



## **City of Hamilton**

# **CITY COUNCIL AGENDA**

**19-012**

**Wednesday, June 26, 2019, 5:00 P.M.**

**Council Chambers, Hamilton City Hall**

**71 Main Street West**

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### **Call to Order**

#### **1. APPROVAL OF AGENDA**

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

#### **2. DECLARATIONS OF INTEREST**

#### **3. CEREMONIAL ACTIVITIES**

#### **4. APPROVAL OF MINUTES OF PREVIOUS MEETING**

4.1 June 12, 2019

#### **5. COMMUNICATIONS**

- 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

- 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. Catharines 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.

## **6. COMMITTEE REPORTS**

- 6.1 Selection Committee Report 19-004 - June 12, 2019

- 6.2 Public Works Committee Report 19-009 - June 17, 2019

- 6.3 Board of Health Report 19-006 - June 17, 2019

- 6.4 Planning Committee Report 19-010 - June 18, 2019

- 6.5 General Issues Committee Report 19-012 - June 19, 2019

- 6.6 Emergency and Community Services Committee Report 19-007 - June 20, 2019

## **7. MOTIONS**

- 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

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

## **8. NOTICES OF MOTIONS**

## **9. STATEMENTS BY MEMBERS**

## **10. PRIVATE AND CONFIDENTIAL**

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

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.

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

### 11.1 144

To Establish City of Hamilton Land Described as Block 111 on Plan 62M-1016 as Part of Tanglewood Drive

Ward: 11

### 11.2 145

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

### 11.3 146

To Rename North Service Road (commonly known as Drakes Drive) to Parkedge Drive

Ward: 10

### 11.4 147

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

### 11.5 148

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

### 11.6 149

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

11.7 150

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

11.8 151

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

11.9 152

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

11.10 153

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

11.11 154

To Permanently Close and Sell a Portion of Public Unassumed Alley Abutting 193 East 22<sup>nd</sup> 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

11.12 155

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

11.13 156

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

11.14 157

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

11.15 158

Respecting Removal of Part Lot Control, Block 1, Registered Plan No. 62M-1258, municipally known as 50 Albright Road

PLC-19-017

Ward: 5

11.16 159

To Confirm the Proceedings of City Council

## 12. ADJOURNMENT



## CITY COUNCIL MINUTES 19-011

5:00 p.m.  
June 12, 2019  
Council Chamber  
Hamilton City Hall  
71 Main Street West

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

**Absent:** Councillor L. Ferguson – City Business

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 Paul Neissen, Board Member of the Christian Salvage Mission, to provide the invocation.

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

### 1. COMMUNICATIONS (Item 5)

- 5.4 Correspondence respecting the establishment of the Audit and Accountability Fund which will allow large municipalities to access funding to undertake line-by-line reviews of their operations, led by independent third-party experts, with a goal of finding administrative efficiencies of four cents on every dollar spent.

- (a) The Honourable Steve Clark, Minister of Municipal Affairs and Housing
- (b) Lauri LeBlanc, Deputy Minister, Ministry of Municipal Affairs and Housing

Recommendation: Be received ***and referred to the consideration of Item 8.2.***

- 5.9 Correspondence respecting the Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 468 to 476 James Street North, Hamilton:

- (f) North End Neighbourhood Association

- (g) Corktown Neighbourhood Association
- (h) Bill and Lisa Majoros
- (i) Rob Fiedler
- (j) Lynda Gottlieb
- (k) Ginette Peters
- (l) Carole Peters
- (m) Peggy-Anne Mansfield and Deborah Mercer

Recommendation: Be received and referred to the consideration of Item 5 of Planning Committee Report 19-009.

## 2. NOTICES OF MOTION (Item 8)

- 8.1 Celebrate Ontario 2019 Hamilton Results  
*Urgency – Seeks to acquire input in a timely manner from all the festivals / events throughout the City who have been impacted by the change to the Celebrate Ontario funding objectives and priorities.*
- 8.2 Audit and Accountability Fund: Expression of Interest  
*Urgency – As per Communication Item 5.4 (b) the deadline for the submission of Expressions of Interest is June 30, 2019.*

## 3. BY-LAWS AND CONFIRMING BY-LAW (Item 11)

- 141 Respecting Removal of Part Lot Control, Block 1, Registered Plan No 62M-1258, municipally known as 50 Albright Road  
PLC-19-017  
Ward: 5  
***Withdrawn with the remaining bills being renumbered.***

### (Pearson/Johnson)

That the agenda for the June 12, 2019 meeting of Council be approved, ***as amended.***

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

YES - Councillor Maureen Wilson  
 NOT PRESENT - Councillor Jason Farr  
 YES - Councillor Nrinder Nann  
 YES - Councillor Sam Merulla  
 YES - 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 Wilson declared an interest to Item 9 of the Audit, Finance and Administration Committee Report 19-009, respecting the Development Charges By-law as a family member does not provide affordable housing but due to the sphere of activity in relation to affordable housing financing it is a conflict as deemed by the Integrity Commissioner.

### CEREMONIAL ACTIVITIES

#### 3.1 Westmount Secondary School Winners of the 2019 National Reach for the Top Competition

The Mayor congratulated Westmount Secondary School on being the winners of the 2019 National Reach for the Top Competition. The Westmount Team was the first City of Hamilton team to qualify for the Nationals in Reach for the Top's 53 years of competition. The Westmount Team: Daniel Song, Samir Mechel, Marcell Maitinsky, Amy Wang, Talia Fan and Alternates: Neil Lin, Phillip Darley, Nick Alizadeh, coached by Jay Misuk and Tara Rosebery managed to remain calm, positive, and focused throughout the competition. The final round a 90-second speed round, and Westmount's specialty, resulted in Westmount's win with a score of 450 to 360, thus earning Westmount, and Hamilton the first Reach for the Top National Championship title, and having done so with a perfect record at Nationals.

### APPROVAL OF MINUTES OF PREVIOUS MEETING

#### 4.1 May 22, 2019

##### (VanderBeek/Partridge)

That the Minutes of the May 22, 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

<b>COMMUNICATIONS</b>
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**(Johnson/Pearson)**

That Council Communications 5.1 to 5.13 be approved, as presented, as follows:

- 5.1 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019.

Recommendation: Be received and referred to the General Managers of Planning and Economic Development and Healthy and Safe Communities for appropriate action.

- 5.2 Correspondence from the Township of Bonnechere Valley requesting support for their resolution respecting the proposed changes to Section 2(2) of the *Fisheries Act*.

Recommendation: Be received.

- 5.3 Correspondence from the Township of McNab/Braeside requesting support for their resolution requesting that the Premier of Ontario reconsider online courses until rural Ontario students can be given the same opportunity to online course as urban students.

Recommendation: Be received.

- 5.4 Correspondence respecting the establishment of the Audit and Accountability Fund which will allow large municipalities to access funding to undertake line-by-line reviews of their operations, led by independent third-party experts, with a goal of finding administrative efficiencies of four cents on every dollar spent.

- (a) The Honourable Steve Clark, Minister of Municipal Affairs and Housing
- (b) Lauri LeBlanc, Deputy Minister, Ministry of Municipal Affairs and Housing

Recommendation: Be received and referred to the consideration of Item 8.2

- 5.5 Correspondence from the Honourable Jeff Yurek, Minister of Transportation in response to the Mayor's letter requesting an update on the environmental assessment for the widening of Highway 403 from Highway 52 to Highway 6.

Recommendation: Be received.

- 5.6 Correspondence from Conservation Halton respecting reports entitled Proposed Excess Soil Regulatory Proposal and amendments to Record of Site Conditions Regulation; Holding polluters accountable by enhancing Ministry of Environment Conservation and Parks' enforcement, and Bill 108 (Schedule 12) - the proposed More Homes, More Choice Act: Amendments to the Planning Act.

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

- 5.7 Correspondence from the Town of Fort Erie to the Right Honourable Justin Trudeau requesting support for their resolution respecting the Issuance of Cannabis Licences in Residentially Zoned Areas.

Recommendation: Be received.

- 5.8 Correspondence from the Municipality of East Ferris requesting support for their resolution to petition ROMA to place the combined OGRA/ROMA conference to a membership vote.

Recommendation: Be received.

- 5.9 Correspondence respecting the Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 468 to 476 James Street North, Hamilton:

- (a) Susan Walker
- (b) Blanca Medina
- (c) Linda Lebeau
- (d) Kathy Hearn
- (e) Jim Shoenhardt
- (f) North End Neighbourhood Association
- (g) Corktown Neighbourhood Association
- (h) Bill and Lisa Majoros
- (i) Rob Fiedler
- (j) Lynda Gottlieb
- (k) Ginette Peters
- (l) Carole Peters
- (m) Peggy-Anne Mansfield and Deborah Mercer

Recommendation: Be received and referred to the consideration of Item 5 of Planning Committee Report 19-009

- 5.10 Correspondence respecting the 2019 Development Charges By-law and Background Study:

- (a) Losani Homes
- (b) Hamilton-Halton Home Builders' Association

Recommendation: Be received and referred to the consideration of Item 9 of the Audit, Finance & Administration Committee Report 19-009

- 5.11 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting More Homes, More Choice: Ontario's Housing Supply Action Plan.

Recommendation: Be received and referred to the General Managers of Planning and Economic Development and Healthy and Safe Communities for appropriate action.

- 5.12 Correspondence from the Ministry of Agriculture, Food and Rural Affairs respecting the Housing Supply Action Plan and their plans to collaborate with municipalities on the mapping refinements to the agricultural land base to ensure it reflects local realities.

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

- 5.13 Correspondence from Adam Redish, Assistant Deputy Minister, Infrastructure Policy Division, Ministry of Infrastructure reminding municipalities that they must have a finalized strategic asset management policy in place by July 1st of this year.

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

**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

**(Pearson/Clark)**

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

**CARRIED**

<b>PUBLIC WORKS COMMITTEE REPORT 19-008</b>
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- 2. Promoting and Sharing of the City of Hamilton's Fiscal and Energy Conservation Achievements in Meeting Climate Change Challenges (Item 9.1)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**3. Feasibility of Joining a Sidewalk from the Mount Hope Urban Boundary to the John C. Munro International Airport Lands (PED19040) (Ward 11) (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 - Councillor Maria Pearson  
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 Brad Clark

**4. Woodward Upgrade Project - Services During Construction (PW17092(a)) (City Wide) (Item 10.2)**

**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 - Councillor Maria Pearson  
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  
NO - Councillor Brad Clark

**5. Proposals for Waste Management - Referral of Delegation Requests (PW19040) (City Wide) (Item 10.3)**

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

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

**6. Southcote Road Municipal Class Environmental Assessment (PW19041) (Ward 12) (Item 10.4)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**7. Replacement of the Supervisory Control and Data Acquisition System at the Central Composting Facility (PW19042) (City Wide) (Item 10.5)**

**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 - Councillor Maria Pearson  
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  
NO - Councillor Brad Clark

**8. New Septage Waste Haulage Receiving Station Schedule 'B' Municipal Class Environmental Assessment (PW19047) (Ward 11) (Item 10.6)**

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

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

**9. Resurfacing of Galbraith Drive and Second Street North, Hamilton (Ward 5) (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 - Councillor Maria Pearson  
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 Brad Clark

**10. Extension of Contract C15-23-18 (P) Relating to Churchill Park, Hamilton (Ward 1) (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 - Councillor Maria Pearson  
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 Brad Clark

**(Whitehead/VanderBeek)**

That the EIGHTH Report of the Public Works 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 - Councillor Maria Pearson  
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 Brad Clark

<b>PLANNING COMMITTEE REPORT 19-009</b>
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**1. To Incorporate City Lands into Upper Red Hill Valley Parkway By-law (PED19103) (Wards 6 and 9) (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 - Councillor Maria Pearson  
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 Brad Clark

**2. Hamilton Municipal Heritage Committee Report 18-010 (Item 7.2)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**3. Application to Amend the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 2040 Hall Road, Glanbrook (PED19105) (Ward 11) (Item 8.1)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**4. Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 514-516 Barton Street, and 293 Dewitt Road (Stoney Creek) (PED19106) (Ward 10) (Item 8.2)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**5. Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 468-476 James St North, Hamilton (PED19116) (Ward 2) (Item 8.3)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**6. Bill 108, More Homes, More Choice Act, 2019 - Ontario Proposed Changes to Land Use Planning, Heritage and Appeals Systems (PED19125/LS19020) (Item 9.1)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**8. Amendments to Property Standards By-law 10-221 Respecting Development and Grading Plans (PED19113) (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 - Councillor Maria Pearson  
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 Brad Clark

**10. Year Round Live-Aboards at West Harbour Marinas / Yacht Clubs (Item 11.1)**

**(Farr/Whitehead)**

That Item 10 of the Planning Committee Report, respecting Year Round Live-Aboards at West Harbour Marinas / Yacht Clubs be referred back to Planning Committee at a future meeting.

**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 - Councillor Maria Pearson  
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 Brad Clark

**11. Amendment to Nuisance By-law No. 09-110 respecting Cannabis Growing Operations (Item 11.2)**

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

YES - Councillor Maureen Wilson  
YES - Councillor Jason Farr  
YES - Councillor Nrinder Nann  
YES - Councillor Sam Merulla  
NOT PRESENT - Councillor Chad Collins  
YES - Councillor Tom Jackson  
YES - Councillor Esther Pauls  
YES - Councillor John-Paul Danko  
YES - Councillor Maria Pearson  
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 Brad Clark

**12. Demolition Permit for 743 Green Mountain Road East (Stoney Creek) (Item 11.3)**

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

YES - Councillor Maureen Wilson  
YES - Councillor Jason Farr  
YES - Councillor Nrinder Nann  
YES - Councillor Sam Merulla  
NOT PRESENT - Councillor Chad Collins  
YES - Councillor Tom Jackson  
YES - Councillor Esther Pauls  
YES - Councillor John-Paul Danko  
YES - Councillor Maria Pearson  
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 Brad Clark

**13. Electric Charging Stations in Ward 5 (Item 11.4)**

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

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

YES - Councillor Sam Merulla  
NOT PRESENT - Councillor Chad Collins  
YES - Councillor Tom Jackson  
YES - Councillor Esther Pauls  
YES - Councillor John-Paul Danko  
YES - Councillor Maria Pearson  
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 Brad Clark

**14. Development of a Rural Fill By-law (Added Item 12.2)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**(Pearson/Johnson)**

That the NINTH Report of the Planning 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 - Councillor Maria Pearson

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 Brad Clark

<b>GENERAL ISSUES COMMITTEE REPORT 19-011</b>
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**3. Revised Locke Street Business Improvement Area (BIA) Board of Management (PED19111) (Ward 1) (Item 7.4)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**4. Commonwealth Games 2030 (PED19108) (City Wide) (Item 9.1)**

**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 - Councillor Maria Pearson  
YES - Mayor Fred Eisenberger  
NO - Councillor Judi Partridge  
YES - Councillor Terry Whitehead  
YES - Councillor Arlene VanderBeek  
NOT PRESENT - Councillor Lloyd Ferguson

YES - Deputy-Mayor Brenda Johnson  
YES - Councillor Brad Clark

**5. Downtown Entertainment Assets Operating Agreements (CM18013(a)) (City Wide) (Item 9.2)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**6. Funding for Site Operational Costs for Tesla Electric City Festival Partnered Event at Hamilton Museum of Steam and Technology (PED19110) (Ward 4) (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 - Councillor Maria Pearson  
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 Brad Clark

**9. Greater Bay Area Sub-Committee Report 19-001, May 10, 2019 (Item 10.4)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**10. Business Improvement Area Advisory Committee Report 19-005, May 14, 2019 (Item 10.5)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**11. Navy League Licence Agreement - Barton Community Hub (PED19077) (Ward 2) (Item 10.6)**

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

YES - Councillor Maureen Wilson  
YES - Councillor Jason Farr

YES - Councillor Nrinder Nann  
YES - Councillor Sam Merulla  
YES - Councillor Chad Collins  
YES - Councillor Tom Jackson  
YES - Councillor Esther Pauls  
YES - Councillor John-Paul Danko  
YES - Councillor Maria Pearson  
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 Brad Clark

**12. Hamilton Future Fund Board of Governors Report 19-001, May 28, 2019 (Item 10.8)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**13. New Hope Community Bikes (Item 12.1)**

**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 - Councillor Maria Pearson

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 Brad Clark

**14. Rogers Hometown Hockey Tour Event (Item 12.2)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**15. Parking at Geoff Walker Real Estate during the 2019 Golf Canada Tournament (Item 12.3)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**16. Development Charges Deferral Agreement 122E with 1778235 Ontario Inc. – Status Litigation Update (LS19015/FCS19049) (City Wide) (Item 14.1)**

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

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

**(Eisenberger/Partridge)**

That the ELEVENTH Report of the General Issues 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 - Councillor Maria Pearson  
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 Brad Clark

**HAMILTON UTILITIES CORPORATION SHAREHOLDER REPORT 19-001****2. Appointment of KPMG LLP as the Auditor of the Hamilton Utilities Corporation (Item 5.2)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**3. Appointment of the Board of Directors of Hamilton Utilities Corporation (Item 7.1)****(Eisenberger/Whitehead)**

That Item 3 of the Hamilton Utilities Corporation Shareholder Report 19-001, be deleted in its entirety and replaced with the following in lieu thereof:

- ~~(a) That the appointments to the Board of Directors of the Hamilton Utilities Corporation, be approved; and,~~
- ~~(b) That the appointments to the Board of Directors of Hamilton Utilities Corporation remain confidential until approved by Council.~~

***WHEREAS, the Articles of Incorporation of the Corporation provide that the Board of Directors shall consist of a minimum of one (1) and a maximum of twenty (20) Directors;***

***WHEREAS, it is desirable that henceforth the Corporation have five (5) Directors; and,***

***WHEREAS, the Council of the City of Hamilton at its meeting of May 22, 2019 appointed Councilor Merulla as the Mayor's designate to the Board of Directors of the Corporation for a term ending June 30, 2022 or until his respective successor is elected or appointed subject to the by-laws of the Corporation.***

***THEREFORE, BE IT RESOLVED:***

- (a) That, as a special resolution, henceforth the number of Directors of the Hamilton Utilities Corporation be five (5);***
- (b) That the following persons, having heretofore consented to serve as a Director of the Corporation, be approved to serve as a Private Director of the Corporation for the period set opposite their name below, namely:***
  - (i) Resident:***
    - (1) Julia Kamula Three-year term commencing July 1, 2019***
    - (2) Greg McCamus Two-year term commencing July 1, 2019***
  - (ii) Non-Resident:***
    - (1) Laurie Tugman Three-year term commencing July 1, 2019***
    - (2) Christa Wessel Two-year term commencing July 1, 2019***

**Result: Amendment 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 - Councillor Maria Pearson  
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 Brad Clark

**Result: Main Motion, as amended, 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 - Councillor Maria Pearson  
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 Brad Clark

**4. Appointment of Board of Directors of Alectra Inc. (Item 7.2)**

**(Eisenberger/Partridge)**

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

- ~~(a) That the appointments to the Board of Directors of Alectra Inc., be approved;  
and,~~
- ~~(b) That the appointments to the Board of Directors of Alectra Inc., remain  
confidential until approved by Council.~~

***WHEREAS, the Corporation owns 17.31% of the issued and outstanding share capital in Alectra Inc.;***

***WHEREAS, Alectra Inc.'s Unanimous Shareholders' Agreement entitles the Corporation to appoint one (1) independent and one (1) non-independent Director to the Board of Directors of Alectra Inc.;***

***WHEREAS, the Council of the City of Hamilton at its inaugural council meeting of December 3, 2018 appointed to Alectra Inc.'s Board of Directors Mayor Fred Eisenberger as the non-independent Director for the 2018-2022 term of Council;***

***WHEREAS, Alectra Inc. has recommended to the Corporation that Shaun Donnelly be appointed as the independent Director;***

***WHEREAS, the Board of Directors of the Hamilton Utilities Corporation hereby recommends that the City of Hamilton approve the election of Sean Donnelly to serve as independent Director on Alectra Inc.'s Board of Directors for a three-year term commencing July 1, 2019; and,***

***WHEREAS, the Corporation's Shareholder Agreement requires the approval of the City of Hamilton prior to putting forward a nominee to be an independent Director of Alectra Inc.;***

***THEREFORE, BE IT RESOLVED:***

***That Sean Donnelly be approved to serve as independent Director on Alectra Inc.'s Board of Directors for a three-year term commencing July 1, 2019.***

**Result:**        ***Amendment 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 - Councillor Maria Pearson  
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 Brad Clark

**Result:**        ***Main Motion, as amended, 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 - Councillor Maria Pearson  
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 Brad Clark

**(Eisenberger/VanderBeek)**

That the FIRST Report of the Hamilton Utilities Corporation Shareholder 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 - Councillor Maria Pearson  
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 Brad Clark

<b>HAMILTON ENTERPRISES HOLDING CORPORATION SHAREHOLDER REPORT 19-001</b>
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**2. Appointment of KPMG LLP as the Auditor of Hamilton Enterprises Holding Corporation (Item 5.2)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**3. Appointment of the Board of Directors of Hamilton Enterprises Holding Corporation (Item 7.1)**

**(Eisenberger/Partridge)**

That Item 3 of the Hamilton Enterprises Holding Corporation Shareholder Report 19-001, be deleted in its entirety and replaced with the following in lieu thereof:

- ~~(a) That the appointments to the Board of Directors of the Hamilton Enterprises Holding Corporation, be approved; and,~~
- ~~(b) That the appointments to the Board of Directors of Hamilton Enterprises Holding Corporation remain confidential until approved by Council.~~

***WHEREAS, the Articles of Incorporation of the Corporation provide that the Board of Directors shall consist of a minimum of one (1) and a maximum of twenty (20) Directors;***

***WHEREAS, it is desirable that henceforth the Corporation have eight (8) Directors; and,***

***WHEREAS, the Council of the City of Hamilton at its meeting of May 22, 2019 appointed Councilor Merulla as the Mayor's designate to the Board of Directors of the Corporation for a term ending June 30, 2022 or until his respective successor is elected or appointed subject to the by-laws of the Corporation.***

***THEREFORE, BE IT RESOLVED:***

- (a) ***That, as a special resolution, henceforth the number of Directors of the Hamilton Enterprises Holding Corporation be eight (8);***
- (b) ***That the following persons, having heretofore consented to serve as a Director of the Corporation, be approved to serve as a Private Director of the Corporation for the period set opposite their name below, namely:***

***(i) Resident:***

- (1) ***Julia Kamula      Three-year term commencing July 1, 2019***
- (2) ***Greg McCamus      Two-year term commencing July 1, 2019***
- (3) ***Tony Thoma      One-year term commencing July 1, 2019***

***(ii) Non-Resident:***

- (1) ***Laurie Tugman      Three-year term commencing July 1, 2019***
- (2) ***Christa Wessel      Two-year term commencing July 1, 2019***
- (3) ***Lesley      One-year term commencing July 1, 2019***  
***Gallinger***
- (4) ***Daryl Wilson      One-year term commencing July 1, 2019***

**Result:      *Amendment 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 - Councillor Maria Pearson

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 Brad Clark

**Result:**      **Main Motion, *as amended*, 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 - Councillor Maria Pearson  
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 Brad Clark

**(Eisenberger/Pearson)**

That the FIRST Report of the Hamilton Enterprises Holding Corporation Shareholder 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 - Councillor Maria Pearson  
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 Brad Clark

<b>AUDIT, FINANCE &amp; ADMINISTRATION COMMITTEE REPORT 19-009</b>
--

**1. 2018 Provincial Offences Administration Annual Report (FCS19011) (City Wide) (Item 7.2)**

**(Eisenberger/Wilson)**

That the following motion ***be amended*** as follows:

- (a) That Report FCS19011, respecting 2018 Provincial Offences Administration Annual Report be referred to the Hamilton Police Services Board for review ***and that the Hamilton Police Services Board be requested to report back to the Audit, Finance & Administration Committee; and,***
- (b) That Report FCS19011, respecting 2018 Provincial Offences Administration Annual Report be referred to Municipal Law Enforcement for review.

**Result:       *Amendment 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 - Councillor Maria Pearson  
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 Brad Clark

**Result:       Main Motion, as *amended* 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 - Councillor Maria Pearson  
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 Brad Clark

**2. Proposed Write-Off for Provincial Offences (FCS19012) (City Wide) (Item 7.3)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**4. Tania Amaral, respecting a burst pipe resulting in an exorbitant water bill (Approved May 16, 2019) (Item 8.1)**

**Result: Motion CARRIED by a vote of 13 to 2, as follows:**

NO - Councillor Maureen Wilson  
YES - Councillor Jason Farr  
YES - Councillor Nrinder Nann  
YES - Councillor Sam Merulla  
YES - Councillor Chad Collins  
YES - Councillor Tom Jackson  
YES - Councillor Esther Pauls  
YES - Councillor John-Paul Danko  
NO - Councillor Maria Pearson  
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 Brad Clark

**5. Grant Ranalli, respecting advocating for CBC Radio service in Hamilton (Approved May 16, 2019) (Item 8.2)**

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

YES - Councillor Maureen Wilson  
NOT PRESENT - Councillor Jason Farr  
YES - Councillor Nrinder Nann  
YES - Councillor Sam Merulla  
YES - Councillor Chad Collins  
YES - Councillor Tom Jackson  
YES - Councillor Esther Pauls  
YES - Councillor John-Paul Danko  
YES - Councillor Maria Pearson  
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 Brad Clark

**6. Proposed Amendments to Fair Wage Policy and Fair Wage Schedule (FCS19035 / HUR19008) (City Wide) (Item 10.1)**

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

YES - Councillor Maureen Wilson  
NOT PRESENT - Councillor Jason Farr  
YES - Councillor Nrinder Nann  
YES - Councillor Sam Merulla  
YES - Councillor Chad Collins  
YES - Councillor Tom Jackson  
YES - Councillor Esther Pauls  
YES - Councillor John-Paul Danko  
YES - Councillor Maria Pearson  
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 Brad Clark

**7. 2019 Property and Liability Insurance Renewal Report (FCS19032) (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 - Councillor Maria Pearson  
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 Brad Clark

**9. 2019 Development Charges By-law and Background Study (FCS19050) (City Wide) (Item 10.4)**

**(Collins/Merulla)**

That Item 9 of the Audit, Finance & Administration Committee Report 19-009, be amended as follows:

WHEREAS the Province released Bill 108, *More Homes, More Choice Act, 2019* on May 2, 2019 and the Bill received Royal Assent on June 6, 2019;

WHEREAS Bill 108 will ultimately result in many services (generally referred to as soft services) that the City collects Development Charges for, to no longer to be eligible for inclusion in a Development Charges Study and By-law;

WHEREAS Bill 108 provides transition provisions for Development Charge By-laws that expire after May 2, 2019;

WHEREAS once Bill 108 is proclaimed in force Development Charges By-laws may only impose Development Charges for the services listed in subsection 2(4) of the *Development Charges Act, 1997, as amended* which results in the exclusion of soft services from Development Charges;

WHEREAS the draft Development Charge By-law being recommended to Council for approval in FCS19050 is before Council for passage on June 12, 2019 but contains a provision which would delay the by-law coming into force until July 6, 2019;

WHEREAS the date of proclamation of Bill 108 unknown;

WHEREAS the City of Hamilton has undertaken a Development Charges Background Study dated March 13, 2019;

WHEREAS extraordinary hours of staff and consultants time has been allocated to ensuring that the 2019 Development Charges Background Study and calculation reflect the costs necessary to service the anticipated development within the City;

WHEREAS the impacts of Bill 108 cannot be fully understood by municipalities since the regulations have not been released;

WHEREAS staff has identified a risk regarding the effective date of the 2019 Development Charges By-law and the transition provisions contained within Bill 108, given how quickly the Provincial Government may Proclaim the Bill; specifically, the effective date of July 6, 2019 in the 2019 Development Charges By-law and the ability to collect for soft services at the rates determined necessary to support the capital needs related to growth through the 2019 Development Charges calculation;

WHEREAS there is a \$3,593 difference per single family dwelling in the soft service Development Charges between the current Development Charges collected for soft services and the amount calculated for soft service through the 2019 Development Charges Background Study;

WHEREAS July 6, 2019 has consistently been communicated as the date that the 2019 Development Charge rates would take effect;

WHEREAS there is a need to mitigate the risk identified while acknowledging that developers have been working with July 6, 2019 as the date increased Development Charges would take effect;

WHEREAS Addendum #2 to the 2019 Development Charges Background Study, dated June 10, 2019, has been prepared and released by Watson Associates Economists Ltd. and communicated by the City through the City's website and twitter account;

WHEREAS the City has met all legislated timelines and consultation periods required prior to passing and enacting a new Development Charges By-law;

WHEREAS this motion addresses the request from the June 6, 2019 Audit, Finance and Administration Committee meeting for staff to report back to Council on June 12, 2019 with language regarding transitional concerns related to Bill 108 and the 2019 Development Charges By-law;

WHEREAS it is the intent of Council that the proposed 2019 Development Charges By-law to be passed, enacted and take effect prior to the proclamation of Bill 108;

BE IT THEREFORE RESOLVED:

- (i) That the recommendations (a), (c) and (f) of Item 9 of Audit, Finance and Administration Committee Report 19-009 respecting the 2019 Development Charges By-law and Background Study (FCS19050) be **amended** as follows:
  - (a) That the 2019 City of Hamilton Development Charges Study, as amended, prepared by Watson & Associates Economists Ltd. and dated March 13, 2019, amended May 15, 2019 **and June 10, 2019**, be approved;

- (c) That ***the increase in need for services as set out in*** all of the growth capital projects listed in the City of Hamilton Development Charges Background Study, as amended, prepared by Watson & Associates Economists Ltd. and dated March 13, 2019, amended May 15, 2019 ***and June 10, 2019***, be approved, in principle, subject to annual capital budget approvals;
- (f) That the “Local Service Policy” as included in the 2019 City of Hamilton Development Charges Study, as amended, be implemented effective ***June 13, 2019*** and that the Planning and Economic Development Department be directed to make any updates required to co-ordinate the City’s financial policies for new development with the “Local Service Policy”;
- (ii) That the proposed 2019 Development Charges By-Law attached as Appendix “A” to Report FCS19050, be ***amended*** as follows:
  - (a) That the fifth recital be ***amended*** by replacing “General Issues Committee” with “Audit, Finance, and Administration Committee” as follows:

“WHEREAS the Council of the City of Hamilton, through its ***Audit, Finance and Administration Committee***, has received written submissions and heard all persons who applied to be heard no matter whether in objection to, or in support of, the said By-law;”
  - (b) That Schedule A be replaced with ***Revised*** Schedule A, attached hereto;
  - (c) That Schedule B be replaced with ***Revised*** Schedule B, attached hereto;
  - (d) That Schedule C be replaced with ***Revised*** Schedule C, attached hereto;
  - (e) That Table 1 be replaced with ***Revised*** Table 1, attached hereto;
  - (f) That the Downtown Hamilton CIPA Table in Sub-section 27 (a) be replaced with ***Revised*** Table 2, attached hereto;
  - (g) That Subsection 38 (a) and (b) be deleted and replaced with the following:

### **Indexing**

- 38. The Development Charges set out in ***Revised*** Schedule “A” and ***Revised*** Schedule “B” of this By-law shall be adjusted annually without amendment to this By-law by the percentage change during the preceding year, as recorded in the Statistics Canada’s Building Construction price index, by type of building (non-residential building) (Table 18-10-0135-01) for the City of Toronto, as may be amended or replaced from time to time. This adjustment shall take place as follows:

- (a) the initial adjustment shall **be on July 6, 2020 at 12:01 am**, and
- (b) thereafter, adjustment shall be made each year on **July 6**.
- (h) That Section 44 be **amended** such that the by-law shall take effect as of June 13, 2019.

**Date By-law Effective**

- 44. This By-law shall come into force and take effect at 12:01 a.m. on **June 13**, 2019.
- (iii) That the recommendations (d) and (e) of Item 9 of Audit, Finance and Administration Committee Report 19-009 respecting the 2019 Development Charges By-law and Background Study (FCS19050) be **amended** as follows:
  - (d) That, having considered the matters in Report FCS19050 including the changes incorporated into the **proposed** 2019 Development Charges By-law, attached hereto as Appendix "A" **as amended** of Report FCS19050, no further meeting under s.12 of the Development Charges Act, 1997 is required;
  - (e) That Appendix "A" **as amended**, attached to Report FCS19050 respecting the 2019 Development Charges By-law, prepared in a form satisfactory to the City Solicitor, be passed and enacted;
- (iv) That the following sub-section (m) be added, to address Council's intent to enact the proposed 2019 Development Charges By-law to take effect prior to the proclamation of Bill 108:
  - (m) ***That after having considered the foregoing matters set out in Report FCS19050, including all the changes to the proposed 2019 Development Charge By-law including those described in paragraph (d) above and all matters set out in this motion, no further meeting under section 12 of the Development Charges Act, 1997 is required.***

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

CONFLICT - Councillor Maureen Wilson  
YES - Councillor Jason Farr  
YES - Councillor Nrinder Nann  
NOT PRESENT - Councillor Sam Merulla  
YES - Councillor Chad Collins  
YES - Councillor Tom Jackson  
YES - Councillor Esther Pauls  
YES - Councillor John-Paul Danko  
YES - Councillor Maria Pearson  
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 Brad Clark

Main Motion as Amended to read as follows:

- (a) That the 2019 City of Hamilton Development Charges Study, as amended, prepared by Watson & Associates Economists Ltd. and dated March 13, 2019, amended May 15, 2019 **and June 10, 2019**, be approved;
- (b) That, whenever appropriate, the City requests that grants, subsidies and other contributions be clearly designated by the provider as being to the benefit of existing development (or new development, as applicable);
- (c) That **the increase in need for services as set out in** all of the growth capital projects listed in the City of Hamilton Development Charges Background Study, as amended, prepared by Watson & Associates Economists Ltd. and dated March 13, 2019, amended May 15, 2019 **and June 10, 2019**, be approved, in principle, subject to annual capital budget approvals;
- (d) That, having considered the matters in Report FCS19050 including the changes incorporated into the **proposed** 2019 Development Charges By-law, attached hereto as Appendix "A" **as amended** of Report FCS19050, no further meeting under s.12 of the Development Charges Act, 1997 is required;
- (e) That Appendix "A" **as amended**, attached to Report FCS19050 respecting the 2019 Development Charges By-law, prepared in a form satisfactory to the City Solicitor, be passed and enacted;
- (f) That the "Local Service Policy" as included in the 2019 City of Hamilton Development Charges Study, as amended, be implemented effective **June 13**, 2019 and that the Planning and Economic Development Department be directed to make any updates required to co-ordinate the City's financial policies for new development with the "Local Service Policy";
- (g) That, where public stormwater management facilities have been provided at the cost of a developer, as a condition of development approval and the said facilities are deemed to be permanent and part of an ultimate solution, "credits for services in-lieu" for the related stormwater component of the Development Charge will be applied for any unbuilt units upon the said facilities being included in the Development Charge Background Study and any applicable addendum(s). Should external future development lands take benefit of said stormwater management facilities and where a best efforts provision has been included within the development agreement under which the facility was built, the City will collect the full Development Charge from the external developer and reimburse the original developer (constructor of storm pond) only the original value of the proportionate share of the best effort;

- (h) That the General Manager of Finance and Corporate Services be delegated authority to authorize Development Charge deferral agreements as outlined in Section 34 of the DC By-law, attached hereto as Appendix "A" of Report FCS19050;
- (i) That Development Charge Reserves be set up for the following type of Development Charge collections;
  - (i) Waste Diversion Residential Reserve;
  - (ii) Waste Diversion Non-Residential Reserve;
  - (iii) Stormwater Combined Residential Reserve;
  - (iv) Stormwater Combined Non-Residential Reserve;
  - (v) Stormwater Separated Residential Reserve;
  - (vi) Stormwater Separated Non-Residential Reserve;
  - (vii) Administrative Studies – Community Based Studies Residential Reserve;
  - (viii) Administrative Studied – Community Based Studies Non-Residential Reserve;
- (j) That, having considered the matters in Report FCS19050 including the changes incorporated into the amending GO Transit By-law attached hereto as Appendix "B" to Report FCS19050, no further meeting under s.12 of the Development Charges Act, 1997 is required;
- (k) That Appendix "B" attached to Report FCS19050 being a By-law to amend By-law 11-174 – "City of Hamilton GO Transit Development Charge By-law, 2011", prepared in a form satisfactory to the City Solicitor, be passed and enacted; and,
- (l) That staff be directed to report back to the Audit, Finance & Administration Committee regarding the anticipated impact of Bill 108: More Homes, More Choice Act 2019 on the 2019 Development Charges By-law once the regulations are released and the Bill has received Royal Assent.
- (m) *That after having considered the foregoing matters set out in Report FCS19050, including all the changes to the proposed 2019 Development Charge By-law including those described in paragraph (d) above and all matters set out in this motion, no further meeting under section 12 of the Development Charges Act, 1997 is required.***

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

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

**Staff Direction to Report Back to Council With Transitional Language for the Development Charges By-law (Item 10.4)**

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

**10. Governance Review Sub-Committee Report 19-004 - May 28, 2019 (Added Item 10.5)**

**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 - Councillor Maria Pearson  
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 Brad Clark

**11. Bill 108 "More Homes, More Choice Act, 2019" - Schedule 3 Comment Submission (FCS19057 / LS19023) (City Wide) (Added Item 10.6)**

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

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

**12. Access by Design Policy (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 - Councillor Maria Pearson  
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 Brad Clark

**13. Community Room at 120 Strathcona Avenue North (Added Item 11.2)**

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

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

**(Collins/Merulla)**

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

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

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

<b>EMERGENCY &amp; COMMUNITY SERVICES COMMITTEE REPORT 19-006</b>
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**1. Addiction Services Initiative (HSC19027) (City Wide) (Item 7.1)**

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

YES - Councillor Maureen Wilson  
YES - Councillor Jason Farr

YES - Councillor Nrinder Nann  
YES - Councillor Sam Merulla  
YES - Councillor Chad Collins  
YES - Councillor Tom Jackson  
YES - Councillor Esther Pauls  
YES - Councillor John-Paul Danko  
YES - Councillor Maria Pearson  
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 Brad Clark

2. **Youth with Developmental Disabilities Turning 18, Being Discharged and Cut from Services and Funding from our Province, Requesting for the City of Hamilton's Support, in Noah and Gregory's Bill "Insuring that Supports Continue with No Gap in Services upon a Child's 18th Birthday." (Item 8.2)**

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

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

3. **Hamilton Fire Department Service Delivery Plan (2019-2028) (HSC19026) (City Wide) (Item 9.1)**

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

YES - Councillor Maureen Wilson  
NOT PRESENT - Councillor Jason Farr  
YES - Councillor Nrinder Nann  
YES - Councillor Sam Merulla  
YES - Councillor Chad Collins  
YES - Councillor Tom Jackson

YES - Councillor Esther Pauls  
YES - Councillor John-Paul Danko  
YES - Councillor Maria Pearson  
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 Brad Clark

**5. Installation of Fencing Around CityHousing Hamilton Waste Bins at 44 Montcalm Drive, Hamilton (Ward 8) (Item 11.1)**

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

YES - Councillor Maureen Wilson  
NOT PRESENT - Councillor Jason Farr  
YES - Councillor Nrinder Nann  
YES - Councillor Sam Merulla  
YES - Councillor Chad Collins  
YES - Councillor Tom Jackson  
YES - Councillor Esther Pauls  
YES - Councillor John-Paul Danko  
YES - Councillor Maria Pearson  
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 Brad Clark

**6. Pride Hamilton Funding (Added Item 11.2)**

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

YES - Councillor Maureen Wilson  
NOT PRESENT - Councillor Jason Farr  
YES - Councillor Nrinder Nann  
YES - Councillor Sam Merulla  
YES - Councillor Chad Collins  
YES - Councillor Tom Jackson  
YES - Councillor Esther Pauls  
YES - Councillor John-Paul Danko  
YES - Councillor Maria Pearson  
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 Brad Clark

**(Merulla/Collins)**

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

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

YES - Councillor Maureen Wilson  
NOT PRESENT - Councillor Jason Farr  
YES - Councillor Nrinder Nann  
YES - Councillor Sam Merulla  
YES - Councillor Chad Collins  
YES - Councillor Tom Jackson  
YES - Councillor Esther Pauls  
YES - Councillor John-Paul Danko  
YES - Councillor Maria Pearson  
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 Brad Clark

**(Pearson/Clark)**

That the Committee of the Whole Rise and Report.

**CARRIED**

<b>MOTIONS</b>
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**7.1 Canada Day Community Fireworks Display by Kingsview Church**

**(Clark/Pearson)**

WHEREAS, the Kingsview Community Church supports the Stoney Creek community; and,

WHEREAS, to celebrate Canada Day for the community on location.

THEREFORE, BE IT RESOLVED:

- (a) That the funding for the following initiative, to be financed from the Terrapure Reserve Account (#117036), be approved:
  - (i) That \$5,000 be provided to Kingsview Church, as a one-time funding for their Canada Day Community celebration fireworks display, at the Kingsview Church.

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

**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 - Councillor Maria Pearson  
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 Brad Clark

## **7.2 Feasibility of Preparing a Zero-Based Budgeting for Municipal Budget 2020**

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

WHEREAS, Ontario Premier Doug Ford has offered \$7.35 million to cities and school boards in order that they may conduct “line-by-line” audits to assist them in finding the 4% budget reduction required to help lessen the effects of the Province’s cuts to public health, child care and other services;

THEREFORE, BE IT RESOLVED:

That staff be directed to review the feasibility of implementing a zero-based budget process for the 2020 Operating Budget and report back to the General Issues Committee.

**Result: Motion was DEFEATED by a vote of 10 to 3, 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  
NOT PRESENT - Councillor Esther Pauls  
NO - Councillor John-Paul Danko  
NO - Councillor Maria Pearson  
NO - Mayor Fred Eisenberger  
YES - Councillor Judi Partridge

YES - Councillor Terry Whitehead  
YES - Councillor Arlene VanderBeek  
NOT PRESENT - Councillor Lloyd Ferguson  
NOT PRESENT - Deputy-Mayor Brenda Johnson  
NO - Councillor Brad Clark

### **7.3 2019 – 2022 Art Crawl Pedestrian Barriers**

#### **(Farr/Merulla)**

- (a) That Hamilton Municipal Parking System staff and Corridor Management staff be directed to install and remove temporary barriers on James Street North to assist in pedestrian accommodation for the 2019 - 2022 Art Crawl Events;
- (b) That the estimated \$4,500 cost of installing and removing the temporary barriers for the three Friday evening events in 2019 be funded from the Ward 2 Reserve Account 108052; and,
- (c) That funding for this initiative be approved for three subsequent years to an upset limit of \$14,000 for the years 2020 to 2022, funded from the Ward 2 Reserve Account 108052, contingent upon the continuation of the Art Crawl.

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

### **7.4 Amendment to the Terms of Reference and Appointment of Council Membership to the Expanding Housing and Support Services for Women and Transgender Community Sub-Committee**

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

- (a) That the Terms of Reference for the Expanding Housing and Support Services for Women and Transgender Community Sub-Committee, be amended as follows:
  - (i) That the Membership composition be revised to read as follows:

The Expanding Housing and Support Services for Women and Transgender Community Sub-Committee membership will consist of:

- four (4) members of Council;
  - ***two (2) representatives from the Women's Housing Planning Collaborative (WHPC);***
  - three (3) Council appointed volunteer citizens with experience and interest in homelessness prevention and the provision of affordable housing; and,
  - A minimum of one (1) staff representative from the City's Homelessness Policy and Programs Team, Housing Services Division will also sit on the Sub-Committee as a non-voting member.
- (b) That the following Council Member appointments to the Expanding Housing and Support Services for Women and Transgender Community Sub-Committee, for the 2018-2022 Term of Council, be approved:
- (i) Chad Collins
  - (ii) Nrinder Nann
  - (iii) Maureen Wilson
  - (iv) Jason Farr

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

## 7.5 Celebrate Ontario 2019 Hamilton Results

### (Farr/Merulla)

WHEREAS, festivals play a significant role in celebrating Hamilton, supporting our arts and culture committees, while providing positive regional, provincial and national recognition to Hamilton;

WHEREAS, the City of Hamilton provides not-for-profit organizations funding in support of free unique festival and event programming, who in turn leverage that support with other funding agencies; and,

WHEREAS, the 2019 Celebrate Ontario grant results, announced on May 27, 2019 revealed a change in funding objectives and priorities across the province, impacting several Hamilton festivals.

THEREFORE BE IT RESOLVED:

- (a) That Tourism and Culture staff be directed to communicate with Hamilton organizations that applied to the 2019 Celebrate Ontario fund; and
- (b) That Tourism and Culture staff be directed to report back to the General Issues Committee with information on the local impact of the Celebrate Ontario fund including those that received funding and those that did not.

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

## **7.6 Audit and Accountability Fund: Expression of Interest**

### **(Eisenberger/Whitehead)**

WHEREAS, the Minister of Municipal Affairs and Housing has announced the launch of the Audit and Accountability Fund;

WHEREAS, the Audit and Accountability Fund offers large municipalities an opportunity to benefit from provincial funding to conduct service delivery and administrative expenditure reviews with the goal of finding efficiencies while protecting front-line services;

WHEREAS, the proposed review project will:

- (a) Review municipal service delivery expenditures to find efficiencies. The review project could take a number of forms including:
  - (i) A line-by-line review of the municipality's entire budget;

- (ii) A review of service delivery and modernization opportunities
- (iii) A review of administrative processes to reduce costs
- (b) Result in a final report by the independent third-party reviewer that provides specific and actionable recommendations for cost savings and improved efficiencies.
- (c) Be completed by November 30, 2019. Municipal applicants will be required to post publicly the independent third-party report that outlines the analysis, findings and actionable recommendations by November 20, 2019.

WHEREAS the Province is providing one-time funds up to \$250,000 or greater in some circumstances for eligible projects; and

WHEREAS, interested municipalities must confirm to the Ontario government its intention to apply to the program by June 14, 2019 and an Expression of Interest by June 30, 2019;

THEREFORE, BE IT RESOLVED:

That staff be directed to provide, at the June 19, 2019 GIC, options for potential application to the Audit and Accountability Fund, that fall within the criteria of the program guidelines, with an associated cost of up to \$250,000.

**Result: Motion CARRIED by a vote of 9 to 2, as follows:**

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

## **7.7 Appointment to the Physician Recruitment and Retention Steering Committee**

**(Whitehead/Clark)**

That Councillor Arlene VanderBeek be appointed to the Physician Recruitment and Retention Steering Committee for the remainder of the 2018-2022 term of Council.

**Result: Motion CARRIED by a vote of 11 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  
NOT PRESENT - 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

<b>NOTICES OF MOTION</b>
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**8.1 Celebrate Ontario 2019 Hamilton Results**

**(Farr/Nann)**

That the Rules of Order be waived to allow for the introduction of a motion respecting Celebrate Ontario 2019 Hamilton Results, as the motion seeks to acquire input in a timely manner from all the festivals / events throughout the City who have been impacted by the change to the Celebrate Ontario funding objectives and priorities.

**Result: Motion CARRIED by a 2/3's majority 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  
YES - Councillor Tom Jackson  
NOT PRESENT - Councillor Esther Pauls  
YES - Councillor John-Paul Danko  
YES - Mayor Fred Eisenberger  
NOT PRESENT - Councillor Judi Partridge  
YES - Councillor Terry Whitehead  
YES - Councillor Arlene VanderBeek  
NOT PRESENT - Councillor Lloyd Ferguson  
NOT PRESENT - Deputy-Mayor Brenda Johnson  
YES - Councillor Maria Pearson  
YES - Councillor Brad Clark

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

**8.2 Audit and Accountability Fund: Expression of Interest****(Eisenberger/Whitehead)**

That the Rules of Order be waived to allow for the introduction of a motion respecting Audit and Accountability Fund: Expression of Interest, as per Communication Item 5.4 (b) the deadline for the submission of Expressions of Interest is June 30, 2019.

**Result: Motion CARRIED by a 2/3's majority 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  
NOT PRESENT - 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 7.6.

**8.3 Appointment to the Physician Recruitment and Retention Steering Committee****(Whitehead/Clark)**

That the Rules of Order be waived to allow for the introduction of a motion respecting an Appointment to the Physician Recruitment and Retention Steering Committee, as the Committee requires another Councillor to be appointed before the next meeting.

**Result: Motion CARRIED by a 2/3's majority vote of 11 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  
NOT PRESENT - 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 7.7.

<b>STATEMENTS BY MEMBERS</b>
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Members of Council used this opportunity to discuss matters of general interest.

<b>PRIVATE &amp; CONFIDENTIAL</b>
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### 10.1 Closed Session Minutes – May 22, 2019

**(Whitehead/Pearson)**

That the Closed Session Minutes dated May 22, 2019 be approved, as presented, and remain confidential.

**Result: Motion CARRIED by a vote of 9 to 0, as follows:**

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

<b>BY-LAWS</b>
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**(Johnson/Pearson)**

That Bills No. 19-134 to No. 19-143, 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.**

**19-134** To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking  
Schedule 8 (No Parking Zones)  
Schedule 10 (Alternate Side Parking)

Schedule 12 (Permit Parking Zones)  
Schedule 13 (No Stopping Zones)  
Schedule 14 (Wheelchair Loading Zones)  
Schedule 15 (Commercial Vehicle Loading Zones)  
Ward: 1, 2, 3, 4, 13, 14, 15

- 19-135** Respecting Removal of Part Lot Control, Block 231, Registered Plan No. 62M-1237, "Ancaster Meadows Phase 'B'", municipally known as 110 Robertson Road, and 3, 5, 7, 9, 11, 13, and 15 Beasley Grove  
PLC-19-013  
Ward: 12
- 19-136** Respecting Removal of Part Lot Control, Block 235, Registered Plan No. 62M-1237, "Ancaster Meadows Phase 'B'", municipally known as 120, 122, 124, 126, 128 and 130 Robertson Road  
PLC-19-013  
Ward: 12
- 19-137** Respecting Removal of Part Lot Control, Block 239, registered Plan No. 62M-1237, "Ancaster Meadows Phase 'B'", municipally known as 140 Robertson Road and 4, 6, 8, 10, 12, 14 and 16 Cooley Grove  
PLC-19-013  
Ward: 12
- 19-138** To Amend City of Hamilton By-law No. 10-221, as amended, being a By-law to Prescribe Standards for the Maintenance and Occupancy of Property  
Ward: City Wide
- 19-139** To Establish City of Hamilton Land Described as Part 1 on Plan 62R-18783, Parts 7, 8, 14, 17, 18 and 19 on Plan 62R-18648, and Part 2 on Plan 62R-20603 as a Public Highway to form part of Upper Red Hill Valley Parkway  
Ward: 6, 9
- 19-140** To Amend Zoning By-law No. 05-200 Respecting Lands Located at 2040 Hall Road, Glanbrook  
ZAA-19-012  
Ward: 11
- 19-141** Being a By-law to Amend By-law No. 11-174, City of Hamilton GO Transit Development Charges By-law, 2011  
Ward: City Wide
- 19-142** Being a By-law Respecting Development Charges on Lands within the City of Hamilton  
Ward: City Wide
- 19-143** To Confirm the Proceedings of City Council

**Result:** **Motion CARRIED by a vote of 9 to 0, as follows:**

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

**(Whitehead/Pearson)**

That, there being no further business, City Council be adjourned at 9:20 p.m.

**CARRIED**

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon  
Acting City Clerk

**Pilon, Janet**

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**Subject:** Yellow Vest and increasing hate group activity.

**From:** Anastacia Dickerson

**Date:** June 10, 2019 at 2:04:27 PM EDT

**To:** "Merulla, Sam" <[sam.merulla@hamilton.ca](mailto:sam.merulla@hamilton.ca)>

**Subject:** Yellow Vest and increasing hate group activity.

Every Saturday we pass the groups in front of city hall, and last week I noticed a marked increase in numbers as well as a rise in harassment of those seeking to pass the group on the street.

I would like to ask how long is Hamilton city going to allow the presence of hate groups to dominate our public access? By hate groups, I speak of the following; Yellow Vests, Soldiers of Odin, Proud Boys, and the Canadian Nationalist Party. All of which were present last week in an effort to ramp up hate rhetoric in our city and compromise the safety and wellbeing of city residents. To effect, I am very wary about the safety of attending the following Gage Park events this year; Hamilton Pride, the 20th Annual Aboriginal Day Festival as well as the Festival of Friends, that the presence of this groups will also be in attendance.

To quote Karl Popper, *"Unlimited tolerance must lead to the disappearance of tolerance. If we extend unlimited tolerance even to those who are intolerant, if we are not prepared to defend a tolerant society against the onslaught of the intolerant, then the tolerant will be destroyed, and tolerance with them."* In a nutshell, in order to maintain a tolerance society, we must first be intolerant of intolerance.

Respectfully, I request Hamilton city council and law enforcement coordinate efforts in ousting these groups from our city at the earliest opportunity.

Thank you and best,

Anastacia Dickerson

**Hydro One Networks Inc.**

483 Bay Street  
 South Tower, 6<sup>th</sup> Floor  
 Toronto, ON M5G 2P5

Tel: 1-877-345-6799  
 Email: [Community.Relations@HydroOne.com](mailto:Community.Relations@HydroOne.com)

[www.HydroOne.com](http://www.HydroOne.com)



June 11, 2019

**Re: Update on Hamilton Light Rail Transit (LRT) Underground Cable Relocation Project**

To Mayor Eisenberger and Members of Council:

In August 2018, we notified you of our intention to initiate a Class Environmental Assessment (EA) for the relocation of approximately 600 metres of the 115 kilovolt underground transmission cable (circuits HL3 and HL4) in support of Metrolinx's construction of the Hamilton Light Rail Transit (LRT) project. The existing underground transmission line proposed for relocation is located along Main Street W. between Paisley Ave. S. and Macklin St. S, in the City of Hamilton, as shown on the attached map.

We have been notified by Metrolinx that there is no longer a need for Hydro One to relocate the underground cable along Main Street W. as Metrolinx will be pursuing a different engineering design for the Hamilton LRT within the section on Main Street W. As such, the proposed transmission cable relocation is not being pursued at this time. We will continue to work with Metrolinx to ensure that the existing underground cable continues to operate safely throughout the Hamilton LRT project execution.

As per the request of the Minister of the Environment, Conservation and Parks, information regarding the *Freedom of Information and Protection of Privacy Act* is included and can be viewed below..

Thank you for your understanding and patience throughout the process.

A handwritten signature in dark ink, appearing to read "Ani Bekmezian".

Sincerely,

Ani Bekmezian  
 Community Relations Consultant  
 Hydro One Networks Inc.

Attachment (1): General Area Project Map

CC: Janette Smith, City Manager

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*Freedom of Information and Protection of Privacy Act*

All personal information included in a submission – such as name, address, telephone number and property location – is collected, maintained and disclosed by the Ministry of the Environment, Conservation and Parks for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act* or is collected and maintained for the purpose of creating a record that is available to the general public as described in s. 37 of the *Freedom of Information and Protection of Privacy Act*. Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Ministry of the Environment, Conservation and Parks and Climate Change's Freedom of Information and Privacy Coordinator at 416-327-1434.



**Pilon, Janet**

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**Subject:** FW: Reducing Litter and Waste, June 5th, 2019

**From:** Carolyn Lance <clance@georgina.ca>  
**Sent:** June-14-19 12:21 PM  
**Subject:** Reducing Litter and Waste, June 5th, 2019

Good afternoon.

Please be advised that on June 5<sup>th</sup>, Town Council for the Corporation of the Town of Georgina passed the following motion concerning 'Reducing Litter and Waste in our Communities', for your consideration. Thank you.

Moved by Regional Councillor Grossi, Seconded by Councillor Waddington

**RESOLUTION NO. C-2019-0370**

WHEREAS the Town of Georgina has been a leader when it comes to waste management in the Province of Ontario;

AND WHEREAS the Town of Georgina instituted a user pay garbage program over 20 years ago;

AND WHEREAS the Province of Ontario, through the Ministry of the Environment, has posted a discussion paper entitled 'Reducing Litter and Waste in our Communities';

AND WHEREAS producer responsibility has not been adequately addressed by the Province of Ontario and its time has come;

AND WHEREAS a successful deposit/return program for single use plastic, aluminum and metal drink containers has been in existence in other Provinces in Canada including Newfoundland, Nova Scotia and British Columbia;

AND WHEREAS these successful programs have eliminated many of these containers from the natural environment;

BE IT THEREFORE RESOLVED that the Council of the Town of Georgina call upon the Province of Ontario through the discussion paper 'Reducing Litter and Waste in our Communities' to review and implement a deposit/return program for all single use plastic, aluminum and metal drink containers;

BE IT FURTHER RESOLVED that the Province of Ontario review current producer requirements and look for extended producer responsibility for all packaging;

BE IT FURTHER RESOLVED that a copy of this motion be sent to the Minister of the Environment, the Premier, the Minister of Municipal Affairs, the Association of Municipalities of Ontario, the Region of York and all Municipalities in the Province of Ontario.

**Carried unanimously.**



**GEORGINA**

**Carolyn Lance**

Council Services Coordinator

Clerk's Division | Town of Georgina

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

905-476-4301 Ext. 2219 | [georgina.ca](http://georgina.ca)

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**Subject:** Citizen Resignation from Keep Hamilton Clean & Green Advisory Committee

**From:** Allan Mills [REDACTED]

**Sent:** May 16, 2019 11:01 AM

**To:** Rozema, Diedre <[Diedre.Rozema@hamilton.ca](mailto:Diedre.Rozema@hamilton.ca)>; [REDACTED]

**Subject:** KHCG Citizens Advisory Committee

Please consider this my resignation from the KHCG Citizens Advisory Committee, effective immediately. My reasons are personal and I will leave it at that. It was an honour and great fun to have served on this committee and I wish you success moving forward.

Regards,

Allan Mills

Name (printed)	Address (printed)	Signature
<p>The petition contains 370 signatures</p> <p>A copy of the petition is available for viewing in the Office of the City Clerk</p>		



June 14, 2019

VIA EMAIL

Dear Mayor/Regional Chair/Warden:

**Re: Requesting your support to reduce red-tape; Regulation 828/20 – Niagara Escarpment Planning and Development Act**

I am writing to seek your support for an important regulation change that will reduce red-tape and provide municipalities with the ability to make minor road improvements within the Niagara Escarpment Plan area.

The previous provincial government amended regulation 828/20 of the Niagara Escarpment Planning and Development Act to enact a permit requirement on local road authorities on minor roadway improvements or maintenance. This regulation has delayed an important road improvement in Clearview Township for over 7 years. The delay has meant that Clearview Township has been unable to maintain our road network to improve road safety.

The Niagara Escarpment Commission (NEC) plays an important role in conserving key elements of the Niagara Escarpment, but providing the NEC with the power to restrict road improvements on existing roads and right-of-ways takes responsibility away from the elected local councils that are best placed to make these decisions. In contrast, we think NEC development permits for new roads and infrastructure are appropriate due to the additional environmental burden that comes with those decisions.

I am asking for your support in asking the Provincial Government to build on its commitment to reduce red-tape, and remove the powers vested in the NEC in Regulation 828/20 that allows them to overrule municipal authority to repair and improve existing roads within a right-of-way.

By sending a letter of support or passing a council resolution, together we can help the province streamline regulatory approvals and keep our roads in a good state of repair for all users.

If you have any questions please contact me at [dmeasures@clearview.ca](mailto:dmeasures@clearview.ca) or Stephen Sage, CAO of Clearview Township at [ssage@clearview.ca](mailto:ssage@clearview.ca), or 705-428-6230 x 228.

Best,

A handwritten signature in black ink, appearing to read 'Doug Measures', with a long horizontal flourish extending to the right.

Doug Measures, Mayor  
Clearview Township

DM/ck

cc: VIA EMAIL

Council members of;  
Bruce County  
City of Hamilton  
Dufferin County  
Grey County  
Halton Region  
Niagara Region  
Peel Region  
Simcoe County

Council, Clearview Township  
Harold G. Elston, Elston Watt Barristers & Solicitors  
Jim Wilson, MPP  
Pamela Fettes, Clerk, Clearview Township  
Stephen Sage, CAO, Clearview Township



June 14, 2019

VIA MAIL & EMAIL

**Hon. John Yakabuski**

Minister of Natural Resources and Forestry  
99 Wellesley St. W  
Toronto, ON M7A 1W3

**Hon. Todd Smith**

Minister of Economic Development, Job Creation and Trade  
777 Bay St.  
Toronto, ON M7A 1S5

Dear Minister Yakabuski and Minister Smith:

**Re: Urgent meeting request – Regulation 828/20 – Niagara Escarpment Planning and Development Act**

I am writing to request an urgent meeting to discuss reducing red-tape on a significant project in Clearview Township.

Located in Simcoe County, Clearview is a community on the rise. The Township boasts affordable living opportunities, provides its residents with the unique rural Ontario experience, and has considerable employment opportunities in industries such as manufacturing and agriculture.

Clearview is also a prime location for the Ford Government to deliver on its promise of cutting red-tape, spurring job growth, and increasing investment in Ontario.

Clearview has been attempting to secure permission from the Niagara Escarpment Commission (NEC) to make road safety improvements to a local sideroad for over seven years. After spending years working on this project, and finally receiving approval from the Environmental Review Tribunal and the Ontario Municipal Board to make the necessary road upgrades, the Wynne Government enacted a regulatory change to 828/20 of the Niagara Escarpment Planning and Development Act that confirmed Clearview required a special development permit

to carry out the necessary upgrades. Despite NEC staff recommending that Clearview be granted this permit, the NEC Commissioners denied the development permit application.

This situation provides the Ford Government with the opportunity to make good on its political promise of reducing burdensome, onerous, and job-killing red-tape. By removing this regulatory burden, the Ford Government can allow municipalities to make minor road improvements within existing right-of-ways that have limited environmental impact without seeking approval from the NEC. This position has been endorsed by the Ontario Good Roads Association.

I look forward to our meeting to discuss how we can work together to bring common sense and respect for our local road authority back to rural Ontario. To arrange this meeting, please contact Stephen Sage, CAO of Clearview Township. Mr. Sage can be reached at [ssage@clearview.ca](mailto:ssage@clearview.ca) or 705-428-6230 x 228.

Best,



Doug Measures  
Mayor, Clearview Township

DM/ck

cc: VIA EMAIL

Council members of;  
Bruce County  
City of Hamilton  
Dufferin County  
Grey County  
Halton Region  
Niagara Region  
Peel Region  
Simcoe County

Council, Clearview Township  
Harold G. Elston, Elston Watt Barristers & Solicitors  
Jim Wilson, MPP  
Pamela Fettes, Clerk, Clearview Township  
Stephen Sage, CAO, Clearview Township

Paul Smithson  
[REDACTED]  
Hamilton, ON  
[REDACTED]

June 19, 2019

Mayor and Members of Council

**RE: Proposed Modifications to Aberdeen Avenue**

Your worship and Members of Council,

As a long-time resident of the Kirkendall South Neighbourhood I would respectfully object to the proposed measures to essentially narrow Aberdeen Avenue from a four lane arterial road to a two lane local street. In my opinion this will only create greater traffic problems in the area. Over the years turning from Flatt Avenue onto Aberdeen Avenue has become more difficult, due to increased traffic and the proposed measures will only make things worse.

Aberdeen Avenue has been an arterial road and a key link in the Hamilton road system for a very long time. If I am reading the traffic numbers correctly approximately 15,000 vehicles exit Hwy 403 at Aberdeen and about 20,000 vehicles access Hwy 403 from Aberdeen Avenue on an average day. The proposed narrowing of Aberdeen Avenue will undoubtedly increase traffic congestion on routes to west Hamilton, the Downtown and escarpment accesses, which will only be exacerbated with construction of an LRT.

If you really want to make Aberdeen Avenue a two lane local street, you would have to remove the bus routes on this street and arrange to close the Hwy 403 / Aberdeen Avenue interchange, which is one of the few accesses into the City.

Earl Kitchener School has been in its present location for a century. I doubt that today's children are more reckless and foolish regarding road safety than previous generations, which seems to be the basis of the additional safety measures argument. In fact parking on both sides of a busy street can cause increased accidents at intersections due to poorer visibility.

My observation is that whenever the City reduces the traffic capacity of the arterial / collector road system it:

- Creates greater gridlock, which is bad for the environment, the economy and the folks stuck in traffic
- Forces additional traffic to move through the established neighbourhoods on local streets, which reduces safety.

In my opinion the recommendation in Mr. Soldo's report to the Public Works Committee should be rejected or at least delayed until alternate measures are in place to accommodate traffic in the area, including completion of LRT construction.

When the City makes transportation decisions, due consideration should be given to drivers, not just the demands of special interest groups.

Yours truly



Paul Smithson

June 19, 2019

Sent via email

**Re: Resolution - Free Menstrual Products at City Facilities**

At its meeting held on June 10, 2019, St. Catharines City Council approved the following motion:

WHEREAS people who menstruate need adequate and appropriate access to menstrual products so that they can experience their full health potential, maintain dignity and participate fully in community; and

WHEREAS according to Plan Canada International study, one-third of Canadian women under the age of 25 struggled to afford menstrual products; and

WHEREAS the inability to afford menstrual products is a health equity issue; and

WHEREAS there is a need for low or no cost menstrual products; and

WHEREAS menstruating is a natural bodily function, and access to menstrual products is as necessary as access to toilet paper; and

WHEREAS universal access to menstrual products contributes to the normalization of menstruation and enhanced access in a dignified way; and

WHEREAS other Canadian cities, including London and Sarnia are already piloting and/or assessing the feasibility of menstrual product access programs; and

WHEREAS recreation centres and libraries service a large population, diverse in age and socioeconomic status; and

WHEREAS public-facing City of St. Catharines facilities can be accessed by all members of the community at no cost;

THEREFORE BE IT RESOLVED that the City of St. Catharines work towards providing free menstrual products (pads and tampons) in all public-facing municipally-run facilities in the following ways:

.../2

1. That staff report back to Council outlining options and costs for a pilot project that would offer menstrual products in select recreation centres and library locations;
2. That the evaluation of the pilot project also include qualitative data from people using the products;
3. That the results of the pilot project inform the feasibility of expanding the provision of free menstrual products in all public-facing municipal buildings;
4. That if passed, the Clerk's Office notify all school boards and municipalities in Ontario of the City of St. Catharines' initiative and encourage them to do the same.

This resolution, passed by our Council on June 10, 2019, is being forwarded to you for your consideration and support. Please consider forwarding this to your local school board.

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



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

Michael Demone  
[REDACTED]

Hamilton, ON [REDACTED]

June 18, 2019

Mayor Fred Eisenberger  
Hamilton City Hall  
71 Main Street West  
Hamilton, ON L8P 4Y5

To: Mayor Fred Eisenberger, City Council

(This is a statement that I delivered in person on June 18, 2019 to the LGBT Community Conversation).

My name is Michael Demone, Executive Director for the Canadian Working Group on Industrial Hemp and resident of the Durand neighbourhood.

I am ashamed to be here today.

I am ashamed to be here because only after a vicious, coordinated, violent attack on my fellow citizens, friends, vulnerable and marginalized communities, did I decide to stand up.

I did not stand up when known extremist and white supremacist groups were allowed to occupy space at City Hall.

I did not stand up when it was revealed that the co-founder of one of Canada's most infamous hate groups was employed by the City, with access to sensitive information, and that attempts to conceal this were made by City staff.

I did not stand up when our Mayor refused to offer his seat on the Police Services Board to a member of a community that might actually benefit from such an appointment.

Nor did I stand up when our Mayor, in complete defiance of the Pride Committee's decision not to raise our flag, did so anyways.

Individually, each one of these items is an assault on those you were elected or appointed to protect. Individually, each one of these is a call to action.

Taken together, they reveal a municipal culture that is completely out of step with contemporary Canada, and one that holds Canadian values and targeted communities with contempt.

You have allowed those recognized as some of the most dangerous elements in our society to invade our public spaces. You have caused your citizens to wonder if they need to carry weapons to feel safe. You have eroded trust and confidence in our elected officials.

You have brought attention of the most sinister kind to our city.

You have allowed children to be hunted like dogs and women to be assaulted for sport.

You have shattered our sense of dignity.

The allegations of questionable police conduct — from the failure to activate the Operational Plan, the written protocols used to ensure public safety, to allegations that the Police Service intentionally positioned themselves in such a way that would restrict their ability to respond adequately and appropriately if needed, to members of the Police Service refusing to do their job even as they witnessed violent crimes being committed — are so utterly obscene, so contrary to the most basic principles of a functioning democracy and human decency.

Should our community determine that the Police Service contributed in any way to these violent attacks, nothing less than an official public inquiry will be accepted.

You have demonstrated repeatedly and carelessly that the government of this city is unable or unwilling to fulfill its duties and responsibilities to its citizens by allowing a sequence of events to occur that will mark this city and those you have injured for years to come.

I assure you that I will pursue every legal and political course of action, and the sustained attention of human rights and other international organizations, to ensure that significant and satisfactory changes are made.

Mr. Mayor, in your statement dated June 17, 2019 you committed to ensuring that the violence visited upon your constituents, your neighbours, would never happen again.

I ask you now, will you dedicate the financial, legal, and logistical tools and resources necessary to keep that commitment?

Signed,

Michael Demone



## Community Services

### Legislative Services

June 18, 2019

File #120203

Sent via email: [Regional Councillor's Group Email](#)

Niagara Regional Councillors

**Re: Support of Auditor General's Recommendations – Niagara Peninsula Conservation Authority**

The Municipal Council of the Town of Fort Erie at its meeting of June 17, 2019 passed the following resolution:

**Whereas** the Auditor General of Ontario's Special Audit of the Niagara Peninsula Conservation Authority made 24 recommendations, the third of which recommended that members of the Niagara Peninsula Conservation Authority (NPCA) Board of Directors collectively have the skills, experience and training necessary to oversee the NPCA's activities effectively, and

**Whereas** the Town of Fort Erie recommended Leah Feor as their Niagara Peninsula Conservation Authority representative, an individual with an extensive background in accounting, business ethics and environmental sustainability, who was appointed to the Niagara Peninsula Conservation Authority Board of Directors by Regional Council on May 16, 2019, and

**Whereas** voters on October 22, 2018 expressed a strong desire for transparent and accountable governance within the Regional Municipality of Niagara and its local area municipalities;

**Now therefore be it resolved,**

**That:** Council directs staff to prepare a report outlining policies for the recruitment and recommendation of individuals for appointment to the Niagara Peninsula Conservation Authority Board of Directors, and further

**That:** the Town of Fort Erie requests that The Regional Municipality of Niagara provide recommendations with respect to specific qualifications and/or skills to the Town of Fort Erie to be considered for incorporation into our own recruitment policy, and further

.../2

Mailing Address:

The Corporation of the Town of Fort Erie  
1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 5:00 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: [www.forterie.ca](http://www.forterie.ca)

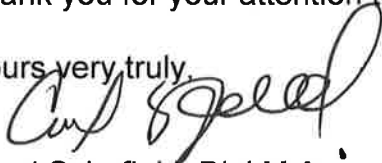
**That:** The Town of Fort Erie requests other Local Area Municipalities within the Regional Municipality of Niagara, as well as the City of Hamilton and Haldimand County, to create similar policies that address the unique needs of their municipality if they have not already done so, and further

**That:** The Town of Fort Erie requests that Niagara Regional Council create policies that respect and support decisions made by local area municipalities regarding their recommendations for appointments to the Niagara Peninsula Conservation Authority Board of Directors, and further

**That:** This resolution be circulated to Niagara Regional Council, Local Area Municipalities within The Regional Municipality of Niagara, the City of Hamilton, and Haldimand County.

Thank you for your attention to this very important issue.

Yours very truly,



Carol Schofield, Dipl.M.A.  
Manager, Legislative Services/Clerk  
[cschofield@forterie.ca](mailto:cschofield@forterie.ca)

c.c      Local Area Municipalities *Sent via email*  
Ann-Marie Norio, Regional Clerk *Sent via email:* [ann-marie.norio@niagararegion.ca](mailto:ann-marie.norio@niagararegion.ca)  
Rose Caterini, City Clerk, City of Hamilton *Sent via email:* [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
Evelyn Eichenbaum, Clerk, Haldimand County *Sent via email:* [eeichenbaum@haldimandcounty.on.ca](mailto:eeichenbaum@haldimandcounty.on.ca)

J. Paul Dubé, Ombudsman

June 20, 2019

**Janet Pilon, Acting City Clerk**  
Hamilton City Hall  
71 Main Street West  
Hamilton, Ontario L8P 4Y5

*Via email*

Dear Ms. Pilon:

**Re: Report – Office of the Ontario Ombudsman**

I have completed my investigation into whether the General Issues Committee for the City of Hamilton held an improper closed meeting on January 16, 2019. Please find the final report enclosed. We ask that you distribute the enclosed report to council.

In accordance with section 14.1 (8) of the *Ombudsman Act*, the municipality should make my report available to the public, and we ask that this be done no later than the next council meeting. Pursuant to section 14.1 (9) of the *Ombudsman Act*, I will also post a copy of the report on my website at [www.ombudsman.on.ca](http://www.ombudsman.on.ca).

Yours truly,



Paul Dubé  
Ombudsman of Ontario

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

Facsimile/Télécopieur : 416-586-9659 TTY/ATS : 1-866-411-4211

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



## **Ombudsman Report**

**Investigation into a complaint about  
closed sessions held by the City of  
Hamilton on January 16, 2019**

**Paul Dubé  
Ombudsman of Ontario  
June 2019**

## Complaint

- 1 In January 2019, my Office received a complaint about closed sessions held by the General Issues Committee (the “committee”) for the City of Hamilton (the “city”) on January 16, 2019.
- 2 The complaint alleged that during a regular meeting, the committee moved into closed session twice to discuss contributing to a bid by the Hamilton Tiger-Cats (the “Tiger-Cats”) for the 2020 or 2021 Canadian Football League (the “CFL”) Grey Cup championship.

## Ombudsman jurisdiction

- 3 Under the *Municipal Act, 2001*<sup>1</sup> (the “Act”), all meetings of council, local boards, and committees of council must be open to the public, unless they fall within prescribed exceptions.
- 4 As of January 1, 2008, the Act gives citizens the right to request an investigation into whether a municipality has complied with the Act in closing a meeting to the public. Municipalities may appoint their own investigator. The Act designates the Ombudsman as the default investigator for municipalities that have not appointed their own.
- 5 The Ombudsman is the closed meeting investigator for the City of Hamilton.
- 6 In investigating closed meeting complaints, we consider whether the open meeting requirements of the Act and the municipality’s governing procedures have been observed.

## Council procedures

- 7 The city’s procedural by-law (By-law No. 18-270) lists the General Issues Committee as one of six standing committees in the city. The committee is made up of all of council. The procedural by-law states that all meetings of the committee shall be open to the public except as provided by the Act.

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<sup>1</sup> SO 2001, c 25.

## Investigative process

- 8 On January 31, 2019, we advised the city of our intent to investigate this complaint.
- 9 Members of my Office's open meeting team reviewed relevant portions of the city's by-laws and policies, and the Act. We also reviewed the records from the open and closed sessions of the committee meeting on January 16, 2019. The city audio and video records the open session portions of the committee's meetings. The recording of the open portion of the January 16 meeting was reviewed.
- 10 We interviewed members of council, the clerk, the Acting Director of Culture and Tourism, and the city solicitor.
- 11 My Office received full co-operation in this matter.

## Background

### The Tiger-Cats' bid for the 2020 or 2021 Grey Cup

- 12 We were told that the Tiger-Cats submitted a bid to the CFL to host the Grey Cup championship in 2020 or 2021. The bidding process is not a public process. Interested teams submit confidential bids to the CFL for consideration. The team awarded the bid acts as the host team for the Grey Cup and facilitates the delivery of the championship game and related festivities.
- 13 We were told that if the Tiger-Cats were awarded the bid, the City of Hamilton, as host city, would be involved in the planning for logistics and provision of city services during the championship. We were told it is a generally accepted practice for a potential host city to bolster a team's chances of being awarded the Grey Cup with financial or in-kind contributions to the team's bid.
- 14 In November 2018, the Tiger-Cats requested that the city provide a contribution to the Tiger-Cats' bid. Staff engaged in negotiations with the Tiger-Cats for the provision of city services, fees, venue rentals, and other city-led programming and community engagement which would make up the city's contribution.

- 15 The recommended contribution by city staff was put together in a confidential staff report (the “report”) and placed on the committee’s January 16 meeting agenda for *in camera* consideration.
- 16 The report outlined the city’s involvement in logistical planning and the provision for city services should the Tiger-Cats be successful, and provided an overview of staff negotiations with the Tiger-Cats to determine an appropriate contribution by the city.
- 17 The report’s recommendations comprised specific contributions by the city for city services, contract staff, and city operating expenses. The report also recommended that the committee permit staff to continue negotiations and enter into any appropriate agreements with the Tiger-Cats to formalize the city’s contribution.

### The January 16 meeting

- 18 Before moving into closed session to discuss the report, the committee held a discussion in open session about whether the report should be discussed behind closed doors. This discussion was captured by the city’s audio and video recording of the meeting.
- 19 Councillor Brad Clark stated that a discussion involving the city’s finances would not qualify for *in camera* consideration. Councillors John-Paul Danko, Brenda Johnson, and Sam Merulla also spoke in favour of holding the discussion in public. Mayor Fred Eisenberger said the city should not discuss the contribution in open session because it risked tipping its hand to other bidders.
- 20 Members of the committee questioned staff about the reasons for discussing the report in closed session. The Acting Director of Culture and Tourism (the “acting director”) noted that the discussion should happen in closed session, because a public discussion of the city’s contribution might prejudice the bid process and the city’s future negotiating position for other large-scale events. She stated that the city’s practice is to maintain confidentiality around investment in major events to avoid “[setting] a bar for event organizers of what the city’s tolerance is for investment.” The acting director explained that in her experience, when the city negotiates in public, other competitors are able to use that information to outbid the city.

- 21 However, staff also indicated that in most cases, the city ultimately releases financial information relating to contributions to large-scale events. The committee was told that in the event that the Tiger-Cats' bid was successful, the city would ultimately report publicly on the amount of its contribution to the bid.

## The closed session discussions

- 22 At 3:25 p.m., the Committee moved into closed session to receive legal advice from the city's solicitor on whether or not the report qualified for *in camera* consideration.
- 23 The committee passed the following resolution prior to closing the meeting:
- Hosting Grey Cup - November 2020 or 201 (PED18234(a)) (City Wide)  
(Item 14.2) - 239(2)(f) Advice that is subject to solicitor-client privilege
- 24 The closed session minutes indicate that the city solicitor provided legal advice to the committee about if the report was appropriate for *in camera* consideration and answered the committee's questions.
- 25 We were told by most council members that after receiving legal advice *in camera*, they were generally satisfied that the topic was appropriate for closed session consideration.
- 26 The committee subsequently moved into closed session a second time at 6:25 p.m. to consider the report and to discuss the city's contribution to the Tiger-Cats' bid. Councillors Johnson and Clark voted against moving into closed session. This closed session lasted one hour.
- 27 The committee passed the following resolution prior to closing the meeting:
- That Committee move into Closed Session, respecting Item 14.2, pursuant To Section 8.1, Sub-sections (f), (j) and (k) of the City's Procedural By-law 18-270;and, Section 239(2), Sub-sections (f), (j) and (k) of the *Ontario Municipal Act, 2001*.
- 28 The closed session minutes state that staff presented the report and answered the committee's questions.
- 29 We were told that, overall, the committee was excited for the opportunity to act as Grey Cup host city and the potential benefits for the city if the Tiger-Cats' bid was successful.

- 30 The deputy clerk told my Office that the committee's discussion focused on the city's financial contribution to the Tiger-Cats' bid. Members of council asked staff questions about particulars contained in the report. The acting director told my Office that she answered questions about staff negotiations with the Tiger-Cats and what would happen if the committee did not approve the recommended contribution. According to the acting director, in that event, staff would return to the negotiating table with the Tiger-Cats based on what the committee was prepared to contribute.
- 31 Ultimately, the committee accepted staff's recommendations and reported out that it had directed staff to coordinate with the Tiger-Cats for all requirements for hosting the Grey Cup. The financial component of the contribution was kept confidential.

## Analysis

### Applicability of the "advice subject to solicitor-client privilege" exception

- 32 The committee cited the exception for advice subject to solicitor-client privilege found in section 239(2)(f) of the Act when it moved into both closed sessions.
- 33 The exception for advice subject to solicitor-client privilege covers discussions that include communications between the municipality and its solicitor in seeking or receiving legal advice intended to be confidential. The purpose of the exception is to ensure that municipal officials can speak freely about legal advice without fear of disclosure. My Office has found in the past that the exception can only be used where legal advice or related communication actually exists.<sup>2</sup>

### *First closed session*

- 34 Our interviews indicate that during its first closed session, the committee received and discussed legal advice from the city's solicitor regarding the appropriateness of discussing the report and the city's contribution to the Tiger-Cats' bid in closed session. The committee asked the solicitor questions and discussed her advice.

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<sup>2</sup> Timmins (City of) (Re), 2017 ONOMBUD 4 (CanLII), <<http://canlii.ca/t/h4rwt>>

- 35 Accordingly, the committee's discussion fit within the exception for solicitor-client privilege.

### ***Second closed session***

- 36 The committee cited the solicitor-client privilege exception when it moved into closed session for the second time.
- 37 In order for the exception to apply, legal advice must actually be received and discussed during the closed session.<sup>3</sup> In this case, based on my Office's interviews and the closed session minutes, it does not appear that the solicitor provided legal advice during the second closed session. Accordingly, the discussion does not fit within the exception for advice subject to solicitor-client privilege.

### **Applicability of the "information belonging to the municipality" exception**

- 38 Four new open meeting exceptions came into force on January 1, 2018, as part of the *Modernizing of Ontario's Municipal Legislation Act, 2017*. The exception for information belonging to the municipality is found in subsection 239(2)(j) of the Act. It allows for a meeting to be closed if the subject matter being considered is:

a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value.

- 39 The committee cited this exception when it moved into the second closed session.
- 40 This is the first meeting my Office has investigated under this exception.
- 41 When reviewing the parameters of the open meeting exceptions, my Office has often considered the case law of the Information and Privacy Commissioner (the IPC). These decisions are not binding on my Office; however, they are often informative with respect to the applicability of the open meeting exceptions in the Act.

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<sup>3</sup> *Ibid.*

- 42 In the context of information and privacy legislation, government institutions may refuse to disclose records that include information belonging to an institution.<sup>4</sup> The IPC has found that the purpose of this exemption is to protect the interests of government, economic or otherwise, and it is generally intended to protect commercially viable information to the same extent that valuable third party information is protected.<sup>5</sup> The protection is class-based, in that the exemption is concerned with the type of information and its inherent value, rather than the consequences if the information is disclosed.<sup>6</sup> The IPC has found that there is no requirement to consider whether disclosure of the information may cause harm.
- 43 The IPC established a three-part test to determine if an institution can refuse to disclose a record on the basis that it contains information belonging to the institution. The institution must show that the information contained in the record:
1. is a trade secret, or financial, commercial, scientific or technical information;
  2. belongs to the institution; and
  3. has monetary value or potential monetary value.<sup>7</sup>
- 44 The first part of the test examines whether the information qualifies as a trade secret, financial information, commercial information, scientific information, or technical information.
- 45 The IPC has found that trade secrets include, but are not limited to:
- a formula, pattern, compilation, program, method, technique, or process, or information contained or embodied in a product, device or mechanism which:
- (i) is, or may be used in a trade or business,
  - (ii) is not generally known in that trade or business,
  - (iii) has economic value from not being generally known, and

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<sup>4</sup> *Municipal Freedom of Information and Protection of Privacy Act*, RSO 1990, c M56, s 11(a) and *Freedom of Information and Protection of Privacy Act*, RSO 1990, c F31, s 18(1).

<sup>5</sup> *Enwin Utilities Ltd (Re)*, 2014 CanLII 73020 (ON IPC), <<http://canlii.ca/t/gfjz1>>.

<sup>6</sup> *South Bruce Peninsula (Town) (Re)*, 2010 CanLII 38706 (ON IPC), <<http://canlii.ca/t/2bkqp>>.

<sup>7</sup> See e.g. *Etobicoke (City) (Re)*, 1994 CanLII 6973 (ON IPC), <<http://canlii.ca/t/1rmhh>>. Endorsed by the Divisional Court in *Corporation of the Town of Arnprior v Information and Privacy Commissioner of Ontario*, 2016 ONSC 2904 (CanLII), <<http://canlii.ca/t/gpqlx>> at para. 42.

(iv) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.<sup>8</sup>

The IPC has found that financial information is information that relates to money and its use or distribution and must contain or refer to specific data. Examples include cost accounting methods, pricing practices, profit and loss data, overhead, and operating costs.<sup>9</sup>

- 46 The second part of the test considers whether or not the information belongs to the institution. According to the IPC, information belongs to the institution if it is owned by that institution in the sense that the institution has a proprietary interest in the information in a traditional property sense, or in the sense that the “law would recognize a substantial interest in protecting the information from misappropriation by another party.”<sup>10</sup>
- 47 The third part of the test requires that the information have monetary value, either real or potential. According to the IPC, the term “monetary value” requires that the information itself have intrinsic value, such that disclosure would deprive the institution of that monetary value. The fact that an institution had to pay to create a record does not mean that the information in that record has monetary value.<sup>11</sup> Nor does the fact, on its own, that the information has been kept confidential.<sup>12</sup>
- 48 In the open meeting context, the exception for information belonging to the municipality will apply where the *in camera* discussion was about:
1. A trade secret, or financial, commercial, scientific or technical information;
  2. that belongs to the municipality or local board; and
  3. has monetary value or potential monetary value.

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<sup>8</sup> *Etobicoke Board of Education (Re)*, 1992 CanLII 4261 (ON IPC), <http://canlii.ca/t/1rmlv>; see also *Ontario (Natural Resources) (Re)*, 2002 CanLII 46412 (ON IPC), <http://canlii.ca/t/1r3jv>.

<sup>9</sup> *Ontario (Natural Resources) (Re)*, 2002 CanLII 46410 (ON IPC), <<http://canlii.ca/t/1r3js>>

<sup>10</sup> *Ontario Lottery Corporation (Re)*, 2000 CanLII 20949 (ON IPC), <http://canlii.ca/t/1rd0x> at para. 34.

<sup>11</sup> *Metropolitan Separate School Board (Re)*, 1995 CanLII 6783 (ON IPC), <<http://canlii.ca/t/1rhzw>>; see also *Etobicoke (City) (Re)*, 1994 CanLII 6973 (ON IPC), <<http://canlii.ca/t/1rmhh>>.

<sup>12</sup> Orders P-1281 and PO-2166.

***Was the discussion about a trade secret or financial, commercial, scientific or technical information?***

- 49 In the present case, the city told my Office that the information contained in the report was a trade secret. The information included details about how the city allocates funding to large-scale events like the Grey Cup. According to the city, its approach to funding is a trade secret and is applied to other large-scale events within the city.
- 50 The information contained in the report does not qualify as a trade secret. We received no information that would indicate that the City's approach to allocating funding is used in trade or business, is not generally known, or if this information has economic value. In addition, contrary to the acting director's opinion that the city's financial contributions of this nature remain confidential to protect the funding approach, we were told that the city has publicly released financial information related to funding large-scale events in the past.
- 51 The city's contribution qualifies as financial information because it relates to the expenditure, use and distribution of money by the city. The report contained specific financial data related to how the city's contribution would be distributed and allocated to the Tiger-Cats.

***Does the information belong to the municipality?***

- 52 The second part of the test requires that the information discussed in closed session belong to the municipality or local board. In this case, the information regarding the city's contribution belongs to the city because it was prepared by city staff. There is no indication that the city does not have a proprietary interest in the information.

***Does the information have monetary value or potential monetary value?***

- 53 The third part of the test requires that the information have monetary value, either real or potential, such that disclosure would deprive the municipality or local board of that monetary value.
- 54 It is important to note that whether or not the municipality or local board would suffer harm from the disclosure of the information is not relevant to determining if the information has monetary value.

- 55** In a case involving Ontario Power Generation (“OPG”)<sup>13</sup>, the IPC found that spreadsheets with cost estimates belonging to OPG did not have monetary value. OPG argued that if the spreadsheets were disclosed, its ability to secure future contracts would be adversely impacted and it would be deprived of the opportunity to negotiate with bidders for the most favourable pricing. The IPC rejected this argument and found that while the OPG could suffer harm that results from the disclosure of the spreadsheets, disclosure would not deprive the OPG of the spreadsheets’ monetary value, if any. That is, the fact that disclosure of the spreadsheets could adversely affect the OPG’s ability to secure contracts in the future does not mean that the information at issue also has an intrinsic or monetary value.
- 56** The IPC relied on the OPG case to find that records relating to a request for proposals for student transportation do not have monetary value.<sup>14</sup> In that case, the Thunder Bay Catholic District School Board sought to prevent the disclosure of records including evaluators’ comments, scoring, and pricing information of responses to the request for proposal. The IPC found that those records do not have intrinsic monetary value and that the school board’s arguments against disclosure related to the harms that will result from disclosure, not whether disclosure of the information would deprive the school board of its monetary value.
- 57** In another case involving the Municipality of Chatham-Kent, the IPC found that records relating to alternative ambulance and fire service delivery models do not have monetary value.<sup>15</sup> The municipality argued that it developed the delivery models with the intent to sell the delivery models to other municipalities or ambulance service delivery companies. The IPC found that the delivery models were specific to the municipality and did not reveal details of ambulance or fire services. As such, the information had no monetary value.
- 58** In the present case, the city told my Office that monetary value exists in the report because if the amount of the city’s contribution is disclosed it will negatively impact the city’s competitive position as a potential host city for the Grey Cup and other large-scale events in future. The city explained that if the information is made public, other municipalities and football teams also bidding for the 2020 or 2021 Grey Cup could outbid the Tiger-Cats. In addition, future large-scale events would be negatively impacted on the same basis.

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<sup>13</sup> 2016 CanLII 46208 (ON IPC)

<sup>14</sup> 2017 CanLII 78367 (ON IPC)

<sup>15</sup> 2018 CanLII 74219 (ON IPC)

- 59 I do not agree and find that the third part of the test is not satisfied. The city's position does not address whether or not the information at issue has monetary value. Rather, the city focuses on the harm of the disclosure – that is, the potential loss of economic benefits and revenue for the city. The IPC has consistently found that the fact that the disclosure would adversely affect an institution's ability to secure contracts in the future does not mean that the information has an intrinsic monetary value. There is no indication that the information contained in the report has any monetary value, nor is there any indication that disclosure of the information would deprive the city of its monetary value.
- 60 Accordingly, the closed session discussion does not fit within the exception for information belonging to the municipality.

### Applicability of the “negotiations” exception

- 61 The new exception for negotiations is found in subsection 239(2)(k) of the Act and provides for a meeting to be closed if the subject matter being considered is:
- a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.
- 62 The committee cited this exception when it moved into the second closed session.
- 63 In a recent report to the City of St. Catharines, my Office considered the new negotiations exception and reviewed the case law of the IPC.<sup>16</sup> As I have previously stated, these decisions are helpful with respect to the applicability of the open meeting exceptions. In that case, my Office found that the purpose of the exception is to protect information that could undermine a municipality or local board's bargaining position or give the public an unfair advantage over the municipality or local board. In order for the exception to apply, the municipality or local board must show that:
1. the *in camera* discussion was about positions, plans, procedures, criteria or instructions;
  2. the positions, plans, procedures, criteria or instructions are intended to be applied to negotiations;
  3. the negotiations are being carried on currently, or will be carried on in future; and

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<sup>16</sup> *St. Catharines (City of) (Re)*, 2019 ONOMBUD 1 (CanLII), <<http://canlii.ca/t/hxrk5>>

4. the negotiations are being conducted by or on behalf of the municipality or local board.

- 64 We were told that in November 2018 city staff began confidential negotiations with the Tiger-Cats to determine a satisfactory contribution by the city to the Tiger-Cats' bid. The negotiations focused on determining an appropriate role and responsibilities for the city based on the Tiger-Cats' concept for the 2020 or 2021 Grey Cup. According to the acting director, if the Tiger-Cats were successful, the city would experience economic benefits from increased tourism and a boost to the city's profile as host city. The Tiger-Cats would benefit from the infusion of city services to their bid which would otherwise be unavailable or come at a direct cost to the team.

***Was the discussion about positions, plans, procedures, criteria or instructions?***

- 65 In a 2002 decision, the IPC determined that in order to satisfy the first part of the test, there must be "some evidence that a course of action or manner of proceeding is "pre-determined", that is, there is some organized structure or definition given to the course to be taken." <sup>17</sup> The IPC found that a "plan" is "a formulated and especially detailed method by which a thing is to be done; a design, or scheme." With respect to positions, procedures, criteria, and instructions, the Commissioner found that these terms "are similarly referable to pre-determined courses of action or ways of proceeding."
- 66 The *in camera* discussion fits within the definition of a plan. During the January 16 closed session, we were told that staff sought direction from the committee on how to proceed in negotiations with the Tiger-Cats. We were told by staff that the committee discussed staff's recommended contribution to the Tiger-Cats' bid and other options for proceeding with the city's contribution.

***Are the positions, plans, procedures, criteria or instructions intended to be applied to negotiations?***

- 67 This part of the test is satisfied. The committee approved the recommended contribution and directed staff to proceed via certain steps with respect to the negotiations with the Tiger-Cats. These steps are contained in the direction to staff passed during the closed session and include formalizing the city's contribution in an agreement with the Tiger-Cats.

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<sup>17</sup> *Ontario (Ministry of Community and Social Services) v. Cropley*, 2004 CanLII 11694 (ON SCDC).

***Are the negotiations being carried on currently or will be carried on in the future?***

- 68 This part of the test is satisfied. At the time of the January 16 meeting, city staff were engaged in negotiations with the Tiger-Cats.

***Are the negotiations being conducted by or on behalf of the municipality?***

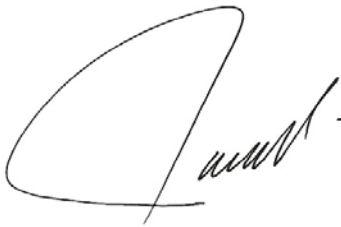
- 69 This part of the test is satisfied. Staff conduct the negotiations with the Tiger-Cats on behalf of the city.
- 70 The four-part test for the negotiations exception is satisfied. While *in camera*, the committee formulated a plan and directed staff with respect to the city's ongoing negotiations with the Tiger-Cats to participate and contribute to the Tiger-Cats' bid for the 2020 or 2021 Grey Cup.
- 71 Accordingly, the *in camera* discussion fit within the negotiations exception.
- 72 To assist municipal councils, staff, and citizens, we have developed an online digest of open meeting decisions that contains summaries of the Ombudsman's open meeting cases. This searchable repository was created to provide easy access to the Ombudsman's past decisions on, and interpretations of, the open meeting rules. Council members and staff can consult the digest to inform their discussions and decisions on if a matter should or may be discussed in closed session, as well as issues related to open meeting procedure. Summaries of all the Ombudsman's previous decisions cited in this report can be found in the digest.

## **Opinion**

- 73 The General Issues Committee for the City of Hamilton did not violate the *Municipal Act, 2001* on January 16, 2019 when it discussed the city's contribution to the Hamilton Tiger-Cats' bid for the 2020 or 2021 Grey Cup in two closed sessions. The first closed session fit within the exception for advice subject to solicitor-client privilege. While the second *in camera* discussion did not fit within the exceptions for advice subject to solicitor-client privilege or information belonging to the municipality, the discussion fit within the exception for negotiations.

## Report

- 74 The city was given the opportunity to review a preliminary version of this report and provided comments to our office.
- 75 My report should be shared with council and made available to the public as soon as possible, and no later than the next council meeting.



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Paul Dubé  
Ombudsman of Ontario



Hamilton

**SELECTION COMMITTEE  
REPORT 19-004  
2:00 p.m.  
Wednesday, June 12, 2019  
Room 222, Hamilton City Hall  
71 Main Street West**

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**Present:** Councillors B. Johnson (Chair), N. Nann (Vice-Chair), B. Clark, C. Collins, and J. Farr

**Absent with  
Regrets:** Councillor L. Ferguson – City Business  
Councillor S. Merulla – Personal  
Councillor M. Pearson – City Business  
Councillor T. Whitehead – City Business

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**THE SELECTION COMMITTEE PRESENTS REPORT 19-004 FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

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

The agenda for the June 12, 2019 meeting of the Selection Committee 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 7, 2019 (Item 3.1)**

That the Minutes of the May 7, 2019 meeting of the Selection Committee

be approved, as presented.

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

The Committee deemed that a Closed Session discussion of Item 4.1 was not required, and approved the following in Open Session:

**(i) Closed Session Minutes – May 7, 2019 (Item 4.1)**

The Closed Session Minutes dated May 7, 2019 were approved, as presented, and remain confidential.

The Committee moved into Closed Session for Item 4.2 respecting a Vacancy on the Hamilton Future Fund Board of Governors, pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (b) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees.

**(ii) Vacancy on the Hamilton Future Fund Board of Governors (Item 4.2)**

Staff were provided with direction in Closed Session.

**(e) ADJOURNMENT (Item 5)**

There being no further business, the Selection Committee adjourned at 2:12 p.m.

Respectfully submitted,

Councillor B. Johnson, Chair  
Selection Committee

Alicia Davenport  
Legislative Coordinator  
Office of the City Clerk



## PUBLIC WORKS COMMITTEE REPORT 19-009

9:30 a.m.  
Monday, June 17, 2019  
Council Chambers  
Hamilton City Hall  
71 Main Street West

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

**Absent with  
Regrets:** Councillor T. Jackson – Personal

**Also Present:** Councillor M. Wilson

### THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 19-009 AND RESPECTFULLY RECOMMENDS:

**1. Clean and Green Hamilton Strategy 2018 Year-End Update (PW19050) (City Wide) (Item 7.1)**

That Report PW19050, respecting Clean and Green Hamilton Strategy 2018 Year-End Update, be received.

**2. Sewer Use By-law Program 2018 Annual Update (PW19054) (City Wide) (Item 7.2)**

That Report PW19054, respecting Sewer Use By-law Program 2018 Annual Update, be received.

**3. Results of the Traffic Calming Committee Survey (PW19056) (City Wide) (Item 7.3)**

That Report PW19056, respecting the Results of the Traffic Calming Committee

Survey, be received.

**4. Hamilton's Beaches (PW19057) (City Wide) (Item 7.4)**

That Report PW19057, respecting Hamilton's Beaches, be received.

**5. Waiving the HSR Bus Rental Fee for the McMaster University Engineering Students' Welcome Week Bus Pull (Item 8.2)**

That staff be directed to waive the HSR Bus Rental Fee, at an upwards cost of \$500 per year, for the McMaster University Engineering Students' Welcome Week Bus Pull for 2019, 2020, 2021, and 2022.

**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)**

That the application of the owner of 13 Avalon Place and 11 Avalon Place, Hamilton, to permanently close and purchase a portion of the unassumed alleyway abutting the west side of 13 Avalon Place and the east side of 11 Avalon Place, Hamilton, ("Subject Lands"), as shown on Appendix "A", attached to Public Works Committee Report 19-009, be approved, subject to the following conditions:

- (a) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, for an order to permanently close the Subject Lands, if required by the City, subject to:
  - (i) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and,
  - (ii) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;
- (b) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
- (c) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved:

- (i) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;
  - (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to enter into any requisite easement agreements necessary to affect the orderly disposition of the Subject Lands and to proceed to sell the closed alleyway to the owners of 13 Avalon Place and 11 Avalon Place, Hamilton, as described in Report PW19049, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
  - (iii) The City Solicitor be authorized to complete the transfer of the Subject Lands to the owners of 13 Avalon Place and 11 Avalon Place, Hamilton pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;
  - (iv) The City Solicitor be authorized and directed to register a certified copy of the by-laws permanently closing and selling the alleyway in the proper land registry office; and,
  - (v) The Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204;
- (d) That the applicant enters into agreements with any Public Utility requiring easement protection.

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

- (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 in one year.

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

That the Strategic Asset Management Policy, attached as Appendix “B” to Public Works Committee Report 19-009, be approved.

**9. Red Light Camera Program – New Sites for 2019 (PW19055) (City Wide) (Item 10.3)**

That the following locations be approved for the installation of red light cameras in 2019:

- (a) Catharine Street at King Street – Westbound (Ward 2);
- (b) Main Street at Queen Street – Eastbound (Wards 1/2);
- (c) Sanford Avenue at Wilson Street – Northbound (Ward 3); and,
- (d) Barton Street at Ottawa Street – Westbound (Wards 3/4).

**10. Appointment to the Waste Management Advisory Committee (Item 11.1)**

That Councillor N. Nann be appointed to the Waste Management Advisory Committee for the balance of the 2018-2022 Term of Council.

**11. Captain Cornelius Play Structure Replacement (Ward 8) (Item 11.2)**

WHEREAS, the play structure and safety surfacing at Captain Cornelius Park, located at 150 Mountbatten Drive, Hamilton has reached its end of life cycle and has become worn-out; and,

WHEREAS, there is limited funding in the Parks & Cemeteries capital budget for replacements and amenity enhancements;

THEREFORE, BE IT RESOLVED:

- (a) That \$60,000 be funded through the Ward 8 Area Reserve (108058) to enhance the capital replacement of the Captain Cornelius Park play structure, with any unspent funds to be returned to the Ward 8 Area Reserve (108058); and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

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

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, It's Your Festival 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 large festivals and the cost of rendering those services; and,

- (b) municipal services utilized by large festivals that the City of Hamilton may consider offering in kind as a means to continue to make these major Hamilton festivals viable.

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

WHEREAS, the late Gord Thompson was a tireless advocate for the International Village in Downtown Hamilton. As a successful business leader, operating Thompson Jewellery, Gord took great pride in beautification for his shop and the area and was well admired by customers and visitors over many decades;

THEREFORE, BE IT RESOLVED:

- (a) That the installation costs of \$150 be funded from the Ward 2 Area Rating Discretionary Fund, 3301909200 to formally dedicate the corner of King Street East and Walnut Street South as Gord Thompson Corner; 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 corner of King Street East and Walnut Street South as Gord Thompson Corner, with such terms and conditions in a form satisfactory to the City Solicitor.

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

WHEREAS, the vision of the City of Hamilton is to be the best place to raise a child and age successfully;

WHEREAS, the City of Hamilton prioritizes Healthy and Safe Communities, where people are active, healthy and have a high quality of life;

WHEREAS, the City of Hamilton's Transit Division's Strategic direction is to make Transit your first choice, by providing customer-focused service that is safe, reliable, and inclusive;

WHEREAS, the City of Hamilton's transit stops act as gateways to residents in accessing transit services;

WHEREAS, the City of Hamilton entrusts the Transit Division to make critical planning decisions to ensure the selection of transit stop locations provide a balance of convenience and ease of accessibility for the City's residents, as well as meeting accessibility and service delivery requirements;

WHEREAS, prior to 2017 a non-accessible transit stop was located at the southwest corner of Rymal Road E. and Derby St., which was removed due to the acceptable distance it was from an accessible transit stop at the nearest pedestrian crossing;

WHEREAS, the City of Hamilton promotes an open, transparent, and accessible approach to City government that engages with and empowers all citizens to be involved in their communities; and,

WHEREAS, Ward 6 Councillor Tom Jackson received a petition from residents of the Broughton neighbourhood requesting a transit stop be re-instituted at the corner of Rymal Road E. and Derby St.;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to implement a transit stop on the southwest corner of Rymal Road East and Derby Street on a pilot basis and that the pilot will:
  - (i) Be in effect a period of eighteen (18) months beginning in September 2019;
  - (ii) Include the installation of a transit pad and connecting pathway to the adjacent sidewalk at a cost not to exceed \$8,000.00, to be funded from the Ward 6 Area Rating Discretionary Account, 3301909600;
  - (iii) Prioritize the installation of a transit pad and connecting pathway, consistent with those installed on Rymal Road East between Upper Gage Avenue and Upper Ottawa Street, to coincide with, or as close to, the identified pilot start date; and,
  - (iv) Assess and determine the feasibility for installation of a permanent transit stop at the subject location based on criteria inclusive of pedestrian connectivity, accessibility and safety that are in alignment with the City of Hamilton's Vision Zero Action Plan, stop spacing to existing stops, operational impacts, and transit use from the adjacent Broughton neighbourhood based on Automated Passenger Counter data with a report back to the Public Works Committee;
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

**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)**

WHEREAS, a petition respecting the installation of speed cushions on Shelby Avenue in front of #28 Shelby Avenue and in front of #78 Shelby Avenue was received with 27 signatures (attached hereto as Appendix "A");

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to install speed cushions on Shelby Avenue, Hamilton in 2019 in front of #28 Shelby Avenue and in front of #78 Shelby Avenue, at a cost of \$11,000, be funded from the Ward 4 Area Capital Rating Reserve account (108054); and,
  - (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents to install speed cushions on Shelby Avenue, Hamilton in front of #28 Shelby Avenue and in front of #78 Shelby Avenue, with such terms and conditions in a form satisfactory to the City Solicitor.
- 16. Allocation of Funds Towards Traffic Calming Initiatives in Ward 5 (Added Item 11.7)**
- (a) That \$120,000 be allocated towards Ward 5 traffic calming initiatives (speed cushions, electronic speed boards, knock-down sticks, pedestrian enhancements, etc.) be funded from the Ward 5 Area Rating Reserve Fund (108055);
  - (b) That \$10,000 be allocated towards Stoney Creek traffic calming initiatives (speed cushions, electronic speed boards, knock-down sticks, pedestrian enhancements, etc.) be funded from the Stoney Creek Terrapure Reserve (117036); and,
  - (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents to implement traffic calming initiatives (speed cushions, electronic speed boards, knock-down sticks, pedestrian enhancements, etc.) in Ward 5, with such terms and conditions in a form satisfactory to the City Solicitor.

**FOR INFORMATION:**

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

Angela Storey, Manager, Business Programs, Environmental Services, and

Chapter President of the Ontario Public Works Association (OPWA), recognized and congratulated the City of Hamilton winners of the National Public Works Week Truck Rodeo on May 16, 2019, as follows:

**Snow Plow Competition**

- 1<sup>st</sup> Place - Adam Middleton

**Waste Packer Competition**

- 1<sup>st</sup> Place - Jim Davies
- 3<sup>rd</sup> Place - Paul Greenaway

**Team Competition**

- 1<sup>st</sup> Place - Adam Middleton and Rob Mason

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

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

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

- 6.2. Chris McLaughlin, Bay Area Restoration Council, respecting Item 7.4 - Hamilton's Beaches (PW19057) (for today's meeting)
- 6.3. Kristin O'Connor, Hamilton Harbour Remedial Action Plan, respecting Item 7.4 - Hamilton's Beaches (PW19057) (for today's meeting)
- 6.4. Jay Krause, Cycle Hamilton, respecting the Cannon Street Resurfacing Project (for a future meeting)

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

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

8.4.a Registered Speakers:

8.4.a.b Richard Archambault

That upon approval of the delegation requests listed as Items 6.2 and 6.3, these delegations be heard in advance of the consideration of the following staff report: Hamilton's Beaches (PW19057) (Item 7.4)

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

- 10.3. Red Light Camera Program – New Sites for 2019 (PW19055) (City Wide) – AMENDED

**4. MOTIONS (Item 11)**

- 11.3. Feasibility of Assisting Major Festivals (Shut Out of the Celebrate Ontario Grant Process) with City Services – REVISED
- 11.4. Commemorative Designation of the Corner of King Street East and Walnut Street South as Gord Thompson Corner (Ward 2) – REVISED

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

- 12.1. Installation of Speed Cushions on Shelby Avenue, Hamilton in front of #28 Shelby Avenue and in front of #78 Shelby Avenue (Ward 4)

The agenda for the June 17, 2019 Public Works Committee meeting was approved, as amended.

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

There were no declarations of interest.

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

**(i) June 3, 2019 (Item 4.1)**

The Minutes of the June 3, 2019 meeting of the Public Works Committee were approved, as presented.

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

The following delegation requests, were approved:

- (i) David Twiss, respecting Paving of Balsam Avenue South from Cannon Street East to Main Street East and General Sidewalk Repairs (Ward 3) (for a future meeting) (Item 6.1);
- (ii) Chris McLaughlin, Bay Area Restoration Council, respecting Item 7.4 - Hamilton's Beaches (PW19057) (for today's meeting) (Added Item 6.2);

- (iii) Kristin O'Connor, Hamilton Harbour Remedial Action Plan, respecting Item 7.4 - Hamilton's Beaches (PW19057) (for today's meeting) (Added Item 6.3); and,
- (iv) Jay Krause, Cycle Hamilton, respecting the Cannon Street Resurfacing Project (for a future meeting) (Added Item 6.4).

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

**(i) Chris McLaughlin, Bay Area Restoration Council, respecting Item 7.4 - Hamilton's Beaches (PW19057) (Added Item 8.5)**

Chris McLaughlin, Bay Area Restoration Council, addressed the Committee respecting Item 7.4 - Hamilton's Beaches, with the aid of a presentation.

The delegation from Chris McLaughlin, Bay Area Restoration Council, respecting Item 7.4 - Hamilton's Beaches, was received.

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

For further disposition of this matter, see Item 4.

**(ii) Kristin O'Connor, Hamilton Harbour Remedial Action Plan, respecting Item 7.4 - Hamilton's Beaches (PW19057) (Added Item 8.6)**

Kristin O'Connor, Hamilton Harbour Remedial Action Plan, addressed the Committee respecting Item 7.4 - Hamilton's Beaches, with the aid of a presentation.

The delegation from Kristin O'Connor, Hamilton Harbour Remedial Action Plan, respecting Item 7.4 - Hamilton's Beaches, was received.

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

For further disposition of this matter, see Item 4.

**(iii) Nick Klip, Manager, Hamilton Operations, Enbridge Gas Inc., respecting 2021 Kirkwall-Hamilton Pipeline Project Proposal (approved on April 29, 2019) (Item 8.1)**

Nick Klip, Manager, Hamilton Operations, Enbridge Gas Inc., addressed

the Committee respecting the 2021 Kirkwall-Hamilton Pipeline Project Proposal, with the aid of a presentation.

The delegation from Nick Klip, Manager, Hamilton Operations, Enbridge Gas Inc., respecting the 2021 Kirkwall-Hamilton Pipeline Project Proposal, was received.

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

**(iv) Benjamin Torres Kulik, McMaster Engineering Society, respecting Waiving the HSR Bus Rental fee for the McMaster University Engineering Students' Welcome Week Bus Pull (approved on June 3, 2019) (Item 8.2)**

Benjamin Torres Kulik and Karlo Nesovic, McMaster Engineering Society, addressed the Committee respecting Waiving the HSR Bus Rental fee for the McMaster University Engineering Students' Welcome Week Bus Pull, with the aid of a presentation.

The delegation from Benjamin Torres Kulik and Karlo Nesovic, McMaster Engineering Society, respecting Waiving the HSR Bus Rental fee for the McMaster University Engineering Students' Welcome Week Bus Pull, was received.

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

For further disposition of this matter, see Item 5.

**(v) Anthony LeBlanc, respecting Deepening the Bay Area so that the Water Level Lowers and does Less Damage to the Shoreline During Storms (approved by on June 3, 2019) (Item 8.3)**

Anthony LeBlanc, addressed the Committee respecting Deepening the Bay Area so that the Water Level Lowers and does Less Damage to the Shoreline During Storms, with the aid of a handout.

The delegation from Anthony LeBlanc, respecting Deepening the Bay Area so that the Water Level Lowers and does Less Damage to the Shoreline During Storms, was received.

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

**(vi) 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)**

Chair Ferguson advised that notice of the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 13 Avalon Place and 11 Avalon Place, Hamilton (PW19049) (Ward 3) was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that there were two registered speakers.

**Registered Speakers:**

**1. Michael Houlihan and Daniela Houlihan**

Michael Houlihan and Daniela Houlihan, addressed the Committee with concerns respecting the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 13 Avalon Place and 11 Avalon Place, Hamilton (PW19049) (Ward 3), with the aid of photos.

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

**2. Richard Archambault**

Richard Archambault, addressed the Committee in support of the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 13 Avalon Place and 11 Avalon Place, Hamilton (PW19049) (Ward 3), with the aid of photos.

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

The registered delegations were received.

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

The public meeting was closed.

For further disposition of this matter, refer to Item 6.

**(g) DISCUSSION ITEMS (Item 10)**

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

That Report PW17021(a), respecting an Update on Safety Measures on Aberdeen Avenue from Queen Street to Longwood Road, be amended by adding recommendation (a) (v) as follows:

- (v) *That staff be directed to evaluate the effectiveness of the roadway safety measures implemented and report back to the Public Works Committee in one year.***

**The following Motion was DEFEATED:**

That Report PW17021(a), respecting an Update on Safety Measures on Aberdeen Avenue from Queen Street to Longwood Road, be amended by revising recommendation (a) (iii) as follows:

- (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 *except during rush hour*,**

For further disposition of this matter, refer to Item 7.

**(ii) Red Light Camera Program – New Sites for 2019 (PW19055) (City Wide) (Item 10.3)**

That Report PW19055, respecting the Red Light Camera Program – New Sites for 2019, be amended by deleting recommendation (c) in its entirety and replacing it with the following:

- ~~(c) — Charlton Avenue at Queen Street — Southbound (Wards 1/2);~~  
(c) *Sanford Avenue at Wilson Street – Northbound (Ward 3);***

That Report PW19055, respecting the Red Light Camera Program – New Sites for 2019, be amended by deleting recommendation (e):

- ~~(e) — Governors Road/Dundas Street at Main Street — Southbound (Ward 13).~~**

The Public Works Committee recessed at 1:31 p.m.

The Public Works Committee reconvened at 1:32 p.m.

**(iii) Bill 65 - Neighbourhood Speed Limit Reduction Implementation (PW19058) (City Wide) (Item 10.4)**

Consideration of Report PW19058, respecting Bill 65 - Neighbourhood Speed Limit Reduction Implementation, was deferred to the July 10, 2019 Public Works Committee meeting.

Councillor Danko wished to be recorded as opposed to the deferral.

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

**(i) 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 12.1)**

The Rules of Order were waived to allow for the introduction of a Motion respecting the Installation of Speed Cushions on Shelby Avenue, Hamilton in front of #28 Shelby Avenue and in front of #78 Shelby Avenue (Ward 4).

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

**(ii) Allocation of Funds Towards Traffic Calming Initiatives in Ward 5 (Added Item 12.2)**

The Rules of Order were waived to allow for the introduction of a Motion respecting the Allocation of Funds Towards Traffic Calming Initiatives in Ward 5.

For further disposition of this matter, refer to Item 16.

**(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 considered complete and needing to be removed:

- (i) Full Review of Aberdeen Ave. from Queen to Longwood  
Addressed as Item 10.1 on today's agenda - Report PW17021(a)  
Item on OBL: B
- (ii) Results of the Traffic Calming Committee Survey  
Addressed as Item 7.3 on today's agenda – Report PW19056  
Item on OBL: AA
- (iii) Tiger Tail Stop Signs  
Addressed as Item 7.3 on today's agenda – Report PW19056  
Item on OBL: AH
- (iv) Hamilton's Beaches  
Addressed as Item 7.4 on today's agenda – Report PW19057  
Item on OBL: S

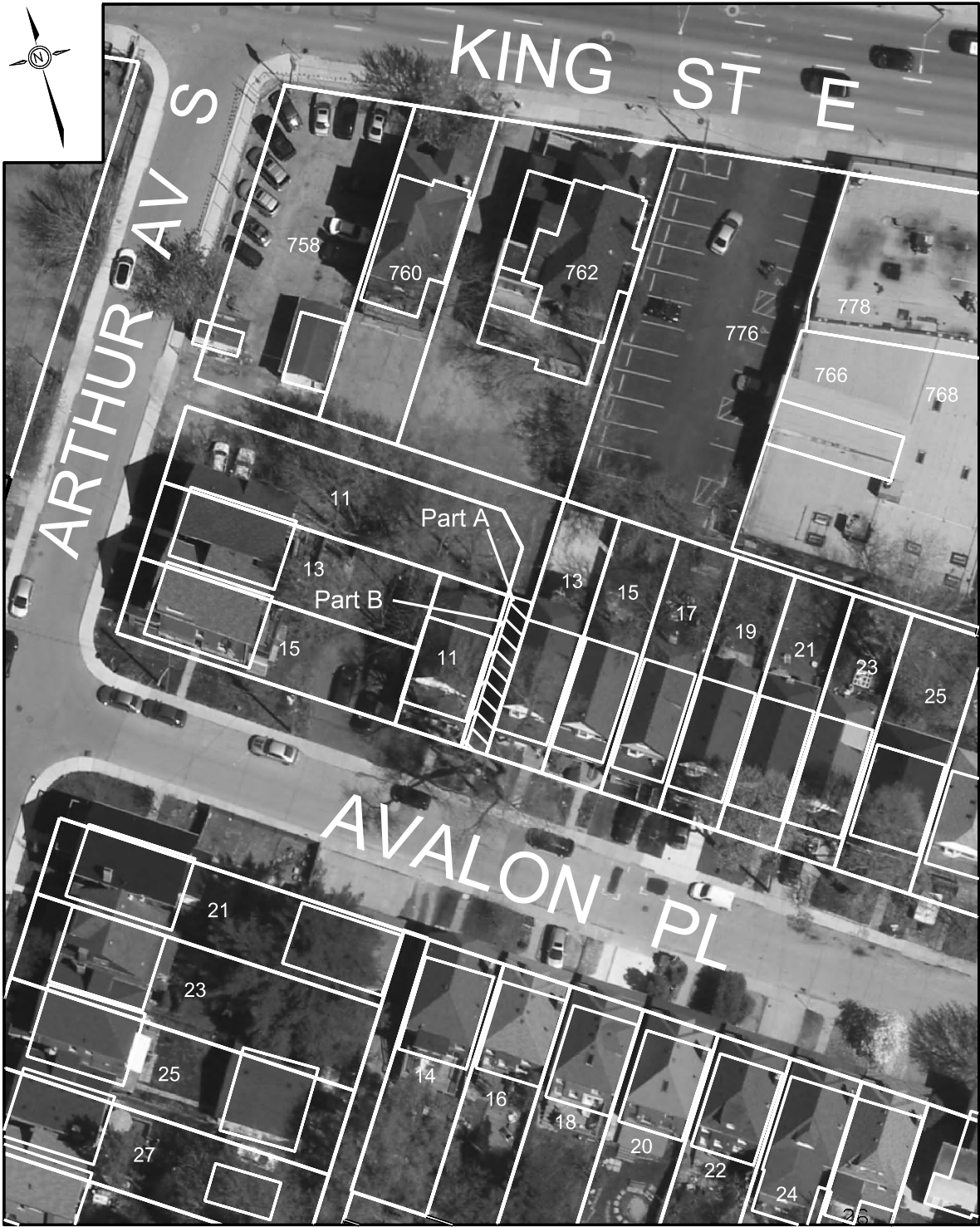
**(j) ADJOURNMENT (Item 15)**

There being no further business, the Public Works Committee was adjourned at 2:23 p.m.

Respectfully submitted,

Councillor L. Ferguson  
Chair, Public Works Committee

Alicia Davenport  
Legislative Coordinator  
Office of the City Clerk



Hamilton

PROPOSED CLOSURE OF PORTION OF UNASSUMED  
ALLEY AT 13 AVALON PLACE (PART A) AND 11  
AVALON PLACE (PART B)

Geomatics & Corridor Management Section  
Public Works Department

LEGEND



Lands to be Closed

NTS | 04/04/2019 | Sketch by: CF

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## **STRATEGIC ASSET MANAGEMENT POLICY**

*(in accordance with the Infrastructure for Jobs and Prosperity Act)*

<b>PURPOSE</b>	<p>Strategic municipal asset management involves the challenge of planning and investing in municipal infrastructure assets, while ensuring sound stewardship of public resources and delivering valued customer services.</p> <p>The purpose of this Asset Management Policy is to affirm the City of Hamilton commitments in asset management through defined principles and processes, and to align and integrate asset management into strategic planning processes.</p> <p>This policy will provide a foundation for a strategic Asset Management Plan (AMP). This will help identify and prioritize investments in existing and future infrastructure assets, as the City continues its efforts to maintain assets in a safe, efficient and effective manner, capable of supporting the quality of life desired in the community.</p> <p>Strategic Asset Management enables the City to purposefully plan for community sustainability and resilience by:</p> <ul style="list-style-type: none"> <li>• Proactively managing assets throughout their life cycle to deliver services sustainably to the community now and into the future,</li> <li>• Prioritizing infrastructure decisions that balance costs, risks and services,</li> <li>• Delivering services more efficiently and effectively,</li> <li>• Ensuring long-term affordability of services,</li> <li>• Reducing deficits and debt, and</li> <li>• Attracting business and investment.</li> </ul> <p>This Asset Management Policy conforms to prescribed requirements from Ontario Regulation 588/17 (O.Reg.588/17), as amended.</p>
<b>POLICY STATEMENT</b>	<p>Pursuant to O.Reg. 588/17, The City of Hamilton makes the following commitments regarding Asset Management Planning:</p> <ol style="list-style-type: none"> <li>1. The City is committed to offering opportunities for municipal residents and other interested parties to provide input into asset management planning.</li> <li>2. The City is committed to coordinating asset management planning for infrastructure assets interrelated with neighbouring</li> </ol>

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	<p>municipalities, or jointly-owned, including inter-connected drinking water distribution assets and road networks.</p> <p>3. As part of its asset management planning for municipal infrastructure, the City is committed to considering climate change. This includes the following:</p> <ol style="list-style-type: none"> <li>Identifying the vulnerabilities of the City's existing and proposed infrastructure assets caused by climate change, and subsequent potential costs;</li> <li>Considering the means to address those vulnerabilities, related to operations, levels of service and lifecycle activities;</li> <li>Considering adaptation opportunities that may be undertaken to manage the vulnerabilities,</li> <li>Considering mitigation approaches to limit the magnitude or rate of long-term climate change (such as greenhouse gas emission reduction objectives), and</li> <li>Considering disaster planning and contingency funding.</li> </ol>
<b>SCOPE</b>	<p>The scope of this policy applies to Core Municipal Infrastructure Assets owned by the City of Hamilton, as defined in O.Reg. 588/17, and as listed in <b>Appendix 1</b>.</p> <p>Core Municipal Infrastructure includes assets in the road right-of-way, bridges, culverts, drinking water treatment &amp; distribution, wastewater treatment &amp; collection, and storm water systems.</p>
<b>PRINCIPLES</b>	<p>The City will consider the following principles in decisions to invest, design, construct, acquire, operate, maintain, renew, replace or decommission infrastructure assets.</p>
Community Focus	<p>Infrastructure planning and investment should:</p> <ol style="list-style-type: none"> <li>Promote economic competitiveness, productivity, job creation and training opportunities.</li> <li>Promote accessibility for persons with disabilities.</li> <li>Promote community benefits, being the supplementary social and economic benefits arising from an infrastructure project that are intended to improve the community well-being (creating jobs, improving public space, for example).</li> </ol>

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Prioritization	<p>4. Consider the needs of the public by being mindful of the local demographic and economic trends (seniors, commuters, tourists, etc.).</p> <p>5. Foster innovation by creating opportunities to make use of proven technologies, practices and services (especially those developed in Ontario).</p>
	<p>Infrastructure planning and investment should:</p> <p>6. Clearly identify and respect defined infrastructure priorities. A clearly defined hierarchy for infrastructure priorities is a critical foundation for an effective asset management plan, as priorities should inform investment decisions. Priorities will be further described in the AMP.</p> <p>7. Ensure the City continues to provide public services in the road right-of-way, bridges, culverts, drinking water treatment &amp; distribution, wastewater treatment &amp; collection, and storm water systems at defined levels of service.</p> <p>8. Take a long-term view in making asset decisions, especially considering the municipal life cycle of infrastructure assets from acquisition to disposal.</p> <p>9. Factor information with implications for infrastructure planning into infrastructure investment decisions.</p>
Health, Safety and the Environment	<p>Infrastructure planning and investment should:</p> <p>10. Ensure health &amp; safety of workers involved in the construction and maintenance of assets is protected.</p> <p>11. Ensure infrastructure is designed to be resilient to the effects of climate change.</p> <p>12. Minimize the impact of infrastructure on the environment.</p> <p>13. Respect and help maintain ecological and bio-diversity.</p> <p>14. Endeavour to make use of acceptable recycled materials.</p>

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Transparency	<p>Infrastructure planning and investment should:</p> <p>15. Be made on information that is evidence based, and, subject to any restrictions or prohibitions, on the basis of information that is either publicly available or is made available to the public.</p> <p>16. In cases where the City becomes aware of information that has implications for City infrastructure planning, this should be shared with relevant public agencies that may be affected.</p>
Coordination	<p>Infrastructure planning and investment should:</p> <p>17. Align with all relevant City of Hamilton financial plans prepared in accordance with relevant financial budgeting legislation.</p> <p>18. Be mindful of and align with the other City policies, Strategic Plan, and other plans and strategies in effect. A description of connected plans is provided in further detail in the Asset Management Plan.</p>
<b>DEFINITIONS</b>	(As defined in O.Reg.588/17)
Asset	A resource with economic value that a municipality controls with the expectation that it will provide a future benefit. An asset is specifically defined as property, equipment, vehicles, tools or other resources with a purchase value at or above the Capital Asset Threshold.
Asset Management (AM)	The coordinated activity of an organization to realize value from assets.
Asset Management Plan (AMP)	A plan to be developed for the management of infrastructure assets, in compliance with the Strategic Asset Management Plan from O.Reg.588/17, that combines multi-disciplinary management techniques (including technical and financial) over the life cycle of the asset in the most cost effective manner to provide a specific level of service. The management of infrastructure assets includes investment, design, construction, acquisition, operation, maintenance, renewal, replacement and decommissioning of these assets.
Capital Asset Threshold	The threshold at or above which a resource is considered an asset, the value of a municipal infrastructure asset at or above which a municipality will capitalize the value of it and below which it will

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<p>Core Municipal Infrastructure Asset</p> <p>O. Reg. 588/17</p> <p>Public</p>	<p>expense the value of it. For the City of Hamilton, the capital asset threshold is defined in the Capital Asset Policy. However, items below the defined threshold may be included into the Asset Management Plan, based on risk, under the authority of the relevant department Director.</p>
	<p>Includes any municipal infrastructure asset that is a:</p> <ul style="list-style-type: none"> <li>- water asset that relates to the collection, production, treatment, storage, supply or distribution of drinking water,</li> <li>- wastewater asset that relates to the collection, transmission, treatment or disposal of wastewater, including any wastewater asset that from time to time manages stormwater,</li> <li>- stormwater management asset that relates to the collection, transmission, treatment, retention, infiltration, control or disposal of stormwater,</li> <li>- road, or</li> <li>- bridge or culvert.</li> </ul> <p>The City of Hamilton defines a ‘road’ asset as assets within the road right-of-way owned by the City, not including water, storm or sanitary.</p>
	<p>Under the Infrastructure for Jobs and Prosperity Act, 2015, principles are set out by the provincial government to regulate asset management planning for municipalities. On December 27, 2017, O. Reg. 588/17 was released which regulates asset management planning for municipal infrastructure.</p>
	<p>Residents and businesses in the City of Hamilton, stakeholders, or other interested parties.</p>
<p><b>RESPONSIBILITIES</b></p> <p><b>Council and Committees of Council</b> (herein called “Council”)</p>	<p>Responsible for approving the Asset Management Policy, Asset Management Plan, and approving budgetary decisions.</p> <p>Overall authority for policy approvals, and budgetary decisions as defined in the Municipal Act.</p> <p>Council has the authority to make asset management decisions related to investment, design, construction, acquisition, operation, maintenance, renewal, replacement and decommissioning of infrastructure assets.</p>

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<b>City Manager</b>	<p>Overall executive lead responsible for establishing and endorsing the Asset Management Policy and the Asset Management Plan.</p> <p>Authority to execute or delegate the duties defined above, and the authority to make asset management decisions related to investment, design, construction, acquisition, operation, maintenance, renewal, replacement and decommissioning of infrastructure assets.</p>
<b>Senior Leadership Team</b>	<p>Responsible for ensuring the Asset Management Policy is relevant, suitable, adequate, reviewed and updated as required.</p> <p>Responsible for communicating land-use or master plans, forecasts, policies and other planning or financial commitments related to municipal infrastructure assets.</p> <p>Also responsible for coordinating with the General Managers to align asset management planning with budgets, land-use or master plans, forecasts, policies and other planning or financial commitments.</p> <p>Authority to carry out these responsibilities.</p>
<b>General Manager Public Works</b>	<p>Responsible for, and assigned the authority for, making asset recommendations related to assigned portfolios, in adherence with this policy.</p> <p>Authority to make asset management decisions related to investment, design, construction, acquisition, operation, maintenance, renewal, replacement and decommissioning of infrastructure assets.</p>
<b>General Manager Finance &amp; Corporate Services</b>	<p>Responsible for communicating financial plans, forecasts and other financial commitments related to municipal infrastructure assets to the Senior Leadership Team.</p>
<b>OTHER PROVISIONS</b>  Plans, Budgets and Forecasts	<p>This Policy and future AMP are only effective when fully aligned with City budgeting and forecasting activities. A process will be developed within the AMP to coordinate asset management decisions when developing municipal capital and operating budgets, and long-term forecasting related to infrastructure assets.</p>

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Continual Improvement	This will include special consideration to align to the City of Hamilton Water Service Area Financial Plan, Development Charge Bylaw and Master Plans.
	<p>Asset management planning will be continually improved by considering emerging practices and principles in asset management planning.</p> <p>Opportunities for improvement will be also be determined through monitoring asset performance, and outcomes of asset decisions. Of particular importance are asset-related emergency situations, when seeking means to improve the City's asset management practices.</p>
Land-Use Planning Framework	A process will be developed and captured in the AMP to align asset management planning with land-use planning, including the City of Hamilton Official Plan, Development Charge By-Laws and other related master plans as they may be applicable.
Risk Management	<p>Climate change introduces risk and vulnerabilities for core municipal infrastructure assets. In order to fulfil climate change commitments in this Policy and stay aware of these risks and vulnerabilities, the Risk Assessment process will be developed through the AMP.</p> <p>Also, as noted in Definitions, items below the capital asset threshold may be included in the scope of asset management planning. That is, occasionally an item's value may be less than the defined capital asset threshold, but it has a functional value that introduces risk should the item's inventory, availability, condition or forecast not be considered and planned for. In that case, this item may be added using the Risk Assessment process that will be developed.</p> <p>Infrastructure priorities are inherently identified by consideration of risk. This process will be formalized as the AMP is developed, along with an overview of the risks associated with the strategy (i.e. ways the plan could fail to generate the expected service levels) and any actions that will be taken in response.</p>
Stakeholder Consultation	<p>Stakeholder involvement is a commitment in this Policy, and an important factor of a successful and relevant AMP. It is imperative that opportunities to provide input are consistently offered to residents and interested parties.</p> <p>Consultation and communication processes are in place, and will be described in the AMP.</p>

Appendix "B" to Item 8 of Public Works Committee Report 19-009

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Availability and Update	<p>This policy is posted on the City website and provided to anyone who requests it.</p> <p>It is reviewed and updated as required, no more than 5 years from the last revision date posted.</p>
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## APPENDIX 1

Assets included in scope:

Asset Category	Example
Drinking water distribution	Pumps, Motors, Starters, Gates, Transmission Mains, Distribution Mains, Water Valves, Water Quality Analyzers, Chemical Supply Systems, SCADA, Storage Reservoirs & Elevated Tanks, Generators, MCCs, Transformers, VFDs
Drinking water treatment	Pumps, Motors, Starters, Gates, Trash Screens, Mixers, Valves, Filters, UV Units, Tanks (Settling & Storage), Chemical Supply Systems, SCADA, Generators, MCCs, Transformers, VFDs
Sanitary wastewater collection	Maintenance Access Chambers, Pumps, Motors, Starters, Gates, Force Mains, Sewer Pipes, Weirs, SCADA, CSO Tanks, Generators, MCCs, Transformers, VFDs
Sanitary wastewater treatment	Pumps, Motors, Starters, Bar Screens, Chemical Supply Systems, Tanks, Flights, Chains, Blowers, Filter Presses, Centrifuges, Mixers, Filters, SCADA, Generators, MCCs, Transformers, VFDs
Roads (including right-of-way)	All road elements that comprise a municipal highway, including surface asphalts or other treatments, base materials, curbs, walks and shoulders, boulevards, control systems, street lighting, signs, for all road classes or highway
Bridges	Structures which provide a roadway or walkway for the passage of vehicles, pedestrians or cyclists across an obstruction, gap or facility, including precast concrete cross culverts, steel road bridges

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Culverts	Large diameter corrugated steel culvert
Storm water system	Pumps, Motors, Starters, Flood Gates, Storm Sewer Pipes, Catch Basins, Storm Ponds, Tanks, SCADA, Generators, MCCs, Transformers, VFDs



## **BOARD OF HEALTH REPORT 19-006**

**1:30 p.m.**

**Monday, June 17, 2019**

**Council Chambers**

**Hamilton City Hall**

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

**Absent with  
Regrets:** Councillor B. Clark, B. Johnson, J. Partridge – City Business;  
Councillor T. Jackson - Personal

### **THE BOARD OF HEALTH PRESENTS REPORT 19-006 AND RESPECTFULLY RECOMMENDS:**

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

That the Correspondence from Kingston, Frontenac and Lennox & Addington Public Health respecting Health Promotion as a Core Function of Public Health, be endorsed.

- 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)**

That the Board of Health authorize and direct the Medical Officer of Health to receive and utilize the funding from the Ministry of Health and Long-Term Care to support the Community Addictions Services Program, and report back to the Local Health Integration Network as required.

**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)**

- (a) That the Board of Health authorize and direct the Medical Officer of Health to receive, utilize and submit reports back to the Board 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,
- (b) That staff report back to the Board of Health by October 2019 on the development of the program locally.

**4. Corporate Climate Change Task Force Response to the Climate Change Emergency Declaration (BOH19022) (City Wide) (Item 9.1)**

That Report BOH19022, respecting the Corporate Climate Change Task Force Response to the Climate Change, be received.

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

That the Medical Officer of Health, or designate, be authorized and directed to execute any agreement and ancillary documents required to implement a contract between the City of Hamilton and Banyan Community Services Inc., operating as Arrell Youth Centre, that supports a 0.34 FTE Public Health Nurse secondment to Arrell Youth Centre for the term of July 1, 2019 to June 30, 2021 with an option to further renew the contract until June 30, 2023 in a form satisfactory to the City Solicitor.

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

That the by-law attached as Appendix “A” to Report BOH07034(n), being a bylaw to amend By-law No. 11-080 to Prohibit Smoking within City Parks and Recreation Properties (the “Amending By-law”), be approved.

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

WHEREAS; Public Health Services in its document, Corporate Climate Change Task Force Response to the Climate Change Emergency Declaration, has identified key strategic climate change adaptation and mitigation priority areas to be addressed by the City; and

WHEREAS; Public Health Services, in collaboration and cooperation with City departments, has made a compelling case continued action by the City of Hamilton in addressing the Climate Change Emergency Declaration;

THEREFORE, BE IT RESOLVED:

- (a) That Staff develop a comprehensive, corporate-wide climate change adaptation and mitigation workplan, incorporative of all City departments, under the direction of the City Manager within six months;
- (b) That the corporate-wide climate change adaptation and mitigation climate workplan be presented at the General Issues Committee meeting of November 20, 2019, and at subsequent General Issues Committee meetings on a quarterly basis; and,
- (c) That Staff report annual updates on progress against the corporate-wide climate change adaptation and mitigation workplan to the General Issues Committee, commencing November 2020.

**FOR INFORMATION:**

Vice-Chair Wilson called the meeting to order.

The Board of Health recessed at 1:31 p.m., in order to allow the meeting of the Public Works Committee to continue.

The Board of Health reconvened at 2:40 p.m.

**(a) CERMONIAL ACTIVITIES (Item 1)**

There were no ceremonial activities.

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

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

**5. COMMUNICATIONS**

- 5.7 Correspondence from the Association of Local Public Health Associations respecting Public Health Modernization

Recommendation: Be received.

- 5.8 Correspondence from Algoma Public Health respecting Proposed Change to Public Health in Ontario

Recommendation: Be received.

- 5.9 Correspondence from the Hamilton Niagara Haldimand Brant (HNHB) Local Health Integration Network (LHIN) respecting 2019-

2020 Community Addictions Services Program Additional Base Funding

Recommendation: That the Board of Health authorize and direct the Medical Officer of Health to receive and utilize the funding from the Ministry of Health and Long-Term Care to support the Community Addictions Services Program, and report back to the Local Health Integration Network as required.

5.10 Correspondence from the Ministry of Health and Long-Term Care respecting 2019-2020 Low Income Seniors Dental Additional Base Funding

(a) That the Board of Health authorize and direct the Medical Officer of Health to receive, utilize and submit reports back to the Board 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,

(b) That staff report back to the Board of Health by October 2019 on the development of the program locally.

5.11 Correspondence from the Association of Local Health Associations (alPHA) respecting 2019 alPHA Resolutions

Recommendation: Be received

**6. DELEGATION REQUESTS**

6.1 Ian Graham, respecting Climate Change consequences for Hamilton and the Greatlakes Basin (for today's meeting)

6.2 Kate Flynn, Centre for Climate Change Management, Mohawk College, respecting support for the Corporate Climate Change Task Force Response to Climate Change Emergency Declaration (for today's meeting)

6.3 Lynda Lukasik and Ian Borsuk, Environment Hamilton, respecting the Corporate Climate Change Task Force Response to Climate Change Emergency Declaration

**7. CONSENT ITEMS**

7.1 Food Advisory Committee Minutes - May 14, 2019

7.2 Physician Recruitment and Retention Steering Committee Clerk's  
Report - May 29, 2019

The agenda for the June 17, 2019 Board of Health be approved, as amended.

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

There were no declarations of interest.

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

**(i) May 13, 2019 (Item 4.1)**

The Minutes of the May 13, 2019 meeting of the Board of Health were approved, as presented.

**(e) COMMUNICATIONS (Item 5)**

The following Correspondence Items, were received:

- (i) Correspondence from the Renfrew County and District Health Unit respecting a Review of Provincial Budget and Proposed Changes to Public Health (Item 5.2)
- (ii) Correspondence from the Association of Local Public Health Agencies respecting an Update to Board of Health Members (Item 5.3)
- (iii) Correspondence from the Brant County Health Unit respecting Concerns with the 2019 Provincial Budget (Item 5.4)
- (iv) Correspondence from Public Health Sudbury & Districts respecting the North East Public Health Regional Boundaries - Modernization of the Ontario Public Health System (Item 5.5)
- (v) Correspondence from Kingston, Frontenac and Lennox & Addington Public Health respecting the Provincial Government's Decision to Reverse Retroactive Funding Changes to Municipalities (Item 5.6)
- (vi) Correspondence from the Association of Local Public Health Associations respecting Public Health Modernization (Added Item 5.7)
- (vii) Correspondence from Algoma Public Health respecting Proposed Change to Public Health in Ontario (Added Item 5.8)
- (viii) Correspondence from the Association of Local Health Associations (alPHa) respecting 2019 alPHa Resolutions (Added Item 5.11)

**(f) DELEGATION REQUESTS (Item 6)**

The following delegation requests were approved for today's meeting:

- (i) Ian Graham, respecting Climate Change consequences for Hamilton and the Greatlakes Basin (for today's meeting) (Added Item 6.1)
- (ii) Kate Flynn, Centre for Climate Change Management, Mohawk College, respecting support for the Corporate Climate Change Task Force Response to Climate Change Emergency Declaration (for today's meeting) (Added Item 6.2)
- (iii) Lynda Lukasik and Ian Borsuk, Environment Hamilton, respecting the Corporate Climate Change Task Force Response to Climate Change Emergency Declaration (for today's meeting) (Added Item 6.3)

**(g) CONSENT ITEMS (Item 7)**

- (i) Food Advisory Committee Minutes - May 14, 2019 (Added Item 7.1)**

The Food Advisory Committee Minutes of May 14, 2019, were received.

- (ii) Physician Recruitment and Retention Steering Committee Clerk's Report - May 29, 2019 (Added Item 7.2)**

The Clerk's Report for the Physician Recruitment and Retention Steering Committee of May 29, 2019, was received.

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

- (i) Ian Graham, respecting Climate Change Consequences for Hamilton and the Great Lakes Basin (Added Item 8.1)**

Ian Graham addressed the Board respecting Climate Change Consequences for Hamilton and the Great Lakes Basin.

The delegation from Ian Graham respecting Climate Change Consequences for Hamilton and Great Lakes Basin, was received.

For further disposition, refer to Items 4 and 7.

- (ii) Kate Flynn, Centre for Climate Change Management, Mohawk College, respecting support for the Corporate Climate Change Task Force Response to Climate Change Emergency Declaration (Added Item 8.2)**

Kate Flynn, Centre for Climate Change Management, Mohawk College, addressed the Board respecting support for the Corporate Climate Change Task Force Response to Climate Change Emergency Declaration.

The delegation from Kate Flynn, Centre for Climate Change Management, Mohawk College, respecting support for the Corporate Climate Change Task Force Response to Climate Change Emergency Declaration, was received.

For further disposition, refer to Items 4 and 7.

**(iii) Lynda Lukasik and Ian Borsuk, Environment Hamilton, respecting the Corporate Climate Change Task Force Response to Climate Change Emergency Declaration (Added Item 8.3)**

Lynda Lukasik and Ian Borsuk, Environment Hamilton, addressed the Board respecting the Corporate Climate Change Task Force Response to Climate Change Emergency Declaration.

The delegation from Lynda Lukasik and Ian Borsuk, Environment Hamilton, addressed the Board respecting the Corporate Climate Change Task Force Response to Climate Change Emergency Declaration, was received.

For further disposition, refer to Items 4 and 7.

**(h) STAFF PRESENTATION (Item 9)**

**(i) Corporate Climate Change Task Force Response to the Climate Change Emergency Declaration (BOH19022) (City Wide) (Item 9.1)**

Janette Smith, City Manager, addressed the Board with an introduction to the Corporate Climate Change Task Force Response to the Climate Change Emergency Declaration (BOH19022).

Trevor Imhoff, Senior Project Manager - Air Quality & Climate Change, addressed the Board with a presentation respecting the Corporate Climate Change Task Force Response to the Climate Change Emergency Declaration (BOH19022).

The presentation respecting Corporate Climate Change Task Force Response to the Climate Change Emergency Declaration (BOH19022), was received.

For disposition of this matter, refer to Item 4.

The presentation is available at [www.hamilton.ca](http://www.hamilton.ca), and through the Office of the City Clerk.

**(i) MOTION (Item 11)**

**(i) Establishment of Departmental Climate Change Workplans within the City of Hamilton (Item 11.1)**

Mayor Eisenberger relinquished the Chair to Vice-Chair Wilson, to introduce the motion respecting the Establishment of Departmental Climate Change Workplans within the City of Hamilton.

For further disposition, refer to Item 7.

The Mayor assumed the Chair.

**(j) ADJOURNMENT (Item 15)**

There being no further business, the Board of Health adjourned at 4:10 p.m.

Respectfully submitted,

Mayor F. Eisenberger  
Chair, Board of Health

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk



## PLANNING COMMITTEE REPORT

19-010

June 18, 2019

9:30 a.m.

**Council Chambers, Hamilton City Hall  
71 Main Street West**

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

**Absent with Regrets:** Councillor T. Whitehead – Personal

**Also Present:** Councillor L. Ferguson

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### THE PLANNING COMMITTEE PRESENTS REPORT 19-010 AND RESPECTFULLY RECOMMENDS:

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)**

That Highway No. 5 East, between Highway No. 6 and the municipal boundary with the City of Burlington, be renamed Dundas Street East, as identified on Appendix "A" to Report PED19096, and that the draft By-law, attached as Appendix "B" to Report PED19096, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

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)**

That the portion of North Service Road (commonly known as Drakes Drive) between Frances Avenue and North Service Road, in the former City of Stoney Creek, be renamed Parkedge Drive as identified on Appendix "A", to Report PED19097, in accordance with the draft By-law, attached as Appendix "B" to

Report PED19097, which has been prepared in a form satisfactory to the City Solicitor, to be enacted by City Council.

**3. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED19072) (City Wide) (Item 7.3)**

That Report PED19072 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

**4. Hamilton Community Cat Network (HCCN) (PED19123) (City Wide) (Item 7.4)**

That Report PED19123 respecting Hamilton Community Cat Network (HCCN), be received.

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

That the Administrative Penalty System By-law 17-225 (APS) be amended to include regulations contained within the Lottery Licensing By-law 15-051 as Table 18 to Schedule A, in accordance with the amending by-law attached as Appendix "A" to Report PED19102 to be enacted by Council.

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

That the Administrative Penalty System By-law 17-225 (APS) be amended to include various regulations contained within the Streets By-law 86-077 as Table 17 to Schedule A, in accordance with the amending by-law attached as Appendix "A" to Report PED19095 to be enacted by Council.

**7. Amendments to the 2012 Ontario Building Code (PED19126) (City Wide) (Item 7.7)**

That Report PED19126 respecting Amendments to the 2012 Ontario Building Code, be received.

**8. Update on Staffing Vacancies within the Planning Division (PED19127) (City Wide) (Item 7.8)**

That Report PED19127 respecting Update on Staffing Vacancies within the Planning Division, be received.

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

**(a) March 18, 2019 - Report 19-001 (Item 7.9(a))**

That the following recommendations be approved:

**(i) Appointment of Chair and Vice-Chair**

1. That A. Spoelstra be appointed as Chair of the Agriculture and Rural Affairs Advisory Committee for the 2018-2022 Term of Council; and,
2. That D. Smith be appointed as Vice-Chair of the Agriculture and Rural Affairs Advisory Committee for the 2018-2022 Term of Council.

**(ii) Hamilton Agriculture Profile Update (PED19075) (City Wide) (Item 7.1)**  
That Report PED19075, respecting Hamilton Agriculture Profile Update, be received.

**(iii) Development Charges By-law Policy - 2019 Development Charges Proposed Amendments to Agriculture (FCS18062(c)) (City Wide) (Item 9.1)**

That Report FCS18062(c), respecting Development Charges By-law Policy – 2019 Development Charges Proposed Amendments to Agriculture, be received.

**(iv) Planning and Engineering Development Application Fees Review Project Update Regarding Agricultural Development Proposals (Item 10.1)**

That the Memorandum, respecting Planning and Engineering Development Application Fees Review Project Update Regarding Agricultural Development Proposals, be received.

**(v) Review of Terms of Reference (Item 10.2)**

That the Terms of Reference for the Agriculture & Rural Affairs Advisory Committee, be amended as follows:

1. That subsection 4 of the Mandate be deleted in its entirety and the balance of the subsections be re-numbered accordingly:
  4. To serve as an advisory committee on nutrient management issues.

5. At the request of Council, to provide a forum for the review and resolution of rural land use and farm management disputes.
  6. At the request of Council, to provide input and assistance to rural land stewardship programs or projects which are proposed by the City, other agencies and community groups.
2. That the Membership & Terms section be amended to read as follows:

The Agricultural Advisory Committee shall be composed of:

- Three (3) members appointed by the Hamilton-Wentworth Federation of Agriculture;
- One (1) member appointed by the Brant Wentworth Christian Farmers Association;
- One (1) member appointed by the Hamilton-Wentworth Women's Institute;
- One (1) member appointed by the Agricultural Societies (Rockton, Binbrook and Ancaster);
- Two (2) Members appointed by the Wentworth Soil and Crop Improvement Association;
- Four (4) "At Large" members appointed by Council
- *Minimum of two (2) councillors (non-voting) appointed by Council from Wards 11, 12, 13 14 or 15*

The term of membership will be for the current Term of Council or until a successor has been appointed by Council.

**(vi) Andrea Sinclair – Resignation from the Agriculture and Rural Affairs Advisory Committee (Item 11.1)**

That the resignation from Andrea Sinclair from the Agriculture and Rural Affairs Advisory Committee, be received.

**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)**

In accordance with the provisions of the Planning Act, Chair Pearson advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Official Plan Amendment or 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.

- (a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-17-025, by LIV Developments Ltd. (Owner) to re-designate a portion of the subject lands from Open Space to Neighbourhoods in Volume 1 of the Urban Hamilton Official Plan and from Medium Density Residential 2a, Site Specific Policy – Area B and Natural Open Space to Low Density Residential 3a in Volume 2 (Secondary Plans) of the Urban Hamilton Official Plan in order to permit the development of 40 maisonette dwelling units and 78 townhouse dwellings for a total of 118 units at 305 and 311 Garner Road West, as shown on Appendix “A” to Report PED19104, be APPROVED, on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED19104, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019).
- (b) That Amended Zoning By-law Amendment Application ZAC-17-058 by LIV Developments Ltd., (Owner) for changes 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 1); from Agricultural “A-216” Zone, Modified and Rural Industrial “M5-262” Zone, Modified to the Residential Multiple “RM4-701” Zone, Modified (Block 2); from Agricultural (Holding) “H-A-496” Zone, Modified to the Residential Multiple “RM4-702” Zone, Modified (Block 3); from 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 Agricultural (Holding) “H-A-496” Zone, Modified to the Residential Multiple “RM4-704” Zone, Modified (Block 5) within the Town of Ancaster Zoning By-law No. 87-57, in order to permit the development of 40 maisonette dwelling units and 78 townhouse dwellings for a total of 118 units at 305 and 311 Garner Road West, as shown on Appendix “A” to Report PED19104, be APPROVED on the following basis:
  - (i) That the draft By-law, attached as Appendix “C” to Report PED19104, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the

Greater Golden Horseshoe (2019), and will comply with the Urban Hamilton Official Plan, upon finalization of UHOPA No. .

- (c) That Amended Zoning By-law Amendment Application ZAC-17-058 by LIV Developments Ltd., (Owner) for a change in zoning from the Agricultural (Holding) “H-A-496” Zone, Modified within Zoning By-law No. 87-57 to the Conservation / Hazard Land (P5, 719) Zone within Zoning By-law No. 05-200 to permit a stormwater management pond, natural open space and vegetation protection zone for lands located at 305 and 311 Garner Road West, as shown on Appendix “A” to Report PED19104, be APPROVED on the following basis:
  - (i) That the draft By-law, attached as Appendix “D” to Report PED19104, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2019), and will comply with the Urban Hamilton Official Plan, upon finalization of UHOPA No. .
- (d) That the public submissions received did not affect the decision.

**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)**

That the property at 23-25 King Street East, Stoney Creek, be added to the City Register of Non-designated Properties of Cultural Value or Interest, and to the staff work plan.

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

- (a) That staff be directed to provide public notice, in accordance with the City’s Public Notice By-law No. 07-351, of a proposal to amend the 2019 Tariff of Fees By-law to establish a new fee for an Official, Plan Amendment - Urban Boundary Expansion in the amount of \$67,875, to be broken into two phases (Phase 1 being \$56,204 and Phase 2 being \$11,671);
- (b) That staff be directed to prepare a Peer Review Protocol, including a Peer Review Cost Acknowledgement Agreement, to outline the process for the completion of peer reviews of studies required in the review of an Official Plan Amendment - Urban Boundary Expansion application, with the cost of the peer reviews to be borne by the applicant;

- (c) That staff, in conjunction with Procurement Division, Corporate Services, be directed to:
  - (i) Hire CN Watson and Associates to peer review Financial Impact Assessments submitted as part of Official Plan Amendment(s) for Urban Boundary Expansions, with an upset limit of \$150,000 for a period of 12 months;
  - (ii) Investigate and, if feasible, undertake a competitive Request for Proposal (RFP) to establish a roster of consultants for Financial Impact Assessments similar to the Professional and Consultant Services Roster 2019-2020 (C-12-06-18); and,
  - (iii) Expand the scope of work in Category 25 - Land use Planning Services - Policy, Zoning and Urban Design from the Professional and Consultant Services Roster 2019-2020 to include agricultural related planning matters.

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

WHEREAS, the Planning Act prescribes the options the City of Hamilton can use for giving notice of an application to the Committee of Adjustment for a minor variance or severance;

WHEREAS, the two statutory options available to the City of Hamilton are to give notice by placing an advertisement in the newspaper or by first class mail to property owners combined with posting a sign on the property;

WHEREAS, as a result of the most recent mail disruption at Canada Post which required the City of Hamilton to give notice by placing an advertisement in the newspaper; and,

WHEREAS, not all affected residents read the newspaper or what appear to be technical notices placed in the newspaper and residents miss the opportunity to participate in the Committee of Adjustment decision making process;

**THEREFORE BE IT RESOLVED:**

That Planning staff report back to Planning Committee on a strategy for informing residents that goes beyond the traditional newspaper advertisement in the event of future disruptions in mail delivery service.

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

WHEREAS, the owner of the lands located at 1 Main Street North, Waterdown, is considering selling the property for redevelopment;

WHEREAS, 1 Main Street North, Waterdown, known as the Royal Coachman property, is listed on the *Inventory of Building of Architectural and/or Historic Interest*, but is not currently recognized through registration or protected through designation under the *Ontario Heritage Act*;

WHEREAS, based on a preliminary evaluation of Cultural Heritage Value or Interest conducted as part the Waterdown Village Built Heritage Inventory, 1 Main Street North, Waterdown meet the criteria specified in Ontario Regulation 9/06 including, but not limited to:

- Historical associations with early transportation and lodging in the village. The property has a direct association with the Kirk family, who built and operated the Kirk House Hotel (now the Royal Coachman) for approximately 80 years (1880's-1960's). Additionally, the property has the potential to yield information that contributes to the understanding of the community through additional research.
- Physical and architectural design value as the property is a representative style of the Queen Anne Revival style, which was popular in Ontario between 1870 and 1910. The property displays a high degree of craftsmanship, including but not limited to the projecting bay with wood paneling and decorated barge board on the primary elevation.
- Contextual associations as it is important in defining the historical character of the area, is physically, functionally and historically linked to its surroundings, and is considered to be a local landmark.

THEREFORE BE IT RESOLVED:

- (a) That Council add the property located at 1 Main Street North, Waterdown, to the City's *Register of Property of Cultural Heritage Value or Interest* as a non-designated property, providing 60-days of interim protection from demolition; and,
- (b) That Council direct staff to add 1 Main Street North (the Royal Coachman), Waterdown, to staff's designation work plan and be assigned immediate priority for Heritage Designation in Q4.

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

That the Chief Building Official be authorized and directed to issue a demolition permit for 175 Margaret Avenue (Stoney Creek) in accordance with By-Law 09-

208, as amended by By-law 13-185, pursuant to Section 33 of the Planning Act, subject to the following conditions:

- (a) That if a replacement building is not erected on this property within three years of the demolition of the existing building, the City be paid the sum of \$20,000.00 which sum:
  - (i) The City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes;
  - (ii) Is a lien or charge on the property until paid; and
- (b) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions in a form satisfactory to the Chief Building Official and City Solicitor.

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

That the Chief Building Official be authorized and directed to issue a demolition permit for 176 Millen Road (Stoney Creek) in accordance with By-Law 09-208, as amended by By-law 13-185, pursuant to Section 33 of the Planning Act, subject to the following conditions:

- (a) That if a replacement building is not erected on this property within three years of the demolition of the existing building, the City be paid the sum of \$20,000.00 which sum:
  - (i) The City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes;
  - (ii) Is a lien or charge on the property until paid; and
- (b) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions in a form satisfactory to the Chief Building Official and City Solicitor.

**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)**

- (a) That the direction provided to staff respecting Report LS19027/PED18055(a) be approved; and,

- (b) That Report LS19027/PED18055(a), its recommendations and Appendices remain confidential.
- 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)**
  - (a) That the direction provided to staff respecting Report LS19025 be approved; and,
  - (b) That Report LS19025, its recommendations and Appendices remain confidential.

**FOR INFORMATION:**

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

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

**1. COMMUNICATIONS (Item 5)**

- 5.1 Added Correspondence respecting the Renaming of a Portion of North Service Road (Commonly known as Drakes Drive):

- (d) Leslie and Walter Born
- (e) Claudia Guerrero
- (f) Stan Kurak
- (g) Sharon Williams
- (h) Renee Kurak
- (i) Sherry Hayes
- (j) Debbie Martin
- (k) Jerry Andreatta

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

- 6.2 Lakewood Beach Community Council has Withdrawn their Delegation Request respecting Renaming a Portion of North Service Road (Commonly known as Drakes Drive) and their Correspondence is being referred to the consideration of Item 7.2

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

- 8.3 WITHDRAWN - Delegation from Axel Binneboese respecting a Community, Wellness and Tourism Oriented Business Proposal

**4. MOTIONS (Item 11)**

- 11.1 Change of Title from “Official” to “Statutory” – Corporate Policy for Statutory Planning Notification During Mail Strikes
- 11.2 1 Main Street North, Waterdown (The Royal Coachman) – Register of Property of Cultural Heritage Value or Interest - Motion is being moved up in the agenda to be considered after Communications

**5. PRIVATE AND CONFIDENTIAL (Item 14)**

- 14.2 Title revised to include the address of the property which is 575 Woodward Avenue, Hamilton - 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)
- 14.3 Title revised to include the applicant's name which is Medallion Developments - 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)

The agenda for the June 18, 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 4, 2019 (Item 4.1)**

The Minutes of the June 4, 2019 meeting were approved, as presented.

**(d) COMMUNICATIONS (Item 5)**

**(i) Correspondence respecting the Renaming of a Portion of North Service Road (Commonly known as Drakes Drive) (Item 7.2 on this agenda) (Item 5.1)**

The following correspondence was received and referred to the consideration of Item 7.2:

- (a) George McCowan
- (b) T. McClelland

- (c) Judith Duncan
- (d) Leslie and Walter Born
- (e) Claudia Guerrero
- (f) Stan Kurak
- (g) Sharon Williams
- (h) Renee Kurak
- (i) Sherry Hayes
- (j) Debbie Martin
- (k) Jerry Andreatta

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

- (i) James Lafferty respecting Concerns with Southbrook Golf Club regarding Ongoing Issues, Zoning, Permits and Dumping (For the July 9th meeting) (Item 6.1)**

The Delegation Request from James Lafferty respecting Concerns with Southbrook Golf Club regarding Ongoing Issues, Zoning, Permits and Dumping, was approved for the July 9th meeting.

**(f) CONSENT ITEMS (Item 7)**

- (i) 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)**

The correspondence from Lakewood Beach Community Council (Item 6.2), was received.

For disposition of this matter, refer to Item 2.

- (ii) Agriculture and Rural Affairs Advisory Committee Reports/Minutes (Item 7.9)**

- (b) May 13, 2019 - Minutes 19-002 (Item 7.9 (b))**

The Minutes of the Agriculture and Rural Affairs Advisory Committee dated May 13, 2019 were received.

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

- (i) David Braden respecting Potential and Positive Consequences of Reducing Planning Restrictions (approved at the June 4th meeting) (Item 8.1)**

David Braden addressed the Committee respecting Potential and Positive Consequences of Reducing Planning Restrictions.

The Delegation from David Braden respecting Potential and Positive Consequences of Reducing Planning Restrictions, was received.

**(ii) Amber Lindsay, UrbanSolutions, respecting an Exemption to Apply for a Minor Variance at 100 Hamilton Street North, Flamborough (approved at the June 4th meeting) (Item 8.2)**

Amber Lindsay, UrbanSolutions, addressed the Committee respecting an Exemption 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](http://www.hamilton.ca) or through the Office of the City Clerk.

The Delegation from Amber Lindsay, UrbanSolutions, respecting an Exemption to Apply for a Minor Variance at 100 Hamilton Street North, Flamborough, was received.

The item respecting an Exemption to Apply for a Minor Variance at 100 Hamilton Street North, Flamborough, was deferred to the July 9th Planning Committee meeting.

**(iii) 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)**

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

No members of the public came forward.

The public meeting was closed.

George Zajac, Senior Project Manager, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available online at [www.hamilton.ca](http://www.hamilton.ca) or through the Office of the City Clerk.

The staff presentation was received.

Oz Kemal, MHBC, agent, indicated they are in support of the staff report and addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available online at [www.hamilton.ca](http://www.hamilton.ca) or through the Office of the City Clerk.

The presentation from Oz Kemal, was received.

The Committee reconsidered the closing of the Public meeting, to re-open the public meeting to allow a member of the public to Delegate.

**Delegations:**

1. Lilianna Figueredo addressed the Committee and expressed concerns with the proposed development.

The Delegation from Lilianna Figueredo was received.

The public meeting was closed.

- (a) The dry pond on the property (305 and 311 Garner Road West, Ancaster) is to be designated as Open Green Space available to the public and be maintained/manicured by the Condominium Board; and,
- (b) The Ward Councillor is to be included in site plan discussions.

The recommendations were amended by adding sub-section (d) to read as follows:

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

For disposition of this matter, refer to Item 10.

**(iv) Application for Zoning By-law Amendment for Lands Located at 116 and 120 Barnesdale Avenue North (PED19117) (Ward 3) (Item 8.5)**

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

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

Daniel Barnett, 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](http://www.hamilton.ca) or through the Office of the City Clerk.

The staff presentation was received.

John Ariens, IBI Group, agent, indicated they are not in support of the staff report and addressed the Committee.

The presentation from John Ariens, was received.

**Delegations:**

1. Jacinta Ribeiro addressed the Committee and expressed support with the proposal.

The Delegation was received.

- (a) The Planning Committee deferred their decision on Report PED19117 for 90 days;
- (b) The Applicant is to provide a letter before the next Council meeting indicating their agreement not to appeal for a non-decision during the 90 days prior to the matter coming back to the Planning Committee; and,
- (c) The Applicant is to provide a search of property titles to ensure there are no encumbrances on the alleyway.

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

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

The following changes to the Outstanding Business List, were approved:

12A - Regulation of Rental Housing  
Current Due Date: May 14, 2019  
Proposed New Due Date: September 17, 2019

17E - Family Friendly Housing  
Current Due Date: January 15, 2019  
Proposed New Due Date: February 2020

18D - Framework for Inclusionary Zoning  
Current Due Date: TBD  
Proposed New Due Date: November 19, 2019

18G - 8475 English Church Road Planning Applications  
Current Due Date: April 16, 2019  
Proposed New Due Date: September 3, 2019

18I - Designation of 3789 Main St. East, Hamilton  
Current Due Date: June 18, 2019  
Proposed New Due Date: November 5, 2019

18K - Using Pier 7 as a "People Place"  
Current Due Date: TBD  
Proposed New Due Date: August 13, 2019

18M - Designation of 828 Sanitorium Road, Hamilton  
Current Due Date: June 18, 2019  
Proposed New Due Date: November 5, 2019

19B - Updates to Zoning By-law 05-200  
1. Self Storage Facilities Locations  
Current Due Date: TBD  
Proposed New Due Date: October 15, 2019

2. Site Specific Zoning at 336-338 King St., Dundas  
Current Due Date: TBD  
Proposed New Due Date: August 13, 2019

19J - Zoning By-law Amendment for 1400 Baseline Road  
Current Due Date: TBD  
Proposed New Due Date: November 19, 2019

**Items to be Removed:**

19I - Ways to Better Protect Hamilton Trees on Private Property  
(Item 10.3 on the June 4 agenda)

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

**(i) Closed Session Minutes - June 4, 2019 (Item 14.1)**

The Closed Session Minutes of June 4, 2019 were approved, as presented, and are to remain confidential.

The Committee moved into Closed Session respecting Items 14.2 and 14.3 pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

- (ii) 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)**

Staff were provided with direction in Closed Session.

For further disposition of this matter, refer to Item 17.

- (iii) 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)**

Staff were provided with direction in Closed Session.

For further disposition of this matter, refer to Item 18.

**(j) ADJOURNMENT (Item 15)**

There being no further business, the Planning Committee be adjourned at 1:14 p.m.

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Councillor Maria Pearson  
Chair, Planning Committee

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Lisa Chamberlain  
Legislative Coordinator  
Office of the City Clerk



## GENERAL ISSUES COMMITTEE REPORT 19-012

9:30 a.m.

Wednesday, June 19, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

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

**Absent:** Councillor T. Jackson – Personal

### THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 19-012 AND RESPECTFULLY RECOMMENDS:

1. **Innovation Factory Request for Funding Renewal Option – 2019 (PED19120) (City Wide) (Item 10.1)**
  - (a) That the request by Innovation Factory to exercise their renewal option of the City's 2019 Annual Community Partnership contribution of \$50K, per previous General Issues Committee Report PED18132, be approved;
  - (b) That this \$50K annual contribution for the Innovation Factory be funded from the Economic Development Investment Reserve Account No. 112221; and,
  - (c) That City staff, together with Innovation Factory, report back to the General Issues Committee with an annual review of the Municipal Funding Program, prior to the approval of a renewal option for 2020 and subject to satisfactory Key Performance Indicator results of the previous year.

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

- (a) That Report HUR19015/LS19024/FCS19056, respecting Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update, regarding legislative changes to the *Labour Relations Act* arising from Bill 66, be received;
- (b) That staff be directed to take no action with respect to Schedule 9 – Non-Construction Employer, of Bill 66 *Restoring Ontario's Competitiveness Act*, thereby, confirming the City of Hamilton as a non-construction employer effective the day subsections 127 (1) to (4) of the *Labour Relations Act*, 1995, come into force;
- (c) That Appendix “A” to Report HUR19015/LS19024/FCS19056, Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update remain confidential; and,
- (d) That the revised Appendix “A” to Report HUR19015/LS19024/FCS19056, Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update, be publicly released.

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

- (a) That the Terms of Reference for the Transit Area Rating Review Sub-Committee, attached as Appendix “A” to Report 19-012, as amended, be approved;
- (b) That the item in the Outstanding Business List respecting this matter be identified as completed and removed from the General Issues Committee Outstanding Business List; and,
- (c) That staff be directed amend the Terms of Reference to the Transit Area Rating Review Sub-Committee to include the direction that Transit Area Rating be reviewed through a Climate Change lens.

**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;
- (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;
- (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; and,
- (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.

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

**(a) Capital Projects Closing Report as of December 31, 2018  
(FCS18078(b)) (City Wide) (Item 10.1)**

- (i) That the General Manager of Finance and Corporate Services be authorized and directed to transfer a combined \$999.15 to the Unallocated Capital Levy Reserve (108020) and other Program Specific Reserves to the Capital Projects, as outlined in Appendix “B” to Report 19-012;
- (ii) That the General Manager of Finance and Corporate Services be authorized and directed to close the completed and / or cancelled Capital Projects listed in Appendix “C” to Report 19-012 in accordance with the Capital Closing Policy;
- (iii) That Appendix “C” to Report FCS18078(b), Capital Projects Budget Appropriations for the period covering October 1, 2018 through December 31, 2018, be received for information;
- (iv) That Appendix “D” to Report 19-012, Capital Projects Budget Appropriations above \$250,000 covering October 1, 2018 through December 31, 2018 totalling \$6,026,104.60 be approved; and,
- (v) That an additional \$227,465 be funded from the OPA 28 Fee Reserve (100051) for the 2018 closure of the Flamborough Twin Pad Area Project (7100554707), be approved.

**(b) Capital Projects Status Report (Excluding Public Works) as of  
December 31, 2018 (FCS18079(b)) (City Wide) (Item 10.2)**

That the Capital Projects Status Report (excluding Public Works), as of December 31, 2018, attached as Appendix “A” to Report FCS18079(b), be received.

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

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

- (i) That Councillor J. Farr be appointed as Chair of the Cleanliness & Security in the Downtown Core Task Force for the 2018-2022 Term of Council; and,
- (ii) That S. Braithwaite be appointed as Vice-Chair of the Cleanliness & Security in the Downtown Core Task Force for the 2018-2022 Term of Council.

**(b) Citizen Resignation from the Cleanliness and Security in the Downtown Core Task Force (Item 11.1)**

That the resignation of Maddison Hampel from the Cleanliness and Security in the Downtown Core Task Force, be received.

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

- (a) That the Audit and Accountability Fund Expression of Interest, attached as Appendix “E” to Report 19-012, be approved;
- (b) That the Audit and Accountability Fund Expression of Interest be submitted to the Minister of Municipal Affairs and Housing by June 30, 2019 for the intention of conducting an expenditure review of the City’s use of consultants and contractors to find efficiencies; and,
- (c) That staff be directed to single source a third-party consultant to complete the Audit and Accountability review, should the City be successful in obtaining funds from the Ministry of Municipal Affairs and Housing.

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

WHEREAS, the enhanced enforcement initiative undertaken by the Hamilton Police Service, as outlined in Report PW19014(a), has shown a positive impact on managing compliance to the posted speed limit along the Lincoln M. Alexander Parkway and Red Hill Valley Parkway; and,

WHEREAS, Transportation Operations and Maintenance staff, in consultation with the Hamilton Police Service, recommends the extension of the initiative as a proactive measure to improve roadway safety along the parkways;

THEREFORE, BE IT RESOLVED:

That the Lincoln M. Alexander Parkway and Red Hill Valley Parkway Enhanced Enforcement Initiative be extended for a period of 28 weeks; effective immediately until December 31, 2019, to be funded in the amount of \$285,000 from the Red Light Camera Reserve #112203, with a zero net levy impact.

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

That Report PW19008(a)/LS19004(a), respecting a Potential Regulatory Litigation Update, remain confidential.

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

- (a) That the direction provided to staff in Closed Session, respecting Report PED16175(a)/PW16060(a), regarding Downtown Office Accommodations, be approved; and,
- (b) That Report PED16175(a)/PW16060(a), respecting Downtown Office Accommodations, remain confidential and not be released as a public document, with the exceptions of recommendations (a), (b), (d), (e), (f), (g), (h), (i), (j), (l), (m), (n), (o), (p), (q), (r) and (s), which may become public, subsequent to the execution of all required documents.

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

- (a) That the tentative agreement reached on May 30, 2019 between the City of Hamilton and the Ontario Nurses' Association (ONA) (Macassa/Wentworth Lodges) representing approximately 49 employees, be ratified; and,
- (b) That Report HUR19008, respecting Ontario Nurses' Association (ONA) (Macassa/Wentworth Lodges) – Ratification of Collective Agreement, remain confidential.

**FOR INFORMATION:**

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

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

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

- 6.6 Michael Gallardo, Executive Director of Merit Ontario, respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update (Item 10.2) (For the June 19, 2019 GIC)
- 6.7 Kim Wright, Carpenters' Union of Ontario, respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update (Item 10.2) (For the June 19, 2019 GIC)
- 6.8 Matt Creary, Carpenters' Union, Local 18, respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update (Item 10.2) (For the June 19, 2019 GIC)
- 6.9 Justin Page, CM, Order of Canada Association, respecting recognition for local Order of Canada Recipients (For July 8, 2019)
- 6.10 Don McClean, Hamilton 350 Committee, to speak to Item 10.4 on today's agenda – Report PED19119/LS19021, Imperial Oil Leave to Construct Application to the Ontario Energy Board for the Waterdown to Finch Pipeline Project

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

- 8.2 Andrew Douglas and Becky Katz, Centre [3] for Artistic and Social Practice, to share information regarding the impact of Centre [3] on Hamilton and the Fundraising Campaign for a Community Arts Project

Julie Shea is in attendance in place of Becky Katz.

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

- 10.9 Audit and Accountability Fund – Expression of Interest (FCS19059)  
(City Wide)

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

- 12.1 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
- 12.2 Extension of the Lincoln M. Alexander Parkway and Red Hill Valley Parkway Enhanced Enforcement Initiative

**5. GENERAL INFORMATION / OTHER BUSINESS (item 13)**

- 13.1 Use of City Parks and Public Places

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

- 14.2 Potential Regulatory Litigation Update (PW19008(a)/LS19004(a))  
(City Wide)

Appendix “A” to this report has been removed from the agenda.

- 14.4 Ontario Nurses’ Association (ONA) (Macassa/Wentworth Lodges) –  
Ratification of Collective Agreement (HUR19008) (City Wide)

The agenda for the June 19, 2019 General Issues Committee meeting was approved, as amended.

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

Councillor B. Johnson declared an interest to Items 6.3, 6.4, 6.5, 6.6, 6.7, 6.8 and 10.2, being the delegations in attendance to speak to Report

HUR19015/LS19024 – Bill 66, Restoring Ontario's Competitive Act, Schedule 9: Non-Construction Employer Update, and the report itself, as a family member belongs to the Carpenters' Union.

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

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

The Minutes of the June 5, 2019 meeting of the General Issues Committee were approved, as presented.

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

The following delegation requests were approved, as shown below:

- (i) Larissa Fenn, Hamilton Port Authority, respecting the Annual Hamilton Port Authority Update (For the September 4, 2019 GIC) (Item 6.1)
- (ii) David Carter, Innovation Factory, to speak in support Report PED19120 - Innovation Factory Request for Funding Renewal Option – 2019 (Item 10.1) (For the June 19, 2019 GIC) (Item 6.2)
- (iii) Ian DeWaard, Christian Labour Association of Canada (CLAC), respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update (Item 10.2) (For the June 19, 2019 GIC) (Item 6.3)
- (iv) Phil Gillies, Ontario Construction Consortium, respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update (Item 10.2) (For the June 19, 2019 GIC) (Item 6.4)
- (v) Sean Reid, Progressive Contractors Association of Canada, respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update (Item 10.2) (For the June 19, 2019 GIC) (Item 6.5)
- (vi) Michael Gallardo, Executive Director of Merit Ontario, respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update (Item 10.2) (For the June 19, 2019 GIC) (Item 6.6)

- (vii) Kim Wright, Carpenters' Union of Ontario, respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update (Item 10.2) (For the June 19, 2019 GIC) (Item 6.7)
- (viii) Matt Creary, Carpenters' Union, Local 18, respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update (Item 10.2) (For the June 19, 2019 GIC) (Item 6.8)
- (ix) Justin Page, CM, Order of Canada Association, respecting recognition for local Order of Canada Recipients (For July 8, 2019) (Item 6.9)
- (x) Don McClean, Hamilton 350 Committee, to speak to Item 10.4 on today's agenda – Report PED19119/LS19021, Imperial Oil Leave to Construct Application to the Ontario Energy Board for the Waterdown to Finch Pipeline Project (Item 6.10)

**(e) CONSENT ITEMS (Item 7)**

- (i) **Cleanliness & Security in the Downtown Core Task Force Minutes, September 13, 2018 (Item 7.1)**

The Minutes of the September 13, 2018 meeting of the Cleanliness & Security in the Downtown Core Task Force were received.

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

- (i) **Vitek Wincza, HCA Dance Theatre, to inform the Committee of the HCA Dance Theatre and the Future of Dance in Hamilton (Item 8.1)**

Vitek Wincza, HCA Dance Theatre, addressed Committee respecting the HCA Dance Theatre and the future of dance in Hamilton.

The presentation by Vitek Wincza, HCA Dance Theatre, respecting the HCA Dance Theatre and the future of dance in Hamilton, was received.

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

- (ii) **Andrew Douglas and Julie Shea, Centre [3] for Artistic and Social Practice, to share information regarding the impact of Centre [3] on Hamilton and the Fundraising Campaign for a Community Arts Project (Item 8.2)**

Andrew Douglas and Julie Shea, Centre [3] for Artistic and Social Practice, addressed Committee respecting the impact of Centre [3] on Hamilton and their fundraising campaign for a community arts project.

Andrew Douglas and Julie Shea, Centre [3] for Artistic and Social Practice, were provided additional time, beyond the permitted 5 minutes, to continue with their presentation.

The presentation by Andrew Douglas and Julie Shea, Centre [3] for Artistic and Social Practice, respecting the impact of Centre [3] on Hamilton and the fundraising campaign for a community arts project was received.

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

- (iii) **David Carter, Innovation Factory, to speak in support Report PED19120 - Innovation Factory Request for Funding Renewal Option – 2019 (Item 8.3)**

David Carter, Innovation Factory, addressed Committee to speak in support of Report PED19120 - Innovation Factory Request for Funding Renewal Option – 2019.

The presentation provided by David Carter, Innovation Factory, respecting Report PED19120 - Innovation Factory Request for Funding Renewal Option – 2019, was received.

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

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

- (iv) **Ian DeWaard, Christian Labour Association of Canada (CLAC), respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update (Item 8.4)**

Ian DeWaard, Christian Labour Association of Canada, addressed Committee respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update.

The presentation provided by Ian DeWaard, Christian Labour Association of Canada, respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update, was received.

For disposition of this matter, please refer to Item 2.

- (v) **Phil Gillies, Ontario Construction Consortium, respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update (Item 8.5)**

Phil Gillies, Ontario Construction Consortium, addressed Committee respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update.

The presentation provided by Phil Gillies, Ontario Construction Consortium, respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update, was received.

For disposition of this matter, please refer to Item 2.

- (vi) **Sean Reid, Progressive Contractors Association of Canada, respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update (Item 6.5)**

Sean Reid, Progressive Contractors Association of Canada, addressed Committee respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update.

The presentation provided by Sean Reid, Progressive Contractors Association of Canada, respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update, was received.

For disposition of this matter, please refer to Item 2.

- (vii) **Michael Gallardo, Executive Director of Merit Ontario, respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update (Item 8.7)**

Michael Gallardo, Executive Director of Merit Ontario, addressed Committee respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update.

The presentation provided by Michael Gallardo, Executive Director of Merit Ontario, respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update, was received.

For disposition of this matter, please refer to Item 2.

- (viii) **Kim Wright, Carpenters' Union of Ontario, and Matt Creary, Carpenters' Union, Local 18, respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update (Items 8.8 and 8.9)**

Kim Wright, on behalf of the Carpenters' Union of Ontario, and Matt Creary, Carpenters' Union, Local 18, addressed Committee together respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update.

The presentation provided by Kim Wright, on behalf of the Carpenters' Union of Ontario, and Matt Creary, Carpenters' Union, Local 18, respecting Report HUR19015/LS19024/FCS19056 - Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update, was received.

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

For disposition of this matter, please refer to Item 2.

- (ix) **Don McClean, Hamilton 350 Committee, to speak to Item 10.4 on today's agenda – Report PED19119/LS19021, Imperial Oil Leave to Construct Application to the Ontario Energy Board for the Waterdown to Finch Pipeline Project (Item 8.10)**

Don McClean, Hamilton 350 Committee, was unable to remain at Committee; therefore, withdrew his delegation.

**(g) DISCUSSION ITEMS (Item 10)**

- (i) **Innovation Factory Request for Funding Renewal Option – 2019 (PED19120) (City Wide) (Item 10.1)**

Sub-section (c) of Report PED19120, respecting the Innovation Factory Request for Funding Renewal Option – 2019, be amended by deleting the words “City Council” and replacing them with the words “***the General Issues Committee***”, to read as follows:

- (c) That City staff, together with Innovation Factory, report back to ***the General Issues Committee*** with an annual review of the Municipal Funding Program, prior to the approval of a renewal option for 2020 and subject to satisfactory Key Performance Indicator results of the previous year.

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

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

Item 10.2, respecting Report HUR19015/LS19024/FCS19056 regarding Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update, was moved up on the agenda to be addressed, prior to Item 8.9.

Sub-section (a) to Report HUR19015(a)/LS19024/FCS19056, respecting Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update, was amended by adding the words "**be received**" at the end of the sentence, to read as follows:

- (a) That Report HUR19015/LS19024/FCS19056, respecting Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update, regarding legislative changes to the *Labour Relations Act* arising from Bill 66, **be received**;

Report HUR19015(a)/LS19024/FCS19056, respecting Bill 66, *Restoring Ontario's Competitiveness Act*, Schedule 9: Non-Construction Employer Update, was further amended by adding a new sub-section (d), to read as follows:

- (d) ***That the revised Appendix "A" to Report HUR19015/LS19024/FCS19056, Bill 66, Restoring Ontario's Competitiveness Act, Schedule 9: Non-Construction Employer Update, be publicly released.***

For further disposition of this matter, please refer to Item 2.

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

Report FCS19058, respecting the Transit Area Rating Review Sub-Committee Terms of Reference, was amended by adding a new sub-section (c) to read as follows:

- (c) ***That staff be directed amend the Terms of Reference to the Transit Area Rating Review Sub-Committee to include the direction that Transit Area Rating be reviewed through the Climate Change lens.***

For further disposition of this matter, please refer to Item 3.

- (iv) **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)**

Report PED19119/LS19021, respecting the Imperial Oil Leave to Construct Application to the Ontario Energy Board for the Waterdown to Finch Pipeline Project, was amended by adding a new sub-section (d), to read as follows:

- (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.*

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

- (v) **Outstanding Business Item respecting an Accountability & Transparency Policy (Item 10.7)**

The matter respecting an Accountability and Transparency Policy, was removed from the General Issues Committee's Outstanding Business List.

- (vi) **Impact of Provincial Policy Changes (FCS19053) (City Wide) (Item 10.8)**

Report FCS19053, respecting the impact of Provincial Policy changes, was deferred to the July 8, 2019 General Issues Committee.

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

Report FCS19059, respecting the Audit and Accountability Fund – Expression of Interest, was moved up on the agenda.

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

Councillor N. Nann introduced the following Notice of Motion:

- (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 12.1)**

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 make any necessary 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 to ensure that:

- (i) 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; and,
- (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.

**(ii) Extension of the Lincoln M. Alexander Parkway and Red Hill Valley Parkway Enhanced Enforcement Initiative (Item 12.2)**

Item 12.2, respecting a Notice of Motion regarding the Extension of the Lincoln M. Alexander Parkway and Red Hill Valley Parkway Enhanced Enforcement Initiative, was moved up on the agenda.

Councillor S. Merulla introduced a Notice of Motion respecting the Extension of the Lincoln M. Alexander Parkway and Red Hill Valley Parkway Enhanced Enforcement Initiative.

The Rules of Order were waived to allow for the introduction of a Motion respecting the Extension of the Lincoln M. Alexander Parkway and Red Hill Valley Parkway Enhanced Enforcement Initiative.

For disposition of the matter above, please refer to Item 8.

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

**(i) Use of City Parks and Public Places (Item 13.1) (no copy)**

A discussion took place respecting recent incidents that have occurred on City property and concerns for public safety, as well as the need for methods to prevent these types of occurrences from happening in the future.

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

**(i) Closed Session Minutes – June 5, 2019 (Item 14.1)**

- (a) The Closed Session Minutes of the June 5, 2019 General Issues Committee meeting, were approved; and,
- (b) The Closed Session Minutes of the June 5, 2019 General Issues Committee meeting shall remain confidential.

Committee moved into Closed Session respecting Appendix “A” to Report HUR19015/LS19024/FCS19056 (Item 10.2), and Items 14.2, 14.3 and 14.4 pursuant to Section 8.1, Sub-sections (c), (d), (e), (f) and (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (c), (d), (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land, labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the City; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf the municipality or local board.

**(k) ADJOURNMENT (Item 13)**

There being no further business, the General Issues Committee adjourned at 6:40 p.m.

Respectfully submitted,

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B. Johnson, Deputy Mayor  
Chair, General Issues Committee

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M. Pearson, Acting Deputy Mayor (Chair)  
General Issues Committee

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Stephanie Paparella  
Legislative Coordinator,  
Office of the City Clerk

## **TRANSIT AREA RATING REVIEW SUB-COMMITTEE**

### **TERMS OF REFERENCE**

#### **1) Purpose**

- a) To evaluate options for rebalancing area rating for transit for the 2020 budget process, including enhanced service levels that align with the overall City Transit Strategy.
- b) To evaluate the option of directing the potential savings in the former Hamilton to support the transit service City-wide.
- c) To evaluate alternative funding options for transit considering jurisdictional kilometers, service levels and assessment information.
- d) To incorporate any changes into the 2020 budget process the Sub-Committee should complete its recommendations by December of 2019.
- e) To consider the climate change lens when performing this review.

#### **2) Composition**

The Sub-Committee membership will consist of six (6) members of Council; (3) three urban and (3) three suburban Councillors.

#### **3) Reporting Structure**

The Transit Area Rating Review Sub-Committee will report to the General Issues Committee.

#### **4) Meetings**

The Sub-Committee shall meet as required or at the call of the Chair.

#### **5) Voting and Attendance**

A quorum for the purposes of voting shall be 50% plus one of the members on the Sub-Committee.

## **TRANSIT AREA RATING REVIEW SUB-COMMITTEE**

### **TERMS OF REFERENCE**

#### **6) Sub-Committee Staff Support**

The following staff will be required resources to this Sub-Committee:

- City Manager
- General Manager, Corporate Services Department
- Director, Financial Planning, Administration and Policy Division
- Manager, Current Budgets and Fiscal Planning Section
- General Manager, Public Works Department
- Director, Transit Division
- General Manager, Planning and Economic Development
- Support staff as required, that are involved in analysis of the different transit area rating options and service levels

City of Hamilton Capital Project Closings As of December 31, 2018 Projects impacting the Unallocated Capital Levy Reserve & Other Reserves					
Year	ProjectID	Description	Surplus/ (Deficit) (\$)	Reserve	Description
Approved					
<u>Projects returning funds</u>			\$		
2014	3621469450	Pan Am Legacy Project	5,819.00	108020	Unalloc Capital Levy
2014	4041420017	Traffic Signal LED Upgrades - 2014	3,355.93	108020	Unalloc Capital Levy
2015	3501557503	IT Security- Audit Workplan	51,539.26	108020	Unalloc Capital Levy
2015	4031511015	Road Resurfacing Program - 2015	22,926.95	108020	Unalloc Capital Levy
2015	4041520540	Traffic Signal Modernization Coordinated with ESI -	3,504.36	108020	Unalloc Capital Levy
2015	4401556999	Open space Closed Projects	7,714.49	108020	Unalloc Capital Levy
2016	4661620017	Traffic Signal LED Upgrades - 2016	1,150.51	108020	Unalloc Capital Levy
2016	4661620019	Traffic Controller Replacement - 2016	100,484.80	108020	Unalloc Capital Levy
2016	4661620525	IPS - Intersection Pedestrian Signal - 2016	169,585.94	108020	Unalloc Capital Levy
2017	3381757507	Agenda Meeting Management Software Program	2,705.48	108020	Unalloc Capital Levy
2017	4031755556	Mapping Update - 2017	8,943.88	108020	Unalloc Capital Levy
2017	4661720017	Traffic Signal LED Upgrades - 2017	3,473.67	108020	Unalloc Capital Levy
2018	4661820828	New Traffic Signal - Dundas @ Riverwalk	13,000.00	108020	Unalloc Capital Levy
2018	4661820829	New Traffic Signal - Dundas @ Spring Crk	13,000.00	108020	Unalloc Capital Levy
<b>Net impact to the Unallocated Capital Levy Reserve</b>			<b>407,204.27</b>		
<u>Projects requiring funds</u>			\$		
2009	5140995956	Water Distribution Model	(30,564.16)	5169309324	Unalloc Current Funds-Sanitary
2009	5140967950	ISF-672-Ferguson PS Upgrade	(279,325.05)	5169309324	Unalloc Current Funds-Sanitary
2010	5161067751	WW Outstns-Asset Management	(96,315.91)	5169309324	Unalloc Current Funds-Sanitary
<b>Net impact to Other Reserves</b>			<b>(406,205.12)</b>		
<b>Total Net impact to the Unallocated Capital Levy Reserve &amp; Other Reserves</b>			<b>999.15</b>		

CITY OF HAMILTON  
CAPITAL PROJECTS' CLOSING SCHEDULE  
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YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$)	REVENUES (\$)	EXPENDITURES (\$)	PROJECT SURPLUS/ (DEFICIT) (\$)	% SPENT
			a	b	c	d = b - c	e = c/a
<b>UNALLOCATED CAPITAL LEVY RESERVE</b>							
2014	3621469450	Pan Am Legacy Project	63,790.00	63,787.00	57,968.00	5,819.00	90.9%
2014	4041420017	Traffic Signal LED Upgrades - 2014	870,000.00	870,000.00	866,644.07	3,355.93	99.6%
2015	3501557503	IT Security- Audit Workplan	268,940.00	268,936.86	217,397.60	51,539.26	80.8%
2015	4031511015	Road Resurfacing Program - 2015	4,100,000.00	4,160,000.00	4,137,073.05	22,926.95	100.9%
2015	4041520540	Traffic Signal Modernization Coordinated with ESI	631,000.00	631,000.00	627,495.64	3,504.36	99.4%
2015	4401556999	Open space Closed Projects	0.00	8,072.21	357.72	7,714.49	0.0%
2016	4661620017	Traffic Signal LED Upgrades - 2016	75,000.00	75,000.00	73,849.49	1,150.51	98.5%
2016	4661620019	Traffic Controller Replacement	600,000.00	600,000.00	499,515.20	100,484.80	83.3%
2016	4661620525	IPS - Intersection Pedestrian Signal	316,000.00	314,000.00	144,414.06	169,585.94	45.7%
2017	3381757507	Agenda Meeting Management Software Program Replacement	320,000.00	320,000.00	317,294.52	2,705.48	99.2%
2017	4031755556	Mapping Update	70,000.00	70,000.00	61,056.12	8,943.88	87.2%
2017	4661720017	Traffic Signal LED Upgrades - 2017	5,000.00	5,000.00	1,526.33	3,473.67	30.5%
2018	4661820828	New Traffic Signal - Dundas @ Riverwalk	250,000.00	13,000.00	0.00	13,000.00	0.0%
2018	4661820829	New Traffic Signal - Dundas @ Spring Creek	250,000.00	13,000.00	0.00	13,000.00	0.0%
<b>TOTAL FUNDS FROM UNALLOCATED CAPITAL LEVY (14)</b>			<b>7,819,730.00</b>	<b>7,411,796.07</b>	<b>7,004,591.80</b>	<b>407,204.27</b>	<b>90%</b>
<b>OTHER PROGRAM SPECIFIC RESERVES</b>							
2009	5140967950	ISF-672-Ferguson PS Upgrade	22,730,000.00	22,730,000.00	23,009,325.05	(279,325.05)	101.2%
2009	5140995956	Water Distribution Model	150,000.00	150,000.00	180,564.16	(30,564.16)	120.4%
2010	5161067751	WW Outstns-Asset Management	710,000.00	710,000.00	806,315.91	(96,315.91)	113.6%
<b>TOTAL FUNDS FROM PROGRAM SPECIFIC RESERVES (3)</b>			<b>23,590,000.00</b>	<b>23,590,000.00</b>	<b>23,996,205.12</b>	<b>(406,205.12)</b>	<b>102%</b>
<b>DELAYED/CANCELLED PROJECTS</b>							
2003	4060388012	Govt Agencies-Permits & Applic	0.00	0.00	0.00	0.00	0.0%
2003	4060389015	S Greenhill-N Queenston ML Grd	0.00	0.00	0.00	0.00	0.0%
2003	4060389016	Nash-Brampton Connection	0.00	0.00	0.00	0.00	0.0%
2005	4060589022	Noise Mitigation Program	0.00	0.00	0.00	0.00	0.0%
2008	4060088009	Geotech-Brampton To Glencastle	0.00	0.00	0.00	0.00	0.0%
2008	4060089004	Mud Street Interchange	0.00	0.00	0.00	0.00	0.0%
2008	4060089005	Const, CN Grade Separation	0.00	0.00	0.00	0.00	0.0%
2008	4060088011	Studies, Burlington Street IC	0.00	0.00	0.00	0.00	0.0%
2015	7101557501	Scheduling & Payroll Sftware App	0.00	0.00	0.00	0.00	0.0%
2016	5141641226	Centralized W-WW Ops Centre	0.00	0.00	0.00	0.00	0.0%
2016	5161641226	Centralized W-WW Ops Centre	0.00	0.00	0.00	0.00	0.0%
2016	7101657601	Class Software Licensing Fees	0.00	0.00	0.00	0.00	0.0%
2017	4401756713	US Steel Lan-Approx. 500 acres	50,000.00	0.00	0.00	0.00	0.0%
2017	7101758701	Battlefield Barn Painting	15,000.00	0.00	0.00	0.00	0.0%
2018	4031818372	Bridge 372 Wilson St E	30,000.00	0.00	0.00	0.00	0.0%
2016	4661620550	Hwy 6 Signal - Conc 5 & Hwy 6	0.00	0.00	0.00	0.00	0.0%
2016	4241609222	Pedestrian Crossover Augusta	5,000.00	0.00	0.00	0.00	0.0%
2016	4241609219	Pedestrian Crossover Hunter	5,000.00	0.00	0.00	0.00	0.0%
2016	4661620053	New Traffic Signal - Rymal @ Second	150,000.00	0.00	0.00	0.00	0.0%
<b>TOTAL DELAYED/CANCELLED PROJECTS (19)</b>			<b>255,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>

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YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$)	REVENUES (\$)	EXPENDITURES (\$)	PROJECT SURPLUS/ (DEFICIT) (\$)	% SPENT
			a	b	c	d = b - c	e=c/a
<b>COMPLETED PROJECTS</b>							
<b>Corporate Services, City Manager's Office and Councillor Infrastructure Programs (Tax Budget)</b>							
<b>One Time Projects</b>							
2011	2111956401	Parkland Acquisition	1,500,000.00	1,500,000.00	1,500,000.00	0.00	100%
<b>Information Systems</b>							
2018	3501857123	Waterdown Memorial Park WiFi	13,740.00	13,899.22	13,899.22	0.00	101%
<b>Councillor Infrastructure Program</b>							
2013	4241309302	Ward 3 Speed Humps	75,000.00	37,109.24	37,109.24	0.00	49%
2016	4031619102	Britannia / Oriole / Adair / Glassco	2,660,000.00	2,120,632.10	2,120,632.10	0.00	80%
2016	4241609508	Quigley Area Sidewalk Repairs	385,000.00	327,521.64	327,521.64	0.00	85%
2016	4241609216	Stinson Bike Lanes Repair	200,000.00	42,790.22	42,790.22	0.00	21%
2017	4241709504	2017 Mountable Curbs (Ward 5)	200,000.00	173,160.24	173,160.24	0.00	87%
2017	4241709801	AR - Cranbrook Dr / Gardiner Dr / Courtland Ave (W8 A/R)	920,000.00	917,706.25	917,706.25	0.00	100%
2017	4241709202	AR - Stinson - Wentworth to Wellington (W2 A/R)	224,000.00	171,236.81	171,236.81	0.00	76%
2017	4241709805	AR - Courtland / Regent / Dydzak / Skyview (W8 A/R)	650,000.00	611,028.15	611,028.15	0.00	94%
2017	4241709104	W1 Sidewalk Repairs	100,000.00	100,000.19	100,000.19	0.00	100%
<b>Healthy and Safe Communities (Tax Budget)</b>							
<b>Public Health</b>							
2014	6771455100	Community Climate Change Plan	140,000.00	157,529.14	157,529.14	0.00	113%
<b>Hamilton Fire Department</b>							
2017	7401751701	VFD Protective Eqp Uniform	500,000.00	394,327.10	394,327.10	0.00	79%
<b>Planning &amp; Economic Development (Tax Budget)</b>							
<b>Tourism &amp; Culture</b>							
2012	8201203500	Graffiti Management Initiative	55,343.00	55,343.00	55,343.00	0.00	100.0%
2015	7201541505	Whitehern - Wallpaper and Plaster	70,070.00	69,292.97	69,292.97	0.00	98.9%
2015	7201558701	Music & Film Office	100,850.00	100,845.53	100,845.53	0.00	100.0%
2015	7201558505	Dundurn - Interior Finishes	153,365.00	153,614.39	153,614.39	0.00	100.2%
2016	7201655600	Sesquicentennial Tall Ships	570,000.00	501,097.05	501,097.05	0.00	87.9%
2016	7201658604	Griffin House Expansion-Canada 150	187,200.00	173,184.42	173,184.42	0.00	92.5%
2017	7201741800	Ancaster Town Hall Reno-Can 150	235,107.42	235,645.06	235,645.06	0.00	100.2%
2017	7201758706	2017 Whitehern Hall Conservation	55,250.00	55,391.99	55,391.99	0.00	100.3%
2018	7201858803	Hamilton & Scourge Security	50,150.00	51,450.00	51,450.00	0.00	102.6%
<b>Growth Management</b>							
2015	4031580586	RHBP-Stone - Pritchard to RHVP	750,000.00	738,572.40	738,572.40	0.00	98.5%

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YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$)	REVENUES (\$)	EXPENDITURES (\$)	PROJECT SURPLUS/ (DEFICIT) (\$)	% SPENT
			a	b	c	d = b - c	e=c/a
<b>Real Estate Division</b>							
2001	3560150200	Sales & Purchases Tax & Remit Lands	0.00	25,900,444.74	25,900,444.74	0.00	0.0%
2014	3561450401	Sale of 286 Victoria Avenue South	0.00	91,368.68	91,368.68	0.00	0.0%
<b>Transportation Division</b>							
2013	4031355310	Hamilton Transportation Master Plan Update	660,000.00	660,189.40	660,189.40	0.00	100.0%
2018	4901841800	Fence Replacement-Municipal Carparks	10,000.00	10,000.00	10,000.00	0.00	100.0%
<b>Public Works (Tax Budget)</b>							
<b>Parks &amp; Cemeteries (Tax Budget)</b>							
2016	4401649008	Extreme Park Makeover Program	100,000.00	100,096.28	100,096.28	0.00	100.1%
2016	4401656001	Leash free Dog Park Program	60,000.00	60,000.00	60,000.00	0.00	100.0%
2017	4401749007	Cemetery Columbarium	62,250.00	62,249.69	62,249.69	0.00	100.0%
2017	4401752100	CSA Safety Material Replace	101,900.00	101,871.95	101,871.95	0.00	100.0%
<b>Open Space &amp; Development (Tax Budget)</b>							
2007	4400756103	Heritage Green Sports Park	3,263,800.00	3,253,135.15	3,253,135.15	0.00	99.7%
2012	4401256201	Fairgrounds Community Park	278,751.32	278,767.04	278,767.04	0.00	100.0%
2012	4401256613	Ancaster Community Center Ball Diamond	578,305.00	558,188.89	558,188.89	0.00	96.5%
2015	4401556513	Riverdale East Park Spray Pad	505,650.00	505,641.24	505,641.24	0.00	100.0%
2015	4401556516	Carpenter Park Redevelopment	515,810.00	515,809.10	515,809.10	0.00	100.0%
2016	4401656601	Bobolink Replacement Habitat	143,689.00	143,688.93	143,688.93	0.00	100.0%
<b>West Harbour</b>							
2013	8201355302	Urban Design & Dev - Piers 5-8	235,710.00	235,348.86	235,348.86	0.00	99.8%
<b>Entertainment</b>							
2015	3721541805	HCC HP & FOC Lifecycle Renewal	720,519.00	720,491.97	720,491.97	0.00	100.0%
2016	3721641805	HCC, HP & FOC Lifecycle Renewal	282,080.00	282,075.70	282,075.70	0.00	100.0%
<b>Energy Initiatives</b>							
2016	7901641601	First Ontario Centre	530,000.00	361,017.60	361,017.60	0.00	68.1%
2016	7901641602	Fire Stations LED Light	220,500.00	220,498.66	220,498.66	0.00	100.0%
<b>Fleet</b>							
2015	4941551100	Fleet-Vehicle & Equipment Replacement	5,860,860.00	5,856,130.49	5,856,130.49	0.00	99.9%
2016	4941651001	Shop Equipment Replacement	165,000.00	163,307.72	163,307.72	0.00	99.0%
<b>Corporate Facilities</b>							
2015	3541541631	Facilities Security Program	150,000.00	150,000.00	150,000.00	0.00	100.0%
2015	3541557001	Archibus-Facility Maintenance	50,000.00	50,000.00	50,000.00	0.00	100.0%
2017	3541741702	CH 2nd FL LED - FUNDED FROM OP	0.00	63,726.72	63,726.72	0.00	0.0%
2017	3541741910	RCMP Lease-Capital Replacement	210,000.00	210,000.00	210,000.00	0.00	100.0%

CITY OF HAMILTON  
CAPITAL PROJECTS' CLOSING SCHEDULE  
AS OF DECEMBER 31, 2018

Appendix "C" to Item 5 of GIC Report 19-012

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YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$)	REVENUES (\$)	EXPENDITURES (\$)	PROJECT SURPLUS/ (DEFICIT) (\$)	% SPENT
			a	b	c	d = b - c	e=c/a
<b>Recreation (Tax Budget)</b>							
2015	7101554105	Park & Fieldhouse Retrofits	936,000.00	936,000.00	936,000.00	0.00	100.0%
2015	7101554536	Program - Arena Retrofits	184,000.00	184,000.00	184,000.00	0.00	100.0%
2016	7901641601	First Ontario Centre	530,000.00	361,017.60	361,017.60	0.00	68.1%
2016	7101641706	Program - Recreation Centre Retrofits	71,630.00	71,629.73	71,629.73	0.00	100.0%
2016	7101654105	Program - Park & Fieldhouse Retrofits	1,194,000.00	1,194,000.00	1,194,000.00	0.00	100.0%
2017	7101754105	Park & Fieldhouse Retrofits	80,000.00	84,000.00	84,000.00	0.00	105.0%
<b>Waste (Tax Budget)</b>							
2014	5121492000	Closed Landfill Maintenance & Capital Improvement	172,000.00	172,000.00	172,000.00	0.00	100.0%
2016	5121692000	Closed Landfill Maintenance & Capital Improvement Program	290,000.00	290,000.00	290,000.00	0.00	100.0%
2017	5121755137	Waste Management R&D	135,000.00	135,000.00	135,000.00	0.00	100.0%
2017	5121794000	Transfer Station/CRC Maintenance & Improvement Program	543,850.00	543,850.00	543,850.00	0.00	100.0%
<b>Roads (Tax Budget)</b>							
2003	4060389020	100% RHCE items Claimable MTO	5,825,000.00	1,948,085.53	1,948,085.53	0.00	33.4%
2003	4060389010	Pipe Relocate-Burlington St-QEW	250,000.00	9,016,896.03	9,016,896.03	0.00	3606.8%
2003	4060389017	ML Grading N Queenston-Nash	52,974,874.30	55,617,546.81	55,617,546.81	0.00	105.0%
2006	4060689024	Paving & Stormwater Management	28,467,945.14	29,332,993.96	29,332,993.96	0.00	103.0%
2008	4060087001	Expressway - Land Purchases	58,768,000.00	67,274,302.65	67,274,302.65	0.00	114.5%
2008	4060087002	Expressway - Property Mtnce	2,669,000.00	2,762,773.61	2,762,773.61	0.00	103.5%
2008	4060087003	Expressway - Completed Works	235,118,147.61	230,089,461.94	230,089,461.94	0.00	97.9%
2008	4060087008	Administration Holding Account	12,997,000.00	16,268,268.30	16,268,268.30	0.00	125.2%
2008	4060087009	Items Not Eligible For Subsidy	6,098,000.00	12,023,159.80	12,023,159.80	0.00	197.2%
2008	4060088002	Environmental Studies	2,641,000.00	2,347,911.16	2,347,911.16	0.00	88.9%
2008	4060088003	EA Exemption Order N-S	5,223,000.00	6,919,822.76	6,919,822.76	0.00	132.5%
2008	4060089002	Miscellaneous Construction	1,106,000.00	1,070,616.20	1,070,616.20	0.00	96.8%
2010	4060101100	Red Hill Capital Interest	0.00	14,015,027.84	14,015,027.84	0.00	0.0%
2013	4031319101	Road Reconstruction Program - 2013	10,116,000.00	10,142,499.32	10,142,499.32	0.00	100.3%
2016	4031618217	Bridge & Culvert Maintenance - 2016	2,388,000.00	2,388,000.00	2,388,000.00	0.00	100.0%
2017	4031718217	Bridge & Culvert Maintenance - 2017	2,000,000.00	2,000,000.00	2,000,000.00	0.00	100.0%
2017	4031710006	Minor Construction - 2017	240,000.00	240,000.00	240,000.00	0.00	100.0%
2017	4031718218	OSIM Bridge and Culvert Inspections - 2017	300,000.00	300,000.00	300,000.00	0.00	100.0%
2017	4031749555	QA-QC Service Contract - 2017	150,000.00	150,000.00	150,000.00	0.00	100.0%
2017	4041710417	Retaining Wall Rehabilitation - 2017	700,000.00	707,875.00	707,875.00	0.00	101.1%
2017	4661720531	APS - Accessible Pedestrian Signals - 2017	100,000.00	100,000.00	100,000.00	0.00	100.0%
2017	4041710004	Escarpment Slope Stabilization Program - 2017	694,000.00	694,000.00	694,000.00	0.00	100.0%
2017	4031710005	Major Road Maintenance Program - 2017	1,000,000.00	1,000,000.00	1,000,000.00	0.00	100.0%
2017	4661720720	Plastic Pavement Marking Rehabilitation - 2017	100,000.00	100,000.00	100,000.00	0.00	100.0%
2017	4031717677	Preventative Maintenance Program - 2017	2,700,000.00	2,700,000.00	2,700,000.00	0.00	100.0%

CITY OF HAMILTON  
CAPITAL PROJECTS' CLOSING SCHEDULE  
AS OF DECEMBER 31, 2018

**Appendix "C" to Item 5 of GIC Report 19-012**  
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YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$)	REVENUES (\$)	EXPENDITURES (\$)	PROJECT SURPLUS/ (DEFICIT) (\$)	% SPENT
			a	b	c	d = b - c	e=c/a
<b>Public Works (Rate Budget)</b>							
<b>Water (Rate Budget)</b>							
2011	5141166151	SCADA Master Plan Implement	13,080,000.00	12,395,251.78	12,395,251.78	0.00	94.8%
2012	5141267271	PS HD018 Hwy 53 & HD011 Osler	740,000.00	664,183.40	664,183.40	0.00	89.8%
2012	5141267275	SC Water Outstations Upgrade	4,390,000.00	3,763,699.42	3,763,699.42	0.00	85.7%
2013	5141396351	Garner Watermain Trunk W09	530,000.00	171,794.88	171,794.88	0.00	32.4%
2013	5141371301	WM Replace Program - Coordinated with Roads - 2013	11,310,000.00	10,940,711.84	10,940,711.84	0.00	96.7%
2014	5141461300	Wm Replacement Program - 2014	455,000.00	455,000.00	455,000.00	0.00	100.0%
2015	5141596558	Greenhill Feedermain - King to Greenhill Tank	5,570,000.00	5,168,552.21	5,168,552.21	0.00	92.8%
2015	5141567574	HDR01 Reservoir Upgrades	550,000.00	31,851.58	31,851.58	0.00	5.8%
2016	5141660750	Unscheduled Valve, Hydrant etc. - 2016	2,500,000.00	2,500,000.00	2,500,000.00	0.00	100.0%
2016	5141655851	Water Efficiency Plan - 2016	82,000.00	82,000.00	82,000.00	0.00	100.0%
2016	5141661300	WM Replacement Program - 2016	670,000.00	670,000.00	670,000.00	0.00	100.0%
2016	5141666515	WTP - Surge Tower Upgrades	480,000.00	104,261.90	104,261.90	0.00	21.7%
2017	5141763757	City of Hamilton Bulk Water Fill Stations Upgrade	74,900.00	68,667.78	68,667.78	0.00	91.7%
2017	5141771074	Contingency for Unscheduled Works Program - 2017	145,000.00	145,000.00	145,000.00	0.00	100.0%
2017	5141757628	Mountain Feedermain	345,100.00	345,090.29	345,090.29	0.00	100.0%
2017	5141749555	QA-QC Service Contract - 2017	110,000.00	110,000.00	110,000.00	0.00	100.0%
2017	5141771740	Upper Sherman - Rymal to Stone	1,527,000.00	1,254,838.35	1,254,838.35	0.00	82.2%
2017	5141760080	Valve Replacement - 2017	1,670,000.00	1,670,000.00	1,670,000.00	0.00	100.0%
2017	5141755851	Water Efficiency Plan - 2017	149,000.00	149,000.00	149,000.00	0.00	100.0%
<b>WasteWater (Rate Budget)</b>							
2007	5160795784	Twenty PS & Forcemain - HC018	4,770,000.00	4,632,220.06	4,632,220.06	0.00	97.1%
2011	5161166151	SCADA Master Plan Implement	14,375,000.00	13,430,185.09	13,430,185.09	0.00	93.4%
2014	5161460450	Iona Trunk Sewer Odour Control	39,000.00	32,288.00	32,288.00	0.00	82.8%
2014	5161461422	Patrick - Walnut to west end	98,100.00	92,103.26	92,103.26	0.00	93.9%
2017	5161760820	Open Cut Repairs for CIPP Program - 2017	400,000.00	537,739.75	537,739.75	0.00	134.4%
2017	5161771015	Sewer Lateral Replacement for Co-ordinated Projects - 2017	278,000.00	278,000.00	278,000.00	0.00	100.0%
2017	5161755010	Wastewater System Planning	300,000.00	306,119.36	306,119.36	0.00	102.0%
<b>StormWater (Rate Budget)</b>							
2012	5181280292	SWMP - A13 Springbrook Pond	680,000.00	653,042.46	653,042.46	0.00	96.0%
2013	5181360312	Greenhill - Hwy 20 Culverts	1,040,000.00	1,032,986.07	1,032,986.07	0.00	99.3%
2014	5181460422	SERG - Holbrook SW Improvement	667,800.00	666,919.85	666,919.85	0.00	99.9%
2015	5181560515	Inlet-Outlet Storm Damage Repair - 2015	382,000.00	381,552.49	381,552.49	0.00	99.9%
2016	5181662073	Field Data Systems Program - 2016	100,000.00	99,639.04	99,639.04	0.00	99.6%
2016	5181617642	South St East Drainage Improve	162,200.00	162,181.04	162,181.04	0.00	100.0%
2016	5181672290	Storm Sewer Upgrades - 2016	1,214,000.00	633,726.70	633,726.70	0.00	52.2%
2017	5181749555	QA-QC Service Contract - 2017	60,000.00	60,000.00	60,000.00	0.00	100.0%
2017	5181780786	RHBP - Dartnall - Stone Church to Rymal	187,000.00	176,804.82	176,804.82	0.00	94.5%
2017	5181772290	Storm Sewer Upgrades - 2017	280,000.00	279,030.48	279,030.48	0.00	99.7%
<b>TOTAL COMPLETED PROJECTS (118)</b>			<b>530,673,446.79</b>	<b>586,580,606.06</b>	<b>586,580,606.06</b>	<b>0.00</b>	<b>111%</b>
<b>GRAND TOTAL COMPLETED/CANCELLED PROJECTS (154)</b>			<b>562,338,176.79</b>	<b>617,582,402.13</b>	<b>617,581,402.98</b>	<b>999.15</b>	<b>110%</b>

CITY OF HAMILTON CAPITAL PROJECTS TO BE FUNDED ABOVE \$250,000 FOR THE PERIOD COVERING OCTOBER 1, 2018 to DECEMBER 31, 2018					
<u>Recommendations</u>					
Appropriated From	Description	Appropriated To	Description	Amount (\$)	LongDescr
<b>Public Works (Tax)</b>					
<u>Roads</u>					
4060087004	Expressway Capital Holding Acct	4060789026	Integrated Enviro Monitor Prg	2,117,237.23	To close project 4060789026
4060087004	Expressway Capital Holding Acct	4060689025	Con Grow-Instal&Main Plant Mat	638,538.31	To close project 4060689025
112240	Working Fund- General	4060689025	Con Grow-Instal&Main Plant Mat	3,270,329.06	To fund legal fees per FCS15054
<b>Project Totals</b>				<b>\$ 6,026,104.60</b>	



Ministry of Municipal Affairs and Housing

# Audit and Accountability Fund: Expression of Interest

To apply to the Audit and Accountability Fund:

- 1.) Complete all required fields of this Expression of Interest.
- 2.) Ensure that the completed Expression of Interest has been attested to by the appropriate municipal staff.
- 3.) Include an outline of your project timeline and costs (procurement documents, a project charter, a project work plan, or any other document as appropriate).
- 4.) Email this Expression of Interest and any additional supporting materials to [municipal.programs@ontario.ca](mailto:municipal.programs@ontario.ca) by **June 30, 2019**.

## Attestation

I have reviewed this expression of interest and the supporting material and can verify that it is accurate to the best of my knowledge and understanding.

Signature

Date (DD/MM/YYYY)

Legal Name of Municipality City of Hamilton	
Name of Signatory Mike Zegarac	Position Title General Manager Finance&Corporate Servs

## Applicant Information

Mailing Address 71 Main Street West, Hamilton Ontario L8P 4Y5	
Name of Primary Contact Tom Hewitson	Position Title Manager, Current Budgets & Fiscal Plan'g
Email Address Tom.Hewitson@hamilton.ca	Telephone Number 905-546-2424 x. 4159

- ☒ I acknowledge that it is a program requirement that the proposed third-party review project result in a publicly posted report by November 30, 2019.

What is the anticipated cost of your proposed third-party review project? **Note:** only the cost of a third-party service provider should be included. Attach a document to support the timeline and costs of your project. It is estimated that the proposed review will be less than \$250,000.

Have you included a resolution of council demonstrating support for the proposed third-party review project? **Note:** this is not a program eligibility requirement.

- ☒ Yes (If yes, please attach a copy to this Expression of Interest form)
- ☐ No

## Review Project Description

### 1.) Provide a brief description of your proposed third-party review project.

City departments engage external consultants and contractors to undertake a variety of projects. Proposed third-party Review will analyze financial and performance related data on the City's use of external consultants and contractors. The Review will examine feasible and innovative service delivery options where external consultants and contractors are utilized extensively. The Review will focus on the overall service performance in relation to approved service standards.

### 2.) Provide a summary of the objectives of your proposed third-party review project.

Proposed Review will evaluate the reliance on external consultants and contractors, assess knowledge transfer to City staff, identify service delivery alternatives and efficiency opportunities.

### 3.) Provide a summary of expected outcomes of your proposed third-party review project.

A focus of the Review will be to identify sustainable long-term service delivery efficiencies and associated cost savings.



## **EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 19-007**

1:30 p.m.

Thursday, June 20, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

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**Present:** Councillors S. Merulla (Chair), E. Pauls (Vice-Chair), B. Clark, and N. Nann

**Absent with  
Regrets:** Councillors T. Jackson (Personal) and T. Whitehead (Personal)

**Also Present:** Councillors J. Farr and M. Wilson

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### **THE EMERGENCY & COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 19-007 AND RESPECTFULLY RECOMMENDS:**

**1. Heat Response Plan Initiative (HSC19020) (City Wide) (Item 7.1)**

That Report HSC19020, respecting a Heat Response Plan Initiative, be received.

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

- (a) That Complete Purchasing Services Inc. be approved as the single source purchasing agent for group purchasing services for electric beds, replacement parts and accessories manufactured by Span Medical Products Canada Incorporated for use at Macassa and Wentworth Lodges for a period of five years; and,
- (b) That the General Manager, Healthy and Safe Communities Department or his designate be authorized to negotiate, enter into and execute any required contract and any ancillary documents required to give effect thereto with Complete Purchasing Services or Span Medical Products Canada Incorporated, in a form satisfactory to the City Solicitor.

**3. Encampment Response (HSC19029) (City Wide) (Item 7.3)**

That Report HSC19029, respecting an Encampment Response, be received.

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

- (a) That Report HSC19034 respecting the proposed Roxborough demonstration project be received;
- (b) That Council, in its capacity as Service Manager under the Housing Services Act, 2011, approve the request of CityHousing Hamilton (CHH) for the following:
  - (i) The transfer of 18 (eighteen) existing Rent Gear to Income subsidies to a separate Housing Provider selected by the Housing Services Division to offer new units to households on the centralized waitlist;
  - (ii) The sale of an approximate 7-acre portion of the Lang-Hayes-Reid lands;
  - (iii) The relocation and transition plan to accommodate the residents during the redevelopment of the Lang-Hayes-Reid lands;
- (c) That staff be directed to bring forward the recommended draft program description to the Roxborough Community Improvement Plan Area (CIPA), as contained in Appendix A to Report 19-007, to the Planning Committee for a statutory public meeting in accordance with Section 17 (15) (d) of the Planning Act,
- (d) That the additional annual operating impact, estimated at \$400,000, related to CityHousing Hamilton's Roxborough housing units be included in the City's 2021 operating budget;
- (e) That an annual operating budget enhancement of \$2.09 M be included in the City's 2021 operating budget for the Housing Services Division to fund the cost of development charges loan/grant programs to be offered through the Roxborough Community Improvement Plan Area, estimated at \$10.47 M over 5 years;
- (f) That the General Manager of Finance and Corporate Services be directed to establish a Roxborough Community Improvement Plan Area Reserve; and,
- (g) That any unspent funds budgeted through the annual operating budget for the cost of development charges loan/grant programs to be offered

through the Roxborough Community Improvement Plan Area (CIPA), be allocated to the Roxborough CIPA Reserve at the end of each year.

**FOR INFORMATION:**

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

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

**1. COMMUNICATIONS (Item 5)**

- 5.1 Correspondence from Jill Dubrick and Becky Doyle, Early Years and Child Care Division, Ministry of Education, respecting 2019 Child Care Allocations (revised), Child Care Transfer Payment Agreement Amendments and Updated Funding Guidelines for Child Care and EarlyON Child and Family Centre Programs

Recommendation: Be received.

- 5.2 Correspondence from Glenn Fletcher, respecting Wesley Community Homes and Wesley Day Centre

Recommendation: Be received.

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

- 6.1 Roger Deschamps, respecting the proposed closure of the Wesley Day Centre (for today's meeting)
- 6.2 Tim O'Shea and Jill Wiwcharuk, Shelter Health Network, respecting the closure of the Wesley Day Centre (for today's meeting)
- 6.3 Joanne Santucci, Hamilton Food Share, respecting the closure of the Wesley Day Centre (for today's meeting)

**3. CONSENT ITEMS (Item 7)**

- 7.4 Seniors Advisory Committee Minutes - April 5, 2019

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

- 10.2 Ministry of Health and Long-Term Care Funding for Neonatal Intensive Care (NICU)Transport Ambulance (HSC19021) (City Wide)

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

**12.1 CityHousing Hamilton's Third Annual Community Health Fair**

The agenda for the June 20, 2019 Emergency and Community Services Committee meeting was approved, as amended.

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

There were no declarations of interest.

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

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

The Minutes of the June 6, 2019 meeting of the Emergency and Community Services Committee were approved, as presented.

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

The following delegation requests, were approved for today's meeting.

- (i) Roger Deschamps, respecting the proposed closure of the Wesley Day Centre (Added Item 6.1)
- (ii) Tim O'Shea and Jill Wiwcharuk, Shelter Health Network, respecting the closure of the Wesley Day Centre (Added Item 6.2)
- (iii) Joanne Santucci, Hamilton Food Share, respecting the closure of the Wesley Day Centre (Added Item 6.3)

**(e) CONSENT ITEMS**

**(i) Encampment Response (HSC19029) (City Wide) (Item 7.3)**

Staff was directed to report back semi-annually to the Emergency and Community Services Committee on the progress of the strategies utilized to address encampments.

For further disposition of this item, refer to Item 3.

Item 10.1 respecting an Affordable Housing Demonstration Project (HSC19034) and Item 10.2, respecting the Ministry of Health and Long-Term Care Funding for Neonatal

Intensive Care (NICU) Transport Ambulance (HSC19021), was moved up on the agenda in anticipation of the loss of quorum.

Pursuant to Section 5.4(5) of the City of Hamilton's Procedural By-law 18-270 the Committee Clerk advised the Chair at 2:23 p.m. that quorum was lost, the Chair decided to continue the meeting during the absence of quorum to hear the delegations in attendance, with no decisions being approved.

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

**(i) Roger Deschamps, respecting the proposed closure of the Wesley Day Centre (Added Item 8.1)**

Roger Deschamps was not in attendance.

**(ii) Tim O'Shea and Jill Wiwcharuk, Shelter Health Network, respecting the closure of the Wesley Day Centre (for today's meeting) (Added Item 8.2)**

Jill Wiwcharuk, of the Shelter Health Network addressed the Committee respecting the closure of the Wesley Day Centre.

**(iii) Joanne Santucci, Hamilton Food Share, respecting the closure of the Wesley Day Centre (for today's meeting) (Added Item 8.3)**

Joanne Santucci, of Hamilton Food Share addressed the Committee respecting the closure of the Wesley Day Centre.

The following items will be included on the July 11, 2019 Emergency and Community Services agenda.

**(a) COMMUNICATIONS (Item 5)**

**(i) Correspondence from Jill Dubrick and Becky Doyle, Early Years and Child Care Division, Ministry of Education, respecting 2019 Child Care Allocations (revised), Child Care Transfer Payment Agreement Amendments and Updated Funding Guidelines for Child Care and EarlyON Child and Family Centre Programs**

Recommendation: Be received.

- (ii) Correspondence from Glenn Fletcher, respecting Wesley Community Homes and Wesley Day Centre**

Recommendation: Be received.

**(b) CONSENT ITEMS (Item 7)**

- (i) Seniors Advisory Committee Minutes – April 5, 2019 (Added Item 7.4)**

**(c) STAFF PRESENTATIONS**

- (i) Hamilton Urban Indigenous Strategy (HSC19034) (City Wide) (Item 9.1)**

**(d) NOTICES OF MOTION**

- (i) CityHousing Hamilton's Third Annual Community Health Fair (Added Item 12.1)**

The following item will be presented to Council on June 26, 2019 due to its time sensitivity.

**(e) DISCUSSION ITEMS**

- (i) Ministry of Health and Long-Term Care Funding for Neonatal Intensive Care (NICU) Transport Ambulance (HSC19021) (City Wide) (Added Item 10.2)**

**(f) ADJOURNMENT (Item 15)**

Pursuant to Section 5.4(5) of the City of Hamilton's Procedural By-law 18-270 at 3:08 p.m. the Committee Clerk advised those in attendance that quorum was not achieved since 2:23 p.m. when quorum was initially lost, therefore, the meeting would stand adjourned.

Respectfully submitted,

Councillor S. Merulla  
Chair, Emergency and Community Services  
Committee

Tamara Bates  
Legislative Coordinator  
Office of the City Clerk

**ROXBOROUGH HOUSING INCENTIVE PILOT PROGRAM****Program Guidelines****Background**

Located in the McQueston Neighbourhood, the Roxborough Community Improvement Project Area (CIPA), is intended to encourage revitalization initiatives and stimulate development in what has been identified as a vulnerable area with acute housing needs. The CIPA allows municipalities to provide incentives to assist in the revitalization of lands and/or building within the defined Community Improvement Project Area.

Through Community Improvement Plans, municipalities can:

- focus public attention on local priorities and municipal initiatives
- target areas in transition or in need of repair, rehabilitation and redevelopment
- facilitate and encourage community change in a co-ordinated manner
- stimulate private sector investment through municipal incentive-based programs

The goal of the Roxborough Housing Incentive Pilot Program is to minimize the financial barriers to create affordable housing in the existing Roxborough CIPA by introducing incentives in the form of providing exemptions in the forms of forgivable loans for development charges and parkland dedication fees. The intent of this Pilot project is to demonstrate how a mixed tenure, mixed income development can produce positive outcomes and be used as a model for future incentive programs to promote the development of affordable housing across Hamilton including outside of the downtown.

**1. Program Details**

The Roxborough Housing Incentive Program (the “RHIPP”) is available to property owners within the Roxborough CIPA. It allows developers of affordable rental or ownership housing units to receive exemptions of the City of Hamilton’s development charges and parkland dedication fees for 10 years after the issuance of a building permit.

Developers of rental units will be required to enter into an agreement with the City, registered on Title, to maintain that unit prices and rents meet the City’s definition of affordable for a minimum period of 10 years.

Developers of affordable homeownership units will be required to enter into an agreement with the City stating that the funding will be provided to off-set development charges and parkland dedication fees. This funding is then converted by housing providers/developers into reductions in the purchase price of newly created units. The program is modelled after the existing federal/provincial down payment assistance program so that funds can potentially be combined for even deeper affordability.

**2. Program Terms & Criteria**

Approval is at the absolute discretion of the City and subject to the availability of funds

## **Eligibility Criteria**

All projects must meet these minimum requirements:

- have primary use as residential
- be located in the Roxborough CIPA
- For rental units, not exceed 175% of the average market rent, by unit size in the applicable rental market zone
- For affordable homeownership units, exemptions provided the homes are sold for a minimum 20% below average sale price of new construction and individual purchasers have demonstrated moderate to low income and do not own any other residential property.

### **2.1 – Unit Price Thresholds**

Rental

#### **175% - Average Market Rent (2018)**

<b>Unit Size</b>	<b>175% AMR</b>
Bachelor	\$1,337
1 Bedroom	\$1,617
2 Bedroom	\$1,904
3+ Bedroom	\$2,401

Affordable Homeownership

#### **10% Below Median Sale Price of new construction, Homes Sold, Hamilton (2019)**

<b>Year</b>	<b>10% Below Median Sale Price</b>
2019	\$397,000*

\*to be indexed annually

### **2.2.- Affordability Period**

Rental Units

The development charge and parkland dedication fee exemptions will act as a forgivable loan provided rents remain affordable for 10 years after the issuance of a building permit. The loan is secured on Title throughout the affordability period ensuring rents remain affordable for the full period regardless of a transfer of property ownership.

## Affordable Homeownership

Funding will be provided to off-set development charges and parkland dedication fees. This funding is then converted by housing providers/developers into down payment assistance loans to make the homes more affordable for eligible purchasers.

### 2.3 – Eligible Proponents

The RHIPP is open to:

- community housing providers (i.e. public or private non-profit housing organizations or rental co-operatives)
- municipalities
- Indigenous groups and organizations
- private sector organizations

### 2.4 - Location

Developments shall be located within the City of Hamilton, Roxborough CIPA [Map \(attached as Appendix “B” to Report HSC19034\)](#)

## 3. Maximum Grant Amount

Grants are up to a total maximum of 100% of the municipal development charge and parkland dedication fees. Educational development charges are out of scope as part of this program and will be due at the time of building permit issuance.

## 4. Repayment Terms

Repayment of the loan is not required unless there is a violation of any program terms and conditions.

## 5. Application Process and Approvals

Developers will complete the application package, submit the completed package to the Housing Services Division in advance of obtaining a building permit. The full amount of the development charge and parkland dedication fee will be exempted at the time of payment of the initial building permit. Agreements securing the exemptions will be signed with the City in advance of permit issuance.

## 6. Documentation Required for Records

The Housing Services Division is responsible for retaining the following documents seven years beyond the life of the program:

- Signed application package, including all required accompanying documentation
- Letter of approval to proponent from City of Hamilton
- All invoices and internal journals for all eligible expenditures
- Records of all payments and defaults
- Copies of rent rolls, unit information
- For affordable homeownership units, personal information about prospective unit

owners confirming income, age, ability to pay and confirmation purchasers do not own other residential property. This information is gathered through a supplemental application package completed by the prospective home buyer.

## 7. Remedies

In the event there is a violation of the terms of the pilot program at any point during the affordability period, the value of the development charge incentive and parkland fees are due to the City on a pro-rated basis. The City has the authority to collect debts through a variety of measures including adding outstanding accounts to the tax roll of the property and collect them in the same manner as municipal taxes.

### For Rental Units

The property owner must provide an annual statement and information package to the City confirming that each unit remains affordable. Rents may increase annually in accordance with market prices as long as they continue to meet the City’s definition of affordable.

The 10-year affordability period is secured on Title ensuring rents remain affordable regardless of a transfer of property ownership. If at any point during the 10-year affordability period, the units are no longer deemed affordable by the City or the developer fails to meet program criteria, the developer or subsequent property owner will be required to pay the City development charges and parkland fees.

Proportional expiry – for each year the rental property conforms to the affordability requirements of the plan the cost of violation is reduced by 10% of the original investment.

### For Homeownership

The development charges and parkland waivers will be secured through an agreement between the City and the Developer. This agreement will ensure the following eligibility of future purchasers is secured prior to final purchase and sale:

- The purchaser is of moderate to low income;
- The purchaser shall not own any other residential property; and,
- The purchaser is not a business or entity.

# CITY OF HAMILTON

## MOTION

Council Date: June 26, 2019

**MOVED BY COUNCILLOR J. P. DANKO.....**

**SECONDED BY COUNCILLOR.....**

**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**

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 and;

- (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.***
- (d) That staff report back with results and recommendations following the one (1) year pilot program.

# CITY OF HAMILTON

## MOTION

Council: June 26, 2019

**MOVED BY COUNCILLOR S. MERULLA .....**

**SECONDED BY COUNCILLOR.....**

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

- (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.


Attachment:

Appendix A - Ministry of Health and Long-Term Care Funding for Neonatal Intensive Care (NICU) Transport Ambulance (HSC19021) (City Wide)



Hamilton

**CITY OF HAMILTON**  
**HEALTHY AND SAFE COMMUNITIES DEPARTMENT**  
**Hamilton Paramedic Service**

<b>TO:</b>	Chair and Members Emergency and Community Services Committee
<b>COMMITTEE DATE:</b>	June 20, 2019
<b>SUBJECT/REPORT NO:</b>	Ministry of Health and Long-Term Care Funding for Neonatal Intensive Care (NICU) Transport Ambulance (HSC19021) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Michael Sanderson (905) 546-2424 Ext.7741
<b>SUBMITTED BY:</b>	Paul Johnson General Manager Healthy and Safe Communities Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (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.

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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.

## **EXECUTIVE SUMMARY**

The Ministry of Health and Long-Term Care (MOHLTC), in conjunction with McMaster Children's Hospital, has requested that the Hamilton Paramedic Service, operated by the City of Hamilton, provide a dedicated ambulance resource to support their neo-natal intensive care medical outreach team.

The MOHLTC, through an Inter-Facility Transfer funding agreement proposes to fund 100% of the required capital equipment and staffing costs of this dedicated ambulance resource, with such agreement to be extended from year to year as mutually agreed.

### **Alternatives for Consideration – Not Applicable**

## **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

### **Financial:**

Financial staff were involved in the development and costing of all aspects of a preliminary 2018 proposal and the November 2019 operating proposal.

The MOHLTC is providing 100% funding for the capital and staffing costs of the dedicated transport vehicle. There is no net levy impact.

### **Staffing:**

The equivalent of ten (10) full time staff are required to provide the dedicated ambulance coverage 24 hours per day, 7 days per week, 52 weeks of the year, inclusive of all related backfill costs.

### **Legal:**

The proposed agreement as received from the MOHLTC has been reviewed by legal staff and is in a form satisfactory to the City Solicitor.

## **HISTORICAL BACKGROUND**

The Hamilton Health Sciences McMaster Children's Hospital (MCH) operates a 47 bed, tertiary level, Neonatal Intensive Care Unit (NICU). This NICU is the referral centre for a catchment area of 2.2 million and 27,000 births. The closest adjoining similar NICU programs are located in London and in Toronto. An outreach program, and medical transport team, is operated by the MCH to enable the highest level of assessment, stabilization, and treatment at various outlying hospitals and to then provide care of the patient during transport by ambulance from the referring hospital back to MCH.

The process for several years when an outreach is required for the MCH transport team and related equipment to be transported from MCH to the referring hospital, to stabilize

the patient at the referring hospital, and when the patient is ready for transport back to MCH is for a local ambulance to be assigned to bring the medical team, equipment, and patient back to MCH for a higher level of care.

In accordance with the *Ambulance Act*, the core legislated operating responsibility for the City of Hamilton is to provide the required resources for the provision of emergency land ambulance service to meet the needs of the residents and visitors to the City of Hamilton. Accordingly, our ambulance deployment plan, and our current staffing level, has not provided HPS resources at City of Hamilton expense to pick up a medical team and equipment at MCH, take them to an out of town referring hospital, wait for the medical team at the referring hospital, or to return the medical team, equipment and patient from the out of town referring hospital back to MCH. Such purpose is outside the core funding responsibility of the City of Hamilton.

With an interest on the part of MCH and the MOHLTC to improve the operational capacity of the MCH medical team, the HPS has been contacted several times over the past few years to discuss options for the provision of a dedicated land ambulance resource, operated by the City of Hamilton, for the purpose of transporting medical teams and equipment to the sending hospitals, await the team and patient readiness to return to MCH, and to then transport the patient, team, and equipment back to MCH.

Our expressed position with the MOHLTC and MCH has been that provision of a dedicated ambulance resource to support the MCH operations, and in support of various referral hospital needs, would require 100% funding from either MCH or the MOHLTC.

On October 11, 2018, the MOHLTC convened a teleconference to discuss the potential for implementation of a dedicated ambulance resource in support of the NICU needs.

Subsequent to the October teleconference on November 19 a request for an implementation plan was received from the MOHLTC South West Field Office. An implementation plan was provided in response to this request providing for the addition of one ambulance and the required paramedic staff to provide Neonatal Intensive Care Unit Transport Team transport support 24 hours per day, 365 days of the year.

The proposed implementation of the program for the 2019 calendar year included a one-time capital support in the amount of approximately \$272,345 and staffing wage and benefit costs in the amount of \$1,133,677. For the operating years after 2019 inflationary wage cost increases will be required.

The MOHLTC responded to this on April 5, 2019, with a confidential and embargoed agreement for the provision of the requested dedicated inter-facility transport ambulance in support of the MCH NICU outreach program. That embargo has now been lifted and we are able to bring this report forward for approval. Initiation of the project is possible

within four to six weeks of confirmation of available funding and agreement on the operational aspects of this additional resource

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

Pursuant to the *Ambulance Act* (the Act) the City of Hamilton is the “Designated Delivery Agent (DDA) for all land ambulance services provided in the City of Hamilton. This service is known, and operated under Certificate 718, as the Hamilton Paramedic Service (HPS). The HPS is the sole ambulance provider for the entire City of Hamilton, an area of approximately 1,117 square kilometres and a population of approximately 537,000 people.

In accordance with the Act, the Regulations pursuant to the Act, and the various Directives and Standards pursuant to both the Act and the Regulations, the City of Hamilton, in part;

- Determines the level of land ambulance service required to provide an appropriate level of service to the public within the City of Hamilton; and
- Funds the cost of land ambulance service required to meet the needs of the public; and
- Receives a conditional grant from the Province of Ontario as subsidy for the cost of provision of land ambulance service; and
- Ensures their provision of land ambulance service meets the standards required by the Province of Ontario to achieve and to maintain certification; and
- Ensures the plan provided to the Ministry of Health and Long-Term Care (MOHLTC) Central Ambulance Communications Centre (CACC) for the deployment of the land ambulance resources it provides is approved in the manner designated by the MOHLTC.

## **RELEVANT CONSULTATION**

Consultation has occurred with McMaster Children’s Hospital and with the Ministry of Health and Long-Term Care over the past 20 months to identify their needs and to develop a solution.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The need to support the MCH outreach team activities in responding to out of town referral hospitals and returning these critical patients to a higher level of care is apparent. The proposed agreement provides the capacity to support these needs without negatively impacting City of Hamilton taxpayers.

## **ALTERNATIVES FOR CONSIDERATION**

None applicable

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

**Healthy and Safe Communities**

Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

**Our People and Performance**

Hamiltonians have a high level of trust and confidence in their City government.

**APPENDICES AND SCHEDULES ATTACHED**

None

**Authority:** Item 7, Economic Development  
and Planning Committee Report  
10-005 (PED10051)  
CM: March 10, 2010  
Ward: 11

**Bill No. 144**

**CITY OF HAMILTON**

**BY-LAW NO. 19-**

**To Establish City of Hamilton Land  
Described as Block 111 on Plan 62M-1016  
as Part of Tanglewood Drive**

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

**WHEREAS** section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

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

1. The land, owned by and located in the City of Hamilton, described as Block 111 on Plan 62M-1016, is established as a public highway, forming part of Tanglewood Drive.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

**PASSED** this 26<sup>th</sup> day of June, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk



**Authority:** Item 1, Planning Committee  
Report: 19-010 (PED19096)  
CM: June 26, 2019  
Ward: 15

**Bill No. 145**

## **CITY OF HAMILTON**

### **BY-LAW NO. 19-**

#### **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)**

**WHEREAS** notice of the proposal to pass this By-law was published in the Flamborough Review prior to the passing of this by-law;

**AND WHEREAS** the Council of the City of Hamilton, through the Planning Committee, has heard all persons who applied to be heard no matter whether in objection to or in support of this by-law;

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

1. The name of the street municipally known as Highway No. 5 East, from Highway No. 6 to the Municipal Boundary with the City of Burlington / Halton Region, more particularly described as follows:

PIN's 175630188(LT); 175620633(LT); 175090146(LT); 175080033(LT);  
175070261(LT); 175070264(LT); 175060308(LT); 175050325(LT);  
175050321(LT); 175030361(LT); 175020041(LT);

City of Hamilton;

is hereby changed to Dundas Street East.

2. That this By-law comes into force and takes effect on the date of its registration in The Hamilton Land Registry Office for the Land Titles Division of Wentworth 62.

**PASSED** this 26<sup>th</sup> day of June 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

**Authority:** Item 2, Planning Committee  
Report: 19-010 (PED19097)  
CM: June 26, 2019  
Ward: 10

**Bill No. 146**

**CITY OF HAMILTON**  
**BY-LAW NO. 19-**

**To Rename North Service Road (commonly known as Drakes Drive) to Parkedge Drive**

**WHEREAS** notice of the proposal to pass this By-law was published in the Stoney Creek News prior to the passing of this By-law;

**AND WHEREAS** the Council of the City of Hamilton, through the Planning Committee, has heard all persons who applied to be heard no matter whether in objection to or in support of this by-law;

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

1. The name of the street municipally known as North Service Road (commonly known as Drakes Drive), more particularly described as follows:

PIN 173300164 (LT)

Part of North Service Road lying between Queen Elizabeth Way and Frances Avenue; part of Lot 22, Broken Front Concession, Saltfleet, Parts 13, 14, 16 and part of Part 10 on Plan 62R-5744; lying south of Frances Avenue; Stoney Creek, City of Hamilton.

is hereby changed to Parkedge Drive.

2. That this By-law comes into force and takes effect on the date of its registration in The Hamilton Land Registry Office for the Land Titles Division of Wentworth 62.

**PASSED** this 26<sup>th</sup> day of June, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

**CITY OF HAMILTON**

**BY-LAW NO. 19-**

**To Amend By-law No. 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 17 titled BY-LAW NO. 86-077 The Streets By-law

<b>Table 17: BY-LAW 86-077 THE STREETS BY-LAW</b>				
<b>ITEM</b>	<b>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</b>		<b>COLUMN 2 SHORT FORM WORDING</b>	<b>COLUMN 3 SET PENALTY</b>
1	86-077	4.(3)(c)	permit hedge/other obstruction to effect clear view of drivers of vehicles upon side-boulevards	\$100.00
2	86-077	6.1(15)(e)	fail to comply with all City By-laws	\$300.00
3	86-077	6.1(15)(g)(x)	fail to comply with provisions of the Streets By-law	\$200.00
4	86-077	6.1(17)	fail to comply with an Order	\$300.00
5	86-077	9.(1)	obstruct a Highway	\$200.00
6	86-077	9.(1)	encumber a Highway	\$200.00
7	86-077	9.(1)	injure a Highway	\$200.00
8	86-077	9.(1)	foul a Highway	\$200.00
9	86-077	9.(1)	obstruct a drain upon a Highway	\$200.00
10	86-077	9.(1)	obstruct a ditch upon a Highway	\$200.00
11	86-077	9.(1)	obstruct a culvert upon a Highway	\$200.00
12	86-077	9.(2)	erect/install/place shrub/tree/any plant material upon a Highway	\$100.00
13	86-077	9.(4)(a)	foul Highway by throwing litter	\$75.00
14	86-077	9.(4)(a)	foul Highway by placing/depositing dirt	\$75.00
15	86-077	9.(4)(a)	foul Highway by placing/depositing filth	\$75.00
16	86-077	9.(4)(a)	foul Highway by placing/depositing glass	\$75.00
17	86-077	9.(4)(a)	foul Highway by placing/depositing handbill	\$75.00

<b>Table 17: BY-LAW 86-077 THE STREETS BY-LAW</b>				
<b>ITEM</b>	<b>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</b>		<b>COLUMN 2 SHORT FORM WORDING</b>	<b>COLUMN 3 SET PENALTY</b>
18	86-077	9.(4)(a)	foul Highway by placing/depositing paper	\$75.00
19	86-077	9.(4)(a)	foul Highway by placing/depositing rubbish/refuse	\$75.00
20	86-077	9.(4)(a)	foul Highway by placing/depositing animal carcass	\$75.00
21	86-077	9.(4)(aa)	foul Highway by placing/depositing mud/soil/building material by spilling from or tracking by vehicle	\$100.00
22	86-077	9.(4)(b)	foul Highway by throwing/placing/depositing hay	\$100.00
23	86-077	9.(4)(b)	foul Highway by throwing/placing/depositing straw	\$100.00
24	86-077	9.(4)(b)	foul Highway by throwing/placing/depositing coal	\$100.00
25	86-077	9.(4)(b)	foul Highway by throwing/placing/depositing manure	\$100.00
26	86-077	9.(4)(b)	foul Highway by throwing/placing/depositing earth	\$100.00
27	86-077	9.(4)(b)	foul Highway by throwing/placing/depositing other matter or thing	\$100.00
28	86-077	9.(4)(c)	foul Highway by throwing/placing/depositing liquid waste	\$100.00
29	86-077	9.(4)(d)	foul Highway in any manner	\$100.00
30	86-077	9.(5)	owner of adjacent land fail to immediately remove the fouling and restore Highway to prior condition	\$200.00
31	86-077	13.(7)	fail to restore highway to as good a condition as before, after underground work completed	\$200.00
32	86-077	13.(9)(b)	fail to restore sodded/planted boulevard back to as good a condition as before	\$200.00
33	86-077	14.(7)(a)	mixing mortar/concrete or other such substance upon highway	\$200.00
34	86-077	14.(7)(b)	place material that obstructs the free passage of water in any drain	\$200.00
35	86-077	14.(7)(c)	produce unnecessary dust/noise or unreasonable annoyance to the public	\$100.00
36	86-077	14.(7)(e)	fail to remove all building materials from highway and restore to as good a condition as before	\$200.00

**PASSED** this 26<sup>th</sup> day of June, 2019

\_\_\_\_\_  
F. Eisenberger  
Mayor

\_\_\_\_\_  
J. Pilon  
Acting City Clerk

**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 18 titled BY-LAW NO. 15-051 Lottery Licensing.

<b>Table 18: BY-LAW 15-051 LOTTERY LICENSING</b>				
<b>ITEM</b>	<b>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</b>		<b>COLUMN 2 SHORT FORM WORDING</b>	<b>COLUMN 3 SET PENALTY</b>
1	15-051	13.(1)	conduct/allow lottery scheme without a licence	\$100.00
2	15-051	13.(2)	Licensee/person fail to comply with conditions under subsection 10(a) sections 206/207 of Criminal Code	\$300.00
3	15-051	13.(2)	Licensee/person fail to comply with conditions under subsection 10(b) Order in Council 1413/08	\$300.00
4	15-051	13.(2)	Licensee/person fail to comply with conditions under subsection 10(c) Registrar's requirements	\$300.00
5	15-051	13.(2)	Licensee/person fail to comply with conditions under subsection 10(d) of this By-law	\$75.00
6	15-051	13.(2)	Licensee/person fail to comply with conditions under subsection 10(e) written notice of changes under 7(2)(c)	\$75.00
7	15-051	13.(2)	Licensee/person fail to comply with conditions under subsection 10(f) only lottery schemes authorized by licence	\$75.00
8	15-051	13.(2)	Licensee/person fail to comply with conditions under subsection 10(g) only bona fide member to conduct lottery	\$75.00
9	15-051	13.(2)	Licensee/person fail to comply with conditions under subsection 10(h) permit person conducting the lottery to be a player	\$75.00

<b>Table 18: BY-LAW 15-051 LOTTERY LICENSING</b>				
<b>ITEM</b>	<b>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</b>		<b>COLUMN 2 SHORT FORM WORDING</b>	<b>COLUMN 3 SET PENALTY</b>
10	15-051	13.(2)	Licensee/person fail to comply with conditions under subsection 10(i) permit person under 18 as a player	\$75.00
11	15-051	13.(2)	Licensee/person fail to comply with conditions under subsection 10(j) permit inquires/inspection of licence or use of proceeds	\$75.00
12	15-051	13.(2)	Licensee/person fail to comply with conditions under subsection 10(k) only valid for term not transferable	\$75.00
13	15-051	13.(2)	Licensee/person fail to comply with conditions under subsection 10(l) stop conducting lottery when directed	\$75.00
14	15-051	13.(2)	Licensee fail to comply with conditions under subsection 11(1) place licence in conspicuous place on premises	\$75.00
15	15-051	13.(2)	Licensee fail to comply with conditions under subsection 11(2) produce licence on demand	\$75.00
16	15-051	13.(2)	Licensee fail to comply with conditions under subsection 12(a) keep records of personnel/ costs	\$75.00
17	15-051	13.(2)	Licensee fail to comply with conditions under subsection 12(b) retain written receipt	\$75.00
18	15-051	13.(2)	Licensee fail to comply with conditions under subsection 12(c) provide written information of unpaid prize winners	\$75.00
19	15-051	13.(2)	Licensee fail to comply with conditions under subsection 12(d) financial reports/information required by licence	\$75.00
20	15-051	13.(2)	Licensee fail to comply with conditions under subsection 12(e) deliver licence upon revocation/suspension	\$75.00
21	15-051	13.(2)	Licensee fail to comply with conditions under subsection 12(f) provide Lottery Trust Account Bank Statements/ cancelled cheques within 30-days of month end	\$75.00

**PASSED** this 26<sup>th</sup> day of June, 2019

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

**Authority:** Item 31, Planning and Economic  
Development Committee  
Report: 06-005  
CM: April 12, 2006  
Ward: 2

**Bill No. 149**

## **CITY OF HAMILTON**

### **BY-LAW NO. 19-**

**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 49 Walnut Street South (Hamilton)**

**WHEREAS** the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap.14, Sch. C did incorporate, as of January 1<sup>st</sup>, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Hamilton" and is the successor of the former Regional Municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

**AND WHEREAS** the first stage of the new Zoning By-law, being Zoning By-law No. 05-200, came into force on the 25th day of May, 2005;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12<sup>th</sup> 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 Schedule "A" appended to and forming part of By-law No. 05-200, as amended by By-law No. 18-289, is hereby further amended by changing the zoning from the Downtown Central Business District (D1, 702, H107) Zone, to the Downtown Central Business District (D1, 702) Zone, on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Downtown Central Business District (D1, 702) Zone, provisions.
3. 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 26<sup>th</sup> day of June, 2019.



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F. Eisenberger  
Mayor

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J.Pilon  
Acting Clerk

ZAH-19-043

		
<p>This is Schedule "A" to By-law No. 19-</p> <p>Passed the ..... day of ....., 2019</p>	<p style="text-align: center;">----- Mayor</p> <p style="text-align: center;">----- Clerk</p>	
<p style="text-align: center;"><b>Schedule "A"</b></p> <p style="text-align: center;">Map Forming Part of By-law No. 19-_____</p> <p style="text-align: center;">to Amend By-law No. 05-200 Maps 953 &amp; 995</p>	<p><b>Subject Property</b> 154 Main Street East &amp; 49 Walnut Street South</p> <p> Change in Zoning from the Downtown Central Business District (D1, 702, H107) Zone to the Downtown Central Business District (D1, 702) Zone</p>	
<p><b>Scale:</b> N.T.S.</p>	<p><b>File Name/Number:</b> ZAH-19-043</p>	 <u>Hamilton</u>
<p><b>Date:</b> June 19, 2019</p>	<p><b>Planner/Technician:</b> DB/AL</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

**Authority:** Item 5, Planning Committee  
Report:19-009 (PED19116)  
CM: June 12, 2019  
Ward: 2

**Bill No. 150**

**CITY OF HAMILTON**

**BY-LAW NO. 19-**

**To Adopt:**

**Official Plan Amendment No. 242 to the  
City of Hamilton Official Plan**

**Respecting:**

**468, 470, 474, and 476 James Street North, Hamilton**

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

1. Amendment No. 242 to the City of Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 26th day of June, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

# **Amendment No. 242**

## **to the**

### **Official Plan of the City of Hamilton**

The following text, together with Appendix "A", attached hereto, constitutes Official Plan Amendment No. 242 to the City of Hamilton Official Plan.

#### **1.0 Purpose and Effect:**

The purpose and effect of this Amendment is to amend the West Harbour (Setting Sail) Secondary Plan by increasing the building height of the subject lands to permit the development of an eight-storey mixed use building.

#### **2.0 Location:**

The lands affected by this Amendment are located at 468, 470, 474, and 476 James Street North in the City of Hamilton.

#### **3.0 Basis:**

The basis for permitting this Amendment is as follows:

- The proposed development efficiently utilizes the existing infrastructure, positively contributes to the streetscape and makes use of an underutilized lot;
- The proposed development implements the vision of the West Harbour (Setting Sail) Secondary Plan in maintaining James Street North as a mixed use area, while providing intensification at a form and scale that is in keeping with the character of the surrounding neighbourhood and is in proximity to existing transit;
- The Amendment is consistent with the Provincial Policy Statement, 2014 and the Growth Plan for the Greater Golden Horseshoe, 2019.

#### **4.0 Changes:**

##### **4.1 Mapping Changes:**

That Schedule M-4: General Land Use Map of the West Harbour (Setting Sail) Secondary Plan is amended by establishing a new 6-8 storey building height category and apply the new 6-8 storey building height category to the lands at 468, 470, 474, and 476 James Street North, as shown on Appendix "A" of this Amendment.

#### **5.0 Implementation:**

An implementing Zoning By-law Amendment and Site Plan Control will give effect to the intended uses on the subject lands.

This is Schedule "1" to By-law No. 19-150 passed on the 26th day of June, 2019.

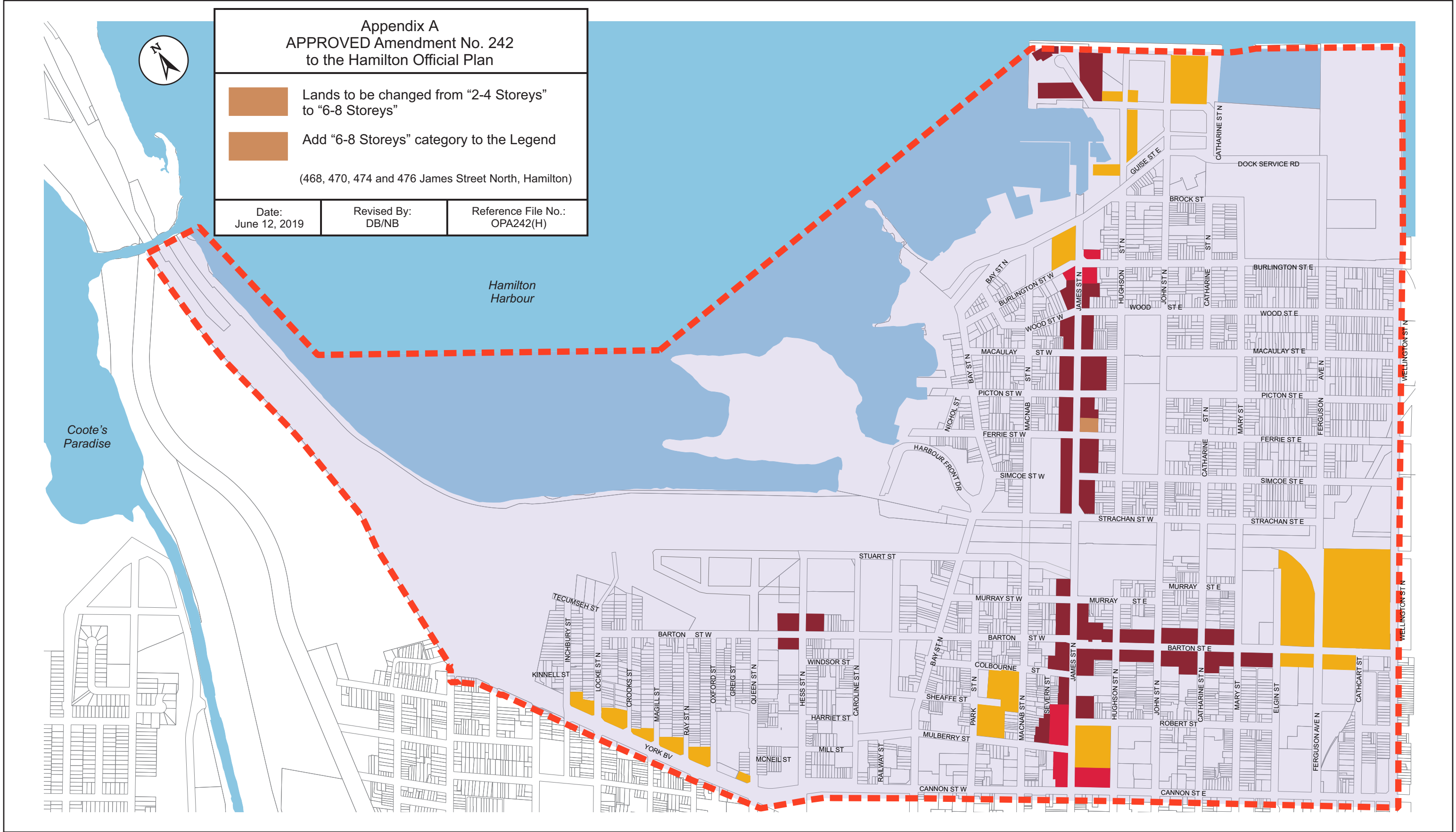
**The  
City of Hamilton**

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F. Eisenberger  
MAYOR

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J. Pilon  
ACTING CITY CLERK



**CITY OF HAMILTON**

**BY-LAW NO. 19-**

**To Amend Zoning By-law No. 6593 (Hamilton)  
Respecting Land Located at 468, 470, 474 and 476 James Street North (Hamilton)**

**WHEREAS** the Council of the City of Hamilton, in adopting Item 5 of Report 19-009 of the Planning Committee, at its meeting held on the 12th day of June, 2019, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

**WHEREAS** this By-law conforms with the City of Hamilton Official Plan upon adoption of Official Plan Amendment No. 242;

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

1. That Sheet No. E2 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton) is further modify the "H/S-978" (Community Shopping and Commercial, Etc.) District, Modified, to the "H/S-978a – 'H1', 'H2'" (Community Shopping and Commercial, etc.) District, Holding, Modified, on lands the extent and boundaries of which are shown on plan hereto annexed as Schedule "A".
2. That Section 2 of By-law No. 87-117 (Hamilton) be deleted and replaced with "H/S-978a – 'H1', 'H2'", as follows:

"H/S-978a – 'H1', 'H2'"

That the "H" (Community Shopping and Commercial, Etc.) District provisions as contained in Section 14 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following requirements:

- a) In addition to Section (2) (2) (d), a Live Work Unit shall be defined as "A dwelling unit which contains a permitted commercial business operated by the resident of the dwelling unit and provides direct access at grade".
- b) In addition to Section 14 (1), a multiple dwelling shall be permitted.
- c) In addition to Section 14 (1), Live Work Units shall be permitted.
- d) Notwithstanding Section 14 (1), a frosted food locker plant, a motion picture studio, automobile service station or other public garage, theatre and car wash, shall be prohibited.

- e) Notwithstanding Section 14 (2) (ii), no building or structure shall exceed eight storeys or 24.5 metres in height,
- f) Notwithstanding Section 14 (3) (i), a front yard having a depth of not less than 0.5 metres.
- g) Notwithstanding Section 14 (3) (ii), a side yard having a width of not less than 0 metres.
- h) Notwithstanding Section 14 (3) (iii), a rear yard of not less than 7.0 metres for the first and second storeys and 6.5 metres for the third through sixth storeys.
- i) In addition to Section 14 (3), the following yards shall be provided and maintained:
  - i. Where the yard abuts the westerly lot line a yard having a depth of not less than 4.6 metres for the seventh and eighth storeys, and 11.8 metres for the mechanical penthouse.
  - ii. Where the yard abuts the southerly lot line a yard having a depth of not less than 2.8 metres for the seventh and eighth storeys, and 9.0 metres for the mechanical penthouse.
  - iii. Where the yard abuts the easterly lot line a yard having a width of not less than 13.2 metres for the seventh and eighth storeys, and 14.5 metres for the mechanical penthouse.
  - iv. Where the yard abuts the northerly lot line a yard having a width or depth of not less than 15.0 metres for the mechanical penthouse.
- j) Notwithstanding Section 14 (9) (i), a planting strip of not less than 1.2 metres in width shall be provided and maintained, which may include raised planter beds, along the rear lot line, and no planting strip shall be provided along the northerly side lot line.
- k) A minimum of 4 square metres of amenity space per Class A Dwelling Units shall be provided or 655 square metres of amenity space whichever is greater.
- l) A minimum landscaped area of not less than 25% of the area of the lot on which the building or structure is situate, which may include raised planter beds, planter boxes, and green roof area, shall be provided and maintained.
- m) Notwithstanding Section 18 (3) (vi) (a), for a chimney, sill, belt course, leader, pilaster, lintel or ornamental projection may project up to the following:
  - i. within 0 metres of a front or side yard;

- ii. not more than 1.0 metres into a required rear yard for the first through sixth storey and eighth storey; and,
  - iii. not more than 6.7 metres into a required rear yard for the seventh storey.
  - n. Notwithstanding Section 18 (3) (vi) (b) (i) and (iii), a canopy, cornice, eave or gutter may project to within 0 metres of a front or side yard.
  - o. Notwithstanding Section 18 (3) (vi) (cc) (i) and (iii), a bay, balcony or dormer may project to within 0 metres of a front or side yard.
  - p. Notwithstanding Section 18A (1) (a) and (b), a minimum of 0.42 parking spaces per Class A Dwelling Unit shall be provided or 39 parking spaces whichever is greater, of which a minimum of 9 are residential visitor parking spaces and 2 parking spaces shall be for the exclusive purpose of accommodating car sharing vehicles.
  - q. A minimum of 0.07 short term and 0.48 secure long term bicycle parking spaces per Class A Dwelling Unit shall be provided or 7 short term and 45 secure long term bicycle parking spaces whichever is greater.
  - r. Notwithstanding Section 18A (11) (a), not less than 1.2 metres from the rear lot line and 0 metres from the northerly side lot line.
  - s. Notwithstanding Section 18A (12) (a), between the boundary of the parking area and the residential district an area landscaped with a planting strip that is 1.2 metres wide shall be provided along the rear lot line which may include raised planter beds and shall not be required along the northerly side lot line.
  - t. Notwithstanding Section 18A (12) (b), between the boundary of the loading area and the residential district an area landscaped with a planting strip that is 1.2 metres wide shall be provided along the rear lot line which may include raised planter beds and shall not be required along the northerly side lot line.
  - u. Notwithstanding Section 18A (25), where a multiple dwelling is adjacent to a residential district that does not permit such uses, every access driveway to the multiple dwelling shall be located not less than 1.0 metre from the common boundary between the district in which the multiple dwelling is located and the district that does not permit such uses.
  - v. Section 18A (36) shall not apply.
3. That the 'H1' symbol applicable to the lands referred to in Section 2 shall be removed conditional upon:

- (a) The Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MECP, and submission of the City of Hamilton's current RSC administration fee.
- 4. For such time as the Holding Provision 'H2' symbol is applicable to the lands referred to in Section 2, the lands shall only be used in accordance with "H/S-1769" (Community Shopping and Commercial, etc.) District except where in conflict with the following:
  - (a) Regulations
    - i) The maximum dwelling units and live work units shall be restricted to 99 units.
  - (a) Condition for Holding Provision Removal
    - i) That the applicant submit and receive approval of a Traffic Impact Study where greater than 99 dwelling units/live work units are proposed, to the satisfaction of the Director of Transportation Planning.
- 5. That By-law No. 6593 (City of Hamilton) is amended by adding this By-law to Section 19B as Schedule S-978a.
- 6. That Sheet No. E2 of the District maps is amended by making the lands referred to in Section 1 of this By-law as Schedule S-978a.
- 7. 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 26th day of June, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

		
<p>This is Schedule "A" to By-law No. 19-</p> <p>Passed the ..... day of ....., 2019</p>	<p style="text-align: center;">-----</p> <p style="text-align: center;">Mayor</p> <p style="text-align: center;">-----</p> <p style="text-align: center;">Clerk</p>	
<p style="text-align: center; font-size: 1.2em;"><b>Schedule "A"</b></p> <p style="text-align: center; font-size: 1.1em;">Map Forming Part of By-law No. 19-_____</p> <p style="text-align: center; font-size: 1.1em;">to Amend By-law No. 6593</p>	<p><b>Subject Property</b></p> <p>468 - 470 &amp; 474 - 476 James Street North</p> <div style="display: flex; align-items: flex-start;"> <div style="width: 20px; height: 10px; border: 1px solid black; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); margin-right: 5px;"></div> <div> <p>To further modify the "H/S-978" (Community Shopping and Commercial Etc.) District, Modified, to the "H/S-978a-'H1','H2'" (Community Shopping and Commercial, Etc.) District, Holding, Modified</p> </div> </div>	
<p><b>Scale:</b> N.T.S.</p> <p><b>Date:</b> May 3, 2019</p>	<p><b>File Name/Number:</b> ZAC-18-020 / UHOPA-18-007</p> <p><b>Planner/Technician:</b> DB/AL</p>	 <b>Hamilton</b> <small>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</small>

**Authority:** Item 4, Planning Committee  
Report: 19-009 (PED19106)  
CM: June 12, 2019  
Ward: 10

**Bill No. 152**

**CITY OF HAMILTON**

**BY-LAW NO. 19-**

**To Adopt:**

**Official Plan Amendment No. 123 to the  
Urban Hamilton Official Plan**

**Respecting:**

**514 & 516 Barton Street and 293 Dewitt Road  
(Stoney Creek)**

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

1. Amendment No. 123 to the Urban Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 26th day of June, 2019.

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F. Eisenberger  
Mayor

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Janet Pilon  
Acting City Clerk

## **Urban Hamilton Official Plan Amendment No. 123**

The following text, together with Appendix “A” – Volume 2, Map B.7.1-1 – Western Development Area Secondary Plan – Land Use Plan attached hereto, constitutes Official Plan Amendment No. 123 to the Urban Hamilton Official Plan.

### **1.0 Purpose and Effect:**

The purpose and effect of this Amendment is to redesignate lands from “Low Density Residential 2b” to “Institutional” within the Western Development Area Secondary Plan to permit two single detached dwellings associated with the existing place of worship at 516 Barton Street.

### **2.0 Location:**

The lands affected by this Amendment are known municipally as 514-516 Barton Street and 293 Dewitt Road, in the former City of Stoney Creek.

### **3.0 Basis:**

The basis for permitting this Amendment is:

- The proposed amendment is in general conformity with the Urban Hamilton Official Plan, including general policies pertaining to promoting complete communities.
- The proposal meets the requirements of the “Institutional” designation.
- 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 2 – (Secondary Plans)**

##### ***Maps and Appendices***

##### **4.1.1 Map**

- a. That Volume 2, Map B.7.1-1 – Western Development Area Secondary Plan – Land Use Plan be amended by redesignating the lands from “Low Density Residential 2b” to “Institutional”, as shown on Schedule “A” 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. 19-152 passed on the 26th day of June, 2019.

**The  
City of Hamilton**

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F. Eisenberger  
MAYOR

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J. Pilon  
ACTING CITY CLERK

Appendix A  
APPROVED Amendment No. 123  
to the Urban Hamilton Official Plan

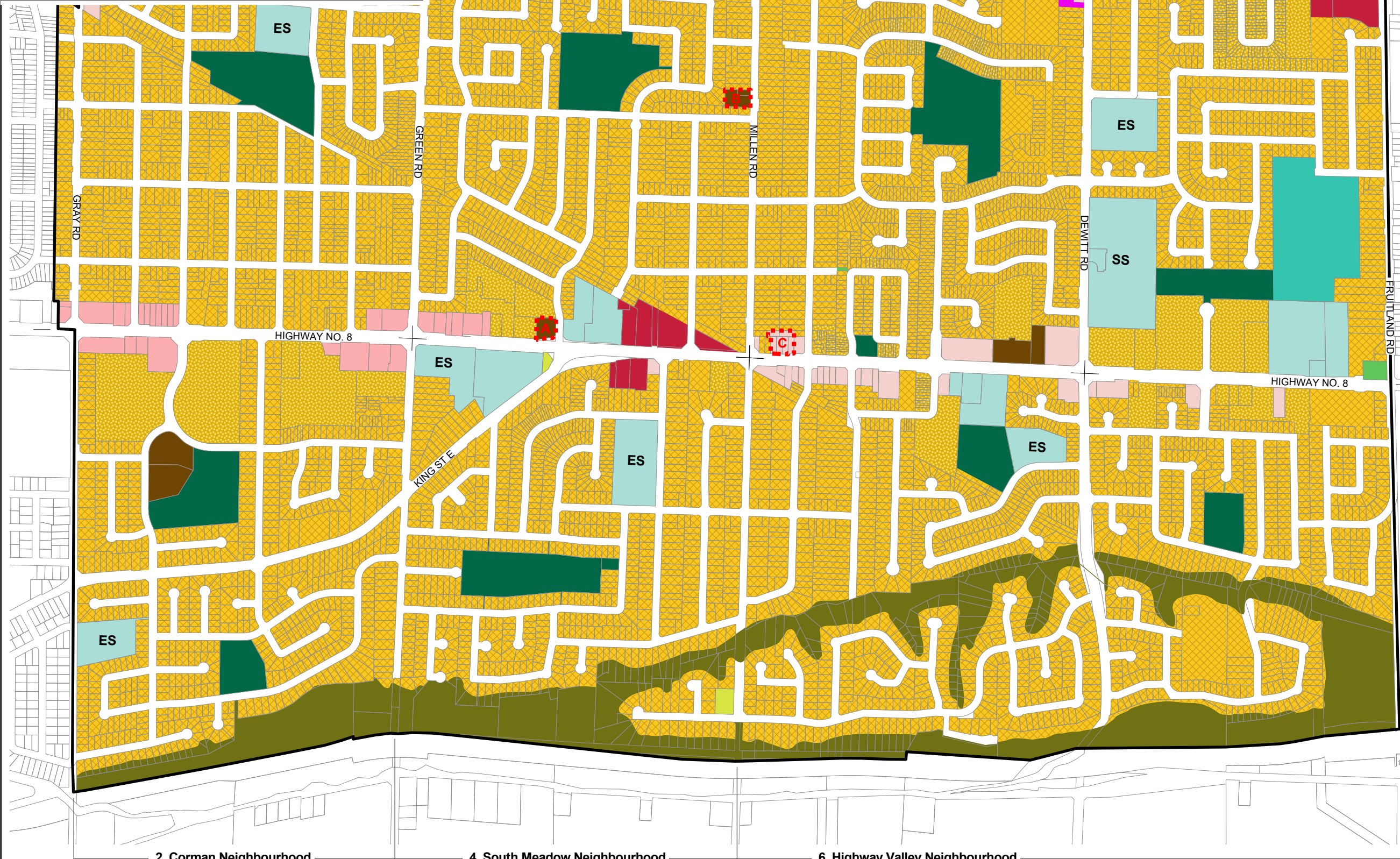
Lands to be redesignated from "Low Density Residential 2b" to "Institutional"

(514-516 Barton Street East and 293 Dewitt Road, Stoney Creek)

Date:  
June 11, 2019

Revised By:  
MS/NB

Reference File No.:  
OPA-U-123(A)



Legend

Residential Designations

Low Density Residential 2b

Low Density Residential 3c

Medium Density Residential 3

Commercial and Mixed Use Designations

Local Commercial

Mixed Use - Medium Density

District Commercial

Parks and Open Space Designations

Parkette

Neighbourhood Park

Community Park

General Open Space

Natural Open Space

Other Designations

Institutional

ES

Elementary School

SS

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  
Western Development Area  
Secondary Plan  
Land Use Plan  
Map B.7.1-1

**Bill No. 153**

**CITY OF HAMILTON**

**BY-LAW NO. 19-**

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 514 and 516 Barton Street and 293 Dewitt Road,  
Stoney Creek**

**WHEREAS** Council approved Item 4 of Report 19-009 of the Planning Committee, at the meeting held on June 12, 2019;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment No. 123,

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

1. That Map 1199 of Schedule "A" – Zoning Maps to Zoning By-law 05-200 are amended by:
  - (a) Incorporating additional Neighbourhood Institutional (I1, 726) Zone on lands described as Block 1, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and;
  - (b) For a change in zoning from the Neighbourhood Institutional (I1) Zone to Neighbourhood Institutional (I1, 726) Zone, on lands described as Block 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That Schedule "C" – Special Exceptions of Zoning By-law No. 05-200, is hereby amended by passing the following site specific Neighbourhood Institutional (I1, 726) Zone:
  - "726. Within the lands zoned Neighbourhood Institutional (I1, 726) Zone, identified on Map 1199 of Schedule "A" – Zoning Maps and described as 514 and 516 Barton Street and 293 Dewitt Road, the following special provisions shall apply:
    - a) Notwithstanding Subsection 4.5 a) the following special provision shall apply:
      - i) Dwellings on a Lot Two single detached dwellings may be permitted on the same lot containing a place of worship.

b) Notwithstanding Sections 8.1.3.1d), 8.1.3.1e), 8.1.3.1g) of this By-law the following special provisions shall apply:

- |      |   |            |
|------|---|------------|
| i)   | Minimum Front<br>Yard Setback             | 4.4 metres |
| ii)  | Minimum<br>Northerly Side<br>Yard Setback | 1.1 metres |
| iii) | Minimum Rear<br>Yard Setback              | 4.6 metres |

c) Notwithstanding Subsection 5.6b)ii) for a place of worship and in addition to Subsection 8.1.3.1 k) of this By-law the following special provision shall apply:

- |         |  |
|---------|--|
| Parking | 1 parking space for every 14 square metres of gross floor area for a place of worship, inclusive of a basement or cellar, to accommodate such use. |
|---------|--|

3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.
4. That this By-law No.     shall come into force and be deemed to have come into force in accordance with Subsection 34(12) of the *Planning Act*., either upon the date of passage of this By-law or as provided by the said Subsection.

**PASSED** this 26<sup>th</sup> day of June , 2019.

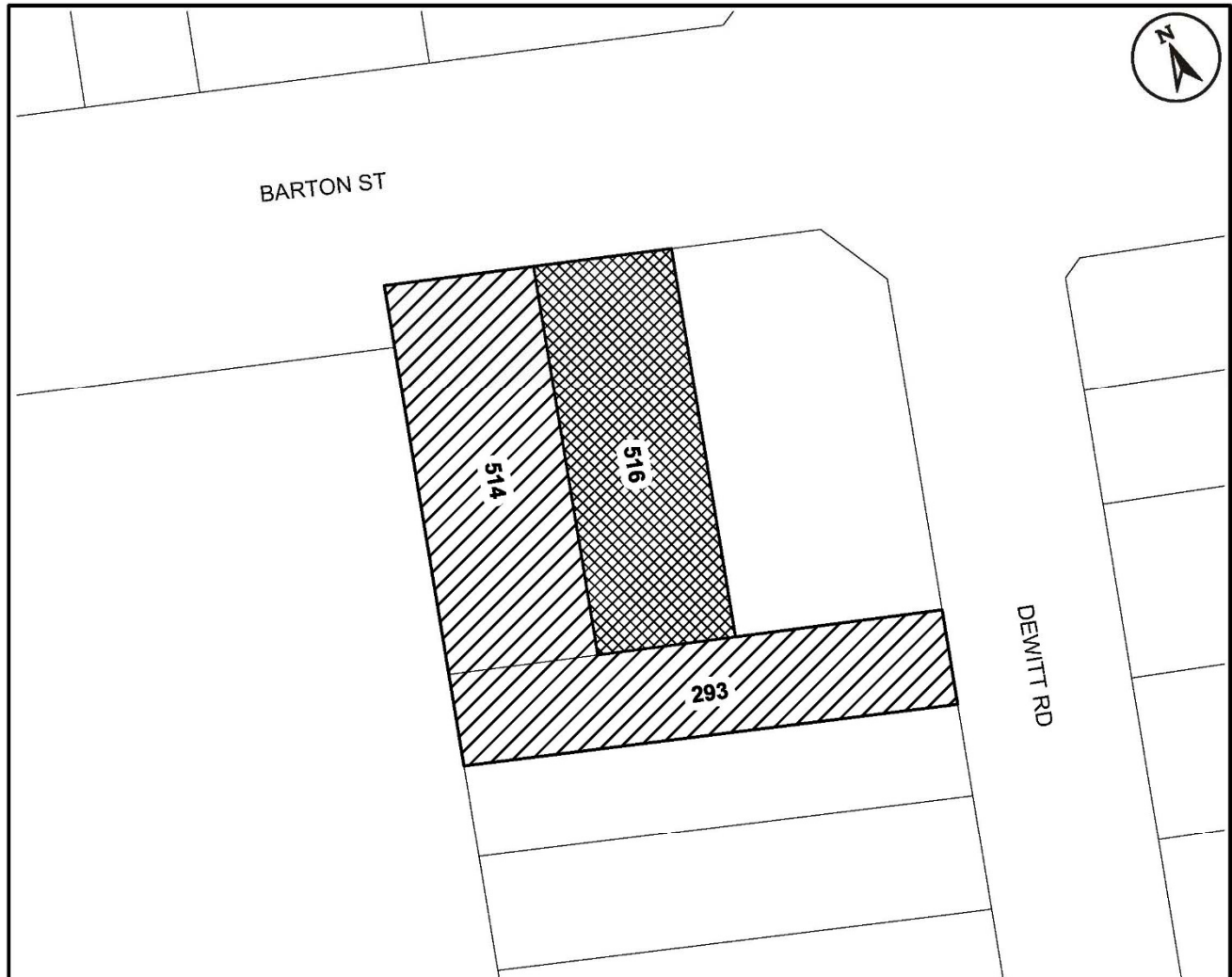
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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

ZAC-17-079



This is Schedule "A" to By-law No. 19-  
 Passed the ..... day of ....., 2019

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 Mayor  
 -----  
 Clerk

## Schedule "A"

Map Forming Part of  
 By-law No. 19-\_\_\_\_\_

to Amend By-law No. 05-200  
 Map 1199

### Subject Property

514 & 516 Barton Street & 293 Dewitt Road



**Block 1** - Lands to be rezoned from Single Residential "R2" Zone to Neighbourhood Institutional (I1, 726) Zone



**Block 2** - Lands to be rezoned from Neighbourhood Institutional (I1) Zone to Neighbourhood Institutional (I1, 726) Zone

Scale:  
 N.T.S.

File Name/Number:  
 ZAC-17-079 & UHOPA-17-36

Date:  
 March 12, 2019

Planner/Technician:  
 MS/VS



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

**Authority:** Item 5, Public Works Committee  
Report 18-004 (PW18024)  
CM: March 28, 2018  
Ward: 7

**Bill No. 154**

## **CITY OF HAMILTON**

### **BY-LAW NO. 19-**

**To Permanently Close and Sell a Portion of Public Unassumed Alley  
Abutting 193 East 22<sup>nd</sup> 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 17055-0097 (LT); City of Hamilton**

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

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

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

**WHEREAS** at its meeting of March 28, 2018, Council approved of Item 5 of Public Works Committee Report 18-004, and authorized the City of Hamilton to permanently close and sell the portion of the public unassumed alley abutting 193 East 22<sup>nd</sup> 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 17055-0097 (LT); City of Hamilton;

**WHEREAS** notice to the public of the proposed sale of the part of the public unassumed alley has been given in accordance with the requirements of the Sale of Land Policy By-law.

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

1. The part of the public unassumed alley set out as:

Part of Alleyway, Registered Plan 590, in the City of Hamilton, designated as Part 1, Plan 62R-21039, being Part of PIN 17055-0097 (LT)  
is permanently closed.

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 17055-0097 (LT); City of Hamilton

Page 2 of 2

2. The soil and freehold of Part 1 on Plan 62R-21039, hereby permanently closed, be sold to Richard Junior Masters and Peggy Ann Masters 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 26<sup>th</sup> day of June, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

**Authority:** Item 5, Public Works Committee  
Report 18-012 (PW18081)  
CM: September 26, 2018  
Ward: 12

**Bill No. 155**

## **CITY OF HAMILTON**

### **BY-LAW NO. 19-**

**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**

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

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

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

**WHEREAS** at its meeting of September 26, 2018, Council approved of Item 5 of Public Works Committee Report 18-012, and authorized the City of Hamilton to permanently close and sell the 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;

**WHEREAS** notice to the public of the proposed sale of the part of the unopened road allowance has been given in accordance with the requirements of the Sale of Land Policy By-law.

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

1. The part of the unopened road allowance set out as follows:

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

Page 2 of 2

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

is permanently closed.

2. The soil and freehold of the Part 4 on Plan 62R-21129, hereby permanently closed, be sold to Michelle Stark and Timothy Muys for the sum of Four Thousand Dollars (\$4,000.00).
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

**PASSED** this 26<sup>th</sup> day of June, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

**Authority:** Item 5, Public Works Committee  
Report 18-012 (PW18081)  
CM: September 26, 2018  
Ward: 12

**Bill No. 156**

## **CITY OF HAMILTON**

### **BY-LAW NO. 19-**

**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**

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

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

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

**WHEREAS** at its meeting of September 26, 2018, Council approved of Item 5 of Public Works Committee Report 18-012, and authorized the City of Hamilton to permanently close and sell the 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

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

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**WHEREAS** notice to the public of the proposed sale of the part of the unopened road allowance has been given in accordance with the requirements of the Sale of Land Policy By-law.

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

1. The part of the unopened road allowance set out as follows:

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

is permanently closed.

2. The soil and freehold of the Part 1 and Part 2 on Plan 62R-21129, hereby permanently closed, be sold to Neven Custom Homes Ltd. for the sum of Twenty-One Thousand Nine Hundred Dollars (\$21,900.00).
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 26<sup>th</sup> day of June, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

**Authority:** Item 5, Public Works Committee  
Report 18-012 (PW18081)  
CM: September 26, 2018  
Ward: 12

**Bill No. 157**

## **CITY OF HAMILTON**

### **BY-LAW NO. 19-**

**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**

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

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

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

**WHEREAS** at its meeting of September 26, 2018, Council approved of Item 5 of Public Works Committee Report 18-012, and authorized the City of Hamilton to permanently close and sell the 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;

**WHEREAS** notice to the public of the proposed sale of the part of the unopened road allowance has been given in accordance with the requirements of the Sale of Land Policy By-law.

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

1. The part of the unopened road allowance set out as:  
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

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

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is permanently closed.

2. The soil and freehold of Part 3 on Plan 62R-21129, hereby permanently closed, be sold to Truc Huynh for the sum of Twenty-Four Thousand One Hundred Dollars (\$24,100.00).
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 26<sup>th</sup> day of June, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 5

**Bill No. 158**

## **CITY OF HAMILTON**

### **BY-LAW NO. 19-**

#### **Respecting Removal of Part Lot Control**

**Block 1, Registered Plan No. 62M-1258, municipally known as 50 Albright Road**

**WHEREAS** the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

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

Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating Eighteen semi-detached dwelling units shown as Parts 187-204 inclusive, one hundred and ninety-two dwelling units shown as Parts 1-186 inclusive, and Parts 205 – 210 inclusive, on deposited Reference Plan 62R-21211, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 1, Registered Plan No. 62 M-1258, in the City of Hamilton

1. 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.

2. This by-law shall expire and cease to be of any force or effect on the June 26, 2021.

**PASSED** this 26th day of June, 2019.

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Fred Eisenberger  
Mayor

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Janet Pilon  
Acting City Clerk

PLC-19-017

**CITY OF HAMILTON**

**BY-LAW NO. 19-**

To Confirm the Proceedings of City Council at its meeting held on June 26<sup>th</sup>, 2019.

**THE COUNCIL OF THE  
CITY OF HAMILTON  
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 26<sup>th</sup> day of June, 2019, in respect of each recommendation contained in

Selection Committee Report 19-004 – June 12, 2019,  
Public Works Committee Report 19-009 – June 17, 2019,  
Board of Health Report 19-006 – June 17, 2019,  
Planning Committee Report 19-010 – June 18, 2019,  
General Issues Committee Report 19-012 – June 19, 2019,  
and  
Emergency and Community Services Committee Report 19-007 – June 20, 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 26<sup>th</sup> day of June, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk