 (Property Sales and Purchases) for recovery of expenses including Real Estate, Appraisal, Property Management and Legal administration fees;
- (c) That the balance of the net proceeds from the sale of the property at 75 Catharine Street South (Car Park Lot 76) be credited to Parking Capital Reserve Account No. 108021;
- (d) That the City Solicitor be authorized and directed to complete this transaction 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 the City Solicitor considers reasonable;
- (e) That the Mayor and City Clerk be authorized to execute any necessary ancillary documents, respecting the Offer to Purchase and Sale of 75 Catharine Street South, attached as Appendix “A” to Report PED17227(a), in a form satisfactory to the City Solicitor;
- (f) That Appendix “B” attached to Report PED17227(a), respecting the Property Disposition of 75 Catharine Street South, remain confidential until completion of the real estate transaction.

18. John/Rebecca Park Property Acquisitions (PED18134) (Ward 2) (Item 12.4)

That Report PED18134, respecting the John/Rebecca Park Property Acquisitions, remain confidential.

- 19. Litigation Instructions, Offer to Settle Legal Costs for the Hamilton and the Christian Heritage Party of Canada Matter (LS18038) (City Wide) (Item 12.6)**
- (a) That the direction provided to staff in Closed Session, respecting Report LS18038, Litigation Instructions, Offer to Settle Legal Costs for the Hamilton and the Christian Heritage Party of Canada Matter, be approved; and,
 - (b) That Report LS18038, Litigation Instructions, Offer to Settle Legal Costs for the Hamilton and the Christian Heritage Party of Canada Matter, remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

1. DELEGATION REQUESTS (Item 4)

- 4.2 Don McLean and David Bennett, Hamilton 350 Committee, respecting Item 8.2 – Report PED18130 - Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company) (Wards 12 and 14) (For today's meeting.)
- 4.3 John-Paul Danko, Proposal for Ward 7 Upcoming Vacant Council Seat (For a future meeting.)
- 4.4 David VanderWindt, Indwell Community Homes, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update (For today's meeting.)
- 4.5 Elise Desjardins, Cycle Hamilton, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update (For today's meeting.)

Jeff Neven, of the Crown Point Hub, was added to today's agenda as Item 4.6 – a Request to Speak to Item 7.4 – Report PED18137 – City Wide Transportation Master Plan Review and Update.

2. 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

David Carter will not be heard as a delegation, but will be presenting on behalf of City staff under Item 7.1 – Report PED18132 - Innovation Factory Request for Funding Renewal Option – 2018

- 6.4 Anthony Marco, Hamilton Community Benefits Network, respecting the HCBN’s Mission and Vision

3. DISCUSSION ITEMS (Item 8)

- 8.4 Downtown Public Art (PED18061) (Wards 2 and 3)

There is a REVISED Appendix “A” to Report PED18061.

- 8.6 Municipal Green House Gas (GHG) Challenge Fund Round Two (PW17079(a)/FCS17082(a)) (City Wide)

- 8.7 Steel Committee Report 18-001, June 18, 2018

4. MOTIONS (Item 9)

- 9.1 Stelco Inc. and Receiver Lands

5. NOTICES OF MOTION (Item 10)

- 10.1 Outdoor Furniture at City Hall

6. PRIVATE & CONFIDENTIAL (Item 12)

- 12.3 Disposition of City Owned Lands–Car Park Lot 76–75 Catharine Street South, Hamilton (PED17227(a)) (Ward 2)

NOTE: Report PED17227 is a public document, with the exception of Appendix “B” to that report.

- 12.6 Litigation Instructions, Offer to Settle Costs for the City of Hamilton and the Christian Heritage Party of Canada Mater (LS18038) (City Wide)

Pursuant to Section 8.1, Sub-section (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

The agenda for the June 20, 2018 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor D. Conley declared an interest to Item 8.2 – Report PED18130 - Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company) (Wards 12 and 14), as his daughter works for Enbridge Pipelines Inc.

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

(i) June 6, 2018 (Item 3.1)

The Minutes of the June 6, 2018 meeting of the General Issues Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Rose Hopkins, Hamilton Fringe Festival, to Promote the Hamilton Fringe Festival (For the July 9, 2018 GIC) (Item 4.1)

The delegation request submitted by Rose Hopkins, Hamilton Fringe Festival, to promote the Hamilton Fringe Festival, was approved to attend before the General Issues Committee on July 9, 2018.

- (ii) Don McLean and David Bennett, Hamilton 350 Committee, respecting Item 8.2 – Report PED18130 - Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company) (Wards 12 and 14) (For today’s agenda) (Item 4.2)**

The delegation requested submitted by Don McLean and David Bennett, Hamilton 350 Committee, respecting Item 8.2 – Report PED18130 - Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company), was approved to appear before the General Issues Committee on June 20, 2018.

- (iii) John-Paul Danko, Proposal for Ward 7 Upcoming Vacant Council Seat (For a Future GIC) (Item 4.3)**

The delegation request submitted by John-Paul Danko, Proposal for Ward 7 Upcoming Vacant Council Seat, was approved to appear before the General Issues Committee at a future meeting.

- (iv) David VanderWindt, Indwell Community Homes, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update (Item 4.4)**

The delegation request submitted by David VanderWindt, Indwell Community Homes, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update, was approved to appear before the General Issues Committee on June 20, 2018.

- (v) Elise Desjardins, Cycle Hamilton, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update (Item 4.5)**

The delegation request submitted by Elise Desjardins, Cycle Hamilton, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update, was approved to appear before the General Issues Committee on June 20, 2018.

- (vi) **Jeff Neven, on behalf of the Crown Point Community, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update (Item 4.6)**

The delegation request submitted by Jeff Neven, on behalf of the Crown Point Community, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update, was approved to appear before the General Issues Committee on June 20, 2018.

(e) **PUBLIC HEARINGS / DELEGATIONS (Item 6)**

- (i) **Ian Hamilton, President & CEO, Hamilton Port Authority (HPA) respecting the HPA's Land Use Strategy, 2017 Annual Report and the Disposition of Stelco Lands (Item 6.1)**

Ian Hamilton, President & CEO, Hamilton Port Authority, addressed Committee respecting the Hamilton Port Authority's Land Use Strategy, 2017 Annual Report and the Disposition of Stelco Lands.

Ian Hamilton, President & CEO, Hamilton Port Authority, was permitted additional time, beyond the permitted 5 minutes, to continue with his presentation.

The presentation provided by Ian Hamilton, Hamilton Port Authority (HPA) respecting the HPA's Land Use Strategy, 2017 Annual Report and the Disposition of Stelco Lands, was received.

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

- (ii) **Todd White, Board Chair, and Stacey Zucker, Associate Director, Hamilton Wentworth District School Board – Facilities Master Plan and Budget Plan (Item 6.2)**

Todd White, Board Chair, and Stacey Zucker, Associate Director, Hamilton Wentworth District School Board, addressed Committee respecting the Board's Facilities Master Plan and Budget Plan.

The presentation provided by the Hamilton Wentworth District School Board, respecting the Boards Facilities Master Plan and Budget Plan, 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.

- (iii) **David Carter, Innovation Factory, respecting Item 7.1 – Report PED18132, Innovation Factory Request for Funding Renewal Option – 2018 (Item 6.3)**

As noted in the Changes to the Agenda, David Carter, Innovation Factory, will not be speaking as a delegate, but will presenting on behalf of the City staff under Item 7.1 – Report PED18132, Innovation Factory Request for Funding Renewal Option – 2018.

- (iv) **Anthony Marco, Hamilton Community Benefits Network (HCBN), respecting the HCBN’s Mission and Vision (Item 6.4)**

Anthony Marco, Hamilton Community Benefits Network, and Mark Ellerker, Hamilton-Brantford Building and Construction Trade Council, addressed Committee respecting the HCBN’s Mission and Vision.

Anthony Marco, Hamilton Community Benefits Network, and Mark Ellerker, Hamilton-Brantford Building and Construction Trade Council, were permitted additional time to provide their presentation.

The presentation provided by Anthony Marco, Hamilton Community Benefits Network, and Mark Ellerker, Hamilton-Brantford Building and Construction Trade Council, respecting the HCBN’s Mission and Vision, 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.

Establishment of a Community Benefits Protocol Advisory Committee

The Motion, respecting the establishment of a Community Benefits Protocol Advisory Committee, was amended by adding a new sub-section (e) to read as follows:

- (e) That Councillors M. Green and J. Farr be appointed to the Community Benefits Protocol Advisory Committee, for the balance of the 2014 to 2018 term of Council.

For disposition of this matter, please see Item 5.

- (v) **David Bennett, Hamilton 350 Committee, respecting Item 8.2 – Report PED18130 - Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company) (Wards 12 and 14) (Item 6.5)**

David Bennett, Hamilton 350 Committee, addressed Committee respecting Item 8.2 – Report PED18130 - Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company).

The verbal presentation provided by David Bennett, Hamilton 350 Committee, respecting Item 8.2 – Report PED18130 - Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company), was received.

A copy of Mr. Bennett's speaking notes are 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 9.

- (vi) **David VanderWindt, Indwell Community Homes, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update (Item 6.6)**

David VanderWindt, Indwell Community Homes, addressed Committee respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update.

The verbal presentation provided by David VanderWindt, Indwell Community Homes, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update, was received.

For disposition of this matter, please refer to Item (g)(iv).

- (vii) **Elise Desjardins, Cycle Hamilton, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update (Item 6.7)**

Elise Desjardins, Cycle Hamilton, addressed Committee respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update.

The verbal presentation provided by Elise Desjardins, Cycle Hamilton, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update, was received.

For disposition of this matter, please refer to Item (g)(iv).

(viii) Jeff Neven, on behalf of the Crown Point Community, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update (Item 6.8)

Jeff Neven, on behalf of the Crown Point Community, addressed Committee respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update.

The presentation provided by Jeff Neven, on behalf of the Crown Point Community, respecting Item 7.4 – Report PED18137 - City Wide Transportation Master Plan Review and Update, 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 this matter, please refer to Item (g)(iv).

(f) DISCUSSION ITEMS (Item 8)

(i) Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company) (PED18130) (Wards 12 and 14) (Item 8.2)

A new sub-section (e) was added to Report PED18130, respecting the Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company), to read as follows:

- (e) That staff be directed to include in the Letter of Comment, to the NEB, respecting the Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (wholly owned subsidiary of United Refining Company) the City's position respecting the removal of the decommissioned pipeline, and that a copy of that letter be sent to Westover Express Pipeline.

For disposition of this matter, please refer to Item 9.

(g) STAFF PRESENTATIONS (Item 7)

(i) Innovation Factory Request for Funding Renewal Option – 2018 (PED18132) (City Wide) (Item 7.1)

David Carter, Executive Director, Innovation Factory, addressed Committee respecting Report PED18132, Innovation Factory Request for Funding Renewal Option Annual Review.

The presentation respecting Report PED18132, Innovation Factory Request for Funding Renewal Option – Annual Review, 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 this matter, please refer to Item 6.

(ii) Our Citizen Survey: 2018 Summary of Results (CM18016) (City Wide) (Item 7.2)

Report CM18016, respecting the Our Citizen Survey: 2018 Summary of Results, was TABLED to the August 13, 2018 General Issues Committee meeting.

(iii) Hamilton Immigration Partnership Council – Annual Report (PED18138/HSC18035) (City Wide) (Item 7.3)

Committee determined that the presentation respecting PED18138/HSC18035, Hamilton Immigration Partnership Council – Annual Report, was not required.

For disposition of this matter, please refer to Item 7.

(iv) City Wide Transportation Master Plan Review and Update (PED18137) (City Wide) (Item 7.4)

Brian Hollingsworth, Director of Transportation Planning & Parking, addressed Committee respecting Report PED18137, City Wide Transportation Master Plan Review and Update.

The presentation, respecting Report PED18137, City Wide Transportation Master Plan Review and Update, 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.

Report PED18137, respecting the City Wide Transportation Master Plan Review and Update, was referred to a Special General Issues Committee meeting for consideration.

The above Motion was DEFEATED on the following Standing Recorded Vote:

Yeas: T. Whitehead, D. Conley
Total: 2
Nays: T. Jackson, C. Collins, S. Merulla, M. Green, J. Farr, A. Johnson, M. Pearson, J. Partridge, B. Johnson,
Total: 9
Absent: F. Eisenberger, D. Skelly, R. Pasuta, L. Ferguson, A. VanderBeek
Total: 5

Report PED18137, respecting the City Wide Transportation Master Plan Review and Update, be TABLED until such time as staff reports back to the General Issues Committee with a supplementary report that provides detailed listings outlining the following, with cost, regarding the projects outlined in the Transportation Master Plan:

- (i) Which projects are covered under the 10 Capital Strategy;
- (ii) Which projects are covered under Provincial Transportation Infrastructure Funding (PTIF);
- (iii) Which projects are dependent on funding from other levels of government; and,
- (iv) Which projects do not have a funding source.

Councillors J. Farr and A. Johnson wished to be recorded as OPPOSED to the TABLING Motion above.

(v) City Manager's 2017 Performance Review (Items 7.5(a) and (b))

The City Manager's 2017 Performance Review was TABLED to the August 13, 2018 General Issues Committee meeting.

(h) NOTICES OF MOTION (Item 10)

Councillor M. Green introduced a Notice of Motion respecting Outdoor Furniture at City Hall.

(i) Outdoor Furniture at City Hall (Item 10.1)

The Rules of Order were waived to allow for the introduction of a Motion respecting outdoor furniture at City Hall.

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

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

The following amendments to the General Issues Committee's Outstanding Business List, were approved:

(a) Items to be removed:

- (i) Open Government: Access to Information for City of Hamilton Funded Boards and Agencies (Addressed as Item 5.3 on the June 6, 2018 GIC Agenda – Report FCS18050)**
- (ii) Affordable Housing Demonstration Project (Addressed as Item 8.1 on the June 6, 2018 GIC Agenda – Report PED16236)**
- (iii) Inventory of Brownfield Lands (for possible legal cannabis operations lands) (Addressed as Item 8.2 on the June 6, 2018 GIC Agenda – Report PED18113)**
- (iv) Special Events Advisory Team “SEAT Light” Model (Addressed as Item 5.3 on the June 20, 2018 GIC – Report PED17112(a))**
- (v) Impacts of the Change to the 2007 Transportation Master Plan (Addressed as Item 7.4 on the June 20, 2018 GIC Agenda – Report PED18137)**
- (vi) Proposed Sale of Enbridge Pipelines Inc. Line 10 Pipeline to Westover Express Pipeline Limited (Addressed as Item 8.2 on the June 20, 2018 GIC Agenda – Report PED18130)**

(j) PRIVATE & CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – May 16, 2018 (Item 12.1)

- (a) The Closed Session Minutes of the May 16, 2018 General Issues Committee meeting, were approved; and,
- (b) The Closed Session Minutes of the May 16, 2018 General Issues Committee meeting shall remain confidential.

(ii) Closed Session Minutes – June 6, 2018 (Item 12.2)

- (a) The Closed Session Minutes of the June 6, 2018 General Issues Committee meeting, were approved; and,
- (b) The Closed Session Minutes of the June 6, 2018 General Issues Committee meeting shall remain confidential.

(iii) City Manager’s 2017 Performance Review (Item 12.5)

The Private & Confidential portion of City Manager’s 2017 Performance Review, was TABLED to the August 13, 2018 General Issues Committee meeting.

Committee moved into Closed Session respecting Item 12.6, pursuant to Section 8.1, Sub-section (f) of the City's Procedural By-law 14-300; and, Section 239(2), Sub-sections (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

(iv) Litigation Instructions, Offer to Settle Legal Costs for the City of Hamilton and the Christian Heritage Party of Canada Matter (LS18038) (City Wide) (Item 12.6)

Report LS18038, respecting the Litigation Instructions, Offer to Settle Legal Costs for the City of Hamilton and the Christian Heritage Party of Canada Matter, was received.

The above Motion was DEFEATED on the following Standing Recorded Vote:

Yeas: A. Johnson, M. Green, J. Farr
Total: 3
Nays: D. Conley, M. Pearson, A. VanderBeek, J. Partridge, B. Johnson,
T. Jackson
Total: 6
Absent: F. Eisenberger, T. Whitehead, D. Skelly, C. Collins, S. Merulla,
R. Pasuta, L. Ferguson,
Total: 7

The MAIN Motion CARRIED on the following Standing Recorded Vote:

Yeas: D. Conley, M. Pearson, A. VanderBeek, J. Partridge, B. Johnson,
T. Jackson
Total: 6
Nays: A. Johnson, M. Green, J. Farr
Total: 3
Absent: F. Eisenberger, T. Whitehead, D. Skelly, C. Collins, S. Merulla,
R. Pasuta, L. Ferguson,
Total: 7

For disposition of this matter, please refer to Item 19.

(k) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee adjourned at 4:44 p.m.

Respectfully submitted,

B. Johnson, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk

**DOWNTOWN PUBLIC ART IMPLEMENTATION AND
FUNDING PLAN 2017-2021**

Page 1 of 2

07-May-18

Project	Proposed Initiation	Public Art Capital funding in place	Downtown Public Art Reserve Funding	Other /specific project funding in place	Project Total	Notes/Comments
PROJECTS IDENTIFIED IN PUBLIC ART MASTER PLAN 2016						
Bike Racks by Artists - James Street North	2018		\$91,500		\$91,500	Identified by the Ward 2 participatory budget process
Central Memorial Recreation Centre Area Mural	2018	\$17,500	\$3,850		\$21,350	Ward 2 Area Rating
King William Art Walk Public Art Project	2018	\$190,000	\$41,800		\$231,800	\$100,000 transferred from the Downtown Public Art Reserve (108049) to the King William Art Walk Public Art Project (7101558508). PED17024
Arts District Public Art - Wilson and James N	2019		\$427,000		\$427,000	
Gore Park - Veterans' Place Peace Project	2020		\$116,000	\$250,000	\$366,000	Funding from the Gore Park project
PROJECTS IDENTIFIED BY COMMUNITY AND OTHER STUDIES						
Functional art - street furniture to augment bike rack project	2019		\$91,500		\$91,500	A competition to select a series of pieces that could then be installed around the downtown as needed or requested by local business and developers
Traffic Signal box wraps by artists - Graffiti prevention	2019		\$91,500		\$91,500	
Temporary Art in Public Places pilot project	2019		\$73,200		\$73,200	Funding to community partners to implement temporary (seasonal) art in public places projects in public spaces in the downtown. May be tied to events.
TOTAL		\$207,500	\$936,350	\$250,000	\$1,393,850	

AVAILABLE FUNDING IN DOWNTOWN PUBLIC ART RESERVE

			Downtown Public Art Reserve			
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Reserve Funds as of March 15, 2018			\$985,569			
Contribution to fund identiifed projects			\$936,350			
TOTAL			\$936,350			
Amount remaining			\$49,219			



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 18-009

**9:30 a.m.
June 25, 2018
Council Chambers
Hamilton City Hall**

Present: Councillors A. VanderBeek (Chair), B. Johnson, M. Pearson,
L. Ferguson, C. Collins, and A. Johnson

Also Present: Councillor M. Green

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 18-009 AND RESPECTFULLY RECOMMENDS:

1. Fraud and Waste Hotline Report (AUD18007) (City Wide) (Item 8.2)

- (a) That Report AUD18007 respecting the implementation of a Fraud and Waste Hotline be received;
- (b) That the Director of Audit Services be directed to implement a Fraud and Waste Hotline;
- (c) That the Fraud and Waste Hotline be funded by the City of Hamilton from Tax Stabilization Reserves;
- (d) That intake to the Fraud and Waste Hotline be performed by an independent third party as part of a three year pilot project; and,
- (e) That the Director of Audit Services report back to the Audit, Finance and Administration Committee on the pilot during its third year.

2. Grants Sub-Committee Report 18-003 (Item 8.3)

- (a) **Correspondence from Brad Park, President & CEO, United Way Halton & Hamilton, respecting the United Way's Pledge to Improve Lives Locally (Item 4.1)**

That the correspondence from Brad Park, President & CEO, United Way Halton & Hamilton, respecting the United Way's pledge to improve lives locally, be received.

(b) Creation & Presentation Funding Stream Update (GRA18004) (City Wide) (Item 5.1)

That Report GRA18004, respecting the Creation & Presentation Funding Stream Update, be received.

(c) 2018 City Enrichment Fund Request Erica Villabroza (ART D-37) (Item 6.1)

- (i) That the recommended 2018 City Enrichment Fund grant for Erica Villabroza (ART D-37), as shown in Appendix "A" to Report 18-002, be increased by \$1,590, from \$0 to \$1,590, with the \$1,590 to be funded from the Grant Reserve #112230 for 2018; and,
- (ii) That sub-section (a) to Item 1 of the Grants Sub-Committee Report 18-002, be amended by deleting the dollar amount of "\$6,196,732" and replacing it with the dollar amount of "\$6,198,322;".

(d) Hamilton Academy of Performing Arts (ART A-20) (Item 6.2)

- (i) That the recommended 2018 City Enrichment Fund grant for the Hamilton Academy of Performing Arts – Annual Operating (ART A-20), be increased by \$5,482 from \$14,518 to \$20,000, to be funded from the Grant Reserve #112230 (for 2018); and,
- (ii) That an enhancement of an additional \$5,482, for the Hamilton Academy of Performing Arts – Annual Operating (ART A-20), to be added to the City Enrichment Fund Program, be referred to the 2019 Operating Budget process for consideration.

(e) Comunita Racalmutese Maria SS Del Monte Ontario Inc. (CCH A-9) (Item 6.3)

- (i) That the recommended 2018 City Enrichment Fund grant for the Comunita Racalmutese Maria SS Del Monte Ontario Inc. - Comunita Racalmutese Maria SS Del Monte Inc. – (CCH A-9), be increased by \$5,000, from \$4,845 to \$9,845, to be funded from the Grant Reserve #112230 (for 2018); and,
- (ii) That an enhancement of an additional \$1,155, for the Comunita Racalmutese Maria SS Del Monte Ontario Inc. - Comunita Racalmutese Maria SS Del Monte Inc. – (CCH A-9), to be added to the City Enrichment Fund Program, be referred to the 2019 Operating Budget process for consideration.

(f) 2018 City Enrichment Fund Enhancements to the Community Services Category (Item 6.4)

- (i) That the recommended 2018 City Enrichment Fund grant for the YWCA – Transitional Living (CS A-1), be increased by \$22,309, from \$21,548 to \$43,857, to be funded from the Grant Reserve #112230 (for 2018);
- (ii) That the recommended 2018 City Enrichment Fund grant for the St. Matthew's House - St. Matthew's House Emergency Food Program (CS A-7), be increased by \$10,072, from \$29,617 to \$39,689, to be funded from the Grant Reserve #112230 (for 2018);
- (iii) That the recommended 2018 City Enrichment Fund grant for the Catholic Family Services of Hamilton - Individual and Family Counselling (CS G-3), be increased by \$25,629, from \$39,119 to \$64,748, to be funded from the Grant Reserve #112230 (for 2018);
- (iv) That the recommended 2018 City Enrichment Fund grant for the Multiple Sclerosis Society of Canada, Hamilton-Halton Chapter - Supports for Wellness, be increased by \$39,146, from \$13,530 to \$52,676, to be funded from the Grant Reserve #112230 (for 2018);
- (v) That the recommended 2018 City Enrichment Fund grant for the Children's International Learning Centre (Hamilton) – Festival of Lights (CCH A-47), be increased by \$15,000, from \$0 to \$15,000, to be funded from the Grant Reserve #112230 (for 2018); and,
- (vi) That sub-section (a) to Item 1 of the Grants Sub-Committee Report 18-002, be amended by deleting the dollar amount of \$6,196,732 and replacing it with the dollar amount of \$ 6,320,960 to read as follows:
 - (a) That the 2018 City Enrichment Fund recommended funding allocation, in the amount of \$ 6,320,960, as outlined in the attached Appendix "A", as further amended, to Report 18-002, be approved.

3. Development Charges Stakeholders Sub-Committee Report 18-002 (Item 8.4)

(a) 2019 Development Charges By-law Policy (FCS18062) (City Wide)

- (i) That the Downtown Hamilton Community Improvement Project Area Development Charge Exemption be set at 50% effective July 6, 2019 and be reduced 10 basis points annually thereafter, subject to the results of the independent incentive review;
- (ii) That the annual indexing transition policy, Section 37 of By-law 14-153, not be included in the 2019 Development Charges By-law;

- (iii) That the 2019 Development Charge By-law not contain phasing provisions for the specific policy changes in Recommendations (a) and (b) Report FCS18062;
- (iv) That appropriate staff be directed to meet with the stakeholders to provide an update regarding the proposed changes to the Downtown Hamilton Community Improvement Project Area Development Charge Exemption;
- (v) That the offer made by the President of the Chamber of Commerce to facilitate the stakeholder meeting for the downtown developers, be accepted.

(b) Public Input Respecting the 2019 Development Charges By-law

That appropriate staff be directed to hold a public engagement session respecting the proposed policy changes for the 2019 Development Charges By-law at the appropriate time and that all relative stakeholders, including members of the general public, be invited.

(c) Input Respecting the 2019 Development Charges By-law from the Agricultural Community

That staff be directed to consult with the Agriculture and Rural Affairs Committee ensuring that representatives of the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and the Ontario Federation of Agriculture are in attendance, and obtain the Committee's input respecting the proposed policy changes for the 2019 Development Charges By-law.

4. Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee Membership (Item 9.1)

WHEREAS, the Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee is having challenges in obtaining quorum for their meetings;

WHEREAS, Debbie Wooldridge has submitted their resignation for the Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee;

THEREFORE BE IT RESOLVED:

- (a) That the resignation from Debbie Woolridge from the Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee, be received; and
- (b) That the membership number of the Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee be adjusted accordingly in order to obtain quorum.

5. Advisory Committee for Immigrants and Refugees Membership (Item 9.2)

WHEREAS, the Advisory Committee for Immigrants and Refugees is having challenges in obtaining quorum for their meetings;

WHEREAS, Ramon Petgrave, Huzaifa Saeed, and Ahmed Farah have all submitted letters of resignation from the Advisory Committee for Immigrants and Refugees;

WHEREAS, Noor Nizam has been absent without notice from 3 or more consecutive Advisory Committee for Immigrants and Refugees meetings;

WHEREAS, without quorum the Advisory Committee for Immigrants and Refugees cannot recommend the removal of a Committee Member who has not provided a letter of resignation nor explained the reasons for their absence;

THEREFORE BE IT RESOLVED:

- (a) That the following members be removed from the Advisory Committee for Immigrants and Refugees:
 - (i) Ramon Petgrave;
 - (ii) Huzaifa Saeed;
 - (iii) Ahmed Farah;
 - (iv) Noor Nizam; and
- (b) That the membership number of the Advisory Committee for Immigrants and Refugees be adjusted accordingly in order to obtain quorum.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

DISCUSSION ITEMS

- 8.1 Commercial Relationship Between the City of Hamilton and Ontario Inc. 2380585, c/o Wise and Hammer Inc. and Related Entities (FCS17085(a) / BOH17042(a)) (City Wide) (Item 8.1)

This item was moved up the agenda to immediately follow Item 5 - Consent Items.

The agenda for the June 25, 2018 Audit, Finance and Administration Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) June 11, 2018 (Item 3.1)

The Minutes of the June 11, 2018 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) CONSENT ITEMS (Item 5)

(i) Minutes of Various Advisory Committees (Item 5.1)

The following minutes from various advisory committee meetings, were received as presented:

- (1) Hamilton Aboriginal Advisory Committee – April 5, 2018 (Item 5.1.a)
- (2) Hamilton Aboriginal Advisory Committee – May 3, 2018 (Item 5.1.b)
- (3) Advisory Committee for Immigrants and Refugees – March 15, 2018 (Item 5.1.c)

(e) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) Assunta Zizza, Respecting a request to refund their fixed water and sewer charges on a new build (Item 6.1)

Vasil Zizza, representing Assunta Zizza, addressed the Committee respecting a request to refund their fixed water and sewer charges on a new build, with the aid of a presentation.

The delegation from Vasil Zizza, respecting a request to refund their fixed water and sewer charges on a new build, was received.

A copy of the presentation is available on the City's website at www.hamilton.ca.

(ii) Supporting documentation provided by staff, respecting Assunta Zizza's request to refund the fixed water and sewer charges on a new build (Item 6.1 (a))

The supporting documentation provided by staff, respecting Assunta Zizza's request to refund the fixed water and sewer charges on a new build, was received.

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

(i) **Commercial Relationship Between the City of Hamilton and Ontario Inc. 2380585, c/o Wise and Hammer Inc. and Related Entities (FCS17085(a) / BOH17042(a)) (City Wide) (Item 8.1)**

Report FCS17085(a) / BOH17042(a), respecting the Commercial Relationship Between the City of Hamilton and Ontario Inc. 2380585, c/o Wise and Hammer Inc. and Related Entities, was TABLED until the August 15, 2018 Audit, Finance and Administration Committee Meeting to allow the Ward Councillor, staff, and the Vendor to resolve the issue.

(ii) **Fraud and Waste Hotline Report (AUD18007) (City Wide) (Item 8.2)**

Sub-section (c) of AUD18007, respecting the Fraud and Waste Hotline Report was amended to include the following:

- (c) That the Fraud and Waste Hotline be funded by the City of Hamilton from ***Tax Stabilization*** Reserves;

For disposition of this matter, refer to Item 1.

(g) **ADJOURNMENT (Item 13)**

There being no further business, the Audit, Finance and Administration Committee, was adjourned at 10:22 a.m.

Respectfully submitted,

Councillor VanderBeek, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk



HEALTHY & SAFE COMMUNITIES COMMITTEE

REPORT 18-007

1:30 pm

Monday, June 25, 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

Absent with Regrets: Councillor J. Partridge - Personal

THE HEALTHY AND SAFE COMMUNITIES COMMITTEE PRESENTS REPORT 18-007 AND RESPECTFULLY RECOMMENDS:

- 1. Standardization of Resident Electric Beds (Lodges) (HSC18027) (Wards 6 and 13) (Item 5.1)**
 - (a) That Council approve the standardization of Span Medical electric beds, replacement parts and accessories manufactured by Span Medical Products Canada Incorporated, pursuant to Procurement Policy #14 – Standardization, at Macassa and Wentworth Lodges for a period of 5 years; and,
 - (b) That the General Manager, Healthy and Safe Communities Department be authorized to negotiate, enter into and execute any required contract and any ancillary documents required to give effect thereto with Span Medical Products Canada Incorporated., in a form satisfactory to the City Solicitor.

- 2. Group Purchasing Services for Food and Related Supplies (HSC18026) (City Wide) (Item 8.1)**
 - (a) That Complete Purchasing Services Inc. and their vendors be approved as the single source purchasing agent and vendors, pursuant to Policy #11 - Non-competitive Procurements, for group purchasing services for food and related supplies for food service and nutrition programs at Macassa and Wentworth Lodges for a period of five years;

- (b) That Council approve Complete Purchasing Services Inc. as the single source purchasing agent, and the vendors used in conjunction with the Complete Purchasing Services Inc. as single source vendors, pursuant to Policy #11 - Non-competitive Procurements for group purchases for cleaning and related supplies for the laundry and housekeeping programs at both Macassa and Wentworth Lodges for a period of five years;
- (c) That Macassa and Wentworth Lodges continue to increase the proportion of purchases of local food products through the approved suppliers in the Complete Purchasing Services Inc. program; and,
- (d) That the Recreation Division and the Red Hill Family Centre be approved to be added to Complete Purchasing Services Inc. program for food and related supplies and the associated vendors be approved as single source vendors.

3. Fiscal Reporting for Community Homelessness Prevention Initiative (CHPI), Homelessness Partnering Strategy (HPS) and Home For Good (HFG) (HSC18030) (City Wide) (Item 8.2)

- (a) That the 2018-2019 Community Homelessness Prevention Initiative budget in the amount of \$19,455,174, 100% funded by the Ministry of Housing, be approved;
- (b) That the 2018-2019 Homelessness Partnering Strategy budget in the amount of \$5,285,318, 100% funded by Employment and Social Development Canada be approved;
- (c) That the 2018-2019 Home for Good homelessness program budget in the amount of \$1,000,000, 100% funded by the Ministry of Housing, be approved; and,
- (d) That the General Manager of Healthy and Safe Communities or designate be authorized and directed to receive, utilize and report on the use of these funds within approved fiscal budgets based on program priorities and strategies identified in the Homelessness Programs.

4. Red Hill Family Centre Renovations (HSC18036) (Ward 6) (Item 8.3)

- (a) That the Red Hill Family Centre complete renovations to increase the current operating capacity by 15 toddlers in the amount of \$841,834 from the Child Care Expansion Funding (100% provincial funding); and,
- (b) That an increase in staff complement of 3.0 Full-Time Equivalent (FTE) Teachers, to meet the provincial licensing requirements for the additional 15 toddler spaces, in the amount of \$247,290, funded 100% through

additional revenues (parental contributions and/or fee subsidies), be approved.

5. Funding Requests from Agencies (Item 9.1)

WHEREAS, the City of Hamilton provides funding to hundreds of partner agencies and organizations across Hamilton;

WHEREAS, these community partners provide a variety of health and human services including recreation programs, child care, shelter services, emergency food services, home visiting, housing supports and other community based services;

WHEREAS, over the past few months a number of these community agencies and organizations have approached the City of Hamilton for increased or one-time funding; and,

WHEREAS, there has been no formal process developed to evaluate these requests for new funding;

THEREFORE, BE IT RESOLVED:

That staff report back to a future Healthy and Safe Communities Committee with an analysis of the underlying causes for the current funding challenges experienced by our partner agencies and organizations and provide some potential actions that can be taken by the City directly or through advocacy with the provincial and federal governments to support the future sustainability of these agencies and organizations.

6. Pilot Project for Accessible Tricycles/Four Wheelers at the Waterfront (Item 9.2)

- (a) That staff be directed to report back to the Healthy & Safe Communities Committee on the feasibility of a pilot project to provide tricycles or four-wheelers at the waterfront to improve accessibility for seniors and people with disabilities;
- (b) That the report include the capital costs of purchasing ten tricycles or four-wheelers, to be located at the waterfront as part of the SoBi project, and open to other appropriate locations; and,
- (c) That the Seniors Advisory Committee and Advisory Committee for Persons with Disabilities be invited to comment on the above-mentioned pilot project.

FOR INFORMATION:

(a) CEREMONIAL ACTIVITY (Item A)

Paul Johnson congratulated Michael Sanderson, Chief of Hamilton Paramedic Services, on being awarded the International Association of Emergency Medical Services Chiefs / Intermedix Scholarship to Harvard University's Kennedy School of Government's Executive Education Program for Senior Executives in State and Local Government.

Paul Johnson updated the Committee on the Fire Apparatus vehicle donations to the Nigigoonsiminikaaning First Nation community and the Couchiching First Nation community.

(b) CHANGES TO THE AGENDA (Item 1)

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

1. NOTICES OF MOTION (Item 10)

10.1 Funding Requests from Agencies

The Agenda for the June 25, 2018 meeting of the Healthy & Safe Communities Committee was approved, as amended.

(c) DECLARATIONS OF INTEREST (Item 2)

None declared.

(d) APPROVAL OF MINUTES (Item 3)

(i) June 11, 2018 (Item 3.1)

The Minutes of the June 11, 2018 Healthy & Safe Communities Committee meeting were approved, as presented.

(e) NOTICES OF MOTION (Item 10)

(i) Funding Requests from Agencies (Added Item 10.1)

Councillor Jackson introduced a Notice of Motion respecting Funding Requests from Agencies.

The Rules of Order were waived to allow for the introduction of a motion respecting Funding Requests from Agencies.

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

(ii) Pilot Project for Accessible Tricycles/Four Wheelers at the Waterfront (Added Item 10.2)

Councillor Green introduced a Notice of Motion respecting a Pilot Project for Accessible Tricycles/Four Wheelers at the Waterfront.

The Rules of Order were waived to allow for the introduction of a motion respecting a Pilot Project for Accessible Tricycles/Four Wheelers at the Waterfront.

For further disposition of this matter, please refer to Item 6.

(f) ADJOURNMENT (Item 13)

There being no further business, the Healthy & Safe Communities Committee was adjourned at 1:57 p.m.

Respectfully submitted,

Councillor S. Merulla
Chair, Healthy & Safe
Communities Committee

Lisa Chamberlain
Legislative Coordinator
Office of the City Clerk

CITY OF HAMILTON MOTION

Council: June 27, 2018

MOVED BY COUNCILLOR C. COLLINS.....

SECONDED BY MAYOR / COUNCILLOR.....

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 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 MOTION

Council: June 27, 2018

MOVED BY COUNCILLOR C. COLLINS.....

SECONDED BY COUNCILLOR

Public Works Capital Project Manager for CityHousing Hamilton Projects

WHEREAS, CityHousing Hamilton, as an agency of the City of Hamilton, is authorized to invest \$63.3 million on a major expansion and renewal of the city's affordable housing inventory;

WHEREAS, the plan includes an extensive retrofit of 146 existing housing units and the construction of 191 housing units;

WHEREAS, the Energy, Fleet & Facilities Management Division (EFFM) in the Public Works Department has been asked to deliver 5 key capital projects, for CityHousing Hamilton as client;

WHEREAS, it is proposed that Energy, Fleet & Facilities Management Division (EFFM) shall manage schedule, scope, budget and owner administration of projects (throughout the project phases of Initiation, Planning, Execution and Close-Out), on behalf of the CityHousing Hamilton as client; similar to Facilities' project delivery for Libraries, Police, Recreation and Lodges;

WHEREAS, several CityHousing Hamilton projects under review will have a duration of approximately 6 years, until substantial completion, occupancy and turn-over of all new developments can be expected, based on a standard large capital project timeline;

WHEREAS, 1 dedicated Facilities Project Manager is proposed at the current time due to the size, scope and level of effort of several of the capital projects;

WHEREAS, Project Management is the most intensive resource gap in delivering projects for CityHousing Hamilton during the 6-year duration and beyond;

WHEREAS, delay in dedicating project management resources will lead to longer timelines on projects, with possible impacts to project funding deadlines; and,

WHEREAS, increasing permanent or temporary (of 24 months or more) budgeted complement, requires Council approval under the Budgeted Complement Control Policy, with the applicable Collective Agreement indicating that a temporary posting for projects with a definite term or task shall not exceed 24 months;

THEREFORE, BE IT RESOLVED:

That CityHousing Hamilton annually fund \$124,237 (total compensation & benefits), to be recovered from capital (#500797), for a permanent 1.0 FTE Capital Project Manager (job description # 2636, Project Manager Facilities), reporting within Public Works Department, Energy, Fleet & Facilities Management Division, and delivering key capital projects with CityHousing Hamilton as client.

CITY OF HAMILTON

MOTION

Council: June 27, 2018

MOVED BY COUNCILLOR M. PEARSON.....

SECONDED BY COUNCILLOR

Appointment of an Acting City Clerk

- (a) That Janet Pilon be appointed Acting City Clerk for the City of Hamilton effective June 01, 2018;
- (b) That By-law 10-055 a By-law to appoint a City Clerk for the City of Hamilton be repealed;
- (c) That By-law 14-336 To Appoint a Deputy City Clerk for the City of Hamilton, be repealed; and
- (d) That a By-law to Appoint the Acting City Clerk for the City of Hamilton be prepared and enacted by Council.

Authority: Item 9, PW Report 07-016
(PW07153)
CM: December 12, 2007
Ward: 1, 13

Bill No. 157

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 10 (No Left Turns) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "G" (Former Regional Roads) thereof the following items, namely:

Queen Street	Northerly	Stanley Avenue	7:00am - 9:00am 3:00pm - 6:00pm Monday to Friday
King St. (Reg. Rd. #308)	Westerly	Main St.	Anytime
King St. (Reg. Rd. #308)	Westerly	Ogilvie St.	4:00 p.m.-6:00 p.m.

And by adding to Section "B" (Dundas) thereof the following item, namely;

Ogilvie Street	Northerly	King Street	Anytime
----------------	-----------	-------------	---------

And by adding to Section "G" (Former Regional Roads) thereof the following item, namely;

Queen Street	Northerly	Stanley Avenue	Anytime
King Street (Reg. Rd. #308)	Westerly	Ogilvie Street	Anytime

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 27th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 7, Public Works Committee
Report 17-008 (PW17048)
CM: June 28, 2017
Ward: 13

Bill No. 158

CITY OF HAMILTON

BY-LAW NO. 18-

Being a By-law to Permanently Close a Public Unassumed Alley between Sydenham Road, Cross Street, Alma Street and Victoria Street, Dundas, Ontario, established by Registered Plan 1447, in the Corporation of the Town of Dundas, now City of Hamilton, designated as Part 1 on Reference Plan 62R-20670 and Part 1 on Reference Plan 62R-20715, being Part of PIN 17585-0103 (LT), City of Hamilton

WHEREAS Sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS Section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office; and

WHEREAS highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law;

AND WHEREAS the Council of the City of Hamilton on June 28, 2017, in adopting Item 7 of Public Works Committee Report 17-008, authorized the City to permanently close and sell a public unassumed alley between Sydenham Road, Cross Street, Alma Street and Victoria Street, Dundas, Ontario, established by Registered Plan 1447, in the Corporation of the Town of Dundas, now City of Hamilton, designated as Part 1 on Reference Plan 62R-20670 and Part 1 on Reference Plan 62R-20715, being Part of PIN 17585-0103 (LT), City of Hamilton;

AND WHEREAS a Judge's Order was issued and registered on title on June 6, 2018, as Instrument No. WE1288651 to close a public unassumed alley between Sydenham Road, Cross Street, Alma Street and Victoria Street, Dundas, Ontario, established by Registered Plan 1447, in the Corporation of the Town of Dundas, now City of Hamilton, designated as Part 1 on Reference Plan 62R-20670 and Part 1 on Reference Plan 62R-20715, being Part of PIN 17585-0103 (LT), City of Hamilton;

AND WHEREAS the road is a highway under the jurisdiction of the City of Hamilton;

Being a By-law to Permanently Close a Public Unassumed Alley between Sydenham Road, Cross Street, Alma Street and Victoria Street, Dundas, Ontario, established by Registered Plan 1447, in the Corporation of the Town of Dundas, now City of Hamilton, designated as Part 1 on Reference Plan 62R-20670 and Part 1 on Reference Plan 62R-20715, being Part of PIN 17585-0103 (LT), City of Hamilton

Page 2 of 2

AND WHEREAS notice of the City's intention to pass this By-law has been published pursuant to the *Municipal Act, 2001*, S.O. 2001, c.25 as amended.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the public unassumed alley, set out as:

Part of Lane lying South of Alma Street and West of Lots 26 and 50, Registered Plan 1447, Dundas, designated as Part 1 on Reference Plan 62R-20670 and Part 1 on Reference Plan 62R-20715, City of Hamilton

is hereby permanently closed.

2. That the soil and freehold of Part 1 on Reference Plan 62R-20670 and Part 1 on Reference Plan 20715, hereby permanently closed, be sold to Leonard Medeiros for the sum of Two Dollars (\$2.00).
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

PASSED on this 27th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 11

Bill No. 159

CITY OF HAMILTON

BY-LAW NO. 18-

Respecting Removal of Part Lot Control

Part of Lots 1 to 15, 17 to 33, 58 to 67 and 100 to 136, Registered Plan of Subdivision No. 62M-1251, "Summit Park – Phase 10" municipally known as, 238, 242, 246, 250, 254, 258, 262, 266, 270, 274, 278, 282, 286, 290, 294, 298, 302, 306, 310, 404, 408, 412, 416, 420, 424, 428, 432, 436, 440, 444, 448, 452, 456 and 460 Dalgleish Trail; 4, 8, 12, 16, 20, 24, 28, 32, 36, 40, 44, 45, 48, 49, 52, 53, 56, 57, 60, 61, 64 and 68 Dolomiti Court; 33, 37, 39, 43 and 47 Cittadella Boulevard and 2, 4, 8, 10, 12, 16, 20, 22, 26, 28, 32, 36, 40, 42, 44, 48, 52 and 54 Bethune Avenue (Glanbrook)

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 creating seventy-nine (79) access and maintenance easements (Parts 1 to 79 inclusive), as shown on Deposited Reference Plan 62R-20900, shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Part of Lots 1 to 15, 17 to 33, 58 to 67 and 100 to 136, Registered Plan of Subdivision 62M-1251, 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, Part of Lots 1 to 15, 17 to 33, 58 to 67 and 100 to 136, Registered Plan of Subdivision No. 62M-1251, "Summit Park – Phase 10" municipally known as, 238, 242, 246, 250, 254, 258, 262, 266, 270, 274, 278, 282, 286, 290, 294, 298, 302, 306, 310, 404, 408, 412, 416, 420, 424, 428, 432, 436, 440, 444, 448, 452, 456 and 460 Dalgleish Trail; 4, 8, 12, 16, 20, 24, 28, 32, 36, 40, 44, 45, 48, 49, 52, 53, 56, 57, 60, 61, 64 and 68 Dolomiti Court; 33, 37, 39, 43 and 47 Cittadella Boulevard and 2, 4, 8, 10, 12, 16, 20, 22, 26, 28, 32, 36, 40, 42, 44, 48, 52 and 54 Bethune Avenue (Glanbrook)

Page 2 of 2

3. This By-law shall expire and cease to be of any force or effect on the 27th day of June, 2020.

PASSED this 27th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

PLC-18-013 (20900)

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 11

Bill No. 160

CITY OF HAMILTON

BY-LAW NO. 18-

Respecting Removal of Part Lot Control

Part of Lots 34 to 44, 47 to 55, 70 to 82, 85 to 99, 137, 141 to 145 and 148 to 150, Registered Plan of Subdivision No. 62M-1251, "Summit Park – Phase 10" municipally known as, 72, 76, 79, 80, 83, 84, 87, 88, 91, 92, 95, 96, 99, 100, 103, 104, 107, 108, 111 and 112 Dolomiti Court; 63, 67, 69, 71, 75, 77, 81, 83, 87, 91, 93, 95 and 99 Cittadella Boulevard; 56, 60, 64, 66, 70, 84, 88 and 90 Rockledge Drive; 58, 62, 66, 68, 70, 74, 78, 80, 82, 86, 88, 92, 96, 98 and 102 Bethune Avenue; and 234 Dalgleish Trail (Glanbrook)

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 creating fifty-seven (57) access and maintenance easements (Parts 1 to 57 inclusive), as shown on Deposited Reference Plan 62R-20902, shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Part of Lots 34 to 44, 47 to 55, 70 to 82, 85 to 99, 137, 141 to 145 and 148 to 150, Registered Plan of Subdivision 62M-1251, 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, Part of Lots 34 to 44, 47 to 55, 70 to 82, 85 to 99, 137, 141 to 145 and 148 to 150, Registered Plan of Subdivision No. 62M-1251, "Summit Park – Phase 10" municipally known as, 72, 76, 79, 80, 83, 84, 87, 88, 91, 92, 95, 96, 99, 100, 103, 104, 107, 108, 111 and 112 Dolomiti Court; 63, 67, 69, 71, 75, 77, 81, 83, 87, 91, 93, 95 and 99 Cittadella Boulevard; 56, 60, 64, 66, 70, 84, 88, 90, Rockledge Drive; 58, 62, 66, 68, 70, 74, 78, 80, 82, 86, 88, 92, 96, 98 and 102 Bethune Avenue; and 234 Dalgleish Trail (Glanbrook)

Page 2 of 2

3. This By-law shall expire and cease to be of any force or effect on the 27th day of June, 2020.

PASSED this 27th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

PLC-18-013 (20902)

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 11

Bill No. 161

CITY OF HAMILTON

BY-LAW NO. 18-

Respecting Removal of Part Lot Control Part of Block 154, Registered Plan of Subdivision No. 62M-1251, "Summit Park – Phase 10" municipally known as 100 Terryberry Road (Glanbrook)

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 creating one (1) utility easement (Part 1), as shown on Deposited Reference Plan 62R-20897, shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Part of Block 154, Registered Plan of Subdivision 62M-1251, 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 27th day of June, 2020.

Respecting Removal of Part Lot Control
Part of Block 154, Registered Plan of Subdivision No. 62M-1251, "Summit Park – Phase 10"
municipally known as 100 Terryberry Road (Glanbrook)

PASSED this 27th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

PLC-18-013 (20897)

Authority: Item 31, Planning and Economic
Development Committee
Report 06-005
CM: April 12, 2006
Ward: 8

Bill No. 162

CITY OF HAMILTON

BY-LAW NO. 18-

**To Amend Zoning By-law No. 6593, as amended by By-law No. 92-244,
respecting lands located at 690 – 692 Upper James Street, in the City of
Hamilton**

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

WHEREAS, the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” 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 the Council of the Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which By-law was approved by the Ontario Municipal Board by Order, dated the 7th day of December 1951 (File No. P.F.C. 3821);

WHEREAS the Council of the City of Hamilton, in adopting Item 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April, 2006, which 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 WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No. W-17c of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended, by changing the zoning from the “H-‘H’/S-1281” (Community Shopping and Commercial, etc. – Holding) District, Modified, to “H/S-1281” (Community Shopping and Commercial, etc.) District, Modified, on the

To Amend Zoning By-law No. 6593
Respecting Lands located at 690 – 692 Upper James Street (Hamilton)

(Page 2 of 3)

lands the extent and boundaries of which are shown on Schedule “A” annexed hereto and forming part of this By-law.

2. 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-1281” (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 27th day of June, 2018.

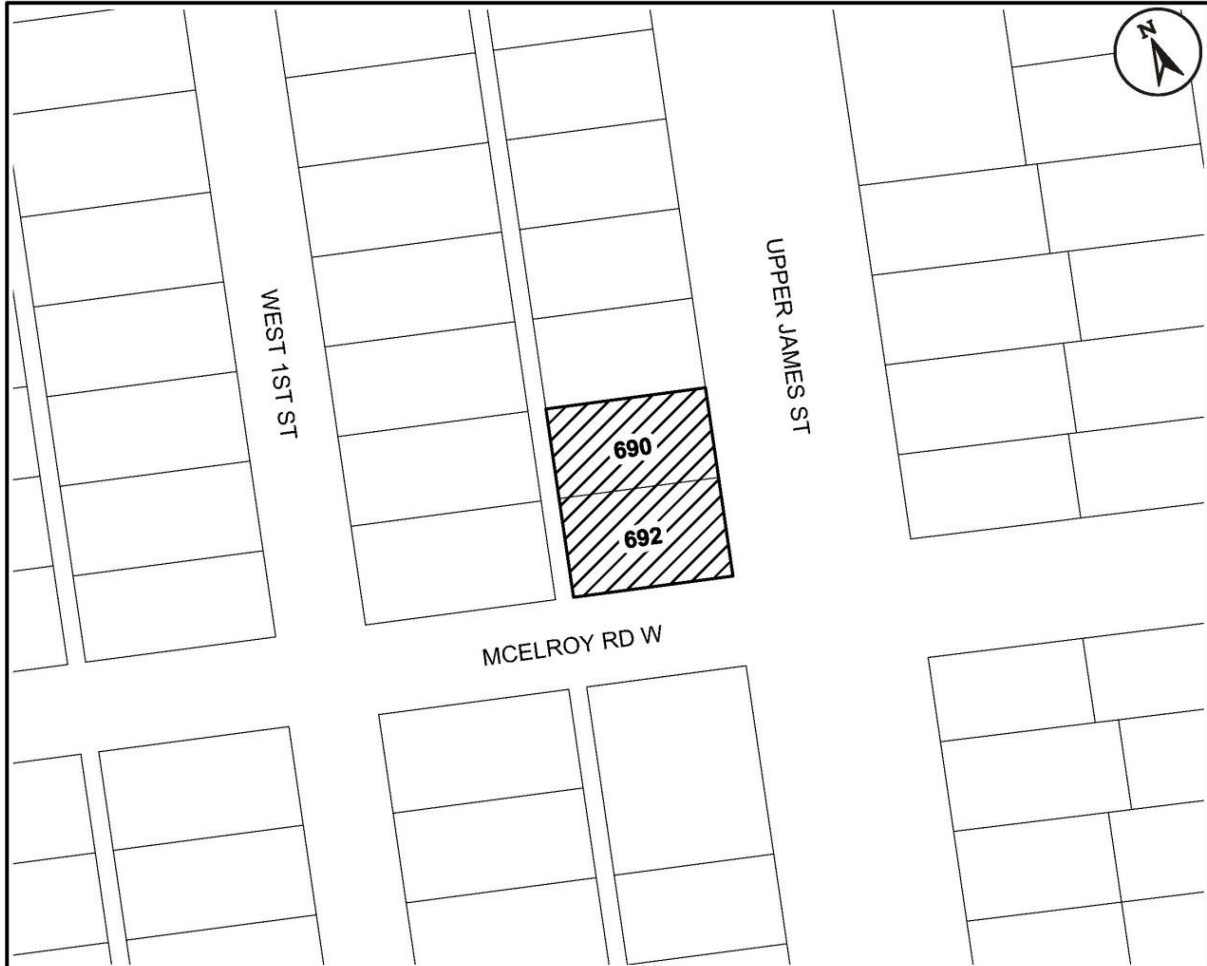
F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAH-17-029

To Amend Zoning By-law No. 6593
 Respecting Lands located at 690 – 692 Upper James Street (Hamilton)

(Page 3 of 3)



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: 10px 0 0 0;">to Amend By-law No. 6593</p>	<p>Subject Property 690 - 692 Upper James Street</p> <p> Change in Zoning from the "H-'H'/S-1281" (Community Shopping and Commercial, etc. - Holding) District, Modified, to "H-/S-1281" (Community Shopping and Commercial, etc.) District, Modified</p>
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Scale: N.T.S.	File Name/Number: ZAH-17-029	
Date: June 19, 2018	Planner/Technician: MF/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 31, Planning and Economic
Development Committee
Report: 06-005
CM: April 12, 2006
Ward: 6

Bill No. 163

CITY OF HAMILTON

BY-LAW NO. 18-

**To Amend Zoning By-law No. 05-200, as amended by By-law No. 14-296,
respecting lands located at 406 Pritchard Road, in the City of
Hamilton**

WHEREAS the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by Virtue of the *City of Hamilton Act*, 1999, Statutes of Ontario, 1999 Chap 14;

AND WHEREAS the City of Hamilton is the lawful successor to the former Municipalities, identified in Section 1.7 of By-law No. 05-200;

AND WHEREAS it is desirable to enact a new Zoning By-law to comprehensively deal with Zoning through the City;

AND WHEREAS the first stage of the new Zoning By-law, being By-law No. 05-200, came into force on the 25th day of May, 2005;

AND WHEREAS the Council of the City of Hamilton, in adopting Section 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 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 Maps 1500 and 1501 appended to and forming part of By-law No. 05-200 (Hamilton), as amended by By-law No. 14-296, is hereby further amended by changing the zoning from the Prestige Business Park – Holding (M3, 465, H55) Zone to the Prestige Business Park (M3, 465) Zone on the lands the extent and boundaries of which are shown on Schedule "A" annexed hereto and forming part of this by-law.

2. That Schedule “D” – Holding Provisions, of By-law No. 05-200, be amended by deleting Holding Provision 55.
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*.
4. 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 Prestige Business Park (M3, 465) Zone provisions.
5. That this By-law No. 18-163 shall come into force and be deemed to come into force in accordance with Sub-section 34(21) of the *Planning Act*, upon the date of passage of this By-law.

PASSED this 27th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAH-17-042



<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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<p>Schedule "A"</p> <p>Map Forming Part of</p> <p>By-law No. 18-_____</p> <p>to Amend By-law No. 05-200</p> <p>Maps 1500 & 1501</p>	<p>Subject Property</p> <p>406 Pritchard Road</p> <p> Change in Zoning from the Prestige Business Park – Holding (M3, 465, H55) Zone, Modified to the Prestige Business Park (M3, 465) Zone, Modified</p>
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<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAH-17-042</p>	<p>Hamilton</p>
<p>Date: June 19, 2018</p>	<p>Planner/Technician: MF/AL</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

Authority: Item 4, Planning Committee
Report: 18-009 (PED18124)
CM: June 13, 2018
Ward: 4

Bill No. 164

CITY OF HAMILTON

BY-LAW NO. 18-

To Adopt:

**Official Plan Amendment No. 104 to the
Urban Hamilton Official Plan**

Respecting:

**115 and 121 Vansitmart Avenue
(Hamilton)**

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 104 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 27th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

APPROVED Urban Hamilton Official Plan Amendment No. 104

The following text, together with Appendix “A” – Urban Site Specific Key Map – Volume 3: Map 2, constitutes Official Plan Amendment No. 104 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to permit the development of 40 Maisonette Dwellings on a private road with a minimum density of 48 units per hectare within the Neighbourhoods Designation.

2.0 Location:

The lands affected by this Amendment are known municipally as 115 and 121 Vansitmart Avenue, in the former City of Hamilton.

3.0 Basis:

The basis for permitting this Amendment is as follows:

- The proposal satisfies all characteristics and requirements of the medium density residential policies, save and except the prescribed residential density range.
- The proposed Amendment is compatible with the existing and planned development in the immediate area.
- The proposed Amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2017.

4.0 Actual Changes:

4.1. Volume 3 – Special Policy Areas, Area Specific and Site Specific Policies

Text

4.1.1 Chapter C – Urban Site Specific Policies

- a. That Volume 3: Chapter C – Urban Site Specific Policies be amended by adding a new Site Specific Policy, as follows:

“UHN-24 Lands Located at 115 and 121 Vansitmart Avenue, former City of Hamilton

1.0 Notwithstanding Volume 1, Policy E.3.5.7, for lands located at 115 and 121 Vansitmart Avenue, designated Neighbourhoods, and identified as UHN-24, the net residential density for medium density residential uses shall be greater than 48 units per hectare and not greater than 100 units per hectare.”

Maps

4.1.2 Maps

- a. That Volume C: Map 2 – Urban Site Specific Key Map be amended by identifying the subject lands as UHN-24, as shown on Appendix “A” to this Amendment.

5.0 Implementation:

An implementing Zoning By-Law Amendment and Site Plan will give effect to the intended uses on the subject lands.

This is Schedule “1” to By-law No. 18-163, passed on the 27TH day of June, 2018.

**The
City of Hamilton**

F. Eisenberger
MAYOR

J. PILON
ACTING CITY CLERK

Appendix A
 APPROVED Amendment No. 104
 to the Urban Hamilton Official Plan



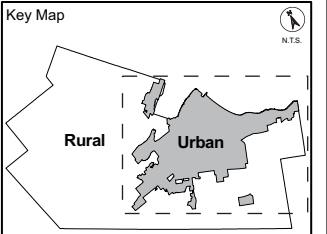
Lands to be identified as
 Site Specific Policy Area UHN-24

(115 and 121 Vansitmart Avenue, Hamilton)

Date:
 June 19, 2018

Revised By:
 DB/NB

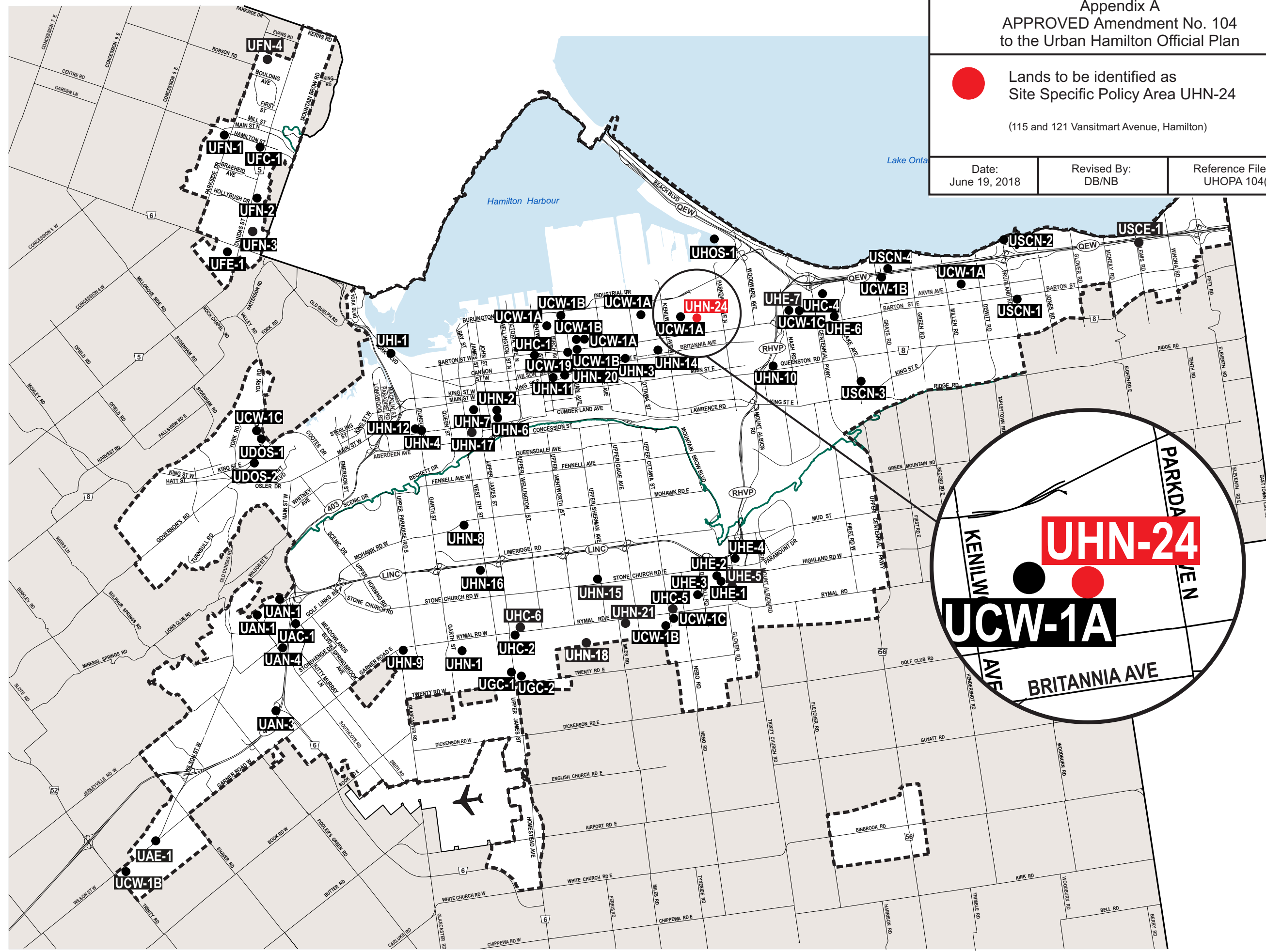
Reference File No.:
 UHOPA 104(H)



Note: For Rural Site Specific Areas, refer to Volume 3: Appendix A of the Rural Hamilton Official Plan.

APPEAL

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal – see illustration on Schedules E and E-1, Volume 1



- Legend**
- Site Specific Areas (SSA)
 - U- Refers to Urban Site Specific Area #, Volume 3, Chapter B
- Other Features**
- Rural Area
 - ✈ John C. Munro Hamilton International Airport
 - Niagara Escarpment
 - - - Urban Boundary
 - Municipal Boundary

Council Adoption: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan
 Volume 3: Map 2
 Urban Site Specific Key Map**



Authority: Item 4, Planning Committee
Report 18-009 (PED18124)
CM: June 13, 2018
Ward: 4

Bill No. 165

CITY OF HAMILTON

BY-LAW NO. 18-

To Amend Zoning By-law No. 6593 (Hamilton) Respecting Land Located at 115 and 121 Vansitmart Avenue (Hamilton)

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

WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Hamilton", and is the successor of the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

WHEREAS the *City of Hamilton Act, 1999* provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

WHEREAS the Council of the Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which By-law was approved by the Ontario Municipal Board by Order, dated the 7th day of December 1951, (File No. P.F.C. 3821);

WHEREAS the Council of the City of Hamilton, in adopting Item 4 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. 6593 (Hamilton), be amended as hereinafter provided;

WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No. .

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No. E63 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton) is amended, by changing 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) on lands the extent and boundaries of which are shown on plan hereto annexed as Schedule "A".

2. “RT-20/S-1762-‘H’” (Block 1)

That the “RT-20” (Townhouse – Maisonette) District provisions as contained in Section 10E of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following requirements:

- a) Notwithstanding Section 10E (2) (a), a maximum of 40 maisonette dwellings shall be permitted.
- b) Section 10E (2) (b), shall not apply.
- c) Notwithstanding Section 10E (3), no building or structure, within the district shall exceed three storeys and no structure other than a building shall exceed 12.6 metres in height.
- d) Notwithstanding Section 10E (4) (a), where a yard abuts a street, a depth of not less than 5.5 metres for the first storey, 4.3 metres for the second and third storey, and not less than 6.0 metres to a garage.
- e) Notwithstanding Section 10E (4) (b), where a yard abuts any other lot, a width or depth of not less than 3.0 metres, except where there are windows to a habitable room facing the yard, the width or depth of such yard shall not be less than 3.0 metres.
- f) Notwithstanding Section 10E (8) (a), a privacy area for each single family dwelling unit is not required to be screened on two sides by means of a screen that is not less than 1.2 metres and not more than 2.0 metres in height, except:
 - i) Between two (2) privacy areas that are setback less than 3.0 metres;
 - ii) On the westerly side of the privacy area for a westerly end unit; and,
 - iii) On the easterly side of the privacy area for a easterly end unit.
- g) Notwithstanding Section 10E (10), there shall be provided and maintained on the same lot and within the “RT-20” District for one or more buildings or structures, an amount not less than 23% of the area of the lot on which the buildings or structures are situated, as landscaped area.
- h) Notwithstanding Section 18A (7), parking spaces other than a parallel parking space shall have dimensions not less than 3.0 metres wide and 6.0 metres long except for visitor parking spaces which shall have dimensions not less than 3.0 metres wide and 5.8 metres long.
- i) Notwithstanding Section 18A (11) (a), not less than 1.25 metres from the adjoining residential district boundary.

- j) Notwithstanding Section 18A (25), where a maisonette dwelling is adjacent to a residential district that does not permit such uses every access driveway to the maisonette dwelling shall be located not less than 1.25 metres from the common boundary between the district in which the maisonette dwelling is located and the district that does not permit such uses, except for the first 8.5 metres from the street line where 0 metres shall be provided.
3. That the 'H' symbol applicable to the lands referred to in Section 2 shall 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.
4. "C/S-1762-'H'" (Block 2)
- That the "C" (Urban Protected Residential, etc.) District provisions as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following requirements:
- a) Notwithstanding Section 9 (4), every lot or tract of land in a "C" District shall have a width of at least 10 metres and an area of at least 329 square metres within the district.
5. That the 'H' symbol applicable to the lands referred to in Section 4 shall 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.
6. "C/S-1762-'H'" (Block 3)
- That the "C" (Urban Protected Residential, etc.) District provisions as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following requirements:
- a) Notwithstanding Section 9 (3) (i), a front yard of a depth of at least 1.0 metre.
- b) Notwithstanding Section 9 (3) (iii), a rear yard of a depth of at least 6.0 metres.
- c) Notwithstanding Section 9 (4), every lot or tract of land in a "C" District shall have a width of at least 9.1 metres and an area of at least 149 square metres within the district.

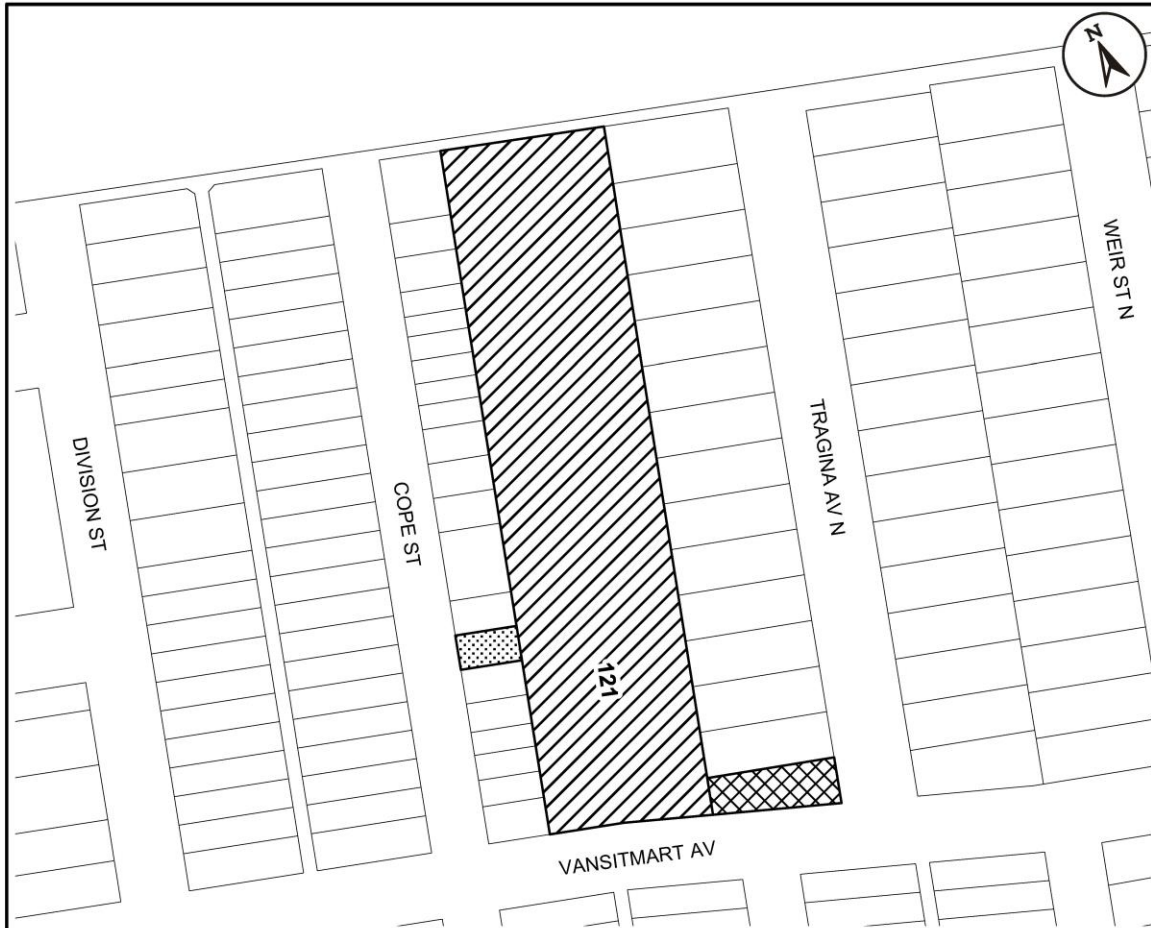
- d) Notwithstanding Section 18 (3) (vi) (d) a roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into a required front yard to a distance not more than 1.0 metres and every such projecting porch shall be distant at least 0.0 metres from the front lot line.
 - e) Notwithstanding Section 18A (1) (a) a minimum of one (1) parking space shall be provided and maintained.
 - f) Notwithstanding Section 18 A (1), manoeuvring space abutting upon and accessory to a parking space shall have a minimum aisle width of 1.0 metres.
7. That the 'H' symbol applicable to the lands referred to in Section 6 shall 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.
8. That By-law No. 6593 (City of Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1762.
9. That Sheet No. E63 of the District maps is amended by making the lands referred to in Section 1 of this By-law as Schedule S-1762.
10. 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 27th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

UHOPA-17-026/ZAC-16-046



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: 10px 0 0 0;">to Amend By-law No. 6593</p>	<p>Subject Property 115 & 121 Vansitmart Avenue, Hamilton</p> <p> Block 1 - Change in Zoning from the "C" (Urban Protected Residential, etc.) District to the "RT-20/S-1762-'H'" (Townhouse - Maisonette) District, Holding, Modified</p> <p> Block 2 - Modification in Zoning from the "C" (Urban Protected Residential, etc.) District to the "C/S-1762-'H'" (Urban Protected Residential, etc.) District, Modified.</p> <p> Block 3 - Modification in Zoning from the "C" (Urban Protected Residential, etc.) District to the "C/S-1762-'H'" (Urban Protected Residential, etc.) District, Modified.</p>
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Scale: N.T.S.	File Name/Number: ZAC-16-046 & UHOPA-17-026	
Date: April 6, 2018	Planner/Technician: DB/VS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 3, Planning Committee
Report 18-009 (PED18114)
CM: June 13, 2018
Ward: 9

Bill No. 166

CITY OF HAMILTON

BY-LAW NO. 18-

To Adopt:

**Official Plan Amendment No. 105 to the
Urban Hamilton Official Plan**

Respecting:

**15 Picardy Drive
(Stoney Creek)**

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 105 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 27th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

DRAFT Urban Hamilton Official Plan Amendment No. 105

The following text, together with Appendix "A", Volume 2 - West Mountain Area (Heritage Green) Secondary Plan – Land Use Plan – Map B.7.6-1, attached hereto, constitutes Official Plan Amendment No. 105 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to amend the West Mountain Area (Heritage Green) Secondary Plan to permit the development of seventy-one (71) Maisonette and Townhouse Dwellings with a density of 59 units per net residential hectare on the subject lands.

2.0 Location:

The lands affected by this Amendment are known municipally as 15 Picardy Drive, in the former City of Stoney Creek.

3.0 Basis:

The basis for permitting this Amendment is as follows:

- The proposed Amendment is in keeping with the policies of the Urban Hamilton Official Plan and West Mountain Area (Heritage Green) Secondary Plan to provide a diversity of housing opportunities that are suitable for different segments of the population in order to make the best use of urban lands.
- The proposed development is considered to be consistent with, and complimentary to, the planned and existing development in the immediate area.
- The proposed development satisfies the characteristics and requirements of the designation, save and except the prescribed residential density range.
- The proposed Amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2017.

4.0 Actual Changes:

4.1 Volume 2 – West Mountain Area (Heritage Green) Secondary Plan

Text

4.1.1 Volume 2 – Chapter 7.0 – Stoney Creek Secondary Plans – Section B.7.6 –West Mountain Area (Heritage Green) Secondary Plan

- a. That Volume 2 – Chapter 7.0 – Stoney Creek Secondary Plans – Section B.7.6 –West Mountain Area (Heritage Green) Secondary Plan is amended by adding a new Site Specific Policy, as follows:

“Site Specific Policy – Area H

7.6.8.24 Notwithstanding Policy 7.6.2.2 b) ii) of Volume 2, for the lands located at 15 Picardy Drive, designated “Low Density Residential 3c”, and identified as “Site Specific Policy – Area H” on Map B.7.6-1 – West Mountain Area (Heritage Green) Secondary Plan – Land Use Plan, the density shall range from 30 to 59 units per net residential hectare.”

Schedules and Appendices

4.1.2 Volume 2, Map B.7.6-1 – West Mountain Area (Heritage Green) Secondary Plan – Land Use Plan

- a. That Volume 2, Map B.7.6-1 – West Mountain Area (Heritage Green) Secondary Plan – Land Use Plan is amended by:
 - i) redesignating a portion of the subject lands from “Low Density Residential 2b” to “Low Density Residential 3c”; and,
 - ii) identifying the subject lands as Site Specific Policy - Area “H”,

as shown on Appendix "A" attached to this Amendment.

5.0 Implementation:

An implementing Zoning By-Law Amendment and Site Plan will give effect to the intended uses on the subject lands.


This Official Plan Amendment is Schedule "1" to By-law No. 18-166 passed on the 27th of June, 2018.

**The
City of Hamilton**

F. Eisenberger
MAYOR

J. Pilon
ACTING CITY CLERK

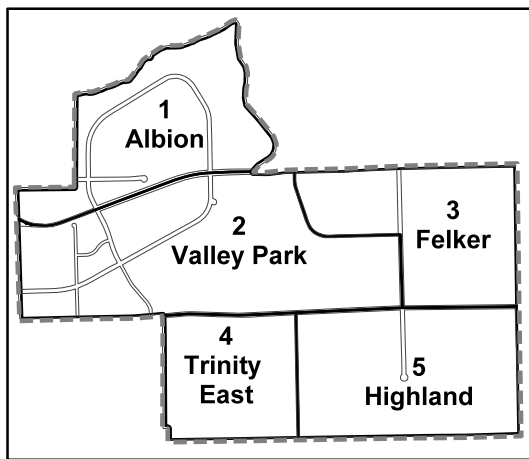
Appendix A
 APPROVED Amendment No. 105
 to the Urban Hamilton Official Plan

 Lands to be redesignated from "Low Density Residential 2b" to "Low Density Residential 3c"
 Lands to be identified as Site Specific Policy Area "H"
 (15 Picardy Drive, Stoney Creek)




Date:
 June 19, 2018





Revised By:
 GZ/NB






Reference File No.:
 UHOPA 105(S)











Legend

- Residential Designations**
-  Low Density Residential 2b
 -  Low Density Residential 3c
 -  Medium Density Residential 3

- Commercial and Mixed Use Designations**
-  Local Commercial
 -  Mixed Use - Medium Density
 -  District Commercial
 -  Arterial Commercial

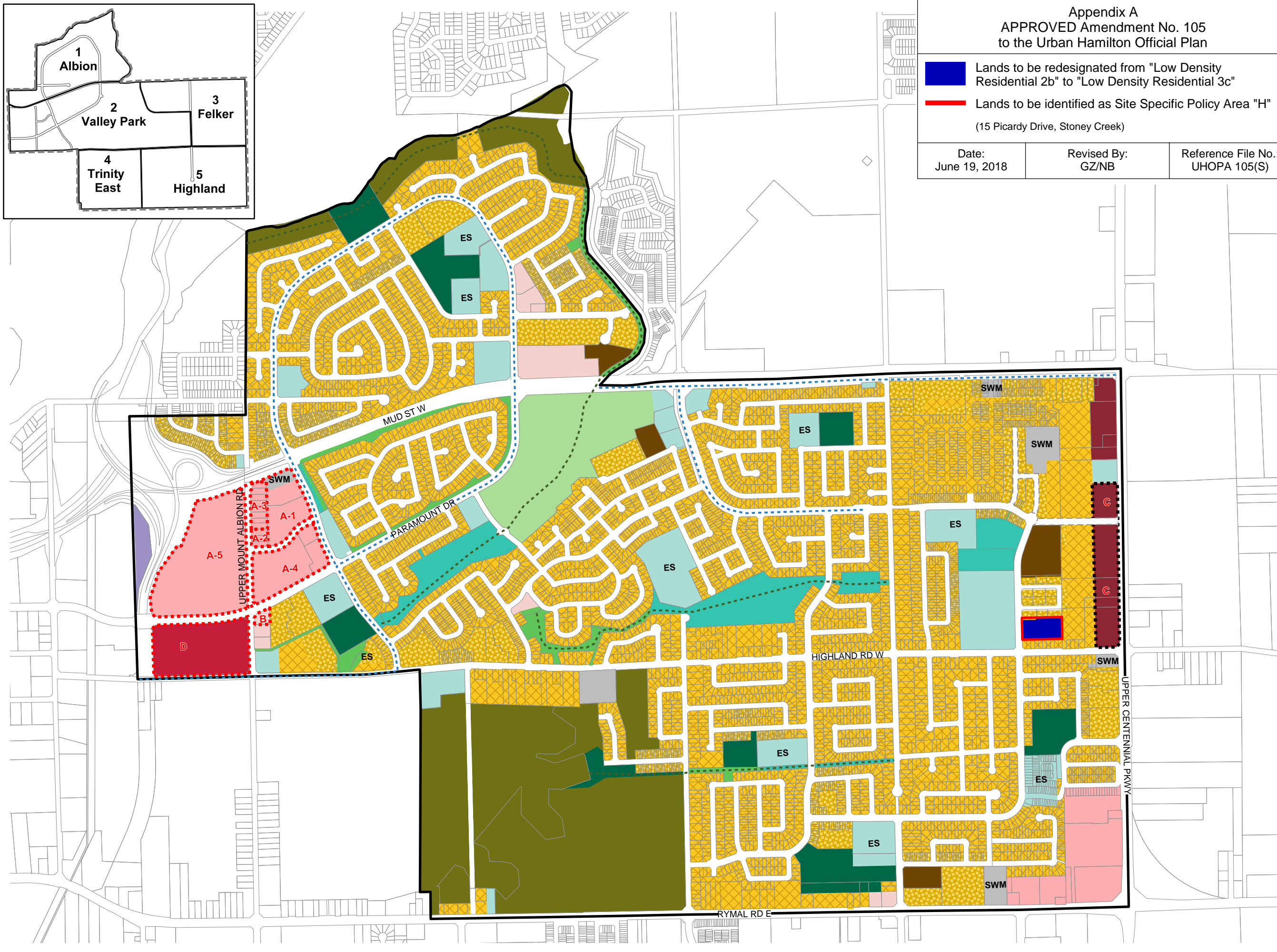
- Parks and Open Space Designations**
-  Neighbourhood Park
 -  Community Park
 -  City Wide Park
 -  General Open Space
 -  Natural Open Space

- Other Designations**
-  Institutional
 - ES** Elementary School
 -  Employment
 -  Utility
 - SWM** Storm Water Management

- Other Features**
-  Area or Site Specific Area
 -  On Street Bikeway
 -  Off Street Bikeway / Walkway
 -  Proposed Roads
 -  Secondary Plan Boundary

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan
West Mountain Area
(Heritage Green)
Secondary Plan
 Land Use Plan
 Map B.7.6-1



Authority: Item 3, Planning Committee
Report 18-009 (PED 18114)
CM: June 13, 2018
Ward: 9

Bill No. 167

CITY OF HAMILTON

BY-LAW NO. 18-

To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 15 Picardy Drive (Stoney Creek)

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

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the *City of Hamilton Act, 1999* provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 3 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. 3692-92 (Stoney Creek), be amended as hereinafter provided; and,

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan upon adoption of UHOPA No.105;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map No. 4 of Schedule “A”, appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended as follows:
 - (a) by changing the zoning from the Neighbourhood Development “ND” Zone to the Multiple Residential (Holding) “RM3-63 (H)” Zone, Modified.
2. That Subsection 6.10.7, “Special Exemptions” of Section 6.10 Multiple Residential “RM3” Zone, of Zoning By-law No. 3692-92, be amended by adding a new Special Exemption, “RM3-63 (H)”, as follows:

RM3 – 63 (H)

Notwithstanding the provisions of Paragraphs 6.10.3 “Zone Regulations for Maisonettes”, Paragraphs (a), (b), (c), (d), (f), (i), (j), (k), (l), (m), 6.10.4 “Zone Regulations for Street Townhouses”, Section 6.9.3 “Zone Regulations” (a), (b), (c), (d), (e), (f), (g), (h), (i), Section 4.10.3 a), b), 4.10.4(a), 4.16.1(a), Section 6.1.8 c) and d), and Section 6.10.5 “Regulations for Parking”, Paragraph (a):

REGULATIONS

(a)	Minimum Lot Area:	<u>Street Townhouses</u>	<u>Maisonettes</u>
	Interior Unit	100 square metres	81 square metres
	Corner Unit	140 square metres	105 square metres
	End Unit	130 square metres	105 square metres
(b)	Minimum Lot Frontage:	<u>Street Townhouses</u>	<u>Maisonettes</u>
	Interior Unit	5.5 metres	6.4 metres
	Corner Unit	7.5 metres	8.25 metres
	End Unit	7.1 metres	8.25 metres
(c)	Minimum Front Yard:	<u>Street Townhouses</u>	<u>Maisonettes</u>
		4.4 metres to the dwelling unit, 3.25 metres to the dwelling for an end unit on a private road and 6.0 metres to the attached garage	4.0 metres to the dwelling unit and 6.0 metres to the attached garage
(d)	Minimum Side Yard:	<u>Street Townhouses</u>	<u>Maisonettes</u>
	End Unit	1.5 metres	1.6 metres
	Corner Unit	1.5 metres	1.5 metres
(f)	Minimum Rear Yard:	6.0 metres	0.0 metres
(i)	Maximum Density:	59 units per net hectare	
(j)	Maximum Building Height:	<u>Street Townhouses</u>	<u>Maisonettes</u>

- | | | |
|--|---|--|
| | 12.25 metres | 12.5 metres |
| (k) Maximum Lot Coverage: | <u>Street Townhouses</u> | <u>Maisonettes</u> |
| | 55% | Shall not apply |
| (l) Minimum Privacy Area: | <u>Street Townhouses</u> | <u>Maisonettes</u> |
| | 34 square metres | 4.0 square metres
to be located on a
balcony or patio in
the front yard |
| (m) Minimum Landscaped
Open Space: | Shall not apply to maisonettes | |
| (n) Minimum Number of
Visitor Parking Spaces: | 26 visitor parking spaces to be
provided | |
| (o) | Notwithstanding Section 4.10.3 a), required parking spaces for 90 degree
perpendicular parking shall have minimum rectangular dimensions of 2.6
metres by 5.5 metres. | |
| (p) | Notwithstanding Section 4.10.4 (a), a minimum of four (4) designated
parking spaces shall be provided with a minimum rectangular dimension
of 2.75 metres and 3.4 metres by 5.5 metres, when adjacent to a 1.5
metre access aisle. | |
| (q) | Notwithstanding Section 4.16.1 (a), unitary equipment may be located not
less than 0.5 metres to any side lot line. | |
| (r) | Notwithstanding Section 6.1.8 c), parking spaces shall be a minimum of
3.1 metres from a dwelling unit. | |
| (s) | Notwithstanding Section 6.1.8 d), parking spaces shall have a width of not
less than 2.6 metres and a length of not less than 5.5 metres and parking
spaces for physically challenged persons all have a width of not less than
2.75 metres and 3.4 metres when adjacent to a 1.5 metre access aisle
and a length of not less than 5.5 metres, exclusive to any land used to
permit ingress or egress to said parking spaces, manoeuvring areas,
driveways or aisles. | |
| (t) | For the purpose of this By-law, a parkette of 618 square metres shall be
provided within the subject development. | |
| (u) | For the purpose of this By-law, maisonettes may front onto a public street. | |

- (v) Notwithstanding any provision to the contrary, prior to the registration of a plan of subdivision or condominium, 28 maisonette units and 43 street townhouse dwelling units, shall be permitted on one parcel of land.
 - (w) For the purpose of this By-law, a Private Common Element Condominium road shall be deemed a street and that landscaping and visitor parking for the dwelling units fronting onto the common element condominium road are permitted within the common element condominium road.
3. Notwithstanding the provisions of Section 3.8 “Holding Zones”, on those lands zoned “RM3-63(H)” of this By-law, 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 dwelling 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.
4. 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 Multiple Residential “RM3” Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.
5. 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 27th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAC-16-033
UHOPA-16-013



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> <h3 style="margin: 0;">Map Forming Part of By-law No. 18-_____</h3> to Amend By-law No. 3692-92	<p>Subject Property 15 Picardy Drive, Stoney Creek</p> <p> Change in Zoning from Neighbourhood Development "ND" Zone to the Multiple Residential Holding "RM3-63(H)" Zone, Modified</p>
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Scale: N.T.S.	File Name/Number: ZAC-16-13 & UHOPA-16-13	
Date: Jan. 31, 2018	Planner/Technician: GZ/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

To Amend Zoning By-law No. 3692-92
Respecting Lands Located at 15 Picardy Drive (Stoney Creek)

Authority: Item 5, Planning Committee
Report 18-010 (PED18123)
CM: June 27, 2018
Ward: 12

Bill No. 168

CITY OF HAMILTON

BY-LAW NO. 18-

To Amend Zoning By-law No. 87-57 Respecting Lands Located at 20 Miller Drive

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

WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” 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 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 the Council of the City of Hamilton, in adopting Item 5 of Report 18-010 of the Planning Committee at its meeting held on the 27th 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. 1-B to Schedule “B”, appended to and forming part of By-law No. 87-57 (Ancaster) is amended by changing the zoning from the Institutional “I” Zone to the Residential “R4-697” Zone, Modified (Block 1), Residential “R4-693” Zone, Modified (Block 2), and Residential “R4-694” Zone, Modified (Block 3) on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. The Section 34: Exceptions, to Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following Sub-Sections:

“R4-693”

REGULATIONS

That notwithstanding the provisions of Subsections 3.81, 12.2, (b), (c), (f), (g), and in addition to the provisions of Subsection 12.2, the following special provisions shall apply to lands zoned "R4-693":

- | | |
|---------------------------|---|
| (a) Maximum Lot Coverage | 40%, except on a corner lot the maximum lot coverage shall be 35%. |
| (b) Minimum Rear Yard | 10.0 metres, except on a corner lot the minimum rear yard shall be 7.5 metres. |
| (c) Maximum Height | 9.5 metres. |
| (d) Location of Balconies | Balconies above the ground floor shall not be permitted in the rear or side yard. |

DEFINITIONS

"Lot Frontage"

Shall mean the length of a straight line connecting the side lot lines measured from points located 7.5 metres from the intersection of the side and front lot lines.

"R4-694"

REGULATIONS

That notwithstanding the provisions of Subsections 3.81, 12.2 (b), (f), (g), and in addition to the provisions of Subsection 12.2, the following special provision shall apply to lands zoned "R4-694":

- | | |
|--------------------------------|---|
| (a) Minimum easterly side yard | 2.0 metres. |
| (b) Maximum Height | 9.5 metres. |
| (c) Location of Balconies | Balconies above the ground floor shall not be permitted in the rear or side yard. |
| (d) Rear Yard | 10.0 metres. |

DEFINITIONS

"Lot Frontage"

Shall mean the length of a straight line connecting the side lot lines measured from points located 7.5 metres from the intersection of the side and front lot lines.

"R4-697"

REGULATIONS

That notwithstanding the provisions of Subsection 12.2 (c) and (g), and in addition to the provisions of Subsection 12.2, the following special provisions shall apply to lands zoned "R4-967":

- | | |
|--------------------------|--|
| (a) Maximum Lot Coverage | 40%, except on a corner lot the maximum lot coverage shall be 35%. |
| (b) Maximum Height | 9.5 metres. |

DEFINITIONS

"Lot Frontage"

Shall mean the length of a straight line connecting the side lot lines measured from points located 7.5 metres from the intersection of the side and front lot lines.

PASSED this 27th day of June, 2018

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAC-16-048
25T-201606



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 20 Miller Drive</p> <ul style="list-style-type: none"> <li style="margin-bottom: 10px;"> Block 1 - Change in zoning from the Institutional "I" to the Residential "R4-697" Zone, Modified <li style="margin-bottom: 10px;"> Block 2 - Change in zoning from the Institutional "I" to the Residential "R4-693" Zone, Modified Block 3 - Change in zoning from the Institutional "I" to the Residential "R4-694" Zone, Modified
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Scale: N.T.S.	File Name/Number: ZAC-16-048 & 25T-201606	
Date: April 27, 2018	Planner/Technician: MS/VS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 3, Planning Committee
Report 18-009 (PED18139)
CM: June 27, 2018
Ward: City Wide

Bill No. 169

CITY OF HAMILTON

BY-LAW NO. 18-

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

WHEREAS By-law No. 01-218 Regulates On-Street Parking;

AND WHEREAS staff recommend that wording be changed to remove the requirement that only residents with Ontario License Plates be granted on-street parking permits;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 10. (1) (a) is deleted and replaced with the following:

10. (1) In this section:

(a) "approved motor vehicle" means:

- (i) a passenger vehicle bearing valid license plates;
- (ii) a motorcycle bearing a valid license plate, and,
- (iii) a van or truck which is defined as a commercial motor vehicle under the Highway Traffic Act, but is registered as a vehicle designated primarily for personal use;

but does not include:

- (i) a commercial motor vehicle for which the permit fee under The Highway Traffic Act is based on the weight of the vehicle and load in excess of 4,500 kilograms; or,
- (ii) a vehicle which exceeds six and four tenths metres (6.4 m) [21 feet] in length; or,
- (iii) a vehicle which is equipped with dual rear wheels; or,
- (iv) a vehicle which is a tow truck; or,

- (v) a vehicle which is a bus, or a bus converted into a mobile home or bus otherwise used for commercial or non-commercial purposes.

2. Section 11. (1) (a) is deleted and replaced with the following:

11. (1) In this section:

- (a) "approved motor vehicle" means:
 - (i) a passenger vehicle bearing valid license plates;
 - (ii) a motorcycle bearing a valid license plate; and,
 - (iii) a van or truck which is defined as a commercial motor vehicle under the Highway Traffic act, but is registered as a vehicle designated primarily for personal use;

but does not include:

- (i) a commercial motor vehicle for which the permit fee under The Highway Traffic Act is based on the weight of the vehicle and load in excess of 4,500 kilograms; or,
- (ii) a vehicle which exceeds six and four tenths metres (6.4m) [21 ft.] in length; or,
- (iii) a vehicle which is equipped with dual rear wheels; or,
- (iii) a vehicle which is a tow truck; or,
- (v) a vehicle which is a bus, or a bus converted into a mobile home or bus otherwise used for commercial or non-commercial purposes;

3. This By-law comes into force when passed.

PASSED this 27th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: February 6, 2001
Ward: 1, 2, 3, 4, 7, 9, 11, 12

Bill No. 170

CITY OF HAMILTON

BY-LAW NO. 18-

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

WHEREAS *Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. By-law No. 01-218, as amended, is hereby further amended by adding/deleting from the identified Schedules and Sections noted in the table below as follows:

Schedule	Section	Highway	Side	Location	Duration	Times	Days	Adding/ Deleting
<i>6 – Time Limit</i>	<i>E</i>	Cathcart St.	West	Wilson St. to Cannon St.	1 Hr	Anytime	Anyday	Adding
<i>6 – Time Limit</i>	<i>E</i>	Hughson St.	East	Robert St. to Barton St.	3 Hr	Anytime	Anyday	Adding
<i>6 – Time Limit</i>	<i>E</i>	Pearl St.	East	Main St. to Jackson St.	1 Hr	Anytime	Anyday	Deleting
<i>6 – Time Limit</i>	<i>E</i>	Pearl St.	East	Main St. to Canada St.	1 Hr	Anytime	Anyday	Adding

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

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
<i>8 – No Parking</i>	<i>E</i>	Hayes	South	Lang to Armstrong	Anytime	Deleting
<i>8 – No Parking</i>	<i>E</i>	Central Ave.	South	London St. to Graham Ave.	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Central Ave.	South	Edgemont St. to Wexford Ave.	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Cathcart	West	Wilson to Cannon	Anytime	Deleting
<i>8 – No Parking</i>	<i>F</i>	Randall Ave.	North	240m east of Centennial Pkwy. to 20m easterly	Anytime	Adding
<i>8 – No Parking</i>	<i>F</i>	Randall Ave.	South	245m east of Centennial Pkwy. to 15m easterly	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Bay	East	from 50.5m south of York to 26.7m southerly	Anytime	Deleting
<i>8 – No Parking</i>	<i>E</i>	Bay St.	East	from 50.5m south of York to 16m southerly	Anytime	Adding
<i>8 – No Parking</i>	<i>A</i>	Greenbriar	Both	Heather Hill to Calder	1:00 a.m. to 8:00 a.m.	Deleting
<i>8 – No Parking</i>	<i>F</i>	Sunnyhurst Ave.	East	Arvin Ave. to northerly end	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Bastille St.	East	30m south of Brigade Dr. to 7m southerly	Anytime	Adding

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

Schedule	Section	Highway	Location	NPA from 8am on the 1st day of each month, to 11pm on 15th day of each month AND Dec-Mar	NPA from 8am on the 16th day of each month to 11 pm on last day of each month Apr-Nov	Adding/Deleting
10 - Alt Side (Apr-Nov)	E	Central Ave.	Graham Ave. to Edgemont St.	South	North	Adding
10 - Alt Side (Apr-Nov)	E	Central Ave.	Wexford Ave. to Kenilworth Ave.	South	North	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/Deleting
12 – Permit	E	Crooks St.	West	38m north of York Blvd. to 6m northerly	Anytime	Adding
12 – Permit	E	Somerset Ave.	South	50m west of Barnesdale Ave. to 6m easterly	Anytime	Adding
12 – Permit	E	Somerset Ave.	North	45m west of Barnesdale Ave. to 6m westerly	Anytime	Adding
12 – Permit	E	Agincourt Ave.	East	67m north of McAnulty Blvd. to 74m northerly	Anytime	Adding
12 – Permit	E	Charlton	South	from 117.4m west of Dundurn to 6.5m westerly	Anytime	Deleting
12 – Permit	E	Tragina	West	from 60.8m south of Dunsmure to 4.8m southerly	Anytime	Deleting
12 – Permit	E	Graham Ave.	West	34m south of Dunsmure Rd. to 6m southerly	Anytime	Adding
12 – Permit	E	Elgin St.	West	70m north of Cannon St. to 6.5m northerly	Anytime	Adding

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

Page 4 of 4

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
<i>14 – Wheelchair LZ</i>	<i>E</i>	Bay St.	East	66m south of York St. to 10m southerly	Anytime	Adding

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 27th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 1, Planning Committee
Report 18-010 (PED12226(a))
CM: June 27, 2018
Ward: City Wide

Bill No. 171

**CITY OF HAMILTON
BY-LAW NO. 18-**

To Amend By-law No. 01-220

Being a By-law to Regulate the Parking of Motor Vehicles on Private and Municipal Property

WHEREAS By-law No. 01-220 regulates parking on private property, including accessible parking;

AND WHEREAS staff recommend that wording be changed to align with Section 102 of the Ontario Municipal Act in order to allow enforcement of accessible spaces on private property without prior permission of the property owner;

AND WHEREAS staff recommend that wording be changed reflect position changes within the Hamilton Municipal Parking System.

AND WHEREAS staff recommend that wording be changed to allow accessible parking permits to be displayed on the dashboard as well as 'sun visor'.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 1 (h) of By-law No. 01-220 is deleted and replaced with the following:

(h) "Manager" means the Manager, Parking enforcement and School Safety for the City of Hamilton and includes his designate and successor;

2. Section 2 (2) of By-law No. 01-220 is deleted and replaced with the following:

(2) Except as provided in subsection 3, no person shall park a motor vehicle on class 1 or class 2 private property without the authority of the owner, and in any case not in a parking space set aside and signed for use by vehicles used for transporting persons with a disability, unless there is an Accessible Parking Permit issued by the Ministry of Transportation Ontario clearly displayed on the driver side dashboard or sun visor which is fully visible from external view.

3. Section 3 (2) of By-law No. 01-220 is deleted and replaced with the following:

(2) No person shall park a motor vehicle on class 3 private property without the authority of the City or Local Board thereof, and in any case, not in a parking space set aside and signed for use by vehicles used for transporting persons with a disability, unless there is an Accessible Parking Permit issued by the Ministry of Transportation Ontario clearly displayed on the driver side dashboard or sun visor which is fully visible from external view.

4. Sections 7 to 15 of By-law No. 01-220 are deleted and replaced with the following:
 7. Notwithstanding sections 5, 6 and 8, no written complaint from the owner or occupant of a class 2 property shall be required for each vehicle parking on class 2 property, applicable to parking in a parking space set aside and signed for use by vehicles used for transporting persons with a disability, not clearly displaying on the dashboard or sun visor on the driver side and fully visible from external view, an Accessible Parking Permit issued by the Ministry of Transportation Ontario to a person with a disability who is driving, or being transported in, the vehicle.
 8. Notwithstanding section 6, no written individual complaint shall be required for each vehicle parking on class 2 property where the owner or occupant provides the Manager with a general written complaint applicable to,
 - (a) vehicles parking on class 2 private property of the owner or occupant that is a vacant lot or a partially vacant lot; or,
 - (b) vehicles parking on class 2 private property of the owner or occupant that is a commercial parking lot which is not part of a residential building or which provides parking to a residential building, save and except that, for the purpose of this section, a women's or men's shelter shall not be deemed a residential building; and,
 - (i) where an approved permit, as issued by the property owner, is not displayed in the lower left hand corner of the front windshield of the subject vehicle, in such a manner as to be entirely in view from the exterior of the vehicle; or
 - (ii) where specific conditions, prohibitions or restrictions respecting parking or stopping are clearly set out on suitable signs posted on the property; or,
 - (c) Vehicles parking on class 2 private property which is an airport; and,
 - (i) where an approved permit, as issued by the airport authority, is not displayed in the lower left hand corner of the front windshield of the subject vehicle, in such a manner as to be entirely in view from the exterior of the vehicle; or

- (ii) where specific conditions, prohibitions or restrictions respecting parking or stopping are clearly set out on suitable signs posted on the property;
- 9. (1) Notwithstanding Sections 5(1)(b) and 12(b), No property owner shall be required to post signs in any area not set aside and improved for the parking of motor vehicles.

(2) Any person parking a vehicle in an area not set aside and improved for the parking of motor vehicles shall, in the absence of evidence to the contrary, be deemed to have parked without authorization or consent.
- 10. Where a vehicle is removed and impounded under any provision of this by-law, the owner of the vehicle shall pay the expense of the removal and impounding of the vehicle and all costs and charges for removing, care and storage of the vehicle, if any, are a lien upon the vehicle which may be enforced in the manner provided by the Repair and Storage Liens Act, R.S.O. 1990, Chapter R.25, as amended.
- 11. (1) The owner of a vehicle that is parked, stopped or left standing in contravention of this by-law is guilty of an offence and is subject to such penalty as is provided for under Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33. (03-344)

(2) Every person who contravenes any provision of this by-law is guilty of an offence and is subject to such penalty as is provided for under Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33. (03-344)

(3) Notwithstanding the provisions of subsections (1) and (2) above, every person, either an owner or other person, who contravenes the provisions of Sections 2(2) and 3(2) of this by-law is guilty of an offence and, on conviction, is liable to a fine of not less than \$300. (03-344)
- 12. An Officer observing a vehicle alleged to be parked on,
 - (a) Class 1 private property contrary to section 2; or
 - (b) Class 2 private property contrary to section 2, provided that a suitable sign has been erected on said property; or
 - (c) Class 3 private property contrary to section 3,may affix a parking infraction notice to the motor vehicle or otherwise issue said parking infraction notice to the person having care and control of said motor vehicle.

13. Any person, upon presentation of the parking infraction notice may, within 7 days pay a penalty out of court in the amount ordered by the Regional Senior Justice as the voluntary early payment respecting the offence alleged upon the face of the parking infraction notice.
14. With respect to suitable signs, every reference to By-law No. 86-88 (Ancaster), By-law No. 2864-76 (Dundas), Sections 10.1, 10.2 and 10.3 of By-law No. 90-31-T (Flamborough), By-law No. 516-95 (Glanbrook), By-law No. 89-75 (Hamilton), and Sections 21 and 22 of By-law No. 4875-99 (Stoney Creek), all as amended, shall be a reference to this By-law.
15. By-law No. 86-88 (Ancaster) passed on the 9th day of June, 1986, By-law No. 2864-76 (Dundas) passed on the 19th day of July, 1976, passed on the 18th day of April, 1990, By-law No. 516-95 (Glanbrook) passed on 16th day of January, 1995, and By-law No. 89-75 (Hamilton) passed on the 28 day of February, 1989, and all subsequent amendments thereto, are hereby repealed on the date whereupon this By-law comes into force and effect.
16. This By-law shall come into force and effect upon the date of issue of an order by the Regional Senior Justice establishing set fines for this by-law.

5. This By-law comes into force when passed.

PASSED this 27th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Motion 7.3
CM: June 27, 2018
Ward: City Wide
Bill No. 172

CITY OF HAMILTON

BY-LAW NO. 18-

To Repeal By-law Nos. 10-055 and 14-336, And To Appoint an Acting City Clerk for the City of Hamilton

WHEREAS subsection 228(1) of the Municipal Act, provides that Council shall appoint a Clerk who shall perform the duties under the said Act, and such other duties as may be assigned by the Council;

AND WHEREAS it is necessary to appoint an Acting City Clerk for the City of Hamilton.

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. Janet Pilon is appointed Acting City Clerk for the City of Hamilton effective June 1, 2018 until such time as a Clerk is appointed by Council.
2. The Acting City Clerk shall perform the duties under all applicable legislation and shall all the powers and carry out the duties of that office under those Acts.
3. By-laws No. 10-055 and 14-336 are hereby repealed.

PASSED this 27th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk