



City of Hamilton

CITY COUNCIL AGENDA

Wednesday, January 23, 2019, 5:00 P.M.
Council Chambers, Hamilton City Hall
71 Main Street West

Call to Order

1. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with *)

2. DECLARATIONS OF INTEREST

3. CEREMONIAL ACTIVITIES

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 December 19, 2018

4.2 January 14, 2019

5. COMMUNICATIONS

5.1 Correspondence from the Hamilton Conservation Authority respecting the Municipal Levy Apportionments, 2019.

Recommendation: Be received and referred to the General Manager of Finance & Corporate Services for appropriate action.

5.2 Correspondence from Association of Municipalities Ontario (AMO) respecting 2018-2020 AMO Board of Directors Vacancies.

Recommendation: Be received.

- 5.3 Correspondence from Alison Evans, Interim President, Hotel Association of Canada respecting Developing a Modern Approach to Short-Term Rentals in a Digital Economy.
Recommendation: Be received.
- 5.4 Correspondence respecting the calling of a Special Meeting of the Niagara Peninsula Conservation Authority Board of Directors on January 7, 2019.
Recommendation: Be received.
- 5.5 Correspondence respecting Councillor Ferguson's acclamation as a member of the 2019 - 2023 ROMA Board for Zone 3.
Recommendation: Be received.
- 5.6 Correspondence from the Town of Georgina requesting support for their resolution requesting that the Ontario Government abandon or withdraw Section 10 of Bill 66 immediately.
Recommendation: Be received.
- 5.7 Correspondence from Mayor Ted Comiskey, Town of Ingersoll respecting an Update for Demand the Right Coalition.
Recommendation: Be received.
- 5.8 Correspondence from Mrs. Beverley Dworzak respecting the state of the Municipal Voters' List for the 2018 Municipal Election.
Recommendation: Be received and referred to the future General Issues Committee meeting where MPAC will be making a presentation.
- 5.9 Correspondence from Township of Mattice - Val Cote to the Ministry of Municipal Affairs and Housing requesting that the Ministry amend paragraph 4 of the Declaration of Office.
Recommendation: Be received.
- 5.10 Correspondence from the Town of Whitchurch-Stouffville requesting support for their resolution respecting Employment Growth along Highway 404.
Recommendation: Be received.
- 5.11 Correspondence from Haldimand County respecting the County's appointments to the Niagara Peninsula Conservation Authority.
Recommendation: Be received.

- 5.12 Correspondence from the Federation of Canadian Municipalities (FCM) respecting the 2019-2020 Membership Invoice - Advocacy Fund Contribution along with Appendix A that provides background information on the Advocacy Fund.
- Recommendation: That the Advocacy Fund (\$45,200) be approved and funded from the 2019 Legislative Budget, requiring an increase of \$30,000 to the 2019 Legislative Budget.
- 5.13 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing requesting that the City of Hamilton provide feedback by February 28, 2019 respecting the Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe.
- Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.
- 5.14 Correspondence from Councillor Jason Farr respecting his resignation from the Waste Management Advisory Committee due to scheduling conflicts.
- Recommendation: Be received.
- 5.15 Correspondence from Municipal Property Assessment Corporation respecting the 2018 Year-End Assessment Report - Supporting Municipal Council.
- Recommendation: Be received and referred to the General Manager of Finance and Corporate Services for appropriate action.
- 5.16 Correspondence from Interval House of Hamilton's MentorAction respecting the Be More Than a Bystander Program.
- Recommendation: Be received.
- 5.17 Correspondence from Mark Strongman, Tournament Chairman, 2019 Little League Championship being held in Ancaster in Summer of 2019 requesting a grant of \$50,000 to assist in their financial responsibilities.
- Recommendation: Be approved and funded through Corporate Financials.
- 5.18 Correspondence from Carmen's Group and Spectra Venue Management respecting their decision to negotiate multi-year extensions to our current management agreements.
- Recommendation: Be received and referred to the consideration of Item 7.7

6. COMMITTEE REPORTS

- 6.1 Public Works Committee Report 19-001 - January 14, 2019
- 6.2 Board of Health Report 19-001 - January 14, 2019

- 6.3 Planning Committee Report 19-001 - January 15, 2019
- 6.4 General Issues Committee Report 19-001 - January 16, 2019
- 6.5 Audit, Finance and Administration Committee Report 19-001 - January 17, 2019
- 6.6 Healthy and Safe Communities Committee Report 19-001 - January 17, 2019

7. MOTIONS

- 7.1 Establishment of a New Steering Committee for the Recruitment of the City Manager
- 7.2 Annual Reports on Discharges to Natural Environment from Dundas and Woodward Sewerage Treatment Plants or CSO and Protocol for Immediate Notification to Council
- 7.3 Annual Report on Watermain Breaks
- 7.4 City of Hamilton Cannabis Policy Statement
- 7.5 Concession Street Business Improvement Area Membership
- 7.6 Timely Notice of Any Discharges of Untreated or Partially Treated Sewerage into Hamilton Harbour from Local Municipal Sewerage Treatment Plants
- 7.7 Amendment to Item 4 of the General Issues Committee Report 18-015, respecting Report CM18013 - Downtown Entertainment Assets Operation Agreements

8. NOTICES OF MOTIONS

9. STATEMENTS BY MEMBERS

10. PRIVATE AND CONFIDENTIAL

- 10.1 Closed Session Minutes - December 19, 2018 (distributed under separate cover)

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

10.2 Potential Litigation Update (LS19007) (distributed under separate cover)

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

11. BY-LAWS AND CONFIRMING BY-LAW

11.1 002

Respecting Removal of Part Lot Control, Part of Lots 2 to 28, 32 to 43, 45 to 49, 53 to 58, 61 to 66, 68, 69, 72 to 82 and 86 to 88, Registered Plan No. 62M-1249

Ward: 11

PLC-18-030

11.2 003

Respecting Removal of Part Lot Control, Block 160, Registered Plan No. 62M-1251, Municipally known as 65, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99, 101, 103 and 105 Bethune Avenue, Glanbrook

Ward: 9

PLC-19-001

11.3 004

Respecting Removal of Part Lot Control, Block 161, Registered Plan No. 62M-1251, Municipally known as 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100 and 102 Cittadella Boulevard, Glanbrook

Ward: 9

PLC-19-001

11.4 005

Respecting Removal of Part Lot Control, Block 221 to 224, Registered Plan of Subdivision No. 62M-1237, "Ancaster Meadows Phase 2B", Municipally known as 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43 and 45 Callon Drive

Ward: 12

PLC-18-031

11.5 006

Respecting Removal of Part Lot Control, Block 237, Registered Plan No. 62M-1237, "Ancaster Meadows Phase 2", Municipally known as 1061 Garner Road East, Ancaster

Ward: 12

PLC-18-027

11.6 007

To Amend Zoning By-law No. 05-200, as amended by By-law No. 15-118, respecting lands located at 73 and 110 Aeropark Boulevard, Glanbrook

Ward: 11

ZAH-18-060

11.7 008

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 119 Highway No. 5 West, Flamborough

Ward: 15

ZAR-18-043

11.8 009

To Amend Zoning By-law No. 6593 Respecting Lands Located at 865 West 5th Street (Hamilton)

Ward: 8

ZAR-18-026

11.9 010

A By-law to amend Zoning By-law No. 05-200 to Permit the Development of a Future Stand-Alone Residential or Mixed Use Development on Lands Located at 86, 88, 90, 92 and 94 Lakeview Drive and a Portion of 96 Lakeview Drive (Stoney Creek)

Ward: 10

ZAC-17-020

- 11.10 011
To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands Located at 90 Creanona Boulevard
Ward: 10
ZAR-17-033
- 11.11 012
To Amend Zoning By-law No. 05-200 (Hamilton), Respecting Lands Located at 90 Creanona Boulevard
Ward: 10
ZAR-17-033
- 11.12 013
To Amend Zoning By-law No. 05-200, Respecting Lands Located at 19 Highland Road East (Stoney Creek)
Ward: 9
ZAC-17-055
- 11.13 014
To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 560 Grays Road
Ward: 10
ZAC-18-018
- 11.14 015
To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues for 2019
Ward: City Wide
- 11.15 016
To Authorize an Interim Tax Levy for 2019
Ward: City Wide

11.16 017

Being a By-law to Permanently Close a Portion of Public Unassumed Alley Abutting 150 Main Street East, Hamilton, established by Registered Plan 48, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20413, being Part of PIN 17170-0156 (LT), City of Hamilton

Ward: 2

11.17 018

To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking

Schedule 6 (Time Limit Parking)

Schedule 8 (No Parking Zones)

Schedule 10 (Alternate Side Parking)

Schedule 12 (Permit Parking Zones)

Schedule 13 (No Stopping Zones)

Schedule 14 (Wheelchair Loading Zones)

Schedule 15 (Commercial Vehicle Loading Zones)

Schedule 20 (School Bus Loading Zones)

Ward: 1, 2, 3, 4, 7, 8, 9, 10, 11, 13

11.18 019

Being a By-law to Permanently Close a Portion of Public Alley Abutting 49 Walnut Street South, Hamilton, established by Registered Plan 48, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20965, being Part of PIN 17169-0007 (LT), City of Hamilton

Ward: 2

11.19 020

To Confirm the Proceedings of City Council

12. ADJOURNMENT



CITY COUNCIL MINUTES 18-021

9:30 a.m.

Wednesday, December 19, 2018

Council Chamber

Hamilton City Hall

71 Main Street West

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

Mayor Eisenberger called the meeting to order and recognized that Council is meeting on the traditional territories of the Mississauga and Haudenosaunee nations, and within the lands protected by the “Dish with One Spoon” Wampum Agreement.

The Mayor called upon Pastor John Mahaffey of West Highland Baptist Church, to provide the invocation.

Mayor Eisenberger spoke in honour of former Alderman John Smith who recently passed away.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. COMMUNICATIONS (Item 5)

- 5.24 Correspondence from the Niagara Peninsula Conservation Authority and the Assistant Deputy Minister, Land and Water, Ministry of the Environment, Conservation and Parks (MOECP) respecting the composition of the NPCA Board of Directors, which increases the number of appointment from two (2) members to four (4) members.

Recommendation: ***Be received.***

- 5.26 Correspondence from the Canadian Cancer Society requesting that the City of Hamilton increase the annual license fee for tobacco and e-cigarette retailers.

Recommendation: Be received and referred to the ***General Manager of Planning and Economic Development*** for appropriate action.

- 5.31.e Realtors Association of Hamilton-Burlington and Hamilton District Apartment Association respecting Rental Licensing By-Law and Pilot Project (8.6 Rental Housing Sub-Committee Report 18-003, Item 1)

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, A Better Niagara and the Niagara Peninsula Conservation Authority and the Regional Municipality of Niagara

Recommendation: Be received.

2. COMMITTEE REPORTS (Item 6)

- 6.5 Page 9 of Appendix "F" to GIC Report 18-022 - Revised

- 6.9 Special General Issues Committee Report 18-023 – December 18, 2018

3. NOTICES OF MOTION (Item 8)

- 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

5. ADDED BY-LAWS (Item 11)

- 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

- 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

- 342 To Amend the Sewer and Drain By-law No. 06-026, and Implement the 2019 Fees and Charges
Ward: City Wide
- 343 To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272 and Implement the 2019 Fees and Charges
Ward: City Wide
- 344 To Amend the Waterworks By-law No. R84-026 and Implement the 2019 Fees and Charges
Ward: City Wide
- 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
- 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
- 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

(Collins/Pauls)

That the agenda for the December 19, 2018 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

Councillor Clark declared an apparent interest to Items 5.28 and 7.8 as they relate to the Terrapure Stoney Creek Regional Facility.

Councillor Clark declared an interest respecting Item 5.31 and Item 2 of the Planning Committee Report 18-015 as he has had a professional relationship with the Hamilton and District Apartment Association (HDAA).

Councillor Ferguson declared an interest to Item 15 of the General Issues Committee Report 18-022, as it relates to fees for the taxi industry, as his family has an interest in the taxi industry.

Councillors Pearson, Merulla, and VanderBeek declared an interest to Items 5.31, Item 2 of the Planning Committee Report 18-015, and to Item 8 of the Healthy and Safe Communities Committee Report 18-010, as they are rental property owners.

CEREMONIAL ACTIVITIES**3.1 Cheque Presentation from the Board of Directors of the Winona Peach Festival for Loan Repayment**

Linda Shuker from the Board of Directors of the Winona Peach Festival presented Mayor Eisenberger with a cheque representing a loan repayment .

APPROVAL OF MINUTES OF PREVIOUS MEETING**4.1 September 26, 2018**

(Pearson/VanderBeek)

That the Minutes of the September 26, 2018 meeting of Council be approved, as presented.

CARRIED

4.2 Clerk's Minutes – October 16, 2018

(Ferguson/Collins)

That the Clerk's Minutes of the October 16, 2018 meeting of Council be approved, as presented.

CARRIED

4.3 December 3, 2018 - Inaugural

(Partridge/Farr)

That the Minutes of the December 3, 2018 Inaugural meeting of Council be approved, as presented.

CARRIED

(Whitehead/Partridge)

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

CARRIED

COMMUNICATIONS

(Farr/Collins)

That Council Communications 5.1 to 5.39 be approved, *as amended*, as follows:

- 5.1 Correspondence from the Honourable Jean-Yves Duclos, Minister of Families, Children and Social Development responding to the Mayor's letter concerning homelessness funding in the City of Hamilton.

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

- 5.2 Correspondence from York Region respecting the York Region Transit Cross-Boundary Travel and Greater Toronto and Hamilton Area Fare Integration.

Recommendation: Be received and referred to the General Manager of Public Works for appropriate action **and to the GIC 2019 Operating Budget – Transit Day.**

- 5.3 A petition respecting the conversion of Park Street North between Barton Street and Cannon Street from a one-way northbound access to a two-way thruway.

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

- 5.4 Correspondence from the Township of Montague requesting support for their resolution requesting that the Provincial Government undertake consultation with municipalities prior to modifying legislation that effects municipal governments.

Recommendation: **Be endorsed and referred to staff for a Report to the Government Relations Sub-Committee respecting the different ways in which municipalities interact (and intersect) with the Province and AMO.**

- 5.5 Correspondence from the Honourable Lisa MacLeod, Minister of Children, Community and Social Services and Minister Responsible for Women's Issues in response to the Mayor's letter of congratulations.

Recommendation: Be received.

- 5.6 Correspondence from the Honourable Doug Ford, Premier in response to Council's resolutions dealing with outstanding matters affecting the City of Hamilton.

Recommendation: Be received.

- 5.7 Correspondence from the Honourable Doug Ford, Premier responding to the Mayor's letter concerning the Province's plans to reform social assistance in Ontario.

Recommendation: Be received.

- 5.8 Correspondence from the Honourable Doug Ford, Premier in response to the Mayor's letter respecting Council's resolution about private cannabis retail stores.

Recommendation: Be received.

- 5.9 Correspondence from the Town of Pelham requesting that the Regional Municipality of Niagara establish a formal process for appointments to the Niagara Peninsula Conservation Authority Board.

Recommendation: Be received.

- 5.10 Notice of Call for Nominations for the Rural Ontario Municipal Association (ROMA) Board of Directors, Zone Representatives 2019 - 2023, deadline is December 31, 2018.

Recommendation: Be received and referred to the consideration of Item 7.6

- 5.11 Correspondence from the Salvation Army, Lawson Ministries Hamilton formally requesting that the City work with Lawson Ministries to identify opportunities to employ ready, willing and able candidates.

Recommendation: Be received and referred to the Executive Director of Human Resources and Organizational Development for appropriate action.

- 5.12 Correspondence from the Golden Horseshoe Food and Farming Alliance officially requesting the appointment of a City of Hamilton Council member to represent the City on the Golden Horseshoe Food and Farming Alliance.

Recommendation: Be received and referred to the consideration of Item 7.4

- 5.13 Correspondence from the Township of McKellar requesting support for their resolution requesting that any discussions that AMO has with the Province respecting Governance Models be preceded with an open meeting between all parties including the public.

Recommendation: Be received.

- 5.14 Correspondence from the Town of Kearney requesting support for their resolution respecting the creation, maintenance and general quality of the Municipal Voters' List.

Recommendation: Be supported and referred to the consideration of Item 7.3

- 5.15 Correspondence from Sandy Annunziata, Board Chair, Niagara Peninsula Conservation Authority respecting the process to appoint Board Members to the Niagara Peninsula Conservation Authority - Full Authority Board.

5.15.a Correspondence from the Town of Fort Erie to the Town of Pelham respecting the Niagara Peninsula Conservation Authority Board - Citizen Appointee

5.15.b Correspondence from Bruce Timms in response to the Town of Fort Erie's letter respecting the Niagara Peninsula Conservation Authority Board - Citizen Appointee.

Recommendation: Be received.

- 5.16 Correspondence from Conservation Halton and Hamilton Conservation Authority respecting a City of Hamilton representative on the Halton-Hamilton Source Protection Committee.

Recommendation: Be received.

- 5.17 Correspondence from Conservation Halton respecting the appointments to the Board of Directors of Conservation Halton.

Recommendation: Be received

- 5.18 Correspondence from Conservation Halton respecting a change to the composition of the Conservation Halton Board of Directors, which would provide the City of Hamilton with three members, an increase to our current entitlement of two members.

Recommendation: Be received.

- 5.19 Correspondence from the Honourable Jean-Yves Duclos, Minister of Families, Children and Social Development in response to the Mayor's letter conveying the City's concerns regarding the Province's decision to end the Basic Income Pilot.

Recommendation: Be received.

- 5.20 Correspondence from the Honourable Lisa MacLeod, Minister of Children, Community and Social Services, Women's Issues, Immigration and Poverty Reduction in response to the City's letter regarding income security and social assistance.

Recommendation: Be received.

- 5.21 Correspondence from the Honourable Rod Phillips, Minister of the Environment, Conservation and Parks in response to the Mayor's letter of congratulations.

Recommendation: Be received.

- 5.22 Correspondence from the Honourable Rod Phillips, Minister of the Environment, Conservation and Parks in response to the Mayor's letter requesting an expedited review of an upcoming Environmental Compliance Approval application for the City of Hamilton's Central Composting Facility.

Recommendation: Be received.

- 5.23 Correspondence from the Honourable Christine Elliott, Deputy Premier and Minister of Health and Long-Term Care in response to the Mayor's letter regarding the St. Joseph's Healthcare Forensic Psychiatric Unit.

Recommendation: Be received.

- 5.24 Correspondence from the Niagara Peninsula Conservation Authority and the Assistant Deputy Minister, Land and Water, Ministry of the Environment, Conservation and Parks (MOECP) respecting the composition of the NPCA Board of Directors, which increases the number of appointment from two (2) members to four (4) members.

Recommendation: Be received.

- 5.25 Correspondence from the Federation of Canadian Municipalities (FCM) respecting current vacancies on the FCM's Board of Directors for three Ontario representatives for the remainder of the 2018-2019 term.

Recommendation: Be received and referred to the consideration of Item 7.2

- 5.26 Correspondence from the Canadian Cancer Society requesting that the City of Hamilton increase the annual license fee for tobacco and e-cigarette retailers.

Recommendation: Be received and referred to the General Manager of Planning and Economic Development **and to the Medical Officer of Health** for appropriate action.

- 5.27 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the provincial-municipal relationship.

Recommendation: Be received.

- 5.28 Correspondence from the Honourable Rod Phillips, Minister of the Environment, Conservation and Parks respecting Terrapure Stoney Creek Regional Facility Environmental Assessment and Cootes-to-Escarpment EcoPark System.

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

- 5.29 Correspondence from the Honourable Rod Phillips, Minister of the Environment, Conservation and Parks respecting a request for an increase in funding for conservation authorities across the province.

Recommendation: Be received and referred to the General Manager of Finance and Corporate Services for appropriate action.

- 5.30 Correspondence from Hamilton Anchor Institution Leaders (HAIL) respecting the Next Stop Operating Agreement: Full Speed Ahead on Hamilton LRT.

Recommendation: Be received and referred to Special General Issues Committee - Light Rail Transit.

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

5.31.a Ontario Landlords Watch

5.31.b Mike Marcu

5.31.c Mike Coakley, Chair, Ainslie Wood Community Association

5.31.d Ira Rosen, President, AWWCA

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

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

5.32 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the reduction of the municipal reporting burden across government.

Recommendation: Be received and referred to the City Manager for appropriate action.

5.33 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the launch of a broad consultation to gather input on how to increase supply and mix of housing, speed up development timelines and drive down costs.

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

5.34 Correspondence from the City of Oshawa to General Motors respecting the importance of keeping the General Motors Oshawa Assembly Plant Open.

Recommendation: Be received.

5.35 Correspondence from Richard Silliker respecting his opposition to the rezoning of 211 York Road in Dundas.

Recommendation: Be received and referred to the consideration of Item 8 of Planning Committee Report 18-015.

5.36 Correspondence from Lord Mayor Graham Quirk, Brisbane, Australia respecting the Asia Pacific Cities Summit and Mayor's Forum (2019APCS) being held in Brisbane, July 7-10, 2019.

Recommendation: Be received.

5.37 Correspondence from Todd Cain, Director General, Licensing and Medical Access, Cannabis Legislation and Regulation Branch, Health Canada in response to the Mayor's letters regarding the legalization and regulation of cannabis.

Recommendation: Be received.

5.38 Correspondence from Ted Comiskey, Chair, Demand the Right Coalition of Ontario Municipalities, Mayor of Ingersoll respecting an important update for Ontario Municipalities (Right to approve or reject landfill development)

Recommendation: Be received.

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: ***Be supported as follows:***

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; and

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.

CARRIED

GENERAL ISSUES COMMITTEE REPORT 18-020

(Eisenberger/Partridge)

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

CARRIED

PUBLIC WORKS COMMITTEE REPORT 18-013

(Ferguson/VanderBeek)

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

CARRIED

BOARD OF HEALTH REPORT 18-008**(Eisenberger/Nann)**

That the EIGHTH Report of the Board of Health be adopted, as presented, and the information section received.

CARRIED**PLANNING COMMITTEE REPORT 18-015****9. Application for a Condominium Conversion for lands known as 115 Main Street East, Hamilton (PED18080(a)) (Ward 2) (Item 8.4)**

Councillor Nann wished to be recorded as OPPOSED to the above item.

10. Application for a Condominium Conversion for Lands Known as 220 Dundurn Street South, Hamilton (PED18230) (Ward 1) (Item 8.5)

Councillor Nann wished to be recorded as OPPOSED to the above item.

(Pearson/Clark)

That the FIFTEENTH Report of the Planning Committee be adopted, as presented, and the information section received.

CARRIED**GENERAL ISSUES COMMITTEE REPORT 18-022****15. 2019 Tax Supported User Fees (FCS18094) (City Wide) (Item 10.11)**

Councillors Danko and Wilson wished to be recorded as OPPOSED to the above item.

24. Central Composting Facility – Regulatory Update (PW18098/LS18059) (City Wide) (Item 14.3)

(b) That Report PW18098/LS18059, respecting the Central Composting Facility – Regulatory Update, remain confidential.

Councillors Danko and Clark wished to be recorded as OPPOSED to the above item.

**HAMILTON RENEWABLE POWER INC. SHAREHOLDER ANNUAL GENERAL MEETING
REPORT 18-001****(Eisenberger/Partridge)**

That the FIRST Report of the Hamilton Renewable Power Inc. Shareholder Annual General Meeting be adopted, as presented, and the information section received.

CARRIED

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 18-014
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16. **Commercial Relationship Between the City of Hamilton and Century Group Inc. (FCS18100 / LS18060) (City Wide) (City Wide) (Item 14.2)**

(Collins/Merulla)

That this matter be referred to the January 17, 2019 Audit, Finance and Administration Committee meeting, to provide the proponent with an opportunity to be a delegation with respect to this matter at that meeting.

**AMENDMENT CARRIED
MAIN MOTION, AS AMENDED, CARRIED**

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

(Collins/Merulla)

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

CARRIED

HEALTHY AND SAFE COMMUNITIES COMMITTEE REPORT 18-010

7. **Interview Sub-committee to the Healthy & Safe Communities Committee (Item 11.1)**

(Merulla/Jackson)

That sub-section (a) of Item 7 of the Healthy and Safe Communities Committee Report 18-010, **be amended** to read as follows:

(a) ***T. Jackson***

**AMENDMENT CARRIED
MAIN MOTION, AS AMENDED, CARRIED**

(Merulla/Collins)

That the TENTH Report of the Hamilton Renewable Power Inc. Shareholder Annual General Meeting be adopted, **as amended**, and the information section received.

CARRIED

(Whitehead/Partridge)

That Section 5.7(2) of the City's Procedural By-law 18-270, which provides that a minimum of 48 hours shall pass before a Standing Committee Report is presented to Council, be waived in order to consider the Special General Issues Committee Report 18-023, dated Tuesday, December 18th, 2018.

CARRIED

SPECIAL GENERAL ISSUES COMMITTEE REPORT 18-023**1. Dispensaries for Recreational Cannabis Retail Sale (Item 11.1)****(Clark/Whitehead)**

That Item 1 of the General Issues Committee Report 18-023, respecting Dispensaries for Recreational Cannabis Retail Sale **be amended** by adding the following subsection (c):

- (c) ***That staff be directed to report back, to the Special Council meeting on January 14, 2019, respecting the projected economic uplift to the City of Hamilton, if the City of Hamilton chooses to Opt-In to cannabis retail stores in the City of Hamilton; and***

AMENDMENT CARRIED

(Merulla/Ferguson)

That sub-section (b)(a) to Item 1 of the General Issues Committee Report 18-023, respecting Dispensaries for Recreational Cannabis Retail Sale, be amended by adding the following words "***until a sustainable revenue-sharing formula is established between the Province of Ontario and the City of Hamilton***" as follows:

- (a) That cannabis retail stores not be permitted to operate in the City of Hamilton, in accordance with the *Cannabis Licence Act, 2018*, ***until a sustainable revenue-sharing formula is established between the Province of Ontario and the City of Hamilton.***

AMENDMENT CARRIED

(Clark/Whitehead)

That Item 1 of the General Issues Committee Report 18-023, respecting Dispensaries for Recreational Cannabis Retail Sale **be amended** by adding the following subsection (d):

- (d) ***That staff be directed to report back, to the Special Council meeting on January 14, 2019, respecting the second phase of funding, based on the number of municipalities who have opted out, and if the City of Hamilton allows cannabis retail stores to operate in the City of Hamilton.***

AMENDMENT CARRIED

The Main Motion as **amended** reads as follows:

That the **amended** 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;

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*, ***until a sustainable revenue-sharing formula is established between the Province of Ontario and the City of Hamilton.***
- (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;

(c) *That staff be directed to report back, to the Special Council meeting on January 14, 2019, respecting the projected economic uplift to the City of Hamilton, if the City of Hamilton chooses to Opt-In to cannabis retail stores in the City of Hamilton; and*

(d) *That staff be directed to report back, to the Special Council meeting on January 14, 2019, respecting the second phase of funding, based on the number of municipalities who have opted out, and if the City of Hamilton allows cannabis retail stores to operate in the City of Hamilton.*

MAIN MOTION, AS AMENDED, CARRIED

Councillors Collins and Partridge wished to be recorded as opposed to the above Item.

(Eisenberger/Merulla)

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

CARRIED

MOTIONS

7.1 Residential Municipal Relief Assistance Program for Basement Flooding for the Watermain Break Event Within the Parkview West Neighbourhood on October 2, 2018**(Merulla/Collins)**

- (a) That for the purpose of invoking the Residential Municipal Relief Assistance Program for Basement Flooding, City Council declare the watermain break event of October 2, 2018, as a “Disaster” for all affected properties within the Parkview West Neighbourhood in the City of Hamilton;
- (b) That payment of claims to a maximum of \$1,000, be based on compassionate grounds only and not to be construed as an admission of liability on the part of the City of Hamilton;
- (c) That the Eligibility Criteria for the Residential Municipal Disaster Relief Assistance Program as previously approved in report FCS06007 be applied;
- (d) That the costs associated with these claims be funded from the Storm Sewer Reserve (108010); and,
- (e) That staff be authorized, if required, to retain an independent adjuster for the administration of claims under the Residential Municipal Disaster Relief Assistance Program and that these administrative costs be funded from the Storm Sewer Reserve (108010).

CARRIED**7.2 Federation of Canadian Municipalities - Election to the Board of Directors****(Farr/Nann)**

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction; and

WHEREAS FCM’s Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the federal government;

THEREFORE BE IT RESOLVED:

- (a) That Council of the City of Hamilton endorse Councillor Judi Partridge to stand for election on FCM’s Board of Directors for the period starting in January 2019 and ending in June 2019 (until the end of the FCM Annual General Meeting in Quebec City, June 2, 2019); and
- (b) That Council assumes all costs associated with Councillor Judi Partridge attending FCM’s Conferences and Board of Directors meetings be charged to the General Legislative 300100 account.

CARRIED

7.3 Maintaining the Voters' List for Municipal Elections**(Pearson/Jackson)**

WHEREAS concerns over the quality of the Municipal Voters List is not a new phenomenon;

WHEREAS in 2012, the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) published a Voters List Position Paper and since that time has been advocating for transformational changes to the way that Ontario creates and maintains the Voters' List for municipal elections;

WHEREAS the Preliminary List of Electors which forms the Voters' List in Ontario is supplied by data from the Municipal Property Assessment Corporation (MPAC);

WHEREAS despite the incremental changes made by MPAC, MPAC has a limited ability to fix the currency and accuracy issues that impairs the current process and the Voters' List continues to be flawed with data inaccuracies and outdated information; and

WHEREAS a transformational solution to the way that the Voters' List is created and managed is required;

THEREFORE BE IT RESOLVED

- (a) That the Council of the City of Hamilton supports the re-establishment of the multi-stakeholder working group between the Ministry of Municipal Affairs, Ministry of Finance, AMCTO, MPAC, Elections Canada and Elections Ontario in exploring and identifying ways to create and maintain the Voters' List for Municipal Elections;
- (b) That Council requests an update be provided from this Voters' List Working Group on the transformational solutions being discussed;
- (c) That representatives from MPAC be invited to a future General Issues Committee meeting to hear the City of Hamilton's concerns and advise the City on what steps MPAC will be taking in the future;
- (d) That a letter of concerns respecting the Voter's List for Municipal Elections and a request for investigation be forwarded to the Ombudsman's Office; and,***
- (e) That a copy of this motion, respecting the Voter's List for Municipal Elections be circulated to all municipalities and the Association of Municipalities of Ontario (AMO).***

**AMENDMENT CARRIED
MAIN MOTION, AS AMENDED, CARRIED**

7.4 Appointment to the Golden Horseshoe Food and Farming Alliance (GHFFA)

(Pearson/Partridge)

WHEREAS the Golden Horseshoe Food and Farming Alliance (GHFFA) directs the opportunities and actions of the Golden Horseshoe Agriculture and Agri-Food Strategy with a vision of retaining, enhancing and expanding the region's role as a globally renowned food and farming cluster;

WHEREAS the GHFFA is comprised of representatives from the Regional Municipalities of Durham, Halton, Peel, York, Niagara, the City of Toronto, the City of Hamilton, the Federations of Agriculture, Province of Ontario, Federal Department of Agriculture and Agri-Food, and industry stakeholders;

WHEREAS each municipality contributes \$30,000 annually for implementation of the Action Plan and the City of Hamilton further supports the work of the GHFFA through membership on the Staff Working Group;

WHEREAS the City of Hamilton has been represented on the GHFFA since 2012 by former Councillor Robert Pasuta; and

WHEREAS the GHFFA has requested the appointment of a member of the City of Hamilton's Council to represent the City of Hamilton on the Golden Horseshoe Food and Farming Alliance (GHFFA).

THEREFORE BE IT RESOLVED:

That Councillor Judi Partridge be appointed as the City of Hamilton's representative on the Golden Horseshoe Food and Farming Alliance (GHFFA) for the 2018-2022 Term of Council.

CARRIED

7.5 Sub-Committee Appointments for the 2018-2022 Term of Council

(Danko/Jackson)

That the Council Member appointments to the following Sub-Committees, for the 2018-2022 Term of Council, be approved.

(i) School Board Properties Sub-Committee

(1) Maureen Wilson

(ii) Procurement Sub-Committee

(1) Nrinder Nann

(iii) Hamilton Water Sub-Committee

(1) Nrinder Nann

CARRIED

7.6 Rural Ontario Municipal Association (ROMA) - Election to the 2019-2023 Board of Directors

(VanderBeek/Whitehead)

WHEREAS the Rural Ontario Municipal Association (ROMA) the rural arm of the Association of Municipalities of Ontario (AMO), takes pride in promoting, supporting and enhancing strong and effective rural governments; and

WHEREAS ROMA has initiated a Call for Nominations;

THEREFORE BE IT RESOLVED:

That the Council for the City of Hamilton endorses Councillor Ferguson, for the position of ROMA Zone 3 Representative for the 2019 – 2023 ROMA Board.

CARRIED

7.7 Sub-Committee Terms of Reference Amendments

(Johnson/Pearson)

That the following Committees' Terms of Reference, be amended to reflect the following membership compositions:

- (i) Facility Naming Sub-Committee – **four (4)** members of Council;
- (ii) Hamilton Municipal Heritage Committee – **one (1)** member of Council;
- (iii) Hamilton Port Authority – City of Hamilton Liaison Committee – Mayor plus **three (3)** members Council;
- (iv) Hamilton-Wentworth Catholic District School Board Liaison Committee – Mayor plus **one (1)** member of Council;
- (v) Hamilton-Wentworth District School Board Liaison Committee – Mayor plus **one (1)** member of Council;
- (vi) Non-Union Compensation Sub-Committee – **three (3)** members of Council;
- (vii) Physician Recruitment and Retention Steering Committee – **two (2)** members of Council;
- (viii) School Board Properties Sub-Committee – **six (6)** members of Council; and
- (ix) Steel Committee – **five (5)** members of Council.

CARRIED

7.8 Council Membership on Agencies, Boards and Tribunals for the 2018-2022 Term of Council

(Merulla/Collins)

That the Council Member appointments to the following Agencies, Boards and Tribunals, for the 2018-2022 Term of Council, be approved:

- (i) Heritage Green Community Trust Board of Trustees
 - (1) Brad Clark

- (ii) Terrapure Community Liaison Committee
 - (1) Maria Pearson
 - (2) Chad Collins

CARRIED

7.9 Ward 3 Community Grants

(Nann/Jackson)

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:

- (b) 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.

CARRIED

NOTICES OF MOTION

8.1 Establishment of a New Steering Committee for the Recruitment of the City Manager

Councillor Wilson introduced the following Notice of Motion:

WHEREAS the City Manager has such general control and management of the administration of the government and affairs of the City and performs such duties as Council by by-law prescribes and is the sole employee reporting directly to the elected Municipal Council;

WHEREAS the City of Hamilton appointed an Interim City Manager due to the resignation of the previous City Manager on June 27, 2018;

WHEREAS the recruitment process to fill the vacancy of the City Manager was defined by the former 2014-2018 City Council in report HUR18013 of August 13, 2018;

WHEREAS one third of Hamilton City Council elected October 22, 2018 did not serve on the previous 2014-2018 Term of Council;

WHEREAS the 2014-2018 Term of City Council recommended that a Steering Committee comprised of the Mayor and Chairs of the Standing Committees be established to assist with the recruitment process for the City Manager;

WHEREAS Report HUR18013 of August 13, 2018 does not define the core principles that will guide the recruitment, deliberation and selection process for the new City Manager;

WHEREAS the City's Strategic Plan states that diversity and inclusion are to be embraced and celebrated;

WHEREAS the City's Corporate Culture includes the principle of steadfast integrity, that this principle shall guide our strategic priorities, and as a Council, we too ought to uphold and put these values in action through our recruitment and selection process;

WHEREAS public entities, including governments, are well placed to serve as a model for other employers;

WHEREAS recognizing and valuing equity, diversity and inclusion must be accompanied by concerted efforts to put these principles and values into practice; and

WHEREAS the ability to invite and learn from different perspectives is fundamental to driving innovation, building a strong relationship and taking the best approaches to meet the needs of the diverse population served by the City of Hamilton;

THEREFORE, BE IT RESOLVED:

- (a) That the newly elected 2018-2022 City Council define the recruitment process to fill the vacancy of the new City Manager;
- (b) That an equity, diversity and inclusive (EDI) lens be incorporated in all aspects of this recruitment process; and
- (c) That the Steering Committee that was established to oversee the City Manager search process, interview short-list of candidates and identify final candidates for consideration by City Council on August 17, 2018, be amended to better reflect the diverse composition of the 2018-2022 City Council and by extension the community, with not less than 50% of those elected members who identify as females along with not less than one-third of the newly elected members of City Council serving on the Steering Committee.

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

Councillor Clark introduced the following Notice of Motion:

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.

8.3 Annual Report on Watermain Breaks

Councillor Clark introduced the following Notice of Motion:

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.

8.4 City's Outflow Monitoring

Councillor Clark introduced the following Notice of Motion:

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.

8.5 Ward 3 Community Grants

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

(Nann/Farr)

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

CARRIED

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

STATEMENTS BY MEMBERS

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

PRIVATE & CONFIDENTIAL

10.1 Closed Session Minutes – September 26, 2018

(Partridge/Pearson)

That the Closed Session Minutes dated September 26, 2018 be approved, as presented, and remain confidential.

CARRIED

(Pearson/Farr)

That Council move into Closed Session to discuss Item 23 of the General Issues Committee Report 18-022 and Communication Item 5.40, pursuant to Section 8.1, Sub-sections (a) and (f) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (a) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

GENERAL ISSUES COMMITTEE REPORT 18-022 (CONTINUED)

23. Christian Heritage Party Litigation Update (LS18038(a)) (City Wide) (Item 14.2)**(Eisenberger/VanderBeek)**

That Item 23 of the General Issues Committee Report 18-022, **be amended** by deleting sub-section (a) in its entirety and replacing it with new sub-sections (a) to (c) in lieu thereof and re-lettering the balance accordingly to read as follows:

- ~~(a) That sub-sections (a) through (c) to Report LS18038(a), respecting the Christian Heritage Party Litigation Update, remain confidential until approved by Council; and,~~
- (a) That the City Solicitor and external counsel be directed to withdraw the notice of appeal of the Divisional Court decision and take no further action in the litigation;**
- (b) That the City Solicitor and the Director of Strategic Partnerships and Communications be directed to review the City's Commercial Advertising Policy and procedures and to make any necessary updates;**
- (c) That the cost of the appeal and any award of costs in the main action against the City be funded from the Tax Stabilization reserve; and,**
- (d) That Report LS18038(a), respecting the Christian Heritage Party Litigation Update, remain confidential.**

**AMENDMENT CARRIED
MAIN MOTION, AS AMENDED, CARRIED**

(Eisenberger/)

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

(Whitehead/Partridge)

That Committee Rise and Report.

CARRIED

COMMUNICATIONS (CONTINUED)

(Johnson/Clark)

5.40 Notice of Application, A Better Niagara and the Niagara Peninsula Conservation Authority and the Regional Municipality of Niagara

Recommendation: Be received and further:

- (a) That Legal Staff be directed to attend the Hearing on December 21, 2018 on behalf of the City of Hamilton's interest; and
- (b) That the Mayor communicate with the Minister of the Environment, Conservation and Parks to ensure that the Ministry's Niagara Peninsula Conservation Authority Board of Director composition is defended at the Hearing on December 21, 2018.

CARRIED

BY-LAWS

(Farr/Collins)

That Bills No. 18-314 to No. 18-348, be passed and that the Corporate Seal be affixed thereto, and that the By-laws, be numbered, be signed by the Mayor and the City Clerk to read as follows:

By-Law

- 314 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 5 (Stop Control)
Ward: 2, 8, 9, 12, 13
- 315 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 2 (Speed Limits)
Schedule 10 (No Left Turns)
Schedule 13 (Designated Traffic Lanes)
Schedule 18 (Bicycle Lands)
Ward: 2, 5, 10, 11, 12
- 316 To Establish City of Hamilton Land Described as Block 155 on Plan 62M-964
as Part of Eringate Court
Ward: 9
- 317 To Establish City of Hamilton Land Described as Block 13 on Plan 62M-1045
as Part of Hampshire Place
Ward: 9
- 318 To Establish City of Hamilton Land Described as Block 255 on Plan 62M-1237
as Part of Beasley Grove
Ward: 12
- 319 To Establish City of Hamilton Land Described as Block 257 on Plan 62M-1237
as Part of Cooley Grove
Ward: 12
- 320 To Amend City of Hamilton By-law no. 07-170, Being a By-law to License and
Regulate Various Businesses
Schedule 21 – Food Premises
Ward: City Wide
- 321 To Designate Lands Located at 18-22 and 24-28 King Street East (Gore
Buildings), City of Hamilton, as Properties of Cultural Heritage Value

Ward: 2

- 322 To Amend Zoning By-law No. 05-200, as amended by By-law No. 15-024, respecting lands located at 98 James Street South (Hamilton)
ZAH-17-022
Ward: 2
- 323 To Amend Zoning By-law No. 6593 (Hamilton), as amended by By-law No. 16-337, respecting lands located at 71, 75, & 77 Leland Street
ZAH-18-042
Ward: 1
- 324 To Amend Zoning By-law No. 6593 (Hamilton), as amended by By-law No. 17-201 respecting lands located at 53 Gibson Avenue
ZAH-18-054
Ward: 3
- 325 To Amend Zoning By-law No. 6593 (Hamilton), as amended by By-law No. 18-137, respecting lands located at 157 Gibson Avenue
ZAH-18-051
Ward: 3
- 326 Respecting Removal of Part Lot Control, Block 212 within Registered Plan No. 62M-1238 "Waterdown Bay – Phase 2", 8, 10, 12, & 14 Slater Mill Place
PLC-18-029
Ward: 15
- 327 Respecting Removal of Part Lot Control, Block 216 within Registered Plan No. 62M-1238 "Waterdown Bay – Phase 2", 65, 67, 71, & 73 Humphrey Street
PLC-18-029
Ward: 15
- 328 Respecting Removal of Part Lot Control, Block 201 within Registered Plan No. 62M-1238 "Waterdown Bay – Phase 2". 301, 303, 305, 307 & 309 Humphrey Street
PLC-18-029
Ward: 15
- 329 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 6 (Time Limit Parking Zones)
Schedule 8 (No Parking Zones)
Schedule 12 (Permit Parking Zones)
Schedule 13 (No Stopping Zones)
Schedule 14 (Wheelchair Loading Zones)
Ward: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 14, 15
- 330 To Amend By-law No. 15-058, a By-law Respecting Building Permits and Related Matters
Ward: City Wide

- 331 To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 1215 Barton Street
ZAC-17-009
Ward: 10
- 332 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 211 York Road, Dundas
ZAC-17-060
Ward: 13
- 333 A By-law to Amend Zoning By-law No. 05-200 on Lands Located at 1274 and 1280 Mohawk Road (Ancaster)
ZAC-17-066
Ward: 14
- 334 Respecting Removal of Part Lot Control, Block 1, Registered Plan No. 62M-1255, Municipally Known as 1, 3, 5, 7, 9, 11, 13, 15, 17, 19 - 35 and 37 Barley Lane; 2 – 9 and 11 – 18 Birot Lane; 2, 4, 6, 8, 10, 12, 14, 16, 18, 20 – 28, and 30 – 38 Marr Lane; 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, and 22 Groom Lane; 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, and 21 Pim Lane; 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, and 37 Dresser Lane; 961 Garner Road East; 69, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99, 101, 103, and 105 Beasley Grove, Ancaster
PLC-18-014
Ward: 12
- 335 Respecting Removal of Part Lot Control, Lots 4, 7, 9, 13, 20, 22, 30, 32, 36, 37, 39, 40, 46, 47, 50, 53, 54, 56 – 61, 63 – 65, 68 – 70, and Block 95, Registered Plan No. 62M-1250, Municipally known as 23 Upper Mount Albion Road; 11, 12, 15, 19, 20, 24, 28, 32, 36, 37, 41, 45, 59, 63, 66, 67, 71, 75, 76, 79, 87, 91, 103, 114, and 124 Lexington Avenue; 74, 78, 86, 90, 114, 118, and 119 Greenwich Avenue, Stoney Creek
PLC-18-028
Ward: 9
- 336 Respecting Removal of Part Lot Control Block 73 to 77, Registered Plan No. 62M- 1250, Municipally Known as 47, 49 - 62, 64, 65, 67, 69, 71, 75, 77, 79, 81, 83, 85, 87, 89, 104, 106, 108, 110, 112, 114, 116, and 118 Columbus Gate
PLC-18-022
Ward: 9
- 337 Respecting Removal of Part Lot Control, Block 85 to 91, Registered Plan No. 62M-1250, Municipally Known as 1 – 16, 18 – 32, 34 – 50, 52, and 54 Greenwich Avenue
PLC-18-022
Ward: 9
- 338 Respecting Removal of Part Lot Control, Block 92 to 95, Registered Plan No. 62M- 1250, Municipally Known as 53, 55, 57, 59, 61, 63, 65, 69, 71, 73, 75,

77, 79, 81, 83, 93, 95, 97, 99, 101, 103, 105, 109, 111, 113, 115, 117, and 119
Greenwich Avenue
PLC-18-022
Ward: 9

339 Respecting Removal of Part Lot Control, Block 78 to 84, Registered Plan No.
62M- 1250, Municipally Known as 93, 95, 97, 99, and 103, 105, 107, 109, 111,
113, 115, and 117 Columbus Gate; 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29,
31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, and 55 Soho Street
PLC-18-022
Ward: 9

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

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

342 To Amend the Sewer and Drain By-law No. 06-026, and Implement the 2019
Fees and Charges
Ward: City Wide

343 To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-
272 and Implement the 2019 Fees and Charges
Ward: City Wide

344 To Amend the Waterworks By-law No. R84-026 and Implement the 2019 Fees
and Charges
Ward: City Wide

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

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

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

348 To Confirm the Proceedings of City Council

CARRIED

(Pearson/VanderBeek)

That, there being no further business, City Council be adjourned at 12:45 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon
Acting City Clerk



SPECIAL CITY COUNCIL MINUTES 19-001

2:25 p.m.

Monday, January 14, 2019

Council Chamber

Hamilton City Hall

71 Main Street West

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

Mayor Eisenberger called the meeting to order and recognized that Council is meeting on the traditional territories of the Mississauga and Haudenosaunee nations, and within the lands protected by the “Dish with One Spoon” Wampum Agreement.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

- 3.1 Correspondence respecting Dispensaries for Recreational Cannabis Retail Sale:
- (c) Dave Jackson

Recommendation: Be received and referred to the consideration of Item 5.1.

- 3.2 Correspondence from Deputy Chief Dan Kinsella to Chief Eric Girt, Hamilton Police Service, respecting Illegal Dispensary Enforcement / Estimated Costs of Illegal Dispensaries.

Recommendation: Be received and referred to the consideration of Item 5.1.

(Pearson/VanderBeek)

That the agenda for the January 14, 2019 meeting of Council be approved, as amended.

Result: Motion CARRIED by a vote of 16 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

DECLARATIONS OF INTEREST

There were no declarations of interest.

COMMUNICATIONS

(Merulla/Collins)

That Council Communications 3.1 (a) to (c) and 3.2 be received and the recommendations be approved, as follows:

- 3.1 Correspondence respecting Dispensaries for Recreational Cannabis Retail Sale in the City of Hamilton:
- (a) Barry Spinner
 - (b) Alex Johnstone, Chair, Hamilton-Wentworth District School Board
 - (c) Dave Jackson

Recommendation: Be received and referred to the consideration of Item 5.1.

- 3.2 Correspondence from Deputy Chief Dan Kinsella to Chief Eric Girt, Hamilton Police Service, respecting Illegal Dispensary Enforcement / Estimated Costs of Illegal Dispensaries.

Recommendation: Be received and referred to the consideration of Item 5.1.

CARRIED

REPORTS

4.1 Update: Cannabis Provincial Legislation (PED18249(a)) (City Wide)**(Whitehead/Nann)**

That Report PED18249(a), respecting an Update: Cannabis Provincial Legislation, be received.

CARRIED

MOTIONS

5.1 Dispensaries for Recreational Cannabis Retail Sale**(Merulla/Jackson)**

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*, until a sustainable revenue-sharing formula is established between the Province of Ontario and the City of Hamilton;
- (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";

- (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; and,
- (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.

Result: Motion DEFEATED by a tied vote of 8 to 8, as follows:

NO - Ward 1 Councillor Maureen Wilson
NO - Ward 2 Councillor Jason Farr
NO - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NO - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NO - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NO - Ward 14 Councillor Terry Whitehead
NO - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NO - Ward 9 Councillor Brad Clark

(Eisenberger/Clark)

WHEREAS, the Province of Ontario is implementing the legalization of recreational cannabis use in Ontario;

WHEREAS, the City will receive a first phase of funding of approximately \$574,000 from the Ontario Cannabis Legalization Implementation Fund for costs that directly relate to the legalization of recreational cannabis;

WHEREAS, the City after opting in and implementation will receive a second phase of funding of approximately \$574,000;

WHEREAS, the City after opting in stands to receive additional funds flowing from Ontario's portion of the federal excise tax on cannabis with a 50/50 provincial-municipal split if Ontario's revenues exceed \$100 million in the first two years; and,

WHEREAS, it is in the public interest that a licensed, regulated cannabis product be available for retail sale in Hamilton for the reasons of safety as well as to provide a legal alternative to illegal sales;

THEREFORE, BE IT RESOLVED:

- (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 first phase of funding from the Ontario Cannabis Legalization Implementation Fund be allocated to strengthen By-law enforcement and Public Health;
- (c) That Municipal By-Law Officers and the Hamilton Police Service be requested to jointly and aggressively pursue enforcement activities against operators and landlords where cannabis products are being illegally sold as well as enforcement responses including, but not limited to: continuous inspection of all reported store fronts, notifying property owners, business owners **and the Alcohol and Gaming Commission of Ontario (AGCO)** of any illegal activities, and notifying mortgagees of the use of financed properties for illegal purposes; and,
- (d) That the Mayor correspond with the Premier of Ontario, the Minister of Finance, Minister of Municipal Affairs and Housing, Minister of Health, Minister of Community Safety and Correctional Services and the Attorney General, 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 and **odour** standards compliance; and,
- (viii) the ability to restrict or prohibit operations that routinely violate municipal standards such as noise, nuisance or property standards.

Result: Sub-section (a) CARRIED by a vote of 10 to 6, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NO - Ward 4 Councillor Sam Merulla
NO - Ward 5 Councillor Chad Collins
NO - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NO - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NO - Ward 12 Councillor Lloyd Ferguson
NO - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Sub-section (b) CARRIED by a vote of 14 to 2, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NO - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NO - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Sub-sections (c) and (d) CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

BY-LAWS

(Merulla/Collins)

That Bill No. 19-001 be passed and that the Corporate Seal be affixed thereto, and that the By-law, be numbered, be signed by the Mayor and the City Clerk to read as follows:

By-Law

19-001 To Confirm the Proceedings of City Council

Result: Motion CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(Wilson/Farr)

That, there being no further business, City Council be adjourned at 5:37 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon
Acting City Clerk



December 7, 2018

Rose Caterini
City Clerk
City of Hamilton
71 Main Street West
Hamilton, ON
L8P 4Y5

Re: Municipal Levy Apportionments, 2019

Dear Ms. Caterini:

On November 1st, 2018 the Board of Directors of the Hamilton Region Conservation Authority approved the Municipal Levy for 2019 in the amount of \$4,457,700. Included in this amount is the sum of \$590,500 which is dedicated to the support of the Westfield Heritage Village as agreed at the time of ownership transfer of the Village property from the City of Hamilton to the Hamilton Region Conservation Authority.


In compliance with the recent ruling by the Commissioner of Lands and Mines the apportionment of the 2019 Levy, excluding that directed specifically to the Westfield Heritage Village is as follows:

City of Hamilton - \$ 3,837,946
Township of Puslinch- \$ 29,254

In accordance with Section 27(5) of the Conservation Authorities Act, I certify that the sums above are all maintenance and administration costs and have been so levied under Section 27(2) and Section 27(3) of the Conservation Authorities Act, respectively.

The total obligation of the City of Hamilton totals \$ 4,428,446
If you have any questions regarding the above please do not hesitate to contact me.

Regards,


Neil McDougall
Secretary – Treasurer

cc Lisa Burnside, CAO Hamilton Region Conservation Authority

OFFICE OF THE CITY CLERK
DEC 17 2018
REF'D TO <u>COUNCIL - Jan 23/19</u>
REF'D TO <u>B. McHUGHEN</u>
REF'D TO <u>HEWITSON</u>
ACTION _____

Pilon, Janet

Subject: FW: 2018-2020 AMO Board of Directors Vacancies
Attachments: AMO Board Vacancies - Request for Expressions of Interest.pdf

From: AMO Communications <communicate@amo.on.ca>
Sent: December 18, 2018 6:51 PM
To: clerk@hamilton.ca
Subject: 2018-2020 AMO Board of Directors Vacancies

December 18, 2018

To: Heads and Members of Municipal Councils

Request for Expression of Interest to fill Vacancies on the 2018-2020 AMO Board of Directors

The recent municipal elections created a number of vacancies for AMO's Board of Directors.

The AMO Bylaw directs that the vacancies be filled for the remainder of the Board's term, until the Annual General Meeting in August 2020.

This communication outlines: i) vacancies and related information, ii) the Board's process, and iii) a form and deadline for conveying an individual's interest. **Deadline to submit completed form is noon, Friday, January 11, 2019.**

If you have any questions, please contact Pat Vanini, Executive Director at (416) 971-9856, ext. 316, e-mail pvanini@amo.on.ca or Lorna Ruder, Executive Assistant, ext. 341, email lruder@amo.on.ca.

DISCLAIMER: Any documents attached are final versions. AMO assumes no responsibility for any discrepancies that may have been transmitted with this electronic version. The printed versions of the documents stand as the official record.

OPT-OUT: If you wish to opt-out of email communications from AMO, please click [here](#).



To: Heads and Members of Municipal Councils

The recent municipal elections created a number of vacancies for AMO’s Board of Directors. The vacancies have created some disproportion in terms of geographic and gender representation, which the Board will consider when filling the vacancies. The Bylaw directs that the vacancies be filled for the remainder of the Board’s term, until the Annual General Meeting in August 2020.

This communication outlines: i) vacancies and related information, ii) the Board’s process, and iii) a form and deadline for conveying an individual’s interest.

Where are the caucus vacancies? The Board is structured on six caucuses and there are vacancies in each.

Caucus	Total Complement	Elected Official Vacancy	Staff Vacancy
Northern Caucus	6	1 (North West)	
Large Urban Caucus	7	2	
Small Urban Caucus	6	2	
Regional and Single Tier Caucus	7	3	
County Caucus	6	0	1
Rural Caucus	6	2	

Geographic Distribution of remaining members of the Board elected at the 2018 AGM:

GTA	2
Southwestern Ontario	7
Central Ontario	2
Eastern Ontario	1
Northern Ontario	5

Female Gender Representation of the remaining members of the Board elected at the 2018 AGM:

Northern Caucus	1
Large Urban Caucus	2
Small Urban Caucus	0
Regional and Single Tier Caucus	0
County Caucus	1
Rural Caucus	1

Process for filling the vacancies: The approach is two-steps. First is the Call for Expression of Interest followed by the preparation of a roster and a short list.

Step 1: Call for Expression of Interest – Deadline is Noon, January 11, 2019:

Individuals can indicate their interest by completing the attached form by the deadline along with a CV. All names will be included in a roster of candidates. A Council resolution of support is not required for this initial step. It should be noted that no Member Municipality may be represented on the AMO Board by more than one Director, either a municipal elected official or a municipal employee.

Step 2: Short-listing the Roster: A panel will review the roster – ensuring the qualifications are met and then consideration of geography and gender to build a short list for the Board’s consideration. This will likely occur at its January meeting. Based on its direction, the short listed people will be asked to get a council resolution of support.

The Large Urban, Regional and Single Tier and Rural Caucus have appointed ‘interim chairs’ and will be reviewing this when the vacancies are filled. Chairs of every caucus form AMO’s Executive Committee, which meets monthly.

What is the Board of Directors role? The Caucus structure is how the Board is constructed. It is to represent the different types of municipal government structure, service responsibilities and geography. With 43 members, the Board has a pan-Ontario breadth so that its work reflects the range of its membership as it works to speak on shared interests and a common voice.

Some Board members are also involved in an AMO Task Force. This is not mandatory. A Task Force is a group of elected and staff official volunteers from across the province who want to work on an identified policy or program subject matter that helps support the Board’s Strategic Objectives. Task Forces have terms of reference, project timelines and deliverables. A few examples include Task Forces dealing with changes to the land use planning framework, asset management, and legalization of cannabis.

What is the time commitment? The Board meets six times a year, generally the last Friday of the month. It is preceded by a Thursday evening Committee of the Whole and the caucuses meet individually before the Board meeting. The Board participates at the Annual Conference in August. The meeting schedule for 2019 is:

Thursday, January 24, 5:30 – 8:30 p.m. Committee of the Whole
Friday, January 25 Board, 9:00 a.m. – 1:00 p.m., Board of Directors

Thursday, April 4, 5:30 – 8:30 p.m. Committee of the Whole
Friday, April 5, 9:00 a.m. – 1:00 p.m., Board of Directors

Thursday, June 20, 5:30 – 8:30 p.m., Committee of the Whole
Friday, June 21, 8:30 a.m. – 1:30 p.m., Board of Directors

2019 AMO Conference, Ottawa
Saturday, August 17, 2 – 5 p.m., Board of Directors
Sunday, August 18, 10:30 a.m. – 1:30 p.m., Board of Directors

Thursday, September 26, 5:30 – 8:30 p.m., Committee of the Whole
Friday, September 27, 9:00 a.m. – 1:00 p.m., Board of Directors

Thursday, November 28, 5:30 – 8:30 p.m., Committee of the Whole
Thursday, November 29, 9:00 a.m. – 1:00 p.m., Board of Directors

What are the Bylaw's Qualification Requirements? The municipality must be an AMO member in good standing. The individual must be eighteen (18) or more years of age and not be an undischarged bankrupt; and not be declared incapable.

Are the costs of Board meetings covered by AMO? No. The municipality covers the costs of travel and any needed accommodations. The AMO Board provides the opportunity to be part of a broader policy development team as well as providing interaction that benefits the municipality and the sector.

Where do I send my completed Expression of Interest? Send information by email to AMOElections@amo.on.ca or fax to (416) 971-6191. If you have any questions, please contact Pat Vanini, Executive Director at (416) 971-9856, ext. 316, e-mail pvanini@amo.on.ca or Lorna Ruder, Executive Assistant, ext. 341, email lruder@amo.on.ca.

Expression of Interest to Fill AMO Board Vacancies 2018-2020

Deadline to submit: Noon, Friday, January 11, 2019

Send completed form to:

Pat Vanini, Executive Director
Association of Municipalities of Ontario
200 University Avenue, Suite 801
Toronto, ON M5H 3C6
Email: amoelections@amo.on.ca
Fax: 416-971-6191

Please type or print clearly:

(Name)

(Municipal Title)

(Municipal Address and Postal Code)

(Email address for contact)

(Daytime telephone #)

(Name of Caucus)

- Why do you wish to be considered for a position on AMO's Board?
- What experience, municipal or other will you bring to the Board?
- Are you prepared to seek a council resolution if shortlisted?
- Have you attached your CV?



HOTEL ASSOCIATION OF CANADA
ASSOCIATION DES HÔTELS DU CANADA

DEC 19 2018

December 12th, 2018

Dear Mayor Eisenberger,

As the holiday season approaches, families are staying in hotels and alternative accommodations like short-term rentals across Canada to spend quality time together. During this time, we are reminded that Canadian communities continue to face unintended consequences of the growing short-term rental industry and online platforms like Airbnb.

This summer, the Hotel Association of Canada, in partnership with its provincial and city associations, released best practice guidelines for regulating short-term rentals. This new research, "Developing a Modern Approach to Short-Term Rentals in a Digital Economy," gives Canadian municipalities an analysis of regulatory developments worldwide and best practice approaches to developing a local framework. This evidence-based paper has been shared with regulatory and elected officials across the country and will assist with the development or refining of policies for the short-term rental industry in order to promote fairness and protect communities. Please find a copy enclosed.

As an industry, we are committed to working alongside municipalities across the country to develop a fair, sensible and practical approach to the short-term rental industry that acknowledges the difference between true home sharing and a commercial operation. Getting this balance right will protect communities and ensure that visitors continue to experience a safe and enjoyable stay.

I would be more than happy to discuss this important issue further and can be reached at 613-237-7149 Ext. 105 or aevens@hotelassociation.ca.

Wishing you a wonderful holiday season,

A handwritten signature in black ink, appearing to read 'Alison Evans'.

Alison Evans
Interim President, Hotel Association of Canada



HOTEL ASSOCIATION OF CANADA
ASSOCIATION DES HÔTELS DU CANADA

**DEVELOPING A MODERN APPROACH
TO SHORT-TERM RENTALS IN A
DIGITAL ECONOMY**

A Framework for Canadian Regulators

JULY **2018**

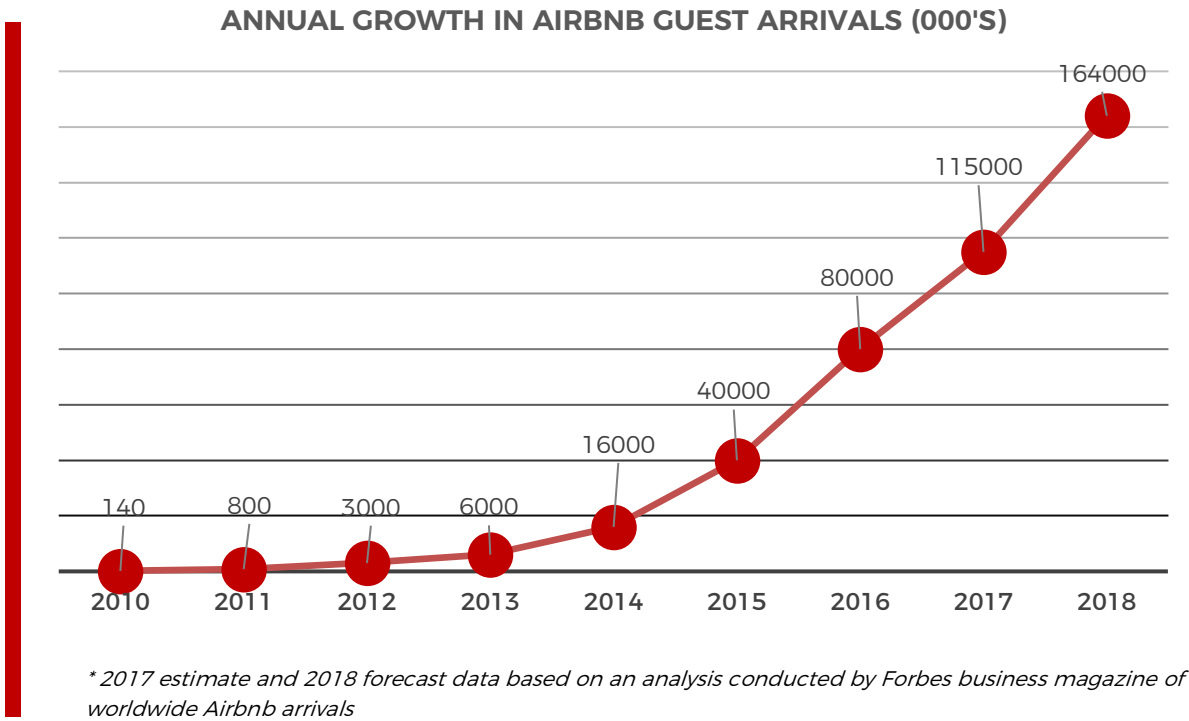
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INTRODUCTION

This paper is intended for regulatory officials and elected representatives who are developing or updating policies for the short-term rental industry and for those with an interest in tourism, affordable housing, and safe communities.

The growth of Airbnb to more than 160 million guest arrivals tells us that the platform companies for short-term rental accommodations are here to stay¹².



As with any transformational change, there are significant risks and unintended consequences that need to be managed due to the meteoric growth in short-term rental accommodations.

The experience in Canada and around the world to date is that there is no one-size-fits-all approach. For this reason, the modern policy toolkit needs to respond to national, provincial and local conditions in a way that promotes fairness, curtails exploitive practices and protects communities

¹ An overview of Airbnb and the hotel sector in Canada: A focus on hosts with multiple units. A report for the Hotel Association of Canada. by CBRE September 13, 2017

² <https://www.forbes.com/sites/greatspeculations/2018/05/11/as-a-rare-profitable-unicorn-airbnb-appears-to-be-worth-at-least-38-billion/-cc1ef842741e>

A SIMPLE CONCEPT WITH COMPLEX PROBLEMS

In 2007, two 27-year-old graduates of the Rhode Island School of Design set up a website to rent three airbeds on their living-room floor for participants attending a San Francisco design conference.³ They took their idea to another level and launched a website to connect hosts with guests attending conferences and festivals across the United States. The company's founders spoke about the noble concepts of "sharing" and the "collaborative consumption of resources." But this is not what the short-term rental industry has become. Today, the industry is dominated by commercial operators and industry giants that have capitalized on the popularity of home rentals.

Airbnb operates in 191 countries and generated over 80 million guest stays in 2016. The company is valued at over \$30 billion. Another platform behemoth, HomeAway Inc. (owned by Expedia), operates in 190 countries with over 2 million listed properties. It functions as a conglomerate of over 25 companies, including such well-known names as VRBO. Booking.com, which is owned by Priceline, has millions of homes listed on its site for short-term rental.

Initially, Airbnb was based on the concept of renting out a room with the owner always present and where common spaces were shared. Over time, the demand gravitated to renting out an entire home for a day or weeks at a time. In Canada, entire-home-rentals in 2017 constituted about 70 per cent of Airbnb's rental activity.

It did not take long for savvy operators to go well beyond renting out their own homes for occasional use. The trend has been to take residential units off the long-term rental market and convert them into hotel-like operations.

TODAY, APPROXIMATELY 7-IN-EVERY-10 UNITS ON THE AIRBNB DISTRIBUTION PLATFORM ARE ENTIRE-HOME RENTALS WITH GUESTS HAVING COMPLETE AND SOLE ACCESS TO THE ENTIRE UNIT DURING THEIR STAY.

Today, multi-unit hosts — defined as any host renting out two or more units in a single month— represent approximately 25 per cent of the short-term rental market. More aggressive entrepreneurs figured out a way to operate shadow hotels without having to invest in real estate or having to follow established health and safety regulations. These commercial operators also avoid many of the normal costs of doing business, including paying taxes and other levies.

True home-sharing has become increasingly rare. Today, there is a short-term rental industry that operates with limited regulation, creating a host of problems for governments, communities and homeowners.

³ <https://www.telegraph.co.uk/technology/news/9525267/Airbnb-The-story-behind-the-1.3bn-room-letting-website.html>

Loss of housing stock

One of the most concerning outcomes of the high volume of homes and investment properties being placed on the short-term accommodation market is the decline in the stock of affordable housing.

While there is little impact on a community's housing stock when someone casually rents a room in their home—or even their entire home when they are out of town—the outcome is different when investors and entrepreneurs remove units from a leasing portfolio; or buy homes or condominiums for the purposes of “home-sharing.” The bottom line is that fewer properties are available for long-term accommodation.

A 2017 McGill University School of Urban Planning study revealed that Airbnb listings in Montreal, Toronto and Vancouver had caused a two or three percent displacement of the housing stock in some neighbourhoods.⁴ The most successful “hosts” were running commercial operations with dozens or even hundreds of homes. The conclusion at the time of the study was that Airbnb had removed about 14,000 units of housing from rental markets in Canada's three largest cities. Areas close to public transit stations and where affordable housing had been concentrated were particularly vulnerable.

A 2018 McGill University study reported that New York City lost up to 13,500 housing units from the long-term rental market to Airbnb.⁵ Some 4,700 “ghost hotels” were also discovered, which had removed 1,400

housing units from the long-term rental market.

A Rise in Rental Rates

The loss of housing stock from the rental market has not only impacted accessibility but has also driven up rental rates. The 2018 McGill study also revealed that the housing displacement related to short-term accommodations caused rents in New York to rise by \$380 per year. In some of the more popular Manhattan neighborhoods, rent increases attributable to the conversion of housing stock amounted to more than \$700 per year. Airbnb's influence was reported to have cost New Yorkers \$616 million in additional rent in 2016.⁶

REVENUES DERIVED FROM MULTI-UNIT HOSTS IN CANADA HAVE MORE THAN DOUBLED FROM \$71 MILLION IN 2015/16 TO \$167 MILLION IN 2016/17 - A 134 PER CENT INCREASE IN REVENUE OVER THE PRECEDING 12-MONTH PERIOD.

Commercial Operations - Not Home Sharing

The data shows that short-term rentals have morphed from home-sharing into largely commercial operations. During 2016, one out of every 3 Airbnb hosts rented out their properties for more than 90 days per year. This pool of rental units generated 71 per cent of Airbnb's total Canadian revenue. Multi-unit Airbnb hosts make up approximately 7 per cent of their listings in

⁴ “Short-term cities: Airbnb's impact on Canadian housing markets.” Urban Politics and Governance research group, School of Urban Planning, McGill University August 10, 2017

⁵ “The High Cost of Short-Term Rentals in New York City.” A report from the Urban Politics and Governance research group School of Urban Planning - McGill University - January 30, 2018

⁶ <https://www.nytimes.com/2018/05/03/nyregion/airbnb-rent-manhattan-brooklyn.html>

Canada and generate over 30 per cent of all revenue.⁷



Health and Safety

The short-term rental platforms take no direct responsibility for the health and safety of their clients. Most municipalities do not require home inspections and there is no assurance with respect to fire, safety or health standards. In contrast, regulated properties such as hotels must adhere to fire, health, and safety standards and submit to regular inspections.



The Nuisance Factor

When residential homes are converted into transient commercial operations, the character of neighborhoods is changed in ways that were never contemplated. Commercial activity in residential areas can create nuisances and hazards like excessive noise, insufficient parking, vandalism and even criminal activity.

With governments being slow to respond to the new economy, residents use whatever tools are open to them to address the hazards and nuisance factors associated with short-term rentals. Many condominium boards have reacted to homeowners' concerns by banning short-term rentals outright. But this is difficult to achieve if the original condominium "declarations" permit short-term rentals. While the platform rental companies have challenged such

restrictions, the right of condominium boards to take such actions — absent declarations — was affirmed in one court of law.⁸ Only municipalities can override "declarations" with bylaws.

Property Damage and Crime

Short-term renters do not always respect the home-owners property. Stories regularly surface in the media that illustrate the risks involved when opening your home to total strangers. Homes have been turned into locations for massive raves and parties causing thousands in damages.⁹ Other hosts have suffered from the theft of personal belongings.¹⁰ One Toronto host reported that thieves stole equipment and even his clothes.

Reports have appeared about homes on short-term rental platforms being used:

- As a location to shoot porn videos¹¹;
- To operate a brothel¹²;
- As an outlet to sell illegal drugs¹³;
- As a hideout for criminals on the run¹⁴; and,
- For human trafficking¹⁵.

It is not just the short-term renters that cause problems. Reports have been made about hosts using hidden cameras to spy on guests, either for protection purposes or voyeurism.

⁷ An overview of Airbnb and the hotel sector in Canada: Aa focus on hosts with multiple units. A report for the Hotel Association of Canada by CBRE September 13, 2017

⁸ <http://business.financialpost.com/legal-post/ontario-court-ruling-says-condo-buildings-can-ban-sharing-services-such-as-airbnb>

⁹ <http://www.cbc.ca/news/canada/calgary/airbnb-renters-who-trashed-calgary-house-used-fake-credit-cards-to-fuel-party-1.3065243>

¹⁰ <https://www.ctvnews.ca/canada/toronto-man-s-home-trashed-belongings-stolen-after-airbnb-rental-1.3346849>

¹¹ http://www.dailymail.co.uk/travel/travel_news/article-3732932/Airbnb-host-says-San-Francisco-home-used-porn-shoot.html

¹² <https://globalnews.ca/news/5843222/ontario-family-shocked-to-discover-airbnb-renters-using-basement-to-distribute-drugs/>

¹³ <https://www.thetimes.co.uk/edition/news/drug-lords-use-airbnb-hideouts-w5xxf7xtb>

¹⁴ <https://www.thestar.com/vancouver/2018/05/02/your-vancouver-airbnb-could-be-used-for-sex-work-police-say.html>

¹⁵ <https://www.thestar.com/news/crime/2018/02/22/airbnb-rentals-used-for-human-trafficking-toronto-police-say.html>

Deceptive Conversions

Some entrepreneurs pretend to rent apartments for personal use only to place them on the short-term rental market. Unsuspecting landlords hear about conversions after they receive complaints from neighbours or they see their units posted on rental platforms for nightly rental. Landlords are understandably upset about a change in use that inflicts significantly higher wear-and-tear than what would be expected from normal family activity. This can happen even when it is not an entire home that is being rented out. A tenant might rent out rooms in a unit they occupy without the permission from the landlord.¹⁶

The Tax Gap

The hotel and accommodation industry pays business and property taxes at the commercial rate. According to the 2017 Altus Group Canadian Property Tax Rate Benchmark Report, commercial operators pay on average 2.85 times the level of property tax that is imposed on a residential ratepayer.¹⁷ This gives a powerful incentive for short-term rental operators to stay in the underground economy.

The hotel industry complies with sales and income tax laws and their employees are covered under the Canada Pension Plan, Employment Insurance and workers compensation. Any mandatory tourism or destination fees are also contributed to

support regional marketing campaigns. These fees are used to attract visitors to many of whom end up using short-term rental platforms.

The only true exemption from tax for home-renting relates to the GST/HST and only for hosts with revenues of less than \$30,000. No one is exempt from paying income tax on short-term rentals. The challenge is that there are few controls in place that ensure that tax laws and local levies are being complied with.

Airbnb states that it sends reminder notices to its hosts about tax issues. However it will only share this data with government authorities when it is compelled to do so. This makes it difficult to detect non-compliance. Some American jurisdictions (Massachusetts¹⁸ and Vermont¹⁹) require rental platform companies to issue official tax information slips to any host with revenues above \$600.²⁰ Airbnb has also been required to share its data with Danish tax authorities.²¹

At the platform level, sales and income tax are usually avoided because companies are legally registered in tax havens and function, without “permanent establishments” in the countries where they operate. While this may have been appropriate for manufacturing entities, it makes little sense in the digital economy.

¹⁶ <http://www.cbc.ca/news/canada/toronto/toronto-airbnb-regulations-1.4563929>

¹⁷ <http://www.altusgroup.com/wp-content/uploads/2017/10/Canadian-Property-Tax-Rate-Benchmark-Report.pdf>

¹⁸ <https://www.mass.gov/service-details/new-massachusetts-reporting-requirements-for-third-party-settlement-organizations>

¹⁹ <http://tax.vermont.gov/news/1099-k-information-reporting>

²⁰ <https://www.airbnb.ca/help/article/414/should-i-expect-to-receive-a-tax-form-from-airbnb>

²¹ <http://www.bbc.com/news/business-44166174>

A MODERN REGULATORY FRAMEWORK

Governments at all levels are grappling with the implications of the growing short-term rental industry. There is an acute need for federal, provincial, and municipal governments to put in place a modern regulatory framework to address the stresses and unintended consequences created by short-term accommodation rentals.

Regulators to date have focused on meeting five key objectives:

Regulatory Objectives for Short-term Rental Accommodations

- 1** Minimize the displacement of affordable and accessible housing
- 2** Minimize community nuisance while protecting public safety and with adherence to municipal bylaws
- 3** Ensure a level competitive playing field
- 4** Collect appropriate taxes and tourism levies
- 5** Enable voluntary compliance while minimizing the administrative burden for hosts, home-renting platforms and governments

8 REGULATORY TOOLS TO MODERNIZE SHORT-TERM RENTAL ACCOMMODATIONS

Following a scan of the regulatory approaches taken in communities and cities around the world, the following 8 elements have consistently been applied:

1. HOST REGISTRATION AND FEES

Requires that any property offered for home-renting be registered with the local government. For the benefit of hosts and municipalities, platform companies should facilitate the registration process. Along with the collection of an annual fee to recover costs, registration enables the monitoring and reporting of rental activity.

2. PLATFORM REGISTRATION AND FEES

Require registration of the rental platform companies along with a significant annual fee and an ongoing fee for each booking. Rental platform companies must be prohibited from listing any property that is not properly registered.

3. PRINCIPAL RESIDENCE RESTRICTION

Limits home-renting to a principal residence only. This prohibits the operation of ghost hotels and/or large scale commercial enterprises operating under the veil of home sharing. A significant issue remains in that short-term rentals are permitted in areas without proper zoning but with some limitations.

4. CAP ON USAGE

Limits the number of days that a home can be rented through a home-renting platform. This helps to moderate the decline in available housing stock and the nuisance factors associated with the conversion of ordinary residences into commercial operations. Caps typically run from 30 to 180 days per year. Some condominium boards put the cap at zero days and some regulations require explicit approval from homeowner's associations before short-term rentals can be offered.

5. HEALTH AND SAFETY STANDARDS

Regulations that require certain standards for safety (e.g. smoke detectors, fire extinguishers, pest control). This provides some minimal level of protection for guests.

6. REPORTING

A requirement at the platform and host level to report to government on all home-renting activity. This includes mandating that platform companies issue annual information slips to hosts on rental income with a copy to government authorities.

7. TAXATION/LEVIES

Special provisions at the platform level to conveniently collect and remit various taxes and/or levies on behalf of hosts. This creates a more level playing field with commercial operators and provides revenue to government to cover the costs of managing home sharing activity.

8. ENFORCEMENT/PENALTIES

Mechanisms to ensure regulations are applied and enforced (e.g. confirm principal residence with a driver's license). Effective enforcement can only be achieved with reliable and timely reporting of activity from the platform. Penalties help to ensure the system is operating as intended through voluntary compliance.

Airbnb has signed agreements with governments around the world that have insisted on the proper payment of taxes and on data sharing.²² Airbnb reports that they have collected and remitted taxes and levies in more than 200 jurisdictions (national, regional, local) and that they have released data and information in 19 jurisdictions. These agreements and compliance measures are usually implemented only after governments indicated an intention to establish regulations.

²² https://www.airbnbcitizen.com/wp-content/uploads/2016/12/National_PublicPolicyTool-ChestReport-v3.pdf

REGULATION IN PRACTICE CANADA

FEDERAL GOVERNMENT

The principal area of jurisdiction for the federal government is in tax policy. The major issues are:

- Rental platforms that are operating in Canada without a “permanent establishment” are not paying corporate income tax on their profits. Such a limitation has not prevented other countries and jurisdictions (Australia, Japan, South Korea and the European Union) from imposing taxation on some digital service providers.
- Hosts with revenues less than \$30,000 are not obligated to collect and remit GST/HST. This exemption does not apply universally in the digital economy. For example, GST/HST is applied on the first dollar for revenue ride-sharing (i.e. Uber and Lyft).²³

The Canada Revenue Agency does not require short-term rental platform companies to issue an information slip (i.e. the equivalent of a T4 slip from employers or T5 slips from financial institutions) as is the case in other jurisdictions. This would be a key instrument in achieving voluntary tax compliance.

To date, the federal government has enacted no specific measures to address issues in their area of jurisdiction as it pertains to tax fairness in the short-term accommodation industry.

²³ <https://www.canada.ca/en/revenue-agency/services/forms-publications/publications/gi-196-gst-hst-commercial-ride-sharing-services/gst-hst-commercial-ride-sharing-services.html>

²⁴ <http://www.cbc.ca/news/canada/british-columbia/airbnb-vancouver-bc-1.4524284>

PROVINCIAL GOVERNMENTS

To date, only Quebec and British Columbia have established laws and regulations governing short-term rentals. Like the federal government, the provinces have jurisdiction over tax policy. They also take a lead role in civil, property and commercial law.

In early 2017 the Government of Quebec reached an agreement with Airbnb that required the platform company to collect and remit a 3.5 per cent lodging tax beginning October 1, 2017.²⁴ The 3.5 per cent tourism levy is designed to promote the marketing activities of the hospitality industry. A prior regulation that required hosts to independently register and remit a lodging tax had achieved a compliance rate of less than five per cent.²⁵ The Quebec government indicated it expects other home-renting companies to become part of the new system. It is worth noting that the March 2018 Quebec budget proposed that the Quebec Sales Tax (QST) will apply to all digital services beginning January 1, 2019 regardless of whether the supplier has a permanent establishment in the province or not.²⁶

In early 2018, Airbnb agreed to collect and remit provincial and municipal taxes in British Columbia.²⁷ The province expects to realize \$16 million annually from its eight per cent tax while municipalities would receive an estimated \$5 million from a three per cent destination tax. BC officials

²⁵ <http://www.cbc.ca/news/canada/montreal/quebec-airbnb-law-not-effective-2017-1.4135041>

²⁶ http://www.budget.finances.gouv.qc.ca/budget/2018-2019/en/documents/AdditionalInfo_18-19.pdf#page=137

²⁷ <https://www.cbc.ca/news/canada/british-columbia/airbnb-vancouver-bc-1.4524284>

indicated that it was “enabling” the sharing economy to operate in a way that was fair and equitable. Legislation has been passed and implementation is expected in the Fall of 2018 with agreements expected to be in place with all home-rental platform companies.

In the remaining eight provinces, GST/HST is not collected by hosts except on a voluntary basis or when a host with revenues above \$30,000 complies with an obligation to register. In addition, the platform companies do not charge or remit GST/HST on the fees they charge to hosts.

No province has yet to regulate short-term rentals in the areas of health and safety, landlord and tenant relations, and commercial contracting.

MUNICIPAL GOVERNMENT



Vancouver, British Columbia

The City of Vancouver²⁸ and Airbnb reached an agreement that required all short-term rentals be licensed by April 19, 2018.²⁹ Following a transition period, Airbnb has agreed to deactivate any unlicensed listings. In addition, rental platform companies must pay an annual licence fee.

Vancouver has restricted short-term rentals to principal residences (where the owner resides for more than 180 days of the year). The fine for listing without a license can be up to \$1,000 per day. The City indicated it is

pursuing similar arrangements with other listing platforms.



District of Tofino, British Columbia

Despite having a population of only about 2,000, Tofino implemented a regulatory framework that restricts short-term rentals to licensed principal residences in specified mixed-use zones³⁰. The District has taken a proactive approach to enforcement through inspections and investigations, including host compliance software that scours current and past advertisements on a variety of online platforms. Over 65 tickets were issued in 2017 for short-term rental non-compliance.



Niagara on the Lake, Ontario

Through By-Law 4634-13³¹, all short-term rentals in Niagara on the Lake are subject to licencing and enforcement and each property must meet certain standards for public safety. Among many items, the pre-inspection checklist includes:

- Floor surfaces are reasonably smooth and do not unnecessarily contribute to a potential accident ex. nails sticking up, floor boards loose, ripples in carpets, etc.
- Operable window present for ventilation/light and equipped with a suitable insect screen.

²⁸ <https://vancouver.ca/doing-business/short-term-rentals.aspx>

²⁹ <http://vancouver.ca/news-calendar/city-signs-first-mou-in-canada-with-airbnb-for-short-term-rentals.aspx>

³⁰ <http://www.tofino.ca/Short-term-rentals>

³¹ <https://notl.civicweb.net/document/4068>

- Access door provides privacy and operates freely without the use of a key to exit.
- All smoke alarms, either battery operated or interconnected, on every floor level and in every bedroom, if applicable, shall be in working order.
- Carbon monoxide detectors shall be in working order.
- All escape routes are clear of obstructions and easily accessible.
- The furnace has been inspected and the filter replaced in the past year.
- The fire place chimney has been inspected and cleaned in the past year.
- All portable fire extinguishers with a minimum 2A-10BC rating shall be made available, visibly mounted on each floor area, shall be inspected and tagged annually.
- All exit signs shall be illuminated while the building is occupied with guests.
- Sprinkler systems and fire alarm systems shall be inspected annually.
- A copy of the Town approved floor plan with all exits marked on it posted in a conspicuous area. (The plan is not to be posted in a binder or folder).
- Daily register/guest form is current.
- Pool gates are self-closing and have locks. The pool area is fenced in.
- All steps, handrails, guards, and landings are in reasonable good repair and will not likely create a hazard. Interior stairs with two or more risers have a handrail. Exterior stairs with three or more risers have a handrail.
- Separate washroom for guests with a water closet, basin and tub or shower is provided and are reasonably clean and in good condition with an operable window



Toronto, Ontario

On December 7, 2017, Toronto City Council approved short-term rental regulations. Subject to an appeal at the Ontario Municipal Board, the regulations were set to come into force on June 1, 2018. The regulations would permit short-term rentals across the city, but the practice would be limited to a host renting a principal residence. An entire home could be rented to a maximum of 180 nights per year. Homeowners would be banned from listing secondary suites such as basement apartments. Those who offer their homes for short-term rentals would have to register with the City and pay a \$50 annual fee³².

Platform companies -- such as Airbnb -- would have to become licensed and pay the city a fee of \$5,000, plus \$1 per property per night booked through the platform. These companies would be required to delist unlicensed properties. The Ontario Municipal Board is expected to review the matter in August 2018.³³

³² <https://www.toronto.ca/city-government/public-notices-bylaws/bylaw-enforcement/short-term-rentals/>

³³ <http://www.cbc.ca/news/canada/toronto/toronto-s-short-term-rental-bylaws-could-be-delayed-months-over-omb-appeals-1.4604901>

REGULATION IN PRACTICE

SELECTED INTERNATIONAL CITIES



San Francisco

Officials in San Francisco's Office of Short-Term Rentals addressed what they determined to be a housing crisis through "common sense regulations." After San Francisco established a registration system to keep track of home-renting, the number of listings on Airbnb dropped almost in half virtually overnight (from 10,000 to 5,500).³⁴ Under the regulations, Airbnb was required to delist all homeowners who did not register with the city. The registration requirement was part of a broader package of regulations that limited home-renting to permanent residences, with a 90-day rental cap for whole homes³⁵.

The regulations apply to all home-renting platforms. Prior to the regulations coming into force, Airbnb and HomeAway had jointly sued San Francisco to vacate the law. A U.S. district judge ruled that the city was within its rights to regulate the industry.



New York City/State

The New York State Multiple Dwelling Law makes it illegal to offer short-term accommodation in any building that has three or more units unless the owner is present during the guest's stay.³⁶ New York

State imposes a penalty of \$1,000 for the advertising of illegal listings that is in violation of the multiple dwelling law.

Airbnb notes that it collects and remits county bed taxes on behalf of hosts in 20 counties across New York State. Airbnb also indicates that it has voluntarily implemented a "One Host, One Home" program for entire-home listings in New York City. As a result, hosts cannot act as commercial operators with multiple units.

New York City's Office of Special Enforcement tracks down violations of the law based on general inspections and in response to complaints.³⁷ The enforcement team numbered 48 by the end of 2017.³⁸ An organization named Share Better (comprising hotel and affordable housing advocates) have hired private investigators to expose illegal short-term accommodation offerings and report their findings to the city for follow up.



New Orleans

Starting April 1, 2017 New Orleans³⁹ required that hosts register with the City. Airbnb facilitated a process where a separate registration with an annual fee is required for each property. Rental platforms must delist properties that are not in the city's database.

³⁴ <https://www.digitaltrends.com/business/san-francisco-airbnb-listings/>

³⁵ <https://shorttermrentals.sfgov.org/about>

³⁶ <http://www1.nyc.gov/assets/buildings/pdf/MultipleDwellingLaw.pdf>

³⁷ <http://www1.nyc.gov/nyc-resources/service/6744/space-used-as-hotel-vacation-rental-or-short-stay>

³⁸ <https://qz.com/1084108/1084108/>

³⁹ <https://www.nola.gov/short-term-rentals/>

The city issues three types of licenses: temporary, accessory and commercial. Temporary and commercial allow owners to rent entire houses or apartments. These categories represent about three-quarters of the properties registered in the system. The number of days a property can be rented is limited to 90. There are districts in the city where short-term rentals are not permitted (e.g. French Quarter). Permits will also be denied if property taxes are in arrears.

Airbnb collects and remits the applicable hotel taxes on behalf of hosts. Hosts that rent on other platforms must independently collect and remit the requisite taxes.



Amsterdam

For an entire home rental, every transaction must be reported to the City

and a tourist tax must be paid. The number of days that a property can be rented cannot exceed 30.⁴⁰ If a property is covered by a homeowner's association then permission from that group is explicitly required. No more than four people can occupy a short-term rental residence and specific nuisance provisions are attached to all arrangements. Every unit must meet appropriate fire safety standards.

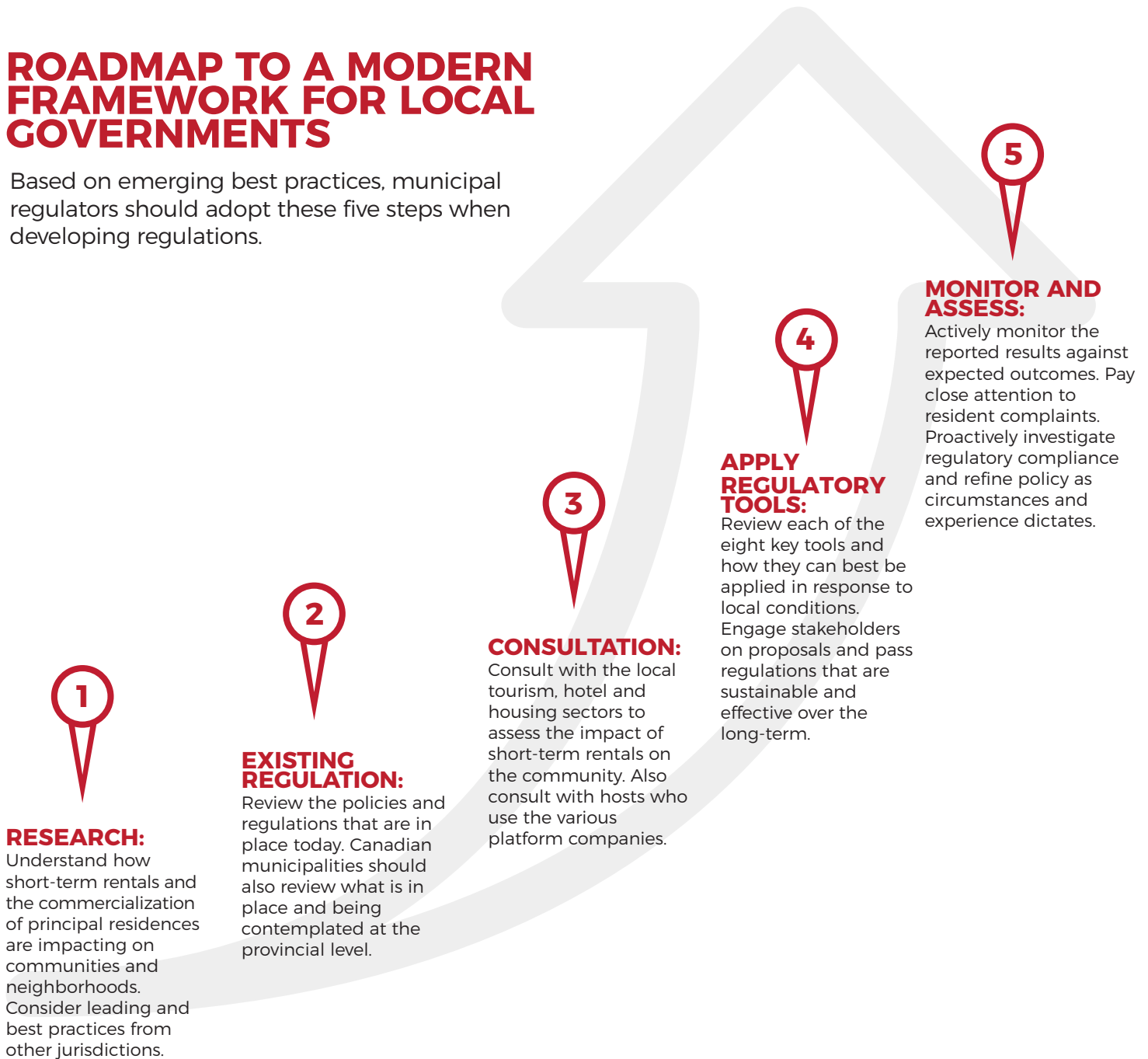
Similar regulations apply when renting out only a portion of an owner-occupied home. Only 40 per cent of a home can be made available for rent. Owners must keep a register of the guests, including the type of identification that was used to verify the identity of the renter.

One weakness of the regulation in Amsterdam is that the reporting obligation is largely with the host and not the platform company. This makes enforcement more difficult and costly.

⁴⁰ <https://www.engadget.com/2018/01/10/amsterdam-airbnb-rental-30-day-limit/>

ROADMAP TO A MODERN FRAMEWORK FOR LOCAL GOVERNMENTS

Based on emerging best practices, municipal regulators should adopt these five steps when developing regulations.



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Pilon, Janet

From: clerk@hamilton.ca
Subject: Niagara Regional Council Resolution respecting Niagara Peninsula Conservation Authority

From: Norio, Ann-Marie <Ann-Marie.Norio@niagararegion.ca>
Sent: December-28-18 7:31 PM
To: clerk@hamilton.ca; clerk@haldimandcounty.on.ca; Krystle Caputo <kcaputo@npca.ca>
Cc: Gibbs, Donna <Donna.Gibbs@niagararegion.ca>; Tripp, Ron <Ron.Tripp@niagararegion.ca>; Harrison, Todd <Todd.Harrison@niagararegion.ca>
Subject: Niagara Regional Council Resolution respecting Niagara Peninsula Conservation Authority

Good evening,

Regional Council at its Special meeting held December 28, 2018 passed the following resolution:

That the Confidential Verbal Update Regarding A Matter of Advice that is Subject to Solicitor-Client Privilege - Legal Advice Respecting Appointment Process to NPCA Board and Litigation respecting the Court Application commenced by A Better Niagara, **BE RECEIVED** and the following recommendations **BE APPROVED**;

1. That the Region of Niagara **CONFIRMS SUPPORT** for the relief in the Application commenced by A Better Niagara;
2. That the NPCA representatives appointed by the Region of Niagara **CALL** a special meeting on January 7, 2019 for purposes of:
 - Electing a Chair and Vice Chair;
 - Reviewing current status and requesting updates from NPCA staff regarding operations, including HR organizational changes and other ongoing matters; and
 - Receiving advice from NPCA's legal counsel regarding HR matters;
3. That Staff **BE DIRECTED** to seek the cooperation of Hamilton, Haldimand and NPCA Staff regarding the special meeting;
4. That Staff **BE DIRECTED** to provide administrative and operational support for the special meeting if required;
5. That Legal counsel **BE DIRECTED** to seek direction from the Court on January 2, 2019 regarding the procedural aspects of the special meeting; status of financial and legal assets and liabilities of NPCA and status of current CAO;
6. That Staff **PROCEED** as directed in closed session.

Formal correspondence respecting Council's direction will be forthcoming.

Ann-Marie

Ann-Marie Norio, BA, Dipl. M.A., CMM III

Regional Clerk

Administration - Office of the Regional Clerk

Niagara Region

Phone: 905-980-6000 ext. 3220 Toll-free: 1-800-263-7215

Fax: 905-687-4977

www.niagararegion.ca

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Administration

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January 2, 2019

Mr. David Barrick
Acting Chief Administrative Officer
Niagara Peninsula Conservation Authority
250 Thorold Road West; 3rd Floor
Welland, ON L3C 3W2

Ms. Krystle Caputo
Director of Communications and Administration
Niagara Peninsula Conservation Authority
250 Thorold Road West; 3rd Floor
Welland, ON L3C 3W2

**RE: Niagara Peninsula Conservation Authority Board Special Meeting
January 7, 2019**

We are writing further to the Order of Justice Ramsay this morning that a Special Meeting of the Niagara Peninsula Conservation Authority (NPCA) Board be held on January 7, 2019 at 2:30 pm at NPCA facilities.

You are in receipt of our email of December 28, 2018 whereby we provided the resolution of Regional Council of December 28, 2018 in this regard, which we have reproduced below in part for your ease of reference:

*That the NPCA representatives appointed by the Region of Niagara **CALL** a special meeting on January 7, 2019 for purposes of:*

*Electing a Chair and Vice Chair;
Reviewing current status and requesting updates from NPCA staff regarding operations, including HR organizational changes and other ongoing matters; and
Receiving advice from NPCA's legal counsel regarding HR matters.*

Given that the purpose of the special meeting is to elect the Chair and Vice Chair of the Board; review the current status and activities of the NPCA; and receive legal advice from NPCA's legal counsel regarding HR matters, we trust you will make the necessary arrangements to ensure that appropriate NPCA Staff members, and legal counsel for the NPCA will be present at the meeting and will be prepared to provide to the new Board at the meeting, with updates and information of the NPCA's recent and ongoing activities, recent organizational and personnel changes and its financial affairs from November 1, 2018 to present.

We trust that the NPCA will undertake the necessary operational and administrative actions for this Special Board meeting to be held, including providing notice of the meeting to the public and other NPCA members; NPCA location to hold the special meeting; and technical and administrative support. To assist you in this regard we have enclosed a draft agenda for the Special Meeting.

We would ask that you please confirm that you are taking the necessary steps in this regard by no later than 1:30 pm today.

Lastly, in the interim, we ask that the NPCA refrain from taking any substantive actions concerning the affairs of the NPCA until the Board convenes on January 7, 2018.

We have copied the 12 new members of the Niagara Peninsula Conservation Authority ("NPCA") Board of Directors appointed by the Regional Municipality of Niagara (the "Region") as of December 6, 2018. As you are aware these appointments were affirmed by Justice Ramsay in his decision dated December 21, 2018.

We have also copied the Clerks for Hamilton and Haldimand as well as the Board members that have been appointed by those municipalities to date, for their information.

Thank you for your prompt attention herein.

Yours truly,



Ann-Marie Norio
Regional Clerk

CLK-C 2018-26

Cc: D. Bylsma, Councillor, Niagara Region
P. Chiocchio, Councillor, Niagara Region
R. Foster, Councillor, Niagara Region
K. Gibson, Councillor, Niagara Region
B. Greenwood, Councillor, Niagara Region
D. Huson, Councillor, Niagara Region
T. Insinna, Councillor, Niagara Region
J. Jordan, Councillor, Niagara Region
B. Steele, Councillor, Niagara Region
T. Whalen, Councillor, Niagara Region
G. Zalepa, Councillor, Niagara Region
J. Pilon, Acting City Clerk, City of Hamilton
E. Eichenbaum, Clerk, Haldimand County
R. Shirton, Councillor, Haldimand County
B. Corbett, Councillor, Haldimand County
B. Clark, Councillor, City of Hamilton
B. Johnson, City of Hamilton



**FULL AUTHORITY
SPECIAL MEETING**

Monday January 7, 2019

2:30 p.m.

Location TBD

AGENDA

1. ADOPTION OF THE AGENDA

2. DECLARATION OF CONFLICT OF INTEREST

3. BUSINESS – ELECTION

See Election Procedures, NPCA's *Regulation No. 1 – Governance and Administration Policies, Section*, attached.

3.1. Election of Chair

3.2. Election of Vice Chair

4. ADMINISTRATIVE BUSINESS

4.1. Court Order - Justice Ramsay, dated December 21, 2018, respecting a Better Niagara Court Application re NPCA and the appointment of the Niagara Region's representatives to the NPCA Board, effective December 6, 2018.

- Recommended Action: Receive for information

4.2. Court Order – Justice Ramsay, given January 2, 2019, respecting the January 7, 2019 special meeting.

- Recommended Action: Receive for information

4.3. Authority Current Status and Activities

NPCA staff update respecting the NPCA's recent and ongoing activities, recent organizational and personnel changes and its financial affairs from November 1, 2018 to present.



5. BUSINESS – In Camera

5.1. Motion to move into Closed Session:

- 5.1.1. A matter of advice that is subject to solicitor-client privilege, including communications necessary for that purpose, receiving verbal legal advice respecting human resources / personnel matters.

6. BUSINESS ARISING FROM CLOSED SESSION

7. ADJOURNMENT

DRAFT



ELECTION PROCEDURES

In accordance with NPCA's *Regulation No. 1 – Governance and Administration Policies, Section*

7 – Election of Chair and Vice Chair;

7.1 Chair for Election of Officers (Board of Director's Chair and Vice-Chair)

An individual other than a Member of Niagara Peninsula Conservation Authority will assume the position of Chair for the purpose of Election of Officers. The CAO/Secretary-Treasurer, or designate, assumes this position.

7.2 Appointment of Scrutineers

The appointment of scrutineers is required for the purpose of counting ballots should an election be required. All ballots will be destroyed by the scrutineers afterwards. The appointment of scrutineers requires a mover and seconder by Members of the Authority.

7.3 Election of Board of Director's Chair and Vice-Chair

The CAO or designate advises that the election will be conducted in accordance with Section 10 of the Conservation Authorities Act as follows:

- a) Only current members of the Authority may vote.
- b) Nominations will be called three (3) times and will only require a mover. c) The closing of nominations will require both a mover and a seconder.
- d) Each member nominated will be required to accept the nomination. The member must be present to accept the nomination.
- e) In the event of an election, each nominee will be permitted not more than three (3) minutes to speak for the office, in the order of the alphabetical listing of his or her surnames.
- f) Upon the acceptance by nominees for the position of office, ballots will be distributed to the Members for the purpose of election. A Member's choice for a nominee will be written on the ballot and the appointed scrutineers for the counting of the ballots will collect the ballots.

A majority vote will be required for election. If there are more than two nominees, and upon the first vote no nominee receives the majority required for election, the name of the person with the least number of votes will be removed from further consideration for the office and new ballots will be distributed. In the case of a vote where no nominee receives the majority required for election and where two or more nominees are tied with the least number of votes, a special vote shall be taken to decide which one of such tied nominees' names shall be dropped from the list of names to be voted on in the next vote.

Should there be a tie vote between two remaining candidates, new ballots will be distributed and a second vote held. Should there still be a tie after the second ballot a third vote shall be held. Should there be a tie after the third vote, the election of the office shall be decided by lot drawn by the CAO.



2019 – 2023 ROMA BOARD



Nominations Report

January 8, 2019

There will be an election for ROMA Board Zone representatives as follows:

Zone 1 Candidates:

Dennis Crevits, Councillor, Municipality of Central Elgin
Alison Warwick, Mayor, Municipality of Thames Centre

Zone 2 Candidates:

Cheri Bell, Councillor, Municipality of West Perth
Bob Foster, Councillor Ward 3, Township of Centre Wellington
Chris White, County Councillor, County of Wellington

Zone 6 Candidates:

Ric Bresee, Councillor, County of Lennox & Addington
Dennis Doyle, Mayor, Township of Frontenac Islands
Kim Love, Mayor, Township of Madawaska Valley
Jan O'Neill, Councillor, County of Hastings
Maria Robinson, Councillor, Township of North Algoma Wilberforce

Zone 7 Candidates:

Robin Jones, Councillor, United Counties of Leeds and Grenville
Eleanor Renaud, Councillor, Township of Elizabethtown-Kitley
Cameron Wales, Councillor, City of Brockville

Zone 9 Candidates:

Terry Bangs, Councillor, Township of Papineau-Cameron
Jordan Bird, Councillor, Town of Thessalon
John Curley, Councillor, City of Timmins
Kevin Holland, Mayor, Township of Conmee
Dan O'Mara, Mayor, Municipality of Temagami
John Peroff, Councillor, Municipality of Hornpayne
Bill Vrebosch, Councillor, City of North Bay

The following positions have been acclaimed:

Zone 3: Lloyd Ferguson, Councillor, City of Hamilton

Zone 4: Allan Thompson, Mayor, Town of Caledon

Zone 8: Eli El-Chantiry, Councillor, Ward 5, City of Ottawa

No Nomination received for Zone 5 Representative.

Elections will be held at the ROMA Conference. Elected officials whose municipalities are members of AMO are entitled to vote. Delegates are allowed to vote only for candidates from their own zones. Poll will be held as follows:

Monday, January 28, 2019
10:00 a.m. – 3:15 p.m.
Grand Ballroom Foyer
Sheraton Hotel Toronto

Results will be announced by Returning Officer Peter Fay on Monday, January 28, 2019 in the Plenary Hall, Sheraton Hotel Toronto. Check your conference program for timing.

For further information contact:

Pat Vanini, AMO Executive Director, 416-971-9856 ext 316, pvanini@amo.on.ca

Pilon, Janet

Subject: Bill 66 - Restoring Ontario's Competitiveness Act

From: Carolyn Lance <clance@georgina.ca>

Sent: January-18-19 10:46 AM

Subject: Bill 66 - Restoring Ontario's Competitiveness Act

Good morning.

Please be advised that Town Council for the Town of Georgina considered Bill 66 – Restoring Ontario’s Competitiveness Act, 2018, and respectfully request your consideration of the attached resolution indicating Council’s position strongly recommending that Schedule 10 of Bill 66 be immediately abandoned or withdrawn by the Ontario Government.

Thank you.



GEORGINA

Carolyn Lance

Council Services Coordinator

Clerk's Division | Town of Georgina

26557 Civic Centre Road, Keswick, ON | L4P 3G1

905-476-4301 Ext. 2219 | georgina.ca

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GEORGINA

Council Resolution January 16, 2019

Moved by Councillor Neeson, Seconded by Councillor Harding

RESOLUTION NO. C-2019-0021

WHEREAS the Provincial Government introduced Bill 66 entitled "Restoring Ontario's Competitiveness Act" on the final day of sitting in the 2018 Ontario Legislature, December 6th, 2018 and;

WHEREAS significant concerns have been communicated regarding schedule 10, among other schedules contained therein by residents, community leaders, legal and environmental organizations such as the Canadian Environmental Law Association (CELA), EcoJustice, Environmental Defence Canada, Ontario Nature, South Lake Simcoe Naturalists, The Simcoe County Greenbelt Coalition, The David Suzuki Foundation, AWARE-Simcoe, Lake Simcoe Watch and the North Gwillimbury Forest Alliance that provisions within Bill 66 will weaken environmental protection, undermine democratic processes and potentially endanger public health and;

WHEREAS provisions of Bill 66 allow for an "Open for Business" bylaw, which may be approved without any public consultation of the citizens of the Town of Georgina and;

WHEREAS provisions of Bill 66 allow an "Open for Business Bylaw" which would permit major development in the Town of Georgina which most notably would no longer have to have any legislative regard for certain sections of:

- *The Planning Act*
- *The Provincial Policy Statement*
- *The Clean Water Act*
- *The Great Lakes Protection Act*
- *The Greenbelt Act*
- *The Lake Simcoe Protection Act*
- *The Oak Ridges Moraine Conservation Act and;*

WHEREAS the Town of Georgina remains committed to source water protection, *The Lake Simcoe Protection Act*, the integrity of the Greenbelt and it understands the benefits for protecting these features in support of our local economy and quality of life, and

WHEREAS notwithstanding the potential future adoption of Bill 66, that the Town of Georgina will continue to remain committed to making sound decision regarding resource and environmental preservation that remain consistent with the Clean Water Act, 2006, the Provincial Policy Statement and other legislative tools which provide for good planning, while balancing the need for economic development and providing environmental and public health protection;

NOW THEREFORE BE IT RESOLVED THAT the Town of Georgina strongly recommends that schedule 10 of Bill 66 be immediately abandoned or withdrawn by the Ontario Government and;

BE IT FURTHER RESOLVED THAT The Town of Georgina declares that notwithstanding the potential future adoption of Bill 66, the Town of Georgina's Council will not exercise the powers granted to it in schedule 10 or any successor schedules or sections to pass an "open for business planning bylaw" without a minimum of two (02) public meetings which shall be advertised twenty (20) days in advance in the Georgina Advocate or its successor, and also shall be advertised in any other local media resource that is widely available to the public in the Town of Georgina, by way of bylaw and;

BE IT FURTHER RESOLVED THAT staff be directed to draft such a bylaw for Council's consideration should Bill 66 be given royal assent and be given force and effect and;

BE IT FURTHER RESOLVED THAT the Town of Georgina requests the Province of Ontario to release draft criteria and draft regulations, and to provide a commenting period in advance of consideration by the legislature, and;

BE IT FURTHER RESOLVED THAT a copy of this motion be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs, Andrea Horwath, MPP and Leader of the Official Opposition and the Ontario NDP Party, MPP John Fraser, Interim Leader of the Ontario Liberal Party, MPP and Leader of the Green Party of Ontario, Mike Schreiner, the Honourable Caroline Mulroney, MPP York-Simcoe, Attorney General and Minister Responsible for Francophone Affairs and;

BE IT FURTHER RESOLVED THAT a copy of this motion be sent to the Association of Municipalities Ontario (AMO), all MPP's in the Province of Ontario and all Municipalities in Ontario for their consideration.

A recorded vote was requested; the Deputy Clerk recorded the vote as follows:

	<u>YEA</u>	<u>NAY</u>
Mayor Quirk	X	
Councillor Waddington		X
Councillor Neeson	X	
Councillor Sebo	X	
Councillor Harding	X	
Regional Councillor Grossi		X
Councillor Fellini	X	

Yea – 5 Nay - 2

Carried.

Pilon, Janet

Subject: IMPORTANT - Update For Demand the Right Coalition

From: Ted Comiskey <mayor@ingersoll.ca>

Sent: January 17, 2019 9:20 AM

Subject: IMPORTANT - Update For Demand the Right Coalition

Good afternoon

Municipal governments, like yours, have achieved an important milestone. In late November, Environment Minister Rod Phillips stated that "municipalities will have a say in the siting of landfills" – as part of his "Made in Ontario Action Plan", <https://prod-environmental-registry.s3.amazonaws.com/2018-11/EnvironmentPlan.pdf>.

This is a major achievement for the Demand The Right Coalition of Ontario Municipalities (currently 70 municipalities strong), which includes your municipality.

Here's what we need you and your municipality to do next:

1. The Ontario Government has asked for comments on the Plan. Please click on this link <https://t.co/ai1NsoBXT0>. It will take you directly to the proposed plan. Scroll down to the bottom of the page and click on the COMMENT section. You have until January 28th to provide your comments – **ENCOURAGE THE GOVERNMENT TO PROVIDE MUNICIPALITIES WITH THE RIGHT TO APPROVE NEW LANDFILLS, NOT JUST A "SAY"**.
2. If you have a Twitter account, go to our campaign's Twitter page @landfillapproval. All municipalities, mayors, and Councillors are encouraged to follow us and use the hashtag #demandtheright and #onpoli.
3. Re-affirm your municipality's commitment to landfill approval rights by introducing and approving a revised Demand The Right Motion (attached). Email the revised motion to rod.phillips@pc.ola.org, your local MPP, and forward a copy to info@demandtheright.ca.
4. Join us at ROMA on January 29th, 7:30am for a special breakfast event. We hope to gather as many of the Demand The Right municipal leaders together as possible to update you on our progress. Let's show the government how important this legislation is!

sincerely

Ted Comiskey
Chair, Demand The Right Coalition of Ontario Municipalities
Mayor, Town of Ingersoll
mayor@ingersoll.ca
519.902.6783

**MOTION
COUNCIL FOR THE
[INSERT NAME OF MUNICIPALITY]**

**MUNICIPALITIES CALL ON PROVINCE TO ENSURE ITS
“MADE-IN-ONTARIO ENVIRONMENT PLAN”
INCLUDES MUNICIPAL “RIGHT TO APPROVE” LANDFILL DEVELOPMENTS**

WHEREAS municipal governments in Ontario do not have the right to approve landfill projects in their communities, but have authority for making decisions on all other types of development;

AND WHEREAS this out-dated policy allows private landfill operators to consult with local residents and municipal Councils, but essentially ignore them;

AND WHEREAS Ontario’s proposed “Made-in-Ontario Environment Plan” states that the province will grant municipalities a “greater say in siting of landfills”;

AND WHEREAS municipalities already have exclusive rights for approving casinos and nuclear waste facilities within their communities, whether to host cannabis retail in their communities, AND FURTHER that the province has recognized the value of municipal approval for the siting of power generation facilities;

AND WHEREAS the recent report from Ontario’s Environmental Commissioner has found that Ontario has a garbage problem, particularly from Industrial, Commercial and Institutional (ICI) waste generated within the City of Toronto, where diversion rates are as low as 15%;

AND UNLESS significant efforts are made to increase recycling and diversion rates, a new home for this Toronto garbage will need to be found, as landfill space is filling up quickly;

AND WHEREAS municipalities across Ontario are quietly being identified and targeted as potential landfill sites for future Toronto garbage by private landfill operators;

AND WHEREAS other communities should not be forced to take Toronto waste, as landfills can contaminate local watersheds, air quality, dramatically increase heavy truck traffic on community roads, and reduce the quality of life for local residents;

AND WHEREAS municipalities should be considered experts in waste management, as they are responsible for this within their own communities, and

often have decades' worth of in-house expertise in managing waste, recycling, and diversion programs;

AND WHEREAS municipalities should have the exclusive right to approve or reject these projects, and assess whether the potential economic benefits are of sufficient value to offset any negative impacts and environmental concerns;

THEREFORE BE IT RESOLVED THAT the **[INSERT NAME OF MUNICIPALITY]** calls upon the Government of Ontario, as part of its "Made-in-Ontario Environment Plan" to formally entrench the right of municipalities to approve or reject landfill projects in or adjacent to their communities;

AND THAT in the case of a two-tier municipality, the approval be required at both the upper-tier and affected lower-tier municipalities;

AND FURTHER THAT the **[INSERT NAME OF MUNICIPALITY]** encourage all other municipalities in Ontario to consider this motion calling for immediate provincial action;

AND THAT the MOTION adopted by Council be forwarded to the DEMAND THE RIGHT COALITION OF ONTARIO MUNICIPALITIES.

clerk@hamilton.ca

From: BEVERLEY DWORZAK [REDACTED]
Sent: January 10, 2019 11:20 AM
To: clerk@hamilton.ca
Subject: Fw: City Council meeting repeat airing on Cable 14, December 23, 2018

TO WHOM IT MAY CONCERN, City Clerk's office:

As per the instructions I received from the office of the Ombudsman, I forward the email below, dated December 23, 2018.

I would most appreciate knowing if any followup to my concern is or will be taking place.

Respectfully,
(Mrs.) Beverley Dworzak
[REDACTED]

----- Forwarded Message -----

From: BEVERLEY DWORZAK [REDACTED]
To: nrinder.nann@hamilton.ca <nrinder.nann@hamilton.ca>; mayor@hamilton.ca <mayor@hamilton.ca>; Daniela.Giulietti@hamilton.ca <Daniela.Giulietti@hamilton.ca>; info@ombudsman.on.ca <info@ombudsman.on.ca>
Sent: Sunday, December 23, 2018, 11:58:28 a.m. EST
Subject: City Council meeting repeat airing on Cable 14, December 23, 2018

Mayor, Councillor Nrinder, Ward 3 Administrator, Ombudsman:

After viewing this morning's repeated airing of the City's council meeting-date unknown, I feel it is my duty to add some facts to any decision making regarding the motion relative to the Municipal Voters' List.

I was the Deputy Returning Officer during the October municipal elections. On Election day I was assigned two institutional locations in Ward 3. The one I write about was in the afternoon in which it was requested of me to work from a voters' list, which I immediately confirmed with the institution's staff, did not have a single residence's voters' name on it.

What was more upsetting for me, a resident of Hamilton since birth-in fact my parents were both born in Hamilton, was to find Lincoln Alexander's name on the voters' list.

Our past Lieutenant Governor of Ontario, not only is one of our city's proudest successes but speaks volumes of what a person can accomplish in one's life. For Mr. Alexander to have died on October 19, 2012 at age 90, not even a resident of the Carlisle at the time of his passing and to still remain on a 2018 voters' list is absolutely despicable.

MPAC has gone too far in it's fraudulent attempts at making voters' lists, and take tax dollars in the doing of it. As Council and Ombudsman a more serious investigation is without question.

Most respectfully,
(Mrs.) Beverley Dworzak
[REDACTED]

OFFICE OF THE CITY CLERK		
JAN 10 2019		
REF'D TO	[Signature]	
REF'D TO	[Signature]	
REF'D TO	Council Jan 23/19	
ACTION _____		

Municipalité de
Municipality of

mATTICE-
vAL CÔTÉ



Sac postal / P.O. Bag 129, Mattice, Ont. P0L 1T0
(705) 364-6511 – Fax: (705) 364-6431

December 11th, 2018

Ministry of Municipal Affairs and Housing
Office of the Minister
777 Bay Street, 17th Floor
Toronto, ON
P5G 2E5

Attention: Honourable Steve Clark, Minister

Honourable Minister,

Re: Paragraph 4 of the Declaration of Office

Section 232 of the *Municipal Act, 2001 (Ontario)* provides that a person cannot take a seat on the council of a municipality until he or she takes the declaration of office on the form established by the Minister for that purpose.

In its current version, the declaration of office contains a statement whereby newly elected members of Council promise and declare their faith and allegiance to the Queen. Said statement is considered by many as irrelevant to the current political state of affairs, while many others find it simply offensive.

The Municipality of Mattice – Val Côté recently passed the enclosed resolution requesting that your Ministry amend paragraph 4 of the Declaration of Office in order to address these very legitimate concerns.

Sincerely yours,

Marc Dupuis
Mayor

Encl. Resolution no. 18-190

Municipalité de
Municipality of

mATTICE-
VAL CÔTÉ



Sac postal / P.O. Bag 129, Mattice, Ont. P0L 1T0
(705) 364-6511 – Fax: (705) 364-6431

Meeting no. 18-15

Resolution no. 18-190

Date: December 10th, 2018

Moved by: Daniel Grenier

Seconded by: Steve Brousseau

WHEREAS the requirement for members of municipal Council to be faithful and to bear true allegiance to the Queen is considered by many to be outdated and representative of a different era, and;

WHEREAS said requirement can go against or be contrary to an individual's culture, principles and beliefs, and;

WHEREAS said requirement presents an obstacle for some individuals who would have otherwise been willing to run for Council and serve at the municipal level of government;

NOW THEREFORE BE IT RESOLVED THAT the Ministry of Municipal Affairs and Housing and its Minister modify the wording of paragraph four of the Declaration of Office to make it more inclusive and representative of the times, and;

BE IT FURTHER RESOLVED THAT the Ministry consider replacing paragraph four of the Declaration of Office with the following wording: "I will be faithful and bear true allegiance to my country, Canada, and to its three founding nations", and;

BE IT FURTHER RESOLVED THAT a copy of this resolution be forwarded to the Ministry of Municipal Affairs and Housing, to the Premier of Ontario, Doug Ford, to our provincial and federal parliament representatives, Guy Bourgouin and Carol Hughes, and to all Ontario municipalities.

Carried Defeated Deferred

Mayor, Marc Dupuis
Presiding Officer

Recorded Vote

(unanimous unless indicated below)

Name	Yeas	Neas	Abstention
Dupuis, Marc			
Brousseau, Steve			
Grenier, Daniel			
Lemay, Richard			
Malenfant, Joyce			

Certified by:


Guylaine Coulombe, CAO/Clerk

Pilon, Janet

Subject: Town of WS Resolution re: Employment Growth Along Highway 404

From: Samantha Blakeley <samantha.blakeley@townofws.ca>

Sent: January-10-19 1:18 PM

To: christopher.raynor@york.ca; paul.freeman@york.ca; John Espinosa <jespinosa@georgina.ca>; Fernando Lamanna <flamanna@eastwillimbury.ca>; llyons@newmarket.ca; mderond@aurora.ca; stephen.huycke@richmondhill.ca; kkitteringham@markham.ca; Kathryn Moyle <kmoyle@king.ca>; Pilon, Janet <Janet.Pilon@hamilton.ca>; clerk@toronto.ca; kathryn.lockyer@peelregion.ca; ralph.walton@durham.ca; RegionClerk@halton.ca; ann-marie.norio@niagararegion.ca; gr@bildgta.ca

Subject: Town of WS Resolution re: Employment Growth Along Highway 404

RE: Resolution from Councillor Kroon, re: Employment Growth Along Highway 404

Please be advised that the above-noted matter was placed before Council at its meeting held on December 11, 2018, and the following resolution was passed:

Whereas the Town of Whitchurch-Stouffville continues to vigorously support the intent and application of both the Greenbelt Act (2005) and the Oak Ridges Moraine Conservation Act (2001); and

Whereas the "countryside area" or "protected countryside" designations in the Oak Ridges Moraine Conservation Plan (2017) and Greenbelt Plan (2017) respectively are not sensitive environmental areas; and

Whereas all lands along the 400-series highways are very attractive to industrial development due to their ease of access to the highway network; and

Whereas not all industrial developments are a threat to the environment; and

Whereas permitting clean industrial development will not only help create jobs, but also recoup cost of the investment in and recapture the value of the 400-series highways; and

Whereas the Town of Whitchurch-Stouffville has a significant amount of land along Highway 404, that are highly attractive for employment growth; and

Whereas the Town of Whitchurch-Stouffville is in desperate need for employment growth.

Therefore be it resolved, that the Province of Ontario be requested to consider designating appropriate lands abutting a 400-series highway in the GTHA "Provincially Significant Employment Areas"; and

That the Province of Ontario be requested to amend all its applicable land use plans to permit and encourage clean industrial development on the lands designated "countryside area" or "protected countryside" generally abutting a 400-series highway, and

That the Province of Ontario be further requested to direct all affected municipalities to give high priority to servicing these lands; and

That staff be directed to report back with a detailed proposal for the Gormley lands along Highway 404 within the Town of Whitchurch-Stouffville for Council consideration and Provincial approval.

Carried



Samantha Blakeley

Council Coordinator | Corporate Services

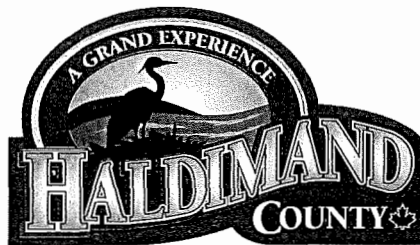
Town of Whitchurch-Stouffville

111 Sandiford Dr., Stouffville ON | L4A 0Z8

905-640-1910 Ext. 2222 | Fax: 905-640-7957 | townofws.ca

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OFFICE OF THE CITY CLERK

JAN 11 2019

REF'D TO
REF'D TO
REF'D TO

ACTION

December 20, 2018

Honourable Rod Phillips
Ferguson Block 11th Flr, 77 Wellesley St W,
Toronto, ON M7A 2T5

Dear Honourable Phillips:

RE: Appointments to the Niagara Peninsula Conservation Authority

Please be advised that on December 17, 2018, Haldimand County Council adopted the following resolution:

WHEREAS Haldimand County is a participating municipality of the Niagara Peninsula

Conservation Authority (NPCA) as defined by the Conservation Authorities Act (CAA); and

WHEREAS the population of Haldimand County as of the 2016 census is 45,608; and

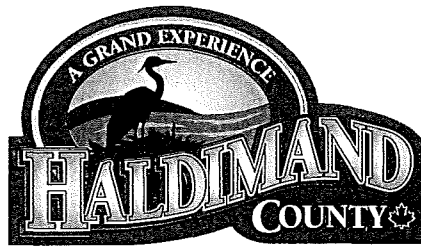
WHEREAS the percentage of Haldimand County that is part of the NPCA watershed is 25%; and

WHEREAS the CAA (sec 14.5) defines the population basis as deemed to be in the same percentage;

AND WHEREAS there is no agreement between participating municipalities as per CAA (Sec 14.2.1),

NOW THEREFORE BE IT RESOLVED THAT

- 1. The population of Haldimand County for the purposes of assigning membership in the NPCA is entitled to two (2) representatives as per CAA (Sec 14.1 and Sec 2.2); and*
- 2. That Councillor Shirton and Councillor Corbett be appointed to the NPCA; and*
- 3. That Haldimand County confirms that there is no agreement to alternative membership, and*



-
4. *That this resolution be circulated to the Minister of Environment, Conservation and Parks, MPP Toby Barrett, Niagara Region, City of Hamilton and the NPCA.*

Should you require further information, please contact the undersigned, at (905)318-5932 ext. 6349.

Yours truly,

A handwritten signature in cursive script, which appears to read "E Evelynbaum".

Evelyn Eichenbaum
Clerk

EE/mt

cc Conservation and Parks
MPP Toby Barrett
Niagara Region
City of Hamilton
Niagara Peninsula Conservation Authority



FEDERATION
OF CANADIAN
MUNICIPALITIES

FÉDÉRATION
CANADIENNE DES
MUNICIPALITÉS

Membership Invoice
2019-2020
Facture d'adhésion

24, rue Clarence Street
Ottawa, Ontario K1N 5P3
T. 613-241-5221
F. 613-241-7440

Zegarac, Mike

City of Hamilton

71 Main Street West

Hamilton, Ontario L8P 4Y5

Canada

INVOICE / FACTURE: INV-14227-W2N3Y5

DATE: 11/02/2018

ACCOUNT / COMPTE: 47

DUE DATE / DATE LIMIT: 04/01/2019

<u>ITEM / DESCRIPTION</u>	<u>QTY / QTE</u>	<u>RATE / TAUX</u>	<u>SUB-TOTAL / SOUS-TOTAL</u>	<u>HST / TVH</u>	<u>TOTAL</u>	
Base fee per your population/ Taux de base selon votre population	1	\$370.00	\$370.00	\$48.10	\$418.10	
Per capita dues calculated per your population/Frais de cotisation calculés selon votre population	536,917	\$0.1524	\$81,826.15	\$10,637.40	\$92,463.55	
Outstanding Advocacy Fund Contribution (voluntary) / Solde de la contribution au fonds spécial de représentation (volontaire)	1	\$40,000.00	\$40,000.00	\$5,200.00	\$45,200.00	
			TOTAL	\$122,196.15	\$15,885.50	\$138,081.65

PAID AMOUNT / MONTANT PAYÉ: \$0.00

BALANCE DUE / MONTANT DÛ: \$138,081.65

PAYMENT / PAIEMENT

By cheque payable to / Par chèque à l'ordre de
Federation of Canadian Municipalities

Fédération canadienne des municipalités

By Electronic Funds Transfer /
Par transfert électronique de fonds

Royal Bank of Canada (RBC)

90 Sparks St, Ottawa, ON K1P 5T7

Transit Number/Numéro de transit: 00006

Account Number/Numéro de compte: 1006063

HST # / No. de TVH: 11891 3938 RT0001

QST # / No. de TVQ: 1202728231 TQ 0001

accountsreceivable@fcm.ca/comptesrecevables@fcm.ca

Ref No. / No. de référence : 47

Learn all about FCM's Special Advocacy Fund
<https://fcm.ca/advocacyfund>

Apprenez en plus à propos du Fonds spécial de
représentation de la FCM
<https://fcm.ca/fondsderpresentation>



Dear Members

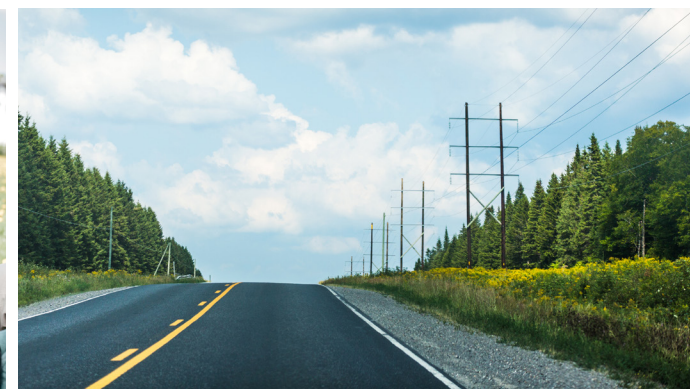
Your FCM Board of Directors is taking steps to propel local governments to new heights through Federal Election 2019, and the crucial months following. This needs to be our biggest effort ever. That's why, in March, your Board approved a Special Advocacy Fund to help make that happen.

As you know, FCM has a long track-record of delivering gains for municipalities, like the permanent Gas Tax Fund. Starting with Election 2015, we've shaped game-changing investments in local priorities like never before, and we've achieved new levels of influence for local governments. Now more than ever, all federal parties understand that local solutions tackle national challenges.

Our Election 2015 breakthrough has created new opportunities, and new expectations. To seize this moment — and to build on our historic gains — we need the right tools. We can't risk seeing federal parties move on from local priorities. Election 2019 is our vital opportunity to make municipal progress “the new normal,” and to keep our priorities front-and-centre for years to come.

As the order of government closest to daily life, Canadians count on us to build more vibrant and livable communities. This is our moment. Together, we can continue to deliver.

JENNY GERBASI
FCM President



FCM FEDERATION OF CANADIAN MUNICIPALITIES
FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

Seizing Our Moment, Securing Our Future

FCM's Special Advocacy Fund



FCM FEDERATION OF CANADIAN MUNICIPALITIES
FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

To learn more about
FCM's Special Advocacy Fund, visit
fcm.ca/advocacyfund

FCM delivers for municipalities

Starting with our Election 2015 breakthrough, FCM's hard work and influence has significantly shaped historic gains for local governments, including:

- ▶ The **Investing in Canada infrastructure plan** — a 12-year, \$180 billion federal investment in local infrastructure, from public transit to wastewater system upgrades.
- ▶ Canada's first-ever **national housing strategy**, including key commitments to repair and build affordable housing across the country.
- ▶ A strengthened **seat at the table**, including through unprecedented engagement with federal, provincial and territorial ministers, as well as with opposition leaders and the Prime Minister.
- ▶ A **predictable federal allocation model** for transit expansions that put municipalities in the driver's seat.
- ▶ A \$2 billion **rural and northern infrastructure fund** — the biggest investment of its kind in a generation.
- ▶ Better access to **high-speed broadband** through the federal Connect to Innovate program and the CRTC decision to mandate universal broadband access.
- ▶ New **capacity-building programs** on asset management and climate change — led by FCM — as well as a new \$125 million capital investment in FCM's Green Municipal Fund.

Now we need to take the next step

▶ What is the **Special Advocacy Fund**?

The last federal election was a turning point that propelled municipal priorities onto the national agenda like never before. The next election is a vital opportunity to build on those gains. To ensure we have the right tools to seize this moment, FCM's Board of Directors has approved a 2-year Special Advocacy Fund. This fund is supported by FCM members using a fee structure similar to how membership fees are determined.

▶ What will the fund be used for?

The Special Advocacy Fund will drive FCM's largest and most ambitious campaign ever, reaching out to every federal party. It means an intensive, multi-faceted strategy that integrates polling, detailed platform development, sustained outreach, and an innovative communications and media plan. It means an extended campaign that keeps municipal priorities front-and-centre heading into Election 2019, as well as in the crucial first months of a new government.

▶ Is the fund **mandatory**?

The Special Advocacy Fund is voluntary, and not tied to FCM membership. However, it's a vital opportunity for municipalities to take our historic progress to new heights and to continue to deliver for Canadians the same way we always have — together.



“Our choice in the next federal election is simple: either we continue to move forward as local governments, or we fall back. If we get this right, we'll see federal parties competing to support municipal priorities. We'll see a federal government that understands why full partnership with municipalities is the only way forward. Election 2019 is our opportunity to make that happen. We can't leave anything to chance.”

Don Iveson
Mayor, Edmonton, AB



“FCM has proven that it can deliver for communities of all sizes. We saw this in the last election, when our work put local issues on the federal map. We've seen it since then through the unprecedented federal investments that FCM has helped secure. Now we need to take this advocacy to the next level, to build our local priorities into the heart of the next government's mandate.”

Ray Orb
Reeve, Rural Municipality of Cupar No. 218, SK

To learn more about FCM's Special Advocacy Fund, visit fcm.ca/advocacyfund

Pilon, Janet

Subject: Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe

From: Minister Steve Clark <mah@ontario.ca>

Sent: January 15, 2019 9:49 AM

To: clerk@hamilton.ca

Subject: Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe

Dear Mayor Fred Eisenberger,

My sincere thanks to your staff participating in the November 2018 Greater Golden Horseshoe Growth Planning Stakeholder Forum.

Our government is committed to making it faster and easier for municipalities in the region to plan for growth, increase housing supply, attract investment, and create and protect jobs. That is why we are proposing changes to the Growth Plan for the Greater Golden Horseshoe, 2017 and its transition regulation. We encourage you to visit www.placestogrow.ca. Your municipality is invited to provide feedback by February 28, 2019.

Given the rising number of people who will live and work in the Greater Golden Horseshoe in the next 20 years, the Growth Plan provides a long-term framework for growth. It aims to:

- Increase and promote economic growth, reduce congestion and provide residents easy access to businesses and services
- Build communities that maximize infrastructure investments, while balancing local needs for the agricultural industry and natural areas

We have heard that planning for growth in the Greater Golden Horseshoe Region is needed. However, we have also heard that there are some issues with how best to implement the Growth Plan. The proposed changes build on feedback that the Ministry of Municipal Affairs and Housing heard from the business, research and development sectors, municipalities, and others during engagement sessions last fall.

The proposed changes respect the ability of local governments to make decisions about how they grow. The province will maintain protections for the Greenbelt, agricultural lands, the agri-food sector, and natural heritage systems.

Visit the [Environmental Registry](#) to read the proposed amendment and other changes, and provide feedback.

I look forward to hearing your comments and advice.

Sincerely,

Steve Clark

Minister of Municipal Affairs and Housing

cc: Rose Caterini

Jason Thorne

Mike Zegarac

Pilon, Janet

Subject: Waste Management Advisory Committee

From: Farr, Jason <Jason.Farr@hamilton.ca>

Sent: January-16-19 1:08 PM

To: Pilon, Janet <Janet.Pilon@hamilton.ca>

Subject: Re: Forms

Dear, Janet.

Please be advised that following a note added to my calendar and by my Administration Assistant, Maureen Scally, I have discovered that I have somehow been erroneously included as a member of the Waste Management Advisory Committee.

I have included an attachment which demonstrates that I had not checked that box on the forms following the election.

Please be advised that my schedule cannot accommodate membership of this committee.

Many thanks

Jay

Sent from my BlackBerry - the most secure mobile device - via the Bell Network

<p><i>Apartment Association (HOA), an independent member who is an operator of a low density rental housing operation; a representative of the Legal Aid Community; a representative of the Housing Help Centre; a representative of the Social Planning and Research Council of Hamilton and three (3) members at large, are also members)</i></p>					
<p>School Board Properties Sub-Committee</p>	8 Councillors				
<p>Selection Committee for Agencies, Boards and Sub-Committees</p>	5 Councillors	<input checked="" type="checkbox"/>			
<p>Steel Committee <i>(Mayor Eisenberger will sit on this Committee +)</i></p>	5 Councillors	<input checked="" type="checkbox"/>			
<p>Truck Route Sub-Committee</p>	6 Councillors	<input checked="" type="checkbox"/>			
<p>Waste Management Advisory Committee <i>(2 citizen members are also appointed)</i></p>	3 Councillors				
<p>Wentworth Lodge Heritage Trust Fund <i>(1 Wentworth Lodge resident, 1 Alternate Lodge Resident, 1 Wentworth Lodge Family Council representative and 1 Dundas Senior Citizens' Club representative are members)</i></p>	Ward 13 Councillor VanderBeek				
<p>West Harbour Development Sub-Committee <i>(Mayor Eisenberger will sit on this Committee +)</i></p>	3 Councillors	<input checked="" type="checkbox"/>			

Pilon, Janet

Subject: 2018 Year-End Assessment Report – Supporting Municipal Council

From: Uhl, Kirsten <Kirsten.Uhl@mpac.ca>

Sent: January-16-19 1:16 PM

To: clerk@hamilton.ca; Pilon, Janet <Janet.Pilon@hamilton.ca>

Cc: Gordon, Brian <Brian.Gordon@mpac.ca>; Castellani, Lou <Lou.Castellani@mpac.ca>; MR19-20Enquiry <MR19-20Enquiry@mpac.ca>; Uhl, Kirsten <Kirsten.Uhl@mpac.ca>

Subject: 2018 Year-End Assessment Report – Supporting Municipal Council

Good Afternoon,

As a follow up to the attached memo of December 14, 2018, from our Vice-President, Carla Y. Nell, I have attached MPAC's 2018 Year-End Assessment Report which includes two municipal level assessment snapshots unique to your municipality. As key municipal staff have had an opportunity to review this document, we now request that you please share this document with your municipal Council.

This report provides a high-level summary of MPAC's 2018 activities that are of interest to the municipal sector and will assist your council to understand changes in the municipality's assessment base to inform ongoing budget and tax policy planning.

We value building customer and municipal relationships and look forward to working with your municipality this year, as we remain committed to continuously improving our service.

Please contact Lou Castellani, Account Manager, at 905-379-1315 or e-mail lou.castellani@mpac.ca if you have any questions.

Happy New Year!

Kindest Regards,

Brian Gordon, A.I.M.A
Regional Manager
Municipal & Stakeholder Relations
Municipal Property Assessment Corporation
Phone: 437-317-3453
Mobile: 416-949-8713
Brian.gordon@mpac.ca

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MUNICIPAL PROPERTY
ASSESSMENT CORPORATION
SOCIÉTÉ D'ÉVALUATION
FONCIÈRE DES MUNICIPALITÉS

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MUNICIPAL PROPERTY ASSESSMENT CORPORATION

December 14, 2018

To: Chief Administrative Officers, Chief Financial Officers, Clerks,
Treasurers and Tax Administrators

From: Carla Y. Nell, Vice President, Municipal and Stakeholder Relations

Subject: 2018 Year-End Assessment Report

As part of our continued commitment to stakeholder engagement and information sharing with our municipal partners, we have prepared the attached **2018 Year-End Assessment Report**, which will be of interest to both municipal administration and elected officials. This report provides a high-level summary of MPAC's 2018 activities that are relevant to the municipal sector, and also two municipal level snapshots of the assessment changes unique to your municipality.

This report will also be provided to Municipal Clerks for submission to municipal councils in January 2019. In the interim, I encourage you to review the report and share any questions with your MPAC Municipal and Stakeholder Relations Regional Manager and/or Account Manager.

Happy Holidays,

A handwritten signature in black ink, appearing to read "C. Nell", is positioned below the holiday greeting.

Carla Y. Nell
Vice-President, Municipal and Stakeholder Relations

Attachments

Copy Regional and Account Managers

APPENDIX 1

Assessment Change Summary by Property Class City of Hamilton

The following chart provides a comparison of the total assessment for the 2016 base years, as well as a comparison of the assessment change for 2018 and 2019 property tax year by property class.

Property Class/Realty Tax Class	2016 Full CVA	2018 Phased-in CVA	2019 Phased-in CVA	Percent Change 2018 to 2019
R Residential	65,018,617,998	58,120,226,734	61,569,422,384	5.9%
M Multi-Residential	2,852,114,500	2,624,533,766	2,738,324,133	4.3%
N New Multi-Residential	288,563,900	263,036,653	275,800,276	4.9%
C Commercial	5,016,111,562	4,461,708,958	4,738,910,293	6.2%
S Shopping Centre	1,483,552,029	1,306,343,555	1,394,947,809	6.8%
D Office Building	168,487,520	148,961,571	158,724,547	6.6%
G Parking Lot	67,557,700	49,716,469	58,637,083	17.9%
X Commercial (New Construction)	757,543,607	685,898,279	721,720,946	5.2%
Z Shopping Centre (New Construction)	495,987,765	432,736,131	464,361,953	7.3%
Y Office Building (New Construction)	27,982,900	25,993,665	26,988,284	3.8%
I Industrial	674,124,080	621,187,350	647,655,723	4.3%
L Large Industrial	416,194,600	399,952,667	408,073,634	2.0%
J Industrial (New Construction)	77,766,900	72,911,585	75,339,245	3.3%
K Large Industrial (New Construction)	95,902,000	83,525,500	89,713,750	7.4%
H Landfill	5,151,900	5,151,900	5,151,900	0.0%
P Pipeline	330,171,000	311,651,454	320,911,226	3.0%
F Farm	1,516,959,100	1,275,111,879	1,396,035,491	9.5%
T Managed Forests	20,441,200	17,859,925	19,150,566	7.2%
(PIL) R Residential	15,386,200	14,100,516	14,743,358	4.6%
(PIL) C Commercial	310,981,662	277,667,069	294,324,368	6.0%
(PIL) D Office Building	82,061,750	78,812,558	80,437,154	2.1%
(PIL) G Parking Lot	38,301,000	30,102,500	34,201,750	13.6%
(PIL) I Industrial	80,000	50,000	65,000	30.0%
(PIL) H Landfill	4,694,700	4,538,350	4,616,525	1.7%
E Exempt	6,143,181,907	5,663,235,446	5,903,208,642	4.2%
TOTAL	85,907,917,480	76,975,014,480	81,441,466,040	5.8%



APPENDIX 2

Assessment Base Distribution Summary by Property Class City of Hamilton

The following chart provides a comparison of the distribution of the total assessment for the 2016 base year, and the 2018 and 2019 phased-in assessment which includes the percentage of the total assessment base by property class.

Property Class/Realty Tax Class	2016 Full CVA	Percentage of Total 2016 CVA	2018 Phased-in CVA	Percentage of Total 2018 CVA	2019 Phased-in CVA	Percentage of Total 2019 CVA
R Residential	65,018,617,998	75.7%	58,120,226,734	75.5%	61,569,422,384	75.6%
M Multi-Residential	2,852,114,500	3.3%	2,624,533,766	3.4%	2,738,324,133	3.4%
N New Multi-Residential	288,563,900	0.3%	263,036,653	0.3%	275,800,276	0.3%
C Commercial	5,016,111,562	5.8%	4,461,708,958	5.8%	4,738,910,293	5.8%
S Shopping Centre	1,483,552,029	1.7%	1,306,343,555	1.7%	1,394,947,809	1.7%
D Office Building	168,487,520	0.2%	148,961,571	0.2%	158,724,547	0.2%
G Parking Lot	67,557,700	0.1%	49,716,469	0.1%	58,637,083	0.1%
X Commercial (New Construction)	757,543,607	0.9%	685,898,279	0.9%	721,720,946	0.9%
Z Shopping Centre (New Construction)	495,987,765	0.6%	432,736,131	0.6%	464,361,953	0.6%
Y Office Building (New Construction)	27,982,900	0.0%	25,993,665	0.0%	26,988,284	0.0%
I Industrial	674,124,080	0.8%	621,187,350	0.8%	647,655,723	0.8%
L Large Industrial	416,194,600	0.5%	399,952,667	0.5%	408,073,634	0.5%
J Industrial (New Construction)	77,766,900	0.1%	72,911,585	0.1%	75,339,245	0.1%
K Large Industrial (New Construction)	95,902,000	0.1%	83,525,500	0.1%	89,713,750	0.1%
H Landfill	5,151,900	0.0%	5,151,900	0.0%	5,151,900	0.0%
P Pipeline	330,171,000	0.4%	311,651,454	0.4%	320,911,226	0.4%
F Farm	1,516,959,100	1.8%	1,275,111,879	1.7%	1,396,035,491	1.7%
T Managed Forests	20,441,200	0.0%	17,859,925	0.0%	19,150,566	0.0%
(PIL) R Residential	15,386,200	0.0%	14,100,516	0.0%	14,743,358	0.0%
(PIL) C Commercial	310,981,662	0.4%	277,667,069	0.4%	294,324,368	0.4%
(PIL) D Office Building	82,061,750	0.1%	78,812,558	0.1%	80,437,154	0.1%
(PIL) G Parking Lot	38,301,000	0.0%	30,102,500	0.0%	34,201,750	0.0%
(PIL) I Industrial	80,000	0.0%	50,000	0.0%	65,000	0.0%
(PIL) H Landfill	4,694,700	0.0%	4,538,350	0.0%	4,616,525	0.0%
E Exempt	6,143,181,907	7.2%	5,663,235,446	7.4%	5,903,208,642	7.2%
TOTAL	85,907,917,480	100%	76,975,014,480	100%	81,441,466,040	100%



2018 YEAR-END ASSESSMENT REPORT FOR THE 2019 TAX YEAR

AS OF DECEMBER 2018



MUNICIPAL
PROPERTY
ASSESSMENT
CORPORATION

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About MPAC

MPAC stands for Municipal Property Assessment Corporation, and the MPAC team is made up of assessment experts who understand local communities and assess every property in Ontario. Our assessments provide the very foundation that municipalities use to base the property taxes needed to pay for the services we use every day.

As an independent, not-for-profit corporation, our assessments follow the *Assessment Act* and other legislation and regulations set by the Government of Ontario. We also have a Board of Directors made up of provincial, municipal and taxpayer representatives.

MPAC's expertise is in property assessment, customer service and technology. It is these components of MPAC's work that make our contribution to Ontario so valuable.

MPAC is responsible for assessing more than 5 million properties in Ontario, of all types (residential, business and farms), representing \$2.78 trillion in property value. We take property assessment seriously because it's the part we play in helping to make the communities we all live in stronger.



Learn more at:



mpac.ca

Introduction

Ontario municipalities rely on MPAC to provide expert opinions on the value of properties in our communities. We understand that turning these opinions into assessments goes beyond the determination of values. The work we do includes producing the products and services you require to understand, maintain and support your assessment base, such as property data, phase-in, classification, new assessment and appeals. The **2018 Year-End Assessment Report** provides an update on these items.

The Property Assessment Cycle in Ontario

We update the assessment of every property in Ontario every four years to capture changes to properties and the real estate market.

While the effective valuation date of January 1, 2016 remains constant during the four-year cycle, we are responsible for providing an updated annual Assessment Roll to each municipality that includes:

- **Changes to property ownership**
- **Changes to state and condition of a property**
- **Updates to the assessed value and classification**
 - New construction, demolitions and consolidations
 - Requests for Reconsideration (RfR) and Assessment Review Board (ARB) decisions

In advance of the 2019 property tax year, we delivered more than 800,000 Property Assessment Notices to property owners across Ontario where there was a change in property ownership or value. Your municipality also recently received the **2018 Assessment Roll for the 2019 property tax year** and the electronic **Year-End Tax File**. This file includes the updates we made during 2018 to keep your Roll current.

Purpose of This Report

We have prepared this report to assist you in understanding changes in your assessment base to inform ongoing budget and tax policy planning. The report also provides an update on the work we have undertaken over the course of 2018 to deliver an updated and stable Assessment Roll.

In addition, the report shares our plan for the next Assessment Update in 2020, which will provide property values for the 2021–2024 property tax years.

Attached to this report are two municipal-level assessment snapshots:

1. Assessment Change Summary

Provides the updated 2016 current value assessment (destination) and a comparison of the phased-in assessments for the 2018 and 2019 tax years

2. Assessment Base Distribution

Compares the distribution of the total 2018 and 2019 phased-in assessments and includes the percentage of the total assessment base by property class

Responsible for assessing and classifying more than

5 MILLION

properties in Ontario

Representing

\$2.78T

in property value

We delivered more than

800,000

Property
Assessment
Notices

2018 Highlights

Our assessments support the collection of nearly **\$20 billion in municipal taxes annually**. We understand how important our work is to you, which is why we offer a range of services that enables you to understand and employ those values. No two assessment bases are the same. As such, we understand the need to share insights and develop understanding with all municipalities about how markets and communities are changing.

Maintaining Your Annual Assessment Roll

Having accurate and timely data is critical to the assessment process. Throughout the year, we complete regular quality control processes. Specifically, we review assessments and property classification changes received through:

- Building permits
- Vacancy applications
- Tax applications
- Subdivision plans

This ensures information is both current and accurate. This ongoing assessment work provides confidence that the information in your Assessment Roll is reliable and ready to support your budget and tax planning.

New Assessment

In 2018, we delivered more than \$38 billion in new assessment to municipalities across the province. We successfully processed more than 85% of this new assessment within one year of occupancy. Timely processing of new assessment from new

construction or additions to existing property and accurate forecasting of new assessment were identified as key municipal priorities and are included in our Service Level Agreement with municipalities.

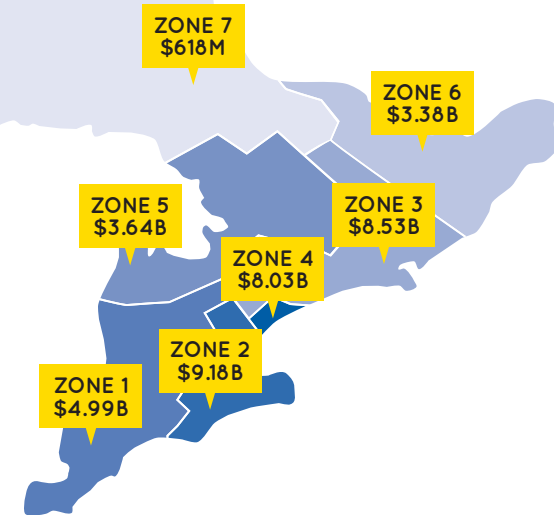
New Assessment Forecasting

A significant change in 2018 was the presentation of the quarterly new assessment forecast and our commitment to capture a minimum of 85% of all new assessment within one year of occupancy, based on availability of information from your municipality.

The other important change in 2018 came from you, our municipal partners.

This year, we started delivering new assessment progress reports on a quarterly basis to support ongoing dialogue between MPAC and municipalities about current and future growth trends and to provide a better sense of future taxable amounts.

2018 NEW ASSESSMENT BY ZONE



We delivered more than **\$38 billion** in new assessment to municipalities across the province

From January 1 to October 31, 2018,
MPAC completed a total of 27,917
Requests for Reconsideration

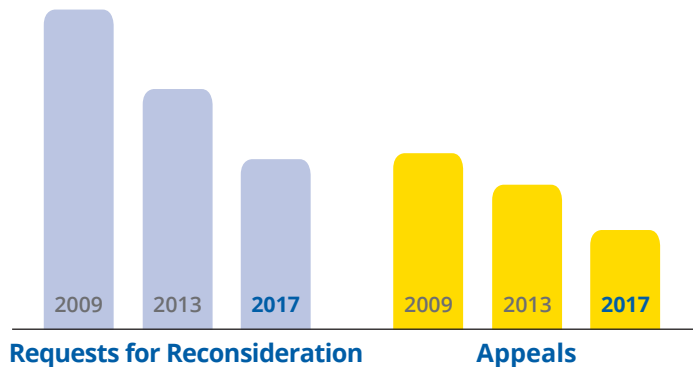
Requests for Reconsideration and Appeals

Another important activity we continue to work on throughout the four-year assessment cycle is responding to and processing assessment changes because of Requests for Reconsideration (RfR) and **Assessment Review Board (ARB)** appeal outcomes. This information is applied to your Assessment Roll throughout the year as part of our ongoing efforts to maintain and deliver stable Assessment Rolls.

We continue to work closely with the ARB and other parties, providing impartial, expert opinions to support the appeal process.

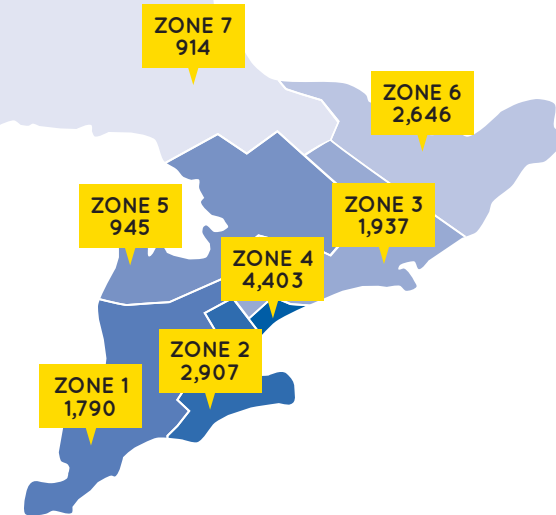
We have seen a steady decrease in the number of RfRs and appeals; since 2009 the number of RfRs filed has decreased by 50% and the number of appeals has decreased by 40%.

We will continue to work with the ARB and other parties to improve the efficiency and effectiveness of the appeals process, with the goal of reducing the time to resolve appeals.



2009, 2013 and 2017 represent the first tax year of the last three Assessment Updates, when the majority of appeals are filed.

2018 TOTAL NUMBER OF COMPLETED APPEALS BY ZONE



We have seen a steady decrease in the number of RfRs and appeals since 2009

Service Level Agreement (SLA)

The service levels in the SLA represent the most important MPAC deliverables as identified by you, our municipal partners. The SLA itself defines high performance standards in key service areas; outlines the roles, responsibilities and dependencies of both parties – reinforcing our shared accountability.

We implemented the SLA in 2017, and the end of 2018 marks a full year of measuring against these service levels.

In 2018, we also launched the SLA Reporting Tool in Municipal Connect to offer an at-a-glance snapshot to guide discussions around SLA objectives, help improve service delivery and promote shared accountability. At the end of our first year, MPAC is happy to report that we have met 96% of all service levels and have worked closely with municipalities, including remedial action, when service levels have not been met.

We have met
96%
of all service levels



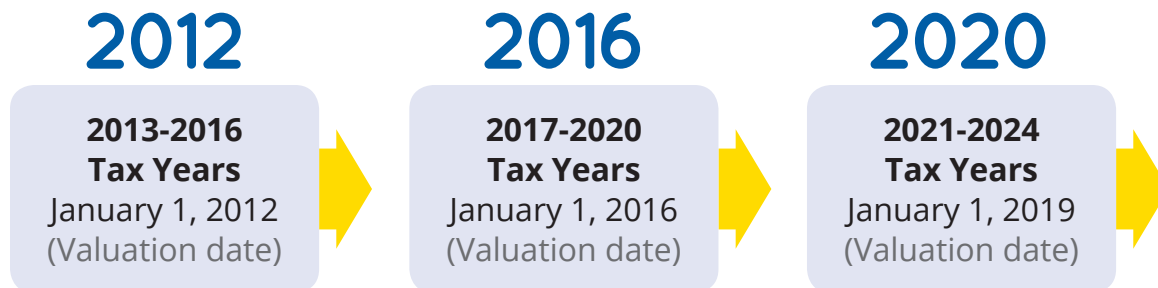
Looking Ahead to the Next Assessment Update

A key change leading up to the **2020 Assessment Update** is the new valuation date of January 1, 2019, passed into legislation by the Province of Ontario. This is two years in advance of the first tax year to which the Assessment Update will apply. In the previous Assessment Update, the valuation date preceded the first tax year by one year.

The four-year phase-in program remains in place, meaning values will be effective for the 2021 to 2024 property tax years. As in the past, all assessment increases are phased-in over four years and assessment decreases are applied immediately.

The earlier valuation date increases the availability of data used to prepare valuations and will provide more time to consult and share preliminary market insights when our engagement activities begin in earnest in 2020.

This will enable MPAC and stakeholders to identify and resolve potential issues before the return of the Roll in December 2020.



Conclusion

At the core of our new **2017-2020 Strategic Plan** is the theme “Valuing What Matters Most.” For municipalities, we value building the customer and municipal relationship. This means enhancing the transparency of new assessment forecasts, processing assessment adjustments in a timely way, ensuring traceability and transparency in our assessment valuation and methodology, and keeping stakeholders apprised of changes in the market that may impact property values.

Through greater collaboration between MPAC and municipalities, we remain committed to continuously improving our service, and we encourage you to share your feedback with us on the delivery of our products and services.

Your local **[Municipal and Stakeholder Relations team](#)** is available to support you with any of our products or services. Please contact your Regional Manager, Account Manager, or Account Support Coordinator if you have any questions or would like more information about this report.





SAVING, AND CHANGING LIVES EVERY DAY

January 17, 2019

Dear Mayor Fred Eisenberger and Hamilton City Councillors

I am writing to you regarding Be More Than a Bystander (BMTAB), a program of Interval House of Hamilton's MentorAction.

Be More Than a Bystander is a community program of MentorAction to end gender-based violence. Be More Than a Bystander was created by EVA BC (Ending Violence Association) and the BC Lions. IHOH purchased the rights to bring BMTB to Hamilton in 2016, and we now have Hamilton's premiere sports organizations on board: Hamilton Bulldogs, McMaster Athletics, and the Hamilton Tiger Cats. Hamilton is the only Canadian city to have all the major sports organizations as partners in BMTB! In addition, this past year we have met with Mohawk College Athletics regarding a BMTB partnership, and training has been undertaken with McMaster University Security Services.

Led through IHOH MentorAction, BMTB has had a combination of short videos played on local TV and radio stations, as well as an education program aimed at junior high, high school students and local sports teams. The message comes from male athletes, hockey, football, etc. – sports icons – using their status and public profile to 'Break the Silence of Violence Against Women'. The PSAs and in-school component demonstrate ideas on how to communicate that certain behaviours, words, action and pictures are unacceptable, inappropriate and intolerable.

Planning is underway for a major community awareness campaign in 2018-19, including the Be More Than A Bystander community show on Cable 14 which is now being broadcast in January, February and then later in the Spring. As part of this broad-based community awareness campaign we are asking if February 2019 (annually) can be designated as Hamilton's Be More Than a Bystander (unofficial) month as Hamilton does not have a proclamation policy. We are respectfully asking if this promotion can be assisted through city social media and website. Arrangements have already been made for the lighting of the new Hamilton sign in front of city hall in the Be More Than A Bystander colours – purple and grey. The week that has been scheduled for this is the week of February 17-23. We are also asking

MAIN OFFICE

630 Sanatorium Road, Hamilton, ON L9C 7S7
Tel: 905-387-9959 | Fax: 905-387-0019
info@intervalhousehamilton.org

WOMEN'S CENTRE OF HAMILTON

100 Main St. E., Suite 205, Hamilton, ON L8N 3W4
Tel: 905-522-0127 | Fax: 905-522-7220
womenscentre@intervalhousehamilton.org

FLAMBOROUGH WOMEN'S RESOURCE CENTRE

17 Main St. S., Unit C, P.O. Box 1499, Waterdown, ON LOR 2H0
Tel: 289-895-8580 | Fax: 289-895-8525
fwrc@intervalhousehamilton.org

JARED'S PLACE

100 Main St. E., Suite 205, Hamilton, ON L8N 3W4
Tel: 905-522-0127 | Fax: 905-522-7220
legaladvocate@intervalhousehamilton.org



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Jared's Place
 Legal Advocacy & Resource Centre for Women

www.intervalhousehamilton.org

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that Be More Than a Bystander communication be placed on the upcoming Council Agenda to provide a strong municipal voice to the importance of Be More Than a Bystander.

Thank you, Hamilton, for standing up and speaking out against gender-based violence; you are Being More Than A Bystander.

Sincerely,

Nancy Smith
 Executive Director, Interval House of Hamilton



The 2019 Little League Canadian Championship Tournament

Attn: City Clerk,

Please allow me to introduce myself, My name is Mark Strongman and I am the Tournament Chairman of the 2019 Little League Canadian Championship that will be held this summer in Ancaster, Ontario. The 10 day event will be held from August 1st to August 11th, 2019 at the very scenic Ancaster Little league Park.

The tournament will include some of the best 11 and 12 year old teams, representing regions right across Canada as well as the host team from Ancaster Little League. The current regions represented are British Columbia, Alberta, Saskatchewan, Ontario, Quebec, and Atlantic Canada. The teams will compete for the right to represent Canada on the world stage at the annual Little League® World Series played in Williamsport Pennsylvania.

Ancaster hosted this same event in 2010 and due to the overwhelming success of that particular tournament, both from the event itself and the cooperative effort of the City of Hamilton and the community at large, we were asked to host again this year.

Our budget of approximately \$150,000 is primarily to house, feed and transport the young players, volunteer coaches and volunteer umpires to and from Redeemer University College in the "Athlete's Village" for the 10 days of the tournament.

This years tournament will be live streamed and live broadcast on CBC giving our community national and international attention.

One of the premier events of the tournament, other than the games, will be the Tournament Banquet that will be held at the Canadian War Plane Heritage Museum in Mount Hope, Ontario.

Over and above the national and international exposure, is the economic impact of over \$500,000 for our community. Our planning committee is very excited for this great opportunity, but it can only be successful with the support from the entire community.

We would like to request that the City of Hamilton would consider a grant of \$50,000 to assist in our financial responsibilities.

Thank you for your consideration.

Mark Strongman
Tournament Chairman
2019 Little League Canadian Championship





Memories of the 2010 Little League Canadian Championship Tournament



Carmen's Group
77 James Street North, Suite 300
Hamilton, Ontario L8R 2K3

Spectra Venue Management
10 Mac Nab St South
Hamilton, Ontario L8P 4Y3

Good Day Mayor Eisenberger and Members of Council,

On February 5, 2018, Carmen's Group submitted a letter to Hamilton City Council expressing interest in operating the convention centre and the Core Entertainment venues, inclusive of FirstOntario Centre, FirstOntario Concert Hall and The Studio. Subsequently, Hamilton City Council recommended that city staff develop a process for Carmen's Group and Spectra / Live Nation to provide options to: A. Continue to operate the venues each presently manage on the city's behalf, and/or B. Operate all venues, including those presently managed by the other operator.

Over the course of the past few months, our two organizations and the city have met to explore potential collaborative working arrangements for the operation of the three venues. In the end, we all agree that it is in the best interest of the City of Hamilton, as well as our two organizations, for each of our companies to focus solely on our present operations. Subsequently, our companies would prefer to negotiate multi-year extensions to our current management agreements.

By forgoing the RFP process, Carmen's Group will continue to focus on aggressively driving convention, trade show and new event activity at the Hamilton Convention Centre. Concurrently, Spectra / Live Nation will use their unparalleled expertise and reputation within the entertainment industry to continue to grow the industry profile of the Core Entertainment venues, and further drive first-class entertainment and live events for audiences in Greater Hamilton.

Moving forward, Spectra / Live Nation and Carmen's Group also intend to explore potential collaborative opportunities between our respective organizations and venues, as well as reinforce our mutual commitment to work with the City, to ensure that the entertainment and convention venues are utilized to their full potential.

We trust and are hopeful that this decision meets with your approval, and we look forward to continuing to do great work that will improve the cultural and social vibrancy of this community now and long into the future.

Most Sincerely,



Tim Murphy
Regional Vice President
Spectra Venue Management



Riley O'Connor
Chairman
Live Nation Canada



PJ Mercanti
Chief Executive Officer
Carmen's Group



PUBLIC WORKS COMMITTEE REPORT 19-001

9:30 a.m.

Monday, January 14, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors L. Ferguson (Chair), J.P. Danko (Vice-Chair), C. Collins, J. Farr, T. Jackson, S. Merulla, N. Nann, E. Pauls, M. Pearson, A. VanderBeek, T. Whitehead

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 19-001 AND RESPECTFULLY RECOMMENDS:

1. Tiger Tails at the Intersection of Balmoral Ave. S. and Justine Ave., Hamilton (Item 8.1)

That staff be directed to remove the tiger tails from the stop signs at the intersection of Balmoral Ave. S. and Justine Ave., Hamilton.

2. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 256 Mary Street, 250-252 Mary Street and 130 Barton Street East, Hamilton (PW11012a) (Ward 2) (Item 8.2)

That the application of the owners of 250-252 Mary Street, 256 Mary Street, and 130 Barton Street East, Hamilton to permanently close and purchase a portion of the unassumed alleyway abutting 250-252 Mary Street, 256 Mary Street, and 130 Barton Street East, Hamilton, ("Subject Lands"), as shown on Appendix "A" and Appendix "B", attached to Public Works Committee Report 19-001, be approved, subject to the following conditions:

(a) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, for an order to permanently close the Subject Lands, if required by the City, subject to:

(i) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and

Council – January 23, 2019

- (ii) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;
- (b) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
- (c) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved:
 - (i) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;
 - (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed alleyway to the owners of 250-252 Mary Street, 256 Mary Street, and 130 Barton Street East, Hamilton, as described in Report PW11012a, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
 - (iii) The City Solicitor be authorized to complete the transfer of the Subject Lands to the owners of 250-252 Mary Street, 256 Mary Street, and 130 Barton Street East, Hamilton pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;
 - (iv) The City Solicitor be authorized and directed to register a certified copy of the by-laws permanently closing and selling the alleyway in the proper land registry office;
 - (v) The Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204;
- (d) That the applicant enters into agreements with any Public Utility requiring easement protection.

3. Proposed Permanent Closure and Sale of a Portion of York Road being 501 York Road, Dundas, ON (PW19004) (Ward 13) (Item 8.3)

- (a) That the application of the owner of 501 York Road, Dundas, to permanently close and purchase a portion of York Road being 501 York Road, Dundas ("Subject Lands"), as shown on Appendix "C", attached to Public Works Committee Report 19-001, be approved, subject to the following conditions:
- (i) That the City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the highway, for enactment by Council;
 - (ii) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed highway to the owners of 501 York Road, Dundas, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
 - (iii) The City Solicitor be authorized to complete the transfer of the Subject Lands to the owner of 501 York Road, Dundas pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;
 - (iv) That the City Solicitor be authorized and directed to register a certified copy of the by-law(s) permanently closing and selling the highway in the proper land registry office;
 - (v) That the Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed highway pursuant to the City of Hamilton Sale of Land Policy By-law 14-204;
 - (vi) That the applicant enters into agreements with any Public Utility requiring easement protection;
 - (vii) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section.

**4. Bill 65 - Automated Speed Enforcement (PW19002) (City Wide)
(Outstanding Business List Item) (Item 10.1)**

That the Mayor submit a letter to the Ministry of the Attorney General and the Ministry of Transportation Ontario, on behalf of City Council, seeking legislative and regulatory amendments to allow municipalities to administer Automated Speed Enforcement and Red-Light Camera Enforcement programs through the Administrative Monetary Penalty system;

5. Standardization for the Provision of Support, Maintenance, Repair and Parts to Original Equipment Manufacturer (OEM) or Licensed Distributors (PW19003) (City Wide) (Item 10.2)

- (a) That the standardization of support, maintenance, repair and parts to the original equipment manufacturers or licensed distributors as identified in Appendix "D" to Public Works Committee Report 19-001 pursuant to Procurement Policy #14 – Standardization, thereby approving the listed suppliers as the single source of equipment, parts, supplies and services for the listed equipment in the Energy Fleet and Facilities Management (EFFM) Division be approved;
- (b) That the General Manager of Public Works, or his designate, be authorized to negotiate, enter into and execute any required contract(s) and any ancillary documents required to give effect thereto with those suppliers identified in Appendix "D" to Public Works Committee Report 19-001, with content acceptable to the General Manager of Public Works, and in a form satisfactory to the City Solicitor;
- (c) That the General Manager of Public Works, or his designate, be authorized, in the event that a supplier identified in Appendix "D" to Public Works Committee Report 19-001 undergoes a name change, to amend any contracts executed and any ancillary documents as required in a form satisfactory to the City Solicitor.

6. Water Drinking Fountain for Kenilworth Stairs (Item 11.1)

WHEREAS, the Kenilworth Stairs that are located in Ward 4 and Ward 6, are a key part of the active transportation network that moves pedestrians and cyclists through our community, and safely up and down the escarpment; and,

WHEREAS, access to a water drinking fountain at this location has been requested by residents;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to install a water drinking fountain at the bottom of the Kenilworth Stairs, to be funded from the Ward 4 Area Rating Reserve account (#108054) at an amount not to exceed \$45,000; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

7. Cannabis Packaging Recycling and Waste Control (Item 11.2)

WHEREAS, the Federal government has legalized cannabis use in Canada;

WHEREAS, consumers can order cannabis online for direct delivery or pick up at legal dispensaries; and,

WHEREAS, cannabis comes in potentially recyclable material;

THEREFORE, BE IT RESOLVED:

That staff be directed to work with the Waste Management Advisory Committee to determine the types of packaging being utilized by vendors for the sale of legal recreational and medical cannabis and report back to the Public Works Committee, with that report to include whether or not those materials are recyclable and the cost associated for recycling or disposal of those materials at a landfill.

8. Installation of Winter Plant Material in the Concrete Planters on the West Side of James St. S., Hamilton within Ward 2 (Item 11.3)

WHEREAS, there was interest from Ward 2 citizens to beautify the 34 concrete planters along the West side of James St. S., Hamilton with winter plant material;

WHEREAS, the installation of the above-noted plant material will additionally reduce litter accumulation during the winter months; and,

WHEREAS, the installation of winter plant material occurred on December 6, 2018;

THEREFORE, BE IT RESOLVED:

- (a) That the cost for the installation and removal of winter plant material in the concrete planters on the West side of James St. S., Hamilton in the amount of \$5,000 to be funded from the Ward 2 Area Rating Discretionary account (#3301809200) be approved; and,

- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

1. DELEGATION REQUEST - WITHDRAWN (Item 6.1)

- 6.1 Suzanne Mammel, Hamilton-Halton Home Builders' Association (HHHBA), respecting the Approval of Water Servicing for Development (For a future meeting)

This item has been withdrawn from the agenda at the request of the Delegate.

2. ADDED DELEGATION REQUEST (Item 6.3)

- 6.3 Sonny Ross, respecting Charging Stations for Electronic Scooters (For a future meeting)

The agenda for the January 14, 2019 Public Works Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF THE PREVIOUS MEETING (Item 4)

(i) December 10, 2018 (Item 4.1)

The Minutes of the December 10, 2018 meeting of the Public Works Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

(i) Letter from the Hamilton Chamber of Commerce respecting Matters for the Public Works Committee's Consideration (Item 5.1)

The letter from the Hamilton Chamber of Commerce respecting Matters for the Public Works Committee's Consideration, was received.

(e) DELEGATION REQUESTS (Item 6)

(i) Kyle Saulnier, Ministry of Transportation of Ontario (MTO), respecting the Full Closure of Hwy 403 from the Hwy 6 Interchange and the King St. W. Interchange to Facilitate Bridge Rehabilitation at Old Guelph Rd. and Macklin St. (For a future meeting) (Item 6.2)

The delegation request, submitted by Kyle Saulnier, Ministry of Transportation of Ontario (MTO), respecting the Full Closure of Hwy 403 from the Hwy 6 Interchange and the King St. W. Interchange to Facilitate Bridge Rehabilitation at Old Guelph Rd. and Macklin St., was approved for a future meeting.

(ii) Sonny Ross, respecting Charging Stations for Electronic Scooters (For a future meeting) (Added Item 6.3)

The delegation request, submitted by Sonny Ross, respecting Charging Stations for Electronic Scooters, was approved for a future meeting.

(f) CONSENT ITEMS (Item 7)

(i) Various Advisory Committee/Sub-Committee Minutes (Item 7.1)

The minutes from the following Advisory Committee/Sub-Committee meetings, were received as presented:

- (1) Glanbrook Landfill Coordinating Committee Minutes - September 24, 2018 (Item 7.1(a))
- (2) Hamilton Cycling Committee Minutes - May 2, 2018 (Item 7.1(b))
- (3) Hamilton Cycling Committee Minutes - June 6, 2018 (Item 7.1(c))
- (4) Hamilton Cycling Committee Minutes - July 4, 2018 (Item 7.1(d))
- (5) Hamilton Cycling Committee Minutes - August 1, 2018 (Item 7.1(e))
- (6) Hamilton Cycling Committee Minutes - September 5, 2018 (Item 7.1(f))
- (7) Keep Hamilton Clean and Green Committee Minutes - June 19, 2018 (Item 7.1(g))

- (8) Keep Hamilton Clean and Green Committee Minutes - September 18, 2018 (Item 7.1(h))

(g) PUBLIC HEARINGS/DELEGATIONS (Item 8)

(i) Suzie Scott, respecting the Installation of Tiger Tail Stop Signs (Approved by the Public Works Committee on December 10, 2018) (Item 8.1)

Suzie Scott, addressed the Committee respecting the Installation of Tiger Tail Stop Signs, with the aid of a presentation and handout. The presentation and handout have been included in the official record.

The presentation and handout from Suzie Scott, respecting the Installation of Tiger Tail Stop Signs, was received.

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

Staff were directed to review the handout from Suzie Scott, respecting the Installation of Tiger Tail Stop Signs, and report back to the Public Works Committee addressing her concerns, including an assessment of the feasibility of replacing existing red and orange coloured tiger tails throughout the City of Hamilton.

For disposition of this matter, refer to Item 1.

(ii) Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 256 Mary Street, 250-252 Mary Street and 130 Barton Street East, Hamilton (PW11012a) (Ward 2) (Item 8.2)

Chair Ferguson advised that notice of the proposed permanent closure and sale of a Portion of Public Unassumed Alley Abutting 256 Mary Street, 250-252 Mary Street and 130 Barton Street East, Hamilton was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that there were no registered speakers.

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

The public meeting was closed.

For disposition of this matter, refer to Item 2.

(iii) **Proposed Permanent Closure and Sale of a Portion of York Road being 501 York Road, Dundas, ON (PW19004) (Ward 13) (Item 8.3)**

Chair Ferguson advised that notice of the proposed permanent closure and sale of a Portion of York Road being 501 York Road, Dundas, ON was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that there were no registered speakers.

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

The public meeting was closed.

For disposition of this matter, refer to Item 3.

(h) **MOTIONS (Item 11)**

(i) **Installation of Winter Plant Material in the Concrete Planters on the West Side of James St. S., Hamilton within Ward 2 (Item 11.3)**

The motion was amended by changing the funding source in subsection (a), to read as follows:

- (a) That the cost for the installation and removal of winter plant material in the concrete planters on the West side of James St. S., Hamilton in the amount of \$5,000 to be funded from the Ward 2 Area Rating ~~Reserve account (#108052)~~ **Discretionary account (#3301809200)** be approved; and,

For disposition of this matter, refer to Item 8.

(i) **GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

(i) **Amendments to the Outstanding Business List (Item 13.1)**

The following amendments to the Public Works Committee's Outstanding Business List, were approved:

(a) Items to be removed:

- (i) Photo Radar on the Lincoln M. Alexander Parkway and the Red Hill Valley Parkway
Item 10.1 on today's agenda
Item on OBL: F

(j) ADJOURNMENT (Item 15)

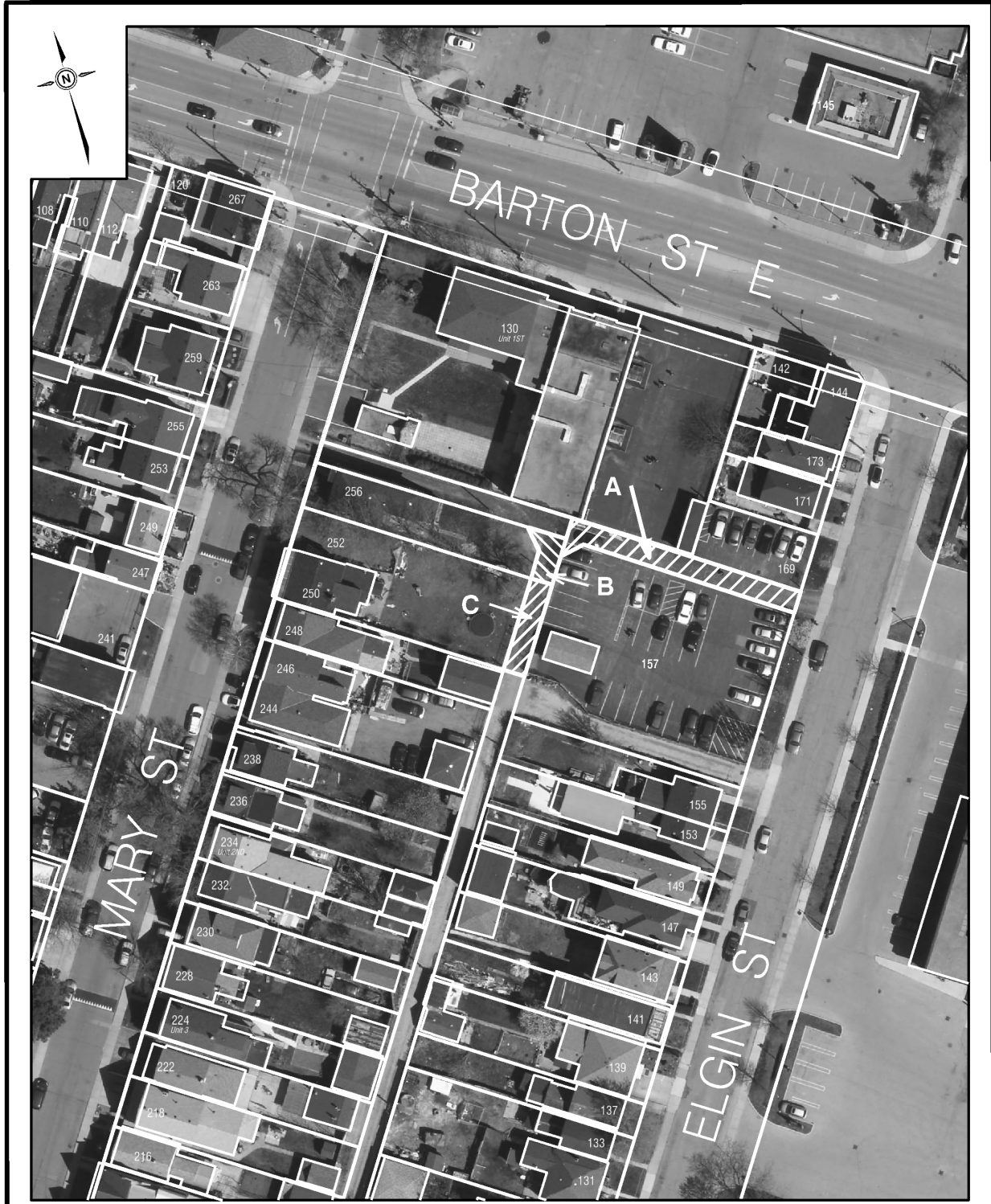
(Pearson/VanderBeek)

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

Respectfully submitted,

Councillor L. Ferguson
Chair, Public Works Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk



PROPOSED CLOSURE OF PORTION OF UNASSUMED ALLEYS AT
130 BARTON STREET EAST (A), 256 MARY STREET (B),
250-252 MARY STREET (C)

Geomatics & Corridor Management Section
Public Works Department

LEGEND

 **Lands to be Closed**



LOCATION PLAN

PROPOSED CLOSURE OF
 UNASSUMED ALLEY AT

130 BARTON STREET EAST (A)
 256 MARY STREET (B)
 250-252 MARY STREET (C)

CITY OF HAMILTON
 PUBLIC WORKS DEPARTMENT

LEGEND

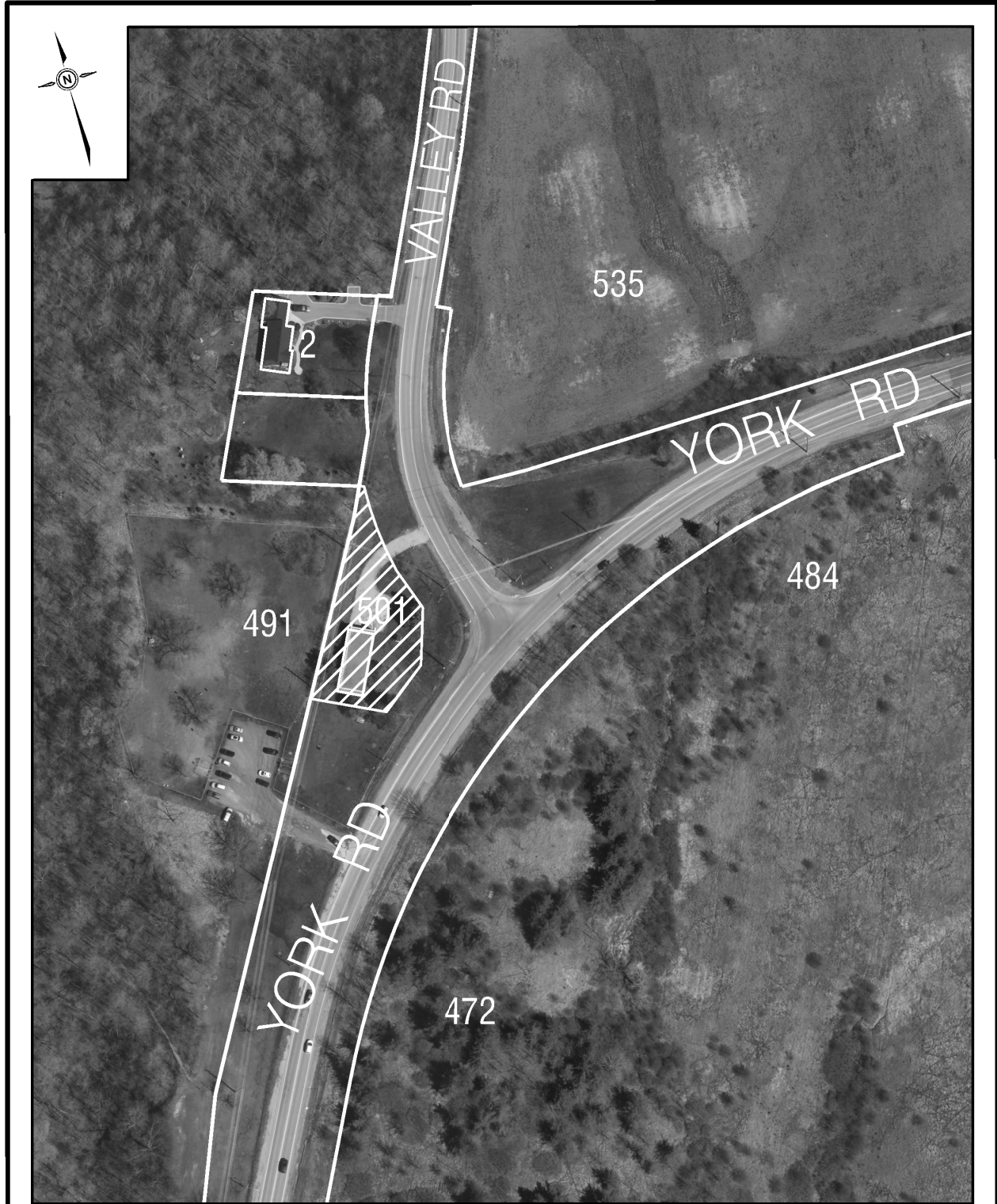


SUBJECT LANDS

DATE: MARCH 13, 2018

Not to Scale

REFERENCE FILE NO : PW19_



Hamilton

PROPOSED CLOSURE OF ROAD ALLOWANCE
YORK ROAD AND VALLEY ROAD

Geomatics & Corridor Management Section
Public Works Department

LEGEND

 **Lands to be Closed**

Original Equipment Manufacturer (OEM) and Licensed Distributors of EFFM Equipment

Vendor Name	Manufacturer	Distributor	Service / Parts	Support	Goods and Services	Standardization Rationale	2017 Annual Spend
Daktronics Canada, C/O 914050, PO Box 4090 Stn A, Toronto, ON M5W 0E9	X		X	X	Technical support, maintenance, repair and parts supplier of the Daktronics video scoreboard at Tim Horton's Field.	The video scoreboard at Tim Hortons Field was manufactured by Daktronics Canada. A technician from Daktronics is required to be on site to operate every high level event to trouble shoot any malfunction's that may occur during the event.	\$30,000
Siemens Canada Limited, Building Technologies Division, 1577 North Service Road East, Oakville On, L6H 0H6	X		X	X	Technical support, maintenance, repair and parts supplier of the Siemens building automation systems (BAS) at EFFM managed facilities.	Siemens Canada Limited is the OEM of the Building Automation System. The equipment is proprietary to Siemens Canada Limited & they are the sole supplier of technical support, maintenance, repair & parts to this equipment.	\$50,000
Volante Software Inc. 49 Coldwater Road North York, ON M3B 1Y8	X		X	X	Point of Sales (POS) equipment support, maintenance repair and parts for systems installed at Tim Horton's Field.	Volante Software Inc. is the OEM & proprietary owner of the licensed software of the POS equipment at Tim Horton's Field. They are the sole supplier of equipment support, maintenance repair & parts for this equipment.	\$10,000

Vendor Name	Manufacturer	Distributor	Service / Parts	Support	Goods and Services	Standardization Rationale	2017 Annual Spend
Honeywell Limited, P.O. Box 9370, Toronto, ON M4W 3M2	X		X	X	Technical support, maintenance, repairs and parts of the BAS system at various EFFM managed locations in the City of Hamilton that are proprietary to Honeywell.	Honeywell Limited is the OEM and proprietary supplier of technical support, maintenance, repair and parts to these BAS systems.	\$25,000
Engineered Air	X		X	X	Technical support, maintenance, repairs and parts to service existing Engineered Air manufactured heating, air conditioning, refrigeration equipment, at a number of facilities but not all.	Engineered Air is the OEM for this equipment and technical support, maintenance, repairs and parts are only available thru Engineered Air.	\$10,000
Dectron	X		X	X	Technical support, maintenance, repairs and parts to service existing dehumidification units.	Dectron is the OEM for this equipment and parts and service are only available thru Dectron.	\$10,000

Vendor Name	Manufacturer	Distributor	Service / Parts	Support	Goods and Services	Standardization Rationale	2017 Annual Spend
HTS Engineering		X	X	X	Technical support, maintenance, repairs and parts to service existing Daikin roof top air conditioning units	HTS Engineering is the exclusive manufacturer's agent/distributor for Daikin in Ontario. HTS Engineering is the sole provider of technical support, maintenance, repairs and parts for the Daikin roof top air conditioning units.	\$10,000
Trane Canada	X		X	X	Technical support, maintenance, repairs & parts to service existing Trane manufactured HVAC & BAS equipment at various EFFM managed locations in the City of Hamilton.	Trane Canada is the OEM for this equipment and technical support, maintenance, repairs and parts are only available thru Trane Canada.	\$10,000

Vendor Name	Manufacturer	Distributor	Service / Parts	Support	Goods and Services	Standardization Rationale	2017 Annual Spend
Johnson Controls Limited	X		X	X	Technical support, maintenance, repairs and parts supplier of the building automation systems (BAS) at various EFFM managed locations in the City of Hamilton that are proprietary to Johnson Controls Limited.	Johnson Controls Limited is the OEM and proprietary supplier of technical support, maintenance, repair and parts to these BAS systems.	\$35,000
Airon Group of Companies	X		X	X	Technical support, maintenance, repairs and parts supplier of the building automation systems (BAS) at various EFFM managed locations in the City of Hamilton that are proprietary to Airon Group of Companies.	Airon Group of Companies is the OEM and proprietary supplier of technical support, maintenance, repair and parts to these BAS systems.	\$10,000



BOARD OF HEALTH REPORT 19-001

1:30 p.m.

Monday, January 14, 2019

Council Chambers

Hamilton City Hall

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

THE BOARD OF HEALTH PRESENTS REPORT 19-001 AND RESPECTFULLY RECOMMENDS:

1. **Alcohol Drug and Gambling Services – Community Mental Health Promotion Program Budget 2019-2020 (BOH19001) (City Wide) (Item 7.1)**
 - (a) That the Board of Health approve the 2019-2020 Alcohol, Drug & Gambling Services budget; funded by the Hamilton Niagara Haldimand Brant, Local Health Integration Network;
 - (b) That the Board of Health approve the 2019-2020 Community Mental Health Promotion Program budget; funded by the Hamilton Niagara Haldimand Brant, Local Health Integration Network;
 - (c) That the Board of Health approve the 0.2 FTE decrease for the Community Mental Health Promotion Program, a 0.2 FTE decrease for the Alcohol, Drug & Gambling Services, Substance Use Program, and a 0.1 FTE decrease for the Alcohol, Drug & Gambling Services, Problem Gambling Program; and,
 - (d) That the Medical Officer of Health or delegate be authorized and directed to receive, utilize and report on the use of these funds.

2. **Food Advisory Committee 2019 Budget Request and Annual Report (BOH19004) (City Wide) (Item 9.1)**
 - (a) That the Food Advisory Committee 2019 base budget submission attached as Appendix A to Report BOH19004 in the amount of \$1,500 be approved and referred to the 2019 budget process for consideration;

- (b) That, in addition to the base funding, a one-time budget allocation for 2019 of \$1,000, funded by an increase to the tax levy, be approved and referred to the 2019 budget process for consideration;
- (c) That any remaining 2019 funds be returned to the Advisory Committee reserve; and,
- (d) That the Food Advisory Committee's annual report included in this report be received.

3. Smoke-Free Ontario Act 2017 - Vapour Products and Cannabis (BOH19002) (City Wide) (Item 10.1)

That Report BOH19002, respecting the Smoke-Free Ontario Act 2017 - Vapour Products and Cannabis, be received.

4. Feasibility of Amending City of Hamilton By-law 11-080 Prohibiting Smoking Within City Parks and Recreation Property to Incorporate a Prohibition on Recreational and Medicinal Cannabis Smoking and Vaping Within City-owned Parks and Recreation Properties (Added Item 11.1)

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

WHEREAS, the Province of Ontario has amended the provincial Smoke-Free Ontario Act 2017 and introduced new regulations prohibiting the smoking of recreational and medicinal cannabis and vaping in prescribed public places and workplaces;

WHEREAS, the Province of Ontario is in the process of amending the Municipal Act, 2001, to allow municipalities to develop and install local by-laws restricting the smoking of recreational and medicinal cannabis and vaping beyond the provincial regulations; and

WHEREAS, the City of Hamilton has had one of the most comprehensive outdoor smoke-free by-laws in Ontario since 2011;

THEREFORE, BE IT RESOLVED:

- (a) That Public Health Services staff, in consultation with City of Hamilton Legal Services, be directed to report back to the Board of Health on the feasibility of amending City of Hamilton By-law #11-080 Prohibiting Smoking Within City Parks and Recreation Property to include additional prohibitions on the smoking of recreational and medicinal cannabis and vaping within City-owned parks and recreation properties; and
- (b) That Public Health Services staff provide public consultation on the feasibility of amending City of Hamilton By-law #11-080 Prohibiting Smoking Within City

Parks and Recreation Property to include additional prohibitions on the smoking of recreational and medicinal cannabis and vaping within City-owned parks and recreation properties.

FOR INFORMATION:

(a) CEREMONIAL ACTIVITIES (Item 1)

There were no ceremonial activities.

(b) CHANGES TO THE AGENDA (Item 2)

The Clerk advised the Board of the following changes to the agenda.

5. COMMUNICATIONS

5.1 Correspondence from the Association of Local Public Health Agencies respecting the alpha Winter Symposium: Thursday, February 21, 2019

Recommendation: Be received, with two Councillors to volunteer to attend the event.

12. NOTICES OF MOTION

12.1 Feasibility of Amending City of Hamilton By-law 11-080 Prohibiting Smoking Within City Parks and Recreation Property to Incorporate a Prohibition on Recreational and Medicinal Cannabis Smoking and Vaping Within City-owned Parks and Recreation Properties

The agenda for the January 14, 2019 Board of Health was approved, as amended.

(c) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(d) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) December 10, 2018 (Item 4.1)

The Minutes of the December 10, 2018 meeting of the Board of Health were approved, as presented.

(e) COMMUNICATIONS (Item 5)

(i) Correspondence from the Association of Local Public Health Agencies respecting the aPHa Winter Symposium: Thursday, February 21, 2019 (Item 5.1)

The Correspondence from the Association of Local Public Health Agencies respecting the aPHa Winter Symposium: Thursday, February 21, 2019, was received.

(f) STAFF PRESENTATION (Item 9)

(i) Food Advisory Committee 2019 Budget Request and Annual Report (BOH19004) (City Wide) (Item 9.1)

Luc Peters and Hannah Pahuta of the Food Advisory Committee, addressed the Board of Health respecting Food Advisory Committee 2019 Budget Request and Annual Report (BOH19004), with the aid of a PowerPoint presentation. A copy of the presentation has been included in the official record.

The presentation respecting Report BOH19004, Food Advisory Committee 2019 Budget Request and Annual Report, was received.

The presentation is available at www.hamilton.ca

(g) NOTICE OF MOTION (Added Item 12)

(i) Feasibility of Amending City of Hamilton By-law 11-080 Prohibiting Smoking Within City Parks and Recreation Property to Incorporate a Prohibition on Recreational and Medicinal Cannabis Smoking and Vaping Within City-owned Parks and Recreation Properties (Added Item 12.1)

Councillor Merulla introduced a Notice of Motion respecting the Feasibility of Amending City of Hamilton By-law 11-080 Prohibiting Smoking Within City Parks and Recreation Property to Incorporate a Prohibition on Recreational and Medicinal Cannabis Smoking and Vaping Within City-owned Parks and Recreation Properties.

The Rules of Order were waived to allow for the introduction of a Motion respecting Feasibility of Amending City of Hamilton By-law 11-080 Prohibiting Smoking Within City Parks and Recreation Property to Incorporate a Prohibition on Recreational and Medicinal Cannabis Smoking and Vaping Within City-owned Parks and Recreation Properties.

For disposition of this matter, refer to Item 4.

(h) ADJOURNMENT (Item 15)

There being no further business, the Board of Health adjourned at 2:10 p.m.

Respectfully submitted,

Mayor F. Eisenberger
Chair, Board of Health

Loren Kolar
Legislative Coordinator
Office of the City Clerk



PLANNING COMMITTEE

REPORT 19-001

9:30 a.m.

Tuesday, January 15, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors M. Pearson (Chair), M. Wilson, J. Farr (1st Vice Chair), C. Collins, J.P. Danko, B. Clark, B. Johnson (2nd Vice Chair), T. Whitehead, J. Partridge

THE PLANNING COMMITTEE PRESENTS REPORT 19-001 AND RESPECTFULLY RECOMMENDS:

1. Early Release of PED19027 respecting Bill 66 – Restoring Ontario’s Competitiveness Act, 2018 (Schedule 10) (Added Item 11.1)

That report PED19027 respecting Bill 66 – Restoring Ontario’s Competitiveness Act, 2018 (Schedule 10), scheduled for the February 5th Planning Committee meeting agenda, be made public on January 16, 2019.

2. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED19004) (City Wide) (Item 7.2)

That Report PED19004 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

3. Housekeeping Amendments to the City of Hamilton Property Standards By-law 10-221 and Yard Maintenance By-law 10-118 (PED19011) (City Wide) (Item 7.3)

That Report PED19011 respecting Housekeeping Amendments to the City of Hamilton Property Standards By-law 10-221 and Yard Maintenance By-law 10-118, be received, and referred back to staff to include details on the changes being proposed.

4. Equitable Access to City's Taxi System for All Persons with Disabilities Update (PED16232(c)) (City Wide) (Item 7.4)

That Report PED16232(c) respecting Equitable Access to City's Taxi System for All Persons with Disabilities Update, be received.

5. To Amend Zoning By-law No. 05-200 to Correct Typographical Errors for Lands Located at 19 Highland Road East, Stoney Creek (PED18169(a)) (Ward 9) (Item 7.5)

That Amended Zoning By-law Amendment Application ZAC-17-055 by Five SAC (Owner), for a further modification to the Rural Industrial (E2, 155, H2) Zone - Holding to permit the development of three self-storage (U-Haul) buildings for lands located at 19 Highland Road East (Stoney Creek), as shown on Appendix "A" to Report PED18169(a), be APPROVED on the following basis:

- (a) That By-law No. 18-308, respecting 19 Highland Road East, Stoney Creek be amended to correct the errors in the By-law and in the Schedule "A";
- (b) That the Amended draft By-law attached as Appendix "B" to Report PED18169(a), which corrects the errors in the By-law and in the Schedule "A" which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (c) That the amending By-law be added to Schedule C – Special Exceptions of Zoning By-law No. 05-200;
- (d) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. 20; and,
- (e) That the errors on page 3 of Appendix B of Report PED18169(a) respecting the Ward number, Report number and date, be corrected.

6. Application to Amend the City of Hamilton Zoning By-law No. 6593 for Lands Located at 865 West 5th Street, Hamilton (PED19002) (Ward 8) (Item 8.1)

That Zoning By-law Amendment Application ZAR-18-026 by William Gordon Prior (Owner), for a change in zoning from the "AA" (Agricultural) District to the "C" (Urban Protected Residential, etc.) District to permit the development of two single detached dwellings fronting onto Fortissimo Drive for lands located at 865 West 5th Street (Hamilton), as shown on Appendix "A" to Report PED19002, be APPROVED on the following basis:

- (a) That the Draft By-law, attached as Appendix "B" to Report PED19002, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

- (b) That the amending By-law, attached as Appendix “B” to Report PED19002 be added to Schedule Zoning Map No. W17c of the City of Hamilton Zoning By-law No. 6593;
- (c) That the proposed modification in zoning is consistent with the Provincial Policy Statement (PPS), conforms to the Growth Plan for the Greater Golden Horseshoe (2017), and complies with the Urban Hamilton Official Plan; and,
- (d) That there were no public submissions received regarding this matter.

7. Application to Amend the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 119 Highway No. 5 West, Flamborough (PED19003) (Ward 15) (Item 8.2)

That Zoning By-law Amendment Application ZAR-18-043 by Richard Dean Raspberry, Kevin Mitchell Raspberry and Lois Leone Worrod (Owners), for a a modification to the Rural (A2) Zone to permit a 3,300 sq m farm product supply building for lands located at 119 Highway No. 5 West (Flamborough), as shown on Appendix “A” to Report PED19003, be APPROVED on the following basis:

- (a) That the Draft By-law, attached as Appendix “B” to Report PED19003, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the proposed modification in zoning is consistent with the Provincial Policy Statement (PPS), conforms to the Greenbelt Plan (2017), and complies with the Rural Hamilton Official Plan; and,
- (c) That there were no public submissions received regarding this matter.

8. Application for an Amendment to the City of Stoney Creek Zoning By-law No. 3692-92, for Lands Located at 90 Creanona Boulevard (Stoney Creek) (PED19024) (Ward 10) (Item 8.3)

- (a) That Amended Zoning By-law Amendment Application ZAR-17-033, Frank and Brenda Pyringer, Owners, for a change in zoning from the Neighbourhood Development “ND” Zone and the Single Residential “R2” Zone to the Single Residential “R3-43” Zone, Modified (Block 1) and the Single Residential “R2-65” Zone (Blocks 3 and 4), to permit the development of four lots for single detached dwellings and recognize the existing single detached dwelling and accessory structure, on lands located at 90 Creanona Boulevard (Stoney Creek), as shown on Appendix “A” to Report PED19024, be APPROVED, on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED19024, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017), and complies with the Urban Hamilton Official Plan.
 - (b) That Amended Zoning By-law Amendment Application ZAR-17-033, Frank and Brenda Pyringer, Owners, for a change in zoning from the Neighbourhood Development “ND” Zone to the Conservation / Hazard Lands (P5, 717) Zone, on lands located 90 Creanona Boulevard (Stoney Creek) as shown on Appendix “A” to Report PED19024, be APPROVED, on the following basis:
 - (i) That the draft By-law, attached as Appendix “C” to Report PED19024, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017), and complies with the Urban Hamilton Official Plan.
 - (c) That the public submissions received regarding this matter did not affect the decision.
- 9. Application for Amendment to the City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 560 Grays Road (Hamilton and Stoney Creek) (PED19001) (Ward 10) (Item 8.4)**
- (a) That Zoning By-law Amendment Application ZAC-18-017, by Silvestri Homes, (Owner) to further amend the Multiple Residential “RM3-58” Zone to permit the development of a six storey multiple dwelling containing 151 dwelling units on the lands known as 560 Grays Road (Hamilton and Stoney Creek), as shown on Appendix “A” to Report PED19001, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED19001, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017), and complies with the Urban Hamilton Official Plan;

- (b) That upon the finalization of the amending By-law, the subject lands be re-designated from “Medium Density Residential” to “High Density Residential” in the Lakeshore Neighbourhood Plan.
 - (c) That in accordance with the City of Hamilton Financial Policies, that there will be no City share for the costs associated with the stormwater management infrastructure upgrades associated with this development.
 - (d) That the public submissions received regarding this matter did not affect the decision.
- 10. Appeal to LPAT (formerly OMB) for 609 and 615 Hamilton St. N., 3 Nisbet Blvd., 129-137 Truedell Circle (Town Centre) (PL171331) – OPA (UHOPA-17-03), ZBA (ZAC-17-013) and Plan of Subdivision (25T-201702) (LS19005) (Ward 15) (Item 14.1)**
- (a) That the recommendations of Report LS19005 be approved;
 - (b) That Report LS19005 remain private and confidential; and,
 - (c) That the recommendations of Report LS19005 be made public when directed by the City Solicitor.

FOR INFORMATION:

(a) APPROVAL OF THE AGENDA (Item 2)

The Committee Clerk advised there were no additions to the agenda, but noted that the title of Item 14.1 had been revised after publishing to: Appeal to LPAT (formerly OMB) for 609 and 615 Hamilton St. N., 3 Nisbet Blvd., 129-137 Truedell Circle (Town Centre) (PL171331) – OPA (UHOPA-17-03), ZBA (ZAC-17-013) and Plan of Subdivision (25T-201702) (LS19005) (Ward 15).

The agenda for the January 15, 2019 meeting was approved, as presented.

(b) MOTIONS (Item 11)

(i) Early Release of PED19027 respecting Bill 66 – Restoring Ontario’s Competitiveness Act, 2018 (Schedule 10) (Added Item 11.1)

Councillor Clark asked General Manager Jason Thorne to provide the Committee with an update on Bill 66 – Restoring Ontario’s Competitiveness Act, 2018.

Jason Thorne provided an update on the PED Talks and Steve Robichaud provided an update on Planning staffing issues.

For disposition of this matter, refer to Item 1.

(c) DECLARATIONS OF INTEREST (Item 3)

None declared.

(d) APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING (Item 4)

(i) December 11, 2018 (Item 4.1)

The Minutes of the December 11, 2018 meeting were approved, as presented.

(e) CONSENT ITEMS (Item 7)

(i) Amendments to By-law 18-199 Being a By-law to Prohibit Driving School Instructing in the Restricted Areas (PED17179(b)) (Ward 5) (Item 7.1)

Report PED17179(b) respecting Amendments to By-law 18-199 Being a By-law to Prohibit Driving School Instructing in the Restricted Areas, was deferred to a future meeting of the Planning Committee.

(ii) To Amend Zoning By-law No. 05-200 to Correct Typographical Errors for Lands Located at 19 Highland Road East, Stoney Creek (PED18169(a)) (Ward 9) (Item 7.5)

The recommendations in Report PED18169(a) were amended to add subsection (e) as follows:

(e) *That the errors on page 3 of Appendix B of Report PED18169(a) respecting the Ward number, Report number and date, be corrected.*

For disposition of this matter, refer to Item 5.

(f) DELEGATIONS/PUBLIC HEARING (Item 8)

(i) Application to Amend the City of Hamilton Zoning By-law No. 6593 for Lands Located at 865 West 5th Street, Hamilton (PED19002) (Ward 8) (Item 8.1)

In accordance with the provisions of the *Planning Act*, Chair Pearson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Zoning By-law Amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal

Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

No members of the public came forward.

The public meeting was closed.

The staff presentation was waived.

James Webb of WEBB Planning Consultants, agent for the applicant was in attendance and indicated that the applicant is in agreement with the staff report.

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

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

For disposition of this matter, refer to Item 6.

(ii) Application to Amend the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 119 Highway No. 5 West, Flamborough (PED19003) (Ward 15) (Item 8.2)

In accordance with the provisions of the *Planning Act*, Chair Pearson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Zoning By-law Amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

No members of the public came forward.

The public meeting was closed.

The staff presentation was waived.

Ed Fothergill, Fothergill Planning & Development Inc., agent for the applicant was in attendance and indicated that the applicant is in agreement with the staff report.

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

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

For disposition of this matter, refer to Item 7.

Councillor Pearson relinquished the Chair to Councillor Farr.

(iii) Application for an Amendment to the City of Stoney Creek Zoning By-law No. 3692-92, for Lands Located at 90 Creanona Boulevard (Stoney Creek) (PED19024) (Ward 10) (Item 8.3)

In accordance with the provisions of the *Planning Act*, Chair Pearson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Zoning By-law Amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

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

The staff presentation was received.

Stephen Fraser, A.J. Clarke and Associates Ltd., agent for the applicant was in attendance and indicated that the applicant is in agreement with the staff report.

Delegations

1. Paulette Gillies, 96 Creanona Blvd.

Paulette Gillies addressed the Committee and expressed concerns with the proposal.

The Delegation was received.

The public meeting was closed.

The recommendations were amended by adding the following sub-section (c):

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

For disposition of this matter, refer to Item 8.

(iv) Application for Amendment to the City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 560 Grays Road (Hamilton and Stoney Creek) (PED19001) (Ward 10) (Item 8.4)

In accordance with the provisions of the *Planning Act*, Chair Pearson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Zoning By-law Amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

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

The staff presentation was received.

John Ariens, IBI Group, agent for the applicant was in attendance and indicated that the applicant is in agreement with the staff report. John Ariens addressed Committee with the aid of a PowerPoint presentation. A copy is available for viewing on the City's website.

The agent's presentation was received.

Delegations

1. Trudy and Bill Moffatt, 584 Gray's Road

Trudy and Bill Moffatt addressed the Committee and expressed concerns with the proposal.

The Delegation was received.

The public meeting was closed.

The recommendations were amended by adding the following sub-section (d):

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

For disposition of this matter, refer to Item 9.

Staff were directed to report back to the Planning Committee on mechanisms to enforce height restrictions and alternative options at a future meeting.

Councillor Pearson assumed the Chair.

(g) GENERAL INFORMATION/OTHER BUSINESS (Item 13)

(i) Outstanding Business List (Item 13.1)

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

Item O - Status of Accessible Taxi Plate Apps (Addressed as Item 7.4 on this agenda)

Item S - Review of Overnight Parking Restrictions on through streets (Addressed as Item 10.2 on the December 11, 2018 agenda)

Item W - Application for Condo Conversion for 115 Main Street East (Addressed as Item 8.4 on the December 11, 2018 agenda)

- (b) The following new due dates were approved:

Item C - OMB Decision re 121 Augusta Street
Current Due Date: January 15, 2019
Proposed New Due Date: April 19, 2019

Item G - Tree Cutting Services By-law
Current Due Date: January 15, 2019
Proposed New Due Date: February 19, 2019

Item I - Policies respecting Boulevard Standards
Current Due Date: February 19, 2019
Proposed New Due Date: March 19, 2019

Item J - Sign Variance Appeal, 430 McNeilly Road
Current Due Date: February 19, 2019
Proposed New Due Date: March 19, 2019

Item EE - Community Consultation re: Creative industries and film productions studios in the Barton & Tiffany lands
Current Due Date: January 15, 2019
Proposed New Due Date: February 19, 2019

Item FF - Update on Statement of Cultural Heritage Value of Interest re: Item 1 of HMHC Report 18-009
Current Due Date: December 11, 2018
Proposed New Due Date: June 18, 2019

Item HH - Cartier Crescent Extension - Information Report
Current Due Date: TBD
Proposed New Due Date: February 2020

(h) PRIVATE AND CONFIDENTIAL (Item 14)

The Committee determined they did not need to move into Closed Session.

- (i) Appeal to LPAT (formerly OMB) for 609 and 615 Hamilton St. N., 3 Nisbet Blvd., 129-137 Truedell Circle (Town Centre) (PL171331) – OPA (UHOPA-17-03), ZBA (ZAC-17-013) and Plan of Subdivision (25T-201702) (LS19005) (Ward 15) (Item 14.1)**

For disposition of the matter refer to Item 10.

(i) ADJOURNMENT (Item 15)

There being no further business, the Planning Committee adjourned at 1:25 p.m.

Respectfully submitted,

Councillor M. Pearson
Chair, Planning Committee

Lisa Chamberlain
Legislative Coordinator
Office of the City Clerk



GENERAL ISSUES COMMITTEE REPORT 19-001

9:30 a.m.

Wednesday, January 16, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

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

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 19-001 AND RESPECTFULLY RECOMMENDS:

1. Correspondence respecting Item 10.7 – Report PED12193(d), Auchmar Estate (Item 5.1):

That the following correspondence, respecting Report PED12193(d), Auchmar Estate, be received and referred to the consideration of Item 10.7:

- (a) Robert Williamson, Friends of Auchmar, Executive Hamilton Mountain Heritage Society
- (b) Dennis Baker
- (c) Diane Dent, on behalf of Friends of Auchmar
- (d) Janice Brown

2. Business Improvement Area Advisory Committee Report 18-010, December 11, 2018 (Item 7.2)

(a) Appointment of Chair and Vice Chair (Item 1)

- (i) That Councillor E. Pauls be appointed as Chair of the Business Improvement Area Advisory Committee; and,

- (ii) That a rotating Vice Chair process, for the Business Improvement Area Advisory Committee, be approved.

3. Downtown Hamilton Business Improvement Area (BIA) Board of Management for 2019 through 2022 (PED19007) (Ward 2) (Item 7.3)

That the following individuals be appointed to the Downtown Hamilton Business Improvement Area (BIA) Board of Management for a four-year term (2019-2022):

- (i) Councillor Jason Farr, Ward 2
- (ii) Evan Apostol
- (iii) Stefanie Bonazza
- (iv) Paul Demarco
- (v) Una Gibbons
- (vi) Lisa LaRocca
- (vii) Andrew Mantecon
- (viii) Jason Morse
- (ix) Constantine Mundo
- (x) Rae Ann Roberts
- (xi) Mark Wu
- (xii) Francis Zanetti

4. Stoney Creek Business Improvement Area (BIA) Board of Management for 2019 through 2022 (PED19013) (Ward 5) (Item 7.4)

That the following individuals be appointed to the Stoney Creek Business Improvement Area (BIA) Board of Management for a four-year term (2019-2022):

- (i) Councillor Chad Collins, Ward 5
- (ii) Richard Clough
- (iii) Sean Kosak
- (iv) Michelle Peters
- (v) Sean Pettitt
- (vi) Sharon Richards
- (vii) Paolo Rispoli
- (viii) Doug Sutherland
- (ix) Mary Terziev-Clifford
- (x) Paul Whatmore

5. Concession Street Business Improvement Area (BIA) Board of Management for 2019 through 2022 (PED19012) (Ward 7) (Item 7.5)

That the following individuals be appointed to the Concession Street Business Improvement Area (BIA) Board of Management for a four-year term (2019-2022):

- (i) Councillor Esther Pauls, Ward 7
- (ii) Julienne Gauthier
- (iii) Alana Travis
- (iv) Jamie McHardy
- (v) James Knott
- (vi) Mike DeVries
- (vii) Eshe Despres
- (viii) William Givens
- (ix) Jeff Schuster
- (x) Alex Chavez

6. Ancaster Village Business Improvement Area (BIA) Board of Management for 2019 through 2022 (PED19010) (Ward 12) (Item 7.6)

That the following individuals be appointed to the Ancaster Village Business Improvement Area (BIA) Board of Management for a four-year term (2019-2022):

- (i) Councillor Lloyd Ferguson, Ward 12
- (ii) Doug Kloet
- (iii) Melissa Sander
- (iv) Jane Steinberg
- (v) Sandra Malpass
- (vi) Milap Bedi
- (vii) Dan Burcher
- (viii) Susan Hoag-Smith
- (ix) Brian Petersen
- (x) Jason Wynne
- (xi) Mary Lou Ciancone

7. Waterdown Village Business Improvement Area (BIA) Board of Management for 2019 through 2022 (PED19019) (Ward 15) (Item 7.7)

That the following individuals be appointed to the Waterdown Village Business Improvement Area (BIA) Board of Management for a four-year term (2019-2022):

- (i) Councillor Judi Partridge, Ward 15
- (ii) Sherine Mansour
- (iii) Gord Manzer
- (iv) Gary Titley

- (v) Paula Thompson
- (vi) Dave Andrews
- (vii) Amanda Groves
- (viii) Drew Paget
- (ix) Shari Stolpman
- (x) Cheri Demenna

8. Fortification and Protective Elements of Land By-law (PED19022) (City Wide) (Item 7.8)

That Report PED19022, respecting the Fortification and Protective Elements of Land By-law, be received.

9. 2017-2018 Our Future Hamilton Annual Report (CM15001(d)) (City Wide) (Item 9.1)

That Report CM15001(d), respecting the 2017-2018 Our Future Hamilton Annual Report, be received.

10. Hamilton Steel Summit Summary (PED19023/CM19001) (City Wide) (Item 9.2)

That Report PED19023/CM19001, respecting the Hamilton Steel Summit Summary, be received.

11. 2018 S&P Global Ratings Credit Review (FCS19008) (City Wide) (Item 10.1)

That Report FCS19008, respecting the 2018 S&P Global Ratings Credit Review, be received.

12. Downtown Hamilton Business Improvement Area (BIA) Proposed Budget and Schedule of Payment for 2019 (PED19005) (Ward 2) (Item 10.2)

- (a) That the 2019 Operating Budget for the Downtown Hamilton Business Improvement Area, attached as Appendix "A" to Report 19-001, in the amount of \$425,000 be approved;
- (b) That the levy portion of the Operating Budget for the Downtown Hamilton Business Improvement Area in the amount of \$375,000 be approved;
- (c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law pursuant to

Section 208, The *Municipal Act, 2001*, to levy the 2019 Budget as referenced in Recommendation (b) of Report PED19005;

(d) That the following schedule of payments for 2019 be approved:

- (i) January \$187,500
- (ii) June \$187,500

13. Stoney Creek Business Improvement Area (BIA) Proposed Budget and Schedule of Payment for 2019 through 2022 (PED19014) (Ward 5) (Item 10.3)

(a) That the 2019 Operating Budget for the Stoney Creek Business Improvement Area, attached as Appendix "B" to Report 19-001, in the amount of \$70,435 be approved;

(b) That the levy portion of the Operating Budget for the Concession Street Business Improvement Area in the amount of \$42,500 be approved;

(c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law pursuant to Section 208, The *Municipal Act, 2001*, to levy the 2019 Budget as referenced in Recommendation (b) of Report PED19014;

(d) That the following schedule of payments for 2019 be approved:

- (i) January \$21,250
- (ii) June \$21,250

14. Concession Street Business Improvement Area (BIA) Proposed Budget and Schedule of Payment for 2019 (PED19009) (Ward 7) (Item 10.4)

(a) That the 2019 Operating Budget for the Concession Street Business Improvement Area, attached as Appendix "C" to Report 19-001, in the amount of \$196,784 be approved;

(b) That the levy portion of the Operating Budget for the Concession Street Business Improvement Area in the amount of \$115,499 be approved;

(c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law pursuant to Section 208, The *Municipal Act, 2001*, to levy the 2019 Budget as referenced in Recommendation (b) of Report PED19009;

(d) That the following schedule of payments for 2019 be approved:

- (i) January \$57,749.50
- (ii) June \$57,749.50

15. Ancaster Village Business Improvement Area (BIA) Proposed Budget and Schedule of Payment for 2019 (PED19006) (Ward 12) (Item 10.5)

- (a) That the 2019 Operating Budget for the Ancaster Village Business Improvement Area, attached as Appendix "D" to Report 19-001, in the amount of \$93,300 be approved;
- (b) That the levy portion of the Operating Budget for the Ancaster Village Business Improvement Area in the amount of \$93,300 be approved;
- (c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law pursuant to Section 208, The *Municipal Act, 2001*, to levy the 2019 Budget as referenced in Recommendation (b) of Report PED19006;
- (d) That the following schedule of payments for 2019 be approved:
 - (i) January \$46,650
 - (ii) June \$46,650

16. Waterdown Village Business Improvement Area (BIA) Proposed Budget and Schedule of Payment for 2019 (PED19018) (Ward 15) (Item 10.6)

- (a) That the 2019 Operating Budget for the Waterdown Village Business Improvement Area, attached as Appendix "E" to Report 19-001, in the amount of \$320,700 be approved;
- (b) That the levy portion of the Operating Budget for the Waterdown Village Business Improvement Area in the amount of \$250 K be approved;
- (c) That the General Manager of Finance and Corporate Services be hereby authorized and directed to prepare the requisite By-law pursuant to Section 208, The *Municipal Act, 2001*, to levy the 2019 Budget as referenced in Recommendation (b) of Report PED19018;
- (d) That the following schedule of payments for 2019 be approved:
 - (i) January \$125 K
 - (ii) June \$125 K

17. Auchmar Estate (PED12193(d)) (Ward 8) (Item 10.7)

That Report PED12193(d), respecting the Auchmar Estate, be received.

18. Sports, Entertainment and Convention Venues Review (PED18168(a)) (City Wide) (Item 10.8)

- (a) That staff be directed to commission an independent third-party study which is to be guided by the Council-Approved Vision set out in the Downtown Secondary Plan, Economic Development Action Plan, Cultural Plan and Hamilton Tourism Strategy, which conducts a needs, opportunities, and gap analysis assessing:
- (i) Hamilton's Sports, Entertainment and Convention Centre facility needs, given the City's size and position within the Southern Ontario marketplace;
 - (ii) Various ownership and review models of ownership divestment of the entertainment facilities, the land, air rights, and include projected increases in the tax base that have succeeded in comparable Municipalities, with a focus on the estimated economic impact and cultural impacts, including but not limited to, both indirect and direct financial benefits each model could potentially provide the City of Hamilton;
 - (iii) What role do the existing FirstOntario Centre, FirstOntario Concert Hall, The Studio, and the Hamilton Convention Centre assets play in meeting Hamilton's Sports, Entertainment and Convention Centre needs moving forward;
 - (iv) Whether there is any added benefit in locating the City's entertainment assets, in the Downtown, in a clustered "precinct" that includes residential and commercial development and how suitable the City's existing entertainment asset sites are for the development of any such facility or facilities;
 - (v) Models of how to best maximize the contributions of private sector partner(s) with the required experience and know-how to execute on the City's preferred model;
 - (vi) How to best engage citizens and community stakeholders in a consultation process; and,
 - (vii) The best process for procuring the development of such entertainment assets and criteria for assessing any unsolicited proposals the City may receive;

- (b) That a contribution to an upset limit of \$200 K from the HEF Capital Reserve No. 100025, be used to fund the analysis outlined in Recommendation (a) in Report PED18168(a); and,
- (c) That staff be directed to report back to the General Issues Committee with the findings of the study outlined in Recommendation (a) in Report PED18168(a) by the end of Q2 2019.

19. Transit Maintenance and Storage Facility – Policy 11 Design Fees (PW19006) (City Wide) (Item 10.9)

- (a) That pursuant to the City's Procurement Policy By-law (Policy 11 – Non-Competitive Procurements), a single source procurement for additional Phase 1 works for the Transit Maintenance and Storage Facility, located adjacent to 330 Wentworth Street, be awarded to the Prime Design Consultant, IBI Group, in the amount of \$2,950,000 and be added to the Purchase Order No. 0000087825 to complete contract C11-57-17 and funded from Public Transit Infrastructure Fund (PTIF) Phase 1 Project ID 5301785701; and,
- (b) That the General Manager of Public Works be authorized to negotiate, enter into and execute all required documentation to give effect thereto with IBI Group, in a form satisfactory to the City Solicitor.

20. Providing Free Museum Visits to Hamilton Public Library Card Holders (Item 11.1)

WHEREAS, museums and libraries are not just repositories of cultural items and information, but are vital educational institutions that can have a profound effect on public discourse and quality of life;

WHEREAS, Hamilton's museums and libraries are an extension of our educational system and offer children and adults opportunities to discover and learn outside of a traditional classroom setting;

WHEREAS, both the City of Hamilton museums and the Hamilton Library want to strengthen our partnership by working closely together thereby strengthening our links to the community and neighbourhoods;

WHEREAS, citizens can gain access to all the educational benefits of Hamilton's libraries through a library card free of charge; and,

WHEREAS, in 2017, 1,500 Hamiltonians visited the City of Hamilton Museums using a museum pass checked out from Hamilton Public Library branches, representing less than 1% of museum earned revenue.

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to conduct a one-year pilot project that allows Hamilton library card holders free general admission (excluding paid special events, booked programs and workshops) to any of the City of Hamilton operated museums (Dundurn National Historic Site, Hamilton Military Museum, Fieldcote Memorial Park and Museum, Griffin House Museum, Whitehern Historic House and Garden, Hamilton Childrens Museum, Battlefield House Museum, and Park and the Hamilton Museum of Steam and Technology); and,
- (b) That staff report back to the General Issues Committee after a period of one year with the outcomes of the pilot project that provides free museum visits with a Hamilton Public Library card.

21. Hosting Grey Cup – November 2020 or 2021 (PED18234(a)) (City Wide) (Item 14.2)

- (a) That, should hosting of the Grey Cup be awarded to the Hamilton Tiger-Cats Football Club for 2020, staff be directed to coordinate with the Hamilton Tiger-Cats Football Club, all requirements for hosting the event including, but not be limited to, logistics and any agreements, contracts and necessary ancillary documents;
- (b) That, should hosting of the Grey Cup be awarded to the Hamilton Tiger-Cats Football Club for 2020, staff be directed to establish a cross-departmental logistics team to oversee logistical planning and coordination of the requirements for the delivery of the 2020 Grey Cup event;
- (c) That the Mayor and City Clerk be authorized and directed to execute all required agreements, contracts and necessary ancillary documents, to give effect to City of Hamilton being the host City of the 2020 Grey Cup, should hosting of the Grey Cup be awarded to the Hamilton Tiger-Cats Football Club, with content acceptable to the Acting Director of Tourism and Culture, Planning and Economic Development Department, and the Director of Energy, Fleet and Facilities Management, Public Works Department, and in a form satisfactory to the City Solicitor;
- (d) That Report PED18234(a), respecting Hosting of the Grey Cup – November 2020 or 2021, including recommendations (b), (c), (e) and (g), as listed in the report, as well as Appendix “A” remain confidential.

22. Public Works Divisional Realignment (PW19007) (City Wide) (Item 14.3)

- (a) That the recommendation as outlined in Appendix "A" to Report PW19007, respecting the Public Works Department Divisional Realignments, be approved, to be effective no later than February 1, 2019; and,
- (b) That Report PW19007, respecting the Public Works Department Divisional Realignments, and its Appendix, not be released as a public document until such time as the appropriate staff have been informed.

23. Collective Bargaining Mandate (HUR19001) (City Wide) (Item 14.4)

That Report HUR19001, respecting the Collective Bargaining Mandate, remain confidential.

24. Acquisition of Industrial Land (PED18176(a)) (Item 14.5)

That the complete Report PED18176(a), respecting the Property Acquisition of 1610 and 1622 Rymal Road East, remain confidential until completion of the real estate transaction.

25. Sports, Entertainment and Convention Venues Review (LS19002/FCS19002) (City Wide) (Item 14.7)

- (a) That Report LS19002/FCS19002, respecting the Sports, Entertainment and Convention Venues Review, be received; and,
- (b) That Report LS19002/FCS19002, respecting the Sports, Entertainment and Convention Venues Review, remain confidential.

26. Potential Regulatory Litigation (PW19008/LS19004) (City Wide) (Item 14.8)

- (a) That Report PW19008/LS19004, respecting Potential Regulatory Litigation, be received; and,
- (b) That Report PW19008/LS19004, respecting Potential Regulatory Litigation, remain confidential.

27. Potential Development and Expansion Proposal at John C Munro Hamilton International Airport (HIA) (City Wide) (PED18200(a)) (Item 14.9)

That the Report PED18200(a), respecting the Potential Development and Expansion Proposal at John C Munro Hamilton International Airport (HIA), and its appendices, remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. COMMUNICATIONS (Item 5)

5.1 Correspondence respecting Item 10.7 – Report PED12193(d), Auchmar Estate:

- (a) Robert Williamson, Friends of Auchmar, Executive Hamilton Mountain Heritage Society
- (b) Dennis Baker
- (c) Diane Dent, on behalf of Friends of Auchmar
- (d) Janice Brown

Recommendation: Be received and referred to the consideration of Item 10.7.

2. DELEGATION REQUESTS (Item 6)

6.4 Cameron Kroetsch, respecting the Motion regarding the Steering Committee that will conduct the hiring of the new City Manager that is listed on the January 23, 2019 Council agenda (For the February 6, 2019 GIC)

As Councillor Wilson has advised that, at the January 23rd meeting of Council, she will be requesting that her motion respecting the Steering Committee that will conduct the hiring of the new City Manager, be referred to the February 6th GIC, Mr. Kroetsch has agreed to change his request to appear for February 6th.

- 6.5 S. Jasper Kujavsky, Golden Horseshoe Enterprises Inc., respecting Item 10.8 – Report PED18168(a), Sports, Entertainment and Convention Venues Review (For the January 16, 2019 GIC)
- 6.6 Robin McKee, Historical Perceptions, respecting Item 10.7 – Report PED12193(a), Auchmar Estate (For the January 16, 2019 GIC)
- 6.7 Karen Bird, Department of Political Science, McMaster University, respecting the Motion regarding the Steering Committee that will conduct the hiring of the new City Manager that is listed on the January 23, 2019 Council agenda (For the February 6, 2019 GIC)

3. MOTIONS (Item 11)

- 11.1 Providing Free Museum Visits to Hamilton Public Library Card Holders
(This Motion was provided in time for the printed agenda; however, it was inadvertently missed.)

4. NOTICES OF MOTION (Item 12)

- 12.1 Ranked Balloting for Municipal Elections

5. PRIVATE & CONFIDENTIAL (Item 14)

- 14.2 Hosting Grey Cup – November 2020 or 2021 (PED18234(a)) (City Wide)

A new report has been provided to Committee for their consideration. Appendix “B” of that report is public and is available on the City’s website.

Report PED18234(a), the recommendations and Appendix “A” are private & confidential at this time.

- 14.6 Update on the Request for Information – Downtown Parking Structure (PED16105(a)) (Ward 2)

Staff have withdrawn the report from the agenda at this time.

**14.9 Potential Development and Expansion Proposal at John C Munro
Hamilton International Airport (HIA) (City Wide) (PED18200(a))**

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

The agenda for the January 6, 2019 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF THE PREVIOUS MEETINGS (Item 4)

(i) September 19, 2018 (Item 4.1)

The Minutes of the September 19, 2018 meeting of the General Issues Committee were approved, as presented.

(ii) December 12, 2018 (Item 4.2)

The Minutes of the December 12, 2018 meeting of the General Issues Committee were approved, as presented.

(iii) December 18, 2018 (Special) (Item 4.3)

The Minutes of the December 18, 2018 meeting of the Special General Issues Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Matt Afinec, President and COO, Hamilton Tiger-Cats, on behalf of Bob Young, Owner of the Hamilton Tiger-Cats Football Club, respecting a Partnership to bring the Grey Cup back to Hamilton (Item 6.1)

The delegation request submitted by Matt Afinec, President and COO, Hamilton Tiger-Cats, on behalf of Bob Young, Owner of the Hamilton Tiger-Cats Football Club, respecting a Partnership to bring the Grey Cup back to Hamilton, was approved to appear at the January 16, 2019 General Issues Committee meeting.

(ii) Randy Ambrosie, Commissioner of the Canadian Football League, respecting the Impact of Hosting the Grey Cup (Item 6.2)

The delegation request submitted by Randy Ambrosie, Commissioner of the Canadian Football League, respecting the Impact of Hosting the Grey Cup, was approved to appear at the January 16, 2019 General Issues Committee meeting.

(iii) Denise Christopherson, YWCA Hamilton, respecting the Establishment of a new Steering Committee for the Recruitment of the City Manager (Item 6.3)

The delegation request submitted by Denise Christopherson, YWCA Hamilton, respecting the Establishment of a new Steering Committee for the Recruitment of the City Manager, was approved to appear at the February 6, 2019 General Issues Committee meeting.

(iv) Cameron Kroetsch, respecting the Motion regarding the Steering Committee that will conduct the hiring of the new City Manager that is listed on the January 23, 2019 Council agenda (Item 6.4)

The delegation request submitted by Cameron Kroetsch, respecting the Motion regarding the Steering Committee that will conduct the hiring of the new City Manager that is listed on the January 23, 2019 Council agenda, was approved to appear at the February 6, 2019 General Issues Committee meeting.

(v) S. Jasper Kujavsky, Golden Horseshoe Enterprises Inc., respecting Item 10.8 – Report PED18168(a), Sports, Entertainment and Convention Venues Review (Item 6.5)

The delegation request submitted by S. Jasper Kujavsky, Golden Horseshoe Enterprises Inc., respecting Item 10.8 – Report PED18168(a), Sports, Entertainment and Convention Venues Review, was approved to appear at the January 16, 2019 General Issues Committee meeting.

(vi) Robin McKee, Historical Perceptions, respecting Item 10.7 – Report PED12193(a), Auchmar Estate (Item 6.6)

The delegation request submitted by Robin McKee, Historical Perceptions, respecting Item 10.7 – Report PED12193(a), Auchmar Estate, was approved to appear at the January 16, 2019 General Issues Committee meeting.

(vii) Karen Bird, Department of Political Science, McMaster University, respecting the Motion regarding the Steering Committee that will conduct the hiring of the new City Manager that is listed on the January 23, 2019 Council agenda (Item 6.7)

The delegation request submitted by Karen Bird, Department of Political Science, McMaster University, respecting the Motion regarding the Steering Committee that will conduct the hiring of the new City Manager that is listed on the January 23, 2019 Council agenda, was approved to appear at the February 6, 2019 General Issues Committee meeting.

(e) CONSENT ITEMS (Items 7)

(i) Arts Advisory Commission Minutes, September 25, 2018 (Item 7.1)

The Arts Advisory Commission Minutes, September 25, 2018, were received.

(f) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) Matt Afinec, President and COO, Hamilton Tiger-Cats, on behalf of Bob Young, Owner of the Hamilton Tiger-Cats Football Club, respecting a Partnership to bring the Grey Cup back to Hamilton (Item 8.1)

Matt Afinec, President and COO, Hamilton Tiger-Cats, addressed Committee respecting a Partnership to bring the Grey Cup back to Hamilton, and provided a video presentation from Mr. Young.

The presentation provided by Matt Afinec, President and COO, Hamilton Tiger-Cats, respecting a Partnership to bring the Grey Cup back to Hamilton, was received.

For disposition of this matter, please refer to Item 21.

(ii) Randy Ambrosie, Commissioner of the Canadian Football League, respecting the Impact of Hosting the Grey Cup (Item 8.2)

Randy Ambrosie, Commissioner of the Canadian Football League, addressed Committee respecting the Impact of Hosting the Grey Cup.

The presentation provided by Randy Ambrosie, Commissioner of the Canadian Football League, respecting the Impact of Hosting the Grey Cup, was received.

For disposition of this matter, please refer to Item 21.

(iii) S. Jasper Kujavsky, Golden Horseshoe Enterprises Inc., respecting Item 10.8 – Report PED18168(a), Sports, Entertainment and Convention Venues Review (Item 8.3)

S. Jasper Kujavsky, Golden Horseshoe Enterprises Inc., addressed Committee respecting Item 10.8 – Report PED18168(a), Sports, Entertainment and Convention Venues Review.

The presentation provided by S. Jasper Kujavsky, Golden Horseshoe Enterprises Inc., respecting Item 10.8 – Report PED18168(a), Sports, Entertainment and Convention Venues Review, was received.

For disposition of this matter, please refer to Items 18 and 25.

(iv) Robin McKee, Historical Perceptions, respecting Item 10.7 – Report PED12193(a), Auchmar Estate (Item 8.4)

Robin McKee, Historical Perceptions, addressed Committee respecting Item 10.7 – Report PED12193(a), Auchmar Estate.

The presentation provided by Robin McKee, Historical Perceptions, respecting Item 10.7 – Report PED12193(a), Auchmar Estate, was received.

For disposition of this matter, please refer to Item 17.

(g) STAFF PRESENTATIONS (Item 9)

(i) 2017-2018 Our Future Hamilton Annual Report (CM15001(d)) (City Wide) (Item 9.1)

John Ariyo, Manager of Community Initiatives, and Cindy Mutch, Senior Project Manager, Community Engagement, addressed Committee and provided a PowerPoint presentation and a video, respecting Report CM15001(d), 2017-2018 Our Future Hamilton Annual Report.

The presentation, respecting Report CM15001(d), 2017-2018 Our Future Hamilton Annual Report, was received.

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

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

(ii) Hamilton Steel Summit Summary (PED19023/CM19001) (City Wide) (Item 9.2)

Glen Norton, Director of Economic Development, addressed Committee, respecting Report PED19023/CM19001, Hamilton Steel Summit Summary, and provided a video presentation.

The presentation respecting PED19023/CM19001, Hamilton Steel Summit Summary, was received.

For disposition of this matter, please refer to Item 10.

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

(h) DISCUSSION ITEMS (Item 10)

(i) Sports, Entertainment and Convention Venues Review (PED18168(a)) (City Wide) (Item 10.8)

Sub-section (a)(iv), to Report PED18168(a), respecting the Sports, Entertainment and Convention Venues Review, was amended by adding the words "in the Downtown", to read as follows:

- (a) That staff be directed to commission an independent third-party study which is to be guided by the Council-Approved Vision set out in the Downtown Secondary Plan, Economic Development Action

Plan, Cultural Plan and Hamilton Tourism Strategy, which conducts a needs, opportunities, and gap analysis assessing:

- (iv) Whether there is any added benefit in locating the City's entertainment assets, ***in the Downtown***, in a clustered "precinct" that includes residential and commercial development and how suitable the City's existing entertainment asset sites are for the development of any such facility or facilities;

Sub-section (a)(ii), to Report PED18168(a), respecting the Sports, Entertainment and Convention Venues Review, was amended by deleting the words "operating models" and by adding the words "***review models of ownership divestment of the entertainment facilities, the land, air rights, and include projected increases in the tax base***"

- (a) That staff be directed to commission an independent third-party study which is to be guided by the Council-Approved Vision set out in the Downtown Secondary Plan, Economic Development Action Plan, Cultural Plan and Hamilton Tourism Strategy, which conducts a needs, opportunities, and gap analysis assessing:
 - (ii) Various ownership and ~~operating models~~ ***review models of ownership divestment of the entertainment facilities, the land, air rights, and include projected increases in the tax base*** that have succeeded in comparable Municipalities, with a focus on the estimated economic impact and cultural impacts, including but not limited to, both indirect and direct financial benefits each model could potentially provide the City of Hamilton;

For disposition of this matter, please refer to Item 18.

(i) **NOTICES OF MOTION (Item 12)**

Councillor J. Farr introduced the following Notice of Motion:

(i) **Ranked Balloting for Municipal Elections (Item 12.1)**

WHEREAS, ranked ballot elections have been successfully used in Canadian elections, as with the London Ontario 2018 municipal election, and leadership races for Provincial and Federal parties;

WHEREAS, ranked ballot elections are in use globally at various levels of government in Australia, India, Ireland, Malta, New Zealand, Northern

Ireland, Pakistan, Republic of Ireland, Scotland, Sri Lanka, United Kingdom, United States of America, and Nepal;

WHEREAS, the candidate with the broadest support and the most votes will win, and a candidate who is opposed by a majority of voters cannot win in elections that use ranked ballots;

WHEREAS, ranked ballot elections eliminate “vote splitting”; wherein two or more candidates with similar platforms “split” a finite base of support. With ranked ballot elections, voters are able to vote for who they want to win rather than voting strategically against who they want to lose;

WHEREAS, the ranking of candidates on the ballot ensures that votes are not “wasted”, rather, if the voter’s first choice is eliminated their vote will transfer to their second choice and so on until a winner is selected; and,

WHEREAS, a study done in Portland, Oregon after implementation of ranked ballots in 2011 found that voters were not confused by a ranked ballot; 94% of voters said that they “Fully Understood” the ballot design and instructions;

THEREFORE, BE IT RESOLVED:

That the appropriate staff report back to General Issues Committee on the feasibility of adopting ranked ballots (including all associated costs) for future Hamilton Municipal Elections, beginning in 2022.

(j) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

13.1 Amendments to the Outstanding Business List:

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

(a) Items to be removed:

- (i) Feasibility of Amending the CCTV By-law to Permit the Use of Footage from Camera’s located on Private Property (Addressed as Item 7.8 on today’s agenda – Report PED19022)
- (ii) Hamilton Steel Summit (Addressed as Item 9.2 on today’s agenda – Report PED19023/CM19001)

- (iii) Hosting Grey Cup – November 2020 or 2021 (Addressed as Item 14.2 on today's agenda – Report PED18234(a))
- (iv) Update on Request for Information – Downtown Parking Structure (Addressed as item 14.6 on today's agenda – Report PED16105(a))
- (v) Sports, Entertainment and Convention Venues (Addressed as Items 10.8 and 14.7 on today's agenda – Reports PE18168(a) and LS19002/FCS19002)
- (vi) Hamilton Waterfront Trust – Mandate and Governance (Addressed as Item 8.6 on the September 19, 2018 GIC Agenda – Report CM18017)

(k) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – December 12, 2018 (Item 14.1)

- (a) The Closed Session Minutes of the December 12, 2018 General Issues Committee meeting, were approved as presented; and,
- (b) The Closed Session Minutes of the December 12, 2018 General Issues Committee meeting, shall remain confidential.

Committee moved into Closed Session, respecting Items 14.2 (pursuant to subsection (f) only), 14.3 to 14.5 and 14.7 to 14.9, pursuant to Section 8.1, Sub-sections (c), (d), (e), (f), and (k) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (c), (d), (e), (f), and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land for City purposes; labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the City; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Committee moved into Closed Session a second time, respecting Item 14.2, pursuant to Section 8.1, Sub-sections (f), (j) and (k) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (f), (j) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has

monetary value or potential monetary value; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

(ii) Hosting Grey Cup – November 2020 or 2021 (PED18234(a)) (City Wide) (Item 14.2)

Staff were provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 21

(iii) Collective Bargaining Mandate (HUR19001) (City Wide) (Item 14.4)

Staff were provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 23.

(iv) Acquisition of Industrial Land (PED18176(a)) (Item 14.5)

Staff were provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 24.

(v) Potential Regulatory Litigation (PW19008/LS19004) (City Wide) (Item 14.8)

Staff were provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 26.

(I) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee adjourned at 7:35 p.m.

Respectfully submitted,

S. Merulla, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk

**DOWNTOWN HAMILTON
BUSINESS IMPROVEMENT AREA (BIA)
PROPOSED 2019 OPERATING BUDGET**

Revenue	
BIA Levy	\$375,000
Other Income	\$50,000
Total Revenues	\$425,000
Expenses	
<i>Office Expenses</i>	
Professional Fees	\$3,400
Telephone	\$3,500
Levy Appeals	\$17,000
Rent	\$35,000
Meetings	\$6,000
Memberships	\$1,000
Salaries/Benefits	\$162,000
Office Expenses	\$5,000
Insurance	\$12,000
Amortization	\$12,000
Other – Bank Charges/Bad Debts	\$500
<i>Special Events/Promotions</i>	
Events and Promotions	\$125,000
<i>Beautification</i>	
Beautification	\$42,600
Total Expenses	\$425,000

**STONEY CREEK
BUSINESS IMPROVEMENT AREA (BIA)
PROPOSED 2019 OPERATING BUDGET**

Revenue	
BIA Levy	\$42,500
Opening Bank Balance	\$7,500
HST Refund	\$3,935
Accounts Receivable	\$1,000
Sponsorship/Grants	\$12,500
City Enrichment Fund	\$3,000
Total Revenues	\$70,435
Expenses	
<i>Streetscape</i>	
Banner Installation	\$3,750
Planters	\$1,500
0Christmas Wreath Installation	\$4,300
<i>Promotion</i>	
Web Page Hosting	\$200
Santa Claus Parade	\$500
<i>Administration</i>	
Executive Director	\$18,000
Meeting Expenses	\$400
Office Supplies	\$350
Liability Insurance	\$1,450
OBIAA Membership	\$220
Bank Charges	\$60
Audit Fees	\$400
<i>Events</i>	
Strawberry/Folkfest	\$8,000
Pumpkin Fest	\$8,000
Stoney Creek Sparkles	\$3,000
Stoney Creek Summer Concert Series	\$4,000
Other Events	\$3,305
Stoney Creek Jazz on King	\$3,000
<i>Reserve Fund</i>	\$10,000
Total Expenses	\$70,435

**CONCESSION STREET
BUSINESS IMPROVEMENT AREA (BIA)
PROPOSED 2019 OPERATING BUDGET**

Revenue	
BIA Levy	\$115,499
Contingency Funds	
Deferred 2018 Shared Parking Funds	\$16,099
HST Refund	\$4,000
Carryover Streetfest 2018	\$3,685
Carryover Sidewalk Sounds 2018	\$2,501
Carryover 2018 Bank Balance	\$55,000
Total Revenues	\$196,784
Expenses	
Operations	
Administrative Support	\$1,200
Website/Tech/Cell Phone	\$2,100
Rent	\$7,413
Insurance (Director Liability)	\$4,900
Acct/Auditor	\$1,800
Utilities (Hydro)	\$1,100
Payroll	
Admin (50%)	\$21,190
Marketing (35%)	\$14,833
Beautification (15%)	\$6,357
Marketing	
Advertising/Promotion	\$17,500
Sidewalk Sounds	\$7,000
Streetfest	\$8,500
Winter Solstice	\$2,000
Fallfest	\$2,000
Easter Celebration	\$500
Beautification	
City Flower Contract	\$4,906
Banners	\$6,000
Street Cleaning	\$200
Christmas Planters	\$3,000
On-Street Patio	\$3,000
Contingency (from non-BIA Revenue)	\$81,285
Total Expenses	\$196,784

**ANCASTER VILLAGE
BUSINESS IMPROVEMENT AREA (BIA)
PROPOSED 2019 OPERATING BUDGET**

Revenue	
BIA Levy	\$93,300
Total Revenues	\$93,300
Expenses	
BIA Contingency	\$4,300
Admin Services	\$40,000
Aesthetics	\$9,000
Marketing	\$20,000
Events	\$20,000
Total Expenses	\$93,300

WATERDOWN VILLAGE BUSINESS IMPROVEMENT AREA (BIA) PROPOSED 2019 OPERATING BUDGET

Revenue	
BIA Levy	\$250,000
Vendor Fees	\$22,000
Grants	\$10,000
Transfer from Surplus	\$28,200
Other (ticket sales, fees, City contributions)	\$500
Marketing Reserve Contribution	\$10,000
Total Revenues	\$320,700
Expenses	
Administration and Operations	\$138,550
Beautification	\$71,200
Farmers' Market	\$30,500
Events and Promotions	\$26,250
Marketing and Advertising	\$44,500
Member Engagement	\$2,500
Non-Refundable 22% of PST	\$3,500
Property Tax Adjustments	\$3,700
Total Expenses	\$320,700



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 19-001

9:30 a.m.

January 17, 2019

Council Chambers

Hamilton City Hall

Present: Councillors C. Collins (Chair), M. Wilson (Vice-Chair), B. Johnson, M. Pearson, L. Ferguson, J. Partridge, and B. Clark

Absent with

Regrets: Councillor A. VanderBeek – City Business

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 19-001 AND RESPECTFULLY RECOMMENDS:

1. OMERS Plan Changes Approved by Sponsors Corporation (FCS19004) (City Wide) (Item 7.1)

That Report FCS19004, respecting OMERS Plan Changes Approved by Sponsors Corporation, be received.

2. 2019 Interim Levy and Temporary Borrowing By-Laws (FCS19003) (City Wide) (Item 7.2)

(a) That Appendix “A” attached to the Audit, Finance & Administration Report 19-001, being a “By-law to Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues for 2019”, be passed; and,

(b) That Appendix “B” attached to the Audit, Finance & Administration Report 19-001 being a “By-law to Authorize an Interim Tax Levy for 2019”, be passed.

3. Whistleblower, Fraud & Waste Information Update for Q3 & Q4 2018 (AUD19001) (City Wide) (Item 7.3)

That Report AUD19001, respecting the Whistleblower, Fraud & Waste Information Update for Q3 & Q4 2018, be received.

4. 2018 City of Hamilton External Audit Plan (FCS19005) (City Wide) (Item 10.1)

That Appendix "A" attached to Report FCS19005 respecting the 2018 City of Hamilton External Audit Planning prepared by KPMG, be received.

5. HMRF/HWRF Pension Administration Sub-Committee Report 18-001 (Item 10.2)

(a) Appointment of Chair and Vice-Chair (Item 1)

- (i) That Councillor M. Pearson be appointed as Chair for the 2018 – 2022 term;
- (ii) That Don Skarratt (HMRF Member) be appointed as Co-Vice Chair for the 2018 – 2022 term; and,
- (iii) That Jim Garchinski (HWRF Member) be appointed as Co-Vice Chair for the 2018 – 2022 term.

(b) Hamilton Municipal Retirement Fund (HMRF) December 31, 2017 Valuation (FCS18092) (City Wide) (Item 9.1)

That the December 31, 2017 actuarial valuation for the Hamilton Municipal Retirement Fund (HMRF) attached as Appendix "A" to Report FCS18092, be received.

(c) Master Trust Pension Investment Performance Report as at December 31, 2017 (FCS17088(a)) (City Wide) (Item 10.1)

That Report FCS17088(a) respecting the Master Trust Pension Investment Performance Report as at December 31, 2017, be received.

(d) Master Trust Pension Investment Performance Report as at June 30, 2018 (FCS18091) (City Wide) (Item 10.2)

That Report FCS18091 respecting the Master Trust Pension Investment Performance Report as at June 30, 2018, be received.

(e) 2018 Master Trust Pension Statement of Investment Policies and Procedures (FCS18090) (City Wide) (Item 10.3)

- (i) That the 2017 Master Trust Statement of Investment Policies and Procedures be deleted and replaced with the 2018 Master Trust Statement of Investment Policies and Procedures, attached as Appendix "C" to the Audit, Finance & Administration Report 19-001; and,
- (ii) That the 2018 Master Trust Statement of Investment Policies and Procedures, attached as Appendix "C" to the Audit, Finance & **COUNCIL – January 23, 2019**

Administration Report 19-001, be forwarded to the Hamilton Street Railway Pension Advisory Committee for their information.

(f) HMRF/HWRF/HSR Pension Plan Possible Transfer to OMERS (FCS18093) (City Wide) (Item 10.4)

That staff be directed to investigate a possible transfer of the City of Hamilton's (City) three legacy pension plans to Ontario Municipal Employees Retirement System (OMERS):

- (i) Hamilton Municipal Retirement Fund (HMRF);
- (ii) Hamilton Wentworth Retirement Fund (HWRF); and
- (iii) Hamilton Street Railway Pension Plan (HSR).

(g) Hamilton Municipal Retirement Fund Plan Text Amendment (FCS18084) (City Wide) (Item 10.5)

- (i) That the Treasurer be authorized and directed to file the amendment to Section 4.01 to the Hamilton Municipal Retirement Fund (HMRF), per Appendix 'D' to the Audit, Finance & Administration Report 19-001 with the applicable government agencies; and,
- (ii) That the City Solicitor be authorized and directed to prepare any necessary amendments to the HMRF or prepare any necessary by-law amendments to facilitate the direction given in sub-section (a).

6. Commercial Relationship Between the City of Hamilton and Century Group Inc. (FCS18100 / LS18060) (City Wide) (Item 14.2)

- (d) That recommendations (a), (b) and (c) be released publicly following approval by Council; and,
- (e) That the contents of Report FCS18100 / LS18060, respecting the Commercial Relationship Between the City of Hamilton and Century Group Inc., remain confidential.

7. Impact of Bill 148 on Service Contracts (LS18009(c) / FCS18001(c)) (City Wide) (Item 14.2)

That the contents of Report LS18009(c) / FCS18001(c), respecting the Impact of Bill 148 on Service Contracts, remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

1. DELEGATION REQUESTS - WITHDRAWN

6.1 Viv Saunders, respecting Ward Specific Funding Initiatives (For today's meeting)

The agenda for the January 17, 2019 Audit, Finance and Administration Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) December 17, 2018 (Item 4.1)

The Minutes of the December 17, 2018 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Eric Zvaniga, Century Group Inc., respecting the Commercial Relationship Discussion (Item 14.2 on today's agenda) (For today's meeting) (Item 6.2)

The delegation request from Eric Zvaniga, Century Group Inc., respecting the Commercial Relationship Discussion, was approved for today's meeting.

(ii) Vince Dipietro, Angelica Homes, respecting a rental property's water bill (For a future meeting) (Item 6.3)

The delegation request from Vince Dipietro, Angelica Homes, respecting a rental property's water bill, was approved for a future meeting.

(e) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) Eric Zvaniga, Century Group Inc., respecting the Commercial Relationship Discussion (Item 14.2 on today's agenda) (Added Item 8.1)

Eric Zvaniga, Century Group Inc., addressed the Committee respecting the commercial relationship between the City of Hamilton and Century Group Inc. A copy of the speaking notes have been included in the official record.

The delegation from Eric Zvaniga, Century Group Inc., respecting the commercial relationship between the City of Hamilton and Century Group Inc., was received.

A copy of the speaking notes are available on the City's website or through the Office of the City Clerk.

(f) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – December 17, 2018 (Item 14.1)

- (a) The Closed Session Minutes of the December 17, 2018 Audit, Finance and Administration meeting, were approved as presented; and
- (b) The Closed Session Minutes of the December 17, 2018 Audit, Finance and Administration meeting, remain confidential.

The Committee moved into Closed Session respecting Items 14.2 & 14.3, pursuant to Section 8.1, Sub-sections (e), (f), (i) and (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (e), (f), (i) and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor/client privileges, including communications necessary for that purpose; a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

(ii) Commercial Relationship Between the City of Hamilton and Century Group Inc. (FCS18100 / LS18060) (City Wide) (Item 14.2)

Staff were provided with direction in Closed Session.

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

(iii) Impact of Bill 148 on Service Contracts (LS18009(c) / FCS18001(c)) (City Wide) (Item 14.3)

Staff were provided with direction in Closed Session.

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

(g) ADJOURNMENT (Item 15)

There being no further business, the Audit, Finance and Administration Committee, adjourned at 11:50 a.m.

Respectfully submitted,

Councillor Collins, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

Authority:

Bill No.

CITY OF HAMILTON

BY-LAW NO.

To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues for 2019

WHEREAS the Council for the City of Hamilton deems it necessary to pass and enact a by-law to authorize the temporary borrowing of monies by the City to meet current budget expenditures for the year 2019 pending receipt of current revenues;

AND WHEREAS section 407(1) of the Municipal Act, 2001, provides as follows:

"At any time during a fiscal year, a municipality may authorize temporary borrowing, until the taxes are collected, and other revenues are received, of the amounts that the municipality considers necessary to meet the expenses of the municipality for the year and of the amounts, whether or not they are expenses for the year, that the municipality requires in the year"

AND WHEREAS Section 407(2) of the Municipal Act, 2001, imposes certain limitations on the amounts that may be borrowed at any one time.

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

1. (a) The City of Hamilton is hereby authorized to borrow from a Bank or person by way of Promissory Notes or Bankers Acceptances from time to time a sum or sums of monies not exceeding at any one time the amounts specified in subsection (2) of the Municipal Act, 2001 to pay off temporary bank overdrafts for the current expenditures of the City for the year 2019, including amounts for sinking funds, principal and interest falling due within such fiscal year and the sums required by law to provide for the purposes of the City.
- (b) The amount of monies that may be borrowed at any one time for the purposes of subsection (1) of the Municipal Act, 2001, together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed the prescribed percentages of the total of the estimated revenues of the City as set forth in

the estimates adopted for the year, which percentages are set out in section 407 of the Municipal Act, 2001 as it may be amended from time to time.

2. (a) Until estimates of revenue of the City for the 2019 year are adopted, borrowing shall be limited to the estimated revenues of the City as set forth in estimates adopted for the next preceding year.

(b) The total estimated revenues of the City, including the amounts levied for Education purposes, adopted for the year 2019 are One Billion, Nine Hundred Million Dollars (\$1,900,000,000).
3. All sums borrowed pursuant to the authority of this By-law, together with any and all similar borrowings in the current year and in previous years that have not been repaid shall, together with interest thereon, be a charge upon the whole of the revenues of the City for the current year and for all preceding years, as and when such revenues are collected or received.
4. The Treasurer shall, and is hereby authorized and directed to, apply in payment of all sums borrowed pursuant to this By-law, together with interest thereon, all of the monies thereafter collected or received for the current and preceding years, either on account or realized in respect of taxes levied for the current year and preceding years or from any other sources which may lawfully be applied for such purpose.
5. That the Mayor and failing such person, the Deputy Mayor of the City Council and failing such person, the City Manager, together with the Treasurer or any one of the Temporary Acting Treasurers be authorized and directed to sign and execute the aforesaid Promissory Notes and Bankers Acceptances, hypothecations, agreements and such other documents, writings and papers which shall give effect to the foregoing.
6. This By-law shall come into force and effect on the 1st day of January 2019 and shall remain in force and effect until December 31, 2019.

PASSED and ENACTED this day of , 2019 A.D.

MAYOR

CITY CLERK

Authority:

BILL NO.

CITY OF HAMILTON

BY-LAW NO.

To Authorize an Interim Tax Levy for 2019

WHEREAS the Council for the City of Hamilton deems it necessary to pass a by-law to levy on the whole of the assessment for each property class in the local municipality rateable for a local municipality purpose, a sum not to exceed that which would be produced by applying the prescribed percentage (or 50 percent if no percentage is otherwise prescribed) of the total amounts billed to each property for all purposes in the previous year on the properties that, in the current year, are in the property class as provided for in Section 317 of the Municipal Act, 2001;

AND WHEREAS Section 317 of the Municipal Act, 2001, also authorizes a Municipal Council, by by-law, to adjust the interim taxes on a property if the Council is of the opinion that the Interim Levy on a property is too high or too low in relation to its estimate of the total taxes which will be levied on the property in 2019;

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

1. The interim tax levies shall be levied and collected upon the whole of the rateable property categories in columns 1 and 2, shown below:

Column 1

Column 2

Class	Class Code
Residential	RT
Farmlands Awaiting Development	C1/R1/M1
Multi-Residential	MT
New Multi-Residential	NT
Residual Commercial	CT/DT
New Residual Commercial	XT/YT
Residual Commercial Vacant Unit	CU/DU
New Residual Commercial Vacant Unit	XU/YU
Shopping Centre	ST
New Shopping Centre	ZT
Shopping Centre Vacant Unit	SU
New Shopping Centre Vacant Unit	ZU
Parking and Vacant Commercial Land	GT/CX
Residual Industrial	IT
New Residual Industrial	JT

Residual Industrial Vacant Unit/Land	IU/IX
New Residual Industrial Vacant Unit	JU/JX
New Construction Large Industrial	KT
New Construction Large Industrial Vacant Unit	KU
Large Industrial	LT
Large Industrial Vacant Unit	LU
Landfills	HT
Pipeline	PT
Farmland	FT
Managed Forest	TT
Rail Right of Way	WT CN
Rail Right of Way	WT CP
Utility Right of Way	UT
Shortline Railway Right-of-Way	BT

2. The interim tax levy shall become due and payable in two installments as allowed under Section 342(1)(a) of the *Municipal Act, 2001*, as follows:

Fifty percent of the interim levy, rounded, shall become due and payable on the 28th day of February 2019 and the balance of the interim levy shall become due and payable on the 30th day of April, 2019 and non-payment of the amounts due on the dates stated, in accordance with this section, shall constitute default.

3. That when payment of any instalment or any part of any instalment of taxes levied by this by-law is in default, penalties and where applicable interest, shall be imposed respectively in accordance with City of Hamilton policies.
4. Section 342(1) (b) of the *Municipal Act, 2001* allows for alternative instalment due dates to spread the payment of taxes more evenly over the year. Therefore, the interim tax levy for those on a 12-month pre-authorized automatic withdrawal payment plan shall be paid in 6 equal installments due and payable on or after the first or fifteenth day of each month January to June, inclusive. For those on the 10-month pre-authorized automatic withdrawal payment plan, the interim levy shall be paid in 5 equal installments due and payable on or after the first day of each month February to June, inclusive. The pre-authorized payment plans shall be penalty and interest free for as long as the taxpayer is in good standing with the terms of the plan agreements.
5. The interim tax levy rates shall also apply to any property added to the assessment roll after this by-law is enacted.
6. This by-law shall come into force and effect on the 1st day of January 2019.

PASSED and ENACTED this day of , 2019 A.D.

MAYOR

CITY CLERK

Statement of Investment Policies and Procedures

City of Hamilton Defined Benefit Pension Plans Master Trust

December 2018

APPROVED on this day of December, 2018

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Section 1—Overview

1.01 Purpose of Statement

This Statement of Investment Policies and Procedures (the “Policy” or “Master Trust SIPP”) provides the framework for the investment of the assets of the City of Hamilton Defined Benefit Pension Plans Master Trust (the “Master Trust”).

This Policy is based on the “prudent person portfolio approach” to ensure the prudent investment and administration of the assets of the Master Trust are within the parameters set out in the *Pension Benefits Act*, (Ontario) and the Regulations thereunder.

1.02 Background of the Master Trust

The inception date of the Master Trust is November 1, 1999, when three defined benefit pension plans, the “Plans”, (the Hamilton Municipal Retirement Fund (Registration number 0275123), the Hamilton Street Railway Pension Plan (1994) (Registration number 0253344), and the Hamilton Wentworth Retirement Fund (Registration number 1073352)) invested in units of the Master Trust. The portfolio of assets in the Master Trust is referred to as “the Fund”. These Plans hold units of the Master Trust and share, on a pro-rata basis, in all income, expenses and capital gains and losses of the Master Trust.

For reference purposes, the details of the Statement of Investment Policies and Procedures for each of the above mentioned Plans participating in the Master Trust have been attached to Appendix A of this Policy.

1.03 Objective of the Plan

The objective of the Plans is to provide members of the Plans with retirement benefits prescribed under the terms thereof.

1.04 Investment and Risk Philosophy

The primary investment objective is to provide an economic return on assets sufficient to fund Plan liabilities over the long-term, while adhering to prudent investment practices.

The investment philosophies and strategies must take into account both return and risk objectives of the Plans and the City of Hamilton (the “City”).

In recognition of the risk and return objectives of the Plans and the City, an initial asset allocation policy was developed by the Investment Consultant in consultation with both the Chief Investments Officer and the Treasurer of the City (the “Treasurer”) based on the Plans’ current (at that time) funded status and the characteristics of the Plans and City. It is recognized, however, that the Plans’ return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plans’ funded statuses improve.

1.05 Administration

The General Manager of Finance and Corporate Services for the City ("General Manager of Finance and Corporate Services") is the designated contact person at the City for administrative purposes.

Section 2—Asset Mix and Diversification Policy

2.01 Master Trust Return Expectations

Each of the investment managers appointed to invest the assets of the Master Trust (the “Investment Managers”) is directed to achieve a satisfactory long-term real rate of return through a diversified portfolio, consistent with acceptable risks, performance objectives and prudent management.

In order to achieve their long-term investment goals, the Plans must invest in assets that have uncertain returns, such as Canadian equities, foreign equities and bonds. However, the City attempts to reduce the overall level of risk by diversifying the asset classes and further diversifying within each individual asset class. Based on historical data and reasonable expectations for future returns, the City believes that a diversified portfolio of Canadian equities, nominal bonds, real return bonds and foreign equities will likely outperform over the long term.

The overall goal of this Policy is to maximize the return of the Fund while bearing a reasonable level of risk relative to the liabilities in order to ensure the solvency of the Fund over time. The assets of the Plans are sufficiently liquid to make payments which may become due from the Plans. The weights applied to each of the asset classes are based on the targets in the initial asset allocation outlined in Section 2.03 and adjusted based on the target allocation in the Dynamic Investment Policy Schedule in Section 2.03.

2.02 Expected Volatility

The volatility of the Master Trust is directly related to its asset mix, specifically, the balance between Canadian bonds, Canadian equities and foreign equities. Since the Investment Managers do not have the authority to make any type of leveraged investment on behalf of the Master Trust, the volatility of the Master Trust should be similar to the volatility of the Benchmark Portfolio set out in Section 4.02 (Performance Measurement).

2.03 Asset Mix

(a) In order to achieve the long-term objective within the risk/return considerations described in Section 1.04, the following asset mix policy (Benchmark Portfolio) and ranges were selected for the initial asset allocation:

Assets	Minimum %	Initial Target Weight %	Maximum %	Asset Category
Canadian Equity	25	30	35	Return-Seeking
Global Equity	25	30	35	Return-Seeking
Total Equities	50	60	70	Return-Seeking
Fixed Income	30	40	50	Liability-Hedging

For purpose of the total asset mix described above, the Investment Managers' asset class pooled funds are deemed to be 100% invested, even though these funds may contain a portion held in cash and cash equivalent instruments.

The Plan's target asset allocation for each investment category listed in subsection 76(12) of the Regulation 909 to the Pension Benefits Act (Ontario) is as follows:

Investment Category under subsection 76(12) of Regulation 909	Target Asset Allocation	Accessed through mutual or pooled or segregated funds
1. Insured Contracts	0.0%	-
2. Mutual or pooled funds or segregated funds	N/A	-
3. Demand deposits and cash on hand	0.0%	-
4. Short-term notes and treasury bills	0.0%	-
5. Term Deposits and guaranteed investment certificates	0.0%	-
6. Mortgage Loans	0.0%	-
7. Real Estate	0.0%	-
8. Real Estate Debentures	0.0%	-
9. Resource properties	0.0%	-
10. Venture Capital	0.0%	-
11. Corporations referred to in subsection 11(2) of Schedule III to the federal investment regs	0.0%	-
12. Employer issued securities	0.0%	-
13. Canadian stocks other than investments referred to in 1 to 12 above	30.0%	Yes
14. Non-Canadian stocks other than investments referred to in 1 to 12 above	30.0%	Yes
15. Canadian bonds and debentures other than investments referred to in 1 to 12 above	40.0%	Yes
16. Non-Canadian bonds and debentures other than investments referred to in 1 to 12 above	0.0%	-
17. Investments other than investments referred to in 1 to 16 above	0.0%	-

For inclusion within a fixed income investment category in the above table, the minimum ratings for target asset allocations of fixed income assets are outlined below. This framework is used to inform whether the target asset allocation to an investment category qualifies as fixed income for purposes of calculating the Provision for Adverse Deviations (PfAD) as defined under Regulation 909.

Credit Rating Agency	Rating – Bond Market Securities	Rating – Money Market Securities
DBRS	BBB	R-2 (middle)
Fitch Ratings	BBB-	F-3
Moody's Investors Services	Baa3	P-3
Standard & Poor's	BBB-	A-3

- (b) **Return-Seeking Assets:** These assets generally will consist of all non-fixed income investments, such as equities and alternatives, with a main focus on price appreciation with generally higher expected long-term returns.
- (c) **Liability-Hedging Assets:** These assets generally will be fixed-income investments, such as bonds, with similar duration characteristics as the pension liabilities (i.e., these assets generally behave like pension liabilities). Since these assets focus mainly on current income, their expected long-term returns will generally be lower than return-seeking assets.
- (d) **Sub-Allocations and Rebalancing Ranges:** The sub-allocations and rebalancing ranges within the return-seeking portfolio will be reviewed from time to time as the total return-seeking allocation changes due to the Dynamic Investment Policy Schedule below. The rebalancing ranges for the total return-seeking assets and liability-hedging assets (fixed income) are also determined by the Dynamic Investment Policy Schedule below.

(e) In recognition of the risk and return objectives of the Plans and the City, an initial asset allocation policy was developed by the Investment Consultant in consultation with both the Chief Investments Officer and the Treasurer based on the Plans’ current (at that time) funded status and the characteristics of the Plans and City. It is recognized, however, that the Plans’ return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plans’ funded statuses improve.

Based on an assessment of the Plans’ long-term goals and desired risk levels, the HMRF/HWRF Pension Administration Sub-Committee (following advice from the Investment Consultant) recommended to City Council a “Dynamic Investment Policy” which was subsequently approved by City Council. The Dynamic Investment Policy was developed by the Investment Consultant in consultation with the Chief Investments Officer and the Treasurer, and is based on the 2010 Dynamic Investment Policy Study which was conducted by the Investment Consultant.

The Dynamic Investment Policy dynamically adjusts the allocation to return-seeking assets and liability-hedging assets as the Plans’ funded statuses improve. Funded status may change due to any combination of investment returns, contributions, benefit payments, fund expenses, and changes to liabilities (including discount rate changes).

This Policy is based on the results of the 2010 Dynamic Investment Policy Study and the Dynamic Investment Policy Schedule is as follows:

Funded Ratio ^{1 2}	Return -Seeking Allocation		
	Minimum	Target	Maximum
<65%	50%	60%	70%
65%	50%	60%	70%
66%	50%	60%	70%
67%	50%	60%	70%
68%	50%	60%	70%
69%	50%	60%	70%
70%	50%	60%	70%
71%	49%	59%	69%
72%	47%	57%	67%
73%	46%	56%	66%
74%	44%	54%	64%
75%	43%	53%	63%
76%	41%	51%	61%
77%	40%	50%	60%
78%	38%	48%	58%
79%	37%	47%	57%
80%	35%	45%	55%
81%	34%	44%	54%
82%	32%	42%	52%
83%	31%	41%	51%

Return -Seeking Allocation			
Funded Ratio ^{1 2}	Minimum	Target	Maximum
84%	29%	39%	49%
85%	28%	38%	48%
86%	26%	36%	46%
87%	25%	35%	45%
88%	23%	33%	43%
89%	22%	32%	42%
90%	20%	30%	40%
91%	19%	29%	39%
92%	17%	27%	37%
93%	16%	26%	36%
94%	14%	24%	34%
95%	13%	23%	33%
96%	11%	21%	31%
97%	10%	20%	30%
98%	8%	18%	28%
99%	7%	17%	27%
100%	5%	15%	25%
>100%	5%	15%	25%

¹ Funded ratio defined on a Wind-up basis.

² Funded ratio will change based on any combination of investment returns, contributions, benefits payments, expenses and changes in liabilities.

Sub-Allocations: The sub-allocations within the liability hedging and return seeking categories will be drawn down approximately based on the table below. However, allocations to illiquid assets may be adjusted at a slower rate. Sub-allocations should be within 5% of their targets. The sub-allocations will be adjusted proportionately when the return-seeking allocation is between the levels listed in the table below.

	Return Seeking		Liability Hedging	
	Canadian Equity	Global Equity	Long-Term Bonds	Real Return Bonds
15% return seeking	8%	7%	11%	74%
20% return seeking	10%	10%	12%	68%
25% return seeking	13%	12%	14%	61%
30% return seeking	15%	15%	15%	55%
35% return seeking	18%	17%	17%	48%
40% return seeking	20%	20%	18%	42%
45% return seeking	23%	22%	20%	35%
50% return seeking	25%	25%	21%	29%
55% return seeking	28%	27%	23%	22%
60% return seeking	30%	30%	25%	15%

Duration Strategy: Based on the Dynamic Investment Policy Study completed in 2010, the portfolio interest rate dollar duration will increase as the funded status improves and the allocation to liability hedging assets increases. Interest rate derivatives may be used on either a strategic or opportunistic basis to mitigate risk by increasing the hedge ratio up to 100%. This will be at the discretion of the Administrator and based on the duration of the Plan's liabilities.

Rebalancing and Monitoring: A systematic rebalancing procedure will be utilized to ensure that the asset allocation of the Fund stays within the ranges defined above. As the return-seeking asset allocation changes, the sub-category allocations will be kept approximately proportional to the Initial allocation specified above. However, the allocations to illiquid investments may be adjusted more slowly. The funded ratio and asset allocation of the Fund will be reviewed regularly or when significant cash flows occur, and will be monitored and reported on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time. The Fund will be rebalanced as necessary, making use of benefit payments and contributions to the extent possible and considering the transaction costs involved in the rebalancing.

2.04 Management Structure

The Master Trust may employ a mix of active and passive management styles. Active management provides the opportunity to outperform specific investment benchmarks and it can provide lower absolute volatility of returns. Passive, or index, management minimizes the risk of underperformance relative to a benchmark index and is generally less expensive than active management. This approach also diversifies the manager risk, making the Master Trust less reliant on the skills of a single Investment Manager.

Because holding large amounts of foreign assets can expose the Master Trust to fluctuations in the level of the Canadian dollar, a portion of the foreign assets may be hedged back into Canadian dollars.

2.05 Environmental, Social and Governance (ESG) Issues

The Administrator's primary responsibility is to make decisions in the best interest of the Plan beneficiaries. This responsibility requires that there be an appropriate balance between the need to seek long-term investment returns to help build better pensions for all members of the Plans and the needs for those returns to be delivered in as stable a manner as possible (given the behaviour of the investment markets).

The Administrator neither favours nor avoids managers and investments based on ESG integration. In keeping with the foregoing, and having regard to the size of the Plans and the pension fund, the Administrator does not take ESG factors into account when making investment decisions. As previously noted, the Administrator has delegated the search for investment managers to its Investment Consultant. On the direction of the Administrator, the Investment Consultant is directed to search and select the best investment managers for investing the assets of the Plans considering factors such as business, staff, historical performance and investment process, since the Administrator believes that these factors will contribute to higher investment returns in the long run and manage risk. Investment Managers are not prohibited from considering ESG factors if they believe that it will have a positive impact on the Plans' investment returns.

Section 3—Permitted and Prohibited Investments

3.01 General Guidelines

The investments of the Master Trust must comply with the requirements and restrictions set out in the *Income Tax Act* (Canada) and the *Pension Benefits Act* (Ontario), and their respective Regulations.

3.02 Permitted Investments

In general, and subject to the restrictions in this Section 3, the Investment Managers may invest in any of the following asset classes and in any of the investment instruments listed below:

- (a) **Canadian and Foreign Equities**
 - (i) Common and convertible preferred stock the shares of which are (a) listed on a prescribed stock exchange in Canada; or (b) listed on a prescribed stock exchange outside Canada;
 - (ii) Debentures convertible into common or convertible preferred stock, provided such instruments are traded on a recognized public exchange or through established investment dealers;
 - (iii) Rights, warrants and special warrants for common or convertible preferred stock the shares of which are (a) listed on a prescribed stock exchange in Canada; or (b) listed on a prescribed stock exchange outside Canada;
 - (iv) Private placement equities, where the security will be eligible for trading on a recognized public exchange within a reasonable and defined time frame;
 - (v) Instalment receipts, American Depository Receipts, Global Depository Receipts and similar exchange traded instruments;
 - (vi) Units of real estate investment trusts (REITs);
 - (vii) Exchange traded index-participation units (e.g., iUnits; SPDRs);
 - (viii) Income trusts registered as reporting issuers under the Securities Act, domiciled in a Canadian jurisdiction that provides limited liability protection to unit holders; and
 - (ix) Units of limited partnerships which are listed on the TSX exchange.

(b) **Canadian and Foreign Fixed Income**

- (i) Bonds, debentures, notes, non-convertible preferred stock and other evidence of indebtedness of Canadian or developed market foreign issuers whether denominated and payable in Canadian dollars or a foreign currency, provided such instruments are traded on a recognized public exchange or through established investment dealers, subject to Section 3.04 below;
- (ii) Real return bonds, subject to Section 3.04 below;
- (iii) Mortgages secured against Canadian real estate subject to Section 3.05 below;
- (iv) Mortgage-backed securities, guaranteed under the *National Housing Act*;
- (v) Term deposits and guaranteed investment certificates;
- (vi) Private placements of bonds subject to Section 3.03 below; and,
- (vii) Investment in bond and debenture issues of the City and affiliated bodies is neither encouraged nor discouraged. The decision by the Investment Manager(s) to invest in such issues is entirely their responsibility and they should be governed by the same degree of due diligence and prudence that they would apply when assessing any other investment in respect of a registered pension plan.

(c) **Cash and Short Term Investments**

- (i) Cash on hand and demand deposits;
- (ii) Canadian and U.S. Treasury bills and bonds (with remaining maturities not exceeding 365 days) issued by the federal (Canada & U.S., as applicable) and provincial governments and their agencies;
- (iii) Sovereign short-term debt instruments of developed countries, with maturities not exceeding 365 days;
- (iv) Obligations of trust companies and Canadian and foreign banks chartered to operate in Canada, including bankers' acceptances;
- (v) Commercial paper and term deposits; and
- (vi) Other money market instruments (maturity not exceeding 365 days).

(d) **Derivatives**

Assets are not invested in derivative instruments and the trust will not invest in derivatives directly (including options and futures). In the event that a pooled fund invests in derivatives, prior to investing in such pooled fund, appropriate risk management processes and procedures will be in place in order to help mitigate any risks associated with derivatives. Specifically, all derivative investments will

be made in accordance with applicable legislation and regulatory policies relating to the investment of pension plan assets in derivatives. The following uses of non-leveraged derivative instruments are permitted:

- (i) Covered put and/or call options with respect to publicly traded securities that are held in the portfolio;
 - (ii) The Investment Manager of an index portfolio may utilize fully backed, i.e. non-leveraged, derivative strategies designed to replicate the performance of specific market indices, i.e.- exchange-traded equity index futures contracts;
 - (iii) Investment Managers may use currency futures contracts and forward contracts to hedge foreign currency exposure; and
 - (iv) Interest rate derivatives can be used to hedge the interest rate risk in the liabilities.
- (e) **Other Investments**
- (i) Investments in open-ended or closed-ended pooled funds provided that the assets of such funds are permissible investments under this Policy, and
 - (ii) Deposit accounts of the Custodian can be used to invest surplus cash holdings.
- (f) **Index Mandates**
- (i) For managers of index mandates, permitted investment vehicles may include all instruments that may form part of the respective index.

3.03 Minimum Quality Requirements

- (a) **Quality Standards**
Within the investment restrictions for individual portfolios, all portfolios should hold a prudently diversified exposure to the intended market.
- (i) The minimum quality standard for individual bonds and debentures is 'BBB-' or equivalent as rated by a Recognized Bond Rating Agency, at the time of purchase.
 - (ii) The minimum quality standard for individual short term investments is 'R-1' low or equivalent as rated by a Recognized Bond Rating Agency, at the time of purchase.
 - (iii) The minimum quality standard for individual preferred shares is 'P-1' or equivalent as rated by a Recognized Bond Rating Agency, at the time of purchase.
 - (iv) All investments shall be reasonably liquid (i.e. in normal circumstances they should be capable of liquidation within 1 month).

(b) **Split Ratings**

In cases where the Recognized Bond Rating Agencies do not agree on the credit rating, the bond will be classified according to the following methodology:

- (i) If two agencies rate a security, use the lower of the two ratings;
- (ii) If three agencies rate a security, use the most common; and if four agencies rate a security, use the lowest most common; and
- (iii) If three agencies rate a security and all three agencies disagree, use the middle rating; if four agencies rate a security and all four agencies disagree, use the lowest middle rating.

(c) **Downgrades in Credit Quality**

Each Investment Manager will take the following steps in the event of a downgrade in the credit rating of a portfolio asset by a Recognized Rating Agency to below the purchase standards set out in Section 3.03 (a) Quality Standards:

- (i) The Chief Investments Officer will be notified of the downgrade by telephone at the earliest possible opportunity;
- (ii) Within ten business days of the downgrade, the Investment Manager will advise the Chief Investments Officer in writing of the course of action taken or to be taken by the Investment Manager, and its rationale; and
- (iii) Immediately upon downgrade, the Investment Manager will place the asset on a Watch List subject to monthly review by the Investment Manager with the Chief Investments Officer until such time as the security matures, is sold or until it is upgraded to a level consistent with the purchase quality standards as expressed in the above guidelines.

(d) **Rating Agencies**

For the purposes of this Policy, the following rating agencies shall be considered to be 'Recognized Bond Rating Agencies':

- (i) Dominion Bond Rating Service Limited;
- (ii) Standard and Poor's;
- (iii) Moody's Investors Services Inc.; and
- (iv) Fitch Ratings

(e) **Private Placement Bonds**

Private placement bonds are permitted subject to **all** of the following conditions:

- (i) The issues acquired must be 'A' or equivalent rated;
- (ii) The total investment in such issues must **not** exceed 10% of the market value of the Investment Manager(s) bond portfolio;

- (iii) The Investment Manager's portfolio may **not** hold more than 5% of the market value of any one private placement;
- (iv) The Investment Manager(s) must be satisfied that there is sufficient liquidity to ensure sale at a reasonable price; and
- (v) The minimum issue size for any single security must be at least \$150 million.

3.04 Maximum Quantity Restrictions

(a) Total Fund Level

No one equity holding shall represent more than 10% of the total market value of the Master Trust's assets.

(b) Individual Investment Manager Level

The Investment Manager(s) shall adhere to the following restrictions:

(i) Equities

- (A) No one equity holding shall represent more than 10% of the market value of any one Investment Manager's equity portfolio.
- (B) No one equity holding shall represent more than 10% of the voting shares of a corporation.
- (C) No one equity holding shall represent more than 10% of the available public float of such equity security.
- (D) Income Trusts shall not comprise more than 15% of any Investment Manager's Canadian equity portfolio.

(ii) Bonds and Short Term

- (A) Except for federal and provincial bonds (including government guaranteed bonds), no more than 10% of an Investment Manager's bond portfolio may be invested in the bonds of a single issuer and its related companies.
- (B) Except for federal and provincial bonds, no one bond holding shall represent more than 10% of the market value of the total outstanding for that bond issue.
- (C) No more than 8% of the market value of an Investment Manager's bond portfolio shall be invested in bonds rated BBB (this includes all of BBB's: BBB+, BBB, and BBB-) or equivalent.
- (D) This Policy will permit the continued holding of instruments whose ratings are downgraded below BBB- after purchase, provided that such instruments are disposed of in an orderly fashion.

- (E) No more than 10% of the market value of an Investment Manager's bond portfolio shall be invested in bonds denominated in a currency other than Canadian dollars.
- (F) Except for the dedicated real return bond mandate, no more than 10% of the market value of the bond portfolio may be held in real return bonds.

(iii) Other

The use of derivative securities shall be supported at all times by the explicit allocation of sufficient assets to back the intended derivative strategy. For greater certainty, Investment Managers are not permitted to leverage the assets of the Master Trust. The use of derivative securities is only permitted for the uses described in this Policy. Purchase or sale of any of these instruments for speculative purposes is prohibited.

Notwithstanding the limits described in this Section, the single security limits do not apply to an Investment Manager's index mandate.

3.05 Prior Permission Required

The following investments are permitted **provided that** prior permission for such investments has been obtained from the Administrator:

- (a) Investments in private placement equities (except for the foreign equity investment managers investing in pooled funds where the pooled fund policy permits private placement equities).
- (b) Direct investments in mortgages.
- (c) Direct investments in any one parcel of real property that has a book value less than or equal to 5% of the book value of the Master Trust's assets. The aggregate book value of all investments in real property and Canadian resource properties shall not exceed 25% of the book value of the Master Trust's assets. (Previously, the overall 25% limit in respect of real and resource properties was a requirement under the *Pension Benefits Act* (Ontario).)
- (d) Direct investments in venture capital financing or private equity partnerships; and
- (e) Derivatives other than those described in 3.02(d).

3.06 Prohibited Investments

The Investment Managers shall not:

- (a) Invest in companies for the purpose of managing them;
- (b) Invest in securities that would result in the imposition of a tax on the Fund under the *Income Tax Act* (Canada) unless they provide a prior written acknowledgement that such investments will result in a tax and receive prior written permission for such investments from the Administrator or;
- (c) Make any investments not specifically permitted by this Policy.

3.07 Securities Lending

The investments of the Master Trust may be loaned, for the purpose of generating revenue for the Fund, subject to the provisions of the *Pension Benefits Act* (Ontario) and the *Income Tax Act* (Canada), and applicable regulations.

For securities held in segregated accounts, such loans must be secured by cash and/or readily marketable government bonds, treasury bills and/or letters of credit, discount notes and bankers' acceptances of chartered banks. For loaned securities, the security held or collateral must have an aggregate market value which shall never be less than the percentage of the aggregate market value of the loaned securities which is the highest of: (i) the minimum percentage required by any applicable legislation, regulatory authority or prevailing market practice; or (ii) 105%. The aggregate market value of the loaned securities and of the collateral shall be monitored and calculated by the Custodian daily.

The terms and conditions of any securities lending program will be set out in a contract with the custodian. The custodian shall, at all times, ensure that the Chief Investments Officer has a current list of those institutions that are approved to borrow the Fund's investments.

Lending of the portion of the Master Trust's assets held in a pooled fund is governed by the terms of the conditions set out in the pooled fund Statement of Investment Policies and Procedures or similar document.

3.08 Borrowing

The Master Trust shall not borrow money, except to cover short-term contingency and the borrowing is for a period that does not exceed ninety days, subject to the *Pension Benefits Act* (Ontario), the *Income Tax Act* (Canada) and the written permission of the General Manager of Finance and Corporate Services.

3.09 Conflicts between the Policy and Pooled Fund Investment Policies

While the guidelines in this Policy are intended to guide the management of the Master Trust, it is recognized that, due to the use of pooled funds, there may be instances where there is a conflict between the Policy and the investment policy of a pooled fund. In that case, the Investment Manager is expected to notify Chief Investments Officer upon the initial review of the Policy and whenever a change in the pooled fund policy creates a conflict. However, it is understood that any ambiguity will be interpreted in favour of the pooled fund policy, provided such interpretation complies with all applicable laws.

Section 4—Monitoring and Control

4.01 Delegation of Responsibilities

The General Manager of Finance and Corporate Services is the designated contact person for administrative matters. However, City Council has delegated certain administrative duties and responsibilities to internal and external agents, including to the HMRF/HWRF Pension Administration Sub-committee, the Chief Investments Officer and the General Manager of Finance and Corporate Services. Overall responsibility for the Master Trust ultimately rests with City Council, and the City (acting through Council) is the pension plan administrator of the Plans (for each Plan, the "Administrator").

(a) Chief Investments Officer

The Chief Investments Officer has been delegated the following responsibilities:

- (i) monitoring the Master Trust asset mix and rebalancing as required, including executing asset mix changes required per the Dynamic Policy Schedules outlined in section 2.03;
- (ii) day-to-day liaison including contract management with external Investment Managers, the Investment Consultant, and the Custodian/Trustee;
- (iii) monitoring and budgeting for cash flow within the pension fund;
- (iv) researching, recommending and implementing improvements to asset management of the Master Trust;
- (v) directing and implementing strategy for self-managed portfolios, if any; and
- (vi) preparing and presenting to City Council and the HMRF/HWRF Pension Administration Sub-Committee a report on the Plan's investment performance and asset mix, and such other information as City Council may require and/or other such information as the Chief Investments Officer considers appropriate to include in the report, on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time.

(b) Investment Managers

The Investment Managers have been delegated the following responsibilities:

- (i) invest the assets of the Master Trust in accordance with this Policy;

- (ii) meet with the Chief Investments Officer as required and provide written reports regarding the Investment Manager's past performance, their future strategies and other issues as requested;
- (iii) notify the Chief Investments Officer, in writing of any significant changes in the Investment Manager's philosophies and policies, personnel or organization and procedures;
- (iv) will provide periodically, but no less than on an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time, lists of assets and such other information as may be requested by the Chief Investments Officer; and,
- (v) file, on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time compliance reports (see Section 4.03).

(c) Custodian/Trustee

The custodian/trustee will:

- (i) Fulfil the regular duties of a Custodian/Trustee as required by law;
- (ii) maintain safe custody over the assets of the Master Trust Plans;
- (iii) execute the instructions of the Chief Investments Officer and the Investment Managers; and
- (iv) record income and provide financial statements to the Chief Investments Officer on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time, or as otherwise required.

(d) Investment Consultant

The investment consultant has been delegated the following responsibilities:

- (i) assist the Chief Investments Officer in developing a prudent long-term asset mix, and specific investment objectives and policies;
- (ii) monitor, analyse and report on the Master Trust's investment performance and to support the Chief Investments Officer on any investment related matters;
- (iii) monitor and report the funded status of the Plans to the Chief Investments Officer on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time;
- (iv) assist with the selection of Investment Managers, custodians and other suppliers; and

(v) meet with the Chief Investments Officer as required.

(e) Actuary

The actuary has been delegated the following responsibilities:

(i) perform actuarial valuations of the Plan as required; and

(ii) advise the Chief Investments Officer and the Investment Consultant on any matters relating to Plan design, membership and contributions, and actuarial valuations.

4.02 Performance Measurement

For the purpose of evaluating the performance of the Master Trust and the Investment Managers, all rates of returns are measured over moving four-year periods. Return objectives are net of fees and include realized and unrealized capital gains or losses plus income from all sources. Returns will be measured quarterly and will be calculated as time-weighted rates of return.

(a) Active and Index Canadian Equity Managers

Investment results of the active and index Canadian Equity Managers are to be tested regularly against a Benchmark Portfolio comprising:

Benchmark	%
S&P/TSX Composite Index	100

(b) Active and Index Global Equity Managers

Investment results of the active and index Global Equity Managers are to be tested regularly against a long-term Benchmark Portfolio comprising:

Benchmark	%
MSCI World Index (C\$)	100

(c) Active and Index Canadian Bond Managers – Long Bonds

Investment results of the active and index Canadian Bond Managers for Long Bonds are to be tested regularly against a Benchmark Portfolio comprising:

Benchmark	%
FTSE Canada Long Bond Index	100

- (d) **Active and Index Canadian Bond Managers – Real Return Bonds**
Investment results of the active and index Canadian Bond Managers for Real Return Bonds are to be tested regularly against a Benchmark Portfolio comprising:

Benchmark	%
FTSE Canada Real Return Bond Index	100

4.03 Compliance Reporting by Investment Manager

The Investment Managers are required to complete and deliver a compliance report to the Chief Investments Officer and the Investment Consultant on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time. The compliance report will indicate whether or not the Investment Manager was in compliance with this Policy during the period covered in the report.

In the event that an Investment Manager is not in compliance with this Policy, the Investment Manager is required to advise the Chief Investments Officer immediately, detail the nature of the non-compliance and recommend an appropriate course of action to remedy the situation.

The Master Trust invests in pooled funds with separate investment policies. In that case, the Investment Manager must confirm compliance to the pooled fund policy. In addition, should a conflict arise between a pooled fund policy and this Policy, the Investment Manager is required to advise the Chief Investments Officer immediately and detail the nature of the conflict.

4.04 Standard of Professional Conduct

The Investment Managers are expected to comply, at all times and in all respects, with a written code of ethics that is no less stringent in all material respects than the Code of Ethics and Standards of Professional Conduct as promulgated by the CFA Institute.

The Investment Managers will manage the assets with the care, diligence and skill that an investment manager of ordinary prudence would use in dealing with pension plan assets. The Investment Managers will also use all relevant knowledge and skill that they possess or ought to possess as prudent investment managers.

Section 5—Administration

5.01 Conflicts of Interest

(a) **Responsibilities**

This standard applies to the City's staff, as well as to all agents employed by the City, in the execution of their responsibilities under the *Pension Benefits Act* (Ontario) (the "Affected Persons").

An "agent" is defined to mean a company, organization, association or individual, as well as its employees who are retained by the Administrator to provide specific services with respect to the investment, administration and management of the assets of the Master Trust.

(b) **Disclosure**

In the execution of their duties, the Affected Persons shall disclose any material conflict of interest relating to them, or any material ownership of securities, which could impair their ability to render unbiased advice, or to make unbiased decisions, affecting the administration of the Master Trust assets.

Further, it is expected that no Affected Person shall make any personal financial gain (direct or indirect) because of his or her fiduciary position. However, normal and reasonable fees and expenses incurred in the discharge of their responsibilities are permitted in accordance with City policies as approved by Council.

No Affected Person shall accept a gift or gratuity or other personal favour, other than one of nominal value, from a person with whom the employee deals in the course of performance of his or her duties and responsibilities for the Master Trust.

It is incumbent on any Affected Person who believes that he or she may have a conflict of interest, or who is aware of any conflict of interest, to disclose full details of the situation to the attention of the General Manager of Finance and Corporate Services and/or the Treasurer immediately. The General Manager of Finance and Corporate Services and/or the Treasurer, in turn, will decide what action is appropriate under the circumstances.

No Affected Person who has or is required to make a disclosure as contemplated in this Policy shall participate in any discussion, decision or vote relating to any proposed investment or transaction in respect of which he or she has made or is required to make disclosure, unless otherwise determined permissible by decision of the General Manager of Finance and Corporate Services and/or the Treasurer.

5.02 Related Party Transactions

The Chief Investments Officer shall not, on behalf of the Plans or the Master Trust, directly or indirectly,

- (i) lend the moneys of the Plans to a related party or use those moneys to hold an investment in the securities of a related party; or
- (ii) enter into a transaction with a related party.

The Chief Investments Officer may enter into a transaction with a related party:

- (i) for the operation or administration of the Plans if it is under terms and conditions that are not less favourable to the Plans than market terms and conditions and such transaction does not involve the making of loans to, or investments in, the related party or
- (ii) the value of the transaction is nominal or the transaction is immaterial. In assessing whether the value of the transaction is nominal or immaterial, two or more transactions with the same related party shall be considered as a single transaction.

For the purposes of Section 5.02, only the market value of the combined assets of the Fund shall be used as the criteria to determine whether a transaction is nominal or immaterial. Transactions less than 0.5% of the combined market value of the assets of the Fund are considered nominal.

The following investments are exempt from the related party rules:

- (i) investments in an investment fund or a segregated fund (as those terms are used in the *Pension Benefits Standards Regulations*) in which investors other than the administrator and its affiliates may invest and that complies with Section 9 and Section 11 of Schedule III to the *Pension Benefits Standards Regulations*;
- (ii) investments in an unallocated general fund of a person authorized to carry on a life insurance business in Canada;
- (iii) investments in securities issued or fully guaranteed by the Government of Canada, the government of a province, or an agency of either one of them;

- (iv) investments in a fund composed of mortgage-backed securities that are fully guaranteed by the Government of Canada, the government of a province, or an agency of either one of them;
- (v) investments in a fund that replicates the composition of a widely recognized index of a broad class of securities traded at a marketplace (as that term is used in the *Pension Benefits Standards Regulations*); or
- (vi) investments that involve the purchase of a contract or agreement in respect of which the return is based on the performance of a widely recognized index of a broad class of securities traded at a marketplace (as that term is used in the *Pension Benefits Standards Regulations*).

A "related party" is defined to mean the Administrator of the Plans, including any officer, director or employee of the Administrator. It also includes, the Investment Managers and their employees, a union representing employees of the employer, a member of the Master Trust, a spouse or child of the persons named previously, or a corporation that is directly or indirectly controlled by the persons named previously, and any other person constituting a "related party" under the *Pension Benefits Act (Ontario)*. Related party does not include government or a government agency, or a bank, trust company or other financial institution that holds the assets of the Master Trust.

5.03 Selecting Investment Managers

In the event that a new Investment Manager must be selected or additional Investment Manager(s) added to the existing Investment Manager(s), the Chief Investments Officer will undertake an Investment Manager search with or without the assistance of a third-party investment consultant depending on the expertise required. The criteria used for selecting an Investment Manager will be consistent with the investment and risk philosophy set out in Section 1.04 (Investment and Risk Philosophy).

5.04 Directed Brokerage Commissions

Investment Managers may use directed brokerage to pay for research and other investment related services provided they comply with, and provide the disclosure required by, the Soft Dollar Standards promulgated by the CFA Institute.

5.05 Monitoring of Asset Mix

In order to ensure that the Master Trust operates within the minimum and maximum guidelines stated in this Policy as outlined in Section 2, the Chief Investments Officer shall monitor the asset mix on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time. Rebalancing between the investment mandates can take place over a reasonably short period of time after an imbalance has been identified. Rebalancing may be effected by redirecting the net cash flows to and from the Master Trust, or by transferring cash or securities between portfolios and/or Investment Managers.

5.06 Monitoring of Investment Managers

An important element in the success of this Policy is the link between the Investment Managers and the Chief Investments Officer. It is expected that the Investment Managers will communicate with the Chief Investments Officer whenever necessary. Periodic, written investment reports from the Investment Managers are sent to and reviewed by the Chief Investments Officer and form part of the monitoring process.

Meetings including telephone conference call meetings between the Investment Managers and the Chief Investments Officer will be scheduled as required. At each meeting or telephone conference call meeting, it is expected that the Investment Managers will prepare a general economic and capital markets overview, which will be distributed prior to or during the meeting. They should also include the following in their presentations:

- review of the previous period's strategy and investment results,
- discussion of how the condition of the capital markets affects the investment strategy of their respective portfolios,
- economic and market expectations,
- anticipated changes in the asset mix within the limits provided in this Policy, and,
- discussion of compliance and any exceptions.
- discussion of any votes that were cast against the wishes of company management by the Investment Managers in exercising voting rights (Section 5.08).

5.07 Dismissal of an Investment Manager

Reasons for considering the termination of the services of an Investment Manager include, but are not limited to, the following factors:

- (a) performance results which are below the stated performance benchmarks;
- (b) changes in the overall structure of the Master Trusts' assets such that the Investment Manager's services are no longer required;
- (c) change in personnel, firm structure or investment philosophy which might adversely affect the potential return and/or risk level of the portfolio; and/or
- (d) failure to adhere to this Policy.

5.08 Voting Rights

The Administrator has delegated voting rights acquired through the investments held by the Master Trust to the custodian of the securities to be exercised in accordance with the Investment Manager's instructions. Investment Managers are expected to exercise all voting rights related to investments held by the Master Trust in the interests of the members of the underlying pension plans. The Investment Managers shall report when they vote against the wishes of the company management to the Chief Investments Officer, providing information as to the reasons behind this vote.

5.09 Valuation of Investments Not Regularly Traded

The following principles will apply for the valuation of investments that are not traded regularly:

- (a) **Equities**
Average of bid-and-ask prices from two major investment dealers, at least once every calendar quarter.
- (b) **Bonds**
Same as for equities.
- (c) **Mortgages**
Unless in arrears, the outstanding principal plus/minus the premium/discount resulting from the differential between face rate and the currently available rate for a mortgage of similar quality and term, determined at least once every month.
- (d) **Real Estate**
A certified written appraisal from a qualified independent appraiser at least once every two years.

5.10 Policy Review

This Policy may be reviewed and revised at any time, but at least once every calendar year it must be formally reviewed. Should the Investment Manager(s) wish to review this Policy at any time, it is his/her responsibility to contact the Chief Investments Officer with specific recommendations.

The appropriateness of the Dynamic Investment Policy asset allocation parameters should be reviewed on an ongoing basis. A new Dynamic Investment Policy Study (Dynamic Asset-Liability Modeling Study) may be undertaken if any of the following events occur:

- (a) The plan gets significantly closer to the end-state of the flight path, including if the flight path funded ratio measurement changes significantly (to over 84%) from the starting point of the 2010 study, which was 69%.
- (b) There are significant changes to the regulations that affect the key metrics used in making decisions in the 2010 Dynamic Investment Policy Study or should affect the asset allocation in the future;
- (c) Capital market conditions change significantly such that the assumptions embedded in the 2010 Dynamic Investment Policy Study are no longer reasonable; or
- (d) The plan sponsor's risk posture changes significantly.

Appendix A – Statement of Investment Policies & Procedures

Statement of Investment Policies & Procedures - Hamilton Municipal Retirement Fund

Overview

1.01 Purpose of Statement

This Statement of Investment Policies and Procedures (the "Hamilton Municipal Retirement Fund SIPP") provides the framework for the investment of the assets of the Hamilton Municipal Retirement Fund, registration number 0275123 (the "Plan");

The objective of the Hamilton Municipal Retirement Fund SIPP is to ensure that the assets of the Plan, together with expected contributions made by both the City and the Plan members, shall be invested in a continued prudent and effective manner.

The Hamilton Municipal Retirement Fund SIPP is based on the "prudent person portfolio approach" to ensure the prudent investment and administration of the assets of the Plan (the "Fund") are within the parameters set out in the *Pension Benefits Act*, (Ontario) and the Regulations thereunder.

All provisions in the Master Trust SIPP apply to this Appendix.

1.02 Background of the Plan

The Hamilton Municipal Retirement Fund is a contributory defined benefit plan. The plan has been closed to new entrants since 1965. Municipal employees hired after June 30, 1965 participate in the OMERS Pension Plan. Therefore, this is a closed fund and will terminate upon the death of the last retiree or successor. Effective July 1, 2001, the last active member retired from the Plan.

1.03 Plan Profile

a) Contributions

Under the terms of the Plan text:

For normal retirement age 60 class: 7% of contributory earnings up to YMPE plus 8.5% of contributory earnings in excess of the YMPE.

For normal retirement age 65 class: 6% of contributory earnings up to the YMPE plus 7.5% of contributory earnings in excess of the YMPE.

Effective August 1, 1998, the last member attained "Paid Up" status and employee contributions to the Plan ceased.

b) Benefits

2% of average annual earnings in best consecutive 5 years before retirement for each year of credited service up to 35 years reduced by 0.675% of the 5-year average earnings up to the final year's YMPE for each year of contributory service after

January 1, 1966. CPP Offset suspended from date of retirement to age 65. Effective Jan 1, 2008 annual increases will not be less than the increase provided to retirees under the OMERS plan which is currently equal to 100% of the increase in the Consumer Price Index to a maximum of 6.0% per annum.

c) *Liabilities*

As of the most recent actuarial valuation of the Plan as at December 31, 2017 there were no active members, 3 deferred members and 186 retirees and beneficiaries.

As of December 31, 2017 the going-concern liability of the plan was \$73,940,300 compared to the actuarial value of assets of \$77,679,500. On a solvency basis, the liability was \$63,784,500, while the assets (at market) were \$77,579,500.

1.04 Objective of the Plan

The objective of the Plans is to provide members of the Plans with retirement benefits prescribed under the terms thereof.

1.05 Investment and Risk Philosophy

The primary investment objective is to provide an economic return on assets sufficient to fund plan liabilities over the long-term, while adhering to prudent investment practices.

The investment philosophies and strategies must take into account both return and risk objectives of the Plan and the City.

In recognition of the risk and return objectives of the Plan and the City, an initial Asset Allocation Policy was developed based on the Plan's current funded status and the characteristics of the Plan and City. It is recognized, however, that the Plan return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plan's funded status improves.

1.06 Administration

The General Manager of Finance and Corporate Services for the City of Hamilton is the designated contact at the City for administrative purposes.

1.07 Pooling of Assets

For investment purposes, certain assets of the Plan are invested in units of the City of Hamilton Defined Benefit Plans Master Trust, along with certain assets of the Hamilton-Wentworth Retirement Fund and the Hamilton Street Railway Pension Plan (1994).

Up to 2 % of Plan assets may be invested outside of the City of Hamilton Defined Benefit Plans Master Trust for operating expenses and liquidity purposes, in accordance with the parameters set out in Section 3.02 (c) and (e) of the City of Hamilton Defined Benefit Plans Master Trust SIPP. The provisions of the City of Hamilton Defined Benefit Plans Master Trust SIPP apply to the investment of these assets.

1.08 Master Trust SIPP

The Master Trust SIPP is the policy that should be followed while investing the pooled assets of the Hamilton Municipal Retirement Fund.

Statement of Investment Policies & Procedures - Hamilton Street Railway Pension Plan (1994)

Overview

1.01 Purpose of Statement

This Statement of Investment Policies and Procedures (the "Hamilton Street Railway Pension Plan SIPP") provides the framework for the investment of the assets of the Hamilton Street Railway Pension Plan (1994), registration number 0253344 (the "Plan");

The objective of the Hamilton Street Railway Pension Plan SIPP is to ensure that the assets of the Plan, together with expected contributions made by both the City and the Plan members, shall be invested in a continued prudent and effective manner.

The Hamilton Street Railway Pension Plan SIPP is based on the "prudent person portfolio approach" to ensure the prudent investment and administration of the assets of the Plan (the "Fund") are within the parameters set out in the *Pension Benefits Act*, (Ontario) and the Regulations thereunder.

All provisions in the Master Trust SIPP apply to this Appendix.

1.02 Background of the Plan

The current Plan dates from January 1, 1994 when two former plans – Canada Coach Lines and Hamilton Street Railway plans were merged. Effective January 1, 2009 this contributory defined benefit plan was closed to new members and active members stopped contributing and accruing service under the plan.

1.03 Plan Profile

a) *Contributions*

Under the terms of the Plan text, members' contributions prior to 1999 were 7.5% of earnings less contributions made to Canada Pension Plan. For the calendar years 1999 through 2008, members (depending on the year) either enjoyed a contribution holiday or were limited to contribution rates of 1% of earnings. Effective January 2009, as members became City employees, no member contributions have been required or permitted to be made to the Plan.

b) *Benefits*

Members receive a pension equal to 1.5% of average pensionable earnings up to the average Year's Maximum Pensionable Earnings (YMPE) as established under the Canada Pension Plan, plus 2% of the excess, multiplied by years of credited service accrued up to December 2008. The "average pensionable earnings" are defined as the average of best five years' earnings during the member's credited service and OMERS credited service, if any. The "average YMPE" is defined as the average of the YMPE for the last thirty-six months of plan membership.

In the event that pensions accrued under the prior plan exceed the pension accrued under the current plan for service prior to July 1, 1980, then the pension is increased accordingly. Pensions are subject to annual indexing equal to the indexing provided to retirees under the OMERS plan (100% of inflation to a maximum of 6% per annum).

c) *Liabilities*

As of the most recent actuarial valuation of the Plan as at January 1, 2017, there were 388 active members, 26 deferred members and 599 retirees and beneficiaries. The average age of the active members was approximately 52.8 years with average pensionable earnings of \$66,849.

As of January 1, 2017, the going-concern liability of the plan was \$214,681,000 compared to the actuarial value of assets of \$193,491,000. Approximately 34.2% of the accrued liability was related to active members, approximately 65.3% was related to retirees, and approximately 0.5% was related to deferred members. On a solvency basis, the liability was \$219,410,000 while the assets (at market) were \$193,291,000. Both the going-concern and solvency deficits are being eliminated through a series of special payments.

1.04 Objective of the Plan

The objective of the Plan is to provide members of the Plan with retirement benefits prescribed under the terms thereof.

1.05 Investment and Risk Philosophy

The primary investment objective is to provide an economic return on assets sufficient to fund plan liabilities over the long-term, while adhering to prudent investment practices.

The investment philosophies and strategies must take into account both return and risk objectives of the Plan and the City.

In recognition of the risk and return objectives of the Plan and the City, an initial Asset Allocation Policy was developed based on the Plan's current funded status and the characteristics of the Plan and City. It is recognized, however, that the Plan return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plan's funded status improves.

1.06 Administration

The General Manager of Finance and Corporate Services for the City of Hamilton is the designated contact at the City for administrative purposes.

1.07 Pooling of Assets

For investment purposes, certain assets of the Plan are invested in units of the City of Hamilton Defined Benefit Plans Master Trust, along with certain assets of the Hamilton-Wentworth Retirement Fund and the Hamilton Municipal Retirement Fund.

Up to 2 % of Plan assets may be invested outside of the City of Hamilton Defined Benefit Plans Master Trust for operating expenses and liquidity purposes, in accordance with the parameters set out in Section 3.02 (a), (c) and (e) of the City of Hamilton Defined Benefit

Plans Master Trust SIPP. The provisions of the City of Hamilton Defined Benefit Plans Master Trust SIPP apply to the investment of these assets.

1.08 Master Trust SIPP

The Master Trust SIPP is the policy that should be followed while investing the pooled assets of the Hamilton Street Railway Pension Plan (1994).

Statement of Investment Policies & Procedures - The Hamilton-Wentworth Retirement Fund

Overview

1.01 Purpose of Statement

This Statement of Investment Policies and Procedures (the "Hamilton-Wentworth Retirement Fund SIPP") provides the framework for the investment of the assets of the Hamilton-Wentworth Retirement Fund, registration number 1073352 (the "Plan");

The objective of the Hamilton-Wentworth Retirement Fund SIPP is to ensure that the assets of the Plan, together with expected contributions made by both the City and the Plan members, shall be invested in a continued prudent and effective manner.

The Hamilton-Wentworth Retirement Fund SIPP is based on the "prudent person portfolio approach" to ensure the prudent investment and administration of the assets of the Plan (the "Fund") are within the parameters set out in the *Pension Benefits Act*, (Ontario) and the Regulations thereunder.

All provisions in the Master Trust SIPP apply to this Appendix.

1.02 Background of the Plan

The Plan is a contributory, defined benefit Plan. Effective January 1, 1985 all active Region Other Participants, excluding Police Civilians, were transferred to OMERS. The liability to transfer such members to OMERS was met by monthly payments of \$115,187 until December 31, 2000 and monthly payments of \$361 thereafter, concluding September 30, 2003. Effective January 1, 2002, the last active member retired from the plan.

1.03 Plan Profile

a) Contributions

Under the terms of the Plan text:

For normal retirement age 60 class:

- 1) Senior Police Officers: contributions should be 7% of earnings up to the YMPE plus 8.5% of contributory earnings in excess of YMPE.
- 2) Other Police Officers: contributions should be 6.5% of earnings up to YMPE plus 8% of contributory earnings in excess of YMPE.

For a normal retirement age of 65 contributions should be 5.75% of earnings.

b) *Benefits*

2% of average annual earnings in best 5 years before retirement for each year of credited service up to 35 years reduced by 0.675% of the 5-year average earnings up to the final year's YMPE for each year of contributory service after January 1, 1966. CPP Offset suspended from date of retirement to age 65. Effective Jan 1, 2008 annual increases will not be less than the increase provided to retirees under the OMERS plan, which is currently equal to 100% of the increase in the Consumer Price Index to a maximum of 6.0% per annum.

c) *Liabilities*

As of the most recent actuarial valuation of the Plan as at December 31, 2016, there were no active members, no deferred members and 171 retirees and beneficiaries.

As of December 31, 2016, the going-concern liability of the plan was \$55,249,000 compared to the actuarial value of assets of \$59,443,000. On a solvency basis, the liabilities were \$63,005,000 while the assets were \$59,373,000. Both deficits are being eliminated through a series of special payments.

1.04 Objective of the Plan

The objective of the Plan is to provide members of the Plan with retirement benefits prescribed under the terms thereof.

1.05 Investment and Risk Philosophy

The primary investment objective is to provide an economic return on assets sufficient to fund plan liabilities over the long-term, while adhering to prudent investment practices.

The investment philosophies and strategies must take into account both return and risk objectives of the Plan and the City.

In recognition of the risk and return objectives of the Plan and the City, an initial Asset Allocation Policy was developed based on the Plan's current funded status and the characteristics of the Plan and City. It is recognized, however, that the Plan return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plan's funded status improves.

1.06 Administration

The General Manager of Finance and Corporate Services for the City of Hamilton is the designated contact at the City for administrative purposes.

1.07 Pooling of Assets

For investment purposes, certain assets of the Plan are invested in units of the City of Hamilton Defined Benefit Plans Master Trust, along with certain assets of the Hamilton Street Railway Pension Plan (1994) and the Hamilton Municipal Retirement Fund.

Up to 2 % of Plan assets may be invested outside of the City of Hamilton Defined Benefit Plans Master Trust for operating expenses and liquidity purposes, in accordance with the parameters set out in Section 3.02 (c) and (e) of the City of Hamilton Defined Benefit Plans Master Trust SIPP. The provisions of the City of Hamilton Defined Benefit Plans Master Trust SIPP apply to the investment of these assets.

1.08 Master Trust SIPP

The Master Trust SIPP is the policy that should be followed while investing the pooled assets of the Hamilton-Wentworth Retirement Fund Pension Plan.

Appendix B – Compliance Reports

**The City of Hamilton Master Trust
Index Bond Manager**

**Compliance Report for the Quarter Ended _____
(date)**

		GUIDELINES	POLICY COMPLIED WITH YES/NO *
ASSET MIX (at Market Value)		%	
FIXED INCOME	BONDS	100%	
CASH	SHORT-TERM & CASH	0%	
CONSTRAINTS			
GENERAL	Investment Policy Section 3.01 – General Guidelines		
BONDS	Investment Policy Section 3.02 (b) – Bonds		
CASH	Investment Policy Section 3.02 (c) – Cash		
DERIVATIVES	Investment Policy Section 3.02 (c) – Derivatives		
OTHER	Investment Policy Section 3.02 (e) – Other Investments		
INDEX	Investment Policy Section 3.02 (f) – Index Mandates		
QUALITY REQUIREMENTS	Investment Policy Section 3.03 – Minimum Quality Requirements		
QUANTITY RESTRICTIONS	Investment Policy Section 3.04 – Maximum Quantity Restrictions		
PRIOR PERMISSION	Investment Policy Section 3.05 – Prior Permission Required		
PROHIBITED INVESTMENTS	Investment Policy Section 3.06 – Prohibited Investments		
SECURITIES LENDING	Investment Policy Section 3.07 – Securities Lending		
RESPONSIBILITIES	Investment Policy Section 4.01 (b) – Delegation of Responsibilities – Investment Managers		
STANDARDS OF PROFESSIONAL CONDUCT	Investment Policy Section 4.04 - Standards of Professional Conduct		
CONFLICTS OF INTEREST	Investment Policy Section 5.01 - Conflicts of Interest		
VOTING RIGHTS	Investment Policy Section 5.08 - Voting Rights		

* If policy not complied with, comment on specifics

COMPLETED BY: _____ **SIGNED BY:** _____

**The City of Hamilton Master Trust
Index Equity Manager**

**Compliance Report for the Quarter Ended _____
(date)**

		GUIDELINES	POLICY COMPLIED WITH YES/NO *
ASSET MIX (at Market Value)		%	
EQUITIES			
	U.S.		
	EAFE		
	TOTAL FOREIGN		
CASH	SHORT-TERM & CASH		
CONSTRAINTS			
GENERAL	Investment Policy Section 3.01 – General Guidelines		
EQUITIES	Investment Policy Section 3.02 (a) – Canadian and Foreign Equities		
CASH	Investment Policy Section 3.02 (c) – Cash and Short Term Investments		
DERIVATIVES	Investment Policy Section 3.02 (d) – Derivatives		
OTHER INVESTMENTS	Investment Policy Section 3.02 (e) – Other Investments		
INDEX	Investment Policy Section 3.02 (f) – Index Mandates		
QUALITY REQUIREMENTS	Investment Policy Section 3.03 – Minimum Quality Requirements		
QUANTITY RESTRICTIONS	Investment Policy Section 3.04 – Maximum Quantity Restrictions		
PRIOR PERMISSION	Investment Policy Section 3.05 – Prior Permission Required		
PROHIBITED INVESTMENTS	Investment Policy Section 3.06 – Prohibited Investments		
SECURITIES LENDING	Investment Policy Section 3.07 – Securities Lending		
BORROWING	Investment Policy Section 3.08 – Borrowing		
RESPONSIBILITIES	Investment Policy Section 4.01 (b) – Delegation of Responsibilities – Investment Managers		
STANDARDS OF PROFESSIONAL CONDUCT	Investment Policy Section 4.04 - Standards of Professional Conduct		
CONFLICTS OF INTEREST	Investment Policy Section 5.01 - Conflicts of Interest		
VOTING RIGHTS	Investment Policy Section 5.08 - Voting Rights		

* If policy not complied with, comment on specifics

COMPLETED BY: _____ **SIGNED BY:** _____

**The City of Hamilton Master Trust
Active Bond Manager**

**Compliance Report for the Quarter Ended _____
(date)**

		GUIDELINES	POLICY COMPLIED WITH YES/NO *
ASSET MIX (at Market Value)		%	
FIXED INCOME	BONDS	100%	
CASH	SHORT-TERM & CASH	0%	
CONSTRAINTS			
GENERAL	Investment Policy Section 3.01 – General Guidelines		
BONDS	Investment Policy Section 3.02 (b) – Bonds		
CASH	Investment Policy Section 3.02 (c) – Cash		
DERIVATIVES	Investment Policy Section 3.02 (c) – Derivatives		
OTHER	Investment Policy Section 3.02 (e) – Other Investments		
INDEX	Investment Policy Section 3.02 (f) – Index Mandates		
QUALITY REQUIREMENTS	Investment Policy Section 3.03 – Minimum Quality Requirements		
QUANTITY RESTRICTIONS	Investment Policy Section 3.04 – Maximum Quantity Restrictions		
PRIOR PERMISSION	Investment Policy Section 3.05 – Prior Permission Required		
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STANDARDS OF PROFESSIONAL CONDUCT	Investment Policy Section 4.04 - Standards of Professional Conduct		
CONFLICTS OF INTEREST	Investment Policy Section 5.01 - Conflicts of Interest		
VOTING RIGHTS	Investment Policy Section 5.08 - Voting Rights		

* If policy not complied with, comment on specifics

COMPLETED BY: _____ **SIGNED BY:** _____

**The City of Hamilton Master Trust
Active Equity Manager**

**Compliance Report for the Quarter Ended _____
(date)**

		GUIDELINES	POLICY COMPLIED WITH YES/NO *
ASSET MIX (at Market Value)		%	
EQUITIES	CANADIAN		
	U.S.		
	EAFE		
	TOTAL FOREIGN		
CASH	SHORT-TERM & CASH		
CONSTRAINTS			
GENERAL	Investment Policy Section 3.01 – General Guidelines		
EQUITIES	Investment Policy Section 3.02 (a) – Canadian and Foreign Equities		
CASH	Investment Policy Section 3.02 (c) – Cash and Short Term Investments		
DERIVATIVES	Investment Policy Section 3.02 (d) – Derivatives		
OTHER INVESTMENTS	Investment Policy Section 3.02 (e) – Other Investments		
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CONFLICTS OF INTEREST	Investment Policy Section 5.01 - Conflicts of Interest		
VOTING RIGHTS	Investment Policy Section 5.08 - Voting Rights		

* If policy not complied with, comment on specifics

COMPLETED BY: _____ **SIGNED BY:** _____

**RESOLUTION OF THE COUNCIL
OF
THE CITY OF HAMILTON**

Amendment to The Hamilton Municipal Retirement Fund

WHEREAS The City of Hamilton (the "Employer") established The Hamilton Municipal Retirement Fund, as amended from time to time, (the "Plan");

AND WHEREAS the Employer now wishes to amend the Plan to comply with the changes which came into force on May 1, 2018 under Ontario Regulation 250/18 of the Pension Benefit Act,

AND WHEREAS the Employer has the right to amend the Plan;

NOW THEREFORE BE IT RESOLVED THAT effective May 1, 2018:

1. Section 4.01 shall be deleted in its entirety, and is replaced with the following:

Corporation Contributions The Corporation shall contribute the amount required in excess of the Member contributions to provide for payment of the benefits of this Plan in accordance with the Plan, the Act and the Income Tax Act, and shall pay into the Fund from time to time as required by the Act, and based on the advice of the Actuary after taking into account the assets of the Fund and all other relevant factors, subject to the maximum contribution limitations of the Income Tax Act:

- (a) the contributions deducted under Article III from the Contributory Earnings of Members together with the amount required to be paid by the Corporation to provide the normal cost of the benefits currently accruing in accordance with the provisions of the Plan, including contributions required in respect of any provision for adverse deviations, as defined in the Act;
- (b) contributions in respect of the amortization of the cost of any Plan amendment that increases going concern liabilities, where required by and as defined in the Act; and
- (c) contributions in respect of the amortization of any unfunded liability and reduced solvency deficiency, as defined in the Act;

all in accordance with, and within the time limits specified in, the Act.

2. The Administrator of the Plan is authorized to execute such other agreements, certificates,

consents, corporate papers and other documents, make such payments and take all other action (including the filing of all required documents with appropriate governmental agencies and ensuring compliance with any reasonable changes or conditions imposed by the Canada Revenue Agency, the Financial Services Commission of Ontario or any other appropriate governmental authorities in connection with the actions authorized or approved in the foregoing resolutions) that the Administrator deems necessary or desirable to carry out the intent and purposes of the foregoing resolution.

The foregoing resolutions are hereby certified as adopted by the authority granted by the Council of the City of Hamilton at a meeting on the ___ day of _____, 2018.

DATED the ___ day of _____, 2018.



HEALTHY & SAFE COMMUNITIES COMMITTEE REPORT 19-001

1:30 p.m.

Thursday, January 17, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors S. Merulla (Chair), E. Pauls (Vice-Chair), T. Jackson, N. Nann, E. Pauls, and T. Whitehead

Also Present: Councillor C. Collins

THE HEALTHY AND SAFE COMMUNITIES COMMITTEE PRESENTS REPORT 19-001 AND RESPECTFULLY RECOMMENDS:

1. **Ambulance Act Implications of Bill 160 (The Strengthening Quality and Accountability for Patients Act) (HSC19003) (City Wide) (Outstanding Business List Item) (Item 7.1)**

That Report HSC19003, respecting Ambulance Act Implications of Bill 160 (The Strengthening Quality and Accountability for Patients Act), be received.

2. **Response to the Advisory Committee for Persons with Disabilities (ACPD) Inquiries on Housing Issues (HSC19001) (City Wide) (Outstanding Business List Item) (Item 10.1)**

(a) That the General Manager of the Healthy and Safe Communities Department or designate be delegated the authority to expand the eligibility of the Emergency Home Repair Program to include accessibility modifications for low income homeowners as required in accordance with current community needs, current repair costs, and the funds available for the program; as outlined in the Program Guidelines attached as Appendix "A" to Healthy and Safe Communities Committee Report 19-001;

(b) That the City enter into Grant Agreements with the recipients of Emergency Home Repair Program in order to provide grant funds pursuant to the Program to a maximum amount of \$10,000.00 and that the

Council – January 23, 2019

General Manager of Healthy and Safe Communities be authorized and directed to execute said Agreements in content that is consistent with the Program and satisfactory to the General Manager and in a form satisfactory to the City Solicitor; and,

- (c) That the item respecting Advisory Committee for Persons with Disabilities (ACPD) Housing Issues, be identified as complete and removed from the Healthy and Safe Communities Committee's Outstanding Business List.

3. Hamilton Housing Benefits (HSC19002) (City Wide) (Item 10.2)

- (a) That the General Manager of the Healthy and Safe Communities Department be authorized and directed to deliver and administer five-year housing benefits beginning in January 2019, at a maximum aggregate cost of \$2,000,000 to be funded from the Tax Stabilization Reserve;
- (b) That, prior to closing the 2018 financial year end, \$2,000,000 from the Rent Geared to Income Subsidy program surplus be transferred to the Tax Stabilization Reserve; and,
- (c) That Staff report back to Healthy & Safe Communities at its June 6, 2019 meeting with a sustainable plan to increase the number of permanent housing benefits following a review of current rent-geared-to-income funding programs.

4. Landlord and Tenant Board Decisions (Item 11.1)

That staff be directed to investigate the staffing and timeliness of Decisions by the Landlord and Tenant Board, with a report back to the Healthy and Safe Communities Committee.

5. Renaming of the Healthy and Safe Communities Committee (Item 11.2)

That the Healthy and Safe Communities Committee be renamed the Emergency and Community Services Committee, to better reflect the work of the committee, and differentiate it from the Board of Health.

6. All Seasons Soccer Facility (Added Item 11.3)

WHEREAS, there is a high rate of obesity amongst our youth;

WHEREAS, the City of Hamilton continues to encourage healthy living year round;

WHEREAS, there is opportunity for an all seasons facility to meet the needs of a growing soccer population;

WHEREAS, there is no central soccer facility;

WHEREAS, the closing of Players Paradise Sports Complex in Stoney Creek which was a well utilized facility by the soccer programs has created a greater demand for space and field time; and,

WHEREAS, Mount Hamilton Youth Soccer Club's goal is to create a sustainable future for soccer programming in the City for our youth;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to consult with all soccer leagues within the City of Hamilton to establish the impact of the closure of Players Paradise Sports Complex on their respective operations and assess the need for a new soccer dome/multi-use facility dome;
- (b) That staff be directed to review the business plan of the Mount Hamilton Youth Soccer Club with respect to a soccer dome/multi-use facility dome as well as seek feedback from all soccer leagues within the City of Hamilton on the proposal; and,
- (c) That staff be directed to conduct a feasibility study into the development of an all seasons soccer dome/multi-use facility dome, taking into consideration both the business plan proposed by the Mount Hamilton Youth Soccer Club along with input from other soccer leagues within the City of Hamilton, and report back to the Healthy and Safe Communities Committee.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

1. PRIVATE AND CONFIDENTIAL (Item 14.1)

14.1 Closed Session Minutes – December 17, 2018

2. NOTICES OF MOTION (Item 12.1)

12.1 All Seasons Soccer Facility

The agenda for the January 14, 2019 Healthy and Safe Communities Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Chair Merulla and Councillor Pauls declared an interest to Item 11.1, respecting Landlord and Tenant Board Decisions, as they are both landlords.

(c) APPROVAL OF MINUTES OF THE PREVIOUS MEETING (Item 4)

(i) December 17, 2018 (Item 4.1)

The Minutes of the December 17, 2018 meeting of the Healthy and Safe Communities Committee were approved, as presented.

(d) CONSENT ITEMS (Item 7)

(i) Minutes of the Seniors Advisory Committee (Item 7.2)

The following minutes from the Seniors Advisory Committee, were received as presented:

- (1) September 7, 2018 (Item 7.2.a)
- (2) October 5, 2018 (Item 7.2.b)

(e) MOTIONS (Item 11)

(i) All Seasons Soccer Facility (Added Item 11.3)

WHEREAS, there is a high rate of obesity amongst our youth;

WHEREAS, the City of Hamilton continues to encourage healthy living year round;

WHEREAS, there is opportunity for an all seasons facility to meet the needs of a growing soccer population;

WHEREAS, there is no central soccer facility;

WHEREAS, the closing of Players Paradise Sports Complex in Stoney Creek which was a well utilized facility by the soccer programs has created a greater demand for space and field time; and,

WHEREAS, Mount Hamilton Youth Soccer Club's goal is to create a sustainable future for soccer programming in the City for our youth;

THEREFORE, BE IT RESOLVED:

That staff be directed to work with Mount Hamilton Youth Soccer Club to look at the feasibility to create a year round soccer dome/multi-use facility dome and report back to the Healthy and Safe Communities Committee.

The recommendation, respecting an All Seasons Soccer Facility, was deleted in its entirety and replaced with the following:

~~That staff be directed to work with Mount Hamilton Youth Soccer Club to look at the feasibility to create a year round soccer dome/multi-use facility dome and report back to the Healthy and Safe Communities Committee.~~

- (a) That staff be directed to consult with all soccer leagues within the City of Hamilton to establish the impact of the closure of Players Paradise Sports Complex on their respective operations and assess the need for a new soccer dome/multi-use facility dome;**
- (b) That staff be directed to review the business plan of the Mount Hamilton Youth Soccer Club respecting a soccer dome/multi-use facility dome as well as seek feedback from all soccer leagues within the City of Hamilton on the proposal; and,**
- (c) That staff be directed to conduct a feasibility study into the development of an all seasons soccer dome/multi-use facility dome, taking into consideration both the business plan proposed by the Mount Hamilton Youth Soccer Club along with input from other soccer leagues within the City of Hamilton, and report back to the Healthy and Safe Communities Committee.**

(f) NOTICES OF MOTION (Item 12)

(i) All Seasons Soccer Facility (Added Item 12.1)

Councillor Whitehead introduced a Notice of Motion respecting an All Seasons Soccer Facility.

The Rules of Order were waived to allow for the introduction of a Motion respecting an All Seasons Soccer Facility.

Councillors Clark and Nann wished to be recorded as OPPOSED to waiving the Rules of Order.

For disposition of this matter, refer to Item 6 and Item (e) (i).

(g) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(i) Amendments to the Outstanding Business List (Item 13.1)

The following amendments to the Healthy and Safe Communities Committee's Outstanding Business List, were approved:

(a) Items to be removed:

- (i) Potential Implications of the Strengthening Quality and Accountability for Patients Act**
Item 7.1 on today's agenda - Report HSC19003
Item on OBL: YY
- (ii) ACPD respecting Housing Issues**
Item 10.1 on today's agenda - Report HSC19001
Item on OBL: XX

(h) PRIVATE AND CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – December 17, 2018 (Added Item 14.1)

- (a) The Closed Session Minutes of the December 17, 2018 Healthy and Safe Communities Committee meeting, were approved as presented; and,**
- (b) The Closed Session Minutes of the December 17, 2018 Healthy and Safe Communities Committee meeting, remain confidential.**

(i) ADJOURNMENT (Item 15)

That there being no further business, the Healthy and Safe Communities was adjourned at 2:54 p.m.

Respectfully submitted,

Councillor S. Merulla
Chair, Healthy and Safe Communities Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk

EMERGENCY HOME REPAIR PROGRAM

Program Guidelines

1. Background

On June 11, 2014, Council approved that “the Hamilton Emergency Home Repair Reserve (#102045) be utilized for an emergency home repair program for homeowners receiving social assistance (Ontario Works and Ontario Disability Support Program) to undertake emergency minor repairs of up to \$5,000 that could otherwise create a risk of homelessness” through Report CS11017(d).

The Emergency Home Repair Program (ERP) was subsequently expanded by approval of Report HSC19001 to include:

- low income homeowners (income below the Low Income Cut-Off (LICO));
- accessibility modifications; and,
- and increase the maximum grant amount to \$10,000.

2. Program Description

The Emergency Home Repair Program (ERP) provides a grant of up to \$10,000 to fund emergency home repairs and emergency accessibility modifications to low income homeowners.

Repairs must be of an urgent, serious nature requiring immediate (emergency) attention, such that not making the repair in a proper and timely manner may adversely impact the health and safety of the household or render the home uninhabitable, and the household is at risk of homelessness. Repairs may include accessibility modifications.

The goals of the ERP are to:

- a) assist low income homeowners living in substandard housing, make essential repairs to meet minimum health and safety standards;
- b) assist low income homeowners who are unable to live in their homes following an illness or injury make accessibility modifications that will enable them to continue to live in their homes;
- c) prevent homelessness and enable people to remain in their homes; and,
- d) preserve older housing stock in Hamilton.

Repairs or homeowners that are ineligible for the ERP may qualify for the Ontario Renovates Program with its broader range of eligible activities and higher loan threshold.

The City's role and contribution towards emergency repairs are as a sponsor of the grant, and not a contracting party as between the owner and contractor(s) for construction services. The City has no interest or benefit in the subject lands, does not direct any construction services, nor is responsible for the scope, quality, or ultimate payment for the construction services. For clarity, the City will not be an 'owner' within the definition of the *Construction Act*.

3. Program Terms

3.1 Fund Availability

There are limited funds available for the ERP and approval is at the absolute and unfettered discretion of the City and subject to the availability of funds.

3.2 Eligible Repairs

Repairs to the home may range in nature, but must be urgent and serious, requiring immediate (emergency) attention, such that not making the repair in a proper and timely manner may adversely impact the health and safety of the household or may render the home uninhabitable. Common repairs include roof repairs or replacement or furnace repairs or replacement, but do not include independent air conditioning systems. Repairs may include accessibility modifications. Repairs may only be made on items that already exist in the home.

The following will be considered in determining an 'emergency:'

- Would the recipient be forced to vacate or be unable to return to their premises if these repairs are not completed?
- Is the need for the repairs posing a risk to the health or well-being of recipients or their family?
- If the repairs are not completed immediately, do they lead to a risk to recipients or the family in the next 90 days?
- Will extensive damage result if the repairs are not undertaken within the next 90 days?

If the answer is yes to any of the above, the repairs should be considered urgent or an emergency.

Eligible repairs may include the following:

- heating systems that are no longer working or that have been deemed too dangerous to operate by a licensed gas-fitter or other similarly authorized professional (a furnace replacement will only be approved if the City is satisfied that the existing furnace is unsafe or cannot be repaired);
- patching or replacing a roof (replacing only when demonstrated to be necessary);

- electrical systems;
- plumbing systems;
- owned water heaters;
- damage which compromises the health, safety, or security of the home/inhabitants;
- foundations repair;
- chimneys;
- fire and other safety such as smoke detectors or carbon monoxide detectors; and,
- accessibility modifications such as but not limited to stair lifts, grab bars, bathrooms, door handles that are required immediately.

Other costs that may be approved:

- labour
- applicable taxes
- building permits
- Electrical Safety Authority Inspection
- related professional fees
- any other costs that the City deems reasonable in advance

Ineligible repairs (not limited to):

- renovations to increase energy efficiency;
- renovations for aesthetic purposes;
- additions or creation of secondary units;
- preventative maintenance;
- a new home foundation;
- a new furnace except where the City is satisfied that the existing furnace is unsafe or cannot be repaired;
- home additions or upgrades;
- insulation unless the City is satisfied that the existing insulation on the premises will not meet the minimum standards set out in the Building Code;
- any repairs or modifications carried out prior to City approval;
- repairs to a newly purchased home;
- costs over the maximum noted in Section 3.5; and,
- repairs not carried out by a contractor licensed with the City of Hamilton.

Applicants seeking to undertake ineligible repairs may be referred to the Ontario Renovates Program to determine eligibility under that program's criteria. The ERP may be stacked with any other government program including the Ontario Renovates Program and any of its successor programs.

3.3 Eligible Homeowners

The ERP is available to homeowners on Ontario Works (OW) or Ontario Disability Support Program (ODSP) and homeowners below the most recent Low Income Cut-Off figures (LICO) as below:

1-person household	2 or more-person household
\$25,338	\$31,544

3.4 Eligible Homes

The ERP is available for single detached homes with a maximum MPAC assessed value of \$330,000, townhouses with a maximum MPAC assessed value of \$275,000, and owned apartments with a maximum MPAC assessed value of \$225,000. Mobile homes, co-op, life lease or any other units which are not exclusively owned by a single household (not a corporation) are not eligible for the ERP. The interior of condominium units which is under the exclusive ownership of the homeowner and are not a common element of the condominium corporation may be eligible for the ERP as determined by the Manager, Investment in Affordable Housing.

3.5 Maximum Grant Amounts

Grants may be provided to a total maximum of \$10,000, as determined by the Manager, Investment in Affordable Housing.

3.6 Repayment Terms

Repayment of the grant is not required unless there is a violation of the program terms and conditions.

3.7 Other Program Terms

- The household must enter into a grant agreement with the City of Hamilton for the provision of the grant that is consistent with the Program Guidelines.
- Approved project invoices will be paid directly to the contractor.
- Invoices must be charged to the name of the household.
- The household is required to provide a direction to pay the contractor. The City will not enter into a contractual relationship with the Contractor.
- Applications must be expedited by both the applicant household and City so decisions can be made quickly to meet emergency needs.
- The ERP may only be used to pay for the repairs that are listed on the detailed quotation and at the dwelling address identified on the application. Work must be completed by the contractor(s) for the quote submitted and approved. Should a change in contractor(s) be deemed advisable, another contractor quote must be submitted to the City of Hamilton for approval.

- If the cost of the repair is more than the amount approved by the City, the homeowner will be responsible for the additional cost. The homeowner may seek additional sources of funding to offset costs and must show proof that the cost is affordable to them.
- Emergency home repairs may only be accessed once in five (5) years per client subject to extenuating circumstances as determined by the Manager, Investment in Affordable Housing.
- If determined eligible, the lowest quotation will be approved unless the homeowner provides an acceptable reason why the higher quotation is necessary.
- The homeowner is responsible for ensuring that the repairs are satisfactorily completed in accordance with the quotation. The City of Hamilton accepts no responsibility for ensuring compliance of the work with any applicable building code or other regulatory requirement and is not responsible for the installation/adequacy of materials, methods employed, work quality, manufacturer's recommendations or damages that may occur or deemed to be deficient or defective by the Owner.
- The homeowner agrees that concerns with the installation of the materials, unacceptability of products, service or implied warranty issues are to be resolved between the contractor(s), sub trade(s) and the Owner.
- The homeowner agrees that recovery of associated costs for any remediation negotiated through settlement is negotiated with the contractor and is not the responsibility of the City of Hamilton.
- The homeowner agrees that the City of Hamilton will not negotiate, interfere or involve itself with any discussions between the Owner and the contractor(s) or sub trade(s) before, during or following completion of the repair, other than for confirmation of completion purposes.
- The Emergency Home Repair Program grant may be cancelled if the repairs are not started immediately and completed by the agreed upon date.
- The Owner must submit a Work Satisfaction Sign-off as well as detailed invoice from the assigned contractor to the City of Hamilton within three (3) business days of work being completed. The grant will not be released until all work is fully completed and this documentation is received.
- City of Hamilton will not pay for any costs covered or to be covered by funding from other sources, in any form (i.e. grants, consumer rebates, etc.) If there is funding from other sources, the City of Hamilton will pay the balance of the costs, up to \$10,000. If funding from other sources plus the ERP grant exceeds the Total Cost of Repairs, then any such excess will be repayable to the City of Hamilton to offset the City funding. You must disclose any additional funding from other sources, in any form, received or expected to be received (including any funding applied for) for the repairs covered under the ERP.
- All work must be performed by a licensed and insured contractor. The contractor must be licensed as a Building Repair Contractor and have a current valid trade license (in accordance with the City of Hamilton Trade License By-Law 07-170, Schedule 29).

- The applicant must be able to demonstrate that they have exhausted any insurance(s) as a remedy for the emergency prior to applying to this program.
- The applicant must confirm that they have exhausted all other funding sources available for home repairs or accessibility modifications and is at risk of being homeless if repair cannot be completed.
- The property must be registered in the applicant(s) names only and the mortgage, property tax, insurance and utility payments must be up-to-date.
- If the home is owned by more than one person all owners must be applicants and the criteria for obtaining the grant must apply to all owners.
- Applicants and their family must be the sole occupants for a minimum of five years from the date of completion of the emergency repairs. If the applicant leases out the home or part thereof, vacates the property, or sells the property during the five-year term, the Grant is repayable.
- An applicant is not permitted to own or partially own a second property anywhere including, but not limited to: a second home, vacation property or investment property for at least five years from the completion of the emergency repairs.
- If the aggregate cost of the repairs or modifications is more than the amount approved by City the homeowner will be responsible for the additional cost. The homeowner must show proof that this cost is affordable to them.
- The ERP may be stacked with any other government program including the Ontario Renovates Program and any of its successor programs.
- Applicants must be individuals and cannot be corporations, partnerships or other legal entities which are not individuals.

3.8 Program Processes

- The applicant completes the application and submits two (2) comparable and detailed quotes (including photos, detail of damage, material, labour, taxes, time, service date, warranty) from City licenced contractors to the Housing Loans Officer.
- The application form must be signed, including a declaration that all information is accurate, and accompanied by proof of income (the most recent Notice of Assessment).
- The City may carry out necessary enquiries for the purpose of confirming the information provided.
- The homeowner is responsible for giving “Notice to Contractor” when getting quotes to ensure the Contractor is aware of the grant.
- The homeowner is responsible for signing the application and declaration.
- The homeowner is responsible for ensuring repairs are satisfactorily completed in accordance with the quote. Any concerns are to be resolved between contractor and owner. The City does not intervene in disputes as to the work done by the contractor.

- Once the repair or modification is complete, and within three business days, the household will send the completed work order/invoice as well as a signed letter of work satisfaction to the City.
- Once the invoice and signed letter of work satisfaction are received by the City, a payment is issued to the contractor.

4. Documentation Required for Records

The Housing Services Division is responsible for retaining the following documents over the life of the program:

4.1 Eligibility information:

- The signed application form, including a declaration that all information is accurate.
- The Notice of Assessment for all members of the household.
- Copies of photo identification.
- Unit eligibility information.

4.2 Grant information:

- Grant agreement
- Contractor quotes

4.3 Payment documents and default actions:

- Records of all payments and defaults;
- Notice of Direction authorizing the City of Hamilton to may payment to contractor(s) on behalf of household;
- Independent Legal Advice and Waiver document; and,
- Letter of work satisfaction signed by the homeowner.

CITY OF HAMILTON MOTION

Council: January 23, 2019

MOVED BY COUNCILLOR M. WILSON.....

SECONDED BY COUNCILLOR.....

Establishment of a New Steering Committee for the Recruitment of the City Manager

WHEREAS the City Manager has such general control and management of the administration of the government and affairs of the City and performs such duties as Council by by-law prescribes and is the sole employee reporting directly to the elected Municipal Council;

WHEREAS the City of Hamilton appointed an Interim City Manager due to the resignation of the previous City Manager on June 27, 2018;

WHEREAS the recruitment process to fill the vacancy of the City Manager was defined by the former 2014-2018 City Council in report HUR18013 of August 13, 2018;

WHEREAS one third of Hamilton City Council elected October 22, 2018 did not serve on the previous 2014-2018 Term of Council;

WHEREAS the 2014-2018 Term of City Council recommended that a Steering Committee comprised of the Mayor and Chairs of the Standing Committees be established to assist with the recruitment process for the City Manager;

WHEREAS Report HUR18013 of August 13, 2018 does not define the core principles that will guide the recruitment, deliberation and selection process for the new City Manager;

WHEREAS the City’s Strategic Plan states that diversity and inclusion are to be embraced and celebrated;

WHEREAS the City’s Corporate Culture includes the principle of steadfast integrity, that this principle shall guide our strategic priorities, and as a Council, we too ought to uphold and put these values in action through our recruitment and selection process;

WHEREAS public entities, including governments, are well placed to serve as a model for other employers;

WHEREAS recognizing and valuing equity, diversity and inclusion must be accompanied by concerted efforts to put these principles and values into practice; and

WHEREAS the ability to invite and learn from different perspectives is fundamental to driving innovation, building a strong relationship and taking the best approaches to meet the needs of the diverse population served by the City of Hamilton;

THEREFORE, BE IT RESOLVED:

- (a) That the newly elected 2018-2022 City Council define the recruitment process to fill the vacancy of the new City Manager;
- (b) That an equity, diversity and inclusive (EDI) lens be incorporated in all aspects of this recruitment process; and
- (c) That the Steering Committee that was established to oversee the City Manager search process, interview short-list of candidates and identify final candidates for consideration by City Council on August 17, 2018, be amended to better reflect the diverse composition of the 2018-2022 City Council and by extension the community, with not less than 50% of those elected members who identify as females along with not less than one-third of the newly elected members of City Council serving on the Steering Committee.

CITY OF HAMILTON MOTION

Council: January 23, 2019

MOVED BY COUNCILLOR B. CLARK.....

SECONDED BY COUNCILLOR.....

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

MOTION

Council: January 23, 2019

MOVED BY COUNCILLOR B. CLARK.....

SECONDED BY COUNCILLOR.....

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 MOTION

Council: January 23, 2019

MOVED BY MAYOR EISENBERGER.....

SECONDED BY COUNCILLOR.....

City of Hamilton Cannabis Policy Statement

WHEREAS, on January 14, 2019 Council permitted Cannabis Retail Stores to operate in the City of Hamilton, in accordance with the *Cannabis Licence Act, 2018*;

THEREFORE, IT BE RESOLVED:

- (a) That the Mayor submit 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 locations of cannabis retail stores in the City of Hamilton, attached as Appendix "A";
- (b) 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;
- (c) That all current and future funding from the Ontario Cannabis Legalization Implementation Fund and surpluses received from Ontario's portion of the Federal Excise Tax, be deposited to a newly created balance sheet account to be used to offset costs associated with the legalization of recreational cannabis with the first phase of funding to be allocated to strengthen By-law enforcement and Public Health in accordance with the Council resolution of January 14, 2019; and
- (d) That staff report back during the 2019 Operating Budget process with what the operating and capital enforcement enhancements will be, for the 2 year transition period, to be funded through the Ontario Cannabis Legislation Implementation Fund and Federal Excise Tax.



City of Hamilton Cannabis Policy Statement

For the purposes of this Policy Statement, a Cannabis Retail Store shall mean a store licensed by the Alcohol and Gaming Commission of Ontario (AGCO).

1. Cannabis Retail Stores and Sensitive Activities:

In order to help ensure public health and safety, protect youth and reduce illegal sales, Retail Cannabis Stores should generally not be located within 300 metres of:

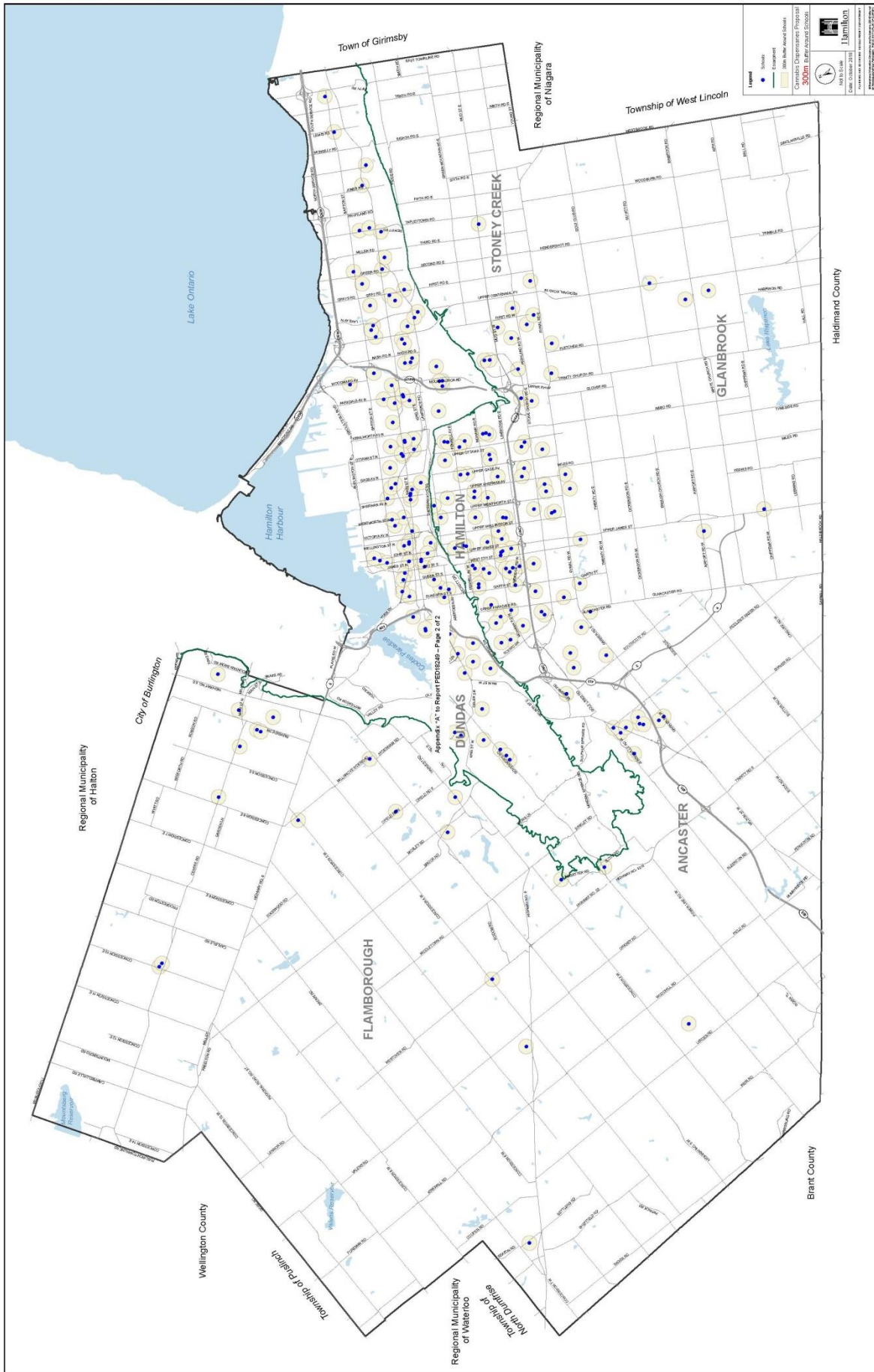
- Schools
- Parks and Open Spaces
- Alcohol and Detox Centres
- Day Nurseries/Child Care Centres
- Libraries
- Community Centres
- Mental Health/Addiction Centres

2. Cannabis Retail Stores should not be permitted in:

In the interest of public health and safety, Cannabis Retail Stores should not be permitted in the following:

- Areas that already have a high concentration of Cannabis Retail Stores (i.e. the "clustering" of stores should be avoided)
- Locations that have insufficient parking or transit access
- Locations that are in predominantly residential areas

3. Attached is a map showing the retail/commercial zones of the municipality and that would be prohibited with a 300 metres radial separation from schools:



CITY OF HAMILTON
MOTION

Council Date: January 23, 2019

MOVED BY COUNCILLOR E. PAULS.....

SECONDED BY COUNCILLOR

Concession Street Business Improvement Area Membership

WHEREAS, the Concession Street Business Improvement Area is primarily in Ward 7;

THEREFORE BE IT RESOLVED:

That Councillor Jackson be removed from the membership of the Concession Street Business Improvement Area.

CITY OF HAMILTON

MOTION

Council: January 23, 2019

MOVED BY COUNCILLOR B. CLARK.....

SECONDED BY COUNCILLOR J. FARR.....

Timely Notice of Any Discharges of Untreated or Partially Treated Sewerage into Hamilton Harbour from Local Municipal Sewerage Treatment Plants

WHEREAS, the 2016 total Wastewater Treatment Plant bypass numbers for Hamilton were: 10 incidents, 49.28 hours of partially treated sewerage were dumped into Hamilton Harbour with the longest incident being 12.63 hours with the total litres discharged being 432,500,000 litres = 173 Olympic size swimming pools; and,

WHEREAS, the 2017 total Wastewater Treatment Plant bypass numbers for Hamilton were: 20 incidents, 212.12 hours of partially treated sewerage were dumped into Hamilton Harbour with the longest incident being 53.18 hours with the total litres discharged being 2,746,890,000 litres = 1,099 Olympic size swimming pools; and,

WHEREAS, the 2018 total Wastewater Treatment Plant bypass numbers for Hamilton were: 17 incidents, 159.72 hours of partially treated sewerage were dumped into Hamilton Harbour with the longest incident being 35.00 hours with the total litres discharged being 1,868,079,000 litres = 747 Olympic size swimming pools;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to provide the Public Works Committee with an annual report on discharges to natural environment from Dundas Sewerage Treatment Plant and Woodward Sewerage Treatment Plant with the reasons, costs of any clean-up; and,
- (b) That staff be directed to develop a public notice protocol for 2019 whereby the City Council and public shall be notified within 24 hours of any discharge of untreated or partially treated sewage into Hamilton Harbour; and,
- (c) That staff be directed to migrate to a public notice protocol for 2020 whereby the City Council shall be notified within 2 hours of any discharge of untreated or partially treated sewage into Hamilton Harbour; and,

- (d) That staff directed to migrate to a public notice protocol for 2020 whereby the public shall be notified within 4 hours of any discharge of untreated or partially treated sewage into Hamilton Harbour.

CITY OF HAMILTON MOTION

Council: January 23, 2019

MOVED BY MAYOR F. EISENBERGER

SECONDED BY COUNCILLOR.....

Amendment to Item 4 of the General Issues Committee Report 18-015, respecting Report CM18013 – Downtown Entertainment Assets Operating Agreements

That Item 4 of the General Issues Committee Report 18-015, respecting Report CM18013 – Downtown Entertainment Assets Operating Agreements, which was approved, as amended, by Council at its meeting of July 13, 2018; and, approved, as further amended by Council at its meeting of September 26, 2018, be amended by deleting sub-sections (e) through (j) and replacing them with new sub-sections (e) and (f) to read as follows:

4. Downtown Entertainment Assets Operating Agreements (CM18013) (City Wide) (Item 7.3(b))

- (a) That a 6-month extension of the existing Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum), which is set to expire on December 31, 2018, be approved;
- (b) That a 6-month extension of the existing Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen’s Group), which is set to expire on December 31, 2018, be approved;
- (c) That the Mayor and the City Clerk be authorized and directed to execute any documents required to give effect to a 6-month extension to the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum);
- (d) That the Mayor and the City Clerk be authorized and directed to execute any documents required to give effect to a 6-month extension to the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen’s Group);
- ~~(e) That staff be directed to invite Global Spectrum to submit two proposal(s):~~

- ~~(i) A 5-year extension of the existing Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P.; and,~~
- ~~(ii) A second proposal which also includes the scope of work outlined in the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group);~~
- ~~(f) That staff be directed to invite Carmen's Group to submit two proposals:
 - ~~(i) A 5-year extension of the existing Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd.; and,~~
 - ~~(ii) A second proposal which also includes the scope of work outlined the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum);~~~~
- ~~(g) That staff be directed to evaluate any proposal(s) the City receives using the criteria and methodology used by KPMG during the HECFI review and outlined in Appendix "A" and report back to General Issues Committee with a staff recommendation on how best to proceed with the management of these entertainment assets;~~
- ~~(h) That a contribution to an upset limit of \$100,000 from the Tax Stabilization Reserve (#110046) be used to fund an independent third-party review of the staff recommendation;~~
- ~~(i) That the City Procurement Policy be followed to the extent the Procurement Section and the Legal Services Division determine the Policy to be applicable in order to maintain a fair process related to the management of the Downtown Entertainment Assets; and,~~
- ~~(j) That the City Procurement Policy be waived for the sole purpose of permitting only Global Spectrum and Carmen's Group to participate in the process related to the management of the Downtown Entertainment Assets.~~
- (e) That staff be directed to negotiate a 5-year extension of the existing Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. and report back to the General Issues Committee; and,**
- (f) That staff be directed to negotiate a 5-year extension of the existing Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. and report back to the General Issues Committee.**

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

Bill No. 002

CITY OF HAMILTON

BY-LAW NO. 19-

Respecting Removal of Part Lot Control

**Part of Lots 2 to 28, 32 to 43, 45 to 49, 53 to 58, 61 to 66, 68, 69, 72 to 82 and 86 to 88,
Registered Plan No. 62M-1249**

WHEREAS the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating seventy-three (73) maintenance easements, shown as Parts 1 to 73, inclusive, on deposited Reference Plan 62R-21045, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Part of Lots 2 to 28, 32 to 43, 45 to 49, 53 to 58, 61 to 66, 68, 69, 72 to 82 and 86 to 88 Registered Plan No. 62M-1249, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 23 day of January 2021.
4. **PASSED** this 23rd day of January 23, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 9

Bill No. 003

CITY OF HAMILTON

BY-LAW NO. 19-

Respecting Removal of Part Lot Control

Block 160, Registered Plan No. 62M-1251, Municipally known as 65, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99, 101, 103 and 105 Bethune Avenue, Glanbrook

WHEREAS the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13), as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating 21 lots for street townhouse dwellings, shown as Parts 1 to 25, inclusive, including maintenance easements, shown as Parts 3, 11, 13 and 20, inclusive, on deposited Reference Plan 62R-21057, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 160, Registered Plan No. 62M-1251, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 23rd day of January, 2021.

Respecting Removal of Part Lot Control
Block 160, Registered Plan No. 62M-1251, Municipally known as 65, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85, 87,
89, 91, 93, 95, 97, 99, 101, 103 and 105 Bethune Avenue, Glanbrook

Page 2 of 2

PASSED this 23rd day of January, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

PLC-19-001

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 9

Bill No. 004

CITY OF HAMILTON

BY-LAW NO. 19-

Respecting Removal of Part Lot Control

Block 161, Registered Plan No. 62M-1251, Municipally known as 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100 and 102 Cittadella Boulevard, Glanbrook

WHEREAS the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13), as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating 21 lots for street townhouse dwellings, shown as Parts 1 to 25, inclusive, including maintenance easements, shown as Parts 5, 7, 15 and 23, inclusive, on deposited Reference Plan 62R-21056, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 161, Registered Plan No. 62M-1251, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 23rd day of January, 2021.

Respecting Removal of Part Lot Control
Block 161, Registered Plan No. 62M-1251, Municipally known as 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84,
86, 88, 90, 92, 94, 96, 98, 100 and 102 Cittadella Boulevard, Glanbrook

Page 2 of 2

PASSED this 23rd day of January, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

PLC-19-001

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

Bill No. 005

CITY OF HAMILTON

BY-LAW NO. 19-

**Respecting Removal of Part Lot Control
Blocks 221 to 224, Registered Plan of Subdivision No. 62M-1237, "Ancaster
Meadows Phase 2B" municipally known as, 1, 3, 5, 7, 9, 11, 13, 15, 17, 19,
21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43 and 45 Callon Drive**

WHEREAS the sub-section 50(5) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the *Planning Act*, provides as follows:

"Designation of lands not subject to part lot control. -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law."

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. Subsection 5 of Section 50 of the *Planning Act*, for the purpose of creating twenty-three (23) lots for townhouses (Parts 1 to 24 inclusive) and one utility and service easement (Part 24), as shown on Deposited Reference Plan 62R-20978, shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Blocks 221 to 224 (inclusive), Registered Plan of Subdivision 62M-1237,
in the City of Hamilton.

2. This By-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.

Respecting Removal of Part Lot Control
Blocks 221 to 224, Registered Plan of Subdivision No. 62M-1237, "Ancaster Meadows Phase 2B"
municipally known as, 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41,
43 and 45 Callon Drive

Page 2 of 2

3. This By-law shall expire and cease to be of any force or effect on the 23rd day of January 2021.

PASSED this 23rd day of January, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

PLC-18-031

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

Bill No. 006

CITY OF HAMILTON

BY-LAW NO. 19-

Respecting Removal of Part Lot Control

Block 237, Registered Plan No. 62M-1237, “Ancaster Meadows Phase 2”, Municipally known as 1061 Garner Road East, Ancaster

WHEREAS the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of two parts, shown as Part 4 and Part 5, inclusive, on deposited Reference Plan 62R-21048, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 237, Registered Plan No. 62M-1237, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 23rd day of January, 2021.

PASSED this 23rd day of January, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 31, Planning and Economic
Development Committee
Report: 06-005
CM: April 12, 2006
Ward: 11

Bill No. 007

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend Zoning By-law No. 05-200, as amended by By-law No. 15-118, respecting lands located at 73 and 110 Aeropark Boulevard, Glanbrook

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

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

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

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

AND WHEREAS the Council of the City of Hamilton, in adopting Item 31 of Report 10-019 of the Economic Development and Planning Committee at its meeting held on the 13th day of October, 2010, established the "H" Holding provisions for certain lands within the Airport Employment Growth District;

And WHEREAS the Ontario Municipal Board approved the Airside Industrial (M7) to Airport Prestige Industrial (M11) Zones for the Airport Employment Growth District in its decision of April 10, 2015,

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan, as amended by the Ontario Municipal Board decision of April 10, 2015, for the Airport Employment Growth District.

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

1. That Maps 1585, 1628, and 1629 appended to and forming part of By-law No. 05-200 (Hamilton), as amended by By-law No. 15-118, is hereby further amended by changing the zoning from the Airport Prestige Industrial (M11, H37) Zone, to the

Airport Prestige Industrial (M11) Zone, on the lands the extent and boundaries of which are shown on Schedule “A” annexed hereto and forming part of this by-law.

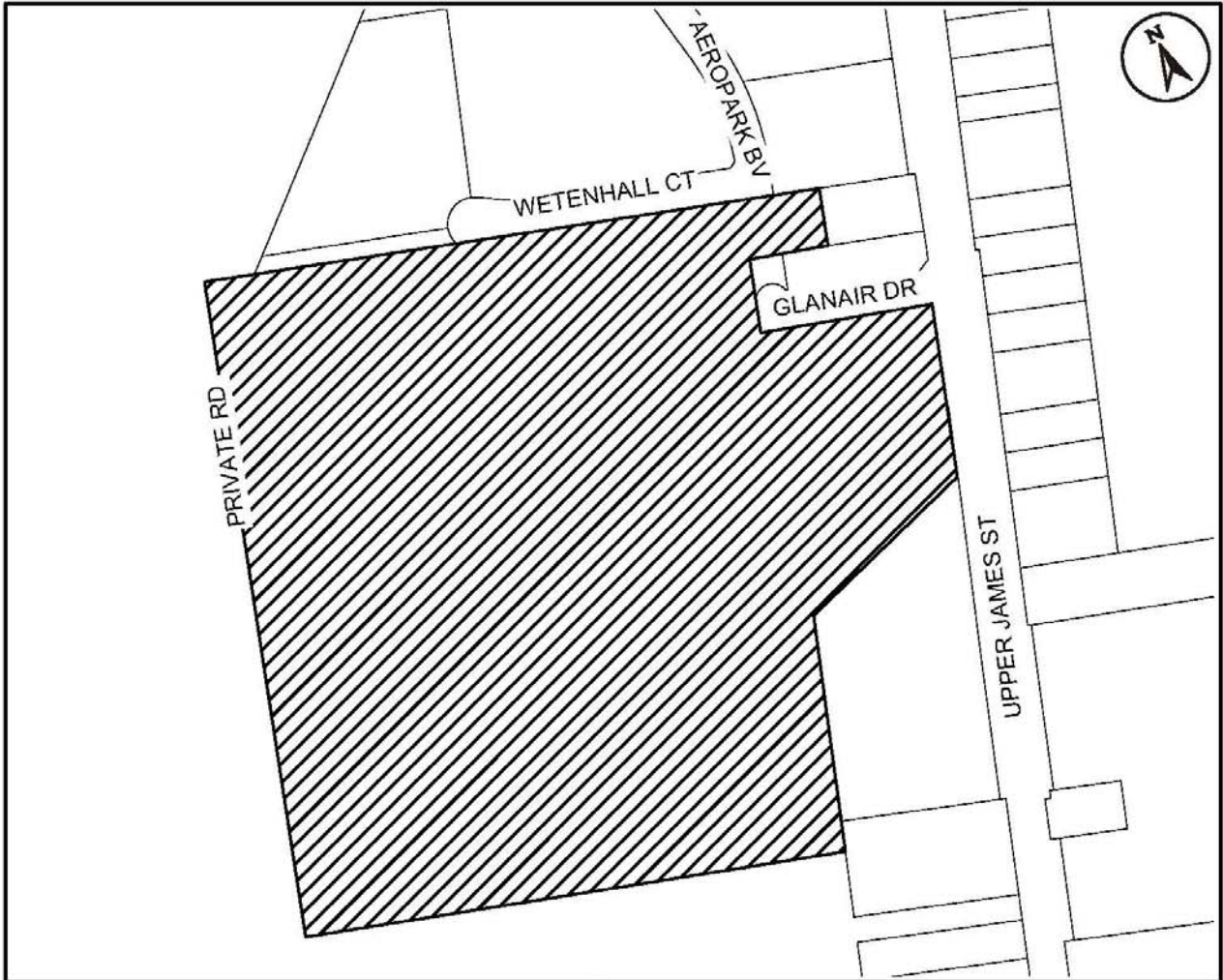
2. That Schedule “D” – Holding Provisions, of By-law No. 05-200, be amended by deleting Holding Provision 37.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.
4. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Airport Prestige Industrial (M11) Zone provisions.
5. That this By-law No. 19-007 shall come into force and be deemed to come into force in accordance with Sub-section 34(21) of the *Planning Act*, upon the date of passage of this By-law.

PASSED this 23rd day of January, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAH-18-060



This is Schedule "A" to By-law No. 19- Passed the day of, 2019	_____ Mayor _____ Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 19-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Maps 1585, 1628 & 1629</p>		<p>Subject Property 73 & 110 Aeropark Boulevard, Glanbrook</p> <p> Change in Zoning from the Airport Prestige Industrial (M11, H37) Zone to the Airport Prestige Industrial (M11) Zone</p>
Scale: N.T.S.	File Name/Number: ZAH-18-060	<p>Hamilton</p>
Date: Jan. 14, 2019	Planner/Technician: TVVS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 7, Planning Committee
Report 19-001 (PED19003)
CM: January 23, 2019
Ward: 15

Bill No. 008

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 119 Highway No. 5 West, Flamborough

WHEREAS Council approved Item 7 of Report 19-001 of the Planning Committee, at its meeting held on January 23, 2019;

WHEREAS this By-law will be in conformity with the Rural Hamilton Official Plan.

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

1. That Map No. RU85 of Schedule "A" – Zoning Maps of Zoning By-law No. 05-200 be amended as follows:
 - a) by changing the zoning from the Rural (A2) Zone to the Rural (A2, 715) Zone, to the extent and boundaries of which are shown on Schedule "A" annexed hereto and forming part of this By-law.
2. That Schedule "C" – Special Exceptions, of By-law No. 05-200 be amended by adding a special exception as follows:
 715. Within those lands zoned Rural (A2) Zone, identified on Maps RU85, of Schedule "A" – Zoning Maps and described as:

Property address	Map number
119 Highway No. 5 W.	RU85

The following special provision shall apply:

- a) Notwithstanding Section 12.2.3.3 e), the maximum gross floor area for a farm product supply dealer shall be 3,300 square metres.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.
4. That no building or structure shall be erected, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Rural (A2) Zone provisions, subject to the special requirements as referred to in Section 2 of this By-law.

PASSED this 23rd day of January, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAR-18-043



<p>This is Schedule "A" to By-law No. 19- Passed the day of, 2019</p>	<p>----- Mayor ----- Clerk</p>
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<p>Schedule "A"</p> <p>Map Forming Part of By-law No. 19-_____</p> <p>to Amend By-law No. 05-200 Map 85</p>	<p>Subject Property 119 Highway No. 5 West</p> <p> Change in Zoning from Rural (A2) Zone to Rural (A2, 715) Zone</p>
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<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAR-18-043</p>	
<p>Date: Nov. 1, 2018</p>	<p>Planner/Technician: EM/AL</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

Authority: Item 6, Planning Committee
Report 19-001 (PED19002)
CM: January 23, 2019
Ward: 8

Bill No. 009

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend Zoning By-law No. 6593 Respecting Lands Located at 865 West 5th Street (Hamilton)

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

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

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

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

WHEREAS, the Council of the City of Hamilton, in adopting Item 6 of Report 19-001 of the Planning Committee, at its meeting held on the 23rd day of January, 2019, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

WHEREAS, this By-law is in conformity with the Urban Hamilton Official Plan.

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

1. That Sheet No. W17c of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton) is amended, by changing the zoning from the "AA" (Agricultural) District to the "C" (Urban Protected Residential, etc.) District on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements in Section 9 of this By-law.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 23rd day of January, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAR-18-026




This is Schedule "A" to By-law No. 19-
 Passed the day of, 2019

 Mayor

 Clerk

Schedule "A"
 Map Forming Part of
 By-law No. 19-_____
 to Amend By-law No. 6593

Subject Property
 865 West 5th Street
 Change in Zoning from "AA" (Agricultural) District
 to the "C" (Urban Protected Residential, etc)
 District

Scale: N.T.S.	File Name/Number: ZAR-18-026	 Hamilton
Date: Nov. 8, 2018	Planner/Technician: EM/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 4, Planning Committee
Report 18-007 (PED18085)
CM: May 9, 2018
Ward: 10

Bill No. 010

CITY OF HAMILTON

BY-LAW NO. 19-

A By-law to amend Zoning By-law 05-200 to Permit the Development of a Future Stand-Alone Residential or Mixed Use Development on Lands Located at 86, 88, 90, 92, and 94 Lakeview Drive and a Portion of 96 Lakeview Drive (Stoney Creek)

WHEREAS Council approved Item 4 of Report 18-007 of the Planning Committee, at its meeting held on the 9th day of May, 2018;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan;

NOW THEREFORE Council enacts as follows:

1. That Map No. 1100 of Schedule "A" - Zoning Maps, of Zoning By-law No. 05-200, be amended as follows:
 - a. by adding to the City of Hamilton Zoning By-law No. 05-200, the lands the extent and boundaries of which are shown as Schedule "A" to this By-law; and,
 - b. by establishing a Mixed Use Medium Density (C5, 682) Zone, to the lands the extent and boundaries of which are shown as Schedule "A" to this By-law.
2. That Schedule "C" – Special Exceptions, of By-law No. 05-200 is hereby amended by adding an additional special exception as follows:

"682 Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map No. 1100 of Schedule "A" – Zoning Maps and described as 86, 88, 90, 92, and 94 Lakeview Drive and a portion of 96 Lakeview Drive, the following special provisions shall apply:

 - a) Notwithstanding Section 5.6 c), the parking requirement shall be 1.3 per dwelling unit.
 - b) Modify Subsection 10.5.1 by deleting "Dwelling Unit(s)" and replacing it with "Dwelling Unit(s) in conjunction with a Commercial Use".

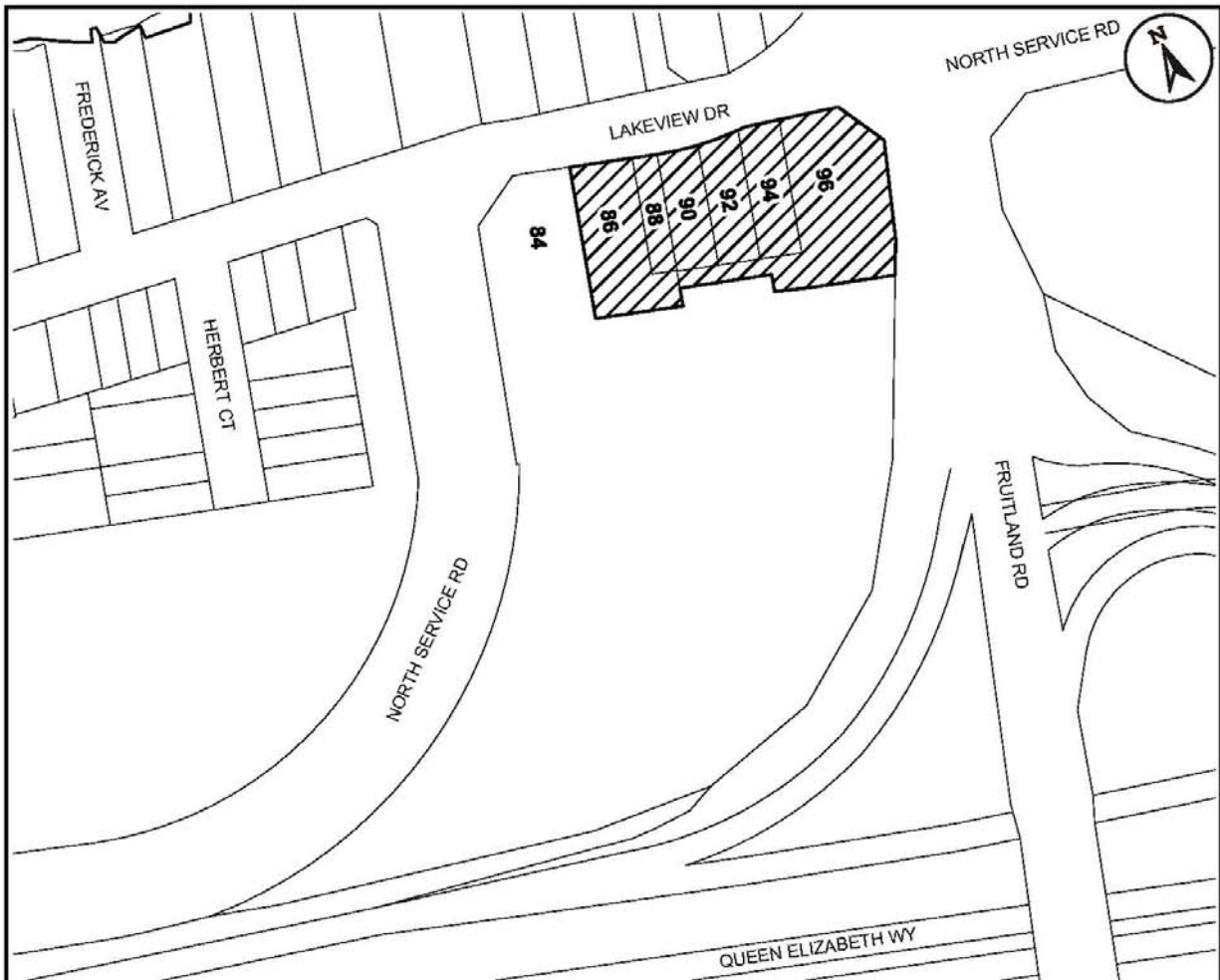
- c) Notwithstanding Subsection 10.5.3 a) ii), the minimum building setback from a street line shall be 1.5 metres, up to a maximum of 4.5 metres, except where a visibility triangle is required for a driveway access.
 - d) Subsection 10.5.3 g) ii), iii) and iv) shall not apply.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 23rd day of January, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAC-17-020



<p>This is Schedule "A" to By-law No. 19-</p> <p>Passed the day of, 2019</p>	<p style="text-align: center;">----- Mayor -----</p> <p style="text-align: center;">----- Clerk -----</p>		
<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 19-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Map 1100 & 1149</p>	<p>Subject Property 84, 86, 88, 90, 92, 94 & 96 Lakeview Drive</p> <p> Lands added to By-law No. 05-200 and zoned Mixed Use Medium Density (C5, 682) Zone</p>		
<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAC-17-020/UHOPA-17-009</p>		
<p>Date: January 4, 2019</p>	<p>Planner/Technician: AF/AL</p>	<p style="text-align: center;">PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>	

Authority: Item 8, Planning Committee
Report 19-001 (PED19024)
CM: January 23, 2019
Ward: 10

Bill No. 011

CITY OF HAMILTON
BY-LAW NO. 19-

**To Amend Zoning By-law No. 3692-92 (Stoney Creek)
Respecting Lands Located at 90 Creanona Boulevard**

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

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

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

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

AND WHEREAS the Council of the City of Hamilton, in adopting Item 8 of Report 19-001 of the Planning Committee, at its meeting held on the 23rd day of January, 2019, recommended that Zoning By-law No. 3692-92 (Stoney Creek) be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan;

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

1. That Map No. 4 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended as follows:
 - a. by changing the zoning from Neighbourhood Development "ND" Zone and Single Residential "R2" Zone to the Single Residential "R3-43" Zone, Modified (Block 1) and Single Residential "R2-65" Zone, Modified (Blocks 3 and 4), on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

2. That Subsections 6.4.7, “Special Exemptions” of Section 6.4, Single Residential “R3” Zone, of Zoning By-law No. 3692-92, be amended by adding a new Special Exemption, “R3-43”, as follows:

“R3-43” 90 Creanona Boulevard, Schedule “A” Map No. 4

- (i) Notwithstanding the provisions of Paragraphs (c), (d) and (g) of Subsection 6.4.3 of the Single Residential “R3” Zone, on those lands zoned “R3-43” Zone, Modified (Block 1) by this By-law, the following shall apply:

- | | | |
|-----|----------------------|--|
| (c) | Minimum Front Yard | 3.0 m to the face of the dwelling and 5.8 metres to the face of the garage. |
| (d) | Minimum Side Yard | No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except 0.6 metres on the side of the dwelling not containing an attached garage or attached carport provided that a maintenance easement is entered into between the owners of the abutting lands and properly registered on title of each of the abutting lots. |
| (g) | Maximum Lot Coverage | 40%, except 45% for a one storey single detached dwelling. |

3. That Subsection 6.3.7, “Special Exemptions” of Section 6.3, Single Residential “R2” Zone, of Zoning By-law No. 3692-92, be amended by adding a new Special Exemption, “R2-65”, as follows:

“R2-65” 90 Creanona Boulevard, Schedule “A” Map No. 4

- (i) Notwithstanding the provisions of Subsections 6.3.2 and 6.3.5 “Zone Regulations” of the Single Residential “R2” Zone, on those lands zoned Single Residential “R2-65” Zone, Modified (Block 3), only the accessory building existing on the date of the passing of the By-law shall be permitted.
- (ii) Notwithstanding the provisions of Paragraph (e) of Subsection 6.3.3 of the Single Residential “R2” Zone on those lands zoned Single Residential “R2-65” Zone, Modified (Block 4), the single detached dwelling existing on the date of the passing of the By-law shall be permitted.



4. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Single Residential "R2" Zone and Single Residential "R3" Zone provisions, subject to the special requirements referred to in Section 2.
5. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 23rd day of January, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAC-17-033

		
<p>This is Schedule "A" to By-law No. 19-</p> <p>Passed the day of, 2019</p>	<p style="text-align: center;">----- Mayor ----- ----- Clerk</p>	
<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 19-_____</p> <p style="margin: 0 0 0 0;">to Amend By-law No. 3692-92</p>		
<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAR-17-035</p>	<p>Subject Property</p> <p>90 Creanona Boulevard</p> <p> Block 1 - Change in zoning from Neighbourhood Development "ND" Zone to the Single Residential "R3-43" Zone, Modified</p> <p> Block 2 - Lands to be added to the Hamilton Zoning By-law 05-200 and zoned Conservation / Hazard Lands (P5, 717) Zone</p> <p> Block 3 - Change in zoning from the Neighbourhood Development "ND" Zone and Single Residential "R2" Zone, to the Single Residential "R2-65" Zone, Modified</p> <p> Block 4 - Change in zoning from the Neighbourhood Development "ND" Zone to the Single Residential "R2-65" Zone, Modified</p>
<p>Date: Dec. 3, 2018</p>	<p>Planner/Technician: MF/AL</p>	
 Hamilton <small>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</small>		

Authority: Item 8, Planning Committee
Report 19-001 (PED19024)
CM: January 23, 2019
Ward: 10

Bill No. 012

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend Zoning By-law No. 05-200 (Hamilton) Respecting Lands Located at 90 Creanona Boulevard

WHEREAS Council approved Item 8 of Report 19-001 of the Planning Committee, at its meeting held on January 23, 2019;

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

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

1. That Map No. 1205 on Schedule A - Zoning Maps, to Zoning By-law No. 05-200 is amended by incorporating additional Conservation / Hazard Lands (P5) Zone, for the applicable lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule A.
2. That Schedule "C" - Special Exceptions of Zoning By-law No. 05-200, is hereby amended by passing the following site specific Conservation / Hazard Lands (P5, 717) Zone:

"717. Within the lands zoned Conservation / Hazard Lands (P5, 717) Zone, identified on Map 1205 of Schedule "A" – Zoning Maps and described as 90 Creanona Boulevard, the following special provision shall apply:

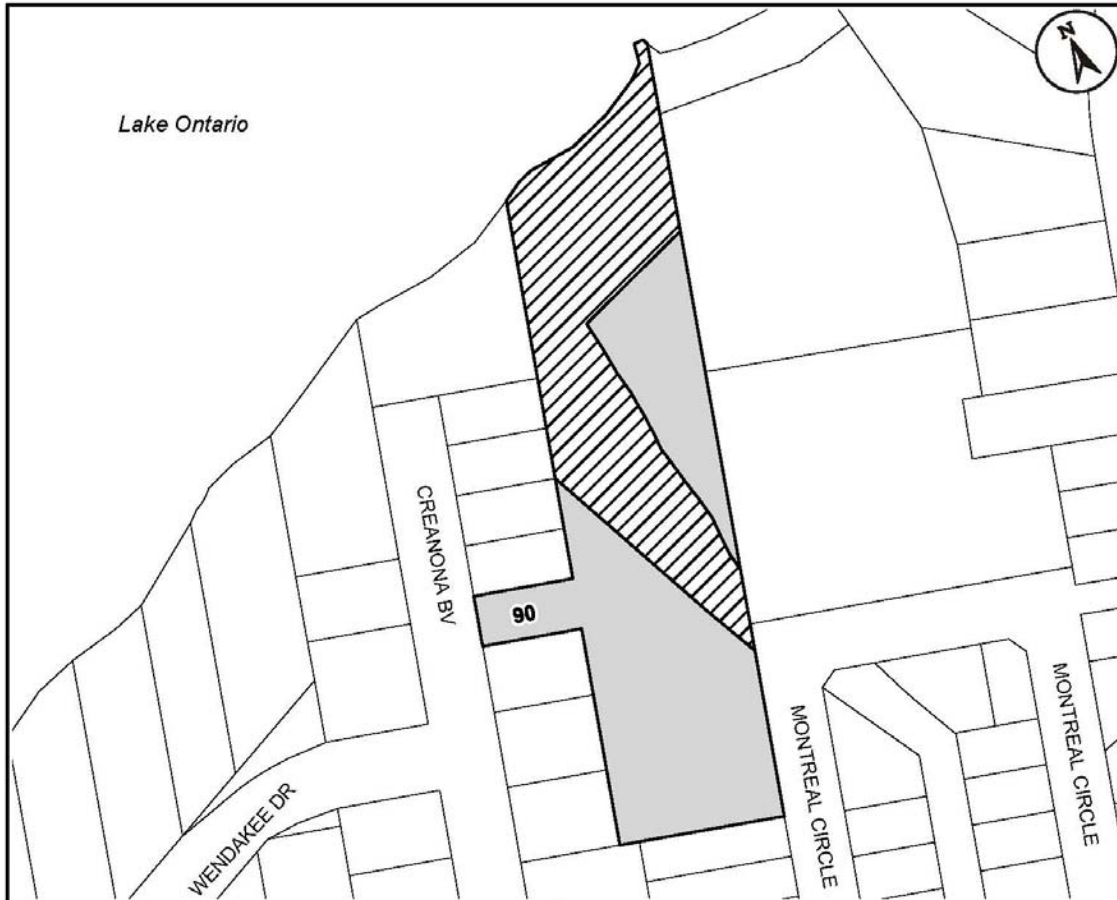
 - a) Section 4.23 Special Setbacks d) shall not apply the existing single detached dwelling and accessory structure.
 - b) In addition to Section 7.5 Conservation / Hazard Land (P5) Zone, a private driveway access shall be permitted to access the existing single detached dwelling.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.
4. That no building or structure shall be erected, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Conservation / Hazard Land (P5) Zone provisions, subject to the special requirements as referred to in Section 2 of this By-law.

PASSED this 23rd day of January, 2019

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAR-17-033



This is Schedule "A" to By-law No. 19- Passed the day of, 2019	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <h3 style="margin: 0;">Map Forming Part of By-law No. 19-_____</h3> <h3 style="margin: 0;">to Amend By-law No. 05-200 Map 1205</h3>	<p>Subject Property 90 Creanona Boulevard</p> <p> Change in zoning from the Neighbourhood Development "ND" Zone to the Conservation/Hazard Lands (P5, 717) Zone</p> <p> Lands to remain within Stoney Creek Zoning By-law No. 3692-92</p>
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Scale: N.T.S.	File Name/Number: ZAR-17-033	
Date: Dec. 3, 2018	Planner/Technician: MF/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 5, Planning Committee
Report 19-001 (PED19002)
CM: January 23, 2019
Ward: 9

Bill No. 013

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 19 Highland Road East (Stoney Creek)

WHEREAS Council approved Item 5 of Report 19-001 of the Planning Committee, at the meeting held on January 23, 2019;

AND WHEREAS direction has been given to amend By-law No. 18-308 to correct the previous By-law;

AND WHEREAS this By-law is in conformity with the Rural Hamilton Official Plan, upon finalization of Official Plan Amendment No. 20.

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

1. That By-law No. 18-308 be amended by:
 - (a) correcting the legend in Schedule A of the amending By-law to state changing the zoning from Existing Rural Industrial (E2, 155, H2) Zone to Existing Rural Industrial (E2, 716, H109) Zone whereas the current legend states change in zoning from Existing Rural Industrial (ER, 155) Zone to Existing Industrial (E2, 689) Zone;
 - (b) deleting any reference to site specific number 689 and replacing it with site specific number 716; and,
 - (c) that all reference to Existing Industrial (E2, 689, H109) Zone is deleted and replaced with Existing Rural Industrial (E2, 716, H109) Zone.

PASSED this 23rd day of January, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk



This is Schedule "A" to By-law No. 19- Passed the day of, 2019	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 19-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Map RU166</p>		<p>Subject Property 19 Highland Road East, Stoney Creek</p> <p> Change in Zoning from Existing Rural Industrial (E2, 155, H2) Zone to Existing Rural Industrial (E2, 716, H109) Zone</p>			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Scale: N.T.S.</td> <td style="width: 50%; padding: 2px;">File Name/Number: ZAC-17-055 & RHOPA-17-024</td> </tr> <tr> <td style="padding: 2px;">Date: Nov. 12, 2018</td> <td style="padding: 2px;">Planner/Technician: AB/NB</td> </tr> </table>	Scale: N.T.S.	File Name/Number: ZAC-17-055 & RHOPA-17-024	Date: Nov. 12, 2018	Planner/Technician: AB/NB	<p>Hamilton</p>
Scale: N.T.S.	File Name/Number: ZAC-17-055 & RHOPA-17-024				
Date: Nov. 12, 2018	Planner/Technician: AB/NB				
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT					

Authority: Item 9, Planning Committee
Report 19-001 (PED19001)
CM: January 23, 2019
Ward: 10

Bill No. 014

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend Zoning By-law 3692-92 (Stoney Creek) Respecting lands located at 560 Grays Road

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

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

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

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

WHEREAS the Council of the City of Hamilton, in adopting Item 9 of Report 19-001 of the Planning Committee, at its meeting held on the 23rd day of January, 2019, recommended that Zoning By-law No. 3692-92 (Stoney Creek) be amended as hereinafter provided; and

WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan.

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

1. That Map No. 1 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended as follows:
 - (a) by further modifying the zoning of the Multiple Residential "RM3-58" Zone, Modified.
2. That Subsection 6.10.7, "Special Exemptions" of Section 6.10 Multiple Residential "RM3" Zone, of Zoning By-law No. 3692-92, be repealed and replaced with the following:

"RM3-58" 560 Grays Road, Schedule "A", Map No. 1

Notwithstanding Part 2 – Definition and the provisions of Paragraphs (c), (e), (g), (i) and (j) of Subsection 6.10.3 “Zone Regulations” of the Multiple Residential “RM3” Zone, on those lands zoned “RM3-58” by this By-law, the following shall apply:

1. Definitions

(a) Frances Avenue shall be deemed to be the front lot line.

2. Regulations

(c) Front Yard Minimum 12.0 metres for that portion of the building located between 9.0 metres and 40.0 metres from Grays Road.

Minimum 89.0 metres for that portion of the building between 9.0 metres and 61.0 metres from Drakes Drive.

(e) Rear Yard 14.0 metres

(g) Side Yard (westerly) Minimum 9.0 metres

(g) Side Yard (easterly) Minimum 9.0 metres for that portion of the building between 14.0 metres and 24.5 metres from North Service Road, excluding the daylight triangle.

Minimum 61.0 metres for that portion of the building 24.0 metres from Frances Avenue.

(i) Maximum Density 141 units per net residential hectare

(j) Maximum Building Height 15.0 metres (4 storeys).

Maximum Building Height may be equivalently increased as the front yard increases beyond the front lot line to a maximum of 25.0 metres and 6 storeys.

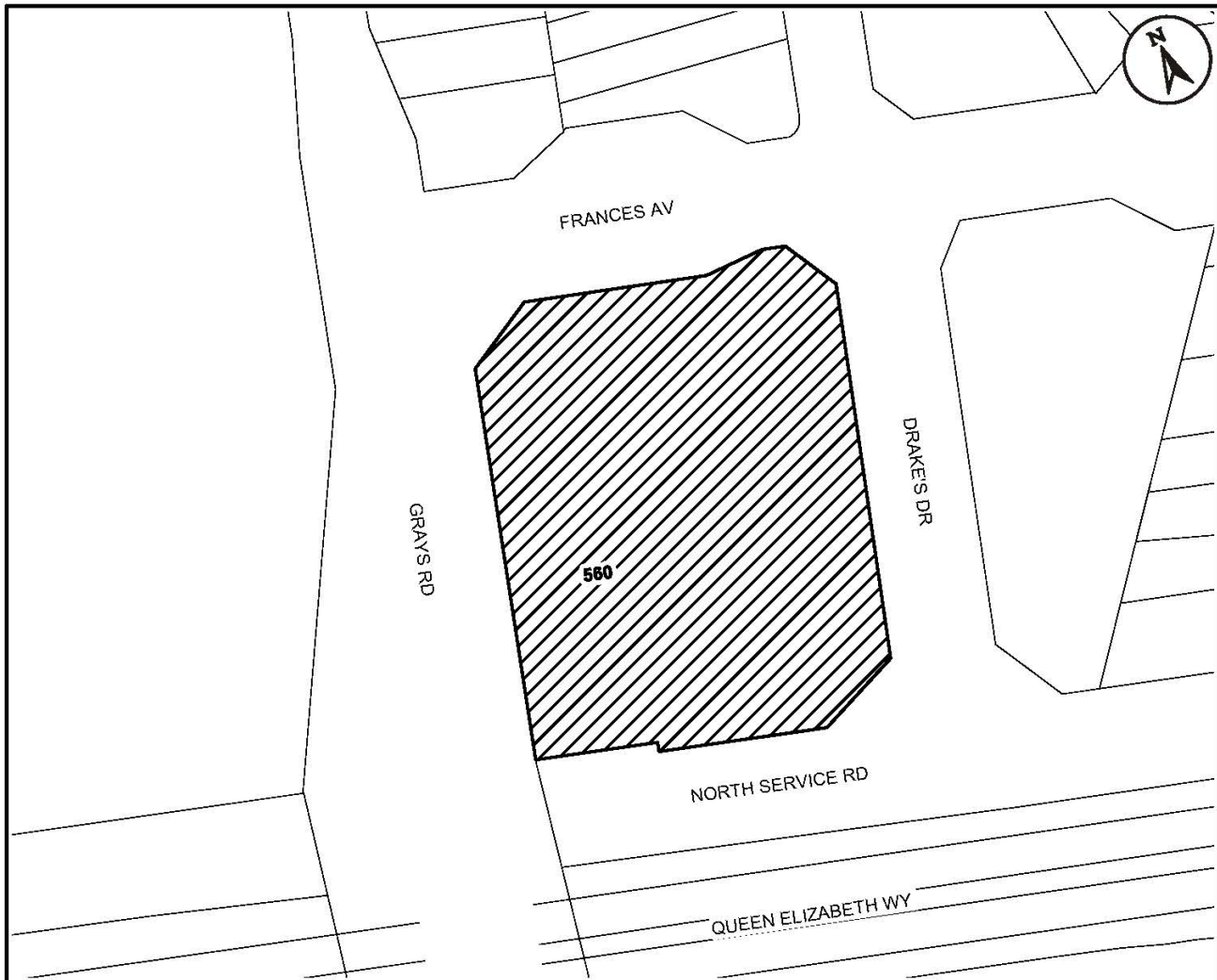
That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 23rd day of January, 2019

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAC-18-017




This is Schedule "A" to By-law No. 19-
 Passed the day of, 2019

 Mayor

 Clerk

Schedule "A"
 Map Forming Part of
 By-law No. 19-_____
 to Amend By-law No. 3692-92

Subject Property
 560 Grays Road
 Lands to be further amended from Multiple Residential "RM3-58" Zone, Modified to Multiple Residential "RM3-58" Zone Modified.

Scale:
 N.T.S.
 Date:
 Nov. 14, 2018

File Name/Number:
 ZAC-18-017
 Planner/Technician:
 JL/NB



Authority: Item 2, Audit, Finance &
Administration Committee Report
19-001 (FCS19003)
CM: January 23, 2019
Ward: City Wide
Bill No. 015

CITY OF HAMILTON

BY-LAW NO. 19-

To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues for 2019

WHEREAS the Council for the City of Hamilton deems it necessary to pass and enact a by-law to authorize the temporary borrowing of monies by the City to meet current budget expenditures for the year 2019 pending receipt of current revenues;

AND WHEREAS section 407(1) of the *Municipal Act, 2001*, provides as follows:

"At any time during a fiscal year, a municipality may authorize temporary borrowing, until the taxes are collected, and other revenues are received, of the amounts that the municipality considers necessary to meet the expenses of the municipality for the year and of the amounts, whether or not they are expenses for the year, that the municipality requires in the year"

AND WHEREAS Section 407(2) of the *Municipal Act, 2001*, imposes certain limitations on the amounts that may be borrowed at any one time.

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

1. (a) The City of Hamilton is hereby authorized to borrow from a Bank or person by way of Promissory Notes or Bankers Acceptances from time to time a sum or sums of monies not exceeding at any one time the amounts specified in subsection (2) of the *Municipal Act, 2001* to pay off temporary bank overdrafts for the current expenditures of the City for the year 2019, including amounts for sinking funds, principal and interest falling due within such fiscal year and the sums required by law to provide for the purposes of the City.
- (b) The amount of monies that may be borrowed at any one time for the purposes of subsection (1) of the *Municipal Act, 2001*, together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed the prescribed percentages of the total of the estimated revenues of the City as set forth in the estimates adopted for the year, which percentages are set out in section 407 of the *Municipal Act, 2001* as it may be amended from time to time.

To Authorize the Temporary Borrowing of Monies to Meet Current
Expenditures Pending Receipt of Current Revenues for 2019

Page 2 of 2

2. (a) Until estimates of revenue of the City for the 2019 year are adopted, borrowing shall be limited to the estimated revenues of the City as set forth in estimates adopted for the next preceding year.
- (b) The total estimated revenues of the City, including the amounts levied for Education purposes, adopted for the year 2019 are One Billion, Nine Hundred Million Dollars (\$1,900,000,000).
3. All sums borrowed pursuant to the authority of this By-law, together with any and all similar borrowings in the current year and in previous years that have not been repaid shall, together with interest thereon, be a charge upon the whole of the revenues of the City for the current year and for all preceding years, as and when such revenues are collected or received.
4. The Treasurer shall, and is hereby authorized and directed to, apply in payment of all sums borrowed pursuant to this By-law, together with interest thereon, all of the monies thereafter collected or received for the current and preceding years, either on account or realized in respect of taxes levied for the current year and preceding years or from any other sources which may lawfully be applied for such purpose.
5. That the Mayor and failing such person, the Deputy Mayor of the City Council and failing such person, the City Manager, together with the Treasurer or any one of the Temporary Acting Treasurers be authorized and directed to sign and execute the aforesaid Promissory Notes and Bankers Acceptances, hypothecations, agreements and such other documents, writings and papers which shall give effect to the foregoing.
6. This By-law shall come into force and effect on the 1st day of January 2019 and shall remain in force and effect until December 31, 2019.

PASSED this 23rd day of January, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 2, Audit, Finance &
Administration Committee
Report 19-001 (FCS19003)
CM: January 23, 2019
Ward: City Wide

Bill No. 016

CITY OF HAMILTON

BY-LAW NO. 19-

To Authorize an Interim Tax Levy for 2019

WHEREAS the Council for the City of Hamilton deems it necessary to pass a by-law to levy on the whole of the assessment for each property class in the local municipality rateable for a local municipality purpose, a sum not to exceed that which would be produced by applying the prescribed percentage (or 50 percent if no percentage is otherwise prescribed) of the total amounts billed to each property for all purposes in the previous year on the properties that, in the current year, are in the property class as provided for in Section 317 of the Municipal Act, 2001;

AND WHEREAS Section 317 of the Municipal Act, 2001, also authorizes a Municipal Council, by by-law, to adjust the interim taxes on a property if the Council is of the opinion that the Interim Levy on a property is too high or too low in relation to its estimate of the total taxes which will be levied on the property in 2019;

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

1. The interim tax levies shall be levied and collected upon the whole of the rateable property categories in columns 1 and 2, shown below:

<u>Column 1</u>	<u>Column 2</u>
Class	Class Code
Residential	RT
Farmlands Awaiting Development	C1/R1/M1
Multi-Residential	MT
New Multi-Residential	NT
Residual Commercial	CT/DT
New Residual Commercial	XT/YT
Residual Commercial Vacant Unit	CU/DU
New Residual Commercial Vacant Unit	XU/YU
Shopping Centre	ST
New Shopping Centre	ZT
Shopping Centre Vacant Unit	SU
New Shopping Centre Vacant Unit	ZU
Parking and Vacant Commercial Land	GT/CX
Residual Industrial	IT
New Residual Industrial	JT

Residual Industrial Vacant Unit/Land	IU/IX
New Residual Industrial Vacant Unit	JU/JX
New Construction Large Industrial	KT
New Construction Large Industrial Vacant Unit	KU
Large Industrial	LT
Large Industrial Vacant Unit	LU
Landfills	HT
Pipeline	PT
Farmland	FT
Managed Forest	TT
Rail Right of Way	WT CN
Rail Right of Way	WT CP
Utility Right of Way	UT
Shortline Railway Right-of-Way	BT

2. The interim tax levy shall become due and payable in two installments as allowed under Section 342(1)(a) of the Municipal Act, 2001, as follows:

Fifty percent of the interim levy, rounded, shall become due and payable on the 28th day of February 2019 and the balance of the interim levy shall become due and payable on the 30th day of April, 2019 and non-payment of the amounts due on the dates stated, in accordance with this section, shall constitute default.

3. That when payment of any instalment or any part of any instalment of taxes levied by this by-law is in default, penalties and where applicable interest, shall be imposed respectively in accordance with City of Hamilton policies.
4. Section 342(1) (b) of the Municipal Act, 2001 allows for alternative instalment due dates to spread the payment of taxes more evenly over the year. Therefore, the interim tax levy for those on a 12-month pre-authorized automatic withdrawal payment plan shall be paid in 6 equal installments due and payable on or after the first or fifteenth day of each month January to June, inclusive. For those on the 10-month pre-authorized automatic withdrawal payment plan, the interim levy shall be paid in 5 equal installments due and payable on or after the first day of each month February to June, inclusive. The pre-authorized payment plans shall be penalty and interest free for as long as the taxpayer is in good standing with the terms of the plan agreements.
5. The interim tax levy rates shall also apply to any property added to the assessment roll after this by-law is enacted.
6. This by-law shall come into force and effect on the 1st day of January 2019.

PASSED this 23rd day of January, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 7, Public Works Committee
Report 15-003 (PW15015)
CM: March 11, 2015
Ward: 2

Bill No. 017

CITY OF HAMILTON

BY-LAW NO. 19-

Being a By-law to Permanently Close a Portion of Public Unassumed Alley Abutting 150 Main Street East, Hamilton, established by Registered Plan 48, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20413, being Part of PIN 17170-0156 (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 March 11, 2015, in adopting Item 7 of Public Works Committee Report 15-003, authorized the City to permanently close and sell a portion of a public unassumed alley abutting 150 Main Street East, Hamilton, Ontario, established by Registered Plan 48, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20413, being Part of PIN 17170-0156 (LT), City of Hamilton;

AND WHEREAS a Judge's Order was issued and registered on title on January 7, 2019, as Instrument No. WE1331038 to close a portion of a public unassumed alley abutting 150 Main Street East, Hamilton, Ontario, established by Registered Plan 48, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20413, being Part of PIN 17170-0156 (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 a public unassumed alley, set out as:

Part of Alleyway, west side of Walnut Street in the Block Bounded by Catherine Street, Main Street East, Walnut Street and Jackson Street, Plan 48, in the City of Hamilton, designated as Part 1, Plan 62R-20413

is hereby permanently closed.

2. That the soil and freehold of Part 1 on Reference Plan 62R-20413, hereby permanently closed, be sold to 2364714 Ontario Inc. for the sum of Forty Thousand Dollars (\$40,000.00).
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 23rd day of January, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: February 6, 2001
Ward: 1,2,3,4,7,8,9,10,11,13

Bill No. 018

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking

WHEREAS *Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*,

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

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

1. By-law No. 01-218, as amended, is hereby further amended by adding/deleting from the identified Schedules and Sections noted in the table below as follows:

Schedule	Section	Highway	Side	Location	Duration	Times	Days	Adding/ Deleting
6 – <i>Time Limit</i>	<i>E</i>	McElroy	North	Upper James to West 2 nd	1 hr	8 am - 6 pm	Mon - Fri	Deleting
6 – <i>Time Limit</i>	<i>E</i>	McElroy Rd.	North	Up. James to West 2nd St.	2hr	9 am - 4 pm	Mon - Fri	Adding
6 – <i>Time Limit</i>	<i>E</i>	Belview	West	Cannon to north end	1 hr	8 am - 8 am	Mon - Sun	Deleting

To Amend By-law No. 01-218, as amended,
Being a By-law to Regulate On-Street Parking

Schedule	Section	Highway	Side	Location	Duration	Times	Days	Adding/ Deleting
<i>6 – Time Limit</i>	<i>E</i>	Inverness Ave.	Both	Arcade Cres. to Up. James St.	3 hr	8 am - 4 pm	Mon - Fri	Adding
Schedule	Section	Highway	Side	Location		Times	Adding/ Deleting	
<i>8 – No Parking</i>	<i>E</i>	Ofield	North	Ewen to 283 feet westerly		Anytime	Deleting	
<i>8 – No Parking</i>	<i>E</i>	Ofield Rd.	North	Ewen Rd. to 120m westerly		Anytime	Adding	
<i>8 – No Parking</i>	<i>E</i>	Ofield Rd.	South	120m west of Ewen Rd. to 70m westerly		Anytime	Adding	
<i>8 – No Parking</i>	<i>F</i>	Escarpment Dr.	East & South	87m north of Barton St. to 23m north-east		Anytime	Adding	
<i>8 – No Parking</i>	<i>F</i>	Escarpment Dr.	North & West	75m east of Edenrock Dr. to 30m east-south		Anytime	Adding	
<i>8 – No Parking</i>	<i>F</i>	Edenrock Dr.	East & South	55m north of Edgeview Dr. to 30m north-east		Anytime	Adding	
<i>8 – No Parking</i>	<i>B</i>	Mercer St.	North	Creighton Rd. to 556m westerly		Anytime	Deleting	
<i>8 – No Parking</i>	<i>B</i>	Mercer St.	North	151m east of east limit of Head St. to 215m easterly		Anytime	Deleting	
<i>8 – No Parking</i>	<i>B</i>	Mercer St.	North	Head St. to Creighton Rd.		Anytime	Adding	
<i>8 – No Parking</i>	<i>B</i>	Mercer Crt.	East	Mercer St. to 50m southerly		Anytime	Adding	
<i>8 – No Parking</i>	<i>E</i>	Mountville Ave.	North	18m east of Up. Wellington St to 7m easterly		Anytime	Adding	

To Amend By-law No. 01-218, as amended,
Being a By-law to Regulate On-Street Parking

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
8 – No Parking	(G)	Emerson St.	West	9m north of Royal Ave. to 8m northerly	Anytime	Adding
8 – No Parking	E	William St.	East	Barton St. - Birge St.	Anytime	Adding
8 – No Parking	D	Pumpkin Pass	North	Hitching Post Ridge to 23m east of Winners Way	Anytime	Adding
8 – No Parking	D	Pumpkin Pass	South	Blue Ribbon Way to 82m easterly	Anytime	Adding
8 – No Parking	E	Montclair	South	Ottawa to London	Anytime	Deleting
8 – No Parking	D	Windwood Dr.	North	Magnificent Way to 42m easterly	Anytime	Adding

Schedule	Section	Highway	Location	NPA from 8am on 1st day of each month, to 11pm on 15th day of each month AND Dec-Mar	NPA from 8am on 16th day of each month to 11pm on last day of month Apr-Nov	Adding/ Deleting
10 – Alt. Side (Apr-Nov)	E	William Street	Barton Street to Birge Street	East	West	Deleting

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
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To Amend By-law No. 01-218, as amended,
Being a By-law to Regulate On-Street Parking

12 – Permit	<i>E</i>	Magill	West	from 54.2m south of Barton to 4.2m southerly	Anytime	Deleting
12 – Permit	<i>E</i>	Weir	West	from 160m south of Barton to 6m southerly	Anytime	Deleting
12 – Permit	<i>E</i>	Severn St.	East	70m south of Colbourne St. to 6m southerly	Anytime	Adding
12 – Permit	<i>E</i>	Severn St.	West	65m south of Colbourne St. to 6m southerly	Anytime	Adding
12 – Permit	<i>E</i>	Mountain Ave	East	12m north of South St./Glenfern Ave. to 6m northerly	Anytime	Adding
12 – Permit	<i>E</i>	Mountain Ave	West	11m north of South St./Glenfern Ave. to 6m northerly	Anytime	Adding
12 – Permit	<i>E</i>	East 23rd St.	East	19m south of Brucedale Ave. to 6m southerly	Anytime	Adding
12 – Permit	<i>E</i>	Beechwood	South	from 75.8m east of Barnesdale Av. to 5.1m easterly	Anytime	Deleting
12 – Permit	<i>E</i>	William St.	West	58m south of Birge St. to 6m southerly	Anytime	Adding
12 – Permit	<i>E</i>	Fairfield Ave.	West	66m north of Vansitmart Ave. to 6m northerly	Anytime	Adding
12 – Permit	<i>E</i>	Case	North	from 80m west of Lottridge to 7m west	Anytime	Adding
12 – Permit	<i>E</i>	Case	South	from 72.9m west of Lottridge to 7.1m west	Anytime	Adding
12 – Permit	<i>E</i>	Birch	East	from 75.5m north of the extended north curb line of Harvey o 6m northerly	Anytime	Deleting

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
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To Amend By-law No. 01-218, as amended,
Being a By-law to Regulate On-Street Parking

13 – No Stopping	E	Southampton Dr.	South	Up. Sherman Ave. to 37m westerly	Anytime	Adding
13 – No Stopping	F	Glenhollow Dr.	South & West	55m east of Elderridge Crt. to 42m east/south	Anytime	Adding
13 – No Stopping	F	Narbonne Cres. (S. Leg)	North & West	65m east of Chaumont Dr. to 27m east/north	Anytime	Adding
13 – No Stopping	F	Narbonne Cres. (S. Leg)	South & West	60m east of Chaumont Dr. to 26m east/south	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
14 – Wheelchair LZ	E	Rosedale Ave	East	85m south of Montrose Ave. to 8m southerly	8:00pm - 6:00pm, Mon-Fri	Adding
14 – Wheelchair LZ	E	Prospect	East	from 102.1m north of Afton to 7m northerly	Anytime	Deleting
14 – Wheelchair LZ	E	Charlton	North	from 27.3m west of Hughson to 11.7m westerly	Anytime	Deleting
14 – Wheelchair LZ	E	Charlton Ave.	North	27m west of Hughson St. to 15m westerly	Anytime	Adding
14 – Wheelchair LZ	E	MacDonald Ave.	East	18m south of Homewood Ave. to 11m southerly	7:00am - 9:00pm	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
15 – Comm. Veh	E	James St.	East	27m south of King William to extending 30m southerly.	8:00 a.m. - 6:00 p.m. Monday to Saturday	Adding

To Amend By-law No. 01-218, as amended,
Being a By-law to Regulate On-Street Parking

15 – Comm. Veh	E	James St.	East	63m south of King William to 13m southerly.	8:00 a.m. - 6:00 p.m. Monday to Saturday	Adding
15 – Comm. Veh	E	James	East	15.4m south of the south branch of King to 23.4m southerly	6:00 a.m. to 6:00 p.m. Monday to Friday	Deleting

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
20 – School Bus Loading	E	Hummingbird Ln.	East	90m north of Skylark Dr. to 33m northerly	7:00 am - 4:00 pm Monday to Friday	Adding

- Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
- This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 23rd day of January, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 4, Public Works
Committee Report 18-008
(PW18047)
CM: June 13, 2018
Ward: 2

Bill No. 019

CITY OF HAMILTON

BY-LAW NO. 19-

Being a By-law to Permanently Close a Portion of Public Alley Abutting 49 Walnut Street South, Hamilton, established by Registered Plan 48, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20965, being Part of PIN 17169-0007 (LT), City of Hamilton

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

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

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

AND WHEREAS the Council of the City of Hamilton on June 13, 2018, in adopting Item 4 of Public Works Committee Report 18-008, authorized the City to permanently close and sell a portion of a public unassumed alley abutting 49 Walnut Street South, Hamilton, Ontario, established by Registered Plan 48, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20965, being Part of PIN 17169-0007 (LT), City of Hamilton;

AND WHEREAS a Judge's Order was issued and registered on title on January 18, 2019, as Instrument No. WE1333544 to close a portion of a public unassumed alley abutting 49 Walnut Street South, Hamilton, Ontario, established by Registered Plan 48, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20965, being Part of PIN 17169-0007 (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 a public unassumed alley, set out as:

Part of Alleyway, Plan 48, City of Hamilton, designated as Part 1, Plan 62R-20965

is hereby permanently closed.
2. That the soil and freehold of Part 1 on Reference Plan 62R-20965, hereby permanently closed, be sold to 1970703 Ontario Inc. for the sum of One Hundred Thousand Dollars (\$100,000.00).
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 23rd day of January, 2019.

F. Eisenberger
Mayor

J. Pilon
City Clerk

CITY OF HAMILTON

BY-LAW NO. 19-

To Confirm the Proceedings of City Council at its meeting held on January 23, 2019.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 23rd day of January, 2019, in respect of each recommendation contained in,

Public Works Committee Report 19-001 – January 14, 2019,
Board of Health Report 19-001 – January 14, 2019,
Planning Committee Report 19-001 – January 15, 2019,
General Issues Committee Report 19-001 – January 16, 2019
Audit, Finance and Administration Committee Report 19-001 – January 17, 2019
and
Healthy and Safe Communities Committee Report 19-001 – January 17, 2019

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting is hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED this 23rd day of January, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk