



City of Hamilton

CITY COUNCIL REVISED

19-013

Friday, July 12, 2019, 9:30 A.M.

Council Chambers, Hamilton City Hall

71 Main Street West

Call to Order

1. APPROVAL OF AGENDA

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

2. DECLARATIONS OF INTEREST

3. CEREMONIAL ACTIVITIES

3.1 Presentation of the Office of the Governor General - Sovereign's Medal for Volunteers

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 June 26, 2019

5. COMMUNICATIONS

5.1 Correspondence from the Township of Warwick requesting support for their resolution respecting the Enforcement for Safety on Family Farms.

Recommendation: Be received.

- 5.2 Correspondence from the Honourable Jeff Yurek, Minister of Transportation in response to the Mayor's letter respecting Hamilton's Light Rail Transit (LRT) project.
- Recommendation: Be received and referred to the General Manager of Planning and Economic Development.
- 5.3 Correspondence from the Human Rights Tribunal of Ontario respecting Creer v. Hamilton.
- Recommendation: Be received.
- 5.4 Correspondence calling on the City to save the Wesley Day Centre and to fulfill its commitment to open a Consumption and Treatment Services Site.
- Recommendation: Be received and referred to the General Manager of Healthy and Safe Communities and the Medical Officer of Health for appropriate action.
- 5.5 Correspondence from the Town of Oakville to the Minister of Transportation, the Lieutenant Governor of Ontario and the Attorney General respecting their resolution regarding Traffic Calming and Speed Limit Review and requesting support from the City.
- Recommendation: Be received.
- 5.6 Correspondence from the City of Brantford advising the Premier of Ontario of their Endorsement of the LUMCO Resolution regarding Retail Cannabis Stores and requesting support from the City.
- Recommendation: Be received.
- 5.7 Correspondence from Paul Dube, Ombudsman of Ontario, respecting the results of the Ombudsman's investigation into whether the Selection Committee held a vote in closed session on March 1, 2019 that did not comply with the open meeting rules in the *Municipal Act, 2001*.
- Recommendation: Be received.
- 5.8 Correspondence from Paul Dube, Ombudsman of Ontario, respecting the results of the Ombudsman's investigation into whether the portions of two meetings (February 13, 2019 and April 18, 2019) were closed to public when entrances to City Hall were locked or barricaded during part of each meeting.
- Recommendation: Be received.

*5.9 Correspondence respecting recent incidents that have occurred on City property and the Hamilton Pride 2019:

*5.9.a a list of scholars registering their profound concern about the recent treatment of members of Hamilton's queer, trans and Two Spirit community

*5.9.b a list of individuals expressing their strong concern and objection to the repression of queer community members in Hamilton

*5.9.c Alix MacLean

Recommendation: Be received and referred to the consideration of Item 14 of General Issues Report 19-013.

*5.10 Correspondence respecting an Order to Remove Ducks and Changes to the By-law:

*5.10.a Chantal Stieler

*5.10.b Lorraine Appleyard

Recommendation: Be received and referred to the consideration of Item 6 of Public Works Report 19-010.

*5.11 Correspondence from Aileen Cassells, Deputy Chief, Operations, Office of the Fire Marshall and Emergency Management requesting that the City of Hamilton serve as a host community for evacuees whose health and safety has been threatened as a result of the forest fires.

Recommendation: Be received and that the City Manager be authorized to determine the City's level of participation.

6. COMMITTEE REPORTS

6.1 General Issues Committee Report 19-013 - July 8, 2019

6.2 Sole Voting Member of Hamilton Farmers' Market Report 19-001 - July 8, 2019

6.3 Hamilton Street Railway Company Shareholder Report 19-001 - July 8, 2019

6.4 Planning Committee Report 19-011 - July 9, 2019

6.5 Public Works Committee Report 19-010 - July 10, 2019

6.6 Board of Health Report 19-007 - July 10, 2019

6.7 Audit, Finance and Administration Committee Report 19-010 - July 11, 2019

Due to bulk, Appendix B is available online only

6.8 Emergency and Community Services Committee Report 19-008 - July 11, 2019

7. MOTIONS

7.1 Control System on Northbound Ramp of the Lincoln Alexander Parkway at Garth Street

Deferred to the August 16, 2019 Council Meeting

7.2 Levels of Congestion on Garth Street and Scenic Drive at Peak Hours

Deferred to the August 16, 2019 Council Meeting

7.3 Amendment to Item 5 of the Public Works Committee Report 18-008 respecting the Ancaster Tennis Bubble (PW17089(a))

7.4 Appointments to the Hamilton Aboriginal Advisory Committee

7.5 Phase II Investing in Canada Infrastructure Program (ICIP) Funding Rollout for the City of Hamilton

8. NOTICES OF MOTIONS

*8.1 Road Safety Review and Appropriate Measures at the York Road and Newman Road Intersection

*8.2 Waiving of fees for the 2020 and 2021 baseball seasons for Glanbrook Slow Pitch League (Ward 11)

9. STATEMENTS BY MEMBERS

10. PRIVATE AND CONFIDENTIAL

10.1 Appointments to the Cross Melville District Heritage Committee 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 matters pertain to personal matters about an identifiable individual, including City employees.

10.2 Appointment of the City Clerk (no copy)

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 matters pertain to personal matters about an identifiable individual, including City employees.

*10.3 Labour Relations Matter (no copy)

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

11. BY-LAWS AND CONFIRMING BY-LAW

11.1 160

A By-law to Establish Certain 2019 User Fees and Charges for Services, Activities or the Use of Property

Ward: City Wide

11.2 161

To Establish City of Hamilton Land Described as Block 28 on Plan 62M-1102 and Block 120 on Plan 62M-1040 as Part of Springvalley Crescent

Ward: 8

11.3 162

To Amend Zoning By-law No. 05-200, as Amended by By-law No. 17-254, Respecting Lands Located at 357 Wilson Street East, Ancaster

ZAH-19-045

Ward: 12

11.4 163

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

Schedule 5 (Parking Meters)

Schedule 6 (Time Limit Parking)

Schedule 8 (No Parking Zones)

Schedule 12 (Permit Parking Zones)

Schedule 13 (No Stopping Zones)

Schedule 15 (Commercial Vehicle Parking Zones)

Schedule 23 (Special Enforcement Area)

Ward: 1, 2, 3, 7, 8, 9, 13, 15

*11.5 164

To Amend By-law No. 11-080, being a By-law to Prohibit Smoking within City Parks and Recreation Properties

Ward: City Wide

*11.6 165

To Amend Zoning By-law No. 05-200, as amended by By-law No. 17-240, respecting lands located at 50 Leavitt Boulevard, Flamborough

ZAH-19-041

Ward: 15

*11.7 166

Being a By-law To Permanently Close and Sell a Portion of a Public Unassumed Alley abutting 102 Francis Street, established by Registered Plan 209, in the City of Hamilton, designated as Part 1 on Plan 62R-21177, being Part of PIN 17189-0305 (LT)

Ward: 3

*11.8 167

To Adopt Official Plan Amendment to the Urban Hamilton Official Plan Respecting 305 and 311 Garner Road West (Ancaster)

Ward: 12

*11.9 168

To Amend Zoning By-law No. 87-57 (Ancaster) Respecting Lands Located at 305 and 311 Garner Road

UHOPA-17-025

ZAC-17-058

Ward: 12

*11.10 169

A By-law to Amend Zoning By-law No. 05-200 Respecting Lands Located at 305 and 311 Garner Road West (Ancaster)

UHOPA-17-027

ZAC-17-058

Ward: 12

*11.11 170

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

*11.12 171

To Amend By-law No. 17-225, a By-law to Establish a System of Administrative Penalties

Table 19 – By-law 18-199 – Prohibit Drive School Instruction in the Restricted Areas

Ward: City Wide

*11.13 172

Being a By-law to Appoint Hearing Officers Pursuant to the Administrative Penalty By-law No. 17-225 and to Repeal By-law No. 15-278

Ward: City Wide

*11.14 173

To Amend City of Hamilton By-law No. 10-118, as amended, being a By-law to Regulate Exterior Property Maintenance including Vegetation, Waste and Graffiti

Ward: City Wide

- *11.15 174
To Amend Town of Dundas Zoning By-law No. 3581-86 Respecting Lands Located at 574 Northcliffe Avenue, Dundas
ZAR-19-019
Ward: 13
- *11.16 175
To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses
Schedule 14 – Tree Cutting Services
Ward: City Wide
- *11.17 176
Respecting Removal of Part Lot Control on Part of Block 96 Registered Plan of Subdivision 62M-1250 and Block 1 and Block 4 on Registered Plan of Subdivision 62M-1263 - Central Park – Madison, 1831 Rymal Road East
PLC-19-010
Ward: 9
- *11.18 177
Respecting Removal of Part Lot Control on Part of Block 96 on Registered Plan of Subdivision 62M-1250 - Central Park – Madison, 1831 Rymal Road East
PLC-19-009
Ward: 9
- *11.19 178
To Amend By-law no. 01-215, Being a By-law to Regulate Traffic
Schedule 2 (Speed Limits)
Ward: 1, 9, 11, 13
- *11.20 179
To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 5 (Stop Control)
Ward: 1, 3, 8, 13, 14

- *11.21 180
To Appoint the City Auditor as Auditor General Under Section 223.19 of the *Municipal Act, 2001*
Ward: City Wide
- *11.22 181
Whistleblower By-law
Ward: City Wide
- *11.23 182
To Appoint a City Clerk for the City of Hamilton (to be distributed)
Ward: City Wide
- *11.24 183
To Appoint a Deputy City Clerk for the City of Hamilton
- *11.25 184
To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 13 (No Stopping Zones)
Ward: 2
- 11.26 185
To Confirm the Proceedings of City Council

12. ADJOURNMENT



CITY COUNCIL MINUTES 19-012

5:00 p.m.
June 26, 2019
Council Chamber
Hamilton City Hall
71 Main Street West

Present: Mayor F. Eisenberger
Councillors B. Johnson (Deputy Mayor), B. Clark, C. Collins, J.P. Danko, J. Farr, L. Ferguson, T. Jackson, 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 Pastor Michelle Daniel of Crossfire Assembly, to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. COMMUNICATIONS (Item 5)

5.12 Correspondence respecting recent incidents that have occurred on City property and the Hamilton Pride 2019:

- (a) Darren Stewart-Jones
- (b) Sally Cooper
- (c) Emma Cole
- (d) Anna Chatterton
- (e) Talia Ritondo
- (f) First Unitarian Church of Hamilton
- (g) Frances Murray
- (h) Noelle Allen

Recommendation: Be received and referred to the consideration of Item (i)(i) of General Issues Committee Report 19-012.

5.13 Correspondence respecting the Update on Safety Measures on Aberdeen Avenue from Queen Street to Longwood Road:

- (a) Joshua Weresch
- (b) Ron McKerlie, President, Mohawk College
- (c) Alex Baker
- (d) Marc Ayotte, Head of College, Hillfield Strathallan College
- (e) Duncan Macintosh, Owner, Soccer World
- (f) Vincent Chan, Assistant General Manager, Columbia International College
- (g) Ramnarine Family
- (h) Colin Lyons, Vice President, Mohawk Medbuy Corporation
- (i) Barb Howe

Recommendation: Be received and referred to the consideration of Item 7 of Public Works Committee Report 19-009.

5.14 Correspondence respecting the renaming of a portion of North Service Road (Commonly Known as Drakes Drive) to Parkedge Drive within the Former City of Stoney Creek:

- (a) Sharon Williams
- (b) Debbie Martin
- (c) Sherry Hayes

Recommendation: Be received and referred to the consideration of Item 2 of Planning Committee Report 19-010.

5.15 Correspondence respecting the City of Hamilton and its options in respect to opting-out of Bill 66:

- (a) Greg Brokenshire, President, Alberici Constructors
- (b) Don Lauppe, Senior Advisor, Alberici Constructors
- (c) Tony Fanelli, Executive Director, Construction Labour Relations Association of Ontario
- (d) Brian Gill, Executive Vice President, Golden Horseshoe General Contractors Association
- (e) Don Lauppe, President, Hamilton Halton General Contractors Association
- (f) Anthony Marco, President, Hamilton and District Labour Council

Recommendation: Be received and referred to the consideration of Item 2 of General Issues Committee Report 19-012.

2. COMMITTEE REPORTS (Item 6)

6.7 CityHousing Hamilton Corporation Shareholder Report 19-001 – June 25, 2019

3. NOTICES OF MOTION (Item 8)

- 8.1 Referral of Report HSC19030, respecting the Hamilton Urban Indigenous Strategy
- 8.2 Amendments to the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum) and to the Facility Operating Management Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's)
- 8.3 Preventing Groups from Future Protests on any Municipally Owned Property or Facility

(Pearson/Clark)

That the agenda for the June 26, 2019 meeting of Council be approved, ***as amended.***

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

- YES - Councillor Maureen Wilson
- YES - Councillor Jason Farr
- YES - Councillor Nrinder Nann
- NOT PRESENT - Councillor Sam Merulla
- NOT PRESENT - Councillor 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 - Deputy-Mayor Brenda Johnson
- YES - Councillor Maria Pearson
- YES - Councillor Brad Clark

DECLARATIONS OF INTEREST

Councillor B. Johnson declared an interest to Items 5.15 (a) through (f) respecting Correspondence respecting the City of Hamilton and its options in respect to opting-out of Bill 66 and Item 2 of General Issues Committee Report 19-012 respecting Bill 66, Restoring Ontario's Competitiveness Act, Schedule 9: Non-Construction Employer Update (HUR19015/LS19024/FCS19056), as a family member belongs to the Carpenters' Union.

APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 June 12, 2019

(Farr/VanderBeek)

That the Minutes of the June 12, 2019 meeting of Council be approved, as presented.

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

- YES - Councillor Maureen Wilson
- YES - Councillor Jason Farr
- YES - Councillor Nrinder Nann
- YES - Councillor Sam Merulla
- YES - Councillor Chad Collins
- YES - 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 - Deputy-Mayor Brenda Johnson
- YES - Councillor Maria Pearson
- YES - Councillor Brad Clark

COMMUNICATIONS

(Pearson/Merulla)

That Council Communications 5.1 to 5.15 be approved, **as amended**, as follows:

5.1 Correspondence from Anastacia Dickerson respecting the Yellow Vest and increasing hate group activity in front of City Hall, requesting that Council and law enforcement coordinate their efforts in ousting these group from City Hall.

Recommendation: Be received and referred to the consideration of Item (i)(i) of General Issues Committee Report 19-012 **and Item 8.3**.

5.2 Correspondence from Hydro One Networks Inc. respecting an update on Hamilton Light Rail Transit (LRT) Underground Cable Relocation Project.

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

- 5.3 Correspondence from the Town of Georgina requesting support for their resolution calling on the Province to review and implement a deposit/return program for all single use plastic, aluminum and metal drink containers.

Recommendation: Be received

- 5.4 Correspondence from Allan Mills, resigning from the Keep Hamilton Clean and Green Committee

Recommendation: Be received and referred to the Interview Sub-Committee to Public Works Committee for appropriate action.

- 5.5 A petition addressed to the Legislative Assembly of Ontario requesting that the Province take action by changing the acceptable operating noise levels in the Parkview West neighbourhood of Hamilton.

Recommendation: Be supported.

- 5.6 Correspondence from Clearview Township requesting support for their resolution to reduce red-tape; Regulation 828/20 - Niagara Escarpment Planning and Development Act and the letter to the Minister of Natural Resources and Forestry requesting an urgent meeting on this matter.

Recommendation: Be received.

- 5.7 Correspondence from Paul Smithson respecting the Proposed Modifications to Aberdeen Avenue.

Recommendation: Be received and referred to Item 7 of Public Works Committee Report 19-009.

- 5.8 Correspondence from the City of St. Catherines requesting support for their resolution respecting Free Menstrual Products at City Facilities.

Recommendation: Be received.

- 5.9 Correspondence from Michael Demone respecting the comments made at the June 18, 2019 LGBT Community Conversation.

Recommendation: Be received.

- 5.10 Correspondence from the Town of Fort Erie requesting support for their resolution in support of the Auditor General's Recommendations - Niagara Peninsula Conservation Authority.

Recommendation: Be received.

- 5.11 Correspondence from Paul Dube, Ombudsman of Ontario respecting the results of the Ombudsman's investigation into whether the General Issues Committee held an improper closed meeting on January 16, 2019.

Recommendation: Be received.

- 5.12 Correspondence respecting recent incidents that have occurred on City property and the Hamilton Pride 2019:

- (a) Darren Stewart-Jones
- (b) Sally Cooper
- (c) Emma Cole
- (d) Anna Chatterton
- (e) Talia Ritondo
- (f) First Unitarian Church of Hamilton
- (g) Frances Murray
- (h) Noelle Allen

Recommendation: Be received and referred to the consideration of Item (i)(i) of General Issues Committee Report 19-012 **and Item 8.3**.

- 5.13 Correspondence respecting the Update on Safety Measures on Aberdeen Avenue from Queen Street to Longwood Road:

- (a) Joshua Weresch
- (b) Ron McKerlie, President, Mohawk College
- (c) Alex Baker
- (d) Marc Ayotte, Head of College, Hillfield Strathallan College
- (e) Duncan Macintosh, Owner, Soccer World
- (f) Vincent Chan, Assistant General Manager, Columbia International College
- (g) Ramnarine Family
- (h) Colin Lyons, Vice President, Mohawk Medbuy Corporation
- (i) Barb Howe

Recommendation: Be received and referred to the consideration of Item 7 of Public Works Committee Report 19-009.

- 5.14 Correspondence respecting the renaming of a portion of North Service Road (Commonly Known as Drakes Drive) to Parkedge Drive within the Former City of Stoney Creek:

- (a) Sharon Williams
- (b) Debbie Martin
- (c) Sherry Hayes

Recommendation: Be received and referred to the consideration of Item 2 of Planning Committee Report 19-010.

5.15 Correspondence respecting the City of Hamilton and its options in respect to opting-out of Bill 66:

- (a) Greg Brokenshire, President, Alberici Constructors
- (b) Don Lauppe, Senior Advisor, Alberici Constructors
- (c) Tony Fanelli, Executive Director, Construction Labour Relations Association of Ontario
- (d) Brian Gill, Executive Vice President, Golden Horseshoe General Contractors Association
- (e) Don Lauppe, President, Hamilton Halton General Contractors Association
- (f) Anthony Marco, President, Hamilton and District Labour Council

Recommendation: Be received and referred to the consideration of Item 2 of General Issues Committee Report 19-012.

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

- YES - Councillor Maureen Wilson
- YES - Councillor Jason Farr
- YES - Councillor Nrinder Nann
- YES - Councillor Sam Merulla
- YES - Councillor 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
- CONFLICT - Deputy-Mayor Brenda Johnson
- YES - Councillor Maria Pearson
- YES - Councillor Brad Clark

(Merulla/Whitehead)

That consideration of Item 8.3, a Motion respecting Preventing Groups from Future Protests on any Municipally Owned Property or Facility, be moved up on the agenda to be addressed at this time.

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

- YES - Councillor Maureen Wilson
- YES - Councillor Jason Farr
- YES - Councillor Nrinder Nann
- YES - Councillor Sam Merulla
- YES - Councillor Chad Collins
- YES - 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 - Deputy-Mayor Brenda Johnson
- YES - Councillor Maria Pearson
- YES - Councillor Brad Clark

NOTICES OF MOTION

8.3 Preventing Groups from Future Protests on any Municipally Owned Property or Facility

(Clark/Nann)

That the Rules of Order be waived to allow for the introduction of a motion respecting Preventing Groups from Future Protests on any Municipally Owned Property or Facility.

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

- YES - Councillor Maureen Wilson
- YES - Councillor Jason Farr
- YES - Councillor Nrinder Nann
- YES - Councillor Sam Merulla
- YES - Councillor Chad Collins
- YES - 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 - Deputy-Mayor Brenda Johnson
- YES - Councillor Maria Pearson
- YES - Councillor Brad Clark

For further disposition of this matter, refer to Item 7.3.

MOTIONS

7.3 Preventing Groups from Future Protests on any Municipally Owned Property or Facility

(Clark/Nann)

WHEREAS, the City of Hamilton supports freedom of expression and encourages civic engagement including public protests;

WHEREAS, the City Hall forecourt continues to be made available as a space for protests to take place with no rental fee;

WHEREAS, the City of Hamilton condemns all forms of racism, bigotry, discrimination, hatred and violence;

WHEREAS, the right to freedom of expression is not absolute and it is a criminal act to disseminate hatred or to incite violence; and,

WHEREAS, two groups have been regularly protesting in the City Hall forecourt and are alleged to have been inciting violence and alleged to have been spreading hatred to identifiable minority communities;

THEREFORE, BE IT RESOLVED:

That City Staff be directed to gather evidence of inciting violence and/or hatred against an identifiable group and prepare an application for a court injunction preventing these groups from future protests on any municipally owned property or facility.

Pursuant to Section 7, Order and Decorum, of the City of Hamilton's Procedural By-law 18-270 the Mayor ordered Council members to vacate the Chamber at 5:52 p.m. until order and decorum was reestablished.

Council reconvened at 6:01 p.m.

(Clark/Johnson)

That solicitor-client privilege be waived with regard to the receiving of advice, including communications necessary for that purpose, respecting the Motion on Preventing Groups from Future Protests on any Municipally Owned Property or Facility.

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 Chad Collins
- YES - Councillor Tom Jackson
- YES - Councillor Esther Pauls
- YES - Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Councillor Judi Partridge
- YES - Councillor Terry Whitehead
- YES - Councillor Arlene VanderBeek
- NO - Councillor Lloyd Ferguson
- YES - Deputy-Mayor Brenda Johnson

YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(Clark/Whitehead)

That the consideration of the motion respecting Preventing Groups from Future Protests on any Municipally Owned Property or Facility be deferred to the Motion section of the meeting and following the receipt of solicitor-client advice.

CARRIED

(Pearson/Johnson)

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

CARRIED

SELECTION COMMITTEE REPORT 19-004

(Nann/Farr)

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

CARRIED

PUBLIC WORKS COMMITTEE REPORT 19-009

5. Waiving the HSR Bus Rental Fee for the McMaster University Engineering Students' Welcome Week Bus Pull (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 - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Brenda Johnson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

6. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 13 Avalon Place and 11 Avalon Place, Hamilton (PW19049) (Ward 3) (Item 8.4)

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

7. Update on Safety Measures on Aberdeen Avenue from Queen Street to Longwood Road (PW17021(a)) (Ward 1) (Item 10.1)

(Whitehead/Partridge)

WHEREAS, the Two-Way Traffic conversion of Queen Street South is scheduled to be implemented in 2019;

WHEREAS, the Director of Transportation and Operations Maintenance informed Council that staff would be taking a more comprehensive approach to traffic calming measures;

WHEREAS, the March 20th, 2017 report was the result of broad consultations with a number of stakeholders and Councillors;

WHEREAS, the March 20th, 2017 report endorsed by Council concluded that reducing the capacity on Aberdeen was not supported;

WHEREAS, the report dated June 17th, 2019 there was no consultation outside of the immediate community and the Ward 1 Councillor; and,

WHEREAS, the number of comments to the proposed recommended safety measures reveals that a full consultation would be warranted;

THEREFORE, BE IT RESOLVED:

(a) That the consideration of the recommendations within Report PW17021(a) respecting the Safety Measures on Aberdeen Avenue from Queen Street to

Longwood Road be deferred until after the completion and the monitoring of the effects of the two-way traffic conversion of Queen Street South on Aberdeen Avenue from Queen Street South to Longwood Road; and,

- (b) That staff be directed to conduct a full consultation with all of the affected parties and report back to Public Works Committee on the results.

Result: *Amendment DEFEATED by a vote of 12 to 4, as follows:*

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

(Jackson/Pauls)

That Item 7 of the Public Works Committee Report 19-009, be amended by updating subsection (a) (v) and adding a new subsection (a) (vi), to read as follows:

- (a) That the following changes along Aberdeen Avenue be implemented:
- (i) Timing modifications to the intersection of Aberdeen Avenue and Dundurn Street to implement a pedestrian lead phase for pedestrians crossing the east leg (north to south);
 - (ii) That a “No Right Turn on Red” be installed during the morning hours to align with the School Crossing Guard operations that take place on the west leg of the intersection;
 - (iii) Working under the principles of Vision Zero, staff are recommending permitting parking on both the north and south sides of Aberdeen Avenue between Queen Street and Dundurn Avenue;
 - (iv) That a flashing 40 km/h zone along Aberdeen Avenue from Queen Street to Longwood Road during school arrival and dismissal hours be implemented; and,

- (v) That staff be directed to evaluate the effectiveness of the roadway safety measures **implemented** and report back to the Public Works Committee **within one-year six months of implementation; and,**
- (vi) ***That all of the above-noted changes along Aberdeen Avenue coincide simultaneously with the two-way traffic conversion of Queen Street South from Aberdeen Avenue to Main Street West.***

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

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

Result: Main Motion, as amended, 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 Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Brenda Johnson
YES - Mayor Fred Eisenberger
NO - Councillor Judi Partridge
NO - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
NO - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

8. Strategic Asset Management Policy (PW19053) (City Wide) (Item 10.2)

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

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

9. Red Light Camera Program – New Sites for 2019 (PW19055) (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 - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Brenda Johnson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

10. Appointment to the Waste Management Advisory Committee (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 - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Brenda Johnson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

11. Captain Cornelius Play Structure Replacement (Ward 8) (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 - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Brenda Johnson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

12. Feasibility of Assisting Major Festivals (Shut Out of the Celebrate Ontario Grant Process) with City Services (Item 11.3) – REVISED

(Farr/Merulla)

That the recommendation of Item 12 of Public Works Committee Report 19-009, respecting the referral of the motion regarding the Feasibility of Assisting Major Festivals (Shut Out of the Celebrate Ontario Grant Process) with City Services, to the July 11, 2019 Emergency & Community Services Committee meeting, be deleted in its entirety, with the motion (below) being considered by Council at this time:

~~That consideration of the following Motion, respecting the Feasibility of Assisting Major Festivals (Shut Out of the Celebrate Ontario Grant Process) with City Services, be referred to the July 11, 2019 Emergency & Community Services Committee meeting:~~

WHEREAS, the Provincial Government has failed to fund three major 2019 summer festivals in Hamilton through their Celebrate Ontario Grant Program, including the Festival of Friends, Ancaster Heritage Days, and Supercrawl;

WHEREAS, the lack of any Provincial funding has negative effects that may include greatly downsizing these large outdoor festivals or even result in them being cancelled; and,

WHEREAS, traditionally, larger festivals pay for services rendered by the City of Hamilton, including but not limited to such measures as waste collection, road closures, HSR re-routing, Emergency Medical Services (EMS), Hamilton Police Service, Public Health, and lighting;

THEREFORE, BE IT RESOLVED:

That Recreation (Cultural Projects) staff, in consultation with other appropriate staff, be directed to report back to the Emergency and Community Services Committee on the following:

- (a) municipal services utilized by the Festival of Friends, Ancaster Heritage Days, and Supercrawl festivals and the cost of rendering those services; and,
- (b) municipal services utilized by the Festival of Friends, Ancaster Heritage Days, and Supercrawl festivals that the City of Hamilton may consider offering in kind as a means to continue to make these major Hamilton festivals viable.

Result: *Amendment 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 Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
NO - Deputy-Mayor Brenda Johnson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek

YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

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

WHEREAS, the Provincial Government has failed to fund three major 2019 summer festivals in Hamilton through their Celebrate Ontario Grant Program, including the Festival of Friends, Ancaster Heritage Days, and Supercrawl;

WHEREAS, the lack of any Provincial funding has negative effects that may include greatly downsizing these large outdoor festivals or even result in them being cancelled; and,

WHEREAS, traditionally, larger festivals pay for services rendered by the City of Hamilton, including but not limited to such measures as waste collection, road closures, HSR re-routing, Emergency Medical Services (EMS), Hamilton Police Service, Public Health, and lighting;

THEREFORE, BE IT RESOLVED:

That Recreation (Cultural Projects) staff, in consultation with other appropriate staff, be directed to report back to the Emergency and Community Services Committee on the following:

- (a) municipal services utilized by the Festival of Friends, Ancaster Heritage Days, and Supercrawl festivals and the cost of rendering those services; and,
- (b) municipal services utilized by the Festival of Friends, Ancaster Heritage Days, and Supercrawl festivals that the City of Hamilton may consider offering in kind as a means to continue to make these major Hamilton festivals viable.

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

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

YES - Councillor Maria Pearson
YES - Councillor Brad Clark

13. Commemorative Designation of the Corner of King Street East and Walnut Street South as Gord Thompson Corner (Ward 2) (Item 11.4) – REVISED

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

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

14. Pilot HSR Bus Stop Implementation at the Southwest Corner of Rymal Road East and Derby Street (Ward 6) (Item 11.5)

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

15. Installation of Speed Cushions on Shelby Avenue, Hamilton in front of #28 Shelby Avenue and in front of #78 Shelby Avenue (Ward 4) (Added Item 11.6)

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

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

16. Allocation of Funds Towards Traffic Calming Initiatives in Ward 5 (Added Item 11.7)

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

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

(Ferguson/VanderBeek)

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

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

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

BOARD OF HEALTH REPORT 19-006

1. Correspondence from Kingston, Frontenac and Lennox & Addington Public Health respecting Health Promotion as a Core Function of Public Health (Item 5.1)

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

2. Correspondence from the Hamilton Niagara Haldimand Brant (HNHB) Local Health Integration Network (LHIN) respecting 2019-2020 Community Addictions Services Program Additional Base Funding (Added Item 5.9)

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

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

3. Correspondence from the Ministry of Health and Long-Term Care respecting 2019-2020 Low Income Seniors Dental Additional Base Funding (Added Item 5.10)

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

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

5. Arrell Youth Centre Secondment (BOH17008(a)) (City Wide) (Item 10.1)

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

6. By-law No. 11-080 To Prohibit Smoking Cannabis and Vaping Within City Parks and Recreation Properties (BOH07034(n)) (Item 10.2)

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

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

7. Establishment of Departmental Climate Change Workplans within the City of Hamilton (Item 11.1)

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

YES - Deputy-Mayor Brenda Johnson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(Eisenberger/Partridge)

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

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

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

PLANNING COMMITTEE REPORT 19-010

- 1. To Rename Highway No. 5 East to Dundas Street East from Highway No. 6 to the Municipal Boundary with the City of Burlington / Halton Region (Flamborough) (PED19096) (Ward 15) (Item 7.1)**

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

YES - Deputy-Mayor Brenda Johnson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

2. To Rename a Portion of North Service Road (Commonly Known as Drakes Drive) to Parkedge Drive Within the Former City of Stoney Creek (PED19097) (Ward 10) (Item 7.2)

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

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

5. Expanding Administrative Penalty System (APS) to Include the Lottery Licensing By-law 15-051 (PED19102) (City Wide) (Item 7.5)

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

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

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

6. Expanding Administrative Penalty System (APS) to Include the Streets By-law 86-077 (PED19095) (City Wide) (Item 7.6)

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

9. Agriculture and Rural Affairs Advisory Committee (Item 7.9)

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

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

10. Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 305 and 311 Garner Road West (Ancaster) (PED19104) (Ward 12) (Item 8.4)

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

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

11. 23-25 King Street East, Stoney Creek (Hamilton Municipal Heritage Report 19-003, Item 1 (b)(3)) (Deferred from the June 4th meeting) (Item 10.1)

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

12. Official Plan Amendment - Urban Boundary Expansion: Studies and Fees (PED19146) (Item 10.2)

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

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

13. Corporate Policy for Official Planning Notification During Mail Strikes (Item 11.1)

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

14. 1 Main Street North, Waterdown (The Royal Coachman) - Register of Property of Cultural Heritage Value or Interest (Item 11.2)

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

YES - Councillor Maureen Wilson

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

15. Demolition Permit for 175 Margaret Avenue (Stoney Creek) (Item 11.3)

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

16. Demolition Permit for 176 Millen Road (Stoney Creek) (Item 11.4)

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls

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

17. **Appeal to the Local Planning Appeal Tribunal on the City of Hamilton's Refusal or Neglect to Adopt an Amendment to the City of Hamilton Zoning By-law No. 6593 and Draft Plan of Condominium 25-CDM-201705 for the lands located at 575 Woodward Avenue (Hamilton) (LS19027 / PED18055(a)) (Ward 4) (Item 14.2)**

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

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

18. **Update regarding Local Planning Appeal Tribunal Appeal by Medallion Developments of rezoning application at 195 Wellington Street South (PL171389) (LS19025) (Ward 2) (Item 14.3)**

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

YES - Deputy-Mayor Brenda Johnson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(Pearson/Clark)

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

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

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

GENERAL ISSUES COMMITTEE REPORT 19-012

1. Innovation Factory Request for Funding Renewal Option – 2019 (PED19120) (City Wide) (Item 10.1)

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

YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

Deputy Mayor Johnson relinquished the Chair to Mayor Eisenberger due to her declared conflict.

2. Bill 66, Restoring Ontario's Competitiveness Act, Schedule 9: Non-Construction Employer Update (HUR19015/LS19024/FCS19056) (City Wide) (Item 10.2)

Result: Motion CARRIED by a vote of 12 to 2, as follows:

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

Deputy Mayor Johnson assumed the Chair.

3. Transit Area Rating Review Sub-Committee Terms of Reference (FCS19058) (City Wide) (Item 10.3)

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls

NO - Councillor John-Paul Danko
 YES - Deputy-Mayor Brenda Johnson
 YES - Mayor Fred Eisenberger
 YES - Councillor Judi Partridge
 NOT PRESENT - Councillor Terry Whitehead
 YES - Councillor Arlene VanderBeek
 YES - Councillor Lloyd Ferguson
 YES - Councillor Maria Pearson
 YES - Councillor Brad Clark

Upon Councillor Nann’s request, the following recommendations were voted on separately:

4. Imperial Oil Leave to Construct Application to the Ontario Energy Board for the Waterdown to Finch Pipeline Project (PED19119/LS19021) (Ward 15) (Item 10.4)

- (a) That the General Manager of Planning and Economic Development be authorized and directed to raise potential municipal issues of concern for the City of Hamilton relating to the Imperial Oil Limited Leave to Construct Application for the Waterdown to Finch Pipeline Project directly with Imperial Oil Limited, and to submit a Letter of Comment outlining these concerns to the Ontario Energy Board;

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

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

- (b) That the Mayor and Clerk be authorized and directed to negotiate and enter into, on behalf of the City of Hamilton, a License Agreement with Imperial Oil Limited and any necessary ancillary documents which set out the roles, responsibilities and obligations of the parties with respect to the Imperial Oil Limited Waterdown to Finch Pipeline Project where it crosses City-owned right-of-ways and property, in a form satisfactory to the City Solicitor and with content satisfactory to the General Manager of Public Works;

Result: Motion CARRIED by a vote of 11 to 3, as follows:

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

(c) That, where required to give effect to a License Agreement with Imperial Oil Limited, which set out the roles, responsibilities and obligations of the parties with respect to the Imperial Oil Limited Waterdown to Finch Pipeline Project where it crosses City-owned right-of-ways and property, Legal staff be directed to prepare By-law(s) to repeal the following By-law(s), in a form satisfactory to the City Solicitor:

- (i) The Corporation of the Township of Beverly By-Law 71-14;
- (ii) Wentworth County By-Law 1553;
- (iii) Township of West Flamboro By-Law 2054; and,
- (iv) Township of East Flamboro By-Law 1141.

Result: Motion CARRIED by a vote of 11 to 3, as follows:

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

- (d) That the General Manager of Planning and Economic Development be authorized and directed to write to the Ontario Energy Board to advise the Board that the City of Hamilton withdraws its participation as an Intervenor in the Imperial Oil Limited Application for Leave to Construct Pipeline and Associated Infrastructure EB-2019-0007, and that the City of Hamilton will limit its participation to a commenter in the proceeding.

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

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

5. Capital Projects Work-in-Progress Review Sub-Committee Report 19-004, May 23, 2019 (Item 10.5)

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

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

6. **Cleanliness & Security in the Downtown Core Task Force Report 19-001, May 30, 2019 (Item 10.6)**

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

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

7. **Audit and Accountability Fund – Expression of Interest (FCS19059) (City Wide) (Item 10.9)**

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

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

8. **Extension of the Lincoln M. Alexander Parkway and Red Hill Valley Parkway Enhanced Enforcement Initiative (Item 11.1)**

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

YES - Councillor Maureen Wilson

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

9. Potential Regulatory Litigation Update (PW19008(a)/LS19004(a)) (City Wide) (Item 14.2)

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

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

10. Downtown Office Accommodations (PED16175(a)/PW16060(a)) (Ward 2) (Item 14.3)

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
NO - Councillor Chad Collins

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

11. Ontario Nurses' Association (ONA) (Macassa/Wentworth Lodges) – Ratification of Collective Agreement (HUR19008) (City Wide) (Item 14.4)

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

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

(Eisenberger/Partridge)

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

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

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

YES - Deputy-Mayor Brenda Johnson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Brad Clark

EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 19-007

2. Group Purchasing of Electric Beds (HSC19028) (Wards 7 and 13) (Item 7.2)

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

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

4. Affordable Housing Demonstration Project (HSC19034) (Ward 4) (Item 10.1)

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

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

YES - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
NOT PRESENT - Councillor Brad Clark

(Merulla/Collins)

That the SEVENTH Report of the Emergency & Community Services Committee be adopted, as presented, and the information section received.

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

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

CITYHOUSING HAMILTON CORPORATION SHAREHOLDER REPORT 19-001

1. Shareholder Resolution – Notice (Item 11.1)

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

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

YES - Councillor Maria Pearson
NOT PRESENT - Councillor Brad Clark

2. Financial Statements and Auditor's Report I (Item 11.1)

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

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

3. Audit Appointment (Item 11.1)

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

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

4. Appointment of Citizen Directors of CityHousing Hamilton (Added Item 14.1)

(Collins/Merulla)

That Item 4 of the CityHousing Hamilton Corporation Shareholder Report 19-001, be deleted in its entirety and replaced with the following in lieu thereof:

3. Appointment of Citizen Directors of CityHousing Hamilton Corporation (Item 14.1)

~~(a) That the appointments of citizen directors to CityHousing Hamilton Corporation, be approved; and,~~

~~(b) That the appointments of citizen directors to CityHousing Hamilton Corporation remain confidential until approved by Council.~~

WHEREAS the City of Hamilton is the sole shareholder of the Corporation (“Sole Voting Member”);

AND WHEREAS City of Hamilton is authorized to hold shares in the Corporation and to exercise the rights attributed thereto, pursuant to Subsection 203(1) of the Municipal Act, 2001, SO 2001, c25 (“Act”), but the Corporation is not an Offering Corporation within the meaning ascribed to that term in the Business Corporations Act, R.S.O. 1990, c. B.16 (“OBCA”);

AND WHEREAS the Council of the City of Hamilton are sitting as representatives of the Sole Voting Member (City of Hamilton) for the Corporation;

AND WHEREAS the Board of Directors of the Corporation comprises of a total of nine (9) members, five (5) of whom shall be elected members of Council of the City of Hamilton and four (4) of whom shall be members who are not Councillors of the City of Hamilton (the “Citizen Members”).

NOW THEREFORE the Council of the City of Hamilton, acting in its capacity as representative of the Sole Voting Member (City of Hamilton) of the Corporation, RESOLVES AS FOLLOWS:

1. APPOINTMENT OF CITIZEN BOARD MEMBERS

BE IT RESOLVED:

That the following persons be appointed as the citizen directors of the Corporation effective June 26, 2019 and shall hold office until June 25, 2022 or until their respective successors are elected or appointed subject to the by-laws of the Corporation:

Jacqueline Aird
Nicholas But
Patricia Reid
Adriana Harris

The foregoing resolutions are, by signature below of the Sole Voting Member of the Corporation entitled to vote on such resolutions, passed as resolutions of the Corporation pursuant to the Act.

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

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

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

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

(Collins/Merulla)

That the FIRST Report of the CityHousing Hamilton Corporation Shareholder be adopted, as amended, and the information section received.

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

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

(Pearson/Johnson)

That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS – CONTINUED

7.1 Amendment to Item 27 of Planning Committee Report 18-014 respecting Mohawk College Precinct increased enforcement with a dedicated Parking Enforcement Officer for a one (1) year pilot program

(Danko/VanderBeek)

WHEREAS, City Council at their meeting on September 26, 2018 approved a one (1) year pilot program using an additional one (1) Temporary FTE Parking Enforcement Officer for the Mohawk College Precinct; and,

WHEREAS, there is a need at this time, to temporarily re-assign the one (1) Temporary FTE Parking Enforcement Officer for the Mohawk College Precinct during the one (1) year pilot program, to other areas to cover vacation/sick time over the summer months, when there are less students in the Mohawk neighbourhood over the summer semester.

THEREFORE, BE IT RESOLVED:

That the recommendations of Item 27 of Planning Committee Report 18-014 respecting Mohawk College Precinct increased enforcement with a dedicated Parking Enforcement Officer for a one (1) year pilot program be amended by inserting the following wording as subsection (c) and the balance be renumbered, to read as follows:

- (c) ***That the one (1) Temporary FTE Parking Enforcement Officer assigned to the one (1) year pilot program for the Mohawk College Precinct, be re-assigned over the summer months, to other areas to cover vacation/sick time.***

Main Motion as amended, to read as follows:

- 27. **Mohawk College Precinct increased enforcement with a dedicated Parking Enforcement Officer for a one (1) year pilot program**
 - (a) That Report PED18220 respecting Dedicated Mohawk College Parking Enforcement, be received;
 - (b) That a one (1) year pilot program using an additional one (1) Temporary FTE Parking Enforcement Officer for the Mohawk College Precinct be implemented with an estimated gross annual cost of \$84k and net cost of \$0;
 - (c) ***That the one (1) Temporary FTE Parking Enforcement Officer assigned to the one (1) year pilot program for the Mohawk College Precinct, be re- assigned over the summer months, to other areas to cover vacation/sick time; and,***
 - (d) That staff report back with results and recommendations following the one (1) year pilot program.

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
NOT PRESENT - 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
NOT PRESENT - Councillor Lloyd Ferguson
YES - Deputy-Mayor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

7.2 Ministry of Health and Long-Term Care Funding for Neonatal Intensive Care (NICU) Transport Ambulance (HSC19021) (City Wide)**(Merulla/Collins)**

- (a) That the General Manager of the Healthy and Safe Communities Department, or his designate, be authorized and directed to execute an Inter-Facility Transport Funding Agreement and any ancillary and/or renewal agreements between the City of Hamilton and the Ministry of Health and Long-Term Care, in a form satisfactory to the City Solicitor;
- (b) That the General Manager of the Healthy and Safe Communities Department, or his designate, be authorized to accept one-time funding from the Ministry of Health and Long-Term Care:
 - (i) Funding in the amount of up to \$272,345 to cover 100% of the purchase costs of one (1) additional ambulance, including all related and ancillary equipment, for the operation of a dedicated inter-facility transport ambulance;
 - (ii) One-time funding in the amount of up to \$1,133,677 to cover 100% of all staffing wage and benefit costs of a dedicated inter-facility transport ambulance for the period January 1 through December 31, 2019; and,
- (c) That the Hamilton Paramedic Service (HPS) complement be increased by 10.0 full-time equivalent paramedic positions to cover all staffing and absence backfill requirements for the dedicated inter-facility transport ambulance.

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
NOT PRESENT - 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
NOT PRESENT - Councillor Lloyd Ferguson
YES - Deputy-Mayor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

Following the receipt of solicitor-client advice:

7.3 Preventing Groups from Future Protests on any Municipally Owned Property or Facility

(Clark/Nann)

WHEREAS, the City of Hamilton supports freedom of expression and encourages civic engagement including public protests;

WHEREAS, the City Hall forecourt continues to be made available as a space for protests to take place with no rental fee;

WHEREAS, the City of Hamilton condemns all forms of racism, bigotry, discrimination, hatred and violence;

WHEREAS, the right to freedom of expression is not absolute and it is a criminal act to disseminate hatred or to incite violence; and,

WHEREAS, individuals have been regularly protesting in the City Hall forecourt and are alleged to have been inciting violence and alleged to have been spreading hatred to identifiable minority communities;

THEREFORE, BE IT RESOLVED:

That City Staff be directed to gather evidence of inciting violence and/or hatred against an identifiable group and prepare an application for a court injunction preventing these individuals from future protests on any municipally owned property or facility.

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

- YES - Councillor Maureen Wilson
- YES - Councillor Jason Farr
- YES - Councillor Nrinder Nann
- YES - Councillor Sam Merulla
- YES - Councillor Chad Collins
- YES - 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 - Deputy-Mayor Brenda Johnson
- YES - Councillor Maria Pearson
- YES - Councillor Brad Clark

7.4 Referral of Report HSC19030, respecting the Hamilton Urban Indigenous Strategy

(Merulla/Eisenberger)

That Report HSC19030, respecting the Hamilton Urban Indigenous Strategy, for this particular report only, be referred to the July 8, 2019, General Issues Committee.

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - 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 - Deputy-Mayor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

7.5 Amendments to the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum) and to the Facility Operating Management Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's)

(Eisenberger/Partridge)

WHEREAS, the City of Hamilton underwent the "External Audit Review of HECFI Operations" with the assistance of KPMG in 2011;

WHEREAS, upon completing the "External Audit Review of HECFI Operations" in 2013, Council directed and authorized staff to enter into a Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. ("Global Spectrum") and into a Facility Operating Management Agreement between the City of Hamilton, the Hospitality Centre Corporation and Carmen's Group ("Carmen's");

WHEREAS, the initial 5-year terms of the Management Agreement between the City of Hamilton and Global Spectrum and the Facility Operating Management Agreement between the City of Hamilton and Carmen's were set to expire on December 31, 2018;

WHEREAS, at the July 13, 2018 Council Meeting, Council approved a report titled "Downtown Entertainment Assets Operating Agreements CM19013 (City Wide)", which authorized 6-month extensions of both the Management Agreement between the City of Hamilton and Global Spectrum and the Facility Operating Management Agreement between the City of Hamilton and Carmen's, while staff initiated a competitive renewal process;

WHEREAS, at the January 23, 2019 Council Meeting, and with the consent of Global Spectrum and Carmen's, Council approved a motion directing staff to negotiate 5-year extensions of the existing Management Agreement between the City of Hamilton and Global Spectrum and the existing Facility Operating Management Agreement between the City of Hamilton and Carmen's;

WHEREAS, at the April 24, 2019 Council Meeting, and with the consent of Global Spectrum and Carmen's, Council approved a motion directing staff to amend the existing Management Agreement between the City of Hamilton and Global Spectrum and the existing Facility Operating Management Agreement between the City of Hamilton and Carmen's to reduce the notice period by which the City of Hamilton must exercise its right to extend the Management Agreement and the Facility Operating Management Agreement from 60 days to any time prior expiry of the Management Agreement and the Facility Operating Management Agreement, as the case may be;

WHEREAS, both the Management Agreement between the City of Hamilton and Global Spectrum and the Facility Operating Management Agreement between the City of Hamilton and Carmen's are now set to expire on June 30, 2019;

WHEREAS, at the June 12, 2019 Council Meeting, Council approved a report titled "Downtown Entertainment Assets Operating Agreements CM18013(a) (City Wide)", which authorized 5 and one-half year extensions of both the Management Agreement between the City of Hamilton and Global Spectrum and the Facility Operating Management Agreement between the City of Hamilton and Carmen's; and,

WHEREAS, staff are currently in the process of finalizing the terms of the aforementioned 5 and one-half year extensions with Global Spectrum and Carmen's and require further time to accomplish same;

THEREFORE, BE IT RESOLVED:

- (a) That the Mayor and City Clerk be authorized and directed to execute an extension to the existing Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum) to extend the term of the Management Agreement until September 30, 2019; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute an amendment to the existing Facility Operating Management Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti

Banquet & Convention Centre Ltd. (Carmen’s Group) to extend the term of the Facility Operating Management Agreement until September 30, 2019.

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

- YES - Councillor Maureen Wilson
- YES - Councillor Jason Farr
- YES - Councillor Nrinder Nann
- YES - Councillor Sam Merulla
- YES - Councillor Chad Collins
- YES - 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 - Deputy-Mayor Brenda Johnson
- YES - Councillor Maria Pearson
- YES - Councillor Brad Clark

NOTICES OF MOTION – CONTINUED

8.1 Referral of Report HSC19030, respecting the Hamilton Urban Indigenous Strategy

(Merulla/Collins)

That the Rules of Order be waived to allow for the introduction of a motion respecting the Referral of Report HSC19030, respecting the Hamilton Urban Indigenous Strategy.

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

- YES - Councillor Maureen Wilson
- YES - Councillor Jason Farr
- YES - Councillor Nrinder Nann
- YES - Councillor Sam Merulla
- YES - Councillor Chad Collins
- YES - 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 - Deputy-Mayor Brenda Johnson
- YES - Councillor Maria Pearson
- YES - Councillor Brad Clark

For further disposition of this matter, refer to Item 7.4.

8.2 Amendments to the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum) and to the Facility Operating Management Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's)

(Eisenberger/Partridge)

That the Rules of Order be waived to allow for the introduction of a motion respecting Amendments to the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum) and to the Facility Operating Management Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's).

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - 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 - Deputy-Mayor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

For further disposition of this matter, refer to Item 7.5.

8.4 Control System on Northbound Ramp of the Lincoln Alexander Parkway at Garth Street

Councillor T. Whitehead introduced the following Notice of Motion:

That staff be directed to look into the feasibility of placing a control system on the northbound ramp of the Lincoln Alexander Parkway at Garth Street at peak hours and report back to the Public Works Committee.

8.5 Levels of Congestion on Garth Street and Scenic Drive at Peak Hours

Councillor T. Whitehead introduced the following Notice of Motion:

That staff be directed to study the level of congestion on Garth Street and Scenic Drive at peak hours and provide options to mitigate the impacts and report back to the Public Works Committee.

STATEMENTS BY MEMBERS

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

PRIVATE & CONFIDENTIAL

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

10.1 Appointment to the Hamilton Future Fund Board of Governors for the 2018-2022 Term

(Johnson/Nann)

That Erica Bozzo be appointed to the Hamilton Future Fund Board of Governors, for a term commencing June 26, 2019, and until a successor is chosen.

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

- YES - Councillor Maureen Wilson
- YES - Councillor Jason Farr
- YES - Councillor Nrinder Nann
- NOT PRESENT - Councillor Sam Merulla
- NOT PRESENT - Councillor Chad Collins
- YES - Councillor Tom Jackson
- NOT PRESENT - 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 - Deputy-Mayor Brenda Johnson
- YES - Councillor Maria Pearson
- YES - Councillor Brad Clark

BY-LAWS

(Johnson/Pearson)

That Bills No. 19-144 to No. 19-159, 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.

- 19-144** To Establish City of Hamilton Land Described as Block 111 on Plan 62M-1016 as Part of Tanglewood Drive
Ward: 11
- 19-145** To Rename Highway No. 5 East to Dundas Street East from Highway No. 6 to the Municipal Boundary with the City of Burlington/Halton Region (Flamborough)
Ward: 15
- 19-146** To Rename North Service Road (commonly known as Drakes Drive) to Parkedge Drive
Ward: 10
- 19-147** To Amend By-law No. 17-225, a By-law to Establish a System of Administrative Penalties
Table 17 – By-law 86-077 Streets By-law
Ward: City Wide
- 19-148** To Amend By-law No. 17-225, a By-law to Establish a System of Administrative Penalties
Table 18 – By-law 15-051 Lottery Licensing
Ward: City Wide
- 19-149** To Amend Zoning By-law No. 05-200, as amended by By-law No. 18-289, respecting lands located at 154 Main Street East and 39 Walnut Street South (Hamilton)
ZAH-19-043
Ward: 2
- 19-150** To Adopt Official Plan Amendment No. 242 to the City of Hamilton Official Plan Respecting 468, 470, 474 and 476 James Street North, Hamilton
Ward: 2
- 19-151** To Amend Zoning By-law No. 6593 (Hamilton), Respecting Land Located at 468, 470, 474 and 476 James Street North (Hamilton)
OPA-18-07/ZAC-18-020
Ward: 2
- 19-152** To Adopt Official Plan Amendment No. ____ to the Urban Hamilton Official Plan, Respecting 514 and 516 Barton Street and 293 Dewitt Road, Stoney Creek
Ward: 10
- 19-153** To Amend Zoning By-law No. 05-200, Respecting Lands Located at 514 and 516 Barton Street and 293 Dewitt Road, Stoney Creek
ZAC-17-079
Ward: 10
- 19-154** To Permanently Close and Sell a Portion of Public Unassumed Alley Abutting 193 East 22nd Street, Hamilton, Ontario, namely Part of Alleyway, Registered Plan 590, in the City of Hamilton, designated as Part 1, Plan 62R-21039, being Part of PIN 170550-0097 (LT); City of Hamilton
Ward: 7
- 19-155** To Permanently Close and Sell a Portion of the Unopened Road Allowance abutting 107 Middletown Road, Hamilton, Ontario, namely Part of the Unopened Road Allowance between the Townships of Beverly and West

Flamborough, in the City of Hamilton, designated as Part 4 on Plan 62R-21129, being Part of PIN 17551-0152 (LT); City of Hamilton
Ward: 12

19-156 To Permanently Close and Sell a Portion of the Unopened Road Allowance abutting 29 Middletown Road, Hamilton, Ontario, namely Firstly: Part of the Unopened Road Allowance between the Townships of Beverly and West Flamborough, in the City of Hamilton, designated as Part 2 on Plan 62R-21129, being Part of PIN 17551-0152 (LT); Secondly: Part of Unopened Road Allowance between Townships of Beverly and West Flamborough, and Part of Lot 1, Concession 1, in the Geographic Township of West Flamborough, in the City of Hamilton, designated as Part 1 on Plan 62R-21129, being Part of PIN 17490-0102 (LT); City of Hamilton
Ward: 12

19-157 To Permanently Close and Sell a Portion of the Unopened Road Allowance abutting 67 Middletown Road, Hamilton, Ontario, namely Part of the Unopened Road Allowance between the Townships of Beverly and West Flamborough, in the City of Hamilton, designated as Part 3 on Plan 62R-21129, being Part of PIN 17551-0152 (LT); City of Hamilton
Ward: 12

19-158 Respecting Removal of Part Lot Control, Block 1, Registered Plan No. 62M-1258, municipally known as 50 Albright Road
PLC-19-017
Ward: 5

19-159 To Confirm the Proceedings of City Council

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
NOT PRESENT - Councillor Sam Merulla
NOT PRESENT - Councillor Chad Collins
YES - Councillor Tom Jackson
NOT PRESENT - 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 - Deputy-Mayor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(Jackson/Johnson)

That, there being no further business, City Council be adjourned at 10:17 p.m. on June 26, 2019.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon
Acting City Clerk



TOWNSHIP OF WARWICK

"A Community in Action"

6332 Nauvoo Road, R.R. #8, Watford, ON N0M 2S0

Township Office: (519) 849-3926 / 1-877-849-3926

Watford Arena: (519) 876-2808

Website: www.warwicktownship.ca

Works Department: (519) 849-3923

Fax: (519) 849-6136

E-mail: info@warwicktownship.ca

June 26, 2019

The Honourable Doug Downey, Attorney General of Ontario
 Ministry of the Attorney General
 720 Bay Street
 11th Floor
 Toronto, ON M7A 2S9

Dear Honourable Sir:

Re: Resolution Regarding Enforcement for Safety on Family Farms

Please be advised that Warwick Township Council adopted the following resolution at their regular meeting on June 17, 2019:

WHEREAS agriculture is the second largest industry in Ontario, contributing \$13.7 billion annually to Ontario's GDP and is essential for putting food on the tables of millions of people here and around the world;

AND WHEREAS in recent months there has been a steady increase in harassment of farmers and livestock transporters by activists opposed to animal agriculture and the consumption of animals;

AND WHEREAS the protests have become blatantly illegal in nature with extremist groups trespassing onto private property, unlawfully entering into buildings and removing animals without fear of prosecution and even promoting and publishing their crimes on social media;

AND WHEREAS maintaining proper biosecurity is essential to ensure the health and well-being of the animals cared for on these agricultural operations;

AND WHEREAS the recent attacks on farmers homes and businesses have resulted in no criminal charges laid, leaving farmers feeling unprotected by the Ontario legal system and afraid for the welfare of themselves, their families, their employees and the animals they care for;

NOW THEREFORE BE IT RESOLVED THAT the Council for the Corporation of the Township of Warwick requests that Hon. Doug Downey work with his fellow MPP's and agricultural leaders to find a better way forward to ensure stronger enforcement of existing laws - or new legislation - to ensure the safety of Ontario's farm families, employees and animals;

AND BE IT FURTHER RESOLVED THAT this motion be circulated to Hon. Doug Downey, Ministry of the Attorney General, Hon. Doug Ford, Premier of Ontario, Hon. Sylvia Jones, Solicitor General and Hon. Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs and all Municipalities in the Province of Ontario, AMO, and ROMA.

- Carried.

Yours truly,



Amanda Gubbels
Administrator/Clerk
Township of Warwick

cc: The Honourable Doug Ford, Premier of Ontario
The Honourable Sylvia Jones, Solicitor General
The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs
All Ontario Municipalities
Association of Municipalities of Ontario (AMO)
Rural Ontario Municipal Association (ROMA)



JUN 19 2019

JUN 26 2019

107-2019-1401

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

Dear Mayor Eisenberger:

Thank you for Hamilton City Council's resolution regarding the Hamilton Light Rail Transit (LRT) project. I appreciate the opportunity to respond.

Transit is an essential service and Ontario is dedicated to getting Ontarians moving in an efficient and cost-effective way. Improving public transit to better serve those who travel within the Greater Toronto and Hamilton Area (GTHA) is also vital to our province's economic prosperity.

The government made a clear commitment to work with the City of Hamilton on the transit priorities that work best for the people of Hamilton. As confirmed at our meeting on March 28, the Government of Ontario is committed to working with the City of Hamilton to advance the Hamilton LRT project. To that end, Ontario has confirmed its commitment of up to \$1 billion towards the capital construction costs of the project.

Also, in alignment with our commitment and to support the advancement of the project, Metrolinx will resume their efforts of acquiring land along the LRT corridor. Commitments such as these demonstrate that our government is putting people first by investing in transportation projects that gets both the people and the economy moving. The building of a quality transit system signals that the GTHA is open for business and open for jobs.

Thanks again for reaching out and for this opportunity to respond. Ontario's Government for the People is committed to giving Ontarians a direct say in how we can improve the effectiveness and efficiency of provincial programs and services.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Yurek', written over a light blue horizontal line.

Honourable Jeff Yurek
Minister of Transportation

c. Councillor Brad Clark, Ward 9 – Upper Stoney Creek


Social Justice Tribunals Ontario
Providing fair and accessible dispute resolution

Human Rights Tribunal of Ontario
 655 Bay Street, 14th Floor
 Toronto ON M7A 2A3
 Tel: 416 326-1312 or 1-866-598-0322
 Fax: 416-326-2199 or 1-866-355-6099
 E-mail: hrto.registrar@ontario.ca
 Website: sjto.ca/hrto

Tribunaux de justice sociale Ontario
Pour une justice accessible et équitable

Tribunal des droits de la personne de l'Ontario
 655, rue Bay, 14^e étage
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 Téléc.: 416-326-2199 ou 1-866-355-6099
 Courriel: hrto.registrar@ontario.ca
 Site Web: tjso.ca/tdpo

June 20, 2019

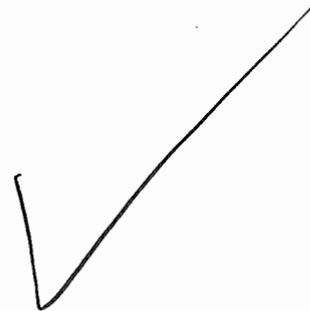
JUN 27 2019

Susan Creer

Hamilton, ON

Via mail

City of Hamilton
 Mayor Fred Eisenberger
 71 Main St. W.
 Hamilton, ON L8P 4Y5
 Via mail


Re: Creer v. Hamilton (City)
HRTO File Number: 2019-36654-I

Please find enclosed a Decision of the Tribunal in this matter, dated
 June 20, 2019.

Child and Family Services Review Board
 Custody Review Board
 Human Rights Tribunal of Ontario
 Landlord and Tenant Board Ontario
 Special Education (*English*) Tribunal Ontario
 Special Education (*French*) Tribunal Ontario
 Social Benefits Tribunal

Commission de révision des services à l'enfance et à la famille
 Commission de révision des placements sous garde
 Tribunal des droits de la personne de l'Ontario
 Commission de la location immobilière
 Tribunal de l'enfance en difficulté de l'Ontario (*anglais*)
 Tribunal de l'enfance en difficulté de l'Ontario (*français*)
 Tribunal de l'aide sociale



HUMAN RIGHTS TRIBUNAL OF ONTARIO

BETWEEN:

Susan Creer

Applicant

-and-

City of Hamilton Mayor Fred Eisenberger

Respondent

DECISION

Adjudicator: Darren Thorne

Date: June 20, 2019

File Number: 2019-36654-1

Citation: 2019 HRTO 1002

Indexed as: ***Creer v. City of Hamilton Mayor Fred Eisenberger***

WRITTEN SUBMISSIONS

Susan Creer, Applicant

)
)
)
)

Self-represented

[1] The applicant filed an Application alleging discrimination because of Disability, contrary to the *Human Rights Code*, R.S.O. 1990, c. H.19, as amended (the “Code”). Specifically, the applicant alleged that the respondent sometimes brings his dog to City Hall, that she is allergic to a number of things, including animals, and that the potential presence of that, or any, dog causes her anxiety on those occasions when she goes to City Hall.

[2] On May 8, 2019, the Tribunal sent the applicant a Notice of Intent to Dismiss, advising the applicant that a review of the Application and the narrative setting out the incidents of alleged discrimination failed to identify what incident of discrimination had occurred on the date noted or that any specific acts of discrimination within the meaning of the *Code* were allegedly committed by the respondent in relation to that, or any, date.

[3] The applicant filed submissions in response to the Notice on May 31, 2019. However, in these submissions, the applicant did not address the issue of the failure to identify specific acts of discrimination within the meaning of the *Code*, but instead reiterated her complaints at greater length.

ANALYSIS AND DECISION

[4] An application will only be dismissed at a preliminary stage if it is “plain and obvious” on the face of the application that it does not fall within the Tribunal’s jurisdiction. See *Masood v. Bruce Power*, 2008 HRTO 381.

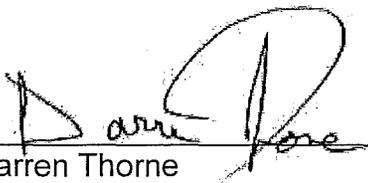
[5] The Tribunal’s jurisdiction is limited to enforcement of the *Code*. To fall within the Tribunal’s jurisdiction, an application must contain specific allegations that connect a respondent’s conduct to one or more prohibited grounds of discrimination. The Application complains that the potential presence of the respondent’s dog at City Hall causes the applicant anxiety and that she does not wish the City to adopt a policy that would allow personal pets to be more widely brought on site. However, the materials provided by the applicant fail to identify any specific acts of discrimination that can be linked to the *Code* ground cited.

[6] In these circumstances, I find that it is plain and obvious that the subject matter of the Application is not conduct prohibited by the *Code*. Therefore, the Application does not fall within the Tribunal's jurisdiction.

ORDER

[7] For the above reasons, the Application is dismissed.

Dated at Toronto, this 20th day of June, 2019.



Darren Thorne
Vice-chair



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 Human Rights Tribunal of Ontario
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 Tribunal des droits de la personne de l'Ontario
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 Téléc.: 416-326-2199 ou 1-866-355-6099
 Courriel: hrtto.registrar@ontario.ca
 Site Web: www.hrtto.ca

HRTO FILE: **2019-36654-I**

May 8, 2019 JUN 27 2019

Susan Janice Creer

[REDACTED]
 Hamilton, Ontario [REDACTED]

Via email: [REDACTED]

Re: Susan Creer v. City of Hamilton Mayor Fred Eisenberger

Subject: Notice of Intent to Dismiss

The Human Rights Tribunal of Ontario (HRTO) is in receipt of an Application, HRTO file number **2019-36654-I** filed by Susan Janice Creer on April 12, 2019.

The HRTO has reviewed the Application. It appears the Application is outside the HRTO's jurisdiction because:

- while your response to question #7 of the Application alleges that the last incident of discrimination you experienced occurred on January 3, 2019, a review of your Application indicates that it is either not clear what incident of discrimination is alleged to have occurred on this date or how the incident described as occurring on that date constitutes an incident of discrimination within the meaning of the *Code*. See for example *Miller v. Prudential Lifestyles Real Estate*, 2009 HRTO 1241 (CanLII); *Mafinezam v. University of Toronto*, 2010 HRTO 1495 (CanLII); and *Garrie v. Janus Joan Inc.*, 2012 HRTO 1955.

The HRTO does not have the power to consider claims filed more than one year after the last incident of discrimination or the last in a series

Child and Family Services Review Board
 Custody Review Board
 Human Rights Tribunal of Ontario
 Landlord and Tenant Board Ontario
 Special Education (*English*) Tribunal Ontario
 Special Education (*French*) Tribunal Ontario
 Social Benefits Tribunal

Commission de révision des services à l'enfance et à la famille
 Commission de révision des placements sous garde
 Tribunal des droits de la personne de l'Ontario
 Commission de la location immobilière
 Tribunal de l'enfance en difficulté de l'Ontario (*anglais*)
 Tribunal de l'enfance en difficulté de l'Ontario (*français*)
 Tribunal de l'aide sociale

of incidents of discrimination unless the delay in filing was incurred in good faith and no substantial prejudice will result to any person affected by the delay [s.34(1)]. You do not appear to have cited facts that constitute "good faith" within the meaning of the HRTO's case law. See for example *Thomas v. Toronto Transit Commission*, 2009 HRTO 1582 (CanLII) and see for example *Diler v. Cambridge Memorial Hospital*, 2010 HRTO 1224 (CanLII) for a discussion of "good faith".

You may wish to review the provisions of the *Human Rights Code* noted above as well as the HRTO's Rules of Procedure and Guides to its processes, all available on the HRTO's website at www.sjto.on.c/hrto, before responding to this Notice. HRTO decisions can be accessed free of charge on CanLII at www.canlii.org.

You **must** provide written submissions responding to the issues identified above. You **must** file your written submissions **on or before June 5, 2019**.

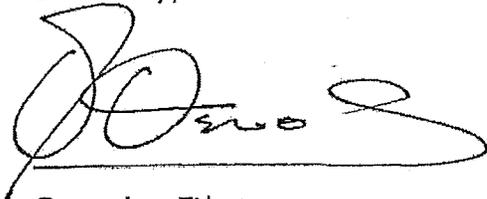
The HRTO will consider your submissions and may decide whether to dismiss your Application, may decide to continue processing the Application or may provide further directions to the parties regarding this proceeding.

If you do not respond to this letter and file written submissions by the deadline, the HRTO will consider the failure to respond as an abandonment of your Application and dismiss the Application for that reason.

You may file your written submissions with the HRTO by email, fax or mail. Please clearly write your name and the HRTO file number, **2019-36654-1**, on all correspondence and any other documents you file with the HRTO.

The HRTO will send a copy of its decision, a registrar's letter or directions regarding the next steps in this proceeding to you. Unless you fail to respond to this letter by the deadline and your file is dismissed as abandoned, a copy of your Application, the HRTO's decision, letter or directions regarding next steps as well as copies of your submissions and any other correspondence between you and the HRTO will be sent to the respondent(s) and to any trade union or occupational or professional organization named in your Application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Georgios Fthenos', written over a horizontal line.

Georgios Fthenos
Registrar

TIME RECEIVED
May 31, 2019 at 3:44:24 PM EDT

REMOTE COST

DURATION
2:10

PAGES
5

STATUS
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01 Jan 2000 1:22AM HP LASERJET FAX

p. 1

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SOCIAL JUSTICE TRIBUNALS ONTARIO
Notice of Intent to Dismiss Susan Creer HRTO file # 2019-36654I

Fax cover page from

Susan. J. Creer

[REDACTED]
Hamilton, ON, [REDACTED]

H: [REDACTED]

E: [REDACTED]

May 30, 2019

To: Social Justice Tribunals Ontario

Human Rights Tribunal of Ontario

655 Bay Street, 14th Floor,

Toronto, ON, M7A 2A3

Re: Susan Creer v. City of Hamilton Mayor Fred Eisenberger

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SOCIAL JUSTICE TRIBUNALS ONTARIO

Notice of Intent to Dismiss Susan Creer HRT0 file # 2019-36654I

Susan. J. Creer

Hamilton, ON,

H:

E:

May 30, 2019

To: Social Justice Tribunals Ontario

Human Rights Tribunal of Ontario

655 Bay Street, 14th Floor,

Toronto, ON, M7A 2A3

Fax: 1-866-355-6099

Ph: 1-866-598-0322

Re: Susan Creer v. City of Hamilton Mayor Fred Eisenberger

Subject: Notice of Intention to Dismiss

Hello. Thank you for considering my original Ontario Human rights HRT0 form 1 complaint. I am seriously asking the Social Justice Tribunal to reconsider the 'Notice of Intention to Dismiss', please.

Some thoughts as to why my complaint should not be dismissed. They are; a continuing pattern of harassment, a violation of the City of Hamilton Health and Safety rules, discriminatory behaviour by the Mayor towards myself. Lastly, the issues of how my mental health is affected as well as my physical health when I need to go to City Hall and the Mayor Eisenberger's pet is there. I am so very weary of how distressing any trip to City Hall has become.

When Mayor Fred Eisenberger started bringing his personal pet to work in 2014 I emailed him to say he was setting a bad example by taking advantage of his position. Mayor Eisenberger is also endangering the health of other City staff as well as the public.

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SOCIAL JUSTICE TRIBUNALS ONTARIO

Notice of Intent to Dismiss Susan Creer HRTO file # 2019-36654I

With regard to myself; there is a pattern of harassment by Mayor Eisenberger towards myself. I have complained about Mayor Eisenberger bringing his personal pet to work a number of times (which is documented in my HRTO Form 1. The Mayor's pet is not a trained service dog which is all that is allowed on City properties. Each complaint has met with non-compliance by the Mayor or his staff. I am able to provide doctor's notes as well to show the seriousness of this issue. My asthma/allergy specialist is very willing to provide a medical note about my concerns as they relate to the Mayor's personal pet.

One local tax lawyer I know does a lot of advocacy work. He and his family have an expensive trained therapy dog for one son with Autism. He pointed out that a loose pet could have gotten tangled up in a fight with the trained therapy dog. This is one more reason why I do not want to go to City Hall; I do not want the Mayor's pet to be off leash and frighten me or for me to be in the middle of a service dog and personal pet fight.

As noted; when Mayor Fred Eisgenberger started bringing his personal pet to work I politely complained to him that he was setting a bad example and since I am allergic to dogs and also have allergy/asthma issues he was making City Hall inaccessible to me. I was on my university Health and Safety committee so I realized that Mayor Fred is also endangering staff as well. He can well afford a dog sitter. I was at a meeting at City Hall with the Mayor and his assistant Christopher Cutler on April 13, 2018. I saw the Mayor's pet in the office and when I complained saying I had bad allergies/asthma his security guard had the nerve to tell me that the pet was 'hypoallergenic'. I retorted quite strongly that no one has the right to expose me to allergens when they do not know what I can tolerate. The Mayor's office was full of dander, dust, saliva, etc. which was gross and bothered my allergies. I used to have cats until they discovered how bad my allergies are so I understand the joy of pets but they should be enjoyed on your own time. I believe this particular visit to City Hall (April 13, 2018) in Mayor Fred Eisenberger's office falls within the one year framework for complaints to be considered as we as my more recent trips as compiled in the original HRTO form 1. My fear of dogs as well as my asthma and allergies were completely dismissed by the Mayor's staff that day.

I started working part-time for the City of Hamilton Recreation department in 2014. My staff orientation as a part-timer was not that detailed so I did not even know the City has a Recreation department HR department until a few months ago.

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SOCIAL JUSTICE TRIBUNALS ONTARIO

Notice of Intent to Dismiss Susan Creer HRTO file # 2019-366541

In October, 2017, I was at City Hall for a community poverty/advocacy meeting. When I left council chambers there was a dog on the loose running towards me which scared the wits out of me. The handler got the dog under control and I went to the City clerk's office to complain. It never occurred to me to call security as I was too spooked. When I complained at the City clerk's office they put me in touch with my own councillor who basically ignored my concerns for the loose dog belonged to the Mayor and no one will stand up to him.

Reasons why I would like my case not dismissed are; there is a consistent pattern of the Mayor bringing his pet to work when only service dogs are allowed, my mental health is affected each time I have to go to City Hall since my concerns about the Mayor's pet being off leash were not taken seriously by any staffer or my councillor, ongoing fear of dogs.

On January 3, 2019 I was supposed to be meeting with my new councillor who got elected in the last municipal election. I was actually very afraid to go to City Hall as I did not know if the Mayor's pet would be there. I was in a heightened sense of dread the entire time. I did mention my personal pet concerns to my councillor's new assistant but have not heard back from either of them about my concerns.

My mental health is badly affected each time I go to City Hall as I never know if the Mayor's personal pet will be there and if I will be attacked or frightened by a loose dog as I was in October, 2017 when my concerns were disregarded when I complained.

I feel uncomfortable going to City Hall for any reason. There is a Small business Enterprise Centre at City Hall as well as other offices I frequent. I heard that some City staff may be bringing personal pets to work in another City building called the Lister Block. I used to volunteer in the Tourism Hamilton office which is located in the Lister Block. The Lister Block also has a public washroom and a very busy Recreation department where I have taken classes and attended meetings. These actions show a 'lessening' of the City pet policy which is detrimental to me as well as another Health and Safety violation. It seems as if the Mayor Eisenberger's selfish actions regarding this personal pet are spreading and that makes me sad as well as distresses me greatly as I do not want my mental health to be affected more than it is. I have made more than one accommodation request for the Mayor's personal pet not

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SOCIAL JUSTICE TRIBUNALS ONTARIO
Notice of Intent to Dismiss Susan Creer HRTO file # 2019-36654I

be at City Hall when I am presenting at a public meeting but the City Clerks will not accommodate me which is a violation of my health and safety rights as well as a frustration with my fear of dogs. I could be missing out financially as well since there are 'internal' postings at the City and I could not work in an office that has a personal pet.

There has been some controversy lately at Hamilton City Hall due to a staff person with possible ties to White supremacy groups. The article* I am including shows that Mayor Fred Eisenberger expects staff to follow rules and be inclusive but he refuses to follow the personal pet policy as it relates to myself. I would like these concerns noted in the Intent to Dismiss please.

Thank you for you re-consideration of my concerns. I sincerely hope that you will reconsider the 'Intent to Dismiss' given the details I have included herein.

Yours, Susan J. Creer



*From CBC Hamilton <https://www.cbc.ca/news/canada/hamilton/marc-lemire-1.5127708>

"We are dedicated to ensuring a safe and respectful workplace for all," said spokesperson Jen Recine in an email.

A written statement from Mayor Fred Eisenberger says "we do not provide comment on any personnel matters. Further, we cannot comment on, nor are we always privy to, the personal beliefs of employees."

The city has policies outlining how employees are expected to behave at work, Eisenberger said, and those policies "ensure a safe and respectful workplace for all."

*faxed May 31. 2019

* please acknowledge receipt.

TIME RECEIVED
April 12, 2019 at 11:09:36 AM EDT

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731

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18

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01 Jan 2000 12:14AM HP LASERJET FAX

P. 1

JUN 27 2019



Human Rights Tribunal of Ontario

Application under Section 34 of the *Human Rights Code* (Form 1)

(Disponible en français)

www.hrto.ca

How to Apply to the Human Rights Tribunal of Ontario

Before you start:

1. Read the questions and answers below to find out if the Human Rights Tribunal of Ontario (the Tribunal) has the ability to deal with your Application.
2. Download and read the **Applicant's Guide** from the Tribunal's web site www.hrto.ca. If you need a paper copy or accessible format, contact us:

Human Rights Tribunal of Ontario
655 Bay Street, 14th floor
Toronto, Ontario
M7A 2A3

Phone: 416-326-1312 Toll-free: 1-866-598-0322
Fax: 416-326-2199 Toll-free: 1-866-355-6099
TTY: 416-326-2027 Toll-free: 1-866-607-1240
Email: HRTO.Registrar@ontario.ca
Website: www.hrto.ca

The Tribunal has other guides and practice directions to help all parties to an Application understand the process. Download copies from the Tribunal's website or contact us.

3. Complete each section of this Application form. As you fill out each section, refer to the instructions in the Applicant's Guide.

Getting help with your application

For free legal assistance with the application process, contact the **Human Rights Legal Support Centre**.
Website: www.hrts.on.ca, Mail: 180 Dundas Street West, 8th floor, Toronto, ON M7A 0A1, Tel: 416-597-4900,
Toll-free 1-866-625-5179, Fax: 416-597-4901, Toll-free 1-866-625-5180, TTY 416-597-4903, Toll-free 1-866-612-8627.

Questions About Filing an Application with the Tribunal

The following questions and answers are provided for general information. They should not be taken as legal advice or a determination of how the Tribunal will decide any particular application. For legal advice and assistance, contact the **Human Rights Legal Support Centre**.

Who can file an Application with the Tribunal?

You can file an Application if you believe you experienced discrimination or harassment in one of the five areas covered by the Ontario Human Rights Code (the Code). The Code lists a number of grounds for claiming discrimination and harassment. To find out if you have grounds for your complaint under the Code, read the **Applicant's Guide**.

What is the time limit for filing an Application?

You can file an Application up to one year after you experienced discrimination or harassment. If there was a series of events, you can file up to one year after the last event. In some cases, the Tribunal may extend this time.



Human Rights Tribunal of Ontario

Application under Section 34 of the Human Rights Code (Form 1)

The discrimination happened outside Ontario. Can I still apply?

In most cases, no. To find out about exceptions, contact the Human Rights Legal Support Centre.

My complaint is against a federal government department, agency, or a federally regulated business or service. Should I apply to the Tribunal?

No. Contact the Canadian Human Rights Commission. Web: <http://www.chrc-ccdp.ca>. Mail: 344 Slater Street, 8th Floor, Ottawa, Ontario K1A 1E1. Phone: (613) 995-1151. Toll-free: 1-888-214-1090. TTY: 1-888-643-3304. Fax: (613) 996-9661.

Should I use this form if I am applying because a previous human rights settlement has been breached?

No. If you settled a previous human rights application and the respondent did not comply with the settlement agreement, use the special application called **Application for Contravention of Settlement, Form 18**. For a paper copy, contact the Tribunal.

Can I file this Application if I am dealing with or have dealt with these facts or issues in another proceeding?

The Code has special rules depending on what the other proceeding is and at what stage the other proceeding is at. Read the **Applicant's Guide** and get legal advice, if:

1. You are currently involved in, or were previously involved in a civil court action based on the same facts and asked for a human rights remedy; or
2. You have ever filed a complaint with the Ontario Human Rights Commission based on the same subject matter; or
3. You are currently involved in, or were previously involved in another proceeding (for example, union grievance) based on the same facts.

How do I file an Application on behalf of another person?

To file an application on behalf of another person, you must complete and file this Application (Form 1) as well one other form:

- Form 4A if you are filing on behalf of a minor;
- Form 4B if you are filing on behalf of a mentally incompetent person; or
- Form 27 for all other situations where you are filing on behalf of someone else.

When completing this Application, you must check the box in Question 1 that indicates you are filing an Application on Behalf of Another Person. You must provide your name and contact information in Question 1.

The completed Form 4A, Form 4B or Form 27 can be attached to your Application or sent to the Tribunal separately by mail, fax or email. If sent separately, it must be sent within **five (5) days** following the filing of your Application.

For more information on applications on behalf of another person, please see the following Practice Directions:

- Practice Direction on filing application on behalf of another person under section 34(5) of the Code
- Practice Direction on Litigation Guardians before Social Justice Tribunals Ontario

Note: If you are a lawyer or other legal representative providing representation to the applicant, do not use the Form 4A, Form 4B or Form 27. Your details should be provided in section 3, "Representative Contact Information," of this Application (Form 1).

Learn more

To find out more about human rights in Ontario, visit www.ohrc.on.ca or phone 1-800-387-9080.



Human Rights Tribunal of Ontario

Application under Section 34 of the Human Rights Code (Form 1)

Instructions: Complete all parts of this form, using the Applicant's Guide for help. If your form is not complete, the Tribunal may return it to you. This will slow down the application process. At the end of this form, you will be required to read and agree to a declaration that the information in your Application is complete and accurate (if you are a lawyer or legal representative assisting an applicant with this Form 1, please see the Practice Direction On Electronic Filing of Applications and Responses By Licensed Representatives).

Contact Information for the Applicant

1. Personal Contact Information

- Check here if you are filing an Application on Behalf of Another Person. **Note:** you must also complete a Form 4A, Form 4B or Form 27, whichever is applicable, see Instructions above.

Please give us your personal contact information. This information will be shared with the respondent(s) and all correspondence from the Tribunal and the respondent(s) will go here. If you do not want the Tribunal to share this contact information, you should complete section 2, below, but you must still provide your personal contact information for the Tribunal's records.

*First Name Susan		Middle Name Janice	*Last Name Creer	
Street # [REDACTED]	Street Name [REDACTED]		Apt/Suite [REDACTED]	
City/Town Hamilton	Province Ontario	Postal Code [REDACTED]	Email [REDACTED]	
Daytime Phone (e.g. 999-999-9999) [REDACTED]	Cell Phone (e.g. 999-999-9999)	Fax (e.g. 999-999-9999)	TTY (e.g. 999-999-9999)	

What is the best way to send information to you?

(If you check email, you are consenting to delivery of documents by email)

Mail Email Fax



Human Rights Tribunal of Ontario

2. Alternative Contact Information

If you want the Tribunal and respondent(s) to contact you through another person, you must provide contact information for that person below. You should fill this section out if it will be difficult for the Tribunal to reach you at the address above or if you want the Tribunal to keep your contact information private. **If you complete this section, all of your correspondence will be sent to you in care of your Alternative Contact.**

First (or Given) Name		Middle Name		Last (or Family) Name	
Street #	Street Name			Apt/Suite	
City/Town		Province	Postal Code	Email	
		Ontario			
Daytime Phone (i.e. 999-999-9999)		Cell Phone (i.e. 999-999-9999)	Fax (i.e. 999-999-9999)	TTY (i.e. 999-999-9999)	

What is the best way to send information to you at your alternative contact?
 (If you check email, you are consenting to delivery of documents by email) Mail Email Fax

3. Representative Contact Information

Complete this section only if you are authorizing a lawyer or another Representative to act for you.

I authorize the named organization and/or person to represent me

My representative is:

<input type="checkbox"/> Lawyer	LSUC#	
<input type="checkbox"/> Paralegal	LSUC#	
<input type="checkbox"/> Legal Support Centre		

Other- please specify the Nature of Exemption from licensing requirements in the text below:

Nature of Exemption (e.g. family member, unpaid friend)

--



Ontario

Human Rights Tribunal of Ontario

Please choose the type of Representative: A) Organizational Representative B) Individual Representative

B) Individual Representative

First (or Given) Name		Middle Name	Last (or Family) Name	
Street #	Street Name		Apt/Suite	
City	Province Ontario	Postal Code	Email	
Daytime Phone (i.e. 999-999-9999)	Cell Phone (i.e. 999-999-9999)	Fax (i.e. 999-999-9999)	TTY (i.e. 999-999-9999)	

What is the best way to send information to your representative?
(If you check email, you are consenting to delivery of documents by email)

Mail Email Fax

Contact Information for the Respondent(s)

4. Respondent Contact Information

Provide the name and contact information for any respondent against which you are filing this Application.

Please choose the type of respondent: A) Organization Respondent B) Individual Respondent

A) Organization Respondent

Name the organization you believe discriminated against you. You should also indicate the contact person from the organization to whom correspondence can be addressed.

Full Name of Organization

City of Hamilton, Ontario. Mayor Fred Eisenberger



Human Rights Tribunal of Ontario

Name of the Contact Person from the Organization

First (or Given) Name Jessica		Last (or Family) Name Bowen		Title Human Rights specialist City of Hamilton	
Street #	Street Name 71 Main St. W.			Apt/Suite	
City/Town Hamilton		Province Ontario	Postal Code L8P 4Y5	Email jessica.bowen@hamilton.ca	
Daytime Phone (i.e. 999-999-9999) 905-546-2424		Cell Phone (i.e. 999-999-9999)	Fax (i.e. 999-999-9999)		TTY (i.e. 999-999-9999)

Are there any additional respondents? Yes No

Grounds of Discrimination

5. Grounds Claimed

The Ontario Human Rights Code lists the following grounds of discrimination or harassment. Put an "X" in the box beside each ground that you believe applies to your Application. You can check more than one box.

- Race
- Colour
- Ancestry
- Place of Origin
- Citizenship
- Ethnic Origin
- Disability *→ asthma allergies to fur, dander, etc.*
- Creed
- Sex, Including Sexual Harassment and Pregnancy
- Sexual Solicitation or Advances
- Sexual Orientation
- Gender Identity
- Gender Expression
- Family Status
- Marital Status
- Age
- Receipt of Public Assistance (Note: This ground applies only to claims about Housing)
- Record of Offences (Note: This ground applies only to claims about Employment)



Ontario

Human Rights Tribunal of Ontario

- Association with a Person Identified by a Ground Listed Above
 Reprisal or Threat of Reprisal

Areas of Discrimination under the Code

6. Area of Alleged Discrimination

The Ontario *Human Rights Code* prohibits discrimination in five areas. Put an "X" in the box beside the area where you believe you have experienced discrimination (choose one). Read the Applicant's Guide for more information on each area.

- Employment (Complete Form 1-A)
 Housing (Complete Form 1-B)
 Goods, Services and Facilities (Complete Form 1-C)
 Contracts (Complete Form 1-D)
 Membership in a Vocational Association (Complete Form 1-E)

Does your Application involve discrimination in other areas? Yes No

If "Yes", put an "X" in the box beside any other area where you believe you experienced discrimination:

Employment Housing Goods, Services or Facilities Contracts Vocational Association

Facts that Support Your Application

7. Location and Date (see Applicant's Guide)

Please answer the following questions.

a) *Did these events happen in Ontario?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
b) In what city/town?		
c) *What was the date of the last event? (dd/mm/yyyy)	January 3, 2019	
d) If you are applying more than one year from the last event, please explain why:		
There are a series of events. Some are recent and some are within a year. There are a few dates in question. I have listed them in section #8.		



Human Rights Tribunal of Ontario

8. What Happened

*In the space below, describe each event you believe was discriminatory.

For each event, be sure to say:

- What happened
- Who was involved
- When it happened (day, month, year)
- Where it happened

Be as complete and accurate as possible. Be sure to give details of every incident of discrimination you want to raise in the hearing.

Initial personal pet issue in 2014: I complained to Mayor Eisenberger that bringing his pet to work would make it hard for me to be at City Hall given my allergies/asthma. He does not care. *(<https://www.thespec.com/news-story/6993732-hamilton-mayor-s-office-doggone-pleased-to-have-canine-visitor/>). This 'pet at work' issue started just before I got hired by the City of Hamilton. I complained by email to Mayor Eisenberger that he was endangering the Health and Safety of other staff and the public such as myself who use the services at City Hall. I am very concerned Mayor Eisenberger is changing the personal pet policy at the City which will negatively effect me. His personal pet effects me negatively as I cannot avoid it if I go to City Hall. I am also concerned that he or other City managers may be changing the policy about pets at work by forcing the issue on staff.

#8. WHAT HAPPENED SECTION. THESE ARE MY SPECIFIC CONCERNS about City Policy

AS IT RELATES TO MY HR COMPLAINT with MAYOR EISENBERGER AND OTHER CITY STAFF NOT

ACCOMMODATING ME. I started working for the City of Hamilton Recreation Department part-time in January, 2014. I am afraid of dogs. I am badly allergic to many things (dust, dander, cigarette smoke, cannabis smoke, pet saliva, grass, bleach, etc.) so my asthma specialist and I determine my treatment together. I avoid as many allergens as is possible. This issue happened before I started working for the City of Hamilton Recreation Department. There is a Hamilton Spectator article* detailing the Mayor's pet at work.

Add in AH meeting March 24, 2017 with Christopher Cutler. Mayor Eisenberger was supposed to be part of that meeting as well but he was ill. I did not know the pet would be at the office that day so when I go there I was spooked. When I complained to a male staffer on guard duty at the Mayor's front desk about my allergies/asthma concerns were dismissed. I was told 'oh Dash is hypoallergenic...' as if that made it okay. I replied that any dust, pet saliva, dander, etc. could be dangerous for me and it was wrong for them and Mayor Eisenberger to bring his pet to work when it is not a service dog.

On Nov. 23, 2017 I was at City Hall for a meeting and distressed by his pet being at City Hall.

In March, 2018 I was at City Hall for a poverty meeting. When I left Council Chambers there was a pet off its leash running towards me and it scared the wits out of me! When I complained about that pet being loose my concerns were disregarded. Not only could I have been bitten or attacked but my mental health was affected by the pet running towards me. Each time I go to City Hall I am afraid I will be attacked or made ill by the personal pet of Mayor Eisenberger. I have bad allergies/asthma so any animals at City Hall are a challenge. Staff are having our Health and Safety concerns disregarded for no staff have been asked if they approve of this pet. As far as I know I have never been asked if I as a City staff person have been asked about pets at City Hall or otherwise relaxing the rules around personal pets. I realize if the animal is a service animal I will have to deal with that.

These are specific dates when I was concerned that I may have issues at City Hall when I was there for various meetings: Aug. 1, Aug. 11, 2017 (Starter Company plus) orientations, Jason Thorne (Economic Development office) meeting June 18, 2018. And People's Plan for Downtown April 17, 2017. Councillor Meeting Jan. 3, 2019. Nov. 22, 2018 CHH Board meeting. Aug. 7, 2018 Built Environment Working Group, Hamilton City Planning Committee Sept. 17, 2018. I sent the presentation in a week before as requested to City Clerk Ida Bedioun and asked her to ensure that Mayor Eisenberger's pet was not at City Hall that day but she would not do ensure my request for accommodation. April 13, 2018. Oct. 17, 2017 6:30pm for an poverty (HRPR) meeting I did not attend as it was at City Hall and I was concerned his pet would be there.

(Hamilton Roundtable for Poverty Reduction)
And; 'Email; Susan J. Creer. Fri 2017-11-24 6:14 AM. Office of the Mayor

I saw more dogs at City Hall yesterday when I was there for the Hamilton Roundtable for Poverty Reduction meeting. It should not be allowed. Why? peace, Susan'

The Effect on You

9. How the Events You Described Affected You



Human Rights Tribunal of Ontario

*Tell us how the events you described affected you. What was the effect (e.g. were there financial, social, emotional or mental health, or any other)?

I do not feel comfortable going to City Hall for any reason. If I tried to apply for an internal position at City Hall (Receptionist, CSR, etc.) my health could be affected. Being at City Hall stresses me out as I never know if the pet will be off its leash so it could scare me again. There are businesses seminars that I take sometimes at the Small Business Enterprise centre which I have to forgo. I know many other City staff who dislike the pet at work but they do not feel comfortable speaking out. No one including councillors, managers, City staff or others should have personal pets at work. I used to have two cats until my doctors figured they were making me ill. I understand the joy of pets but everyone else has to enjoy them when they get home. I have been bullied online by a pro-LRt supporter and Mayor Eisenberger would not do anything.

I get anxiety each time I need to go to City Hall.

The Remedy

The mayor should not be taking advantage of his position like this. The mayor's pet was off his leash

10. The Remedy You are Asking For (see Applicant's Guide)

leash one day when at City Hall and I was afraid I was

Put an "X" in the box beside each type of remedy you are asking the Tribunal to order. Explain why you are asking for this remedy in the space below.

<input checked="" type="checkbox"/> Monetary Compensation	Enter the Total Amount \$35,000
---	---------------------------------

Explain below how you calculated this amount:

For 'general damages' for pain and suffering. Went to 'canill.org' site for similar amounts. Two issues involved.

be bitten - dog's care.

Non-Monetary Remedy-Explain below:

Remedy for Future Compliance (Public Interest Remedy)-Explain below:

I would like to do three things; on pg. 6 it talks about other respondents. I would like it if the City Clerks, councillor staff and other managers in the Recreation department to undergo HR retraining on accommodation issues. My concerns is with the City possibly removing the personal pet policy. I want a financial compensation but I also want to ensure that the City of Hamilton does not develop a policy where personal pets are allowed at work at all. The City only allows service animals now. I would prefer it to stay that way.



Ontario

Human Rights Tribunal of Ontario

Mediation

11. Choosing Mediation to Resolve Your Application

Mediation is one of the ways the Tribunal tries to resolve disputes. It is a less formal process than a hearing. Mediation can only happen if both parties agree to it. A Tribunal Member will be assigned to mediate your Application. The Member will meet with you to talk about your Application. The Member will also meet with the respondent(s) and will try to work out a solution that both sides can accept. If Mediation does not settle all the issues, a hearing will still take place and a different Member will be assigned to hear the case. Mediation is confidential.

Do you agree to try mediation? Yes

Other Legal Proceedings

12. Civil Court Action (see Applicant's Guide)

Note: If you answer "Yes" to any of these questions, you must send a copy of the statement of claim that started the court action.

*a) Has there been a court action based on the same facts as this Application?	<input type="radio"/> Yes (Answer 12b)	<input checked="" type="radio"/> No (Go to 13)
--	--	--

13. Complaint Filed with the Ontario Human Rights Commission (see Applicant's Guide)

Note: If you answer "Yes", you must attach a copy of the complaint.

*Have you ever filed a complaint with the Commission based on the same facts as this Application?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
---	---------------------------	-------------------------------------

14. Other Proceeding - in Progress (see Applicant's Guide)

Note: If you answer "Yes" to question "14a" you must attach a copy of the document that started the other proceeding.

*a) Are the facts of this Application part of another proceeding that is still in progress?	<input type="radio"/> Yes (Answer 14b)	<input checked="" type="radio"/> No (Go to 15)
---	--	--

b) Describe the other proceeding:

<input type="checkbox"/> A union grievance	Name of Union:
--	----------------



Human Rights Tribunal of Ontario

<input type="checkbox"/> A claim before another board, tribunal or agency	Name of board, tribunal, or agency:	
<input type="checkbox"/> Other	Explain what the other proceeding is:	

***c) Are you asking the Tribunal to defer (postpone) your Application until the other proceeding is completed?** Yes No

15. Other Proceeding - Completed (see Applicant's Guide)

Note: If you answer is "Yes" to question "15a" you must attach a copy of the document that started the other proceeding and a copy of the decision from the other proceeding.

***a) Were the facts of this Application part of some other proceeding that is now completed?** Yes (Answer Question 15b) No (Go to 16)

b) Describe the other proceeding:

<input type="checkbox"/> A union grievance	Name of Union:	
<input type="checkbox"/> A claim before another board, tribunal or agency	Name of board, tribunal, or agency:	
<input type="checkbox"/> Other	Explain what the other proceeding is:	



Human Rights Tribunal of Ontario

c) Explain why you believe the other proceeding did not appropriately deal with the substance of this Application.

Documents that Support this Application

16. Important Documents You Have

If you have documents that are important to your Application, list them here. List only the most important. Indicate whether the document is privileged. See the Applicant's Guide.

Note: You are not required to send copies of these documents at this time. However, if you decide to attach copies of the documents you list below to your Application they will be sent to the other parties to the Application along with your Application.

Document Name	Why It is Important to My Application
I am not familiar with the Adobe 'fill in the box' feature. If all my concerns in the various boxes are not legible I will email them to the office.	

Add more Documents

17. Important Documents the Respondent(s) Have

If you believe the respondent(s) have documents that you do not have that are important to your Application, list them here. List only the most important.

Document Name	Why It is Important To My Application	Name of Respondent Who Has It

Add more Documents



Human Rights Tribunal of Ontario

18. Important Documents Another Person or Organization Has

If you believe another person or organization has documents that you do not have that are important your Application, list them here. List only the most important.

Document Name	Why it is Important to my Application	Name of Person or Organization who has it

Add more Documents

Confidential List of Witnesses

19. Witnesses

Please list the witnesses that you intend to rely on in the hearing. **Note:** The Tribunal will not send this list to the respondent(s). (see Applicants Guide)

Name of Witness	Why This Witness Is Important To My Application

Other Important Information

20. Other Important Information the Tribunal Should Know

Is there any other important information you would like to share with the Tribunal?

I do not want the City of Hamilton to develop a 'pet friendly' policy at all. I want to be compensated but I also want to ensure that the City of Hamilton does not develop a 'pet friendly' policy at all. I would like all City Managers, councillors, Mayor and other staff to undergo Human Rights policy training on accessibility issues. In January, 2018 when I was at City Hall for a meeting, one of Mayor Eisenberger's staff told me the pet was 'hypoallergenic' and I complained to the staffer that he nor the Mayor have any idea how bad my allergies/asthma is so no one has the right to expose me to allergens when they do not know what I can tolerate. I saw my asthma specialist Dr. Keith on March 25th, 2019 at 2:45pm. That is why this form is a bit late. Dr. Keith is willing to write a letter about my medical issues.

April 12, 2019. Will from ~~the~~ the HRTO Legal Support Centre just called me. I had accidentally emailed my form to their office, not the tribunal.



Human Rights Tribunal of Ontario

Checklist of Required Documents

22. Other Documents from Questions 12 to 15

Confirm whether you are sending the Tribunal any of the following documents:

- A copy of a statement of claim (from Question 12)
- A copy of a complaint filed with the Ontario Human Rights Commission (from Question 13)
- A copy of a document that started another proceeding based on these facts (from Question 14 or 15)
- A copy of a decision from another proceeding based on these facts (from Question 15)

Application to the Human Rights Tribunal of Ontario Area of Discrimination: Goods, Services and Facilities (Part 1-C)

Note: Complete this form if you believe you were discriminated against in the area of goods, services and facilities.

PART I

Questions About the Service, Good or Facility

C1. Put an "X" beside the point that best describes the service, good or facility that this Application is based on.

- Income support
- Store
- Education & training
- Theatre
- Police services
- Insurance
- Medical/health services
- Public transportation
- Sporting or other recreational facility
- Retail
- Government, please describe:



Human Rights Tribunal of Ontario

Other, please describe:

C2. Complete this section only if your Application is about a practice or policy.

Tell us what the practice or policy you are complaining about is and explain how it relates to equal treatment with respect to services, goods and facilities.

C3. Complete this section only if your Application is about a law.

Tell us what the law you are complaining about is and explain how it relates to equal treatment with respect to services, goods and facilities.

Questions About Complaining to Someone in Authority

Complete this section only if you complained to someone in authority about the alleged discrimination.

C4. To whom did you complain?



Human Rights Tribunal of Ontario

C5. Was there an investigation?

Yes

No (Go to Part II)

a) If you answered "Yes" to C5, what was the outcome of the investigation?

PART II

The following Part asks you to answer how you believe you were discriminated against based on grounds you identified. If you believe that you were discriminated against based on more than one ground, fill out all the sections that apply.

Questions About Discrimination on the Ground of Disability or Perceived Disability

Complete this section only if you believe that you have been discriminated against on the ground of disability or perceived disability.

C8. Explain why you believe you were discriminated against based on your disability or a perceived disability.

C9. Do you have particular needs related to your disability?

Yes

No (Go to C12)

a) If you answered "Yes" to C9, describe your particular needs.

C10. Did you ask the respondent(s) to meet your needs?

Yes

No (Go to C12)

a) If you answered "Yes" to C10, describe what you asked the respondent(s) to do. If you named more than one respondent, please tell us who you spoke to.



Human Rights Tribunal of Ontario

C11. Did the respondent(s) try to meet your needs?	<input type="radio"/> Yes	<input type="radio"/> No (Go to C12)	<input type="radio"/> Don't Know (Go to C12)
---	---------------------------	--------------------------------------	--

a) If you answered "Yes" to C11, describe what the respondent(s) did to meet your needs. If you named more than one respondent, please tell us what each did.

b) If you answered "Yes" to C11, why do you believe the respondent(s)' efforts to meet your needs were not enough?

C12. Do you plan to submit medical reports or documents related to your particular needs at the hearing?	<input type="radio"/> Yes	<input type="radio"/> No
---	---------------------------	--------------------------

a) If you answered "Yes" to C12, please list the medical reports or documents here. You do not need to send copies at this time. **Note:** if you do send these documents they will be shared with the other parties.



Human Rights Tribunal of Ontario

Declaration and Signature

23. Declaration and Signature

Instructions: Do not sign your Application until you are sure that you understand what you are declaring here.

Declaration:

To the best of my knowledge, the information in my Application is complete and accurate.

I understand that information about my Application can become public at an open hearing, in a written decision, or in other ways determined by Tribunal policies that balance transparency in the justice system and privacy interests of participants.

I understand that the Tribunal must provide a copy of my Application to the Ontario Human Rights Commission on request.

I understand that the Tribunal may be required to release information requested under the Freedom of Information and Protection of Privacy Act (FIPPA).

I understand that the Tribunal makes all of its Decisions and Case Assessment Directions available to the public, including the media on request, and that the Tribunal also makes its decisions available to the public on the websites of the Canadian Legal Information Institute (www.CanLii.org). I also understand that the Tribunal may issue decisions that protect the identity of an applicant, a respondent or a witness in certain circumstances.

*Signature Date (dd/mm/yyyy) 12/04/2019



Topologise. Will be from the HRTD Legal support centre see just called to say I sent my form

*Please check this box if you are filing your Application electronically. This represents your signature. You must fill out the date, above.

to the wrong office.

Accommodation Required

If you require accommodation of Code-related needs please contact the Registrar at:

Email: HRTO_Registrar@ontario.ca
Phone: 416-326-1519 Toll-free: 1-866-598-0322
Fax: 416-326-2199 Toll-free: 1-866-355-6099
TTY: 416-326-2027 Toll-free: 1-866-607-1240

RECEIVED TO THE HRTD

Note: Only file your Application once. If the Tribunal receives your application more than once, it will only accept the first Application Form received.

Submit to HRTO

Print Form

Hamilton calls on City to save the Wesley Day Centre and to fulfill its commitment to open a Consumption and Treatment Services site

Dear Mayor Eisenberger,

June 24, 2019

On June 12, 2019 Hamilton learned that the Wesley Day Centre, a two decades old community hub for people experiencing poverty and homelessness, would close its doors at the end of August. Wesley Community Homes, which owns the building at 195 Ferguson Ave N, has refused to renew the lease to Wesley Urban Ministries, which has run the center since its opening in 1996. This was first communicated to Wesley Urban Ministries when they showed interest in establishing a supervised injection site there in 2018.

As concerned Hamiltonians, users and providers of the many services offered under one roof at the Wesley Day Centre, we are calling on the City to intervene to ensure that the Day Centre can continue to provide its vital services to this marginalized population. Furthermore, because people accessing the Day Centre are disproportionately affected by addictions, we are also calling on the City to ensure that its intervention include plans for a permanent Consumption and Treatment Services site (CTS, otherwise known as a supervised injection site) offering comprehensive addiction treatment.

The Wesley Day Centre serves close to six hundred people a year, many of whom show up more than once a day. It serves two meals daily and hosts recreation programs, harm reduction and addiction services, housing support workers, case management and social engagement programming. The health clinic at the Day Centre houses the Public Health harm reduction team as well as the Shelter Health Network who provides comprehensive primary care as well as mental health and addictions care. The Centre is also a designated cooling station in the heat of the summer months and offers laundry and computer access for those who have none.

While there has been talk of continuation of services in different locations throughout the city, there is no substitute for having all the services in one location. The whole of the Wesley Day Centre is greater than the sum of its parts. The Centre provides low barrier, non-judgmental services in one location, meaning a person might go in for one reason (food) and come out with a completely different set of needs met (long overdue health care or a housing worker). The barriers to upward mobility faced by Hamilton's homeless are unimaginable and insurmountable to most. The all-in-one nature of drop in centres like this one helps people in ways that running from location to location for individual services simply cannot.

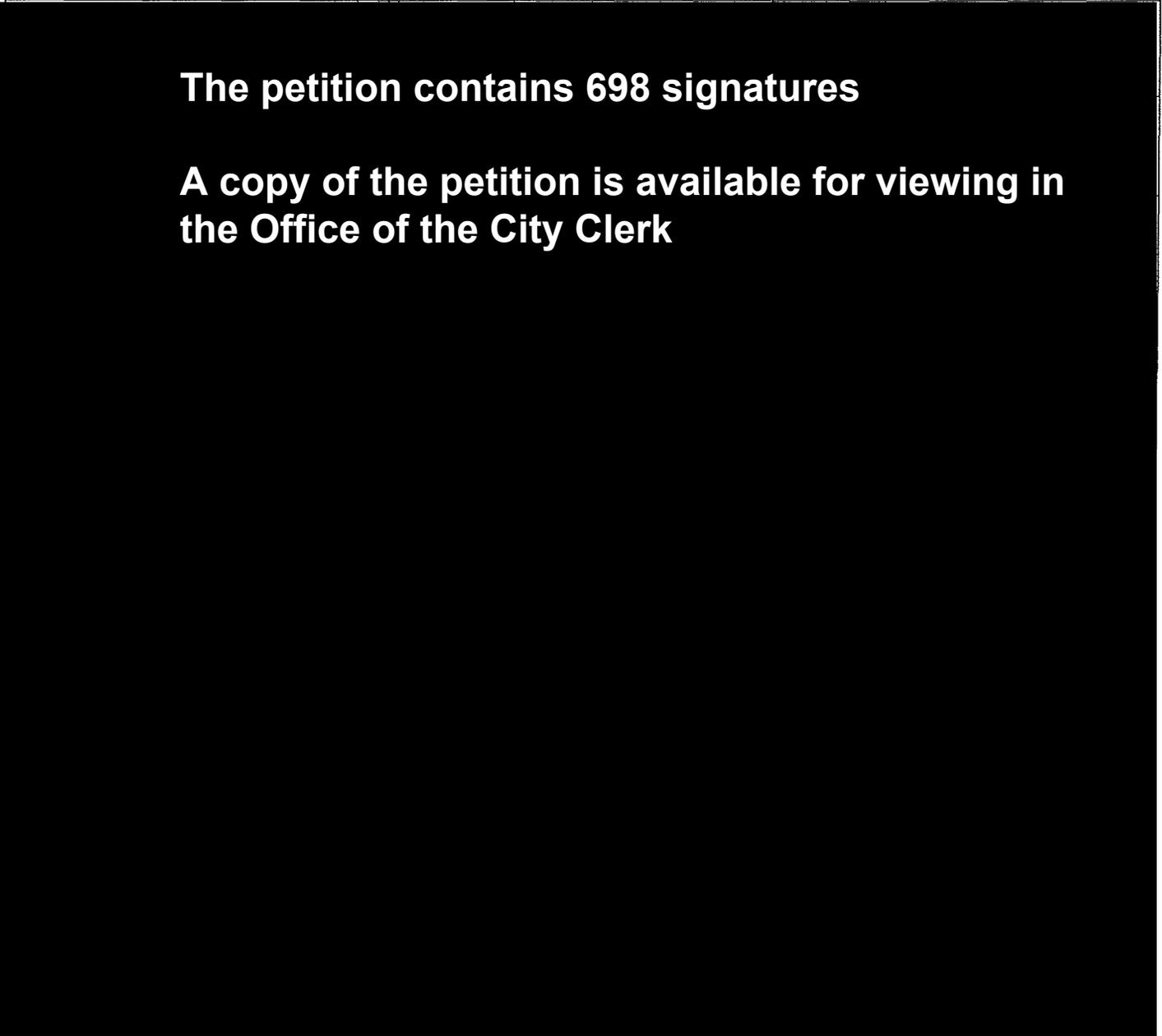
The dissolution of the Day Centre will doubtless wreak havoc on other already over-stretched community services. It will result in people who are constantly being told to move elsewhere having one less place to be. And it will sever links among people who use these services with the people who provide them – it will break down community at a time when we need to be building it up.

One cannot ignore the fact that this is happening at a time when Hamilton is experiencing a public health crisis unparalleled in recent history. More people are dying from the opioid crisis than ever before and people accessing services at the Wesley Day Centre are directly affected by this epidemic. The City has been outspoken in its commitment to provide a full service supervised injection site (Consumption and Treatment Services) yet despite the rhetoric, no such site has been established.

Hamilton has made a commitment to addressing poverty, homelessness and the opioid crisis, including multimillion-dollar Poverty Reduction and Drug Strategies. We are calling on the City of Hamilton to direct its commitment to addressing poverty and harm reduction by keeping this vital community service open and making good on its commitment to open a Consumption and Treatment Site with comprehensive addiction services. All of Hamilton will benefit when it does.

Sincerely,

Name	Designation	Organization
------	-------------	--------------



The petition contains 698 signatures

A copy of the petition is available for viewing in the Office of the City Clerk



OAKVILLE

July 2, 2019

The Honourable Caroline Mulroney
 Minister of Transportation and
 Minister of Francophone Affairs
 Ministry of Transportation
 Queen's Park/Minister's Office
 5th Floor, 777 Bay Street
 Toronto ON M7A 1Z8

minister.mto@ontario.ca

The Honourable Doug Downey
 Attorney General
 Ministry of the Attorney General
 McMurtry-Scott Building
 720 Bay Street, 11th Floor
 Toronto ON M7A 2S9

attorneygeneral@ontario.ca

Her Honour the Honourable Elizabeth Dowdeswell
 Lieutenant Governor of Ontario
 Queen's Park
 Toronto ON M7A 1A1

Subject: Traffic Calming and Speed Limit Review

At its meeting on June 24, 2019, Oakville Town Council approved the following recommendation of the Community Services Committee resulting from its meeting held on June 17, 2019, regarding the subject item noted above:

1. That the Report entitled "Traffic Calming and Speed Limit Review" from the Engineering and Construction Department dated May 27, 2019 be received.
2. That staff be directed to provide a report to the 2020 Budget Committee on the implementation of Automated Speed Enforcement (photo radar), including an analysis of the capacity to process the resulting *Provincial Offences Act* caseload, and estimated budget implications.
3. That staff be directed to provide a report to the 2020 Budget Committee with the proposed criteria, inventory and the costs associated with additional 40 km/h zones at limited high pedestrian generator areas (e.g. Business Improvement Areas (BIAs) and major active parks on local and minor collector roads).

Subject: Traffic Calming and Speed Limit Review

4. That, where not already established, staff be directed to implement Community Safety Zones at every all-day 40 km/h zone fronting an elementary school on a major road.
5. That the Updated Toolbox of Traffic Calming Measures, as detailed in the staff report from the Engineering and Construction Department dated May 27, 2019, be endorsed.
6.
 - a) That staff be directed to implement the revisions to the town's current Traffic Calming Process, as detailed in the staff report from the Engineering and Construction Department dated May 27, 2019.
 - b) That staff report on the requirements and implications to achieve a project approval process of six months or less from the time of a finding of warrant being met.
7. That staff be directed to provide a report to the 2020 Budget Committee with a multi-year Major Road Elementary School Zone Traffic Calming Program, including short-term installation of fixed Radar Speed Display Signs (RSDS) at elementary schools on major collector and minor arterial roads.
8. That staff report to a future Community Services Committee meeting on the advisability of encouraging use of the Local Improvements tool for traffic calming where the warrants are not met but residents still desire traffic calming.
9. That staff consult with the West River Residents Association to develop and test a pilot project of 40 km/h speed limits on a neighbourhood basis.
10. That the following resolution be passed:

WHEREAS on May 30, 2017, the Legislative Assembly of Ontario passed Bill 65 – *Safer School Zones Act*, authorizing municipalities to operate automated speed enforcement in community safety zones and school zones on roads under their jurisdiction;

WHEREAS municipalities would be responsible for the implementation and operational costs of automated speed enforcement on roads under their jurisdiction;

WHEREAS the bylaws designating community safety zones and school zones or implementing the automated speed enforcement would be enacted under the *Highway Traffic Act* (HTA) and would create HTA offences;

WHEREAS HTA offences are administered through the *Provincial Offences Act* (POA) courts and any HTA fine revenue collected through the POA courts would be retained by the POA court program not the local municipality;

WHEREAS the *Municipal Act, 2001* authorizes municipalities to implement an administrative monetary penalty system for parking, licensing and other bylaws enacted under that Act, and Bill 68 *Modernizing Ontario's Municipal Legislation Act, 2016* proposes to include authority for administrative monetary penalties to enforce the HTA;

WHEREAS s. 21.1 of the HTA would allow for a regulation to prescribe persons authorized to enforce prescribed offences through administrative monetary penalties rather than the POA courts;

WHEREAS penalties for offences arising out of enforcement through technology such as automated speed enforcement can be administered effectively and efficiently through an administrative monetary penalty system;

WHEREAS there is extremely limited capacity in the POA courts to prosecute the potential volume of cases arising from automated speed enforcement, and the Town of Oakville only has one half day per month of regularly scheduled POA court time to prosecute all matters; and

WHEREAS, despite a variety of traffic calming approaches utilized within the community, speeding and the enforcement of speeding laws remain a significant concern in Oakville;

BE IT RESOLVED THAT Council requests the Minister of Transportation to continue working with municipalities and the Ontario Traffic Council on the swift adoption of the regulation(s) necessary to implement automated speed enforcement, including the use of administrative monetary penalties by municipalities;

AND BE IT RESOLVED THAT Council requests the Minister of Transportation in conjunction with the Lieutenant Governor in Council to make a regulation pursuant to s. 21.1 of the HTA, that would allow for offences created by automated speed enforcement to be administered through the administrative monetary penalties by municipalities and for the Attorney General to support the necessary changes to allow technology-based enforcement to be administered through administrative monetary penalties by municipalities and that this resolution be forwarded to all Ontario municipalities.

Page 4

July 2, 2019

Subject: Traffic Calming and Speed Limit Review

The staff report may be viewed on the town website at the following link (see Item 9):
[Community Services Committee Agenda](#).

Should you have any questions regarding this matter or require additional information, please contact Jill Stephen, Director of Engineering and Construction, at 905-845-6601, extension 3308 or email jill.stephen@oakville.ca.

Yours truly,

A handwritten signature in black ink, appearing to read 'V. Tytaneck', with a horizontal line extending to the right.

Vicki Tytaneck
Town Clerk

c. Geoff Wilkinson, Executive Director, Ontario Traffic Council

email: Ontario Municipalities

Jill Stephen, Director of Engineering and Construction



July 3, 2019

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

Dear Premier:

Please be advised that Brantford City Council at its meeting held June 25, 2019 adopted the following:

Endorsement of LUMCO Resolution regarding Retail Cannabis Stores

- A. THAT the Association of Municipalities of Ontario (AMO) and the Premier of Ontario be advised that Brantford City Council ENDORSES the following Resolution adopted by LUMCO (Large Urban Mayors Caucus of Ontario) at its May 24, 2019 Meeting:

WHEREAS in April 2017, the Federal Government introduced Bill C-45, The Cannabis Act, and Bill C-46, An Act to Amend the Criminal Code, outlining plans to legalize, regulate and restrict access to cannabis in Canada; and

WHEREAS the Province of Ontario responded with corresponding legislation, the Cannabis Control Act, 2017, the Ontario Cannabis Retail Corporation Act, 2017, the Cannabis License Act, 2018, and Bill 36- Cannabis Statute Law Amendment Act, 2018; and

WHEREAS collectively, this legislation created a regulatory regime effective October 17, 2018 that allows Ontario residents who are 19 years of age or older to: 1. Purchase recreational cannabis online through the Ontario Cannabis Store 2. Possess up to 30 grams of cannabis 3. Grow up to four (4) cannabis plants per household 4. Purchase cannabis from a provincially approved private retail supplier as of April 1, 2019; and

WHEREAS municipalities across Ontario were given until January 22, 2019 to choose if retail cannabis stores will be prohibited within their borders and those that "opted out" may at a later date by resolution of their respective Council, lift the prohibition and permit them in the future; and

WHEREAS Ontario Regulation 468/18 permits limited municipal regulatory control over location and zoning, licensing and spatial separation to sensitive land uses other than a school as defined by the Education Act;

NOW THEREFORE BE IT RESOLVED THAT the Large Urban Mayors Caucus of Ontario (LUMCO) recommends that additional local regulatory controls be approved by the Province of Ontario around retail cannabis stores that would: A. Provide a municipality with the unrestricted ability to control the location of retail cannabis stores through zoning; and, B. In the alternative to A; 1) Limit the concentration and number of cannabis retail stores in any one municipality by introducing a minimum distance separation measure between retail stores (minimum 500 metres); and, 2) That cannabis stores be restricted to a Commercial Zone or Area which permits retail stores; and 3) Clearly defining sensitive land uses, in addition to schools, which would be impacted by having a retail cannabis store located adjacent to them. Such other sensitive land uses would include, but not be limited to, day cares, colleges and universities, community centres, nursing homes, libraries and actively programmed municipal parks; and, 4) That the current minimum distance separation of 150 meters from a cannabis retail store to a school be increased to a minimum of 500 metres from any sensitive land use to be defined as noted in paragraph 3 above; and C. That all municipalities that have approved retail cannabis stores to be located in their jurisdictions receive 50% of ALL excise tax collected by the Province of Ontario on the sale of cannabis; not limited to revenues in excess of \$100 million; and

THAT upon adoption of this Resolution by LUMCO, it be presented to all Ontario Municipal Councils with a request to endorse and that the municipally adopted resolutions then be forwarded to the Association of Municipalities of Ontario (AMO) and the Premier of Ontario's office;

Further, THAT members of the LUMCO Retail Cannabis Committee request a meeting with Minister Doug Downey regarding this resolution and to also request the AMO Board add this topic as an agenda item for discussion at the August 2019 AMO Annual Conference.

- B. THAT a copy of this Resolution BE FORWARDED to the MP and MPP Brantford-Brant, the Federation of Canadian Municipalities (FCM) and other municipalities in the Province of Ontario.

Your attention with regard to this important matter is most appreciated.

Yours truly,

A handwritten signature in cursive script, appearing to read "Touzel".

Charlene Touzel
City Clerk

cc Association of Municipalities of Ontario
Phil McColeman, MP, Brantford-Brant
Will Bouma, MPP, Brantford-Brant
Federation of Canadian Municipalities
Other Municipalities in the Province of Ontario

J. Paul Dubé, Ombudsman

BY EMAIL

Council for the City of Hamilton
Hamilton City Hall
71 Main Street West
Hamilton, Ontario L8P 4Y5

July 4, 2019

Dear Members of Council for the City of Hamilton:

Re: Closed meeting complaint, March 1, 2019

My Office received a complaint that the City of Hamilton's Selection Committee held a vote in closed session on March 1, 2019 that did not comply with the open meeting rules in the *Municipal Act, 2001*. The complaint alleged that the committee violated the open meeting rules by selecting a candidate for the city's Police Services Board during the closed meeting.

The Ombudsman is the closed meeting investigator for the City of Hamilton. After reviewing the complaint and materials provided by the city, I have determined that the committee's vote complied with the open meeting rules in the *Municipal Act, 2001*.

Review

My Office reviewed the information provided by the complainant, and the open and closed session agendas and minutes of the March 1, 2019 committee meeting. We also spoke with the Legislative Coordinator of the committee and the Acting City Clerk.

During its March 1, 2019 meeting, the Selection Committee moved into closed session under the exception in section 293(2)(b) of the Act for personal matters about an identifiable individual. The resolution to proceed in closed session described the subject matter of the discussion as "respecting interviews for the Hamilton Police Services Board."

The open session minutes indicate that "[i]nterviews were conducted and staff were given direction in Closed Session." The minutes also state that the committee's recommendation with respect to appointments to the Hamilton Police Services Board for the 2018-2022 term was to be released publicly following approval by council.

According to the closed meeting minutes, the committee resolved that a named individual be referred to the March 27, 2019 council meeting for consideration as a potential appointee to the Hamilton Police Services Board. The committee directed staff to prepare a motion bringing forward its recommendation regarding a particular appointment, to be voted on in open session at the next council meeting. The committee did not make a decision with respect to the appointment, but rather provided direction to staff with respect to preparing the motion for council.

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

www.ombudsman.on.ca

Analysis

Section 239(6)(b) of the *Municipal Act, 2001* prohibits voting during a closed session unless the vote is for a procedural matter or for giving directions to staff.

In a 2015 report about the Town of South Bruce Peninsula, my Office considered a series of votes taken in closed session with respect to the purchase of land.¹ Council directed staff to make an offer, amend that offer in response to a counteroffer, and finally to accept the offer of the seller. The report explains that these votes were taken to direct staff, and that the land purchase was not complete until council voted on the matter in open session. Accordingly, the directions to staff were permitted in camera.

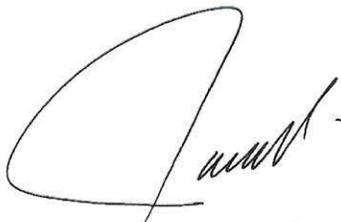
In this case, Hamilton's Selection Committee voted to direct staff to bring a matter forward for council consideration. Staff followed that direction by preparing the motion and ensuring it was brought to council. The committee's recommendation was considered in an open session of council on March 27, 2019. In a recorded vote on item 10.3, council voted to appoint Fred Bennink to the Police Services Board for a term commencing March 27, 2019 and continuing until a successor is chosen.

The appointment to the city's Police Services Board was not complete until council voted on the appointment. The committee's vote did not violate the open meeting rules.

Conclusion

My Office's review found that an improper vote did not occur during the March 1, 2019 closed session. This letter should be shared with council for the City of Hamilton at its next meeting. I will also make a copy of this letter public on my website at www.ombudsman.on.ca.

Sincerely,



Paul Dube
Ombudsman of Ontario

Cc: Janet Pilon, Acting Clerk

¹ South Bruce Peninsula (Town of) (Re), 2015 ONOMBUD 25 (CanLII) **at para. 68, online:** <https://www.canlii.org/en/on/onombud/doc/2015/2015onombud25/2015onombud25.html>.

J. Paul Dubé, Ombudsman

BY EMAIL

Council for the City of Hamilton
Hamilton City Hall
71 Main Street West
Hamilton, Ontario L8P 4Y5

July 4, 2019

Dear Members of Council for the City of Hamilton:

Re: Closed meeting complaints, February 13, 2019 & April 18, 2019

My Office received complaints that portions of two meetings held by the City of Hamilton were closed to the public when entrances to City Hall were locked or barricaded during part of each meeting.

Specifically, the complainant told us that the doors to City Hall were locked during part of the regular meeting of council on February 13, 2019, which commenced at 5:00 p.m. and continued past midnight into February 14, 2019. The complainant also told us that the doors to City Hall were barricaded with temporary barriers during part of the meeting of the Audit, Finance and Administration Committee held on April 18, 2019 at 7:00 p.m.

I am writing to advise you of the outcome of my Office's review of this complaint.

Ontario Ombudsman review

Under the *Municipal Act, 2001*, citizens have the right to request an investigation into whether a municipality has complied with the Act and its procedural by-law in closing a meeting to the public. The Ombudsman is the closed meeting investigator for the City of Hamilton.

My Office reviewed the information provided by the individual who complained about these meetings, including a photo of a barricade blocking access to City Hall. We reviewed the agendas and minutes of both meetings, and spoke with the Acting Clerk and the Mayor. We requested and were provided with the relevant security protocol in place at the time of the meetings, as well as an updated security protocol that has been in place since April 29, 2019.

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

www.ombudsman.on.ca

Council meeting on February 13, 2019

The February 13, 2019 council meeting commenced at 5:00 p.m. The complainant told us that most members of the public who attended the meeting left City Hall when council moved into closed session around 9:45 p.m.; however, a small number of citizens remained in the building to observe the remainder of the meeting. The complainant told us that a member of the public who tried to enter the building around 1:30 a.m. found that the doors were locked and had to be let in from the inside. Council returned to open session around 2:50 a.m., and the meeting adjourned at 3:07 a.m.

The Acting Clerk confirmed that staff received an email from a member of the public at approximately 1:30 a.m. advising that the doors to City Hall were locked. She told my Office that city staff took prompt action to ensure that the doors were manually unlocked by security personnel and remained unlocked for the rest of the meeting. The Acting Clerk explained that the doors had been locked in error and that the city is committed to ensuring City Hall is accessible to the public during all meetings of council and committees.

Audit, Finance, and Administration Committee meeting on April 18, 2019

The April 18, 2019 meeting of the city's Audit, Finance and Administration Committee was comprised of two sessions. The first commenced at 9:30 a.m., and adjourned at approximately 1:30 p.m. The second commenced at 7:00 p.m. and adjourned at 10:02 p.m. April 18 was the Thursday before a long holiday weekend.

The complainant to my Office told us that barricades were erected to physically block access to entrances to City Hall at approximately 8:00 p.m. A photo of one of the entrances showed a wooden barricade with a sign indicating that the building was closed due to a maintenance shut-down.

The Acting Clerk explained that building maintenance had been scheduled at City Hall over the long weekend as no council or committee meetings were scheduled during the holiday, but that staff had been instructed not to block the doors until the end of the committee meeting. However, a member of staff mistakenly put the barricades in place prior to the conclusion of the meeting. The Acting Clerk confirmed that once staff were made aware of the barricades, they were removed. She also confirmed that the doors remained unlocked and unobstructed for the remainder of the meeting.

City Hall access procedure

The Acting Clerk told us that the doors are to remain unlocked during business hours, between 7:30 a.m. and 5:00 p.m. on weekdays, or until the conclusion of any meeting required to be open to the public. She explained that there are doors at the front and the back of the building used by the public to access City Hall and that the doors are manually locked and unlocked by security staff.

At the time of the February 13 and April 18 meetings, we were told that there was no formal policy or written procedure in place specifically setting out a process for security staff to ensure that the doors to City Hall remain unlocked during public meetings.

We were told that going forward, security staff will be aware of all meetings taking place at City Hall that require building access after 5:00 p.m. A comprehensive and up-to-date list of all

meetings and events will be made available to security. As of April 29, 2019, the City's formal *Exterior Public Door Lock-up and Unlock Procedure* (CORPSEC-PO-CH-Access Control (19-04)) states that security staff are to confirm that all public meetings have concluded prior to locking the exterior doors to City Hall.

The procedure now in place also states that "[s]ecurity must ensure that no physical barriers or movable obstacles exist preventing entry or exit at all operational public doors during business / operational hours. This may include pylons, line stations and waste bins." Furthermore, security staff are to inspect all doors at least once an hour outside of regular business hours.

Analysis

Citizens have a right to attend public meetings and view council proceedings in action. The Supreme Court has found that this right is at the foundation of the municipal open meeting rules. Locking doors frustrates that right by preventing the public from "[observing] municipal government in process."¹

My Office has found that locked entrance doors render an otherwise open council meeting illegal.² The fact that the doors are locked inadvertently or without council knowledge does not change the fact that when the doors are locked, citizens are denied access to attend and observe the meeting. Municipal councils are required by the *Municipal Act, 2001* to ensure that meetings are open to the public, which includes an obligation to ensure that the public can access the building and meeting room.

I commend the City of Hamilton for putting in place a formal written procedure to ensure that the doors to City Hall are unlocked during future meetings, regardless of what time of day they occur. The new procedure provides clear direction to security staff to ensure that all public meetings have fully concluded before the doors to City Hall are locked. I urge the city to ensure that staff are fully informed of its new procedure and that it is adhered to at all times.

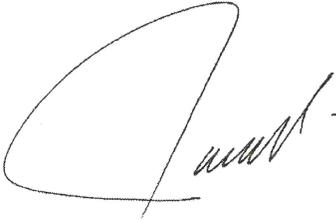
¹ *London (City) v RSJ Holdings Inc* [2007], 2 SCR 588 at para 32.

² See e.g. *London (City of) (Re)*, 2016 ONOMBUD 4 (CanIII); *Fort Erie (Town of) (Re)*, 2016 ONOMBUD 3 (CanIII); and *Russell (Township of) (Re)*, 2017 ONOMBUD 21 (CanIII), and Ombudsman of Ontario, *Press Pause - Investigation into a meeting of council for the Regional Municipality of Niagara on December 7, 2017* (July 2018), online: <<https://www.ombudsman.on.ca/resources/reports-and-case-summaries/reports-on-investigations/2018/press-pause>>.

Conclusion

I would like to thank the city for its co-operation during my Office's review of this complaint, and for indicating to us that this letter would be included as correspondence at the next meeting of council.

Sincerely,



Paul Dube
Ombudsman of Ontario

Cc: Janet Pilon, Acting Clerk

5.9 (a)

July 8, 2019

Dear Mayor Fred Eisenberger,

We write to you as scholars who live and work across our shared urban region - the Greater Golden Horseshoe in the territory of the Dish With One Spoon Wampum. We write to register profound concern about the recent treatment of members of Hamilton's queer, trans and Two Spirit community by your office and by the Hamilton Police Services. We are disappointed with your conduct, outraged by the unjust treatment of queer, trans and Two Spirit people, and insistent that Hamilton can and must do better.

Organized hate groups descended upon Hamilton's 2019 Pride celebrations in an attempt to intimidate and harass participants. In response, members of Hamilton's queer, trans and Two Spirit community mobilized creative tactics to physically shield pride participants and protect them from violence and hatred. Instead of supporting members of the 2SLGBTQ+ community, your office and the Hamilton police aggressively targeted and criminalized them. This is a troubling reminder of the necessity of Pride, a global movement that emerged out of the 1969 Stonewall Rebellion in which queer and trans New Yorkers, many of colour, resisted systemic police violence.

Recent events in Hamilton are also just one episode in a much larger story of marginalization of local queer, trans and Two Spirit people. As an [important June 2019 report](#) makes clear, members of Hamilton's 2SLGBTQ+ community are experiencing deepening forms of socio-economic marginalization, and harassment in public spaces and services. The report documents that 51% of respondents have experienced discrimination or harassment in outdoor public spaces and 53% of respondents have experienced harassment, violence or hate crimes at least once in Hamilton. For transgender respondents, this number was 61%. The report also highlights the lack of trust in the police; only 10% of respondents who had experienced harassment, violence or hate crimes reported the incident. 26% faced barriers or discrimination in housing, and unemployment rates are nearly twice the level of the broader population. This is unacceptable.

These are serious times and the stakes are high. The emboldening of right wing extremism can have life or death consequences for 2SLGBTQ+ people. We implore you to show responsible leadership and to choose the right path by:

1. Releasing all queer, trans and Two Spirit people incarcerated in relation to Pride events and dropping all charges against Pride defenders;
2. Consulting with Hamilton's established 2SLGBTQ+ advisory committee on ways forward;
3. Initiating discussions with your 2SLGBTQ+ advisory committee about the creation of community space.

Sincerely,

Jennifer Good, Department of Communication, Popular Culture and Film, Brock University
David McIntosh, Professor, Digital Futures, OCAD University
William Graham, Professor Emeritus of Philosophy, University of Toronto
Jennifer Nedelsky, Professor, Osgoode Hall Law School, York University

Lance T. McCreedy, Department of Leadership, Higher & Adult Education, University of Toronto
Deborah Cowen, Department of Geography & Planning, University of Toronto, Robert Nelder,
National Seniors Advisory Council to Egale,
Suzanne Mills, Labour Studies & Geography and Earth Sciences, McMaster University
Ute Lehrer, Professor, Faculty of Environmental Studies, York University
Sue Ruddick, Department of Geography & Planning, University of Toronto.
Craig Fortier, Department of Social Development Studies, Renison University College
Matthew Farish, Department of Geography & Planning, University of Toronto
Patricia Wood, Department of Geography, York University
Ranu Basu, Department of Geography, York University
Joshua Moufawad-Paul, Department of Philosophy, York University
Shiri Pasternak, Department of Criminology, Ryerson University
Brett Story, School of Image Arts, Ryerson University
Mary Nyquist, Department of English and Comparative Literature, University of Toronto
Joseph Carens, Department of Political Science, University of Toronto
Alissa Trotz, Caribbean Studies & Women and Gender Studies, University of Toronto
Mark Hunter, Department of Human Geography, University of Toronto
Elspeth Brown, Department of History, University of Toronto
Whitney Kemble, Library, University of Toronto Scarborough
Linda Peake, Professor, Department of Social Science, York University
Natalie Zemon Davis, Department of History, University of Toronto
Dana Seidler, Professor of English, Director of the Centre for Sexual Diversity Studies
Chester Scoville, Department of English, University of Toronto
Maureen FitzGerald, Fellow, The Mark S. Bonham Centre for Sexual Diversity Studies
Victor Li (Emeritus), Dept. of English and Centre for Comparative Literature
Kass Banning, Cinema Studies Institute, University of Toronto
Rebecca Nelson, Department of Geography & Planning, University of Toronto
Katherine McKittrick, Professor, Dept of Gender Studies, Queen's University
Katherine Blouin, Associate Professor, Departments of Historical and Cultural Studies and of
Classics, University of Toronto
Natalie Oswin, Department of Geography, McGill University
Girish Daswani, Associate Professor, Department of Anthropology, University of Toronto
Peter Fitting, emeritus, French/Cinema Studies, University of Toronto
E. Natalie Rothman, History, University of Toronto
Nancy Jackson, (Emerita) OISE, University of Toronto
Jamie Magnusson, Associate Professor, OISE, University of Toronto
Atiqa Hachimi, Department of Historical and Cultural Studies, University of Toronto
Rebecca Comay, Department of Philosophy and Centre for Comparative Literature , University
of Toronto
Stephanie Ross, Associate Professor, School of Labour Studies, McMaster University
Sarah Wakefield, Department of Geography and Planning, University of Toronto
Naomi Nagy, Professor, Department of Linguistics, University of Toronto
Carolyn Prouse, Department of Geography and Planning, Queen's University
Eva-Lynn Jagoe, Centre for Comparative Literature, University of Toronto

Karina Vernon, Associate Professor, Department of English University of Toronto Scarborough
Peter Johnson, Associate Professor, Department of Geography and Environmental Management, University of Waterloo
Ken Derry, Department of Historical Studies, University of Toronto
Jo Sharma, Historical and Cultural Studies Department, University of Toronto
Melanie Heath, Associate Professor, Department of Sociology, McMaster University
Kanishka Goonewardena, Associate Professor, Department of Geography and Planning, University of Toronto
Gavin Smith, Department of Anthropology, University of Toronto
Gabrielle Moser, Assistant Professor, Faculty of Liberal Arts and Sciences & School of Interdisciplinary Studies, OCAD University
Ebru Ustundag, Associate Professor, Department of Geography and Tourism Studies, Brock University
Honor Ford-Smith, Associate Professor, Faculty of Environmental Studies, York University
Tina Fetner, Associate Professor, Sociology, McMaster University
Grace Adeniyi-Ogunyankin, Departments of Geography & Planning and Gender Studies, Queen's University
Mariana Valverde, Professor, Centre for Criminology & Sociological Studies
Shannon Moore, Director of Women's and Gender Studies, Associate Professor Child and Youth Studies, Brock University
Victoria Tahmasebi-Birgani, Women and Gender Studies Program, University of Toronto Mississauga
Margot Francis, Associate Professor, Women and Gender Studies, Brock University
Tamara El-Hoss, Associate Professor, Modern Languages, Literatures and Cultures, Brock University
Emily Gilbert, Professor, Director of the Canadian Studies Program, Department of Geography and Planning, University of Toronto
Zaheer Baber, Department of Sociology, University of Toronto
Scott Morgensen, Associate Professor, Department of Gender Studies, Queen's University
Robyn Bourgeois, Assistant Professor, Women's and Gender Studies, Brock University
Mary-Beth Raddon, Associate Professor, Sociology, Brock University
Simone Weil Davis, Assistant Professor, Associate Director, Ethics, Society & Law, Trinity College, University of Toronto
Isabelle Cochelin, Centre for Medieval Studies and Dept of History, University of Toronto
James Deutsch, Div. of Child and Adolescent Psychiatry, University of Toronto
David Townsend, Professor Emeritus, Centre for Medieval Studies, University of Toronto
Edward Sammons, CDTs, University of Toronto
Franca Iacovetta, Professor of History, University of Toronto
Steven Tufts, Department of Geography, York University
Lisa Boucher, Gender & Women's Studies, Trent University
Min Sook Lee, Associate Professor, Art & Social Change, OCAD University
Bhavani Raman, Associate Professor of History, University of Toronto
Harriet Sonne de Torrens, Librarian, University of Toronto Mississauga
Leanne Taylor, Associate Professor, Faculty of Education, Brock University

Luca Somigli, Professor, Dept. of Italian Studies, University of Toronto
Gokboru Sarp Tanyildiz, Sociology Department, York University
Michelle Buckley, Department of Human Geography, University of Toronto Scarborough
Nancy Cook, Department of Sociology, Brock University
Meg Luxton, School of Gender, Sexuality and Women's Studies, York University
Luisa Sotomayor, Assistant Professor, Faculty of Environmental Studies, York University
David Butz, Professor, Department of Geography & Tourism Studies, Brock University.
Richard Fung, Professor, Faculty of Art, OCAD University
Vinh Nguyen, Assistant Professor, English, University of Waterloo
Jenny Foster, Associate Professor, Faculty of Environmental Studies, York University
Mark Thomas, Associate Professor, Department of Sociology, York University
Stefan Kipfer, Associate Professor, Faculty of Environmental Studies, York University
Alexis Kyle Mitchell, PhD, Department of Geography and Planning, University of Toronto
Janet M. Conway, PhD, Nancy's Chair in Women's Studies, Mount Saint Vincent University and
Professor of Sociology, Brock University
Rebecca Raby, Professor, Department of Child and Youth Studies, Brock University
Kamala Kempadoo, Professor, Department of Social Science, York University
Angela Henshilwood, Engineering Librarian, University of Toronto
Nelly Cancilla, Digital Scholarship & Liaison Librarian, University of Toronto Mississauga
Nancy Worth, Assistant Professor, Department of Geography & Environmental Management,
University of Waterloo
Justin Podur, Associate Professor, Faculty of Environmental Studies, York University
Beatrice Jauregui, Assistant Professor, Centre for Criminology & Sociolegal Studies, University
of Toronto

Cc: Chief Eric Girt, Hamilton Police Services; Hamilton Police Services Board

Dear Mayor Eisenberger and Hamilton City Councillors,

We are writing to express our strong concern and objection to the repression of queer community members in Hamilton following the disruption of Hamilton Pride by far right groups and religious extremists.

We are outraged that the Hamilton Police – who chose not to intervene to stop far-right extremists from disrupting Pride [1] – instead have criminalized those in the LGBTQQI2S community who stood up to and created a barrier between the intruders and the Pride attendees. In the words of former Hamilton City Councillor Matthew Green, who attended the Pride event, the "far-right evangelicals" were "just there to sucker-punch people." He further stated that he had "to commend the residents who came with the barrier," adding these people were only trying to block "vitriolic and hateful" posters.[2]

Since the disruption of Hamilton Pride, five queer community members have been arrested. Three were accused of parole violations for "participating in a public demonstration where the peace was disrupted." This charge ignores the fact that this Pride event was meant to be a celebration of the LGBTQQI2S community, not a site of protest. The blame lays clearly on the outsiders for disrupting the celebration, and the erection of a barrier was meant to stop their disruption. This victim-blaming, quite literally, is akin to charging someone with disturbing the peace for being punched in the face.

In particular, the arrest of LGBTQQI2S community member Cedar Hopperton, is especially concerning given that they were not even present at the Pride event. In the words of the Hamilton & District Labour Council, "The arrest was made, suspiciously, after Cedar made a delegation at City Hall in which she was critical of the Hamilton Police. The arrest of Cedar screams of retaliation and pettiness. Such an action is unacceptable at a leadership level. Should any of this retaliation be uncovered, we would expect resignation and/or disciplinary action of senior officers responsible for this directive." [3]

We join over 55 professors and academics at McMaster University, as well as the Hamilton and District Labour council and countless members of the LGBTQQI2S community nationally, in calling for the immediate release of Cedar Hopperton, and the halt of the repression of those defending the Pride community from hateful attacks.

Signed,

The Youth Project, Halifax

Solidarity K'jipuktuk Halifax

Nova Scotia Public Interest Group (NSPIRG)

Canadian Students for Sensible Drug Police, Dalhousie

Dr. Ardath Whynacht, Professors, Sociology, Mount Allison University

Alex Khasnabish, PhD, Associate Professor and Chair, Sociology & Anthropology, Mount Saint Vincent University

Sherry Pictou, PhD, Women's Studies (Indigenous Feminism), Mount Saint Vincent University

Dr. Roni Gechtman, Associate Professor, Department of History, Mount Saint Vincent University

Dr. Martha Walls, Associate Professor, Department of History, Mount Saint Vincent University

Michael Truscello, Associate Professor, Department of English, Mount Royal University

Liz Fitting, Associate Professor, Sociology & Social Anthropology, Dalhousie University

Dave Thomas, Associate Professor, Politics & International Relations, Mount Allison University.

Tracy Glynn, Instructor, University of New Brunswick

Edith Snook, Professor, Department of English, University of New Brunswick

Vladimir Tasic, University of New Brunswick Fredericton, Mathematics and Statistics

Reid Lodge, Grant Facilitator, UNB Office of Research Services

Tia Dafnos, Assistant Professor, Sociology, University of New Brunswick

Miriam Jones, Ph.D., Associate Professor of English at the University of New Brunswick Saint John and Westmount SS Class of '76

Susan O'Donnell, Researcher and Adjunct Professor, University of New Brunswick

Karen Pearlston, Associate Professor, Faculty of Law, UNB

Gregory S Kealey, Professor Emeritus History, University of New Brunswick

Jack Gegenberg, (Retired) Professor of Mathematics, Department of Mathematics and Statistics, University of New Brunswick

Charlie Huntley, co-owner Glittter Bean Cafe

Amanda Rekunyk CHT, Executive Director of Balanced Generations, a non-profit society (Halifax)

Ted Rutland, Associate Professor, Department of Geography, Concordia University

Thomas Waugh, Distinguished Professor Emeritus, School of Cinema, FB319, Concordia University

Mary Ellen Davis, Part-time Faculty, School of Cinema, Concordia University

David Moffette, Assistant Professor, Department of Criminology, University of Ottawa

Jennifer Henderson, Associate Professor, Department of English Language and Literature & School of Indigenous and Canadian Studies, Carleton University

Bill Skidmore, professor of Human Rights and Social Justice, Carleton University

Dr. Jacqueline Kennelly, Associate Professor, Dept of Sociology and Anthropology, Carleton University

Jeff Monaghan Carleton University, Criminology/Sociology

Sarah Brouillette, Professor, Department of English, Carleton

Marie-Eve Carrier-Moisan, Associate Professor in Anthropology, Carleton University

Alexis Shotwell, Professor, Department of Sociology and Anthropology, Carleton University.

Rena Bivens, Associate Professor, School of Journalism and Communication, Carleton University

Laura Horak, Director of the Transgender Media Portal, Associate Professor of Film Studies, School for Studies of Art and Culture, Carleton University

Gary Kinsman, Professor Emeritus, Sociology, Laurentian University

Dr. Max Haiven, Canada Research Chair in Culture, Media and Social Justice, Lakehead University

Sandra Jeppesen, Lakehead University Orillia

Irina Ceric, Criminology Instructor, Kwantlen Polytechnic University

Shiri Pasternak, Assistant Professor, Criminology, Ryerson University

Dr. Craig Fortier, Assistant Professor, Social Development Studies, Renison University College (University of Waterloo)

Dr. Ryan Conrad, Vice-Chair, Sexual Studies Association, SSHRC Postdoctoral fellow, Cinema and Media Studies, York University

Lesley Wood, Associate Professor and Chair, Dept of Sociology, York University

Catriona Sandilands, Professor, Faculty of Environmental Studies, York University

Chris Vance, PhD candidate, York University

John Greyson, filmmaker/Associate Professor, film, York University

Nick Mulé, PhD, Associate Professor, School of Social Work, Faculty of Liberal Arts and Professional Studies, York University

Linda Briskin, Phd, Professor Emeritus, School of Gender, Sexuality and Women's Studies, York University

Lisa Droogendyk, PhD, Professor of Psychology, School of Social and Life Sciences, Sheridan College. Oakville, Ontario

Carol Dauda, Associate Professor, Department of Political Science, University of Guelph

Dr. Natalie Kouri-Towe, Program Director, Interdisciplinary Studies in Sexuality, and Assistant Professor, Simone de Beauvoir Institute, Concordia University

Dror Warschawski, Associate Professor, Department of Chemistry, UQAM

E. Sandra Byers, Professor & Chair, Department of Psychology UNB; Research Fellow, Royal Society of Canada; Past-President, International Academy of Sex Research

Françoise Miquet, Part-time teacher in French as a second language, translator and PhD student in Translation Studies, Université de Montréal

Gail Vanstone, Associate Professor, Department of Humanities, Faculty of Liberal Arts & Professional Studies, York University

Geneviève Rail, Ph.D., Full Professor, Simone de Beauvoir Institute, Concordia University

Jim Phillips, Faculty of Law & Dept of History, University of Toronto

Laverne Jacobs, PhD, Associate Dean (Research & Graduate Studies), University of Windsor, Faculty of Law

Sharry Aiken, Associate Professor, Queen's University Faculty of Law

Thomas Kuttner, QC

OPIRG Toronto

LSPIRG

QT CASE - Queer Trans Community Action Support and Education

Chinese Canadian National Council Toronto Chapter

AKA Autonomous Social Centre

KW May Day

The Black Umbrella

KW Infoshop

1. This twitter testimony suggests that Hamilton Police deliberately were ineffective in de-escalating violence at Pride.

<https://twitter.com/CameronKroetsch/status/1141422010070982657>

These twitter testimonies quote a police officer at Pride as saying “don’t you remember that we weren’t invited to Pride? We’re just going to stand here. Not my problem.”

<https://twitter.com/Morethanquirks/status/1140019726904692736>

<https://twitter.com/Morethanquirks/status/1140008358780506112>

2. Carter, Adam. “'Hateful' protest at Hamilton Pride event condemned” June 15, 2019.

<https://www.cbc.ca/news/canada/hamilton/hamilton-pride-festival-altercation-police-1.5177439>

3. Halifax and District labour council statement, June 24, 2019

https://www.facebook.com/hamiltonlabour/posts/10156549959608865?__xts__%5B0%5D=68.ARDSGLivW1op60XFp7XRjVcpbTrRVnN4Zrn_8yF2DK2UbLpzWLaV0D9Bb2MEVHslSjw68PcAEFnHQfWYTeVUlgviLzcofYJjgFJGfH7ug5DZ9nTBxRBmtTx7gG1_POox70KFaAhNtlivFBJgMhFeQA-2XuCKCCb-jynYWRzj6PdLf05ISV4ogKp9H-cLsjWdyZpRWmNmctopU3GI2zYU-skizFGXrkp6uGWNQNoiqHupSEd2PWae6GxD35AoWpoth0OfUXywVCRENdZuENEINWwBkPbxrWtHC6H3X8dWbCtkldPgoOq3DSfGU7mP-fOy-whqif_AP0h9znBS&__tn__=K-R

Pilon, Janet

Subject: Why did it take over 3 weeks for you to acknowledge the pain and fear of the queer community in the city you lead?

From: Alix MacLean

Sent: July 9, 2019 12:16 PM

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

Subject: Why did it take over 3 weeks for you to acknowledge the pain and fear of the queer community in the city you lead?

Mayor Eisenberger,

I continue to be disappointed in the city's approach to this crisis. I'm sure you're hoping that the outrage will die down and go away soon. You took far too long to do the basic decent human thing and acknowledge that a vulnerable community targeted with violence and bigotry was hurting and living in fear.

None of these fears will be allayed by criminalizing dissent. The current plan to stop hate on city property does not protect anyone, but leaves many people vulnerable to police harassment.

I have to wonder who is advising you on these issues. Your attempt to separate the community into "good queers" like Deidre Pike and "bad queers" like Cedar Hopperton is failing. The terrible handling of this situation by the city and the Hamilton police has made Hopperton into a much more sympathetic character than was necessary, but that is on you.

Your comments about supporting the police no matter what are absolutely ludicrous. Police forces everywhere need as much civilian oversight as is legally possible or they will abuse their power. Individual officers may well be good people, but as a group, given unchecked power and limited oversight, they will not serve the whole community.

I want to see more diverse people with an understanding of marginalized communities' concerns on the police board.

Hamilton has an opportunity to be a leader in the fight against bigotry and racism, but is currently revealing itself to be a reactionary, dangerous city for marginalized people. I expected more from this city.

Alix MacLean

Ward 1

Pilon, Janet

Subject: FW: Have a heart

From: chantal stieler

Sent: July 10, 2019 2:48 PM

To: Office of the City Manager <CityManager@hamilton.ca>

Subject: Have a heart

Good day,

On my drive into work this morning I heard on the radio that a Hamilton woman has to find a new home for her two beloved ducks (and chickens?) The city of Hamilton has turned down her appeal for a "special permit" to keep her beloved fowl of 9 years, this is a sad story.

Aside from the fact that these 'fowl' are now a *part of her family*, there are many environmental/horticultural benefits to keeping ducks, chickens and geese. They do a great job of taking care of slugs and other "pests" in the garden, chemical free. They also provide one of the best organic fertilizers.

There are many municipalities in Ontario as well as other provinces in Canada along with Europe, that allow people to keep fowl on private properties, meeting the regulated requirements, and obtaining permits when deemed necessary.

We have ducks and geese in our community parks, can't we allow people to share their private property with these animals (on an appropriate scale)? Allow people to have them in their yards when the proper requirements, regulations, permits are met?

Below I've shared a link of just one example demonstrating some of the benefits of sharing our gardens and yards with fowl. I pulled this up after a quick search. There are many other sources of information available.

<https://pcei.org/living/living-com-resources/permaculture/chickens-in-permaculture/>

I hope you reconsider the decision to enforce this woman to re-home her birds.

Kind regards,

Chantal 

5.10 (b)

July 11, 2019

71 Main St W, Hamilton,

ON L8P 4Y5

Dear Ms. Lisa Chamberlain, Mayor Fred Eisenberger,

Thank you for the opportunity to have a final submission in my plea for clemency for my pets, Quacker and Sunny. Both these animals are domesticated ducks, and fall under the Hamilton By Law outlawing livestock.

In my submission, I outlined primarily my concerns for my older female, who is 9, so quite old, and suffering from arthritis in her leg, making her lame. My fear is her well being, both integrating with a flock, and the care and stress she may have both in relocating, and her needs with respect to her arthritis. Being lame makes it challenging for her, and puts her at risk with a pecking order in a flock, and her general well being. I believe she still has a quality of life, and have observed her condition for this. Both ducks are bonded with me, and with each other. They are truly pets.

I have had ducks as pets for many years now, and have properly managed them, and knowing that they were not allowed, have always been mindful of their care, and any disturbances that they could potentially cause. My neighbours have always enjoyed seeing them, having their children and grandchildren play with them, and they have even attended the neighbourhood school for a visit.

Their shelter is simple, a cage within a shed, and a small run. In the winter they are provided a source of heat, which they largely ignore, and I will even bring them inside during extreme cold snaps, which is most likely solely from my worry than their actual need.

In warmer months they are allowed to simply graze in the backyard. I do have a pen on a concrete run, which allows for me to hose it down and keep their area clean.

I wanted to propose an exemption or a licensing process for them. The City would be able to monitor for issues and address accordingly.

I have also had rabbits housed outside also. Having been a resident of this community for 16 years, I have always had animals outside, and have worked to be mindful and considerate of my neighbours. It is my argument that having rabbits housed outside would fall within the City by law orders, as are pot bellied pigs, and the circumstances around their care would be no

different than having two ducks. Meaning that the issues would potentially be the same. I believe I have had a good communication with my neighbours in the past, and have good relationships with those around me.

In addressing some concerns that were raised within the meeting by a neighbour of mine, I would like to be able to put a voice to that.

I had not raised this contentious issue in my meeting, because I truly believed the issue was resolved, and entirely not related to my pets. I had believed my neighbour when she on 3 occasions stated it was not her who reported my pet ducks. Stating emphatically it was not her. When I tried to explore this further, it was further emphasized that it was not her, and that she swore it to be true. I was left wondering who did. I had several neighbours ask did I know who reported me, and a couple suggested it was one particular owner who lived on the adjacent street who had a history of calling the City for various infractions. In further addressing the concerns raised in the meeting, my neighbour Jen Smith came to me to inform me of the situation within her greenhouse. I was surprised by what she had shown me, which was obvious tunneling and housing of rodents. I have had a relationship with Jen due to the neighbourhood being close, and our children of similar age playing together. I wanted to assist her in this, because as a newly single mom, I felt it would have been unmanageable for her. I had asked her if she would like my husband to help her.

I had expressed concern at the time over the matter, stating that they were living in the the greenhouse and probably had come for shelter during the winter. I further expressed concern in the ability for it to be cleaned, as it had a raised floor of fertilized soil that elevated it above the ground by about a foot, and had wooden partitions throughout. I had stated that it would need to be cleaned, in some way, to have the rodents kept out. And to ensure no sources of food were available. I acknowledged at that time that I had been feeding squirrels and birds along the fence line, as there are many, we have a lot of trees, and that I would further ensure that any garbage, recycle, green bin would be properly stored. We had agreed that if we worked together it would be resolved. She had addressed my animals, and I had stated at that time that the food was kept in a metal bin, housing was clean, and that I would take extra precaution during this time to ensure that this would be resolved. In addition I spoke to her neighbour, whose backyard also backs onto my property. I had advised him of the issue that Jen was experiencing. I also acknowledged my ducks at that time. He had stated to me that the recent sewer work on their street, twice in the last year, had most likely displaced the rodents, and they had taken up residence. He further stated he was not concerned about my ducks, or that they were the source, and that Hamilton had an issue with rodents. I had previously been not completely aware of this. I was aware of a resident on the West Mountain approximately two years ago, who had an issue with rats, and did not have any livestock. This bolstered my feelings around this matter. I further communicated with Jen, and offered an inspection of my property to alleviate her concerns. I had advised that I was willing to work with her on this matter, and that I was further concerned of health issues that this could have, and the risk of the rodents attacking my ducks. She was in agreement.

In the following day I received a notice from City by Law regarding my ducks. I approached Jen and asked her if this was her report, she adamantly stated no. I went to all my neighbours and asked them, they all responded no, and that they did not have an issue with my ducks. Perplexed as to what the source of the report was, I had gone back to Jen, to ask. On two more occasions she had stated that she had not, that she did not know who did. I even hugged her and told her that I believed her. I continued to work with her on her situation, stating my concerns of her greenhouse and the inability to clean it. Two days later the greenhouse was being dismantled. Once the greenhouse was dismantled, the rodent situation disappeared. I believed that this was evidence alone.

I further was open to my neighbour in all matters, including trying to get an appeal for my pet ducks. I was going to approach her to point out the fact that once the greenhouse was down, the issue disappeared. To note, I had my ducks for two more weeks due to an extension on the order. I felt that this was good evidence, and let the matter lay to rest, as I worked to try to save my pets. I did believe that Jen was not the source of the complaint, although I felt she had wanted to pinpoint me and lay blame without being open to the situation and solutions in the matter.

It had been my intention to resolve communication with Jen Stewart, and further advise her of my delegate submission. I had thought it perhaps I would advise her following, as I had been hopeful for a successful outcome. I believe that this had become a neighbour dispute as to the source of issue, and remedy for it. I maintain that I was open to helping and resolution, and further monitoring of the situation.

I have further communicated since my delegate meeting with my surrounding neighbours, who indicated a willingness to sign a statement for me, that they did not have concerns with my ducks.

I do have a petition on line that has gathered about 730 signatures. In addition to that, many phonecalls and messaging through social media in support.

I was surprised to see in the comments of the Twitter feed, that there were some that expressed having issues with rats, and they did not have ducks, or their neighbours.

I have had further private conversations regarding this, and many have stated that the change in the environment, water flooding and sewage issues, is the cause behind issues with wildlife, including having issues with coyotes in urban dwellings.

I am just trying to save my pets at this time. Outlining as openly as I can.

It is true that I understood that this was against the by law. I had always hoped that I would be able to move into the country. Financial barriers have just proven to be an obstacle.

I thank you for allowing me a final submission, Lisa Chamberlain and Mayor Fred Eisenberger.

Sincerely,

Lorraine Appleyard

Pilon, Janet

Subject: Evolving Fire Risks in North Western Ontario - Critical Need for Host Capacity

Importance: High

-----Original Message-----

From: Cassells, Aileen (SOLGEN) <Aileen.Cassells@ontario.ca>

Sent: July 10, 2019 11:17 AM

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

Cc: Cunliffe, Dave <David.Cunliffe@hamilton.ca>; Marples, Kirsten <Kirsten.Marples@hamilton.ca>; Mater, Grace <Grace.Mater@hamilton.ca>; PEOC Commander (MCSCS) <PEOC.Commander@ontario.ca>; PEOC Comd LO (SOLGEN) <PEOC.Comd.LO@ontario.ca>; PEOC Log Chief (SOLGEN) <PEOC.Log.Chief@ontario.ca>; Johnson, Paul <Paul.Johnson@hamilton.ca>; Verhaeghe, Connie <Connie.Verhaeghe@hamilton.ca>; Pegg, Jon (SOLGEN) <Jon.Pegg@ontario.ca>; Kainth, Aman (SOLGEN) <Aman.Kainth@ontario.ca>; PEOC Ops Chief (SOLGEN) <PEOC.Ops.Chief@ontario.ca>

Subject: Evolving Fire Risks in North Western Ontario - Critical Need for Host Capacity

Mayor Eisenberger and Clerk Pilon,

Forest fire conditions in the northwest of the Province of Ontario have increased in severity over the past 24 hours. Over 20 First Nations are at risk for smoke and ash from fires impacting the community. The Province of Ontario has committed all available capacity to accommodate evacuees and that capacity is insufficient to meet the immediate need.

We would like to formally request the support of the City of Hamilton to serve as a host community for evacuees whose health and safety has been threatened as a result of the forest fires.

Costs associated with serving as a host community will be covered by Indigenous Services Canada (ISC). We will be happy to work with you and ISC to address any questions concerning financial reimbursement.

We would be happy to answer any questions you or your staff have about serving as a host. Please send any questions or your response concerning this request to the Provincial Emergency Management Operations Centre Commander at: PEOC.Commander@ontario.ca<mailto:PEOC.Commander@ontario.ca> or via 1-866-314-0472.

We are facing an urgent situation and any support will be greatly appreciated.

Thank you very much for your consideration of this request.

Aileen

Aileen Cassells
Deputy Chief, Operations
Office of the Fire Marshal and Emergency Management
Cell: 416-453-5465



GENERAL ISSUES COMMITTEE REPORT 19-013

9:30 a.m.

Monday, July 8, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent: Councillors S. Merulla, T. Whitehead – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 19-013 AND RESPECTFULLY RECOMMENDS:

**1. Local Impact of the Celebrate Ontario Fund on Festivals in Hamilton
(PED19147) (City Wide) (Item 7.1)**

That Report PED19147, respecting the Local Impact of the Celebrate Ontario Fund on Festivals in Hamilton, be referred to the August 2019 Emergency & Community Services Committee meeting.

2. Recognition for Local Order of Canada Recipients (Item 8.1)

That the presentation provided by Justin Page, CM, respecting recognition for local Order of Canada Recipients, be received and referred to staff for appropriate action.

3. Hamilton Urban Indigenous Strategy (HSC19030) (City Wide) (Item 9.1)

That the direction of the Hamilton Urban Indigenous Strategy, be endorsed, in principle.

- 4. 2020 Budget Guidelines, Outlook and Process (FCS19054) (City Wide) (Item 9.2)**
- (a) That staff be directed to report back on a list of user fees that can be increased towards full cost recovery, or user fee waivers (including marginal cost facility leases) that can be reduced or eliminated over a one to three-year phase in period;
 - (b) That for all other user fees, the fee be increased by a rate of 3.0% and that any user fee increases below the guideline be forwarded for consideration with appropriate explanation;
 - (c) That staff be directed to report back to the General Issues Committee by October 2019 with an updated 2020 Tax Budget Outlook, with that report to provide actions, as it relates to all three (3) of the following scenarios:
 - (i) Options that result in a 2.0% tax increase for City Departments, plus a 1.3% tax increase for Capital and a tax increase for Provincial Funding Shortfalls (currently estimated at 1.3%). This would result in a tax increase of about 4.6% and require \$18.3M in reductions from the current Outlook position;
 - (ii) Options that result in a 1.0% tax increase for City Departments plus a 1.3% tax increase for Capital and a tax increase for Provincial Funding Shortfalls (currently estimated at 1.3%). This would result in a tax increase of about 3.6% and require \$27.0M in reductions from the current Outlook position;
 - (iii) Options that result in a 0.0% tax increase for City Departments, plus a 1.3% tax increase for Capital and a tax increase for Provincial Funding Shortfalls (currently estimated at 1.3%). This would result in a tax increase of about 2.6% and require \$35.7M in reductions from the current Outlook position;
 - (d) That Police, Library and Conservation Authorities target a 2020 tax operating budget guideline based on an increase of 2.0% and that any increase beyond the guideline be forwarded for consideration with explanation;
 - (e) That all other Boards and Agencies including Hamilton Beach Rescue Unit, Royal Botanical Gardens, Farmers' Market and the Community Enrichment Fund target a 0% increase and that any increase beyond the guideline be forwarded for consideration with explanation;

- (f) That the 2020 Tax Capital budget be submitted with a 0.5% tax increase for capital financing of discretionary block funded projects; an additional 0.26% tax increase for capital financing of Public Transit Infrastructure Fund (PTIF) projects; an additional 0.23% for DC Exemptions; and, an additional 0.14% increase for capital financing of the Downtown Office Accommodation Strategy;
- (g) That staff report back, to the General Issues Committee, with options that include the use of reserves, reducing reliance on debt and reducing operating costs in order to reduce the current projection of a rate 4.5% increase when submitting the 2020 Rate Supported Budget;
- (h) That the matter of a 0.13% increase for capital financing of West Harbour Development (WH) for a total of 1.3% tax increase, be referred to the West Harbour Development Sub-Committee for consideration; and,
- (i) That staff be directed to report back to the General Issues Committee, with an alternative funding strategy that would reflect the commitment to transit by senior levels of government.

5. Impact of Provincial Policy Changes (FCS19053) (City Wide) (Item 10.1)

That Report FCS19053, respecting the Impact of Provincial Policy Changes, be received.

6. Business Improvement Area Advisory Committee Report 19-006, June 11, 2019 (Item 10.2)

That Item 2 of the Business Improvement Area Advisory Committee Report 19-006, which reads as follows, be referred to the Hamilton Police Services Board for discussion:

2. Increased Community Policing and Engagement Within the Business Improvement Areas (Item 9.2)

That the Hamilton Police Services Board be requested to investigate the feasibility of more community policing and engagement within the Business Improvement Area's across the City and respond back to the Business Improvement Area Advisory Committee.

7. Airport Sub-Committee Report 19-003, June 21, 2019 (Item 10.3)

(a) Property Acquisition and Lease Negotiations for the John C. Munro Hamilton International Airport (PED19136) (City Wide) (Item 14.3)

That the contents of Report PED19136, respecting the Property Acquisition and Lease Negotiations for the John C. Munro Hamilton International Airport remain confidential.

(b) Sub-Lease Negotiations for the John C. Munro Hamilton International Airport (PED19137) (City Wide) (Item 14.4)

That the contents of Report PED19137, respecting Sub-Lease Negotiations for the John C. Munro Hamilton International Airport including recommendations, remain confidential.

(c) Consultant Support for Lease Negotiations Between the City of Hamilton and TradePort International Inc. for the John C. Munro Hamilton International Airport (PED19135) (City Wide) (Item 14.5)

That the contents of Report PED19135, respecting Consultant Support for Lease Negotiations between the City of Hamilton and TradePort International Inc. for the John C. Munro Hamilton International Airport including recommendations, remain confidential.

8. Non-Union Compensation Sub-Committee Report 19-001, June 24, 2019 (Item 10.4)

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

(i) That Councillor L. Ferguson be appointed as Chair of the Non-Union Compensation Sub-Committee for the balance of the 2018-2022 term of Council; and,

(ii) That Councillor M. Pearson be appointed as Vice Chair of the Non-Union Compensation Sub-Committee for the balance of the 2018-2022 term of Council.

(b) 2019 Non-Union Management & Professional Exempt Group Compensation (HUR19014) (City Wide) (Item 8.2)

That the contents of Report HUR19014, respecting the compensation of the Non-Union Management & Professional Exempt Group of employees, remain confidential until approved by Council.

9. Affordable Housing Site Selection Sub-Committee Report 19-001, June 18, 2019 (Item 10.5)

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

- (i) That Councillor C. Collins be appointed Chair of the Affordable Housing Site Selection Sub-Committee, for the 2018-2022 term; and,
- (ii) That Councillor N. Nann be appointed Vice-Chair of the Affordable Housing Site Selection Sub-Committee, for the 2018-2022 term.

(b) Properties and Process for Disposition of Lands for Affordable Housing (PED17219(a)) (City Wide)

That Report PED17219(a), respecting Properties and Process for Disposition of Lands for Affordable Housing, be received.

(c) Affordable Housing Initiative - 191 York Boulevard (PED19133) (Ward 2) (Item 14.1)

That the entirety of Report PED19133, respecting an Affordable Housing Initiative - 191 York Boulevard, remain confidential.

(d) Disposition and Transaction Strategies to Achieve Affordable Housing At 60 Caledon Avenue (PED19134) (Ward 8) (Item 14.2)

That the entirety of Report PED19134, respecting Disposition and Transaction Strategies to Achieve Affordable Housing At 60 Caledon Avenue, remain confidential.

**10. School Board Properties Sub-Committee Report 19-001 - June 24, 2019
(Item 10.6)**

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

- (i) That Councillor C. Collins be appointed as Chair of the School Board Properties Sub-Committee, for the 2018-2022 term; and,
- (ii) That Councillor S. Merulla be appointed as Vice-Chair of the School Board Properties Sub-Committee, for the 2018-2022 term.

(b) Hamilton-Wentworth District School Board Property at 155 Macassa Avenue, Hamilton (PED19139) (Ward 7) (Item 10.1)

- (i) That staff be authorized and directed to advise the Hamilton Wentworth District School Board of the City's interest in the potential acquisition of the lands located at 155 Macassa Avenue, Hamilton, legally described as Part of Lot 7, Concession 5 Barton, Part 2 on Plan 62R19152, City of Hamilton forming all of PIN 17007-0170, as shown on Appendix "A" attached to Report PED19139;
- (ii) That staff be authorized and directed to complete due diligence work, including appraisal, designated substance survey, building condition assessment, and demolition cost estimate work in preparation for the potential acquisition of the Hamilton Wentworth District School Board lands located at 155 Macassa Avenue, Hamilton;
- (iii) That all costs related to the due diligence and feasibility investigation, to an upset amount of \$50 K, for the potential acquisition of the Hamilton Wentworth District School Board lands located at 155 Macassa Avenue, Hamilton, be authorized and funded from Ward 7 Capital Infrastructure Reserve Account No. 108057; and,
- (iv) That staff be directed to report back on an acquisition and funding strategy for the Hamilton Wentworth District School Board lands located at 155 Macassa Avenue, Hamilton.

(d) Motion respecting the Potential Acquisition of 16 Broughton Avenue East (Broughton East Park) (Item 14.1)

That the motion respecting the Potential Acquisition of 16 Broughton Avenue East (Broughton East Park), remain confidential.

11. Facility Naming Sub-Committee Report 19-001, June 25, 2019 (Item 10.7)

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

- (i) That Councillor M. Pearson be appointed Chair of the Facility Naming Sub-Committee for the 2018-2022 term; and,
- (ii) That Councillor L. Ferguson be appointed Vice Chair of the Facility Naming Sub-Committee for the 2018-2022 term.

(b) Naming of Jimmy Howard Park (PW19052) (Ward 5) (Item 10.1)

That the request to rename Beach Boulevard Park #3, 80 Beach Boulevard, to Jimmy Howard Park be approved, as this request meets the guidelines set out in the City of Hamilton Municipal Property and Building Naming Policy.

(c) Municipal Property & Building Naming Application - Rick Burjaw Tennis Courts at the Ancaster Tennis Club (Item 10.3)

WHEREAS, Rick Burjaw was a member of the Ancaster Tennis Club for over 17 years and President for 8 years;

WHEREAS, Mr. Burjaw voluntarily devoted many years to making improvements at the Tennis Club through expansion and growth of the facility; and

WHEREAS, the tennis courts located at Village Green Park, 291 Lodor Street, Ancaster currently do not have an existing name;

THEREFORE, BE IT RESOLVED:

That the request to name the tennis courts at Village Green Park, located at 291 Lodor Street, Ancaster to “The Rick Burjaw Tennis Courts”, be approved, as it meets the guidelines set out in the City of Hamilton Municipal Property and Building Naming Policy.

12. Government Relations Sub-Committee Report 19-001, June 27, 2019 (Item 10.8)

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

- (i) That Councillor B. Clark be appointed Chair of the Government Relations Sub-Committee for the 2018-2022 term; and,
- (ii) That Councillor S. Merulla be appointed Vice Chair of the Government Relations Sub-Committee for the 2018-2022 term.

(b) City of Hamilton Priorities for the 2019 Federal Election (CM19004) (Item 7.1)

That Report CM19004 respecting City of Hamilton Priorities for the 2019 Federal Election, be received.

(c) Bill 108 *More Homes, More Choice Act, 2019* (PED19150) (City Wide) (Item 7.2)

That Report PED19150 respecting Bill 108 *More Homes, More Choice Act, 2019*, be received.

(d) Response to the Proposed Provincial Restructuring of Local Public Health Agencies (HSC19038) (City Wide) (Item 7.3)

That Report HSC19038 respecting a Response to the Proposed Provincial restructuring of Local Public Health Agencies, be received.

(e) Reaffirmation of the City of Hamilton's Concerns respecting Proposed Restructuring of Local Public Health Agencies (Item 7.3)

- (i) That staff be directed to draft correspondence to the Minister of Health to reaffirm the City of Hamilton's concerns with Public Health Service restructuring, and that the correspondence include the following:
 - (1) Requesting that the Province focus on Public Health Units that require improvements;
 - (2) Information respecting preventative health measures to eliminate "hallway medicine";

- (3) Information that underscores the broad mandate of Public Health;

- (ii) That letters of support respecting the Reaffirmation of the City of Hamilton's Concerns respecting Proposed Restructuring of Local Public Health Agencies be written by the following Official Advisors to the Government Relations Sub-Committee:
 - (1) McMaster University
 - (2) Hamilton Chamber of Commerce
 - (3) Flamborough Chamber of Commerce
 - (4) Hamilton Health Services

- (f) Bill 108 *More Homes, More Choice Act, 2019* respecting Development Charges Act Amendments (FCS19061) (City Wide) (Added Item 7.4)**

That Report FCS19061 respecting Bill 108 *More Homes, More Choice Act, 2019* Regarding Development Charges Act Amendments, be received.

13. Hamilton Future Fund Board of Governors Report 19-002 - June 25, 2019 (Item 10.9)

Deliberations on the Grant Applications received for the November 1, 2018 - January 14, 2019 Opening of the Hamilton Future Fund (Item 10.1)

- (a) That the grant application from the Hamilton Malayalee Samajam (Item 10.1.d) for the conversion of a sports field into a cricket field at 1095 Woodburn Road in the amount of \$358,000 be approved;

- (b) That the grant application from the 91st Highlanders Athletic Association (Item 10.1.a) for the installation of spectator bleachers and an outdoor gazebo structure at the Ray Lewis Track & Field Centre (Mohawk Sports Park) in the amount of \$150,000 be approved;

- (c) That the grant application from the Ancaster Tennis Club (Item 10.1.b) for the construction of a Tennis Dome in the amount of \$206,000 be approved;

- (d) That the grant application from the Beach Canal Lighthouse Group (Item 10.1.c) for the Restoration of the Hamilton Beach Strip Canal lighthouse and Keepers house in the amount of \$400,000 be approved conditional on the transfer of ownership from the federal government to the Hamilton Port Authority; and,
- (e) That the grant application from Compass Community Health (formerly North Hamilton Community Health Centre) (Item 10.1.e) be denied.

**14. Hate Related Activities on City of Hamilton Properties (LS19031/PW19068)
(City Wide) (Item 10.10)**

- (a) That, subsequent to internal and external review, Human Resources staff be directed to report back to General Issues Committee with the Hate Incident Prevention Policy and Procedure, attached in draft form as Appendices “A” and “B” to Report 19-013, respectively, by October 2019;
- (b) That Legal Services staff be directed to prepare a by-law to address the issuance of trespass notices by City Staff for consideration by Council in October 2019;
- (c) That staff be directed to require facilities rental applicants and organizers of assemblies or demonstrations to abide by the Hate Related Incident Prevention Policy;
- (d) That the draft procedure for Notification of Assembly or Demonstration on City of Hamilton Public Spaces, attached as Appendix “C” to Report 19-013, be approved, in principle;
- (e) That the recommendations in Corporate Security Office Report CSOR 19-001, attached as Appendix “D” to Report 19-013, be approved, as follows:
 - (i) That Corporate Security Office in coordination with Facility Management, Human Resources and Corporate Communications, produce and post signage to notify all persons entering the City Hall property of the expectations related to behaviour and conduct while on City property, and the City’s Zero Tolerance approach regarding harassment, discrimination, hate, violence and criminal behaviour, including the collection of evidence to support law enforcement investigations;
 - (ii) That Corporate Security Office create a procedure for all security staff on how to collect, document, analyze and report on surveillance, materials and messaging during public gatherings and

- distribute their findings and evidence when required to various City divisions (i.e. Human Resources, Legal Services) and external Law Enforcement partners for further follow-up and investigation related to potential harassment, discrimination, hate, violence and criminal behaviour taking place in the open public spaces on the City Hall property;
- (iii) That Corporate Security Office to procure safety mitigating tools such as portable barriers to support Hamilton Police in the enforcement of safe and peaceful demonstrations that take place in the City Hall outdoor public space;
 - (iv) That Corporate Security Office to procure the enhancement of the City Hall property video surveillance technology to increase its current general surveillance capacity to an evidentiary purpose solution.
 - (v) That Corporate Security Office to research, identify and report on physical environment enhancements to the City Hall exterior open space to promote the safety and security of all persons who are attending the property for peaceful use and enjoyment of the space;
 - (vi) That Corporate Security Office hire and train a Security Investigator for the purpose of providing security related services at City owned properties as required including but not limited to Assemblies and Protests. Corporate Security Office to further identify and report on future security staffing resource enhancements for City Hall to ensure appropriate resource levels are responsive to the needs of Members of Council and its Committee's, City staff, contractors, residents and visitors in the delivery of good government;
- (f) That a capital expenditure not exceeding \$100,000 from the Facilities Security Program Capital Account #3541941631 to implement the recommendations in sub-section (e) above be approved;
 - (g) That staff be directed to hire a Security Investigator for a temporary 24 month period using the Budget Complement Control Policy, to be trained and tasked with investigating and documenting Hate Related Activities on City owned properties across the city and that funding for this position be allocated from Operating Budget Dept ID #790017, and that an operating budget enhancement be referred to the 2020 Operating Budget process;

- (h) That the item respecting Means to Mitigate the Use of City Parks and Public Spaces by “Hate Groups” be removed from the General Issues Committee Outstanding Business List; and,
- (i) That Legal staff be directed to contact Police or the Crown Attorney to determine if the City could issue prohibition to attend at municipal properties; specifically, the Hamilton City Hall Forecourt, as part of their condition of release via standard bail conditions or parole conditions, if convicted.

15. Integrating an Equity, Diversity & Inclusion (EDI) Framework to the Policies and Procedures of the Selection Committee and Interview Sub-Committees respecting Appointment of Citizens to the City’s Agencies, Boards and Committees (Item 11.3)

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

WHEREAS, the City’s Strategic Plan also states “Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involve in their community”;

WHEREAS, Council approved establishing an EDI framework and directed staff to prepare a report on the steps that would be required to implement an equity, diversity and inclusion lens framework to City policy and program development, practices, service delivery, budgeting, business planning and prioritization, and report back to General Issues Committee no later than Q3 2019;

WHEREAS, the current City of Hamilton Policy respecting the Appointment of Citizens to the City’s Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees approved by Council on September 12, 2018 does not systematically integrate current and best practices of Equity, Diversity & Inclusion (EDI) in the recruitment, application, selection and interview processes; and,

WHEREAS, many other Canadian municipalities are also reviewing and improving their selection practices to achieve EDI outcomes;

THEREFORE, BE IT RESOLVED:

- (a) That, as part of the Equity, Diversity and Inclusion (EDI) framework, staff include recommendations for integrating an EDI framework to the City of Hamilton Policy respecting the Appointment of Citizens to the City’s

Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees, including:

- (i) training and orientation of Selection Committee members and supporting staff to implement the revised recruitment, application, selection and interview processes; and,
 - (b) That the final Equity, Diversity and Inclusion policy and procedures for Selection Committee be implemented starting with the 2022-2026 term of Council.
- 16. 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 (Item 11.4)**

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 extended the submission deadline for Building Permit Applications to January 31, 2019; and

WHEREAS, at its meeting of February 13, 2019, Council approved Item 7.5 an Amendment to Item 8 of the General Issues Committee Report 18-014, which again extended the submission deadline for Building Permit Applications to July 31, 2019 as well as extending the submission deadline for the Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program for the completion of the program applications to January 31, 2020;

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 “January 31, 2020, and replacing them with the words “July 31, 2020”; and, by deleting the second reference to the word “July 31, 2019” and replacing it with the word “January 31, 2020 ”; 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 ~~January 31, 2020~~ **July 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 ~~July 31, 2019~~ **January 31, 2020**;

- (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 ~~January 31, 2020~~ **July 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 ~~July 31, 2019~~ **January 31, 2020**; and,

 - (b) That subsection (c) to Item 8 of the General Issues Committee Report 18-014, respecting Report PED 16253 (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 “July 31, 2019” and replacing it with the word “**January 31, 2020**”, to read as follows:
 - (a) 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 ~~July 31, 2019~~ **January 31, 2020**, 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.
- 17. Application for Approval to Expropriate Property in Ward 3 (PED19142/LS19028/PW19061) (Ward 3) (Item 14.2)**

That Report PED19142/LS19028/PW19061, respecting an Application for Approval to Expropriate Property in Ward 3, remain confidential save and except for any portions that need to be disclosed for the purposes of completing this expropriation at the discretion of the City Solicitor.

18. Application for Approval to Expropriate Property in Ward 14 (LS19026/PW19067/PED19141) (Ward 15) (Item 14.3)

That Report LS19026/PW19067/PED19141, respecting an Application for Approval to Expropriate Property in Ward 15, remain confidential save and except for any portions that need to be disclosed for the purposes of completing this expropriation at the discretion of the City Solicitor.

19. Waterfront Lease Update (LS18053(c)) (Ward 2) (Item 14.4)

That Report LS18053, respecting the Waterfront Lease Update, Appendix and the balance of the recommendations remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. COMMUNICATIONS (Item 5)

- 5.6 Correspondence from the Hamilton Status of Women Committee in support of Item 11.3, respecting Integrating an Equity, Diversity & Inclusion (EDI) Framework to the Policies and Procedures of the Selection Committee and Interview Sub- Committees respecting the Appointment of Citizens to the City's Agencies, Boards and Committees

Recommendation: Be received and referred to the consideration of Item 11.3.

- 5.7 Correspondence from Lauren Stephen respecting an Individual Arrested in the Pride Hamilton Disturbance

Recommendation: Be received.

- 5.8 Correspondence from C.A. Klassen respecting an Open Letter to Mayor Eisenberger and Pride Events

Recommendation: Be received.

- 5.9 Hamilton Airport International ASC Update (Climate Change)

Recommendation: Be received.

6. DELEGATION REQUESTS (Item 6)

- 6.1 Kristeen Sprague, respecting Item 10.1 Hate Related Activities on City of Hamilton Properties (LS19031/PW19068) (For July 8, 2019) – THIS REQUEST WAS WITHDRAWN FROM THE AGENDA
- 6.2 David Carson, respecting Airport Carbon Accreditation (For July 8, 2019)
- 6.3 Chris McLaughlin, Bay Area Restoration Council, respecting Item 11.2, the City-Wide Stormwater Rate Program Review (For July 8, 2019)
- 6.4 Jen Baker, Hamilton Naturalists' Club, respecting Item 11.2, the City-Wide Stormwater Rate Program Review (For July 8, 2019)
- 6.5 Justin Long, Yellow Vests Protestors, respecting Hate Related Activities on City of Hamilton Properties (For July 8, 2019)
- 6.6 Ian Borsuk, Environment Hamilton, respecting Item 11.2, City-Wide Stormwater Rate Program Review (For July 8, 2019)
- 6.7 Mike Wood and Elizabeth Ellis, Hamilton ACORN, respecting Item 11.1, Modifications to the Guidelines and Criteria for the Barton/Kenilworth Tax Increment Grant Program (For July 8, 2019)
- 6.8 Giuliana Casimirri, Green Venture, respecting Item 11.2, City-Wide Stormwater Rate (For July 8, 2019)

The agenda for the July 8, 2019 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor J. P. Danko declared an interest to Item 10.6 – School Board Properties Sub-Committee Report 19-001, as his wife is the Vice Chair of the Hamilton-Wentworth District School Board.

Councillor M. Pearson declared an interest to Items 6.7, 8.7 and 11.1, being the delegation request/delegation by Mike Wood and Elizabeth Ellis, Hamilton ACORN, respecting Item 11.1, Modifications to the Guidelines and Criteria for the Barton/Kenilworth Tax Increment Grant Program; and, the Motion respecting the same matter, as she is a rental property landlord.

Councillor A. VanderBeek declared an interest to Items 6.7, 8.7 and 11.1, being the delegation request/delegation by Mike Wood and Elizabeth Ellis, Hamilton ACORN, respecting Item 11.1, Modifications to the Guidelines and Criteria for the Barton/Kenilworth Tax Increment Grant Program; and, the Motion respecting the same matter, as she is a rental property landlord.

Councillor B. Clark declared an interest to Item 14.2, respecting Report PED19142/LS19028/PW19061) - Application for Approval to Expropriate Property in Ward 3.

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

(i) June 19, 2019 (Item 4.1)

The Minutes of the June 19, 2019 meeting of the General Issues Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

Communication Items 5.1 to 5.9 were approved, as follows:

5.1 Correspondence from Donna Hays, respecting an alternative observation of the Yellow Vests movement.

Recommendation: Be received and referred to the consideration of Item 10.10.

5.2 Correspondence from Myke Hutchings respecting the 2SLGBTQIA+ community in Hamilton.

Recommendation: Be received and referred to the consideration of Item 10.10.

- 5.3 Correspondence from Associate Professors Margot Francis and Tamara El-Hoss, Brock University, respecting Pride Violence.

Recommendation: Be received and referred to the consideration of Item 10.10.

- 5.4 Correspondence from Erin Poole respecting Pride Violence

Recommendation: Be received and referred to the consideration of Item 10.10.

- 5.5 Correspondence from Melanie Parish, respecting Pride and Post Pride Happenings in Hamilton

Recommendation: Be received and referred to the consideration of Item 10.10.

- 5.6 Correspondence from the Hamilton Status of Women Committee in support of Item 11.3, respecting Integrating an Equity, Diversity & Inclusion (EDI) Framework to the Policies and Procedures of the Selection Committee and Interview Sub-Committees respecting the Appointment of Citizens to the City's Agencies, Boards and Committees

Recommendation: Be received and referred to the consideration of Item 11.3.

- 5.7 Correspondence from Lauren Stephen respecting an Individual Arrested in Pride Hamilton Disturbance

Recommendation: Be received.

- 5.8 Correspondence from C.A. Klassen respecting an Open Letter to Mayor Eisenberger and Pride Events

Recommendation: Be received.

5.9 Hamilton Airport International ASC Update (Climate Change)

Recommendation: Be received.

(e) DELEGATION REQUESTS (Item 6)

The following delegation requests were approved:

6.2 David Carson, respecting Airport Carbon Accreditation (For the July 8, 2019)

6.3 Chris McLaughlin, Bay Area Restoration Council, respecting Item 11.2, City-Wide Stormwater Rate Program Review (For the July 8, 2019)

6.4 Jen Baker, Hamilton Naturalists' Club, respecting Item 11.2, City-Wide Stormwater Rate Program Review (For the July 8, 2019)

6.5 Justin Long, Yellow Vests Protestors, respecting Item 10.10 Hate Related Activities on City of Hamilton Properties (LS19031/PW19068) (City Wide) (For the July 8, 2019)

6.6 Ian Borsuk, Environment Hamilton, respecting Item 11.2, Stormwater Rate (For the July 8, 2019)

6.7 Mike Wood and Elizabeth Ellis, Hamilton ACORN, respecting Item 11.1, Modifications to the Guidelines and Criteria for the Barton/Kenilworth Tax Increment Grant Program (For the July 8, 2019)

6.8 Giuliana Casimirri, Green Venture, respecting Item 11.2, City-Wide Stormwater Rate (For the July 8, 2019)

(f) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) Justin Page, CM, respecting Recognition for Local Order of Canada Recipients (Item 8.1)

Justin Page, CM, addressed Committee respecting recognition for local Order of Canada Recipients.

For disposition of this matter, please refer to Item 2.

(ii) David Carson, respecting Airport Carbon Accreditation (Item 8.2)

David Carson, addressed Committee respecting Airport Carbon Accreditation.

The presentation provided by David Carson, respecting Airport Carbon Accreditation, was received.

(iii) Chris McLaughlin, Bay Area Restoration Council, respecting Item 11.2, City-Wide Stormwater Rate Program Review (Item 8.3)

Chris McLaughlin, Bay Area Restoration Council, addressed Committee respecting Item 11.2, a City-Wide Stormwater Rate Program Review.

The presentation provided by Chris McLaughlin, Bay Area Restoration Council, respecting Item 11.2, the City-Wide Stormwater Rate Program Review, was received.

(iv) Jen Baker, Hamilton Naturalists' Club, respecting Item 11.2, City-Wide Stormwater Rate Program Review (Item 8.4)

Jen Baker, Hamilton Naturalists' Club, addressed Committee respecting Item 11.2, the City-Wide Stormwater Rate Program Review.

The presentation provided by Jen Baker, Hamilton Naturalists' Club, respecting Item 11.2, the City-Wide Stormwater Rate Program Review, was received.

(v) Justin Long, Yellow Vests Protestors, respecting Hate Related Activities on City of Hamilton Properties (Item 8.5)

Justin Long, Yellow Vests Protestors, addressed Committee respecting Hate Related Activities on City of Hamilton Properties.

The presentation provided by Justin Long, Yellow Vests Protestors, respecting Hate Related Activities on City of Hamilton Properties, was received.

(vi) Ian Borsuk, Environment Hamilton, respecting Item 11.2, Stormwater Rate (Item 8.6)

Ian Borsuk, Environment Hamilton, addressed Committee respecting Item 11.2, the City-Wide Stormwater Rate Program Review.

The presentation provided by Ian Borsuk, Environment Hamilton, respecting Item 11.2, Stormwater Rate, was received.

(vii) Mike Wood and Elizabeth Ellis, Hamilton ACORN, respecting Item 11.1, Modifications to the Guidelines and Criteria for the Barton/Kenilworth Tax Increment Grant Program (Item 8.7)

Mike Wood and Elizabeth Ellis, Hamilton ACORN, addressed Committee respecting Item 11.1, Modifications to the Guidelines and Criteria for the Barton/Kenilworth Tax Increment Grant Program.

The presentation provided by Mike Wood and Elizabeth Ellis, Hamilton ACORN, respecting Item 11.1, Modifications to the Guidelines and Criteria for the Barton/Kenilworth Tax Increment Grant Program, was received.

(viii) Giuliana Casimirri, Green Venture, respecting Item 11.2, a City-Wide Stormwater Rate Program Review (Item 8.8)

Giuliana Casimirri, Green Venture, addressed Committee respecting Item 11.2, a City-Wide Stormwater Rate Program Review.

The presentation provided by Giuliana Casimirri, Green Venture, respecting Item 11.2, the City-Wide Stormwater Rate Program Review, was received.

(g) STAFF PRESENTATIONS (Item 9)

(i) Hamilton Urban Indigenous Strategy (HSC19030) (City Wide) (Item 9.1)

Paul Johnson, General Manager of the Healthy and Safe Communities Department, introduced Shelly Hill, Senior Project Manager Urban Indigenous Strategy; Nicole Jones, Coordinator, Indigenous Engagement and Initiatives; and, Krystal Summers, Program Manager for the Hamilton Executive Directors' Aboriginal Coalition (HEDAC), who provided an overview of Report HCS19030, respecting the Hamilton Urban Indigenous Strategy.

The presentation respecting Report HCS19030, respecting the Hamilton Urban Indigenous Strategy, was received.

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

For disposition of this matter, please refer to Item 3.

**(ii) 2020 Budget Guidelines, Outlook and Process (FCS19054) (City Wide)
(Item 9.2)**

Mike Zegarac, General Manager of Finance and Corporate Services, provided an overview of Report FCS19054, respecting the 2020 Budget Guidelines, Outlook and Process.

The presentation respecting Report FCS19054, respecting the 2020 Budget Guidelines, Outlook and Process, was received.

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

The following Motion was DEFEATED:

That sub-section (d) to Report FCS19054, respecting the 2020 Budget Guidelines, Outlook and Process, be amended by adding the words" which emulates the three (3) scenarios being reviewed by the City, being a 0%, 1% and 2% increase," to read as follows:

- (d) That Police, Library and Conservation Authorities target a 2020 tax operating budget guideline, which emulates the three (3) scenarios being reviewed by the City, being a 0%, 1% and 2% increase, and that any increase beyond the guideline be forwarded for consideration with explanation;
- (a) Sub-section (f) to Report FCS19054, respecting the 2020 Budget Guidelines, Outlook and Process, was amended by deleting the words "a 0.13% increase for capital financing of West Harbour Development (WH) for a total of 1.3% tax increase", to read as follows:
 - (f) That the 2020 Tax Capital budget be submitted with a 0.5% tax increase for capital financing of discretionary block funded projects; an additional 0.26% tax increase for capital

financing of Public Transit Infrastructure Fund (PTIF) projects; an additional 0.23% for DC Exemptions; and, an additional 0.14% increase for capital financing of the Downtown Office Accommodation Strategy; and, ~~a 0.13% increase for capital financing of West Harbour Development (WH) for a total of 1.3% tax increase;~~

- (b) A new sub-section (h) was added to Report FCS19054, respecting the 2020 Budget Guidelines, Outlook and Process, to read as follows:

- (h) That the matter of a 0.13% increase for capital financing of West Harbour Development (WH) for a total of 1.3% tax increase, be referred to the West Harbour Development Sub-Committee for consideration;

A new sub-section (i) was added to Report FCS19054, respecting the 2020 Budget Guidelines, Outlook and Process, to read as follows:

- (i) That staff be directed to report back to the General Issues Committee, with an alternative funding strategy that would reflect the commitment to transit by senior levels of government.

(h) DISCUSSION ITEMS (Item 10)

- (i) Business Improvement Area Advisory Committee Report 19-006, June 11, 2019 (Item 10.2)**

Item 1 of the Business Improvement Area Advisory Committee Report 19-006, June 11, 2019, was TABLED until such time as the City of Hamilton has a signed agreement with the Hamilton Tiger Cats for the 2021 Grey Cup.

1. Business Improvement Area Advisory Committee Working Group for the 2021 Grey Cup (Added Item 8.1)

That a Business Improvement Area working group be established to work with the Hamilton Tiger-Cats Football Club for the 2021 Grey Cup.

(ii) Airport Sub-Committee Report 19-003, June 21, 2019 (Item 10.3)

The Airport Sub-Committee Report 19-003 was moved up on the agenda to be addressed immediately after Item 8.2.

The following Motion was DEFEATED:

That Item (e)(i), respecting Vantage Airport Group Climate Change Initiative, be lifted from the Information Section and added as Item 4 to the Airport Sub-Committee Report 19-003:

(i) Vantage Airport Group Climate Change Initiative (Item 11.1)

WHEREAS, the City of Hamilton has declared a climate emergency with a mandate to achieve net zero carbon emissions before 2050;

WHEREAS, TradePort International Corporation as a subsidiary of Vantage Airport Group has a mandate from the City of Hamilton to operate John C. Munro Hamilton International Airport and grow passenger and cargo volumes in order to maximize the economic potential of the airport and surrounding Airport Employment Growth District (AEGD);

WHEREAS, the City of Hamilton is currently in negotiations to extend the current Head Lease between the City and TradePort (Vantage Airport Group);

WHEREAS, the City of Hamilton recognizes that climate action and the low-carbon transition represents a massive opportunity for economic stimulation and growing job opportunities in the new low-carbon economy;

WHEREAS, air travel and air cargo have a significant inherent carbon footprint;

WHEREAS, John C. Munro Hamilton International Airport is ranked as North America's fastest growing airport and is known as Canada's busiest overnight express cargo airport;

WHEREAS, air travel passengers and air cargo consumers are increasingly concerned about the carbon footprint of their consumption choices;

WHEREAS, Greater Moncton Romeo LeBlanc International Airport under management by Vantage Airport Group has achieved Airport

Carbon Accreditation Level 2 – Reduction and is working towards Level 3 – Optimization;

WHEREAS, increased uncertainty, severity and frequency of extreme weather events as a result of climate change have been observed in the Hamilton area and are projected to increase into the future;

WHEREAS, air travel and air cargo operations are vulnerable to unforeseen severe weather events and disruptions caused by such events could result in significant travel disruptions and monetary losses; and,

WHEREAS, London Luton Airport and Cardiff Airport as comparator airports have commissioned climate change studies to identify the resiliency of their operations to future climate change impacts;

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton request that Vantage Airport Group commit to the implementation of the four stage Airport Carbon Accreditation program (or agreed alternative) at John C. Munro Hamilton International Airport, with the goal of achieving net-zero carbon emissions before 2050;
- (b) That the City of Hamilton request that Vantage Airport Group commit to an evaluation of the resiliency and preparedness of their operations and assets due to potential climate change impacts and develop a prioritized risk assessment and adaptation plan; and,
- (c) That the City of Hamilton negotiating team include these actions as part of the current negotiations to extend the Head Lease between the City and TradePort (Vantage Airport Group).

(iii) Affordable Housing Site Selection Sub-Committee Report 19-001, June 18, 2019 (Item 10.5)

Sub-section (e) to the Affordable Housing Site Selection Sub-Committee Report 19-001, which reads as follows, was deferred to the August 12, 2019 General Issues Committee:

(e) Disposition Strategy - Portion of Wentworth Lodge Lands (PED19138) (Ward 13) (Item 14.3)

That the entirety of Report PED19138, respecting Disposition Strategy - Portion of Wentworth Lodge Lands, remain confidential.

(iv) Hate Related Activities on City of Hamilton Properties (LS19031/PW19068) (City Wide) (Item 10.10)

A new subsection (i) was added to Report LS19031/PW19068, respecting Hate Related Activities on City of Hamilton Properties, to read as follows:

- (i) That Legal staff be directed to contact Police or the Crown Attorney to determine if the City could issue prohibition to attend at municipal properties; specifically, the Hamilton City Hall Forecourt, as part of their condition of release via standard bail conditions or parole conditions, if convicted.

(i) MOTIONS (Item 11)

As there were many delegates present respecting Item 11.1 being the Motion respecting Modifications to the Guidelines and Criteria for the Barton/Kenilworth Tax Increment Grant Program; the Barton/Kenilworth Commercial Corridor Building Improvement Grant Program; the Barton/Kenilworth Commercial Planning and Building Fee Rebate Program; the Commercial Corridor Housing Loan and Grant Program; and, the Hamilton Tax Increment Grant Program, Item 11.1 was moved up on the agenda, to be addressed prior to the Discussion Items on the agenda.

(i) Modifications to the Guidelines and Criteria for the Barton/Kenilworth Tax Increment Grant Program; the Barton/Kenilworth Commercial Corridor Building Improvement Grant Program; the Barton/Kenilworth Commercial Planning and Building Fee Rebate Program; the Commercial Corridor Housing Loan and Grant Program; and, the Hamilton Tax Increment Grant Program (Item 11.1)

WHEREAS, the City of Hamilton's Strategic Plan recognizes and supports the need for affordable housing units as one of the City's top priorities;

WHEREAS, the City's financial incentive programs delivered through the Economic Development Division, which include: the Barton/Kenilworth Tax

Increment Grant Program; the Barton/Kenilworth Commercial Corridor Building Improvement Grant Program; the Barton/Kenilworth Commercial Planning and Building Fee Rebate Program; the Commercial Corridor Housing Loan and Grant Program; and, the Hamilton Tax Increment Grant Program, were created to provide an economic catalyst for developing, redeveloping or renovating residential/commercial lands and buildings within Downtown Hamilton; Community Downtowns; the Mount Hope/Airport Gateway; Business Improvement Areas and “Commercial Corridors”, including the Barton and Kenilworth Commercial Corridors; and, the properties that front onto Barton Street between James Street North and Victoria Avenue North, as identified in the Downtown and Community Renewal Community Improvement Project Area;

WHEREAS, these incentive programs have contributed to the creation of approximately 700 new residential dwelling units and 134 renovated dwelling units since 2002;

WHEREAS, these incentives require that all residential units meet current property standards, fire code standards, and proper zoning as well as building code requirements; thereby, creating safe and legal residential dwelling units;

WHEREAS, these incentive programs continue to provide an important means by which the City is helping to increase housing supply in Hamilton;

WHEREAS, there is community concern that there is the potential that the property improvements supported by these incentive programs could potentially contribute to the displacement of vulnerable tenants;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to consult with any interested Ward Councillors and with any stakeholders who request to meet with staff, and that staff then prepare potential modifications to the guidelines and criteria for the Barton/Kenilworth Tax Increment Grant Program; the Barton/Kenilworth Commercial Corridor Building Improvement Grant Program; the Barton/Kenilworth Commercial Planning and Building Fee Rebate Program; the Commercial Corridor Housing Loan and Grant Program; and, the Hamilton Tax Increment Grant Program that would address the following issues:

- (i) That any property improvements funded by these incentive programs do not result in the permanent displacement of an existing tenant, as a result of the improvement;
 - (ii) Tenants are provided full and comprehensive information, verified by, and in consultation with Housing Services staff, regarding their legal rights if any property improvements that are funded by these incentive programs have the potential to disrupt or impact the tenants;
 - (iii) The explicit value and nature of the City's financial contribution to any property improvement is disclosed to the Landlord and Tenant Board in any matter involving an application for an above-guideline rent increase; and,
- (b) That staff be directed to report back to a future General Issues Committee meeting with the potential changes to the guidelines and criteria for the Barton/Kenilworth Tax Increment Grant Program; the Barton/Kenilworth Commercial Corridor Building Improvement Grant Program; the Barton/Kenilworth Commercial Planning and Building Fee Rebate Program; the Commercial Corridor Housing Loan and Grant Program; and, the Hamilton Tax Increment Grant Program, for Committee's consideration.

(ii) City-Wide Stormwater Rate Program Review (Item 11.2)

Item 11.2, being a Motion respecting a City-Wide Stormwater Rate Program Review, was moved up on the agenda to be addressed prior to the Discussion Items on the agenda.

WHEREAS, stormwater charges are currently based on usage volume of potable water consumed and are not sufficient to fund the full cost of Hamilton's stormwater infrastructure;

WHEREAS, stormwater management infrastructure is critical to control the quantity and quality of runoff, reduce flood damage and improve local water quality,

WHEREAS, climate change is resulting in more frequent, high intensity storms and elevated Lake Ontario water levels, which impact infrastructure and create challenges for residents;

WHEREAS, the City currently operates 123 stormwater management facilities and is anticipating an additional 43 to be incorporated into the inventory within the next 5 years;

WHEREAS, in 2019, the City is responding to elevated Lake Ontario water levels with temporary controls and pumping at an estimated cost \$2.5M - \$3M to minimize flooding and protect the Woodward Avenue Wastewater Treatment Plant;

WHEREAS, stormwater rates provide a dedicated, stable and fair funding source for stormwater management infrastructure and related costs and provide incentive for better private property management of stormwater runoff and pollution; and,

WHEREAS, many other municipalities in Ontario have implemented a dedicated stormwater rate to fund stormwater programs;

THEREFORE, BE IT RESOLVED:

That staff be directed to review a Stormwater Rate Program for the City of Hamilton and report back to the General Issues Committee with a framework and options for implementation.

The Motion respecting a City-Wide Stormwater Rate Program Review was amended by adding a new sub-section (b) to read as follows:

- (b) That staff be directed to report back to the General Issues Committee on what the City is requiring now and to bring forward other options or incentives that can be advanced that will reduce stormwater flows.

WHEREAS, stormwater charges are currently based on usage volume of potable water consumed and are not sufficient to fund the full cost of Hamilton's stormwater infrastructure;

WHEREAS, stormwater management infrastructure is critical to control the quantity and quality of runoff, reduce flood damage and improve local water quality,

WHEREAS, climate change is resulting in more frequent, high intensity storms and elevated Lake Ontario water levels, which impact infrastructure and create challenges for residents;

WHEREAS, the City currently operates 123 stormwater management facilities and is anticipating an additional 43 to be incorporated into the inventory within the next 5 years;

WHEREAS, in 2019, the City is responding to elevated Lake Ontario water levels with temporary controls and pumping at an estimated cost \$2.5M - \$3M to minimize flooding and protect the Woodward Avenue Wastewater Treatment Plant;

WHEREAS, stormwater rates provide a dedicated, stable and fair funding source for stormwater management infrastructure and related costs and provide incentive for better private property management of stormwater runoff and pollution; and,

WHEREAS, many other municipalities in Ontario have implemented a dedicated stormwater rate to fund stormwater programs;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to review a Stormwater Rate Program for the City of Hamilton and report back to the General Issues Committee on the feasibility and financial implications of a framework and options for implementation; and,
- (b) That staff be directed to report back to the General Issues Committee on what the City is requiring now and to bring forward other options or incentives that can be advanced that will reduce stormwater flows.

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

The following amendments to the General Issues Committee's Outstanding Business List were approved as follows:

13.1 Proposed New Due Dates:

- 13.1.a Art in Public Places Policy
Current Due Date: August 12, 2019
Proposed New Due Date: January 15, 2020
- 13.1.b Community Benefits Protocol Advisory Committee –
Terms of Reference
Current Due Date: July 8, 2019
Proposed New Due Date: October 16, 2019

- 13.1.c MOU with Hamilton 100 confirming their Commitment to Lead the 2030 Commonwealth Games Hosting Proposal
Current Due Date: July 8, 2019
Proposed New Due Date: August 12, 2019
 - 13.1.d Code of Conduct for Council-Appointed Member of External Boards and Agencies
Current Due Date: July 8, 2019
Proposed New Due Date: September 18, 2019
 - 13.1.e Pending Litigation Matters and Associated Liabilities
Current Due Date: June 19, 2019
Proposed New Due Date: August 12, 2019
 - 13.1.f Pier 8 Development Opportunity RFP – Summary of the 4 Proposals
Current Due Date: July 8, 2019
Proposed New Due Date: November 20, 2019
- 13.2 Items to be removed:
- 13.2.a Audit and Accountability Fund – Expression of Interest (Addressed at the June 19, 2019 GIC (FCS19059))
 - 13.2.b Celebrate Ontario 2019 Results (Addressed on today's agenda (PED19147))

(k) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – June 19, 2019 (Item 14.1)

- (a) The Closed Session Minutes of the June 19, 2019 General Issues Committee meeting were approved; and,
- (b) The Closed Session Minutes of the June 19, 2019 General Issues Committee meeting shall remain confidential.

Committee moved into Closed Session respecting Items 14.2 to 14.4, pursuant to Section 8.1, Sub-sections (c), (e) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (c), (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land; litigation or potential litigation, including matters

before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(I) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee adjourned at 6:51 p.m.

Respectfully submitted,

L. Ferguson, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk

Corporate Human Resources Policy		Content Updated: 2019-06-27
Work Environment		Supersedes Policy: Not Applicable
Policy No: HR-XX-XX		
Page 1 of 9		Approval: 2019-XX-XX

HATE RELATED INCIDENT PREVENTION POLICY

POLICY STATEMENT

The City of Hamilton is committed to maintaining a safe and inclusive environment that promotes mutual respect for the dignity and worth of each person. The purpose of this policy is to assist in the identification of a hate motivated crime or incident and identify appropriate ways in which to respond. The goal of the City's Hate Related Incident Prevention Policy is to establish and maintain a hate-free City as required under the City of Hamilton Harassment and Discrimination Prevention Policy, the Ontario Human Rights Code, and the Criminal Code of Canada.

The City of Hamilton believes that diversity and inclusion strengthen and enrich our community socially, politically, culturally and economically and are vital to our vision of being the best place to raise a child and age successfully. In support of this belief, the City of Hamilton condemns the promotion of hatred and promotes a respectful environment without hate. The City of Hamilton is committed to eliminating hate activity by:

- ensuring that all City employees including but not limited to regular, temporary, contract and probationary employees, contractors, consultants, volunteers, students, interns as well as every member of Council and their staff, citizens, and service recipients can work, assemble, and are serviced in a respectful environment without hatred;
- facilitating the combined efforts of various sectors in responding to hate, including but not limited to: staff, the police, community groups, elected officials and other levels of government; and,
- publicly condemning the actions of hate groups/individuals and racist organizations.

PURPOSE

The intention of this policy and its procedure is to prevent Hate Related Incidents from occurring in City of Hamilton owned and operated spaces and where necessary, to act upon complaints of such behaviour promptly, fairly, judiciously and with due regard to confidentiality for everyone involved.

The City of Hamilton also has a *Harassment and Discrimination Prevention Policy and Procedure* to address concerns related to harassment, discrimination, sexual harassment, and personal

<p>Corporate Human Resources Policy</p>	 Hamilton	<p>Content Updated: 2019-06-27</p>
<p>Work Environment</p>		<p>Supersedes Policy: Not Applicable</p>
<p>Policy No: HR-XX-XX</p>		
<p>Page 2 of 9</p>		<p>Approval: 2019-XX-XX</p>
	<p>harassment in accordance with the Ontario Human Rights Code and Occupational Health and Safety Act.</p> <p>The City also has a <i>Workplace Violence Prevention Policy</i> that addresses concerns related to Workplace violence. Some Employees may also have rights under collective agreements.</p> <p>Any individual has the right to pursue their complaint with police services or other related legislated processes.</p> <p>This policy contains definitions related to Hate Related Incidents and identifies the rights and responsibilities of all Employees, including Management, and other individuals accessing City of Hamilton space.</p>	
<p>SCOPE</p>	<p>This policy applies to all City of Hamilton employees, including but not limited to regular, temporary, contract and probationary employees, and to contractors, consultants, volunteers, students, interns as well as applicants for employment. This policy also applies to elected officials. Citizen advisory committees/agencies and boards, members of the public, service recipients, visitors to and users of City facilities/public space and individuals conducting business with, for or with support from the City of Hamilton, are expected to adhere to the intent of this policy, consistent with their obligations under provincial and federal law.</p> <p>Members of the public, visitors to City facilities, and individuals conducting business with the City of Hamilton, are expected not to engage in any form of hate related incidents against employees or other individuals/groups. If such Hate Related Incidents occur, the City will take all reasonable and necessary steps to ensure an environment free from Hate to the extent possible, which may include involvement of Legal Services; issuing no trespass notices; contacting Police; requesting injunctions, and prosecution.</p>	

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DEFINITIONS	
Hate	<p>Acts of hate are committed to intimidate, harm or terrify victims and the identifiable groups to which they belong. Victims of hate are targeted on the sole basis of who they are and/or the groups to which they belong (i.e., being Jewish, Muslim, Transgender, Black, Indigenous, etc.).</p> <p>Hate Related Incidents may involve intimidation, harassment, physical force or threat of physical force against a person, a group or a property if motivated by hatred/bias/prejudice against an identifiable group. Acts of hate may be committed by strangers or individuals well known to the victim. Perpetrators may include individuals, groups, organizations and institutions. Victims may be reluctant to report hate for a variety of reasons, including: not recognizing that the motivation was hate; fear of retaliation; embarrassment and humiliation; and/or uncertainty of the criminal justice system response.</p>
Hate Crime	<p>A hate crime is defined as a criminal offence committed against a person or property that is motivated in any part by the suspect/offender's bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or any other similar factor.</p> <p>The <i>Criminal Code of Canada</i> (the Criminal Code) provides enhanced sentencing powers when a crime is motivated by bias/prejudice/hate:</p> <p>Section 718.2 notes:</p> <p><i>A court that imposes a sentence shall also take into consideration the following principles:</i></p> <p>(a) <i>a sentence should be increased or reduced to account for any relevant aggravating or mitigating circumstances relating to the offence or the offender, and, without limiting the generality of the foregoing: (i) evidence that the offence was motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or any other similar factor.</i></p>
Hate Propaganda	Hate propaganda can be any communication used by a person or

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	<p>group which promotes hatred based on colour, nationality or ethnic origin, race, religion and/or sexual orientation. The hate propaganda section of the Criminal Code is broken down into two sections; Advocating Genocide and Public Incitement of Hatred.</p>	
Genocide	<p>Section 318 of the Criminal Code notes:</p> <p><i>(1) Every one who advocates or promotes genocide is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years.</i></p> <p>Definition of "genocide"</p> <p><i>(2) In this section, "genocide" means any of the following acts committed with intent to destroy in whole or in part any identifiable group, namely,</i></p> <ul style="list-style-type: none"> • <i>(a) killing members of the group; or</i> • <i>(b) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction.</i> 	
Public Incitement of Hatred	<p>Section 319 of the Criminal Code notes:</p> <p><i>(1) Every one who, by communicating statements in any public place, incites hatred against any identifiable group where such incitement is likely to lead to a breach of the peace is guilty of</i></p> <ul style="list-style-type: none"> • <i>(a) an indictable offence and is liable to imprisonment for a term not exceeding two years; or</i> • <i>(b) an offence punishable on summary conviction.</i> 	
Willful Promotion of Hatred	<p>Section 319 of the Criminal Code notes:</p> <p><i>(2) Every one who, by communicating statements, other than in private conversation, willfully promotes hatred against any identifiable group is guilty of</i></p> <ul style="list-style-type: none"> • <i>(a) an indictable offence and is liable to imprisonment for a term not exceeding two years; or</i> • <i>(b) an offence punishable on summary conviction.</i> 	
Announced Intention to Discriminate	<p>While not specifically dealing with "hate activity" the <i>Ontario Human Rights Code</i> deals with an announced intention to discriminate as follows:</p> <p>Section 13(1) of the <i>Ontario Human Rights Code</i> notes:</p> <p><i>A right under Part I is infringed by a person who publishes or displays before the public or causes the publication or display before the public of any notice, sign, symbol,</i></p>	

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	<p><i>emblem or other similar representation that indicates the intention of the person to infringe a right under Part I or that is intended by the person to incite the infringement of a right under Part I.</i></p> <p>Activity captured under this section of the Code may, depending on the specific context, also amount to hate under the Criminal Code. To meet the requirements of section 13:</p> <ul style="list-style-type: none"> • the display must be public; • a person must have the intention to infringe a right under Part 1; and, • the display must take place within the context of one of the prohibited grounds. 	
<p>TERMS & CONDITIONS</p> <p>1. Hate Related and Hateful Behaviours</p>	<p>The following terms and conditions apply to this Policy:</p> <p>Hate related or hateful behaviour results from actions directed at specific individuals or groups, which are unwelcome or unwanted; or, may be actions which are not directed at a particular individual, but have created an environment which is hostile, intimidating or offensive. To be covered under this policy, the hate related or hateful behaviours must be linked to one or more of the prohibited grounds.</p> <p>Examples of hate related or hateful behaviours include, but are not limited to:</p> <ul style="list-style-type: none"> • Acts of violence • Verbal slurs accompanied by a threat • Vandalism of ethnic, religious, lesbian or gay, minority sites • Sexual assaults • Intimidation and harassment • Bomb threats • Public messages implying that members of an identifiable group are to be despised, scorned, denied respect and made subject to ill-treatment on the basis of group affiliation. Such messages may include group symbols, slogans or epithets and can be transmitted in many ways (e.g. graffiti, posters, flyers, hate mail, music lyrics, over the telephone, website and e-mail content, etc.) • Inappropriate references to racist organizations or individuals • Accessing, displaying, transmitting or storing (including on the City's technology systems, including computer network etc.) material which violates any Canadian federal or provincial law or City by-law or directive, or is hate related. (See City of Hamilton Computer Acceptable Use Policy). 	

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2. Complaints

Complainants and Respondents have the right to confidential, unbiased advice from the Human Rights Specialist for the City of Hamilton.

The Procedure for Resolving Hate Related Incident Issues outline the steps for handling of complaints, including the following options:

- Complaint to the City of Hamilton, through an Employee’s Supervisor
- Complaint directly to the Human Rights Specialist in the Human Resources Department
- Complaint to the Human Rights Tribunal of Ontario
- Complaint to Police if a criminal act has occurred.

3. Confidentiality

The City of Hamilton will make every reasonable effort to maintain confidentiality for Employees involved in Hate Related Incident complaints. Confidentiality extends to all records relating to complaints, including but not limited to meetings, interviews and investigation results. Breaches of confidentiality may be subject to appropriate disciplinary action. Complainants, Respondents and witnesses will be advised to maintain confidentiality concerning complaints or incidents. Any record of discipline which occurs as a result of a complaint will be included in the disciplined Employee’s file. However, all records are subject to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act* and may be subject to disclosure under the Act or to a court of law.

4. Procedural Fairness

The rules of procedural fairness govern all activities occurring under this policy.

5. Reprisal

Any form of retaliation against parties involved in a complaint (including a Complainant, Respondent, witness, investigator etc.) will be considered a serious violation of this policy and will not be tolerated. Such retaliatory actions may be subject to disciplinary action up to and including termination of employment.

6. Trivial, Frivolous/

The City of Hamilton prohibits complaints that are trivial, frivolous, vexatious or made in bad faith. Any Employee found to have

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Vexatious Complaints	lodged such a complaint may be subject to appropriate disciplinary action, up to and including dismissal.
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RESPONSIBILITIES	
Shared Responsibility (All Employees)	<p>All Employees have the right to work in a healthy, respectful and supportive environment free from Hate. Employees share in the responsibility to ensure that their work environment is free from Hate.</p> <p>The responsibilities of the Employer, Management and non-Management Employees are specified below.</p> <p>Employees must not engage in any behaviour or comments that are or may be perceived as Hate Related Incidents. Employees are required to report incidents of Hate, or Reprisal to their Supervisors or Managers or to the Human Rights Specialist in Human Resources.</p> <p>It is the responsibility of every Employee to co-operate fully in any attempts to resolve a matter under these policies and to co-operate fully in the investigation of any complaint. Any Employee who refuses to participate in an investigation or the resolution of a matter under these policies, or who knowingly or recklessly makes a false statement or gives false or misleading information, will be subject to disciplinary action up to and including termination of employment.</p>
Employer Responsibility	<ul style="list-style-type: none"> ○ Provide a Workplace free from any Hate Related Incident that is based on the prohibited grounds under the Ontario <i>Human Rights Code</i> and <i>Criminal Code of Canada</i>. ○ Ensure corporate policies and procedures comply with the Ontario <i>Human Rights Code</i>. ○ Ensure information and instruction on the content of a hate prevention program is shared with all Employees. ○ Provide Human Rights awareness education to all Employees. ○ Create an environment that encourages the reporting of all Hate Related Incidents. ○ Provide a process to handle and investigate Hate Related Incident complaints in the most effective, fair and timely manner, given the circumstances. ○ Inform the Complainant of the results of the investigation and any corrective action that has been or will be taken by the City of Hamilton to address workplace Hate Related Incidents.

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Management Responsibility

Management is responsible for providing a Workplace that is free of Hate, and for intervening if a Hate Related Incident occurs. They must ensure that Hate is not tolerated, ignored or condoned.

Management is responsible for not only their own actions, but also for dealing with the actions of staff under their supervision. In order to prevent Hate, address perceived Hate Related Incidents, and to address Employee complaints with respect to Hate on the basis of the prohibited grounds under the *Ontario Human Rights Code and Criminal Code of Canada*,

Management will undertake the following actions:

- Set a good example by never engaging in, tolerating or condoning Hate.
- Make all reasonable efforts possible to protect Employees from Hate.
- Consult with the Human Rights Specialist on all matters that may pertain to this policy.
- If a Hate Related Incident is suspected, or if an Employee complains that they are being harassed or discriminated against, action must be taken in accordance with this policy and the associated procedure (*Resolving Hate Related Incident Issues*). Accordingly, Management must consult with the Human Rights Specialist as soon as possible, upon learning or suspecting that Hate Related Incidents may be occurring. In consultation with the Human Rights Specialist, Management must approach an Employee if a Hate Related Incident is suspected because some Employees may find it difficult and/or be reluctant to complain.
- Respond immediately to any Hate Related Incident complaints by contacting the Human Rights Specialist. Only the Human Rights Specialist may formally investigate a Hate Related Incident Complaint (see the associated procedure – *Resolving Hate Related Incidents*). Management who are aware of a Hate Related Incident and do not take corrective action in consultation with the Human Rights Specialist, may be subject to disciplinary action, up to and including termination of employment.
- In consultation with the Human Rights Specialist/Labour Relations, take remedial action with Employees who violate this policy, including disciplinary action, training, education or any

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	<p>other action deemed appropriate given the circumstances.</p>	
<p>COMPLIANCE</p>	<p>Any Employee who is found to have violated this Hate Related Incident Prevention Policy may be disciplined according to the severity of the actions, up to and including termination of employment with cause and without termination pay/severance. Such terminations will be communicated to City Manager and Council.</p> <p>Any individual, including but not limited to, citizens, volunteers, and members of Advisory Committees/Agencies/Boards, found to have violated this Hate Related Incident Prevention Policy will face appropriate sanctions as determined by Legal Services including removal from said Advisory Committee/Agency/Board, legal sanctions including No Trespass issuance, court injunctions up to and including criminal prosecution. Such actions will be communicated to City Manager and Council.</p>	
<p>RELATED DOCUMENTS</p>	<p>The following related documents may be utilized in conjunction with this Policy:</p> <ul style="list-style-type: none"> • <i>Violence in the Workplace Prevention Policy</i> • <i>Harassment and Discrimination Prevention Policy</i> • <i>Procedure for Resolving Harassment and Discrimination Issues</i> • <i>Procedure for Resolving Hate Related Incidents</i> • <i>Occupational Health and Safety Act (OHSA)</i> • <i>Municipal Freedom of Information and Protection of Privacy Act</i> • <i>Ontario Human Rights Code</i> • <i>Criminal Code of Canada</i> • <i>Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons</i> <p>Contact: For more information on this Policy, contact the Diversity and Inclusion Office in Human Resources, City Manager's Office.</p>	
<p>HISTORY</p>	<p>The Corporate Policy Review Group, Corporate Security, Legal Services, and the Diversity and Inclusion Office were consulted in the development of this Policy.</p> <p>Approved by Council of the City of Hamilton 2019-XX-XX</p> <p>Senior Management Team reviewed updated policy on 2019-XX-XX Corporate Policy Review Group reviewed the policy on 2019-XX-XX</p>	



<i>Human Resources</i>	
Hate Related Incident Prevention Procedure	
PURPOSE	The procedure outlines the steps to implement the Hate Related Incident Prevention Policy.
SCOPE	<p>This procedure applies to all City of Hamilton employees, including but not limited to: regular, temporary and contract employee (collectively called "employees"). This procedure also applies to volunteers, students and interns, and elected officials. Citizen advisory committees/agencies and boards, members of the public and service recipients, visitors and users of City facilities/public space and individuals conducting business with the City of Hamilton or assembling on City premises are also within scope.</p> <p>This procedure applies in all City of Hamilton facilities and buildings and properties.</p>
ROLES and RESPONSIBILITIES	
Employee	<p>Any employee who believes they have witnessed a Hate Related Incident should report the incident immediately to:</p> <ul style="list-style-type: none"> a) Their immediate supervisor/manager and/or; b) Human Rights Specialist
Supervisor or Member of Management	<p>A Manager/Supervisor who receives a complaint or who believes they have witnessed a Hate Related Incident must immediately contact the Human Rights Specialist. The Human Rights Specialist may suggest any of the following steps be taken by management:</p> <ul style="list-style-type: none"> • take immediate action in the event of a real or potential threat to personal safety; and/or • provide a copy of the policies and procedure to the Complainant to ensure awareness of the options under the policies, including protection from reprisal; and/or • provide contact information (name, telephone number, office location) of the Human Rights Specialist to the Complainant.



Human Rights Specialist

The Human Rights Specialist maintains a fair and unbiased attitude to all complaints, and to all those involved in complaints, at all times. The Human Rights Specialist is responsible for providing education and information concerning all forms of Harassment and Discrimination, including Hate Related Incidents, initiating efforts to resolve complaints, and investigating complaints.

COMPLAINT PROCESS

The City's complaint procedures are intended to be a timely forum to address Hate Related Incident complaints. Any costs incurred by the parties during an investigation (legal, travel, etc.) are their own responsibility. In certain circumstances, the Human Rights Specialist may engage the Labour Relations Officer or other appropriate Human Resources staff will work in coordination to resolve a matter.

Where possible, employees who believe that they have been subjected to or witnessed a Hate Related Incident should maintain a written record of the nature of the alleged conduct, date(s), time(s), behaviour, impact and list of witness(es). If the Hate Related Incident behaviour continues, the Complainant should bring the matter to the attention of the Human Rights Specialist as a complaint (see Complaint Procedures for next steps).

The Human Rights Specialist works in Human Resources and acts as an impartial advisor to any City Employee (including Management representatives). The Human Rights Specialist maintains a fair and unbiased attitude to all complaints, and to all those involved in complaints, at all times. The Human Rights Specialist is responsible for providing education and information concerning all forms of Hate Related Incidents, initiating efforts to resolve complaints, and investigating complaints.

a) Complaint Assessment Phase

Once a complaint has been received, the Human Rights Specialist shall assess the complaint to determine appropriate next steps. This may involve a preliminary fact finding process to ascertain:

- Type of behaviour complained about and whether it is covered under the Hate Related Incident Prevention Policies or Procedure
- Severity of the situation
- Identification of parties to make initial inquiries with (i.e. Complainant, Respondent, Management, Witnesses)



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- Whether other initial steps need to be taken (i.e. Police involvement, involvement of Health, Safety and Wellness Specialist, separation of parties to the complaint etc.)
- Whether or not there is a need to intervene further on an informal basis or to investigate

At any point during the Assessment Phase it may be determined by the Human Rights Specialist that no intervention from Human Resources is required or that an investigation into the matter is not required. The Human Rights Specialist has discretion to decide not to intervene or investigate or may discontinue an intervention or investigation, or may refuse to take action on any complaint in situations where:

- the complaint is made more than one year after the date of the last incident of hate related incident or behaviour;
- the complaint is determined to be trivial, frivolous, vexatious or made in bad faith;
- the actions complained of have also been the subject of criminal charges;
- the action(s) complained of do not fall within the definitions of Hate Related Incident or Hate Related Behaviour as defined in the Hate Related Incident Prevention Policy;
- an adequate remedy already exists;
- the issue is most appropriately addressed by another area of the organization;
- having regard to all the circumstances, further investigation of the matter is deemed unnecessary

For the purposes of the Hate Related Incident Prevention Policy and Procedure, fact-finding conducted during the Assessment Phase of these complaints may also satisfy the Occupational Health and Safety Act requirement that “an investigation is conducted into incidents and complaints of workplace harassment that is confidential in the circumstances.”

b) Complaint Investigation Phase

The Human Rights Specialist has discretion to require a signed written complaint from the person making the complaint before an investigation may begin. The written complaint should be submitted to the Human Rights Specialist setting out in detail the nature of the complaint, any information in support of the complaint including the specific incidents of Hate Related Incident behaviour and the names of possible witnesses.



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The Human Rights Specialist will conduct investigations unless otherwise noted.

Investigations may also be undertaken by an external investigator engaged by the City. Any investigation of a complaint made against a member of Council or a Senior Manager will be carried out by an external investigator.

The City of Hamilton may be obligated to proceed with an investigation in the absence of a formal written complaint if the allegation(s) constitute a violation of the Hate Related Incident Prevention Policy. In these cases, the City of Hamilton will proceed with an investigation, with the intent of stopping the alleged behaviour and/or preventing further incidents from occurring if there has been a violation of the policies.

Complaints are investigated by interviewing the Complainant(s), the Respondent(s), any witnesses and reviewing any available documentation. An investigation report should normally be completed within 90 days after a written complaint has been filed. The length of an investigation depends on many variables including but not limited to, the number of witnesses, complexity of the investigation, workplace schedules etc. If a report cannot be completed within the established timelines of this procedure, the parties to a complaint will be advised of the delays and any reasons why. It is incumbent on all parties to a complaint to arrange schedules or support persons so as not to delay the process.

In some circumstances, special arrangements may be advisable (where possible) to separate the Complainant and the Respondent in the workplace, temporarily re-locate either party to a complaint, or re-assign alternate duties to either party to a complaint (depending on the circumstances), pending the results of an investigation. The Human Rights Specialist may recommend and facilitate such arrangements.

Any Employee (including Manager or Supervisor) interviewed by the Human Rights Specialist is entitled to be accompanied by one other person of their choice, as a support person. The Human Rights Specialist will make every effort to determine the identity of the support person prior to the meeting, to ensure that the presence of that particular support person would not present a conflict of interest in regard to the ongoing investigation. Unionized Employees may be supported by their respective unions. Employees are also encouraged to utilize the City's Employee and Family Assistance Program for additional support or Lifespeak



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resources available on the City's e-Net.

Respondent(s) to any complaint being investigated are entitled to know the allegations against them and have the opportunity to respond in full. A written notice of the complaint will be provided to the Respondent, with the general allegations. If necessary, statements from the Respondent(s) are disclosed back to the Complainant(s).

Interviews will be arranged and completed with witnesses and any other individuals who may have information pertinent to the investigation, as deemed necessary by the Human Rights Specialist. In certain circumstances, the Human Rights Specialist may determine that a witness(es) will not be interviewed. At the end of each interview, Complainant(s), Respondent(s) and witness(es) will be asked to review the notes describing the interview and initial them to indicate accuracy. The Human Rights Specialist has the authority to access documents relevant to the complaint.

c) Complaint Investigation Findings Phase

The Human Rights Specialist will consider all the evidence gathered and decide whether or not there has been a violation of policy using the standard of proof called the "balance of probabilities".

Once the investigation is complete, the Human Rights Specialist will forward a report of the findings to the Executive Director, Human Resources and the General Manager (or designate) of the affected department along with recommendations for consideration.

The General Manager of the affected department will forward to the Human Rights Specialist, within ten working days after receiving the recommendations, a letter stating the action taken or to be taken in response to the findings of the investigation.

The Complainant(s) and Respondent(s) will be given a written summary of the findings resulting from the investigation.

d) Complaints Against Elected Officials

In addition to the steps under "Complaint Procedures" the following applies to complaints from Employees, Consultants, Volunteers, Students and Interns against elected officials of the City of Hamilton:

- The Employee may bring the matter to the attention of the Human Rights Specialist, the General Manager of their department or their Supervisor, Manager or



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Director. The Supervisor, Manager or Director shall immediately inform the General Manager of the department of the complaint.

- The General Manager of the Employee's department and the Human Rights Specialist shall consult with the Executive Director, Human Resources and the City Manager.
- Employees of the City of Hamilton shall not conduct the investigation of any complaint against an elected official. The Executive Director of Human Resources shall refer the matter to the Integrity Commissioner and shall advise the Integrity Commissioner that, where an investigation is to be conducted, Human Resources will retain a third party Human Rights Investigator. The third party Human Rights Investigator will gather and examine the facts relating to the complaint and make the findings and recommendations to the Integrity Commissioner. A matter referred to the Integrity Commissioner pursuant to this Procedure shall be deemed a complaint to the Integrity Commissioner duly filed under the Integrity Commissioner By-law, and the Integrity Commissioner shall report, as appropriate, pursuant to the Integrity Commissioner Bylaw.
- Where a Human Rights Investigation has been conducted, no further investigation may be conducted by the Integrity Commissioner.
- Where the Executive Director of Human Resources, in consultation with the Human Rights Specialist, determines that no third party investigation is warranted, the Executive Director of Human Resources shall refer the complaint to the Integrity Commissioner to carry out a similar procedure used by the Human Rights Specialist in Human Resources for Assessment and Resolution (by the Integrity Commissioner), and the Integrity Commissioner shall report, as appropriate, pursuant to the Integrity Commissioner Bylaw.

e) Complaints Against the City Manager

In addition to the steps outlined under "Complaint Procedures", the following applies to complaints from employees against the City Manager:

- The employee may bring the matter to the attention of the Human Rights Specialist, the General Manager of their department or their Supervisor, Manager or



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Director. The Supervisor, Manager or Director shall immediately inform their General Manager of the complaint.

- The General Manager of the employee's department and the Human Rights Specialist shall consult with the Executive Director, Human Resources and they shall jointly provide a confidential report advising of the complaint to the Mayor and Members of the Audit, Finance and Administration Committee.
- Employees of the City of Hamilton shall not conduct an investigation of any complaint against the City Manager.
- The Mayor and Members of the Audit, Finance and Administration Committee shall retain an external human rights investigator to gather and examine the facts relating to the complaint and to make findings and recommendations.
- The external investigator shall report their findings and recommendations for action to the Mayor and to the Audit, Finance and Administration Committee. The Mayor and the Audit, Finance and Administration Committee shall provide City Council with a report summarizing the findings and recommendations for appropriate action.
- If the investigation substantiates in whole or in part that the City Manager violated any City policy on harassment and discrimination, including Hate Related Incidents, City Council shall determine an appropriate sanction.
- When City Council has determined what action, if any, will be taken against the City Manager, the Mayor shall provide a written summary of the findings resulting from the investigation to the Complainant(s).

In addition to the steps outlined under "Complaint Procedures", the following applies to complaints from Employees against a General Manager:

f) Complaints Against a General Manager

- The Employee may bring the matter to the attention of the Human Rights Specialist, or their Supervisor, Manager or Director, or to the City Manager. If the matter is brought to the attention of the Human Rights Specialist or Supervisor, Manager or Director, it shall immediately be directed to the City Manager.



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- Employees of the City of Hamilton shall not conduct an investigation of any complaint against the General Manager. The City Manager will retain an external human rights investigator to gather and examine the facts relating to the complaint and to make findings and recommendations.
- The external investigator shall report their findings and recommendations for action to the City Manager who will determine the appropriate action.
- When the City Manager has determined what action, if any, will be taken against the General Manager, the City Manager and Executive Director of Human Resources shall provide a written summary of the findings resulting from the investigation to the Complainant(s).

g) Allegations Involving Members of the Public

If non-City persons are deemed to have violated the City's Hate Related Incident Prevention Policy, all reasonable efforts will be made to stop the Hate Related Incident behaviour which may involve, banning a person(s) from City facilities, issuing trespass notices, refusal to continue to provide City services, involvement of internal legal services or police involvement.

h) External Investigations

In complaints where an external investigator is retained, the external investigator shall have regard for the City of Hamilton's Hate Related Incident Prevention Policy, the Harassment and Discrimination Prevention Policy, the Personal (Workplace) Harassment Prevention Policy, the Procedure for Resolving Harassment & Discrimination Issues relating to those policies and any relevant law. The external investigator may modify the investigation process as appropriate to the circumstances, subject to the review of any modifications with the Human Rights Specialist, and shall make determinations with regard to applicable policies, procedures and any relevant law.



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i) Confidentiality

All information about complaints is confidential. Employees who are involved in any way in complaints or incidents of Hate Related Incident must not disclose to anyone in the workplace the details of the complaint or incident, except as required by this procedure and the City's policies on Hate Related Incidents. Confidentiality extends to all records relating to complaints, including but not limited to, records of meetings, interviews and investigation results. Breaches of confidentiality may be subject to appropriate disciplinary action up to and including termination of employment.

The Human Rights Specialist will retain documentation related to complaints in a secure file for seven years from the date of the complaint. All records are subject to the provisions of the Municipal Freedom of Information and Protection of Privacy Act and may be subject to disclosure under the Act, or to a court of law.

j) Request for Review

Either the Complainant(s) and/or the Respondent(s) may make a Request for Review of the findings of the investigation if they have new and relevant information that was not previously available or have substantive reasons why the findings were not reasonable. The intent to file a Request for Review must be made known to the Human Rights Specialist in writing within ten calendar days of the date the parties were notified of the findings. Thereafter, there will be a discussion between the person(s) making the Request for Review, and the Human Rights Specialist as to when the request must be submitted (never to exceed more than 20 calendar days from the date of this discussion). The Request for Review must include a statement of the reasons why the findings of the investigation were not reasonable and should be re-considered. If the Request for Review does not include new and relevant information that was not previously available or does not provide substantive reasons why the investigation findings were not reasonable, the Executive Director, Human Resources shall deny the request.

If it appears that there are substantive grounds to reconsider the findings of the investigation, Complainant(s) or Respondent(s) will be informed that a Request for Review has been made and will be given an opportunity to reply. The Executive Director, Human Resources will make a final decision on the final disposition of the review.



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COMPLIANCE

Any Employee who is found to have violated this Procedure or any of its associated Policies will have this matter referred to Labour Relations for determination of appropriate disciplinary sanctions according to the severity of the actions, up to and including termination of employment.

Any member of the public, including citizen volunteer advisory committees, agencies and boards, service users, etc. who is found to have violated this Procedure and its associated Policy will have the matter referred to Legal Services for determination of appropriate steps dependent on the severity of the actions, up to and including legal action and prosecution.

RELATED DOCUMENTS

The following related documents are referenced in this Procedure:

1. *Hate Related Incident Prevention Policy*
2. *Harassment and Discrimination Prevention Policy*
3. *Harassment and Discrimination Prevention Procedure*

CONTENT UPDATED

<<YEAR-MM-DD>>

HISTORY

The following people and groups were consulted in the creation or revisions made to this Procedure:

- TBD

APPROVAL

<<YEAR-MM-DD>>

-DRAFT-

Procedure for Notification of Assembly or Demonstration on City of Hamilton Public Spaces

The City of Hamilton recognizes the fundamental rights under Section 2 of the *Canadian Charter of Rights and Freedoms* as they are exercised through peaceful assemblies such as demonstrations, protests, parades, marches, vigils, picketing and other similar activities.

Assemblies and demonstrations should not interfere with the operation of City Hall. The City of Hamilton has an obligation to protect the safety and welfare of its employees, Council members, citizens doing business at City Hall and to ensure that the delivery of public services is not compromised. Therefore, any activity must be peaceful and considerate of the rights of all users of public space. This procedure sets out the process for notifying the City of Hamilton of your intent to assemble or demonstrate.

Note: The City of Hamilton does not approve, or issue permits for activities associated with assemblies and demonstrations and there is no fee to use public space for these purposes.

Notification Procedure

1. The organizer, defined as the individual in charge of the gathering, will notify the City of Hamilton of the intent to stage an assembly or demonstration by submitting a ‘Notification of Assembly or Demonstration Form.’
2. The Notification allows City stakeholders (e.g. Hamilton Police Service, City of Hamilton Corporate Security Office) to be informed of impacts on their areas of responsibility and to ensure that there are no conflicts with other scheduled activities.
3. Notifications will be submitted online at _____.
4. Once a Notification is submitted, the organizer will receive a confirmation email. Organizers will be contacted by City staff directly if there is a conflict with previously scheduled activities or requests.

Before completing the Notification of Assembly or Demonstration Form, please ensure that you:

1. Familiarize yourself with the Guidelines and Restrictions for Assemblies and Demonstrations (hyperlink)
2. Familiarize yourself with the Hate Related Activities on City Properties Policy and Procedure (hyperlink)
3. Complete and submit your form prior to the demonstration date with as much notice as possible, however notice of 72 hours is appreciated.

Guidelines and Restrictions for Assemblies and Demonstrations

Assemblies and demonstrations held on City of Hamilton property, including the Robert Morrow Forecourt, do not require approval and are not considered formal events. As such, the City does not provide resources to assist or support these types of activities.

Citizens can visit Hamilton.ca for Notification of Assembly or Demonstration procedures. While the City of Hamilton does not issue permits for demonstrations the following Guidelines and Restrictions ensure the safety and enjoyment of other users in the space.

- Forms should be submitted a minimum of 72 hours in advance to ensure that:
 - The identified space remains open and accessible to members of the public;
 - Activities which are contrary to City policies or by-laws or provincial or federal laws are not conducted or promoted, and;
 - Activities are not conducted or promoted that have the potential to incite violence and/or hatred.

The following activities are prohibited during Assemblies and Demonstrations:

- Use of generators;
- Use of electrical outlets;
- Distribution of food or beverage;
- Use of flames or candles (electronic candles permitted);
- Interfering with a picnic, organized gathering or event authorized by permit;
- Selling, offering to sell, or displaying for sale;
- Soliciting for business or charity;
- Distribution of circulars, advertisements, or promotional items;
- Driving a vehicle other than on a designated roadway or parking area;
- Use of any sound amplifying equipment;
- Engaging in riotous, boisterous, violent, threatening, or illegal activity, or using profane or abusive language;
- Engaging in any activity that creates a nuisance or that interferes with the use and enjoyment of the space by other persons;
- Engaging in any activity that may cause injury or damage to any person, animal, tree or property;
- Erecting, placing or installing any permanent or temporary structure, tent or booth;
- Closing a road;
- Littering on City property;
- Affixing or installing temporary or permanent posters/signs/banners;
- Use of temporary or permanent markings such as chalk, crayons, markers, spray paint, etc.

Notification of Demonstration Form

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Organizer Information

Name of Organizer*:

--	--

Position within Organization:

--	--

Phone*:

Email Address*:

--

Organization Information

Name of Affiliated Organization*:

--	--

Website URL:

--	--

Social Media Link:

--	--

Demonstration Information

Start Date*:

--	--

Start Time*:

--	--

End Date*:

--

End Time*:

--

Location*:

Anticipated Attendance (number of people)*:

--	--

Describe the Reason for the Assembly or Demonstration*:

Will you have any posters?*

Yes No

Will you have any signs?*

Yes No

Will you have any flags?*

Yes No

Will there be any public speeches / addresses?*

*Note: Use of microphones or loudspeakers, etc. are prohibited.

Yes No

Will there be any recognizable personalities or present?*

Yes No

Will there be City Councillors or other elected officials present?*

Yes No

Requested media presence?*

Yes No

Confirmed media presence?*

Yes No

I have read and agree to abide by the Guidelines and Restrictions for Assemblies and Demonstrations.*

I have read and agree to abide by the Hate Related Activities on City Properties Policy and Procedure.*

(*) Denotes a required field of the submission form

**CITY OF HAMILTON
CORPORATE SECURITY OFFICE REPORT (CSOR) 19-001
HATE RELATED ACTIVITIES ON CITY OF HAMILTON PROPERTIES**

BACKGROUND

The public sphere area in front of City Hall has been a gathering point for various groups to display messaging and information to the public. Since January 2019, one group with consistent members but under various self-descriptions has attended typically every Saturday in varying numbers. At times, this group has had negative interactions with other groups and members of the public who appear to challenge their messaging and those interactions have resulted in physical and violent altercations that required Hamilton Police intervention to maintain the peace.

Demonstrations at the City Hall forecourt that have been attended by various parties and resulted in violence have negatively impacted scheduled SEAT (Special Events Advisory Team) events.¹ Parties involved in the demonstrations have remained on the exterior of City Hall during their gatherings, however recent events have left various stickers and posted on light posts, the "HAMILTON" sign in front of City Hall, the LED sign on Main Street and on pillars to City Hall with promoting messages and campaigns. Some of these stickers have also been marked to alter the original message using a black marker and, in some areas, black spray paint has been used to cover over the entire sticker.

On June 15 2019 during the 2019 Hamilton Pride event in Gage Park, members representing various groups and members of the public were involved in an altercation that resulted in injuries being received in varying severity and remains an active Police investigation.

COUNCIL MOTIONS

On December 11, 2013, Council passed a motion reinforcing the use of the City Hall Forecourt as a space for public demonstrations and protests, and that there should be no cost to do so. Council directed that the Special Events Advisory Team (SEAT) coordinate with protest organizers, where advanced notice of a protest is given.

On March 28, 2018, Council passed a motion directing staff to investigate and report on ways to mitigate the use of City park and public spaces by "hate groups" in consultation with various groups.

On June 26, 2019, Council directed that staff gather evidence and bring a court injunction preventing certain individuals from future protests on City-owned properties.

REPORT OBJECTIVES

¹ June 1, 2019 SEAT ParticipAction Community Event

The objective of this report is for the Corporate Security Office in the Energy, Fleet and Facilities Management (EFFM) division in Public Works to;

- Contribute towards the GIC Report LS19031 / PW19068.
- Contribute towards the Council Report by the City Manager Office in the Fall of 2019.
- Investigate and review the current abilities (resources) and tools (equipment) at City Hall to contribute to the collection of evidence to support a court injunction as directed by Council on June 26, 2019.
- Research and identify the Bylaws, Policies and Procedures of other Canadian municipality Corporate Security Office's in the balance of municipal asset preservation, civic engagement on municipal property and peaceful enjoyment and use of public open space area.

SCOPE

The Corporate Security Office will be providing a scaled approach and response to its reviews. Initial recommendations on items that need to be actioned as soon as possible are provided in this report, specifically for the City Hall property. Additional recommendations are expected to be delivered in a follow-up Corporate Security Office report in the Fall of 2019 after the full review and analysis of the scope of this report is completed. The Corporate Security Office is currently conducting research related to the request from Council, including referencing several internal City policies and procedures for their application and commitments, legal case law where matters between municipalities and the public have been challenged, as well as municipal partner benchmarking. The Corporate Security Office is also reviewing the current physical security technology located at City Hall. This technical review is to ensure its effectiveness where matters of evidence collection to support lawful investigations require surveillance video that may be used for evidentiary purposes in court. The Corporate Security Office will also be providing proposed recommendations related to physical environment changes to City Hall and its exterior ground, to reduce the impact and likelihood of risk to Members of Council, City staff and members of the public who wish to exercise their rights through peaceful assembly in the public sphere realm.

The following internal City policies are being reviewed for their potential application to this matter;

- Code of Conduct for Employees Policy (Schedule A – Conflict of Interest, Schedule D – Outside Employment and Activity)
- Code of Conduct Procedure
- Harassment and Discrimination Prevention Policy
- Personal Harassment Prevention Policy
- Violence in the Workplace Prevention Policy

- Violence in the Workplace Prevention Procedure
- Recreations “Zero-Tolerance” program
- R-Zone program, currently under development

The following legislated and governance aspects are being reviewed for their potential application to this matter;

- Criminal Code of Canada
- Canadian Charter of Rights and Freedoms
- Federal Case Law (Freedom of Expression Challenges)
- Provincial Case Law (Trespass to Property Act, Municipal Act)
- Provincial Legislations (Trespass to Property Act, Occupiers Liability Act, Municipal Act)
- Hamilton Municipal By-Law’s
- Information and Privacy Commissioner of Ontario (IPC) – Guidelines for the Use of Video Surveillance

The following Canadian municipalities are being benchmarked through Corporate Security’s networking partnerships for their potential application to this matter;

- City of Toronto
- City of Ottawa
- City of Brampton
- City of Mississauga
- City of Guelph
- Region of Niagara
- City of Calgary
- City of Edmonton
- City of Markham
- City of Vaughn
- City of Burlington
- Town of Oakville
- City of Oshawa

FINDINGS

Signage on the exterior of City Hall does not identify the expectations related to behavior and conduct for persons who enter the property and use its services and facilities. Existing exterior signage related to surveillance technology does not appear to capture all regular entry points to the property to ensure notice at all entry points for pedestrian and vehicle traffic.

Security staff (City and contracted) require additional education and training on the collection, review and analysis of camera surveillance records, sign and verbal messaging and physical materials for determining if hate messaging as defined by the Criminal Code of Canada has been used by members of the public in their attendance and participation in gatherings at City Hall.

City staffing resources in the Corporate Security Office in working collaboratively with Hamilton Police during gathering events at City Hall are likely to impact negatively through the delayed delivery of planned projects and services to City staff and internal client's city wide.

City Hall does not currently have safety mitigation tools such as pedestrian barriers and railings that are used by Hamilton Police in the enforcement of keeping the peace during rallies and demonstrations where separation of opposing sides is an effective tactic. Hamilton Police have recently rented for a short term, pedestrian barriers to support peaceful gatherings at City Hall, however the ownership and storage of this material by the City would allow for quick and effective deployment for future events as they arise.

The current surveillance camera technology on the exterior of City Hall is a hybrid of older and new equipment, however its current methodology and application provides general surveillance and significant areas without coverage. The current placements and types of camera technology do not provide records that are sufficient for evidentiary purposes rather than general surveillance coverage. The enhancement of the exterior surveillance cameras would be able to use the existing cabling and recording infrastructure in place already.

The City Hall forecourt area provides an open area for the peaceful enjoyment of the space, however during times of congested congregation by the public and staff, physical barriers to control and prevent pedestrians from entering intentionally where the sidewalk may be blocked or accidentally into live traffic lanes are not currently in place. Additionally, mitigation tools and measures to prevent vehicle penetration into the forecourt at all times are not in place.

Assemblies and demonstrations take place both during normal working hours as well as after normal working hours including evenings and weekends. Currently, trained staff resources are inadequate to ensure that peaceful assemblies and demonstrations can take place on City Property including not only City Hall but other City owned facilities.

RECOMMENDATIONS

1. Corporate Security Office in coordination with Facility Management, Human Resources and Corporate Communications, produce and post signage to notify all persons entering the City Hall property of the expectations related to behaviour and conduct while on City property, and the City's Zero Tolerance approach regarding harassment, discrimination, hate, violence and criminal behaviour, including the collection of evidence to support law enforcement investigations. A sample image of this signage is attached to this report as “Appendix A – Sample Signage”
 - Financial Impact

- No new financial impact is expected, as this recommendation will be funded through existing funding sources.

Management Response: Agree,

2. Corporate Security Office create a procedure for all security staff on how to collect, document, analyze and report on surveillance, materials and messaging during public gatherings and distribute their findings and evidence when required to various City divisions (i.e. Human Resources, Legal Services) and external Law Enforcement partners for further follow-up and investigation related to potential harassment, discrimination, hate, violence and criminal behaviour taking place in the open public spaces on the City Hall property.
 - Financial Impact
 - No financial impact is expected as a result of this recommendation.

Management Response: Agree,

3. Corporate Security Office to procure safety mitigating tools such as portable barriers to support Hamilton Police in the enforcement of safe and peaceful demonstrations that take place in the City Hall outdoor public space.
 - Financial Impact
 - No new financial impact is expected, as this recommendation will be funded through existing funding sources.

Management Response: Agree,

4. Corporate Security Office to procure the enhancement of the City Hall property video surveillance technology to increase its current general surveillance capacity to a evidentiary purpose solution.
 - Financial Impact
 - No new financial impact is expected, as this recommendation will be funded through existing funding sources.

Management Response: Agree,

5. Corporate Security Office to research, identify and report on physical environment enhancements to the City Hall exterior open space to promote the safety and security of all persons who are attending the property for peaceful use and enjoyment of the space.
 - Financial Impact
 - The potential financial impact of this recommendation is unknown until the proposed changes are sourced.

Management Response: Agree,

6. Corporate Security Office hire and train a Security Investigator for the purpose of providing security related services at City owned properties as required including but not limited to Assemblies and Protests. Corporate Security Office to further identify and report on future security staffing resource enhancements for City Hall to ensure appropriate resource levels are responsive to the needs of Members of Council and its Committee’s, City staff, contractors, residents and visitors in the delivery of good government.
 - Financial Impact
 - Estimated at \$90K for the Security Investigator. Future financial impacts to be determined.

Management Response: Agree,

Appendix A – Sample Signage



Hamilton

**ZERO TOLERANCE
of harassment and discrimination**

All individuals on City of Hamilton properties are expected to maintain safe and respectful behaviour at all times.

Harassment, discrimination, hate, violence or any criminal behaviour will not be tolerated, and will be investigated by law enforcement.



**This property is equipped
with automated video
surveillance.**

Corporate Security Office cso@hamilton.ca

Personal information is being collected under the authority of the Municipal Act 2001, S.O c.25 and the Occupier's Liability Act for the purpose of protecting City assets, employees and the public. Questions regarding personal information should be directed to: Manager, Records & Freedom of Information, Office of the City Clerk, 71 Main Street West, 1st Floor, Hamilton, Ontario L8P 4Y5



City of Hamilton
SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET
ANNUAL GENERAL MEETING
REPORT 19-001

July 8, 2019, 6:55 p.m.

Council Chambers, Hamilton City Hall, 71 Main Street West

Present: Mayor F. Eisenberger (Chair)
 Councillors M. Wilson, J. Farr, N. Nann, C. Collins, T. Jackson, E. Pauls,
 J. P. Danko, B. Clark, B. Johnson, J. Partridge

Absent: Councillors S. Merulla, T. Whitehead, M. Pearson, L. Ferguson – Personal
 Councillor A. VanderBeek – Other City Business

**THE SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET
 PRESENTS REPORT 19-001 AND RESPECTFULLY RECOMMENDS:**

**1. Financial Statements of the Hamilton Farmers' Market Corporation, year
 ended December 31, 2017 (Item 5.1)**

That the Financial Statements of the Hamilton Farmers' Market Corporation, year
 ended December 31, 2017, be received.

**2. Financial Statements of the Hamilton Farmers' Market Corporation, year
 ended December 31, 2018 (Item 5.2)**

That the Financial Statements of the Hamilton Farmers' Market Corporation, year
 ended December 31, 2018, be received.

**3. Hamilton Farmers' Market Board Resolution, respecting the Transfer of
 Year-end Surplus of the Hamilton Farmers' Market Board (Item 5.3)**

That \$39,419, the full amount of the 2018 year-end surplus, be transferred from
 the Hamilton Farmers' Market operating account (720400) to the Hamilton
 Farmers' Market Reserve Account (1004006).

4. Hamilton Farmers' Market Board of Directors Resolution (Item 5.4)

WHEREAS the Corporation is a corporation without share capital to which the *Corporations Act*, R.S.O. 1990, c.38 (the "Act") applies;

WHEREAS by the Corporation's Letters Patent, the City of Hamilton is the sole voting member of the Corporation ("Sole Voting Member");

WHEREAS by section 5 of the Corporation's By-Law No.1, the board of directors shall consist of a minimum of seven (7) and a maximum of thirteen (13) or such other number of directors as may be determined from time to time by the Sole Voting Member; and,

WHEREAS by section 15 of the Corporation's By-Law No.1, the City of Hamilton, as the sole voting member, is authorized to or may require the Directors of the Corporation to appoint an auditor;

(a) NOTICE

BE IT RESOLVED:

That the Sole Voting Member hereby waives its right to receive general or special notice of an annual meeting of the members of the Corporation.

(b) MINUTES OF PREVIOUS ANNUAL MEETING

BE IT RESOLVED:

That the minutes of the annual meeting held May 2, 2018 be approved.

(c) DIRECTORS

BE IT RESOLVED:

That the following persons are affirmed or appointed as directors of the Corporation and shall hold office until the date specified below, unless further extended as permitted by the by-laws of the Corporation or until their respective successors are elected or appointed subject to the by-laws of the Corporation:

- | | | |
|-------|-------------------------|-------------------|
| (i) | Councillor Esther Pauls | November 30, 2020 |
| (ii) | Eric Miller | May 13, 2021 |
| (iii) | Wilf Arndt | December 14, 2020 |

(iv)	Elly Bowen	December 14, 2020
(v)	Charlie Chiarelli	June 9, 2021
(vi)	Ron Jepson	June 9, 2021
(vii)	Shane Coleman	June 9, 2021
(viii)	Seth Waterman	May 22, 2021
(ix)	Gordon Albini	May 22, 2021
(x)	Bill Slowka (Ex-Officio)	November 30, 2020
(xi)	Sue Bennison (Ex-Officio)	November 30, 2020

(d) FINANCIAL STATEMENTS AND AUDITOR'S REPORT

BE IT RESOLVED:

That the financial statements of the Corporation for the fiscal years ended December 31, 2017 and December 31, 2018 together with the auditor's report, be and the same are hereby received and approved.

(e) AUDIT APPOINTMENT

BE IT RESOLVED:

That the undersigned, being the Sole Voting Member, hereby authorizes the Directors of the Corporation to appoint an auditor of the Corporation to hold office until the next following annual meeting at such remuneration as may be fixed by the Directors and the Directors are hereby authorized to fix such remuneration.

FOR INFORMATION:

(a) APPROVAL OF THE AGENDA (Item 1)

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

The agenda for the July 8, 2019 Sole Voting Member of the Hamilton Farmers' Market Corporation Annual General Meeting was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) May 2, 2018 (Item 3.1)

The Minutes of the May 2, 2018 meeting of the Sole Voting Member of the Hamilton Farmers' Market Corporation Annual General Meeting were approved, as presented.

(d) Hamilton Farmers' Market Update (Item 4.1)

The presentation respecting the Hamilton Farmers' Market was received.

(e) ADJOURNMENT (Item 7)

There being no further business, the Sole Voting Member of the Hamilton Farmers' Market Corporation adjourned at 7:02 p.m.

Respectfully submitted,

Mayor Fred Eisenberger

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk



**HAMILTON STREET RAILWAY COMPANY
SHAREHOLDER
REPORT 19-001
7:07 p.m.
Monday, July 8, 2019
Council Chambers
Hamilton City Hall
71 Main Street West**

Present: Mayor F. Eisenberger (Chair)
Councillors M. Wilson, J. Farr, N. Nann, C. Collins, T. Jackson, E. Pauls,
J. P. Danko, B. Clark, B. Johnson, J. Partridge

Absent: Councillors S. Merulla, M. Pearson, L. Ferguson, T. Whitehead – Personal
Councillor A. VanderBeek – Other City Business

**THE HAMILTON STREET RAILWAY SHAREHOLDER PRESENTS REPORT 19-001
AND RESPECTFULLY RECOMMENDS:**

1. Shareholder Resolution (Item 4.1)

WHEREAS, the City of Hamilton is the sole and beneficial Shareholder of the Hamilton Street Railway Company (the “Corporation”);

WHEREAS, the City of Hamilton is authorized to hold shares in the Corporation and to exercise the rights attributed thereto, pursuant to Sub-section 11.9(1) of the *City of Hamilton Act*, 1999, S.O. 1999, c.14, Schedule C (“Act”), but the Corporation is not an Offering Corporation within the meaning ascribed to that term in the *Business Corporations Act*, R.S.O. 1990, c. B.16 (“OBCA”);

WHEREAS, the City of Hamilton has a duty to manage the affairs of the Corporation, pursuant to Sub-section 11.9(2) of the *Act*; and,

WHEREAS, the Council of the City of Hamilton are sitting as representatives of the Shareholder (City of Hamilton) for the Corporation;

THEREFORE, BE IT RESOLVED:

Council – July 12, 2019

That the Council of the City of Hamilton, acting in its capacity as representative of the Shareholder (City of Hamilton) of the Corporation, RESOLVES AS FOLLOWS:

NOTICE REQUIREMENT

1. That, in accordance with the provisions of the *Ontario Business Corporations Act*, R.S.O., 1990, the Shareholder hereby waives any notice requirement for the manner or time of notice required to be given under any provision of any Act, any regulations thereunder, the articles, the by-laws or otherwise and such waiver shall cure any default in the manner or time of such notice, as the case may be.

APPOINTMENT OF OFFICERS

2. That the following persons be reappointed to the following positions as officers of the Corporation effective December 1, 2019 and shall continue to hold office until November 30, 2020 or until their respective successors are elected or appointed subject to the by-laws of the Corporation:
 - (i) Vice-President, Dan McKinnon; and,
 - (ii) General Manager, Debbie Dalle Vedove;
3. That any Officer of the Corporation be hereby authorized and directed to do all acts and things necessary or desirable to give full effect to the foregoing resolutions; and,
4. That, in accordance with the provisions of the *Ontario Business Corporations Act*, R.S.O. 1990 (OBCA), the Shareholder hereby consents, to the Hamilton Street Railway Company being exempt from the requirements of Part XII of the OBCA regarding the appointment and duties of an auditor for the financial year of the Corporation ending December 31, 2018.

FOR INFORMATION:

(a) APPROVAL OF THE AGENDA (Item 1)

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

The agenda for the July 8, 2019 Hamilton Street Railway Company Shareholder were approved, as presented.

(b) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) January 17, 2018 (Item 3.1)

The January 17, 2018 Minutes of the Hamilton Street Railway Company Shareholder meeting were approved, as presented.

(c) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(d) ADJOURNMENT (Item 6)

There being no further business, the Hamilton Street Railway Company Shareholder meeting adjourned at 7:10 p.m.

Respectfully submitted,

Mayor Fred Eisenberger

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk



PLANNING COMMITTEE REPORT

19-011

July 9, 2019

9:30 a.m.

**Council Chambers, Hamilton City Hall
71 Main Street West**

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

THE PLANNING COMMITTEE PRESENTS REPORT 19-011 AND RESPECTFULLY RECOMMENDS:

1. **Amend Appendix 1 of By-law 18-199, a By-law to Prohibit Driving School Instructing in the Restricted Areas and Expand Schedule A of the Administrative Penalty System (APS) By-law 17-225 to Include Contraventions of By-law 18-199 (PED17179(c)) (Wards 4 and 5) (Item 7.1)**
 - (a) That the amending By-law attached as Appendix "A" to Report PED17179(c), being a By-law to amend By-law 18-199, a By-law to Prohibit Driving School Instructing in the Restricted Areas be enacted by Council;
 - (b) That the Administrative Penalty System (APS) By-law 17-225 be amended to include By-law 18-199 as Table 19 to Schedule A as shown in Appendix "B" to Report PED17179(c) be enacted by Council.
2. **Hearing Officer Appointment By-law for Administrative Penalty System (PED19122) (City Wide) (Item 7.2)**

That the Hearing Officer By-law, being a by-law to appoint Hearing Officers in accordance with the Administrative Penalty By-law No. 17-225, attached as Appendix "A" to Report PED19122, which has been prepared in a form satisfactory to the City Solicitor, be approved.

3. Amendments to Yard Maintenance By-law 10-118 to Include Inoperative Vehicles (PED19144) (City Wide) (Item 7.3)

- (a) That the housekeeping changes to the City of Hamilton Yard Maintenance By-law 10-118 regarding the definitions for inoperative motor vehicles and urban boundary as described in Report PED19144, detailed in the proposed amending by-law attached as Appendix “A” be approved;
- (b) That the amending by-law attached as Appendix “A” to Report PED19144 which has been prepared in a form satisfactory to the City Solicitor be enacted by Council.

4. Hamilton Municipal Heritage Committee Report 19-004 (Item 7.4)

That the following recommendations be approved:

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

- (i) That A. Denham-Robinson be appointed Chair of the Hamilton Municipal Heritage Committee for the 2018-2022 term; and,
- (ii) That C. Dmitry be appointed Vice-Chair of the Hamilton Municipal Heritage Committee for the 2018-2022 term.

(b) Bill 108 - Proposed Changes to the Ontario Heritage Act (PED19140) (City Wide) (Item 10.2)

That Report PED19140 respecting Bill 108 - Proposed Changes to the Ontario Heritage Act, be received.

5. Application for Draft Plan of Condominium (Vacant Land) for Lands Located at 121 Fiddler's Green Road (PED19131) (Ward 12) (Item 8.2)

That Draft Plan of Condominium Application 25CDM-201816, by Wellings Planning Consultants Inc., on Behalf of Sonoma Homes Inc. (Michael Chiaravalle), owner to establish a Draft Plan of Condominium (Vacant Land) to create a private road, landscaped areas, and five units on lands located at 121 Fiddler’s Green Road (Ancaster), as shown on Appendix “A”, attached to Report PED19131, be APPROVED subject to the following conditions:

- (a) That the approval for Draft Plan of Condominium (Vacant Land) application 25CDM-201816 applies to the plan prepared by A.T. McLaren Limited, certified by S.D. McLaren, and dated April 10, 2019, consisting of a private road, landscaped areas, and five units for a total of five single detached dwellings, attached as Appendix “A” to Planning Committee Report 19-011;

- (b) That the conditions of Draft Plan of Condominium Approval 25CDM-201816, attached as Appendix “B” to Planning Committee Report 19-011, be received and endorsed by City Council; and,
- (c) That the public submissions received did not affect the decision.

6. Lorraine Appleyard respecting an Order to Remove Ducks and Changes to the By-law (Item 6.1)

That the Order to Remove the ducks, issued to Lorraine Appleyard, be enforced.

7. Application to Amend Town of Dundas Zoning By-law No. 3581-86 Respecting Lands Located at 574 Northcliffe Avenue, Dundas (PED19132) (Ward 13) (Item 8.3)

- (a) That Zoning By-law Amendment Application ZAR-19-013, by Sisters of St. Joseph, (Owner), to establish a Temporary Use By-law to permit a dormitory for 96 students with an additional 42 students subject to servicing upgrades for a total of 138 students as a temporary use within Building ‘B’, for a maximum period of three years, for the lands located at 574 Northcliffe Avenue, Dundas, as shown on Appendix “A” to Report PED19132, be APPROVED on the following basis:
 - (i) That the draft Temporary Use By-law, attached as Appendix “B” to Report PED19132, be approved by City Council;
 - (ii) That a Holding Symbol (H) pursuant to Section 36 of The Planning Act, R.S.O. 1990, c.P. 13 and Subsection 4.9 of By-Law No. 3581-86 is hereby applied to the PPS Zone category as it applies to 574 Northcliffe Avenue (Building ‘B’). For such time as the Holding Symbol (H) applies to the subject lands, temporary dormitory shall be limited to a maximum capacity of 96 students. Council shall remove the Holding Symbol (H) by by-law amendment upon all of the following requirements having been addressed to its satisfaction:
 - (1) The applicant / proponent shall demonstrate and have attained all of the necessary approvals to provide adequate services to increase the capacity beyond 96 students to accommodate a dormitory having a maximum capacity of 138 occupants to the satisfaction of the Niagara Escarpment Commission, Director, Development Planning and Ministry of Environment, Conservation and Parks.
 - (2) That upon such time as the Holding Symbol (H) is lifted, the temporary dormitory shall have a maximum occupancy of 138 persons.

- (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Niagara Escarpment Plan, Greenbelt Plan, and Parkway Belt West Plan and complies with the Region of Hamilton-Wentworth Official Plan and Town of Dundas Official Plan; and,
 - (b) That the public submissions received did not affect the decision.
- 8. Amend Business Licensing By-law 07-170 to Include a New Licence Category for Tree Cutting Services as Schedule 14 (PED19008(a)) (City Wide) (Item 10.1)**
 - (a) That Report PED19008(a) respecting amending the Business Licensing By-law No. 07-170 to include Tree Cutting Services as a schedule be received;
 - (b) That the draft By-law, attached as Appendix “A” to Report PED19008(a) which amends Business Licensing By-law No. 07-170 to include Tree Cutting Services as a schedule be enacted by Council;
 - (c) That a new licensing fee of \$270 for Tree Cutting Services be approved, and that the User Fees and Charges By-law be amended accordingly.
- 9. Authorization for 100 Hamilton Street GP Inc. to apply for Variances to a By-law for Lands Located at 100 Hamilton Street North (Flamborough) (Item 11.1)**

WHEREAS, Bill 73, *Smart Growth for our Communities Act*, 2015 placed a moratorium for minor variance applications within 2 years of passing a site specific zoning by-law amendment;

WHEREAS, the application as presented in Report PED17157 for 100 Hamilton Street North was approved on October 18, 2017 and is within the 2 year moratorium;

WHEREAS, Council may waive this moratorium on a site specific basis, to allow the applicant to make an application to the Committee of Adjustment;

WHEREAS, it would then be within the authority of the Committee of Adjustment to assess the merits of the application and to make a decision; and,

WHEREAS, the applicant is interested in seeking a minor variance to address matters related to loading spaces and the definition of retirement home;

THEREFORE BE IT RESOLVED:

That 100 Hamilton Street GP Inc. be authorized to apply for variances to a by-law for lands located at 100 Hamilton Street North.

10. 9 Main Street North, Waterdown - Municipal Register of Property of Cultural Value or Interest (Item 12.1)

WHEREAS, the owner of the lands located at 9 Main Street North, Waterdown, recently sold the property and closed the Village Fish & Chips restaurant;

WHEREAS, 9 Main Street North, Waterdown, is listed on the City's Heritage Inventory, but is not currently recognized through registration or protected through designation under the *Ontario Heritage Act*;

WHEREAS, a preliminary evaluation of Cultural Heritage Value or Interest conducted as part of the Waterdown Village Built Heritage Inventory found that 9 Main Street North, Waterdown meets the criteria specified in *Ontario Regulation 9/06* including, but not limited to:

- (i) Historical Associations – The property is directly associated with potentially significant organizations, institutions and local businesses. Historically, the building was publically-owned and tied to the early village post office and an early Bell telephone office. In the mid-20th century the building housed the East Flamborough Police Department. The recently closed Village Fish & Chips restaurant, owned and operated by the Bos Family since 1969, served the community for almost 50 years.
- (ii) Physical and Architectural Design - The wood-framed building, clad in rough-cast stucco, with a low hip roof and projecting eaves, is a representative example of a local vernacular architectural style. Overall, the design of the building does not appear to have changed significantly since its construction circa the turn of the 20th century. The central doors, with flanking windows on the front façade, and the low hip roof date to at least the 1950s when the East Flamborough Police Department occupied building.
- (iii) Contextual Value – The property is important in defining the historic character of the area. It is physically, functionally and historically linked to its surroundings. This former public building is located on the historic transportation corridor of Main Street North just north of Dundas Street.

THEREFORE BE IT RESOLVED:

- (a) That 9 Main Street North, Waterdown, be added to the City's Municipal Heritage *Register of Property of Cultural Heritage Value or Interest* as a non-designated property; and,

- (b) That Council direct staff to add 9 Main Street North, Waterdown, to staff's designation work plan and be assigned high priority for Heritage Designation.

11. Liquor Licence Act - Auxiliary Zone Changes (Item 12.2)

WHEREAS, the *Making Ontario Open for Business Act, 2018* is a series of bills through the Government of Ontario's Open for Business Action Plan to stimulate business investment and make Ontario more competitive;

WHEREAS, the City of Hamilton Open for Business Subcommittee has a common goal to create consistent, predictable, and customer-focused services that encourage enterprises and entrepreneurs in the City of Hamilton;

WHEREAS, the City of Hamilton's Open for Business initiatives include a number of initiatives designed to support local restaurant, bar and cafe owners through programs such as the On-Street Patio Program and music on patios program and streamlined patio approvals program;

WHEREAS, the Province of Ontario's Auxiliary Zone requirements prohibit patrons with liquor from moving across the unlicensed sidewalk separating a licensed outdoor patio and licensed establishment; and,

WHEREAS, licensed establishments would benefit from the modernization of the Liquor License Act to allow for a more liberal use of auxiliary zones;

THEREFORE BE IT RESOLVED:

That the Mayor request the Alcohol and Gaming Commission of Ontario to review and update the regulations under the Liquor License Act allowing patrons to move across auxiliary zones within a licensed premise to include any thresholds between licensed outdoor patios and the licensed establishment.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. PUBLIC HEARINGS / DELEGATIONS (Item 8)

- 8.3 Application to Amend Town of Dundas Zoning By-law No. 3581-86 Respecting Lands Located at 574 Northcliffe Avenue, Dundas (PED19132) (Ward 13)

8.3(a) Written Submission from Janet Nancekivell

2. NOTICES OF MOTION (Item 12)

- 12.1 9 Main Street North – Municipal Register of Property of Cultural Value or Interest
- 12.2 Liquor Licence Act – Auxiliary Zone Changes

The agenda for the July 9, 2019 meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

None declared.

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

(i) June 18, 2019 (Item 4.1)

The Minutes of the June 18, 2019 meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Delegation Requests Items 6.1, 6.2 and 6.3

The following Delegation Requests were approved for today's meeting, to be heard before the Public Meetings:

- 6.1 Lorraine Appleyard respecting an Order to Remove Ducks and Changes to the By-law
- 6.2 Jennifer Smith respecting Backyard Ducks
- 6.3 Barbara Davis respecting Backyard Ducks

(ii) Delegation Requests Items 6.1, 6.2 and 6.3

Delegation Requests 6.1, 6.2 and 6.3 were moved to be heard after 10:00 a.m. to ensure Councillor Danko was present.

(iii) Application for Draft Plan of Condominium (Vacant Land) for Lands Located at 121 Fiddler's Green Road (PED19131) (Ward12) (Item 8.2)

Item 8.2 respecting Application for Draft Plan of Condominium (Vacant Land) for Lands Located at 121 Fiddler's Green Road (PED19131) was moved up in the agenda to be heard after the approval of the Delegation Requests.

For disposition of this matter, refer to Item 5.

(iv) Amber Lindsay, UrbanSolutions, respecting a Request to Apply for a Minor Variance at 100 Hamilton Street North, Flamborough (Item 6.4)

The Delegation Request from Amber Lindsay respecting a Request to Apply for a Minor Variance at 100 Hamilton Street North, Flamborough, was approved for today's meeting.

(e) PUBLIC HEARINGS/DELEGATIONS (Item 8)

(i) Application for Draft Plan of Condominium (Vacant Land) for Lands Located at 121 Fiddler's Green Road (PED19131) (Ward 12) (Item 8.2)

In accordance with the provisions of the Planning Act, Chair Pearson advised that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Draft Plan of Condominium 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.

Melanie Schneider, Planner II, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available online at www.hamilton.ca or through the Office of the City Clerk.

That the staff presentation was received.

Glenn Wellings, Wellings Planning Consultant, agent, and Michael Chiaravalle, Sonoma Homes, owner, were in attendance and indicated support for the staff report and addressed the Committee.

The presentation from Glen Wellings and Michael Chiaravalle, was received.

Delegations:

1. Tom and Teresa St. Michael, 25 Douglas Road, addressed the Committee and expressed concerns with the proposal.

The Delegation was received.

Written Submissions:

1. Rosemarie Morris

The written submission was received.

The public meeting was closed.

The recommendations in Report PED19131 were amended by adding the following sub-section (c):

(c) That the public submissions received did not affect this matter.

For disposition of this matter, refer to Item 5.

(ii) Lorraine Appleyard respecting an Order to Remove Ducks and Changes to the By-law (Item 6.1)

Lorraine Appleyard addressed the Committee respecting an Order to Remove Ducks and Changes to the By-law.

The Delegation from Lorraine Appleyard respecting an Order to Remove Ducks and Changes to the By-law, was received.

(iii) Jennifer Smith respecting Backyard Ducks (Item 6.2)

Jennifer Smith addressed the Committee respecting Backyard Ducks.

The delegation from Jennifer Smith respecting Backyard Ducks, was received.

(iv) Barbara Davis respecting Backyard Ducks (Item 6.3)

Barbara Davis addressed the Committee respecting Backyard Ducks.

The delegation from Barbara Davis respecting Backyard Ducks, was received.

For disposition of this matter, refer to Item 6.

(v) James Lafferty respecting Concerns with Southbrook Golf Club regarding Ongoing Issues, Zoning, Permits and Dumping (Approved at the June 18th meeting) (Item 8.1)

James Lafferty addressed the Committee respecting Concerns with Southbrook Golf Club regarding Ongoing Issues, Zoning, Permits and Dumping.

The delegation from James Lafferty respecting Concerns with Southbrook Golf Club regarding Ongoing Issues, Zoning, Permits and Dumping, was received.

(vi) Application to Amend Town of Dundas Zoning By-law No. 3581-86 Respecting Lands Located at 574 Northcliffe Avenue, Dundas (PED19132) (Ward 13) (Item 8.3)

In accordance with the provisions of the Planning Act, Chair Pearson advised 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.

Ryan Ferrari, Planning Technician I, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available online at www.hamilton.ca or through the Office of the City Clerk.

The staff presentation was received.

John Ariens, IBI Group, was in attendance and indicated support for the staff report and addressed the Committee.

The presentation from John Ariens, was received.

Delegations:

1. Yoanne Speers, 41 Atkinson Boulevard, addressed the Committee and expressed concerns with the proposal.
2. Nancy McKeil, 37 Northcliffe Avenue, addressed the Committee and expressed concerns with the proposal.

3. Janet Nancekivell, 10 Zellens Road, addressed the Committee and expressed concerns with the proposal.

The Delegations were received.

Written Submissions:

1. Janet Nancekivell

The written submission was received.

The public meeting was closed.

The recommendations in Report PED19132 were amended by adding the following sub-section (b):

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

For disposition of this matter, refer to Item 7.

(vii) Amber Lindsay, UrbanSolutions, respecting a Request to Apply for a Minor Variance at 100 Hamilton Street North, Flamborough (Item 6.4)

Amber Lindsay, UrbanSolutions, addressed the Committee respecting a Request to Apply for a Minor Variance at 100 Hamilton Street North, Flamborough, with the aid of a PowerPoint presentation.

A copy of the presentation is available online at www.hamilton.ca or through the Office of the City Clerk.

The delegation from Amber Lindsay, UrbanSolutions, respecting a Request to Apply for a Minor Variance at 100 Hamilton Street North, Flamborough, was received.

For disposition of this matter, refer to Item 9.

(f) NOTICES OF MOTION (Item 12)

(i) 9 Main Street North, Waterdown - Municipal Register of Property of Cultural Value or Interest (Item 12.1)

The Rules of Order were waived to allow for the introduction of a Motion respecting 9 Main Street North, Waterdown - Municipal Register of Property of Cultural Value or Interest.

For disposition of this matter, refer to Item 10.

(ii) Liquor Licence Act - Auxiliary Zone Changes (Item 12.2)

The Rules of Order were waived to allow for the introduction of a Motion respecting Liquor Licence Act - Auxiliary Zone Changes.

For disposition of this matter, refer to Item 11.

(g) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(i) General Manager's Update (Added Item 13.1)

The General Manager's Update was received.

(h) PRIVATE AND CONFIDENTIAL (Item 14)

(i) Closed Session Minutes - June 18, 2019 (Item 14.1)

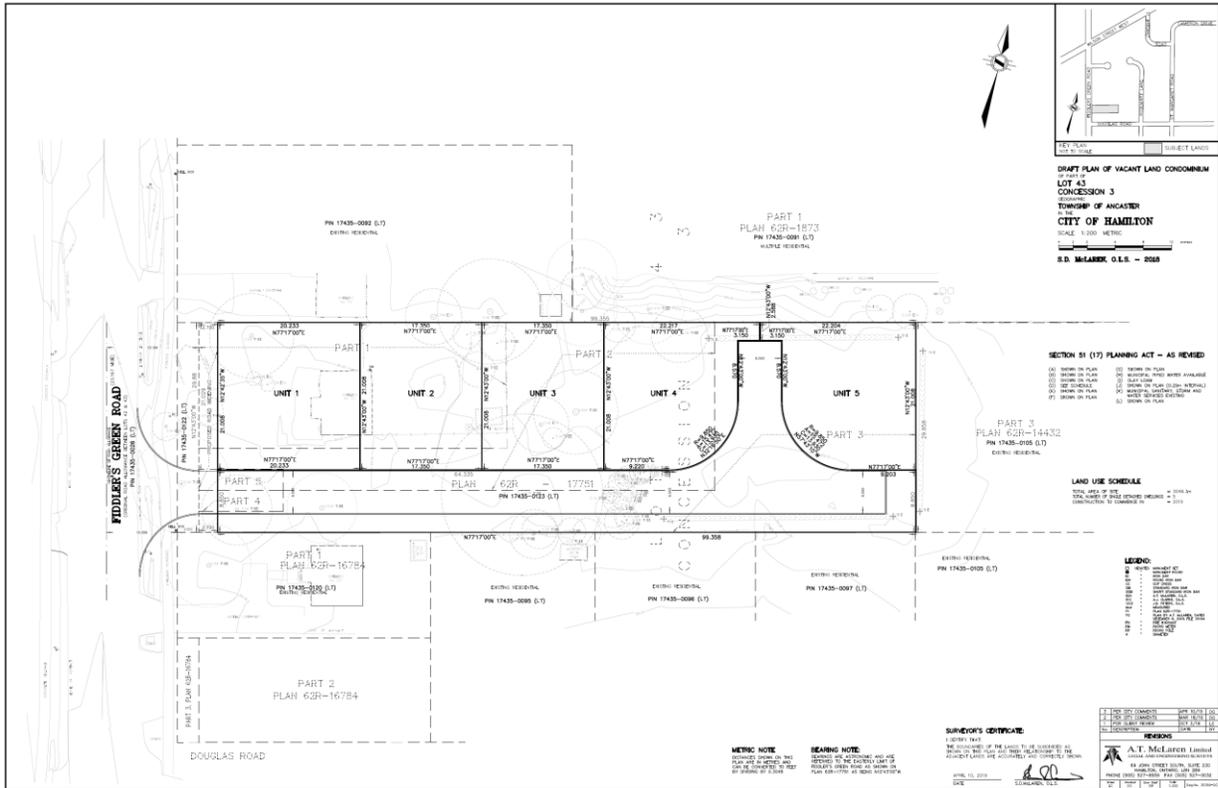
The Closed Session Minutes of June 18, 2019 were approved, as presented, and are to remain confidential.

(i) ADJOURNMENT (Item 15)

There being no further business, the Planning Committee was adjourned at 12:36 p.m.

Councillor Maria Pearson
Chair, Planning Committee

Lisa Chamberlain
Legislative Coordinator
Office of the City Clerk



Recommended Conditions of Draft Plan of Condominium Approval

That this approval for the **Draft Plan of Condominium Application 25CDM-201816, by Wellings Planning Consultants Inc., on behalf of Sonoma Homes Inc. (Michael Chiaravalle), Owner,** to establish a Draft Plan of Condominium (Vacant Land) to create a private road, landscaped areas and five units, on lands located at 121 Fiddler's Green Road (Ancaster), be received and endorsed by City Council with the following special conditions:

1. That the final Plan of Condominium shall comply with all of the applicable provisions of the Town of Ancaster Zoning By-law No. 87-57, as amended by By-law No. 17-181, or in the event the City of Hamilton has repealed and replaced the Town of Ancaster Zoning By-law No. 87-57 with By-law No. 05-200, the final Plan of Condominium shall comply with all of the applicable provisions of the Zoning By-law in force and effect at the time of registration of the Draft Plan of Condominium.
2. That Site Plan Application DA-18-207 receive final approval and that the final Plan of Condominium complies with the final approved Site Plan, to the satisfaction of the Director of Planning and Chief Planner.
3. That the owner shall agree to include the following in all Purchase and Sale Agreements and Rental or Lease Agreements, to the satisfaction of the Senior Director of Growth Management:
 - (i) Purchasers are advised that the City of Hamilton will not be providing maintenance or snow removal service for the private condominium road.
 - (ii) The home mail delivery will be from a Community Mail Box.
 - (iii) Garages are provided for the purpose of parking a vehicle. It is the responsibility of the owner / tenant to ensure that their parking needs (including those of visitors) can be accommodated onsite. On-street, overflow parking may not be available and cannot be guaranteed in perpetuity.
4. That the owner will be responsible for officially notifying the purchasers of the exact Community Mail Box locations, to the satisfaction of Senior Director of Growth Management and Canada Post prior to the closing of any home sales.
5. That the owner work with Canada Post to determine and provide temporary suitable Community Mail Box locations, which may be utilized by Canada Post, until the curbs, boulevards, and sidewalks are in place in the remainder of the subdivision, to the satisfaction of the Senior Director of Growth Management.
6. That the owner install a concrete pad in accordance with the requirements of, and in locations to be approved by the Senior Director of Growth Management and Canada Post, to facilitate the placement of Community Mail Boxes.

7. That the owner identify the concrete pads for the Community Mail Boxes on the engineering / servicing drawings. Said pads are to be poured at the time of the sidewalk and / or curb installation within each phase, to the satisfaction of the Senior Director of Growth Management.
8. That the owner determine the location of all mail receiving facilities in co-operation with the Senior Director of Growth Management and Canada Post, and to indicate the location of mail facilities on appropriate maps, information boards, and plans. Maps are also to be prominently displayed in the sales office(s), showing specific mail facility locations.
9. That the owner shall agree to include the following in all Purchase and Sale Agreements and Rental or Lease Agreements and in the Condominium Declaration, as described in the report titled "121 Fiddler's Green Road Development, City of Ancaster, now City of Hamilton", dated January 2019, to the satisfaction of the Director of Planning and Chief Planning:
 - (i) Unit 1:

Warning Clause "A":

Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the City of Hamilton and the Ministry of the Environment, Conservation and Parks.

Warning Clause "C":

This dwelling unit has been fitted with a forced air heating system and the ducting etc., was sized to accommodate central air condition. Installation of central air conditions will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of the Environment, Conservation and Park's noise criteria. (Note: the location and installation of the outdoor air conditioning device should be done so as to minimum the noise impacts and comply with the criteria of MECP publication NPC-216 Residential Air Conditioning Devices and thus minimize the noise impacts both on and in the immediate vicinity of the subject property.)
10. That the owner shall agree to include the following in all Purchase and Sale Agreements and Rental or Lease Agreements and in the Condominium Declaration, to the satisfaction of the Manager of Development Engineering Approvals:

NOTICE REGARDING MAINTENANCE OF THE PERFORATED PIPE SYSTEM

There is a private perforated pipe system shown on the approved servicing drawing prepared by S. Llewellyn & Associates Limited Consulting Engineers. The Owner must ensure that the system is operating optimally at all times.

NOTICE REGARDING MAINTENANCE OF THE HYDROGUARD SYSTEM

The private "Hydroguard" system is depicted as storm manhole MH2 on the approved servicing drawing prepared by S. Llewellyn & Associates Limited Consulting Engineers. The maintenance requirements for the Hydroguard unit are documented at concastpipe.com. The unit should be inspected once per year. Maintenance intervals will be required depending on individual site conditions (traffic use, stabilization, storage piles, etc.). The long-term maintenance frequency can be established based on the maintenance requirements during the first several years of operation if site conditions do not change. The Hydroworks HG unit is typically maintained using a "vactor" truck or "clam shell bucket". There are numerous companies that can maintain this unit. The HG separator must be maintained if there is an appreciable depth of oil in the unit (more than a sheen) or if floatables other than oil cover over 50% of the open water surface on the inlet side of the outlet baffle wall. It should also be maintained once the accumulated TSS/sediment depths are greater than 14" (350 mm) in the inner chamber.

11. That the owner / developer provide to Union Gas the necessary easements and / or agreements required by Union Gas for the provision of gas services, in a form satisfactory to Union Gas.
12. That the owner shall satisfy all conditions, financial or otherwise, of the City of Hamilton.

NOTES TO DRAFT PLAN APPROVAL

- 1) Pursuant to Section 51(32) of the *Planning Act*, draft approval shall lapse if the plan is not given final approval within three years. However, extensions will be considered if a written request is received before the draft approval lapses.



PUBLIC WORKS COMMITTEE REPORT 19-010

9:30 a.m.

Wednesday, July 10, 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, N. Nann, E. Pauls, M. Pearson, and A. VanderBeek

Absent with

Regrets: Councillors S. Merulla and T. Whitehead – Personal

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 19-010 AND RESPECTFULLY RECOMMENDS:

1. Intersection Control List (PW19001(c)) (Wards 1, 3, 8, 13 and 14) (Item 7.2)

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

Intersection		Stop Control Direction		Class	Comments / Petition	Ward
Street 1	Street 2	Existing	Requested			
Section "B" Dundas						
(a)	Brock Road	Highway 8	SB/EB	All	C	Converting to all-way stop – Councillor approved 13
Section "E" Hamilton						
(b)	Gary Avenue	Westwood Avenue	EB/WB	All	A	Converting to all-way stop – Councillor approved 1
(c)	Campbell Avenue	Kensington Avenue	NB/SB	All	A	Converting to all-way stop – Councillor approved 3

(d)	McElroy Road East	Terrace Drive	NB/SB	All	A	Converting to all-way stop – Councillor approved	8
(e)	McElroy Road East	Warren Avenue	NB/SB	All	A	Converting to all-way stop – Councillor approved	8
(f)	South Bend Road East	Warren Avenue	NB/SB	All	A	Converting to all-way stop – Councillor approved	8
(g)	South Bend Road East	Dodson Street	NB/SB	All	A	Converting to all-way stop – Councillor approved	8
(h)	Golfwood Drive	Atkins Drive	All	EB	A	Removing all-way stop – Councillor approved	14

Legend

No Control Existing (New Subdivision) - **NC**

Intersection Class: **A** - Local/Local **B** - Local/Collector **C** - Collector/Collector

2. In-House Bid Submission for the Operations and Maintenance of the Central Composting Facility (PW19059) (City Wide) (Item 7.3)

That Report PW19059, respecting In-House Bid Submission for the Operations and Maintenance of the Central Composting Facility, be received.

3. Annual Report on Watermain Breaks - 2018 (PW19060) (City Wide) (Item 7.4)

That Report PW19060, respecting an Annual Report on Watermain Breaks - 2018, be received.

4. Elevated Lake Levels and the Derating of the Peak Flow Capacity at the Woodward Avenue Wastewater Treatment Plant (PW19065) (City Wide) (Item 7.5)

That Report PW19065, respecting Elevated Lake Levels and the Derating of the Peak Flow Capacity at the Woodward Avenue Wastewater Treatment Plant, be received.

5. Bill 65 - Neighbourhood Speed Limit Reduction Implementation (PW19058) (City Wide) (deferred from the June 17, 2019 meeting) (Item 10.1)

- (a) That staff be directed to implement city-wide neighbourhood speed-limit reductions on local and minor collector roadways to 40 km/hr, as outlined in Appendix "A" to Public Works Committee Report 19-010;
- (b) That the speed limit in designated school zones on local and minor collector roadways be reduced to 30 km/hr within 150 meters of a school boundary, in conjunction with implementation of neighbourhood 40 km/hr speed limit reductions; and,
- (c) That staff be directed to include the Landsdale neighbourhood (Ward 3) with the boundaries of the rail corridor to Main Street East and Wellington Avenue to Birch Avenue, capturing school zones for Cathy Wever Elementary School and Cathedral Secondary School, as outlined in Appendix "A" attached to Public Works Committee Report 19-010.

6. Mountain Climber Phase Two Pilot Results and Phase Three Expansion (PW17026(b)) (City Wide) (Item 10.2)

- (a) That the Mountain Climber pilot locations on Beckett Drive and Kenilworth Access be considered complete as pilots and continue on a permanent basis;
- (b) That staff be directed to implement five new Mountain Climber locations: Waterdown Road / Mill Street South (Route 18), Wilson Street East (Route 5A/5C), Jolley Cut / Arkledun Avenue (Routes 22, 23, 24, 25, 26, 27), Red Hill Valley Parkway (Route 11), and Centennial Parkway South / Upper Centennial Parkway (Route 44);
- (c) That the total one-time capital cost of \$7,200 be funded through existing funds in the Transit Shelter and Bus Stop Rehabilitation Project, in account and Dept ID 59212-5301785602, with the cost of the installation of signage to be included in this amount;
- (d) That staff be directed to monitor all new Mountain Climber locations for a total of one year, and report results to the Public Works Committee in 2020.

7. Transit Shelter Standardization (PW19064) (City Wide) (Item 10.4)

- (a) That the standardization of transit shelters and associated hardware equipment manufactured by Daytech Limited, pursuant to Procurement Policy #14 – Standardization, be approved until June 30, 2029; and,

- (b) That the General Manager, Public Works Department be authorized and directed to negotiate, enter into and execute any required Contract and any ancillary documents required to give effect thereto with Daytech Limited, in a form satisfactory to the City Solicitor.

8. Smart Commute Workplace Mobility Program Transition (PED19124) (City Wide) (Item 10.6)

- (a) That the General Manager, Planning and Economic Development Department be delegated authority to execute, on behalf of the City of Hamilton, the necessary agreements and ancillary documents, all in a form satisfactory to the City Solicitor to:
 - (i) transfer the existing operating contract from Metrolinx to the City of Hamilton to continue third party commuting services with existing, and new, providers and to facilitate the provision of workplace and school travel planning on-line tools for employees and students in the City and Province of Ontario and to include the Smart Commute branding and intellectual property;
 - (ii) procure new third-party commuting services with existing, and new, providers and to facilitate the provision of workplace and school travel planning on-line tools for employees and students in the City and Province of Ontario;
 - (iii) With other Ontario municipalities, to deliver regionally coordinated workplace and school transportation demand management and sustainable mobility programs for employees and students; as well as providing access to these on-line tools and brands;
- (b) That one full-time equivalent staff position be created within Transportation Planning and Parking and the \$90,000 in City capital funding that was previously used to fund external consultants be used to fund this position; and,
- (c) That staff be directed to report back to the Public Works Committee annually on the results of the Sustainable Mobility Program including the workplace and school programs.

9. Additional Funding Allocation to Contract C15-31-19 (Annual Concrete and Asphalt Repairs) (P.O. #91528) for Sidewalk Maintenance and Repairs in Ward 2 (Item 11.1)

- (a) That \$30,000 be added to existing contract C15-31-19 (Annual Concrete and Asphalt Repairs) (P.O. #91528) to be funded from the Ward 2 Area

Rating Reserve, 108052, for sidewalk maintenance and repairs in Ward 2; and,

- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents to add \$30,000 in funds to existing contract C15-31-19 (Annual Concrete and Asphalt Repairs) (P.O. #91528) from the Ward 2 Area Rating Reserve, 108052, for sidewalk maintenance and repairs in Ward 2, with such terms and conditions in a form satisfactory to the City Solicitor.

10. 2019 Canadian Little League Championship - Waiving of Rental Fee for Bleachers (Ward 12) (Item 11.2)

WHEREAS, the 2019 Canadian Little League Championship, a 10-day tournament, will be held at Ancaster Little League Park and hosted by Ancaster Little League;

WHEREAS, the tournament will bring economic benefits to Ancaster and the City of Hamilton;

WHEREAS, Council, at its meeting of February 13 & 14, 2019, approved Item 2 of Audit, Finance and Administration Committee Report 19-002, that the City of Hamilton financially support the hosting of the 2019 Little League Championship in the amount of \$50,000, to be funded from the Tax Stabilization Reserve, which did not include the cost of bleacher rental; and,

WHEREAS, a request has been received by the organizers of the Canadian Little League Championship to waive the rental fee for mobile bleachers for the 2019 Canadian Little League Championship;

THEREFORE, BE IT RESOLVED:

That staff be directed to waive the \$6,286.33 (inclusive of HST) rental fee for mobile bleachers for the 2019 Canadian Little League Championship being held in August 2019 in Ward 12, with the cost for the work to be absorbed within the Public Works Department's 2019 operating budget.

11. Kenilworth Avenue Christmas Wreath Program (Ward 4) (Item 11.3)

WHEREAS, the City of Hamilton offers various seasonal festive displays around dedicated areas of the city;

WHEREAS, the Environmental Services Division implements the work associated with the seasonal display, with an approved budget with no funding for program enhancements; and,

WHEREAS, opportunities and community interest had been expressed for seasonal displays along Kenilworth Avenue, and the Ward 4 Councillor had previously provided funding and support for this initiative, which has now been spent;

THEREFORE, BE IT RESOLVED:

- (a) That the Kenilworth Avenue Christmas Wreath Program be continued for 2019, including the replacement of 4 damaged wreaths, at a cost of \$750 per wreath for a total of \$3,000, to be funded from the Ward 4 Area Rating Discretionary Account 3301909400;
- (b) That \$7,000 for the installation, removal and storage of 35 wreaths, hydro fees, and electrical maintenance of the power supply, be included in the Public Works Departments 2020 annual base operating budget for consideration; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents to continue the Kenilworth Avenue Christmas Wreath Program in 2019, with such terms and conditions in a form satisfactory to the City Solicitor.

12. Commemorative Designation of Paisley Avenue North, Hamilton, as "Anne Jones Way" (Ward 1) (Item 11.4)

WHEREAS, Anne Jones served Hamilton as an alderman and on the Board of Control;

WHEREAS, Anne Jones was appointed by the Province as the first Chair of the Regional Municipality of Hamilton-Wentworth;

WHEREAS, Anne Jones was appointed the first honorary police chief for the Hamilton Police Service;

WHEREAS, Anne Jones founded DARTS transit, the first of its kind in Ontario;

WHEREAS, she was the Founder of Hamilton Status of Women's Committee, the first in Canada;

WHEREAS, she has served on the Board of Governors of Mohawk College, the YMCA Board, McMaster University, St. Joseph's Hospital, Hamilton General Hospital and a member of the Zonta Club of Hamilton; and,

WHEREAS, she chaired the Ontario Municipal Employee's Retirement Board, served as Vice-Chair of Go Transit, and was an executive member of the Board

of Directors of Hamilton Region Conservation Authority and later a member of its Foundation;

THEREFORE, BE IT RESOLVED:

- (a) That the installation costs, in an amount not to exceed \$300, to be funded from the Ward 1 Area Rating Discretionary Fund, 3301909100 to formally dedicate the entire length of Paisley Avenue North, Hamilton, as "Anne Jones Way"; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents to formally dedicate the entire length of Paisley Avenue North, Hamilton, as "Anne Jones Way", with such terms and conditions in a form satisfactory to the City Solicitor.

13. Legal Street Art Wall at Woodlands Park for the Concrete Canvas Street Art Festival (Ward 3) (Item 11.5)

WHEREAS, legal street art walls have been proven to be an effective way to reduce 'tagging' in areas where graffiti is prevalent and provide an opportunity for aspiring muralists to practice their art in a safe, creative, and educational space;

WHEREAS, Concrete Canvas, a multi-day street art festival where local and internationally-acclaimed artists alike create murals across Hamilton, will take place July 12-14, 2019 in collaboration with the City of Hamilton;

WHEREAS, the north edge of Woodlands Park at Wentworth Street is the proposed location for the installation of a legal graffiti art wall where young local artists can be mentored and inspired by local and internally acclaimed artists as part of the Concrete Canvas festival; and,

WHEREAS, the Keep Hamilton Clean and Green (KHCG) Committee expressed support of the project as an initiative to beautify our community and prevent graffiti, but was unable to approve the motion to fund the project at its June 18, 2019 meeting due to a lack of quorum;

THEREFORE, BE IT RESOLVED:

- (a) That a contribution of \$5,000 be made to the Woodlands Park Capital Account 4241809304 for the purpose of creating a "legal street art wall" at Woodlands Park in Ward 3 to be funded from Corporate Financials Operating Budget (211090);
- (b) That an additional contribution of \$2,500 be made to the Woodlands Park Capital Account 4241809304 for the purpose of creating a "legal street art

wall” at Woodlands Park in Ward 3 to be funded from the 2019 Ward 3 Area Rating Discretionary Fund (3301909300);

- (c) That the City’s Keep Hamilton Clean and Green Committee be requested to support the street art wall in the amount of \$5,000 as part of its mandate to combat graffiti in the city, and that any amount committed by the Keep Hamilton Clean and Green Committee be used to reimburse the \$5,000 contribution from the Corporate Financials Operating Budget (211090); and,
- (d) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents to create a “legal street art wall” at Woodlands Park for the 2019 Concrete Canvas Street Art Festival, with such terms and conditions in a form satisfactory to the City Solicitor.

14. Installation of Type B Pedestrian Crossover on Cannon Street East and 40 km/hr School Zone Speed Limit with Flashing Beacons on King Street East for Bernie Custis Secondary School, on Main Street East for Memorial School and on King Street East and Main Street East for St. Patrick Catholic Elementary School (Ward 3) (Item 11.6)

WHEREAS, the City of Hamilton has approved the Vision Zero Action Plan and the Safe Routes to School Charter;

THEREFORE, BE IT RESOLVED:

- (a) That Traffic Operations and Maintenance staff be directed to review the designated school zones on King Street East for Bernie Custis Secondary School, on Main Street East for Memorial School and on King Street East and Main Street East for St. Patrick Catholic Elementary School, for the installation of 40 km/hr school zone speed limit with flashing beacons;
- (b) That the installation of the required materials for the installation of 40 km/hr school zone speed limit with flashing beacons on King Street East for Bernie Custis Secondary School, on Main Street East for Memorial School and on King Street East and Main Street East for St. Patrick Catholic Elementary School be completed for the start of the 2019/2020 school year and funded from the Ward 3 Area Rating Reserve 108053 in an amount not to exceed \$90,000;
- (c) That a Type B Pedestrian Crossover (side mounted flasher and overhead signs) be installed on Cannon Street East between Balsam Avenue North and Melrose Avenue North for Bernie Custis Secondary School, to be funded from the Ward 3 Area Rating Reserve 108053 in an amount not to exceed \$60,000; and,

- (d) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents to install 40 km/hr school zone speed limit with flashing beacons on King Street East for Bernie Custis Secondary School, on Main Street East for Memorial School and on King Street East and Main Street East for St. Patrick Catholic Elementary School and a Type B Pedestrian Crossover on Cannon Street East, with such terms and conditions in a form satisfactory to the City Solicitor.

15. Drinking Fountain Installation at Various Parks and Public Spaces in Ward 3 as Part of the Zero Plastic Waste Initiative (Item 11.7)

WHEREAS, the installation of water fountains and bottle filling stations can help reduce the use of single-use plastic water bottles, having a measurable impact on Hamilton's ecosystems and public health;

WHEREAS, water fountains and bottle filling stations encourage residents to take advantage of tap water rather than buying bottled water or other beverages; and,

WHEREAS, water fountains and bottle filling stations support residents staying hydrated in the heat and improve local health;

THEREFORE, BE IT RESOLVED:

- (a) That \$100,000 be allocated from the Ward 3 Area Rating Reserve Account #108053 to the following parks and public spaces for the installation of drinking fountains as part of a zero-plastic waste initiative:
 - (i) Century Street Parkette;
 - (ii) North Central Community Park;
 - (iii) Woodlands Park; and,
 - (iv) Lucy Day Park;
- (b) That the appropriate staff be authorized and directed to choose the best suited locations for such drinking fountains at Century Street Parkette; North Central Community Park; Woodlands Park; and, Lucy Day Park, based on best practices;
- (c) That the annual operating impacts of \$2,500 for the supply of water, maintenance, and winterization be included in the 2020 Public Works Department base operating budget submission; and,
- (d) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents for the installation of drinking fountains at Century Street Parkette, North Central Community Park, Woodlands Park, and Lucy Day Park as part of a zero-plastic waste

initiative, with such terms and conditions in a form satisfactory to the City Solicitor.

16. Funding for Various Public Infrastructure Initiatives in Ward 3 (Item 11.8)

WHEREAS, Seniors in City Housing at 30 Sanford have reported feeling secure with the use of their key card passes in the lounge and other common areas;

WHEREAS, the Gage Park pump track is open for use by the community and requires investment to provide bicycles and tools for repair to be maintained by the community;

WHEREAS, the completion of the Gage Park Greenhouse necessitates installation of an Access Point, which will provide Wi-Fi to the North side of the Park; and,

WHEREAS, Give Proof to Our Youth hosts their annual Memorial Day and programming on July 27th and will honour the memory of youth who have been killed due to gang violence;

THEREFORE, BE IT RESOLVED:

- (a) That funding for the following initiatives, to be financed from the 2019 Ward 3 Area Rating Discretionary Fund (3301909300), be approved:
 - (i) \$15,000 be funded for the installation of a key card entry system to the first floor washrooms at 30 Sanford Avenue South;
 - (ii) \$5,000 be funded to have the Gage Park pump track shed outfitted with tools and a selection of various sizes of bikes for use by the community;
 - (iii) \$1,500 be funded to reinstall the Wi-Fi access point on the new Gage Park Greenhouse; and,
 - (iv) Up to \$1,600 be funded to install a community memorial bench on the south west side of Gage Park;
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, respecting the installation of a key card entry system to the first floor washrooms at 30 Sanford Avenue South; to have the Gage Park pump track shed outfitted with tools and a selection of various sizes of bikes for use by the community; to reinstall the Wi-Fi access point on the new Gage Park Greenhouse; and, to install a community memorial bench on the south west side of Gage

Park, with such terms and conditions in a form satisfactory to the City Solicitor.

17. Valley Park Sign Beautification Upgrades (Ward 9) (Item 11.9)

WHEREAS, there is an existing landscaped Gateway Welcome Sign feature in Valley Park; and,

WHEREAS, the citizens of Ward 9 would like the to enhance the Gateway Welcome Sign in Valley Park with additional flowering perennials and shrubs to be implemented by the Horticulture Section of the City of Hamilton;

THEREFORE, BE IT RESOLVED:

- (a) That the supply, installation and maintenance including weekly watering for added beautification to the Valley Park Gateway Sign at a cost of \$4,185, be funded from the Ward 9 Area Rating Reserve (108059);
- (b) That \$1,500 for the on-going maintenance of the additional perennial and shrub material, be included in the Public Works Departments 2020 annual base operating budget submission; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents for the supply, installation and maintenance including weekly watering for added beautification to the Valley Park Gateway Sign, with such terms and conditions in a form satisfactory to the City Solicitor.

18. Installation of Ladder Style Crosswalks at the Intersection of Rosemont Avenue and Barnesdale Drive (Ward 3) (Added Item 11.10)

WHEREAS, a Ward 3 resident has requested the installation of all-way stop control at the intersection of Rosemont Avenue and Barnesdale Drive;

WHEREAS, Transportation Operations and Maintenance staff recommends the installation of all-way stop control at the intersection of Rosemont Avenue and Barnesdale Drive; and,

WHEREAS, Transportation Operations and Maintenance staff recommends that two additional ladder style markings be installed on the east and west crosswalks at the intersection;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to implement ladder style crosswalks at the intersection of Rosemont Avenue and Barnesdale Drive, with installation costs to be funded from the Ward 3 Area Rating Reserve account (108053) to an upset limit of \$1,500; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents for the installation of ladder style crosswalks at the intersection of Rosemont Avenue and Barnesdale Drive, with such terms and conditions in a form satisfactory to the City Solicitor.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

1. DISCUSSION ITEMS (Item 10)

- 10.1 Bill 65 - Neighbourhood Speed Limit Reduction Implementation (PW19058) (City Wide) (deferred from the June 17, 2019 meeting)

Appendix "C" has been added to the Report.

- 10.2 Mountain Climber Phase Two Pilot Results and Phase Three Expansion (PW17026(b)) (City Wide)

Recommendation (d) has been revised, to direct the report back to the Public Works Committee instead of Council.

- 10.3 To Incorporate City Lands into Acadia Drive by By-law (PW19063) (Ward 7)

Recommendation (b) has been corrected to indicate that the by-law was attached as Appendix "B" to the Report, not Appendix "A".

- 10.5 Telecommunications Industry Investments in the City (PW19062/LS19029) (City Wide)

This report has been withdrawn from the agenda at this time.

- 10.6 Smart Commute Workplace Mobility Program Transition (PED19124) (City Wide)

Recommendation (c) has been revised, to direct the report back to the Public Works Committee instead of Council.

2. MOTIONS (Item 11)

- 11.6. Installation of Type B Pedestrian Crossover on Cannon Street East and 40 km/hr School Zone Speed Limit with Flashing Beacons on King Street East for Bernie Custis Secondary School, on Main Street East for Memorial School and on King Street East and Main Street East for St. Patrick Catholic Elementary School (Ward 3) – REVISED

- 11.8. Funding for Various Public Infrastructure Initiatives in Ward 3 – REVISED

3. NOTICES OF MOTION (Item 12)

- 12.1. Installation of Ladder Style Crosswalks at the Intersection of Rosemont Avenue and Barnesdale Drive (Ward 3)

The agenda for the July 10, 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) June 17, 2019 (Item 4.1)

The Minutes of the June 17, 2019 meeting of the Public Works Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

- (i) David Borsellino, respecting Traffic Data Used to Make Modifications on Aberdeen Ave. and Enhancements at the Intersection at Kent St. and Glenfern Ave. (Ward 1) (for a future meeting) (Item 6.1)**

The delegation request, submitted by David Borsellino, respecting Traffic Data Used to Make Modifications on Aberdeen Ave. and Enhancements at the Intersection at Kent St. and Glenfern Ave., was approved for a future meeting.

(e) CONSENT ITEMS (Item 7)

(i) Waste Management Advisory Committee Minutes - April 18, 2019 (Item 7.1)

The Minutes of the April 18, 2019 meeting of the Waste Management Advisory Committee, were received.

(f) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) David Twiss, respecting Paving of Balsam Avenue South from Cannon Street East to Main Street East and General Sidewalk Repairs (Ward 3) (approved on June 17, 2019) (Item 8.1)

David Twiss addressed the Committee respecting the paving of Balsam Avenue South from Cannon Street East to Main Street East and general sidewalk repairs, with the aid of photos and a handout.

The presentation provided by David Twiss, respecting the Paving of Balsam Avenue South from Cannon Street East to Main Street East and General Sidewalk Repairs, was received.

A copy of the photos and handout are available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

(ii) Jay Krause, Cycle Hamilton, respecting the Cannon Street Resurfacing Project (approved on June 17, 2019) (Item 8.2)

Jay Krause, Cycle Hamilton, addressed the Committee respecting the Cannon Street Resurfacing Project, with the aid of a presentation.

The presentation provided by Jay Krause, Cycle Hamilton, respecting the Cannon Street Resurfacing Project, was received.

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

The appropriate staff were directed to review the recommendations contained in the Cycle Hamilton presentation, respecting the Cannon Street Resurfacing Project to the July 10, 2019 Public Works Committee, and report back on how the City may accommodate the recommendations contained within that presentation.

(g) DISCUSSION ITEMS (Item 10)

(i) Bill 65 - Neighbourhood Speed Limit Reduction Implementation (PW19058) (City Wide) (deferred from the June 17, 2019 meeting) (Item 10.1)

Report PW19058, respecting Bill 65 - Neighbourhood Speed Limit Reduction Implementation, was amended by adding a new subsection (c) as follows:

- (c) *That staff include the Landsdale neighbourhood (Ward 3) with the boundaries of the rail corridor to Main Street East and Wellington Avenue to Birch Avenue, capturing school zones for Cathy Wever Elementary School and Cathedral Secondary School in Appendix "A" to Public Works Committee Report 19-010.***

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

(ii) To Incorporate City Lands into Acadia Drive by By-law (PW19063) (Ward 7) (Item 10.3)

Report PW19063, respecting the Incorporation of City Lands into Acadia Drive by By-law, was DEFERRED to allow for consultation with the Ward 7 Councillor.

(h) NOTICES OF MOTION (Item 12)

(i) Installation of Ladder Style Crosswalks at the Intersection of Rosemont Avenue and Barnesdale Drive (Ward 3) (Added Item 12.1)

The Rules of Order were waived to allow for the introduction of a Motion respecting the Installation of Ladder Style Crosswalks at the Intersection of Rosemont Avenue and Barnesdale Drive.

For further disposition of this matter, refer to Item 18.

(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) Making Upper James Street More Pedestrian Friendly
Item on OBL: E
Current Due Date: July 10, 2019
Proposed New Due Date: September 30, 2019
- (ii) Waste Management System Development – Public Engagement Strategy Results and Preliminary Waste Management System Alternatives
Item on OBL: I
Current Due Date: June 17, 2019
Proposed New Due Date: December 2, 2019
- (iii) Hamilton-Halton Homebuilders' Association (HHBA) Delegation on Water Main Approval Issues and Recommendations for Master-water/wastewater Servicing Studies
Item on OBL: T
Current Due Date: July 10, 2019
Proposed New Due Date: August 14, 2019
- (iv) Timely Notice of Any Discharges of Untreated or Partially Treated Sewerage into Hamilton Harbour from Local Municipal Sewerage Treatment Plants
Item on OBL: AJ
Current Due Date: June 17, 2019
Proposed New Due Date: August 14, 2019
- (v) Eligibility Requirements for Riders to Access DARTS Transit
Item on OBL: AN
Current Due Date: June 17, 2019
Proposed New Due Date: September 30, 2019
- (vi) Certificate of Recognition (COR™) Program
Item on OBL: AQ
Current Due Date: July 10, 2019
Proposed New Due Date: September 16, 2019

(vii) Project 3541641602 – Ancaster Memorial Arts and Culture Centre
Item on OBL: AX
Current Due Date: June 17, 2019
Proposed New Due Date: August 14, 2019

(viii) Lead Water Service Replacement Loan Program Amendments
Item on OBL: AT
Current Due Date: Q3 2019
Proposed New Due Date: November 18, 2019

(b) Items considered complete and needing to be removed:

(i) Operations and Maintenance of the Central Composting Facility
Partially addressed as Item 7.3 on today's agenda – Report PW19059
Item on OBL: AV - only subsection (c) is to be removed

(j) ADJOURNMENT (Item 15)

There being no further business, the Public Works Committee was adjourned at 11:34 a.m.

Respectfully submitted,

Councillor L. Ferguson
Chair, Public Works Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk

2019 Implementation Plan – Neighbourhood Speed Limit Reductions List of Neighbourhoods

	Neighbourhood 40 km/h Speed Limit Reduction	30 km/h School Zones
Ward	Neighbourhood Name Boundary	School Name
1	Kirkendall South Aberdeen Avenue to escarpment, Chedoke Avenue to Queen Street	None
	Ainslie Wood North Escarpment to Main Street West, hydro corridor to Cootes Drive	Colin Macdonald Community School
	Ainslie Wood, Ainslie Wood East, Ainslie Wood North Osler Drive/Main Street West to escarpment, Whitney Avenue to Longwood Road	St. Mary Catholic Secondary School, Canadian Martyrs Catholic Elementary School, Glenwood Elementary School, Hamilton Hebrew Academy
2	Corktown Main Street East to Claremont Access, James Street South to Wentworth Street South	Queen Victoria Elementary School
	Durand Main Street West to escarpment, Queen Street South to James Street South	Central Elementary School
	Beasley rail corridor (north of Barton Street) to Main Street East, James Street North to Wellington Street North	Dr. JE Davey Elementary School
3	Stipley rail corridor (north of Barton Street) to Main Street East, Sherman Avenue to Gage Avenue	Prince of Wales Elementary School & St. Ann Catholic Elementary School
	Delta West Main Street East to escarpment, Gage Avenue to Ottawa Street	None
	Delta East Main St E to escarpment, Ottawa Street South to Kenilworth Street South	AM Cunningham Jr Public School
4	Homeside Lake Ontario to Main Street East, Kenilworth Avenue to Strathearne Avenue	WH Ballard Elementary School
	Rosedale Lawrence Road to Greenhill Avenue, Kenilworth Avenue to Red Hill Parkway	Rosedale Elementary School

	Neighbourhood 40 km/h Speed Limit Reduction	30 km/h School Zones	
Ward	Neighbourhood Name	Boundary	School Name
	Bartonville	Main St E to Lawrence Rd, Kenilworth Ave S to Cochrane Rd	None
5	Redhill	King Street East to escarpment, Red Hill Parkway to Montmorency Drive	Elizabeth Bagshaw Elementary School, St. Luke Catholic Elementary School
	Riverdale East	Barton Street East to Queenston Road, Lake Avenue to Grays Road	St. Agnes Catholic Elementary School
	Riverdale West	Barton Street East to Queenston Road, Centennial Parkway North to Lake Avenue North	Lake Avenue Public School
6	Lisgar	Mohawk Road East to Limeridge Road, Upper Ottawa Street to Upper Kenilworth Avenue	Lisgar Elementary School, St. Anthony Daniel Catholic Elementary School
	Eleanor	Stone Church Road to Rymal Road, Upper Sherman Avenue to Upper Gage Avenue	None
	Sunninghill	Escarpment to Fennell Avenue, Upper Gage Avenue to Upper Ottawa Street	Highview Elementary School
7	Raleigh	Mountain Park to Fennell, Upper Sherman Avenue to Upper Gage Avenue	None
	Bruleville	Mohawk Road to the LINC, Upper Wellington Street to Upper Wentworth Street	Pauline Johnson Elementary School,
	Butler	Stone Church Road to Rymal Road, Upper Wentworth Street to Upper Sherman Avenue	St. John Paul II Catholic Elementary School, St. Jean de Brebeuf Catholic Secondary School
8	Ryckmans	Stone Church Road to Rymal Road, Upper James to Upper Wellington	None
	Rolston	Mohawk Road to the LINC, Garth Street to West 5th Street	Westview Elementary School, Annunciation of our Lord Catholic School, Westwood Elementary School,

Neighbourhood 40 km/h Speed Limit Reduction			30 km/h School Zones
Ward	Neighbourhood Name	Boundary	School Name
			Westmount Secondary School,
	Balfour	Fennell Avenue to Mohawk Road, Upper James Street to Upper Wellington Street	Norwood Park Elementary School
9	Leckie Park East	Highland Park to Rymal Road, Second Road to First Road West	St. Mark's Catholic Elementary School, Gatestone Elementary School
	Leckie Park West	Highland Park to Rymal Road, First Road West to Upper Centennial Parkway	None
	Pinehill	Rymal Road to Periwinkle Drive/Blue Mountain Drive	Bishop Ryan Catholic Secondary School
10	South Meadow	King Street to escarpment, Green Road to Millen Road	Memorial Elementary School
	Eastdale	Barton Street to Hwy 8, Grays Road to Green Road	None
	Guernsey	Barton Street to Hwy 8, Millen Road to Dewitt Road	None
11	Mount Hope	Airport Road to White Church Road, Hamilton Airport to Upper James Street	None
	Kopperfield Park	Grassyplain Drive to Twenty Road, Glancaster Road to Garth Street	None
	Binbrook	Festival Way to Voyager Pass, Fletcher Road to Wills Crescent/Etherington Crescent	St. Matthew Catholic School, Bellmoore Elementary School
12	Meadowlands	Golf Links Road to Garner Road, Southcote Road to Stone Church Road	Ancaster Meadow Elementary School, Immaculate Conception Catholic Elementary School, Holy Name of Mary Catholic Elementary School, Tiffany Hills Elementary School
	Spring Valley	Jerseyville Road to Wilson Street, Shaver Road to Fiddler's Green	Ancaster Secondary School

Neighbourhood 40 km/h Speed Limit Reduction		30 km/h School Zones	
Ward	Neighbourhood Name	Boundary Road	School Name
	Leeming	Wilson Street to Hwy 403, Hamilton Drive to Fiddler's Green Road	Fessenden Elementary School, St. Joachim Catholic School, Ancaster Senior Elementary School,
13	Morden/Sobel	Escarpment to Governors Road, Dundas Conversation lands to Golfview Crescent/Huntingwood Avenue	None
	Greensville	Crooks Hollow Road to Tews Lane, Greensville northerly limit to Hillcrest/Maple Avenue	Spencer Valley Elementary School
	Creighton East, Creighton West	Mill Street to Governors Road, Head Street to Ogilvie Street	Dundas Valley Montessori School
14	Gilkson	LINC to Stone Church Road, Upper Paradise Road to Garth Street	R. A. Riddell Elementary School
	Falkirk East	Stone Church Road to Rymal Road, Upper Paradise Road to Garth Street	St. Thomas More Secondary School
	Gilbert	Mohawk Road to the LINC, Upper Paradise Road to Garth Street	None
15	Waterdown West	Parkside Drive to Dundas Street, Hwy 6 to Hamilton Drive	Guy B Brown Elementary School,
	Waterdown Northwest	Waterdown northerly limit to Parkside Drive, Hwy 6 to Hamilton Drive	Allan A Greenleaf Elementary School, Waterdown Secondary School,
	Waterdown Southwest	Dundas Street to escarpment, Hwy 6 to Mill Street South	None



BOARD OF HEALTH REPORT 19-007

1:30 p.m.

Wednesday, July 10, 2019

Council Chambers

Hamilton City Hall

Present: Mayor F. Eisenberger (Chair), Councillor M. Wilson (Vice-Chair)
Councillors J. Farr, N. Nann, E. Pauls, J.P. Danko, B. Clark, M. Pearson, B. Johnson, L. Ferguson, A. VanderBeek, J. Partridge

**Absent with
Regrets:** Councillors S. Merulla and T. Whitehead – Personal; Councillors C. Collins and T. Jackson – City Business

THE BOARD OF HEALTH PRESENTS REPORT 19-007 AND RESPECTFULLY RECOMMENDS:

1. Communications (Items 5.5 - 5.7)

That Board of Health Communications 5.5 to 5.7 be approved, as presented, as follows

- (a) Correspondence from Sudbury & Districts Public Health respecting Parity of Esteem Position Statement (Item 5.5)

Recommendation: Be endorsed.

- (b) Correspondence from Peterborough Public Health respecting Support for Children Count Task Force Recommendations (Item 5.6)

Recommendation: Be endorsed.

- (c) Correspondence from the Windsor-Essex County Board of Health respecting Smoke-Free Multi-Unit Dwellings (Item 5.7)

Recommendation: Be endorsed, and referred to staff to prepare a letter addressed to the Prime Minister, copied to the Minister of Health, Hamilton MPPs, the Association of Local Public Health Units, and Ontario Boards of

Health in support of the Windsor-Essex County Boards resolution on Smoke-Free Multi-Unit Dwellings.

2. Food Strategy Priority Actions 2 (Food Skills & Employability) and 3 (Neighbourhood Food Infrastructure) (BOH13001(i)) (City Wide) (Item 7.1)

That Report BOH13001(i)), respecting Food Strategy Priority Actions 2 (Food Skills & Employability) and 3 (Neighbourhood Food Infrastructure), be received.

3. Managed Opioid Treatment Programs (BOH19023) (City Wide) (Item 7.2)

That Report BOH19023, respecting Managed Opioid Treatment Programs, be received.

4. Feasibility of Providing Drug Checking (Fentanyl) Test Strips (BOH19024) (City Wide) (Item 7.3)

(Nann/VanderBeek)

That Report BOH19024, respecting the Feasibility of Providing Drug Checking (Fentanyl) Test Strips, be received.

5. Seniors Oral Health (BOH19026) (City Wide) (Item 7.4)

(a) That the Board of Health authorize and direct the Medical Officer of Health to receive, utilize and submit reports back on the funding from the Ministry of Health and Long-Term Care to support the delivery of a dental program for low-income seniors, and that staff report back to the Board of Health by end of Q3 2019 on the development of the program locally; and

(b) That the Board of Health delegate authority to the Medical Officer of Health to submit the Ontario Seniors Dental Care Program service delivery plan and capital funding application for Hamilton based on the provincial criteria on August 7, 2019.

6. 2018 Annual Ontario Public Health Standards (OPHS) Report and Attestation to the Province (BOH19027) (City Wide) (Item 10.1)

That Report BOH19027, respecting the 2018 Annual Ontario Public Health Standards (OPHS) Report and Attestation to the Province, be received.

FOR INFORMATION:

(a) CERMONIAL ACTIVITIES (Item 1)

There were no ceremonial activities.

(b) CHANGES TO THE AGENDA (Item 2)

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

The agenda for the July 10, 2019 Board of Health was approved, as presented.

(c) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) June 17, 2019 (Item 4.1)

The Minutes of the June 17, 2019 meeting of the Board of Health were approved, as presented.

(e) COMMUNICATIONS (Item 5)

(i) Correspondence from Hastings Prince Edward Public Health respecting Concerns with Announces Expansion of the Sale of Alcohol Beverages in Ontario (Item 5.1)

The Correspondence from Hastings Prince Edward Public Health respecting Concerns with Announces Expansion of the Sale of Alcohol Beverages in Ontario, was received; and

Staff were directed to report back to the Board of Health by December 2019, on municipal actions to reduce harms from alcohol use.

The following Correspondence Items, were received:

- (ii) Correspondence from Peterborough Public Health respecting Changes to Provincial Autism Supports (Item 5.2)
- (iii) Correspondence from the Association of Local Public Health Agencies respecting Corrections to Resolution A19-9, Public Health Support for Accessible, Affordable, Quality Licensed Child Care (Item 5.3)
- (iv) Correspondence from Peterborough Public Health respecting the Association of Local Public Health Agencies response to their Financial Changes to Local Public Health resolution (Item 5.4)

(f) ADJOURNMENT (Item 15)

There being no further business, the Board of Health adjourned at 2:22 p.m.

Respectfully submitted,

Mayor F. Eisenberger
Chair, Board of Health

Loren Kolar
Legislative Coordinator
Office of the City Clerk



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 19-010

9:30 a.m.

July 11, 2019

Council Chambers

Hamilton City Hall

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

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 19-010, AND RESPECTFULLY RECOMMENDS:

1. Professional and Consultant Services Roster 2017-2018 (PW19048 / PED19130 / FCS19052) (City Wide) (Item 7.1)

That Report PW19048 / PED19130 / FCS19052, respecting the Professional and Consultant Services Roster 2017-2018, be received.

2. 2019 First Quarter Request for Tenders and Proposals Report (FCS19041) (City Wide) (Item 7.2)

That Report FCS19041, respecting the 2019 First Quarter Request for Tenders and Proposals Report, be received.

3. 2019 First Quarter Emergency and Non-competitive Procurements Report (FCS19042) (City Wide) (Item 7.3)

That Report FCS19042, respecting the 2019 First Quarter Emergency and Non-competitive Procurements Report, be received.

4. First Quarter Non-compliance with the Procurement Policy Report (FCS19043) (City Wide) (Item 7.4)

That Report FCS19043, respecting the First Quarter Non-compliance with the Procurement Policy Report, be received.

5. Tax and Rate Operating Budget Variance Report as at April 30, 2019 – Budget Control Policy Transfers (FCS19055) (City Wide) (Item 9.1)

That, in accordance with the “Budgeted Complement Control Policy”, the 2019 complement transfer transferring complement from one department / division to another with no impact on the levy, as outlined in Appendix “A” to Audit, Finance and Administration Report 19-010, be approved.

6. Fraud and Waste Hotline Launch (AUD19011) (City Wide) (Item 9.2)

- (a) That Report AUD19011 respecting the launch of the City of Hamilton's Fraud and Waste Hotline be received;
- (b) That the name of the Audit Services Division be amended to the Office of the City Auditor in all corporate systems, so that the independent and objective nature of the work performed is more easily understood by the public and staff;
- (c) That the position Director of Audit Services be known as the City Auditor and this be updated in all corporate systems; and,
- (d) That the relevant By-laws be updated (By-law 12-073 and By-law 09-227) to reflect the change from Audit Services Division to Office of the City Auditor and Director of Audit Services to City Auditor.

7. Human Rights, Diversity and Inclusion Strategic Plan Presentation Update (HUR19017) (City Wide) (Item 9.3)

That Report HUR19017, respecting the Human Rights, Diversity and Inclusion Strategic Plan Presentation Update, be received.

8. Diversity and Inclusion Strategic Plan Annual Report (HUR19016) (City Wide) (Item 10.1)

That Report HUR19016, respecting the Diversity and Inclusion Strategic Plan Annual Report, be received.

9. 2018 City of Hamilton Financial Report and Audited Financial Statements (FCS19048) (City Wide) (Item 10.2)

That the 2018 City of Hamilton Financial Report and Audited Financial Statements, attached as Appendix "B" to Audit, Finance and Administration Report 19-010, be approved.

10. Audit Report - Housing Services Division: Capital (AUD19004) (City Wide) (Item 10.3)

- (a) That the Management Responses as detailed in Appendix "C" to Audit, Finance and Administration Report 19-010 be approved; and,
- (b) That the General Manager of Healthy and Safe Communities be directed to instruct the appropriate staff to have the Management Responses (attached as Appendix "A" to Report AUD19004) implemented.

11. Virtual Reality Stations for the Canadian Warplane Heritage Museum (Added Item 11.1)

WHEREAS, the Canadian Warplane Heritage Museum is one of the premier tourist attractions in Hamilton with over 88,000 visitors annually;

WHEREAS, this Museum is developing both Virtual Reality (VR) and Augmented Reality (AR) program plans and are on the new threshold of “edutainment”;

WHEREAS, the Museum is currently offering a visitor experience through Virtual Reality technology;

WHEREAS, the Education and Youth Services program at the Museum provides specialized programming and instruction to over 20,000 students annually;

WHEREAS, in accordance with its stated mandate to “instruct and educate”, the Museum proposes to purchase 6 VR stations and related accessories at the cost of \$29,514; and,

WHEREAS, the John C. Munro Hamilton International Airport has offered to cover 50% of the total cost of the VR stations;

THEREFORE, BE IT RESOLVED:

That that the City of Hamilton fund the remaining 50% of the total cost of the Virtual Reality Stations for the Canadian Warplane Heritage Museum, in an amount not to exceed \$14,757, to be funded from Corporate Financials Dept ID 211090.

12. Invocation of the Residential Municipal Relief Assistance Program (Added Item 11.2)

WHEREAS, the City of Hamilton invoked the Residential Relief Assistance Program for basement flooding from record Lake Ontario water levels in 2017;

WHEREAS, the 2019 Lake Ontario level surpassed the 2017 levels impacting municipal infrastructure and private properties in the Beach Neighbourhood; and

WHEREAS, the Beach Boulevard Community has been identified as particularly vulnerable to rising lake levels given its low lying elevation;

THEREFORE BE IT RESOLVED

- (a) That for the purpose of invoking the Residential Municipal Relief Assistance Program for basement flooding, City Council declare a disaster for the record lake levels of 2019 for all properties experience basement flooding from March 31, 2019 to July 11, 2019 and within the area bounded on the west by Beach Boulevard Park 2, on the east by Fifty Road, on the north by Lake Ontario, and on the South by the Queen Elizabeth Highway;

- (b) That payment of claims be based on compassionate grounds only and not to be construed as an admission of liability on the part of the City of Hamilton;
- (c) That the eligibility criteria for the Residential Municipal Disaster Relief Assistance Program as previously approved in Report FCS06007 respecting the Proposed Residential Municipal Disaster Relief Assistance Program for Basement Flooding be applied;
- (d) That each eligible property be limited to one grant only for this enactment of the grant program;
- (e) That the costs associated with these claims be funded from the Storm Sewer Reserve 108010; and,
- (f) That staff be authorized, if required, to retain an independent adjuster for the administration of claims under the Residential Municipal Disaster Relief Assistance Program and that these administrative costs be funded from the Storm Sewer Reserve 108010.

13. IBI Group Project Management Assignments (PW19066) (Ward 8) (Item 14.1)

That the contents of Report PW19066, respecting the IBI Group Project Management Assignments remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

1. DELEGATION REQUESTS (Item 6)

- 6.5 Kojo Dampety, Hamilton Centre for Civic Inclusion, respecting the Diversity and Inclusion Strategic Plan Annual Report (HUR19016) & Human Rights, Diversity and Inclusion Strategic Plan Presentation Update (HUR19017) (For today's meeting)

2. NOTICES OF MOTION (Item 12)

- 12.1 Virtual Reality Stations for the Canadian Warplane Heritage Museum
- 12.2 Invocation of the Residential Municipal Relief Assistance Program

3. GENERAL INFORMATION / OTHER BUSINESS (Item 13)

13.1 Amendments to the Outstanding Business List

13.1(a) Proposed Due Dates:

Item: C

Outstanding Uncompleted Audit Recommendations (AF&A Report 16-006)

Proposed Due Date: August 2019

Item: E

Everyone Rides Initiative Pilot Project (PW16086)

Proposed Due Date: October 2019

Item: 19-A

Correspondence from the Federation of Canadian Municipalities (FCM) respecting the 2019-2020 Membership Invoice - Advocacy Fund Contribution along with Appendix A (AF&A Report 19-002 - Item 1)

Proposed Due Date: August 2019

Item: 19-E

Converting Contractual Positions to Permanent (GIC - Final Operating Budget Report 19-002 - Item (i)(3)(dd))

Proposed Due Date: October 2019

Item: 19-H

Academic and Student Residence Development Grant Program (AF&A Report 19-008 - Item 13)

Proposed Due Date: October 2019

Item: 19-I

Access By Design Policy (AF&A Report 19-009 - Item 11)

Proposed Due Date: Q3 2019

The agenda for the July 11, 2019 Audit, Finance and Administration Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Clark declared an interest in Item 6.4 a Delegation Request from Sean Ferris, Habitat for Humanity Hamilton, respecting reimbursement of specific fees paid to the City related to building permits for the construction of these homes, as he has a former professional relationship with Habitat for Humanity Hamilton.

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

(i) June 6, 2019 (Item 4.1)

The Minutes of the June 6, 2019 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) The following Delegation Requests were approved for a future meeting:

- (1) Karin Dearness, Andy Stone, Philip Toms, and John Ariens respecting reimbursement of rezoning and development charges related to a laneway house at 390.5 Aberdeen Avenue, Hamilton (Ward 1) (For a future meeting) (Item 6.1)
- (2) Mark R McKenzie, Hamilton District Heavy Construction Association (HAND), respecting opposition to proposed Social Procurement initiative (For a future meeting) (Item 6.2)
- (3) Manuel Bastos, LIUNA 837, respecting a presentation on Social Procurement (For a future meeting) (Item 6.3)
- (4) Sean Ferris, Habitat for Humanity Hamilton, respecting reimbursement of specific fees paid to the City related to building permits for the construction of these homes (For a future meeting) (Item 6.4)

(ii) Kojo Dampthey, Hamilton Centre for Civic Inclusion, respecting the Diversity and Inclusion Strategic Plan Annual Report (HUR19016) & Human Rights, Diversity and Inclusion Strategic Plan Presentation Update (HUR19017) (For today's meeting) (Added Item 6.5)

The delegation request from Kojo Dampthey, Hamilton Centre for Civic Inclusion, respecting the Diversity and Inclusion Strategic Plan Annual Report (HUR19016) & Human Rights, Diversity and Inclusion Strategic Plan Presentation Update(HUR19017), was approved for today's meeting.

(e) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) Terry MacDougall, respecting an appeal to a water bill amount (Approved June 6, 2019) (Item 8.1)

Terry MacDougall, addressed the Committee respecting an appeal to a water bill amount.

The delegation from Terry MacDougall, respecting an appeal to a water bill amount, was received.

(ii) Supporting Documentation Provided by Staff respecting Terry MacDougall's water bill (Item 8.1(a))

The supporting documentation provided by staff respecting Terry MacDougall's water bill, be received.

(iii) Kojo Dampthey, Hamilton Centre for Civic Inclusion, respecting the Diversity and Inclusion Strategic Plan Annual Report (HUR19016) & Human Rights, Diversity and Inclusion Strategic Plan Presentation Update (HUR19017) (Added Item 8.2)

Kojo Dampthey, Hamilton Centre for Civic Inclusion, addressed the Committee respecting the respecting the Diversity and Inclusion Strategic Plan Annual Report (HUR19016) & Human Rights, Diversity and Inclusion Strategic Plan Presentation Update (HUR19017), with the aid of a handout.

The delegation from Kojo Dampthey, Hamilton Centre for Civic Inclusion, respecting the Diversity and Inclusion Strategic Plan Annual Report (HUR19016) & Human Rights, Diversity and Inclusion Strategic Plan Presentation Update (HUR19017), was received.

A copy of the handout is available on the City's website at www.hamilton.ca or through the office of the City clerk.

For further disposition, refer to Items 7 and 8.

(f) STAFF PRESENTATIONS (Item 9)

(i) Tax and Rate Operating Budget Variance Report as at April 30, 2019 – Budget Control Policy Transfers (FCS19055) (City Wide) (Item 9.1)

Brian McMullen, Director Financial Planning Administration and Policy, addressed the Committee respecting Tax and Rate Operating Budget Variance Report as at April 30, 2019 - Budget Control Policy Transfers, with the aid of a presentation.

The presentation respecting Tax and Rate Operating Budget Variance Report as at April 30, 2019 - Budget Control Policy Transfers, was received.

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

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

(ii) Fraud and Waste Hotline Launch (AUD19011) (City Wide) (Item 9.2)

Charles Brown, Director of Audit Services, and Brigitte Minard, Deputy City Auditor, addressed the Committee respecting the Fraud and Waste Hotline Launch, with the aid of a presentation.

The presentation respecting the Fraud and Waste Hotline Launch, was received.

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

For further disposition of this matter, refer to Item 6.

(iii) Human Rights, Diversity and Inclusion Strategic Plan Presentation Update (HUR19017) (City Wide) (Item 9.3)

Jodi Koch, Director of Talent and Diversity, addressed the Committee respecting the Human Rights, Diversity and Inclusion Strategic Plan Presentation Update, with the aid of a presentation.

The presentation respecting the Human Rights, Diversity and Inclusion Strategic Plan Presentation Update, was received.

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

For further disposition of this matter, refer to Item 7.

(g) NOTICES OF MOTION (Item 12)

(i) Virtual Reality Stations for the Canadian Warplane Heritage Museum (Added Item 12.1)

Councillor Johnson introduced her Notice of Motion respecting Virtual Reality Stations for the Canadian Warplane Heritage Museum.

The rules of order were waived to allow for the introduction of a Motion respecting Virtual Reality Stations for the Canadian Warplane Heritage Museum.

For further disposition of this matter, refer to Item 11.

Councillor Collins relinquished the Chair to introduce the following Notice of Motion.

**(ii) Invocation of the Residential Municipal Relief Assistance Program
(Added Item 12.2)**

Councillor Collins introduced his Notice of Motion respecting Invocation of the Residential Municipal Relief Assistance Program.

The rules of order be waived to allow for the introduction of a Motion respecting Invocation of the Residential Municipal Relief Assistance Program.

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

Councillor Collins assumed the Chair.

**(iii) Restorative Practices Council and Senior Leadership Team Workshop
(Added Item 12.3)**

Councillor Clark introduced the following Notice of Motion.

WHEREAS the city of Hamilton is committed to proactive civic engagement,

WHEREAS the City of Hamilton is committed to the successful implementation of our Human Rights, Diversity and Inclusion Strategic plan;

WHEREAS the City Council and Senior Leadership Team regularly meets and consults with a wide variety of residents, associations, stakeholders, and businesses;

WHEREAS our communities are advising us that they are experiencing an increase in hateful, bigoted and oppressive racism;

WHEREAS a key to any successful consultation or dialogue is the ability to see issues and concerns through the lenses of different communities and individual; and

WHEREAS the restorative practices circles have been tremendously successful in broadening the perspectives, understanding and active listening skills of participants

THEREFORE, BE IT RESOLVED

That the City Manager be directed to organize a one-day Restorative Practices Council and Senior Leadership Team Workshop with two facilitators from the John Howard Society, Garth Bell and Ruth Greenspan.

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(i) Amendments to the Outstanding Business List:

The following amendments to the Audit, Finance & Administration Committee's Outstanding Business List, were approved:

(a) Proposed Due Dates:

Item: C

Outstanding Uncompleted Audit Recommendations
(AF&A Report 16-006)

Proposed Due Date: August 2019

Item: E

Everyone Rides Initiative Pilot Project (PW16086)

Proposed Due Date: October 2019

Item: 19-A

Correspondence from the Federation of Canadian Municipalities
(FCM) respecting the 2019-2020 Membership Invoice - Advocacy
Fund Contribution along with Appendix A (AF&A Report 19-002 -
Item 1)

Proposed Due Date: August 2019

Item: 19-E

Converting Contractual Positions to Permanent (GIC - Final
Operating Budget Report 19-002 - Item (i)(3)(dd))

Proposed Due Date: October 2019

Item: 19-H

Academic and Student Residence Development Grant Program
(AF&A Report 19-008 - Item 13)

Proposed Due Date: October 2019

Item: 19-I

Access By Design Policy (AF&A Report 19-009 - Item 11)

Proposed Due Date: Q3 2019

(i) PRIVATE AND CONFIDENTIAL (Item 14)

The Committee moved into Closed Session respecting Item 14.1, pursuant to Sub-sections (d) and (e) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (d) and (e) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

**(i) IBI Group Project Management Assignments (PW19066) (Ward 8)
(Item 14.1)**

Staff were provided with direction in Closed Session.

For further disposition of this matter, refer to Item 13.

(j) ADJOURNMENT (Item 15)

There being no further business, the Audit, Finance and Administration Committee adjourned at 12:26 p.m.

CARRIED

Respectfully submitted,

Councillor Collins, Chair
Audit, Finance and Administration
Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk

**CITY OF HAMILTON
BUDGETED COMPLEMENT TRANSFER SCHEDULE**

STAFF COMPLEMENT CHANGE**Complement Transfer to another division or department ⁽¹⁾**

ITEM #	TRANSFER FROM				TRANSFER TO			
	Department	Division	Position Title (2)	FTE	Department	Division	Position Title (2)	FTE
1.1	Public Works	Environmental Services	Cemeteries Preneed Sales Coordinator	1.00	Public Works	Environmental Services	Cemeteries Marketing and Family Services Coordinator	1.00
	Explanation: Requesting approval to convert the Cemeteries Preneed Sales Coordinator position into a Cemeteries Marketing and Family Services Coordinator, from a CM Grade TO (Part Time) to a C5 Grade J. The budget impact will be zero.							
1.2	Public Works	Engineering Services	P2846 Environmental Planning Support Technician (J6469)	1.00	Public Works	Engineering Services	Project Manager Envir Transp Plng (J6478 PM 5)	1.00
	Explanation: Requesting approval to convert the Environmental Planning Support Technician (I) position into a Project Manager (5). The net budget impact will be zero as these positions are funded from the Capital Budget.							
1.3	Public Works	Engineering Services	Capital Budget Coordinator	1.00	Public Works	Engineering Services	Program Specialist	1.00
	Explanation: The Capital Budget Coordinator position will become vacant, requesting approval that it be converted into a Program Specialist position, from a C1 Grade K to a CA Grade 5. The cost differential between the two positions of \$19,988 will be absorbed within the operating budget.							
1.4	Healthy and Safe Communities	Recreation	Marketing Supervisor	1.00	City Manager	Strategic Partnerships and Communications	Marketing Officer	1.00
	Explanation: Transfer of positions from Healthy and Safe Communities to City Managers Office as part of the next phase of Centralization of Support Services identified in Report HUR17007/CM17012/FCS17056 .							
1.5	Healthy and Safe Communities	Recreation	Desktop Publisher	1.00	City Manager	Strategic Partnerships and Communications	Graphic Designer	1.00
	Explanation: Transfer of positions from Healthy and Safe Communities to City Managers Office as part of the next phase of Centralization of Support Services identified in Report HUR17007/CM17012/FCS17056 .							

Note - Complement transfers include the transfer of corresponding budget.

(1) - All other budgeted complement changes that require Council approval per Budgeted Complement Control Policy must be done through either separate report or the budget process (i.e. Increasing/decreasing budgeted complement).

(2) - If a position is changing, the impact of the change is within 1 pay band unless specified.

**CITY OF HAMILTON
AUDIT REPORT
HOUSING SERVICES – CAPITAL FUNDING**

INTRODUCTION

Safe, affordable and appropriate housing is vital to the well-being of individuals and communities across the City of Hamilton. Housing influences many aspects of life, including personal health, educational achievement, social connections, employment opportunities and community identity.

“Everyone has a home...home is the foundation.” This is the collective mandate that has been endorsed by the City of Hamilton and the Hamilton community. The City of Hamilton as Service Manager under the Housing Services Act, 2011 (HSA) is required to establish and administer local policies and procedures for social housing and housing programs in Hamilton. The ‘Housing Continuum’ for the City of Hamilton, which includes all types of housing, encompasses:

- Supports for people who are homeless
- Emergency Shelters
- Housing with Supports (Supported, Supportive and Transitional Housing)
- Social Housing (including Rent Geared to Income, Rent Supplement program, etc.)
- Affordable Rental (Market)
- Affordable Homeownership

Social Housing refers to rental housing developed with the assistance of government and subsidized by Municipal and Federal government for individuals, families and seniors with low to moderate incomes, or people with special needs who can live with support in the community. There are currently 42 Social Housing Providers in the City of Hamilton. Hamilton's aging social housing stock is in dire need of capital funding and suffers from a significant backlog in repairs. As of 2018, social housing in Hamilton will need about \$632 million in maintenance and repairs by 2027.

In December 2013, Hamilton City Council approved the 10-year Housing and Homelessness Action Plan. The Action Plan is a 10-year solution, focused on a person-centered approach that establishes strategies, targets, and outcomes for addressing affordable housing and homelessness issues in the community.¹ The mandate of the Action Plan is focused on implementing 54 strategies that fall under five outcome areas and require collective action by all stakeholders and community members.²

The five outcomes and targets of the 10-year plan are:

¹ Housing and Homelessness Action Plan – 2014 Report to the Community

² Housing and Homelessness Action Plan in Hamilton – Annual Report to Province - 2016

- **Supply: More affordable housing in Hamilton to meet the need and demand.**

Targets:

- 300 new affordable rental housing units per year, of which:
 - At least 25% in areas not adequately served by affordable ownership housing
 - At least 10% for persons with disabilities
 - At least 10% for large families
 - At least 50% that meet deep affordability (affordable to households up to the 40th income percentile)
 - At least 10% attached to housing supports

- **Affordability: People's housing affordability, stability and choice is increased.**

Targets

- Reduction in social housing waitlist by 50% by 2023
- 100% density and housing type targets designated in approved secondary plans achieved
- Reduction in rental households paying more than 50% of income on rent by 15% by 2023 (based on 2021 Census – this represents three census periods and a 5% drop for each census)
- 2,100 new housing allowances by 2023

- **Supports: People have the individualized supports they need to help them obtain and maintain housing.**

Targets

- Each emergency shelter sector (men's, women's, youth and family) identify and achieve annual targets for shorter shelter stays
- No one is discharged into a shelter or onto the street from an institutional setting
- 100% of the social housing providers in Hamilton adopt eviction prevention practices by 2014

- **Quality: People living in housing that is good quality, safe and suitable for their needs.**

Targets

- 100% of social housing providers implement community development plans by 2018
- Incidents of bed bugs complaints are reduced by 25% by 2018
- Incidents of bed bug re-infestation in social housing is reduced by 50% by 2023
- 3,500 residential units are rehabilitated by 2023, of which:
 - 2,000 are rental

- 1,500 are ownership (300 are modified for persons with disabilities)
- **Equity: People receive respectful, quality services within a “user-friendly” system and experience equality in housing.**

Targets

- The City of Hamilton Housing Services Division adopts a citizen engagement model by 2015
- All service providers with a funding relationship with the Housing Services Division of the City of Hamilton demonstrate citizen engagement by 2018
- Tenant-led applications to the Landlord and Tenant Board increase to 20% by 2018
- Uncontested eviction hearings decrease to 25% by 2018

AUDIT SCOPE

The Housing Division within the City of Hamilton has not been audited at the division-wide level, previously a program-specific approach was taken. As part of the audit planning phase, all areas of the Division were reviewed, meetings were held with Division management and a preliminary risk assessment was performed. Due to the size and complex nature of the Housing Services Division, it has been determined that the audit will be conducted as a series of projects that will vary in size and complexity, with each project focusing on a different area of the Division and being reported on separately. Based on the preliminary risk assessment, the first area selected for audit was Social Housing.

Capital Funding

Social Housing Administration funds, monitors and supports all social housing providers that own and operate social housing (including CityHousing Hamilton). In addition, this section oversees “Access to Housing” which maintains a central waiting list for subsidized housing units across the City. “Access to Housing” was previously outsourced and brought in-house to the “Social Housing” portfolio in April 2017 as the City determined that there was an opportunity to better integrate existing services and infrastructure. Other legislated tasks include managing the Ontario Community Housing Assistance Program (OCHAP), rent supplement programs, Municipal Housing Allowance, and capital funding.

The scope of this audit reviewed capital funding within the Social Housing program. There has been an influx of capital funding since 2016. A new Senior Project Manager was added to the team in 2017, to handle all capital funding projects. Prior to this arrangement, capital funding was managed by the Housing Officers for their individual housing portfolios.

The programs, all provincially funded, that have been implemented since 2016 include the following:

1. Social Housing Apartment Retrofit Program (SHARP) (\$7.1 million over 2 years)
2. Social Housing Improvement Program (SHIP) (\$11 million over 2 years)
3. Social Housing Apartment Improvement Program (SHAIP) (\$12 million for year one of SHAIP and up to \$17 million for year two through four). With the closure of the Cap and Trade program by the Ontario government, years 2-4 of SHAIP funding were cancelled in 2018.
4. Green On (\$550,000) – This program was cancelled, and no funding was received.
5. There is also the Poverty Reduction Fund approved by council which will provide Housing Services and CityHousing Hamilton \$1 million per year for 10 years respectively. In addition, block funding is to be provided by the City in the amount of \$500,000/year. The block funds are subject to Council approval each year.
6. The city purchased a software solution called "Asset Planner" to monitor building conditions, etc.

The audit was comprised of operational and compliance testing of the SHARP and SHIP projects as these were higher dollar value projects and nearing their project completion stage. During the planning phase of the audit, Housing Services management was in the initial stages of executing SHAIP; hence this funding was not selected for audit review. Audit Services also performed a high-level value for money review of the management tool, called the Asset Planner.

AUDIT OBJECTIVES

The objectives of this audit were to determine if the City's use of capital funding meets legislative requirements.

Objective 1: Evaluate whether Housing Services is effectively allocating and managing capital funding provided to Housing Providers, as per program requirements.

Objective 2: Evaluate and determine if the Asset Planner, a computer application and management tool, is strategically utilized for informed management decision-making.

The scope of this audit included all areas within the Housing Services Division from January 2016 – December 2018. Historical information from previous calendar years was used for comparative benchmarking purposes or for specific audit procedures where applicable.

METHODOLOGY

The audit included the following types of work:

- Review of applicable policies, procedures, reports, agreements and legislation
- Interviews with various City personnel
- Examination of reports, transactions and supporting documents and
- Assessment of the level of control and oversight exercised by management.

The audit relied on publicly available information as well as procedures, accounting records, and other documents as well as explanation and interviews with personnel to form the basis of the audit report and recommendations.

AUDIT FINDINGS

1. Social Housing Apartment Retrofit Program (SHARP)

The City of Hamilton received funding of \$7.17M from the Social Housing Authority Retrofit Program (SHARP) for allocation to Social Housing Providers with eligible housing projects in Hamilton. The program objective is the reduction of greenhouse gas emissions. The observations are outlined as follows:

- Only City Housing Hamilton (CHH) and Victoria Park were eligible and applied for the SHARP funding. Victoria Park owns and operates "The Village", which consists of two buildings that met the eligibility criteria for SHARP. Victoria Park submitted five project proposals at The Village. Out of the five projects, the biggest project for building cladding for \$1.9M did not meet the application requirement as the proposed completion date was beyond the program guideline completion date. Another project did not meet the criteria as it related to water savings, which was out of scope. The three remaining projects were in scope but were not supported with Green House Gas (GHG) emission reduction estimates and therefore not considered for funding.

After the application deadline of November 18, 2016, the applications were reviewed, and letters were sent out to City Housing Hamilton (CHH) and Victoria Park on November 22, 2016. 100% of the \$7.17M funding was allocated to the thirteen projects submitted by CHH.

- Audit Services reviewed the applications submitted by the two Social Housing Providers and noted that although Victoria Park did not provide the estimated reductions in GHG, they had specialists determine their savings and were willing to perform the required pre-retrofit audit. CityHousing Hamilton's figures of greenhouse gas emissions reductions were based on estimates; however Audit Services could not find supporting documents for these estimates. There was no evidence that Housing Services Division sought clarification or questioned the submissions sent by CHH or Victoria Park. We determined that there was an improvement opportunity for management to document correspondence with

Social Housing Providers related to their submissions and to enhance oversight over review of supporting documentation.

- The Housing Services Division informed Audit Services that they performed an evaluation then allocated funding based on the submissions, knowledge of current facts and communication with the Social Housing Providers. However, Audit Services could not substantiate that or conclude on the comprehensiveness of the process because there was no documented evidence. According to the "Call for Applications" guidelines, an Evaluation Committee should have been established to undertake the evaluation and selection process.
- The payment structure required CHH to submit certain documents such as pre-retrofit audit, WSIB and insurance, for the initial 42.5% of funding to be released. Audit Services found that not all required documents were submitted, even though the funding was released.
- CHH was required to provide quarterly progress reports on the state of the retrofit and financial reports; no such reports were received by the Housing Division. Without these reports, the Housing Service Division can't meet the Ministry of Municipal Affairs and Housing reporting requirements.

2. Social Housing Improvement Program (SHIP)

The Province of Ontario announced Federal/Provincial housing investments under the 2016 Social Infrastructure Fund (SIF) to improve the quality and increase the supply of affordable housing while also stimulating economic growth. The program targeted capital repairs and improved water and energy efficiency in existing social housing units. Hamilton's funding allocation for the program was \$11.5M and was distributed to 47 projects across various Social Housing Providers. CHH received funding for 14 out of the 47 projects (30%) amounting to 55% of the total funding allocation.

According to the Ministry of Municipal Affairs and Housing Program Guidelines for SHIP funding the Housing Services Division was responsible for selecting and approving all eligible SHIP projects, monitoring progress and completion of projects and quality of work.

Audit Services reviewed 11 of 47 total projects funded (10 projects belonged to City Housing and one to another Social Housing Provider) amounting to \$5.2 million or 45% of the total value of the program and the following was observed:

- Management indicated that funding was allocated to various Social Housing Providers via multiple meetings amongst management staff where each project was reviewed to determine eligibility. However, there was no documented evidence substantiating that an evaluation of applications was conducted by the Housing Services Division. According to the Call for Applications, a SHIP Review

Committee should have been established to undertake the evaluation and selection process.

- The funding applications submitted by CityHousing Hamilton did not have any supporting documentation for the capital retrofit funding requested, as required by the Call for Applications. There was no documented correspondence from the Housing Services Division seeking justification or clarity on the submission.
- The Milestone and Payment schedule required Social Housing Providers to submit certain documents for the initial advance funding to be released. It was noted that not all necessary documents were submitted prior to release of advance funding. According to the Ministry of Municipal Affairs and Housing Program Guidelines for SHIP funding, the Housing Services Division must flow funds to the housing providers based on pre-established project milestones for their respective projects.
- For 10 of the 11 projects reviewed by Audit Services, no invoices had been received by the Housing Services Division as of August 2018. As per the provincial guidelines, repairs should have commenced within three months of the date of funding commitment which was December 2016. Without invoices or any other evidence, we could not determine if repairs had initiated as per provincial guidelines.

Based on the findings stated above, not all the projects met Ministry of Municipal Affairs and Housing and Housing Services Division's own requirements. The process for evaluating and overseeing the administration of capital grants requires improvement.

3. Asset Planner

Asset Planner is a web-based software platform that provides housing providers and social housing managers with a capital planning tool to help them better understand and track the physical condition of their portfolio of buildings and to make informed decisions about capital expenditures. It was purchased so the advanced decision-making capabilities of the system could assist City of Hamilton in making strategic capital investments.

In 2015, the City of Hamilton began paying the subscription fee for Asset Planner software and for training. The annual invoice is based on the number of housing units multiplied by the base price. The total invoice amount for 2018 was \$38,720 for 5,145 units. From 2016-2018, the total amount spent on the software was \$110,842.

The following was observed:

- The Housing Services Division issued a purchase order and approved invoices without signing any formal written contract with the vendor of the software, namely Housing Services Corporation (HSC) and without the involvement of Information Technology Division. Accordingly, in 2018, the number of units and base price stated on the invoice increased however Audit Services could not validate the invoice changes due to lack of a formal contract.
- Asset Planner software was not being used to its full potential and the functionality and capability of the tool was not being completely utilized. There is no procedure or monitoring tool to ensure accuracy of changes to the system or when the changes should be made.
- CityHousing Hamilton which has approximately half of the approximately 14,000 social housing units is using another version of the same software. However, the two systems cannot be amalgamated as initially presumed. Management needs to strategically review how they will be using the software for making informed decisions given the current set up of two different versions of the same software.
- Value for Money: Audit Services reviewed the Asset Planner from a cost effectiveness perspective. This perspective includes considering economy, efficiency and effectiveness. The following observations were noted:

Efficiency: Having two separate systems for CityHousing Hamilton and other Social Housing Providers creates extra work. At this time, the city has not yet merged the data from both systems to understand the complete capital funding requirements.

Economy and Effectiveness: The City began paying for the tool in 2015. It has been three years and the capability of the software is not yet fully understood nor fully utilized. Audit Services could not ascertain if the Asset Planner has shown any value or assisted in better informed decisions since the time it was acquired.

RECOMMENDATIONS

Social Housing Apartment Retrofit Program (SHARP) and Social Housing Improvement Program (SHIP)

1. The evaluation conducted by the Housing Services Division should be documented; all underlying documentation of how and why funds were allocated needs to be fully supported. Social Housing Providers should be requested to provide clarity for any assumptions and estimates. Any follow up questions or clarifications should be maintained on file.
2. The payment structure needs to be clear and realistic on the expectations from the Social Housing Provider and internally within the Housing Services Division. For example, if the Social Housing Provider submits invoices to demonstrate work in progress or that work is complete, the Division needs to establish the criteria for review of invoices and the release of funds.
3. Management needs to work with Social Housing Providers to ensure quarterly reporting and other reporting requirements are met. Any follow up, correspondence or meeting with Social Housing Providers regarding status of project work should be documented.
4. It is recommended that Management work with Social Housing Providers to ensure all work is initiated as per Provincial guidelines and as per the timelines committed to by the Social Housing Provider when requesting funding. Evidence of follow ups and meeting minutes should be documented.

Asset Planner

5. It is recommended that Management work with Housing Services Corporation (Asset Planner vendor) in formalizing the contract. Management should also review the invoice for accuracy annually and commit to involving the Information Technology Division with such major purchases especially considering the possible need of integration with CHH.
6. That management strategically consider how to make best use of Asset Planner. Checks and balances should be put in place regarding responsibilities and timelines for updating the system. Data from the two systems, City Housing Hamilton and Asset Planner, should be amalgamated for enhanced decision-making.

CONCLUSION & NEXT STEPS

Objective 1: Evaluate whether Housing Services is effectively allocating and managing capital funding provided to Housing Providers, as per program requirements.

Audit Services concludes that while management worked swiftly to obtain capital funding within short timeframes for the City, improvements were required in the of the decision-making process and allocation of funds to Social Housing Providers. Management review of capital funding requests requires enhanced involvement and oversight to ensure supporting documentation is sufficient. It is recommended that Management improve monitoring of the overall programs (such as timeline spanning from the project initiation to completion of work and related payments) to ensure the program meets legislative and City requirements.

Objective 2: Evaluate and determine if the Asset Planner, a computer application and management tool, is strategically utilized for informed management decision-making.

Audit Services concluded that it is undetermined if the Asset Planner tool is being used most efficiently or whether value for money is being achieved. Going forward, it is recommended that management understand the true usefulness of the tool and how it aligns with management's long-term goals.

MANAGEMENT RESPONSES:

The Housing Services Division is the Service Manager for social housing administration, providing oversight to 12,888 social housing units across Hamilton. Funding management and monitoring is a key function within the social housing portfolio.

Housing Services staff executed an application process to allocate Provincial funding (SHIP and SHARP) in accordance with Procurement Policy 22, Schedule B(b) – "Accommodations provided as part of City approved programs and projects for the homeless and others living in poverty". Management agrees with the recommendations given the context provided. The findings of the audit highlight an opportunity for the Social Housing Administration unit to outline a process for the evaluation and allocation of funding, which includes increased rigor in documentation, contract monitoring and financial reconciliation. In 2019, Housing Services staff will develop a procedural guide which will ensure appropriate documentation of funding related activities. While the capital funding programs discussed in this audit are ending within the next year, these findings will inform the planning delivery of future capital programs.

SHARP

Housing Services staff underwent an application process to allocate the funding. The information provided in the project proposals were assessed against the Provincial guidelines. Only those projects which met these criteria were considered for funding. The evaluation committee was not struck as there was enough funding for all eligible projects.

SHIP

Housing Services staff underwent an application process to allocate the funding. The information provided in project proposals were evaluated by a committee which met on three separate occasions to review the proposals. Project proposals were only required to meet eligibility terms as outlined by the Province therefore a rigorous evaluation exercise was not undertaken.

Asset Planner

Asset Planner provides a repository for all building condition assessments for social housing providers, except for City Housing Hamilton which oversees their own due to the volume of units in their portfolio. While there may be opportunity to improve efficiencies by having all information stored on one centralized database, it is not a Service Manager requirement. Housing Services staff has access to the CHH database and information is centralized through an excel spreadsheet as required.

The Social Housing Administration unit will explore the feasibility of maximizing asset planner's functions to carry out service manager responsibilities.



Hamilton

FINANCIAL REPORT

2018

**City of Hamilton
71 Main Street West
Hamilton, Ontario
L8P 4Y5**

City of Hamilton
Financial Report
2018

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Accommodations for Readers with Disabilities

In accordance with the Ontario Human Rights Code, Ontarians with Disabilities Act, 2001 (ODA) and Accessibility for Ontarians with Disabilities Act, 2005 (AODA), the City of Hamilton will accommodate for readers with a disability upon request.

Section 1

City of Hamilton Five Year Financial and Statistical Review 2018

City of Hamilton Five Year Financial and Statistical Review (unaudited)

(All amounts are reported in thousands of dollars except statistical information, ratios and per capita figures)

	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>
Operating Revenue					
Taxation	\$ 888,229	\$ 876,880	\$ 854,709	\$ 831,645	\$ 792,317
Government grants and contributions	454,774	394,785	385,447	384,363	418,772
User charges	347,637	334,974	332,601	315,340	298,888
Development charges and subdivider contributions	119,703	50,313	82,025	25,611	47,102
Donated tangible capital assets	46,862	18,217	16,646	43,571	36,584
Investment and dividend income	31,101	28,070	27,067	30,284	35,452
Net income from Government Business Enterprises	24,285	134,914	22,857	18,758	3,622
Other	137,476	131,383	116,549	114,019	98,716
	<u>2,050,067</u>	<u>1,969,536</u>	<u>1,837,901</u>	<u>1,763,591</u>	<u>1,731,453</u>
Operating Expenses by Function					
General government	\$ 80,025	\$ 70,733	\$ 72,550	\$ 57,664	\$ 50,906
Protection services	324,227	312,564	306,629	300,362	283,934
Transportation services	320,005	326,274	310,190	318,605	323,253
Environmental services	284,271	239,488	238,553	219,339	206,052
Health services	102,868	99,125	98,443	105,377	91,846
Social and family services	316,819	315,218	302,830	294,343	284,733
Social housing	105,893	105,141	111,113	120,898	111,650
Recreation and cultural services	172,965	169,029	165,214	155,720	142,383
Planning and development	56,785	53,455	51,514	54,882	46,933
	<u>1,763,858</u>	<u>1,691,027</u>	<u>1,657,036</u>	<u>1,627,190</u>	<u>1,541,690</u>
Net Operating Revenue or Annual Surplus from Operations	<u>286,209</u>	<u>278,509</u>	<u>180,865</u>	<u>136,401</u>	<u>189,763</u>

Note: Amounts reported may have been restated from previous amounts presented to conform to 2018 Public Sector Accounting Board (PSAB) standards.

City of Hamilton Five Year Financial and Statistical Review (unaudited)

(All amounts are reported in thousands of dollars except statistical information, ratios and per capita figures)

	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>
Taxation					
Taxation from real property	\$ 1,071,092	\$ 1,056,723	\$ 1,032,999	\$ 1,010,050	\$ 967,719
Taxation from other governments/payments in lieu of taxes	\$ 16,256	\$ 17,042	\$ 16,469	15,367	15,367
Taxation collected on behalf of school boards	(199,119)	(196,885)	(194,759)	(193,772)	(190,769)
Net taxes available for municipal purposes	888,229	876,880	854,709	831,645	792,317
Tax Levies					
City portion	\$ 857,981	\$ 845,392	\$ 827,668	\$ 797,619	\$ 761,745
School Board portion	196,082	193,714	191,734	188,861	186,846
	1,054,063	1,039,106	1,019,402	986,480	948,591
Tax arrears					
Taxes receivable	\$ 80,972	\$ 77,918	\$ 83,730	\$ 85,429	\$ 82,976
Taxes receivable per capita	145	140	155	155	152
Taxes receivable as a percentage of current years' levies	7.7%	7.5%	8.2%	8.7%	8.7%
Unweighted Taxable Assessment					
Residential	\$ 61,518,082	\$ 57,306,633	\$ 53,366,322	\$ 50,882,588	\$ 48,734,517
Non-Residential	8,442,007	7,908,588	7,571,212	7,262,270	6,937,908
	69,960,089	65,215,221	60,937,534	58,144,858	55,672,425
Weighted Taxable Assessment					
Residential	\$ 61,745,624	\$ 61,208,842	\$ 57,357,959	\$ 54,721,738	\$ 52,506,258
Non-Residential	18,379,207	17,376,301	16,428,325	15,809,651	15,125,118
	80,124,831	78,585,143	73,786,284	70,531,389	67,631,376
Residential vs Non-Residential Percentage of Total Weighted Taxable Assessment					
Residential	78%	78%	78%	78%	78%
Non-Residential	22%	22%	22%	22%	22%
Taxable Assessment Growth (weighted)					
	1.4%	1.4%	0.7%	1.6%	1.3%

Note: Amounts reported may have been restated from previous amounts presented to conform to 2018 Public Sector Accounting Board (PSAB) standards.

City of Hamilton

Five Year Financial and Statistical Review (unaudited)

(All amounts are reported in thousands of dollars except statistical information, ratios and per capita figures)

	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>
Operating Expenses by Object					
Salaries, wages and employee benefits	\$ 780,052	\$ 755,403	\$ 741,847	\$ 723,337	\$ 693,067
Interest on long term liabilities	12,677	13,442	12,934	14,297	13,176
Materials	207,682	218,037	221,520	223,349	212,112
Contracted services	341,931	275,361	276,159	248,843	238,005
Rents and financial expenses	34,550	42,421	34,297	36,435	32,821
External transfers	190,538	194,241	184,546	202,881	177,383
Amortization of tangible capital assets	196,428	192,122	185,733	178,048	175,126
	<u>1,763,858</u>	<u>1,691,027</u>	<u>1,657,036</u>	<u>1,627,190</u>	<u>1,541,690</u>
Operating Expenses as Percentage of Total					
Salaries, wages and employee benefits	44.2%	44.7%	44.8%	44.6%	45.0%
Interest on long term liabilities	0.7%	0.8%	0.8%	0.9%	0.9%
Materials	11.8%	12.9%	13.4%	13.7%	13.8%
Contracted services	19.5%	16.3%	16.7%	15.3%	15.4%
Rents and financial expenses	2.0%	2.5%	2.1%	2.2%	2.1%
External transfers	10.8%	11.5%	11.1%	12.5%	11.5%
Amortization of tangible capital assets	11.0%	11.3%	11.1%	10.8%	11.3%
	<u>100.0%</u>	<u>100.0%</u>	<u>100.0%</u>	<u>100.0%</u>	<u>100.0%</u>
Long Term Liabilities					
Long Term Liabilities incurred by the City	\$ 494,891	\$ 418,145	\$ 472,805	\$ 394,295	\$ 444,766
Long Term Debt incurred by the City for which other entities have assumed responsibility	-	-	-	(3,239)	(6,280)
	<u>494,891</u>	<u>418,145</u>	<u>472,805</u>	<u>391,056</u>	<u>438,486</u>
Long Term Liabilities					
Housing operations	\$ 52,803	\$ 58,508	\$ 64,070	\$ 69,466	\$ 74,675
City operations	432,088	359,637	408,735	321,590	363,811
	<u>484,891</u>	<u>418,145</u>	<u>472,805</u>	<u>391,056</u>	<u>438,486</u>
Long term liabilities as a % of Reserves and Capital Surplus	57.30%	58.60%	62.20%	62.30%	60.50%

Note: Amounts reported may have been restated from previous amounts presented to conform to 2018 Public Sector Accounting Board (PSAB) standards.

City of Hamilton Five Year Financial and Statistical Review (unaudited)

(All amounts are reported in thousands of dollars except statistical information, ratios and per capita figures)

	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>
Tangible Capital Assets					
General					
Land	\$ 357,211	\$ 333,818	\$ 315,467	\$ 304,977	\$ 287,316
Land improvements	157,312	152,325	150,337	135,252	137,563
Buildings	817,598	756,160	761,396	735,926	583,083
Vehicles	137,501	128,600	133,786	107,241	100,547
Computer hardware and software	13,572	11,821	11,058	7,876	6,701
Other	95,871	99,540	103,490	92,098	88,164
Infrastructure					
Roads	1,293,193	1,261,223	1,253,561	1,248,288	1,188,995
Bridges and structures	184,387	183,422	184,213	184,794	183,252
Water and wastewater facilities	398,743	403,647	396,884	385,404	391,440
Underground and other networks	1,861,011	1,789,334	1,761,542	1,713,019	1,631,570
Net Book Value	<u>5,316,399</u>	<u>5,119,890</u>	<u>5,071,734</u>	<u>4,914,875</u>	<u>4,598,631</u>
Assets under construction	360,182	309,974	199,680	235,413	359,541
	<u>5,676,581</u>	<u>5,429,864</u>	<u>5,271,414</u>	<u>5,150,288</u>	<u>4,958,172</u>
Accumulated Surplus or Municipal Financial Position					
Reserves and reserve funds					
Reserves	\$ 660,380	\$ 697,931	\$ 647,278	\$ 660,757	\$ 636,625
Hamilton Future Fund	48,635	44,322	43,079	37,711	46,436
	<u>709,015</u>	<u>742,253</u>	<u>690,357</u>	<u>698,468</u>	<u>683,061</u>
Capital surplus	\$ 136,894	\$ (28,137)	\$ 70,021	\$ (70,758)	\$ 41,550
Operating surplus	88,433	1,498	2,020	2,305	(1,862)
Investment in Government Business Enterprises	329,237	356,098	247,386	232,811	223,724
Investment in tangible capital assets	5,102,640	4,995,441	4,780,723	4,740,652	4,507,349
Unfunded liabilities - Employee future benefits	(348,832)	(343,679)	(333,787)	(326,627)	(313,254)
Unfunded liabilities - Solid waste landfill sites	(71,559)	(24,174)	(24,466)	(25,769)	(26,084)
	<u>5,945,828</u>	<u>5,699,300</u>	<u>5,432,254</u>	<u>5,251,082</u>	<u>5,114,484</u>

Note: Amounts reported may have been restated from previous amounts presented to conform to 2018 Public Sector Accounting Board (PSAB) standards.

City of Hamilton

Five Year Financial and Statistical Review (unaudited)

(All amounts are reported in thousands of dollars except statistical information, ratios and per capita figures)

	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>
Statistical Information					
Population	572,575	563,480	558,397	550,700	545,850
Households	234,655	227,641	222,918	223,000	221,000
Area in hectares	112,775	112,775	112,775	112,775	112,775
Building Permit Values	\$1,264,757,129	\$1,364,145,419	\$1,056,237,746	\$1,108,192,846	\$1,143,192,706
Housing Starts	1,135	1,340	1,436	1,415	1,203
Residential Units - Building Permits	5,808	6,053	5,835	4,142	3,379
Average Monthly Social Assistance Case Load	11,884	12,807	12,753	12,946	12,388
Continuous Full Time Employees	6,724	6,664	6,670	6,597	6,405

Note: Amounts reported may have been restated from previous amounts presented to conform to 2018 Public Sector Accounting Board (PSAB) standards.

Section 2

City of Hamilton Consolidated Financial Statements 2018

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Independent Auditors' Report

<<NOTE: The Independent Auditors' Report will be inserted after the Financial Report is approved by the Audit, Finance and Administration Committee. >>

Independent Auditors' Report

<<NOTE: The Independent Auditors' Report will be inserted after the Financial Report is approved by the Audit, Finance and Administration Committee. >>

City of Hamilton Consolidated Statement of Financial Position

For the year ended December 31, 2018 (all numbers are in thousands of dollars)

	<u>2018</u>	<u>2017</u>
Financial assets		
Cash and cash equivalents (Note 3)	\$ 130,292	\$ 139,287
Taxes receivable	80,972	77,918
Accounts receivable	119,048	120,405
Other assets	1,418	1,327
Long term receivables (Note 4)	63,573	52,124
Portfolio investments (Note 3)	1,056,507	947,928
Investment in Government Business Enterprises (Note 5)	<u>329,237</u>	<u>356,098</u>
Total financial assets	<u>\$ 1,781,047</u>	<u>\$ 1,695,087</u>
Liabilities		
Accounts payable and accrued liabilities	\$ 323,521	\$ 319,187
Deferred revenue - general	45,196	67,667
Deferred revenue - obligatory reserve funds (Note 6 & 7)	237,055	252,156
Long term liabilities – municipal operations (Note 8)	432,088	359,637
Long term liabilities – housing corporation (Note 9)	52,803	58,508
Employee future benefits and other obligations (Note 10 & 11)	373,177	367,587
Solid waste landfill liabilities (Note 12)	<u>71,559</u>	<u>24,174</u>
Total liabilities	<u>1,535,399</u>	<u>1,448,916</u>
Net financial assets	<u>\$ 245,648</u>	<u>\$ 246,171</u>
Non-financial assets		
Tangible capital assets (Note 21)	\$ 5,676,581	\$ 5,429,864
Inventories	15,174	12,556
Prepaid expenses	<u>8,425</u>	<u>10,709</u>
Total non-financial assets	<u>5,700,180</u>	<u>5,453,129</u>
Accumulated surplus (Note 13)	<u>\$ 5,945,828</u>	<u>\$ 5,699,300</u>

Contractual obligations (Note 17)

Contractual rights (Note 18)

Contingent liabilities (Note 20)

See accompanying notes to the consolidated financial statements.

City of Hamilton Consolidated Statement of Operations

For the year ended December 31, 2018 (all numbers are in thousands of dollars)

	Budget <u>2018</u> (Note 24)	Actual <u>2018</u>	Actual <u>2017</u>
Revenue			
Taxation (Note 15)	\$ 886,430	\$ 888,229	\$ 876,880
Government grants and contributions (Note 16)	453,642	454,774	394,785
User charges, licences and fines	336,728	347,637	334,974
Developer contributions earned	122,105	119,703	50,313
Donated tangible capital assets	46,862	46,862	18,217
Investment and dividend income	43,705	31,101	28,070
Net income from Government Business Enterprises (Note 5)	-	24,285	134,914
Other	<u>106,222</u>	<u>137,476</u>	<u>131,383</u>
Total revenue	<u>1,995,694</u>	<u>2,050,067</u>	<u>1,969,536</u>
Expenses			
General government	\$ 75,146	\$ 80,025	\$ 70,733
Protection services	324,653	324,227	312,564
Transportation services	315,117	320,005	326,274
Environmental services	294,636	284,271	239,488
Health services	103,589	102,868	99,125
Social and family services	317,343	316,819	315,218
Social housing	117,717	105,893	105,141
Recreation and cultural services	175,281	172,965	169,029
Planning and development	<u>56,213</u>	<u>56,785</u>	<u>53,455</u>
Total expenses	<u>1,779,695</u>	<u>1,763,858</u>	<u>1,691,027</u>
Annual Surplus	\$ 215,999	\$ 286,209	\$ 278,509
Accumulated surplus			
Beginning of year	\$ 5,432,254	\$ 5,699,300	\$ 5,432,254
Other comprehensive loss and other Government Business Enterprises (Note 5)	<u>-</u>	<u>(39,681)</u>	<u>(11,463)</u>
End of year	<u>\$ 5,648,253</u>	<u>\$ 5,945,828</u>	<u>\$ 5,699,300</u>

See accompanying notes to the consolidated financial statements.

City of Hamilton

Consolidated Statement of Changes in Net Financial Assets

For the year ended December 31, 2018 (all numbers are in thousands of dollars)

	Budget <u>2018</u> (Note 24)	Actual <u>2018</u>	Actual <u>2017</u>
Operating activities			
Annual surplus	\$ 215,999	\$ 286,209	\$ 278,509
Other comprehensive loss of			
Government Business Enterprises	-	(39,681)	(11,463)
Acquisition of tangible capital assets	(389,769)	(408,325)	(350,916)
Loss on disposition of tangible capital assets	12,039	12,039	18,561
Amortization of tangible capital assets	196,431	196,431	192,122
Donated tangible capital assets	(46,862)	(46,862)	(18,217)
Decrease in inventories	-	(2,618)	(823)
Increase (decrease) in prepaid expenses	-	2,284	(2,794)
Net decrease (increase) in financial assets	<u>(12,162)</u>	<u>(523)</u>	<u>104,979</u>
Net financial assets			
Beginning of year	<u>246,171</u>	<u>246,171</u>	<u>141,192</u>
End of year	<u>\$ 234,009</u>	<u>\$ 245,648</u>	<u>\$ 246,171</u>

See accompanying notes to the consolidated financial statements.

City of Hamilton Consolidated Statement of Cash Flows

For the year ended December 31, 2018 (all numbers are in thousands of dollars)

	<u>2018</u>	<u>2017</u>
Operating activities		
Annual surplus	\$ 286,209	\$ 278,509
Increase (decrease) in taxes receivable	(3,054)	5,812
Decrease (increase) in accounts receivable	1,357	(12,440)
Increase in other assets	(91)	(676)
Increase in accounts payable and accrued liabilities	4,334	51,013
(Decrease) increase in deferred revenue - general	(22,471)	8,049
Decrease (increase) in deferred revenue – obligatory reserve fund	(15,101)	38,909
Increase in inventories	(2,618)	(823)
Decrease (increase) in prepaid expenses	2,284	(2,794)
Non-cash activities		
Amortization of tangible capital assets	196,431	192,122
Donated tangible capital assets	(46,862)	(18,217)
Loss on disposition of tangible capital assets	12,039	18,561
Net income from Government Business Enterprises	(24,285)	(134,914)
Change in employee future benefits and other obligations	5,590	10,825
Change in solid waste landfill liabilities	47,385	(292)
	<u>441,147</u>	<u>433,644</u>
Investing activities		
Increase in portfolio investments	(108,579)	(47,893)
Increase in long term receivables	(11,449)	(3,812)
Dividends received from Government Business Enterprises	11,464	14,740
	<u>(108,564)</u>	<u>(36,965)</u>
Financing activities		
Long term debt issued – municipal operations	110,820	-
Debt principal repayment – municipal operations	(37,749)	(48,480)
Lease obligation payment – municipal operations	(619)	(619)
Debt principal repayment – housing corporation	(5,705)	(5,562)
	<u>66,747</u>	<u>(54,661)</u>
Capital activities		
Purchase of tangible capital assets	(408,325)	(350,916)
Net decrease in cash and cash equivalents	(8,995)	(8,898)
Cash and cash equivalents		
Beginning of year	<u>139,287</u>	<u>148,185</u>
End of year	<u>\$ 130,292</u>	<u>\$ 139,287</u>

See accompanying notes to the consolidated financial statements.

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

1. Significant accounting policies

The Consolidated Financial Statements of the City of Hamilton ("City") are prepared by management in accordance with Canadian public sector accounting standards, as recommended by the Public Sector Accounting Board ("PSAB") of the Chartered Professional Accountants of Canada.

Significant accounting policies adopted by the City are as follows:

(a) Reporting entity

- (i) The consolidated financial statements reflect the assets, liabilities, revenues, expenses, changes in accumulated surplus, changes in net financial assets of the reporting entity. The consolidated financial statements include the activities of all committees of Council and the following boards and enterprises which are under the control of and accountable to Council:

Hamilton Police Services Board
The Hamilton Public Library Board
The Hamilton Street Railway Company
CityHousing Hamilton Corporation
Hamilton Business Improvement Areas including Ancaster BIA, Barton Street Village BIA, Concession Street BIA, Downtown Hamilton BIA, Dundas BIA, International Village BIA, King Street West BIA, Locke Street BIA, Main Street West Esplanade BIA, Downtown Stoney Creek BIA, Ottawa Street BIA, Waterdown BIA, and Westdale BIA
Flamborough Recreation Sub-Committees
Confederation Park
Hamilton Farmers Market

Interdepartmental and organizational transactions and balances are eliminated.

CityHousing Hamilton Corporation was incorporated as Hamilton Housing Corporation on January 1, 2001 as a result of the provincial legislation, Social Housing Reform Act 2000, which transferred the operation of various local housing authorities to municipalities. The City of Hamilton assumed social housing responsibilities on December 1, 2001. The share capital of CityHousing Hamilton Corporation is 100% owned by the City of Hamilton and a separate Board of Directors has been established to provide oversight responsibilities for the Corporation.

CityHousing Hamilton Corporation has been consolidated on a line-by-line basis after conforming with the City's accounting principles after eliminating inter-organizational transactions and balances.

During the year, Hamilton Utilities Corporation, underwent a corporate restructuring whereby it transferred the subsidiaries controlled by it, to a new entity; Hamilton Enterprises Holding Corporation ("H.E.H.C.O."). H.E.H.C.O. is owned 100% by the City.

Hamilton Utilities Corporation ("H.U.C."), Hamilton Enterprises Holdings Corporation ("H.E.H.C.O") and Hamilton Renewable Power Inc. ("H.R.P.I.") are subsidiary corporations of the City and are accounted for on a modified equity basis, consistent with the generally accepted accounting treatment for government business enterprises (Note 5). Under the modified equity basis, the business enterprise's accounting principles are not adjusted to conform to those of the City and inter-organizational transactions and balances are not eliminated.

City of Hamilton trust fund assets that are administered for the benefit of external parties are excluded from the consolidated financial statements. Separate financial statements have been prepared.

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

1. Significant accounting policies (continued)

(a) Reporting entity (continued)

Cemetery trust, and general trust funds administered by the City amounting to \$18,788,000 (2017 - \$17,663,000) have not been included in the Consolidated Statement of Financial Position nor have these operations been included in the Consolidated Statement of Operations. Homes for the Aged trust funds administered by the City amounting to \$383,000 (2017 - \$452,000) have not been included in the Consolidated Statement of Financial Position nor have these operations been included in the Consolidated Statement of Operations.

- (i) The financial activities of certain entities associated with the City of Hamilton are not consolidated. The City's contributions to these entities are recorded in the Consolidated Statement of Operations. The entities that are not consolidated are as follows:

Hamilton Region Conservation Authority
Disabled and Aged Regional Transit System
The Hamilton Municipal Retirement Fund
The Hamilton-Wentworth Retirement Fund
The Pension Fund of the Employees of the Hamilton Street Railway
The Hamilton and Scourge Foundation Inc.
Township of Glanbrook Non-Profit Housing Corporation

- (ii) The financial activities of programs administered by the City which are fully funded by the Province of Ontario or the Government of Canada on the basis of a March 31st year-end are excluded from these financial statements. The programs, which are not consolidated, are as follows:

Anonymous Testing Program
IDU Outreach Program
Child and Adolescent Services
Community Capacity Building - Choices and Changes Program
Community Mental Health and Addictions
Healthy Kids Community Challenge
Canada Prenatal Nutrition Program
Remedial Measures
Community Homelessness Prevention Initiative
Homelessness Partnering Strategy
Home For Good

- (iii) The taxation, other revenues, expenses, assets and liabilities with respect to the operations of various school boards are not reflected in the consolidated financial statements.

(b) Basis of accounting

Revenues are recorded on the accrual basis of accounting, whereby revenues are recognized as they are earned and measurable. Expenses are recognized in the period goods and services are acquired and a liability is incurred.

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

1. Significant accounting policies (continued)

(c) Use of estimates

The preparation of financial statements in accordance with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Significant estimates include assumptions used in estimating provisions for allowance for doubtful accounts, donated tangible capital assets, solid waste landfill liabilities, liabilities for contaminated sites, and in performing actuarial valuations of employee future benefit obligations.

Where estimation uncertainty exists, the financial statements have been prepared within reasonable limits of materiality. Actual results could differ from those estimates.

(d) Cash and cash equivalents

Cash and cash equivalents are comprised of cash on hand, cash held in financial institutions and temporary investments with maturities of 365 days or less. Temporary investments are recorded at cost and are written down to fair value when there has been a decline in value.

(e) Portfolio investments

Portfolio investments are comprised of fixed income securities primarily federal, provincial and municipal government bonds and federal government treasury bills. Portfolio investments are valued at cost less any amounts written off to reflect an other than temporary decline in value.

(f) Deferred revenue – obligatory reserve funds

Receipts which are restricted by legislation of senior governments or by agreement with external parties are in nature restricted revenues and are reported as deferred revenues. When qualifying expenses are incurred, deferred revenues are recognized into revenue in the fiscal period they are expended.

(g) Employee future benefits and other obligations

Employee future benefits and other obligations for retirement, post employment and pension benefits are reported in the Consolidated Statement of Financial Position. The accrued benefit obligations are determined using management's best estimates of expected investment yields, wage and salary escalation, mortality rates, termination and retirement ages. The actuarial gain or loss is amortized over the expected average remaining life expectancy of the members of the employee groups.

(h) Tangible capital assets

Tangible capital assets are recorded at cost which includes all amounts directly attributable to acquisition, construction, development or betterment of the asset. Donated and/or contributed assets are capitalized and recorded at their estimated fair value upon acquisition and recognized in revenue. Leased tangible capital assets are valued at the present value of the future minimum lease payments. Certain tangible capital assets for which historical cost information is not available have been recorded at current replacement cost deflated by a relevant inflation factor.

Amortization for road linear assets is calculated on a consumption basis using road deterioration curves. All other tangible capital assets are amortized on a straight-line basis over their estimated useful lives. One half of the annual amortization is recorded as amortization expense in the year of acquisition or construction and in the year of disposal. Estimated useful lives range from 2 years to 100 years as follows:

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

1. Significant accounting policies (continued)

(h) Tangible capital assets (continued)

General - Land improvements	20 to 75 years
General - Buildings	20 to 50 years
General - Vehicles	4 to 20 years
General – Computer hardware and software	3 to 5 years
General – Other – Machinery and equipment	2 to 100 years
Infrastructure – Bridges and other structures	40 to 75 years
Infrastructure – Water and wastewater facilities	20 to 40 years
Infrastructure – Water, wastewater, stormwater linear network	18 to 100 years

The City has leased tangible capital assets which are amortized over the term of the lease, ranging from 5 to 50 years. The cost, accumulated amortization, net book value and amortization expense have been reported in these consolidated financial statements.

Assets under construction are not amortized until the asset is ready for use. All interest on debt incurred during construction of related tangible capital assets is expensed in operations in the year incurred. Works of art and historic treasures are not recorded as assets in these financial statements.

(i) Inventories

Inventories held for consumption or use are valued at the lower of cost and net realizable value.

(j) Government transfers

Government transfers are recognized as revenue in the financial statements when the transfer is authorized, any eligibility criteria are met, and a reasonable estimate of the amount can be made except, when and to the extent that, stipulations by the transferor give rise to an obligation that meet the definition of a liability. Government transfers that meet the definition of a liability are recognized as revenue as the liability is extinguished.

(k) Long term receivables

Long term receivables are valued at cost. Recoverability is assessed annually, and a valuation allowance is recorded when recoverability has been impaired. Long term receivables are written off when they are no longer recoverable. Recoveries of long term receivables previously written off are recognized in the year received. Interest revenue is recognized as it is earned. Long term receivables with significant concessionary terms are reported as an expense on the Consolidated Statement of Operations. Long term receivables are reported in Note 4.

(l) Tax revenue

Taxes receivable and tax revenue are recognized when they meet the definition of an asset, the tax is authorized, and the taxable event has occurred.

(m) Landfill Liability

The Ontario Environmental Protection Act (the "Act") sets out the regulatory requirements for the closure and maintenance of landfill sites. Under the Act, the City is required to provide for closure and post-closure care of solid waste landfill sites. The costs related to these obligations are provided for all inactive landfill sites and active landfill sites based on usage.

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

1. Significant accounting policies (continued)

(n) Contaminated Sites

Contamination is a result of contamination being introduced into air, soil, water or sediment of a chemical, organic or radioactive material or live organism that exceeds an environmental standard. The liability is recorded net of any expected recoveries. A liability for remediation of contaminated sites is recognized when all the following criteria are met:

- (i) an environmental standard exists
- (ii) contamination exceeds the environmental standard
- (iii) the Town is directly responsible or accepts responsibility
- (iv) it is expected that future economic benefits will be given up; and
- (v) a reasonable estimate of the amount can be made.

The liability is estimated based upon information that is available when the financial statements are prepared. It is based upon the costs directly attributable to the remediation activities required using a present value measurement technique.

2. Adoption of New Accounting standards

The following standards issued by PSAB were effective January 1, 2018. The implementation of these standards had no impact on the annual surplus, net debt or accounting surplus, but resulted in additional note disclosures.

(a) PS 2200 Related parties' disclosure

A related party exists when one party has the ability to exercise control or shared control over the other. Related parties include key management personnel, their close family members and the entities they control or have shared control over. Related party transactions are disclosed if they occurred at a value different from that which would have been arrived at if parties were unrelated and the transaction has material effect on the consolidated financial statements.

(b) PS 3320 Contingent assets

Contingent assets are possible assets arising from existing conditions or situations involving uncertainty which will be ultimately resolved when one of more future events occur that are not within the government's control. Disclosure of a contingent asset is required under this standard when the occurrence of a confirming future event is likely.

(c) PS 3380 Contractual rights

Contractual rights require the disclosure of information in regards to future rights to economic resources arising from contracts or agreements that will result in a future economic benefit. Such disclosure includes the nature, extent and timing of contractual rights. The City is involved with various contracts and agreements arising in the ordinary course of business. This results in contractual rights to economic resources.

(d) PS 3210 Assets

The assets standard provides additional guidance on the definition of assets and what is meant by economic resources, control, past transactions and events and from which future economic benefits are to be obtained. For the year ended December 31, 2018, all material assets have been disclosed and reported within this definition.

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

2. Adoption of New Accounting standards (continued)

(e) PS 3420 Inter-Entity transactions

Inter-entity transactions standard provides guidance on how to account for and report transactions between public sector entities that comprises a governments reporting entity. This section provides guidance for the measurement of these transactions. All City transactions are recorded at the exchange amount, being the amount agreed to by both parties.

3. Cash and cash equivalents and portfolio investments

	<u>2018</u>	<u>2017</u>
Cash and cash equivalents are comprised of:		
Cash on hand	\$ 141	\$ 174
Cash held in banks	123,968	132,957
Temporary investments	6,183	6,156
	<u>\$ 130,292</u>	<u>\$ 139,287</u>
Portfolio investments are comprised of:		
Unrestricted investments	\$ 770,817	\$ 651,451
Designated investments (obligatory reserve funds)	237,055	252,155
Designated investments (Hamilton Future Fund)	48,635	44,322
	<u>\$ 1,056,507</u>	<u>\$ 947,928</u>

Portfolio investments have a market value of \$1,054,625,000 (2017 - \$955,877,000). The City has purchased \$3,056,000 (2017 - \$7,426,000) of its own debentures which have not been cancelled. This investment in its own debenture is included in investments on the consolidated statement of financial position. The gross amounts of these debentures is \$428,728,000 (2017 - \$355,658,000)

4. Long term receivables

The City has long-term receivables in the amount of \$63,573,000 (2017- \$52,124,000). The long term receivables are comprised of:

	<u>2018</u>	<u>2017</u>
Development charge deferral agreements	\$ 37,253	\$ 26,987
Mortgages receivable:		
Downtown convert to rent program	13,043	11,422
Hamilton Utilities Corporation	6,804	7,128
Hamilton Renewable Power Inc.	278	808
Sheraton Hotel loan	868	977
Other City loan programs	3,987	3,802
Loans to other agencies and organizations	4,211	3,997
Less: Provision for loans with concessionary terms	(2,871)	(2,997)
	<u>\$ 63,573</u>	<u>\$ 52,124</u>

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

4. Long term receivables (continued)

Development charge deferral agreements and mortgage receivables are loans which are secured by property, with interest rates varying from 0% to 5.61% and terms of one year to thirty years.

Loans to other agencies and organizations included loans to Hamilton Conservation Authority, Catholic Children's Aid Society, Winona Peach Festival, Redeemer University College, the Bob Kemp Hospice, Canadian Football Hall of Fame, Rosedale Tennis Club with interest rates varying from 0% to 6.75% for terms of up to thirty years.

5. Investment in Government Business Enterprises

Hamilton Utilities Corporation, Hamilton Enterprises Holdings Corporation and Hamilton Renewable Power Inc. are subsidiary corporations of the City and are accounted for on a modified equity basis, consistent with the generally accepted accounting treatment for government business enterprises.

In compliance with provincial legislation enacted to restructure the electrical industry in Ontario, the Hamilton Utilities Corporation ("H.U.C.") was incorporated on June 1, 2000. All of the assets and liabilities of the predecessor hydro-electric systems were transferred to H.U.C. During 2004, Hamilton Hydro Energy Inc. was established with the City's acceptance of a dividend in kind in the form of one common share from H.U.C. Effective June 1, 2005, the articles of incorporation reflected the amendment of a name change to Hamilton Renewable Power Inc. ("H.R.P.I."). On December 18, 2017 Hamilton Enterprises Holdings Corporation ("H.E.H.C.O.") was incorporated.

The amounts related to government business enterprises as reported in the Consolidated Statement of Operations for 2018 and 2017 is as reported by the Hamilton Utilities Corporation, Hamilton Enterprises Corporation and Hamilton Renewable Power Inc.

	<u>2018</u>	<u>2017</u>
Net income from H.U.C.	\$ 25,517	\$ 134,786
Net loss from H.E.H.C.O.	(1,366)	-
Net income from H.R.P.I.	134	128
	<u>\$ 24,285</u>	<u>\$ 134,914</u>

The City's investment in Government Business Enterprises is reported in the Consolidated Statement of Financial Position as:

	<u>2018</u>	<u>2017</u>
Investment in H.U.C.	\$ 330,896	\$ 356,430
Investment in H.E.H.C.O.	(1,357)	-
Investment in H.R.P.I.	(302)	(332)
	<u>\$ 329,237</u>	<u>\$ 356,098</u>

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

5. Investment in Government Business Enterprises (continued)

The following table provides condensed supplementary financial information for Hamilton Utilities Corporation reported by H.U.C. at December 31, 2018 and December 31, 2017 respectively.

	<u>2018</u>	<u>2017</u>
Financial Position		
Current assets	\$ 1,714	\$ 18,699
Capital assets	-	39,239
Intangible assets	-	2,400
Goodwill	-	582
Notes receivable from corporation	51,772	-
Long term receivables	6,480	-
Future payments in lieu of taxes	-	1,883
Investment in Alectra Holdings Inc.	356,595	347,238
Total assets	<u>416,561</u>	<u>410,041</u>
Current liabilities		
(including current portion of long term debt)	1,910	5,350
Non-current liabilities	<u>72,976</u>	<u>48,149</u>
Total liabilities	<u>74,886</u>	<u>53,499</u>
Minority interest	-	112
Change in opening equity	10,779	-
Shareholders' equity	<u>\$ 330,896</u>	<u>\$ 356,430</u>
Results of operations		
Revenues	\$ 386	\$ 67,940
Operating expenses	(3,150)	(71,489)
Equity income in Alectra Holdings Inc.	19,272	13,659
Financing expenses	(282)	(1,097)
Investing expenses	-	(49)
Other income	442	159,544
Equity earnings from operations	<u>16,668</u>	<u>168,508</u>
Recovery of taxes	8,849	(33,705)
Minority interest	-	(17)
Net income before other comprehensive income	<u>25,517</u>	<u>134,786</u>
Other comprehensive income (loss)	816	(11,463)
Refundable dividend tax on hand	(40,506)	-
Net (loss) income	<u>\$ (14,173)</u>	<u>\$ 123,323</u>
Dividends paid	11,361	14,678

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

5. Investment in Government Business Enterprises (continued)

The following table provides condensed supplementary financial information for Hamilton Enterprises Holding Corporation reported by H.E.H.C.O. at December 31, 2018 and December 31, 2017 respectively.

	<u>2018</u>	<u>2017</u>
Financial Position		
Current assets	\$ 5,169	\$ -
Capital assets	53,858	-
Intangible assets	2,003	-
Goodwill	571	-
Future payments in lieu of income taxes	31	-
Total assets	<u>61,632</u>	<u>-</u>
Current liabilities (including current portion of long term debt)	2,433	-
Non-current liabilities	71,624	-
Total liabilities	<u>74,057</u>	<u>-</u>
Non-controlling interest	91	-
Opening equity	(11,159)	-
Net deficit	<u>\$ (1,357)</u>	<u>\$ -</u>
Results of operations		
Revenues	\$ 11,138	\$ -
Operating expenses	(11,896)	-
Financing expenses	(750)	-
Other income	135	-
Equity earnings from operations	<u>(1,373)</u>	<u>-</u>
Recovery of taxes	<u>(7)</u>	<u>-</u>
Net loss before dividends	(1,366)	-
Other comprehensive income	4	-
Non-controlling interest	5	-
Net loss	<u>\$ (1,357)</u>	<u>\$ -</u>

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

5. Investment in Government Business Enterprises (continued)

The following table provides condensed supplementary financial information for Hamilton Renewable Power Incorporated reported by H.R.P.I. at December 31, 2018 and December 31, 2017 respectively.

	<u>2018</u>	<u>2017</u>
Financial Position		
Current assets	\$ 850	\$ 758
Capital assets	6,187	6,735
Other assets	32	32
Total assets	<u>7,069</u>	<u>7,525</u>
Current liabilities		
(including current portion of long term debt)	996	1,160
Future payment in lieu of taxes	375	419
Long term debt	-	278
Total liabilities	<u>1,371</u>	<u>1,857</u>
Shareholder's equity	<u>6,000</u>	<u>6,000</u>
Net deficit	<u>\$ (302)</u>	<u>\$ (332)</u>
Results of operations		
Revenues	\$ 3,041	\$ 3,182
Expenses	(2,907)	(3,054)
Net income	<u>\$ 134</u>	<u>\$ 128</u>
Dividends paid	103	62

Hamilton Utilities Corporation long term receivables and borrowings:

Included in non-current liabilities is a loan payable to the City in the amount of \$6,480,000. The loan payable and the long term receivable relate to the acquisition of the City of Hamilton's Central Utilities Plant. The long term receivable is receivable from H.E.H.C.O. The loan payable and the long term receivable bear interest at 4.06% per annum and are repayable \$324 annually principal plus interest and are due January 1, 2019 with four 5 year renewal terms. At December 31, 2018, the City has not given notice that it will no renew the loan agreement as such, the loan agreement as such, the loan remains in non-current liabilities.

Hamilton Renewable Power Incorporated Capital Loan:

The City of Hamilton, the sole shareholder, has provided a capital loan, bearing interest at 6.75% compounded semi-annually, due in semi-annual payments of \$287,698 principal and interest maturing in 2019.

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

5. Investment in Government Business Enterprises (continued)

	<u>2018</u>	<u>2017</u>
Revenue		
Dividend revenue from H.U.C.	\$ 11,361	\$ 14,678
Dividend revenue from H.R.P.I.	103	62
Property and other taxes received by the City from H.U.C.	632	640
Sale of Methane to H.R.P.I.	771	872
Expenditures		
Hydro purchased by the City from H.E.H.C.O.	34,447	38,100
Water and sewer billing contracted service with H.E.H.C.O.	-	419
Thermal and Electrical Energy purchased from H.E.H.C.O.	-	2,378
Thermal Energy purchased from H.R.P.I.	224	360
Fibre Service purchased by the City from H.E.H.C.O.	-	1,077
Cooling changes related to Central Utilities Plant	-	1,802
Assets		
Accounts receivable H.U.C.	-	1,363
Accounts receivable from H.R.P.I.	392	446
Long term receivables from H.U.C.	6,804	7,128
Long term receivables from H.R.P.I.	-	808
Liabilities		
Accounts payable - H.U.C.	-	1,005

6. Deferred revenue – obligatory reserve funds

The deferred revenue – obligatory reserve funds, reported on the consolidated statement of financial position, are made up of the following:

	<u>2018</u>	<u>2017</u>
Development charge reserve funds	\$128,146	\$158,996
Recreational land dedicated under the Planning Act	42,763	35,235
Gasoline tax revenue: Provincial	17,332	16,692
Federal	27,604	21,919
Building Permit Revenue	20,700	19,285
Other (Ivor Wynne)	-	29
Other (Main Street Revitalization)	510	-
	<u>\$237,055</u>	<u>\$252,156</u>

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

7. Deferred revenue – obligatory reserve funds

The deferred revenue – obligatory reserve funds, reported on the consolidated statement of financial position, are made up of the following:

	<u>2018</u>	<u>2017</u>
Balance at the beginning of the year	\$ 252,156	\$ 213,247
Add:		
Developer and other contributions	94,686	90,155
Interest earned	6,219	4,706
Provincial and Federal Funding	44,474	43,238
	<u>145,379</u>	<u>138,099</u>
Less:		
Contributions used in operating and capital funds	<u>(160,480)</u>	<u>(99,190)</u>
Balance at the end of the year	<u>\$ 237,055</u>	<u>\$ 252,156</u>

8. Long term liabilities – municipal operations

- (a) The long term liabilities – municipal operations consists of long term debt for serial debentures and loans that mature in the years 2019 to 2044 with interest rates varying between 1.61% and 6.75% and obligations for leased tangible capital assets with payments from 2019 to 2051 at a discount rate of 5%. The balance of long term liabilities consists of the following:

	<u>2018</u>	<u>2017</u>
Long term liabilities incurred by the City	\$ 428,728	\$ 355,658
Long term liabilities for leased tangible capital assets incurred by the City	3,360	3,979
Net long term liabilities	<u>\$ 432,088</u>	<u>\$ 359,637</u>

- (b) Of the \$428,728,000 long term debt (2017 - \$355,658,000) certain principal payments do not represent a burden on general City revenue, as they are to be recovered in future years from other sources.

The total long-term debt is to be recovered from the following:

	<u>2018</u>	<u>2017</u>
General revenues	\$ 290,812	\$ 233,406
Water & Wastewater user charges	137,916	122,252
	<u>\$ 428,728</u>	<u>\$ 355,658</u>

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

8. Long term liabilities – municipal operations (continued)

(c) The total City principal repayments of long term debt in each of the next five years and thereafter are due as follows:

	General Revenues	Water & Wastewater User Charges		Total 2018
2019	33,586	12,142	\$	45,728
2020	29,384	12,146		41,530
2021	29,514	12,151		41,665
2022	29,932	12,156		42,088
2023	24,710	12,103		36,813
2024 and thereafter	143,686	77,218		220,904
Total	<u>\$ 290,812</u>	<u>\$ 137,916</u>	\$	428,728

(d) The total City principal repayments of leased tangible capital assets in each of the next five years and thereafter are due as follows:

		2018
2019		\$ 619
2020		619
2021		335
2022		62
2023		62
2024 and thereafter		<u>1,663</u>
Total		<u>\$ 3,360</u>

(e) Total charges for the year for long term debt are as follows:

	2018	2017
Principal repayments	\$ 37,749	\$ 48,480
Interest expense	<u>10,967</u>	<u>11,716</u>
	<u>\$ 48,716</u>	<u>\$ 60,196</u>

(f) Total charges for the year for leased tangible capital assets are as follows:

	2018	2017
Principal repayments	\$ 619	\$ 619
Interest expense	<u>247</u>	<u>238</u>
	<u>\$ 866</u>	<u>\$ 857</u>

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

9. Long term debt – housing corporation

(a) The balance of long term debt – housing corporations reported on the Consolidated Statement of Financial Position represents capital assets of the CityHousing Hamilton that are financed by mortgages. The mortgages mature in the years 2019 to 2027 with interest rates varying between 0.96% and 5.83%. The mortgage obligations for CityHousing Hamilton are \$52,803,000 (2017 - \$58,508,000).

(b) The principal repayments of these mortgages in each of the next five years and thereafter are as follows:

	<u>2018</u>
2019	\$ 24,800
2020	6,447
2021	4,281
2022	10,633
2023	1,321
2024 and thereafter	5,321
	<u>\$ 52,803</u>

(c) Total charges for the year for long term debt - housing corporations are as follows:

	<u>2018</u>	<u>2017</u>
Principal repayments	\$ 5,705	\$ 5,562
Interest expense	1,463	1,489
	<u>\$ 7,168</u>	<u>\$ 7,051</u>

(d) Other long-term debt incurred by the City of Hamilton's housing corporations, representing capital assets financed by debentures issued by the Ontario Housing Corporation of \$11,000,000 (2017 - \$14,035,000), is not included in the Consolidated Statement of Financial Position. The Social Housing Reform Act, 2000 transferred the ownership and responsibility for the administration of Province of Ontario public housing to the City of Hamilton as a local housing corporation. The transfer, effective January 1, 2001, included land and buildings at no cost. The servicing of long term debt remains the obligation of the Province of Ontario.

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

10. Employee future benefits and other obligations

The City provides certain employee benefits that require funding in future periods. An estimate of these liabilities has been recorded in the Consolidated Statement of Financial Position. These amounts are summarized as follows:

	<u>2018</u>	<u>2017</u>
Accrued Benefit Obligation		
Sick leave benefit plan	\$ 57,470	\$ 55,982
Long term disability	27,869	26,687
Workplace safety and insurance board liabilities (WSIB)	93,436	88,537
Retirement benefits	151,311	146,547
Vacation benefits	26,906	27,478
Pension benefit plans (Note 10 (f))	9,917	9,132
	<u>366,909</u>	<u>354,363</u>
Net unamortized actuarial gain	5,762	13,224
Valuation Allowance	506	-
	<u>506</u>	<u>-</u>
Accrued Liability	<u>\$ 373,177</u>	<u>\$ 367,587</u>

The City has established reserves for some of these liabilities totalling \$66,073,000 (2017 - \$66,002,000) as described in the following notes.

The continuity of employee future benefits and other obligations are summarized as follows:

	<u>2018</u>	<u>2017</u>
Liability for Employee Future Benefits and Other Obligations		
balance at beginning of the year	\$ 367,587	\$ 356,762
Plan amendment per actuarial valuation	2,940	-
Benefit expense	28,033	26,394
Interest expense	12,255	13,735
Amortization of actuarial loss on accrued benefit obligations	2,873	7,417
Amortization of actuarial gain on earnings on pension assets	(1,802)	(1,271)
Benefit payments	(38,709)	(35,450)
Liability for Employee Future Benefits and Other Obligations	<u>373,177</u>	<u>367,587</u>
balance at end of the year	<u>\$ 373,177</u>	<u>\$ 367,587</u>

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

10. Employee future benefits and other obligations (continued)

The expenses related to these employee benefits and other obligations are reported in the Consolidated Statement of Operations. These expenses are summarized as follows:

	<u>2018</u>	<u>2017</u>
Plan amendment per actuarial valuation	\$ 2,940	\$ -
Benefit expense	28,033	26,394
Interest expense	12,255	13,735
Amortization of net actuarial loss	1,071	6,146
	<u>\$ 44,299</u>	<u>\$ 46,275</u>

Actuarial valuations are performed on post employment, retirement benefits and pension benefits to provide estimates of the accrued benefit obligations. These estimates are based on a number of assumptions about future events including interest rates, inflation rates, salary and wage increases, medical and dental cost increases and mortality. The assumptions are determined at the time of the actuarial valuations and are reviewed annually. Consequently, different assumptions may be used as follows:

	Discount Rate	Return on Assets	Inflation Rate	Payroll Increases	Dental Increases	Life Expectancy (Years)
Vested sick leave	3.50%	NA	2.0%	3.0%	NA	11.8 to 12.4
Long term disability	3.50%	NA	2.0%	3.0%	NA	8.0
Workplace safety and insurance	4.25%	NA	2.0%	3.0%	NA	10.0
Retirement Benefits Health and Dental	3.75%	NA	2.0%	3.0%	4.0%	14.3
Pensions Benefits (non-OMERS)	5.40%	5.40%	2.25%	NA (1)	NA	7.94 to 10.3

Notes:

(1) There is no estimate for future salary and wage increases in the non-OMERS pension plans as the active employees have been transferred to OMERS.

(a) Liability for sick leave benefit plans

The City provides a sick leave benefit plan for certain employee groups. Under the sick leave benefit plan of the City, unused sick leave can accumulate, and employees may become entitled to a cash payment when they leave the City's employment. An actuarial valuation as at December 31, 2017 has estimated the accrued benefit obligation at \$57,470,000 (2017 - \$55,982,000). Changes in valuation assumptions have resulted in an increase in the liability to \$57,470,000 from the expected liability of \$52,625,000. The actuarial loss as at December 31, 2018 of \$4,845,000 is being amortized over 11.8 to 12.4 years, which is the expected average remaining life expectancy of the members of the employee groups. Reserves established to provide for this liability are included on the Consolidated Statement of Financial Position in the amount of \$8,069,000 (2017 - \$7,955,000).

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

10. Employee future benefits and other obligations (continued)

(b) Liability for long term disability

The City provides benefits in the event of total disability for certain employee groups. An actuarial valuation of the City's self-insured long-term disability program as at December 31, 2015 has estimated the accrued benefit obligation at \$27,869,000 (2017 - \$26,687,000). Changes in valuation assumptions have resulted in an increase in the liability of \$27,869,000 from the expected liability of \$26,502,000. The actuarial loss as at December 31, 2018 of \$1,367,000 is being amortized over 8.0 years, which is the expected average remaining life expectancy of the members of the employee groups. Reserves established to provide for this liability are included on the Consolidated Statement of Financial Position in the amount of \$15,814,000 (2017 - \$16,394,000).

(c) Liability for workplace safety and insurance

The City is liable for compensation related to workplace injuries as stipulated by the Workplace Safety & Insurance Act. An actuarial valuation as at December 31, 2015 estimated the accrued benefit obligation for workplace safety & insurance existing claims and future pension awards at \$93,436,000 (2017 - \$88,537,000). Changes in valuation assumptions have resulted in an increase in the liability to \$93,436,000 from the expected liability of \$88,019,000. The actuarial loss of \$5,417,000 is being amortized over 10.0 years, which is the expected average remaining life expectancy of the plan members in various groups. Reserves established to provide for this liability are included on the Consolidated Statement of Financial Position in the amount of \$40,652,000 (2017 - \$40,172,000).

(d) Liability for retirement benefits

The City provides certain health, dental and life insurance benefits between the time an employee retires under the Ontario Municipal Employees Retirement System (OMERS) or the normal retirement age and up to the age of 65 years. An actuarial valuation at December 31, 2018 estimated the accrued benefit obligation at \$151,311,000 (2017 - \$146,547,000). Changes in valuation assumptions have resulted in an increase in liability to \$151,311,000 from the expected liability of \$135,340,000. The actuarial loss of \$15,971,000 is being amortized over 14.3 to 16.0 years, which is the expected average remaining life expectancy of the plan members in various groups. Reserves established to provide for this liability are included on the Consolidated Statement of Financial Position in the amount of \$7,122,000 (2017 - \$6,812,000).

(e) Liability for vacation benefits

The City is liable for vacation days earned by its employees as at December 31, 2018 but not taken until a later date. The liability as at December 31, 2018 has been estimated at \$26,906,000 (2017 - \$27,478,000), of which \$17,223,000 is funded by City departments' budgets (2017 - \$17,096,000). Reserves established to provide for this liability are included on the Consolidated Statement of Financial Position in the amount of \$1,538,000 (2017 - \$1,500,000), and the remaining liability of \$8,145,000 is unfunded (2017 - \$8,882,000).

(f) Liability for pensions plans

In addition to the Ontario Municipal Employees Retirement System (OMERS) described in Note 11, the City also provides pension benefits under three other plans. The actuarial valuations for Hamilton-Wentworth Retirement Fund and Hamilton Street Railway Retirement Fund at December 31, 2016 and Hamilton Municipal Retirement Fund at December 31, 2017 estimated the combined accrued benefit obligation of the pension plans at \$9,917,000 (2017 - \$9,132,000). Changes in valuation resulted in an increase in the liability to \$9,917,000 from an expected liability of \$43,786,000. The actuarial gain of \$33,869,000 is being amortized over 7.9 to 10.0 years, which is the expected average remaining life expectancy of the plan members.

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

11. Pension agreements

(a) Ontario Municipal Employees Retirement System

The City makes contributions to the Ontario Municipal Employees Retirement System (OMERS), which is a multi-employer plan, on behalf of approximately 7,132 members of City staff and councillors. The plan is a defined benefit plan, which specifies the amount of retirement benefit to be received by employees, based on the length of credited service and average earnings.

The latest actuarial valuation as at December 31, 2018 indicates a "going concern" Actuarial Deficit based on the plan's current member and employer contribution rates. Contributions were made in the 2018 calendar year at rates ranging from 9.0% to 15.8% depending on the member's designated retirement age and level of earnings. As a result, \$59,519,000 (2017 - \$56,454,000) was contributed to the OMERS plan for current service.

As OMERS is a multi-employer pension plan, any pension plan surpluses or deficits are a joint responsibility of all Ontario municipalities and their employees.

(b) Other pension plans – Hamilton-Wentworth Retirement Fund, Hamilton Municipal Retirement Fund, and Hamilton Street Railway Retirement Fund.

Approximately 339 current employees and 928 former employees of the City are members of three defined benefit plans; Hamilton-Wentworth, Hamilton Municipal and the Hamilton Street Railway Retirement Funds and are current or future beneficiaries under their terms and conditions. Actuarial valuations of the pension plans for funding purposes are required under the Pension Benefits Act every three years. The actuarial valuations of the pension plans for accounting purposes provide different results than the valuations for funding purposes. For funding purposes, one of the pension plans is in a surplus position and the other two plans are in a deficit position.

The actuarial valuations for these pension plans are based on a number of assumptions about future events including mortality, inflation and interest rates. The two plans with deficits are paying a number of amortization schedules that will be completed over a period ranging from two to fifteen years.

The accrued pension liability reported in the Consolidated statement of Financial Position is comprised as follows:

	<u>2018</u>	<u>2017</u>
Accrued pension benefit obligation	\$ 321,429	\$ 328,689
Pension plan assets		
Marketable securities (Market Value)	<u>(311,512)</u>	<u>(341,756)</u>
Other assets	9,917	9,132
Unamortized actuarial gain	33,363	46,575
Accrued pension liability	43,280	55,707
Valuation Allowance	506	-
Adjusted Accrued Pension Liability	<u>\$ 43,786</u>	<u>\$ 55,707</u>

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

11. Pension agreements (continued)

The actuarial gain or loss on pension fund assets and the actuarial gain or loss on accrued pension benefits obligations are comprised as follows:

	<u>2018</u>	<u>2017</u>
Expected pension fund assets at the end of year	\$ 342,517	\$ 328,689
Actual pension fund assets at end of year	<u>311,512</u>	<u>341,756</u>
Actuarial gain (loss) on pension fund assets	<u>(31,005)</u>	<u>13,067</u>
Expected accrued pension benefit obligation at end of year		
Actual accrued pension benefit obligation at end of year	337,402	356,957
Accrued pension benefit obligation	<u>321,429</u>	<u>350,889</u>
Actuarial gain on accrued pension benefit obligation	<u>\$ 15,973</u>	<u>\$ 6,068</u>

The expenses related to the pension plans are comprised as follows:

	<u>2018</u>	<u>2017</u>
Amortization of net actuarial loss on accrued pension benefit obligation	\$ (81)	\$ 1,988
Amortization of net actuarial loss on pension plan assets	<u>(4,599)</u>	<u>(1,270)</u>
Net amortization	<u>(4,680)</u>	<u>718</u>
Interest on average accrued pension benefit obligation	\$ 16,305	\$ 17,897
Expected return on average pension plan assets	<u>(16,364)</u>	<u>(16,382)</u>
Net interest	<u>(59)</u>	<u>1,515</u>
Change in Valuation Allowance	<u>506</u>	<u>-</u>
Total expenses	<u>\$ (4,233)</u>	<u>\$ 2,233</u>

Payment of \$7,633,836 (2017 - \$5,882,000) have been applied to reduce the Hamilton - Wentworth and Hamilton Street Railway plans' deficit as actuarially determined for funding purposes. The pension deficit for the pension plans as at December 31, 2018 will be funded by the City with payments as follows:

2019	\$ 7,770
2020	3,722
2021	3,722
2022	3,722
2023 and thereafter	<u>13,006</u>
Total	<u>\$ 31,942</u>

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

12. Solid waste landfill liabilities

The City owns and operates one open landfill site and it owns and maintains twelve (12) closed landfill sites.

The active landfill site in the Glanbrook community was opened in 1980 covering 220 hectares over three phases with a capacity of 14,824,000 cubic metres of waste. The total capacity has been broken into three Phases, with Phase 1 having a capacity of 8,403,000, Phase 2 having a capacity of 4,855,000 cubic metres and Phase 3 having a capacity of 1,566,000 cubic metres. As at December 31, 2018 landfilling has ceased in Phase 1 and is occurring in Phase 2. Approximately 295,000 cubic metres of un-utilized or recovered (due to site settlement) capacity had been retained at Phase 1 representing 3.5% of its theoretical approved capacity. This is intended for use in the event of an emergency or extended lack of access into Phase 2. For the purpose of financial considerations Phase 1 should be treated as being "at capacity" although the intent is to eventually utilize the retained air space. Filling was initiated at Phase 2 in mid-December and therefore as of December 31, 2018 still retained an estimated 4,850,000 cubic meters of capacity. It is estimated Phase 2 will reach its capacity and close in 2046. Construction of Phase 3 has not been initiated. It is estimated that the site will reach full capacity and close in 2055.

In 2018 approximately 30% of waste generated was diverted from landfills (2017 – 43%). The reduced diversion rate is attributed to the interim closure of the organics processing facility.

The closure costs for the open Glanbrook landfill site and post closure care costs for the closed sites are based upon management estimates, adjusted by 3.5% inflation. These costs are then discounted back to December 31, 2018 using a discount factor of 4.5%. Post closure care for the Glanbrook site is estimated to be required for 50 years from the date of closure of each phase. Studies continue to be undertaken to assess the liability associated with the City's closed landfill sites and the estimates will be updated as new information arises.

Estimated expenses for closure and post-closure care are \$78,973,000 (2017 - \$31,173,000). The expenses remaining to be recognized are \$7,414,000 (2017 - \$7,000,000). The liability of \$71,559,000 (2017 - \$24,174,000) for closure of the operational site and post closure care of the closed sites has been reported on the Consolidated Statement of Financial Position. A reserve of \$1,134,000 (2017 - \$1,080,000) was established to finance the future cost for closed landfill sites.

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

13. Accumulated Surplus

The accumulated surplus balance is comprised of balances in reserves and discretionary reserve funds, operating surplus, capital surplus, unfunded liabilities to be recovered in the future, investment in government business enterprises and investment in tangible capital assets.

	<u>2018</u>	<u>2017</u>
Reserves and discretionary reserve funds set aside for specific purposes by Council are comprised of the following:		
Working funds	\$ 84,867	\$ 89,987
Contingencies	971	947
Replacement of equipment	61,433	59,658
Sick leave (Note 10)	8,069	7,955
Workplace Safety and Insurance Board (WSIB) (Note 10)	40,652	40,172
Pension plans	3,258	3,178
Tax stabilization	23,215	35,686
General government	8,848	12,459
Protection services	642	7,915
Transportation services	23,319	28,973
Environmental services	259,368	263,884
Health and social services	8,945	9,672
Recreation and cultural services	26,019	29,108
Planning and development	13,190	13,261
Other unallocated	97,584	95,076
Hamilton future fund (Note 14)	48,635	44,322
Total reserves and discretionary reserve funds	\$ 709,015	\$ 742,253
Operating surplus		
Flamborough recreation sub-committees	\$ 267	\$ 271
Business improvement areas	1,221	1,127
Housing operations	86,500	(154)
Confederation Park operations	445	254
Westfield Heritage Village operations	-	-
Total operating surplus	\$ 88,433	\$ 1,498
Capital surplus		
Municipal operations	\$ 119,822	\$ (37,423)
Housing operations	17,072	9,286
Total capital surplus	\$ 136,894	\$ (28,137)
Unfunded liabilities		
Employee benefit obligations	\$ (348,832)	\$ (343,679)
Solid Waste landfill liabilities	(71,559)	(24,174)
Total unfunded liabilities	\$ (420,391)	\$ (367,853)
Investment in Government Business Enterprises (Note 5)	\$ 329,237	\$ 356,098
Investment in tangible capital assets	\$5,102,640	\$ 4,995,441
Accumulated surplus	\$5,945,828	\$ 5,699,300

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

14. Hamilton Future Fund

The Hamilton Future Fund was established by the Council of the City of Hamilton in 2002 from the proceeds from Hamilton Utilities Corporation of the net assets owed to the City upon restructuring of the electrical industry. The Hamilton Future Fund is used to create and protect a permanent legacy for current and future generations of Hamiltonians to enjoy economic prosperity and improved quality of life.

The continuity of the Hamilton Future Fund is as follows:

	<u>2018</u>	<u>2017</u>
Balance at the beginning of the year	\$ <u>44,322</u>	\$ <u>43,079</u>
Current Operations		
Investment Income	1,232	1,097
Repayment of Waste Management Projects	8,648	7,991
Waste Management Projects	-	(46)
St Joseph's Healthcare Hamilton Foundation	(675)	-
Westdale Cinema Group	(250)	-
Other	(586)	(228)
	<u>8,369</u>	<u>8,814</u>
Tangible capital assets		
Waste Management Projects	(13)	(2,776)
Roads and Bridges	-	(335)
Parkland	(43)	(80)
Other	(4,000)	(4,380)
	<u>(4,056)</u>	<u>(7,571)</u>
Balance at the end of the year	\$ <u>48,635</u>	\$ <u>44,322</u>

15. Taxation

	Budget <u>2018</u>	Actual <u>2018</u>	Actual <u>2017</u>
Taxation from real property	\$ 1,066,423	\$ 1,071,092	\$ 1,056,723
Taxation from other governments payments in lieu of taxes	<u>16,089</u>	<u>16,256</u>	<u>17,042</u>
	1,082,512	1,087,348	1,073,765
Less: Taxation collected on behalf of school boards	<u>(196,082)</u>	<u>(199,119)</u>	<u>(196,885)</u>
Net taxes available for municipal purposes	<u>\$ 886,430</u>	<u>\$ 888,229</u>	<u>\$ 876,880</u>

The City is required to levy and collect taxes on behalf of the school boards. The taxes levied over (under) the amounts requisitioned are recorded as accounts payable (receivable).

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

16. Funding transfers from other governments

	<u>2018</u>	<u>2017</u>
General government services	2,062	3,735
Protection services	8,743	7,990
Transportation services	58,980	43,248
Environmental services	27,356	5,845
Health services	57,898	56,550
Social and family services	245,885	242,234
Social housing (after consolidations)	48,728	31,910
Recreation and cultural services	3,397	1,398
Planning and development	1,725	1,875
Total funding	<u>\$ 454,774</u>	<u>\$ 394,785</u>

17. Contractual obligations

- (a) The City has outstanding contractual obligations of approximately \$488,067,000 at December 31, 2018 for capital works (2017 - \$538,980,000). City Council has authorized the financing of these obligations.
- (b) The City has agreements with the Ontario Realty Corporation, an agency of the Provincial Government of Ontario, for various capital projects. The outstanding future obligations at December 31, 2018 amounting to \$3,307,000 (2017 - \$3,465,000) are not reflected in the Consolidated Financial Statements. Payments made to the Ontario Realty Corporation amounting to \$158,250 in 2018 (2017 - \$237,000) are reported in the Consolidated Statement of Operations.
- (c) The City is legislated under the Development Charges Act to fund Government of Ontario ("GO") Transit's Growth and Capital Expansion Plan. The obligation at December 31, 2018 of \$3,460,000 (2017 - \$3,460,000) is reported in the Consolidated Statement of Financial Position. Payments are collected through development charges and remitted to Metrolinx, an agency of the Government of the Province of Ontario. Payments made to Metrolinx in the amount of \$367,000 in 2018 (2017 - \$383,000) are reported in the Consolidated Statement of Operations.
- (d) The City has a contract with Waste Connections (formerly known as Progressive Waste Services) for the transfer, hauling and disposal of the City's solid waste, including the operations of the City's Transfer Stations and Community Recycling Centre. The term of the agreement is ten years and two months for the period of January 1, 2010 to February 29, 2020. The contract fees amounting to \$7,969,000 for 2018 (2017 - \$7,407,000) are reported in the Consolidated Statement of Operations.
- (e) The City has a contract with GFL Environmental Inc. for the provision of curbside/roadside collection of organics, garbage, leaf and yard, bulk waste for one-half of the City, including curbside/roadside recycling, automated recycling and bin waste collection for the entire City. The agreement ends on March 28, 2020 (with an option of one-year extension). Contract fees amounting to \$18,393,000 for 2018 (2017 - \$17,418,000) are reported in the Consolidated Statement of Operations.

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

17. Contractual obligations (continued)

- (f) The City has lease agreements with Disabled and Aged Regional Transit System (D.A.R.T.S.) for the delivery of specialized transportation services. The duration of this agreement is for a term, commencing on the 1st day of July 2017, and ending on the 30th day of June, 2020 (the "Term"). Should extension or other form of renewal not be approved by City Council prior to the expiry of the Agreement at the end of the term, the Agreement will continue on a monthly basis until a new contract is signed or until cancelled on one hundred and twenty (120) calendar days' notice by either party. The annual contract fees amounting to \$20,622,000 for 2018 (2017 - \$17,031,000) are reported in the Consolidated Statement of Operations.
- (g) The City has executed lease agreements for administrative office space, parking lots and other land leases requiring annual payments in future years as they become due and payable in the amount of \$37,332,000 (2017 - \$50,676,000). The minimum lease payments for these leases over the next five years and thereafter are:

2019	\$ 7,417
2020	5,188
2021	3,413
2022	1,944
2023	1,995
2024 and thereafter	17,375
Total	<u>\$ 37,332</u>

- (h) The City has a Credit Facility Agreement dated March 14, 2012 with a Canadian chartered bank to borrow up to \$117,740,000, consisting of \$65,000,000 in a revolving demand facility, and two non-revolving term facilities in the amounts of \$38,000,000 and \$14,740,000.

On May 8, 2012, the City took a drawdown of \$38,000,000 and \$14,740,000 from the two non-revolving term facilities, by undertaking two term loans. No other amounts have been drawn from the Credit Facility Agreement and therefore, as at December 31, 2018, the City has \$65,000,000 in a revolving demand facility.

The first term loan of \$14,740,000 was paid in full on May 8, 2017. The second term loan has an original principal of \$38,000,000, a term of 15 years, and an annual principal repayment of \$2,533,000. As at December 31, 2018, the remaining principal balance for the second term loan and \$22,802,000 (2017 - \$25,335,000). The interest cost for the City is based on the 30-day Banker's Acceptance rate. These loans are included in Long term liabilities – "Municipal Operations on the Statement of Financial Position."

18. Contractual Rights

Contractual rights are rights to economic resources arising from contracts or agreements that will result in revenues and assets in the future. The City has entered into an agreement with the Ontario Lottery and Gaming Corporation (OLG) whereby quarterly contributions are received based on a percentage of gaming revenues estimated at \$5,300,000 per year.

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

19. Public liability insurance

The City has undertaken a portion of the risk for public liability, as a means of achieving cost effective risk management. As a result, the City is self-insured for public liability claims up to \$250,000 for any individual claim or for any number of claims arising out of a single occurrence. Outside insurance coverage is in place for claims in excess of \$250,000 to a maximum of \$50,000,000 per claim or occurrence.

The City has reported liabilities for insurance claims on the Consolidated Statement of Financial Position in the amount of \$20,292,000 (2017 - \$20,512,000). Claim expenses for the year in the amount of \$7,930,000 (2017 - \$10,062,000) are reported as expenses in the Consolidated Statement of Operations.

20. Contingent liabilities

The City has outstanding contractual obligations with its unionized employee groups as of December 31, 2018. An estimated liability has been recorded on the Consolidated Statement of Financial Position to fund the three outstanding settlements. In December 2018 two of these unionized groups reached a settlement and subsequent to December 31, 2018 both were paid the outstanding retroactive payments.

21. Tangible Capital Assets

Details of the tangible capital assets are included in the Schedule of Tangible Capital Assets (pages 2-35 and 2-36). The City has tangible capital assets valued at cost in the amount of \$8,982,686,000 (2017 - \$8,558,911,000) and a net book value of \$5,676,581,000 (2017 - \$5,429,864,000). The net book value of the tangible capital assets valued as at December 31, 2018 is as follows:

	<u>2018</u>	<u>2017</u>
General		
Land	\$ 357,211	\$ 333,818
Land improvements	157,312	152,325
Buildings	817,598	756,160
Vehicles	137,501	128,600
Computer hardware and software	13,572	11,821
Other	95,871	99,540
Infrastructure		
Roads	1,293,193	1,261,223
Bridges and structures	184,387	183,422
Water and wastewater facilities	398,743	403,647
Underground and other networks	<u>1,861,011</u>	<u>1,789,334</u>
Net Book Value	5,316,399	5,119,890
Assets under construction	360,182	309,974
Balance at the end of the year	<u>\$ 5,676,581</u>	<u>\$5,429,864</u>

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

21. Tangible Capital Assets (continued)

Included are leased tangible capital assets with a net book value of \$3,360,000 (2017 - \$3,979,000), gross cost for 2018 is \$10,822,000 (2017 - 10,822,000) and accumulated amortization of \$7,462,000 (2017 - 6,843,000). In addition, the City has works of arts and historical treasures including sculptures, fine art, murals, cemetery crosses, cenotaphs, cannons and artillery that are preserved by the City but are not recorded as tangible capital assets.

22. Reporting by Business Segment

The Consolidated Financial Statements provide a summary of the revenues and expenses for all of the services provided to the residents and businesses in the City of Hamilton as defined in the reporting entity (Note 1).

Certain allocation methodologies are employed in the preparation of segmented financial information. Services are funded primarily by taxation and user fees. Taxation revenue is allocated to the general government segment. Certain government grants, user charges and other revenues have been allocated based upon the same allocation as the related expenses. User fees are allocated based upon the segment that generated the fee.

Revenues and expenses are reported by the following functions and services:

- General government: Office of the Mayor and council, corporate administration including fleet and facilities
- Protection services: police, fire, conservation authorities
- Transportation services: roads, winter maintenance, traffic, parking, transit
- Environmental services: water, wastewater, storm water, waste management collection, diversion & disposal
- Health services: public health, cemeteries and emergency medical services/ambulance
- Social and family services: general assistance, hostels, homes for the aged, services to aged persons, child care services
- Social housing: public housing, non-profit housing, rent supplement programs
- Recreation and cultural services: parks, recreation programs, recreation facilities, golf courses, marinas, museums, libraries, tourism and HECFI.
- Planning and development: planning, zoning, commercial and industrial development and residential development

Financial information about the City's business segments is included in the Schedule of Operations for Business Segments (pages 2-37 and 2-38).

23. Liability for Contaminated Sites

The City of Hamilton estimates liabilities of \$9,308,000 as at December 31, 2018 for remediation of various lands using a risk-based approach (2017 - \$5,701,000). Total future undiscounted expenditures are estimated at \$10,023,000. The liabilities result from past industrial uses. Future expenditures are based on agreements with third parties, where available, as well as estimates. Future expenditures have been discounted using a 4% discount rate. The amount of estimated recoveries is nil (2017 - nil).

City of Hamilton

Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

24. Budget figures

The 2018 operating budget and capital financing for the housing corporation was approved by the CityHousing Hamilton Board at a meeting on December 12, 2017. The 2018 operating budget and capital financing for municipal operations was approved by City Council at a meeting on March 9, 2018.

The budget figures conform to the accounting standards adopted in CPA Canada Public Sector Accounting Handbook section *PS1200 Financial Statement Presentation*. As such, the budget figures presented in the consolidated financial statements differ from the presentation approved by City Council. A summary reconciliation follows:

City of Hamilton Notes to Consolidated Financial Statements

For the year ended December 31, 2018 (all numbers in columns are in thousands of dollars)

24. Budget figures (continued)

	<u>2018</u>
Revenue	
Council Approved Gross Revenue Operating Budget - Municipal	\$ 1,676,736
Council Approved Gross Revenue Capital Budget - Municipal	455,498
	<u>2,132,234</u>
Board Approved Gross Revenue Operating Budget - Housing Corporation	59,705
Board Approved Gross Revenue Capital Budget - Housing Corporation	8,400
	<u>68,105</u>
Adjustments to Revenues	
Less: Transfers from reserves and reserve funds Operating Budget Municipal Operations	(9,327)
Less: Transfers from reserves and reserve funds Capital Budget Municipal Operations	(38,623)
Less: Transfers from capital fund to current fund - Municipal Operations	(171,823)
Less: Transfers from capital fund to current fund - Housing Corporation	(8,400)
Less: Long term debt financing Capital Budget	(29,008)
Add: Donated tangible capital assets	46,862
Less: Reclassification - Municipal Operations	(50)
Add: Reserve & reserve funds	23,585
Add: Confederation Park and Westfield Heritage Village Consolidation	2,809
Less: Elimination for consolidation of Housing Corporation	(20,670)
	<u>(204,645)</u>
Consolidated	<u>\$ 1,995,694</u>
Expenses	
Council Approved Gross Expenditure Operating Budget - Municipal	\$ 1,676,736
Council Approved Gross Expenditure Capital Budget - Municipal	455,498
	<u>2,132,234</u>
Board Approved Gross Expenditure Operating Budget - Housing Corporation	59,705
Board Approved Gross Expenditure Capital Budget - Housing Corporation	8,400
	<u>68,105</u>
Adjustments to Expenditures	
Less: Debt principal repayment - Municipal Operations	(37,749)
Less: Debt principal repayment - Housing Corporation	(5,705)
Less: Transfers to reserves and reserve funds - Municipal Operations	(55,734)
Less: Transfers to capital from current funds - Municipal Operations	(171,823)
Less: Tangible capital assets - Municipal Operations	(375,231)
Less: Tangible capital assets - Housing Corporation	(8,400)
Less: Reclassification - Municipal Operations	(50)
Add: Change in employee future benefits and other obligations	5,153
Less: Change in solid waste landfill liability	47,385
Add: Amortization expense for tangible capital assets	196,431
Add: Confederation Park and Westfield Heritage Village Consolidation	2,584
Less: Elimination for consolidation of Housing Corporation	(29,543)
Add: Loss on disposition of tangible capital assets	12,038
	<u>(420,644)</u>
Consolidated	<u>\$ 1,779,695</u>

City of Hamilton
Notes to Consolidated Financial Statements

As at December 31, 2018 (all numbers in columns are in thousands of dollars)

2018 Schedule of Tangible Capital Assets

	General						Infrastructure				Assets Under Construction	TOTAL
	Land	Land Improvements	Buildings	Vehicles	Computer	Other	Roads	Bridges & Other Structures	W/WW Facilities	W/WW/SW Linear Network		
Cost												
Balance, Jan 1, 2018	\$ 333,818	\$ 316,660	\$ 1,342,796	\$ 289,081	\$ 19,862	\$ 162,448	\$ 2,381,454	\$ 244,981	\$ 776,505	\$ 2,381,332	\$ 309,974	\$ 8,558,911
Additions, Betterments & Transfers in 2018	28,671	14,427	97,128	32,219	6,424	11,878	71,459	4,291	14,763	71,710	55,355	408,325
Disposals & Writedowns in 2018	(5,278)	(606)	(4,156)	(7,902)	(1,982)	(1,431)	(3,715)	(127)	(88)	(979)	(5,147)	(31,411)
Donations & Contributions in 2018	-	1,809	-	-	-	20	11,777	-	-	33,255	-	46,861
Balance, Dec 31, 2018	\$ 357,211	\$ 332,290	\$ 1,435,768	\$ 313,398	\$ 24,304	\$ 172,915	\$ 2,460,975	\$ 249,145	\$ 791,180	\$ 2,485,318	\$ 360,182	\$ 8,982,686
Accumulated Amortization												
Balance, Jan 1, 2018	\$ -	\$ 164,335	\$ 586,636	\$ 160,481	\$ 8,041	\$ 62,908	\$ 1,120,231	\$ 61,559	\$ 372,858	\$ 591,998	\$ -	\$ 3,129,047
Amortization in 2018	-	11,128	35,558	23,216	4,673	14,910	50,782	3,288	19,588	33,288	-	196,431
Amortization on Disposals in 2018	-	(485)	(4,024)	(7,800)	(1,982)	(774)	(3,231)	(89)	(9)	(979)	-	(19,373)
Balance, Dec 31, 2018	\$ -	\$ 174,978	\$ 618,170	\$ 175,897	\$ 10,732	\$ 77,044	\$ 1,167,782	\$ 64,758	\$ 392,437	\$ 624,307	\$ -	\$ 3,306,105
Net Book Value Dec 31, 2018	\$ 357,211	\$ 157,312	\$ 817,598	\$ 137,501	\$ 13,572	\$ 95,871	\$ 1,293,193	\$ 184,387	\$ 398,743	\$ 1,861,011	\$ 360,182	\$ 5,676,581
Assets Under Construction	\$ -	\$ 35,310	\$ 59,212	\$ 2,226	\$ 5,612	\$ 4,372	\$ 25,426	\$ 2,334	\$ 120,851	\$ 104,839	\$ 360,182	
Total	\$ 357,211	\$ 192,622	\$ 876,810	\$ 139,727	\$ 19,184	\$ 100,243	\$ 1,318,619	\$ 186,721	\$ 519,594	\$ 1,965,850	\$ -	\$ 5,676,581

City of Hamilton
Notes to Consolidated Financial Statements

As at December 31, 2018 (all numbers in columns are in thousands of dollars)

2017 Schedule of Tangible Capital Assets

	General						Infrastructure				Assets Under Construction	TOTAL
	Land	Land Improvements	Buildings	Vehicles	Computer	Other	Roads	Bridges & Other Structures	W/WW Facilities	W/WW/SW Linear Network		
Cost												
Balance, Jan 1, 2017	\$ 315,467	\$ 304,272	1,321,748	296,495	\$ 17,461	\$ 156,733	\$ 2,324,278	\$ 242,556	\$ 751,248	\$ 2,322,628	\$ 199,680	\$ 8,252,566
Additions, Betterments & Transfers in 2017	25,610	11,965	35,844	19,036	4,952	11,842	52,063	2,468	25,778	49,175	112,183	350,916
Disposals & Writedowns in 2017	(7,259)	(227)	(14,796)	(26,450)	(2,551)	(6,127)	(1,966)	(43)	(521)	(959)	(1,889)	(62,788)
Donations & Contributions in 2017	-	650	-	-	-	-	7,079	-	-	10,488	-	18,217
Balance, Dec 31, 2017	\$ 333,818	\$ 316,660	\$ 1,342,796	\$ 289,081	\$ 19,862	\$ 162,448	\$ 2,381,454	\$ 244,981	\$ 776,505	\$ 2,381,332	\$ 309,974	\$ 8,558,911
Accumulated Amortization												
Balance, Jan 1, 2017	\$ -	\$ 153,935	\$ 560,352	\$ 162,709	\$ 6,403	\$ 53,243	\$ 1,070,717	\$ 58,343	\$ 354,364	\$ 561,086	\$ -	\$ 2,981,152
Amortization in 2017	-	10,448	33,267	23,209	4,189	15,793	51,362	3,244	18,739	31,871	-	192,122
Acc'd Amortization Transfers in 2017	-	-	-	-	-	-	-	-	-	-	-	-
Amortization on Disposals in 2017	-	(48)	(6,983)	(25,437)	(2,551)	(6,128)	(1,848)	(28)	(245)	(959)	-	(44,227)
Balance, Dec 31, 2017	\$ -	\$ 164,335	\$ 586,636	\$ 160,481	\$ 8,041	\$ 62,908	\$ 1,120,231	\$ 61,559	\$ 372,858	\$ 591,998	\$ -	\$ 3,129,047
Net Book Value Dec 31, 2017	\$ 333,818	\$ 152,325	\$ 756,160	\$ 128,600	\$ 11,821	\$ 99,540	\$ 1,261,223	\$ 183,422	\$ 403,647	\$ 1,789,334	\$ 309,974	\$ 5,429,864
Assets Under Construction	\$ -	\$ 31,104	\$ 80,871	\$ 724	\$ 3,479	\$ 3,933	\$ 26,110	\$ 2,943	\$ 71,674	\$ 89,136	\$ 309,974	
Total	\$ 333,818	\$ 183,429	\$ 837,031	\$ 129,324	\$ 15,300	\$ 103,473	\$ 1,287,333	\$ 186,365	\$ 475,321	\$ 1,878,470	\$ -	\$ 5,429,864

City of Hamilton Notes to Consolidated Financial Statements

As at December 31, 2018 (all numbers in columns are in thousands of dollars)

2018 Schedule of Operations for Business Segments

	General Government	Protection Services	Transportation services	Environmental services	Health services	Social and family services	Social housing	Recreation and cultural services	Planning and development	TOTAL 2018
Revenue										
Taxation	\$ 888,229	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 888,229
Government grants and contributions	2,062	8,743	58,980	27,356	57,898	245,885	48,728	3,397	1,725	454,774
User charges	6,474	5,855	59,377	220,704	3,236	16,262	270	23,272	12,187	347,637
Development charges and subdivider contributions	2,425	876	15,577	80,854	-	-	-	13,226	6,745	119,703
Donations of tangible capital assets	-	-	11,777	33,256	-	-	-	1,829	-	46,862
Investment income	14,179	1,495	2,502	10,128	61	186	512	1,564	474	31,101
Income from Government Business Enterprises	24,285	-	-	-	-	-	-	-	-	24,285
Other	26,971	26,304	12,758	3,975	62	29	54,154	7,725	5,498	137,476
Total	\$ 964,625	\$ 43,273	\$ 160,971	\$ 376,273	\$ 61,257	\$ 262,362	\$ 103,664	\$ 51,013	\$ 26,629	\$ 2,050,067
Expenses										
Salaries and benefits	\$ 68,567	\$ 276,046	\$ 112,122	\$ 45,102	\$ 79,509	\$ 77,282	\$ 15,808	\$ 75,922	\$ 29,694	\$ 780,052
Interest on long term debt	919	657	3,375	4,176	417	396	1,463	1,183	91	12,677
Materials supplies services	39,276	19,095	45,645	37,834	7,639	8,054	17,116	28,289	4,734	207,682
Contracted services	27,045	3,316	51,036	119,033	3,608	85,444	23,422	15,484	13,543	341,931
Rents and financial expenses	6,332	1,941	8,245	5,915	2,055	2,558	1,502	5,432	570	34,550
External transfers	282	7,392	-	1,466	15	133,783	39,253	7,414	933	190,538
Amortization	8,656	8,215	77,003	59,798	3,152	2,323	6,680	27,602	2,999	196,428
Interfunctional transfers	(71,052)	7,565	22,579	10,947	6,473	6,979	649	11,639	4,221	-
Total	\$ 80,025	\$ 324,227	\$ 320,005	\$ 284,271	\$ 102,868	\$ 316,819	\$ 105,893	\$ 172,965	\$ 56,785	\$ 1,763,858
Annual Surplus	\$ 884,600	\$ (280,954)	\$ (159,034)	\$ 92,002	\$ (41,611)	\$ (54,457)	\$ (2,229)	\$ (121,952)	\$ (30,156)	\$ 286,209

City of Hamilton Notes to Consolidated Financial Statements

As at December 31, 2018 (all numbers in columns are in thousands of dollars)

2017 Schedule of Operations for Business Segments

	General Government	Protection Services	Transportation services	Environmental services	Health services	Social and family services	Social housing	Recreation and cultural services	Planning and development	TOTAL 2017
Revenue										
Taxation	\$ 876,880	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 876,880
Government grants and contributions	3,735	7,990	43,248	5,845	56,550	242,234	31,910	1,398	1,875	394,785
User charges	5,888	5,493	58,278	212,157	3,030	16,123	646	22,235	11,124	334,974
Development charges and subdivider contributions	131	1,506	25,162	14,447	-	-	-	6,308	2,759	50,313
Donations of tangible capital assets	-	-	7,079	10,488	-	-	-	650	-	18,217
Investment income	12,860	1,774	1,981	8,818	40	159	1,157	871	410	28,070
Income from Government Business Enterprises	134,914	-	-	-	-	-	-	-	-	134,914
Other	24,783	25,772	12,207	1,473	72	31	47,647	17,082	2,316	131,383
Total	\$ 1,059,191	\$ 42,535	\$ 147,955	\$ 253,228	\$ 59,692	\$ 258,547	\$ 81,360	\$ 48,544	\$ 18,484	\$ 1,969,536
Expenses										
Salaries and benefits	\$ 63,037	\$ 265,325	\$ 108,156	\$ 41,524	\$ 77,895	\$ 82,205	\$ 14,766	\$ 74,066	\$ 28,429	\$ 755,403
Interest on long term debt	747	793	3,922	4,228	439	477	1,490	1,237	109	13,442
Materials supplies services	50,618	19,871	40,882	45,775	6,386	8,386	12,164	29,017	4,938	218,037
Contracted services	11,648	3,981	60,478	76,484	3,431	78,136	19,703	14,195	7,305	275,361
Rents and financial expenses	2,958	2,338	9,809	5,778	1,901	4,418	4,943	6,323	3,953	42,421
External transfers	466	5,766	-	1,618	11	133,583	45,290	5,938	1,569	194,241
Amortization	7,446	7,847	78,548	57,223	3,076	2,135	6,259	26,564	3,024	192,122
Interfunctional transfers	(66,187)	6,643	24,479	6,858	5,986	5,878	526	11,689	4,128	-
Total	\$ 70,733	\$ 312,564	\$ 326,274	\$ 239,488	\$ 99,125	\$ 315,218	\$ 105,141	\$ 169,029	\$ 53,455	\$ 1,691,027
Annual Surplus (Deficit)	\$ 988,458	\$ (270,029)	\$ (178,319)	\$ 13,740	\$ (39,433)	\$ (56,671)	\$ (23,781)	\$ (120,485)	\$ (34,971)	\$ 278,509

Section 3

City of Hamilton Consolidated Financial Statements for the Trust Funds Cemetery and General Trusts December 31, 2018

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INDEPENDENT AUDITORS' REPORT

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Hamilton

Opinion

We have audited the consolidated financial statements of the Trust Funds – Cemetery and General Trusts of the City of Hamilton (the Entity), which comprise:

- the consolidated statement of financial position as at December 31, 2018
- the consolidated statement of operations for the year then ended
- and notes to the financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the “financial statements”).

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Entity as at December 31, 2018, and its results of operations for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the “Auditors’ Responsibilities for the Audit of the Financial Statements” section of our auditors’ report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.



- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

KPMG LLP

Chartered Professional Accountants, Licensed Public Accountants

Hamilton, Canada

May 23, 2019

City of Hamilton

Trust Funds – Consolidated

As at December 31, 2018

Statement of Financial Position

As at December 31, 2018

	<u>2018</u>	<u>2017</u>
Financial Assets		
Cash	\$ 4,096,219	\$ 2,240,189
Investments (Note 2)	13,918,360	14,446,656
Due From City of Hamilton - Cemetery (Note 3)	1,199,667	1,336,704
Due From City of Hamilton - Other Trust Funds (Note 3)	<u>49,741</u>	<u>48,471</u>
Total Financial Assets	<u>\$ 19,263,987</u>	<u>\$ 18,072,020</u>
Liabilities		
Deposits	<u>475,556</u>	<u>408,958</u>
Accumulated surplus	<u>\$ 18,788,431</u>	<u>\$ 17,663,062</u>

Statement of Operations

Year ended December 31, 2018

	<u>2018</u>	<u>2017</u>
Revenues		
Cemetery lots and interments	\$ 746,383	\$ 758,783
Investment income	562,378	529,940
Other Revenue	<u>2,300</u>	<u>-</u>
Total revenue	<u>\$ 1,311,061</u>	<u>\$ 1,288,723</u>
Expenses		
Transfer to other trust funds	\$ 167,859	\$ 191,866
Other	<u>17,833</u>	<u>12,947</u>
Total expenses	<u>\$ 185,692</u>	<u>\$ 204,813</u>
Annual surplus	<u>\$ 1,125,369</u>	<u>\$ 1,083,910</u>
Accumulated surplus at the beginning of the year	<u>17,663,062</u>	<u>16,579,152</u>
Accumulated surplus at the end of the year (note 4)	<u>\$ 18,788,431</u>	<u>\$ 17,663,062</u>

See accompanying notes to the financial statements

City of Hamilton

Trust Funds

Notes To The Financial Statements

As at December 31, 2018

1. Significant accounting policies

The financial statements of the City of Hamilton Trust Funds (the "Trust Funds") are the representation of management prepared in accordance with Canadian public sector accounting standards. Since precise determination of many assets and liabilities is dependent upon future events, the preparation of periodic financial statements necessarily involves the use of estimates and approximations.

(a) Basis of Consolation

These consolidated statements reflect the revenues, expenditures, assets and liabilities of the following trust funds:

Fieldcote Farmer (Ancaster)
Dundas Knowles Bequest
Hamilton F. Waldon Dundurn Castle
Dundas Ellen Grafton
Ancaster Fieldcote Livingstone-Clarke
Ancaster Fieldcote Shaver
Hamilton Balfour Estate Chedoke
Cemetery Trust Funds
Municipal Election Surplus

(b) Basis of Accounting

- (i) Sources of financing and expenditures are reported on the accrual basis of accounting.
 - (ii) The accrual basis of accounting recognizes revenues as they become available and measurable; expenditures are recognized as they are incurred and measurable.
 - (iii) Revenues on the cemetery lots are recognized upon transfer of title of the deed.
-

2. Investments

The total investments recorded at the lower of cost or market value in the Statement of Financial Position are \$13,918,360 (2017 - \$14,446,656). These investments have a market value of \$14,615,707 (2017 - \$15,389,152) at the end of the year.

3. Due from City of Hamilton

The amount due from the City of Hamilton is non-interest bearing with no fixed repayment terms.

City of Hamilton
Trust Funds
Notes To The Financial Statements

As at December 31, 2018

4. Accumulated Surplus

	<u>2018</u>	<u>2017</u>
The accumulated surplus consists of:		
Cemeteries	<u>\$ 18,135,887</u>	<u>\$ 17,010,339</u>
Other		
Fieldcote Farmer (Ancaster)	336,169	336,655
Knowles Bequest (Dundas)	249,634	250,666
F. Walden Dundurn Castle (Hamilton)	6,422	6,264
Ellen Grafton (Dundas)	7,829	7,686
Fieldcote Livingstone-Clarke (Ancaster)	5,155	5,155
Fieldcote Shaver (Ancaster)	5,155	5,155
Municipal Election (Hamilton)	35,117	6,889
Balfour Estate Chedoke (Hamilton)	7,063	34,253
	<u>\$ 652,544</u>	<u>\$ 652,723</u>
	<u>\$ 18,788,431</u>	<u>\$ 17,663,062</u>

City of Hamilton

Trust Funds – Cemetery

As at December 31, 2018

Statement of Financial Position

As at December 31, 2018

	<u>2018</u>	<u>2017</u>
Financial Assets		
Cash	\$ 3,794,622	\$ 1,967,119
Investments	13,617,154	14,115,474
Due From City of Hamilton	<u>1,199,667</u>	<u>1,336,704</u>
Total Financial Assets	<u>\$ 18,611,443</u>	<u>\$ 17,419,297</u>
Liabilities		
Deposits	<u>\$ 475,556</u>	<u>\$ 408,958</u>
Accumulated surplus	<u>\$ 18,135,887</u>	<u>\$ 17,010,339</u>

Statement of Operations

Year ended December 31, 2018

	<u>2018</u>	<u>2017</u>
Revenues		
Cemetery lots and interments	\$ 746,383	\$ 758,783
Investment income	547,044	516,646
Other Revenue	<u>2,300</u>	<u>-</u>
Total revenue	<u>\$ 1,295,727</u>	<u>\$ 1,275,429</u>
Expenses		
Transfer to other trust funds	\$ 158,443	\$ 182,577
Other	<u>11,736</u>	<u>11,019</u>
Total expenses	<u>\$ 170,179</u>	<u>\$ 193,596</u>
Annual surplus	<u>\$ 1,125,548</u>	<u>\$ 1,081,833</u>
Accumulated surplus at the beginning of the year	<u>17,010,339</u>	<u>15,928,506</u>
Accumulated surplus at the end of the year	<u>\$ 18,135,887</u>	<u>\$ 17,010,339</u>

See accompanying notes to the financial statements

City of Hamilton

Trust Funds – Other

As at December 31, 2018

Statement of Financial Position

As at December 31, 2018

	<u>2018</u>	<u>2017</u>
Financial Assets		
Cash	\$ 301,597	\$ 273,070
Investments	301,206	331,182
Due From City of Hamilton	49,741	48,471
	<hr/>	<hr/>
Total Financial Assets	\$ 652,544	\$ 652,723
	<hr/>	<hr/>
Accumulated surplus	\$ 652,544	\$ 652,723

Statement of Operations

Year ended December 31, 2018

	<u>2018</u>	<u>2017</u>
Revenues		
Investment income	\$ 15,334	\$ 13,294
	<hr/>	<hr/>
Total revenue	\$ 15,334	\$ 13,294
	<hr/>	<hr/>
Expenses		
Transfer to other trust funds	\$ 9,416	\$ 9,289
Other	6,097	1,928
	<hr/>	<hr/>
Total expenses	\$ 15,513	\$ 11,217
	<hr/>	<hr/>
Annual surplus (deficit)	\$ (179)	\$ 2,077
	<hr/>	<hr/>
Accumulated surplus at the beginning of the year	652,723	650,646
	<hr/>	<hr/>
Accumulated surplus at the end of the year	\$ 652,544	\$ 652,723

See accompanying notes to the financial statements

Section 4

City of Hamilton Financial Statements for the Trust Funds – Homes for the Aged December 31, 2018

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INDEPENDENT AUDITORS' REPORT

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the City of Hamilton

Opinion

We have audited the financial statements of the Trust Funds – Homes for the Aged of the City of Hamilton (the Entity), which comprise:

- the statement of financial position as at December 31, 2018
- the statement of operations for the year then ended
- and notes to the financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the “financial statements”).

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Entity as at December 31, 2018, and its results of operations for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the “Auditors’ Responsibilities for the Audit of the Financial Statements” section of our auditors’ report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.



- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

A handwritten signature in black ink that reads 'KPMG LLP' with a horizontal line underneath.

Chartered Professional Accountants, Licensed Public Accountants

Hamilton, Canada

May 24, 2019

City of Hamilton

Trust Funds – Homes for the Aged

As at December 31, 2018 with comparative information for 2017

Statement of Financial Position
As at December 31, 2018

	Macassa Lodge Resident Trusts	Wentworth Lodge Resident Trusts	Macassa Lodge Other Trusts	Wentworth Lodge Other Trusts	Total 2018	Total 2017
Financial assets						
Cash	\$ 20,428	\$ 34,027	\$ 19,205	\$ 127,909	\$ 201,569	\$ 190,151
Investments	-	-	-	271,022	271,022	262,244
Total Financial Assets	\$ 20,428	\$ 34,027	\$ 19,205	\$ 398,931	\$ 472,591	\$ 452,395
Liabilities						
Due to (from) City of Hamilton	-	-	-	89,766	89,766	-
Accumulated surplus	\$ 20,428	\$ 34,027	\$ 19,205	\$ 309,165	\$ 382,825	\$ 452,395

Statement of Operations
Year ended December 31, 2018

	Macassa Lodge Resident Trusts	Wentworth Lodge Resident Trusts	Macassa Lodge Other Trusts	Wentworth Lodge Other Trusts	Total 2018	Total 2017
Revenue						
Residents' deposits	\$ 107,210	\$ 118,879	\$ 3,972	\$ 20,357	\$ 250,418	\$ 252,433
Investment income	-	-	335	11,071	11,406	7,380
Donations	-	-	869	-	869	1,035
	<u>107,210</u>	<u>118,879</u>	<u>5,176</u>	<u>31,428</u>	<u>262,693</u>	<u>260,848</u>
Expenses						
Maintenance payments	-	19,786	-	-	19,786	18,335
Residents' charges	105,712	84,704	3,200	15,229	208,845	214,881
Payments to estates	7,751	5,055	-	-	12,806	12,801
Program purchases	-	1,060	-	89,766	90,826	-
	<u>113,463</u>	<u>110,605</u>	<u>3,200</u>	<u>104,995</u>	<u>332,263</u>	<u>246,017</u>
Annual surplus (deficit)	(6,253)	8,274	1,976	(73,567)	(69,570)	14,831
Accumulated surplus at the beginning of the year	26,681	25,753	17,229	382,732	452,395	437,564
Accumulated surplus at the end of the year	\$ 20,428	\$ 34,027	\$ 19,205	\$ 309,165	\$ 382,825	\$ 452,395

See accompanying notes to the financial statements.

City of Hamilton
Trust Funds – Homes for the Aged
Notes to the Financial Statements
December 31, 2018

1. Purpose of Trust Funds

The various Trust Funds administered by The Corporation of the City of Hamilton are established for the following purposes:

Macassa and Wentworth Lodge Resident Trusts

These Trust Funds are established for residents to receive their funds and to pay for their various charges including monthly maintenance payments.

Macassa and Wentworth Lodge Other Trusts

These Trust Funds are established for the receipts of funds from donations and fund raising activities. The funds are to be used for the benefit of lodge residents over and above normal capital and operating expenses of the lodges.

2. Significant accounting policies

The financial statements of the Trust Funds of The City of Hamilton are the representation of management prepared in accordance with Canadian public sector accounting standards.

Basis of accounting

The Trust Funds follow the accrual method of accounting for revenues and expenses. Revenues are normally recognized in the year in which they are earned and measurable. Expenses are recognized as they are incurred and measurable as result of receipt of goods and services and/or the creation of a legal obligation to pay.

3. Investments

The total investments recorded at the lower of cost or market value in the Statement of Financial Position are \$271,022 (2017 - \$262,244). These investments have a market value of \$280,511 (2017 - \$275,519) at the end of the year.



EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 19-008

1:30 p.m.
Thursday, July 11, 2019
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Councillors E. Pauls (Vice-Chair), B. Clark, T. Jackson, and N. Nann

**Absent with
Regrets:** Councillors S. Merulla and T. Whitehead (Personal)

Also Present: Councillor J. Farr

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. **Co-ordinated Access System for Social Housing (CES14052(e)) (City Wide) (Item 7.2)**
 - (a) That the Capital Project ID 6731841101 (Co-ordinated Access System) budget be increased by \$370 K from \$1.1 M to \$1.47 M through the following funding streams;
 - i) That \$199 K be funded using the residual balance in Reserve #112248, Social Housing Capital Reserve Fund plus any applicable interest;
 - ii) That \$171 K be funded through administration dollars from provincial and federal government programs; and,
 - (b) That Reserve #112248 be closed once the residual balance remaining is moved to Capital Project ID 6731841101 (Co-ordinated Access System).
2. **Hamilton Paramedic Service 2018 Annual Report (HSC19035) (City Wide) (Item 9.1)**

That Report HSC19035, respecting the Hamilton Paramedic Service 2018 Annual Report, be received.

3. Establishing a Gender and Equity Lens (HSC19029) (City Wide) (Item 10.1)

That Report HSC19029, respecting Establishing a Gender and Equity Lens, be received.

4. Addiction Services Initiative (HSC19027(a)) (City Wide) (Item 10.2)

That Report HSC19027(a), respecting an Addiction Services Initiative, be received.

5. Child Care Fee Subsidy Wait List (HSC19039) (City Wide) (Item 10.3)

That Report HSC19039, respecting a Child Care Fee Subsidy Wait List, be received.

6. Wesley Day Centre (HSC19040) (Ward 2) (Item 10.4)

- (a) That Report HSC19040, respecting the Wesley Day Centre, be received.
- (b) That staff meet with Wesley Urban Ministries to develop a cost-sharing agreement to fund the Wesley Day Centre to continue service at 195 Ferguson Ave. N. up to March 31, 2020;
- (c) That the agreement be structured such that Wesley Urban Ministries and the City report back to the Emergency and Community Services Committee in November 2019 with a status update on the progress toward a permanent location and funding requirements post March 31, 2019;
- (d) To explore any additional potential funding partnerships in the community, and;
- (e) That the funding source is to be determined by Council.

7. Request for Qualifications for Service System Managers – Employment Services Transformation (HSC19041) (City Wide) (Added Item 10.5)

- (a) That the City of Hamilton respond to the Government of Ontario's Request for Qualification for Service System Managers Employment Services Transformation; and,
- (b) That the General Manager, Healthy and Safe Communities Department, be delegated authority to sign-off on the City of Hamilton's application to the Request for Qualification for Service System Managers Employment Services Transformation.

8. CityHousing Hamilton's Third Annual Community Health Fair (Item 11.1)

WHEREAS, CityHousing Hamilton's 3rd Annual Community Health Fair is scheduled on Thursday, August 15, 2019; and,

WHEREAS, this free event will host over 20 health care professionals, organizations, and vendors with the goal of familiarizing the community with the services available to them;

THEREFORE, BE IT RESOLVED:

- (a) That \$1,500 from the Ward 2 Cell Tower Fund, project number 3301609602, be used to fund CityHousing Hamilton's 3rd Annual Community Health Fair; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents in relation to funding CityHousing Hamilton's 3rd Annual Community Health Fair, with such terms and conditions in a form satisfactory to the City Solicitor.

9. Summer Programming for Ward 3 Kids (Item 11.2)

WHEREAS the Average family income in Ward 3's North End is \$25K and it is difficult to cover basic necessary life costs, as well as camp and social programs for children;

WHEREAS the Eva Rothwell Centre summer camp provides the opportunity for Ward 3 children between the ages of 5-12 years to engage in a safe, educational, active, healthy and nutritional camp program;

WHEREAS Kiwanis East Hamilton will offer a Play day for children and their families, allowing children to build physical, social and cognitive skills;

THEREFORE BE IT RESOLVED that through the Ward 3 Cell tower account (3301609603):

- a) That \$1,500 be awarded to the Eva Rothwell Centre to subsidize the cost for 23 children to attend camp, fostering their curiosity and learning.
- b) That \$1,500 be awarded to Kiwanis East Hamilton for their summer Play Day at Woodlands Park to support volunteers, cover equipment rentals and supplies.

FOR INFORMATION:

(a) CEREMONIAL ACTIVITIES (Item 1)

The Chair congratulated Gord Mooney, Paramedic Social Navigator, on being recognized by the Paramedic Chiefs of Canada at their national conference in Charlottetown for his work as part of the integrated Social Navigator team, and presented him with a certificate of recognition from the Mayor.

(b) APPROVAL OF AGENDA (Item 2)

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

1. COMMUNICATIONS (Item 5)

- 5.5 Correspondence from Sheri Selway, respecting Wesley Day Centre
Recommendation: Be received.

DELEGATE REQUESTS (Item 6)

- 6.2 Joe Speagle, Keeping Six, respecting the need for continuation of services such as those provided by the Wesley Day Centre (for today's meeting)
- 6.3 Robert Pental, Shelter Health Network, respecting the closing of the Wesley Day Centre (for today's meeting)
- 6.4 Chris Labenski, respecting keeping the Wesley Day Centre right where it is (for today's meeting)
- 6.5 Michelle Hruschka, respecting not saving the Wesley Day Centre and thoughts on a better way forward to build a better structure to help those who are the most vulnerable in our city. (for today's meeting)

2. PUBLIC HEARINGS/DELEGATIONS (Item 8)

- 8.3 Tim O'Shea and Jill Wiwcharuk, Shelter Health Network, respecting the closure of the Wesley Day Centre (deferred from the June 20, 2019 meeting due to loss of quorum)
- 8.4 Joanne Santucci, Hamilton Food Share, respecting the closure of the Wesley Day Centre (deferred from the June 20, 2019 meeting due to loss of quorum)

3. DISCUSSION ITEMS (Item 10)

- 10.5 Request for Qualifications for Service System Managers - Employment Services Transformation (HSC19041)
- (a) The agenda for the July 11, 2019 Emergency and Community Services Committee meeting was approved, as amended.
- (b) The Committee suspended the rules and changed the order of agenda to consider Items 5.2, 5.3, 5.5, 6.1-6.5, 8.2-8.4, and 10.4 following Item 3.

(c) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(d) COMMUNICATIONS (Item 5)

The following communications, were received:

- (i) Correspondence from Glenn Fletcher, respecting Wesley Community Homes and Wesley Day Centre (deferred from June 20, 2019 meeting, due to loss of quorum) (Item 5.2)
- (iii) Correspondence from Emilie Lammers, St. Joseph's Hamilton Healthcare, respecting Support of Wesley Day Centre (Item 5.3)
- (v) Correspondence from Sheri Selway, respecting Wesley Day Centre (Added Item 5.5)

(e) DELEGATION REQUESTS (Item 6)

The following delegation requests, were approved for today's meeting.

- (i) Dean Waterfield, Wesley, respecting the announced closure of the Wesley Day Centre at 195 Ferguson Ave. N. (Item 6.1)
- (ii) Joe Speagle, Keeping Six, respecting the need for continuation of services such as those provided by the Wesley Day Centre (Added Item 6.2)
- (iii) Robert Pental, Shelter Health Network, respecting the closing of the Wesley Day Centre (Added Item 6.3)
- (iv) Chris Labenski, respecting keeping the Wesley Day Centre right where it is (Added Item 6.4)
- (v) Michelle Hruschka, respecting not saving the Wesley Day Centre and thoughts on a better way forward to build a better structure to help those who are the most vulnerable in our city (Added Item 6.5)

(f) PUBLIC HEARINGS/DELEGATIONS (Item 8)

- (i) **Roger Deschamps, respecting the proposed closure of the Wesley Day Centre (Item 8.2)**

Mr. Deschamps was not present at the meeting.

- (ii) **Delegations heard at the June 20, 2019 meeting (Added Items 8.3 and 8.4)**

The following Delegations, heard at the June 20, 2019 meeting, were received:

- (a) Tim O'Shea and Jill Wiwcharuk, Shelter Health Network, respecting the closure of the Wesley Day Centre (Added Item 8.3); and,
- (b) Joanne Santucci, Hamilton Food Share, respecting the closure of the Wesley Day Centre (Added Item 8.4).

(iii) Delegations (Added Items 8.5 to 8.9)

The following Delegations, were received:

- (a) Dean Waterfield, Wesley, respecting the announced closure of the Wesley Day Centre at 195 Ferguson Ave. N. (Added Item 8.5);
- (b) Joe Speagle, Keeping Six, respecting the need for continuation of services such as those provided by the Wesley Day Centre (Added Item 8.6);
- (c) Robert Pental, Shelter Health Network, respecting the closing of the Wesley Day Centre (Added Item 8.7);
- (d) Chris Labenski, respecting keeping the Wesley Day Centre right where it is (Added Item 8.8)
- (e) Michelle Hruschka, respecting not saving the Wesley Day Centre and thoughts on a better way forward to build a better structure to help those who are the most vulnerable in our city (Added Item 8.9)

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

(i) June 20, 2019 (Item 4.1)

The Minutes of the June 20, 2019 meeting of the Emergency and Community Services Committee were approved, as presented.

(h) COMMUNICATIONS (Item 5)

The following communications, were received:

- (i) Correspondence from Jill Dubrick and Becky Doyle, Early Years Child Care Division, Ministry of Education respecting 2019 Child Care Allocations (revised), Child Care Transfer Payment Agreement Amendments and Updated Funding Guidelines to Child Care and EarlyON Child and Family Centre Programs (deferred from June 20, 2019 meeting, due to loss of quorum) (Item 5.1)

- (ii) Correspondence from Jon Pegg, Chief of Emergency Management, Office of the Fire Marshal and Emergency Management, Ministry of the Solicitor General, respecting EMCPA Compliance 2018 (Item 5.4)

(i) CONSENT ITEMS (Item 7)

(i) Seniors Advisory Committee Minutes – April 5, 2019 (Item 7.1)

The Minutes of the April 5, 2019 meeting of the Seniors Advisory Committee, were received.

(j) PUBLIC HEARINGS/DELEGATIONS (Item 8)

(i) Sheryl Green, Hamilton Regional Indian Centre, respecting the Housing First for Youth Project at the Hamilton Regional Indian Centre (Item 8.1)

Sheryl Green, of the Hamilton Regional Indian Centre, addressed the Committee respecting the Housing First for Youth Project at the Hamilton Regional Indian Centre.

- (a) Sheryl Green was permitted to address the Committee for an additional five minutes in order to complete her presentation.
- (b) The delegation from Sheryl Green, of the Hamilton Regional Indian Centre, respecting the Housing First for Youth Project at the Hamilton Regional Indian Centre, was received.
- (c) The Emergency and Community Services Committee referred the Housing First for Youth Project at the Hamilton Regional Indian Centre to Healthy and Safe Communities staff for follow up.

(k) STAFF PRESENTATIONS (Item 9)

(i) Hamilton Paramedic Service 2018 Annual Report (HSC19035) (City Wide) (Item 9.1)

Michael Sanderson presented the report to the Committee with the aid of a presentation.

The presentation, respecting the Hamilton Paramedic Service 2018 Annual Report, were received.

For further disposition of this matter, refer to Item 2.

The presentation is available at www.hamilton.ca and through the Office of the City Clerk.

(I) GENERAL INFORMATION/OTHER BUSINESS (Item 13)

(i) Changes to the Outstanding Business List (Item 13.1)

The following amendments to the Emergency and Community Services Committee's Outstanding Business List, were approved:

13.1.a. Items Requiring a New Due Date:

13.1.a.a. Poverty Reduction Investment Plan
(CES16043(a))
Item on OBL: E
Current Due Date: June 6, 2019
Proposed New Due Date: June 2020

13.1.a.b. Home for Good (CES17042(a))
Item on OBL: G
Current Due Date: June 20, 2019
Proposed New Due Date: August 15, 2019

13.1.a.c. Funding Requests from Agencies
Item on OBL: H
Current Due Date: September 5, 2019
Proposed New Due Date: TBD

13.1.a.d. Establishing a Gender and Equity Lens on
Housing Services
Item on OBL: M
Current Due Date: June 20, 2019
Proposed New Due Date: July 11, 2019

13.1.a.e. Curling Facilities
Item on OBL: Q
Current Due Date: none
Proposed New Due Date: December 5, 2019

13.1.a.f. Ministry's continued support for critical housing
investments and leveraging federal funding
under the National Housing Strategy through
new provincial investments and outlining the
City of Hamilton's funding for housing and
homelessness programs as confirmed through
the 2019 Ontario Budget

Item on OBL: R
Current Due Date: none
Proposed New Due Date: August 15, 2019

13.1.b. Items to be Removed from the Outstanding Business List

13.1.b.a. Establishing a Gender and Equity Lens on
Housing Services
Addressed as Item 10.1 on today's agenda -
Report HSC19036
Item on OBL: M

(m) ADJOURNMENT (Item 15)

There being no further business, the Emergency and Community Services Committee be adjourned at 4:29 p.m.

Respectfully submitted,

Councillor E. Pauls
Vice-Chair, Emergency and Community
Services Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk

CITY OF HAMILTON MOTION

Council: July 12, 2019

MOVED BY COUNCILLOR WHITEHEAD.....

SECONDED BY COUNCILLOR.....

Control System on Northbound Ramp of the Lincoln Alexander Parkway at Garth Street

That staff be directed to look into the feasibility of placing a control system on the northbound ramp of the Lincoln Alexander Parkway at Garth Street at peak hours and report back to the Public Works Committee.

CITY OF HAMILTON MOTION

Council: July 12, 2019

MOVED BY COUNCILLOR WHITEHEAD.....

SECONDED BY COUNCILLOR.....

Levels of Congestion on Garth Street and Scenic Drive at Peak Hours

That staff be directed to study the level of congestion on Garth Street and Scenic Drive at peak hours and provide options to mitigate the impacts and report back to the Public Works Committee.

CITY OF HAMILTON

MOTION

Council: July 12, 2019

MOVED BY COUNCILLOR L. FERGUSON.....

SECONDED BY COUNCILLOR

Amendment to Item 5 of the Public Works Committee Report 18-008 respecting the Ancaster Tennis Bubble (PW17089(a))

WHEREAS, on June 13, 2018, Hamilton City Council ratified Item 5 of the Public Works Committee Report 18-008, which included amendments to the recommendations of Report PW17089(a) – Ancaster Tennis Bubble, approving funding towards the installation of a tennis dome in the form of an interest- bearing loan in the amount \$290,000 for the Ancaster Tennis Club;

WHEREAS, the Ancaster Tennis Club is a not-for-profit organization that has requested the \$290,000 interest-bearing loan be changed to an interest-free loan to assist with funding the installation of a tennis dome;

WHEREAS, the City’s External Loan Guidelines provides for interest-free loans to organizations for upgrades or enhancements to City-owned facilities or properties; and,

WHEREAS, this loan would be in accordance with the City’s External Loan Guidelines for loans to not-for-profit organizations;

THEREFORE, BE IT RESOLVED:

- (a) That sub-section (c) to Item 5 of the Public Works Committee Report 18-008, respecting Report PW17089(a) – Ancaster Tennis Bubble, which was approved by Council on June 13, 2018, be amended by adding the words “interest free”, to read as follows:
 - (c) That staff be directed to negotiate a change to the licensing agreement between the Ancaster Tennis Club (ATC) and the City to reflect a City **interest free** loan to the ATC of \$290,000; and
- (b) That sub-section (e) be added to Item 5 of the Public Works Committee Report 18-008, respecting Report PW17089(a) – Ancaster Tennis Bubble, which was approved by Council on June 13, 2018, as follows:

- (e) ***That the annual repayment on the interest-free loan, provided to the Ancaster Tennis Club for the installation of a tennis dome, in the amount of \$290,000, to be paid in the amount of \$19,333.33 over 15 years on the anniversary dates of the loan advance.***

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

5. Ancaster Tennis Bubble (PW17089(a)) (Ward 12) (Item 8.1)

- (a) That Report PW17089(a), respecting the Ancaster Tennis Bubble, be received;
- (b) That approval be given for the City's Capital Cost of \$60,000 be funded from the unallocated Capital Reserve;
- (c) That staff be directed to negotiate a change to the licensing agreement between the Ancaster Tennis Club (ATC) and the City to reflect a City ***interest free*** loan to the ATC of \$290,000;
- (d) That the Ancaster Tennis Club pay the \$190,000 in annual operating costs; and,
- (e) ***That the annual repayment on the interest-free loan, provided to the Ancaster Tennis Club for the installation of a tennis dome, in the amount of \$290,000, to be paid in the amount of \$19,333.33 over 15 years on the anniversary dates of the loan advance.***

CITY OF HAMILTON MOTION

Council: July 12, 2019

MOVED BY COUNCILLOR NANN.....

SECONDED BY COUNCILLOR.....

Appointments to the Hamilton Aboriginal Advisory Committee

WHEREAS, on July 10, 2015, Council approved the following direction, as part of Report CM15007, Review of the City of Hamilton’s Advisory Committees:

That the local Hamilton Aboriginal Community leadership, recommend to Council the appointment of residents from the Hamilton Aboriginal community, to sit on the Hamilton Aboriginal Advisory Committee.

WHEREAS, the Hamilton Aboriginal Advisory Committee at its meeting of June 19, 2019, considered the recommendations for appointments made by the identified members of the Indigenous community leadership.

THEREFORE BE IT RESOLVED:

That the following citizens be appointed to the Hamilton Aboriginal Advisory Committee for the 2018-2022 term commencing on July 12, 2019:

- (a) Constance (Connie) Bellamy
- (b) Cat Cayuga
- (c) Scott Cruickshank
- (d) Deborah Elmes
- (e) Allan Loft
- (f) Laura Workman
- (g) Marilyn Wright
- (h) Patty Lawlor (Ally, non-voting)
- (i) Khitanya Petgrave (Ally, non-voting)

Appendix A – Letter from Betsy Pocop, Human Rights Specialist on behalf of the Hamilton Aboriginal Advisory Committee



City of Hamilton
71 Main St. W.
Hamilton, ON L8P 4Y5
www.hamilton.ca

Betsy Pocop, Human Rights Specialist
Physical Address: 120 King St. W., 9th Floor
Hamilton, ON L8P 4V2
Phone: 905.546.2424 ext.6419 Fax: 905.546.2650
Email: Betsy.Pocop@hamilton.ca

Hamilton

July 2, 2019

Dear Members of Council,

On July 10, 2015, Council approved the following direction, as part of Report CM15007, Review of the City of Hamilton's Advisory Committees:

That the local Hamilton Aboriginal Community leadership, recommend to Council the appointment of residents from the Hamilton Aboriginal community, to sit on the Hamilton Aboriginal Advisory Committee.

The Hamilton Aboriginal Advisory Committee at its meeting of June 19, 2019, reviewed and accepted the recommendations for appointments made by the identified members of the Indigenous community leadership.

As per Council's direction on July 10, 2015, the Aboriginal Advisory Committee recommends the appointment of the following residents from the Hamilton Aboriginal Community, as members of the Aboriginal Advisory Committee for the 2018-2022 term commencing on July 12, 2019:

1. Constance (Connie) Bellamy
2. Cat Cayuga
3. Scott Cruickshank
4. Deborah Elmes
5. Allan Loft
6. Laura Workman
7. Marilyn Wright
8. Patty Lawlor (Ally, non-voting)
9. Khitanya Petgrave (Ally, non-voting)

If you require any additional information regarding the above-noted process or appointees, please do hesitate to contact me.

Kind regards,

Betsy Pocop
Human Rights Specialist
City Manager's Office, Human Resources Division

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

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

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

OUR Priorities: Community Engagement & Participation; Economic Prosperity and Growth; Healthy and Safe Communities; Clean and Green; Built Environment and Infrastructure; Culture and Diversity and Our People and Performance.

CITY OF HAMILTON MOTION

Council: July 12, 2019

MOVED BY MAYOR EISENBERGER.....

SECONDED BY COUNCILLOR

Phase II Investing in Canada Infrastructure Program (ICIP) Funding Rollout for the City of Hamilton

WHEREAS, on March 14, 2018, the Honourable Amarjeet Sohi, Minister of Infrastructure and Communities, and the Honourable Bob Chiarelli, Ontario Minister of Infrastructure, announced the signing of a bilateral agreement that will provide federal funding through the Investing in Canada Plan over the next decade dedicated to infrastructure projects, which includes investments in public transit from the Investing in Canada Infrastructure Program (ICIP), (formerly known as the Public Transit Infrastructure Fund Phase II (PTIF)) in the amount of \$511.0M; the Government of Canada in the amount of \$204.4M (40%); the Government of Ontario in the amount of \$168.6M (33%) and the City of Hamilton in the amount of \$138.0M (27%);

WHEREAS, this news follows information previously released on March 22, 2017 in the Federal 2017 Budget, with a second phase of federal investments for the rehabilitation, repair and modernization of existing infrastructure, with one key element of the plan being \$33B in infrastructure funding to be delivered through bilateral agreements currently being negotiated between the Federal government and each of the provinces and territories;

WHEREAS the Government of Canada proposes to deliver up to a maximum of \$10,371,166,789 to the Government of Ontario in four key areas: public transit; green infrastructure; community, culture and recreation infrastructure; and rural and northern communities infrastructure under this Agreement;

WHEREAS, under the current Government of Ontario, no commitment has been announced to provide the previously announced 33% of the cost share with the Government of Canada;

WHEREAS, the bilateral agreements between the Government of Canada and the Government of Ontario is integral to the overall City of Hamilton’s Transit Strategy; and

WHEREAS, the delays and the uncertainty around the original commitment of 33% of the cost share with the Government of Canada, will significantly jeopardize the City of Hamilton’s ability to develop and expand the transit system as planned if funding is not supported by both levels of senior government.

THEREFORE, BE IT RESOLVED:

- (a) That the Mayor correspond with the Honourable Caroline Mulroney, Minister of Transportation, by July 15, 2019, to request an update on timing for Phase II Investing in Canada Infrastructure Program (ICIP) Funding rollout for the City of Hamilton; and

(b) That this resolution be forwarded to the Association of Ontario Municipalities (AMO) for support in accelerating the ICIP funding for municipalities in the Greater Toronto and Hamilton Area (GTHA).

CITY OF HAMILTON

NOTICE OF MOTION

Council Date: July 12, 2019

MOVED BY COUNCILLOR A. VANDERBEEK

**ROAD SAFETY REVIEW AND APPROPRIATE MEASURES AT THE YORK ROAD AND
NEWMAN ROAD INTERSECTION**

WHEREAS, a Zoning By-law Amendment Application has been submitted for 574 Northcliffe Avenue in Dundas;

WHEREAS, the application will result in additional traffic accessing the site via York Road and Newman Road, including school bus trips;

WHEREAS, the combination of high traffic volumes, excess speeds and challenging road geometry on York Road has been a historical concern and continues to be raised as an issue by area residents, and,

WHEREAS, this area falls within the Ministry of Transportation’s Corridor Control Area and thus will require approval for any operational changes including potential signalization;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to undertake a review the intersection and road safety at the intersection of York Road with Newman Road, identify the appropriate road safety measures and report back on the feasibility of implementation of measures;
- (b) That staff be directed to negotiate with the applicant for 574 Northcliffe Road to enter into a cost-share agreement to undertake a safety review of the impact of additional traffic and school buses resulting from the development application, and,
- (c) That staff be directed to liaise with the Ministry of Transportation to investigate options to improve traffic operations and safety along York Road in the vicinity of Newman Road.

CITY OF HAMILTON

NOTICE OF MOTION

Council Date: July 12, 2019

MOVED BY COUNCILLOR B. JOHNSON.....

Waiving of fees for the 2020 and 2021 baseball seasons for Glanbrook Slow Pitch League (Ward 11)

WHEREAS, the Glanbrook Slow Pitch League has played at Mount Hope Park for 25 years;

WHEREAS, overall park construction and construction of a trail adjacent to the existing outfield in 2018 led to the loss of the season for the league;

WHEREAS, 482 mm of rain fell in Mount Hope in April, May, and June of 2019, leading to standing water and saturated soils caused by the trail adjacent to the outfield acting as a water dam;

WHEREAS, ponding and severely saturated turf conditions now require the construction of two drainage outlets to be installed this summer, to alleviate the standing water and saturated soils in the southern end of the park; and,

WHEREAS, staff have indicated that the baseball diamond will not be playable this year and the Glanbrook Slow Pitch League is unable to be accommodated sufficiently by the City at other park locations;

THEREFORE BE IT RESOLVED:

That due to this unique set of circumstances and the league losing two full playing seasons, the yearly fee be waived for the 2020 and 2021 seasons for the Glanbrook Slow Pitch League teams at Mount Hope Park.

Authority: Item 15, General Issues
Committee Report 18-022
(FCS18094)
CM: December 19, 2018

Item 6, General Issues
Committee 18-005 (PED18044)
CM: February 28, 2018

Item 5, Planning Committee 19-
008 (PED16107(b))
CM: May 22, 2019

Ward: City Wide

Bill No. 160

CITY OF HAMILTON

BY LAW NO. 19-

A BY-LAW TO ESTABLISH CERTAIN 2019 USER FEES AND CHARGES FOR SERVICES, ACTIVITIES OR THE USE OF PROPERTY

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001*, authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular paragraph 3 of subsection 10(2) authorizes by-laws respecting the financial management of the City of Hamilton;

AND WHEREAS subsection 391(1) of the *Municipal Act, 2001*, states that sections 9 and 10 of that Act authorize the City of Hamilton to impose fees or charges on persons for services or activities provided or done by or on behalf of it; for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and for the use of its property including property under its control;

AND WHEREAS fees and charges listed in Schedule "A" may be administered and calculated in accordance with other City of Hamilton by-laws or provincial legislation or both, including but not limited to:

- animal services by-laws
- business licensing by-laws
- fire prevention and suppression by-laws
- parking by-laws
- waste management by-laws
- the Building Code Act, 1992, its regulations and by-laws passed under the Act or its regulations

- the Funeral, Burial and Cremation Services Act, 2002, its regulations and by-laws passed under the Act or its regulations
- the Planning Act, its regulations and by-laws passed under the Act or its regulations
- Order in Council 1413/08 and lottery licensing by-laws passed under the Order in Council;

AND WHEREAS the City of Hamilton wishes to establish and maintain a list of services, activities and the use of property subject to fees or charges and the amount of each fee or charge;

AND WHEREAS the Council of the City of Hamilton has authorized the passage of a by-law for the purpose of establishing the list of 2019 user fees and charges;

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

1. The user fees and charges set out in the “2019 Approved Fee” column of Schedule “A” shall be charged by the City of Hamilton for those services, activities or uses of property specified in column 1 of Schedule “A”, entitled “Service or Activity Provided or Use of City Property”.
2. The fees and charges set out in the “2019 Approved Fee” column of Schedule “A” are approved and imposed commencing January 1st, 2019, or thereafter as set out in Schedule “A”.
- 3.(1) The fees and charges approved and imposed under section 2 are subject to any adjustment authorized by a statute, regulation or by-law in respect of the calculation or administration of a fee or charge, such adjustment to be effective as provided for in such statute, regulation or by-law.

(2) Despite section 2, any fee or charge:
 - (a) authorized by a by-law that comes into effect on the same or a later date than this By-law; or
 - (b) included in a valid agreement entered into by the City of Hamilton and one or more other parties,shall be the approved and imposed fee or charge for the service, activity or use of property specified.
4. Subject to section 3:

- (a) despite any reference to a fee or charge for a service, activity or use of property set out in any other City of Hamilton by-law including any appendix or schedule attached to such a by-law, the fee or charge set out in the “2019 Approved Fee” column of Schedule “A” shall be the approved fee or charge for the service, activity or use of property specified; and
 - (b) the fee or charge for a service, activity or use of property set out in Schedule “A” continues in force until amended, repealed or replaced and for greater certainty, this includes continuing in force after December 31, 2019 until amended, repealed or replaced.
5. No request by any person for documentary, written or printed information relating to any land, building or structure in the City, or request for services or activities provided by the City, or request to use the City’s property or any application specified in column 1 of Schedule “A”, entitled “Service or Activity Provided or Use of City Property”, shall be processed unless and until the person requesting the information, services, activities, use of property or application, as the case may be, has paid the applicable fee or charge in the prescribed amount set out in the “2019 Approved Fee” column of Schedule “A”.
6. The fees or charges as listed in Schedule “A” are subject to Harmonized Sales Tax (H.S.T.) where applicable.
7. Finance charges are applicable on all late payments of the fees or charges listed in Schedule “A” based on the current prime rate plus 2% adjusted quarterly.
8. All unpaid fees or charges imposed by this By-law on a person constitute a debt of the person to the municipality.
9. Where all or part of a fee or charge imposed by this By-law remains unpaid, such fee or charge may be added to the tax roll for the following property and collected in the same manner as municipal taxes:
 - (a) in the case of a fee or charge for the supply of a service or thing to a property, the property to which the service or thing was supplied.
 - (b) in all other cases, any property for which all of the owners are responsible for payment of the fee or charge.
10. Schedule “A” is attached to and forms a part of this By-law.
11. Should any part of this By-law, including any part of Schedule “A”, be determined by a Court of competent jurisdiction to be invalid or of no force,

A BY-LAW TO ESTABLISH CERTAIN 2019 USER FEES AND CHARGES FOR SERVICES,
ACTIVITIES OR THE USE OF PROPERTY

Page 4 of 4

it is the stated intention of Council that such invalid part of the By-law shall be severable and that the remainder of this By-law, including the remainder of Schedule "A", as applicable, shall continue to operate and to be in force.

12. This By-law may be referred to as the "User Fees and Charges By-law".
13. City of Hamilton By-law 18-183 is repealed upon the coming into force of this By-law.
14. This By-law is deemed to have come into force on January 1st, 2019.

PASSED this 12th day of July, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: General Fees

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
1	Map / Publication Sales Fees	100% Cost Recovery
2	Data Base Information	100% Cost Recovery
	Photocopy & Computer Printout Service	
3	- First Page	\$ 0.35
4	- Additional Pages	\$ 0.35
	Information Requests	
5	- Floppy disks & CD's - per disk or CD	\$ 12.70
6	- For manually researching a record - for each 15 minutes	\$ 18.35
7	- Developing Computer Programs or other methods of producing a record from machine readable record - for each 15 minutes	\$ 18.35
* Note: Fees do not include HST which will be added where applicable.		

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Building Services - General Fees

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
1	Zoning Verification & Work Order Reports (Single & Two Family Dwellings, Townhouses) - Regular	\$ 117.00
2	Zoning Verification & Work Order Reports (Single & Two Family Dwellings, Townhouses) - Express	\$ 179.00
3	Zoning Verification & Work Order Reports (Non-Residential / Multi-Residential) - Regular	\$ 242.00
4	Zoning Verification & Work Order Reports (Non-Residential / Multi-Residential) - Express	\$ 365.00
5	Sewage System and Sewage Comments	\$ 246.00
6	Zoning Compliance Letter - liquor license	\$ 183.00
	Photocopy service	
7	Microfilm Copies (for up to 20 copies)	\$ 25.66
8	Microfilm Copies (each additional copy)	\$ 1.12
	Records searches	
9	Including manual searches and preparation of information - for each 15 minutes	\$ 18.59
	Computer Programming	
10	For developing programs or other ways of producing records from machine readable records - for each 15 minutes	\$ 18.59
11	Blasting Permit	\$ 126.00
12	Grading (Security) Deposit	\$ 1,500.00

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Building Services - General Fees

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
	Demolition Agreement for Building Replacement	
13	a) Agreement	\$ 506.00
14	b) Security deposit/letter of credit - per sq. metre of bldg to be demolished (\$2,500 min & \$25,000 max)	\$ 121.00
15	Demolition Control Applications	\$ 506.00
	Illegal Grow Operations	
16	a) Inspection Fee	\$ 749.56
17	b) Re-occupancy Fee	\$ 680.53
18	Swimming Pool Enclosure Fee	\$ 168.00
<p><i>* Note: Fees do not include HST which will be added where applicable.</i></p>		

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Economic Development - Urban Renewal

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
Loan/Incentive Programs		
1	Business Improvement Area Commercial Property Improvement Grant Program Admin Fee for Grants less than \$5,000	\$ 85.00
2	Business Improvement Area Commercial Property Improvement Grant Program Admin Fee for Grants greater than \$5,000 and less than or equal to \$12,500	\$ 235.00
3	Business Improvement Area Commercial Property Improvement Grant Program Admin Fee for Grants greater than \$12,500	\$ 365.00
Hamilton Tax Increment Grant Program		
4	Basic Fee - Developer only (only for Grants less than or equal to \$12,500)	\$ 235.00
5	Basic Fee - Developer only (only for Grants greater than \$12,500)	\$ 800.00
6	Additional Fee - Developer Transfer to New Condo Owner	\$ 425.00
Hamilton Downtown, Barton/Kenilworth Multi-Residential Property Investment Program		
7	a) Initial Application	\$ 300.00
	b) Fee is based on a Graduated Scale basis as follows:	
8	50 units or less	\$500.00/unit
9	50-100 units	\$400.00/unit
10	100 units plus	\$300.00/unit

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Economic Development - Urban Renewal

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
11	Commercial Corridor Housing Loan & Grant Program	\$260.00/unit
12	Commercial Corridor Housing Loan and Grant Application Fee (At final application stage)	\$ 300.00
13	Hamilton Heritage Property Grant Program less than or equal to \$12,500	\$ 235.00
14	Hamilton Heritage Property Grant Program greater than \$12,500	\$ 360.00
15	Hamilton Downtown/West Harbourfront Remediation Loan Pilot Program	\$ 300.00
16	Office Tenancy Assistance Program	\$ 490.00
17	Commercial Property Improvement Grant Program for grants less than \$5,000	\$ 85.00
18	Commercial Property Improvement Grant Program for grants greater than \$5,000	\$ 235.00
Hamilton Community Heritage Fund Loan Program		
19	a) Designated Commercial, Industrial or like properties (fee is based on percentage of loan amount)	2% of loan amount
20	b) Other properties	\$ 285.00
	a) Inspection Fee	
21	ERASE Grant Study	\$ 225.00
22	ERASE Redevelopment Grant	\$ 775.00
23	ERASE LEED Program	\$ 775.00
24	Hamilton Heritage Conservations Grant Program Application Fee	\$ 85.00

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Economic Development - Urban Renewal

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
25	Barton/Kenilworth Commercial Corridor Building Improvement Grant Program Admin Fee for Grants less than or equal to \$12,500	\$ 235.00
26	Barton/Kenilworth Commercial Corridor Building Improvement Grant Program Admin Fee for Grants greater than \$12,500	\$ 365.00
27	Barton/Kenilworth Tax Increment Grant Program Admin Fee for Grants less than or equal to \$12,500	\$ 235.00
28	Barton/Kenilworth Tax Increment Grant Program Admin Fee for Grants greater than \$12,500	\$ 800.00
29	Barton/Kenilworth Tax Increment Grant Program - Additional Fee - Developer Transfer to New Condo Owner	\$ 415.00
30	Barton/Kenilworth Planning and Building Fee Rebate	\$ 85.00
<p><i>* Note: Fees do not include HST which will be added where applicable.</i></p>		

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Animal Services

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
Impound Fees (Standard Rate)		
1	Licensed Dog - 1st Offence	\$ 65.00
2	Licensed Dog - Subsequent Offence	\$ 175.00
3	Unlicensed Dog - 1st Offence	\$ 104.00
4	Unlicensed Dog - Subsequent Offence	\$ 175.00
5	Dangerous or Potentially Dangerous Dog	\$ 589.00
6	Cat (identified [1] and unidentified)	\$ 25.00
7	Cat (identified [1] and unidentified)- Subsequent Offence	\$ 40.00
8	Multiple Small Domestic Animals (up to 6)	\$ 54.00
9	Other Small Domestic Animal [2]	\$ 54.00
10	Snake or Reptile	\$ 56.00
11	Livestock - Small	\$ 134.00
12	Livestock - Large	\$ 284.00
Impound Fees (Senior & Disabled Rate)		
13	Licensed Dog - 1st Offence	\$ 60.00
14	Licensed Dog - Subsequent Offence	\$ 94.00
15	Unlicensed Dog - 1st Offence	\$ 94.00

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Animal Services

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
16	Unlicensed Dog - Subsequent Offence	\$ 153.00
17	Dangerous or Potentially Dangerous Dog	\$ 589.00
18	Cat (identified [1] and unidentified)	\$ 25.00
19	Cat (identified [1] and unidentified)- Subsequent Offence	\$ 35.00
20	Multiple Small Domestic Animals (up to 6)	\$ 45.00
21	Other Small Domestic Animal [2]	\$ 45.00
22	Snake or Reptile	\$ 52.00
23	Livestock - Small	\$ 120.00
24	Livestock - Large	\$ 250.00
	Live Surrender Fees - [3] (Standard Rate)	
25	Dog (unlicensed)	\$ 175.22
26	Dog (licensed)	\$ 138.94
27	Cat (unregistered)	\$ 175.22

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Animal Services

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
28	Cat (registered)	\$ 136.28
29	Litter (up to 6) - Canine or Feline	\$ 62.83
30	a) Inspection Fee	\$ 62.83
31	Multiple Small Domestic Animals (up to 6)	\$ 62.83
32	Small Livestock	\$ 115.93
Live Surrender Fees - [3] (Senior & Disabled Rate)		
33	Dog (unlicensed)	\$ 138.94
34	Dog (licensed)	\$ 102.65
35	Cat (not registered)	\$ 138.94
36	Cat (registered)	\$ 102.65
37	Litter (up to 6) - Canine or Feline	\$ 49.56
38	Other Small Domestic Animal [4]	\$ 49.56

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Animal Services

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
39	Multiple Small Domestic Animals (up to 6)	\$ 49.56
40	Small Livestock	\$ 102.65
Cadaver Surrender Fees (Standard Rate)		
41	Dog	\$ 118.58
42	Dog - Small	\$ 52.21
43	Cat	\$ 53.10
44	Litter - Canine or Feline (up to 5) (under 12 weeks)	\$ 53.10
45	Other Small Domestic Animal [4]	\$ 53.10
46	Multiple Small Domestic Animals (up to 6)	\$ 53.10
47	Small Livestock	\$ 92.04
Cadaver Surrender Fees (Senior & Disabled Rate)		
48	Dog	\$ 92.04
49	Dog - Small	\$ 37.17
50	Cat	\$ 38.05
51	Litter - Canine or Feline (up to 5) (under 12 weeks)	\$ 38.05
52	Other Small Domestic Animal [4]	\$ 38.05
53	Multiple Small Domestic Animals (up to 6)	\$ 38.05
54	Small Livestock	\$ 59.29

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Animal Services

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
Boarding Fees (Standard Rate Per Day)		
55	Dog	\$ 17.00
56	Dangerous or Potentially Dangerous Dog	\$ 34.00
57	Cat	\$ 12.00
58	Other Small Domestic Animal	\$ 6.00
59	Small Livestock	\$ 33.00
60	Large Livestock	\$ 55.00
Boarding Fee (Senior & Disable Rate - Per Day)		
61	Dog	\$ 11.00
62	Dangerous or Potentially Dangerous Dog	\$ 34.00
63	Cat	\$ 6.00
64	Other Small Domestic Animal	\$ 6.00
65	Small Livestock	\$ 17.00
66	Large Livestock	\$ 38.00
Trap Rentals		
67	Small Trap - Deposit	\$ 77.00
68	Large Trap - Deposit	\$ 105.00
69	Small or Large Trap - Rental (per day)	\$ 11.50
70	Small or Large Trap - Trap delivery / set up	\$ 38.05

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Animal Services

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
	Miscellaneous	
71	Vietnamese Pot Bellied Pig Licence	\$ 39.00
72	Voluntary Cat Registration	\$ 13.00
73	Quarantine per day - Dog	\$ 34.00
74	Quarantine per day - Dangerous or Potentially Dangerous Dog	\$ 58.00
75	Quarantine per day - Cat	\$ 25.00
76	Hearing Fee re: Dangerous or Potentially Dangerous Dog	\$ 168.00
77	Microchip implant	\$ 22.13
78	Wildlife removal from private trap - release on site	\$ 57.52
79	Wildlife removal from private trap - Euthanasia [5]	\$ 97.35
80	Pet Transport (Ambulance)	\$ 74.34
81	Cat Cardboard Carrier	\$ 5.31
82	Dog Leash	\$ 4.42
83	Admin Fee (e.g. for special billing arrangements)	\$ 28.32
84	Engraving (Urns)	\$ 10.62
85	Special Cremation Fee	\$ 131.86

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Animal Services

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
86	Clay Paw Print	\$ 29.20
87	Painted Paw Print	\$ 44.25
88	Animal Assistance Fee	\$ 46.90/hr
	Animal Adoption Fees	
89	Dog/Puppy	\$ 254.87
90	Dog Senior/Special Needs	\$25.66-76.11
91	Cat/Kitten	\$ 153.10
92	Cat Senior/Special Needs	\$25.66-76.11
93	Small Domestic Animal/Bird/Other	\$5.31-101.77
94	Snake or Reptile	\$5.31-101.78
	NOTES	
	[1] Micro-chipped, engraved collar, tattooed, registered	
	[2] Rabbits, rodents, song birds, etc.	
	[3] Includes cremation	
	[4] Excludes Fish - no charge	
	[5] No Charge if animal fatally injured prior to capture or poses bona fide threat	
* Note: Fees do not include HST which will be added where applicable.		

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Dog Licenses

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
Dog Licences - Standard Rate		
1	- spayed/neutered or under 6 months of age	\$ 34.00
2	- over six months not spayed/neutered	\$ 70.00
Dog Licences - Senior / Disability Rate		
3	- spayed/neutered or under 6 months of age	\$ 16.00
4	- over six months not spayed/neutered	\$ 39.00
5	Dog Licences - Dangerous or Potentially Dangerous Dog	\$ 168.00

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Dog Licenses

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
6	Replacement Tag Fee	\$ 4.42
7	Late Payment Fee	\$ 17.70
8	Flat Rate Licence (grandfathered fee)	\$ 118.00
9	Valid Licence in another Municipality where the owner has moved to the City of Hamilton within 30 days	\$ 13.00
	Leash Free Fee of \$1.00 is included/charged for every licence sold.	
<p><i>* Note: Fees do not include HST which will be added where applicable.</i></p>		

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development

Division: Licensing & By-law Services - Sign By-Law Fees

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
	PERMITS FOR SIGNS	
	SIGN TYPE	
	Mobile Sign	
1	- for 28 consecutive days	\$ 126.00
2	- for 14 consecutive days	\$ 85.00
3	Mobile Sign advertising a grand opening or closing promotional event (for 7 consecutive days)	\$ 192.00
4	Sidewalk Sign (per year)	\$ 98.00
5	Banner (for 28 consecutive days)	\$ 98.00
6	Banner advertising a grand opening or closing promotional event (for 7 consecutive days)	\$ 192.00
7	Inflatable Sign (for 7 consecutive days)	\$ 98.00
8	New Home Development Portable Sign (per year)	\$ 64.00
9	Sign permit fee for any new permanent signs/per property per occasion	\$ 149.00
10	Sign permit fee for changes to existing signs/per property per occasion	\$ 230.00
11	Corrugated Plastic Sign (yearly permit fee per location per property)	\$ 149.00
12	A-frame signs on sidewalks (permit fee for a three-year period)	\$ 154.00
	SIGN VARIANCE APPLICATION	
	Sign variance fees appear under "Planning" Division	

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development

Division: Licensing & By-law Services - Sign By-Law Fees

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
ENFORCEMENT FEES		
13	Removal of an Unlawful Permanent Sign - per sign (or the actual cost of removing the sign, whichever is greater)	\$ 246.01
14	Storage Charge for an Unlawful Permanent Sign - per sign/day	\$ 62.83
15	Removal of an Unlawful Mobile Sign - per sign (or the actual cost of removing the sign, whichever is greater)	\$ 246.01
16	Storage Charge for an Unlawful Mobile Sign - per sign/day	\$ 62.83
17	a) Inspection Fee	\$ 62.83
18	Storage Charge for an Unlawful Portable Sign - per sign/day	\$ 35.40
19	Storage Charge for an Unlawful Election Sign - per sign/day	\$ 35.40
20	Annual Inspection Fee (existing non-conforming overhanging signs)	\$ 106.19
	Note: the permit fees for Ground Signs, Awnings, Canopies, Marquees, Parapet Signs, Projecting Signs, Wall Signs and Billboards appear under "Building Services - Building Permit Fees"	
* Note: Fees do not include HST which will be added where applicable.		

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Lottery Licensing

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
1	Lottery Licence Application Administration Fee	\$ 66.37
2	Lottery Licence Fee - Bingo (per event)	\$ 165.00
3	Lottery Licence Fee - Nevada	Up to maximum of 3% prize value
4	Lottery Licence Fee - Raffles	Up to maximum of 3% prize value
5	Lottery Licence Fee - Others	Varies by type and mandated by the province
* <i>Note: Fees do not include HST which will be added where applicable.</i>		

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - General Fees

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
Discharge of Firearms By-law		
1	a) Exemption permit application fee for the discharge of recreational firearms or bows	\$ 113.00
2	b) Renewal Fee	\$ 20.35
Certificate of Compliance		
3	a) Single detached dwelling	\$ 287.61
4	b) A two, three or multiple unit dwelling	\$ 287.61
5	- plus additional fee for each additional dwelling unit in excess of the first	\$ 42.48
6	c) A lodging house	\$ 287.61
7	- plus additional fee per each permitted resident (required every 3 years)	\$ 31.86
8	d) All other buildings (Liquor licence)	\$ 287.61
9	- plus additional fee per each 100 square metres in excess of the first 100 square metres	\$ 17.70
10	e) Residential care facility (first time applications & change in ownership)	\$ 287.61
11	- plus additional fee per each permitted resident	\$ 32.74
12	f) Discharge of an Order - Non registered Order to Comply	\$ 287.61
13	g) Discharge of an Order - Registered Order To Comply	\$ 613.27
Fees charged for inspections carried out by the City resulting from non-compliance with any City by-law (except Vital Services By-law):		

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - General Fees

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
	Inspection demonstrating non-compliance when there has been an earlier incident of non-compliance:	
14	Initial	\$ 287.61
15	Subsequent	\$ 147.79
	Note: an "incident of non-compliance" includes an inspection carried out by the City or by another enforcement agency demonstrating non-compliance.	
16	Vital services - Admin Fee	10% of total utility billings paid by the City
	Noise by-Law Exemption:	
17	- Application received 60 days or more prior to the event	\$ 180.00
18	- Application received less than 60 days prior to the event	\$ 271.00
19	Corporate Profile Report and Deed & Abstract Reports	100% cost recovery
20	Application Fee for outdoor commercial patio exemption permits	\$ 509.74
21	Application Fee for any appeal to the Property Standards Committee	\$ 137.17
22	Zoning Verification & Work Order Reports - Regular	\$ 118.00
23	Zoning Verification & Work Order Reports - Express	\$ 180.00

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - General Fees

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
24	Fees charged by the City for costs incurred when its inspection powers under s. 436(2) of the Municipal Act, 2001 are exercised	100% cost recovery
25	Registration Fee - One Time Fee For Initial Registration of a Vacant Building	\$ 283.00
26	Vacant Building Fee - Annual Inspection Fee	\$ 707.96
27	Annual Fee for each additional vacant building on a property (inspection)	\$ 346.02
28	Vacant Building Quarterly Inspection Fee	\$ 283.19
29	Licensing Tribunal and Property Standards Committee decisions	100% cost recovery
Municipal Law Enforcement Contractor Services Administration:		
30	- Administration Fee for invoices less than or equal to \$600 (before tax)	\$ 95.58
31	- Administration Fee for invoices greater than \$600 (before tax)	\$ 215.04
32	- Administration Fee for requests for file review	\$ 35.40
31	a) Inspection Fee	\$ 201.77

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development

Division: Licensing & By-law Services - General Fees

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
32	Paid Duty Municipal Law Enforcement	100% cost recovery
<i>* Note: Fees do not include HST which will be added where applicable.</i>		

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Licensing

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
Adult Services		
1	Adult Entertainment Parlour	\$ 6,030.00
2	Adult Entertainment Parlor Attendant	\$ 501.00
3	Adult Entertainment Parlour Operator/Manager	\$ 1,768.00
4	Adult Film Theatre	\$ 3,727.00
5	Adult Video Store Class A	\$ 3,727.00
6	Adult Video Store Class B	\$ 386.00
7	Body Rub Parlour Owner	\$ 9,486.00
8	Body Rub Parlour Attendant	\$ 501.00
9	Body Rub Parlour Operator/Manager	\$ 1,422.00
10	Tobacco & Electronic Cigarettes	\$ 435.00
Accommodations		
11	Bed and Breakfast	\$ 257.00
12	Motels and Hotels	\$ 184.00
13	Lodging House	\$ 489.00
14	Residential Care Facility (4-10 Residents)	\$ 673.00
15	Residential Care Facility (11 or more Residents)	\$ 961.00
Mobile		
16	Mobile Sign leasing or renting	\$ 307.00
17	Hawker/Peddler (motorized vehicle)	\$ 354.00

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Licensing

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
18	Seasonal Food Vendor	\$ 379.00
19	Limousines (owner)	\$ 643.00
20	Limousines (driver)	\$ 75.00
21	Taxi cab owner (private) (Renewal)	\$ 642.00
22	Taxi cab owner (private) (New)	\$ 4,651.00
23	Taxi cab owner (transfer)	\$ 817.00
24	Taxi cab Broker	\$ 1,102.00
25	Taxi cab Driver	\$ 104.00
26	Transient Trader (3 month period)	\$ 694.00
27	Auctioneer	\$ 285.00
	Food Service Vehicles:	
28	Class A	\$ 379.00
29	Class B	\$ 379.00
30	Class C	\$ 349.00
31	Food Service Vehicles (Four day)	\$ 99.00
32	Food Service Vehicles (Park Permit)	\$ 208.00
	Services	
	Eating Establishments:	

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Licensing

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
33	Bars and Nightclubs	\$ 315.00
34	Food Premises	\$ 181.00
35	Restaurant with Liquor Service	\$ 231.00
	Public Garage:	
36	(A) Buying, Selling, Storing	\$ 257.00
37	(B1) Combined Engine & Body Work	\$ 257.00
38	(B2) Engine Work	\$ 257.00
39	(B3) Body Work	\$ 257.00
40	(C) Service Station	\$ 257.00
41	(D) Parking Lot	\$ 257.00
42	(E) Car Wash Only	\$ 257.00
43	Public Halls	\$ 361.00
44	Pay Day Loan Businesses	\$ 796.00
45	Kennels, Pet Shops	\$ 255.00
46	Personal Aesthetic Services Facility	\$ 185.00
47	Personal Wellness Services Establishment	\$ 185.00

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Licensing

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
	Places of Amusement	
48	Amusement Arcade	\$ 257.00
49	Amusement Rides	\$ 257.00
50	Amusement Water	\$ 430.00
51	Billiard / Bagatelle Tables	\$ 257.00
52	Bingo Parlour	\$ 257.00
53	Bowling Alley	\$ 257.00
54	Carnival	\$ 257.00
55	Circus	\$ 257.00
56	Motor Vehicle Race Track	\$ 257.00
57	Other	\$ 257.00
58	Proprietary Club	\$ 257.00
59	Roller Skating Rink	\$ 257.00
60	Skateboarding, BMX bikes	\$ 257.00
	Used Goods Services	
61	Antique Market/Flea Market	\$ 257.00
62	Pawn Broker	\$ 430.00
63	Precious Metals & Jewellery Dealers	\$ 430.00
64	Salvage Yard	\$ 430.00
65	Second-hand Shop	\$ 491.00

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Licensing

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
Trade Licence Contractor		
66	Building Repair	\$ 275.00
67	Plumbing	\$ 275.00
68	Heating, Ventilation & Air Conditioning	\$ 275.00
69	Drain Repair	\$ 275.00
70	Sprinkler and Fire Protection Installer	\$ 275.00
Trade Licence Masters		
71	Building Repair	\$ 162.00
72	Plumbing	\$ 162.00
73	Heating, Ventilation & Air Conditioning	\$ 162.00
74	Drain Repair	\$ 162.00
75	Sprinkler and Fire Protection Installer	\$ 162.00
Other Fees		
76	Daily fee for spare taxicabs	\$ 26.55
77	Taxi cab (limited interest agreement)	\$ 81.00
78	Taxi cab Priority list	\$ 99.11
79	Taxi cab accessible priority list	\$ 51.33
80	Annual spare taxicab inspection fee	\$ 172.57

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Licensing

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
81	Exam/Processing Fee	\$ 53.98
82	Administration fee - new licence applications	\$ 66.37
83	Licence re-instatement fee (late fee)	\$ 280.53
84	Photo ID Card	\$ 17.70
85	Licence certificate replacement	\$ 17.70
86	Licence plate replacement	\$ 76.11
87	Appeal to Hamilton Licensing Tribunal	\$ 150.44
88	Municipal consent for new liquor licence applications and extensions	\$ 183.19
89	Zoning Verification/Addendum (Single & Two Family Dwellings, Townhouses) - Regular	\$ -
90	Zoning Verification/Addendum (Non-Residential / Multi-Residential) - Regular	\$ -
91	Corporate Profile Report, Deed & Abstract Reports	100% cost recovery
92	Failure to fulfil conditions imposed by the Issuer of Licenses or the Licensing Tribunal	\$ 103.54
93	Special Occasions Permit - Administration Fee	\$ 78.76
94	Temporary Occupancy Permit	\$ 765.00
	Personal Transportation Provided	
95	Class A: Fleet of 100 or more vehicles	\$ 51,000.00
96	Class B: Fleet of 25-99 vehicles	\$ 20,400.00

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Licensing

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
97	Class C: Fleet of 1-24 vehicles	\$ 5,100.00
98	Per Trip Fee (Transaction fee per class A-C)	\$ 0.06

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

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: General: Planning Act Fees

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
1	<p>Cost Recovery on City-supported applications appealed to the LPAT</p> <p>Where an application approved by Council of the City of Hamilton is appealed to the LPAT, the applicant/respondent shall pay any and all costs incurred by the City to support the applicant/respondent at a hearing, including but not limited to the legal costs for in-house or retained counsel, the costs for City staff (not including Planning & Economic Development staff) and the costs of consultants and witnesses. Accordingly, applicants shall submit a completed Cost Acknowledgment Agreement, in a form as prescribed by the General Manager of Planning & Economic Development, together with their application.</p>	<p>varies (full cost recovery)</p>
<p><i>* Note: Fees do not include HST which will be added where applicable.</i></p>		

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development

Division: Parking & School Crossing - Hamilton Municipal Parking System

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
1	On-Street Parking Permits	\$ 87.61
2	Status of Agreement Inquiries (Front Yard Parking)	\$ 57.52
	Residential Boulevard Parking (Front Yard Parking)	
3	Teranet Registration	\$ 89.40
4	Processing Fee	\$ 265.49
5	Annual Admin Fee	\$ 10.00
6	Encroachment Insurance	\$ 10.00
	Commercial Boulevard Parking	
7	Registration	\$ 50.00
8	Processing Fee	\$ 332.74
9	Encroachment Insurance	\$ 10.00
10	Fee/space (first two spaces)	\$ 100.88
11	Fee/space (remaining spaces)	\$ 50.44
12	Access Permit Application	\$ 115.00

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development

Division: Parking & School Crossing - Hamilton Municipal Parking System

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
13	Inspection Fee for the Review of Business Licences	\$ 31.86
Adminstrative Penalty System (APS)**		
14	MTO Search	\$ 12.00
15	Late Payment	\$ 25.00
16	Fail to Attend Hearing	\$ 50.00
17	Plate Denial	\$ 22.00
<p><i>* Note: Fees do not include HST which will be added where applicable.</i></p>		

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Tourism

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
1	Tourism-Oriented Directional Signs (TODS) - 2' x 8'	\$ 168.30
2	Tourism-Oriented Directional Signs (TODS) - 1.5' x 6'	\$ 132.60
3	Tourism-Oriented Directional Signs (TODS) - 1' x 4'	\$ 66.30
4	Tourism-Oriented Directional Signs (TODS) - 1' x 5'	\$ 76.50
	LOGO Program - LINC & Redhill Parkway Road Signage Fees:	
5	- Mainlines/Ramps	\$ 2,500.00
6	- Trailblazing	\$ 200.00
	Visitors Centre Room Rental Rates (Social and Corporate)	
	Discounts are made available to not-for-profit and community-based organizations. Minimum hourly rates are recorded. Hourly rates will fluctuate based on cost recovery and net profit margin.	
7	Tourism Visitor Centre - daytime hourly rate	\$ 36.28
8	Premium for rentals involving alcohol consumption	\$ 502.65
9	Visitor's Services Centre - Special Events	Various rates for Special Events
	Hamilton Film Office Administration Fees	
	All Student Productions will be exempt from any permit fees	

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Tourism

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
10	For Profit Productions - Administration Fee	\$ 54.87
11	Non-Profit Productions - Administration Fee	\$ 27.43
<i>* Note: Fees do not include HST which will be added where applicable.</i>		

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Culture

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
	MUSEUM GENERAL ADMISSION FEES: Last increase in general admission was 2014 based on market analysis of competitors. New rates reflect current (2018) market analysis	
	Children's Museum - Adult: 18 to 59, Senior: 60+, Student/Youth: 13 to 17 or with valid student ID, Child: 1 to 12, Infant: under 1, Family: Two Adults and dependant children	
	All Other Sites - Adult: 18 to 59, Senior: 60+, Student/Youth: 13 to 17 or with valid student ID, Child: 6 to 12, Infant: 5 & under, Family: Two Adults and dependant children	
1	Dundurn Castle - Adult	\$ 10.62
2	Dundurn Castle - Senior	\$ 8.85
3	Dundurn Castle - Student/Youth	\$ 8.85
4	Dundurn Castle - Child	\$ 5.75
5	Dundurn Castle - Infant	Free
6	Dundurn Castle - Family	\$ 28.32
7	Hamilton Military Museum - Adult	\$ 3.98
8	Hamilton Military Museum - Senior	\$ 3.54
9	Hamilton Military Museum - Student/Youth	\$ 3.54
10	Hamilton Military Museum - Child	\$ 3.10
11	Hamilton Military Museum - Infant	Free

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Culture

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
12	Hamilton Military Museum - Family	\$ 11.50
13	Whitehern Historic House & Garden - Adult	\$ 6.64
14	Whitehern Historic House & Garden - Senior	\$ 5.75
15	Whitehern Historic House & Garden - Student/Youth	\$ 5.75
16	Whitehern Historic House & Garden - Child	\$ 4.87
17	Whitehern Historic House & Garden - Infant	Free
18	Whitehern Historic House & Garden - Family	\$ 19.47
19	Battlefield House Museum & Park - Adult	\$ 6.64
20	Battlefield House Museum & Park - Senior	\$ 5.75
21	Battlefield House Museum & Park - Student/Youth	\$ 5.75
22	Battlefield House Museum & Park - Child	\$ 4.87
23	Battlefield House Museum & Park - Infant	Free
24	Battlefield House Museum & Park - Family	\$ 19.47
25	Hamilton Museum of Steam & Technology - Adult	\$ 6.64
26	Hamilton Museum of Steam & Technology - Senior	\$ 5.75
27	Hamilton Museum of Steam & Technology - Student/Youth	\$ 5.75

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Culture

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
28	Hamilton Museum of Steam & Technology - Child	\$ 4.87
29	Hamilton Museum of Steam & Technology - Infant	Free
30	Hamilton Museum of Steam & Technology - Family	\$ 19.47
31	Hamilton Children's Museum - Adult	\$ 2.21
32	Hamilton Children's Museum - Senior	\$ 2.21
33	Hamilton Children's Museum - Student/Youth	\$ 2.21
34	Hamilton Children's Museum - Child	\$ 3.98
35	Hamilton Children's Museum - Infant	Free
36	Hamilton Children's Museum - Family	\$ 8.85
37	Fieldcote Memorial Park & Museum - Adult	\$ 3.54
38	Fieldcote Memorial Park & Museum - Senior	\$ 3.10
39	Fieldcote Memorial Park & Museum - Student/Youth	\$ 3.10
40	Fieldcote Memorial Park & Museum - Child	\$ 2.65
41	Fieldcote Memorial Park & Museum - Infant	Free
42	Fieldcote Memorial Park & Museum - Family	\$ 10.62

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Culture

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
43	Griffin House - Adult	Free
44	Griffin House - Senior	Free
45	Griffin House - Student/Youth	Free
46	Griffin House - Child	Free
47	Griffin House - Infant	Free

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Culture

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
	MUSEUM SPECIAL EVENTS Various rates for Special Events, Workshops, Seminars, Hands-on programs, Special Exhibits, etc.	
48	Dundurn Castle	Various rates for Special
49	Hamilton Military Museum	
50	Whitehern Historic House & Garden	
51	Battlefield House Museum & Park	
52	Hamilton Museum of Steam & Technology	
53	Hamilton Children's Museum	
54	Fieldcote Memorial Park & Museum	
	MUSEUM GROUP RATES General tour rates for Tour Operators, Group Leaders, Community Groups. Expenses incurred for specific programming may increase rate accordingly.	
55	Dundurn Castle - Adult	\$ 7.08
56	Dundurn Castle - Senior	\$ 7.08
57	Dundurn Castle - Youth	\$ 7.08
58	Dundurn Castle - Child	\$ 4.87
59	Dundurn Castle and Hamilton Military Museum - Adult	\$ 8.41
60	Dundurn Castle and Hamilton Military Museum - Senior	\$ 8.41
61	Hamilton Military Museum - Adult	\$ 3.10
62	Hamilton Military Museum - Senior	\$ 3.10
63	Hamilton Military Museum - Youth	\$ 3.10
64	Hamilton Military Museum - Child	\$ 2.65

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Culture

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
65	Dundurn National Historic Site: Guided tour of Grounds/Garden - Adult/Senior/Student	\$ 3.10
66	Dundurn National Historic Site: Guided tour of Grounds/Garden - Child	\$ 2.65
67	Whitehern Historic House & Garden - Adult	\$ 4.87
68	Whitehern Historic House & Garden - Senior	\$ 4.87
69	Whitehern Historic House & Garden - Youth	\$ 4.87
70	Whitehern Historic House & Garden - Child	\$ 3.98
71	Battlefield House Museum & Park - Adult	\$ 4.87
72	Battlefield House Museum & Park - Senior	\$ 4.87
73	Battlefield House Museum & Park - Youth	\$ 4.87
74	Battlefield House Museum & Park - Child	\$ 3.98
75	Hamilton Museum of Steam & Technology - Adult	\$ 4.87
76	Hamilton Museum of Steam & Technology - Senior	\$ 4.87
77	Hamilton Museum of Steam & Technology - Youth	\$ 4.87
78	Hamilton Museum of Steam & Technology - Child	\$ 3.98
79	Hamilton Children's Museum - Child - per child group fee for Party Room Rental	\$ 3.54
80	Fieldcote Memorial Park & Museum - Adult	\$ 2.65
81	Fieldcote Memorial Park & Museum - Senior	\$ 2.65
82	Fieldcote Memorial Park & Museum - Youth	\$ 2.65
83	Fieldcote Memorial Park & Museum - Child	\$ 2.21

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Culture

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
	<p>MUSEUM STUDENT AND YOUTH GROUP RATES Educational Program Rates - minimum rate of \$3.50 per student applies to programs 1 hour in length. Programs over 1 hour in length may include discount to hourly rate. Expenses incurred for specific programming may increase rate accordingly. Outreach Rates - Minimum flat rate.</p>	
84	Dundurn Castle - Elementary School per hour/student	\$ 3.50
85	Dundurn Castle - High School per hour/student	\$ 3.10
86	Dundurn Castle - Tour Only	\$ 5.31
87	Hamilton Military Museum - Elementary School per hr/student	\$ 3.50
88	Hamilton Military Museum - High School per hr/student	\$ 3.10
89	Hamilton Military Museum - Tour Only	\$ 2.65
90	Evening Tour After 5:00 pm (Dundurn and Military)	\$ 309.73
91	Evening Tour After 5:00 pm Additional Staff (Dundurn and Military)	\$ 141.59
92	Whitehern Historic House & Garden - Elementary School per hr/student	\$ 3.50
93	Whitehern Historic House & Garden - High School per hr/student	\$ 3.10
94	Whitehern Historic House & Garden - Tour Only	\$ 4.42
95	Battlefield House Museum & Park - Elementary School per hr/student	\$ 3.50
96	Battlefield House Museum & Park - High School per hr/student	\$ 3.10
97	Battlefield House Museum & Park - Tour Only	\$ 4.42

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Culture

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
98	Hamilton Museum of Steam & Technology - Elementary School per hr/student	\$ 3.50
99	Hamilton Museum of Steam & Technology - High School per hr/student	\$ 3.10
100	Hamilton Museum of Steam & Technology - Tour Only	\$ 4.42
101	Hamilton Children's Museum - Elementary School per hr/student	\$ 3.50
102	Fieldcote Memorial Park & Museum - Elementary School per hr/student	\$ 3.50
103	Fieldcote Memorial Park & Museum - High School per hr/student	\$ 3.10
104	Griffin House - Elementary School per hr/student	\$ 3.50
105	Griffin House - High School per hr/student	\$ 3.10
106	Hamilton Civic Museum Outreach Lecture	\$ 150.44
107	Hamilton Civic Museum Outreach Program- Elementary Flat rate	\$ 150.44
108	Hamilton Civic Museum Outreach Program	\$ 150.44
	MUSEUM MEMBERSHIPS (annual)	
109	Hamilton Museum of Steam & Technology - Organizational per person	\$ 13.27
110	Fieldcote Memorial Park & Museum - Youth	\$ 11.50
111	Fieldcote Memorial Park & Museum - Individual	\$ 21.24
112	Fieldcote Memorial Park & Museum - Family	\$ 30.97
113	Fieldcote Memorial Park & Museum - Supporting	\$ 101.77
114	Fieldcote Memorial Park & Museum - Benefactor	\$ 256.64
115	Fieldcote Memorial Park & Museum - Patron	\$ 508.85

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Culture

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
	<p>MUSEUM CHILD BIRTHDAY PARTIES Package rate will fluctuate according to client needs (i.e. program, craft, food, etc...) Minimum hourly rates are recorded. Hourly rates will fluctuate based on cost recovery and net profit margin.</p>	
116	Dundurn Castle - Package per person	\$ 15.93
117	Whitehern Historic House & Garden - Package per person	\$ 15.93
118	Battlefield House Museum & Park - Package per person	\$ 15.93
119	Hamilton Museum of Steam & Technology - Package per person	\$ 15.93
120	Hamilton Children's Museum - Package per person	\$ 15.93
121	Fieldcote Memorial Park & Museum - Package per person	\$ 15.93
	<p>MUSEUM RENTAL RATES (Social and Corporate) Discounts are made available to not-for-profit and community-based organizations. Minimum hourly rates are recorded. Hourly rates will fluctuate based on cost recovery and net profit margin.</p>	
122	Ancaster Old Town Hall	\$ 36.28
123	The Coach House at Dundurn - hourly rate	\$ 39.82
124	Dundurn Pavilion (Outdoor)	\$ 115.04

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Culture

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
125	The Stable at Whitehern - hourly rate	\$ 39.82
126	The Woodshed at HMST - hourly rate	\$ 39.82
127	"The Party Room" at Children's Museum - hourly rate	\$ 44.25
128	Private Rental Hamilton Children's Museum - hourly rate	\$ 128.32
129	Fieldcote Memorial Park & Museum Meeting Room - hourly rate	\$ 39.82
130	Battlefield Pavilion	\$ 88.50
131	Battlefield Pavilion (with use of kitchenette)	\$ 115.04

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Culture

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
132	Grandview at Battlefield Park - hourly rate	\$ 39.82
133	Premium for rentals involving alcohol consumption	\$ 486.73
MUSEUM RENTAL RATES - USE OF GROUNDS Discounts are made available to not-for-profit and community-based organizations.		
134	Dundurn Castle - Outdoor or Cockpit	\$ 526.55
135	Whitehern Historic House & Garden - Outdoor	\$ 340.71
136	Battlefield House Museum & Park - Outdoor	\$ 340.71
137	Hamilton Museum of Steam & Technology - Outdoor	\$ 340.71
138	Fieldcote Memorial Park & Museum - Outdoor	\$ 526.55
139	Evening Grounds Use After 5:00pm (All sites)	\$ 619.47
140	Dundurn parking lot- minimum rate	\$ 221.24
COMMERCIAL PHOTOGRAPHY - USE OF GROUNDS		
141	Ancaster Old Town Hall	\$ 163.72
142	Dundurn National Historic Site	\$ 163.72
143	Whitehern Historic House & Garden	\$ 163.72
144	Battlefield House Museum & Park	\$ 163.72

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Culture

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
145	Hamilton Museum of Steam & Technology	\$ 163.72
146	Fieldcote Memorial Park & Museum	\$ 163.72
	COMMERCIAL FILM RATES	
147	Site Supervisor - hourly rate	\$ 88.50
148	Additional monitoring - staff hourly rate	\$ 88.50
149	Hourly rate, in addition to staff hourly rate (above), for outside business hours or after eight (8) hours	\$ 44.25
150	Hourly rate for Site Supervision; midnight - 8am, Saturdays, Sundays & all Stat Holidays	\$ 163.72
151	Filming rate per exterior location per day (including setup, shooting and take down days). Note: there may be multiple locations per premises	\$ 575.22
152	Filming rate per interior location per day (including setup, shooting and take down days). Note: there may be multiple locations per premises Note: interior filming is not permitted in National Historic Sites (NHS). Other restrictions in other non-NHS or non-heritage spaces will apply	\$ 1,504.42
153	Use of part or all of parking lot for film per day	\$ 1,106.19
154	Research or Curatorial fee per day	\$ 442.48
* Note: Fees do not include HST which will be added where applicable.		

2019 APPROVED USER FEES AND CHARGES

Department: Planning & Economic Development

Division: Licensing & By-law Services - Administrative Penalty System (APS)

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
1	Late Payment (after 15 days)	\$ 50.44
2	Fail to Attend Hearing	\$ 100.00
3	Final notice of non-payment	\$ 24.78

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

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities
Division: Lodges and Ontario Works

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
Macassa Lodge		
1	Day Program - All Day	\$ 22.08
Wentworth Lodge		
2	Meals-on-Wheels	\$ 6.98
Helping Hands Program		
3	Regular Cleaning (1 Hour Minimum)	\$ 9.65
4	Heavy Cleaning (1 Hour Minimum) (Wall Washing, Window Cleaning, Rug Shampoo)	\$ 12.75
5	Lawn Maintenance (1 Hour Minimum)	\$ 12.75
6	Snow Shoveling (1 Hour Minimum)	\$ 12.75
7	Lawn Crew Services (1 Hour Minimum)	\$ 18.05
8	Snow Crew Services (1 Hour Minimum)	\$ 18.05
9	Air Conditioner Install or Removal (1 Hour Minimum)	\$ 18.05
10	Annual Administrative Fee	\$ 36.42
<p>* Note: Fees do not include HST which will be added where applicable.</p>		

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities
Division: Hamilton Fire Department

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
Triggering alarm not including testing alarm:		
1	4th or subsequent response in a 30 day period (property owner or individual responsible, where this can be determined)	\$ 511.55
2	6th or subsequent response in a calendar year (property owner or individual responsible, where this can be determined)	\$ 511.55
3	Testing alarm without notification to Fire Department (property owner)	\$ 731.55
Responses for Motor vehicles		
4	Within City, for a motor vehicle owned by a person who does not reside in the City (motor vehicle owner) \$511.55 per Fire Department vehicle for the 1st hour divided equally among motor vehicle owners if more than one motor vehicle	\$ 511.55
5	- Each Additional Hour (In Half Hour Increments)	\$ 255.80
Response for Open Air Burning		
6	Non-compliance with the Open Air Burning By-law including non-compliance with a permit issued under the By-law – second or subsequent response in a 12 month period (property owner) \$511.55 per Fire Department vehicle for the 1st hour	\$ 511.55
7	- Each Additional Hour (In Half Hour Increments)	\$ 255.80
Response for Natural Gas Leaks		
8	Failure to obtain Utility Service Locate (property owner) \$511.55 per Fire Department vehicle for the 1st hour	\$ 511.55
9	- Each Additional Hour (In Half Hour Increments)	\$ 255.80

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities
Division: Hamilton Fire Department

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
	Reports / Letters / File Searches	
10	Fire Department response report	\$ 41.02
11	Clearance/status letter	\$ 36.90
12	Outstanding work order file search	\$ 72.50
13	Environmental property search	\$ 482.75
	Fire Routes	
14	Establishing new fire routes or reviewing existing fire routes	\$ 245.75
	Events	
15	Non-emergency stand-by for events (e.g. film events, demolition derbies) \$511.55 per Fire Department vehicle for the 1st hour and 100% cost recovery for crew after the 1st hour	\$511.55 plus full cost recovery
	Inspections of Residential Buildings	
16	Daycares – licensed	\$ 163.94
17	Daycares – private home	\$ 68.23
18	Foster care homes with a capacity of less than or equal to 4	\$ 68.23
19	Group homes with a capacity of less than or equal to 4	\$ 68.23
20	Foster care homes with a capacity of more than 4	\$ 259.51
21	Group homes with a capacity of more than 4	\$ 259.51

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities
Division: Hamilton Fire Department

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
22	Student housing, Bed & Breakfast, Lodging house	\$ 259.51
23	Residential buildings with 1 dwelling	\$ 68.23
24	Residential buildings with 2 dwellings	\$ 327.79
25	Residential buildings with less than 4 stories and more than 2 dwelling units	\$ 573.54
26	Residential buildings with 4, 5 or 6 stories	\$ 969.65
27	Residential buildings with 7, 8, 9, 10 or 11 stories	\$ 1,132.70
28	Residential buildings with 12, 13, 14, 15, 16, 17 and 18 stories	\$ 1,296.86
29	Residential buildings with more than 18 stories	\$ 1,637.35
	Inspections of Non-Residential Buildings	
30	Non-residential buildings with less than 5 stories and less than 3,000 sq ft per floor	\$ 259.51
31	Non-residential buildings with less than 5 stories and 3,000 sq ft to 5,000 sq ft per floor	\$ 409.96
32	Non-residential buildings with less than 5 stories and more than 5,000 sq ft per floor	\$ 546.59
33	Non-residential buildings with 5 or more stories and less than 3,000 sq ft per floor	\$ 613.85
34	Non-residential buildings with 5 or more stories and 3,000 to 5,000 sq ft per floor	\$ 723.85
35	Non-residential buildings with 5 or more stories and more than 5,000 sq ft per floor	\$ 969.56
	Other Inspections	
36	AGCO liquor licence – indoor	\$ 177.43
37	AGCO liquor licence – patio	\$ 81.81
38	Municipal business licence	\$ 144.42

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities
Division: Hamilton Fire Department

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
39	Open air burning	\$ 163.94
	All Re-Inspections	
40	2nd or subsequent re-inspection	\$ 68.23
	Permits	
41	Family fireworks sale permit – store	\$ 204.91
42	Family fireworks sale permit – trailer	\$ 409.65
43	Open air burning permit	\$ 10.00
	Risk and Safety Management Plan Reviews (RSMPs) for Propane Facilities	
44	Level 2 propane facility (propane volume > 5K water gallons) – first RSMP	\$ 2,880.13
45	Level 2 propane facility (propane volume > 5K water gallons) – renewal RSMP	\$ 1,440.13
46	Level 2 propane facility (propane volume > 5K water gallons) – new RSMP resulting from modification or expansion of the propane facility	\$ 2,131.33
47	Level 1 propane facility (propane volume ≤ 5K water gallons) – all RSMPs	\$ 288.01
	Extraordinary Costs	
48	Costs in addition to costs ordinarily incurred to eliminate an emergency or risk, preserve property or evidence, or to investigate, including but not limited to:	100% Cost Recovery
	- renting equipment (e.g. specialized equipment);	
	- hiring contractors;	

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities
Division: Hamilton Fire Department

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
	- hiring professional services (e.g. engineering services);	
	- using consumable materials (e.g. foam)	
	- replacing damaged equipment (e.g. bunker gear, firefighting hose); or	
	- purchasing materials (e.g. shoring lumber)	

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

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities
Division: Hamilton Paramedic Service

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
Special Event Coverage		
1	Event coverage - 1 Ambulance & 2 Paramedics - min. 4 hours	\$ 957.39
2	- Each Additional Hour (In Half Hour Increments)	\$ 239.69
3	Event coverage - First Response Unit & 1 Paramedic - min. 4 hours	\$ 745.40
4	- Each Additional Hour (In Half Hour Increments)	\$ 186.42
Ambulance Reports/Investigations		
5	Copy of Ambulance Call Reports to Outside Agencies	\$ 81.15
6	Investigative Interview of Paramedics by Outside Agencies (Per Hour)	\$ 146.19
Preceptor Fees		
7	Paramedic Student Equipment Fee	\$ 56.24
8	Paramedic Student Preceptor Fee - Primary Care Paramedic (Per Hour)	\$ 1.90
9	Paramedic Student Preceptor Fee - Advanced Care Paramedic (Per Hour)	\$ 2.74
* Note: Fees do not include HST which will be added where applicable.		

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities

Division: Recreation

Fee Type: Ice Rates Fee increase Effective July 1, 2019

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
User Group Ice Rates (Hourly)		
1	Prime Time Non Subsidized	\$ 283.97
2	Prime Time Subsidized	\$ 153.48
3	Non Prime Time	\$ 212.98
4	Tournaments (Subsidized Groups Only)	\$ 212.98
5	Summer Ice Non Subsidized	\$ 306.95
6	Summer Ice Subsidized	\$ 212.98
7	Last Minute Ice (48 Hours Prior to Use, Non-Refundable)	\$ 153.48
8	Shooter Pad (1 Hour)	\$ 26.33
9	Shooter Pad (1 Hour) (Block Booking >50 hours)	\$ 19.75
* Note: Fees do not include HST which will be added where applicable.		

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities

Division: Recreation

Fee Type: Admission Fees Fee increase Effective July 1, 2019

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
	Admission fees applied to patrons upon entering Recreation Centres, Outdoor Pools, Arenas and Seniors' Facilities for non-registered drop-in programming.	
	Infant - 0 to 36 months (Free) Child/Youth - 3 to 17 years Adult - 18 to 54 years Seniors - 55+ years	
	Family - 1 to 2 adults and/or their dependent children under 18 years of age living at the same address	
	Recreation Centre & Pool Admission Fees	
	<i>Applied to drop-in gym programs as well as drop-in swimming programs which are staff supervised but not lead by an instructor.</i>	
1	Single Admit (Child/Youth/Senior)	\$ 2.99
2	Single Admit (Adult)	\$ 4.47
3	Single Admit (Family)	\$ 9.12
4	Single Admit (Fitness)	\$ 7.34
5	Single Admit (Fitness Specialty)	\$ 8.76
6	Single Admit (Fun Night)	\$ 5.91
7	Single Admit (Initiative Program)	\$ 1.95
8	Aqua Bike Rental	\$ 5.42
9	10 Visit Clip Card (Child/Youth/Senior)	\$ 21.81
10	10 Visit Clip Card (Adult)	\$ 33.53

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities

Division: Recreation

Fee Type: Admission Fees Fee increase Effective July 1, 2019

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
11	10 Visit Clip Card (Family)	\$ 68.40
12	Yearly Pass (Child/Youth/Senior)	\$ 41.50
13	Yearly Pass (Senior RFAP Clients)	\$ 10.38
14	Yearly Pass (Adult)	\$ 98.39
15	Yearly Pass (Adult RFAP Clients)	\$ 24.60
16	Yearly Pass (Family)	\$ 152.76
17	Yearly Pass (Replacement Card)	\$ 4.69
18	Non-Resident Fee Applied to Clip Cards & Yearly Pass Rates Above	\$ 13.59
19	Promotional Pass (Youth) (20 pack with expiration date)	\$ 10.00
	Waterfit Admission Fees	
	<i>Applied to instructor lead drop-in water fitness programs.</i>	
20	Single Admit (Youth)	\$ 3.29
21	Single Admit (Senior)	\$ 2.17
22	Single Admit (Adult)	\$ 4.92
23	Single Admit (Warm Water Exercise) (Adult)	\$ 6.15
24	Single Admit (Warm Water Exercise) (Senior)	\$ 4.92
25	Monthly Pass (Youth)	\$ 13.95

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities

Division: Recreation

Fee Type: Admission Fees Fee increase Effective July 1, 2019

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
26	Monthly Pass (Senior)	\$ 7.18
27	Monthly Pass (Adult)	\$ 20.41
28	25 Visit Clip Card (Youth)	\$ 53.46
29	25 Visit Clip Card (Senior)	\$ 28.05
30	25 Visit Clip Card (Adult)	\$ 79.95
31	Yearly Pass (Youth)	\$ 121.86
32	Yearly Pass (Senior)	\$ 72.48
33	Yearly Pass (Senior RFAP Clients)	\$ 36.24
34	Yearly Pass (Adult)	\$ 187.28
35	Yearly Pass (Adult RFAP Clients)	\$ 93.64
36	Yearly Pass (Replacement Card)	\$ 4.69
37	Non-Resident Fee Applied to Clip Cards, Yearly and Monthly Pass Rates Above	\$ 13.59
	Arena Admission Fees	
	<i>Applied to drop-in skating programs which are staff supervised but not lead by an instructor.</i>	
38	Single Admit (Child/Youth/Senior)	\$ 2.99
39	Single Admit (Adult)	\$ 4.47
40	Shinny (Adult)	\$ 6.91

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities

Division: Recreation

Fee Type: Admission Fees Fee increase Effective July 1, 2019

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
41	Shinny (Youth/Senior)	\$ 4.62
42	Single Admit (Family)	\$ 9.12
43	Figure Skating Ticket Ice	\$ 11.87
44	10 Visit Clip Card Shinny (Adult)	\$ 51.83
45	10 Visit Clip Card Shinny (Youth/Senior)	\$ 34.65
46	10 Visit Clip Card Figure Skating Ticket Ice	\$ 89.03
47	Yearly Pass (Child/Youth/Senior)	\$ 37.50
48	Yearly Pass (Adult)	\$ 57.54
49	Yearly Pass (Family)	\$ 84.85
50	Yearly Pass (Replacement Card)	\$ 4.69
51	Non-Resident Fee Applies to Yearly Pass Rates Above	\$ 13.59
52	Promotional Pass (Youth) (20 pack with expiration date)	\$ 10.00
Senior Facility Admission Fees		
<i>Applied to all users (age 55+) of the facility based on the facility's status with the municipality as either "Club" or "Centre" designation.</i>		
53	Single Admit	\$ 2.30
54	Yearly Pass (Senior Club)	\$ 5.31
55	Yearly Pass (Senior Centre)	\$ 31.14
56	Non-Resident Fee Applies to Yearly Pass Rates Above	\$ 13.59
* Note: Fees do not include HST which will be added where applicable.		

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities

Division: Recreation

Fee Type: Registered Program Fees Fee increase Effective July 1, 2019

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
	Registered program fees are applied to instructional classes and charged once for the duration of the class.	
	All registered program fees listed below are based on a single unit fee and multiplied by the number of classes to establish the full program fee unless specified.	
	Preschool - 0 to 5 years Child - 6 to 12 years Youth - 13 to 17 years Adult - 18 to 54 years Seniors - 55+ years	
	Family - 1 to 2 adults and/or their dependent children under 18 years of age living at the same address	
	Aquatic Programs	
1	Adult - Fitness Aqua Spinning (1 Hour Class)	\$ 8.15
2	Learn to Swim Program - Parented (30 Minute Class)	\$ 6.01
3	Learn to Swim Program (30 Minute Class)	\$ 6.77
4	Learn to Swim Program (45 Minute Class)	\$ 7.47
5	Learn to Swim Program (45 Minute Class) (Senior)	\$ 5.98
6	Private Lesson - Semi (30 Minute Class)/per class	\$ 20.01
7	Private Lesson - Tri (30 Minute Class)/per class	\$ 15.01
8	Private Lesson (30 Minute Class)/per class	\$ 25.01
9	Swim Patrol Program (1 Hour Class)	\$ 7.47
10	Non-Resident Fee Applies to All of the Above Rates	\$ 1.51

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities

Division: Recreation

Fee Type: Registered Program Fees Fee increase Effective July 1, 2019

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
Aquatic Leadership Programs		
<i>Any material costs and exam fees by the applicable service providers, are passed on to the client as an extra fee.</i>		
11	Bronze Cross	\$ 102.28
12	Bronze Medallion with Emergency First Aid	\$ 120.61
13	Bronze Medallion/Bronze Cross Recertification	\$ 63.46
14	Bronze Star	\$ 88.39
15	Diving Instructor	\$ 170.05
16	Lifesaving Society Aquatic Safety Inspector	\$ 73.10
17	Lifesaving Society Aquatic Supervisor Training (AST)	\$ 81.63
18	Lifesaving Society Aquatic Supervisor Training (AST) Instructor	\$ 85.29
19	Lifesaving Society Assistant Instructors	\$ 144.55
20	Lifesaving Society Combined Instructors	\$ 205.18
21	Lifesaving Society Examiner	\$ 40.50
22	Lifesaving Society First Aid Instructor	\$ 102.04
23	Lifesaving Society Safeguard	\$ 24.37
24	Lifesaving Society SEE Auditor	\$ 24.37
25	Lifesaving Society Standard First Aid	\$ 81.63
26	Lifesaving Society Standard First Aid (High School Rate)	\$ 6.36
27	Lifesaving Society Standard First Aid (Senior)	\$ 65.30
28	Lifesaving Society Standard First Aid Recertification	\$ 59.71
29	Lifesaving Society Trainer	\$ 128.24
30	National Lifeguard	\$ 205.18

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities

Division: Recreation

Fee Type: Registered Program Fees Fee increase Effective July 1, 2019

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
31	National Lifeguard Instructor Course	\$ 71.94
32	National Lifeguard Recertification	\$ 45.26
33	Swim for Fitness 13+	\$ 66.71
34	Swim for Fitness 6-12 years	\$ 67.23
35	Swim Synchro Ontario Instructor Course	\$ 82.67
36	SwimAbilities (12 Weeks) (1 Hour Class)	\$ 79.53
37	Synchro Routines/Diving Competition (1 Day)	\$ 8.92
38	Synchro/Diving (45 Minute Class)	\$ 70.05
39	Synchro/Diving (45 Minute Class) (Senior)	\$ 56.04
40	Synchro/Diving Program - Add-on Fee (45 Minute Class)	\$ 1.95
41	Warm Water Exercise (Senior Centre Partnership)	\$ 2.88
42	Withdrawal Fee	\$ 25.00
43	Non-Resident Fee Applies to All of the Above Rates	\$ 13.59
	Programs	
	<i>All Facilities - Applied to all facilities unless otherwise identified</i>	
44	Adult - Art/Music Program (1 Hour Class)	\$ 4.95
45	Adult - Dance/Fitness Program - Specialty (1 Hour Class)	\$ 7.30
46	Adult - Dance/Fitness Program (1 Hour Class)	\$ 6.12
47	Adult - Friday Framers Program (2 Hour Class)	\$ 2.80
48	Adult - Sport Program (Non-Instructed) (2 Hour Class)	\$ 5.81
49	Camp Specialty – Camp Kidaca Plus (5 day)	n/a

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities

Division: Recreation

Fee Type: Registered Program Fees Fee increase Effective July 1, 2019

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
50	Camp With Trip – Camp Kidaca (5 day)	n/a
51	Camp without trip – Camp Kidaca Lite (5 day)	n/a
52	Camp without trip – Camp Kidaca Base Fee (5 day)	\$ 25.40
53	Camp Specialty Add-On Fee	\$ 16.60
54	Camp Trip Add-On Fee	\$ 25.00
55	Child - Cycling Program (15 Hours)	\$ 125.35
56	Child - Music (Piano) (1 Hour Class)	\$ 13.51
57	Child - Program (1 Hour)	\$ 3.71
58	Child - Red Cross Babysitting (8 Hour Class)	\$ 45.05
59	Child - Smash Volleyball League (1.5 Hour Class)	\$ 9.12
60	High Five (PHCD) Certification (8 Hour Class)	\$ 61.29
61	Preschool - Parented Program (1 Hour Class)	\$ 3.61
62	Preschool - Program (1 Hour Class)	\$ 4.95
63	Senior - Dance/Fitness Program (1 Hour Class)	\$ 4.90
64	Senior - Dance/Fitness Program - Specialty (1 Hour Class)	\$ 5.84
65	Senior - Art/Music Program (1 Hour Class)	\$ 3.96
66	Senior - Sport Program (Non-Instructed) (2 Hour Class)	\$ 4.65
67	Special Needs (3 Hours, 12 Weeks)	\$ 10.93
68	Special Needs Fitness/Cooking (3 Hours, 6 Weeks)	\$ 14.81
69	Youth - Leadership (12 Hours)	\$ 72.65
70	Youth - Certification (4 Days)	\$ 90.29

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities

Division: Recreation

Fee Type: Registered Program Fees Fee increase Effective July 1, 2019

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
71	Youth - Fitness Program - Specialty (1 Hour Class)	\$ 6.45
72	Youth - Fitness Program (1 Hour Class)	\$ 4.77
73	Youth - Leadership Refresher (4 Hours)	\$ -
74	Late Pick-Up Fee (Per Each Half Hour)	\$ 10.00
75	Withdrawal Fee (Camps)	\$ 25.00
76	Withdrawal Fee (Registered Programs)	\$ 10.00
77	Non-Resident Fee Applies to All of the Above Rates	\$ 1.51
<p>* Note: Fees do not include HST which will be added where applicable.</p>		

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities

Division: Recreation

Fee Type: Rental Fees Fee increase Effective July 1, 2019

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
Sports Field Rentals		
1	Field/Diamond-Premium (Hourly)	\$ 42.25
2	Field/Diamond-Premium-Youth Affiliated (Hourly)	\$ 22.23
3	Field/Diamond-A (Hourly)	\$ 37.40
4	Field/Diamond-A-Youth Affiliated (Hourly)	\$ 18.70
5	Field/Diamond-B (Hourly)	\$ 25.96
6	Field/Diamond-B-Youth Affiliated (Hourly)	\$ 12.98
7	Field/Diamond-C (Hourly)	\$ 4.42
8	Field/Diamond-C-Youth Affiliated (Hourly)	\$ 2.35
9	Field-MINI (Hourly)	\$ 3.05
10	Field-MINI-Youth Affiliated (Hourly)	\$ 1.76
11	Class A Artificial Turf (Hourly)	\$ 126.54
12	Class A Artificial Turf - Youth/Outdoor Affiliated (Hourly)	\$ 63.27
Hall Rentals		
<i>Category A - Arts & Crafts Room; Meeting Room; Social Activity</i>		
13	Hourly Rate - Affiliate	\$ 2.32
14	Hourly Rate - Community Group	\$ 4.64
15	Hourly Rate - Standard	\$ 13.91
16	Hourly Rate - Commercial/Non-Resident	\$ 23.19
17	Daily Max (Rentals >8hrs charged 8hrs) - Affiliate	n/a

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities

Division: Recreation

Fee Type: Rental Fees Fee increase Effective July 1, 2019

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
18	Daily Max (Rentals >8hrs charged 8hrs) - Community Group	n/a
19	Daily Max (Rentals >8hrs charged 8hrs) - Resident	n/a
20	Daily Max - Affiliate	\$ 18.56
21	Daily Max - Community Group	\$ 37.12
22	Daily Max - Standard	\$ 111.28
	<i>Category B - Premium Room/Auditorium</i>	
23	Hourly Rate - Affiliate	\$ 11.59
24	Hourly Rate - Community Group	\$ 16.23
25	Hourly Rate - Standard	\$ 34.78
26	Hourly Rate - Commercial/Non-Resident	\$ 57.96
27	Daily Max (Rentals >8hrs charged 8hrs) - Affiliate	n/a
28	Daily Max (Rentals >8hrs charged 8hrs) - Community Group	n/a
29	Daily Max (Rentals >8hrs charged 8hrs) - Resident	n/a
30	Daily Max - Affiliate	\$ 92.72
31	Daily Max - Community Group	\$ 129.84

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities

Division: Recreation

Fee Type: Rental Fees Fee increase Effective July 1, 2019

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
32	Daily Max - Standard	\$ 278.24
<i>Category C - Gymnasium (Full)/Atrium/Lobby</i>		
33	Hourly Rate - Affiliate	\$ 16.71
34	Hourly Rate - Community Group	\$ 20.28
35	Hourly Rate - Standard	\$ 47.73
36	Hourly Rate - Commercial/Non-Resident	\$ 71.61
37	Daily Max (Rentals >8hrs charged 8hrs) - Affiliate	n/a
38	Daily Max (Rentals >8hrs charged 8hrs) - Community Group	n/a
39	Daily Max (Rentals >8hrs charged 8hrs) - Resident	n/a
40	Daily Max - Affiliate	\$ 133.68
41	Daily Max - Community Group	\$ 162.24
42	Daily Max - Standard	\$ 381.84
Parks		
43	Parks - Hamilton Pavilion (Per Booking)	\$ 72.70
44	Parks - Hamilton (Per Booking)	\$ 102.38
45	Parks - Hamilton Premium (Per Booking)	\$ 333.80

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities

Division: Recreation

Fee Type: Rental Fees Fee increase Effective July 1, 2019

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
46	Parks - Hamilton - Wedding Ceremony/Photos (Per Booking)	\$ 176.65
47	Parks - Special Event Exclusive Use Fee (Select Locations Only) (Per Booking)	\$ 766.35
	Pool Rentals	
	<i>Category A - Hot/Teach Pool (With 1 Lifeguard)</i>	
48	Hourly Rate - Community Group	\$ 32.64
49	Hourly Rate - Standard	\$ 71.12
50	Hourly Rate - Commercial/Non-Resident	\$ 113.79
	<i>Category B - Traditional Pools (With 2 Lifeguards) (All Other Facilities)</i>	
51	Hourly Rate - Community Group	\$ 61.79
52	Hourly Rate - Standard	\$ 129.99
53	Hourly Rate - Commercial/Non-Resident	\$ 207.99
	<i>Category C - Specialty Pools (With 2 Lifeguards) (Stoney Creek, Westmount, Valley Park)</i>	
54	Hourly Rate - Community Group	\$ 129.99
55	Hourly Rate - Standard	\$ 207.99
56	Hourly Rate - Commercial/Non-Resident	\$ 332.78
57	Slide Rental (Hourly)	\$ 96.97
	Arena Floor Rates	
58	Arena Floor Hamilton (Hourly)	\$ 48.64

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities

Division: Recreation

Fee Type: Rental Fees Fee increase Effective July 1, 2019

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
59	Arena Special Event (Per Booking)	\$ 525.12
	Extra Rental Fees	
60	Arena Event Cleaning Charge (Per Booking)	\$ 181.93
61	Arena Overtime (Per Booking)	\$ 364.19
62	Field & Park - Lights (Hourly)	\$ 13.51
63	Field & Park - Lights - Subsidized (Hourly)	\$ 7.50
64	Field & Park - Lights - Key Deposit	\$ 28.56
65	Field & Park - Hydro Access Fee (Per Booking)	\$ 6.30
66	Field & Park - Staff Maintenance OT (Per Booking)	\$ 387.50
67	Field & Park - Staff Maintenance OT Hourly (Hourly)	\$ 77.50
68	Flat Fee Damage Charge (Per Booking)	\$ 345.12
69	Flat Fee Gym/Kitchen Equipment (Hourly)	\$ 9.86
70	Flat Fee Kitchen Sanitization	\$ 60.00
71	Flat Fee Set-up Full Gym (Per Booking)	\$ 217.68
72	Flat Fee Set-up Half Gym (Per Booking)	\$ 108.98
73	Flat Fee Set-up Meeting Room (Per Booking)	\$ 56.44
74	Locker Key Replacement Fee	\$ 10.92
75	Parking Lot (Spot/Day) (Special Events Only)	\$ 6.55
76	Rental Amendment	\$ 5.47
77	Insurance Fee	\$ 5.47
78	Staff - Monitor/Additional Staffing (Hourly)	\$ 26.36

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities

Division: Recreation

Fee Type: Rental Fees Fee increase Effective July 1, 2019

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
79	Staff - Supervisor - Onsite/Extra Lifeguard/Waterfit Instructor (Hourly)	\$ 40.01
<i>* Note: Fees do not include HST which will be added where applicable.</i>		

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities
Division: Recreation - Golf Courses

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
Chedoke Green Fees-Beddoe		
1	Monday to Thursday - 18 Holes	\$ 39.59
2	Fri/Sat/Sun/Holidays - 18 Holes	\$ 46.04
3	Senior (60&up) - Monday to Thursday - 18 Holes	\$ 34.99
4	Senior (60&up) - Fri/Sat/Sun/Holidays - 18 Holes	\$ 39.59
5	Junior (18&under) - after 11 am	\$ 25.78
6	Twilight - Monday to Thursday	\$ 27.62
7	Twilight - Fri/Sat/Sun/Holidays	\$ 32.22
8	9 Hole - Monday to Thursday	\$ 23.01
9	9 Hole - Fri/Sat/Sun/Holidays	\$ 25.78
10	9 Hole Senior (60&up) - Monday to Thursday	\$ 20.26
11	9 Hole Senior (60&up)- Fri/Sat/Sun/Holidays	\$ 22.10
12	Sunset - after 6pm	\$ 23.01
Chedoke Green Fees - Martin		
13	Monday to Thursday - 18 Holes	\$ 30.38
14	Fri/Sat/Sun/Holidays - 18 Holes	\$ 34.99
15	Senior (60&up) - Monday to Thursday - 18 Holes	\$ 26.70
16	Senior (60&up) - Fri/Sat/Sun/Holidays - 18 Holes	\$ 29.46
17	Junior (18&under) - after 11 am	\$ 20.26
18	Twilight - Monday to Thursday	\$ 21.17
19	Twilight - Fri/Sat/Sun/Holidays	\$ 24.86
20	9 Hole - Monday to Thursday	\$ 17.49
21	9 Hole - Fri/Sat/Sun/Holidays	\$ 19.33
22	9 Hole Senior (60&up) - Monday to Thursday	\$ 15.65
23	9 Hole Senior (60&up)- Fri/Sat/Sun/Holidays	\$ 16.57

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities
Division: Recreation - Golf Courses

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
24	Sunset - after 6pm	\$ 17.49
	Chedoke Beddoe (only) Advantage Packs	
25	12 Rounds	\$ 433.20
26	24 Rounds	\$ 814.56
	Chedoke Golf Memberships	
27	Beddoe & Martin - Adult - any day	\$ 1,836.82
28	Beddoe & Martin - Couples - any day	\$ 3,214.42
29	Beddoe & Martin - Junior (18 & under) - any day	\$ 460.36
30	Beddoe & Martin - Senior (60 & over) - Monday to Friday only, excluding holidays	\$ 1,377.61
31	Beddoe & Martin - Weekday (excluding holidays)	\$ 1,377.61
32	Martin-Adult	\$ 1,196.92
33	Martin-Couples	\$ 2,094.61
34	Martin-Junior (18 & under) - any day	\$ 322.24
35	Martin-Senior (60 & over) - Monday to Friday only, excluding holidays	\$ 897.69
36	Martin-Weekday - excluding holidays	\$ 897.69
37	City Wide - Adult	\$ 2,388.35
38	City Wide - Couples	\$ 4,005.07
39	City Wide - Senior	\$ 1,736.99
40	City Wide - Weekday - excluding holidays	\$ 1,809.36
41	Intermediate Membership (19 - 34) - Any day	\$ 918.00
	Flex Pass - Chedoke - Beddoe	
	<i>Flex Pass Characteristics - ADULT</i>	
42	Activation Fee to Purchase Pass - One Time Fee	\$ 265.00

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities
Division: Recreation - Golf Courses

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
43	Peak Green Fee (25% off before 11am)	\$ 30.97
44	Non-Peak Green Fee (40% off)	\$ 24.78
45	Merchandise and Food and Beverage Discount (Excluding Alcohol)	10% off
	<i>Flex Pass Characteristics - SENIOR (60+)</i>	
46	Activation Fee to Purchase Pass - One Time Fee	\$ 225.00
47	Peak Green Fee (25% off before 11am)	\$ 26.55
48	Non-Peak Green Fee (40% off)	\$ 21.24
49	Merchandise and Food and Beverage Discount (Excluding Alcohol)	10% off
	<i>Flex Pass Characteristics - ADULT</i>	
50	Activation Fee to Purchase Pass - One Time Fee	\$ 265.00
51	Peak Green Fee (25% off before 11am)	\$ 18.58
52	Non-Peak Green Fee (40% off)	\$ 18.58
53	Merchandise and Food and Beverage Discount (Excluding Alcohol)	10% off
	<i>Flex Pass Characteristics - SENIOR (60+)</i>	
54	Activation Fee to Purchase Pass - One Time Fee	\$ 225.00
55	Peak Green Fee (25% off before 11am)	\$ 15.93
56	Non-Peak Green Fee (40% off)	\$ 15.93
57	Merchandise and Food and Beverage Discount (Excluding Alcohol)	10% off

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities
Division: Recreation - Golf Courses

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
Golf Carts - All Courses		
58	9 hole pull cart	\$ 2.65
59	18 hole pull cart	\$ 4.42
60	18 hole power cart	\$ 30.09
61	18 hole power cart - single rider	\$ 16.81
62	9 hole power cart	\$ 17.70
63	9 hole power cart - single rider	\$ 8.85
64	Sunset (After 6pm) Power cart	\$ 8.85
65	Sunset (After 6pm) Pull cart	\$ 2.65
Notes:		
Golf Assoc of Ont (GOA) Fee is added on top of regular fee.		
Tournament Rates are based by weekday or weekend tournaments and at a percentage of 10% less than the regular green fee and golf cart prices.		
* Note: Fees do not include HST which will be added where applicable.		

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities
Division: Recreation - Golf Courses

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
King's Forest Green Fees		
1	Monday to Thursday - 18 Holes	\$ 55.25
2	Fri/Sat/Sun/Holidays - 18 Holes	\$ 62.61
3	Senior (60&up) - Monday to Thursday - 18 Holes	\$ 42.35
4	Senior (60&up) - Fri/Sat/Sun/Holidays - 18 Holes	\$ 48.79
5	Junior (18&under) - after 11 am	\$ 29.46
6	Twilight - Monday to Thursday	\$ 35.90
7	Twilight - Fri/Sat/Sun/Holidays	\$ 39.59
8	9 Hole - Any day	\$ 29.46
9	9 Hole Senior (60&up) - Any day	\$ 24.86
King's Forest (only) Advantage Packs		
10	12 Rounds	\$ 590.48
11	24 Rounds	\$ 1,142.86
King's Forest Golf Memberships		
12	King's Forest -Adult	\$ 1,932.82
13	King's Forest -Couples	\$ 3,478.23
14	King's Forest -Junior (18&under) - any day	\$ 461.39
15	King's Forest -Senior (60 & over) Monday to Friday only, excluding holidays	\$ 1,379.37
16	King's Forest -Weekday	\$ 1,425.14
17	City Wide - Adult	\$ 2,389.42

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities
Division: Recreation - Golf Courses

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
18	City Wide - Couples	\$ 4,005.07
19	City Wide-Senior	\$ 1,736.99
20	City Wide - Weekday	\$ 1,809.36
21	Intermediate Membership (19 - 34) - Any day	\$ 1,020.00
22	Lower banquet room rental per hour	\$ 51.00
23	Main banquet room rental per hour	\$ 76.50
Flex Pass - King's Forest		
<i>Flex Pass Characteristics - ADULT</i>		
24	Activation Fee to Purchase Pass - One Time Fee	\$ 265.00
25	Peak Green Fee (25% off before 11am)	\$ 44.25
26	Non-Peak Green Fee (40% off)	\$ 35.40
27	Merchandise and Food and Beverage Discount (Excluding Alcohol)	10% off
<i>Flex Pass Characteristics - SENIOR (60+)</i>		
28	Activation Fee to Purchase Pass - One Time Fee	\$ 225.00
29	Peak Green Fee (25% off before 11am)	\$ 36.28
30	Non-Peak Green Fee (40% off)	\$ 29.20
31	Merchandise and Food and Beverage Discount (Excluding Alcohol)	10% off
Golf Carts - All Courses		
32	9 hole pull cart	\$ 2.65

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities
Division: Recreation - Golf Courses

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
33	18 hole pull cart	\$ 4.42
34	18 hole power cart	\$ 30.09
35	18 hole power cart - single rider	\$ 16.81
36	9 hole power cart	\$ 17.70
37	9 hole power cart - single rider	\$ 8.85
38	Sunset (After 6pm) Power cart	\$ 8.85
39	Sunset (After 6pm) Pull cart	\$ 2.65
Notes:		
Golf Assoc of Ont (GOA) Fee is added on top of regular fee.		
Tournament Rates are based by weekday or weekend tournaments and at a percentage of 10% less than the regular green fee and golf cart prices.		
* Note: Fees do not include HST which will be added where applicable.		

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities
Division: Public Health Services

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
Reproductive Health		
1	Prenatal Complete Class	\$ 45.13
Epidemiology, Wellness and Communicable Disease Control		
Inspection Fees (in addition to fees collected for Planning and/or Fire)		
2	Personal Services Settings Fee	\$ 113.27
Healthy Environments		
3	Property Status Reports (Work Orders) - No Inspection	\$ 50.44
4	Rezoning By-Law & Official Plan Amendment - Inspection	\$ 113.27
5	Land Severance - Inspection	\$ 113.27
6	Migrant Farm Worker Housing	\$ 124.78
7	Disinterment Inspections	\$ 126.55
8	Funeral Home Inspection	\$ 61.95
9	Letters of Compliance-Variou s Agencies	\$ 35.40
10	Special Events/Festivals - (per vendor/per event) - Inspection	\$ 34.51
11	Food Handlers Course (per person) - No Inspection	\$ 50.44
12	Special Events Late Fee - Inspection	\$ 25.66
13	Food Handler Training Challenge Exam - No Inspection	\$ 10.62
Inspection Fees (in addition to fees collected for Planning and/or Fire)		

2019 APPROVED USER FEES AND CHARGES

Department: Healthy and Safe Communities
Division: Public Health Services

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
14	Lodging House	\$ 107.08
15	Residential Care Facilities - annual/per bed	\$ 63.72
16	Food Safety Fee - High Risk	\$ 203.54
17	Food Safety Fee - Medium Risk	\$ 93.81
18	Food Safety Fee - Low Risk	\$ 46.90
19	Adult Entertainment Parlour	\$ 113.27
20	Body Rub Parlour Owner	\$ 113.27
21	Bed and Breakfast	\$ 93.81
22	Mobile Home Park - per site	\$ 136.28
23	Public Halls	\$ 46.90
24	Places of Amusement - Carnivals	\$ 39.82
25	Places of Amusement - Circus	\$ 46.90
26	Proprietary Club	\$ 46.90
27	Refreshment Vehicle - Class A	\$ 93.81
28	Refreshment Vehicle - Class B	\$ 93.81
29	Refreshment Vehicle - Class C	\$ 46.90
30	Recreational Camping Establishment	\$ 136.28
31	Seasonal Food Vendors	\$ 46.90
32	Tobacco Vendors - Inspection per Licence	\$ 190.27
33	Electronic Cigarettes - Inspection per Licence	\$ 61.95
<p>* Note: Fees do not include HST which will be added where applicable.</p>		

2019 APPROVED USER FEES AND CHARGES

Department: Public Works
Division: Engineering Services

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
1	Map C - Engineering Drawings (24 x 36)	\$ 19.15
2	Map C - Engineering Drawings (12 x 18)	\$ 9.57
3	City Specification Manual	\$ 91.38
4	Reports - Environmental Assessments and Master Plans	\$ 14.41
5	- plus fee/page	\$ 0.11
	Intrusive Environmental Investigations on City Owned Property	
6	General Administration Fee - Application Review by SEP	\$ 252.94
7	General Administration Fee - Application Workplan Review by Design	\$ 252.94
8	Agreement Preparation Fee	\$ 128.60
9	Field Review (Utility Co-ordinator Call Out)	\$ 234.87
10	Compliance Requests	\$ 101.91
11	Lawyer Fees - Inquiries	cost + 7%
12	Road Cut Permit Fees (EP)	\$ 576.07
13	Municipal Consent permit fees (MC) Short Stream	\$ 576.07
14	Municipal Consent permit fees (MC) Long Stream	\$ 1,152.03
15	Access Permits - Commercial or Multiple Dwelling	\$ 117.77
16	Overland Permit Annual - Overdimensional	\$ 129.21
17	Overload Permit Annual- Per tonne Overweight	\$ 202.51
18	+ Administration Fee when requires invoicing	\$ 63.32
19	Overload Permit Single Trip	\$ 64.55

2019 APPROVED USER FEES AND CHARGES

Department: Public Works
Division: Engineering Services

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
20	Encroachments on Road Allowance - Application Fee (excludes Outdoor Boulevard Cafes)	\$ 317.94
21	Encroachments - Annual Fee (excludes Outdoor Boulevard Cafes and Areaways)	\$ 61.27
22	Encroachments - Outdoor Blvd. Cafes - Application Fee	\$ 1,592.07
23	Encroachments - Annual Fee - Areaways-% of Market Value	\$ 0.05
24	Encroachments - Compliance Requests & Discharge Agreements	\$ 101.93
25	Active Encroachments - Annual Fee - Utility Corridors	Cost + 7%
26	Permanent Road Closure Application + Cost of Advertisement (AD) + Cost of Environmental Assessment (EA)	\$ 4,634.00 + Cost of AD + Cost of EA
27	Formal Consultation for Permanent Road Closure	\$ 1,061.21
28	Road Occupancy Permit Fee (14 days)	\$ 50.00
29	Temporary Lane Closure (per lane, per day)	\$ 50.00
30	Temporary Sidewalk Closure (per 14 days)	\$ 110.44
31	Temporary Road Closure - FULL Special Events & Filming (one time fee)	\$ 673.03
32	Temporary Road Closure - FULL Construction (one time fee)	\$ 1,446.68
33	Traffic Count Fee - provision of count data on file, on request	\$ 65.89
34	Damage to Traffic Property (street lighting equipment) Direct job costs	Cost + 7%
35	Street Lighting Subdivision Review Fee	\$ 1,500.00

2019 APPROVED USER FEES AND CHARGES

Department: Public Works
Division: Engineering Services

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
	Note: For documents that due to the size would not warrant the Approved user fee, a minimum fee of \$13.32 (plus HST) would be assessed. This would be to offset the administrative component to process requests.	
* Note: Fees do not include HST which will be added where applicable.		

2019 APPROVED USER FEES AND CHARGES

Department: Public Works
Division: Environmental Services

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
1	Park/Pavilion Rental - Bleacher Rental - First Day**	\$ 534.93
2	Park/Pavilion Rental - Bleacher Rentals - Additional Days**	\$ 356.63
3	Work done for others Parks Maintenance - Priced per Job	Priced per job- 100% recovered + 2% Admin Fee
4	Park amenity donation - Bench Priced per job	Priced per job- 100% recovered
5	Temporary Parks Access Permit Application Fee - per application	\$ 127.50
6	Cost to Repair Damage	Priced per job - 100% recovered
7	Temporary Parks Access Permit Security Deposit - per application	\$ 1,000.00
8	Mum Show Admissions - Adult (13 - 54 years old)	\$ 6.20
9	Mum Show Admissions - Seniors (55+ years old) and Children (6 - 12 years old)	\$ 5.31
10	Mum Show Admissions - Family Rate (2 Adults, 2 Children)	\$ 17.70
11	Mum Show Admissions - Week Pass	\$ 17.70
12	Mum Show Admissions - Tour Group (20 people)	\$ 88.50
13	Stage Rental -Priced per job	Priced per job- 100% recovered
14	Per parking space per day	\$ 15 per space/day

2019 APPROVED USER FEES AND CHARGES

Department: Public Works
Division: Environmental Services

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
15	Picnic Table Rental-6 pack/72hours	\$350/booking
16	Garbage Can Rental 10pack/72hours	\$300/booking
17	Roadway tree trimming for Horizon Utilities - per tree	Priced per job- 100% recovered
18	Commemorative Trees	\$ 500.00
19	Commemorative Trees - With Plaque	\$ 1,000.00
20	Work done for others Forestry - Priced per job	Priced per job- 100% recovered
21	Park amenity donation - Tree - Priced per job	Priced per job- 100% recovered
22	New Development Tree Installation (and minimum replacement value of tree)	\$ 626.11
	Permit for work performed on, in or under a public tree:	
23	- Minor: small scale project not requiring review of a Tree Management Plan	\$ 53.06
24	- Major: larger scale project requiring review of a Tree Management Plan	\$ 265.30
25	Removal of a public tree for a private individual or entity	Priced per job- 100% recovered + 7% admin fee

2019 APPROVED USER FEES AND CHARGES

Department: Public Works
Division: Environmental Services

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
26	Replacement of a public tree for a private individual or entity (Total number of replacement trees = diameter of the public tree at 1.3 metres / diameter of the replacement trees. Cash in lieu of replacement calculated at 1.3 metres).	Priced per job – 100% recovered + 7% admin fee
27	Wedding photos in Greenhouse - before 5 pm (2 hour block)	\$ 225.00
28	Wedding photos in Greenhouse - after 5 pm (2 hour block)	\$ 300.00
29	Work done for others by Horticulture - Priced per job	Priced per job- 100% recovered
30	Gage Park Electronic Sign (Programming)	\$ 100.00
31	Gage Park Tropical Greenhouse Rental - half day (4 hrs) between 9am and 5pm	\$ 250.00
32	Gage Park Tropical Greenhouse Rental - full day (7 hrs) between 9am and 5pm	\$ 450.00
33	Gage Park Tropical Greenhouse Rental - Evening between 5pm and 11pm.	\$ 540.00
34	Banner Installations - Main Street West	\$ 318.84
35	Banner Installations - King Street West (Dundas)	\$ 490.19
	** In addition to the fees noted with a **, users pay 100% of the cost of delivery, set-up and takedown of bleachers	
* Note: Fees do not include HST which will be added where applicable.		

2019 APPROVED USER FEES AND CHARGES

Department: Public Works

Division: Environmental Services - Cemeteries

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
1	Interment of an Adult at Standard Depth (6-ft)	\$ 1,087.00
2	Interment of an Adult at Double Depth (8-ft)	\$ 1,353.00
3	Entombment in a Mausoleum Crypt - includes sealing	\$ 647.00
4	Interment of a Child - Stillborn - Case up to 24"	\$ 224.00
5	Interment of a Child - Case 25" to 72" - Standard Depth (6-ft)	\$ 676.00
6	Interment of a Child - Case 25" to 72" - Double Depth (8-ft)	\$ 910.00
7	Interment of Cremated Remains - Urn Garden Grave	\$ 435.00
8	Interment of Cremated Remains - Columbarium Niche	\$ 370.00
9	Interment of Cremated Remains - Cremorial (Woodland Only)	\$ 128.00
10	Interment Rights purchased before January 1, 1955 - Care & Maintenance	\$ 235.00
11	Interment Late Fee (for Funeral arriving > 30 minutes after ETA)	\$ 197.00
12	Interment on Saturday - Traditional Burial - 8:30am to 11:00am	\$ 796.00
13	Interment on Saturday - Cremated Remains - 8:30am to 11:00am	\$ 629.00
14	Interment on Non-Statutory Holiday - Traditional Burial 8:30am to 11:00am	\$ 1,399.00
15	Interment on Non-Statutory Holiday - Cremated Remains - 8:30am to 11:00am	\$ 764.00
16	Interment on Statutory Holiday - Traditional Burial - 8:30am to 11:00am	\$ 2,050.00
17	Interment on Statutory Holiday - Cremated Remains - 8:30am to 11:00am	\$ 1,386.00
18	Interment - Lowering: Adult - from 6ft to 8 ft - Shell	\$ 4,040.00
19	Interment - Lowering: Adult - from 6ft to 8 ft - Vault or Crypt	\$ 3,369.00
20	Interment - Lowering: Child - from 6ft to 8 ft - Shell	\$ 1,764.00

2019 APPROVED USER FEES AND CHARGES

Department: Public Works

Division: Environmental Services - Cemeteries

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
21	Interment - Lowering: Child - from 6ft to 8 ft - Vault or Crypt	\$ 1,467.00
22	Interment - Removal: Adult - 6-ft No Outer Container (Shell)	\$ 3,537.00
23	Interment - Removal: Adult - 8-ft No Outer Container (Shell)	\$ 4,386.00
24	Interment - Removal: Adult - 6-ft Outer Container (Vault or Crypt)	\$ 2,905.00
25	Interment - Removal: Adult - 8-ft Outer Container (Vault or Crypt)	\$ 3,562.00
26	Interment - Removal: Child - 6-ft No Outer Container (Shell)	\$ 1,067.00
27	Interment - Removal: Child - 8-ft No Outer Container (Shell)	\$ 1,442.00
28	Interment - Removal: Child - 6-ft Outer Container (Vault or Crypt)	\$ 871.00
29	Interment - Removal: Child - 8-ft Outer Container (Vault or Crypt)	\$ 1,322.00
30	Disinterment of Cremated Remains - Urn Garden Grave	\$ 435.00
31	Disinterment of Cremated Remains - Columbarium Niche	\$ 370.00
32	Lot Sale - Singles-in-a-Row (At Need Only)	\$ 1,105.00
33	Lot Sale - single flat marker only	\$ 1,930.00
34	Lot Sale- green/natural section	\$ 2,870.00
35	Lot Sale -preferred single premium lot	\$ 2,870.00
36	Lot Sale - two grave flat marker only	\$ 3,860.00
37	Lot Sale - three grave flat marker only	\$ 5,790.00
38	Lot Sale - four grave flat marker only	\$ 7,720.00
39	Lot Sale - monument	\$ 2,085.00

2019 APPROVED USER FEES AND CHARGES

Department: Public Works

Division: Environmental Services - Cemeteries

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
40	Lot Sale - two grave monument	\$ 4,170.00
41	Lot Sale - three grave monument	\$ 6,255.00
42	Lot Sale - four grave monument	\$ 8,340.00
43	Lot Sale - Veteran's Grave Section 18 - Woodland Only	\$ 1,025.00
44	Lot Sale - Child: Stillborn - Case up to 24"	\$150.00 C&M portion only
45	Lot Sale - Child 72"	\$ 510.00
46	Lot Sale - Mausoleum Crypt	\$ 2,960.00
47	Lot Sale - Cremation Urn Garden Grave	\$ 995.00
48	Lot Sale - Cremation Urn Garden Grave - (Woodland and Premium)	\$ 1,315.00
49	Lot Sale - 6 ft Burials ONLY	\$ 3,025.00
50	Lot Sale - two grave lot Premium (Woodland Sec 14)	\$ 6,085.00
51	Lot Sale - three grave monument (Woodland Sec 14)	\$ 9,125.00
52	Lot Sale - four grave monument (Woodland Sec 14)	\$ 12,170.00
53	Niche Sale - Bronze Wreath Plaque	\$ 2,925.00
54	Niche Sale - Monument engraved plaque	\$ 2,260.00
55	Niche Sale - Cremorial (Woodland only)	\$ 1,665.00
56	Niche Sale - Lower Level (Rows 1 &2)	\$ 2,150.00
57	Niche Sale - Upper Level (Rows 3-5)	\$ 2,835.00
58	Niche Sale - Woodland Tranquility Gardens	\$ 5,075.00
59	Niche Sale - Premium (Hamilton Cemetery)	\$ 3,765.00
60	Cremation Bench Sale (Tranquility Gardens) interment rights (for 2)	\$ 2,500.00

2019 APPROVED USER FEES AND CHARGES

Department: Public Works

Division: Environmental Services - Cemeteries

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
61	Cremation bench Sale (Tranquility Gardens) granite bench	starting from \$5,500
62	Non-Resident Surcharge	\$ 0.25
63	Markers and Foundations - Concrete Foundation Pouring - per square inch of surface area to a depth of 5-ft	\$ 143.00
64	Markers and Foundations - Foundation Removal Fee	Priced per job- 100% recovered
65	Markers and Foundations - Marker Setting Fee: 12" x 10" - Flat Marker (No C&M)	\$ 150.00
66	Markers and Foundations - Marker Setting Fee: Child's 18" x 14" Flat Marker (Plus C&M)	\$ 150.00
67	Markers and Foundations - Marker Setting Fee: All other size Flat Marker - maximum size 24" x 18" (Plus C&M)	\$ 220.00
68	Markers and Foundations - Marker Setting Fee: DVA Flat Marker: plus C&M	\$ 187.00
69	Markers and Foundations - Marker Setting Fee: Bronze Vase	\$ 220.00
70	Markers and Foundations - Marker Setting Fee: DVA Upright Marker: plus C&M	\$ 187.00
71	Care & Maintenance - Flat Marker (173 inches or greater)	\$ 50.00
72	Care & Maintenance - DVA Flat Marker	\$ 50.00
73	Care & Maintenance - Small Foundations (up to 38" x 14" or 532 sq inches)	\$ 100.00
74	Care & Maintenance - Large Foundations (greater than 532 sq inches)	\$ 200.00
75	Care & Maintenance - DVA Upright Marker	\$ 100.00
76	Cemetery license fees	\$ 12.00
77	Columbarium Niche Bronze Plaque	\$ 595.00
78	Columbarium Niche Bronze Plaque - Date scroll	\$ 125.00

2019 APPROVED USER FEES AND CHARGES

Department: Public Works

Division: Environmental Services - Cemeteries

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
79	Columbarium Niche - Companion Vase (Plastic)	\$ 160.00
80	Columbarium Niche - Companion Vase (Bronze)	\$ 175.00
81	Cremorial Bronze Plaque	\$ 295.00
82	Merchandise / Miscellaneous Services - Flower Beds - Supply, install & maintain Flower Bed - per grave to a maximum of three graves	\$ 604.00
83	Merchandise / Miscellaneous Services: 3rd Party Resale and/or Property Exchange	\$ 236.00
84	Merchandise / Miscellaneous Services - Duplicate Deed/Interment Rights Certificate/Transfer of Rights (copy)	\$ 30.00
85	Merchandise / Miscellaneous Services - Graveside Services: Tent and Chair	Priced per job- 100% recovered
86	Merchandise / Miscellaneous Services - Genealogical Research (per name)	\$ 35.00
87	Merchandise / Miscellaneous Services - Memorial Tree Planting (12"x10" stone; 6"x8" bronze plaque)	\$ 1,160.00
88	Merchandise / Miscellaneous Services - Memorial Bench (bench; 8" x 5" bronze plaque with 3 lines)	\$ 1,710.00
89	Merchandise / Miscellaneous Services - Temporary Marker (permitted for up to one year)	\$ 106.00
90	Merchandise / Miscellaneous Services - Columbarium Plaque or Vase Installation	\$ 150.00
91	Outer Container - Concrete Crypt - Youth	\$ 760.00
92	Outer Container - Concrete Crypt - Intermediate	\$ 830.00
93	Outer Container - Concrete Crypt - Oversize	\$ 999.00
94	Temporary Access Permit from Cemetery Lands onto Private Property	\$ 128.00
95	Administrative Fee: Third Party Resale and/or Property Exchange	\$ 236.00
96	Graveside Service Fee	Priced per job- 100% recovered

2019 APPROVED USER FEES AND CHARGES

Department: Public Works

Division: Environmental Services - Cemeteries

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
97	Tent Rental 10'x10' per use	\$ 155.00
98	Chair Rental 4 chairs/per use	\$ 180.00
99	Vaults	starting at \$1135.00
100	Urn Vaults	starting at \$775.00
101	Inscription Dateline	min charge \$270.00, per letter charge \$7.00
102	Monument/Marker cleaning	starting at \$350.00
103	Repainting of letters on monument/marker	starting at \$350.00
104	Urns	starting at \$280.00
105	Markers	starting at \$510.00
106	Monuments	starting at \$2685
107	Film shoot daily charge	\$1500.00 per day
108	Parking for film vehicles	\$30.00 per vehicle per day
109	Other filming charge, ie use of building etc	\$ 750.00
110	Porcelain Pictures - b/w	\$ 320.00
111	Porcelain Pictures - colour	\$ 375.00
112	Vigil Lights	starting at \$450.00
113	Turf Repair fee	Priced per job- 100% recovered

2019 APPROVED USER FEES AND CHARGES

Department: Public Works

Division: Environmental Services - Cemeteries

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
114	Green/Natural Section Memorialization	\$ 595.00
115	Access Fee - for Photo shoots, birdwatching etc	\$10.20 per day
116	Outside Inscription & Memorial Application, Documentation & Inspection Fees - Inscription only	\$ 25.00
117	Outside Inscription & Memorial Application, Documentation & Inspection Fees - Flat Memorial	\$ 50.00
118	Outside Inscription & Memorial Application, Documentation & Inspection Fees - Upright Memorial	\$ 100.00
<p>* Note: Fees do not include HST which will be added where applicable.</p>		

2019 APPROVED USER FEES AND CHARGES

Department: Public Works

Division: Environmental Services - Waste Management

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
1	Residential Recycling Blue Box Container Replacement - Fee charged to residents that receive more then 2 blue boxes per year	cost
2	Recycling Blue Box Container - School Board	cost
3	Recycling Blue Carts - School Board	cost
4	Residential Green Cart Replacement (per SMALL cart)	cost
5	Residential Green Cart Replacement (per LARGE cart)	cost
6	Kitchen "Mini-bin" Organics Container	cost
	Waste Management Per Event Fee for Non-Funded Festivals and Events:	
7	- Recycling (up to 25 barrels)	\$ 1,471.18
8	- Garbage - per roll off bin (plus tipping fees)	\$ 183.76
9	- Organics (up to 25 green carts)	\$ 655.72
10	- Administrative Fee per event	\$ 140.51
11	- Recycling Containers - replacement of damaged blue barrels	cost
12	- Organics Containers - replacement of damaged green carts	cost
13	- Garbage Containers - replacement of damaged containers	cost
14	Waste Removal - Non Compliance Fee (plus tipping fees)	\$ 342.46
15	Backyard Composters	cost
16	Tipping Fee per 100 kilograms	\$ 11.75
17	Minimum Vehicle Fee	\$ 8.50
	Deposit Fees at Transfer Stations:	
18	0-2500kg	\$ 50.00

2019 APPROVED USER FEES AND CHARGES

Department: Public Works

Division: Environmental Services - Waste Management

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
19	2501-3000 kg	\$ 100.00
20	3001-6000 kg	\$ 200.00
21	6001-9000 kg	\$ 300.00
22	Over 9000 kg	\$ 400.00
23	Impacted Soil Fee (per tonne)	\$ 12.00

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

2019 APPROVED USER FEES AND CHARGES

Department: Public Works
Division: Roads & Traffic

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
1	Damage to Traffic Property (i.e.. Traffic posts, traffic signs, signal poles) Priced per job. Direct job costs	cost + 7%
2	Banner/Sign Fabricating - external requests - Priced per Job	cost + 7%
3	Municipal Numbering Fees - Full installation by City Forces	\$ 182.49
4	Municipal Numbering Fees - Materials for Homeowner Installation (including delivery)	\$ 31.63
5	Traffic Signal Timing Plans - Inquiries	\$ 258.39
6	Traffic Signal Timing Plans - Drawings	\$ 61.02
7	Traffic Count Fee - provision of count data on file, on request	\$ 65.89
8	Traffic Warning Boards - install and remove	cost + 7%
9	Traffic Signs - remove and replace	cost + 7%
10	Publication Box Permit - Initial Fee	\$ 49.50
11	Publication Box Annual Permit Renewal	\$ 33.00
12	Culvert Installation - Roads - Priced per job	Cost

2019 APPROVED USER FEES AND CHARGES

Department: Public Works
Division: Roads & Traffic

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
13	Culvert Installation - Inspection Only - Priced per job	Cost
14	Repair-Replace Property on City Roads - Priced per job	Cost
15	Approach Ramp Installation	Cost
16	Personal Item Retrieval (Catch Basin Retrieval)	\$ 112.20
17	Street Flushing/Sweeping/Mud-Tracking - Developers - Priced per job	Cost
18	Snow Removal - Public School Board - Sidewalks - Cost Actuals	Cost
19	Snow Removal - Separate School Board - Sidewalks - Cost Actuals	Cost
20	Temporary Road Access Permit Application Fee - per application	\$ 117.30
21	Temporary Road Access Permit Security Deposit - per application	\$ 1,000.00
* Note: Fees do not include HST which will be added where applicable.		

2019 APPROVED USER FEES AND CHARGES

Department: Public Works

Division: Energy, Fleet and Facilities - Tim Horton's Field

	Service or Activity Provided or Use of City Property	2019 Approved Fee
	RENTAL RATES	
	Community Sport Programming	
1	Adults & Non-affiliated Youth (Hourly)	\$ 129.89
2	Youth Affiliated (Hourly)	\$ 64.95
3	Lights when required (Hourly)	\$ 27.06
	Community Room Rentals - Level 1	
	Room 1E501 - Alumni Room (1,800 sq ft.)	
4	Commercial/Non-resident (Hourly)	\$ 130.05
5	Resident (Hourly)	\$ 78.03
6	Community Group (Hourly)	\$ 36.41
7	Affiliate Group (Hourly)	\$ 26.01
8	Caretaker's Club (Soccer Warm-up Area) (Hourly Rate)	\$ 78.03
	Community Room Rentals - Level 2	
	Room 2W 600 - City Lounge (1,625 sq ft.)	
9	Daily Max (Rentals >5hrs charged 5hrs) - Commercial/Non-resident	\$ 270.61
10	Daily Max (Rentals >5hrs charged 5hrs) - Resident	\$ 162.36
11	Daily Max (Rentals >5hrs charged 5hrs) - Community Group	\$ 75.77

2019 APPROVED USER FEES AND CHARGES

Department: Public Works

Division: Energy, Fleet and Facilities - Tim Horton's Field

	Service or Activity Provided or Use of City Property	2019 Approved Fee
12	Daily Max (Rentals >5hrs charged 5hrs) - Affiliate Group	\$ 54.12
	Room 2W 336 - Community Video Room (194 sq ft.)	
13	Daily Max (Rentals >5hrs charged 5hrs) - Commercial/Non-resident	\$ 108.24
14	Daily Max (Rentals >5hrs charged 5hrs) - Resident	\$ 64.95
15	Daily Max (Rentals >5hrs charged 5hrs) - Community Group	\$ 21.65
16	Daily Max (Rentals >5hrs charged 5hrs) - Affiliate Group	\$ 10.82
	Room 2W 601 - Community Room (280 sq ft.)	
17	Daily Max (Rentals >5hrs charged 5hrs) - Commercial/Non-resident	\$ 108.24
18	Daily Max (Rentals >5hrs charged 5hrs) - Resident	\$ 64.95
19	Daily Max (Rentals >5hrs charged 5hrs) - Community Group	\$ 21.65
20	Daily Max (Rentals >5hrs charged 5hrs) - Affiliate Group	\$ 10.82
	Room 2W 602 - Community Room (280 sq ft.)	
21	Daily Max (Rentals >5hrs charged 5hrs) - Commercial/Non-resident	\$ 108.24
22	Daily Max (Rentals >5hrs charged 5hrs) - Resident	\$ 64.95
23	Daily Max (Rentals >5hrs charged 5hrs) - Community Group	\$ 21.65
24	Daily Max (Rentals >5hrs charged 5hrs) - Affiliate Group	\$ 10.82
	Room 2W 603 - Community Room (366 sq ft.)	

2019 APPROVED USER FEES AND CHARGES

Department: Public Works

Division: Energy, Fleet and Facilities - Tim Horton's Field

	Service or Activity Provided or Use of City Property	2019 Approved Fee
25	Daily Max (Rentals >5hrs charged 5hrs) - Commercial/Non-resident	\$ 108.24
26	Daily Max (Rentals >5hrs charged 5hrs) - Resident	\$ 64.95
27	Daily Max (Rentals >5hrs charged 5hrs) - Community Group	\$ 21.65
28	Daily Max (Rentals >5hrs charged 5hrs) - Affiliate Group	\$ 10.82
	Amateur Sport Events - Spectator Events	
	(not-for-profit and charitable organizations)	
29	Lower Bowl - west side only (Hourly)*	\$127.34 per hour
30	Upper & Lower Bowl - west side only (Daily)*	\$5,000.00 per day
31	Full Stadium (Daily)*	\$7,500.00 per day
32	Film Shoots	Negotiable
33	Photography (Commercial Rate)	\$424 per hour (minimum 4 hours or \$1,696.00)
34	Photography (Wedding Photography Only) (2 hour maximum)	\$ 182.07

2019 APPROVED USER FEES AND CHARGES

Department: Public Works

Division: Energy, Fleet and Facilities - Tim Horton's Field

Service or Activity Provided or Use of City Property	2019 Approved Fee
Concerts	
35 West Stands Only	Negotiable
36 Full Stadium	Negotiable
Corporate Gatherings/Professional Sports	
37 Upper & Lower Bowl - west side only (Daily)*	\$10,000.00 per day
38 Full Stadium (Daily)*	\$15,000.00 per day
Corporate Room Rentals - Level 4	
Room 4W 300 (1,012 sq ft.) - Barry's Club	
39 Social/Corporate - Day Rate *	\$ 318.36
40 Social/Corporate - Evening Rate *	\$ 318.36
41 Social/Corporate - Day & Evening Rate *	\$ 573.05
42 Community Groups (not-for-profit) - Day Rate *	\$ 191.02
43 Community Groups (not-for-profit) - Evening Rate *	\$ 191.02
44 Community Groups (not-for-profit) - Day & Evening*	\$ 343.83
45 City of Hamilton - Day Rate *	\$ 95.51
46 City of Hamilton - Evening Rate *	\$ 95.51
47 City of Hamilton - Day & Evening Rate *	\$ 171.92
Room 4W 301 (1,410 sq ft.) - Pinty's Club	

2019 APPROVED USER FEES AND CHARGES

Department: Public Works

Division: Energy, Fleet and Facilities - Tim Horton's Field

	Service or Activity Provided or Use of City Property	2019 Approved Fee
48	Social/Corporate - Day Rate *	\$ 477.54
49	Social/Corporate - Evening Rate *	\$ 477.54
50	Social/Corporate - Day & Evening Rate *	\$ 859.58
51	Community Groups (not-for-profit) - Day Rate *	\$ 286.53
52	Community Groups (not-for-profit) - Evening Rate *	\$ 286.53
53	Community Groups (not-for-profit) - Day & Evening*	\$ 515.75
54	City of Hamilton - Day Rate *	\$ 143.26
55	City of Hamilton - Evening Rate *	\$ 143.26
56	City of Hamilton - Day & Evening Rate *	\$ 257.87
	Room 4W 313 (5,952 sq ft.) - Champions Club	
57	Social/Corporate - Day Rate *	\$ 1,485.69
58	Social/Corporate - Evening Rate *	\$ 1,485.69
59	Social/Corporate - Day & Evening Rate *	\$ 2,674.24
60	Community Groups (not-for-profit) - Day Rate *	\$ 891.41
61	Community Groups (not-for-profit) - Evening Rate *	\$ 891.41
62	Community Groups (not-for-profit) - Day & Evening*	\$ 1,604.55
63	City of Hamilton - Day Rate *	\$ 445.71
64	City of Hamilton - Evening Rate *	\$ 445.71
65	City of Hamilton - Day & Evening Rate *	\$ 802.27
	Room 4W 314 (1,410 sq ft.) - Nissan Room	
66	Social/Corporate - Day Rate *	\$ 477.54

2019 APPROVED USER FEES AND CHARGES

Department: Public Works

Division: Energy, Fleet and Facilities - Tim Horton's Field

	Service or Activity Provided or Use of City Property	2019 Approved Fee
67	Social/Corporate - Evening Rate *	\$ 477.54
68	Social/Corporate - Day & Evening Rate *	\$ 859.58
69	Community Groups (not-for-profit) - Day Rate *	\$ 286.53
70	Community Groups (not-for-profit) - Evening Rate *	\$ 286.53
71	Community Groups (not-for-profit) - Day & Evening*	\$ 515.75
72	City of Hamilton - Day Rate *	\$ 143.26
73	City of Hamilton - Evening Rate *	\$ 143.26
74	City of Hamilton - Day & Evening Rate *	\$ 257.87
	Room 4W 315 (1,012 sq ft.) - Carstar	
75	Social/Corporate - Day Rate *	\$ 318.36
76	Social/Corporate - Evening Rate *	\$ 318.36
77	Social/Corporate - Day & Evening Rate *	\$ 573.05
78	Community Groups (not-for-profit) - Day Rate *	\$ 191.02
79	Community Groups (not-for-profit) - Evening Rate *	\$ 191.02
80	Community Groups (not-for-profit) - Day & Evening*	\$ 343.83
81	City of Hamilton - Day Rate *	\$ 95.51
82	City of Hamilton - Evening Rate *	\$ 95.51
83	City of Hamilton - Day & Evening Rate *	\$ 171.92

2019 APPROVED USER FEES AND CHARGES

Department: Public Works

Division: Energy, Fleet and Facilities - Tim Horton's Field

	Service or Activity Provided or Use of City Property	2019 Approved Fee
	Club Level - includes all rooms noted above (10,796 sq ft.)	
84	Social/Corporate - Day Rate *	\$ 2,175.48
85	Social/Corporate - Evening Rate *	\$ 2,175.48
86	Social/Corporate - Day & Evening Rate *	\$ 3,915.86
87	Community Groups (not-for-profit) - Day Rate *	\$ 1,305.29
88	Community Groups (not-for-profit) - Evening Rate *	\$ 1,305.29
89	Community Groups (not-for-profit) - Day & Evening*	\$ 2,349.51
90	City of Hamilton - Day Rate *	\$ 654.77
91	City of Hamilton - Evening Rate *	\$ 654.77
92	City of Hamilton - Day & Evening Rate *	\$ 1,174.76
	South Plaza - outside gates SE corner	
93	(<4 hour rental - flat fee) - Commercial/Non-resident	\$ 520.20
94	(<4 hour rental - flat fee) - Resident	\$ 312.12
95	(<4 hour rental fee - flat fee) - Community Group	\$ 145.86
96	(4< hour rental fee - flat fee) - Affiliate Group	\$ 104.04
	Coors Banquet Patio - East Side 2nd Floor & Concourse	
97	(<4 hour rental - flat fee) - Commercial/Non-resident	\$ 520.20
98	(<4 hour rental - flat fee) - Resident	\$ 312.12
99	(<4 hour rental fee - flat fee) - Community Group	\$ 145.86
100	(4< hour rental fee - flat fee) - Affiliate Group	\$ 104.04

2019 APPROVED USER FEES AND CHARGES

Department: Public Works

Division: Energy, Fleet and Facilities - Tim Horton's Field

Service or Activity Provided or Use of City Property	2019 Approved Fee
Coors Light Patio - North End	
101 (<4 hour rental - flat fee) - Commercial/Non-resident	\$ 520.20
102 (<4 hour rental - flat fee) - Resident	\$ 312.12
103 (<4 hour rental fee - flat fee) - Community Group	\$ 145.86
104 (4< hour rental fee - flat fee) - Affiliate Group	\$ 104.04
Stipley BBQ Area - South Plaza inside the gates	
105 (<4 hour rental - flat fee) - Commercial/Non-resident	\$ 520.20
106 (<4 hour rental - flat fee) - Resident	\$ 312.12
107 (<4 hour rental fee - flat fee) - Community Group	\$ 145.86
108 (4< hour rental fee - flat fee) - Affiliate Group	\$ 104.04
** All additional operational expenses are to be added to the above noted rates.	
* Note: Fees do not include HST which will be added where applicable.	

2019 APPROVED USER FEES AND CHARGES

Department: Public Works
Division: Transit

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
1	Cash Fare	\$ 3.25
2	Adult Ticket	\$ 2.50
3	Elementary / Secondary Ticket	\$ 2.05
4	Adult Monthly Pass	\$ 110.00
5	Elementary / Secondary Monthly Pass	\$ 90.20
6	Summer Youth Pass	\$ 90.20
7	Senior Single Ride	\$ 2.05
8	Senior Monthly Pass	\$ 32.50
9	Senior Annual Pass	\$ 325.00
10	Golden Age Pass (80 years+)	Free
11	University College Transit Pass (UCTP)	\$ 184.80
12	McMaster Graduate Student Association (GSA) UCTP	\$ 268.23
13	Day Pass	\$ 15.00
14	Columbia International College Transit Pass (off campus residence)	\$ 69.30
15	Columbia International College Transit Pass (on campus residence)	\$ 22.08
16	Columbia International College Transit Pass (non residence)	\$ 77.00
17	Employee Commuter Pass	\$ 105.00
18	School Hour Only Pass	\$ 63.83
19	School Plus Pass	\$ 26.00
20	Affordable Transit Pass	\$ 55.00

2019 APPROVED USER FEES AND CHARGES

Department: Public Works
Division: Transit

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
21	TransCab	Regular Fare + \$0.50
22	Urban Charters	\$ 140.35
23	HSR Photo ID - Elementary/Secondary School Students	\$ 5.00
24	HSR Replacement Photo ID - Senior, EC Pass, SHO, School Plus Pass	\$ 15.00
25	Document Requests on CD's (Mobility Programs and Transportation Planning)	\$ 4.42
26	Event Impact – Advertisement Charge for route diversion/route impact (per Pole Card)	\$ 3.50
27	Event Coverage – Supervisory Charge (min 4 hours per Supervisor) for event related activities including crowd disbursement, operational needs, and other customer related event needs	\$56.10/hour
* Note: Fees do not include HST which will be added where applicable.		

2019 APPROVED USER FEES AND CHARGES

Department: Corporate Services

Division: Financial Planning & Policy - Development Finance

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
1	Subdivision Agreement Finance Processing Flat Fee	\$ 1,477.50
2	Subdivision Agreement Finance Processing Per Lot Fee	\$ 15.40
3	Subdivision Agreement Finance Processing Best Efforts Fee	\$ 1,477.50
4	Subdivision Compliance Fee	\$ 69.45

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

2019 APPROVED USER FEES AND CHARGES

Department: Corporate Services
Division: Taxation - Tax Accounting

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
1	Registration of Delinquent Accounts - Phase 1	\$ 1,104.90
2	Registration of Delinquent Accounts - Carried to Tax Sale	\$ 1,411.10
3	Extension Agreements	\$ 204.30
4	Tax Certificate (manual and on-line)	\$ 61.30
5	Tax Letters (Analysis, Income Tax, Paid in Full) - per year	\$ 27.05
6	Ownership change fee	\$ 14.55
7	Mortgage Company - on-line account balance/status (annual fee per property account)	\$ 5.80
8	Mortgage Company - payout statement / account detail (per account)	\$ 11.75
9	Tax Transfer Fee - Balances transferred to City tax roll	\$ 34.25
10	NSF Fee - Processing fee on all 'returned' payments	\$ 34.25
11	Admin Fee for Arrears Notices (on arrears > \$50)	\$ 3.00
12	New tax roll account fee	\$ 18.05
13	Apportionment fee - Current year	\$ 60.05
14	On-line Tax Certificate - delinquent account turn off/on	\$ 34.25
15	Misapplied Payments - payment transfer (Taxpayer or Financial Institution error)	\$ 34.25
16	Reprint of prior year tax bill (no charge for current year tax bill) - per bill	\$ 11.75
17	Full Tax Deferral Program - application fee	\$ 200.00
18	Full Tax Deferral Program - annual renewal fee	\$ 100.00

2019 APPROVED USER FEES AND CHARGES

Department: Corporate Services
Division: Taxation - Tax Accounting

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
<i>* Note: Fees do not include HST which will be added where applicable.</i>		

2019 APPROVED USER FEES AND CHARGES

Department: Corporate Services
Division: City Clerk's

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
1	Marriage Licence Fee	\$ 155.00
2	Death Registration Administration Fee	\$ 45.00
3	Certified Copies	\$ 26.55
4	Photocopies	\$ 0.35
5	Commissioner of Oaths	\$ 21.68
6	Court Documents (POA) - per page	\$ 2.45
7	Certified Court Documents (POA) - per page	\$ 4.55
<p>* Note: Fees do not include HST which will be added where applicable.</p>		

2019 APPROVED USER FEES AND CHARGES

Department: Corporate Services
Division: Financial Services

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
1	Tenders and RFPs	\$ 46.90
2	Tenders and RFPs - Complex	\$ 161.50
3	Change in Banking Information (Note 1)	\$ 26.06
	Consideration of assignment/corporate change requests (Note 2)	
4	Simple	\$ 368.72
5	Standard	\$ 662.48
6	Complex	\$ 883.23
	Notes:	
	1. Change in Banking Information will only be applied when there is more than one request per year made by the vendor.	
	2. The fee for consideration of assignment/corporate change requests include any applicable 'change in Banking Information' fee.	
* Note: Fees do not include HST which will be added where applicable.		

2019 APPROVED USER FEES AND CHARGES

Department: Corporate Services

Division: Various

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
1	Manual searches for records (per 15 minutes)	\$ 9.91
2	Preparation of Records for release (per 15 minutes)	\$ 9.91
3	Developing computer programs or other methods of producing a record from a machine (per 15 minutes)	\$ 19.82

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

2019 APPROVED USER FEES AND CHARGES

Department: City Manager
Division: Human Resources

#	Service or Activity Provided or Use of City Property	2019 Approved Fee
	Employee File Duplication:	
1	Base rate (0-10 pages)	\$ 120.10
2	Greater than 10 pages (per page)	\$ 1.22
* Note: Fees do not include HST which will be added where applicable.		

Authority: Item 7, Economic Development
and Planning Committee Report
10-005 (PED10051)
CM: March 10, 2010
Ward: 8

Bill No. 161

CITY OF HAMILTON

BY-LAW NO. 19-

**To Establish City of Hamilton Land
Described as Block 28 on Plan 62M-1102 and Block 120 on Plan 62M-1040
as Part of Springvalley Crescent**

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

WHEREAS section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

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

1. The land, owned by and located in the City of Hamilton, described as Blocks 28 on Plan 62M-1102, and Block 120 on Plan 62M-1040, is established as a public highway, forming part of Springvalley Crescent.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 12th day of July, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

CITY OF HAMILTON

BY-LAW NO. 19-

**To Amend Zoning By-law No. 05-200, as Amended by By-law 17-254, Respecting
Lands located at 357 Wilson Street East, Ancaster**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as the “The Corporation of the Town of Ancaster” and is the successor to the former Regional Municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

WHEREAS the *City of Hamilton Act, 1999*, provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

WHEREAS the Council of the City of Hamilton, in adopting Section 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April, 2006, recommended that the Director of Development and Real Estate be authorized to give notice and prepare by-laws for presentation to Council, to remove the “H” Holding provision from By-laws where the conditions have been met; and

WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan

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

1. That Map Nos. 1174 and 1175 of Schedule “A” – Zoning Maps, appended to and forming part of By-law 05-200, are amended as follows: by changing the zoning from Community Institutional (I2, 644, H96) Zone to Community Institutional (I2, 644) Zone, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

PASSED this 12th day of July , 2019

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk



This is Schedule "A" to By-law No. 19- Passed the day of, 2019	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 19-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Maps 1174 & 1175</p>		<p>Subject Property 357 Wilson Street East</p> <p> Change in Zoning from the Community Institutional (I2, 644, H96) Zone to the Community Institutional (I2, 644) Zone</p>				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Scale: N.T.S.</td> <td style="width: 50%; padding: 2px;">File Name/Number: ZAH-19-045</td> </tr> <tr> <td style="padding: 2px;">Date: June 25, 2019</td> <td style="padding: 2px;">Planner/Technician: RC/AL</td> </tr> </table>	Scale: N.T.S.	File Name/Number: ZAH-19-045	Date: June 25, 2019	Planner/Technician: RC/AL		
Scale: N.T.S.	File Name/Number: ZAH-19-045					
Date: June 25, 2019	Planner/Technician: RC/AL					
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT						

Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: February 6, 2001
Ward: 1, 2, 3, 7, 8, 9, 13, 15

Bill No. 163

CITY OF HAMILTON

BY-LAW NO. 19-

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

WHEREAS *Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*,

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

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

1. By-law No. 01-218, as amended, is hereby further amended by adding/deleting from the identified Schedules and Sections noted in the table below as follows:

Schedule	Section	Highway	Side	Location	Duration	Rate/Hr	Adding/ Deleting
5 – Parking Meters	E	Bay St.	West	King St. W. to Market St.	1 hr	\$1.50	Adding

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

Schedule	Section	Highway	Side	Location	Duration	Times	Days	Adding/ Deleting
<i>6 – Time Limit</i>	<i>E</i>	Mulberry	Both	MacNab to 72.5m easterly	2 hr	8 am - 5 pm	Mon - Sat	Deleting
<i>6 - Time Limit</i>	<i>E</i>	Mulberry St.	South	68m west of James St. 25m westerly	2 hr	Anytime	Mon-Sat	Adding
<i>6 - Time Limit</i>	<i>E</i>	Mulberry St.	South	13.5m east of MacNab St. to 13m easterly	2 hr	Anytime	Mon-Sat	Adding
<i>6 - Time Limit</i>	<i>E</i>	Mulberry St.	North	MacNab St. to 23m easterly	2 hr	Anytime	Mon-Sat	Adding
<i>6 - Time Limit</i>	<i>E</i>	Mulberry St.	North	51m east of MacNab St. 26m easterly.	2 hr	Anytime	Mon-Sat	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
<i>8 – No Parking</i>	<i>E</i>	Annabelle St.	East & North	North-westerly end to 55m south-east	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Annabelle St.	West & South	North-westerly end to 65m south-east	7 am - 5 pm each Thursday	Adding
<i>8 – No Parking</i>	<i>C</i>	Franklin St.	West	Dundas St. to Griffin St.	Anytime	Adding
<i>8 – No Parking</i>	<i>C</i>	Harvest	Both	Brock to Ofield	Anytime	Deleting
<i>8 – No Parking</i>	<i>C</i>	Harvest Rd.	Both	Brock Rd. to 340m easterly	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
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To Amend By-law No. 01-218, as amended,
Being a By-law to Regulate On-Street Parking

Deleting

8 – No Parking	E	Bond St. N	West	Devon Pl. to Franklin Ave.	Anytime	Adding
8 – No Parking	F	Keystone Cres.	East & North	Whistler St. to 25m south-east	Anytime	Adding
8 – No Parking	F	Bonehill Blvd.	North & West	167m south of Bellagio Ave. to 30m south-west	Anytime	Adding
8 – No Parking	E	Mulberry St.	South	MacNab St. N to 35.7m easterly	December 1 to March 31	Deleting
8 – No Parking	E	Mulberry St.	South	From 35m east of MacNab St. N. to 25 metres easterly	Monday to Saturday	Deleting
8 – No Parking	E	Mulberry St.	North	From 54m east of MacNab St. N. to 21.5 metres easterly.	Monday to Saturday	Deleting
8 – No Parking	(G)	Mulberry	South	MacNab to 35.7m easterly	7:00 a.m. to 6:00 p.m. Monday to Saturday	Deleting
8 – No Parking	E	Mulberry St.	North	23m east of MacNab St. 28m easterly	Anytime	Adding
8 – No Parking	C	McMonies Dr.	North & West	155m east of Spring Creek Dr. to 18m east-north	Anytime	Adding
8 – No Parking	C	McMonies Dr.	West & South	50m north of McMonies Dr. to 30m north-west	Anytime	Adding
8 – No Parking	C	McMonies Dr.	North & East	75m west of McMonies Dr. to 22m north-west	Anytime	Adding
8 – No Parking	C	McMonies Dr.	East & South	138m west-north of McMonies Dr. to 18m north-east	Anytime	Adding
8 – No Parking	E	Chestnut Ave.	East	Wilson St. to Cannon St.	Anytime	Deleting
8 – No Parking	E	Chestnut Ave.	West	Wilson St. to Cannon St.	Anytime	Adding
Schedule	Section	Highway	Side	Location	Times	Adding/

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

Deleting

12 – Permit	<i>E</i>	East 22nd	West	commencing 112m south of Concession and extending 7m southerly therefrom	Anytime	Deleting
12 – Permit	<i>E</i>	East 13th St.	East	11m south of Mountville Ave. to 6m southerly	Anytime	Adding
12 – Permit	<i>E</i>	Carrick Ave.	West	12m north of Vineland Ave. to 6m southerly	Anytime	Deleting
12 – Permit	<i>E</i>	Carrick Ave.	East	12m north of Vineland Ave. to 6m southerly	Anytime	Deleting
Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
13 – No Stopping	<i>E</i>	Cannon St.	South	James St. to Hazel Ave.	Anytime	Adding
13 – No Stopping	<i>E</i>	Cannon St.	South	Stirton Ave to Sherman Ave.	Anytime	Adding
13 – No Stopping	<i>E</i>	Cannon St.	North	East Ave. to 46m westerly	7:00 a.m. - 9:00 a.m. & 4:00 p.m. - 6:00 p.m. Mon - Fri	Adding
13 – No Stopping	<i>E</i>	Bay	West	from 30m north of King to 13m north of Market	Anytime	Adding
13 – No Stopping	<i>E</i>	Bay	West	From 24.5m north of King St. and extending 5m northerly.	Anytime	Deleting
3 – No Stopping	<i>E</i>	Mulberry St.	North	James St. to 18.7m westerly	Anytime	Deleting
13 – No Stopping	<i>E</i>	Mulberry St.	South	38 west of James St. to 30m westerly	Anytime	Adding
13 – No Stopping	<i>E</i>	Mulberry St.	South	92m west of James St. to 10m westerly	Anytime	Adding

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

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
13 – No Stopping	<i>E</i>	Mulberry St.	North	77m east of MacNab St. to 23m easterly.	Anytime	Adding
13 – No Stopping	<i>E</i>	Queensdale Ave.	South	East 32nd St. to 33m westerly	Anytime	Adding
13 – No Stopping	<i>E</i>	Harvest Rd.	North	Tews Ln. to 195m westerly	Anytime	Adding
13 – No Stopping	<i>E</i>	Harvest Rd.	South	95m west of Tews Ln. to 100m westerly	Anytime	Adding
Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
15 – Comm. Veh	<i>E</i>	Mulberry St.	South	From 31m west of James St. N. to 6.5m westerly.	Anytime	Adding
Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
23 - Special Enf. Area	B	Ofield Rd.	Both	275m north of Harvest Rd. to Fallsview Rd.	March 15 - November 15	\$250.00
23 - Special Enf. Area	B	Ofield Rd.	Both	940 m north of Harvest Rd. to Fallsview Rd.	March 15 - November 16	\$251.00

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

Page 6 of 6

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 12th day of July, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 6, Board of Health Report
19-006 (BOH07034(n))
CM: June 26, 2019
Ward: City Wide

Bill No. 164

CITY OF HAMILTON
BY-LAW NO. 19-

**To Amend By-law No. 11-080, being a By-law to Prohibit Smoking within City
Parks and Recreation Properties**

WHEREAS the *Municipal Act, 2001*, and particularly sections 9, 10, and 115, authorizes the City of Hamilton to pass by-laws respecting these matters; and,

WHEREAS Council deems it advisable to update By-law No. 11-080 to address the use of cannabis, vaping and the *Smoke-Free Ontario Act, 2017*, which repealed and replaced the *Smoke-Free Ontario Act, 1994*.

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

1. Subsection 1(1) of By-law No. 11-080 is amended by adding the following:
 - (a.1) “cannabis” has the same meaning as in subsection 2(1) of the *Cannabis Act* (Canada);
 - (i) “vaporizer” means an inhalant-type device or electronic cigarette, regardless of the name of the device, that contains a power source and heating element designed to heat a substance and produce a vapour intended to be inhaled by the user of the device directly through the mouth, whether or not the vapour contains nicotine, cannabis, cannabis extract or any other intoxicating substance.
2. Subsection 1(1) of By-law No. 11-080 is amended by deleting clause (f) and adding the following:
 - (f) “smoke” includes the inhaling or holding of a lighted substance, joint, cigar, cigarette, pipe, water-pipe or any other lighted smoking equipment, and “smoking” has a corresponding meaning.
3. Subsection 1(1) of By-law No. 11-080 is amended by deleting clause (h) and adding the following:
 - (h) “vape” means inhaling or exhaling vapour from a vaporizer or holding an activated vaporizer, and “vaping” has a corresponding meaning.
4. Subsection 1(4) of By-law No. 11-080 is deleted and the following substituted:

- 1.(4) The provisions of this By-law apply even where the City grants a permit to or enters into an agreement with a person, corporation or organization for the exclusive use of all or part of a park or recreation property.
5. Section 2 is amended by adding the underlined text as follows:
 2. No person shall:
 - (a) smoke or vape tobacco or cannabis or any other substance on recreation property;
 - (b) fail to leave recreation property after authorized staff has given the person notice or direction to leave for smoking or vaping tobacco or cannabis or any other substance on recreation property; or,
 - (c) enter or use recreation property after authorized staff have prohibited the persons entry or use for smoking or vaping tobacco or cannabis or any other substance on recreation property.
6. Section 3 is amended by adding the underlined text as follows:
 3. The prohibitions in section 2 above apply whether or not a "No Smoking/No Vaping" sign of any format or content is posted.
7. Section 8 is deleted and the following substituted:
 8. Subject to section 19 of the *Smoke-Free Ontario Act, 2017* (the "Act"), in the event of a conflict between the provisions of this By-law and the Act or a regulation passed under the Act, the provision that is more restrictive of the matter to which this By-law applies prevails.
8. This By-law shall come into force on July 1, 2019.

PASSED this 12th day of July, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 31, Economic Development
and Planning Committee
Report 06-005
CM: April 12, 2006
Ward: 15

Bill No. 165

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend Zoning By-law No. 05-200, as amended by By-law 17-240, respecting lands located at 50 Leavitt Boulevard, Flamborough

WHEREAS the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by Virtue of the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap 14;

WHEREAS the City of Hamilton is the lawful successor to the former Municipalities, identified in Section 1.7 of By-law No. 05-200;

WHEREAS it is desirable to enact a new Zoning By-law to comprehensively deal with Zoning through the City;

WHEREAS the first stage of the new Zoning By-law, being By-law No. 05-200, came into force on the 25th day of May, 2005; and,

WHEREAS the Council of the City of Hamilton, in adopting Section 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April, 2006, recommended that the Director of Development and Real Estate be authorized to give notice and prepare by-laws for presentation to Council, to remove the "H" Holding provision from By-laws where the conditions have been met.

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

1. That Maps 518, 519, 612 & 613 appended to and forming part of By-law No. 05-200, as amended by By-law No. 17-240, is hereby further amended by changing the zoning from the District Commercial (C6, 326, H92) Zone, to the District Commercial (C6, 326) Zone, on the lands the extent and boundaries of which are shown on Schedule "A" annexed hereto and forming part of this by-law.
2. That Schedule "D" – Holding Provisions, of By-law No. 05-200, be amended by deleting Holding Provision 92.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of

the passing of this By-law, in accordance with the *Planning Act*.

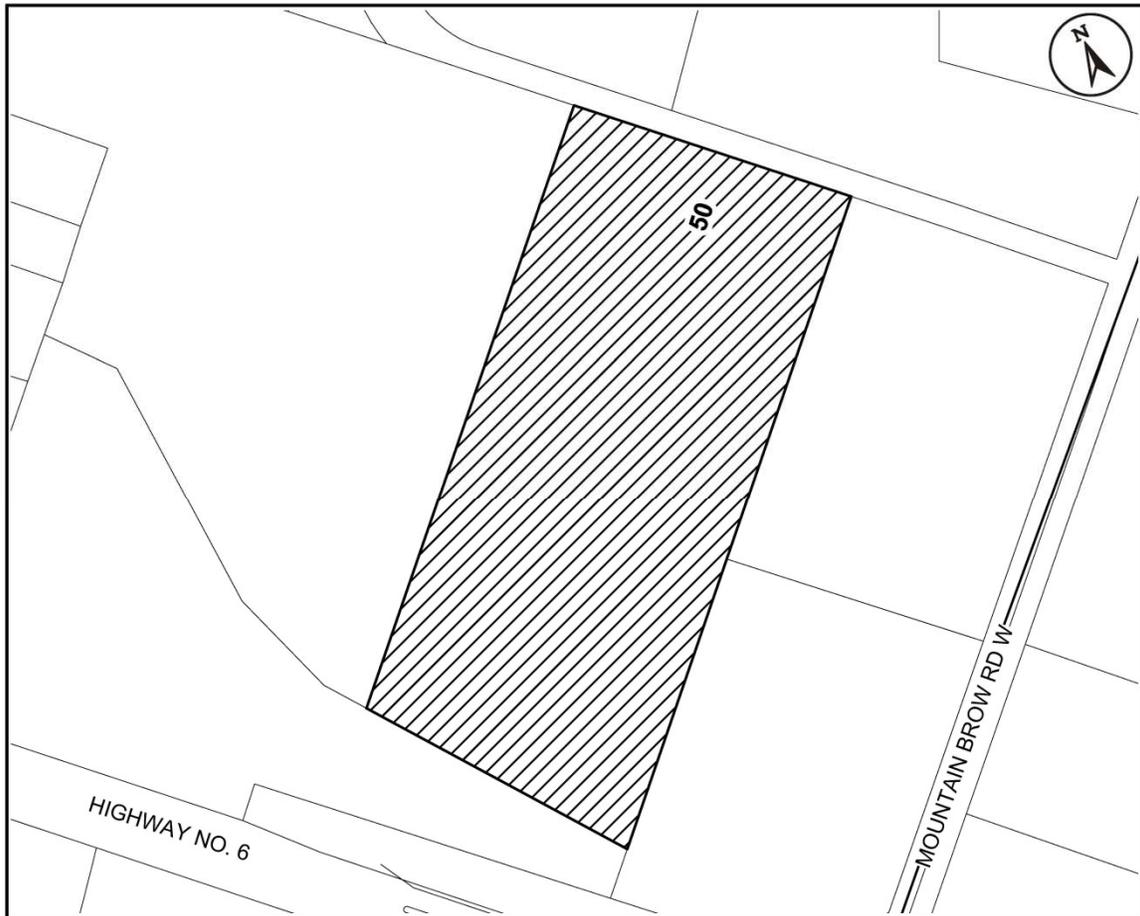
4. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the District Commercial (C6, 326) Zone provisions.
5. That this By-law No. 19-165 shall come into force and be deemed to come into force in accordance with Sub-section 34(21) of the *Planning Act*, upon the date of passage of this By-law.

PASSED this 12th day of July, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAH-19-041



This is Schedule "A" to By-law No. 19- Passed the day of, 2019	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <h3 style="margin: 0;">Map Forming Part of By-law No. 19-_____</h3> <p style="margin: 0;">to Amend By-law No. 05-200 Maps 518, 519, 612 & 613</p>	<p>Subject Property 50 Leavitt Boulevard</p> <p> Change in Zoning from the District Commercial (C6, 326, H92) Zone to the District Commercial (C6, 326) Zone</p>
--	---

Scale: N.T.S.	File Name/Number: ZAH-19-041	
Date: June 27, 2019	Planner/Technician: SE/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 1, Public Works Committee
Report 18-009 (PW18049)
CM: June 27, 2018
Ward: 3

Bill No. 166

CITY OF HAMILTON

BY-LAW NO. 19-

Being a By-law To Permanently Close and Sell a Portion of a Public Unassumed Alley abutting 102 Francis Street, established by Registered Plan 209, in the City of Hamilton, designated as Part 1 on Plan 62R-21177, being Part of PIN 17189-0305 (LT)

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

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

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

AND WHEREAS the Council of the City of Hamilton on June 27, 2018, in adopting Item 1 of Public Works Committee Report 18-009, authorized the City of Hamilton to permanently close and sell a portion of a public unassumed alley abutting 102 Francis Street, Hamilton, Ontario, established by Registered Plan 209, in the City of Hamilton, designated as Part 1 on Plan 62R-21177, being Part of PIN 17189-0305 (LT), City of Hamilton;

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

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

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

1. The part of the portion of a public unassumed alley set out as:

Part of Alley, Registered Plan 209, in the City of Hamilton, designated as Part 1 on Plan 62R-21177, being Part of PIN 17189-0305 (LT)

is hereby permanently closed.

2. The soil and freehold of Part 1 on Plan 62R-21177, hereby permanently closed, be sold to Adam Bentley Costello for the sum of Two Dollars (\$2.00).
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

PASSED this 12th day of July, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 10, Planning Committee
Report: 19-010 (PED19104)
CM: June 26, 2019
Ward: 12

Bill No. 167

CITY OF HAMILTON

BY-LAW NO. 19-

To Adopt:

**Official Plan Amendment No. 124 to the
Urban Hamilton Official Plan**

Respecting:

**305 and 311 Garner Road West
(Ancaster)**

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

1. Amendment No. 124 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 12th day of July, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Urban Hamilton Official Plan Amendment No. 124

The following text, together with:

Appendix “A” Volume 1, Schedule E-1 – Urban Land Use Designations
Appendix “B” Volume 2, Map B.2.2-1 – Shaver Neighbourhood Secondary
Plan – Land Use Plan

attached hereto, constitutes Official Plan Amendment No. 124 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to amend the land use designations within the Urban Hamilton Official Plan and the Shaver Neighbourhood Secondary Plan to permit the development of a maximum of one hundred and eighteen (118) Townhouse and Maisonette Dwellings on the subject lands.

2.0 Location:

The lands affected by this Amendment are known municipally as 305 and 311 Garner Road West, in the former Town of Ancaster.

3.0 Basis:

The basis for permitting this Amendment is:

- The proposed Amendment is in keeping with the policies of the Urban Hamilton Official Plan and Shaver Neighbourhood Secondary Plan to provide a diversity of housing opportunities that are suitable for different segments of the population to make the best use of urban lands, especially along a major arterial road.
- The proposed development is considered to be consistent with, and complimentary to, the planned and existing development in the immediate area.

- The proposed Amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019.

4.0 Actual Changes:

4.1 Volume 1 – Parent Plan

4.1.1 Schedule

That Volume 1, Schedule E-1 – Urban Land Use Designations be amended by redesignating the subject lands from “Open Space” to the “Neighbourhoods” designation, as shown on Appendix “A” attached to this Amendment.

4.2 Volume 2 – Secondary Plans

4.2.1 Text

- a. That Volume 2, Chapter B.2.0 – Ancaster Secondary Plans, Section B.2.2 – Shaver Neighbourhood Secondary Plan be amended by deleting Policy B.2.2.5.2 in its entirety and replaced with the following:

“Site Specific Policy – Area B

B.2.2.5.2 For the lands located at 305 Garner Road West, designated Low Density Residential 3a and identified as Site Specific Policy – Area B on Map B.2.2-1 – Shaver Neighbourhood – Land Use Plan, the storm water management pond shall be maintained and manicured by the Condominium Corporation to be utilized by residents as open green space, subject to detailed design.”

4.2.2 Map

- a. That Volume 2, Map B.2.2-1 – Shaver Neighbourhood Secondary Plan – Land Use Plan be amended by:

- i) redesignating a portion of the subject lands from “Medium Density Residential 2a” to “Low Density Residential 3a”;
- ii) redesignating a portion of the subject lands from “Natural Open Space” to “Low Density Residential 3a”;
- iii) deleting the existing Site Specific Policy – Area B; and,
- iv) identifying lands as a new Site Specific Policy – Area B, as shown on Appendix “A”, attached to this Amendment.

5.0 Implementation:

An implementing Zoning By-Law Amendment and Site Plan will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule “1” to By-law No. 19-167 passed on the 12th day of July, 2019.

**The
City of Hamilton**

F. Eisenberger
MAYOR

J. Pilon
ACTING CITY CLERK

Appendix A
APPROVED Amendment No. 124
to the Urban Hamilton Official Plan

 Lands to be redesignated from "Open Space" to "Neighbourhood"

(305 & 311 Garner Road West, Ancaster)

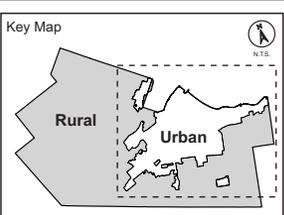
Date: July 5, 2019	Revised By: GZ/NB	Reference File No.: OPA-U-124(A)
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APPEALS

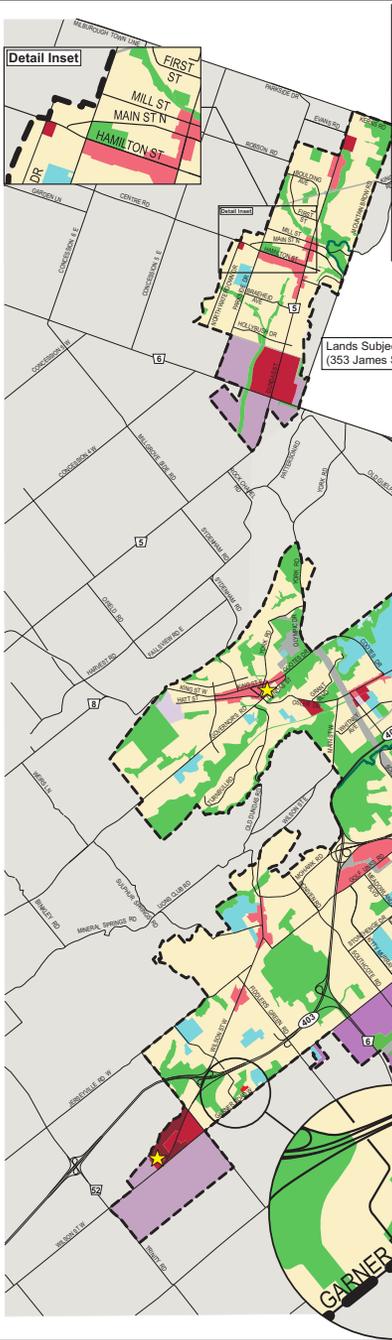
 The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal.

UHOPA NO. 69 APPEALS - PL171450

-  - 71 Main Street West and 10 Baldwin Street, Appellant # 8
- 3011 Homestead Drive (Glanbrook), Appellant # 4
- Certain Lands between Wilson Street West and south and north of Portia Drive (Ancaster), Appellant # 15
- 221-225 John Street South and 70-78 Young Street (Hamilton), Appellant # 20
- 237 Upper Centennial Parkway (Stoney Creek), Appellant # 14



Note: For Rural Land Use Designations, refer to Schedule D of the Rural Hamilton Official Plan.



Lands Subject to Non-Decision 117(a)
(353 James Street North)

-  Neighbourhoods
 -  Open Space
 -  Institutional
 -  Utility
- Commercial and Mixed Use Designations**
-  Downtown Mixed Use Area
 -  Mixed Use - High Density
 -  Mixed Use - Medium Density
 -  District Commercial
 -  Arterial Commercial
- Employment Area Designations**
-  Industrial Land
 -  Business Park
 -  Airport Employment Growth District
 -  Shipping & Navigation
- Other Features**
-  Rural Area
 -  John C. Munro Hamilton International Airport
 -  Niagara Escarpment
 -  Urban Boundary
 -  Municipal Boundary
 -  Lands Subject to Non Decision 113 West Harbour Setting Sail

Council Adoption: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan
Schedule E-1
Urban Land Use Designations



Appendix B
APPROVED Amendment No. 124
 to the Urban Hamilton Official Plan

- Lands to be redesignated from "Medium Density Residential 2a" to "Low Density Residential 3a"
- Lands to be redesignated from "Natural Open Space" to "Low Density Residential 3a"
- Delete Site Specific Policy - Area B
- Lands to be identified as Site Specific Policy - Area B

(305 & 311 Garner Road West, Ancaster)

Date:
July 5, 2019

Revised By:
GZ/NB

Reference File No.:
OPA-U-124(A)

Legend

Residential Designations

- Low Density Residential 1
- Low Density Residential 2a
- Low Density Residential 2c
- Low Density Residential 3a
- Low Density Residential 3f
- Medium Density Residential 2a
- Medium Density Residential 2b
- Medium Density Residential 2c
- High Density Residential 1

Parks and Open Space Designations

- Neighbourhood Park
- General Open Space
- Natural Open Space

Other Designations

- Local Commercial
- Institutional
- SSS** Separate Secondary School

Other Features

- Area or Site Specific Policy
- Secondary Plan Boundary

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan
Shaver Neighbourhood
Secondary Plan
 Land Use Plan
 Map B.2.2-1

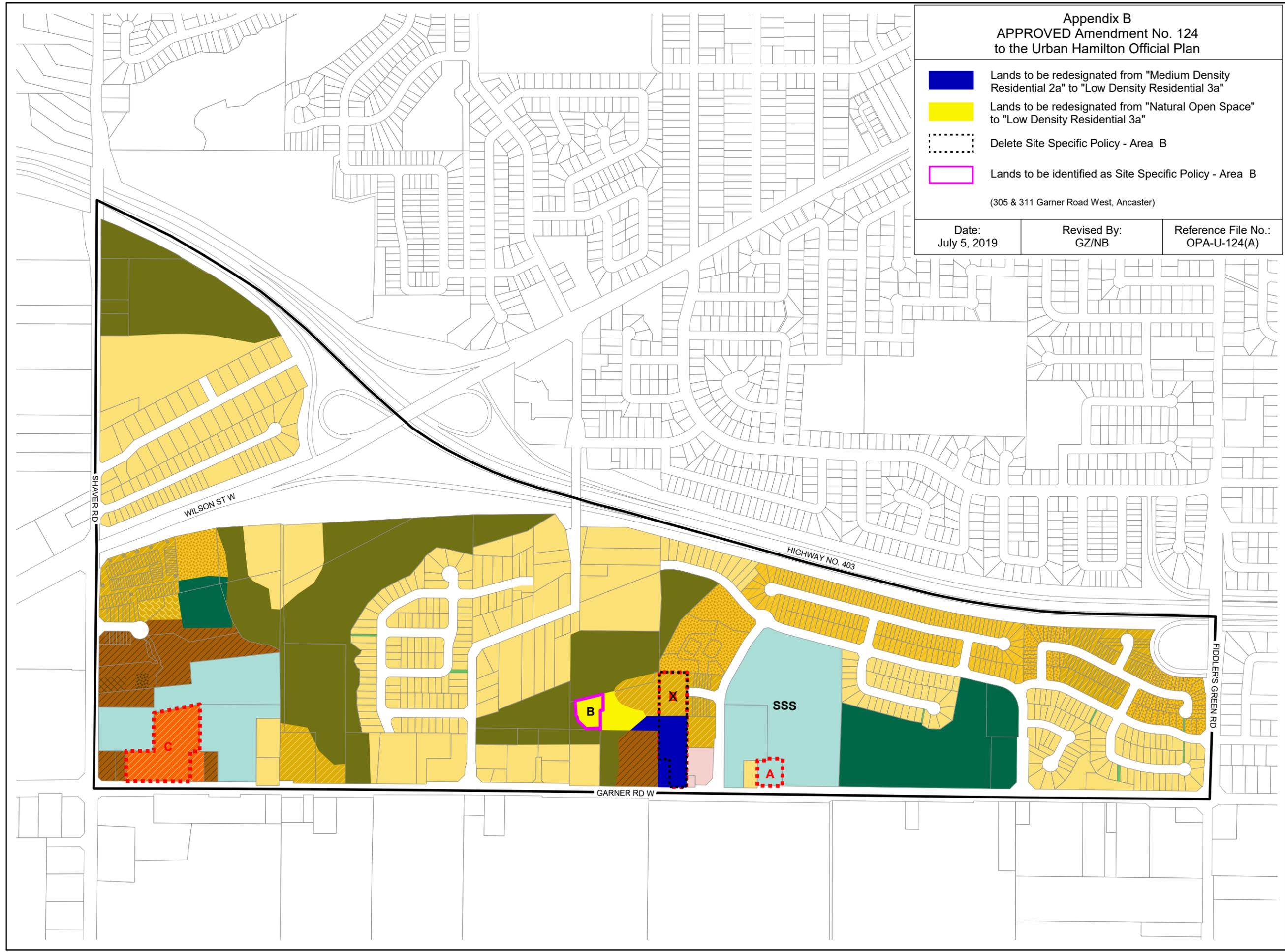


Not To Scale



Date: Dec. 1, 2015

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
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Authority: Item 10, Planning Committee
Report 19-010 (PED19104)
CM: June 26, 2019
Ward: 12

Bill No. 168

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend Zoning By-law No. 87-57 (Ancaster) Respecting Lands Located at 305 and 311 Garner Road West

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the *City of Hamilton Act, 1999* provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June, 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 10 of Report 19-009 of the Planning Committee at its meeting held on the 26th day of June 2019, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided; and,

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan upon adoption of UHOPA No. 124;

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

1. That Map No. 1-B to Schedule “B”, appended to and forming part of By-law No. 87-57 (Ancaster) is amended by changing the zoning from the Agricultural (Holding) “H-A-496” Zone, Modified, Agricultural “A-216” Zone, Modified and Rural Industrial “M5-262” Zone, Modified to the Residential Multiple “RM4-700” Zone, Modified (Block 1); from the Agricultural “A-216” Zone, Modified and Rural Industrial “M5-262” Zone, Modified to the Residential Multiple “RM4-701” Zone, Modified (Block 2); from the Agricultural (Holding) “H-A-496” Zone, Modified to the Residential Multiple “RM4-702” Zone, Modified (Block 3); from the Agricultural (Holding) “H-A-496” Zone, Modified and Rural Industrial “M5-262” Zone, Modified to the Residential Multiple “RM4-703” Zone, Modified (Block 4) and from the

Agricultural (Holding) "H-A-496" Zone, Modified to the Residential Multiple "RM4-704" Zone, Modified (Block 5) on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The Section 34: Exceptions, to Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following Sub-sections:

"RM4 – 700" (Block 1)

That notwithstanding the provisions of Section 7.11, 7.12 (d), 7.14 (a)(xii), (b), 17.1, 17.2 (b), (e), (f), (g), (h), (i), (j), (k), (m), (n) and (p) the following special provisions shall apply to the lands zoned "RM4-700":

PERMITTED USES

- (a) Street Townhouse and Multi-plex dwellings and uses, buildings and structures accessory thereto shall also be permitted.

REGULATIONS

- | | | |
|-----|-----------------------------|--|
| (a) | Maximum Density: | 44 dwelling units per hectare. |
| (b) | Minimum Front Yard: | 3.9 metres to the front façade from Garner Road West. |
| (c) | Maximum Lot Coverage: | 35 % |
| (d) | Minimum Easterly Side Yard: | 2.0 metres. |
| (e) | Maximum Height: | 14 metres. |
| (f) | Planting Strip: | A planting strip of 2 metres shall be required adjacent to a commercial use and between an internal road and a side lot line. |
| (g) | Minimum Landscaping: | 20 % |
| (h) | Minimum Privacy Area: | 9 square metres per unit. |
| (i) | Parking: | i. For each block townhouse and multi-plex dwelling there shall be a minimum of 2 parking spaces one of which must be contained within an attached garage, plus 0.26 visitor parking spaces. |

- ii. A parallel parking space shall have minimum width of 2.5 metres and a minimum length of 6.5 metres.

(j) Children’s Play Area: A curbed children’s outside play area that is a minimum of 800 square metres shall be provided and maintained on site.

(k) Building Separation: Any townhouse building shall be no closer to another townhouse building on the same lot in accordance with the following distance requirements:

	Front Façade	Rear Wall	End Wall
Front Façade	18.0 m	18.0 m	14.0 m
Rear Wall	18.0 m	0 m (multi-plex units) 15.0 m (Block townhouse units)	7.0 m
End Wall	14.0 m	7.0 m	2.7 m

(l) For the purpose of this By-law, the lot line abutting Garner Road West, shall be deemed to be the front lot line. The easterly side lot line shall be the lot line with the dimension of 252.90 metres in length and the westerly side lot line shall be the lot line with the dimension of 124.530 metres in length. All of the remaining lot lines are rear lot lines and have the following dimensions: 197.17 metres; 60.0 metres; 190.44 metres; 22.0 metres and 73.17 metres (northerly lot boundary).

(m) For the purpose of this By-law, the boundary of the Residential Multiple “RM4-700” Zone shall be deemed to be one lot the lot lines and the regulations of the “RM4-700” Zone shall be from the external boundaries of this zone, and not from the individual property boundaries of the dwelling units created by registration of a draft plan of subdivision / condominium plan or created by Part Lot Control.

“RM4-701” (Block 2)

REGULATIONS

That notwithstanding the provisions of Sections 9.3(a), 17.2 (g) and (j), and in addition to the regulations of the “RM4-700” Zone, the following special provisions shall apply to the lands zoned “RM4-701”:

- (a) Minimum setback for a central air conditioning unit, window air conditioning unit or heat pump from the front lot line: 1.5 metres.
- (b) Maximum permitted encroachment for front yard porch (along Garner Road West): 1.6 metres.
- (c) Minimum Westerly Side Yard: 12.0 metres.
- (d) Minimum Easterly Side Yard: 2.0 metres.

“RM4-702” (Block 3)

REGULATIONS

That notwithstanding the provisions of Section 17.2 (g) and in addition to the regulations of the “RM4-700” Zone, the following special provisions shall apply to the lands zoned “RM4-702”:

- (a) Minimum Rear Yard: 4 metres.

“RM4-703” (Block 4)

REGULATIONS

That notwithstanding the provisions of Section 17.2 (g) and in addition to the regulations of the “RM4-700” Zone, the following special provisions shall apply to the lands zoned “RM4-703”:

- (a) Minimum Rear Yard: 1.5 metres.

“RM4-704” (Block 5)

REGULATIONS

That notwithstanding the provisions of Sections 7.20, 17.2 (g) and in addition to the regulations of the “RM4-700” Zone, the following special provisions shall apply to the lands zoned “RM4-704”:

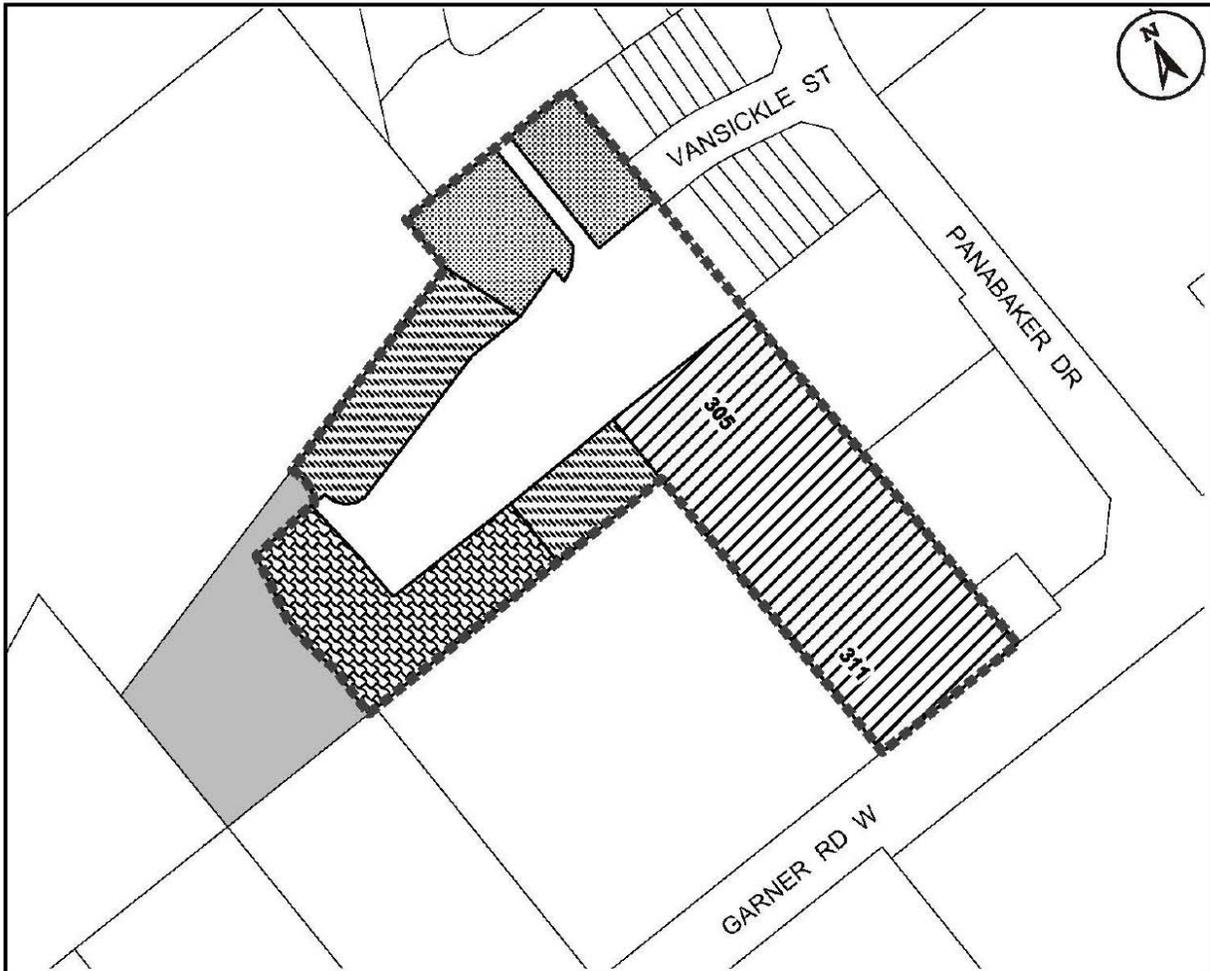
- (a) Minimum Rear Yard: 1.3 metres.
3. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential Multiple “RM4” Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.
 4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

PASSED this 12th day of July, 2019.

F. Eisenberger
Mayor

J.Pilon
Acting City Clerk

UHOPA-17-025
ZAC-17-058



This is Schedule "A" to By-law No. 19-
 Passed the day of, 2019

 Mayor

 Clerk

Schedule "A"

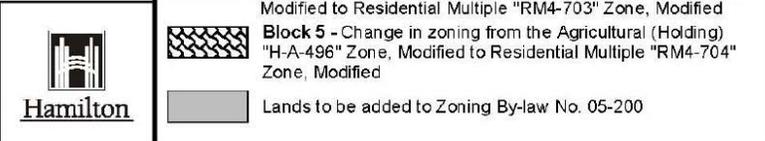
Map Forming Part of
 By-law No. 19-____

to Amend By-law No. 87-57

Subject Property
 305 and 311 Garner Road West

- Block 1 - Change in zoning from Agricultural (Holding) "H-A-496" Zone, Modified, Agricultural "A-216" Zone, Modified and Rural Industrial "M5-262" Zone, Modified to Residential Multiple "RM4-700" Zone, Modified
- ▨▨▨▨ Block 2 - Change in zoning from the Agricultural "A-216" Zone, Modified and Rural Industrial "M5-262" Zone, Modified to Residential Multiple "RM4-701" Zone, Modified
- ▧▧▧▧ Block 3 - Change in zoning from the Agricultural (Holding) "H-A-496" Zone, Modified to Residential Multiple "RM4-702" Zone, Modified
- ▩▩▩▩ Block 4 - Change in zoning from the Agricultural (Holding) "H-A-496" Zone, Modified and Rural Industrial "M5-262" Zone, Modified to Residential Multiple "RM4-703" Zone, Modified
- Block 5 - Change in zoning from the Agricultural (Holding) "H-A-496" Zone, Modified to Residential Multiple "RM4-704" Zone, Modified
- Lands to be added to Zoning By-law No. 05-200

Scale: N.T.S.	File Name/Number: ZAC-17-058 & UHOPA-17-25
Date: April 30, 2019	Planner/Technician: GZ/NB
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	



Authority: Item 10, Planning Committee Report
19-010 (PED19104)
CM: June 26, 2019
Ward: 12

Bill No. 169

CITY OF HAMILTON

BY-LAW NO. 19-

A By-law to Amend Zoning By-law No. 05-200 Respecting Lands Located at 305 and 311 Garner Road West (Ancaster)

WHEREAS Council approved Item 10 of Report 19-009 of the Planning Committee, at its meeting held on June 18th, 2019;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan upon adoption of UHOPA No.124;

NOW THEREFORE Council enacts as follows:

1. That Map Nos. 1385 and 1436 of Schedule “A” – Zoning Maps, of Zoning By-law No. 05-200, be amended as follows:
 - a. by adding to the City of Hamilton Zoning By-law No. 05-200, the lands the extent and boundaries of which are shown as Schedule “A” to this By-law; and,
 - b. by establishing a Conservation / Hazard Land (P5, 719) Zone, to the lands the extent and boundaries of which are shown as Schedule “A” to this By-law.
2. That Schedule “C” – Special Exceptions, of By-law No. 05-200 is hereby amended by adding an additional exception as follows:

“719 Within the lands zoned Conservation / Hazard Land (P5) Zone, identified on Map Nos. 1385 and 1436 of Schedule “A’ – Zoning Maps and described as 305 and 311 Garner Road West, the following special provision shall apply:

 - a) Notwithstanding Subsection 4.23 d), all buildings or structures located on a property shall be setback a minimum of 0.0 metres from a P5, P7 and P8 Zone Boundary.

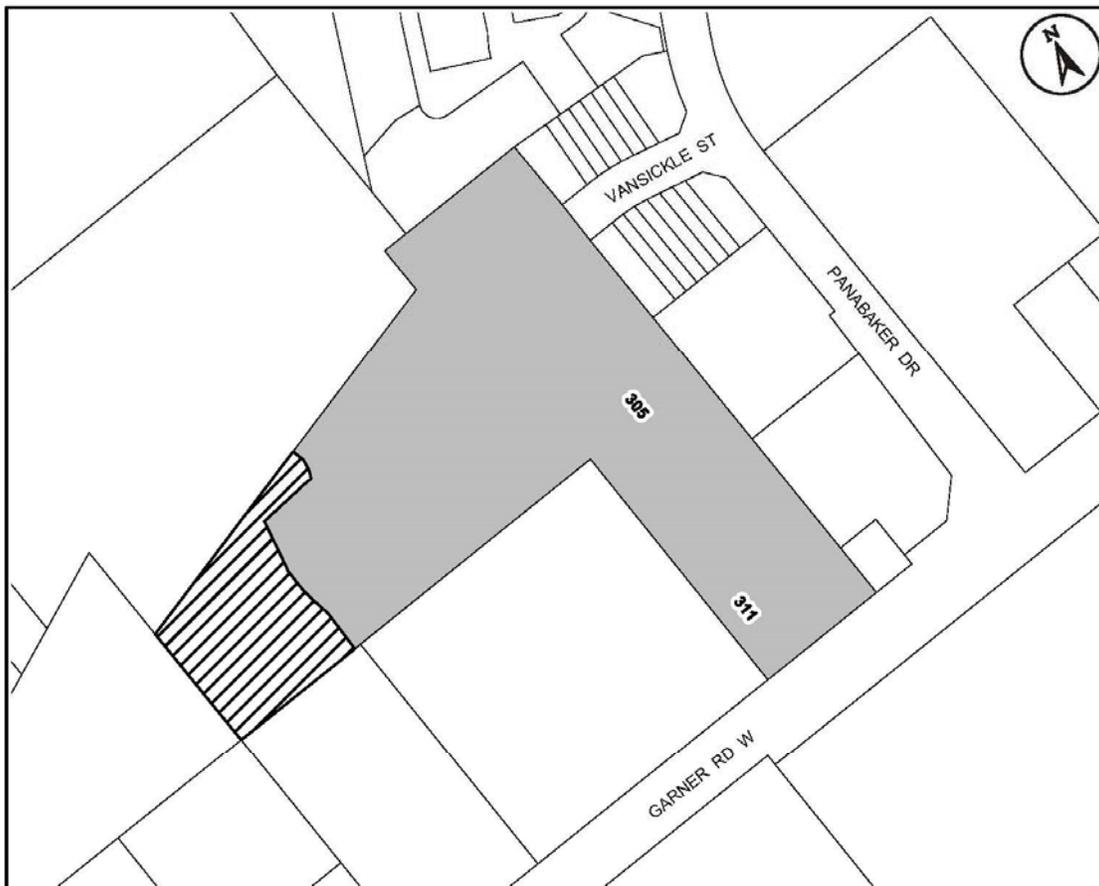
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 12th day of July, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

UHOPA-17-025
ZAC-16-058



This is Schedule "A" to By-law No. 19- Passed the day of, 2019	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <h3 style="margin: 0;">Map Forming Part of By-law No. 19-_____</h3> <h3 style="margin: 0;">to Amend By-law No. 05-200 Maps 1385 & 1436</h3>	Subject Property 305 and 311 Garner Road West <div style="display: flex; align-items: center;"> <div style="width: 20px; height: 10px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black; margin-right: 5px;"></div> <div style="font-size: small;">Lands added to Zoning By-law No. 05-200 and zoned Conservation / Hazard Land (P5, 719) Zone</div> </div> <div style="display: flex; align-items: center;"> <div style="width: 20px; height: 10px; background-color: grey; border: 1px solid black; margin-right: 5px;"></div> <div style="font-size: small;">Refer to By-law No. 87-57</div> </div>
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Scale: N.T.S.	File Name/Number: ZAC-17-058 & UHOPA-17-25	 Hamilton
Date: June 20, 2019	Planner/Technician: GZ/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 1, Planning Committee
Report 19-011 (PED17179(c))
CM: July 12, 2019
Ward: 4, 5

Bill No. 170

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

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;

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

1. Appendix "1" is hereby deleted and substituted with Appendix "1" as attached hereto.

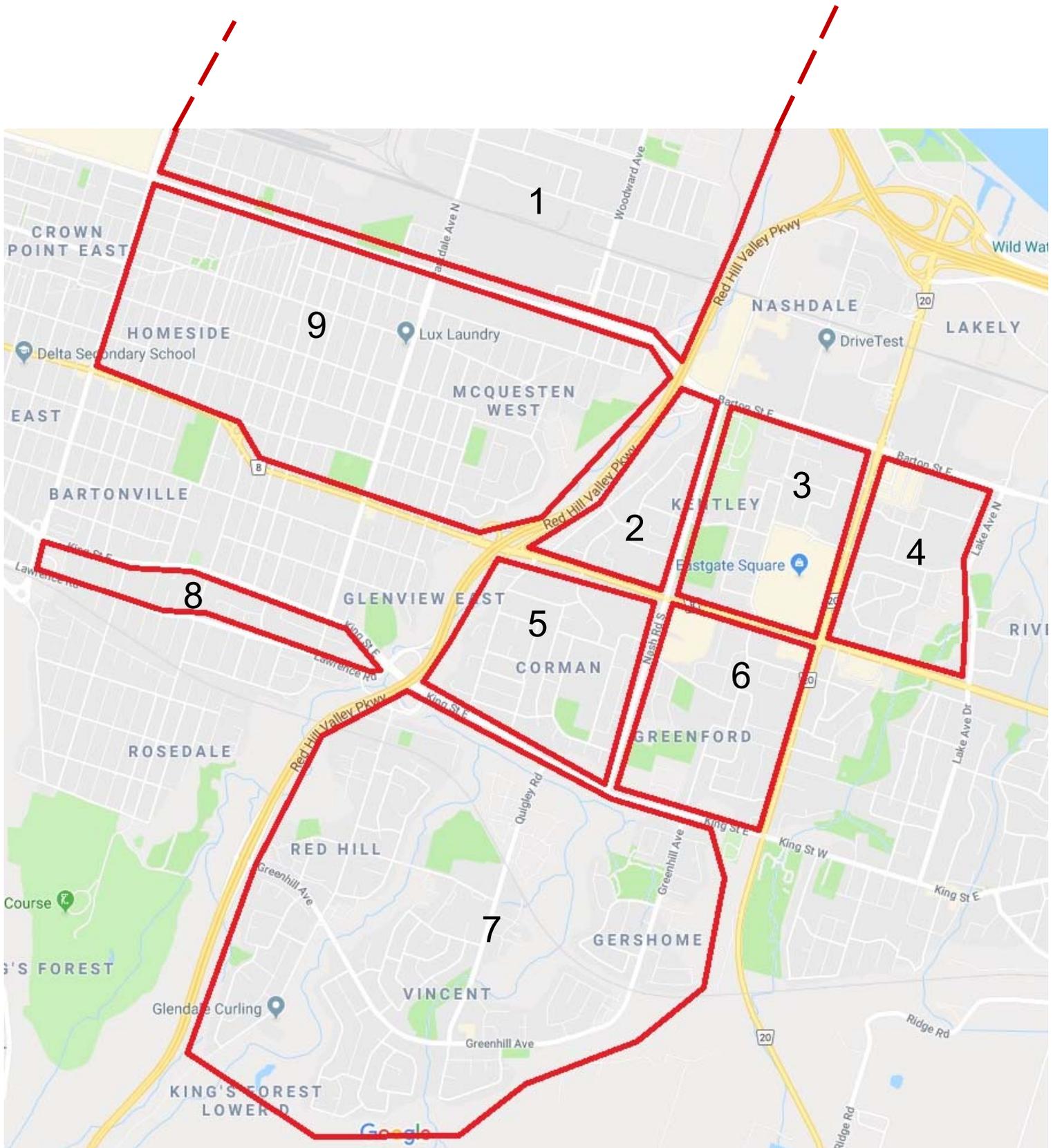
PASSED this 12th day of July , 2019

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Wards 4 and 5 Restricted Areas

Appendix "1"



Authority: Item 1, Planning Committee
Report 19-011 (PED17179(c))
CM: July 12, 2019
Ward: City Wide

Bill No. 171

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend By-law No. 17-225, a By-law to Establish a System of Administrative Penalties

WHEREAS Council enacted a By-law to Establish a System of Administrative Penalties, being By-law No. 17-225; and

WHEREAS this By-law amends By-law No. 17-225;

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

1. The amendments in this By-law include any necessary grammatical, numbering and lettering changes.
2. Schedule A of By-law No.17-225 is amended by adding a new Table 19, titled BY-LAW NO.18-199, being the By-law to Prohibit Driving School Instructing in the Restricted Areas.

ITEM	COLUMN 1 DESIGNATED BY-LAW & SECTION		COLUMN 2 SHORT FORM WORDING	PENALTY AMOUNT Box 1
1	18-199	2.(1)	Driving School Instructor permit/providing lessons within restricted area	\$200.00
2	18-199	2.(2)	Driving School Operator cause/permit driving lessons within restricted areas	\$300.00
3	18-199	2.(3)(c)	Driving School Instructor fail to use most direct route in and out of restricted area	\$200.00

PASSED this 12th day of July, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 2, Planning Committee
Report 19-011 (PED19122)
CM: July 12, 2019
Ward: City Wide

Bill No. 172

CITY OF HAMILTON

BY-LAW NO. 19-

Being a By-law to Appoint Hearing Officers Pursuant to the Administrative Penalty By-law No. 17-225 and to Repeal By-law No. 15-278

WHEREAS the City of Hamilton is authorized under the *Municipal Act, 2001* to establish a system of administrative penalties for contraventions of City of Hamilton By-laws;

WHEREAS the Council of the City of Hamilton (“Council”) passed the Administrative Penalty By-law No. 17-225 at its meeting held on November 8, 2017; and

WHEREAS Council wishes to appoint certain persons as Hearing Officers pursuant to the Administrative Penalty By-law No. 17-225;

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

1. The persons listed in Schedule “A” are appointed as Hearing Officers pursuant to Administrative Penalty By-law No. 17-225 from the date that the Hearing Officer’s appointment is approved by Council:
 - a) until the term of that Council ends; or
 - b) if the term of that Council ends with no successor having been appointed, until the Hearing Officer’s successor has been appointed.
2. Schedule “A” forms part of this By-law.
3. By-law No. 15-278 is hereby repealed.
4. This By-law comes into force on July 12th, 2019.

PASSED this 12th day of July, 2019

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

SCHEDULE "A"
HEARING OFFICERS

HEARING OFFICERS NAME	APPOINTMENT DATE
Robert Craig	July 12 th , 2019
Jagger Benham	July 12 th , 2019
Diane Hall	July 12 th , 2019

Authority: Item 3, Planning Committee
Report 19-011 (PED19144)
CM: July 12, 2019
Ward: City Wide
Bill No. 173

CITY OF HAMILTON
BY-LAW NO. 19-

To Amend City of Hamilton By-law No. 10-118, as amended, being a By-law to Regulate Exterior Property Maintenance including Vegetation, Waste and Graffiti

WHEREAS Council enacted a by-law to regulate exterior property maintenance being City of Hamilton By-law No.10-118; and

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

1. The amendments in this By-law include any necessary grammatical, numbering and lettering changes.
2. Subsection 2(1) is amended by repealing the definition of “inoperative vehicle” and substituting the following:

“**inoperative vehicle**” means a vehicle and a motorized snow vehicle, as those terms are defined in the Highway Traffic Act, that may not be lawfully operated on a highway for any of the following reasons:

- (i) it has missing, broken, incomplete, decayed, or damaged parts or components;
or
- (ii) it is in a derelict condition;

3. Subsection 2(1) is amended by repealing the definition of “urban boundary” and substituting the following:

“**urban boundary**” means the urban boundary as defined in the City’s Urban Official Plan and the settlement area boundaries of the Rural Settlement Areas of the City as defined in the City’s Rural Official Plan;

PASSED this 12th day of July, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 7, Planning Committee
Report 19-011 (PED19132)
CM: July 12, 2019
Ward: 13

Bill No. 174

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend Town of Dundas Zoning By-law No. 3581-86 Respecting Lands Located at 574 Northcliffe Avenue, Dundas

WHEREAS the *City of Hamilton Act, 1999*, S. O. 1999 Chap. 14, Sch. C did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton –Wentworth”;

WHEREAS; the *City of Hamilton Act, 1999* provides that the Zoning By-laws of the former municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

WHEREAS; Zoning By-law No. 3581-86 (Dundas) was enacted on the 22nd day of May, 1986, and approved by the Ontario Municipal Board on the 10th day of May, 1988; and,

WHEREAS; the Council of the City of Hamilton, in adopting Item 7 of Report 19-011 of the Planning Committee, at its meeting held on the 12th day of July, 2019, recommended that Zoning By-law No. 3581-86 (Dundas) be amended as hereinafter provided; and,

WHEREAS this By-law is in conformity with the Dundas Official Plan.

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

1. That Schedule "F-1" (Guelph) of Zoning By-law No. 3581-86 (Dundas), as amended by By-law No. 4066-93, is hereby further amended by adding the Public and Private Service "H-PPS/S-56a" Zone, Modified, to the lands the extent and boundaries of which are shown on Schedule "A" which forms part of this By-law.
2. That Section 32: "EXCEPTIONS" of Zoning By-law No. 3581-86 (Dundas), as amended by By-law No. 4066-93, is hereby further amended by adding the following exception:

“S-56a”

- i) As permitted under the temporary use provisions of Section 39 of the Planning Act (R.S.O. 1990) for a maximum three year period commencing on the day of the passing of this amending By-law, being the 12th day of July, 2019 and expiring on the 12th day of July, 2022, on the land shown as "H-PPS/S-056a" on Schedule "F-1" attached hereto, the following use shall be permitted:
- a) Within the existing building municipally known as 574 Northcliffe Avenue (Building 'B'), a dormitory having a maximum capacity of 138 occupants shall be permitted temporarily and only within the building existing on the date of passing of this By-law.
 - b) A Holding Symbol (H) pursuant to Section 36 of the *Planning Act*, R.S.O. 1990, c.P 13 and Subsection 4.9 of By-law No. 3581-86 is applied to the PPS Zone category as it applies to 574 Northcliffe Avenue (Building 'B'). The permitted use in clause a) shall be limited to a maximum capacity of 96 occupants for such time as the Holding Symbol (H) is applicable to 574 Northcliffe Avenue (Building 'B').
 - c) Condition for Holding Provision Removal
 - i) The applicant / proponent shall demonstrate and have attained all of the necessary approvals to provide adequate services to increase the capacity beyond 96 students to accommodate a dormitory having a maximum capacity of 138 occupants to the satisfaction of the Niagara Escarpment Commission, Director, Development Planning and Ministry of Environment, Conservation and Parks.
 - d) Notwithstanding Clause 7.3.1 – ACCESS of SECTION 7 – OFF STREET PARKING AND LOADING an existing driveway located on lands zoned PPS/S-56 and U/S-57 shall be permitted to be used for access to 574 Northcliffe Avenue (Building 'B').

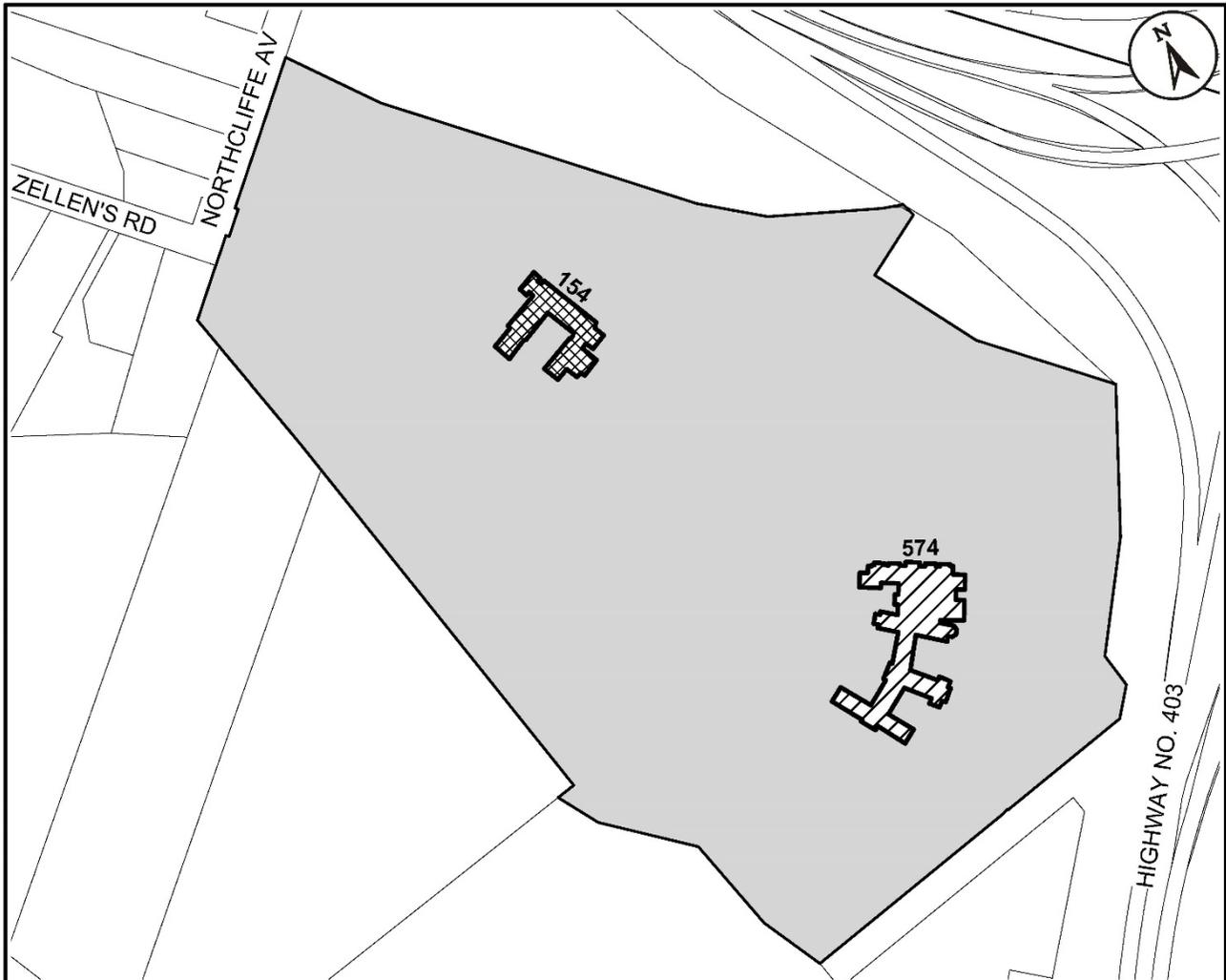
3. This by-law shall expire and cease to be of any force or effect on July 12, 2022.

4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 12th day of July, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk



This is Schedule "A" to By-law No. 19-
 Passed the day of, 2019

 Mayor

 Clerk

Schedule "A"
 Map Forming Part of
 By-law No. 19-_____
 to Amend By-law No. 3581-86

Subject Property

-  Building "A" - 154 Northcliffe Avenue
-  Building "B" - 574 Northcliffe Avenue
 (Subject to the "Temporary Use By-law")
-  Other Lands Owned by the Applicant

Change in Zoning from the Public and Private Service "PPS/S-56" Zone, Modified to the Public and Private Service "H-PPS/S-56a" Zone, Modified

Scale: N.T.S.	File Name/Number: ZAR-19-013	 Hamilton
Date: May 17, 2019	Planner/Technician: RF/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 8, Planning Committee
Report 19-011 (PED19008(a))
CM: July 12, 2019
Ward: City Wide
Bill No. 175

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses

WHEREAS Council enacted a by-law to licence and regulate various businesses being City of Hamilton By-law No. 07-170; and

WHEREAS this By-law amends the General Provisions of By-law No. 07-170 and provides for the addition of Schedule 14 to licence Tree Cutting Services.

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

1. Subsection 2(a) of the General Provisions of By-law No. 07-170 is deleted and the following substituted:
 - (a) Administration of this By-law shall be by the staff of Licencing and By-law Services Division of the Planning and Economic Development Department of the City.
2. Subclause (6)(1)(e)(i) of the General Provisions of By-law No. 07-170 is amended by deleting “(Reserved)” after “Schedule 14” and substituting “Tree Cutting Services”.
3. Section 30 of the General Provisions of By-law No. 07-170 is amended by deleting the word “(Reserved)” after “Schedule 14” and substituting “Tree Cutting Services”.
4. By-law No. 07-170 is amended by adding the new Schedule 14, entitled “Tree Cutting Services” as follows:

SCHEDULE 14

TREE CUTTING SERVICES

Definitions

- 1 In this Schedule,

"tree" means a self-supporting woody perennial plant which has reached or can reach a height of at least 3 metres at physiological maturity;

"tree cutting service" means a person engaged in the business of assessing the health and structural integrity of trees, removing trees, pruning tree branches or roots, removing stumps, or transplanting trees, including climbing aloft and using rigging equipment for any such purpose.

Requirement for Licence

2 No person shall carry on the business, trade or occupation of a tree cutting service without a licence.

General Operating Conditions

3 Every tree cutting service shall:

- (a) ensure that a policy of commercial general liability insurance, including coverage for bodily injury and property damage resulting from any work performed, with an inclusive limit of at least two million dollars (\$2,000,000) per claim or occurrence, is in force at all times during the currency of the licence and includes coverage for all the tradespersons and labourers employed or retained by the tree cutting service;
- (b) provide a written contract to the person for whom the work is being completed, which contract shall be signed by the licensee and shall contain:
 - (i) the name and address of the licensee and the person for whom the work is being done;
 - (ii) the address where the work is to be done;
 - (iii) a description of the work to be completed and price; and
 - (iv) the estimated date of completion;

- (c) not permit the operation of any equipment used in the course of the tree cutting service between the hours of 7:00 p.m. and 7:00 a.m. of the following day that is likely to disturb those inhabiting neighbouring properties;
- (d) ensure that no vehicle used in the performance of work obstructs the municipal right of way;
- (e) ensure that all debris, mud, garbage or stone tracked onto a municipal right of way is removed at the end of each working day;
- (f) ensure that no work performed creates a public safety concern;
- (g) ensure that no work performed interferes with any property's drainage or creates any flooding or ponding on any property including a municipal right of way;
- (h) not permit the emission of dust or airborne particulate matter to reduce the enjoyment of a neighbouring property;
- (i) replace any damaged sod, ground cover, pavement, or other property of the City within 48 hours of the completion of the work; and
- (j) obtain proper permits (if required) to ensure that cutting is done in accordance with approved tree protection plan which may be prepared by an arborist among other professionals.

Compliance with Tree By-laws

4 (1) Every tree cutting service shall comply with all applicable by-laws relating to trees, which may include:

- (a) Public Tree Protection By-law No. 15-125;
- (b) Urban Woodland By-law No. 14-212;
- (c) Former Regional Municipality of Hamilton-Wentworth Woodland Conservation By-law No. R00-054;

- (d) Former Town of Dundas Tree Protection By-law No. 4513-99;
- (e) Former City of Stoney Creek Tree By-law No. 4401-96; and
- (f) Former Town of Ancaster Tree Protection By-law No. 2000-118.

(2) Prior to injuring or destroying any tree, every tree cutting service shall ensure:

- (a) that a permit has been obtained to injure or destroy trees, if required by by-law;
or
- (b) if no permit is required by by-law, that the injury or destruction of trees is performed in accordance with any applicable restrictions or conditions on the injury or destruction of trees such as an approved tree protection plan imposed as a condition of development approval.

Penalties

5 (1) Despite subsection 27(2) of the General Provisions of this By-law, every person other than a corporation who contravenes any provision of this Schedule or an order made under this By-law relating to this Schedule is guilty of an offence and on conviction is liable to a maximum fine of:

- (a) for first offence, \$10,000 or \$1,000 per tree injured or destroyed, whichever is greater; or
- (b) for a subsequent offence, \$25,000 or \$2,500 per tree injured or destroyed, whichever is greater.

(2) Subsection (1) applies to any officer or director who knowingly concurs in a contravention of this Schedule or an order made under this By-law relating to this Schedule.

(3) Despite subsection 27(3) of the General Provisions of this By-law, every corporation who contravenes any provision of this Schedule or an order made under this

By-law relating to this Schedule is guilty of an offence and on conviction is liable to a maximum fine of:

- (a) for first offence, \$50,000 or \$5,000 per tree injured or destroyed, whichever is greater; or
- (b) for a subsequent offence, \$100,000 or \$10,000 per tree injured or destroyed, whichever is greater.

(4) In addition, if any person convicted of an offence under this Schedule has gained economic advantage from the contravention of the Schedule, they are liable to a special fine, which may exceed \$100,000 equal to the economic advantage gained.

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

PASSED this 12th day of July, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 9

Bill No. 176

CITY OF HAMILTON

BY-LAW NO. 19-

Respecting Removal of Part Lot Control on Part of Block 96 Registered Plan of Subdivision 62M-1250 and Block 1 and Block 4 on Registered Plan of Subdivision 62M-1263 - Central Park – Madison, 1831 Rymal Road East

WHEREAS the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating 135 parcels of tied land for townhouse and maisonette units, 36 easements for maintenance and access purposes and 4 parts comprising of a common element roadway, landscaped area and visitor parking on Parts 1 to 192 inclusive on Registered Plan 62R-21224, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Part of Block 96, Registered Plan No. 62M-1250, in the City of Hamilton; and,
Block 1 and Block 4, Registered Plan No. 62M-1263 in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.

Respecting Removal of Part Lot Control on Part of Block 96 Registered Plan of Subdivision 62M-1250 and
Block 1 and Block 4 on Registered Plan of Subdivision 62M-1263 - Central Park – Madison, 1831 Rymal
Road East

Page 2 of 2

3. This by-law shall expire and cease to be of any force or effect on the 12th day of July,
2021.

PASSED this 12th day of July, 2019.

F. Eisenberger
Mayor

PLC-19-010

J. Pilon
Acting City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 9

Bill No. 177

CITY OF HAMILTON

BY-LAW NO. 19-

Respecting Removal of Part Lot Control on Part of Block 96 on Registered Plan of Subdivision 62M-1250 - Central Park – Madison, 1831 Rymal Road East

WHEREAS the sub-section 50(5) of the Planning Act, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the Planning Act, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

1. Sub-section 5 of Section 50 of the Planning Act, for the purpose of creating 188 parcels of tied land for townhouse and maisonette units, 57 easements for maintenance and access purposes and 1 part comprising of a common element roadway, landscaped area and visitor parking, as shown on Parts 1 to 246 inclusive on deposited Reference Plan 62R-21223, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Part of Block 96, Registered Plan No. 62M-1250, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.

3. This by-law shall expire and cease to be of any force or effect on the 12th day of July, 2021.

PASSED this 12th day of July, 2019.

F. Eisenberger
Mayor

PLC-19-009

J. Pilon
Acting City Clerk

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 "D" (Glanbrook) thereof the following items, namely:

English Church Road	Upper James Street	A point 680 m east of Upper James Street	60
English Church Road	A point 680 m east of Upper James Street	Easterly end	70
Hall Road	Trinity Church Road	Woodburn Road	80

And by adding to section "D" (Glanbrook) thereof the following items, namely;

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

Page 2 of 3
60

English Church Road	Upper James Street	Easterly end	60
Hall Road	Trinity Church Road	Regional Road 56	60
Hall Road	Regional Road 56	Woodburn Road	80

And by removing from section “D” (Glanbrook) thereof the following items, namely;

Dundurn Ave.	Aberdeen Ave.	Charlton Ave.	40 km/h
Dundurn Street	Aberdeen Avenue	Southerly Limit	40

And by adding to section “E” (Hamilton) thereof the following item, namely;

Dundurn Street	York Boulevard	Southerly Limit	40
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And by adding to section “F” (Stoney Creek) thereof the following item, namely;

Bellagio Avenue	Fletcher Road	Keystone Crescent	40
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And by removing from section “G” (Former Regional Roads) thereof the following items, namely;

Highway 20	First Road East	Green Mountain Road	60
Highway 20	Green Mountain Road	450 m south of King Street	70
York Road	655 m east of Valley Road	280 m north of Hopkins Court	70

And by adding to section “G” (Former Regional Roads) thereof the following items, namely;

Highway 20	First Road East	Highland Road	60
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To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

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Highway 20	Highland Road	450 m south of King Street	70
York Road	655 m east of Valley Road	280 m north of Hopkins Court	60

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 12th day of July, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 1, Public Works Committee
Report 19-010 (PW19001(c))
CM: July 12, 2019
Ward: 1, 3, 8, 13, 14
Bill No. 179

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 "B" (Dundas) thereof the following items,

Brock Road	Southbound	Highway 8
Highway 8	Eastbound/Northbound	Brock Road

And by removing from Section "E" (Hamilton) thereof the following item, namely;

Golfwood Drive	Northbound / Southbound	Atkins Drive
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To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

Page 2 of 2

And by adding to Section "E" (Hamilton) thereof the following items, namely;

Gary Avenue	Northbound / Southbound	Westwood Avenue
Campbell Avenue	Eastbound / Westbound	Kensington Avenue
McElroy Road East	Eastbound / Westbound	Terrace Drive
McElroy Road East	Eastbound / Westbound	Warren Avenue
South Bend Road East	Eastbound / Westbound	Warren Avenue
South Bend Road East	Eastbound / Westbound	Dodson Street

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 12th day of July, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

CITY OF HAMILTON

BY-LAW NO. 19-

To appoint the City Auditor as an Auditor General under Section 223.19 of the *Municipal Act, 2001*

WHEREAS Council wishes to appoint the City Auditor as an Auditor General under section 223.19 of the Municipal Act, with the responsibilities, including the powers, duties and protections, under Sections 223.19 to 223.23 of the Municipal Act;

AND WHEREAS sections 223.19 to 223.23 of the Municipal Act provide that an appointee under section 223.19 has certain powers, duties and protections, including: the powers to access information and to examine persons under section 33 of the *Public Inquiries Act, 2009*; the duty to preserve secrecy with respect to all matters that come to their knowledge in the course of performing their functions; and the protection of not being a competent or compellable witness in a civil proceeding;

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

Definitions

1. In this By-law:

“**Council**” means the City of Hamilton’s Council;

“**City Auditor**” means the City of Hamilton’s City Auditor or their successor;

“**Municipal Act**” means the *Municipal Act, 2001*;

Appointment

2. Council appoints the individual holding the position of City Auditor as an Auditor General under section 223.19 of the Municipal Act, with the responsibilities, including the powers, duties and protections, under sections 223.19 to 223.23 of the Municipal Act.
3. The position of City Auditor shall continue with the title of City Auditor and all references to an Auditor General under sections 223.19 to 223.23 of the Municipal Act shall be deemed to be references to the City Auditor.
4. The City Auditor shall act in accordance with the Office of the City Auditor Charter, as approved by Council from time to time, with necessary modifications when a responsibility, including a power, duty or protection, under sections 223.19 to 223.23 of the Municipal Act is exercised.

General Provisions

5. This By-law may be referred to as the City Auditor By-law.
6. This By-law comes into force on the day it is passed.

PASSED this 12th day of July, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Authority: Item 6, Audit and Administration
Committee
Report 19-010 (AUD19011)
CM: July 12, 2009

Bill No.

CITY OF HAMILTON

BY-LAW NO. 19-

WHISTLEBLOWER BY-LAW

WHEREAS Council of the City of Hamilton desires to put into place a mechanism whereby, under appropriate circumstances, employees who disclose serious wrongdoing regarding City operations are protected from reprisal and whereby, under appropriate circumstances, investigations or alternative actions are undertaken in response to such disclosures;

AND WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes and, in particular, paragraphs 2, 3, 4, 5 and 8 of subsection 10(2) authorize by-laws respecting the accountability and transparency of the City and its operations, the financial management of the City, the public assets of the City, the economic, the social and environmental well-being of the City, and the protection of persons and property;

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

PURPOSE AND SCOPE

1. This By-law recognizes that it is in the public interest to maintain and enhance public confidence in the City and its employees, by providing for:
 - (a) the disclosure of serious wrongdoing with respect to the City's operations by its employees;
 - (b) the protection from reprisals of employees for making disclosures of serious wrongdoing when such disclosures are qualifying disclosures, including prescribing the conduct of employees with supervisory or management responsibilities and members of Council with respect to the provision of protection from reprisals; and

- (c) the appropriate investigation or alternative action in response to disclosures of serious wrongdoing is undertaken including prescribing the conduct of employees and members of Council with respect to the investigation of such disclosures.
- 2. The City Auditor is responsible for determining if disclosures of serious wrongdoing are qualifying disclosures and for ensuring that the appropriate investigation or alternative action in response to disclosures of serious wrongdoing is undertaken in accordance with this By-law.
- 3. All employees with supervisory or management responsibilities and who know of reprisals are responsible for ensuring that employees are protected from reprisals in accordance with this By-law.
- 4. This By-law is deemed to be a procedure, rule or policy governing the ethical behaviour of members of Council for the purposes of the Integrity Commissioner By-law.

DEFINITIONS

- 5. In this By-law:

“City” means the municipality of the City of Hamilton;

“City Manager” means the City’s City Manager;

“Council” means the Council of the City;

“City Auditor” means the City’s City Auditor or his/her designate;

“employee” means an employee of the City and excludes the Mayor and Members of Council;

“good faith” means an act which is not done trivially, frivolously or for a vexatious purpose, and this definition shall be considered in determining what is bad faith under this By-law;

“reprisal” means any of the following measures taken against an employee because the employee has made a qualifying disclosure:

- (a) the dismissal, suspension, demotion, discipline, harassment of an employee;
- (b) the denial of a benefit of employment to an employee;

- (c) any other disadvantaging of an employee;
- (d) or the threat to take any of the measure in paragraphs (a) to (c) inclusive;

“serious wrongdoing” means:

- (a) a contravention of the Criminal Code, federal or provincial statute or regulation, or City by-law;
- (b) an act or omission that results or is likely to result in the misappropriation or misuse of City funds or assets;
- (c) a contravention of the City’s Code of Conduct for Employees that results or is likely to result in profit, payment or compensation to the employee(s);
- (d) an act or omission that creates or is likely to create a substantial and specific danger or harm to the life, health or safety of any person; or
- (e) an act or omission that creates or is likely to create a substantial and specific danger or harm to the environment; or
- (f) a reprisal; and

“supervisor/manager” means:

- (a) the supervisor or manager to whom an employee normally reports; or
- (b) in the case of a disclosure of serious wrongdoing involving the supervisor or manager to whom an employee normally reports, the next-above supervisor or manager in the employee’s chain of command.

PROTECTION FROM REPRISAL

Requirements with respect to a Qualifying Disclosure

6. The City Auditor shall in his/her sole discretion determine whether or not a disclosure of serious wrongdoing made by an employee satisfies subsections (a) to (d) inclusive and when he/she determines that the subsections have been satisfied, the disclosure of serious wrongdoing is deemed a “qualifying disclosure” for the purposes of this By-law:

- (a) the employee making the disclosure of serious wrongdoing identifies himself/herself and his/her position with the City or his/her work title;

- (b) the employee making the disclosure of serious wrongdoing has reasonable grounds to believe there has been or is about to occur serious wrongdoing by one or more employees or members of Council;
- (c) the employee making the disclosure of serious wrongdoing does so in good faith;
- (d) the employee's disclosure of serious wrongdoing is made to one of the following:
 - his/her supervisor/manager;
 - the head of his/her Department including the head's designate; or
 - the City Auditor,
 - the City of Hamilton's Fraud and Waste Hotline,

provided that, if the supervisor/manager or the head of Department including the head's designate receives the disclosure of serious wrongdoing then such supervisor/manager or head of Department including designate shall submit the disclosure of serious wrongdoing immediately to the City Auditor.

7. The City Auditor shall send a written notice of his/her receipt of a disclosure of serious wrongdoing to the employee who made such disclosure.

Obligations with respect to a Reprisal

8. Every employee or member of Council with supervisory or management responsibilities has a positive obligation to ensure that:
 - (a) an employee is not subjected to a reprisal; and
 - (b) employees under his/her direction are made aware of this By-law.
9. An employee who believes he/she has been subjected to a reprisal may make a disclosure of serious wrongdoing section 6.
10. Nothing in this By-law impairs any right of an employee either at law or under any term or condition of employment or any applicable collective agreement(s).
11. The provisions of this By-law for the protection of employees are in addition to whistleblower or non-reprisal protection in any federal or provincial statute or regulation, and the provisions of this By-law shall not be construed as limiting such protections.

INVESTIGATION OR ALTERNATIVE ACTION IN RESPONSE TO A DISCLOSURE OF SERIOUS WRONGDOING

- 12.(1) At any time after a disclosure of serious wrongdoing is made, the City Auditor shall in his/her sole discretion determine whether or not it is appropriate for him/her to undertake an investigation or alternative action with respect to such disclosure.
- (2) In making his/her determination under subsection (1), the City Auditor shall consider, among other things:
- (a) the length of time that has elapsed since date when the subject-matter of the disclosure of serious wrongdoing is such that undertaking an investigation or alternative action would serve no useful purpose;
 - (b) whether or not undertaking an investigation or alternative action is appropriate given the extent to which any investigation or alternative action can be or has been undertaken by other duly authorized individuals or entities, for example by:
 - the police under the Criminal Code;
 - the Integrity Commissioner under the Integrity Commissioner By-law;
or
 - supervisory or management staff under City policies or procedures.
13. At any time when the City Auditor is of the opinion that an investigation or alternative action addressing a disclosure of serious wrongdoing can be or has been undertaken by other duly authorized individuals or entities, he/she shall immediately take such steps as are within his/her authority and practicable to:
- (a) refer the disclosure of serious wrongdoing to the individual or entity responsible for such an investigation or alternative action;
 - (b) conduct his/her investigation or alternative action, if any, so as not to interfere with an investigation or alternative action undertaken by the other individual or entity.
- 14.(1) When the City Auditor determines under subsection 12(1) that it is appropriate for him/her to undertake an investigation, the City Auditor may conduct the investigation or may:
- (a) appoint another employee; or

- (b) in consultation with the City Manager, appoint an outside individual or entity, to conduct all or part of the investigation.
- (2) The City Auditor shall take all reasonable steps to ensure that:
- (a) an investigation under subsection (1) complies with City policies, procedures and other requirements;
 - (b) the City's financial interests are protected including that the costs and expenses of such an investigation are minimized without hampering the ability of the City Auditor or an appointee under subsection (1) from completing his/her investigation; and
 - (c) the City's internal resources, including but not limited to, the Office of the City Auditor, Legal Services and Risk Management, and Human Resources, are used.
- (3) The City Auditor is entitled to investigate, or authorize an investigation by an appointee under subsection (1) into:
- (a) any further serious wrongdoing as disclosed by an investigation under this By-law; or
 - (b) an act prohibited under subsection 15(3).
- 15.(1) Persons, including employees or members of Council, shall co-operate in any investigations or alternative actions under this By-law, and no person shall obstruct or interfere with the City Auditor or an appointee under subsection 14(1) or a person acting on behalf of or under the direction of him/her in his/her investigation or in the performance of any of his/her responsibilities under this By-law.
- (2) Notwithstanding section 6, an employee who has made a qualifying disclosure is not entitled to protection from discipline, up to and including dismissal, if he/she does not comply with subsection (1).
- (3) No person advised of an investigation under this By-law and knowing that a City document or thing is likely to be relevant to such an investigation shall:
- (a) destroy, conceal, mutilate, falsify or otherwise alter the document or thing; or
 - (b) advise, instruct, propose or direct in any manner, any person to do anything mentioned in paragraph (a).
- 16.(1) Upon the completion of an investigation under this By-law, the City Auditor shall

make a report to the appropriate individual or entity as determined in the sole discretion of the City Auditor and such report shall include what steps, if any, are to be undertaken in response to a report.

- (2) A report made under subsection (1) which is made to a Committee of Council or Council, shall be submitted in accordance with the *Municipal Act, 2001*, the *Municipal Freedom of Information and Protection of Privacy Act* and the City's Procedural By-law.

COMPLIANCE

- 17.(1) Any employee who fails to comply with this By-law may be disciplined, up to and including dismissal.
- (2) The failure of a member of Council to comply with this By-law may result in a complaint, inquiry and penalty under Integrity Commissioner By-law.

LIMITATIONS ON THE APPLICATION OF THIS BY-LAW

- 18.(1) Nothing in this By-law is intended to limit the responsibilities of employees to continue to carry out their job duties, including responsibilities to make reports to their appropriate supervisors or managers, or to take appropriate action within the scope of their job to prevent wrongdoing or the harm which may arise from such wrongdoing.
- (2) Nothing in this By-law is intended to limit the actions which may be taken by the City or the consequences for an employee when an employee has acted contrary to their job duties, in a negligent, dishonest, or vexatious manner, or contrary to this By-law.
- (3) Nothing in the By-law is intended to permit employees to disregard their obligations to comply with any other by-law, statute or regulation, including the *Municipal Freedom of Information and Protection of Privacy Act* or any other statute or regulation governing the access to or privacy of information;
- (4) Nothing in this By-law restricts the City from utilizing the rights and powers available to under the *Municipal Act, 2001* or other laws, or from conducting, participating in, or calling for such other investigations or inquiries as allowed by law and considered advisable by the City.

ADMINISTRATION

19. The City Auditor is responsible for:
 - (a) administering this By-law, including but not limited to, implementing such forms and procedures as required for the proper administration of this By-

law;

- (b) reporting to Council quarterly, in the aggregate, on the number, nature and outcome of disclosures of serious wrongdoing made under this By-law; and
 - (c) declaring any conflict of interest he/she has arising from a disclosure of serious wrongdoing or from any investigation or alternative action undertaken under this By-law, to the City Manager so that his/her obligations may be re-assigned by the City Manager.
20. The exercise of the City Auditor's authority and discretion under this By-law includes, but is not limited to, withholding, collecting, using, or disclosing information which may reveal the identity of the employee making a disclosure of serious wrongdoing as is necessary to protect the City's interests and to avoid or limit harm to the City, the public or the employee.

CONFLICT AND COMING INTO FORCE

21. In the event of a conflict between this By-law and any other by-law (except the Integrity Commissioner By-law), procedure, rule or policy, this By-law prevails.
22. This By-law comes into force on July 12, 2019.

PASSED this 12th day of July, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

CITY OF HAMILTON

BY-LAW NO. 19-

**To Appoint a Deputy City Clerk
for the City of Hamilton**

WHEREAS subsection 228(2) of the *Municipal Act, 2001* permits a municipality to appoint deputy clerks who have all the powers and duties of the clerk under the said Act and any other Act.

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

1. Janet Pilon is hereby appointed as Deputy City Clerk for the City of Hamilton and shall have all the powers and duties of the City Clerk, subject to the direction of the City Clerk, with respect to the times and the manner in which the said powers and duties shall be exercised.
2. This By-law is deemed to have come into force on August 6, 2019.

PASSED this 12th day of July, 2019.

Fred Eisenberger
Mayor

Janet Pilon
Acting City Clerk

Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: February 6, 2001
Ward: 2

Bill No. 184

CITY OF HAMILTON

BY-LAW NO. 19-

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

WHEREAS *Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*,

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

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

1. By-law No. 01-218, as amended, is hereby further amended by adding/deleting from the identified Schedules and Sections noted in the table below as follows:

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
13 – No Stopping	<i>E</i>	Queen St. S.	West	King St. to George St.	4:00 p.m. to 6:00 p.m. Monday to Friday	Adding

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

Page 2 of 2

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 12th day of July, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

CITY OF HAMILTON

BY-LAW NO. 19-

To Confirm the Proceedings of City Council at its meeting held on July 12th, 2019.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 12th day of July, 2019, in respect of each recommendation contained in

General Issues Committee Report 19-013 – July 8, 2019,
Sole Voting Member of Hamilton Farmers' Market Report 19-001 – July 8, 2019,
Hamilton Street Railway Company Shareholder Report 19-001 – July 8, 2019,
Planning Committee Report 19-011 – July 9, 2019,
Public Works Committee Report 19-010 – July 10, 2019,
Board of Health Report 19-007 – July 10, 2019,
Audit, Finance & Administration Committee Report 19-010 – July 11, 2019,
and
Emergency and Community Services Committee Report 19-008 – July 11, 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 26th day of June, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk