



## City of Hamilton

# CITY COUNCIL AGENDA

19-004

Wednesday, February 27, 2019, 5:00 P.M.

Council Chambers, Hamilton City Hall

71 Main Street West

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### 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 13 & 14, 2019

#### 5. COMMUNICATIONS

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.

## **6. COMMITTEE REPORTS**

6.1 City Manager Recruitment Steering Committee Report 19-002 - February 9, 2019

6.2 Selection Committee Report 19-003 - February 11, 2019

6.3 Selection Committee Report 19-004 - February 12, 2019

6.4 Selection Committee Report 19-005 - February 13, 2019

6.5 Planning Committee Report 19-003 - February 19, 2019

6.6 General Issues Committee Report 19-004 - February 20, 2019

6.7 Audit, Finance & Administration Committee Report 19-003 - February 21, 2019

6.8 Emergency & Community Services Committee Report 19-001 - February 21, 2019

6.9 Public Works Committee Report 19-003 - February 22, 2019

6.10 Board of Health Report 19-002 - February 22, 2019

6.11 City Manager Recruitment Steering Committee Report 19-003 - February 23, 2019

## **7. MOTIONS**

### **7.1 Changing the Time of Council Meetings**

## **8. NOTICES OF MOTIONS**

## **9. STATEMENTS BY MEMBERS**

## **10. PRIVATE AND CONFIDENTIAL**

### **10.1 Closed Session Minutes - February 13 & 14, 2019 (distributed under separate cover)**

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

### **10.2 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

### **10.3 Terrapure Stoney Creek Regional Facility EA - Compensation Agreement (LS18045(b) / FCS18072(b)) (Ward 9) - WITHDRAWN**

Pursuant to Section 8.1, Sub-sections (f) and (k) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (f) and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the City.

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

11.1 030

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

11.2 031

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

11.3 032

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

11.4 033

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

11.5 034

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

11.6 035

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

11.7 036

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

11.8 037

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

11.9 038

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

Ward: 2

11.10 040

To Confirm the Proceedings of City Council

## 12. ADJOURNMENT



**CITY COUNCIL  
MINUTES 19-003**

5:00 p.m.  
February 13 & 14, 2019  
Council Chamber  
Hamilton City Hall  
71 Main Street West

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

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 Reverend Douglas Cottrell of Many Mansions Spiritual Centre, to provide the invocation.

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| <b>APPROVAL OF THE AGENDA</b> |
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The Clerk advised of the following changes to the agenda:

**1. COMMUNICATIONS (Item 5)**

5.7 Correspondence respecting the Selection & Hiring Committee for the next City Manager:

- (j) Deborah Tomlinson-Veit
- (k) Grace Evans
- (l) Evan Hall

Recommendation: Be received and referred to the consideration of Item 7.1.

5.10 Correspondence from Pierre Ranger, Chairman, Let's Remember Adam - STOP FOR THE SCHOOL BUS requesting the City of Hamilton's assistance to put an end to stop-arm violations in order to make travel to and from school safer for children in Hamilton.

- (x) Gail Seabrook
- (y) Julie Phillips
- (z) Kim Freeman
- (aa) Katherine Vatcher
- (bb) Krista Gabriele

- (cc) Meagan Duetta
- (dd) Sherry LeDrew
- (ee) Tay Cameron
- (ff) Mary Westerhof
- (gg) Bill Bradburn
- (hh) Lori Frankum
- (ii) Lena Thorne
- (jj) Lori Godon
- (kk) Alison Thomas
- (ll) Andy MacKey
- (mm) Cora Barton

Recommendation: Be received *and referred to the Chief of the Hamilton Police Service and the Hamilton Police Services Board for appropriate action.*

- 5.12 Correspondence from Lakewood Beach Community Council respecting the City of Hamilton Annual Collision Report.

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

- 5.13 Correspondence respecting the February 9<sup>th</sup> City Manager Recruitment Steering Committee meeting:

- (a) Craig Burley
- (b) Deanna Allain

Recommendation: Be received.

- 5.14 Correspondence from David Smosarski expressing his concerns regarding the recent release of information regarding the state of friction of the Red Hill Valley Parkway that was described in a report that was completed in 2013 by Tradewind Scientific.

Recommendation: Be received.

**2. MOTIONS (Item 7)**

- 7.8 Resignation from the Selection Committee - WITHDRAWN

**3. NOTICES OF MOTION (Item 8)**

- 8.1 Red Hill Valley Parkway Safety

**4. PRIVATE AND CONFIDENTIAL (Item 10)**

- 10.6 Appointment to the Hamilton Port Authority Board of Directors

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

**(Pearson/Clark)**

That the agenda for the February 13 & 14, 2019 meeting of Council be approved, **as amended**.

**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

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| <b>DECLARATIONS OF INTEREST</b> |
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Councillor Danko declared an interest to Item 7.3 as it relates to the Hamilton-Wentworth District School Board Property at 4 Vickers Road, as his wife sits on the Hamilton-Wentworth District School Board as Vice-Chair.

Councillor Clark declared an interest to Item 5 and Item 8 of Planning Committee Report 19-002 as they relate to the Terrapure Stoney Creek Regional Facility Environmental Assessment, as he has a professional affiliation with Terrapure.

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| <b>CEREMONIAL ACTIVITIES</b> |
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Council recognized Team Hamilton for their participation in the International Children's Games Winter Competition held in Lake Placid, New York. The Ancaster Avalanche girls hockey team won a gold medal, the Hamilton Huskies won a silver medal, and the two girls figure skaters from the Hamilton Skating Club placed 6<sup>th</sup> and 7<sup>th</sup>.



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| <b>APPROVAL OF MINUTES OF PREVIOUS MEETING</b> |
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**4.1 January 23, 2019****(Merulla/Collins)**

That the Minutes of the January 23, 2019 meeting of Council be approved, as presented.

**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

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| <b>COMMUNICATIONS</b> |
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**(Collins/Merulla)**

That Council Communications 5.1 to 5.14 be approved, *as amended*, as follows:

- 5.1 Correspondence from Derek Appleton respecting the congestion with the increase in traffic in the Green Road area due to the developments in the Green Road area.

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

- 5.2 Correspondence from the Niagara Peninsula Conservation Authority respecting the censuring of Member James Kaspersetz for his recent posts of a racist comment on Facebook.

Recommendation: Be received.

- 5.3 Correspondence from the Federation of Canadian Municipalities (FCM) in response to Council's request for FCM to formally endorse the City of Hamilton's request to the Province of Ontario to be considered a pilot project with respect to a funding formula partnership, as it related to AODA infrastructure renewal projects.

Recommendation: Be received ***and referred to the Association of Municipalities of Ontario (AMO).***

- 5.4 Correspondence from the Ombudsman respecting an investigation with regards to the January 16, 2019 General Issues Committee for holding a meeting that did not comply with the open meeting rules in the *Municipal Act, 2001*.

Recommendation: Be received.

- 5.5 Correspondence from Marie Sharp, Dunington-Grubb Committee Chair, Garden Club of Hamilton respecting the Proposed Site of the Firefighter Memorial.

Recommendation: Be received.

- 5.6 Correspondence announcing that Councillor Judi Partridge was acclaimed and now represents the City of Hamilton on the Federation of Canadian Municipalities (FCM) Board of Directors.

Recommendation: Be received.

- 5.7 Correspondence respecting the Selection & Hiring Committee for the next City Manager:

- (a) Jay Edington
- (b) Lindsay Forsey
- (c) Rosa Zetler
- (d) Frances Murray
- (e) Jamie Stuckless
- (f) Anna D'Angela
- (g) Shahzi Bokhari
- (h) Ryan Strang
- (i) Arig al Shaibah, McMaster University
- (j) Deborah Tomlinson-Veit
- (k) Grace Evans
- (l) Evan Hall

Recommendation: Be received and referred to the consideration of Item 7.1

- 5.8 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting a consultation on the long-standing issues surrounding joint and several liability.

Recommendation: Be received.

- 5.9 Correspondence from Carly Bedford respecting the Friends of the Aviary plea for support.

Recommendation: Be received and referred to the consideration of Item 2 of the Public Works Committee Report 19-002.

5.10 Correspondence from Pierre Ranger, Chairman, Let's Remember Adam - STOP FOR THE SCHOOL BUS requesting the City of Hamilton's assistance to put an end to stop-arm violations in order to make travel to and from school safer for children in Hamilton.

- (a) Alice Weatherbee
- (b) Sarah Lawson
- (c) Christine Ballantyne
- (d) S. Knight
- (e) Krista London-Verticchio
- (f) Tiffany Fisher
- (g) Teresa Sanges
- (h) Wafa Sallam
- (i) Vanessa Di Salvo
- (j) Lisa Hilts
- (k) Maria Simoes
- (l) Kim Leclercq
- (m) Kim Leclercq
- (n) Barb Wallace
- (o) Neil Felder
- (p) Phil Johnson
- (q) Kyle Cook
- (r) Kersti Kerstenbeck
- (s) James Graham
- (t) Christine Moritz
- (u) Carrri Stonehouse
- (v) Renee Michelle Miller
- (w) Joan Hassey
- (x) Gail Seabrook
- (y) Julie Phillips
- (z) Kim Freeman
- (aa) Katherine Vatcher
- (bb) Krista Gabriele
- (cc) Meagan Duetta
- (dd) Sherry LeDrew
- (ee) Tay Cameron
- (ff) Mary Westerhof
- (gg) Bill Bradburn
- (hh) Lori Frankum
- (ii) Lena Thorne
- (jj) Lori Godon
- (kk) Alison Thomas
- (ll) Andy MacKey
- (mm) Cora Barton

Recommendation: Be **endorsed** and referred to the Chief of the Hamilton Police Service, the Hamilton Police Services Board, **the Premier of Ontario, the Ministry of Transportation, the Association of Municipalities of Ontario, and all Hamilton District School Boards.**

- 5.11 Correspondence from Julie Densham, Autism Ontario respecting the launch of their provincial wide 6th annual Raise the Flag campaign that will take place on April 2, 2019.

Recommendation: Be received.

- 5.12 Correspondence from Lakewood Beach Community Council respecting the City of Hamilton Annual Collision Report.

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

- 5.13 Correspondence respecting the February 9<sup>th</sup> City Manager Recruitment Steering Committee meeting:

- (a) Craig Burley
- (b) Deanna Allain

Recommendation: Be received.

- 5.14 Correspondence from David Smosarski expressing his concerns regarding the recent release of information regarding the state of friction of the Red Hill Valley Parkway that was described in a report that was completed in 2013 by Tradewind Scientific.

Recommendation: Be received.

**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

**(Merulla/Collins)**

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

**CARRIED**

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| <b>SELECTION COMMITTEE REPORT 19-001</b> |
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**1. Appointment of Chair and Vice Chair (Item 1)**

**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

**(Johnson/Pearson)**

That the FIRST Report of the Selection Committee be adopted, as presented, and the information section received.

**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

**SELECTION COMMITTEE REPORT 19-002**

**(Johnson/Ferguson)**

That the SECOND Report of the Selection Committee be received for information.

**CITY MANAGER RECRUITMENT STEERING COMMITTEE REPORT 19-001**

**1. Appointment of Committee Chair and Vice-Chair (Item 1)**

**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

**(Eisenberger/Partridge)**

That the FIRST Report of the City Manager Recruitment Steering Committee be adopted, as presented, and the information section received.

**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

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| <b>PUBLIC WORKS COMMITTEE REPORT 19-002</b> |
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**1. Proposed Permanent Closure and Sale of a Portion of Wetenhall Court, Hamilton (PW19011) (Ward 11) (Item 8.2)**

**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

**2. Friends of the Aviary Business Case Review and Extension of Agreement (Item 8.3)**

**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 - 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

3. **ArcelorMittal Dofasco G.P. Transportation Agreement (PW19009) (Wards 3 and 4) (Item 10.1)**

**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

4. **Amendment to Item 4 of Public Works Committee Report 19-002 respecting Procurement of Consulting Services for Detailed Design of East West New Road Corridor, Waterdown (PW19013) (Ward 15) (Item 10.2)**

**(Partridge/Pearson)**

That subsection (a) of Item 4 to Public Works Committee Report 19-002, be deleted in its entirety and replaced with the following in lieu thereof:

4. **Procurement of Consulting Services for Detailed Design of East West New Road Corridor, Waterdown (PW19013) (Ward 15) (Item 10.2)**

~~(a) The City of Hamilton prepare a Request for Proposal (RFP) and engage in an open and competitive bidding process to invite several Consultants to submit proposals to carry out the detailed design for the New East West Road Corridor from Centre Road to Avonsyde in Waterdown; and,~~

**(a) *That the single sole source procurement, pursuant to Procurement Policy #11 - Non-competitive Procurements be approved and that the General Manager of Public Works be authorized to:***

**(i) *Negotiate with Dillon Consulting Limited a price to carry-out the detailed design for the New East West Road Corridor from Centre Road to Avonsyde in Waterdown; and,***

**(ii) *Negotiate for the consulting work, should an acceptable Engineering Fee be agreed upon, and enter into and execute any required contract and any ancillary documents required***



***to give effect thereto with Dillon Consulting Limited, in a form satisfactory to the City Solicitor; and,***

- (b) That the funding for the proposed work is available in the approved budget ID # 4031380390 East-West Road Corridor (Waterdown Bypass) – Roads.

**Result: Amendment CARRIED by a vote of 13 to 3, 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  
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

**Result: Main Motion, As Amended, CARRIED by a vote of 13 to 3, 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  
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. **Hamilton Strategic Road Safety Program and Vision Zero Action Plan 2019 – 2025 (PW19015) (City Wide) (Outstanding Business List) (Item 10.3)**

**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 - 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

**(Ferguson/Johnson)**

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

**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

**PLANNING COMMITTEE REPORT 19-002**

2. **Application for an Amendment to the City of Stoney Creek Zoning By-law No. 3692-92, for Lands Located at 222 First Road West (Stoney Creek) (PED19026) (Ward 9) (Item 8.1)**

**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

3. **Non-Statutory Public Meeting for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 41 Stuart Street, Hamilton (PED19028) (Ward 2) (Item 10.1)**

**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

4. **Bill 66 – Restoring Ontario’s *Competitiveness Act*, 2018 (Schedule 10) (PED19027) (City Wide) (Item 10.2)**

**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

5. **Terrapure Stoney Creek Regional Facility EA – Compensation Agreement (LS18045/FCS18072) (Ward 9) (Item 10.3)**

**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 Tom Jackson
- YES - Councillor Esther Pauls
- YES - Councillor John-Paul Danko
- YES - Deputy-Mayor Chad Collins
- 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
- CONFLICT - Councillor Brad Clark

**6. Support for the Preservation of the Beach Canal Lighthouse and Residence (Item 11.1)**

**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

**7. Merger of the Hamilton Port Authority and Oshawa Port Authority (Item 11.2)**

**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

8. Terrapure Stoney Creek Regional Facility Environmental Assessment (EA) – Compensation Agreement (LS18045(a)/FCS18072(a)) (Item 14.1)

**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 Tom Jackson
- YES - Councillor Esther Pauls
- YES - Councillor John-Paul Danko
- YES - Deputy-Mayor Chad Collins
- 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
- CONFLICT - Councillor Brad Clark

**(Pearson/Clark)**

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

**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

**GENERAL ISSUES COMMITTEE REPORT 19-003**

**1. Advisory Committee for Persons with Disabilities Report 19-001, January 15, 2019 (Item 10.1)**

**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

**2. Special Capital Reinvestment Levy - Reallocation Options (FCS19006) (City Wide) (Item 10.2)**

**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

**3. City of Hamilton and Ministry of Transportation 2018 / 2019 Dedicated Gas Tax Funding Agreement (FCS19009) (City Wide) (Item 10.3)**

**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 - 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

**5. Lincoln M. Alexander Parkway (LINC) and Red Hill Valley Parkway (RHVP) Transportation and Safety Update (PW18008(a)) (City Wide) (Item 10.5)**

**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



6. **Speed Limit Reduction Feasibility Study on the Lincoln M. Alexander and the Red Hill Valley Parkways (PW19014) (City Wide) (Item 10.6)**

**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 Tom Jackson  
YES - Councillor Esther Pauls  
YES - Councillor John-Paul Danko  
YES - Deputy-Mayor Chad Collins  
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

7. **Code of Conduct for Council-Appointed Citizen Members of External Boards and Agencies (Item 11.2)**

WHEREAS, on March 8, 2017, Council approved the Advisory Committee / Task Force Code of Conduct applicable to Council-appointed citizen members of Advisory Committees and Task Forces that report to Council;

WHEREAS, the City of Hamilton has not approved a Code of Conduct applicable to Council-appointed citizen members of independent external boards and agencies that do not report to Council; and,

WHEREAS, notwithstanding that some of those independent external boards and agencies have enacted their own Codes of Conduct for board members, it is desirable that the City of Hamilton establish its own standards of conduct, demeanour and ethics for its Council-appointed citizen members.

THEREFORE, BE IT RESOLVED:

That staff be directed to report back to the General Issues Committee with recommendations for implementing a code of conduct, applicable to Council-appointed citizen members of independent external boards and agencies, including addressing the use of discriminatory language or actions, and the receiving of gifts or benefits by citizen board/agency members as well as the inclusion of a confidentiality agreement and remedies available to Council to address breaches of conduct and confidentiality ***such as Council's right of recall.***

**Result: Motion CARRIED, As Amended, 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

**8. Request for Enhanced and Dedicated Speed Enforcement on the Red Hill Valley Parkway (Item 11.3)**

**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 - 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

**9. Independent Special Investigation of the City's Internal Processes, Managerial Systems and Procedures Regarding Friction Management in Relation to the Red Hill Valley Parkway (Item 11.4)**

**(Jackson/Merulla)**

That consideration of Item 9 of the General Issues Committee Report 19-003, respecting an Independent Special Investigation of the City's Internal Processes, Managerial Systems and Procedures Regarding Friction Management in Relation to the Red Hill Valley Parkway, be deferred until after the Closed Session portion of the agenda.

**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

**10. Roads Audit Update (AUD19002) (City Wide) (Item 14.3)**

**(Jackson/Merulla)**

That consideration of Item 10 of the General Issues Committee Report 19-003, respecting a Roads Audit Update (AUD19002) (City Wide), be deferred until after the Closed Session portion of the agenda.

**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

**11. Roads Infrastructure Litigation and Review Assessment (LS19010) (City Wide)  
(Item 14.4)**

**(Jackson/Merulla)**

That consideration of Item 11 of the General Issues Committee Report 19-003, respecting a Roads Infrastructure Litigation and Review Assessment (LS19010) (City Wide), be deferred until after the Closed Session portion of the agenda.

**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

**(h)(ii) Amendment to Information Item (h)(ii) of the General Issues Committee Report 19-003, respecting a Motion regarding City of Hamilton – Living Wage Employer**

**(Nann/Merulla)**

That Information Item (h)(ii) of the General Issues Committee Report 19-003, respecting a Motion regarding City of Hamilton – Living Wage Employer, be amended by deleting the words “The following Motion was DEFEATED” and “sub-section (a), to read as follows:

~~The following Motion was DEFEATED:~~

**(ii) City of Hamilton - Living Wage Employer (11.3)**

~~(a) That the City of Hamilton become a living wage employer by paying all minimum wage employees to a living wage rate of \$15.85 per hour, including part-time, seasonal and other contract employees with increases consistent with cost of living in Hamilton; and,~~

**(a)** That staff be directed to report back, during the 2019 Operating Budget process, to becoming a living wage employer by paying all minimum wage employees a rate of \$15.85 per hour,

including part-time, seasonal and other contract employees with increases consistent with cost of living in Hamilton.

**Result: Motion CARRIED by a vote of 13 to 3, 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  
NO - Councillor Judi Partridge  
YES - Councillor Terry Whitehead  
YES - Councillor Arlene VanderBeek  
NO - Councillor Lloyd Ferguson  
YES - Councillor Brenda Johnson  
NO - Councillor Maria Pearson  
YES - Councillor Brad Clark

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| <b>AUDIT, FINANCE &amp; ADMINISTRATION COMMITTEE REPORT 19-002</b> |
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- 1. Correspondence from the Federation of Canadian Municipalities (FCM) respecting the 2019-2020 Membership Invoice - Advocacy Fund Contribution along with Appendix A that provides background information on the Advocacy Fund (Referred from Council - January 23, 2019) (Item 5.2)**

**Result: Motion CARRIED by a vote of 15 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 Judi Partridge  
YES - Councillor Terry Whitehead  
YES - Councillor Arlene VanderBeek  
YES - Councillor Lloyd Ferguson  
YES - Councillor Brenda Johnson  
YES - Councillor Maria Pearson  
NO - Councillor Brad Clark

2. **Mark Strongman, Tournament Chairman, respecting a request for a \$50,000 grant for the 2019 Little League Championship to be held in Ancaster, Ontario (Added Item 8.2)**

**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

3. **Supply of Raw Water to 690 Strathearne Avenue North (FCS18049(b)) (Ward 4) (Item 10.1)**

**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

**4. Development Charges Stakeholders Sub-Committee Report 19-001 (Item 10.2)**

**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

**5. Hamilton Anti-Racism Resource Centre Update (HUR18010(a) / LS19008) (City Wide) (Item 14.2)**

**(Jackson/Merulla)**

That consideration of Item 5 of the Audit, Finance & Administration Committee Report 19-002, respecting the Hamilton Anti-Racism Resource Centre Update (HUR18010(a) / LS19008) (City Wide), be deferred until after the Closed Session portion of the agenda.

**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 Tom Jackson  
YES - Councillor Esther Pauls  
NOT PRESENT - Councillor John-Paul Danko  
YES - Deputy-Mayor Chad Collins  
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

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| <b>MOTIONS</b> |
|----------------|

**7.1 Establishment of a New Steering Committee for the Recruitment of the City Manager****(Wilson/Nann)**

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

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

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

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

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

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

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

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

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

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

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

THEREFORE, BE IT RESOLVED:



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

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

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

## 7.2 Sub-Committee Terms of Reference Amendment

### (Pearson/Nann)

That the following Committee's Terms of Reference, be amended to reflect the following membership composition:

- (i) Capital Projects Works-in-Progress Projects Sub-Committee – **four (4)** members of 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

**7.3 Amendment to Item 7.3 - Council Meeting 18-017 of September 12, 2018, respecting Hamilton-Wentworth District School Board Property at 4 Vickers Road, Hamilton (PED18208)**

**(Pauls/Jackson)**

- (a) That Item 7.3, respecting Report PED18208 - Hamilton-Wentworth District School Board Property at 4 Vickers Road, Hamilton, be amended by deleting the word “may” and replacing it with the words “**does not**”; and, by deleting the words “and is exploring the extent to what its interest might be”, to read as follows:

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

- (a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton **does not** may have an interest ~~and is exploring the extent to what its interest might be~~ in acquiring its property located at 4 Vicker Road, as shown on Appendix "A" attached to Report PED18208; and,
- (b) That Item 7.3, respecting Report PED18208 - Hamilton-Wentworth District School Board Property at 4 Vickers Road, Hamilton, be amended by deleting sub-section (b) in its entirety:

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

**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 - Deputy-Mayor Chad Collins  
YES - Councillor Tom Jackson  
YES - Councillor Esther Pauls  
CONFLICT - 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

**7.4 Government's Policy Regarding Any Cost Escalation Above the Committed \$1 Billion for the Hamilton LRT**

**(Clark/Pearson)**

WHEREAS, Metrolinx has steadfastly refused to provide an update of the projected LRT capital costs;

WHEREAS, the Ministry of Transportation provides the oversight and funding to Metrolinx;

WHEREAS, the Canada cumulative increase in the cost of living since 2007 has been 19.11% Source:<https://www.bankofcanada.ca/rates/related/inflation-calculator/>; and,

WHEREAS, the Ontario cumulative increase in the cost of living since 2007 has been 21.12% Source:<http://inflationcalculator.ca/ontario/>;

THEREFORE, BE IT RESOLVED:

- (a) That the Hamilton City Council request that the Honourable Jeff Yurek, Minister of Transportation, provide written correspondence to the Mayor and Hamilton City Council clarifying the current government's policy regarding any cost escalation above the committed \$1billion and who pays for any increase in costs; and,
- (b) That the City Clerk be directed to include this resolution in the correspondence to the Minister of Transportation.

**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 - Deputy-Mayor Chad Collins

YES - Councillor 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

**7.5 Amendment to Item 8 of the General Issues Committee Report 18-014, respecting Report PED16253(b) - 18-28 King Street East, Extension of Conditional Approval, Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program**

**(Farr/Merulla)**

WHEREAS, at its meeting of December 11, 2013, Council approved Item 14 of the General Issues Committee Report 13-026, respecting Report PED13208 - 18-28 King Street East – Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program;

WHEREAS, at its meeting of December 9, 2015, Council approved an amendment to Item 14 of the General Issues Committee Report 13-026, respecting Report PED13208 - 18-28 King Street East – Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program, to extend the submission deadline for completion of the program applications to December 31, 2016;

WHEREAS, at its meeting of January 25, 2017, Council approved Item 4 of the Planning Committee Report 17-001, respecting the Hamilton Municipal Heritage Committee Report 16-010, December 15, 2016 regarding Report PED16193(a) Heritage Permit Application HP2016-028, under Part IV of the *Ontario Heritage Act*, for the Demolition of the Buildings at 24 and 28 King Street East, Hamilton;

WHEREAS, Hughson Business Space Corporation has advised that they plan to restore all five properties, and conditional site plan approval was issued on November 27, 2017, with an addendum containing further conditions being added on August 2, 2018;

WHEREAS, at its meeting of December 6, 2016, Council approved Item 30 of the General Issues Committee Report 17-025, respecting Report PED13208(a) - 18-28 King Street East – Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program, which extended the submission deadline for completion of the program applications to June 1, 2018;

WHEREAS, a Heritage Permit for the retention and restoration of the front portion of 24 and 28 King Street East and a fifth storey addition was approved on September 7, 2018;

WHEREAS, at its meeting of June 27, 2018, Council approved Item 8 of the General Issues Committee Report 18-014, which again extended the submission deadline for Building Permit Applications to January 31, 2019; and,

WHEREAS, the applicant is working diligently towards completing the requirements under the conditional Site Plan Approval process in 2019.

THEREFORE, BE IT RESOLVED:

- (a) That subsections (a) and (b) to Item 8 of the General Issues Committee Report 18-014, respecting Report PED16253(b) – 18-28 King Street East, Extension of Conditional Approval, Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program, be amended by deleting the words “July 31, 2019 and replacing them with the words “**January 31, 2020**”; and, by deleting the second reference to the word “January” and replacing it with the word “**July**”; and,
- (b) That subsection (c) to Item 8 of the General Issues Committee Report 18-014, respecting Report PED16253(b) – 18-28 King Street East, Extension of Conditional Approval, Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program, be amended by deleting the word “January” and replacing it with the word “**July**”.

To read as follows:

- 8. 18-28 King Street East, Extension of Conditional Approval, Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program (PED16253(b)) (Ward 2) (Item 8.1)**
  - (a) That the deadline for the submission of a separate, completed Hamilton Heritage Property Grant Program (HHPGP) Application for each 18, 20, 22, 24 and 28 King Street East, for the previously approved conditional grant commitment to an upset limit of \$850,000 for the Hughson Business Space Corporation (Linda Barnett, David Blanchard, Ronald Quinn and William Rogan) the registered owners, be extended to no later than ~~July 31, 2019~~ **January 31, 2020**, conditional upon the receipt of a Building Permit Application being submitted to the City for the redevelopment of 18-28 King Street East no later than ~~January~~ **July 31, 2019**;
  - (b) That the deadline for the submission of a separate, completed GORE Building Improvement Grant Program (GBIGP) Application for each 18, 20, 22, 24 and 28 King Street East, for the previously approved conditional grant commitment to an upset limit of \$250,000 under the GORE Building Improvement Grant Program (GBIGP) for Hughson Business Space Corporation (Linda Barnett, David Blanchard, Ronald Quinn and William Rogan), the registered owners, be extended to no later than ~~July 31, 2019~~ **January 31, 2020**, conditional upon the

receipt of a Building Permit Application being submitted to the City for the redevelopment of 18-28 King Street East no later than ~~January~~ **July** 31, 2019; and,

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

**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

#### **7.6 Resignation from the Capital Projects Work-in-Progress Sub-Committee**

##### **(Whitehead/Partridge)**

That Councillor T. Whitehead's resignation from the Capital Projects Work-in-Progress Sub-Committee, be received.

**CARRIED**

#### **7.7 Resolving Outstanding Levy Apportionment Matters with the Conservation Authorities**

Councillor Ferguson postponed the consideration of the motion respecting Resolving Outstanding Levy Apportionment Matters with the Conservation Authorities to a future Council meeting.

**7.9 Policy or Protocol to Guarantee the Sharing of Consultants' Reports with Council when there are Risks to Human Health and Safety****(Clark/Merulla)**

- (a) That City Staff, be directed to prepare a policy or protocol that directs City Staff to share any consultants' reports, documents, memorandums or correspondence that raises any questions, concerns about any current or future risk to human health and safety;
- (b) That the Council approved policy be appended to the City Staff Code of Conduct and to all employment contracts for the City Manager, Directors, and General Managers; and
- (c) That the City Manager shall make all consultant reports, documents, memorandums, correspondence or background studies available for review upon request in writing by the Mayor or City Councillors

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

YES - Councillor Maureen Wilson  
NOT PRESENT - 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  
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

**7.10 Protocol or Policy Setting Out Clear Guidelines, Expectations, Responsibilities and Obligations for City Staff When Responding to the Inquiries from the City's Auditor General****(Clark/Merulla)**

- (a) That City Staff in consultation with the City of Hamilton Auditor General, be directed to develop a protocol or policy setting out clear guidelines, expectations, responsibilities and obligations for city staff when responding to inquiries from the City of Hamilton Auditor General; and
- (b) That the Council approved policy be appended to the City Staff Code of Conduct and to all employment contracts for the City Manager, Directors, and General Managers.

**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

**7.11 Update on the Environmental Assessment for the Widening of Highway 403 from Highway 52 to Highway 6**

**(Ferguson/Johnson)**

- (a) That the Mayor write to the Minister of Transport asking for an update on the environmental assessment for the widening of Highway 403, as announced by the Minister on March 21, 2017; and
- (b) That a copy of the correspondence be referred to the Government Relations Sub-Committee so that they may make the matter a priority.

**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 - 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  
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



**7.12 Ministerial Interpretation Guideline for the Composition of the Niagara Peninsula Conservation Authority**

**(Clark/Johnson)**

WHEREAS, the assistant Deputy Minister wrote to the Niagara Peninsula Conservation Authority (NPCA) indicating how the *Conservation Authorities Act* (CAA) determines the composition of Conservation Authority Boards;

WHEREAS, Justice Ramsey made a temporary ruling providing Niagara Municipalities with 12 members on the NPCA;

WHEREAS, both Hamilton and Haldimand County have agreed that the correct composition as per the *Conservation Authorities Act* would enable the appointment of five members to Niagara, four members to Hamilton and two members to Haldimand; and,

WHEREAS, there does not appear to be any willingness from the Niagara Region or Niagara Region municipalities to revisit the board composition;

THEREFORE, BE IT RESOLVED:

That the City Council formally request the Minister of Environment, Conservation & Parks review and issue a Ministerial interpretation guideline for the composition of the Niagara Peninsula Conservation Authority pursuant to the *Conservation Authorities Act*.

**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 - 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
- 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

|                          |
|--------------------------|
| <b>NOTICES OF MOTION</b> |
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**8.1 Red Hill Valley Parkway Safety****(Merulla/Ferguson)**

That consideration of the Notice of Motion, respecting Red Hill Valley Parkway Safety, be deferred until after the Closed Session portion of the agenda.

**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 - 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  
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

For disposition of this matter, refer to Item 10.5.

**8.2 Update on the Environmental Assessment for the Widening of Highway 403 from Highway 52 to Highway 6****(Ferguson/Johnson)**

That the Rules of Order be waived to allow for the introduction of a motion respecting an Update on the Environmental Assessment for the Widening of Highway 403 from Highway 52 to Highway 6.

**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 - 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  
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

For disposition of this matter, refer to Item 7.11.

**8.3 Ministerial Interpretation Guideline for the Composition of the Niagara Peninsula Conservation Authority**

**(Clark/Johnson)**

That the Rules of Order be waived to allow for the introduction of a motion respecting the Ministerial Interpretation Guideline for the Composition of the Niagara Peninsula Conservation Authority.

**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 - 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  
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

For disposition of this matter, refer to Item 7.12.

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| <b>STATEMENTS BY MEMBERS</b> |
|------------------------------|

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

|                                   |
|-----------------------------------|
| <b>PRIVATE &amp; CONFIDENTIAL</b> |
|-----------------------------------|

**10.1 Closed Session Minutes – January 23, 2019****(Whitehead/Ferguson)**

That the Closed Session Minutes dated January 23, 2019 be approved, as presented, and remain confidential.

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

NOT PRESENT - Councillor Maureen Wilson  
YES - Councillor Jason Farr  
NOT PRESENT - 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  
NOT PRESENT - Councillor Judi Partridge  
YES - Councillor Terry Whitehead  
NOT PRESENT - Councillor Arlene VanderBeek  
YES - Councillor Lloyd Ferguson  
NOT PRESENT - Councillor Brenda Johnson  
YES - Councillor Maria Pearson  
NOT PRESENT - Councillor Brad Clark

Council determined that discussion of Item 10.2 was not required in Closed Session, the matter was addressed in Open Session, as follows:

**10.2 Appointments to the Niagara Peninsula Conservation Authority****(Merulla/Collins)**

That the following citizens be appointed to the Niagara Peninsula Conservation Authority, Board of Directors for a term commencing February 13, 2019, and until a successor is chosen:

- (a) James Beattie
- (b) Brian Wright

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

NOT PRESENT - Councillor Maureen Wilson  
YES - Councillor Jason Farr  
NOT PRESENT - 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  
NOT PRESENT - Councillor Judi Partridge  
YES - Councillor Terry Whitehead  
NOT PRESENT - Councillor Arlene VanderBeek  
YES - Councillor Lloyd Ferguson  
NOT PRESENT - Councillor Brenda Johnson  
YES - Councillor Maria Pearson  
NOT PRESENT - Councillor Brad Clark

Council determined that discussion of Item 10.6 was not required in Closed Session, the matter was addressed in Open Session, as follows:

### **10.6 Appointments to the Hamilton Port Authority Board of Directors**

#### **(Merulla/Collins)**

That the following citizen be appointed to the Hamilton Port Authority Board of Directors for a term commencing February 13, 2019, and until a successor is chosen:

(a) James Howlett

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

NOT PRESENT - Councillor Maureen Wilson  
YES - Councillor Jason Farr  
NOT PRESENT - 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  
NOT PRESENT - Councillor Lloyd Ferguson  
YES - Councillor Brenda Johnson  
YES - Councillor Maria Pearson  
NOT PRESENT - Councillor Brad Clark

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

That Council move into Closed Session respecting Items 10.3 to 10.5, pursuant to Section 8.1, Sub-sections (b), (e), (f), and (k) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (b), (e), (f), and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to personal matters about an identifiable individual, including City employees; 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 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 City.

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

YES - Councillor Maureen Wilson  
NOT PRESENT - Councillor Jason Farr  
NOT PRESENT - 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  
NOT PRESENT - Councillor Brad Clark

**10.3 Hamilton Anti-Racism Resource Centre Update (HUR18010(b) / LS19008(a))  
(City Wide)**

**(VanderBeek/Pearson)**

- (a) That Report HUR18010(b) / LS19008(a), respecting the Hamilton Anti-Racism Resource Centre Update, be received.
- (b) The Report HUR18010(b) / LS19008(a), respecting the Hamilton Anti-Racism Resource Centre Update, remain confidential.

**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

**10.4 35 Market Street, Dundas (LS19009) (Ward 13)**

Staff were provided with direction in Closed Session.

**(VanderBeek/Partridge)**

- (d) That recommendations and content of Report LS19009/PW19020, including all Appendices remain confidential.

**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

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

**(i) (Whitehead/Ferguson)**

- (a) That Report LS19010(a), respecting the Road Infrastructure Litigation Review and Assessment Follow Up, be received.
- (b) The Report HUR18010(b) / LS19008(a), respecting the Road Infrastructure Litigation Review and Assessment Follow Up, remain confidential.

**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

**(ii) (Merulla/Collins)**

WHEREAS, in January 2013, Council directed staff to investigate lighting and improved signs/lane markings for the Red Hill Valley Parkway (RHVP) near Mud/Stone Church, and costing/alternatives for consideration;

WHEREAS, in April 2013, Golders & Associates was hired to complete a six-year condition assessment on the RHVP, a subsequent second phase of study was completed by Golder & Associates (Tradewind Scientific) which was primarily focused on friction testing;

WHEREAS, the report covering the first phase of work by Golders & Associates in April 2013 was not shared publicly or with Council at the time;

WHEREAS, in November 2013 Council received information from staff regarding the 2013 safety audit from CIMA which made recommendations on changes to signage, pavement markings, installation of cat eyes and friction testing;

WHEREAS, in May 2015, Council received information from staff regarding the 2013 safety audit from CIMA and progress made on safety improvements, and directed staff to investigate additional safety measures for the RHVP and the Lincoln Alexander Parkway, (Linc), such as additional guardrails, lighting, lane markings or other means to help prevent further fatalities and serious injuries;

WHEREAS, in November 2015, Council directed staff to report on total costs and feasibility of expanding the Linc and RHVP to six lanes;

WHEREAS, in December 2015, Council received information from staff regarding the 2015 safety audit from CIMA which made recommendations on short, medium and long-term safety improvements for the Linc and RHVP, and Council directed staff to seek out provincial approval from the Ministry of Transportation to allow the City of Hamilton to implement photo radar on the Linc and RHVP, and to report back on the costs and processes of investigating an improved lighting system on the RHVP and Linc;

WHEREAS, in September 2016, Council received information related to lighting which recommended further investigation, and directed staff to undertake a lighting study on the RHVP;

WHEREAS, in October 2016, Council received information regarding the need to study options before expanding the RHVP and Linc, and the need for an environmental assessment and connection issues with the 403 and Queen Elizabeth way (QEW);



WHEREAS, in February 2017, Council directed staff to consult with Hamilton Police Services to bring forward an annual collision report summarizing collisions on Linc and RHVP, and requested an update on costs and implications of installing barriers;

WHEREAS, in August 2017, Council directed staff to undertake speed limit reduction feasibility study for both Linc and RHVP;

WHEREAS, in December 2017 Golders & Associates was hired to evaluate the surface skid resistance of the Red Hill Valley Parkway and the report was not shared publicly or with Council at the time;

WHEREAS, in January 2018, Council received an update on the 2015 safety audit from CIMA and directed staff to implement short and medium term collision counter measures, undertake a detailed annual collision analysis on both the Linc and RHVP, to request Hamilton Police Services to undertake regular speed and aggressive driving enforcement on the Linc and RHVP, to undertake an annual traffic count, to install median barriers as part of any future widening, and to report back with an update on overall operating conditions on the Linc and RHVP with a focus on Ministry of Transportation (MTO) activities for widening, truck activity, safety and information needed for widening;

WHEREAS, in July 2018, Golders & Associates was hired to complete an assessment of whether or not hot in place recycling can be used on the Red Hill Valley Parkway and the report was not shared publicly or with Council at the time;

WHEREAS, in October 2018, CIMA was hired to complete a roadside safety assessment on the RHVP to assess roadside safety infrastructure such as guiderails, shoulders, and speed enforcement areas and the report was not shared publicly or with Council at the time;

WHEREAS, in February 2019, CIMA was hired to complete a review of safety on the RHVP alongside the pavement friction testing results from the 2013 Tradewind Scientific Report, and this report was shared publicly; and,

WHEREAS, staff have reported to Council that all actions items arising from the CIMA review of safety on the RHVP have been, or are in the process of being actioned.

THEREFORE, BE IT RESOLVED:

- (a) That the 2015 and subsequent 2018 safety analysis of the RHVP and Linc, by the external engineering firm CIMA, be made public; and,
- (b) That the City, in coordination with Hamilton Police Services, prepare a public education campaign that addresses the recommendations from the external expert engineers (CIMA) as it relates to the risks of

speeding in excess of posted limits and distracted driving on the RHVP and Linc;

**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

**(iii) (Clark/Whitehead)**

- (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 will be directed to provide the following information to City Council within 30 days:
- 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: 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

|   |
|---|
| <b>GENERAL ISSUES COMMITTEE REPORT 19-003 - CONTINUED</b> |
|---|

9. **Independent Special Investigation of the City's Internal Processes, Managerial Systems and Procedures Regarding Friction Management in Relation to the Red Hill Valley Parkway (Item 11.4)**

**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

**10. Roads Audit Update (AUD19002) (City Wide) (Item 14.3)**

**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 - 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

**11. Roads Infrastructure Litigation and Review Assessment (LS19010) (City Wide) (Item 14.4)**

**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

**(Danko/Johnson)**

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

**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

**AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 19-002 - CONTINUED**

**5. Hamilton Anti-Racism Resource Centre Update (HUR18010(a) / LS19008) (City Wide) (Item 14.2)**

**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

**(Wilson/Farr)**

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

**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

**(Merulla/Collins)**

That the Committee of the Whole Rise and Report.

**CARRIED**

|                |
|----------------|
| <b>BY-LAWS</b> |
|----------------|

**(Collins/Merulla)**

That Bills No. 19-021 to No. 19-029, 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.**

- 19-021** To Amend By-law No. 01-215, Being a By-law to Regulate Traffic Schedule 2 (Speed Limits)  
Ward: City Wide
- 19-022** Respecting Removal of Part Lot Control, Blocks 116, 117 (closed by By-law No. 18-023), and 118 and Part of Block 119 and all of Moonlight Court (closed by By-law No. 18-002) on Registered Plan No. 62M-1172 and Blocks 33, 34, 35, 37 and 41 and part of Blocks 36, 39 and 40 and all of Bowridge Court (closed by By-law No. 18-003) on Registered Plan No. 62M-1208, Municipally known as 64, 68, 88, 92, 94 and 96 Bellroyal Crescent, Stoney Creek  
PLC-19-002  
Ward: 9
- 19-023** To Establish City of Hamilton Land Described as Block 60 on Plan 62M-1105 as part of Tanglewood Drive  
Ward: 11
- 19-024** To Authorize the Signing of an Agreement between the City of Hamilton and the Ministry of Transportation Related to Funding Provided Under the Dedicated Gas Tax Funds for Public Transportation Program  
Ward: City Wide
- 19-025** To Amend Zoning By-law No. 05-200 Respecting Lands Located at 21 Mill Street North (Flamborough)  
ZAR-18-011  
Ward: 15

- 19-026** To Amend Site Plan Control By-law No. 15-176, as amended by By-law No. 18-104, Respecting Lands Located in Certain Residential Areas of Ancaster (“ER” Zoned Lands)  
Ward: 12
- 19-027** To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking  
Schedule 2 (Through Highways)  
Schedule 6 (Time Limit Parking)  
Schedule 8 (No Parking Zones)  
Schedule 10 (Alternate Side Parking Zones – April-November)  
Schedule 12 (Permit Parking Zones)  
Schedule 13 (No Stopping Zones)  
Schedule 14 (Wheelchair Loading Zones)  
Schedule 15 (Commercial Vehicle Loading Zones)  
Ward: 1, 2, 3, 4, 5, 7, 8, 9, 12, 13, 15
- 19-028** To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands Located at 222 First Road West  
ZAC-18-030  
Ward: 9
- 19-029** 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

**(Pearson/Johnson)**

That, there being no further business, City Council be adjourned at 3:07 a.m. on February 14, 2019.

**CARRIED**

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon  
Acting City Clerk





Enbridge Gas Inc.  
918 South Service Road  
Hamilton, ON L8E 5M4  
Canada

February 13, 2019

City of Hamilton  
City Clerk's Office  
City Hall, 71 Main Street West  
Hamilton, Ontario L8P 4Y5  
[Clerk@hamilton.ca](mailto:Clerk@hamilton.ca)

**Subject: Notice of public information session for Enbridge Gas Inc. proposed 2021 Kirkwall-Hamilton Project**

Dear Mayor Eisenberger and Members of City Council:

I am writing to provide you with information on Enbridge Gas' proposed 2021 Kirkwall-Hamilton project. (Note: As of Jan. 1, 2019, Union Gas and Enbridge Gas Distribution have amalgamated into one utility with the legal name Enbridge Gas Inc.)

By way of background, to increase existing capacity and accommodate additional demand for natural gas, Enbridge Gas Inc. is proposing to construct a new 48-inch diameter natural gas pipeline located within the City of Hamilton. The proposed project will be constructed between Enbridge Gas' existing Kirkwall valve site, located northeast of the intersection of Safari Road and Valens Road and Enbridge Gas' existing Hamilton gate station site, located east of Highway 6 and north of Carlisle Road, generally paralleling three existing Enbridge Gas pipelines. The length of the proposed pipeline will be determined by the final route chosen after input from the community, but will be approximately 10-14km. A map is included with this letter.

This project is subject to Ontario Energy Board (OEB) approval. If approved, construction of the pipeline could begin as early as Spring/Summer 2021 and be complete by the end of 2021.

An integral part of this project is the completion of an environmental study of the construction and operation of the proposed pipeline and related facilities by an independent environmental consultant, Stantec Consulting Ltd. (Stantec). Stantec is hosting an information session to provide those interested in the project an opportunity to review the project and provide input to the planning process. The information session will be conducted as a drop-in centre, with representatives from both Enbridge Gas and Stantec available to receive comments and answer questions. We invite you to join us at our public information session where we would be pleased to speak with you, gather input and answer any questions you may have:

**Wednesday, Feb. 27, 2019**  
**5:00 p.m. to 8:00 p.m.**  
**Carlisle Arena**  
**1496 Centre Road**  
**Carlisle, ON L0R 1H2**

Enbridge Gas has been bringing safe, reliable and affordable natural gas to homes and businesses in the area for over 100 years. We know safety is top of mind for residents, as it is for us. If approved, the project would be constructed, maintained and operated using well-established practices.

Should you have any further questions, please do not hesitate to contact me.

Sincerely,



Mark Egbedeyi-Emmanuel, P.Eng.  
District Manager, Hamilton/Halton  
Enbridge Gas Inc.  
Phone: 289-649-2043 ext. 5212043  
Email: [memmanuel@uniongas.com](mailto:memmanuel@uniongas.com)

# ENBRIDGE GAS INC. - NOTICE OF PROJECT COMMENCEMENT AND INFORMATION SESSION

## KIRKWALL-HAMILTON PIPELINE PROJECT

To increase existing capacity and accommodate additional demand for natural gas, Enbridge Gas Inc. is proposing to construct a new 48-inch diameter natural gas pipeline located within the City of Hamilton. (Note: As of Jan. 1, 2019, Union Gas and Enbridge Gas Distribution have amalgamated into one utility with the legal name Enbridge Gas Inc.)

The proposed project will be constructed between Enbridge Gas' existing Kirkwall valve site, located northeast of the intersection of Safari Road and Valens Road and Enbridge Gas' existing Hamilton valve site, located east of Highway 6 and north of Carlisle Road, generally paralleling three existing Enbridge Gas pipelines. The length of the proposed pipeline will be determined by the final route chosen after input from the community but will be approximately 10-14km. If approved, construction of the pipeline could begin as early as spring/summer 2021 and be complete by the end of 2021.

An integral part of this project is the completion of an environmental study of the construction and operation of the proposed pipeline and related facilities by an independent environmental consultant, Stantec Consulting Ltd. (Stantec). Stantec is hosting an Information Session to provide those interested in the project an opportunity to review the project in general, the alternative pipeline routes, the preliminary preferred pipeline route and provide input to the planning process. The Information Session will be conducted as a drop-in centre, with representatives from both Enbridge Gas and Stantec available to receive comments and answer questions.

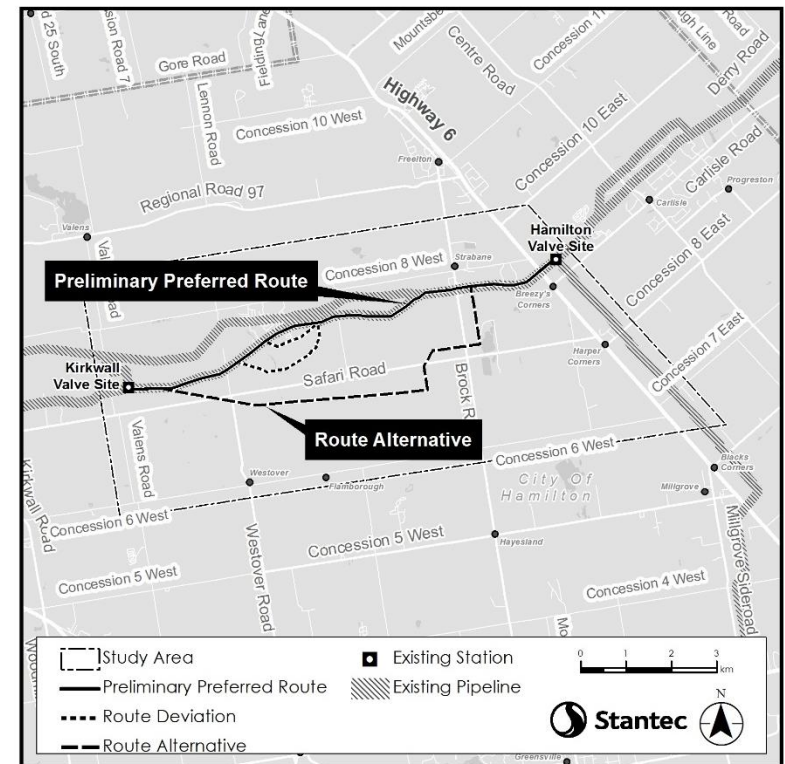
The Information Session will be held at the following time and location:

**Wednesday, Feb. 27, 2019**  
**5 p.m. to 8 p.m.**  
**Carlisle Arena**  
**1496 Centre Road**  
**Carlisle, ON L0R 1H2**

If you cannot attend the Information Session but would like to learn more, please contact:

**Michael Candido**  
**Project Manager**  
**Stantec Consulting Ltd.**  
**Phone: 519-780-8139**  
**Email: Michael.Candido@Stantec.com**

**Enbridge Gas**  
**Phone: 1-855-381-9138**  
**Email: projects@uniongas.com**  
**Or visit our project webpage:**  
**www.uniongas.com/projects**



J. Paul Dubé, Ombudsman

February 21, 2019

**Mayor Fred Eisenberger**  
Hamilton City Hall  
2nd floor - 71 Main Street West  
Hamilton, Ontario L8P 4Y5

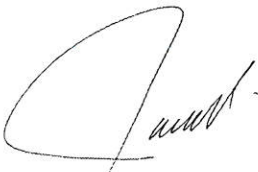
Dear Mayor Eisenberger,

Re: Report – Office of the Ontario Ombudsman

I have completed my investigation into whether, prior to a June 26, 2018 meeting of the Governance Review 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 Issues Committee held a meeting that did not comply with the open meeting rules on July 9, 2018. Please find my final report enclosed.

I ask that the City of Hamilton make this report public. Once the city has made the report public, I will post a copy of the report on my website at [www.ombudsman.on.ca](http://www.ombudsman.on.ca).

Yours truly,



Paul Dubé  
Ombudsman of Ontario

CC: Janet Pilon

Bell Trinity Square  
483 Bay Street, 10th Floor, South Tower, Toronto, ON M5G 2C9  
483, rue Bay, 10<sup>e</sup> étage, Tour sud, Toronto (Ontario) M5G 2C9  
Tel./Tél. : 416-586-3347  
Facsimile/Télécopieur : 416-586-9659 TTY/ATS : 1-866-411-4211

[www.ombudsman.on.ca](http://www.ombudsman.on.ca)



## **Ombudsman Report**

**Investigation into complaints about emails  
exchanged by members of council  
for the City of Hamilton  
between June 7 and June 26, 2018  
and a meeting of the General Issues Committee  
on July 9, 2018**

**Paul Dubé  
Ontario Ombudsman  
February 2019**

## Complaint

- 1 My Office received a complaint that members of council for the City of Hamilton exchanged emails between June 7 and June 26, 2018 that did not comply with the open meeting rules in the *Municipal Act, 2001* (the “Act”).
- 2 The complaint stemmed from a comment made by a member of council during an open meeting of the city’s Governance Review Sub-Committee on June 26, 2018. During a discussion about filling a council vacancy, the council member said he had seen an email from the Mayor about appointing a particular individual to the seat. The complaint alleged that council members contravened the open meeting rules by using email to discuss how to fill the vacant council seat.
- 3 We also received a complaint alleging that there were discussions about filling the vacant council seat during a closed meeting of the city’s General Issues Committee on July 9, 2018. The complaint alleged that these discussions did not fit within any of the exceptions to the open meeting rules, and that a vote by council during that closed meeting did not comply with the rules in the Act.
- 4 Under the Act, all meetings of council, local boards, and committees of each of them must be open to the public, unless they fall within prescribed exceptions.

## Ombudsman jurisdiction

- 5 As of January 1, 2008, the Act gives citizens the right to request an investigation into whether a municipality has complied with the Act in closing a meeting to the public. Municipalities may appoint their own investigator or use the services of the Ontario Ombudsman. The Act designates the Ombudsman as the default investigator for municipalities that have not appointed their own.
- 6 The Ombudsman is the closed meeting investigator for the City of Hamilton.

## Investigative process

- 7 On July 16, 2018, we notified the city that we would be investigating this complaint.
- 8 The City of Hamilton’s Ward 7 council seat became vacant after a member of council was elected to the provincial legislature on June 7, 2018. My Office obtained and reviewed all emails exchanged by members of council about the Ward 7 vacancy between June 7 and June 26, when a discussion over email was referenced in an open committee meeting. We reviewed the meeting materials

and meeting video for the June 26, 2018 meeting of the city's Governance Review Sub-Committee, and spoke with city staff and members of council.

- 9 We obtained and reviewed the agenda and minutes for the July 9, 2018 open and closed session meetings of the General Issues Committee, as well as a confidential report considered by the committee. We spoke with city staff and members of council who were present during the meeting.
- 10 My Office received full co-operation in this matter.

## Ward 7 council vacancy

- 11 The city's councillor for Ward 7 resigned her seat on council when she was elected as an MPP in the June 7, 2018 provincial election. The *Municipal Act, 2001* provides that, within 60 days of a vacancy being declared, council must either appoint a new councillor or pass a by-law to call a by-election.
- 12 On June 13, 2018, city council referred a proposed application process to fill the Ward 7 seat to the Governance Review Sub-Committee for discussion.
- 13 At a June 26, 2018 meeting of the City of Hamilton's Governance Review Sub-Committee, a committee member stated:

...I think **I saw an email from the Mayor** that former councillor, who served I believe nine years, three three-year terms... in that very ward, who knows the ward well and according to the mayor was prepared to... for an appointment on the clear understanding that he would not be running in the October election.
- 14 The committee considered two processes available to make an appointment: Council could appoint a qualified person on their consent, or invite applications for the position. Given the proximity of the next municipal election – scheduled for October 22, 2018 – the committee recommended that the Mayor send a letter to the Minister of Municipal Affairs and Housing asking for an exemption from the requirement to fill the vacancy. If no exemption was granted, council would have to take action on the vacancy by August 25, 2018.
- 15 At a council meeting on June 27, council declared the Ward 7 seat vacant and directed the Mayor to send the letter to the Minister. That day, the Mayor wrote to the Minister, asking him to grant the city an exemption from the requirement in s. 263(1) of the Act with respect to filling the council vacancy.

- 16 On July 19, the Minister responded by letter, stating that he does not have the discretion to grant an exemption from the requirement to fill the vacancy, as providing such an exemption would require a legislative change.
- 17 At its August 17, 2018 meeting, council appointed the individual mentioned during the June 26 committee meeting to the Ward 7 seat for the remainder of the council term.

## **Emails exchanged regarding the Ward 7 vacancy**

- 18 The complaint to my Office alleged that council held an improperly closed meeting over email regarding the vacant Ward 7 seat prior to the June 26 meeting of the city's Governance Review Sub-Committee.
- 19 Council members and staff provided us with all emails about the Ward 7 vacancy sent or received by council members between June 7 and June 26, 2018.
- 20 On June 11, the Clerk sent an email to senior staff and all members of council setting out information in the *Municipal Act* respecting vacant seats. One member of council responded to all recipients to say that he believed the person appointed to fill the seat should not be permitted to run in the October election. The Clerk responded to all that she did not believe council could restrict someone from running in an election, but that she would look into the matter and respond.
- 21 On June 13, the Mayor sent an email to 14 of the 15 members of council. He stated that, given the need to fill the vacant seat, he had heard the name of a former member of council as a possible interim councillor. The Mayor wrote that the individual would be an excellent choice, given his experience, and that it was his understanding that the individual would not be running in the October election. The Mayor asked councillors to let him know their thoughts and whether anyone else had indicated an interest in filling the vacancy, stating, "...let's get this resolved as soon as possible."
- 22 Two minutes after the Mayor sent his email, one member of council responded to the group that he felt the individual would be a good choice.
- 23 No further emails were exchanged amongst the council members regarding the vacant seat. No consensus was reached over email regarding a candidate to fill the vacancy.



## Analysis

- 24 In order to review this complaint, I first considered whether an exchange of emails can be considered a meeting subject to the open meeting rules.
- 25 The open meeting rules apply only to “meetings” of a council, a local board, or a committee of either of them. The definition of “meeting” in s. 238 of the *Municipal Act, 2001* was changed by Bill 68, *Modernizing Ontario’s Municipal Legislation Act, 2017*. As of January 1, 2018, the Act includes the following definition of meeting:
- “meeting” means any regular, special or other meeting of a council, of a local board or of a committee of either of them, where,
- (a) a quorum of members **is present**, and
- (b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee. [emphasis added]
- 26 Quorum has always been an important factor in determining whether or not a meeting has occurred. The former definition of meeting did not require that members be present in order to form quorum, which meant that a majority of members coming together over email or telephone could form a quorum for the purposes of the open meeting rules.
- 27 The amended definition of meeting specifies that a quorum of members must be **present** in order for a meeting to occur. The words “is present,” when given a plain and ordinary interpretation, mean that someone is physically present in a particular place.
- 28 When the change to the definition of meeting was first proposed in Bill 68, the Ombudsman submitted to the Legislative Assembly’s Standing Committee on Social Policy that the proposed definition of meeting would not capture meetings held over email or telephone, thus insulating them from scrutiny.<sup>1</sup> No amendment to the definition in the bill was made.
- 29 Black’s Law Dictionary defines “present” as:
1. Now existing; at hand <a present right to property>.
  2. Being considered; now under discussion <the present appeal does not deal with that issue>.
  3. In attendance; not elsewhere <all present voted for him>.

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<sup>1</sup> Hansard, Standing Committee on Social Policy, April 11, 2017.

- 30 Of these three meanings, the third is the one that is most readily applied to councillors attending a meeting.
- 31 Further, the definition of “quorum” generally implies the physical presence of members of a body. The *Municipal Act* does not define quorum, but Black’s Law Dictionary provides that “quorum” means:
- The minimum number of members (usu. A majority of all the members) who must **be present** for a deliberative assembly to legally transact business. [Emphasis added]
- 32 A plain language reading of the words “is present,” along with the applicable definitions and related definitions in other statutes, suggests that the meaning of the provision does not include meetings where members are not physically present. As the definition of “meeting” now requires a quorum of members to be present, an exchange of email by a majority of members of a body cannot be considered a quorum for the purposes of the definition of “meeting.”
- 33 Accordingly, emails exchanged by members of council for the City of Hamilton regarding the Ward 7 vacant seat in June 2018 did not constitute a meeting and were not subject to the open meeting rules.
- 34 Although emails and other remote forms of communication are no longer subject to the open meeting rules, municipalities should continue to strive for transparency and openness, regardless of the medium used to communicate. The open meeting rules exist to bolster the public’s confidence in the integrity of local government and ensure that municipal power is exercised in a transparent and accountable manner. The spirit of the open meeting rules calls for discussions that advance council business or decision-making to take place in public, and not over email out of the public eye.
- 35 Municipal councils can only act through by-law or resolution passed during a meeting, and the change to the definition of meeting confirms that a quorum of members must be physically present in order for a meeting to take place. Any exchange wherein council votes, reaches consensus, provides direction or input to staff, or discusses or debates a proposal, course of action, or strategy should be reserved for official meetings of a council, local board, or committee. Offline discussions involving a quorum of members, including over email, should be limited to exchanging information or matters unrelated to municipal business.

## Meeting on July 9, 2018

- 36 The City of Hamilton’s General Issues Committee met in open session at 9:30 a.m. on July 9, 2018, in council chambers.

- 37** The committee passed a resolution to go in camera to discuss items including “Ward 7 vacant seat.” The resolution to close the meeting indicated that this matter was being discussed in camera pursuant to the exceptions for personal matters about an identifiable individual, litigation or potential litigation, and advice subject to solicitor client privilege.
- 38** While in camera, council received and discussed legal advice from the City Solicitor, including a written report. The closed session minutes indicate that the solicitor gave an overview of the report, provided legal advice, and answered the committee’s questions with respect to the vacant council seat.
- 39** According to the meeting record, and the members of council and city staff we spoke to in the course of this investigation, the committee did not vote with respect to the vacant council seat during the closed session.
- 40** The committee returned to open session and voted that the Ward 7 vacancy matter remain confidential. The Deputy Mayor advised the public that council had written to the Minister of Municipal Affairs regarding the vacant seat, and that there were two staff members working in the Ward 7 office to address any public inquiries.

## Analysis

- 41** The exception in s. 239(2)(f) of the Act permits council or a committee to discuss advice subject to solicitor-client privilege in camera. In order for this exception to apply, legal advice must be communicated between a client and their solicitor, and must be intended to remain confidential.<sup>2</sup>
- 42** During the closed meeting on July 9, the City Solicitor provided the committee with legal advice regarding the Ward 7 vacant seat. The discussion fit within the exception for advice subject to solicitor-client privilege. Accordingly, I need not consider the applicability of the other exceptions cited by the committee.
- 43** The complaint to my Office also alleged that council improperly voted regarding the Ward 7 vacancy during the closed meeting on July 9. The closed session minutes indicate that no vote was taken regarding the vacant seat during the closed meeting. City staff and members of council confirmed that no vote was taken or decision made by council regarding the vacant seat during the July 9 closed meeting.

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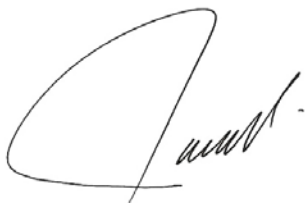
<sup>2</sup> *Solosky v. The Queen*, [1980] 1 S.C.R. 821.

## Opinion

- 44 Members of council for the City of Hamilton did not contravene the open meeting rules in the *Municipal Act, 2001* when they exchanged emails regarding a vacant council seat in June 2018.
- 45 The new definition of “meeting” in the Act requires that a quorum be present, such that an exchange of emails cannot be considered a meeting subject to the open meeting rules. In the interest of openness and transparency, municipal councils should continue to avoid conducting business outside of a formal meeting.
- 46 The City of Hamilton’s General Issues Committee did not contravene the open meeting rules when it discussed advice subject to solicitor-client privilege in camera on July 9, 2018. The committee did not vote regarding the Ward 7 vacancy in camera on July 9; it did not contravene the voting provisions in the *Municipal Act, 2001*.

## Report

- 47 Ombudsman staff reviewed a preliminary version of this report with the Mayor, Clerk, and City Solicitor on February 15, 2019, and provided the opportunity to comment. No comments were received.
- 48 My report should be shared with council and made available to the public as soon as possible, and no later than the next council meeting.



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**Paul Dubé**  
Ombudsman of Ontario



Ulli S. Watkiss  
City Clerk

City Clerk's Office

**Secretariat**  
Marilyn Toft  
Council Secretariat Support  
City Hall, 12<sup>th</sup> Floor, West  
100 Queen Street West  
Toronto, Ontario M5H 2N2

Tel: 416-392-7032  
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web: www.toronto.ca

**In reply please quote:  
Ref.: 19-MM2.10**

February 11, 2019

**GREATER GOLDEN HORSESHOE MUNICIPALITIES:**

**Subject: Member Motion 2.10  
Protecting the City of Toronto against potential impacts of the Government  
of Ontario's Bill 66**

City Council on January 30 and 31, 2019, adopted this Item, and in so doing, has:

1. expressed its opposition to Schedule 3 of Bill 66;
2. expressed its opposition to Schedule 5 of Bill 66;
3. expressed its opposition to Schedule 9 of Bill 66; and
4. expressed its opposition to Schedule 10 of Bill 66 or any similar successor sections or schedules within Bill 66.

for City Clerk

M. Toft/sb

Attachment

## City Council

### Member Motions - Meeting 2

|        |        |         |  |           |
|--------|--------|---------|--|-----------|
| MM2.10 | ACTION | Adopted |  | Ward: All |
|--------|--------|---------|--|-----------|

### **Protecting the City of Toronto against potential impacts of the Government of Ontario's Bill 66 - by Councillor Mike Layton, seconded by Councillor Ana Bailão**

#### **City Council Decision**

City Council on January 30 and 31, 2019, adopted the following:

1. City Council express its opposition to Schedule 3 of Bill 66.
2. City Council express its opposition to Schedule 5 of Bill 66.
3. City Council express its opposition to Schedule 9 of Bill 66.
4. City Council express its opposition to Schedule 10 of Bill 66 or any similar successor sections or schedules within Bill 66.
5. City Council request that, following the adoption of Bill 66 by the Province, the City Manager report back to City Council on the impacts of the legislation on the City of Toronto.
6. City Council direct the City Clerk to distribute City Council's decision in opposition to Schedules 3, 5, 9 and 10 of Bill 66 to the leaders of all parties represented in the Ontario Legislature, the Minister of Municipal Affairs and Housing, the Minister of the Environment, Conservation and Parks, the Minister of Labour, the Minister of Education, all Greater Golden Horseshoe municipalities, and the Association of Municipalities of Ontario.

#### **Summary**

The Government of Ontario has introduced Bill 66, an Act amending or repealing various other Acts that could have lasting impact on City of Toronto residents, the planning process, the natural environment, food security, workers, and child welfare.

Schedule 3 of the Bill could put at risk young children in the care of home child care providers. Through changes to the Child Care and Early Years Act and the Education Act, the legislation would allow an increase in the number of very young children in the care of each home childcare provider, which could compromise the quality of care and increase the risk of accidental injury or death.

Schedule 5 repeals the Toxics Reduction Act, 2009, and associated regulations that require Ontario companies to publicly report on their use and release of toxic substances and develop feasible reduction plans. Taking away the responsibility to inform the public and reduce harmful chemicals found in our workplaces, consumer products and local communities puts human health and the environment at risk.

Schedule 9 amends the Labour Relations Act, 1995, to deem municipalities and certain local boards, school boards, hospitals, colleges, universities and public bodies to be non-construction employers. That would mean that any collective agreement binding the employer and the trade union ceases to apply in so far as it applies to the construction industry.

This would mean not only a lowering of quality of jobs in the City, but there could be potential risks to the public if unqualified and untrained workers were to be responsible for projects related to construction and other infrastructure projects in the City.

Schedule 10 of the proposed legislation would amend the Planning Act to allow municipalities to pass by-laws without public notice that could override important drinking water, agricultural and environmental protections contained in the Clean Water Act, 2006, Oak Ridges Moraine Conservation Act, 2001, the Greenbelt Act, 2005, the Places to Grow Act, 2005, and other provincial legislation.

The Greenbelt is an integral component of land use planning that complements the Growth Plan for the Greater Golden Horseshoe to encourage smart regional planning and sustainable communities, reduce urban sprawl, and protect natural and hydrological features and agricultural lands. Furthermore, protections like those included in the Clean Water Act are critical to the health of residents of Toronto.

### **Background Information (City Council)**

Member Motion MM2.10

(<http://www.toronto.ca/legdocs/mmis/2019/mm/bgrd/backgroundfile-123945.pdf>)

**Pilon, Janet**

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**Subject:** Waterdown Overpass

**From:** Deborah Tomlinson

**Sent:** February 14, 2019 1:29 PM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Cc:** Partridge, Judi <[Judi.Partridge@hamilton.ca](mailto:Judi.Partridge@hamilton.ca)>; Nann, Nrinder <[Nrinder.Nann@hamilton.ca](mailto:Nrinder.Nann@hamilton.ca)>; Office of the Mayor <[mayor@hamilton.ca](mailto:mayor@hamilton.ca)>

**Subject:** Waterdown Overpass

Good afternoon,

I am writing because of the disappointing news that Council voted to sole source the Waterdown Overpass and use taxpayer money unwisely. As was articulated last night at Council sole sourcing the project gives no incentive to companies to price the job well and it would take roughly 4 months to get more than one quote. I understand that constituents have been waiting eagerly for this project and that by rushing this decision Councillor Partridge will win favour in her riding but this is **shortsighted and mismanagement of public funds**.

Councillor Partridge was critical of other's around the table last night stating, 'that's not how we do things around this table.' This is deeply concerning especially in light of Councillor Partridge's anti-LRT support during the election. I live in Ward 3 and will benefit from the LRT and am supportive of the Waterdown overpass even if I won't directly benefit from it if the funds are used wisely and getting more than ONE quote is a step towards ensuring this. Councillor Partridge however seems willing to take from one ward to give to her own. **THAT should not be how things happen around the council table.** There is a public perception that some councillors vote along with allies and there are backroom deals. Last night's vote does nothing to alleviate those fears.

Sincerely,

Deborah Tomlinson-Veit



**Pilon, Janet**

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**Subject:** Redhill Valley Expressway

**From:** Deborah Tomlinson

**Sent:** February 14, 2019 1:39 PM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Cc:** Nann, Nrinder <[Nrinder.Nann@hamilton.ca](mailto:Nrinder.Nann@hamilton.ca)>; Office of the Mayor <[mayor@hamilton.ca](mailto:mayor@hamilton.ca)>

**Subject:** Redhill Valley Expressway

Good afternoon,

I am writing in support of a judicial inquiry into why a report outlining safety concerns with the Redhill was buried. It is unwise and unethical to allow someone who works for the City to be in charge of the review. It will be nearly impossible to be impartial especially when we do not know what information will be uncovered.

Lives have been lost because of oversight and possible incompetence.

Our neighbours minivan flipped with their two young children while exiting the Redhill two summers ago. they slid upside down for 20 feet. Her daughter was afraid to get into the car again for weeks. My neighbour blamed herself and felt immense guilt. Could this have been prevented? Was this a result of a design flaw?

People have died. This is not to be taken lightly.

Harm has been caused and trust in the ability of city staff has been lost. We need a transparent and external review of what went wrong. Council and other city staff should not be able to influence what information is shared.

Sincerely,  
Deborah Tomlinson-Veit



## **CITY MANAGER RECRUITMENT STEERING COMMITTEE REPORT 19-002**

8:30 a.m.

Saturday, February 9, 2019  
White Oaks Conference Centre  
253 Taylor Road  
Niagara-on-the-Lake

**Present:** Mayor Eisenberger; Councillors Collins, Merulla, Pearson and Ferguson.

**Also Present:** Councillors Danko and Wilson

### **FOR THE INFORMATION OF COUNCIL:**

#### **(a) CHANGES TO THE AGENDA (Item 2)**

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

The agenda for the February 9, 2019 City Manager Recruitment Steering Committee meeting was approved, as presented.

#### **(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

#### **(c) APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

The minutes of the February 1, 2019 City Manager Recruitment Steering Committee, were approved as presented.

#### **(d) PRIVATE & CONFIDENTIAL (Item 4)**

##### **(i) Closed Session Minutes – February 1, 2019 (Item 4.1)**

- (a) The Closed Session Minutes of the February 1, 2019 City Manager Recruitment Steering Committee meeting, as presented, were approved; and,

- (b) The Closed Session Minutes of the February 1, 2019 City Manager Recruitment Steering Committee meeting, as presented, shall remain confidential.

The Committee move into Closed Session respecting Item 4.2, 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.

**(ii) Candidate Interviews (Item 4.2)**

Staff were provided with direction in Closed Session.

**(d) ADJOURNMENT (Item 5)**

There being no further business, the City Manager Recruitment Steering Committee, was adjourned at 4:41 p.m.

Respectfully submitted,

Mayor Eisenberger, Chair  
City Manager Recruitment  
Steering Committee

Janet Pilon  
Acting City Clerk



## Hamilton

**SELECTION COMMITTEE  
REPORT 19-003  
1:00 p.m.  
Monday, February 11, 2019  
Room 192, Hamilton City Hall  
71 Main Street West**

**Present:** Councillor B. Johnson (Chair)  
Councillors J. Farr, N. Nann, S. Merulla, C. Collins, L. Ferguson, B. Clark, M. Pearson, T. Whitehead

**FOR THE INFORMATION OF COUNCIL:**

**(a) CHANGES TO THE AGENDA (Item 2)**

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

The agenda for the February 11, 2019 meeting of the Selection Committee was approved, as presented.

**(b) DECLARATIONS OF INTEREST (Item 3)**

Councillor Clark declared an interest in a section of Item 4.3, as he has a pre-existing professional relationship with an applicant for CityHousing Board of Directors, and the Development Charges Sub-Committee.

**(c) PRIVATE & CONFIDENTIAL (Item 4)**

**(i) Closed Session Minutes – January 22, 2019 (Item 4.1)**

- (a) The Closed Session Minutes of the January 22, 2019 Selection Committee meeting, be approved, as presented; and,
- (b) The Closed Session Minutes of the January 22, 2019 Selection Committee meeting remain confidential.

**(ii) Closed Session Minutes – February 1, 2019 (Item 4.2)**

- (a) The Closed Session Minutes of the February 1, 2019 Selection Committee meeting, were approved, as presented; and,
- (b) The Closed Session Minutes of the February 1, 2019 Selection Committee meeting remain confidential.

The Committee moved into Closed Session for Item 4.3 respecting a Review of Applications received for the various City of Hamilton Agencies, Boards and Committees, 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

**(iii) Review of Applications received for the various City of Hamilton Agencies, Boards and Committees (Item 4.3)**

Staff were provided with direction in Closed Session.

**(d) ADJOURNMENT (Item 6)**

There being no further business, the Selection Committee adjourned at 2:30 p.m. a.m.

Respectfully submitted,

Councillor B. Johnson, Chair  
Selection Committee

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk



## Hamilton

**SELECTION COMMITTEE  
REPORT 19-004  
1:00 p.m.  
Tuesday, February 12, 2019  
Room 192, Hamilton City Hall  
71 Main Street West**

**Present:** Councillor N. Nann (Vice-Chair)  
Councillors J. Farr, S. Merulla, C. Collins, L. Ferguson, B. Clark, M. Pearson, T. Whitehead

**Absent  
with Regrets:** Councillor B. Johnson – City Business

### **FOR THE INFORMATION OF COUNCIL:**

**(a) CHANGES TO THE AGENDA (Item 2)**

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

The agenda for the February 12, 2019 meeting of the Selection Committee was approved, as presented.

**(b) DECLARATIONS OF INTEREST (Item 3)**

There were no Declarations of Interest

**(c) PRIVATE & CONFIDENTIAL (Item 4)**

The Committee moved into Closed Session for Item 4.1 respecting a Review of Applications received for the various City of Hamilton Agencies, Boards and Committees, 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

**(i) Review of Applications received for the various City of Hamilton Agencies, Boards and Committees (Item 4.1)**

Staff were provided with direction in Closed Session.

**(d) ADJOURNMENT (Item 6)**

There being no further business, the Selection Committee adjourned at 2:10 p.m. a.m.

Respectfully submitted,

Councillor N. Nann, Vice-Chair  
Selection Committee

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk



## Hamilton

### **SELECTION COMMITTEE REPORT 19-005**

**11:00 a.m.**

**Wednesday, February 13, 2019  
Room 192, Hamilton City Hall  
71 Main Street West**

**Present:** Councillor B. Johnson (Chair)  
Councillors J. Farr, S. Merulla, C. Collins, L. Ferguson, B. Clark, M. Pearson

**Absent with  
Regrets:** Councillors N. Nann and T. Whitehead – Personal

#### **FOR THE INFORMATION OF COUNCIL:**

##### **(a) CHANGES TO THE AGENDA (Item 2)**

The Clerk distributed an application that was missing from the print copy of the Applicant binder.

The agenda for the February 13, 2019 meeting of the Selection Committee was approved, as amended.

##### **(b) DECLARATIONS OF INTEREST (Item 3)**

Councillor Clark declared an interest in a section of Item 4.1, as he has a pre-existing professional relationship with an applicant for CityHousing Board of Directors, and the Development Charges Sub-Committee.

Councillor Merulla declared an interest in a section of Item 4.1, Rental Housing Sub-Committee, as he is the owner of a rental property.

Councillor Pearson declared an interest in a section of Item 4.1, Rental Housing Sub-Committee, as she is the owner of a rental property.



**(c) PRIVATE & CONFIDENTIAL (Item 4)**

The Committee moved into Closed Session for Item 4.3 respecting a Review of Applications received for the various City of Hamilton Agencies, Boards and Committees, 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

**(iii) Review of Applications received for the various City of Hamilton Agencies, Boards and Committees (Item 4.1)**

Staff were provided with direction in Closed Session.

**(d) ADJOURNMENT (Item 6)**

There being no further business, the Selection Committee adjourned at 11:44 a.m.

Respectfully submitted,

Councillor B. Johnson, Chair  
Selection Committee

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk



## **PLANNING COMMITTEE**

### **REPORT 19-003**

**9:30 a.m.**

**Tuesday, February 19, 2019**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

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

**Also Present:** Councillors L. Ferguson and A. VanderBeek

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### **THE PLANNING COMMITTEE PRESENTS REPORT 19-003 AND RESPECTFULLY RECOMMENDS:**

**1. Changes to the On-Street Patio Program (PED16119(b)) (Wards 1, 2, 3, 4, 6, 7, 8, 9, 11, 12, 13 and 15) (Item 7.1)**

That Report PED16119(b) respecting Changes to the On-Street Patio Program, be received.

**2. Payday Loan Licences (PED16039(b)) (City Wide) (Outstanding Business List item) (Item 7.2)**

That Report PED16039(b) respecting Payday Loan Licences, be received.

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

(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 a Letter of Comment, attached as Appendix “A” to Planning Committee Report 19-003, 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”.

**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)**

- (a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-17-040 by Intero Development Group Inc. (c/o Donald Newman) on behalf of Barbara Wilk-Ridge, Power of Attorney for Helmut and Anna Wilk, Owner, to establish a Site Specific Policy to permit a 29 townhouse dwelling unit development with a minimum net residential density of 48 units per hectare on lands located at 264 Governor’s Road, Dundas, as shown on Appendix “A” to Report PED19041, be APPROVED, on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED19041, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe.
- (b) That Amended Zoning By-law Amendment Application ZAC-17-088 by Intero Development Group Inc. (c/o Donald Newman) on behalf of Barbara Wilk-Ridge, Power of Attorney for Helmut and Anna Wilk, Owner, for a change in zoning from Urban Reserve Zone (UR) to Low to Medium Density Multiple Dwelling Zone - Holding (H-RM1/S-139) to permit 29 townhouse dwellings on lands located at 264 Governor’s Road, Dundas, as shown on Appendix “A” to Report PED19041, be APPROVED, on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED19041 which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act, R.S.O. 1990* to the subject property by introducing the Holding Symbol ‘H’ to the proposed (RM1/S-139) Zone.

The “H” symbol may be removed at such time as the following has been satisfied:

- (i) That the owner / applicant provide a revised 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 the salvaged materials are to be incorporated on-site, to the satisfaction of the Director of Planning and Chief Planner.

- (iii) That the amending By-law, attached as Appendix "C" to Report PED19041, be added to Schedule "H" of the Town of Dundas Zoning By-law No. 3581-86; and,
  - (iv) That this By-law is in conformity with the Urban Hamilton Official Plan, upon approval of Urban Hamilton Official Plan Amendment No. XX.
  - (c) That the public submissions received did not affect the decision.
- 5. Growth Plan for the Greater Golden Horseshoe – Amendment No. 1 and Provincially Significant Employment Zones (PED19033) (City Wide) (Item 9.1)**
- (a) That the City of Hamilton supports the Province's general directions of the revised Growth Plan for the Greater Golden Horseshoe, to manage growth by strengthening the economy and population base through complete communities, strong transportation and infrastructure systems, and protecting agricultural lands and natural heritage systems.
  - (b) That the City of Hamilton is concerned that certain changes in Amendment No. 1, particularly in regards to the permission for settlement area boundary expansions and employment land conversions to proceed in advance of a completed Municipal Comprehensive Review (MCR), represents a shift to an incremental planning approach which could undermine the City's long-term planning, create uncertainty in the local market, and require the reallocation of resources from strategic growth management projects to respond to short term growth pressures.
  - (c) That the Province of Ontario be advised that the City of Hamilton is supportive of the following proposed key changes to the Growth Plan:
    - (i) Introduction of Provincially Significant Employment Zones, with additions and modifications, which are employment areas that are given special protection to prohibit any employment land conversions from occurring in advance of the MCR;
    - (ii) Removal of the requirement to complete an Employment Strategy and to identify a singular density target for all employment areas;
    - (iii) Added flexibility on the requirement to complete watershed planning as part of review of future expansion areas, while maintaining the requirement to protect the water resource system;
    - (iv) Revision to the built-up area policies to allow all municipalities to request an alternative intensification target for any portion of the planning horizon period;
    - (v) That the City's position is to retain the density target of 80 pjh.

- (vi) Removal of the requirement to complete a Housing Strategy as part of the MCR;
  - (vii) Allowance for a Major Trip Generator within a defined Major Transit Station Area (MTSA) to be included as a justification for a reduced density target for MTSA's;
  - (viii) Clarification that Agricultural System mapping and Natural Heritage System mapping does not apply until such time as it is implemented in the Official Plan;
  - (ix) Amended Rural Settlement definition to clarify that rural settlement areas do not form part of the Designated Greenfield Area (DGA); and,
  - (x) Amended definition of Major Trip Generator to add recreational facilities, parks and post-secondary institution uses.
- (d) That the Province of Ontario be advised that the City of Hamilton does not support the following proposed changes, additions and deletions to the Growth Plan:
- (i) Introduction of new and amended definitions that are different than definitions in the Provincial Policy Statement (PPS). The consistency of wording between the PPS and the Provincial Plans is an important step for implementing provincial documents;
  - (ii) Introduction of a policy to allow sensitive land uses in conjunction with major retail or office uses in employment areas, which has the potential to put pressure on employment areas for a mix of land uses that are not compatible with industrial uses and could occupy lands that should be for manufacturing, research and development, and other similar uses. This proposed policy should be deleted;
  - (iii) Addition of a policy to allow employment land conversions to proceed in advance of the MCR (proposed policy 2.2.5.10). This proposed policy should be deleted;
  - (iv) Removal of the concept of prime employment areas from the Growth Plan and the opportunity for municipalities to identify these areas in Official Plans;
  - (v) Revision to the definition of 'office parks' to remove the requirement for office parks to be located within employment areas, which could result in the Urban Growth Centre being classified as an office park;
  - (vi) Addition of a policy to allow for adjustments to a settlement area boundary outside of the MCR process (proposed policy 2.2.8.4). This proposed policy should be deleted;

- (vii) Addition of new policies to allow for settlement area boundary expansions, up to a maximum area of 40 ha, to occur in advance of the MCR (proposed policies 2.2.8.5 and 2.2.8.6). These proposed policies should be deleted;
  - (viii) Increased intensification target from 50% to 60% between the completion of the MCR to 2031, whereas the current plan has a gradual increase in the intensification target from 50% between completion of the MCR to 2031 to 60% between 2031 and 2041. The policies of the 2017 Growth Plan should be maintained which allow for a graduated target increase, provided that the opportunity to apply for an alternative target is maintained;
  - (ix) Deletion of policy 2.2.4.4 (a)(ii) from the Growth Plan 2017 which recognized that planning for the minimum density target for some MTSA's may be premature based on the existing built form and the potential for redevelopment. This existing policy should not be deleted and should be maintained in the Growth Plan; and,
  - (x) Addition of a policy (policy 2.2.9.7) to allow for adjustments of the boundaries of rural settlement areas outside of the MCR process. This proposed policy should be deleted.
- (e) That the Province of Ontario be advised that the City of Hamilton provides the following suggestions / revisions regarding the revised Plan / policies:
- (i) Amend the proposed boundaries of the lands identified in Hamilton as Provincially Significant Employment Zones as follows:
    - (aa) Hamilton Portland's – Employment lands along the QEW. The proposed description is incorrect and includes two different areas. This area should be renamed to Hamilton North (Bayfront Area and employment lands along the QEW);
    - (bb) Hamilton Central – only a portion of the Red Hill North Park has been included. The entirety of the Park should be included; and,
    - (cc) Hamilton Airport – this area should be renamed to Hamilton Airport Employment Growth District and follow the boundaries of the Airport Employment Growth District.
  - (ii) Add the following employment areas to the lands identified as Provincially Significant Employment Zones:
    - (aa) Ancaster Business Park;
    - (bb) Red Hill South and the eastern half of Red Hill North Business Park;

- (cc) The West Hamilton Innovation District; and,
  - (dd) Flamborough Business Park
  - (iii) Provincially Significant Employment Zones should be identified on a Schedule to the Growth Plan to protect them for the long term;
  - (iv) Add a policy to the implementation section to address existing non-complying uses in the rural area similar to the policies of the Greenbelt Plan.
- (f) If the Province of Ontario does not make the changes requested by the City of Hamilton in recommendations (b) and (d) above, the following are suggested revisions to clarify and improve the policies:
- (i) Amend proposed policy 2.2.5.10 regarding employment land conversions in advance of the MCR as follows, in order to ensure that the City has an opportunity to complete the Employment Land Conversion Review and Land Needs Assessment in advance of any requests for employment land conversion:

“Notwithstanding policy 2.2.5.9, lands within existing *employment areas* may be converted to a designation that permits non-employment uses prior to the completion of the *municipal comprehensive review*, provided that:

    - a) the municipality completes a comprehensive Employment Land Conversion Review in accordance with the requirements of policy 2.2.5.9 and a Land Needs Assessment; and,
    - b) upon the completion of the Employment Land Conversion Review and Land Needs Assessment, the Council of the municipality passes a resolution identifying lands which may be converted to a non-employment use;”
  - (ii) If proposed policy 2.2.5.10 is not amended as per recommendation (f)(i) above, the Growth Plan should be revised to provide clarity as to what constitutes a “significant number of jobs”.
  - (iii) If proposed policy 2.2.8.5, which will allow for interim urban boundary expansions and which is not supported by the City of Hamilton, is maintained, the policy should be revised to clarify that only a one time expansion is permitted in advance of the next MCR which is the conformity exercise for the 2017 Growth Plan and to require that such an expansion must be municipally initiated.

- (g) That the City of Hamilton request that further revisions to the Growth Plan for the Greater Golden Horseshoe be undertaken based on implementation issues that have arisen in the 2017 Growth Plan and previous requests by the City of Hamilton in 2016 and 2017 for changes as part of the Coordinated Provincial Plan review:
    - (i) Section 2.2.4 – Transit Corridors and Station Areas, or the definition of Major Transit Station Area, should be amended to clarify that MTSAs do not need to include established low density neighbourhoods;
    - (ii) Amend Schedule 5 (Moving People – Transit) of the Growth Plan to extend the Priority Transit Corridor in Hamilton to include planned Parkdale, Nash and Eastgate LRT stops;
    - (iii) Revise the built boundary to include developed “greenfield areas”, since they are more appropriate to be included within the built-up area;
    - (iv) The Growth Plan forecasts should be developed with a range, and not one definitive number and the forecasts should be updated every 10 years as part of the Plan review;
    - (v) Amend Policy 4.2.6.2. to add “or a LEAR study previously approved by the Province” after the reference to “in accordance with mapping identified by the Province” which would allow the municipality to use their own accurate and consistent mapping of prime agricultural areas; and,
  - (h) That the City request the province to increase the commenting period for any changes to Provincial Plans, the *Planning Act* or Provincial Policy statement from 45 days to 90 days to allow municipalities sufficient time to assess and comment on any proposed changes;
  - (i) That the City Clerk’s Office be requested to forward Report PED19033 to the Ministry of Municipal Affairs and this Report is considered the City of Hamilton’s formal comments on Amendment No. 1 to the Growth Plan and the Provincially Significant Employment Zones; and,
  - (j) That climate change is an important issue and previously identified targets should be incorporated in any Provincial Growth Plans.
- 6. Demolition Permit 255 Wellington Street North (PED19044) (Ward 2) (Item 10.1)**

That the Chief Building Official be authorized and directed to issue a demolition permit for 255 Wellington Street North in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of The Planning Act, subject to the following conditions:



- (a) That the applicant applies for, receives a building permit for and erects a replacement building(s) on this property;
- (b) That the said building permit specifies that if the replacement building is not erected within four years of the demolition of the existing building on the property, the City be paid the sum of \$20,000 which sum:
  - (i) the City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes;
  - (ii) is a lien or charge on the property until paid;
- (c) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions in a form satisfactory to the Chief Building Official and the City Solicitor.

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

That the Chief Building Official be authorized and directed to issue a demolition permit for 257 Wellington Street North in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of The Planning Act, subject to the following conditions:

- (a) That the applicant applies for, receives a building permit for and erects a replacement building(s) on this property;
- (b) That the said building permit specifies that if the replacement building is not erected within four years of the demolition of the existing building on the property, the City be paid the sum of \$20,000 which sum:
  - (i) the City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes;
  - (ii) is a lien or charge on the property until paid;
- (c) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions in a form satisfactory to the Chief Building Official and the City Solicitor.

**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)**

That the amending By-law attached as Appendix "A" to Report PED17179(b), being a By-law to amend By-law 18-199, a By-law to Prohibit Driving School Instructing in the Restricted Areas, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

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

WHEREAS, residents on the west side of Wellington Street North between Robert Street and Barton Street have long desired to be afforded the opportunity to park adjacent to their homes;

WHEREAS, on-street parking that currently exists in the area is often consumed by General Hospital staff and visitors; and,

WHEREAS, Wellington Street North is four lanes, one-way Southbound where traffic volumes have dramatically decreased over time.

THEREFORE BE IT RESOLVED:

That the appropriate staff from Parking investigate options to improve parking for residents on Wellington Street North between Robert Street and Barton Street, including but not limited to, adding additional parking on the west side.

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

WHEREAS, The Puddicombe Cider Company is proposing to construct a new one storey Cidery having a gross floor area of 2,601m<sup>2</sup> at 1438 Highway No. 8 which is proposed to connect to the existing 200mm water main on Highway No. 8;

WHEREAS, for business planning and operational reasons the Cidery cannot connect to the Puddicombe Winery's existing services which includes a connection to the existing water main on Highway No. 8; and,

WHEREAS, the adjacent properties are currently connected to the existing water main;

THEREFORE BE IT RESOLVED:

That The Puddicombe Cider Company be permitted to connect to the municipal water system, at their cost, in a manner acceptable to the City of Hamilton.

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

WHEREAS, the building consisting of the municipal addresses 46 to 50 King Street East and 11 Hughson Street South, known as the Canada Trust Building, is included on the Municipal Heritage Register as a non-designated building;

WHEREAS, a non-designated building included on the Municipal Heritage Register cannot be demolished unless the owner provides Council at least 60

days notice in writing of the owner's intention to demolish in accordance with the Ontario Heritage Act, R.S.O. 1990, C. O.18;

WHEREAS, Cultural Heritage Staff reported on the results of the DHBI in March 2014 (PED14039) which included a classification of the properties as a 'Character-Supporting Resource' but the report did not recommend the inclusion of the properties in the Register;

WHEREAS, Site Plan application SPA-15-110 for the construction of two additional storeys on the existing building and a curtain wall on three sides of the building was approved but due to structural issues involved with building the additional storeys on top of the existing building cannot be supported by the existing foundations and the proposed demolition and development meets the intent of the approved Site Plan application SPA-15-100;

THEREFORE BE IT RESOLVED:

That the City of Hamilton take no action with respect to the demolition permit application for 46 to 50 King Street East and 11 Hughson Street South as there is no intention to proceed with the designation of the building.

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

WHEREAS, the Urban Hamilton Official Plan states that the basic maximum right-of-way widths for urban collector roads shall be 26.213 metres, unless specifically described otherwise; and

WHEREAS, the Urban Hamilton Official Plan states that the City shall require the conveyance of property for appropriate daylighting triangles on existing roads at such times as the property is to be developed or redeveloped; and

WHEREAS, an application for land severance (HM/B-17:108) have been submitted for 541 Stone Church, Hamilton, to create a new residential lot;

WHEREAS, a 3 metre dedication along the Courtland Avenue frontage of the severed lot and applicable daylighting triangles have been identified; and,

WHEREAS, Courtland Avenue is a mature street and not identified for significant changes;

THEREFORE, BE IT RESOLVED:

That staff be directed to reduce the requirement for road widening along Courtland Avenue from 3 metres to 1 metre along with a reduced daylighting triangle.

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

- (a) That the direction provided to staff in Closed Session be approved; and,
- (b) That Report LS19006 respecting Local Planning Appeal Tribunal appeals by The Green Organic Dutchman Holdings Limited (PL180732 and PL180818) – settlement proposal, and its recommendations remain confidential.

**FOR INFORMATION:**

**(a) APPROVAL OF THE AGENDA (Item 2)**

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

**1. DELEGATION REQUESTS (Item 6)**

- 6.3 Lynda Lukasik, Environment Hamilton, respecting the Growth Plan for the Greater Golden Horseshoe – Amendment No. 1 and Provincially Significant Employment Zones (Item 9.1) (For today's meeting)
- 6.4 Carol Moffatt, respecting 264 Governor's Road (Item 8.2) (For today's meeting)
- 6.5 David Moffatt, respecting 264 Governor's Road (Item 8.2) (For today's meeting)

**2. PUBLIC HEARINGS / DELEGATIONS (Item 8)**

- 8.3.a Written comments from Terri Johns, T. Johns Consulting

**3. STAFF PRESENTATIONS (Item 9)**

- 9.1.b Written comments from John Corbett, Corbett Land Strategies Inc.

**4. NOTICES OF MOTION (Item 12)**

- 12.1 Puddicombe Cider Company Connection to Municipal Water System

- 12.2 46-50 King Street East and 11 Hughson Street South (Canada Trust Building) – Registered Building
- 12.3 To Waive Road Widening Requirement for 541 Stone Church Road West, Hamilton

The agenda for the February 19, 2019 meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 3)**

Councillor Clark declared an interest with Item 7.3 as he has a pre-existing professional relationship with, and was a client of, Terrapure.

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

**(i) February 5, 2019 (Item 4.1)**

The Minutes of the February 5, 2019 meeting were approved, as presented.

Items 10.1, respecting Demolition Permit 255 Wellington Street North (PED19044), and 10.2, respecting Demolition Permit 257 Wellington Street North (PED19045), were moved up in the agenda to be heard at this time.

**(d) DISCUSSION ITEMS (Item 10)**

**(i) Demolition Permit 255 Wellington Street North (PED19044) (Ward 2) (Item 10.1)**

The Chief Building Official was authorized and directed to issue a demolition permit for 255 Wellington Street North in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of *The Planning Act*, subject to the following conditions:

- (a) That the applicant has applied for and received a building permit for a replacement building on this property;
- (b) That the said building permit specifies that if the replacement building is not erected within two years of the demolition of the existing building on the property, the City be paid the sum of \$20,000 which sum:
  - (i) the City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes;
  - (ii) is a lien or charge on the property until paid;

- (c) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions in a form satisfactory to the Chief Building Official and the City Solicitor.

For disposition of this matter, refer to Item (f)(i) and 6.

**(ii) Demolition Permit 257 Wellington Street North (PED19045) (Ward 2) (Item 10.2)**

The Chief Building Official was authorized and directed to issue a demolition permit for 257 Wellington Street North in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of *The Planning Act*, subject to the following conditions:

- (a) That the applicant has applied for and received a building permit for a replacement building on this property;
- (b) That the said building permit specifies that if the replacement building is not erected within two years of the demolition of the existing building on the property, the City be paid the sum of \$20,000 which sum:
  - (i) the City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes;
  - (ii) is a lien or charge on the property until paid;
- (c) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions in a form satisfactory to the Chief Building Official and the City Solicitor.

For disposition of this matter, refer to Item (f)(i) and 7.

**(e) DELEGATION REQUESTS (Item 8)**

**(i) Delegation Requests for February 19, 2019 (Items 6.1 – 6.5)**

The following Delegation Requests were approved for the February 19, 2019 meeting:

- 6.1 Blair Shoniker, GHD, respecting Terrapure Stoney Creek Regional Facility Environmental Assessment (Item 7.3)
- 6.2 Michael Jovanovic, Terrapure Environmental, respecting Terrapure Stoney Creek Regional Facility Environmental Assessment (Item 7.3)

- 6.3 Lynda Lukasik, Environment Hamilton, respecting the Growth Plan for the Greater Golden Horseshoe – Amendment No. 1 and Provincially Significant Employment Zones (Item 9.1) (For today's meeting)
- 6.4 Carol Moffatt, respecting 264 Governor's Road (Item 8.2) (For today's meeting)
- 6.5 David Moffatt, respecting 264 Governor's Road (Item 8.2) (For today's meeting)

(f) **DISCUSSION ITEMS (Item 10)**

- (i) **Demolition Permit 255 Wellington Street North (PED19044) (Ward 2) (Item 10.1)**

and

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

The Planning Committee's decisions made on Items 10.1 and 10.2, were reconsidered.

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

The recommendations of Report PED19044, respecting Demolition Permit 255 Wellington Street North, were **amended** as follows:

That the Chief Building Official be authorized and directed to issue a demolition permit for 255 Wellington Street North in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of The Planning Act, subject to the following conditions:

~~(a) That the applicant has applied for and received a building permit for a replacement building on this property;~~

**(a) That the applicant applies for, receives a building permit for and erects a replacement building(s) on this property;**

(b) That the said building permit specifies that if the replacement building is not erected within ~~two~~ **four** years of the demolition of the existing building on the property, the City be paid the sum of \$20,000 which sum:

- (i) the City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes;

- (ii) is a lien or charge on the property until paid;

- (c) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions in a form satisfactory to the Chief Building Official and the City Solicitor.

For disposition of this matter, refer to Item 6.

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

The recommendations of Report PED19045, respecting Demolition Permit 257 Wellington Street North, were **amended** as follows:

That the Chief Building Official be authorized and directed to issue a demolition permit for 257 Wellington Street North in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of The Planning Act, subject to the following conditions:

~~(a) That the applicant has applied for and received a building permit for a replacement building on this property;~~

**(a) That the applicant applies for, receives a building permit for and erects a replacement building(s) on this property;**

(b) That the said building permit specifies that if the replacement building is not erected within ~~two~~ **four** years of the demolition of the existing building on the property, the City be paid the sum of \$20,000 which sum:

- (i) the City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes;
- (ii) is a lien or charge on the property until paid;

(c) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions in a form satisfactory to the Chief Building Official and the City Solicitor.

For disposition of this matter, refer to Item 7.

**(g) PUBLIC HEARINGS/DELEGATIONS (Item 8)**

**(i)** The Delegation Requests from Blair Shoniker, GHD, and Michael Jovanovic, Terrapure Environmental, respecting Terrapure Stoney Creek Regional Facility Environmental Assessment, were moved up in the agenda to be heard before Item 7.3.



**(ii) Blair Shoniker, GHD, respecting the Terrapure Stoney Creek Regional Facility Environmental Assessment (Added Item 8.4)**

Blair Shoniker, GHD, addressed the Committee respecting the Terrapure Stoney Creek Regional Facility Environmental Assessment with the aid of a PowerPoint Presentation. A copy of the presentation is available online at [www.hamilton.ca](http://www.hamilton.ca).

The delegation from Blair Shoniker, respecting the Terrapure Stoney Creek Regional Facility Environmental Assessment, was received.

**(iii) Michael Jovanovic, Terrapure Environment, respecting the Terrapure Stoney Creek Regional Facility Environmental Assessment (Added Item 8.5)**

Michael Jovanovic, Terrapure Environment, addressed the Committee respecting the Terrapure Stoney Creek Regional Facility Environmental Assessment with the aid of a PowerPoint Presentation. A copy of the presentation is available online at [www.hamilton.ca](http://www.hamilton.ca).

The delegation from Michael Jovanovic, respecting the Terrapure Stoney Creek Regional Facility Environmental Assessment, was received.

**(h) CONSENT ITEMS (Item 7)**

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

Jennifer Roth, Planner, addressed the Committee with a PowerPoint presentation. A copy of the presentation is available online at [www.hamilton.ca](http://www.hamilton.ca).

The presentation from Jennifer Roth respecting Terrapure Stoney Creek Regional Facility Environmental Assessment – Final Environmental Assessment, January 2019, was received.

(a) That Council endorse, authorize and direct 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 “Stoney Creek Regional Facility Environmental Assessment – Final Environmental Assessment, January 2019”;

(b) That Report PED16184(c) be adopted as the City of Hamilton’s formal comments on the “Stoney Creek Regional Facility

Environmental Assessment – Final Environmental Assessment, January 2019”;

- (c) As a result of the previously identified concerns, as they relate to the Approved and Amended Terms of Reference being principally addressed, Council no longer oppose the expansion and reconfiguration of the Stoney Creek Regional Facility,
- (d) That Planning Division staff be directed to continue to monitor this matter and advise Council as to any events and decisions made by the MECP;
- (e) That the City Clerk be authorized and directed to forward Report PED16184(c) to the MECP.

For disposition of this matter, refer to Item 3.

**(i) DELEGATIONS/PUBLIC HEARING (Item 8)**

**(i) University Plaza Area Residents Association Incorporated respecting Development at University Plaza (Approved at the February 5, 2019 meeting) (Item 8.1)**

Abby Murray Wark, University Plaza Area Residents Association Incorporated, addressed the Committee respecting Development at University Plaza.

The delegation from Abby Murray Wark on behalf of the University Plaza Area Residents Association Incorporated respecting Development at University Plaza, was received.

**(ii) 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)**

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.

Shannon McKie, Senior Project Manager, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available online at [www.hamilton.ca](http://www.hamilton.ca).

The staff presentation was received.

Matt Johnston, Urban Solutions, agent for the applicant was in attendance and indicated that the applicant is in agreement with the staff report. Matt Johnston addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available online at [www.hamilton.ca](http://www.hamilton.ca).

The presentation from Matt Johnston, Urban Solutions, was received.

**Registered Speakers:**

**1. Carol Moffatt, 9 Lynndale Drive**

Carol Moffatt addressed the Committee and expressed concern with the proposed development.

**2. David Moffatt, 9 Lynndale Drive**

David Moffatt addressed the Committee and expressed concern with the proposed development.

The delegations were received.

The public meeting was closed.

***That the recommendations be amended by adding the following subsection (c):***

***(c) That the public submissions received did not affect the decision.***

For disposition of this matter, refer to Item 4.

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

In accordance with the provisions of the *Planning Act*, Chair Pearson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Zoning By-law Amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal

Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The public meeting was closed.

Timothy Lee, Senior Planner, addressed Committee with the aid of a PowerPoint presentation. A copy of the presentation is available online at [www.hamilton.ca](http://www.hamilton.ca).

The staff presentation was received.

### **Written Comments**

8.3(a) Terri Johns, T. Johns Consulting

Staff was directed to:

- (a) Amend 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, on the following basis:
  - (i) Notwithstanding Sub-section 10.7.3 a), the Minimum Building Setback from a Street line for a Warehouse or Self Storage Facility shall be 250.00 m.

Staff were directed to prepare an Information Report, including maps, indicating where self storage facilities are located and permitted, and report back to the Planning Committee.

Report PED19029 respecting Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 was deferred to the March 19, 2019 Planning Committee meeting.

The Planning Committee's decision to close the Public Meeting respecting Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (PED19029), was reconsidered to allow for a Delegation.

### **Delegation**

Savan Chandaria, Tibro Developments addressed the Committee and expressed concerns with the proposed by-law amendments.

The delegation was received.

- (a) That the public meeting be closed;

- (b) That staff be directed to meet with Planning Committee Councillors to provide more information on the proposed amendments;
- (c) That the written comments from Terri Johns, T. Johns Consulting, be received; and,
- (d) That Staff be directed to meet with Savan Chandaria to discuss his concerns with the Zoning By-law amendments.

Staff was directed to meet with Councillor VanderBeek to consider her request for a City Initiated review of Zoning with a site specific amendment for the subject property 336-338 King Street, Dundas, and report back to the Planning Committee.

**(j) STAFF PRESENTATIONS (Item 9)**

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

Heather Travis, Senior Project Manager, addressed Committee with the aid of a PowerPoint presentation. A copy of the presentation is available online at [www.hamilton.ca](http://www.hamilton.ca).

The presentation from Heather Travis respecting Growth Plan for the Greater Golden Horseshoe – Amendment No. 1 and Provincially Significant Employment Zones, was received.

**Lynda Lukasik, Environment Hamilton, respecting the Greater Golden Horseshoe – Amendment No. 1 and Provincially Significant Employment Zones (Added Item 8.4)**

Lynda Lukasik, Environment Hamilton, addressed the Committee respecting the Greater Golden Horseshoe – Amendment No. 1 and Provincially Significant Employment Zones.

The delegation from Lynda Lukasik, Environment Hamilton, respecting the Greater Golden Horseshoe – Amendment No. 1 and Provincially Significant Employment Zones, was received.

Paul Parente, addressed the Committee respecting the Greater Golden Horseshoe – Amendment No. 1 and Provincially Significant Employment Zones.

The delegation from Paul Parente, respecting the Greater Golden Horseshoe – Amendment No. 1 and Provincially Significant Employment Zones, was received.

The written comments from John Corbett, Corbett Land Strategies, (Item 9.1.b), were received.

Report PED19033, respecting Growth Plan for the Greater Golden Horseshoe – Amendment No. 1 and Provincially Significant Employment Zones, recommendation (c) (v), was amended as follows:

~~(v) — Reduction of the minimum density target from 80 pjh to 60 pjh, and applicability of the target to the entirety of the designated greenfield area~~

**(v) That the City's position is to retain the density target of 80 pjh.**

The following sub-section was added as (j):

**(j) That climate change is an important issue and previously identified targets should be incorporated in any Provincial Growth Plans.**

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

Councillor Johnson wished to be recorded as OPPOSED to sections (c) (viii) and (g) (v) of the recommendations.

Councillor Wilson wished to be recorded as OPPOSED to sections (d) (viii) of the recommendations.

Councillor Whitehead wished to be recorded as OPPOSED to sections (d) (vi), (vii) and (viii) of the recommendations.  
For disposition of this matter, refer to Item 5.

**(k) MOTIONS (Item 11)**

**(i) On Street Parking Permits – Wellington Street North (Item 11.1)**

That the Motion respecting On Street Parking Permits – Wellington Street North be amended by deleting the recommendation and replacing it with the following wording:

WHEREAS, residents on the west side of Wellington Street North between Robert Street and Barton Street have long desired to be afforded the opportunity to park adjacent to their homes;

WHEREAS, on-street parking that currently exists in the area is often consumed by General Hospital staff and visitors; and,

WHEREAS, Wellington Street North is four lanes, one-way Southbound where traffic volumes have dramatically decreased over time.

THEREFORE BE IT RESOLVED:

~~That the appropriate staff from Parking be requested to notify residents, by letter, of the opportunity for west side Wellington Street North on-street permit parking between Robert Street and Barton Street, Hamilton.~~

***That the appropriate staff from Parking investigate options to improve parking for residents on Wellington Street North between Robert Street and Barton Street, including but not limited to, adding additional parking on the west side.***

For disposition of this matter, refer to Item 9.

**(I) NOTICES OF MOTION (Item 12)**

Councillor Pearson relinquished the Chair to Councillor Farr.

**(i) Puddicombe Cider Company Connection to Municipal Water System (Added Item 12.1)**

Councillor Pearson introduced a Notice of Motion respecting Puddicombe Cider Company Connection to Municipal Water System.

The Rules of Order were waived in order to allow for the introduction of a Motion respecting Puddicombe Cider Company Connection to Municipal Water System.

For disposition of this matter, refer to Item 10.

Councillor Pearson assumed the Chair.

**(ii) 46-50 King Street East and 11 Hughson Street South (Canada Trust Building) – Registered Building (Added Item 12.2)**

Councillor Farr introduced a Notice of Motion respecting 46-50 King Street East and 11 Hughson Street South (Canada Trust Building) – Registered Building.

The Rules of Order were waived in order to allow for the introduction of a Motion respecting 46-50 King Street East and 11 Hughson Street South (Canada Trust Building) – Registered Building.

For disposition of this matter, refer to Item 11.

**(iii) To Waive Road Widening Requirement for 541 Stone Church Road West, Hamilton (Added Item 12.3)**

Councillor Whitehead introduced a Notice of Motion To Waive Road Widening Requirement for 541 Stone Church Road West, Hamilton.

The Rules of Order were waived in order to allow for the introduction of a Motion To Waive Road Widening Requirement for 541 Stone Church Road West, Hamilton.

For disposition of this matter, refer to Item 12.

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

**(i) Outstanding Business List (Item 13.1)**

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

Item M - Limiting Development Charges reductions, Parkland Dedication fee reductions or CIP Incentives re Height restrictions (Addressed at Audit, Finance & Administration Committee meeting June 11, 2018)

Item BB - Terrapure Stoney Creek Facility EA - Compensation Agreement (Addressed as Item 10.3 on the February 5, 2019 agenda)

Item KK - Amendments to By-law 18-199 - Prohibiting Driving School Instructing in the Restricted Areas (Deferred from the January 15, 2019 meeting and addressed as Item 10.3 on this agenda)

(b) The following new due dates were approved:

Item G - Feasibility of By-law to ensure that Tree Removal Contractors have a City Business Licence  
Proposed New Due Date: March 19, 2019  
Current Due Date: February 19, 2019

**(n) PRIVATE AND CONFIDENTIAL (Item 14)**

**(i) Local Planning Appeal Tribunal appeals by the Green Organic Dutchman Holdings Limited (PL180732 and PL180818) – settlement proposal (LS19006) (Item 14.1)**

Committee moved into Closed Session respecting Item 14.1, 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.

For disposition of the matter refer to Item 13.

**(o) ADJOURNMENT (Item 15)**

There being no further business, the Planning Committee adjourned at 5:42 p.m.

Respectfully submitted,

Councillor M. Pearson  
Chair, Planning Committee

Lisa Chamberlain  
Legislative Coordinator  
Office of the City Clerk



Hamilton

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Planning and Economic Development Department  
Planning Division  
71 Main Street West, 5<sup>th</sup> Floor, Hamilton ON L8P 4Y5  
Phone: 905-546-2424, Ext. 1221 Fax: 905-540-5611

***SENT BY E-MAIL***

Jennie.weller@ontario.ca

February 19, 2019

Ministry of the Environment, Conservation and Parks (MECP)  
Jennie Weller  
Project Officer  
135 St. Clair West, 7<sup>th</sup> Floor  
Toronto, ON M4V 1P5

**RE: Comments on the Terrapure Stoney Creek Regional Facility Final Environmental Assessment**

In response to the submission of the Terrapure Stoney Creek Regional Facility Final Environmental Assessment, please find attached the consolidated comments from City of Hamilton staff. Please note that these comments are technical in nature.

Previous comments on the Preliminary Draft EA discussed in the City's letter to GHD, dated August 31, 2018, were brought to the City's Planning Committee on September 18, 2018 and Council on September 26, 2018. Additional technical comments from staff, were forwarded to GHD on October 22, 2018 in response to a request for comment on the Draft EA.

The following Final EA reports have minor outstanding matters as a result of comments by City of Hamilton staff (Attachment):

- Design & Operations Detailed Impact Assessment Report, prepared by GHD, dated January 2019
- Geology and Hydrogeology Impact Assessment Report, prepared by GHD, dated January 2019
- Land Use and Economic Detailed Impact Assessment Report, prepared by GHD, dated January 2019
- Noise Detailed Impact Assessment Report, prepared by GHD, dated January 2019

- Traffic Detailed Impact Assessment Report, prepared by GHD, dated January 2019

In summary, City of Hamilton staff had previously identified several gaps and issues that have generally been addressed in the SCRF Final Environmental Assessment Reports. Several minor outstanding comments remain and are outlined in the Attachment.

We thank you for the opportunity to comment on the Final Environmental Assessment Report. Should you have questions or comments, please contact Jennifer Roth at 905-546-2424 Ext. 2058 or via email at [Jennifer.Roth@hamilton.ca](mailto:Jennifer.Roth@hamilton.ca).

Regards,

Steve Robichaud, *MCIP, RPP*  
Director of Planning and Chief Planner, Planning Division  
Planning and Economic Development Department  
City of Hamilton

SR:jr  
Attachment

cc:  
Brad Clark, Councillor Ward 9  
Maria Pearson, Councillor Ward 10  
Chad Collins, Councillor Ward 5  
Dan McKinnon, General Manager, Public Works  
Angela Storey, Manager of Recycling and Waste Disposal Operations  
Tony Sergi, Senior Director, Growth Management  
Joanne Hickey-Evans, Manager Policy Planning & Zoning By-law Reform  
Christine Newbold, Manager Community Planning & GIS  
Anita Fabac, Manager Development Planning, Heritage & Design  
Matt Lawson, Manager, Public Health Services  
Justyna Hidalgo, Solicitor  
Debbie Edwards, Deputy City Solicitor  
Samantha Blackley, Capital Budgets  
Udo Ehrenberg, Manager Hamilton Water  
Jennie Weller, Project Officer, Ministry of Environment, Conservation and Parks  
([jennie.weller@ontario.ca](mailto:jennie.weller@ontario.ca))  
GHD Consulting, Blair Shoniker, Senior Waste & Environmental Planner, 65 Sunray Street, Whitby, ON L1N 8Y3

**Terrapure Stoney Creek Regional Facility Environmental Assessment**  
**City of Hamilton Staff Comments - Table 1**

| <b>Section/Department</b>   | <b>Staff Comments</b>   |
|---|---|
| <p><b>Planning and Economic Development Department, Planning Division</b></p> | <p>With regards to the Noise Detailed Impact Assessment Report, prepared by GHD, dated January 2019, the following comments and questions should be addressed:</p> <ul style="list-style-type: none"> <li>• Based on the findings of the noise study, noise levels resulting from the revised landfill footprint will not exceed noise limits at any sensitive receptors during any phases of the landfill operation, based on the phasing plan outlined in the report.</li> <li>• Note that the phasing plan identifies Phase 3 of the landfill operations commencing in 2023. Should this phasing plan change, additional noise impact review would be required</li> </ul>  |
| <p><b>Public Works Department, Source Water Protection</b></p>                | <p>The following comments are provided regarding the Geology and Hydrogeology Impact Assessment Report and the Design &amp; Operations Detailed Impact Assessment, both prepared by GHD, dated January 2019:</p> <ul style="list-style-type: none"> <li>• GHD should provide a discussion of the corrections applied to the field permeameter testing pertaining to clay liner compatibility analysis.</li> <li>• The effective consolidation pressure used for the lab permeameter analyses was 18 to 25 kPa, the author should discuss the relevance of the effective consolidation pressure applied during testing to the anticipated consolidation pressures of the liner once the landfill is at capacity.</li> <li>• There was no leachate interaction / compatibility discussion or mineralogical assessment of the clay to identify its swelling potential, where smectite or illite clay minerals are predominant, additional conductivity analyses may be warranted using synthetic leachate. The author should discuss the clay compatibility with respect to the anticipated leachate water quality.</li> <li>• Due to the potential for groundwater impacts off-site, Hamilton Water recommends that a cursory review of any available domestic water quality from the proximal private wells be completed. An attempt should be made to re-establish a relationship with those residents</li> </ul> |

| <b>Section/Department</b>  | <b>Staff Comments</b>   |
|--|---|
|  | <p>who have historically refused to participate in the monitoring program. An attempt should also be made to locate and include Private Well 1 into the monitoring program (if this well has not yet been decommissioned).</p> <ul style="list-style-type: none"> <li>• GHD should provide greater discussion on the likelihood of onsite operations affecting downgradient groundwater quality onto neighbouring private property. Monitoring and mitigation of potential impacts should be incorporated into this discussion. Future development on downgradient property (and the subsequent need for potential dewatering for land development) increases groundwater quality risks to these downgradient properties.</li> </ul>  |
| <p><b>Public Works Department, Infrastructure Planning &amp; System Design</b></p>           | <p>The following comment is provided regarding both the Geology and Hydrogeology Detailed Impact Assessment Report and Surface Water Detailed Impact Assessment Report, completed by GHD, dated January 2019:</p> <ul style="list-style-type: none"> <li>• Staff have stated that the limited capacity of the downstream sanitary sewer will dictate the release rate of any flows from the property.</li> </ul>  |
| <p><b>Planning and Economic Development Department, Transportation Planning Division</b></p> | <p>The following comments are provided regarding the Traffic Detailed Impact Assessment Report, prepared by GHD, dated January 2019:</p> <ul style="list-style-type: none"> <li>• The Transportation Planning Section reiterates that SCRF vehicles will not be authorized to use Green Mountain Road as it is not the most direct delivery route and not identified on the truck route map and is therefore subject to enforcement.</li> <li>• In addition, a Truck Operations Monitoring Framework should be created and maintained. The framework should include driver training and awareness strategies as well as monitoring and evaluation strategies on an annual and/or semi-annual basis.</li> <li>• Driver training and awareness strategies to improve driver sense of responsibility may include: <ul style="list-style-type: none"> <li>○ Reporting of vehicle safety and driver training certificates</li> </ul> </li> </ul> |

| Section/Department | Staff Comments  |
|--------------------|---|
|                    | <ul style="list-style-type: none"> <li>○ To adhere to safety requirements when operating heavy vehicles, keep the truck under positive control at all times, and observe all established traffic regulations (may include vehicle performance reviews);</li> <li>○ To be courteous to others - abide by the rules of the road, do not exceed the maximum posted or safe operating speed, and share the road with all road users (may include driver performance reviews);</li> <li>○ To drive defensively - monitor actions of other road users, changing the weather and road conditions, and maintain appropriate following distance in all driving conditions; and</li> <li>○ To be a good neighbour - adopt a designated truck route, avoid intrusion to the residential neighbourhoods, and unnecessary use of engine brakes near residential land-uses.</li> <li>● Monitoring and evaluation strategies may include:             <ul style="list-style-type: none"> <li>○ Community complaint logs;</li> <li>○ Monitor and evaluate driver operational performance in alignment with MTO’s safety guidelines for Commercial Vehicles Operators Registration (CVOR);</li> <li>○ Introduce technological measures to monitor the driving behaviour of the truck operators concerning their interaction with other road users and in accordance to road and weather condition;</li> <li>○ Create a frequent screening policy concerning vehicles exhaust system to alleviate the noise pollution and detect illegally modified mufflers; and,</li> <li>○ Incorporate GPS tracking technologies to:                 <ul style="list-style-type: none"> <li>▪ trace and embrace efficient routing;</li> <li>▪ monitor truck route compliance;</li> </ul> </li> </ul> </li> </ul> |

| Section/Department  | Staff Comments  |
|---|---|
|   | <ul style="list-style-type: none"> <li>▪ reduce transportation costs;</li> <li>▪ improve operational service levels;</li> <li>▪ identify deficiencies and act responsibly; and</li> <li>▪ collect data to support and simplify business improvement and decision-making processes.</li> </ul>   |
| <b>Healthy and Safe Communities Department, Public Health Services</b>                                  | <p>At this point Public Health Services staff has no formal detailed comments as it deals with the environmental technical reports. Public Health Services staff do not require a modified Human Health Risk Assessment.</p> <p>Further, Public Health Services staff requested the inclusion of a Pest Control Plan in the Final Environmental Assessment. A Pest Control Plan was provided at the Draft Environmental Assessment stage and was subsequently approved by staff.</p>  |
| <b>Corporate Services Department, Legal Services</b>  | <p>Legal and Finance staff are presenting two reports to Planning Committee on February 5, 2019 (Reports LS18045 / FCS18072 and LS18045(a) / FCS18072(a)) to seek further direction on negotiating updated terms to the compensation agreement with Terrapure. Provided that Council is supportive of the recommendations made in the report, and negotiations ultimately prove fruitful, staff will seek to have the new negotiated terms form part of the conditions of approval.</p>   |
| <b>Planning and Economic Development Department, Economic Development Division, Real Estate Section</b> | <p>The following comments are provided regarding the Land Use and Economic Detailed Impact Assessment Report, prepared by GHD, dated January 2019:</p> <ul style="list-style-type: none"> <li>• Valuation Methodology proposed by RIAS Inc. was approved by the City of Hamilton in November 2018, which included an assessment of transaction prices and / or CVA pre- and post- 1996. At this time, this assessment has not been provided.</li> <li>• Provision of an assessment of transaction prices and / or CVA pre- and post- 1996 or an explanation to be provided as to why the pre- and post- 1996 analysis was not completed by RIAS Inc.</li> </ul> |



## **GENERAL ISSUES COMMITTEE REPORT 19-004**

9:30 a.m.

Wednesday, February 20, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

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

**Absent:** Councillors B. Clark and B. Johnson - NPCA

### **THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 19-004 AND RESPECTFULLY RECOMMENDS:**

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

That the following individuals be appointed to the Barton Village Business Improvement Area (BIA) Board of Management:

- (i) Peter Mokrycke; and,
- (ii) Philip Green.

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

(a) That a residential Special Event Parking Plan be adopted for the 2019 Canadian Open Golf Tournament:

- (i) That temporary “Special Event Permit Parking” signs be erected on residential streets within the defined boundaries, as outlined in Appendix “A” to Report 19-004, to restrict parking to permit holders from the following dates and times:



- (1) Monday, June 3, 2019 to Thursday, June 6, 2019 from 7:00 a.m. to 7:00 p.m.;
  - (2) Friday, June 7, 2019 to Saturday, June 8, 2019 from 7:00 a.m. to 12:00 a.m. (midnight); and,
  - (3) Sunday, June 9, 2019 from 7:00 a.m. to 7:00 p.m., inclusive;
- (ii) That “Special Event Parking Permits” be issued to area residents in accordance with the guidelines outlined in Appendix “B” attached to Report PED19047; and,
- (b) That the amendment to the Parking By-law 01-218, attached as Appendix “C” to Report PED19047, which has been prepared in a form satisfactory to the City Solicitor, be approved.

**3. Public Art Master Plan 2016 Annual Update (PED19053) (City Wide) (Item 7.3)**

That Report PED19053, respecting the Public Art Master Plan 2016 Annual Update, be received.

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

That staff be directed to waive the fees, for the Nikola Tesla Educational Corporation’s 2019 Electric City annual event at the Hamilton Museum of Steam and Technology.

**5. 2018 Annual Report on the 2016-2020 Economic Development Action Plan Progress (PED19036) (City Wide) (Item 9.1)**

That Report PED19036, respecting the 2018 Annual Report on the 2016-2020 Economic Development Action Plan Progress, be received.

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

**(a) Appointment of Chair and Vice-Chair (Item 1)**

- (1) That Councillor Pearson be appointed as Chair of the Capital Projects Work-In-Progress Sub-Committee for the 2018 - 2022 term; and,

- (2) That Councillor Danko be appointed as Vice Chair of the Capital Projects Work-In-Progress Sub-Committee for the 2018 - 2022 term.

**(b) Capital Projects Status Report (Excluding Public Works) as of June 30, 2018 (FCS18079) (City Wide) (Item 10.1)**

That the Capital Projects Status Report (excluding Public Works), as of June 30, 2018, attached as Appendix "A" to Report FCS18079, be received.

**(c) Capital Projects Closing Report as of September 30, 2018 (FCS18079) (City Wide) (Item 10.2) (Attached as Appendix 'A' to Report FCS18079)**

- (1) That the Acting General Manager of Finance and Corporate Services be authorized to transfer a combined \$272,401.00 from the Unallocated Capital Levy Reserve (108020) and other Program Specific Reserves to the capital projects, as outlined in Appendix "B" to Report 19-004;
- (2) That the Acting General Manager of Finance and Corporate Services be directed to close the completed and/or cancelled capital projects listed in Appendix "C" to Report 19-004, in accordance with the Capital Closing Policy;
- (3) That Appendix "C" to Report FCS18078(a), Capital Projects Budget Appropriations for the period covering July 1, 2018 through September 30, 2018, be received for information; and,
- (4) That Appendix "D" to Report 19-004, Capital Projects Budget to be merged for the period covering July 1, 2018 through September 30, 2018 totalling \$311,171.60, be approved.

**(d) Capital Projects Status Report (Excluding Public Works) as of September 30, 2018 (FCS18079(a)) (City Wide) (Item 10.3)**

That the Capital Projects Status Report (excluding Public Works), as of September 30, 2018, attached as Appendix "A" to Report FCS18079(a), be received.

- 7. Capital Projects Work-in-Progress Sub-Committee Report 19-002, February 4, 2019 (Item 10.2)**
  - (a) Public Works - Capital Projects Status Report as of September 30, 2018 (FCS18077(a)) (City Wide) (Item 10.1)**
    - (i) That the Capital Projects Status Report, Public Works Tax Supported Projects, as of September 30, 2018, attached as Appendix "A" to Report FCS18077(a), be received; and,
    - (ii) That the Capital Projects Status Report, Public Works Rate Supported Projects, as of September 30, 2018, attached as Appendix "B" to Report FCS18077(a), be received.
  
- 8. Utilization of the Hamilton Amazon Bid Package (PED19017) (City Wide) (Item 10.3)**
  - (a) That Report PED19017 on the use of the Hamilton Amazon bid assets, be received;
  - (b) That the requirement to report back annually on the usage of the Hamilton Amazon bid no longer be required; and,
  
- 9. Ottawa Street Business Improvement Area (BIA) Proposed Budget and Schedule of Payment (PED19038) (Wards 3 and 4) (Item 10.4)**
  - (a) That the 2019 Operating Budget for the Ottawa Street Business Improvement Area, attached as Appendix "E" to Report 19-004, in the amount of \$133K, be approved;
  - (b) That the levy portion of the Operating Budget for the Ottawa Street Business Improvement Area in the amount of \$133K, 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 PED19038; and,
  - (d) That the following schedule of payments for 2019 be approved:
    - (i) February       \$66,500
    - (ii) June           \$66,500

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

- (a) That staff be authorized to release the Ontario's Main Street Revitalization Initiative Program Funding from Reserve Account No. 104051 to Department ID No. 815010;
- (b) That staff be directed to apply the \$294,574 of the \$504,574 in funding made available through the Ontario's Main Street Revitalization Initiative (OMSRI) for the following purposes:
  - (i) \$20 K allocated to each of the 13 existing Business Improvement Area for projects to be approved by staff that are in scope of the eligible expenditures of the Ontario's Main Street Revitalization Initiative Project description (\$260 K total);
  - (ii) \$34,574 allocated to the execution of a marketing campaign to bring awareness and promotion to the "One City. Spend It Here" brand with the goal of driving business to all Business Improvement Areas;
- (c) That staff satisfy and execute all the program requirements of the Ontario's Main Street Revitalization Initiative Guide to the Municipal Funding Agreement found in Appendix "A" to Report PED19039/PW19017 and the elements of the Municipal Funding Agreement Ontario's Main Street Revitalization Initiative, as outlined in Appendix "B" to Report PED19039/PW19017; and,
- (d) That the item related to Utilization of the Main Street Revitalization Funds be identified as complete and removed from the General Issues Committee Outstanding Business List.

**11. Temporary Delegated Authority-Financial Incentive Programs Administered by the Urban Renewal Section and Real Estate Transactions (PED18135(a)) (City Wide) (Outstanding Business List Item) (Item 10.6)**

That Report PED18135(a), respecting the Temporary Delegated Authority-Financial Incentive Programs Administered by the Urban Renewal Section and Real Estate Transactions, be received.

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

- (a) That the Mayor be directed, on behalf of the City of Hamilton, to request a meeting with the federal Minister of Transport to discuss this proposed amalgamation, of the Hamilton Port Authority and the Oshawa Port Authority, and outline the City of Hamilton's objectives and concerns;
- (b) That Transport Canada be requested to provide to the City of Hamilton, the draft Letters Patent proposed for the newly amalgamated port authority for the City's review and input prior to finalization;
- (c) That the Mayor be directed, on behalf of the City of Hamilton, to make written representations to the Minister of Transport regarding the amalgamation of the Hamilton Port Authority and the Oshawa Port Authority respectfully requesting that the:
  - (i) Corporate name of the amalgamated port authority be known as the 'Hamilton Port Authority' and have its registered offices located in Hamilton, Ontario;
  - (ii) Board of Directors of the amalgamated port authority have no more than seven members and that the Cities of Hamilton be granted the authority to appoint two members and Oshawa be granted the authority to appoint one member; and,
  - (iii) Newly amalgamated port authority be directed to continue the close working relationship established between the Hamilton Port Authority and the City of Hamilton, its citizens and stakeholders particularly with respect to the transparency of port operations, project reviews, development planning, site plan approvals and the issuance of building permits.

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

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.

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

That Report LS18053(a), and its Appendix, respecting the Waterfront Lease Update, remain confidential.

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

That Report LS19011(a), respecting Bill 66: Schedule 9 'Non-Construction Employer', remain confidential.

**FOR INFORMATION:**

**(a) CEREMONIAL ACTIVITIES (Item 1)**

**Vic Djurdjevic – Tesla Medal Awarded by the Tesla Science Foundation United States to the City of Hamilton in Recognition of the City's Support and Recognition of Nikola Tesla (Item 1.1)**

Vic Djurdjevic, of the Nikola Tesla Educational Corporation, provided two awards: one to the City of Hamilton and one to Councillor M. Pearson, on behalf of the Tesla Science Foundation (United States) in recognition of the City's support and recognition of Nikola Tesla.

**(b) APPROVAL OF AGENDA (Item 2)**

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

**1. DISCUSSION ITEMS (Item 10)**

10.5 Ontario's Main Street Revitalization Initiative Program Update (PED19039/PW19017) – there is a typographical error under Recommendation (b), sub-section (ii). The dollar amount should read \$34,5**74** rather than \$34,547.

10.7 Proposed Amalgamation of Hamilton Port Authority and Oshawa Port Authority (PED19065) (City Wide)

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

**2. PRIVATE & CONFIDENTIAL (Item 14)**

14.3 Bill 66: Schedule 9 “Non Construction Employer” (LS19011(a)) (City Wide)

Pursuant to Section 8.1, Sub-sections (d) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (d) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to labour relations or employee negotiations; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

The agenda for the February 20, 2019 General Issues Committee agenda, was approved, as amended.

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

There were no declarations of interest.

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

Councillors VanderBeek and Partridge noted an error in the electronic vote that was copied into the minutes for Item (i)(ii). The Committee Clerk advised that the error would be corrected in the official record.

**(i) February 6, 2019 (Item 4.1)**

The Minutes of the February 6, 2019 meeting of the General Issues Committee were approved, as amended.

**(e) DELEGATION REQUESTS (Item 6)**

**(i) Tim Potocic, Supercrawl, to outline the Current Impact of the Festival to the City of Hamilton (For the March 20, 2019 GIC) (Item 6.1)**

The delegation request, submitted by Tim Potocic, Supercrawl, respecting the current impact of the Festival to the City of Hamilton, was approved to appear before the General Issues Committee on March 20, 2019.

- (ii) **Ed Smith, A Better Niagara, respecting the Niagara Peninsula Conservation Authority (NPCA) (For the March 20, 2019 GIC) (Item 6.2)**

The delegation request, submitted by Ed Smith, A Better Niagara, respecting the Niagara Peninsula Conservation Authority (NPCA), was approved to appear before the General Issues Committee on March 20, 2019.

**(f) PUBLIC HEARINGS / DELEGATIONS (Item 8)**

- (i) **Vic Djurdjevic, Nikola Tesla Educational Corporation, respecting the Tesla Educational Corporation Events and Activities (Item 8.1)**

Vic Djurdjevic, Nikola Tesla Educational Corporation, addressed Committee respecting the Tesla Educational Corporation Events and Activities.

The presentation provided by Vic Djurdjevic, Nikola Tesla Educational Corporation, respecting the Tesla Educational Corporation Events and Activities, was received.

A copy of the presentation is available on the City's website at [www.hamilton.ca](http://www.hamilton.ca) or through the Office of the City Clerk.

Tourism & Culture staff be directed to explore participation in the 2025 AIPH (International Association of Horticultural Producers) Horticultural Expo, and report back to the General Issues Committee.

For further disposition of this matter, please refer to Item 4.

**(g) STAFF PRESENTATIONS (Item 9)**

- (i) **2018 Annual Report on the 2016-2020 Economic Development Action Plan Progress (PED19036) (Outstanding Business List Item) (City Wide) (Item 9.1)**

Glen Norton, Director of Economic Development, addressed Committee and provided a PowerPoint overview respecting Report PED19036 - 2018 Annual Report on the 2016-2020 Economic Development Action Plan Progress.



The presentation, respecting Report PED19036 - 2018 Annual Report on the 2016-2020 Economic Development Action Plan Progress, was received.

A copy of the presentation is available on the City's website at [www.hamilton.ca](http://www.hamilton.ca) or through the Office of the City Clerk.

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

(h) **DISCUSSION ITEMS (Item 10)**

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

Sub-section (c)(ii), of Report PED19065 - Proposed Amalgamation of Hamilton Port Authority and Oshawa and Port Authority, was amended by deleting the words "Burlington" and "each"; and, by adding the words "**be granted the authority to appoint two members**" after the word "Hamilton", to read as follows:

- (ii) Board of Directors of the amalgamated port authority have no more than seven members and that the Cities of ~~Burlington~~, Hamilton **be granted the authority to appoint two members** and Oshawa ~~each~~ be granted the authority to appoint one member; and,

Sub-section (c)(i), of Report PED19065 - Proposed Amalgamation of Hamilton Port Authority and Oshawa and Port Authority, was amended by deleting the word "- Oshawa", to read as follows:

- (i) Corporate name of the amalgamated port authority be known as the 'Hamilton-Oshawa Port Authority' and have its registered offices located in Hamilton, Ontario;

For further disposition of this matter, please refer to Item 12.

**(i) MOTIONS (Item 11)**

The following Motion was not addressed; therefore, it will be placed on the March 20, 2019 General Issues Committee agenda:

**14. 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)**

That staff be directed to apply the following protocol to all future City initiated, private for profit, not for profit and any municipal/ third party shared bids for any international, national, provincial games, award shows, musical concerts, conventions, conference, trade shows, and partisan political conventions:

- (i) That the City of Hamilton release the negotiated upset limit for staff time, grants, loans, policy exemptions and in-kind contributions 24 hours, prior to the submission of the bid;
- (ii) That the actual bid document for any third party, proprietary bids remain confidential; and,
- (iii) That the actual bid document for any City of Hamilton initiated bid be made public 24 hours after the bid decision is released.

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

Councillor Pauls spoke to the winter walk that she and Councillors Danko and Whitehead took through Wards 7, 8 and 14.

**(k) PRIVATE & CONFIDENTIAL (Item 14)**

**(i) Closed Session Minutes – February 6, 2019 (Item 14.1)**

- (a) The Closed Session Minutes of the February 6, 2019 General Issues Committee meeting were approved, as presented; and,
- (b) That the Closed Session Minutes of the February 6, 2019 General Issues Committee meeting, shall remain confidential.

Item 14.3, respecting Report LS19011(a) – Bill 66: Schedule 9 “Non Construction Employer”, was moved up on the agenda to be discussed before Item 14.2 in Closed Session.

Committee moved into Closed Session, respecting Items 14.2 and 14.3, pursuant to Section 8.1, Sub-sections (d), (e) and (f) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (d), (e), and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to 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.

**(ii) Waterfront Lease Update (LS18053(a)) (Ward 2) (Item 14.2)**

Staff were provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 15.

**(I) ADJOURNMENT (Item 13)**

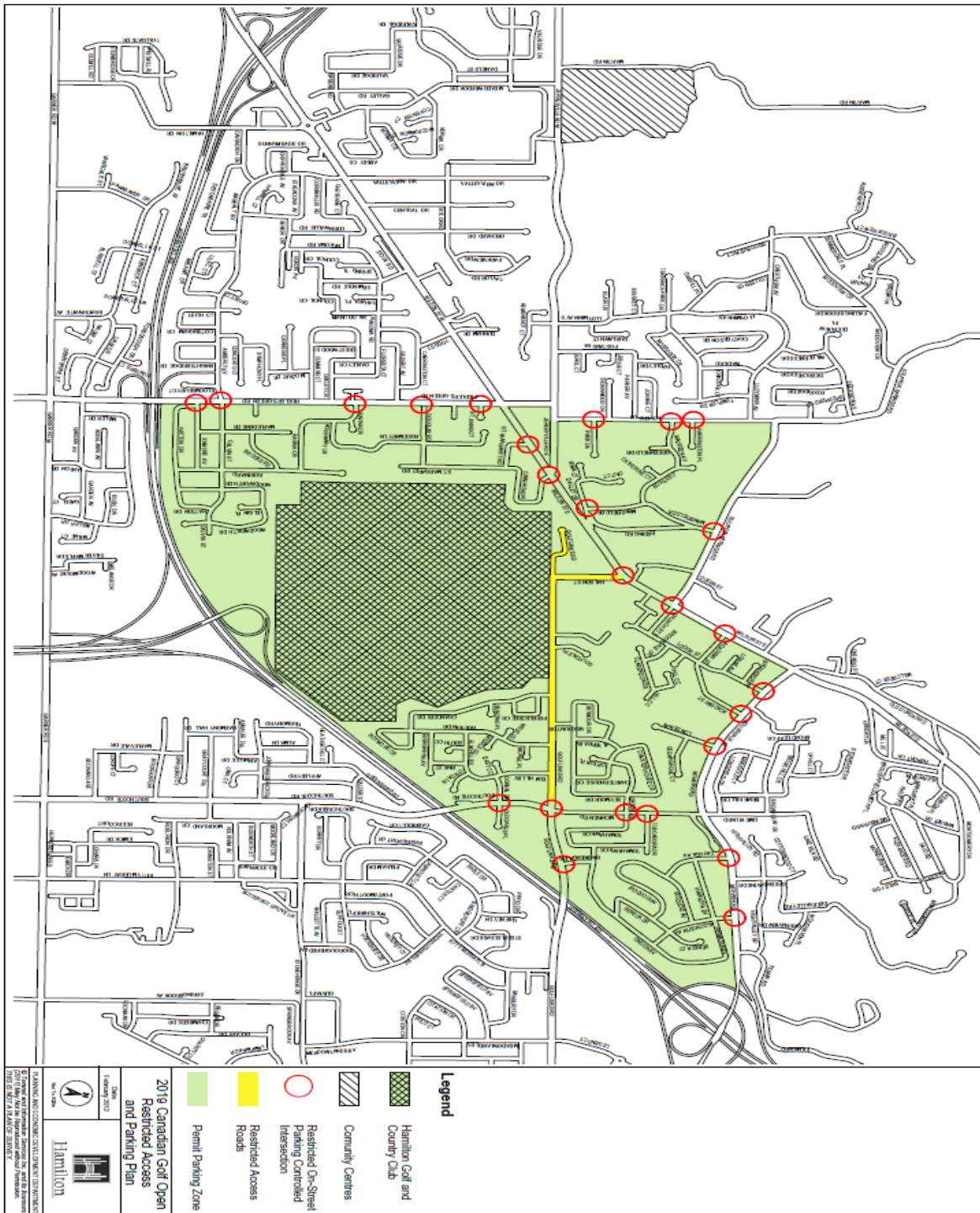
There being no further business, the General Issues Committee adjourned at 2:05 p.m.

Respectfully submitted,

C. Collins, Deputy Mayor  
Chair, General Issues Committee

Stephanie Paparella  
Legislative Coordinator  
Office of the City Clerk

### Special Event Permit Parking Map



| City of Hamilton<br>Capital Project Closings<br>As of September 30, 2018<br>Projects impacting the Unallocated Capital Levy Reserve & Other Reserves |            |   |                            |               |                                   |
|--|------------|---|----------------------------|---------------|-----------------------------------|
| Year<br>Approved   | ProjectID  | Description   | Surplus/<br>(Deficit) (\$) | Reserve       | Description                       |
| <b>Projects requiring funds</b>  |            |   |                            |               |                                   |
| 2015   | 4031518347 | Bridge 347 - Carlisle Rd, 355 m w/o Wildberry Way     | 2,979.42                   | 108020        | Unalloc Capital Levy              |
| 2015   | 7201558503 | Battlefield Gage House Interior - Hall and Upper Room | 0.51                       | 108020        | Unalloc Capital Levy              |
| 2016   | 4031611222 | New Sidewalk Program - 2016                           | 1,191.27                   | 108020        | Unalloc Capital Levy              |
| 2017   | 7401751701 | VFD Protective Eqp Uniform                            | 105,672.90                 | 108020        | Unalloc Capital Levy              |
| 2018   | 4401856807 | Glanbrook Hills Phase 2                               | 30.99                      | 108020        | Unalloc Capital Levy              |
|  |            |   | <b>109,875.09</b>          |               |                                   |
| <b>Projects returning funds</b>  |            |   | \$                         |               |                                   |
| 2012   | 5181260240 | Shrewsbury Drainage & Ped Path                        | (306.18)                   | 108020        | Unalloc Capital Levy              |
| 2015   | 5161555640 | Non-Trunk Flow Monitoring                             | (63.54)                    | 108020        | Unalloc Capital Levy              |
| 2016   | 4401656610 | Turner Park Ball Field Irrigation                     | (762.10)                   | 108020        | Unalloc Capital Levy              |
|  |            |   | <b>(1,131.82)</b>          |               |                                   |
| <b>Net impact to the Unallocated Capital Levy Reserve</b>  |            |   | <b>108,743.27</b>          |               |                                   |
| <b>Projects requiring funds</b>  |            |   | \$                         |               |                                   |
| 2005   | 5140566508 | Lynden Water Supply – Land&EA                         | (258,129.81)               | 5169309324    | Unalloc Current Funds-Sanitary    |
| 2013   | 4241309205 | Central Memorial Rec Centre - Patio                   | (15.30)                    | 108052        | Ward 2-Capital Infrastructure     |
| 2014   | 2861451700 | HBRU Renos & Equip Purchase                           | (1,767.00)                 | 110005        | Hamilton Beach Rescue             |
| 2015   | 5161555640 | Non-Trunk Flow Monitoring                             | (63.54)                    | 110340/110341 | LinearWW-RE/LinearWW-NR           |
| 2015   | 5311584501 | PASS SUS&CERT Software Modules                        | (12,160.97)                | 108025        | Transit Capital Reserve           |
| 2016   | 5141655420 | Freelton Water Meter Accuracy                         | (68,955.40)                | 5169309324    | Unalloc Current Funds-Sanitary    |
| 2017   | 4241709370 | Wentworth Stairs                                      | (440.67)                   | 108052/108057 | Ward 2 & 7-Capital Infrastructure |
| 2017   | 5141755010 | Water System Planning                                 | (39,611.58)                | 5169309324    | Unalloc Current Funds-Sanitary    |
| <b>Net impact to Other Reserves</b>  |            |   | <b>(381,144.27)</b>        |               |                                   |
| <b>Total Net impact to the Unallocated Capital Levy Reserve &amp; Other Reserves</b>   |            |   | <b>(272,401.00)</b>        |               |                                   |

| CITY OF HAMILTON<br>CAPITAL PROJECTS' CLOSING SCHEDULE<br>AS OF SEPTEMBER 30, 2018 |            |  |                         |                     |                     |                                       |             |
|--|------------|--|-------------------------|---------------------|---------------------|---------------------------------------|-------------|
| YEAR<br>APPROVED   | PROJECT ID | DESCRIPTION  | APPROVED<br>BUDGET (\$) | REVENUES (\$)       | EXPENDITURES (\$)   | PROJECT<br>SURPLUS/<br>(DEFICIT) (\$) | %<br>SPENT  |
|  |            |  | a                       | b                   | c                   | d = b - c                             | e = c/a     |
| <b>UNALLOCATED CAPITAL LEVY RESERVE</b>  |            |  |                         |                     |                     |                                       |             |
| 2012   | 5181260240 | Shrewsbury Drainage & Ped Path                         | 90,000.00               | 90,000.00           | 90,306.18           | (306.18)                              | 100%        |
| 2015   | 4031518347 | Bridge 347 - Carlisle Rd. 355 m w/o Wildberry Way      | 100,000.00              | 71,239.63           | 68,260.21           | 2,979.42                              | 68%         |
| 2015   | 5161555640 | Non-Trunk Flow Monitoring                              | 440,000.00              | 440,063.54          | 440,127.08          | (63.54)                               | 100%        |
| 2015   | 7201558503 | Battlefield Gage House Interior - Hall and Upper Rooms | 76,300.00               | 76,279.30           | 76,278.79           | 0.51                                  | 100%        |
| 2016   | 4031611222 | New Sidewalk Program - 2016                            | 480,000.00              | 389,066.67          | 387,875.40          | 1,191.27                              | 81%         |
| 2016   | 4401656610 | Turner Park Ball Field Irrigation                      | 100,000.00              | 100,000.00          | 100,762.10          | (762.10)                              | 101%        |
| 2017   | 7401751701 | VFD Protective Eqp Uniform                             | 500,000.00              | 500,000.00          | 394,327.10          | 105,672.90                            | 79%         |
| 2018   | 4401856807 | Glanbrook Hills Phase 2                                | 100,000.00              | 100,000.00          | 99,969.01           | 30.99                                 | 100%        |
| <b>TOTAL FUNDS FROM UNALLOCATED CAPITAL LEVY (8)</b>                               |            |  | <b>1,886,300.00</b>     | <b>1,766,649.14</b> | <b>1,657,905.87</b> | <b>108,743.27</b>                     | <b>88%</b>  |
| <b>OTHER PROGRAM SPECIFIC RESERVES</b>   |            |  |                         |                     |                     |                                       |             |
| 2005   | 5140566508 | Lynden Water Supply – Land&EA                          | 1,790,000               | 1,790,000.00        | 2,048,129.81        | (258,129.81)                          | 114%        |
| 2013   | 4241309205 | Central Memorial Rec Centre - Patio                    | 11,000.00               | 11,000.00           | 11,015.30           | (15.30)                               | 100%        |
| 2014   | 2861451700 | HBRU Renos & Equip Purchase                            | 25,000.00               | 25,000.00           | 26,767.00           | (1,767.00)                            | 107%        |
| 2015   | 5161555640 | Non-Trunk Flow Monitoring                              | 440,000.00              | 440,063.54          | 440,127.08          | (63.54)                               | 100%        |
| 2015   | 5311584501 | PASS SUS&CERT Software Modules                         | 197,000.00              | 197,000.00          | 209,160.97          | (12,160.97)                           | 106%        |
| 2016   | 5141655420 | Freelton Water Meter Accuracy                          | 110,000.00              | 110,000.00          | 178,955.40          | (68,955.40)                           | 163%        |
| 2017   | 4241709370 | Wentworth Stairs                                       | 153,065.00              | 153,065.00          | 153,505.67          | (440.67)                              | 100%        |
| 2017   | 5141755010 | Water System Planning                                  | 300,000.00              | 300,000.00          | 339,611.58          | (39,611.58)                           | 113%        |
| <b>TOTAL FUNDS FROM PROGRAM SPECIFIC RESERVES (8)</b>                              |            |  | <b>3,026,065.00</b>     | <b>3,026,128.54</b> | <b>3,407,272.81</b> | <b>(381,144.27)</b>                   | <b>113%</b> |
| <b>DELAYED/CANCELLED PROJECTS</b>  |            |  |                         |                     |                     |                                       |             |
| 2012   | 5161261240 | WSI-Leeds-Burl E Gate Removal                          | 300,000.00              | 265,772.36          | 265,772.36          | 0.00                                  | 89%         |
| 2016   | 2861651700 | HBRU Renovations & Equipment                           | 68,000.00               | 0.00                | 0.00                | 0.00                                  | 0%          |
| 2016   | 4661617725 | Claremont Access Bike Lanes                            | 0.00                    | 0.00                | 0.00                | 0.00                                  | 0%          |
| 2017   | 4401718002 | Pedestrian Bridge Repl&Repair                          | 0.00                    | 0.00                | 0.00                | 0.00                                  | 0%          |
| 2017   | 5141767422 | New PD2 Water PS                                       | 500,000.00              | 0.00                | 0.00                | 0.00                                  | 0%          |
| 2018   | 4401849008 | Extreme Park Makeover Program                          | 0.00                    | 0.00                | 0.00                | 0.00                                  | 0%          |
| <b>TOTAL DELAYED/CANCELLED PROJECTS (6)</b>  |            |  | <b>868,000.00</b>       | <b>265,772.36</b>   | <b>265,772.36</b>   | <b>0.00</b>                           | <b>31%</b>  |
| <b>COMPLETED PROJECTS</b>  |            |  |                         |                     |                     |                                       |             |
| <b>CITY MANAGER DEPARTMENT</b>   |            |  |                         |                     |                     |                                       |             |
| <b>City Manager Program</b>  |            |  |                         |                     |                     |                                       |             |
| 2016   | 3381657504 | Service Delivery Improvements                          | 132,250.00              | 132,250.28          | 132,250.28          | 0.00                                  | 100%        |
| <b>CORPORATE SERVICE DEPARTMENT</b>  |            |  |                         |                     |                     |                                       |             |
| <b>Transition Program &amp; One Time Projects</b>                                  |            |  |                         |                     |                     |                                       |             |
| 2001   | 2110155011 | HR Transition Projects                                 | 144,430.00              | 143,810.92          | 143,810.92          | 0.00                                  | 100%        |
| <b>PLANNING &amp; ECONOMIC DEVELOPMENT DEPARTMENT(TAX BUDGET)</b>                  |            |  |                         |                     |                     |                                       |             |
| <b>Tourism &amp; Culture</b>   |            |  |                         |                     |                     |                                       |             |
| 2015   | 7101558510 | Public Art - Waterdown Memorial Hall Mural             | 15,000.00               | 15,000.00           | 15,000.00           | 0.00                                  | 100%        |
| <b>Growth Management</b>   |            |  |                         |                     |                     |                                       |             |
| 2014   | 4141446107 | DiCenzo Gardens Ph 10                                  | 17,070.00               | 17,066.32           | 17,066.32           | 0.00                                  | 100%        |
| 2014   | 4141446101 | Paramount Subdivision                                  | 94,590.00               | 94,586.79           | 94,586.79           | 0.00                                  | 100%        |
| <b>Economic Development</b>  |            |  |                         |                     |                     |                                       |             |
| 2017   | 8121741301 | HTC Bldg Maintenance                                   | 49,161.31               | 49,161.31           | 49,161.31           | 0.00                                  | 100%        |

| CITY OF HAMILTON<br>CAPITAL PROJECTS' CLOSING SCHEDULE<br>AS OF SEPTEMBER 30, 2018 |            |   | Appendix "B" to Report FCS18078(a)<br>Page 2 of 3 |               |                   |                                 |         |
|--|------------|---|---|---------------|-------------------|---------------------------------|---------|
| YEAR APPROVED  | PROJECT ID | DESCRIPTION                                 | APPROVED BUDGET (\$)                              | REVENUES (\$) | EXPENDITURES (\$) | PROJECT SURPLUS/ (DEFICIT) (\$) | % SPENT |
|  |            |   | a   | b             | c                 | d = b - c                       | e = c/a |
| <b>Recreation Facilities</b>   |            |   |   |               |                   |                                 |         |
| 2005   | 7100554707 | Flamborough Twin Pad Arena                  | 18,820,170.00                                     | 22,182,372.19 | 22,182,372.19     | 0.00                            | 118%    |
| <b>Transportation Program</b>  |            |   |   |               |                   |                                 |         |
| 2017   | 4661717726 | Bay Street - Bike Lanes                     | 600,000.00  | 495,516.31    | 495,516.31        | 0.00                            | 83%     |
| <b>COMMUNITY AND EMERGENCY SERVICES DEPARTMENT (TAX BUDGET)</b>                    |            |   |   |               |                   |                                 |         |
| <b>Public Health</b>   |            |   |   |               |                   |                                 |         |
| <b>Long Term Care Homes</b>  |            |   |   |               |                   |                                 |         |
| 2016   | 6301651603 | ML & WL Lighting Replacement                | 1,096,000.00                                      | 963,355.04    | 963,355.04        | 0.00                            | 88%     |
| 2017   | 6301709701 | Heritage Courtyard Project                  | 20,560.00   | 20,560.00     | 20,560.00         | 0.00                            | 100%    |
| <b>Housing</b>   |            |   |   |               |                   |                                 |         |
| 2014   | 6731441302 | Social Housing Capital Repairs              | 486,800.00  | 486,759.83    | 486,759.83        | 0.00                            | 100%    |
| 2016   | 6731641606 | Domestic Violence Survi-housing             | 1,200,000.00                                      | 372,970.35    | 372,970.35        | 0.00                            | 31%     |
| <b>Hamilton Fire Department</b>  |            |   |   |               |                   |                                 |         |
| 2017   | 7401751700 | Fire Equipment Replacement                  | 680,000.00  | 648,628.35    | 648,628.35        | 0.00                            | 95%     |
| <b>OTHER BOARDS AND AGENCIES</b>   |            |   |   |               |                   |                                 |         |
| <b>Hamilton Police Department</b>  |            |   |   |               |                   |                                 |         |
| 2014   | 3761457403 | Time and Attendance System                  | 300,000.00  | 300,000.00    | 300,000.00        | 0.00                            | 100%    |
| <b>Hamilton Beach Rescue</b>   |            |   |   |               |                   |                                 |         |
| 2015   | 2861551700 | HBRU Renovations & Equipment                | 77,000.00   | 74,400.00     | 74,400.00         | 0.00                            | 97%     |
| <b>PUBLIC WORKS (TAX BUDGET)</b>   |            |   |   |               |                   |                                 |         |
| <b>Parks &amp; Cemeteries (Tax Budget)</b>   |            |   |   |               |                   |                                 |         |
| 2014   | 4401453100 | Cemetery Software Replacement               | 50,000.00   | 50,000.00     | 50,000.00         | 0.00                            | 100%    |
| 2015   | 4401549503 | Cemetery Development                        | 166,520.00  | 166,518.78    | 166,518.78        | 0.00                            | 100%    |
| 2016   | 4241609104 | Victoria Park Playground                    | 80,000.00   | 61,590.87     | 61,590.87         | 0.00                            | 77%     |
| 2016   | 4401641001 | Cemetery Building Repairs                   | 63,600.00   | 63,590.30     | 63,590.30         | 0.00                            | 100%    |
| 2017   | 4401749008 | Extreme Park Makeover                       | 19,900.00   | 19,836.38     | 19,836.38         | 0.00                            | 100%    |
| 2017   | 4401751501 | Sportsfield Irrigation System               | 23,050.00   | 23,050.15     | 23,050.15         | 0.00                            | 100%    |
| 2017   | 4401756711 | Felker Park Play Structure                  | 95,000.00   | 74,111.95     | 74,111.95         | 0.00                            | 78%     |
| <b>Open Space &amp; Development (Tax Budget)</b>                                   |            |   |   |               |                   |                                 |         |
| 2012   | 4401256516 | Trillium Garden Park                        | 102,900.00  | 102,904.07    | 102,904.07        | 0.00                            | 100%    |
| 2012   | 4401256892 | Crown Point E Property-Acquisition-new park | 845,000.00  | 844,996.39    | 844,996.39        | 0.00                            | 100%    |
| 2014   | 4401456300 | Parkside Hills                              | 9,800.00  | 9,800.27      | 9,800.27          | 0.00                            | 100%    |
| 2015   | 4401556802 | Beach Park Dev Program                      | 100,000.00  | 32,193.17     | 32,193.17         | 0.00                            | 32%     |
| <b>Energy Initiatives</b>  |            |   |   |               |                   |                                 |         |
| 2014   | 7901448403 | Low E Ceilings-Arenas                       | 118,940.00  | 101,699.00    | 101,699.00        | 0.00                            | 86%     |
| 2016   | 7901641603 | Parkdale Firestone Ceiling                  | 98,000.00   | 98,000.00     | 98,000.00         | 0.00                            | 100%    |
| <b>Fleet</b>   |            |   |   |               |                   |                                 |         |
| 2016   | 4941651004 | Street Sweeper Purchase                     | 1,282,400.00                                      | 1,282,402.74  | 1,282,402.74      | 0.00                            | 100%    |
| <b>Recreation (Tax Budget)</b>   |            |   |   |               |                   |                                 |         |
| 2012   | 4241209208 | Beasley Banner installation                 | 8,000.00  | 7,835.54      | 7,835.54          | 0.00                            | 98%     |

| CITY OF HAMILTON                                     |            |   |                      | Appendix "B" to Report FCS18078(a) |                      |                                 |             |
|--|------------|---|----------------------|------------------------------------|----------------------|---------------------------------|-------------|
| CAPITAL PROJECTS' CLOSING SCHEDULE                   |            |   |                      | Page 3 of 3                        |                      |                                 |             |
| AS OF SEPTEMBER 30, 2018                             |            |   |                      |                                    |                      |                                 |             |
| YEAR   | PROJECT ID | DESCRIPTION   | APPROVED BUDGET (\$) | REVENUES (\$)                      | EXPENDITURES (\$)    | PROJECT SURPLUS/ (DEFICIT) (\$) | % SPENT     |
| APPROVED   |            |   | a                    | b                                  | c                    | d = b - c                       | e = c/a     |
| <b>Waste (Tax Budget)</b>                            |            |   |                      |                                    |                      |                                 |             |
| 2015   | 5121551700 | MRF Equipment Upgrades                                | 1,784,012.80         | 1,734,006.48                       | 1,734,006.48         | 0.00                            | 97%         |
| <b>Transit (Tax Budget)</b>                          |            |   |                      |                                    |                      |                                 |             |
| 2004   | 5300483400 | ATS Master Plan-Policy Revise                         | 900,000.00           | 755,371.08                         | 755,371.08           | 0.00                            | 84%         |
| 2008   | 5300855100 | Rapid Transit Studies                                 | 11,203,390.00        | 10,785,674.01                      | 10,785,674.01        | 0.00                            | 96%         |
| 2015   | 5301555501 | Transit Priority Measures                             | 130,000.00           | 99,216.18                          | 99,216.18            | 0.00                            | 76%         |
| 2015   | 5301584505 | Transit Passenger Count System                        | 500,000.00           | 493,187.91                         | 493,187.91           | 0.00                            | 99%         |
| <b>Roads (Tax Budget)</b>                            |            |   |                      |                                    |                      |                                 |             |
| 2015   | 4241509114 | Cromwell Cres Roads & Sidewalk                        | 300,000.00           | 264,937.18                         | 264,937.18           | 0.00                            | 88%         |
| 2016   | 4031619669 | Winterberry - LINC to Old Mud                         | 190,000.00           | 190,000.00                         | 190,000.00           | 0.00                            | 100%        |
| 2016   | 4241609601 | Mohawk - Up Sherman to Up Gage                        | 680,000.00           | 513,811.20                         | 513,811.20           | 0.00                            | 76%         |
| 2016   | 4241609602 | Mohawk - Up Gage to Up Ottawa                         | 880,000.00           | 620,417.21                         | 620,417.21           | 0.00                            | 71%         |
| 2017   | 4031711224 | Sidewalk Rehabilitation Program - 2017                | 700,000.00           | 700,000.00                         | 700,000.00           | 0.00                            | 100%        |
| <b>PUBLIC WORKS (RATE BUDGET)</b>                    |            |   |                      |                                    |                      |                                 |             |
| <b>Water (Rate Budget)</b>                           |            |   |                      |                                    |                      |                                 |             |
| 2006   | 5140667650 | Carlisle Communal Well Upgrade                        | 4,840,000.00         | 4,693,711.46                       | 4,693,711.46         | 0.00                            | 97%         |
| 2009   | 5140967951 | ISF-714-Hillcrest Reservoir                           | 13,400,000.00        | 12,777,268.03                      | 12,777,268.03        | 0.00                            | 95%         |
| 2013   | 5161366360 | Flares at Biogas Facility                             | 3,280,000            | 3,109,667.19                       | 3,109,667.19         | 0.00                            | 95%         |
| 2015   | 5141567576 | Low Lift PS Upgrades Phase 2                          | 221,000.00           | 144,460.69                         | 144,460.69           | 0.00                            | 65%         |
| 2017   | 5141711101 | Road Restoration Program - 2017                       | 5,400,000.00         | 5,400,000.00                       | 5,400,000.00         | 0.00                            | 100%        |
| 2017   | 5141762078 | Substandard Water Service Replacement Program - 2017  | 4,000,000.00         | 4,000,000.00                       | 4,000,000.00         | 0.00                            | 100%        |
| <b>Wastewater (Rate Budget)</b>                      |            |   |                      |                                    |                      |                                 |             |
| 2015   | 5161562542 | Binbrook Wastewater System                            | 280,000.00           | 257,505.87                         | 257,505.87           | 0.00                            | 92%         |
| 2016   | 5161655010 | Wastewater Systems Planning                           | 300,000.00           | 280,915.56                         | 280,915.56           | 0.00                            | 94%         |
| <b>StormWater (Rate Budget)</b>                      |            |   |                      |                                    |                      |                                 |             |
| 2017   | 5181717458 | Catch Basin Replacement/Rehabilitation Program - 2017 | 500,000.00           | 500,000.00                         | 500,000.00           | 0.00                            | 100%        |
| <b>TOTAL COMPLETED PROJECTS (49)</b>                 |            |   | <b>76,284,544.11</b> | <b>76,255,117.35</b>               | <b>76,255,117.35</b> | <b>0.00</b>                     | <b>100%</b> |
| <b>GRAND TOTAL COMPLETED/CANCELLED PROJECTS (71)</b> |            |   | <b>82,064,909.11</b> | <b>81,313,667.39</b>               | <b>81,586,068.39</b> | <b>(272,401.00)</b>             | <b>99%</b>  |



| CITY OF HAMILTON<br>CAPITAL PROJECTS TO BE MERGED/ADJUSTED<br>FOR THE PERIOD COVERING JUNE 30, 2018 to SEPTEMBER 30, 2018 |                                     |                 |                            |                      |  |
|---|-------------------------------------|-----------------|----------------------------|----------------------|--|
| <b>Recommendations</b>  |                                     |                 |                            |                      |  |
| Appropriated From   | Description                         | Appropriated To | Description                | Amount (\$)          | LongDescr  |
| <b>Planning &amp; Economic Development</b>  |                                     |                 |                            |                      |  |
| <i>Transit Program</i>  |                                     |                 |                            |                      |  |
| 4031655940  | 2016-Transportation Tomorrow Survey | 4031755940      | 2017 Trans Tomorrow Survey | 165,740.00           | Transfer surplus funds to annual project for closure |
| <b>Planning &amp; Economic Development Total</b>  |                                     |                 |                            | <b>\$ 165,740.00</b> |  |
| <b>Public Works (Tax)</b>   |                                     |                 |                            |                      |  |
| <i>Transit</i>  |                                     |                 |                            |                      |  |
| 5301555500  | Mtnc & Storage Facility Expn Study  | 5301641500      | Transit Storage Facility   | 145,431.60           | Merge Projects to consolidate accounts               |
| <b>Public Works (Tax) Total</b>   |                                     |                 |                            | <b>\$ 145,431.60</b> |  |
| <b>Project Totals</b>   |                                     |                 |                            | <b>\$ 311,171.60</b> |  |

**OTTAWA STREET  
BUSINESS IMPROVEMENT AREA (BIA)  
PROPOSED 2019 OPERATING BUDGET**

|                         |                  |
|-------------------------|------------------|
| <b>Revenue</b>          |                  |
| BIA Levy                | \$133,000        |
|                         |                  |
| <b>Total Revenues</b>   | <b>\$133,000</b> |
|                         |                  |
| <b>Expenses</b>         |                  |
| Insurance               | \$3,500          |
| Office Facilities       | \$28,500         |
| Contract Workers        | \$40,000         |
| Administrative Expenses | \$5,000          |
| Beautification          | \$16,500         |
| Marketing/Events        | \$23,500         |
| Events/Operational      | \$15,000         |
| Office Improvements     | \$1,000          |
|                         |                  |
| <b>Total Expenses</b>   | <b>\$133,000</b> |



## **AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 19-003**

9:30 a.m.

**February 21, 2019  
Council Chambers  
Hamilton City Hall**

**Present:** Councillors C. Collins (Chair), M. Wilson (Vice-Chair), B. Johnson, M. Pearson, L. Ferguson, J. Partridge, A. VanderBeek, and B. Clark

### **THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 19-003 AND RESPECTFULLY RECOMMENDS:**

1. **Development Charges Stakeholders Sub-Committee Report 19-002 (Item 10.1)**
  - (a) **Development Charges By-law Policy – 2019 Development Charges Agriculture / Farm Land Comparators (FCS18062(b)) (City Wide) (Item 7.1)**
    - (i) That Report FCS18062(b) respecting Development Charges By-law Policy – 2019 Development Charges Agriculture / Farm Land Comparators, be received; and,
    - (ii) That the Agricultural / Farm Land Development Charge remain at 100% exempt.
  - (b) **2019 Development Charges By-law Policy (FCS18062(a)) (City Wide) (Item 10.1)**
    1. That staff be directed to include the policy, as outlined below, in the draft DC By-law to be included in the 2019 Development Charges (DC) Background Study:
      - (i) Parking Structures

That the 2019 Development Charges By-law not provide an exemption for commercial parking.

(ii) Covered Sports Field

That the 2019 Development Charges By-law not provide an exemption for covered sports fields.

(iii) Small Industrial Rate

That the 2019 Development Charges By-law not provide a lower rate for small industrial developments.

(iv) Academic – Post Secondary / Not-for-Profit  
Elementary/Secondary

(a) That the 2019 Development Charges By-law not provide an Academic Space exemption; and,

(b) That the 2019 Development Charges By-law require documentation from developers to support the mandatory exemption as a Crown agent.

(v) Affordable Housing

That the 2019 Development Charges By-law not provide an exemption for affordable housing.

(vi) Places of Worship

That the 2019 Development Charges By-law provide an exemption for Places of Worship, with clarification that revenue generating space is not exempt.

(vii) Public Hospitals

That the 2019 Development Charges By-law not provide exemptions for public hospitals.

(viii) Downtown Public Art Reserve Voluntary Contributions

That the 2019 Development Charges By-law maintain the current exemption for Downtown Public Art Reserve Voluntary Contributions, with an annual limit of \$250,000 on the contributions that will be accepted by the City under this program.

(ix) Heritage Buildings

That the 2019 Development Charges By-law maintain the current exemption within the existing building envelope

except for sections that are not covered by the Heritage designation.

(x) Redevelopment for Residential Facility

That the 2019 Development Charges By-law maintain the exemption for Redevelopment for Residential Facility.

(xi) Industrial Rate

That the 2019 Development Charges By-law maintain the current exemption, and continue with a 39% reduction, by charging 100% of the water and wastewater charges, and adjusting the percentage charged for services related to a highway component to achieve a combined reduction of 39%.

(xii) Expansion of an Existing Industrial Development

That the 2019 Development Charges By-law maintain the 50% Industrial expansion exemption as written in the 2014 Development Charges By-law, as amended.

(xiii) Transition Policy

That the 2019 Development Charges By-law maintain the Transition Policy tied to building permit applications.

(xiv) Student Residences

That the exemption for Student Residences be maintained in the 2019 Development Charges By-law until June 30, 2020.

(xv) Agriculture

During discussion of Item 7.1, the Committee passed a Motion "That the Agricultural / Farm Land Development Charge remain at 100% exempt", which relates to paragraph 3 of the staff recommendation.

That the 2019 Development Charges By-law redefine the agriculture definition to exclude cannabis growing and processing, and charge the industrial Development Charge rate.

(a) That the 2019 Development Charges By-law not provide an exemption for farm help houses; and,

(b) That the 2019 Development Charges By-law require proof of a farm business registration number to

receive the agriculture Development Charge exemption.

(xvi) New Non-Industrial (Commercial/Institutional) Stepped Rates

That the 2019 Development Charges By-law continue stepped rates for office, excluding medical office; continue stepped rates within the City's CIPA (Community Improvement Plan Areas) and BIA's (Business Improvement Areas); and, remove stepped rates for all other development.

(xvii) Expansion of Existing Non-Industrial (Commercial/Institutional)

That the 2019 Development Charges By-law only provide a 5,000 square feet exemption for office, excluding medical office; and, remove the exemption for all other non-industrial development.

(xviii) Downtown Hamilton CIPA

(a) That the 2019 Development Charges By-law continue to provide a 70% CIPA exemption for major office developments (Class A – greater than 20,000 square feet gross floor area), whether or not the development is a standalone office;

(b) That for other development within the Downtown Hamilton CIPA:

|                                       |     |
|---------------------------------------|-----|
| July 6, 2019 – July 5, 2020 exemption | 60% |
| July 6, 2020 – July 5, 2021 exemption | 50% |
| July 6, 2021 – July 5, 2022 exemption | 40% |
| July 6, 2022 – July 5, 2023 exemption | 40% |
| July 6, 2023 – July 5, 2024 exemption | 40% |

(c) That the 2019 Development Charges By-law maintain the same height limits on exemption use; and,

(d) That the 2019 Development Charges By-law add clarity that the Downtown Hamilton CIPA exemption

cannot be combined/stacked with other Development Charge exemptions and that the Downtown Hamilton CIPA exemption will not be applied if other exemptions result in a lower amount payable.

(xix) Laneway Housing

That the 2019 Development Charges By-law exempt laneway housing.

(xx) Non-industrial Uses Charged Industrial Rate

(a) That the 2019 Development Charges By-law not provide the industrial rate for self storage facilities or hotels; and,

(b) That the 2019 Development Charges By-law provide the industrial rate for film, production and artists' studios.

(xxi) Other Development Charges Policies

(a) That the 2019 Development Charges By-law maintain the ability to offset Development Charges with an ERASE (Environmental Remediation and Site Enhancement Redevelopment Program) grant, and require security through a Development Charge Deferral Agreement; and,

(b) That the 2019 Development Charges By-law, respecting Deferral Agreements, maintain the existing policy and add:

(i) That staff be authorized to negotiate extensions of Development Charges Deferral Agreements of up to two years;

(ii) That staff be authorized to enter into Development Charges Deferral Agreements related to Podium Developments to delay timing and applicable rate of Development Charge payment to the issuance of each structure permit (no time limit); and,

(iii) That staff be authorized to enter into zero interest Development Charge Deferral Agreements where a developer is applying their ERASE grant to offset the Development Charges (no time limit).

2. That the anticipated cost of providing the exemption policy be supported through the Rate and Tax Capital Budgets as well as through allocations from the City's annual operating budget surplus;
3. That staff be directed to prepare the necessary reports and draft by-laws to amend the City's GO Transit By-law 11-174 to be consistent with the policy as outlined in sub-section (a);
4. That the "Meeting with downtown developers regarding the proposed Downtown Community Improvement Project Area Development Charge Exemption" be considered complete and removed from the Outstanding Business List;
5. That "Laneway Housing DC Policy" be considered complete and removed from the Outstanding Business List;
6. That "Review of Downtown and Community Renewal Improvement Program" be considered complete and removed from the Outstanding Business List;
7. That "Including Affordable Housing in the Development Charges Policy Review" be considered complete and removed from the Development Charges Stakeholders Subcommittee Outstanding Business List; and,
8. That "Revise Agriculture Definition in the City's DC By-law" be considered complete and removed from the Outstanding Business List.

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

**(a) Appointment of Chair and Vice Chair (Item A)**

- (i) That Councillor B. Johnson, be appointed as Chair of the Grants Sub-Committee for the 2018-2022 term of Council; and,
- (ii) That Councillor N. Nann, be appointed as Vice Chair of the Grants Sub-Committee for the 2018-2022 term of Council.

**(b) 2018 City Enrichment Fund Update (GRA19001) (City Wide) (Item 6.1)**

That the overall 2018 City Enrichment Fund surplus (attached as Appendix "A" to the Audit, Finance and Administration Report 19-003), in the amount of \$82,778 be transferred to the City Enrichment Fund Reserve # 112230.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

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

**Council – February 27, 2019**



**1. DISCUSSION ITEMS - WITHDRAWN**

10.2 Governance Review Sub-Committee Report 19-001

This item was withdrawn from the agenda.

**2. DISCUSSION ITEMS**

10.3 Grants Sub-Committee Report 19-001

The agenda for the February 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 7, 2019 (Item 4.1)**

The Minutes of the February 7, 2019 meeting of the Audit, Finance and Administration Committee were approved, as presented.

**(d) DELEGATION REQUESTS (Item 6)**

**(i) Michael Woloch, respecting hiring practices for Professional Engineers at the City of Hamilton (For a future meeting) (Item 6.1)**

The delegation request from Michael Woloch, respecting hiring practices for Professional Engineers at the City of Hamilton, was approved for a future meeting.

**(e) PUBLIC HEARINGS / DELEGATIONS (Item 8)**

**(i) Voislav Bjelajac, respecting a Vacancy Rebate for 2016 (Approved February 7, 2019) (Item 8.1)**

Voislav Bjelajac and James Hartl, addressed the Committee respecting a vacancy rebate for 2016, with the aid of a speaking notes. A copy of the speaking notes have been included in the official record.

The delegation from Voislav Bjelajac and James Hartl, respecting a vacancy rebate for 2016, was received.

A copy of the speaking notes are available on the City's website or through the Office of the City Clerk.

Voislav Bjelajac and James Hartl were permitted to address the Committee again, in order to address staff comments.

The subsequent delegation from Voislav Bjelajac and James Hartl, respecting a vacancy rebate for 2016, was received.

That staff be directed to contact the Municipal Property Assessment Corporation (MPAC) to determine what documents were submitted to MPAC from Voislav Bjelajac and James Hartl regarding the property, and report back to the Audit, Finance and Administration Committee.

**(f) PRIVATE & CONFIDENTIAL (Item 14)**

**(i) Closed Session Minutes – February 7, 2019 (Item 14.1)**

- (a) The Closed Session Minutes of the February 7, 2019 Audit, Finance and Administration meeting, were approved as presented; and,
- (b) The Closed Session Minutes of the February 7, 2019 Audit, Finance and Administration meeting, remain confidential.

**(g) ADJOURNMENT (Item 15)**

There being no further business, the Audit, Finance and Administration Committee, adjourned at 10:14 a.m.

Respectfully submitted,

Councillor Collins, Chair  
Audit, Finance and Administration  
Committee

Angela McRae  
Legislative Coordinator  
Office of the City Clerk

## 2018 City Enrichment Fund SUMMARY

| Category                                 | No. of Apps | 2018 Total Funds Available | 2018 Total Payments | Variance           |
|--|-------------|----------------------------|---------------------|--------------------|
| Community Services Total                 | 96          | \$ 2,158,510               | \$ 2,334,938        | -\$ 176,428        |
| Agriculture Total                        | 20          | \$ 139,820                 | \$ 144,361          | -\$ 4,541          |
| Environment Total                        | 10          | \$ 146,390                 | \$ 130,813          | \$ 15,577          |
| Sport and Active Lifestyles Total        | 40          | \$ 274,120                 | \$ 290,607          | -\$ 16,487         |
| Arts Total                               | 85          | \$ 2,725,060               | \$ 2,774,757        | -\$ 49,697         |
| CCH Total                                | 62          | \$ 528,790                 | \$ 595,484          | -\$ 66,694         |
| <b>Total Traditional Grant Requests</b>  | <b>313</b>  | <b>\$ 5,972,690</b>        | <b>\$ 6,270,960</b> | <b>-\$ 298,270</b> |
| CEF - One time Reserve Funding           |             | 298,270                    |                     | \$ 298,270         |
| <b>Unallocated Balances <sup>1</sup></b> |             |                            |                     |                    |
| CEF Administration                       |             | \$ 50,000                  | \$ 8,017            | \$ 41,983          |
| 2018 Uncollected Grants                  |             | \$ -                       | -\$ 36,593          | -\$ 36,593         |
| 2017 Returned Grants                     |             | \$ -                       | -\$ 4,202           | -\$ 4,202          |
| <b>Total City Enrichment Fund</b>        |             | <b>\$ 6,320,960</b>        | <b>\$ 6,238,182</b> | <b>\$ 82,778</b>   |
|  |             |                            |                     |                    |

<sup>1</sup> Refer to Appendix "B" to GRA19001 for line item details.



## **EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 19-001**

1:30 p.m.

Thursday, February 21, 2019  
Council Chambers  
Hamilton City Hall  
71 Main Street West

**Present:** Councillors S. Merulla (Chair), E. Pauls (Vice-Chair), T. Jackson, N. Nann, and T. Whitehead

**Absent with  
Regrets:** Councillor B. Clark – City Business

**Also Present:** Councillors C. Collins and M. Wilson

### **THE EMERGENCY & COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 19-001 AND RESPECTFULLY RECOMMENDS:**

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)**
  - (a) That Appendix “A” attached to Emergency and Community Services Committee Report 19-001 respecting Hamilton Fire Department Establishing and Regulating By-Law be approved;
  - (b) That By-law No. 68-34 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 be repealed; and,
  - (c) That Appendix “B” attached to Emergency and Community Services Committee Report 19-001 respecting Appointments of Fire Chief, Deputy Chiefs, and Provincial Fire Co-ordinator By-law be approved.

**2. Reaching Home: Canada's Homelessness Strategy (HSC19008) (City Wide)  
(Item 7.2)**

That Report HSC19008, respecting Reaching Home: Canada's Homelessness Strategy, be received.

**3. National Housing Strategy – Co-Investment Fund (HSC19006) (City Wide)  
(Item 10.1)**

That Report HSC19006, respecting the National Housing Strategy – Co-Investment Fund, be received.

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

- (a) That the City of Hamilton enter into a five (5) year Licence Agreement with the Copetown Lions Club (CLC) effective March 1, 2019 which permits the CLC to continue to maintain and operate the Copetown Community Hall and surrounding sports fields as a banquet and event facility at the nominal rate of \$1 per year;
- (b) That the Licence Agreement include a clause permitting up to two (2) extensions, each up to five (5) additional years at the discretion of the General Manager of Healthy and Safe Communities Department; and,
- (c) That the General Manager of Healthy and Safe Communities Department be authorized to execute, on behalf of the City of Hamilton, this Licence Agreement, as well as any ancillary and extension agreements, in a form satisfactory to the City Solicitor.

**5. Seniors' Use of Food Banks (HSC19012) (City Wide) (Item 10.3)**

That Report HSC19012, respecting Seniors' Use of Food Banks, be received.

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

WHEREAS, there is an ongoing need for Ward 3 senior residents living in CityHousing at 30 Sanford Avenue to provide access to technology and equipment to upgrade their skills;

WHEREAS, the tenants have partnered with Hamilton Association for Residential and Recreational Redevelopment Programs (HARRRP) to extend training opportunities to senior residents throughout Ward 3; and,

WHEREAS, the upgrade and repair of a 9-laptop computer lab, printer and software has been costed out to \$5,000;

THEREFORE, BE IT RESOLVED:

- (a) That \$5,000 for the upgrade and repair of a 9-laptop computer lab, printer and software for the Ward 3 senior residents living in CityHousing at 30 Sanford Avenue, to be funded from the Ward 3 Area Rating Discretionary Account-Social Infrastructure 3301809300, be approved; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

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

WHEREAS, the Federal Government uses a Gender and Equity Based Analysis (GBA+) to inform the flow of federal housing dollars and has mandated that 25% of National Housing Strategy Investments, or \$10B of a total of \$40B will specifically fund housing initiatives which meet the unique needs of Women and their families;

WHEREAS, the experience of homelessness and precarious housing in Hamilton is different for women and the need to increase stock and space for a continuum of Women's housing options are both well documented;

WHEREAS, the General Manager of Healthy and Safe Communities stated at General Issues Committee on Jan 18, 2019, that "the pressure on the shelter providers for women is more acute than men's and we need to reflect on how we better respond to this than hotels";

WHEREAS, the City does not have a consistent gender and equity lens on housing and shelter services. But there is measurable benefit in applying one given the difference in experience and added vulnerability of homelessness for women, transwomen and non-binary people;

WHEREAS, women are a fast-growing homeless population;

WHEREAS, the City has a current waitlist for housing of 6,139, and we may presume that near half are women;

WHEREAS, the absence of a gendered lens may impact our ability as a city to secure federal funding in the future; and,

WHEREAS, the YWCA Ottawa Street Proposal to the City of Hamilton for Investment in Affordable Housing Program was approved by Hamilton City

Council, supported by the Ward 4 East Hamilton Community and recommended to the Ministry of Housing for funding;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to develop and integrate a consistent gender & equity framework, inclusive of evaluative tools, to the City's Housing & Homelessness Strategy and service delivery; and,
- (b) That staff identify projects, both existing and new, which fit the GBA+ requirements of the National Housing Strategy Investment program, to ensure that the City of Hamilton is serving gendered and equity seeking populations adequately, and to increase Hamilton's opportunities to receive investment from the Federal Fund.
- (c) That staff report back to the Emergency & Community Services Committee on what the City of Hamilton has done to contribute to, inform, design, and coordinate housing solutions for women in Hamilton.

**8. Hill Park Pickleball Courts Renovation (Item 11.3)**

WHEREAS, Pickleball is one of the fastest growing sports among adults and seniors in North America;

WHEREAS, the City of Hamilton converted two tennis courts at the Hill Park Recreation Centre into Pickleball courts for a one year trial in 2015;

WHEREAS, the Pickleball courts at the Hill Park Recreation Centre are well used and are home to Pickleball Hamilton; and,

WHEREAS, the Pickleball courts are in need of renovations for them to remain safe for play in 2019;

THEREFORE, BE IT RESOLVED:

- (a) That funding for the renovations of the Hill Park Recreation Centre Pickleball courts in the amount of \$40,000 be funded from the Ward 7 Area Rating Reserve account (#108057).
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

**9. Hamilton Housing Summit (Added Item 11.4)**

WHEREAS, the City of Hamilton's rental and ownership housing market has experienced tremendous change over the last decade;

WHEREAS, rising housing costs have created serious challenges for individuals and families, whether they rent or own their own homes;  
WHEREAS, the City of Hamilton is committed to being the best place to raise a child and age successfully;

WHEREAS, the City of Hamilton is committed to finding innovative and creative ways to address affordable housing; and,

WHEREAS, the City of Hamilton wants to engage community partners and subject matter experts to participate in the conversation to proactively address these matters;

THEREFORE, BE IT RESOLVED:

- (a) That the General Manager of the Healthy and Safe Communities Department be directed to plan and execute a Hamilton Housing Summit through which members of Council and the public can hear directly from Community partners and subject matter experts on the challenges being faced in the housing sector, and any efforts that governments of all levels can make to support the housing industry, to be held no later than June 28, 2019;
- (b) That staff in the Housing Services Division and Clerks Office work with the Mayor and the Chair of the Emergency and Community Services Committee to finalize the format and agenda for the Summit;
- (c) That the Mayor write to Hamilton's MPs, and MPPs, to invite them to attend the Summit;
- (d) That the Summit be open to members of the public who wish to make delegations;
- (e) That the costs associated with the Hamilton Housing Summit be funded from the Housing Services Division, up to a maximum of \$5,000; and,
- (f) That staff be directed to report to the Emergency and Community Services Committee with a summary of the Hamilton Housing Summit, along with recommendations for a longer term Engagement Strategy with the Federal and Provincial governments, by September 30, 2019.



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

- (a) That \$5,000 be funded from the Ward 4 Discretionary account (#3301809400), to cover the costs associated with building a community garden at 1831 King Street East be approved; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

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

WHEREAS, the City of Hamilton's rental housing market has experienced significant change over the last decade;

WHEREAS, the local demand for affordable housing and supportive housing has grown at a faster pace than supply;

WHEREAS, Hamilton's limited housing supply and long Social Housing Waitlist are contributing factors to the increased need for shelter services;

WHEREAS, women's shelters in the City of Hamilton regularly exceed capacity, forcing them to turn away women on a frequent basis;

WHEREAS, it is well documented that abuse and domestic violence are the primary causes of homelessness for women;

WHEREAS, it is estimated that one third of homeless women have been physically and/or sexually assaulted while living on the street;

WHEREAS, members of the LGBTQ2 community are estimated to be over-represented among the homeless, with transgendered women being particularly over-represented as a result of exclusion; and,

WHEREAS, Intersections of identities such as race, sexual orientation, and gender expression create unique experiences of housing instability and homelessness. As a result, transgender youth and adults, who identify as or express a gender that is different from their birth sex, can experience difficulties in obtaining adequate and safe shelter;

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton investigate increasing the capacity of local women's housing and support services to fulfill the short, medium and long term need for increased services for women;

- (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 Sub-Committee) be formed to address the supply and provision of women’s housing and support services; and,
- (d) 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.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

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

**1. DELEGATION REQUESTS (Items 6.2 to 6.5)**

- 6.2 Medora Uppal and Amy Deschamps, YWCA Hamilton, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services (for today's meeting)
- 6.3 Tessa Mcfadzean, Good Shepherd Centres, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services (for today's meeting)
- 6.4 Sara Mayo, Social Planning and Research Council of Hamilton, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services (for today's meeting)
- 6.5 Katherine Kalinowski, Women's Housing Planning Collaborative, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services (for today's meeting). Katherine Kalinowski was not able to be in attendance, but has provided a video entitled “Invisible”

**2. CONSENT ITEMS (Item 7.2)**

- 7.2 Reaching Home: Canada's Homelessness Strategy (HSC19008) (City Wide)

**3. NOTICES OF MOTION (Items 12.1 & 12.2)**

- 12.1 Hamilton Housing Summit

12.2 Church of the Nativity Community Garden (Ward 4)

12.3 Expanding Housing and Support Services for Women

The agenda for the February 21, 2019 Emergency and Community Services Committee meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

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

**(i) January 17, 2019 (Item 4.1)**

The Minutes of the January 17, 2019 meeting of the Healthy and Safe Communities Committee were approved, as presented.

**(d) DELEGATION REQUESTS (Item 6)**

**(i) Raven Bridges, respecting Housing Issues Crisis (for a future meeting) (Item 6.1)**

The delegation request, submitted by Raven Bridges, respecting a Housing Issues Crisis, was approved for a future meeting.

**(ii) Medora Uppal and Amy Deschamps, YWCA Hamilton, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services (for today's meeting) (Added Item 6.2)**

The delegation request, submitted by Medora Uppal and Amy Deschamps, YWCA Hamilton, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services, was approved for today's meeting.

**(iii) Tessa Mcfadzean, Good Shepherd Centres, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services (for today's meeting) (Added Item 6.3)**

The delegation request, submitted by Tessa Mcfadzean, Good Shepherd Centres, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services, was approved for today's meeting.

- (iv) **Sara Mayo, Social Planning and Research Council of Hamilton, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services (for today's meeting) (Added Item 6.4)**

The delegation request, submitted by Sara Mayo, Social Planning and Research Council of Hamilton, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services, was approved for today's meeting.

- (v) **Katherine Kalinowski, Women's Housing Planning Collaborative, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services (for today's meeting) (Added Item 6.5)**

The delegation request, submitted by Katherine Kalinowski, Women's Housing Planning Collaborative, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services, was approved for today's meeting.

**(e) PUBLIC HEARINGS/DELEGATIONS (Item 8)**

- (i) **Kevin Gonci, Hamilton Collaborative Partnership Group (HCPG), respecting a Community Hub Proposal/Multi-Sport Indoor Facility Development (Approved by the Healthy & Safe Communities Committee on December 17, 2018) (Item 8.1)**

Kevin Gonci, Hamilton Collaborative Partnership Group (HCPG), addressed the Committee respecting a Community Hub Proposal/Multi-Sport Indoor Facility Development, with the aid of a presentation and handouts. The presentation and handouts have been included in the official record.

The presentation and handouts from Kevin Gonci, Hamilton Collaborative Partnership Group (HCPG), respecting a Community Hub Proposal/Multi-Sport Indoor Facility Development, were received.

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

WHEREAS, the Hamilton Collaborative Partnership Group have completed a feasibility study and business for the design and construction of a new 275, 000 square foot Multi-Sport Indoor Facility in Hamilton;

WHEREAS, the new facility will be comprised of an indoor 200 metre track, 6-8 multi –court areas, high performance training space, community meeting rooms and office and retail spaces;

WHEREAS, the new facility is intended to support many sports organizations and community groups with a state of the art sports facility;

WHEREAS, the Hamilton Collaborative Partnership Group are in the process to formalize community partnerships in an effort to move this project forward; and,

WHEREAS, the Hamilton Collaborative Partnership Group has requested that the City of Hamilton become a partner for the development of this project;

THEREFORE, BE IT RESOLVED:

That staff be directed to meet the Hamilton Collaborative Partnership Group and report back to the Emergency and Community Services Committee with any and all options being explored including the feasibility of the City of Hamilton partnering with this group.

**(ii) Medora Uppal and Amy Deschamps, YWCA Hamilton, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services (Approved by the Emergency and Community Services Committee on February 21, 2019) (Added Item 8.2)**

Medora Uppal and Amy Deschamps, YWCA Hamilton, addressed the Committee respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services.

The Delegation from Medora Uppal and Amy Deschamps, YWCA Hamilton, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services, was received.

For disposition of this matter, refer to Item 7 and (f)(i).

**(iii) Tessa Mcfadzean, Good Shepherd Centres, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services (Approved by the Emergency and Community Services Committee on February 21, 2019) (Added Item 8.3)**

Tessa Mcfadzean, Good Shepherd Centres, addressed the Committee respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services.

The Delegation from Tessa Mcfadzean, Good Shepherd Centres, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services, was received.

For disposition of this matter, refer to Item 7 and (f)(i).

- (iv) **Sara Mayo, Social Planning and Research Council of Hamilton, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services (Approved by the Emergency and Community Services Committee on February 21, 2019) (Added Item 8.3)**

Sara Mayo, Social Planning and Research Council of Hamilton, addressed the Committee respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services, with the aid of a presentation and handouts. The presentation and handouts have been included in the official record.

The presentation and handouts from Sara Mayo, Social Planning and Research Council of Hamilton, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services, were received.

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

For disposition of this matter, refer to Item 7 and (f)(i).

- (v) **Katherine Kalinowski, Women's Housing Planning Collaborative, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services (Approved by the Emergency and Community Services Committee on February 21, 2019) (Added Item 8.3)**

Katherine Kalinowski, Women's Housing Planning Collaborative, was not able to be in attendance and submitted a video entitled "Invisible". The video can be accessed via the following link: <https://vimeo.com/247279536/f377a68e50>

The video submission from Katherine Kalinowski, Women's Housing Planning Collaborative, respecting Item 11.2 - Establishing a Gender and Equity Lens on Housing Services, was received.

For disposition of this matter, refer to Item 7 and (f)(i).

**(f) MOTIONS (Item 11)**

- (i) **Establishing a Gender and Equity Lens on Housing Services (Item 11.2)**

WHEREAS, the Federal Government uses a Gender and Equity Based Analysis (GBA+) to inform the flow of federal housing dollars and has mandated that 25% of National Housing Strategy Investments, or \$10B of a total of \$40B will specifically fund housing initiatives which meet the unique needs of Women and their families;

WHEREAS, the experience of homelessness and precarious housing in Hamilton is different for women and the need to increase stock and space for a continuum of Women's housing options are both well documented;

WHEREAS, the General Manager of Healthy and Safe Communities stated at General Issues Committee on Jan 18, 2019, that "the pressure on the shelter providers for women is more acute than men's and we need to reflect on how we better respond to this than hotels";

WHEREAS, the City does not have a consistent gender and equity lens on housing and shelter services. But there is measurable benefit in applying one given the difference in experience and added vulnerability of homelessness for women, transwomen and non-binary people;

WHEREAS, women are a fast-growing homeless population;

WHEREAS, the City has a current waitlist for housing of 6,139, and we may presume that near half are women;

WHEREAS, the absence of a gendered lens may impact our ability as a city to secure federal funding in the future; and,  
WHEREAS, a winning model in Hamilton, led by YWCA Hamilton was recently awarded \$10M in funding for affordable housing for women-led households and women with developmental disabilities;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to develop and integrate a consistent gender & equity framework, inclusive of evaluative tools, to the City's Housing & Homelessness Strategy and service delivery; and,
- (b) That staff identify projects, both existing and new, which fit the GBA+ requirements of the National Housing Strategy Investment program, to ensure that the City of Hamilton is serving gendered and equity seeking populations adequately, and to increase Hamilton's opportunities to receive investment from the Federal Fund.

The Motion, respecting Establishing a Gender and Equity Lens on Housing Services, was amended by adding sub-section (c) to the recommendations and deleting the last WHEREAS statement in its entirety and replacing it to read as follows:

WHEREAS, the Federal Government uses a Gender and Equity Based Analysis (GBA+) to inform the flow of federal housing dollars and has mandated that 25% of National Housing Strategy Investments, or \$10B of

a total of \$40B will specifically fund housing initiatives which meet the unique needs of Women and their families;

WHEREAS, the experience of homelessness and precarious housing in Hamilton is different for women and the need to increase stock and space for a continuum of Women's housing options are both well documented;

WHEREAS, the General Manager of Healthy and Safe Communities stated at General Issues Committee on Jan 18, 2019, that "the pressure on the shelter providers for women is more acute than men's and we need to reflect on how we better respond to this than hotels";

WHEREAS, the City does not have a consistent gender and equity lens on housing and shelter services. But there is measurable benefit in applying one given the difference in experience and added vulnerability of homelessness for women, transwomen and non-binary people;

WHEREAS, women are a fast-growing homeless population;

WHEREAS, the City has a current waitlist for housing of 6,139, and we may presume that near half are women;

WHEREAS, the absence of a gendered lens may impact our ability as a city to secure federal funding in the future; and,

~~WHEREAS, a winning model in Hamilton, led by YWCA Hamilton was recently awarded \$10M in funding for affordable housing for women-led households and women with developmental disabilities~~

***WHEREAS, the YWCA Ottawa Street Proposal to the City of Hamilton for Investment in Affordable Housing Program was approved by Hamilton City Council, supported by the Ward 4 East Hamilton Community and recommended to the Ministry of Housing for funding;***

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to develop and integrate a consistent gender & equity framework, inclusive of evaluative tools, to the City's Housing & Homelessness Strategy and service delivery; and,
- (b) That staff identify projects, both existing and new, which fit the GBA+ requirements of the National Housing Strategy Investment program, to ensure that the City of Hamilton is serving gendered and equity seeking populations adequately, and to increase Hamilton's opportunities to receive investment from the Federal Fund.



- (c) *That staff report back to the Emergency & Community Services Committee on what the City of Hamilton has done to contribute to, inform, design, and coordinate housing solutions for women in Hamilton.*

For disposition of this matter, refer to Item 7.

**(g) NOTICES OF MOTION (Item 12)**

Councillor Merulla relinquished the Chair to introduce three Notices of Motion.

**(i) Hamilton Housing Summit (Added Item 12.1)**

Councillor Merulla introduced a Notice of Motion respecting a Hamilton Housing Summit.

The Rules of Order were waived to allow for the introduction of a Motion respecting a Hamilton Housing Summit.

For disposition of this matter, refer to Item 9.

**(ii) Church of the Nativity Community Garden (Ward 4) (Added Item 12.2)**

Councillor Merulla introduced a Notice of Motion respecting a Church of the Nativity Community Garden (Ward 4).

The Rules of Order were waived to allow for the introduction of a Motion respecting a Church of the Nativity Community Garden (Ward 4).

For disposition of this matter, refer to Item 10.

**(iii) Expanding Housing and Support Services for Women (Added Item 12.3)**

Councillor Merulla introduced a Notice of Motion respecting Expanding Housing and Support Services for Women.

The Rules of Order were waived to allow for the introduction of a Motion respecting Expanding Housing and Support Services for Women.

For disposition of this matter, refer to Item 11.

Councillor Merulla assumed the Chair.

**(h) 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 added:**

- (i) Requiring the City of Hamilton to be More Accessible to the Hearing Impaired (Motion)

As per Item (j)(i)(c) of H&SC Report 18-010, this Item was referred to the Public Works Committee. It is recommended that this item remain under the purview of the Emergency & Community Services Committee and that the Department responsible for preparing the report back to Committee be updated instead.

**(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: Q4 2017

Proposed New Due Date: March 21, 2019

- (ii) Hamilton Youth Engagement Collaboration (CES15056(b))

Item on OBL: UU

Current Due Date: March 21, 2019

Proposed New Due Date: May 2, 2019

- (iii) Funding Requests from Agencies

Item on OBL: CCC

Current Due Date: February 7, 2019

Proposed New Due Date: March 21, 2019

- (iv) Senior's Increased Use of Food Banks

Item on OBL: LLL

Current Due Date: January 17, 2019

Proposed New Due Date: February 21, 2019

**(c) Items to be removed:**

- (i) Senior's Increased Use of Food Banks

Item 10.3 on today's agenda - Report HSC19012

Item on OBL: LLL

**Council – February 27, 2019**

**(i) ADJOURNMENT (Item 15)**

There being no further business, the Emergency and Community Services Committee adjourned at 4:33 p.m.

Respectfully submitted,

Councillor S. Merulla  
Chair, Healthy and Safe Communities Committee

Alicia Davenport  
Legislative Coordinator  
Office of the City Clerk

**Authority:** Item  
Report  
CM:  
Ward: City Wide

**Bill No.**

**CITY OF HAMILTON  
BY-LAW NO.**

**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.**

**WHEREAS** pursuant to section 5 of the Fire Protection and Prevention Act, 1997, the City of Hamilton may establish, maintain and operate a fire department.

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

Definitions

1. In this By-law:

"Act" means the Fire Protection and Prevention Act, 1997 as may be amended from time to time, and includes any successor legislation and any regulations made thereunder including the Ontario Fire Code;

"City" means the municipal corporation of the City of Hamilton or the geographic area of the City of Hamilton as the context requires;

"City Manager" means the City Manager of the City of Hamilton;

"Council" means the council of the City of Hamilton;

"Deputy Fire Chief" means the person or persons appointed as a Deputy Fire Chief by Council and who may act on behalf of the Fire Chief in the case of an absence or vacancy in the office of Fire Chief;

"Division" means a division of Hamilton Fire Department as provided for in this By-law;

"Fire Chief" means the person appointed by Council as Fire Chief for the City under the Act;

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.

"Fire Department" means the City of Hamilton Fire Department;

"fire protection services" includes:

- (a) fire suppression, fire prevention, fire safety education;
- (b) rescue and hazardous materials response;
- (c) emergency first response services in accordance with the tiered-response agreement with Hamilton Paramedic Services.
- (d) mitigation and prevention of the risk created by the presence of unsafe levels of carbon monoxide and safety education related to the presence of those levels;
- (e) communication in respect of any matter described in (a)-(d);
- (f) training of persons involved in the provision of any services described in (a)-(e) in accordance with National Fire Protection Association (NFPA) standards; and
- (g) delivery of all of those services described in (a)-(f) above.

"member" means a person employed in or appointed to the Fire Department and assigned to undertake fire protection services and includes full-time and volunteer firefighters;

"officer" means the Fire Chief, Deputy Fire Chief(s), Assistant Deputy Chief(s), Platoon Chief(s), and Divisional Chief(s);

"volunteer firefighter" means a member who provides fire protection services and who are paid on an on-call basis.

#### Establishment

2. The Fire Department is established under the direction of the Fire Chief to provide fire protection services.  
Composition

3. The Fire Department shall consist of the Fire Chief and such officers, members and administrative support staff as considered necessary by Council to perform fire protection services.

#### Organization

4. Hamilton Fire Department shall be organized into the following Divisions:
  - (a) Administration;

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.

- (b) Communications;
  - (c) Fire Operations – Full Time and Volunteer;
  - (d) Fire Prevention;
  - (e) Training;
  - (f) Mechanical; and,
  - (g) Emergency Management.
5. The Fire Chief, with the prior written approval of the City Manager, may reorganize or eliminate Divisions or establish other Divisions or may do any or all of these matters or any combination thereof as may be required to ensure the proper administration and operation of Hamilton Fire Department.
6. (a) Each Division of the Fire Department is the responsibility of the Fire Chief and is under the direction of the Fire Chief or an officer designated by the Fire Chief.
- (b) Officers shall report to the Fire Chief on activities within the Division under their supervision and shall carry out all orders of the Fire Chief.
7. Where the Fire Chief designates a member to act in place of an officer in the Fire Department, such member, when so acting, shall have all of the powers and shall perform all duties of the officer replaced.

#### Responsibilities of the Fire Chief

8. The Fire Chief shall have all the rights, powers and duties assigned to a Fire Chief under the Act and shall ensure compliance with the Act.
9. The Fire Chief is responsible for the proper administration and operation of the Fire Department.
10. The Fire Chief shall be authorized to make such general orders, policies, procedures, rules and regulations and to take such other measures as the Fire Chief may consider necessary for the proper administration and efficient operation of the Fire Department and the effective management of fire protection services for the City and for the prevention, control and extinguishment of fires, the protection of life and property and the management of emergencies and without restricting the generality of the foregoing;

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.

- (a) For the care and protection of all property belonging to the City that are utilized by the Fire Department;
- (b) For arranging for the provision and allotment of strategic staffing and facilities, apparatus, equipment, materials, services and supplies for the Fire Department;
- (c) For the development and implementation of automatic aid, mutual aid and other fire protection and emergency service agreements within the City's borders and/or within the municipal borders of adjoining municipalities upon the approval of Council;
- (d) For determining and establishing the qualifications and criteria for employment or appointment, and the duties of, all members of the Fire Department;
- (e) For the conduct and the discipline of members of the Fire Department;
- (f) For preparing, and upon approval by Council, implementing and maintaining a departmental fire service plan and program for the Corporation;
- (g) For keeping an accurate record of all fires, rescues and emergencies responded to by the Fire Department and reporting of same to the Office of the Fire Marshal and the public as required by the Act;
- (h) For keeping such other records as may be required by Council, the City, and the Act;
- (i) For preparing and presenting an annual report of the Fire Department to Council;
- (j) For preparing and submitting to Council the annual budget estimates for the Fire Department for its approval; and
- (k) For exercising control over the budget approved by Council for the Fire Department.

11. The Fire Chief shall regularly review and update the standard operating procedures and guidelines, general orders and rules referred to in section 10 as required.

#### Authority to Leave City Limits

12. The Fire Department shall not respond to calls with respect to a fire or emergency outside of the limits of the City except with respect to a fire or emergency:
- (a) that in the opinion of the Fire Chief or designate threatens property situated outside the City that is owned or occupied by the City;
  - (b) in a municipality with which an approval agreement has been entered into to provide fire protection services which include automatic aid;

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.

- (c) on property where an approved agreement has been entered into with any person or corporation to provide fire protection services;
- (d) in a municipality authorized to participate in the Province of Ontario Mutual Aid Plan and mutual aid program or any other similar reciprocal plan or program; or
- (e) in the opinion of the Fire Chief or designate requires immediate action to preserve and protect life or property and the appropriate fire department is notified to respond and assume command or to establish alternative measures acceptable to the Fire Chief or designate.

Short Title

13. This By-law may be referred to as the "Hamilton Fire Department Establishing and Regulating By-law".

Repeal and Enactment

14. 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 are repealed.
15. This By-law comes into force on the date of its passing.

**PASSED** this \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk



**Authority:** Item  
Report:  
CM:  
Ward: City Wide

**Bill No.**

**CITY OF HAMILTON  
BY-LAW NO.**

**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. XXX**

**WHEREAS** pursuant to Subsection 6(1) of the *Fire Protection and Prevention Act, 1997* the Council of the City of Hamilton shall appoint a Fire Chief for the Fire Department;

**WHEREAS** the Council of the City of Hamilton passed the Hamilton Fire Department Establishing and Regulating By-law No. XX at its meeting held on XXX;

**WHEREAS** Council wishes to appoint certain persons as Fire Chief and Deputy Fire Chief pursuant to the *Fire Protection and Prevention Act, 1997* and the Hamilton Fire Department Establishing and Regulating By-law No. XX; and,

**WHEREAS** Council authorizes the Hamilton Fire Department to participate in the Province of Ontario Mutual Aid Plan and endorses the Fire Chief and Deputy Fire Chief(s) being appointed as fire co-ordinator and alternate fire co-ordinator(s) under the authority of the *Fire Protection and Prevention Act, 1997* by the Ontario Fire Marshal.

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

1. The person listed in Schedule "A" is appointed as the Fire Chief for the City of Hamilton until such time as that appointment is terminated or a successor is appointed;
2. The person(s) listed in Schedule "B" is appointed as the Deputy Fire Chief for the City of Hamilton until such time as that appointment is terminated or a successor is appointed;
3. Schedules "A" and "B" form part of this By-law.

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. XXX

**PASSED** this \_\_\_\_\_, 2019

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F. Eisenberger  
Mayor

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Janet Pilon  
Acting City Clerk

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. XXX

**FIRE CHIEF**

Cunliffe, David R.

**SCHEDULE "B"**

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. XXX

**DEPUTY FIRE CHIEF**

Moss, Randy

Verbeek, John



## PUBLIC WORKS COMMITTEE REPORT 19-003

9:30 a.m.

Friday, February 22, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

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

### THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 19-003 AND RESPECTFULLY RECOMMENDS:

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

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

| Intersection                 |                   | Stop Control Direction |           | Class | Comments / Petition | Ward   |
|------------------------------|-------------------|------------------------|-----------|-------|---------------------|--|
| Street 1                     | Street 2          | Existing               | Requested |       |                     |  |
| <b>Section "A" Ancaster</b>  |                   |                        |           |       |                     |  |
| (a)                          | Amberly Boulevard | Concerto Court         | SB        | All   | A                   | Converting to all-way stop – Cllr approved<br>12 |
| <b>Section "D" Glanbrook</b> |                   |                        |           |       |                     |  |
| (b)                          | Pinehill Drive    | Hyslop Avenue          | NB        | EB/WB | B                   | Converting to all-way stop – Cllr approved<br>9  |
| <b>Section "E" Hamilton</b>  |                   |                        |           |       |                     |  |
| (c)                          | Murray Street     | Catharine Street       | NB/SB     | ALL   | A                   | Converting to all-way stop – Cllr approved<br>2  |
| (d)                          | MacNab Street     | Vine Street            | EB/WB     | ALL   | A                   | Converting to all-way stop – Cllr approved<br>2  |
| (e)                          | Dunsmure Road     | Belview Avenue         | EB/WB     | ALL   | A                   | Converting to all-way stop – Cllr approved<br>3  |

| Intersection                    |               | Stop Control Direction |           | Class | Comments / Petition | Ward                                       |    |
|---------------------------------|---------------|------------------------|-----------|-------|---------------------|--|----|
| Street 1                        | Street 2      | Existing               | Requested |       |                     |  |    |
| (f)                             | Hudson Court  | Columbia Drive         | NC        | SB    | A                   | Housekeeping – missing t-type stop sign    | 8  |
| <b>Section “F” Stoney Creek</b> |               |                        |           |       |                     |  |    |
| (g)                             | Sunvale Place | Waterford Crescent     | NB/SB     | ALL   | A                   | Converting to all-way stop – Cllr approved | 10 |

**Legend**

No Control Existing (New Subdivision) - **NC**

Intersection Class: **A** - Local/Local **B** - Local/Collector **C** - Collector/Collector

**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)**

That the application of the owner of 46 Ferguson Avenue South, Hamilton, to permanently close and purchase a portion of the unassumed alleyway running East/West and abutting the North side of 46 Ferguson Avenue, Hamilton, (“Subject Lands”), as shown on Appendix "A" and Appendix “B” to Public Works Committee Report 19-003, be approved, subject to the following conditions:

- (a) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, for an order to permanently close the Subject Lands, if required by the City, subject to:
  - (i) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and
  - (ii) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;
- (b) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
- (c) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved:

- (i) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;
  - (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to sell the closed alleyway to the owners of 46 Ferguson Avenue South, Hamilton, as described in Report PW19016, 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 46 Ferguson Avenue South, Hamilton, pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;
  - (iv) The City Solicitor be authorized and directed to register a certified copy of the by-laws permanently closing and selling the alleyway in the proper land registry office;
  - (v) The Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204;
- (d) That the applicant enters into agreements with any Public Utility requiring easement protection;
  - (e) That the applicant enters into private agreements with those property owners abutting the Subject Lands, to allow those property owners unobstructed access to their properties over the Subject Lands; and,
  - (f) 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, which according to the City of Hamilton Official Plan, the necessary widening shall be 2.591 meters.

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

That the application from Vanpark Imported Automobiles Inc. ("Applicant"), to permanently close and purchase a portion of Vansitmart Avenue, Hamilton ("Subject Lands"), as shown on Appendix "C" and Appendix "D" to Public Works Committee Report 19-003, 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 Applicant, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
- (c) The City Solicitor be authorized to complete the transfer of the Subject Lands to the Applicant 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;
- (f) That the Applicant enters into agreements with any Public Utility requiring easement protection;
- (g) That the Applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section; and,
- (h) That the City of Hamilton retain any necessary road widenings to the satisfaction of the Manager, Geomatics and Corridor Management Section in accordance with the City of Hamilton's Official Plan.

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

WHEREAS, the City of Hamilton (City) is preparing to issue a Request for Proposals (RFP) for the recycling of blue box recyclables within the next month;

WHEREAS, recyclable material alternative technology providers have expressed an interest in bidding on the City's blue box processing needs;

WHEREAS, it takes a minimum of 6 months to evaluate alternative technologies for the processing of blue box recyclables; and,



WHEREAS, there is a requirement to issue the RFP to avoid service interruptions to City residents;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to issue a RFP for the processing of blue box recyclables as intended but that the term not exceed two years plus up to three optional one year contracts, and;
- (b) That staff immediately start the process of developing and issuing a Request for Expression of Interest (RFI) for alternative technology providers to submit their interest in processing the City's blue box recyclables that would potentially lead to another procurement process and contract to commence at the conclusion of the 2 year plus up to three optional one year contracts, subject to Council approval.

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

- (a) That the General Manager of Public Works be authorized and directed to proceed with the tender and award of C15-13-18 (HW) to Deso Construction Limited in the amount of \$4,773,280.66 (not including Contingency and Non-Refundable HST) as identified in Appendix "E" to Public Works Committee Report 19-003;
- (b) That an appropriation adjustment be approved to increase Capital Project ID 4031919117 (Parkdale – Burlington to north end & Steel City Court) by \$873,000 from \$2,450,000 to \$3,323,000 and that this increase be funded by a transfer from Project ID 4031711016 (2017 Asset Preservation program); and,
- (c) That Capital Project ID 5141971310 (Parkdale – Burlington to north end & Steel City Court) be increased by \$292,000 from \$1,130,000 to \$1,422,000 and that this increase be funded by a transfer from Project ID 5141371301 (2013 Watermain Replacement Coordinated with Road program).

**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)**

WHEREAS, the City of Hamilton is committed to creating safe neighbourhoods and vibrant communities; and,

WHEREAS, ensuring the safety of both pedestrians and motorists is a priority;

THEREFORE, BE IT RESOLVED:

**Council – February 27, 2019**

- (a) That staff be directed to take the required steps to install new all-way stop controls at the intersections of Simcoe Street East at Catharine Street North and Simcoe Street East at Mary Street; and,
- (b) That the necessary By-law authorizing staff to install all-way stop controls at the intersections Simcoe Street East at Catharine Street North and Simcoe Street East at Mary Street, be prepared.

**7. Additional Report on Vision Zero (Item 11.2)**

WHEREAS, Vision Zero uses a data-based approach to road safety with the goal of reducing traffic-related serious injuries and fatalities towards the goal of zero;

WHEREAS, Report PW19015 identifies a number of specific action priorities;

WHEREAS, Appendix B of Report PW19015 includes an extensive list of Vision Zero action plan performance measures along with new, enhanced or maintained actions and an assessment of effectiveness;

WHEREAS, Appendix C of Report PW19015 includes a list of potential safety countermeasures which may be funded from a wide range of potential funding sources;

WHEREAS, Direction to the Director of Transportation Services in the motion approved at the January 22, 2016 General Issues Committee (Budget) included item (vi), a regular reporting mechanism and track progress; and,

WHEREAS, the City of Hamilton has a long-standing commitment to improving road safety;

THEREFORE, BE IT RESOLVED:

That staff be directed to prepare an additional report on Vision Zero and report back to the Public Works Committee within six months on the following:

- (a) Comprehensive report on Vision Zero efforts, including and outline of vehicular traffic safety improvements to date, pedestrian safety initiatives, cycling initiatives, and seniors initiatives;
- (b) A summary and estimation of cost of all 2019 traffic safety initiatives that may have been financed through the capital budget, operating budget, Ward area rating budget, or other available funding sources;
- (c) Details of neighborhood outreach programs that have been conducted;
- (d) An analysis of evaluations, which are incorporated as part of the Vision Zero Plan; and,

- (e) Identification of additional improvements that could be made, including Capital, operating and funding implications.

**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)**

WHEREAS, Ward 2 residents along Robinson Street, between Hess Street South and Caroline Street South, submitted a petition for the installation of speed cushions and have identified safety concerns related to vehicle speeds;

WHEREAS, a number of residents have submitted requests for the installation of speed cushions on Guise Street East, between James Street North and John Street North, to reduce vehicle speeds;

WHEREAS, Transportation Operations and Maintenance does not recommend the placement of speed cushions on Robinson Street or Guise Street East but have no objections to their placement;

WHEREAS, the Durand Neighbourhood Association has submitted a request for a Pedestrian Crossover at the intersection of Charlton Avenue West and Park Street South to provide a safer crossing for pedestrians; and,

WHEREAS, Transportation Operations and Maintenance has determined that a Type B Pedestrian Crossover is required based on industry standards;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to implement speed cushions on Robinson Street between Hess Street South and Caroline Street South;
- (b) That staff be directed to implement speed cushions on Guise Street East between James Street North and John Street North;
- (c) That staff be directed to install a Type B Pedestrian Crossover at the intersection of Charlton Avenue West and Park Street South;
- (d) That the installation costs be funded from the Ward 2 Area Rating Reserve account (#108052) to an upset limit of \$60,000; and,
- (e) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

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

WHEREAS, an exciting kitchen partnership project that will support the development of a community social enterprise designed to build employment opportunities for residents and participants of Vanier Towers is contemplated by the staff, residents and Board of Directors of City Housing Hamilton;

WHEREAS, this innovative kitchen project is in partnership with Wesley Urban Ministries who has private benefactors financially supporting a back area community hydroponic container garden that will grow fruits and vegetables to be integrated in to the meal preparation and overall food security strategy;

WHEREAS, approximately \$50,000 of in-kind dollars have been donated to this effort;

WHEREAS, City Housing Hamilton (CHH) resident engagement and empowerment is a priority for the City Housing Board of Directors and the approximate 15,000 residents; and,

WHEREAS, the Annual Capital budget for CHH is 8 Million dollars yet at the same time, capital needs exceed 15 million annually and therefore CHH has regularly welcomed additional funding from other capital sources like Area Rating Ward Funds;

THEREFORE, BE IT RESOLVED:

- (a) That funding in the amount of \$150,000 from the Ward 2 Area Rating Reserve (#108052) be dedicated toward the Vanier Towers Social Enterprise kitchen project; 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.

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

That the recommendation be released publicly following approval by Council.

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

That the recommendation be released publicly following approval by Council.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

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

**1. CONSENT ITEMS (Items 7.1 and 7.1)**

7.1 Intersection Control List (PW19001) (Wards 2, 3, 8, 9, 10, 12, and 15) (Item 7.1) – Amended to remove one of the proposed all way stop controls from the listing

7.2 Interview Sub-Committee to the Public Works Committee Minutes - February 15, 2019

**2. NOTICES OF MOTION (Item 12.1)**

12.1 Vanier Towers Social Enterprise Kitchen Project Funding (Ward 2)

**3. PRIVATE & CONFIDENTIAL (Items 14.1 and 14.2)**

14.1 Appointments to the Hamilton Cycling Committee (distributed under separate cover)

14.2 Appointments to the Keep Hamilton Clean and Green Committee (distributed under separate cover)

The agenda for the February 22, 2019 Public Works Committee meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

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

**(i) February 4, 2019 (Item 4.1)**

The Minutes of the February 4, 2019 meeting of the Public Works Committee were approved, as presented.

**(d) DELEGATION REQUESTS (Item 6)**

- (i) Peter Burroughs, respecting South Service Rd. Between Belgraden Ave. and Dewitt Rd. Being a Dangerous Road without Proper Signage (For a future meeting) (Item 6.1)**

The delegation request, submitted by Peter Burroughs, respecting South Service Rd. Between Belgraden Ave. and Dewitt Rd. Being a Dangerous Road without Proper Signage, was approved for a future meeting.

- (ii) Jodi Formosi and Michael Miscio, Amalatterra Inc., respecting an Alternative Waste Management Approach and Technology in Respect of the Pending RFP for the Materials Recycling Facility (For today's meeting) (Item 6.2)**

The delegation request, submitted by Jodi Formosi and Michael Miscio, Amalatterra Inc., respecting an Alternative Waste Management Approach and Technology in Respect of the Pending RFP for the Materials Recycling Facility, was approved for today's meeting.

**(e) CONSENT ITEMS (Item 7)**

- (i) Interview Sub-Committee to the Public Works Committee Minutes - February 15, 2019 (Added Item 7.2)**

The Minutes of the February 15, 2019 meeting of the Interview Sub-Committee to the Public Works Committee were received, as presented.

**(f) PUBLIC HEARINGS/DELEGATIONS (Item 8)**

- (i) Ken Rayner, Infrastructure Health & Safety Association (IHSA), respecting the Certificate of Recognition (COR™) Program (Approved by the Public Works Committee on February 4, 2019) (Item 8.1)**

Ken Rayner, Infrastructure Health & Safety Association (IHSA), addressed the Committee respecting the Certificate of Recognition (COR™) Program, with the aid of a presentation and handouts. The presentation and handouts have been included in the official record.

That Ken Rayner, Infrastructure Health & Safety Association (IHSA), was permitted to address the Committee for an additional 5 minutes in order to complete his presentation.

The presentation and handouts from Ken Rayner, respecting the Certificate of Recognition (COR™) Program, were received.

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

Staff were directed to review the presentation and handouts from Ken Rayner, Infrastructure Health & Safety Association (IHSA), respecting the Certificate of Recognition (COR™) Program, and report back to the Public Works Committee, including a recommendation regarding the City of Hamilton's involvement in the Program.

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

Chair Ferguson advised that notice of the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 46 Ferguson Avenue South, Hamilton (PW19016) (Ward 2) was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that there were no registered speakers.

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

The public meeting was closed.

For disposition of this matter, refer to Item 2.

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

Chair Ferguson advised that notice of the Proposed Permanent Closure and Sale of a Portion of Vansitmart Avenue, Hamilton (PW19018) (Ward 4) 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.

**(iv) Jodi Formosi and Michael Miscio, Amalattera Inc., respecting an Alternative Waste Management Approach and Technology in Respect of the Pending RFP for the Materials Recycling Facility (Approved by the Public Works Committee on February 22, 2019) (Added Item 8.4)**

Jodi Formosi and Michael Miscio, Amalattera Inc., addressed the Committee respecting an Alternative Waste Management Approach and Technology in Respect of the Pending RFP for the Materials Recycling Facility, with the aid of a presentation and handouts. The presentation and handouts have been included in the official record.

That Jodi Formosi and Michael Miscio, Amalattera Inc., were permitted to address the Committee for an additional 10 minutes in order to complete their presentation.

The presentation and handouts from Jodi Formosi and Michael Miscio, Amalattera Inc., respecting an Alternative Waste Management Approach and Technology in Respect of the Pending RFP for the Materials Recycling Facility, were received.

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

WHEREAS, the City of Hamilton (City) is preparing to issue a Request for Proposals (RFP) for the recycling of blue box recyclables within the next month;

WHEREAS, recyclable material alternative technology providers have expressed an interest in bidding on the City's blue box processing needs;

WHEREAS, it takes a minimum of 6 months to evaluate alternative technologies for the processing of blue box recyclables; and,

WHEREAS, there is a requirement to issue the RFP to avoid service interruptions to City residents;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to issue a RFP for the processing of blue box recyclables as intended but that the term not exceed two years plus one optional year, and;
- (b) That staff immediately start the process of developing and issuing a Request for Expression of Interest (RFI) for alternative technology



providers to submit their interest in processing the City's blue box recyclables that would potentially lead to another procurement process and contract to commence at the conclusion of the 2 year plus one optional year contract, subject to Council approval.

Sub-sections (a) and (b), respecting Blue Box Recyclable Materials Alternate Technologies, were amended to read as follows:

- (a) That staff be directed to issue a RFP for the processing of blue box recyclables as intended but that the term not exceed two years plus **one up to three** optional **one** year **contracts**, and;
- (b) That staff immediately start the process of developing and issuing a Request for Expression of Interest (RFI) for alternative technology providers to submit their interest in processing the City's blue box recyclables that would potentially lead to another procurement process and contract to commence at the conclusion of the 2 year plus **one up to three** optional **one** year **contracts**, subject to Council approval.

For disposition of this matter, refer to Item 4.

**(g) STAFF PRESENTATIONS (Item 9)**

**(i) Annual Presentation from the Hamilton Cycling Committee (Item 9.1)**

Ms. Ann McKay and Ms. Kate Berry, Members of the Hamilton Cycling Committee, made their annual presentation to the Committee. The presentation has been included in the official record.

The presentation from the Hamilton Cycling Committee, was received.

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

**(h) NOTICES OF MOTION (Item 12)**

**(i) Vanier Towers Social Enterprise Kitchen Project Funding (Ward 2) (Added Item 12.1)**

Councillor Farr introduced a Notice of Motion respecting Vanier Towers Social Enterprise Kitchen Project Funding (Ward 2).

The Rules of Order were waived to allow for the introduction of a Motion respecting Vanier Towers Social Enterprise Kitchen Project Funding (Ward 2).

For disposition of this matter, refer to Item 9.

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

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

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

- (a) Items requiring a new due date:
  - (i) Full Review of Aberdeen Ave. from Queen to Longwood  
Item on OBL: B  
Current Due Date: Q1 2019  
Proposed New Due Date: April 15, 2019
  - (ii) Making Upper James Street More Pedestrian Friendly  
Item on OBL: E  
Current Due Date: Q4 2018  
Proposed New Due Date: March 18, 2019
  - (iii) Inclusion of the Claremont access in HSR Route Rationalization Study  
Item on OBL: G  
Current Due Date: September 17, 2018  
Proposed New Due Date: April 29, 2019
  - (iv) Annual Clean and Green Strategy Progress Update  
Item on OBL: H  
Current Due Date: September 17, 2018  
Proposed New Due Date: September 16, 2019
  - (v) Waste Management System Development – Public Engagement Strategy Results and Preliminary Waste Management System Alternatives  
Item on OBL: I  
Current Due Date: Q1 2019  
Proposed New Due Date: June 17, 2019

- (vi) Functional Traffic Study for Kenilworth Avenue from Main Street to Barton Street  
Item on OBL: J  
Current Due Date: Q1 2018  
Proposed New Due Date: August 14, 2019
  - (vii) PRESTO Operating Agreement  
Item on OBL: N  
Current Due Date: January 1, 2019  
Proposed New Due Date: April 15, 2019
  - (viii) Sackville Hill Seniors Recreation Centre's Expansion  
Item on OBL: Q  
Current Due Date: April 1, 2019  
Proposed New Due Date: September 30, 2019
  - (ix) Emergency Shoreline Protection Works  
Item on OBL: R  
Current Due Date: April 1, 2019  
Proposed New Due Date: July 10, 2019
  - (x) Hamilton's Beaches  
Item on OBL: S  
Current Due Date: January 14, 2019  
Proposed New Due Date: June 17, 2019
  - (xi) Hamilton-Halton Homebuilders' Association (HHHBA)  
Delegation on Water Main Approval Issues and  
Recommendations for Masterwater/wastewater Servicing  
Studies  
Item on OBL: T  
Current Due Date: March 18, 2019  
Proposed New Due Date: May 13, 2019
  - (xii) Red Hill Valley Project Integrated Environmental Monitoring  
Program  
Item on OBL: Z  
Current Due Date: February 22, 2019  
Proposed New Due Date: April 15, 2019
- (b) Items to be removed:
- (i) Strategic Energy Initiatives: Hydro One  
Item on OBL: D

**(j) PRIVATE AND CONFIDENTIAL (Item 14)**

As Committee determined that discussion of Items 14.1 and 14.2 was not required in Closed Session; those items were addressed in Open Session, as follows:

**(i) Appointments to the Hamilton Cycling Committee (Added Item 14.1)**

For disposition of this matter, refer to Item 10.

**(ii) Appointments to the Keep Hamilton Clean and Green Committee (Added Item 14.2)**

For disposition of this matter, refer to Item 11.

**(k) ADJOURNMENT (Item 15)**

There being no further business, the Public Works Committee was adjourned at 1:03 p.m.

Respectfully submitted,

Councillor L. Ferguson  
Chair, Public Works Committee

Alicia Davenport  
Legislative Coordinator  
Office of the City Clerk

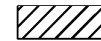


Hamilton

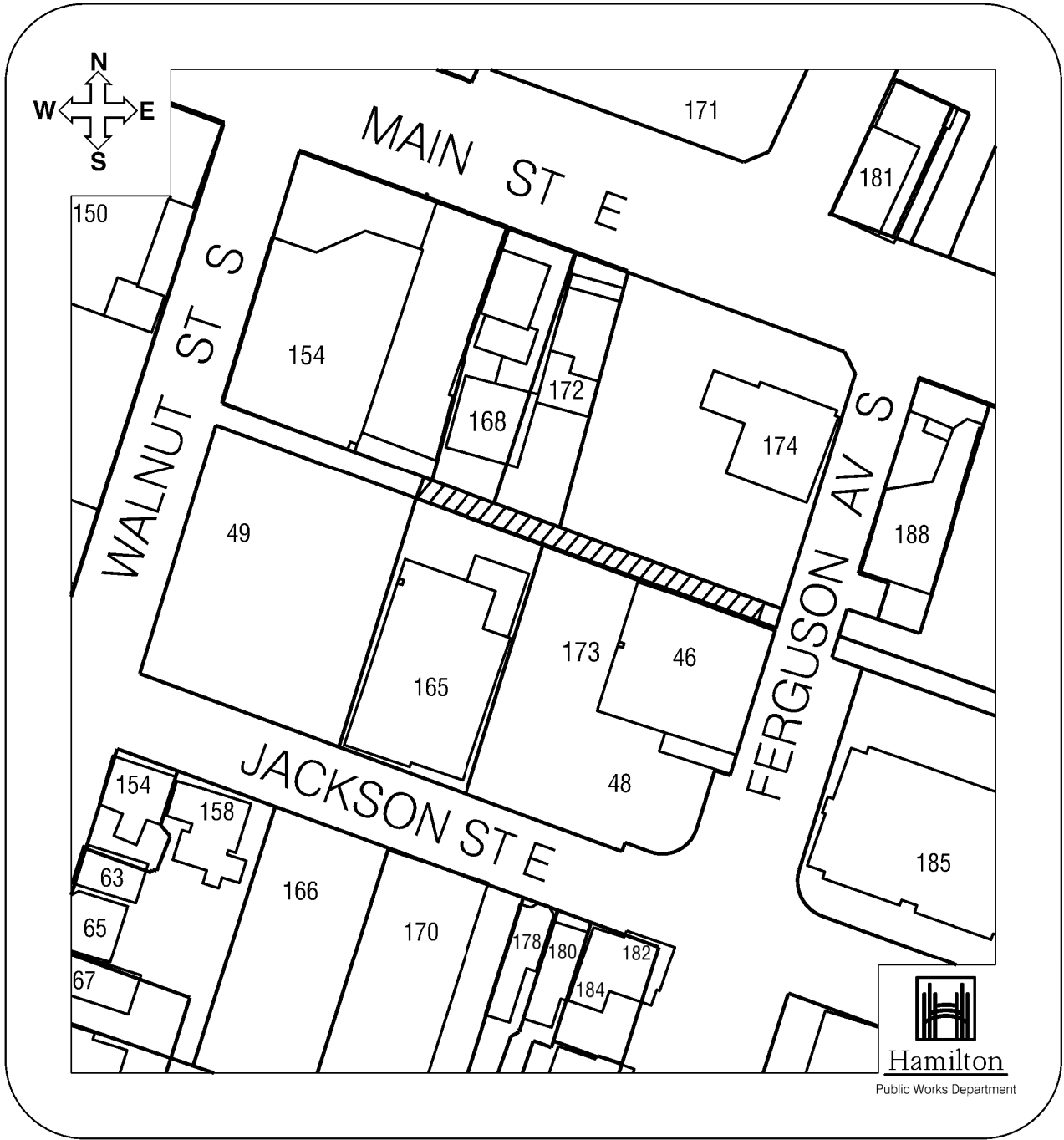
PROPOSED CLOSURE OF PORTION OF UNASSUMED ALLEY  
AT 46 FERGUSON AVE S

Geomatics & Corridor Management Section  
Public Works Department

LEGEND

 Lands to be Closed

NTS  
06/26/2018  
Sketch By: SC




**LOCATION PLAN**

PROPOSED CLOSURE OF  
UNASSUMED ALLEY AT

**46 FERGUSON AVE S**

CITY OF HAMILTON  
PUBLIC WORKS DEPARTMENT

**LEGEND**

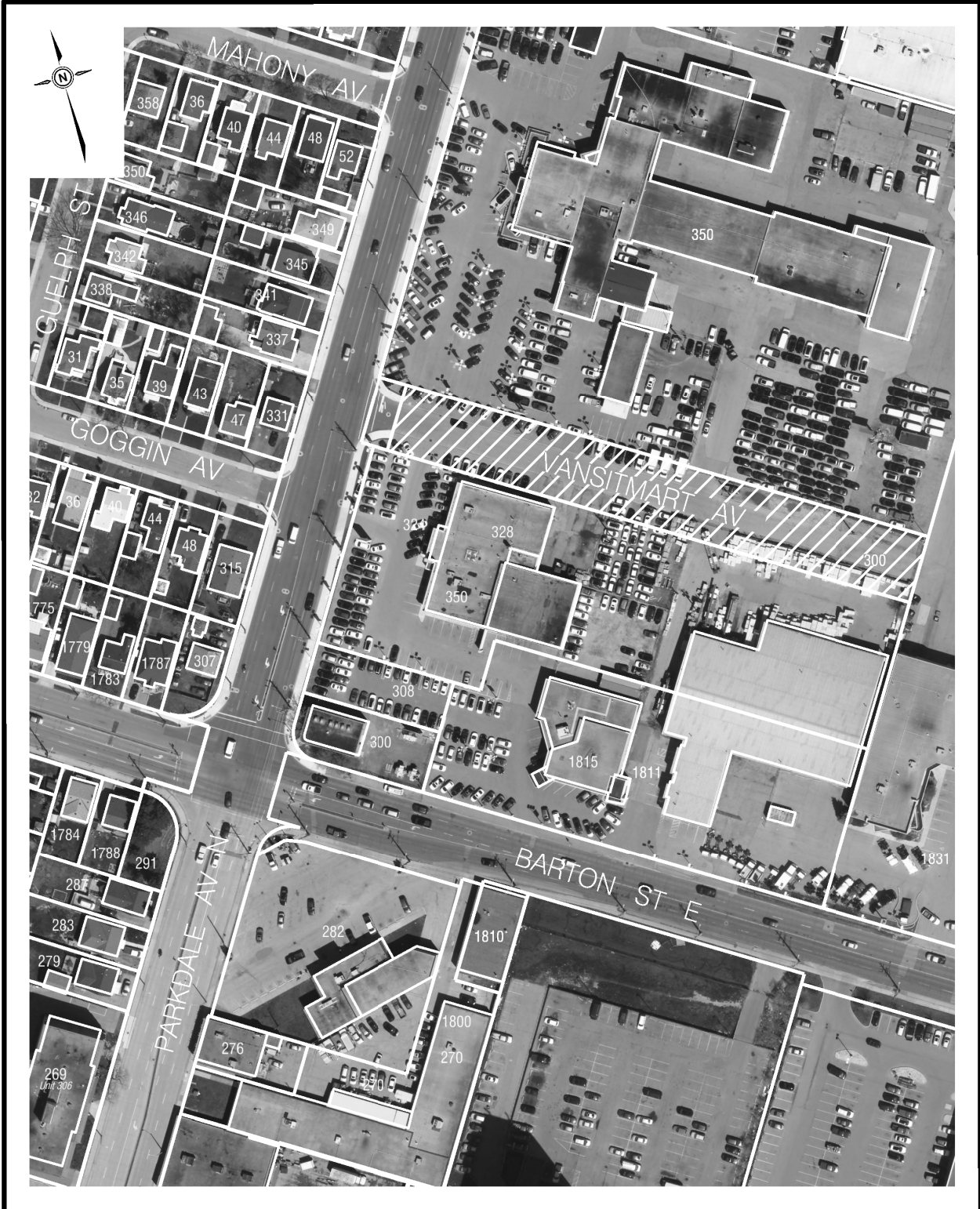


**SUBJECT LANDS**

DATE: JUNE 26 2018

Not to Scale

REFERENCE FILE NO : PW17\_\_



Hamilton

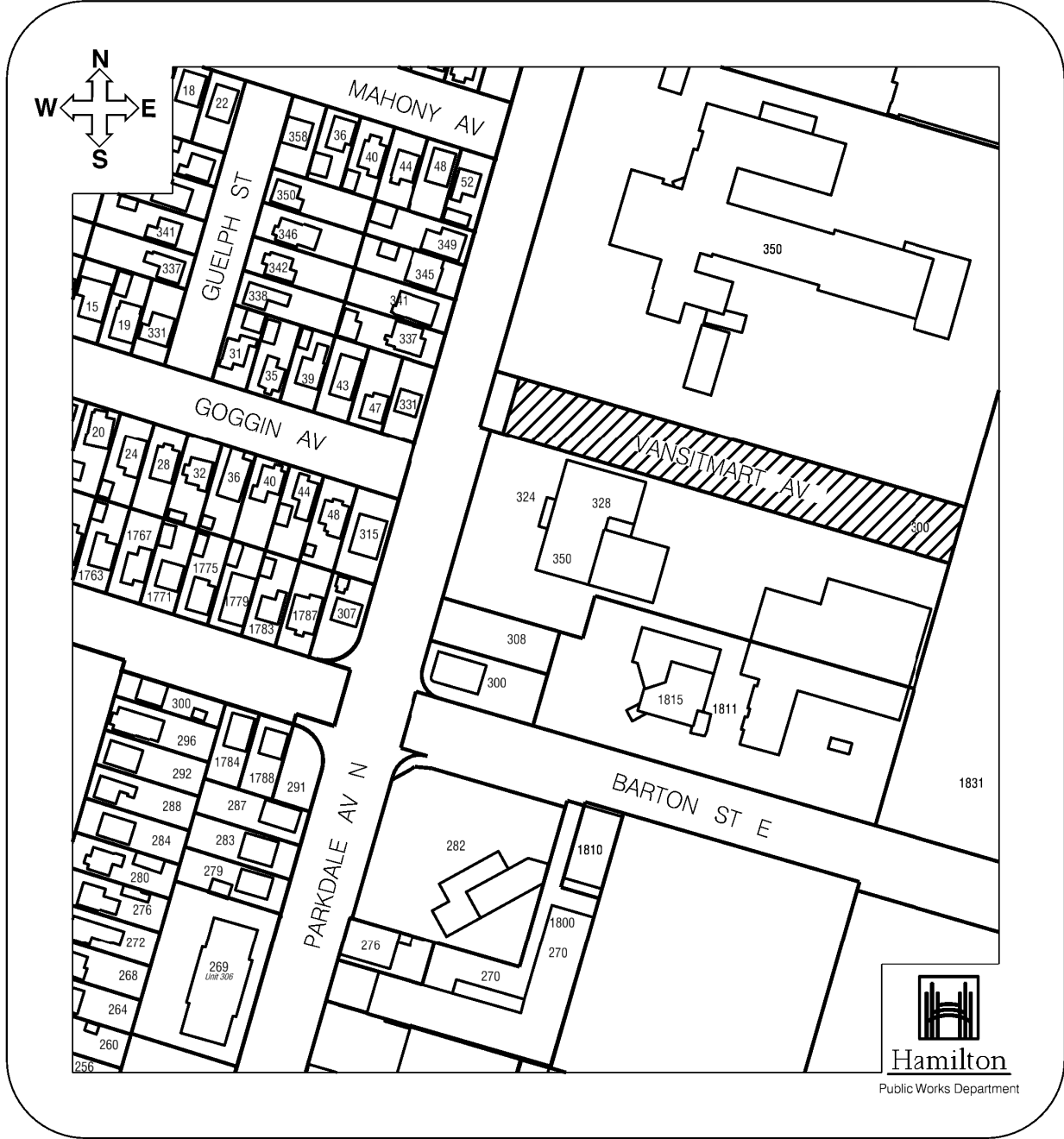
PROPOSED CLOSURE OF PORTION OF  
VANSITMART AVENUE

Geomatics & Corridor Management Section  
Public Works Department

LEGEND



Lands to be Closed



**LOCATION PLAN**

PROPOSED CLOSURE OF PORTION OF  
**VANSITMART AVENUE**

CITY OF HAMILTON  
 PUBLIC WORKS DEPARTMENT

**LEGEND**



**SUBJECT LANDS**

DATE: JUNE 15, 2018

Not to Scale

REFERENCE FILE NO : PW19\_



**Public Works Department  
SCHEDULE A - TENDER INFORMATION SUMMARY**

CONTRACT NUMBER: C15-13-18 (HW)  
Description: Parkdale Avenue North Reconstruction

|    | LIST OF BIDDERS                             | BIDS<br>(NOT INCLUDING HST &<br>CONTINGENCY) | CONTINGENCY | 13%HST     | TOTAL AWARD<br>INCL 13%HST &<br>CONTINGENCY | LOCATION AND<br>TYPE OF WORK   | TOTAL EST'D<br>COST (INCL ENG,<br>ETC.) | 2017<br>APPROPRIATION IN<br>BUDGET | APPROPRIATION<br>ADJUSTMENT<br>REQUIRED | COMMENTS                     |
|----|---|--|-------------|------------|---|--|---|------------------------------------|---|------------------------------|
| 1. | Deso Construction Limited<br>(Caledonia)    | \$ 4,773,280.66                              | 715,000.00  | 713,476.49 | \$ 6,201,757.15                             | <u>Section A,C,D,G (Road)</u><br><br><u>Location:</u> Parkdale Ave N. from Burlington Street E. to The North End, and Steel City Court from Parkdale Ave N. to 400m Easterly<br><br><u>Description:</u> Road Reconstruction, Temporary Road and Access Road Construction, Sidewalk Installation and Associated Works<br>Project ID: 403 1919117    |   |                                    |   |                              |
| 2. | Coco Paving Inc.<br>(Hannon)                | 4,910,046.50                                 |             |            |   | <u>Section C (Road 50-50)</u><br><br><u>Location:</u> Parkdale Ave N. from Burlington Street E. to The North End, and Steel City Court from Parkdale Ave N. to 400m Easterly<br><u>Description:</u> Road Reconstruction, Temporary Road & Access Road Construction, Sidewalk Installation & Associated Works<br>(50/50)<br>Project ID: 514 1970010 | \$3,103,000                             | \$2,230,000                        |   | Shortage<br>(\$873,000)      |
| 3. | New-Alliance Ltd.<br>(Burlington)           | 5,218,085.00                                 |             |            |   | <u>Section B (Watermain)</u><br><br><u>Location:</u> Parkdale Ave N. from Burlington Street E. to The North End, and Steel City Court from Parkdale Ave N. to 400m Easterly<br><u>Description:</u> Watermain Installation/Replacement and Associated Works<br>Project ID: 514 1971310  | \$881,000                               | \$890,000                          |   | Surplus Available<br>\$9,000 |
| 4. | Dufferin Construction Company<br>(Oakville) | 5,691,520.00                                 |             |            |   | <u>Section E (Street Lighting)</u><br><br><u>Location:</u> Steel City Court from Parkdale Ave N. to 400m Easterly<br><u>Description:</u> Street Lighting and Associated Works<br>Project ID: 404 1810017   | \$1,272,000                             | \$980,000                          |   | Shortage<br>(\$292,000)      |
| 5. | Defaveri Construction<br>(Stoney Creek)     | 6,026,922.25                                 |             |            |   | <u>Section F (Traffic)</u><br><br><u>Location:</u> Parkdale Ave N. from Burlington Street E. to The North End, and Steel City Court from Parkdale Ave N. to 400m Easterly<br><u>Description:</u> Traffic and Associated Works<br>Project ID: 466 1920540   | \$8,000                                 | \$8,000                            |   |                              |
| 6. | Navacon Construction Inc.<br>(Brantford)    | 6,967,215.00                                 |             |            |   | <u>Section H (Management of Materials)</u><br><br><u>Location:</u> Parkdale Ave N. from Burlington Street E. to The North End, and Steel City Court from Parkdale Ave N. to 400m Easterly<br><u>Description:</u> Management of Contaminates Soils/Materials and Associated Works<br>Project ID: 403 1614405  | \$232,000                               | \$232,000                          |   |                              |
| 7. | Rankin Construction Inc.<br>(Hamilton)      | 7,461,185.00                                 |             |            |   |  | \$92,000                                | \$92,000                           |   |                              |



**BOARD OF HEALTH  
REPORT 19-002  
1:30 p.m.  
Friday, February 22, 2019  
Council Chambers  
Hamilton City Hall**

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

**Absent with  
Regrets:** Councillor B. Johnson – City Business

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**THE BOARD OF HEALTH PRESENTS REPORT 19-002 AND RESPECTFULLY RECOMMENDS:**

**1. Stock Epinephrine Auto Injector Expansion in Restaurants (BOH13040(e)) (City Wide) (Item 7.1)**

That Report BOH13040(e) respecting Stock Epinephrine Auto Injector Expansion in Restaurants, be received.

**2. Population Health Assessment and Health Priorities (BOH19005) (City Wide) (Item 9.1)**

That Report BOH19005 respecting a Population Health Assessment and Health Priorities, be received.

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

That Appendix "A" attached to Report BOH19006 respecting the 2019 Annual Service Plan and Budget be approved, for submission to the Ministry of Health and Long-Term Care.

Note: Due to bulk, Appendix "A" is not attached to Board of Health Report 19-002, but is available at [www.hamilton.ca](http://www.hamilton.ca) and through the Office of the City Clerk

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

That the recommendation respecting Appointments to the Food Advisory Committee, be released publicly following approval by Council.

**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:

**1. DELEGATION REQUESTS (Item 6)**

6.2 Delegation request from Alexander Kinkade, respecting fentanyl overdose prevention initiatives (for a future meeting)

**2. CONSENT ITEMS (Item 7)**

7.2 Minutes of the Interview Sub-Committee to the Board of Health - February 15, 2019

**3. PRIVATE AND CONFIDENTIAL (Item 14)**

14.1 Appointments to the Food Advisory Committee (distributed under separate cover)

The agenda for the February 22, 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) January 14, 2019 (Item 4.1)**

The Minutes of the January 14, 2019 meeting of the Board of Health were approved, as presented.

**(e) DELEGATION REQUESTS (Item 6)**

- (i) Juliet Ehlert Gordon, respecting research on the effects of electro magnetic fields on human health and the environment (for a future meeting) (Item 6.1)**

The delegation request from Juliet Ehlert Gordon, respecting research on the effects of electro magnetic fields on human health and the environment, was approved for a future meeting.

- (ii) Alexander Kinkade, respecting fentanyl overdose prevention initiatives (for a future meeting) (Added Item 6.2)**

The delegation request from Alexander Kinkade, respecting fentanyl overdose prevention initiatives, was approved for a future meeting.

**(f) CONSENT ITEMS (Item 7)**

- (i) Minutes of the Interview Sub-Committee to the Board of Health – February 15, 2019 (Added Item 7.2)**

The Minutes of the Interview Sub-Committee to the Board of Health for February 15, 2019, were received.

**(g) STAFF PRESENTATIONS (Item 9)**

- (i) Population Health Assessment and Health Priorities (BOH19005) (City Wide) (Item 9.1), and 2019 Annual Service Plan and Budget (BOH19006) (Item 10.1)**

Dr. E. Richardson, Medical Officer of Health addressed the Board with a presentation respecting Population Health Assessment and Health Priorities (BOH19005), and 2019 Annual Service Plan and Budget (BOH19006), with the aid of a PowerPoint presentation. A copy of the presentation has been included in the official record.

The presentation respecting Population Health Assessment and Health Priorities (BOH19005), and 2019 Annual Service Plan and Budget (BOH19006) was received.

For disposition of this matter, refer to Items 2 and 3

The presentation is available at [www.hamilton.ca](http://www.hamilton.ca), and through the Office of the City Clerk.

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

**(i) Amendments to the Outstanding Business List (no copy)**

**1. Revised due date required (Item 13.1(a)):**

The following due date was revised:

Item 2015-A – Review of the City of Hamilton's Pest Control By-law  
(November 16, 2015, Item 9.1)

Due Date: February 2019

Revised Due Date: May 2019

**2. To be removed from Outstanding Business List (Item 13.1(b)):**

Item 2018-D – Stock Epinephrine Auto Injector Expansion in  
Restaurants

Original date: June 19, 2017, 17-005, Item 7.1

Placed back on OBL: December 10, 2018, 18-009, Item 13.1

(a) An update will be provided in three months time respecting the  
Stock Epinephrine Auto Injector Expansion in Restaurants  
project; and

(b) The item will remain on the Outstanding Business List for the  
Board of Health until the update is provided.

**(i) PRIVATE AND CONFIDENTIAL (Item 14)**

The Board determined that discussion of Item 14.1 respecting the Appointments to the Food Advisory Committee was not required in Closed Session, so the matter was addressed in Open Session.

**(i) Appointments to the Food Advisory Committee (Added Item 14.1)**

For disposition of this matter, refer to Item 4.

**(j) ADJOURNMENT (Item 15)**

There being no further business, the Board of Health adjourned at 2:44 p.m.

**CARRIED**

Respectfully submitted,

Mayor F. Eisenberger  
Chair, Board of Health

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk



## **CITY MANAGER RECRUITMENT STEERING COMMITTEE REPORT (19-003)**

9:00 a.m.  
Saturday, February 23, 2019  
White Oaks Conference Centre  
253 Taylor Road  
Niagara-on-the-Lake

**Present:** Mayor Eisenberger; Councillors Collins, Merulla, Pearson and Ferguson.

Also Present: Councillors Danko and Wilson

### **FOR THE INFORMATION OF COUNCIL:**

#### **(a) CHANGES TO THE AGENDA (Item 2)**

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

The agenda for the February 23, 2019 City Manager Recruitment Steering Committee meeting was approved, as presented.

#### **(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

#### **(c) APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

The minutes of the February 9, 2019 City Manager Recruitment Steering Committee, were approved as presented.

#### **(d) PRIVATE & CONFIDENTIAL (Item 4)**

##### **(i) Closed Session Minutes – February 9, 2019 (Item 4.1)**

- (a) The Closed Session Minutes of the February 9, 2019 City Manager Recruitment Steering Committee meeting, as presented, were approved; and,
- (b) The Closed Session Minutes of the February 9, 2019 City Manager Recruitment Steering Committee meeting, as presented, shall remain confidential.

The Committee moved into Closed Session respecting Item 4.2, 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.

**(ii) Candidate Interviews (Item 4.2)**

Staff were provided with direction in Closed Session.

**(d) ADJOURNMENT (Item 5)**

There being no further business, the City Manager Recruitment Steering Committee, was adjourned at 4:57 p.m.

Respectfully submitted,

Mayor Eisenberger, Chair  
City Manager Recruitment  
Steering Committee

Janet Pilon  
Acting City Clerk



# CITY OF HAMILTON

## MOTION

Council: February 27, 2019

**MOVED BY COUNCILLOR L. FERGUSON.....**

**SECONDED BY COUNCILLOR.....**

### **Changing the Time of Council Meetings**

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; and

(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.

**Authority:** Item 9, Public Works Committee  
Report 07-016 (PW07153)  
CM: December 12, 2007  
Ward: 11, 15

**Bill No. 030**

## **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 "C" (Flamborough) thereof the following items, namely:

|                                  |           |             |    |
|----------------------------------|-----------|-------------|----|
| 10 <sup>th</sup> Concession East | Highway 6 | Centre Road | 60 |
|----------------------------------|-----------|-------------|----|

And by adding to section "C" (Flamborough) thereof the following items, namely;

|                                  |           |                                   |    |
|----------------------------------|-----------|-----------------------------------|----|
| 10 <sup>th</sup> Concession East | Highway 6 | A point 150 m west of Centre Road | 60 |
|----------------------------------|-----------|-----------------------------------|----|

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

Page 2 of 2

And by removing from section "D" (Glanbrook) thereof the following items, namely;

|                    |                                  |                                  |    |
|--------------------|----------------------------------|----------------------------------|----|
| Chippewa Road East | Glancaster Road                  | A point 100 m east of Miles Road | 60 |
| Chippewa Road East | A point 100 m east of Miles Road | Tisdale Road                     | 80 |
| Chippewa Road East | Tisdale Road                     | Trinity Church Road              | 60 |

And by adding to section "D" (Glanbrook) thereof the following items, namely;

|                    |                 |                     |    |
|--------------------|-----------------|---------------------|----|
| Chippewa Road East | Glancaster Road | Trinity Church Road | 60 |
|--------------------|-----------------|---------------------|----|

2. Schedule 3 (Flashing School Zones – Reduced Speed Limit) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "C" (Flamborough) thereof the following item, namely:

|                                  |             |                                   |  |
|----------------------------------|-------------|-----------------------------------|--|
| 10 <sup>th</sup> Concession East | Centre Road | A point 400 m east of Centre Road | 8:30 a.m. to 9:15 a.m.<br>3:10 p.m. to 3:50 p.m. |
|----------------------------------|-------------|-----------------------------------|--|

3. 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.
4. This By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED** this 27<sup>th</sup> day of February, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

**Authority:** Item 14, Committee of the Whole  
Report 01-003 (FCS01007)  
CM: February 6, 2001  
Ward: 1,2,3,7,8,12

**Bill No. 031**

## **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:

| <b>Schedule</b>           | <b>Section</b> | <b>Highway</b> | <b>Side</b> | <b>Location</b>                          | <b>Duration</b> | <b>Times</b> | <b>Days</b> | <b>Adding/<br/>Deleting</b> |
|---------------------------|----------------|----------------|-------------|--|-----------------|--------------|-------------|-----------------------------|
| <b>6 – Time<br/>Limit</b> | <i>E</i>       | Robert St.     | North       | 36m east of James<br>St. to 13m easterly | 15 min          | Anytime      | Anyday      | Adding                      |

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

| Schedule                                | Section  | Highway            | Side                                 | Location  | Times  | Adding/<br>Deleting |
|---|----------|--------------------|--------------------------------------|---|--|---------------------|
| <b>8 – No<br/>Parking</b>               | <i>A</i> | Stadacona St.      | North &<br>West                      | 20m north of Senior Dr.<br>to 30m northwest                                     | Anytime  | Adding              |
| <b>8 – No<br/>Parking</b>               | <i>E</i> | Robert             | North                                | 101 feet east of James to<br>65 feet easterly                                   | Anytime  | Deleting            |
| <b>8 – No<br/>Parking</b>               | <i>E</i> | Summerberry Way    | South &<br>West                      | Sabrina Blvd. to<br>Hazelton Ave.   | Anytime  | Adding              |
| Schedule                                | Section  | Highway            | Location                             | NPA from 8am on<br>1st day, to 11pm on<br>15th day of each<br>month AND Dec-Mar | NPA from 8am on<br>16th day, to 11pm<br>on last day of each<br>month Apr-Nov | Adding/<br>Deleting |
| <b>10 – Alt.<br/>Side<br/>(Apr-Nov)</b> | <i>E</i> | East 32nd St.      | Queensdale Ave.<br>to Brucedale Ave. | East  | West   | Adding              |
| <b>10 – Alt.<br/>Side<br/>(Apr-Nov)</b> | <i>E</i> | Summerberry<br>Way | Sabrina Blvd. to<br>Hazelton Ave.    | North   | South  | Deleting            |
| Schedule                                | Section  | Highway            | Side                                 | Location  | Times  | Adding/<br>Deleting |
| <b>12 –<br/>Permit</b>                  | <i>E</i> | Locke St. N        | East                                 | 13m north of Florence St<br>to 6m northerly                                     | Anytime  | Adding              |
| <b>12 –<br/>Permit</b>                  | <i>E</i> | Carrick Ave.       | West                                 | 60m north of Dunsmure<br>Rd. to 6m northerly                                    | Anytime  | Adding              |
| <b>12 –<br/>Permit</b>                  | <i>E</i> | Carrick Ave.       | East                                 | 70m north of Dunsmure<br>Rd. to 6m northerly                                    | Anytime  | Adding              |

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

| Schedule                 | Section  | Highway  | Side  | Location   | Times                                      | Adding/<br>Deleting |
|--------------------------|----------|----------|-------|--|--|---------------------|
| 14 –<br>Wheelchair<br>LZ | <i>E</i> | Case     | South | from 102.1m east of<br>Barnesdale to 6m easterly | 8:00 a.m. to 4:00 p.m.<br>Monday to Friday | Deleting            |
| 14 –<br>Wheelchair<br>LZ | <i>E</i> | Case St. | South | from 102.1m east of<br>Barnesdale to 6m easterly | Anytime                                    | Adding              |

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED** this 27<sup>th</sup> day of February 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

**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. Schedule 4 (Special Event Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "A" thereof the following items, namely:

|                  |            |
|------------------|------------|
| Cait Crt.        | End to End |
| Catherine Crt.   | End to End |
| Dalley Dr.       | End to End |
| Greenfield Dr.   | End to End |
| Harrington Pl.   | End to End |
| Irma Crt.        | End to End |
| Judith Cres.     | End to End |
| Mansfield Dr.    | End to End |
| Maureen Av.      | End to End |
| Park Lane        | End to End |
| Reding Rd.       | End to End |
| Academy St.      | End to End |
| Alterra Blvd.    | End to End |
| Brookdale Dr.    | End to End |
| Brookside Dr.    | End to End |
| Cedar Grove Crt. | End to End |



|                    |            |
|--------------------|------------|
| Charterhouse Cres. | End to End |
| Church St.         | End to End |
| Clarendon Dr.      | End to End |
| Hill Crest         | End to End |
| Lodor Lane         | End to End |
| Lodor St.          | End to End |
| Lorne Ave.         | End to End |
| Lowden Av.         | End to End |
| Orton Av.          | End to End |
| Orton Pl.          | End to End |
| Seymour Dr.        | End to End |
| Cameron Dr.        | End to End |
| Douglas Rd.        | End to End |
| St. Anns Crt.      | End to End |
| St. Margarets Rd.  | End to End |
| Brooks Rd.         | End to End |
| Calvin St.         | End to End |
| Elgin Pl.          | End to End |
| Enmore Av.         | End to End |
| Hatton Dr.         | End to End |
| Mapledene Dr.      | End to End |
| Ravina Crt.        | End to End |
| Ravina Cres.       | End to End |
| Robina Rd.         | End to End |
| Woodworth Dr.      | End to End |
| Rosemary Lane      | End to End |
| Algonquin Av.      | End to End |
| Cayuga Av.         | End to End |
| Hiawatha Av.       | End to End |
| Iroquois Av.       | End to End |
| Oneida Blvd.       | End to End |
| Onondaga Dr.       | End to End |

|                      |                                   |
|----------------------|-----------------------------------|
| Seneca Dr.           | End to End                        |
| Seneca Crt.          | End to End                        |
| Tomahawk Cres.       | End to End                        |
| Tuscarora Dr.        | End to End                        |
| Bunting Pl.          | End to End                        |
| Chancery Dr.         | End to End                        |
| Dorval Dr.           | End to End                        |
| East Crest           | End to End                        |
| Elm Hill Blvd.       | End to End                        |
| Evergreen Av.        | End to End                        |
| Hostein Dr.          | End to End                        |
| Lynda Lane           | End to End                        |
| McNeil Pl.           | End to End                        |
| Middle Crest         | End to End                        |
| Old Oakes Pl.        | End to End                        |
| Peppertree Cres.     | End to End                        |
| Pine St.             | End to End                        |
| Roymor Cres.         | End to End                        |
| South Crest          | End to End                        |
| West Crest           | End to End                        |
| Southcote Road       | Highway 403 to Golf Links Road    |
| MicNiven Road        | End to End                        |
| Golf Links Road      | Southcote/McNiven to west end     |
| Golfdale Place       | End to End                        |
| Halsen Street        | End to End                        |
| Sulphur Springs Road | Lover's Lane to Wilson Street     |
| Jerseyville Road     | Fiddler's Green to Wilson Street  |
| Rousseaux Street     | End to End                        |
| Mohawk Road          | Rousseaux Street to McNiven Road" |

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 at 1:00 a.m. on the 3<sup>rd</sup> day of June, 2019, and shall be repealed and no longer in force and effect at 1:00 a.m. on the 10<sup>th</sup> day of June, 2019.

**PASSED** this 27<sup>th</sup> day of February, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

**Authority:** Item 8, Planning Committee  
Report 19-003 (PED17179(b))  
CM: February 27, 2019  
Ward: 4, 5

**Bill No. 033**

## **CITY OF HAMILTON**

### **BY-LAW NO. 19-**

#### **A By-law to Amend By-law No. 18-199, being a By-law to Prohibit Driving School Instructing in the Restricted Areas**

1. The Whereas Clauses are hereby deleted and the following substituted:

**WHEREAS** subsection 10.(2) of the Municipal Act, 2001 permits a single-tier municipality to pass by-laws respecting the health, safety and well-being of persons and the protection of persons and property; and

**WHEREAS** pursuant to section 9 of the Municipal Act, 2001, the municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act or any other Act; and

**WHEREAS** pursuant to subsection 8.(1) of the Municipal Act, 2001, the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

**WHEREAS** Council for the City of Hamilton considers it desirable to regulate and govern the training of persons by a Driving School Instructor in designated restricted areas;

2. Section 1 is hereby amended by deleting the following definitions:

**"Driving School Permit"** means a valid driving school licence issued by the Province of Ontario pursuant to the Highway Traffic Act;

**"DriveTest Examiner"** means a person employed by a DriveTest Centre who evaluates individual driving skills on Ministry of Transportation approved routes and provides a pass/fail report; and

**"Residential Local Road"** means an Urban Residential Local Road as described in the City's Transportation Master Plan;

3. Section 1 is hereby amended by deleting the definition of Restricted Area and the following is substituted:

**"Restricted Area"** means the streets highlighted in Appendix 1 to this By-law.

4. Section 2 is hereby deleted and the following substituted:

2.(1) No Driving School Instructor providing driving lessons shall operate or permit the operation of a Driving School Motor Vehicle on any Highway listed in Appendix 1 and located within a Restricted Area.

2.(2) No Driving School Operator shall cause or permit the operation of a Driving School Motor Vehicle providing driving lessons on any Highway listed in Appendix 1 and located within a Restricted Area.

2.(3) Notwithstanding Sections 2(1) and 2(2) a Driving School Motor Vehicle used by a Driving School Instructor for providing driving lessons may be operated on a Highway listed in Appendix 1 and located within the Restricted Area provided that:

- (a) the student to whom Driving School instruction is being provided lives within the Restricted Area; and
- (b) while in the "Restricted Area" the student carries proof of residence; and
- (c) the Driving School Instructor proceeds to and from the student's residence using the most direct route to and from the closest area outside the Restricted Area.

2.(4) Notwithstanding Section 2(1) and 2(2) a Driving School Motor Vehicle used for providing driving lessons by a Driving School Instructor who lives within the Restricted Area may be operated on a Highway listed in Appendix 1 providing no instruction of a student is being performed within the Restricted Area.

5. Section 4 is hereby deleted and the following substituted:

4.(1) Every person who contravenes any of the provisions of this By-law, and every director of a corporation who concurs in such contravention by the corporation is guilty of an offence and on conviction liable to a fine not exceeding \$25,000 for a first offence and \$50,000 for any subsequent offence.

4.(2) Where a corporation is convicted of an offence under this By-law, the maximum penalty is \$50,000 for a first offence and \$100,000 for any subsequent offence.

6. Appendix 1 is hereby deleted and substituted with Appendix 1 as attached hereto.

7. Appendix 2 is hereby deleted and substituted with Appendix 2 as attached hereto.

**PASSED** this 27th day of February, 2019.

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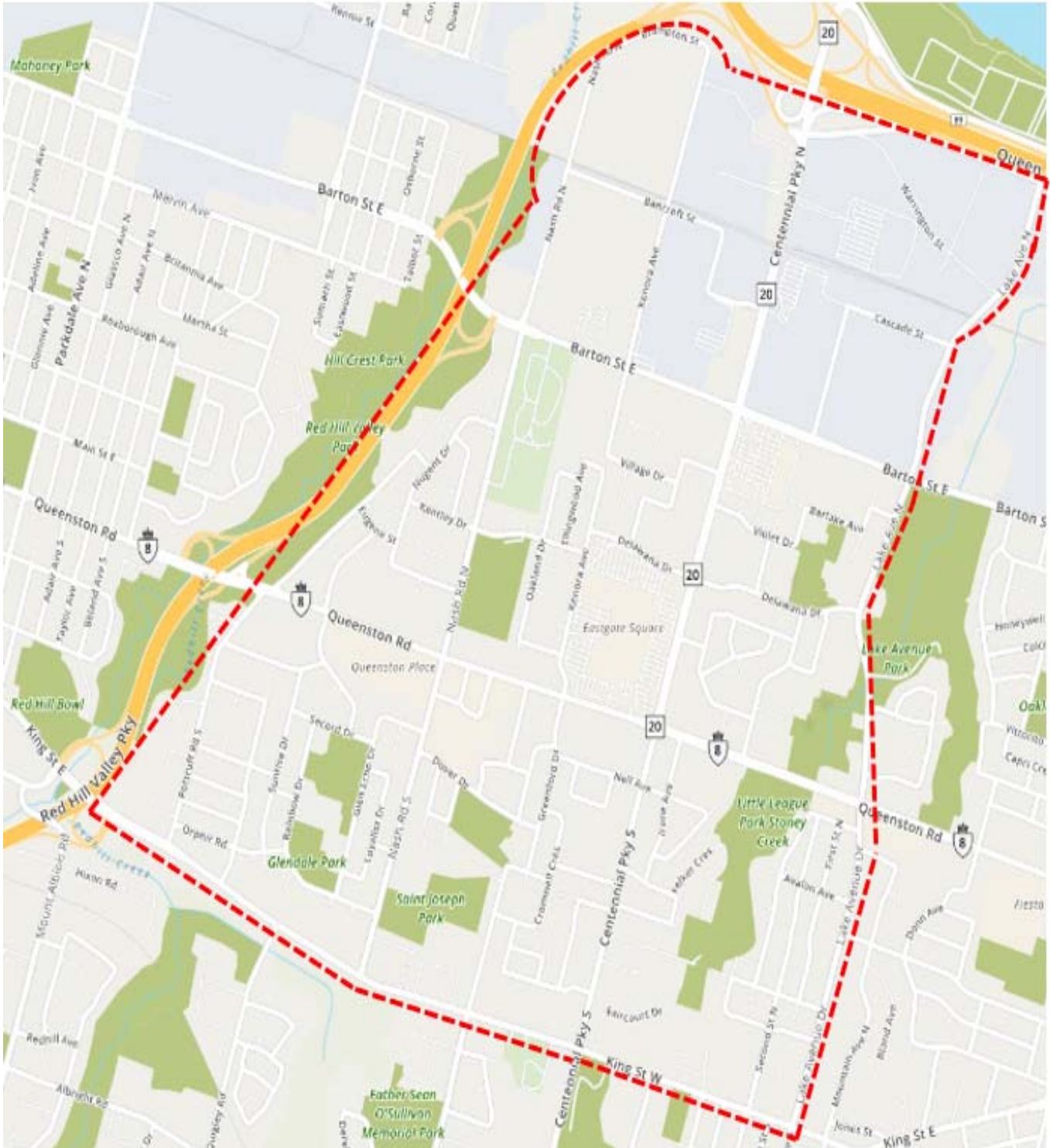
F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

## Appendix "1"

### Ward 5 Restricted Area



## **Appendix “2”**

### **Ward 5 DriveTest Restricted Areas**

1. Subdivision, inclusive of all streets between Red Hill Valley Pkwy and Barton St and Nicola Tesla Blvd and Kenilworth Ave N.
2. Subdivision, inclusive of all streets between Barton St, Red Hill Valley Pkwy, Nash Rd and Queenston Rd.
3. Subdivision, inclusive of all streets between Barton St, Nash Rd, Queenston Rd and Centennial Pkwy N.
4. Subdivision, inclusive of all streets between Barton St, Centennial Pkwy N, Queenston Rd and Lake Ave.
5. Subdivision, inclusive of all streets between Nash Rd, Queenston Rd, Red Hill Valley Pkwy and King St.
6. Subdivision, inclusive of all streets between Nash Rd, King St, Queenston Rd and Centennial Pkwy S.
7. Subdivision, inclusive of all streets between Red Hill Valley Pkwy, King St, Greenhill Ave and all side streets on the left/ right side of Greenhill Ave.

### **Ward 4 DriveTest Exam Areas**

8. Subdivision, inclusive of all streets between Red Hill Valley Pkwy, Lawrence Rd, Kenilworth Ave and King St.
9. Subdivision, inclusive of all streets between Red Hill Valley Pkwy and Barton St and Kenilworth Ave N and Main St/Queenston Rd.

**Authority:** Item 1, Emergency & Community  
Services Committee  
Report 19-001 (HSC19005)  
CM: February 27, 2019  
Ward: City Wide

**Bill No. 034**

## **CITY OF HAMILTON**

### **BY-LAW NO. 19-**

**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**

**WHEREAS** pursuant to section 5 of the Fire Protection and Prevention Act, 1997, the City of Hamilton may establish, maintain and operate a fire department.

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

#### Definitions

1. In this By-law:

“Act” means the Fire Protection and Prevention Act, 1997 as may be amended from time to time, and includes any successor legislation and any regulations made thereunder including the Ontario Fire Code;

“City” means the municipal corporation of the City of Hamilton or the geographic area of the City of Hamilton as the context requires;

“City Manager” means the City Manager of the City of Hamilton;

“Council” means the council of the City of Hamilton;

“Deputy Fire Chief” means the person or persons appointed as a Deputy Fire Chief by Council and who may act on behalf of the Fire Chief in the case of an absence or vacancy in the office of Fire Chief;

“Division” means a division of Hamilton Fire Department as provided for in this By-law;

“Fire Chief” means the person appointed by Council as Fire Chief for the City under the Act;

“Fire Department” means the City of Hamilton Fire Department;



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

Page 2 of 5

“fire protection services” includes:

- (a) fire suppression, fire prevention, fire safety education;
- (b) rescue and hazardous materials response;
- (c) emergency first response services in accordance with the tiered-response agreement with Hamilton Paramedic Services.
- (d) mitigation and prevention of the risk created by the presence of unsafe levels of carbon monoxide and safety education related to the presence of those levels;
- (e) communication in respect of any matter described in (a)-(d);
- (f) training of persons involved in the provision of any services described in (a)-(e) in accordance with National Fire Protection Association (NFPA) standards; and
- (g) delivery of all of those services described in (a)-(f) above.

“member” means a person employed in or appointed to the Fire Department and assigned to undertake fire protection services and includes full-time and volunteer firefighters;

“officer” means the Fire Chief, Deputy Fire Chief(s), Assistant Deputy Chief(s), Platoon Chief(s), and Divisional Chief(s);

“volunteer firefighter” means a member who provides fire protection services and who are paid on an on-call basis.

#### Establishment

2. The Fire Department is established under the direction of the Fire Chief to provide fire protection services.

#### Composition

3. The Fire Department shall consist of the Fire Chief and such officers, members and administrative support staff as considered necessary by Council to perform fire protection services.

#### Organization

4. Hamilton Fire Department shall be organized into the following Divisions:
  - (a) Administration;
  - (b) Communications;
  - (c) Fire Operations – Full Time and Volunteer;
  - (d) Fire Prevention;
  - (e) Training;
  - (f) Mechanical; and,

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

Page 3 of 5

- (g) Emergency Management.
5. The Fire Chief, with the prior written approval of the City Manager, may reorganize or eliminate Divisions or establish other Divisions or may do any or all of these matters or any combination thereof as may be required to ensure the proper administration and operation of Hamilton Fire Department.
  6.
    - (a) Each Division of the Fire Department is the responsibility of the Fire Chief and is under the direction of the Fire Chief or an officer designated by the Fire Chief.
    - (b) Officers shall report to the Fire Chief on activities within the Division under their supervision and shall carry out all orders of the Fire Chief.
  7. Where the Fire Chief designates a member to act in place of an officer in the Fire Department, such member, when so acting, shall have all of the powers and shall perform all duties of the officer replaced.

#### Responsibilities of the Fire Chief

8. The Fire Chief shall have all the rights, powers and duties assigned to a Fire Chief under the Act and shall ensure compliance with the Act.
9. The Fire Chief is responsible for the proper administration and operation of the Fire Department.
10. The Fire Chief shall be authorized to make such general orders, policies, procedures, rules and regulations and to take such other measures as the Fire Chief may consider necessary for the proper administration and efficient operation of the Fire Department and the effective management of fire protection services for the City and for the prevention, control and extinguishment of fires, the protection of life and property and the management of emergencies and without restricting the generality of the foregoing;
  - (a) For the care and protection of all property belonging to the City that are utilized by the Fire Department;
  - (b) For arranging for the provision and allotment of strategic staffing and facilities, apparatus, equipment, materials, services and supplies for the Fire Department;
  - (c) For the development and implementation of automatic aid, mutual aid and other fire protection and emergency service agreements within the City's borders and/or within the municipal borders of adjoining municipalities upon the approval of Council;

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

Page 4 of 5

- (d) For determining and establishing the qualifications and criteria for employment or appointment, and the duties of, all members of the Fire Department;
  - (e) For the conduct and the discipline of members of the Fire Department;
  - (f) For preparing, and upon approval by Council, implementing and maintaining a departmental fire service plan and program for the Corporation;
  - (g) For keeping an accurate record of all fires, rescues and emergencies responded to by the Fire Department and reporting of same to the Office of the Fire Marshal and the public as required by the Act;
  - (h) For keeping such other records as may be required by Council, the City, and the Act;
  - (i) For preparing and presenting an annual report of the Fire Department to Council;
  - (j) For preparing and submitting to Council the annual budget estimates for the Fire Department for its approval; and
  - (k) For exercising control over the budget approved by Council for the Fire Department.
11. The Fire Chief shall regularly review and update the standard operating procedures and guidelines, general orders and rules referred to in section 10 as required.

#### Authority to Leave City Limits

12. The Fire Department shall not respond to calls with respect to a fire or emergency outside of the limits of the City except with respect to a fire or emergency:
- (a) that in the opinion of the Fire Chief or designate threatens property situated outside the City that is owned or occupied by the City;
  - (b) in a municipality with which an approval agreement has been entered into to provide fire protection services which include automatic aid;
  - (c) on property where an approved agreement has been entered into with any person or corporation to provide fire protection services;
  - (d) in a municipality authorized to participate in the Province of Ontario Mutual Aid Plan and mutual aid program or any other similar reciprocal plan or program; or
  - (e) in the opinion of the Fire Chief or designate requires immediate action to preserve and protect life or property and the appropriate fire department is notified to respond and assume command or to establish alternative measures acceptable to the Fire Chief or designate.

Short Title

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

Page 5 of 5

13. This By-law may be referred to as the “Hamilton Fire Department Establishing and Regulating By-law”.

#### Repeal and Enactment

14. 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 are repealed.
15. This By-law comes into force on the date of its passing.

**PASSED** this 27<sup>th</sup> day of February, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

**Authority:** Item 1, Emergency & Community  
Services Committee Report 19-  
001 (HSC19005)  
CM: February 27, 2019  
Ward: City Wide  
**Bill No. 035**

**CITY OF HAMILTON  
BY-LAW NO. 19-**

**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**

**WHEREAS** pursuant to Subsection 6(1) of the *Fire Protection and Prevention Act, 1997* the Council of the City of Hamilton shall appoint a Fire Chief for the Fire Department;

**WHEREAS** the Council of the City of Hamilton passed the Hamilton Fire Department Establishing and Regulating By-law No. 19-034 at its meeting held on February 27, 2019;

**WHEREAS** Council wishes to appoint certain persons as Fire Chief and Deputy Fire Chief pursuant to the *Fire Protection and Prevention Act, 1997* and the Hamilton Fire Department Establishing and Regulating By-law No. 19-034; and,

**WHEREAS** Council authorizes the Hamilton Fire Department to participate in the Province of Ontario Mutual Aid Plan and endorses the Fire Chief and Deputy Fire Chief(s) being appointed as fire co-ordinator and alternate fire co-ordinator(s) under the authority of the *Fire Protection and Prevention Act, 1997* by the Ontario Fire Marshal.

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

1. The person listed in Schedule "A" is appointed as the Fire Chief for the City of Hamilton until such time as that appointment is terminated or a successor is appointed;
2. The person(s) listed in Schedule "B" is appointed as the Deputy Fire Chief for the City of Hamilton until such time as that appointment is terminated or a successor is appointed;
3. Schedules "A" and "B" form part of this By-law.

**PASSED** this 27<sup>th</sup> day of February, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

**SCHEDULE "A"**

**FIRE CHIEF**

Cunliffe, David R.

**SCHEDULE "B"**

**DEPUTY FIRE CHIEF**

Moss, Randy

Verbeek, John

**Authority:** Item 4, General Issues Committee  
Report 16-023 (FCS16083)  
CM: October 12, 2016  
Ward: City Wide

**Bill No. 036**

## **CITY OF HAMILTON**

### **BY-LAW NO. 19-**

**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**

**WHEREAS** on October 12, 2016, the Council of the City of Hamilton approved Item 4 of General Issues Committee Report 16-023, as amended, and authorized the City of Hamilton to apply to receive funding for projects under the Public Transit Infrastructure Fund;

**AND WHEREAS** at its meeting on October 12, 2016, the Council of the City of Hamilton also authorized the signing of all necessary documentation, including the Transfer Payment Agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation, to receive funding for the approved projects under the Public Transit Infrastructure Fund;

**AND WHEREAS** on June 14, 2017, the Council of the City of Hamilton passed 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, which by-law came into force on June 14, 2017;

**AND WHEREAS** at the Public Transit Infrastructure Fund Agreement was executed by the City of Hamilton on February 15, 2018 and Her Majesty the Queen in right of Ontario on March 7, 2018;

**AND WHEREAS** the Parties to the Public Transit Infrastructure Fund Agreement now seek to amend it to, among other things, extend timelines, update eligibility requirements and update project lists for the program, where necessary;



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

1. Section 3 of By-law 17-120 is deleted and replaced with the following new Section 3:
  3. The Mayor and Clerk are authorized and directed, on behalf of the City of Hamilton, to execute all necessary documentation, including Funding Agreements, to receive funding under the Public Transit Infrastructure Fund, in a form satisfactory to the City Solicitor.
2. This by-law shall come into force on the day it is passed.

**PASSED** this 27<sup>th</sup> day of February, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting Clerk

**Authority:** Item 1, Public Works Committee  
Report 19-003 (PW19001)  
CM: February 27, 2019  
Wards: 2, 3, 8, 9, 10, 12

**Bill No. 037**

**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 5 (Stop Control) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "A" (Ancaster) thereof the following item, namely;

|                   |                       |                |
|-------------------|-----------------------|----------------|
| Amberly Boulevard | Eastbound / Westbound | Concerto Court |
|-------------------|-----------------------|----------------|

And by adding to Section "A" (Ancaster) thereof the following item, namely;

|                |            |                   |
|----------------|------------|-------------------|
| Concerto Court | Southbound | Amberly Boulevard |
|----------------|------------|-------------------|

|                   |                       |                |
|-------------------|-----------------------|----------------|
| Amberly Boulevard | Eastbound / Westbound | Concerto Court |
|-------------------|-----------------------|----------------|

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

Page 2 of 2

And by adding to Section "D" (Glanbrook) thereof the following items, namely;

|                |                       |               |
|----------------|-----------------------|---------------|
| Pinehill Drive | Eastbound / Westbound | Hyslop Avenue |
|----------------|-----------------------|---------------|

And by adding to Section "E" (Hamilton) thereof the following items, namely;

|               |                       |                  |
|---------------|-----------------------|------------------|
| Murray Street | Eastbound / Westbound | Catharine Street |
|---------------|-----------------------|------------------|

|               |                         |             |
|---------------|-------------------------|-------------|
| MacNab Street | Northbound / Southbound | Vine Street |
|---------------|-------------------------|-------------|

|               |                       |                |
|---------------|-----------------------|----------------|
| Dunsmure Road | Eastbound / Westbound | Belview Avenue |
|---------------|-----------------------|----------------|

|              |            |                |
|--------------|------------|----------------|
| Hudson Court | Southbound | Columbia Drive |
|--------------|------------|----------------|

And by adding to Section "F" (Stoney Creek) thereof the following items, namely;

|               |                       |                    |
|---------------|-----------------------|--------------------|
| Sunvale Place | Eastbound / Westbound | Waterford Crescent |
|---------------|-----------------------|--------------------|

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 27<sup>th</sup> day of February, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

**Authority:** Item 6, Public Works Committee  
Report 19-003  
CM: February 27, 2019  
Ward: 2

**Bill No. 038**

## **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 5 (Stop Control) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" (Hamilton) thereof the following items, namely;

|                    |                         |                        |
|--------------------|-------------------------|------------------------|
| Simcoe Street East | Eastbound / Westbound   | Catharine Street North |
| Mary Street        | Northbound / Southbound | Simcoe Street East     |

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.

This By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED** this 27<sup>th</sup> day of February, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

**CITY OF HAMILTON**

**BY-LAW NO. 19-**

To Confirm the Proceedings of City Council at its meeting held on February 27, 2019.

**THE COUNCIL OF THE  
CITY OF HAMILTON  
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 27<sup>th</sup> day of February, 2019, in respect of each recommendation contained in

City Manager Recruitment Steering Committee Report 19-002 – February 9, 2019,  
Selection Committee Report 19-003 – February 11, 2019,  
Selection Committee Report 19-004 – February 12, 2019,  
Selection Committee Report 19-005 – February 13, 2019,  
Planning Committee Report 19-003 – February 19, 2019,  
General Issues Committee Report 19-004 – February 20, 2019,  
Audit, Finance and Administration Committee Report 19-003 – February 21, 2019  
Emergency and Community Services Committee Report 19-001 – February 21, 2019,  
Public Works Committee Report 19-002 – February 4, 2019,  
Board of Health Report 19-002 – February 22, 2019,  
and  
City Manager Recruitment Steering Committee Report 19-003 – February 23, 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 27<sup>th</sup> day of February, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk