



City of Hamilton

CITY COUNCIL AGENDA

19-006

Wednesday, March 27, 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 February 27, 2019

4.2 March 20, 2019

5. COMMUNICATIONS

5.1 Correspondence from Grand River Conservation Authority respecting the Municipal Levy Apportionment, 2019.

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

- 5.2 Correspondence from the Town of Fort Erie requesting support for their resolution respecting the Participation of Local Municipalities in the Financial Administration and Governance of Conservation Authorities and Endorsement and Support

Recommendation: Be received.

- 5.3 Correspondence from Grand River Conservation Authority respecting the Municipal Levy & Budget 2019.

(Note: Due to size, the GRCA 2019 Budget Package can be found online)

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

- 5.4 Correspondence from Conservation Halton respecting the 2019 Budget Municipal Funding Apportionment.

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

- 5.5 Correspondence from Wade Poziomka, Ross & McBride LLP, respecting Mirle Chandrashekar.

Recommendation: Be received.

- 5.6 Correspondence from Niagara Region respecting their Niagara Peninsula Conservation Authority Board Appointments.

Recommendation: Be received.

- 5.7 Correspondence from Koya University respecting the Hamilton-Erbil Sister City Proposal for consideration.

Recommendation: Be received.

- 5.8 Correspondence from the Town of Saugeen Shores requesting support for their resolution respecting a request to Governments of Canada and the Province of Ontario to open the application process for the Bi-

lateral "Investing in Canada Infrastructure Program" that was signed on March 14th, 2017.

Recommendation: Be supported.

- 5.9 Correspondence from the Ontario Ombudsman notifying the City of Hamilton of an investigation respecting the February 9th and February 23rd City Manager Recruitment Steering Committee meetings.

Recommendation: Be received.

- 5.10 Correspondence from the Ministry of Education in response to a request from the Hamilton Cycling Committee respecting education around cycling found in Ontario curriculum.
- Recommendation: Be received and referred to the Hamilton Cycling Committee for information.
- 5.11 Correspondence from the City of Toronto requesting support for their resolution to adequately fund the Local Planning Appeal Tribunal.
- Recommendation: Be received.
- 5.12 Correspondence from the Nigerian Canadian Association Hamilton respecting the "temporary pause" of the Hamilton Anti-Racism Resource Center (HARRC).
- Recommendation: Be received.
- 5.13 Correspondence from the Ontario Ombudsman respecting a complaint to the Ontario Ombudsman relating to public access to candidates' election documents at the City Clerk's Office.
- Recommendation: Be received.
- 5.14 Correspondence from Jodi Dean on behalf of Easter Seals Ontario respecting Easter Seals Month in March.
- Recommendation: Be received.
- 5.15 Correspondence from the City of Quinte West respecting their resolution to reduce or eliminate the use of bottled water wherever possible.
- Recommendation: Be received.
- 5.16 Correspondence from the Central Neighbourhood Association respecting the Official Plan and Zoning By-law Amendment to Add a Production Studio Use Within the Barton and Tiffany Lands (PED18210(a)) to the City of Hamilton Zoning By-law No. 05-200.
- Recommendation: Be received and referred to Item 9 of the Planning Committee Report 19-004.
- 5.17 Correspondence from York Region regarding their resolution respecting a Proposed Amendment 1 to the Growth Plan.
- Recommendation: Be received.

- 5.18 Correspondence from Dan Van Den Beukel, City of Hamilton (Ward 10) respecting the Urgent Review - Development & Site Application at 310 Frances Avenue, Stoney Creek (Ward 10) for 3 Towers (48, 54 & 59 Storeys High).

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

6. COMMITTEE REPORTS

- 6.1 Public Works Committee Report 19-004 - March 18, 2019
- 6.2 Board of Health Report 19-003 - March 18, 2019
- 6.3 Planning Committee Report 19-004 - March 19, 2019
- 6.4 General Issues Committee Report 19-005 - March 20, 2019
- 6.5 Audit, Finance & Administration Committee Report 19-004 - March 21, 2019
- 6.6 Emergency & Community Services Committee Report 19-002 - March 21, 2019
- 6.7 Special General Issues Committee Report 19-006 - March 22, 2019 (to be distributed)
- 6.8 General Issues Committee 2019 Operating Budget Report 19-002 (to be distributed)

7. MOTIONS

- 7.1 Appointment of City Manager
- 7.2 Amendments to Item 11 of the General Issues Committee Report 16-004, respecting Report PED15127(a) - Surplus School Property at 155 East 26th Street known as Eastmount Park Elementary School, as amended and Item 7.7 of the September 13, 2017 Council minutes, respecting the Reallocation of the Previously Approved Funding for the Remediation and Demolition of the Surplus School Property at 155 East 26th Street known as Eastmount Park Elementary School.
- Confidential Appendix "A" to Item 7.2 (distributed under separate cover)
- Pursuant to Section 8.1, Sub-section (j) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (j) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to 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.

- 7.3 Amendment to Item 10 of the General Issues Committee Report 17-008, respecting an Investigation of Negative Impacts to the Greensville and Dundas Neighbourhoods Associated with the Increased in Visitors to Webster and Tews Falls and the Dundas Peak
- 7.4 Binbrook Memorial Hall & Ball Diamond Municipal Sewer Connections (2600 Hamilton Regional Road 56)
- 7.5 Local Planning Appeal Tribunal appeals by The Green Organic Dutchman Holdings Limited (PL180732 and PL180818) - Settlement Proposal (LS19006) (Item 13 of Planning Committee Report 19-003)

(deferred at the February 27, 2019 Council meeting)

A copy of Confidential Report LS19006 has been distributed under separate cover for information purposes.

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

8. NOTICES OF MOTIONS

9. STATEMENTS BY MEMBERS

10. PRIVATE AND CONFIDENTIAL

- 10.1 Closed Session Minutes - February 27, 2019 (distributed under separate cover)

Pursuant to Section 8.1, Sub-sections (b), (d), (e) and (f) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (b), (d), (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matters pertain to personal matters about an identifiable individual, including City employees; labour relations or employee negotiations; 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 Closed Session Minutes - March 20, 2019 (distributed under separate cover)

Pursuant to Section 8.1, Sub-sections (b), (d), (e) and (f) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (b), (d), (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matters pertain to personal matters about an identifiable individual, including City employees; labour relations or employee negotiations; 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.

- 10.3 Appointments to Various City of Hamilton Agencies, Boards and Committees for the 2018-2022 Term (distributed under separate cover)
- Pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (b) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees
- 10.4 Update Re: Local Planning Appeal Tribunal appeals of Zoning By-law Amendments 17-095 and 17-096 and Draft Plan of Subdivision Approval for Lands Located at Pier 8, 65 Guise Street East (LS18013(a)) (Ward 2) (distributed under separate cover)
- Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject 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.
- 10.5 Request for Review of Decision of the Local Planning Appeal Tribunal in Case No. PL161240 for Official Plan and Zoning By-law Amendments for the Lands Located at 1117 Garner Road East (Ward 12) (distributed under separate cover)
- Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject 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

- 11.1 044
- To Appoint and Prescribe the Duties and Responsibilities of the Chief Administrative Officer
- 11.2 045
- To Establish City of Hamilton Land Described as Reserve Blocks 268 and 269 on Plan 62M-1257 as Part of Cuesta Heights
- Ward: 9
- 11.3 046
- To Establish City of Hamilton Land Described as Block 200 on Plan 62M-1157 as Part of Burke Street
- Ward: 15

11.4 047

To Establish City of Hamilton Land Described as Part 74 on Plan 62M-1232 as Part of Bedrock Drive

Ward: 9

11.5 048

To Permanently Close and Sell a portion of the road allowance abutting 75 Steel City Court, Hamilton, Ontario, legally described as Firstly: Part of Lots 31 & 32, Broken Front Concession, Geographic Township of Saltfleet, designed as Part 1, Plan 62R-20907, being Part of PIN 17543-0078 (LT); and, Secondly: Part of Lot 31, Broken Front Concession, Geographic Township of Saltfleet, designated as Part 2, Plan 62R-20907, being Part of PIN 17572-0048 (LT); City of Hamilton

Ward: 4

11.6 049

Respecting Removal of Part Lot Control, Block 217, Registered Plan No. 62M-1238, Waterdown Bay Phase 2 – 66, 68, 70, 72 and 74 Humphrey Street

PLC-18-032

Ward: 15

11.7 050

Respecting Removal of Part Lot Control, Block 200, Registered Plan No. 62M-1238, Waterdown Bay Phase 2 – 311, 313, 315, 317, 319 Humphrey Street

PLC-18-032

Ward: 15

11.8 051

Respecting Removal of Part Lot Control, Block 218, Registered Plan No. 62M-1238, Waterdown Bay Phase 2 – 57, 59, 61, 63, 65, 67 Skinner Road

PLC-18-032

Ward: 15

11.9 052

Respecting Removal of Part Lot Control, Block 204, Registered Plan No. 62M-1238, Waterdown Bay Phase 2 – 215, 217, 219, 221, 223, 225 Skinner Road

PLC-18-032

Ward: 15

11.10 053

To Amend Zoning By-law No. 05-200, as amended by By-law No. 17-240, respecting lands located at 512 Highland Road West, Stoney Creek

ZAH-19-005

Ward: 9

11.11 054

To Adopt Official Plan Amendment No. 120 to the Urban Hamilton Official Plan, respecting 264 Governor's Road (Dundas)

Ward: 13

11.12 055

To Amend Zoning By-law No. 3581-86, Respecting Lands Located at 264 Governor's Road, in the former Town of Dundas

ZAC-17-088

Ward: 13

11.13 056

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

Schedule 2 (Speed Limits)

Ward: 13

11.14 057

To Amend By-law No. 10-103 Respecting the Prevention of Backflow into the Water Distribution System of the City of Hamilton

Ward: City Wide

11.15 058

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

Schedule 8 (No Parking Zones)

Schedule 10 (Alternate Side Parking – April-November)

Schedule 12 (Permit Parking Zones)

Ward: 1, 3, 4, 6, 7, 14, 15

11.16 059

Being a By-law to Permanently Close and Sell a Portion of a Public Unassumed Alley abutting 208 MacNab Street North, Hamilton, Ontario, established by Registered Plan 104, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20818, being Part of PIN 17160-0242 (LT)

Ward: 2

11.17 060

Respecting Removal of Part Lot Control, Block 153, Registered Plan of Subdivision No. 62M-1251, "Summit Park Phase 10", municipally known as 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 22, 222, 224, 226, 228 Dalglish Trail

PLC-19-004

Ward: 9

11.18 061

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 1557 Concession 2 West, Flamborough

Ward: 12

11.19 062

To Amend By-law No. 05-200 Respecting Modifications and Updates to certain Definitions, General Provisions, Parking, Open Space, Industrial, Commercial and Mixed Use Zones, Transit Oriented Corridor Rules, Rural Zones Utility Zone, Special Exceptions, and Holding Provisions for the City of Hamilton

CI-18-J

Ward: City Wide

11.20 063

To Confirm the Proceedings of City Council

12. ADJOURNMENT



CITY COUNCIL MINUTES 19-004

5:00 p.m.
February 27, 2019
Council Chamber
Hamilton City Hall
71 Main Street West

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

**Absent with
Regrets:** Councillor B. Johnson and J. Partridge - Personal

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

The Mayor called upon Diane Elms to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

5. COMMUNICATIONS

- 5.6 Correspondence from the Honourable Sylvia Jones, Ministry of Community Safety and Correctional Services respecting resources to support municipalities as they begin to undertake the community safety and well-being planning process.

Recommendation: Be received.

- 5.7 Correspondence from the Upper West Side Landowners Group respecting two areas, east and west of the Garth Street corridor that are currently outside of the urban area and are not part of the Airport Employment Growth District (AEGD).

Recommendation: Be received and referred to the consideration of Item 5 of the Planning Committee Report 19-003.

- 5.8 Correspondence from Environment Hamilton respecting Schedule 5 of Bill 66 - Restoring Ontario's Competitiveness Act.

Recommendation: Be received and referred to the consideration of Item 13 of the General Issues Committee Report 19-004.

- 5.9 Correspondence from Greg Atkinson respecting the Amalaterre Proposal.

Recommendation: Be received and referred to the consideration of Item 4 of the Public Works Committee Report 19-003.

8. NOTICES OF MOTION

- 8.1 Proposals for Waste Management

- 8.2 Fixed and Floating Charge Demand Debenture – Sheraton Hotel – 116 King Street West, Hamilton

10. PRIVATE AND CONFIDENTIAL

- 10.3 Terrapure Stoney Creek Regional Facility EA - Compensation Agreement (LS18045(b) / FCS18072(b)) (Ward 9) - WITHDRAWN

- 10.4 Hamilton Paramedic Service Investigation - Update (no copy)

11. BY-LAWS AND CONFIRMING BY-LAW

- 039 To Amend Hamilton Zoning By-law No. 05-200 for additional setback requirements for Warehouses in Duff's Corner, Ancaster
Ward: 12

(Whitehead/VanderBeek)

That Council move into Closed Session for discussion of Item 13 of Planning Committee Report 19-003 when the matter is before Council for consideration.

Result: Motion CARRIED by a vote of 12 to 1, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
CONFLICT - Mayor Fred Eisenberger

YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
NO - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

(Whitehead/Clark)

That the agenda for the February 27, 2019 meeting of Council be approved, ***as amended***.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

DECLARATIONS OF INTEREST

Councillor Clark declared an interest on Item 3 of the Planning Committee Report respecting Terrapure Stoney Creek Regional Facility Environmental Assessment – Final Environmental Assessment, January 2019 (PED16184(c)), as he has a pre-existing professional relationship with, and was a client of, Terrapure.

Mayor Eisenberger declared an interest on Item 13 of the Planning Committee Report respecting Local Planning Appeal Tribunal appeals by The Green Organic Dutchman Holdings Limited (PL180732 and PL180818) – settlement proposal (LS19006) as he is an investor.

Councillor Wilson declared an interest on Item 1, Section (v), of the Audit, Finance & Administration Committee, respecting Development Charges Stakeholders Sub-Committee Report 19-002, as she has a relative working in the affordable housing field.

APPROVAL OF MINUTES OF PREVIOUS MEETING**10.5 Road Infrastructure Litigation Review and Assessment Follow Up (LS19010(a)) (City Wide)****(Clark/Pearson)**

That Sub-section 10.5 (iii) (b) of the February 13/14, 2019 Council minutes, be amended to read as follows:

10.5 Road Infrastructure Litigation Review and Assessment Follow Up (LS19010(a)) (City Wide)

- (iii) (a) That the City Manager in consultation with the City Solicitor be directed to seek outside legal counsel to brief City Council on the process to initiate an investigation pursuant to Ontario Municipal Act Section 274.1.a & b, Investigation by a Judge and the Public Inquires Act Section 33, Inquiries or an Independent External Investigation; and
- (b) That this Independent Legal Counsel be directed to provide the following information to City Council on **March 20, 2019**:
 - 1) Provide clarification on the powers of a Investigation under the Municipal Act and the Public Inquiries Act;
 - 2) What is the process for council to request a Judge in the Ontario Superior Court to undertake such an investigation;
 - 3) Who sets the parameters or scope of the investigation;
 - 4) Could evidence uncovered in the inquiry be used by third parties in criminal or civil litigation;
 - 5) What would the projected time frames and costs be?
 - 6) Could the final report address i.e. who knew, when did they know, why didn't they share the report, etc;
 - 7) Could the investigation final report assign blame or responsibility to any person, persons or corporations; and
 - 8) Could the investigation provide recommendations to the City Council on policy changes, protocols, changes in governance process or practices.

Result: Amendment CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

(Clark/VanderBeek)

That the February 13 & 14, 2019 Council Minutes 19-003, be approved, ***as amended.***

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

COMMUNICATIONS

(Collins/Merulla)

That Council Communications 5.1 to 5.9 be approved, as presented, as follows:

- 5.1 Correspondence from Enbridge Gas Inc. respecting a Notice of public information session for Enbridge Gas Inc. proposed 2021 Kirkwall-Hamilton Project.

Recommendation: Be received.

- 5.2 Correspondence from Paul Dube, Ombudsman Ontario respecting the Final Report on the investigation into whether prior to a June 26, 2018 meeting of the Governance Review Sub-Committee, members of Council held a meeting over email that did not comply with the open meeting rules in the Municipal Act, 2001, and whether the City's General Issue Committee held a meeting that did not comply with the open meeting rules on July 9, 2018.

Recommendation: Be received.

- 5.3 Correspondence from the City of Toronto respecting Protecting the City of Toronto against potential impacts of the Government of Ontario's Bill 66.

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

- 5.4 Correspondence from Deborah Tomlinson-Veit respecting the Waterdown Overpass.

Recommendation: Be received.

- 5.5 Correspondence from Deborah Tomlinson-Veit respecting the Redhill Valley Expressway.

Recommendation: Be received.

- 5.6 Correspondence from the Honourable Sylvia Jones, Ministry of Community Safety and Correctional Services respecting resources to support municipalities as they begin to undertake the community safety and well-being planning process.

Recommendation: Be received.

- 5.7 Correspondence from the Upper West Side Landowners Group respecting two areas, east and west of the Garth Street corridor that are currently outside of the urban area and are not part of the Airport Employment Growth District (AEGD).

Recommendation: Be received and referred to the consideration of Item 5 of the Planning Committee Report 19-003.

- 5.8 Correspondence from Environment Hamilton respecting Schedule 5 of Bill 66 - Restoring Ontario's Competitiveness Act.

Recommendation: Be received and referred to the consideration of Item 13 of the General Issues Committee Report 19-004.

- 5.9 Correspondence from Greg Atkinson respecting the Amalatterra Proposal.

Recommendation: Be received and referred to the consideration of Item 4 of the Public Works Committee Report 19-003.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

(Merulla/Collins)

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

CARRIED

CITY MANAGER RECRUITMENT STEERING COMMITTEE REPORTS 19-002 and 19-003
--

(Eisenberger/Eisenberger)

That the SECOND and THIRD Reports of the City Manager Recruitment Steering Committee be received for information.

CARRIED

SELECTION COMMITTEE REPORTS 19-003, 19-004 and 19-005

(Nann/Merulla)

That the THIRD, FOURTH AND FIFTH Reports of the Selection Committee be received for information.

CARRIED

PLANNING COMMITTEE REPORT 19-003

3. **Terrapure Stoney Creek Regional Facility Environmental Assessment – Final Environmental Assessment, January 2019 (PED16184(c)) (Ward 9) (Item 7.3)**

WHEREAS Revolution Landfill LP, operating as Terrapure Environmental (Terrapure), operates Stoney Creek Regional Facility (SCRF), a landfill located at the northwest corner of Mud Street and Upper Centennial Parkway in the former City of Stoney Creek;

WHEREAS Terrapure has submitted the final Environmental Assessment (EA) to the MECP seeking to expand the capacity of SCRF;

WHEREAS the submission of the EA commenced a 7 week review period for stakeholders, including the City, which expires March 1, 2019;

WHEREAS at its meeting on February 19, 2019, the Planning Committee approved Item 3 of the Planning Committee Report 19-003 which included a direction to the Director, Planning and Chief Planner to forward a Letter of Comment, attached as Appendix “A” to Report PED16184(c) to the Ministry of Environment, Conservation and Parks (MECP) outlining the City’s comments respecting the SCRF EA;

WHEREAS a comment from Corporate Services Department, Legal Services, on page 6/6 of Appendix “A” to Report PED16184(c) anticipated that negotiations of existing City Compensation Agreement would occur and new terms could be forwarded to the MECP for consideration as part of the conditions of approval; and

WHEREAS a meeting was scheduled to discuss revised terms to the Compensation Agreement but was re-scheduled by Terrapure to a date in March that falls after the expiry of the City’s commenting period on the EA to the MECP necessitating an amendment of the corresponding comment to the MECP;

THEREFORE BE IT RESOLVED:

That Item 3 (b) of the Planning Committee Report 19-003, ***be amended*** as outlined below:

- (a) That the City of Hamilton remain opposed to the expansion and reconfiguration of the Terrapure Stoney Creek Regional Facility landfill; and,
- (b) That Council endorse, authorize and direct the Director, Planning and Chief Planner to forward ***the amended*** Letter of Comment, ***attached hereto, as Appendix “A”, which replaces the comment of Corporate Services***

Department, Legal Services staff on Page 6 of 6 with the following, to the Ministry of Environment, Conservation and Parks (MECP) outlining the City's comments respecting the "Stoney Creek Regional Facility Environmental Assessment – Final Environmental Assessment, January 2019":

Council of the City of Hamilton authorized staff to discuss revised terms to the City of Hamilton 1997 Compensation Agreement with Revolution Landfill LP, operating as Terrapure Environmental. Although a meeting was scheduled between the parties for February 25, 2019, it was re-scheduled by Terrapure. A date in early March of 2019 is now being canvassed.

City of Hamilton requests that should the MECP approve the undertaking proposed in the Environmental Assessment, the Ministry require Terrapure to enter into good faith negotiations and ultimately, a subsequent agreement with the City of Hamilton, with the view of updating and improving the host community compensation terms currently contained in the City of Hamilton Compensation Agreement dated February, 1997.

Result: Amendment CARRIED by a vote of 12 to 1, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
NO - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
CONFLICT - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

Result: Main Motion, As Amended, CARRIED by a vote of 12 to 1, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
NO - Mayor Fred Eisenberger

YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
CONFLICT - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

4. Applications to Amend the Urban Hamilton Official Plan and Town of Dundas Zoning By-law No. 3581-86 for Lands Located at 264 Governor's Road (PED19029) (City Wide) (Item 8.2)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

5. Growth Plan for the Greater Golden Horseshoe – Amendment No. 1 and Provincially Significant Employment Zones (PED19033) (City Wide) (Item 9.1)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson

YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

Councillor Clark wished to be recorded as OPPOSED to Sections (c) (viii), (d) (iii) (iv) (v) (viii) and (g) (v).

6. Demolition Permit 255 Wellington Street North (PED19044) (Ward 2) (Item 10.1)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

7. Demolition Permit 257 Wellington Street North (PED19045) (Ward 2) (Item 10.2)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

8. Amendments to By-law 18-199 Being a By-law to Prohibit Driving School Instructing in the Restricted Areas (PED17179(b)) (Ward 5) (Item 10.3)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

9. On Street Parking Permits – Wellington Street North (Item 11.1)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

10. Puddicombe Cider Company Connection to Municipal Water System (Added Item 11.2)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

11. 46-50 King Street East and 11 Hughson Street South (Canada Trust Building) – Registered Building (Added Item 11.3)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

12. To Waive Road Widening Requirement for 541 Stone Church Road West, Hamilton (Added Item 11.4)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

PRIVATE & CONFIDENTIAL

(Whitehead/VanderBeek)

That Council move into Closed Session for Item 13 of Planning Committee Report 19-003, pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (e) and (f) of the Ontario *Municipal Act, 2001*, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Result: Motion CARRIED by a vote of 12 to 1, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
CONFLICT - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
NO - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

PLANNING COMMITTEE REPORT 19-003 CONTINUED

13. Local Planning Appeal Tribunal appeals by The Green Organic Dutchman Holdings Limited (PL180732 and PL180818) – settlement proposal (LS19006) (Item 14.1)

Sub-sections (a) and (b) were divided and voted on separately, as follows:

(a) Result: Motion DEFEATED by a vote of 7 to 6, as follows:

NO - Councillor Maureen Wilson
YES - Councillor Jason Farr
NO - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
NO - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
CONFLICT - Mayor Fred Eisenberger
NO - Councillor Terry Whitehead
NO - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
NO - Councillor Maria Pearson
NO - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

(b) Result: Amendment CARRIED by a vote of 12 to 1, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
CONFLICT - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
NO - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

(Whitehead/Clark)

That the recommendation in Report LS19006 respecting Local Planning Appeal Tribunal appeals by The Green Organic Dutchman Holdings Limited (PL180732 and PL180818) – settlement proposal, be approved.

(Ferguson/Farr)

That the motion to approve the recommendation contained in Report LS19006, respecting Local Planning Appeal Tribunal Appeals by The Green Organic Dutchman Holdings Limited (PL180732 and PL180818) – Settlement Proposal, be deferred to provide the Ward Councillor with an opportunity to discuss the implications of approving the recommendation prior to the March 5, 2019 Pre-Hearing Conference.

Result: Motion CARRIED by a vote of 7 to 6, as follows:

NO - Councillor Maureen Wilson
YES - Councillor Jason Farr
NO - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
NO - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
CONFLICT - Mayor Fred Eisenberger
NO - Councillor Terry Whitehead
NO - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
NO - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

14. Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (PED19029) (City Wide) (Item 8.3)

That Item (i)(iii)(a)(i) respecting Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (PED19029) (City Wide) (Item 8.3) of Planning Committee Report 19-003, be lifted from the Information Section, and added as Item 14, as follows:

- (a) That approval in part be given to City Initiative CI-18-J, for modifications and updates to the City of Hamilton By-law No. 05-200 on the following basis:
 - (i) That Zoning By-law No. 05-200 for the lands zoned Arterial Commercial (C7) Zone and located in the area west of Mason Drive to Shaver Road and north and south of Wilson Street West be amended to provide that, notwithstanding subsection 10.7.3 a), the Minimum Building Setback from a Street line for a Warehouse or Self Storage Facility shall be 250.00 m.
 - (ii) That a by-law be prepared, in a form satisfactory to the City Solicitor, be enacted by Council;
- (b) That, pursuant to subsection 34(17) of the Planning Act, no further notice is determined to be necessary; and

- (c) That the balance of the consideration of City Initiative CI-18-J be deferred to the March 19, 2019 Planning Committee meeting.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

(Pearson/Clark)

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

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

GENERAL ISSUES COMMITTEE REPORT 19-004

1. Barton Village Business Improvement Area (BIA) Revised Board of Management (PED19037) (Wards 2 and 3) (Item 7.1)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

2. Residential Special Event Parking Plan for the 2019 Canadian Open Golf Tournament (PED19047) (Ward 12) (Item 7.2)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

4. 2019 Electric City Annual Event – Fee Waiver (Item 8.1)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

6. Capital Projects Work-in-Progress Sub-Committee Report 19-001, January 28, 2019 (Item 10.1)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

8. Utilization of the Hamilton Amazon Bid Package (PED19017) (City Wide) (Item 10.3)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

9. Ottawa Street Business Improvement Area (BIA) Proposed Budget and Schedule of Payment (PED19038) (Wards 3 and 4) (Item 10.4)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

**10. Ontario's Main Street Revitalization Initiative Program Update
(PED19039/PW19017) (City Wide) (Item 10.5)**

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

**12. Proposed Amalgamation of Hamilton Port Authority and Oshawa Port Authority
(PED19065) (City Wide) (Item 10.7)**

Result: Motion CARRIED by a vote of 13 to 1, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
NO - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

13. Bill 66 - Restoring Ontario's *Competitiveness Act*, 2018 (LS19011) (City Wide) (Item 10.8)

(Wilson/Nann)

WHEREAS Ontarians are exposed to hundreds of chemicals every day through the air we breathe, the food and water we consume and the things we handle;

WHEREAS that some of these chemicals in industrial and manufacturing activity have the potential to cause adverse health effects and may play a role in the development of chronic diseases such as cancer;

WHEREAS Hamilton is a city with a heavy industrial core and extensive base of manufacturing;

WHEREAS Hamilton residents have used the Toxics Reduction Act to increase openness and transparency of information regarding risks and challenges associated with what industrial neighbours are doing which impact Hamiltonians living near the industrial core;

WHEREAS that the Ontario Government is seeking to repeal the Toxics Reduction Act (2009) by December 31, 2021 as part of its omnibus bill; specifically, section 5 of Bill 66;

WHEREAS that the Toxics Reduction Act, 2009 plays a critical role in pollution prevention and the protection of public health by reducing the use and creation of toxic substances and informing Ontarians about toxic substances;

WHEREAS that the Ontario Government is suggesting that the repeal of the Toxic Reduction Act will remove unnecessary duplication given the existence of the federal chemical management plan under the Canadian Environmental Protection Plan (CEPA) and reduce the reporting and compliance burdens of Ontario industries;

WHEREAS that in so doing, the Ontario Government is proposing to defer the regulation of all Ontario toxic substances to the federal government;

WHEREAS that the Toxics Reduction Program implemented elements beyond what is currently provided by the Federal Government's Chemical Management Plan;

WHEREAS that the Toxics Reduction Act requires regulated facilities to report on the use, creation and release of regulated substances and to prepare Toxic Reduction Plans and that regulated facilities are required to make this information publicly available;

WHEREAS that the Toxics Reduction Program achieved significant results in reducing the creation, use and release of toxic substances in Ontario. According to the 2017 Minister's Annual Report, there was a 6% decrease in use of toxic substances, a 2% decrease in creation of toxic substances, a 9% decrease in the amount of toxic substances contained in product, a 2% decrease of substances released to air, land and water, a 3% decrease in the levels of carcinogens being released to the environment;

THEREFORE, BE IT RESOLVED:

That Item 13 of the General Issues Committee Report 19-004, be amended to add section (b), as follows:

- (a) That Report LS19011, respecting Bill 66 - Restoring Ontario's *Competitiveness Act, 2018*, be forwarded to the Minister of Economic Development as the City of Hamilton's comments on Bill 66, with the exception of Schedule 10, which was addressed in Report PED19027; and
- (b) ***That the City of Hamilton formally express its opposition to Schedule 5 of Bill 66 and advise the Government of Ontario of this position as soon as possible, with a copy of the correspondence being forwarded to the Association of Municipalities of Ontario for consideration.***

Result: Amendment CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

Result: Main Motion as amended CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge

NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

14. Waterfront Lease Update (LS18053(a)) (Ward 2) (Item 14.2)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

15. Bill 66: Schedule 9 'Non-Construction Employer' (LS19011(a)) (City Wide) (Item 14.3)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

(Eisenberger/Whitehead)

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

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 19-003
--

1. Development Charges Stakeholders Sub-Committee Report 19-002 (Item 10.1)

Result: Motion CARRIED by a vote of 12 to 0, as follows:

CONFLICT - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

2. Grants Sub-Committee Report (Added Item 10.3)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

(Wilson/Farr)

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

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 19-001

1. **Fire Department Establishing & Regulating By-Law and Appointments of Fire Chief, Deputy Chiefs, and Provincial Fire Co-ordinator (HSC19005) (City Wide) (Item 7.1)**

Result: Motion carried by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

4. **Renewal of the Licence Agreement with the Copetown Lions Club for Copetown Hall (HSC19009) (Ward 12) (Item 10.2)**

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

6. Social Infrastructure Funding for 30 Sanford Avenue Computer Lab and Classes (Item 11.1)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

7(a) Establishing a Gender and Equity Lens on Housing Services (Item 11.2)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

- 7(b)** WHEREAS, the City of Hamilton currently has a number of important initiatives that support equity, diversity and inclusion;

WHEREAS, in 2005 Council approved the funding for the development of an Equity and Inclusion Policy;

WHEREAS, in 2010 Council adopted an Equity & Inclusion Policy;

WHEREAS, inequities persist as highlighted by numerous studies, including Hamilton's low ranking in the Canadian Centre for Policy alternatives report "The Best and Worst Places to Be a Women in Canada" and the highest ranking of police reported hate crimes in the Country as reported in a 2018 Statistics Canada study;

WHEREAS, the Government of Canada, cities of Edmonton, Toronto, Ottawa and Halifax have implemented gender, diversity and inclusion goals and framework at an operational level;

WHEREAS, dedicated effort is required to continue to reduce barriers and advance equity, diversity and inclusion in a holistic manner across the City;

WHEREAS, the development and implementation of an equity and inclusion lens was originally recommended in 2010 and remains outstanding; and,

WHEREAS, an equity, diversity and inclusion lens is an analytical tool that helps ensure City policies, programs and services result in equitable outcomes for all residents, removing systemic barriers for both employees and residents to facilitate the full participation of everyone.

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to prepare a report on the steps that would be required to implement an equity-diversity-and-inclusion lens framework to City policy and program development, practices, service delivery, budgeting, business planning and prioritization, and report back to the General Issues Committee no later than Q3 2019;
- (b) That, implementation of the equity, diversity and inclusion lens begin in the City's Housing & Homelessness Strategy and service delivery;
- (c) That the attached draft Equity, Diversity & Inclusion toolkit, developed to support existing work by staff, be reviewed, edited and revised as required following consultations with internal and external stakeholders and made available as a resource to City staff and the community;
- (d) That the City Manager, in partnership with the various Volunteer Advisory Committees representing equity seeking groups, be directed to plan and execute an Equity, Diversity and Inclusion Summit through which members of Council and the public can hear directly from subject matter experts and the community on equity practices and how an equity, diversity and inclusion lens could be integrated and incorporated into public policy and service delivery;

- (e) That the costs associated with the Hamilton Equity, Diversity and Inclusion Summit be funded from the Mayor's Office, up to a maximum of \$5,000;
- (f) That as part of ongoing efforts to develop and advance the equity, diversity and inclusion analysis, staff participate in relevant, provincial and federal equity, diversity and inclusion related initiatives; and
- (g) That the City's Internal Audit services conduct an Equity, Diversity and Inclusion (EDI) Audit, city-system wide, to establish the baseline as it relates to City policy, program development, hiring and staff development practices, service delivery, budgeting, business planning and prioritization by which to measure progress annually.

Result: Motion as amended CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

8. Hill Park Pickleball Courts Renovation (Item 11.3)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson

YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

9. Hamilton Housing Summit (Added Item 11.4)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

10. Church of the Nativity Community Garden (Ward 4) (Added Item 11.5)

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

11. Expanding Housing and Support Services for Women *and Transgender Community* (Added Item 11.6)

(Merulla/Collins)

That Item 11 (d) of the Emergency and Community Services Committee Report 19-001, ***be amended*** by renumbering subsection (d) to subsection (e) and by adding subsection (d) as follows:

- (a) That the City of Hamilton investigate increasing the capacity of local women's ***and Transgender Community's*** housing and support services to fulfill the short, medium and long term need for increased services for women ***and Transgender Community***;
- (b) That City staff report back on the feasibility of implementing non discrimination policies and practices in emergency shelters that protects people on the basis of gender identity or expression;
- (c) That a Sub-Committee of Council (Expanding Housing and Support Services for Women ***and Transgender Community*** Sub-Committee) be formed to address the supply and provision of women's ***and transgender community's*** housing and support services; and,
- (d) ***That staff be directed to prepare a Terms of Reference for the Expanding Housing and Support Services for Women and Transgender Community Sub-Committee and report back to the Emergency & Community Services Committee; and,***
- (e) That the Sub-Committee report back to the Emergency and Community Services Committee prior to the 2020 Capital and Operating Budget processes with recommendations that seek to address service level shortfalls.

Result: Amendment CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

Result: Main Motion, As Amended, CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

(Merulla/Nann)

That the FIRST Report of the Emergency and Community Services Committee be adopted, **as amended**, and the information section received.

Result: Motion CARRIED by a vote of 14 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Brenda Johnson

PUBLIC WORKS COMMITTEE REPORT 19-003

1. Intersection Control List (PW19001) (Wards 2, 3, 8, 9, 10, and 12) (Item 7.1)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

2. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 46 Ferguson Avenue South, Hamilton (PW19016) (Ward 2) (Item 8.2)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

3. Proposed Permanent Closure and Sale of a Portion of Vansitmart Avenue, Hamilton (PW19018) (Ward 4) (Item 8.3)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

4(a) Blue Box Recyclable Materials Alternate Technologies (Added Item 8.4)

Result: Motion DEFEATED by a vote of 13 to 0, as follows:

NO - Councillor Maureen Wilson
NO - Councillor Jason Farr
NO - Councillor Nrinder Nann
NO - Councillor Sam Merulla
NO - Councillor Tom Jackson
NO - Councillor Esther Pauls
NO - Councillor John-Paul Danko
NO - Deputy-Mayor Chad Collins
NO - Mayor Fred Eisenberger
NO - Councillor Terry Whitehead
NO - Councillor Lloyd Ferguson
NO - Councillor Maria Pearson
NO - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

(b) (Eisenberger/Jackson)

That Council reiterate its support for the *Waste-Free Ontario Act*, with a copy of the correspondence to the Premier of Ontario, appropriate Ministries, local area MPPs and the Association of Municipalities of Ontario.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

5. Appropriation Transfer of Funds for Parkdale Ave N & Steel City Court - 2019 Reconstruction Project (PW19019) (Ward 4) (Item 10.1)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

6. New All-way Stop Controls – Simcoe Street East at Catharine Street North and Simcoe Street East at Mary Street (Ward 2) (Item 11.1)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

7. Additional Report on Vision Zero (Item 11.2)

Result: Motion CARRIED by a vote of 12 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

8. **Speed Cushions on Robinson St. (between Hess St. S. & Caroline St. S.) and Guise St. E. (between James St. N. & John St. N.) and a Type B Pedestrian Crossover at the Intersection of Charlton Ave. W. & Park St. S. (Ward 2) (Item 11.3)**

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

9. **Vanier Towers Social Enterprise Kitchen Project Funding (Ward 2) (Added Item 11.4)**

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

10. Appointments to the Hamilton Cycling Committee (Added Item 14.1)**(Merulla/Pauls)**

That the recommendation of Item 10 of Public Works Committee Report 19-003 respecting the Appointments to the Hamilton Cycling Committee be deleted in its entirety and the following be inserted therein:

~~That the recommendation be released publicly following approval by Council.~~

That the following citizens be appointed to the Hamilton Cycling Committee for a term commencing February 27, 2019, and until a successor is chosen:

- 1. Jeff Axisa**
- 2. Kate Berry**
- 3. Joachim Brouwer**
- 4. Roman Caruk**
- 5. Sharon Gibbons**
- 6. Yaejin Kim**
- 7. Kevin Love**
- 8. Ann McKay**
- 9. Linda Meerveld**
- 10. Jessica Merolli**
- 11. Cora Muis**
- 12. William Oates**
- 13. Chris Ritsma**
- 14. Cathy Sutherland**
- 15. Kevin Vander Meulen**
- 16. Christine Yachouh**

Result: Motion, as amended, CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

11. Appointments to the Keep Hamilton Clean and Green Committee (Added Item 14.2)

(Merulla/Nann)

That the recommendation of Item 11 of Public Works Committee Report 19-003 respecting the Appointments to the Keep Hamilton Clean and Green Committee be deleted in its entirety and the following be inserted therein:

~~That the recommendation be released publicly following approval by Council.~~

That the following citizens be appointed to the Keep Hamilton Clean and Green Committee for a term commencing February 27, 2019, and until a successor is chosen:

- 1. Heather Donison**
- 2. Brenda Duke**
- 3. Danielle Hudson**
- 4. Richard Lipsitt**
- 5. Allan Mills**
- 6. Lennox Toppin**
- 7. Felicia Van Dyk**

Result: Motion, As Amended, CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

(Ferguson/Whitehead)

That the THIRD Report of the Public Works Committee be adopted, ***as amended***, and the information section received.

Result: Motion CARRIED by a vote of 12 to 1, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann

YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
NO - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

BOARD OF HEALTH REPORT 19-002

3. 2019 Annual Service Plan and Budget (BOH19006) (City Wide) (Item 10.1)

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

4. Appointments to the Food Advisory Committee (Added Item 14.1)

(Merulla/Nann)

That the recommendation of Item 4 of Board of Health Report 19-002 respecting the Appointments to the Food Advisory Committee be deleted in its entirety and the following be inserted therein:

~~That recommendation be released publicly following approval by Council.~~

That the following citizens be appointed to the Food Advisory Committee for a term commencing February 27, 2019, and until a successor is chosen:

- 1. Maria Biasutti**
- 2. Elly Bowen**
- 3. Jennifer Dalinchan**
- 4. Krista D'Aoust**
- 5. Jordan Geertsma**
- 6. Vicky Hachey**
- 7. Drew Johnston**
- 8. Diniam Mehretab**
- 9. Laurie Nielsen**
- 10. Mary Ellen Scanlon**
- 11. Barbara Stares**
- 12. Frank Stinellis**
- 13. Kyle Swain**
- 14. Andrew Sweetman**
- 15. Brian Tammi**
- 16. Vivien Underdown**
- 17. Edward Whittall**

Result: Motion *As Amended* CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

(Eisenberger/Whitehead)

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

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla

YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Chad Collins
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

(Collins/Merulla)

That the Committee of the Whole Rise and Report.

Result: Motion CARRIED by a vote of 13 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

MOTIONS

7.1 Changing the Time of Council Meetings

(Ferguson/Pearson)

WHEREAS, Council does feel at present that the Council meetings held at 5:00 p.m., should be moved to an earlier time;

WHEREAS, an amendment to the time of Council meetings would constitute an amendment to the By-law to Govern the Proceedings of Council and Committees of Council;

WHEREAS, an amendment to the By-law to Govern the Proceedings of Council and Committees of Council requires that public notice be placed in the newspaper a minimum of 14 days prior to the Committee meeting; and

WHEREAS, Council has mandated the Governance Review Sub-Committee the task of making recommendations on matters pertaining to governance structure and the governing proceedings of Council and its' committees.

THEREFORE, BE IT RESOLVED:

That the following motion be referred to the Governance Review Sub-Committee for consideration:

- (a) That Section 3.2 of the By-law to Govern the Proceedings of Council and Committees of Council **be amended** to reflect a **9:30 a.m.** start time as follows:

3.2 Regular Council Meeting Times

- (1) Unless otherwise decided by Council, Regular Council meetings shall be held:

- (a) in January:

on the fourth Wednesday of the month, commencing at **9:30 a.m.** unless such day is a public or civic holiday, in which case Council shall set an alternate day and time;

- (b) in February, April, May, June, September, October and November:

every second and fourth Wednesday of each month, commencing at **9:30 a.m.**, unless such day is a public or civic holiday, in which case Council shall set an alternate day and time;

- (c) in March:

on the fourth Wednesday of the month, commencing at **9:30 a.m.** unless such day is a public or civic holiday, in which case Council shall set an alternate day and time;

- (d) in July and August:

on a Friday of each month (one meeting per month), commencing at 9:30 a.m., unless such a day is a public or civic holiday, in which case Council shall set an alternate day and time;

(e) in December:

on the second Wednesday of the month, commencing a 9:30 a.m., unless such a day is a public or civic holiday, in which case Council shall set an alternative day and time; or

(f) in accordance with the schedule approved by Council.

(b) That the regular meetings of the City Council for the remainder of 2019, be held at 9:30 a.m.;

(c) That, from time to time, there may be a need for Special Council Meeting at 5:00 p.m. to accommodate a Ceremonial Activity where the individuals being recognized are unable to attend a meeting during the day;

(d) That the required notice be placed in the newspaper a minimum of 14 days prior to the Audit, Finance & Administration Committee meeting when the amendment is to be considered;

(e) That staff be directed to launch a 30 day commenting period in advance of the Governance Review Sub-Committee's consideration of the motion to change the time of Council meetings; and

(f) That the Clerk be directed to obtain comments from Cable 14 on the proposed time change of Council meetings.

Result: Motion As Amended CARRIED by a vote of 10 to 3, as follows:

NO - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
NO - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NO - Councillor Terry Whitehead
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson

7.2 Proposals for Waste Management

(Danko/Pauls)

WHEREAS, the mandate of the Waste Management Advisory Committee shall be to: give overall guidance and direction during the preparation of the City's long-term Solid Waste Management Master Plan and advise Council through the Public Works Committee of the study progress and to receive feedback, advice and direction as appropriate.

THEREFORE BE IT RESOLVED:

- (a) That all proposals for waste management including diversion, conventional treatment, thermal treatments or alternative technologies from companies or individuals interested in doing business with the City of Hamilton or modifying or creating waste management policy be referred to the Waste Management Advisory Committee for consideration; and
- (b) ***That the Waste Management Advisory Committee prepare a report for the Public Works Committee on all proposals for waste management.***

(Danko/Merulla)

That the motion respecting Proposals for Waste Management be referred to staff for a report to the Public Works Committee.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark:

7.3 Fixed and Floating Charge Demand Debenture - Sheraton Hotel - 116 King Street West, Hamilton

- (a) That the Mayor and Clerk be authorized and directed to execute an Agreement with Coast Capital Saving Federal Credit Union, Hamilton 116 King Street West Inc., Vrancor Hotel Group Inc., 6992854 Canada Inc., Darivoj Vranich, and the City of Hamilton respecting the replacement of the existing DUCA Financial Services Credit Union Ltd. Mortgage on the leasehold estate and General Security Agreement for the Sheraton Hotel property on King Street West with a new Fixed and Floating Charge Demand Debenture and a General Security Agreement in favour of Coast Capital Saving Federal Credit Union with the new financing paying out the existing mortgage and increases the loan amount and credit facility subject to review by the Director of Economic Development, the General Manager of Finance and Corporate Services and the City Solicitor and to agreement on terms and content that are satisfactory to the Director of Economic Development, the General Manager of Finance and Corporate Services and the City Solicitor, including but not limited to retaining sufficient equity in the Leasehold Estate, ensuring the new financing arrangement is still subject to the City's ownership and Landlord Interest under the Ground Lease and includes the Corporate and Personal Guarantees of Vrancor Hotels Group Inc., 6992854 Canada Inc. and the Darivoj Vranich; and
- (b) That the Mayor and City Clerk be authorized and directed to execute the Agreement referenced in sub-section (a) and all ancillary documents that may be necessary to enable the completion of the re-financing in a manner that protects the City's interests, provided such documentation is in a form and content satisfactory to the Director of Economic Development, the General Manager of Finance and Corporate Services and the City Solicitor.

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark

NOTICES OF MOTION

8.1 Proposals for Waste Management

(Danko/Jackson)

That the Rules of Order be waived to allow for the introduction of a motion respecting Proposals for Waste Management.

Result: Motion CARRIED by a 2/3's majority vote of 10 to 2, as follows:

YES - Councillor Maureen Wilson
NO - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Maria Pearson
NO - Councillor Brad Clark
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson

For disposition of this matter, refer to Item 7.2

8.2 Fixed and Floating Charge Demand Debenture - Sheraton Hotel - 116 King Street West, Hamilton

Councillor Farr introduced a Notice of Motion respecting Fixed and Floating Charge Demand Debenture - Sheraton Hotel - 116 King Street West, Hamilton.

(Farr/Merulla)

That the Rules of Order be waived to allow for the introduction of a motion respecting Fixed and Floating Charge Demand Debenture - Sheraton Hotel - 116 King Street West, Hamilton.

Result: Motion CARRIED by a 2/3's majority vote of 9 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger

YES - Councillor Terry Whitehead
NOT PRESENT - Councillor Tom Jackson
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson
NOT PRESENT - Councillor Maria Pearson
NOT PRESENT - Councillor Brad Clark

For disposition of this matter, refer to Item 7.3

STATEMENTS BY MEMBERS

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

PRIVATE & CONFIDENTIAL CONTINUED

10.1 Closed Session Minutes - February 13 & 14, 2019

(Collins/Pearson)

That the Closed Session Minutes of February 13 & 14, 2019, be approved as presented, and remain confidential.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark

10.2 Appointments to Various City of Hamilton Agencies, Boards and Committees for the 2018-2022 Term

(Collins/Merulla)

- (a) That the following citizens be appointed to the Cleanliness and Security in the Downtown Core Task Force for a term commencing February 27, 2019, and until a successor is chosen:
 - 1. Maddison Hampel
 - 2. Stu Laurie
 - 3. Steve Sutherland

- (b) That the following citizens be appointed to the Fence Viewers for a term commencing February 27, 2019, and until a successor is chosen:
 - 1. Shane Clair
 - 2. Ron Jones
 - 3. Robert Kominar

- (c) That the following citizens be appointed to the Glanbrook Landfill Coordinating Committee for a term commencing February 27, 2019, and until a successor is chosen:
 - 1. Allan Freeman
 - 2. Brian Smit
 - 3. Nigel Warren

- (d) That the following citizen be appointed to the Grand River Conservation Authority for a term commencing February 27, 2019, and until a successor is chosen:
 - 1. Marcus Adili

Result: Motion CARRIED by a vote of 11 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark

(Pearson/Nann)

That Council move into Closed Session for Item 10.4 respecting a Hamilton Paramedic Services Investigation – Update, pursuant to Section 8.1, Sub-sections (b), (d), (e) and (f) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (b), (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees; labour relations or employee negotiations; 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.

Result: Motion CARRIED by a vote of 11 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Terry Whitehead
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark

10.4 Hamilton Paramedic Service Investigation - Update**(Pearson/Wilson)**

That the verbal update respecting the Hamilton Paramedic Service Investigation, be received.

CARRIED

BY-LAWS

(Collins/Merulla)

That Bills No. 19-030 to No. 19-040, 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 No.

- 030 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 2 (Speed Limits)
Schedule 3 (Flashing School Zones – Reduced Speed Limit)
Ward: 11, 15

- 031 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 10 (Alternate Side Parking Zones – April-November)
Schedule 12 (Permit Parking Zones)
Schedule 14 (Wheelchair Loading Zones)
Ward: 1, 2, 3, 7, 8, 12
- 032 To Amend By-law No. 01-218, as amended, being a By-law to Regulate On-Street Parking
Schedule 4 (Special Event Parking Zones)
Ward: 12
- 033 A By-law to Amend By-law No. 18-199, being a By-law to Prohibit Driving School Instructing in the Restricted Areas
Ward: 4, 5
- 034 To Establish, Maintain and Operate Hamilton Fire Department and to Repeal By-law No. 68-34, as amended, of The Corporation of the City of Hamilton; By-law No.1915-85 of The Corporation of the City of Stoney Creek; By-law No. 2023, as amended, of The Corporation of the Town of Ancaster; By-law No. 4341-97 of The Corporation of the Town of Dundas; By-law No. 77-89-F of The Township of Flamborough; and By-law No. 341-87, as amended, of The Township of Glanbrook
Ward: City Wide
- 035 Being a By-law to Appoint a Fire Chief, Deputy Fire Chief, and Provincial Fire Co-ordinator pursuant to the Hamilton Fire Department Establishing and Regulating By-law No. 19-034
Ward: City Wide
- 036 Being a By-law to Amend By-law No. 17-120, Authorizing the Execution of the Public Transit Infrastructure Fund Phase One (Ontario) Transfer Payment Agreement between the City of Hamilton and Her Majesty the Queen in Right of Ontario, as represented by the Minister of Transportation for the Province of Ontario to Receive Funding Under the Public Transit Infrastructure Fund
Ward: City Wide
- 037 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 5 (Stop Control)
Ward: 2, 3, 8, 9, 10, 12
- 038 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 5 (Stop Control)
Ward: 2
- 039 To Amend Hamilton Zoning By-law No. 05-200 for additional setback requirements for Warehouses in Duff's Corner, Ancaster
CI-18-J
Ward: 12

040 To Confirm the Proceedings of City Council

Result: Motion CARRIED by a vote of 10 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson
NOT PRESENT - Councillor Brad Clark

(Farr/Nann)

That, there being no further business, City Council be adjourned at 9:46 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon
Acting City Clerk



SPECIAL CITY COUNCIL MINUTES 19-005

5:00 p.m.
March 20, 2019
Council Chamber
Hamilton City Hall
71 Main Street West

Present: Mayor F. Eisenberger, Councillor T. Jackson (Deputy Mayor)
Councillors M. Wilson, J. Farr, N. Nann, S. Merulla, C. Collins,
E. Pauls, J. P. Danko, 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 change to the agenda:

5. PRIVATE AND CONFIDENTIAL

- 5.3 Local Planning Appeal Tribunal Appeals by Television City Hamilton Inc., (PL180255) - Settlement Proposal (LS19012) (Ward 2) *(referred to Council at the March 19, 2019 Planning Committee meeting)*

(Farr/Pearson)

That Item 5.3 be added to the March 20, 2019, Special Council agenda.

Result: Motion CARRIED by a 2/3's majority vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Deputy Mayor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge

NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(Farr/Pearson)

That the agenda for the March 20, 2019 meeting of Council be approved, as amended.

Result: Motion CARRIED by a vote of 15 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Deputy Mayor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

DECLARATIONS OF INTEREST

There were no declarations of interest.

COMMUNICATIONS

3. (Jackson/Pauls)

That Council Communication Items 3.1 and 3.2, be approved, as follows:

- 3.1 Correspondence from the Honourable Andrea Horwath, Ontario NDP Leader respecting the safety of the Red Hill Valley Expressway and urging the City of Hamilton to do the right thing and open the review of these circumstances to a judicial review, be received.
- 3.2 Provincial Media Release - Province must right its wrongs amid Red Hill Valley Parkway safety concerns, be received.

CARRIED

MOTIONS

4.1 Requesting an Apology from the Province of Ontario Respecting the Ministry of Transportation's Friction Testing Results**(Merulla/Collins)**

WHEREAS, City Council and by extension the residents of the City of Hamilton have received an apology from City of Hamilton staff for the manner and the timing to which Council was informed of the friction testing results on the Red Hill Valley Expressway; and,

WHEREAS, City Council and by extension the residents of the City of Hamilton have not received an apology from the Province of Ontario, respecting the Ministry of Transportation's friction testing results, which concurred with the results within the City of Hamilton report during the same period of time and in doing so, compounded the betrayal to City Council and the residents of City of Hamilton.

THEREFORE, BE IT RESOLVED:

That City Council demand an apology from the Province of Ontario respecting the Ministry of Transportation's Friction Testing Results, on behalf of all residents of the City of Hamilton.

Result: Motion CARRIED by a vote of 14 to 2, as follows:

NO - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Deputy Mayor Tom Jackson
YES - Councillor Esther Pauls
NO - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

PRIVATE & CONFIDENTIAL

(Clark/Ferguson)

That Council move into Closed Session respecting Items 5.1, 5.2 (pursuant to sub-section (f) only); and 5.3, pursuant to Section 8.1, Sub-sections (b), (d), (e) and (f) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (b), (d), (e) and (f), as the subject matters pertain to personal matters about an identifiable individual, including City employees; labour relations or employee negotiations; 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.

The motion to move into Closed Session was separated for each of the three items, as follows:

5.3 Local Planning Appeal Tribunal Appeals by Television City Hamilton Inc., (PL180255) - Settlement Proposal (LS19012) (Ward 2) (Item 5.3)

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Deputy Mayor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

5.1 City Manager Recruitment - Update

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla

YES - Councillor Chad Collins
YES - Deputy Mayor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

5.2 Road Infrastructure Litigation Review and Assessment Follow up (LS19010(b))

Result: Motion CARRIED by a vote of 13 to 3, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
NO - Councillor Sam Merulla
NO - Councillor Chad Collins
YES – Deputy Mayor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NO - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

5.1 City Manager Recruitment - Update

Mayor Eisenberger relinquished the Chair to introduce the Motion respecting the City Manager Recruitment - Update.

(Eisenberger/Pearson)

- (a) That the Executive Director of Human Resources be directed to offer Janette Smith the position of Chief Administrative Officer/City Manager effective May 6, 2019; and,
- (b) That the Clerk be directed to prepare the necessary By-Law to Appoint and Prescribe the Duties and Responsibilities of the Chief Administrative Officer for Council's consideration on March 27, 2019.

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

Mayor Eisenberger assumed the Chair.

5.2 Road Infrastructure Litigation Review and Assessment Follow up (LS19010(b))

(Clark/Pearson)

That solicitor-client privilege, respecting Report LS19010(b), Road Infrastructure Litigation Review and Assessment Follow up, be waived and the Appendix to Report LS19010(b) be released to the public.

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Deputy Mayor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(Clark/Pearson)

That Report LS19010(b), respecting the Road Infrastructure Litigation Review and Assessment Follow up, and its Appendix, respecting the Road Infrastructure Litigation Review and Assessment Follow up, be received.

CARRIED

5.3 Local Planning Appeal Tribunal Appeals by Television City Hamilton Inc., (PL180255) - Settlement Proposal (LS19012) (Ward 2) (Item 5.3)

(Farr/Clark)

- (a) That the direction provided to staff in Closed Session be approved; and,
- (b) That Report LS19012 and its appendices and recommendations respecting Local Planning Appeal Tribunal appeals by Television City Hamilton Inc. (PL180255) – Settlement Proposal, remain confidential.

Result: Motion CARRIED by a vote of 14 to 1, as follows:

NO - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

MOTIONS (Continued)

4.2 Judicial Investigation respecting the Lincoln Alexander & Red Hill Valley Parkways

(Clark/Merulla)

- (a) That the City's outside legal counsel, in consultation with the Acting City Manager, be directed to prepare the necessary documents to file an application before the Superior Court to initiate a Judicial Investigation, pursuant to *Ontario Municipal Act*, 2001, as amended, Section 274.1.a & b, (Investigation by a Judge), and the *Public Inquiries Act*, Section 33, (Public Inquiries); and,

- (b) That the scope of the Judicial Investigation could include, but not be limited to, the following questions and be referred to outside legal counsel for review and a report back to the General Issues Committee:
 - (i) Who received, was briefed or was advised on the existence of the November 20th, 2013 Tradewind Scientific Friction Testing Survey Summary Report on the Lincoln Alexander & Red Hill Valley Parkways (the document) in 2013 or subsequent years;
 - (ii) Who was the individual or individuals, who decided not to disclose the document in 2013;
 - (iii) What was the rationale for not disclosing the document in 2013;
 - (iv) Who received a copy, was briefed or was informed about the existence of the document in 2018;
 - (v) What was the rationale for not disclosing the document in September 2018;
 - (vi) Did the document provide sufficient cause to make safety changes to the roads, or provide cause for further study;
 - (vii) What role, if any, did the non-disclosure of the document play in the increase in accidents, injuries or fatalities on the roads;
 - (viii) Did anyone in the Public Works Office or Roads Department request, direct or conduct any other friction test, asphalt assessment, or general road safety reviews or assessments on the roads;
 - (ix) Did subsequent consultant reports provide additional support or rebuttal to the document's conclusions;
 - (x) Did the Ministry of Transportation's (MTO) recently revealed friction tests provide additional support or rebuttals to the document's conclusions;
 - (xi) What was the rationale for the Ministry of Transportation to not disclose their findings from the city and the public;
 - (xii) Who was briefed within the Ministry or the Minister's Office about the findings of the MTO's friction tests;
 - (xiii) Did the MTO friction test provide sufficient cause to make safety changes to the roads, or provide cause for further study;
 - (xiv) What role, if any, did the non-disclosure of the MTO friction tests play in the increase in accidents, injuries or fatalities on the roads;

- (xv) Did the MTO conduct any other road assessment, friction tests, or general safety reviews or assessments on the roads;
- (xvi) Was there any malfeasance, wrong doing or misconduct by any person or persons in relations to their role in the non-disclosure of the document;
- (xvii) Review and make recommendations to improve City policy and procedures to prevent such future incidents.

(Ferguson/Clark)

That the Motion regarding a Judicial Investigation respecting the Lincoln Alexander & Red Hill Valley Parkways, be amended by adding new sections (xvii), (xviii) and (xix), to read as follows:

(xviii) What is the standard in Ontario for friction;

(xix) Are results for friction for highways across the Province available;

(xx) Is speed, traffic weaving and lighting as big an issue as the friction tests; and,

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

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

- (a) That the City's outside legal counsel, in consultation with the Acting City Manager, be directed to prepare the necessary documents to file an application before the Superior Court to initiate a Judicial Investigation, pursuant to *Ontario Municipal Act*, 2001, as amended, Section 274.1.a & b, (Investigation by a Judge), and the *Public Inquires Act*, Section 33, (Public Inquiries); and,

- (b) That the scope of the Judicial Investigation could include, but not be limited to, the following questions and be referred to outside legal counsel for review and a report back to the General Issues Committee:
- (i) Who received, was briefed or was advised on the existence of the November 20th, 2013 Tradewind Scientific Friction Testing Survey Summary Report on the Lincoln Alexander & Red Hill Valley Parkways (the document) in 2013 or subsequent years;
 - (ii) Who was the individual or individuals, who decided not to disclose the document in 2013;
 - (iii) What was the rationale for not disclosing the document in 2013;
 - (iv) Who received a copy, was briefed or was informed about the existence of the document in 2018;
 - (v) What was the rationale for not disclosing the document in September 2018;
 - (vi) Did the document provide sufficient cause to make safety changes to the roads, or provide cause for further study;
 - (vii) What role, if any, did the non-disclosure of the document play in the increase in accidents, injuries or fatalities on the roads;
 - (viii) Did anyone in the Public Works Office or Roads Department request, direct or conduct any other friction test, asphalt assessment, or general road safety reviews or assessments on the roads;
 - (ix) Did subsequent consultant reports provide additional support or rebuttal to the document's conclusions;
 - (x) Did the Ministry of Transportation's (MTO) recently revealed friction tests provide additional support or rebuttals to the document's conclusions;
 - (xi) What was the rationale for the Ministry of Transportation to not disclose their findings from the city and the public;
 - (xii) Who was briefed within the Ministry or the Minister's Office about the findings of the MTO's friction tests;
 - (xiii) Did the MTO friction test provide sufficient cause to make safety changes to the roads, or provide cause for further study;
 - (xiv) What role, if any, did the non-disclosure of the MTO friction tests play in the increase in accidents, injuries or fatalities on the roads;

- (xv) Did the MTO conduct any other road assessment, friction tests, or general safety reviews or assessments on the roads;
- (xvi) Was there any malfeasance, wrong doing or misconduct by any person or persons in relations to their role in the non-disclosure of the document;
- (xvii) Review and make recommendations to improve City policy and procedures to prevent such future incidents;
- (xviii) *What is the standard in Ontario for friction;***
- (xix) *Are results for friction for highways across the Province available;***
- (xx) *Is speed, traffic weaving and lighting as big an issue as the friction tests;***

Result: Main Motion, AS AMENDED, CARRIED by a vote of 14 to 2, as follows:

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
NO - Councillor Lloyd Ferguson
NO - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

BY-LAWS

(Jackson/Pauls)

That Bill No. 19-043, 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 No.

043 To Confirm the Proceedings of City Council

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Deputy-Mayor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(VanderBeek/Pearson)

That, there being no further business, City Council be adjourned at 11:40 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon
Acting City Clerk



Administration Centre: 400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519-621-2761 Toll free: 1-866-900-4722 Fax: 519-621-4844 www.grandriver.ca

February 22, 2019

Janet Pilon
City Clerk
City of Hamilton
71 Main Street West
Hamilton, On
L8P 4Y5

Re: Municipal Levy Appointments, 2019

Dear Ms. Pilon,

On February 22nd, the Board of Directors for the Grand River Conservation Authority approved the Apportionment of Municipal Levy for 2019.

Attached are the following:

- 1) Summary of Municipal Levy – 2019 – as approved by Board February 22, 2019.
- 2) Three 2019 Invoices

Our standard billing practice is as follows:

Payment Due Date	% of Levy Due	Payment Amount
31-Mar-19	1/3	475,280.00
30-Jun-19	1/3	475,280.00
30-Sep-19	1/3	475,280.00

If you wish to discuss an alternative payment schedule or have any other questions, please contact the undersigned at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sonja Radoja".

Sonja Radoja
Manager of Corporate Services

cc. Tom Hewitson, Manager of Current Budgets and Financial Policy, City of Hamilton
Karen Armstrong, Secretary-Treasurer/Deputy CAO, GRCA

February 22, 2019

February 22, 2019



Phone: 519.621.2761

Toll free: 866.900.4722

400 Clyde Road, PO Box 729, Cambridge ON N1R 5W6
Fax: 519.621.4844

Online: www.grandriver.ca

Invoice To: City of Hamilton
71 Main St West, 1st Floor
Hamilton L8P 4Y5

Invoice

Customer Number **HAMILCTY01**
Invoice Number **LEVY2019-31**
Date **3/31/2019**

Attention: Abby Pirkus

(000) 000-0000

GRCA Contact	RFI Number	Payment Terms			PO Number
LEVYS		DUE UPON RECEIPT			
Description		Quantity	Subtotal	HST	Total
2019 MUNICIPAL LEVY -1ST INSTALL PAYMENT DUE BY 3/31/2019		1.00	\$475,280.00	\$0.00	\$475,280.00

For invoice inquiries please contact accountsreceivable@grandriver.ca

Subtotal	\$475,280.00
Tax	\$0.00
Total	\$475,280.00

Please make cheque payable to **GRAND RIVER CONSERVATION AUTHORITY**
Late payments charges of 1% per month compounded monthly (annual rate of 12.68%) will be applied on overdue accounts

GST/HST 10744-7435RT0001



Phone: 519.621.2761

Toll free: 866.900.4722

400 Clyde Road, PO Box 729, Cambridge ON N1R 5W6
Fax: 519.621.4844

Online: www.grandriver.ca

Invoice To: City of Hamilton
71 Main St West, 1st Floor
Hamilton L8P 4Y5

Invoice

Customer Number HAMILCTY01
Invoice Number LEVY2019-32
Date 6/30/2019

Attention: Abby Pirkus

(000) 000-0000

GRCA Contact	RFI Number	Payment Terms			PO Number
LEVYS		DUE UPON RECEIPT			
Description		Quantity	Subtotal	HST	Total
2019 MUNICIPAL LEVY -2ND INSTALL PAYMENT DUE BY 6/30/2019		1.00	\$475,280.00	\$0.00	\$475,280.00

For invoice inquiries please contact accountsreceivable@grandriver.ca

Subtotal	\$475,280.00
Tax	\$0.00
Total	\$475,280.00

Please make cheque payable to GRAND RIVER CONSERVATION AUTHORITY
Late payments charges of 1% per month compounded monthly (annual rate of 12.68%) will be applied on overdue accounts

GST/HST 10744-7435RT0001



Phone: 519.621.2761

Toll free: 866.900.4722

400 Clyde Road, PO Box 729, Cambridge ON N1R 5W6
Fax: 519.621.4844

Online: www.grandriver.ca

Invoice To: City of Hamilton
71 Main St West, 1st Floor
Hamilton L8P 4Y5

Invoice

Customer Number **HAMILCTY01**
Invoice Number **LEVY2019-33**
Date **9/30/2019**

Attention: Abby Pirkus

(000) 000-0000

GRCA Contact	RFI Number	Payment Terms			PO Number
LEVYS		DUE UPON RECEIPT			
Description		Quantity	Subtotal	HST	Total
2019 MUNICIPAL LEVY -3RD INSTALL PAYMENT DUE BY 9/30/2019		1.00	\$475,280.00	\$0.00	\$475,280.00

For invoice inquiries please contact accountsreceivable@grandriver.ca

Subtotal	\$475,280.00
Tax	\$0.00
Total	\$475,280.00

Please make cheque payable to **GRAND RIVER CONSERVATION AUTHORITY**
Late payments charges of 1% per month compounded monthly (annual rate of 12.68%) will be applied on overdue accounts

GST/HST 10744-7435RT0001



Community Services

Legislative Services

February 26, 2019

Sent via email: premier@ontario.ca

The Honourable Doug Ford, Premier of Ontario
Room 281, Legislative Building, Queen's Park
Premier's Office
Toronto, ON M7A 1A1

Honourable and Dear Sir:

Re: Participation of Local Municipalities in the Financial Administration and Governance of Conservation Authorities and Endorsement and Support

The Municipal Council of the Town of Fort Erie at its meeting of February 25, 2019 passed the following resolution:

Whereas Niagara Regional Council is accountable to the taxpayers of The Regional Municipality of Niagara, which includes taxpayers in the Town of Fort Erie, and

Whereas an investigation by the Auditor General of Ontario identified several areas of concern at the Niagara Peninsula Conservation Authority, including \$3.8 million in purchases between 2013 and 2017 that did not adhere to its own policies for the competitive acquisition of goods and services, and

Whereas the 2018 and 2019 Niagara Peninsula Conservation Authority budgets presented to Niagara Regional Council did not provide a full accounting of all spending to the satisfaction of Regional Council, and

Whereas Niagara Regional Council lacks the authority to approve, reject or otherwise modify a budget presented by the Niagara Peninsula Conservation Authority, despite Council's accountability to the taxpayers of the Region, and

Whereas voters in The Regional Municipality of Niagara, including the Town of Fort Erie, sent a strong message on October 22, 2018 for the need for honesty, integrity, accountability and transparency in the way governance in the Region and at the Niagara Peninsula Conservation Authority is conducted;

Now therefore be it resolved,

That: The Town of Fort Erie hereby requests that the Niagara Peninsula Conservation Authority provide a full and transparent accounting of all spending in its 2018 and 2019

operating and capital budgets to Niagara Regional Council, and continue to do so for each subsequent year, and further

That: The Town of Fort Erie requests the Provincial Government to amend the *Conservation Authorities Act* to provide responsible municipalities within the watershed of a Conservation Authority greater oversight over Conservation Authority budgets including, but not necessarily limited to, the ability to approve, reject or modify a budget presented by a Conservation Authority in any given year and the ability to withhold funding should a Conservation Authority fail to provide a full and transparent accounting of its revenues and expenditures as reasonably requested from time to time, and further

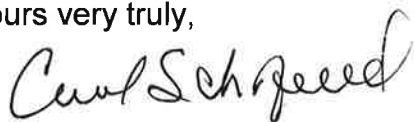
That: This resolution be sent to the Premier, the Minister of Natural Resources, the Members of Provincial Parliament for the Niagara ridings, the Chair and Clerk of The Regional Municipality of Niagara, the Chair and Secretary of the Niagara Peninsula Conservation Authority, and further

That: This resolution be sent to The Regional Municipality of Niagara, the Local Area Municipalities in Niagara, the City of Hamilton, and Haldimand County, for their endorsement and support.

This resolution is also being sent to The Regional Municipality of Niagara, the Local Area Municipalities in Niagara, the City of Hamilton, and Haldimand County, for their endorsement and support.

Thank you for your attention to this matter.

Yours very truly,



Carol Schofield,

Manager, Legislative Services/Clerk

cschofield@forterie.ca

CS:dlk

cc: The Honourable John Yakabouski, Minister of Natural Resources and Forestry Sent via email:

john.yakabuskico@pc.ola.org

Wayne Gates, MPP-Niagara Falls, Legislative Assembly of Ontario Sent via email: wgates-co@ndp.on.ca

Sam Oosterhoff, MPP-Niagara West-Glanbrook, Legislative Assembly of Ontario Sent via email: sam.oosterhoff@pc.ola.org

Jennifer Stevens, MPP-St. Catharines Sent via email: JStevens-CO@ndp.on.ca

Jeff Burch, MPP-Niagara Centre Sent via email: JBurch-QP@ndp.on.ca

Jim Bradley, Regional Chair Sent via email: jim.bradley@niagararegion.ca

Ann-Marie Norio, Regional Clerk, Niagara Region Sent via email: ann-marie.norio@niagararegion.ca

Dave Bylsma, Niagara Peninsula Conversation Authority Chair Sent via email: dbylsma@westlincoln.ca/dbylsma@npca.ca

David Barrick, Niagara Peninsula Conservation Authority, Interim CAO/Secretary Treasurer Sent via email: dbarrick@npca.ca

Rose Caterini, City Clerk, City of Hamilton Sent via email: clerk@hamilton.ca

Evelyn Eichenbaum, Clerk, Haldimand County Sent via email: eeichenbaum@haldimandcounty.on.ca

Niagara Local Area Municipalities Sent via email

Pilon, Janet

Subject: Municipal Levy & Budget 2019 - Grand River Conservation Authority

From: Eowyn Spencer <espencer@grandriver.ca>

Sent: February 22, 2019 12:52 PM

To: Andrew Grozelle <andy.grozelle@norfolkcounty.ca>; Charlene Touzel (ctouzel@brantford.ca) <ctouzel@brantford.ca>; Chloe Senior <csenior@oxfordcounty.ca>; Christine Hickey (chickey@amaranth.ca) <chickey@amaranth.ca>; Denise Holmes <dholmes@melancthontownship.ca>; Dina Lundy <Dina.Lundy@erin.ca>; Evelyn Eichenbaum <eeichenbaum@haldimandcounty.on.ca>; Graham Milne (Graham.Milne@halton.ca) <Graham.Milne@halton.ca>; Heather Boyd <Heather.Boyd@brant.ca>; Hyde, Joanne <jhyde@southgate.ca>; Jane Wilson <jwilson@townofgrandvalley.ca>; clerk@hamilton.ca; Karen Landry <klandry@puslinch.ca>; Karren Wallace <KWallace@wellington-north.com>; Karyn Bennett <Karyn.Bennett@halton.ca>; Kerri O'Kane <KOKane@centrewellington.ca>; Kris Fletcher <KFletcher@regionofwaterloo.ca>; Manny Baron <mbaron@mapleton.ca>; Meaghen Reid <mreid@get.on.ca>; Patricia Berfelz <pberfelz@northperth.ca>; Stephen.O'Brien@guelph.ca; Susan Stone <suestone@amaranth-eastgary.ca>; Theresa Campbell <tcampbell@pertheast.ca>

Cc: Joe Farwell <jfarwell@grandriver.ca>; Karen Armstrong <karmstrong@grandriver.ca>; Sonja Radoja <sradoja@grandriver.ca>

Subject: Municipal Levy & Budget 2019 - Grand River Conservation Authority

Good afternoon Grand River watershed member municipality:

By letter dated January 21, 2019 you were advised that a meeting of the General Membership of the Grand River Conservation Authority would be held on February 22, 2019 to consider the 2019 Budget and General Levy. At that meeting, the following resolution was passed:

THAT the 2019 Budget of Grand River Conservation Authority of \$35,270,468 be approved;

AND THAT the member municipalities be assessed for payment of:

Matching Levy: \$871,073

Non-Matching Levy: \$9,714,927

Capital Levy: \$1,050,000

Total General Levy: \$11,636,000

AND THAT each member municipality's share of the 2019 General Levy be calculated using "Modified Current Value Assessment".

The 2019 general levy will not include an adjustment for the City of Hamilton, which was the practice from 2001 to 2017. This change in levy apportionment is due to an order issued December 21, 2017 by the Mining and Lands Commissioner (MLC).

The impact of not making an adjustment for Hamilton is that Hamilton's share of the total levy increases from 2.4% prior to the December 2017 MLC order to 12.3% in 2019 and the amount apportioned to all other participating municipalities has decreased by a proportional amount.

The City of Hamilton has applied for a Judicial Review of the Mining and Lands Commissioner's decision and a hearing occurred on February 6; the tribunal did not issue a judgment on that date and they have up to six months to do so. At this point, it is not possible to predict whether that request will be granted and if there is potential for adjustments to the 2018 or 2019 levy apportionment at a later date. In the event of a subsequent adjustment, we will advise you of the revised apportionment as applicable. A number of members of our Board of Directors have suggested that participating municipalities may want to consider setting funds aside based on the original levy apportionment calculation which would be similar to the 2017 levy amount with an annual increase to reflect our overall levy increase.

Attached are a summary of the 2019 municipal levies and the complete 2019 budget package. A hard copy of the 2019 budget package or a printable PDF **is available upon request.**

Please contact Karen Armstrong, Deputy CAO & Secretary Treasurer, or Sonja Radoja, Manager of Corporate Services, if you have any questions.

On behalf of,

Karen Armstrong

Deputy CAO & Secretary-Treasurer

Kind regards,

Eowyn Spencer | Executive Assistant | Grand River Conservation Authority
www.grandriver.ca | Phone: 519-621-2763 x.2200 | espencer@grandriver.ca

Grand River Conservation Authority Summary of Municipal Levy - 2019 Budget

February 22, 2019

	% CVA in	2018 CVA		CVA-Based	2018 Budget	2019 Budget	2019 Budget	2019 Budget	Actual	
					Matching & Maintenance	Admin & Maintenance	Non Matching Admin & Maintenance			
	Watershed	(Modified)	CVA in Watershed	Apportionment	Levy	Maintenance Levy	Capital Levy	Total Levy	2018 Levy	% Change
Brant County	82.9%	5,955,826,066	4,937,379,809	2.75%	23,970	267,336	28,894	320,200	326,904	-2.1%
Brantford C	100.0%	13,253,620,186	13,253,620,186	7.39%	64,343	717,622	77,561	859,526	820,175	4.8%
Amaranth Twp	82.0%	692,356,801	567,732,577	0.32%	2,756	30,740	3,322	36,818	35,971	2.4%
East Garafraxa Twp	80.0%	533,804,174	427,043,339	0.24%	2,073	23,122	2,499	27,694	26,838	3.2%
Town of Grand Valley	100.0%	429,279,822	429,279,822	0.24%	2,084	23,244	2,512	27,840	26,727	4.2%
Melancthon Twp	56.0%	507,262,719	284,067,123	0.16%	1,379	15,381	1,662	18,422	18,160	1.4%
Southgate Twp	6.0%	883,428,392	53,005,703	0.03%	257	2,870	310	3,437	3,294	4.3%
Haldimand County	41.0%	6,276,148,294	2,573,220,801	1.43%	12,492	139,328	15,059	166,879	162,607	2.6%
Norfolk County	5.0%	8,618,652,073	430,932,604	0.24%	2,092	23,333	2,522	27,947	27,566	1.4%
Halton Region	10.4%	39,536,197,403	4,121,457,995	2.30%	20,009	223,158	24,119	267,286	253,594	5.4%
Hamilton City	26.7%	82,190,675,574	21,986,005,716	12.25%	106,736	1,190,440	128,664	1,425,840	1,389,640	2.6%
Oxford County	37.3%	3,842,021,887	1,432,116,305	0.80%	6,953	77,542	8,381	92,876	90,099	3.1%
North Perth T	2.0%	1,911,183,097	38,223,662	0.02%	186	2,070	224	2,480	2,385	4.0%
Perth East Twp	40.0%	1,744,223,194	697,689,278	0.39%	3,387	37,777	4,083	45,247	43,127	4.9%
Waterloo Region	100.0%	91,711,011,599	91,711,011,599	51.11%	445,232	4,965,722	536,699	5,947,653	5,816,764	2.3%
Centre Wellington Twp	100.0%	4,490,977,731	4,490,977,731	2.50%	21,802	243,166	26,282	291,250	285,969	1.8%
Erin T	49.0%	2,319,917,492	1,136,759,571	0.63%	5,519	61,550	6,652	73,721	73,360	0.5%
Guelph C	100.0%	24,316,625,767	24,316,625,767	13.55%	118,051	1,316,632	142,303	1,576,986	1,537,580	2.6%
Guelph Eramosa Twp	100.0%	2,527,154,919	2,527,154,919	1.41%	12,269	136,834	14,789	163,892	159,913	2.5%
Mapleton Twp	95.0%	1,526,746,159	1,450,407,901	0.81%	7,041	78,533	8,488	94,062	90,132	4.4%
Wellington North Twp	51.0%	1,516,305,544	773,315,828	0.43%	3,754	41,871	4,526	50,151	49,212	1.9%
Puslinch Twp	75.0%	2,380,647,827	1,785,485,870	1.00%	8,668	96,676	10,449	115,793	111,983	3.4%
Total		297,164,066,719	179,423,514,108	100.00%	871,053	9,714,947	1,050,000	11,636,000	11,352,000	2.5%



2019 BUDGET

February 22, 2019

Grand River Conservation Authority

2019 Budget

Index

<u>Schedules</u>	<u>Pages</u>
1) Summary Schedules	
• GRCA 2019 Budget Highlights	1-4
• Summary of Revenue and Expenditures	5
• Overview - 2019 Revenue by Source	6
• Overview – 2019 Expenditures by Category	7
• GRCA Per Capita Levy 2009 to 2019	8
• Summary of Expenditures, Funding and Change in Municipal Levy	9
• Summary of Municipal General Levy	10
2) Section A – Operating Budget	11-36
• Table 1: Water Resources Planning and Environment	
• Table 2: Flood Forecasting and Warning	
• Table 3: Water Control Structures	
• Table 4: Planning	
• Table 5: Forestry and Conservation Lands Property Tax	
• Table 6: Conservation Services	
• Table 7: Communications and Foundation	
• Table 8: Outdoor Education	
• Table 9: Corporate Services	
• Table 10: Conservation Lands, Property Rentals, Hydro, Conservation Areas, and other Miscellaneous Revenues and Expenditures	
• Other Information (Information Systems and Motor Pool)	
3) Section B – Capital Budget	37-38
4) Section C – Special Projects Budget	39-40
5) Grand River Conservation Authority Members for 2019	APPENDIX A

GRCA 2019 Budget Highlights

The Grand River Conservation Authority is a successful partnership of municipalities, working together to promote and undertake wise management of the water and natural resources of the Grand River watershed.

The Grand River stretches 300 kilometres from Dundalk in Dufferin County to Port Maitland on Lake Erie. It takes in one of the fastest growing regions in the province, with a population of almost 1,000,000. The Grand River watershed is also home to some of the most intensively farmed land in the nation.

The prospect of high growth and the impact on water and natural resources and the quality of life present an enormous challenge to the GRCA, municipalities and all watershed residents. It creates an urgent need to work co-operatively to care wisely for the Grand River and its resources.

The work of the GRCA is divided into seven business areas:

- Reducing flood damages
- Improving water quality
- Maintaining reliable water supply
- Protecting natural areas and biodiversity
- Watershed planning
- Environmental education
- Outdoor recreation

In order to carry out these functions, the GRCA draws revenues from a variety of sources:

- User fees, such as park admissions, nature centre programs, planning fees and others which are set to offset most, if not all, the cost of these services
- Revenues from property rentals and hydro generation at our dams
- Municipal levies, which are applied primarily to watershed management programs
- Municipal grants dedicated to specific programs, such as the Rural Water Quality Program and Water Quality Monitoring
- Provincial transfer payments for water management operating expenses
- Provincial grants for specific purposes, such as studies on Source Water Protection and Capital Projects related to water management
- Donations from the Grand River Conservation Foundation for programs such as outdoor education, tree nursery operations and various special projects
- Federal grants and other miscellaneous sources of revenue

The GRCA continues to work on the updates and implementation of a Drinking Water Source Protection Plan for each of the four watersheds in the Lake Erie Source Protection Region, including the Grand River watershed, as part of the provincial Source Protection Program under the *Clean Water Act, 2006*. Besides supporting municipalities and other agencies in implementing the plans, the focus in 2019 is on completing updates to the Grand River Source Protection Plan, including water quantity risk assessment studies, development of water quantity policies, updating water quality vulnerability assessments, and the development of the first annual progress report for the Grand River Source Protection Plan.

The Water Management Plan was endorsed in 2014 as an update to the 1982 Grand River Basin Study that charts a course of actions to reduce flood damages, ensure water supplies, improve water quality and build resilience to deal with a changing climate. The third annual progress report – A Report on Actions was published in 2017. Municipal, provincial and federal government and Six Nations Water Managers meet quarterly to report on the progress of the commitments they made in the Plan. Two reports are underway: a technical report on the state of water resources and a summary report on the status of implementation are both to be completed in 2019.

In April 2018 the GRCA received approval from the Ministry of Natural Resources and Forestry to use up to \$1.8 million from the Land Sale Reserve for hazard tree management over a three year period. This funding has allowed the GRCA to accelerate its program of tree risk management to ensure the health and safety of the public using GRCA lands. This program will continue through 2019 and 2020.

Major water control capital projects planned for 2019 include completion of an ice jam study, capacity improvements, floodwall repairs and permanent closure of abandon railway openings along the Brantford dikes, repair of the floodwall along the Cambridge dike coordinated closely with City of Cambridge river access projects, solutions to address seepage under the Bridgeport dikes, gate control system upgrades and concrete repair designs at Conestogo dam, standby generator enhancements and temporary stoplog design to allow isolation of gates at Shand Dam, concrete and embankment repairs at Wellesley Dam, gate refurbishment at New Dundee Dam, concrete and embankment repairs St. Jacobs Dam and updating of operation and maintenance manuals

Major conservation area capital projects planned for 2019 include a new day use washroom at Byng Island, expansion of the Pines seasonal campground at Elora Gorge, a new workshop at Guelph Lake as well as a new trailer storage area, playground replacements at Brant Park and installation of automatic gates at Pinehurst Lake. Planning for 2020 construction will be undertaken for a new day use area at Elora Gorge, the replacement of the existing washroom building at Elora Quarry, and installation of automatic entry gates at Guelph Lake.

1. Watershed Management and Monitoring

Watershed management and monitoring programs protect watershed residents from flooding and provide the information required to develop appropriate resource management strategies and to identify priority actions to maintain a healthy watershed. Activities include operation of flood and erosion control structures such as dikes and dams; flood forecasting and warning; water quality monitoring; natural heritage restoration and rehabilitation projects; water quantity assessment; watershed and subwatershed studies.

Operating Expenditures:

Water Resources Planning and Environment	\$2,243,200	(Table 1)
Flood Forecasting and Warning	\$ 801,000	(Table 2)
Water Control Structures	\$1,723,900	(Table 3)

Capital Expenditures: **\$1,800,000** (Section B)

Total Expenditures: **\$6,568,100**

Revenue sources: Municipal levies and provincial grants.

2. Planning

Program areas:

- a) Natural Hazard Regulations
The administration of conservation authority regulations related to development in the floodplain, and other natural hazards e.g. wetlands, slopes, shorelines and watercourses.
- b) Plan Input and Review
Planning and technical review of municipal planning documents and recommending environmental policies for floodplains, wetlands and other environmentally significant areas; providing advice and information to municipal councils on development proposals and severances; review of environmental assessments; and providing outside consulting services on a fee-for-service basis to other conservation authorities and agencies.

Operating Expenditures: **\$2,084,600** (Table 4)

Capital Expenditures: **NIL**

Revenue sources: Permit fees, enquiry fees, plan review fees, provincial grants and municipal levy

3. Watershed stewardship

The watershed stewardship program provides information and/or assistance to private and public landowners and community groups on sound water and environmental practices that will enhance, restore or protect their properties. Some activities are reforestation/tree planting through the Burford Tree Nursery, the Rural Water Quality Program, restoration and rehabilitation projects. The program also, provides conservation information through workshops, publications, the web site and media contacts.

Operating Expenditures:

Forestry & Conservation Land Taxes	\$ 1,411,400 (Table 5)
Conservation Services	\$ 885,200 (Table 6)
Communications and Foundation	\$ 733,900 (Table 7)

Capital Expenditures: **NIL**

Total Expenditures: **\$3,030,500**

Revenue sources:

Municipal levies and grants, provincial grants, tree sales, landowner contributions, donations from the Grand River Conservation Foundation and other donations.

4. Conservation Land Management

This includes expenses and revenues associated with the acquisition and management of land owned or managed by the GRCA including woodlots, provincially significant wetlands (e.g. Luther Marsh, Dunnville Marsh), passive conservation areas, rail-trails and a number of rental properties. Activities include forest management, woodlot thinning, and hydro production at our dams.

Operating Expenditures:

Conservation Lands, Rentals, Misc	\$3,830,400 (Table 10-Conservation Lands)
Hydro Production	\$ 203,000 (Table 10-Hydro Production)

Capital Expenditures: NIL

Total Expenditures: \$4,033,400

Revenue sources:

Property rentals, hydro production, timber sales, conservation land income, donations from the Grand River Conservation Foundation

5. Education

The GRCA operates six nature centres, which provide curriculum-based programs to about 50,000 students from six school boards and independent schools throughout the watershed. In addition, about 16,000 members of the public attend day camps and weekend family and community events.

Operating Expenditures: \$1,382,400 (Table 8)

Capital Expenditures: NIL

Revenue sources: School boards, nature centre user fees, community event fees, donations from the Grand River Conservation Foundation and municipal general levy.

6. Recreation

This includes the costs and revenues associated with operating the GRCA's 11 active conservation areas. The GRCA offers camping, hiking, fishing, swimming, skiing and other activities at its parks. It provides 2,500 campsites, making it the second-largest provider of camping accommodation in Ontario. About 1 million people visit GRCA parks each year. The parks are financially self-sufficient.

Operating Expenditures: \$7,885,000 (Table 10)

Capital Expenditures: \$2,590,000 (Section B)

Total Expenditures: \$10,475,000

Revenue sources:

Conservation Area user fees, government grants, reserves and donations.

7. Corporate services

This includes the cost of head office functions such as accounting and human resources, as well as the cost of facilities, insurance, consulting and legal fees and expenses relating to the General Membership.

Operating Expenditures: \$3,867,768 (Table 9)

Capital Expenditures: \$ 207,700 (Section B)

Total Expenditures: \$4,075,468

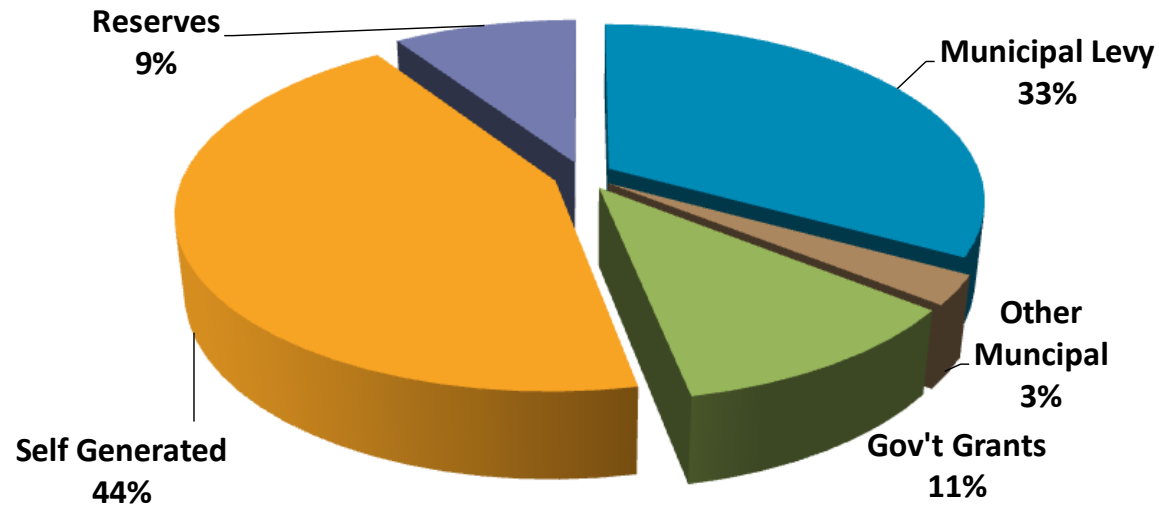
Revenue sources: Municipal levies and provincial grants.

BUDGET 2019 - Summary of Revenue and Expenditures

FUNDING		Actual 2018	Budget 2018	Budget 2019	Budget Incr/(decr)
Municipal General Levy Funding		11,352,000	11,352,000	11,636,000	284,000 2.5%
Other Government Grants		4,763,202	4,928,573	4,893,573	(35,000) -0.7%
Self-Generated Revenue		16,502,625	15,293,414	15,431,195	137,781 0.9%
Funding from Reserves		2,288,903	2,774,000	3,309,700	535,700 19.3%
TOTAL FUNDING		34,906,730	34,347,987	35,270,468	922,481 2.7%
EXPENDITURES		Actual 2018	Budget 2018	Budget 2019	Budget Incr/(decr)
Base Programs - Operating includes funding to reserves	SECTION A	26,677,416	25,716,987	27,051,768	1,334,781 5.19%
Base Programs - Capital	SECTION B	3,658,509	3,910,000	4,597,700	687,700 17.59%
Special Projects	SECTION C	4,101,110	4,721,000	3,621,000	(1,100,000) -23.3%
TOTAL EXPENDITURES		34,437,035	34,347,987	35,270,468	922,481 2.7%
NET RESULT		469,695	-	-	

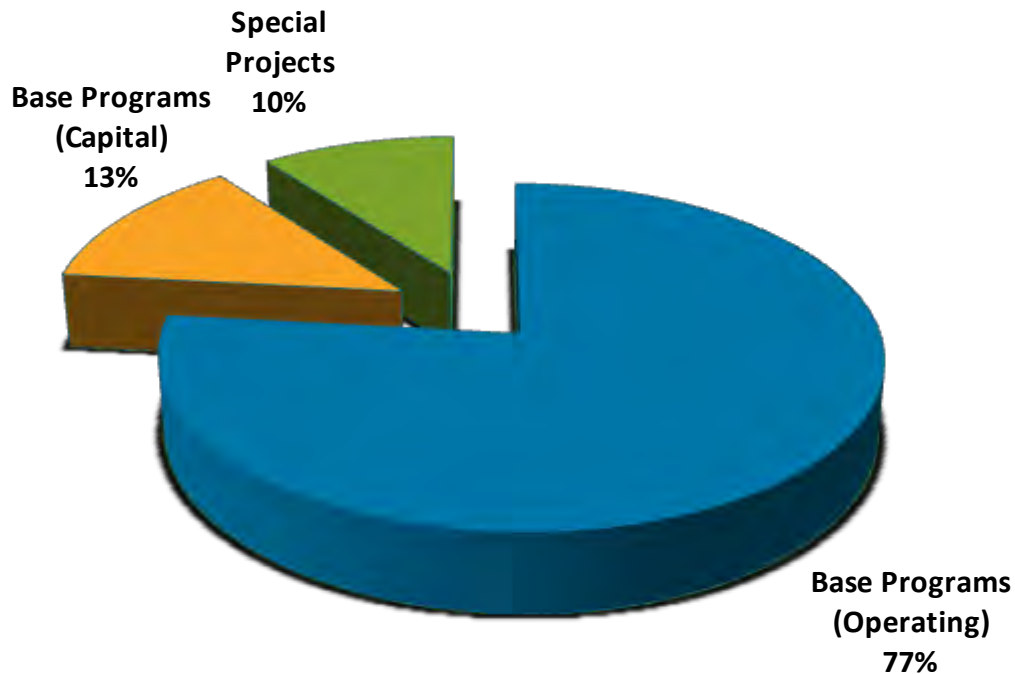
2019 Budget – Revenue by Source

Total 2019 Budget Revenue = \$35.3 Million (\$ 34.3 Million in 2018)

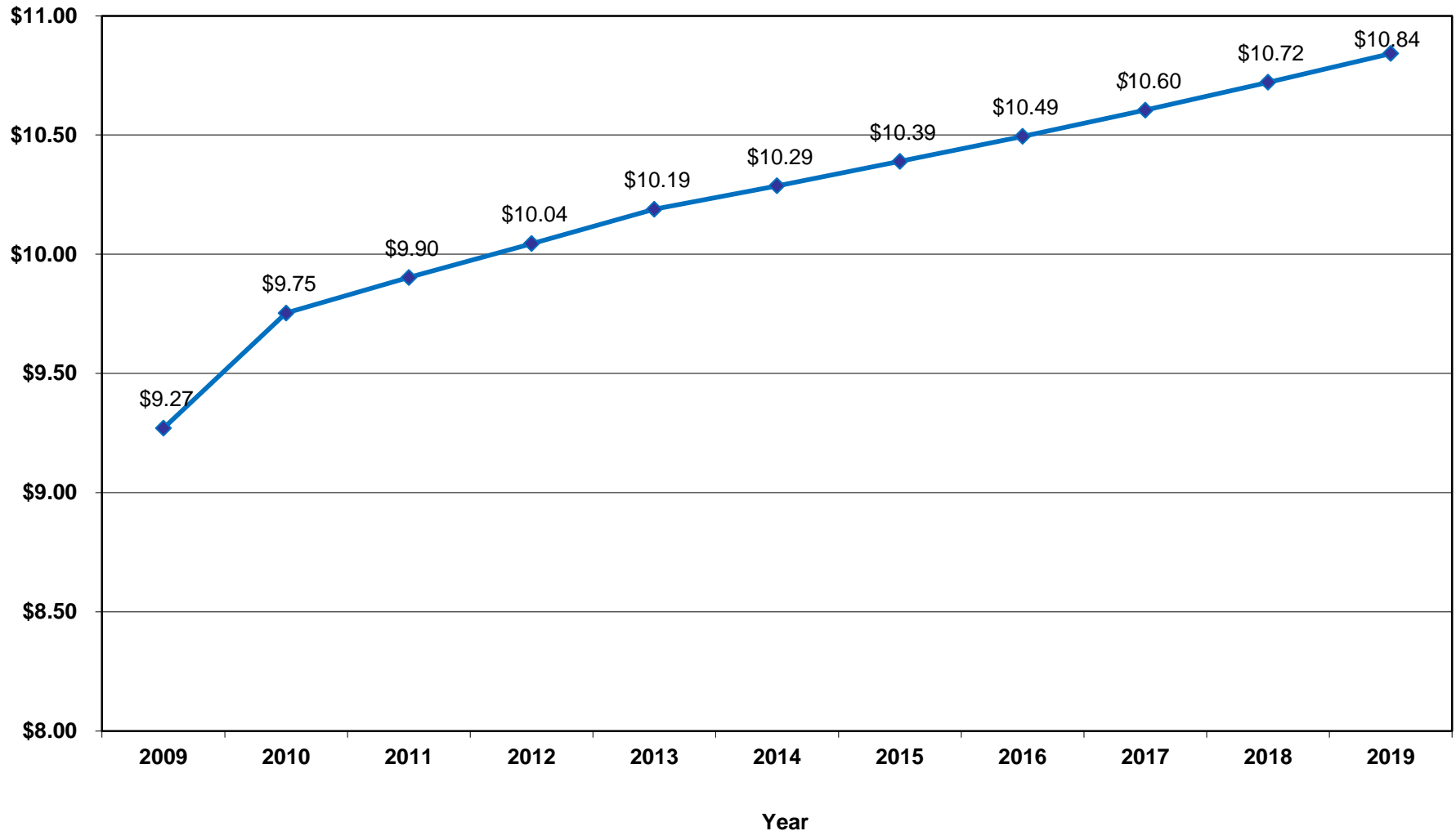


2019 Budget – Expenditures by Category

2019 Budget Expenditures = \$35.3 Million (\$ 34.3 Million in 2018)



GRCA Per Capita Levy 2009 to 2019



Budget 2019 - Summary of Expenditures, Funding and Change in Municipal Levy

9

Grand River Conservation Authority Summary of Municipal Levy - 2019 Budget

February 22, 2019

	% CVA in	2018 CVA	CVA-Based	2018 Budget	2019 Budget	2019 Budget	2019 Budget	Actual		
				Matching & Maintenance	Admin	Non Matching				
	Watershed	(Modified)	CVA in Watershed	Apportionment	Levy	Maintenance Levy	Capital Levy	Total Levy	2018 Levy	% Change
Brant County	82.9%	5,955,826,066	4,937,379,809	2.75%	23,970	267,336	28,894	320,200	326,904	-2.1%
Brantford C	100.0%	13,253,620,186	13,253,620,186	7.39%	64,343	717,622	77,561	859,526	820,175	4.8%
Amaranth Twp	82.0%	692,356,801	567,732,577	0.32%	2,756	30,740	3,322	36,818	35,971	2.4%
East Garafraxa Twp	80.0%	533,804,174	427,043,339	0.24%	2,073	23,122	2,499	27,694	26,838	3.2%
Town of Grand Valley	100.0%	429,279,822	429,279,822	0.24%	2,084	23,244	2,512	27,840	26,727	4.2%
Melancthon Twp	56.0%	507,262,719	284,067,123	0.16%	1,379	15,381	1,662	18,422	18,160	1.4%
Southgate Twp	6.0%	883,428,392	53,005,703	0.03%	257	2,870	310	3,437	3,294	4.3%
Haldimand County	41.0%	6,276,148,294	2,573,220,801	1.43%	12,492	139,328	15,059	166,879	162,607	2.6%
Norfolk County	5.0%	8,618,652,073	430,932,604	0.24%	2,092	23,333	2,522	27,947	27,566	1.4%
Halton Region	10.4%	39,536,197,403	4,121,457,995	2.30%	20,009	223,158	24,119	267,286	253,594	5.4%
Hamilton City	26.7%	82,190,675,574	21,986,005,716	12.25%	106,736	1,190,440	128,664	1,425,840	1,389,640	2.6%
Oxford County	37.3%	3,842,021,887	1,432,116,305	0.80%	6,953	77,542	8,381	92,876	90,099	3.1%
North Perth T	2.0%	1,911,183,097	38,223,662	0.02%	186	2,070	224	2,480	2,385	4.0%
Perth East Twp	40.0%	1,744,223,194	697,689,278	0.39%	3,387	37,777	4,083	45,247	43,127	4.9%
Waterloo Region	100.0%	91,711,011,599	91,711,011,599	51.11%	445,232	4,965,722	536,699	5,947,653	5,816,764	2.3%
Centre Wellington Twp	100.0%	4,490,977,731	4,490,977,731	2.50%	21,802	243,166	26,282	291,250	285,969	1.8%
Erin T	49.0%	2,319,917,492	1,136,759,571	0.63%	5,519	61,550	6,652	73,721	73,360	0.5%
Guelph C	100.0%	24,316,625,767	24,316,625,767	13.55%	118,051	1,316,632	142,303	1,576,986	1,537,580	2.6%
Guelph Eramosa Twp	100.0%	2,527,154,919	2,527,154,919	1.41%	12,269	136,834	14,789	163,892	159,913	2.5%
Mapleton Twp	95.0%	1,526,746,159	1,450,407,901	0.81%	7,041	78,533	8,488	94,062	90,132	4.4%
Wellington North Twp	51.0%	1,516,305,544	773,315,828	0.43%	3,754	41,871	4,526	50,151	49,212	1.9%
Puslinch Twp	75.0%	2,380,647,827	1,785,485,870	1.00%	8,668	96,676	10,449	115,793	111,983	3.4%
Total		297,164,066,719	179,423,514,108	100.00%	871,053	9,714,947	1,050,000	11,636,000	11,352,000	2.5%

SECTION A

BASE PROGRAMS – OPERATING

SECTION A - Operating Budget

GRAND RIVER CONSERVATION AUTHORITY

Budget 2019 vs Budget 2018

	Actual 2018	Budget 2018	Budget 2019	Incr/(Decr)	%age change
<u>EXPENDITURES</u>					
OPERATING EXPENSES	26,677,416	25,716,987	27,051,768	1,334,781	5.19%
Total Expenses	26,677,416	25,716,987	27,051,768	1,334,781	5.19%
<u>SOURCES OF FUNDING</u>					
MUNICIPAL GENERAL LEVY (NOTE)	9,835,527	10,302,000	10,586,000	284,000	2.76%
MUNICIPAL SPECIAL LEVY	48,488	50,000	50,000	-	0.00%
OTHER GOVT FUNDING	947,574	938,573	938,573	-	0.00%
SELF-GENERATED	15,218,057	13,840,100	14,350,500	510,400	3.69%
RESERVES	215,456	174,000	657,000	483,000	277.59%
SURPLUS CARRYFORWARD	412,314	412,314	469,695	57,381	13.92%
Total BASE Funding	26,677,416	25,716,987	27,051,768	1,334,781	5.19%

NOTE: See "Summary of Revenue, Expenditures and Changes in Municipal Levy" for details of \$284,000 levy increase.

TABLE 1

(a) Watershed Studies

This category includes watershed and subwatershed studies. These studies provide the strategic framework for understanding water resources and ecosystem form, functions and linkages. These allow for assessment of the impacts of changes in watershed resources and land use. Watershed studies also identify activities and actions that are needed to minimize the adverse impacts of change. This program supports other plans and programs that promote healthy watersheds.

Specific Activities:

- Carry out or partner with municipalities and other stakeholders on integrated subwatershed plans for streams and tributaries. Subwatershed Plans are technical reports which provide comprehensive background on how surface water, groundwater, terrestrial and aquatic ecosystems function in a subwatershed. The plans recommend how planned changes such as urbanization can take place in a sustainable manner.

(b) Water Resources Planning and Environment and Support

This category includes the collection and analysis of environmental data and the development of management plans for protection and management of water resources and natural heritage systems. These programs assist with implementation of monitoring water and natural resources and assessment of changes in watershed health and priority management areas.

Specific Activities:

- operate 8 continuous river water quality monitoring stations, 73 stream flow monitoring stations, 27 groundwater monitoring stations, and 37 water quality monitoring stations in conjunction with MOE, apply state-of-the-art water quality assimilation model to determine optimum sewage treatment options in the central Grand, and provide technical input to municipal water quality issues
- analyze and report on water quality conditions in the Grand River watershed
- maintain a water budget to support sustainable water use in the watershed, and maintain a drought response program
- analyze water use data for the watershed and provide recommendations for water conservation approaches
- provide advice to Provincial Ministries regarding water use permits to ensure that significant environmental concerns are identified so that potential impacts can be addressed.

(c) Resource Management Division Support

Provides support services to the Engineering and Resource Management Divisions including support for Flood Forecasting and Warning and Water Control Structures.

Specific Spending:

- administrative services
- travel, communication, staff development and computer
- insurance

(d) Natural Heritage Management

The natural heritage management program includes those activities associated with providing service and/or assistance to municipalities, private and public landowners and community groups on sound environmental practices that will enhance, restore or protect the aquatic and terrestrial ecosystems. The program includes watershed scale natural heritage assessments and implements restoration activities on GRCA land..

Specific Activities:

- maintain and promote the ‘Grand River Fisheries Management Plan’.
- implement “best bets” for protection and enhancement of fisheries, work with outside agencies, non-government organizations and the public to improve fish habitat through stream rehabilitation projects including the implementation of the recommendations of the watershed studies.
- maintain and implement the Forest Management Plan for the Grand River watershed and develop and implement components of the watershed Emerald Ash Borer strategy
- carry out restoration and rehabilitation projects for aquatic and terrestrial ecosystems e.g. species at risk and ecological monitoring on GRCA lands, and prescribed burn activities and community events such as tree planting and stream restoration
- provide technical input and review services for applications that may affect the watershed ecosystems.

TABLE 1
GRAND RIVER CONSERVATION AUTHORITY
Water Resources Planning & Environment

OPERATING	Actual 2018	Budget 2018	Budget 2019	Budget Change
Expenses:				incr/(decr)
Salary and Benefits	1,477,118	1,587,900	1,615,500	27,600
Travel, Motor Pool, Expenses, Telephone, Training and Development, IT	260,556	313,000	319,300	6,300
Insurance	103,297	110,000	113,300	3,300
Other Operating Expenses	140,049	210,900	195,100	-15,800
TOTAL EXPENSE	1,981,020	2,221,800	2,243,200	21,400
Funding				(incr)/decr
Municipal Special/Other	36,156	50,000	50,000	0
MNR Grant	33,200	33,200	8,200	25,000
Prov & Federal Govt	16,398	37,500	47,500	-10,000
Donations		3,000		3,000
Funds taken from Reserves	-	27,000		27,000
TOTAL FUNDING	85,754	150,700	105,700	45,000
Net Funded by General Municipal Levy	1,895,266	2,071,100	2,137,500	
Net incr/(decr) to Municipal Levy				66,400

TABLE 2

Flood Forecasting and Warning

The flood warning system includes the direct costs associated with monitoring the streams, and rivers in order to effectively provide warnings and guidance to municipalities and watershed residents during flood emergencies.

Overall, flood protection services provide watershed residents with an effective and efficient system that will reduce their exposure to the threat of flood damage and loss of life. It is estimated that the existing flood protection in the Grand River watershed saves an average of over \$5.0 million annually in property damage.

Specific Activities:

- maintain a ‘state of the art’ computerized flood forecasting and warning system.
- operate a 24 hour, year-round, on-call duty officer system to respond to flooding matters.
- collect and manage data on rainfall, water quantity, reservoir conditions, water levels from 56 stream flow gauges, 24 rainfall gauges, and 12 snow courses.
- use data radio and Voice Alert system to continuously, monitor river conditions and detect warning levels, assist municipalities with emergency planning, and respond to thousands of inquiries each year.
- Assist municipalities with municipal emergency planning and participate in municipal emergency planning exercises when requested.

TABLE 2
GRAND RIVER CONSERVATION AUTHORITY
Flood Forecasting & Warning

OPERATING	Actual 2018	Budget 2018	Budget 2019	Budget change
Expenses:				incr/(decr)
Salary and Benefits	428,291	463,200	457,000	(6,200)
Travel, Motor Pool, Expenses, Telephone, Training and Development, IT	249,762	260,800	266,000	5,200
Other Operating Expenses	61,323	76,400	78,000	1,600
Amount set aside to Reserves	60,000			
TOTAL EXPENSE	799,376	800,400	801,000	600
Funding				(incr)/decr
MNR Grant	252,955	252,955	277,955	(25,000)
TOTAL FUNDING	252,955	252,955	277,955	(25,000)
Net Funded by General Municipal Levy	546,421	547,445	523,045	
Net incr/(decr) to Municipal Levy				(24,400)

TABLE 3

Water Control Structures

This category includes costs associated with the capital and maintenance of structures, the primary purpose of which is to provide protection to life and property. These structures include dams, dykes, berms and channels etc. Also included in this category are non-flood control dams and weirs, which maintain upstream water levels.

Overall, flood protection services provide watershed residents with an effective and efficient system that will reduce their exposure to the threat of flood damage and loss of life. It is estimated that the existing flood protection in the Grand River watershed saves an average of over \$5.0 million annually in property damage.

Specific Activities:

- operate and maintain 7 major multi-purpose reservoirs, which provide flood protection and flow augmentation, and 25 kilometres of dykes in 5 major dyke systems (Kitchener-Bridgeport, Cambridge-Galt, Brantford, Drayton and New Hamburg)
- ensure structural integrity of flood protection infrastructure through dam safety reviews, inspections and monitoring, reconstruction of deteriorating sections of floodwalls and refurbishing of major components of dams
- carry out capital upgrades to the flood control structures in order to meet Provincial standards
- operate and maintain 22 non-flood control dams, which are primarily for aesthetic, recreational, or municipal water supply intake purposes
- develop and implement plans to decommission failing or obsolete dams
- ice management activities to prevent or respond to flooding resulting from ice jams
- develop and implement public safety plans for structures

TABLE 3
GRAND RIVER CONSERVATION AUTHORITY
Water Control Structures

OPERATING	Actual 2018	Budget 2018	Budget 2019	Budget change
<u>Expenses:</u>				incr/(decr)
Salary and Benefits	1,125,092	1,170,100	1,170,200	100
Travel, Motor Pool, Expenses, Telephone, Training and Development, IT	14,708	28,600	29,200	600
Property Taxes	162,927	189,000	179,700	(9,300)
Other Operating Expenses	409,529	338,000	344,800	6,800
Amount set aside to Reserves	55,000	-	-	-
TOTAL EXPENSE	1,767,256	1,725,700	1,723,900	(1,800)
<u>Funding</u>				(incr)/decr
MNR Grant	400,350	400,350	400,350	-
TOTAL FUNDING	400,350	400,350	400,350	-
Net Funded by General Municipal Levy	1,366,906	1,325,350	1,323,550	
Net incr/(decr) to Municipal Levy				(1,800)

TABLE 4

(a) PLANNING - Regulations

This category includes costs and revenues associated with administering the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* made under the *Conservation Authorities Act*. This includes permit review, inspections, permit issuance, enforcement and follow-up, which may include defending appeals.

Specific Activities:

- Process over 800 permits each year related to development, alteration or activities that may interfere with the following types of lands:
 - ravines, valleys, steep slopes
 - wetlands including swamps, marshes, bogs, and fens
 - any watercourse, river, creek, floodplain or valley land
 - the Lake Erie shoreline
- The regulation applies to the development activities listed below in the areas listed above:
 - the construction, reconstruction, erection or placing of a building or structure of any kind,
 - any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure
 - site grading
 - the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere.
- maintain policies and guidelines to assist in the protection of sensitive environmental lands (i.e. Policies for the Administration of the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation)
- enforcement of the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation and maintain compliance policies and procedures
- update and maintain flood line mapping; develop natural hazards mapping in digital format to be integrated into municipal planning documents and Geographic Information Systems

(b) PLANNING - Municipal Plan Input and Review

This program includes costs and revenues associated with reviewing Official Plans, Secondary and Community Plans, Zoning Bylaws, Environmental Assessments, development applications and other proposals, in accordance with Conservation Authority and provincial or municipal agreements. It also includes watershed management consulting outside of the Grand River watershed, which is done from time-to-time on a fee-for-service basis.

Specific Activities:

- review municipal planning and master plan documents and recommend environmental policies and designations for floodplains, wetlands, natural heritage areas, fisheries habitat, hazard lands and shorelines, which support GRCA regulations and complement provincial policies and federal regulations
- provide advice to municipalities regarding environmental assessments, and other proposals such as aggregate and municipal drain applications to ensure that all environmental concerns are adequately identified and that any adverse impacts are minimized or mitigated
- provide information and technical advice to Municipal Councils and Committees and Land Division Committees regarding development applications to assist in making wise land use decisions regarding protection of people and property from natural hazard areas such as flood plains and erosion areas and protection and enhancement of wetlands, fish and wildlife habitat and natural heritage systems

TABLE 4
GRAND RIVER CONSERVATION AUTHORITY
Resource Planning

OPERATING	Actual 2018	Budget 2018	Budget 2019	Budget change
Expenses:				incr/(decr)
Salary and Benefits	1,597,248	1,706,200	1,807,400	101,200
Travel, Motor Pool, Expenses, Telephone, Training and Development, IT	204,057	218,100	222,500	4,400
Other Operating Expenses	141,592	53,600	54,700	1,100
TOTAL EXPENSE	1,942,897	1,977,900	2,084,600	106,700
Funding				(incr)/decr
MNR Grant	114,568	114,568	114,568	-
Self Generated	908,914	901,400	919,000	(17,600)
TOTAL FUNDING	1,023,482	1,015,968	1,033,568	(17,600)
Net Funded by General Municipal Levy	919,415	961,932	1,051,032	
Net incr/(decr) to Municipal Levy				89,100

TABLE 5

Forestry & Property Taxes

The forestry program includes those activities associated with providing service and/or assistance to private and public landowners and community groups on sound environmental practices that will enhance, restore or protect their properties.

This category includes direct delivery of remediation programs including tree planting/reforestation.

General Municipal Levy funds the property tax for GRCA owned natural areas/passive lands.

Specific Activities:

- plant trees on private lands (cost recovery from landowner)
- operate Burford Tree Nursery to grow and supply native and threatened species
- carry out tree planting and other forest management programs on over 7,000 hectares of managed forests on GRCA owned lands
- manage Emerald Ash Borer infestation

TABLE 5
GRAND RIVER CONSERVATION AUTHORITY
Forestry & Conservation Land Taxes

OPERATING	Actual 2018	Budget 2018	Budget 2019	Budget change
Expenses:				incr/(decr)
Salary and Benefits	591,083	539,900	601,000	61,100
Travel, Motor Pool, Expenses, Telephone, Training and Development, IT	51,767	43,400	54,300	10,900
Property Taxes	155,946	177,800	183,200	5,400
Other Operating Expenses	623,989	615,400	572,900	(42,500)
TOTAL EXPENSE	1,422,785	1,376,500	1,411,400	34,900
Funding				(incr)/decr
Donations	64,673	57,000	57,000	-
Self Generated	655,882	650,000	650,000	-
TOTAL FUNDING	720,555	707,000	707,000	0
Net Funded by General Municipal Levy	702,230	669,500	704,400	
Net incr/(decr) to Municipal Levy				34,900

TABLE 6

Conservation Services

The conservation service program includes those activities associated with providing service and/or assistance to private and public landowners and community groups on sound environmental practices that will enhance, restore or protect their properties.

This category includes the Rural Quality program and Forestry extension services.

Specific Activities:

- Co-ordinate the Rural Water Quality Program. This involves landowner contact, promotion/education and providing grants to assist farmers with capital improvements to address manure containment, livestock fencing, soil conservation, and other rural non-point sources of river water pollution. Funding for this important initiative comes from watershed municipalities and other government grants.
- Carry out tree planting, restoration and rehabilitation projects with private landowners
- Co-ordinate community events e.g. children's water festivals and agricultural and rural landowner workshops to promote water and environmental initiatives
- Co-ordinate GRCA Volunteer Program to enable public participation in community and GRCA environmental activities

TABLE 6
GRAND RIVER CONSERVATION AUTHORITY
Conservation Services

OPERATING	Actual 2018	Budget 2018	Budget 2019	Budget change
Expenses:				incr/(decr)
Salary and Benefits	690,240	693,100	733,000	39,900
Travel, Motor Pool, Expenses, Telephone, Training and Development, IT	95,351	110,000	100,200	(9,800)
Other Operating Expenses	18,333	57,900	52,000	(5,900)
Amount set aside to Reserves	12,000			
TOTAL EXPENSE	815,924	861,000	885,200	24,200
Funding				(incr)/decr
Prov & Federal Govt	12,332	30,000	30,000	-
Donations/Other	102,242	87,000	87,000	-
Funds taken from Reserves	552	31,000	31,000	-
TOTAL FUNDING	115,126	148,000	148,000	-
Net Funded by General Municipal Levy	700,798	713,000	737,200	
Net incr/(decr) to Municipal Levy				24,200

TABLE 7

Communications & Foundation

The Communications department provides a wide range of services and support for the GRCA, the Grand River Conservation Foundation, as well as Lake Erie Region Source Protection Program. This category includes watershed-wide communication and promotion of conservation issues to watershed residents, municipalities and other agencies.

The Grand River Conservation Foundation provides private sector funding for GRCA projects with limited or no other sources of revenue. This category includes operational costs related to fundraising.

Communications - Specific Activities:

- Media relations
- Public relations and awareness building
- Online communications
- Issues management and crisis communications
- Community engagement and public consultation
- Corporate brand management

Foundation - Specific Activities:

- Solicit donors for financial support
- Orient and train volunteers to assist with fundraising
- Provide site tours and other events to stakeholders

TABLE 7
GRAND RIVER CONSERVATION AUTHORITY
Communications & Foundation

OPERATING	Actual 2018	Budget 2018	Budget 2019	Budget change
Expenses:				incr/(decr)
Salary and Benefits	538,567	566,400	583,400	17,000
Travel, Motor Pool, Expenses, Telephone, Training and Development, IT	73,568	75,500	77,000	1,500
Other Operating Expenses	1,250	73,000	73,500	500
Amount set aside to Reserves	50,000	-	-	-
TOTAL EXPENSE	663,385	714,900	733,900	19,000
Funding				
Net Funded by General Municipal Levy	663,385	714,900	733,900	
Net incr/(decr) to Municipal Levy				19,000

TABLE 8

Environmental Education

This category includes costs and revenues associated with outdoor education facilities, which provide education and information about conservation, the environment and the Conservation Authority's programs to 50,000 students in 6 school boards and 16,000 members of the general public annually. The majority of funding for this program comes from school boards, the Grand River Conservation Foundation and public program fees.

Specific Activities:

- operate 6 outdoor education centres under contract with watershed school boards, providing hands-on, curriculum-based, outdoor education (App's Mills near Brantford, Taquanyah near Cayuga, Guelph Lake, Laurel Creek in Waterloo, Shade's Mills in Cambridge and Rockwood)
- offer curriculum support materials and workshops to watershed school boards
- offer conservation day camps to watershed children and interpretive community programs to the public (user fees apply)

TABLE 8
GRAND RIVER CONSERVATION AUTHORITY
Environmental Education

OPERATING	Actual 2018	Budget 2018	Budget 2019	Budget change
Expenses:				incr/(decr)
Salary and Benefits	1,023,545	942,400	1,000,000	57,600
Travel, Motor Pool, Expenses, Telephone, Training and Development, IT	95,094	74,300	85,800	11,500
Insurance	10,637	10,000	10,300	300
Property Taxes	12,135	19,400	11,000	(8,400)
Other Operating Expenses	278,746	270,300	275,300	5,000
Amount set aside to Reserves	30,000	30,000		(30,000)
TOTAL EXPENSE	1,450,157	1,346,400	1,382,400	36,000
Funding				(incr)/decr
Provincial & Federal Grants	58,503	-	-	-
Donations	53,233	50,000	50,000	-
Self Generated	985,178	942,000	1,000,500	(58,500)
TOTAL FUNDING	1,096,914	992,000	1,050,500	(58,500)
Net Funded by General Municipal Levy	353,243	354,400	331,900	
Net incr/(decr) to Municipal Levy				(22,500)

TABLE 9

CORPORATE SERVICES

This category includes the costs for goods and services, as listed below, that are provided corporately. A small portion of these costs is recovered from provincial grants, namely from source protection program funding and from the MNR operating grant.

Specific Activities:

This category includes the following departments:

- Office of the Chief Administrative Officer and the Assistant Chief Administrative Officer/Secretary-Treasurer
- Finance
- Human Resources
- Payroll
- Health & Safety
- Office Services

In addition, this category includes expenses relating to:

- The General Membership
- Head Office Building
- Office Supplies, Postage, Bank fees
- Head Office Communication systems
- Insurance
- Audit fees
- Consulting, Legal, Labour Relations fees
- Health and Safety Equipment, Inspections, Training
- Conservation Ontario fees
- Corporate Professional Development
- General expenses

TABLE 9
GRAND RIVER CONSERVATION AUTHORITY
Corporate Services

Budget 2019		Surplus available to offset Municipal Levy Increase
Expenses:	25	
Salary and Benefits	1,897,000	
Travel, Motor Pool, Expenses, Telephone, Training and Development, IT	369,000	
Insurance	57,000	
Other Operating Expenses	1,544,768	
Amount set aside to Reserves		
TOTAL EXPENSE	3,867,768	
Funding		
MNR Grant	70,000	
Recoverable Corporate Services Expenses	70,000	
Funds taken from Reserves	465,000	
TOTAL FUNDING	605,000	
Net Result before surplus adjustments	3,262,768	
Deficit from Other Programs offset by 2018 Surplus Carryforward		(250,400)
2018 Surplus Carried Forward to 2019 used to reduce Levy		469,695
Net Funded by General Municipal Levy	3,262,768	219,295

Budget 2018		Surplus available to offset Municipal Levy Increase
Expenses:		
Salary and Benefits	1,990,000	
Travel, Motor Pool, Expenses, Telephone, Training and Development, IT	337,300	
Insurance	55,000	
Other Operating Expenses	1,087,687	
Amount set aside to Reserves		
TOTAL EXPENSE	3,469,987	
Funding		
MNR Grant	70,000	
Recoverable Corporate Services Expenses	70,000	
Funds taken from Reserves	15,000	
TOTAL FUNDING	155,000	
Net Result before surplus adjustments	3,314,987	
Deficit from Other Programs offset by 2017 Surplus Carryforward		(41,700)
2016 Surplus Carried Forward to 2017 used to reduce Levy		412,314
Net Funded by General Municipal Levy	3,314,987	370,614

ACTUAL 2018		Surplus available to offset Municipal Levy Increase
Expenses:		
Salary and Benefits	1,878,053	
Travel, Motor Pool, Expenses, Telephone, Training and Development, IT	317,991	
Insurance	53,378	
Other Operating Expenses	739,139	
Amount set aside to Reserves	210,000	
TOTAL EXPENSE	3,198,561	
Funding		
MNR Grant	70,000	
Donations/Other	9,049	
Recoverable Corporate Services Expenses	66,023	
TOTAL FUNDING	145,072	
Net Result before surplus/(deficit) adjustments	3,053,489	
Deficit from Other Programs offset by 2016 Surplus Carryforward		(46,688)
2017 Surplus Carried Forward to 2018 used to reduce Levy		412,314
Net Funded by General Municipal Levy	3,053,489	365,626

TABLE 10 (a)

Conservation Lands, Rental Properties, Forestry & Misc

The Conservation Land Management Program includes all expenses and revenues associated with acquisition and management of land owned/managed by the Authority. This includes protection of *Provincially Significant Conservation Lands*, woodlot management, rental/lease agreements and other revenues generated from managing lands and facilities. These expenses do not include those associated with recreation and education programs on GRCA lands.

Specific Activities:

- acquire and manage significant wetlands and floodplain lands, e.g. the Luther Marsh Wildlife Management Area, the Keldon Source Area, the Bannister-Wrigley Complex, and the Dunnville Marsh
- operate “passive” conservation areas in order to conserve forests and wildlife habitat. Some are managed by municipalities or private organizations (Chicopee Ski Club in Kitchener, Scott Park in New Hamburg, etc.)
- develop and maintain extensive trail network on former rail lines owned by GRCA and municipalities (much of this is part of the Trans-Canada Trail network). Necessary funding is raised by The Grand River Conservation Foundation
- rent 733 cottage lots at Belwood Lake and Conestogo Lake; hold leases on over 1200 hectares of agricultural land and 19 residential units, and over 50 other agreements for use of GRCA lands. Income from these rentals aids in the financing of other GRCA programs
- host controlled hunts at various locations including Luther Marsh Wildlife Management Area and Conestogo Lake
- carry out forestry disease control, woodlot thinning and selective harvesting on GRCA lands in accordance with the Forest Management Plan while generating income from sale of timber. Income generated helps pay for future forest management activities
- where appropriate, dispose of lands that have been declared surplus and continue to identify and plan for disposition of other surplus lands. Proceeds from future dispositions will be used for acquisition of “Environmentally Significant Conservation Lands” and for other core programs
- payment of non-insured losses and deductibles for vandalism, loss or theft; miscellaneous amounts recovered from insurance settlements

- investment income arising from reserves and funds received in advance of program expenses

TABLE 10 (b)

HYDRO PRODUCTION

This program generates revenue from ‘hydro production’.

Specific Activities:

- generate hydro from turbines in 2 large dams, Shand and Conestogo; the income is used to fund GRCA programs and repay reserves accordingly for the cost of building/repairing turbines.

TABLE 10 (c)

CONSERVATION AREAS

These programs include costs and revenues associated with delivering recreational programs on GRCA lands and include the costs and revenues associated with day-use, camping, concessions and other activities at GRCA active Conservation Areas.

Specific Activities:

- operate 11 “active” Conservation Areas (8 camping and 3 exclusively day-use) that are enjoyed by over 1.7 million visitors annually. It is estimated that these visitors also help generate significant revenues for the local tourism industry
- offer camping, hiking, fishing, swimming, boating, picnicking, skiing and related facilities
- provide 2,200 campsites – second only to the provincial park system as a provider of camping accommodation in Ontario

TABLE 10
GRAND RIVER CONSERVATION AUTHORITY
OTHER PROGRAMS - OPERATING - SUMMARY of Results

	Conservation Lands	Property Rentals	MISC	(a) Cons Lands, Rental, Misc	(b) Hydro Production	(c) Conservation Areas	TOTAL Other Programs
Budget 2019 - OPERATING							
Expenses:							
Salary and Benefits	1,144,800	576,000	-	1,720,800	43,500	4,502,000	
Travel, Motor Pool, Expenses, Telephone, Training and Development, IT	149,600	74,500	-	224,100	-	177,000	
Insurance	147,300	16,500	-	163,800	-	-	
Property Taxes	-	101,000	-	101,000	-	62,000	
Other Operating Expenses (consulting etc)	654,000	826,700	70,000	1,550,700	89,500	2,844,000	
Amount set aside to Reserves	70,000	-	-	70,000	70,000	300,000	
TOTAL EXPENSE	2,165,700	1,594,700	70,000	3,830,400	203,000	7,885,000	11,918,400
Funding							
Donations	50,000	-	-	50,000	-	-	
Self Generated	86,000	2,875,000	148,000	3,109,000	473,000	7,885,000	
Funds taken from Reserves	1,000	150,000	-	151,000	-	-	
TOTAL FUNDING	137,000	3,025,000	148,000	3,310,000	473,000	7,885,000	11,668,000
NET Surplus/(Deficit) for programs not funded by general levy	(2,028,700)	1,430,300	78,000	(520,400)	270,000	-	(250,400)
Budget 2018 - OPERATING							
Expenses:							
Salary and Benefits	1,042,500	574,000	-	1,616,500	42,000	4,177,000	
Travel, Motor Pool, Expenses, Telephone, Training and Development, IT	156,500	73,000	-	229,500	-	173,000	
Insurance	143,000	15,500	-	158,500	-	-	
Property Taxes	-	98,000	-	98,000	-	60,000	
Other Operating Expenses (consulting etc)	605,000	834,900	70,000	1,509,900	88,000	2,700,000	
Amount set aside to Reserves	-	-	-	-	70,000	300,000	
TOTAL EXPENSE	1,947,000	1,595,400	70,000	3,612,400	200,000	7,410,000	11,222,400
Funding							
Donations	65,000	-	-	65,000	-	-	
Self Generated	86,000	2,900,700	148,000	3,134,700	470,000	7,410,000	
Funds taken from Reserves	1,000	100,000	-	101,000	-	-	
TOTAL FUNDING	152,000	3,000,700	148,000	3,300,700	470,000	7,410,000	11,180,700
NET Surplus/(Deficit) for programs not funded by general levy	(1,795,000)	1,405,300	78,000	(311,700)	270,000	-	(41,700)
Actual 2018 - OPERATING							
Expenses:							
Salary and Benefits	1,107,523	534,906	-	1,642,429	59,521	4,301,700	
Travel, Motor Pool, Expenses, Telephone, Training and Development, IT	125,881	63,787	-	189,668	538	190,292	
Insurance	136,906	15,106	-	152,012	-	-	
Property Taxes	-	105,575	-	105,575	-	61,812	
Other Expenses	527,556	877,485	63,754	1,468,795	74,618	3,178,210	
Amount set aside to Reserves	42,885	125,000	-	167,885	202,000	841,000	
TOTAL EXPENSE	1,940,751	1,721,859	63,754	3,726,364	336,677	8,573,014	12,636,055
Funding							
Donations	82,988	-	1,009	83,997	-	37,349	
Self Generated	101,132	2,888,225	170,778	3,160,135	556,736	8,536,246	
Funds taken from Reserves	-	214,904	-	214,904	-	-	
TOTAL FUNDING	184,120	3,103,129	171,787	3,459,036	556,736	8,573,595	12,589,367
NET Surplus/(Deficit) for programs not funded by general levy	(1,756,631)	1,381,270	108,033	(267,328)	220,059	581	(46,688)

OTHER INFORMATION

1. INFORMATION SYSTEMS & TECHNOLOGY - COMPUTER CHARGES

The work of the IS&T Group including wages, capital purchases and ongoing maintenance and operations is funded through the Information Systems and Technology Reserve. The IS&T Reserve is sustained through a charge back framework. A “Computer Charge” is allocated to the individual programs based on the number of users and the nature of system usage or degree of reliance on IS&T activities and services.

The *Information Systems and Technology* (IS&T) group leads GRCA’s information management activities; develops and acquires business solutions; and oversees investment in information and communications technology as detailed below:

Specific Activities:

- Develop and implement GRCA's long-term information management, information technology and communications plans.
- Assess business needs and develop tools to address requirements, constraints and opportunities. Acquire and implement business and scientific applications for use at GRCA. Manage information technology and business solutions implementation projects on behalf of GRCA, GRCF and the Lake Erie Source Protection Region.
- Develop, and implement GRCA’s Geographic Information Systems (GIS) technology and spatial data infrastructure. Manage GRCA’s water-related data. Create and maintain standards for the development, use and sharing of corporate data. Develop policies and implement tools to secure GRCA’s data and IT and communications infrastructure.
- Acquire, manage and support GRCA’s server, storage, network and personal computer infrastructure to support geographic information systems (GIS); flood forecasting and warning, including real-time data collection; database and applications development; website hosting; electronic mail; internet access; personal computing applications; and administration systems, including finance, property and human resources.
- Develop and operate a wide area network connecting 14 sites and campus style wireless point-to-multipoint networks at Head Office, Conservation Areas, Nature Centres and Flood Control Structures. Develop and operate an integrated Voice over IP Telephone network covering nine sites and 220 handsets. Support and manage mobile phones, smart phones and pagers. Develop, implement and maintain GRCA’s IS&T disaster recovery plan.
- Operate on-line campsite reservation and day-use systems with computers in 10 Conservation Areas. Provide computers and phone systems for use at outdoor education centres.
- Build and maintain working relationships with all other departments within GRCA. Develop and maintain partnerships and business relationships with all levels of government, Conservation Ontario, private industry and watershed communities with respect to information technology, information management, business solutions and data sharing.

2. VEHICLE, EQUIPMENT – MOTOR POOL CHARGES

Motor Pool charges are allocated to the individual sections based on usage of motor pool equipment. Effectively, motor pool charges are included with administrative costs or other operating expenses, as applicable, on Tables 1 to 10.

Specific Activities:

- Maintain a fleet of vehicles and equipment to support all GRCA programs.
- Purchases of new vehicles and/or equipment.
- Disposal of used equipment.
- Lease certain equipment.

SECTION B

BASE PROGRAMS – CAPITAL

SECTION B – CAPITAL BUDGET

Capital Spending in 2018 includes spending in the following program areas:

- Water Resources Planning
- Flood Forecasting and Warning
- Water Control Structures
- Conservation Areas

Water Resources Planning expenditures will be for water quality monitoring equipment.

Flood forecasting and warning expenditures will be for software systems and gauge equipment.

Water Control Structures expenditures will include the following projects:

- Brantford Dikes - floodwall repairs and permanent closure of abandon railway openings
- Cambridge Dikes - floodwall repairs, coordinated closely with City of Cambridge
- Bridgeport Dikes - address seepage issues
- Conestogo Dam - gate control system upgrades and concrete repair designs
- Shand Dam - standby generator enhancements and temporary stoplog design to allow isolation of gates
- Wellesley Dam - concrete and embankment repairs
- New Dundee Dam - gate refurbishment
- St. Jacobs Dam - concrete and embankment repairs

Conservation Area capital spending includes expenditures as part of the regular maintenance program as well as spending on major repairs and new construction. In 2019, major capital projects within the Conservation Areas will include:

- Elora Gorge – Pines campground expansion
- Eora Gorge – Planning for new day use area
- Byng – washroom
- Brant – playground
- Pinehurst – automatic gates
- Guelph Lake - workshop

Corporate Services capital spending represents the portion of overall Information Services and Motor Pool expenses that are funded by the Information Technology (IT) and Motor Pool (MP) reserve. See “Other Information” above for spending descriptions for IT and MP.

SECTION B - Capital Budget

GRAND RIVER CONSERVATION AUTHORITY

Budget 2019

	Water Resources Planning & Environment	FFW	Flood Control Expenses	Conservation Land Management (Sch 4)	Conservation Areas	Corporate Services	BUDGET TOTAL
Expenses:							
WQ Monitoring Equipment & Instruments	110,000						110,000
Flood Forecasting Warning Hardware and Gauges		190,000					190,000
Flood Control Structures-Major Maintenance			1,500,000				1,500,000
Conservation Areas Capital Projects					2,590,000		2,590,000
Net IT/MP Capital Spending not allocated to Departments						207,700	207,700
TOTAL EXPENSE	110,000	190,000	1,500,000	-	2,590,000	207,700	4,597,700
Funding							
Prov & Federal Govt			700,000				700,000
Self Generated					965,000		965,000
Funding from Reserves	50,000				1,625,000	207,700	1,882,700
TOTAL FUNDING	50,000	-	700,000	-	2,590,000	207,700	3,547,700
Net Funded by General CAPITAL Levy	60,000	190,000	800,000	-	-	-	1,050,000

BUDGET 2018 - CAPITAL

	Water Resources Planning & Environment	FFW	Flood Control Expenses	Conservation Land Management (Sch 4)	Conservation Areas	Corporate Services	BUDGET TOTAL
Expenses:							
WQ Monitoring Equipment & Instruments	110,000						110,000
Flood Forecasting Warning Hardware and Gauges		190,000					190,000
Flood Control Structures-Major Maintenance			1,500,000				1,500,000
Conservation Areas Capital Projects					1,820,000		1,820,000
Net IT/MP Capital Spending not allocated to Departments						290,000	290,000
TOTAL EXPENSE	110,000	190,000	1,500,000	-	1,820,000	290,000	3,910,000
Funding							
Prov & Federal Govt			700,000				700,000
Self Generated					670,000		670,000
Funding from Reserves	50,000				1,150,000	290,000	1,490,000
TOTAL FUNDING	50,000	-	700,000	-	1,820,000	290,000	2,860,000
Net Funded by General CAPITAL Levy	60,000	190,000	800,000	-	-	-	1,050,000

ACTUAL 2018 - CAPITAL

	Water Resources Planning & Environment	FFW	Flood Control Expenses	Conservation Land Management (Sch 4)	Conservation Areas	Corporate Services	ACTUAL TOTAL
Expenses:							
WQ Monitoring Equipment & Instruments	97,368						97,368
Flood Forecasting Warning Hardware and Gauges		161,212					161,212
Flood Control Structures-Major Maintenance			1,274,516				1,274,516
Conservation Areas Capital Projects					1,791,805		1,791,805
Funding to Reserves		30,000	60,000			6,189	96,189
Net IT/MP Expenses in excess of chargebacks						237,419	237,419
TOTAL EXPENSE	97,368	191,212	1,334,516	-	1,791,805	243,608	3,658,509
Funding							
Prov & Federal Govt			576,318			6,189	582,507
Self Generated					623,805		623,805
Funding from Reserves				-	1,168,000	237,419	1,405,419
TOTAL FUNDING	-	-	576,318	-	1,791,805	243,608	2,611,731
Net Funded by General CAPITAL Levy	97,368	191,212	758,198	-	-	-	1,046,778

SECTION C

SPECIAL PROJECTS

SECTION C – SPECIAL PROJECTS

This category of activity represents projects that the GRCA undertakes where special one time and/or multi-year funding is applicable. The duration of these projects is typically one year although in some instances projects may extend over a number years, such as Source Protection Planning. External funding is received to undertake these projects.

The main project in this category is the provincial Source Protection Planning program under the *Clean Water Act, 2006*. Plan development work commenced in 2004, with plan implementation starting in 2015. Work includes research and studies related to the development and updates of a Drinking Water Source Protection Plan for each of the four watersheds in the Lake Erie Source Protection Region. The focus in 2019 is on completing updates to the Grand River Source Protection Plan, including water quantity risk assessment studies, development of water quantity policies, updating water quality vulnerability assessments, and the development of the first annual progress report for the Grand River Source Protection Plan.

Other special projects in the area of watershed stewardship include the “Rural Water Quality Program” grants, Emerald Ash borer infestation management, floodplain mapping projects, Upper Blair subwatershed study, waste water optimization project, water festivals, Dunnville Fishway study, the Mill Creek Ranger stream restoration project and numerous ecological restoration projects on both GRCA lands and private lands in the watershed.

SECTION C - Special Projects Budget

GRAND RIVER CONSERVATION AUTHORITY

Budget 2019

EXPENDITURES	ACTUAL 2018	BUDGET 2018	BUDGET 2019
Grand River Management Plan	87,714	20,000	70,000
Subwatershed Plans - City of Kitchener	77,683	100,000	100,000
Dunnville Fishway Study	-	-	30,000
Natural Heritage Study-Wellington	37,887	30,000	-
Waste Water Optimization Program	122,831	135,000	140,000
Floodplain Mapping	425,964	850,000	560,000
RWQP - Capital Grants	954,884	800,000	800,000
Brant/Brantford Children's Water Festival	26,187	26,000	26,000
Haldimand Children's Water Festival	27,980	40,000	25,000
Species at Risk	37,510	70,000	70,000
Ecological Restoration	137,911	270,000	130,000
AGGP-UofG Research Buffers	27,741	-	-
Great Lakes SHSM Event	3,004	-	-
Great Lakes Agricultural Stewardship Initiative	4,895	-	-
Trails Capital Maintenance	-	-	150,000
Emerald Ash Borer	350,184	400,000	600,000
Lands Mgmt - Land Purchases/Land Sale Expenses	269,473	-	-
Lands Mgmt - Development Costs	-	50,000	50,000
Mill Creek Rangers	28,236	35,000	35,000
Parkhill Hydro Turbine Project	80,721	300,000	-
Dickson Trail and Boardwalk Rehabilitation	15,679	20,000	-
Total SPECIAL Projects 'Other'	2,716,484	3,146,000	2,786,000
Source Protection Program	1,384,626	1,575,000	835,000
Total SPECIAL Projects Expenditures	4,101,110	4,721,000	3,621,000
SOURCES OF FUNDING			
Provincial Grants for Source Protection Program	1,384,626	1,575,000	835,000
OTHER GOVT FUNDING	1,894,028	1,675,000	1,630,000
SELF-GENERATED	154,428	381,000	386,000
FUNDING FROM/(TO) RESERVES	668,028	1,090,000	770,000
Total SPECIAL Funding	4,101,110	4,721,000	3,621,000

APPENDIX A

GRAND RIVER CONSERVATION AUTHORITY MEMBERS (2019)

Region of Waterloo (including Cities of Kitchener, Waterloo, Cambridge and Townships of North Dumfries, Wellesley, Wilmot and Woolwich)

Les Armstrong (Wilmot), Jim Erb (Waterloo), Sue Foxton (North Dumfries), Michael Harris (Kitchener), Helen Jowett (Cambridge), Geoff Lorentz (Kitchener), Kathryn McGarry (Cambridge), Jane Mitchell (citizen appointment), Joe Nowak (Wellesley), and Warren Stauch (citizen appointment)

Regional Municipality of Halton

Vacant (as of February 15, 2019)

Haldimand and Norfolk Counties

Bernie Corbett and Dan Lawrence

City of Hamilton

George Stojanovic

County of Oxford

Bruce Banbury

City of Brantford

David Neumann and Vic Prendergast

City of Guelph

Bob Bell and Rodrigo Goller

Townships of Amaranth, East Garafraxa, Southgate and Melancthon and Town of Grand Valley

Guy Gardhouse

Townships of Mapleton and Wellington North

Bruce Whale

Municipality of North Perth and Township of Perth East

Don Brunk

Township of Centre Wellington

Ian MacRae

Town of Erin, Townships of Guelph-Eramosa and Puslinch

Chris White

County of Brant

Brian Coleman and Joan Gatward



Conservation
Halton

905.336.1158
Fax: 905.336.7014
2596 Britannia Road West
Burlington, Ontario L7P 0G3
conservationhalton.ca

Protecting the Natural
Environment from
Lake to Escarpment

February 13, 2019

Mayor Eisenberger and Members of Council
c/o City Clerk's Office
City of Hamilton
71 Main Street West, 1st Floor
Hamilton ON L8P 4Y5

Dear Mayor Eisenberger and Members of Council:

Re: 2019 Budget Municipal Funding Apportionment

Municipal funding in the 2019 Budget of \$9,977,998 was approved by the Conservation Halton Board of Directors on November 22, 2018.

The total municipal funding has been apportioned to municipalities as follows:

Municipality:	2019 Apportionment %	2019 Municipal Funding - Operating	2019 Municipal Funding - Capital	2019 Total Municipal Funding
Region of Halton	87.6577%	\$ 8,179,327	\$ 567,157	\$ 8,746,484
City of Hamilton	7.2456%	\$ 676,086	\$ 46,880	\$ 722,966
Region of Peel	4.8745%	\$ 454,839	\$ 31,539	\$ 486,378
Township of Puslinch	0.2222%	\$ 20,732	\$ 1,438	\$ 22,170
Total	100.0000%	\$ 9,330,984	\$ 647,014	\$ 9,977,998

The apportioned amounts are being levied in accordance with Sections 26 and 27 of the Conservation Authorities Act.

Please contact me for further information regarding the apportionment of the municipal funding in the Conservation Halton 2019 Budget.

Yours truly,

Hassaan Basit,
CAO/Secretary-Treasurer

cc Marnie Piggot, Director, Finance; Conservation Halton
Brian McMullen, Acting General Manager, Finance and Corporate Services; City of Hamilton



WADE POZIOMKA

Direct Dial: 905-572-5824

E-mail: wpoziomka@rossmcbride.com

February 8, 2019

VIA MAIL

The City of Hamilton
Hamilton City Hall
2nd Floor
71 Main Street West
Hamilton, ON L8P 4Y5

Attention: Mayor Fred Eisenberger and City Councillors

Dear Mayor Eisenberger and Councillors:

RE: MIRLE CHANDRASHEKAR

As you know, we have been retained to represent Mr. Mirle (Shekar) Chandrashekar in relation to issues he is having with the City of Hamilton. I first wrote to you on behalf of Mr. Chandrashekar on August 9, 2018. In that letter, which was addressed to both Mayor Fred Eisenberger and Hamilton's City Councilors I set out my client's concerns as follows:

1. His emails to City Council and City of Hamilton Staff were blocked, preventing him from contacting his elected representatives;
2. His inability to obtain financial information that should be available in the public domain, being the consolidated financial statements with respect to eight entities, including committees of Council and boards and enterprises which are under the control of and/or are accountable to the Council;
3. He has found inconsistencies and errors in the City of Hamilton's budget which have been unaddressed by the Council, despite his attempts to bring the issues to the Council's attention, and his express concerns that the inconsistencies are costing Hamilton tax payers significant amounts of money.

To date, neither I nor my client have received any acknowledgement, let alone response, to my August 9, 2018 letter. As such, my client has instructed me to provide a more detailed overview of his concerns so that the City of Hamilton can address them.

To be clear, it has been recommendation to commence litigation immediately, including

potential constitutional litigation against the City of Hamilton, however my client has asked me to refrain from doing so in an effort to save the tax payers money that would otherwise be spent in defending the action that he would be well within his rights to commence.

I: Blocked Emails

Approximately twenty days after sending my initial correspondence to the Mayor and Council, Councillor Tom Jackson sent my client an email confirming that he was unable to deliver an email to Mr. Chandrashekar. He indicated that the address “bounces back and cannot be delivered!!”. Mr. Jackson then continued to tell my client that he “may wish to check that out”.

That is exactly what my client has done, both by himself and through his counsel, but he has received no substantive response or solution to his concerns.

Perhaps even more concerning is that on November 5, 2018, the Hamilton Spectator published an “Opinion” Piece by Andrew Dreschel in which Mr. Dreschel set out my client’s discovery months prior that his emails to councillors and staff were being blocked. That article noted as well that Mr. Chandrashekar had retained my law firm to assist him, and that Mr. Jackson’s email clearly suggested that his communications were being interrupted. The article raised important concerns about accountability, transparency and professionalism and yet, still, neither my client nor myself have received a response to our concerns.

In fact, in the article, Mike Zegarac, the City of Hamilton’s General Manager of Finance and Corporate Services indicated that my client’s emails were being “vetted”, implying that his emails were in some way inappropriate or harassing. I do not disputed that my client has been determined in his efforts to reach his elected officials and to obtain information that is properly part of the public domain. He has also repeatedly raised concerns about the way that the City of Hamilton is spending tax payers’ money, however, to imply in any way that this is inappropriate or in some way harassing is completely disingenuous. In the article Mr. Zegara specifically states that my client questioned the staffers’ “professional responsibilities” — my client vehemently denies ever doing so and requests that Mr. Zegarac produce the emails he is referring to.

Indeed, Mr. Cahndrashekar asked Mr. Zegarac to produce the emails he was referring to in the November 2018 article shortly after it was published. He also pointed out discrepancies with the City’s budget— as further detailed below— but did not receive a response.

Mr. Chandrashekar is a concerned citizen attempting to hold the City of Hamilton accountable to his fellow Hamiltonians. To dismiss his concerns in the way that Mr. Zegarac did in the November 2018 article simply raises further concerns about the City of Hamilton’s approach to my client, his concerns and the City of Hamilton’s tax payers and citizens.

I know that my client is not the only citizen in Hamilton concerned about the councilors integrity and transparency. In another article by Dreschel, he noted that a father and son have repeatedly been asking Hamilton's Integrity Commissioner to investigate allegations against two councilors with respect to their conduct during a planning debate. The Integrity Commissioner has repeatedly refused, raising further concerns about public accountability.

II: Attempts to Seek Financial Information that Should be Publicly Available

My client has repeatedly attempted to seek the consolidated financial statements referred to at paragraph 1(a)(i) of the City of Hamilton's notes for the year ending December 31, 2017.

I note that previously, in November of 2016, Mr. Zegarac told my client via email that "the City produces Consolidated Financial statements which includes the activities of the Hamilton Police Services Board along with the other organizations, board etc. shown in note 1(a) to the consolidated financial statements..." Despite that information, to date, my client has still not been able to access the consolidated financial statements he has been seeking to date.

In addition to his own efforts to obtain these statements, as well as my own request in August 2018, my client also reached out the Minister of Municipal Affairs, Bill Mauro with respect to his concerns. In a letter dated August 18, 2018, Minister Mauro responded to my client's concerns on this issue, stating:

Thank you for your email regarding your concerns about the accounting transactions of Police Services.

...

Section 294.1 of the Municipal Act, 2001, stipulates that municipalities "prepare annual financial statements for the municipality in accordance with generally accepted accounting principles for local government as recommended, from time to time, by the Public Sector Accounting Board (PSAB) of the Chartered Professional Accountants of Canada."

Section 296 requires a licensed auditor under the Public Accounting Act, 2004, to audit the accounts and transactions of the municipality and its local boards. Furthermore, the ministry collects municipal financial information through the Financial Information Return (FIR) on a yearly basis as mandated by section 294(1). To ensure public confidence in public sector entities, legislation is in place to facilitate independently established accounting and assurance standards.

I confirm that in addition to his own confirmation regarding the production of these documents in 2016, as set out above, as the General Manager of Finance and Corporate Services, and pursuant to the Municipal Act, 2001, Mr. Zegarac has the responsibility for handling all of the City of Hamilton's financial affairs on behalf of and as directed by City Councilors. Given his position with the City, and his own

confirmation that the City of Hamilton “produced” the consolidated financial statements, along with the City of Hamilton’s own notes, it is extremely concerning that my client has not been able to obtain the same to date. Considering that his emails have been blocked it is doubly concerning as it appears it may be a function of who he is that he is being denied access to information that rightly belongs in the public domain. This is extremely undemocratic and raises important concerns about my client’s constitutional rights in achieving fair and equitable access to his government.

III: Inconsistencies in the City of Hamilton’s Budget

With respect to his budgetary concerns, my client notes the following:

1. The City Manager’s Office has grown substantially in the number of staff it employs and yet it has seen no corresponding increase in budget. For example, through a Freedom of Information Request my client understands that there are currently 50 Directors, 180 Managers, 19 Business Administrators, 10 Senior Financial Analysts and 109 Administrative Assistants or Secretaries. These statistics amount to a marked increase in the number of employees as compared to those working for the City of Hamilton prior to the 2018 municipal elections. Despite this increase, there was no equivalent increase in the City of Hamilton’s budget. This leaves my client, and really any thoughtful citizen, wondering where the money is coming from to pay for these additional staff, managers and directors. It is also concerning that without formally incorporating their payment into the City of Hamilton’s budget it is difficult to achieve accountability with respect to what they are doing for the City of Hamilton compared to how much they are costing it.
2. My client also obtained statistics from the Media and Communication Departments in both the City of Hamilton and the City of Toronto for the year 2017. The comparison reveals that despite a significantly smaller population (approximately 537,000 people in Hamilton compared to 2,800,000 people in Toronto), the City of Hamilton does not spend a proportionately smaller amount of money on Media and Communications. More specifically, the City has 22 people working “Media” and 52 working in “Customer Services”. This dramatically exceeds the numbers working in the City of Toronto. The former Manager of the City of Hamilton had much smaller numbers of people reporting to him. There is no recorded budget increase to reflect the increase in staff, nor is there any justification for the increase.

One of Mr. Chandreashekar’s concerns, which he has repeatedly raised, is that the Councilors are lacking expertise and rely heavily on staff recommendation in their decision making. One of the issues from a financial perspective is that staff appear to be providing inaccurate or incomplete information such that tax payer money is being spent irresponsibly, as demonstrated by the number of staff being employed in Media and Customer Services. My client has raised these concerns, and specifically with respect to the obvious discrepancies in the City of Hamilton’s budget, with Council members in detail in the past but has been repeatedly ignored.



In addition to the above concerns, my client also notes that in late 2018 Hamilton was given a "D+" by Toronto-based think Tank C.D. Howe Institute regarding its performance with respect to providing financial information to citizens look at clarity, reliability and timeliness.

My client anticipates that with the release of financial statements, including the consolidated financial statements referred to under issue "II" above, that further discrepancies will be revealed which taxpayers should be aware of so that they can hold their elected officials and the staff that support them accountable.

As I said in my initial letter of August 9, 2018, I would welcome the opportunity to meet with the appropriate authorities within the City and my client to discuss these concerns. Having said that, and given the time that has passed, I have instructed my client to immediately commence litigation in order to obtain access to the information he is seeking and, furthermore, to remove the block on his emails so that he can access his elected officials. Despite that advice, my client has instructed me to try one final time to resolve this matter amicably, without the need for litigation. He is, however, eager to resolve this and should litigation become necessary wishes to proceed expeditiously. As such, please respond within one week of the date of this letter so that we can determine next steps.

I look forward to your timely response.

Sincerely,

ROSS & McBRIDE LLP

Per:

Wade Poziomka

WRP/ff

Administration

Office of the Regional Clerk

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

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

www.niagararegion.ca

March 1, 2019

CL 6-2019, February 28, 2019

Gayle Wood

Interim Chief Administrative Officer, Secretary-Treasurer

Niagara Peninsula Conservation Authority

250 Thorold Road West; 3rd Floor

Welland, ON L3C 3W2

SENT ELECTRONICALLY**RE: Niagara Peninsula Conservation Authority Board Appointments
CL-C 18-2019**

Regional Council at its meeting held on Thursday, February 28, 2019, passed the following resolution:

1. That Correspondence Item CL-C 18-2019, being a memorandum from A.-M. Norio, Regional Clerk, dated February 28, 2019, respecting Niagara Peninsula Conservation Authority Board Appointments, **BE RECEIVED**;
2. That Regional Council **EXTEND** the appointments of Councillors Bylsma, Chiochio, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Steele, Whalen and Zalepa, on the Niagara Peninsula Conservation Authority Board for an additional period of three months;
3. That the Niagara Peninsula Conservation Authority Board **BE REQUESTED** to provide recommendations respecting Board composition and the recommended qualifications and process for appointments to the Board to Regional Council for consideration;
4. That the Board of Directors of the NPCA **DETERMINE** the types of skills and/or experience required on this Board of Directors based on the mandate of the NPCA and subsequently providing a skills matrix for purposes of selecting those members to Regional Council before the end of April 2019;
5. That staff **BE DIRECTED** to develop a process that all lower tier municipalities can follow to determine who they will recommend as their representatives to the NPCA Board of Directors before the end of May 2019; and

6. That staff **BE DIRECTED** to develop a process that will determine a fair and acceptable mix of politicians to be responsible to Niagara taxpayers to serve on the NPCA Board of Directors along side those chosen via the skills matrix before the end of May 2019.

A copy of Correspondence Item CL-C 18-2019 is attached for your information.

Yours truly,



Ann-Marie Norio
Regional Clerk

CLK-C 2019-062

Cc: Local Area Clerks
J. Pilon, Acting City Clerk, City of Hamilton
E. Eichenbaum, Clerk, Haldimand County

MEMORANDUM

CL-C 18-2019

Subject: Niagara Peninsula Conservation Authority Board Appointments

Date: February 28, 2019

To: Regional Council

From: Ann-Marie Norio, Regional Clerk

At its meeting held on December 6, 2018, Regional Council passed the following resolution:

*That twelve (12) Regional Councillors representing Niagara Region, one from each municipality in the Niagara Region, **BE APPOINTED** to replace the current Niagara Region representatives, on an interim basis, on the Niagara Peninsula Conservation Authority Board, effective immediately for a period of three months until it is determined how to proceed with the Board composition.*

Council subsequently passed the following resolution:

*That Councillors Bylsma, Chiocchio, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Steele, Whalen and Zalepa, **BE APPOINTED** to the Niagara Peninsula Conservation Authority Board for a three month period.*

In accordance with the above motion, the appointment of the members of the current board will expire on March 6, 2019. The appointment of the current Regional representatives on the NPCA Board was for a limited duration but with full authority to act respecting all matters of the Board.

The Clerk's Office has received correspondence from some local area municipalities respecting a local appointee to the NPCA Board (attached as Appendix 1). Niagara Region's Procedural By-law does not contain any provisions respecting appointments to the NPCA Board nor are there any policies related to this matter.

Section 4 of the *Conservation Authorities Act*, provides that a regional municipality shall be a participating municipality in place of the local municipalities within the regional municipality and shall appoint to the authority the number of members which the local municipality would otherwise have been entitled as participating municipalities.

Past practice with respect to the Board appointment of twelve (12) representatives, one from each local area municipality, has been to first ask the Regional Councillors who represent the municipality requiring representation whether or not they are willing to sit as a member of the Board. In the event that there is no interest from a Regional

Councillor of that municipality, the local municipal council is notified. The local council then determines how they would like to fill the spot on the Board. This could be with a local municipal councillor or a local citizen.

Council could decide to continue with the current appointment process practice; however, should Council wish to change this, the criteria and process would need to be defined. In considering this issue, Council may wish to seek input from the NPCA Board.

A resolution of Council is required to extend the current Board appointments. Suggested wording is as follows:

That Regional Council **EXTEND** the appointments of Councillors Bylsma, Chiocchio, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Steele, Whalen and Zalepa, on the Niagara Peninsula Conservation Authority Board for an additional <insert period of time>; and

That the Niagara Peninsula Conservation Authority Board **BE REQUESTED** to provide recommendations respecting Board composition and the recommended qualifications and process for appointments to the Board to Regional Council for consideration.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk



Community Services

Legislative Services

December 4, 2018

File #120203

Sent via Email: ann-marie.norio@niagararegion.ca

Ann-Marie Norio, Regional Clerk
Niagara Region
1815 Sir Issac Brock Way, P.O. Box 1042
Thorold, ON L2V 4T7

Dear Ms. Norio:

Re: Appointment to the Niagara Peninsula Conservation

The Municipal Council of the Town of Fort Erie at its Inaugural Meeting of December 3, 2018 passed the following resolution:

That: Council recommends Leah Feor to The Regional Municipality of Niagara's Council as the Town of Fort Erie representative for appointment to the Niagara Peninsula Conservation Authority for the 2018-2022 term of Council.

Leah's contact information is as follows:

Leah Feor
P.O. Box [REDACTED]
Crystal Beach, ON L0S 1B0
Phone: [REDACTED]
Email: [REDACTED]

Trusting this information will be of assistance to you.

Yours very truly,

Carol Schofield, Dipl. M.A.
Manager, Legislative Services/Clerk
cschofield@forterie.ca

CS:dlk



**City of Welland
Legislative Services**

Office of the City Clerk

60 East Main Street, Welland, ON L3B 3X4

Phone: 905-735-1700 Ext. 2280 | **Fax:** 905-732-1919

Email: clerk@welland.ca | www.welland.ca

January 25, 2019

File No. 16-129

SENT VIA EMAIL

Niagara Peninsula Conservation Authority
250 Thorold Street West, 3rd Floor
Welland, ON L3C 3W2

Attention: Lisa McManus, Chief Administrative Officer and Secretary - Treasurer (Interim)

Dear Ms. McManus:

Re: January 25, 2019 – WELLAND CITY COUNCIL

At its meeting of January 25, 2019, Welland City Council passed the following motion:

“THAT THE COUNCIL OF THE CITY OF WELLAND appoints John Ingrao to the Niagara Peninsula Conservation Authority from January 15, 2019 to November 14, 2022.”

Yours truly,

Carmela Radice
Deputy Clerk

TS:cap

c.c.: - A. Norio, Niagara Regional Clerk, sent via email



February 26, 2019

Ann-Marie Norio
Regional Clerk Niagara Region
1815 Sir Isaac Brock Way, P.O. Box 1042 Thorold, ON
L2V 4T7
Sent via email to Ann-Marie.Norio@niagararegion.ca

Re: Niagara Peninsula Conservation Authority

Dear Ms. Norio,

Please be advised that at its meeting held on February 25, 2019, St. Catharines City Council approved the following motion:

WHEREAS on November 12, 2018, City Council directed staff to develop a process for appointing a representative to the Niagara Peninsula Conservation Authority (NPCA) Board to be implemented at the beginning of the 2018 – 2022 Term of Council; and

WHEREAS on December 10, 2018, City Council appointed Councillors Garcia, Miller, and Williamson to the NPCA Nominating Committee for the purpose of reviewing applications and making recommendations for appointment / nomination to the NPCA Board; and

WHEREAS the NPCA Nominating Committee has reviewed all applications and recommends Ed Smith for appointment to the NPCA Board;

THEREFORE BE IT RESOLVED that the City of St. Catharines recommends that Ed Smith be appointed to the NPCA Board as a representative of the City of St. Catharines for the remainder of the 2018 – 2022 Term of Council; and

BE IT FURTHER RESOLVED that the Niagara Region / NPCA be asked to provide a matrix for evaluating applicants; and

BE IT FURTHER RESOLVED that this resolution be forwarded to the Regional Clerk for distribution at Niagara Regional Council.

If you have any questions, please contact the Office of the City Clerk at extension 1524.

A handwritten signature in blue ink, appearing to read "Bonnie Nistico-Dunk".

Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
:kn

Pilon, Janet

Subject: Hamilton-Erbil Sister City Proposal

From: Rastee D. Koyee <rastee.ali@koyauniversity.org>

Sent: March 4, 2019 7:59 PM

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

Cc: Paparella, Stephanie <Stephanie.Paparella@hamilton.ca>; Peshawa Jammal Muhammadali <peshawa.jammal@koyauniversity.org>

Subject: Hamilton-Erbil Sister City Proposal

Dear Mr. Eisenberger,

attached to this message is Hamilton-Erbil Sister City Proposal for your kind remarks. The notion of having an agreement between both city mayors on many mutually interesting aspects derived from a fact that we firmly believe though the implementation of alike projects we can promote cultural and commercial ties between peoples of the Canada and Iraq in general and residents of Hamilton City and Erbil in particular.

We are looking forward to receive your kind feedback at your earliest convenience.

Sincerely,

Dr.-Ing. Rastee D. Ali
 Director of the Career Development Directorate
 Lecturer at the Department of Manufacturing Engineering
 Koya University
 Danielle Mitterrand Boulevard 10
 44023 Koysinjaq
 Kurdistan - Iraq
 Email: rastee.ali@koyauniversity.org; rasteedelshad@yahoo.com
 Mob.: (+964)7509706535/7736982884
<https://sites.google.com/a/koyauniversity.org/dcs/home>
<https://scholar.google.com/citations?user=mdxC-fMAAAAJ&hl=en&authuser=1>

 This email, including attached files, may contain confidential information and is intended only for the use of the individual and/or entity to which it is addressed. If you are not the intended recipient, disclosure, copying, use, or distribution of the information included in this email is prohibited. Please delete this email immediately and notify me by replying to this email.



Establishing Sister City Relationship

**Between Hamilton City, Ontario, Canada
and Erbil, Kurdistan Region-Iraq**

The aim of this proposal is to invite Hamilton City to investigate the aspects of establishing a Sister City Relationship with Erbil City in Kurdistan Region-Iraq, and name the potential areas of cooperation between both cities. As Erbil is considered the real capital of Iraq's economy that constantly attracts foreign investors, we believe that any form of agreement should escape the "arranged marriage" context and special emphases have to be given to work on promoting sustainable economic ties between both cities. More areas of focus as well as operational structure of the project is being provided for mutual negotiations.





About Erbil

in Kurdistan Region-Iraq

Erbil, also spelled Arbīl or Irbīl, Assyrian Arba-ilu, Greek Arbela, Kurdish Hawler or Hewler, city, capital of Erbil muḥāfazāh (governorate), northern Iraq. The city is also the capital of the Kurdistan Regional Government (KRG) in Iraq and is among the largest cities in that country. It is one of the most ancient cities in the world, dating back at least to 2300 BCE. Erbil has long been an important trade centre, with roads south to Arab Iraq and abroad to Turkey, Iran, and Syria. The famous Hamilton Road (constructed under British rule in 1928–32 by Archibald M. Hamilton) runs from Erbil through the mountains and canyons northeast to the Iranian border. Erbil is the birthplace of Ibn Khallikān (1211–82), the Muslim jurist famous as the compiler of a great biographical dictionary of Arab scholars, and, in modern times, İhsan Doğramacı (1915–2010), a famous Turkish physician and educational administrator, and Abdulla Pashew (born 1946), an eminent Kurdish poet. Pop. (2015 est.) 879,000.



Erbil, capital of Erbil governorate, Iraq.



History

Over the millennia, Erbil has been ruled by such empires as those of the Sumerians, Assyrians, Babylonians, Medians, and Achaemenids and later the Sassanid Persians, Greeks, Parthians, Arabs, and Ottomans. Erbil was already an ancient city when Alexander the Great famously defeated the Persian king Darius III some 50 miles (80 km) northwest of it at the Battle of Gaugamela, also known as the Battle of Arbela (Erbil), in 331 BCE.

The city was an early centre of Christianity, and a small number of Christians still live there and in such nearby wealthy subdistricts as Ankawa (Arabic: *ʿAyn Kāwah*). The Muslims conquered Erbil in the 7th century, but it was not until Erbil was razed by the Turkic conqueror Timur (Tamerlane) in the late 14th century that it became largely Muslim. The city had already been superseded in economic importance by Mosul (some 50 miles to the west) by the 1200s, but it remained an important regional centre in the centuries that followed.

The infrastructure of the city and governorate of Erbil were largely ignored under Iraqi rule after World War I and suffered greatly during the Kurdish struggle against Saddam Hussein in the 1970s and later. Saddam's defeat at the end of the Persian Gulf War (1990–91) led to the establishment of the autonomous Kurdish Regional Government (KRG) in northern Iraq. However, Erbil continued to suffer economically as a result of the economic blockade imposed upon it by Saddam and by UN sanctions against Iraq. From 1994–98 the city also suffered from internecine fighting between the two main Kurdish parties, Masoud Barzani's Kurdistan Democratic Party (KDP) and Jalal Talabani's Patriotic Union of Kurdistan (PUK).

In contrast to the horrific violence in Arab Iraq that followed the U.S.-led invasion in 2003 (see Iraq War), Erbil and the rest of the region administered by the Kurdish Regional Government have largely been spared. However, Muhammad "Sami" Abdul Rahman, a well-known Kurdish leader, and more than 100 other people were killed by a bomb that was detonated at an important reception in February 2004; Islamic extremists took credit for the atrocity.

The Contemporary City

Erbil possesses a semiarid climate with low humidity in summer and moderate humidity in winter. It has hot and dry days in the summer with temperatures reaching about 100 °F (40 °C) but cools off pleasantly in the evenings. Temperatures often reach 32 °F (0 °C) in the winter.

Erbil's Kurdish Sunni Muslim majority speaks the Sōrānī Kurdish dialect. Other ethnic groups in the city include the Turkmen and Arabs. Other religious groups include Shiite Muslims, Assyrian and Chaldean Catholic Christians, Yazidis, and Kākā'īs. Although Assyrian and Chaldean Christians speak dialects of Aramaic, culturally they have much in common with the Kurds. In the past there also was an important Jewish presence in Erbil, the last remnants of which departed after the creation of the State of Israel in 1948.

Under the KRG much power is devolved, so officials at the governorate, district, and subdistrict levels have considerable authority to implement local projects and services. The city of Erbil is administered as a district, headed by a qā'im-maqām (mayor).

Since the fall of Saddam Hussein in 2003, Erbil has experienced an incredible economic boom that has brought tall buildings, modern housing, expensive hotels, new well-paved two- and four-lane roads, shopping centres, excellent restaurants, parks, and a hospital.



Erbil's main industry is the construction of roads and buildings, propped up by foreign oil companies contracted to drill oil in Kurdistan. Turkish business investments have led the construction frenzy, but other countries are also involved, including the United States, Lebanon, South Korea, Iran, Britain, France, and the United Arab Emirates. There is virtually no manufacturing in Erbil. Most businesspeople are merchants, buying and selling food and services connected mostly with the construction industry. Banking services have been established and a stock exchange is under development. Taxis and buses provide public transportation. As an oil-based rentier economy preparing to diversify into a business and tourist destination, Erbil has garnered comparisons to Dubai. Erbil has 30 foreign diplomatic representations, including 18 full consulates general. The KRG parliament building is architecturally impressive even if the institution itself is less so.

Erbil's original airport, constructed in the 1970s, was opened for international flights in 2005. Operations shifted to a newly constructed airport in 2010. The new facility has one of the longest runways in the world, approximately 3 miles (4.8 km) long, and has scheduled flights to several airports in the Middle East and Europe.

Erbil has a primary and secondary education system modeled on that of the British. Public schools are badly overcrowded, and many students can only attend three hours per day. There also are private primary and secondary schools. The city is host to

- Salahaddin University: Founded in 1968 in Sulaymaniya and transferred to Erbil in 1981
- Erbil Polytechnic University: Founded in 1993, embracing 3 colleges and 8 technical institutes
- Hawler Medical University: Founded in 2005
- University of Kurdistan Hewlêr: Public English-medium university
- Tishik University: Private university
- Cihan University: Private university
- BMU Lebanese French University: Private university
- Catholic University of Erbil: Private university
- International University of Erbil: Private university

Erbil's famous citadel, designated a UNESCO World Heritage site in 2014, covers more than 1.1 million square feet (100,000 square metres) and sits some 100 feet (30 metres) above its immediate surroundings. It is situated upon a tell, or mound, formed by successive historical periods of construction over the centuries, a common pattern in Middle Eastern archaeology. An impressive textile museum containing a collection of old handmade carpets from Iraqi Kurdistan is located in the citadel. The other significant museum in Erbil, the Erbil Civilization Museum, houses some artifacts discovered in the area. A huge seated statue of Ibn al-Mustawfi (1169–1239), a famous Kurdish historian, sits at the citadel's base. Just south of the citadel is the Qaysari Bazaar, a rambling covered market of small narrow alleys with boutiques selling ready-made clothes and colourful imported fabrics for making women's dresses and other items. On its western edge the city also boasts the impressive Muẓaffariyyah Minaret (Kurdish Choly Minara), constructed in 1190–1232 and reaching a height of 120 feet (36 metres).

Erbil (once declared Tourism Capital for the Middle East region for 2014) is also ranks among the top five safest cities in the world according to data collected from Numbeo. Despite being in a region surrounded by war and instability, it is a popular tourist destination for many people from Iraqi provinces and other cities in the Middle East due to its safety and religious tolerance.



Erbil Citadel

There are currently 36 foreign representations in Erbil. These representations include:

1. Consulate General of the United States of America
2. Consulate General of the Russian Federation
3. Consulate General of the Federal Republic of Germany
4. Consulate General of the Republic of France
5. Consulate General of the People's Republic of China
6. Consulate General of the United Kingdom
7. Consulate General of the Republic of Turkey
8. Consulate General of the Islamic Republic of Iran – Erbil
9. Consulate General of the Hashemite Kingdom of Jordan
10. Consulate of the Arab Republic of Egypt
11. Consulate General of the State of Palestine
12. Consulate General of the United Arab Emirates
13. Consulate General of the Czech Republic
14. Consulate General of the Republic of Sudan
15. Consulate General of the Republic of Hungary
16. Consulate General of the Kingdom of the Netherlands
17. Consulate General of the State of Kuwait
18. Consulate of the Republic of Italy
19. Consulate General of the Kingdom of Saudi Arabia
20. Consulate General of the Republic of India



21. Consulate General of the Hellenic Republic
22. Consulate of the Republic of Korea
23. Embassy Office of the Kingdom of Sweden
24. Consular Office of Romania
25. Consulate Agency of the Republic of Poland
26. Commercial Office of the Republic of Austria
27. Commercial Office of the Republic of Bulgaria
28. Embassy Office of Japan
29. EU Delegation - Erbil Liaison Office
30. Embassy Trade Office of Canada
31. Honorary Consul of the Kingdom of Spain
32. Honorary Consul of the Kingdom of Denmark
33. Honorary Consulate of the Democratic Socialist Republic of Sri Lanka
34. Honorary Consul of the Republic of Belarus
35. Honorary Consul of the Republic of Slovakia
36. Honorary Consul of the Federal Republic of Brazil

Over the past 13 years, local and foreign investors have contributed more than \$44.4 billion in different sectors of the Kurdistan Region, according to data from the Investment Board, half of which is being invested in Erbil alone. Within that data, \$38.5 billion belonged to local companies, and \$5.9 billion to foreign investors from 23 different countries. Among the foreign investors, the United Arab Emirates was top with \$3.1 billion, followed by Turkey with \$1.2 billion, Lebanon's \$1 billion, Egypt at \$150 million and the United States at \$116 million. As the Kurdistan Region suffered a critical economic crisis from 2014 until 2017, investment in Kurdistan Region grew from \$712M to US\$3.6 billion in 2018.

It is worth mentioning here that most of the foreign companies, humanitarian NGOs and many educational institutions establish their main offices in Erbil and then consider opening a branch office in Baghdad and other Iraqi cities, believing that the stability in the Kurdistan Region could guarantee their businesses better.

About Sister City Agreement

Sister City is the link that unites, in a spirit of equality and reciprocity, entire nations of two or more countries to support personal contact, exchange ideas, techniques, products. It is an instrument of popular culture and international civic education, and it cannot be diverted from its purpose for personal or party political or political aims. Town twinning has been said to involve relatively formal relationships that are also relatively long-term, open, inclusive, and equal in character. These individual characteristics have been said to be logically interdependent. Formal relationships are meant to last longer than informal relationships. Long-term relationships are meant to allow for more openness and inclusiveness than short-term relationships. Open and inclusive relationships are meant to promote equality more than closed and exclusive relationships. We return to this second, narrower definition in the section below headed 'Questions, tensions, challenges'. The rest of this document takes the first, broader definition of town twinning.

City officials or staff and interested community members or organizations from both cities may periodically keep in contact for the purpose of discussing topics of mutual interest. Generally, the process can be summarized as follow:



Idea Request

Anyone can have an idea for a Sister City proposal.



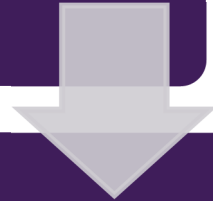
Staff Contact and Visit

It is important to identify a person to be your main contact and arrange for an exchange of visit(s)



Application

You and your City contact should complete an application outlining the rationale and goals for a Sister City relationship.



City Council Consideration

Your completed Application will be routed to City Council through the City manager. If Council approves the idea they will pass a Resolution.



Develop Agreement

If City Council passes a resolution then a formal Agreement will be drafted stating the Sister City goals, project implementation, and reporting responsibilities. Followed by Annual Check-in and Reporting

Procedure Outline of Sister City Agreement



Context and Objectives

In the Sister City agreement context, Erbil City in Kurdistan-Iraq is pleased to offer to Hamilton City a proposal of Sister City agreement on the basis that can be generally set out:

- (a) to promote goodwill and mutual understanding between the citizens of the Canada and Iraqi nations;
- (b) to contribute to the peace of the world.

The benefits attributed from these links is in accordance with our firm believe in the following declared statement: “Go to the people. Live with them. Learn from them. Begin with what they know. Build with what they have. Be committed. But of the true leader, when the work is done, the task is accomplished, people will say ‘we did it ourselves’.”

The main objectives are to enable:

Economic Ties

- To promote business familiarization tours of both parts.
- To collaborate around specialized expertise, highly skilled labor, location and connectivity, so that city leaders can find their competitive niche to thrive in the global economy.
- To forge strategic trade and economic ties for successful business development.
- To enter first of its-kind city-to-city trade agreement.

Educational, Art and Recreational Exchanges

- To foster and advance the knowledge of our people.
- To ensure more language exchanges occur on a regular basis.
- To establish reciprocal exchanges between interested groups and individuals to develop new and existing pursuits.

Publicity

- To actively promote continued support from media, and other promotional groups to increase citizen awareness and benefits of each Sister City relationship.

Civic Contacts

- To strengthen the Official Associations between Erbil City in Kurdistan-Iraq and Hamilton City.

Common Aspirations

- To encourage community involvement, involving recreational and other pursuits particularly in activities and areas where common activities and pursuits are identified.

Culture Exchanges

- To host and exchange culture groups from the two nations. Also promoting our Christian and Muslim culture to each country.

Information Exchanges

- To foster the ongoing people to people, exchange of knowledge and ideas.

Academic Exchanges

- The signing of two educational agreements, including a Memorandum of Understanding between The University of Ontario Institute of Technology and one of the above mentioned Erbil universities.



Operational Structure

While we believe that in long-terms, such pacts should not just be municipality-to-municipality partnerships, both cities should have an opportunity to strategically align fragmented bilateral partnerships—city-to-city, business-to-business, chamber-to-chamber, university-to-university—into a more cohesive, comprehensive approach for boosting shared growth across two markets. To ensure that the Sister City relationships can be operated in an active and positive way, it is important for a local committee to be established to ensure the achievement of the Council's aims and objectives. On our side, a follow-up committee can be conceived as follow:

No.	Position	Committee rank
1	Mayor of Erbil	Head of the Committee
2	Director General of Erbil Municipalities	Rapporteur of the Committee
3	Director of Erbil Chamber of Commerce & Industry	Member
4	Director General of Erbil's Educational Directorate	Member
5	Director General of Erbil's Cultural and Art Directorate	Member
6	A President of one of the Erbil public universities	Member (interchangeably)
7	Owner of the idea and focal coordination personnel	Member (Dr.-Ing. Rastee D. Ali)

Worth mentioning here that, Mr. Peshawa Jammal M. Ali (Head of the Department of Software Engineering at Koya University) will be responsible on all publicity and information exchange aspects of the project. Summarizing the purpose of the follow-up committee on our side:

1. To ensure active relationships are established and maintained.
2. To have final say, i.e. to approve exchanges, visits and activities.
3. To promote awareness of the Sister City relationships.
4. To foster and encourage exchanges.
5. To generate tangible returns.
6. To identify non-tangible returns.
7. To coordinate activities.
8. To advise on protocol, arrangements and procedures.
9. To ensure that each sector represented on the committee actively promotes involvement in the Sister City agreement and to report back on, and quantify achievements.

Finally, while we are thankful to Paul Gibbard (Ambassador of Canada to Iraq) efforts in advance, we are looking forward that within the context of alike projects, we will be able to foster both nation's bilateral relations. People in Iraq in general and in Kurdistan Region in particular are having a very positive image of the Canada in their cautious minds and on the opposite side this could be regarded true as well.

Author: Dr.-Ing. Rastee D. Ali
 Director of the Career Development Directorate
 Lecturer at the Department of Manufacturing Engineering
 Koya University
 Danielle Mitterrand Boulevard 10
 44023 Koysinjaq, Erbil
 Kurdistan Region - Iraq
 Email: rastee.ali@koyauniversity.org
 Mob.: (+964)7509706535/7736982884

THE CORPORATION OF THE
TOWN OF SAUGEEN SHORES

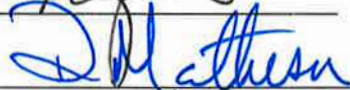
MOVED BY:



RESOLUTION NO:

17-2019

SECONDED BY:



DATE:

February 11, 2019

Whereas The Town of Saugeen Shores believes that building modern infrastructure is important, and that good quality infrastructure supports job creation and helps attract businesses and residents to our community and communities across the Province of Ontario; and

Whereas Recreation Infrastructure is one of the most important core investments that can be made into the prosperity, health, and security of urban and rural communities; and

Whereas the need for infrastructure renewal projects far exceeds the capital available in municipalities for investment in Recreation Infrastructure; and

Whereas Recreation Infrastructure is often put to the bottom of the list, as other infrastructure takes priority; in fact, there has not been a meaningful Recreation Infrastructure program since 2008; and

Whereas the Province of Ontario places long term borrowing restrictions on Municipalities; and

Whereas Saugeen Shores does not have the borrowing capacity to fund these large scale projects; and

Whereas some Municipalities do have the capacity to fundraise and borrow to 1/3 of project costs but rely on other levels of Government for remaining partnership funding; and

Whereas, while the Town of Saugeen Shores welcomes the inclusion of Recreation Infrastructure funds through the Gas Tax Fund, it is apparent that Gas Tax Funds alone are not sufficient to support large scale Recreation Infrastructure projects; and

Whereas the Town of Saugeen Shores agrees with both Parks and Recreation Ontario and with the Association of Municipalities of Ontario that the infrastructure gap will continue to grow, especially once all of the municipal asset plans are completed; and

Whereas both the Federal and Provincial Government could leave a positive and lasting impact on rural communities by helping municipalities to renovate or build new Recreation Facilities, and in the process create cost savings to our health system. After all, health is a Provincial expense, and as citizens live healthier lifestyles and maintain healthy bodies, this leads to less frequent visits to doctors' offices, hospital emergency departments and rehabilitation centres, and consequently less costs towards medical costs; and

Whereas in 2016 the Federation of Canadian Municipalities study found that nearly half of all types of sport and recreation facilities in Canada are in fair or poor condition, with a replacement value of \$23 billion across Canada; and

Whereas in Ontario, the replacement value for aging pools, arenas and community centres in fair or poor condition in Ontario is estimated to be \$6 billion (Parks and Recreation Ontario); and

Whereas the Province of Ontario has endorsed the Framework for Recreation in Canada 2015: Pathways to Wellbeing; and that the vision for the Framework is "a Canada where everyone is engaged in meaningful, accessible recreation experiences..." and that the first goal of the Framework is that governments should enable participation in physically active recreation; and

Whereas the Framework for Recreation in Canada has as priority 4.3 as follows: "Enable communities to renew Recreational Infrastructure as required and to meet the need for green spaces by securing dedicated government funding at all levels.... for the necessary development, renewal and rehabilitation of facilities and outdoor spaces"; and

Whereas through the Investing in Canada Plan, the Government of Canada is investing over \$180 billion over 12 years in Infrastructure projects across Canada with these investments being made by 14 Federal Departments and Agencies; and

Whereas the Governments of Canada and Ontario signed a bi-lateral agreement on March 14th, 2017 and created the "Investing in Canada Infrastructure Plan"; and be it

Resolved that the Council of the Town of Saugeen Shores requests that the Government of Canada and the Province of Ontario move forward with accepting applications for funding agreed to by the Governments of Canada and Province of Ontario under the "Investing in Canada Infrastructure Program" to help address the Recreation and Culture Capital Infrastructure deficit that currently exists across Canada; and

Further, that this resolution and background Council Report be forwarded to all Ontario Municipalities, Provincial and Federal Government's, local MP's and MPP's, Parks and Recreation Ontario, and the Association of Municipalities of Ontario, requesting their support.

Carried

☒

Defeated

☐

Deferred

☐

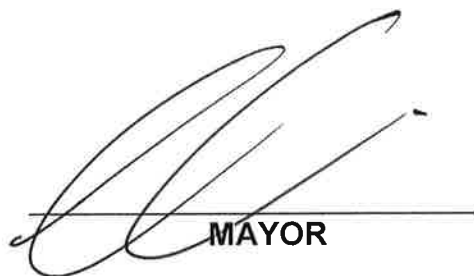
Referred

☐

Tabled

☐

Withdrawn

☐
MAYOR

**DIVISION OF RECORDED
VOTE**

	YES	NO	ABSENT	PEC INT
CHARBONNEAU				
CARR				
GRACE				
MATHESON				
MYATT				
MYETTE				
RICH				
SHRIDER				
SMITH				



THE CORPORATION OF THE TOWN OF
SAUGEEN SHORES

COUNCIL REPORT

Meeting Date: Mike Myatt, Vice Deputy Mayor

Subject: Request to Governments of Canada and Province of Ontario to open the application process for the Bi-lateral "Investing in Canada Infrastructure Program" that was signed on March 14th, 2017

Background

The Town of Saugeen Shores, a community population of approximately 14,000 and growing, is faced with a problem that many Ontario Municipalities are experiencing. Many of our recreation and cultural facilities were built in the 1970's and 1980's and now require modern upgrades or replacement. Our pool is over 40 years old and needs to be replaced; our 100 year old Town Hall is in need of repairs; our ball diamonds are aging and our Southampton Ice Facility requires significant repairs. For a community our size, these facilities represent community hubs; they represent gathering places and facilities where members of our community can exercise their mind and bodies on route to living healthier lives. Our residents want to be active, some are active now, but our aging facilities are becoming a deterrent for those who wish to live active lifestyles. In most cases, the Town of Saugeen Shores is able to fundraise and borrow for 1/3 of the cost to make these facility replacements become a reality, but we need bi-lateral funding between the Federal Government and Provincial Government to allow for capital funding allocations to support these facility upgrades or in some cases to support total replacement.

Like other essential municipal infrastructure, Recreation and Cultural Infrastructure is in need of investment. A 2007 study by Parks and Recreation Ontario revealed that over \$5 billion in deferred capital investment is required to repair or replace existing recreation facilities in Ontario – that number is now \$6 billion. The same study showed that 50% of municipally-owned Recreation Infrastructure is at or near the end of its expected lifespan. Additionally, all community recreation facilities that are in mid-life cycle require renovation or upgrades, consistent with their age. Many community facilities built before 1990 require retrofit investments to protect customer safety, improve energy efficiency or enhance services particularly from an accessibility standpoint.

Nationally, the Canadian Recreation and Parks Association (CPRA), an alliance of all 13 provincial and territorial recreation and park associations, has continued to research this issue. CPRA participated on the Advisory Board for the 2016 Canadian Infrastructure Report Card 5. This Report Card includes data on municipal recreation facilities and the results show that almost 1 in 2 recreation facilities are in 'very poor', 'poor' or 'fair' condition and need repair or replacement. In comparison to other municipal infrastructure assessed in the Report Card, recreation facilities were in the worst state and require immediate attention. Furthermore, new facilities are required to meet future needs linked to rapid population growth being experienced by the Town of Saugeen Shores.

Through budget 2016, the Federal Government allocated \$14.4 billion in new funding for the repair and modernization of key Infrastructure. This funding via the Investing in Canada Plan has gone towards vital public transit systems, clean water and wastewater systems, and Social Infrastructure such as affordable housing. These are all very important needs for many communities in Ontario, but the Town of Saugeen Shores would like to suggest that replacement of aging recreation facilities is also a high priority for Municipalities.

Building on the first phase of the Investing in Canada Plan, \$81.2 billion in additional funding was made available in the Federal 2017 budget to support five priority areas over the next decade: Public Transit, Green, Social, Trade and Transportation, and Rural and Northern Communities' Infrastructure and provides predictable funding and focusses on large-scale transformational projects.

The Governments of Canada and Province of Ontario have an infrastructure agreement that was signed March 14th, 2017, and this bi-lateral agreement now includes a new stream named "Community, Culture, and Recreation". The Town of Saugeen Shores needs to request this program be opened in the short term to allow our community and other communities around the Province to submit applications. It is this next phase that Saugeen Shores Council needs to start lobbying our MP and MPP for Provincial and Federal support to help make this happen.

The attached Motion is being proposed for Council consideration and pending approval, it is being recommended that the Town of Saugeen Shores encourages all Municipalities in the Province of Ontario to pass a similar motion and forward to the Governments of Canada and Province of Ontario to stress the importance of opening the application process for Recreation and Culture Infrastructure funding under the "Investing in Canada Infrastructure Program".

Respectfully Submitted
Mike Myatt, Vice Deputy Mayor



March 6, 2019

Council for the City of Hamilton
Hamilton City Hall
71 Main Street West
Hamilton, Ontario L8P 4Y5

Via mail and email

Dear Council:

Re: Ombudsman investigation

This is to notify you that the Ombudsman's Office has received complaints alleging that on February 9, 2019 and February 23, 2019, the City Manager Recruitment Steering Committee for the City of Hamilton held meetings that did not comply with the open meeting rules in the *Municipal Act, 2001*. The Ombudsman's Open Meetings Team will be investigating this complaint.

Lauren Chee-Hing, with our Office's Open Meetings Team, will be in contact with the Clerk in the near future, to provide further information with respect to the conduct of this investigation.

Please do not hesitate to contact Lauren-Chee-Hing at 416-646-8008 or by e-mail at lchee-hing@ombudsman.on.ca, should you have any questions.

Thank you for your cooperation with our Office during this investigation.

Sincerely,

Wendy Ray
General Counsel

cc: Janet Pilon, City Clerk, Janet.Pilon@hamilton.ca

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

www.ombudsman.on

Facebook : facebook.com/OntarioOmbudsman Twitter : twitter.com/Ont_Ombudsman YouTube : youtube.com/OntarioOmbudsman

Pilon, Janet

Subject: Education around cycling found in the Ontario curriculum

From: Curriculum Branch (MET) <casspb@ontario.ca>

Sent: February-01-19 2:42 PM

To: Davenport, Alicia <Alicia.Davenport@hamilton.ca>

Subject: Education around cycling found in the Ontario curriculum

Dear Alicia Davenport,

Thank you for your email on behalf of the City of Hamilton Council regarding education around cycling found in the Ontario curriculum. I appreciate the work of the Hamilton Cycling Committee and I am pleased to respond on behalf of the Minister of Education, the Honourable Lisa Thompson.

Students currently have a number of opportunities to learn about active transportation, including cycling, and the benefits that can be gained for themselves and the environment by making it an important part of a healthy, active lifestyle.

The Health and Physical Education curriculum helps children and youth develop an awareness of the benefits of active transportation and the skills they need to travel safely. Students learn:

- safe practices when walking and biking and to wear appropriate protective gear, such as properly fitting helmets, when doing activities like riding, skateboarding, or snowboarding;
- to make safe decisions, including decisions about travel routes and routines;
- to understand how cycling, walking, wheeling, and other active transportation activities can develop fitness, balance, and skills for moving with confidence; and
- to understand the health and environmental benefits of participating in and enjoying active transportation.

Cycling, walking, wheeling, and other active transportation modes are included as examples in the curriculum to show how students can enjoy being physically active while staying safe. Students can also learn about active transportation, especially cycling, in other subjects, such as science and technology, and geography. In Grade 4, for example, students learn how the gear system on a bicycle works. In Grade 9 and later grades, students may study sustainable transportation systems and investigate the impacts of cycling and cycling lanes.

The Government of Ontario invited parents, students, educators and individuals or organizations from across the province to provide feedback on the education system in Ontario.

Since launching the consultations, we have received extensive feedback that will help us make informed changes to our education system and support Ontario's students. Consultations officially closed on December 15, 2018.

The consultation focused on subjects like mental health, health and physical education, and legalization of cannabis; how to improve student performance in the STEM disciplines of Science, Technology, Engineering and Math; what measures can be taken to improve standardized testing; and what steps schools should take to manage technology, such as cellphone use in the classroom.

We had an unprecedented response across all platforms, which included an open submission form, online survey and telephone town halls held in every region of the province. Submissions shared within the scope of the consultation will help inform policy and program decisions of the Ministry of Education.

The ministry is currently analyzing the feedback received, and an update of the findings will be provided in winter 2019.

I hope that this information is helpful.

Sincerely,

Original signed by
Yael Ginsler
Director
Curriculum, Assessment and Student Success Policy Branch
Ministry of Education



Ulli S. Watkiss
City Clerk

City Clerk's Office

Secretariat
Marilyn Toft
Council Secretariat Support
City Hall, 12th Floor, West
100 Queen Street West
Toronto, Ontario M5H 2N2

Tel: 416-392-7032
Fax: 416-392-2980
e-mail: Marilyn.Toft@toronto.ca
web: www.toronto.ca

**In reply please quote:
Ref.: 19-PH2.6**

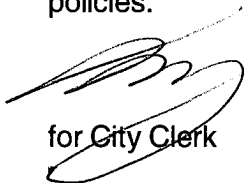
March 4, 2019

GREATER GOLDEN HORSESHOE MUNICIPALITIES:

**Subject: Planning and Housing Committee Item 2.6
Providing Certainty in the Planning Appeals Process: Clearing the Backlog
at the Local Planning Appeal Tribunal (Ward All)**

City Council on February 26, 2019, adopted this item as amended, and in so doing, has:

1. Requested the Government of Ontario to increase funding for the Local Planning Appeal Tribunal in order for Tribunals Ontario to appoint a team of temporary (and possibly permanent) adjudicators, mediators and other staff necessary to alleviate the current backlog of hearings, and in particular hearings intended to adjudicate major policy matters and development applications that would result in the delivery of housing units to the City.
2. Advised the Ministry of Municipal Affairs and Housing that the City objects to the closure of the Local Planning Appeal Support Centre.
3. Requested the Local Planning Appeal Tribunal to give priority to the City of Toronto's municipal comprehensive review policy hearings and to concluding the adjudication process with regard to the City's comprehensive Zoning By-law, in order to bring into force an enabling up-to-date municipal Official Plan Policy and implementation framework which will then assist Local Planning Appeal Tribunal adjudicators in their adjudication of site or area specific planning applications and would enable the City to advance additional area specific zoning frameworks to implement new official plan policies.



for City Clerk

M. Toft/wg

Attachment

Sent to: Premier, Province of Ontario
Leader, New Democratic Party of Ontario, Province of Ontario
Leader, Green Party of Ontario, Province of Ontario
Interim Leader, Ontario Liberal Party, Province of Ontario
Attorney General, Province of Ontario
Minister of Municipal Affairs and Housing, Province of Ontario
Greater Golden Horseshoe Municipalities
Local Planning Appeal Tribunal

c. City Manager

Planning and Housing Committee

PH2.6		Amended		Ward: All
-------	--	---------	--	-----------

Providing Certainty in the Planning Appeals Process: Clearing the Backlog at the Local Planning Appeal Tribunal

City Council Decision

City Council on February 26, 2019, adopted the following:

1. City Council request the Government of Ontario to increase funding for the Local Planning Appeal Tribunal in order for Tribunals Ontario to appoint a team of temporary (and possibly permanent) adjudicators, mediators and other staff necessary to alleviate the current backlog of hearings, and in particular hearings intended to adjudicate major policy matters and development applications that would result in the delivery of housing units to the City.
2. City Council advise the Ministry of Municipal Affairs and Housing that the City objects to the closure of the Local Planning Appeal Support Centre.
3. City Council request the Local Planning Appeal Tribunal to give priority to the City of Toronto's municipal comprehensive review policy hearings and to concluding the adjudication process with regard to the City's comprehensive Zoning By-law, in order to bring into force an enabling up-to-date municipal Official Plan Policy and implementation framework which will then assist Local Planning Appeal Tribunal adjudicators in their adjudication of site or area specific planning applications and would enable the City to advance additional area specific zoning frameworks to implement new official plan policies.
4. City Council direct the City Clerk to distribute City Council's request to adequately fund the Local Planning Appeal Tribunal to the Minister of Municipal Affairs and Housing, the Attorney General, the leaders of all parties represented in the Ontario Legislature, and to the Councils of municipalities within the Greater Golden Horseshoe.

Committee Recommendations

The Planning and Housing Committee recommends that:

1. City Council request the Government of Ontario to increase funding for the Local Planning Appeal Tribunal (LPAT) in order for Tribunal Ontario to appoint a team of temporary (and possibly permanent) adjudicators, mediators and other staff, necessary to alleviate the current backlog of hearings, and in particular hearings intended to adjudicate major policy matters and development applications that would result in the delivery of housing units to the City.
2. City Council request the Local Planning Appeal Tribunal (LPAT) to give priority to the City of Toronto's municipal conformity review (MCR) policy hearings and to concluding the

adjudication process with regard to the City's comprehensive zoning by-law, in order to bring into force an enabling "up-to-date" municipal official plan policy and implementation framework which will then assist LPAT adjudicators in their adjudication of site or area specific planning applications and would enable the City to advance additional area specific zoning frameworks to implement new official plan policies.

3. City Council direct the City Clerk to distribute City Council's request to adequately fund the Local Planning Appeal Tribunal (LPAT) to the Minister of Municipal Affairs and Housing, the Attorney General, the leaders of all parties represented in the Ontario Legislature, and to the Councils of municipalities within the Greater Golden Horseshoe.

Origin

(February 11, 2019) Letter from Councillor Ana Bailão

Summary

Housing supply is a concern for the City of Toronto. Ongoing challenges in bringing housing to market is one of the challenges in a complex housing supply chain. Submission of complete applications, municipal approvals, provincial approvals, housing type and demand, financing, land and construction costs, and availability of labour are factors impacting housing supply. As a result, collectively we need to make adjustments within the chain and properly resource all parts of the supply chain.

Part of the process also entails unlocking potential supply that is before the Local Planning Appeal Tribunal (LPAT) due to appeals by one party or another. Resource challenges also impact the LPAT as is demonstrated by the number of matters awaiting a hearing.

Over the five-year period of 2013 to 2017, there were 146,181 residential units in development proposals under review by the City of Toronto. This includes over 30,000 residential units, in well over 100 rezoning applications, that have been appealed to the Local Planning Appeal Tribunal (LPAT) and for which a Decision has not yet been recorded. The appealed development proposals represent a significant portion of the City's potential housing supply.

In the absence of adding more adjudicators and mediators, a backlog of appealed matters awaiting hearings has been created impacting the potential supply of housing. Increasing the number of mediators and adjudicators would streamline the outcomes where a matter has been appealed by either the applicant or a third party and enable a more proactive approach to bringing housing supply to market. The addition of additional mediators has the potential to significantly reduce hearing times if a settlement is achieved. This would provide the opportunity to put proposals back on track and enable the development community to market, finance and construct new housing supply.

Delays in receiving hearing dates have always been a frustrating issue for the City of Toronto. The backlog has increased even more since new planning legislation (Bill 139) and its transition regulations came into play in mid-2018. These regulations require the LPAT to operate under two appeal systems, the old (OMB) system (which applies to certain appeals that were in play prior to the proclamation of Bill 139) and the new LPAT system. By way of example, Official Amendment No. 231, the Official Plan of the City of Toronto with respect to the Economic Health Policies and the Policies, Designations and Mapping for Employment Areas and the City of Toronto's Comprehensive Zoning By-law 569 – 2013 have both been under adjudication before the OMB/LPAT since 2013.

This backlog of hearings on policy matters and their implementing tools (zoning by-laws), creates uncertainty in the market and results in applicants appealing applications in the absence

of an approved policy and policy implementation framework.

Addressing the backlog for appeals relating to the old and the new system, may be the best tool the Government has to more rapidly bring more housing supply to market and provide certainty in the planning appeals process.

Background Information (Committee)

(February 11, 2019) Letter from Councillor Ana Bailão on Providing Certainty in the Planning Appeals Process: Clearing the Backlog at the Local Planning Appeal Tribunal
(<http://www.toronto.ca/legdocs/mmis/2019/ph/bgrd/backgroundfile-126606.pdf>)

Communications (City Council)

(February 22, 2019) Letter from Martin Gerwin and Judith Rutledge, Co-Chairs, Steering Committee, Mimico Lakeshore Community Network (CC.Supp.PH2.6.1)
(<http://www.toronto.ca/legdocs/mmis/2019/cc/comm/communicationfile-91669.pdf>)

(February 26, 2019) Letter from Lenka Holubec on behalf of ProtectNatureTO (CC.New.PH2.6.2)
(<http://www.toronto.ca/legdocs/mmis/2019/cc/comm/communicationfile-91748.pdf>)



7th March, 2019

**COMMUNIQUE ISSUED AT THE END OF THE MONTHLY MEETING OF THE NCA HAMILTON HELD ON SAT
23rd FEBRUARY, 2019**

The entire members of the **Nigerian Canadian Association Hamilton** view with uttermost dismay the news as published in The Hamilton Spectator of 14th Feb, 2019 of the “temporary pause” of the Hamilton Anti-Racism Resource Center (HARRC) headed by the program manager Princewill Ogban.

The Nigerian Canadian Association Hamilton after extensive deliberations noted and resolved as follows:

1. In our opinion, the Hamilton Anti-Racism Resource Center (HARRC) was a valuable addition to the infrastructure of the city considering the serious issue of racism in our city, which negatively affects the lives of many of our citizens. HARRC has been viewed as a precedent setter for other cities in Canada, which makes the “pause” of the center a setback for the fight against racism in Hamilton.
2. The NCA Hamilton notes with grave concern that the reasons given for this “pause” does not seem plausible given that the very group the center was created for was already feeling its impact positively.
3. It notes that the center in its very short existence has without a doubt gone a long way in achieving the objective for which it was set up which is primarily to gather information about racism which for the avoidance of doubt is very much alive in our dear city of Hamilton. For a center that took almost 15 years to become a reality to then be shut down barely a year into a 3 years pilot project raises the inevitable question **“Is the city of Hamilton really serious about tackling/eliminating racism or was it just a political stunt?”**
4. It is our opinion that by this singular act the parties concerned have taken the fight against racism back many steps and by so doing has rendered the city’s vision of a diverse, all-inclusive Hamilton a mirage.

5. The NCA Hamilton therefore resolved that we strongly urge the partners, especially the City Council to as a matter of urgency revisit this issue with a view to reopening the center in the least possible time.
6. We also resolve that if we are to build a diverse, all-inclusive Hamilton, that equity and justice demands that such a resource center is very important bearing in mind that "Racism IS NOT EQUALLY paused".

Finally, the Nigerian Canadian Association Hamilton is committed to fostering a united, inclusive city where all feels welcome and accepted.

Signed,



Ike Agbassi

President (NCAH)



Henry Onwuka

Vice Pres. (NCAH)



Ronnic Sanyaolu

Soc. Sec (NCAH)



March 12, 2019

Council for the City of Hamilton
Hamilton City Hall
71 Main Street West
Hamilton, Ontario L8P 4Y5

Via mail and email

Dear Members of Council for the City of Hamilton:

Re: Complaint to the Ontario Ombudsman

I am writing to inform you of the outcome of our review of 14 complaints about the City of Hamilton received by the Ontario Ombudsman in July 2018. The complaints relate to public access to candidates' elections documents at the City Clerk's office leading up to the 2018 municipal election. Given the level of public interest in this issue, we wish to share what we learned with members of council.

Complaints

Prior to the 2018 municipal election, our Office received complaints that City of Hamilton elections staff prevented members of the public from taking photos of papers filed with the Clerk by candidates running in the election. All candidates are required to file certain forms with the city, and those documents are public records. Members of the public were limited to viewing the documents, taking handwritten notes, or paying for photocopies at the rate of \$0.40 per page. Complainants told our Office that the city's position unreasonably restricted access to the documents and made it more difficult to facilitate discussion about the information candidates had disclosed in their filings, which are matters of public interest.

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

Role of the Ontario Ombudsman

The Ombudsman is an independent and impartial Officer of the Ontario legislature with authority to address complaints about the administrative conduct of municipalities, universities, school boards, and provincial government organizations. The Ombudsman's role with respect to municipalities is to review and investigate complaints about municipal government administration. When problems are identified, he may make recommendations to a municipality to improve its processes, as well as to strengthen local governance and accountability.

Information collected under the *Municipal Elections Act, 1996*

Under the *Municipal Elections Act, 1996* ("the Act"), the clerk of a municipality is responsible for conducting a municipal election.¹ Candidates must file the prescribed nomination forms with the clerk, including Form 1 (Nomination Paper) and Form 2 (Endorsement of Nomination). The 2018 municipal election was the first time candidates for municipal council were required to obtain the endorsement of 25 eligible voters as part of the nomination requirements.²

The Act sets out the requirement for municipalities to provide public access to certain elections documents, and states that documents and materials filed with the clerk are public records.³ This includes candidate nomination forms collected prior to the election, as well as other forms, such as financial disclosures, that are collected after an election. The Act requires that these documents be made available for inspection during business hours and that municipalities provide copies of the documents for a nominal fee or allow anyone to make extracts of them.⁴ The Act indicates that the fee for copies shall not exceed the lowest rate the clerk charges for copies of other documents. This scheme facilitates timely, inexpensive, and convenient access to elections documents without requiring the public to go through the freedom of information process under the *Municipal Freedom of Information and Protection of Privacy Act*.

While the Act does not specifically state that photography is allowed, neither does it prohibit municipalities from allowing photography of elections documents.

¹ SO 1996, c 32, Sch at s. 11

² *Ibid* at s. 33

³ *Ibid* at s. 88(5)

⁴ *Ibid* at s. 88(7)-(8)

Our review

We spoke with city staff regarding these complaints to gain more information about the city's practices with respect to accessing election documents. We were advised that the City of Hamilton does not have a formal policy about access to elections documents by members of the public, but that it is guided by the *Municipal Elections Act*. We confirmed that in response to inquiries made by our Office and members of the public, the city posted a notice communicating the prohibition on photography and applicable photocopying fees for elections-related documents.

As a best practice, all levels of government should strive to maximize openness and transparency wherever possible. Transparent practices increase public trust in government. With this in mind, we reviewed the relevant legislation, court decisions, and decisions of the Information and Privacy Commissioner. We also spoke with staff at other municipalities to canvass best practices around facilitating public access to elections documents.

Our review of relevant case law indicated that the courts have not yet directly considered the meaning of “making extracts” or photography in the context of the *Municipal Elections Act*, but have commented on the purpose of the Act. The Ontario Divisional Court described the objectives of the Act as “to ensure the integrity of the democratic process and the accountability of those who seek public office.”⁵

We spoke with other municipalities to canvass their practices and procedures with regard to public access to municipal elections documents. Most indicated that they already allowed photography or would do so if someone asked to take a photo of documents deemed to be public records under the Act. We were also told that:

- Given that the documents are deemed to be public records and that members of the public may request photocopies, there was not a compelling privacy-related justification to restrict photography.
- Allowing photography reduced the administrative burden on municipal staff as less staff time was spent providing photocopies and supervising access.
- By providing more options for accessing the information, municipalities were able to improve customer service and accessibility.
- Maximizing access was felt to be consistent with the objectives of the *Municipal Elections Act*.

⁵ *Gombu v. Ontario (Assistant Information and Privacy Commissioner)* 2002 CanLII 53259 (ON SCDC) at para 21.

Best practice suggestions shared with city staff

Prior to the October 22, 2018, municipal election, we shared the results of our review with the city's Clerk, Elections Manager, and City Solicitor, as set out above. We explained that requiring citizens to pay for photocopies rather than allowing them to take a photo of the same documents could impose a financial burden and act as a barrier to participation for those interested in local democracy. We noted that there were over 100 candidates for council in the City of Hamilton's 2018 election, and that for a single candidate for municipal council, a nomination package could consist of at least ten pages.

We recognize that under the Act, the City Clerk has discretion in determining how to conduct aspects of an election that are not otherwise provided for in the Act. As a best practice, we suggested that the city may wish to consider permitting photography of public election documents in order to maximize transparency, in light of the purposes of the Act, and the concerns shared with our Office by complainants.

We appreciate the cooperation of city staff in discussing these issues with our Office.

Discussions with the Ministry of Municipal Affairs and Housing

Subsequent to the October 22, 2018, municipal election, the Ombudsman met with the Ministry of Municipal Affairs and Housing. The Ombudsman expressed concern about inconsistent approaches to public access to elections documents taken by different municipalities. He reiterated his support for greater accountability and transparency in municipal government and noted that the Ministry may wish to issue guidance to municipalities on public access to elections documents. We understand that this issue will be taken into consideration by the Ministry going forward and our Office will continue to monitor developments.

Conclusion

I am pleased to share the results of our review with council for the City of Hamilton. The Ombudsman strives to promote accessibility and transparency in governance wherever possible. Following our review, we shared the information set out above with city staff, as it may be of assistance in maximizing the transparency of future municipal elections. I trust that this information will also be of interest to members of council.

Should you have any further questions, please contact Cameron McKeich of our Office at 416-586-3384.

Sincerely,



Joanna Bull

Senior Counsel

Office of the Ontario Ombudsman

cc.

Janet Pilon, Clerk

Nicole Auty, City Solicitor

Dear Mayor Eisenberger and Council members,

I am writing to you today on behalf of an organization that I feel is important. Easter Seals Ontario does amazing work for children with disabilities within our community.

Easter Seals has changed our lives. Our daughter was born with a rare genetic Mutation that has caused Osteogenesis imperfecta(brittle bones) and Epilepsy.

Madisen lives with many broken bones and has needed assistance to access to our home. Easter Seals has provided help with the cost of the stair lifts and also helped fund her bath lift and her hospital bed. Without these things our daughters life would be much more difficult.

Madisen is an amazing smart and saucy 11 yr old girl. This year she applied to be The Ontario Easter Seals Ambassador. Being that she is so young and it was her first application we were shocked to get the call she was chosen. Madisen is the first Ontario Easter Seals Ambassador in Hamilton in a very long time.

Our family is just one of many families in our City that has been helped by Easter seals. Easter seals touches so many with funding for things like stairs lifts to creating accessible camps where Children with Disabilities can go and be just like all other children.

So we ask that the City of Hamilton "Our" city recognize Easter seals each year in March and to make a Proclamation going forward, March is Easter Seals month in Hamilton.

Madisen also would like you to know that she is willing to come to city hall and speak to you about why this is important to her an so many other children like her.

Thank you for your time

Jodi Dean

CITY OF QUINTE WEST

*Office of the Mayor
Jim Harrison*



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

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

March 8, 2019

Via Email

RE: Resolution – Bottled Water

Dear: Government Organizations,

Please be advised that the Council for the Corporation of the City of Quinte West passed the following resolution at its meeting held on March 4, 2019:

Motion No. 19-058 – Notice of Motion – Councillor Cassidy

Moved by Cassidy

Seconded by Kuntze

Whereas water is essential for human life to exist on earth, and access to clean drinkable water should be a basic human right, and water has been commodified by the sale of bottled water;

And Whereas Canada is a participant to the Paris Agreement on Climate Change;

And Whereas the United Nations has called on all countries to reduce green house gas emissions;

And Whereas single use plastics are significant items of unnecessary waste that damage our environment;

And Whereas Canada as a country and all of the provinces and territories are not likely to reach our targets to reduce green house gas emissions by 2030;

And Whereas many scientists and environmental advocates are asking us to end the fossil fuel based economy as soon as possible;

And Whereas the City of Quinte West has undertaken initiatives to limit the use of bottled water and promote the use of municipal drinking water in recent years;

Be it resolved that the City of Quinte West will undertake a review/audit in 2019 of the City facilities to identify areas where the use of municipal water can be further optimized and the use of bottled water can be reduced or eliminated wherever possible;

And further that a policy be developed to promote the use of municipal drinking water in the City;

And further be it resolved that the City of Quinte West will encourage our immediate neighbours to do the same;

And further be it resolved that the City of Quinte West will forward this motion as an aspirational objective to the following partners: All municipalities in Ontario, AMO, all other similar provincial and territorial organizations in Canada, all Premiers and the Prime Minister and the leaders of all Provincial and Federal Parties in Canada with the request that they enact legislation to do the same.

Carried

We hope that you will take such actions into consideration within your own organization in an effort to reduce bottled water usage and promote the use of municipal water.

Yours Truly,

CITY OF QUINTE WEST

A handwritten signature in black ink, appearing to read "Jim Harrison". The signature is fluid and cursive, with a large loop at the end.

Jim Harrison,
Mayor

Central Neighbourhood Association

March 18, 2019

Lisa Chamberlain
Planning Coordinator
City Clerks Office, First Floor
71 Main Street West
Hamilton ON L8P 4Y5

**Ref: Official Plan and Zoning By-law Amendment to Add a Production Studio Use
Within the Barton and Tiffany Lands (PED18210(a)) (Wards 1 and 2) to the City
of Hamilton Zoning By-law No. 05-200**

To Whom it May Concern,

A Production Studio and associated Soundstage/Warehouse with inclusion for parking in Hamilton would have positive outcomes for the city and has support from the community but may not be suitable on the proposed site within the Barton Tiffany Land because it would impact negatively on the existing plans and the surrounding neighbourhood.

A Production Studio and associated Soundstage/Warehouse would accommodate the various components of use such as warehousing, filming set, parking and loading. Set building and other set production for props and costumes equally involve machinery, equipment and construction materials. Work is done indoors and outdoors, making use of all available space. Construction and paint departments often work outside. Spray-painting is commonly done outside, for example, for the creation of signage.

Carpenters, construction labourers, general labourers, painters, costumers and builders are practically unable to use any public transit because the nature of their work involves the transport of personal materials, tools and equipment. They need hundreds of parking spaces. Getting to filming locations and site surveys is regarded as unfeasible without a vehicle. In addition, their work extends beyond regular hours to weekends, nights and evenings that are beyond public transit available times. Their vehicles of choice are pickup trucks. A transportation department drives supplies to location and often ferries persons back and forth, creating more need for parking space for rentals. Surface parking on premise for workers, who already compete with semi-trailers, crew trailers, set

trailers, camera trucks, rental trucks, many types of 5th wheel trailers and other support trucks, is understood by those familiar with the industry never to be in sufficient supply and, consequently, overflows onto city streets and neighbouring commercial services and retail businesses. In Vancouver, hundreds of overflow cars and pickup trucks pour into the store parking lots of Walmart and Save-On Foods and over-size trucks and long trailers line the streets around both North Shore and Bridge Studios. It has become a nightmare for the local business owners and has created a major parking dilemma. Entire streets are lined with crew trailers and trucks. Fortunately, the Vancouver studios are located in light- to industrial lands and are distant from residential neighbourhoods.

The production work schedule is not confined to standard daylight hours. If necessary, a film studio will operate at any hour of the day or night, indoors or out. Stage lots for exterior shoots are busy places throughout the night to accommodate night shots and are lit for substitute daylight when necessary. Night lighting can be visible many city block away from the lot. The industry works on a 24-hour cycle and huge semi-trailer trucks can be loading up at 3:00am for departure to location. Crew vehicles often have early morning shoots before dawn. The city of Hamilton's statement that a Production Studio "is less likely to be used in the evening and/or weekends," (page 164/567) is misleading. A Production Studio functions at all hours, 24/7.

It would be counter-intuitive to envision a quiet, peaceful atmosphere in this environment. Day and night, along with the noise of loading and unloading of vehicles including huge semi-trailers, automatic horns and traffic, there is also an unavoidably noisy production studio yard and workers using radio phones and loud speakers for communication. Noise attenuation is impossible to be reduced by any means of innovative building design, open space buffers and vegetative planting. Furthermore, the noise would only serve to add to the noise of the existing CN Rail Line, increasing the related conflicts with noise and vibration and would not "foster improved noise environments for existing and future residential and sensitive land uses" (page 166/567).

The core principles on which the West Harbour Setting Sail Secondary Plan are founded provide important criteria upon which any proposal or future proposals are evaluated against to ensure that broad public objectives are realized. On this basis, there are no principles which the proposed Production Studio and associated Soundstage/ Warehouse realizes, as detailed below. The impacts listed below demonstrate a failure to adhere to the core principles and would serve to undermine the public objectives of the West Harbour Setting Sail Secondary Plan and the goals of the Barton-Tiffany Urban Design Study because, as follows, the official plan and zoning by-law amendment to add a

Production Studio Use within the Barton and Tiffany Lands (PED18210(a)) (Wards 1 and 2) to the City of Hamilton zoning by-law No. 05-200:

DOES NOT Strengthen existing neighbourhoods

The proposed amendment would not integrate a mixed-use community with plans to re-mediate its former underutilized brownfield site because it would, in fact, enable the building of a Production Studio and associated Soundstage/Warehouse whose function is exactly suited for a brownfield site. It would not respect and enhance the character of the existing neighbourhoods. Housing, jobs, shops and services can thrive together when they are integrated in scale. Healthy neighbourhoods around and within Barton Tiffany Land cannot develop around a Production Studio with associated Soundstage/Warehouse. It would not encourage new commercial uses to serve future and existing neighbourhood residents because a Production Studio does not welcome the public into its realm. It would not increase the activity and vitality of the area through job creation because it does not fit into the description of how the neighbourhood residents value the area's historic character and waterfront amenities. This character and the neighbourhoods' physical relationship to the waterfront are assets to be protected and enhanced and would not be represented by a Soundstage/Warehouse building on the Barton Tiffany Land.

DOES NOT Provide safe, continuous public access to the water's edge

A Production Studio and associated Soundstage/Warehouse would inhibit public access to the water's edge by creating safety concerns and traffic management problems. Increased industrial-sized truck traffic would not blend into the pedestrians, cyclists, buses and cars moving through the area and would not improve access to the bayfront. It would make walking and bicycling dangerous options for movement and does not contribute to walkable neighbourhoods and would not comply with official urban plans. There would be a disruption of access to waterfront and increased pressure on many Ward 1 and 2 access points to the waterfront parks, such as Bay Street. The needs of residents and locals from the neighbourhood area and future occupants of the Barton Tiffany Land, of visitors and tourists to the waterfront and parks at the western end of the bayfront would be hindered by large scale use of space with the allowable height of 15 meters permitted for a Soundstage/Warehouse.

DOES NOT Create a diverse, balanced and animated waterfront

A Production Studio and Soundstage/Warehouse would not animate the area or create an appropriate focus for pedestrian access through the Barton Tiffany Land across the rail yard to the waterfront. New uses and changes are meaningful if “waterfront-appropriate” and take advantage of the harbour setting and promote endless enjoyment and appreciation of the waterfront. A Production Studio and associated Soundstage/Warehouse with inclusion for parking at surface would not fit the description of the city of Hamilton Tourism mandate to make the waterfront an inclusive place for all. The waterfront amenities that are highly applauded by Hamilton Tourism through its literature and website as a being family friendly is not in character with the semi-industrial production studio and warehouse under consideration. The Barton Tiffany Land is optimally located to be joined to the various means of flow to the waterfront trails, Bayfront Park and Pier 4 Park. Plans to facilitate a pedestrian walkway over the existing rail yard would enhance opportunities to engage the general public, both resident and visiting the city, in wonderful opportunities in a variety of leisure activities while enjoying views of the surrounding harbour area. The park is already a popular spot for walkathons. Situating a Production Studio and associated Soundstage/Warehouse in the Barton Tiffany Land would diminish the opportunity to welcome pedestrians, cyclists, and others. The sound stage proposed, with an allowable height of 15 metres, lowered or increased, would obstruct the harbour area and degrade the vision of fostering a meaningful relationship to the waterfront.

DOES NOT Enhance physical and visual connections

The proposed addition of a Production Studio and associated Soundstage/Warehouse within the commercial designation would not assist in developing a currently vacant and underutilised former industrial area with commercial uses that are transit supportive and within a pedestrian friendly environment. The lands are vacant and underused as a meaningful gateway to the recreational and natural amenities of the bayfront park and waterfront. A Soundstage/ Warehouse would not result in improvements to the public realm along sidewalks and public rights of way to foster or enhance the visual and physical connections, nor would it promote appreciation of the waterfront. In fact, it would place a huge visual barrier against a view of the waterfront. A Production Studio and associated Soundstage/Warehouse would add significant truck and heavy traffic and undue parking pressure to the existing streets. In addition, it would restrict easy access to the area generally and to the waterfront in particular, especially for pedestrians and cyclists. There are already busy streets such as York Boulevard, Cannon Street, Bay Street and Barton Street that can be difficult to cross. To add further heavy traffic at all times of the day and night to these streets would not create a feeling of safety or security within these street, parks and open spaces. It would not mitigate the physical barriers or “screens,” to which the city refers, to the street or to the waterfront, would not improve

pedestrian, cycling and transit connections to the waterfront from the downtown or enhance the streetscapes of key north-south and east-west streets, or help to establish a pedestrian connection between the Barton Tiffany Land and the waterfront.

The new proposed use would not achieve the objective to develop as a complete community, given that it would perpetuate the use of land for purposes which the city recognizes as “hybrid uses with both commercial and industrial components/ characteristics” (page 160/567). The value of the Barton Tiffany Land would not be maximized by locating a production facility in the area. The zoning for Barton Tiffany is envisioned as mixed-use for residential and commercial. A Production Studio with Soundstage/Warehouse is neither commercial nor residential. It fits the description of a semi-industrial facility which exists without access from the public, unlike and separate from creative or cultural facilities. It would have the visual, physical and psychological effect of being shut-off from the street. It would affect the medium density residential area zoned for the Barton Tiffany Land. A “hybrid” would create confusion with respect to mixed-use residential and has great potential to undervalue the land. The need for development, growing the assessment base, and increasing the property value of Barton Tiffany Land should appreciate the fact that it is bordered by a neighbourhood.

Developers have no interest to alleviate the disadvantages of residential new-builds in proximity to facilities built on brownfield. The site is regarded as an underutilized brownfield, and the proposed amendments acknowledge that a Production Studio and Soundstage/ Warehouse “may contain certain elements of an industrial use,” (page 165/567). Elsewhere it states the soundstage is acknowledged by the city to be characterised as a “warehouse structure/area” (page 165/567). The result of permitting an industrial use of the site may leave the only option to downgrade the Barton Tiffany Land into a light-industrial and/or business park. This option would be a complete failure of the West Harbour Setting Sail Secondary Plan.

The concept of “mixed-use” should be cohesive to all and does not relate to a facility which is at odds with shielding itself from the public realm and the urban landscape. The proposed Soundstage/Warehouse and storage buildings will have fencing and barricading that will not be hidden by a planting strip and would require full visual barriers at heights exceeding low rise buildings and, notwithstanding, pedestrians and cyclists. Soundstages have no multiple entrances oriented to the street or any similar means to animate the streetscape. A Soundstage/Warehouse is an impenetrable, windowless fortress with no opportunities to connect with the outside community, and would not enhance the Barton Tiffany Land with a vision to become a desirable community for

mixed-uses and medium density housing. A Production Studio and associated Soundstage/ Warehouse is incompatible with the Barton Tiffany Land urban and green space.

DOES NOT Promote a balanced transportation network

The success of the West Harbour GO station is dependent upon optimizing the numbers of transit users to the area and is dependent upon attracting visitors, workers and residents to the area and to help manage traffic. The proposed Film Studio would effectively increase street traffic and divert workers away from public transportation (especially GO transit) for the reason that workers at a Production Studio, without exception, depend upon getting to work and to locations independently, mostly by larger vehicles of choice and because the nature of their work makes it impractical to use public transit. A Production Studio and associated Soundstage/Warehouse would promote a less balanced multi-modal transportation system in which its workers do not and have never depended on public transit, cycling, walking, or otherwise getting to their work destinations by any other form of transit other than their own vehicles. A Production Studio would result in underuse of the West Harbour GO Station. A Production Studio would maximize traffic impacts on the existing local street network. The addition of semi-trailers and other associated vehicles would increase the dangers to cyclists and pedestrians. Beyond safety concerns, it would be counter-intuitive to expect the industrial nature of the semi-trailer truck traffic to blend into the pedestrians, cyclists, buses and cars travelling through the area and to the bayfront. Community input has emphasized the need to improve the visual corridor along the streets below Cannon and York leading toward the Bayfront, and the outcomes of this scenario are indicative of a situation that could only worsen.

Parking is a matter for serious concern. As it relates to a Production Studio and associated Soundstage/Warehouse, the city has stated that parking will not be permitted between a building's façade and a public street and that proposes that buffering between pedestrian realm and parking area offers a remedy to the problem. This is unavoidably open to contest in the amendments. Parking along the streets would worsen. Be real.

On the west side of the city, Barton Tiffany Land is not well connected by the access which is provided in the eastern industrial lands near the Skyway bridge or conveniently to major highways without crossing through residential neighbourhoods and especially through access points to the recreational waterfront area. The streets and arterial roads and municipal services necessary to service the Production Studio and associated Soundstage/Warehouse are not available nearby Barton Tiffany Land and, should future planning involve making such roads and services available, then the quality of the area

would degrade further as the community does not want collector roads installed to facilitate truck traffic into the already built-up area around the Barton Tiffany Land and surrounding residential areas.

Existing infrastructure to areas unbounded by residential streets such as sections of Victoria and Burlington Street corridors, for example, provide convenient and appropriate access roads for trucks and over-size vehicles. The streets which access the Barton Tiffany Land are not viable for a surge in heavy truck traffic.

DOES NOT Celebrate the City's heritage

The vision of Hamilton in preparation to meet its future needs and to re-imagine itself as a modern city that has outgrown its image as an industrial city is not reflected by adding a Production Studio with Soundstage/Warehouse to the Barton Tiffany Land. The image of a 21st century warehouse, referred to as a Soundstage/Warehouse, would perpetuate the old and familiar. It would not stand out as unsimilar to the former century-old warehouse in its undilapidated state that was demolished on the site of the Barton Tiffany Land named the Rheem building. If the city enables a decision in the early decades of the 21st century to allow for same building typography as the old warehouse buildings on the original property, then it would be unwise to consider that, over the past 200 years, Hamilton's West Harbour has evolved from a place for industry to a place for people to live and enjoy the recreational amenities of the waterfront. The commonality amongst sound stages is that space and function, in terms of height, security, maximum square footage and versatility demand featureless walls and no windows, surrounded by barriers or fencing and appear similar to factory spaces.

DOES NOT Promote excellence in design

A Production Studio and associated Soundstage/Warehouse does not respect, complement or enhance the best attributes of the West Harbour. A Production Studio virtually turns its back upon the public realm, requiring a tight security system and barricades or surrounding gates to protect it.

DOES NOT Promote a healthy harbour

The proposed Production Studio and associated Soundstage/Warehouse would not protect key views and improve public access to the harbour because its height and square footage would form an extended obstruction. As industries have departed the area, and the toxins and chemicals which polluted the land remain on the public's mind, the city of Hamilton cannot ignore its responsibility to ensure that other uses do not contaminate the Barton Tiffany Land again. Efforts that succeeded in making the waterfront healthy again for Bayfront and other parks are an important achievement. A Production Studio

would add to the contamination of the site on Barton Tiffany Land because its functions involve the use of toxic substances, chemicals, heavy equipment, fuel and waste products (from honey wagons). The community would be a vigilant observer and, in its push for urban renewal, would task the city of Hamilton with monitoring and responding to objectionable uses including any that do not promote sustainability and its healthy harbour.

DOES NOT Look toward the future

The City has not demonstrated that it has offered other more suitable areas within its extensive and former industrial lands or other land with an industrial character for the Production Studio and associated Soundstage/Warehouse. Does the city intend to justify its reasoning for singling out the Barton Tiffany Land for the proposal? It does not reflect the goal of transitioning the city away from an industrial landscape. What is the point of replacing a former industrial landscape with a semi-industrial one? These questions are relevant. The current impression that the Barton Tiffany Land represents an unattractive brownfield which everyone wants to transform into something better is contradicted by proposing an essentially brownfield-worthy Soundstage/Warehouse to replace it. This does not agree with the public's and city's official vision for Hamilton going forward.

The commercial designated zoning on Barton Tiffany Land prohibits "the use of drive-through establishments, gas stations and auto repair garages and hotels." These are exactly the type of services which a Production Studio needs. The proposed amendments have identified these amenities for change in order to serve the commercial need, as stated on page 156 of 567: "The addition of a Production Studio would involve the creation of accessory and ancillary retail and office uses that would be geared towards the service commercial needs of residents and the future employees of the area." The city also states that, "it is considered that, whereas an amendment would be required to accommodate a use that does not directly serve the needs of the residents in the neighbourhood, the employment and associated uses would satisfy the overall intent to animate the area, provide a mix of uses and maintain a scale and impact that does not compete with the retail function of the downtown." There needs to be clarification on whether future amendments to allow the use of drive-through establishments, gas stations, etc., would be implemented to serve the need of a Production Studio.

Conclusion

Matters of concern regarding a Production Studio with associated Soundstage/ Warehouse on the Barton Tiffany Land cannot be addressed satisfactorily by the departments

of Planning and Economic Development and Transportation Planning and Parking. Strong concerns were expressed by the community at the Public Information Centre on November 26, 2018 and elsewhere during community initiatives organized by the city of Hamilton. There are major weaknesses that would impact upon urban design and traffic management, amongst others, to the detriment of the planned vision for the Barton Tiffany Land and simply entrench industrial uses which are not addressed throughout the recommendations in the Official Plan and Zoning By-law Amendment to Add a Production Studio Use Within the Barton and Tiffany Lands (PED18210(a)) (Wards 1 and 2) or under current Zoning by-law. A Production Studio and associated Soundstage/Warehouse does not align with the vision for the Barton Tiffany Land and the community has strong reservations about the project.

Yours sincerely,

The Board Members of the Central Neighbourhood Association

Allyson Wenzowski, Chair

Paul Copcutt

Peter Graham

Gillian Hunt

Sarah Kovacs

Maggie Martineau

Ron Rubin

John Schuurman

Frank Soberg

Liz Ward

Note:

Text written in quotations is taken from the PDF of the City of Hamilton, Planning Committee, Meeting 19-004 March 19, 2019, Agenda.



March 6, 2019

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

Dear Ms. Caterini:

Re: Proposed Amendment 1 to the Growth Plan

On February 28, 2019 Regional Council adopted the following recommendations:

1. Council endorse this report and Attachments 1 and 2 as the Region's submission to the Province in response to the Environmental Registry of Ontario (ERO) postings: Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe, 2017 (ERO # 013-4504), Proposed Framework for Provincially Significant Employment Zones (ERO # 013-4506), Proposed Modifications to O.Reg. 311/06 (Transitional Matters – Growth Plans) (ERO # 013-4505) and Proposed Modifications to O.Reg. 525/97 (Exemption from Approval – Official Plan Amendments) (ERO 013-4507) with the following amendment:
 - a) Council requests that the Province reduce the intensification target for York Region from 60% to 50%.
2. The Regional Clerk forward this report and attachments to the Ministry of Municipal Affairs and Housing, the Clerks of the local municipalities and the Clerks of the other upper and single-tier municipalities in the GTHA.
3. The Province be made aware that additional comments regarding provincially significant employment zones may be forthcoming.

Please contact Paul Bottomley, Manager Policy, Research and Forecasting at 1-877-464-9675 ext.71530 if you have any questions with respect to this matter.

Sincerely,


Christopher Raynor
Regional Clerk

Attachments

OFFICE OF THE CITY CLERK	
MAR 15 2019	
REF'D TO	<u>Council March 27/19</u>
REF'D TO	_____
REF'D TO	_____
ACTION _____	

The Regional Municipality of York

Committee of the Whole
Planning and Economic Development
February 21, 2019

Report of the Commissioner of Corporate Services and Chief Planner

Comments on Proposed Amendment 1 to the Growth Plan

1. Recommendations

1. Council endorse this report and Attachments 1 and 2 as the Region's submission to the Province in response to the Environmental Registry of Ontario (ERO) postings: Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe, 2017 (ERO # 013-4504), Proposed Framework for Provincially Significant Employment Zones (ERO # 013-4506), Proposed Modifications to O.Reg. 311/06 (Transitional Matters – Growth Plans) (ERO # 013-4505) and Proposed Modifications to O.Reg. 525/97 (Exemption from Approval – Official Plan Amendments) (ERO 013-4507).
2. The Regional Clerk forward this report and attachments to the Ministry of Municipal Affairs and Housing, the Clerks of the local municipalities and the Clerks of the other upper and single-tier municipalities in the GTHA.

2. Summary

This report provides Council with proposed comments on the Province's proposed Amendment 1 to the Growth Plan, associated regulation changes and a framework for provincially significant employment zones for endorsement.

Key Points:

- Overall, staff generally support the direction of the proposed changes to the Growth Plan.
- Staff support proposed changes to intensification and density targets that apply to York Region and provincially significant employment zones, subject to modifications recommended in this report.
- Staff recommend that all employment land conversions and settlement area boundary expansions continue to be considered only at the time of a Regional municipal comprehensive review.

3. Background

Province is soliciting comments on proposed Amendment 1 to the 2017 Growth Plan

The Provincial Growth Plan for the Greater Golden Horseshoe, 2017 (Growth Plan) provides a long-term framework for managing growth and sets out where and how to grow. Policy direction on infrastructure planning and protecting resources is incorporated in the Plan as part of an integrated approach to growth management. The current Growth Plan came into effect in July 2017 and replaced the original 2006 Growth Plan. York Region's Official Plan and all land use planning decisions must conform with the Growth Plan.

In the fall of 2018, the Ministry of Municipal Affairs and Housing held a number of working group sessions and a stakeholder forum with representatives from the municipal sector, development industry and other stakeholder groups to discuss Growth Plan implementation issues, challenges and potential solutions.

The deadline for comments is February 28, 2019

On January 15, 2019, the Province released proposed Amendment 1 to the Growth Plan for comment. According to the Province, proposed changes are intended to address potential barriers to increasing the supply of housing, creating jobs and attracting investments. Comments are to be made through the Environmental Registry of Ontario (ERO) and are due by February 28, 2019. In addition to Amendment 1, there are associated postings for comment dealing with a Proposed Framework for Provincially Significant Employment Zones and modifications to two regulations related to Growth Plan implementation.

4. Analysis

Staff comments on Amendment 1 to the Growth Plan are organized under the following themes: Intensification and Density Targets, Employment Planning, Settlement Area Boundary Expansion, Small Rural Settlements, Major Transit Station Areas and Agricultural and Natural Heritage Systems. Attachment 1 provides detailed comments.

Overall, the proposed changes to the Growth Plan are generally supported

Subject to the recommended modifications in this report and the attachment, overall, staff are generally supportive of the changes proposed for the Growth Plan. The proposed amendment maintains many of the key guiding principles of the current Growth Plan for York Region. These include prioritizing growth through intensification and higher densities for greenfield areas while providing increased flexibility for municipalities.

INTENSIFICATION AND DENSITY TARGETS

Proposed intensification targets reflect “one size does not fit all”

Throughout the consultation process, Greater Golden Horseshoe (GGH) municipalities highlighted the need for a “one size does not fit all” approach with respect to intensification targets. In response, Amendment 1 proposes application of different intensification targets for three geographic zones of upper and single-tier municipalities in the GGH. York Region is grouped with the City of Hamilton and the Regions of Peel and Waterloo, all with a minimum intensification target of 60 percent, the highest among the three zones. This means that 60 percent of residential growth is to occur within the Provincially delineated built-up area on an annual basis. This accelerates intensification from what is in the 2017 Growth Plan which phases in intensification from 50 percent to 2031 and then 60 percent from 2031 to 2041.

The second group of municipalities has an intensification target of 50 percent which includes the Regions of Durham and Halton, while the third group is to establish an intensification target based on maintaining or improving their current minimum intensification target. This multi-zoned approach recognizes varying abilities of different regions within the GGH to accommodate intensification. Table 1 below summarizes both intensification and Designated Greenfield Area density targets for the three zones.

Table 1
Intensification and Density Targets in Amendment 1

Municipalities by Geographic Zone	Intensification Target (Built-up area)	Designated Greenfield Area Density Target
Inner Zone		
Regions of York, Peel, Waterloo and City of Hamilton	60%	60 residents and jobs per hectare
Middle Zone		
Cities of Barrie, Brantford, Guelph, Orillia and Peterborough and Regions of Durham, Halton and Niagara	50%	50 residents and jobs per hectare
Outer Zone		
City of Kawartha Lakes and the Counties of Brant, Dufferin, Haldimand, Northumberland, Peterborough, Simcoe and Wellington	To establish a target based on maintaining or improving on their current minimum intensification target	40 residents and jobs per hectare

York Region is well-positioned to achieve increased intensification

Staff support the placement of York Region within the Inner Zone and the associated intensification target. From 2006 to 2017, York Region has averaged 48 percent of annual housing growth occurring within the built-up area (i.e. 48% intensification rate). Significant investment in transit and other infrastructure combined with comprehensive planning for intensification allows York Region to accommodate the proposed intensification target. Over \$3 billion has been invested by all three levels of government in transit infrastructure in York Region including the Spadina subway extension and Bus Rapid Transit corridors along Highway 7, Yonge Street and Davis Drive, with additional transit expansions and improvement planned.

York Region's Centres and Corridors strategy has been in place since 1994 and local municipalities have been implementing the Regional structure by developing secondary plans for Regional and local centres and corridor intensification areas. In addition, there are opportunities for a range of more modest forms of intensification including smaller scale infill projects and second suites which will contribute to meeting the Region's intensification target.

Designated Greenfield Area density target is proposed to be maintained at 60 residents and jobs per hectare

The current Growth Plan requires an overall minimum density of 60 residents and jobs per hectare for the existing Designated Greenfield Area and a minimum density of 80 residents and jobs per hectare for future urban expansion areas, if required. The proposed amendment would remove the requirement for a higher density for future urban expansion areas while maintaining the overall minimum 60 residents and jobs per hectare density target. This means that across the Designated Greenfield Area (excluding employment lands), both existing built and unbuilt areas together must reach a density of 60 residents and jobs per hectare.

Similar to the intensification target, the Province has taken an approach of customizing density targets by geographic zones of municipalities (see Table 1). York is grouped with the City of Hamilton and the Regions of Peel and Waterloo with a minimum density target of 60 residents and jobs per hectare. The second grouping of municipalities has a proposed minimum density target of 50 residents and jobs per hectare and third group, 40 residents and jobs per hectare.

Staff support the proposed minimum target of 60 residents and jobs per hectare across the Designated Greenfield Area. This is appropriate for York Region and also allows for the continued planning of the Region's New Community Areas at 70 residents and jobs per hectare, as set out in the Regional Official Plan. This density is intended to encourage the development of more complete communities.

Criteria for alternative intensification and Designated Greenfield Area density targets has been simplified

Amendment 1 also proposes simplified criteria for establishing alternative intensification and Designated Greenfield Area targets. In considering alternative target requests, staff expect the Province will maintain the key principles and purpose of the Growth Plan. To do so, staff recommend that additional criteria be included when considering an alternative intensification target which would require improving upon the historic level of intensification being achieved in the upper or single-tier municipality. Consideration of alternative targets should only occur at the time of a municipal comprehensive review and not at any time as suggested by the proposed new policy.

Designated Greenfield Area minimum density targets proposed for other upper and single-tier municipalities is below transit supportive densities

Although not directly applicable to York Region, a minimum Designated Greenfield Area density target of 40 or 50 residents and jobs per hectare is not considered to be transit supportive and does not generally promote walkable, compact and complete communities. The Designated Greenfield Area target of 50 residents and jobs per hectare as proposed is not equivalent to the 2006 Growth Plan 50 residents and jobs per hectare density policy since the latter included employment lands in the calculation which tend to be at a lower density than community lands. A Designated Greenfield Area density target at 40 or 50 for community lands is well below the minimum density target in the 2006 Growth Plan and could result in very low density and inefficient greenfield growth. Staff suggest that the Designated Greenfield Area target be set at 60 residents and jobs per hectare for all upper and single-tier municipalities in the Greater Golden Horseshoe in order to promote transit supportive and complete communities.

EMPLOYMENT PLANNING

Consideration of employment land conversions should remain at the time of a municipal comprehensive review

Under the current Growth Plan, conversions of employment lands to non-employment uses are only permitted through a municipal comprehensive review. Amendment 1 is proposing a one-time window for municipalities to undertake employment land conversions between the effective date of Amendment 1 and the next municipal comprehensive review, subject to criteria. Included in the criteria is a requirement to maintain a significant number of jobs on lands being proposed for conversion.

In staff's view, employment land conversions should continue to be considered only at the time of a municipal comprehensive review. In addition to other criteria, conversion of employment lands need to be assessed in the context of the Region's employment land base, regional employment trends and employment forecast for the local municipality and the Region. The proposed requirement to maintain "a significant number of jobs" on the lands

being considered for conversion is vague and open to a wide range of interpretation. If the Province decides to maintain this proposed policy, it is staff's recommendation that only municipally initiated employment land conversions be considered as part of the one-time window. In addition, the Province should clarify the wording in Amendment 1 to indicate that only a one-time window is being proposed.

Since York Region's Municipal Comprehensive Review process is currently well underway, it is not clear whether this new provision in the Growth Plan would apply to York Region. To date, York Region has received over 30 requests for employment land conversions. To evaluate these areas comprehensively, it is recommended that York Region continue with the current process of assessing employment land conversions only as part of the municipal comprehensive review.

Province is proposing provincially significant employment zones

Associated with Amendment 1 is a proposed framework for provincially significant employment zones identified by the Minister of Municipal Affairs and Housing. Areas within these zones are deemed to be crucial to the province's economy and would not be able to be converted outside of a municipal comprehensive review. The proposed provincially significant employment zones mapping is shown in Attachment 2 (page 1). Twenty-nine zones across the Greater Golden Horseshoe are identified. Four zones include lands within York Region. Collectively, these zones cover a significant portion of the Region's employment land base in southern York Region (see page 2 of Attachment 2). The ability to designate prime employment areas as set out in the current Growth Plan would be removed under Amendment 1. Prime employment areas are defined as land extensive and low density employment uses that require locations near major good movement facilities and corridors.

Staff support identifying provincially significant employment zones to protect the Region's employment land base. It is recommended that the Province add designated employment lands along 400 series highways in the Region as shown on pages 3, 4 and 5 of Attachment 2. These areas all have potential to be significant concentrations of employment and economic output when they are developed and need to be protected for employment land uses. Any potential conversions should be considered comprehensively through the municipal comprehensive review. In addition to including these areas, staff recommend minor modifications to the boundaries of the zones proposed by the Province to include the full extent of the employment areas.

Province should clarify the intent of the change in definition of Office Parks

Amendment 1 proposes to change the definition of office parks by deleting wording that states that they are employment areas designated in an official plan. This could be interpreted that office parks in employment areas would no longer be considered employment lands and therefore not subject to employment land conversion policies. Staff assume this is not the intent and request the Province to clarify the definition and policies around office parks.

SETTLEMENT AREA BOUNDARY EXPANSION

The proposed amendment would permit small scale settlement area boundary expansions outside of a municipal comprehensive review

Amendment 1 would allow a settlement area boundary expansion in advance of a municipal comprehensive review subject to the following requirements: the lands will achieve the Designated Greenfield Area density target or applicable employment area density target, the location of the lands will meet applicable Growth Plan requirements, the proposed area is not a rural settlement or in the Greenbelt, is no larger than 40 hectares, is municipally serviced with available capacity and will be taken into account in the forecast and land needs assessment for the next municipal comprehensive review.

Staff recommend any area boundary expansions only be considered at the time of a municipal comprehensive review when there can be a full assessment of the need for the expansion in the context of the overall Regional structure, supporting infrastructure and population and employment forecasts.

If the Province proceeds with this policy, the Province should specify there is a limit of a potential total expansion of 40 hectares outside of the municipal comprehensive review process. In addition, if this policy is maintained, any potential 40 hectare settlement area expansion should only occur if municipally initiated by an upper or single-tier municipality.

Amendment 1 also proposes a new policy which allows adjusting settlement area boundaries outside of a municipal comprehensive review provided there would be no net increase in land within settlement areas. The adjustment would need to support the ability to meet intensification and density targets and must not be a rural settlement or in the Greenbelt. Staff are not supportive of this policy as it could result in ad hoc exchanges of lands in the settlement area without regard to the impacts on overall Regional urban structure, necessary infrastructure and population and employment forecasts.

Criteria for determining the location of settlement area boundary expansions have been simplified

The current Growth Plan contains criteria to determine feasibility and the most appropriate location for urban boundary expansions. Amendment 1 simplifies requirements and introduces more flexibility while maintaining key considerations in evaluating locational options for urban expansion. The amended criteria are intended to focus more on outcomes and demonstrating that a particular criterion has been met rather than specifying studies that need to be completed. The revised criteria are generally reasonable, subject to the recommended modifications in Attachment 1, since it maintains the key considerations for evaluating potential urban boundary expansions.

SMALL RURAL SETTLEMENTS

Proposed amendment recognizes the role of small rural settlements in accommodating growth

Under the current Growth Plan, many of the Region's hamlets and other rural settlement areas are categorized as undelineated built-up areas. These are settlement areas for which the Province has not delineated a built boundary. Initially, these areas were to be treated as part of the Designated Greenfield Area. In 2018, a regulation was passed that restricted this requirement to undelineated areas outside of hamlets in the Greenbelt Plan and rural settlements in the Oak Ridges Moraine Conservation Plan. In York Region, Ballantrae, Fairfield's Estates and Maple Lake Estates remain as undelineated areas that are to be treated as part of the Designated Greenfield Areas. Inclusion of these areas in the Designated Greenfield Area make it more challenging to meet the required density target since they are developed and planned for relatively low densities.

Amendment 1 introduces a new term, rural settlements, which are existing hamlets or similar small settlement areas that are long-established and identified in official plans. The term "undelineated built-up area" is proposed to be deleted. These changes are reasonable since rural settlement areas are intended to accommodate relatively modest levels of growth at lower densities and should not be part of the Designated Greenfield Area.

A proposed new Growth Plan policy would allow for minor boundary adjustments of non-Greenbelt rural settlements outside of a municipal comprehensive review. The change would constitute minor rounding out of existing development in keeping with the rural character of the area, subject to confirmation that servicing can be provided and subject to provisions in the Provincial Policy Statement. Similar to the settlement area expansion policies, staff are of the view that boundary expansions of rural settlements should only be considered as part of a municipal comprehensive review. The fact that "minor" is not a defined term could potentially lead to broad interpretation of this policy. If the Province decides to proceed with this policy, rural settlement boundary adjustments should be municipally initiated.

MAJOR TRANSIT STATION AREAS

More streamlined and flexible approach is proposed for delineating Major Transit Station Areas

Major Transit Station Areas (MTSAs) are defined under the Growth Plan as the area including and around existing and planned higher order transit stations or stops within a settlement area. York Region is required to delineate and set minimum density targets for MTSAs located within provincially defined priority transit corridors. There is also the option to identify MTSAs beyond these corridors. MTSAs are classified as Strategic Growth Areas and are to be planned for specified minimum densities in the Growth Plan (e.g. 160 residents and jobs per hectare for Bus Rapid Transit stations).

Amendment 1 allows municipalities to delineate and set density targets for MTSA's in advance of the municipal comprehensive review, subject to identifying the MTSA's as "Protected" under the Planning Act. This provision protects MTSA's from planning appeals related to issues of land use, building height and density. The delineation and setting of density targets for MTSA's is currently well underway as part of the York Region municipal comprehensive review process. Therefore, this provision would likely not result in a more expedited process, at least for the current municipal comprehensive review. Going forward, it would be beneficial to employ a streamlined approach to delineate and set targets for new MTSA's or modifications to existing MTSA boundaries and/or density targets. This process can occur outside of the municipal comprehensive review since the density targets for MTSA's are long term targets that are most likely to be achieved beyond the horizon of the Growth Plan.

Province is proposing to simplify the process and criteria for alternative minimum density targets for Major Transit Station Areas

Separate approval by Council and the Minister would no longer be required for alternative minimum density targets for Major Transit Station Areas. The proposed criteria considers whether development is severely restricted or prohibited by provincial policy as well as consideration whether a major trip generator or transit feeder service will sustain high ridership at the station. Staff request that an additional criterion be included which provides additional flexibility for the context of the lands surrounding a major transit station which may not be appropriate for extensive intensification (e.g. King City GO Station Major Transit Station Area).

Amendment 1 also clarifies that MTSA delineation can range from an approximate 500 to 800 metre radius of a transit station. This provides flexibility for situations where it is appropriate for a MTSA boundary to extend beyond 500 metres to include nearby intensification areas or areas of existing high density development.

The Province has also requested feedback on the question of whether employment areas that overlap with major transit station areas should be included in the provincially significant employment zones and implications associated with potential conversion requests. In staff's view, MTSA's without residential uses can exist in employment areas and provincially significant employment zones at transit supportive densities.

AGRICULTURAL AND NATURAL HERITAGE SYSTEMS

Provincial agricultural lands and natural heritage system mapping may be refined through the municipal comprehensive review

The Province is proposing that provincial mapping of the agricultural land base and Natural Heritage System does not apply until it has been implemented in upper and single-tier official plans. This direction is consistent with previous Regional comments on draft Provincial guidance for the Natural Heritage System and Agricultural System submitted in 2017.

Municipalities would be able to refine and implement mapping in advance of the municipal comprehensive review. Once provincial mapping of the agricultural land base has been implemented in official plans, further refinement may only occur through a municipal comprehensive review. During the period before provincial mapping is implemented in official plans, it is proposed that the Growth Plan policies for protecting prime agricultural areas and natural heritage systems apply. Staff support this proposed policy direction.

Proposed Growth Plan Amendment 1 supports objectives of Vision 2051, the Strategic Plan 2015 to 2019 and Regional Official Plan

Provincial growth management policies in the Growth Plan have direct impact on Vision 2051 goals including Creating Liveable Cities and Complete Communities. The Growth Plan policies also support achievement of the Strategic Plan 2015 to 2019 objectives of ensuring optimal locations for business and employment growth are available, and encouraging growth in Regional Centres and Corridors. The Growth Plan and the proposed amendment support the key themes of the Regional Official Plan: a Sustainable Natural Environment, Healthy Communities and Economic Vitality.

5. Financial

As part of the current Regional municipal comprehensive review process, Regional population and employment forecasts will be updated to 2041, consistent with Growth Plan policies. The growth forecast will be used in the next update of the development charges by-law. The proposed minimum intensification target of 60 percent will require directing growth to areas with existing infrastructure but will also require a continued shift in the housing market towards higher density forms of housing in areas with infrastructure investment providing the opportunity to capitalize on the existing investment.

A lower than anticipated growth rate for either ground-related or higher density housing could result in a shortfall of projected development charges collections and assessment growth revenue. This could cause delays in capital cost recovery, impact costs for debt repayment, create pressures on the Region's operating budget and result in a need for potential deferrals of elements in the capital program. Staff will be assessing financial implications and will report back to Council with a fiscal strategy.

6. Local Impact

The proposed Growth Plan Amendment has direct implications for local municipalities. The new intensification target will affect local municipal intensification targets and growth forecasts. The other proposed changes to the Growth Plan will have potential local municipal impacts with regards to planning for new communities, centres and corridors planning and employment land planning.

Local municipal staff are working alongside the Region in updating their official plans to reflect the policies in the updated Regional Official Plan generated through the Regional

municipal comprehensive review, once approved. Under the Planning Act, local municipal official plans are required to update to conform to the ROP within one year of it coming into effect.

7. Conclusion

This report has provided a summary of staff's comments on the Province's proposed Amendment 1 to the Growth Plan. Proposed policies in the areas of Intensification and Density Targets, Employment Planning, Settlement Area Boundary Expansion, Small Rural Settlements, Major Transit Station Areas and Agricultural and Natural Heritage Systems are generally supported by staff subject to the comments outlined in this report.

It is recommended that staff submit this report and the attachments to the Province as the formal submission in response to proposed Amendment 1 to the Growth Plan. Once the Growth Plan changes are finalized, staff will assess the impacts of any further changes to the current Regional municipal comprehensive review process and report back to Council as necessary.

For more information on this report, please contact Paul Bottomley, Manager Policy, Research and Forecasting at 1-877-464-9675 ext.71530. Accessible formats or communication supports are available upon request.

Recommended by:

Paul Freeman
Chief Planner

Dino Basso
Commissioner of Corporate Services

Approved for Submission:

Bruce Macgregor
Chief Administrative Officer

February 8, 2019
Attachments (2)
eDOCS # 9132693

Attachment 1

York Region Comments on Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017 (ERO # 013-4504), Proposed Framework for Provincially Significant Employment Zones (ERO # 013-4506), Proposed Modifications to O.Reg. 311/06 (Transitional Matters – Growth Plans) (ERO # 013-4505) and Proposed Modifications to O.Reg. 525/97 (Exemption from Approval – Official Plan Amendments) (ERO 013-4507)

ERO # 013- 4504 Amendment 1 to the Growth Plan for the Greater Golden Horseshoe

General Comments	
	<p>York Region staff are generally supportive of the Province's direction proposed in Amendment 1 for York Region of continuing to prioritize growth through intensification and increasing flexibility for municipalities.</p> <p>The Growth Plan presents challenges for the Region with respect to meeting growth targets and providing the necessary infrastructure to service that growth. It is recommended that the review of the Growth Plan result in consequential amendments to other regulations to streamline Environmental Assessment and other provincial approval processes to bring infrastructure online more quickly to service designated and planned growth.</p>
Intensification and Density Targets	
2.2.2.1, 2.2.7.2	<p>Staff support the proposed minimum intensification target of 60 percent and the Designated Greenfield Density Target of 60 residents and jobs per hectare for York Region. Both are appropriate and reasonable targets for York Region given the level of transit infrastructure investment and the well-established land use planning framework for Regional centres and corridors as well as local centres and corridors and other intensification areas.</p> <p>Although not applicable to York Region, staff note that the proposed DGA densities of 40 and 50 residents and jobs per hectare proposed for the other two groups of municipalities in the GGH are lower than typical subdivisions being built today and are lower than the 2006 Growth Plan 50 density target since the 2006 DGA density calculation included employment lands (which are typically at a lower density than community lands). In staff's view, the Designated Greenfield Area target should be set at 60 for all municipalities in order to promote transit supportive complete communities.</p>
2.2.2.4, 2.2.7.4	<p>Staff accept the reduced criteria for alternative intensification and density targets provided that the prime direction of the Growth Plan of prioritizing growth intensification is maintained when the Province is assessing alternative targets. An additional criterion is also recommended that requires that an alternative intensification target be higher than historic intensification levels.</p> <p>The proposed amendment states that Councils can request alternative targets for intensification at any time and not be restricted by the timing of a MCR. Alternative targets should only be requested at the time of a MCR in order to properly align with forecasting and</p>

	growth management work that is undertaken as part of the MCR.
Employment Planning	
2.2.5.10	<p>Staff recommend employment land conversions remain at the time of a Regional municipal comprehensive review. Conversions of employment lands need to be assessed in the context of the overall Regional employment land base and employment forecast. In addition, the requirement to maintain “a significant number of jobs” on lands being considered for conversion is too vague and open to a wide range of interpretation.</p> <p>Notwithstanding staff’s position stated above, if the Province decides to proceed with the one-time window for conversions, these should be limited to only municipally initiated conversions. Staff also request that language be clarified in the amendment to indicate that it would be only a one-time window for conversions.</p> <p>Staff request clarification on what constitutes “at the time of next municipal comprehensive review” in the context of the “one time window” for considering employment land conversions? It is not clear if this provision only applies to municipalities that have not commenced their municipal comprehensive review processes?</p>
2.2.5.4	Staff accept the proposed change to require municipalities to set multiple density targets for employment areas rather than a single target.
2.2.5.5 2.2.5.6 2.2.5.7	Staff agree with the policy direction on locating and preserving employment areas adjacent to major goods movement facilities and corridors and the requirement to provide for an appropriate interface between employment areas and adjacent non-employment areas. Staff also support the proposed policy to allow for employment area designations to be incorporated into upper or single-tier official plans by amendment at any time in advance of the next MCR.
2.2.5.8	This policy should prioritize the minimization or mitigation of adverse impacts on sensitive land uses and not the other way around.
2.2.5.12	Staff support identifying provincially significant employment zones to protect the Region’s employment land base but as stated above, maintain that all employment land conversions should only be considered at the time of a Regional municipal comprehensive review. Comments on the mapping for the provincially significant employment zones are provided under the comments section on the Proposed Framework for Provincially Significant Employment Zones in this Attachment.
2.2.5.14	“Outside of employment areas, redevelopment of any employment lands should retain space for a similar number of jobs to remain accommodated on site.” Suggest simplifying this policy to say that the redevelopment should accommodate a similar number of jobs.
Definitions	<p>Province should add a definition of provincially significant employment zones in the definition section of the Growth Plan.</p> <p>Amendment 1 proposes to change the definition of office parks to delete the component of the definition that states they are employment areas designated in an official plan. This could</p>

	be interpreted that office parks in employment areas would no longer be considered employment lands and therefore would not be subject to any employment land conversion policies. Assuming this is not the intent, staff request the Province to clarify the definition and policies around office parks.
Settlement Area Boundary Expansion	
2.2.8.5 2.2.8.6	<p>Settlement area boundary expansions should only be considered at the time of a municipal comprehensive review (MCR) when there can be a full assessment of the need for the expansion in the context of the overall Regional structure, supporting infrastructure and population and employment forecast.</p> <p>If the Province proceeds with this policy, it should be clarified there is a limit of a potential total expansion of 40 hectares outside of the MCR process. In addition, if this policy is maintained, any potential 40 hectare settlement area expansion should only occur as a result of an upper or single-tier municipally initiated process.</p>
2.2.8.4	Staff do not support the proposed provision allowing municipalities to adjust settlement area boundaries outside the MCR if there is no net increase in land within the settlement area. This policy could lead to multiple ad hoc adjustments across the Region without proper regard for the Region's population and employment forecast, planned urban structure and other considerations in planning for appropriate locations for growth. In addition, it is not clear whether the exchange of lands in the Province's proposed policy would be an exchange of the same type of lands. For example, could there be an exchange of non-developable lands within the settlement area for developable lands outside of the settlement area?
2.2.8.3	Staff generally support the amended criteria to evaluate locations for settlement area boundary expansions which provide more flexibility and focus on outcomes rather than specific studies in meeting requirements. Staff do have concerns regarding the change in Section 2.2.8.3.d – which proposes to change the language from stating that the proposed expansion including the associated water, wastewater and stormwater servicing would not negatively impact the water resource system to minimize and mitigate potential negative impacts on watershed conditions. This is counter to other Provincial direction including source water protection and Section 4.2.1. – Water Resource Systems in the Growth Plan.
Small Rural Settlements	
2.2.9.7	Any boundary expansions of rural settlements should occur as part of a municipal comprehensive review. In addition, the lack of definition for the term "minor" could lead to misuse of this policy. If the Province decides to proceed with this policy, rural settlement boundary adjustments should be municipally initiated.
2.2.9.7.c	It is recommended that this section specify that servicing is achievable through reserve infrastructure capacity, similar to how it is addressed in section 2.2.8.5.d
Definitions	Staff support removal of the term "undelineated built-up area" and introduction of the defined term rural settlement to recognize areas which are not intended to accommodate significant

	growth and which would not be considered part of the Designated Greenfield Area.
Major Transit Station Areas	
2.2.4.4	Staff request an additional criterion be added to allow alternative minimum density targets for MTSA's that have very limited intensification potential in both the short and long term based on existing development in the surrounding lands.
2.2.4.5.	Staff support the proposed policy to allow municipalities to delineate and set density targets for MTSA's in advance of the municipal comprehensive review. Staff note that this process is already underway as part of the Region's current MCR, so the new provision would likely not result in a more expedited process for the current MTSA delineation and target setting process. Going forward, it would be useful to employ a streamlined approach to delineate and set targets for new MTSA's or modifications to existing MTSA boundaries and/or density targets.
Definitions	Staff support additional flexibility provided in clarifying that MTSA's can range from an approximate 500 to 800 metre radius from a transit station subject to our comments on Section 2.2.4.5, giving flexibility to municipalities.
Agricultural and Natural Heritage Systems	
4.2.2.4 4.2.2.5 4.2.6.7 4.2.6.8	<p>Staff support proposed changes that specify provincial mapping of the agricultural land base and Natural Heritage System for the Growth Plan does not apply until implemented in the Regional Official Plan as well as the ability for municipalities to refine and implement provincial mapping in advance of the MCR. This provision provides upper and single-tier municipalities with the flexibility to advance the work associated with the mapping and policies required to conform to the Growth Plan or undertake it during the municipal comprehensive review process.</p> <p>Staff also agree with the specification that once provincial mapping of the agricultural land base has been implemented in official plans, further refinements may only occur through a MCR.</p>
4.2.6.3	With respect to the interface between agricultural and non-agricultural uses outside of settlement areas, staff agree with the new provision that mitigation measures, where appropriate, should be based on an agricultural impact assessment.
Other Areas	
1.2	Request clarification on how the Province is defining "market demand" and how that is to be balanced while ensuring housing supply meets local need through a full range and mix of housing types and tenures including affordable housing. Market demand should not be prioritized over unsustainable forms of development. The Province could consider linking the phrase "what is needed in local communities" to local housing needs identified through 10-year housing and homelessness plans, which would align with Growth Plan section 2.2.6.1.c.

	<p>With respect to rental housing supply, municipalities lack the necessary tools and resources to match demand with supply. The Province should consider introducing new tools, such as the ability to zone by tenure recently introduced in British Columbia, to assist municipalities in responding to market and local community needs.</p> <p>Staff support the Province's mandate of putting people first. To support this, it is recommended that re-inclusion of social equity in the Vision is needed. As noted in Section 2.2.1.4, social equity is an important element in complete communities where people live, work and play.</p>
2.1	<p>In third last paragraph of Section 1.2. request removing "in larger urban centres" and adding a revision that would indicate that all communities need to grow at transit supportive densities appropriate for the local context and transit service being contemplated, rather than just those in larger urban centres.</p> <p>As identified in York Region's submission on the Made-in-Ontario Environment Plan, the Growth Plan provides critical direction that supports Greenhouse Gas reduction and community resilience. It is recommended that the proposed GHG reduction target of 30% below 2005 levels by 2030 be considered a minimum. The Province is encouraged to establish a longer term (2050 target) aligned with the Intergovernmental Panel on Climate Change.</p>
2.2.1	<p>Section 2.2.1.4.f. – Amendment 1 proposes to remove the reference to "low carbon communities", staff question how will the objective of being more environmentally sustainable be measured?</p> <p>Section 2.2.1.4.g. – Request that the word "appropriate" be removed with reference to low impact development. The inclusion of this word weakens the policy direction for the implementation of green infrastructure.</p>
2.2.6.1	<p>Staff accept the proposed removal of the requirement for a formal Housing Strategy but also recognize that the Housing Strategy is a key input to the Provincial Land Needs Assessment Methodology. Staff recommend that the Province amend the current Land Needs Assessment Methodology (LNA) to reflect the removal of the Housing Strategy. It should also be recognized that there will still be the need to plan for housing need with respect to determining housing mix options and affordable ownership and rental targets which will be required as inputs to the LNA.</p>
3.1	<p>In second paragraph, recommend returning text to "lower density development" from unmanaged growth in the statement "costs could be saved by moving from unmanaged growth to a more compact built form." Unmanaged growth could include both low and high density development. The statement makes more sense as previously written since lower density development is generally more costly to service.</p> <p>More generally, there is reference throughout the proposed Amendment to "unmanaged growth." This term implies municipalities and the Province have had little control over growth</p>

	<p>in the GGH. It is recommended that a term such as “non-transit supportive growth” or similar be used.</p> <p>It is stated that the Plan aligns with provincial asset management regulations on page 26. It is recommended that consideration be given to protecting lands needed to facilitate asset management activities (e.g. easements) through a similar mechanism used to protect for transit corridors or employment areas.</p>
3.2.6.2.c, 3.2.7.1a, & 4.2.1.3	<p>Water and Wastewater Systems, Stormwater Management, Water Resource Systems</p> <p>It is recommended that “or equivalent” be removed. Watershed plans are important tools that help ensure drinking water sources are protected and should not be overridden.</p>
4.2.10	<p>Climate Change</p> <p>It is recommended the Province define what “other provincial plans and policies” take the place of the Ontario Climate Change Strategy. It would be beneficial for these to be defined to provide clarity on the guidance municipalities can use to ensure a consistent approach in developing vulnerability risks assessments, assessment of climate change impacts, etc.</p>
5.2.2	<p>Supplementary Direction</p> <p>Staff have concern regarding the potential for the Province to identify, establish or update “provincially significant employment zones” without consultation with municipalities. Recommend modifying this direction by inserting “in consultation with upper and single tier municipalities.”</p>

ERO # 013- 4506

Proposed Framework for Provincially Significant Employment Zones

Staff support the concept of provincially significant employment zones to be identified by the Minister of Municipal Affairs and Housing. Recommended modifications to the employment zone mapping are provided in Attachment 2 (pages 3, 4 and 5). The modifications consist of areas that Regional staff are proposing be added based on local municipal employment area designations as well as areas recommended for removal based on non-employment land use designations. The mapping in Attachment 2 highlights selected larger suggested modifications to the provincially significant employment zone boundaries. It is requested that Provincial staff follow-up with York Region staff to review in detail the complete proposed mapping modifications. Staff are proposing that designated employment lands along 400 series highways in the Region be added as provincially significant employment zones. These areas have potential to be significant concentrations of employment and economic output when developed and need to be protected for employment uses.

The Province is seeking feedback on whether employment areas that overlap with MTSA's should be included in the provincially significant employment zones. In our view, certain MTSA's may only have employment generating uses but at transit supportive densities, therefore, there is no need to exclude MTSA's from provincially significant employment zones.

ERO # 013- 4505

Proposed Modifications to O.Reg.311/06 (Transitional Matters – Growth Plans)

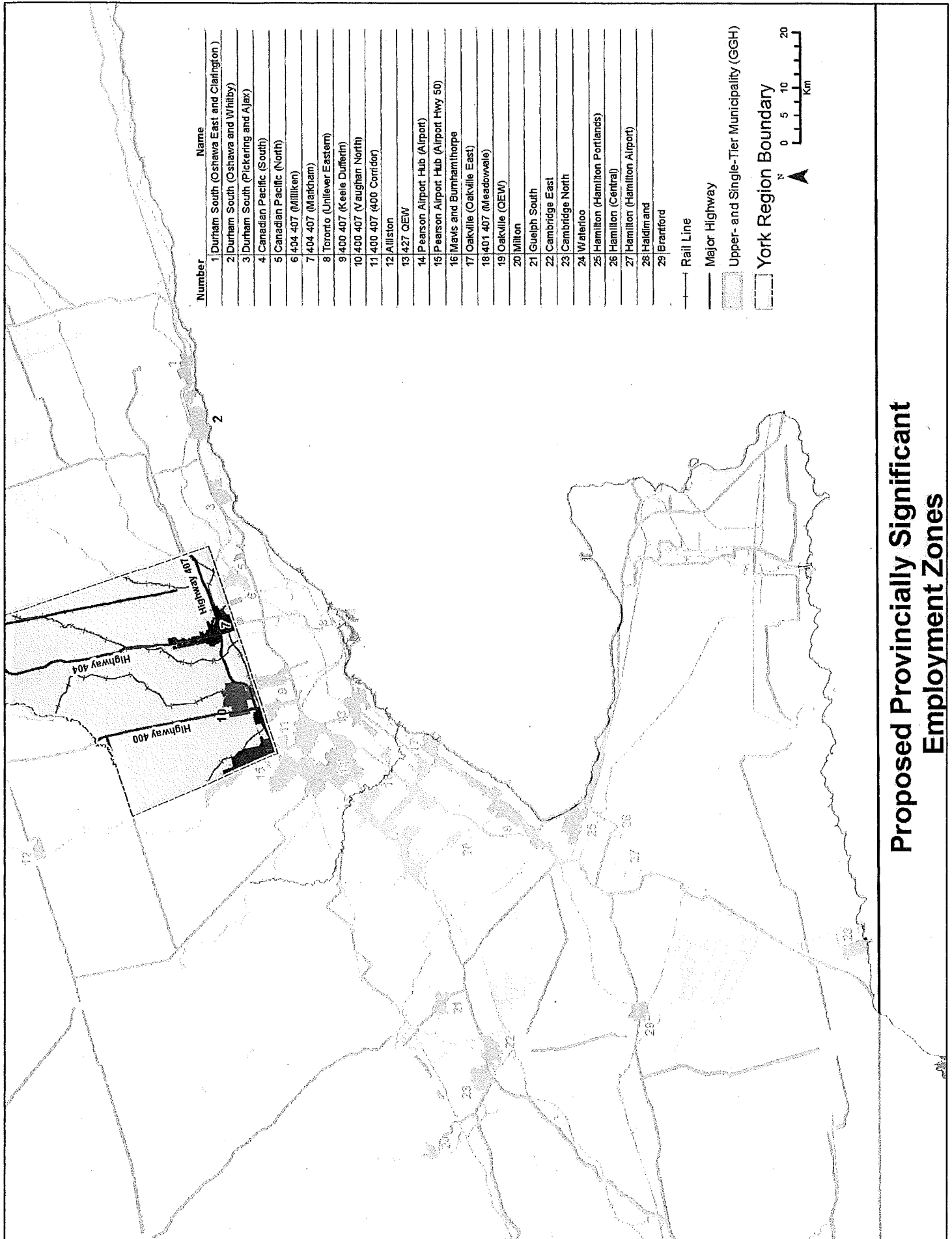
This regulation prescribes transition provisions for growth plans under the Places to Grow Act.

Although staff have been advised by Provincial staff that this regulation does not propose to eliminate the standard land needs assessment methodology, staff want to re-iterate the importance of having a consistent standard approach to land needs assessment. Staff support the current land needs assessment methodology as set out by the Province. In regards to this transition regulation, the Province is also seeking feedback as to whether there are any specific planning matters in process that should be addressed through the transition regulation. Staff would agree with the example provided by the Province that adopted official plan amendments under appeal should be subject to a transition regulation.

ERO # 013- 4507

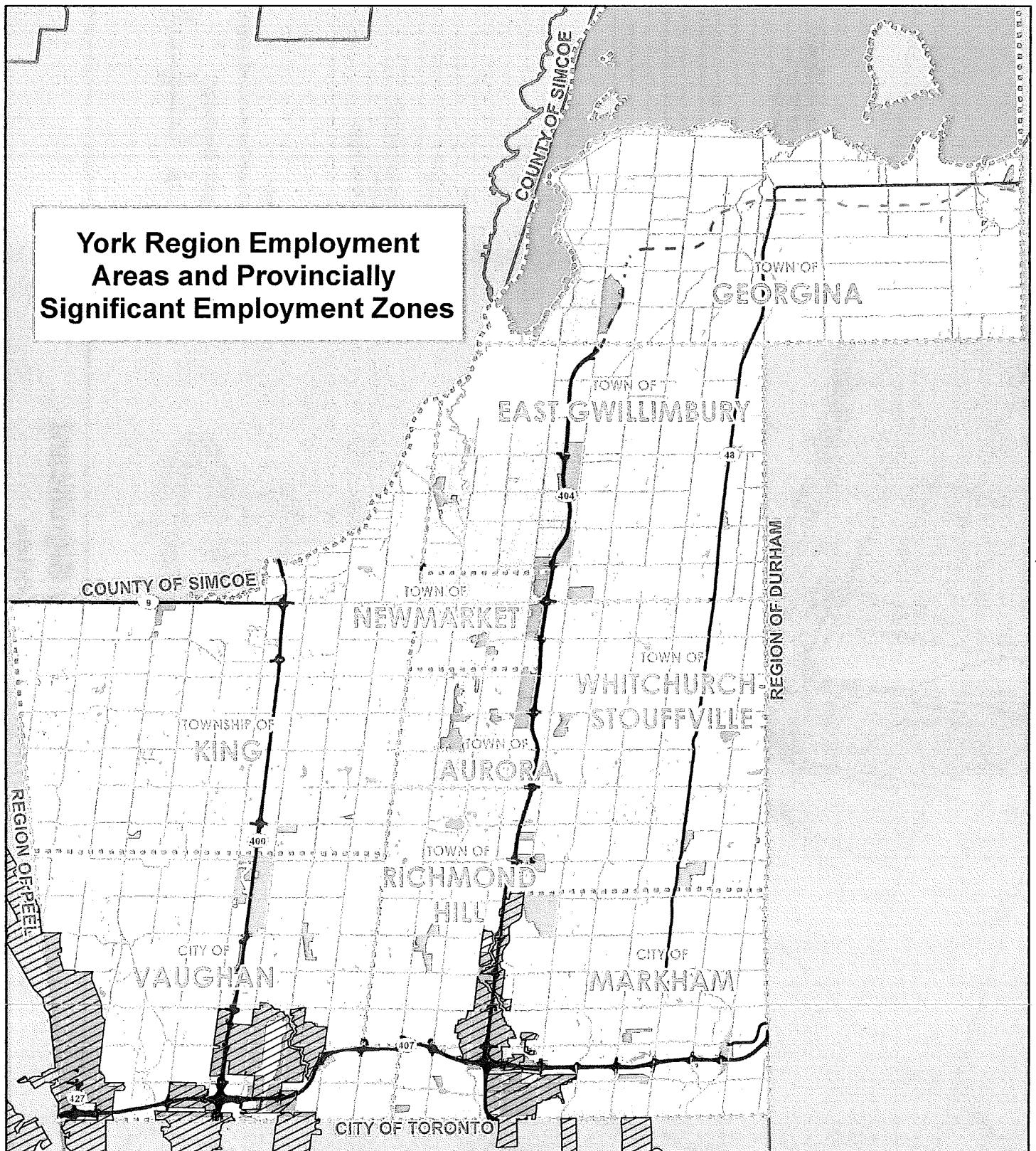
Proposed Modifications to O.Reg.525/97 (Exemption from Approval – Official Plan Amendments)

The purpose of this regulation is to facilitate the proposed amendments to the Growth Plan that would allow municipalities the flexibility to make changes to their official plan to implement the Agricultural System for the Greater Golden Horseshoe mapping or the Natural Heritage System for the Growth Plan mapping before their next municipal comprehensive review, while ensuring that the Minister's approval would be required for these changes. Staff support the proposed changes to the regulation.



Proposed Provincially Significant Employment Zones

York Region Employment Areas and Provincially Significant Employment Zones



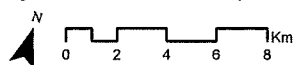
REGIONAL MUNICIPALITY OF YORK

Proposed Provincially Significant Employment Zones (PSEZ)



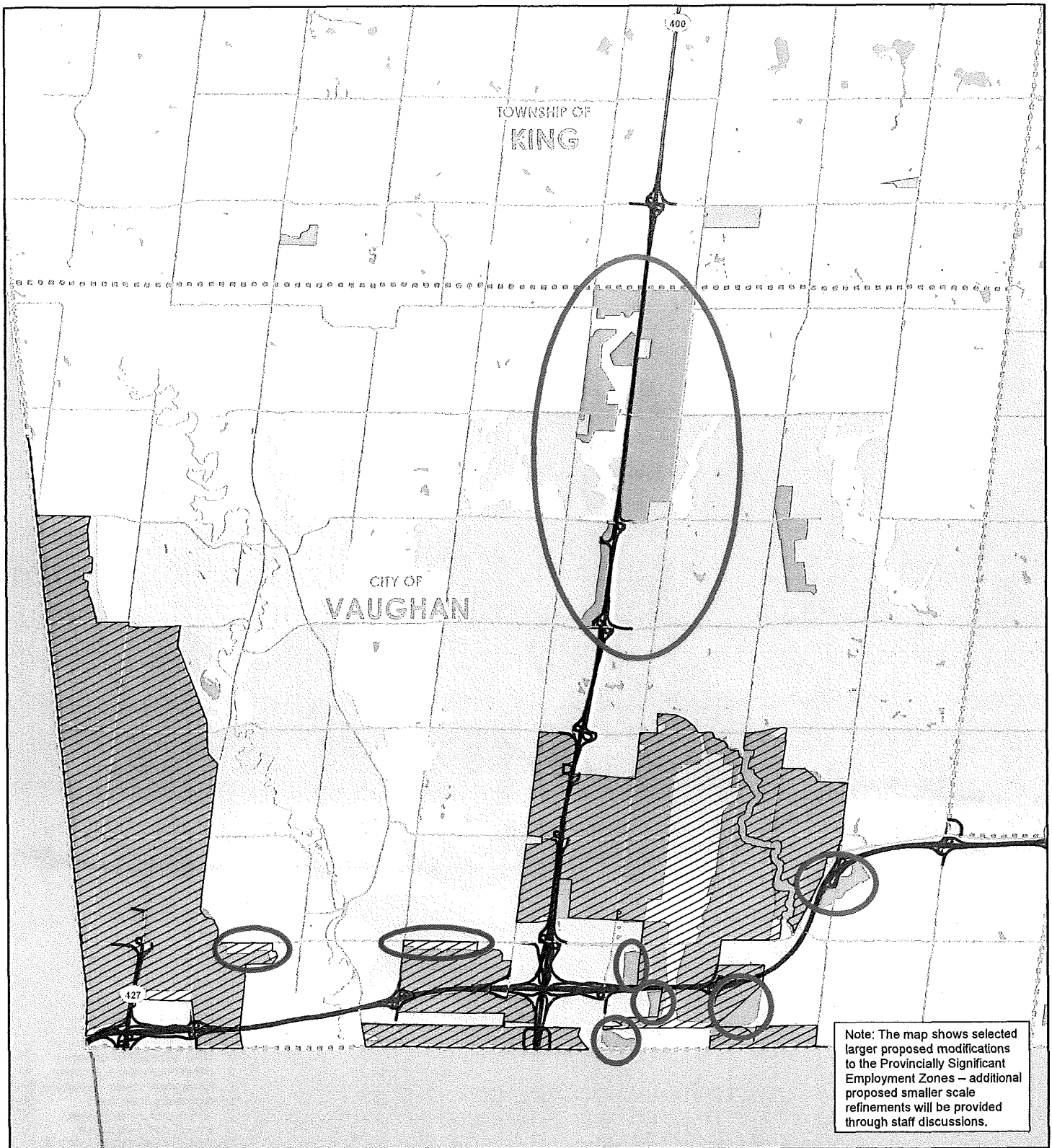
Produced by:
The Regional Municipality of York
Planning and Economic
Development, Corporate Services
March 2019

Data: © Queen's Printer for Ontario
2003-2019



Legend

- York Region Employment Areas
- PSEZ Boundaries as per Amendment 1
- Towns and Villages
- Urban Area
- Lake/River
- Highway
- Highway 404 Extension
- Road
- Railway
- Municipal Boundary
- Regional Boundary

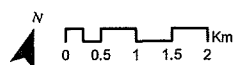


REGIONAL MUNICIPALITY OF YORK

Proposed Provincially Significant Employment Zones (PSEZ)

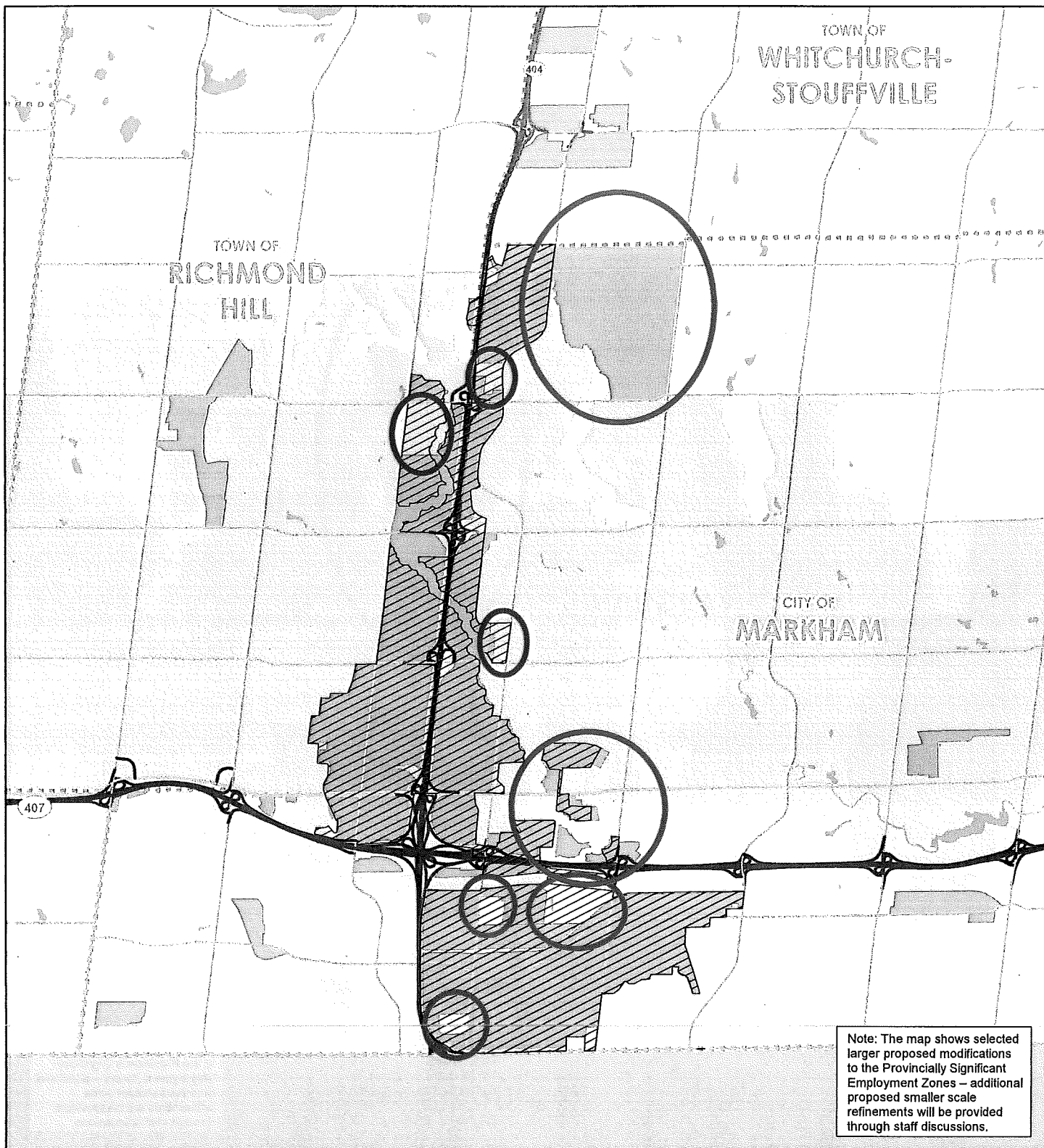
Produced by:
The Regional Municipality of York
Planning and Economic
Development, Corporate Services
March 2019

Data: © Queen's Printer for Ontario
2003-2019



Legend

- | | | | |
|--|------------------------------------|--|--------------------|
| | York Region Employment Areas | | Highway |
| | PSEZ Boundaries as per Amendment 1 | | Road |
| | Towns and Villages | | Railway |
| | Urban Area | | Municipal Boundary |
| | Lake/River | | Regional Boundary |
| | Recommended Deletions from PSEZ | | |
| | Recommended Additions to PSEZ | | |

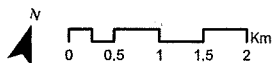


REGIONAL MUNICIPALITY OF YORK

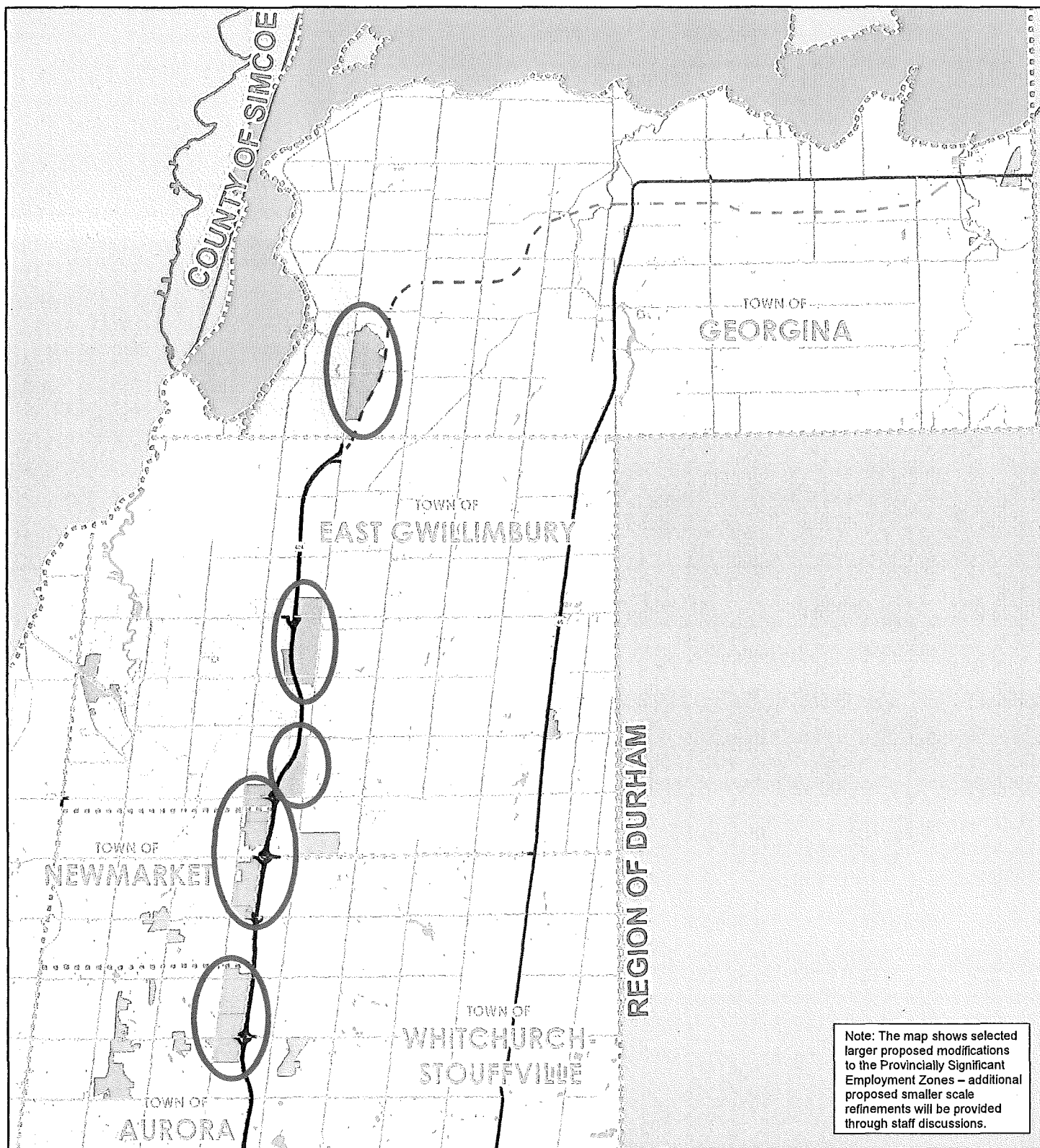
Proposed Provincially Significant Employment Zones (PSEZ)

Produced by:
The Regional Municipality of York
Planning and Economic
Development, Corporate Services
March 2019

Data: © Queen's Printer for Ontario
2003-2019



- Legend**
- York Region Employment Areas
 - PSEZ Boundaries as per Amendment 1
 - Towns and Villages
 - Urban Area
 - Lake/River
 - Recommended Deletions from PSEZ
 - Recommended Additions to PSEZ
 - Highway
 - Road
 - Railway
 - Municipal Boundary
 - Regional Boundary



Note: The map shows selected larger proposed modifications to the Provincially Significant Employment Zones – additional proposed smaller scale refinements will be provided through staff discussions.

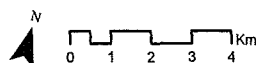
REGIONAL MUNICIPALITY OF YORK

Proposed Provincially Significant Employment Zones (PSEZ)



Produced by:
The Regional Municipality of York
Planning and Economic
Development, Corporate Services
March 2019

Data: © Queen's Printer for Ontario
2003-2019



Legend

- | | | | |
|--|------------------------------------|--|-----------------------|
| | York Region Employment Areas | | Highway |
| | PSEZ Boundaries as per Amendment 1 | | Highway 404 Extension |
| | Towns and Villages | | Road |
| | Urban Area | | Railway |
| | Lake/River | | Municipal Boundary |
| | Recommended Deletions from PSEZ | | Regional Boundary |
| | Recommended Additions to PSEZ | | |

TO: PLANNING COMMITTEE, CITY OF HAMILTON

FROM: DAN VAN DEN BEUKEL, CITIZEN OF HAMILTON (WARD 10)

DATE: MARCH 18, 2019

RE: URGENT REVIEW – DEVELOPMENT & SITE APPLICATION AT 310 FRANCES AVENUE STONEY CREEK (WARD 10) FOR 3 TOWERS (48, 54 & 59 STOREYS HIGH)

BACKGROUND:

“The [City of Hamilton] has received both a Development Application, no. DA-19-020, and Site Plan Application, no. SPA-19-020, [from New Horizon Development Group] for the lands at 310 Frances Ave, in Stoney Creek. The plans call for three towers, the shortest at 48 storeys, the middle at 54 storeys, and the tallest at 59 storeys. If built, these towers would become the 3rd, 2nd, and 1st tallest towers in the City, respectively.”

Holmes, Lachlan (February 9, 2019). Massive Development Planned In Stoney Creek – Updated. Retrieved from <http://hamiltonforward.ca/2019/02/09/massive-development-planned-in-stoney-creek/>

RECOMMENDATIONS

To request that City Council and/or the Planning Committee take the following immediate action(s):

- (1) Freeze or postpone the application for 310 Frances Avenue until the city has properly consulted with the neighbourhood, QEW-Lake Ontario and Gray road-Fruitland road, and the planning committee regarding this development and the maximum building height specifications or
- (2) Amend the bylaw(s) that enables this application, which changed the maximum building height for 310 Frances Avenue to “none”, to match the Amica Senior Living Centre at 135 King Street East at 5 storeys high.

Note: (i) According to the City of Hamilton website, there are no secondary plans for the lands between the QEW and Lake Ontario, Gray road and Fruitland road. (ii)

According to city staff, this application goes before a Design Review Panel on April 11th and final approval shortly after. Therefore, this request requires immediate action.

COMMENTS

- 1) I am very disappointed that our local government would allow any lands or developer to have zero restriction on building height, particularly those next to residential properties or single-detached homes.
- 2) I find any structure taller than the Amica Senior Living Centre, which is located at the former Stoney Creek Dairy lands, to be vastly inappropriate, greedy, over-indulgent and disrespectful to the community, the environment, and neighbours.
- 3) **As a councillor, ask yourself: “Would I want a tower next to my home?”**
- 4) See appendix for photo of lower Stoney Creek, which illustrates stark contrast between the average home building height and recent commercial building development.
- 5) Why is there no secondary plan for lands between QEW & Lake Ontario, Gray road & Fruitland road?
- 6) According to the article cited above, the three towers will have 1836 units in total. As a homeowner, I’m afraid this could have a negative effect on the local housing market - contributing to a buyer’s market, lowering housing demand, decreasing home prices, particularly those immediately surrounding this development.
- 7) If approved, these towers may become the tallest building in the city of Hamilton. **Does this mean, lower Stoney Creek will become the new city centre for Hamilton** (since most cities throughout the world are centred around the tallest building)? For example: Eiffel Tower in Paris France (1890-1930), Empire State Building in New York City USA (1931-1971); Sears Tower in Chicago USA (1973-1998), or any church throughout Europe.

History of the World's Tallest Buildings. Retrieved from
https://en.wikipedia.org/wiki/History_of_the_world%27s_tallest_buildings

- 10) None of this development supports or strengthens our community. It may put more significant financial stress on our transportation infrastructure (e.g. highways & bus system), our education and social infrastructure. Note: There are no schools, buses, recreational centres or grocery stores near this site, let alone anywhere else in ward 10.

- 11) There needs to be more attention paid to developed lands as we pursue intensification throughout the city and rebuild to make the city the best place to age gracefully and raise a family for all.
- 12) The apartment building next to 310 Frances Avenue at 500 Green Road appears to have 15 storeys – see Google Maps Street View. **Therefore, the proposed development at 310 Frances Avenue would be nearly 4x's taller than the apartment building at 500 Greens Road** – see appendix A for photo of lands.
- 13) I hope you, as elected officials and as our local government, make the right decision.

Have a great day.

Sincerely,

Dan van den Beukel

APPENDIX

A) Photo of lower Stoney Creek from Ridge Road.



B) 3D rendering of towers

Holmes, Lachlan (February 9, 2019). Massive Development Planned In Stoney Creek – Updated. Retrieved from <http://hamiltonforward.ca/2019/02/09/massive-development-planned-in-stoney-creek/>





PUBLIC WORKS COMMITTEE REPORT 19-004

9:30 a.m.

Monday, March 18, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

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

**Absent with
Regrets:** Councillor T. Jackson – Personal
Councillor E. Pauls – Personal

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 19-004 AND RESPECTFULLY RECOMMENDS:

1. GO Expansion Full Business Case (PED19061) (City Wide) (Item 7.2)

That Report PED19061, respecting GO Expansion Full Business Case, be received.

2. Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 600 5th Concession Road West, Flamborough (PW19027) (Ward 15) (Item 8.1)

That the application of the owner of 600 5th Concession Road West, Flamborough, to permanently close and purchase a portion of road allowance abutting the East side of 600 5th Concession Road West, Flamborough ("Subject Lands"), as shown on Appendix "A", attached to Public Works Committee Report 19-004, be approved, subject to the following conditions:

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

- (b) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed highway to the owners of 600 5th Concession Road West, Flamborough, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
- (c) The City Solicitor be authorized to complete the transfer of the Subject Lands to 600 5th Concession Road West, Flamborough pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;
- (d) That the City Solicitor be authorized and directed to register a certified copy of the by-law(s) permanently closing and selling the highway in the proper land registry office;
- (e) That the Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed highway pursuant to the City of Hamilton Sale of Land Policy By-law 14-204; and,
- (f) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section.

3. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 20 Birch Avenue, Hamilton (PW19028) (Ward 3) (Item 8.2)

- (a) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, for an order to permanently close the Subject Lands, if required by the City, subject to:
 - (i) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and,
 - (ii) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;
- (b) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;

- (c) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved:
 - (i) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;
 - (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed alleyway to the owners of 20 Birch Avenue, Hamilton, as described in Report PW19028, 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 20 Birch Avenue, 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; and,
 - (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; and,
- (e) That the City of Hamilton retain any necessary road widenings to the satisfaction of the Manager, Geomatics and Corridor Management, in accordance with the City of Hamilton Official Plan.

4. 2018 Annual Drinking Water Report (PW19024) (City Wide) (Item 9.1)

That Report PW19024, respecting the 2018 Annual Drinking Water Report, be received.

5. Proposed Amendments to City of Hamilton By-law No. 10-103 Respecting the Prevention of Backflow into the Water Distribution System of the City of Hamilton (PW19023) (City Wide) (Item 10.1)

That a By-law to amend the City of Hamilton Backflow Prevention By-law No. 10-103, substantially in the form attached as Appendix “B” to Report PW19023, and as satisfactory to the City Solicitor, be enacted.

6. Speed Limit Reduction on Highland Park Drive and Lynndale Drive (Ward 13) (Item 11.1)

WHEREAS, in 2018 during construction on Governors Road residents of Highland Park Drive had many safety concerns due to increased traffic volumes and perceived speeding issues;

WHEREAS, there are areas on Highland Park Drive that do not have sidewalks and pedestrians have to walk on the roadway to access St. Bernadette Catholic Elementary School; and,

WHEREAS, Highland Park Drive and Lynndale Drive are planned to be reduced to 40km/h as part of the Bill 65 “Safer School Zones” Act;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to implement a 40km/h speed limit on Highland Park Drive between Bridlewood Drive and Lynndale Drive;
- (b) That staff be directed to implement a 40km/h speed limit on Lynndale Drive between Highland Park Drive and Creighton Drive;
- (c) That the by-law authorizing staff to implement a 40km/h speed limit on Highland Park Drive between Bridlewood Drive and Lynndale Drive and on Lynndale Drive between Highland Park Drive and Creighton Drive, attached as Appendix “A” to the Motion respecting Speed Limit Reduction on Highland Park Drive and Lynndale Drive, be approved; and,
- (d) That funding for signage for the speed limit reductions, as outlined above, be taken from the Red Light Camera Fund at an upwards costs of \$2,000.

7. Conversion of Queen St. S. to Two-Way Traffic Between King St. W. and Main St. W. (Wards 1 and 2) (Item 11.3)

WHEREAS, Queen Street South is approved for two-way conversion between Aberdeen Avenue and Main Street West in the summer of 2019;

WHEREAS, the previous direction of Council to staff was to review the two-way conversion of Queen Street South between Main Street West and King Street West in consultation with the LRT office without holding up the current approved conversion; and,

WHEREAS, staff have reviewed and have no objections to the conversion of Queen Street South between Main Street West and King Street West;

THEREFORE, BE IT RESOLVED:

- (a) That Queen Street South from King Street West to Main Street West be converted from one-way to two-way traffic and that the appropriate bylaw be passed; and,
- (b) That staff be directed to begin designing the two-way conversion of Queen Street South between Main Street West and King Street West in 2019 to be funded from Capital Account No. 4661820522 (Design) and that construction be tentatively scheduled for 2020 and that the costs associated with implementation be submitted as part of the 2020 Capital Budget submission for Council's consideration.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

The agenda for the March 18, 2019 Public Works Committee meeting was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) February 22, 2019 (Item 4.1)

The Minutes of the February 22, 2019 meeting of the Public Works Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

- (i) Anne Pearson and Gail Rappolt, United Nations Association in Canada Hamilton Branch and Culture of Peace Hamilton, respecting April 25th Peace Luncheon with a Focus on the Reduction of Plastic Use (For a future meeting) (Item 6.1)**

The delegation request, submitted by Anne Pearson and Gail Rappolt, United Nations Association in Canada Hamilton Branch and Culture of Peace Hamilton, respecting an April 25th Peace Luncheon with a Focus on the Reduction of Plastic Use, was approved for a future meeting.

(e) CONSENT ITEMS (Item 7)

- (i) Keep Hamilton Clean and Green Committee Minutes - January 22, 2019 (Item 7.1)**

The Minutes of the January 22, 2019 meeting of the Keep Hamilton Clean and Green Committee were received, as presented.

(f) PUBLIC HEARINGS/DELEGATIONS (Item 8)

- (i) Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 600 5th Concession Road West, Flamborough (PW19027) (Ward 15) (Item 8.1)**

Chair Ferguson advised that notice of the Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 600 5th Concession Road West, Flamborough (PW19027) (Ward 15) 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.

(ii) Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 20 Birch Avenue, Hamilton (PW19028) (Ward 3) (Item 8.2)

Chair Ferguson advised that notice of the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 20 Birch Avenue, Hamilton (PW19028) (Ward 3) 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.

(g) STAFF PRESENTATIONS (Item 9)

(i) 2018 Annual Drinking Water Report (PW19024) (City Wide) (Item 9.1)

Cari Vanderperk, Manager, Compliance & Regulations, addressed Committee and provided a PowerPoint presentation respecting Report PW19024, the 2018 Annual Drinking Water Report. The presentation has been included in the official record.

The presentation, respecting Report PW19024, the 2018 Annual Drinking Water Report, was received.

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

For disposition of this matter, refer to Item 4.

(h) MOTIONS (Item 11)

(i) Public Planning Results for 2018 Plan Local Initiative Resulting in Ward 2 Area Rating Funded Projects (Ward 2) (Item 11.2)

Consideration of the following Motion, respecting Public Planning Results for 2018 Plan Local Initiative Resulting in Ward 2 Area Rating Funded Projects, was deferred to the next Public Works Committee meeting:

- (a) (Central, Durand and Stinson Neighbourhood) That \$400 for a total of 13 metal containers, at \$30 per metal container be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;
- (b) (Central Neighbourhood 15, Corktown Neighbourhood 1, Durand Neighbourhood 7, Stinson Neighbourhood 3) That \$39,000 for public bench seating (the installation of 32 standard bench seating), be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;
- (c) (Stinson Neighbourhood) That \$149,850 for Graffiti removal and curbing by Mural(s) Under Claremont Access to act as a “gateway”, as Wards 2 and 3 meet at the Access, be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;
- (d) (Beasley Neighbourhood) That \$75,000 for Graffiti Removal/Prevention at Ferguson Station and a public art mural at 250 King St. E. be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052; and that the International Village BIA be authorized to facilitate these initiatives;
- (e) (Beasley Neighbourhood) That \$27,000 for Concrete Planters for the Cannon Bike Track be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;
- (f) (Beasley and Central Neighbourhood) That funding in the amount of \$69,000 for trees be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052 (15k for Central, 54k for Beasley);
- (g) (Corktown Neighbourhood) That \$60,000 for playground equipment for Corktown Park & Shamrock park be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;
- (h) (Central, Corktown and Durand Neighbourhood) That \$105,000 for installation of a solar lighting be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052; (Central 5, Corktown 1 and Durand 1);
- (i) (Corktown Neighbourhood) That \$75,000 for Bike path at Shamrock Park 120m long multi-use path beside the existing sidewalk so cyclists can ride from existing Ferguson bike lanes to the tunnel – to Young St., be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;
- (j) (Durand Neighbourhood) That \$15,000 for installation of completion of the Durand heritage neighbourhood street signage be funded

from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;

- (k) (Central Neighbourhood) That \$6000 for 15 Hanging Baskets be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;
- (l) (North End Neighbourhood) That \$100,000 for bathroom upgrades at Eastwood Park be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;
- (m) (North End Neighbourhood) That \$56,000 for playground equipment for Eastwood Park be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052;
- (n) (Central Neighbourhood) That \$21,000 for planters be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052; and,
- (o) 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.

(i) NOTICES OF MOTION (Item 12)

(i) Implementation of Alternate Concept Design for Concrete Planters on James St. S. Between Duke St. and Bold St. (Ward 2) (Item 12.1)

The following Notice of Motion will be placed on the next Committee agenda as a Motion:

WHEREAS, the recent installation of concrete planters to act as required pedestrian safety measures on the west side of James Street South between Duke Street and Bold Street requires adequate modification as a result of input by local businesses stating that the current configuration greatly limits visibility of their businesses; and,

WHEREAS, an alternate concept design requires the removal of some planters and replacement with an enhanced railing and some permanent seating has been approved by local business and residents following consultation respecting what a modification should entail;

THEREFORE, BE IT RESOLVED:

- (a) That Public Works implement the alternate concept design attached as Appendix "A" to this Notice of Motion and, in keeping with City

standards, be funded from the Ward 2 Area Rating Special Capital Reserve No. 108052 up to \$100,000; 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.

(j) 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 requiring a new due date:
 - (i) Making Upper James Street More Pedestrian Friendly
Item on OBL: E
Current Due Date: March 18, 2019
Proposed New Due Date: July 10, 2019
 - (ii) Feasibility of Joining a Sidewalk from the Mount Hope Urban Boundary to the John C. Munro International Airport Lands
Item on OBL: W
Current Due Date: February 4, 2019
Proposed New Due Date: April 29, 2019
 - (iii) On Street Parking and Bike Lanes
Item on OBL: X
Current Due Date: February 4, 2019
Proposed New Due Date: April 1, 2019
 - (iv) Tiger Tail Stop Signs
Item on OBL: AH
Current Due Date: March 18, 2019
Proposed New Due Date: July 10, 2019

(k) ADJOURNMENT (Item 15)

There being no further business, the Public Works Committee was adjourned at 10:20 a.m.

Respectfully submitted,

Councillor L. Ferguson
Chair, Public Works Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk



Hamilton

PROPOSED CLOSURE OF PORTION OF ROAD ALLOWANCE
BETWEEN LOT 12 AND 13 CONCESSION 4 WEST FLAMBOROUGH

Geomatics & Corridor Management Section
Public Works Department

LEGEND



Lands to be Closed

THE BOARD OF HEALTH PRESENTS REPORT 19-003 AND RESPECTFULLY RECOMMENDS:

1. Communications (Items 5.1, 5.2 and 5.13)

That the following Communications items be endorsed by the Board of Health:

- (i) Correspondence from the Regional Municipality of Durham respecting their Cannabis Use in Public Places Resolution (Item 5.1)
- (ii) Correspondence from the Windsor Essex County Health Unit respecting the Smoke Free Ontario Act, 2017 and Cannabis Legislation (Item 5.2)
- (iii) Correspondence from the Renfrew County and District Health Unit respecting Strengthening the Smoke-Free Ontario Act, 2017 to Address the Promotion of Vaping (Item 5.13)

ELECTRONIC VOTE

2. Nurse Family Partnership Program 2019 Funding and Service Level Update (BOH07035(h)) (City Wide) (Item 7.1)

That Report BOH07035(h) respecting the Nurse Family Partnership Program 2019 Funding and Service Level Update, be received.

VOTE BY SHOW OF HANDS

3. Accelerating and Prioritizing Climate Action in Response to the Climate Emergency (Added Item 8.3)

WHEREAS, the City of Hamilton recognizes that Climate Change is an emergency and the single largest threat to municipalities across the world and urgent climate action is needed;

WHEREAS, the City of Hamilton has already been impacted by Climate Change through shoreline and escarpment destruction, millions of dollars of infrastructure damages by extreme storm events and increase freeze – thaw cycles destroying our roads and subsurface infrastructure;

WHEREAS, the City of Hamilton recognizes all the existing, albeit fragmented, climate change work across the corporate departments and the ongoing corporate climate adaptation planning;

WHEREAS, The City of Hamilton recognizes the new Bay Area Climate Change Council that brings a community collaborative regional approach to accelerating climate action across the cities of Hamilton and Burlington, and which will be inviting the Cities to participate on the implementation teams;

WHEREAS, The Intergovernmental Panel on Climate Change (IPCC) most recent report has indicated a need for massive reduction in carbon emissions of about 45% from 2010 in the next 11 years, reaching net zero carbon emissions by 2050, to have a reasonable chance of keeping global warming to 1.5C and maintaining a climate compatible with human civilization; and,

WHEREAS the City of Hamilton recognizes that climate action and the low-carbon transition also represents a massive opportunity for economic stimulation and growing job opportunities in the new low-carbon economy.

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton declare a climate emergency that threatens our city, region, province, nation, civilization, humanity and the natural world;
- (b) That a multi-departmental Corporate Climate Change Task Force of City of Hamilton staff be created under the leadership of the City Manager;
- (c) That the Corporate Climate Change Task Force be directed to investigate and identify:
 - i. Additional actions to be taken to incorporate into existing plans and policies to achieve net zero carbon emissions before 2050.
 - ii. Best processes to centralize reporting on Climate Change for the Corporation of the City of Hamilton; and
 - iii. Gaps in current programs and projects and strategies to address those gaps; and,
 - iv. The establishment of a critical path and Terms of Reference to initiate an awareness strategy campaign to encompass the history of global warming, climate change and the United Nation's Declaration on a Climate Emergency, which is to include the impacts of not taking such action, and the investment vs. the expense of taking such action;
- (d) That the Corporate Climate Change Task Force report back to the Board of Health within 120 days; and,
- (e) That Council supports City of Hamilton staff participation in Bay Area Climate Change Implementation Teams as subject matter experts to accelerate climate action across the Bay Area.

ELECTRONIC VOTE

4. Consumption and Treatment Services in Hamilton (BOH19017) (Item 9.1)

- (a) That the Medical Officer of Health be directed to apply to the Minister of Health and Long-Term Care for approval to operate a Consumption and Treatment Services site, and for funding for 100% of the associated capital and operational costs;
- (b) That the Medical Officer of Health be directed to submit to Health Canada an application for a Section 56.1 Exemption for Medical Purposes under the *Controlled Drug and Substances Act* for Activities at a Supervised Consumption Site;
- (c) That, contingent on the City receiving approval for the establishment of a Consumption and Treatment Services site and associated 100% funding from the Ministry of Health and Long-Term Care, as well as a Section 56.1 Exemption for Medical Purposes under the *Controlled Drug and Substances Act* for Activities at a Supervised Consumption Site from Health Canada:
 - (i) The Medical Officer of Health be directed to establish and operate the Consumption and Treatment Services site;
 - (ii) The Public Health Services permanent staffing complement be increased by 6.0 FTE Public Health Nurse, 3.1 FTE Harm Reduction Worker, 3.0 FTE Peer Support Worker and 1.0 FTE Clinic Supervisor to staff the CTS; and,
 - (iii) That the base budget be increased by the requisite amount; and
- (d) That the Medical Officer of Health be authorized and directed to execute any agreements and ancillary documents required to implement Recommendations (a) to (c), with said agreements and documents to be in a form satisfactory to the City Solicitor

ELECTRONIC VOTE

MAYOR EISENBERGER MAY I PLEASE HAVE A MOTION TO APPROVE THE REPORT AS PRESENTED AND RECEIVE THE INFORMATION SECTION? ELECTRONIC VOTE

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:

Council – March 27, 2019

1. ADDED DELEGATION REQUESTS

- 6.2 Jeffrey Martin, respecting the Hamilton Millennial Survey Study (for a future meeting)
- 6.3 Danielle Delonttinvile, Keeping Six, respecting Item 9.1, Consumption and Treatment Services in Hamilton (BOH19017) (for today's meeting)
- 6.4 David Carson, respecting the need to increase City efforts on mitigating and adapting to Climate Change (for a future meeting)
- 6.5 Ian Graham, respecting Climate Change (for today's meeting)
- 6.6 Kate Flynn, Centre for Climate Change Management at Mohawk College, respecting an Update from the Bay Area Climate Change Council (for today's meeting)

The agenda for the March 18, 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) February 22, 2019 (Item 4.1)

The Minutes of the February 22, 2019 meeting of the Board of Health were approved, as presented.

(e) COMMUNICATIONS (Item 5)

Communications 5.3 to 5.12, and 5.14 to 5.17 were received, as presented, as follows:

- (i) Correspondence from the Windsor Essex County Health Unit respecting Ontario's Basic Income Pilot (Item 5.3)

Recommendation: Be received.

- (ii) Correspondence from the Windsor Essex County Health Unit respecting an Endorsement for Mandatory Food Literacy Curricula in Ontario Schools (Item 5.4)

Recommendation: Be received.

- (iii) Correspondence from the Windsor Essex County Health Unit respecting Funding for the Healthy Babies, Healthy Children (HBHC) Program (Item 5.5)

Recommendation: Be received.

- (iv) Correspondence from the Windsor Essex County Health Unit respecting an Endorsement of a Universal Student Nutrition Program 2018 (Item 5.6)

Recommendation: Be received.

- (v) Correspondence from the Simcoe Muskoka District Health Unit respecting the Public and Environmental Health Implications of Bill 66, Restoring Ontario's Competitiveness Act, 2018 (Item 5.7)

Recommendation: Be received.

- (vi) Correspondence from the North Bay Parry Sound District Health Unit respecting Food Insecurity and Bill 60, an Act to Amend the Ministry of Community and Social Services Act to Establish the Social Assistance Research Commission (Item 5.8)

Recommendation: Be received.

- (vii) Correspondence from the Peterborough Public Health Unit respecting Support for Provincial Oral Health Programs for Low Income Adults and Seniors (Item 5.9)

Recommendation: Be received.

- (viii) Correspondence from David Williams, Chief Medical Officer of Health, Ministry of Health and Long-Term Care respecting Amendments to Select Ontario Public Health Standards Protocols, Guidelines and Appendices (Item 5.10)

Recommendation: Be received.

- (ix) Correspondence from David Williams, Chief Medical Officer of Health, Ministry of Health and Long-Term Care respecting the Transformation of Health Care System (Item 5.11)

Recommendation: Be received.

- (x) Correspondence from the Council of Ontario Medical Officers of Health's Resolution respecting HIV Case Management and the "Undetectable = Untransmittable" messaging as part of a comprehensive public health approach to sexual health (Item 5.12)

Recommendation: Be received.

- (xi) Correspondence from the Association of Local Public Health Agencies (alPHa) respecting an Update to Boards of Health Section Members (Item 5.14)

Recommendation: Be received.

- (xii) Correspondence from the Association of Local Public Health Agencies (alPHa) respecting their 2019 Annual General Meeting & Conference, June 911, in Kingston, Ontario (Item 5.15)

Recommendation: Be received.

- (xiii) Correspondence from the Association of Local Public Health Agencies (alPHa) respecting a Call for Board of Health Nominations for the 2019-2020, and 2020-2021 alPHa Board of Directors (Item 5.16)

Recommendation: Be received.

- (xiv) Correspondence from the Association of Local Public Health Agencies (alPHa) respecting Alcohol Choice & Convenience and a Provincial Alcohol Strategy (Item 5.17)

Recommendation: Be received.

(f) DELEGATION REQUESTS (Item 6)

- (i) Ian Borsuk and Dr Lynda Lukasik, Environment Hamilton, respecting Climate Change (for today's meeting) (Item 6.1)**

The delegation from Ian Borsuk and Dr Lynda Lukasik, Environment Hamilton, respecting Climate Change, was approved for today's meeting.

- (ii) Jeffrey Martin, respecting the Hamilton Millennial Survey Study (for a future meeting) (Added Item 6.2)**

The delegation from Jeffrey Martin, respecting the Hamilton Millennial Survey Study, was approved for a future meeting.

- (iii) Danielle Delonttinvile, Keeping Six, respecting Item 9.1, Consumption and Treatment Services in Hamilton (BOH19017) (for today's meeting) (Added Item 6.3)**

The delegation from Danielle Delonttinvile, Keeping Six, respecting Item 9.1, Consumption and Treatment Services in Hamilton (BOH19017), was approved for today's meeting.

- (iv) David Carson, respecting the Need to Increase City Efforts on Mitigating and Adapting to Climate Change (for a future meeting) (Added Item 6.4)**

The delegation from David Carson, respecting the need to increase City efforts on mitigating and adapting to Climate Change, was approved for a future meeting.

(v) Ian Graham, respecting Climate Change (for today's meeting) (Added Item 6.5)

The delegation from Ian Graham, respecting Climate Change, was approved for today's meeting.

(vi) Kate Flynn, Centre for Climate Change Management at Mohawk College, respecting an Update from the Bay Area Climate Change Council (for today's meeting) (Added Item 6.6)

The delegation from Kate Flynn, Centre for Climate Change Management at Mohawk College, respecting an Update from the Bay Area Climate Change Council, was approved for today's meeting.

(g) PUBLIC HEARINGS/DELEGATIONS (Item 8)

(i) Juliet Ehlert Gordon, respecting Research on the Effects of Electro Magnetic Fields on Human Health and the Environment (Item 8.1)

Juliet Ehlert Gordon addressed the Board respecting Research on the Effects of Electro Magnetic Fields on Human Health and the Environment, with the aid of a hand-out. The hand-out was distributed to the Board and has been included in the official record.

The delegation from Juliet Ehlert Gordon, respecting research on the effects of electro magnetic fields on human health and the environment, was received.

The hand-out is available at www.hamilton.ca, and through the Office of the City Clerk.

(ii) Alexander Kinkade, respecting Fentanyl Overdose Prevention Initiatives (Item 8.2)

Alexander Kinkade addressed the Board respecting Fentanyl Overdose Prevention Initiatives, with the aid of a hand-out. The hand-out was distributed to the Board and has been included in the official record.

The delegation from Alexander Kinkade, respecting Fentanyl Overdose Prevention Initiatives, was received.

The hand-out is available at www.hamilton.ca, and through the Office of the City Clerk.

Staff were directed to the investigate the feasibility of providing fentanyl test kits to drug users in the City of Hamilton, to ensure safe consumption, with a report back to a future Board of Health meeting.

(iii) Ian Borsuk and Dr. Lynda Lukasik, Environment Hamilton, respecting Climate Change (Added Item 8.3)

Ian Borsuk, Dr. Lynda Lukasik, and Joyce Monroe, Environment Hamilton, addressed the Board respecting Climate Change, with the aid of a presentation. The presentation has been included in the official record.

The delegation from Ian Borsuk, Dr. Lynda Lukasik and Joyce Monroe, Environment Hamilton, respecting Climate Change, was received.

For further disposition of this matter, refer to Item 3.

The presentation is available at www.hamilton.ca, and through the Office of the City Clerk.

Mayor Eisenberger relinquished the Chair to introduce his motion respecting Accelerating and Prioritizing Climate Action in Response to the Climate Emergency.

The Mayor assumed the Chair.

The following points from the Environment Hamilton presentation were referred to staff to include in the Corporate Climate Change Task Force Report to the Board of Health:

- Revisit and update its greenhouse gas emission reduction targets in light of the new understanding in the October 2018 IPCC report.
- Commit to annual targets and reporting on greenhouse gas emissions in the City.
- Commit to applying a climate lens to all decisions made by the municipality.
- Direct the City Manager to instruct all senior staff to mandate the use of this lens across all city departments.
- Commit more city staff and more staff time to analysis and implementation using this lens.

For further disposition of this matter, refer to Item 3.

(iv) Danielle Delonttinvile, Keeping Six, respecting Item 9.1, Consumption and Treatment Services in Hamilton (BOH19017) (Added Item 8.4)

Danielle Deloitinville, Jody Ans and Lisa Nussey, Keeping Six, addressed the Board respecting Item 9.1, Consumption and Treatment Services in Hamilton (BOH19017).

The delegation from Danielle Deloitinville, Jody Ans and Lisa Nussey, Keeping Six, addressed the Board respecting Item 9.1, Consumption and Treatment Services in Hamilton (BOH19017), was received.

For further disposition of this matter, refer to Item 4.

(v) Ian Graham, respecting Climate Change (Added Item 8.5)

Ian Graham addressed the Board respecting Climate Change, with the aid of a presentation. The presentation has been included in the official record.

The delegation from Ian Graham, respecting Climate Change, was received.

For further disposition of this matter, refer to Item 3.

The presentation is available at www.hamilton.ca, and through the Office of the City Clerk.

(vi) Kate Flynn, Centre for Climate Change Management at Mohawk College, respecting an Update from the Bay Area Climate Change Council (Added Item 8.6)

Kate Flynn, Centre for Climate Change Management at Mohawk College, addressed the Board respecting an Update from the Bay Area Climate Change Council with the aid of a presentation. The presentation has been included in the official record.

The delegation from Kate Flynn, Centre for Climate Change Management at Mohawk College, respecting an Update from the Bay Area Climate Change Council, was received.

For further disposition of this matter, refer to Item 3.

The presentation is available at www.hamilton.ca, and through the Office of the City Clerk.

(h) STAFF PRESENTATIONS (Item 9)

(i) Consumption and Treatment Services in Hamilton (BOH19017) (Item 9.1)

The staff presentation was waived.

For disposition of this matter, refer to Item 4 .

The presentation is available at www.hamilton.ca, and through the Office of the City Clerk.

(i) ADJOURNMENT (Item 15)

There being no further business, the Board of Health adjourned at 4:45 p.m.

Respectfully submitted,

Mayor F. Eisenberger
Chair, Board of Health

Loren Kolar
Legislative Coordinator
Office of the City Clerk



PLANNING COMMITTEE

REPORT 19-004

9:30 a.m.

Tuesday, March 19, 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

**Absent with
Regrets:** Councillor J. Partridge

THE PLANNING COMMITTEE PRESENTS REPORT 19-004 AND RESPECTFULLY RECOMMENDS:

1. Hamilton Municipal Heritage Committee Report 19-001 (Item 7.1)

1. Heritage Permit Application HP2018-046, Under Part V of the *Ontario Heritage Act*, for the erection of a single detached dwelling at 47 Markland Street, Hamilton (PED19035) (Ward 2) (Item 9.2)

That Heritage Permit Application HP2018-046, for the erection of a new single detached dwelling on the designated property at 47 Markland Street, Hamilton (Durand-Markland Heritage Conservation District), as shown in Appendix "A" to Report PED19035, be approved subject to the following Heritage Permit conditions:

- (a) That the dimensions and surfacing materials for the new driveway and any walkways, patios or other hard-surface areas visible from the street, shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to installation;
- (b) That any minor changes to the plans and elevations following approval shall be submitted, to the satisfaction and approval of the Director of Planning and Chief Planner, prior to submission as part of any application for a Building Permit; and,

Council – March 27, 2019

- (c) That construction and site alterations, in accordance with this approval, shall be completed no later than March 31, 2021. If the construction and site alterations are not completed by March 31, 2021, then this approval expires as of that date, and no alterations shall be undertaken without a new approval issued by the City of Hamilton; and
- (d) That the proposed development shall comply with all of the applicable provisions of Zoning By-law No. 6593 and Minor Variance Application HM/A-18:431, to the satisfaction of the Director of Planning and Chief Planner.

2. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED19034) (City Wide) (Item 7.2)

That Report PED19034 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

3. Update to the Letter of Credit Policy for Site Plan Control Applications (PED19043) (City Wide) (Item 7.3)

- (a) That approval be given to the updated Letter of Credit Policy attached as Appendix "A" to Planning Committee Report 19-004, to take effect April 1, 2019; and,
- (b) That approval be given to increase the base amounts in the lump sum payment method of the Letter of Credit Policy each year in accordance with the Consumer Price Index (CPI) for Toronto.

4. Imagining New Communities Public Open Houses (November 2018) (PED19055) (City Wide) (Item 7.4)

That Report PED19055 respecting Imagining New Communities Public Open Houses, be received.

5. Ontario Society for the Prevention of Cruelty to Animals (OSPCA) Court Ruling (2019) (PED19062) (City Wide) (Item 7.5)

That Report PED19062 respecting Ontario Society for the Prevention of Cruelty to Animals (OSPCA) Court Ruling (2019), be received.

6. Business Licensing By-law 07-170 Update (PED19064) (City Wide) (Item 7.6)

That Report PED19064 respecting Business Licensing By-law 07-170 Update, be received.

7. Annual Report on Building Permit Fees (PED19069) (City Wide) (Item 7.7)

That Report PED19069 respecting Annual Report on Building Permit Fees, be received.

8. Application to Amend the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 1557 Concession 2 Road West, Flamborough (PED19042) (Ward 12) (Item 8.1)

That Zoning By-law Amendment Application ZAA-18-052, by Neil Vanderkruk Holdings (Owner), for a modification to the Agricultural (A1) Zone in order to prohibit the construction of a single detached dwelling and residential care facility as required by the conditions of consent approval as shown on Appendix "A" to Report PED19042, be APPROVED on the following basis:

- (a) That the draft By-law, attached as Appendix "B" to Report PED19042, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the amending By-law be added to Schedule "C" of Zoning By-law No. 05-200;
- (c) That the proposed modification in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Greenbelt Plan (2017), and complies with the Rural Hamilton Official Plan (RHOP); and,
- (d) That there were no public submissions received regarding this matter.

9. Official Plan and Zoning By-law Amendment to Add a Production Studio Use Within the Barton and Tiffany Lands (PED18210(a)) (Wards 1 and 2) (Item 8.2)

- (a) That approval be given to Official Plan Amendment (OPA) No. XX to the City of Hamilton Official Plan to amend the 'Commercial' designation within the West Harbour - Setting Sail Secondary Plan to create a Special Policy Area to permit Production Studio as a permitted use for lands located within Barton-Tiffany Area, on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix "B" to Planning Committee Report 19-004 be adopted by Council;
 - (ii) That the proposed Official Plan Amendment (OPA) No. XX is consistent with the Provincial Policy Statement (PPS) 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe 2017.

- (b) That approval be given to City Initiative CI-19-A to add a 'Production Studio' use to the site specific Downtown Mixed-Use Pedestrian Focus (D2) Zone in Hamilton By-law No. 05-200, to permit the development of a production studio on lands located within Barton-Tiffany Area (Hamilton), as shown on Appendix "A" to Report PED18210(a), be approved on the following basis:
 - (i) That the draft By-law, attached as Appendix "C" to Report PED18210(a), 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 Hamilton Official Plan and West Harbour - Setting Sail Secondary Plan subject to the proposed amendment.
- (c) That the matter respecting the Production Studio within the Barton and Tiffany Lands be identified as complete and removed from the Planning Committee Outstanding Business List; and,
- (d) That the public submissions received supported the approval of the proposed Zoning By-law Amendment.

10. Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (PED19029) (City Wide) (Item 10.2)

That approval be given to City Initiative CI-18-J, for modifications and updates to the City of Hamilton Zoning By-law No. 05-200 on the following basis:

- (i) That the Draft By-law, as amended, attached as Appendix "A" to Report PED19029 which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
- (ii) That the proposed change in zoning is in conformity with the Urban Hamilton Official Plan (UHOP);
- (iii) That the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (PPS), 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2017.

11. Urban Design Through Site Plan Control Authority (Item 11.1)

WHEREAS, for more than 10 years, the *Planning Act* under Section 41 has given municipalities the authority through site plan control to address "matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design";

WHEREAS, careful attention to excellence in urban design and architecture in both the public and the private realm is essential to healthy, attractive and vibrant cities;

WHEREAS, the City of Hamilton Official Plan contains policies that encourages and promotes good urban design;

WHEREAS, to ensure excellence in urban design and architecture, the City has undertaken numerous initiatives including the creation of urban design guidelines, establishment of a Design Review Panel, and the hosting of a biannual Urban Design and Architecture Awards program;

WHEREAS, there is a clear and significant public interest in ensuring excellence in urban design and architecture;

WHEREAS, the Ontario Association of Architects has recently called upon the provincial government to exclude design as a matter that municipalities can address through site plan control; and,

WHEREAS, excluding matters of design from site plan control would essentially provide no means by which municipalities can ensure new development proposals adhere to principles of good urban design and architecture;

THEREFORE BE IT RESOLVED:

That the Mayor write to the Premier of Ontario, the Minister of Municipal Affairs and Housing, and the President of the Ontario Association of Architects to re-confirm the City of Hamilton's support for excellence in urban design and architecture and for retaining within the *Planning Act* a municipality's long-standing authority to address matters related to exterior design through the site plan process.

12. Appeal to the Ontario Municipal Board (OMB) for Lack of Decision on Urban Hamilton Official Plan Application (UHOPA-16-18) and Township of Glanbrook Zoning By-law No. 464 Application (ZAC-16-051) for Lands Located at 3033, 3047, 3055, 3063 Binbrook Road (PED19031/LS19003) (Glanbrook) (Ward 11) (Item 14.2)

That the direction to staff respecting the Appeal to the Ontario Municipal Board (OMB) for Lack of Decision on Urban Hamilton Official Plan Application (UHOPA-16-18) and Township of Glanbrook Zoning By-law No. 464 Application (ZAC-16-051) for Lands Located at 3033, 3047, 3055, 3063 Binbrook Road (PED19031/LS19003) (Glanbrook) be approved and remain private and confidential until approved by Council.

FOR INFORMATION:

(a) APPROVAL OF THE AGENDA (Item 2)

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

1. COMMUNICATIONS (Item 5)

- 5.2 Sue Milling and Jennifer Jonas, FilmOntario, respecting Item 8.2, Official Plan and Zoning By-law Amendments to Add a Production Studio Use Within the Barton and Tiffany Lands

Recommendation: Be received and referred to the consideration of Item 8.2

- 5.3 Stephen Fraser, AJ Clarke and Associates Ltd., respecting Item 10.2, Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200

Recommendation: Be received and referred to the consideration of Item 10.2

2. DELEGATION REQUESTS (Item 6)

- 6.1 Steven Zakem, Aird & Berlis LLP, respecting Item 14.2, Appeal to LPAT for Lands Located at 3033, 3047, 3055 and 3063 Binbrook Road (for today's meeting)
- 6.2 Matt Johnston, UrbanSolutions, respecting Item 10.2, Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (for today's meeting)
- 6.3 Franz Kloibhofer, AJ Clarke and Associates Ltd., respecting Item 10.2, Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (for today's meeting)
- 6.4 Savan Chandaria, Tibro Group, respecting Item 10.2, Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (for today's meeting)

3. PRIVATE AND CONFIDENTIAL (Item 14)

- 14.3 Local Planning Appeal Tribunal appeals by Television City Hamilton Inc. (PL180255) – Settlement Proposal (LS19012) (Ward 2)

The agenda for the March 19, 2019 meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

None declared.

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

(i) February 19, 2019 (Item 4.1)

The Minutes of the February 19, 2019 meeting were approved, as presented.

(d) COMMUNICATIONS (Item 5)

Communication Items 5.1 and 5.3 as follows, were received and referred to the consideration of Item 10.2:

5.1 James Webb, Webb Planning Consultants, respecting 118 Hatt Street, Dundas.

5.3 Stephen Fraser, AJ Clarke and Associates Ltd.

(e) DELEGATION REQUESTS (Item 6)

(i) Steven Zakem, Aird & Berlis LLP, respecting Item 14.2, Appeal to LPAT for Lands Located at 3033, 3047, 3055 and 3063 Binbrook Road (for today's meeting) (Item 6.1)

The Delegation Request from Steven Zakem, Aird & Berlis LLP, respecting Item 14.2, Appeal to LPAT for Lands Located at 3033, 3047, 3055 and 3063 Binbrook Road, was approved for today's meeting.

(ii) Delegation Requests respecting Item 10.2, Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (Added Items 6.2, 6.3 and 6.4)

The following Delegation Requests were approved for today's meeting:

6.2 Matt Johnston, UrbanSolutions;

6.3 Franz Kloibhofer, AJ Clarke and Associates Ltd.; and

6.4 Savan Chandaria, Tibro Group.

(f) **DELEGATIONS/PUBLIC HEARING (Item 8)**

(i) **Application to Amend the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 1557 Concession 2 Road West, Flamborough (PED19042) (Ward 12) (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.

The public meeting was closed.

Ryan Ferrari, Planning Technician, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available online at www.hamilton.ca.

The staff presentation was received.

Chris Van Berkle, agent for the applicant was in attendance and indicated that the applicant is in agreement with the staff report.

That the recommendations be amended by adding the following sub-section (d):

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

For disposition of this matter, refer to Item 8.

(ii) **Official Plan and Zoning By-law Amendment to Add a Production Studio Use Within the Barton and Tiffany Lands (PED18210(a)) (Wards 1 and 2) (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 Official Plan Amendment and 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.

Edward John, Director of Housing Services, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available online at www.hamilton.ca.

The staff presentation was received.

Written Comments:

- 5.2 Sue Milling and Jennifer Jonas, FilmOntario, in support of the proposed Zoning By-law Amendment

The written comments were received.

Delegations:

1. Caroline Puzinas, 20 Miles Court

Caroline Puzinas addressed the Committee in support of the proposed Zoning By-law Amendment.

The delegation was received.

The public meeting was closed.

That the recommendations be amended by adding the following sub-section (d):

- (d) That the public submissions received supported the approval of the proposed Zoning By-law Amendment.***

For disposition of this matter, refer to Item 9.

- (iii) Steven Zakem, Aird & Berlis LLP, respecting Item 14.2, Appeal to LPAT for Lands Located at 3033, 3047, 3055 and 3063 Binbrook Road (Added Item 8.3)**

The Delegation from Steven Zakem, Aird & Berlis LLP, respecting Item 14.2, Appeal to LPAT for Lands Located at 3033, 3047, 3055 and 3063 Binbrook Road, was received.

- (iv) **Matt Johnston, UrbanSolutions, respecting Item 10.2, Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (Added Item 8.4)**

Matt Johnston, UrbanSolutions, addressed the Committee respecting Item 10.2, Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 with the aid of a PowerPoint presentation. A copy of the presentation is available online at www.hamilton.ca

The Delegation from Matt Johnston, UrbanSolutions, respecting Item 10.2, Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200, was received.

- (v) **Franz Kloibhofer, AJ Clarke and Associates Ltd., respecting Item 10.2, Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (Added Item 8.5)**

The Delegation from Franz Kloibhofer, AJ Clarke and Associates Ltd., respecting Item 10.2, Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200, was received.

- (vi) **Savan Chandaria, Tibro Group, respecting Item 10.2, Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (Added Item 8.6)**

The Delegation from Savan Chandaria, Tibro Group, respecting Item 10.2, Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200, was received.

(g) DISCUSSION ITEMS (Item 10)

- (i) **Durand Neighbourhood Character Study Review (PED19017) (Ward 2) (Item 10.1)**

Report PED19017 respecting the Durand Neighbourhood Character Study Review, was deferred to the April 16, 2019 Planning Committee Meeting.

- (ii) **Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (PED19029) (City Wide) (Item 10.2)**

Timothy Lee, Senior Planner, provided an overview of the proposed Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200.

The proposed changes to the C5A Zone in By-law No. 05-200 were deferred back to staff for further consultation with development industry key stakeholders.

Timothy Lee, Senior Planner, advised the Committee that a Motion from the February 19, 2019 Planning Committee meeting was approved, to add an additional land designated District Commercial within the Fruitland Winona Secondary Plan, to the C6 Zone, and to add a Special Exception to also permit offices on the ground floor.

- (i) Recommendation (i) of Report PED19029, respecting Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 was amended by adding the words “as amended”, to read as follows:
 - (i) That the Draft By-law, **as amended**, attached as Appendix “A” to Report PED19029 which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.
- (ii) Subsection 11.1.3.c)i) paragraph iii) TOC 1 Zone, in Appendix “A” to Report PED19020 was amended to delete wording, as indicated by the strikethrough text, to read as follows:

~~Notwithstanding Sub-sections i) and ii) a~~ **A** minimum 7.5 meters for lots abutting a ~~Residential Zone or Institutional Zone or lot containing a Residential Use~~ Single Detached Dwelling, Semi-Detached Dwelling, and Street Townhouse.

- (iii) Schedule “C” – Special Exception 581 affecting lands located at 51-55 Cootes Drive and 110 King Street East was amended to allow for a modification in the interior side yard setback of 1.3 metres along the southerly portion of the building facing Cootes Drive in Dundas.

Saff were directed to amend Zoning By-law 05-200 to add lands located at 394 Winona Road to District Commercial (C6, 727) Zone, with a Special Exception, on the following basis:

- 727. Within the lands zoned District Commercial (C6) Zone, identified on maps 1258 and 1311 of Schedule “A” – Zoning Maps and described as 394 Winona Road, the follow special provisions shall apply:
 - a) Notwithstanding Section 10.6.1.1i)2), Offices shall also be permitted on the ground floor.

Section 5.2h)ii) to Appendix “D” of Report 19029 was amended to add the words “square metres” under the “Proposed Revised Zone Regulation” column, to read:

Each landscaped Area and Landscaped Parking Island shall have a minimum are of 10.0 **square metres**.

Section 14 of By-law No. 05-200 was deleted in its entirety and the remainder numbered accordingly.

The request from James Webb, Webb Consulting (Item 5.1) to withdraw the property at 118 Hatt Street, Dundas from the housekeeping amendment and that the proposed zoning remain in abeyance until such time as site development is complete, was approved.

The request from Stephen Fraser, AJ Clarke and Associates Ltd., to amend Special Exception 310 of Zoning By-law 05-200 for the property at 906 Main Street West, to remove the minimum interior side yard setback requirement adjacent to an existing residential use that is within the TOC 1 Zone, was approved.

The request from Matt Johnston, UrbanSolutions, to amend the Special Exceptions applicable to the properties located at 43-51 King Street East and 60 King William Street, Hamilton was approved, as follows:

Special Exception 626

- (a) The drive aisle width for the 90 degree parking aisle width shall be a minimum of 5.5 metres;
- (b) The barrier free parking spaces shall be a minimum of 4.4. metres in width and 5.5 metres in length; and,
- (c) The minimum number of bicycle parking space units shall be at a rate of 0.35 spaces per unit.
- (d) 10% of the total number of bicycle parking spaces shall be for short term bicycle parking.

Section 45 (1.3) of the *Planning Act* shall not apply to City of Hamilton By-law No. 18-011, and the applicant can apply for a minor variance.

For further disposition of this matter, refer to Item 10.

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(i) Outstanding Business List (Item 13.1)

The following items were removed from the Outstanding Business List:

Item EE – Add a Production Studio Use Within the Barton Tiffany Lands
(Addressed as Item 8.2 on this agenda)

(i) PRIVATE AND CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – February 19, 2019 (Item 14.1)

- (a) The Closed Session Minutes of the February 19, 2019 Planning Committee meeting were approved, as presented; and,
- (b) The Closed Session Minutes of the February 19, 2019 Planning Committee meeting, are remain confidential.

The Committee moved into Closed Session respecting Item 14.2 and 14.3, pursuant to Section 8.1, Sub-section (e) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(ii) Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-16-18) and Township of Glanbrook Zoning By-law No. 464 Amendment Application (ZAC-16-051) for Lands Located at 3033, 3047, 3055, 3063 Binbrook Road (Glanbrook) (Ward 11) (LS19003/PED19031) (Ward 11) (Item 14.2)

Staff were provided with direction in Closed Session.

For disposition of the matter refer to Item 12.

(iii) Local Planning Appeal Tribunal appeals by Television City Hamilton Inc. (PL180255) – Settlement Proposal (LS19012) (Ward 2) (Added Item 14.3)

- (a) The direction provided to staff in Closed Session, was approved;
- (b) Report LS19012 respecting Local Planning Appeal Tribunal appeals by Television City Hamilton Inc. (PL18022) – Settlement Proposal and its recommendations are to remain confidential.

Due to the time-sensitivity of the matter, the item was referred to the March 20, 2019 Special Council meeting for approval.

(j) ADJOURNMENT (Item 15)

There being no further business, the Planning Committee adjourned at 4:02 p.m.

Respectfully submitted,

Councillor M. Pearson
Chair, Planning Committee

Lisa Chamberlain
Legislative Coordinator
Office of the City Clerk

LETTER OF CREDIT POLICY

SITE PLAN SECURITIES

For development proposals approved under Section 41 of the *Planning Act* (Site Plan Approval), the City may require the posting of performance securities, such as Letter of Credit, to be held against the completion of all on-site works (i.e. Landscaping and Engineering).

1. ON-SITE WORKS

There are two alternatives for calculating the amount of the required Letter of Credit for on-site works:

a) Detailed Cost Estimates

Complete an itemized cost estimate for 100% of the cost of the exterior works as per the Guides for Estimating Security Requirements for Landscaping and Engineering (see SCHEDULE "1" and "2").

The applicant is to submit the cost estimates for review by the Planning Division. Securities will be required in the amount of 75% of the approved cost of the works.

An example of an Irrevocable Letter of Credit is attached as SCHEDULE "3".

b) Lump Sum Payment

The amount of the Letter of Credit is calculated based on the area and street frontage, and the type of land use. The following formulas shall be used for calculating the value of the required Letter of Credit:

For new development, the amount of the letter of credit shall be based on the following, which may or may not represent 75% of the estimated cost of exterior site works, but in no case shall the amount be less than \$70,000.00 (2019 dollars):

Residential:	\$105,000 per hectare + \$1,200 per metre frontage
Industrial:	\$35,000 per hectare + \$400 per metre frontage
Institutional:	\$42,000 per hectare + \$900 per metre frontage
Commercial:	\$105,000 per hectare + \$900 per metre frontage

For additions, alterations or additional buildings on developed sites, the amount of the letter of credit shall be based on the following, which may or may not represent 75% of the total cost of all site development works, but in no case shall the amount be less than \$35,000.00:

Residential:	\$53,000 per hectare + \$600 per metre frontage
Industrial:	\$18,000 per hectare + \$200 per metre frontage
Institutional:	\$21,000 per hectare + \$500 per metre frontage
Commercial:	\$53,000 per hectare + \$500 per metre frontage

Schedule “1”

DRAFT City Hamilton Official Plan Amendment No. X

The following text, together with:

Appendix “A” Schedule M-2a: Barton-Tiffany Area General Land Use

attached hereto, constitutes Official Plan Amendment No. X to the City of Hamilton Official Plan.

1.0 **Purpose and Effect:**

The purpose and effect of this Amendment is to add a site specific policy area to lands designated Commercial within the Barton-Tiffany Special Policy Area to add the use of a Production Studio to the Commercial designation.

2.0 **Location:**

The lands affected by this Amendment are known municipally as:

Property Address
Part of 271 Bay Street North, Hamilton
Part of 128 Barton Street West, Hamilton
239 and 259 Caroline Street North, 175 Stuart Street, Hamilton
249 Hess Street North, Hamilton
Part of 242 Queen Street North, Hamilton
Part of 243, 245 Queen Street North, Hamilton
107 Stuart Street, Hamilton
Part of 232 Stuart Street, Hamilton
26 Tiffany Street, Hamilton
28 Tiffany Street, Hamilton
30 Tiffany Street, Hamilton
32 and 36 Tiffany Street, Hamilton

3.0 **Basis:**

The basis for permitting this Amendment is:

- The Amendment complies with Volume 1 of the Urban Hamilton Official Plan; and,

- The proposed Amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2017.

4.0 Actual Changes:

4.1 Text Changes

4.1.1 That Section A.6.3.3.1.16 be amended by adding the following new policy:

A.6.3.3.1.16.1.19

For the lands designated Commercial and shown as Site Specific Policy Area 2 on Schedule M-2a Barton-Tiffany Area General Land Use, the following additional policies shall apply:

- i) In addition to Policy A.6.3.3.1.16.1.3, a *production studio* shall also be permitted;
- ii) A *production studio* shall mean the use of land, building or structure used for creation and production of motion pictures or audio or video recordings and the associated warehousing prop and set design and storage. Digital media uses, such as animation studio and associated software development and processing, but shall not include the mass reproduction of film;
- iii) In addition to Policy A.6.3.3.1.16.1.4, outdoor storage associated with a *production studio* shall be prohibited;
- iv) A *production studio* shall only be permitted if a) the site is developed as a campus setting; and b) if the Production Studios is combined with a range of commercial uses constructed as part of or prior to;
- v) Commercial uses shall be located close to the street to create a strong pedestrian orientation with the *production studio* located interior to the site;
- vi) The implementing Zoning By-law shall identify the following requirements:
 - a. appropriate setbacks for the *production studio* to regulate function and built form;
 - b. the location of parking;

- c. minimum gross floor area thresholds required for commercial development to ensure a range and variety of commercial uses are built at the same time or in advance of the *production studio*; and
 - d. Phasing and timing of commercial uses in association with the *production studio*.
- vii) In accordance with Section F.1.19 – Complete Application Requirements and Formal Consultation of Volume 1, the urban design brief submitted as part of a development application shall include:
- a. A campus masterplan detailing the layout and arrangement of buildings associated with the *production studio* and commercial uses shall address matters such as the following:
 - 1. Vision as contained within the Urban Design Guidelines;
 - 2. Massing and articulation of all buildings;
 - 3. shadow and wind impacts;
 - 4. circulation;
 - 5. street animation;
 - 6. sustainability;
 - 7. Accessibility;
 - 8. Compatibility with adjacent land uses; and
 - 9. Publicly accessible open space areas.
 - b. A Traffic Impact Study.

4.2 Map/Schedule Changes:

4.1.2 Schedule M-2a – Barton Tiffany Area General Land Use

- a. That Schedule M-2a – Barton-Tiffany Area General Land Use – West Harbour Secondary Plan be amended by adding Site Specific Area X, as shown on Appendix “A”, attached to this Amendment.

5.0 Implementation:

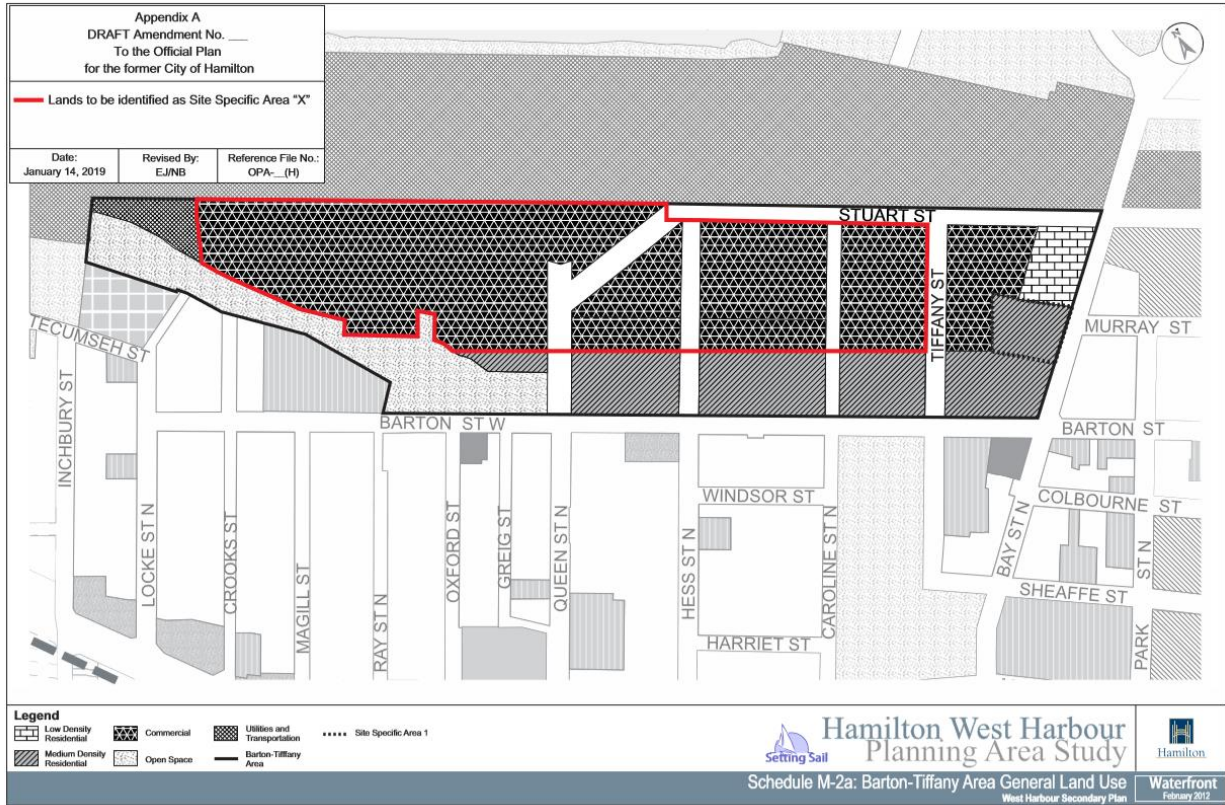
An implementing Zoning By-Law Amendment and Site Plan Control will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule “1” to By-law No. _____ passed on the ____th day of ___, 2019.

The
City of Hamilton

F. Eisenberger
MAYOR

J. Pilon
Acting CITY CLERK





GENERAL ISSUES COMMITTEE REPORT 19-005

9:30 a.m.

Wednesday, March 20, 2019
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Mayor F. Eisenberger, Deputy Mayor T. Jackson (Chair)
Councillors M. Wilson, J. Farr, N. Nann, S. Merulla, C. Collins,
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 19-005 AND RESPECTFULLY RECOMMENDS:

1. Main West Esplanade Business Improvement Area (BIA) Appointment of Board of Management 2019 to 2023 (PED19048) (Wards 1 and 2) (Item 7.1)

That the following individuals be appointed to the Main West Esplanade Business Improvement Area (BIA) Board of Management for a four-year term (2019 to 2023):

- (i) Councillor Maureen Wilson, Ward 1
- (ii) Councillor Jason Farr, Ward 2
- (iii) Bender Chug
- (iv) Adam Law
- (v) Peter Loukas

2. Locke Street Business Improvement Area (BIA) Appointment of Board of Management for 2019 to 2023 (PED19050) (Ward 1) (Item 7.2)

That the following individuals be appointed to the Locke Street Business Improvement Area (BIA) Board of Management for a four-year term (2019 to 2023):

- (i) Councillor Maureen Wilson, Ward 1
- (ii) Tony Greco
- (iii) Heidi Vanderkwaak
- (iv) Bettina Schormann
- (v) Natalie Sexton
- (vi) Robyn Allan
- (vii) Natasha Sokolowski
- (viii) Kirsten McNamee
- (ix) Brandon Stanciak
- (x) Paul Furlong

3. Business Improvement Area Advisory Committee Minutes 19-001, January 15, 2019 (Item 7.4)

That the Business Improvement Area Advisory Committee Minutes 19-001, dated January 15, 2019, be received.

4. Creative Industries Sector Profile Report and Implementation Recommendations (PED19056) (City Wide) (Item 9.1)

- (a) That the Creative Industries Sector Profile Report, attached as Appendix “A” to Report PED19056, be received;
- (b) That findings from the Creative Industries Sector Profile Report, attached as Appendix “A” to Report PED19056, be used to guide and focus the City’s business development efforts on the creative industries sector; and,
- (c) That Tourism and Culture staff be directed to finalize their draft action plan, attached as Appendix “B” to Report PED19056, that provides a summary of staffs’ draft work plan, into work plans utilizing existing resource and any actions that would require additional resources be requested through the annual budget process.

5. Main West Esplanade Business Improvement Area (BIA) Proposed 2019 Budget and Schedule of Payment (PED19049) (Wards 1 and 2) (Item 10.1)

- (a) That the 2019 Operating Budget for the Main West Esplanade Business Improvement Area, attached as Appendix “A” to Report 19-005, in the amount of \$15,607, be approved;

- (b) That the levy portion of the Operating Budget for the Main West Esplanade Business Improvement Area in the amount of \$9,609, be approved;
- (c) That the General Manager of 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 PED19049;
- (d) That the following schedule of payments for 2019, be approved:
 - (i) March \$4,804.50
 - (ii) June \$4,804.50

6. Locke Street Business Improvement Area (BIA) 2019 Proposed Budget and Schedule of Payment (PED19051) (Ward 1) (Item 10.2)

- (a) That the 2019 Operating Budget for the Locke Street Business Improvement Area, attached as Appendix “B” to Report 19-005, in the amount of \$47,920, be approved;
- (b) That the levy portion of the Operating Budget for the Locke Street Business Improvement Area in the amount of \$30 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 PED19051;
- (d) That the following schedule of payments for 2019, be approved:
 - (i) March \$15 K
 - (ii) June \$15 K

7. Transition of Golf Operations and Services to the Recreation Division (HSC19007/PW19021) (City Wide) (Item 10.3)

- (a) That the City Manager be authorized to transfer the resources (28.18 FTE) of the Golf Operations and Golf Services units of the Energy, Fleet and Facilities Management Division of the Public Works Department to the Recreation Division of the Healthy and Safe Communities Department, effective April 1, 2019; and,

- (b) That the Net Levy Base funding in the amount of \$86,540 be transferred from the Golf Operations and Golf Services units of the Energy, Fleet and Facilities Management Division of the Public Works Department to the Recreation Division of the Healthy and Safe Communities Department, effective April 1, 2019.

8. West Harbour Development Sub-Committee Report 19-001, February 26, 2019 (Item 10.4)

(a) Appointment of Chair and Vice-Chair (Item 1)

- (i) That Councillor Farr be appointed as Chair of the West Harbour Development Sub-Committee for the 2018 – 2022 term; and,
- (ii) That Councillor Wilson be appointed as Vice-Chair of the West Harbour Development Sub-Committee for the 2018 – 2022 term.

(b) West Harbour Re-Development Plan Implementation – Status Update (PED17181(a)) (Ward 2) (Item 10.1)

That Report PED17181(a), respecting the West Harbour Re-Development Plan Implementation – Status Update, be received.

(c) Status of West Harbour Implementation (PW17075(b)) (City Wide) (Item 10.2)

That Report PW17075(b), respecting the Status of West Harbour Implementation, be received.

(d) Macassa Bay Year-Round Liveaboard Association 2018/2019 Transition Plan (PED18222(b)) (Ward 2) (Item 10.3) (Attached hereto as Appendix “A”)

- (i) That Council authorize the General Manager of the Planning and Economic Development Department to execute, on behalf of the City of Hamilton, an agreement with the Macassa Bay Yacht Club (MBYC) whereby the Macassa Bay Yacht Club (MBYC) permits the mooring of up to 15 boats owned by members of the Macassa Bay Year-Round Liveaboard Association (LAA) to reside at the Macassa Bay Yacht Club (MBYC) for the 2018/19 winter season in a form satisfactory to the City Solicitor; and,

- (ii) That Council authorize the General Manager of the Planning and Economic Development Department to execute, on behalf of the City of Hamilton, an agreement with each member of the Macassa Bay Year-Round Liveaboard Association (each a “Liveaboard”) who resides at the Macassa Bay Yacht Club (MBYC) with the Macassa Bay Yacht Club’s (MBYC’s) consent for the 2018/2019 winter season in a form satisfactory to the City Solicitor.

9. GRIDS 2 and Municipal Comprehensive Review –Consultation and Work Plan Update (PED17010(c)) (City Wide) (Item 10.5)

That Report PED17010(c), respecting GRIDS 2 and Municipal Comprehensive Review –Consultation and Work Plan Update, be received.

10. Court Security and Prisoner Transportation Program Agreement for 2019 (FCS19024) (City Wide) (Item 10.6)

That the General Manager, Finance and Corporate Services be authorized and directed to execute an agreement between the City of Hamilton and Her Majesty the Queen in Right of Ontario as represented by the Minister of Community Safety and Correctional Services, substantially in the form attached as Appendix “A” to Report FCS19024 and all ancillary and associated documents, to secure Provincial funding allocation for 2019 under the Court Security and Prisoner Transportation Program administered by the Ministry of Community Safety and Correctional Services, in a form acceptable to the City Solicitor.

11. Six Year Event Partnership with Golf Canada (PED18100(b)) (City Wide) (Item 14.2)

That the contents of Report PED18100(b) Six Year Event Partnership with Golf Canada, including recommendations (a) to (f), and its appendix remain confidential.

12. Settlement of Outstanding Issues with respect to City Real Estate Obligations (PED19067) (City Wide) (Item 14.3)

That Report PED19067, respecting the Settlement of Outstanding Issues with respect to City Real Estate Obligations, and its appendix. remain confidential.

13. Disposition of Real Estate in the Barton-Tiffany Area (PED19063) (Ward 2) (Item 14.4)

That the entirety of Report PED19063 respecting the Disposition of Real Estate in the Barton-Tiffany Area, remain confidential and not be released as a public document.

14. Waterfront Lease Update (LS18053(b) (Ward 2) (Item 14.5)

That Report LS18053(b), respecting the Waterfront Lease Update, 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 from Keanin Loomis, President and CEO, Hamilton Chamber of Commerce, respecting Report PED19056 - Creative Industries Sector Profile Report and Implementation Recommendations

Recommendation: Be received and referred to the consideration of Item 9.1.

- 5.2 Mark Furukawa, Chair of the Hamilton Music Advisory Team and Owner of Dr. Disc, respecting Report PED19056 - Creative Industries Sector Profile Report and Implementation Recommendations

Recommendation: Be received and referred to the consideration of Item 9.1.

2. DELEGATION REQUESTS (Item 6)

- 6.4 Craig Burley, Barrister and Solicitor, respecting the Need for a Judicial Review respecting the Red Hill Valley Parkway Matter (For the March 20, 2019 GIC)
- 6.5 Mark Furukawa, Chair of the Hamilton Music Advisory Team and Owner of Dr. Disc, in support of the Creative Industries Sector Profile Report (For the March 20, 2019 GIC) – **WITHDRAWN FROM THE AGENDA**
- 6.6 Julie DeNardi, Greta's Flair Lingerie and Mastectomy, respecting Report PED19054, Ottawa Street BIA Appointment of Board of Management (For the March 20, 2019 GIC) – **WITHDRAWN FROM THE AGENDA**
- 6.7 Malcolm Hodgskiss, respecting a Judicial Review for the Red Hill Valley Park Matter (For the March 20, 2019 GIC) – **WITHDRAWN FROM THE AGENDA**

2. MOTIONS (Item 11)

Items 11.2 and 11.3 are correctly listed on the agenda, but the hard copies are transposed in the printed agenda.

11.2 At Risk Taxpayers Trends

11.3 Transit Service Levels

The agenda for the March 20, 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 MEETING (Item 4)

(i) February 20, 2019 (Item 4.1)

The Minutes of the February 20, 2019 meeting of the General Issues Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

The following Communications were approved, as follows:

- (i) Correspondence from Keanin Loomis, President and CEO, Hamilton Chamber of Commerce, respecting Report PED19056 - Creative Industries Sector Profile Report and Implementation Recommendations (Item 5.1)

Recommendation: Be received and referred to the consideration of Item 9.1.

- (ii) Mark Furukawa, Chair of the Hamilton Music Advisory Team and Owner of Dr. Disc, respecting Report PED19056 - Creative Industries Sector Profile Report and Implementation Recommendations (Item 8.2)

Recommendation: Be received and referred to the consideration of Item 9.1.

(e) DELEGATION REQUESTS (Item 6)

- (i) **Ted Scott, Synapse Life Sciences Consortium, to speak to a Forthcoming Staff Report respecting a Funding Request from Synapse Life Sciences Consortium (For the April 3, 2019 GIC) (Item 6.1)**

The delegation request submitted by Ted Scott, Synapse Life Sciences Consortium, to speak to a Forthcoming Staff Report respecting a Funding Request from Synapse Life Sciences Consortium, was approved to attend before the General Issues Committee on April 3, 2019.

- (ii) Anne Pearson and Gail Rappolt, United Nations Association in Canada, Hamilton Branch, and Culture of Peace Hamilton, to Share Information from Hamilton's September 2018 International Day of Peace Celebration (For the April 3, 2019 GIC) (Item 6.2)**

The delegation request submitted by Anne Pearson and Gail Rappolt, United Nations Association in Canada, Hamilton Branch, and Culture of Peace Hamilton, to Share Information from Hamilton's September 2018 International Day of Peace Celebration, was approved to attend before the General Issues Committee on April 3, 2019.

- (iii) P. J. Mercanti, Carmen's Group, respecting the 2030 Centennial Commonwealth Games (For the March 20, 2019 GIC) (Item 6.3)**

The delegation request submitted by P. J. Mercanti, Carmen's Group, respecting the 2030 Centennial Commonwealth Games, was approved to attend before the General Issues Committee on March 20, 2019.

- (iv) Craig Burley, Barrister and Solicitor, respecting the Need for a Judicial Review respecting the Red Hill Valley Parkway Matter (For the March 20, 2019 GIC) (Item 6.4)**

The delegation request submitted by Craig Burley, Barrister and Solicitor, respecting the Need for a Judicial Review respecting the Red Hill Valley Parkway Matter, was approved to attend before the General Issues Committee on March 20, 2019.

(f) CONSENT ITEMS (Item 7)

- (i) Ottawa Street Business Improvement Area (BIA) Appointment of the Board of Management for 2019 to 2023 (PED19054) (Wards 3 and 4) (Item 7.3)**

Report PED19054, respecting the Ottawa Street Business Improvement Area (BIA) Appointment of the Board of Management for 2019 to 2023, was referred back to staff.

(g) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) Tim Potocic, Supercrawl, respecting the Current Economic Impact of the Festival (Item 8.1)

Tim Potocic, Supercrawl, addressed Committee respecting the Current Economic Impact of the Festival.

Tim Potocic, of Supercrawl, was permitted additional time, beyond the permitted 5 minutes, to continue with his presentation.

The presentation provided by Tim Potocic, Supercrawl, respecting the Current Economic Impact of the Festival, was received.

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

(ii) P. J. Mercanti, Carmen's Group, respecting the 2030 Centennial Commonwealth Games (Item 8.2)

P. J. Mercanti, Carmen's Group, addressed Committee respecting the 2030 Centennial Commonwealth Games.

P. J. Mercanti, Carmen's Group, was permitted additional time, beyond the permitted 5 minutes, to continue with his presentation.

The presentation provided by P. J. Mercanti, Carmen's Group, respecting the 2030 Centennial Commonwealth Games, was received.

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

The City Manager, along with the appropriate staff, and in consultation with the Hamilton 100 Commonwealth Games Community Coalition, was directed to report back to the General Issues Committee, as soon as possible, with the outline of the games, the bidding process, risks and rewards, potential venues and facilities that the City of Hamilton would require to host the 2030 Commonwealth Games.

(iii) Craig Burley, Barrister and Solicitor, respecting the Need for a Judicial Review respecting the Red Hill Valley Parkway Matter (For the March 20, 2019 GIC) (Item 8.3)

Craig Burley, Barrister and Solicitor, addressed Committee respecting the need for a judicial review respecting the Red Hill Valley Parkway Matter

The presentation provided by Craig Burley, Barrister and Solicitor, respecting the need for a judicial review respecting the Red Hill Valley Parkway Matter, was received.

(h) STAFF PRESENTATIONS (Item 9)

(i) Creative Industries Sector Profile Report and Implementation Recommendations (PED19056) (City Wide) (Item 9.1)

Carrie Brooks-Joiner, Acting Director of Tourism and Culture; and, Debbie Spence, Business Development Consultant, Creative Industries, Cultural Development Section, addressed Committee and provided a PowerPoint presentation respecting Report PED19056 - Creative Industries Sector Profile Report and Implementation Recommendations.

The presentation, respecting Report PED19056 - Creative Industries Sector Profile Report and Implementation Recommendations, was received.

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

For disposition of this matter, please refer to Item 4.

(i) MOTIONS (Item 11)

(i) Protocol for Public Release of Information as it relates to Bids for Any International, National, Provincial Games, Award Shows, Musical Concerts, Conventions, Conference, Trade Shows, and Partisan Political Conventions (Item 11.1)

This motion was withdrawn from the agenda.

(ii) At Risk Taxpayers Trends (Item 11.2)

This motion will be placed on the April 3, 2019 General Issues Committee agenda.

(iii) Transit Service Levels (Item 11.3)

This motion was withdrawn from the agenda.

(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) Pleasant View Land Acquisition**
(No longer required by the Ward 13 Councillor)
- (ii) Options for Funding Available to the 13th Battalion Auchmar Heritage Trust for the Auchmar Estate** (Addressed at the January 16, 2019 General Issues Committee meeting, GIC Report 19-001, Item 17 (PED12193(d)))
- (iii) Land Development Task Force – Semi Annual Update**
(No longer required. Addressed at the September 5, 2018 General Issues Committee meeting, GIC Report 18-017, Item 8 (PED18187))

(k) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – February 20, 2019 (Item 14.1)

- (a)** The Closed Session Minutes of the February 20, 2019 General Issues Committee meeting were approved, as presented; and,
- (b)** The Closed Session Minutes of the February 20, 2019 General Issues Committee meeting, remain confidential.

Committee moved into Closed Session, respecting Items 14.2 to 14.5, pursuant to Section 8.1, Sub-sections (c), (e), (f) and (k) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (c), (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; 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.

(ii) Six Year Event Partnership with Golf Canada (PED18100(b)) (City Wide) (Item 14.2)

Staff was provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 11.

(iii) Settlement of Outstanding Issues with respect to City Real Estate Obligations (PED19067) (City Wide) (Item 14.3)

Staff was provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 12.

(iv) Disposition of Real Estate in the Barton-Tiffany Area (PED19063) (Ward 2) (Item 14.4)

Staff was provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 13.

(v) Waterfront Lease Update (LS18053(b)) (Ward 2) (Item 14.5)

Staff was provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 14.

(I) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee be adjourned at 4:32 p.m.

Respectfully submitted,

T. Jackson, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk

**MAIN WEST ESPLANADE
BUSINESS IMPROVEMENT AREA (BIA)
PROPOSED 2019 OPERATING BUDGET**

Revenue	
BIA Levy	\$9,609
Reserves	\$5,998
Total Revenues	\$15,607
Expenses	
Branding/Marketing	\$1,000
Streetscape and Beautification Efforts	\$10,000
Office Supplies	\$300
Insurance	\$1,907
Auditor and Accounting Services	\$1,900
Reserve Fund	\$500
Total Expenses	\$15,607

**LOCKE STREET
BUSINESS IMPROVEMENT AREA (BIA)
PROPOSED 2019 OPERATING BUDGET**

Revenue	
BIA Levy	\$30,000
Other City Revenue	\$12,500
Merchants Association Fund	\$5,420
Total Revenues	\$47,920
Expenses	
Marketing, Advertising and Social Media	\$19,720
Special Events	\$9,000
Street Beautification	\$9,000
Administration	
Auditors	\$500
Bookkeeping and Business Support	\$4,800
Office Supplies	\$500
Insurance	\$1,650
Rental	\$2,750
Total Expenses	\$47,920



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 19-004

9:30 a.m.

March 21, 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 19-004 AND RESPECTFULLY RECOMMENDS:

1. **Report of the 2018 Remuneration and Expenses as Required under Section 284 of the *Municipal Act* (FCS19014) (City Wide) (Item 7.2)**

That Report FCS19014 respecting the Report of the 2018 Remuneration and Expenses as Required under Section 284 of the *Municipal Act*, be received.

2. **2017 Audited Financial Statements for City of Hamilton Business Improvement Areas (BIAs) (FCS19018) (City Wide) (Item 7.3)**

That Report FCS19018 respecting the 2017 Audited Financial Statements for City of Hamilton Business Improvement Areas (BIAs), be received.

3. **Organizational Health Evaluation (HUR19002) (City Wide) (Item 7.4)**

That Report HUR19002 respecting the Organizational Health Evaluation, be received.

4. **Freedom of Information Quarterly Report (October 1 to December 31) (CL18003(c)) (City Wide) (Item 7.5)**

That Report CL18003(c) respecting the Freedom of Information Quarterly Report (October 1 to December 31), be received.

Council – March 27, 2019

5. Employee Annual Attendance Report 2018 (HUR19003) (City Wide) (Item 9.1)

That Report HUR19003 respecting the Employee Annual Attendance Report for 2018, be received.

6. Occupational Injury and Illness Annual Report 2018 (HUR19004) (City Wide) (Item 10.1)

That Report HUR19004 respecting the Occupational Injury and Illness Annual Report for 2018, be received.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

1. DELEGATION REQUESTS (Item 6)

- 6.1 Stephanie Bass, respecting the International Day for the Elimination of Racial Discrimination (For today's meeting)
- 6.2 Shahzi Bokhari, respecting the International Day for the Elimination of Racial Discrimination (For today's meeting)

2. PUBLIC HEARINGS/DELEGATIONS (Item 8)

- 8.1 Vince Dipietro, Angelica Homes, respecting a rental property's water bill
- 8.1(a) Supporting documentation respecting a rental property's water bill, for 98 East 31st Street, Hamilton

Approved January 17, 2019 and will be heard on April 4, 2019 as per the delegate's request.

3. STAFF PRESENTATIONS (Item 9)

- 9.2 Occupational Injury and Illness Annual Report 2018 (HUR19004) (City Wide)

At the request of staff, Item 9.2 has been moved to Discussion Item 10.1.

The agenda for the March 21, 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) February 21, 2019 (Item 4.1)

The Minutes of the February 21, 2019 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Delegation Requests (Added Items 6.1 and 6.2)

The following delegation requests were approved for today's meeting:

- (1) Stephanie Bass, respecting the International Day for the Elimination of Racial Discrimination (For today's meeting) (Added Item 6.1)
- (2) Shahzi Bokhari, respecting the International Day for the Elimination of Racial Discrimination (For today's meeting) (Added Item 6.2)

(e) CONSENT ITEMS (Item 7)

(i) Governance Review Sub-Committee - Clerk's Report 19-001 (Item 7.1)

Clerk's Report 19-001 for the Governance Review Sub-Committee, was received.

(f) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) Michael Woloch, respecting hiring practices for Professional Engineers at the City of Hamilton (Approved February 21, 2019) (Item 8.2)

Michael Woloch, addressed the Committee respecting hiring practices for Professional Engineers at the City of Hamilton.

The delegation from Michael Woloch, respecting hiring practices for Professional Engineers at the City of Hamilton, was received.

(ii) Stephanie Bass, respecting the International Day for the Elimination of Racial Discrimination (For today's meeting) (Added Item 8.3)

Stephanie Bass was not present when called upon. A copy of the written submission on International Day for the Elimination of Racial Discrimination has been included in the official record.

The written submission from Stephanie Bass, respecting the International Day for the Elimination of Racial Discrimination, was received and referred to the Committee Against Racism.

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

(iii) Shahzi Bokhari, respecting the International Day for the Elimination of Racial Discrimination (For today's meeting) (Added Item 8.4)

Shahzi Bokhari, addressed the Committee respecting the International Day for the Elimination of Racial Discrimination, with the aid of a presentation. A copy of the presentation on International Day for the Elimination of Racial Discrimination has been included in the official record.

The delegation from Shahzi Bokhari, respecting the International Day for the Elimination of Racial Discrimination, was received.

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

(g) STAFF PRESENTATIONS (Item 9)

(i) Employee Annual Attendance Report 2018 (HUR19003) (City Wide) (Item 9.1)

Lora Fontana, addressed the Committee respecting the Employee Annual Attendance Report for 2018, with the aid of a presentation. A copy of the presentation has been included in the official record.

The presentation from staff respecting the Employee Annual Attendance Report for 2018, was received.

A copy of the presentation is available at www.hamilton.ca.

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

(h) ADJOURNMENT (Item 15)

There being no further business, the Audit, Finance and Administration Committee adjourned at 11:39 a.m.

Respectfully submitted,

Councillor Collins, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk



EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 19-002

1:30 p.m.

Thursday, March 21, 2019
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Councillors S. Merulla (Chair), E. Pauls (Vice-Chair), B. Clark, T. Jackson, N. Nann, and T. Whitehead

Also Present: Councillors C. Collins

THE EMERGENCY & COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 19-002 AND RESPECTFULLY RECOMMENDS:

1. Fire Apparatus Conference/Trade Show Showcase (HSC19016) (City Wide) (Item 7.1)

That Report HSC19016, respecting a Fire Apparatus Conference/Trade Show Showcase, be received.

2. Allocation Policy for Sport Fields, Diamonds and Arenas (HSC19013) (City Wide) (Item 9.1)

That the Allocation Policy for Fields, Diamonds, and Arenas attached as Appendix "A" to Emergency & Community Services Committee Report 19-002, and the Procedure Documents for Fields and Diamonds as well as Arenas respectively attached as Appendix "B" and "C" to Emergency & Community Services Committee Report 19-002, be approved and implemented on April 1, 2019, subject to quarterly review and informational progress reports back to the Emergency and Community Services Committee until April 1, 2020.

3. Tenant Defence Fund (HSC19011) (City Wide) (Outstanding Business List Item) (Item 10.1)

- (a) That the Tenant Defence Fund Pilot Program as outlined in the Tenant Defence Fund Program Guidelines attached as Appendix “D” to Emergency & Community Services Committee Report 19-002 be approved;
- (b) That the General Manager of the Healthy and Safe Communities Department or his designate be delegated the authority to administer the Tenant Defence Fund Pilot Program and approve grant applications; and,
- (c) That the General Manager of the Healthy and Safe Communities Department or his designate be delegated the authority to revise the Tenant Defence Fund Program Guidelines as needed in accordance with current community needs and the funds available for the program.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

1. ADDED COMMUNICATIONS (Item 5)

- 5.1 Correspondence from the Hamilton and District Apartment Association respecting Item 10.1 - Tenant Defence Fund (HSC19011)

Recommendation: Be received and referred to the consideration of Item 10.1.

- 5.2 Correspondence from Maria Antelo, Hamilton Community Legal Clinic, respecting Item 10.1 - Tenant Defence Fund (HSC19011)

Recommendation: Be received and referred to the consideration of Item 10.1.

- 5.3 Correspondence from Joe Seroski, Wentworth Adult Mixed Slo-Pitch League, respecting Item 9.1 - Allocation Policy for Sport Fields, Diamonds and Arenas (HSC19013)

Recommendation: Be received and referred to the consideration of Item 9.1.

The agenda for the March 21, 2019 Emergency and Community Services Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Clark declared an interest to Item 5.1, respecting Correspondence from the Hamilton and District Apartment Association, as he had a past professional relationship with the Hamilton and District Apartment Association.

Councillor Clark declared an interest to Item 10.1, respecting the Tenant Defence Fund (HSC19011), as the Hamilton and District Apartment Association, with whom he had a past professional relationship, submitted correspondence in relation this item.

Councillor Merulla declared an interest to Items 5.1 and 5.2, as they relate to the Tenant Defence Fund (HSC19011), as he is a landlord.

Councillor Merulla declared an interest to Item 10.1, respecting the Tenant Defence Fund (HSC19011), as he is a landlord.

Councillor Pauls declared an interest to Items 5.1 and 5.2, as they relate to the Tenant Defence Fund (HSC19011), as she is a landlord.

Councillor Pauls declared an interest to Item 10.1, respecting the Tenant Defence Fund (HSC19011), as she is a landlord.

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

(i) February 21, 2019 (Item 4.1)

The Minutes of the February 21, 2019 meeting of the Emergency and Community Services Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

Councillor Merulla relinquished the Chair to Councillor Jackson.

(i) Correspondence from the Hamilton and District Apartment Association respecting Item 10.1 - Tenant Defence Fund (HSC19011) (Added Item 5.1)

The correspondence from the Hamilton and District Apartment Association, was received and referred to Item 10.1 - Tenant Defence Fund (HSC19011).

- (ii) Correspondence from Maria Antelo, Hamilton Community Legal Clinic, respecting Item 10.1 - Tenant Defence Fund (HSC19011) (Added Item 5.2)**

The correspondence from Maria Antelo, Hamilton Community Legal Clinic, was received and referred to Item 10.1 - Tenant Defence Fund (HSC19011).

Councillor Merulla assumed the Chair.

- (iii) Correspondence from Joe Seroski, Wentworth Adult Mixed Slo-Pitch League, respecting Item 9.1 - Allocation Policy for Sport Fields, Diamonds and Arenas (HSC19013) (Added Item 5.3)**

The correspondence from Joe Seroski, Wentworth Adult Mixed Slo-Pitch League, was received and referred to Item 9.1 - Allocation Policy for Sport Fields, Diamonds and Arenas (HSC19013).

(e) CONSENT ITEMS (Item 7)

- (i) Housing and Homelessness Advisory Committee Minutes - October 2, 2018 (Item 7.2)**

The Minutes of the October 2, 2018 meeting of the Housing and Homelessness Advisory Committee were received, as presented.

(f) PUBLIC HEARINGS/DELEGATIONS (Item 8)

- (i) Raven Bridges, respecting Housing Issues Crisis (approved by the Emergency and Community Services Committee on February 21, 2019) (Item 8.1)**

Consideration of Item 8.1, respecting the delegation from Raven Bridges on a Housing Issues Crisis, was deferred until the end of the meeting due to his absence.

(g) STAFF PRESENTATIONS (Item 9)

- (i) Allocation Policy for Sport Fields, Diamonds and Arenas (HSC19013) (City Wide) (Item 9.1)**

Steve Sevor, Manager, Sport Services, addressed Committee and provided a PowerPoint presentation respecting Report HSC19013, Allocation Policy for Sport Fields, Diamonds and Arenas.

The presentation, respecting Report HSC19013, Allocation Policy for Sport Fields, Diamonds and Arenas, was received.

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

The recommendation of Report HSC19013, respecting the Allocation Policy for Sport Fields, Diamonds and Arenas was amended to read as follows:

That the Allocation Policy for Fields, Diamonds, and Arenas attached as Appendix "A" to Report HSC19013, and the Procedure Documents for Fields and Diamonds as well as Arenas respectively attached as Appendix "B" and "C" to Report HSC19013, be approved and ~~in force effective~~ ***implemented on April 1, 2019, subject to quarterly review and informational progress reports back to the Emergency and Community Services Committee until April 1, 2020.***

For disposition of this matter, refer to Item 2.

(h) DISCUSSION ITEMS (Item 10)

Councillor Merulla relinquished the Chair to Councillor Jackson.

(i) Tenant Defence Fund (HSC19011) (City Wide) (Outstanding Business List Item) (Item 10.1)

For disposition of this matter, refer to Item 3.

Councillor Merulla assumed the Chair.

(i) PUBLIC HEARINGS/DELEGATIONS (Item 8) - CONTINUED

(i) Raven Bridges, respecting Housing Issues Crisis (approved by the Emergency and Community Services Committee on February 21, 2019) (Item 8.1)

Raven Bridges was not present when called upon.

That Raven Bridges be invited to make a new delegation request in accordance with subsection 5.11(5) of the City of Hamilton Procedural By-law 18-270.

(j) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

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

The following amendments to the Emergency and Community Services Committee's Outstanding Business List, were approved:

(a) Items to be removed:

- (i) Landlord and Tenant Board Decisions**
Addressed as Item 10.1 on today's agenda - Report HSC19011
Item on OBL: III
- (ii) Tenant Defence Fund**
Addressed as Item 10.1 on today's agenda - Report HSC19011
Item on OBL: KKK

(b) Items requiring a new due date:

- (i) Endorsement of Report "The Right to an Adequate Standard of Living: An Update to the 2006 Report" to the United Nations Committee on Economic, Social and Cultural Rights in Geneva (Delegation)**
Item on OBL: Y
Current Due Date: March 21, 2019
Proposed New Due Date: December 5, 2019
- (ii) Funding Requests from Agencies**
Item on OBL: CCC
Current Due Date: March 21, 2019
Proposed New Due Date: To Be Determined

(k) ADJOURNMENT (Item 15)

There being no further business, the Emergency and Community Services Committee was adjourned at 3:15 p.m.

Respectfully submitted,

Councillor S. Merulla
Chair, Emergency and Community Services Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk

Corporate Human Resources Policy		Content Updated: 2019-03-21
<<Category Name Insert Here>>		Supersedes Policy: <<if applicable>>
Policy No: <<Insert Here>>		
Page 1 of 6		Approval: YEAR-MM-DD

Allocation Policy for Fields, Diamonds, and Arenas

POLICY STATEMENT	The City of Hamilton is committed to ensuring that the process of allocating municipal recreation assets is transparent and provides sufficient access to these parks and facilities for local Affiliated Minor Sport Organizations.
PURPOSE	<p>The promotion of lifelong participation in sport and physical activity aligns with the City of Hamilton's Healthy and Safe Communities priority within the Strategic Plan, which envisions Hamilton as a "safe and supportive city where people are active, healthy, and have a high quality of life."</p> <p>The purpose of this Policy is to provide Sport Services staff within the Recreation Division of the Healthy and Safe Communities Department with objective measures (formula) to ensure that all Affiliated Minor Sport Organizations are allocated sufficient fields, diamonds, or arenas to satisfy their core programming. The enforcement of this Policy could create opportunities for both Affiliated and Non-Affiliated Sport Organizations to benefit from the use of municipal recreation assets.</p>
SCOPE	<p>This Policy will be implemented by the Healthy and Safe Communities Department Recreation Division's Sport Services and Arenas staff as well as Parks staff within the Environmental Services Division of the Public Works Department, as primary allocators and maintainers of the City's recreation assets.</p> <p>The provisions and standards in this Policy should be followed to ensure that each Affiliated Minor Sport Organization is given the opportunity to rent appropriate facilities to allow the operation of the core program (e.g., practices and games for house league and competitive athletes, as well as pre-season training and tryouts for competitive athletes).</p> <p>One driving force of the work undertaken during the creation of this Policy is the application of Long-Term Athlete Development (LTAD) models for each sport. These models are founded in extensive research and outline appropriate training and competition activities for each developmental stage of athletes across the entire lifespan.</p>

	<p>The use of LTAD practice, game, team size, and facility type recommendations as the basis for the creation of the formula offers an objective guideline that compares ‘apples to apples’ and provides a more representative breakdown of appropriate use for appropriate ages and competition levels.</p> <p>While the focus of the formulas included within the attached Procedure documents is the Affiliated Minor Sport Organizations that rent municipal fields, diamonds, and arenas, the City of Hamilton recognizes that all residents should have access to high quality facilities.</p> <p>In addition, the anticipated reduction in blanket booking will provide the Public Works’, Environmental Services Division’s Parks staff with more accurate usage schedules that will allow more predictable access to assets for maintenance purposes.</p> <p>This Policy only applies to structured seasonal rentals and does not apply to one-time or short-term rentals (e.g., tournaments, parties, special events, etc.).</p> <p>This Policy does not establish nor alter fees associated with the rental of municipal recreation assets.</p>
ALLOCATION PRIORITIES	<p>The City of Hamilton allocates recreation assets (including sports fields, diamonds, and arenas) based upon an established priority list of organization type, including (in order):</p> <ol style="list-style-type: none"> 1. Special events; 2. Annual tournaments; 3. City of Hamilton programs; 4. Affiliated Minor Sport Organizations; 5. District School Boards; 6. Non-affiliated sport organizations; and 7. New requests (following above priority order). <p>Additional factors will also be considered as required, including:</p> <ul style="list-style-type: none"> • Available inventory of assets for a given season; • Geographic catchment areas for organizations; • Historic use patterns; • Discussions with user groups; and • Other factors deemed appropriate for consideration on a case-by-case basis.
DEFINITIONS	
Affiliated Minor Sport Organization	A sport organization that:

	<ul style="list-style-type: none"> • Provide sport opportunities to youth ages 18 and under; • Governs members by a constitution and/or bylaws and is democratically run; • Holds elections to select Executive members; • Is comprised of 95% Hamilton residents; • Submits satisfactory financial statements and Executive contact information annually; • Conducts police screening for all eligible volunteers; and • Provides a valid certificate of insurance (or purchases same through the City) that names 'all City of Hamilton facilities' and the City of Hamilton as an additional insured party.
Allocation	The process by which field, diamond, and arena time is distributed amongst user groups. This process is conducted by Sport Specialists, in cooperation with the user groups, and utilizes registration numbers collected prior to the season wherever possible. If no registration numbers are given, the previous season's final numbers will be used.
City Public Program	Program that is provided by the City and is advertised through the Recreation Guide.
Core Program	Athletes will be offered one access point (e.g., house league or competitive level) to an organization, aside from figure skating, which is an individual sport that provides learn-to-skate programs that serve as an entry point for all ice sports. The core program will include only practices and games for teams in each age category at house league and competitive levels where applicable. The number of practices and games will vary based on level of play, age, and sport.
Long-Term Athlete Development (LTAD)	<p>Describes the training activities that athletes should be doing at specific ages and stages of development. As a condition to official recognition status, each individual sport governing body in Canada is required to follow LTAD. The stages of LTAD include:</p> <ul style="list-style-type: none"> • Active Start; • FUNdamentals; • Learn to Train; • Train to Train; • Train to Compete; • Train to Win; and • Active for Life.
Non-Affiliated Sport Organization	Organization that does not meet the requirements to be an Affiliated Minor Sport Organization, including commercial businesses and adult sport clubs.

Special Event	Sport event that holds regional, provincial, or national significance and is hosted in City parks and/or facilities. This may also refer to events such as festivals, which may affect the availability of City facilities for rental by sport organizations.
PRINCIPLES (if applicable)	<p>The City of Hamilton supports the following principles of sport participation and allocation:</p> <ol style="list-style-type: none"> 1. All residents are encouraged to participate in sport and physical activity, with particular attention paid to providing opportunities to youth age 18 and under. 2. Fair allocation of resources for all City of Hamilton residents while adhering to best practices and policies is valued. 3. The principles of LTAD are considered as a guideline for the calculation and application of allocated hours. 4. User group input into the allocation process is crucial to the creation of this Policy and should be considered as part of an ongoing review process. 5. The objective measure of a formula provides a transparent and predictable method by which core programming is satisfied, allowing for case-by-case assessment of additional requests.
TERMS & CONDITIONS	<p>The following terms and conditions apply to this Policy:</p> <ol style="list-style-type: none"> 1. Organizations that meet requirements (including the provision of sport opportunities for youth ages 18 and under, 95% residency rate for membership, democratic organizational structure, non-profit, governed by a constitution and/or bylaws, and transparent financial practices) of the Affiliation Policy for Minor Sports Groups are given priority status, following major events and City programs. 2. Municipal recreation assets (e.g., sports fields, diamonds, arenas, etc.) for recreational programming should be allocated based on local geography where possible and that the philosophy of community-based programming should be inherent within this Policy. 3. Sport in Hamilton is best served when operated and coordinated by volunteers within self-contained, open, and accountable organizations.

	<p>4. Any organization that books time on a City owned or operated recreation asset will not sublease that time to another organization. Unwanted bookings are to be returned through Facility Booking staff and will be made available to other organizations wherever possible.</p>
RESPONSIBILITIES (if applicable)	<p>The following positions and/or departments are responsible for fulfilling the responsibilities detailed in this Policy as follows:</p> <ol style="list-style-type: none"> 1. Recreation Division <ol style="list-style-type: none"> a. Director of Recreation b. Manager of Sports Services c. Manager of Arena Operations d. Sport Specialists e. Facility Booking Clerks 2. Public Works Division <ol style="list-style-type: none"> a. Manager of Parks b. Manager of Facilities c. Parks Superintendents d. Parks Operations Staff
COMPLIANCE	<p>Failure to comply with this Policy and its associated Procedures will result in the potential loss of rental access to City of Hamilton recreation facilities.</p>
RELATED	<p>The following related documents are referenced in this Policy:</p> <ol style="list-style-type: none"> 1. City of Hamilton Policies <ol style="list-style-type: none"> a. Affiliation Policy for Hamilton Minor Sports Organizations (Report CS09039) b. Hamilton Ice User Rates & Allocation Principles (Report CS13040) c. Council Approved User Fees and Charges (annual) 2. LTAD Planning Documents as found on individual National Sport Organization's websites.
HISTORY	<p>The following stakeholders were consulted in the creation or revisions made to this Policy:</p> <ol style="list-style-type: none"> 1. Affiliated and Non-Affiliated Sport Organizations; 2. Working groups comprised of representatives from Affiliated Minor Sport Organizations; 3. Sport Services staff and Recreation Division management; and 4. Parks staff and management. <p>This policy replaces the former policy named Hamilton Ice User Rates & Allocation Principles (Report CS13040) dated September 9, 2013.</p>

The City of Hamilton's Recreation Division is committed to ensuring the inclusion of individuals with disabilities. If you require part of this publication in an accessible format, please contact accessiblerec@hamilton.ca.

Allocation Policy for Sports Fields, Diamonds, and Arenas Procedure Document – Fields and Diamonds

Overall Considerations

- The City of Hamilton reserves the right to make a final determination on the allocation of all municipally owned and/or operated facilities in consideration of geography, type of use, allocation formula, affiliate status, etc.;
- Sport Services staff within the Recreation Division of the Healthy and Safe Communities Department may contact the appropriate governing body to confirm registration numbers at any time;
- Historical usage does not guarantee future bookings;
- Each athlete will be counted once, either at the house league or competitive level. Select or other secondary registrations (e.g., skill development programs, clinics, etc.) will not be included in the allocation formula;
- Sport Services staff will endeavour to allocate the appropriate sports field or diamond size for each stage wherever possible;
- Every effort should be made to limit use on 'class A' sports fields to allow more rest time to improve the quality over time;
- Park conditions, maintenance activities, inclement weather, and construction projects may cause adjustments to allocated bookings; and,
- Tournaments are not included in the allocation formula.

Formulas

This Procedure document includes an allocation formula for all field and diamond sports that had Affiliated Minor Sport Organizations at the time of the creation of this Allocation Policy for Fields, Diamonds, and Arenas. It will determine total weekly and seasonal entitlement for each organization by competition level, and Long-Term Athlete Development (LTAD) stage. These formulas are based upon research into LTAD, best practices in other municipalities, and extensive input from our user groups. Working groups for sports fields and diamonds users met several times to provide input and refine their respective formula, with City staff making the final determination on the formulas to ensure alignment with LTAD and City requirements. In addition to existing needs, it is expected that each formula will undergo adjustments based upon annual consultation with user groups to ensure that a reserve of available sports fields and diamonds are available to provide opportunities for growth, support new requests, and respond to demand by adult users. The goal of lifelong participation within LTAD supports the need for access to municipal recreation assets by athletes of all ages and abilities; however, Affiliated Minor Sport Organizations are the priority group for this iteration of the Policy.

The formulas are not the only component of the allocation process. The application of each allocation formula by Sport Services staff will provide a starting point that ensures all Affiliated Minor Sport Organization receives adequate booking time to satisfy their core programming needs. Further consultation with Affiliated Minor Sport Organizations will be undertaken annually to fine-tune formulas.

The following factors have been identified by the Policy working groups and are incorporated into the formula for each sport and for both house league and competitive Affiliated Minor Sport Organization teams:

- LTAD stage/age categories;
- Base number of players per team within each stage; and,
- Number and length of practices and games per week.

The variable factors that will depend upon the annual application of registration data include:

- Number of players registered by an organization within each stage (organizations will be asked to provide the most up-to-date registration numbers as possible in the early Spring);
- Number of weeks per season;
- Calculated number of teams based upon the base number of players per team;
- Calculated number of hours for practices and games per week;
- Total allocated hours per week by stage; and,
- Total allocated hours per season by stage.

City staff will collect user registration data annually in the winter to ensure the most up-to-date data is used for allocation. Summer sport organizations generally do not complete registration until shortly before the season or after the season has already begun so organizations will be encouraged to complete registration earlier in the winter. Allocation must be completed in the winter to allow for City staff and sport organizations to plan their seasons.

The formulas are not meant to prescribe how sport organizations manage their time internally, but rather, are intended to serve as a standardized method by which hours can be allocated based upon an objective measure of number of athletes per LTAD stage and number of weeks per season. This enables a transparent and equitable process of allocation.

Classification criteria for City fields and diamonds include but are not limited to:

- Class A – fenced, lit, irrigated, field house, bleachers, regulation size;
- Class B – some amenities, lit, irrigated, regulation to intermediate size; and,
- Class C – no lights, no spectator seating, and no change rooms.

Affiliate Status

Affiliated Minor Sport Organizations will continue to receive priority booking access to City sports fields and diamonds, if they are in compliance with the City's Affiliation Policy for Minor Sport Groups.

The following criteria must be satisfied annually to qualify for Affiliate status:

- Govern members by a constitution and/or bylaws;
- Provide sport opportunities to youth ages 18 and under;
- Hold elections to select Executive members;
- Be comprised of 95% Hamilton residents;
- Submit satisfactory financial statements and Executive contact information annually;
- Conduct police screening for all eligible volunteers; and,
- Provide a valid certificate of insurance (or purchase through the City at the time of booking) that names 'all City of Hamilton facilities' as the location, and the City of Hamilton as an additional insured party.

Internal Allocation Process

Sport Services staff will review all sports field and diamond requests in the following priority order:

1. Special outdoor events;
2. Annual tournaments;
3. City of Hamilton programs;
4. Affiliated Minor Sport Organizations;
5. District School Boards;
6. Non-affiliated sport organizations; and,
7. New requests (following priority order).

The following procedure will be followed by Sport Services staff for the submission, assessment, and communication of facility booking applications and approvals:

1. Affiliation applications are sent out to all Affiliated Minor Sport Organizations from the previous season and any new organizations requesting Affiliate status for the current season, approximately 4 months prior to the start of their season. The affiliation application form includes a request for the final registration numbers from the previous season by LTAD stage and house league/competitive divisions, which will be used to apply the formula if necessary.
2. Sport Services staff confirms the list of available sports fields and diamonds and open and closure dates with Parks staff. Any extended closures for maintenance should be posted on the City of Hamilton website and communicated to users of the asset in the past season to assist with decision-making prior to the due date for facility applications.
3. Sport Development staff send out facility application forms (to each affiliated and non-affiliated organization that booked a sports field or diamond in the previous season) that are due to be returned approximately three months prior to the start of their season.

4. Affiliation applications are reviewed, and all organizations are informed of their affiliate status for the upcoming season. This status is used to determine whether an organization is eligible for priority booking and formula application.
5. Current registration numbers are requested to be used for formula application. If this data is not provided, the previous season data submitted with the affiliation application will be used.
6. Tournament bookings and annual events are entered into Recreation's booking Software, Legend by Facility Booking staff following approval by a Sport Specialist, according to priority order listed above, but are not included in the allocation formula.
7. Once the facility application forms have been received and reviewed, Sport Services staff will use the registration numbers provided by each Affiliated Minor Sport Organization to apply the allocation formula for its sport (baseball, football, lacrosse, soccer, or softball).
8. Sport Development staff will review the applied allocation formula with organizations as required and discuss any requests for additional facility bookings that were not included in the original submission. These will only be considered once all core programs for Affiliated Minor Sport Organizations have been addressed.
9. Draft allocation will be sent to Affiliated Minor Sport Organizations for review prior to initial payment, which is due before the organization's first booking of the season.
10. Facility Booking staff will enter all approved core program bookings for Affiliated Minor Sport Organizations into Legend.
11. Sport Services staff will review facility requests for Non-Affiliated Organizations and new requests from all organizations (in priority order).
12. Facility Booking staff will enter all approved bookings for Non-Affiliated Organizations into the appropriate booking software and send draft allocation to organizations for review prior to initial payment, which is due before the organization's first booking of the season.
13. Following organizational review and amendments by Facility Booking staff, final permits will be issued to each organization and must be carried by all teams at all bookings.

Cancellations and Subleasing

Upon receipt of the final permit, the user group is responsible for satisfying all requirements therein, including:

- Cancellations must be received in writing by email, fax, or letter. Phone calls or voice messages will not be accepted;
- If for any reason the applicant wishes to cancel their contract and/or any dates, they are required to give Facility Booking staff not less than 14 calendar days written notification either by letter, email or fax; and,
- If cancellation occurs in less than 14 calendar days, the renter will be responsible for all applicable rental rates and fees.

This time frame gives the City the opportunity to redistribute the time and ensure that Parks staff is provided with enough notice for the cancellation of a shift associated with the booking if necessary. If any booking is returned to the City, the sports field or diamond time will be made available for booking by other organizations and the initial booking organization shall cease to maintain any control over the booking. Should the initial booking organization wish to request the relinquished time in subsequent seasons, they may do so, but historical use will not guarantee access.

Booked sports fields and diamonds are intended to be used by the permit holder and any transfer, trading, or subleasing of these assets is strictly prohibited. It is recognized that permit changes may be required at the last minute due to unforeseen circumstances, but the City must be notified as soon as possible and administer any changes. Failure to follow proper protocol for cancelling a booking may result in termination of an organization's permit.

Should an organization no longer need a sports field or diamond they have booked but are aware of another user group that is interested in renting the time, the original booking must be returned to the City and may only be booked by the interested user group directly through Facility Booking staff.

Long-Term Sports Field and Diamond Closures

If City staff determines that a sports field or diamond must be removed from the inventory for a season or longer, Sport Services staff will work with the affected Affiliated Minor Sport Organization(s) to find an alternate site(s) for use during the closure if possible. City staff will endeavour to find alternates that are located within a reasonable geographic distance to the closed facility.

Rain Out Policy

Poor field/diamond conditions or weather conditions leading to cancellations by Parks staff, league administrators, and/or game officials will result in a credit on the permit holder's account. The credit will accumulate throughout the season and will be applied to the following season's contract. Facility Booking staff will endeavour to contact permit holders via e-mail, phone or fax of City cancellations received during office hours, as well as posting closures on the City of Hamilton website (www.hamilton.ca/rec).

If Parks staff closes a sports field or diamond after business hours or on weekends, they will contact Facility Booking staff by 10 a.m. the following business day so that permit holder's accounts can be adjusted accordingly.

The Rain Out Policy is available at <https://www.hamilton.ca/parks-recreation/recreation/sports-fields-rain-out-policy>.

Misuse of Booked Sports Fields and Diamonds

The City of Hamilton has hundreds of sports fields and diamonds, many of which are not at fully staffed parks. As such, all organizations will be responsible for following posted closures and adhering to the bookings they have made with the City of Hamilton. Should an organization book a sports field or diamond and either play when these assets have been closed by City Parks staff for any reason (including inclement weather, maintenance, and construction) or repeatedly neglect to utilize the space when booked, the City will apply the following process to track usage and impose penalties:

- Upon receipt of the first notification of misuse or a field sitting empty when booked, City staff will notify the organization of the complaint;
- Upon receipt of the second notification, City staff will issue a warning of loss of bookings on that asset for the remainder of the season. Further evidence of misuse will have increased sanctions; and,
- Upon receipt of the third notification, the organization may be informed that their bookings on that asset will be cancelled for the remainder of the season and the organization will be responsible for all associated costs.

Emergent Sports

Should there be requests to accommodate emerging sports and/or new organizations in existing sports in the future, City staff will review each request on a case-by-case basis to determine the feasibility of providing sports field or diamond time. New requests (from both new organizations and existing) are only considered once all core programming requirements for Affiliated Minor Sport Organizations have been satisfied based upon the application of the appropriate formula. The City will endeavour to utilize fields and diamonds that have not been allocated to existing organizations prior to undertaking any redistribution of assets.

Policy Review

The Allocation Policy for Sports Fields, Diamonds, and Arenas will undergo an extensive annual review following playing seasons for the first five years, including feedback meetings with Policy Working Groups that helped draft the Policy, and debriefing Sport Services and Parks staff on their experiences with the process. This input will be considered for potential improvements to the Policy. Specific consideration for adding measures for Non-Affiliated Sport Organizations will be considered following the application and fine-tuning of allocation formulas to Affiliated Minor Sport Organizations.

SCHEDULE(S) ATTACHED

Schedule 1: Allocation Formulas for Fields and Diamonds

HOUSE LEAGUE BASEBALL																	
TEMPLATE																	
AGE	LTAD STAGE	# of players registered	Base # of players per team	Calculated # of teams	# of practices per team per week	Length of practice (hours)	# of teams per diamond	Calculated length of practice (hours)	# of hours for practices per team per week	# of games per team per week	Length of game (hours)	Calculated # of hours for games per team per week	TOTAL entitled hours per team per week	TOTAL allocated hours per week per LTAD stage	# of weeks in season	TOTAL HOURS ALLOCATED FOR THE SEASON	
0-6	Active Start		6	0.0	1	1	2	0.5	0.5	1	1	0.5	1.0	0.0		0	
7-9	FUNDAMENTALS		12	0.0	1	2	1	2	2	1	2	1	3.0	0.0		0	
10-11	Learn to Train		12	0.0	1	2	1	2	2	1	2	1	3.0	0.0		0	
12-13	Learn to Train		12	0.0	1	2	1	2	2	1	2	1	3.0	0.0		0	
14-15	Train to Train		12	0.0	1	2	1	2	2	1	2.5	1.25	3.3	0.0		0	
16-18	Train to Compete		12	0.0	1	2	1	2	2	2	2	2.5	2.5	4.5		0.0	0
Total Number of Calculated Teams				0.0	Total allocated hours for organization FOR THE SEASON												0
Reported Number of Teams				Total allocated hours for organization PER WEEK													0

COMPETITIVE BASEBALL																	
TEMPLATE																	
AGE	LTAD STAGE	# of players registered	Base # of players per team	Calculated # of teams	# of practices per team per week	Length of practice (hours)	# of teams per diamond	Calculated length of practice (hours)	# of hours for practices per team per week	# of games per team per week	Length of game (hours)	Calculated # of hours for games per team per week	TOTAL Entitled hours per team per week	TOTAL allocated hours per week per LTAD stage	# of weeks in season	TOTAL HOURS ALLOCATED FOR THE SEASON	
7-9	FUNDamentals		12	0.0	3	2	1	2	6	1	2	1	7.0	0.0		0	
10-11	Learn to Train		12	0.0	3	2	1	2	6	1	2	1	7.0	0.0		0	
12-13	Learn to Train		12	0.0	3	2	1	2	6	1	2.5	1.25	7.3	0.0		0	
14-15	Train to Train		12	0.0	3	2.5	1	2.5	7.5	1	2.5	1.25	8.8	0.0		0	
16-18	Train to Compete		12	0.0	3	2.5	1	2.5	7.5	1	3	1.5	9.0	0.0		0	
Total Number of Calculated Teams				0.0	Total allocated hours for organization FOR THE SEASON												0
Reported Number of Teams				Total allocated hours for organization PER WEEK												0	

HOUSE LEAGUE FOOTBALL																	
TEMPLATE																	
AGE	LTAD STAGE	# of players registered	Base # of players per team	Calculated # of teams	# of practices per team per week	length of practice (hours)	# of teams per field	Calculated length of practice (hours)	# of hours for practices per team per week	# of games per team per week	length of game (hours)	Calculated # of hours for games per team per week	TOTAL entitled hours per team per week	TOTAL allocated hours per week per LTAD stage	# of weeks in season	TOTAL HOURS ALLOCATED FOR THE SEASON	
0-6	Active Start		12	0.00	1	1	2	0.5	0.5	1	1	0.5	1.00	0.0		0	
7-9	FUNDamentals		12	0.00	1	2	2	1	1	1	2	1	2.00	0.0		0	
10-11	Learn to Train		18	0.00	1	2	1	2	2	1	2	1	3.00	0.0		0	
12-14	Train to Train		24	0.00	1	2	1	2	2	1	2	1	3.00	0.0		0	
15-18	Train to Compete		24	0.00	1	2	1	2	2	1	2	1	3.00	0.0		0	
Total Number of Calculated Teams				0.00	Total allocated hours for organization FOR THE SEASON												0
Reported Number of Teams																	

TEMPLATE

Reported Number of Teams

TEMPLATE

AGE	LTAD STAGE	# of players registered	Base # of players per team	Calculated # of teams	Length of practice (hours)		# of teams per field	Calculated length of practice (hours)	Calculated # of hours for practices per team per week	# of games per team per week	Length of game (hours)	Calculated # of hours for games per team per week	TOTAL entitled hours per team per week	TOTAL allocated hours per week per LTAD stage	# of weeks in season	TOTAL HOURS ALLOCATED FOR THE SEASON	
					# of practices per team per week	per week											
0-6	Micro		9	0.00	1	1.5	4	0.375	0	0	0	0	0.38	0.0		0	
7-8	5v5		10	0.00	1	1.5	2	0.75	1	1.25	0.625	1.38	0.0	0			
9-10	7v7		12	0.00	1	1.5	2	0.75	1	1.25	0.625	1.38	0.0	0			
11-12	9v9		15	0.00	1	1.5	2	0.75	1	1.5	0.75	1.50	0.0	0			
13-18	11v11		17	0.00	1	1.5	2	0.75	1	2	1	1.75	0.0	0			
Total Number of Calculated Teams			0.00		Total allocated hours for organization FOR THE SEASON												0
Reported Number of Teams																	
			Total allocated hours for organization PER WEEK												#DIV/0!		

COMPETITIVE SOCCER																	
TEMPLATE																	
AGE	LTAD STAGE	# of players registered	Base # of players per team	Calculated # of teams	# of practices per team per week	Length of practice (hours)	# of teams per field	Calculated length of practice (hours)	Calculated # of hours for practices per team per week	# of games per team per week	Length of game (hours)	# of hours for games per team per week	TOTAL entitled hours per team per week	TOTAL allocated hours per week per LTAD stage	# of weeks in season	TOTAL HOURS ALLOCATED FOR THE SEASON	
U8	5v5		10	0.00	2	0.75	2	0.375	0.75	1	1	0.5	1.25	0.0		0	
9-10	7v7		12	0.00	2	1.5	1	1.5	3	1	1.5	0.75	3.75	0.0		0	
11-12	9v9		16	0.00	2	1.5	1	1.5	3	1	2	1	4	0.0		0	
13-18	11v11		17	0.00	2	1.5	1	1.5	3	1	2	1	4	0.0		0	
Total Number of Calculated Teams				0.00	Total allocated hours for organization FOR THE SEASON												0
Reported Number of Teams																	
Total allocated hours for organization PER WEEK															#DIV/0!		

TEMPLATE

Total allocated hours for organization PER WEEK

COMPETITIVE LACROSSE																		
TEMPLATE																		
AGE	LTAD STAGE	# of players registered	Base # of players per team	Calculated # of teams	# of practices per team per week	length of practice (hours)	# of teams per field	Calculated length of practice (hours)	# of hours for practices per team per week	# of games per team per week	length of game (hours)	Calculated # of hours for games per team per week	TOTAL entitled hours per team per week	TOTAL allocated hours per week LTAD stage	# of weeks in season	TOTAL HOURS ALLOCATED FOR THE SEASON		
7-8	FUNDAMENTALS 1		15	0.00	2	1	2	0.5	1	0	0	0	1.00	0.0		0		
9-10	FUNDAMENTALS 2		15	0.00	2	1	2	0.5	1	1	1	0.5	1.50	0.0		0		
11-12	Learning to Train		18	0.00	2	1	2	0.5	1	1	1	1.5	0.75	1.75		0.0	0	
13-14	Training to Train 1		18	0.00	2	1	1	1	2	1	1	1.5	0.75	2.75		0.0	0	
15-16	Training to Train 2		18	0.00	3	1	1	1	3	1	1	2	1	4.00		0.0	0	
17-18	Learning to Compete		23	0.00	3	1	1	1	3	1	1	2	1	4.00		0.0	0	0
Total Number of Calculated Teams				0.00	Total allocated hours for organization THE SEASON												FOR	0
Reported Number of Teams					Total allocated hours for organization PER WEEK													0

Allocation Policy for Sports Fields, Diamonds, and Arenas Procedure Document – Arenas

Overall Considerations

- The City of Hamilton reserves the right to make a final determination on the allocation of all municipally owned and/or operated facilities in consideration of geography, type of use, allocation formula, affiliate status, etc.;
- Sport Services staff within the Recreation Division of the Healthy and Safe Communities Department may contact the appropriate governing body to confirm registration numbers at any time;
- Historical usage does not guarantee future bookings;
- Each athlete will be counted once, either at the house league or competitive level. Select or other secondary registrations (e.g., skill development programs, clinics, etc.) will not be included in the allocation formula;
- Maintenance activities, inclement weather, and construction projects may cause adjustments to allocated bookings; and,
- Tournaments are not included in the allocation formula.

Formulas

This Procedure document includes an allocation formula for most sports that had Affiliated Minor Sport Organizations at the time of the creation of this Allocation Policy for Fields, Diamonds, and Arenas. It will determine total weekly and seasonal entitlement for each organization, competition level, and Long-Term Athlete Development (LTAD) stage. These formulas are based upon research into LTAD, best practices in other municipalities, and extensive input from our user groups. Working groups, best practices in other municipalities, and input from City staff, were used in conjunction with LTAD guidelines to finalize formulas for each ice sport (aside from figure skating, which is an individual sport that provides learn-to-skate programs that serve as an entry point for all ice sports). These draft formulas were then presented to both affiliated and non-affiliated ice users with opportunity for comment, with City staff making the final determination to ensure alignment with LTAD and City requirements. In addition to existing needs, it is expected that each formula will undergo adjustments based upon annual consultation with user groups to ensure that a reserve of available time is available to provide opportunities for growth, support new requests, and respond to demand by adult users. The goal of lifelong participation within LTAD supports the need for access to municipal recreation assets by athletes of all ages and abilities; however, Affiliated Minor Sport Organizations are the priority group for this iteration of the Policy.

The formulas are not the only component of the allocation process. The application of each allocation formula by Sport Services staff will provide a starting point that ensures all Affiliated Minor Sport Organizations receive adequate booking time to satisfy their core programming needs. Further consultation with Affiliated Minor Sport Organizations will be undertaken annually to fine-tune formulas.

The following factors have been identified by the Policy working groups and are incorporated into the formula for each sport and for both house league and competitive Affiliated Minor Sport Organization teams:

- LTAD stage/age categories;
- Base number of players per team within each stage; and,
- Number and length of practices and games per week.

The variable factors that will depend upon the annual application of registration data include:

- Number of players registered by an organization within each stage (organizations will be asked to provide the most up-to-date registration numbers as possible in the late summer);
- Number of weeks per season;
- Calculated number of teams based upon the base number of players per team;
- Calculated number of hours for practices and games per week;
- Total allocated hours per week by stage; and,
- Total allocated hours per season by stage.

City staff will collect user registration data annually in the summer to ensure the most up-to-date data is used for allocation. Ice user groups generally do not complete registration until shortly before the season or after the season has already begun so organizations will be encouraged to complete registration earlier in the summer. Allocation must be completed in the summer to allow for City staff to plan their arena staffing and sport organizations to plan their seasons.

The formulas are not meant to prescribe how sport organizations manage their time internally, but rather, are intended to serve as a standardized method by which hours can be allocated based upon an objective measure of number of athletes per LTAD stage and number of weeks per season. This enables a transparent and equitable process of allocation.

Affiliate Status

Affiliated Minor Sport Organizations will continue to receive priority booking access to City arenas, provided that they are in compliance with the City's Affiliation Policy for Minor Sport Groups.

The following criteria must be met annually to qualify for Affiliate status:

- Govern members by a constitution and/or bylaws;
- Provide sport opportunities to youth ages 18 and under;
- Hold elections to select Executive members;
- Be comprised of 95% Hamilton residents;

- Submit satisfactory financial statements and Executive contact information annually;
- Conduct police screening for all eligible volunteers; and,
- Provide a valid certificate of insurance (or purchase through the City at the time of booking) that names 'all City of Hamilton facilities' as the location, and the City of Hamilton as an additional insured party.

Internal Allocation Process

Sport Services staff will review all arena requests in the following priority order:

1. Major tournaments and special events;
2. City of Hamilton programs;
3. Affiliated Minor Sport Organizations;
4. District School Boards;
5. Non-Affiliated Sport Organizations;
6. Commercial organizations; and,
7. New requests (following priority order).

Seasonal Ice Allotment (Previously Plan G Ice)

The seasonal booking of arenas has historically been separated into three distinct time periods: Planned Primary Use Ice (October through April, previously referred to as Plan G ice), Spring Ice (April - May), and Pre-Season Ice (September). The following procedure applies only to Planned Primary Use Ice and will be followed for the submission, assessment, and communication of facility booking applications and approvals. Procedures for Pre-Season and Summer Ice follow in separate subsections of this document.

1. Affiliation applications are sent out to all Affiliated Minor Sport Organizations from the previous season and any new organizations requesting affiliate status for the current season, approximately four months prior to the start of their season. The affiliation application form includes a request for the final registration numbers from the previous season by LTAD stage and house league/competitive divisions.
2. Sport Services staff confirms the list of available arenas with Arena Operations staff. Any extended closures for maintenance should be posted on the City of Hamilton website and communicated to users of the asset in the past season to assist with decision-making prior to the due date for facility applications.
3. Sport Services staff send out facility application forms (to each affiliated and non-affiliated organization that booked an arena in the previous season) that are due to be returned approximately three months prior to the start of their season.
4. Affiliation applications are reviewed, and all organizations are informed of their affiliate status for the upcoming season. This status is used to determine whether an organization is eligible for priority booking and formula application.

5. Current registration numbers are requested to be used for formula application. If this data is not provided, the previous season data submitted with the affiliation application will be used.
6. Tournament bookings and annual events are entered into Legend by Facility Booking staff following approval by a Sport Specialist, according to priority order listed above, but are not included in the allocation formula.
7. Once the facility application forms have been received and reviewed, Sport Services staff will use the registration numbers provided by each Affiliated Minor Sport Organization to apply the allocation formula for its sport (hockey, sledge/para hockey, ringette, figure skating, speed skating).
8. Sport Services staff will review the applied allocation formula with organizations as required and discuss any requests for additional facility bookings that were not included in the original submission. These will only be considered once all core programs for Affiliated Minor Sport Organizations have been addressed.
9. Draft allocation will be sent to Affiliated Minor Sport Organizations for review prior to initial payment, which is due before the organization's first booking of the season.
10. Facility Booking staff will enter all approved core program bookings for Affiliated Minor Sport Organizations into Legend.
11. Sport Services staff will review facility requests for Non-Affiliated Organizations and new requests from all organizations (according to priority order).
12. Facility Booking staff will enter all approved bookings for Non-Affiliated Organizations into the appropriate booking software and send draft allocation to organizations for review prior to initial payment, which is due prior to the organization's first booking of the season.
13. Following organizational review and amendments by Facility Booking staff, final permits will be issued to each organization and should be carried by all teams at all bookings.

Spring and Pre-Season Ice

Spring Ice has not historically been requested by all organizations and is generally used for tryouts for the following season or to complete playoffs. As such, ice booked in the months of April through August inclusive is not allocated through the formulas and is available on a first come, first served basis. As with other rentals, Sport Services and Facility Booking staff will endeavour to accommodate geographical, time of day, and day of the week requests wherever possible.

Similarly, the purpose of Pre-Season Ice has been to provide competitive programs the opportunity to hold additional practices prior to the start of the season. However, in the recent past, some Affiliated Minor Sport Organizations have commenced their regular seasons in September although Plan G Ice (including reduced rates) was due to begin in October. Spring and Summer Ice use will be tracked over the first three years of implementing this Allocation Policy for Fields, Diamonds, and Arenas, and analyzed to ensure that organizations are only using time for its intended purpose of tryouts and playoffs. Organizations found utilizing Spring and Summer Ice to run their seasons may be deemed ineligible for future rental of this time.

Cancellations and Subleasing

Upon receipt of the final permit, the user group is responsible for satisfying all requirements therein, including:

- Cancellations must be documented in writing. Phone calls or voice messages will not be accepted;
- Seasonal allocated ice that will not be required by an organization must be returned by September 20 in order to allow for redistribution of ice time;
- Tournament and special event rental cancellations must be received 30 calendar days prior to the date of the rental or the renter will be financially responsible for all applicable rates and fees, even if the ice is unused; and,
- Booked arenas are intended to be used by the permit holder and any transfer, trading, or subleasing of these assets is strictly prohibited.

This time frame gives the City the opportunity to redistribute the bookings and ensure that Arena Operations staff is provided with enough notice for the cancellation of a shift associated with the booking if necessary. If any booking is returned to the City, the arena time will be made available for booking by other organizations and the initial booking organization shall cease to maintain any control over the booking. Should the initial booking organization wish to request the relinquished time in subsequent seasons, they may do so, but historical use will not guarantee access.

It is recognized that permit changes may be required at the last minute due to unforeseen circumstances, but the City must be notified as soon as possible and administer any changes. Failure to follow proper protocol for cancelling a booking may result in termination of an organization's permit.

Should an organization no longer need an arena they have booked but are aware of another user group that is interested in renting the time, the original booking must be returned to the City and may then be booked by the interested user group directly through Facility Booking staff.

Long-Term Arena Closures

If City staff determines that an arena must be removed from the inventory for a season or longer, Sport Services staff will work with the affected organization(s) to find an

alternate site(s) for use during the closure if possible. City staff will endeavour to find alternates that are located within a reasonable geographic distance to the closed facility.

Misuse of Booked Arenas

Should an organization book an arena and misuse or repeatedly neglect to utilize the space when booked without notice, the City will apply the following process to track usage and impose penalties:

- Upon receipt of the first notification of an arena sitting empty when booked, City staff will notify the organization of the complaint;
- Upon receipt of the second notification, City staff will issue a warning of loss of bookings on that asset for the remainder of the season. Further evidence of misuse or unused asset will have increased sanctions; and,
- Upon receipt of the third notification, the organization may be informed that their bookings on that asset will be cancelled for the remainder of the season and the organization will be responsible for all associated costs.

Emergent Sports

Should there be requests to accommodate emerging sports and/or new organizations in existing sports in the future, City staff will review each request on a case-by-case basis to determine the feasibility of providing arena time. New requests (from both new organizations and existing) are only considered once all core programming requirements for Affiliated Minor Sport Organizations have been satisfied based upon the application of the appropriate formula. City staff will endeavour to utilize arenas that have not been allocated to existing organizations prior to undertaking any redistribution of assets.

Policy Review

The Allocation Policy for Sports Fields, Diamonds, and Arenas will undergo an extensive annual review following playing seasons for the first five years, including feedback meetings with Policy Working Groups that helped draft the Policy, and debriefing Sport Services and Parks staff on their experiences with the process. This input will be considered for potential improvements to the Policy. Specific consideration for adding measures for Non-Affiliated Sport Organizations may be considered following the application and fine-tuning of allocation formulas to Affiliated Minor Sport Organizations.

SCHEDULE(S) ATTACHED

Schedule 1: Allocation Formulas for Arenas

HOUSE LEAGUE HOCKEY													
TEMPLATE													
AGE	LTAD STAGE	Divisions	# of players registered	Base # of players per team	Calculated # of teams	# of practices per team per week	Length of practice (hours)	# of teams per ice surface	Calculated length of practice (hours)	Calculated # of hours for practices per team per week	# of games per team per week	Length of game (hours)	Calculated # of hours for games per team per week
0-6	Active Start	IP		15	0.00	2	1	2	0.5	1	1	1	0.5
7-8	FUNDamental	Tyke		15	0.00	1	1	2	0.5	0.5	1	1	0.5
9-10	FUNDamental	Novice		15	0.00	1	1	2	0.5	0.5	1	1	0.5
10-11	Learn to Train	Atom		15	0.00	1	1	2	0.5	0.5	1	1	0.5
12-14	Train to Train	PeeWee		15	0.00	1	1	2	0.5	0.5	1	1	0.5
15-16	Train to Compete	Bantam		15	0.00	1	1	2	0.5	0.5	1	1	0.5
17-18	Train to Compete	Midjet/Juvenile		15	0.00	1	1	2	0.5	0.5	2	1	1
				Total Number of Calculated Teams	0.00								
				Reported Number of Teams									
				Total allocated hours for organization				FOR THE SEASON				PER WEEK	
				0				0				0	

COMPETITIVE HOCKEY																		
TEMPLATE																		
AGE	LTAD STAGE	Divisions	# of players registered	Base # of players per team	Calculated # of teams	# of practices per team per week	Length of practice (hours)	# of teams per ice surface	Calculated length of practice (hours)	Calculated # of hours for practices per team per week	# of games per team per week	Length of game (hours)	Calculated # of hours for games per team per week	TOTAL hours per team per week	TOTAL allocated hours per week per LTAD stage	# of weeks in season	TOTAL HOURS ALLOCATED FOR THE SEASON	
7-8	FUNDAMENTAL	Tyke		17	0.00	3	1	1	1	3	1	1	0.5	3.50	0.0		0	
9-10	FUNDAMENTAL	Novice		17	0.00	2	1	1	1	2	1	1.5	0.75	2.75	0.0		0	
10-11	Learn to Train	Atom		17	0.00	2	1	1	1	2	1	1.5	0.75	2.75	0.0		0	
12-14	Train to Train	PeeWee		17	0.00	2	1	1	1	2	1	1.5	0.75	2.75	0.0		0	
15-16	Train to Compete	Bantam		17	0.00	2	1	1	1	2	1	1.75	0.875	2.88	0.0		0	
17-18	Train to Compete	Midget/Juvenile		17	0.00	2	1	1	1	2	2	1	2	1	3.00		0.0	0
Total Number of Calculated Teams					0.00	Total allocated hours for organization FOR THE SEASON												0
Reported Number of Teams																		
Total allocated hours for organization PER WEEK															0			

HOUSE LEAGUE LACROSSE																	
TEMPLATE																	
AGE	LTAD STAGE	# of players registered	Base # of players per team	Calculated # of teams	# of practices per team per week	length of practice (hours)	# of teams per field	Calculated length of practice (hours)	# of hours for practices per team per week	# of games per team per week	Length of game (hours)	Calculated # of hours for games per team per week	TOTAL entitled hours per team per week	TOTAL allocated hours per week per LTAD stage	# of weeks in season	TOTAL HOURS ALLOCATED FOR THE SEASON	
0-6	Active Start		12	0.00	1	1	2	0.5	0.5	0	0	0	0.50	0.0		0	
7-8	FUNDamentals 1		15	0.00	1	1	2	0.5	0.5	0	0	0	0.50	0.0		0	
9-10	FUNDamentals 2		15	0.00	1	1	2	0.5	0.5	1	1	0.5	1.00	0.0		0	
11-12	Learning to Train		18	0.00	1	1	2	0.5	0.5	1	1.5	0.75	1.25	0.0		0	
13-14	Training to Train 1		18	0.00	1	1	2	0.5	0.5	1	1.5	0.75	1.25	0.0		0	
15-16	Training to Train 2		18	0.00	1	1	2	0.5	0.5	1	2	1	1.50	0.0		0	
17-18	Learning to Compete		23	0.00	1	1	2	0.5	0.5	1	2	1	1.50	0.0		0	
Total Number of Calculated Teams				0.00	Total allocated hours for organization FOR THE SEASON												0
Reported Number of Teams					Total allocated hours for organization PER WEEK												0

COMPETITIVE LACROSSE																		
TEMPLATE																		
AGE	LTAD STAGE	# of players registered	Base # of players per team	Calculated # of teams	# of practices per team per week		length of practice (hours)	# of teams per field	Calculated length of practice (hours)	# of hours for practices per team per week	# of games per team per week	length of game (hours)	Calculated # of hours for games per team per week	TOTAL entitled hours per team per week	TOTAL allocated hours per week LTAD stage	# of weeks in season	TOTAL HOURS ALLOCATED FOR THE SEASON	
7-8	FUNDamentals 1		15	0.00	2	1	1	2	0.5	1	0	0	0	1.00	0.0		0	
9-10	FUNDamentals 2		15	0.00	2	1	1	2	0.5	1	1	1	0.5	1.50	0.0		0	
11-12	Learning to Train		18	0.00	2	1	1	2	0.5	1	1	1.5	0.75	1.75	0.0		0	
13-14	Training to Train 1		18	0.00	2	1	1	1	1	2	1	1.5	0.75	2.75	0.0		0	
15-16	Training to Train 2		18	0.00	3	1	1	1	1	3	1	2	1	4.00	0.0		0	
17-18	Learning to Compete		23	0.00	3	1	1	1	1	3	1	1	2	1	4.00		0.0	0
Total Number of Calculated Teams				0.00	Total allocated hours for organization THE SEASON												FOR	0
Reported Number of Teams					Total allocated hours for organization PER WEEK												0	

TEMPLATE

Total allocated hours for organization	PER WEEK
	0

SPEED SKATING									
TEMPLATE									
AGE	LTAD STAGE	# of athletes registered	Base # of athletes per age group	Calculated # of teams	# of sessions per team per week	Length of session (hours)	TOTAL Entitled hours per athlete per week	# of weeks in season	TOTAL HOURS ALLOCATED FOR THE SEASON
0-6	Active Start		18	0.00	1	0.75	0.75		0
7-8	FUNDamentals		18	0.00	2	0.75	1.50		0
9-12	Learning to Train		18	0.00	2	1	2.00		0
13-15	Training to Train		18	0.00	3	1.25	3.75		0
16-18	Learning to Compete		18	0.00	4	1.25	5.00		0
Total allocated hours for organization FOR THE SEASON									0

Total allocated hours for organization PER WEEK	6
---	---

TENANT DEFENCE FUND PILOT PROGRAM

Program Guidelines

1. Background

The *Residential Tenancies Act*, 2006 (RTA) came into effect on January 31, 2007, with the goals of protecting tenants, helping landlords and promoting investment in Ontario's rental housing market. It covers a number of issues faced by tenants and landlords including the ability for landlords to raise rents above the annual rent increase guideline (AGI) determined by the Province to recover some 'exceptional' expenses from tenants.

AGIs may be granted by the Landlord and Tenant Board (LTB) for eligible capital expenditures for extraordinary or significant renovations, repairs, replacements or new additions that have an expected benefit of at least five years. A capital expenditure is eligible if it:

- is necessary to protect or restore the physical integrity of the complex;
- is necessary to maintain health, safety or housing standards;
- is necessary to maintain plumbing, heating, mechanical, electrical, ventilation or air conditioning systems;
- provides access to persons with disabilities;
- promotes energy or water conservation; or,
- maintains or improves the security of the complex.

An AGI may not be granted for: routine or ordinary work, regular maintenance work, work that is considered substantially cosmetic in nature, work that is designed to enhance the level of prestige or luxury offered by the complex, or replacement of something that did not need replacing.

Tenants may oppose AGI applications to the LTB but are responsible for the costs of preparing for a hearing. The goal of the Tenant Defence Fund Pilot Program (TDFPP) is to help ensure that tenants have the resources and knowledge needed to review AGI applications by their landlords to ensure the claimed expenses meet the RTA criteria, and where they believe the AGI is not justified, prepare and put forward a case to the LTB. By enabling tenants to prepare their case, retain a legal agent to represent them, and/or defray expenses incurred during the LTB hearing, the TDFPP may help preserve affordability of rental housing.

It is not a goal of the TDFPP to stop landlords from obtaining fair AGIs that meet the criteria set out in the RTA, but to provide resources to vulnerable tenants who may not have the resources or abilities that are typically available to their landlords, so they can ensure that any AGI they are subject to meets the RTA.

The Above Guideline Increase Application Process

Details of the AGI application and hearing process can be found in the AGI guide produced by the LTB, "Information about Applications for a Rent Increase Above the Guideline" on the LTB website at <http://www.sjto.gov.on.ca/lrb/brochures/>

2. Program Description

The Tenant Defence Fund Pilot Program provides a grant of up to \$1,000 to groups of tenants to defray the costs of hiring a paralegal/lawyer licensed by the Law Society of Ontario and the costs of case preparation to defend AGI applications at the Landlord Tenant Board.

The goals of the TDFPP are to:

- Help tenants organize and ensure they have adequate representation before the LTB; and,
- Help preserve affordable rental stock in Hamilton.

3. Program Terms

3.1 Fund Availability

There are limited funds available for the TDFPP. Approval is at the absolute and unfettered discretion of the City and subject to the availability of funds.

3.2 Eligibility Criteria

- A landlord must have filed an application for an above guideline rent increase (AGI).
- At least 20% of the units affected by the AGI application must oppose the application and sign a petition included in the grant application
- Only the first tenant group from any one residential complex to apply will be eligible.
- A 'group' of tenants consists of a minimum of four (4) households
- Monthly rents for each unit participating in the case must be at or below the following (current rent before the AGI application is submitted by the landlord):

Unit Size	Maximum Qualifying Pre-Application Rent
One-bedroom	\$972
Two-bedroom	\$1,181
Three-bedroom or larger	\$1,334

- At least 20% of the units affected by the AGI application must be currently rented at or below the applicable qualifying monthly rent of CMHC average market rent for the City + 15%.
- The tenant group must choose one tenant representative who will act as primary representative for the tenant group and who will be named on the grant application. An alternative tenant representative must also be appointed who will act for the tenant group if the primary representative on the application is no longer able to fulfill the role as primary representative.
- Signed acknowledgement by each affected tenant that the rent he or she currently pays to the landlord is at or below the eligible rent amount (no more than CMHC average market rent for the City + 15%)

3.3 Maximum Grant Amount

Grants may be up to a total maximum of \$1,000, as determined by the Manager, Investment in Affordable Housing, to hire a paralegal/lawyer, licensed by the Ontario Law Society, to prepare a response to the Landlord's AGI application and represent the tenant group at the LTB.

Tenant Relations Officer Support Services: Additional services of up to a maximum value of \$250 may be provided to the tenant group by the City of Hamilton Housing Services Tenant Relations Officer ("TRO"), prior to the group retaining a legal agent or if the tenant group chooses to represent themselves at the LTB hearing. Eligible support services include:

- photocopying the AGI application
- printing, postage and translation services
- meeting space rental
- additional services as required, pre-approved by the TRO
- facilitation services: organizing a meeting of affected tenants to determine the interest in a collective application (tenants will be required to appoint a representative or lead).

3.4 Repayment Terms

Repayment of the grant is not required unless there is a violation of any program terms and conditions.

3.5 Tenant Defence Fund Process

The tenant/tenant group may contact the Housing Services Division to inquire about the TDFPP and grant process. Inquiries should be directed to the Tenant Relations Officer (TRO) (Housing Services Division) who may assist the tenant(s) by:

- Providing the tenants with information produced by the LTB about AGI applications.
- Directing the tenants to the Hamilton Community Legal Clinic who will provide summary advice explaining what to expect at the LTB and documentation the tenants will need to dispute the AGI application.
- Assisting the tenants to complete the grant application.

These initial services are not considered part of the additional services outlined in 3.3 Maximum Grant Amount, which may be required to support a tenant group prior to hiring a legal agent or for those groups who represent themselves at the LTB.

TDFPP Application:

An application for a TDFPP grant must be accompanied by the following documentation:

- A petition in favour of collectively disputing the landlord application. The petition must be signed by at least 20% of affected units and include:
 - the name and signature of each tenant who wishes to be party to the dispute
 - the size and unit type of each tenant's rental unit
 - declaration by each tenant for one tenant in the group to represent the group, with a second tenant identified as an alternate representative in case the primary representative is unable to represent or act on behalf of the group for any reason
 - acknowledgement by each signing tenant that the rent he or she currently pays to the landlord is at or below the eligible rent amount (no more than CMHC average market rent for the City + 15%)
- A copy of the landlord's AGI application (the application only)
- A brief description of the tenant group's justification for disputing the landlord's application
- An estimate of the amount of eligible expenditures that the tenant group expects to incur in disputing the landlord application
- Evidence of the rent for each rental unit affected by the landlord application
- If or when the tenant group chooses to hire a legal agent, documentation that the legal agent has been retained by the tenant group, represents all of the tenants listed on the petition, and is a paralegal or lawyer licensed by the Law Society of Ontario

Grant Application Approval:

A grant application made by the tenant group is reviewed by the TRO who will confirm or deny approval to the tenant group within two to a maximum of five business days. If the tenant group meets all requirements and is determined to be eligible for funding, their

grant application is approved, and the tenant group will receive a grant approval letter from the City of Hamilton. The tenant group must agree to the terms and conditions of the grant as set out in the approval letter by having its representative (identified in the application) sign the approval letter and return the signed original letter to the City of Hamilton.

Applications shall be approved, and grants shall be approved in the order in which complete applications are received and subject to funds being available for this purpose. Once grant applications in the amount of the program limit of \$50,000 are approved, no further grant applications will be approved.

If the Tenants Wish to Hire a Legal Agent:

If the tenant group chooses to hire a legal agent, it is the responsibility of the tenant group to select and retain the agent, who must be a paralegal or lawyer licensed by the Law Society of Ontario and represent all of the tenants listed on the petition. The legal services must be provided before payment can be issued by the City. An invoice from the legal agent, made out to the tenant group representative, must be submitted to the City (TRO) within 5 business days of receipt. A cheque will be sent to the tenant group representative, made to the order of the legal agent and the tenant group representative.

Submission of the LTB Order by the Tenant Group:

Within three months of the Board's issuance of a decision on the case, the tenant group must submit the order issued by the LTB disposing of the AGI application, in which the eligible group is not noted in default, to the Housing Services Division.

4. Documentation Required for Records

The Housing Services Division is responsible for retaining the following documents seven years beyond the life of the program:

- Signed TDFPP grant application form, including all required accompanying documentation
- Letter of grant approval from City of Hamilton
- All invoices and internal journals for all eligible expenditures
- A copy of a Notice of Hearing with respect to the landlord application
- If the tenant group has chosen to hire legal representation, a letter from the paralegal or lawyer stating that they will represent the tenant group for the hearing
- Records of all payments and defaults
- If the tenant group has chosen to hire legal representation, the Notice of Direction authorizing the tenant group to make payment to the paralegal or lawyer
- If the tenant group has chosen to hire legal representation, completed form signed by the tenant group representative confirming that the paralegal or lawyer has performed the services of representing the tenant group
- A copy of the LTB order issued disposing of the AGI application

CITY OF HAMILTON

MOTION

Council: March 27, 2019

MOVED BY MAYOR EISENBERGER.....

SECONDED BY COUNCILLOR.....

Appointment of City Manager

- (a) That Janette Smith be appointed to the position of Chief Administrative Officer/City Manager effective May 6, 2019;
- (b) That the By-Law to Appoint and Prescribe the Duties and Responsibilities of the Chief Administrative Officer be enacted by Council;
- (c) That the work of the City Manager Recruitment Steering Committee be deemed completed and the Committee disbanded; and
- (d) That thanks be extended to Ms. Margaret Campbell of Odgers Berndtson for her assistance in the search process.

Discussion of Appendix “A” to this Motion in Closed Session would be pursuant to Section 8.1, Sub-section (j) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (j) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to 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.

CITY OF HAMILTON

MOTION

Council: March 27, 2019

MOVED BY COUNCILLOR E. PAULS.....

SECONDED BY MAYOR / COUNCILLOR

Amendments to Item 11 of the General Issues Committee Report 16-004, respecting Report PED15127(a) - Surplus School Property at 155 East 26th Street known as Eastmount Park Elementary School, as amended and Item 7.7 of the September 13, 2017 Council minutes, respecting the Reallocation of the Previously Approved Funding for the Remediation and the Demolition of the Surplus School Property at 155 East 26th Street known as Eastmount Park Elementary School

11. School Board Properties Sub-Committee Report 16-001, January 15, 2016 (Item 8.8)

(a) Surplus School Property at 155 East 26th Street known as Eastmount Park Elementary School (PED15127(a)) (Ward 7)

WHEREAS, as per the direction in Report PED15127(a) - Surplus School Property at 155 East 26th Street known as Eastmount Park Elementary School, which was approved by Council on February 10, 2016, the City of Hamilton has purchased and now owns the Surplus School Property at 155 East 26th Street, known as Eastmount Park Elementary School;

WHEREAS, staff were authorized and directed to demolish the existing surplus school structure and finish the property with a grassed area, subject to the successful acquisition of the property at 155 East 26th Street, known as Eastmount Park Elementary School;

WHEREAS, staff were verbally directed at the November 2, 2016 General Issues Committee (GIC) meeting, to hold off on the demolition of the former Eastmount Park Elementary School building, until such time as staff reported back to GIC in response to the motion put forward at that same November 16, 2016 meeting, respecting the feasibility of a fashion incubator at the Eastmount School site that would include, but not be limited to: fashion and related businesses; opportunities for community groups; operating costs offset by partnerships with the private sector; and, steps to transform the former elementary school into a place for creative people to work, connect with peers, and learn to further their trades;

THEREFORE, BE IT RESOLVED:

- (a) That Private & Confidential Appendix “B” to Report PED15127(a) - Surplus School Property at 155 East 26th Street known as Eastmount Park Elementary School, be deleted in its entirety and replaced with Appendix “A”, attached hereto;
- (b) That sub-section (ii) of Item 11 of the General Issues Committee Report 16-004, respecting Report PED15127(a) - Surplus School Property at 155 East 26th Street known as Eastmount Park Elementary School, be amended by adding the words “**as amended**”, to read as follows:
 - (ii) That the budget and funding for the property acquisition consisting of the market value of the land, including all Real Estate and Legal Services administrative fees, building condition abatement, demolition, site remediation, contingency and other related costs, as detailed in Private and Confidential Appendix “B” of Report (PED15127(a)), **as amended**, be approved;
- (c) That sub-section (iii) of Item 11 of the General Issues Committee Report 16-004, respecting Report PED15127(a) - Surplus School Property at 155 East 26th Street known as Eastmount Park Elementary School, be amended by deleting sections (1) to (5) in their entirety and replacing them with the following in lieu thereof:
 - (iii) That subject to a successful acquisition under Recommendation (a) of Report PED15127(a):
 - ~~(1) That Public Works staff be directed to report to the 2018 budget process (General Issues Committee) with the following, as it relates to the former Eastmount School property, and to include a funding source(s) for each:~~
 - ~~(i) the backlog of outstanding, unfunded capital projects necessary to bring the Eastmount school building up to current Building Code requirements;~~

- ~~(ii) the capital funding required over the next 10 years to maintain the facility; and,~~
- ~~(iii) the required Corporate Facilities operating enhancements and pressures to maintain and operate the facility with full occupancy at 30,000 square feet.~~
- ~~(2). The Recreation Division be directed to complete a recreation needs assessment for Eastmount Park and the subject lands, including engagement of the Ward Councillor, adjacent Community and recreation stakeholders;~~
- ~~(3) Any recommendations from the recreation needs assessment that include new parkland infrastructure will be funded through the Wards 1-8 discretionary funding, other funding sources, or considered in the Open Space Development Capital Program;~~
- ~~(4) The unopened road allowance located north of East 28th Avenue be deemed surplus (if determined feasible as per Recommendation (b) to Report PED15127) and Real Estate staff be authorized and directed to dispose of the surplus unopened road allowance in accordance with the "Sale of Land Policy By-law", being By-law 14-204; and,~~
- ~~(5) Any net proceeds from the sale of the East 28th Avenue unopened road allowance be returned to Parkland Dedication Reserve Account No. 104090;~~
- (1) That staff be authorized and directed to demolish the existing surplus school structure on the property at 155 East 26th Street known as Eastmount Park Elementary School, and finish the property with a grassed area;**
- (2) That staff be directed to complete a recreation and park facilities needs assessment for the property at 155 East 26th Street known as Eastmount Park Elementary School site, and the adjacent Eastmount Park (including the Eastmount Community Center) lands, including engagement of the Ward Councillor, adjacent Community and parks and recreation stakeholders, and report back to the Emergency & Community Services Committee;**
- (3) That, if determined feasible through the recreation needs assessment, the unopened road allowance located north of East 28th Avenue be deemed surplus;**

- (4) ***That, should the unopened road allowance located north of East 28th Avenue be deemed surplus, Real Estate staff be authorized and directed to dispose of the surplus unopened road allowance in accordance with the “Sale of Land Policy By-law”, being By-law 14-204;***
- (d) That Item 11 of the General Issues Committee Report 16-004, respecting Report PED15127(a) - Surplus School Property at 155 East 26th Street known as Eastmount Park Elementary School, as amended, be further amended by adding new sub-sections (a), (b), (c) and (d), to read as follows:
- (vi) ***That as part of the recreation and park facilities needs assessment for the property at 155 East 26th Street known as Eastmount Park Elementary School site, and the adjacent Eastmount Park (including the Eastmount Community Center), staff to be directed to undertake a Building Condition Assessment and Code Compliance review, during which staff also clean, paint and complete minor repairs of the Eastmount Community Centre at a cost of \$75,000, to be funded from Capital Project Account 2051550502;***
- (vii) ***That staff be authorized to and directed to provide a storage unit for the Mountain Kidz Klub during the time required for the City to have vacant possession of the building to undertake the Building Condition Assessment and Code Compliance review and improvements;***
- (viii) ***That staff be authorized and directed to enter into a renewed standard City rental agreement with Mountain Kidz Klub, on a nominal value basis, to continue their occupancy subsequent to the review/repair process; and,***
- (ix) ***That the matter respecting Surplus School Property at 31 Parkside Avenue, Dundas, known as Parkside Secondary School, be considered complete and removed from the General Issue Committee’s Outstanding Business List.***
- (e) That Item 7.7 of the September 13, 2017 Council minutes, be deleted in its entirety:
- ~~7.7 Reallocation of the Previously Approved Funding for the Remediation and the Demolition of the Surplus School Property at 155 East 26th Street know as Eastmount Park Elementary School~~**
- ~~(a) That, concurrent with staff reporting to the 2018 budget process (General Issues Committee), as it relates to the former Eastmount School property, the previously approved funding of \$600,000 for the remediation and the demolition, as outlined in Private & Confidential Appendix “B” to Report PED15127(a), respecting the Surplus School Property at~~**

~~155 East 26th Street known as Eastmount Park Elementary School, be reallocated to possibly fund all or a portion of the backlog of outstanding, unfunded capital projects necessary to bring the Eastmount school building up to current Building Code requirements; and~~

~~(b) That Tourism & Culture staff be directed to review alternative uses for the property at 155 East 26th Street, known as the Eastmount Park Elementary School site, as it would relate to opportunities for not-for-profit community groups and report back to the General Issues Committee.~~

~~(c) That no money be spent until the report coming through the 2018 budget process is completed.~~

With the fully amended resolution to read as follows:

11. School Board Properties Sub-Committee Report 16-001, January 15, 2016 (Item 8.8)

(a) Surplus School Property at 155 East 26th Street known as Eastmount Park Elementary School (PED15127(a)) (Ward 7) (Item 12.2)

- (i) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to present a bona-fide offer to purchase the surplus property located at 155 East 26th Street, legally described as Lots D, E, 324 – 330 and 393 – 399, Part Lots 331 and 392, Plan 608 as in HL193448; Part of East 27th Street, Plan 608 as in HL170834 and HL193448, Closed by Order as in HL167453; Part East 27th Street, Plan 608 as in HL240204, Closed by By-law 9904 as in HL219047 except AB24304; City of Hamilton, and further identified as PIN 17058-0027(LT); being 0.683 ha (1.687 acres) in size, more or less, as shown on Appendix “A” attached to Report (PED15127(a)) to the Hamilton-Wentworth District School Board (HWDSB), on terms and conditions acceptable to the General Manager, Planning and Economic Development;
- (ii) That the budget and funding for the property acquisition consisting of the market value of the land, including all Real Estate and Legal Services administrative fees, as detailed in Private and Confidential Appendix “B” to Report (PED15127(a)), **as amended**, be approved;
- (iii) That, subject to a successful acquisition under Recommendation (a) of Report PED15127(a):
 - (1) Staff be authorized and directed to demolish the existing surplus school structure on the property at 155 East 26th Street known as Eastmount Park Elementary School, and finish the property with a grassed area;

- (2) That staff be directed to complete a recreation and park facilities needs assessment for the property at 155 East 26th Street known as Eastmount Park Elementary School site, and the adjacent Eastmount Park (including the Eastmount Community Center) lands, including engagement of the Ward Councillor, adjacent Community and parks and recreation stakeholders, and report back to the Emergency & Community Services Committee;
 - (3) That, if determined feasible through the recreation needs assessment, the unopened road allowance located north of East 28th Avenue be deemed surplus;
 - (4) That, should the unopened road allowance located north of East 28th Avenue be deemed surplus, Real Estate staff be authorized and directed to dispose of the surplus unopened road allowance in accordance with the "Sale of Land Policy By-law", being By-law 14-204;
- (iv) That Report PED15127(a) respecting Surplus School Property at 155 East 26th Street known as Eastmount Park Elementary School (PED15127(a)), remain confidential and not be released as a public document until following the completion of a transaction pursuant to an agreement of purchase and sale, and that the financial details outlined in Appendix "B", **as amended**, attached to Report PED15127(a) remain confidential and not be released as a public document;
- (v) That the Mayor and Clerk be authorized and directed to execute all necessary documents for the proposal respecting the surplus school property 155 East 26th Street (PED15127(a)) in a form satisfactory to the City Solicitor.
- (vi) That as part of the recreation and park facilities needs assessment for the property at 155 East 26th Street known as Eastmount Park Elementary School site, and the adjacent Eastmount Park (including the Eastmount Community Center), staff to be directed to undertake a Building Condition Assessment and Code Compliance review, during which staff also clean, paint and complete minor repairs of the Eastmount Community Centre at a cost of \$75,000, to be funded from Capital Project 2051550502;
- (vii) That staff be authorized to and directed to provide a storage unit for the Mountain Kidz Klub during the time required for the City to have vacant possession of the building to undertake the Building Condition Assessment and Code Compliance review and improvements;

- (vii) That staff be authorized and directed to enter into a renewed standard City rental agreement with Mountain Kidz Klub, on a nominal value basis, to continue their occupancy subsequent to the review/repair process; and,
- (ix) That the matter respecting Surplus School Property at 31 Parkside Avenue, Dundas, known as Parkside Secondary School, be considered complete and removed from the General Issue Committee's Outstanding Business List.

CITY OF HAMILTON

MOTION

Council: March 27, 2019

MOVED BY COUNCILLOR A. VANDERBEEK.....

SECONDED BY MAYOR / COUNCILLOR

Amendment to Item 10 of the General Issues Committee Report 17-008, respecting an Investigation of Negative Impacts to the Greensville and Dundas Neighbourhoods Associated with the Increase in Visitors to Webster and Tews Falls and the Dundas Peak

WHEREAS, collective effort, focus and problem solving is still required to address the continuing problems specific to the Greensville and Dundas neighbourhoods associated with visitors to Webster and Tews Falls as well as the Dundas Peak;

THEREFORE, BE IT RESOLVED:

That Item 10 of the General Issues Committee Report 17-008, respecting an Investigation of Negative Impacts to the Greensville and Dundas Neighbourhoods Associated with the Increase in Visitors to Webster and Tews Falls and the Dundas Peak, be amended by deleting sub-section (c) in its entirety and placing it to read as follows:

- ~~(c) — That staff be directed to report back to the 3 area Councillors and the General Issues Committee no later than September 2017 with potential solutions to the problems associated with the increase in visitors to Webster and Tews Falls and the Dundas Peak.~~
- (c) That staff, in consultation with the Ward 13 Councillor, be directed to review the problems associated with the increase in visitors to Webster and Tews Falls as well as the Dundas Peak, and report back to the Planning Committee with potential solutions, prior to the 2020 budget process.

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

WHEREAS, Hamilton has been promoted as “The Waterfall Capital of the World” and annual visitors to Webster and Tews Falls and the Dundas Peak continue to increase (84,000 in 2016 not including annual pass holders or unpaid visitors);

WHEREAS, the increased visitors to Webster and Tews Falls and the Dundas Peak are wreaking havoc on Greensville and Dundas neighbourhoods with serious negative impacts including, but not limited to:

- traffic and parking issues for local residents such as gridlock on local streets, visitors blocking roadways and blocking resident's driveways; and,
- nuisance issues such as littering and picnicking on resident's lawns;
- emergency vehicle access impacts for residents

WHEREAS, measures to combat overcrowding such as the installation of "No Parking" signs, extra staff and proactive by-law enforcement on weekends, and the implementation of fees for visitors to Webster and Tews Falls and the Dundas Peak have had no deterrent effect whatsoever;

WHEREAS, increased visitors to Webster and Tews Falls and the Dundas Peak are also having negative effects on the environment including damage from littering and trampled ecosystems, as well as safety issues for people on the narrow trails; and,

WHEREAS, regular rescue calls for "risk takers" at Webster and Tews Falls and the Dundas Peak is a concern for emergency service providers (i.e. fire, police and paramedics);

THEREFORE, BE IT RESOLVED:

- (a) That City staff be directed to form a multi-disciplinary working group to conduct a comprehensive, multi-faceted investigation of public safety and the negative impacts to the Greensville and Dundas neighbourhoods associated with the increase in visitors to Webster and Tews Falls and the Dundas Peak;
- (b) That the Hamilton Conservation Authority, the Hamilton Police Service, EMS, Traffic, Parking, By-law, and CN Railway and any other required staff/agency be requested to participate in the review; and,
- (c) ***That staff, in consultation with the Ward 13 Councillor, be directed to review the problems associated with the increase in visitors to Webster and Tews Falls as well as the Dundas Peak, and report back to the Planning Committee with potential solutions, prior to the 2020 budget process.***

CITY OF HAMILTON

MOTION

Council: March 27, 2019

MOVED BY COUNCILLOR B. JOHNSON.....

SECONDED BY MAYOR / COUNCILLOR.....

Binbrook Memorial Hall & Ball Diamond Municipal Sewer Connections (2600 Hamilton Regional Road 56)

WHEREAS, the Binbrook Agricultural Society is preparing design and specification plan documents for the installation of underground municipal sewer connections in order to migrate from current aged septic system to the municipal available service;

WHEREAS, the current septic system at the Binbrook Memorial Hall is at the end of life and the holding tank at the Ball Diamond washrooms is consistently backing up and cannot be replaced as per the Ontario Building Code;

WHEREAS, capitalizing on the current work being done by the Binbrook Agricultural Society would result in an estimated cost avoidance of approximately \$130K due to contractor mobilization fee savings, utilization of planned road allowance construction and reconstruction, paving, soft costs, programming and public disruption as well as displacement if emergency fixes and removal due to end-of-life infrastructure is required; and,

WHEREAS, the Binbrook Agricultural Society is proposing a cost share agreement for design, supply and install for new underground sewer connections to the baseball diamond and Binbrook Memorial Hall to new municipal services located in the road allowance, including paving in areas disturbed by construction.

THEREFORE, BE IT RESOLVED:

That, in order to capitalize on the current underground municipal sewer connection initiative by the Binbrook Agricultural Society as well as utilize a cost share model for common access space, Energy, Fleet & Facilities Management Section staff be directed to:

- (a) enter into an agreement with the Binbrook Agricultural Society that outlines the cost share terms and conditions;
- (b) initiate the installation of underground municipal sewer connection for the Binbrook Memorial Hall system and the ball diamond washroom; and,

- (c) establish and fund a capital project in the amount of \$400,000 from the Unallocated Capital Reserve Account #108020.

MEMBERS OF COUNCIL THIS ITEM IS A PRIVATE & CONFIDENTIAL MATTER, IF YOU WISH TO DISCUSS THIS MATTER, THEN COUNCIL WILL NEED TO GO INTO CLOSED SESSION.

CITY OF HAMILTON MOTION

Council: March 27, 2019

MOVED BY COUNCILLOR T. WHITEHEAD.....

SECONDED BY COUNCILLOR

Local Planning Appeal Tribunal appeals by The Green Organic Dutchman Holdings Limited (PL180732 and PL180818) – settlement proposal (LS19006) (Item 13 of Planning Committee Report 19-003)

WHEREAS the following motion was deferred at the February 27, 2019 Council meeting to provide the Ward Councillor with an opportunity to discuss the implications of approving the recommendation in Report LS19006 respecting Local Planning Appeal Tribunal appeals by The Green Organic Dutchman Holdings Limited (PL180732 and PL180818) – settlement proposal.

THEREFORE BE IT RESOLVED:

That the recommendation in Report LS19006 respecting Local Planning Appeal Tribunal appeals by The Green Organic Dutchman Holdings Limited (PL180732 and PL180818) – settlement proposal, be approved.

Authority: Motion 7.1, Council Minutes
CM: March 27, 2019
Ward: City Wide
Bill No. 044

CITY OF HAMILTON

BY-LAW NO. 19-

To Appoint and to Prescribe the Duties and Responsibilities of the Chief Administrative Officer

WHEREAS pursuant to section 229 of the Municipal Act, S.O. 2001, c. 25, as amended, the Council for the City of Hamilton (the "Council") may appoint a Chief Administrative Officer for the City of Hamilton (the "City"), and prescribe the duties and responsibilities of that office; and,

WHEREAS the Chief Administrative Officer shall have such general control and management of the administration of the government and affairs of the City and shall perform such duties as Council by by-law prescribes; and

WHEREAS the Chief Administrative Officer shall be responsible for the efficient administration of all departments of the City to the extent that they are given control over them by Council;

WHEREAS the duties and responsibilities prescribed in this By-law do not encroach upon the powers of Council or its Committees or the statutory duties of its officers; and

WHEREAS it is necessary to appoint an Chief Administration Officer for the City of Hamilton.

NOW THEREFORE, Council enacts as follows:

1. Janette Smith is hereby appointed as the Chief Administrative Officer of the City of Hamilton (the "City").
2. The Chief Administrative Officer shall be responsible to the Mayor and the Council for the general control and management of the administration of the government and affairs of the City, and shall perform such additional duties as Council may by by-law prescribe.

3. The Chief Administrative Officer is the senior official of the City, provides organizational leadership to staff, and is responsible for the efficient and effective delivery of services.
4. The Chief Administrative Officer is the head of the administrative and operational aspects of the government of the City and is responsible to Council for the proper administration of the affairs of the City, including organizational restructuring, in accordance with the by-laws adopted by the Council.
5. The Chief Administrative Officer is responsible for providing effective advice and support to the Mayor and Council in developing and implementing the policies, plans and programs of Council.
6. The Chief Administrative Officer shall supervise the management of the human, fiscal and physical resources of the City and report on the status of these semi-annually to Council.
7. The Chief Administrative Officer may appoint, promote, demote, suspend and dismiss, subject to the provisions of any personnel policies adopted by Council, or collective agreements applicable to employees of the City, all employees of the City, except the first level of senior management and statutory officials.
8. The Chief Administrative Officer shall recommend to Council the appointment and dismissal of first level senior management and statutory officials of the City.
9. Without limiting the responsibilities set forth in sections 2 to 8 above, the Chief Administrative Officer shall be generally responsible for such policies and programs of the City relating to the administration of the City and his duties shall include the following:
 - (a) to supervise the management of the City, including the business and affairs of the City in accordance with the policies approved and determined by Council;
 - (b) to be responsible for the provision of all services required or deemed advisable for the City;
 - (c) to enquire continuously into the effectiveness and efficiency of the services provided by the City and to recommend to Council any changes or improvements which will enhance the quality of such services;
 - (d) to supervise the preparation of the City's budgets, and to be responsible for their implementation.

- (e) to attend or be represented at all meetings of the Council and Committees of Council.
10. The Chief Administrative Officer shall carry out such additional responsibilities as the Council, from time to time, may direct.
 11. Nothing in this By-law shall be deemed to empower the Chief Administrative Officer to exercise, or to encroach upon, the powers of Councillor its Committees or upon the statutory duties of officers of the City.
 12. Nothing in this By-law shall be deemed to limit the authority of the Chief Administrative Officer to exercise those statutory duties and powers set out in the Municipal Act, 2001, as amended from time to time.
 13. The Chief Administrative Officer may be referred to and may use the title of "City Manager" in the course of carrying out the duties and responsibilities set forth in this By-law.
 14. The Chief Administrative Officer may designate a senior staff member to act as Chief Administrative Officer from time to time as may be required.
 15. By-law No. 18-184 is hereby repealed.
 16. This By-law shall come into force and take effect on May 6, 2019.

PASSED this 27th day of March, 2019

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 7, Economic Development
and Planning Committee Report
10-005 (PED10051)
CM: March 10, 2010
Ward: 9

Bill No. 045

CITY OF HAMILTON

BY-LAW NO. 19-

To Establish City of Hamilton Land Described as Reserve Blocks 268 and 269 on Plan 62M-1257 as Part of Cuesta Heights

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 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

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

1. The land, owned by and located in the City of Hamilton, described as Reserve Blocks 268 and 269 on Plan 62M-1257, is established as a public highway, forming part of Cuesta Heights.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 27th day of March, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 7, Economic Development
and Planning Committee Report
10-005 (PED10051)
CM: March 10, 2010
Ward: 15

Bill No. 046

CITY OF HAMILTON

BY-LAW NO. 19-

**To Establish City of Hamilton Land
Described as Block 200 on Plan 62M-1157
as Part of Burke Street**

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 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

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

1. The land, owned by and located in the City of Hamilton, described as Block 200 on Plan 62M-1157, is established as a public highway, forming part of Burke Street.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 27th day of March, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 7, Economic Development
and Planning Committee Report
10-005 (PED10051)
CM: March 10, 2010
Ward: 9

Bill No. 047

CITY OF HAMILTON

BY-LAW NO. 19-

**To Establish City of Hamilton Land
Described as Block 74 on Plan 62M-1232
as Part of Bedrock Drive**

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 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

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

1. The land, owned by and located in the City of Hamilton, described as Block 74 on Plan 62M-1232, is established as a public highway, forming part of Bedrock Drive.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 27th day of March, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 5, Public Works Committee
Report 17-014 (PW17106)
CM: December 8, 2017
Ward: 4

Bill No. 048

CITY OF HAMILTON

BY-LAW NO. 19-

To Permanently Close and Sell a portion of the road allowance abutting 75 Steel City Court, Hamilton, Ontario, legally described as Firstly: Part of Lots 31 & 32, Broken Front Concession, Geographic Township of Saltfleet, designated as Part 1, Plan 62R-20907, being Part of PIN 17573-0078 (LT); and, Secondly: Part of Lot 31, Broken Front Concession, Geographic Township of Saltfleet, designated as Part 2, Plan 62R-20907, being Part of PIN 17572-0048 (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 at its meeting of December 8, 2017, Council approved of Item 5 of Public Works Committee Report 17-014, and authorized the City of Hamilton to permanently close and sell a portion of the road allowance abutting 75 Steel Court, Hamilton, Ontario; and

WHEREAS notice to the public of the proposed sale of the part of the road allowance has been given in accordance with the requirements of the Sale of Land Policy By-law.

To Permanently Close and Sell a portion of the road allowance abutting 75 Steel City Court, Hamilton, Ontario, legally described as Firstly: Part of Lots 31 & 32, Broken Front Concession, Geographic Township of Saltfleet, designated as Part 1, Plan 62R-20907, being Part of PIN 17573-0078 (LT); and, Secondly: Part of Lot 31, Broken Front Concession, Geographic Township of Saltfleet, designated as Part 2, Plan 62R-20907, being Part of PIN 17572-0048 (LT); City of Hamilton

Page 2 of 2

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

1. The portion of the road allowance abutting 75 Steel City Court, Hamilton, Ontario, legally described as Firstly: Part of Lots 31 & 32, Broken Front Concession, Geographic Township of Saltfleet, designated as Part 1, Plan 62R-20907, being Part of PIN 17573-0078 (LT); and, Secondly: Part of Lot 31, Broken Front Concession, Geographic Township of Saltfleet, designated as Part 2, Plan 62R-20907, being Part of PIN 17572-0048 (LT); City of Hamilton, which is owned by the City of Hamilton, is permanently closed.
2. The soil and freehold of the part of the road allowance permanently closed under section 1 is to be sold to American Iron and Metal Company Inc. for the sum of Seven Hundred Twenty-Five Thousand Dollars (\$725,000.00).
3. This by-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 27th day of March, 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: 15

Bill No. 049

CITY OF HAMILTON

BY-LAW NO. 19-

Respecting Removal of Part Lot Control Block 217, Registered Plan No. 62M-1238, Waterdown Bay Phase 2, 66, 68, 70, 72 and 74, Humphrey Street

WHEREAS the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating 5 lots for townhouse dwellings, shown as Parts 1, 4, 6, 7 and 8, inclusive, including maintenance easements, shown as Parts 2, 3 and 5, inclusive, on deposited Reference Plan 62R-20979, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 217, Registered Plan No. 62M-1238, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 27th day of March, 2021.

Respecting Removal of Part Lot Control
Block 217, Registered Plan No. 62M-1238, Waterdown Bay Phase 2,
66, 68, 70, 72 and 74, Humphrey Street

Page 2 of 2

PASSED and ENACTED this 27th day of March, 2019.

F. Eisenberger
Mayor

J. Pilon
City Clerk

PLC-18-032

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 15

Bill No. 050

CITY OF HAMILTON

BY-LAW NO. 19-

Respecting Removal of Part Lot Control Block 200, Registered Plan No. 62M-1238, Waterdown Bay Phase 2, 311, 313, 315, 317, 319 Humphrey Street

WHEREAS the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating 5 lots for street townhouse dwellings, shown as Parts 1, 2, 3, 5 and 7, inclusive, including maintenance easements, shown as Parts 4, and 6, inclusive, on deposited Reference Plan 62R-20995, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 200, Registered Plan No. 62M-1238, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 27th day of March, 2021.

Respecting Removal of Part Lot Control
Block 200, Registered Plan No. 62M-1238, Waterdown Bay Phase 2,
311, 313, 315, 317, 319 Humphrey Street

Page 2 of 2

PASSED this 27th day of March, 2019.

F. Eisenberger
Mayor

J. Pilon
City Clerk

PLC-18-032

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 15

Bill No. 051

CITY OF HAMILTON

BY-LAW NO. 19-

Respecting Removal of Part Lot Control Block 218, Registered Plan No. 62M-1238, Waterdown Bay Phase 2, 57, 59, 61, 63, 65, 67 Skinner Road

WHEREAS the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating 6 lots for townhouse dwellings, shown as Parts 1, 3, 4, 6, 9 and 11, inclusive, including maintenance easements, shown as Parts 2, 5, 7, 8 and 10, inclusive, on deposited Reference Plan 62R-20981, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 218, Registered Plan No. 62M-1238, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 27th day of March, 2021.

Respecting Removal of Part Lot Control
Block 218, Registered Plan No. 62M-1238, Waterdown Bay Phase 2,
57, 59, 61, 63, 65, 67 Skinner Road

Page 2 of 2

PASSED this 27th day of March, 2019.

F. Eisenberger
Mayor

J. Pilon
City Clerk

PLC-18-032

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 15

Bill No. 052

CITY OF HAMILTON

BY-LAW NO. 19-

Respecting Removal of Part Lot Control Block 204, Registered Plan No. 62M-1238, Waterdown Bay Phase 2 215, 217, 219, 221, 223, 225 Skinner Road

WHEREAS the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating 6 lots for townhouse dwellings, shown as Parts 1, 4, 5, 8, 9 and 12, inclusive, including maintenance easements, shown as Parts 2, 3, 6, 7, 10 and 11, inclusive, on deposited Reference Plan 62R-20980, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 204, Registered Plan No. 62M-1238, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 27th day of March, 2021.

Respecting Removal of Part Lot Control
Block 204, Registered Plan No. 62M-1238, Waterdown Bay Phase 2
215, 217, 219, 221, 223, 225 Skinner Road

Page 2 of 2

PASSED this 27th day of March, 2019.

F. Eisenberger
Mayor

PLC-18-032

J. Pilon
City Clerk

Authority: Item 31, Economic Development
and Planning Committee Report
06-005
CM: April 12, 2006
Ward: 9

Bill No. 053

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend Zoning By-law No. 05-200, as amended by By-law No. 17-240, respecting lands located at 512 Highland Road West, Stoney Creek

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;

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

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

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

WHEREAS the Council of the City of Hamilton, in adopting Section 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April, 2006, recommended that the Director of Development and Real Estate be authorized to give notice and prepare by-laws for presentation to Council, to remove the "H" Holding provision from By-laws where the conditions have been met.

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

1. That Maps 1501 and 1502 appended to and forming part of By-law No. 05-200 (Hamilton), as amended by By-law No. 17-240, is hereby further amended by changing the zoning from the District Commercial (C6, 349, H66, H67, H100, H101) Zone, to the District Commercial (C6, 349) 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 Provisions 66, 67, 100, and 101.

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 District Commercial (C6, 349) Zone provisions.
5. That this By-law No. 19-053 shall come into force and be deemed to come into force in accordance with Sub-section 34(21) of the *Planning Act*, upon the date of passage of this By-law.

PASSED this 27th day of March, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAH-19-005



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. 05-200
Maps 1501 & 1502

Subject Property

512 Highland Road West



Change in Zoning from the District Commercial (C6, 349, H66, H67, H100, H101) Zone to the District Commercial (C6, 349) Zone

Scale:
N.T.S.

File Name/Number:
ZAH-19-005

Date:
Jan. 22, 2019

Planner/Technician:
TV/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Authority: Item 4, Planning Committee
Report: 19-003 (PED19041)
CM: February 27, 2019
Ward: 13

Bill No. 054

CITY OF HAMILTON

BY-LAW NO. 19-

To Adopt:

**Official Plan Amendment No. 120 to the
Urban Hamilton Official Plan**

Respecting:

**264 Governor's Road
(Dundas)**

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

1. Amendment No. 120 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 27th day of March, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Urban Hamilton Official Plan Amendment No. 120

The following text, together with Appendix “A”: Volume 3, Map 2 – Urban Site Specific Key Map, attached hereto, constitutes Official Plan Amendment No. 120 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to establish a Site Specific Policy to permit the development of 29 townhouse dwellings with a minimum net residential density of 48 units per hectare.

2.0 Location:

The lands affected by this Amendment are known municipally as 264 Governor’s Road, in the former Town of Dundas.

3.0 Basis:

The basis for permitting this Amendment is:

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

4.0 Actual Changes:

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

Text

4.1.1. Urban Hamilton Official Plan Volume 3, Chapter C – Urban Site Specific Policies is amended by adding the following Site Specific Policy:

“UDN-2 – Lands located at 264 Governor’s Road, former Town of Dundas

- a) Notwithstanding Volume 1, Policy E.3.5.7, for lands designated “Neighbourhoods”, located at 264 Governor’s Road, the minimum net residential density shall be 48 units per hectare.”

Maps

4.1.2 Map

- a. That Volume 3, Map 2 – Urban Site Specific Key Map be amended by identifying the subject lands as UDN-2, as shown on Appendix “A”, attached to this Amendment.

5.0 Implementation:

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


This Official Plan Amendment is Schedule “1” to By-law No. 19-054 passed on the 27th day of March, 2019.

**The
City of Hamilton**

F. Eisenberger
MAYOR

J. Pilon
ACTING CITY CLERK

Appendix A
APPROVED Amendment No. 120
to the Urban Hamilton Official Plan

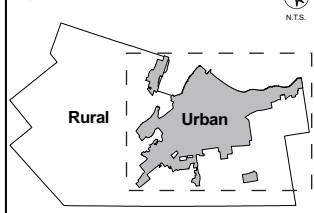
 Lands to be identified as Site Specific Policy Area UDN-2
(264 Governor's Road, Dundas)

Date:
March 1, 2019

Revised By:
SM/NB

Reference File No.:
OPA-U-120(D)

Key Map





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






APPEAL

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

Legend

-  Site Specific Areas (SSA)
-  Refers to Urban Site Specific Area #, Volume 3, Chapter B

Other Features

-  Rural Area
-  John C. Munro Hamilton International Airport
-  Niagara Escarpment
-  Urban Boundary
-  Municipal Boundary

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

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

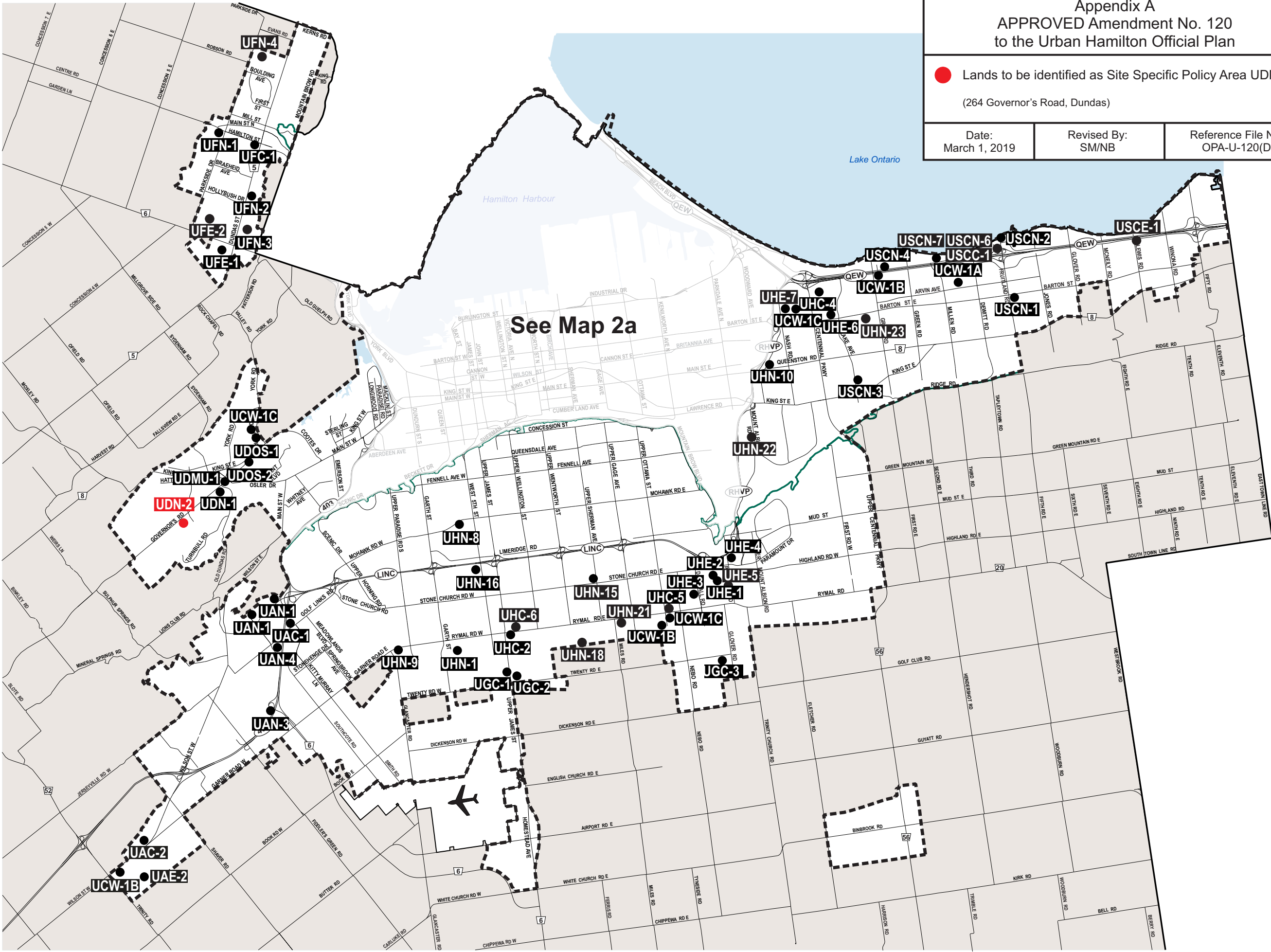


Not To Scale

Date: Jan. 17/2019



PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
© Teranet Land Information Services Inc. and its licensors. [2009]
May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY



**CITY OF HAMILTON
BY-LAW NO. 19-**

**To Amend Zoning By-law No. 3581-86
Respecting Lands Located at 264 Governor's Road, in the former Town of Dundas**

WHEREAS the *City of Hamilton Act, 1999*, S. O. 1999 Chap. 14, Sch. C did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

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

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

WHEREAS; Zoning By-law No. 3581-86 (Dundas) was enacted on the 22nd day of May, 1986, and approved by the Ontario Municipal Board on the 10th day of May, 1988; and,

WHEREAS; the Council of the City of Hamilton, in adopting Item 4 of Report PED19-003 of the Planning Committee, at its meeting held on the 27th day of February, 2019, recommended that Zoning By-law No. 3581-86 (Dundas) be amended as hereinafter provided.

AND WHEREAS; this By-law conforms with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No.120.

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

1. That Schedule "H" – appended to and forming part of By-law No. 3581-86 (Dundas) is amended as follows:
 - (a) By establishing a Low to Medium Multiple Dwelling – Holding Zone (H-RM1/S-139), to the lands and extent and boundaries of which are shown on a plan hereto annexed as Schedule "A"; and,
2. That Section 32 "Exceptions", of Zoning By-law 3581-86 (Dundas), be amended by adding the following subsections:

"S-139"

 - (i) Notwithstanding Subsections 6.6.8, 7.12.1.3, 12.3.2.1, 12.3.2.2, 12.3.3, 12.3.4, 12.3.6, the following special regulations shall apply:

12.3 REGULATIONS FOR MAISONETTE DWELLINGS AND TOWNHOUSE DWELLINGS

12.3.2 YARD REQUIRMENTS

12.3.2.1 FRONT YARD

Minimum 3.92 metres

12.3.2.2 SIDE YARD

Minimum 3.35 metres (easterly)
2.5 metres (westerly)

12.3.3 HEIGHT

Maximum a) 10.5 metres

b) Notwithstanding a) above, 13.5 metres for a three storey townhouse provided a minimum setback of 35 metres to the rear lot line is provided.

12.3.4 DENSITY

Maximum Townhouse Dwellings
49 dwelling units per hectare

12.3.6 LANDSCAPING REQUIREMENTS

12.3.6.1 LANDSCAPED AREA

Minimum 30 percent of the site area shall be landscaped

12.3.6.2 BUFFER STRIP

The landscaped area requirements contained in subclause 12.3.6.1 shall include a buffer strip of not less than 2.5 metres in width which shall be provided and maintained adjacent to every portion of any lot line that abuts an R1, R2, R3, R3A, R4 or R6 Zone. The buffer strip shall be provided and maintained within the minimum yard requirements of the zone.

12.3.7 AMENITY AREA REQUIREMENTS

For each three storey townhouse dwelling, a minimum private amenity area of 6.0 square metres shall be provided in the form of a second storey deck or rooftop patio.

6.6.8 UNCOVERED PORCHES

A terrace, uncovered porch, platform or ornamental feature which does not extend more than 1.0 metres above the first floor level of the first storey may not project into a required front yard.

7.12.1.3 Townhouse Dwellings

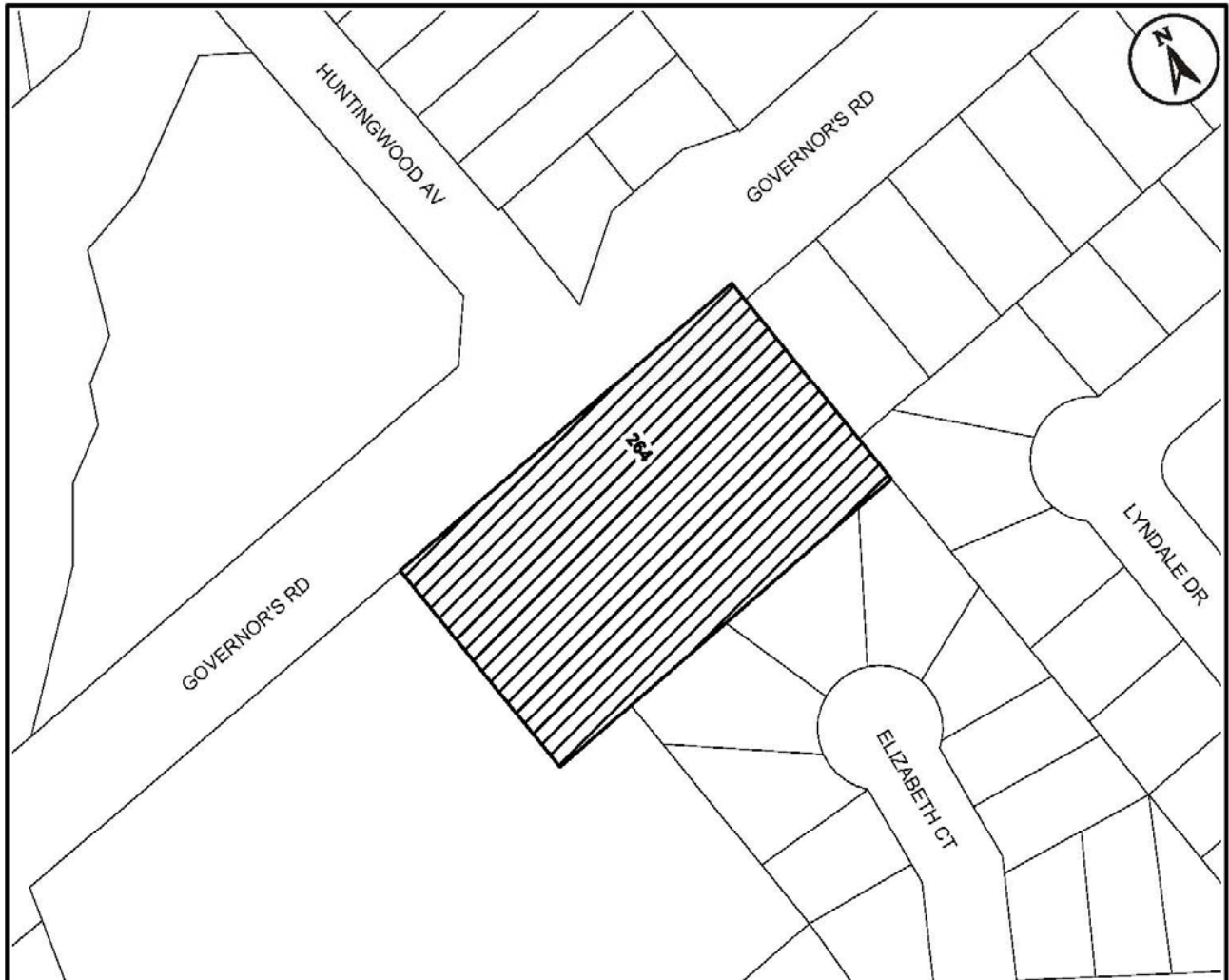
2.25 spaces per dwelling unit,
of which 0.25 spaces per
dwelling unit shall be
provided for visitor parking.

3. That the "H" symbol may be removed at such time as the following has been satisfied:
 - (i) That the owner / applicant provide an update, submit and implement the Documentation and Salvage Report to further detail their approach for removing, labelling, storing, and if required, reassembly of material salvaged from the buildings on-site and how they intend to incorporate any of the salvaged materials on-site, to the satisfaction of the Director of Planning and Chief Planner.
4. That By-law No. 3581-86 of the Town of Dundas Zoning By-law is amended by adding this By-law to Section 32 as Schedule "S-139".
5. That Schedule "A" of the Zoning Schedule Key Map is amended by marking the lands referred to in Section 2 of this By-law as "H-RM1/S139".
6. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 27th day of March, 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

Schedule "A"

Map Forming Part of
 By-law No. 19-_____

to Amend By-law No. 3581-86

Subject Property

264 Governor's Road



Change in Zoning from Urban Reserve Zone
 "UR" to Medium Multiple Dwelling - Holding
 (H-RM1/S-139), Modified

Scale:
 N.T.S.

File Name/Number:
 ZAC-17-088 & UHOPA-17-040

Date:
 Dec. 10, 2018

Planner/Technician:
 AL/VS



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Authority: Item 6, Public Works Committee
Report 19-004
CM: March 27, 2019
Ward: 13

Bill No. 056

CITY OF HAMILTON

BY-LAW NO. 19-

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

WHEREAS sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215.

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

1. Schedule 2 (Speed Limits) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "B" (Dundas) thereof the following item, namely;

Highland Park Drive	375 m west of Lynndale Drive	75 m west of Lynndale Drive	40 km/h
---------------------	---------------------------------	--------------------------------	---------

And by adding to Section "B" (Dundas) thereof the following items,

Highland Park Drive	Bridlewood Drive	Lynndale Drive	40 km/h
Lynndale Drive	Highland Park Drive	Creighton Drive	40 km/h

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 27th day of March, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 5, Public Works Committee
Report 19-004 (PW19023)
CM: March 27, 2019
Ward: City Wide

Bill No. 057

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend By-law No. 10-103 Respecting the Prevention of Backflow into the Water Distribution System of the City of Hamilton

WHEREAS on May 12, 2010, the Council of the City of Hamilton passed By-law No. 10-103, known and referred to as the “Backflow Prevention By-law”;

AND WHEREAS on March 27, 2019 the Council of the City of Hamilton approved Item 5 of Public Works Committee Report 19-004 to amend By-law No. 10-103 to remove defined terms not used in the body of the By-law, update departmental and regulatory references, remove the requirement of detector meters on Fire Protection Systems, update references to survey forms and installation requirements where Backflow Prevention Devices are installed for Premise Isolation, and clarify that offences under the By-law are continuing.

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

1. Section 1 definition of “Building Code” is amended by deleting the words “O. Reg. 350/06” from the first line and replacing it with “O. Reg. 332/12”.
2. Section 1 definition of “MOE” of By-law No. 10-103 is deleted.
3. Sections 1, 3.5.2, 7.3.2, 7.33, 7.5 and Schedule A of By-law No.10-103 are amended by replacing the wording “Self Assessed Cross Connection Survey Form” with “Self-Assessed Survey”.
4. Subsection 3.4 of By-law No. 10-103 is deleted and replaced with the following new subsection 3.4:
 - 3.4 Where there is a Fire Protection System within a Building or Structure, the Owner of the Property shall ensure that such Building or Structure is protected against Backflow in accordance with the CSA Standard, and in doing so the Backflow Prevention Device

shall be either a double check valve assembly or a reduced pressure principle device.

5. Subsection 3.5.3 of By-law No. 10-103 is deleted and replaced with the following new subsection 3.5.3:

3.5.3. The degree of hazard on the Property is not High or Severe and the Property is not one which requires Premise Isolation under the Building Code.

6. Subsection 6.3 of By-law No. 10-103 is amended by deleting the words “Environment & Sustainable Infrastructure Division” from the second and third line of the subsection and replacing it with “Hamilton Water Division”.

7. By-law No. 10-103 is amended by adding the following new subsection 6.26 immediately after subsection 6.25:

6.26 Every person who contravenes any provision of this By-law shall be deemed to be committing a continuing offence for each day or part of a day that the contravention remains uncorrected.

8. Subsection 9.1 of By-law No. 10-103 is amended by adding the following new subsections 9.1.6.1 and 9.1.6.2 immediately after subsection 9.1.6:

9.1.6.1 Despite subsection 9.1.6, for all hazards other than a High or Severe Hazard, a Property Owner may apply to the to have such device installed where the water service enters the Building or Structure, and the General Manager may approve the installation of the device in a location acceptable to the General Manager, provided the following conditions are met:

- (a) A property inspection by the General Manager, which includes a water shut off, confirms no Cross Connection between the property line and premise Backflow Prevention Device;
- (b) The Owner pays all fees and charges associated with the application, inspection and water shut off; and,
- (c) The Owner signs an agreement with terms and conditions acceptable to the General Manager on an annual basis.

9.1.6.2 In the event of failure or refusal to comply with any of the conditions set out in subsection 9.1.6.1 or the terms and conditions in the agreement signed pursuant to section

9.1.6.1(c), the Owner shall comply with requirements set out in section 9.1.6.

9. Schedule A of By-law No. 10-103 is amended by adding the following immediately below the text “For the purposes of Schedule A”:

All test kits used for testing Backflow Prevention Devices require a valid calibration certificate to be submitted to the City of Hamilton annually.

10. This By-law comes into force as of the day it is passed.

PASSED this 27th day of March, 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: 1,3,4,6,7,14,15

Bill No. 058

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	Times	Adding/ Deleting
8 – No Parking	(G)	Sanford Ave.	South	25m west of Westinghouse Ave. to 12m west	Anytime	Adding
8 – No Parking	C	Boulding Ave.	East	25m north of Wakefield Ln. to 50m south	Anytime	Adding
8 – No Parking	C	Boulding Ave.	East	Fellowes Ave. to 25m north	Anytime	Adding

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

Page 2 of 4

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
<i>8 – No Parking</i>	<i>C</i>	Boulding Ave.	West	Fellowes Ave. to 23m north	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Dorset Pl.	West	Edgevale Rd. to southerly end.	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Minstrel Crt.	North	Magnolia Dr. to westerly end	Dec. 1 - Mar. 31	Adding
<i>8 – No Parking</i>	<i>E</i>	Limeridge	South	Upper Ottawa to Mountain Brow	Anytime	Deleting
<i>8 – No Parking</i>	<i>E</i>	Limeridge	North	Castle to Mountain Brow	Anytime	Deleting
<i>8 – No Parking</i>	<i>E</i>	Limeridge Rd.	South	Up. Ottawa St. to extended west curb line of Lennox St.	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Limeridge Rd.	South	Jamie Ann St. to 65m easterly	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Limeridge Rd.	South	25m east of Up. Kenilworth St. to 145m easterly	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Limeridge Rd.	South	35m west of Corinthian Dr. to Mountain Brow Blvd.	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Limeridge Rd.	North	Castle St. to 180m east of Up. Kenilworth St.	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Limeridge Rd.	North	22m west of Corinthian Dr. to Mountain Brow Blvd.	Anytime	Adding

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

Page 3 of 4

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
<i>10 – Alt. Side (Apr-Nov)</i>	<i>E</i>	East 19th St.	Fennel Ave. to Queensdale Ave.	West	East	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/Deleting
12 – Permit	<i>E</i>	Devonport St.	West	27m south of York St. to 6m south	Anytime	Adding
12 – Permit	<i>E</i>	Oak Ave.	West	105m north of Barton St. to 6m northerly	Anytime	Adding
12 – Permit	<i>E</i>	Oak Ave.	East	100m north of Barton St. to 6m northerly	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/Deleting
12 – Permit	<i>E</i>	London St.	East	from 23.8m north of Cannon St. to 5.7m northerly	Anytime	Deleting
12 – Permit	<i>E</i>	London St.	West	from 31.8m north of Cannon St. to 5.9m northerly	Anytime	Deleting

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

Page 4 of 4

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 27th day of March, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 7, Public Works Committee
Report 17-007 (PW17040)
CM: June 14, 2017
Ward: 2

Bill No. 059

CITY OF HAMILTON

BY-LAW NO. 19-

Being a By-law to Permanently Close and Sell a Portion of a Public Unassumed Alley abutting 208 MacNab Street North, Hamilton, Ontario, established by Registered Plan 104, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20818, being Part of PIN 17160-0242 (LT)

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 14, 2017, in adopting Item 7 of Public Works Committee Report 17-007, authorized the City of Hamilton to permanently close and sell a portion of a public unassumed alley abutting 208 MacNab Street North, Hamilton, Ontario, established by Registered Plan 104, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20818, being Part of PIN 17160-0242 (LT), City of Hamilton;

AND WHEREAS a Judge's Order was issued and registered on title on March 20, 2019, as Instrument No. WE1344449 to close a portion of a public unassumed alley abutting 208 MacNab Street North, Hamilton, Ontario established by Registered Plan 104, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20818, being Part of PIN 17160-0242 (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. The part of the portion of a public unassumed alley set out as:

Part of the Alley, Registered Plan 104, in the City of Hamilton, designated as Part 1 on Plan 62R-20818

is hereby permanently closed.
2. The soil and freehold of Part 1 on Reference Plan 62R-20818, hereby permanently closed, be sold to Susan Michelle Evel for the sum of Two Dollars (\$2.00).
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

PASSED this 27th day of March, 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. 060

CITY OF HAMILTON

BY-LAW NO. 19-

Respecting Removal of Part Lot Control

Block 153, Registered Plan of Subdivision No. 62M-1251, "Summit Park Phase 10" municipally known as, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228 Dalgleish Trail

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-one (21) lots for townhouses (Parts 1-26, inclusive) including five utility and service easements (Parts 3, 5, 12, 20 and 22), as shown on Deposited Reference Plan 62R-21116, shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Block 153, Registered Plan of Subdivision 62M-1251, in the City of Hamilton.

2. This By-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.

Respecting Removal of Part Lot Control
Block 153, Registered Plan of Subdivision No. 62M-1251, "Summit Park Phase 10" municipally
known as, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220,
222, 224, 226, 228 Dagleish Trail

Page 2 of 2

3. This By-law shall expire and cease to be of any force or effect on the 27th day of March 2021.

PASSED this 27th day of March, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

PLC-19-004

Authority: Item 8, Planning Committee
Report 19-004 (PED19042)
CM: March 27, 2019
Ward: 12

Bill No. 061

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 1557 Concession 2 West, Flamborough

WHEREAS Council approved item 8 of Report 19-004 of the Planning Committee, at its meeting held on the 27th day of March, 2019;

AND WHEREAS this By-law conforms to the Rural Hamilton Official Plan.

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

1. That Map Nos. 103, 104, 112 & 113 of Schedule “A” to Zoning By-law No. 05-200 is amended by changing the zoning from the Agriculture (A1) Zone to the Agriculture (A1, 720) 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 is amended by adding an additional exception, as follows:

720. Within those lands zoned Agriculture (A1) Zone, identified on Maps 103, 104, 112 and 113, of Schedule “A” – Zoning Maps and described as:

Property Address	Map Numbers
320 Orkney Road	103, 104, 112, 113

The following special provisions apply:

- a) Notwithstanding 12.1.1, the following uses shall be prohibited:
 - i) single detached dwelling; and,
 - ii) residential care facility.

3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

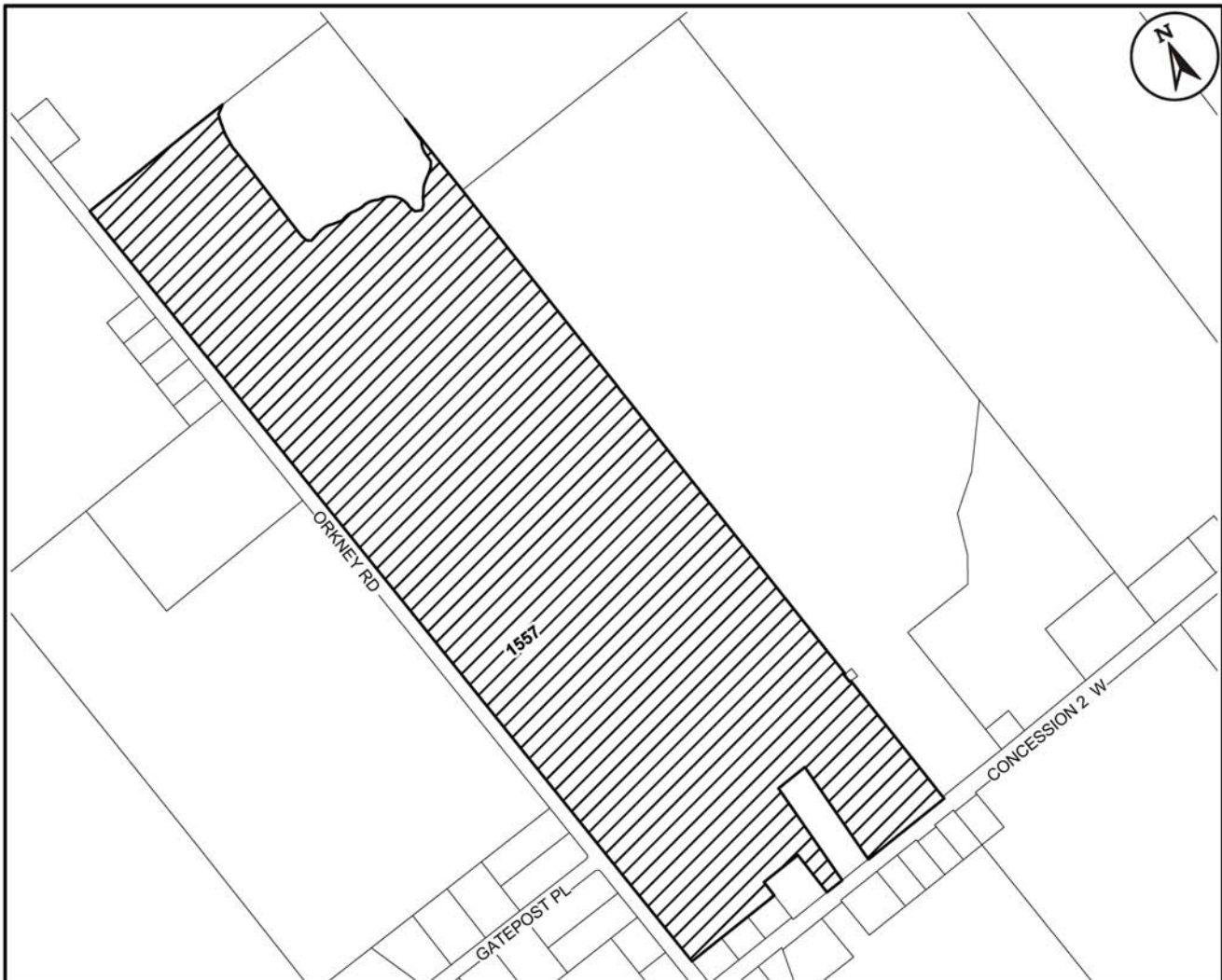
4. That this By-law No. 19-061 shall come into force and deemed to come into force in accordance with Subsection 34(21) of the Planning Act, either upon the date of passage of the By-law or as otherwise provided by the said subsection.

PASSED this 27th day of March, 2019

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAA-18-052



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. 05-200
Maps 103, 104, 112 & 113

Subject Property

1557 Concession 2 Road West



Change in Zoning from Agriculture (A1) Zone to
Agriculture (A1, 720) Zone

Scale:
N.T.S.

File Name/Number:
ZAA-18-052

Date:
March 6, 2019

Planner/Technician:
RF/AL



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Authority: Item 10, Planning Committee
Report 19-004 (PED19029)
CM: March 27, 2019
Ward: City Wide
Bill No. 062

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend By-law No. 05-200 Respecting Modifications and Updates to certain Definitions, General Provisions, Parking, Open Space, Industrial, Commercial and Mixed Use Zones, Transit Oriented Corridor Zones, Rural Zones Utility Zone, Special Exceptions, and Holding Provisions for the City of Hamilton

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

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

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;

WHEREAS the Council of the City of Hamilton, in adopting Item 10 of Report 19-004 of the Planning Committee, at its meeting held on the 27th day of March, 2019 which recommended that Zoning By-law No. 05-200 be amended as hereinafter provided; and,

WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan and Rural Hamilton Official Plan.

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

1. That SECTION 3: DEFINITIONS of Hamilton Zoning By-law No. 05-200 is hereby amended in accordance with Appendix "A" of this By-law.
2. That SECTION 4: GENERAL PROVISIONS of Hamilton Zoning By-law No. 05-0200 is hereby amended in accordance with Appendix "B" of this By-law.
3. That SECTION 5: PARKING of Hamilton Zoning By-law No. 05-200 is hereby amended in accordance with Appendix "C" of this By-law.
4. That SECTION 7: OPEN SPACE AND PARKS ZONES of Hamilton Zoning By-law No. 05-200 is hereby amended in accordance with Appendix "D" of this By-law

5. That SECTION 9: INDUSTRIAL ZONES of Hamilton Zoning By-law No. 05-200 is hereby amended in accordance with Appendix “E” of this By-law.
6. That SECTION 10: COMMERCIAL AND MIXED USE ZONES of Hamilton Zoning By-law No. 05-200 is hereby amended as follows:
 - 6.1 That Subsection 10.1 be amended in accordance with Appendix “F-1” of this By-law.
 - 6.2 That Subsection 10.2 be amended in accordance with Appendix “F-2” of this By-law.
 - 6.3 That Subsection 10.3 be amended in accordance with Appendix “F-3” of this By-law.
 - 6.4 That Subsection 10.4 be amended in accordance with Appendix “F-4” of this By-law.
 - 6.5 That Subsection 10.5 be amended in accordance with Appendix “F-5” of this By-law.
 - 6.6 That Subsection 10.6 be amended in accordance with Appendix “F-6” of this By-law.
 - 6.7 That Subsection 10.7 be amended in accordance with Appendix “F-7” of this By-law.
7. That SECTION 11: TRANSIT ORIENTED CORRIDOR ZONES of Hamilton Zoning By-law No. 05-200 is hereby amended as follows:
 - 7.1 That Subsection 11.1 be amended in accordance with Appendix “G-1” of this By-law.
 - 7.2 That Subsection 11.2 be amended in accordance with Appendix “G-2” of this By-law.
 - 7.3 That Subsection 11.3 be amended in accordance with Appendix “G-3” of this By-law.
8. That SECTION 12: RURAL ZONES of Hamilton Zoning By-law No. 05-200 is hereby amended in accordance with Appendix “H” of this By-law.
9. That SECTION 13: UTILITIES Hamilton Zoning By-law No. 05-200 is hereby amended as follows:

- 8.1 That Subsection 13.3 be amended in accordance with Appendix “I” of this By-law.
10. That Maps RU80, RU218, 860, 902, 947, 1043, 1258, 1259, 1311, 1394, 1450, 1595 1747, 1748, 1749, 1934 of Schedule “A” – Zoning Maps of Zoning By-law No. 05-200 be amended and boundaries of which are shown on a plan hereto annexed as Schedules “A1”, “A2”, “A3”, “A4”, “A5”, “A6”, “A7”, “A8”, “A9”, “A10”, “A11”, “A12” to this By-law, as follows:
- 10.1 Lands to be added to Zoning By-law No. 05-200 and zoned District Commercial (C6, 706) Zone (1405 Upper Ottawa Street, Hamilton, Schedule “A1”);
- 10.2 Change in zoning from the Neighbourhood Commercial (C2) Zone to the Residential Character Commercial (C1) Zone (328 – 358 Beach Boulevard, Hamilton, Schedule “A2”);
- 10.3 Lands to be added to Zoning By-law No. 05-200 and zoned District Commercial (C6, 708) Zone (3079 Homestead Drive, Glanbrook, Schedule “A3”);
- 10.4 Lands to be added to Zoning By-law No. 05-200 and zoned District Commercial (C6, 727) Zone (394 Winona Road, Stoney Creek, Schedule “A4”);
- 10.5 Lands to be added to Zoning By-law No. 05-200 and zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 710) Zone (52-64 Ottawa Street North, Hamilton, Schedule “A5”);
- 10.6 Lands to be added to Zoning By-law No. 05-200 and zoned Mixed Use Medium Density (C5) Zone (30 Rymal Road East, Hamilton, Schedule “A6”);
- 10.7 Change in zoning from the District Commercial (C6, 301) Zone to the District Commercial (C6, 301, H112) Zone (1310 South Service Road, Stoney Creek, Schedule “A7”).
- 10.8 Lands to be added to Zoning By-law No. 05-200 and zoned Mixed Use Medium Density (C5, 570) Zone (Part of 1546 Main Street West, Hamilton, Schedule “A8”); and,
- 10.9 Change in zoning from the Community Commercial (C3, H65) Zone to Community Commercial (C3) Zone (8 Kingsborough Drive, Stoney Creek, Schedule “A9”).

- 10.10 Modifications to the zone boundary to the Agriculture (A1, 159) Zone (4080 Hall Road, Glanbrook, "A10").
- 10.11 Change in zoning from Settlement Residential (S1, 23) Zone to Settlement Residential (S1, 712) Zone (706 Highway 8, Flamborough, Schedule "A11").
- 10.12 Lands to be added to Zoning By-law No. 05-200 and zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 711, H110) Zone (3079 Binbrook Road, Glanbrook, Schedule "A12").
11. That SCHEDULE "C" – Special Exceptions of Hamilton Zoning By-law No. 05-200 is hereby amended in accordance with Appendix "J" of this By-law.
12. That SCHEDULE "D" – Holding Provisions of Hamilton Zoning By-law No. 05-200 is hereby amended in accordance with Appendix "K" of this By-law.
13. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law in accordance with the Planning Act.
14. That this By-law comes into force in accordance with sections 34 and 36 of the Planning Act.

PASSED this 27th day of March, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

CI-18-J

Appendix “A” – Section 3: Definitions		
Term	Proposed Change	Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted added = text to be added bolded text = text to be bolded</p>		
Agricultural Brewery/Cidery/ Winery	<p>Shall mean a Secondary Use to an Agricultural operation on the same lot, for the processing of grapes, fruit, honey, hops or other produce in the production of beers, ciders or wines.</p> <p>Agricultural Brewery/Cidery/ Winery uses may include the crushing, fermentation, production, bottling, aging, storage, and Accessory sale of beers, ciders, wines and related products to both, a laboratory, an administrative office, and a tasting, hospitality and retail area, but shall not include a Restaurant, a Conference or Convention Centre, or overnight accommodation, or an Alcohol Production Facility.</p>	<p>Shall mean a Secondary Use to an Agricultural operation on the same lot, for the processing of grapes, fruit, honey, hops or other produce in the production of beers, ciders or wines.</p> <p>Agricultural Brewery/Cidery/ Winery uses may include the crushing, fermentation, production, bottling, aging, storage, and Accessory sale of beers, ciders, wines and related products to both, a laboratory, an administrative office, and a tasting, hospitality and retail area, but shall not include a Restaurant, a Conference or Convention Centre, overnight accommodation, or an Alcohol Production Facility.</p>
Commercial Entertainment	<p>Shall mean a use of an establishment for the general purpose of providing entertainment or amusement for a fee and shall include, for example, but not be limited to cinemas, circuses, bingo halls, dance clubs, cultural events, and escape rooms. Commercial Entertainment may include reception centres, but shall not include an Amusement Arcade, Adult Entertainment Parlour, or Casino.</p>	<p>Shall mean a use of an establishment for the general purpose of providing entertainment or amusement for a fee and shall include, for example, but not be limited to cinemas, circuses, bingo halls, dance clubs, cultural events, and escape rooms. Commercial Entertainment may include reception centres, but shall not include an Amusement Arcade, Adult Entertainment Parlour, or Casino.</p>
Conference or Convention Centre	<p>Shall mean an establishment, which is not a hotel, where facilities are provided for meetings, seminars,</p>	<p>Shall mean an establishment, which is not a hotel, where facilities are provided for meetings, seminars,</p>

Appendix “A” – Section 3: Definitions		
Term	Proposed Change	Revised Zone Regulation
	workshops, social gatherings, cultural events and other similar activities including an E exhibition F facility, circus, and public hall . A Conference or Convention Centre may all which may include dining facilities for the exclusive use of conference or convention participants, and the selling of goods related to the event.	workshops, social gatherings, cultural events and other similar activities including an Exhibition Facility, circus, and public hall. A Conference or Convention Centre may include dining facilities for the exclusive use of conference or convention participants, and the selling of goods related to the event.
Dwelling Unit in Conjunction with a Commercial Use	<p>Shall mean a room or suite of rooms building used or intended to be used for human habitation but shall not include a recreational vehicle or tent, and shall be located in the same building as a commercial use permitted in the zone.</p> <p>Shall mean a room or suite of rooms used or intended to be used by one or more persons living together as one household, in which cooking and sanitary facilities are provided for the exclusive use of the household, and to which an independent entrance is provided from outside the building or from a common interior hallway, vestibule or stairway and shall be located in the same building as a commercial use permitted in the zone.</p>	Shall mean a room or suite of rooms used or intended to be used by one or more persons living together as one household, in which cooking and sanitary facilities are provided for the exclusive use of the household, and to which an independent entrance is provided from outside the building or from a common interior hallway, vestibule or stairway and shall be located in the same building as a commercial use permitted in the zone.
Emergency Shelter	Shall mean a fully detached building used for persons in a crisis situation requiring shelter, protection, assistance and counselling or support which is intended to be short term accommodation of a	Shall mean a fully detached building used for persons in a crisis situation requiring shelter, protection, assistance and counselling or support which is intended to be short term accommodation of a transient

Appendix “A” – Section 3: Definitions		
Term	Proposed Change	Revised Zone Regulation
	transient nature. An Emergency Shelter may include an “out of the cold” program but An emergency shelter shall not include a residential care facility, a lodging house, a corrections residence, a correctional facility, or any other residential facility which is licensed, approved or regulated under any general or special Act.	nature. An Emergency Shelter may include an “out of the cold” program but An emergency shelter shall not include a residential care facility, a lodging house, a corrections residence, a correctional facility, or any other residential facility which is licensed, approved or regulated under any general or special Act.
Farm Implement Dealership	Shall mean the use of land, building, or structure, or part thereof, where new and/or used equipment or machinery designed and used for agricultural or horticultural uses, including machinery attachments and parts are stored and displayed for the purpose of sale, rental or leasing and may include a building for the storage and sale of machinery attachments and parts, and lubricants for the equipment and machinery. The use shall also be prescribed under the <u>Farm Implements Act</u>.	Shall mean the use of land, building, or structure, or part thereof, where new and/or used equipment or machinery designed and used for agricultural or horticultural uses, including machinery attachments and parts are stored and displayed for the purpose of sale, rental or leasing and may include a building for the storage and sale of machinery attachments and parts, and lubricants for the equipment and machinery. The use shall also be prescribed under the <u>Farm Implements Act</u> .
Health Professional	Shall mean an individual who practices any of the health disciplines regulated under a Provincial Act, such as, but not limited to, physicians, dentists, optometrists, pharmacists, physiotherapists, chiropractors, and psychologists, and disciplines not regulated under a Provincial Act such as an Osteopath.	Shall mean an individual who practices any of the health disciplines regulated under a Provincial Act, such as, but not limited to, physicians, dentists, optometrists, pharmacists, physiotherapists, chiropractors, and psychologists, and disciplines not regulated under a Provincial Act such as an Osteopath.

Appendix “A” – Section 3: Definitions		
Term	Proposed Change	Revised Zone Regulation
Landscaped Area	<p>Landscaped Area Shall mean any portion of a lot which:</p> <ul style="list-style-type: none"> a) Contains no building thereon; b) Is not used for parking, access to parking, driveways or loading space; and, c) Is used for the purpose of landscaping; and, d) Landscaped areas may include bell pedestals and light standards but shall not include courier or mail boxes. 	<p>Landscaped Area Shall mean any portion of a lot which:</p> <ul style="list-style-type: none"> a) Contains no building thereon; b) Is not used for parking, access to parking, driveways or loading space; and, c) Is used for the purpose of landscaping; and, d) Landscaped areas may include bell pedestals and light standards but shall not include courier or mail boxes.
Landscaping Landscaped Parking Island	<p>Shall mean a curbed portion of land for the growing of ornamental shrubs or trees, flowers, grass, and other vegetation, suitable to the soil and climatic conditions of the area of land for the purpose of landscaping within a parking lot, and shall include walkways, fire hydrants, decorative walls or features and light standards, and shall not form part of a Planting Strip or Landscaped Area.</p>	<p>Shall mean a curbed portion of land for the growing of ornamental shrubs or trees, flowers, grass, and other vegetation, suitable to the soil and climatic conditions of the area of land for the purpose of landscaping within a parking lot, and shall include walkways, fire hydrants, decorative walls or features and light standards, and shall not form part of a Planting Strip or Landscaped Area.</p>
Manufacturing	<p>Shall mean the production, fabrication, compounding, processing, packaging, crafting, bottling, packing, recycling or assembling of raw or semi-processed or fully-processed goods or materials, and shall include but not be limited to a Biotechnological Establishment, Computer, Dry Cleaning Plant, Electronic</p>	<p>Shall mean the production, fabrication, compounding, processing, packaging, crafting, bottling, packing, recycling or assembling of raw or semi-processed or fully-processed goods or materials, and shall include but not be limited to a Biotechnological Establishment, Computer, Dry Cleaning Plant, Electronic and</p>

Appendix “A” – Section 3: Definitions		
Term	Proposed Change	Revised Zone Regulation
	and Data Processing Establishment, Pharmaceutical and Medical Establishment, Printing Establishment and/or a Science and Technology Establishment. Manufacturing may also include a Private Power Generation Facility as an accessory use, but shall not include a Waste Management Facility or Alcohol Production Facility	Data Processing Establishment, Pharmaceutical and Medical Establishment, Printing Establishment and/or a Science and Technology Establishment. Manufacturing may also include a Private Power Generation Facility as an accessory use, but shall not include a Waste Management Facility or Alcohol Production Facility
Motor Vehicle – Commercial	<p>Shall mean a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses, tractors, and tow trucks used for hauling purposes on the highways, but does not include:</p> <p>a) a commercial motor vehicle, other than a bus, having a gross weight or registered gross weight of not more than 4,500 kilograms, an ambulance, a fire apparatus, a hearse, a casket wagon, a mobile crane, a motor home or vehicle commonly known as a tow truck,</p>	<p>Shall mean a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses, tractors, and tow trucks used for hauling purposes on the highways, but does not include:</p> <p>a) a commercial motor vehicle, other than a bus, having a gross weight or registered gross weight of not more than 4,500 kilograms,</p>
Motor Vehicle Dealership	Shall mean a the use of land, within a building or structure, or part thereof, where new and/or used motor vehicles are stored or displayed for the purpose of sale, rental or leasing and may include a building for the storage and sale of accessories and lubricants for motor vehicles and an	Shall mean the use of land, building or structure, or part thereof, where new and/or used motor vehicles are stored or displayed for the purpose of sale, rental or leasing and may include a building for the storage and sale of accessories and lubricants for motor vehicles and an associated Motor Vehicle Service Station.

Appendix “A” – Section 3: Definitions		
Term	Proposed Change	Revised Zone Regulation
	associated Motor Vehicle Service Station.	
Personal Service	Shall mean the provision of services involving the health, beauty or grooming of a person or the maintenance or cleaning of apparel, may include, but shall not be limited to an Alternative Massage Establishment, or Yoga Studio or microblading , but shall not include a Dry Cleaning Plant or a Body Rub Parlour.	Shall mean the provision of services involving the health, beauty or grooming of a person or the maintenance or cleaning of apparel, may include, but shall not be limited to an Alternative Massage Establishment, Yoga Studio or microblading, but shall not include a Dry Cleaning Plant or a Body Rub Parlour.
Place of Worship	Shall mean a building used by any religious organization for public worship or other ecclesiastical functions and may include accessory or ancillary uses which shall include but not be limited to an assembly hall, auditorium, convent, monastery, rectory, cemetery, book store, out of the cold program , day nursery and educational or recreational uses.	Shall mean a building used by any religious organization for public worship or other ecclesiastical functions and may include accessory or ancillary uses which shall include but not be limited to an assembly hall, auditorium, convent, monastery, rectory, cemetery, book store, out of the cold program, day nursery and educational or recreational uses.
Planting Strip	Shall mean an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a buffer and shall may include low level architectural walls or features, and fire hydrants, but shall not include walkways, sidewalks, and charging stations.	Shall mean an area of land growing ornamental shrubs or trees or both, suitable to the soil and climatic conditions of the area of land for the sole purpose of providing a buffer and may include low level architectural walls or features, and fire hydrants, but shall not include walkways, sidewalks, and charging stations.
Restaurant	Shall mean a building where food and/or drink is prepared and sold for immediate consumption, either on or off site, and which may offer commercial entertainment only if the premises are licensed	Shall mean a building where food and/or drink is prepared and sold for immediate consumption, either on or off site, and which may offer commercial entertainment only if the premises are licensed

Appendix “A” – Section 3: Definitions		
Term	Proposed Change	Revised Zone Regulation
	under the <u>Liquor Licence Act</u> . A Restaurant may also include a night club, tavern and bar.	under the <u>Liquor Licence Act</u> . A Restaurant may also include a night club, tavern and bar.

Appendix “B” – Section 4: General Provisions		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted added = text to be added bolded text = text to be bolded</p>		
4.6g)	An existing building may encroach, or further encroach, into a required yard to a maximum of 0.15 metres for the purpose of recladding the building.	An existing building may encroach, or further encroach, into a required yard to a maximum of 0.15 metres for the purpose of recladding the building.
4.18d)	<p>Temporary tent(s), for the purpose of festivals or retail sales events, for a maximum of 5 consecutive days, and shall not be subject to any minimum or maximum yard setbacks or parking requirements of the zone, except as it relates to setbacks from residential zoned property lines or zones.</p> <p>Temporary tent(s) or stage(s) in a Downtown Zone, Transit Oriented Corridor Zone, Commercial and Mixed Use Zone, or in a Parking (U3) Zone, in accordance with the following provisions:</p> <p>i) Shall not be in operation for more than 5 consecutive days;</p> <p>ii) Shall not be subject to any minimum or maximum yard setbacks or parking requirements of the zone,</p> <p>iii) Notwithstanding b) above, minimum setbacks shall apply if abutting a Residential Zone; and,</p> <p>iv) Shall not occupy areas devoted to barrier-free parking space(s) or loading space(s).</p>	<p>(deleted and replaced with new regulation)</p> <p>Temporary tent(s) or stage(s) in a Downtown Zone, Transit Oriented Corridor Zone, Commercial and Mixed Use Zone, or in a Parking (U3) Zone, in accordance with the following provisions:</p> <p>i) Shall not be in operation for more than 5 consecutive days;</p> <p>ii) Shall not be subject to any minimum or maximum yard setbacks or parking requirements of the zone;</p> <p>iii) Notwithstanding b) above, minimum setbacks shall apply if abutting a Residential Zone; and,</p> <p>iv) Shall not occupy areas devoted to barrier-free parking space(s) or loading space(s).</p>
4.18f)	Trailers used to provide a temporary restaurant service	Trailers used to provide a temporary restaurant service while

Appendix “B” – Section 4: General Provisions		
Section	Proposed Change	Proposed Revised Zone Regulation
	while the associated principal restaurant building is undergoing for a maximum of four months, shall not be subject to parking requirements provided the Gross Floor Area of the temporary trailer does not exceed the Gross Floor Area of the principal restaurant.	the associated principal restaurant building is undergoing for a maximum of four months, shall not be subject to parking requirements provided the Gross Floor Area of the temporary trailer does not exceed the Gross Floor Area of the principal restaurant.
4.19	Where this By-law requires a visual barrier is required to be provided and maintained, such barrier shall act as a screen between uses and shall be constructed to a minimum height of 1.8 metres, and to a maximum height of 2.5 metres where only that portion of a visual barrier consists consisting of a fence or wall, shall have a maximum height of 2.5 metres and shall not be located within 3.0 metres of a street line. A visual barrier shall consist of the following:	Where this By-law requires a visual barrier to be provided and maintained, such barrier shall act as a screen between uses and shall be constructed to a minimum height of 1.8 metres, and to a maximum height of 2.5 metres where a visual barrier consists of a fence or wall, and shall not be located within 3.0 metres of a street line. A visual barrier shall consist of the following:
4.21	No person shall conduct a home business except as permitted herein and in accordance with the regulations of Subsection b):	No person shall conduct a home business except as permitted herein:
4.21a)x)	Within the A1, A2, S1 and P6 Zones, an office of 1 physical or mental health professional practitioner , physician or dentist existing at the time of passing of this By-law.	Within the A1, A2, S1 and P6 Zones, an office of 1 health professional, physician or dentist existing at the time of passing of this By-law.
4.21e)	A home business within a Dwelling Unit(s) in Conjunction with a Commercial Use shall not be permitted.	A home business within a Dwelling Unit(s) in Conjunction with a Commercial Use shall not be permitted.
4.32	No person shall have deemed to have contravened any provisions of this By-law by reason only to the of the fact that a part or parts of any lot or have been conveyed, acquired, leased, or placement of easements by the City of Hamilton or the	No lot shall be deemed to be in contravention of any provision(s) of this By-law by reason only of the fact that a part or parts of any lot has or have been conveyed to, or acquired, leased, or subject to an easement by the City of Hamilton or Province of Ontario for the

Appendix “B” – Section 4: General Provisions		
Section	Proposed Change	Proposed Revised Zone Regulation
	<p>Government of Ontario for the placement of public transit facilities.</p> <p>No lot shall be deemed to be in contravention of any provision(s) of this By-law by reason only of the fact that a part or parts of any lot has or have been conveyed to, or acquired, leased, or subject to an easement by the City of Hamilton or Province of Ontario for the placement of public transit facilities.</p>	<p>placement of public transit facilities.</p>

Appendix “C” – Section 5: Parking		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
5.2d)ii)	The aisle giving access to a parallel parking space shall have a minimum width of 3.6 metres for one-way traffic and a minimum width of 6.0 metres for two-way traffic.	(regulation deleted)
5.2h)	In addition to Section 5.1 a) v) and Subsection 5.2e) herein, the following Planting Strip requirements shall apply to a parking lot in a Commercial and Mixed Use Zone and the Parking (U3) Zone where 50 or more parking spaces are provided on a lot:	In addition to Section 5.1 a) v) and Subsection 5.2e) herein, the following Planting Strip requirements shall apply to a parking lot in a Commercial and Mixed Use Zone and the Parking (U3) Zone where 50 or more parking spaces are provided on a lot:
5.2h)i)	Landscaped Area(s) or Landscaped Parking Island(s) with a minimum combined area of 10% of the area of the parking lot and associated access driveway and manouvering areas shall be provided and maintained;	Landscaped Area(s) or Landscaped Parking Island(s) with a minimum combined area of 10% of the area of the parking lot and associated access driveway and manouvering areas shall be provided and maintained;
5.2h)ii)	Each Landscaped Area and or Landscaped Parking Island shall have a minimum width of 2.8 metres and a minimum area of 10.0 square metres;	Each Landscaped Area and Landscaped Parking Island shall have a minimum area of 10.0 square metres;
5.2h)iii)	In addition to Section 5.6, the number of required parking spaces required to accommodate the Landscaped Area or Landscaped Parking Island within the parking lot shall be reduced by the amount needed to accommodate the minimum Landscaped Parking Island requirement as required by Subsection 5.2h)i) 5.1)v)i) , up to a maximum of 10% of the required parking spaces.	In addition to Section 5.6, the number of required parking spaces required to accommodate the Landscaped Area or Landscaped Parking Island within the parking lot shall be reduced by the amount needed to accommodate the minimum Landscaped Parking Island requirement as required by Subsection 5.2h)i), up to a maximum of 10% of the required parking spaces.

Page 10 of 71

Appendix “C” – Section 5: Parking										
Section	Proposed Change	Proposed Revised Zone Regulation								
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added								
5.2i)	<p>In addition to Subsection c) herein, the minimum aisle width shall be designed and provided in accordance with the following requirements:</p> <table><tr><td>Parking Degree Angle</td><td>One-Way and Two-way Aisle Width</td></tr></table>	Parking Degree Angle	One-Way and Two-way Aisle Width	<p>In addition to Subsection c) herein, the minimum aisle width shall be designed and provided in accordance with the following requirements:</p> <table><tr><td>Parking Degree Angle</td><td>One-Way and Two-way Aisle Width</td></tr></table>	Parking Degree Angle	One-Way and Two-way Aisle Width				
Parking Degree Angle	One-Way and Two-way Aisle Width									
Parking Degree Angle	One-Way and Two-way Aisle Width									
5.5a	<table><tr><td>Required Parking Spaces</td><td>Designated Barrier Free Parking Space</td></tr><tr><td>0 1 – 49</td><td>Minimum 1 space;</td></tr></table>	Required Parking Spaces	Designated Barrier Free Parking Space	0 1 – 49	Minimum 1 space;	<table><tr><td>Required Parking Spaces</td><td>Designated Barrier Free Parking Space</td></tr><tr><td>1 – 49</td><td>Minimum 1 space;</td></tr></table>	Required Parking Spaces	Designated Barrier Free Parking Space	1 – 49	Minimum 1 space;
Required Parking Spaces	Designated Barrier Free Parking Space									
0 1 – 49	Minimum 1 space;									
Required Parking Spaces	Designated Barrier Free Parking Space									
1 – 49	Minimum 1 space;									
5.5b)	<p>Subsection 5.5 a) shall not apply to Single Detached Dwellings, Semi-Detached Dwellings, and Duplex Dwellings, and Street Townhouses abutting a public street.</p>	<p>Subsection 5.5 a) shall not apply to Single Detached Dwellings, Semi-Detached Dwellings, Duplex Dwellings, and Street Townhouses abutting a public street.</p>								
5.7c)	<p>In the Downtown (D1), (D2) and (D5) Zones, Transit Oriented Corridor Zones and Commercial and Mixed Use Zones short-term bicycle parking shall be provided for each and every building in the minimum quantity specified in accordance with the following requirements:</p>	<p>In the Downtown (D1), (D2) and (D5) Zones, Transit Oriented Corridor Zones and Commercial and Mixed Use Zones short-term bicycle parking shall be provided for each and every building in the minimum quantity specified in accordance with the following requirements:</p>								
5.7e)	<p>Notwithstanding Section b) and in addition to c) above, in the Downtown (D1), (D2), and (D5) Zones, Transit Oriented Corridor (TOC1), (TOC2), (TOC3) and (TOC4) Zones long-term bicycle parking shall be provided for each and every building containing the principal use in the minimum quantity specified in accordance with the following requirements:</p>	<p>Notwithstanding Section b) and in addition to c) above, in the Downtown (D1), (D2), and (D5) Zones, Transit Oriented Corridor Zones long-term bicycle parking shall be provided for each and every building containing the principal use in the minimum quantity specified in accordance with the following requirements:</p>								

Appendix “C” – Section 5: Parking		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>		
5.7g)ii)	<p>In addition to Subsection 5.7g)i) 5.12g)i), 1 motor vehicle space for every 15 square metres of gross floor area of locker, change room or shower facilities specifically accessible to all users of the secure long term bicycle spaces is provided and maintained.</p>	<p>In addition to Subsection 5.7g)i), 1 motor vehicle space for every 15 square metres of gross floor area of locker, change room or shower facilities specifically accessible to all users of the secure long term bicycle spaces.</p>

Appendix “D” – Section 7: Open Space and Park Zones Section 7.7: Conservation/Hazard Land – Rural (P7) Zone Section 7.8: Conservation/Hazard Land – Rural (P8) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted bolded text = text to be added		
7.7.2.3) iv)	Notwithstanding Sections 7.7.2.1 a) i) and 7.7.2.2 a) i) above, an existing legally established accessory building or structure which is demolished in whole or in part may be rebuilt provided the setbacks, building height, and gross floor area to the building or structure which had existed on the date of passing of the By-law are maintained.	Notwithstanding Sections 7.7.2.1 a) i) and 7.7.2.2 a) i) above, an existing accessory building or structure which is demolished in whole or in part may be rebuilt provided the setbacks, building height, and gross floor area to the building or structure which had existed on the date of passing of the By-law are maintained.
7.8.2.2) iii)	Notwithstanding Section 7.8.2.1 above, an existing legally established accessory building or structure which is demolished in whole or in part may be rebuilt provided the setbacks, building height, and gross floor area to the building or structure which had existed on the date of passing of the By-law are maintained.	Notwithstanding Section 7.8.2.1 above, an existing accessory building or structure which is demolished in whole or in part may be rebuilt provided the setbacks, building height, and gross floor area to the building or structure which had existed on the date of passing of the By-law are maintained.

Appendix “E” – Section 9: Industrial Zones: Section 9.1: Research and Development (M1) Zone Section 9.3: Prestige Business Park (M3) Zone Section 9.6: Light Industrial (M6) Zone Section 9.11: Airport Prestige Business (M11) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted bolded text = text to be added		
9.1.2 iii)	Notwithstanding Section 9.1.1, the following use is permitted only as an accessory use to a Motor Vehicle Service Station: Motor Vehicle Washing Establishment	Notwithstanding Section 9.1.1, the following use permitted only as an accessory use to a Motor Vehicle Service Station: Motor Vehicle Washing Establishment
9.1.3d)i)	In accordance with the requirements of Section 5 of this By-law;	In accordance with the requirements of Section 5 of this By-law;
9.3.2 iii)	Notwithstanding Section 9.3.1, the following use is permitted only as an accessory use to a Motor Vehicle Service Station: Motor Vehicle Washing Establishment	Notwithstanding Section 9.3.1, the following use is permitted only as an accessory use to a Motor Vehicle Service Station: Motor Vehicle Washing Establishment

Page 20 of 31

Appendix “E” – Section 9: Industrial Zones: Section 9.1: Research and Development (M1) Zone Section 9.3: Prestige Business Park (M3) Zone Section 9.6: Light Industrial (M6) Zone Section 9.11: Airport Prestige Business (M11) Zone				
Section	Proposed Change		Proposed Revised Zone Regulation	
Grey highlighted strikethrough text = text to be deleted			bolded text = text to be added	
9.3.3e)	Location Restriction of Manufacturing Uses	Any building or structure used for Manufacturing and Alcohol Production Facilities shall be setback a minimum 20.0 metres from any portion of a property lot line abutting a property lot line within a Residential Zone or an Institutional Zone.	Location Restriction of Manufacturing Uses	Any building or structure used for Manufacturing and Alcohol Production Facilities shall be setback a minimum 20.0 metres from any portion of a property lot line abutting a property lot line within a Residential Zone or an Institutional Zone.
9.4.2 iii)	Notwithstanding Section 9.4.1, the following use is permitted only as an accessory use to a Motor Vehicle Service Station: Motor Vehicle Washing Establishment		Notwithstanding Section 9.4.1, the following use is permitted only as an accessory use to a Motor Vehicle Service Station: Motor Vehicle Washing Establishment	
9.6.3f)	Location Restriction of Manufacturing Uses and Alcohol Production Facilities	Any building or structure used for Manufacturing and Alcohol Production Facilities shall be setback a minimum 20.0 metres from any portion of a property lot line abutting a	Location Restriction of Manufacturing Uses	Any building or structure used for Manufacturing shall be setback a minimum 20.0 metres from any portion of a property lot line abutting a property lot line within a Residential Zone

Appendix “E” – Section 9: Industrial Zones: Section 9.1: Research and Development (M1) Zone Section 9.3: Prestige Business Park (M3) Zone Section 9.6: Light Industrial (M6) Zone Section 9.11: Airport Prestige Business (M11) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted bolded text = text to be added		
	property lot line within a Residential Zone or an Institutional Zone.	or an Institutional Zone.
9.11.3c)ii)	Maximum 27.0 25.0 metres	Maximum 27.0 metres
9.10.2ii)	High School Secondary School	Secondary School
9.11.2ii)	High School Secondary School	Secondary School
9.11.2iv)	Notwithstanding Section 9.11.1, the following use is permitted only as an accessory use to a Motor Vehicle Service Station: Motor Vehicle Washing Establishment	Notwithstanding Section 9.11.1, the following use is permitted only as an accessory use to a Motor Vehicle Service Station: Motor Vehicle Washing Establishment
9.11.3g)	Location Restriction of Manufacturing Uses and Alcohol Production Facilities Any building or structure used for Manufacturing and Alcohol Production Facilities shall be setback a minimum 20.0 metres from any portion of a property lot line abutting a property lot line within a Residential Zone or an Institutional Zone.	Location Restriction of Manufacturing Uses Any building or structure used for Manufacturing shall be setback a minimum 20.0 metres from any portion of a property lot line abutting a property lot line within a Residential Zone or an Institutional Zone.

Appendix “F-1” – Section 10.1: Residential Character Commercial (C1) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>		
10.1.3	<p>d) e) Maximum Height</p> <p>e) d) Maximum Lot Area</p> <p>f) e) Visual Barrier Requirement</p> <p>g) f) Outdoor Storage</p>	<p>d) Maximum Height</p> <p>e) Maximum Lot Area</p> <p>f) Visual Barrier Requirement</p> <p>g) Outdoor Storage</p>
10.1.4a)	<p>Maximum 3.0 metres Yard Abutting Street</p>	<p>Maximum 3.0 metres Yard Abutting Street</p>
10.1.4e)ii)	<p>Notwithstanding Subsection 10.1.4i), 360.0 square metres shall be required for a corner lot.</p>	<p>360.0 square metres for a corner lot.</p>
10.1.3e)	<p>A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, or Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.</p>	<p>A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, or Downtown (D5) Zone in accordance with the requirements of Section 4.19 of this By-law.</p>

Appendix “F-2” – Section 10.2: Neighbourhood Commercial (C2) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>		
10.2.3k)	A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, or Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.	A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone or Downtown (D5) Zone in accordance with the requirements of Section 4.19 of this By-law.
10.2.4a)	Notwithstanding Section 10.2.3a) i) and ii), Minimum 4.5 metres.	Notwithstanding Section 10.2.3a) i) and ii), minimum 4.5 metres.
10.2.4c)	Notwithstanding Section 10.2.3j), a minimum 3.0 metres planting strip in width shall be required abutting any street line, or Residential Zone or Institutional Zone property lot line, except for points for ingress and egress.	Notwithstanding Section 10.2.3j), a minimum 3.0 metres planting strip shall be required abutting any street line, or Residential Zone or Institutional Zone lot line, except for points for ingress and egress.
10.2.4d)	Maximum 175 square metres Gross Floor Area for Accessory Retail Uses to a Motor Vehicle Service Station	Maximum 175 square metres Gross Floor Area for Accessory Retail Uses to a Motor Vehicle Service Station

Appendix “F-3” – Section 10.3: Community Commercial (C3) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>		
10.3.3.k)	A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, or Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.	A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone or Downtown (D5) Zone in accordance with the requirements of Section 4.19 of this By-law.
10.3.4a)	Notwithstanding Section 10.3.3a) i) and ii), Minimum 4.5 metres.	Notwithstanding Section 10.3.3a) i) and ii), Minimum 4.5 metres.
10.3.4c)	Notwithstanding Section 10.3.3j), a minimum 3.0 metres planting strip in width shall be required abutting any street line, or Residential Zone or Institutional Zone property lot line, except for points for ingress and egress.	Notwithstanding Section 10.3.3j), minimum 3.0 metres planting strip shall be required abutting any street line, or Residential Zone or Institutional Zone lot line, except for points for ingress and egress.

Appendix “F-4” – Section 10.4: Mixed Use High Density (C4) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>		
10.4.1.1 ii) 2.	Notwithstanding Section 10.4.1.1 ii) 1., a maximum of one Dwelling Unit(s) shall be permitted in a basement or cellar.	Notwithstanding Section 10.4.1.1 ii) 1., Dwelling Units shall be permitted in a basement or cellar.
10.4.3a) ii)	Notwithstanding Section 10.4.3a) i) above , a minimum setback of 6.0 metres for that portion of a building providing an access driveway to a garage.	Notwithstanding Section 10.4.3a) i) above, a minimum setback of 6.0 metres for that portion of a building providing an access driveway to a garage.
10.4.3c)	7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use. 7.5 metres	7.5 metres
10.4.3h)	On a lot containing more than 10 or more dwelling units, the following Minimum Amenity Area requirements be provided:	On a lot containing 10 or more dwelling units, the following Minimum Amenity Area requirements be provided:
10.4.3 h) i)	An area of 4.0 square metres for each dwelling unit less than or equal to 50 square metres of gross floor area ; and,	An area of 4.0 square metres for each dwelling unit less than or equal to 50 square metres of gross floor area; and,
10.4.3 h) ii)	An area of 6.0 square metres for each dwelling unit more than greater than 50 square metres of gross floor area .	An area of 6.0 square metres for each dwelling unit greater than 50 square metres of gross floor area.
10.4.3j)	A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, or Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.	A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone or Downtown (D5) Zone in accordance with the requirements of Section 4.19 of this By-law.
10.4.3 k) ii)	Notwithstanding Section 10.4.3k) i), the display of goods or materials for retail purposes accessory to a Retail use shall only be permitted in a front or flankage yard.	Notwithstanding Section 10.4.3k) i), the display of goods or materials for retail purposes accessory to a Retail use shall only be permitted in a front or flankage yard.

Appendix “F-4” – Section 10.4: Mixed Use High Density (C4) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>		
10.4.5a)	Notwithstanding Section 10.4.3a) i), Minimum 4.5 metres.	Notwithstanding Section 10.4.3a) i), Minimum 4.5 metres.
10.4.5c)	Notwithstanding Section 10.4.3i), a minimum 3.0 metres planting strip in width shall be required abutting any street line, or Residential Zone or Institutional Zone property lot line, except for points for ingress and egress.	Notwithstanding Section 10.4.3i), a minimum 3.0 metres planting strip shall be required abutting any street line, or Residential Zone or Institutional Zone lot line, except for points for ingress and egress.
10.4.8	In addition to Section 4.26 of this By-law, an Urban Farm shall only be permitted in the rear yard or on the roof-top of the principal principle building.	In addition to Section 4.26 of this By-law, an Urban Farm shall only be permitted in the rear yard or on the roof-top of the principal building.
10.4.9	In addition to Section 4.27 of this By-law, a Community Garden shall only be permitted in the rear yard or on the roof-top of the principal principle building.	In addition to Section 4.27 of this By-law, a Community Garden shall only be permitted in the rear yard or on the roof-top of the principal building.

Appendix “F-5” – Section 10.5: Mixed Use Medium Density (C5) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>		
Explanatory Note	The C5 Zone is found along collector and arterial roads where the zone permits a range of retail, service, commercial, entertainment, and residential uses serving the surrounding community. The built form encourages an active transit supportive, pedestrian environment that is anchored by single or mixed-use buildings oriented towards the pedestrian realm. Although residential uses are permitted, either as a single or mixed-use building , this zone is predominantly commercial.	The C5 Zone is found along collector and arterial roads where the zone permits a range of retail, service, commercial, entertainment, and residential uses serving the surrounding community. The built form encourages an active transit supportive, pedestrian environment that is anchored by single or mixed-use buildings oriented towards the pedestrian realm. Although residential uses are permitted, either as a single or mixed-use building, this zone is predominantly commercial.
10.5.1.1 i)2.	Notwithstanding Subsection 10.5.1.1 i)1., a maximum of one Dwelling Unit(s) shall be permitted in a basement or cellar.	Notwithstanding Subsection 10.5.1.1 i)1., Dwelling Unit(s) shall be permitted in a basement or cellar.
10.5.3c)	<p>i) 0.0 metres for building(s) less than or equal to 11.0 metres in building height.</p> <p>ii) Notwithstanding Section 10.5.3.d and Section 10.5.3 c) i), a minimum 3.0 metres for building(s) with a building height greater than 11.0 metres to a maximum building height of 14.0 metres.</p> <p>iii) Notwithstanding Section 10.5.3.d and Sections 10.5.3 c) i) and ii), a minimum 6.0 metres for building(s) with a building height greater than 14.0 metres.</p> <p>iv) Notwithstanding Subsections i), ii) and iii), a minimum 7.5 metres for lots</p>	<p>i) 0.0 metres for building(s) less than or equal to 11.0 metres in building height.</p> <p>ii) Notwithstanding Section 10.5.3.d and Section 10.5.3 c) i), a minimum 3.0 metres for building(s) with a building height greater than 11.0 metres to a maximum building height of 14.0 metres.</p> <p>iii) Notwithstanding Section 10.5.3.d and Sections 10.5.3 c) i) and ii), a minimum 6.0 metres for building(s) with a building height greater than 14.0 metres.</p> <p>iv) Notwithstanding Subsections i) and ii), a minimum 7.5 metres for lots abutting a Single Detached Dwelling, Semi-</p>

Appendix “F-5” – Section 10.5: Mixed Use Medium Density (C5) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted added		bolded text = text to be added
	abutting a Residential Zone or Institutional Zone or lot containing a Residential Use. Single Detached Dwelling, Semi-Detached Dwelling, and Street Townhouse.	Detached Dwelling, and Street Townhouse.
10.5.3h)	On a lot containing more than 10 or more dwelling units, the following Minimum Amenity Area requirements be provided:	On a lot containing 10 or more dwelling units, the following Minimum Amenity Area requirements be provided:
10.5.3h) i)	An area of 4.0 square metres for each dwelling unit less than or equal to 50 square metres of gross floor area ; and,	An area of 4.0 square metres for each dwelling unit less than or equal to 50 square metres of gross floor area; and,
10.5.3h) ii)	An area of 6.0 square metres for each dwelling unit more than greater than 50 square metres of gross floor area .	An area of 6.0 square metres for each dwelling unit 50 square metres or more of gross floor area.
10.5.3j)	A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, or Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.	A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, or Downtown (D5) Zone lot line in accordance with the requirements of Section 4.19 of this By-law.
10.5.5a)	Notwithstanding Section 10.5.3a) i) and ii), Minimum of 4.5 metres.	Notwithstanding Section 10.5.3a) i) and ii), Minimum of 4.5 metres.
10.5.5c)	Notwithstanding Section 10.5.3i), a minimum 3.0 metres planting strip in width shall be required abutting any street line, or Residential Zone or Institutional Zone property lot line, except for points for ingress and egress.	Notwithstanding Section 10.5.3i), a minimum 3.0 metres planting strip shall be required abutting any street line, or Residential Zone or Institutional Zone lot line, except for points for ingress and egress.
10.5.9	In addition to Section 4.26 of this By-law, an Urban Farm shall only be permitted in the rear yard or on the roof-top of the principle principal building.	In addition to Section 4.26 of this By-law, an Urban Farm shall only be permitted in the rear yard or on the roof-top of the principal building.

Appendix “F-5” – Section 10.5: Mixed Use Medium Density (C5) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>		
10.5.10	<p>In addition to Section 4.27 of this By-law, a Community Garden shall only be permitted in the rear yard or on the roof-top of the principal principle building.</p>	<p>In addition to Section 4.27 of this By-law, a Community Garden shall only be permitted in the rear yard or on the roof-top of the principal building.</p>

Appendix “F-6” – Section 10.6: District Commercial (C6) Zone					
Section		Proposed Change		Proposed Revised Zone Regulation	
Grey highlighted strikethrough text = text to be deleted				bolded text = text to be added	
10.6.1	Permitted Uses	Microbrewery		Permitted Uses	Microbrewery
10.6.3i)	A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, or Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.		A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone or Downtown (D5) Zone in accordance with the requirements of Section 4.19 of this By-law.		
10.6.4a)	Minimum Building Setback from a Street Line	Notwithstanding Sections 10.6.3 a) i) and ii), a Minimum of 4.5 metres.	Minimum Building Setback from a Street Line	Notwithstanding Sections 10.6.3 a) i) and ii), a Minimum of 4.5 metres.	
10.6.4c)	Notwithstanding Section 10.6.3h), a minimum 3.0 metres planting strip in width shall be required abutting any street line, or Residential Zone or Institutional Zone property lot line, except for points for ingress and egress.		Notwithstanding Section 10.6.3h), a minimum 3.0 metres planting strip shall be required abutting any street line, or Residential Zone or Institutional Zone lot line, except for points for ingress and egress.		

Appendix “F-7” – Section 10.7: Arterial Commercial (C7) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>		
10.7.4a)	Notwithstanding Section 10.7.3a), Minimum 4.5 metres.	Notwithstanding Section 10.7.3a), Minimum 4.5 metres.
10.7.4c)	Notwithstanding Section 10.7.3f), a minimum 3.0 metres planting strip in width shall be required abutting any street line, or Residential Zone or Institutional Zone property line , except for points for ingress and egress.	Notwithstanding Section 10.7.3f), minimum 3.0 metres planting strip shall be required abutting any street line, or Residential Zone or Institutional Zone lot line, except for points for ingress and egress.

Appendix “G-1” – Section 11.1: Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>		
11.1.1.1 i) 2.	Notwithstanding Subsection 11.1.1.1 i) 1., a minimum of one Dwelling unit(s) shall be permitted in a basement or cellar.	Notwithstanding Subsection 11.1.1.1 i) 1., Dwelling Unit(s) shall be permitted in a basement or cellar.
11.1.3 c)	A minimum 7.5 metres for lots abutting a Residential Zone or Institutional Zone or lot containing a Residential Use. Single Detached Dwelling, Semi-Detached Dwelling, and Street Townhouse.	A minimum 7.5 metres for lots abutting a Single Detached Dwelling, Semi-Detached Dwelling, and Street Townhouse.

Appendix “G-2” – Section 11.2: Transit Oriented Corridor Local Commercial (TOC2) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted added		bolded text = text to be added
11.2.3c)ii)	i) A minimum 7.5 metres for lots abutting a Residential Zone or Institutional Zone or lot containing a Residential Use. Single Detached Dwelling, Semi-Detached Dwelling, and Street Townhouse.	i) A minimum 7.5 metres for lots abutting a Single Detached Dwelling, Semi-Detached Dwelling, and Street Townhouse.

Appendix “G-3” – Section 11.3: Transit Oriented Corridor Multiple Residential (TOC3) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted added = text to be added bolded text = text to be added</p>		
11.3.1	<p>Permitted Uses:</p> <p>Artist Studio Catering Service Commercial School Communications Establishment Community Garden Craftsperson Shop Day Nursery Emergency Shelter Financial Institution Lodging House Multiple Dwelling Office Performing Arts Theatre Personal Service Repair Service Residential Care Facility Restaurant Retail Retirement Home Street Townhouse Dwelling Tradesperson's Shop</p>	<p>Permitted Uses:</p> <p>Community Garden Emergency Shelter Lodging House Multiple Dwelling Residential Care Facility Retirement Home Street Townhouse Dwelling</p>
11.3.1.1 i)2.	<p>Notwithstanding Subsection 11.3.1.1 i)2., a minimum of one Dwelling unit(s) shall be permitted in a basement or cellar.</p>	<p>Notwithstanding Subsection 11.3.1.1 i)2., Dwelling Unit(s) shall be permitted in a basement or cellar.</p>
11.3.1.1. ii)	<p>Restriction of Existing Commercial Uses</p> <p>1. Notwithstanding Subsection 11.3.1, commercial uses that were legally established within buildings existing at the date of passing of the by-law may convert to any of the following commercial uses:</p> <p>Artist Studio</p>	<p>Restriction of Existing Commercial Uses</p> <p>1. Notwithstanding Subsection 11.3.1, commercial uses that were legally established within buildings existing at the date of passing of the by-law may convert to any of the following commercial uses:</p> <p>Artist Studio</p>

Appendix “G-3” – Section 11.3: Transit Oriented Corridor Multiple Residential (TOC3) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted added = text to be added bolded text = text to be added</p>		
	Catering Service Commercial School Communications Establishment Craftsperson Shop Day Nursery Financial Institution Office Performing Arts Theatre Personal Service Repair Service Restaurant Retail Tradesperson’s Shop	Catering Service Commercial School Communications Establishment Craftsperson Shop Day Nursery Financial Institution Office Performing Arts Theatre Personal Service Repair Service Restaurant Retail Tradesperson’s Shop
11.3.1.1 ii) - 11.3.1.1 iii)	That the existing Subclauses 11.3.1.1 ii) - 11.3.1.1 iii) be renumbered to 11.3.1.1 iii) - 11.3.1.1 iv) respectively.	
11.3.2c)	i) A minimum 7.5 metres for lots abutting a Single Detached Dwelling, Semi-Detached Dwelling, and Street Townhouse.	i) Notwithstanding Sub-sections i) and ii), a minimum 7.5 metres for lots abutting a Single Detached Dwelling, Semi-Detached Dwelling, and Street Townhouse.
11.3.5	COMMERCIAL USES IN COMMERCIAL BUILDINGS EXISTING AT THE DATE OF PASSING OF THE BY-LAW (February 14, 2018)	<i>(Regulation deleted)</i>
11.3.5 - 11.3.8	That the existing Subsections 11.3.6 to 11.3.8 be renumbered to 11.3.5 to 11.3.7 respectively.	

Appendix “H” – Section 12.1: Agriculture (A1) Zone Section 12.2: Rural (A2) Zone Section 12.6: Existing Rural Commercial (E1) Zone Section 12.7: Existing Rural Industrial (E2) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted bolded text = text to be added		
12.1.3.1 i) i)	The total maximum gross floor area of all buildings and structures devoted to retailing of agricultural products grown primarily as part of the farm operation, exclusive of a Farm Produce/Product Stand, shall be 200.0 square metres;	The total maximum gross floor area of all buildings and structures devoted to retailing of agricultural products grown primarily as part of the farm operation, exclusive of a Farm Produce/Product Stand, shall be 200.0 square metres;
12.1.3.1 i) iii)	In addition to Section 12.1.3.1 i) i), the total maximum gross floor area of a Farm Produce/Product Stand shall be 18.5 square metres;	In addition to Section 12.1.3.1 i) i), the total maximum gross floor area of a Farm Produce/Product Stand shall be 18.5 square metres;
12.1.3.2d) i)	The total maximum gross floor area for all buildings and structures devoted to an Agricultural Processing Establishment - Secondary shall not exceed 500.0 square metres;	The total maximum gross floor area for all buildings and structures devoted to an Agricultural Processing Establishment - Secondary shall not exceed 500.0 square metres;
12.1.3.2e)	The total maximum gross floor area of all buildings or structures devoted to the Agritourism use shall not exceed 500.0 square metres.	The total maximum gross floor area of all buildings or structures devoted to the Agritourism use shall not exceed 500.0 square metres.
12.1.3.2g)	The total maximum gross floor area for all buildings and structures devoted to a Kennel use shall be 500.0 square metres.	The total maximum gross floor area for all buildings and structures devoted to a Kennel use shall be 500.0 square metres.
12.1.3. 2h) ii)	The total maximum building area devoted to an Agricultural Brewery/Cidery/ Winery use shall be 500.0 square metres of gross floor area exclusive of the basement or cellar, of which a maximum of 25% of the gross floor area may be used for Retail and/or hospitality/tasting purposes.	The total maximum building area devoted to an Agricultural Brewery/Cidery/ Winery use shall be 500.0 square metres of gross floor area exclusive of the basement or cellar, of which a maximum of 25% of the gross floor area may be used for Retail and/or hospitality/tasting purposes.

Appendix “H” – Section 12.1: Agriculture (A1) Zone Section 12.2: Rural (A2) Zone Section 12.6: Existing Rural Commercial (E1) Zone Section 12.7: Existing Rural Industrial (E2) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted bolded text = text to be added		
12.1.3. 2 i) iii)	All buildings or structures used as part of the Landscape Contracting Establishment – Secondary shall be set back a minimum of 15.0 metres from any lot line, and the total gross floor area of all buildings or structures used as part of the Landscape Contracting Establishment – Secondary shall not exceed an total maximum gross floor area of 250.0 square metres;	All buildings or structures used as part of the Landscape Contracting Establishment – Secondary shall be set back a minimum of 15.0 metres from any lot line, and the total gross floor area of all buildings or structures used as part of the Landscape Contracting Establishment – Secondary shall not exceed an total maximum gross floor area of 250.0 square metres;
12.2.3.1 i) i)	The total maximum gross floor area of all buildings and structures devoted to retailing of agricultural products grown primarily as part of the farm operation, exclusive of a Farm Produce/Product Stand, shall be 200.0 square metres;	The total maximum gross floor area of all buildings and structures devoted to retailing of agricultural products grown primarily as part of the farm operation, exclusive of a Farm Produce/Product Stand, shall be 200.0 square metres;
12.2.3.1 i) iii)	In addition to Section 12.2.3.1 i) i), the total maximum gross floor area of a Farm Produce/Product Stand shall be 18.5 square metres;	In addition to Section 12.2.3.1 i) i), the total maximum gross floor area of a Farm Produce/Product Stand shall be 18.5 square metres;
12.2.3.2 d) i)	The total maximum gross floor area for all buildings and structures devoted to an Agricultural Processing Establishment - Secondary shall not exceed 500.0 square metres;	The total maximum gross floor area for all buildings and structures devoted to an Agricultural Processing Establishment - Secondary shall not exceed 500.0 square metres;
12.2.3.2 e)	The total maximum gross floor area of all buildings or structures devoted to the Agritourism use shall not exceed 500.0 square metres.	The total maximum gross floor area of all buildings or structures devoted to the Agritourism use shall not exceed 500.0 square metres.

Appendix “H” – Section 12.1: Agriculture (A1) Zone Section 12.2: Rural (A2) Zone Section 12.6: Existing Rural Commercial (E1) Zone Section 12.7: Existing Rural Industrial (E2) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted bolded text = text to be added		
12.2.3.2 g) ii)	The total maximum building area devoted to an Agricultural Brewery/Cidery/ Winery use shall be 500.0 square metres of gross floor area exclusive of the basement or cellar, of which a maximum of 25% of the gross floor area may be used for Retail and/or hospitality/tasting purposes.	The total maximum building area devoted to an Agricultural Brewery/Cidery/ Winery use shall be 500.0 square metres of gross floor area exclusive of the basement or cellar, of which a maximum of 25% of the gross floor area may be used for Retail and/or hospitality/tasting purposes.
12.2.3.2 h) iii)	All buildings or structures used as part of the Landscape Contracting Establishment – Secondary shall be set back a minimum of 15.0 metres from any lot line, and the total gross floor area of all buildings or structures used as part of the Landscape Contracting Establishment – Secondary shall not exceed an total maximum gross floor area of 250.0 square metres;	All buildings or structures used as part of the Landscape Contracting Establishment – Secondary shall be set back a minimum of 15.0 metres from any lot line, and the total gross floor area of all buildings or structures used as part of the Landscape Contracting Establishment – Secondary shall not exceed an total maximum gross floor area of 250.0 square metres;
12.2.3.4c)	Maximum Gross Floor Area A total maximum of 500.0 square metres.	Maximum Gross Floor Area An total maximum of 500.0 square metres.
12.2.3.5 c)	Maximum Gross Floor Area A total maximum of 500.0 square metres.	Maximum Gross Floor Area An total maximum of 500.0 square metres.
12.2.3.6c)	Maximum Gross Floor Area A total maximum of 500.0 square metres.	Maximum Gross Floor Area An total maximum of 500.0 square metres.

Appendix “H” – Section 12.1: Agriculture (A1) Zone Section 12.2: Rural (A2) Zone Section 12.6: Existing Rural Commercial (E1) Zone Section 12.7: Existing Rural Industrial (E2) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted bolded text = text to be added		
12.2.3.6f)	Parking In accordance with the requirements of Section 5 of this By-law.	Parking In accordance with the requirements of Section 5 of this By-law.
12.6.3k)	Parking ii) Notwithstanding Section 12.6.3 k) i) above , a Farm Product Supply Dealer shall be subject to the requirements of Section 5.6 c) vi vii).	Parking ii) Notwithstanding Section 12.6.3 k) i), a Farm Product Supply Dealer shall be subject to the requirements of Section 5.6 c) vii).
12.6.4g)	Parking In accordance with the requirements of Section 5.6 c) vi vii) of this By-law.	Parking In accordance with the requirements of Section 5.6 c) vii) of this By-law.
12.7.3l)	Parking i) Notwithstanding Section 12.7.3 l) i) above, a Farm Product Supply Dealer shall be subject to the requirements of Section 5.6 c) vi vii)”	Parking i) Notwithstanding Section 12.7.3 l) i) above, a Farm Product Supply Dealer shall be subject to the requirements of Section 5.6 c) vii)”

Appendix “I” – Section 13.3: Parking (U3) Zone		
Section	Proposed Change	Proposed Revised Zone Regulation
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>		
13.3.2a)ii)	Maximum 3.0 metres for the first storey, but except where a visibility triangle is required for a driveway setback;	Maximum 3.0 metres for the first storey, except where a visibility triangle is required for a driveway setback;
13.3.2i)	A visual barrier shall be required along any side or rear lot line abutting a Residential Zone, Institutional Zone, Downtown (D5) Zone, Downtown (D6) Zone , or Residential Character Commercial (C1) Zone property line in accordance with the requirements of Section 4.19 of this By-law.	A visual barrier shall be required along any side or rear lot line abutting a Residential Zone, Institutional Zone, Downtown (D5) Zone or Residential Character Commercial (C1) Zone in accordance with the requirements of Section 4.19 of this By-law.

Appendix “J” – Schedule “C” – Special Exceptions			
Special Exception	Sub-section	Proposed Change	Proposed Revised Zone Regulation
		Grey highlighted strikethrough text = text to be deleted	bolded text = text to be added
SE 70	n/a	In addition to Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Maps 49, 61 and 62 of Schedule “A” – Zoning Maps and described as part of 715 Centre Road, Agriculture and a cemetery shall also be permitted.	In addition to Section 12.3.1, on those lands zoned Settlement Residential (S1) Zone, identified on Maps 49, 61 and 62 of Schedule “A” – Zoning Maps and described as part of 715 Centre Road, a cemetery shall also be permitted.
SE 83	n/a	Notwithstanding Sections 4.5 and in addition to 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 35, 36, 46 and 47 of Schedule “A” – Zoning Maps, and described as part of 771 Safari Road, a maximum of 5 single detached dwellings shall be permitted on one lot.	Notwithstanding Sections 4.5 and in addition to 12.2.1, on those lands zoned Rural (A2) Zone, identified on Maps 35, 36, 46 and 47 of Schedule “A” – Zoning Maps, and described as part of 771 Safari Road, a maximum of 5 single detached dwellings shall be permitted on one lot.
SE 84	n/a	Notwithstanding Sections 4.5 and in addition to 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 179 and 192 of Schedule “A” – Zoning Maps, and described as part of 1511 Nebo Road, a maximum of 2 single detached dwellings shall be permitted on one lot.	Notwithstanding Sections 4.5 and in addition to 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 179 and 192 of Schedule “A” – Zoning Maps, and described as part of 1511 Nebo Road, a maximum of 2 single detached dwellings shall be permitted on one lot.
SE 85	n/a	Notwithstanding Sections 4.5, and in addition to 12.2.1, 7.7.1 and 7.8.1, on those lands zoned Rural (A2) Zone, Conservation/Hazard Land – Rural (P7) Zone and Conservation/Hazard Land – Rural (P8) Zone, identified on Maps 46 and 47 of Schedule “A” – Zoning Maps, and described as part of 784 Safari Road, a maximum of 4 single detached dwellings shall be permitted on one lot.	Notwithstanding Sections 4.5, and in addition to 12.2.1, 7.7.1 and 7.8.1, on those lands zoned Rural (A2) Zone, Conservation/Hazard Land – Rural (P7) Zone and Conservation/Hazard Land – Rural (P8) Zone, identified on Maps 46 and 47 of Schedule “A” – Zoning Maps, and described as part of 784 Safari Road, a maximum of 4 single detached dwellings shall be permitted on one lot.

Appendix “J” – Schedule “C” – Special Exceptions			
Special Exception	Sub-section	Proposed Change	Proposed Revised Zone Regulation
		Grey highlighted strikethrough text = text to be deleted	bolded text = text to be added
SE 86	n/a	Notwithstanding Sections 4.5 and in addition to 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 122 and 131 of Schedule “A” – Zoning Maps, and described as part of 1341, 1375 and 1399 Powerline Road West, a maximum of 3 single detached dwellings shall be permitted on one lot.	Notwithstanding Sections 4.5 and in addition to 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Maps 122 and 131 of Schedule “A” – Zoning Maps, and described as part of 1341, 1375 and 1399 Powerline Road West, a maximum of 3 single detached dwellings shall be permitted on one lot.
SE 93	n/a	In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 166 of Schedule “A” – Zoning Maps and described as 54 and 62 Upper Centennial Parkway, a Salvage Yard shall also be permitted and in accordance with the provisions of Section 12.7.3.	In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 166 of Schedule “A” – Zoning Maps and described as 54 and 62 Upper Centennial Parkway, a Salvage Yard shall also be permitted and in accordance with the provisions of Section 12.7.3.
SE 98	b)	The use identified in a) above shall be subject to the regulations contained within Section 12.2.3.6 b) through f) e).	The use identified in a) above shall be subject to the regulations contained within Section 12.2.3.6 b) through f).
SE 99	Pre- amble	In addition to Sections 12.1.1 and 12.2.1, on those lands zoned Agriculture (A1) Zone and Rural (A2) Zone, identified on Maps 9, 32, 36, 38, 49, 57, 61, 84, 105, 138, 139, 141, 145, 152, 162, 166, 167, 168 and 177 of Schedule “A” – Zoning Maps, described as addresses: 583 Tapleytown Map 152 Road	In addition to Sections 12.1.1 and 12.2.1, on those lands zoned Agriculture (A1) Zone and Rural (A2) Zone, identified on Maps 9, 32, 36, 38, 49, 57, 61, 84, 105, 138, 139, 141, 145, 152, 162, 166, 167, 168 and 177 of Schedule “A” – Zoning Maps, described as addresses: 583 Tapleytown Map 152 Road
	b)	Notwithstanding a) above Section 12.1.3.1b) for the Place of Worship located at 2149 Upper James Street, a minimum northerly side yard of 2.0 m shall be provided.	Notwithstanding Section 12.1.3.1b) for the Place of Worship located at 2149 Upper James Street, a minimum northerly side yard of 2.0 m shall be provided.
	c)	Parking shall be provided in accordance with Section 5.6c)ii.	Parking shall be provided in accordance with Section 5.6c)ii.

Appendix “J” – Schedule “C” – Special Exceptions			
Special Exception	Sub-section	Proposed Change	Proposed Revised Zone Regulation
		Grey highlighted strikethrough text = text to be deleted	bolded text = text to be added
SE 100	a)	An Educational Establishment shall also be permitted and shall be in accordance with Section 12.1.3.1 b) through g).	An Educational Establishment shall also be permitted and shall be in accordance with Section 12.1.3.1 b) through g).
	b)	Parking shall be provided in accordance with Section 5.6c)ii)	Parking shall be provided in accordance with Section 5.6c)ii)
SE 104	Pre- amble	In addition to Sections 12.1.1, 12.2.1 and 12.6.1, on those lands zoned Agriculture (A1) Zone, Rural (A2) Zone and Existing Rural Commercial (E1) Zone , identified on Maps 49, 61, 73, 84, 85, 166, 182 and 190 of Schedule “A” – Zoning Maps, described as addresses: 8 and 20 5 th Maps 61 and Concession 73 Road East	In addition to Sections 12.1.1, 12.2.1 and 12.6.1, on those lands zoned Agriculture (A1) Zone, Rural (A2) Zone and Existing Rural Commercial (E1), identified on Maps 49, 61, 73, 84, 85, 166, 182 and 190 of Schedule “A” – Zoning Maps, described as addresses: 8 5 th Concession Maps 61 and Road East 73
SE 117	b)	The following regulations shall also apply to the use identified in a) above: iii) Parking in accordance with Section 5.6 c) iii).	The following regulations shall also apply to the use identified in a) above: iii) Parking In accordance with Section 5.6 c) iii).
SE 150	b)	The permitted uses identified in a) above shall be in accordance with the provisions of Section 12.7.3.	The permitted uses identified in a) above shall be in accordance with the provisions of Section 12.7.3.
SE 168	Pre- amble	In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 138 of Schedule “A” – Zoning Maps and described as 934 and 936 Highway 8 and 190 Glover Road, a Place of Worship, Day Nursery and Educational Establishment shall also be permitted and shall be in accordance with Section 12.1.3.1 b) through h).	In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 138 of Schedule “A” – Zoning Maps and described as 934 and 936 Highway 8 and 190 Glover Road,

Appendix “J” – Schedule “C” – Special Exceptions			
Special Exception	Sub-section	Proposed Change	Proposed Revised Zone Regulation
		Grey highlighted strikethrough text = text to be deleted	bolded text = text to be added
	a)	The following uses shall also be permitted: i) Place of Worship; ii) Day Nursery; and, iii) Educational Establishment.	The following uses shall also be permitted: i) Place of Worship; ii) Day Nursery; and, iii) Educational Establishment.
	b)	The following regulations shall apply to the uses identified in a) above: i) In accordance with Section 12.1.3.1 b) through g); and, ii) Parking shall be provided in accordance with Section 5.6 c) ii)	The following regulations shall apply to the uses identified in a) above: i) In accordance with Section 12.1.3.1 b) through g); and, ii) Parking shall be provided in accordance with Section 5.6 c) ii)
SE 179	d)	Parking shall be provided in accordance with Section 5.6 c) i) and ii).	Parking shall be provided in accordance with Section 5.6 c) i) and ii).
SE 227	b)	The following regulations shall apply to the use identified in a) above: i) The minimum setback for any buildings or structures shall be 16.0 metres from the barn on the abutting property to the north. ii) Maximum Gross Floor Area 1,340 square metres iii) Minimum Landscaped Open Space 10 percent iv) Minimum Planting Strip 3.0 metre width across all lot lines adjacent to a street except for point of ingress and egress.	The following regulations shall apply to the use identified in a) above: i) The minimum setback for any buildings or structures shall be 16.0 metres from the barn on the abutting property to the north. ii) Maximum Gross Floor Area 1,340 square metres iii) Minimum Landscaped Open Space 10 percent iv) Minimum Planting Strip 3.0 metre width across all lot lines adjacent to a street except for point of ingress and egress.

Appendix “J” – Schedule “C” – Special Exceptions			
Special Exception	Sub-section	Proposed Change	Proposed Revised Zone Regulation
		Grey highlighted strikethrough text = text to be deleted	bolded text = text to be added
		v) Parking shall be provided in accordance with Section 5.6 c) ii)	v) Parking shall be provided in accordance with Section 5.6 c) ii)
SE 249	d)	The following regulations shall apply to the uses identified in a) above: i) In accordance with Section 12.7.3	The following regulations shall apply to the uses identified in a) above: i) In accordance with Section 12.7.3
SE 250	Pre-amble	In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 120 of Schedule “A” – Zoning Maps and described as part of 1974 Concession 2 West, the following provisions shall apply: a private school shall also be permitted and shall be subject to Section 12.1.3.1 b) through g). a) The following uses shall also be permitted: i) Private School. b) Sections 12.1.3.1b) through g) shall apply for a Private School; and, c) Parking shall be provided in accordance with Section 5.6 c) iii.	In addition to Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 120 of Schedule “A” – Zoning Maps and described as part of 1974 Concession 2 West, the following provisions shall apply: a) The following uses shall also be permitted: i) Private School. b) Sections 12.1.3.1b) through g) shall apply for a Private School; and, c) Parking shall be provided in accordance with Section 5.6 c) iii.

Appendix “J” – Schedule “C” – Special Exceptions			
Special Exception	Sub-section	Proposed Change	Proposed Revised Zone Regulation
		Grey highlighted strikethrough text = text to be deleted	bolded text = text to be added
SE 254	Pre- amble	In addition to Section 12.6.1 12.1.1 and Section 12.1.1 12.6.1 and notwithstanding Section 12.6.3f , on those lands zoned Existing Rural Commercial (E1) Zone and Agriculture (A1) Zone, identified on Map 168 on Schedule “A” – Zoning Maps and described as 735 Mud Street East, a salvage yard shall also be permitted with an aggregate maximum gross floor area of 5,349 square metres in three buildings, and a maximum height of 7.3 m.	In addition to Section 12.1.1 and Section 12.6.1 and notwithstanding Section 12.6.3f), on those lands zoned Existing Rural Commercial (E1) Zone and Agriculture (A1) Zone, identified on Map 168 on Schedule “A” – Zoning Maps and described as 735 Mud Street East, a salvage yard shall also be permitted with an aggregate maximum gross floor area of 5,349 square metres in three buildings, and a maximum height of 7.3 m.
SE 256	Pre- amble	In addition to Section 12.2.1 12.6.1 and Section 12.2.1 12.6.1 , on those lands zoned Existing Rural Commercial (E1) Zone and Rural (A2) Zone, identified on Maps 48 and 60 of Schedule “A” – Zoning Maps and described as 992 Highway 6, an Agricultural Processing Establishment for the packaging, treating and storing of produce grown on or off the premises shall be permitted and in accordance with the provisions of Section 12.6.3.	In addition to Section 12.2.1 and Section 12.6.1, on those lands zoned Existing Rural Commercial (E1) Zone and Rural (A2) Zone, identified on Maps 48 and 60 of Schedule “A” – Zoning Maps and described as 992 Highway 6, an Agricultural Processing Establishment for the packaging, treating and storing of produce grown on or off the premises shall be permitted and in accordance with the provisions of Section 12.6.3.
SE 263	Pre- amble	Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 60 of Schedule “A” – Zoning Maps and described as part of 524 Concession 6 Road West, Manufacturing shall also be permitted and in accordance with the provisions of Section 12.7.3.	Notwithstanding Section 12.2.1, on those lands zoned Rural (A2) Zone, identified on Map 60 of Schedule “A” – Zoning Maps and described as part of 524 Concession 6 Road West, Manufacturing shall also be permitted and in accordance with the provisions of Section 12.7.3.
SE 268	Pre- amble	Notwithstanding Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 169 of Schedule “A” – Zoning Maps and described as part of 913 Mud Street, a contractor’s establishment shall also be permitted and in accordance with the provisions of Section 12.7.3.	Notwithstanding Section 12.1.1, on those lands zoned Agriculture (A1) Zone, identified on Map 169 of Schedule “A” – Zoning Maps and described as part of 913 Mud Street, a contractor’s establishment shall also be permitted and in accordance with the provisions of Section 12.7.3.

Appendix “J” – Schedule “C” – Special Exceptions			
Special Exception	Sub-section	Proposed Change	Proposed Revised Zone Regulation
		Grey highlighted strikethrough text = text to be deleted	bolded text = text to be added
SE 269	b)	ii) The uses identified in a) above shall be in accordance with the provisions of Section 12.7.3.	ii) The uses identified in a) above shall be in accordance with the provisions of Section 12.7.3.
SE 279	b)	The uses identified in a) above shall be in accordance with the provisions of Section 12.2.3.1.	The uses identified in a) above shall be in accordance with the provisions of Section 12.2.3.1.
SE 284	b)	The following regulations shall apply to the uses identified in a) above: iv) Parking shall be provided in accordance with Section 5.6 c) ii)	The following regulations shall apply to the uses identified in a) above: iv) Parking shall be provided in accordance with Section 5.6 c) ii)
SE 297	c)	d) e) In addition to Subsection 5.1 a) v), the boundary of the parking area shall not be less than 1.0 metre from a Residential Zone.	d) In addition to Subsection 5.1 a) v), the boundary of the parking area shall not be less than 1.0 metre from a Residential Zone.
SE 303	c)	Place of Worship - A building used by any religious organization for public worship or other ecclesiastical functions and may include accessory or ancillary uses which shall include accessory or ancillary uses which shall include including but not be limited to an assembly hall, auditorium, convent, monastery, rectory, cemetery, day nursery and educational or recreational uses.	Place of Worship - A building used by any religious organization for public worship or other ecclesiastical functions and may include accessory or ancillary uses including but not be limited to an assembly hall, auditorium, convent, monastery, rectory, cemetery, day nursery and educational or recreational uses.
SE 310	c)	Subsection 11.1.3c) shall not apply to the westerly interior side lot line.	Subsection 11.1.3c) shall not apply to the westerly interior side lot line.

Appendix “J” – Schedule “C” – Special Exceptions			
Special Exception	Sub-section	Proposed Change	Proposed Revised Zone Regulation
		Grey highlighted strikethrough text = text to be deleted	bolded text = text to be added
SE 319	b)C) vii) B.	No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of less than 6.0 metres from the east and south lot lines or closer than 7.5 metres from the north and not than west lot lines.	No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of less than 6.0 metres from the east and south lot lines or closer than 7.5 metres from the north and west lot lines.
	e) 4.	Notwithstanding Subsections 4.6d), 10.5.3a), b), c), d), g) ii) and iii), and h), the following regulations shall apply	Notwithstanding Subsections 4.6d), 10.5.3a), b), c), d), g) ii) and iii), and h), the following regulations shall apply
	e) 4. ii)	Yard Projection of a maximum of 1.6 4.5 metres into any required rear yard and 1.6 metres into any required side yard. A balcony porch may project a maximum of 1.6 4.5 metres into any required rear yard and 1.6 metres into any required side yard. Balcony Porch	Yard Projection of a maximum of 1.6 metres into any required rear yard and 1.6 metres into any required side yard. A balcony may project a maximum of 1.6 metres into any required rear yard and 1.6 metres into any required side yard.
SE 323	b)	i) vii) Existing Heritage Building ii) viii) Landscaped Strip	i) Existing Heritage Building ii) Landscaped Strip
SE 326	b) viii)	Minimum Rear Yard but not abutting a streetline or Provincial Highway.	Minimum Rear Yard not abutting a streetline or Provincial Highway.
SE 375	Pre- amble	Property Address Map Number 3, 16, 18, 20, 22, 24, 870, 912 32, 36 Clark Avenue	Property Address Map Number 3, 16, 18, 20, 22, 24, 870, 912 32, 36 Clark Avenue
SE 461	b)	Notwithstanding Section 11.1 6.3 of this By-law, the following special regulations shall apply: No person shall erect, or use any building in whole or in part, or use	Notwithstanding Section 11.1 of this By-law, the following special regulations shall apply: No person shall erect, or use any building in whole or in part, or use any

Page 16 of 16

Appendix “J” – Schedule “C” – Special Exceptions											
Special Exception	Sub-section	Proposed Change	Proposed Revised Zone Regulation								
		Grey highlighted strikethrough text = text to be deleted	bolded text = text to be added								
		any land in whole or in part, within a Transit Oriented Corridor Mixed Use Medium Density (TOC1) Downtown D3 Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations.	land in whole or in part, within a Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations.								
SE 555	b) ii)	No parking space or part thereof shall be located, and no land shall be used for the temporary parking or storage of any vehicle at a distance of not less than:	No parking space or part thereof shall be located, and no land shall be used for the temporary parking or storage of any vehicle at a distance of less than:								
SE 579	Pre- amble	Within the lands zoned Neighbourhood Commercial (C2) Zone and Community Commercial (C3) Zone, identified on Maps 1100, 1145, 1146, 1150, 1185, 1194, 1196, 1198, 1199, 1205, 1247, 1248, 1249, 1251, 1252, 1259, 1260, 1305, 1306, 1403, 1405, 1454, 1502 1503 and 1640 of Schedule “A” – Zoning Maps and described as: <table><tr><th>Property Address</th><th>Map Number</th></tr><tr><td>136 - 146 Upper Mount Albion Road</td><td>1502</td></tr></table>	Property Address	Map Number	136 - 146 Upper Mount Albion Road	1502	Within the lands zoned Neighbourhood Commercial (C2) Zone and Community Commercial (C3) Zone, identified on Maps 1100, 1145, 1146, 1150, 1185, 1194, 1196, 1198, 1199, 1205, 1247, 1248, 1249, 1251, 1252, 1259, 1260, 1305, 1306, 1403, 1405, 1454, 1502 1503 and 1640 of Schedule “A” – Zoning Maps and described as: <table><tr><th>Property Address</th><th>Map Number</th></tr><tr><td>136 - 146 Upper Mount Albion Road</td><td>1502</td></tr></table>	Property Address	Map Number	136 - 146 Upper Mount Albion Road	1502
Property Address	Map Number										
136 - 146 Upper Mount Albion Road	1502										
Property Address	Map Number										
136 - 146 Upper Mount Albion Road	1502										

Appendix “J” – Schedule “C” – Special Exceptions			
Special Exception	Sub-section	Proposed Change	Proposed Revised Zone Regulation
		Grey highlighted strikethrough text = text to be deleted	bolded text = text to be added
SE 581	d)	<p>Notwithstanding Section 10.5.3c), for lands located at 51-55 Cootes Drive and 110 King Street East, the following regulation shall apply:</p> <p>i) Minimum 1.3 metres Interior shall be provided along the southerly portion of the building facing Cootes Drive.</p>	<p>Notwithstanding Section 10.5.3c), for lands located at 51-55 Cootes Drive and 110 King Street East, the following regulation shall apply:</p> <p>i) Minimum 1.3 metres Interior shall be provided along the southerly portion of the building facing Cootes Drive.</p>
SE 598	b)	iv) iii) Drive-Through Restaurant accessory to a Motor Vehicle Gas Bar	iv) Drive – Through Restaurant accessory to a Motor Vehicle Gas Bar
SE 600	b)	<p>i) viii) Combined Maximum Gross Floor Area for Office</p> <p>ii) ix) Combined Maximum Gross Floor Area for Retail</p>	<p>i) Combined Maximum Gross Floor Area for Office</p> <p>ii) Combined Maximum Gross Floor Area for Retail</p>
SE 626	f)	<p>Parking Parking for a Multiple Dwelling within a mixed use building shall be provided on the basis of:</p> <p>iii) A minimum barrier free space size of 4.4 metres by 5.5 metres shall be provided</p>	<p>Parking Parking for a Multiple Dwelling within a mixed use building shall be provided on the basis of:</p> <p>iii) A minimum barrier free space size of 4.4 metres by 5.5 metres shall be provided</p>

Appendix “J” – Schedule “C” – Special Exceptions			
Special Exception	Sub-section	Proposed Change	Proposed Revised Zone Regulation
		Grey highlighted strikethrough text = text to be deleted	bolded text = text to be added
	g)	<p>Bicycle Parking</p> <p>Bicycle Parking for a Multiple Dwelling within a mixed use building shall be provided on the basis of:</p> <p>0.92 0.35 Bicycle Parking spaces per dwelling unit of which 10% are to be provided maintained as short term Bicycle Parking spaces.</p>	<p>Bicycle Parking</p> <p>Bicycle Parking for a Multiple Dwelling within a mixed use building shall be provided on the basis of:</p> <p>0.35 Bicycle Parking spaces per dwelling unit of which 10% are to be maintained as short term Bicycle Parking spaces.</p>
	h)	Notwithstanding Subsection 5.2i), the minimum aisle width shall be 5.5 metres.	Notwithstanding Subsection 5.2i), the minimum aisle width shall be 5.5 metres.
SE 655	a)	<p>i) ii) Notwithstanding Subsection 5.2 b) i), the minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided and maintained.</p> <p>ii) iii) Section 5.2.1 a) shall not apply.</p> <p>iii) iv) Notwithstanding Section 10.5.3 a) ii), the maximum setback from the street line shall be 5.0 metres from Wilson Street West.</p>	<p>i) Notwithstanding Subsection 5.2 b) i), the minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided and maintained.</p> <p>ii) Section 5.2.1 a) shall not apply.</p> <p>iii) Notwithstanding Section 10.5.3 a) ii), the maximum setback from the street line shall be 5.0 metres from Wilson Street West.</p>
SE 652	a)	In addition to Subsection 10.5 a .1, the following additional uses shall be permitted:	In addition to Subsection 10.5.1, the following additional uses shall be permitted:
	b)	Notwithstanding Subsection 10.5 a .3 a), 10.5 a .3 b), 10.5 a .3 d), and in addition to Subsection 10.5 a .3, the following special regulations shall apply:	Notwithstanding Subsection 10.5.3 a), 10.5.3 b), 10.5.3 d), and in addition to Subsection 10.5.3, the following special regulations shall apply:

Appendix “J” – Schedule “C” – Special Exceptions		
Special Exception	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
SE 706	<p>Within the lands zoned District Commercial (C6) Zone, identified on Map 1450 of Schedule “A” – Zoning Maps and described as 1405 Upper Ottawa Street, the following special provisions shall apply:</p> <p>a) In addition to Subsection 10.6.2, the following uses shall also be permitted only as an accessory use to a pet store or veterinary clinic:</p> <p>i) Animal Shelter ii) Indoor Kennel</p> <p>b) Notwithstanding Subsection 10.6.1 and in addition to Subsection 10.6.1.1, Medical Clinic and Office shall only be permitted above the ground floor.</p>	<p>Within the lands zoned District Commercial (C6) Zone, identified on Map 1450 of Schedule “A” – Zoning Maps and described as 1405, 1439, 1447 Upper Ottawa Street, the following special provisions shall apply:</p> <p>a) In addition to Subsection 10.6.2, the following uses shall also be permitted only as an accessory use to a pet store or veterinary clinic:</p> <p>i) Animal Shelter ii) Indoor Kennel</p> <p>b) Notwithstanding Subsection 10.6.1 and in addition to Subsection 10.6.1.1, Medical Clinic and Office shall only be permitted above the ground floor.</p>
SE 708	<p>Within the lands zoned District Commercial (C6) Zone, identified on Maps 1748 and 1749 of Schedule “A” – Zoning Maps and described as 3079 Homestead Drive, the following special provisions shall apply:</p> <p>a) Notwithstanding Subsection 10.6.1, the following uses shall be prohibited:</p> <p>i) Boat and/or motorized snow vehicle sales establishment; ii) Cold storage locker establishment; iii) Dairies; iv) Farm equipment sales establishment;</p>	<p>Within the lands zoned District Commercial (C6) Zone, identified on Maps 1748 and 1749 of Schedule “A” – Zoning Maps and described as 3079 Homestead Drive, the following special provisions shall apply:</p> <p>a) Notwithstanding Subsection 10.6.1, the following uses shall be prohibited:</p> <p>i) Boat and/or motorized snow vehicle sales establishment; ii) Cold storage locker establishment; iii) Dairies; iv) Farm equipment sales establishment; v) Garden Centre;</p>

Appendix “J” – Schedule “C” – Special Exceptions		
Special Exception	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
	<p>v) Garden Centre;</p> <p>vi) Motor vehicle rental establishment;</p> <p>vii) New and used motor vehicle dealership;</p> <p>viii) Public and private parking lots and structures;</p> <p>ix) Transportation depot;</p> <p>x) Major recreational equipment sales, rental, and service establishment;</p> <p>xi) Taxi establishment</p> <p>b) Notwithstanding Subsection 10.6.1 and in addition to Subsection 10.6.1.1 i) 2., a Medical Clinic shall only be permitted above the ground floor.</p>	<p>vi) Motor vehicle rental establishment;</p> <p>vii) New and used motor vehicle dealership;</p> <p>viii) Public and private parking lots and structures;</p> <p>ix) Transportation depot;</p> <p>x) Major recreational equipment sales, rental, and service establishment;</p> <p>xi) Taxi establishment</p> <p>b) Notwithstanding Subsection 10.6.1 and in addition to Subsection 10.6.1.1 i) 2., a Medical Clinic shall only be permitted above the ground floor.</p>
SE 710	<p>Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1043 of Schedule “A” – Zoning Maps and identified as 52 – 64 Ottawa Street North, the following special provisions shall apply:</p> <p>a) Notwithstanding Subsections 5.2b), 5.2f), 5.2i), and 5.6c), the following regulations shall also apply:</p> <p>i) Parking Space Size Dimension A minimum parking space size of 2.7 metres by 5.7 metres shall be provided.</p>	<p>Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1043 of Schedule “A” – Zoning Maps and identified as 52 Ottawa Street North, the following special provisions shall apply:</p> <p>a) Notwithstanding Subsections 5.2b), 5.2f), 5.2i), and 5.6c), the following regulations shall also apply:</p> <p>i) Parking Space Size Dimension A minimum parking space size of 2.7 metres by 5.7 metres shall be provided.</p> <p>ii) Barrier-Free Parking A minimum barrier-free parking space</p>

Appendix “J” – Schedule “C” – Special Exceptions		
Special Exception	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
	<p>ii) Barrier-Free Parking Space Size Dimension A minimum barrier-free parking space size of 4.4 metres by 5.7 metres shall be provided.</p> <p>iii) Parking Space Requirement for Multiple Dwelling and Community Centre 0 parking spaces.</p> <p>iv) Parking Space Requirement for a Day Nursery 2 parking spaces.</p> <p>v) Visitor Parking Space Additional 0.16 parking spaces per dwelling unit.</p> <p>vi) Minimum Aisle Width 3.0 metres</p> <p>b) In addition to Subsection 10.5a.1.1 and notwithstanding 10.5a.3c) and d) ii), the following regulations shall apply:</p> <p>i) Restriction of Uses within a Building 1. A Multiple Dwelling with a maximum of 50 dwelling units.</p>	<p>Space Size size of 4.4 Dimension metres by 5.7 metres shall be provided.</p> <p>iii) Parking Space Requirement for Multiple Dwelling and Community Centre 0 parking spaces.</p> <p>iv) Parking Space Requirement for a Day Nursery 2 parking spaces.</p> <p>v) Visitor Parking Space Additional 0.16 parking spaces per dwelling unit.</p> <p>vi) Minimum Aisle Width 3.0 metres</p> <p>b) In addition to Subsection 10.5a.1 and notwithstanding 10.5a.3c) and d) ii), the following regulations shall apply:</p> <p>i) Restriction of Uses within a Building 1. A Multiple Dwelling with a maximum of 50 dwelling units.</p>

Appendix “J” – Schedule “C” – Special Exceptions		
Special Exception	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
	<p>2. A Day Nursery with a maximum of 31 children</p> <p>ii) Minimum Side Yard (northerly) 1.4 metres</p> <p>iii) Building Height Maximum 20.0 metres.</p>	<p>2. A Day Nursery with a maximum of 31 children</p> <p>ii) Minimum Side Yard (northerly) 1.4 metres</p> <p>iii) Building Height Maximum 20.0 metres.</p>
SE 711	<p>Within the lands zone Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1934 of Schedule “A” – Zoning Maps and identified as 3079 Binbrook Road, the following special provisions shall apply:</p> <p>a) In addition to Subsection 10.5a.1, the following use shall also be permitted:</p> <p>i) Funeral Home</p> <p>b) Notwithstanding Subsection 4.6a), the following regulation shall also apply</p> <p>i) Sills, belt cornices, eaves or gutters, chimneys, bay windows, or pilasters may project into any required yard a distance of not more than 0.7 metres</p> <p>c) Notwithstanding Subsections 10.5a.3b), c), d) ii), i), h) v), and</p>	<p>Within the lands zone Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Map 1934 of Schedule “A” – Zoning Maps and identified as 3079 Binbrook Road, the following special provisions shall apply:</p> <p>a) In addition to Subsection 10.5a.1, the following use shall also be permitted:</p> <p>i) Funeral Home</p> <p>b) Notwithstanding Subsection 4.6a), the following regulation shall also apply</p> <p>i) Sills, belt cornices, eaves or gutters, chimneys, bay windows, or pilasters may project into any required yard a distance of not more than 0.7 metres</p> <p>c) Notwithstanding Subsections 10.5a.3b), c), d) ii), i), h) v), and k), the following provisions shall also apply:</p>

Appendix “J” – Schedule “C” – Special Exceptions		
Special Exception	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
	<p>k), the following provisions shall also apply:</p> <p>i) Minimum Side Yard 1.0 metre</p> <p>ii) Minimum Rear Yard 1.5 metres</p> <p>iii) Maximum Building Height 14.0 metres</p> <p>iv) Planting Strip Requirements Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone, a minimum 0.7 metre wide Planting Strip shall be provided and maintained.</p> <p>v) Parking between Building and Street No parking or aisles may be located within 2.4 metres of any street line or 0.7 metres abutting a Residential or Institutional Zone, or lot containing a</p>	<p>i) Minimum Side Yard 1.0 metre</p> <p>ii) Minimum Rear Yard 1.5 metres</p> <p>iii) Maximum Building Height 14.0 metres</p> <p>iv) Planting Strip Requirements Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone, a minimum 0.7 metre wide Planting Strip shall be provided and maintained.</p> <p>v) Parking between Building and Street No parking or aisles may be located within 2.4 metres of any street line or 0.7 metres abutting a Residential or Institutional Zone, or lot containing a residential or institutional use.</p>

Appendix “J” – Schedule “C” – Special Exceptions		
Special Exception	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
	<p>residential or institutional use.</p> <p>vi) Outdoor Storage</p> <p>Outdoor display areas, in the form of benches, other street furniture, and outdoor recreational equipment shall be permitted abutting a street and/or the boundary of any Residential or Institutional Zone or residential or institutional use and shall comprise no more than 22% of the total area of the required front yard.</p> <p>d) In addition to Subsections 5.1a)v a), b) and c), and 5.2 b) i), and 5.2b) f), the following regulations shall also apply:</p> <p>i) Parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from a street, shall be subject to the following:</p>	<p>vi) Outdoor Storage</p> <p>Outdoor display areas, in the form of benches, other street furniture, and outdoor recreational equipment shall be permitted abutting a street and/or the boundary of any Residential or Institutional Zone or residential or institutional use and shall comprise no more than 22% of the total area of the required front yard.</p> <p>d) In addition to Subsections 5.1a)v a), b) and c), and 5.2 b) i), and 5.2b) f), the following regulation shall also apply:</p> <p>i) Parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from a street, shall be subject to the following:</p> <p>a) Shall not be located within 2.4 metres of a street line.</p> <p>b) Shall provide a 2.4 metres wide Planting</p>

Appendix “J” – Schedule “C” – Special Exceptions		
Special Exception	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
	<p>a) Shall not be located within 2.4 metres of a street line.</p> <p>b) Shall provide a 2.4 metres wide Planting Strip being required and permanently maintained between the street and parking spaces or aisles.</p> <p>c) Where a Planting Strip is provided as per b) above, benches, other street furniture, and outdoor recreational equipment shall be permitted within a required Planting Strip.</p> <p>d) Where a parking area which is required to provide for more than four (4) vehicles abuts a Residential or Institutional Zone or a Residential or Institutional use, a Planting Strip of a minimum width of 0.7 metres shall be provided and maintained, which shall also include fencing and also permit pedestrian and access walkways.</p> <p>ii) Parking Space Size Dimension A minimum parking space size of 2.6 metres by 5.5 metres.</p>	<p>Strip being required and permanently maintained between the street and parking spaces or aisles.</p> <p>c) Where a Planting Strip is provided as per b) above, benches, other street furniture, and outdoor recreational equipment shall be permitted within a required Planting Strip.</p> <p>d) Where a parking area which is required to provide for more than four (4) vehicles abuts a Residential or Institutional Zone or a Residential or Institutional use, a Planting Strip of a minimum width of 0.7 metres shall be provided and maintained, which shall also include fencing and also permit pedestrian and access walkways.</p> <p>ii) Parking Space Size Dimension A minimum parking space size of 2.6 metres by 5.5 metres.</p> <p>iii) Barrier Free Parking Space Size Dimension A minimum barrier free parking space size of 4.4 metres by 5.5 metres.</p>

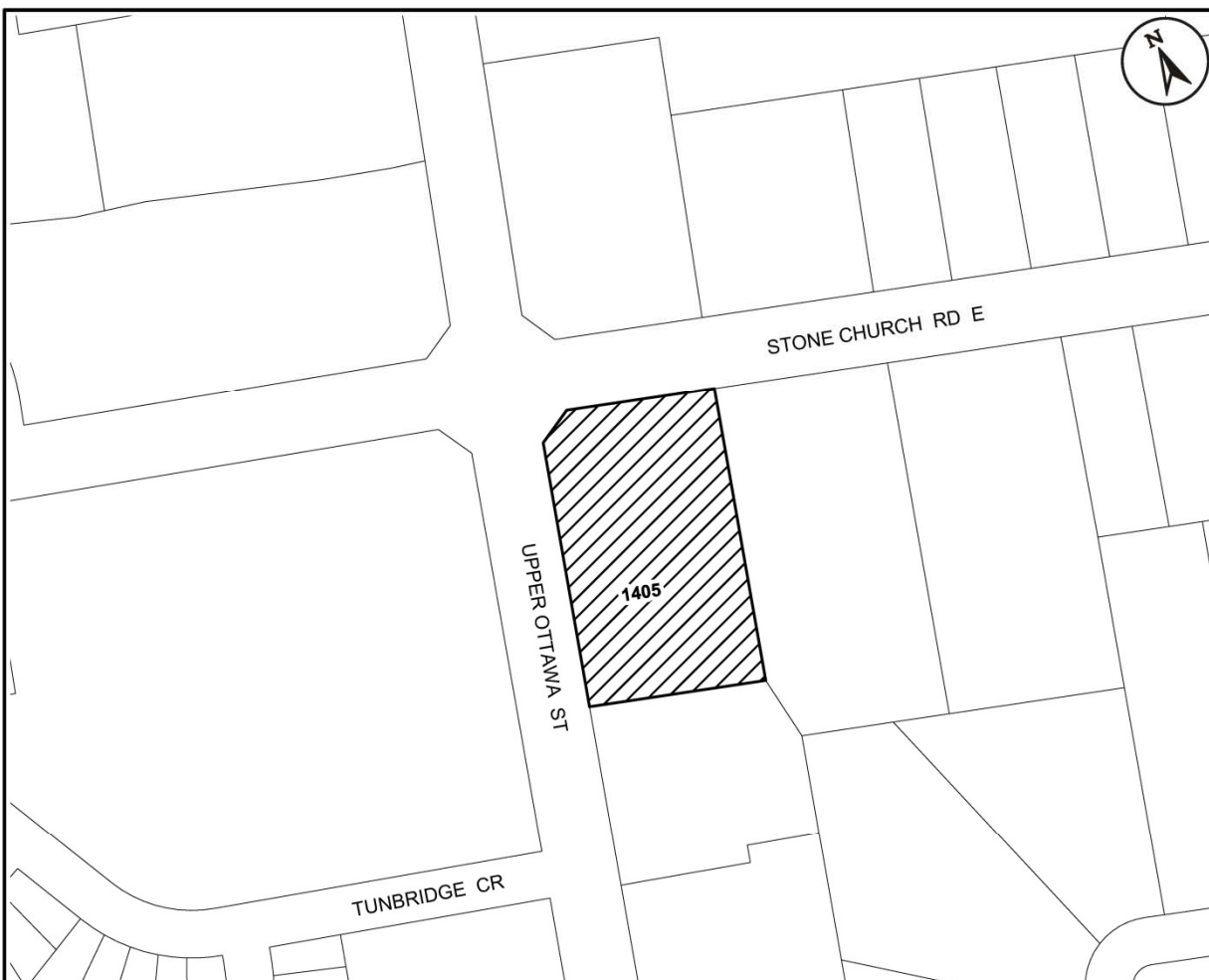
Appendix “J” – Schedule “C” – Special Exceptions		
Special Exception	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added
	<p>iii) Barrier Free Parking Space Size Dimension A minimum barrier free parking space size of 4.4 metres by 5.5 metres.</p>	
SE 23 SE 712	With the lands zoned Settlement Residential (S1) Zone, identified on Map 80 of Schedule “A” – Zoning Maps and described as 706 Highway No. 8, the following special provisions apply:	With the lands zoned Settlement Residential (S1) Zone, identified on Map 80 of Schedule “A” – Zoning Maps and described as 706 Highway No. 8, the following special provisions apply:
SE 727	<p>Within the lands zoned District Commercial (C6) Zone, identified on Maps 1258 and 1311 of Schedule “A” – Zoning Maps and described as 394 Winona Road, the following special provision shall apply:</p> <p>a) Notwithstanding Subsection 10.6.1.1i)2), an Office shall also be permitted on the ground floor.</p>	<p>Within the lands zoned District Commercial (C6) Zone, identified on Maps 1258 and 1311 of Schedule “A” – Zoning Maps and described as 394 Winona Road, the following special provision shall apply:</p> <p>a) Notwithstanding Subsection 10.6.1.1i)2), an Office shall also be permitted on the ground floor.</p>

Appendix “K” – Schedule “D” – Holding Provision			
Holding Provision	Sub-section	Proposed Change	Proposed Revised Zone Regulation
		Grey highlighted strikethrough text = text to be deleted	bolded text = text to be added
H65	Entire Section	<p>Notwithstanding Subsection 10.3.1, on those lands zoned Community Commercial (C3) Zone, identified on Map 1595 of Schedule “A” – Zoning Maps and described as 8 Kingsborough Drive, no development shall be permitted until such time as:</p> <p>i) The subject lands are consolidated with adjacent lands to ensure orderly development or demonstrate that the property can be developed on its own in accordance with the provisions of the Community Commercial (C3) Zone to the satisfaction of the Director of Planning and Chief Planner.</p>	
H66	Pre-amble	<p>Notwithstanding Subsection 10.6 and Special Exception No. 349 of this Bylaw, on those lands zoned District Commercial (C6, 349, H66, H67 H95, H96, H100, H104) Zone, Modified, identified on Maps 1501 and 1502 of Schedule “A” – Zoning Maps and described as 512 Highland Road West, the H66 H95 symbol may be removed by further amendment to this By-law at such time the Trinity Church Arterial Road is constructed to Rymal Road as the following condition has been satisfied:</p>	<p>Notwithstanding Subsection 10.6 and Special Exception No. 349 of this Bylaw, on those lands zoned District Commercial (C6, 349, H66, H67) Zone, Modified, identified on Maps 1501 and 1502 of Schedule “A” – Zoning Maps and described as 512 Highland Road West, the H66 symbol may be removed by further amendment to this By-law at such time the Trinity Church Arterial Road is constructed to Rymal Road as the following condition has been satisfied:</p>
H67	Pre-amble	<p>Notwithstanding Subsection 10.6 and Special Exception No. 349 of this Bylaw, on those lands zoned District Commercial (C6, 349, H66, H67 H95, H96, H100, H104) Zone, Modified, identified on Maps 1501 and 1502 of Schedule “A” – Zoning Maps and described as 512 Highland Road West, the H67 H96 symbol may be removed to permit limited development abutting Stone Church Road by further amendment to this By-law at such time as the following conditions have been satisfied:</p>	<p>Notwithstanding Subsection 10.6 and Special Exception No. 349 of this Bylaw, on those lands zoned District Commercial (C6, 349, H66, H67) Zone, Modified, identified on Maps 1501 and 1502 of Schedule “A” – Zoning Maps and described as 512 Highland Road West, the H67 symbol may be removed to permit limited development abutting Stone Church Road by further amendment to this By-law at such time as the following conditions have been satisfied:</p>

Appendix “K” – Schedule “D” – Holding Provision			
Holding Provision	Sub-section	Proposed Change	Proposed Revised Zone Regulation
		Grey highlighted strikethrough text = text to be deleted	bolded text = text to be added
H102	Pre-amble	Notwithstanding Subsection 10.5 and Special Exception 652, on those lands designated on those lands zoned Mixed Use Medium Density (C5, 652 H102) Zone, Modified, identified on Maps 1748, 1749 and 1785 of Schedule “A” – Zoning Maps, no residential development shall be permitted until such time:	Notwithstanding Subsection 10.5 and Special Exception 652, on those lands zoned Mixed Use Medium Density (C5, 652 H102) Zone, Modified, identified on Maps 1748, 1749 and 1785 of Schedule “A” – Zoning Maps, no residential development shall be permitted until such time:
H110	New Holding Provision	Notwithstanding Subsection 10.5a and Special Exception 711 on those lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 711) Zone, Modified, identified on Map 1934 of Schedule “A” – Zoning Maps and described as 3079 Binbrook Road, no development shall be permitted until such time as: i) The necessary upgrades to the Binbrook Sanitary Sewer Pumping Station are completed to the satisfaction of the Senior Director of Growth Management. ii) Notwithstanding Clause i) herein, the “H” Symbol shall not apply to a Personal Service use having a maximum Gross Floor Area of 675 square metres.	Notwithstanding Subsection 10.5a and Special Exception 711 on those lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a, 711) Zone, Modified, identified on Map 1934 of Schedule “A” – Zoning Maps, no development shall be permitted until such time as: i) The necessary upgrades to the Binbrook Sanitary Sewer Pumping Station are completed to the satisfaction of the Senior Director of Growth Management. ii) Notwithstanding Clause i) herein, the “H” Symbol shall not apply to a Personal Service use having a maximum Gross Floor Area of 675 square metres.
H112	New Holding Provision	Notwithstanding Section 10.6 and Special Exception 301 on those lands zoned District Commercial (C6) Zone, Modified, identified on Map 1259 of Schedule “A” – Zoning Maps, and described as 1310 South Service Road, no development shall be permitted until such time as: i) Submission and approval of Urban Design Guidelines, to the	Notwithstanding Section 10.6 and Special Exception 301 on those lands zoned District Commercial (C6) Zone, Modified, identified on Map 1259 of Schedule “A” – Zoning Maps, no development shall be permitted until such time as: i) Submission and approval of Urban Design Guidelines, to the satisfaction of the Director of Planning;

Appendix “K” – Schedule “D” – Holding Provision			
Holding Provision	Sub-section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added	
		<p>satisfaction of the Director of Planning;</p> <p>ii) Completion of the Stoney Creek Transit Hub Feasibility Study, to the satisfaction of the Director of Strategic and Environmental Planning;</p> <p>iii) Completion and implementation of a stormwater management study detailing requirements for quality and quantity control in accordance with the SCUBE Subwatershed Study and Parcel A and B Master Drainage Plan, to the satisfaction of the Directors of Development Engineering, and Strategic and Environmental Planning, and the Ontario Ministry of Transportation;</p> <p>iv) Approval and implementation of the Traffic Impact Study submitted by Delcan, dated April 2009, by the Manager of Traffic Engineering and Operations, Public Works Department, and the Ontario Ministry of Transportation;</p> <p>v) That the owner/applicant shall submit a signed Record of Site Condition (RSC) to the City of Hamilton and the Ministry of the Environment (MOE). This RSC must be to the satisfaction of the City of Hamilton, including an acknowledgement of receipt of the RSC by the MOE, and submission of the City of Hamilton's current RSC administration fee;</p>	<p>ii) Completion of the Stoney Creek Transit Hub Feasibility Study, to the satisfaction of the Director of Strategic and Environmental Planning;</p> <p>iii) Completion and implementation of a stormwater management study detailing requirements for quality and quantity control in accordance with the SCUBE Subwatershed Study and Parcel A and B Master Drainage Plan, to the satisfaction of the Directors of Development Engineering, and Strategic and Environmental Planning, and the Ontario Ministry of Transportation;</p> <p>iv) Approval and implementation of the Traffic Impact Study submitted by Delcan, dated April 2009, by the Manager of Traffic Engineering and Operations, Public Works Department, and the Ontario Ministry of Transportation;</p> <p>v) That the owner/applicant shall submit a signed Record of Site Condition (RSC) to the City of Hamilton and the Ministry of the Environment (MOE). This RSC must be to the satisfaction of the City of Hamilton, including an acknowledgement of receipt of the RSC by the MOE, and submission of the City of Hamilton's current RSC administration fee;</p> <p>vi) That Sustainability Design Elements/Guidelines be prepared, submitted, and agreements implemented, to the satisfaction of Director of Planning; and,</p>

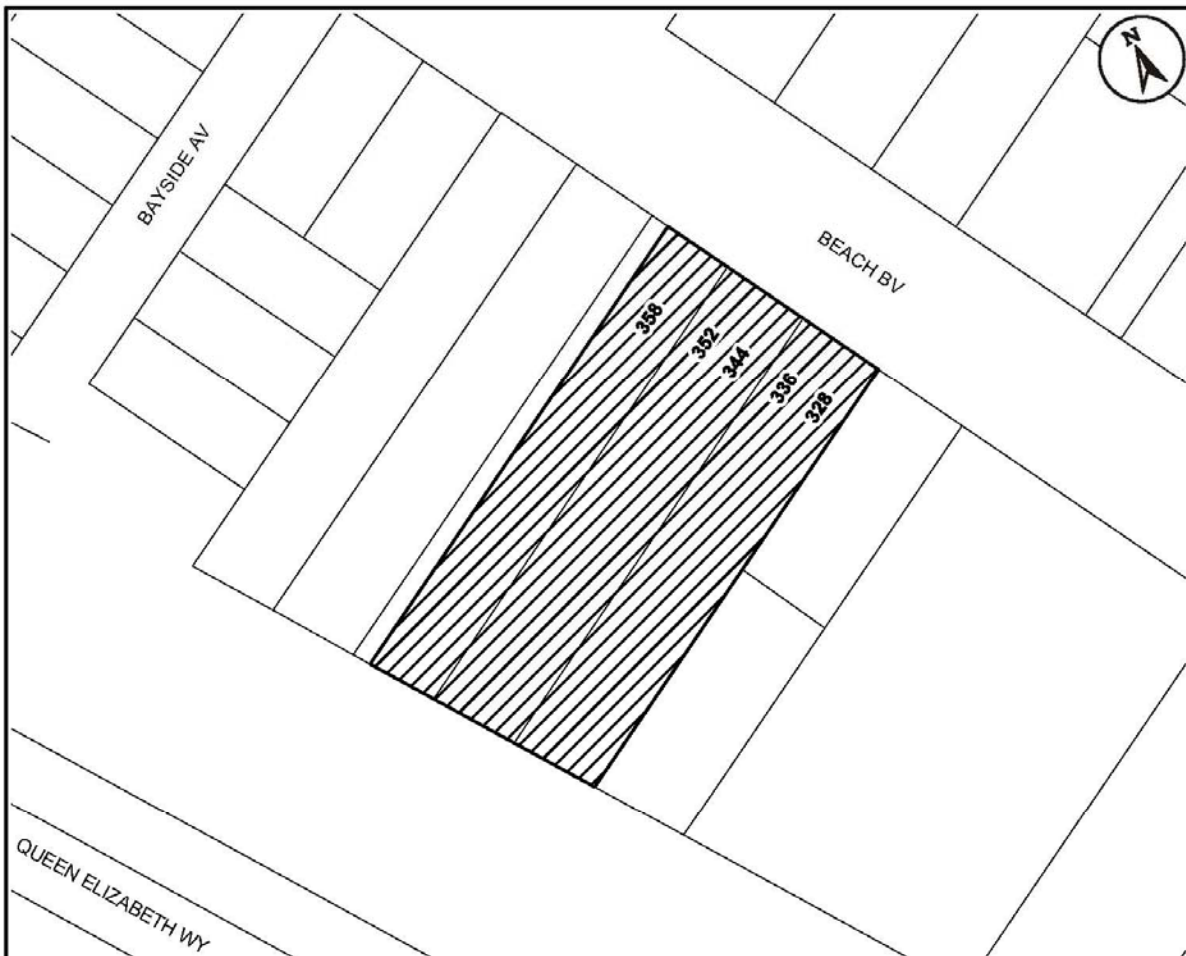
Appendix “K” – Schedule “D” – Holding Provision			
Holding Provision	Sub-section	Proposed Change	Proposed Revised Zone Regulation
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added	
		<p>vi) That Sustainability Design Elements/Guidelines be prepared, submitted, and agreements implemented, to the satisfaction of Director of Planning; and,</p> <p>vii) That the owner/applicant shall conduct an archaeological assessment of the entire development property and mitigate, through preservation and resource removal and documentation, adverse impacts to any significant archaeological resources found. No demolition, grading, or soil disturbances shall take place on the subject property prior to the approval of the Director of Planning and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.</p>	<p>vii) That the owner/applicant shall conduct an archaeological assessment of the entire development property and mitigate, through preservation and resource removal and documentation, adverse impacts to any significant archaeological resources found. No demolition, grading, or soil disturbances shall take place on the subject property prior to the approval of the Director of Planning and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.</p>



This is Schedule "A1" to By-law No. 19- Passed the day of, 2019		<div style="text-align: center; margin-bottom: 10px;"> ----- Mayor </div> <div style="text-align: center;"> ----- Clerk </div>	
<h2 style="margin: 0;">Schedule "A1"</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 1450</p>		Subject Property 1405 Upper Ottawa Street <div style="display: flex; align-items: center;"> <div style="width: 20px; height: 10px; border: 1px solid black; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); margin-right: 5px;"></div> Lands added to By-law 05-200 and zoned District Commercial "C6, 706" Zone, Modified </div>	
Scale: N.T.S.	File Name/Number: CMU	 Hamilton	
Date: Dec. 12, 2018	Planner/Technician: TL/AL		
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT			

To Amend By-law No. 05-200 Respecting Modifications and Updates to certain Definitions, General Provisions, Parking, Open Space, Industrial, Commercial and Mixed Use Zones, Transit Oriented Corridor Zones, Rural Zones Utility Zone, Special Exceptions, and Holding Provisions for the City of Hamilton

Page 22 of 30



This is Schedule "A2" to By-law No. 19-

Passed the day of, 2019

Mayor

Clerk

Schedule "A2"

Map Forming Part of
By-law No. 19-_____

to Amend By-law No. 05-200
Map 834

Subject Property

328 - 358 Beach Boulevard



Change in zoning from the Neighbourhood
Commercial (C2) Zone to the Residential
Character Commercial (C1) Zone

Scale:
N.T.S.

File Name/Number:
CI-18-J

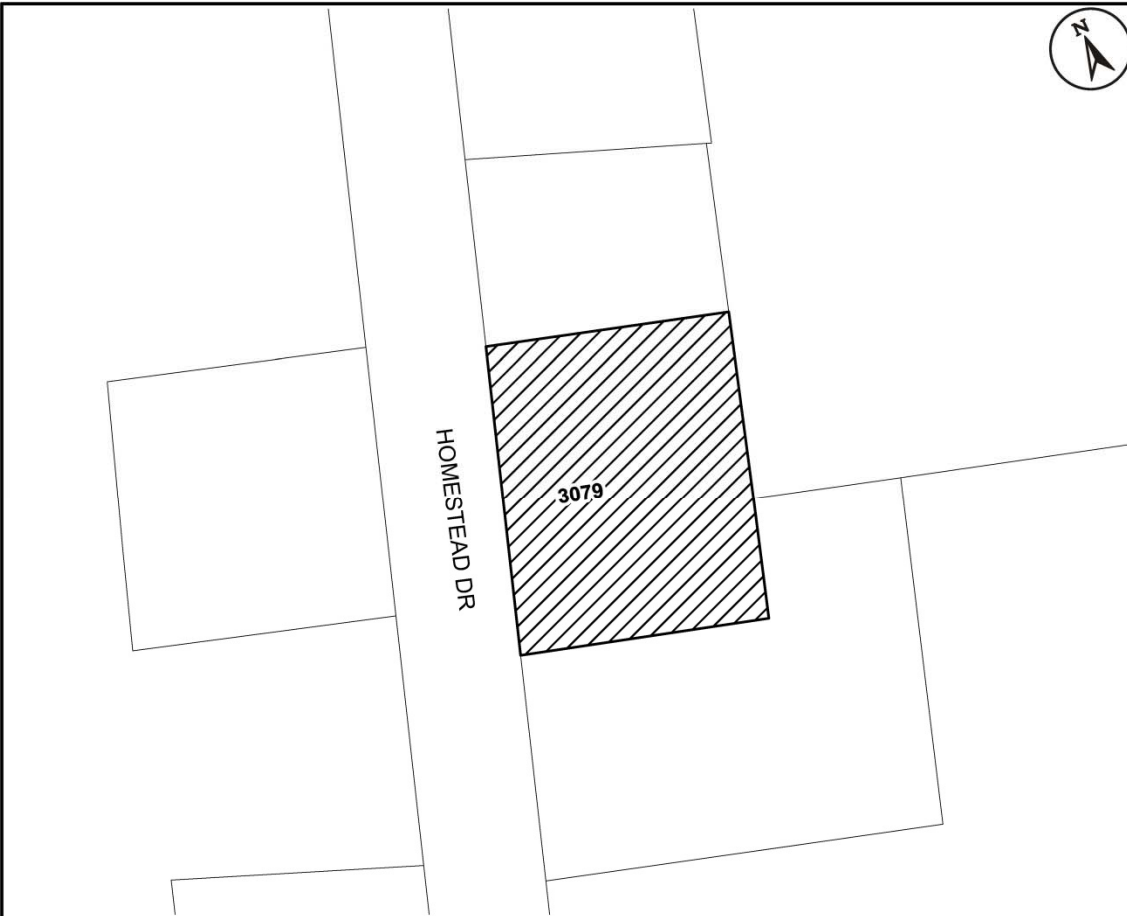


Date:
Dec. 20, 2018

Planner/Technician:
TL/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

		
<p>This is Schedule "A3" to By-law No. 19-</p> <p>Passed the day of, 2019</p>		<p>-----</p> <p>Mayor</p> <p>-----</p> <p>Clerk</p>
<p>Schedule "A3"</p> <p>Map Forming Part of</p> <p>By-law No. 19-_____</p> <p>to Amend By-law No. 05-200</p> <p>Maps 1748 & 1749</p>		<p>Subject Property</p> <p>3079 Homestead Drive</p> <p> Lands added to By-law 05-200 and zoned District Commercial (C6, 708) Zone, Modified</p>
<p>Scale:</p> <p>N.T.S.</p>	<p>File Name/Number:</p> <p>CMU</p>	 Hamilton
<p>Date:</p> <p>Dec. 12, 2018</p>	<p>Planner/Technician:</p> <p>TL/AL</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

To Amend By-law No. 05-200 Respecting Modifications and Updates to certain Definitions, General Provisions, Parking, Open Space, Industrial, Commercial and Mixed Use Zones, Transit Oriented Corridor Zones, Rural Zones Utility Zone, Special Exceptions, and Holding Provisions for the City of Hamilton



This is Schedule "A4" to By-law No. 19-

Passed the day of, 2019

Mayor

Clerk

Schedule "A4"

Map Forming Part of
By-law No. 19-_____

to Amend By-law No. 05-200
Maps 1258 & 1311

Subject Property

394 Winona Road



Lands to be added to By-law 05-200 and
zoned District Commercial (C6, 727) Zone,
Modified

Scale:
N.T.S.

File Name/Number:
CI-18-J

Date:
March 19, 2019

Planner/Technician:
TL/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



This is Schedule "A5" to By-law No. 19-

Passed the day of, 2019

Mayor

Clerk

Schedule "A5"

Map Forming Part of
By-law No. 19-_____

to Amend By-law No. 05-200
Map 1043

Subject Property

52 - 64 Ottawa Street North



Lands added to By-law 05-200 and zoned
Mixed Use Medium Density-Pedestrian Focus
(C5a, 710) Zone, Modified

Scale:
N.T.S.

File Name/Number:
CMU

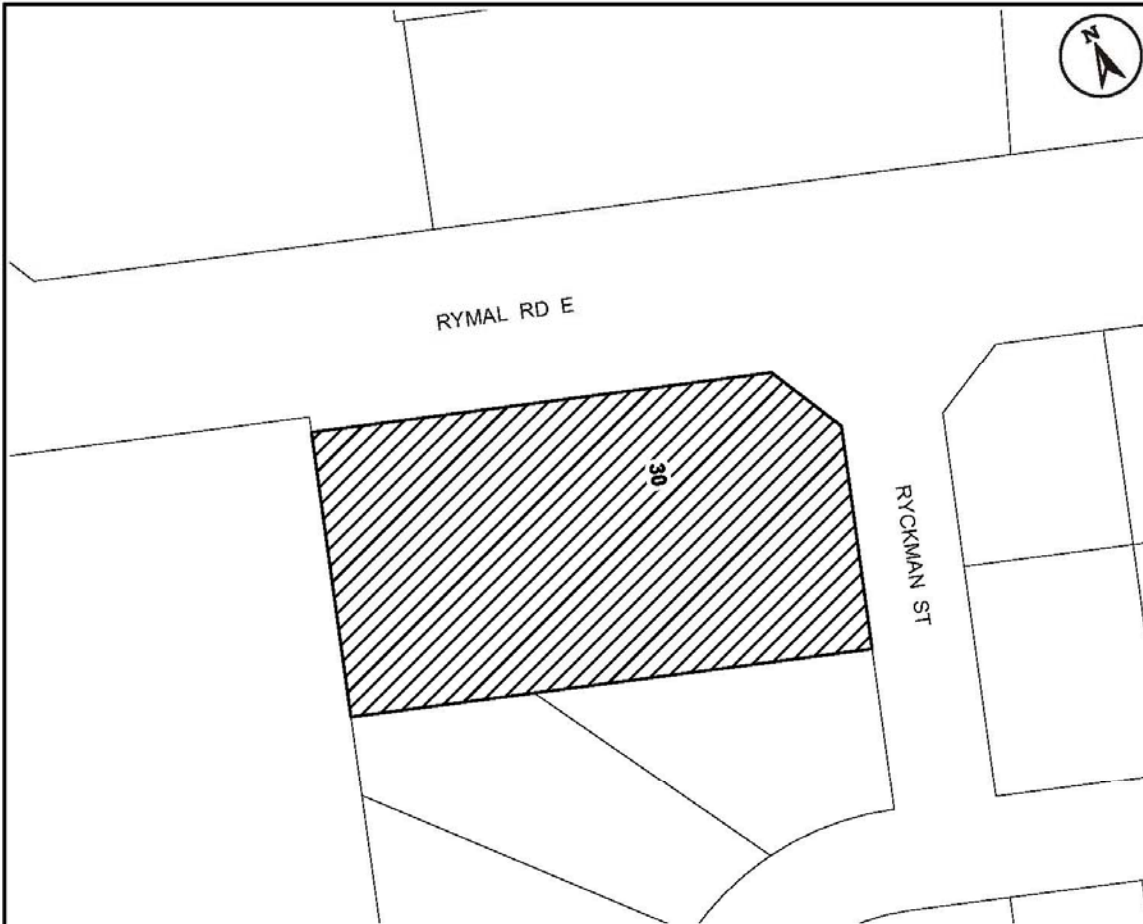


Date:
Dec. 12, 2018

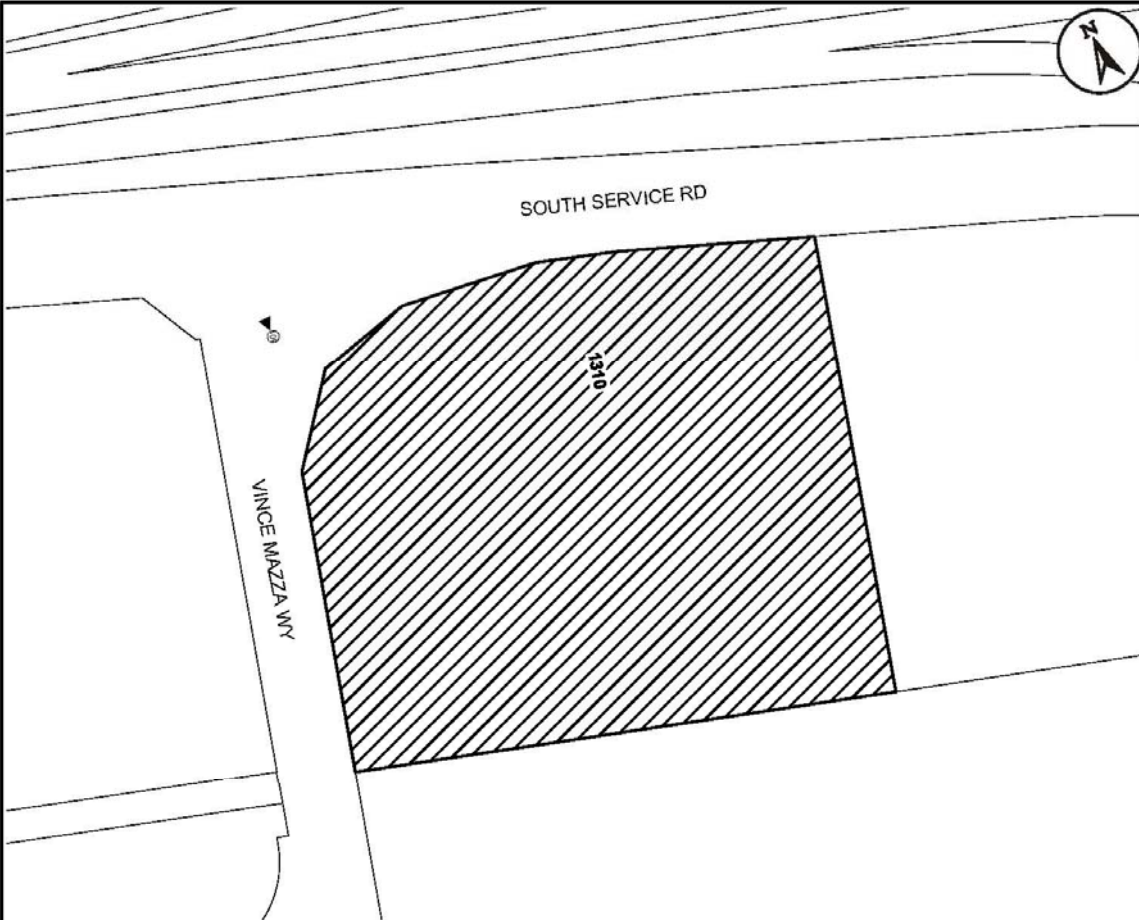


Planner/Technician:
TL/AL










Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

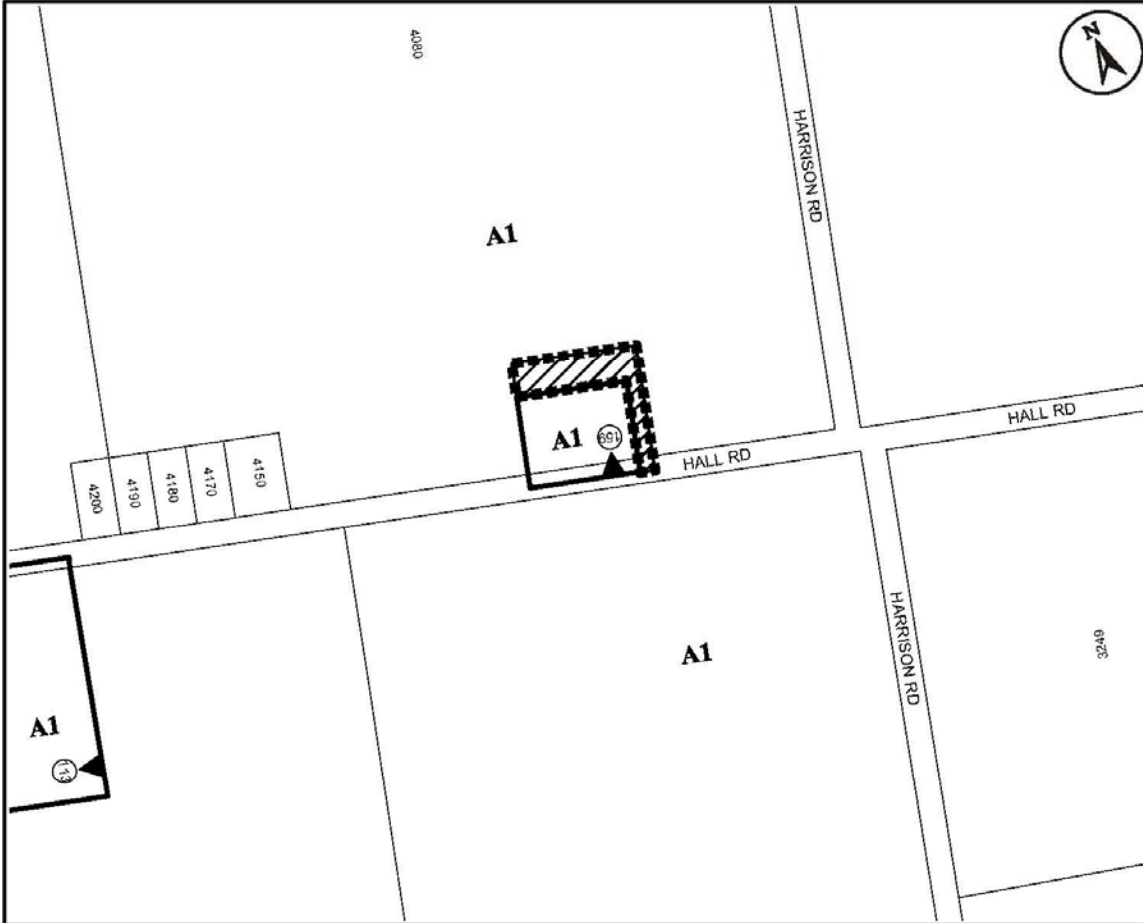




	
<p>This is Schedule "A6" to By-law No. 19-</p> <p>Passed the day of, 2019</p>	<p>----- Mayor</p> <p>----- Clerk</p>
<p>Schedule "A6"</p> <p>Map Forming Part of By-law No. 19-_____</p> <p>to Amend By-law No. 05-200 Map 1394</p>	
<p>Scale: N.T.S.</p> <p>Date: Dec. 12, 2018</p>	<p>File Name/Number: CMU</p> <p>Planner/Technician: TL/JAL</p>
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>	
<p>Subject Property 30 Rymal Road East</p> <p> Lands added to By-law 05-200 and zoned Mixed Use Medium Density (C5) Zone</p>	
	





		
<p>This is Schedule "A7" to By-law No. 19-</p> <p>Passed the day of, 2019</p>		<p>----- Mayor</p> <p>----- Clerk</p>
<p>Schedule "A7"</p> <p>Map Forming Part of By-law No. 19-_____</p> <p>to Amend By-law No. 05-200 Map 1259</p>		<p>Subject Property 1310 South Service Road</p> <p> Change in Zoning from the District Commercial (C6, SE301) Zone to District Commercial (C6, SE301, H112) Zone, Modified with a Holding</p>
<p>Scale: N.T.S.</p>	<p>File Name/Number: CI-18-J</p>	 Hamilton
<p>Date: Dec. 12, 2018</p>	<p>Planner/Technician: TLJ/AL</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

		
<p>This is Schedule "A8" to By-law No. 19-</p> <p>Passed the day of, 2019</p>		<p>----- Mayor</p> <p>----- Clerk</p>
<p>Schedule "A8"</p> <p>Map Forming Part of By-law No. 19-_____</p> <p>to Amend By-law No. 05-200 Map 947</p>		<p>Subject Property 1546 Main Street West</p> <p> Lands added to By-law 05-200 and zoned Mixed Use Medium Density (C5, 570) Zone, Modified</p>
<p>Scale: N.T.S.</p>	<p>File Name/Number: CMU</p>	 Hamilton
<p>Date: Dec. 12, 2018</p>	<p>Planner/Technician: TL/AL</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

								
<p>This is Schedule "A9" 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>							
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p style="text-align: center; font-size: 1.2em; font-weight: bold;">Schedule "A9"</p> <p style="text-align: center; font-weight: bold;">Map Forming Part of By-law No. 19-_____</p> <p style="text-align: center; font-weight: bold;">to Amend By-law No. 05-200 Map 1595</p> </div> <div style="width: 50%;"> <p>Subject Property 8 Kingsborough Drive</p> <div style="display: flex; align-items: center;"> <p>Change in zoning from the Community Commercial (C3, H65) Zone with a Holding to the Community Commercial (C3) Zone</p> </div> </div> </div>								
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; padding: 5px;">Scale: N.T.S.</td> <td style="width: 30%; padding: 5px;">File Name/Number: CMU</td> <td rowspan="3" style="width: 50%; text-align: center; padding: 10px;">  Hamilton </td> </tr> <tr> <td style="padding: 5px;">Date: Dec. 13, 2018</td> <td style="padding: 5px;">Planner/Technician: TL/AL</td> </tr> <tr> <td colspan="2" style="padding: 5px;">PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</td> </tr> </table>		Scale: N.T.S.	File Name/Number: CMU	 Hamilton	Date: Dec. 13, 2018	Planner/Technician: TL/AL	PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	
Scale: N.T.S.	File Name/Number: CMU	 Hamilton						
Date: Dec. 13, 2018	Planner/Technician: TL/AL							
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT								

To Amend By-law No. 05-200 Respecting Modifications and Updates to certain Definitions, General Provisions, Parking, Open Space, Industrial, Commercial and Mixed Use Zones, Transit Oriented Corridor Zones, Rural Zones Utility Zone, Special Exceptions, and Holding Provisions for the City of Hamilton

	
<p>This is Schedule "A10" to By-law No. 19-</p> <p>Passed the day of, 2019</p>	
<p>----- Mayor</p> <p>----- Clerk</p>	
<p>Schedule "A10"</p> <p>Map Forming Part of</p> <p>By-law No. 19-_____</p> <p>to Amend By-law No. 05-200</p> <p>Map RU 218</p>	
<p>Subject Property</p> <p>4080 Hall Road, Glanbrook</p> <p> Lands to be rezoned from Agriculture (A1) Zone to Agriculture (A1, 159) Zone, Modified</p> <p> Proposed Zoning Boundary Adjustment</p> <p> Existing Zoning Boundary</p>	
<p>Scale: N.T.S.</p> <p>Date: Dec. 20, 2018</p>	<p>File Name/Number: CI-18-J</p> <p>Planner/Technician: TL/AL</p>
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p> <p></p>	

		
		
<p style="text-align: center;">This is Schedule "A11" to By-law No. 19-</p> <p style="text-align: center;">Passed the day of, 2019</p>	<p style="text-align: center;">----- Mayor</p> <p style="text-align: center;">----- Clerk</p>	
<p style="text-align: center; font-size: 1.2em;">Schedule "A11"</p> <p style="text-align: center;">Map Forming Part of By-law No. 19-_____</p> <p style="text-align: center;">to Amend By-law No. 05-200 Map RU 80</p>	<p>Subject Property 706 Highway No. 8</p> <p>  Change in zoning from Settlement Residential (S1, 23) Zone to Settlement Residential (S1, 712) Zone, Modified </p>	
<p>Scale: N.T.S.</p>	<p>File Name/Number: CMU</p>	 Hamilton
<p>Date: Dec. 20, 2018</p>	<p>Planner/Technician: TL/AL</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		



This is Schedule "A12" to By-law No. 19-

Passed the day of, 2019

Mayor

Clerk

Schedule "A12"

Map Forming Part of
By-law No. 19-_____

to Amend By-law No. 05-200
Map 1934

Subject Property

3079 Binbrook Road



Lands to be added to By-law 05-200 and
zoned Mixed Use Medium Density –
Pedestrian Focus (C5a, 711, H110) Zone,
Modified with a Holding

Scale:
N.T.S.

File Name/Number:
CMU

Date:
Dec. 20, 2018

Planner/Technician:
TL/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

CITY OF HAMILTON

BY-LAW NO. 19-

To Confirm the Proceedings of City Council at its meeting held on March 27, 2019.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 27th day of March, 2019, in respect of each recommendation contained in

Public Works Committee Report 19-004 – March 18, 2019,
Board of Health Report 19-003 – March 18, 2019,
Planning Committee Report 19-004 – March 19, 2019,
General Issues Committee Report 19-005 – March 20, 2019,
Audit, Finance and Administration Committee Report 19-004 – March 21, 2019
Emergency and Community Services Committee Report 19-002 – March 21, 2019,
Special General Issues Committee Report 19-006 – March 22, 2019,
and
General Issues Committee Report (Budget) 19-002 – January 18, January 22,
January 24, January 25, January 29, January 30, January 31, February 8,
February 11, February 15, February 28 and March 22, 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 27th day of March, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk