



City of Hamilton

CITY COUNCIL ADDENDUM

Wednesday, December 19, 2018, 9:30 A.M.
Council Chambers, Hamilton City Hall
71 Main Street West

5. COMMUNICATIONS

5.31 Correspondence respecting Rental Licensing By-Law and Pilot Project (8.6 Rental Housing Sub-Committee Report 18-003, Item 1)

*5.31.e Realtors Association of Hamilton-Burlington and Hamilton and District Apartment Association

Recommendation: Be received and referred to the consideration of Item 2 of the Planning Committee Report 18-015.

*5.39 Correspondence from Hamilton Urban Core Community Health Centre seeking Council's support for their application for a Consumption and Treatment Service within their Centre to the Province by December 31, 2018.

Recommendation: For Council's consideration.

*5.40 Notice of Application from A Better Niagara and the Niagara Peninsula Conservation Authority and the Regional Municipality of Niagara - Hearing Date December 21, 2018

Recommendation: Be received.

6. COMMITTEE REPORTS

*6.9 Special General Issues Committee Report 18-023 (Cannabis Matter), December 18, 20189

8. NOTICES OF MOTIONS

- *8.2 Annual Reports on Discharges to Natural Environment from Dundas and Woodward Sewerage Treatment Plants or CSO and Protocol for Immediate Notification to Council
- *8.3 Annual Report on Watermain Breaks
- *8.4 City's Outflow Monitoring
- *8.5 Ward 3 Community Grants

11. BY-LAWS AND CONFIRMING BY-LAW

*11.27 340

Being a By-law to Permanently Close a Portion of Public Assumed Alley Abutting 60 King William Street, Hamilton, established by Nathaniel Hughson Survey (Unregistered), in the City of Hamilton, designated as Part 1 on Reference Plan 62R-21021 being Part of PIN 17167-0044 (LT), City of Hamilton

Ward: 2

*11.28 341

Being a By-law to Permanently Close a Portion of a Public Unassumed Alley Abutting 353 Strathearne Avenue, Hamilton, established by Registered Plan 514, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20716, City of Hamilton

Ward: 4

*11.29 342

To Amend the Sewer and Drain By-law No. 06-026, and Implement the 2019 Fees and Charges

Ward: City Wide

*11.30 343

To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272 and Implement the 2019 Fees and Charges

Ward: City Wide

- *11.31 344
To Amend the Waterworks By-law No. R84-026 and Implement the 2019 Fees and Charges
Ward: City Wide
- *11.32 345
A By-law to Establish the 2019 Water and Wastewater/Storm Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton
Ward: City Wide
- *11.33 346
To Amend Zoning By-law No. 05-200 Respecting Lands Located at 928 Queenston Road, Stoney Creek
UHOPA-17-020
ZAC-17-049
Ward: 9
- *11.34 347
Being a By-law to Delegate Authority to the General Manager of Public Works to Declare the Beginning and End of a Significant Weather Event for the Purposes of Administering the Municipal Act, 2001, O. Reg 239/02 – Minimum Maintenance Standards for Municipal Highways
Ward: City Wide



HAMILTON URBAN CORE COMMUNITY HEALTH CENTRE

Strong Core, Healthier Lives

December 17, 2018

To The City of Hamilton:

Re: Support for Hamilton Urban Core Application for Consumption and Treatment Services

Hamilton Urban Core Community Health Centre is seeking your support in applying for a Consumption and Treatment Service (CTS) within the Centre. Our application must be submitted to the provincial government by no later than December 31, 2018.

Hamilton Urban Core in partnership with the Shelter Health Network has been operating an Overdose Prevention Site since June 2018. Overdose Prevention Sites (OPS) are temporary supervised injection sites. They operate as lifeguard stations for IV drug use. They provide a safe environment, harm reduction supplies and immediate support in the case of an overdose. The OPS has seen 2,321 visits, reversed a total of 23 overdoses and has had a total of 2,159 visits for harm reduction services between June 2018 and November 2018.

In October 2018, the CTS program was announced by the provincial government and is intended to replace overdose prevention services. Consumption and Treatment Services will provide integrated, wrap-around services that connect people who use drugs to primary health care, treatment, and other health and social services while continuing to provide support in the event of an overdose.

Hamilton Urban Core is planning to expand its services to include a consumption and treatment service site alongside our existing harm reduction, and clinical and community health services for people who need this service and are working towards submitting an application to the provincial government.

In 2017, 87 people in Hamilton died because of opioid overdose. This represented a death rate 72 per cent higher than the average in Ontario. According to the Office of the Chief Coroner of Ontario, the number of opioid-related deaths in Hamilton has almost doubled over the past 10 years.

In 2016, there were 230 newly diagnosed cases of Hepatitis C in Hamilton, 32 per cent higher than the provincial rate. Hence, the continued need for harm reduction services in Hamilton to reduce and eliminate blood borne infections.

Preliminary stats from the City of Hamilton show that in the first three months of 2018, the number of opioid-related deaths was almost two times higher than in the same timeframe last year.

As part of the community consultation process, Hamilton Urban Core engaged almost 200 individuals who represented community members, service users, business owners, service providers and agencies in a survey. The survey findings indicated that:

- a) The majority of the respondents live in the neighbourhood, use services in the community or work or own a business
- b) An overwhelming number of respondents indicated that they have strong ties with downtown Hamilton and as such felt safe, that they know where everything is located and/or that they have family or friends in the area
- c) The majority of people felt that services to address the "drug" problem were needed
- d) A high number of people indicated that they want to be kept informed through community meetings or in a newsletter
- e) Some suggested that a good relationship with the police was important and in particular it is important to have clear roles
- f) Clients who access the OPS services at the Centre acknowledged the importance of the services, indicating that they felt strongly that it saves lives, acknowledged drug use and opioid overdose as a big problem in Hamilton, suggested more hours and increased services.

We found the feedback to be encouraging and are committed to continuing with routine dialogue with the range of those in the neighbourhoods and communities surrounding Hamilton Urban Core to hear their perspective and address any concerns that may surface.

All of the information above clearly indicates the need for a Consumption and Treatment Services in Hamilton. We respectfully request that the City of Hamilton support Hamilton Urban Core Community Health Centre in its application for Consumption and Treatment Services by way of a motion. A sample motion is attached for your reference. Please note that the application must be submitted to the provincial government by no later than December 31, 2018.

If you require additional information, please do not hesitate to contact me.

Thank you in advance for your kind consideration.

Sincerely,



Denise Brooks

Executive Director

Hamilton Urban Core Community Health Centre

71 Rebecca Street, Hamilton ON L8R 1B6

Ph: 905-522-3233 ext. 246 Direct Line: 905-977-3060

Fax: 905-522-5374 Email: dbrooks@hucchc.com

Website: www.hucchc.com

/encls



HAMILTON URBAN CORE COMMUNITY HEALTH CENTRE

Strong Core, Healthier Lives

Re: Support for Hamilton Urban Core Application for Consumption and Treatment Services

Motion:

Whereas, a temporary Overdose Prevention Site opened in Hamilton on June 5, 2018; and

Whereas, in 2017, 87 people in Hamilton died because of opioid overdose. This represented a death rate 72 per cent higher than the average in Ontario; and

Whereas according to the Office of the Chief Coroner of Ontario, the number of opioid-related deaths in Hamilton has almost doubled over the past 10 years

Whereas, efforts have been made to address the opioid crisis through Overdose Prevention Sites (OPS) that are temporary supervised injection sites, which operate as lifeguard stations for IV drug use.

Whereas, in October, the Consumption and Treatment Services (CTS) program was announced by the provincial government and is intended to replace overdose prevention services.

Whereas, the CTS model will provide integrated, wrap-around services that connect clients who use drugs to primary care, treatment, and other health and social services while continuing to provide support in the event of an overdose.

Therefore, be it resolved that the City of Hamilton support by approval of this motion Hamilton Urban Core Community Health Centre's 2018 application to the Province of Ontario for funding under the Consumption and Treatment Services program.

Court File No.

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

A BETTER NIAGARA

Applicant

- and -

**THE NIAGARA PENINSULA CONSERVATION AUTHORITY and THE REGIONAL
MUNICIPALITY OF NIAGARA**

Respondents

NOTICE OF APPLICATION

TO THE RESPONDENTS

A LEGAL PROCEEDING HAS BEEN COMMENCED by the applicant. The claim made by the applicant appears on the following page.

THIS APPLICATION will come on for hearing before a Judge on Friday, December 21, 2018 at 10:00 a.m. or as soon after that time as the application can be heard at 102 East Main Street, City of Welland, in the Province of Ontario, L3B 3W6.

IF YOU WISH TO OPPOSE THIS APPLICATION, to receive notice of any step in the application or to be served with any documents in the application, you or an Ontario lawyer acting for you must forthwith prepare a notice of appearance in Form 38A prescribed by the Rules of Civil Procedure, serve it on the applicant's lawyer or, where the applicant does not have a lawyer, serve it on the Applicant, and file it, with proof of service, in this court office, and you or your lawyer must appear at the hearing.

IF YOU WISH TO PRESENT AFFIDAVIT OR OTHER DOCUMENTARY EVIDENCE TO THE COURT OR TO EXAMINE OR CROSS-EXAMINE WITNESSES ON THE APPLICATION, you or your lawyer must, in addition to serving your notice of appearance, serve a copy of the evidence on the applicant's lawyer or, where the Applicant does not have a lawyer, serve it on the Applicant, and file it, with proof of service, in the court office where the application is to be heard as soon as possible, but at least four days before the hearing.

IF YOU FAIL TO APPEAR AT THE HEARING, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO OPPOSE THIS APPLICATION BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

Date Issued by
Local registrar

Superior Court of Justice
102 East Main Street
Welland, Ontario
L3B 3W6

TO: NIAGARA PENINSULA CONSERVATION AUTHORITY

3rd Floor West,
250 Thorold Rd.
Welland, ON
L3C 3W2

AND TO: REGIONAL MUNICIPALITY OF NIAGARA

Niagara Region
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON
L2V 4T7

APPLICATION

1. The Applicant, A Better Niagara, makes application for:
 - (a) An order declaring and affirming the right of the Regional Municipality of Niagara (the “Niagara Region”) to replace its twelve Niagara Peninsula Conservation Authority (the “NPCA”) board appointees with the twelve new members that were designated at the Niagara Region Council meeting of December 6, 2018;
 - (b) An order declaring that the NPCA must comply with instructions received from the new Niagara Board appointees in accordance with all relevant policies and procedures;
 - (c) An order declaring that the NPCA was not within its jurisdiction to instruct the Niagara Region that the proper constitution of the NPCA board is five members from Niagara;
 - (d) An order declaring that in accordance with the *Conservation Authorities Act*, R.S.O. 1990, c. C.27, sections 2(2) and 4(1)(b), the Niagara Region has the right to appoint up to 27 members to the NPCA board;
 - (e) Abridging time for service, if necessary;
 - (f) Costs of this proceeding, if costs are pursued against the Applicant; and
 - (g) Such further and other relief as the Applicant may advise and this Honourable Court may permit.

2. The grounds for the application are:

- (a) On December 6, 2018, the Niagara Region held a public Council meeting in which a motion was passed replacing its twelve appointees to the NPCA Board effective immediately, in accordance with the *Conservation Authorities Act*, R.S.O. 1990, c. C.27, section 14(4.3);
- (b) The NPCA board members have refused to step down or otherwise recognize that their terms as board members are at an end. The NPCA has refused to recognize the twelve appointees and is insisting that the Niagara Region is only entitled to appoint five members to the NPCA Board;
- (c) The Board composition of a conservation authority is set out in the *Conservation Authorities Act*, and is tied to the population of each municipality within the watershed area of the conservation authority;
- (d) Section 2(2) of the *Conservation Authorities Act* sets out the number of representatives a municipality may appoint to a conservation authority board, in accordance with its population base in the watershed. Where the population base is 250,000 to 500,000, the municipality is entitled to five representative board members;
- (e) However, Niagara Region is an upper tier municipality acting in the place of local municipalities, and instead falls under section 4(1)(b) of the *Conservation Authorities Act*, which states that Niagara Region “shall appoint to each such authority the number of members to which the local municipalities would otherwise have been entitled as participating municipalities.”;

- (f) Under section 4(1)(b), Niagara Region's 12 municipalities results in Niagara Region having the right to appoint 27 Board members to the NPCA, though historically the Niagara Region only appointed 12 (one for each lower-tier municipality);
 - (g) A Better Niagara brings this proceeding by way of application because it is unlikely that there are any material facts in dispute. This application is also urgent: there is confusion as to who is in charge of the NPCA. The NPCA is an important regulator and protector of the Niagara Region's environment with mandated responsibilities under the *Conservation Authorities Act* and each day that goes by there is significant risk of damage to the Niagara environment, and damage to the NPCA's reputation and authority to enforce its environmental protection mandate;
 - (h) A Better Niagara is an interested party. It is a non-profit entity formed to advocate for good governance and accountability in the Niagara Region and specifically at the NPCA. It is made up of engaged citizens and voters and is concerned about the undemocratic nature of what has transpired;
 - (i) Rules 14(3), 38 and and 39 of the *Rules of Civil Procedure*; and
 - (j) Such further and other grounds as the Applicant may advise and this Honourable Court permit.
3. The following documentary evidence will be used at the hearing of the application:
- (a) The affidavit of Elizabeth Benneian, to be sworn; and

- (b) Such further and other evidence as the Applicant may advise and this Honourable Court permit.

December 18, 2018

A BETTER NIAGARA

Attention: Elizabeth Benneian

3150 Culp Road

Jordan Station

L0R 1S0

Tel: 905-562-3819

Email: lizcdn@yahoo.com

Applicant

A BETTER NIAGARA
Applicant

and

**THE NIAGARA PENINSULA CONSERVATION
AUTHORITY et al**
Respondents

Court File No.:

ONTARIO
**SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)**

Proceedings commenced at Welland

NOTICE OF APPLICATION

A BETTER NIAGARA

Attention: Elizabeth Benneian

3150 Culp Road

Jordan Station

L0R 1S0

Tel: 905-562-3819

Email: lizcdn@yahoo.com

Applicant



SPECIAL GENERAL ISSUES COMMITTEE REPORT 18-023

9:30 a.m.

Tuesday, December 18, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Mayor F. Eisenberger, Deputy Mayor J. Farr (Chair)
Councillors M. Wilson, N. Nann, S. Merulla, C. Collins, T. Jackson,
E. Pauls, J. P. Danko, B. Clark, M. Pearson, L. Ferguson,
A. VanderBeek, T. Whitehead, J. Partridge

**Absent with
Regrets:** Councillor B. Johnson – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 18-023 AND RESPECTFULLY RECOMMENDS:

1. Dispensaries for Recreational Cannabis Retail Sale (Item 11.1)

That the Motion, respecting Dispensaries for Recreational Cannabis Sale, be referred to the January 14, 2019, Special Council meeting for consideration, with the following direction:

- (a) That, in order to obtain an accurate assessment of Police costs, the Hamilton Police Services Board be requested to calculate current cannabis related costs and the estimated, future cannabis related costs, and provide the cost differential to Council at its meeting of January 14, 2019; and,
- (b) That staff be directed to place both Report PED18249, respecting Cannabis Provincial Legislation; and, the motion respecting Opting-Out of Dispensaries for Recreational Cannabis Retail Sale, which reads as follows, on the City's website with a poll to ask the community-at-large if they prefer to Opt-In or Opt-Out of Cannabis Retail locations in the city of Hamilton:

WHEREAS, the Province of Ontario has, through their constitutional authority under the federation of Canada, pursued the legalization of recreational cannabis use in Ontario;

Council – December 19, 2018

WHEREAS, the social costs have been established by the City of Hamilton and Hamilton Police Services;

WHEREAS, the legalization of cannabis in Ontario will increase revenue significantly to the Province of Ontario;

WHEREAS, nearly half of the City of Hamilton's operating budget is dedicated to provincially mandated programs, with little or no authority from Council; and,

WHEREAS, a lack of sustainable revenue-sharing from the Province of Ontario related to the retail sale of cannabis to municipalities will amplify the regressive downloading crisis in Hamilton;

THEREFORE, BE IT RESOLVED:

- (a) That cannabis retail stores not be permitted to operate in the City of Hamilton, in accordance with the *Cannabis Licence Act, 2018*;
- (b) That the City Manager be directed to provide written notice, prior to January 22, 2019, to the Registrar no later than three business days after the resolution is passed and, not later than January 22, 2019, to advise that the City of Hamilton will not permit cannabis retail stores in Hamilton;
- (c) That the estimated first phase of funding, in the amount of \$574,493, to be funded from the Ontario Cannabis Legalization Implementation Fund for costs that directly relate to the legalization of recreational cannabis, be allocated as outlined in Appendix "A" attached hereto;
- (d) That Council reaffirm its request to the Hamilton Police Services Board that Hamilton Police Service continue to aggressively close down all illegal cannabis dispensaries located within the city of Hamilton;
- (e) That the Mayor write to the Premier of Ontario, appropriate Ministers, and the Association of Municipalities of Ontario to communicate that it is the City's position that the Province's approach to the regulation of private cannabis retail stores in Ontario must ensure that municipalities have the ability to regulate the following in a manner that is appropriate to the municipality:
 - (i) separation distances from sensitive uses such as parks, schools, day care and health care facilities;
 - (ii) over-concentration of dispensaries in one area of the city;

- (iii) the total number of dispensaries city-wide and within particular areas of the city;
- (iv) general issues of urban design such as location of entrances and transparency of facades;
- (v) advertising and signage;
- (vi) hours of operation;
- (vii) property standards compliance; and,
- (viii) the ability to restrict or prohibit operations that routinely violate municipal standards such as noise, nuisance or property standards.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. COMMUNICATIONS (Item 5)

- 5.3 Correspondence from St. Jean de Brebeuf Catholic Secondary School, respecting concerns regarding the impact of legalized cannabis retail locations within Hamilton.
- 5.4 Correspondence from John Mutton, President and Chief Executive Officer, Municipal Solutions on behalf of the Cannapiece Corporation, respecting Health Canada approved medicinal health clinics with medical practitioners on site.
- 5.5 Correspondence from Jenna Valleriani, British Columbia on Substance Use, Faculty of Medicine, University of British Columbia, respecting cannabis retail.

Jenna's flight from BC was delayed and she is unable to attend this morning's meeting; however, she has sent correspondence instead, which is has been added as Item 5.5.

2. DELEGATION REQUESTS (Item 6)

- 6.5 Kim Wright, Hill + Knowlton Strategies, respecting retail cannabis.
- 6.6 Ziad Reda and Dr. Rana Harb, respecting reasons why private retail cannabis stores are beneficial for Hamilton's economy.
- 6.7 Jenna Valleriani, British Columbia on Substance Use, Faculty of Medicine, University of British Columbia, respecting cannabis retail.

This request has been withdrawn and correspondence has been provided. (See Item 5.5).
- 6.8 Loren Lieberman, regarding cannabis retail from a Hamilton perspective.
- 6.9 Hilton Silberg, Interested Retail Licensee

3. STAFF PRESENTATIONS (Item 9)

Item 9.1 will be moved up on the agenda to be heard immediately after the Declarations of Interest.

4. DISCUSSION ITEMS (Item 10)

As there is a presentation to accompany Report PED18249, respecting Dispensaries for Recreational Cannabis Retail, Item 10.1 has been moved to Item 9.1.

The agenda for the December 18, 2018 Special General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) COMMUNICATIONS (Item 5)

The following items of communication, shown below as Items 5.1 to 5.5, were received:

- (i) Correspondence from the Honourable Vic Fedeli, Minister of Finance, respecting the Ontario Legislation Implementation Fund (OCLIF), November 20, 2018 (Item 5.1)
- (ii) Correspondence from the Hamilton-Wentworth Catholic District School Board, respecting Cannabis Store Locations and Buffer Zones to Schools, November 21, 2018 (Item 5.2)
- (iii) Correspondence from St. Jean de Brebeuf Catholic Secondary School, respecting concerns regarding the impact of legalized cannabis retail locations within Hamilton. (Item 5.3)
- (iv) Correspondence from John Mutton, President and Chief Executive Officer, Municipal Solutions on behalf of the Cannapiece Corporation, respecting Health Canada approved medicinal health clinics with medical practitioners on site. (Item 5.4)
- (v) Correspondence from Jenna Valleriani, British Columbia on Substance Use, Faculty of Medicine, University of British Columbia, respecting cannabis retail. (Item 5.5)

(d) PUBLIC HEARINGS / DELEGATION REQUESTS (Item 6)

The delegation requests, shown below as Items 6.1 to 6.6, 6.8 and 6.9, were approved to appear before the Special General Issues Committee on December 18, 2018:

- (i) Clayton McCann, Department of Anthropology, McMaster University, respecting Concern for Workers in Illicit Cannabis Dispensaries (Item 6.1)
- (ii) Clint Younge, respecting Opting-In on Cannabis Legislation from a Retail Perspective (Item 6.2)
- (iii) Britney Guerra, respecting Cannabis Retail (Item 6.3)
- (iv) Keanin Loomis, President & CEO, Hamilton Chamber of Commerce, respecting a business case on the question of whether physical cannabis retail stores should be permitted in Hamilton (Item 6.4)
- (v) Kim Wright, Hill + Knowlton Strategies, respecting retail cannabis (Item 6.5)

- (vi) Ziad Reda and Dr. Rana Harb, respecting reasons why private retail cannabis stores are beneficial for Hamilton's economy (Item 6.6)
- (vii) Loren Lieberman, regarding cannabis retail from a Hamilton perspective (Item 6.8)
- (viii) Hilton Silberg, Interested Retail Licensee (Item 6.9)

(e) PUBLIC HEARINGS / DELEGATIONS (Item 8)

- (i) Clayton McCann, Department of Anthropology, McMaster University, respecting Concern for Workers in Illicit Cannabis Dispensaries (Item 8.1)**

Clayton McCann, Department of Anthropology, McMaster University, addressed Committee respecting concern for workers in illicit cannabis dispensaries.

The presentation provided by Clayton McCann, Department of Anthropology, McMaster University, respecting concern for workers in illicit cannabis dispensaries, was received.

- (ii) Clint Young, respecting Opting-In on Cannabis Legislation from a Retail Perspective (Item 8.2)**

Mr. Young withdrew his request.

- (iii) Britney Guerra, respecting Cannabis Retail (Item 8.3)**

Britney Guerra, addressed Committee respecting cannabis retail.

The presentation provided by Britney Guerra, respecting Cannabis Retail, was received.

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

- (iv) **Keanin Loomis, President & CEO, Hamilton Chamber of Commerce, respecting a business case on the question of whether physical cannabis retail stores should be permitted in Hamilton (Item 8.4)**

Keanin Loomis, President & CEO, Hamilton Chamber of Commerce, addressed Committee respecting a business case on the question of whether physical cannabis retail stores should be permitted in Hamilton.

The presentation provided by Keanin Loomis, President & CEO, Hamilton Chamber of Commerce, respecting a business case on the question of whether physical cannabis retail stores should be permitted in Hamilton, was received.

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

- (v) **Kim Wright, Hill + Knowlton Strategies, respecting retail cannabis (Item 8.5)**

Kim Wright, Hill + Knowlton Strategies, addressed Committee respecting retail cannabis.

The presentation provided by Kim Wright, Hill + Knowlton Strategies, respecting retail cannabis, was received.

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

- (vi) **Ziad Reda and Dr. Rana Harb, respecting Reasons Why Private Retail Cannabis Stores are Beneficial for Hamilton's Economy (Item 8.6)**

Ziad Reda and Dr. Rana Harb, addressed Committee respecting reasons why private retail cannabis stores are beneficial for Hamilton's economy.

The presentation provided by Ziad Reda and Dr. Rana Harb, respecting reasons why private retail cannabis stores are beneficial for Hamilton's economy, was received.

- (vii) **Jenna Valleriani, British Columbia on Substance Use, Faculty of Medicine, University of British Columbia, respecting cannabis retail (Item 6.7)**

This request was withdrawn, and correspondence was provided (See Item 5.5).

(viii) Loren Lieberman, regarding Cannabis Retail from a Hamilton Perspective (Item 8.8)

Loren Lieberman, addressed Committee respecting cannabis retail from a Hamilton perspective.

The presentation provided by Loren Lieberman, regarding cannabis retail from a Hamilton perspective, was received.

(ix) Hilton Silberg, Interested Retail Licensee (Item 8.9)

Hilton Silberg, Interested Retail Licensee, addressed Committee respecting cannabis retail.

The presentation provided by Hilton Silberg, interested retail licensee, respecting cannabis retail, was received.

(f) STAFF PRESENTATIONS (Item 9)

(i) Cannabis Provincial Legislation (PED18249) (City Wide) (Item 9.1)

Jason Thorne, General Manager of the Planning & Economic Development Department, addressed Committee and provided an overview of Report PED18249, respecting Cannabis Provincial Legislation.

The presentation respecting Report PED18249, respecting Cannabis Provincial Legislation, was received.

That Report PED18249, respecting Cannabis Provincial Legislation, be referred to the January 14, 2019 Special Council meeting for consideration.

The referral motion above was DEFEATED on the following Standing Recorded Vote:

Yeas:	Eisenberger, Pauls, Farr, Clark, VanderBeek, Whitehead
Total:	6
Nays:	Merulla, Collins, Jackson, Wilson, Danko, Ferguson, Pearson
Total:	7
Absent:	Johnson, Partridge, Nann
Total:	3

- (a) That Cannabis Retail Stores be permitted to operate in the City of Hamilton, in accordance with the *Cannabis Licence Act*, 2018;
- (b) That the City Manager be directed to provide written notice, prior to January 22, 2019, to the Alcohol and Gaming Commission of Ontario (AGCO) to advise that the City of Hamilton will permit Cannabis Retail Stores in Hamilton;
- (c) That the City of Hamilton Cannabis Policy Statement, attached as Appendix "A" to Report PED18249, be approved;
- (d) That the Mayor submits the City of Hamilton Cannabis Policy Statement to the Province of Ontario along with a request that it be used to guide the Province in making decisions on the approval of cannabis licences in the City of Hamilton;
- (e) That the Director of Licensing and By-law Services or their designate be delegated the authority, on behalf of the City, to provide written submissions upon request of the Registrar as to whether the issuance of a retail store authorization is in the public interest, having regard to the needs and wishes of the residents, and that the Director of Licensing and By-law Services be guided in the exercise of this authority by the City of Hamilton Cannabis Policy Statement, attached as Appendix "A" to Report PED18249;
- (f) That the estimated first phase of funding, in the amount of \$574,493, to be funded from the Ontario Cannabis Legalization Implementation Fund for costs that directly relate to the legalization of recreational cannabis be allocated as outlined in Appendix "B" to Report PED18249;
- (g) That staff be directed to report back to the General Issues Committee once the second phase of funding, under the Ontario Cannabis Legalization Implementation Fund, is announced with recommendations on how the funds should be allocated; and,
- (h) That the item respecting Private Retail Cannabis Stores be identified as complete and removed from the Planning Committee's Outstanding Business List.

The staff recommendations in Report PED18249, respecting Cannabis Provincial Legislation, as outlined above, were DEFEATED, on the following Standing Recorded Vote:

Yeas: Clark, VanderBeek, Whitehead, Eisenberger, Farr, Wilson
Total: 6
Nays: Merulla, Collins, Jackson, Pauls, Danko, Ferguson, Pearson
Total: 7
Absent: Johnson, Partridge, Nann
Total: 3

(g) MOTIONS (Item 11)

(i) Dispensaries for Recreational Cannabis Retail Sale (Item 11.1)

WHEREAS, the Province of Ontario has, through their constitutional authority under the federation of Canada, pursued the legalization of recreational cannabis use in Ontario;

WHEREAS, the social costs have been established by the City of Hamilton and Hamilton Police Services;

WHEREAS, the legalization of cannabis in Ontario will increase revenue significantly to the Province of Ontario;

WHEREAS, nearly half of the City of Hamilton's operating budget is dedicated to provincially mandated programs, with little or no authority from Council; and,

WHEREAS, a lack of sustainable revenue-sharing from the Province of Ontario related to the retail sale of cannabis to municipalities will amplify the regressive downloading crisis in Hamilton;

THEREFORE, BE IT RESOLVED:

- (a) That cannabis retail stores not be permitted to operate in the City of Hamilton, in accordance with the *Cannabis Licence Act*, 2018;
- (b) That the City Manager be directed to provide written notice, prior to January 22, 2019, to the Registrar no later than three business days after the resolution is passed and, not later than January 22, 2019, to advise that the City of Hamilton will not permit cannabis retail stores in Hamilton;
- (c) That the estimated first phase of funding, in the amount of \$574,493, to be funded from the Ontario Cannabis Legalization Implementation Fund for costs that directly relate to the legalization of recreational cannabis, be allocated as outlined in Appendix "A" attached hereto;

- (d) That Council reaffirm its request to the Hamilton Police Services Board that Hamilton Police Service aggressively close down all illegal cannabis dispensaries located within the city of Hamilton;
- (e) That the Mayor write to the Premier of Ontario, appropriate Ministers, and the Association of Municipalities of Ontario to communicate that it is the City's position that the Province's approach to the regulation of private cannabis retail stores in Ontario must ensure that municipalities have the ability to regulate the following in a manner that is appropriate to the municipality:
 - (i) separation distances from sensitive uses such as parks, schools, day care and health care facilities;
 - (ii) over-concentration of dispensaries in one area of the city;
 - (iii) the total number of dispensaries city-wide and within particular areas of the City;
 - (iv) general issues of urban design such as location of entrances and transparency of facades;
 - (v) advertising and signage;
 - (vi) hours of operation;
 - (vii) property standards compliance; and,
 - (viii) ability to restrict or prohibit operations that routinely violate municipal standards such as noise, nuisance or property standards.

For disposition of this matter, please refer to Item 1.

The referral Motion, shown as Item 1 above, CARRIED on the following Standing Recorded Vote:

Yeas:	Wilson, Pauls, Farr, Eisenberger, Whitehead, VanderBeek, Clark
Total:	7
Nays:	Merulla, Collins, Jackson, Danko, Ferguson, Pearson
Total:	6
Absent:	Johnson, Partridge, Nann
Total:	3

(h) ADJOURNMENT (Item 15)

There being no further business, the Special General Issues Committee adjourned at 5:28 p.m.

Respectfully submitted,

J. Farr, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk

CITY OF HAMILTON

NOTICE OF MOTION

Council: December 19, 2018

MOVED BY COUNCILLOR B. CLARK.....

Annual Reports on Discharges to Natural Environment from Dundas and Woodward Sewerage Treatment Plants or CSO and Protocol for Immediate Notification to Council

WHEREAS, the 2016 total sewage discharge numbers for Hamilton were: 4 incidents, 19.8 hours of sewage dumped with the longest incident being 5 hours with the total litres discharged being 51, 247,100 = 20.4 Olympic size swimming pools;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to provide the Public Works Committee with annual reports on discharges to natural environment from Dundas and Woodward sewerage treatment plants or CSOs, reasons and costs of any clean-up or mitigations for 2017 and 2018; and,
- (b) That staff be directed to develop a protocol whereby Council will be advised immediately about any discharge incident, cause and mitigations.

CITY OF HAMILTON

NOTICE OF MOTION

Council: December 19, 2018

MOVED BY COUNCILLOR B. CLARK.....

Annual Report on Watermain Breaks

That staff be directed to provide the Public Works Committee with an annual report on watermain breaks, the total number, cause and cost of each break, as well as the distance of water mains relined with total cost and overall report on sustainability.

CITY OF HAMILTON NOTICE OF MOTION

Council: December 19, 2018

MOVED BY COUNCILLOR B. CLARK.....

City’s Outflow Monitoring

WHEREAS, the City of Hamilton has 24 outflows to the Harbor with 10 being monitored and 14 being unmonitored;

THEREFORE, BE IT RESOLVED:

That staff be directed to provide the Public Works Committee with a report on the City’s outflow monitoring, the location of monitored and unmonitored outflows, a risk assessment on monitored and unmonitored outflows, any potential impact to environment, proposed mitigation measures and projected costs.

CITY OF HAMILTON NOTICE OF MOTION

Council: December 19, 2018

MOVED BY COUNCILLOR N. NANN.....

Ward 3 Community Grants

WHEREAS, cell tower revenues from Ward 3 of \$10,628.19 are available in project 3301609603 to provide financial support to community led projects and initiatives that benefit Ward 3; and

WHEREAS the Hamilton Filipino Community Centre is home to a dozens plus programs, committees, and associations that provides workshops, programs, athletics, art, drama, music, handicrafts, hobbies and recreation for the benefit of the general public.

THEREFORE, BE IT RESOLVED:

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

Hamilton Filipino Community Centre be granted funds in the amount of \$1,500 to provide a free community programming through the various programs and committees located at 1275 King Street East in Ward 3.

Authority: Item 25, Public Works Committee
Report 18-005 (PW18032)
CM: April 25, 2018
Ward: 2

Bill No. 340

CITY OF HAMILTON

BY-LAW NO. 18-

Being a By-law to Permanently Close a Portion of Public Assumed Alley Abutting 60 King William Street, Hamilton, established by Nathaniel Hughson Survey (Unregistered), in the City of Hamilton, designated as Part 1 on Reference Plan 62R-21021 being Part of PIN 17167-0044 (LT), City of Hamilton

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

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

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

AND WHEREAS the Council of the City of Hamilton on April 25, 2018, in adopting Item 25 of Public Works Committee Report 18-005, authorized the City to permanently close and sell a portion of a public unassumed alley abutting 60 King William Street, Hamilton, Ontario, established by Nathaniel Hughson Survey (Unregistered), in the City of Hamilton, designated as Part 1 on Reference Plan 62R-21021, being Part of PIN 17167-0044 (LT), City of Hamilton;

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

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

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

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

Part of Lot 27, South Side of King William Street between Hughson and John Street and Part of Alleyway between Hughson, King William, John and King

Being a By-law to Permanently Close a Portion of Public Assumed Alley Abutting 60 King William Street, Hamilton, established by Nathaniel Hughson Survey (Unregistered), in the City of Hamilton, designated as Part 1 on Reference Plan 62R-21021 being Part of PIN 17167-0044 (LT), City of Hamilton

Page 2 of 2

Streets, on Nathaniel Hughson Survey (Unregistered), in the City of Hamilton, designated as Part 1 on Plan 62R-21021, being Part of PIN 17167-0044 (LT)

is hereby permanently closed.

2. That the soil and freehold of Part 1 on Reference Plan 62R-21021, hereby permanently closed, be sold to King William Residences Inc. for the sum of Two Dollars (\$60,000.00).
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

PASSED on this 19th day of December, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 3, Public Works Committee
Report 17-009 (PW17055)
CM: July 14, 2017
Ward: 4

Bill No. 341

CITY OF HAMILTON

BY-LAW NO. 18-

Being a By-law to Permanently Close a Portion of a Public Unassumed Alley Abutting 353 Strathearne Avenue, Hamilton, established by Registered Plan 514, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20716, City of Hamilton

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

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

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

AND WHEREAS the Council of the City of Hamilton on July 14, 2017, in adopting Item 3 of Public Works Committee Report 17-009, authorized the City to permanently close and sell a portion of a public unassumed alley abutting 353 Strathearne Avenue, Hamilton, established by Registered Plan 514, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-2716, being Part of PIN 17254-0210 (LT), City of Hamilton;

AND WHEREAS a Judge's Order was issued and registered on title on December 12, 2018, as Instrument No. WE1327312 to close a portion of public unassumed alley abutting 353 Strathearne Avenue, Hamilton, established by Registered Plan 514, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20716, being Part of PIN 17254-0210 (LT), City of Hamilton;

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

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

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

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

Part of the Alleyway on Registered Plan 514, in the City of Hamilton, designated as Part 1, Plan 62R-20716, City of Hamilton

is hereby permanently closed.

2. That the soil and freehold of Part 1 on Reference Plan 62R-20716, hereby permanently closed, be sold to The Estate of Steven Popovich for the sum of Two Dollars (\$2.00).
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

PASSED on this 19th day of December, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 2, General Issues Committee
Report 18-020 (FCS18087)
CM: December 19, 2018
Ward: City Wide

Bill No. 342

CITY OF HAMILTON

BY-LAW NO. 18-

To Amend the Sewer and Drain By-law No. 06-026, and Implement the 2019 Fees and Charges

WHEREAS on February 15, 2006, the Council of the City of Hamilton passed By-law No. 06-026, known and referred to as “The Sewer and Drain By-law”, which by-law came into force on March 1, 2006;

AND WHEREAS sections 9, 10 and 391 of the *Municipal Act, 2001*, authorize a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of the municipality and for the use of the municipality’s property, including property under its control;

AND WHEREAS on the 19th day of December, 2018, the Council of the City of Hamilton approved Item 2 of General Issues Committee Report 18-020 and authorized the 2019 fees and charges set out herein;

AND WHEREAS notice of the 2019 fees and charges set out herein has been given in accordance with the provisions of the City of Hamilton’s Public Notice Policy By-law No. 07-351;

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

1. Schedule “A” to By-law No. 06-026 is deleted and replaced with the new Schedule “A” attached to this by-law.
2. The fees and charges imposed by this by-law continue in force until amended, repealed or replaced (by by-law or by a resolution of the Council of the City of Hamilton confirmed by by-law) and for greater certainty this includes continuing in force after December 31, 2019 until amended, repealed or replaced.
3. This by-law comes into force on January 1, 2019.

To Amend the Sewer and Drain By-law No. 06-026,
and Implement the 2019 Fees and Charges

Page 2 of 4

PASSED this 19th day of December, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

SCHEDULE "A"

SCHEDULE OF FEES AND CHARGES

Effective January 1, 2019

1. The following fees are payable for the sewer permit, which fees include a visual inspection of a Sewer Lateral - Private Portion or a Storm Sewer Lateral - Private Portion, or both, to confirm the Sewer Lateral - Private Portion or a Storm Sewer Lateral - Private Portion, or both, have been installed or repaired to the City of Hamilton specifications and in accordance with a sewer permit:
 - (a) Regular Hours inspection \$96.02
 - (b) After Hours/Emergency inspection \$203.45

2. In addition to the fee described in section 1 of this Schedule "A", the following sewer permit fee is payable for a CCTV inspection of a Main Sewer where determined by the General Manager of Public Works to be necessary to confirm that a Sewer Lateral - Private Portion or a Storm Sewer Lateral - Private Portion, or both, have been installed or repaired to the City of Hamilton specifications and in accordance with a sewer permit:

Main Sewer inspection Cost plus 33% overhead

3. Sewer-related service calls on private property
Note: Cost for service call to investigate a sewer related complaint where the issue is determined to be on private property. No charge for sewer complaints related to issue originating from the City's sewer system. Missed appointments will be billed the corresponding service call rate.
 - (a) Service Call - Regular Hours \$85.59
 - (b) Service Call - After Hours/Emergency \$172.15

4. Missed or Cancelled Inspection Fee \$69.17

5. Sewer Lateral Cleaning and Investigation Fees:
 - (a) Complete Sewer Lateral Investigation – Regular Hours \$397.96
 - (b) Complete Sewer Lateral Investigation – After Hours \$439.57
 - (c) Partial Sewer Lateral Cleaning – Regular Hours \$130.05

(d)	Partial Sewer Lateral Cleaning – After Hours	\$182.07
(e)	Abandoned Sewer Lateral Investigation- Regular Hours	\$208.08
(f)	Abandoned Sewer Lateral Investigation – After Hours	\$260.10
6.	Miscellaneous Wastewater Collection System repair – for damage caused by a third party	Cost + 33% overhead
7.	Additional Labour Charges: Fees in Section 1 and 3 of this Schedule A allow for maximum one hour of total labour. An additional labour charge for all services/calls that exceed that allotted labour time will be charged as follows:	
	½ hour additional labour – Wastewater Collection – Regular Hours	\$21.64
	½ hour additional labour – Wastewater Collection – After Hours/Emergency	\$32.48

Notes to Schedule “A”:

1. Fees do not include HST which will be added where applicable.
2. "Regular Hours" means any working day, 7:00 a.m. - 4:30 p.m. Monday to Friday, excluding weekends, statutory and other public holidays or any other day on which the City has elected to be closed for business.
3. "After Hours" means outside Regular Hours Monday to Friday, a Saturday, Sunday, statutory and other public holiday or any other day on which the City has elected to be closed for business.
4. "Emergency" means any occurrence where staff and/or equipment must be re-deployed from previously assigned task(s) to respond to a time-sensitive request for services/call made under this By-law.
5. "Partial Sewer Lateral Cleaning" means services to relieve blockage(s) in the Sewer Lateral in order to temporarily reinstate sewer service.
6. "Complete Sewer Lateral Investigation" means services to complete a thorough cleaning and closed circuit television inspection of the Sewer Lateral.
7. "Abandoned Sewer Lateral Investigation" means services related to an unsuccessful attempt to access the Sewer Lateral for cleaning.

Authority: Item 2, General Issues Committee
Report 18-020 (FCS18087)
CM: December 19, 2018
Ward: City Wide

Bill No. 343

CITY OF HAMILTON

BY-LAW NO. 18-

To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272 and Implement the 2019 Fees and Charges

WHEREAS on September 24, 2003, the Council of the City of Hamilton passed By-law No. 03-272, known and referred to as “The Sanitary Surcharge and Wastewater Abatement By-law”;

AND WHEREAS pursuant to sections 8, 9 and 10 of the *Municipal Act, 2001*, a municipality may pass by-laws respecting public assets of the municipality acquired for the purpose of exercising its authority under the *Municipal Act 2001* or any other Act, and respecting services that the municipality considers necessary or desirable for the public, including the provision of public utilities such as water and sewage, as defined in the *Municipal Act, 2001*;

AND WHEREAS sections 9, 10 and 391 of the *Municipal Act, 2001*, authorize a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of the municipality and for the use of the municipality’s property, including property under its control;

AND WHEREAS on the 19th day of December, 2018 the Council of the City of Hamilton approved Item 2 of General Issues Committee Report 18-020 and authorized the 2019 fees and charges set out herein;

AND WHEREAS notice of the 2019 fees and charges set out herein has been given in accordance with the provisions of the City of Hamilton’s Public Notice Policy By-law No. 07-351;

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

1. Schedule “A” to By-law No. 03-272 is deleted and replaced with the new Schedule “A” attached to this by-law.

To Amend the Sanitary Surcharge and Wastewater Abatement
By-law No. 03-272 and Implement the 2019 Fees and Charges

Page 2 of 6

2. Schedule "B" to By-law No. 03-272 is deleted and replaced with the new Schedule "B" attached to this by-law.
3. The fees and charges imposed by this by-law continue in force until amended, repealed or replaced (by by-law or by a resolution of the Council of the City of Hamilton confirmed by by-law) and for greater certainty this includes continuing in force after December 31, 2019 until amended, repealed or replaced.
4. This by-law comes into force on January 1, 2019.

PASSED this 19th day of December, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

SCHEDULE "A"

Wastewater/Storm Fees and Charges

I. Metered Water Customers

The Wastewater/Storm Fees and Charges consist of a daily wastewater/storm fixed charge and a wastewater/storm treatment charge.

A) Daily Wastewater/Storm Fixed Charge

The daily wastewater/storm fixed charge is not related to the direct costs of consumption and are not dependent upon or related to the amount of consumption incurred. The fixed charges are intended to offset the fixed costs of maintaining the City's wastewater/storm sewage systems.

Meter Size	Wastewater/Storm Rate
15mm	\$ 0.38
16 mm	\$ 0.38
20 mm	\$ 0.38
21 mm	\$ 0.38
25 mm	\$ 0.95
38 mm	\$ 1.90
50 mm	\$ 3.04
75 mm	\$ 6.08
100 mm	\$ 9.50
150 mm	\$19.00
200 mm	\$30.40
250 mm	\$43.70
300 mm	\$64.60

Schedule "A" continued

B) Wastewater/Storm Treatment Charges

Wastewater/storm treatment charges are based on metered water consumption and the cost of wastewater collection and treatment, and stormwater management. Charges are on a per cubic meter basis at the rates indicated in the table below. The total monthly wastewater/storm treatment charge is the sum of usage in all blocks at the rate for each block:

		Residential	Multi-Residential, Commercial, Institutional & Industrial
Consumption Block	Monthly Water Consumption (m³)	Rate (\$/m3)	Rate (\$/m3)
1	0-10	0.84	1.68
2	>10	1.68	1.68

II. Non-Metered Water Customers

The non-metered annual wastewater/storm rate is \$613.20 per annum, plus applicable taxes,

Note: The non-metered annual water rate for water supplied by the City of Hamilton is \$565.75 per annum, plus applicable taxes, for a combined total non-metered water and wastewater/storm annual rate of \$1,178.95 per annum, plus applicable taxes.

SCHEDULE "B"

Wastewater Abatement Program

1. (a) Application Processing Fee (Section 10) \$374.50 plus applicable taxes and full cost recovery for peer review, if required by Director
- (b) Annual Administration Fee (where annual Abatement exceeds \$500.00 -sub-section 22(b)) \$712.80 plus applicable taxes

2. In determining whether a Consumer appears to qualify for an Abatement under section 10 of this By-law, the Abatement shall be calculated in accordance with the following formula, based on data from the calendar year prior to the year of application for the Abatement:

A = annual volume (m³) of water supplied to the property from the potable water supply

B = annual volume of water that was sourced from the potable water supply and diverted from the City's sanitary sewage works (if B is less than 25% of A, the Consumer is not eligible for the Abatement; if B is greater than 75% of A, insert a value equal to 75% of A)

C = annual wastewater discharged to the City's sanitary sewer and combined sewer system (C = A – B) or C = actual measured value using sewer flow monitoring if required by the Director

D = infiltration and inflow add back (D = C x 133%: add back adjustment of 33% to the volumetric charge so that all ratepayers continue to pay an equal portion of the treatment costs associated with inflow and infiltration)

E% = wastewater Abatement in percentage

Step 1: A – B = C; or C = actual measured value using sewer flow monitoring if required by the Director

Step 2: D = C x 133%

Step 3: E% = $\frac{A - D}{A} \times 100$

A

Schedule "B" continued

3. If an Abatement is authorized for a Consumer in accordance with this By-law, the Abatement will be applied quarterly each year in accordance with the following formula:

F = actual volume (m³) of potable water supplied to the property by the City during the previous quarter

G = volume (m³) of water eligible for the Abatement during the previous quarter

H = wastewater/storm treatment charge (see Schedule "A" to this By-law)

\$I = dollar amount of Abatement for the billing period

Step 4: $F \times E\% = G$

Step 5: $G \times H = \$I$

Authority: Item 2, General Issues Committee
Report 18-020 (FCS18087)
CM: December 19, 2018
Ward: City Wide

Bill No. 344

CITY OF HAMILTON

BY-LAW NO. 18-

To Amend the Waterworks By-law No. R84-026 and Implement the 2019 Fees and Charges

WHEREAS pursuant to sections 8, 9 and 10 of the *Municipal Act, 2001*, a municipality may pass by-laws respecting public assets of the municipality acquired for the purpose of exercising its authority under the *Municipal Act, 2001* or any other Act, and respecting services that the municipality considers necessary or desirable for the public, including the provision of public utilities such as water and sewage, as defined in the *Municipal Act, 2001*;

AND WHEREAS sections 9, 10 and 391 of the *Municipal Act, 2001* authorize a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

AND WHEREAS on the 19th day of December, 2018, the Council of the City of Hamilton approved Item 2 of General Issues Committee Report 18-020 and authorized the 2019 fees and charges set out herein;

AND WHEREAS notice of the 2019 fees and charges set out herein has been given in accordance with the provisions of the City of Hamilton's Public Notice Policy By-law No. 07-351.

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

1. Schedule "A" to By-law No. R84-026 is deleted and replaced with the new Schedule "A" attached to this by-law.
2. Schedule "C" to By-law No. R84-026 is deleted and replaced with the new Schedule "C" attached to this by-law.
3. Schedule "E" to By-law No. R84-026 is deleted and replaced with the new Schedule "E" attached to this by-law.

To Amend the Waterworks By-law No. R84-026
and Implement the 2019 Fees and Charges

Page 2 of 15

4. Schedule "G" to By-law No. R84-026 is deleted and replaced with the new Schedule "G" attached to this by-law.
5. Schedule "H" to By-law No. R84-026 is deleted and replaced with the new Schedule "H" attached to this by-law.
6. The fees and charges imposed by this by-law continue in force until amended, repealed or replaced (by by-law or by a resolution of the Council of the City of Hamilton confirmed by by-law) and for greater certainty this includes continuing in force after December 31, 2019 until amended, repealed or replaced.
7. This by-law comes into force on January 1, 2019.

PASSED this 19th day of December, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

SCHEDULE "A"

NON-METERED WATER RATES
EFFECTIVE JANUARY 1, 2019*

The non-metered annual water rate for water supplied by the City of Hamilton is:

\$565.75 per annum.

Note: The non-metered annual wastewater/storm rate is \$613.20 per annum, for a combined total non-metered water and wastewater/storm annual rate of \$1,178.95 per annum.

*Fees above do not include HST which will be added where applicable.

SCHEDULE "C"

MISCELLANEOUS RATES FOR WATER
EFFECTIVE JANUARY 1, 2019*

(Referred to in sub-sections 12(6), (7) and (8))

1. **Travelling Shows and Other Temporary Occasions**

Applicants for travelling shows or applicants for other temporary occasions shall pay a deposit of Six Thousand, Three Hundred Dollars (\$6,300.00), which consists of:

- (a) Three Hundred Dollars (\$300.00) as a usage deposit (to be applied to the cost of temporary connection/ disconnection, the per diem rental cost for the fire hydrant adapter and the amount due for water used); and
- (b) Six Thousand Dollars (\$6,000.00) as a damage deposit (refundable upon return to the City of the fire hydrant adapter, less any damages incurred).

The fee for connecting and disconnecting the water service and for the fire hydrant adapter rental are set forth in Section 7 of Schedule "E" to this By-law and are in addition to the applicable metered water rate set out in Schedule "G" to this By-law.

2. **Public Water Filling Stations**

- (a) The rate payable by water users for water supplied to tank trucks at the Public Water Filling Stations is \$2.35 per cubic metre or part thereof. The Public Water Filling Stations are located at:
 - (i) Cormorant Road, Ancaster
 - (ii) Dartnall Road, Hamilton.

- (b) Annual Water Haulage License Fee \$57.33

3. **Private Water Filling Stations**

The one time permit fee for new Private Water Filling Stations approved by the General Manager of Public Works is \$1,217.22 and is payable upon permit application.

The annual permit fee for both existing Private Water Filling Stations and new Private Water Filling Stations approved by the General Manager of Public Works is \$357.80 and is payable by the Owner of the Private Water Filling Station within one month of the notification by the City.

4. Areas Outside the City of Hamilton

The rate for water supplied to municipalities for the Owner or Occupant of any lands outside the City of Hamilton is the applicable metered water rates set forth in Schedule "G" to this By-law, plus such other surcharge and rate of return as may be specifically defined in the agreement between the City and the municipality, Owner or Occupant of the lands outside the City of Hamilton.

* Fees above do not include HST which will be added where applicable.

SCHEDULE "E"

TABLE OF FEES FOR VARIOUS SERVICES*
EFFECTIVE JANUARY 1, 2019

1. Permit fees associated with the supply and installation of water meter and remote reading device, inspection and the turning on of the water, as referred to in clause 4(1)(b) of By-law R84-026, as amended.

Size of Water Meter	Fee
16 mm displacement	\$ 359.70
20 mm displacement	\$ 404.60
21 mm displacement	\$ 404.60
25 mm displacement	\$ 559.40
38 mm displacement	\$ 886.76
50 mm displacement	\$ 1,218.80
50 mm turbine	\$ 1,384.60
50 mm compound	\$ 3,316.40
100 mm turbine	\$ 3,870.13
100 mm compound	\$ 5,206.07
100 mm fire service turbine	\$ 6,637.49
100 mm fire service compound	\$ 8,624.85
100 mm magnetic flow meter ¹ .	\$ 8,899.76
100 mm fire rated magnetic flow meter ¹ .	\$ 9,297.22
150 mm turbine	\$ 7,467.78
150 mm compound	\$10,226.88
150 mm fire service turbine	\$11,028.42
150 mm magnetic flow meter ¹ .	\$11,186.31
150 mm fire rated magnetic flow meter ¹ .	\$12,334.54
150 mm fire service compound	\$13,954.24
200 mm turbine	\$ 8,998.80

200 mm compound	\$12,097.96
200 mm magnetic flow meter ¹ .	\$12,041.98
200 mm fire rated magnetic flow meter ¹ .	\$13,160.41
200 mm fire service turbine	\$14,171.75
200 mm fire service compound	\$19,092.63
250 mm turbine	\$15,496.05
250 mm magnetic flow meter ¹ .	\$14,415.75
250 mm fire rated magnetic flow meter ¹ .	\$17,063.33
250 mm fire service turbine	\$19,312.34
250 mm fire service compound	\$24,832.75
Radio Remote Read Equipment Installation	\$ 209.80
¹ . Must be approved by Supervisor of Meter Operations	

2. Water Meter Removal Fee

Size of Water Meter	Fee
16 mm displacement	\$109.40
20 mm displacement	\$109.40
21 mm displacement	\$109.40
25 mm displacement	\$109.40
38mm – 250 mm (cost depends on size, labour, and meter location)	Cost + 10% overhead

3. Water Meter Inspection Services

(a) Inspection – Regular Hours	\$109.47
(b) Inspection – After Hours	\$143.32

4. Upsize Water Service Connection from 20mm to 25mm

\$150.00

Note: Charge for upsizing the water service connection (public portion) when water service connection replacement is already being completed by the City.

5. Turning Water Off or On
Note: Turning water off at the curb to enable a property owner to complete internal plumbing repairs, or a private water service repair or replacement, and then turning the water back on.
- | | |
|---|----------|
| (a) For turning water off and on (Regular Hours) – 2 visits | \$123.35 |
| (b) For turning water off and on (After Hours/Emergency) – 2 visits | \$206.70 |
| (c) For turning water off and on during the same visit – ½ hour maximum (Regular Hours) | \$82.95 |
| (d) For turning water off and on during the same visit – ½ hour maximum (After Hours) | \$113.35 |
| (e) For turning water off (non-compliance) - ½ hour maximum (Regular Hours) | \$82.95 |
| (f) For turning water on (non-compliance) - ½ hour maximum (Regular Hours) | \$82.95 |
6. Hydrant flow test / Water Quality Flushing \$91.98
Note: Cost to operate a City Fire Hydrant(s) for a maximum of 1 hour total labour
7. For temporary connections and disconnections (fire hydrant adapter fees):**
Note: Costs to install or remove water meter and backflow prevention device. When moving a fire hydrant adapter from one site to another for the same customer, both removal and installation fees apply. This service requires a usage deposit and a damage deposit.
- Usage cost (metered water rate) plus connection/disconnection fee
- | | |
|--|----------------|
| (a) Connection/Disconnection Fee – Regular Hours | \$145.90/visit |
| (b) Connection/Disconnection Fee – After Hours/Emergency | \$274.40/visit |
| (c) Fire hydrant adapter rental (for initial 7 days) | \$81.30 |
| (d) Per diem charge for fire hydrant adapter rental (after initial 7 days) | \$6.02/day |
8. Replacement Cost for Lost or Broken Water Meter and Attachments

Size of Meter	Cost
15 mm displacement	\$ 215.93
16 mm displacement	\$ 215.93
20 mm displacement	\$ 335.67

To Amend the Waterworks By-law No. R84-026
and Implement the 2019 Fees and Charges

21 mm displacement	\$ 335.67
25 mm displacement	\$ 386.46
38 mm displacement	\$ 1,066.39
50 mm turbine	\$1,297.30
50 mm displacement	\$1,596.50
50 mm compound	\$2,069.60
50 mm strainer	\$409.71
100 mm turbine	\$3,264.10
100 mm compound	\$5,273.63
100 mm fire service turbine	\$7,121.80
100 mm fire service compound	\$8,802.92
100 mm magnetic flow meter	\$9,709.99
100 mm fire rated magnetic flow meter	\$9,937.83
100 mm strainer	\$759.70
150 mm turbine	\$6,006.42
150 mm compound	\$9,139.82
150 mm fire service turbine	\$10,826.60
150 mm fire service compound	\$13,752.42
150 mm magnetic flow meter	\$10,845.31
150 mm fire rated magnetic flow meter	\$12,045.75
150 mm strainer	\$1,216.23
200 mm turbine	\$ 6,495.74
200 mm compound	\$10,222.12
200 mm fire service turbine	\$14,265.39
200 mm fire service compound	\$19,185.36

200 mm magnetic flow meter	\$13,006.04
200 mm fire rated magnetic flow meter	\$14,203.88
200 mm strainer	\$2,067.48
250 mm turbine	\$11,287.26
250 mm magnetic flow meter	\$13,067.26
250 mm fire rated magnetic flow meter	\$15,687.52
250 mm fire service turbine	\$17,958.66
250 mm fire service compound	\$25,704.87
250 mm strainer	\$3,553.73

9. Testing water meters, referred to in Section 9 of this By-law

15 and 16 mm diameter	\$ 308.67
16 – 25 mm diameter (where removed from service within prior 90 days)	\$ 127.60
20 mm diameter	\$ 354.22
25 mm diameter	\$ 405.02
38 mm diameter	\$ 879.98
50 mm diameter	\$1,542.08
100 mm plus diameter (in situ testing)	\$ 897.60

10. Water Quality/Quantity Service Calls

Note: Cost for a service call to investigate a water quality/quantity complaint and the issue resides on private property. No charge for water quality/quantity complaints related to issues originating from the City's distribution system. Missed appointments will be billed the corresponding service call rate.

- (a) Service Call – Regular Hours – Maximum 1 hour total labour \$ 82.95
- (b) Service Call – After Hours/Emergency – Maximum 1 hour total labour \$147.19

11. Hydrant Repair, Replace or Relocate
Note: cost to repair, replace or relocate a City fire hydrant.
Fee includes labour, materials and equipment. cost plus 33%
overhead
12. Watermain Shutdown
Note: Cost associated with isolating a watermain to facilitate third party work.
- | | |
|---|----------|
| (a) Watermain Shutdown/Recharge – Regular Hours | \$128.07 |
| (b) Watermain Shutdown/Recharge – After Hours/Emergency | \$230.54 |
13. Construction Water fees:
Note: Charge for unmetered water used for construction prior to meter installation. Paid at the time of submitting building permit payment.
- | | |
|---|---------|
| (a) Single residential (per lot or townhouse) | \$95.05 |
| (b) Multi-residential (per apartment/condo unit) | \$44.45 |
| (c) Industrial/commercial/institutional (\$ per 1,000 square feet of building area or \$ per hectare where no structure is constructed) | \$31.20 |
14. Water Inspection Services:
Note: Cost associated with various permit and inspection services related to water services for properties.
- | | |
|---|----------|
| (a) Private Water Service Repair/Replacement Inspection – Regular Hours | \$92.97 |
| (b) Private Water Service Repair/Replacement Inspection – After Hours/Emergency | \$157.17 |
| (c) Water Service Abandonment Inspection – Regular Hours | \$ 82.95 |
| (d) Water Service Abandonment Inspection – After Hours/Emergency | \$147.19 |
| (e) Water Service Inspection for Demolition – Regular Hours | \$82.95 |
| (f) Water Service Inspection for Demolition – After Hours/Emergency | \$147.19 |
| (g) Missed or Cancelled Inspection | \$60.40 |
15. General Administration Fees:
- | | |
|---|-----------------|
| Account Review | \$ 87.68 |
| General Administrative Request (per hour) | \$ 68.71 |
| NSF Cheque | \$ 60.15 |
| Permit Cancellation Administration Fee | \$ 41.03 |
| Permit Renewal Fee | \$ 41.03 |
| Lead Water Service Replacement Loan Application Fee | \$ 51.36 |
| Monthly Manual Meter Read Fee | \$ 3.00 |
| Water Shut Off | \$ 20.00 |
| Water Shut-off – Notice on Door | \$ 25.00 |

16. Miscellaneous Water Distribution System Repair cost plus 33%
Note: Cost for the City to repair damage to the water distribution overhead
system caused by a third party. Costs include labour, parts,
materials, equipment and permanent restoration.

17. Additional Labour Charges:
Fees in this Schedule “E” allow for maximum one hour of total labour unless
otherwise specified. An additional labour charge for all services/calls that
exceed that allotted labour time will be charged as follows:

½ Hour Additional Labour – Regular Hours	\$22.57
½ Hour Additional Labour – After Hours/Emergency	\$33.85

Costs are for a single Water Distribution Operator in minimum increments of
30 minutes.

Notes to Schedule “E”:

- * Fees do not include HST which will be added where applicable.
- ** This service requires a \$6,300.00 deposit (\$300.00 usage deposit and
\$6,000.00 damage deposit).

“Regular Hours” means any working day, 7:00 a.m. - 4:30 p.m. Monday to Friday,
excluding weekends, statutory and other public holidays or any other day on which
the City has elected to be closed for business.

“After Hours” means outside Regular Hours Monday to Friday, a Saturday, Sunday,
statutory and other public holiday or any other day on which the City has elected to
be closed for business.

“Emergency” means any occurrence where staff and/or equipment must be re-
deployed from previously assigned task(s) to respond to a time-sensitive request
for services/call made under this By-law.

SCHEDULE "G"

METERED WATER RATES

EFFECTIVE JANUARY 1, 2019

The metered water rates consist of a daily water fixed charge and a metered water consumption charge.

A) **Daily Water Fixed Charge**

The daily water fixed charge is not related to the direct costs of consumption and are not dependent upon or related to the amount of consumption incurred. The fixed charges are intended to offset the fixed costs of maintaining the Waterworks.

Meter Size	Water Rate
15mm	\$ 0.36
16 mm	\$ 0.36
20 mm	\$ 0.36
21 mm	\$ 0.36
25 mm	\$ 0.90
38 mm	\$ 1.80
50 mm	\$ 2.88
75 mm	\$ 5.76
100 mm	\$ 9.00
150 mm	\$18.00
200 mm	\$28.80
250 mm	\$41.40
300 mm	\$61.20

B) **Metered Water Consumption Charges**

Water consumption shall be charged on a per cubic metre basis at the rates indicated in the table below. The total monthly metered water consumption charge is the sum of usage in all blocks at the rate for each block:

		Residential	Multi-Residential, Commercial, Institutional & Industrial
Consumption Block	Monthly Water Consumption (m³)	Rate (\$/m3)	Rate (\$/m3)
1	0-10	0.78	1.55
2	>10	1.55	1.55

Note to Schedule “G”:

Wastewater/storm fees and charges are as set out in By-law No. 03-272 and in the Water and Wastewater/Storm Fees and Charges By-law.
Fees do not include HST which will be added where applicable.

SCHEDULE “H”

PRIVATE UNMETERED FIRE LINE FEES

EFFECTIVE JANUARY 1, 2019

(referred to in Section 11(4))

Size of Connection		Monthly Fees or Charges
mm	inches	
25	1	\$ 3.42
38	1.5	\$ 7.87
50	2	\$ 13.68
75	3	\$ 30.78
100	4	\$ 54.72
150	6	\$123.12
200	8	\$218.88
250	10	\$218.88
300	12	\$218.88

Note:

1. Fees do not include HST which will be added where applicable.
2. The service shall consist of permanent unmetered connections to the main for the purpose of supplying water to private fire protection systems such as automatic sprinkler systems, standpipes and private hydrants. This service shall also include reasonable quantities of water used for testing check valves and other backflow protection devices.

Authority: Item 2, General Issues Committee
Report 18-020 (FCS18087)
CM: December 19, 2018
Ward: City Wide

Bill No. 345

CITY OF HAMILTON

BY-LAW NO. 18-

A By-law to Establish the 2019 Water and Wastewater/Storm Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton

WHEREAS sections 9, 10 and 391 of the *Municipal Act, 2001*, authorize a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

AND WHEREAS pursuant to sections 8, 9 and 10 of the *Municipal Act, 2001*, a municipality may pass by-laws respecting public assets of the municipality acquired for the purpose of exercising its authority under the *Municipal Act, 2001* or any other Act, and respecting services that the municipality considers necessary or desirable for the public, including the provision of public utilities such as water and sewage, as defined in the *Municipal Act, 2001*;

AND WHEREAS the City of Hamilton wishes to establish and maintain in one by-law a list of all of its water and wastewater/storm services and activities and the use of property subject to fees or charges, as well as the amount of each fee or charge;

AND WHEREAS on the 19th day of December, 2018, the Council of the City of Hamilton approved Item 2 of General Issues Committee Report 18-020 and authorized the 2019 water and wastewater/storm fees and charges set out herein;

AND WHEREAS notice of the 2019 water and wastewater/storm fees and charges set out herein has been given in accordance with the provisions of the City of Hamilton's Public Notice Policy By-law No. 07-351.

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

1. The water and wastewater/storm fees and charges identified under the headings of Daily Water & Wastewater/Storm Fixed Charges, Metered Water Consumption Charges, Wastewater/Storm Treatment Charges, and Non-Metered Annual Water and Wastewater/Storm Rate on Schedule "A" attached hereto, shall be

imposed by the City of Hamilton for those services, activities and use of property provided by the City of Hamilton.

2. The water and wastewater/storm fees and charges identified as the “2018 Approved Fee or Charge” on Schedule “B” attached hereto, shall be imposed by the City of Hamilton for those services, activities and use of property provided by the City of Hamilton and identified as the “Service Offered” on the said Schedule “B”.
3.
 - (1) The fees and charges approved and imposed under section 2 are subject to any adjustment authorized by a statute, regulation or by-law in respect of the calculation or administration of a fee or charge, such adjustment to be effective as provided for in such statute, regulation or by-law.
 - (2) Despite sections 1 and 2, any fee or charge:
 - (a) authorized by a by-law that comes into effect on the same or a later date than this By-law; or
 - (b) included in a valid agreement entered into by the City of Hamilton and one or more other parties,shall be the approved and imposed fee or charge for the service, activity or use of property specified.
4. The water and wastewater fees and charges listed in Schedules “A” and “B” attached hereto are subject to the Harmonized Sales Tax (H.S.T.), where applicable.
5. The fees and charges imposed by this by-law are due and payable:
 - (a) at the time of the transaction for which the fee or charge is imposed; or
 - (b) if subsection 5(a) is not applicable, upon the due date specified in any invoice issued by the City of Hamilton or by any other body acting on behalf of the City of Hamilton to any person in connection with a fee or charge imposed by this By-law.
6. Late payment charges shall be added to all unpaid fees and charges as follows:

- (a) for the fees and charges set out in Schedule “A” and Schedule “B” attached hereto, when billed by a third party on behalf of the City of Hamilton, a rate of 1.5% per month calculated daily on any overdue amount, or such other rate as is approved by Council;
 - (b) for the fees and charges set out in Schedule “A” and Schedule “B” attached hereto, when billed by the City of Hamilton, the current prime rate plus 2%, adjusted quarterly, on any overdue amount, or such other rate as is approved by Council.
7. All unpaid fees or charges imposed by this By-law on a person are a debt due to the City of Hamilton and the City of Hamilton may take such action as it considers necessary and as permitted by law to collect the debt.
8. Where all or part of a fee or charge imposed by this By-law relates to fees and charges for the supply of a public utility, as defined in the *Municipal Act, 2001*, and remains unpaid, such fee or charge may be added to the tax roll for the property to which the public utility was supplied, and collected in like manner as municipal taxes.
9. Where all or part of a fee or charge imposed by this By-law relates to fees and charges other than those set out in section 8 of this By-law, and remains unpaid, such fee or charge may be added to the tax roll for the property for which all of the owners are responsible for payment of the fee or charge, and collected in like manner as municipal taxes.
10. Each provision of this By-law, including Schedules “A” and “B”, continues in force until amended, repealed or replaced (by by-law or by a resolution of the Council of the City of Hamilton confirmed by by-law) and for greater certainty this includes continuing in force after December 31, 2019 until amended, repealed or replaced.
11. In the event of any conflict between the provisions of this By-law and the provisions of By-law No. R84-026, being the Waterworks By-law for the City of Hamilton, the provisions of By-law No. R84-026 shall prevail.
12. In the event of any conflict between the provisions of this By-law and the provisions of By-law No. 06-026, being The Sewer and Drain By-law for the City of Hamilton, the provisions of By-law No. 06-026 shall prevail.

13. In the event of any conflict between the provisions of this By-law and the provisions of By-law No. 03-272, being The Sanitary Surcharge and Wastewater Abatement By-law for the City of Hamilton, the provisions of By-law No. 03-272 shall prevail.
14. Should any part of this By-law, including any part of Schedule "A" and/or Schedule "B" attached hereto, be determined by a court of competent jurisdiction to be invalid or of no force, it is the stated intention of Council that such invalid part of this By-law shall be severable from this By-law and that the remainder of this By-law, including the remainder of Schedule "A" and/or "B", as applicable, shall continue to operate and be in force.
15. Schedules "A" and "B" are attached to and form part of this By-law.
16. This By-law may be referred to as the "Water and Wastewater/Storm Fees and Charges By-law".
17. By-law No. 17-265, being a by-law to establish the 2018 Water and Wastewater/Storm Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton, is repealed upon the coming into force of this By-law.
18. This By-law comes into force on January 1, 2019.

PASSED this 19th day of December, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

SCHEDULE "A" TO BY-LAW 18-345

**CITY OF HAMILTON
2019 WATER AND WASTEWATER/STORM FEES AND CHARGES
Effective January 1, 2019**

A) Daily Water & Wastewater/Storm Fixed Charges*

The fixed daily charge is not related to the direct costs of consumption and are not dependent upon or related to the amount of consumption incurred. The fixed charges are intended to offset the fixed costs of maintaining the City's water, wastewater and storm systems.

Meter Size	Water Rate	Wastewater/ Storm Rate
15 mm	\$0.36	\$0.38
16 mm	\$0.36	\$0.38
20 mm	\$0.36	\$0.38
21 mm	\$0.36	\$0.38
25 mm	\$0.90	\$0.95
38 mm	\$1.80	\$1.90
50 mm	\$2.88	\$3.04
75 mm	\$5.76	\$6.08
100 mm	\$9.00	\$9.50
150 mm	\$18.00	\$19.00
200 mm	\$28.80	\$30.40
250 mm	\$41.40	\$43.70
300 mm	\$61.20	\$64.60

B) Metered Water Consumption Charges*

Water Consumption shall be charged on a per cubic metre basis at the rates indicated in the table below. The total monthly Water Consumption charge is the sum of usage in all blocks at the rate for each block.

		Residential	Multi-Residential, Commercial, Institutional & Industrial
Consumption Block	Monthly Water Consumption (m ³)	Rate (\$/m ³)	Rate (\$/m ³)
1	0-10	0.78	1.55
2	>10	1.55	1.55

C) Wastewater/Storm Treatment Charges*

Wastewater/Storm Treatment Charges are based on metered water consumption and the cost of wastewater collection and treatment, and stormwater management. Charges are on a per cubic metre basis at the rates indicated in the table below. The total monthly Wastewater/Storm Treatment Charge is the sum of usage in all blocks at the rate for each block.

		Residential	Multi-Residential, Commercial, Institutional & Industrial
Treatment Block	Monthly Water Consumption (m ³)	Rate (\$/m ³)	Rate (\$/m ³)
1	0-10	0.84	1.68
2	>10	1.68	1.68

D) Non-Metered Annual Water And Wastewater/Storm Rate*

Flat Rate Water Customers Annual Rate: \$565.75

Flat Rate Wastewater/Storm Customers Annual Rate: \$613.20

Combined Flat Rate Water & Wastewater/Storm Customers Annual Rate: \$1,178.95

* Fees do not include HST which will be added where applicable.

SCHEDULE "B" TO BY-LAW NO. 18-345

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2019

Department: PUBLIC WORKS
Division: WATERWORKS, WASTEWATER & STORM

A: WATERWORKS BY-LAW R84-026 FEES AND CHARGES

Service Offered	2019 Approved Fee or Charge
WATER DISTRIBUTION	
<u>Water Meter Permit Fees</u>	
Note: Charged for first-time meter installations. Includes supply and installation of water meter and remote reading device by City and related inspection.	
16mm Displacement	\$359.70
20mm Displacement	\$404.60
21 mm Displacement	\$404.60
25mm Displacement	\$559.40
38mm Displacement	\$886.76
50mm Displacement	\$1,218.80
50mm Turbine	\$1,384.60
50mm Compound	\$3,316.40
100mm Turbine	\$3,870.13
100mm Compound	\$5,206.07
100mm Fire Service Turbine	\$6,637.49
100mm Fire Service Compound	\$8,624.85
100mm Magnetic Flow Meter ¹ .	\$8,899.76
100mm Fire Rated Magnetic Flow Meter ¹ .	\$9,297.22
150mm Turbine	\$7,467.78
150mm Compound	\$10,226.88
150mm Fire Service Turbine	\$11,028.42
150mm Magnetic Flow Meter ¹ .	\$11,186.31
150mm Fire Rated Magnetic Flow Meter ¹ .	\$12,334.54
150mm Fire Service Compound	\$13,954.24
200mm Turbine	\$8,998.80
200mm Compound	\$12,097.96
200mm Magnetic Flow Meter ¹ .	\$12,041.98
200mm Fire Rated Magnetic Flow Meter ¹ .	\$13,160.41
200mm Fire Service Turbine	\$14,171.75
200mm Fire Service Compound	\$19,092.63
250mm Turbine	\$15,496.05
250mm Magnetic Flow Meter ¹ .	\$14,415.75
250mm Fire Rated Magnetic Flow Meter ¹ .	\$17,063.33
250mm Fire Service Turbine	\$19,312.34
250mm Fire Service Compound	\$24,832.75
Radio Remote Read Equipment Installation	\$209.80
¹ . Must be approved by Supervisor of Meter Operations	
<u>Water Meter Removal Fee</u> (all meter sizes)	
Note: Cost to remove a meter prior to the building being demolished and/or the water service being decommissioned or abandoned. Failure to have the meter removed prior to the building being demolished will incur a meter replacement cost charge. Does not include a turn water off fee, which is required and charged separately.	
16mm Displacement	\$109.40
20mm Displacement	\$109.40
21mm Displacement	\$109.40
25mm Displacement	\$109.40
38mm - 250mm Meters (cost depends on size, labour and meter location)	Cost + 10% overhead
<u>Water Meter Inspection Services</u>	
Note: Cost for customer requested service relating to meter investigation.	
Inspection - Regular Hours	\$109.47
Inspection - After Hours	\$143.32

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2019

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

A: WATERWORKS BY-LAW R84-026 FEES AND CHARGES, CONTINUED

Service Offered	2019 Approved Fee or Charge
<u>Turning Water Off or On:</u>	
Note: Turning water off at curb to enable customers to perform internal plumbing repairs or a private water service repair or replacement, then turning water back on.	
Turning water off and on - Regular Hours - 2 visits	\$123.35
Turning water off and on - After Hours/Emergency - 2 visits	\$206.70
Turning water off and on during the same visit - 1/2 hour maximum (Regular Hours)	\$82.95
Turning water off and on during the same visit - 1/2 hour maximum (After Hours)	\$113.35
Turning water off - Non-Compliance - 1/2 hour maximum (Regular Hours)	\$82.95
Turning water on - Non-Compliance - 1/2 hour maximum (Regular Hours)	\$82.95
<u>Hydrant Flow Test / Water Quality Flushing</u>	\$91.98
Note: Cost to operate a City Fire Hydrant(s) for a maximum of 1 hour total labour.	
<u>Fire Hydrant Adapter Fees</u>	
Note: Costs to install or remove water meter and backflow prevention device. When moving a fire hydrant adapter from one site to another for the same customer, both removal and installation fees apply. This service requires a usage deposit and a damage deposit.	
<u>Usage Cost (Metered Hauled Water Rate/m³)</u>	\$2.35
Connection/Disconnection Fee - Regular Hours (fee for both services)	\$145.90
Connection/Disconnection Fee - After Hours/Emergency (fee for both services)	\$274.40
Usage Deposit	\$300.00
Security/Damage Deposit	\$6,000.00
Fire hydrant adapter rental fee for initial seven days	\$81.30
Per diem fire hydrant adapter rental fee after initial seven days	\$6.02
<u>Replacement Cost for Lost Meter:</u>	
Note: Cost to replace a meter that has been lost, stolen or damaged. Includes meter, installation and administrative costs.	
15mm Displacement	\$215.93
16mm Displacement	\$215.93
20mm Displacement	\$335.67
21mm Displacement	\$335.67
25mm Displacement	\$386.46
38mm Displacement	\$1,066.39
50mm Turbine	\$1,297.30
50mm Displacement	\$1,596.50
50mm Compound	\$2,069.60
50mm Strainer	\$409.71
100mm Turbine	\$3,264.16

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2019

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

A: WATERWORKS BY-LAW R84-026 FEES AND CHARGES, CONTINUED

Service Offered	2019 Approved Fee or Charge
100mm Compound	\$5,273.63
100mm Fire Service Turbine	\$7,121.80
100mm Fire Service Compound	\$8,802.92
100mm Magnetic Flow Meter	\$9,709.99
100mm Fire Rated Magnetic Flow Meter	\$9,937.83
100mm Strainer	\$759.70
150mm Turbine	\$6,006.42
150mm Compound	\$9,139.82
150mm Fire Service Turbine	\$10,826.60
150mm Fire Service Compound	\$13,752.42
150mm Magnetic Flow Meter	\$10,845.31
150mm Fire Rated Magnetic Flow Meter	\$12,045.75
150mm Strainer	\$1,216.23
200mm Turbine	\$6,495.74
200mm Compound	\$10,222.12
200mm Fire Service Turbine	\$14,265.39
200mm Fire Service Compound	\$19,185.36
200mm Magnetic Flow Meter	\$13,006.04
200mm Fire Rated Magnetic Flow Meter	\$14,203.88
200mm Strainer	\$2,067.48
250mm Turbine	\$11,287.26
250mm Magnetic Flow Meter	\$13,067.26
250mm Fire Rated Magnetic Flow Meter	\$15,687.52
250mm Fire Service Turbine	\$17,958.66
250mm Fire Service Compound	\$25,704.87
250mm Strainer	\$3,533.73
 <u>Testing Water Meters</u>	
Note: Cost to have a water meter tested for accuracy. If the meter tests within the accuracy standards as set out by AWWA then the property owner is responsible for the cost of the test and the replacement cost of the water meter; otherwise cost borne by the City. Fee includes removal of existing meter and installation of replacement meter.	
15mm & 16mm Diameter	\$308.67
16-25mm Diameter - Test where meter has been removed from service within prior 90 days	\$127.60
20mm Diameter	\$354.22
25mm Diameter	\$405.02
38mm Diameter	\$879.98
50mm Diameter	\$1,542.08
100mm plus diameter (in Situ testing)	\$897.60
 <u>Water Quality/Quantity Service Calls</u>	
Note: Cost for a service call to investigate a water quality/quantity complaint and the issue resides on private property. No charge for water quality/quantity complaints related to issues originating from the City's distribution system. Missed appointments will be billed the corresponding service call rate.	
Service Call - Regular Hours - Maximum 1 hour total labour	\$82.95
Service Call - After Hours/Emergency - Maximum 1 hour total labour	\$147.19
 <u>Hydrant Repair, Replace or Relocate</u>	
Note: Cost to repair, replace or relocate a City fire hydrant. Fee includes labour, materials and equipment.	
	Cost + 33% overhead
 <u>Watermain Shutdown</u>	
Note: Cost associated with isolating a watermain to facilitate third party work	
Watermain Shutdown/Recharge - Regular Hours	\$128.07
Watermain Shutdown/Recharge - After Hours/Emergency	\$230.54

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2019

Department: PUBLIC WORKS
Division: WATERWORKS, WASTEWATER & STORM

A: WATERWORKS BY-LAW R84-026 FEES AND CHARGES, CONTINUED

Service Offered	2019 Approved Fee or Charge
<u>Private Water Filling Station Permit Fees</u>	
Annual Renewal	\$357.80
New Application	\$1,217.22
<u>Water Haulage License Fees</u>	
Water Haulage License Fee	\$57.33
Note: Annual license fee to utilize the City's Public Water Filling Stations.	
Account review	\$87.68
Note: Costs charged for administrative services to provide customer account information for personal or taxation purposes	
<u>Construction Water:</u>	
Note: Charge for unmetered water used for construction prior to meter installation. Paid at the time of submitting building permit payment.	
Single Residential (per lot or townhouse)	\$95.05
Multi-Residential (per apartment/condo unit)	\$44.45
Industrial/Commercial/Institutional (per 1,000 sq ft of building area or \$/ha where no structure is constructed)	\$31.20
<u>Water Inspection Services</u>	
Note: Cost associated with various permit and inspection services related to water services for properties	
Private Water Service Repair/Replacement Inspection - Regular Hours	\$92.97
Private Water Service Repair/Replacement Inspection - After Hours/Emergency	\$157.17
Water Service Abandonment Inspection - Regular Hours	\$82.95
Water Service Abandonment Inspection - After Hours/Emergency	\$147.19
Water Service Inspection for Demolition - Regular Hours	\$82.95
Water Service Inspection for Demolition - After Hours/Emergency	\$147.19
Missed or Cancelled Inspection	\$60.40
Upsize Public Portion Water Service from 20mm to 25mm	\$150.00
Note: Charge for upsizing a public portion water service from 20mm to 25mm when a public portion water service replacement is already being completed by the City	
<u>General Administration Fees:</u>	
General administrative requests (per hour)	\$68.71
NSF cheque	\$60.15
Permit cancellation administration fee	\$41.03
Permit renewal fee	\$41.03
Lead water service replacement loan application fee	\$51.36
Monthly Manual Meter Read Fee	\$3.00
Water Shut-off Administration fee	\$20.00
Water Shut-off Notice on Door	\$25.00
Miscellaneous Water Distribution System Repair	Cost plus 33% overhead
Note: Cost for the City to repair damage to the water distribution system caused by a third party. Costs include labour, parts, materials, equipment and permanent restoration	
<u>Additional Labour Charges:</u>	
Note: Fees in this Schedule allow for a maximum one hour of total labour. An additional labour charge for all services/calls that exceed that allotted labour time will be charged as follows:	
1/2 Hour Additional Labour - Regular Hours	\$22.57
1/2 Hour Additional Labour - After Hours/Emergency	\$33.85
Costs are for a single Water Distribution Operator in minimum increments of 30 minutes	

Note:

- "Regular Hours" means any working day, 7:00 a.m. - 4:30 p.m. Monday to Friday, excluding weekends, statutory and other public holidays or any other day on which the City has elected to be closed for business.
- "After Hours" means outside Regular Hours Monday to Friday, a Saturday, Sunday, statutory and other public holiday or any other day on which the City has elected to be closed for business.
- "Emergency" means any occurrence where staff and/or equipment must be re-deployed from previously assigned task(s) to respond to a time-sensitive request for services/call made under this By-law.
- Fees do not include HST which will be added where applicable.

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2019

Department: PUBLIC WORKS
Division: WATERWORKS, WASTEWATER & STORM

B: SEWER AND DRAIN BY-LAW 06-026 FEES AND CHARGES

Service Offered	2019 Approved Fee or Charge*
COLLECTION SYSTEM INSPECTION & MAINTENANCE	
<u>Private Sewer Lateral Permit and Visual Inspection Fees</u>	
a) Regular Hours inspection	\$96.02
b) After Hours/Emergency inspection	\$203.45
Main Sewer inspection	Cost plus 33% overhead
Missed or Cancelled Sewer Lateral Inspection Fee	\$69.17
<u>Sewer Related Service Calls</u>	
Note: Cost for a service call to investigate a sewer related complaint and the issue resides on private property. No charge for sewer complaints related to issue originating from the City's sewer system. Missed appointments will be billed the corresponding service call rate.	
Service Call - Regular Hours	\$85.59
Service Call - After Hours/Emergency	\$172.15
<u>Sewer Lateral Cleaning and Investigation Fees</u>	
Note: The City's reimbursement of contractor expenses will be no greater than the amounts set out below, less the City's administration fee. Equipment supply purchases and equipment rental costs are not eligible for reimbursement by the City.	
Complete Sewer Lateral Investigation - Regular Hours	\$397.96
Complete Sewer Lateral Investigation - After Hours	\$439.57
Partial Sewer Lateral Cleaning - Regular Hours	\$130.05
Partial Sewer Lateral Cleaning - After Hours	\$182.07
Abandoned Sewer Lateral Investigation - Regular Hours	\$208.08
Abandoned Sewer Lateral Investigation - After Hours	\$260.10
<u>Miscellaneous Wastewater Collection System Repair</u>	
Note: Cost for the City to repair damage to the wastewater collection system caused by a third party. Costs include labour, parts, materials, equipment and permanent restoration.	
	Cost + 33% overhead
<u>Additional Labour Charges</u>	
Note: Fees for Private Sewer Lateral Permit and Visual Inspection and Sewer Related Service allow for maximum one hour of total labour. An addition labour charge for services/calls that exceed that allotted labour time will be charged as follows:	
1/2 Hour Additional Labour - Regular Hours	\$21.64
1/2 Hour Additional Labour - After Hours/Emergency	\$32.48

Note:

- "Regular Hours" means any working day, 7:00 a.m. - 4:30 p.m. Monday to Friday, excluding weekends, statutory and other public holidays or any other day on which the City has elected to be closed for business.
- "After Hours" means outside Regular Hours Monday to Friday, a Saturday, Sunday, statutory and other public holiday or any other day on which the City has elected to be closed for business.
- "Emergency" means any occurrence where staff and/or equipment must be re-deployed from previously assigned task(s) to respond to a time-sensitive request for services/call made under this By-law.
- "Partial Sewer Lateral Cleaning" means services to relieve blockage(s) in the Sewer Lateral in order to temporarily reinstate sewer service

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2019

Department: **PUBLIC WORKS**

Division: **WATERWORKS, WASTEWATER & STORM**

5. "Complete Sewer Lateral Investigation" means services to complete a thorough cleaning and closed circuit television inspection of the Sewer Lateral.
6. "Abandoned Sewer Lateral Investigaton" means services related to an unsuccessful attempt to access the Sewer Lateral for cleaning.
7. Fees do not include HST which will be added where applicable.

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2019

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

C: LABORATORY SERVICES FEES AND CHARGES

Service Offered	2019 Approved Fee or Charge
LABORATORY SERVICES	
<u>Inorganic Tests:</u>	
Solids	
Total Suspended Solids (TSS)	\$21.70
TSS plus Volatile Suspended Solids (VSS)	\$21.70
Total Solids (TS)	\$18.90
TS plus Volatile Solids (VS)	\$19.60
Skalar	
Total Cyanide	\$33.10
Phenolics	\$30.90
Total Kjeldhal Nitrogen (TKN)	\$31.40
Ammonia	\$34.60
Dissolved Organic Carbon	\$34.10
Total Organic Carbon	\$34.10
Reactive Silica	\$27.70
Ion Chromatography Scan (IC Scan)	\$50.40
PC Titrate	
pH	\$16.10
Alkalinity	\$16.00
Conductivity	\$16.00
Fluoride	\$24.30
Turbidity	\$24.50
UV Transmittance	\$25.30
Color Apparent	\$22.30
Color True	\$22.30
Chemical Oxygen Demand (COD)	\$37.90
Biochemical Oxygen Demand (BOD)	\$37.70
Volatile Acid	\$37.30
<u>Microbiology Tests:</u>	
Total Coliform/E coli/Total Background	
Coliform (DC)	\$21.90
EC (mFC-BIG)	\$27.40
Heterotrophic Plate Count	\$25.70
Micro Examination	\$135.30

NOTE: (1) Rush service may be subject to a surcharge, that will vary depending on the analysis and turnaround requirements.

(2) Fees do not include HST which will be added where applicable.

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2019

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

C: LABORATORY SERVICES FEES AND CHARGES, CONTINUED

Service Offered	2019 Approved Fee or Charge
Metals Tests:	
Inductively Coupled Plasma (ICP)	
ICP Optical Emission Spectrometry Scan (ICP OES) (Wastewater)	\$57.60
Total Phosphorous	\$26.90
Total Dissolved Phosphorous	\$26.90
Inductively Coupled Plasma Mass Spectrometry (ICP MS)	
ICP MS Scan	\$57.60
Atomic Absorption Spectrometry (AA)	
Mercury	\$45.70

- Note: (1) Rush service may be subject to a surcharge, that will vary depending on the analysis and turnaround requirements
(2) Fees do not include HST which will be added where applicable.

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2019

Department: PUBLIC WORKS
 Division: WATERWORKS, WASTEWATER & STORM

D: SEWER USE BY-LAW 14-090 FEES AND CHARGES

Service Offered	2019 Approved Fee or Charge
To Regulate the Discharge of any Matter into the Sanitary, Combined, and Storm Sewer Systems.	
Annual permit to discharge hauled sewage	\$324.00
<u>Discharge fees for hauled sewage generated:</u>	
Inside the City - Compliant	
Note: Cost per truck full of sewage containing materials within Sewer Use By-law limits	
up to 1000 imperial gallons (4.54 m3) or any part thereof	\$49.15
greater than 1000 (4.54 m3) but less than or equal to 3500 imperial gallons (15.9m3)	\$49.15
greater than 3500 (15.9 m3) but less than or equal to 5000 imperial gallons (22.7 m3)	\$98.30
greater than 5000 (22.7 m3) but less than or equal to 8000 Imperial gallons (36.3 m3)	\$147.45
greater than 8000 (36.3 m3) but less than or equal to 10000 imperial gallons (45.43 m3)	\$196.60
Inside the City - Non-Compliant	
Note: Cost per truck full of sewage containing materials that exceed one or more Sewer Use By-law limits	
up to 1000 imperial gallons (4.54 m3) or any part thereof	\$49.15
greater than 1000 (4.54 m3) but less than or equal to 3500 imperial gallons (15.9m3)	\$98.30
greater than 3500 (15.9 m3) but less than or equal to 5000 imperial gallons (22.7 m3)	\$147.45
greater than 5000 (22.7 m3) but less than or equal to 8000 imperial gallons (36.3 m3)	\$245.75
greater than 8000 (36.3 m3) but less than or equal to 10000 imperial gallons (45.43 m3)	\$294.90

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2019

Department: PUBLIC WORKS
Division: WATERWORKS, WASTEWATER & STORM

D: SEWER USE BY-LAW 14-090 FEES AND CHARGES, CONTINUED

Service Offered	2019 Approved Fee or Charge
<u>Holding Tank for a Recreational Vehicle</u>	
Discharge fee for holding tank of a recreational vehicle	\$8.50
<u>Overstrength Discharge Fees (charge per kg)</u>	
Biochemical oxygen demand	\$0.78
Total suspended solids	\$0.63
Total phosphorus	\$1.68
Total kjeldahl nitrogen	\$2.39
Oil and grease (animal/vegetable)	\$0.66
Surcharge Discharge Fee (charge per m ³)	\$1.68
<u>Application Fees for Sewer Discharge Permits</u>	
Application Fee (all permit types)	\$617.10
Wastewater Characterization deposit (optional)	\$500.00
Amendment Fee (all permit types)	\$289.68
<u>Administrative Fees for Sewer Discharge Permits</u> (charges per quarter*)	
Overstrength Discharge Permit	\$427.00
Surcharge Discharge Permit	\$427.00
Compliance Program Permit	\$1,050.00
Chlorides Discharge Permit	\$427.00
Conditional Discharge Permit	\$1,050.00
Information Requests	\$147.90
<u>Wastewater Sampling Fees</u>	
Wastewater Sampling Vehicle Fee (per km)	\$1.19
Wastewater Sampling Equipment Fee (per day)	\$38.90
Wastewater Sampling Technician Fee (per hour) Mon - Fri	\$49.06
Wastewater Sampling Technician Fee (per hour) Sat	\$73.59
Wastewater Sampling Technician Fee (per hour) Sun	\$98.11

*multiple permit holders pay the higher administrative fee (for example, if the permit holder has both an Overstrength Discharge Permit and a Compliance Program Permit, they will pay \$810.00 per quarter).

Fees do not include HST which will be added where applicable.

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2019

Department: Public Works

Division: WATERWORKS, WASTEWATER & STORM

E: SANITARY SURCHARGE AND WASTEWATER ABATEMENT BY-LAW 03-272 FEES AND CHARGES

Service Offered	2019 Approved Fee or Charge
Application Processing Fee (section 10)	\$374.50 plus full cost recovery for peer review, if required by Director
Annual Administration Fee (where annual Abatement exceeds \$500 - sub-section 22 (b))	\$712.80

Note: Fees do not include HST which will be added where applicable.

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2019

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

F: BACKFLOW PREVENTION BY-LAW 10-103 FEES AND CHARGES

Service Offered	2019 Approved Fee or Charge
BACKFLOW PREVENTION PROGRAM	
Annual Fee (in accordance with Section 4.2 of the Backflow Prevention By-law)	\$133.53 per year to be paid by person listed on Authorized Functions List
Test Report receipt and processing (per submission)	\$64.26 with submission of each Test Report to the City of Hamilton
Cross Connection Survey Form - receipt and processing	\$158.55 with submission of each Cross Connection Survey Form to the City of Hamilton
Backflow Prevention Device Inspection - Regular Hours	\$140.80
Backflow Prevention Device Inspection - After Hours	\$206.90

Note:

1. "Regular Hours" means any working day, 7:00 a.m. - 4:30 p.m. Monday to Friday, excluding weekends, statutory and other public holidays or any other day on which the City has elected to be closed for business.
2. "After Hours" means outside Regular Hours Monday to Friday, a Saturday, Sunday, statutory and other public holiday or any other day on which the City has elected to be closed for business.
3. Fees do not include HST which will be added where applicable.

WATER AND WASTEWATER FEES AND CHARGES
Effective January 1, 2019

Department: PUBLIC WORKS
Division: WATERWORKS, WASTEWATER & STORM

G: PRIVATE FIRE LINE RATES

Service Offered		2019 Approved Fee or Charge
Size of Connection		
mm	inches	
25	1	\$3.42
38	1.5	\$7.87
50	2	\$13.68
75	3	\$30.78
100	4	\$54.72
150	6	\$123.12
200	8	\$218.88
250	10	\$218.88
300	12	\$218.88

Note:

1. Fees do not include HST which will be added where applicable.

2. The service shall consist of permanent unmetered connections to the main for the purpose of supplying water to private fire protection systems such as automatic sprinkler systems, standpipes and private hydrants. This service shall also include reasonable quantities of water used for testing check valves and other backflow protection devices.

WATER AND WASTEWATER FEES AND CHARGES
Effective January 1, 2019

Department: PUBLIC WORKS
Division: WATERWORKS, WASTEWATER & STORM

H: OTHER

Service Offered	2019 Approved Fee or Charge
Environmental Records Search PRISM Reports related to soil contamination	\$156.67
Environmental Assessments and Master Plans Reports	\$15.40
Additional fee per page of Report	\$0.10

Fees do not include HST which will be added where applicable.

Authority: Item 18, Planning Committee
Report 18-014
CM: September 26, 2018
Ward: 9

Bill No. 346

CITY OF HAMILTON

BY-LAW NO. 18-

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 928 Queenston Road, Stoney Creek

WHEREAS Council approved Item 18 of Report 18-014 of the Planning Committee at its meeting held on the 26th day of September, 2018;

AND WHEREAS this By-law conforms with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No.116.

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

1. That Map No.1195 of Schedule "A" – Zoning Maps of Zoning By-law No. 05-200, is amended by changing the zoning from the Mixed Use Medium Density (C5) Zone to the Mixed Use Medium Density (C5, 705, H32) Zone, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" to the By-law.
2. That Schedule "C": Special Exceptions of Zoning By-law No. 05-200, is hereby amended by adding an additional special exception as follows:

"705. Within the lands zoned Mixed Use Medium Density (C5, 705, H32) Zone, identified on Map Nos. 1194 and 1195 of Schedule "A" and described as 928 Queenston Road, the following special provisions shall apply:

- a) Notwithstanding Sections 5.2 b) i) and ii), 10.5.1.1 i) 1., 10.5.3 a) ii), 10.5.3 d) ii) and iii), and 10.5.3 g) vi), the following special provisions shall also apply:

b) REGULATIONS

- a) Restriction of Uses within a Building
 1. The finished floor elevation of any dwelling unit shall be a minimum of 0.0 metres above grade.
 2. All residential units 0.9m below grade shall have a minimum setback of 32.2 metres.

- b) Building Setback from a Street Line (Lake Avenue Drive)
 - ii) Maximum 32.2 metres.
- c) Minimum Building Step back from Queenston Road
 - i) 3.8 metres for the 5th to 10th storey and 6.3 metres for the 11th to 14th storeys.
- d) Building Height
 - ii) Maximum 49.0 metres; and,
 - iii) In addition to Section 10.5.3 d) i) and notwithstanding subsection ii) above, any building height above the 2nd storey shall be step-back from the rear lot line 14.5 metres for the 3rd to 6th storey, 22.3 metres for the 7th and 8th storeys, 30.9 metres for the 9th to 11th storey, 34.6 metres for the 12th storey, 37.6 metres for the 13th storey, and 41.1 metres for the 14th storey when abutting a Residential Zone to a maximum building height of 49.0 metres.
- e) Parking
 - i) Parking space sizes shall be a minimum 2.75 metres in width and 5.8 metres in length;
 - ii) Notwithstanding Subsection i) above, a minimum 2.75 metres in width and 5.8 metres in length shall be permitted at grade or within an underground parking structure.
- f) Built form for New Development
 - iv) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line. Parking spaces and aisles are permitted to be

located between the required building façade and the Lake Avenue Drive flankage lot line.

3. That Schedule “D” – Holding Provisions, of By-law No. 05-200, be amended by adding the additional Holding Provision as follows:

“32. Notwithstanding Section 10.5 of this By-law, within lands zoned Mixed Use Medium Density (C5, 705) Zone on Map 1195 on Schedule “A” – Zoning Maps, and described as 928 Queenston Road (Stoney Creek), no development shall be permitted until such time as:

- (i) The owner enters into a conditional building permit agreement with respect to the 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 MOECC, and submission of the City of Hamilton’s current RSC administration fee.

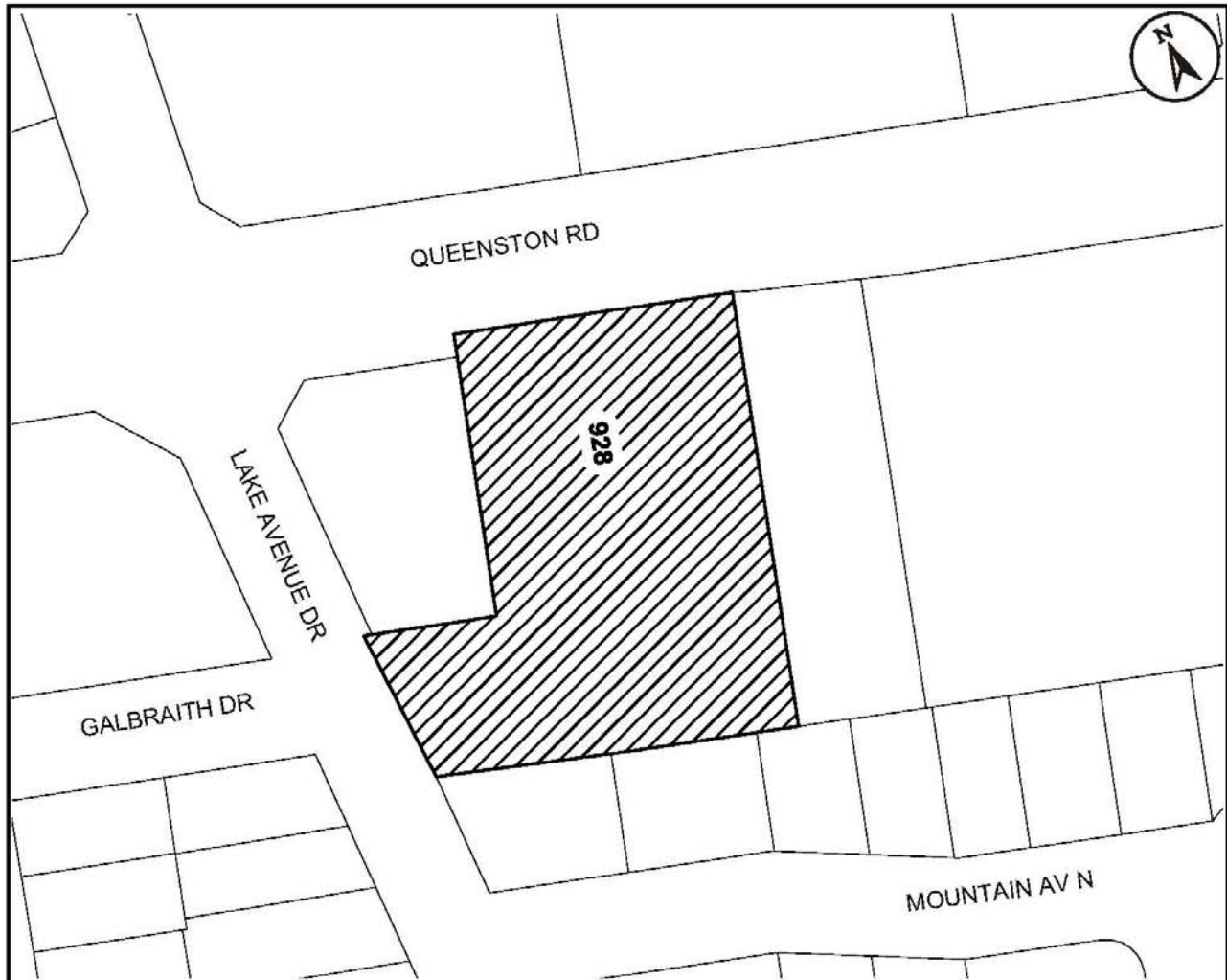
4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.
5. That this By-law No. 18-346 shall come into force and be deemed to have come into force in accordance with Subsection 34(21) of the *Planning Act*., either upon the date of passage of this By-law or as provided by the said Subsection.

PASSED this 19th day of December, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

UHOPA-17-020
ZAC-17-049




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 1195

Subject Property
 928 Queenston Road
 Change in Zoning from the Mixed Use -
 Medium Density (C5) Zone to the Mixed Use
 -Medium Density (C5, 705, H32) Zone

Scale: N.T.S.	File Name/Number: ZAC-17-049 & UHOPA-17-020
Date: August 7, 2018	Planner/Technician: AL/VS



Authority: Item 7, Public Works Committee
Report 18-013
CM: December 19, 2018
Ward: City Wide

Bill No. 347

CITY OF HAMILTON

BY-LAW NO. 18-

Being a By-law to Delegate Authority to the General Manager of Public Works to Declare the Beginning and End of a Significant Weather Event for the Purposes of Administering the *Municipal Act, 2001*, O. Reg 239/02 – Minimum Maintenance Standards for Municipal Highways

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, paragraphs 4, 5, 6, 8 and 10 of subsection 10(2) authorize by-laws respecting public assets of the municipality, the economic, social and environmental well-being of City, the safety and well-being of persons, the protection of persons and property and structures, and the services and things that the municipality is authorized to provide for the public;

AND WHEREAS section 44(1) of the *Municipal Act, 2001* states that the municipality that has jurisdiction over a highway or bridge shall keep it in a state of repair that is reasonable in the circumstances, including the character and location of the highway or bridge;

AND WHEREAS section 1(1) of O.Reg. 239/02, Minimum Maintenance Standards for Municipal Highways, under the *Municipal Act, 2001* defines a “significant weather event” as an approaching or occurring weather hazard with the potential to pose a significant danger to users of the highways within a municipality;

AND WHEREAS O.Reg. 239/02, Minimum Maintenance Standards for Municipal Highways, under the *Municipal Act, 2001* details the standards for addressing snow accumulation and ice formation that arise upon a declaration by a municipality of a significant weather event;

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

1. The General Manager of Public Works, or his/her designate, is hereby delegated authority to declare the beginning and end of a significant

weather event for the purposes of O.Reg. 239/02, Minimum Maintenance Standards for Municipal Highways, under the *Municipal Act, 2001*.

2. Notwithstanding any other City of Hamilton by-law, the City of Hamilton can declare the beginning and end of a significant weather event using any of the means prescribed in O.Reg. 239/02, Minimum Maintenance Standards for Municipal Highways, under the *Municipal Act, 2001*.

This by-law comes into force on the day it is passed.

PASSED this 19th day of December, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk