



## City of Hamilton

### CITY COUNCIL REVISED

Wednesday, September 26, 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 The 2018 Monarch Awards

*“for gardens that nature loves, by gardeners who love nature”*

3.2 Knot A Breast Dragon Boat Team

*Placed 1<sup>st</sup> at the 2018 International Breast Cancer Participatory Festival in Florence, Italy*

4. **APPROVAL OF MINUTES OF PREVIOUS MEETING**

4.1 September 12, 2018

## 5. COMMUNICATIONS

- 5.1 Correspondence from the Township of Amaranth to the Right Honourable Justin P.J. Trudeau respecting NAFTA - Dairy Supply Management Program.

Recommendation: Be received.

- 5.2 Correspondence from the Township of South Glengarry respecting petitioning the Province to list Paramedic Services as a full Essential Service.

Recommendation: Be received.

- 5.3 Correspondence from the Honourable Laurie Scott, Minister of Labour in response to the Mayor's letter advocating a revenue neutral scenario for Hamilton's budget in relation to Bill 148.

Recommendation: Be received.

- 5.4 Correspondence from the Honourable Monte McNaughton, Minister of Infrastructure in response to the Mayor's letter of congratulations.

Recommendation: Be received.

- 5.5 Correspondence from the Honourable Laurie Scott, Minister of Labour in response to the Mayor's letter of congratulations.

Recommendation: Be received.

- 5.6 Correspondence from the Honourable Lisa Thompson, Minister of Education in response to the Mayor's letter of congratulations.

Recommendation: Be received.

- 5.7 Correspondence from the Honourable Jim Wilson, Minister of Economic Development, Job Creation and Trade in response to the Mayor's letter of congratulations.

Recommendation: Be received.

- 5.8 Correspondence from the Honourable Bill Morneau, Minister of Finance in response to the Mayor's letter indicating the City of Hamilton's support for the recommendation that the Government of Canada establish a tax credit for the restoration and preservation of buildings listed on the Canadian register of historic places.

Recommendation: Be received.

- 5.9 Correspondence from the Honourable Dr. Merrilee Fullerton, Minister of Training, Colleges and Universities in response to the Mayor's letter of congratulations.

Recommendation: Be received.



- 5.10 Correspondence from the Honourable Caroline Mulroney, Attorney General in response to the Mayor's letter of congratulations.  
Recommendation: Be received.
- 5.11 Correspondence from George Czerny seeking feedback and support for a positive book idea "Kiss the Ground You Walk On, Canada" conveying the message of how we can all be better Canadians.  
Recommendation: Be received.
- 5.12 Correspondence from Professor Marco Impagliazzo, President of the Community of Sant'Egidio promoting November 30th as International Day: "Cities for life/Cities against the death penalty".  
Recommendation: Be received.
- 5.13 Correspondence from Sarah Kovacs, Central Neighbourhood respecting the Barton-Tiffany Film Studio in the Central Neighbourhood.  
Recommendation: Be received and referred to the consideration of Item 26 of the Planning Committee Report 18-014
- 5.14 Correspondence from M. Muska respecting 928 Queenston Road, Stoney Creek.  
Recommendation: Be received and referred to the consideration of Item 18 of the Planning Committee Report 18-014
- 5.15 An Information Update respecting an Update on Planning Committee Activity (City Wide)  
Recommendation: Be received.
- 5.16 Correspondence from the Honourable Sylvia Jones, Minister of Tourism, Culture and Sports in response to the Mayor's letter of congratulations.  
Recommendation: Be received.
- 5.17 Correspondence from Tara Chiarot respecting 567 Scenic Drive.  
Recommendation: Be received and referred to the consideration of Item 15 of the Planning Committee Report 18-014.
- 5.18 Correspondence from Marion Emo, CEO, Hamilton/Burlington SPCA respecting the Hamilton/Burlington SPCA By-law changes.  
Recommendation: Be received and referred to the Office of the City Clerk for consideration during the 2018-2022 Recruitment process.

- \*5.19 Correspondence from the Hamilton Naturalists' Club respecting the Application to Amend Zoning By-law for Lands Located at Binbrook Conservation Area for a proposed zip line adventure park.
- Recommendation: Be received and referred to the consideration of Item 12 of the Planning Committee Report 18-014.
- \*5.20 An information Update respecting William Connell Fieldhouse: Tender C13-34-18 Award (Ward 8) (EFFM1808)
- Recommendation: Be received and referred to the consideration of Item 9 of the Public Works Committee Report 18-012
- \*5.21 An Information Update respecting Growth Potential and Infrastructure Investments in the Waterdown Urban Area.
- Recommendation: Be received and referred to the consideration of Item 32 of the Planning Committee Report 18-014.
- \*5.22 Correspondence from S. J. Creer respecting Voting Against All Cannabis/Marijuana Outlets in Hamilton, Ontario.
- Recommendation: Be received and referred to the consideration of Item 2 of the Planning Committee Report 18-014.
- \*5.23 An Information Update respecting the Dundas J.L. Grightmire Arena.
- Recommendation: Be received.
- \*5.24 Correspondence from Diane Hansebout respecting the Application for Amendment to Zoning By-law 6593 for Lands Located at 567 Scenic Dr. Hamilton (Ward 8) (PED18173).
- Recommendation: Be received and referred to the consideration of Item 15 of the Planning Committee Report 18-014.
- \*5.25 Revised Correspondence from Vitulli Law Group respecting 828 Sanatorium Road, Hamilton, Ontario.
- Recommendation: Be received and referred to the consideration of Item 7.6.

## **6. COMMITTEE REPORTS**

- 6.1 Public Works Committee Report 18-012 - September 17, 2018
- 6.2 Board of Health Report 18-007 - September 17, 2018
- 6.3 Planning Committee Report 18-014 - September 18, 2018
- 6.4 General Issues Committee Report 18-019 - September 19, 2018

6.5 Audit, Finance and Administration Committee Report 18-013 - September 24, 2018

## **7. MOTIONS**

7.1 Amendment to Subsection (a)(i) of Item 3 of Audit, Finance and Administration Committee Report 18-009, respecting Development Charges Stakeholders Sub-Committee Report 18-002

7.2 Licence Agreement Between the City of Hamilton and the Royal Botanical Gardens to Allow for the Installation of Public Art in Churchill Park

7.3 Further Amendment to Item 4 of the General Issues Committee Report 18-015, respecting the Downtown Entertainment Assets Operating Agreements (CM18013) (City Wide) (Item 7.3(b))

7.4 Installation of Temporary Speed Humps along Queen Victoria Drive between Ridley Drive and Quinn Avenue - 1 Year Trial Period (Ward 6)

7.5 Ward 3 Community Grants

7.6 Hamilton Municipal Heritage Committee Report 18-009 (Referred from Planning Committee September 18, 2018 to Council)

## **8. NOTICES OF MOTIONS**

\*8.1 Westdale Secondary School's Natural Turf Project

\*8.2 Purchase of Appliances for Bill Simone Hall (Ward 2)

\*8.3 Installation of a Rear Catch Basin at 99 Rymal Road West, Hamilton

\*8.4 Support for the Expansion and Re-Development of the Hamilton Children's Museum

\*8.5 Support for the Community Services of HARRRP

\*8.6 Capital Investments at 30 Sanford

## **9. STATEMENTS BY MEMBERS**

## **10. PRIVATE AND CONFIDENTIAL**

- 10.1 Amendment to Private & Confidential Item 13 of the General Issues Committee Report 18-015, respecting Report LS12009(d), Expropriation of 55 Queenston Road (City Motor Hotel) - Proposed Partial Settlement (Distributed under separate cover)

Pursuant to Section 8.1, Sub-sections, (e) and (f) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

- 10.2 Potential Donation of Private Lands to City of Hamilton (Distributed under separate cover)

Pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-section (c) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains proposed or pending acquisition or disposition of land for City purposes.

- \*10.3 Potential Litigation Relating to Sewer Damage (LS14035(d)/PW14114(d)) (Wards 10 and 11) (Distributed under separate cover)

Pursuant to Section 8.1, Sub-sections, (e) and (f) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

- \*10.4 Potential Regulatory Litigation (no copy)

Pursuant to Section 8.1, Sub-sections, (e) and (f) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

## 11. BY-LAWS AND CONFIRMING BY-LAW

11.1 274

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

Schedule 2 (Speed Limits)

Schedule 3 (Flashing School Zones – Reduced Speed Limit)

Schedule 8 (No Right Turn)

Schedule 9 (No Right Turn on Red)

Schedule 10 (No Left Turn)

Schedule 12 (No “U” Turns)

Wards: 2, 4, 12, 13, 14, 15

11.2 275

Respecting Removing of Part Lot Control

Lots 32 and 33 within Registered Plan No. 62M-1238 “Waterdown Bay – Phase 2”,  
103 Avanti Crescent and 107 Avanti Crescent

Ward: 15

PLC-18-026

11.3 276

Respecting Removing of Part Lot Control

Lot 77 within Registered Plan No. 62M-1238 “Waterdown Bay – Phase 2”, 4 Mill  
Stone Terrace

Ward: 15

PLC-18-026

11.4 277

Respecting Removing of Part Lot Control

Lots 103, 104 and 107 within Registered Plan No. 62M-1238 “Waterdown Bay –  
Phase 2”, 16 Skinner Road, 22 Skinner Road and 40 Skinner Road

Ward: 15

PLC-18-026

- 11.5 278  
Respecting Removing of Part Lot Control  
Lots 113, 116, 117 and 118 within Registered Plan No. 62M-1238 “Waterdown Bay – Phase 2”, 33 Skinner Road, 15 Skinner Road, 9 Skinner Road and 3 Skinner Road  
Ward: 15  
PLC-18-026
- 11.6 279  
Respecting Removing of Part Lot Control  
Lots 150 and 164 within Registered Plan No. 62M-1238 “Waterdown Bay – Phase 2”, 279 Humphrey Street and 262 Humphrey Street  
Ward: 15  
PLC-18-026
- 11.7 280  
Respecting Removing of Part Lot Control  
Lots 175 and 178 within Registered Plan No. 62M-1238 “Waterdown Bay – Phase 2”, 335 Humphrey Street and 347 Humphrey Street  
Ward: 15  
PLC-18-026
- 11.8 281  
Respecting Removing of Part Lot Control  
Lots 121 to 130 on Registered Plan No. 62M-1238  
Ward: 15  
PLC-18-023
- 11.9 282  
To Designate Land Located at 270 Sherman Avenue North, City of Hamilton (Cotton Factory) as Property of Cultural Heritage Value or Interest  
Ward: 3

- 11.10 283  
To Amend By-law No. 01-215, Being a By-law to Regulate Traffic  
Schedule 5 (Stop Control)  
Schedule 4 (Yield Control)  
Wards: 2, 4, 7, 8, 10, 14, 15
- 11.11 284  
Respecting the Removal of Part Lot Control  
Block 1 and Part of Block 2, Registered Plan No. 62M-1253, Municipally Known as  
1001, 1009 and 1035 Garner Road East (Ancaster)  
Ward: 12  
PLC-17-022
- 11.12 285  
To Impose Watermain and Sanitary Sewer Charges upon owners of land abutting  
Green Mountain Road from First Road West to Morrissey Boulevard, in the City of  
Hamilton
- 11.13 286  
A By-law to authorize the issue of Debentures in the principal amount of  
\$110,820,000 for the purposes of the City of Hamilton herein referred to
- 11.14 287  
To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking:  
Schedule 6 (Time Limit)  
Schedule 8 (No Parking)  
Schedule 12 (Permit Parking)  
Schedule 13 (No Stopping)  
Wards: 1, 2, 3, 7, 9

- 11.15 288  
To Adopt:  
Official Plan Amendment No. 115 to the Urban Hamilton Official Plan  
Respecting:  
49 Walnut Street South (Hamilton)  
Ward: 2
- 11.16 289  
To Amend Zoning By-law No. 05-200, as amended by By-law No. 18-114, Respecting  
Lands Located at 154 Main Street East and 49 Walnut Street South  
Ward: 2  
UHOPA-18-018 / ZAR-17-074
- 11.17 290  
To Adopt:  
Official Plan Amendment No. 117 to the Urban Hamilton Official Plan  
Respecting:  
3331 Homestead Drive (Glanbrook)  
Ward: 11
- 11.18 291  
To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands Located at 3331  
Homestead Drive (Glanbrook)  
Ward: 11  
UHOPA-18-03 / ZAC-18-007
- 11.19 292  
To Adopt:  
Official Plan Amendment No. 114 to the Urban Hamilton Official Plan  
Respecting:  
71 Rebecca Street (Hamilton)  
Ward: 2



- 11.20 293  
To Amend Zoning By-law No. 05-200, Respecting Lands Located at 71 Rebecca Street (Hamilton)  
Ward: 2  
UHOPA-17-023 / ZAC-17-053
- 11.21 294  
To Adopt:  
Official Plan Amendment No. 116 to the Urban Hamilton Official Plan  
Respecting:  
928 Queenston Road (Stoney Creek)  
Ward: 9
- 11.22 295  
To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 928 Queenston Road (Stoney Creek)  
Ward: 9  
UHOPA-17-020 / ZAC-17-049
- 11.23 296  
To Amend Zoning By-law No. 05-200 Respecting Lands Located at 5050 Harrison Road  
Ward: 11  
ZAR-18-023
- 11.24 297  
To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 567 Scenic Drive, Hamilton  
Ward: 8  
ZAC-17-030

- 11.25 298  
To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 50 Green Mountain Road West (Stoney Creek)  
Ward: 9  
ZAC-17-077
- 11.26 299  
To Amend Zoning By-law No. 6593 (Hamilton), Respecting Second Dwelling Units for Certain Lands Bounded by Highway 403, Burlington Street, Red Hill Valley and the Escarpment  
Wards: 1, 2, 3 and 4  
CI 18-F
- 11.27 300  
To Amend The Downtown and Community Renewal Community Improvement Project Area  
Ward: 11
- 11.28 301  
To Amend By-law 17-225, a By-law to Establish a System of Administrative Penalties  
Wards: City Wide
- 11.29 302  
A By-law to Amend By-law 17-225, being a By-law to Establish a System of Administrative Penalties  
Wards: City Wide
- 11.30 303  
To Amend Official Plan Amendment No. 107 (By-law 18-194) to the Urban Hamilton Official Plan  
Respecting:  
56, 74, 78, 90, 96, 100 and 566 Parkside Drive (Flamborough)  
Ward: 15

- 11.31 304  
To Amend By-law No. 18-195, Respecting Lands Located at 56, 74, 78, 90 and 96 Parkside Drive and 546 Highway No. 6 (Flamborough)  
Ward: 15
- 11.32 305  
To Adopt:  
Official Plan Amendment No. 118 to the Urban Hamilton Official Plan  
Respecting:  
41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive, and 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, and, 1239 Barton Street (Stoney Creek)  
Ward: 11
- 11.33 306  
To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235 and 1239 Barton Street  
Ward: 11  
CI-18-I
- 11.34 307  
To Adopt:  
Official Plan Amendment No. 20 to the Rural Hamilton Official Plan  
Respecting:  
19 Highland Road East (Stoney Creek)  
Ward: 9
- 11.35 308  
To Amend Zoning By-law No. 05-200, Respecting Lands Located at 19 Highland Road East (Stoney Creek)  
Ward: 9  
RHOPA-17-024 / ZAC-17-055

11.36 309

To Amend Stoney Creek Zoning By-law 3692-92 (Stoney Creek), Respecting Lands Located at 19 Highland Road East (Stoney Creek)

Ward: 9

RHOPA-17-024 / ZAC-17-055

\*11.37 310

To Amend By-law No. 11-040, To Establish Retention Periods for Records of the City of Hamilton

\*11.38 311

To Permanently Close Public Highways Abutting 423 North Service Road, namely Part of Lot 18, Broken Front Concession, in the Geographic Township of Saltfleet, in the City of Hamilton, designated as Part 6 on Plan 62R-13426 and Parts 1 and 3 on Plan 62R-20211

11.39 312

To Confirm the Proceedings of City Council

## 12. ADJOURNMENT



## CITY COUNCIL MINUTES 18-017

5:00 p.m.

Wednesday, September 12, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

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

**Absent:** R. Pasuta - Personal

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 Richard Palmer the Senior Pastor of Access Community Church to provide the invocation.

<b>APPROVAL OF THE AGENDA</b>
-------------------------------

The Clerk advised of the following changes to the agenda:

### 1. COMMUNICATIONS

- 5.16 Correspondence from MHBC Planning Urban Design & Landscape Architecture respecting Block 2 Servicing Strategy.

Recommendation: Be received and referred to the consideration of Item 12 of the Planning Committee Report 18-013.

- 5.17 Correspondence from the Ministry of Natural Resources and Forestry, Natural Resources Conservation Policy Branch respecting the commenting period on the proposed updated Regional Body Procedures and Compact Council Guidance and Rules from September 10th to October 10, 2018.

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

- 5.18 Correspondence from Krysia Steinberg respecting Columbia College 925 Main St. W. Objection.

Recommendation: Be received and referred to the consideration of Item 3 of the Planning Committee Report 18-013

## 2. NOTICES OF MOTIONS

The following Notices of Motion were added:

- 8.2 Installation of an All-Way Stop at Millgrove Side Road at Cumminsville Drive
- 8.3 Repairs to the Leaking Watermain at 22 Patrick Street
- 8.4 Installation of an All-Way Stop on John Street between Strachan Street
- 8.5 Ward 7 Area Rating Contribution to the Bruce Park Project
- 8.6 Service Signs Repair in Stoney Creek
- 8.7 Concrete pad for transit shelter

## 3. BY-LAWS

The following by-laws were replaced, with two added by-laws:

- 267 To Permanently Close and Sell a Portion of Springbrook Avenue being Blocks 45 to 57 (inclusive) on Plan 62M-1171, Ward: 12
- 268 To Amend Zoning By-law No. 3692-92, as Amended by By-law No. 15-259 Respecting Lands Located at 435 First Road West (Stoney Creek)

The following by-laws were added:

- 270 A By-law to Govern the Proceedings of Council and Committees of Council
- 271 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic Schedule 5 (Stop Control), Ward: 2
- 272 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic Schedule 5 (Stop Control), Ward: 15

### (Farr/A. Johnson)

That the agenda for the September 12, 2018 meeting of Council be approved, as amended.

**CARRIED**

**DECLARATIONS OF INTEREST**

Mayor Eisenberger declared an interest to Item 5.6 and Item 9 of the Planning Committee Report 18-013 respecting the Proposed Changes to the Official Plans and Zoning By-law No. 05-200 relating to Cannabis Growing and Harvesting Facilities, Aquaponics and Greenhouses (PED18194), as his family has an interest in a legal marijuana grow operation.

**APPROVAL OF MINUTES OF PREVIOUS MEETING****4.1 August 17, 2018****(Whitehead/Anderson)**

That the Minutes of the August 17, 2018 meeting of Council be approved, as presented.

**CARRIED****COMMUNICATIONS****(Whitehead/Anderson)**

That Council Communications 5.1 to 5.18 be approved, ***as amended*** as follows:

- 5.1 Correspondence from Les F. Jagodich respecting noise adjacent to Highway 403 in Hamilton.

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

- 5.2 Correspondence from Werner Plessl, Executive Director, Hamilton Waterfront Trust respecting the December 31, 2017 Audited Financial Statements.

Recommendation: Be received.

- 5.3 Correspondence from the Federation of Canadian Municipalities advising the City of Hamilton of the adoption of the resolution respecting Canadian Municipalities Supporting Local Economies in International Trade on June 2, 2018 at their Annual Conference.

Recommendation: Be received ***and referred to the Community Benefits Protocol Advisory Committee at a meeting to be scheduled prior to the September 26, 2018 Council meeting.***

- 5.4 Correspondence from the Town of Aurora to the Honourable Doug Ford, Premier of Ontario in support of Greenbelt protection.

Recommendation: Be received.

- 5.5 Correspondence from the Town of Oakville to the Honourable Caroline Mulroney, Attorney General urging the Province to limit and regulate the display and distribution of posters, signs and leaflets that contain disturbing images.

Recommendation: Be received **and referred to Legal Services for appropriate action.**

- 5.6 Correspondence from IBI Group respecting the Proposed Changes to the Official Plans and Zoning By-law No. 05-200 relating to Cannabis Growing and Harvesting Facilities, Aquaponics and Greenhouses (PED18194) (Item 6.9), Planning Committee Meeting 18-013.

Recommendation: **Be received.**

- 5.7 Correspondence from Urban Solutions respecting the Official Plan Amendment Application No. UHOPA-17-023, Zoning By-law Amendment Application No. ZAC-17-053, 71 Rebecca Street, Hamilton.

Recommendation: Be received and referred to the consideration of Item 8 of the Planning Committee Report 18-013.

- 5.8 Correspondence from Karl Stensson representing Sheridan Nurseries respecting the proposed change to the Dunington-Grubb Gardens at Gage Park an historical garden for the installation of a Firefighters Memorial.

Recommendation: **Be received.**

- 5.9 Correspondence from the Honourable Todd Smith, Minister of Government and Consumer Services in response to the Mayor's letter respecting the Payday Loans Act, 2008 and gift cards.

Recommendation: Be received.

- 5.10 Correspondence from Art Drysdale respecting the proposed change to the Dunington-Grubb Gardens at Gage Park for a Firefighters Memorial.

Recommendation: Be received.

- 5.11 Correspondence from Raymond Wilson respecting the Application for Approval of the Draft Plan of Condominium (Common Element) for Lands Located at 961 and 989 Garner Road East (Ancaster) PED18189.

Recommendation: Be received and referred to the consideration of Item 2 of the Planning Committee Report 18-013.



- 5.12 Correspondence from Jon Pegg, Chief of Emergency Management, Ministry of Community Safety and Correctional Services respecting the City of Hamilton's compliance with the Emergency Management and Civil Protection Act (EMCPA) in 2017.

Recommendation: Be received.

- 5.13 Correspondence from Renate Manthei respecting 925 Main Street West and 150 Longwood Road.

Recommendation: Be received and referred to the consideration of Item 3 of the Planning Committee Report 18-013.

- 5.14 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing in response to the Mayor's letter respecting an item identified by the City of Hamilton's Advisory Committee for Persons with Disabilities with respect to the Ontario Building Code.

Recommendation: Be received and referred to the Advisory Committee for Persons with Disabilities for information.

- 5.15 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing in response to the Mayor's letter respecting the City of Hamilton's experience with the Community Homelessness Prevention Initiative (CHPI).

Recommendation: Be received and referred to the General Manager of Healthy and Safe Communities Department for appropriate action.

- 5.16 Correspondence from MHBC Planning Urban Design & Landscape Architecture respecting Block 2 Servicing Strategy.

Recommendation: Be received and referred to the consideration of Item 12 of the Planning Committee Report 18-013.

- 5.17 Correspondence from the Ministry of Natural Resources and Forestry, Natural Resources Conservation Policy Branch respecting the commenting period on the proposed updated Regional Body Procedures and Compact Council Guidance and Rules from September 10th to October 10, 2018.

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

- 5.18 Correspondence from Krysia Steinberg respecting Columbia College 925 Main St. W. Objection.

Recommendation: Be received and referred to the consideration of Item 3 of the Planning Committee Report 18-013.

**CARRIED**

Councillor Conley wished to be recorded as OPPOSED to the disposition of Item 5.6.

**(VanderBeek/Partridge)**

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

**CARRIED**

<b>PLANNING COMMITTEE REPORT 18-013</b>
---

- 2. Application for Approval of a Draft Plan of Condominium (Common Element) for Lands Located at 961 and 989 Garner Road East (Ancaster) (PED18189) (Ward 12) (Item 6.1)**

**(A. Johnson/Farr)**

That subsection (b) of Item 2 of Planning Committee Report 18-013 respecting Application for Approval of a Draft Plan of Condominium (Common Element) for Lands Located at 961 and 989 Garner Road East (Ancaster) (PED18189) be deleted in its entirety and the following be inserting therein:

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

**(b) *That the public submissions received regarding this matter did not affect the decision.***

The amended Item 2 to read as follows:

- (a) That Draft Plan of Condominium Application 25CDM-201706, by A.J. Clarke & Associates Inc., on behalf of Marz Homes (Garner) Inc., owner, to establish a Draft Plan of Condominium (Common Element) to create a condominium road network, sidewalks and pedestrian pathway, landscaped areas, 56 visitor parking spaces, and centralized mailboxes, on lands located at 961 and 989 Garner Road East (Ancaster), as shown on Appendix “A”, attached to Report PED18189, be APPROVED subject to the following conditions:
- (i) That the approval for Draft Plan of Condominium (Common Element) Application 25CDM-201706 applies to the plan prepared by A.J. Clarke & Associates, Ltd., certified by B. J. Clarke, and dated October 13, 2017, consisting of a condominium road network, sidewalks and pedestrian pathway, landscaped areas, 56 visitor parking spaces, and centralized mailboxes, in favour of 38 maisonette and 73 townhouse dwelling units, attached as Appendix “B” to Report PED18189;

- (ii) That the conditions of Draft Plan of Condominium Approval 25CDM-201706, attached as Appendix "C" to Report PED18189, be received and endorsed by City Council;

**(b) *That the public submissions received regarding this matter did not affect the decision.***

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

**3. Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 6593 for Lands Located at 925 Main Street West and 150 Longwood Road South (PED18199) (Ward 1)**

Councillors A. Johnson, Green and B. Johnson indicated that they wished to be recorded as OPPOSED to this item.

**9. Proposed Changes to the Official Plans and Zoning By-law No. 05-200 Relating to Cannabis Growing and Harvesting Facilities, Aquaponics and Greenhouses (CI-18-H) (PED18194) (City Wide)**

**(B. Johnson/Farr)**

That the REVISED DRAFT By-law attached as Appendix "B" to Item 9(c)(i) to Planning Committee Report 18-013 be amended to ensure consistent and appropriate setbacks between urban and rural zones by:

**(a) *deleting Subsections 9.2.3 l) iii), 9.3.3 s) iii), 9.10.3 m) iii) and 9.11.3 o) iii) and replacing them with the following amended clause:***

**(iii) *Notwithstanding Section 4.12 c), any building or structure used for a Cannabis Growing and Harvesting Facility shall be setback a minimum of 150 metres from:***

**a) *any portion of a lot line abutting a Residential, Institutional or Commercial and Mixed Use Zone; and,***

**b) *any residential dwelling unit existing at the date of the passing of the by-law, any building used for farm labour residence, mobile home, educational establishment, residential care facility, place of worship, or day care or park in a Rural Classification Zone."***

**(b) *deleting Subsections and 12.1.3.1 m) iv) 1) and 12.2.3.1 m) iv) 1) and replacing them with the following amended clause:***

**1. *any portion of a lot line abutting Residential, Institutional Commercial and Mixed Use Zones, Settlement Residential (S1), Settlement Commercial (S2) or Settlement Institutional (S3) Zone; or;"***

- (c) *That as the above changes to the Zoning By-law are minor in nature, that Council determines that no further notice is required prior to the passing of the proposed By-law, as amended, pursuant to Section (34)17 of the Planning Act.*

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

12. **Amendment to Item 12, of the Planning Committee Report 18-013, respecting Report PED18203, Fruitland-Winona Secondary Plan – Block 2 Servicing Strategy Completion**

**(A. Johnson/Farr)**

WHEREAS, staff have completed the Block 2 Servicing Strategy, as directed by the Fruitland-Winona Secondary Plan policies: 7.4.14, 7.4.14.1 a, b, f, g, h, i, j (i) –(ii), j (iv) - (xiv), o, q, r, s, 7.4.16, 7.4.16.1;

WHEREAS, staff have generally followed the Municipal Engineers Association’s Municipal Class Environmental Assessment document (October 2000, as amended in 2007, 2011 and 2015) to fulfill the process of consultation with affected land owners requirement, as directed to by the Fruitland-Winona Secondary Plan Section 7.4.14.1 -i;

THEREFORE, BE IT RESOLVED:

That Item 12, of the Planning Committee Report 18-013, respecting Report PED18203, Fruitland-Winona Secondary Plan – Block 2 Servicing Strategy Completion, be amended by deleting the words “That Report PED18203 respecting Fruitland-Winona Secondary Plan – Block 2 Servicing Strategy Completion (Block 2), be received” and replacing them with new sub-sections (a) and (b), to read as follows:

12. **Fruitland Winona Secondary Plan – Block Servicing Strategy Completion (Block 2) (PED18203) (Ward 11) (Item 8.2)**

~~That Report PED18203 respecting Fruitland-Winona Secondary Plan – Block 2 Servicing Strategy Completion (Block 2), be received.~~

- (a) *That staff be directed to use the Block 2 Servicing Strategy for Fruitland-Winona Secondary Plan Lands Final Report, July 31, 2018, as a basis for reviewing and approving all development applications within the Block 2 Servicing Strategy area; and,*

- (b) *That the Senior Director, Growth Management, or their designate, be directed to use their discretion in applying the Block 2 Servicing Strategy for the Fruitland-Winona Secondary Plan Lands Final Report, July 31, 2018 to individual developments by making any necessary minor modifications to the Block 2 Servicing Strategy provided that the intent of the Block 2 Servicing Strategy is maintained.*

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

- 15. **Appeal to the Local Planning Appeal Tribunal (LPAT) on the City of Hamilton’s Refusal or Neglect to Adopt an Amendment to the Town of Ancaster Zoning By-law No. 87-57, for Lands Located at 941 Old Mohawk Road (Ancaster) (Ward 12) (LS18004/PED18052) (Item 12.1)**

**(A. Johnson/Farr)**

That the confidential amendments to the recommendations respecting the Appeal to the Local Planning Appeal Tribunal (LPAT) on the City of Hamilton’s Refusal or Neglect to Adopt an Amendment to the Town of Ancaster Zoning By-law No. 87-57, for Lands Located at 941 Old Mohawk Road (Ancaster) (Ward 12) (LS18004/PED18052), be approved, as presented.

**Amendment Carried**

**(Ferguson/B. Johnson)**

That the recommendation of Item 15 of Planning Committee Report 18-013 be deleted in it’s entirety and the following be inserted therein:

~~That the recommendations of Report LS18004/PED18052 respecting Appeal to the Local Planning Appeal Tribunal (LPAT) on the City of Hamilton’s Refusal or Neglect to Adopt an Amendment to the Town of Ancaster Zoning By-law No. 87-57, for Lands Located at 941 Old Mohawk Road (Ancaster) be approved and remain confidential pending Council’s approval.~~

- (a) *That the recommendations of Report LS18004/PED18052 remain confidential until approval by the Local Planning Appeal Tribunal (LPAT); and*
- (b) *That the remainder of Report LS18004/PED18052 and its appendices remain confidential.*

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

**(A. Johnson/Farr)**

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

**CARRIED**

## GENERAL ISSUES COMMITTEE REPORT 18-017

**(Eisenberger/Partridge)**

That sub-sections (a) and (b) to Item 8 of the General Issues Committee Report 18-017, being Report PED18187, respecting the Transfer of Responsibilities and FTEs, Major Project Delivery, be deleted in their entirety and replaced with the following in lieu thereof:

**8. Transfer of Responsibilities and FTEs, Major Project Delivery (PED18187) (City Wide) (Item 8.7)**

~~(a) That the recommendation, outlined in Appendix "A" to Report PED18187, respecting Transfer of Responsibilities and FTE, Major Project Delivery, be approved; and,~~

~~(b) That the recommendation, outlined in Appendix "A" to Report PED18187, respecting Transfer of Responsibilities and FTE, Major Project Delivery, remain confidential until approved by Council.~~

**(a) That the transfer of 1 FTE from the Revenue Generation Section in the City Manager's Office, to the Real Estate Section in the Planning and Economic Development Department, be approved; and,**

**(b) That the transfer of 1 FTE from the Housing Services Section in Healthy and Safe Communities, to the Real Estate Section in the Planning and Economic Development Department, be approved.**

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

**(Eisenberger/Partridge)**

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

**CARRIED**

## AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 18-012

**9. Dundas Community Services – Community Outreach Base Budget Increase Request – City Enrichment Fund (CS F-8)**

**(VanderBeek/Ferguson)**

WHEREAS, at its meeting of May 9, 2018, Council approved Item 12 of the Audit, Finance and Administration Committee Report 18-006, which amended Appendix "A" to Report GRA18003, being the 2018 City Enrichment Funding Recommendations:

**12. Grants Sub-Committee Report 18-002 - April 20, 2018 (Item 8.4)**

**(a) 2018 City Enrichment Funding Recommendations (GRA18003) (City Wide) (Item 4.1)**

- (i) That the 2018 City Enrichment Fund recommended funding allocation, in the amount of **\$6,196,732**, as outlined in the attached Appendix “A”, as **further** amended, to Report GRA18003, be approved;

WHEREAS, part of the Council approved amendment to Appendix “A” to Report GRA18003, respecting the 2018 City Enrichment Funding Recommendations, was an increase of the recommended 2018 City Enrichment Fund grant for the Dundas Community Services – Community Outreach by \$329, from \$10,770 to \$11,099, with the \$329 to be funded from the Grant Reserve #112230 for 2018;

WHEREAS, in order to have the annual base budget for the Dundas Community Services – Community Outreach increased by \$329, from \$10,770 to \$11,099, for 2019 and onward, the matter needs to be referred to the 2019 Operating Budget Process (GIC) for consideration with the previous City Enrichment Fund enhancement requests;

THEREFORE, BE IT RESOLVED:

That Item 9 to the Audit, Finance & Administration Committee Report 18-006, be by deleting the words “That the following motion be referred to the Grants Sub-Committee” to read as follows”:

~~That the following motion be referred to the Grants Sub-Committee:~~

That an enhancement of an additional \$329 for the Dundas Community Services – Community Outreach (CS F-8) base budget, be referred to the 2019 Operating Budget process (GIC) for consideration.

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

**10. Commercial Relationship Between the City of Hamilton and APM Construction Services Inc. (LS18037 / FCS18026) (City Wide) (Item 12.2)**

**(VanderBeek/Ferguson)**

That the recommendation (c) of Item 10 of Audit, Finance and Administration Committee Report 18-012 respecting Commercial Relationship Between City of Hamilton and APM Construction Services Inc. (LS18037 / FCS18026) be deleted in its entirety and the following be inserted therein:

~~(c) That recommendations (a) and (b) be released publicly following approval by Council; and~~

- (a) That due to the impairment of the commercial relationship between the City of Hamilton and APM Construction Services Inc. (“APM”) that has resulted from litigation, staff be directed to reject any current and future bids, proposals or quotations received from APM or any of its related corporate or individual entities, until and including August 27, 2023;

- (b) That the City of Hamilton not enter into any contract with APM Construction Services Inc., or any of its related corporate or individual entities until and including August 27, 2023;

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

**(VanderBeek/Ferguson)**

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

**CARRIED**

**HEALTHY AND SAFE COMMUNITIES COMMITTEE REPORT 18-009**

**(Merulla/Collins)**

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

**CARRIED**

**(VanderBeek/Partridge)**

That Section 5.6(2) of the City’s Procedural By-law 14-300, which provides that a minimum of 48 hours shall pass before a Standing Committee Report is presented to Council, be waived in order to consider the Special General Issues Committee (AODA) Report 18-018, dated Tuesday, September 11, 2018.

**CARRIED**

**SPECIAL GENERAL ISSUES COMMITTEE (AODA) REPORT 18-018**

**(Eisenberger/Partridge)**

That the EIGHTEENTH Report of the Special General Issues Committee (AODA) be adopted, as presented, and the information section received.

**CARRIED**

**(VanderBeek/Partridge)**

That Committee Rise and Report.

**CARRIED**

**MOTIONS**

- 7.1 **Amendment to Appendix “D” of Item 12 of the Audit, Finance & Administration Committee Report 18-006 (Grants Sub-Committee Report 18-002, respecting Report GRA18003, 2018 City Enrichment Funding Recommendations)**

**(B. Johnson/Green)**

That, in order to allow for the approved grants to be paid to the applicants, Appendix “D” to Item 12 of the Audit, Finance & Administration Committee Report 18-006 (Grants Sub-Committee Report 18-002, respecting Report GRA18003, 2018 City Enrichment Funding Recommendations), which was approved by Council on May 9,



2018, be amended by deleting the incorrect organization names provided by the applicants, and replacing them with the correct organization names, to read as follows:

- (a) ART B-9 ~~Renaissance Music~~  
**Ontario Public Interest Research Group McMaster**
- (b) ART D-2 ~~Double Pendulum Performance (Yellow Wallpaper)~~  
**James Ruxton**
- (c) ART D-10 ~~Gillian Nicola~~  
**Gillian Nicola Alexander**
- (d) ART D-11 ~~Industry (Industry Performance Makers)~~  
**Anna Chatterton**

**CARRIED**

**7.2 Amendment to subsections (d), (e) and (f) to Item 15 of the General Issues Committee Report 18-007, respecting Report PW18021/FCS18024 - 50 Main Street East Finance Update**

**(Whitehead/Anderson)**

- (a) That subsections (d), (e) and (f) to Item 15 of the General Issues Committee Report 18-007, respecting Report PW18021/FCS18024 - 50 Main Street East Finance Update, which was approved by Council on March 28, 2018, be amended by deleting “(b)” and replacing it with “(c)”, to read as follows:
  - (d) That the General Manager, Finance and Corporate Services, be authorized to engage all required professional services to implement subsection ~~(b)~~ **(c)**, including but not limited to, external legal counsel and fiscal agents;
  - (e) That the General Manager, Finance and Corporate Services, Mayor and City Clerk are each authorized and directed to enter into and / or execute, on behalf of the City of Hamilton, all agreements and necessary ancillary documents requiring their respective signatures to implement subsection ~~(b)~~ **(c)**, in a form satisfactory to the City Solicitor;
  - (f) That all necessary By-Law(s) be passed to authorize the debenture issue(s) negotiated and placed in accordance with subsection ~~(b)~~ **(c)**;
- (b) That subsections (e) and (f) to Item 15 of the General Issues Committee Report 18-007, respecting Report PW18021/FCS18024 - 50 Main Street East Finance Update, which was approved by Council on March 28, 2018, be further amended by adding the words “**and (d)**”, to read as follows:

- (e) That the General Manager, Finance and Corporate Services, Mayor and City Clerk are each authorized and directed to enter into and / or execute, on behalf of the City of Hamilton, all agreements and necessary ancillary documents requiring their respective signatures to implement subsections (c) **and (d)**, in a form satisfactory to the City Solicitor;
- (f) That all necessary By-Law(s) be passed to authorize the debenture issue(s) negotiated and placed in accordance with subsections (c) **and (d)**;
- (c) That subsection (d) to Item 15 of the General Issues Committee Report 18-007, respecting Report PW18021/FCS18024 - 50 Main Street East Finance Update, which was approved by Council on March 28, 2018, be further amended by adding the words “, **and Infrastructure Ontario’s Loan Program**” after the words “fiscal agents”, to read as follows:
  - (d) That the General Manager, Finance and Corporate Services, be authorized to engage all required professional services to implement subsection (c), including but not limited to, external legal counsel and fiscal agents, **and Infrastructure Ontario’s Loan Program**.

The Main Motion, as amended, to read as follows:

**15. 50 Main Street East Finance Update (PW18021/FCS18024) (City Wide) (Item 8.6)**

- (a) That the additional project budget, as described the attached Appendix “E” to Report 18-007, in the amount of \$1.438M, be debt financed and funded from lease savings;
- (b) That the revised funding for the \$37,237,998 overall project budget at 50 Main Street East (3541441401), be approved as follows:
  - (i) \$17,480,000 Original Construction – Debt funded from additional Net POA Revenues – Debt charge of \$1.575M; 15 years, amortized at 4% interest rate;
  - (ii) \$10,000,000 Original Construction – Debt funded through levy of \$7.7 M and Development Charges (DC) of \$2.3M;
  - (iii) \$4,900,000 Hamilton Community Energy Infrastructure – Debt funded through levy – Debt charge of \$440K; 15 years, amortized at 4% interest rate;
  - (iv) \$349,998 Capital Budget Increase Work-in-Progress (WIP) Appropriations (December 2017);

- (v) \$500,000 Window Insulation funded from Red Light Camera Reserve;
  - (vi) \$1,000,000 Tenant Fit-ups – Funded from 50 Main Street East Facility Capital Reserve;
  - (vii) \$1,570,000 Tenant Fit-ups – Debt funded from lease savings – Debt charge of \$150K; 15 years, amortized at 4% interest rate; and,
  - (viii) \$1,438,000 Capital Budget Increase – Debt funded from additional lease savings – Debt charge of \$130K; 15 years, amortized at 4% interest rate;
- (c) That the General Manager, Finance and Corporate Services, be authorized to negotiate the terms and placement of a debenture issue(s), and / or private placement debenture issue(s), and / or bank loan agreement and debenture issue(s), and / or variable interest rate bank loan agreement and debenture issue(s), in an amount not to exceed \$35,388,000 Canadian currency related to 50 Main Street East included in Report PW18021/FCS18024, which includes \$2,300,000 in Development Charges Tax Supported debt;
- (d) That the General Manager, Finance and Corporate Services, be authorized to engage all required professional services to implement subsection **(c)**, including but not limited to, external legal counsel and fiscal agents, **and Infrastructure Ontario's Loan Program**.
- (e) That the General Manager, Finance and Corporate Services, Mayor and City Clerk are each authorized and directed to enter into and / or execute, on behalf of the City of Hamilton, all agreements and necessary ancillary documents requiring their respective signatures to implement subsections **(c) and (d)**, in a form satisfactory to the City Solicitor;
- (f) That all necessary By-Law(s) be passed to authorize the debenture issue(s) negotiated and placed in accordance with subsections **(c) and (d)**;
- (g) That pursuant to the City's Procurement Policy By-law (Policy #11 – Non-Competitive Procurements), a single source procurement for the additional budget requirements for 50 Main Street East, Hamilton, be awarded to the Construction Manager currently onsite, Eastern Construction Company Limited, to be added to the Purchase Order to complete contract C11-15-15; and,

- (h) That the General Manager of Public Works be authorized to negotiate, enter into and execute all required documentation to give effect thereto with Eastern Construction Company Limited, in a form satisfactory to the City Solicitor.

**CARRIED**

**7.3 Item 3 of the School Board Properties Sub-Committee Report 18-001, August 29, 2018 (Referred to Council by GIC at its meeting of September 5, 2018)**

**(Anderson/Jackson)**

**Hamilton-Wentworth District School Board Property at 4 Vickers Road, Hamilton (PED18208) (Ward 7) (Item 8.3) (attached hereto as Appendix "A")**

- (a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 4 Vickers Road, as shown on Appendix "E" to School Board Properties Sub-Committee Report 18-001; and,
- (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) of the City of Hamilton's site development requirements as identified in Appendix "F" to School Board Properties Sub-Committee Report 18-001.

**(Anderson/Jackson)**

That Item 3 of the School Board Properties Sub-Committee Report 18-001, August 29, 2018, be amended by deleting sub-section (a) in its entirety and replacing with the following in lieu thereof:

- ~~(a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 4 Vickers Road, as shown on Appendix "E" to School Board Properties Sub-Committee Report 18-001; and,~~
- (a) *That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton may have an interest and is exploring the extent to what its interest might be in acquiring its property located at 4 Vicker Road, as shown on Appendix "A" attached to Report PED18208; and,***

To read as follows:

**Item 3 of the School Board Properties Sub-Committee Report 18-001, August 29, 2018 (Referred to Council by GIC at its meeting of September 5, 2018)**

**3. Hamilton-Wentworth District School Board Property at 4 Vickers Road, Hamilton (PED18208) (Ward 7) (Item 8.3) (attached hereto)**

**(a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton may have an interest and is exploring the extent to what its interest might be in acquiring its property located at 4 Vicker Road, as shown on Appendix "A" attached to Report PED18208; and,**

**(b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) of the City of Hamilton's site development requirements as identified in Appendix "F" to School Board Properties Sub-Committee Report 18-001.**

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

**7.4 Feasibility of Joining a Sidewalk from the Mount Hope Urban Boundary to the John C. Munro International Airport Lands**

**(B. Johnson/Pearson)**

That Public Works staff be directed to review the feasibility of joining a sidewalk from the Mount Hope Urban Boundary to the John C. Munro International Airport lands, and report back to the Public Works Committee.

**CARRIED**

**7.5 Request for Review of Decision of the Local Planning Appeal Tribunal in Case No. PL171270 for a Zoning By-law Amendment for Lands Located at 952-954 Concession Street (Ward 6)**

**(Jackson/Anderson)**

WHEREAS in a decision dated August 16, 2018, the Local Planning Appeal Tribunal granted the appeal of Sammani 786 Inc. from the failure of Council to make a decision on its application for an amendment to City of Hamilton Zoning By-law 6593 to permit the renovation of an existing commercial building to accommodate a veterinary practice on the ground floor and to construct a second storey for three new residential apartment units;

WHEREAS at its meeting on November 22, 2017, City Council approved a direction to Legal staff to oppose Sammani 786 Inc.'s appeal before the Local Planning Appeal Tribunal;

WHEREAS the City appeared at the Local Planning Appeal Tribunal hearing in opposition to the applicant; and

WHEREAS Section 35 of the *Local Planning Tribunal Act, 2017*, S.O. 2017, c.23, Sched. 1, states the Local Planning Appeal Tribunal may review, rescind, or vary any decision or order made by it in according with Tribunal's rules;

THEREFORE BE IT RESOLVED:

- (a) That City staff proceed with filing a request to review the decision of the Local Planning Appeal Tribunal in this matter under Section 35 of the *Local Planning Appeal Tribunal Act, 2017*;
- (b) That the City Solicitor be directed and authorized to take any steps necessary to make the request for review, including submissions to and appearing before the Local Planning Appeal Tribunal, requesting a 'stay' of the Site Plan Process; and
- (c) That the City Solicitor be authorized to retain such External Consultants as may be necessary to provide expert advice and evidence to the Local Planning Appeal Tribunal respecting the request for review and any subsequent rehearing, and the amount required to retain any such external consultants be funded through the Tax Stabilization Reserve, account 110046.

**CARRIED**

**7.6 Reconsideration of Item 9 of the Audit, Finance & Administration Committee Report 18-011, respecting Report HSC18040, Development Charge Exemption Request from Trillium Housing**

**(Collins/Pearson)**

WHEREAS, at its meeting of August 17, 2018, Council approved Item 9 of the Audit, Finance & Administration Committee Report 18-011, which read as follows:

**9. Development Charge Exemption Request from Trillium Housing (HSC18040) (City Wide) (Outstanding Business List Item) (Added Item 8.5)**

- (a) That the request for Development Charge exemptions for the affordable units in the Highbury and Winona Developments by Trillium Housing, be denied;
- (b) That the General Manager of the Healthy and Safe Communities Department or his designate be authorized and directed to deliver and administer a municipal Down Payment Assistance Program, with an upset limit of \$1,800,175, for eligible purchasers of the two Trillium

Housing Non-Profit housing developments (Winona and Highbury), in accordance with the program guidelines, attached as Appendix "B" to AF&A Report 18-011;

- (c) That the General Manager of the Healthy and Safe Communities Department or his designate be authorized to approve and execute any agreements and ancillary documentation, in a form satisfactory to the City Solicitor, that are required to deliver and administer a municipal Down Payment Assistance Program for eligible purchasers of the two Trillium Housing Non-Profit housing developments (Winona and Highbury);
- (d) That the annual interest cost of \$61,000 (when the program is at capacity) of providing the Trillium Down Payment Assistance Program in accordance with the program guidelines, be absorbed within the Housing Services Division existing operating budget;
- (e) That the initial, one-time cost of administration of the Trillium Housing Down Payment Assistance Program for the two Trillium Housing Non-Profit housing developments (Winona and Highbury), in the amount of \$100,000 be funded through the Municipal Down Payment Assistance Program Reserve (#112009); and,
- (f) That the matter respecting "Trillium Housing Non-Profit" be identified as complete and removed from the Audit, Finance and Administration Committee Outstanding Business List.

WHEREAS, staff have advised that Appendix "B" to Item 9 of the Audit, Finance & Administration Committee Report 18-011, respecting Report HSC18040, Development Charge Exemption Request from Trillium Housing, states that the applicants would be applying for a Trillium Municipal Down Payment Assistance Program **forgivable** loan;

WHEREAS, staff have advised that the report should have stated that the applicants would be applying for a Trillium Municipal Down Payment Assistance Program **repayable** loan; and,

WHEREAS, staff have advised that several housekeeping amendments also need to be completed in order to correct and provided clarity to the Trillium Municipal Down Payment Assistance Program Guidelines;

THEREFORE, BE IT RESOLVED:

That Item 9 of the Audit, Finance & Administration Committee Report 18-011, respecting Report HSC18040, Development Charge Exemption Request from Trillium Housing, which was approved by Council on August 17, 2018, be reconsidered at this time.

**CARRIED on a 2/3rds Majority**

(Collins/Pearson)

**9. Development Charge Exemption Request from Trillium Housing (HSC18040) (City Wide) (Outstanding Business List Item) (Added Item 8.5)**

That Item 9 of the Audit, Finance & Administration Committee Report 18-011, respecting Report HSC18040, Development Charge Exemption Request from Trillium Housing, be **amended** by:

- (a) deleting Appendix “B” to Item 9 in its entirety and replacing it with the **REVISED** Appendix “B” attached to Item 8.1;
- (b) adding the words “**as amended**” to sub-section (b); and,
- (c) adding the word “**Municipal**” to sub-sections (d) and (e).

To read as follows:

**9. Development Charge Exemption Request from Trillium Housing (HSC18040) (City Wide) (Outstanding Business List Item) (Added Item 8.5)**

- (a) That the request for Development Charge exemptions for the affordable units in the Highbury and Winona Developments by Trillium Housing, be denied;
- (b) That the General Manager of the Healthy and Safe Communities Department or his designate be authorized and directed to deliver and administer a municipal down payment assistance program, with an upset limit of \$1,800,175, for eligible purchasers of the two Trillium Housing Non-Profit housing developments (Winona and Highbury), in accordance with the program guidelines, **as amended**, attached as **REVISED** Appendix “B” to the AF&A Report 18-011;
- (c) That the General Manager of the Healthy and Safe Communities Department or his designate be authorized to approve and execute any agreements and ancillary documentation, in a form satisfactory to the City Solicitor, that are required to deliver and administer a municipal down payment assistance program for eligible purchasers of the two Trillium Housing Non-Profit housing developments (Winona and Highbury);
- (d) That the annual interest cost of \$61,000 (when the program is at capacity) of providing the Trillium **Municipal** Down Payment Assistance Program in accordance with the program guidelines, be absorbed within the Housing Services Division existing operating budget; and,



- (e) That the initial, one-time cost of administration of the Trillium *Municipal* Housing Down Payment Assistance Program for the two Trillium Housing Non-Profit housing developments (Winona and Highbury), in the amount of \$100,000 be funded through the Municipal Down Payment Assistance Program Reserve (#112009).

**CARRIED**

#### **7.7 Installation of an All-Way Stop at Millgrove Side Road at Cumminville Drive**

##### **(Partridge/VanderBeek)**

WHEREAS the Millgrove residents requested as an interim measure an all-way stop be installed at Millgrove Side Road at Cumminville Drive;

WHEREAS there has been significant resident concerns for roadway safety on Millgrove Side Road between Highway 6 and 5th Concession;

WHEREAS there is documented illegal use of Millgrove Side Road by heavy truck traffic; and

WHEREAS there is a documented record of speeding and aggressive driving on Millgrove Side Road between Highway 6 and 5th Concession.

THEREFORE BE IT RESOLVED:

That an All-Way Stop sign complete with flashing lights and ladder crosswalk be installed as soon as possible in 2018 at the intersection of Millgrove Side Road at Cumminville Drive, such that northbound and southbound traffic on Millgrove Side Road be required to stop at Cumminville Drive; and

That the necessary By-law authorizing staff to install an All-Way Stop at the intersection of Millgrove Side Road at Cumminville Drive, be prepared.

**CARRIED**

#### **7.8 Repairs to the Leaking Watermain at 22 Patrick Street**

##### **(Farr/Collins)**

WHEREAS, 22 Patrick Street shares a private watermain with three other properties.

WHEREAS, the owner of 22 Patrick Street has a significant water leak on the portion the shared private watermain that is located on its property.

WHEREAS, pursuant to the City By-law R84-026 (the Waterworks By-law), City of Hamilton is responsible for the maintenance and repair of the public portion of the water service, with the property owner responsible for the portion of water service pipes on private property.

WHEREAS, the owners of the other properties serviced by the private watermain are unwilling or unable to assist the owner of 22 Patrick Street with the repair required to the private watermain at this time.

WHEREAS, 22 Patrick Street was a customer of Service Line Warranties of Canada, but the water leak was not eligible for repair under warranty as not all of the other property owners serviced by the private watermain were also customers, as is required by the warranty.

WHEREAS, there is no other City program in place to assist the owner of 22 Patrick Street with the repair to the leak in the private water main on its property at this time; and

WHEREAS; following consultation with Hamilton Water staff, it is desired to provide the owner of 22 Patrick Street with financial assistance to effect the repairs to the leaking private watermain on a compassionate basis.

THEREFORE BE IT RESOLVED:

That following the completion of the repairs to the leaking watermain at 22 Patrick Street by a qualified contractor retained by the resident (including obtaining all required permits, payment of the prescribed City fees and charges, and confirmation by City staff following an inspection that the repair was conducted to the sole satisfaction of the City), and subject to the owner of 22 Patrick Street executing a release in the form and with content satisfactory to the City Solicitor, the homeowner be reimbursed the costs of repair in the form of a grant up to a maximum amount of \$35,000.00 from the Ward 2 Area Rating capital reserve (Account #108052).

**CARRIED**

#### **7.9 Installation of an All-Way Stop on John Street between Strachan Street**

**(Farr/A. Johnson)**

WHEREAS recent mobility improvements on John Street between Strachan Street and Burlington Street have led to one reduced lane along John Street; and;

WHEREAS visual issues related to the grade of the John Street North CN Bridge to the immediate south of these improvements require immediate attention; and,

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to erect an all-way stop, advance signs and flashers to increase awareness in the area of John Street between Strachan Street; and;
- (b) That an interim centre lane become a left turn lane, demarcated with left turn arrows.

**CARRIED**

**7.10 Ward 7 Area Rating Contribution to the Bruce Park Project**

**(Anderson/Eisenberger)**

WHEREAS, the Bruce Park project is an approved capital project;

WHEREAS, the design-build RFP for the project resulted in a low bidder that exceeds available funds for the project; and,

WHEREAS, the community has been anticipating this project to be constructed in 2018;

THEREFORE BE IT RESOLVED:

That \$140,000 be approved from the Ward 7 Area Rating Reserve account number 108057, and added to the existing Bruce Park project id 4401856900.

**CARRIED**

**7.11 Service Signs Repair in Stoney Creek**

**(Conley/Pearson)**

WHEREAS, the service signs are a gateway to our communities and,

WHEREAS, to bring the signs up to standard,

THEREFORE, BE IT RESOLVED:

That \$3900 for the Stoney Creek Chamber of Commerce to fund community service sign repair, to be funded from the Terrapure Reserve account (#117036), be approved.

**CARRIED**

**7.12 Concrete Pad for Transit Shelter**

**(Conley/Pearson)**

WHEREAS, there is a new seniors housing complex in downtown Stoney Creek and,

WHEREAS, seniors using transit in front of said complex may have to deal with inclement weather,

THEREFORE, BE IT RESOLVED:

That \$1000 for the installation of a concrete pad to fund a transit shelter, to be funded from the Terrapure Reserve account (#117036), be approved.

**CARRIED**

<b>NOTICES OF MOTION</b>
--------------------------

**8.1 Reconsideration of Item 9 of the Audit, Finance & Administration Committee Report 18-011, respecting Report HSC18040, Development Charge Exemption Request from Trillium Housing**

Councillor Collins introduced a Notice of Motion respecting Reconsideration of Item 9 of the Audit, Finance & Administration Committee Report 18-011, respecting Report HSC18040, Development Charge Exemption Request from Trillium Housing.

**(Collins/Pearson)**

That the Rules of Order to be waived to allow for the introduction of a motion respecting the Reconsideration of Item 9 of the Audit, Finance & Administration Committee Report 18-011, respecting Report HSC18040, Development Charge Exemption Request from Trillium Housing.

**CARRIED**

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

**8.2 Installation of an All-Way Stop at Millgrove Side Road at Cumminville Drive**

Councillor Partridge introduced a Notice of Motion respecting Installation of an All-Way Stop at Millgrove Side Road at Cumminville Drive.

**(Partridge/VanderBeek)**

That the Rules of Order to be waived to allow for the introduction of a motion respecting the Installation of an All-Way Stop at Millgrove Side Road at Cumminville Drive.

**CARRIED**

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

**8.3 Repairs to the Leaking Watermain at 22 Patrick Street**

Councillor Farr introduced a Notice of Motion respecting Repairs to the Leaking Watermain at 22 Patrick Street.

**(Farr/Collins)**

That the Rules of Order to be waived to allow for the introduction of a motion respecting the Repairs to the Leaking Watermain at 22 Patrick Street.

**CARRIED**

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

**8.4 Installation of an All-Way Stop on John Street between Strachan Street**

Councillor Farr introduced a Notice of Motion respecting Installation of an All-Way Stop on John Street between Strachan Street

**(Farr/A. Johnson)**

That the Rules of Order to be waived to allow for the introduction of a motion respecting the Installation of an All-Way Stop on John Street between Strachan Street.

**CARRIED**

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

**8.5 Ward 7 Area Rating Contribution to the Bruce Park Project**

Councillor Anderson introduced a Notice of Motion respecting the Ward 7 Area Rating Contribution to the Bruce Park Project

**(Anderson/Jackson)**

That the Rules of Order to be waived to allow for the introduction of a motion respecting Ward 7 Area Rating Contribution to the Bruce Park Project.

**CARRIED**

For disposition of this matter, please refer to Item 7.10.

**8.6 Service Signs Repair in Stoney Creek**

Councillor Conley introduced a Notice of Motion respecting Service Signs Repair in Stoney Creek.

**(Conley/Pearson)**

That the Rules of Order to be waived to allow for the introduction of a motion respecting the Service Signs Repair in Stoney Creek.

**CARRIED**

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

**8.7 Concrete Pad for Transit Shelter**

Councillor Conley introduced a Notice of Motion respecting Concrete Pad for Transit Shelter.

**(Conley/Pearson)**

That the Rules of Order to be waived to allow for the introduction of a motion respecting the Concrete Pad for Transit Shelter.

**CARRIED**

For disposition of this matter, please refer to Item 7.12.

**STATEMENTS BY MEMBERS**

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

**PRIVATE AND CONFIDENTIAL**

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

**10.1 Closed Session Minutes - August 17, 2018**

**(Partridge/Conley)**

That the Closed Session Minutes dated August 17, 2018 be approved, as presented, and remain confidential.

**CARRIED**

**BY-LAWS**

**(Whitehead/Anderson)**

That Bills No. 18-251 to No. 18-272, 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:

- 251 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street parking  
Schedule 8 (No Parking Zones)  
Schedule 12 (Permit Parking Zones)  
Ward: 1, 2, 3, 7, 9
  
- 252 To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses  
Schedule 24 (Personal Transportation Provider)  
Schedule 25 (Taxi Cabs)  
Ward: City Wide
  
- 253 To Amend Zoning By-law No. 3692-92, as amended by By-law No. 17-186 Respecting Lands Located at 440 First Road West (Stoney Creek)  
ZAH-18-038  
Ward: 9
  
- 254 To Amend Zoning By-law No. 3692-92, as amended by By-law No. 18-055 Respecting Lands Located at 2 Glover Mountain Road (Stoney Creek)  
ZAH-18-044  
Ward: 9

- 255 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic Schedule 9 (No Right Turn on Red)  
Ward: 6
- 256 To Adopt Official Plan Amendment No. 113 to the Urban Hamilton Official Plan Respecting 925 Main Street West and 150 Longwood Road South (Hamilton)  
Ward: 1
- 257 To Amend Zoning By-law No. 05-200, Respecting Lands Located at 925 Main Street West and 150 Longwood Road South, Hamilton  
ZAC-16-029  
Ward: 1
- 258 To Adopt Official Plan Amendment No. 19 to the Rural Hamilton Official Plan Respecting 163 and 167 Highway No. 5 West (Flamborough)  
Ward: 15
- 259 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 163 and 167 Highway No. 5 West, formerly in the Town of Flamborough, now in the City of Hamilton  
RHOPA-18-019  
ZAC-18-019  
Ward: 15
- 260 To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 5 Hamilton Street North (Flamborough)  
ZAR-18-015  
Ward: 15
- 261 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 5 Hamilton Street North (Flamborough)  
ZAR-18-015  
Ward: 15
- 262 To Amend Zoning By-law No. 6593 Respecting Lands Located at 256 Parkdale Avenue North and 205 Melvin Avenue (Hamilton)  
ZAR-18-027  
Ward: 4
- 263 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 256 Parkdale Avenue North and 205 Melvin Avenue (Hamilton)  
ZAR-18-027  
Ward: 4
- 264 To Adopt Official Plan Amendment No. 21 to the Rural Hamilton Official Plan Respecting Cannabis Growing and Harvesting Facilities  
Ward: City Wide

- 265 To Adopt Official Plan Amendment No. 112 to the Urban Hamilton Official Plan Respecting Cannabis Growing and Harvesting Facilities, Aquaponics and Greenhouses within Specific Employment Districts  
Ward: City Wide
- 266 To Amend Zoning By-law No. 05-200 Respecting General Text for Greenhouses, Aquaponics and Cannabis Growing and Harvesting Facilities  
CI-18-H  
Ward: City Wide
- 267 To Permanently Close and Sell a Portion of Springbrook Avenue being Blocks 45 to 57 (inclusive) on Plan 62M-1171  
Ward: 12
- 268 To Amend Zoning By-law No. 3692-92, as amended by By-law No. 15-259, Respecting Lands Located at 435 First Road West (Stoney Creek)  
ZAH-16-024  
Ward: 9
- 269 To Permanently Close and Sell a Portion of a Road Allowance Abutting 40 Maple Drive, Stoney Creek, namely Part of Road Allowance between Lots 18 &19, Concession 3, in the Geographic Township of Saltfleet, in the City of Hamilton, designated as Part 1, Plan 62R-20595, being Part of PIN 17319-0569 (LT)  
Ward: 10
- 270 A By-law to Govern the Proceedings of Council and Committees of Council
- 271 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic  
Schedule 5 (Stop Control)  
Ward: 2
- 272 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic  
Schedule 5 (Stop Control)  
Ward: 15
- 273 To Confirm the Proceedings of City Council

**CARRIED**

**(Ferguson/Pearson)**

That, there being no further business, City Council be adjourned at 7:26 p.m.

**CARRIED**

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon  
Acting City Clerk



**BEN RYZEBOL, Director of Public Works**  
PUBLIC WORKS - TELEPHONE: (519) 941-1065  
FAX: (519) 941-1802  
email: bryzebol@amaranth.ca



**SUSAN M. STONE, C.A.O./Clerk-Treasurer**  
TELEPHONE: (519) 941-1007  
FAX: (519) 941-1802  
email: suestone@amaranth-eastgary.ca

374028 6<sup>TH</sup> LINE, AMARANTH, ONTARIO  
L9W 0M6

August 30, 2018

The Right Honourable Justin P.J. Trudeau  
Prime Minister of Canada  
House of Commons  
Ottawa ON K1A 0A6

Dear Prime Minister Trudeau,

**Re: NAFTA – Dairy Supply Management Program**

At the regular meeting of Council held August 29, 2018, the following resolution was carried:

**Moved by H. Foster – Seconded by C. Gerrits**

**Be it Resolved That:**

WHEREAS it appears that Mexico and the U.S.A have come to an agreement on trade terms and now intense scrutiny is on Canada as our negotiators attempt to come to an agreement as well, and our Dairy Management system is once more front and centre in the news;

WHEREAS supply management means that our Canadian dairy farms produce enough milk for Canadians and Canada allows 10% import of tariff free dairy products and the U.S.A caps tariff free imports at about 2.75%, so the U.S.A also protects their dairy industry;

WHEREAS we want our dairy products to continue to be produced on Canadian farms, under the strictest animal welfare, milk quality and food safety standards in the world;

NOW THEREFORE the Township of Amaranth, as a predominantly farming community, urge the Federal Government to not allow a foreign party to interfere with our Dairy Management System and that it be removed from all North American Free Trade Agreement (NAFTA) negotiations;

**BEN RYZEBOL, Director of Public Works**  
PUBLIC WORKS - TELEPHONE: (519) 941-1065  
FAX: (519) 941-1802  
email: bryzebol@amaranth.ca



**SUSAN M. STONE, C.A.O./Clerk-Treasurer**  
TELEPHONE: (519) 941-1007  
FAX: (519) 941-1802  
email: suestone@amaranth-eastgary.ca

374028 6<sup>TH</sup> LINE, AMARANTH, ONTARIO  
L9W 0M6

AND FURTHER THAT this resolution be sent to the Prime Minister, Dufferin-Caledon, MP and MPP, the Association of Municipalities of Ontario, Minister of International Affairs, Premier of Ontario, Ontario Ministry of Agriculture Food and Rural Affairs, Dufferin Federation of Agriculture, Ontario Federation Agriculture and all municipal councils within Ontario.

Should you require anything further please do not hesitate to contact this office.

Yours truly,

Susan M. Stone, A.M.C.T.  
CAO/Clerk-Treasurer  
Township of Amaranth

SMS/ch



CORPORATION OF THE TOWNSHIP OF SOUTH GLENGARRY

MOVED BY Trevor Bougie RESOLUTION NO 255-18

SECONDED BY Frank Prevost DATE September 4, 2018

WHEREAS Paramedic Services in Ontario are not considered an Essential Service like Fire and Police services;

AND WHEREAS Paramedic Services across Ontario operate under The Ambulance Services Collective Bargaining Act, 2001, allowing a reduction in paramedic services to 75% (The Essential Services Act).

THEREFORE, BE IT RESOLVED THAT the Township of South Glengarry petition the Province of Ontario to list Paramedic Services as a full Essential Service;

AND FURTHERMORE, that this resolution be forwarded to Premier Doug Ford, local MPP Jim McDonnell, the Ministry of Labour, the Association of Municipalities Ontario and all Ontario municipalities.

CARRIED       DEFEATED       POSTPONED

\_\_\_\_\_  
Mayor Ian McLeod

Recorded Vote:	Yes	No
Mayor McLeod	___	___
Deputy Mayor Prevost	___	___
Councillor McKenzie	___	___
Councillor Bougie	___	___
Councillor Warden	___	___

**CERTIFIED A TRUE COPY**

Kelli Campeau      2018-09-06  
Kelli Campeau, Clerk      Date

## Ministry of Labour

## Ministère du Travail

Office of the Minister

Bureau du ministre



400 University Avenue  
14<sup>th</sup> Floor  
Toronto ON M7A 1T7  
Tel: 416 326-7600  
Fax: 416 326-1449

400, avenue University  
14<sup>e</sup> étage  
Toronto ON M7A 1T7  
Tél. : 416 326-7600  
Télééc. : 416 326-1449

AUG 30 2018

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

Dear Mayor Eisenberger:

The Honourable Doug Ford, Premier of Ontario, sent me a copy of your letter about Hamilton City Council's resolution advocating a revenue neutral scenario for Hamilton's budget in relation to Bill 148. Thank you very much for writing.

The government understands that concerns have been raised by the changes made in the *Fair Workplaces, Better Jobs Act, 2017*, and is committed to reviewing the legislation. Further, we are considering recent changes to the *Employment Standards Act, 2000* and their impact on the overall economy. Our plan is to create and protect jobs by sending the message that Ontario is open for business. We are committed to working cooperatively with the people of Ontario, including small businesses, to reduce the burdens they face.

Again, thank you so much for taking the time to write. I appreciated the opportunity to speak to municipal officials at the recent conference and annual general meeting of the Association of Municipalities of Ontario held in Ottawa, and to listen to the comments and concerns municipalities shared with me. I look forward to ongoing discussions and working together on the important issues that we share.

Sincerely,

A handwritten signature in cursive script that reads "Laurie Scott".

Laurie Scott  
Minister of Labour

c: The Honourable Doug Ford

## Ministry of Infrastructure

Office of the Minister

Hearst Block, 8<sup>th</sup> Floor  
 900 Bay Street  
 Toronto, Ontario M7A 2E1  
 Telephone: 416-314-0998

## Ministère de l'Infrastructure

Bureau du ministre

Édifice Hearst, 8<sup>e</sup> étage  
 900, rue Bay  
 Toronto (Ontario) M7A 2E1  
 Téléphone : 416 314-0998



AUG 17 2018

AUG 23 2018

His Worship Fred Eisenberger  
 Mayor  
 City of Hamilton  
 71 Main Street  
 2nd floor  
 Hamilton, Ontario  
 L8P 4Y5

Dear Mayor Eisenberger:

Thank you for your kind letter of congratulations. The people of Ontario have given our government a strong mandate to make life easier for families and businesses, and to make it clear that the province is open for business. I'm excited to help fulfill that mandate in my new role as Minister of Infrastructure.

There is a lot of work to do to deliver the modern, reliable infrastructure which will help make Ontario the proud economic engine of Canada once again. Your insight will be invaluable as we work to fulfill this commitment, and I would appreciate being made aware of any infrastructure-related issues that are of concern to you.

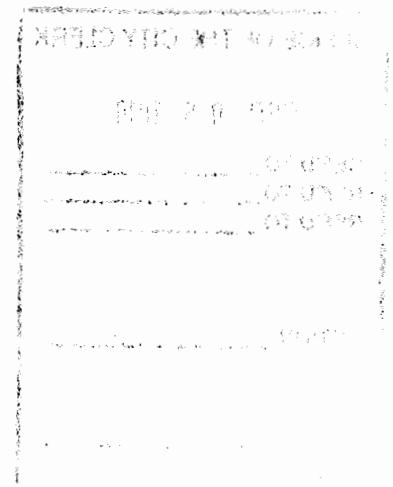
As always, my door remains open to good ideas on how to best deliver provincial infrastructure that is on time and on budget. Please feel free to contact my office directly at 416-314-0998 or by email at [Monte.McNaughton@ontario.ca](mailto:Monte.McNaughton@ontario.ca) if I can be of any assistance, or for further discussion.

Thank you again for writing and please accept my best wishes.

Sincerely,

A handwritten signature in black ink, appearing to read "Monte McNaughton".

Monte McNaughton  
 Minister of Infrastructure



## Ministry of Labour

## Ministère du Travail

Office of the Minister

Bureau du ministre



400 University Avenue  
14<sup>th</sup> Floor  
Toronto ON M7A 1T7  
Tél: 416 326-7600  
Fax: 416 326-1449

400, avenue University  
14<sup>e</sup> étage  
Toronto ON M7A 1T7  
Tél. : 416 326-7600  
Télééc. : 416 326-1449

AUG 21 2018

AUG 16 2018

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

Dear Mayor Eisenberger:

Thank you very much for your letter congratulating me on my appointment. I am honoured to be a member of Cabinet as Minister of Labour.

My colleagues and I look forward to getting to work for the people of Ontario. I value the opportunity to lead a ministry that promotes workplace health and safety and employment standards while supporting stable labour relations in Ontario, fostering a sustainable and competitive economy.

While I am mindful of the challenges we face, I am excited about the opportunities ahead. I look forward to working together to make progress in ensuring safe and healthy work environments that promote constructive labour relations while creating a climate that demonstrates Ontario is open for business.

Again, I appreciate receiving your support and congratulations, as well as the council resolution and the summit outline. Thank you so much for taking the time to write.

Sincerely,

A handwritten signature in cursive script that reads 'Laurie Scott'.

Laurie Scott  
Minister of Labour

**Ministry of Education**

Minister

Mowat Block  
Queen's Park  
Toronto ON M7A 1L2**Ministère de l'Éducation**

Ministre

Édifice Mowat  
Queen's Park  
Toronto ON M7A 1L2

Ontario

AUG 08 2018

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

Dear Mayor Eisenberger,

Thank you for your letter on my appointment as the new Minister of Education for Ontario. I am honoured to have been asked to fulfill this important role.

I look forward to working together with parents, families and all of our child care and education partners as we improve child care and ensure our students are on the right path to success.

Over the coming months, our government will be taking steps that will restore confidence in Ontario's education system. We will focus on the fundamentals of education and provide a learning environment that will encourage our students to thrive and reach their full potential.

We will be working hard to help to prepare Ontario students for the challenges of work and life.

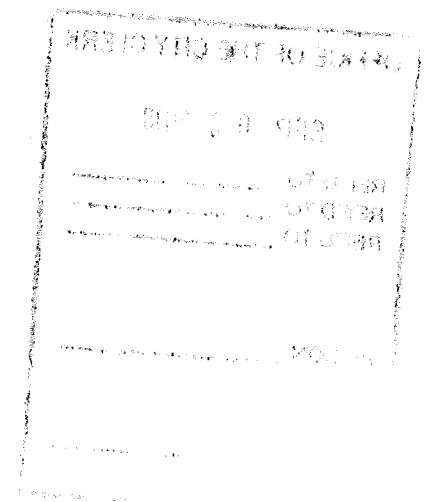
Educating our children is the most important job in the world, and Ontarians have told us that it's time to get back to basics, respect parents, and work with teachers and education professionals to ensure our kids have the skills they need to succeed.

Thank you again for writing, and for your kind congratulations.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Lisa Thompson'.

The Honourable Lisa Thompson  
Minister of Education



Ministry of Economic Development,  
Job Creation and Trade

Office of the Minister

18<sup>th</sup> Floor  
777 Bay Street  
Toronto, ON M7A 1S5  
Tel.: 416-326-8475

Ministère du Développement économique,  
de la Création d'emplois et du Commerce

Bureau du ministre

18<sup>e</sup> étage  
777, rue Bay  
Toronto, ON M7A 1S5  
Tél.: 416-326-8475



August 7, 2018

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

Dear Mayor Eisenberger:

Thank you for your kind words congratulating me on my appointment as Ontario's Minister of Economic Development, Job Creation and Trade. I am honoured to serve the people of Ontario in this important role.

Our government is committed to creating jobs and stimulating economic growth. One of our top priorities is to ensure Ontario is open for business. That means supporting businesses, attracting investments, increasing trade and fostering economic immigration programs to attract the highly skilled international talent we need to compete in an evolving global market. To achieve this, we need to create the ideal conditions for companies to start, expand and invest in Ontario by removing barriers and reducing burdens on businesses. We are focused on delivering on our plan to create jobs, maintain an open market and protect the interests of Ontario's businesses and workers.

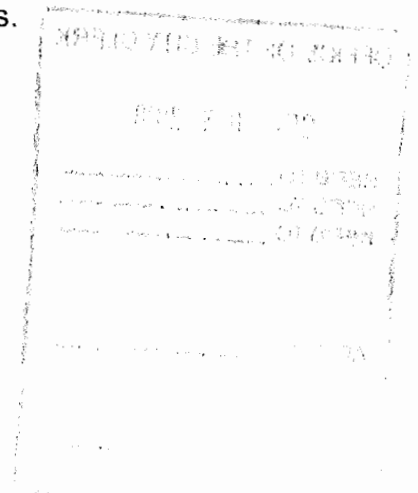
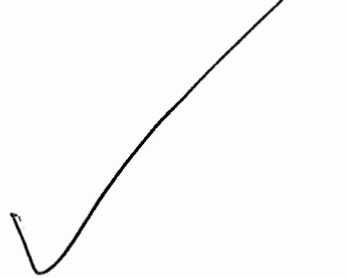
I am looking forward to working with our municipal partners to bring change to the province. We know that creating jobs and protecting the interests of Ontario workers will help our businesses succeed and our families prosper. Together, we can show the world that Ontario is open for business.

Thank you again for your letter and please accept my best wishes.

Sincerely,

Jim Wilson  
Minister

AUG 23 2018





Minister of Finance



Ministre des Finances

Ottawa, Canada K1A 0G5

AOUT 14 2018  
AUG 14 2018

2018FIN475058

AUG 23 2018

His Worship Fred Eisenberger  
Mayor  
City of Hamilton  
Ms. Alissa Denham-Robinson  
Chair, Hamilton Municipal Heritage Committee  
71 Main Street West, 2nd Floor  
Hamilton, ON L8P 4Y5

Dear Mayor Eisenberger and Ms. Denham-Robinson:

Thank you for your correspondence of February 15, 2018, which was referred by the Office of the Minister of Environment and Climate Change, the Honourable Catherine McKenna, regarding the report of the Standing Committee on Environment and Sustainable Development entitled *Preserving Canada's Heritage: the Foundation for Tomorrow*. In particular, you indicate your support for the recommendation that the Government of Canada establish a tax credit for the restoration and preservation of buildings listed on the Canadian register of historic places. Please excuse the delay in replying.

Our Government recognizes the importance of preserving Canada's heritage properties. For example, Budget 2016 provided \$20 million over two years, starting in 2016-17, to support the Parks Canada Agency's National Historic Sites Cost Sharing Program. This program provides funding to non-federally owned or administered national historic sites to help protect nationally significant cultural infrastructure, and was expanded to include heritage lighthouses and railways.

Our Government also demonstrated its commitment to national parks, national marine conservation areas and national historic sites in Budget 2017 by providing up to \$364 million on a cash basis over two years, starting in 2018-19, to the Parks Canada Agency to continue its management of these places. Furthermore, Budget 2017 announced that a medium- and long-term plan is under development to ensure ongoing support to these highly valued areas.

Finally, I would highlight that the *Income Tax Act* already provides support for heritage properties owned by registered charities and other qualified donees through the Charitable Donations Tax Credit (CDTC). The CDTC provides an incentive for individuals and corporations to donate towards historic properties held by qualifying organizations with a mandate to preserve these properties for the benefit of the public.

On March 24, 2018, our Government tabled our response to the report of the Standing Committee on Environment and Sustainable Development. As indicated in that response, we commit to carefully considering each of the report's recommendations, and to providing a recommendation by recommendation response by December 2018. You can find a copy of our Government's response on the Parliament of Canada website at [www.ourcommons.ca/DocumentViewer/en/42-1/ENVI/report-10/response-8512-421-310](http://www.ourcommons.ca/DocumentViewer/en/42-1/ENVI/report-10/response-8512-421-310).

Thank you for writing.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Bill Morneau", followed by a period.

The Honourable Bill Morneau, P.C., M.P.

**Ministry of Training,  
Colleges and Universities**

**Ministère de la Formation  
et des Collèges et Universités**

Office of the Minister

Bureau de la ministre

900 Bay Street  
Mowat Block, 3<sup>rd</sup> Floor  
Toronto ON M7A 1L2

900, rue Bay  
Édifice Mowat, 3<sup>e</sup> étage  
Toronto ON M7A 1L2

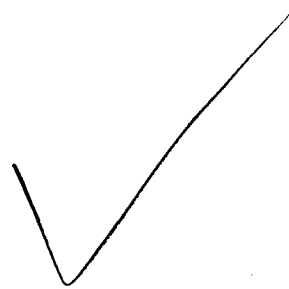
Tel.: 416 326-1600  
Fax: 416 326-1656

Tél. : 416 326-1600  
Télééc. : 416 326-1656



**AUG 03 2018**

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



Dear Mayor Eisenberger,

Thank you very much for your kind words of congratulations on my appointment as Minister of Training, Colleges and Universities and for highlighting the many exciting initiatives happening in Hamilton.

Our government is committed to bringing quality jobs back to this province, and my focus will be on making sure that the people of Ontario are prepared for those jobs. We want everyone in Ontario to have an opportunity to succeed and prosper.

Postsecondary education - whether that means apprenticeship, college or university - is a critical part of preparing Ontario for the future. In addition, our employment and training programs are critical to helping people find and succeed in their first or next job so they can contribute to the success of this province.

In my new role, I want to help make life easier for the people of Ontario and make sure that they can not only make ends meet - but that they flourish and have a better life.

Ontario is open for business, and I am excited to have the opportunity to help our people so that we can return our province to its rightful place as the economic engine of this great country.

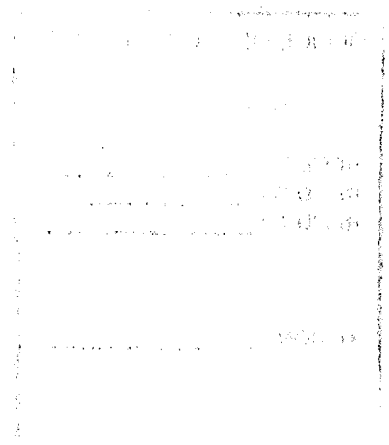
Government cannot accomplish this alone, but what we can do is create the conditions that make it easier for people to start businesses, grow businesses or invest in Ontario - and to build an economy that allows more Ontario workers to find a job right here at home.

Thanks again for your letter of encouragement and support. I look forward to working with you to ensure our province is home to the best education system and workforce in the world.

Sincerely,



Dr. Merrilee Fullerton  
Minister of Training, Colleges and Universities



Attorney General  
McMurtry-Scott Building  
720 Bay Street  
11th Floor  
Toronto ON M7A 2S9  
Tel: 416-326-4000  
Fax: 416-326-4016

Procureure générale  
Édifce McMurtry-Scott  
720, rue Bay  
11<sup>e</sup> étage  
Toronto ON M7A 2S9  
Tél.: 416-326-4000  
Télééc.: 416-326-4016



Our Reference #: M-2018-453

**AUG 02 2018**

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

Dear Mayor Eisenberger:

Thank you for your letter extending congratulations on my appointment.

It is an honour to be appointed Attorney General and to serve the people of this great province.

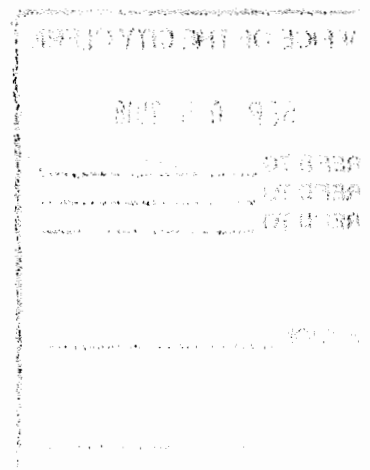
I am committed to working with our community and justice partners to deliver a justice system for the people that is fair, responsible and efficient.

Thank you again for your kind words and good wishes.

Sincerely,

A handwritten signature in cursive script that reads "Caroline Mulroney".

Caroline Mulroney  
Attorney General



August 31, 2018

SEP - 5 2018

Mayor Fred Eisenberger and council members,  
City of Hamilton, City Hall,  
2<sup>nd</sup> floor, 71 Main Street West,  
Hamilton, Ontario L8P 4Y5.

Dear Mayor Fred Eisenberger and council members,

I am writing to seek your feedback and, hopefully, support for a positive book idea I have. The working title of my proposed book is **“Kiss The Ground You Walk On, Canada”** and in it I want to convey the message of how we can all be better Canadians.

It bothers me that many Canadians take so very much for granted, in particular the democratic freedoms that we all enjoy today. It bothers me that percentages of eligible voter turnout, in many places, are diminishing across municipal, provincial and federal government levels.

My question is: **“How can we all be better Canadians?”**


I would welcome e-mailed responses, or letters to my home address. Responses need not be long. One sentence, two sentences....any answer to my question will be appreciated. E-mails can be sent to me at [ilovecanadatoo@gmail.com](mailto:ilovecanadatoo@gmail.com).

I would welcome your comments, as mayor, or council members, and comments from your community if you don't mind sharing my request. If you wish, feel free to share my request with community leaders, such as chambers of commerce and service clubs, with your constituents, or your local media.


I have written to selected mayors and councils across Canada, as well as to senior government leaders and hope that with responses I can pinpoint a trend, or theme, in answers received.

The question again: **“How can we all be better Canadians?”**

With eyes on all of us being better Canadians, I look forward to your response(s) in the near future. Thank you!

Best regards,   
George Czerny,



 E-mail: [ilovecanadatoo@gmail.com](mailto:ilovecanadatoo@gmail.com)

P.S. There will be no monetary compensation for any submissions I receive. I am retired and hoping to start conversations – through my proposed book – that could benefit all Canadians. Thanks again!



Commissione  
Europea

Dear Mayor,

The Community of Sant'Egidio has been committed to the abolition of the death penalty for many years now, and every November the 30<sup>th</sup> promotes the International Day: "Cities for life/ Cities against the death penalty". The initiative is now at his 17<sup>th</sup> edition and is recognized by several international bodies as an important occasion to value Municipalities' precious and unique role. This is a way to keep attention high on human rights and life defense, and contain the phenomenon of violence, which is widespread in many urban contexts.

During this year a further decrease in the use of death penalty in the world has been recorded. In particular in the sub-Saharan area two new countries abolished, namely Guinea Conakry and Burkina Faso; at the same time a significant reduction of condemns and executions was registered. Next December the UN General assembly is called to approve a new Resolution for a Universal Moratorium of the Capital punishment. In the meanwhile we wish to gain a wider consensus, in the belief that the way to abolition of the death penalty requires an increasing commitment by the civil society.

We wish to involve once again your Administration in this Day, to persevere in the joint effort to respect life and human dignity, and to raise awareness on the urgent need of abolishing the inhuman practice of death penalty from the juridical and penal context in nations.

Please find attached the documentation concerning how to participate in this year campaign and in the initiatives related with the day of November the 30<sup>th</sup> 2018 together with how to join for Municipalities and mayors who would like to enter our international network against the death penalty. Looking forward to receiving a kind and prompt reply from you, we express our feelings of appreciation.

Prof. Marco Impagliazzo  
President of the Community of Sant'Egidio

Contacts and further information: Antonio Salvati  
[www.santegidio.org](http://www.santegidio.org) 3476049529 – fax +39.06.580.01.97  
Email [abolition@santegidio.org](mailto:abolition@santegidio.org) - [info@citiesforlife.net](mailto:info@citiesforlife.net)

Comunità di Sant'Egidio - Piazza di S. Egidio 3/A - 00153 Roma, Italia [www.santegidio.org](http://www.santegidio.org)  
Email [abolition@santegidio.org](mailto:abolition@santegidio.org) tel +39.06.585661 – fax +39.06.5883625



ATTACHMENT 1

**World Day "Cities for Life"**  
**Cities for Life - Cities against death penalty**

In 2002, the Community of Sant'Egidio launched the first International Day **Cities for Life - Cities against the Death Penalty** on 30<sup>th</sup> November. The date was chosen in memory of the first time the death penalty was abolished, in the Grand Duchy of Tuscany on 30<sup>th</sup> November 1786. Approximately 80 cities were involved for the first edition in 2002. Now more than 2150 cities have rallied around the initiative - including 80 capitals in five continents, taking part in the event by raising public awareness, promoting educational initiatives and organising events held in symbolic monuments and squares.

The International Day **Cities for Life - Cities against the Death Penalty**, is the largest international mobilization of the abolitionist movement. Its objective is to establish a dialogue within the civil society on the topic and involve local administrators, aiming at abolishing the death penalty and making the rejection of violence the true identity of a city and its citizens.

The Colosseum in Rome, when illuminated by a special light, has become the universal place and symbol of the abolitionist efforts. The Colosseum is lit up whenever an important milestone on the road to abolition and lasting moratorium is reached in the world.

To invite your city to take part in this network of Cities Against the Death Penalty, please contact the Coordination Office ([abolition@santegidio.org](mailto:abolition@santegidio.org)). Through this channel a number of materials are made available upon request (like videos, significant international witness statements and invitations), you can also surf on the website [www.nodeathpenalty.santegidio.org](http://www.nodeathpenalty.santegidio.org) to be informed on the initiatives in the world.

<b>OFFICE OF THE CITY CLERK</b>
SEP 06 2018
REF'D TO <u>Council Sept 26/18</u>
REF'D TO _____
REF'D TO _____
ACTION _____





**CITIES FOR LIFE/CITIES AGAINST THE DEATH PENALTY**

MAYOR MEMBERSHIP FORM

---

[TITLE] [NAME] [SURNAME]

**MAYOR OF THE CITY OF**

---

[NAME OF THE CITY IN ITS ORIGINAL LANGUAGE]

upon the proposal of the Community of Sant'Egidio, founder of the network of municipalities "Cities for Life / Cities against the Death Penalty", united in Europe and in the world by a common desire to accelerate the end of capital punishment in the juridical and crime codes of countries around the world;

ahead of the vote on the UN Resolution on a Universal Moratorium on Capital Executions, to be held in December 2018 in the UN General Assembly;

**ADHERES**

to the initiative "Cities for life/Cities against the Death Penalty" of the Community of Sant'Egidio and he/she commits him/herself to make this membership a reason for an increased sense of responsibility, ensuring, in all areas of his/her competency, that adequate space be given to information and awareness concerning the reasons for rejection of the practice of capital punishment and the progress of the abolitionist campaign in the world.

---

[SIGNATURE]

---

[DATE]



## CITIES FOR LIFE/CITIES AGAINST THE DEATH PENALTY

MEMBERSHIP FORM FOR LOCAL GOVERNMENTS

### THE ADMINISTRATION OF THE CITY OF .....

being fully convinced that every community, through the voice of its representatives, can operate as a subject capable of improving the respect for human life and dignity all over the world;

worried for the retention of the inhuman practice of the capital punishment in many countries of the world;

upon the proposal of the Community of Sant'Egidio, founder of the network of municipalities "Cities for Life / Cities against the Death Penalty", united in Europe and in the world by a common desire to accelerate the end of capital punishment in the juridical and crime codes of countries around the world;

ahead of the vote on the UN Resolution on a Universal Moratorium of Capital Executions, to be held in December 2018 in the UN General Assembly;

#### DELIBERATES

the membership of the City of ..... in the initiative "Cities for life/Cities against the Death Penalty" of the Community of Sant'Egidio and it declares 30<sup>th</sup> November the Day of "Cities for life/Cities against the Death Penalty" for the City.

The Municipal Administration commits itself to make this membership a reason for an increased sense of responsibility, ensuring, in all areas of its competency, that adequate space be given to information and awareness concerning the reasons for rejection of the practice of capital punishment and the progress of the abolitionist campaign in the world.

The Municipal Administration will ensure widespread information be given concerning its membership.



## ATTACHMENT 2

### How to join the Global Campaign “Cities for Life – Cities against the Death Penalty”

1. **DESIGNATE A PERSON OR AN OFFICE AS THE CONTACT FOR THE COMMUNITY OF SANT'EGIDIO AND THE OTHER ENTITIES MEMBERS OF THE WCADP AND PROMOTE INITIATIVES IN YOUR CITY, THEN SELECT ONE OR MORE OF THE INITIATIVES MENTIONED AT POINTS 3) AND 4)**
2. **GIVE CONSENT TO ADVERTISE YOUR CITY AS A MEMBER OF THE CITIES FOR LIFE – CITIES AGAINST THE DEATH PENALTY (THROUGH THE MEMBERSHIP OF THE LOCAL GOVERNMENT OR THE MAYOR), WITHOUT ANY BURDEN, IF NOT A MORAL OBLIGATION TO AGREE WITH THE CONTENTS AND INTENTION OF THE CAMPAIGN.**
3. **DESIGNATE A SPECIAL MONUMENT, IDENTIFIABLE AS THE LIVING LOGO OF THE CAMPAIGN AND DEFINE A SPECIAL WAY TO LIGHT IT UP ON 30<sup>TH</sup> NOVEMBER AND IN THE PREVIOUS DAYS EVERY YEAR (EVEN PROJECTING ON IT SPECIAL SYMBOLS AND MESSAGES IN FAVOUR OF LIFE AND FOR THE ABOLITION OF THE DEATH PENALTY)**
4. **EVERY CITY IS INVITED TO PROMOTE PUBLIC CULTURAL EVENTS (CONFERENCES, CONCERTS, VIDEOS, ETC.) IN COLLABORATION WITH THE COMMUNITY OF SANT'EGIDIO AND THE CAMPAIGN PARTNER ASSOCIATIONS.**

#### FURTHERMORE

- Every city has the authority to declare November 30 as “Day for life/against the death penalty”, and can place the phrase “City for Life/City against the Death Penalty” beneath the name of the city or its symbols and on its website and on any statement or stationery or means it may choose (a communication of the decision is to be shared with the Community of Sant'Egidio).
- Every city can link the home page of its website (or its Facebook page) by means of a link to the international network which is connected to the online platform [www.nodeathpenalty.santegidio.org](http://www.nodeathpenalty.santegidio.org) and register the city in the online list and interactive map. It is also appropriate that every city that joins this campaign should endeavour to advertise its support of the campaign in the local press. For further information please contact our secretariat.

**Pilon, Janet**

---

**Subject:** Barton-Tiffany Film Studio in the Central Neighbourhood

**From:** sarah Kovacs  
**Sent:** September 19, 2018 2:00 PM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** Fwd: Barton-Tiffany Film Studio in the Central Neighbourhood

Hello,

Please add to the record this letter from the CNA regarding the Barton-Tiffany lands. Thank you.

From Sarah

----- Forwarded message -----

**From:** sarah Kovacs  
**Date:** Wed, 19 Sep 2018 at 13:46  
**Subject:** Barton-Tiffany Film Studio in the Central Neighbourhood  
**To:** <[glen.norton@hamilton.ca](mailto:glen.norton@hamilton.ca)>, Farr, Jason <[jason.farr@hamilton.ca](mailto:jason.farr@hamilton.ca)>  
**Cc:** Central Neighbourhood Association <[contact@centralneighbourhood.ca](mailto:contact@centralneighbourhood.ca)>

Hi Glen and Jason,

In light of this matter going to the Planning Committee tomorrow, I am writing on behalf of the Central Neighbourhood Association to express concerns regarding the proposed film studios on the Barton-Tiffany lands. While we are not opposed, it is imperative to residents that this facility be integrated into the neighbourhood with considerations for adequate transit direct to the studio to reduce the need for on and off site parking. The design should have an inclusive and inviting streetscape. The community also requests the land be kept in public hands and leased to the studio and not sold to private interests. Further, we would like a guarantee that if it is not to be used for the purpose of a film studio the zoning not be designated as entertainment land. We want site specific zoning that is designed to permit only film studio and limit other entertainment uses (including Casinos).

The CNA is not interested in a casino or any other entertainment use on this land.

Sincerely,  
Sarah Kovacs  
Central Neighbourhood Association

Sept 15/18 - (Sat)

Co. ~~ordinance~~  
Planning Committee  
City of Hamilton  
71 Main Street - 1st floor,  
Hamilton Ont. L8P ~~2K4~~ 4Y5

RE: 928 Queenston Rd.  
Stoney Creek Ont.

Please notify me of the  
decision of the City of Hamilton  
on the proposed zoning  
By-law amendment.

Also notifying of the  
decision of City of Hamilton  
on the proposed Official  
Plan Amendment.

I am definitely against  
allowing a 1st story building  
at 928 Queenston Rd.  
Stoney Creek Ont as my  
residential property behind the  
address would not have  
(over)

Cont'd

any privacy or quiet,  
also can the the corporation  
near by.


I request that the City  
remove my personal information  
from the Public Record.

Yours truly  
M. Maucka



Hamilton

## INFORMATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	September 20, 2018
<b>SUBJECT/REPORT NO:</b>	Update on Planning Committee Activity (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Jason Thorne General Manager Planning and Economic Development Department
<b>SIGNATURE:</b>	

At the Planning Committee meeting of September 18, 2018, I provided a verbal update related to the volume of activity that has occurred at Planning Committee over this term of Council and I was asked to share it with the rest of Council.

Over this term of Council, the Planning Committee has dealt with 537 reports. This includes 314 Planning Applications and 204 Public Meetings. Committee also approved updates to 14 of the 28 Schedules of the Business Licensing By-law, including those dealing with taxis, payday loans and pawn shops.

Over 8,300 residential units were constructed. Over 2.6 million square feet of non-residential development was constructed. Also, there was over \$4.1 billion in construction activity.

Over \$165 million in infrastructure works was completed associated with new subdivisions.

At the outset of this term of Council, the Open for Business initiative was identified as a priority and has been a focus for the Planning and Economic Development Department. Staff has been providing regular updates through the Open for Business Sub-Committee and the results over the past four years include:

- shaving about 200 days off the timeline for bringing applications for Zoning By-law Amendments to Committee;
- cutting 10 days off the amount of time it takes to do a Zoning Verification for a Zoning By-law Amendment and almost 20 days off the time it takes for a Zoning Verification for a Site Plan approval;

---

*OUR Vision: To be the best place to raise a child and age successfully.*

*OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.*

*OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.*

**SUBJECT: Update on Planning Committee Activity (City Wide) - Page 2 of 2**

- reducing the average timeline for bringing Plans of Subdivision to Planning Committee by approximately 400 days;
- reducing the average number of days to review a Building Permit from 14 days to 7.5 days; and,
- reducing the time for processing business licences from over 60 days to below 30 days.

Any questions pertaining to the above-noted can be directed to the author of this Information Update by e-mail or at Ext. 4339.

JT:cad

**Ministry of Tourism,  
Culture and Sport**

**Ministère du Tourisme,  
de la Culture et du Sport**

SEP 19 2018

Minister

Ministre

9th Floor, Hearst Block  
900 Bay Street  
Toronto, ON M7A 2E1  
Tel: 416 326-9326

9<sup>e</sup> étage, édifice Hearst  
900, rue Bay  
Toronto (Ontario) M7A 2E1  
Tél. : 416 326-9326



391-2018-227

September 10, 2018

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

Dear Mayor Eisenberger:

Thank you for your letter congratulating me on my appointment as Minister of Tourism, Culture and Sport, and for sharing a copy of the Hamilton Summit Policy Brochure. I am looking forward to serving in this new role and to be leading such a diverse and dynamic portfolio. I will make sure that I uphold our government's plan to work for the people of Ontario, to make life better and to help our communities thrive.

Tourism is a vital economic driver for Ontario, making significant contributions to our economy and supporting over 390,000 jobs.

I recognize that the success of this sector rests on the hard work and positive contributions of municipalities like City of Hamilton. I look forward to working with you and our ministry's many other partners and stakeholders in the coming weeks and months.

I encourage you to work with my cabinet colleague the Honourable Steve Clark, Minister of Municipal Affairs and Housing, to address the issues raised in your resolution.

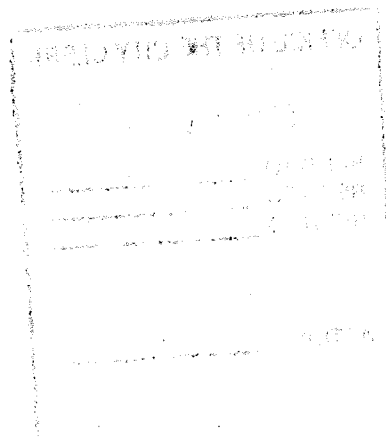
Thank you again for taking the time to write to me.

Best wishes,

A handwritten signature in black ink, appearing to read 'S. Jones'.

Sylvia Jones  
Minister

c. The Honourable Steve Clark





**Pilon, Janet**

---

**Subject:** 567 scenic drive

**From:** Tara Chiarot  
**Sent:** September 18, 2018 12:42 PM  
**To:** Bedioui, Ida <Ida.Bedioui@hamilton.ca>  
**Subject:** 567 scenic drive

Dear madame,

I live at 559 scenic drive. Next door to 567.

I am writing to you to ensure my comments as the neighbour immediately to the east of the property 567 scenic drive are heard.

1. We are strongly opposed to there being more than 1 practitioner in the clinic.
2. We are happy with the reduced size and scope of the new plan.
3. We are concerned that parking will overflow onto scenic and upper paradise. We want assurances that the city will enforce the 11 spaces available to the clinic.

If this practitioner sells the property what is protect the neighbourhood from future land owners putting more than 1 practioner there.

Thank you. Tara Chiarot

--  
Tara



Thursday September 20, 2018

Mayor and Members of Council  
City of Hamilton  
Hamilton City Hall  
71 Main Street West, 1<sup>st</sup> Floor  
Hamilton, ON  
Canada L8P 4Y5

Subject: Hamilton/Burlington SPCA By-law Changes

Dear Mayor Fred Eisenberger and Members of Council:

The Hamilton/Burlington SPCA (HBSPCA) completed a year long review of its by-laws and presented the by-laws to a duly constituted meeting of its Members on Monday September 17, 2018. By-law 1-2018 was unanimously endorsed by the Members at the meeting.

By-law 1-2018 makes provision for 11 Directors; there is no provision for a Hamilton City Councillor to sit on the HBSPCA Board of Directors, effective September 17, 2018. The Board recognizes that there has been no financial contractual relationship with the City of Hamilton since 2002. The Board acknowledges too that there are alternative ways to engage the City as a partner in the continuous improvement of animal welfare in the communities that the HBSPCA and the City of Hamilton both serve.

The most recent appointee to the HBSPCA Board of Directors was Aidan Johnson. On behalf of the Board, the HBSPCA has deeply appreciated the contributions of Aidan and his predecessor Councillors for a humane community.

Sincerely,

Marion Emo, CEO

Cc: Juanita Gledhill, Chair, HBSPCA  
Janet Pilon, Acting City Clerk, City of Hamilton

**BY-LAW NO. 1-2018**

**Being a By-law to regulate the affairs of The Hamilton/Burlington Society for the Prevention of Cruelty to Animals (hereinafter referred to as the “Society”)**

**SECTION 1  
REPEAL OF PRIOR CONFLICTING BY-LAWS**

- 1.01 By-Law No. 1-2012, and all other by-laws of the Society previously enacted, are hereby repealed and the following substituted therefore such that this By-law, as of the date of its enactment by the directors, is the only by-law of the Society in force and effect:

**SECTION 2  
REAFFIRMATION OF PURPOSE**

- 2.01 The Board of Directors hereby reaffirms the fundamental purpose for which The Hamilton/Burlington Society for the Prevention of Cruelty to Animals was established and which was confirmed in its charter of incorporation some fifty years later on June 6<sup>th</sup>, 1938, namely to endeavor to provide effective means for the prevention of cruelty towards animals; and, while recognizing we are not expanding the generality of that statement of purpose, do now emphasize that which has always been accepted which is that the expression “animals” embraces every living creature on earth and the directors do remind themselves and their successors such concern should be at the center of all business done and all decisions taken by the Board.

**SECTION 3  
INTERPRETATION**

- 3.01 As used in the By-Law, the following expressions shall all have the following meanings:
- a) “Act” means the *Corporations Act* (Ontario), as may be amended, repealed, or replaced from time to time;
  - b) “Annual Meeting” means the Annual Meeting of the Members of the Society;
  - c) “Board” means the Board of Directors of the Society;
  - d) “Meeting” shall mean any meeting of the membership or the Board.
  - e) “Member” means any person who is admitted as a Member of the Society;

- f) "Society" means The Hamilton/Burlington Society for the Prevention of Cruelty to Animals;
- g) "Territory" means the City of Hamilton and the City of Burlington as approved by the Ontario SPCA or as defined by the Board of Directors.

3.02 In this By-Law, and in all other By-Laws of the Society hereinafter passed:

- a) Words importing the singular number shall include the plural number and vice versa, unless the context otherwise requires;
- b) Words importing the masculine gender shall include the feminine gender and vice versa, unless the context otherwise requires; and
- c) "persons" shall refer to individuals and shall not include firms, corporations or unincorporated associations.

3.03 This By-Law shall be read in conjunction with the Act and the Letters Patent of the Society (as may be amended, repealed or replaced from time to time).

3.04 The invalidity or unenforceability of any provision of this By-Law shall not affect the validity or enforceability of the remaining provisions. If any of the provisions contained within are inconsistent with those contained in the Act, or the Letters Patent, the provisions contained in the Act or Letters Patent, as the case may be, shall prevail.

#### SECTION 4 HEAD OFFICE

4.01 The head office of the Society shall be in the City of Hamilton, in the Province of Ontario, at such a place therein as the Board may from time to time determine.

#### SECTION 5 SEAL

5.01 The seal, if shown on the last page of this By-Law is adopted as the seal of the Society and may be affixed by such methods and by such person or persons as may be required or authorized by the Board.

#### SECTION 6 NON-PROFIT SOCIETY

6.01 The activities of the Society shall be carried on without the purpose of monetary gain for its Members.

- 6.02 The Society may engage in any enterprise consistent with the objects of the Society and any resulting monetary gain shall be used in promoting its objects and no part of its funds shall be distributed to the Members.
- 6.03 If at any time the Society is dissolved after payment of all debts and liabilities, the remaining funds of the Society shall be distributed by the Board to one or more charitable organizations whose purpose is animal welfare in Ontario and which are exempt from tax under the Income Tax Act (Canada).
- 6.04 The fiscal year of the Society shall end on the 31<sup>st</sup> day of March or as otherwise determined by the Board and approved by the necessary regulatory authorities.

## SECTION 7 MEMBERSHIP

- 7.01 There shall be two (2) classes of membership in the Society, namely:
- a) Honorary Membership; and
  - b) Friends of the HBSPCA.
- 7.02
- a) Admission to membership in one category does not of itself entitle the Member to membership in the other category.
  - b) Membership may not be assigned or transferred and is personal to the Member. All Members shall be individuals; corporations and other entities are not eligible for membership in the Society.
  - c) Membership in the Society shall commence upon acceptance by the Board of the new Member's application in the prescribed form. Membership shall continue until terminated by the Society or by the Member. A membership may be suspended or terminated at any time by the Society at the sole discretion of the Board. Without limiting the generality of the foregoing, a membership may be terminated where, in the opinion of the Society, a Member's conduct is deemed injurious to the Society. In the event a Member resigns, the Member's resignation shall be effective upon notification in writing to the Society.
  - d) A Member, when in good standing, shall be provided with information on and receive all privileges associated with membership in the Society, except such information as deemed confidential by the Board and/or any committee established in accordance with this By-Law.
  - e) Membership fees may be prescribed from time to time by the Board by a majority vote and may include an entrance fee. No Member of either category of membership of the Society shall be liable to the Society or its creditors in any amount beyond membership dues subscribed for but

not paid to the Society. The Board shall not and may not assess any Member of any category of membership for any monetary payment whatsoever other than for annual dues.

- f) In the case of any dispute or matter concerning membership, the By-Laws and the official records of the Society shall be final and conclusive evidence of the commencement or termination date of membership.

7.03

- a) Honorary Membership may be conferred upon any person whom the Board may desire to honour for meritorious service under such terms and conditions as the Board may determine in its sole discretion. Honorary Members shall not have the right to vote or hold office in the Society.

- b) Each Friends of the HBSPCA Member shall:

1. be eighteen years of age or older;
2. reside or work in the Territory served by the Society at the time the application for membership is made;
3. have a single vote at all meetings of Members of the Society;
4. pay a one-time lump sum membership fee as set by the Board from time to time or pay annual membership dues prior to February 28<sup>th</sup> of each calendar year in such amount as may be prescribed by the Board from time to time;
5. be entitled to resign their membership; and
6. cease to be a Member upon death.

- c) Notwithstanding anything contained in this By-Law, employees and their immediate family will be deemed Honorary Members (but in no event may be elected to the Board). Immediate family shall be deemed to mean spouse, children and parents.

7.04

- a) The admission of a person to membership in the Society as an Honorary Member shall occur upon the satisfaction of the following three conditions precedent to such election, being: first, a recommendation of membership as an Honorary Member by a simple majority resolution of the Board made at a duly constituted meeting of the Board; second, the acceptance of such recommendation by the person concerned; third, a simple majority resolution confirming such recommendation of the Board made at the next ensuing duly constituted general meeting or special general meeting of the Members of the Society.

- b) The admission of a person to membership in the Society as a Friends of the HBSPCA Member shall occur upon the satisfaction of the following two conditions precedent to such election, being: first, a submission to the Society by the applicant of an application for membership; and second, a recommendation of membership by a



simple majority resolution of the Board made at a duly constituted meeting of the Board.

- c) All persons who, immediately prior to this By-Law coming into effect, were Life Members or Ordinary Members, shall automatically be deemed Friends of the HBSPCA upon this By-Law coming into effect but shall remain subject to annual membership fees if applicable and as may be determined by the Board.

- 7.05 Each person who, immediately before the enactment of this By-Law by the Board, was an Honorary Member of the Society as that designation was then defined, shall have full Honorary Membership in the Society as that membership is defined in this By-Law and shall be entitled to all of the incidents of such membership held during the continuance of such person's membership.

## SECTION 8 BOARD OF DIRECTORS

- 8.01 The affairs of the Society shall be governed by the Board, which may exercise all such powers and do all such acts as may be permitted by law subject to the Letters Patent and By-laws of the Society.
- 8.02
- a) The Board may consider or transact any business, either special or general, at any meeting of the Board. Without in any way derogating from the foregoing, the Board is expressly empowered, from time to time, to purchase, lease or otherwise acquire, alienate, sell, exchange or otherwise dispose of shares, stocks, rights, warrants, options and other securities, lands, buildings and other property, moveable or immovable, real or personal or any right or interest therein owned by the Society, for such consideration and upon such terms and conditions as it may deem advisable.
  - b) The Board may from time to time by resolution in accordance with the By-Laws of the Society authorize the Society to:
    - 1. borrow money on the credit of the Society;
    - 2. issue, sell or pledge securities of the Society; and
    - 3. charge, mortgage, hypothecate or pledge all or any of the real or personal property of the Society, including book debts, rights, powers, franchises and undertakings to secure any securities or any money borrowed, or other debt, or any other obligation or liability of the Society.
- 8.03
- a) The affairs of the Society shall be governed by a Board of eleven (11) directors. Each director shall, at the time of their election, be either a voting (Friends of the HBSPCA) member of the Society at the time of

their application and election or become a voting (Friends of the HBSPCA) member of the Society within 10 days after being elected or appointed as a director of the Society, and shall continue to maintain such membership in good standing through their term of office.

- b) The Board shall consist of:
  - 1. the Chair;
  - 2. the Vice-Chair;
  - 3. the Second Vice-Chair;
  - 4. the immediate Past Chair, or if they are unable to serve, a person elected in substitution for them;
  - 5. the Treasurer;
  - 6. the Secretary;
  - 7. directors elected at large from the membership of the Society or who have become members of the Society within 10 days after being elected or appointed as a director of the Society.
  
- c) The Members may, by a resolution passed by at least a majority of the votes cast at a Members' Meeting, of which notice specifying the intention to pass such resolution has been given, remove any director before the expiration of their term of office and may, by a majority of the votes cast at that meeting elect any person in their stead for the remainder of the term.
  
- d) Vacancies on the Board, howsoever caused, may be filled for the remainder of the term by the remaining directors if constituting a quorum, or if the directors so choose, they may appoint a qualified Member (or individual who has become a Member of the Society within 10 days of being appointed as a director) to be a director, failing which such vacancy shall be filled at the next Annual Meeting at which the directors for the ensuing term are elected. If the number of directors is increased between the terms, a vacancy shall thereby be deemed to have occurred which may be filled by appointment by a quorum of the remaining Board. If there is not a quorum of the Board, the remaining directors shall call a Meeting of the Members to fill the vacancy.

8.04 An elected director shall be:

- a) a Member in good standing (or apply to become a Member in good standing within 10 days of their appointment as a director), of legal age, and ordinarily work or reside in the Society's Territory; and,
  
- b) nominated and elected as herein specifically provided for; and the office of a director shall be vacated when a director;
  - 1. resigns their office;
  - 2. ceases to be a Member of the Society;
  - 3. is found to be mentally incapable;



4. is declared bankrupt or makes an assignment into bankruptcy or initiates any similar proceeding;
  5. fails to attend three (3) consecutive Board meetings in any year of their term of office after first being appointed or elected at the Annual General Meeting, unless the absence is excused by the Board for good and sufficient cause.
- 8.05 The term of a director shall be limited to three years. Directors may be elected to terms of less than three (3) years to facilitate the staggering of directors' terms. No director shall serve more than three consecutive terms of three years, not including any full or partial terms served while holding the office of Chair, Vice Chair, Second Vice-Chair or Past Chair as further set out below.
- 8.06 A director shall cease to be eligible for re-election as a director upon the completion of nine (9) years of consecutive service, unless the director is then serving in any office described in Section 8.05, in which case the director may be elected or continue as a director until the completion of the term(s) of such office(s).
- 8.07 Notwithstanding section 8.06 hereof, after ceasing to be a director of the Society for a period of not less than three (3) years, such person shall again be qualified to be elected as a director and the above provisions shall be applicable once more.
- 8.08
- a) The Board and its committees may meet at any place in or outside Ontario and may meet in person or by teleconference or other electronic means as permitted by the Act.
  - b) A majority of the Board shall constitute a quorum. Questions arising at any meeting of directors shall be decided by a majority of votes.
  - c) In case of an equality of votes, the chair of the meeting shall have a second or casting vote.
  - d) All votes at any such meeting shall be taken by ballot if so demanded by any director present, but if no demand be made, the vote shall be taken in the usual way by assent or dissent by a show of hands. A declaration by the Chair that a resolution has been carried and an entry to that effect in the minutes shall be admissible in evidence as prima facie proof of the fact, without proof of the number or proportion of the votes recorded in favour of or against such resolution. In the absence of the Chair of the Board, their duties may be performed by the Vice Chair or such other directors the Board may from time to time appoint for the purpose.
- 8.09 A director shall serve the Society as such without remuneration but shall be entitled to reimbursement for any reasonable expenses incurred in carrying out any duties as a director, as approved by the Board.

- 8.10 It shall be the duty of a director of the Society who is in any way, whether directly or indirectly, interested in a contract or proposed contract or business arrangement with the Society to declare their interest at a meeting of the Board.

In the case of a proposed contract or business arrangement with the Society, the declaration shall be made at the meeting of the Board at which the question of entering into the contract or business arrangement is first taken into consideration or, if the director is not at the date of the meeting interested in the proposed contract or business arrangement, at the next meeting of the Board held after such director becomes so interested. In a case where the director becomes interested in a contract or business arrangement after it is made, the declaration shall be made at the first meeting of the Board held after the director becomes interested. If the board makes the determination that member will gain from the business arrangement or contract the director may be removed from the board as a result of the conflict declared.

The additional provisions of the Act respecting disclosure by directors of interest in contracts are hereby incorporated by reference.

Any director aware of a conflict or potential conflict on the part of another director is required to declare it if the other director fails to do so or is not available to do so.

- 8.11 No director or officer of the Society shall be liable for
- a) the acts, receipts, neglects or defaults of any director or officer;
  - b) nor for joining in any receipt or other act for conformity;
  - c) nor for any loss or expense happening to the Society through the insufficiency or deficiency of title to any property acquired for or on behalf of the Society;
  - d) nor for the insufficiency or deficiency of any security in or upon which any of the monies of the Society may be invested;
  - e) nor for any loss or damage arising from bankruptcy, insolvency, or an act or omission of any person with whom any of the monies, securities, or effects of the Society may be deposited;
  - f) nor for any loss occasioned by any error of judgment or oversight on such director's or officer's part;
  - g) nor for any other loss, damage or misfortune whatever which shall happen in the execution of the duties of such director's or officer's

office, or in relation thereto, unless the same shall happen through such director's or officer's own dishonesty.

- 8.12 Every director and officer, and their heirs, executors and administrators, respectively, shall from time to time and at all times be indemnified and saved harmless out of the funds of the Society from and against:
- a) all costs, charges and expenses whatsoever that they sustain or incur in or about any action, suit or proceeding which is brought, commenced or prosecuted against him/her or in respect of any act, deed, matter or thing whatsoever, made, done or permitted by them in or about the execution of the duties of their office;
  - b) and all other costs, charges and expenses that they sustain or incur in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by their own willful neglect, or default, or dishonesty.
- 8.13 A director may be approved by their fellow directors of the Society to fill one or more officer positions in connection with the operation of the Society, provided that no director may be an employee of the Society.
- 8.14
- a) Meetings of the Board may be called at any time by the Chair, or by the Vice Chair, or by any two directors or by the Chief Executive Officer upon the request of the Chair, a Vice Chair, or any two directors. Meetings may be held at such place or places determined by the Board from time to time.
  - b) Not less than two days' notice of a meeting of the Board shall be delivered, telephoned, or e-mailed to each director. Not less than four days' notice of a meeting of the Board shall be given to a director if said notice is mailed to a director.
  - c) No error or omission in giving such notice for a meeting of directors shall invalidate such meeting or invalidate or make void any proceedings taken or had at such meeting, and any director may at any time waive notice of any such meeting and may ratify and approve of any or all proceedings taken or had thereat.
  - d) No formal notice of any meeting of the Board shall be necessary if all the directors are present or if those absent have signified their consent to such meeting and their inability to attend. A Board meeting may also be held, without notice, immediately following the Annual Meeting of the Society.
  - e) The Board may appoint a day or days in any month or months for regular meetings at a place and hour to be named. A copy of any resolution of the Board fixing the time and place of regular meetings of

the Board shall be sent to each Member of the Board forthwith after being passed, but no other notice shall be required for any such regular meeting.

- f) The statutory declaration of the Chair of the Board that notice has been given pursuant to this By-Law shall be sufficient and conclusive evidence of the giving of such notice.
- g) In respect of any matter of business before the Board, it may by a simple majority vote determine to consider such business in camera
- h) The Board shall meet a minimum of (7) seven times per year.

## SECTION 9 OFFICERS

- 9.01 In the event that the Chair, Vice Chair, Second Vice-Chair, Secretary, Treasurer or Secretary-Treasurer (as the case may be) has completed their term, at the first Board meeting following the Annual General Meeting, the Board shall elect from among their number, a new Chair, Vice Chair, Second Vice-Chair, Secretary, Treasurer, and such other officers as it determines. One person may hold more than one office except the office of Chair, Vice Chair and Second Vice-Chair. In case and whenever the same person holds the offices of Secretary and Treasurer that person may but need not be known as the Secretary-Treasurer. The other officers of the Society need not be members of the Board and in the absence of written agreement to the contrary, the employment of all other officers shall be settled from time to time by the Board.

## SECTION 10 DUTIES OF OFFICERS

- 10.01 The Chair of the Board shall, when present, preside at any and all Society Meetings and shall hold office for two years or until their successor is elected. The Chair of the Board shall be ex officio a member of all committees of the Board. Upon retirement, the Chair shall become the immediate Past Chair. The Chair of the Board shall, along with the Vice Chair(s), the Secretary, the Treasurer, or the Chief Executive Officer or other officers appointed by the Board for the purpose, sign all By-Laws.
- 10.02 The Vice Chair of the Board shall be vested with all the powers of and perform the duties of the Chair of the Board in the absence of the Chair of the Board and such other duties as the Board may determine. The Second Vice Chair, or failing them, the Secretary, shall be vested with all the powers of and perform the duties of the Chair of the Board in the absence of the Chair and the Vice Chair and such other duties as the Board may determine.

- 10.03 Subject to the direction of the Board, the Chief Executive Officer shall manage the operations of the Society, be responsible for the day to day conduct of the affairs of the Society, sign such documents as may require signature in accordance with the By-Laws of the Society, otherwise perform such other duties as may be assigned by the Board, and regularly report to the Board on all phases of the management and operations of the Society.
- 10.04 The Secretary shall be responsible for ensuring the recording of all resolutions at Member, Board, Committee and other meetings of the Society, the secure custody of the Society's books, papers and records, and perform such other duties as may be determined by the Board. All or any duties of the Secretary may be delegated at any time and from time to time to designated staff. If designated staff exercises any of the duties of the Secretary, delegation of such duties to such designated staff shall, in the absence of expressed notice to the contrary, be presumed with reference thereto.
- 10.05 The Treasurer shall be responsible for the conduct of the monetary affairs of the Society, the accurate preparation of financial records and reports and shall review the deposit of all monies or other valuable effects in the name and to the credit of the Society in such bank or banks as may from time to time be designated by the Board. The Treasurer shall disburse the funds of the Society under the direction of the Board taking proper vouchers therefor and shall render to the Board at the regular meetings thereof or whenever required of them an account of all their transactions as Treasurer and of the financial position of the Society and shall perform such other duties as may be determined by the Board. All or any duties of the Treasurer may be delegated at any time and from time to time to the Chief Executive Officer. If the Chief Executive Officer exercises any of the duties of the Treasurer, delegation of such duty to such Chief Executive Officer shall, in the absence of expressed notice to the contrary, be presumed with reference thereto. In the event the offices of Secretary and Treasurer shall be combined, it shall be the duty of the Secretary-Treasurer to exercise the duties of the Secretary and Treasurer as herein provided.
- 10.06 Any other officers appointed shall perform the duties assigned to them by the Board.
- 10.07 Auditors of the Society, when appointed, shall serve until the next Annual Meeting after their appointment or until their successors are appointed, unless previously removed by resolution of the Members at a General Meeting.
- 10.08 Execution of Documents:
- a) All cheques, drafts or orders for the payment of money and all notes and acceptances and bills of exchange shall be signed by the officer or officers or person or persons and in the manner from time to time prescribed by the Board.



- b) Documents requiring execution by the Society may be signed by the CEO any one of the Officers the Board Chair, Vice-Chairs, CEO, and all documents so signed are binding upon the Society without any further authorization or formality. The Board may from time to time appoint any officer or officers or any person or persons on behalf of the Society, either to sign documents generally or to sign specific documents. The corporate seal of the Society shall, when required, be affixed to the documents executed in accordance with the foregoing.
- c) The Board shall ensure that all necessary books and records of the Society required by the By-Laws of the Society or by any applicable statute are regularly and properly kept.

Any two of the Chair, the Vice Chair, the Secretary, the Treasurer, or the Chief Executive Officer:

1. may sign and affix the seal of the Society to deeds, transfers, leases, licenses, contracts, and other engagements on behalf of the Society;
2. transfer any and all shares, bonds, or other securities from time to time standing in the name of the Society in its individual or any other capacity or as trustee or otherwise and may accept in the name and on behalf of the Society transfers of shares, bonds or other securities from time to time transferred to the Society and may make, execute and deliver under the Society seal any and all instruments in writing necessary or proper for such purposes, including the appointment of an attorney or attorneys to make or accept transfers of shares, bonds or other securities on the books of any company or society;
3. execute all cheques, bills of exchange or other orders for the payment of money and all notes or other evidences of indebtedness made in the name of the Society;
4. issue, sell or pledge securities of the Society; or,
5. charge, mortgage, hypothecate or pledge all or any of the real or personal property of the Society, including book debts, rights, powers, franchises and undertakings, to secure any securities or any money borrowed, or other debt, or any other obligation or liability of the Society.

#### 10.09 Banking Arrangements

The Board shall designate, by resolution, the officers and other persons authorized to transact the banking business of the Society, or any part thereof, with the bank, trust company, or other corporation carrying on a banking business that the Board has designated as the Society's banker, to have the authority set out in the resolution, including, unless otherwise restricted, the power to:

- a) operate the Society's accounts with the banker;
- b) make, sign, draw, accept, endorse, negotiate, lodge, deposit or transfer any of the cheques, promissory notes, drafts, acceptances, bills of exchange and orders for the payment of money;
- c) issue receipts for and orders relating to any property of the Society; and,
- d) authorize any officer of the banker to do any act or thing on the Society's behalf to facilitate the banking business.

SECTION 11  
FINANCE COMMITTEE

- 11.01 The Board shall, at its first meeting following the Annual Meeting, appoint a Finance Committee which shall be chaired by the Treasurer and shall consist of at least three directors and/or Members.
- 11.02 The Finance Committee shall report to the Board on the financial affairs of the Society.
- 11.03 The Finance Committee shall:
  - a) review on a regular basis as prescribed by the Board, the financial affairs of the Society;
  - b) recommend to the Board the appointment and remuneration of the independent auditors for the Society;
  - c) in collaboration with such auditors, recommend committee guidelines for the approval of the Board;
  - d) maintain regular contract with the independent auditors and consider with them the range of the audit, internal cost controls and related data of and for the Society and its subsidiaries;
  - e) review with the auditors and management the annual financial statements and also, where practicable, interim reports;
  - f) review the post audit letter and management's response thereto, and generally, management's relationship with the auditors; and
  - g) determine and regularly review, for approval by the Board, the criteria and policies for investment of the individual portfolio's and designated funds of the Society and its subsidiary and review its property holdings. The Committee will recommend to the Board the appointment of an

investment manager and other suppliers of financial services and monitor such services.

SECTION 12  
GOVERNANCE COMMITTEE

- 12.01 The Board at its first meeting following the Annual Meeting shall appoint a Governance Committee of not fewer than four (4) members which shall include the Chair of the Board, whose duties will include:
- a) for each Annual Meeting, the preparation and submission to the Members of a list of qualified individuals sufficient to maintain a full Board (including any recommendations as to varying the length of director terms so as to facilitate the staggering of Board terms);
  - b) the provision of direction and development of the Board;
  - c) ensure an annual review of the Board's performance is completed;
  - d) ensure the annual CEO performance evaluation is completed;
  - e) such other duties as requested by the Board from time to time;
  - f) the updating of By-Laws; and
  - g) the development and maintenance of Board policies.
- 12.02 The Chair of the Governance Committee shall be chosen from among the Members of such Committee.
- 12.03 Any individual wishing to serve on the Board shall make an application in writing on the prescribed form, to the Chair of the Governance Committee when the Call for Nominations is issued each Spring. Such application shall include the expressed desire of the individual to serve in the capacity of director, and the willingness to serve if elected.
- 12.04 The Governance Committee and Chief Executive Officer may interview applicants, or make such other enquiries as to ascertain the qualifications of nominated individuals and their fulfillment of necessary qualifications.
- 12.05 No other nominations except (a) those endorsed by the Governance Committee, and (b) those submitted by a Member together with the signed endorsement of not less than five (5) voting Members not later than 28 days prior to the Annual General Meeting, shall be presented or received at the Annual General Meeting of the Society. In the event that there are more nominations for the office of Director than the vacancies to be filled, an election shall be held by ballots at the Annual General Meeting to be supervised by the secretary of the Meeting.



- 12.06 The following qualifications are necessary for any individual to be considered for nomination to the Board. They:
- a) shall be either a Friend of the HBSPCA Member at the time of application and election or become a Friend of the HBSPCA Member of the Society within 10 days after being elected or appointed as a director of the Society;
  - b) must not be an employee of the Society or related to any employee of the Society;
  - c) must have a philosophy towards animal welfare and humane education which is compatible with the philosophy, operations, aims and objectives of the Society;
  - d) must consent to a criminal record check;
  - e) must undertake to serve if elected;
  - f) must be recommended as specified in the Governance Procedure;
  - g) must not be an un discharged bankrupt; and
  - h) must be eighteen (18) years of age or more.

**SECTION 13  
OTHER COMMITTEES**

- 13.01 The Board may appoint such additional committees as it deems appropriate and prescribe such duties to them as the Board determines.

**SECTION 14  
SOCIETY MEETINGS**

- 14.01 Society Meetings shall be held at the head office of the Society or elsewhere in Ontario as the Board may determine and on such day and at such time as the said directors shall appoint.
- 14.02 At every Annual Meeting of the Society, in addition to any other business that may be transacted, the report of the directors, the financial statement and the report of the auditors shall be presented; and the directors shall be elected and the auditors appointed for the ensuing year. The Board, or the number of Members of the Society as provided by the Act from time to time, shall have the power to requisition the Chief Executive Officer, upon written notice, to call a General Meeting of the Members of the Society.

- 14.03
- a) Notice of Annual or General Society Meetings and the time and place of meeting, shall be given to the Members not less than fourteen (14) days prior to the time fixed for the holding of such meeting. Notice shall be given by personal delivery, by facsimile, e-mail, or by regular mail. If by regular mail, said notice shall be mailed out not less than sixteen (16) days before the date of the meeting, including the date of mailing.
  - b) No error or omission in giving notice of any Society Meeting, or any adjourned meeting, to the Members of the Society shall invalidate such meeting or make void any proceedings taken thereat and any Member may at any time waive notice of any such meeting and may ratify, approve and confirm any or all proceedings taken or had thereat. For the purpose of sending notice to any Member, director or officer for any meeting or otherwise, the address of any Member, director or officer shall be their last address recorded on the books of the Society.
  - c) Any Society Meeting or any meetings of the directors may be adjourned to any time and from time to time and such business may be transacted at such adjourned meeting as might have been transacted at the original meeting from which such adjournment took place. No notice shall be required of any such adjournment. Such adjournment may be made notwithstanding that no quorum is present.
- 14.04 A Member may, by means of a proxy, appoint a person who is a Member in good standing of the Society, as their nominee to attend and act at a Society Meeting in the manner, to the extent and with the power conferred by the proxy which, in order to be valid, shall:
- a) be executed in writing by the Member or by their attorney authorized in writing;
  - b) contain the date thereof and the appointment and name of the nominee and may provide restrictions or instructions as to the manner in which the proxy is to be voted; and,
  - c) be deposited either at the head office of the Society or with the Secretary of the Society not less than 48 hours, excluding Saturdays, Sundays, and legal holidays, preceding the meeting, or any adjournment of a meeting.
- 14.05 A quorum for the transaction of business at any meeting of Members shall consist of not less than 15 voting Members present in person or represented by proxy. In no case can any meeting be held unless there are 12 voting Members present in person.
- 14.06 At any Society Meeting:

- a) each Member shall be entitled to one vote provided they have paid all dues payable by them;
  - b) questions shall be decided by a majority of votes cast by the Members present or represented by proxy, unless otherwise required by law;
  - c) each question shall be decided by a show of hands and declared by the Chair to be carried or not carried, unless a poll is demanded by a Member. A declaration by the Chair that a resolution has been carried or not carried and/or entry to that effect in the Minutes of the Society shall be admissible in evidence as prima facie proof of the fact without proof of the number, or proportion of the votes accorded in favour of or against such resolution; and
  - d) if a poll is demanded on any question, it shall be taken in the manner determined by the Chair and shall be decided by a majority of votes given by the voting Members present in person or by proxy and the result of such poll shall be deemed the decision of the Society upon the matter in question.
- 14.07 In the case of an equality of votes at any Society Meeting, the Chair shall be entitled to cast a second or casting vote.
- 14.08 At each Society Meeting, one or more scrutineers may be appointed by a resolution of the meeting, or by the Chair with the consent of the meeting, to serve at the meeting. A scrutineer need not be a Member of the Society.
- 14.09 Voting delegates to meetings of any organization or association of which the Society is a member shall be appointed by the Board prior to such meetings.

## SECTION 15 NOTICES

- 15.01 Subject to any specific clauses contained in this By-Law, wherever any notice is required to be given to a Member, director, officer or auditor, such notice, unless otherwise provided by this By-Law, may be given orally, telephoned, delivered personally, electronically communicated, or inserted in any publication circulated to such Member, director, officer or auditor, and if such notice is mailed, the same will be deemed to be given on the fifth day following deposit in a post office or public letter box in a postage paid envelope addressed to the Member, director, officer or auditor at such person's last address as recorded in the books of the Society.
- 15.02 The accidental omission to give notice to any Member, director, officer or auditor, or the non-receipt of notice, or any error in a notice shall not invalidate action taken at a meeting held pursuant to such notice or otherwise founded thereon.

SECTION 16  
SURETIES

- 16.01 The Board may require any officer or employee of the Society to give bond for the faithful discharge of their duties, in such form and with such surety or sureties as the Board may from time to time prescribe.

SECTION 17  
ENDORSEMENTS

- 17.01 No director, officer or Member of the Society shall use the name of the Society or their affiliation with the Society to endorse or criticize any political party, private enterprise or any other person or party without first obtaining the written approval of the Board.

SECTION 18  
MINUTES OF THE MEETING

- 18.01 All directors of the Society will have electronic access to approved minutes of Board meetings within a reasonable time after each such meeting. Any Member of the Society shall receive approved minutes of the Annual Meetings within a reasonable time after a written request is received by the Society from such Member.

SECTION 19  
BY-LAW APPLICATION AND AMENDMENTS

- 19.01 Title of By-Law. The By-Law may be known as the Regulatory By-Law of The Hamilton/Burlington Society for the Prevention of Cruelty to Animals.
- 19.02 By-Law in Force. This By-Law when passed by the Board shall come into force and take effect on the date of its ratification by two-thirds of the votes cast by Members present at the Annual General Meeting of the membership of the Society.

ALL PRIOR By-Laws, Resolutions and Proceedings of the Society inconsistent herewith are hereby repealed in order to give full force and effect to this By-Law.

ENACTED AND PASSED by the Board of Directors this 14th day of August, 2018



---

CHAIR



SECRETARY

APPROVED, RATIFIED AND CONFIRMED by the members of the Society at a duly constituted general meeting thereof duly called for consideration of the same this 17<sup>th</sup> day of September, 2018.

WITNESS the Corporate seal of the Society



---

CHAIR



SECRETARY





P.O. Box 89052  
HAMILTON, ONTARIO L8S 4R5

Sept. 24, 2018

**Re: Application to Amend Zoning By-law for Lands Located at Binbrook Conservation Area for a proposed zip line adventure park**

Dear Mayor Eisenberger and Members of City Council:

The Hamilton Naturalists' Club supports the presentation to the Planning Committee on Sept. 18 by Brett Harrington, Chairperson of the Glanbrook Conservation Committee, in opposition to the proposed zip line adventure park at the Binbrook Conservation Area.

We share the concerns of the Conservation Committee that the Treetop Trekking plan would be an unnecessary commercialization of the Binbrook CA when conservation should be the fundamental priority. Many people enjoy the natural amenities of the park, such as hiking, birding, fishing, canoe rentals, and a splash pad. It is not as if the Binbrook CA is lacking in opportunities for people of all ages to appreciate and enjoy nature.

We understand the need for conservation authorities to raise funds. However, we would much prefer to see the Niagara Peninsula Conservation Authority encourage efforts to improve environmentally-friendly and more passive forms of recreation at the Binbrook CA.

The goal should be on creating more interest with interpretive displays, a bird banding station and amenities to promote the CA as a premier educational resource for schools and home educators. In contrast, the zip line plan would inevitably impact the birds, wildlife, trees and natural landscape of the Binbrook CA.

We have serious reservations about the loss of 100 trees, including 69 that are in good condition. Although replacement trees will be planted, there is a big difference between cutting down a healthy older tree versus planting young ones that do not have the capacity to clean the air as mature trees have. Removing trees in a Conservation Area, for a project of this kind, is counterintuitive.

As Mr. Harrington noted, the plan could well interfere with, and detract from, enjoyment of the trails and make it more difficult to preserve the health of the trees, breeding birds and wildlife --- including several Species at Risk bats --- and wetlands.

A five-year monitoring strategy to evaluate whether the project is harming the environment does not alleviate our concerns about the issues that people have. Mr. Harrington made a telling statement to the committee that nearly everyone he spoke to at the Binbrook Fair was opposed to the project. As he said, the NPCA's emphasis should be on conservation of the natural environment.

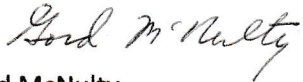
Hamilton Naturalists' Club is a non-profit organization dedicated to the study, appreciation and conservation of our wild plants and animals.  
All work is freely done by Directors, Officers and Members.



The unease in the community reflected a public consultation process that left much to be desired. The Hamilton Naturalists' Club was not aware of a project which has significant ramifications for Hamilton. We believe there should have been a better effort to engage the community from the start.

We urge City Council to decline the zip line proposal and support the Glanbrook Conservation Committee in enhancing the Binbrook CA as a natural conservation oasis.

Thank you.

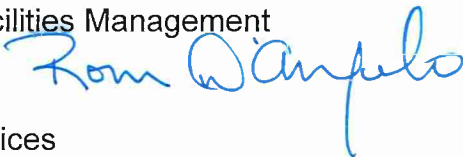


Gord McNulty  
Ontario Nature Representative,  
Hamilton Naturalists' Club



Hamilton

## INFORMATION UPDATE

<b>TO:</b>	Mayor Fred Eisenberger and Members of Council
<b>DATE:</b>	September 24, 2018
<b>SUBJECT/REPORT NO:</b>	William Connell Fieldhouse: Tender C13-34-18 Award (Ward 8) (EFFM1808)
<b>WARD(S) AFFECTED:</b>	Ward 8
<b>SUBMITTED BY:</b>	Rom D'Angelo, C.E.T.; CFM Director, Energy, Fleet & Facilities Management Public Works Department Craig Murdoch Director, Environmental Services Public Works Department
<b>SIGNATURES:</b>	

At the Public Works Committee on September 17<sup>th</sup>, 2018, staff was directed to provide additional information regarding Report PW18086 William Connell Fieldhouse: Tender C13-34-18 Award (Ward 8). In particular, staff was asked to confirm how many bids were received, and to give an update about any negotiations with the low bidder.

Procurement Division received 5 compliant bids for the William Connell Fieldhouse tender C13-34-18. The low bid was by Bestco Construction (2005) Ltd.

Negotiation with Bestco Construction is scheduled to start September 25 in accordance with the Procurement By-law and continue for approximately 2 weeks. Negotiation is an ongoing process and it was not possible to obtain results from negotiation prior to Council on September 26, 2018.

Staff evaluated the low bid to see if there was opportunity to negotiate prices based on historic unit costs. Staff worked diligently during the design of the fieldhouse to value-engineer for the best value while still complying with strict building standards. It is not anticipated that the unit costs identified in the bid related to the building can be lowered significantly, since the per square foot construction value is within anticipated market values for park washrooms.

There is some landscaping in the project as well. This is related to the finishing of the space around the building, and the parking lot that will be used for staging during

*OUR Vision: To be the best place to raise a child and age successfully.*

*OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.*

*OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.*

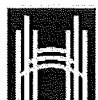


construction. Staff will pursue discussions with the low bidder to see if there are design suggestions that can realize savings on the contract.

If you require further information please contact myself or Robyn Ellis, Manager, Strategic Planning, Capital & Compliance, at Extension 2616.


**Appendices and Schedules Attached**

Not Applicable.



Hamilton

## INFORMATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	September 24, 2018
<b>SUBJECT</b>	Growth Potential and Infrastructure Investments in the Waterdown Urban Area
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Jason Thorne General Manager Planning and Economic Development Department
<b>SIGNATURE:</b>	

The following Information Update is being provided to Council in accordance with the motion by Councillor Collins at the September 18, 2018 Planning Committee meeting which directed "that staff provide to Council, through an Information Update, information related to the future growth potential that is planned for lands in the Waterdown Urban Area and the investment that the City of Hamilton has made in infrastructure in Waterdown to benefit both existing and future residents".

With respect to growth potential, based on the most recent Staging of Development Report, our estimate is that there are currently approximately 165 net hectares of vacant, developable land within the Waterdown Urban Area. Half of this is residential land and half is non-residential land. On the residential side, nearly all of these lands are either registered, draft plan approved or are pending draft plan approval, and would accommodate approximately 5,000 residential units.

With respect to infrastructure investment, the following is a partial list of some of the major infrastructure investments that the City of Hamilton has made in Waterdown over approximately the past ten years, totalling \$183.6 M (please note this is only a partial list focused on larger projects, and dollar figures have been rounded):

- Mountain Brow Road \$8.8 M
- East-West By-Pass Road (spent-to-date) \$23.6 M
- East-West By-Pass Road (2019 Budget forecast) \$18.7 M
- Waterdown - Burlington Road Upgrades (spent-to-date) \$9.1 M
- Waterdown - Burlington Road Upgrades (2019 Budget forecast) \$5.4 M
- Clappisons Corners (Hwys. 5 and 6 Interchange) \$10.8 M
- Hwy. 6 Signal - Concession 5 West and Hwy. 6 East \$1.5 M

*OUR Vision: To be the best place to raise a child and age successfully.*

*OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.*

*OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.*

**SUBJECT: Growth Potential and Infrastructure Investments in the Waterdown Urban Area - Page 2 of 2**

---

• Parkside Drive Urbanization	\$6.8 M
• Fire Services	\$2.1 M
• Twin Pad Arena	\$17 M
• Senior Hub	\$1.5 M
• Borers Creek	\$2.1 M
• Joe Sams Park	\$3.4 M
• Memorial Park	\$4.6 M
• Waterdown Branch Library	\$7.2 M
• Carlisle Library Expansion (2019 Budget forecast)	\$3.5 M
• North Waterdown Tower (Flamborough Business Park)	\$8.1 M
• Parkside - Main to East Limit Water, Wastewater and Stormwater	\$9.4 M
• Carlisle Communal Well System Upgrades (spent-to-date)	\$7.6 M
• Carlisle Communal Well System Upgrades (2019-2020 Budget forecast)	\$5.7 M
• Freelton Well (spent-to-date)	\$2.6 M
• Waterdown South Elevation Water Storage Total	\$4.6 M
• First Street (Waterdown Sanitary)	\$2.5 M
• Hillcrest Reservoir	\$4 M
• Main/Whitney Pumping Station Replacement	\$2.5 M
• Waterdown Pumping Station	\$5.3 M
• Grindstone Creek Utility Bridge	\$3.1 M
• Royal to Main/King Sanitary Sewer	\$2.1 M

Should you have any questions pertaining to the above, please contact the author of this communication by e-mail or at Ext. 4339.

JT:cad

1 | HAMILTON COMMITTEE FOR CANNABIS meeting September 26<sup>th</sup>  
September 23, 2018 from S. J. Creer

RESPECTFULLY SUBMITTED TO THE  
HAMILTON CITY COUNCIL AND PLANNING  
COMMITTEE

September 23, 2018

VOTING AGAINST ALL CANNABIS/MARIJUAUNA OUTLETS IN HAMILTON,  
ONTARIO

Attn; Deputy Clerk Janet Pilon

September 23, 2018 from S. J. Creer

Greetings to all the Councillors and Mayor Eisenberger. A concerned submission about Cannabis.

Cannabis is not safe! Cannabis is a dangerous, noxious product especially when smoked or ingested. It is a dangerous, gateway drug for many young adults. There are illegal cannabis users in my apartment complex that are dangerous and are also endangering the health of the many young children in the complex. I have presented to the City Public Health Committee as well. When I presented to the Health and Safety Committee Councillor Aiden Johnson was chairing the committee and he was complimentary in pointing out that I have been doing some good work in the community. I hope you will all continue to heed my concerns.

If City Council will vote to take the 'high road' (pun intended) and not allow Cannabis/Marijuana retailers they will set a precedent where Hamilton really is the best place to raise a child. The City will be one where children's health and developing bodies will not be negatively affected. In addition it will show to the youngsters in our community that their health is of utmost importance. There may be some money in the Cannabis industry but it will not be enough to offset the numerous mental health challenges youth face; there is a huge backlog for children/youth mental health services now as it is. The Cities of Markham, Richmond Hill and Oakville are opting out of Cannabis outlets. I definitely feel Hamilton should do the same.

As mentioned, the children in my apartment complex are not protected now from second-hand cigarette which is allowed in some places. Cannabis is not allowed but the illegal Cannabis dealers and users are not being dealt with. The staff from the City's Tobacco office also have concerns that I have shared with them; they were hoping the Province would enlarge the Smoke Free Ontario Act to include *all forms of smoke in multi-unit residential apartments*. Tenants such as myself are made ill by Cannabis and bothered by the associated violence. I have had other tenants offer me cannabis and when I complain nothing is done. I cannot afford to move nor can the young children in our complex avoid the toxic second-hand smoke from our shared apartment ventilation system. According to the Province's rules a nineteen (19) year old will be allowed to buy and consume at home; that means other tenants will be bothered by cannabis which is horrifying.

The Canadian Medical Association, Canadian Psychological Association, MADD Canada and other official agencies are very concerned about Cannabis

September 23, 2018 from S. J. Creer

Legalization. *I think this is the worst possible change ever to happen in Canada.* Our Prime Minister uses cannabis; what a great example for the youth. The Federal Liberal Party Secretary\* has shares in a Cannabis company and it was an issue in the last election; of course the issue of legalization is to make the Prime Minister and his friends more money off the backs of children.

**ISSUES:** I tried so hard to present to the Federal Government when they were doing public consultations on Bill C45 and C46 but all my MP's/MPP's/PM ignored me. I wrote an article about my frustrations (included with the references). I have also tried to contact Premier Ford and Attorney General Caroline Mulroney but they are ignoring my Cannabis concerns as well. I am hoping the City of Hamilton will not ignore my concerns and allow me to breathe easily as well as the other tenants. I know that many tenants in my building including two families on my floor with young children are really concerned as well as there is an illegal cannabis user on the floor above them that really bothers them.

Council has a great chance to refuse Cannabis sales in the City as the Province is allowing. Please make that choice on September 26<sup>th</sup>. Next, I respectfully request that all illegal Cannabis retailers in the City be closed down permanently. If any Cannabis retailers set up they should be shut down immediately. There is an illegal Cannabis shop across from Delta Highschool; how has that not been shut down?

### **MEDICAL ISSUES REGARDING CANNABIS;**

I know some people use cannabis medically but there are ways to imbibe it without smoking out one's neighbours.

The Canadian Psychological Association report September, 2017 titled 'Recommendations for the Legalization of Cannabis in Canada' is frightening when it states;

Research to date into the use and abuse of cannabis evidences the following:

☑ Regular or heavy cannabis use in adolescence is related to poorer educational outcomes, lower income, suicidality, greater welfare dependence and unemployment, as well as lower relationship and life satisfaction.

When I did my BA (double major) in Theatre Arts and Psychology we discussed illegal drugs on the developing youth's bodies. I strongly feel the City should disallow Cannabis in any form (and in any multi-use building where

September 23, 2018 from S. J. Creer

there are underage children) due to the elevated risks involved. Hamilton should not be considering making money off potential youth suicides. Cannabis revenues will not be 'moral' in that sense.

*From 'The Epoch Times'; Dr. Paula Stewart, chief medical officer of health for the Leeds, Grenville and Lanark District Health Unit in Ontario, provided some statistics on marijuana use among youth. "Looking at the data, we have about one in four people in grades 9 to 12 say that they've used cannabis in the last year. And it goes up—60 percent of those in grade 12 say they used cannabis in the last year." Stewart said in an interview. She said young people need to understand that marijuana "is a chemical that is not natural to our bodies." "[Legalization] doesn't mean that this is a healthy product and it's OK to use it." The Pediatricians Alliance of Ontario (PAO) has warned that the legalization of marijuana could pose a serious risk to the health of children and teens, noting that after marijuana was legalized in Colorado in 2014, a children's hospital in the state saw a fourfold increase in the number of teenagers coming to emergency rooms due to marijuana intoxication.*

#### **OTHER AGENCIES/ADVOCATES;**

City Tobacco Department, Andrew Dreschel's numerous articles in the Spec as well as many others saying Cannabis is dangerous but making it legal does not make it safe.

The BIA's, local advocacy groups and others think this is dangerous. I realize some councillors may be considering financial aspect but this product is too dangerous. Tobacco smoking has gone down with good advocacy over the years but Cannabis has a different caveat especially with our potsmoking PM. The City Council should stand up for our children's health as well as the rest of the citizens and ensure that this product does not become part of our community.

#### **MY HOPES/REQUESTS;**

Smoke Free Ontario will not let parents smoke in cars now. The City has a smoking bylaw for restaurants, public parks, recreation centres. I would ask that those Bylaws be strengthened so that no citizen is bothered by Cannabis downtown, outside of restaurants, bus stops, etc.

That the City will ensure all City Housing properties are fully smoke free and ensure that all multi-residential buildings are completely smoke free by

September 23, 2018 from S. J. Creer

changing Municipal bylaws. Cannabis should not be allowed anywhere in the City. I think Hamilton should tell the Province we do not want it at all. From my City Health and Safety Presentation in January, 2018; *Other municipalities which have gone smoke free in their social housing complexes are Ottawa and Waterloo and Guelph is considering it. So again, I ask CHH to designate my building as smoke-free and add a clause stating this in lease agreements/declarations. This request to change the lease is supported by the City of Hamilton's own Tobacco handout 'Is there Tobacco smoke in your apartment?'*

There are dangerous illegal shootouts happening; if Cannabis is kept from Hamilton then the Police will have a clear mandate to deal with the product. There are homeowners in the Greenhill Rd. area that cannot sell their homes as they are next to an illegal grow-up.

The City needs to do more to protect underage children in the apartment complexes in our city, including mine. I have been told by CHH staff that once cannabis becomes legal they cannot stop tenants from smoking it; cannabis will sicken children. If the City takes a courageous step and bans Cannabis then all the citizens will be protected. Cannabis makes me ill; the second-hand smoke gives me a migraine and an asthma attack. I cannot afford to lose work due to this. I do not want the young children in my complex to suffer either as exposure to any second-hand smoke can be a precursor to a child developing asthma and allergies.

If Cannabis is kept from Hamilton then no one will have to walk past an illegal dispensary and be smoked out, especially if they have health issues. Susie Braithwaite of the Downtown Hamilton BIA complained about the Cannabis Culture shop downtown bothering other patrons. And children waiting for a bus or ride will not be smoked out. Anyone with allergies/asthma will not be able to enjoy public spaces – imagine if Bayfront or the West Harbour area is full of cannabis smokers at a concert?

I hope the City disallows the illegal greenhouses in Jerseyville and other places; I have friends who live in Jerseyville and they are not happy. Cannabis is a toxic substance that should not be welcomed in the City. I hope the Councillors will do everything they can to ensure the safety of our citizens and children. Yours, S. J. Creer

**MEDICAL ISSUES re. CANNABIS;**



September 23, 2018 from S. J. Creer

From 'nosmoke.org'; Second-hand marijuana smoke contains fine particulate matter that can be breathed deeply into the lungs; Secondhand marijuana smoke contains many of the same cancer-causing substances and toxic chemicals as secondhand tobacco smoke. Some of the known carcinogens or toxins present in marijuana smoke include: acetaldehyde, ammonia, arsenic, benzene, cadmium, chromium, formaldehyde, hydrogen cyanide, isoprene, lead, mercury, nickel, and quinoline; Marijuana smoke contains tetrahydrocannabinol (THC), the active chemical in cannabis;

And; Secondhand Marijuana Smoke Is Not Benign. July 27, 2016  
Karen M. Wilson, MD, MPH published in; 75231  
The *Journal of the American Heart Association* is published by the  
American Heart Association, 7272 Greenville Avenue,  
doi: 10.1161/JAHA.116.004004

### **OTHER GROUPS ADVOCATING AGAINST CANNABIS;**

Mayor of Richmond Hill, Ontario, MADD Canada, The Canadian Medical Association,

### **REFERENCES;**

([https://www.theepochtimes.com/some-gta-mayors-reject-cannabis-retail-stores\\_2627464.html](https://www.theepochtimes.com/some-gta-mayors-reject-cannabis-retail-stores_2627464.html))

From; Aug. 24, 2016

<https://vancouversun.com/news/national/doctors-weigh-in-on-pm-trudeaus-plans-for-marijuana-legalization>

The Canadian Psychological Association report September, 2017 titled 'Recommendations for the Legalization of Cannabis in Canada'.

MADD CANADA

Nosmoke.org

<https://vancouversun.com/health/local-health/fatal-car-crashes-triple-among-drivers-high-on-marijuana-after-legalization-in-colorado-double-in-washington-state> look up the refernce. No reliable road side sobriety drug etest.

From: <http://www.theglobeandmail.com/news/british-columbia/us-states-with-legal-pot-sales-see-rise-in-fatal-accidents-by-high-drivers/article26947558/>

<https://www.theglobeandmail.com/news/national/what-canadas-doctors-are-concerned-about-ahead-of-marijuana-legalization/article34694165/>

September 23, 2018 from S. J. Creer

\*Rifici had come under fire a year ago while serving both as CFO of the party and CEO of Tweed, with a spokesman for former public safety minister Steven Blaney telling Postmedia that legalization "would benefit Mr. Trudeau's close millionaire friends that are marketing marijuana to Canadians." (<http://www.ottawasun.com/2015/10/28/liberal-cfo-could-rake-in-marijuana-money-with-legalization>)

And lastly: From 'nosmoke.org'; Second-hand marijuana smoke contains fine particulate matter that can be breathed deeply into the lungs; Secondhand marijuana smoke contains many of the same cancer-causing substances and toxic chemicals as secondhand tobacco smoke. Some of the known carcinogens or toxins present in marijuana smoke include: acetaldehyde, ammonia, arsenic, benzene, cadmium, chromium, formaldehyde, hydrogen cyanide, isoprene, lead, mercury, nickel, and quinoline; Marijuana smoke contains tetrahydrocannabinol (THC), the active chemical in cannabis;

### **LASTLY MY ARTICLE AGAIN; I APOLOGISE FOR THE LENGTH OF THIS PRESENTATION;**

#### **Government's pot plans could harm children and bystanders**

Opinion Jun 13, 2018 by Susan Creer Hamilton Spectator

Pot makes me sick! The smell of it gives me a migraine and incapacitates me. The illegal users on my floor not only smoke out other tenants but also poison the lungs of the eight young children under 13 on my floor alone. My building is part of a two-building complex with a lot of children.

There are so many negative issues with Bill C45. Marijuana is not harmless and the particulate matter is dangerous. Bill C45 issues include the following; health dangers, edibles at schools, illegal dispensaries and crime, policing, etc.

No level of government has determined how they will protect children and tenants in buildings with shared ventilation systems and no one has indicated how to protect citizens in public spaces. Childhood exposure to any second-hand smoke can be a precursor to asthma and allergies. Tobacco smoke bothers me as well. Hamilton's tobacco office has real concerns about possible legalization as well. The City of Hamilton does not allow cigarette smoking on recreation property or in parks but they allow it at City Hall on 4/20 (Weed Day) days. Why?

If someone needs medical marijuana there are ways to partake without poisoning your neighbours. Health Canada mails medical pot to patients so illegal pot shops are just that — illegal!

The Prime Minister says he wants to legalize pot to shut down the black market but he has not shared valid statistics. What is frustrating is that numerous Liberal MP's have shares in pot companies. Is Bill C45 about taking crime money away or making more for the PM's rich friends? The Federal Liberal party secretary ' ... Rifici had come under fire a year ago while

September 23, 2018 from S. J. Creer

serving both as chief financial officer of the party and CEO of Tweed...'. A spokesperson for former public safety minister Steven Blaney told Postmedia that legalization "would benefit Mr. Trudeau's close millionaire friends that are marketing marijuana to Canadians ..."

Political pundits wonder why more people do not vote. Here are several reasons why; when the elected officials ignore your calls you get discouraged! I tried for over a year to contact MP Filomena Tassi. In my quest to have my voice heard as part of the democratic process I have contacted the PM, MP Bill Blair, Bob Bratina and others on the Bill C45 committee but was ignored.

MP Tassi said there was no way I could present to committee in Ottawa as that was only for agencies and not individuals. There are four staff contacts for the Ontario government advisers and only one replied to my email which is discouraging. I tried to attend one of the prime minister's town halls but even with a ticket I was not guaranteed a seat. While watching CPAC coverage of the prime minister's events I saw that the prime minister often bullied or mocked everyone who disagreed with him.

Exactly how will Bill C45 protect children when pot can be purchased at a dispensary to be consumed/smoked at home? The Province of Ontario may allow 18-year-olds to purchase even though many medical experts state that pot should be restricted to age 25. Schoolchildren are not safe from pretty edibles. Marijuana affects the brain and can alter memory, cause panic attacks, depression and affecting judgment and motor skills. How will rental property managers deal with toxic second-hand smoke and mould?

Bill C45 is wrong for so many reasons; damage to children, lack of consultation with the public, impairment issues, toxic second-hand smoke in public places and homes, mould issue, etc. The government's pot plans will harm children and other innocent bystanders.

*Susan Creer is an advocate who lives in Hamilton.*

And;

September 23, 2018 from S. J. Creer



## HEALTH EFFECTS OF CANNABIS

There are both potential therapeutic uses for and potential health risks of using cannabis (marijuana). A chemical called delta-9-tetrahydrocannabinol (THC) is responsible for the way your brain and body respond to cannabis. While it is used by some for therapeutic purposes, there are short- and long-term physical and mental health effects that can be harmful.

### SHORT-TERM HEALTH EFFECTS

While cannabis may make you feel relaxed and happy, you could experience unpleasant, unwanted or negative effects on your brain and body.

#### EFFECTS ON THE BRAIN

The short-term effects of cannabis on the brain can include:

- ▶ confusion
- ▶ sleepiness (fatigue)
- ▶ impaired ability to:
  - ▶ remember
  - ▶ concentrate
  - ▶ pay attention
- ▶ anxiety, fear or panic
- ▶ reduced ability to react quickly

Cannabis use can also result in psychotic episodes characterized by:

- ▶ paranoia
- ▶ delusions
- ▶ hallucinations

Emerging evidence suggests that a chemical in cannabis called cannabidiol (CBD) may help dampen some of the psychoactive effects of THC<sup>1</sup> such as:

<sup>1</sup> Bhattacharyya et al. (2010) Opposite effects of delta-9-tetrahydrocannabinol and cannabidiol on human brain function and psychopathology. *Neuropsychopharmacology* 35(3): 764-74. [www.ncbi.nlm.nih.gov/pubmed/22352724](http://www.ncbi.nlm.nih.gov/pubmed/22352724)

- ▶ disturbances in mood
- ▶ psychotic symptoms

There is also evidence to suggest that combining tobacco with cannabis can increase:

- ▶ the strength of some psychoactive effects<sup>2</sup>
- ▶ the risk of poor mental health outcomes,<sup>3</sup> including dependence

Effects can be felt within seconds to minutes of smoking, vaporizing or dabbing cannabis. These effects can last up to 6 hours or longer.

If you eat or drink cannabis, these effects can occur within 30 minutes to 2 hours and can last up to 12 hours or longer.

#### EFFECTS ON THE BODY

The short-term effects of cannabis on the body can include:

- ▶ damaged blood vessels caused by the smoke<sup>4</sup>
- ▶ decreased blood pressure, which can cause people to faint or pass out
- ▶ increased heart rate, which can be a danger for people with heart conditions and can lead to an increased risk of heart attack<sup>5</sup>

<sup>2</sup> Rama et al. (2015) Tobacco and marijuana use among adolescents and young adults: a systematic review of their co-use. *Clinical Psychology Review* 32: 105-121. [www.ncbi.nlm.nih.gov/pubmed/22245559](http://www.ncbi.nlm.nih.gov/pubmed/22245559)

<sup>3</sup> Schauer et al. (2017) Marijuana and tobacco co-administration in blunts, spiffs, and meftad cigarettes: a systematic literature review. *Addictive behaviors*. 64: 2011-211. [www.ncbi.nlm.nih.gov/pubmed/27654985](http://www.ncbi.nlm.nih.gov/pubmed/27654985)

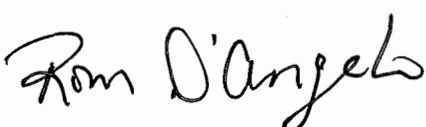
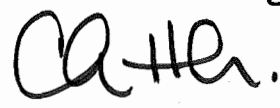
<sup>4</sup> Wang et al. (2016) One minute of marijuana secondhand smoke exposure substantially impairs vascular endothelial function. *Journal of the American Heart Association*. 5(8). [www.ncbi.nlm.nih.gov/pubmed/271864788](http://www.ncbi.nlm.nih.gov/pubmed/271864788)

<sup>5</sup> Thomas et al. (2014) Adverse cardiovascular, cerebrovascular, and peripheral vascular effects of marijuana inhalation: what cardiologists need to know. *American Journal of Cardiology* 113(1): 187-90. [www.ncbi.nlm.nih.gov/pubmed/24116069](http://www.ncbi.nlm.nih.gov/pubmed/24116069)



Hamilton

## INFORMATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	September 25, 2018
<b>SUBJECT/REPORT NO:</b>	The Dundas J.L. Grightmire Arena
<b>WARD(S) AFFECTED:</b>	Wards 13 and 15
<b>SUBMITTED BY:</b>	Rome D'Angelo Director, Energy, Fleet & Facilities Management Public Works  Chris Herstek Director, Recreation Healthy & Safe Communities
<b>SIGNATURES:</b>	 

The Dundas J.L. Grightmire Arena is the oldest and one of the most visited hockey arenas in the city. Community interest in renovating the facility began in 2010 when the community won the national Hockeyville contest, receiving \$100,000 toward completion of renovations. In 2016, Council approved the remainder of the \$7 million capital investment in the facility.

In response to community interest and to help ensure hockey teams using the arena would only miss one season in their home arena, the renovation project was planned using an expedited schedule. The tight timeline, while difficult, was deemed possible by City staff, the architect, and the contractor working on the project. Renovations on the facility began in the fall of 2017.

Upon starting the project, the contractor had agreed to a substantial performance date of September 7, 2018 which would allow for the arena users to return for their 2018 season. However, the contractor has been unable to meet that deadline and unfortunately is going to be unable to meet the revised deadlines. On Monday,

*OUR Vision: To be the best place to raise a child and age successfully.*

*OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.*

*OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.*

**SUBJECT: The Dundas J.L. Grightmire Arena**

---

September 25, City staff learned of new delays to critical systems which will push completion of the project out by a minimum of five weeks, until at least the week of November 13, 2018.

Recreation staff are working with the Dundas hockey teams to ensure their schedule is fully accommodated at other arenas. Every effort is being made to lessen the impact on the hockey groups in Dundas, starting with annual fees, which Council will consider waiving at its meeting of September 26<sup>th</sup>, in light of the impact of ongoing construction delays. Plans have been made to move all activities scheduled at Dundas J.L. Grightmire Arena in the fall of 2018 to alternate venues until January 2019.

City staff anticipate an updated construction schedule from the contractor by Thursday, October 4, 2018, which will outline their plan to address the delays to critical systems, including final hook-ups for sewer, water and gas, replacement of the existing sprinkler components and lines, paving in the parking lot and fire access, installation of exterior brick on the addition, completion of the glass windows and glass curtain walls, mechanical and electrical fixtures, exterior site grading, concrete curb installation, and painting and finishes.

Despite agreeing to the expedited schedule, the contractor has attributed delays to a number of external factors including nine extreme heat days and 15 extreme cold days, and delays in the delivery of a custom HVAC unit.

City staff have been working with the contractor to facilitate the completion of the contract.

Staff are disappointed that the project will not be completed within the committed to timelines and that we will not be able to take occupancy as anticipated and have our user groups on the ice in October 2018.

Over the coming months, City staff will continue to work with community stakeholders and the contractor. Staff will provide Council with a further update in December 2018.

Wednesday, September 26th, 2018

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

Regarding the Application for Amendment to Zoning By-law No. 6593 for Lands Located at 567 Scenic Dr, Hamilton (Ward 8)(PED18173)  
 File No. ZAC-17-030

To Whom it may Concern,

Directly from the: Application for Amendment to Zoning By-law No. 6593 for Lands Located at 567 Scenic Dr, Hamilton (Ward 8)(PED18173) - Page 3 of 29

"The lands are currently being used as a medical office that was approved as a **temporary use** under Committee of Adjustment Application HM/A-14:270 on November 27, 2014 for a period of two years. A second Committee of Adjustment Minor Variance Application, HM/A-16:370, to continue to use was heard before the Committee of Adjustment on December 1, 2016 and the **application was denied.**" It is currently September 2018, 1 year and 9 months from when the application was denied- yet the building is still in use- illegally?- as a doctor's office.

There is already community access to numerous pharmacies and stores; grocery, hardware, fast food along the Hamilton Street Railway (HSR) transit routes 34 & 34a less than a two minute drive away, or a 10-15 minute walk.

Westcliff Mall, on the corner of Upper Paradise Rd. and Mohawk Rd. W, which is 6 blocks away from the corner of Upper Paradise Rd. and Scenic Dr. already has a doctors' office (dental), a clinic for hearing aids a pharmacy and more, a medical doctors office would fit in seamlessly! Why re-zone a lot in a **residential** area when there is commercial property available that close-by? Having a doctors clinic in the mall would serve to increase traffic to all of the stores and bolster the community!

The two closest pharmacies to the corner of Scenic Dr. and Upper Paradise Rd. are located at:

- Rexall Pharma Plus: **1.4 km** at 640 Mohawk Rd W Unit 21, in Westcliff Mall
- Shoppers Drug Mart: **1.7 km** at 801 Mohawk Rd W, in Harvard Square Mall

By putting a doctors' office in one of these malls the residents in the neighborhood are still very close to the doctor, there is a pharmacy already in place and established, and there would not be a pharmacy put into the middle of a residentially zoned area which would keep narcotics on site and invite crime into what is currently a safe neighborhood.

Additionally, the doctors character or history of awards that may have been received should have absolutely no bearing on the decision on whether or not to change the zoning of the lot at 567 Scenic Dr. from "B-1" (Suburban Agricultural and Residential) to "CR-1/S-1766" (Commercial Residential). This is not at all relevant. Nor is it relevant that I can do a search on Google for "doctor office near scenic dr hamilton" and discover that the Shine Family Clinic only has 3.7 out of 5 stars, out of 9 reviews, and Dr. Shine is one of the lowest rated doctors that appears in the search.

The are some letters in favor of the proposed development are in the literature package form the September 18th City Hall meeting more than once, this serves artificially to inflate the number of submissions and drown out the voices of those who are opposed.

I would urge the committee to be wary of accepting all submissions of support for this project as there are patients of the doctors' office who are traveling some distance by car to attend the clinic, who may not in fact be residents in the neighborhood and who may be submitting letters in support. This would serve to artificially inflate the data that shows support for this proposed development and drown out the voices of descent from actual residents of the neighborhood.

To the issue of having adequate parking spaces for the proposed commercial use, Mr. Terry Whitehead's office indicated in 2016 that 19 parking spaces were required, this was without consideration to a pharmacy location and a further residential occupation. Despite members of the community asking for clarification on this issue, by the time of the community meeting on May 16, 2017 no further clarification had been received. (Information supplied by Community Meeting-PIC- Comment Form, Samuel Songes.)

1. Further concerns are that the creation of this proposed development is not needed at this location in the neighborhood as there are commercial alternatives very close by.

2. An apartment building does not conform to the style or 'compatible integration of the development with the surrounding area' in the neighborhood. At the meeting in City Hall on September 18th a photo was used by the developer to show that a 2.5 story building would fit in well, however the residence pictured was totally misrepresented as it is not directly across the street. In fact, 2.5 stories would be taller than the adjacent structures.

3. This development would not serve to beautify the area, is not needed for infilling or population density or residential intensification as there are already town houses and a school residence already established in the area.

4. A development of this nature would serve only to put money in the owners pocket and devalue the homes surrounding it as it would essentially be a store front and apartment building.

5. There are houses in the area which have been on the market as rental properties over the past few years, these houses have not been maintained, have not been improved and have brought graffiti to the once pristine area. There is no reason to believe that this proposed development would be any different.

6. The parks and trails in the neighborhood are currently accessible to the public year round, having 2 rental units does not serve to make these public grounds 'more public'

Finally, Mr. Terry Whitehead has not been available to the public to respond to concerns about this matter and his office has repeatedly ignored phone calls from members of the community. During the meeting at city hall on September 18th, he did not object to the use of the term 'single family home' when it was used by persons in favor of the development, however he vehemently objected to the term when used by persons who were opposed to the project.

For whatever reason Mr. Terry Whitehead has failed to respond to objections from the community, has failed to provide advanced notice about meetings, has tried to 'fast track' an approval for this proposed development, has expressed anger and frustration when presented with concerns or criticism about the proposed development from members of the community and has referred to members of the community who have objections to the proposed development as 'elitist'.



Mr. Whitehead, for whatever reason, is clearly too emotional invested in the project to be objective and he should immediately recues himself from any further involvement or votes with regards to this matter as he is not adequately able to represent the whole community due to his unwillingness to listen to a segment of its members.

Thank you,



Diane Hansebout



589 Scenic Dr.

Hamilton, 



**vitulli law group**  
69 Hughson Street North  
Hamilton, ON L8R 1G5  
Tel: 905.528.8773 | Fax: 905.528.6543  
Reply to: [jvitulli@vitullilawgroup.com](mailto:jvitulli@vitullilawgroup.com)  
John Vitulli Professional Corporation  
[www.vitullilawgroup.com](http://www.vitullilawgroup.com)

September 26, 2018

**BY EMAIL ([ida.bedioui@hamilton.ca](mailto:ida.bedioui@hamilton.ca))**

Honourable Mayor Fred Eisenberger;  
Ward Councillor Terry Whitehead; and  
Members of City Council

Via Ms. Ida Bedioui,  
Legislative Coordinator  
Hamilton City Hall  
2<sup>nd</sup> floor – 71 Main Street West  
Hamilton, ON L8P 4Y5

Dear Sirs and Madam:

**RE: 828 Sanatorium Road, Hamilton, Ontario**

Please be advised that we are lawyers for Valery (Chedoke Browlands) Developments Inc. (“VCBD”), the registered owner of lands and premises municipally known as 828 Sanatorium Road, Hamilton, Ontario (the “Property”).

Further to the meeting which took place on Thursday, September 20, 2018 between Mr. Sergio Manchia of Urban Solutions, Mr. Ted Valeri of VCBD, and Steve Robichaud, Director, Planning and Chief Planner for the City of Hamilton, we wish to confirm that the City of Hamilton and VCBC have agreed as follows:

1. VCBD shall and does hereby formally withdraw its pending application to demolish the Long & Bisby Building situated upon the Property and its related notice of intention to demolish or remove same to the Property pursuant to the *Ontario Heritage Act*, without prejudice to its right to resubmit such application and notices.
2. The City of Hamilton’s Staff Recommendation to Designate the Property (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED 18214) be and same is hereby formally withdrawn.
3. Moving forward, the City of Hamilton and VCBD shall procure the appropriate reports regarding the Long & Bisby Building in order to determine the feasibility of including the same in VCBD’s development of the Property.

We trust you will find the foregoing in order.

However, should you have any questions, please do not hesitate to contact us.

Yours truly,

VITULLI LAW GROUP

A handwritten signature in black ink, appearing to read "John Vitulli Jr.", written in a cursive style.

John Vitulli Jr.  
/dm

- c.c. Mr. Jason Thorne, MCIP, RPP General Manager, Planning & Economic Development  
([jason.thorne@hamilton.ca](mailto:jason.thorne@hamilton.ca))
- c.c. Mr. Steve Robichaud, MCIP, RPP, Chief Planner, Director of Planning  
([steve.robichaud@hamilton.ca](mailto:steve.robichaud@hamilton.ca))
- c.c. Anita Fabac, MCIP, RPP, Manager, Development Planning, Heritage & Design  
([anita.fabac@hamilton.ca](mailto:anita.fabac@hamilton.ca))
- c.c. Jeremy Parsons, Planner II, Cultural Heritage  
([jeremy.parsons@hamilton.ca](mailto:jeremy.parsons@hamilton.ca))
- c.c. UrbanSolutions Planning & Land Development Consultants Inc.  
([smanchia@urbansolutions.info](mailto:smanchia@urbansolutions.info))

**Pilon, Janet**

---

**Subject:** 828 Sanatorium Road, Hamilton, Ontario

**From:** John Vitulli <jvitulli@vitullilawgroup.com>

**Sent:** September-26-18 4:37 PM

**To:** Bedioui, Ida <Ida.Bedioui@hamilton.ca>; Darlene MacDonald <dmacdonald@vitullilawgroup.com>

**Cc:** Thorne, Jason <Jason.Thorne@hamilton.ca>; Robichaud, Steve <Steve.Robichaud@hamilton.ca>; Fabac, Anita <Anita.Fabac@hamilton.ca>; Parsons, Jeremy <Jeremy.Parsons@hamilton.ca>; Sergio Manchia <smanchia@urbansolutions.info>; Pilon, Janet <Janet.Pilon@hamilton.ca>; John Vitulli <jvitulli@vitullilawgroup.com>; Paul Valeri <paul@valeryhomes.com>; Anthony Valeri <Anthony@valeryhomes.com>; Ted Valeri <ted@valeryhomes.com>

**Subject:** Re: 828 Sanatorium Road, Hamilton, Ontario

Ida,

Please be advised that my letter of earlier today contained an error, and by this email, I wish to correct such error and respectfully ask that you please provide this correspondence to Council for their consideration.

In my said letter, it was indicated that an agreement had been reached between Mr. Robichaud, Mr. Valeri or Mr. Manchia at the September 20, 2018 meeting concerning Valery's withdrawal of its demolition permit and the City's withdrawal of Staff's report. Rather, during the meeting, the parties discussed the possibility of deferring the designation of the property if the Valery's withdrew its demolition permit and notice of intention to demolish, and undertook the appropriate studies/assessments/reports of the Long and Bisby Building in order to incorporate the subject building into the Valery's development of the subject property. To the end, and acknowledging that there is no assurance or legal obligation on the part of the Council to defer the designation, Valery do hereby propose that should Council vote to defer the designation, it does hereby withdraw its demolition permit and related notice of intention to demolish, and Valery and Ted Valery personally do also hereby undertakes to do as follows:

1. To conduct the necessary studies/assessments/reports of the Long and Bisby Building to determine the feasibility of incorporating it into its development while preserving its protected characteristics. Upon the procurement of such studies/assessments/reports, it is Valery's hope that it and the City will jointly submit to Council the designation of the subject building in a manner that satisfactorily protected and integrated into its development; and
2. Pending the completion of such studies/assessments, reports, Valery shall not demolish the subject building or make further application for demolition or give further notice of its intention to demolish, and should it do so, the foregoing deferral by the Council shall be without prejudice to the City to immediately bring the City's report and the matter of the designation back before Council.

We apologize for any confusion and inconvenience caused by our previous correspondence, and hope this clarifies matters.

John Vitulli



69 Hughson Street North  
Hamilton, ON  
L8R 1G5

---

**From:** Bedioui, Ida <Ida.Bedioui@hamilton.ca>  
**Sent:** Wednesday, September 26, 2018 1:28 PM  
**To:** Darlene MacDonald  
**Cc:** John Vitulli; Thorne, Jason; Robichaud, Steve; Fabac, Anita; Parsons, Jeremy; Sergio Manchia; Pilon, Janet  
**Subject:** RE: 828 Sanatorium Road, Hamilton, Ontario

Ms MacDonald,  
This is to confirm receipt of your correspondence which will be distributed at tonight's Council meeting.

Regards,

Ida Bedioui, B.A., AMCTO  
Legislative Co-ordinator  
City of Hamilton  
71 Main Street West  
1st Floor  
Hamilton, Ontario L8P 4Y5  
(905) 546-2424 ext. 4605  
(905) 546-2095 - fax

*Vision:*

*The Legislative Division is Dedicated to Excellence in the Provision of Service to the Community, Corporation & Council with Integrity, Accuracy and Transparency.*

*Mission:*

*The Legislative Division aims to strengthen and promote local government by facilitating the proceedings of City Council and its Committees, fulfilling the requirements of various Provincial statutes and educating the public to make it understandable and accessible.*

**From:** Darlene MacDonald [mailto:dmacdonald@vitullilawgroup.com]  
**Sent:** September 26, 2018 1:13 PM  
**To:** Bedioui, Ida <Ida.Bedioui@hamilton.ca>  
**Cc:** John Vitulli <jvitulli@vitullilawgroup.com>; Thorne, Jason <Jason.Thorne@hamilton.ca>; Robichaud, Steve <Steve.Robichaud@hamilton.ca>; Fabac, Anita <Anita.Fabac@hamilton.ca>; Parsons, Jeremy <Jeremy.Parsons@hamilton.ca>; Sergio Manchia <smanchia@urbansolutions.info>  
**Subject:** 828 Sanatorium Road, Hamilton, Ontario  
**Importance:** High

Ms. Bedioui,

Please find attached our correspondence in respect of the above which we trust you will find in order.

Take care,

**Darlene MacDonald** ([dmacdonald@vitullilawgroup.com](mailto:dmacdonald@vitullilawgroup.com))

Assistant to John Vitulli, Jr. ([jvitulli@vitullilawgroup.com](mailto:jvitulli@vitullilawgroup.com))



Vitulli Law Group  
69 Hughson Street North  
Hamilton, Ontario L8R 1G5  
T: 905-528-8773 | F: 905-528-6543

**CONFIDENTIALITY:** This e-mail message (including attachments, if any) is confidential and is intended only for the addressee. Any unauthorized use or disclosure is strictly prohibited. Disclosure of this e-mail to anyone other than the intended addressee does not constitute waiver of privilege. If you have received this communication in error, please notify us immediately and delete this. Thank you for your cooperation. This message has not been encrypted. Special arrangements can be made for encryption upon request.



## PUBLIC WORKS COMMITTEE REPORT 18-012

9:30 a.m.

Monday, September 17, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

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

**Absent with  
Regrets:** Councillor D. Conley - Personal

### THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 18-012 AND RESPECTFULLY RECOMMENDS:

**1. Asset Management and Regulations Update (PW18085) (City Wide) (Item 5.1)**

That Report PW18085, respecting Asset Management and Regulations Update, be received.

**2. Intersection Control List (PW18001(e)) (Wards 2, 4, 7, 8, 10, 14 and 15) (Item 5.2)**

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

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
<b>Section "C" Flamborough</b>							
(a)	Cole Street	Browview Drive	EB	All	A	Converting to allway stop – Clr Approved	15
(b)	Chudleigh Street	Culotta Drive (West Leg)	NB	All	A	Converting to allway stop – Clr Approved	15
(c)	Chudleigh Street	Culotta Drive (East Leg)	All	All	A	Housekeeping – Adding to By-law	15

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
(d)	Riley Street	Chudleigh Street	WB	All	B	Converting to allway stop – Clr Approved	15
(e)	4 <sup>th</sup> Concession West (Westerly Intersection)	Sheffield Road	EB	All	D	Converting to allway stop – Clr Approved	14
(f)	4 <sup>th</sup> Concession West (Easterly Intersection)	Sheffield Road	WB	All	D	Converting to allway stop – Clr Approved	14
<b>Section “E” Hamilton</b>							
(g)	West 4 <sup>th</sup> Street	Richwill Road	NB/SB Yield	NB/SB	A	Housekeeping – Converting yield sign to stop sign	8
(h)	Golfwood Drive	Atkins Drive	EB	All	A	Converting to allway stop – Clr Approved	8
(i)	Roxborough Avenue	Frederick Avenue	SB	All	A	Converting to allway stop – Clr Approved	4
(j)	Hunter Street	East Avenue	NB/SB	All	A	Converting to allway stop – Clr Approved	2
(k)	Strachan Street	Catharine Street	SB	All	A	Converting to allway stop – Clr Approved	2
(l)	McElroy Road	Howard Avenue	EB/WB	ALL	A	Converting to allway stop – Clr Approved	7
(m)	McElroy Road	Clarendon Avenue	EB/WB	ALL	A	Converting to allway stop – Clr Approved	7
(n)	Dragoon Drive	Fusilier Drive	EB/WB	ALL	A	Converting to allway stop – Clr Approved	7
(o)	Osgoode Court	Presidio Drive	None	SB	A	Housekeeping – no control Clr Approved	7
<b>Section “F” Stoney Creek</b>							
(p)	Hewitson Road	Dupont Street	None	ALL	A	Converting to allway stop – Clr Approved	10
(q)	Margaret Avenue	Guernsey Drive	EB/WB	ALL	A	Converting to allway stop – Clr Approved	10

**Legend**

No Control Existing (New Subdivision) - **NC**  
 Intersection Class: **A** - Local/Local    **B** - Local/Collector  
**C** - Collector/Collector    **D** – Arterial/Collector



**3. Glen Carey (270 Tenth Road East) respecting Truck Traffic and Construction of a Berm on Property (PW18083) (Ward 11) (Item 5.3)**

That Report PW18083, respecting Glen Carey (270 Tenth Road East) respecting Truck Traffic and Construction of a Berm on Property, be received.

**4. Clean and Green Hamilton Strategy 2017 Year-End Update (PW11052(I)) (City Wide) (Item 5.4)**

That Report PW11052(I), respecting Clean and Green Hamilton Strategy 2017 Year-End Update, be received.

**5. Proposed Permanent Closure and Sale of a Portion of Binkley Road and a Portion of Original Road Allowance Between the Townships of Beverly and West Flamborough, Dundas, ON (PW18081) (Ward 13 & Ward 14) (Item 6.1)**

That the applications of the owners of 29 Middletown Road, 107 Middletown Road, and 67 Middletown Road, Dundas, ON, to permanently close and purchase a portion of Binkley Road (Forced Road) and a Portion of Original Road Allowance between the Townships of Beverly and West Flamborough, Dundas, ON ("Subject Lands"), as shown on Appendix "A", attached to Public Works Report 18-012, be approved, subject to the following conditions:

- (a) That the City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the highway, 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 29 Middletown Road, 107 Middletown Road, and 67 Middletown Road, Dundas, ON, 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 29 Middletown Road, 107 Middletown Road, and 67 Middletown Road, Dundas, ON pursuant to Agreements of Purchase and Sale or Offer to Purchases 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 publish 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; and,

- (f) That the applicants 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.

**6. Proposed Permanent Closure and Sale of a Portion of Moxley Road, Dundas, ON (PW18082) (Ward 14) (Item 6.2)**

That the application of Lafarge Canada Inc., to permanently close and purchase the northerly portion of Moxley Road between Concession 4 West and Highway 5 Dundas, ON ("Subject Lands"), as shown on Appendix "B", attached to Public Works Report 18-012, be approved, subject to the following conditions:

- (a) That the City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the highway, 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 Lafarge Canada Inc. 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 Lafarge Canada Inc. 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;
- (d) That the City Solicitor be authorized and directed to register a certified copy of the by-law permanently closing and selling the highway in the proper land registry office;
- (e) That the Public Works Department publish 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; and,

- (h) That the applicant is fully responsible for the construction of a cul-de-sac at the northern limit of the public road allowance, to City Standards, as determined by the Road Operations Division, Public Works Department.

**7. Corrosion Control Program for the Woodward Drinking Water System (PW18080) (City Wide) (Item 7.1)**

That Report PW18080, respecting Corrosion Control Program for the Woodward Drinking Water System, be received.

**8. Red Hill Valley Project Integrated Environmental Monitoring Program Final Summary (PW18087) (City Wide) (Item 7.2)**

- (a) That a \$25,000 grant be awarded to the Stewards of Red Hill Watershed to assist with Red Hill Valley Stream 'Cleanout' Days to be funded from the Ward 5 Area Rating Reserve; 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.

**9. William Connell Fieldhouse: Tender C13-34-18 Award (PW18086) (Ward 8) (Item 8.1)**

- (a) That the General Manager, Public Works Department be authorized to negotiate, enter into and execute a Contract and any ancillary documents required to give effect thereto with acceptable lowest bidder of Tender C13-34-18, in a form satisfactory to the City Solicitor;
- (b) That the following funding strategy for an additional \$1.7M be approved in order to complete the final phase of the project as well as cover any ancillary project costs and fees:
  - (i) \$330K be approved from the Ward 8 Area-rating reserve 108058 and transferred to PID 7101654802;
  - (ii) \$980K be advanced from the 2019 Budget Forecast for William Connell Fieldhouse and be approved in 2018 from the Recreational Facilities Development Charges Reserves 110320/110321 and be transferred to PID 7101654802; and,
  - (iii) \$390K from the Outdoor Recreation Development Charges Reserves 110316 (\$367.5K) & 110317 (\$22.5K) be transferred to PID 4401356124; and,

- (c) That staff be directed to report back to Committee members prior to the September 26, 2018 Council Meeting with the number of bids that were submitted and the revised negotiated pricing.

**10. Third Party Processing of Green Bin Organic Material and Temporary Removal of Grass and Leaf & Yard Waste from the Green Bin Program (PW18088) (City Wide) (Item 8.2)**

- (a) That Council approve the single source procurement, pursuant to Procurement Policy #11 – Non-competitive Procurements, for one or more third-party service providers to process all, or a portion of the City’s organic material collected through the City’s Green Bin program, as outlined in this Report;
- (b) That the General Manager, Public Works Department be authorized to select, negotiate, enter into and execute short-term contracts and any ancillary documents required to give effect thereto with third-party service providers selected, in a form satisfactory to the City Solicitor;
- (c) That the cost associated with the short-term contact(s) referred to in recommendation (a) be funded from the Central Composting Facility contractual services operating account 55916-512725;
- (d) That the City of Hamilton temporarily remove grass and leaf & yard waste as acceptable materials within the City’s Green Bin program effective April 1, 2019; and,
- (e) That \$50,000 from the Central Composting Facility contractual services operating Account 55916, Dept. ID. 512725 be allocated for communicating with City residents about the temporary removal of grass and leaf & yard waste from the City’s Green Bin program and to promote the use of the curbside Leaf & Yard Waste program.

Councillors Collins and VanderBeek wished to be recorded as OPPOSED.

**11. City of Hamilton's Waste Transfer and Disposal System Request for Proposals C11-08-18 Selection of Successful Proponent(s) (PW16059(f)) (City Wide) (Item 8.3)**

- (a) That Waste Connections of Canada Inc. be selected as the successful proponent for Project A of Request for Proposals Contract C11-08-18, for the operation and maintenance of the City’s three Transfer Stations, three Community Recycling Centres, the Reuse Centre at the Mountain Community Recycling Centre, haulage of materials from the Transfer Stations and Community Recycling Centres to end markets and the Glanbrook Landfill, and marketing of specified recyclable materials from the Transfer Stations and Community Recycling Centres;

- (b) That Waste Management of Canada Corporation be selected as the successful proponent for Project B of Request for Proposals Contract C11-08-18, for the operation and maintenance of the Glanbrook Landfill and Leaf and Yard Waste Composting site;
- (c) That the General Manager of Public Works be authorized and directed to finalize the terms and conditions of the contract with Waste Connections of Canada Inc. in accordance with the provisions of Request for Proposals Contract C11-08-18 for Project A;
- (d) That the General Manager of Public Works be authorized and directed to finalize the terms and conditions of the contract with Waste Management of Canada Corporation in accordance with the provisions of Request for Proposals Contract C11-08-18 for Project B; and,
- (e) That the Mayor and City Clerk be authorized and directed to execute all necessary documents respecting the City of Hamilton's Waste Transfer and Disposal System Request for Proposals C11-08-18 Selection of Successful Proponent(s) with content acceptable to the General Manager of Public Works, in a form acceptable to the City Solicitor.

**12. Mandatory Waste Receptacles at Drive-Through Food Premises (PED18171 / PW18067) (City Wide) (Item 8.4)**

- (a) That Schedule 21 of the Business Licensing By-law 07-170 relating to Food Premises be amended to require the installation and maintenance of waste and recycling receptacles at drive-through food premises as described in Report PED18171/PW18067;
- (b) That staff be directed to prepare the appropriate By-law respecting Mandatory Waste Receptacles at Drive-Through Food Premises, with content acceptable to the General Manager of the Planning and Economic Development Department, in a form satisfactory to the City Solicitor; and,
- (c) That the item respecting Mandatory Drive-Thru Garbage Containers be identified as complete and removed from the Public Works Committee Outstanding Business List.

**13. Accessible Entrance Improvements to the Dundas Lawn Bowling Club (Item 9.1)**

WHEREAS, the Dundas Lawn Bowling Club is located in a City facility in the Dundas Driving Park, which is used extensively from April to October by the club patrons and guests, including clubs from other municipalities for practices, games and tournaments;

WHEREAS, the Dundas Lawn Bowling Club has approached the City requesting structural capital improvements, for the first time in at least 25 years, to accommodate an aging population who increasingly experience accessibility challenges in this building and is requesting inclusive use of this recreational amenity;

WHEREAS, the current entrance is not accessible or barrier-free, offers no entrance way protection from the sun or rain, has a single entrance door with a reduced and non-standard height, and is limited by the existing structure and roofline, requiring structural modification to the roof;

WHEREAS, a proposed renovation would provide needed repairs to the front of the building and more inclusive access to the facility for patrons participating in recreational programs, allowing the club to sustain its membership and operation;

WHEREAS, the Club will, at their expense, contribute a concrete path and entrance pad (an added value of approximately \$15,000), which will further improve accessibility at this City facility, once the new entranceway is in place; and,

WHEREAS, the work needs to be undertaken during the Club's winter closure, starting in the fall of 2018, so it can be completed early in 2019.

THEREFORE, BE IT RESOLVED:

- (a) That the accessible entrance improvements to be completed at the City's facility in the Dundas Driving Park, which accommodates the Dundas Lawn Bowling Club, in the amount of \$175,000, to be funded as follows, be approved:
  - (i) \$25,000 from the Ward 13 Cell Tower Account Number 3301609613; and,
  - (ii) \$150,000 from the Unallocated Capital Reserve Account Number 108020; and,
- (b) That the General Manager, Public Works Department, be authorized and directed to negotiate, enter into and execute a contract and any ancillary documents with the acceptable lowest bidder, for the accessible entrance improvements to be completed at the City's facility in the Dundas Driving Park, in a form satisfactory to the City Solicitor.

**14. Ice Fee Waivers for the Dundas Blues Junior C Hockey Club and the Dundas Minor Hockey Association for the 2018-2019 Hockey Season (Item 9.2)**

WHEREAS, the Dundas Blues Junior C Hockey Club and the Dundas Minor Hockey Association have long standing histories in the Town of Dundas;

WHEREAS, the Dundas Blues Junior C Hockey Club and the Dundas Minor Hockey Association play their home games at the J.L. Grightmire Arena in Dundas;

WHEREAS, the J.L. Grightmire Arena has been closed for extensive renovations since the spring of 2017;

WHEREAS, due to the closure of the G.L Grightmire Arena, the Dundas Blues Junior C Hockey Club has been relocated to play their home games at Olympic Arena; and, Dundas Minor Hockey Association has been relocated to play their home games at various arenas across the City;

WHEREAS, the renovation project at the J.L. Grightmire Arena was scheduled to be completed prior to the 2018 – 2019 hockey season;

WHEREAS, the City of Hamilton has been advised by the general contractor that the completion of the construction project will be delayed;

WHEREAS, the delay in the construction project will force the two hockey associations to be relocated for a portion of the 2018-2019 hockey season; and,

WHEREAS, the relocation of the of the two hockey associations will create a financial hardship for both groups for the 2018-2019 hockey season;

THEREFORE, BE IT RESOLVED:

That staff be directed to waive ice fees for the Dundas Blues Junior C Hockey Club and the Dundas Minor Hockey Association in the amount of \$ 25,000 each (for a total of \$50,000) for the 2018-2019 hockey season to compensate for the financial loss due to the continued closure of the J.L. Grightmire Arena.

**15. Removal of Infected Ash Trees at 87, 281 and 283 Quigley Road (Item 9.3)**

That in consultation with the affected homeowners, forestry staff be directed to arrange the removal of infected Ash Trees at 87, 281 and 283 Quigley Road, to be funded from the Emerald Ash Borer Plan #4451153001.

**16. Hamilton Public Bike Share System Contract Negotiations (PED18223) (City Wide) (Item 12.1)**

That Report PED18223, respecting Hamilton Public Bike Share System Contract Negotiations, be received and remain confidential.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

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

**1. ADDED DISCUSSION ITEMS (Item 8)**

8.5(a) Correspondence from Susan Mammel, Hamilton-Halton Home Builders Association requesting that Item 11.1(a) respecting Hamilton-Halton Home Builders' Association Delegation on Water Main Approval Issues and Recommendations remain as an Outstanding Business List Item until staff have provided further information at which time she would like to appear before Committee to speak to the matter

**2. ADDED NOTICES OF MOTION (Item 10)**

10.1 Ice Fee Waivers for the Dundas Blues Junior C Hockey Club and the Dundas Minor Hockey Association for the 2018-2019 Hockey Season

The agenda for the September 17, 2018 Public Works Committee meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

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

**(i) August 16, 2018 (Item 3.1)**

The Minutes of the August 16, 2018 meeting of the Public Works Committee were approved, as presented.

**CARRIED**

**(d) DELEGATION REQUESTS (Item 4)**

**(i) Kevin Gonci, Golden Horseshoe Track & Field Council, respecting the Phase 3 Renewal Proposal for the Mohawk Sports Park Outdoor Track & Field Facility (For today's meeting) (Item 4.1)**

The delegation request, submitted by Kevin Gonci, Golden Horseshoe Track & Field Council, respecting the Phase 3 Renewal Proposal for the Mohawk Sports Park Outdoor Track & Field Facility, was approved for today's meeting.



(ii) **Jonathan Jones, respecting Safety and Scheduling Concerns with DARTS (For today's meeting) (Item 4.2)**

The delegation request, submitted by Jonathan Jones, respecting Safety and Scheduling Concerns with DARTS, was approved for today's meeting.

(iii) **Giovanni Puzzo, respecting On Street Parking and Bike Lanes (For today's meeting) (Item 4.3)**

The delegation request, submitted by Giovanni Puzzo, respecting On Street Parking and Bike Lanes, was approved for today's meeting.

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

(i) **Proposed Permanent Closure and Sale of a Portion of Binkley Road and a Portion of Original Road Allowance Between the Townships of Beverly and West Flamborough, Dundas, ON (PW18081) (Ward 13 & Ward 14) (Item 6.1)**

Chair Ferguson advised that notice of the proposed permanent closure and sale of a Portion of Binkley Road and a Portion of Original Road Allowance Between the Townships of Beverly and West Flamborough, Dundas, ON was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that there were 4 registered speakers.

**Delegations**

6.1(a) Sunchul Kim

Sunchul Kim was not present when called upon.

6.1(b) Gary Neven

Gary Neven addressed the Committee and spoke in favour of the proposed permanent closure and sale of a Portion of Binkley Road and a Portion of Original Road Allowance Between the Townships of Beverly and West Flamborough, Dundas, ON.

The delegation by Gary Neven, respecting the proposed permanent closure and sale of a Portion of Binkley Road and a Portion of Original Road Allowance Between the Townships of Beverly and West Flamborough, Dundas, ON, was received.

6.1(c) Michelle Stark

Michelle Stark addressed the Committee and spoke in favour of the proposed permanent closure and sale of a Portion of Binkley Road and a Portion of Original Road Allowance Between the Townships of Beverly and West Flamborough, Dundas, ON.

The delegation provided by Michelle Stark, respecting the proposed permanent closure and sale of a Portion of Binkley Road and a Portion of Original Road Allowance Between the Townships of Beverly and West Flamborough, Dundas, ON, was received.

6.1(d) Trung Nguyen

Trung Nguyen was not present when called upon.

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

The public meeting was closed.

For disposition of this matter refer to Item 5.

**(ii) Proposed Permanent Closure and Sale of a Portion of Moxley Road, Dundas, ON (PW18082) (Ward 14) (Item 6.2)**

Chair Ferguson advised that notice of the proposed permanent closure and sale of a Portion of Moxley Road, Dundas, ON was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that there was one registered speaker.

**Delegations**

6.2(a) Brian Zeman, MHBC Planning, on behalf of Lafarge Canada Inc.

Brian Zeman, MHBC Planning, addressed the Committee on behalf of Lafarge Canada Inc. supporting the recommendations of the proposed permanent closure and sale of a Portion of Moxley Road, Dundas, ON.

The delegation provided by Brian Zeman, respecting the proposed permanent closure and sale of a Portion of Moxley Road, Dundas, ON was received.

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

The public meeting was closed.

For disposition of this matter, refer to Item 6.

**(iii) Kevin Gonci, Golden Horseshoe Track & Field Council, respecting the Phase 3 Renewal Proposal for the Mohawk Sports Park Outdoor Track & Field Facility (Item 6.3)**

Kevin Gonci from the Golden Horseshoe Track & Field Council, addressed the Committee respecting the Phase 3 Renewal Proposal for the Mohawk Sports Park Outdoor Track & Field Facility, with the aid of a presentation.

Kevin Gonci was permitted to address the Committee for an additional 5 minutes in order to complete his presentation.

The presentation from Kevin Gonci, Golden Horseshoe Track & Field Council, respecting the Phase 3 Renewal Proposal for the Mohawk Sports Park Outdoor Track & Field Facility, was received.

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

The presentation from Kevin Gonci, Golden Horseshoe Track & Field Council, respecting the Phase 3 Renewal Proposal for the Mohawk Sports Park Outdoor Track & Field Facility, was referred to staff to report to the 2019 General Issues Committee Budget Process.

**(iv) Jonathan Jones, respecting Safety and Scheduling Concerns with DARTS (Item 6.4)**

Jonathan Jones addressed the Committee respecting Safety and Scheduling Concerns with DARTS.

The delegation provided by Jonathan Jones, respecting Safety and Scheduling Concerns with DARTS, was received.

Staff were directed to review the concerns respecting DARTS safety and scheduling raised by Jonathan Jones, and report back to the Public Works Committee.

**(v) Giovanni Puzzo, respecting On Street Parking and Bike Lanes (Item 6.5)**

Giovanni Puzzo addressed the Committee respecting On Street Parking and Bike Lanes.

The delegation provided by Giovanni Puzzo, respecting On Street Parking and Bike Lanes, was received.

Staff were directed to meet with Giovanni Puzzo to obtain additional information about his on street parking concerns and report back to the Public Works Committee.

**(f) STAFF PRESENTATIONS (Item 7)**

**(i) Corrosion Control Program for the Woodward Drinking Water System (PW18080) (City Wide) (Item 7.1)**

Andrew Grice, addressed the Committee respecting the Corrosion Control Program for the Woodward Drinking Water System, with the aid of a presentation.

The presentation, respecting Report PW18080, Corrosion Control Program for the Woodward Drinking Water System, was received.

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

Staff were directed to report back to the Public Works Committee on the feasibility of a Grant Program for residents for any lead pipe watermain replacement.

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

**(ii) Red Hill Valley Project Integrated Environmental Monitoring Program Final Summary (PW18087) (City Wide) (Item 7.2)**

Matt Senior, Wood Environment & Infrastructure Solutions, addressed the Committee respecting the Red Hill Valley Project Integrated Environmental Monitoring Program Final Summary, with the aid of a presentation.

The presentation from Matt Senior, Wood Environment & Infrastructure Solutions, respecting the Red Hill Valley Project Integrated Environmental Monitoring Program Final Summary, was received.

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

Staff were directed to report back to the Public Works Committee, on a regular basis, with respect to recommendations relating to the Red Hill Valley Project Integrated Environmental Monitoring Plan, and the cost of resources that would be required to fulfil these recommendations which are not currently funded through the Public Works Department's Operating Budget.

For further disposition of this matter, refer to Item 8.

(g) **DISCUSSION ITEMS (Item 8)**

(i) **William Connell Fieldhouse: Tender C13-34-18 Award (PW18086) (Ward 8) (Item 8.1)**

That Report PW18086, respecting William Connell Fieldhouse: Tender C13-34-18 Award, was **amended** by adding a new sub-section (c) to read as follows:

- (c) ***That staff be directed to report back to Committee members prior to the September 26, 2018 Council Meeting with the number of bids that were submitted and the revised negotiated pricing.***

For disposition of this matter, refer to Item 9.

(ii) **Third Party Processing of Green Bin Organic Material and Temporary Removal of Grass and Leaf & Yard Waste from the Green Bin Program (PW18088) (City Wide) (Item 8.2)**

That Report PW18088, respecting Third Party Processing of Green Bin Organic Material and Temporary removal of Grass and Leaf & Yard Waste from the Green Bin Program, was **amended** by revising sub-section (d) to read as follows:

- (d) That the City of Hamilton temporarily remove grass and leaf & yard waste as acceptable materials within the City's Green Bin program ***effective April 1, 2019;***

For disposition of this matter, refer to Item 10.

(iii) **Mandatory Waste Receptacles at Drive-Through Food Premises (PED18171 / PW18067) (City Wide) (Outstanding Business List Item) (Item 8.4)**

Chair Ferguson advised that public notice was given for the City of Hamilton's Waste Transfer and Disposal System Request for Proposals C11-08-18 Selection of Successful Proponent(s), which invited interested parties to make representations at today's meeting. There were no registered speakers and no one in attendance came forward to speak to the proposed changes.

For disposition of this matter, refer to Item 12.

**(iv) Approval of Water Servicing for Development (PW18084) (City Wide) (Item 8.5) and (Item 8.5(a))**

Report PW18084, respecting Approval of Water Servicing for Development and Item 8.5(a), correspondence from Susan Mammel, Hamilton-Halton Home Builders' Association respecting Approval of Water Servicing for Development was DEFERRED to a future Public Works Committee Meeting in the new 2018 – 2022 term of Council to allow for Susan Mammel, Hamilton-Halton Home Builders' Association to delegate at that meeting.

**(h) NOTICES OF MOTION (Item 10)**

**(i) Ice Fee Waivers for the Dundas Blues Junior C Hockey Club and the Dundas Minor Hockey Association for the 2018-2019 Hockey Season (Added Item 10.1)**

Councillor VanderBeek introduced a Notice of Motion respecting Ice Fee Waivers for the Dundas Blues Junior C Hockey Club and the Dundas Minor Hockey Association for the 2018-2019 Hockey Season.

The Rules of Order be waived to allow for the introduction of a Motion respecting Ice Fee Waivers for the Dundas Blues Junior C Hockey Club and the Dundas Minor Hockey Association for the 2018-2019 Hockey Season.

For disposition of this matter, refer to Item 14.

**(ii) Removal of Infected Ash Trees at 87, 281 and 283 Quigley Road (Added Item 10.2)**

Councillor Collins introduced a Notice of Motion respecting the Removal of Ash Trees at 87, 281 and 283 Quigley Road.

The Rules of Order be waived to allow for the introduction of a Motion respecting the Removal of Ash Trees at 87, 281 and 283 Quigley Road.

For disposition of this matter, refer to Item 15.

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

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

The following amendments to the Public Works Committee's Outstanding Business List, were approved *as amended*:

(a) Items to be removed:

- ~~(i) Hamilton Halton Homebuilders' Association (HHHBA)  
Delegation on Water Main Approval Issues and  
Recommendations for Master water wastewater Servicing  
Studies  
Item 8.5 on today's agenda  
Item on OBL: T~~
- (ii) Glen Carey Delegation (re: berm on his property)  
Item 5.3 on today's agenda  
Item on OBL: L
- (iii) Mandatory Drive Thru Garbage Containers  
Item 8.4 on today's agenda  
Item on OBL: P

**(j) PRIVATE AND CONFIDENTIAL (Item 12)**

Committee moved into Closed Session respecting Item 12.1, pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, advice that is subject to solicitor/client privilege, including communications necessary for that purpose.

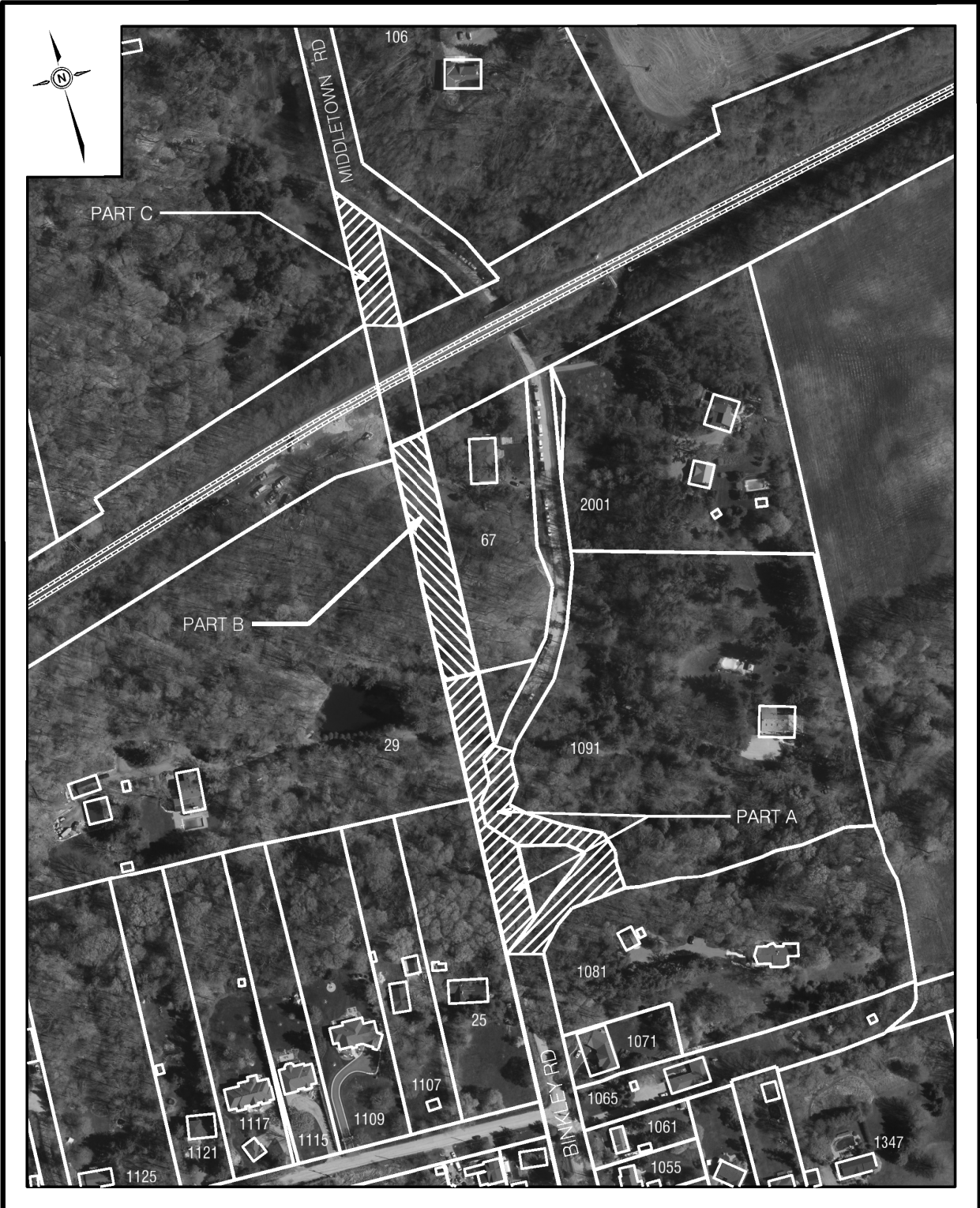
**(k) ADJOURNMENT (Item 13)**

There being no further business, the Public Works Committee was adjourned at 12:13 p.m.

Respectfully submitted,

Councillor L. Ferguson  
Chair, Public Works Committee

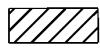
Angela McRae  
Legislative Coordinator  
Office of the City Clerk



PROPOSED CLOSURE OF PORTION OF ROAD ALLOWANCE

- PART A - BINKLEY ROAD
- PART B - ORIGINAL ROAD ALLOWANCE BETWEEN THE TOWNSHIPS OF BEVERLY AND WEST FLAMBOROUGH
- PART C - ORIGINAL ROAD ALLOWANCE BETWEEN THE TOWNSHIPS OF BEVERLY AND WEST FLAMBOROUGH

LEGEND

 Lands to be Closed



Geomatics & Corridor Management Section  
Public Works Department





Hamilton

PROPOSED CLOSURE OF  
PORTION OF MOXLEY ROAD

Geomatics & Corridor Management Section  
Public Works Department

LEGEND

 Lands to be Closed



**BOARD OF HEALTH  
REPORT 18-007**

1:30 p.m.

Monday, September 17, 2018

Council Chambers

Hamilton City Hall

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

**Absent with regrets:** Councillors A. Johnson and D. Conley – Personal

**THE BOARD OF HEALTH PRESENTS REPORT 18-007 AND RESPECTFULLY RECOMMENDS:**

**1. Vaccine Program Review (BOH18022) (City Wide) (Item 5.1)**

That Report BOH18022, respecting a Vaccine Program Review, be received.

**2. Infectious Disease and Environmental Health Semi-Annual Report (BOH18028) (City Wide) (Item 5.2)**

That Report BOH18028, respecting an Infectious Disease and Environmental Health Semi-Annual Report, be received.

**3. 2018 Annual Service Plan & Budget Performance Report (Q1 & Q2) (BOH18029) (City Wide) (Item 5.3)**

That Report BOH18029, respecting the 2018 Annual Service Plan & Budget Performance Report (Q1 & Q2), be received.

**4. Ontario Public Health Standards Transparency Framework (BOH18030) (City Wide) (Item 5.4)**

That Report BOH18030, respecting an Ontario Public Health Standards Transparency Framework, be received.

**5. Board of Health Self-Evaluation Results (BOH18011(a)) (City Wide) (Item 5.5)**

That Report BOH 18011(a), Board of Health Self-Evaluation Results, be received and referred to the Governance Review Sub-committee to consider the appointment of a Vice-Chair for the Board of Health for a 1 year period, on an on-going basis.

**6. Supervised Consumption Sites (Added Item 6.1)**

WHEREAS, Supervised Consumption Sites (SCS) have a proven track record as a harm reduction measure

WHEREAS, Supervised Consumption Sites are a proven investment with respect to both saving lives and 14 million dollars in health costs over 10 years; and

WHEREAS, The Board of Health has historically overwhelmingly supported Safe consumption sites in the City of Hamilton where there are currently many unsafe consumption sites in our parks and public places, and where deaths due to addiction are far greater than the Provincial average;

THEREFORE BE IT RESOLVED;

- (a) That the Board of Health reaffirm support for Supervised Consumption Sites in Hamilton;
- (b) That a letter be sent to the Christine Elliot, Minister of Health, expressing both the Board of Health's support for Supervised Consumption Sites and the business case for Supervised Consumption Sites, signed by each of the Councillors; and
- (c) That a letter be sent to the Federal Minister of Health, reaffirming our support of Supervised Consumption Sites and any associated applications for a permanent Supervised Consumption Sites facility in the City of Hamilton.

**7. A Public Health Strategy for Non-Medical Cannabis (BOH18031) (City Wide) (Item 7.1)**

That Report BOH18031, respecting A Public Health Strategy for Non-Medical Cannabis, be received.

**8. Public Health Risk Management Plan (BOH18032) (City Wide) (Item 8.1)**

- (a) That Appendix A to Report BOH18032 Public Health 2019 Risk Management Plan, be approved; and,
- (b) That the Medical Officer of Health be directed to submit Appendix A Public Health 2019 Risk Management Plan to the Ministry of Health and Long-Term Care to fulfil risk reporting requirements.

**9. Alcohol, Drug and Gambling Services and Hamilton Health Sciences Addiction Initiative (BOH18034) (City Wide) (Item 8.2)**

- (a) That the Board of Health authorize and direct the Medical Officer of Health to receive, utilize and report on funding from Hamilton Health Sciences for up to a 1.2 FTE social work position in the Alcohol, Drug & Gambling Services program, and enter into an agreement between the City of Hamilton and Hamilton Health Sciences for an ongoing addiction position, satisfactory in form to the City Solicitor; and,
- (b) That the Board of Health authorize and direct the Medical Officer of Health to increase the complement in Alcohol, Drug & Gambling Services program by 1.2 FTE, for the term of the agreement and the time of renewal.

**10. Correspondence from Iris M. Balodis, Assistant Professor, DeGroote School of Medicine, respecting funding for a knowledge translation project in the area of problem gambling, with the Peter Boris Centre for Addiction Research (Added Item 11.1)**

- (a) That the Correspondence from Iris M. Balodis, Assistant Professor, DeGroote School of Medicine, respecting funding for a knowledge translation project in the area of problem gambling, with the Peter Boris Centre for Addiction Research , be received; and
- (b) That the Medical Officer of Health be directed to accept the funding and enter into any related agreements with the Peter Boris Centre for Addiction Research.

**11. Correspondence from the City of Toronto, Board of Health, respecting "A Public Approach to Drug Policy" (Item HL28.2) (Added Item 11.2)**

That the Correspondence from the City of Toronto, Board of Health, respecting "A Public Approach to Drug Policy" (Item HL28.2) be received, with a report back from staff in Q1 2019.

**12. Correspondence from the City of Toronto, Board of Health, respecting a Student Nutrition Program: Impact of Municipal Plan 2013-2018 (Item HL28.5) (Added Item 11.3)**

That the Correspondence from the City of Toronto, Board of Health, respecting a Student Nutrition Program: Impact of Municipal Plan 2013-2018 (Item HL28.5), be received.

13. **Correspondence from the City of Toronto, Board of Health, respecting the Toronto Overdose Action Plan: Status Report 2018 (Item HL27.1) (Added Item 11.4)**

That the Correspondence from the City of Toronto, Board of Health, respecting the Toronto Overdose Action Plan: Status Report 2018 (Item HL27.1), be received.

14. **Correspondence from Henry Clarke, Chair, Board of Health, City of Peterborough, respecting the Ontario Basic Income Pilot Project (Added Item 11.5)**

That the Correspondence from Henry Clarke, Chair, Board of Health, City of Peterborough, respecting the Ontario Basic Income Pilot Project, be received.

15. **Correspondence from Rene Lapierre, Chair, Board of Health for Public Health Sudbury and Districts, respecting the Ontario Basic Income Research Project and the Reduction in the Scheduled Social Assistance Rate Increase (Added Item 11.6)**

That the Correspondence from Rene Lapierre, Chair, Board of Health for Public Health Sudbury and Districts, respecting the Ontario Basic Income Research Project and the Reduction in the Scheduled Social Assistance Rate Increase, be received.

16. **Correspondence from Scott Warnock, Chair, Board of Health, Simcoe Muskoka District Health Unit, respecting the Canadian Public Health Association 2017 Position Statement regarding the decriminalization of illicit psychoactive substances (Added Item 11.7)**

That the Correspondence from Scott Warnock, Chair, Board of Health, Simcoe Muskoka District Health Unit, respecting the Canadian Public Health Association 2017 Position Statement regarding the decriminalization of illicit psychoactive substances, be received, with a report back from staff in Q1 2019.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

The Clerk advised the Board of the following changes:

1. ADDED DELEGATION REQUESTS
  - 4.1 Shannon Brent, McMaster Medical School Students, respecting Supervised Consumption Sites
2. ADDED GENERAL INFORMATION / OTHER BUSINESS
  - 11.1 Correspondence from Iris M. Balodis, Assistant Professor, DeGroot School of Medicine, respecting funding for a knowledge translation

project in the area of problem gambling, with the Peter Boris Centre for Addiction Research

Recommendation: That the Medical Officer of Health be directed to accept the funding and enter into any related agreements with the Peter Boris Centre for Addiction Research.

- 11.2 Correspondence from the City of Toronto, Board of Health, respecting "A Public Approach to Drug Policy" (Item HL28.2)

Recommendation: Recommendation: Be received, with a report back from staff in Q1 2019

- 11.3 Correspondence from the City of Toronto, Board of Health, respecting a Student Nutrition Program: Impact of Municipal Plan 2013-2018 (ItemHL28.5)

Recommendation: Be received.

- 11.4 Correspondence from the City of Toronto, Board of Health, respecting the Toronto Overdose Action Plan: Status Report 2018 (Item HL27.1)

Recommendation: Be received.

- 11.5 Correspondence from Henry Clarke, Chair, Board of Health, City of Peterborough, respecting the Ontario Basic Income Pilot Project

Recommendation: Be received.

- 11.6 Correspondence from Rene Lapierre, Chair, Board of Health for Public Health Sudbury and Districts, respecting the Ontario Basic Income Research Project and the Reduction in the Scheduled Social Assistance Rate Increase

Recommendation: Be received.

- 11.7 Correspondence from Scott Warnock, Chair, Board of Health, Simcoe Muskoka District Health Unit, respecting the Canadian Public Health Association 2017 Position Statement regarding the decriminalization of illicit psychoactive substances

Recommendation: Be received, with a report back from staff in Q1 2019

The agenda for the September 17, 2018 Board of Health 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) July 12, 2018 (Item 3.1)**

The Minutes of the July 12, 2018 meeting of the Board of Health was received, as presented.

**(d) DELEGATION REQUESTS (Item 4)**

**(i) Shannon Brent, McMaster Medical School Students, respecting Supervised Consumption Sites (for today's meeting) (Added Item 4.1)**

That the delegation request from Shannon Brent, McMaster Medical School Students, respecting Supervised Consumption Sites, be approved, for today's meeting.

**(e) CONSENT ITEMS (Item 5)**

**(i) Board of Health Self-Evaluation Results (BOH18011(a)) (City Wide) (Item 5.5)**

Councillors Pearson, B. Johnson and Green wished to be recorded as OPPOSED to the disposition of Item 5.

For disposition of this matter, refer to Item 5.

**(f) DELEGATION (Item 6)**

**(i) Shannon Brent, McMaster Medical School Students, respecting Supervised Consumption Sites (Added Item 6.1)**

Shannon Brent, Donna Brace, and Felipe Fajardo, McMaster Medical School Students, addressed to the Board of Health respecting Safe Injection Sites, with the aid of PowerPoint presentation. A copy of the presentation has been included in the official record.

The motion respecting Supervised Consumption Sites was CARRIED on the following standing recorded vote:

Yes: Farr, Green, Merulla, Collins, Jackson, Whitehead, VanderBeek,  
Eisenberger, Partridge, Pasuta, Ferguson, B. Johnson, Pearson

Total: 13

Absent: A. Johnson, Conley

Nays 0

For disposition of this matter, refer to Item 6.

The presentation is available at [www.hamilton.ca](http://www.hamilton.ca)

**(g) STAFF PRESENTATION (Item 7)**

**(i) A Public Health Strategy for Non-Medical Cannabis (BOH18031) (City Wide) (Item 7.1)**

Dr. Elizabeth Richardson, Medical Officer of Health, addressed the Board with an overview of A Public Health Strategy for Non-Medical Cannabis (BOH18031), with the aid of a PowerPoint presentation. A copy of the presentation has been included in the official record.

Dr. Richardson introduced Dr. James MacKillop, McMaster University who also addressed the Board with an overview of A Public Health Strategy for Non-Medical Cannabis (BOH18031).

For disposition of this matter, refer to Item 7.

The presentation is available at [www.hamilton.ca](http://www.hamilton.ca)

**(h) ADJOURNMENT (Item 13)**

That, there being no further business, the Board of Health be adjourned at 3:26 p.m.

Respectfully submitted,

Mayor F. Eisenberger  
Chair, Board of Health

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk





## **PLANNING COMMITTEE**

### **REPORT 18-014**

**9:30 a.m.**

**Tuesday, September 18, 2018**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

**Present:** Councillors J. Farr (1<sup>st</sup> Vice-Chair), D. Conley (2<sup>nd</sup> Vice Chair), C. Collins, T. Anderson, M. Pearson, M. Green, B. Johnson, J. Partridge and R. Pasuta

**Absent with Regrets:** Councillor A. Johnson – Personal

**Also present:** Councillors A. VanderBeek, T. Whitehead and S. Merulla

### **THE PLANNING COMMITTEE RESPECTFULLY PRESENTS REPORT 18-014 AND RESPECTFULLY RECOMMENDS:**

1. **Terrapure Stoney Creek Regional Facility EA – Preliminary Draft Environmental Assessment - Staff Comments to Proponent and MECP (PED16184(b)) (Ward 9) (Item 5.1)**
  - (a) That Council endorse the staff comments submitted to Terrapure Environmental and GHD Pty Ltd. (their consultants) on August 31, 2018 outlining the City's comments respecting the "Stoney Creek Regional Facility Environmental Assessment – Preliminary Draft Environmental Assessment, July 30, 2018", attached as Appendix "A" to Report PED16184(b);
  - (b) That Report PED16184(b) be adopted as the City of Hamilton's formal comments on the second phase of the "Stoney Creek Regional Facility Environmental Assessment – Preliminary Draft Environmental Assessment, July 30, 2018";
  - (c) That the City Clerk be authorized and directed to forward Report PED16184(b) to the Ministry of Environment, Conservation and Parks (MECP).

**2. Cannabis Legislation Update (PED18174) (City Wide) (Item 5.2)**

That Report PED18174 respecting Cannabis Legislation Update, be received.

**3. Elfrida Growth Area Study - Update (PED18182) (Wards 9 and 11) (Item 5.3)**

That the vision, key directions, principles, objectives and preferred community structure for the Elfrida Growth Area Study be received by Council and that public and stakeholder feedback on the vision, key directions, principles, objectives and preferred community structure be incorporated into the next phase of the Elfrida Growth Area Study and GRIDS 2.

**4. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED18192) (City Wide) (Item 5.4)**

That Report PED18192 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

**5. Committee of Adjustment Consent Application – AN/B-18:27, 28 Maureen Drive, Ancaster - Supported by the Planning and Economic Development Department but Denied by the Committee of Adjustment (PED18202) (Ward 12) (Item 5.5)**

That Council take no action with respect to the Local Planning Appeal Tribunal (LPAT), either in support of the Committee's decision or against the decision for Committee of Adjustment Consent Application – AN/B-18:27, 28 Maureen Drive, Ancaster, supported by the Planning and Economic Development Department but denied by the Committee of Adjustment.

**6. Expanding Administrative Penalty System (APS) to Include the Property Standards By-Law 10-221 (PED18205) (City Wide) (Item 5.6)**

That the Administrative Penalty System By-law 17-225 (APS) be amended to include the Property Standards By-law 10-221 as shown in Appendix "A" to Report PED18205 which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

**7. Demolition Permit for 14 Copes Lane (Stoney Creek) (PED18215) (Ward 11) (Item 5.7)**

That the Chief Building Official be authorized and directed to issue a demolition permit for 14 Copes Lane (Stoney Creek) in accordance with By-law 09-208.

**8. Enforcement of Section 7.1(b) of the Yard Maintenance By-law Prohibiting Discharging Pool Water to Sewers (PED18216) (City Wide) (Outstanding Business List) (Item 5.8)**

(a) That enforcement of section 7.1(b) of the Yard Maintenance By-law (YMBL) 10-118, which prohibits owners or occupants of properties to discharge water from their swimming pools, hot tubs and other chemically treated water features into a sanitary sewer, storm sewer unless it complies with the Sewer Use By-law (SUBL) 14-090, be reinstated;

(b) That section 7.1(b) of the Yard Maintenance By-law 10-118 be included in Table 13 of the Administrative Penalties System (APS) By-law 17-225;

(c) That the item respecting the validity of regulation 7.1(b) of the Yard Maintenance By-law be identified as complete and removed from the Planning Committee Outstanding Business List.

**9. Dundas Urban Design Guidelines (PED18217) (Ward 13) (5.9)**

(a) That staff be directed to consult with the public and stakeholders on the proposed revisions to the Dundas Urban Design Guidelines for downtown Dundas, and to present the final recommendations on the Dundas Urban Design Guidelines to Planning Committee based on the feedback received;

(b) That staff be directed, if required, to schedule a public meeting of the Planning Committee to consider any necessary policy direction changes within the Urban Hamilton Official Plan to support the implementation of the Dundas Urban Design Guidelines.

**10. Expanding Administrative Penalty System (APS) to include the Vacant Building Registry By-law 17-127 (PED18219) (City Wide) (5.10)**

That the Administrative Penalty System By-law 17-225 (APS) be amended to include The Vacant Building Registry By-law 17-127 as shown in Appendix "A" to Report PED18219 which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

**11. Macassa Bay Year-Round Liveaboard Association 2018/2019 Transition Plan (PED18222) (Ward 2) (Outstanding Business List Item) (5.11)**

That Report PED18222 respecting Macassa Bay Year-Round Liveaboard Association 2018/2019 Transition Plan, be received.

**12. Application to Amend City of Hamilton Zoning By-law No. 05-200 for Lands Located at 5050 Harrison Road, Glanbrook (PED18204) (Ward 11) (Item 6.1)**

(a) That Zoning By-law Amendment Application ZAR-18-023, by Niagara Peninsula Conservation Authority (Owner), for a modification to the Open Space (P4) Zone, Conservation / Hazard Land - Rural (P7) Zone and Conservation / Hazard Land - Rural (P8) Zone to permit a Zip Line Adventure Park on a portion of the lands located at 5050 Harrison Road (Glanbrook) as shown on Appendix "A" to Report PED18204, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix "B" to Report PED18204, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amended By-law be added to Schedule C – Special Exceptions of Zoning By-law No. 05-200;
- (iii) That the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (2014), conforms to the Greenbelt Plan and complies with the Rural Hamilton Official Plan;
- (iv) That through the site plan process the Niagara Peninsula Conservation Authority (NPCA) enter into a site plan agreement and a monitoring agreement to measure habitat condition (invasive species, tree and understorey health / disturbance, litter) over the first five years of the Adventure Park operation

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

**13. Applications to Amend the Urban Hamilton Official Plan, the Township of Glanbrook Zoning By-law No. 464 and the City of Hamilton Zoning By-law No. 05-200, for Lands Located at 3331 Homestead Drive, Glanbrook (PED18197) (Ward 11) (Item 6.2)**

(a) That Urban Hamilton Official Plan Amendment Application UHOPA-18-03 by Michael Pejic, (Owner), to create Site Specific Policy Area "X" in the Mount Hope Secondary Plan, to permit the creation of four lots for single detached dwellings for the lands located at 3331 Homestead Drive

(Glanbrook), as shown on Appendix "A" to Report PED18197 be APPROVED, on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED18197 be adopted 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.
- (b) That Amended Zoning By-law Amendment Application ZAC-18-007 by Michael Pejic, (Owner), for a change in zoning from the General Commercial "H-C3-050" Zone, Modified to Single Residential (R3-311) Zone in the Glanbrook Zoning By-law No. 464 in order to permit the creation of four lots for single detached dwellings for lands located at 3331 Homestead Drive (Glanbrook), as shown on Appendix "A" to Report PED18197 be APPROVED, on the following basis:
- (i) That the draft REVISED By-law, attached as Appendix "C" to Report PED18197, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), and will comply with the Urban Hamilton Official Plan, upon finalization of Urban Hamilton Official Plan Amendment No. XXX.
- (c) That approval be given to remove the lands located at 3331 Homestead Drive from Zoning By-law No. 05-200, subject to the following:
- (i) That the draft By-law, attached as Appendix "D" to Report PED18197, be held in abeyance until such time as By-law No. 17-240, being a By-law to establish the Commercial and Mixed Use Zones in Zoning By-law No. 05-200 is in force and effect;
  - (ii) That staff be directed to bring forward the draft By-law, attached as Appendix "D" to PED18197, for enactment by City Council, once By-law No. 17-240 is in force and effect.
- (d) That the the public submissions received regarding this matter did not affect the decision.

**14. Application for Zoning By-law Amendment for Lands Located at 50 Green Mountain Road West (Stoney Creek) (PED18211) (Ward 9) (Item 6.3)**

- (a) That Zoning By-law Amendment Application ZAC-17-077 by New Horizon Development Group (Green Mountain) Inc., (Owner) for a change in zoning from the Neighbourhood Development “ND” Zone to the Multiple Residential (Holding) “RM3-65(H)” Zone, Modified, to permit 94 maisonettes and 95 townhouse dwellings for a total of 189 units on a private (condominium) road for lands located at 50 Green Mountain West, as shown on Appendix “A” to Report PED18211, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “B” to Report PED18211, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017) and complies with the Urban Hamilton Official Plan;
  - (iii) That the amending By-law apply the Holding Provision of section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed zoning.

The Holding Provision Multiple Residential (Holding) “RM3-65(H)” Zone, Modified, shall be removed conditional upon:

- (1) The Owner entering into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). 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 MOECP, and submission of the City of Hamilton’s current RSC administration fee.
- (2) The Owner entering into a Site Plan Agreement with the City to construct the services within the site and complete the flow monitoring analysis for a period of five years including sufficient securities to the satisfaction of the Manager of Development Approvals.
- (3) The Owner submitting an updated Traffic Impact Study (“TIS”) to the satisfaction of the Manager of Transportation Planning.

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

**15. Application for Amendment to Zoning By-law No. 6593 for Lands Located at 567 Scenic Drive, Hamilton (PED18173) (Ward 8) (Item 6.4)**

- (a) That Amended Zoning By-law Amendment Application ZAC-17-030, by 2434217 Ontario Inc, Owner, for a change in zoning from the "B-1" (Suburban Agriculture and Residential, etc.) District, to the "CR-1/S-1766" (Commercial Residential) District, Modified, to permit the development of a mixed use building with limited commercial uses on the ground floor and two residential dwelling units above on lands located at 567 Scenic Drive (Hamilton), as shown on Appendix "A" to Report PED18173, be APPROVED, on the following basis:
  - (i) That the draft By-law, attached as Appendix "B" to Report PED18173, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (PPS) and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow);
  - (iii) That the proposed change in zoning complies with the Urban Hamilton Official Plan.
- (b) That approval be given to add the lands located at 567 Scenic Drive, Hamilton to Zoning By-law No. 05-200 and zone said lands Neighbourhood Commercial (C2) Zone in Zoning By-law No. 05-200, subject to the following:
  - (i) That the draft By-law, attached as Appendix "C" to Report PED18173, be held in abeyance until such time as By-law No. 17-240, being a by-law to establish the Commercial and Mixed Use Zones in Zoning By-law No. 05-200 are in force and effect;
  - (ii) That staff be directed to bring forward the draft By-law, attached as Appendix "C" to Report PED18173, for enactment by City Council, once Zoning By-law No. 17-240, being a By-law to establish new Commercial and Mixed Use Zones, is in force and effect.
- (c) That the public submissions received regarding this matter did not affect the decision.

**16. Application for Approval of a Draft Plan of Condominium (Common Element) and Draft Plan of Subdivision for Lands Located at 1831 Rymal Road East (Stoney Creek) (PED18218) (Ward 9) (Item 6.5)**

- (a) That Draft Plan of Condominium Application 25CDM-201809, by MHBC Planning, on behalf of 232470 Ontario Inc. (Losani Homes Limited), Owner to establish a Draft Plan of Condominium (Common Element) to create a condominium road network, sidewalks, landscaped areas, 75 visitor parking spaces, and centralized mailboxes, on lands located at 1831 Rymal Road East (Stoney Creek), as shown on Appendix "A", attached to Report PED18218, be APPROVED subject to the following conditions:
- (i) That the approval for Draft Plan of Condominium (Common Element) application 25CDM-201809 applies to the plan prepared by A.T. McLaren Limited, certified by S. D. McLaren, dated August 8, 2018, consisting of a condominium road network, sidewalks, landscaped areas, 75 visitor parking spaces, and centralized mailboxes, in favour of 305 Parcels of Tied Lots (POTL'S), attached as Appendix "C" to Report PED18218;
  - (ii) That the conditions of Draft Plan of Condominium Approval 25CDM-201809, attached as Appendix "D" to Report PED18218, be received and endorsed by City Council;
- (b) That Draft Plan of Subdivision Application 25T-201805, by MHBC Planning, on behalf of 232470 Ontario Inc. (Losani Homes Limited), owner to establish a Draft Plan of Subdivision on lands located at 1831 Rymal Road East (Stoney Creek), as shown on Appendix "B", attached to Report PED18218, be APPROVED subject to the following conditions:
- (i) That this approval apply to the for Draft Plan of Subdivision 25T-201805 prepared by A.T. McLaren Limited and certified by S.D. McLaren, dated November 27, 2017, consisting of five development blocks to add lands to a previously approved Draft Plan of Subdivision, attached as Appendix "E" to Report PED18218;
  - (ii) That the conditions of Draft Plan of Subdivision Approval 25T-201805, attached as Appendix "F" to Report PED18218, be received and endorsed by City Council;
- (c) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, prior to the building permit stage, and the calculation for the payment be based on the value of the lands on the day, prior to the day of issuance of each building permit, to which payment shall be based on the value of the land on the day, prior to the issuance of the first building permit, for each said Block, with the calculation of the Cash-in-Lieu payment based on the value of the lands on the day prior to the issuance of each building permit, and in the case of multiple residential



blocks, prior to the issuance of the first building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council.

- (d) The Owner entering into a Standard Form, Subdivision Agreement or an addendum to an existing one, with conditions attached as Appendix "F" to Report PED18218.
- (e) That there were no public submissions received regarding this matter.

**17. Applications for an Amendment to the Urban Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 119-123 Princess Street, Hamilton (PED18186) (Ward 3) (Item 6.6)**

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-17-034 by ADL Process / FrostMECH Inc., Owner, to establish a site specific policy to permit a Waste Electronics and Electrical Equipment Processing and Transfer Facility within existing buildings on the property located at 119-123 Princess Street, Hamilton, as shown on Appendix "A" to Report PED18186, be DENIED, for the following reasons:
  - (i) The proposal is not compatible with the neighbourhood;,
  - (ii) The proposal will result in an over intensification of industrial uses abutting a residential neighbourhood;
  - (iii) The proposal will result in increased truck traffic;
  - (iv) The proposed use is obnoxious.
- (b) That Amended Zoning By-law Amendment Application ZAC-17-024 by ADL Process / FrostMECH Inc., Owner, for a modification to the Light Industrial (M6) Zone to permit the existing buildings to be used for a Waste Electronics and Electrical Equipment Processing and Transfer Facility, as shown on Appendix "A" to Report PED18186, be DENIED, for the following reasons:
  - (i) The proposal is not compatible with the neighbourhood;,
  - (ii) The proposal will result in an over intensification of industrial uses abutting a residential neighbourhood;
  - (iii) The proposal will result in increased truck traffic;
  - (iv) The proposed use is obnoxious.

- (c) That the Environmental Approvals Branch of the Ontario Ministry of Environment, Conservation and Parks be advised that the City does not support the approval of Application MOE-CA-18-02, by Recycling 101 Ltd., for an Environmental Compliance Approval (Waste), MECP Reference #1159-AXYPHY, to permit a Waste Electronics and Electrical Equipment Processing and Transfer Facility to operate on the lands located at 119-123 Princess Street, Hamilton, as shown on Appendix "A" to Report PED18186,
- (d) That staff be directed to monitor the site to ensure that no processing operations commence at this location;
- (e) That the public submissions received regarding this matter supported the denial of this application.

**18. Applications to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 928 Queenston Road (PED18221) (Ward 9) (Item 6.7)**

- (a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-17-020 by Marfad Holdings Inc. (c/o Mario Marazzo), Owner, to re-designate the subject lands from "Mixed Use – Medium Density" to "Neighbourhoods" in Volume 1; and to re-designate the subject lands from "Mixed Use – Medium Density" to "High Density Residential 1" and establish a site specific policy to permit a maximum net residential density of 290 units per hectare in the Old Town Secondary Plan to permit a mixed use development having a maximum building height of 14 storeys, on lands located at 928 Queenston Road, Stoney Creek, as shown on Appendix "A" to Report PED18221, be APPROVED, on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED18221, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Places to Grow Plan.
- (b) That Amended Zoning By-law Amendment Application ZAC-17-049 by Marfad Holdings Inc. (c/o Mario Marazzo), Owner, for a modification to the Mixed Use Commercial "MUC" Zone to permit a mixed use building having a maximum height of 49 m (14 storeys) as shown on Appendix "A" to Report PED18221 be APPROVED on the following basis:
  - (i) That the draft By-law, attached as Appendix "C" to Report PED18221 which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

- (ii) That the amending By-law, attached as Appendix “C” to Report PED18221, be added to Map No 5 of the City of Stoney Creek Zoning By-law No. 3692-92;
- (iii) That Schedule “A” of Zoning By-law No. 3692-92, be amended by adding the additional Holding Provision as follows:

For the lands identified as Mixed Use Commercial “MUC-11(H)” Zone on Map No. 5 in the City of Stoney Creek Zoning By-law No. 3692-92, no development shall proceed until such time as:

- (a) The owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MECP). 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 MECP, and submission of the City of Hamilton’s current RSC administration fee.
  - (iv) That this By-law is in conformity with the Urban Hamilton Official Plan, upon approval of Urban Hamilton Official Plan Amendment No. ;
- (c) That approval be given for a modification to the Mixed Use Medium Density (C5) Zone, to permit a 14 storey multiple dwelling for lands located at 928 Queenston Road, Stoney Creek, as shown on Appendix “A” to Report PED18221, subject to the following:
- (i) That the draft By-law, attached as Appendix “D” to Report PED18221, be held in abeyance until such time as By-law No. 17-240, being a by-law to establish new Commercial and Mixed Use Zones in Zoning By-law No. 05-200 is in force and effect;
  - (ii) That staff be directed to bring forward the draft By-law, attached as Appendix “D” to Report PED18221, for enactment by City Council, once By-law No. 17-240, being a by-law to establish new Commercial and Mixed Use Zones, is in force and effect.
- (d) That the public submissions received regarding this matter did not affect the decision.

**19. City Initiative CI-18-I to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, 1239 Barton Street, and 41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive (Stoney Creek) (PED18198) (Ward 11) (Item 6.8)**

- (a) That City Initiative CI-18-I, to amend the Fruitland-Winona Secondary Plan to add an Area Specific Policy Area to the lands located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, and 1239 Barton Street, Stoney Creek, to permit the development of the lands with a net residential density of 0 to 40 units per hectare; and to remove the lands located at 1215, 1217 Barton Street, Stoney Creek, and 41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive, Stoney Creek, from Block 3 on Map B.7.4-4 Fruitland-Winona Secondary Plan – Block Servicing Strategy Area Delineation, as shown on Appendix “A” to report PED18198, be APPROVED on the following basis:
    - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18198, which has been prepared in a form satisfactory to the City Solicitor, be enacted by 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) (Places to Grow).
  - (b) That City Initiative CI-18-I, to rezone the lands located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, and 1239 Barton Street, Stoney Creek, from Neighbourhood Development “ND” Zone to Residential “R6” Zone in the City of Stoney Creek Zoning By-law No. 3692-92, as shown on Appendix “A” to Report PED18198, be APPROVED on the following basis:
    - (i) That the draft By-law, attached as Appendix “C” to Report PED18198, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
  - (c) That there were no public submissions received regarding this matter.
- 20. Amendments to City of Hamilton Zoning By-law No. 6593 to allow Secondary Dwelling units in Detached Structures for properties adjoining a laneway (PED16200(b)) (Parts of Wards 1, 2, 3 and 4) (Item 6.9)**
- That City Initiative CI-18-F to amend Section 19 regulations 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 APPROVED on the following basis:
- (a) That the Draft By-law, attached as Appendix “A” to Report PED16200(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
  - (b) That the proposed change in zoning is consistent with the Provincial Policy Statement (PPS) 2014, conforms to the Growth Plan for the Greater

Golden Horseshoe, 2017 (P2G), and complies with the Urban Hamilton Official Plan;

- (c) That in accordance with Subsection 34(17) of the *Planning Act*, no additional public meeting notice is required.
- (d) That the public submissions received supported the approval of the zoning changes.

**21. Community Renewal Community Improvement Project Area Amendment (PED16236(b)) (Ward 4) (Item 6.10)**

- (a) That the proposed amendments to the 2016 Community Improvement Project Areas to create the Roxborough Community Revitalization Project Area be APPROVED on the following basis:
  - (i) That the Draft By-law, attached as Appendix “A” to Report PED16236(b) which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
  - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (PPS) 2014, conforms to the Growth Plan for the Greater Golden Horseshoe, 2017 (P2G), and complies with the Urban Hamilton Official Plan;
- (b) That staff be directed to prepare amendments to the 2016 Community Improvement Plan to permit the Roxborough Community Improvement Project Area access to programs and financial incentives geared towards delivering a sustainable, accessible and affordable community, and report back to Planning Committee with the recommended amendments.
- (c) That there were no public submissions received regarding this matter.

**22. Non-Statutory Public Meeting for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 261 King Street East (Stoney Creek) (PED18209) (Ward 10) (Item 8.1)**

- (a) That Report PED18209 advising Planning Committee of the scheduling of a Non-Statutory Public Meeting relating to an appeal to the Local Planning Appeal Tribunal (LPAT- formerly known as OMB) of Urban Hamilton Official Plan Amendment Application UHOPA-16-028 and Zoning By-law Amendment Application ZAC-16-068, be received.
- (b) That Report PED18209, together with any written submissions and input from delegations received at Planning Committee, be referred to staff for

consideration and incorporated into a further report for direction to be given to the City Solicitor.

**23. Sign Variance Application SV-17-011 for the property known as 272-274 King Street West, Hamilton, Denied by the Director of Planning and Chief Planner, Planning Division, and Appealed by the Applicant (PED18225) (Ward 2) (Item 8.2)**

That Sign Variance Application SV-17-011 for the property known as 272-274 King Street West, Hamilton be approved conditional on the following:

- (a) That a sign weight assessment be undertaken proving that the new sign will have less of a load than the current sign in the same place;
- (b) That a light assessment be undertaken proving that the light from the new sign is less intrusive than the light permitted on the current sign at the current location; and
- (c) That the applicant and the appropriate City staff undertake an agreement that either allows for City of Hamilton and local community not-for-profit organizations promotional advertising and/or a community fund agreement that sees 5% of net sign income donated from the period of installation and activation through to the presentation of the amendment to the sign by-law.

**24. Cigarette Butt Litter Enforcement (PED18154(a)) (City Wide) (Outstanding Business List Item) (Item 8.4)**

WHEREAS, throughout the past term of Council, the Cleanliness and Security in the Downtown Core Task Force has actively engaged on the issue of cigarette butt litter respecting awareness and enforcement;

WHEREAS, the Keep Hamilton Clean and Green Committee is beginning an awareness campaign on the issue of cigarette butt litter to be funded \$10k from the Hamilton Water and \$65k from the Main Street Revitalization Initiative;

WHEREAS, the messaging of the education campaign may include warnings of pending enforcement; and,

WHEREAS, the cost of exclusive enforcement of cigarette butt litter on a part time basis for the period for one year would be approximately \$45k;

THEREFORE BE IT RESOLVED:

- (a) That Report PED18154(a) respecting Cigarette Butt Litter Enforcement, be received;

- (b) That the request from the Cleanliness and Security in the Downtown Core Task Force for a one year pilot program, to immediately follow the nine-month awareness campaign, that offers a part time Municipal Law Enforcement Officer dedicated solely to enforcing cigarette butt litter be referred to the 2019 Budget process; and,
- (c) That in the event Council approves this pilot, the awareness campaign include warnings of pending enforcement of cigarette butt littering.

**25. Digital Sign Strategy (PED18184) (City Wide) (Outstanding Business List) (Item 8.5)**

That funding consideration be referred to the 2019 Capital Budget for Licensing and By-law Services to retain a consultant for research and comparatives for digital signs, including public consultation, and upon approval of the 2019 Capital Budget funding that staff be directed and authorized to prepare a Digital Sign Strategy (DSS) to develop an approach to interface digital technology in the current Sign By-law with a critical path for completion in 2020.

**26. Creative Industries and Film Production Studios on the Barton and Tiffany Lands (PED18210) (Ward 2) (Item 8.6)**

- (a) That Planning staff be directed to undertake a review of the West Harbour (Setting Sail) Secondary Plan, the Barton-Tiffany Urban Design Study, and Hamilton Zoning By-law No. 05-200 to assess the alignment of the use of Barton Tiffany lands for creative industries, including but not limited to a Film Production Studio, with the current approved vision for the Barton Tiffany area;
- (b) That staff be directed to undertake community consultation on the review recommended in Recommendation (a) to Report PED18210;
- (c) That the outcome of the review be presented to Planning Committee in the first quarter of 2019.

**27. Dedicated Mohawk College Parking Enforcement (PED18220) (Ward 8) (Item 8.7)**

That Report PED18220 respecting Dedicated Mohawk College Parking Enforcement, be received.

**28 Hamilton Municipal Heritage Committee Report 18-009 (Item 8.8)**

That the Hamilton Municipal Heritage Committee Report 18-009 be referred to Council to allow the Ward Councillor the opportunity to discuss recommendation 1 of the Hamilton Municipal Heritage Committee Report with staff.

**29. To Extend Paid Parking at Meters on MacNab Street, Park Street and Vine Street to include Saturdays (Added Item 10.1)**

WHEREAS, at its meeting on April 12, 2006 Council approved By-Law No. 06-101 which provides that parking fees are not imposed for on-street metered parking within the Community Improvement Plan Area on Saturdays;

WHEREAS, the Hamilton Farmer's Market Board (HFMB) has officially endorsed paid Saturday parking at the parking meters along MacNab Street North and is also supportive of the addition of paid parking on Park Street and Vine Street;

WHEREAS, the implementation of paid parking is intended to help encourage parking turn-over and will provide for increased parking opportunities for Farmer's Market customers; and

WHEREAS, paid parking is already in place on weekdays and can be extended to Saturdays with simple programming of meters and parking meter signage;

THEREFORE, BE IT RESOLVED:

- (a) That Hamilton Municipal Parking Authority staff be directed to implement paid parking at existing meters on MacNab Street between York Boulevard and Cannon Street, Park Street between York Boulevard and Cannon Street and Vine Street between James Street and Park Street;
- (b) That the changes outlined in subsection (a) take effect on, or prior to October 20, 2018.

**30. Cash in Lieu of Parking for 11-15 Cannon Street (Added Item 10.2)**

WHEREAS, Section 40 (1) of *Planning Act* allows an owner or occupant to enter into an agreement exempting the owner or occupant, to the extent specified in the agreement, from the requirement of providing or maintain the parking facilities;

WHEREAS, the Committee of Adjustment, at a meeting held on October 25, 2017, approved Minor Variance Application HM/A-17:334 which established a condition that the Applicant enter into a Cash-in-Lieu of Parking Agreement with the City of Hamilton in lieu of providing eight required parking spaces on-site;



WHEREAS, the valuation for parking spaces located within a parking structure, based on the estimated current rates of construction and the estimated land cost determined by current market value of the property, will be finalized by the Planning and Economic Development Department, in accordance with the Cash-in-Lieu of Parking Policy; and,

WHEREAS, an Agreement between the owner or occupant and the City of Hamilton, payment of not less than 50% of the total cost of parking, registration of the Cash-in-Lieu of Parking Agreement on title, and issuance of Certificate by the City Clerk is required to give effect to the Cash-in-Lieu of Parking Agreement;

THEREFORE BE IT RESOLVED:

That the Mayor and City Clerk shall be authorized to approve the cash payment in lieu of 8 required parking spaces in accordance with the Committee of Adjustment decision in order to enter into a Cash-in-Lieu of Parking Agreement for 11-15 Cannon Street West, prepared in a form satisfactory to the City Solicitor.

**31. Review of C6 and C7 Zoning Regulations (Added Item 10.3)**

WHEREAS the larger commercial sites in the City of Hamilton are zoned C6 and C7 Zone;

WHEREAS these sites have the potential to accommodate development at a higher intensity of use in terms of building height; and

WHEREAS the intensification of commercial sites is consistent with Provincial planning policy;

THEREFORE BE IT RESOLVED:

That Planning staff be directed to review the C6 and C7 zoning regulations and report back to Planning Committee on any proposed changes to the zoning by-law regulations, either as a general text amendment or on a site specific basis, identified through the review of the regulation.

**32. Future Growth potential that is planned for lands in the Waterdown Urban Area (Added Item 10.4)**

WHEREAS, the residents of the City of Hamilton (and the former Region of Hamilton Wentworth) have invested substantial resources into servicing and developing lands in Waterdown (East Flamborough), and

WHEREAS, the lands in Waterdown (East Flamborough) are part of the City of Hamilton's future growth plan, in conformity with the Province of Ontario's Growth Plan, Greenbelt Plan and Provincial Policy Statements; and

WHEREAS, attempts by the City of Burlington to annex all, or a portion of Waterdown (East Flamborough), will have negative financial and growth implications for residents of the City of Hamilton;

THEREFORE BE IT RESOLVED:

That staff provide to Council, through an Information Update, information related to the future growth potential that is planned for lands in the Waterdown Urban Area and the investment that the City of Hamilton has made in infrastructure in Waterdown to benefit both existing and future residents.

**33. Process and procedures for appeals filed at the Local Planning Appeal Tribunal (LS18054) (City Wide) (Item 12.1)**

That the recommendations of Report LS18054 respecting Process and procedures for appeals filed at the Local Planning Appeal Tribunal be approved and remain confidential pending Council's approval and that the Report and Appendices remain confidential.

**34. Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application and Stoney Creek Zoning By-law 3692-92 Amendment Application for Lands Located at 261 King Street East (Stoney Creek) (Ward 10) (LS18050/PED18212) (Item 12.2)**

That the recommendations of Report LS18050/PED18212 respecting Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application and Stoney Creek Zoning By-law 3692-92 Amendment Application for Lands Located at 261 King Street East (Stoney Creek) be approved and remain confidential pending Council's approval and that the Report and Appendices remain confidential.

**35. Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Stoney Creek Zoning By-law 3692-92 Amendment Application for Lands Located at 16 and 18 King Street West (Stoney Creek) (Ward 9) (LS18046/PED18193) (Item 12.3)**

That the recommendations of Report LS18046/PED18193 respecting Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Stoney Creek Zoning By-law 3692-92 Amendment Application for Lands Located at 16 and 18 King Street West (Stoney Creek) be approved and remain confidential pending Council's approval and that the Report and Appendices remain confidential.

**FOR INFORMATION:**

**(a) APPROVAL OF THE AGENDA (Item 1)**

The Committee Clerk advised of the following changes:

**1. ADDED DELEGATION REQUEST:**

- 4.2 Blair Shoniker, GHD, respecting Terrapure Stoney Creek Facility EA – Preliminary Draft Environmental Assessment – Staff Comments (For today’s meeting.) (Item 5.1)

**2. APPENDIX REPLACED**

- 6.2 Staff have requested that Appendix “C” to Item 6.2 respecting Applications to Amend the Urban Hamilton Official Plan, the Township of Glanbrook Zoning By-law No. 464 and the City of Hamilton Zoning By-law No. 05-200, for Lands Located at 3331 Homestead Drive, Glanbrook (PED18197) (Ward 11) be replaced with the REVISED Appendix “C”.

**3. ADDED WRITTEN COMMENTS**

- 5.3(a) Joel Farber, Fogler, Rubinoff LLP, on behalf of the Twenty Road West Landowners Group (Copy attached)

- 6.3(a) Michael Auduong, Planner, Armstrong Planning & Project Management

- 6.4(a) Erin Shacklette, Hamilton (copy attached)

- 6.4(b) 54 Form letters from the following clients of the Family Medical Centre: (sample copy attached)

1. Manpreet Bajwa
2. Blake Petrie
3. Lisa VanBelleghem
4. Darin Gifford, Simcoe
5. Anita Seng, Hamilton
6. Narshi Jilka, Brantford
7. Rekha Jilka, Brantford
8. Shamus Van Riezen
9. Nawir Khalil Aziz, Khendu Omarb, Hamilton
10. R. Arthur Murray, Hamilton
11. Lynn Laird, Hamilton
12. Johny Thomas, Hamilton
13. Betty Kurian, Ancaster

14. Binu Baby, Hamilton
15. Marianna Baby, Hamilton
16. Dany Hedama Hathil Baby
17. Sony Poulosc, Ancaster
18. George Ummar
19. Alice Poulosc, Ancaster
20. Marion Kurian, Ancaster
21. Thomas Kurian, Ancaster
22. Jawald Uppal, Ancaster
23. Ramesh Patel Hamilton
24. Christopher Moppatt
25. Frances Petruzzi
26. Adele Arcoleo
27. Domenic Petruzzi
28. Lori Tomalty-Nusca
29. Jay Parekh
30. Adam A
31. M. Zekria Ahmadi
32. Moud Mojib Ahmadi, Hamilton
33. Mahjooba Ahmadi
34. Kyra Jameson, Ancaster
35. Mehria A., Ancaster
36. Lissa S. Mathew, Hamilton
37. Illegible signature
38. Robin Turnbull, Hamilton
39. Abrar Wyne, Stoney Creek
40. Bishan Datt Misra, Hamilton
41. Saroj Misra, Hamilton
42. Heather Wilson, Caledonia
43. Narjot Hansra
44. Marianna Freeborn
45. Bailey Freeborn
46. Maria Ramacieri
47. Sherri Dawson, Hamilton
48. Dora VanPajitn
49. Bob Kosid, Hamilton
50. Valerie Cox, Caledonia
51. Frances Verma, Hamilton
52. Mukesh Grover, Brantford
53. Rashi Grover, Brantford
54. Bernice McRae, Hamilton

6.6(a) Brenda Duke, 28 Fullerton Avenue, Hamilton

8.1(a) Peter and Theresa Farbotko (Copy attached)

8.1(b) Paul Martini (Copy attached)

**4. ADDED ITEMS**

8.8 Hamilton Municipal Heritage Committee Report 18-009 (Copy attached)

8.8(a) Ted Valery President, Valery Homes Property (Copy attached)

**5. ADDED NOTICES OF MOTION**

10.1 To Extend Paid Parking at Meters on MacNab Street, Park Street and Vine Street to include Saturdays (Copy attached)

10.2 Cash in Lieu of Parking for 11-15 Cannon Street

10.3 Review of C6 and C7 Zoning Regulations

**6. CHANGE TO THE OUTSTANDING BUSINESS LIST:**

11.1 Outstanding Business List

(a) Items requiring new due date:

Item "D" - Request to Designate 437 Wilson Street East (Ancaster) Under Part IV of the Ontario Heritage Act (PED12166)  
Due date: September 18, 2018  
New due date: March 19, 2019

Item "J" - That Planning staff be directed to report to the Planning Committee about the City's policies respecting Boulevard Standards and that the report outline the options & alternatives that are available for future designs.  
Due date: September 18, 2018  
New due date: February 20, 2019

**7. CHANGE TO REPORT NUMBER**

12.2 Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application and Stoney Creek Zoning By-law 3692-92 Amendment Application for Lands Located at 261 King Street East (Stoney Creek) (Ward 10) (LS18050/PED18212) (Distributed under separate cover.)

**8. CHANGE TO REPORT CLASSIFICATION**

Item 6.9 respecting Amendments to City of Hamilton Zoning By-law No. 6593 to allow Secondary Dwelling units in Detached Structures for

properties adjoining a laneway (PED16200(b)) (Parts of Wards 1, 2, 3 and 4) is not a statutory public meeting.

The agenda for the September 18, 2018 meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

None declared.

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

**(i) September 4, 2018 (Item 3.1)**

The Minutes of the September 4, 2018 meeting were approved.

**(d) DELEGATION REQUESTS (Item 4)**

**(i) Joe Pyziak, wishing to address the issue of making Cartier Crescent a through street (Item 8.3) (Item 4.1)**

The delegation request from Joe Pyziak, wishing to address the issue of making Cartier Crescent a through street, was approved for the September 18, 2018 meeting.

**(ii) Blair Shoniker, GHD, respecting Terrapure Stoney Creek Facility EA – Preliminary Draft Environmental Assessment – Staff Comments (Added Item 4.2)**

(a) The delegation request from Blair Shoniker, GHD, respecting Terrapure Stoney Creek Facility EA – Preliminary Draft Environmental Assessment – Staff Comments, was approved for the September 18, 2018 meeting; and,

(b) Item 5.1 was moved to Discussion Items.

**(e) CONSENT ITEMS (Item 5)**

**(i) Terrapure Stoney Creek Regional Facility EA – Preliminary Draft Environmental Assessment - Staff Comments to Proponent and MECP (PED16184(b)) (Ward 9) (Item 5.1)**

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

The staff presentation was received.

### **Delegation**

#### **1. Blair Shoniker, GHD, Terrapure Environmental (Item 4.2)**

Blair Shoniker, GHD, and Mike Jovanovic, Vice President, Environmental Affairs, addressed Committee. Blair Shoniker made a PowerPoint presentation and hand-outs were distributed. A copy of the presentation is available for viewing on the City's website.

The delegation was received.

For disposition of this matter, refer to Item 1.

#### **(ii) Elfrida Growth Area Study - Update (PED18182) (Wards 9 and 11) (Item 5.3)**

The added written comments were received.

For disposition of this matter, refer to Item 3.

### **(f) DELEGATIONS/PUBLIC HEARING (Item 6)**

#### **(i) Application to Amend City of Hamilton Zoning By-law No. 05-200 for Lands Located at 5050 Harrison Road, Glanbrook (PED18204) (Ward 11) (Item 6.1)**

In accordance with the provisions of the *Planning Act*, Vice Chair J. Farr advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council 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.

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

The staff presentation was received.

Brynne O'Neil of GSP Group Inc., agent for the applicant was in attendance and indicated that the applicant is in agreement with the staff report. She addressed Committee with the aid of a PowerPoint presentation and a copy is available for viewing on the City's website.

The agent's presentation was received.

### **Delegations**

**1. Brett Harrington, Chair of the Glanbrook Conservation Committee**

Brett Harrington addressed the Committee and expressed concerns with the proposal.

**2. Carl Chopp, 5170 Harrison Road**

Carl Chopp addressed the Committee and expressed concerns with the proposal.

The delegations were received.

The public meeting was closed.

The recommendations were amended by adding the following sub-sections (a)(iv), and (b) and re-lettering the balance:

- (a)(iv) That through the site plan process the Niagara Peninsula Conservation Authority (NPCA) enter into a site plan agreement and a monitoring agreement to measure habitat condition (invasive species, tree and understorey health / disturbance, litter) over the first five years of the Adventure Park operation;
- (b) That the public submissions received regarding this matter did not affect the decision.

For disposition of this matter, refer to Item 12.

Councillor B. Johnson and Councillor Conley indicated that they wished to be recorded as OPPOSED to this Item.

- (ii) Applications to Amend the Urban Hamilton Official Plan, the Township of Glanbrook Zoning By-law No. 464 and the City of Hamilton Zoning By-law No. 05-200, for Lands Located at 3331 Homestead Drive, Glanbrook (PED18197) (Ward 11) (Item 6.2)**



In accordance with the provisions of the *Planning Act*, Vice Chair J. Farr advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Official Plan Amendments and Zoning By-law Amendments the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

No members of the public came forward.

The public meeting was closed.

The staff presentation was waived.

Angela Buonamici, IBI Group, agent for the applicant was in attendance and indicated that the applicant is in agreement with the staff report.

The recommendations were amended by adding the following sub-section (d):

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

For disposition of this matter, refer to Item 13.

**(iii) Application for Zoning By-law Amendment for Lands Located at 50 Green Mountain Road West (Stoney Creek) (PED18211) (Ward 9) (Item 6.3)**

In accordance with the provisions of the *Planning Act*, Vice Chair J. Farr advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council 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.

**Written Comments**

- 6.3(a) Michael Auduong, Planner, Armstrong Planning & Project Management

The added written comments 6.3(a) were received.

No members of the public came forward.

The public meeting was closed.

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

The staff presentation was received.

Sara Knoll of GSP Group Inc., agent for the applicant was in attendance and indicated that the applicant is in agreement with the staff report.

That the recommendations be amended by adding the following sub-section (b) and re-lettering the balance:

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

For disposition of this matter, refer to Item 14.

**(iv) Application for Amendment to Zoning By-law No. 6593 for Lands Located at 567 Scenic Drive, Hamilton (PED18173) (Ward 8) (Item 6.4)**

In accordance with the provisions of the *Planning Act*, Vice Chair J. Farr advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council 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.

**Written Comments**

- 6.4(a) Erin Shacklette, 88 Edgemont Street North
- 6.4(b) 54 form letters

The added written comments 6.4(a) and 6.4(b) were received.

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

The staff presentation was received.

Michael Barton of MB1 Development Consulting, agent for the applicant was in attendance and indicated that the applicant is in agreement with the staff report. Michael Barton addressed the Committee with the aid of a PowerPoint presentation. A copy is available on the City's website. Michael Barton submitted 146 letters in support of the project.

### **Registered Speakers**

**1. Ken Watson, 103 Upper Paradise Road**

Ken Watson addressed Committee and spoke in support of the proposal.

**2. Keith Calder, 568 Scenic Drive**

Keith Calder addressed Committee and expressed his concerns with the proposal.

**3. Sheila Williamson, 11 Upper Paradise Road**

Sheila Williamson addressed Committee and expressed her concerns with the proposal.

**4. Mike Palma, 85 Upper Paradise Road**

**5. Diane Hansebout, 589 Scenic Drive**

Diane Hansebout addressed Committee and expressed her concerns with the proposal.

**6. Dr. Shalini Sharma, 1269 Mohawk Road**

Dr. Sharma addressed Committee and spoke in support of the proposal.

**7. Ruth Legere, 82 Elmira Drive**

Ruth Legere addressed Committee and spoke in support of the proposal.

**8. Earl Cranfield, 543 Scenic Drive**

Earl Cranfield addressed Committee and expressed his concerns with the proposal.

**9. Kamal Kyera, 770 Mohawk Road West**

Kamal Kyera addressed Committee and spoke in support of the proposal.

**10. Samuel Sanges, 560 Scenic Drive**

Samuel Sanges addressed Committee and asked for some clarification regarding the two-year variance on the property.

**11. Tara Chiarot, 559 Scenic Drive**

Tara Chiarot addressed Committee and asked for assurances that only one doctor would be allowed to practice at this location.

The delegations were received.

The public meeting was closed.

The Ward Councillor was in attendance and spoke in support of the proposal and submitted a petition and numerous letters of support.

The recommendations were amended by adding the following sub-section (c):

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

For disposition of this matter, refer to Item 15.

**(v) Application for Approval of a Draft Plan of Condominium (Common Element) and Draft Plan of Subdivision for Lands Located at 1831 Rymal Road East (Stoney Creek) (PED18218) (Ward 9) (Item 6.5)**

In accordance with the provisions of the *Planning Act*, Vice Chair J. Farr advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Draft Plan of Condominium (Common Element) the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

No members of the public came forward.

The public meeting was closed.

The staff presentation was received.

David Aston of MHBC Planning, agent for the applicant was in attendance and indicated that the applicant is in agreement with the staff report. He addressed Committee and explained the purpose of the application.

The agent's presentation was received.

The recommendations were amended by adding the following sub-section (e):

- (e) That there were no public submissions received regarding the matter.

For disposition of this matter, refer to Item 16.

**(vi) Applications for an Amendment to the Urban Hamilton Official Plan and the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 119-123 Princess Street, Hamilton (PED18186) (Ward 3) (Item 6.6)**

In accordance with the provisions of the *Planning Act*, Vice Chair J. Farr advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Official Plan Amendments 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) Brenda Duke, 28 Fullerton Avenue, Hamilton

The added written comment 6.6(a) were received.

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

The staff presentation was received.

Peter De Lulio of Metropolitan Consulting Inc., agent for the applicant was in attendance and indicated that the applicant is in agreement with the staff report.

### **Registered Speakers**

**1. Dr. Lynda Lukasik, Environment Hamilton**

Dr. Lynda Lukasik addressed the Committee and expressed concerns with the project.

**2. Kerry Leclair**

Kerry Leclair addressed Committee and expressed concerns with the project.

The delegations were received.

The public meeting was closed.

The Committee did not approve the staff recommendation.

**(vii) Applications to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 928 Queenston Road (PED18221) (Ward 9) (Item 6.7)**

In accordance with the provisions of the *Planning Act*, Vice Chair J. Farr advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Official Plan Amendments 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.

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

The staff presentation was received.

Ed Fothergill of Fothergill Planning & Development Inc., agent for the applicant was in attendance and indicated that the applicant is in agreement with the staff report.

### Registered Speakers

1. **Elaine Collingwood, 96 Mountain Avenue North**

Elaine Collingwood addressed Committee and expressed concerns with the project.

The delegation was received.

The public meeting was closed.

The recommendations were amended by adding the following sub-section (d):

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

For disposition of this matter, refer to Item 18.

**(viii) City Initiative CI-18-I to Amend the Urban Hamilton Official Plan and City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, 1239 Barton Street, and 41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive (Stoney Creek) (PED18198) (Ward 11) (Item 6.8)**

In accordance with the provisions of the *Planning Act*, Vice Chair J. Farr advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Official Plan Amendments and Zoning By-law Amendments the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

No members of the public came forward.

The public meeting was closed.

The staff presentation was waived.

The recommendations were amended by adding the following sub-section (c) and re-lettering the balance:

- (c) That there were no public submissions received regarding the matter.

For disposition of this matter, refer to Item 19.

**(ix) Amendments to City of Hamilton Zoning By-law No. 6593 to allow Secondary Dwelling units in Detached Structures for properties adjoining a laneway (PED16200(b)) (Parts of Wards 1, 2, 3 and 4) (Item 6.9)**

Vice Chair Farr advised that this is not a Statutory Public Meeting as the Public meeting was held on June 19, 2018.

The recommendations were amended by adding the following sub-section (d):

- (d) That the public submissions received supported the approval of the zoning changes.

For disposition of this matter, refer to Item 20.

**(x) Community Renewal Community Improvement Project Area Amendment (PED16236(b)) (Ward 4) (Item 6.10)**

In accordance with the provisions of the *Planning Act*, Vice Chair J. Farr advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Community Renewal Community Improvement Project Area Amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

No members of the public came forward.

**(Pearson/Anderson)**

That the public meeting be closed.

**CARRIED**

**(Partridge/Pasuta)**

That the staff presentation be waived.

**CARRIED**



The recommendations were amended by adding the following sub-section (c):

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

For disposition of this matter, refer to Item 21.

**(g) DISCUSSION ITEMS (Item 8)**

- (i) Non-Statutory Public Meeting for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 261 King Street East (Stoney Creek) (PED18209) (Ward 10) (Item 8.1)**

**Written Comments**

8.1(a) Peter and Theresa Farbotko

8.1(b) Paul Martini

The written comments 8.1(a) and 8.1(b) were received.

**Registered Speakers**

**1. Brenda Khes, GSP Group**

Brenda Khes, agent for the proponents addressed Committee with the aid of a PowerPoint presentation. A copy is available for viewing on the City's website.

**2. John Waugh, 1 Elvia Court**

John Wong addressed Committee and expressed his concerns with the proposal.

**3. Boquslov Wilk, 256 Carla Avenue**

Boquslov Wilk addressed Committee and expressed concerns with the proposal.

**4. Gabriella Visca, 6 Elivia Court**

Gabriella Visca addressed Committee and expressed her concerns with the proposal.

**5. Suzanne Mallen, 47 Rose Crescent**

Suzanne Mallen addressed Committee and expressed her concerns with the proposal.

**6. Peter Horman, 2 Elvia Court**

Peter Horman addressed Committee and expressed his concerns with the proposal.

The delegations were received.

For disposition of this matter, refer to Item 22

- (ii) Sign Variance Application SV-17-011 for the property known as 272-274 King Street West, Hamilton, Denied by the Director of Planning and Chief Planner, Planning Division, and Appealed by the Applicant (PED18225) (Ward 2) (Item 8.2)**

**Appellant**

**1. Vincent R. Formosi, President & CEO Blackfish Investments Incorporated**

John Ariens, IBI Group, was in attendance, representing the appellant, and addressed the Committee with the aid of a PowerPoint presentation. A copy is available on the City's website.

Vice Chair Farr relinquished the Chair to Councillor Partridge to introduce a Motion regarding this matter.

For disposition of this matter, refer to Item 23.

Vice Chair Farr assumed the Chair.

- (iii) Cartier Crescent Extension – Information Report (PED18206) (Ward 7) (Item 8.3)**

**Delegations**

**1. Alan Wilson**

Alan Wilson addressed Committee and he indicated that he is opposed to the proposed extension of Cartier Crescent.

**2. Joe Pyziak**

Joe Pyziak addressed Committee and expressed concerns with the proposed Cartier Crescent extension, and submitted a petition.

The delegations were received.

Report PED18026 respecting Cartier Crescent Extension – Information Report, was DEFERRED until the issue with Sonoma Homes is resolved.

**(iv) Hamilton Municipal Heritage Committee Report 18-009 (Added Item 8.8)**

**Written Comments**

8.8(a) Ted Valery President, Valery Homes Property

The written comments from Ted Valery, President, Valery Homes Property, were received.

For disposition of this matter refer to Item 28.

**(h) NOTICES OF MOTION (Item 10)**

Vice Chair Farr relinquished the Chair to Councillor Partridge.

**(i) To Extend Paid Parking at Meters on MacNab Street, Park Street and Vine Street to include Saturdays (Added Item 10.1)**

Councillor Farr introduced a Notice of Motion respecting To Extend Paid Parking at Meters on MacNab Street, Park Street and Vine Street to include Saturdays.

The rules of order were waived in order to allow for the introduction of a Motion respecting To Extend Paid Parking at Meters on MacNab Street, Park Street and Vine Street to include Saturdays.

For disposition of this matter refer to Information Item 29.

**(ii) Cash in Lieu of Parking for 11-15 Cannon Street (Added Item 10.2)**

Councillor Farr introduced a Notice of Motion respecting Cash in Lieu of Parking for 11-15 Cannon Street.

The rules of order were waived in order to allow for the introduction of a Motion respecting Cash in Lieu of Parking for 11-15 Cannon Street.

For disposition of this matter refer to Information Item 30.

Vice Chair Farr assumed the Chair.

**(iii) Review of C6 and C7 Zoning Regulations (Added Item 10.3)**

Councillor Partridge introduced a Notice of Motion respecting Review of C6 and C7 Zoning Regulations.

The rules of order were waived in order to allow for the introduction of a Motion respecting Review of C6 and C7 Zoning Regulations.

For disposition of this matter refer to Information Item 31.

**(iv) Future Growth potential that is planned for lands in the Waterdown Urban Area (Added Item 10.4)**

Councillor Collins introduced a Notice of Motion respecting Future Growth potential that is planned for lands in the Waterdown Urban Area.

The rules of order were waived in order to allow for the introduction of a Motion respecting Future Growth potential that is planned for lands in the Waterdown Urban Area.

For disposition of this matter refer to Information Item 32.

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

**(i) Outstanding Business List (Item 11.1)**

**(Partridge/Pasuta)**

(a) That the following new due dates be approved:

Item "D" - Request to Designate 437 Wilson Street East (Ancaster)  
Under Part IV of the Ontario Heritage Act (PED12166)  
Due date: September 18, 2018  
New due date: March 19, 2018

Item "J" - That Planning staff be directed to report to the Planning Committee about the City's policies respecting Boulevard Standards and that the report outline the options & alternatives that are available for future designs..  
Due date: September 18, 2018

New due date: February 20, 2018

Item "Q" - Staff to report back in 6 mons on the status of the accessible taxi plate apps including the number applied for and the number in service.

Due date: September 18, 2018

New due date: December 11, 2018

(b) That the following Item be identified as completed and removed:

Item "G" - That staff be directed to present to the Planning Committee an updated digital sign by-law.  
(Item 8.5 on this agenda.)

Item "BB" - Laneway houses report and by-law including 'tiny homes'  
(Item 6.9 on this agenda.)

Item "CC" - Staff to review and report back on validity of regulation 7.1(b) of the 'Yard Maintenance By-law'  
(Item 5.8 on this agenda.)

Item "EE" – That staff report back on feasibility of assigning 10%-20% of existing staff time to cigarette butt enforcement, any cost recovery and to include stats on PHS staff enforcement at rec grounds  
(Item 8.4 on this agenda.)

Item "FF(a)" (a)Staff to meet with the Macassa Bay Year-Round Liveaboard Association reps re: accommodation plan for 2018/2019 winter season within the parameters of the existing zoning and other City by-laws and report in Sept with update.  
Item 5.11 on this agenda.

**CARRIED**

**(j) PRIVATE AND CONFIDENTIAL (Item 12)**

Committee moved into Closed Session at 6:26 p.m. respecting Items 12.1 to 12.3, pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (e) and (f) of the Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**(i) Process and procedures for appeals filed at the Local Planning Appeal Tribunal, LS18054 (City Wide) (Item 12.1)**

For disposition of the matter refer to Item 33.

**Council – September 26, 2018**

- (ii) **Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application and Stoney Creek Zoning By-law 3692-92 Amendment Application for Lands Located at 261 King Street East (Stoney Creek) (Ward 10) (LS18050/PED18212) (Item 12.2)**

For disposition of the matter refer to Item 34.

- (iii) **Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Stoney Creek Zoning By-law 3692-92 Amendment Application for Lands Located at 16 and 18 King Street West (Stoney Creek) (Ward 9) (LS18046/PED18193) (Item 12.3)**

For disposition of the matter refer to Item 35.

**(k) ADJOURNMENT (Item 13)**

There being no further business, the Planning Committee was adjourned at 6:40 p.m.

Respectfully submitted,

Councillor J. Farr  
Vice-Chair, Planning Committee

Ida Bedioui  
Legislative Co-ordinator  
Office of the City Clerk



## **GENERAL ISSUES COMMITTEE REPORT 18-019**

9:30 a.m.

Wednesday, September 19, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

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

**Absent with  
Regrets:** Councillors A. Johnson – Personal

### **THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 18-019 AND RESPECTFULLY RECOMMENDS:**

- 1. International Village Business Improvement Area (BIA) Revised Board of Management (PED16011(b)) (Wards 2 and 3) (Item 5.1)**

That the following individual be appointed to the International Village Business Improvement Area (BIA) Board of Management:

- (i) Nadine Ubl

- 2. Open for Business Sub-Committee, Clerk's Report 18-002, September 6, 2018 (Item 5.2)**

That the Open for Business Sub-Committee, Clerk's Report 18-002, September 6, 2018, be received.

**3. Pauline Kajiura, Information Hamilton, respecting a Funding Request for Information Hamilton (Item 6.1)**

- (a) That Healthy and Safe Communities staff be directed to prepare a comparative report, in consultation with Information Hamilton, respecting information and referral organizations in other Ontario cities, with that report to include the structure, funding and per capita comparison, and report back to the Healthy & Safe Communities Committee; and,
- (b) That Healthy and Safe Communities staff be directed to meet with Information Hamilton to determine the feasibility of the City utilizing the information and referral software created by Information Hamilton, and report back to the Healthy and Safe Communities Committee, with that report to include the feasibility of a licensing fee for the use of that software.

**4. Term of Council Accomplishments (2014-2018) (CM18019) (City Wide) (Item 7.1)**

That Report CM18019, respecting the Term of Council Accomplishments, be received.

**5. Facility Naming Sub-Committee, Report 18-003, August 15, 2018 (Item 8.1)**

**(a) Renaming of A.M. Cunningham Parkette to Crown Point East Parkette (PW18068) (Ward 4) (Item 8.1)**

That the request to rename A.M. Cunningham Parkette, 300 Roxborough Avenue, to Crown Point East Parkette, attached as Appendix "A" to Report PW18068, be approved, as this request meets the guidelines set out in the City of Hamilton Municipal Property and Building Naming Policy.

**(b) Naming of The Ray Lewis Track & Field Centre at Mohawk Sports Park (PW18069/HSC18039) (Ward 6) (Item 8.2)**

That the request to name the track and field complex at Mohawk Sports Park the Ray Lewis Track & Field Centre, attached as Appendix "B" to Report PW18069/HSC18039, be approved, as this request meets the guidelines set out in the City of Hamilton's Municipal Property and Building Naming Policy.



**(c) Renaming of Pier 8 Promenade Park to "Copps Pier" (PW18070) (Ward 2) (Item 8.3)**

That the request to rename Pier 8 Promenade Park, 47 Discovery Drive, to "Copps Pier", attached as Appendix "C" to Report PW18070, be approved, as this request meets the guidelines set out in the City of Hamilton Municipal Property and Building Naming Policy.

**6. Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application 2192929 Ontario Inc. and 2156600 Ontario Inc. – 133, 135 and 153 King Street West, Dundas (PED10214(a)) (Ward 13) (Item 8.2)**

(a) That the maximum amount of the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant ERG-10-02 approved for 2142929 Ontario Inc. and 2156600 Ontario Inc. (Steve Pocrnic), owners of the property at 133, 135 and 153 King Street West, Dundas, be increased to \$367,183 from \$140K and be made payable to 2142929 Ontario Inc. and 2156600 Ontario Inc., jointly, over a maximum of ten years, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Grant Program provided for in the approved ERASE Community Improvement Plan;

(b) That the City enter into an ERASE Redevelopment Grant Agreement and that the Mayor and City Clerk be authorized and directed to execute said Agreement together with any ancillary documentation required, to effect recommendation (a) of Report PED10214, in a form satisfactory to the City Solicitor; and,

(c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any grant amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the ERASE Redevelopment Grant ERG-10-02, as approved by City Council on September 28, 2010 are maintained.

**7. Assessment Act Amendments Providing a Property Tax Exemption to Non-Profit Long-Term Care Homes - Update (FCS16076(b)) (City Wide) (Item 8.3)**

(a) That, given the significant impact the change in taxation status for Non-Profit Long-Term Care (LTC) facilities has on the City of Hamilton, the Province be requested to identify a plan to continue with the Transitional Mitigation Payment for a multi-year period;

- (b) That the Mayor correspond with the Honourable Victor Fedeli, Minister of Finance, to request the extension of the Transitional Mitigation Payment; and,
- (c) That the unbudgeted transitional funds provided for 2018, in the amount of \$972,307, be allocated to reducing the impact of 2018 assessment appeals.

**8. Attracting Diversity During the Recruitment Process (HUR18017) (City Wide) (Item 8.4)**

That staff be directed to proceed with the 2018 - 2022 Recruitment Process utilizing the expanded Communications Plan, as defined in Appendix "A" attached to Report 18-019, within the existing budget.

**9. Bernie Arbour Stadium - Sponsorship Agreement (CM18018) (City Wide) (Item 8.5)**

- (a) That the Director of Strategic Partnerships and Communications be authorized to negotiate a \$50,000/5-year agreement (\$10K/year), with CARSTAR Canada for the naming, advertising and sponsorship rights of Bernie Arbour Memorial Stadium, to commence January 1, 2019; and,
- (a) That the Director of Strategic Partnerships and Revenue Generation or his designate be authorized to execute the \$50,000/5-year agreement (\$10K/year), for the naming, advertising and sponsorship rights at Bernie Arbour Memorial Stadium to CARSTAR Canada to commence January 1, 2019, in a form satisfactory to the City Solicitor.

**10. Hamilton Waterfront Trust – Revised Deed of Trust (CM18017) (City Wide) (Item 8.6)**

- (a) That the revisions to the Hamilton Waterfront Trust's original Deed of Trust, as outlined in the attached Appendix "B" to Report 18-019, be approved; and,
- (b) That the Mayor and City Clerk be authorized and directed, to execute the revised Deed of Trust between the City of Hamilton and the Hamilton Waterfront Trust, attached as Appendix "C" to Report 18-019, and any ancillary or related documents, with content acceptable to the City Manager and in a form satisfactory to the City Solicitor.

**11. Hamilton Urban Fellowship Program (HUR18015(a)) (City Wide) (Item 8.7)**

That Report HUR18015(a), respecting the Hamilton Urban Fellowship Program, be received.

**12. Hamilton Urban Fellowship Program (HUR18015) (City Wide) (Item 8.8)**

That Report HUR18015, respecting the Hamilton Urban Fellowship Program, be received.

**13. Business Improvement Area Advisory Committee Report 18-008, September 11, 2018 (Item 8.9)**

**(a) Downtown Dundas Business Improvement Area Expenditure Request for Cleaning and Maintenance of Public Road Allowances, for the Purchase and Maintenance of Christmas Decorations, and for the Purchase and Maintenance of Flower Baskets (Item 9.1)**

That the expenditure requests, from the Downtown Dundas Business Improvement Area, in the amount of \$13,487.08, for the following projects to be funded from the 2018 Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved:

- (i) \$3,000 Public road allowance cleaning and maintenance;
- (ii) \$8,000 Christmas decorations and their maintenance; and,
- (iii) \$2,487.08 Purchase and watering of hanging baskets.

**(b) Concession Street Business Improvement Area Expenditure Request for Spring and Summer Flowers and Winter Banners (Item 9.2)**

That the expenditure requests, from the Concession Street Business Improvement Area, in the amount of \$13,726.45 for the following projects, to be funded from the Shared Parking Revenue Program (Parking Revenue Account 815010-45559), be approved:

- (i) \$9,982.00 Spring and summer flowers; and,
- (ii) \$3,744.00 New winter banner; be approved.

**(c) Downtown Hamilton Business Improvement Area Expenditure Request for Christmas Decorations and Spring Flowers and New Planters (Item 9.3)**

- (i) That the expenditure requests from the Downtown Hamilton Business Improvement Area, in the amount of \$13,849.04 for Christmas decorations and removal/storage, to be funded from the Shared Parking Revenue Program (Parking Revenue Account 815010-45559); and,
- (ii) That the expenditure requests from the Downtown Hamilton Business Improvement Area, in the amount of \$5,702.72 for Spring flowers and new planters, to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905); be approved.

**(d) International Village Business Improvement Area Expenditure Request (Item 9.4)**

- (i) That the expenditure request from the Downtown Hamilton Business Improvement Area, in the amount of \$14,941.29 for Victorian Night in the Village and Ferguson Station Movie Night, to be funded from the Shared Parking Revenue Program (Parking Revenue Account 815010-45559), be approved; and,
- (ii) That the expenditure request from the Downtown Hamilton Business Improvement Area, in the amount of \$6,918.32 for Banner Maintenance, Graffiti Removal, and Office Furniture, to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved.

**(e) Downtown Dundas Business Improvement Area Expenditure Request (Item 9.5)**

That the expenditure request from the Downtown Dundas Business Improvement Area, in the amount of \$25,786.67 for the five week Dickens of a Christmas special event, to be funded from the Shared Parking Revenue Program (Parking Revenue Account 815010-45559), be approved.

**(f) Westdale Village Business Improvement Area Expenditure Request (Item 9.6)**

- (a) That the expenditure request from Westdale Village Business Improvement Area, in the amount of \$19,133.75 for purchase of 60

planters and maintenance of those planters, and beautification of street and pedestrian areas to be funded from the Shared Parking Revenue Program (Parking Revenue Account 815010-45559), be approved; and,

- (b) That the expenditure request from Westdale Village Business Improvement Area in the amount of \$12,740.98 for flower baskets and maintenance of flower those baskets, to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved.

**14. Capital Projects Work-in-Progress Review Sub-Committee, Report 18-005, September 11, 2018 (Item 8.10)**

**(a) Capital Project Closing Report as of June 30, 2018 (FCS18078) (City Wide) (Item 8.1)**

- (i) That the Acting General Manager of Finance and Corporate Services be authorized to transfer a combined \$127,804.09 from the Unallocated Capital Levy Reserve (108020) and other Program Specific Reserves to the capital projects as outlined in Appendix “D” to Report 18-019;
- (ii) That the Acting General Manager of Finance and Corporate Services be directed to close the completed and / or cancelled capital projects listed in Appendix “E” to Report 18-019 in accordance with the Capital Closing Policy;
- (iii) That Appendix “C” to Report FCS18078, Capital Projects Budget Appropriations for the period covering January 1, 2018 through June 30, 2018, be received for information;
- (iv) That Appendix “F” to Report 18-019, Capital Projects Budget Appropriations above \$250,000 for the period covering January 1, 2018 through June 30, 2018 totalling \$1,452,415.42, be approved;
- (v) That Appendix “G” to Report 18-019, Capital Projects requiring Federal Gas Tax Reductions as of June 30, 2018 totalling \$2,692,020.00, be approved.

**(b) Public Works - Capital Projects Status Report as of June 30, 2018 (FCS18077) (City Wide) (Item 8.2)**

- (i) That the Capital Projects Status Report, Public Works Tax Supported Projects, as of June 30, 2018, attached as Appendix "A" to Report FCS18077, be received; and,
- (ii) That the Capital Projects Status Report, Public Works Rate Supported Projects, as of June 30, 2018, attached as Appendix "B" to Report FCS18077, be received.

**15. Opportunities and Flexibility of Existing Housing Programs (Item 9.1)**

That Housing Services staff be directed to investigate and report back to the Healthy and Safe Communities Committee on opportunities and flexibility in existing housing programs, in consultation with the Ministry of Housing, as applicable, that can be utilized or reallocated to specifically assist the householder waiting for housing on the centralized social housing wait-list system.

**16. Acquisition of Lands in Stoney Creek for Public Works Operations (PW18089) (Wards 10 and 11) (Item 12.2)**

- (a) That the direction provided to staff in Closed Session, respecting Report PW18089, Acquisition of Lands in Stoney Creek for Public Works Operations, be approved; and,
- (b) That Report PW18089, respecting the Acquisition of Lands in Stoney Creek for Public Works Operations, remain confidential until completion of the real estate transaction.

**17. Disposition of City-owned Industrial Land (PED17206(a)) (Ward 11) (Item 12.3)**

- (a) That the direction provided to staff in Closed Session, respecting Report PED17206(a), Disposition of City-owned Industrial Land, be approved; and,
- (b) That Report PED17206(a), respecting the Disposition of City-owned Industrial Land, remain confidential until completion of the real estate transaction.

**18. Organizational Structure Changes in the Healthy and Safe Communities Department and the Strategic Partnerships and Communications Division, City Manager's Office (CM18021) (City Wide) (Item 12.4)**

- (a) That the direction provided to staff in Closed Session, respecting Report CM18021, Organizational Structure Changes in the Healthy and Safe Communities Department and the Strategic Partnerships and Communications Division, City Manager's Office, be approved; and,
- (b) That the recommendation, Report CM18021 and Appendix "A" to Report CM18021, remain confidential until approved by Council.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

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

**1. MINUTES OF PREVIOUS MEETING (Item 3)**

3.1 September 5, 2018

Item 13 – there is a typographical error – the references to the "Bell Mobility Access Agreement" should read the Bell "*Municipal*" Access Agreement. All copies of the official record have already been amended to reflect this change

**2. CONSENT ITEMS (Item 5)**

5.3 Business Improvement Area Advisory Committee Minutes, July 10, 2018

**3. PUBLIC HEARINGS/DELEGATIONS (Item 6)**

6.2 Clinton Younge, MMJ Canada / LOST Organization, respecting the legalization of cannabis and what's potentially to come with all the new applications and existing retail dispensaries.

Mr. Younge advised that he would not be in attendance (through his agent), but has instead provided correspondence for your consideration.

**4. DISCUSSION ITEMS (Item 8)**

- 8.5 Bernie Arbour Stadium - Sponsorship Agreement (CM18018) (City Wide)

There is an account number correction to page 2 of the report under the Financial Implications section. The Dept. ID currently reads as the "General Parks Maintenance #792667", but should read "*Stadium Maintenance and Repairs Dept. ID #792668*".

- 8.9 Business Improvement Area Advisory Committee Report 18-008, September 11, 2018
- 8.10 Capital Projects Work-in-Progress Review Sub-Committee, Report 18-005, September 11, 2018

**5. PRIVATE & CONFIDENTIAL (Item 12)**

- 12.1 Closed Session Minutes – September 5, 2018

There is are two typographical errors – the references to the "Bell Mobility Access Agreement" should read the Bell "*Municipal*" Access Agreement. All copies of the official record have already been amended to reflect this change; and the date should be *September 5<sup>th</sup>* rather than August 13<sup>th</sup> on the agenda face page.

- 12.4 Organizational Structure Changes in the Healthy and Safe Communities Department and the Strategic Partnerships and Communications Division, City Manager's Office (CM18021) (City Wide)

Pursuant to Section 8.1, Sub-sections (b) and (d) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (b) and (d) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees; and, labour relations or employee negotiations.

The agenda for the September 19, 2018 General Issues Committee meeting was approved, as amended.



**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

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

**(i) September 5, 2018 (Item 3.1)**

The Minutes of the September 5, 2018 meeting of the General Issues Committee were approved, as amended.

**(ii) September 11, 2018 (Item 3.2)**

The Minutes of the September 11, 2018 meeting of the General Issues Committee were approved, as presented.

**(d) CONSENT ITEMS (Item 5)**

**(i) Business Improvement Area Advisory Committee Minutes, July 10, 2018 (Item 5.3)**

As this matter was not addressed at the September 19, 2018 General Issues Committee, it will be placed on the December 12, 2018 agenda to be received.

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

**(i) Pauline Kajiura, Information Hamilton, respecting a Funding Request for Information Hamilton (Item 6.1)**

Pauline Kajiura, Information Hamilton, addressed Committee respecting a funding request for Information Hamilton.

The presentation provided by Pauline Kajiura, Information Hamilton, respecting a funding request for Information Hamilton, was received.

A copy of the presentation is available on the City's website at [www.hamilton.ca](http://www.hamilton.ca) or through the Office of the City Clerk.

For disposition of this matter, please refer to Item 3.

- (ii) **Correspondence from Clinton Younge, MMJ Canada / LOST Organization, respecting the legalization of cannabis and what's potentially to come with all the new applications and existing retail dispensaries. (Item 6.2)**

Clinton Younge, MMJ Canada / LOST Organization, advised that he would not be in attendance (through his agent), but provided correspondence respecting the legalization of cannabis and what's potentially to come with all the new applications and existing retail dispensaries in place of his attendance.

The correspondence provided by Clinton Younge, MMJ Canada / LOST Organization, respecting the legalization of cannabis and what's potentially to come with all the new applications and existing retail dispensaries, was received.

A copy of the correspondence is available on the City's website at [www.hamilton.ca](http://www.hamilton.ca) or through the Office of the City Clerk.

**(f) STAFF PRESENTATIONS (Item 7)**

- (i) **Term of Council Accomplishments (2014-2018) (CM18019) (City Wide) (Item 7.1)**

Mike Zegarac, Interim City Manager, addressed Committee and provided a PowerPoint presentation respecting Report CM18019, Term of Council Accomplishments (2014-2018).

The presentation respecting Report CM18019, Term of Council Accomplishments (2014-2018), was received.

A copy of the presentation is available on the City's website at [www.hamilton.ca](http://www.hamilton.ca) or through the Office of the City Clerk.

For disposition of the above matter, please refer to Item 4.

**(g) NOTICES OF MOTION (Item 10)**

- (i) **Opportunities and Flexibility of Existing Housing Programs (Item 10.1)**

Councillor C. Collins introduced a Notice of Motion respecting opportunities and flexibility of existing housing programs.

The Rules of Order were waived to allow for the introduction of a motion respecting opportunities and flexibility of existing housing programs.

For disposition of the above matter, please refer to Item 15.

**(h) 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) Attracting Diversity During the Recruitment Process**  
(Addressed as Item 8.4 on today's agenda – Report HUR18017)
- (ii) Hamilton Urban Fellowship Program** (Addressed as Items 8.7 and 8.8 on today's agenda – Reports HUR18015 and HUR18015(a))

**(ii) Blue Green Algae at the Hamilton Harbourfront (Item 11.2)**

Councillor Farr raised concerns respecting the blue-green algae that is currently present in the water along the Hamilton Harbourfront.

**(i) PRIVATE & CONFIDENTIAL (Item 12)**

**(i) Closed Session Minutes – September 5, 2018 (Item 12.1)**

- (a)** The Closed Session Minutes of the September 5, 2018 General Issues Committee meeting, as amended, were approved; and,
- (b)** That the Closed Session Minutes of the September 5, 2018 General Issues Committee meeting, as amended, shall remain confidential.

Committee moved into Closed Session respecting Items 12.2 to 12.4, pursuant to Section 8.1, Sub-sections (b), (c) and (d) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (b), (c) and (d) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to personal matters about an identifiable individual, including City employees; a proposed or pending acquisition or disposition of land for City purposes; and, labour relations or employee negotiations.

**(ii) Acquisition of Lands in Stoney Creek for Public Works Operations (PW18089) (Wards 10 and 11) (Item 12.2)**

Staff was provided direction in Closed Session.

For further disposition of this matter, please refer to Item 16.

**(iii) Disposition of City-owned Industrial Land (PED17206(a)) (Ward 11) (Item 12.3)**

Staff was provided direction in Closed Session.

For further disposition of this matter, please refer to Item 17.

**(iv) Organizational Structure Changes in the Healthy and Safe Communities Department and the Strategic Partnerships and Communications Division, City Manager's Office (CM18021) (City Wide) (Item 12.4)**

Staff was provided direction in Closed Session.

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

**(j) ADJOURNMENT (Item 13)**

There being no further business, the General Issues Committee adjourned at 12:49 p.m.

Respectfully submitted,

T. Whitehead, Deputy Mayor  
Chair, General Issues Committee

Stephanie Paparella  
Legislative Coordinator  
Office of the City Clerk

<b>Print Resources</b>	
Hamilton Spectator	<ul style="list-style-type: none"> <li>• Quarter page advertisement</li> <li>• 100,000 readers</li> <li>• \$1600.00/daily edition</li> </ul>
Media Release	<ul style="list-style-type: none"> <li>• Announcement made by Communication staff to the media.</li> <li>• Min. 100,000 readers if media release is picked up by Hamilton Spectator</li> </ul>
Hamilton Community Newspaper	<ul style="list-style-type: none"> <li>• Half page advertisement</li> <li>• 50,000 readers across the 4 editions (Ancaster News, Dundas Star News, Hamilton Mountain News and Stoney Creek News)</li> <li>• \$2,550.00/ daily edition</li> </ul>
Turtle Island Newspaper	<ul style="list-style-type: none"> <li>• Half page advertisement</li> <li>• 10,000 readers</li> <li>• \$700.00/weekly edition</li> </ul>
Snapd Newspaper	<ul style="list-style-type: none"> <li>• Half page advertisement</li> <li>• 50,000 readers</li> <li>• \$700.00/monthly edition</li> </ul>
Neighbourhood Community Newspapers (As identified by the Neighbourhood Association Directory)	<ul style="list-style-type: none"> <li>• Depending on circulation schedule (monthly or quarterly), advertisement in each edition during any recruitment campaign.</li> <li>• Neighbourhood Newsletter readers</li> </ul>
@ CityofHamilton Newsletter	<ul style="list-style-type: none"> <li>• Quarter of a page advertisement in quarterly edition within the recruitment campaign.</li> <li>• 8,000 City of Hamilton Staff. Next edition of Newsletter published October 2018</li> </ul>
Our Future Hamilton Newsletter	<ul style="list-style-type: none"> <li>• Quarter of a page advertisement in quarterly edition within the recruitment campaign.</li> <li>• 2,500 Our Future Hamilton community partners</li> </ul>
Posters (400) created by City of Hamilton Staff	<ul style="list-style-type: none"> <li>• Placement at City of Hamilton Recreation Centres and Libraries as well as key community agencies that target diverse populations.</li> <li>• In excess of 5 million participant visits across COH recreation facilities (with 30,000 unique users who participated in registered programs)</li> <li>• \$400.00 for 400 posters(approx.)</li> <li>• \$200.00 for poster mail out (approx.)</li> </ul>

<b>Electronic Medium Resources</b>	
Banner on eNet	<ul style="list-style-type: none"> <li>• Daily exposure on eNet during recruitment campaign.</li> <li>• Approx. 7,000 users</li> </ul>
Banner on Hamilton.ca	<ul style="list-style-type: none"> <li>• Daily exposure on Webpages during recruitment campaign.</li> <li>• Approx. 15,000 users/day</li> </ul>
City of Hamilton Social Media feeds (Facebook, Instagram, Twitter)	<ul style="list-style-type: none"> <li>• Unlimited opportunity for feeds to be reposted or retweeted during recruitment campaign</li> <li>• 63,300 City of Hamilton Twitter followers</li> <li>• A general tweet will receive 5-8,000 impressions</li> </ul>
City of Hamilton LinkedIn page (professional networking)	<ul style="list-style-type: none"> <li>• Daily exposure to LinkedIn subscribers during the recruitment campaign.</li> <li>• 4,500-20,000 LinkedIn users per post</li> </ul>
TV Monitors at Hamilton Farmer’s Market	<ul style="list-style-type: none"> <li>• Continuous feed on Market days during recruitment campaign.</li> <li>• 10,000 Market users /week</li> </ul>
Neighbourhood Community Social Media feeds (as identified in the Community Neighbourhood Directory)	<ul style="list-style-type: none"> <li>• Unlimited opportunity for feeds to be reposted or retweeted during recruitment campaign.</li> <li>• 50 Community Neighbourhoods and 32 Related Community Groups</li> <li>• Over 200 contacts on master mailing list</li> </ul>
Our Future Hamilton special email notification	<ul style="list-style-type: none"> <li>• Email notifications during recruitment campaign.</li> <li>• 2,500 community partners (organizations and citizens)</li> </ul>
Email blasts to City of Hamilton created special community lists (as identified by Hamilton Anti-Racism Resource Centre)	<ul style="list-style-type: none"> <li>• Unlimited opportunity for recipients to forward email through their personal social media networks.</li> <li>• 80 + Ethno racial community organizations</li> </ul>
Snapd Event Calendar	<ul style="list-style-type: none"> <li>• Post link to City of Hamilton Web page during recruitment campaign.</li> <li>• Calendar content is generated by an engaged community interested in promoting events.</li> </ul>
Email blast through Information Hamilton	<ul style="list-style-type: none"> <li>• E-mail blasts on a as requested basis during the recruitment campaign.</li> <li>• 500 registered business, organizations and individual citizens</li> <li>• \$25.00 for 1<sup>st</sup> blast</li> <li>• \$20.00 for each subsequent blast.</li> </ul>

DiverseCity onBoard (professional networking)	<ul style="list-style-type: none"> <li>• One time subscription by City of Hamilton Staff. Advertisement can be emailed during recruitment campaign.</li> <li>• 200 qualified Hamilton community members with training in board governance</li> <li>• \$500.00 annual fee</li> </ul>
<b>Public Information Session</b>	
Open House	<ul style="list-style-type: none"> <li>• Invite participation through print media and electronic medium advertisement approaches. Light refreshment offered.</li> <li>• \$100.00</li> </ul>
Community Meeting Attendance	<ul style="list-style-type: none"> <li>• Internally communicate Advisory (Volunteer) Committee opportunities to City of Hamilton Staff who regularly interact with community agencies and groups.</li> <li>• Dependant on the number of available community meetings that occur in the recruitment period</li> </ul>

**Summary of Proposed Revisions:**

1. Removes all mention of the HPA as a condition of its withdrawal from the Trust;
2. updates the description of the HWT's mandate/governance to reflect the HWT's connection to waterfront as outlined in the HWT's Positioning Statement and its Vision Statement;
3. provides the City with the authority and discretion to dissolve the Trust on 12 months' notice;
4. imposes a monetary limitation of \$250,000 on the HWT's ability to conduct transactions without City approval;
5. grants the HWT explicit authority, with the City's consent, to create subsidiary corporations, such as HWT Inc.;
6. requires four year terms for HWT Board Trustees coincident with Council terms;
7. increases HWT Board meetings from four to six mandatory meetings per year;
8. requires the HWT to publicize minutes of its meetings;
9. confirms the City's discretion to increase the minimum number of Board members;
10. grants City Council the authority to resolve a deadlock among HWT Board Trustees;
11. formally aligns the HWT's fiscal year with City's fiscal year; and
12. requires the HWT to provide an annual report to City outlining its Annual Audited Financial Statements, its 10 Year Capital Plan, its Strategic Plan and any changes to its organizational structure.



**THIS REVISED DEED OF TRUST** (the "**Revised Deed**") is effective as of October 1, 2018 (the "**Effective Date**") and revises the original Deed of Trust (the "**Deed**") that established the HAMILTON HARBOUR DEVELOPMENT TRUST as of November 24, 2000

**B E T W E E N:**

**CITY OF HAMILTON** (the "**City**")

-and-

**HAMILTON WATERFRONT TRUST** (the "**Trust**")

Each a "**Party**" and collectively the "**Parties**"

**WHEREAS** by a Trust Deed dated November 24, 2000, the City and the Hamilton Harbour Commissioners (the "**Commissioners**")—now known as the Hamilton Port Authority (the "**HPA**")—established a trust known as the Hamilton Harbour Development Trust which is now known as the Hamilton Waterfront Trust (the "**Trust**");

**AND WHEREAS** on or about November 24, 2000, the Commissioners transferred to the Trust approximately \$6.3 Million for the purposes of land assembly, improvements and development costs relating to Hamilton's West Harbour which funds have long since been invested or expended and the Trust has since developed several alternative revenue sources;

**AND WHEREAS** as of October 26, 2019, the City, the HPA and the Trust have each approved a restructuring of the Board whereby the City would henceforth appoint all Trustees and the HPA withdrew from further participation in, and oversight of, the Trust;

**AND WHEREAS** the City or other parties may hereafter transfer or cause to be transferred to the Trust money, securities, land and other assets, all of which are to be

held by the Trustees upon the trusts and with and subject to the powers and provisions declared and contained in this Revised Deed;

**NOW THEREFORE THIS REVISED DEED OF TRUST WITNESSETH** that in consideration of the premises and the mutual covenants and agreements herein contained, it is hereby covenanted and agreed by and between the Parties as follows:

**DESIGNATION AND CONTINUATION OF TRUST**

1. The City and the Trust hereby continue a trust known and designated as the Hamilton Waterfront Trust. The Trustees may, in their discretion, in that name, hold title to or ownership of any or all of the assets from time to time forming part or all of the assets of the Trust, carry out any transaction on behalf of the Trust and enter into any contracts or arrangements or otherwise exercise any of the powers, discretion and authorities herein conferred upon them.
  
2. (a) This Revised Deed is effective as of the Effective Date and shall continue until terminated by the City on no less than twelve (12) months written notice to the Trust.  
  
(b) On receipt of this termination notice from the City, the Trust shall immediately take appropriate steps to wind-up its operations as well as that of its related companies, trusts and other entities, including, without limitation:
  - i. promptly providing working notice to its employees;
  - ii. promptly providing notice of contract termination to its contractors and service providers;
  - iii. disposing of its existing assets; and
  - iv. otherwise resolving all outstanding liabilities.
  
- (c) On completion of the wind-up of its operations, the Trust shall transfer any remaining Trust Assets including any monetary assets to the City.

## **INTERPRETATION**

### **3. Meanings of Terms**

In this Revised Deed:

- (a) **"Board"** means all of the then currently appointed Trustees collectively;
  
- (b) **"Lands"** refers to the lands covered by the Hamilton West Harbour Waterfront Recreation Master Plan, and any other lands specifically designated by the City as being subject to the mandate of the Trust including all lands adjacent to Lake Ontario with the City of Hamilton including, specifically, Hamilton Harbour;
  
- (c) **"Person"** means and includes any individual, corporation, partnership, firm, association, organization, foundation, trust, government or governmental authority of any jurisdiction whatsoever;
  
- (d) **"Trust"** shall mean the Hamilton Waterfront Trust;
  
- (e) **"Trust Assets"** shall mean all money, securities and other assets owned by the Trust and any further assets which any other Person or Persons may donate, sell or otherwise transfer or cause to be transferred to, or vest or cause to be vested in, the Trust and any assets substituted therefore and capital accretions thereto and all income from such assets to be held upon the trusts and with and subject to the powers and provisions hereof;
  
- (f) **"Trustees"** shall mean and include the trustee or trustees currently appointed to the Board either in accordance with the Trust Deed or this Revised Trust Deed,; and
  
- (g) **"Hamilton West Harbour Waterfront Recreation Master Plan"** means the Hamilton West Harbour Waterfront Recreation Master Plan dated April 14, 2010.

## **TRUST ASSETS**

### 4. (a) **Administration of Trust Assets**

The Trust shall administer all Trust Assets upon the trusts and subject to the powers and provisions contained in this Revised Deed.

### (b) **Transfer of Further Property**

The Trustees shall have the right at any time during the continuance of the Trust to accept such further, substituted or additional assets which the Trust, the City or any other Person or Persons may donate, sell or otherwise transfer or cause to be transferred to, or vest or cause to be vested in, the Trust either personally or by testamentary disposition, and all such assets shall, upon acceptance by the Trustees, form part of the Trust Assets.

## **PURPOSE OF TRUST**

5. Subject to the provisions of paragraph 4 of this Revised Deed, the Trust shall receive and stand possessed of the capital and income of the Trust Assets and shall invest and keep the same invested and shall pay out, use and apply all or any part of the Trust Assets from time to time exclusively for the following purposes:

- (a) to promote and facilitate the public's access to, and enjoyment of, Hamilton's Waterfront as more specifically outlined in its Positioning Statement and its Vision Statement, each as amended from time to time;
- (b) the improvement and development of the Lands; and,
- (c) to administer Trust Assets, funds and capital gifts from donors for the purposes set out herein.

Notwithstanding the foregoing it is agreed by the Parties that the City must first approve any transaction, purchase, transfer or similar disposition of, or affecting, the Trust Assets that has of a value of \$250,000 or greater.

## **ADDITIONAL TRUSTEE POWERS**

6. In addition to all other powers vested in trustees by law or otherwise and without in any way restricting the general powers, discretions and authority given to the Trustees in this Revised Deed, the Trustees shall have from time to time and at any time or times the power, discretion and authority:

(a) **Investments**

To retain, invest or reinvest, any money or property constituting the whole or any part of the Trust Assets in any investments, including without limiting the generality of the foregoing, any real or personal property or any interest therein, which the Trustees shall in their discretion determine to be advisable, provided such investments are authorized by law for trustees.

(b) **Disposition of Property**

To sell, transfer, assign, exchange, convey, grant an option with respect to or otherwise dispose of the whole or any part of the investments or other assets constituting the Trust Assets from time to time, in any manner and at any price and upon such terms and conditions as the Trustees shall in their discretion determine advisable and for the benefit of the Trust and the Trustees shall not be bound to obtain the prior consent or approval of any person, official, authority, tribunal or court whomsoever or whatsoever.

(c) **Shares and Other Securities**

To exercise all voting powers attaching to and all rights incidental to the ownership of stocks, shares, bonds or other securities and other assets held as part of the Trust Assets, and to appoint others as proxies and to delegate their discretionary powers in respect thereof; to sell or exercise any subscription rights and to exercise options, conversions, privileges or rights to subscribe for additional securities attaching to any securities held as part of the Trust Assets from time to time in connection with the exercise of subscription rights, to use

money of the Trust Assets for such purpose; to enter into any agreements in respect of the ownership of any securities which at any time form part of the Trust Assets; to consent to, participate in or join in any proposal or fundamental change of or with respect to any issuer of securities, which at any time form part of the Trust Assets; to authorize the sale of the assets or undertaking or a substantial portion of the assets or undertaking of any such corporation; generally to act in respect of such investments as fully and effectually from time to time as if the same were not property of the Trust, but always for the benefit of the Trust.

(d) **Professional Assistance**

To employ and pay for such professional, expert, specialized or other assistance as the Trustees may consider advisable in the discharge of their duties as Trustees.

(e) **Investment Counsel**

To appoint and/or employ one or more trust companies or investment counsel to manage the Trust Assets or to act as their agent in respect of the management of the Trust Assets and from time to time in their discretion to terminate any such appointment and make another. The Trustees are further authorized to fix the remuneration to be paid to any such trust company or investment counsel and such remuneration is to be charged upon the Trust Assets to be payable out of the capital or income thereof in such proportions as the Trustees from time to time decide in their discretion. In making any such arrangement as aforesaid, the Trustees are authorized to place the investment counsel and to transfer such investments or any of them into the name of any such trust company or any nominee thereof or therefore.

(f) **Act on Professional Advice**

To act on the opinion or advice of or information obtained from any lawyer, barrister, solicitor, accountant, financial advisor, valuer, surveyor, broker,

auctioneer or from other experts and professional persons, and the Trustees shall not be responsible for any loss, depreciation or damage occasioned by acting, or not acting, in accordance therewith.

(g) **Determination of Questions**

To determine all questions and matters of doubt which may arise in the course of the management, administration, realization, liquidation, partition or winding up of the Trust.

(h) **Legal Proceedings**

To institute and defend proceedings at law and to proceed to the final determination thereof or compromise the same as the Trustees shall in their discretion determine to be advisable.

(i) **Cash Deposits**

To deposit any money forming part of the Trust Assets at any time in any chartered bank or trust company duly authorized to carry on its business in the jurisdiction in which such deposit is made.

(j) **Borrowing**

To borrow money on the credit of Trust Assets, for the purpose only of funding current operating expenses of the Trust Assets.

(k) **Agreements**

To carry out transactions and enter into contracts or agreements with any person or corporation concerning any asset forming part of the Trust Assets where the Trustees consider such agreement to be in the best interest of the Trust and in connection therewith, the Trustees may make, execute, acknowledge and deliver any and all instruments that may be necessary, proper or desirable.

(l) **Officers**

To appoint any officer or officers to carry out any of the purely administrative duties and responsibilities of the Trustees.

(m) **Creation of Related Companies**

With the City's prior written consent, establish and operate subsidiary or related companies, trusts or other entities.

**EXPENSES OF ADMINISTRATION**

7. Subject to any other applicable provision in this Revised Deed, the customary expenses in connection with the administration of the Trust, including the investment and reinvestment of any part of the Trust Assets and the collection of income and other sums derivable therefrom, shall be charged against the income of the Trust Assets, but if such income is insufficient for the purpose, then the same shall be charged against the capital of the Trust Assets, or so much thereof as may be required, in addition to the income for the purpose.

**TRUSTEES' EXPENSES**

8. The Trustees shall serve as such without remuneration, and no Trustees shall directly or indirectly receive any profit from his position as a Trustee; provided that a Trustee shall be entitled upon approval by any two officers of the Trust so authorized by the Trustees to be reimbursed for all reasonable expenses incurred in the performance of his/her duties.

**TRUSTEES**

9. (a) **Number and Term of Officer**

At all times there shall be no fewer than five (5) Trustees of this Trust all of which shall be appointed by the City. Each shall be appointed for a four (4) year term



consistent with the term served by each City Council. Subject to paragraphs 9(e), (f) and (g) of this Revised Deed, each Trustee shall continue to act as a Trustee until his or her successor is appointed. Trustees shall be eligible for re-appointment by the City.

(b) **Chairperson**

On an annual basis, the Trustees shall appoint a Chairperson of the Trustees from among themselves.

(c) **Execution of Instruments**

Any and all bills of exchange, promissory notes, cheques, other orders for the payment of money, powers of attorney, transfers, papers, documents, contracts or other instruments in writing requiring at any time and from time to time to be executed for or on behalf of this Trust shall be validly executed if signed or otherwise authorized by any two or more officers of the Trust so authorized by the Trustees.

(d) **Majority Decision**

Every discretion or power hereby or by law conferred on the Trustees shall be an unfettered and absolute and uncontrolled discretion or power and every decision required at any time or from time to time to be made by the Trustees may be made by a majority of the Trustees, subject to paragraphs 2, 6(m) and 10(c). Subject to paragraph 9(i), no Trustee shall be held liable for any loss or damage occurring as a result of such Trustee concurring or refusing or failing to concur in any exercise of discretion or power by the Trustees. It shall be the duty of any Trustee not concurring in any lawful decision of the majority to execute such instruments and do such acts and things as may be necessary to give effect to such decision.

(e) **Resignation**

Any Trustee may at any time resign from the office of Trustee hereof on giving not less than thirty (30) days written notice addressed to the Board of Trustees and the City.

(f) **Automatic Termination of Office**

The Office of a Trustee shall be *ipso facto* determined and vacated if such Trustee, being an individual, shall be found to be a mentally incompetent person, or if s/he shall be declared bankrupt or insolvent, or make an assignment in bankruptcy, or removed by order of a court of competent jurisdiction, effective as of the date of such finding, declaration, assignment or removal.

(g) **Removal of Trustees**

All Trustees serve at the pleasure of the City. In the event it is desirable that any Trustee, including any person or persons substituted for the original Trustees, be removed from the position of Trustee, the City at any time may by written notice direct such Trustee to resign as a Trustee, and upon receipt of such notice, such Trustee shall forthwith resign.

In the event of a death, retirement, resignation or removal of any Trustee or upon the occurrence of any of the events to which reference is made in paragraph 9(f), a substitute Trustee shall be appointed forthwith by the City so that at all times (except for the period in which the appointments shall be so made) there shall be at least five (5) Trustees of this Trust. In the event of the death of a Trustee, his heirs, administrators, executors and assigns shall be fully discharged from all further duties and responsibilities in respect of this Revised Deed as of the date of death.

(h) **Notice of Changes**

Notices of every change of Trustees hereunder shall be signed by the City and the Trust and every such notice shall be sufficient evidence to any person having dealings with the Trustees for the time being hereof as to the facts to which it relates.

(i) **Willful Misconduct and Indemnification of Trustees**

No Trustee shall be liable for any error of judgment or mistake of fact or law, or for any act or omission when administering this Revised Deed save the willful neglect or default of, or the willful misconduct of, such Trustee or the willful breach of the terms

of this Revised Deed by such Trustee and each Trustee shall be indemnified and held harmless by the Trust against every claim or loss (except those arising from the willful neglect, default or misconduct of such Trustee or the willful breach of the terms of this Revised Deed by such Trustee), death duties, taxes and impositions arising in connection with the Trust Assets or any part thereof.

(j) **Residence**

Every person who shall be a Trustee shall at all times be required to be a resident of Hamilton, Ontario.

(k) **Bond or Security not Required**

No Trustee shall be required to give any bond or security in connection with the administration of the Trust Assets and the discharge of the trusts hereby created.

(l) **Profits used for Trust**

The Trust shall be carried on without pecuniary gain to its Trustees and any profits or accretions to the Trust shall be used for the promotion of the objects of the Trust and not for the benefit of its Trustees.

(m) **Conflict of Interest – Contracts**

A Trustee who is a party to any proposed contract with the Trust or who has a direct or indirect interest in a corporation or other business which is a party to any proposed contract with the Trust shall disclose the nature and extent of his interest at the meeting of Trustees at which the question is first taken into consideration, or if he was not then interested at the next meeting after he becomes so interested and if he becomes interested after the contract is made, he shall declare his interest at the first meeting held after he becomes so interested. No Trustee shall participate in any decision in respect of any contract or arrangement in which he is so interested.

(n) **Conflict of Interest – Investments**

The Trustees shall not cause or permit any investments of the Trust Assets or any part thereof to be made or to continue in any corporation or other business in which the Trustees or any of them have any interest either directly or indirectly except if such interest is as holder of shares of a company listed on a recognized stock exchange.

(o) **Fiscal Year and Annual Report**

The fiscal year of the Trust shall be from January 1 to December 31.

(p) **Appointment of Additional Trustees**

The City may, on thirty (30) days written notice to the Trust increase the number of Trustees beyond the minimum number set forth in paragraph 9(a) of this Revised Deed.

(q) **Annual Briefing**

Within ninety (90) days of the end of each fiscal year of the Trust, the Trust shall appear before the Council, or an appropriate Committee of the City to present and report on the following:

- (a) its annual audited Financial Statements;
- (b) its Strategic and/or Business Plans and any changes thereto;
- (c) its ten (10) year Capital Plan; and
- (d) any changes to its organizational structure.

**MEETINGS**

10.(a) **Number of Meetings and Notice of Meetings**

The Trustees shall meet at least six (6) times a year at such times as the Trustees unanimously agree or as the Chairperson shall determine upon ten (10) days notice in writing by the Chairperson to the Trustees. A notice of meeting shall specify the date, time and location of the meeting, and shall include an agenda of matters to be addressed at such meeting, with reasonable details. To the extent reasonably

possible, all reports or other documentation to be considered at such meeting shall be provided to the Trustees with the notice of the meeting.

Any two (2) Trustees may request the Chairperson in writing to call a special meeting, and shall include with their request such information as may be reasonably necessary in order for the Chairperson to fulfill the requirements for providing an agenda and other documentation to all Trustees with the notice of the meeting, as provided in this paragraph. Upon receipt of such request, the Chairperson shall call as a special meeting for a date not later than thirty (30) days following the receipt of the request and information required for the agenda.

The Chairperson shall set out the place of meeting in the notice of the meeting. Meetings may also be held by conference call or by similar telecommunications or electronic means. All records and minutes of the Board shall be kept at a place to be determined by the Trustees by unanimous agreement. The Trustees may waive the delivery of notice of meeting, and shall be deemed to have done so by attending such meeting without objection.

(b) **Quorum**

In order to constitute a quorum, a majority of the Trustees shall be present in person. In the absence of a quorum, no business shall be transacted except the adjournment of the meeting.

(c) **Resolutions**

A Special Resolution shall be a resolution passed by a majority of not less than two-thirds (2/3) of the Trustees present at the meeting; provided that notice of the intention to propose such a resolution as a Special Resolution has been given in the notice calling such meeting. A resolution, including a Special Resolution, in writing and signed by every Trustee shall be as valid as if it had been passed by the Trustee at a meeting.

(d) **Validity of Meeting**

Subject to paragraphs 10(b) and (c), the proceeding at any meeting shall not be invalid merely by reason of any informality or irregularity in the convening or conduct thereof or otherwise.

(e) **Deadlocks**

In the event of a deadlock in any decisions required to be made by or among, any Trustees hereunder, any one of the Trustees may apply to City Council to resolve the deadlock.

(f) **Publication of Minutes of Board Meetings**

The Trustees shall record comprehensive minutes of each of its meetings and, once approved by the Board, post a copy of those minutes on its website and provide a copy to the City.

**BY-LAWS**

11. The Trustees may make By-Laws governing procedures and the business of the Trust provided they are consistent with this Revised Deed and any amendment hereto. Where this Revised Deed is in conflict with any By-Laws created by the Trustees, this Revised Deed shall govern.

**COMMITTEES OR ADVISORY COUNCILS**

12. The Trustees may establish such committees or advisory councils as they deem necessary to assist in carrying out the duties and responsibilities of the Trustees. Members of these committees or advisory councils shall hold office at the pleasure of the Trustees.

### **ACCOUNTS AND FINANCIAL STATEMENTS**

13. The Trustees shall appoint an auditor and shall keep accurate and detailed accounts and records of all receipts, disbursements, investments and transactions relating to the Trust Assets, and shall prepare or cause to be prepared all financial statements required by law to be prepared on behalf of the Trust or with respect to the Trust Assets from time to time. Without limiting the generality of the foregoing, the Trustees shall prepare and file with each of the City and the Trust an annual financial report accompanied by the auditor's report thereon for the Trust Assets as soon as practicable after the end of the fiscal year of the Trust, and shall also provide to each of the City and Trust such information and material respecting the Trust Assets as either of them may in writing request from time to time.

### **AMENDMENT OF TRUST**

14. This Revised Deed of Trust may be amended by a Special Resolution of the Trustees, subject to the prior written approval of the City, provided that the Trust Assets shall at all times be held in trust absolutely and exclusively for the purposes set out in this Revised Deed.

### **ACCEPTANCE OF TRUST**

15. The Trustees accept the trusts hereby constituted, upon the terms and conditions outlined in this Revised Deed as amended from time to time.

### **PROPER LAW OF TRUST**

16. The Trust is established and continued under the laws of and the rights of all parties and the construction and effect of each and every provision hereof shall be according to the laws of Ontario.

**GENDER OR SINGULAR/PLURAL**

17. In this Revised Deed and in all By-Laws of the Trust hereafter passed, unless the context otherwise requires, words imposing the singular number of the masculine gender shall include the plural number or feminine gender, as the case may be, and vice-versa.

**NOTICE**

18. Wherever in this Revised Deed, any request or notice is required or permitted to be given, it shall be given:

(a) to any Trustee, by addressing it to the last address of record reported to the City;

(b) to the City at 71 Main Street West, Hamilton, Ontario L8P 4Y5, *Attention:* Municipal Clerk; and

(c) to the Trust at 47 Guise Street, Hamilton, Ontario L8L 1K1, *Attention:* Executive Director.

19. Notice shall be given by one of: (i) *personal service*, in which case it shall be deemed to have been given on the day of delivery, (ii) *reliable courier*, in which case it shall be deemed to have been given on the next business day following such delivery, or (iii) *pre-paid registered mail*, in which case it shall be deemed to have been given on the fifth day after such mailing, provided that if as of the date of such mailing, an interruption in the Canadian postal system has occurred or is likely to occur, such notice shall not be given by pre-paid registered mail, but shall be given by one of the other means provided for in this paragraph.

20. Each Trustee and Party shall immediately advise the other Trustees and Parties of any change in its address for notice purposes.

**EXECUTION PAGE FOLLOWS**



**IN WITNESS WHEREOF** the Parties have hereunto executed and delivered this Revised Deed of Trust at the City of Hamilton.

**CITY OF HAMILTON**

Per:

---

Name:

Position: Mayor

Date:

Per:

---

Name:

Position: City Clerk

Date:

I/We have authority to bind the Corporation

**HAMILTON WATERFRONT TRUST**

Per:

---

Name:

Position:

Date:

Per:

---

Name:

Position: Secretary

Date:

I/We have authority to bind the Corporation

City of Hamilton Capital Project Closings As of June 30, 2018 Projects impacting the Unallocated Capital Levy Reserve & Other Reserves						
Year Approved	ProjectID	Description	Surplus/ (Deficit) (\$)	Reserve	Description	
<b>Projects requiring funds</b>						
2007	4030720250	Dofasco Ingot Truck Route	(240,229.28)	108020	Unalloc Capital Levy	
2010	7101041707	ISF-2425 Morgan Firestone Twin	(108,567.98)	108020	Unalloc Capital Levy	
2013	7101341350	Greensville Hall Structure	(2,273.80)	108020	Unalloc Capital Levy	
2014	4401456101	Perth Park - Grange School	(563.53)	108020	Unalloc Capital Levy	
2015	3381557501	Capital Budget System Upgrade	(847.15)	108020	Unalloc Capital Levy	
2016	4031618330	Bridge 330-Birch @ Burlington	(1,785.69)	108020	Unalloc Capital Levy	
2016	4031618332	Bridge 332 - Birch @ Princess	(1,785.69)	108020	Unalloc Capital Levy	
2016	4401656613	RHV Trails Master Plan - The Turtle	(602.44)	108020	Unalloc Capital Levy	
2016	7101651210	Golf Cart Purchases PW16021	(1,803.40)	108020	Unalloc Capital Levy	
			<b>(358,458.96)</b>			
<b>Projects returning funds</b>			<b>\$</b>			
2008	7400841805	Station #31 - Waterdown	150,000.00	108020	Unalloc Capital Levy	
2011	4401156916	Freelton Community Park Development	703.71	108020	Unalloc Capital Levy	
2013	7101355801	Needs Assessments	3,977.88	108020	Unalloc Capital Levy	
2014	6771455100	Community Climate Change Plan	24,925.56	108020	Unalloc Capital Levy	
2015	4031518403	Bridge 403 - Harrison Rd, 275m s/o Kirk Rd	790.45	108020	Unalloc Capital Levy	
2015	6771557501	PHS Records and Info Mgmt	57,024.95	108020	Unalloc Capital Levy	
2016	4031610006	Minor Construction - 2016	1,101.15	108020	Unalloc Capital Levy	
2016	4031655556	Mapping Update - 2016	26,330.88	108020	Unalloc Capital Levy	
2017	4031711223	Semi Barrier Rehabilitation Program - 2017	37.67	108020	Unalloc Capital Levy	
			<b>264,892.25</b>			
<b>Net impact to the Unallocated Capital Levy Reserve</b>			<b>(93,566.71)</b>			
<b>Projects requiring funds</b>			<b>\$</b>			
2017	5161760522	Sewer Lateral Management Program (WWC) - 2017	(33,724.92)	5169309324	Unalloc Current Funds-Sanitary	
2017	5141760711	PW Capital Water Consumption Program - 2017	(512.46)	5169309324	Unalloc Current Funds-Sanitary	
<b>Net impact to Other Reserves</b>			<b>(34,237.38)</b>			
<b>Total Net impact to the Unallocated Capital Levy Reserve &amp; Other Reserves</b>			<b>(127,804.09)</b>			

CITY OF HAMILTON CAPITAL PROJECTS' CLOSING SCHEDULE AS OF JUNE 30, 2018								
YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$)	REVENUES (\$)	EXPENDITURES (\$)	PROJECT SURPLUS/ DEFICIT (\$)	% SPENT	
			a	b	c	d = b - c	e = c/a	
<b>UNALLOCATED CAPITAL LEVY RESERVE</b>								
2007	4030720250	Dofasco Ingot Truck Route	3,995,000.00	2,750,574.78	2,990,804.06	(240,229.28)	75%	
2008	7400841805	Station #31 - Waterdown	1,500,000.00	150,719.00	719.00	150,000.00	0%	
2010	7101041707	ISF-2425 Morgan Firestone Twin	10,275,000.00	10,225,604.06	10,334,172.04	(108,567.98)	101%	
2011	4401156916	Freelton Community Park Development	160,510.00	160,510.78	159,807.07	703.71	100%	
2013	7101341350	Greenville Hall Structure	329,340.00	329,347.52	331,621.32	(2,273.80)	101%	
2013	7101355801	Needs Assessments	150,000.00	150,000.00	146,022.12	3,977.88	97%	
2014	4401456101	Perth Park - Grande School	589,845.00	580,866.37	581,429.90	(563.53)	99%	
2014	6771455100	Community Climate Change Plan	140,000.00	161,227.35	136,301.79	24,925.56	97%	
2015	3381557501	Capital Budget System Upgrade	16,402.71	16,402.71	17,249.86	(847.15)	105%	
2015	4031518403	Bridge 403 - Harrison Rd, 275m s/o Kirk Rd	107,000.00	42,257.37	41,466.92	790.45	39%	
2015	6771557501	PHS Records and Info Mgmt.	244,854.00	244,855.57	187,830.62	57,024.95	77%	
2016	7101651210	Golf Cart Purchases PW16021	685,673.00	685,673.00	687,476.40	(1,803.40)	100%	
2016	4031618332	Bridge 332 - Birch @ Princess	100,000.00	52,703.67	54,489.36	(1,785.69)	54%	
2016	4031618330	Bridge 330-Birch @ Burlington	100,000.00	53,044.58	54,830.27	(1,785.69)	55%	
2016	4401656613	RHV Trails Master Plan - The Turtle	168,000.00	168,000.00	168,602.44	(602.44)	100%	
2016	4031610006	Minor Construction - 2016	300,000.00	301,101.15	300,000.00	1,101.15	100%	
2016	4031655556	Mapping Update - 2016	70,000.00	70,000.00	43,669.12	26,330.88	62%	
2017	4031711223	Semi Barrier Rehabilitation Program - 2017	196,700.00	196,700.00	196,662.33	37.67	100%	
<b>TOTAL FUNDS FROM UNALLOCATED CAPITAL LEVY (17)</b>			<b>19,128,324.71</b>	<b>16,339,587.91</b>	<b>16,433,154.62</b>	<b>(93,566.71)</b>	<b>86%</b>	
<b>OTHER PROGRAM SPECIFIC RESERVES</b>								
2017	5161760522	Sewer Lateral Management Program (WWC) - 2017	3,500,000.00	3,500,000.00	3,533,724.92	(33,724.92)	101%	
2017	5141760711	PW Capital Water Consumption Program - 2017	200,000.00	200,000.00	200,512.46	(512.46)	100%	
<b>TOTAL FUNDS FROM PROGRAM SPECIFIC RESERVES (2)</b>			<b>3,700,000.00</b>	<b>3,700,000.00</b>	<b>3,734,237.38</b>	<b>(34,237.38)</b>	<b>101%</b>	
<b>DELAYED/CANCELLED PROJECTS</b>								
2014	4241409107	Westdale HS - Artificial Turf	100,000.00	0.00	0.00	0.00	0%	
2016	4241609211	No Right Turns on Red Barton	500.00	0.00	0.00	0.00	0%	
2016	4241609214	Ladder Crossing Cannon	1,000.00	0.00	0.00	0.00	0%	
2016	4241609218	Main 3 Phase Traffic Signal	200,000.00	0.00	0.00	0.00	0%	
2016	4241609221	James Left Hand Turn Sign	5,000.00	0.00	0.00	0.00	0%	
2016	4241609224	Barton Macnab Intersection	4,000.00	0.00	0.00	0.00	0%	
2016	4241609225	Forest 3 Phase Traffic Signal	250,000.00	0.00	0.00	0.00	0%	
2016	4241609281	Queen Street South Conversion	150,000.00	0.00	0.00	0.00	0%	
2016	4241609804	Ward 8 Dynamic Speed Signs	15,000.00	0.00	0.00	0.00	0%	
2017	4401756709	Augustus Jones Fountain Rep	13,750.00	0.00	0.00	0.00	0%	
2017	5121794729	SWMMP - Alt Disposal Facility	0.00	0.00	0.00	0.00	0%	
2017	5161772720	Central Park	0.00	0.00	0.00	0.00	0%	
2017	5181760722	Municipal Drain Program - 2017	40,000.00	0.00	0.00	0.00	0%	
2017	6731741701	Social Housing Capital Repairs	0.00	0.00	0.00	0.00	0%	
2017	7201741700	Children's Museum Foundation Repair	0.00	0.00	0.00	0.00	0%	
2017	7201758711	2019 Juno Awards	0.00	0.00	0.00	0.00	0%	
<b>TOTAL DELAYED/CANCELLED PROJECTS (16)</b>			<b>779,250.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0%</b>	

CITY OF HAMILTON CAPITAL PROJECTS' CLOSING SCHEDULE AS OF JUNE 30, 2018									A
YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$)	REVENUES (\$)	EXPENDITURES (\$)	PROJECT SURPLUS/ DEFICIT (\$)	% SPENT		
			a	b	c	d = b - c	e = c/a		
<b>COMPLETED PROJECTS</b>									
<b>Corporate Services, City Manager's Office and Councillor Infrastructure Programs (Tax Budget)</b>									
<b>Information Services</b>									
2017	3501757706	Management and Security for Android and IOS	63,000.00	62,573.36	62,573.36	0.00	99%		
<b>Corporate Facilities</b>									
2015	3541541532	Facility Capital Maintenance	539,092.06	539,299.67	539,299.67	0.00	100%		
<b>Planning &amp; Economic Development (Tax Budget)</b>									
<b>Tourism &amp; Culture</b>									
2010	7101058702	War of 1812 Commemoration	711,070.00	711,029.51	711,029.51	0.00	100%		
2012	7201258705	Hamilton & Scourge Radar System	206,350.00	241,314.13	241,314.13	0.00	117%		
2015	7101558503	Public Art-Fieldcote Walkway Ancaster	60,000.00	49,616.51	49,616.51	0.00	83%		
<b>Growth Management</b>									
2008	5160880883	Rymal - Dakota to Fletcher	2,402,420.00	1,992,566.87	1,992,566.87	0.00	83%		
2010	4141046103	Fall Fair Way Extension	694,650.00	683,027.22	683,027.22	0.00	98%		
2011	4141146107	Eden Park - Phase 1	173,000.00	167,139.72	167,139.72	0.00	97%		
2011	4141146108	Penny Lane Estates - Phase 1	592,000.00	563,274.40	563,274.40	0.00	95%		
2012	4141246102	Paradise Meadows - Phase 3	41,000.00	40,601.03	40,601.03	0.00	99%		
2012	4141246104	Penny Lane Estates - Phase 2	339,000.00	322,844.18	322,844.18	0.00	95%		
2013	4141346102	Glanbrook Hills - Phase 2	91,000.00	70,970.81	70,970.81	0.00	78%		
<b>Planning Division</b>									
2016	8121655608	Parkland Ded Plan Policy Bylaw	420,000.00	6,640.79	6,640.79	0.00	2%		
<b>Community and Emergency Services (Tax Budget)</b>									
<b>Public Health</b>									
2012	6771241203	MHC -PH Construction	10,300,000.00	10,020,906.00	10,020,906.00	0.00	97%		
<b>Public Works (Tax Budget)</b>									
<b>Parks &amp; Cemeteries (Tax Budget)</b>									
2015	4401552600	Playground Lifecycle Replace	195,000.00	195,000.00	195,000.00	0.00	100%		
2015	4401556802	Beach Park Dev Program	100,000.00	67,806.83	67,806.83	0.00	68%		
2016	4241609603	Irrigation System Macassa Park	80,000.00	79,627.36	79,627.36	0.00	100%		
2016	4401649104	Park Sports/Security Lighting Upgrade Program	3,700.00	3,655.87	3,655.87	0.00	99%		
2016	4401654699	Tennis Court Rehabilitation Program	36,350.00	36,351.65	36,351.65	0.00	100%		
2017	4401749610	Park bleacher Replacement	1,100.00	1,094.08	1,094.08	0.00	99%		
<b>Forestry &amp; Horticulture (Tax Budget)</b>									
2014	4451451009	1301 Upper Ottawa St Yard Enhancement	404,000.00	403,919.34	403,919.34	0.00	100%		
2016	4451653444	Tree Planting Program	1,345,000.00	1,200,915.84	1,200,915.84	0.00	89%		

CITY OF HAMILTON CAPITAL PROJECTS' CLOSING SCHEDULE AS OF JUNE 30, 2018									A
YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$)	REVENUES (\$)	EXPENDITURES (\$)	PROJECT SURPLUS/ (DEFICIT) (\$)	% SPENT		
			a	b	c	d = b - c	e = c/a		
<b>Open Space &amp; Development (Tax Budget)</b>									
2013	4241309202	McLaren Park - Redevelopment	734,060.76	734,060.76	734,060.76	0.00	100%		
2014	4241409214	Beasley Skateboard Park	8,800.00	8,711.02	8,711.02	0.00	99%		
2016	4401652600	Playground Lifecycle Replacement Program	200,000.00	194,356.23	194,356.23	0.00	97%		
2016	4401655600	Parks Testing and Reporting	42,700.00	42,667.26	42,667.26	0.00	100%		
2017	4401755600	Parks Testing and Reporting	95,000.00	95,093.56	95,093.56	0.00	100%		
<b>Entertainment</b>									
2013	3721341801	HCC Interior Renovations	195,700.00	195,702.33	195,702.33	0.00	100%		
2015	3721541803	HP Replacements & Renovations	200,000.00	186,810.11	186,810.11	0.00	93%		
<b>Recreation (Tax Budget)</b>									
2012	7101254214	Freelton Park Building	2,780,000.00	2,753,269.21	2,753,269.21	0.00	99%		
2013	4241309103	Seniors Facility Project in Ward 1	200,000.00	94,179.00	94,179.00	0.00	47%		
2013	7101354104	Ancaster Senior Centre Expand	1,920,560.00	2,014,759.60	2,014,759.60	0.00	105%		
<b>Waste (Tax Budget)</b>									
2013	5121357001	GPS System-Curbside Collection	85,000.00	84,846.82	84,846.82	0.00	100%		
2017	5121794700	Weighscale Software Upgrade	130,000.00	128,692.05	128,692.05	0.00	99%		
<b>Transit (Tax Budget)</b>									
2006	5310641001	Transit Accomodation	2,500,000.00	2,316,972.73	2,316,972.73	0.00	93%		
<b>Roads (Tax Budget)</b>									
2014	4241409115	Improvements to Emerson	60,000.00	2,910.34	2,910.34	0.00	5%		
2015	4041514015	RR 56 Urbanization - Traffic Signals	780,000.00	476,382.44	476,382.44	0.00	61%		
2016	4031649555	QA-QC Service Contract - 2016	150,000.00	116,695.66	116,695.66	0.00	78%		
2017	4041717384	Guide Rail Replacement Program - 2017	400,000.00	389,675.01	389,675.01	0.00	97%		
<b>Public Works (Rate Budget)</b>									
<b>Water (Rate Budget)</b>									
2016	5141649555	QA-QC Service Contract	110,000.00	110,000.00	110,000.00	0.00	100%		
2016	5141655556	Mapping Update - 2016	70,000.00	57,547.93	57,547.93	0.00	82%		
2016	5141662078	Substandard Water Service Replacement Program - 2016	3,000,000.00	3,000,000.00	3,000,000.00	0.00	100%		
<b>WasteWater (Rate Budget)</b>									
2015	5161560625	Post Zoom Camera Rehab	131,000.00	70,747.30	70,747.30	0.00	54%		
2017	5161711101	Road Restoration Program - 2017	1,800,000.00	1,800,000.00	1,800,000.00	0.00	100%		
2017	5161760576	Sewer Lateral Condition Assessment Program - 2017	900,000.00	900,000.00	900,000.00	0.00	100%		
2017	5161760711	PW Capital Water Consumption Program - 2017	140,000.00	140,000.00	140,000.00	0.00	100%		
2017	5161761241	Eastern Sanitary Interceptor (ESI) Rehab - SSR at Fruitland	4,775,000.00	4,774,118.54	4,774,118.54	0.00	100%		
2017	5161761740	Unscheduled Manhole & Sewermain - 2017	350,000.00	350,000.00	350,000.00	0.00	100%		
<b>StormWater (Rate Budget)</b>									
2015	5181572290	Storm Sewer Upgrades - 2015	267,000.00	267,000.00	267,000.00	0.00	100%		
2017	5181717549	Concrete Box Culvert Rehabilitation/Repair (< 3.0m span)	194,000.00	176,231.44	176,231.44	0.00	91%		
<b>TOTAL COMPLETED PROJECTS (52)</b>			<b>41,016,552.82</b>	<b>38,941,604.51</b>	<b>38,941,604.51</b>	<b>0.00</b>	<b>95%</b>		
<b>GRAND TOTAL COMPLETED/CANCELLED PROJECTS (85)</b>			<b>64,624,127.53</b>	<b>58,981,192.42</b>	<b>59,108,996.51</b>	<b>(127,804.09)</b>	<b>91%</b>		

CITY OF HAMILTON					
CAPITAL PROJECTS TO BE FUNDED ABOVE \$250,000					
FOR THE PERIOD COVERING January 1, 2018 THROUGH June 30, 2018					
<b>Recommendations</b>					
Appropriated From	Description	Appropriated To	Description	Amount (\$)	Comments
<b>Public Works (Tax Budget)</b>					
<u>Transit Services</u>					
49002-5300855100	Debenture Proceeds- Bus Rapid Transit Studies	49412-5300855100	Contribution from Reserve- Annual Bus Rapid Trans Studies	1,452,415.42	Fund project from Rapid Transit Reserve(108047) to eliminate the need for the budgetted debenture funding
<b>Public Works (Tax Budget) Total</b>				<b>1,452,415.42</b>	
<b>Project Totals</b>				<b>1,452,415.42</b>	

CAPITAL PROJECTS REQUIRING FEDERAL GAS TAX REDUCTIONS AS OF JUNE 30, 2018							
<b>Recommendations</b>							
Project ID	Description	FGT Budget (\$)	FGT Current Funding (\$)	FGT Available Balance (\$)	FGT Reduction Requested (\$)	Revised FGT Budget (\$)	Comments
<b>Public Works (Tax Budget)</b>							
<i>Roads Division</i>							
4031319101	Road Reconstruction 2013	5,887,000.00	5,887,000.00	0.00	(200,000.00)	5,687,000.00	FGT was fully funded for these projects as a result actuals must also be reduced
4031511015	Annual Resurfacing 2015	4,311,000.00	4,311,000.00	0.00	(500,000.00)	3,811,000.00	FGT was fully funded for these projects as a result actuals must also be reduced
4031518347	Bridge 347- Carlisle Rd	360,000.00	22,102.31	337,897.69	(300,000.00)	60,000.00	
4031518409	Bridge 409- Regional Rd 97	90,000.00	10,072.57	79,927.43	(79,020.00)	10,980.00	
4031518533	Hwy 8 Culvert (Dundas Hill)	900,000.00	546,126.92	353,873.08	(250,000.00)	650,000.00	
4031519101	Road Reconstruction 2015	3,565,000.00	3,565,000.00	0.00	(470,000.00)	3,095,000.00	FGT was fully funded for these projects as a result actuals must also be reduced
4031611016	Asset Preservation 2016	7,650,000.00	6,070,510.31	1,579,489.69	(800,000.00)	6,850,000.00	800K reduction is only plausible due to current project expenses.
4031618330	Bridge 330- Birch @ Burlington	90,000.00	43,044.58	46,955.42	(46,000.00)	44,000.00	This project is on the closing report allowing for 46K budget reduction
4031618332	Bridge 332- Birch @ Princess	90,000.00	42,703.67	47,296.33	(47,000.00)	43,000.00	This project is on the closing report allowing for 47K budget reduction
<b>Public Works (Tax Budget) Total</b>		<b>\$ 15,113,000.00</b>	<b>\$ 14,341,301.80</b>	<b>\$ 771,698.20</b>	<b>\$ (2,692,020.00)</b>	<b>\$ 13,313,980.00</b>	
<b>Project Totals</b>		<b>\$ 15,113,000.00</b>	<b>\$ 14,341,301.80</b>	<b>\$ 771,698.20</b>	<b>\$ (2,692,020.00)</b>	<b>\$ 13,313,980.00</b>	



## AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 18-013

9:30 a.m.  
September 24, 2018  
Council Chambers  
Hamilton City Hall

---

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

**Absent with  
Regrets:** Councillor A. Johnson – Personal

---

### THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 18-013 AND RESPECTFULLY RECOMMENDS:

**1. Performance and Learning Strategy (HUR18016) (City Wide) (Item 7.1)**

That Report HUR18016, respecting the Performance and Learning Strategy, be received.

**2. Tax and Rate Operating Budget Variance Report as at June 30, 2018 - Budget Control Policy Transfers (FCS18067(a)) (City Wide) (Item 7.2)**

That, in accordance with the “Budgeted Complement Control Policy”, the 2018 complement transfers from one department / division to another with no impact on the levy, as outlined in Appendix “A” to Audit, Finance & Administration Report 18-013, be approved.

**3. Records Retention By-law Amendments (CL18009) (City Wide) (Item 8.1)**

That the draft by-law, entitled “To Amend By-law No. 11-040 To Establish Retention Periods for Records of the City of Hamilton”, substantially attached as Appendix “A”, be enacted by Council.

**4. Standardization of Hardware and Software for Corporate Information Technology - Ruggedized Computing Devices (FCS18085 / HSC18048) (City Wide) (Item 8.2)**

(a) That Panasonic Toughbook, with Gamber-Johnson mounts for vehicle installations, be approved as the Corporate Standard for Ruggedized Computing Devices;

**Council – September 26, 2018**



- (b) That ruggedized computing devices and mounts, as required, be acquired pursuant to the provisions of Procurement Policy By-law No. 17-064, and that the General Manager of Finance and Corporate Services or their designate be authorized and directed to enter into and sign, on behalf of the City of Hamilton, all negotiated agreements and all necessary associated documents with vendors in a form satisfactory to the City Solicitor.

**5. Request for Extension, Development Charge Deferral Agreement #156, 170 Rockhaven Lane (FCS18081) (City Wide) (Outstanding Business List Item) (Item 8.4)**

- (a) That the General Manager of Finance and Corporate Services be authorized, in a form satisfactory to the City Solicitor, to extend Development Charge (DC) Deferral Agreement #156 for one year until October 1, 2019 according to the terms outlined in Appendix "B" to Audit, Finance & Administration Report 18-013;
- (b) That "Request for Extension, Development Charge (DC) Deferral Agreement #156, 170 Rockhaven Lane", be considered complete and removed from the Audit, Finance and Administration Committee Outstanding Business List.

**6. Temporary Delegation of Authority to Impose Vendor Ban of Up to One Year (Item 9.1)**

WHEREAS, Policy #1, subsection 4.1(10) of the Procurement Policy By-law permits the Procurement Sub-Committee to impose an interim ban upon a vendor from competing or being awarded a City Contract for a period of up to 12 months under certain circumstances;

WHEREAS, a municipal election will be held October 22, 2018, and it may not be possible to convene a meeting of the Procurement Sub-Committee in the months of October and November;

WHEREAS, the Procurement Sub-Committee reports to the Audit, Finance & Administration Committee; and,

WHEREAS, the new term of Council will commence December 3, 2018;

THEREFORE, BE IT RESOLVED:

- (a) That the General Managers of Public Works and Finance & Corporate Services be provided delegated authority to impose an interim ban upon a vendor from competing or being awarded any City contract, under the circumstances described in Policy #1, subsection 4.1(10) of the Procurement Policy By-law, where the Manager of Procurement has

demonstrated and the General Managers of Public Works and Finance & Corporate Services are satisfied that there is sufficient evidence of act(s) or omission(s) described in Policy #1 of the Procurement Policy By-law on the part of a vendor;

- (b) That an interim ban may be imposed on a vendor, pursuant to Policy #1, subsection 4.1(10) of the Procurement Policy By-law, for a period of up to 12 months;
- (c) That the decision of the General Managers of Public Works and Finance & Corporate Services shall be final with respect to any interim ban on a vendor, pursuant to Policy #1, subsection 4.1(10) of the Procurement Policy By-law; and,
- (d) That the authority delegated to the General Managers of Public Works and Finance & Corporate Services respecting the authority to impose a vendor ban(s) for up to a 12 month period, shall only apply from October 1, 2018 to November 30, 2018, before and after which time the delegated authority shall be void and of no force or effect.

**7. Wentworth Condominium Corporation (WCC) #204 and Excess Wastewater/Storm Charges at 266 Limeridge Road East (Ward 7) (Item 9.2)**

That staff be directed to provide a credit adjustment in the amount of \$14,892.50 to the Wentworth Condominium Corporation (WCC) #204 for excess wastewater/storm sewer charges located at 266 Limeridge Road East, for the billing period from February 2, 2018 to April 2, 2018.

**8. Protocol for Gender Identity & Gender Expression, Transgender & Gender Non-Conforming Update (HUR17002(b)) (City Wide) (Item 12.2)**

That Report HUR17002(b) Protocol for Gender Identity & Gender Expression, Transgender & Gender Non-Conforming Update including the recommendations remain confidential.

**9. Protocol for Gender Identity & Gender Expression, Transgender & Gender Non-Conforming Update (HUR17002(c)) (City Wide) (Item 12.2(a))**

That Report HUR17002(c) Protocol for Gender Identity & Gender Expression, Transgender & Gender Non-Conforming Update including the recommendations remain confidential.

**10. Commercial Relationship Between the City of Hamilton and Transform Van and Truck, Division of Burncrest Industries Ltd. (FCS18082 / LS18055) (City Wide) (Item 12.3)**

- (c) That recommendations (a) and (b) be released publicly following approval by Council; and
- (d) That the contents of Report FCS18082 / LS18055 remain confidential.

**11. Commercial Relationship Between the City of Hamilton and Allan Fyfe Equipment Limited and Related Entities (FCS18089 / LS18056) (City Wide) (Item 12.4)**

- (c) That recommendations (a) and (b) be released publicly following approval by Council; and
- (d) That the contents of Report FCS18089 / LS18056 remain confidential.

**12. Commercial Relationship Between the City of Hamilton and Canada Fibers Ltd. (LS18047(a) / FCS18088) (City Wide) (Item 12.5)**

- (c) That recommendations (a) and (b) be released publicly following approval by Council; and
- (e) That Report LS18047(a) / FCS18088, respecting the Commercial Relationship Between the City of Hamilton and Canada Fibers Ltd., including recommendation (d), remain confidential.

**13. Impact of Bill 148 on Service Contracts (LS18009(b) / FCS18001(b)) (City Wide) (Item 12.6)**

That Report LS18009(b)/FCS18001(b), including the recommendations remain confidential.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

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

**1. DELEGATION REQUESTS**

- 4.2 Mike Canal, GFL Environmental Inc., respecting GFL's Proposed Rate Increase (For today's meeting)

- 4.3 Scott Hutchison, Canada Fibers Ltd., respecting Item 12.5 – Commercial Relationship between the City of Hamilton and Canada Fibers Ltd. (For today's meeting)

The agenda for the September 24, 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)**

**September 10, 2018 (Item 3.1)**

The Minutes of the September 10, 2018 meeting of the Audit, Finance and Administration Committee were approved, as presented.

**(d) DELEGATION REQUESTS (Item 4)**

The following Delegation Requests were approved for today's meeting:

- (i) Don Thompson, Commissionaires Hamilton, respecting the new minimum wage and unpaid monies (Item 4.1)**
- (ii) Mike Canal, GFL Environmental Inc., respecting GFL's Proposed Rate Increase (Added Item 4.2)**
- (iii) Scott Hutchison, Canada Fibers Ltd., respecting Item 12.5 – Commercial Relationship between the City of Hamilton and Canada Fibers Ltd. (Added Item 4.3)**

**(e) CONSENT ITEMS (Item 5)**

- (i) Hamilton Mundialization Committee Minutes – June 20, 2018 (Item 5.1)**

The Hamilton Mundialization Committee Minutes from June 20, 2018, were received.

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

- (i) Martin Maretzki, respecting pot hole damage to vehicle (Approved September 10, 2018) (Item 6.1)**

Martin Maretzki, addressed the Committee respecting pot hole damage to his vehicle. A copy of the speaking notes have been included in the official record.

The delegation from Martin Maretzki, respecting pot hole damage to his vehicle, was received.

A copy of the speaking notes are available on the City's website or through the Office of the City Clerk.

**(ii) Don Thompson, Commissionaires Hamilton, respecting the new minimum wage and unpaid monies (Added Item 6.2)**

Don Thompson from Commissionaires Hamilton, addressed the Committee respecting the new minimum wage and unpaid monies. A copy of the speaking notes have been included in the official record.

The delegation from Don Thompson, Commissionaires, respecting the new minimum wage and unpaid monies, was received.

A copy of the speaking notes are available on the City's website or through the Office of the City Clerk.

**(iii) Mike Canal, GFL Environmental Inc., respecting GFL's Proposed Rate Increase (Added Item 6.3)**

Mike Canal from GFL Environmental Inc., addressed the Committee respecting GFL's proposed rate increase.

The delegation from Mike Canal, GFL Environmental Inc., respecting GFL's proposed rate increase, was received.

**(iv) Scott Hutchison, Canada Fibers Ltd., respecting Item 12.5 – Commercial Relationship between the City of Hamilton and Canada Fibers Ltd. (Added Item 6.4)**

Scott Hutchison from Canada Fibers Ltd., addressed the Committee respecting Item 12.5 – Commercial Relationship between the City of Hamilton and Canada Fibers Ltd.

The delegation from Scott Hutchison, Canada Fibers Ltd., respecting Item 12.5 – Commercial Relationship between the City of Hamilton and Canada Fibers Ltd., was received.

**(g) STAFF PRESENTATIONS (Item 7)**

**(i) Performance and Learning Strategy (HUR18016) (City Wide) (Item 7.1)**

Nenzi Cocca & Dawn Hannemann, addressed the Committee respecting the Performance and Learning Strategy, with the aid of a presentation. A copy of the presentation has been included in the official record.

The staff presentation respecting the Performance and Learning Strategy, was received.

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

For further disposition of this matter, refer to Item 1.

**(ii) Tax and Rate Operating Budget Variance Report as at June 30, 2018 - Budget Control Policy Transfers (FCS18067(a)) (City Wide) (Item 7.2)**

Brian McMullen, addressed the Committee respecting Tax and Rate Operating Budget Variance Report as at June 30, 2018 - Budget Control Policy Transfers, with the aid of a presentation. A copy of the presentation has been included in the official record.

The staff presentation respecting Tax and Rate Operating Budget Variance Report as at June 30, 2018 - Budget Control Policy Transfers, was received.

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

For further disposition of this matter, refer to Item 2.

**(h) DISCUSSION ITEMS (Item 8)**

**(i) 2018 United Way Funding Review (CM18020) (City Wide) (Item 8.3)**

- (a) Report CM18020, respecting the 2018 United Way Funding Review was DEFERRED to a future Audit, Finance and Administration Committee meeting; and
- (b) Report CM18020, respecting the 2018 United Way Funding Review, was left on the Outstanding Business List for the 2018 - 2022 term of Council.

**(i) MOTIONS (Item 9)**

**(i) United Way of Halton and Hamilton Reduced Funding (Item 9.2)**

Councillor B. Johnson introduced the following motion, which was subsequently withdrawn:

WHEREAS, the United Way of Halton and Hamilton reduced the funding for Hamilton based social services programs by \$676,701;

WHEREAS, the City of Hamilton Community Enrichment Fund Subsidized \$141,000 for the above shortfall due to the United Way of Halton and Hamilton;

WHEREAS, the City of Hamilton staff have organized and implemented fundraising including payroll deductions in the amount of \$145,000 for the United Way of Halton and Hamilton;

WHEREAS, the City of Hamilton supply approximately 1.5 FTE to organize and implement fundraising activities as well as salary contribution for the United Way of Halton and Hamilton; and

WHEREAS, the City of Hamilton can issue Charitable Receipts;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton cease their association with the United Way of Halton and Hamilton on a transitional basis to direct fundraising activities and payroll deductions on behalf of the City of Hamilton Staff to the Community Enrichment Fund Social Services Sector; and
- (b) That staff report back in the first quarter of 2019 with a strategy plan for transitioning after meeting with the United Way of Halton and Hamilton.

Staff was directed to report back to the Audit, Finance and Administration Committee in the new term of Council respecting the feasibility of City staff payroll deductions being donated to the Committee Enrichment Fund Social Services Sector.

For further disposition of this matter, refer to Item (h)(i).

**(j) NOTICES OF MOTION (Item 10)**

**(i) Wentworth Condominium Corporation (WCC) #204 and Excess Wastewater/Storm Charges at 266 Limeridge Road East (Ward 7) (Added Item 10.1)**

Councillor Anderson introduced a Notice of Motion respecting the Wentworth Condominium Corporation (WCC) #204 and excess wastewater/storm charges at 266 Limeridge Road East.

The Rules of Order were waived to allow for the introduction of a Motion respecting the Wentworth Condominium Corporation (WCC) #204 and excess wastewater/storm charges at 266 Limeridge Road East.

For disposition of this matter please refer to Item 7.

**(k) GENERAL INFORMATION / OTHER BUSINESS (Item 11)**

**(i) Outstanding Business List (Item 11.1)**

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

11.1(a) Items considered complete and needing to be removed:

Extension for Development Charge (DC) Deferral Agreement #156, located at 170 Rockhaven Lane  
Item 8.4 on today's agenda  
OBL Item: M

**(ii) Staff Update on 270 Sherman Avenue North (Added Item 11.2)**

Staff provided an update on their findings at 270 Sherman Avenue North respecting Mr. Zeidler's water billing concerns.

**(l) PRIVATE & CONFIDENTIAL (Item 12)**

**(i) Closed Session Minutes – September 10, 2018 (Item 12.1)**

- (a) The Closed Session Minutes of the September 10, 2018 Audit, Finance and Administration meeting, were approved as presented; and
- (b) The Closed Session Minutes of the September 10, 2018 Audit, Finance and Administration meeting, remain confidential.

Committee moved into Closed Session respecting Items 12.2 through 12.6, pursuant to Section 8.1, Sub-sections (e), (f), (i) and (k) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e), (f), (i) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or



potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor/client privileges, including communications necessary for that purpose; a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

**(ii) Protocol for Gender Identity & Gender Expression, Transgender & Gender Non-Conforming Update (HUR17002(b)) (City Wide) (Item 12.2)**

Staff were provided with direction in Closed Session.

For further disposition of this matter, refer to Item 8.

**(iii) Protocol for Gender Identity & Gender Expression, Transgender & Gender Non-Conforming Update (HUR17002(c)) (City Wide) (Item 12.2(a))**

Staff were provided with direction in Closed Session.

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

**(iv) Commercial Relationship Between the City of Hamilton and Transform Van and Truck, Division of Burncrest Industries Ltd. (FCS18082 / LS18055) (City Wide) (Item 12.3)**

Staff were provided with direction in Closed Session.

For further disposition of this matter, refer to Item 10.

**(v) Commercial Relationship Between the City of Hamilton and Allan Fyfe Equipment Limited and Related Entities (FCS18089 / LS18056) (City Wide) (Item 12.4)**

Staff were provided with direction in Closed Session.

For further disposition of this matter, refer to Item 11.

**(vi) Commercial Relationship Between the City of Hamilton and Canada Fibers Ltd. (LS18047(a) / FCS18088) (City Wide) (Item 12.5)**

Staff were provided with direction in Closed Session.

For further disposition of this matter, refer to Item 12.

**(vii) Impact of Bill 148 on Service Contracts (LS18009(b) / FCS18001(b)) (City Wide) (Item 12.6)**

Staff were provided with direction in Closed Session.

For further disposition of this matter, refer to Item 13.

**(m) ADJOURNMENT (Item 13)**

There being no further business, the Audit, Finance and Administration Committee adjourned at 12:57 p.m.

Respectfully submitted,

Councillor VanderBeek, Chair  
Audit, Finance and Administration  
Committee

Angela McRae  
Legislative Coordinator  
Office of the City Clerk

**CITY OF HAMILTON  
 BUDGETED COMPLEMENT TRANSFER SCHEDULE**

**STAFF COMPLEMENT CHANGE**  
**Complement Transfer to another division or department <sup>(1)</sup>**

ITEM #	TRANSFER FROM				TRANSFER TO			
	Department	Division	Position Title (2)	FTE	Department	Division	Position Title (2)	FTE
1.1	Planning & Economic Development	Licensing By Law Services	License Clerk (Grade F)	2.0	Planning & Economic Development	Licensing and By-Law Services	Licensing Administrator (Grade H)	2.0
	Explanation: As agreed to by the Union, LR and GM the Licence Clerk position is eliminated and replaced through attrition. The position change is in response to the change in industries we support. The financial Impact is an increase of \$15.6K for 2 FTE, funded from Divisional efficiencies.							
1.2	Planning & Economic Development	Licensing By Law Services	Program Assistant -Licensing	1.0	Planning & Economic Development	General Manager	Continuous Improvement and Process Analyst	1.0
	Explanation: To support a continuous improvement program for all Planning and Economic Development divisions. No financial impact on levy							
1.3	Planning & Economic Development	Licensing By Law Services	Licensing Facilitator (Grade K)	1.0	Planning & Economic Development	Licensing By Law Services	Project Manager (Grade 5)	1.0
	Explanation: To support the growing Licensing initiatives, respond to increased customer requests for new business types and meet the changing needs of the industries we support. The financial Impact is an increase of \$7K funded from Divisional efficiencies.							
1.4	Planning & Economic Development	Licensing By Law Services	Forestry Officer (Grade H)	1.0	Planning & Economic Development	Licensing By Law Services	Municipal Law Enforcement Officer (Grade K)	1.0
	Explanation: To support the work types, public requests and growing industry we support. Position changed to mirror the same across the section. The financial Impact is an increase of \$12K funded from Divisional efficiencies.							
1.5	Corporate Services	Financial Services	Receptionist - Procurement	1.0	Corporate Services	Financial Services	Procurement Contract Coordinator	1.0
	Explanation: Convert Receptionist - Procurement (Grade E) position to a Procurement Contract Coordinator (Grade G). Financial impact of \$3,570 will be absorbed by the division with no impact to the net levy.							
1.6	Public Works	Roads & Traffic	Community Program Analyst	1.0	Public Works	General Administration	Quality Support Analyst	1.0
	Explanation: Requesting approval to transfer and convert a vacant Community Program Analyst position (C1 Grade J, budget \$88,360) in Roads & Traffic to a Quality Support position under the General Administration Division at the same level. There will be no impact to the operating budget as a result of this transfer.							

**Note** - Complement transfers include the transfer of corresponding budget.

**(1)** - All other budgeted complement changes that require Council approval per Budgeted Complement Control Policy must be done through either separate report or the budget process (i.e. Increasing/decreasing budgeted complement).

**(2)** - If a position is changing, the impact of the change is within 1 pay band unless specified.

**Recommended Extension Terms and Sample Payment Illustration:  
Deferral Agreement #156, 170 Rockhaven Lane**

Staff Recommendation: Provide a DC Deferral Agreement Extension <sup>[1]</sup> for a one-year term from October 1, 2018 to October 1, 2019 with full payment due on or before October 1, 2019 according to the following terms.

The DC Deferral Agreement will be extended for one year to October 1, 2019 using the City's five-year serial debenture rate plus 5.25% (which is comprised of 3.25% for the new DC Deferral Policy Rate plus 2.00% for the Extended Agreement Rate).

This sample schedule uses the August 2018, five-year serial debenture rate for illustration only. The actual October 2018, five-year serial debenture rate would be used in the actual calculation.

Amount: \$53,287.70  
This is the balance owing on DC Deferral Agreement #156 at expiration on October 1, 2018.

Interest Rate Applied: Five-year serial debenture rate plus 5.25%  
(August 2018 rate used in illustration)

August Rate:	2.85%
New DC Deferral Policy Rate:	3.25%
Extended Agreement Rate:	<u>2.00%</u>
<b>Total Interest Rate</b>	<b>8.10%</b>

Compound Period: Monthly

Payments: Payments ad hoc as the remaining units close for sale.  
Illustration shows sample payment dates.

Total Payments: \$56,607.59  
(Total payments will vary depending on closing date of units.)

Total Interest: \$3,319.89  
(Total interest will vary depending on closing date of units and the actual interest rate the agreement is entered into.)

*Note [1]: As a condition of the staff recommendation, the Agreement holder will be responsible for bringing any property taxes in arrears up to date, maintaining the property taxes in good standing, registering the Agreement on title as a mortgage, providing a personal guarantee, providing proof of insurance satisfactory to the City's risk management division, and other standard terms of DC Deferral Agreements including provisions which, in the event of default, would transfer any balance outstanding to the property tax roll.*

**Past payment history of existing DC Deferral - expires October 1, 2018:**

Date From	Date To	Interest Rate (%)	Beginning Balance (\$)	Payments / Adjustments (\$)	Period Interest	Closing Balance Outstanding (\$)
01-Oct-13	31-Dec-13	2.66%	824,213.92	-	5,466.01	829,679.93
01-Jan-14	31-Dec-14	2.66%	829,679.93	-	22,216.24	851,896.16
01-Jan-15	31-Dec-15	2.66%	851,896.16	(700,900.00)	14,232.59	165,228.76
01-Jan-16	31-Dec-16	2.66%	165,228.76	(32,600.00)	3,870.40	136,499.15
01-Jan-17	31-Dec-17	2.66%	136,499.15	(69,150.00)	2,480.92	69,722.60
01-Jan-18	01-Oct-18	2.66%	69,722.60	(17,550.00)	1,115.10	53,287.70

**Illustration of potential payment schedule for one-year extension to October 1, 2019:**

Date From	Date To	Sample Interest Rate (%)	Beginning Balance (\$)	Sample Payments (\$)	Period Interest	Closing Balance Outstanding (\$)
01-Oct-18	31-Oct-18	8.10%	53,287.70	-	354.76	53,642.46
01-Nov-18	30-Nov-18	8.10%	53,642.46	-	357.13	53,999.59
01-Dec-18	31-Dec-18	8.10%	53,999.59	-	371.49	54,371.07
01-Jan-19	31-Jan-19	8.10%	54,371.07	-	374.04	54,745.12
01-Feb-19	28-Feb-19	8.10%	54,745.12	-	340.17	55,085.29
01-Mar-19	31-Mar-19	8.10%	55,085.29	-	378.96	55,464.24
01-Apr-19	30-Apr-19	8.10%	55,464.24	(18,500.00)	246.09	37,210.34
01-May-19	31-May-19	8.10%	37,210.34	-	255.99	37,466.32
01-Jun-19	30-Jun-19	8.10%	37,466.32	-	249.43	37,715.76
01-Jul-19	31-Jul-19	8.10%	37,715.76	(18,860.00)	129.72	18,985.47
01-Aug-19	31-Aug-19	8.10%	18,985.47	-	130.61	19,116.08
01-Sep-19	01-Oct-19	8.10%	19,116.08	-	131.51	19,247.59
Final Payment			19,247.59	(19,247.59)	-	-

*Note that the above schedule is for illustration purposes. The interest rate and timing of actual payments will be dependent on the October 2018 five-year serial debenture interest rate and the closing dates of the remaining units.*

# CITY OF HAMILTON

## MOTION

Council: September 26, 2018

**MOVED BY COUNCILLOR J. FARR.....**

**SECONDED BY COUNCILLOR .....**

**Amendment to Subsection (a)(i) of Item 3 of Audit. Finance and Administration Committee Report 18-009, respecting Development Charges Stakeholders Sub-Committee Report 18-002**

That subsection (a)(i) of Item 3 of Audit. Finance and Administration Committee Report 18-009, respecting Development Charges Stakeholders Sub-Committee Report 18-002 which was approved by Council on June 27, 2018, be amended by deleting the word “basis” and inserting the word “percentage” therein, to read as follows:

**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~~ **percentage** points annually thereafter, subject to the results of the independent incentive review;

The amended Item 3 to read as follows:

**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 **percentage** 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.

# CITY OF HAMILTON MOTION

Council: September 26, 2018

**MOVED BY COUNCILLOR A. JOHNSON.....**

**SECONDED BY MAYOR / COUNCILLOR.....**

**Licence Agreement between the City of Hamilton and the Royal Botanical Gardens to Allow for the Installation of Public Art in Churchill Park**

WHEREAS, the Churchill Park Public Art Project is identified in the Council approved City of Hamilton Public Art Master Plan;

WHEREAS, a location for markers and monuments is identified in the Council and Royal Botanical Gardens approved Churchill Park Management Plan;

WHEREAS, the proposed public art work is to be located in the general area identified in the Management Plan and is to be inspired by the legacy of Raoul Wallenberg;

WHEREAS, funding for the commissioning, fabrication, installation, and maintenance of the art work by the City is in place and was funded from Ward 1 area rating;

WHEREAS, the Royal Botanical Gardens will bear no costs for the commissioning, fabrication, installation and maintenance of the art work;

WHEREAS, representatives of the Royal Botanical Gardens will be included as part of the adjudication team for the public art process to select the art work; and,

WHEREAS, the Royal Botanical Gardens will allow for the art work or series of related art works to be installed in the former Teaching Gardens at Churchill Park by the City and to host the art work on their property at no cost.

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton enter into an agreement with the Royal Botanical Gardens for the City to install and maintain a work or works of art in Churchill Park located at 155 Cline Avenue North, Hamilton; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any agreements and ancillary documents, between the City of Hamilton and the Royal Botanical Gardens, for the City to install and maintain a work or works of art in Churchill Park, located at 155 Cline Avenue North, Hamilton, with content acceptable to the General Manager of the Planning and Economic Development Department, in a form satisfactory to the City Solicitor.



# CITY OF HAMILTON

## MOTION

Council: September 26, 2018

**MOVED BY MAYOR F. EISENBERGER.....**

**SECONDED BY COUNCILLOR .....**

**Further Amendment to Item 4 of the General Issues Committee Report 18-015, respecting the Downtown Entertainment Assets Operating Agreements (CM18013) (City Wide) (Item 7.3(b))**

That a new sub-section (j) be added to Item 4 of the General Issues Committee Report 18-015, respecting Report CM18013 - the Downtown Entertainment Assets Operating Agreements, to read as follows:

- (j) That the City Procurement Policy be waived for the sole purpose of permitting only Global Spectrum and Carmen's Group to participate in the process related to the management of the Downtown Entertainment Assets.***

The full motion, as further amended, to read as follows:

- 4. Downtown Entertainment Assets Operating Agreements (CM18013) (City Wide) (Item 7.3(b))**
- (a) That a 6-month extension of the existing Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum), which is set to expire on December 31, 2018, be approved;
  - (b) That a 6-month extension of the existing Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group), which is set to expire on December 31, 2018, be approved;
  - (c) That the Mayor and the City Clerk be authorized and directed to execute any documents required to give effect to a 6-month extension to the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum);

- (d) That the Mayor and the City Clerk be authorized and directed to execute any documents required to give effect to a 6-month extension to the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group);
  
- (e) That staff be directed to invite Global Spectrum to submit two proposal(s):
  - (i) A 5-year extension of the existing Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P.; and,
  - (ii) A second proposal which also includes the scope of work outlined in the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group);
  
- (f) That staff be directed to invite Carmen's Group to submit two proposals:
  - (i) A 5-year extension of the existing Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd.; and,
  - (ii) A second proposal which also includes the scope of work outlined the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum);
  
- (g) That staff be directed to evaluate any proposal(s) the City receives using the criteria and methodology used by KPMG during the HECFI review and outlined in Appendix "A" and report back to General Issues Committee with a staff recommendation on how best to proceed with the management of these entertainment assets;
  
- (h) That a contribution to an upset limit of \$100,000 from the Tax Stabilization Reserve (#110046) be used to fund an independent third-party review of the staff recommendation;
  
- (i) That the City Procurement Policy be followed to the extent the Procurement Section and the Legal Services Division determine the Policy to be applicable in order to maintain a fair process related to the management of the Downtown Entertainment Assets; and,
  
- (j) ***That the City Procurement Policy be waived for the sole purpose of permitting only Global Spectrum and Carmen's Group to participate in the process related to the management of the Downtown Entertainment Assets.***

# CITY OF HAMILTON MOTION

Council: September 26, 2018

**MOVED BY COUNCILLOR T. JACKSON.....**

**SECONDED BY COUNCILLOR .....**

**Installation of Temporary Speed Humps along Queen Victoria Drive between Ridley Drive and Quinn Avenue - 1 year Trial Period (Ward 6)**

WHEREAS, Ward 6 residents along Queen Victoria Drive, between Ridley Drive and Quinn Avenue have identified safety concerns related to children accessing two neighbourhood elementary schools and Mount Lions Park;

WHEREAS, a number of residents have submitted requests for the installation of speed humps to reduce vehicle speeds along Queen Victoria Drive and continue to make additional requests for speed humps; and

WHEREAS, Traffic Operations and Engineering does not recommend the placement of speed humps on Queen Victoria Drive but have no objections to their placement.

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to implement a “trial” project for a period of year from the date of installation, for the installation of 2 or 3 temporary speed humps, along Queen Victoria Drive between Ridley Drive and Quinn Avenue; and,
- (b) That the installation cost be funded from the Ward 6 Area Rating Fund.

# CITY OF HAMILTON MOTION

Council: September 26, 2018

**MOVED BY COUNCILLOR M. GREEN.....**

**SECONDED BY MAYOR / COUNCILLOR.....**

**Ward 3 Community Grants**

WHEREAS, cell tower revenues from Ward 3, in the amount of \$4,628, are available in the Cell Tower Revenues Project account #301609603 to provide financial support to community led projects and initiatives that benefit Ward 3;

THEREFORE, BE IT RESOLVED:

That the funding for the following organizations for the programs and initiatives shown below, to be financed from the Cell Tower Revenues Project 3301609603, be approved:

- (i) Empowerment Squared, in the amount of \$1,700 to support AfriCan, the Ontario delegation that attended the 2018 African Youth Governance Conference from August 5-12, 2018 in Accra, Ghana;
- (ii) YWCA Hamilton - Spectrum, in the amount of \$500, to support the Feminist Public Education event; an evening of popular education respecting online media and gendered experience of dissent, while using these platforms;
- (iii) QueensConnected, in the amount of \$300 to support the “UsNow: A Sexual Health Conference for Women of Color”, which aims to educate and empower women of color on topics of sexual health and sexuality;
- (iv) The Afro Canadian Caribbean Association, in the amount of \$500 for Project Pride in Place; a small infrastructure project that includes a new garbage collection fixture and a flower bed to beautify their neighbourhood;
- (v) The Canadian Polish Congress Hamilton & District, in the amount of \$1,000, for the 100<sup>th</sup> year of Poland’s Reinstated Freedom celebration; a visual and musical performance featuring music, dance and a presentation of Polish history; and,
- (vi) The Pumpkin Prowl, in the amount of \$500, for the Family Friendly event that has been running for four years in the Crown Point neighbourhood, which includes games, crafts, activities and trick-or-treating around the neighbourhood.

# CITY OF HAMILTON MOTION

Council: September 26, 2018

**MOVED BY COUNCILLOR J. FARR.....**

**SECONDED BY MAYOR / COUNCILLOR.....**

**Hamilton Municipal Heritage Committee Report 18-009 (Referred from Planning Committee September 18, 2018 to Council) (Copy attached)**

**THE HAMILTON MUNICIPAL HERITAGE COMMITTEE PRESENTS REPORT 18-009 AND RESPECTFULLY RECOMMENDS:**

- 1. **Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8) (Item 7.1)**
  - (a) That the designation of 828 Sanatorium Road, Hamilton, shown in Appendix “A” to Report PED18214, as a property of cultural heritage value pursuant to the provisions of Part IV of the *Ontario Heritage Act*, be approved;
  - (b) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “A” to 18-009, be approved;
  - (c) That the City Clerk be directed to take appropriate action to designate 828 Sanatorium Road, Hamilton under Part IV of the *Ontario Heritage Act*, in accordance with the Notice of Intention to Designate, attached as Appendix “D” to Report PED18214



## Hamilton

### HAMILTON MUNICIPAL HERITAGE COMMITTEE

REPORT 18-009

12:00 p.m.

September 13, 2018

Room 264, 2<sup>nd</sup> Floor

Hamilton City Hall

71 Main Street West

---

<b>Present:</b>	Councillor M. Pearson and J. Partridge A. Denham-Robinson (Chair), D. Beland, C. Dmitry, K. Garay, M. McGaw, T. Ritchie, K. Stacey
<b>Absent with Regrets:</b>	Councillor A. Johnson – Personal, W. Arndt, G. Carroll, R. Sinclair and T. Wallis

---

### THE HAMILTON MUNICIPAL HERITAGE COMMITTEE PRESENTS REPORT 18-009 AND RESPECTFULLY RECOMMENDS:

1. **Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8) (Item 7.1)**
  - (a) That the designation of 828 Sanatorium Road, Hamilton, shown in Appendix “A” to Report PED18214, as a property of cultural heritage value pursuant to the provisions of Part IV of the *Ontario Heritage Act*, be approved;
  - (b) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “A” to 18-009, be approved;
  - (c) That the City Clerk be directed to take appropriate action to designate 828 Sanatorium Road, Hamilton under Part IV of the *Ontario Heritage Act*, in accordance with the Notice of Intention to Designate, attached as Appendix “D” to Report PED18214

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

The Clerk advised the Committee of the following changes:

**1. ADDED DELEGATION REQUESTS (Item 4)**

- 4.1 Sergio Manchia, UrbanSolutions Planning & Land Development Consultants Inc., respecting the Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Item 7.1 on this agenda)

**2. ADDED CEREMONIAL ACTIVITY (Item A)**

Donna Reid, Hamilton Municipal Heritage Recognition Award for The Hamilton Store.

Anthony Wellenreiter, Hamilton Municipal Heritage Recognition Award for the property at 46 Forest Avenue, Hamilton.

The Agenda for the September 13, 2018 Hamilton Municipal Heritage Committee was approved, as amended.

**(b) CEREMONIAL ACTIVITY (Added Item A)**

Donna Reid, accepted a Hamilton Municipal Heritage Recognition Award for The Hamilton Store.

Anthony Wellenreiter accepted a Hamilton Municipal Heritage Recognition Award for the property at 46 Forest Avenue, Hamilton.

**(c) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(d) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

**(i) August 16, 2018 (Item 3.1)**

The Minutes of the August 16, 2018 meeting of the Hamilton Municipal Heritage Committee were approved, as presented.

**(e) DELEGATION REQUEST (Item 4)**

- (i) Sergio Manchia, UrbanSolutions Planning & Land Development Consultants Inc., respecting the Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (for today's meeting) (Added Item 4.1)**

The delegation request from Sergio Manchia, UrbanSolutions Planning & Land Development Consultants Inc., respecting the Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton, was approved, for the September 13, 2018 meeting.

**(f) CONSENT ITEMS (Item 5)**

- (i) Inventory & Research Working Group Meeting Notes – July 23, 2018 (Item 5.1)**

The Inventory & Research Working Group Meeting Notes of July 23, 2018, were received.

- (ii) Heritage Permit Review Sub-Committee Minutes – August 21, 2018 (Item 5.2)**

The Heritage Permit Review Sub-Committee Minutes of August 21, 2018, were received.

**(g) STAFF PRESENTATIONS (Item 7)**

- (i) Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8) (Item 7.1)**

Jeremy Parsons, Cultural Heritage Planner, addressed the Committee respecting the Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8), with the aid of a PowerPoint presentation. A copy of the presentation has been included in the official record.

The presentation respecting the Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8), be received.

Councillor Pearson wished to be recorded as OPPOSED to the Recommendation to Designate the Property Located at 828 Sanatorium



Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8).

- (a) Staff were directed to determine if the Cross of Lorraine is situated on private property or escarpment lands, with a report back to the Hamilton Municipal Heritage Committee; and
- (b) If the Cross of Lorraine is determined to be situated on private property, it should be removed from the Statement of Cultural Heritage Value of Interest, attached as Appendix “C” to Report PED18214 respecting the Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act*.

For further disposition of this matter, refer to Item 1.

The presentation is available at [www.hamilton.ca](http://www.hamilton.ca)

Sergio Manchia, UrbanSolutions Planning & Land Development Consultants Inc., addressed the Committee with concerns respecting the Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8).

The delegation from Sergio Manchia, UrbanSolutions Planning & Land Development Consultants Inc., respecting the Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8), was received.

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

**(i) Buildings and Landscapes (Item 11.1)**

The following updates be received:

- (a) Endangered Buildings and Landscapes (RED):  
(Red = Properties where there is a perceived immediate threat to heritage resources through: demolition; neglect; vacancy; alterations, and/or, redevelopment)**

- (i) Tivoli, 108 James Street North, Hamilton (D) – M. McGaw

No report.

- (ii) Andrew Sloss House, 372 Butter Road West, Ancaster (D) – M. McGaw

No report.

Century Manor, 100 West 5th Street, Hamilton (D) – K. Garay

No report

- (iii) Beach Canal Lighthouse (D) – J. Partridge

No report.

- (iv) 18-22 King Street East, Hamilton (R)(NOI) – K. Stacey

No report.

- (v) 24-28 King Street East, Hamilton (R)(NOI) – K. Stacey

No report.

- (vi) 1 St. James Place, Hamilton (D) – K. Stacey

No report

- (vii) 2 Hatt Street, Dundas (R) – K. Stacey

No report.

- (viii) James Street Baptist Church, 96 James Street South, Hamilton (D) – A. Denham-Robinson

No report

- (ix) Dunnington-Grubb Gardens, 1000 Main Street East (within Gage Park) – D. Beland

**(b) Buildings and Landscapes of Interest (YELLOW):  
(Yellow = Properties that are undergoing some type of change, such as a change in ownership or use, but are not perceived as being immediately threatened)**

- (i) Delta High School, 1284 Main Street East, Hamilton (D) – D. Beland

No report.

- (ii) St. Giles United Church, 85 Holton Avenue South (L) – D. Beland

This property will remain on the list until staff have negotiated the salvage of items from the Church.

- (iii) 2251 Rymal Road East, Stoney Creek (R) – C. Dimitry

No report.

- (iv) Former Valley City Manufacturing, 64 Hatt Street, Dundas – K. Stacey

No report.

- (v) St. Joseph's Motherhouse, 574 Northcliffe Avenue, Dundas (R) (ND) - K. Stacey

No report.

- (vi) Copley Building, 104 King Street West; 56 York Blvd., and 63-76 MacNab Street North (NOI)– G. Carroll

No report.

- (vii) 1021 Garner Road East, Ancaster (Lampman House) (NOI)– M. McGaw

No report.

**(c) Heritage Properties Update (GREEN):  
(Green = Properties whose status is stable)**

- (i) The Royal Connaught Hotel, 112 King Street East, Hamilton (R) – T. Ritchie

No report.

- (ii) Auchmar, 88 Fennell Avenue West, Hamilton (D) – K. Garay

No report.

- (iii) Jimmy Thompson Pool, 1099 King Street E., Hamilton (R) – T. Ritchie

No report.

- (iv) Treble Hall, 4-12 John Street North, Hamilton (R) – T. Ritchie

No report.

- (v) 104 King Street West, Dundas (Former Post Office) – K. Stacey

No report.

- (d) **Heritage Properties Update (black):  
(Black = Properties that HMHC have no control over and may be demolished)**

- (i) Auchmar Gate House, Claremont Lodge 71 Claremont Drive (R) – K. Garay

No report.

**(i) ADJOURNMENT (Item 13)**

There being no further business, the Hamilton Municipal Heritage Committee adjourned at 1:40 p.m.

Respectfully submitted,

Alissa Denham-Robinson, Chair  
Hamilton Municipal Heritage Committee

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk

## **Statement of Cultural Heritage Value or Interest**

---

### **828 Sanatorium Road, Hamilton (Mountain Sanatorium Brow Site)**

#### **Description of Historic Place**

The former Mountain Sanatorium Brow Campus (later Chedoke Browlands) is located at the northern terminus of Sanatorium Road which bisects the property along Chedoke Creek. The property is bounded by the Niagara Escarpment to the north and Scenic Drive curving to the south, forming semi-circular layout. The property includes open space, a woodlot, creek bed, a curvilinear street arrangement, and a number of remnants of the former institution including the Long & Bisby Building and the Cross of Lorraine. The property is addressed 828 Sanatorium Road, Hamilton (alternatively 870 Scenic Drive).

#### **Statement of Cultural Heritage Value or Interest**

The property located at 828 Sanatorium Road, Hamilton has cultural heritage value as one of the campuses of the original Mountain Sanatorium ("the San"), Hamilton's tuberculosis hospital which originally opened in 1906. The San was Canada's fourth sanatorium and, by 1932, one of the largest in the British Empire.

The Brow site was primarily purposed towards the treatment of First World War veterans who contracted tuberculosis while serving overseas. The property formerly contained six major buildings and a number of ancillary structures, most of which have been demolished. The only building that remains on site is the Long & Bisby Building (1920) which was built a residence for nurses. Built with funds bestowed by the original donors of the Sanatorium lands, W.D. Long and G.H. Bisby, the Long & Bisby Building is a representative example of Edwardian Classical architecture. The site later evolved to become part of Chedoke Hospital and was known locally as the "Chedoke Browlands".

The property also has value as a cultural heritage landscape designed for the treatment of tuberculosis. These browlands were laid out as a purpose-built facility that capitalized on the natural landscape of the site for therapeutic purposes. The property contains a number of remnant features from its history as a hospital, including the Cross of Lorraine: a local landmark built in 1953 by well-known designer and advertiser E.L. Ruddy.

#### **Heritage Attributes**

The heritage attributes of the property at 828 Sanatorium Road, Hamilton that display its cultural heritage value include:

The Long & Bisby Building:

- Its location in an open, park-like setting and adjacent to a woodlot;
- All exterior elevations and additions;
- Roof profile and roofline;
- Entrance portico including:
  - Paired, Corinthian-inspired columns;
  - Simple cornice brackets; and,
  - Low metal railing.
- Decorative entrance including:
  - Doorway;
  - Webbed fanlight;
  - Sidelights; and,
  - Brick voussoir.
- Eight-bay buff brick façade with projecting ends;
- Brick parapet including:
  - Lower frieze board;
  - Stone finial accent; and,
  - Inset stone block.
- All windows, window openings, stone sills, and side trim brick headers.

#### Landscape Features:

- The park-like setting as a cultural heritage landscape with curvilinear street pattern and open spaces designed for therapeutic purposes;
- Significant views to, through, and from the former Mountain Sanatorium Brow Campus as well as significant views to and from the Niagara Escarpment;
- The Cross of Lorraine located along the edge of the Niagara Escarpment;
- The pedestrian bridge over the Chedoke Creek;
- The concrete stairs along the edge of the Niagara Escarpment; and,
- The stone vehicular bridge and associated stone wall/pillars located west of the Long & Bisby Building.

# CITY OF HAMILTON

## NOTICE OF MOTION

Council: September 26, 2018

**MOVED BY COUNCILLOR A. JOHNSON.....**

**Westdale Secondary School’s Natural Turf Project**

WHEREAS, at its meeting of June 11, 2014, Council approved Appendix “A” to Item 8 of the General Issues Committee Report 14-012, 2014 Area Rating Reserve Funded Projects (FCS14034); thereby, approving \$100K for the Westdale Secondary School’s artificial turf project;

WHEREAS, at its meeting of February 11, 2015, Council approved Appendix “B” to Item 7, as amended, of the General Issues Committee (Capital Budget) Report 15-003, 2015 Tax Supported Capital Budget (FCS15011); thereby, approving \$150K for the Westdale Secondary School’s artificial turf project;

WHEREAS, in Appendix “A” to Report FCS15011, 2015 Tax Supported Capital Budget, the project was inadvertently titled “Westdale High School - **Artificial** Turf”, due to the project approved in 2014, but should have been titled ‘Westdale High School - **Natural** Turf, and the funding for the Westdale Secondary School’s artificial turf and natural turf projects should not have been combined;

WHEREAS, the HWDSB proceeded with the Westdale Secondary School’s natural turf project, with the expectation that they would receive \$150,000 in City funding for that project;

WHEREAS, the HWDSB funded the main playing field, scoreboard and bleachers, and the the walking path and practice field were funded from Ward 1 Area Rating;

WHEREAS, all work was completed with the understanding that the added features would have community access; however, no details were finalized or agreed upon to-date, and there is no formal written agreement respecting these matters between the City of Hamilton and the Hamilton-Wentworth District School Board; and,

WHEREAS, the Westdale High School’s natural turf project (includes the main playing field, scoreboard, bleachers, the walking path and practice field) is now complete and the HWDSB has sent the Ward 1 office an invoice in the amount of \$150,000;

THEREFORE, BE IT RESOLVED:

- (a) That Appendix “B” to Item 7, as amended, of the General Issues Committee (Capital Budget) Report 15-003, 2015 Tax Supported Capital Budget (FCS15011), be amended by deleting the word “artificial” and replacing it with the word “*natural*” in the line item currently reflecting the Westdale High School artificial turf project; and,
- (b) That, prior to any invoices being paid to the Hamilton-Wentworth District School Board (HWDSB) for the City’s share of the Westdale Secondary natural turf project, the Director of Recreation be directed to collaborate with the HWDSB to prepare an agreement for public access to the Westdale Secondary School practice field and walking path, in a form satisfactory to the City Solicitor.



# CITY OF HAMILTON

## NOTICE OF MOTION

Council: September 26, 2018

**MOVED BY COUNCILLOR J. FARR.....**

**Purchase of Appliances for Bill Simone Hall (Ward 2)**

WHEREAS, the Bill Simone Hall located in Beasley Park and host many community and neighbourhood events;

WHEREAS, the Bill Simone Hall kitchen has been recently renovated; and

WHEREAS, to complete the renovations of the kitchen a refrigerator and freezer are required;

THEREFORE, BE IT RESOLVED:

That the \$3,000.00 required to purchase a new refrigerator and freezer for the Bill Simone Hall be financed from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052.

# **CITY OF HAMILTON**

## **NOTICE OF MOTION**

**Council: September 26, 2018**

**MOVED BY COUNCILLOR T. WHITEHEAD.....**

### **Installation of a Rear Yard Catch Basin at 99 Rymal Road West, Hamilton**

That \$10,000 to cover the cost of installing a rear-yard catch basin at 99 Rymal Road West, Hamilton, to be funded from the 2017 discretionary account #3301709800, be approved.

# CITY OF HAMILTON

## NOTICE OF MOTION

Council: September 26, 2018

**MOVED BY COUNCILLOR M. GREEN.....**

**Support for the Expansion and Re-Development of the Hamilton Children’s Museum**

WHEREAS, the Hamilton Children’s Museum is a community and neighbourhood focused facility, providing high quality family oriented experiential learning to 1 million visitors over the last 40 years.

WHEREAS, the Hamilton Children’s Museum is over-capacity and cannot meet the diverse programming needs of the community.

WHEREAS, Council directed staff to complete the long term development planning for an expanded Children’s Museum Facility within Gage Park PED13152 (a).

WHEREAS, Council has supported the development of expansion plans through the annual capital project budget process.

WHEREAS, ‘shovel ready’ designs for expansion and re-development of the Hamilton Children’s Museum will be completed in 2018.

WHEREAS, the cost of the expansion and re-development is estimated to be approximately \$2.7 million.

WHEREAS, the expansion and re-development have been identified in the Tourism and Culture 10-year Capital Plan for 2021-23.

WHEREAS, additional funds are needed to support the construction of best practice experiential family oriented learning exhibits.

WHEREAS, the Ward 3 Councillor is supportive of Hamilton Children’s Museum being best of class for our community.

THEREFORE, BE IT RESOLVED:

That \$300,000 is allocated from Ward 3 Area Rating Reserve Account 108053 towards the expansion of the Hamilton Children’s Museum be approved.

# CITY OF HAMILTON

## NOTICE OF MOTION

Council: September 26, 2018

**MOVED BY COUNCILLOR M. GREEN.....**

### **Support for the Community Services of HARRRP**

WHEREAS, the Boys and Girls Clubs of Hamilton, which serves over 5,000 children, youth and families in over 30 service locations and communities in Hamilton and Burlington, has recently partnered with the Hamilton Association for Residential and Recreational Redevelopment Programs (HARRRP);

WHEREAS, HARRRP has been running a community centre in the Stiplely neighbourhood, providing free programs and services to help residents deal with the impact of poverty and other challenges in Ward 3;

WHEREAS, the programs HARRRP provides to the community range from from Aikido to Seniors Tai-Chi, from Yoga to Pottery Classes, from YOUth Create to Community Kitchen;

WHEREAS, HARRRP also provides youth programs at Dr. J. E. Davey and Memorial City Elementary Schools, and seniors programs at the Bennetto Recreation Centre; and,

WHEREAS, HARRRP centres are safe and healthy places where people can meet in both structured and casual ways to help each other over the challenges of food, health, housing, legal, financial, employment, social, and other issues;

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton enter into a funding agreement with the Boys and Girls Clubs of Hamilton for the purpose of supporting HARRRP programs and services, located at 705 Main Street East; and,
- (b) That said funding agreement total \$50,000 for 2018 and be funded from the Ward 3 Area Rating Reserve Account 108053.

# CITY OF HAMILTON

## NOTICE OF MOTION

Council: September 26, 2018

**MOVED BY COUNCILLOR M. GREEN.....**

### **Capital Investments at 30 Sanford**

WHEREAS, there has been limited capital reinvestment in CityHousing Hamilton properties over the last decade; and

WHEREAS, residents of CityHousing Hamilton properties deserve dignified and safe, affordable housing; and

WHEREAS, improvements to the exteriors of CityHousing Hamilton properties benefit the neighbourhood not just the residents, but for the entire community;

**THEREFORE BE IT RESOLVED:**

That \$50,000 be provided to CityHousing Hamilton for the construction of a new seating area at 30 Sanford Avenue South, Hamilton, to be funded from the Ward 3 Area Rating Reserve Account 108053.

**Authority:** Item 9, Public Works Committee  
Report: Report 17-016 (PW07153)  
CM Date: September 26, 2018  
Wards: 2, 4, 12, 13, 14, 15,

**Bill No. 274**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

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

**WHEREAS** sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

**AND WHEREAS** it is necessary to amend By-law No. 01-215.

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

1. Schedule 2 (Speed Limits) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "B" (Dundas) thereof the following item, namely:

Kemp Drive	Creighton Road	Central Park Avenue	40km/h
Central Park Avenue	Kemp Drive	Chegwin Street	40km/h

And by removing from Section "C" (Flamborough) thereof the following items, namely:

Woodhill Road	Highway 8	Concession 2	70km/h
Harvest Road	Brock Road	Ofield Road	40km/h

And by adding to section "C" (Flamborough) thereof the following items, namely;

Woodhill Road	Highway 8	Highway 5	60km/h
Woodhill Road	Highway 5	Concession 2	70km/h
Harvest Road	Brock Road	130 m east of Ofield Road	40km/h

And by removing from Section "G" (Ancaster) thereof the following item, namely:

Wilson Street West	Highway 403 Westbound Off-Ramp	Garner Rd/Mason Dr	70km/h
--------------------	-----------------------------------	--------------------	--------

And by adding to section "G" (Ancaster) thereof the following item, namely;

Wilson Street West	Garner Road/Mason Drive	Highway 403 Westbound Off-Ramp	60 km/h
--------------------	-------------------------	--------------------------------	---------

2. Schedule 3 (Flashing School Zones – Reduced Speed Limit) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "C" (Flamborough) thereof the following item, namely:

Centre Road	480m south of Concession 5 to 560m southerly	8:15 a.m. – 8:50 a.m. 11:40 a.m. – 12:30 p.m. 3:00 p.m. – 3:35 p.m.	50 km/h
-------------	--	---	---------

3. Schedule 8 (No Right Turn) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "G" (Former Regional Roads) thereof the following item, namely:

Wellington St. N.	Westerly	Simcoe St. E.	Anytime
-------------------	----------	---------------	---------

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

Wellington Street	Westerly	Simcoe Street	8:00 a.m. – 10:00 a.m. 4:00 p.m. – 6:00 p.m. Monday – Friday Buses Excepted
-------------------	----------	---------------	--

4. Schedule 9 (No Right Turn on Red) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "E" (Hamilton) thereof the following item, namely:

Ottawa St.	Northbound	Burlington St.	7:00 am – 10:00 am, 3:00 pm – 6:00 pm, Monday to Friday
------------	------------	----------------	---

5. Schedule 10 (No Left Turn) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "B" (Dundas) thereof the following item, namely:

Exit from 14 Kemp Drive	Easterly	Kemp Drive	8:15 a.m. – 9:15 a.m. 3:15 p.m. – 4:15 p.m. Monday to Friday
----------------------------	----------	------------	--

6. Schedule 12 (No "U" Turns) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" (Hamilton) thereof the following item, namely:

Queen Street	Northbound to Southbound	Stanley Avenue to Herkimer Street	Anytime
--------------	-----------------------------	--------------------------------------	---------

7. 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.

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

**PASSED** this 26<sup>th</sup> day of September, 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: 15

**Bill No. 275**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**Respecting**

**Removal of Part Lot Control**

**Lots 32 and 33 within Registered Plan No. 62M-1238 “Waterdown Bay – Phase 2”, 103 Avanti Crescent and 107 Avanti Crescent**

**WHEREAS** the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating two (2) utility, maintenance and access easements, shown as Parts 1 and 2, inclusive, on deposited Reference Plan 62R-20921, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Part of Lots 32 and 33 Registered Plan No. 62M-1238, 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 26<sup>th</sup> day of September, 2020.

**PASSED** this 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**Respecting**

**Removal of Part Lot Control**

**Lot 77 within Registered Plan No. 62M-1238 “Waterdown Bay – Phase 2”, 4 Mill Stone Terrace**

**WHEREAS** the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating one (1) utility, maintenance and access easement, shown as Part 1, inclusive, on deposited Reference Plan 62R-20920, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Part of Lot 77 Registered Plan No. 62M-1238, 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 26<sup>th</sup> day of September, 2020.

**PASSED** this 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**Respecting**

**Removal of Part Lot Control**

**Lots 103, 104 and 107 within Registered Plan No. 62M-1238 “Waterdown Bay – Phase 2”, 16 Skinner Road, 22 Skinner Road and 40 Skinner Road**

**WHEREAS** the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating three (3) utility, maintenance and access easements, shown as Parts 1 to 3, inclusive, on deposited Reference Plan 62R-20924, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Part of Lots 103, 104 and 107 Registered Plan No. 62M-1238, 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 26<sup>th</sup> day of September, 2020.

**PASSED** this 26<sup>th</sup> day of September, 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: 15

**Bill No. 278**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**Respecting**

**Removal of Part Lot Control**

**Lots 113, 116, 117 and 118 within Registered Plan No. 62M-1238 “Waterdown Bay – Phase 2”, 33 Skinner Road, 15 Skinner Road, 9 Skinner Road and 3 Skinner Road**

**WHEREAS** the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating four (4) utility, maintenance and access easements, shown as Parts 1 to 4, inclusive, on deposited Reference Plan 62R-20923, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Part of Lots 113, 116, 117 and 118 Registered Plan No. 62M-1238, 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 26<sup>th</sup> day of September, 2020.

**PASSED** this 26<sup>th</sup> day of September, 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: 15

**Bill No. 279**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**Respecting**

**Removal of Part Lot Control**

**Lots 150 and 164 within Registered Plan No. 62M-1238 “Waterdown Bay – Phase 2”,  
279 Humphrey Street and 262 Humphrey Street**

**WHEREAS** the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating two (2) utility, maintenance and access easements, shown as Parts 1 and 2, inclusive, on deposited Reference Plan 62R-20925, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Part of Lots 150 and 164 Registered Plan No. 62M-1238, 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 26<sup>th</sup> day of September, 2020.

**PASSED** this 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**Respecting**

**Removal of Part Lot Control**

**Lots 175 and 178 within Registered Plan No. 62M-1238 “Waterdown Bay – Phase 2”,  
335 Humphrey Street and 347 Humphrey Street**

**WHEREAS** the sub-section 50(5) of the Planning Act, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the Planning Act, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. Sub-section 5 of Section 50 of the Planning Act, for the purpose of creating two (2) utility, maintenance and access easements, shown as Parts 1 and 2, inclusive, on deposited Reference Plan 62R-20922, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Part of Lots 175 & 178 Registered Plan No. 62M-1238, 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 26<sup>th</sup> day of September, 2020.

**PASSED** this 26<sup>th</sup> day of September, 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: 15

**Bill No. 281**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**Respecting**

**Removal of Part Lot Control  
Lots 121 to 130 on Registered Plan No. 62M-1238**

**WHEREAS** the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating lots for street townhouse dwellings, shown as Parts 1, 3, 4, 6, 7, 9, 10, 12, 13, 15, 16, 18, 19, 21, 22, 24, 25, and 26 inclusive, including a maintenance easement, shown as Parts 2, 5, 8, 11, 14, 17, 20 and 23, inclusive, on deposited Reference Plan 62R-20909, and creating lots for street townhouse dwellings, shown as Parts 1 and 3 inclusive, including a maintenance easement, shown as Part 2 inclusive, on deposited Reference Plan 62R-20908, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lots 121 to 130 on Registered Plan No. 62M-1238, 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 26<sup>th</sup> day of September, 2020.

**PASSED** this 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

PLC-18-023



**Authority:** Item 15(d), Planning Committee  
Report 18-012  
CM: August 17, 2017  
Ward: 3

**Bill No. 282**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Designate Land Located at 270 Sherman Avenue North, City of Hamilton (Cotton Factory) as Property of Cultural Heritage Value or Interest**

**WHEREAS** the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18;

**WHEREAS** no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act; and,

**WHEREAS** it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6) (a) of the said Act. .

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

1. The property located at 270 Sherman Avenue North, Hamilton, Ontario (Cotton Factory) and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of cultural heritage value.
2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with the statement of cultural heritage value or interest and description of heritage attributes set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.
3. The City Clerk is hereby authorized and directed,
  - 3.1. to cause a copy of this by-law, together with reasons for the designation, to be served on The Ontario Heritage Trust by personal service or by registered mail;
  - 3.2. to publish a notice of this by-law once in a newspaper having general circulation in the City of Hamilton.

**PASSED** this 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

Schedule "A"  
To  
By-law No. 18-

270 Sherman Avenue North  
Hamilton, Ontario  
Cotton Factory

PIN: 17218-0071 (LT)

Legal Description:

PT LT 8 CON 1 BARTON AS IN CD117670; HAMILTON

Schedule "B"

To

By-law No. 18-

270 Sherman Avenue North  
Hamilton, Ontario

Cotton Factory

## **STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST AND DESCRIPTION OF HERITAGE ATTRIBUTES**

### **Statement of Cultural Heritage Value or Interest**

The Cotton Factory, municipally known as 270 Sherman Avenue North, is a former industrial complex that consists of a combination of one to three storey early 20th century buildings built with a Gothic architectural influence. The complex is situated on an approximately 3 acre parcel of land located on the east side of Sherman Avenue North between Landsdowne Street and Biggar Street in an industrial area within the City of Hamilton.

### **DESIGN / PHYSICAL VALUE**

The Cotton Factory has design and physical value as a representative example of a turn-of the century industrial building with Gothic architectural influence. While the complex consists of a patchwork of buildings, the Gothic style of influence is apparent throughout in the symmetrical rhythm of the building elevations, shallow buttressing, and the large, arched, multi-paned windows. The interior of the mill building demonstrates the typical industrial construction of the time using metal posts and timber beams to create large open spaces.

### **HISTORICAL / ASSOCIATIVE VALUE**

The industrial complex was constructed in 1900 for the Imperial Cotton Company due to the collaborative efforts of a Yarmouth bookkeeper (name unknown), investment of the '5 Johns', access of the land by John Patterson, architectural design of Edmond Patterson, and direction of James M. Young as its first President. There is insufficient evidence to determine if Young was also a part owner, but the Young family was significant in the textile industry as they had holdings in textile mills across New Brunswick, Quebec and Ontario.

Specializing in heavy duct cotton used for boat sails and building awnings, the Imperial Cotton Company was instrumental to the formation of the early textile industry in Hamilton. Orders were taken from all over the world using telegraphic code. The Imperial Cotton Company had its own codebook to simplify orders. Classes of cotton duck manufactured were "once & sail", "harvester" & "hydraulic", "hose, bootleg and

tennis", and "filter and press". Archival records show that the Imperial Cotton Company manufactured the sailcloth of the iconic Canadian Bluenose. In 1924 the Imperial Cotton Company was amalgamated with a Nova Scotia firm owned by the Young Family, to form the Cosmos-Imperial Cotton Company.

## CONTEXTUAL VALUE

The Cotton Factory is a landmark as its smoke stack and tower are some of the few vertical elements in the North End of Hamilton. The building is located in close proximity to other industrial buildings that developed in the neighbourhood due to its proximity outside the city centre and connections to rail. The Textile industry in Hamilton in the early 20th century is functionally and historically linked to its surroundings. It employed more than 300 workers, mainly women, and it can be assumed that the residential area developed around the factory to house the workers.

### **Description of Heritage Attributes**

The cultural heritage value of the Cotton Factory, known as 270 Sherman Avenue North, resides in the following heritage attributes that are related to the Industrial, Gothic influenced style and the complex's industrial use and context including (excluding the 1946 addition between the Mill and Office Buildings):

#### **Landscape Attributes:**

- Organic layout of buildings to accommodate the function of the original and evolved industrial use;
- Proximity to railway line; and,
- High concrete platform on south elevation of the Store House.

#### **Exterior Attributes:**

- Rectangular shape of buildings;
- Red brick construction;
- Varied rooflines with heights ranging from one to three stories;
- Brick corbelling;
- Original window and door openings including brick voussoirs and stone sills;
- Original wood windows where they exist;
- Bays separated by shallow buttressing;
- Iron tie rod anchor plates (located where the buttress and interior floors meet);
- Original wood doors where they exist;
- Tower including window openings and corbeling, bracketing and crenelation details; and,
- Smoke stack including corbeling.

#### **Interior Attributes:**

- Timber post and beam construction where it exists;
- Original wood floors and exposed wood ceilings where they exist; and,
- Original metal fire doors of the interior.

**Authority:** Item 9, Public Works Committee  
Report 07-016 (PW07153)  
CM: December 12, 2007  
Wards: 2, 4, 7, 8, 10, 14, 15

**Bill No. 283**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

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

**WHEREAS** sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

**AND WHEREAS** it is necessary to amend By-law No. 01-215.

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

1. Schedule 5 (Stop Control) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "C" (Flamborough) thereof the following items, namely;

Chudleigh St.	Eastbound	Culotta Dr. E
---------------	-----------	---------------

Chudleigh St.	Westbound	Culotta Dr. E
---------------	-----------	---------------

And by adding to Section "C" (Flamborough) thereof the following items, namely;

Cole Street	Northbound & Southbound	Browview Drive
-------------	-------------------------	----------------

Chudleigh Street	Eastbound & Westbound	Culotta Drive (West Leg)
------------------	-----------------------	--------------------------

Chudleigh Street	Eastbound & Westbound	Culotta Drive (East Leg)
Culotta Drive (West Leg)	Northbound	Chudleigh Street
Culotta Drive (East Leg)	Northbound	Chudleigh Street
Riley Street	Northbound & Southbound	Chudleigh Street
4 <sup>th</sup> Concession West	Eastbound & Westbound	Sheffield Road (Westerly Intersection)
4 <sup>th</sup> Concession West	Eastbound & Westbound	Sheffield Road (Easterly Intersection)

2. Schedule 4 (Yield Control) of By-law No. 01-215, as amended, is hereby further amended by removing from Section “E” (Hamilton) thereof the following item, namely;

West 4 <sup>th</sup> Street(North Leg)	Southbound & Northbound	Richwill Road
--	-------------------------	---------------

And by adding to Section “E” (Hamilton) thereof the following items, namely;

West 4 <sup>th</sup> Street	Northbound & Southbound	Richwill Road
Golfwood Drive	Northbound & Southbound	Atkins Drive
Roxborough Avenue	Eastbound & Westbound	Frederick Avenue
Hunter Street	Eastbound & Westbound	East Avenue
Strachan Street	Eastbound & Westbound	Catharine Street
McElroy Road	Northbound & Southbound	Howard Avenue
McElroy Road	Northbound & Southbound	Clarendon Avenue
Dragoon Drive	Northbound & Southbound	Fusilier Drive
Osgoode Court	Southbound	Presidio Drive

And by adding to Section "F" (Stoney Creek) thereof the following items, namely;

Hewitson Road	Southbound	Dupont Street
Dupont Street	Eastbound	Hewitson Road
Margaret Avenue	Northbound & Southbound	Guernsey Drive

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED** this 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

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

**Bill No. 284**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **Respecting**

#### **Removal of Part Lot Control**

**Block 1 and Part of Block 2, Registered Plan No. 62M-1253, Municipally Known as 1001, 1009 and 1035 Garner Road East (Ancaster) (Ward 12)**

**WHEREAS** the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

**“Designation of lands not subject to part lot control. --** Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. That Subsection 5 of Section 50 of the *Planning Act*, for the purpose of creating ninety-four (94) lots for townhouse and maisonette units (Parts 1 to 188 inclusive), including ninety-seven (97) maintenance, servicing, utility and drainage easements (Parts 95 to 188 inclusive and Parts 190, 191 and 192 inclusive), and three (3) parts for common element condominium lands (Parts 189, 190 and 191 inclusive), as shown on deposited Reference Plan 62R-20970, shall not apply to Block 1 and a portion of Block 2 on Registered Plan of Subdivision 62M-1253 that is designated as follows, namely:

Block 1 and Part of Block 2, Registered Plan No. 62M-1253, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.



Respecting Removal of Part Lot Control  
Block 1 and Part of Block 2, Registered Plan No. 62M-1253, Municipally known  
as 1001, 1009 and 1035 Garner Road East (Ancaster) (Ward 12)

Page 2 of 3

3. This by-law shall expire and cease to be of any force or effect on the 26<sup>th</sup> day of September, 2020.

**PASSED** this 26<sup>th</sup> day of September, 2018.

---

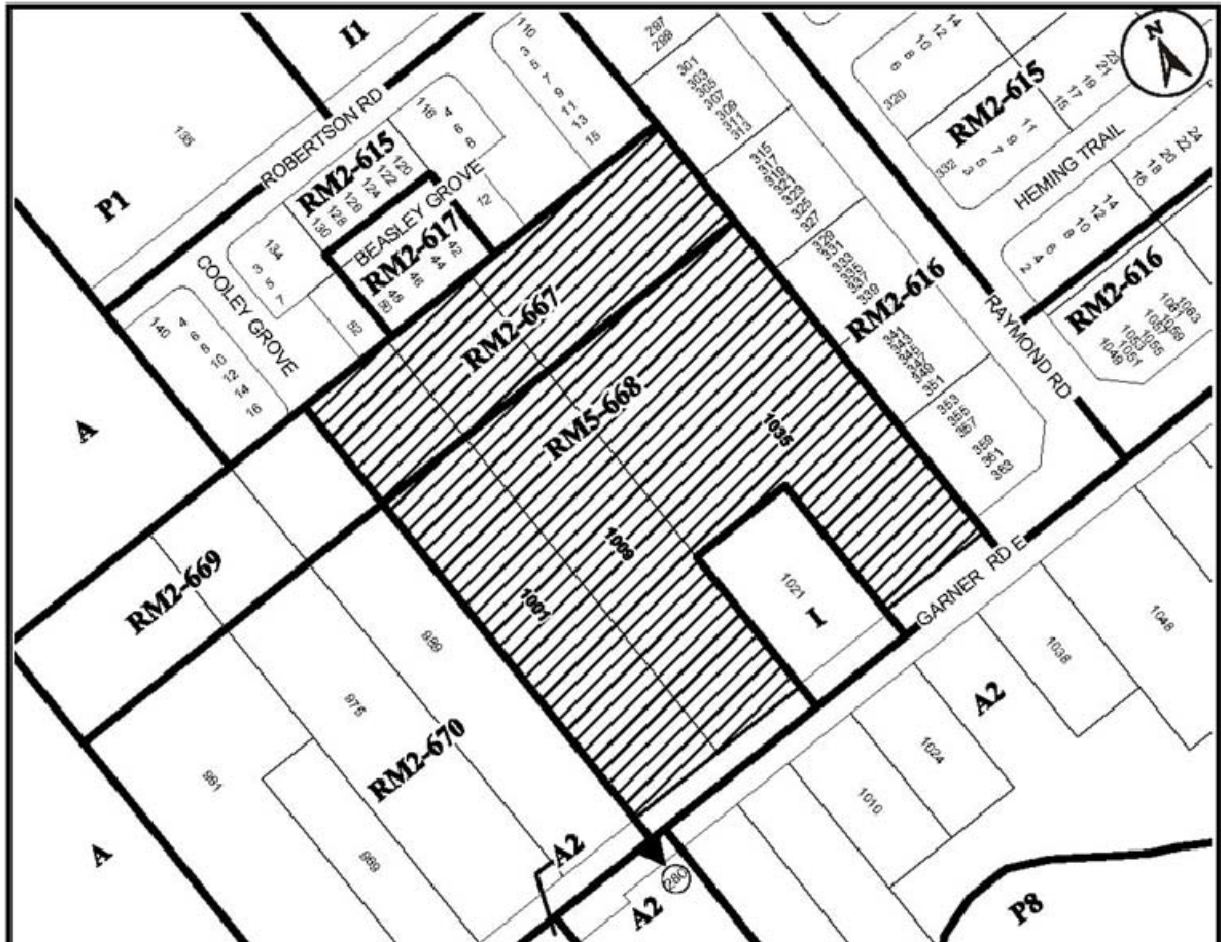
F. Eisenberger  
Mayor

PLC-17-022

---

J. Pilon  
Acting City Clerk

Respecting Removal of Part Lot Control  
 Block 1 and Part of Block 2, Registered Plan No. 62M-1253, Municipally known  
 as 1001, 1009 and 1035 Garner Road East (Ancaster) (Ward 12)



● Site Location



Key Map - Ward 12

N.T.S.

## Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:  
PLC-17-022

Date:  
August 30, 2018

Appendix "A"

Scale:  
N.T.S.

Planner/Technician:  
AC/AL

### Subject Property

1001, 1009 & 1035 Garner Road East

**Authority:** Item 17, Public Works Committee  
Report 07-011 (TOE02005(b)/  
/FCS02026(b)/PED07248)  
CM: September 26, 2007  
Ward: 9

**Bill No. 285**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Impose Watermain and Sanitary Sewer Charges upon owners of land abutting Green Mountain Road from First Road West to Morrissey Boulevard, in the City of Hamilton**

**WHEREAS** the Council of the City of Hamilton authorized recovering a portion of costs associated with the construction of Watermain and Sanitary Sewer Works by approving, on September 26, 2007, Item 17 of Public Works Committee Report 07-011 (Report TOE02005b/FCS02026b/PED07248; and

**WHEREAS** developers, 706870 Ontario Limited and Empire Communities (Stoney Creek) Ltd., in satisfaction of terms and conditions of subdivision agreement "Red Hill Phase 1", Plan 62M-1232, did construct certain Watermain and Sanitary Sewer Works, in the City of Hamilton, as more particularly described in Schedule "A" attached to this By-law; and

**WHEREAS** the costs of the said Watermain and Sewer Works to be recovered from all benefiting property owners is \$468,744.54.

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

1. Watermain and Sewer Charges are imposed upon the owners or occupants of land who benefit from the construction of the Watermain and Sewer Works (the "Assessed Owners").
2. The Assessed Owners' lands and the respective Watermain and Sewer Charges are more particularly described in Schedule "A", which Schedule is attached to and forms part of this By-law.
3. The Watermain and Sewer Charges have been established using the approved method for cost apportionment per City of Hamilton Report TOE02005b/FCS02026b/PED07248 (Funding Methodologies for Municipal Infrastructure Extensions Review and Update), establishing a Watermain Charge of \$694.08 per metre of property frontage attributable to each Assessed Owner of an existing lot and a Sanitary Sewer Charge of \$98.72 per metre of property frontage attributable to each Assessed Owner of an existing lot. The Watermain and Sewer Charges shall be indexed in accordance with the percentage change in the composite Canadata Construction Cost Index (Ontario Series), commencing from the completion date of construction March 2018, to the date of payment.

4. The amount resulting from the application of the Watermain and Sewer Charges (the "Indebtedness"), shall be collected at the time of permit issuance for any connection to the said Watermain and Sewer Works, in addition to any applicable permit fee.
5. The Assessed Owners have the option of paying the Indebtedness by way of annual payments over a period of 15 years from the date of permit issuance for connection by entry on the tax roll, to be collected in like manner as municipal taxes. The interest rate utilized for the 15 year payment shall be the City of Hamilton's then-current 15 year borrowing rate (2018 rate-3.25%).
6. Notwithstanding Section 5, an Assessed Owner of a parcel described in Schedule "A" may pay the commuted value of the Indebtedness without penalty, but including interest, at any time.
7. Should an Assessed Owner sever or subdivide their parcel of land, the Watermain and Sewer Charges owed to the City of Hamilton, whether the parcel of land is connected or not, and whether or not the Assessed Owner has previously exercised the repayment option set out in Section 5 above, shall be paid forthwith to the City of Hamilton in a lump sum as a condition of the severance or subdivision approval.
8. The developers, 706870 Ontario Limited and Empire Communities (Stoney Creek) Ltd., upon satisfying the City that it has completed its obligations with respect to the construction of the said Watermain and Sewer Works, shall receive repayment of that portion of the associated cost of the construction collected hereunder, pursuant to the terms and conditions of its subdivision agreement.
9. Unpaid Watermain and Sewer Charges constitute a debt to the City and may be added to the tax roll and collected in the same manner as municipal taxes.
10. If any provision or requirement of this By-law, or the application of it to any person, shall to any extent be held to be invalid or unenforceable by any court of competent jurisdiction, the remainder of the By-law, or the application of it to all persons other than those in respect of whom it is held to be invalid or unenforceable, shall not be affected, and each provision and requirement of this By-law shall be separately valid and enforceable.
11. This By-law comes into force on the day following the date of its passing.

**PASSED** this 26<sup>th</sup> day of September, 2018

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

Schedule "A" to By-law No. 18-

Green Mountain Road  
Watermain and Sanitary Sewer on Green Mountain Road from First Road West to Morrisey Boulevard

<b>Property Address</b>	<b>Property Frontage (m)</b>	<b>Watermain Charge</b>	<b>Sanitary Sewer Charge</b>
90 Green Mountain Rd.	45.72	\$31,733.34	
Pt. 3, 62R-18755, PIN 170971266	3.62	\$2,512.57	\$357.37
0 Green Mountain Rd. PIN 170971140	216.49	\$150,261.38	\$21,371.89
50 Green Mountain Rd.	231.55	\$160,714.22	
420 First Rd. West	146.66	\$101,793.77	
<b>TOTAL</b>		<b>\$447,015.28</b>	<b>\$21,729.26</b>

**Authority:** Item 7, Audit, Finance and Administration  
Committee Report 18-004  
CM: April 11, 2018  
Item 15, General Issues Committee  
Report 18-007  
CM: March 28, 2018  
Item 7.2, A Motion  
CM: September 12, 2018

**Bill No. 286**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **A By-law to authorize the issue of Debentures in the principal amount of \$110,820,000 for the purposes of the City of Hamilton herein referred to**

WHEREAS the Council of the City of Hamilton (the "City") has authorized the works described in Schedule "A" attached hereto;

AND WHEREAS it is now deemed necessary to raise the money required to pay part of the cost of the said works by the issue and sale of serial debentures in aggregate principal amount of \$110,820,000 (the "Debentures") bearing interest at the rates hereinafter set out and maturing in equal instalments of principal over a period of 15 years which is the amount of debt intended to be created by this By-law.

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

1. The borrowing of \$110,820,000 for the purposes of the City set out in Schedule "A" and the issue of debentures therefor on the credit of the City is hereby authorized.
2. The Debentures shall be dated October 1, 2018, shall be payable as to principal and interest in lawful money of Canada, shall be initially issued in the form of one or more fully registered global debentures registered in the name of CDS & CO. as nominee of CDS Clearing and Depository Services Inc. ("CDS") and be held by it and shall be sealed and be signed as provided by the Municipal Act, 2001.
3. The Debentures shall mature in equal amounts of principal on October 1 in each of the years 2019 to 2033, both inclusive, shall bear interest at the rate per annum set out opposite each such year as set out in Schedule "B", such interest being payable semi-annually on April 1 and October 1 in each year of the currency of the Debentures and the respective amounts of principal and interest payable in each year shall be as set out in Schedule "B".
4. In limited circumstances global debentures shall be exchangeable, in whole but not in part, for certificated debentures in definitive fully registered form in denominations of \$1,000 and any integral multiples thereof upon

A By-law to authorize the issue of Debentures in the principal amount of \$110,820,000  
for the purposes of the City of Hamilton herein referred to

Page 2 of 2

- surrender of the global debentures to the Treasurer of the City. Definitive debentures shall have the same benefits and be subject to the same terms and conditions as the global debentures (except insofar as they specifically relate to the global debentures), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive debentures are to be registered. The definitive debentures shall be in fully registered form, payable as to principal at any branch in Canada of the bank designated therein with provision for payment of interest by cheque sent by post to the registered address of the registered holder or if authorized in writing by electronic transfer, and upon at least 30 days written notice to the Treasurer of the City may be exchanged at the office of the Treasurer of the City without charge by the City, for a debenture or debentures of the City of an equal aggregate principal amount in fully registered form in the denominations of \$1,000 and any integral multiple thereof, bearing the same rate of interest and maturing on the same date as, and carrying all unmatured interest obligations of the debenture or debentures so exchanged.
5. For the payment of the principal of and interest on the Debentures as and when the same respectively become due and payable there shall be levied and raised in each year of the currency of the Debentures by a special rate sufficient therefor over and above all other rates on the rateable property in the City, at the same time and in the same manner as other rates, the aggregate sums of principal and interest falling due on the Debentures in such year as set out in the last column of Schedule "B", provided that no greater rate shall be levied in any year for such purpose than is required after taking into account moneys available for such purpose from any other source.
  6. Schedules "A" and "B" attached hereto are hereby declared to be and to form part of this By-law.

**PASSED** this 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

**City of Hamilton  
Schedule "A" to By-law No. 18-**

<u>Project Name</u>	<u>Debentures to be Issued (\$)</u>	<u>Debentures Authorized (\$)</u>	<u>Debentures Issued to Date (\$)</u>	<u>Term of Years</u>	<u>Staff Report</u>	<u>By-Law Number Authorizing Work</u>	
<b><u>Other</u></b>							
8201203610	Commercial Prop Improve Grant	280,000.00	280,000.00	0	15	FCS11111	11-319
4241006001	Waterfront Trust Projects	1,861,058.24	2,000,000.00	0	15	FCS09114	09-265
4241306301	Waterfront Trust Projects	629,035.52	1,000,000.00	0	15	FCS12096	12-293
4030720250	Dofasco Ingot Truck Route road rehab	1,080,000.00	1,080,000.00	0	15	FCS08112	08-308
		<b>3,850,093.76</b>					
<b><u>Corporate Facilities</u></b>							
3541441401	POA Administration Offices	29,399,547.04	35,388,000.00	0	15	FCS18024	18-080
3500941906	IS Construct a Disaster Recovery Facility	880,000.00	880,000.00	0	15	FCS09114	09-265
		<b>30,279,547.04</b>					
<b><u>Fire and Paramedic</u></b>							
7641341305	Paramedic Operations Centre Renovations -Station 30	69,150.00	70,000.00	0	15	FCS12096	12-293
		<b>69,150.00</b>					
<b><u>Culture and Rec</u></b>							
7101141700	Green Acres Outdoor Pool Refurbishment	2,392,331.00	2,392,331.00	0	15	FCS11111	11-319
7101458401	Birge Outdoor Pool Redevelop	1,725,000.00	1,725,000.00	0	15	FCS13096	13-326
		<b>4,117,331.00</b>					
<b><u>Storm</u></b>							
5181270240	Burlington - Birch to MTO limits	399,000.00	399,000.00	0	15	FCS11100	11-319
5180972292	SERG - Kenilworth Avenue Underpass Flooding Storm Relief	2,086,824.00	2,110,000.00	0	15	FCS12076	12-293
5181172295	SERG - LEEDS Implementation	6,791,437.00	8,050,000.00	0	15	FCS11009	11-041
5180955950	SERG-LEED Study-Design	802,724.88	1,300,000.00	0	15	FCS09102	09-265
5181260215	SERG - Battlefield Creek Tributary Erosion Control	44,691.69	100,000.00	0	15	FCS14031	14-123
5181360311	SERG - Fessenden - Daisy - Magnolia to Sir Allan MacNab Pond	2,227,779.60	2,290,000.00	0	15	FCS12076	12-293
5180662640	QEW Beach Blvd Flood Protect	2,248,352.61	2,400,000.00	0	15	PW06118(a)	11-282
5181370000	Annual Co-Or Road Work 2013	902,578.00	990,000.00	0	15	FCS12076	12-293
5181472290	Storm Sewer Upgrades 2014 (Centennial - King to Arrowsmith & Queen	72,315.00	100,000.00	0	15	FCS13082	13-326
5181055075	Watershed Coord & Stewardship	365,784.70	440,000.00	0	15	FCS12076	12-293
		<b>15,941,487.48</b>					
<b><u>Rate DC's</u></b>							
5181417152	Roadside Drainage Improvements- 2014	950,000.00	950,000.00	0	15	FCS13082	13-326
5181317152	Roadside Drainage Improvements- 2013	950,000.00	950,000.00	0	15	FCS12076	12-293
5141195152	Carlisle Elevated Storage & Additional Well	398,122.62	1,000,000.00	0	15	FCS12076	12-293
5160896855	Royal to Main-King San Upgrade	1,655,609.02	1,730,000.00	0	15	FCS11100	11-319
		<b>3,953,731.64</b>					
<b><u>Wastewater</u></b>							
5160168111	Ewen (McMaster) CSO Tank	6,641,896.00	7,510,000.00	868,104.00	15	FCS07098/ FCS05124	05-380 07-361
5160966911	ISF-660-Biogas Digester	348,000.00	12,048,000.00	11,700,000.00	15	FCS13082	13-326
5161761241	Eastn Interc Rehab-SSR Frtland	4,619,118.54	4,620,000.00	0	15	FCS16079	16-311
5161760522	Annual Sewer Lateral Manag-WWC	3,000,000.00	3,000,000.00	0	15	FCS16079	16-311
5161668851	Pier 25 Dredging Windermere	163,887.56	3,074,000.00	0	15	FCS15073	15-300
		<b>14,772,902.10</b>					
<b><u>Water</u></b>							
5141060071	Annual Rehabilitation	69,352.00	100,000.00	0	15	FCS14031	14-123
5141366713	Annual Water Maintenance	1,130,000.00	1,200,000.00	0	15	FCS12076	12-293
5141563545	New Valve Chamber - HD05A	11,716.00	120,000.00	0	15	FCS15002	15-032
5141195151	HD007 Highland PS	410,032.85	750,000.00	0	15	FCS12076	12-293
5141167751	Outstations - Asset Management	3,983,595.00	5,000,000.00	0	15	FCS11009	11-041
5140967751	Water Outstns-Asset Management	4,772,905.71	5,200,000.00	0	15	FCS08108	08-308
5140666501	WTP-Annual Low Lift Station	501,604.00	626,240.00	0	15	FCS06114	06-349
5141367752	WW Outstation Inspection - AM	95,000.00	95,000.00	0	15	FCS14031	14-123
		<b>10,974,205.56</b>					
<b><u>Waste</u></b>							
5120792000	Closed Landfill Maint&Cap Impr	1,298,921.47	4,712,065.00	3,309,744.23	15	FCS07081	07-259
5121551002	Collect trucks liftgate instal	40,251.75	40,251.75	0	15	FCS15011	15-055
5121549004	WC Office-Training Rm	17,083.00	20,000.00	0	15	FCS15011	15-055
5121590200	Diversion Container Replcmnt	241,525.00	500,000.00	0	15	FCS15011	15-055
5121594000	Transf Stn CRC Main Improv	390,000.00	390,000.00	0	15	FCS15011	15-055
5121490200	Diversion Container Replace	696,000.00	696,000.00	0	15	FCS13096	13-326
5121655137	Waste Management R&D	136,700.00	190,000.00	0	15	FCS15088	16-016
5121593000	Resource Recovery Centre	71,100.00	100,000.00	0	15	FCS15011	15-055
5121494002	Transfer Stn Door Replace	374,293.76	500,000.00	0	15	FCS15011/ FCS15088	15-055 16-016
5121493000	Resource Recovery Centre Imp	42,500.00	55,000.00	0	15	FCS13096	13-326
5121694000	Transfer Stns Improvements	130,600.00	140,000.00	0	15	FCS15088	16-016
5121794700	Weighscale Software Upgrade	128,692.05	130,000.00	0	15	FCS16089	17-065
		<b>3,567,667.03</b>					



City of Hamilton  
Schedule "A" to By-law No. 18-

	<u>Project Name</u>	<u>Debentures to be</u>	<u>Debentures</u>	<u>Debentures Issued</u>	<u>Term of</u>	<u>Staff Report</u>	<u>By-Law Number</u>
		<u>Issued (\$)</u>	<u>Authorized (\$)</u>	<u>to Date (\$)</u>	<u>Years</u>	<u>Authorizing Work</u>	
<b>Roads</b>							
4031380388	Rymal - Dartnall to Fletcher	12,038,330.73	16,400,000.00	0	15	FCS13096/ Council Motion 10.1 Sept	13-326 14-303
4031118127	Bridge 315 - Claremont	37,353.87	65,000.00	0	15	FCS16089	17-065
4031520110	Traffic Signal Improvement	139,714.82	950,000.00	0	15	FCS15011	15-055
4031320250	Kenilworth - Merchison to Burl	1,165,000.00	1,165,000.00	0	15	FCS12096	12-293
4031318324	Bridge 087 Mountain Park	191,340.00	191,340.00	0	15	FCS12096	12-293
4031220110	Traffic Signal Improvement	34,000.00	34,000.00	0	15	FCS14031	14-123
4031320110	Traffic Signal Improvement	51,000.00	51,000.00	0	15	FCS14031	14-123
4031011015	Annual Resurfacing 2010	2,670,687.00	8,270,000.00	0	15	FCS09114	09-265
4031120122	Sherman Access Lane Control	50,000.00	50,000.00	0	15	FCS11011(a)	11-081
4031118001	Annual Bridge & Culvert 2011	1,630,000.00	1,950,000.00	0	15	FCS11011(a)	11-081
4041311350	Downtown Alleyways	99,357.96	100,000.00	0	15	FCS14031	14-123
4031319102	Council Priority Road Reconstruction	257,310.73	420,000.00	0	15	FCS12096	12-293
4041510016	Annual Street lighting	544,897.78	1,140,000.00	0	15	FCS15011	15-055
4041610016	Street lighting enhancement	904,756.06	1,900,000.00	0	15	FCS15088	16-016
4031019001	Up Well-Stone Church to Rymal	1,413,000.00	1,430,000.00	0	15	PW10029(a)	10-107
4041514015	RR 56 Urban - Traffic Signals	436,382.44	740,000.00	0	15	FCS15011	15-055
		<b>21,663,131.39</b>					
<b>Parks</b>							
4400956653	Battlefield Park Redevelop	1,477,021.00	1,480,000.00	0	15	FCS09114	09-265
4401256912	Kerns Road-Waterdown S Link	12,000.00	12,000.00	0	15	FCS12096	12-293
4401056020	Village Green Park	141,732.00	147,000.00	0	15	FCS11111/ FCS13096	11-319 13-326
		<b>1,630,753.00</b>					
<b>Total</b>		<b>110,820,000.00</b>	<b>154,936,227.75</b>				

CITY OF HAMILTON

SCHEDULE "B" TO BY-LAW NO. 18-

Maturity Year	Interest Rate (%)	Principal (\$) October 1	Interest (\$) April 1	Interest (\$) October 1	Total Annual Payment (\$)
2019	2.30	7,388,000.00	1,684,464.00	1,684,464.00	10,756,928.00
2020	2.50	7,388,000.00	1,599,502.00	1,599,502.00	10,587,004.00
2021	2.65	7,388,000.00	1,507,152.00	1,507,152.00	10,402,304.00
2022	2.80	7,388,000.00	1,409,261.00	1,409,261.00	10,206,522.00
2023	2.90	7,388,000.00	1,305,829.00	1,305,829.00	9,999,658.00
2024	3.00	7,388,000.00	1,198,703.00	1,198,703.00	9,785,406.00
2025	3.05	7,388,000.00	1,087,883.00	1,087,883.00	9,563,766.00
2026	3.15	7,388,000.00	975,216.00	975,216.00	9,338,432.00
2027	3.20	7,388,000.00	858,855.00	858,855.00	9,105,710.00
2028	3.25	7,388,000.00	740,647.00	740,647.00	8,869,294.00
2029	3.30	7,388,000.00	620,592.00	620,592.00	8,629,184.00
2030	3.35	7,388,000.00	498,690.00	498,690.00	8,385,380.00
2031	3.35	7,388,000.00	374,941.00	374,941.00	8,137,882.00
2032	3.40	7,388,000.00	251,192.00	251,192.00	7,890,384.00
2033	3.40	<u>7,388,000.00</u>	<u>125,596.00</u>	<u>125,596.00</u>	<u>7,639,192.00</u>
TOTAL		<u>110,820,000.00</u>	<u>14,238,523.00</u>	<u>14,238,523.00</u>	<u>139,297,046.00</u>

**Authority:** Item 14, Committee of the Whole  
Report 01-003 (FCS01007)  
CM: February 6, 2001  
Wards: 1,2,3,7,9

**Bill No. 287**

## CITY OF HAMILTON

### BY-LAW NO. 18-

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

**WHEREAS** *Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*,

**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

**AND WHEREAS** it is necessary to amend By-law No. 01-218, as amended.

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

1. By-law No. 01-218, as amended, is hereby further amended by adding/deleting from the identified Schedules and Sections noted in the table below as follows:

Schedule	Section	Highway	Side	Location	Duration	Times	Days	Adding/ Deleting
6 – Time Limit	E	Gage	West	Main to Maplewood	3 hr	8 am - 6 pm	Mon - Sat	Deleting
6 – Time Limit	E	Gage Av.	West	from 65.2m south of Maplewood Av. to 20.4m southerly	30 min	Anytime	Anyday	Deleting

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

Page 2 of 9

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
<i>8 – No Parking</i>	<i>E</i>	Markland	South	James to Queen	Anytime	Deleting
<i>8 – No Parking</i>	<i>E</i>	Rennie St.	North	82m east of Waterloo St. to 25m easterly	Anytime	Adding
<i>8 – No Parking</i>	<i>A</i>	Valleyview Dr.	West	Wilson St. to Northerly End	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Gage Ave. S.	West	from 65.2m south of Maplewood Ave. and extending 6m southerly.	Anytime	Deleting
<i>8 – No Parking</i>	<i>E</i>	Gage Av.	West	Maplewood Av. to 65.2m southerly	Anytime	Deleting
<i>8 – No Parking</i>	<i>E</i>	Gage	Both	Cumberland to Lawrence	Anytime	Deleting
<i>8 – No Parking</i>	<i>E</i>	Gage	Both	Industrial to Beach	Anytime	Deleting
<i>8 – No Parking</i>	<i>E</i>	Gage	East	Main to Maplewood	Anytime	Deleting
<i>8 – No Parking</i>	<i>E</i>	Gage	East	Beach to Barton	Anytime	Deleting
<i>8 – No Parking</i>	<i>E</i>	Gage	West	from 126.6m south of Beach to Barton	Anytime	Deleting
<i>8 – No Parking</i>	<i>E</i>	Gage	East	Maplewood to Cumberland	Monday to Friday	Deleting
<i>8 – No Parking</i>	<i>E</i>	Gage Ave.	West	Lawrence Rd. to 48m south of Cumberland Ave.	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Gage Ave.	East	Lawrence Rd. to 49m south of Cumberland Ave.	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Gage Ave.	East	30m north of Cumberland Ave. to 103m northerly	Anytime	Adding

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

Page 3 of 9

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
<i>8 – No Parking</i>	E	Gage Ave.	East	132m north of Cumberland Ave. to 34m south of Maplewood Ave.	Anytime	Adding
<i>8 – No Parking</i>	G	Gage Ave.	West	56m north of Cumberland Ave. to 10m northerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	West	Maplewood Ave. to 64m southerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	East	37m north of Maplewood Ave. to 94m northerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	East	29m north of Main St East to 35m northerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	West	32m north of Main St. East. to Dunsmure Rd.	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	West	Dunsmure Rd. to 165m southerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	West	25m north of King St. East to 105m northerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	West	25m north of Canon St to 30m northerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	East	Highland Ave. to 63m northerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	East	Mayflower Ave. to 40m southerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	East	Mayflower Ave. to 46m northerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	East	Primrose Ave. to 48m northerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	East	54m north of Primrose Ave to 57m northerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	East	25m north of Beechwood Ave. to 89m northerly	Anytime	Adding

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

Page 4 of 9

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
<i>8 – No Parking</i>	E	Gage Ave.	East	Barton St. East to 120m north of Mons Ave.	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	East	Beach Rd. to 138m southerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	West	Lloyd St to 65m southerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	West	35m north of Lloyd St. to 83m northerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	East	Gertrude St. to 60m southerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	West	Whitfield Ave. to 60m northerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	West	258m north of Whitfield Ave. to 29m northerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	East	65m north of Gertrude St. to 63m northerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	East	Industrial Dr. to 123m southerly	Anytime	Adding
<i>8 – No Parking</i>	E	Gage Ave.	West	Industrial Dr. to 132m southerly	Anytime	Adding

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
12 – Permit	<i>E</i>	Mary	East	From 36.8m south of Robert to 7.5m southerly	Anytime	Deleting
12 – Permit	<i>E</i>	Fairfield Ave.	West	27m north of Roxborough Ave. to 6m northerly	Anytime	Adding
12 – Permit	E	Murray St.	South	40m west of James St. to 6m westerly	Anytime	Adding

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

Page 5 of 9

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
12 – Permit	E	Oak Ave.	West	67m south of Barton St. to 6m southerly	Anytime	Adding
12 – Permit	E	Oak Ave.	East	50m south of Barton St. to 6m southerly	Anytime	Adding
12 – Permit	<i>E</i>	Graham Ave. S		62m north of Maple Ave. to 6m northerly	Anytime	Adding

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
13 – No Stopping	<i>E</i>	Markland St.	South	James St. to Queen St.	Anytime	Adding
13 – No Stopping	<i>E</i>	Gage	East	Dunsmure to 18.3m southerly	Anytime	Deleting
13 – No Stopping	<i>E</i>	Gage	East	Cannon to Lawrence	7:00 a.m. to 9:00 a.m. Monday to Friday	Deleting
13 – No Stopping	<i>E</i>	Gage	East	Industrial to Burlington	4:00 p.m. to 6:00 p.m. Monday to Friday	Deleting
13 – No Stopping	<i>E</i>	Gage	East	Barton to Burlington	7:00 a.m. to 9:00 a.m. Monday to Friday	Deleting
13 – No Stopping	<i>E</i>	Gage	West	Dunsmure to 18.7m northerly	Anytime	Deleting
13 – No Stopping	<i>E</i>	Gage	West	Lloyd to 22m northerly	Anytime	Deleting
13 – No Stopping	<i>E</i>	Gage	West	Cannon to Main	4:00 p.m. to 6:00 p.m. Monday to Friday	Deleting
13 – No Stopping	E	Gage Ave.	West	Burlington St. to Beach Rd.	4:00 p.m. to 6:00 p.m. Monday to Friday	Deleting

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

Page 6 of 9

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
13 – No Stopping	E	Gage Ave.	West	190m south of Beach Rd. to Barton St.	4:00 p.m. to 6:00 p.m. Monday to Friday	Deleting
13 – No Stopping	E	Gage Ave.	West	Cumberland Ave. to 48m southerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	Cumberland Ave. to 49m southerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	Cumberland Ave. to 51m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	Cumberland Ave. to 30m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	147m north of Cumberland Ave. to 56m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	34m south of Maplewood Ave. to 85m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	Maplewood Ave. to 30m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	Main St. E. to 58m southerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	Main St. E. to 38m southerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	Main St. E. to 32m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	Main St. E. to 29m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	Dunsmure Rd. to 20m southerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	Dunsmure Rd. to 18m northerly	Anytime	Adding



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

Page 7 of 9

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
13 – No Stopping	E	Gage Ave.	West	King St. East to 65m southerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	King St. East to 65m southerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	King St. East to 32m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	King St. East to 25m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	Highland Ave. to 8m southerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	Cannon St. East to 26m southerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	Cannon St. East to 26m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	Cannon St. East to 20m southerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	Cannon St. East to 25m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	Primrose Ave. to 19m southerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	128m north of Cannon St. East to 23m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	Beechwood Ave. to 31m southerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	Beechwood Ave. to 20m southerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	Beechwood Ave. to 15m northerly	Anytime	Adding

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

Page 8 of 9

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
13 – No Stopping	E	Gage Ave.	West	Barton St. East to 50m southerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	Beechwood Ave. to 25m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	Barton St. East to 34m southerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	120m north of Mons Ave. to 61m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	Barton St. East to 59m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	Lloyd St. to 35m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	134m south of Beach Rd. to 53m southerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	Beach Ave. to Whitfield Ave.	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	Beach Rd. to 38m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	60m north of Whitfield Ave. to 55m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	Burlington St. to 130m southerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	Gertrude St. to 66m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	128m north of Gertrude St. to Burlington St.	Anytime	Adding
13 – No Stopping	E	Gage Ave.	East	Burlington St. to 90m northerly	Anytime	Adding
13 – No Stopping	E	Gage Ave.	West	Burlington St. to 80m northerly	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 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

**Authority:** Item 7, Planning Committee  
Report: 18-013 (PED18196)  
CM: September 12, 2018  
Ward: 2

**Bill No. 288**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**To Adopt:**

**Official Plan Amendment No. 115 to the  
Urban Hamilton Official Plan**

Respecting:

**49 Walnut Street South  
(Hamilton)**

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

1. Amendment No. 115 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

## **Urban Hamilton Official Plan Amendment No. 115**

The following text, together with Appendix “A” – Volume 2, Map B.6.1-1 – Downtown Hamilton Secondary Plan – Land Use Plan, constitutes Official Plan Amendment No. 115 to the Urban Hamilton Official Plan.

### **1.0 Purpose and Effect:**

The purpose and effect of this Amendment is to amend the Downtown Hamilton Secondary Plan to permit ground floor commercial uses and a commercial parking facility on the subject lands as part of a larger redevelopment.

### **2.0 Location:**

The lands affected by this Amendment are known municipally as 49 Walnut Street South, in the former City of Hamilton.

### **3.0 Basis:**

The basis for permitting this Amendment is:

- The proposal implements the Council approved Downtown Hamilton Secondary Plan, which designates the lands “Downtown Mixed Use”.
- 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 2 – Secondary Plans

##### *Maps*

##### 4.1.1 Map

- a. That Volume 2, Map B.6.1-1 – Downtown Hamilton Secondary Plan – Land Use Plan be amended by redesignating the subject lands from “Medium Density Residential” to “Central Business District”, as shown on Appendix “A”, attached to this Amendment for 49 Walnut Street South.

#### 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.18-288 passed on the 26<sup>th</sup> day of September, 2018.

**The  
City of Hamilton**


---

F. Eisenberger  
MAYOR

---

J. Pilon  
ACTING CITY CLERK

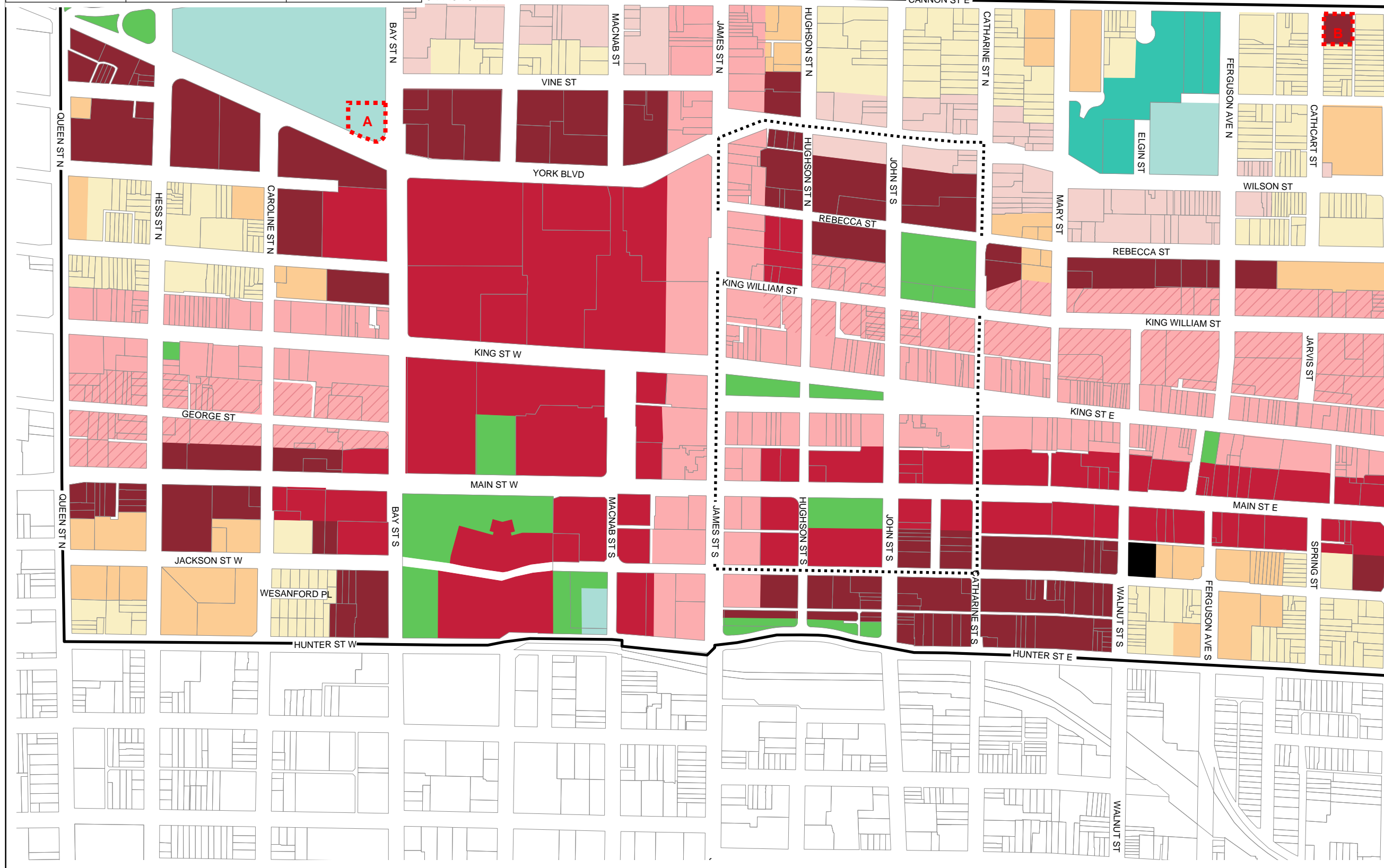
Appendix A  
 APPROVED Amendment No. 115  
 to the Urban Hamilton Official Plan

 Lands to be redesignated from "Medium Density Residential" to "Central Business District"  
 (49 Walnut Street South, Hamilton)

Date:  
 Sept. 12, 2018



Revised By:  
 DB/NB

Reference File No.:  
 OPA-U-115(H)








**Legend**



**Residential Designations**

-  Low Density Residential
-  Medium Density Residential

**Commercial and Mixed Use Designations**

-  Local Commercial
-  Specialty Commercial
-  Prime Retail Streets
-  Central Business District
-  Mixed Use

**Parks and Opens Space Designations**

-  Community Park
-  General Open Space

**Other Designations**

-  Institutional

**Other Features**

-  Area or Site Specific Policy
-  Development Permit Area Boundary
-  Secondary Plan Boundary

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

**Urban Hamilton Official Plan**  
**Downtown Hamilton**  
**Secondary Plan**  
 Land Use Plan  
 Map B.6.1-1



Not To Scale



Date: Dec. 1, 2015

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Teranel Land Information Services Inc. and its licensors. [2009]  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN  
 OF SURVEY

**Authority:** Item 7, Planning Committee  
Report 18-013 (PED18196)  
CM: September 12, 2018  
Ward: 2

**Bill No. 289**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-289**

#### **To Amend Zoning By-law No. 05-200 Respecting Lands Located at 154 Main Street East and 49 Walnut Street South**

**WHEREAS** Council approved Item 7 of Report 18-013 of the Planning Committee, at the meeting held on September 12, 2018;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment No. 115.

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

1. That Maps 952 and 953 of Schedule "A" - Zoning Maps of By-law No. 05-200 be amended by changing the zoning from the Downtown Mixed Use Residential Commercial Office (D3) Zone and Downtown Multiple Residential (D6) Zone to the Downtown Central Business District (D1, 702, H107) Zone, for 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 "C" Special Exceptions of By-law No.05-200 be amended by adding an additional special exception as follows:

"702. Within the lands zoned Downtown Central Business District (D1, 702, H107) Zone, identified on Maps 952 and 953 of Schedule "A" Zoning Maps and described as 154 Main Street East and 49 Walnut Street South the following special provisions shall apply:

a) Notwithstanding Sections 5.2 b), 5.7 c) and e), 6.1.2 and 6.1.3 a) ii) and b) ii) the following special provisions shall also apply:

b) **PROHIBITED USES**

Notwithstanding Section 6.1.1, the following uses are prohibited, even as an accessory use:

Drive-Through Facility  
Dry Cleaning Plant  
Printing Establishment  
Private Club or Lodge  
Studio



c) REGULATIONS

- |   |   |
|---|---|
| a) Maximum Building Setback from a Street Line (Podium)       | ii) 1 metre for the second and third storeys.   |
| b) Building Height  | ii) Maximum 80.0 metres.  |
| c) Minimum Building Stepback above the 7 <sup>th</sup> Storey | i) 3.0 metres from Main Street East building base façade height, 2.2 metres from the Walnut Street South building base façade height, 44.6 metres from the Jackson Street East base façade height, and 3.0 metres from the easterly side building base façade height.   |
| e) Parking  | No parking space shall be less than 2.7 metres in width by 6.0 metres in length.  |
| f) Bicycle Parking (Long Term)                                | Bicycle Parking for a Multiple Dwelling within a mixed use building shall be provided on the basis of:<br><br>i) 0.0 Bicycle Parking spaces for the first 4 dwelling units.<br><br>ii) 0.5 Bicycle Parking spaces per dwelling unit above 4 dwelling units.<br><br>Bicycle parking for a commercial use shall be provided on the basis of:<br><br>iii) 0 where less than 450.0 square metres of gross floor area; |

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 154 Main Street East and 49 Walnut Street South  
Owned By 1970703 Ontario Inc.**

Page 3 of 5

- iv) 2 per unit for those uses between 450.0 square metres and 1,000 square metres of gross floor area;
    - v) 5 per unit for those uses between 1,001.0 square metres and 10,000.0 square metres of gross floor area; and,
    - vi) 7 per unit for those uses in excess of 10,001.0 square metres of gross floor area.
  - g) Bicycle Parking (Short Term)
    - i) 12 short term bicycle parking spaces for all uses.
- 3. That Schedule D – Holding Provisions, of By-law No. 05-200, be amended by adding the additional Holding Provision as follows:

For the lands zoned “Downtown Central Business District (D1, 702) Zone, on Maps 952 and 953 of Schedule A – Zoning Maps, and described as 154 Main Street East and 49 Walnut Street South (Hamilton), the H Symbol applicable to the lands referred to in Section 1 of this By-law shall prohibit development of the lands and shall be removed condition upon:

  - (a) The Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MECP). 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 MECP, and submission of the City of Hamilton’s current RSC administration fee; and,
  - (b) The Owner purchase the alleyway required to implement the proposed development and merge the lands on title with the balance of the lands, to the satisfaction of the Director of Planning and Chief Planner.
- 4. That Schedule F” – Figure 1 of By-law 05-200 be amended by identifying the lands shown in Schedule “A” with a maximum height of 80 metres.
- 5. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of the By-law, in accordance with the Planning Act.

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 154 Main Street East and 49 Walnut Street South  
Owned By 1970703 Ontario Inc.**

Page 4 of 5

6. That this By-law No. 18-289 shall come into force and be deemed to come into force in accordance with Sub-section 34(21) of the Planning Act, either upon the date of passage of this By-law or as otherwise provided by the said Sub-section.

**PASSED** this 26<sup>th</sup> day of September, 2018

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

UHOPA-18-018 and ZAR-17-074

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 154 Main Street East and 49 Walnut Street South  
Owned By 1970703 Ontario Inc.**



This is Schedule "A" to By-law No. 18-  Passed the ..... day of ....., 2018	----- Mayor  ----- Clerk
---	--------------------------------------

<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. 05-200 Maps 953 &amp; 995</p>	<p><b>Subject Property</b> 154 Main Street East &amp; 49 Walnut Street South</p> <p> Change in Zoning from the Downtown Mixed (D3) Zone and Downtown Multiple Residential (D6) Zone to the Downtown Central Business District (D1, 702, H107) Zone Holding</p>
--	--

Scale: N.T.S.	File Name/Number: ZAR-17-074/UHOPA-18-018	Hamilton
Date: July 26, 2017	Planner/Technician: DB/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

**Authority:** Item 13, Planning Committee  
Report: 18-014 (PED18197)  
CM: September 26, 2018  
Ward: 11

**Bill No. 290**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**To Adopt:**

**Official Plan Amendment No. 117 to the  
Urban Hamilton Official Plan**

Respecting:

**3331 Homestead Drive  
(Glanbrook)**

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

1. Amendment No. 117 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

## Urban Hamilton Official Plan Amendment No. 117

The following text, together with Appendix “A” – Volume 2, Map B.5.4-1 – Mount Hope Secondary Plan – Land Use Plan, attached hereto, constitutes Official Plan Amendment No. 117 to the Urban Hamilton Official Plan.

### 1.0 Purpose and Effect:

The purpose and effect of this Amendment is to amend the Mount Hope Secondary Plan to permit the development of four single detached dwellings on the subject lands.

### 2.0 Location:

The lands affected by this Amendment are known municipally as 3331 Homestead Drive, in the former Township of Glanbrook.

### 3.0 Basis:

The basis for permitting this Amendment is:

- The proposed amendment is in keeping with the policies of the Urban Hamilton Official Plan and Mount Hope Secondary Plan to provide a diversity of housing opportunities that are suitable for different segments of the population.
- The proposed development is considered to be consistent with, and complementary to, the planned and existing 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 2 – Secondary Plan

*Text*

4.1.1 Chapter B.5 – Glanbrook Secondary Plans – Section B.5.4 – Mount Hope Secondary Plan

- a. That Volume 2, Chapter B.5 – Glanbrook Secondary Plans, Section B.5.4 – Mount Hope Secondary Plan be amended by adding Site Specific Policy – Area I to the subject lands, as follows:

**“Site Specific Policy – Area I**

B.5.4.11.9 Notwithstanding Sections E.4.6 and E.4.7 of Volume 1, Sections B.5.4.4.1 and B.5.4.4.2 of Volume 2, and Policy B.5.4.11.4 of Volume 2, for lands located at 3331 Homestead Drive and identified as “Site Specific Policy – Area I”, four new single detached dwellings shall be permitted, in accordance with Policy B.5.4.2.2 a) of Volume 2.”

*Maps*

4.1.2 Volume 2, Map B.5.4-1 – Mount Hope Secondary Plan – Land Use Plan

- a. That Volume 2, Map B.5.4-1 – Mount Hope Secondary Plan – Land Use Plan be amended by identifying the subject lands as Site Specific Policy – Area I, as shown on Appendix “A”, attached to this Amendment.

**5.0 Implementation:**

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

This Official Plan Amendment is Schedule “1” to By-law No. 18-290 passed on the 26<sup>th</sup> day of September, 2018.

**The  
City of Hamilton**

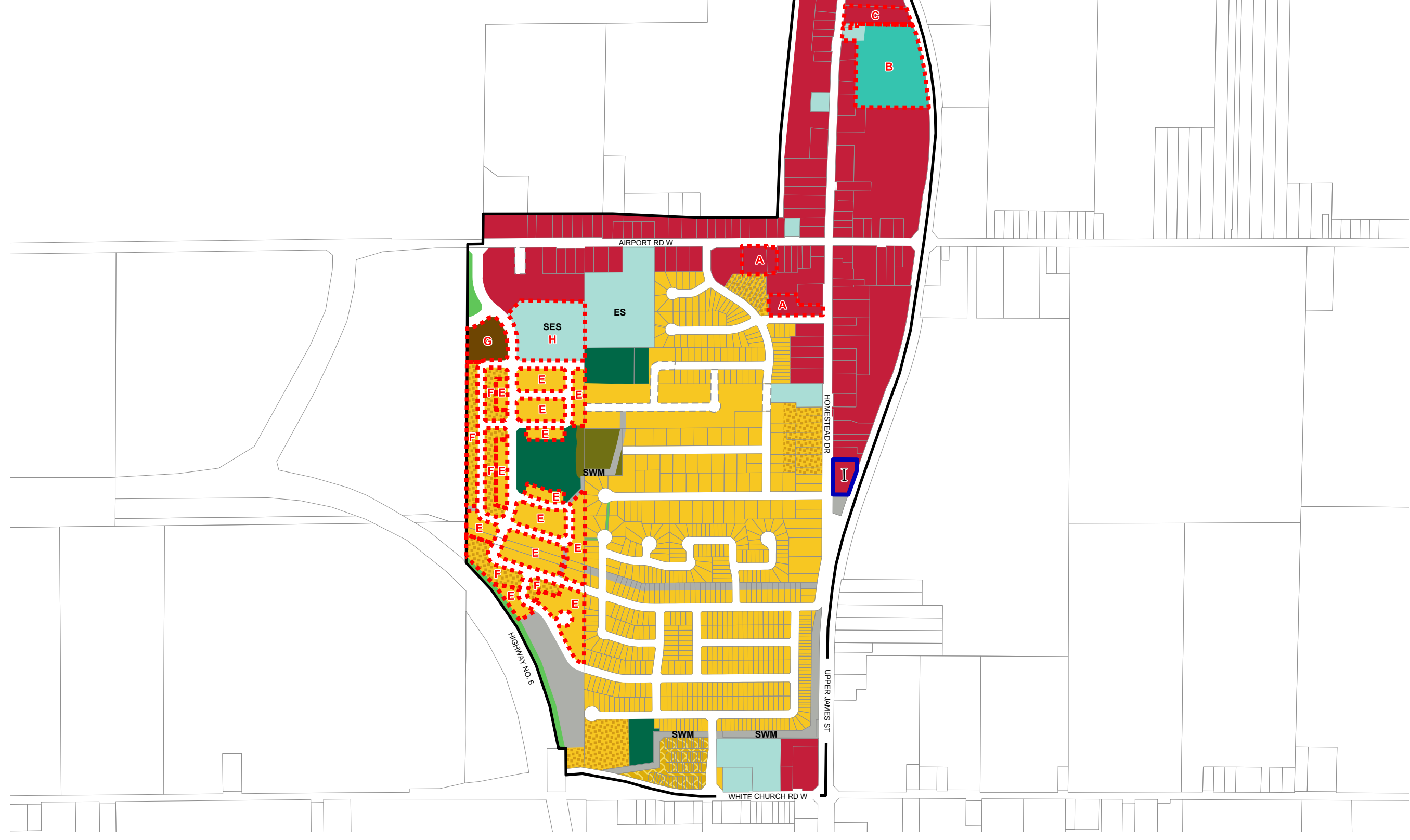
\_\_\_\_\_  
F. Eisenberger  
MAYOR

\_\_\_\_\_  
J. Pilon  
ACTING CITY CLERK

Appendix A  
Amendment No. 117  
to the Urban Hamilton Official Plan

**I** Lands to be identified as Site Specific Policy Area "I"  
(3331 Homestead Drive)

Date: Sept. 20, 2018	Revised By: JR/AL	Reference File No.: OPA-U-117(G)
-------------------------	----------------------	-------------------------------------



**Legend**

**Residential Designations**

- Low Density Residential 2
- Low Density Residential 2c
- Low Density Residential 3f
- Medium Density Residential 3

**Parks and Open Space Designations**

- Neighbourhood Park
- Community Park
- General Open Space
- Natural Open Space

**Other Designations**

- Institutional
- District Commercial
- ES** Elementary School
- SES** Separate Elementary School
- Utility
- SWM** Storm Water Management

**Other Features**

- Area or Site Specific Policy
- Proposed Roads
- Secondary Plan Boundary

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

**Urban Hamilton Official Plan**  
**Mount Hope**  
**Secondary Plan**  
Land Use Plan  
Map B.5.4-1





**Authority:** Item 13, Planning Committee  
Report 18-014 (PED18197)  
CM: September 26, 2018  
Ward: 11

**Bill No. 291**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands Located at 3331 Homestead Drive (Glanbrook)**

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. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS the Council of the City of Hamilton, in adopting Section 13 of Report 18-014 of the Planning Committee at its meeting held on the 4th day of September 2018, recommended that Zoning By-law No. 464 (Glanbrook), be amended as hereinafter provided; and

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan and Rural Hamilton Official Plan, upon finalization of Official Plan Amendment No. 117;

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

1. That Schedule “F” – Mount Hope Urban Settlement Area Land Use Plan, appended to and forming part of By-law No. 464 (Glanbrook), be amended as follows:

To Amend Zoning By-law No. 464 (Glanbrook)  
Respecting Lands Located at 3331 Homestead Drive (Glanbrook)

- (a) by changing the zoning from General Commercial “H-C3-050” Zone, Modified with a Holding to the Residential “R3-311” Zone, Modified;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That Section 44, “Exceptions to the Provisions of the By-law”, as amended, of Zoning By-law No. 464, is hereby further amended by modifying the “R3-311” Zone provisions (a), (b), (d) and (f) as follows:

**R3-311**

- |      |     |                      |  |
|------|-----|----------------------|--|
| 15.2 | (a) | Minimum Lot Frontage | 20 metres  |
|      | (b) | Minimum Lot Area     | 950 square metres for Lots 1-3 and 810 square metres for Lot 4 |
|      | (d) | Minimum Front Yard   | 9 metres   |
|      | (f) | Minimum Rear Yard    | 22 metres  |

3. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential “R3” Zone provisions, subject to the special requirements as referred to in Section 2 of this By-law.
4. That for the purposes of this by-law, the front lot line is deemed to be Homestead Drive and no vehicular egress to Upper James Street shall be permitted.
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 26<sup>th</sup> day of September, 2018

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk


To Amend Zoning By-law No. 464 (Glanbrook)  
 Respecting Lands Located at 3331 Homestead Drive (Glanbrook)



This is Schedule "A" to By-law No. 18-  
 Passed the ..... day of ....., 2018

-----  
 Mayor  
 -----  
 Clerk

**Schedule "A"**  
 Map Forming Part of  
 By-law No. 18-\_\_\_\_\_  
 to Amend By-law No. 464

**Subject Property**  
 3331 Homestead Drive  
 To Permit a change in zoning from H-C3-050 (General Commercial "C3" Zone-Holding) to Residential (R3) Zone. Modified under the Change in zoning from H-C3-050 (General Commercial "C3" Zone- Holding) to Residential (R3-311) Zone, Modified.

Scale: N.T.S.	File Name/Number: ZAC-18-007
Date: Jan. 10, 2018	Planner/Technician: JR/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	



**Authority:** Item 8, Planning Committee  
Report: 18-013 (PED18195)  
CM: September 12, 2018  
Ward: 2

**Bill No. 292**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**To Adopt:**

**Official Plan Amendment No. 114 to the  
Urban Hamilton Official Plan**

Respecting:

**71 Rebecca Street  
(Hamilton)**

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

1. Amendment No. 114 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

## **Urban Hamilton Official Plan Amendment No. 114**

The following text, together with Appendix “A” – Volume 2: Map B.6.1-1 – Downtown Hamilton Secondary Plan – Land Use Plan attached hereto, constitutes Official Plan Amendment No. 114 to the Urban Hamilton Official Plan.

### **1.0 Purpose and Effect:**

The purpose and effect of this Amendment is to establish a Site Specific Policy Area to permit the construction of a thirty (30) storey mixed use building with a maximum density of 1,010 units per hectare.

### **2.0 Location:**

The lands affected by this Amendment are known municipally as 71 Rebecca Street, in the City of Hamilton.

### **3.0 Basis:**

The basis for permitting this Amendment is as follows:

- The proposal satisfies all characteristics and requirements of the Downtown Mixed Use policies, save and except the prescribed residential density range and building height.
- The proposal is compatible with the existing and planned development in the immediate area.
- The proposal implements the Residential Intensification policies of the Urban Hamilton Official Plan.
- 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 – Secondary Plans and Rural Settlement Areas

##### *Text*

##### 4.1.1 Chapter B.2.0 – Hamilton Secondary Plans, Section B.2.6 – Downtown Hamilton Secondary Plan

- a. That Volume 2: Chapter B.2.0 – Hamilton Secondary Plans, Section B.26 – Downtown Hamilton Secondary Plan, Subsection B.6.1.13 – Site Specific Policies be amended by adding a new Site Specific Policy – Area C, as follows:

##### **“Site Specific Policy – Area C**

B.6.1.13.3 For the lands located at 71 Rebecca Street, designated Mixed Use and identified as Site Specific Policy – Area C on Schedule B.6.1-1 – Downtown Hamilton Secondary Plan – Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy B.6.1.5.7 b) of Volume 2, a thirty (30) storey mixed use building with a maximum height of 97 m shall be permitted.
- b) Notwithstanding Policy E.3.5.7 of Volume 1 and Policy B.6.1.9.2 b) ii) of Volume 2, a mixed use building having a gross residential density of 1,010 units shall be permitted.
- c) Notwithstanding Policy C.4.5.6 of Volume 1 and Policy B.6.1.10.2 q) of Volume 2, where a woonerf road concept has been designed and completed, or secured through the necessary agreements, a road widening on Rebecca Street and John Street North shall not be required.”

## *Maps and Appendices*

### 4.1.2 Map

- a) That Volume 2: Map B.6.1-1 – Downtown Hamilton Secondary Plan – Land Use Plan be amended by identifying the lands known municipally as 71 Rebecca Street as Site Specific Policy – Area C, 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. 292 passed on the 26<sup>th</sup> day of September, 2018.

**The  
City of Hamilton**

---

F. Eisenberger  
MAYOR

---

J. Pilon  
ACTING CITY CLERK

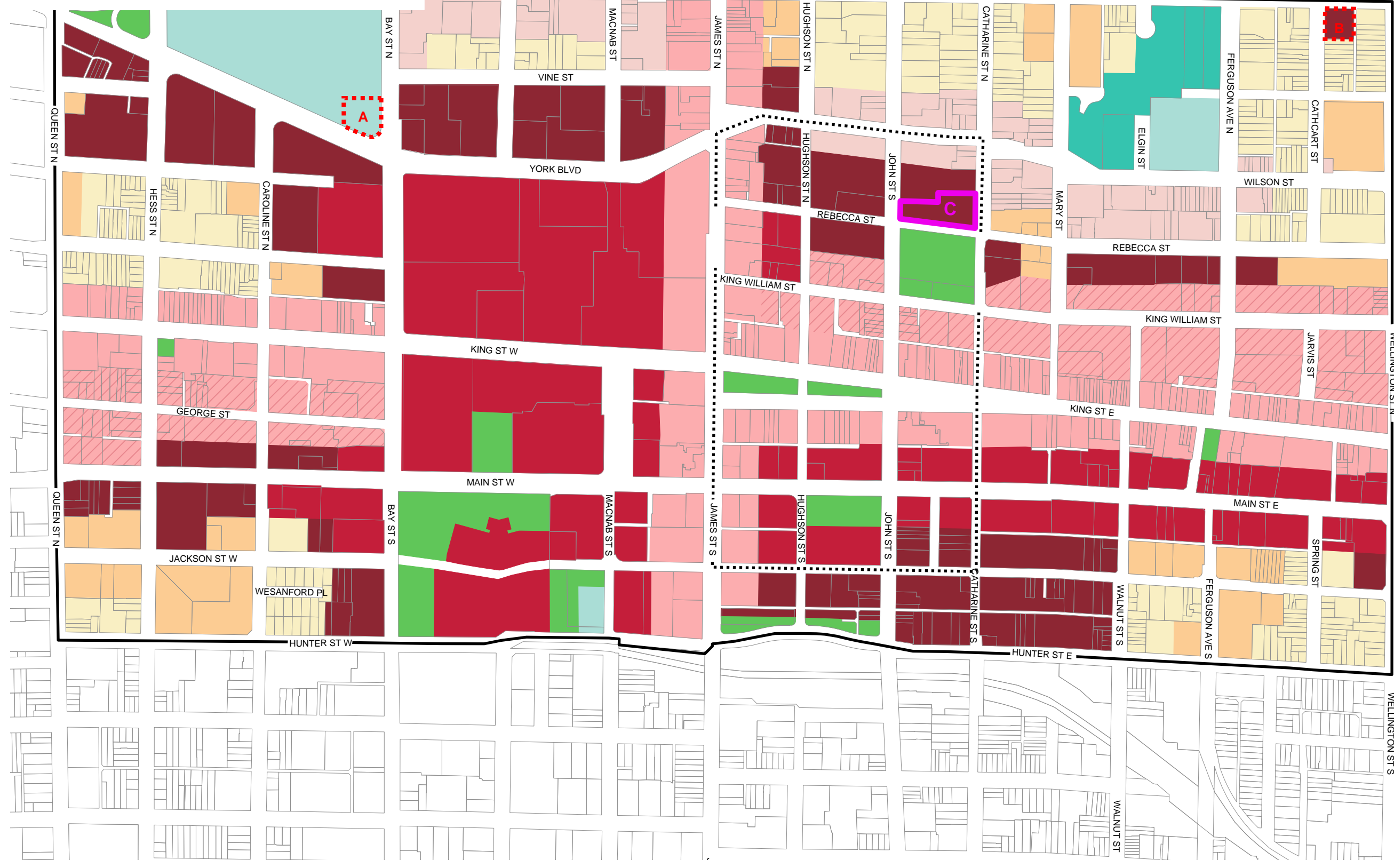
Appendix A  
 APPROVED Amendment No. 114  
 to the Urban Hamilton Official Plan

**C** Lands to be identified as  
 Site Specific Policy - Area C  
 (71 Rebecca Street, Hamilton)

Date:  
 Sept. 13, 2018

Revised By:  
 GZ/NB

Reference File No.:  
 OPA-U-114(H)



**Legend**

- Residential Designations**
- Low Density Residential
  - Medium Density Residential
- Commercial and Mixed Use Designations**
- Local Commercial
  - Specialty Commercial
  - Prime Retail Streets
  - Central Business District
  - Mixed Use
- Parks and Opens Space Designations**
- Community Park
  - General Open Space
- Other Designations**
- Institutional
- Other Features**
- Area or Site Specific Policy
  - Development Permit Area Boundary
  - Secondary Plan Boundary

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

**Urban Hamilton Official Plan**  
**Downtown Hamilton**  
**Secondary Plan**  
 Land Use Plan  
 Map B.6.1-1





To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 71 Rebecca Street (Hamilton)

Page 2 of 3

d) Parking

A 3.0 m wide planting strip between the street and car share parking spaces shall not be required.

Parking for a Multiple Dwelling within a mixed use building shall be provided on the basis of:

- i) 0.65 spaces per dwelling unit, except where a dwelling is 50 square metres in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 spaces per dwelling unit.

4. That the following additional Holding Provision be added to Schedule D – Holding Provisions to this By-law for the land described as 71 Rebecca Street:

For the lands zoned Downtown Central Business District (D1, 701, H105) Zone, on Map 953 of Schedule “A” – Zoning Maps and described as 71 Rebecca Street, the H Symbol applicable to the lands referred to in Section 1 of this By-law shall prohibit development of the lands and shall be removed conditional upon:

- i) That the Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). 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 MOECP, and submission of the City of Hamilton’s current RSC administration fee.

6. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

**PASSED** this 26<sup>th</sup> day of September, 2018.




---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

To Amend Zoning By-law No. 05-200  
 Respecting Lands Located at 71 Rebecca Street (Hamilton)

		This is Schedule "A" to By-law No. 18- Passed the ..... day of ....., 2018		_____ Mayor _____ Clerk
		<p align="center"><b>Schedule "A"</b></p> <p align="center">Map Forming Part of                  By-law No. 18-_____</p> <p align="center">to Amend By-law No. 05-200                  Map 953</p>		<p><b>Subject Property</b>                  71 Rebecca Street</p> <p> Change in Zoning from the Downtown Mixed Use (D3) Zone to Downtown Central Business District (D1, 701, H105) Zone</p>
Scale: N.T.S.	File Name/Number: ZAC-17-053 & UHOPA-17-023			
Date: July 12, 2018	Planner/Technician: GZ/NB			
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT				

**Authority:** Item 18, Planning Committee  
Report: 18-014 (PED18221)  
CM: September 26, 2018  
Ward: 9

**Bill No. 294**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**To Adopt:**

**Official Plan Amendment No. 116 to the  
Urban Hamilton Official Plan**

Respecting:

**928 Queenston Road  
(Stoney Creek)**

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

1. Amendment No. 116 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

## **Urban Hamilton Official Plan Amendment No. 116**

The following text, together with:

Appendix “A” – Volume 1, Schedule E-1 – Urban Land Use Designations

Appendix “B” – Volume 2, Map B.7.2-1 – Old Town Secondary Plan – Land Use Plan

attached hereto, constitutes Official Plan Amendment No. 116 to the Urban Hamilton Official Plan.

### **1.0 Purpose and Effect:**

The purpose and effect of this Amendment is to redesignate lands and add a Site Specific Policy to lands located in the Old Town Secondary Plan to permit a 14 storey residential development with ground floor commercial uses on the subject lands.

### **2.0 Location:**

The lands affected by this Amendment are known municipally as 928 Queenston Road, in the former City of Stoney Creek.

### **3.0 Basis:**

The basis for permitting this Amendment is:

- The proposed development supports the residential intensification policies of the Urban Hamilton Official Plan and assists in the creation of an active and vibrant pedestrian realm.
- The proposed development is compatible with the existing and planned development in the 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 1 – Parent Plan**

## *Schedules*

### 4.1.1 Schedule E-1 – Urban Land Use Designations

- a. That Volume 1, Schedule E-1 – Urban Land Use Designations be amended by redesignating the subject lands from “Mixed Use – Medium Density” to “Neighbourhoods”, as shown on Appendix “A” attached to this Amendment.

## 4.2 Volume 2 – Secondary Plans

### *Text*

### 4.2.1 Chapter B-7 – Stoney Creek Secondary Plans – Section B.7.2 – Old Town Secondary Plan

- a. That Volume 2, Chapter B-7 – Stoney Creek Secondary Plans, Section B.7.2 – Old Town Secondary Plan be amended by adding a new Site Specific Policy, as follows:

#### **“Site Specific Policy – Area H**

B.7.2.8.8 Notwithstanding Policy E.3.6.6 b) of Volume 1 and Policy B.7.2.2.4 a) of Volume 2, for lands located at 928 Queenston Road, Stoney Creek, designated High Density Residential 1, and identified as Site Specific Policy – Area “H” on Map B.7.2-1 – Old Town – Land Use Plan, the maximum net residential density shall be 290 units per hectare.”

### *Maps*

### 4.2.2 Map

- a. That Volume 2, Map B.7.2-1 – Old Town Secondary Plan – Land Use Plan be amended by:
  - i. redesignating the subject lands from “Mixed Use – Medium Density” to “High Density Residential 1”; and,
  - ii. identifying the subject lands as Site Specific Policy – Area “H”,

as shown on Appendix “B”, 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. 18-294 passed on the 26<sup>th</sup> day of September, 2018.

**The  
City of Hamilton**

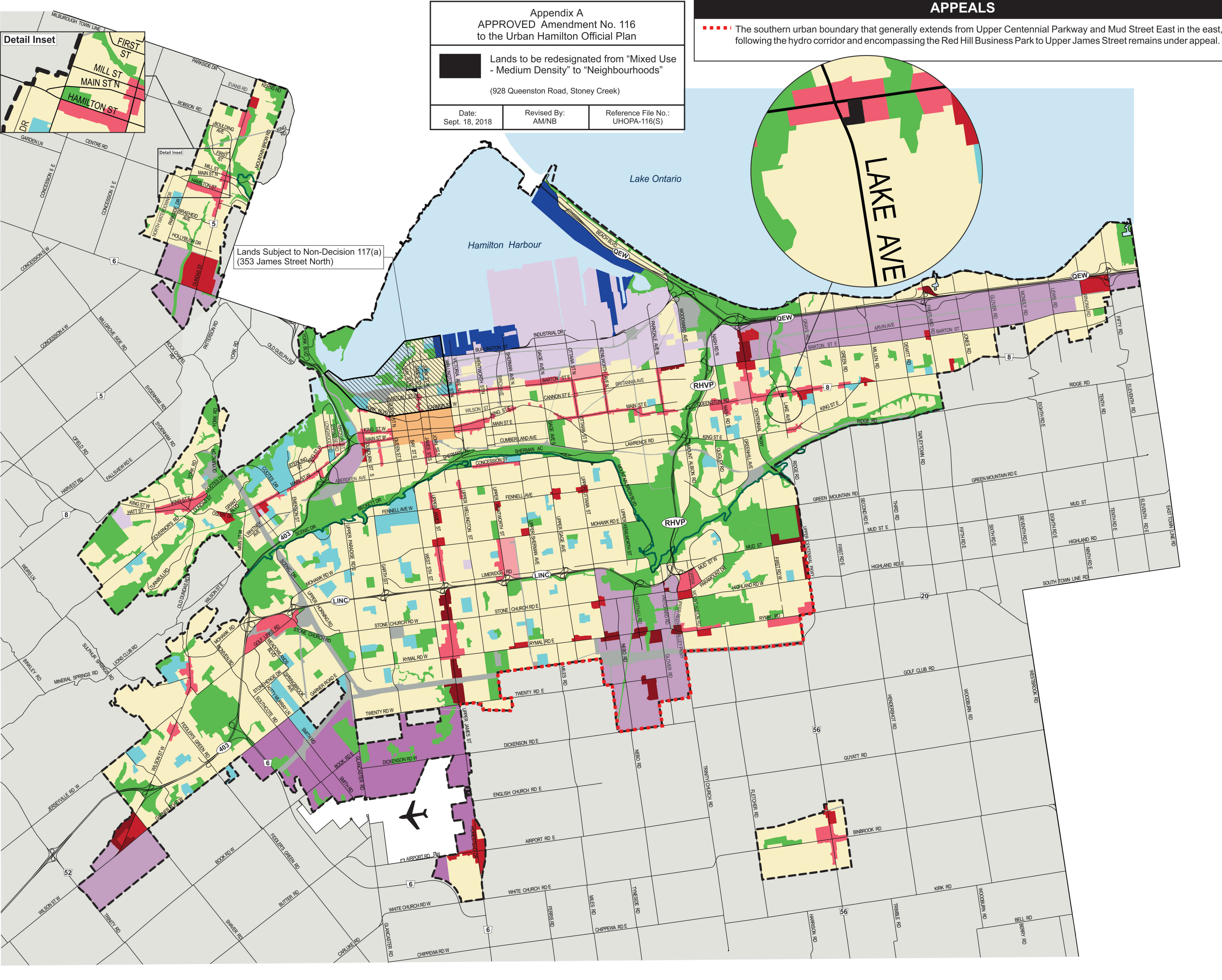
---

F. Eisenberger  
MAYOR

---

J. Pilon  
ACTING CITY CLERK





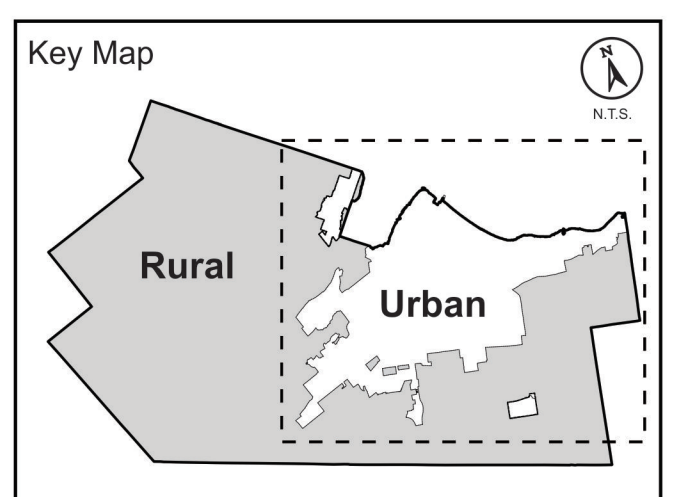
Appendix A  
 APPROVED Amendment No. 116  
 to the Urban Hamilton Official Plan

Lands to be redesignated from "Mixed Use - Medium Density" to "Neighbourhoods"  
 (928 Queenston Road, Stoney Creek)

Date: Sept. 18, 2018	Revised By: AM/NB	Reference File No.: UHOPA-116(S)
-------------------------	----------------------	-------------------------------------

**APPEALS**

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.



**Note:** For Rural Land Use Designations, refer to Schedule D of the Rural Hamilton Official Plan.

- Neighbourhoods
  - Open Space
  - Institutional
  - Utility
- Commercial and Mixed Use Designations**
- Downtown Mixed Use Area
  - Mixed Use - High Density
  - Mixed Use - Medium Density
  - District Commercial
  - Arterial Commercial
- Employment Area Designations**
- Industrial Land
  - Business Park
  - Airport Employment Growth District
  - Shipping & Navigation
- Other Features**
- Rural Area
  - John C. Munro Hamilton International Airport
  - Niagara Escarpment
  - Urban Boundary
  - Municipal Boundary
  - Lands Subject to Non Decision 113 West Harbour Setting Sail

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

**Urban Hamilton Official Plan  
 Schedule E-1  
 Urban Land Use Designations**

Not To Scale

Date: June 27, 2018



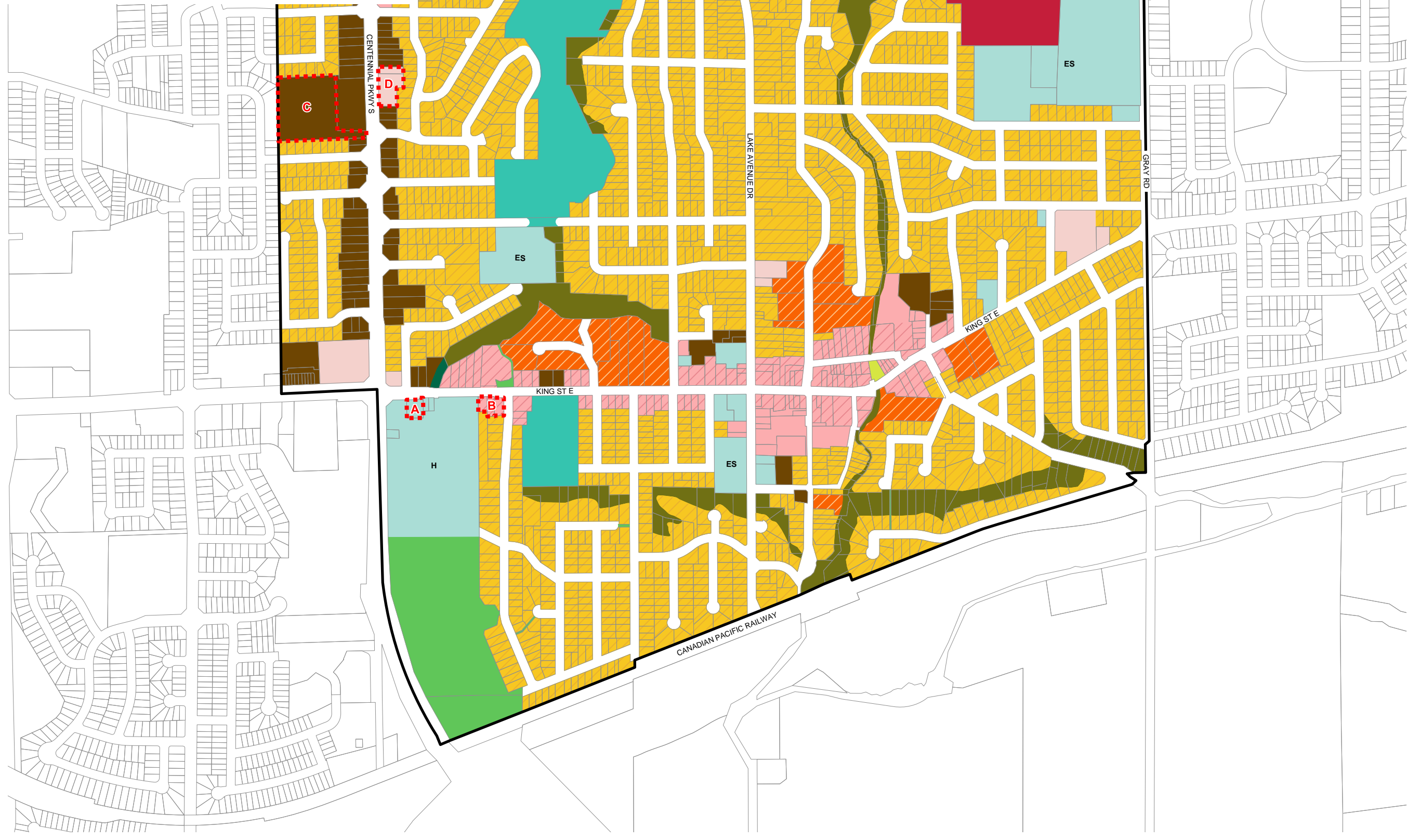
Appendix B  
 APPROVED Amendment No. 116  
 to the Urban Hamilton Official Plan

**H** Lands to be redesignated from "Mixed Use - Medium Density" to "High Density Residential 1" and identified as Site Specific Policy - Area "H"  
 (928 Queenston Road, Stoney Creek)

Date:  
 Sept. 18, 2018

Revised By:  
 AL/NB

Reference File No.:  
 UHOPA-116(S)



**Legend**

- Residential Designations**
- Low Density Residential 2a
  - Medium Density Residential 3
  - High Density Residential 1
- Commercial and Mixed Use Designations**
- Local Commercial
  - Mixed Use - Medium Density
  - Mixed Use - Medium Density - Pedestrian Predominant
  - Mixed Use - High Density
  - District Commercial
- Parks and Open Space Designations**
- Parkette
  - Neighbourhood Park
  - Community Park
  - General Open Space
  - Natural Open Space
- Other Designations**
- Institutional
  - ES - Elementary School
  - H - Historic Site
- Other Features**
- Area or Site Specific Policy
  - Secondary Plan Boundary

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

**Urban Hamilton Official Plan**  
**Old Town**  
**Secondary Plan**  
 Land Use Plan  
 Map B.7.2-1

**Authority:** Item 18, Planning Committee  
Report 18-014 (PED18221)  
CM: September 26, 2018  
Ward: 9

**Bill No. 295**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 928 Queenston Road (Stoney Creek)**

**WHEREAS** the *City of Hamilton Act, 1999*, S. O. 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 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 municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

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

**WHEREAS**; the Council of the City of Hamilton, in adopting Item 18 of Report 18-014 of the Planning Committee, at its meeting held on the 26<sup>th</sup> day of September, 2018, which recommended that Zoning By-law No. 3692-92 (Stoney Creek) be amended as hereinafter provided.

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

1. That Map No. 5 of Schedule “A” – appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended as follows:
  - (a) By modifying the current zoning from the Mixed Use Commercial “MUC” Zone to Mixed Use Commercial “MUC-11 (H)” Zone, Modified, on the lands the extent and boundaries of which are shown as “Block 1” on a plan hereto annexed as Schedule “A”.

2. That Subsection 8.8.4 “Special Exceptions”, of Section 8.8 Mixed Use Commercial “MUC” Zone, of Zoning By-law 3692-92, be amended by adding a new Special Exception, “MUC-11 (H)”, as follows:

**“MUC-11” 928 Queenston Road, Schedule “A”, Map No. 5**

Notwithstanding Subsection 8.8.2(h) and the provisions of Paragraphs (c), (e), (f), (g), (h), (i), (j), (l) and (n) 1. and 4. of Subsection 8.8.3 of the Mixed Use Commercial “MUC” Zone, and Subsection 4.9.1(a), the following regulations shall apply:

Permitted Uses for Each Lot

- (h) Apartment Dwelling Units and a Home Occupation above and in behind commercial uses

Zone Regulations

- |     |                                |  |
|-----|--------------------------------|--|
| (c) | Maximum Lot Coverage           | 32 percent   |
| (e) | Minimum Front Yard (northerly) | 1.9 metres for the first storey; 0.0 metres for the 2 <sup>nd</sup> to 4 <sup>th</sup> storeys; 3.8 metres for the 5 <sup>th</sup> to 10 <sup>th</sup> storeys; and 6.3 metres for the 11 <sup>th</sup> to 14 <sup>th</sup> storeys. |
| (f) | Minimum Rear Yard (easterly)   | 2.1 metres for the 1 <sup>st</sup> to 4 <sup>th</sup> storeys; 15.9 metres for the 5 <sup>th</sup> to 14 <sup>th</sup> storeys.  |
| (g) | Minimum Side Yard (westerly)   | 1.7 metres (westerly) for the 1 <sup>st</sup> to 4 <sup>th</sup> storeys; 11.8 metres for the 5 <sup>th</sup> to 14 <sup>th</sup> storeys.   |
| (h) | Maximum Residential Density    | 290 units per hectare  |
| (i) | Maximum Building Height        | 49.0 metres  |
| (j) | Minimum Amenity Area           | 875 square metres for the entire lot   |
| (l) | Minimum Landscaped Open Space  |  |

The landscaped areas shall not be less than 28 percent of the lot area of which the requirement for landscaping in one area other than the front yard shall not apply.

A portion of shall also constitute the following:

1. A landscaped strip having a minimum width of 1.5 metres adjacent to Queenston Road and 3.0 metres adjacent to Lake Avenue Drive shall be provided except for points of ingress and egress; and,
2. A landscaped strip having a minimum width of 2.0 metres shall be provided adjacent to every portion of any lot line that abuts any zone other than a commercial or industrial zone.
3. A landscape strip having a minimum width of 0.0 metres shall be provided adjacent to every portion of the easterly lot line that abuts another lot.

(n) Minimum Parking Requirements

1. Residential Uses

Dwelling Units	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces
1-14	0.7 per unit	1.25 per unit
15-50	0.85 per unit	1.25 per unit
51+	1 per unit	1.25 per unit

4. Commercial and residential parking shall not be separate nor have separate points of ingress and egress.

Notwithstanding the provision of Subsection 4.9.1 (a), one loading space having a minimum front yard setback of 29 metres shall be located within a front yard.

Notwithstanding the provision of Section 3.8 “Holding Zones”, on those lands zoned “MUC-11 (H)” Zone by this By-law, the Holding symbol “H” may be removed by City Council and thereby give effect to the “MUC-11” Zone provisions upon completion of the following:

- (a) The owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MECP). 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 MECP, and submission of the City of Hamilton’s current RSC administration fee.
3. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Mixed Use Commercial “MUC” Zone provisions, subject to the special requirements referred to in Section 2.

**To Amend Zoning By-law No. 3692-92  
Respecting Lands Located at 928 Queenston Road, Stoney Creek**

Page 4 of 5

4. 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 26<sup>th</sup> day of September , 2018

---

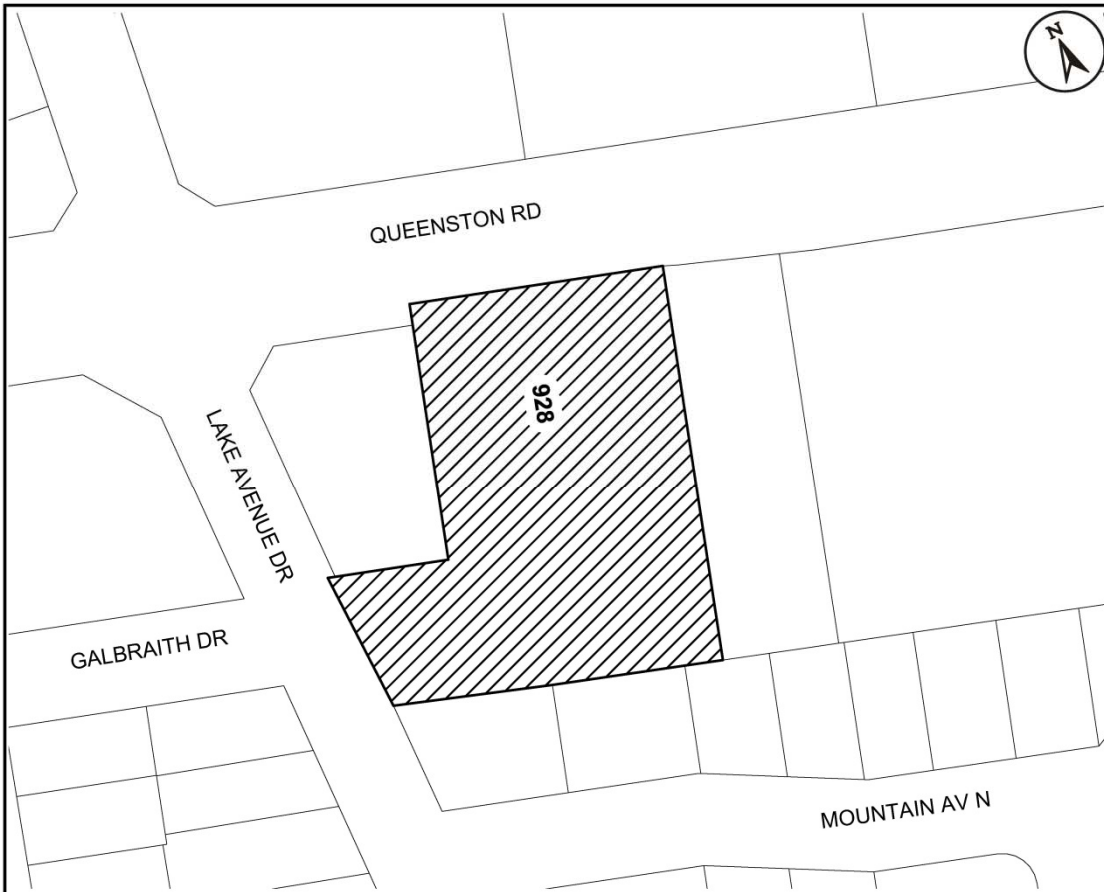
F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

UHOPA-17-020  
ZAC-17-049

**To Amend Zoning By-law No. 3692-92  
Respecting Lands Located at 928 Queenston Road, Stoney Creek**



<p>This is Schedule "A" to By-law No. 18-</p> <p>Passed the ..... day of ....., 2018</p>	<p align="center">-----</p> <p align="center">Mayor</p> <p align="center">-----</p> <p align="center">Clerk</p>
--	---

<p><b>Schedule "A"</b></p> <p>Map Forming Part of By-law No. 18-_____</p> <p>to Amend By-law No. 3692-92</p>	<p><b>Subject Property</b></p> <p>928 Queenston Road</p> <p> Change in Zoning from the Mixed Use Commercial "MUC" Zone to Mixed Use Commercial "MUC-11 (H)" Zone, Modified</p>
--	--

Scale: N.T.S.	File Name/Number: ZAC-17-049 & UHOPA-17-020	<p>Hamilton</p>
Date: August 7, 2018	Planner/Technician: ALVS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

**Authority:** Item 12, Planning Committee  
Report 18-014 (PED18204)  
CM: September 26, 2018  
Ward: 11

**Bill No. 296**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend Zoning By-law No. 05-200 Respecting Lands Located at 5050 Harrison Road**

**WHEREAS** Council approved Item 12 of Report 18-014 of the Planning Committee, at the meeting held on September 26, 2018;

**AND WHEREAS** this By-law is in conformity with the Rural Hamilton Official Plan.

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

1. That Map Nos. 212, 213, 218 and 219 of Schedule "A" to Zoning By-law No. 05-200 are amended by changing the zoning from the Open Space (P4) Zone, Conservation / Hazard Land – Rural (P7) Zone and Conservation / Hazard Land - Rural (P8) Zone to the Open Space (P4, 699) Zone, Conservation / Hazard Land - Rural (P7, 699) Zone and Conservation / Hazard Land - Rural (P8, 699) Zone, to the lands the extent and boundaries of which are shown as Schedule "A" of this By-law.
2. That Schedule "C" - Special Exceptions of By-law No. 05-200 be amended by adding an additional special exception as follows:
  699. Within those lands zoned Open Space (P4) Zone, Conservation / Hazard Land - Rural (P7) Zone and Conservation / Hazard Land - Rural (P8) Zone, identified on Map Nos. 212, 213, 218 and 219 of Schedule "A" Zoning Maps and described as 5050 Harrison Road, the following special provisions apply:
    - a) The following use shall also be permitted:
      - (i) Zip Line Adventure Park containing a maximum of 7 aerial courses, 1 Treewalk Village and 1 administrative building.
    - b) The administrative building shall only be located within the Open Space (P4, 699) Zone and shall only be permitted to have a maximum gross floor area of 150m<sup>2</sup>.
    - c) The gravel and grass parking areas existing on the date of passing of this By-law shall be permitted.

3. 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*.
4. That this By-law No. 18-296 shall come into force and deemed to come into force in accordance with Subsection 34(21) of the *Planning Act*, either upon the date of passage of the By-law or as otherwise provided by the said subsection.

**PASSED** this 26<sup>th</sup> day of September, 2018

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

ZAR-18-023





This is Schedule "A" to By-law No. 18-

Passed the ..... day of ....., 2018

-----  
Mayor

-----  
Clerk

## Schedule "A"

Map Forming Part of  
By-law No. 18-\_\_\_\_\_

to Amend By-law No. 05-200  
Maps 212, 213, 218 & 219

### Subject Property

5050 Harrison Road



**Block 1** - Change in Zoning from the Open Space (P4) Zone to the Open Space (P4, 699) Zone



**Block 2** - Change in Zoning from the Conservation / Hazard - Rural (P7) Zone to the Conservation / Hazard - Rural (P7, 699) Zone



**Block 3** - Change in Zoning from the Conservation / Hazard - Rural (P8) Zone to the Conservation / Hazard - Rural (P8, 699) Zone



Additional Lands owned by Niagara Peninsula Conservation Authority

Scale:  
N.T.S.

File Name/Number:  
ZAR-18-023

Date:  
July 19, 2018

Planner/Technician:  
RF/VS



**Hamilton**

**Authority:** Item 15, Planning Committee  
Report 18-014 (PED18173)  
CM: September 26, 2018  
Ward: 8

**Bill No. 297**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend Zoning By-law No. 6593, Respecting Lands Located at 567 Scenic Drive, Hamilton**

**WHEREAS** the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule 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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

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

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 15 of Report 18-014 of the Planning Committee, at its meeting held on the 26<sup>th</sup> day of September 2018, which recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan;

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

1. That Sheet No. W36 of the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended by changing the zoning from “B-1” (Suburban Agriculture and Residential, etc.) District to the “CR-1/S-1766” (Commercial – Residential District), Modified; the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. That the “CR-1” (Commercial – Residential District), provisions as contained within Section 15B of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following special requirements:

- a) Notwithstanding Section 15B(3)(a), the following Residential Use shall only be permitted:
  - i) A maximum of two dwelling units located above the ground floor.
- b) In addition to Section 15B(3)(b)1., a medical office shall be restricted to 1 practitioner and a maximum gross floor area of 94 square metres.
- c) Section 15B.(3)(b), 14, 15, 16, 17 and 19, (c) and (d), shall not apply:
- d) Notwithstanding Section 15B(9)(a) and (b) and (12) the following setbacks shall apply:
  - i) Where the yard abuts any street, a yard having a depth of not less than 2.0 metres.
  - ii) Where the yard abuts any other lot, the rear yard shall have a depth not less than 3.6 metres and the easterly side yard shall have a width not less than 13.5 m.
- e) Notwithstanding Section 15B(11)(a) and (b) the following setbacks shall apply:
  - i) A minimum front yard of 2.0 metres.
  - ii) A minimum westerly side yard of 2.0 metres.
  - iii) A minimum setback abutting a hypotenuse of the daylight triangle (at Scenic Drive and Upper Paradise Road) shall be 2.0 metres.
  - iv) A minimum rear yard of 3.6 metres.
  - v) A minimum easterly side yard of 13.5 m.
- f) Notwithstanding Section 15B(15)(a) and (b), a maximum gross floor area for a joint residential use and commercial use building shall be 495 square metres, of which 308 square metres are for the residential portion of a joint residential use and commercial use building.
- g) Notwithstanding Section 15B(19), for each dwelling unit containing not more than two bedrooms, an amenity area of not less than 10.5 square metres shall be provided and maintained on the lot for each dwelling unit.

- h) Notwithstanding Section 15B(21), there shall be provided and maintained on the same lot and within the district an amount not less than 15% of the area of the lot on which the building or structure is situate, as landscaped area.
- i) Notwithstanding Section 15B(36), a planting strip of not less than 1.30 metres in width shall be provided and maintained only along the easterly side lot line adjoining a residential district or use, except where a building, structure or accessory building is located and except for the area used for access driveways.
- j) Notwithstanding Section 15B(36), a planting strip of not less than 1.30 metres shall be provided and maintained along the rear lot line adjoining a residential district or use, except at the manoeuvring space where a planting strip of not less than 0.8 metres in width shall be provided and maintained.
- k) Notwithstanding Section 15B(37), no landscaped area for any parking or manoeuvring space adjacent to a street line shall be required along the front yard and westerly side yard frontage of the building, including the hypotenuse of a daylight triangle and the area which is used as a pedestrian walkway to a parking lot except for a 3.0 metre landscaping area provided along the front and easterly side lot line.
- l) Notwithstanding Section 18(3)(vi)(cc)(ii), a bay, balcony or dormer may project into a required rear yard not more than 2.0 metres.
- m) Notwithstanding Section 18(3)(vii)(d), a roofed over unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into the required front yard not more than 0.7 m and into the required rear yard not more than 2.0 m.
- n) Notwithstanding Section 18A(1)(a) and Table 1, for the purpose of this By-law, a minimum of 11 parking spaces, including one barrier free parking space shall be provided.
- o) Notwithstanding Sub-section 18A.(7), required parking spaces shall have dimensions of not less than 2.6 metres wide and 5.5 metres long.
- p) Notwithstanding Section 18A(11)(a), on a lot containing five or more parking spaces located on the surface of a lot adjoining a residential district the following provisions shall apply:
  - i) not less than 1.35 metres from the easterly property line; and,

- ii) not less than 1.35 metres from the southerly lot line shall be provided along the southerly lot line except at the manoeuvring space, a minimum width of 0.8 metres shall be provided.
  - q) Notwithstanding Section 18A(11)(b), shall not apply.
  - r) Section 18A(26) shall not apply.
3. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the “CR-1/S-1766” (Commercial – Residential Districts) District, Modified provisions, subject to the special requirements referred to in Section 7.
  4. That Sheet No. W36 of the District Maps is amended by marking the lands referred to in Section 2 of the By-law as “CR-1/S-1766” (Commercial – Residential Districts).
  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*.

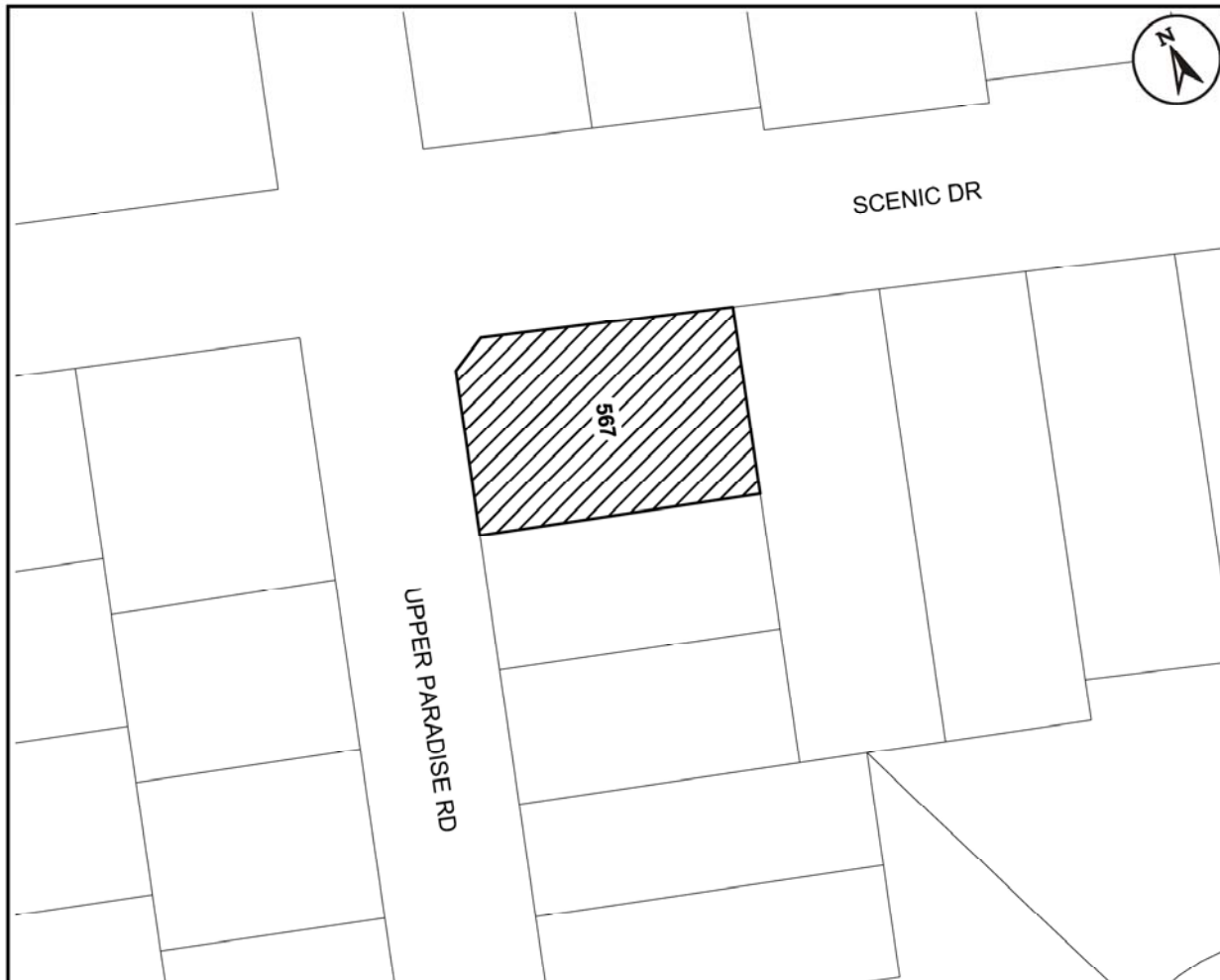
**PASSED** this 26<sup>th</sup> day of September, 2018

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk



This is Schedule "A" to By-law No. 18-  Passed the ..... day of ....., 2018	----- Mayor  ----- Clerk
---	--------------------------------------

<h2 style="margin: 0;">Schedule "A"</h2>  <h3 style="margin: 0;">Map Forming Part of By-law No. 18-_____</h3>  <h3 style="margin: 0;">to Amend By-law No. 6593</h3>	<p><b>Subject Property</b>                  567 Scenic Drive</p> <p> Change in zoning from "B-1" (Suburban Agriculture and Residential, etc.) District to the "CR-1/S-1766" (Commercial - Residential Districts), Modified</p>
---	--

<b>Scale:</b> N.T.S.	<b>File Name/Number:</b> ZAC-17-030	
<b>Date:</b> July 27, 2018	<b>Planner/Technician:</b> MF/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

**Authority:** Item 14, Planning Committee  
Report 18-014  
CM: September 26, 2018  
Ward: 9

**Bill No. 298**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 50 Green Mountain Road West (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 8<sup>th</sup> day of December, 1992, and approved by the Ontario Municipal Board on the 31<sup>st</sup> day of May, 1994;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 14 of Report 18-014 of the Planning Committee at its meeting held on the 26<sup>th</sup> day of September 2018, which recommended that Zoning By-law No. 3692-92 (Stoney Creek), be amended as hereinafter provided; and,

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan;

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

1. That 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) “RM3-65 (H)” Zone, Modified, on the lands the extent and boundaries of which are shown on a Plan hereto annexed as Schedule “A”:

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, “RM3-65 (H)”, as follows:

**RM3 – 65 (H)**

Notwithstanding the provisions of Part 2 “Definitions”, Section 6.10.3 “Zone Regulations”, Paragraphs (c), (d), (h), (i), (j), (k) and (m) 1.:

REGULATIONS

- (a) Minimum Front Yard: 4.5 metres to end wall of unit  
6.0 metres to rear wall of unit
- (b) Minimum Side Yard: 4.5 metres to end wall of unit  
7.0 metres to rear wall of unit
- (c) Minimum Distance Between Buildings on the Same Lot: 2.6 metres (Between End Walls)
- (d) Maximum Density: 49 units per net hectare
- (e) Maximum Building Height: 12.5 metres (Maisonettes)
- (f) Maximum Lot Coverage: 37 percent
- (g) Minimum Landscaped Open Space: 30 percent
- (h) For the purpose of this By-law, a parkette of 600 square metres shall be provided within the subject development.
- (i) For the purpose of this By-law, the lot line abutting Green Mountain Road West shall be deemed to be the front lot line.
- (j) For the purpose of the definitions contained in Part 2 and the regulations contained in Sections 4.10, 4.13, 4.19, 6.1 and 6.10 of the City of Stoney Creek Zoning By-law No. 3692-92, as amended by this By-law, the boundary of the “RM3-65 (H)” Zone, shall be deemed to be the lot lines for this purpose, and the regulations of the “RM3-65 (H)” Zone shall be from the boundaries of this zone, and not from the individual property boundaries of the dwelling units created by registration of a draft plan of subdivision / condominium plan or created by Part Lot Control.



- (k) 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 “RM3-65(H)” of this By-law, the Holding Provision “RM3-65(H)” (Multiple Residential) Zone, Modified, be removed conditional upon:
- a) The Owner entering into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). 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 MOECP, and submission of the City of Hamilton’s current RSC administration fee.
  - b) The Owner entering into a Site Plan Agreement with the City to construct the services within the site and complete the flow monitoring analysis for a period of five (5) years including sufficient securities to the satisfaction of the Manager of Development Approvals.
  - c) The Owner submitting an updated Traffic Impact Study (“TIS”) to the satisfaction of the Manager of Transportation Planning.
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 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
MAYOR

---

J. Pilon,  
ACTING CITY CLERK

ZAC-17-077



This is Schedule "A" to By-law No. 18-  Passed the ..... day of ....., 2018	----- Mayor ----- Clerk
---	----------------------------------

<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. 3692-92</p>	<p><b>Subject Property</b>                  50 Green Mountain Road West</p> <p> Change in zoning from                  Neighbourhood Development Zone "ND", to                  Multiple Residential - Holding "RM3-65-H"                  Zone, Modified</p>
---	---

Scale: N.T.S.	File Name/Number: ZAC-17-077
Date: August 8, 2018	Planner/Technician: GZ/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	



**Authority:** Item 20, Planning Committee:  
Report: 18- 014 (PED16200(b))  
CM: September 26, 2018  
Wards 1, 2, 3 and 4

**Bill No. 299**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend Zoning By-law No. 6593 Respecting Second Dwelling Units for Certain Lands Bounded by Highway 403, Burlington Street, Red Hill Valley and the Escarpment**

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

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 20 of Report 18-014 of the Planning Committee at its meeting held on the 26<sup>th</sup> day of September, 2018, which recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan and the City of Hamilton Official Plan.

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

1. That the following new Subsection be added to Section 19: Residential Conversion Requirements as follows:

**“(5) “C” and “D” Districts – Second Dwelling Unit on a Single Detached Dwelling Lot**

- (i) Notwithstanding anything contained in this by-law, a second dwelling unit on the same lot as a single detached dwelling may be constructed provided all the following requirements are met:
  - (a) For the purpose of this Subsection, laneway shall mean a public highway or road allowance having a width of less than 12.0 metres;
  - (b) the lot shall contain a single-detached dwelling unit;
  - (c) the lot shall abut a laneway;
  - (d) Subsection (5) shall apply to lands zoned “C” (Urban Protected Residential, etc.) District and “D” (Urban Protected Residential-One and Two Family Dwellings, etc.) District and identified in Section 22 as Schedule P;
  - (e) An accessory structure to the single detached dwelling legally existing at the date of the passing of this by-law {DATE} may be converted to a dwelling unit provided it meets all the following requirements:
    - (1) For any elevation not facing a laneway, windows and doors are permitted only on the ground floor or within a roof; and
    - (2) it shall not exceed a gross floor area of 50 square metres, excluding any parking contained within the second dwelling unit.
  - (f) A second dwelling unit may be constructed on the same lot as a single detached dwelling unit provided it meets all the following requirements:
    - (1) the maximum height shall be 6.0 metres;
    - (2) it shall be permitted in the required rear yard of the principal dwelling but shall be no closer than 7.5 metres to the principal dwelling;
    - (3) it shall not be permitted in a front yard;

- (4) A minimum 1.2 metre setback from a side and rear lot line shall be provided and maintained;
  - (5) for any elevation not facing a laneway, windows and doors are permitted only on the ground floor or within a roof; and,
  - (6) it shall not exceed a gross floor area of 50 square metres, excluding any parking contained within the second dwelling unit.
- (ii) Section 18 (A).(1)(a) shall not apply to secondary dwelling units permitted in clause (i).
2. That Section 22: Restricted Areas By-laws Repealed is amended by adding Schedule P.
  3. 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 26<sup>th</sup> day of September, 2018.

---

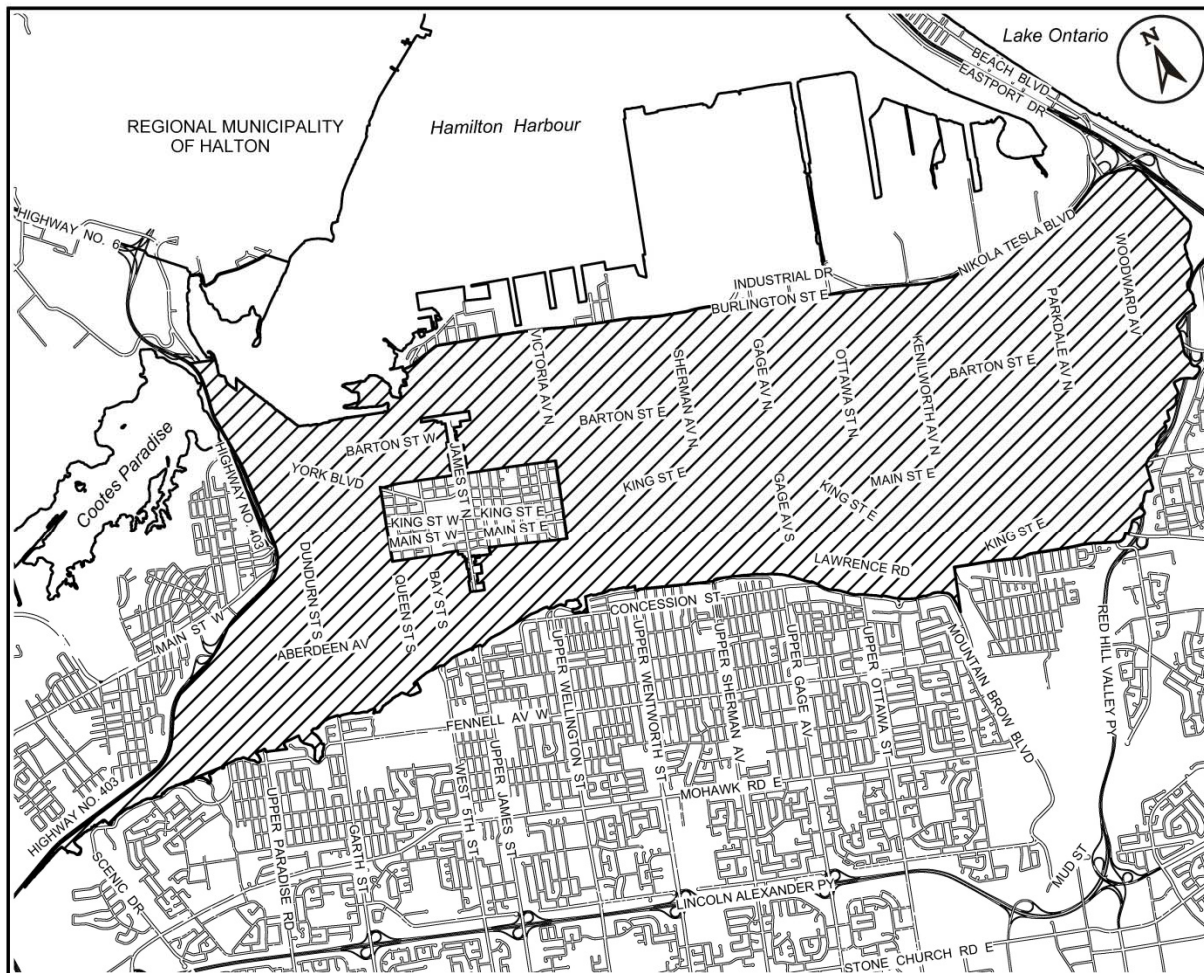
F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

CI 18-F

To Amend Zoning By-law No. 6593  
 Respecting Second Dwelling Units for Certain Lands Bounded by Highway 403, Burlington Street, Red Hill Valley and the Escarpment



This is Schedule "A" to By-law No. 18-  Passed the ..... day of ....., 2018	_____ Mayor  _____ Clerk
---	--------------------------------------

<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. 6593</p>	<p><b>Add to Section 22 Schedule P</b></p> <p> Geographical area where Secondary Dwelling units for properties adjoining a laneway are permitted</p>
--	--

Scale: N.T.S.	File Name/Number: CI-18-F	 Hamilton
Date: May 17, 2018	Planner/Technician: EJ/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

**Authority:** Item 21, Planning Committee  
Report 18-014 (PED16236(b))  
CM: September 26, 2018  
Ward: 11

**Bill No. 300**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**To Amend The Downtown and Community Renewal  
Community Improvement Project Area**

**WHEREAS** Section 28 of the *Planning Act* entitled “Community Improvement” provides in subsection (2):

“Where there is an official plan in effect in a local municipality or in a prescribed upper-tier municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law, designate the whole or any part of an area covered by such an official plan as a community improvement project area”;

**AND WHEREAS** the *Planning Act*, Section 28(1) defines a “community improvement project area” as “an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental , social or community economic development reason”;

**AND WHEREAS** Section F.1.15 of the Hamilton Urban Official Plan contains provisions relating to community improvement;

**AND WHEREAS** By-law 16-125 identifies various areas of the City of Hamilton, including the Downtown Hamilton Community Improvement Project Area, Ancaster Village Community Improvement Project Area, Binbrook Community Improvement Project Area, Dundas Community Improvement Project Area, Downtown Stoney Creek Community Improvement Project Area, Waterdown Community Improvement Project Area, Barton Village Community Improvement Project Area, Concession Street Community Improvement Project Area, Locke Street Community Improvement Project Area, Ottawa Street Community Improvement Project Area, Westdale Community Improvement Project Area, Roxborough Community Improvement Project Area, Commercial Corridors Community Improvement Project Area, and certain properties designated under Part IV or V of the *Ontario Heritage Act*, and designates collectively said areas as the “Downtown and Community Renewal

**To Amend The Downtown and Community Renewal  
Community Improvement Project Area**

Page 2 of 3

Community Improvement Project Area”;

**AND WHEREAS** attached hereto and forming part of this by-law as Schedule ‘A’, is a map of newly designated Roxborough Community Improvement Project Area dated August 15, 2018;

**AND WHEREAS** the Council of the City of Hamilton considers it appropriate to designate said area of the municipality as a “community improvement project area”, as hereinafter provided for in this by-law;

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

1. That the Roxborough Community Improvement Project Area as shown on schedule ‘A’ be designated as a Community Improvement Project Area.
2. That By-law No. 16-125 be amended by adding the map as contained in Schedule ‘A’ to this By-law being the Roxborough Community Improvement Project Area.

**PASSED** this 26<sup>th</sup> day of September, 2018.

---

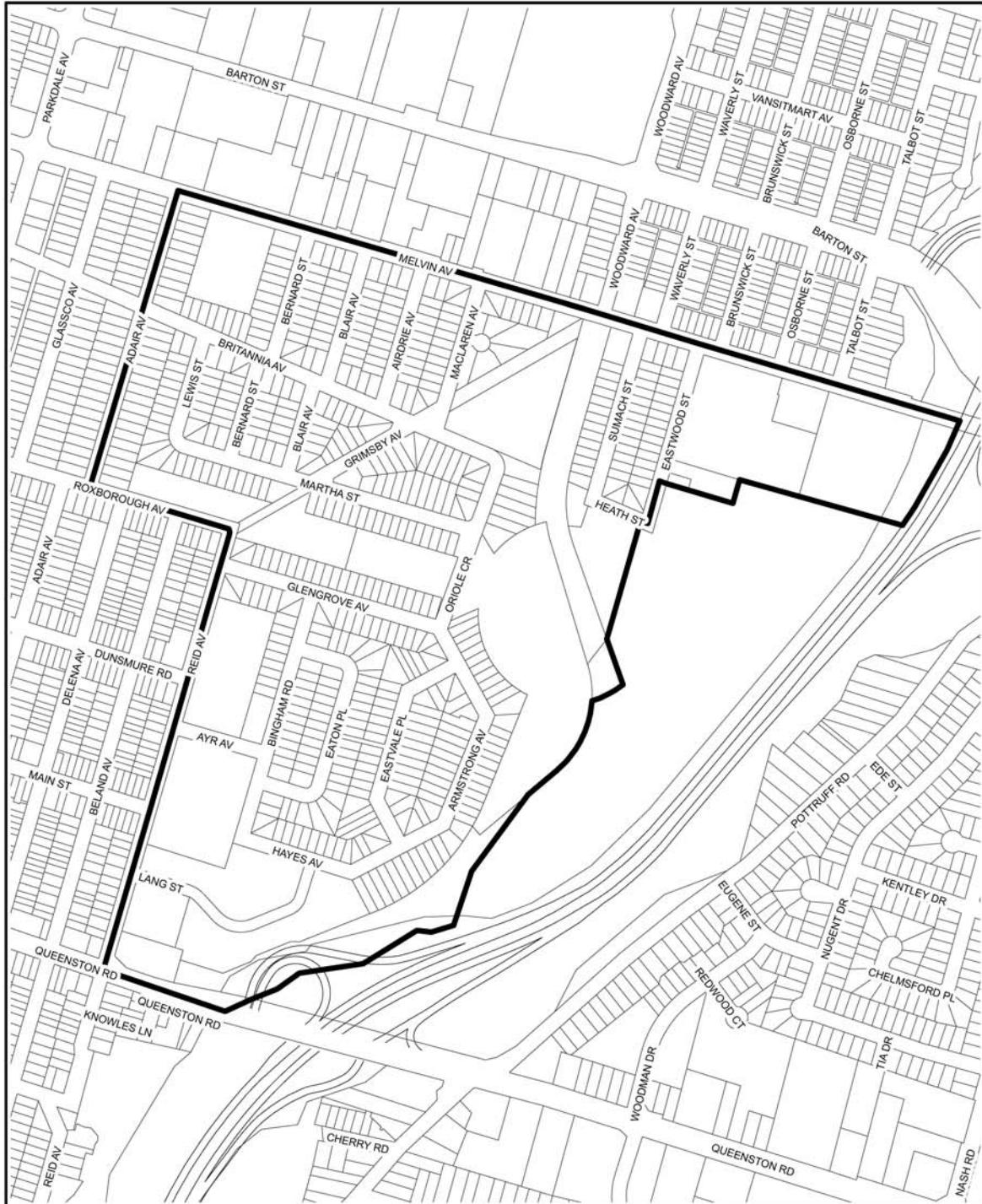
F. Eisenberger  
Mayor




---

J. Pilon  
Acting City Clerk



# To Amend The Downtown and Community Renewal Community Improvement Project Area



<p><b>Schedule "A"</b> Map Forming Part of By-law No. 18 _____</p>	<p>Date: August 15, 2018</p>	<p><b>Downtown and Community Renewal Community Improvement Project Area</b></p>	 <p><b>Hamilton</b> PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>
<p>© Teranel Land Information Services Inc. and its licensors. (2018) May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY</p>	<p> Not to Scale</p>	<p><b>Legend</b>  extension</p>	

**Authority:** Item 10, Planning Committee  
 Report 18-014 (PED18219)  
 CM: September 26, 2018  
 Ward: City Wide

**Bill No. 301**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**To Amend By-law 17-225, a By-law to Establish a System of Administrative Penalties**

**WHEREAS** Council enacted a By-law to Establish a System of Administrative Penalties, being By-law No. 17-225; and

**WHEREAS** this By-law amends By-law No. 17-225;

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

1. The amendments in this By-law include any necessary grammatical, numbering and lettering changes.
2. Schedule A of By-law No. 17-225 is amended by adding a new Table 15 entitled BY-LAW NO. 17-127 Hamilton Vacant Building Registry By-law.

<b>TABLE 15: BY-LAW NO. 17-127 Hamilton Vacant Building Registry By-law</b>				
<b>ITEM</b>	<b>COLUMN 1 DESIGNATED BY- LAW &amp; SECTION</b>		<b>COLUMN 2 SHORT FORM WORDING</b>	<b>COLUMN 3 SET PENALTY</b>
1	17-127	4.	fail to register vacant building within 30 days	\$200.00
2	17-127	7.	fail to notify changes/information within 10 business days	\$200.00
3	17-127	9.(a)	fail to register vacant building	\$300.00
4	17-127	9.(b)	fail to ensure property complies with all statutes/regulations and By-laws	\$300.00
5	17-127	9.(b)	fail to ensure property complies with Building Code Act, 1992	\$300.00
6	17-127	9.(b)	fail to ensure property complies with Fire Protection Act, 1997	\$300.00
7	17-127	9.(b)	fail to ensure property complies with Property Standards By-law	\$300.00
8	17-127	9.(b)	fail to ensure property complies with Vital Services By-law	\$300.00
9	17-127	9.(b)	fail to ensure property complies with Yard Maintenance By-law	\$300.00
10	17-127	9.(c)(i)	fail to post a sign with words "for information or inquires" in black letters on white retro-reflective background	\$200.00
11	17-127	9.(c)(i)	fail to post a sign with owner information with name/telephone number in black letters on white retro-reflective background	\$200.00
12	17-127	9.(c)(ii)	fail to post sign which is readable from each adjacent street	\$200.00
13	17-127	9.(d)	fail to monitor building condition every 2 weeks or more frequently as directed	\$200.00

<b>TABLE 15: BY-LAW NO. 17-127 Hamilton Vacant Building Registry By-law</b>				
<b>ITEM</b>	<b>COLUMN 1 DESIGNATED BY- LAW &amp; SECTION</b>		<b>COLUMN 2 SHORT FORM WORDING</b>	<b>COLUMN 3 SET PENALTY</b>
14	17-127	9.(e)	fail to provide report of building condition in writing as directed	\$200.00

**PASSED** this 26<sup>th</sup> day of September, 2018

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

**Bill No. 302**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**A By-law to Amend By-law 17-225, being a By-law to Establish a System of Administrative Penalties**

**WHEREAS** Council enacted a By-law to Establish a System of Administrative Penalties, being By-law No. 17-225; and

**WHEREAS** this By-law amends By-law No. 17-225;

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

1. The amendments in this By-law include any necessary grammatical, numbering and lettering changes.
2. Schedule A of By-law No. 17-225 is amended by adding a new Table 14 entitled BY-LAW NO. 10-221 Being a By-law to prescribe standards for the maintenance and occupancy of property.

<b>TABLE 14: BY-LAW NO. 10-221 PROPERTY STANDARDS BY-LAW</b>				
<b>ITEM</b>	<b>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</b>		<b>COLUMN 2 SHORT FORM WORDING</b>	<b>COLUMN 3 SET PENALTY</b>
1	10-221	3(1)	fail to maintain the property in conformity with the standards required in this By-law specifically (Sec. _____)	\$100.00
2	10-221	3(2)	fail to repair and maintain the property to conform to the standards required by this by-law specifically (Sec. _____)	\$100.00
3	10-221	3(2)	fail to clear the property of all buildings/structures or debris and leave in a graded/levelled condition	\$100.00
4	10-221	3(2)	alter/clear/remove/demolish or relocate heritage property, except in accordance with the Ontario Heritage Act	\$200.00
5	10-221	4(1)(a)	interior and exterior heritage attributes not maintained to prevent deterioration	\$200.00
6	10-221	4(1)(b)	interior and exterior heritage attributes not repaired from damage	\$200.00
7	10-221	4(2)(b)	replaced heritage attribute instead of repair	\$200.00
8	10-221	4(2)(b)	repair not in a manner that minimizes damage to the heritage attribute	\$200.00
9	10-221	4(2)(b)	replace heritage attribute not with same material/colour /texture or distinctive feature	\$200.00
10	10-221	4(3)(a)	roof/wall/floor/retaining wall/foundation heritage attributes not structurally sound and maintained	\$200.00
11	10-221	5(2)	fail to keep building free of any health and safety hazard	\$200.00

<b>TABLE 14: BY-LAW NO. 10-221 PROPERTY STANDARDS BY-LAW</b>				
<b>ITEM</b>	<b>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</b>		<b>COLUMN 2 SHORT FORM WORDING</b>	<b>COLUMN 3 SET PENALTY</b>
12	10-221	6(2)	openings of vacant building not properly closed/secured against unauthorized entry	\$80.00
13	10-221	6(3)(a)	fail to use appropriate wood sheathing that completely covers opening and securely fastened to building	\$80.00
14	10-221	6(3)(b)	fail to use appropriate metal sheathing that completely covers opening, installed within the reveal of exterior cladding and securely fastened to building	\$80.00
15	10-221	6(3)(c)	fail to use appropriate brick/concrete block and mortar that completely covers opening and securely fastened to building	\$80.00
16	10-221	6(6)	fail to maintain exterior surface/items of building so as to perform their intended function	\$80.00
17	10-221	6(7)	fail to turn off utilities of vacant building not required for safety/security	\$80.00
18	10-221	7(2)	fail to keep utilities on, maintain heat and ventilation to prevent damage to heritage property	\$80.00
19	10-221	7(3)(a)	fail to use appropriate boarding that completely covers opening and securely fastened appropriately to building	\$80.00
20	10-221	7(3)(b)	fail to use appropriate boarding on windows painted matt black	\$80.00
21	10-221	7(3)(c)	fail to use appropriate boarding on door opening painted same as original colour of door	\$80.00
22	10-221	7(3)(d)	opening not door/window not painted same as exterior building colour	\$80.00
23	10-221	7(3)(e)	fail to use at least 50 mm screws in length at appropriate intervals	\$80.00
24	10-221	7(5)	fail to comply with property standards order regarding openings to heritage property	\$100.00
25	10-221	7(6)	window/door other opening not closed/secured by brick/concrete block/masonry or mortar	\$100.00
26	10-221	8(1)	exterior surfaces not from resistant materials/coatings to protect deterioration by weather	\$100.00
27	10-221	8(2)	fail to remove/repair/replace free/loose/insufficiently secured, rotten, warped or broken materials/objects	\$100.00
28	10-221	8(3)(a)	exterior of building not maintained to prevent the entry of vermin/birds	\$100.00
29	10-221	8(3)(b)	openings of exterior building not installed in accordance with Building Code	\$100.00
30	10-221	8(4)(a)	fail to maintain/prevent deterioration of exterior wall by painting/restoring or repairing wall/coping/flashing or waterproofing	\$100.00
31	10-221	8(4)(b)	fail to repair vandalism/damage of exterior wall	\$100.00
32	10-221	8(5)	fail to maintain/repair roof/all components to properly perform intended function, water-tight condition	\$100.00
33	10-221	8(5)	fail to prevent the leakage of water into building from roof	\$100.00
34	10-221	9(1)(a)	fail to ensure door/window/hatch or other opening properly maintained to perform intended function	\$100.00

<b>TABLE 14: BY-LAW NO. 10-221 PROPERTY STANDARDS BY-LAW</b>				
<b>ITEM</b>	<b>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</b>		<b>COLUMN 2 SHORT FORM WORDING</b>	<b>COLUMN 3 SET PENALTY</b>
35	10-221	9(1)(a)	fail to ensure opening and frame is constructed to minimize drafts	\$100.00
36	10-221	9(2)	fail to ensure lock on opening properly performs intended function	\$50.00
37	10-221	9(3)	door/entrance to dwelling/dwelling unit without lock capable from securing from outside and inside	\$50.00
38	10-221	9(4)	window not able to be locked/secured from inside	\$50.00
39	10-221	9(5)	fail to have/maintain appropriate window screens	\$50.00
40	10-221	9(6)(a)(i)	fail to provide/install protective device on window for children under 10-years old which has a moveable sash	\$100.00
41	10-221	9(6)(a)(ii)	fail to provide/install protective device on window for children under 10-years old which is more than 1.8m above ground level	\$100.00
42	10-221	9(6)(b)	fail to install protective device on window within 7-days of written notice	\$100.00
43	10-221	9(6)(c)	window with protective device opening greater than 100mm	\$100.00
44	10-221	9(d)	fail to post/display clearly appropriate sign to occupant regarding window opening protective device	\$100.00
45	10-221	10(1)	natural/mechanical ventilation not compliant to building code	\$100.00
46	10-221	10(1)	natural/mechanical ventilation not maintained to perform intended function	\$100.00
47	10-221	10(2)	vent fail to prevent entry of rain/snow/vermin	\$100.00
48	10-221	11(1)	fail to maintain in structurally sound condition any structures/foundations/basements	\$100.00
49	10-221	11(2)	foundation wall/basement/crawl space not maintained to properly perform its intended function	\$100.00
50	10-221	11(3)	foundation wall/piers/footings not of acceptable materials as per Building Code	\$100.00
51	10-221	11(3)	foundation wall/piers/footings not sound/plumb adequate to carry load	\$100.00
52	10-221	11(4)	fail to maintain basement/crawl space in a watertight condition	\$100.00
53	10-221	12(1)	exterior/interior stairway/landing/balcony/porch/ramp or access/egress not maintained and free of holes/cracks other defects	\$70.00
54	10-221	12(2)	exterior stairway/landing/balcony/porch/ramp free of furniture/appliance	\$70.00
55	10-221	12(3)	fail to repair/replace treads and risers of exterior/interior stairway	\$70.00
56	10-221	12(4)(a)	fail to have handrail for exterior/interior stairway	\$70.00
57	10-221	12(4)(a)	fail to replace/repair exterior/interior handrail	\$70.00
58	10-221	12(4)(b)	fail to have short wall at exterior stairway	\$70.00
59	10-221	12(4)(b)	fail to repair/replace short wall at exterior stairway	\$70.00
60	10-221	12(4)(c)(i)	fail to have Building Code compliant guards on exterior stairway with more than 6 risers	\$100.00

<b>TABLE 14: BY-LAW NO. 10-221 PROPERTY STANDARDS BY-LAW</b>				
<b>ITEM</b>	<b>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</b>		<b>COLUMN 2 SHORT FORM WORDING</b>	<b>COLUMN 3 SET PENALTY</b>
61	10-221	12(4)(c)(ii)	fail to have Building Code compliant guards on landing/porch/balcony/mezzanine/gallery/raise walkway or roof more than 600mm from ground/floor	\$100.00
62	10-221	13(1)	interior structural components/floors/ceilings and walls not made of sound material not able to support load	\$100.00
63	10-221	13(2)(a)	floors/ceilings and walls not free from water penetration	\$100.00
64	10-221	13(2)(b)	floors/ceilings and walls not free from mould or conditions that may cause mould to accumulate	\$100.00
65	10-221	13(3)	basement floor not of acceptable material to ensure water drainage and entry against vermin	\$100.00
66	10-221	13(4)	floor not smooth/level that may create unsafe condition/surface	\$100.00
67	10-221	13(5)	floor covering worn/torn not repaired/replaced	\$100.00
68	10-221	13(6)	fail to have water resistant floor covering in bathroom/kitchen/laundry or shower	\$70.00
69	10-221	13(7)	wall/ceiling not maintained in a condition free from holes/open cracks/loose coverings other defects	\$70.00
70	10-221	14(1)	plumbing system/fixture not maintained to perform its intended function	\$70.00
71	10-221	14(1)	plumbing system/fixture not maintained and free from leaks/defects	\$70.00
72	10-221	14(2)	pipng for suppling/draining water not protected from freezing	\$100.00
73	10-221	14(3)	plumbing fixture not connected by water steal trap to sewage system	\$100.00
74	10-221	14(4)	sanitary sewer system not connected correctly and/or in accordance to Building Code	\$100.00
75	10-221	14(5)(a)	fail to provide hot water at 43° C	\$100.00
76	10-221	14(5)(a)	fail to provide cold water to kitchen/bath/shower/laundry room	\$70.00
77	10-221	14(5)(b)	fail to have cold water connected to toilet/hose bib	\$70.00
78	10-221	14(6)(a)	fail to provide potable water to dwelling/dwelling unit from City water system	\$100.00
79	10-221	14(6)(b)	fail to provide potable water to dwelling/dwelling unit from commercial water system	\$100.00
80	10-221	14(6)(c)	fail to provide potable water to dwelling/dwelling unit from private source	\$100.00
81	10-221	14(7)(a)(i)	fail to provide working plumbing fixture to lodging house, a hand wash basin	\$100.00
82	10-221	14(7)(a)(ii)	fail to provide working plumbing fixture to lodging house, a toilet	\$100.00
83	10-221	14(7)(a)(iii)	fail to provide working plumbing fixture to lodging house, a bathtub/shower	\$100.00
84	10-221	14(7)(b)(i)	fail to provide working plumbing fixture to residential care facility/dwelling unit a kitchen sink	\$100.00
85	10-221	14(7)(b)(ii)	fail to provide working plumbing fixture to residential care facility/dwelling unit a toilet	\$100.00

<b>TABLE 14: BY-LAW NO. 10-221 PROPERTY STANDARDS BY-LAW</b>				
<b>ITEM</b>	<b>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</b>		<b>COLUMN 2 SHORT FORM WORDING</b>	<b>COLUMN 3 SET PENALTY</b>
86	10-221	14(7)(b)(iii)	fail to provide working plumbing fixture to residential care facility/dwelling unit a hand washing basin	\$100.00
87	10-221	14(7)(b)(iv)	fail to provide working plumbing fixture to residential care facility/dwelling unit a bathtub/shower	\$100.00
88	10-221	15(1)(a)	fail to provide sink serviced with potable running water and splash back in kitchen	\$100.00
89	10-221	15(1)(b)	fail to provide work surface at least .74m <sup>2</sup> impervious to grease/water in kitchen	\$70.00
90	10-221	15(1)(c)	fail to provide storage facilities of at least .8m <sup>3</sup> in kitchen	\$70.00
91	10-221	15(1)(d)	fail to provide cooking range/countertop range/refrigerator in kitchen	\$100.00
92	10-221	15(2)	bath/shower/toilet room not minimum height of 0.9m, water-resistant and cleaned	\$100.00
93	10-221	15(3)(a)	bath/shower/toilet room not accessible from interior of building	\$100.00
94	10-221	15(3)(b)	bath/shower/toilet room not fully enclosed with door for privacy	\$70.00
95	10-221	15(3)(c)	bath/shower/toilet room with no working artificial lighting fixture	\$70.00
96	10-221	15(3)(d)	bath/shower/toilet room not maintained to perform intended function	\$70.00
97	10-221	15(4)	fail to provide hand wash basin in same room as bath/shower/toilet	\$70.00
98	10-221	15(5)	toilet/urinal located in habitable room	\$100.00
99	10-221	15(6)(a)	lodging house fail to contain bath/shower and toilet room	\$100.00
100	10-221	15(6)(b)	residential care facility/dwelling unit fail to contain kitchen/bath/shower and toilet room	\$100.00
101	10-221	16(1)	heating system not capable of maintaining a temperature of 20° C	\$100.00
102	10-221	16(2)(a)	heating system not operating/maintained to properly perform intended function	\$100.00
103	10-221	16(2)(b)	heating system not free from unsafe condition	\$100.00
104	10-221	16(3)	furnace/boiler located in hallway or access/egress	\$100.00
105	10-221	16(4)	portable heating equipment used as primary source of heat	\$100.00
106	10-221	16(5)	fail to provide properly constructed/located fuel receptacle	\$100.00
107	10-221	16(5)	fail to provide proper fuel storage in place free from fire/accident hazard	\$100.00
108	10-221	16(6)	chimneys/flues and vent pipes not maintained to prevent gases from leaking	\$100.00
109	10-221	16(6)	fail to clean obstructions/filling open joints/masonry repair	\$70.00
110	10-221	16(7)	fuel burning appliance/equipment not properly vented to the outside	\$100.00
111	10-221	17(1)	electrical service not in compliance with Code	\$100.00
112	10-221	18(1)	not in compliance with the City development approval requirements	\$100.00



<b>TABLE 14: BY-LAW NO. 10-221 PROPERTY STANDARDS BY-LAW</b>				
<b>ITEM</b>	<b>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</b>		<b>COLUMN 2 SHORT FORM WORDING</b>	<b>COLUMN 3 SET PENALTY</b>
113	10-221	18(1)	not in compliance with the City development approved grading plan	\$100.00
114	10-221	19(1)	not have permanently installed working lighting and maintained to perform intended function	\$70.00
115	10-221	19(2)	hallway/stairway/common area/underground parking not illuminated	\$70.00
116	10-221	19(3)	fail to comply with lighting standards for site development	\$70.00
117	10-221	19(4)	interior/exterior lighting illuminating beyond own property onto adjoining property	\$70.00
118	10-221	20(1)	swimming pool not kept clean and in sanitary condition/free from obnoxious odours	\$100.00
119	10-221	20(2)(a)	tree/part of tree that is dead/damaged not removed	\$100.00
120	10-221	20(2)(b)	tree/part of tree that is dead/damaged not maintained to remove hazard to persons/property	\$100.00
121	10-221	20(3)	principal entrance of building not have a walkway/driveway/hard surface leading to road	\$100.00
122	10-221	20(4)	fail to have concrete wheel stops at parking spaces	\$100.00
123	10-221	20(5)	area used for vehicular traffic/parking not surfaced with suitable dust free material and maintained	\$100.00
124	10-221	20(6)	surface of walkways/driveways/parking lots not maintained safe	\$100.00
125	10-221	20(7)	crushed stone surface not maintained free of dust	\$100.00
126	10-221	20(7)	crushed stone surface spillover onto sidewalk/grass	\$100.00
127	10-221	21(1)	storm water discharge creating standing water	\$70.00
128	10-221	21(1)	storm water discharge creating erosion/damage to property	\$70.00
129	10-221	21(1)	storm water discharge directed/draining onto adjoining property	\$70.00
130	10-221	21(2)	water discharge from sump-pump/air conditioner to adjoining property/sidewalk/road/stairway	\$70.00
131	10-221	21(3)(a)	eavestrough/downspout not watertight/free from leaks	\$70.00
132	10-221	21(3)(b)	eavestrough/downspout not free from obstruction	\$70.00
133	10-221	21(3)(c)	eavestrough/downspout not stable/securely fastened	\$70.00
134	10-221	21(3)(d)	eavestrough/downspout not perform its intended function	\$70.00
135	10-221	22(1)	fence/barrier/retaining wall not maintained to perform intended function	\$70.00
136	10-221	22(2)(a)(i)	fail to install/maintain visual barrier between their property and adjoining property where there is vehicular parking	\$70.00
137	10-221	22(2)(a)(ii)	fail to install/maintain visual barrier between their property and adjoining property where there is operation of equipment	\$70.00
138	10-221	22(2)(a)(iii)	fail to install/maintain visual barrier between their property and adjoining property where there is storage of goods	\$70.00
139	10-221	22(2)(a)(iv)	fail to install/maintain visual barrier between their property and adjoining property where there is exterior bulk/roll-off container disposal system	\$70.00

<b>TABLE 14: BY-LAW NO. 10-221 PROPERTY STANDARDS BY-LAW</b>				
<b>ITEM</b>	<b>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</b>		<b>COLUMN 2 SHORT FORM WORDING</b>	<b>COLUMN 3 SET PENALTY</b>
140	10-221	22(2)(b)(ii)	visual barrier less than 1.2m in height applied to Sec.22(2)(a)(i), (ii) and (iii)	\$70.00
141	10-221	22(2)(b)(iii)	visual barrier less than 2m in height applied to Sec.22(2)(a)(iv)	\$70.00
142	10-221	23(1)	fail to prevent gas fumes/carbon monoxide from entering dwelling/unit from garage	\$100.00
143	10-221	24(1)	waste storage area/waste chute not kept clean/sanitary free from obnoxious odour	\$70.00
144	10-221	24(2)	waste chute not operational at all times	\$70.00
145	10-221	25(1)	elevator fail to comply with regulation	\$100.00
146	10-221	26(1)	fail to keep dwelling/dwelling unit free of infestation by pests	\$100.00
147	10-221	26(2)	fail to keep property free of infestation by pests	\$100.00
148	10-221	27(1)	room/space used for purpose not compliant with Building Code/Zoning By-law	\$100.00
149	10-221	27(2)(a)	living/dining/kitchen/bedroom height less than 1.9m	\$70.00
150	10-221	27(2)(b)	height of room less than 2m over 50% of required floor area	\$70.00
151	10-221	27(3)	one person bedroom not having floor area of 5.6m <sup>2</sup>	\$70.00
152	10-221	27(3)	two or more-person bedroom not having floor area of 3.3m <sup>2</sup> per person	\$70.00
153	10-221	27(4)	bedroom fail to be 1.8m in width	\$70.00
154	10-221	30(1)(a)	fail to comply with all standards prescribed in this By-law	\$200.00
155	10-221	30(1)(b)	fail to comply with property standards order	\$200.00
156	10-221	30(1)(c)	carry out remedial action dangerous to owner/occupant or visitor	\$200.00
157	10-221	30(1)(c)	fail to provide adequate warning of dangerous condition	\$200.00

**PASSED** this 26<sup>th</sup> day of September, 2018

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

**Authority:** Item 10, Planning Committee  
Report: 18-013 (PED18133(a))  
CM: September 12, 2018  
Ward 15

**Bill No. 303**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**To Amend:**

**Official Plan Amendment No. 107 to the  
Urban Hamilton Official Plan**

Respecting:

**56, 74, 78, 90, 96, 100 and 566 Parkside Drive  
(Flamborough)**

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

1. That OPA 107 (By-law 18-194) be amended by:
  - (a) by deleting any reference to 100 and 566 Parkside Drive in the text: and,
  - (b) adding 546 Highway No. 6 to the text and the map

**PASSED** this 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

**Authority:** Item 10, Planning Committee  
Report 18-013 (PED18133(a))  
CM: September 12, 2018  
Ward: 15

**Bill No. 304**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**To Amend By-law No. 18-195  
Respecting Lands Located at 56, 74, 78, 90 and 96 Parkside Drive and 546  
Highway No. 6 (Flamborough)**

**WHEREAS** Council approved Item 10 of Report 18-013 of the Planning Committee, at the meeting held on September 12, 2018;

**WHEREAS** direction has been given to amend By-law No. 18-195 to correct the previous By-law;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment No. 107.

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

1. That By-law No. 18-195 be amended by:
  - (a) Deleting any reference to 100 and 566 Parkside Drive and adding 546 Highway No. 6 in the text and the title block of Schedule A so that the address reads as 56, 74, 78, 90, 96 Parkside Drive and 546 Highway No. 6.

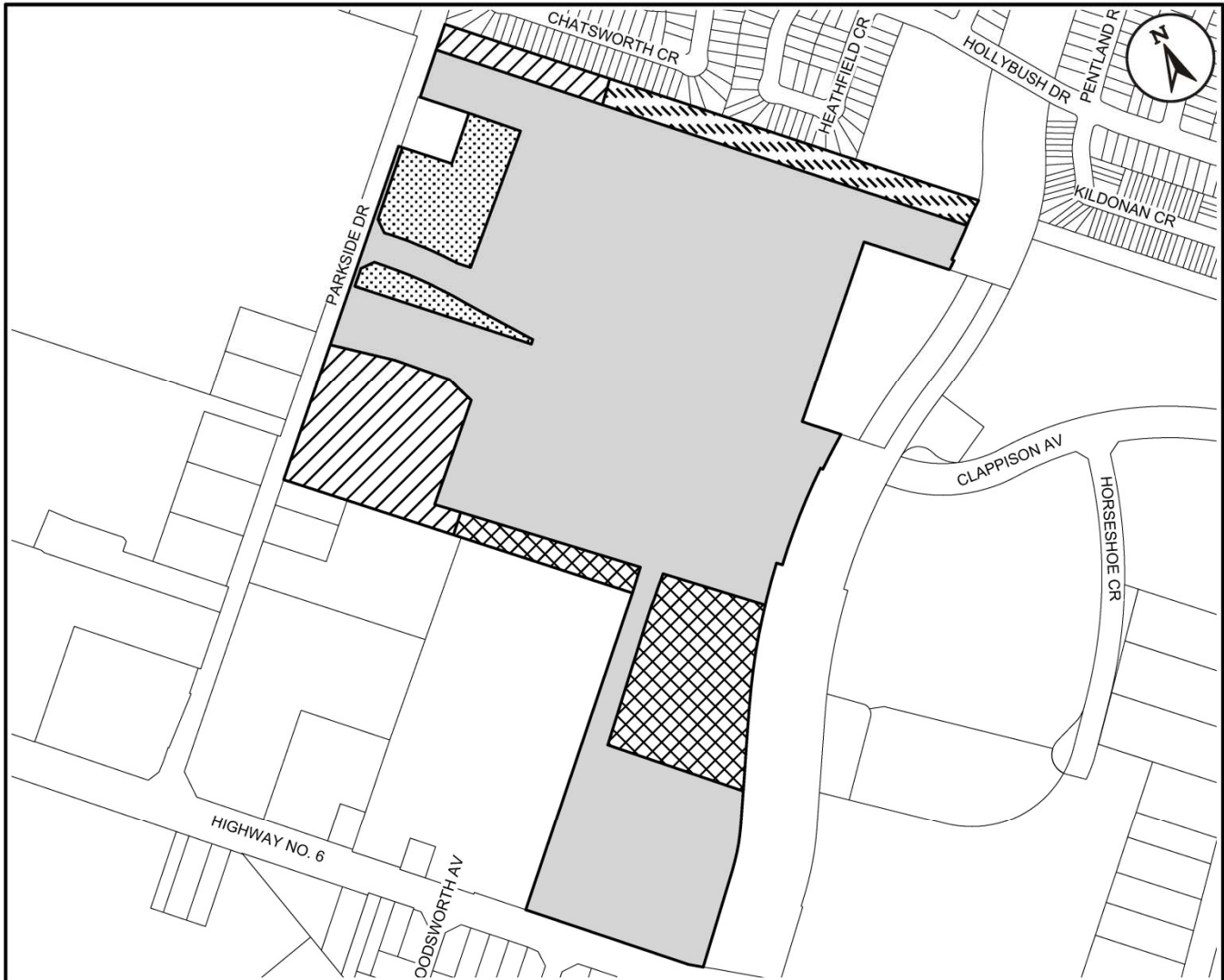
**PASSED** this 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk



This is Schedule "A" to By-law No. 18-

Passed the ..... day of ....., 2018

-----  
 Mayor

-----  
 Clerk






## Schedule "A"

Map Forming Part of  
 By-law No. 18-\_\_\_\_\_

to Amend By-law No. 05-200  
 Maps 514, 515, 548, 549, 580 & 581

### Subject Property

56, 74, 78, 90, and 96 Parkside Drive and  
 546 Highway No. 6

-  **Block 1** - Change in zoning from  
 Prestige Business Park (M3, 437) Zone to  
 Conservation / Hazard Land (P5) Zone
-  **Block 2** - Change in zoning from  
 General Business Park (M2) Zone to  
 Conservation / Hazard Land (P5) Zone
-  **Block 3** - Change in zoning from  
 Prestige Business Park (M3, 388) Zone to  
 Conservation/Hazard Land (P5) Zone
-  **Block 4** - Change in zoning from  
 Prestige Business Park (M3) Zone to  
 Prestige Business Park (M3, 437) Zone
-  Additional Subject Lands

Scale:  
 N.T.S.

File Name/Number:  
 ZAC-15-039 / 25T-201507

Date:  
 August 21, 2018

Planner/Technician:  
 AB/NB



Hamilton

**Authority:** Item 19, Planning Committee  
Report: 18-013 (PED18198)  
CM: September 26, 2018  
Ward: 11

**Bill No. 305**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**To Adopt:**

**Official Plan Amendment No. 118 to the  
Urban Hamilton Official Plan**

Respecting:

**41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70  
Escarpment Drive, and 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, and, 1239  
Barton Street  
(Stoney Creek)**

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

1. Amendment No. 118 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 26<sup>th</sup> day of September, 2018

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

## Urban Hamilton Official Plan Amendment No. 118

The following text, together with:

Appendix "A"	Volume 2, Map B.7.4.1 – Fruitland-Winona Secondary Plan – Land Use Plan
Appendix "B"	Volume 2, Map B.7.4.4 – Fruitland-Winona Secondary Plan – Block Servicing Strategy Area Delineation

attached hereto, constitutes Official Plan Amendment No. 118 to the Urban Hamilton Official Plan.

### 1.0 Purpose and Effect:

The purpose and effect of this Amendment is to add an Area Specific Policy to permit a net residential density of 0 to 40 units per hectare for a portion of the subject lands, and to remove a portion of the subject lands from Block 3 of the Block Servicing Area Delineation, in order to allow for the orderly and efficient development of the lands.

### 2.0 Location:

The lands affected by this Amendment are known municipally as 41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61, 62, 63, 65, 66, 67, 69, 70 Escarpment Drive, and 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, 239 Barton Street, in the former City of Stoney Creek.

### 3.0 Basis:

The basis for permitting this Amendment is:

- Due to the size of the existing lots and existing development to the north, land consolidation is not possible to facilitate residential development that can meet the minimum density required for the existing designation. This amendment will lower the minimum density requirement and therefore enable orderly and efficient development to take place in accordance with the Fruitland-Winona Secondary Plan policies.

- 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 – Secondary Plans**

##### *Text*

##### 4.1.1 Chapter B.7.0 – Stoney Creek Secondary Plans – Section B.7.4 – Fruitland-Winona Secondary Plan

- a. That Volume 2, Chapter B.7.0 – Stoney Creek Secondary Plans, Section B.7.4 – Fruitland-Winona Secondary Plan be amended by adding a new Area Specific Policy to a portion of the subject lands, as follows:

##### **“Area Specific Policy – Area M**

B.7.4.18.13 For the lands located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, and 1239 Barton Street and designated Low Density Residential 2, as shown as Area Specific Policy – Area M on Map B.7.4-1 – Fruitland-Winona Secondary Plan – Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy B.7.4.4 a), the net residential density shall be 0 to 40 units per hectare.”

##### *Maps*

##### 4.1.2 Map B.7.4-1 – Fruitland Winona Secondary Plan – Land Use Plan

- a. That Volume 2, Map B.7.4-1 – Fruitland-Winona Secondary Plan – Land Use Plan, be amended by adding Area Specific Policy Area “M” to a portion of the subject lands, as shown on Appendix “A”, attached to this Amendment.



4.1.3 Map B.7.4-4 – Fruitland Winona Secondary Plan – Block Servicing Strategy Delineation

- a. That Volume 2, Map B.7.4-4 – Fruitland-Winona Secondary Plan – Block Servicing Strategy Area Delineation be amended by removing a portion of the subject lands from Block 3, as shown on Appendix “B”, attached to this Amendment.

**5.0 Implementation:**

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

This Official Plan Amendment is Schedule “1” to By-law No. 18-305 passed on the 26<sup>th</sup> day of September, 2018.

**The  
City of Hamilton**

---

F. Eisenberger  
MAYOR

---

J. Pilon  
ACTING CITY CLERK

Appendix A  
Amendment No. 118  
to the Urban Hamilton Official Plan

**Lands to be identified as Area Specific Policy - Area "M"**

1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235 and  
1239 Barton Street, Stoney Creek

Date:  
Sept. 20, 2018

Revised By:  
MH/AL

Reference File No.:  
OPA-U-118(S)



**APPEALS**

- Lands Under Appeal
  - 238, 252 Jones Road
  - 820, 822 Barton Street East
  - 212 Fruitland Road
  - 228, 244 McNeilly Road
  - 667, 1069 Highway No. 8

**Legend**

- Residential Designations**
  - Low Density Residential 1
  - Low Density Residential 2
  - Low Density Residential 3
  - Medium Density Residential 2
- Commercial and Mixed Use Designations**
  - Local Commercial
  - District Commercial
  - Arterial Commercial
- Parks and Open Space Designations**
  - Neighbourhood Park
  - Community Park
  - General Open Space
  - Natural Open Space
- Other Designations**
  - Employment Area - Business Park
  - Institutional
  - ES
  - Utility
  - swm
- Other Features**
  - Area or Site Specific Policy
  - Major Gateway
  - Minor Gateway
  - Proposed Roads
  - Secondary Plan Boundary

**Urban Hamilton Official Plan**  
**Fruitland-Winona**  
**Secondary Plan**  
Land Use Plan  
Map B.7.4-1

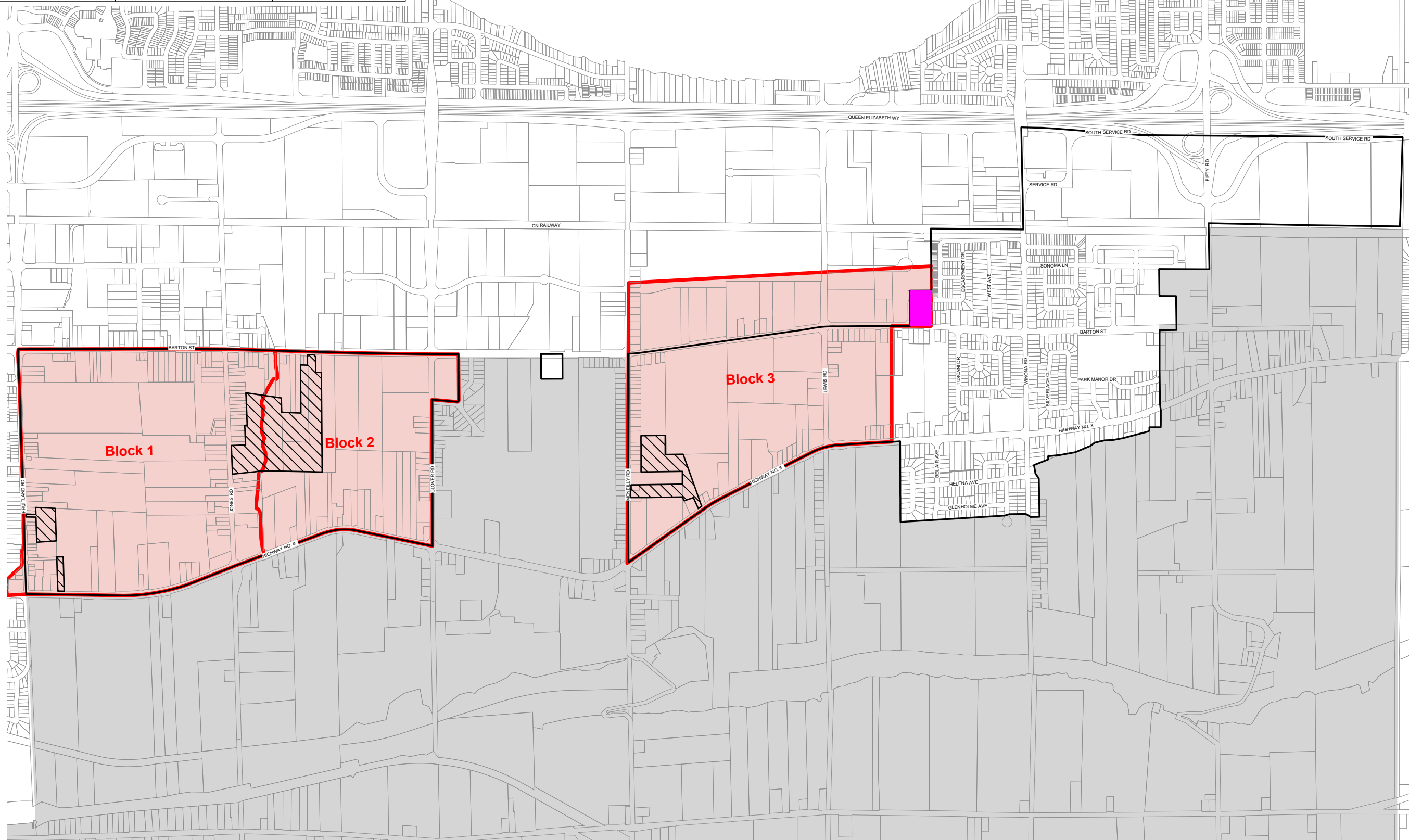


Appendix B  
Amendment No. 118  
to the Urban Hamilton Official Plan

**■** Servicing Strategy Area to be deleted

41, 43, 45, 46, 47, 49, 50, 51, 53, 54, 55, 57, 58, 59, 61,  
62, 63, 65, 66, 67, 69, 70 Escarpment Drive, and  
1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235, and  
1239 Barton Street

Date: Sept. 20, 2018	Revised By: MH/AL	Reference File No.: OPA-U-118(S)
-------------------------	----------------------	-------------------------------------



**APPEALS**

- ▨** Lands Under Appeal
- 238, 252 Jones Road
  - 820, 822 Barton Street East
  - 212 Fruitland Road
  - 228, 244 McNeilly Road
  - 667, 1069 Highway No. 8

**Legend**

- ▭** Servicing Strategy Area
- Lands in the Rural Area
- - -** Proposed Roads
- Secondary Plan Boundary

**Urban Hamilton Official Plan  
Fruitland-Winona  
Secondary Plan  
Block Servicing Strategy  
Area Delineation  
Map B.7.4-4**



**Authority:** Item 19, Planning Committee  
Report: 18-014 (PED18198)  
CM: September 26, 2018  
Ward: 11

**Bill No. 306**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands Located at 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235 and 1239 Barton Street**

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

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" 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 8<sup>th</sup> day of December, 1992, and approved by the Ontario Municipal Board on the 31<sup>st</sup> day of May, 1994;

**AND WHEREAS** this By-law amends lands in Zoning By-law No. 3692-92 (Stoney Creek) as a result of a motion passed by Council on the 27<sup>th</sup> day of June, 2018;

**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. 3 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 Neighbourhood Development "ND" Zone to the Residential "R6" Zone on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

To Amend Zoning By-law No. 3692-92 (Stoney Creek)  
Respecting Lands Located at 1215, 1217, 1219, 1221, 1227, 1229,  
1231, 1235 and 1239 Barton Street

Page 2 of 3

2. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential "R6" Zone provisions;
3. 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 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon,  
Acting City Clerk

CI-18-I



To Amend Zoning By-law No. 3692-92 (Stoney Creek)  
 Respecting Lands Located at 1215, 1217, 1219, 1221, 1227, 1229,  
 1231, 1235 and 1239 Barton Street



This is Schedule "A" to By-law No. 18-  Passed the ..... day of ....., 2018	----- Mayor  ----- Clerk
---	--------------------------------------

<h2 style="margin: 0;">Schedule "A"</h2>  <h3 style="margin: 0;">Map Forming Part of By-law No. 18-_____</h3>  <h3 style="margin: 0;">to Amend By-law No. 3692-92</h3>	<b>Subject Property</b> 1215, 1217, 1219, 1221, 1227, 1229, 1231, 1235 & 1239 Barton Street (Stoney Creek)  Lands to be changed from the Neighbourhood Development "ND" Zone to the Residential "R6" Zone
--	---

Scale: N.T.S.	File Name/Number: CI-18-I	 <b>Hamilton</b>
Date: August 8, 2018	Planner/Technician: AM/VVS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

**Authority:** Item 6.9, Planning Committee  
Report: 18-012 (PED18169)  
CM: August 17, 2018  
Ward: Ward 9

**Bill No. 307**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**To Adopt:**

**Official Plan Amendment No. 20 to the  
Rural Hamilton Official Plan**

Respecting:

**19 Highland Road East  
(Stoney Creek)**

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

1. Amendment No. 20 to the Rural Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

## Rural Hamilton Official Plan Amendment No. 20

The following text, together with Appendix “A” – Rural Hamilton Official Plan Volume 3, Appendix A – Site Specific Area Key Map attached hereto, constitutes Official Plan Amendment No. 20 to the Rural Hamilton Official Plan.

### 1.0 Purpose and Effect:

The purpose and effect of this Amendment is to add a mini storage facility as a permitted use to the subject lands to permit the expansion of the existing mini storage facility located at 130 Upper Centennial Parkway.

### 2.0 Location:

The lands affected by this Amendment are known municipally as 19 Highland Road East, in the former City of Stoney Creek.

### 3.0 Basis:

The basis for permitting this Amendment is to permit the expansion of an existing use on a temporary basis within the future Elfrida Study Area.

### 4.0 Actual Changes:

#### 4.1 Volume 3 – Special Policy and Site Specific Areas

##### *Text Changes*

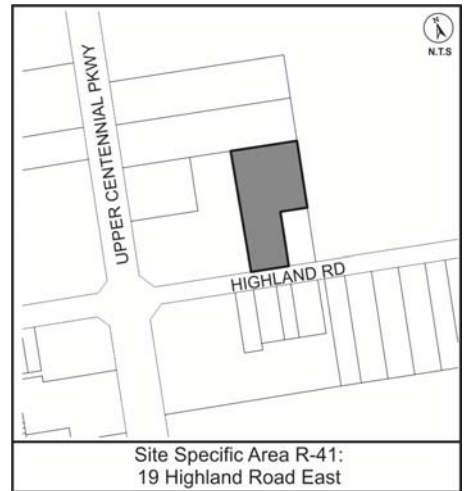
##### 4.1.1 Chapter B – Rural Site Specific Areas

- a. That Volume 3, Chapter B – Rural Site Specific Areas be amended by adding a new Site Specific Area, as follows:



**“R-41 Lands known municipally as 19 Highland Road East, former City of Stoney Creek**

**1.0** In addition to the uses permitted in Volume 1, Section D.4.1 – Rural Designation, for the lands known municipally as 19 Highland Road East, designated “Rural” on Schedule “D” and identified as Site Specific Policy Area “R-41”, a mini storage facility may also be permitted.”



***Schedule and Appendices Changes***

4.1.2 Appendix

- a. That Volume 3 – Appendix A – Site Specific Area Key Map be amended by identifying the subject lands known municipally as 19 Highland Road East as Site Specific Area “R-41”, 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. 18-307 passed on the 26<sup>th</sup> day of September, 2018.

**The  
City of Hamilton**

\_\_\_\_\_  
F. Eisenberger  
MAYOR

\_\_\_\_\_  
J. Pilon  
ACTING CITY CLERK

Appendix A  
 APPROVED Amendment No. 20  
 to the Rural Hamilton Official Plan



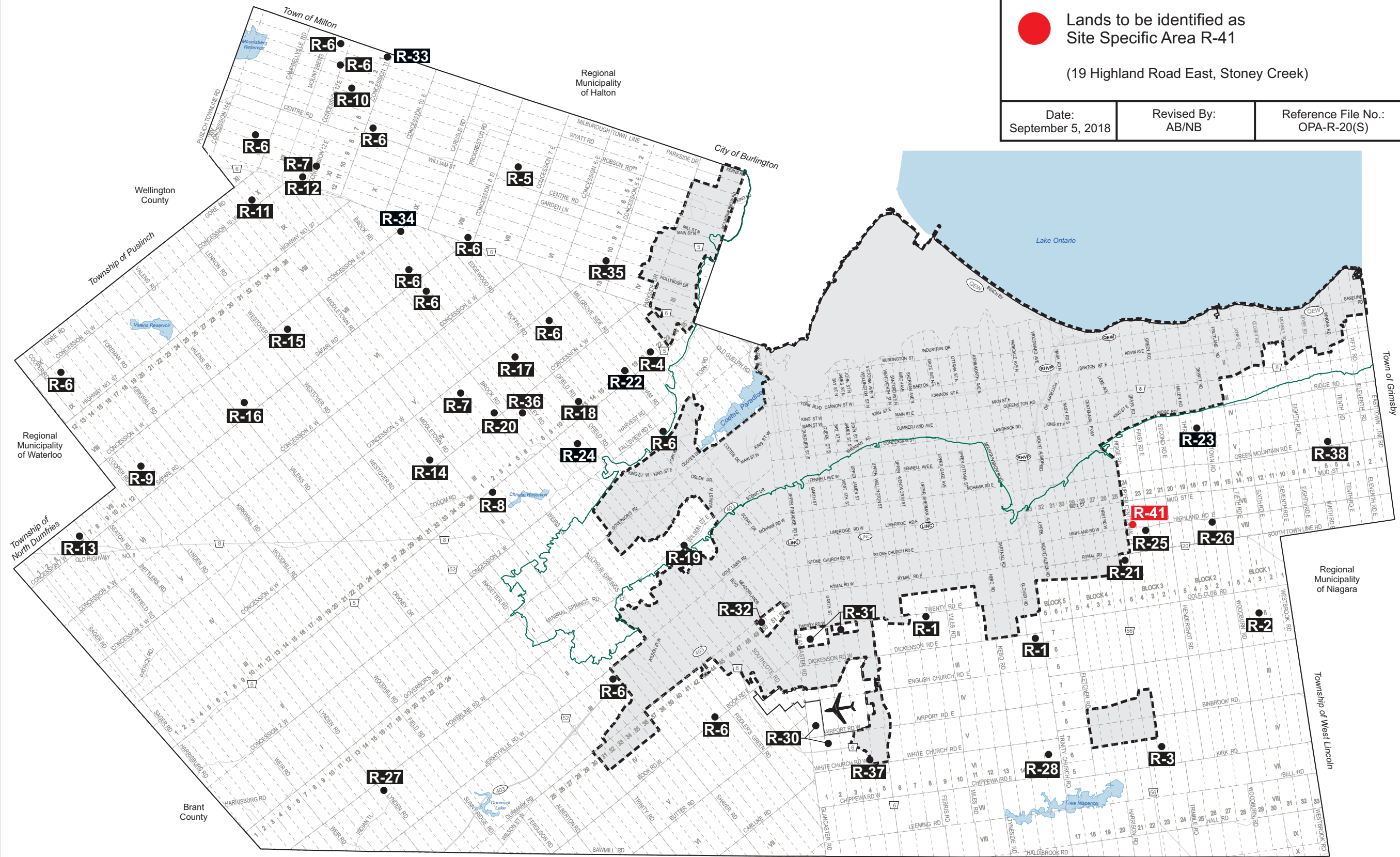
Lands to be identified as  
 Site Specific Area R-41

(19 Highland Road East, Stoney Creek)

Date:  
 September 5, 2018

Revised By:  
 AB/NB

Reference File No.:  
 OPA-R-20(S)



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

Council Adoption: September 27, 2006  
 Ministerial Approval: December 24, 2008  
 Effective Date: March 7, 2012

**Rural Hamilton Official Plan  
 Volume 3: Appendix A  
 Site Specific Key Map**

Not To Scale  
 Date: April 6, 2018  
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
 © Teramet Land Information Services Inc. and its licensors. (2009)  
 May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

**Authority:** Item 14, Planning Committee  
Report: 18-012 (PED18169)  
CM: August 17, 2018  
Ward: 9

**Bill No. 308**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend Zoning By-law No. 05-200 Respecting Lands Located at 19 Highland Road East (Stoney Creek)**

**WHEREAS** Council approved Item 14 of Report 18-012 of the Planning Committee, at the meeting held on August 17, 2018;

**AND WHEREAS** this By-law is in conformity with the Rural Hamilton Official Plan, upon finalization of Official Plan Amendment No. 20.

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

1. That Map No RU166, of Schedule "A" to Zoning By-law No. 05-200 be amended by changing the zoning from Existing Rural Industrial (E2, 155, H2) Zone to Existing Industrial (E2, 689, H109) Zone to the lands, the extent and boundaries of which are shown as Schedule "A" of this amending By-law;
2. That Schedule "C" – Special Exemptions of Zoning By-law No. 05-200, be amended by adding an additional special exception as follows:

"No. 689 Within the lands zoned Existing Industrial (E2, 689, H109) Zone, identified on Map No. RU166 of Schedule "A" – Zoning Maps and described as 19 Highland Road East, the following special provisions shall apply:

  - a. In addition to Section 12.7.1, a warehouse shall be permitted.
  - b. Notwithstanding Section 12.7.3(c), a side yard setback of 4.4m shall be required.
  - c. Notwithstanding Section 12.7.3(h), a minimum of 4 percent landscape coverage shall be required.
3. That Schedule "D" – Holding Provisions of Zoning By-law No. 05-200, as amended, is hereby further amended by adding the additional Holding Provision;

For lands zoned "Existing Industrial (E2, 689, H109) Zone", on maps RU166 of Schedule A – Zoning Maps, and described as 19 Highland Road, the H Symbol applicable to the lands referred to in Section 1 of this By-law shall prohibit development of the lands and shall be removed condition upon:

- (a) That the owner completes the following:

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 19 Highland Road East (Stoney Creek)**

Page 2 of 3

- i. That the applicant confirm that the property can be adequately serviced.
- ii. That the applicant design the required servicing extension and enter into and execute an external servicing agreement and/or special servicing agreement.
- iii. That applicant acknowledge that the servicing be considered temporary until the ultimate servicing network is designed with any future boundary expansion to the east of upper Centennial.
- iv. That the applicant or successor be responsible for any future permanent servicing cost associated with the ultimate servicing network.

All to the satisfaction of the Senior Director of Growth Management.

**PASSED** this 26<sup>th</sup> day of September, 2018.

---

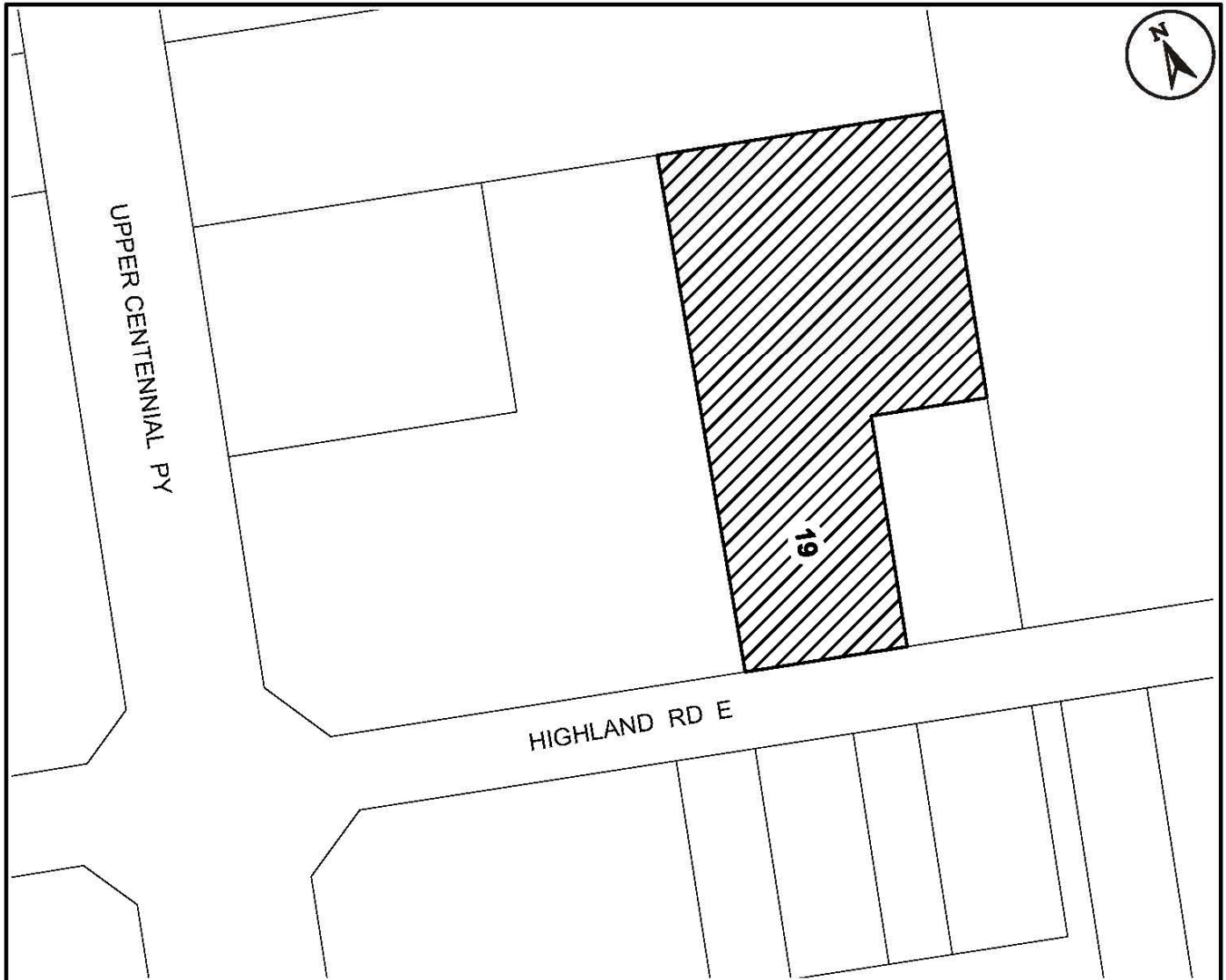
F. Eisenberger  
Mayor

---

J. Pilon  
City Clerk

RHOPA-17-024  
ZAC-17-055

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 19 Highland Road East (Stoney Creek)**



This is Schedule "A" to By-law No. 18-

Passed the ..... day of ....., 2018

-----  
Mayor  
-----  
Clerk

## Schedule "A"

Map Forming Part of  
By-law No. 18-\_\_\_\_\_

to Amend By-law No. 05-200  
Map RU166

**Subject Property**

19 Highland Road East, Stoney Creek)

 Change in Zoning from Existing Rural Industrial (ER, 155) Zone to Existing Industrial (E2, 689) Zone

Scale:  
N.T.S.

File Name/Number:  
ZAC-17-055 & RHOPA-17-024

Date:

Planner/Technician:



**Authority:** Item 14, Planning Committee  
Report: 18-012 (PED18169)  
CM: August 17, 2018  
Ward: 9

**Bill No. 309**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend Stoney Creek Zoning By-law 3692-92 Respecting Lands Located at 19 Highland Road East (Stoney Creek)**

**WHEREAS** the City of Hamilton Act, 1999, S. O. 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 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 municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**WHEREAS;** Zoning By-law No. 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;

**WHEREAS;** the Council of the City of Hamilton, in adopting Item 14 of Report 18-012 of the Planning Committee, at its meeting held on the 17th day of August, 2018, which recommended that the Zoning By-law No. 3692-92 (Stoney Creek) be amended; and,

**WHEREAS** this By-law will be in conformity with the Rural Hamilton Official Plan upon adoption of Official Plan Amendment No. 20;

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

1. That Map No. 17 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 Rural Industrial “MR-5” Zone, Modified to the Rural Industrial “MR-6(H)” Zone, Modified



2. That Subsection 9.9.5, "Special Exemptions" of Section 9.9 Rural Industrial "MR" Zone, of Zoning By-law No. 3692-92, be amended by adding a new Special Exemption, "MR-6(H)", as follows:

**"MR-6(H)" 19 Highland Road East, Schedule "A", Map No. 17**

- (a) In addition to the uses permitted in Section 9.9.2 of the Rural Industrial "MR" Zone, public storage warehouses shall be permitted. No parking space located adjacent to Highland Road shall be permitted to be used for the parking of rental trucks or rental trailers
- (b) Notwithstanding Section 9.1.5(a), a minimum setback of 4.5m shall be required.
- (c) Notwithstanding Section 9.1.5(d), a landscape strip having a minimum width of 4.4m shall be required.
- (d) Notwithstanding Section 9.9.3(a), a minimum lot area of 0.8 hectares shall be permitted.
- (e) Notwithstanding Section 9.9.3(b), a minimum frontage of 42 metres shall be required.
- (f) Notwithstanding Section 9.9.3(h), a minimum of 20 parking spaces shall be required.
- (g) Notwithstanding the provision of Section 3.8 "Holding Zones", on those lands zoned "MR-6(H)" by this By-law, the Holding Symbol may be removed and thereby give effect to the "MR-6" Zone provisions in Section two above, upon completion of the following:

That the owner completes the following:

- i. That the applicant confirm that the property can be adequately serviced.
- ii. That the applicant design the required servicing extension and enter into and execute an external servicing agreement and/or special servicing agreement.
- iii. That applicant acknowledge that the servicing be considered temporary until the ultimate servicing network is designed with any future boundary expansion to the east of upper Centennial.
- iv. That the applicant or successor be responsible for any future permanent servicing cost associated with the ultimate servicing network.

All to the satisfaction of the Senior Director of Growth Management.

2. 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** September 26<sup>th</sup>, 2018.

---

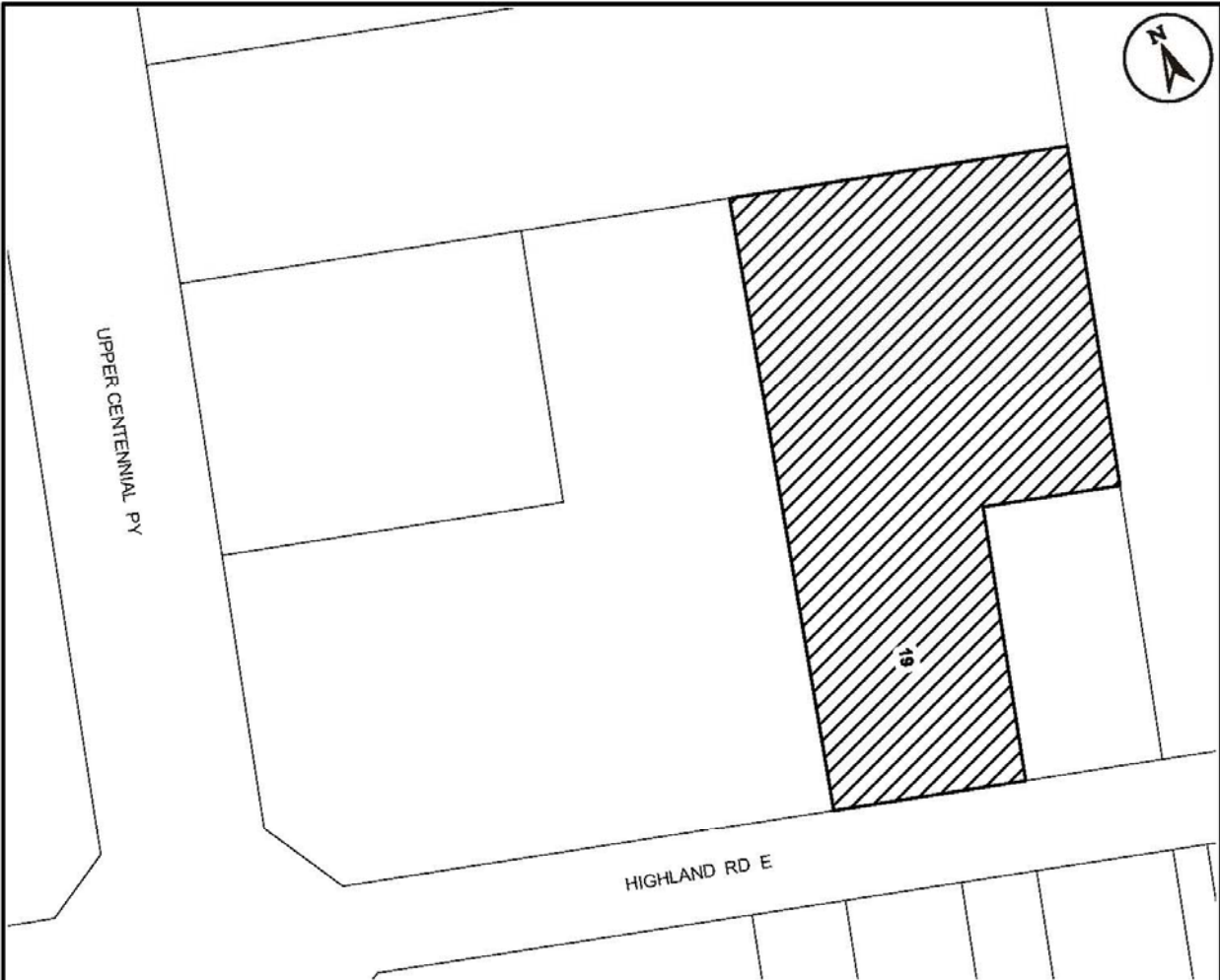
F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

ZAC-17-055 and RHOPA-17-024





<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>
--	---

<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. 3692-92</p>	<p><b>Subject Property</b> 19 Highland Road</p> <p> Change in Zoning from Rural Industrial "MR-5(H)" Zone, Modified to Rural Industrial "MR-6(H)" Zone, Modified</p>
--	--

<p><b>Scale:</b> N.T.S.</p>	<p><b>File Name/Number:</b> ZAC-17-055 &amp; RHOPA-17-024</p>	<p><b>Hamilton</b></p>
<p><b>Date:</b> Septmeber 5, 2018</p>	<p><b>Planner/Technician:</b> AB/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

**Authority:** Item 3, Audit, Finance & Administration  
Committee Report 18-013 (CL18009)  
CM: September 26, 2018

**Bill No. 310**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **TO AMEND BY-LAW NO. 11-040 TO ESTABLISH RETENTION PERIODS FOR RECORDS OF THE CITY OF HAMILTON**

**WHEREAS** the Council of the City of Hamilton enacted by-law 11-040 being a By-law to Establish Retention Periods for Records of the City of Hamilton, on January 26, 2011, pursuant to section 255, of the *Municipal Act*, 2001;

**AND WHEREAS** the Council of the City of Hamilton, in adopting item 3 of Report 18-013 of the Audit, Finance & Administration Committee, at its meeting held on the 24<sup>th</sup> day of September, 2018, recommended that Records Retention By-law 11-040 be amended as hereinafter provided;

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

1. That the following file classifications in Schedule A to Records Retention By-law 11-040 be amended as follows:
  - (a) **AD08 - Strategic Planning/Management**  
Retention changed from 10 years to Superseded +10, subject to archival review
  - (b) **AD12 - Accessibility of Records – Information Requests**  
Retention changed from T+3 years to T+2 years. T= close of file
  - (c) **CO06 - Council/Standing Committee Meeting Recordings**  
Retention changed from 'temporarily suspended pending review' to permanent subject to archival review at end of term of council

TO AMEND BY-LAW NO. 11-040  
TO ESTABLISH RETENTION PERIODS FOR RECORDS  
OF THE CITY OF HAMILTON

Page 2 of 3

- (d) **EM06 01 – Emergency Preparedness Planning**  
Scope notes: Records associated with information related to Emergency Preparedness Planning.  
Includes: Mock/training exercises, emergency preparedness plans and business continuity plans.  
Excludes: Operational responses (see EM06 02 - Emergency Response)  
Retention unchanged
- (e) **PE04 01 - Building, Grading and Structural Inspections**  
Retention changed from C+17 to Permanent
- (f) **PE08 02 - Building Plans and Specifications**  
Retention changed from C+17 to Permanent

2. That Schedule A to Records Retention By-law 11-040 be amended by adding the following file classifications:

- (a) **CO09 02 - Vital Statistics – Documentation**  
Scope Notes: Includes records of vital events including marriage applications, voided marriage licenses and death registration paperwork. This series does not include Marriage and Death Registers.  
  
Total Retention C + 3 years
- (b) **EM06 02 - Emergency Response**  
Scope Notes: Records associated with information related to operational responses to emergencies where either the City or individual Department is one of the lead record holders for activation or partial activation of the Incident Management System (IMS).  
  
Excludes: Mock/training exercises, emergency preparedness plans and business continuity plans. (see EM06 01 - Emergency Preparedness Planning).  
New file class developed to incorporate records related to operational responses to emergencies.  
  
Total Retention is T+15. T= end of emergency
- (c) **HR14 - Volunteer and Unpaid Student Files**  
Scope Notes: Records associated with the administration, coaching, mentoring, precepting, supervising, delivery, screening, orientation and maintenance of volunteers and unpaid student placements.  
  
Includes: Volunteer requests and role descriptions, volunteer applications, unpaid student placement applications, interview questions, references

TO AMEND BY-LAW NO. 11-040  
TO ESTABLISH RETENTION PERIODS FOR RECORDS  
OF THE CITY OF HAMILTON

Page 3 of 3

verification, orientation materials, scheduling, and individual volunteer performance monitoring, supervision notes, health and safety certificates.

Excludes: Volunteer or Student Placement policies and procedures. (see AD 07 Policies and Procedures); Police Background Checks (retained by Human Resources); Paid Students (e.g. Internships) who must be processed through Human Resources (see HR 03 01).

Total Retention is T+7. T = last day of employment

**(d) TS14 - Motor Vehicle Accident Reports**

Scope Notes: Records associated with Motor Vehicle Accident Reports.

Total Retention is T+4. T = completion of investigation

3. That Schedule A to Records Retention By-law 11-040 be amended by deleting file classification **SH08 - Public Health** and adding a File Plan category entitled Public Health Services including all corresponding file classifications as provided in Schedule A to this by-law.
4. This By-law comes into force on the day it is passed.

**PASSED** this 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

**Authority:** Item 12, Public Works Committee  
Report 17-013  
(PW17077/PED17184)  
CM: November 22, 2017  
Ward: 10

**Bill No. 311**

**CITY OF HAMILTON**

**BY-LAW NO. 18-311**

**To Permanently Close Public Highways Abutting 423 North Service Road, namely Part of Lot 18, Broken Front Concession, in the Geographic Township of Saltfleet, in the City of Hamilton, designated as Part 6 on Plan 62R-13426 and Parts 1 and 3 on Plan 62R-20211**

**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** at its meeting of November 22, 2017, Council approved of Item 12 of Public Works Committee Report 17-013, and authorized the City of Hamilton to permanently close and sell the public highways abutting 423 North Service Road, namely Part of Lot 18, Broken Front Concession, in the Geographic Township of Saltfleet, in the City of Hamilton, designated as Part 6 on Plan 62R-13426 and Parts 1 and 3 on Plan 62R-20211; and

**WHEREAS** notice to the public of the proposed sale of the permanently closed public highways has been given in accordance with the provisions of the Sale of Land Policy By-law.

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

1. The public highways described as Part of Lot 18, Broken Front Concession, in the Geographic Township of Saltfleet, in the City of Hamilton, designated as Part 6 on

To Permanently Close Public Highways Abutting 423 North Service Road, namely Part of Lot 18, Broken Front Concession, in the Geographic Township of Saltfleet, in the City of Hamilton, designated as Part 6 on Plan 62R-13426 and Parts 1 and 3 on Plan 62R-20211

Page 2 of 2

Plan 62R-13426 and Parts 1 and 3 on Plan 62R-20211, which are owned by the City of Hamilton, are permanently closed.

2. The soil and freehold of the public highways permanently closed under section 1 are to be sold to 6801391 Canada Incorporated for the sum of Two Dollars (\$2.00).
3. This by-law shall come into force on the date of its registration in the Land Registry Office (No. 62).

**PASSED** this 26<sup>th</sup> day of September, 2018

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

To Confirm the Proceedings of City Council at its meeting held on September 26, 2018.

**THE COUNCIL OF THE  
CITY OF HAMILTON  
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 26<sup>th</sup> day of September, 2018, in respect of each recommendation contained in,

Public Works Committee Report 18-012 – September 17, 2018,  
Board of Health Report 18-007 – September 17, 2018,  
Planning Committee Report 18-014 – September 18, 2018,  
General Issues Committee Report 18-019 – September 19, 2018  
and

Audit, Finance and Administration Committee Report 18-013, September 24, 2018

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting is hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

**PASSED** this 26<sup>th</sup> day of September, 2018.

---

F. Eisenberger  
Mayor

---

J. Pilon  
Acting City Clerk