



City of Hamilton

CITY COUNCIL AGENDA

19-014

Friday, August 16, 2019, 9:30 A.M.

Council Chambers, Hamilton City Hall

71 Main Street West

Call to Order

1. APPROVAL OF AGENDA

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

2. DECLARATIONS OF INTEREST

3. CEREMONIAL ACTIVITIES

3.1 50 Years of Public Service with the Hamilton Street Railway - Maurice Powell

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 July 12, 2019

5. COMMUNICATIONS

5.1 Correspondence from Murray Costello, Director, Southeast Region Operations, Enbridge Gas Inc., respecting Enbridge Gas - new company, new opportunities to collaborate.

Recommendation: Be received.

5.2 Correspondence from Niagara Region to D. Gayle Wood, Interim Chief Administrative Officer, Niagara Peninsula Conservation Authority respecting Niagara Region's Representation on the NPCA Board of Directors.

Recommendation: Be received.

5.3 Correspondence from the City of Stratford requesting support for their resolution opposing the changes to the 2019 Provincial Budget and Planning Act.

Recommendation: Be received.

5.4 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the Provincial Policy Statement Review - Draft Policies.

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

5.5 Correspondence from Terry Bridle respecting the priority of Ambulance Service.

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

5.6 Correspondence from Stephen Covey, Chief of Police and Chief Security Officer, CN Rail respecting Rail Safety Week.

Recommendation: Be received.

5.7 Correspondence from the Township of McKellar requesting support for their resolution respecting Municipal Amalgamation.

Recommendation: Be received.

5.8 Correspondence from the Township of Nairn and Hyman to the Honourable Doug Ford, Premier of Ontario requesting support for their resolution opposing Bill 115, which would allow the sale of beer and wine in corner stores.

Recommendation: Be received.

6. COMMITTEE REPORTS

6.1 CityHousing Hamilton Corporation Shareholder Report 18-001 - April 11, 2018

6.2 General Issues Committee Report 19-014 - August 12, 2019

6.3 Planning Committee Report 19-012 - August 13, 2019

6.4 Public Works Committee Report 19-011 - August 14, 2019

6.5 Board of Health Report 19-008 - August 14, 2019

- 6.6 CityHousing Hamilton Corporation Shareholder Report 19-002 - August 14, 2019
- 6.7 Audit, Finance and Administration Committee Report 19-011 - August 15, 2019
- 6.8 Emergency and Community Services Committee Report 19-009 - August 15, 2019

7. MOTIONS

- 7.1 Control System on Northbound Ramp of the Lincoln Alexander Parkway at Garth Street
- 7.2 Levels of Congestion on Garth Street and Scenic Drive at Peak Hours
- 7.3 Amendment to By-Law 19-125, being a by-law to Set and Levy the Rates of Taxation for the Year 2019 – Correction to Education Rates

8. NOTICES OF MOTIONS

9. STATEMENTS BY MEMBERS

10. PRIVATE AND CONFIDENTIAL

- 10.1 Closed Session Minutes - July 12, 2019 (distributed under separate cover)

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

11. BY-LAWS AND CONFIRMING BY-LAW

- 11.1 186

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

Schedule 9 (No Right Turn on Red)

Ward: 6

11.2 187

Respecting Removal of Part Lot Control, Block 202 on Registered Plan No. 62M-1238, municipally known as 239, 241, 243, 245, 247, 249 and 251 Skinner Road, Waterdown Bay Phase 2

PLC-19-020

Ward: 15

11.3 188

Respecting Removal of Part Lot Control, Lots 105 and 106 on Registered Plan No. 62M-1238, municipally known as 28 and 34 Skinner Road, Waterdown Bay Phase 2

PLC-19-020

Ward: 15

11.4 189

Respecting Removal of Part Lot Control, Lot 173 on Registered Plan No. 62M-1238, municipally known as 327 Humphrey Street, Waterdown Bay Phase 2

PLC-19-020

Ward: 15

11.5 190

Respecting Removal of Part Lot Control, Block 58, Registered Plan No. 62M-1105, Jackson Heights Phase 3a

PLC-19-027

Ward: 11

11.6 191

To Amend By-law No. 19-125 to Set and Levy the Rates of Taxation for the Year 2019

Ward: City Wide

11.7 192

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

Schedule 8 (No Parking Zones)

Schedule 12 (Permit Parking Zones)

Schedule 14 (Wheelchair Loading Zones)

Schedule 15 (Commercial Vehicle Loading Zones)

Ward: 1, 2, 3, 4, 7, 8

11.8 202

To Confirm the Proceedings of City Council

12. ADJOURNMENT



CITY COUNCIL MINUTES 19-013

9:30 a.m.
July 12, 2019
Council Chamber
Hamilton City Hall
71 Main Street West

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

Absent: Councillors S. Merulla, T. Whitehead - Personal

Mayor Eisenberger called the meeting to order and recognized that Council is meeting on the traditional territories of the Erie, Neutral, HuronWendat, Haudenosaunee and Mississaugas. This land is covered by the Dish with One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabek to share and care for the resources around the Great Lakes. It was further acknowledged that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

- 5.9 Correspondence respecting recent incidents that have occurred on City property and the Hamilton Pride 2019:
- (a) a list of scholars registering their profound concern about the recent treatment of members of Hamilton's queer, trans and Two Spirit community;
 - (b) a list of individuals expressing their strong concern and objection to the repression of queer community members in Hamilton; and,
 - (c) Alix MacLean.

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

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

- (a) Chantal Stieler
- (b) Lorraine Appleyard

Recommendation: Be received and referred to the consideration of Item 6 of Planning Committee Report 19-011.

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

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

7. MOTIONS

7.1. Control System on Northbound Ramp of the Lincoln Alexander Parkway at Garth Street (***deferred to the August 16, 2019 Council Meeting***)

7.2. Levels of Congestion on Garth Street and Scenic Drive at Peak Hours (***deferred to the August 16, 2019 Council Meeting***)

8. NOTICES OF MOTION

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

8.2 Waiving of Fees for the 2020 and 2021 Baseball Seasons for Glanbrook Slow Pitch League (Ward 11)

10. PRIVATE AND CONFIDENTIAL

10.3 Labour Relations Matter (no copy)

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

administrative tribunals, affecting the City and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

11. BY-LAWS AND CONFIRMING BY-LAW

- 19-164 To Amend By-law No. 11-080, being a By-law to Prohibit Smoking within City Parks and Recreation Properties
Ward: City Wide

- 19-165 To Amend Zoning By-law No. 05-200, as amended by By-law No. 17-240, respecting lands located at 50 Leavitt Boulevard, Flamborough
ZAH-19-041
Ward: 15

- 19-166 Being a By-law to Permanently Close and Sell a Portion of a Public Unassumed Alley abutting 102 Francis Street, established by Registered Plan 209, in the City of Hamilton, designated as Part 1 on Plan 62R-21177, being Part of PIN 17189-0305 (LT)
Ward: 3

- 19-167 To Adopt Official Plan Amendment to the Urban Hamilton Official Plan Respecting 305 and 311 Garner Road West (Ancaster)
Ward: 12

- 19-168 To Amend Zoning By-law No. 87-57 (Ancaster) Respecting Lands Located at 305 and 311 Garner Road
UHOPA-17-025
ZAC-17-058
Ward: 12

- 19-169 A By-law to Amend Zoning By-law No. 05-200 Respecting Lands Located at 305 and 311 Garner Road West (Ancaster)
UHOPA-17-027
ZAC-17-058
Ward: 12

- 19-170 A By-law to Amend By-law No. 18-199, being a By-law to Prohibit Driving School Instructing in the Restricted Areas
Ward: 4, 5

- 19-171 To Amend By-law No. 17-225, a By-law to Establish a System of Administrative Penalties
Table 19 – By-law 18-199 – Prohibit Drive School Instruction in the Restricted Areas
Ward: City Wide

- 19-172 Being a By-law to Appoint Hearing Officers Pursuant to the Administrative Penalty By-law No. 17-225 and to Repeal By-law No. 15-278
Ward: City Wide
- 19-173 To Amend City of Hamilton By-law No. 10-118, as amended, being a By-law to Regulate Exterior Property Maintenance including Vegetation, Waste and Graffiti
Ward: City Wide
- 19-174 To Amend Town of Dundas Zoning By-law No. 3581-86 Respecting Lands Located at 574 Northcliffe Avenue, Dundas ZAR-19-019
Ward: 13
- 19-175 To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses
Schedule 14 – Tree Cutting Services
Ward: City Wide
- 19-176 Respecting Removal of Part Lot Control on Part of Block 96 Registered Plan of Subdivision 62M-1250 and Block 1 and Block 4 on Registered Plan of Subdivision 62M-1263 - Central Park – Madison, 1831 Rymal Road East
PLC-19-010
Ward: 9
- 19-177 Respecting Removal of Part Lot Control on Part of Block 96 on Registered Plan of Subdivision 62M-1250 - Central Park – Madison, 1831 Rymal Road East
PLC-19-009
Ward: 9
- 19-178 To Establish City of Hamilton Land Described as part 1 and 4 on Plan 62R-20060 as Part of Acadia Drive
Ward: 7
- 19-179 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic Schedule 5 (Stop Control)
Ward: 1, 3, 8, 13, 14
- 19-180 To Appoint the City Auditor as Auditor General Under Section 223.19 of the Municipal Act, 2001
Ward: City Wide
- 19-181 Whistleblower By-law
Ward: City Wide
- 19-182 To Appoint a City Clerk for the City of Hamilton (to be distributed)

Ward: City Wide

- 19-183 To Appoint a Deputy City Clerk for the City of Hamilton

- 19-184 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 13 (No Stopping Zones)
Ward: 2

- 19-185 To confirm the proceedings of Council.

(Pearson/Ferguson)

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

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

- YES - Councillor Maureen Wilson
- YES - Councillor Jason Farr
- YES - Councillor Nrinder Nann
- NOT PRESENT - Councillor Sam Merulla
- 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
- NOT PRESENT - Councillor Terry Whitehead
- NOT PRESENT - Councillor Arlene VanderBeek
- YES - Deputy-Mayor Lloyd Ferguson
- YES - Councillor Brenda Johnson
- YES - Councillor Maria Pearson
- YES - Councillor Brad Clark

DECLARATIONS OF INTEREST

Councillor J. P. Danko declared an interest to Item 10, School Board Properties Sub-Committee Report 19-001, of the General Issues Committee Report 19-013, as his wife is the Vice Chair of the Hamilton-Wentworth District School Board.

Councillor B. Clark declared an interest to Item 17, Report PED19142/LS19028/PW19061 - Application for Approval to Expropriate Property in Ward 3, of the General Issues Committee Report 19-013, as the party noted in the report was a former client.

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

Mayor Eisenberger presented the Sovereign's Medal for Volunteers to Robert DeWolfe for his volunteerism with youth, the Navy League of Canada Cadets and Scouts for three decades. Mr. DeWolfe has also served as the liaison with local colleges on behalf of the Ontario Association of Certified Engineering Technicians and Technologists for the past 25 years.

APPROVAL OF MINUTES OF PREVIOUS MEETING**4.1 June 26, 2019****(Collins/Clark)**

That the Minutes of the June 26, 2019 meeting of Council be approved, as presented.

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

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

COMMUNICATIONS

(Ferguson/Clark)

That Council Communications 5.1 to 5.11 be approved, **as amended**, as follows:

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

Recommendation: **Be endorsed.**

- 5.2 Correspondence from the Honourable Jeff Yurek, Minister of Transportation in response to the Mayor's letter respecting Hamilton's Light Rail Transit (LRT) project.

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

- 5.3 Correspondence from the Human Rights Tribunal of Ontario respecting Creer v. Hamilton.

Recommendation: Be received.

- 5.4 Correspondence calling on the City to save the Wesley Day Centre and to fulfill its commitment to open a Consumption and Treatment Services Site.

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

- 5.5 Correspondence from the Town of Oakville to the Minister of Transportation, the Lieutenant Governor of Ontario and the Attorney General respecting their resolution regarding Traffic Calming and Speed Limit Review and requesting support from the City.

Recommendation: **Be endorsed.**

- 5.6 Correspondence from the City of Brantford advising the Premier of Ontario of their Endorsement of the LUMCO Resolution regarding Retail Cannabis Stores and requesting support from the City.

Recommendation: **Be endorsed.**

- 5.7 Correspondence from Paul Dube, Ombudsman of Ontario, respecting the results of the Ombudsman's investigation into whether the Selection Committee held a vote in closed session on March 1, 2019 that did not comply with the open meeting rules in the Municipal Act, 2001.

Recommendation: Be received.

- 5.8 Correspondence from Paul Dube, Ombudsman of Ontario, respecting the results of the Ombudsman's investigation into whether the portions of two meetings (February 13, 2019 and April 18, 2019) were closed to public when entrances to City Hall were locked or barricaded during part of each meeting.

Recommendation: Be received.

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

- (a) a list of scholars registering their profound concern about the recent treatment of members of Hamilton's queer, trans and Two Spirit community;
- (b) a list of individuals expressing their strong concern and objection to the repression of queer community members in Hamilton; and,
- (c) Alix MacLean.

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

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

- (a) Chantal Stieler
- (b) Lorraine Appleyard

Recommendation: Be received and referred to the consideration of Item 6 of the Planning Committee Report 19-011.

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

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

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

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

YES - Councillor Brad Clark

(Johnson/Ferguson)

That Council move into Committee of the Whole for consideration of the reports.

CARRIED

GENERAL ISSUES COMMITTEE REPORT 19-013

1. Local Impact of the Celebrate Ontario Fund on Festivals in Hamilton (PED19147) (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
NOT PRESENT - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

2. Recognition for Local Order of Canada Recipients (Item 8.1)

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

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

YES - Councillor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

3. Hamilton Urban Indigenous Strategy (HSC19030) (City Wide) (Item 9.1)

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

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

4. 2020 Budget Guidelines, Outlook and Process (FCS19054) (City Wide) (Item 9.2)

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

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

YES - Councillor Maria Pearson
YES - Councillor Brad Clark

6. Business Improvement Area Advisory Committee Report 19-006, June 11, 2019 (Item 10.2)

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

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

7. Airport Sub-Committee Report 19-003, June 21, 2019 (Item 10.3)

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

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

YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(Eisenberger/Partridge)

That sub-section (b) to Item 8 of the of the General Issues Committee Report 19-013, respecting Report HUR19014 – the 2019 Non-Union Management & Professional Exempt Group Compensation, be deleted in its entirety and replaced with the following in lieu thereof:

8. Non-Union Compensation Sub-Committee Report 19-001

(b) 2019 Non-Union Management & Professional Exempt Group Compensation (HUR19014) (City Wide) (Item 8.2)

~~That the contents of Report HUR19014, respecting the compensation of the Non-Union Management & Professional Exempt Group of employees, remain confidential until approved by Council.~~

- (a) *That the salary schedule for the Non-Union Management & Professional Exempt Group be increased by 1.6% effective January 1, 2019, to be consistent with the 2019 negotiated memorandum of settlement for CUPE Local 5167, with individual salaries adjusted accordingly;***
- (b) *That the Non-Union Management & Professional Exempt Group be increased by 1.6% effective on January 1, 2020, 2021 and 2022, so long as the increases continue to maintain the targeted 50th percentile position in accordance with the Total Compensation Policy;***
- (c) *That, in the event that the percentile cannot be maintained, for the Non-Union Management & Professional Exempt Group, with the 1.6% proposed due to wage increases with our comparators, staff be directed to report back to the Non-Union Compensation Sub-Committee, prior to making adjustments on January 1, 2020, 2021 and 2022 to maintain the targeted 50th percentile position;***
- (d) *That supplemental employment benefits (maternity/parental top-up) be provided for those employees in the Non-Union Management & Professional Exempt Group who are in receipt of Pregnancy/Parental benefits, pursuant to the Employment Insurance Act, consistent with the 2019 negotiated memorandum of settlement for CUPE Local 5167, to take effect July 1, 2019;***
- (e) *That staff be directed to amend the Income Protection Plan for the Non-Union Management & Professional Exempt Group to be consistent with the amendments made to the Income Protection Plan, as negotiated with CUPE Local 5167, to take effect January 1, 2020;***

- (f) ***That the extended health and dental plan for the Non-Union Management & Professional Exempt Group be amended to be consistent with the negotiated memorandum of settlement for CUPE Local 5167, along with additional changes, as detailed in Appendix "C" to Report HUR19014 – Non-Union Benefit Plan Amendments, to take effect August 1, 2019; and,***
- (g) ***That staff be directed to report back to the General Issues Committee in the Fall of 2019, with a benefit plan redesign options for the Non-Union Management & Professional Exempt Group.***

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

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

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

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

YES - Councillor Maria Pearson
YES - Councillor Brad Clark

9. Affordable Housing Site Selection Sub-Committee Report 19-001, June 18, 2019 (Item 10.5)

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

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

10. School Board Properties Sub-Committee Report 19-001 - June 24, 2019 (Item 10.6)

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

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

11. Facility Naming Sub-Committee Report 19-001, June 25, 2019 (Item 10.7)

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

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

12. Government Relations Sub-Committee Report 19-001, June 27, 2019 (Item 10.8)

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

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

13. Hamilton Future Fund Board of Governors Report 19-002 - June 25, 2019 (Item 10.9)

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

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

14. Hate Related Activities on City of Hamilton Properties (LS19031/PW19068) (City Wide) (Item 10.10)

(Clark/Nann)

- (a) That Appendix "C" to Item 14 of the General Issues Committee Report 19-013, respecting Report LS19031/PW19068 - Hate Related Activities on City of Hamilton Properties, being the Guidelines and Restrictions for Assemblies and Demonstrations, be amended, as follows:

The following activities are prohibited during Assemblies and Demonstrations:

- (a) Use of generators ***without prior approval;***
- (b) Use of electrical outlets ***without prior approval;***
- (c) ~~Distribution of food or beverage;~~
- (d) ~~Use of flames or candles (electronic candles permitted);~~
- (e) Interfering with a picnic, organized gathering or event authorized by permit;
- (f) ~~Selling, offering to sell, or displaying for sale;~~
- (g) ~~Soliciting for business or charity;~~
- (h) ~~Distribution of circulars, advertisements, or promotional items;~~
- (i) Driving a vehicle other than on a designated roadway or parking area;
- (j) ~~Use of any sound amplifying equipment;~~
- (k) Engaging in riotous, ~~boisterous~~, violent, threatening, or illegal activity; ~~or using profane or abusive language;~~
- (l) ~~Engaging in any activity that creates a nuisance or that interferes with the use and enjoyment of the space by other persons;~~
- (m) Engaging in any activity that may cause injury or damage to any person, animal, tree or property;

- (o) Erecting, placing or installing any permanent ~~or temporary~~ structure, tent or booth;
 - (p) Closing a road ***without prior approval***;
 - (q) Littering on City property;
 - (r) Affixing or installing ~~temporary or~~ permanent posters/signs/banners;
 - (s) Use of ~~temporary or~~ permanent markings such as ~~chalk, crayons,~~ markers, spray paint, etc. to deface municipally owned properties.
- (b) That sub-section (d) to Item 14 of the General Issues Committee Report 19-013, respecting Report LS19031/PW19068 - Hate Related Activities on City of Hamilton Properties, be amended, by adding the words "***as amended***", to read as follows:
- (d) That the draft procedure for Notification of Assembly or Demonstration on City of Hamilton Public Spaces, attached as Appendix "C", ***as amended***, to Report 19-013, be approved, in principle;

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

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

(Wilson/Nann)

That new sub-sections (j) and (k) be added to Report LS19031/PW19068, respecting Hate Related Activities on City of Hamilton Properties, to read as follows:

- (j) That the proposed protocols and procedures that will guide the City's surveillance activities be included in the City's public consultation respecting hate related activities on City of Hamilton properties; and,
- (k) That the City Manager seek advice from the Information and Privacy Commissioner and the City's Legal Counsel respecting the City's existing and proposed enhanced policy and procedures pertaining to video camera surveillance, prior to public consultation.

(Eisenberger/Partridge)

- (a) That sub-sections (j) and (k) to the Motion, respecting Report LS19031/PW19068 – Hate Related Activities on City of Hamilton Properties, be reversed; and,
- (b) That sub-section (k) be deleted in its entirety and replaced with the following in lieu thereof:
 - (b) *That the current protocol and any additional protocols and procedures that will guide the City's surveillance activities be included in the City's public consultation respecting the City's existing enhanced policy and procedures pertaining to video camera surveillance, prior to public consultation.*

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

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

(Wilson/Nann)

- (j) *That the City Manager seek advice from the Information and Privacy Commissioner and the City's Legal Counsel respecting the City's existing and proposed enhanced policy and procedures pertaining to video camera surveillance, prior to public consultation; and,*
- (k) *That the current protocol and any additional protocols and procedures that will guide the City's surveillance activities be included in the City's public consultation respecting the City's existing enhanced policy and procedures pertaining to video camera surveillance, prior to public consultation.*

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

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

(Wilson/Nann)

- (j)** ***That the City Manager seek advice from the Information and Privacy Commissioner and the City's Legal Counsel respecting the City's existing and proposed enhanced policy and procedures pertaining to video camera surveillance, prior to public consultation; and,***

- (k)** ***That the current protocol and any additional protocols and procedures that will guide the City's surveillance activities be included in the City's public consultation respecting the City's existing enhanced policy and procedures pertaining to video camera surveillance, prior to public consultation.***

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

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

YES - Councillor Brad Clark

- (a) That, subsequent to internal and external review, Human Resources staff be directed to report back to General Issues Committee with the Hate Incident Prevention Policy and Procedure, attached in draft form as Appendices “A” and “B” to Report 19-013, respectively, by October 2019;
- (b) That Legal Services staff be directed to prepare a by-law to address the issuance of trespass notices by City Staff for consideration by Council in October 2019;
- (c) That staff be directed to require facilities rental applicants and organizers of assemblies or demonstrations to abide by the Hate Related Incident Prevention Policy;
- (d) That the draft procedure for Notification of Assembly or Demonstration on City of Hamilton Public Spaces, attached as Appendix “C”, **as amended**, to Report 19-013, be approved, in principle;
- (e) That the recommendations in Corporate Security Office Report CSOR 19-001, attached as Appendix “D” to Report 19-013, be approved, as follows:
 - (i) That Corporate Security Office in coordination with Facility Management, Human Resources and Corporate Communications, produce and post signage to notify all persons entering the City Hall property of the expectations related to behaviour and conduct while on City property, and the City’s Zero Tolerance approach regarding harassment, discrimination, hate, violence and criminal behaviour, including the collection of evidence to support law enforcement investigations;
 - (ii) That Corporate Security Office create a procedure for all security staff on how to collect, document, analyze and report on surveillance, materials and messaging during public gatherings and distribute their findings and evidence when required to various City divisions (i.e. Human Resources, Legal Services) and external Law Enforcement partners for further follow-up and investigation related to potential harassment, discrimination, hate, violence and criminal behaviour taking place in the open public spaces on the City Hall property;
 - (iii) That Corporate Security Office to procure safety mitigating tools such as portable barriers to support Hamilton Police in the enforcement of safe and peaceful demonstrations that take place in the City Hall outdoor public space;
 - (iv) That Corporate Security Office to procure the enhancement of the City Hall property video surveillance technology to increase its current general surveillance capacity to an evidentiary purpose solution.

- (v) That Corporate Security Office to research, identify and report on physical environment enhancements to the City Hall exterior open space to promote the safety and security of all persons who are attending the property for peaceful use and enjoyment of the space;
- (vi) That Corporate Security Office hire and train a Security Investigator for the purpose of providing security related services at City owned properties as required including but not limited to Assemblies and Protests. Corporate Security Office to further identify and report on future security staffing resource enhancements for City Hall to ensure appropriate resource levels are responsive to the needs of Members of Council and its Committee's, City staff, contractors, residents and visitors in the delivery of good government;
- (f) That a capital expenditure not exceeding \$100,000 from the Facilities Security Program Capital Account #3541941631 to implement the recommendations in sub-section (e) above be approved;
- (g) That staff be directed to hire a Security Investigator for a temporary 24 month period using the Budget Complement Control Policy, to be trained and tasked with investigating and documenting Hate Related Activities on City owned properties across the city and that funding for this position be allocated from Operating Budget Dept ID #790017, and that an operating budget enhancement be referred to the 2020 Operating Budget process;
- (h) That the item respecting Means to Mitigate the Use of City Parks and Public Spaces by "Hate Groups" be removed from the General Issues Committee Outstanding Business List;
- (i) That Legal staff be directed to contact Police or the Crown Attorney to determine if the City could issue prohibition to attend at municipal properties; specifically, the Hamilton City Hall Forecourt, as part of their condition of release via standard bail conditions or parole conditions, if convicted;
- (j) ***That the City Manager seek advice from the Information and Privacy Commissioner and the City's Legal Counsel respecting the City's existing and proposed enhanced policy and procedures pertaining to video camera surveillance, prior to public consultation; and,***
- (k) ***That the current protocol and any additional protocols and procedures that will guide the City's surveillance activities be included in the City's public consultation respecting the City's existing enhanced policy and procedures pertaining to video camera surveillance, prior to public consultation.***

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

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

15. **Integrating an Equity, Diversity & Inclusion (EDI) Framework to the Policies and Procedures of the Selection Committee and Interview Sub-Committees respecting Appointment of Citizens to the City's Agencies, Boards and Committees (Item 11.3)**

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

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

16. **Amendment to Item 8 of the General Issues Committee Report 18-014, respecting Report PED16253(b) – 18-28 King Street East, Extension of**

Conditional Approval, Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program (Item 11.4)

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

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

17. Application for Approval to Expropriate Property in Ward 3 (PED19142/LS19028/PW19061) (Ward 3) (Item 14.2)

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

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

18. Application for Approval to Expropriate Property in Ward 15 (LS19026/PW19067/PED19141) (Ward 15) (Item 14.3)

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

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

19. Waterfront Lease Update (LS18053(c)) (Ward 2) (Item 14.4)

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

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

(Eisenberger/Partridge)

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

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

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

SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET REPORT 19-001

3. Hamilton Farmers' Market Board Resolution, respecting the Transfer of Year-end Surplus of the Hamilton Farmers' Market Board (Item 5.3)

That \$39,419, the full amount of the 2018 year-end surplus, be transferred from the Hamilton Farmers' Market operating account (720400) to the Hamilton Farmers' Market Reserve Account (1004006).

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

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

YES - Councillor Maria Pearson
YES - Councillor Brad Clark

4. Hamilton Farmers' Market Board of Directors Resolution (Item 5.4)

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

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

(Eisenberger/VanderBeek)

That the FIRST Report of the Sole Voting Member of the Hamilton Farmers' Market be adopted, 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
NOT PRESENT - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

HAMILTON STREET RAILWAY COMPANY SHAREHOLDER REPORT 19-001

1. Shareholder Resolution (Item 4.1)

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

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

(Eisenberger/VanderBeek)

That the FIRST Report of the Hamilton Street Railway Company Shareholder be adopted, 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
- NOT PRESENT - Councillor Sam Merulla
- YES - Councillor Chad Collins
- YES - Councillor Tom Jackson
- YES - Councillor Esther Pauls
- YES - Councillor John-Paul Danko
- YES - Deputy-Mayor Lloyd Ferguson
- YES - Mayor Fred Eisenberger
- YES - Councillor Judi Partridge
- NOT PRESENT - Councillor Terry Whitehead
- YES - Councillor Arlene VanderBeek
- YES - Councillor Brenda Johnson
- YES - Councillor Maria Pearson
- YES - Councillor Brad Clark

PLANNING COMMITTEE REPORT 19-011

- 1. Amend Appendix 1 of By-law 18-199, a By-law to Prohibit Driving School Instructing in the Restricted Areas and Expand Schedule A of the Administrative Penalty System (APS) By-law 17-225 to Include Contraventions of By-law 18-199 (PED17179(c)) (Wards 4 and 5) (Item 7.1)**

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

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

- 2. Hearing Officer Appointment By-law for Administrative Penalty System (PED19122) (City Wide) (Item 7.2)**

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

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

3. Amendments to Yard Maintenance By-law 10-118 to Include Inoperative Vehicles (PED19144) (City Wide) (Item 7.3)

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

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

4. Hamilton Municipal Heritage Committee Report 19-004 (Item 7.4)

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

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

5. Application for Draft Plan of Condominium (Vacant Land) for Lands Located at 121 Fiddler's Green Road (PED19131) (Ward 12) (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
NOT PRESENT - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

6. Lorraine Appleyard respecting an Order to Remove Ducks and Changes to the By-law (Item 6.1)

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

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

YES - Councillor Brad Clark

7. Application to Amend Town of Dundas Zoning By-law No. 3581-86 Respecting Lands Located at 574 Northcliffe Avenue, Dundas (PED19132) (Ward 13) (Item 8.3)

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

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

8. Amend Business Licensing By-law 07-170 to Include a New Licence Category for Tree Cutting Services as Schedule 14 (PED19008(a)) (City Wide) (Item 10.1)

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

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

YES - Councillor Brad Clark

9. Authorization for 100 Hamilton Street GP Inc. to apply for Variances to a By-law for Lands Located at 100 Hamilton Street North (Flamborough) (Item 11.1)

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

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

10. 9 Main Street North, Waterdown - Municipal Register of Property of Cultural Value or Interest (Item 12.1)

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

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

NO - Councillor Brad Clark

11. Liquor Licence Act - Auxiliary Zone Changes (Item 12.2)

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

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

(Pearson/Johnson)

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

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

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

PUBLIC WORKS COMMITTEE REPORT 19-010

1. Intersection Control List (PW19001(c)) (Wards 1, 3, 8, 13 and 14) (Item 7.2)

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

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

(Danko/Nann)

That Item 5 of the Public Works Committee Report 19-010, be amended by adding new subsections (d) and (e), to read as follows:

5. Bill 65 - Neighbourhood Speed Limit Reduction Implementation (PW19058) (City Wide) (Item 10.1)

- (a) That staff be directed to implement city-wide neighbourhood speed-limit reductions on local and minor collector roadways to 40 km/hr., as outlined in Appendix "A", as amended, to Public Works Committee Report 19-010;
- (b) That the speed limit in designated school zones on local and minor collector roadways be reduced to 30 km/hr. within 150 meters of a school boundary, in conjunction with implementation of neighbourhood 40 km/hr. speed limit reductions;
- (c) That staff be directed to include the Landsdale neighbourhood (Ward 3) with the boundaries of the rail corridor to Main Street East and Wellington Avenue

to Birch Avenue, capturing school zones for Cathy Wever Elementary School and Cathedral Secondary School, as outlined in Appendix "A", as amended, attached to Public Works Committee Report 19-010;

- (d) ***That staff be directed to prepare the necessary by-laws, in the form satisfactory to the City Solicitor, to implement city-wide neighbourhood speed-limit reductions on local and minor collector roadways to 40km/hr., as outlined in Appendix "A", as amended, to Public Works Committee Report 19-010; and,***
- (e) ***That staff be directed to prepare the necessary by-laws, in the form satisfactory to the City Solicitor, to implement speed limit reductions in designated school zones on local and minor collector roadways to 30 km/h within 150 meters of a school boundary, in conjunction with the implementation of neighbourhood 40 km/hr. speed limit reductions, as outlined in Appendix "A", as amended, to Public Works Committee Report 19-010.***

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

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

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
NOT PRESENT - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Lloyd Ferguson

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

6. Mountain Climber Phase Two Pilot Results and Phase Three Expansion (PW17026(b)) (City Wide) (Item 10.2)

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

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

7. Transit Shelter Standardization (PW19064) (City Wide) (Item 10.4)

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

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

YES - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

**8. Smart Commute Workplace Mobility Program Transition (PED19124) (City Wide)
(Item 10.6)**

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

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

**9. Additional Funding Allocation to Contract C15-31-19 (Annual Concrete and
Asphalt Repairs) (P.O. #91528) for Sidewalk Maintenance and Repairs in Ward 2
(Item 11.1)**

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
NOT PRESENT - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Lloyd Ferguson
YES - Mayor Fred Eisenberger

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

10. 2019 Canadian Little League Championship - Waiving of Rental Fee for Bleachers (Ward 12) (Item 11.2)

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

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

11. Kenilworth Avenue Christmas Wreath Program (Ward 4) (Item 11.3)

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

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

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

12. Commemorative Designation of Paisley Avenue North, Hamilton, as "Anne Jones Way" (Ward 1) (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
NOT PRESENT - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

13. Legal Street Art Wall at Woodlands Park for the Concrete Canvas Street Art Festival (Ward 3) (Item 11.5)

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
NOT PRESENT - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Lloyd Ferguson

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

- 14. Installation of Type B Pedestrian Crossover on Cannon Street East and 40 km/hr. School Zone Speed Limit with Flashing Beacons on King Street East for Bernie Custis Secondary School, on Main Street East for Memorial School and on King Street East and Main Street East for St. Patrick Catholic Elementary School (Ward 3) (Item 11.6)**

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

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

- 15. Drinking Fountain Installation at Various Parks and Public Spaces in Ward 3 as Part of the Zero Plastic Waste Initiative (Item 11.7)**

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

YES - 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 - Deputy-Mayor Lloyd Ferguson

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

16. Funding for Various Public Infrastructure Initiatives in Ward 3 (Item 11.8)

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

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

17. Valley Park Sign Beautification Upgrades (Ward 9) (Item 11.9)

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

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

YES - Councillor Maria Pearson
YES - Councillor Brad Clark

18. Installation of Ladder Style Crosswalks at the Intersection of Rosemont Avenue and Barnesdale Drive (Ward 3) (Added Item 11.10)

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

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

(Danko/Pauls)

That the TENTH Report of the Public Works 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
NOT PRESENT - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

BOARD OF HEALTH REPORT 19-007

1. Communications (Items 5.5 - 5.7)

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

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

5. Seniors Oral Health (BOH19026) (City Wide) (Item 7.4)

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

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

(Eisenberger/Partridge)

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

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

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

(Johnson/Ferguson)

That Section 5.7(2) of the City's Procedural By-law 18-270, which provides that a minimum of 48 hours shall pass before a Standing Committee Report is presented to Council, be waived in order to consider the Audit, Finance and Administration Committee Report 19-010 and Emergency and Community Services Committee Report 19-008.

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

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

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 19-010

5. Tax and Rate Operating Budget Variance Report as at April 30, 2019 – Budget Control Policy Transfers (FCS19055) (City Wide) (Item 9.1)

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

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

6. Fraud and Waste Hotline Launch (AUD19011) (City Wide) (Item 9.2)

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

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

9. 2018 City of Hamilton Financial Report and Audited Financial Statements (FCS19048) (City Wide) (Item 10.2)

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

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

10. Audit Report - Housing Services Division: Capital (AUD19004) (City Wide) (Item 10.3)

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

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

11. Virtual Reality Stations for the Canadian Warplane Heritage Museum (Added Item 11.1)

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

YES - Councillor Maureen Wilson

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

12. Invocation of the Residential Municipal Relief Assistance Program (Added Item 11.2)

(Pearson/Collins)

That sub-section (a) to Item 12 of the Audit, Finance & Administration Committee Report 19-010, be amended, by adding the words "**to the Grimsby boundary**", to read as follows:

- (a) That for the purpose of invoking the Residential Municipal Relief Assistance Program for basement flooding, City Council declare a disaster for the record lake levels of 2019 for all properties that experienced basement flooding from March 31, 2019 to July 11, 2019 and within the area bounded on the west by Beach Boulevard Park 2, on the east by Fifty Road **to the Grimsby boundary**, on the north by Lake Ontario, and on the South by the Queen Elizabeth Highway;

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

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

YES - Councillor Maria Pearson
YES - Councillor Brad Clark

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

WHEREAS, the City of Hamilton invoked the Residential Relief Assistance Program for basement flooding from record Lake Ontario water levels in 2017;

WHEREAS, the 2019 Lake Ontario level surpassed the 2017 levels impacting municipal infrastructure and private properties in the Beach Neighbourhood; and

WHEREAS, the Beach Boulevard Community has been identified as particularly vulnerable to rising lake levels given its low-lying elevation;

THEREFORE, BE IT RESOLVED

- (a) That for the purpose of invoking the Residential Municipal Relief Assistance Program for basement flooding, City Council declare a disaster for the record lake levels of 2019 for all properties that experienced basement flooding from March 31, 2019 to July 11, 2019 and within the area bounded on the west by Beach Boulevard Park 2, on the east by Fifty Road **to the Grimsby boundary**, on the north by Lake Ontario, and on the South by the Queen Elizabeth Highway;
- (b) That payment of claims be based on compassionate grounds only and not to be construed as an admission of liability on the part of the City of Hamilton;
- (c) That the eligibility criteria for the Residential Municipal Disaster Relief Assistance Program as previously approved in Report FCS06007 respecting the Proposed Residential Municipal Disaster Relief Assistance Program for Basement Flooding be applied;
- (d) That each eligible property be limited to one grant only for this enactment of the grant program;
- (e) That the costs associated with these claims be funded from the Storm Sewer Reserve 108010; and,
- (f) That staff be authorized, if required, to retain an independent adjuster for the administration of claims under the Residential Municipal Disaster Relief Assistance Program and that these administrative costs be funded from the Storm Sewer Reserve 108010.

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr

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

13. IBI Group Project Management Assignments (PW19066) (Ward 8) (Item 14.1)

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

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

(Collins/Jackson)

That the TENTH Report of the Audit, Finance and 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
NOT PRESENT - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 19-008

1. Co-ordinated Access System for Social Housing (CES14052(e)) (City Wide) (Item 7.2)

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

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

**6. Wesley Day Centre (HSC19040) (Ward 2) (Item 10.4)
(Jackson/Nann)**

That Item 6 of the Emergency & Community Service Committee, respecting Report HSC19040 – Wesley Day Centre, be deleted in its entirety and replaced with the following in lieu thereof:

- ~~(a) That Report HSC19040, respecting the Wesley Day Centre, be received.~~
- ~~(b) That staff meet with Wesley Urban Ministries to develop a cost-sharing agreement to fund the Wesley Day Centre to continue service at 195 Ferguson Ave. N. up to March 31, 2020;~~
- ~~(c) That the agreement be structured such that Wesley Urban Ministries and the City report back to the Emergency and Community Services Committee in November 2019 with a status update on the progress toward a permanent location and funding requirements post March 31, 2019;~~
- ~~(d) To explore any additional potential funding partnerships in the community, and;~~
- ~~(e) That the funding source is to be determined by Council.~~
- (a) That Report HSC19040, respecting the Wesley Day Centre, be received;**
- (b) That staff be directed to develop a cost-sharing agreement with Wesley Urban Ministries Inc. totalling not more than \$325,000 to fund the continuation of the Wesley Day Centre at 195 Ferguson Avenue North up to March 31, 2020;**
- (c) That staff and Wesley Urban Ministries report back to the Emergency and Community Services Committee in November 2019 with a status update including the progress toward a permanent location, the potential partnership with the Consumption and Treatment Services site and any anticipated funding requirements after March 31, 2020;**
- (d) That staff be directed to explore any additional potential funding partnerships in the community to help reduce the City's funding contribution toward the Wesley Day Centre at 195 Ferguson Avenue North;**
- (e) That the City's contribution to a maximum of \$265,000, toward the Wesley Day Centre at 195 Ferguson Avenue North, to be funded through the 2019 Housing Services Operating Budget, DEPTID 673245, or Tax Stabilization Reserve 110046, be approved, and;**
- (f) That the General Manager of the Healthy and Safe Communities Department be authorized and directed to execute the cost-sharing funding agreement between the City of Hamilton and Wesley Urban Ministries, in a form satisfactory to the City Solicitor.**

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

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

- (a) ***That Report HSC19040, respecting the Wesley Day Centre, be received;***
- (b) ***That staff be directed to develop a cost-sharing agreement with Wesley Urban Ministries Inc. totalling not more than \$325,000 to fund the continuation of the Wesley Day Centre at 195 Ferguson Avenue North up to March 31, 2020;***
- (c) ***That staff and Wesley Urban Ministries report back to the Emergency and Community Services Committee in November 2019 with a status update including the progress toward a permanent location, the potential partnership with the Consumption and Treatment Services site and any anticipated funding requirements after March 31, 2020;***
- (d) ***That staff be directed to explore any additional potential funding partnerships in the community to help reduce the City's funding contribution toward the Wesley Day Centre at 195 Ferguson Avenue North;***
- (e) ***That the City's contribution to a maximum of \$265,000, toward the Wesley Day Centre at 195 Ferguson Avenue North, to be funded through the 2019 Housing Services Operating Budget, DEPTID 673245, or Tax Stabilization Reserve 110046, be approved, and;***
- (f) ***That the General Manager of the Healthy and Safe Communities Department be authorized and directed to execute the cost-sharing funding agreement between the City of Hamilton and Wesley Urban Ministries, in a form satisfactory to the City Solicitor.***

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

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

7. Request for Qualifications for Service System Managers – Employment Services Transformation (HSC19041) (City Wide) (Added Item 10.5)

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

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

8. CityHousing Hamilton’s Third Annual Community Health Fair (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
NOT PRESENT - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

9. Summer Programming for Ward 3 Kids (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
NOT PRESENT - Councillor Sam Merulla
YES - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Deputy-Mayor Lloyd Ferguson
YES - Mayor Fred Eisenberger
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(Pauls/Jackson)

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

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

YES - Councillor Maureen Wilson
YES - Councillor Jason Farr
YES - Councillor Nrinder Nann
NOT PRESENT - Councillor Sam Merulla

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

(Johnson/Clark)

That the Committee of the Whole Rise and Report.

CARRIED

MOTIONS

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

(Ferguson/Pearson)

WHEREAS, on June 13, 2018, Hamilton City Council ratified Item 5 of the Public Works Committee Report 18-008, which included amendments to the recommendations of Report PW17089(a) – Ancaster Tennis Bubble, approving funding towards the installation of a tennis dome in the form of an interest-bearing loan in the amount \$290,000 for the Ancaster Tennis Club;

WHEREAS, the Ancaster Tennis Club is a not-for-profit organization that has requested the \$290,000 interest-bearing loan be changed to an interest-free loan to assist with funding the installation of a tennis dome;

WHEREAS, the City’s External Loan Guidelines provides for interest-free loans to organizations for upgrades or enhancements to City-owned facilities or properties; and,

WHEREAS, this loan would be in accordance with the City’s External Loan Guidelines for loans to not-for-profit organizations;

THEREFORE, BE IT RESOLVED:

- (a) That sub-section (c) to Item 5 of the Public Works Committee Report 18-008, respecting Report PW17089(a) – Ancaster Tennis Bubble, which was approved by Council on June 13, 2018, be amended by adding the words “interest free”, to read as follows:

- (c) That staff be directed to negotiate a change to the licensing agreement between the Ancaster Tennis Club (ATC) and the City to reflect a City *interest free* loan to the ATC of \$290,000; and
- (b) That sub-section (e) be added to Item 5 of the Public Works Committee Report 18- 008, respecting Report PW17089(a) – Ancaster Tennis Bubble, which was approved by Council on June 13, 2018, as follows:
 - (e) That the annual repayment on the interest-free loan, provided to the Ancaster Tennis Club for the installation of a tennis dome, in the amount of \$290,000, to be paid in the amount of \$19,333.33 over 15 years on the anniversary dates of the loan advance.

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

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

7.4 Appointments to the Hamilton Aboriginal Advisory Committee

(Nann/Danko)

WHEREAS, on July 10, 2015, Council approved the following direction, as part of Report CM15007, Review of the City of Hamilton's Advisory Committees:

That the local Hamilton Aboriginal Community leadership, recommend to Council the appointment of residents from the Hamilton Aboriginal community, to sit on the Hamilton Aboriginal Advisory Committee.

WHEREAS, the Hamilton Aboriginal Advisory Committee at its meeting of June 19, 2019, considered the recommendations for appointments made by the identified members of the Indigenous community leadership.

THEREFORE, BE IT RESOLVED:

That the following citizens be appointed to the Hamilton Aboriginal Advisory Committee for the 2018-2022 term commencing on July 12, 2019:

- (a) Constance (Connie) Bellamy
- (b) Cat Cayuga
- (c) Scott Cruickshank
- (d) Deborah Elmes
- (e) Allan Loft
- (f) Laura Workman
- (g) Marilyn Wright
- (h) Patty Lawlor (Ally, non-voting)
- (i) Khitanya Petgrave (Ally, non-voting)

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

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

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

(Eisenberger/Danko)

WHEREAS, on March 14, 2018, the Honourable Amarjeet Sohi, Minister of Infrastructure and Communities, and the Honourable Bob Chiarelli, Ontario Minister of Infrastructure, announced the signing of a bilateral agreement that will provide federal funding through the Investing in Canada Plan over the next decade dedicated to infrastructure projects, which includes investments in public transit from the Investing in Canada Infrastructure Program (ICIP), (formerly known as the Public Transit Infrastructure Fund Phase II (PTIF)) in the amount of \$511.0M; the Government of Canada in the amount of \$204.4M (40%); the Government of Ontario

in the amount of \$168.6M (33%) and the City of Hamilton in the amount of \$138.0M (27%);

WHEREAS, this news follows information previously released on March 22, 2017 in the Federal 2017 Budget, with a second phase of federal investments for the rehabilitation, repair and modernization of existing infrastructure, with one key element of the plan being \$33B in infrastructure funding to be delivered through bilateral agreements currently being negotiated between the Federal government and each of the provinces and territories;

WHEREAS the Government of Canada proposes to deliver up to a maximum of \$10,371,166,789 to the Government of Ontario in four key areas: public transit; green infrastructure; community, culture and recreation infrastructure; and rural and northern communities infrastructure under this Agreement;

WHEREAS, under the current Government of Ontario, no commitment has been announced to provide the previously announced 33% of the cost share with the Government of Canada;

WHEREAS, the bilateral agreements between the Government of Canada and the Government of Ontario is integral to the overall City of Hamilton's Transit Strategy; and

WHEREAS, the delays and the uncertainty around the original commitment of 33% of the cost share with the Government of Canada, will significantly jeopardize the City of Hamilton's ability to develop and expand the transit system as planned if funding is not supported by both levels of senior government.

THEREFORE, BE IT RESOLVED:

- (a) That the Mayor correspond with the Honourable Caroline Mulroney, Minister of Transportation, by July 15, 2019, to request an update on timing for Phase II Investing in Canada Infrastructure Program (ICIP) Funding rollout for the City of Hamilton; and
- (b) That this resolution be forwarded to the Association of Ontario Municipalities (AMO) for support in accelerating the ICIP funding for municipalities in the Greater Toronto and Hamilton Area (GTHA).

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

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

7.6 Road Safety Review and Appropriate Measures at the York Road and Newman Road Intersection

(VanderBeek/Partridge)

WHEREAS, a Zoning By-law Amendment Application has been submitted for 574 Northcliffe Avenue in Dundas;

WHEREAS, the application will result in additional traffic accessing the site via York Road and Newman Road, including school bus trips;

WHEREAS, the combination of high traffic volumes, excess speeds and challenging road geometry on York Road has been a historical concern and continues to be raised as an issue by area residents, and,

WHEREAS, this area falls within the Ministry of Transportation's Corridor Control Area and thus will require approval for any operational changes including potential signalization;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to undertake a review the intersection and road safety at the intersection of York Road with Newman Road, identify the appropriate road safety measures and report back to the Public Works Committee on the feasibility of implementation of measures;
- (b) That staff be directed to negotiate with the applicant for 574 Northcliffe Road to enter into a cost-share agreement to undertake a safety review of the impact of additional traffic and school buses resulting from the development application, and,
- (c) That staff be directed to liaise with the Ministry of Transportation to investigate options to improve traffic operations and safety along York Road in the vicinity of Newman Road.

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

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

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

(Johnson/Pearson)

WHEREAS, the Glanbrook Slow Pitch League has played at Mount Hope Park for 25 years;

WHEREAS, overall park construction and construction of a trail adjacent to the existing outfield in 2018 led to the loss of the season for the league;

WHEREAS, 482 mm of rain fell in Mount Hope in April, May, and June of 2019, leading to standing water and saturated soils caused by the trail adjacent to the outfield acting as a water dam;

WHEREAS, ponding and severely saturated turf conditions now require the construction of two drainage outlets to be installed this summer, to alleviate the standing water and saturated soils in the southern end of the park; and,

WHEREAS, staff have indicated that the baseball diamond will not be playable this year and the Glanbrook Slow Pitch League is unable to be accommodated sufficiently by the City at other park locations;

THEREFORE, BE IT RESOLVED:

That due to this unique set of circumstances and the league losing two full playing seasons, the yearly fee be waived for the 2020 and 2021 seasons for the Glanbrook Slow Pitch League teams at Mount Hope Park.

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

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

NOTICES OF MOTION

Councillor VanderBeek introduced a Notice of Motion respecting Road Safety Review and Appropriate Measures at the York Road and Newman Road Intersection.

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

(VanderBeek/Partridge)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Road Safety Review and Appropriate Measures at the York Road and Newman Road Intersection.

Result: Motion CARRIED by a 2/3 vote of 14 to 0, as follows:

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

For disposition of this matter, refer to Item 7.6.

Councillor Johnson introduced a Notice of Motion respecting the Waiving of fees for the 2020 and 2021 baseball seasons for Glanbrook Slow Pitch League (Ward 11)

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

(Johnson/Farr)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Waiving of fees for the 2020 and 2021 baseball seasons for Glanbrook Slow Pitch League (Ward 11).

Result: Motion CARRIED by a 2/3 vote of 14 to 0, as follows:

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

For disposition of this matter, refer to Item 7.7.

STATEMENTS BY MEMBERS

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

PRIVATE & CONFIDENTIAL

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

10.1 Appointments to the Cross Melville District Heritage Committee for the 2018-2022 Term

(VanderBeek/Partridge)

WHEREAS, the past members of the Cross Melville District Heritage Committee were unaware of the need to reapply for membership; and,

WHEREAS, there were no applications received for membership on the Cross Melville District Heritage Committee for the 2018-2022 Term;

THEREFORE, BE IT RESOLVED:

That the following individuals be reappointed to the Cross Melville District Heritage Committee, for a term commencing July 12, 2019, and until a successor is chosen:

- (i) Vikram Iyer
- (ii) Jennifer Racine
- (iii) Graham Thomas
- (iv) Justin Hogeterp

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

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

(Pearson/Clark)

That Council move into Closed Session to discuss Items 10.2 to 10.4, pursuant to Section 8.1, Sub-sections b), (d), (e) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (b) and (d) of the Ontario Municipal Act, 2001, as amended, as the subject matters pertain personal matters about an identifiable individual, including City employees; labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the City and the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Result: Motion CARRIED on a 2/3 vote of 14 to 0, as follows:

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

10.2 Appointment of the City Clerk

(Eisenberger/Danko)

- (a) That Andrea Holland be appointed Clerk for the City of Hamilton, effective August 6, 2019;
- (b) That By-law 18-172, a By-law to appoint an Acting City Clerk for the City of Hamilton, be repealed, effective August 6, 2019;
- (c) That a By-law to Appoint the Clerk for the City of Hamilton be prepared and enacted by Council;
- (d) That Janet Pilon be reappointed Deputy Clerk for the City of Hamilton, effective August 6, 2019;
- (e) That a By-law to Appoint the Deputy Clerk for the City of Hamilton be prepared and enacted by Council; and,
- (f) That By-law 18-185, a By-law to appoint Acting Deputy Clerks for the City of Hamilton, be repealed, effective August 6, 2019.

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
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NOT PRESENT - Councillor Judi Partridge
NOT PRESENT - Councillor Terry Whitehead

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

10.3 Labour Relations Matter

(Ferguson/VanderBeek)

That the update, respecting a Labour Relations Matter, which was provided in Closed Session, be received.

CARRIED

(Johnson/Ferguson)

That Council rise and report.

CARRIED

BY-LAWS

(Ferguson/VanderBeek)

That Bills No. 19-160 to No. 19-185, 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.	
19-160	A By-law to Establish Certain 2019 User Fees and Charges for Services, Activities or the Use of Property Ward: City Wide
19-161	To Establish City of Hamilton Land Described as Block 28 on Plan 62M-1102 and Block 120 on Plan 62M-1040 as Part of Springvalley Crescent Ward: 8
19-162	To Amend Zoning By-law No. 05-200, as Amended by By-law No. 17-254, Respecting Lands Located at 357 Wilson Street East, Ancaster ZAH-19-045 Ward: 12
19-163	To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking Schedule 5 (Parking Meters) Schedule 6 (Time Limit Parking) Schedule 8 (No Parking Zones) Schedule 12 (Permit Parking Zones) Schedule 13 (No Stopping Zones) Schedule 15 (Commercial Vehicle Parking Zones) Schedule 23 (Special Enforcement Area) Ward: 1, 2, 3, 7, 8, 9, 13, 15
19-164	To Amend By-law No. 11-080, being a By-law to Prohibit Smoking within City Parks and Recreation Properties

Ward: City Wide

- | | |
|---------------|---|
| 19-165 | To Amend Zoning By-law No. 05-200, as amended by By-law No. 17-240, respecting lands located at 50 Leavitt Boulevard, Flamborough
ZAH-19-041
Ward: 15 |
| 19-166 | Being a By-law To Permanently Close and Sell a Portion of a Public Unassumed Alley abutting 102 Francis Street, established by Registered Plan 209, in the City of Hamilton, designated as Part 1 on Plan 62R-21177, being Part of PIN 17189-0305 (LT)
Ward: 3 |
| 19-167 | To Adopt Official Plan Amendment to the Urban Hamilton Official Plan Respecting 305 and 311 Garner Road West (Ancaster)
Ward: 12
Not Final and Binding |
| 19-168 | To Amend Zoning By-law No. 87-57 (Ancaster) Respecting Lands Located at 305 and 311 Garner Road
UHOPA-17-025
ZAC-17-058
Ward: 12
Not Final and Binding |
| 19-169 | A By-law to Amend Zoning By-law No. 05-200 Respecting Lands Located at 305 and 311 Garner Road West (Ancaster)
UHOPA-17-027
ZAC-17-058
Ward: 12
Not Final and Binding |
| 19-170 | A By-law to Amend By-law No. 18-199, being a By-law to Prohibit Driving School Instructing in the Restricted Areas
Ward: 4, 5 |
| 19-171 | To Amend By-law No. 17-225, a By-law to Establish a System of Administrative Penalties
Table 19 – By-law 18-199 – Prohibit Drive School Instruction in the Restricted Areas
Ward: City Wide |
| 19-172 | Being a By-law to Appoint Hearing Officers Pursuant to the Administrative Penalty By-law No. 17-225 and to Repeal By-law No. 15-278
Ward: City Wide |
| 19-173 | To Amend City of Hamilton By-law No. 10-118, as amended, being a By-law to Regulate Exterior Property Maintenance including Vegetation, Waste and Graffiti
Ward: City Wide |
| 19-174 | To Amend Town of Dundas Zoning By-law No. 3581-86 Respecting Lands Located at 574 Northcliffe Avenue, Dundas
ZAR-19-019
Ward: 13 |

Not Final and Binding

- 19-175** To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses
Schedule 14 – Tree Cutting Services
Ward: City Wide
- 19-176** Respecting Removal of Part Lot Control on Part of Block 96 Registered Plan of Subdivision 62M-1250 and Block 1 and Block 4 on Registered Plan of Subdivision 62M-1263 - Central Park – Madison, 1831 Rymal Road East
PLC-19-010
Ward: 9
- 19-177** Respecting Removal of Part Lot Control on Part of Block 96 on Registered Plan of Subdivision 62M-1250 - Central Park – Madison, 1831 Rymal Road East
PLC-19-009
Ward: 9
- 19-178** To Amend By-law no. 01-215, Being a By-law to Regulate Traffic
Schedule 2 (Speed Limits)
Ward: 1, 9, 11, 13
- 19-179** To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 5 (Stop Control)
Ward: 1, 3, 8, 13, 14
- 19-180** To Appoint the City Auditor as Auditor General Under Section 223.19 of the *Municipal Act, 2001*
Ward: City Wide
- 19-181** Whistleblower By-law
Ward: City Wide
- 19-182** To Appoint a City Clerk for the City of Hamilton
Ward: City Wide
- 19-183** To Appoint a Deputy City Clerk for the City of Hamilton
- 19-184** To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 13 (No Stopping Zones)
Ward: 2
- 19-185** To Confirm the Proceedings of City 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
 YES - Councillor Esther Pauls

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

(Pearson/Clark)

That, there being no further business, City Council be adjourned at 2:05 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Janet Pilon
Acting City Clerk



Enbridge Gas Inc.
603 Kumpf Drive
P.O. Box 340
Waterloo, Ontario N2J 4A4

July 5, 2019

City of Hamilton
Janet Pilon, City Clerk
City Clerk's Office
City Hall, 71 Main Street West
Hamilton, ON L8P 4Y5
Via email: Janet.Pilon@hamilton.ca

Subject: Enbridge Gas – new company, new opportunities to collaborate

Dear Mayor Eisenberger and Members of City Council,

In January of this year, Enbridge Gas Distribution and Union Gas combined to form one new company, Enbridge Gas. Separately, we have valued our longstanding relationships with municipalities in Ontario – having provided safe, reliable and affordable natural gas to residents, businesses institutions and governments for over 170 years. Together, we look forward to building upon these relationships by supporting municipalities like the City of Hamilton with your climate and/or energy related initiatives in an effort to reduce greenhouse gas (GHG) emissions in Ontario.

I am reaching out to discuss how Enbridge Gas Inc. can help the City of Hamilton, its residents, businesses and institutions reduce carbon emissions and save money.

We recognize there is a transition occurring towards a lower carbon economy and that this has created opportunities for collaboration and true leadership in addressing climate change in ways that are innovative, economic and effective. Here are a few ways we can and already do work together:

- **Climate and Energy Planning:** Whether it is through the sharing of data and/or participation on local steering committees to share our expertise, we are involved and contributing to municipal climate and energy planning across the province, and are here to support you as well.
- **Renewable Natural Gas (RNG):** RNG provides an opportunity to harness locally produced fuel from landfills, wastewater treatment plants or curbside organic programs that has a positive impact on the environment and can provide economic benefits. It is already happening in municipalities in Ontario.
- **Compressed Natural Gas (CNG) for Transit Fleets and Municipal Vehicles:** Since 1985, CNG has been proven to be a safe and reliable fuel option in Ontario. It is widely used in vehicles today ranging from ice resurfacers to light, medium and heavy truck fleets, garbage trucks and transit buses. CNG reduces greenhouse gas by up to 25% vs. diesel, along with lower NOx and VOCs and nearly zero particulates. The switch to CNG as a vehicle fuel can also save up to 50% on transportation fuel costs. We have a variety of programs to help you make the switch to CNG.
- **Energy Efficiency Programs:** The conservation programs designed and delivered by Enbridge Gas have saved residential, commercial and industrial customers about 20 billion cubic meters of natural gas and reduced CO2 emissions by about 40 million tonnes, lowering energy costs at the same time. Whether it's a municipal building retrofit, a combined heat and power (CHP) project, or any other municipal building or works project, our team of energy advisors and technical experts are here to help.

Our employees live and work in your community. We are committed community partners with a vested interest in the City of Hamilton's lower carbon future. We hope to meet with you and your staff in the near future to discuss how we can work together to further our mutual and collective climate and energy objectives and support a lower-carbon future.

Sincerely,

A handwritten signature in blue ink, appearing to read "Murray Costello".

Murray Costello, P. Eng.
Director, Southeast Region Operations
Enbridge Gas Inc.
Phone: 519-885-7425 ext. 5067425
Email: murray.costello@enbridge.com

Cc: Brian Lennie, Senior Advisor, Municipal Affairs – Ontario South/West

Administration

Office of the Regional Clerk

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

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

www.niagararegion.ca

July 19, 2019

Council Session CL 13-2019, July 18, 2019

Gayle Wood
Interim Chief Administrative Officer
Niagara Peninsula Conservation Authority
250 Thorold Road West; 3rd Floor
Welland, ON L3C 3W2

SENT ELECTRONICALLY

**RE: Niagara Region's Representation on the NPCA Board of Directors
RC 01-2019**

Regional Council at its meeting held on Thursday, July 18, 2019, passed the following resolution:

That Memorandum RC 01-2019, being a memorandum from Regional Chair Bradley, dated July 18, 2019, respecting Niagara Region's Representation on the NPCA Board of Directors, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Regional Chair **BE DIRECTED** to inform the Mayors of Hamilton and Haldimand that Niagara Region will be increasing their NPCA Board of Directors membership from 12 to 15 in order to ensure an appropriate mix of elected representatives on the Board; and
2. That Niagara Regional Council **APPOINT** three Regional Councillors to the NPCA Board of Directors effective immediately.

Council subsequently passed the following resolution:

That Councillors Bylsma, Foster and Steele **BE APPOINTED** to the Niagara Peninsula Conservation Authority Board of Directors effective immediately.

A copy of Memorandum RC 01-2019 is attached for your reference.

Contact information for the newly appointed Councillors is attached. If you have any questions regarding these appointments, don't hesitate to contact me at 905-980-6000 Ext 3220 or by email ann-marie.norio@niagararegion.ca.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ann-Marie' with a long, sweeping flourish extending to the right.

Ann-Marie Norio
Regional Clerk

CLK-C 2019-174

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

CONTACT INFORMATION FOR COUNCILLORS APPOINTED TO THE
NIAGARA PENINSULA CONSERVATION AUTHORITY BOARD

David Bylsma (Mayor)

Township of West Lincoln
5313 Sixteen Rd.
St. Anns, ON L0R 1Y0

Cell 905-984-1515

E-mail dave.bylsma@niagararegion.ca

Robert Foster

Town of Lincoln
4579 Cedarbrook Lane
Beamsville, ON L0R 1B5

Residence 905-563-7219

E-mail robert.foster@niagararegion.ca

Bill Steele (Mayor)

City of Port Colborne
66 Charlotte Street
Port Colborne, ON L3K 3C8

Work 905-835-2900 ext 301

E-mail bill.steele@niagararegion.ca



MEMORANDUM

RC 01 - 2019

Subject: Niagara Region's Representation on the NPCA Board of Directors

Date: July 18, 2019

To: Regional Council

From: Jim Bradley, Regional Chair

Councillors,

At the May 16 Special Meeting of Council, a motion was passed that directed the Regional Chair to enter into negotiations with Hamilton and Haldimand regarding the composition of the NPCA Board of Directors. As a direct result of this motion, talks were held on June 10 with representatives from the three municipalities at which time I committed to determining Council's preference regarding board composition.

At our June 20 meeting of Regional Council, an informal survey of council's membership was taken that indicated the will of Council was to increase Niagara Region's membership on the NPCA Board of Directors from 12 members to 15. Based on the discussion that occurred regarding this poll, as well as the debate that arose from CL-C 46-2019, it appears that Regional Council is eager to both increase Niagara's membership on the Board and make the necessary appointments as soon as possible.

In listening to the June 20 discussion, it was also suggested that Niagara's three additional members would be Regional Councillors to ensure an appropriate mix of elected representatives and citizen appointments.

To this end, I propose that Regional Councillors consider approving the following two actions this evening:

1. That the Regional Chair **BE DIRECTED** to inform the Mayors of Hamilton and Haldimand that Niagara Region will be increasing their NPCA Board of Directors membership from 12 to 15 in order to ensure an appropriate mix of elected representatives on the Board; and
2. That Niagara Regional Council **APPOINT** three Regional Councillors to the NPCA Board of Directors effective immediately.

Should council approve these motions, the intent is that the selection of the three Regional Councillors would occur this evening.

Memo to Regional Council
Niagara Region's Representation on the NPCA Board
July 18, 2019
Page 2 of 2

The legacy issues surrounding the NPCA and the membership of the Board have rightfully been of a keen interest to this term of Council. Based on the significant debate that has transpired at Council, as well as numerous conversations I have had with members of Council, I believe it is in the best interest of Council to move forward these two actions this evening.

Sincerely,

Original signed by:

Jim Bradley
Regional Chair



THE CORPORATION OF THE CITY OF STRATFORD

Resolution: Opposition to Changes in 2019 Provincial Budget and Planning Act

WHEREAS on April 11, 2019, the Provincial government tabled a new budget, some of which represents a significant shift in priorities, with direct implications to the City of Stratford and municipalities across Ontario;

AND WHEREAS this shift in priorities will put disproportionate pressure on municipal governments to either fully fund Provincially discontinued programs or partially supplement programs and services at current service levels;

AND WHEREAS the City of Stratford recognizes that the Government of Ontario announced in May 2019 that it will reverse mid-year cuts to critical services of public health, childcare and ambulance services and requests an opportunity to work collaboratively to find solutions that will work for all partners and protect services prior to drafting 2020 budgets;

AND WHEREAS previous legislation that abolished the OMB and replaced it with LPAT received unanimous – all party support as all parties recognized that local governments should have the authority to uphold their provincially approved Official Plans and community driven planning;

AND WHEREAS in the spirit of working together for the benefit of all Ontario residents, Stratford City Council opposes the upcoming changes to the Planning Act as municipalities were not consulted and afforded an opportunity to provide feedback;

AND REQUESTS a meeting with MPP Pettapiece, the Minister of Municipal Affairs and other related ministries on the effects of downloading onto municipal governments;

AND THAT this resolution be forwarded to all municipalities in Ontario and to AMO.

The Corporation of the City of Stratford, P.O. Box 818, Stratford ON N5A 6W1
Attention: City Clerk, 519-271-0250 ext 235, clerks@stratford.ca

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M5G 2E5
Tél. : 416 585-7000



July 22, 2019

Dear Head of Council:

RE: Provincial Policy Statement Review – Draft Policies

I am writing today to announce that my ministry is launching a consultation on proposed policy changes to the **Provincial Policy Statement (PPS)**. The PPS is an important part of Ontario’s land use planning system, setting out the provincial land use policy direction.

Municipalities play a key role in implementing these policies through local official plans, zoning by-laws and other planning decisions. The Planning Act requires that decisions on land use planning matters be “consistent with” the Provincial Policy Statement policies.

The government is consulting on draft policy changes to:

- Encourage the development of an increased mix and supply of housing
- Protect the environment and public safety
- Reduce barriers and costs for development and provide greater predictability
- Support rural, northern and Indigenous communities
- Support the economy and job creation

The proposed PPS policy changes support the implementation of [More Homes, More Choice: Ontario’s Housing Supply Action Plan](#). The Action Plan includes a series of distinct but coordinated initiatives to address housing supply, including a review of the Provincial Policy Statement. The proposed PPS changes work together with other recent changes to the land use planning system – including to the Planning Act through [Bill 108, More Homes, More Choice Act, 2019](#) (once proclaimed) and [A Place to Grow: Growth Plan for the Greater Golden Horseshoe](#).

For more information about the consultation, please visit <http://www.mah.gov.on.ca/Page215.aspx> where you will find:

- A link to the posting on the Environment Registry of Ontario (ERO #019-0279), including the proposed Provincial Policy Statement and questions to consider
- Information on how to provide comments

The consultation is open for 90 days and closes on October 21, 2019.

I look forward to hearing your ideas on the proposed changes to the Provincial Policy Statement.

If you have any questions about the consultation, please contact the ministry at planningconsultation@ontario.ca or by calling 1-877-711-8208.

Sincerely,



Steve Clark
Minister

c: Planning Head and/or Clerks

July 22/19

Priority to Ambulance Service not Fire

The column by Teri Pecoskie in the Spectator July 6/19 was an excellent look into our Emergency services.

I believe it shows the way our Emergency Services operate, is long overdue for change. The 30 million dollar fire department expansion proposed is mostly unnecessary and would be better spent for us taxpayers on the medical, ambulance service.

Cut back on fire department responding to so many medical calls when ambulance response is adequate.

The ambulance service can be trained to respond as fast as the fire department from the same stations

Response times are no longer the end all for fire departments in the Province.

After amalgamation, Hamilton Fire Department added 12 additional fire stations to an already large department.

The part time firefighters response time in our area we know is 12 to 15 minutes and have no problem with it.

Our fire insurance rates are the same as in the old city which have a 3 to 4 minute response time. Bottom line fire calls are not increasing much, if at all, these days prevention and the building codes are the key.

We have plenty of Fire stations and Fire Crews. Our aging population is and will continue to increase medical calls, its the ambulance service and crews that must be increased and given priority for our tax dollars in these changing times.

S. Budge Terry Bridle Freelton
Ret. Fire Chief

July 22/19

Please distribute this a taxpayers opinion on
a budget Matter to the Mayor and Council
members

Thank you
T. Bridle

Terry Bridle

[REDACTED] Freilton



www.cn.ca

Corporate Services

Stephen Covey
Chief of Police
and Chief Security Officer

935 de La Gauchetière Street West
15th Floor
Montreal, Quebec H3B 2M9
Canada

Services corporatifs

Chef de la Police
et de la sécurité

935 rue de La Gauchetière Ouest
15^e étage
Montréal (Québec) H3B 2M9
Canada

June 28, 2019.

Office of the Clerk
City of Hamilton
71 Main Street West, 2nd floor
Hamilton ON L8P 4Y5

Dear Sir / Madam:

2019 is a very special year for CN as it marks our 100th anniversary. From the start, on June 6, 1919, safety has always been a core value at CN.

We are on a journey to become the safest railroad in North America. In addition to reinforcing a strong safety culture among our 25,000 employees, we collaborate with communities and local authorities to help prevent accidents and injuries at rail crossings, and ensure everyone's safety on and around railroad infrastructure.

This year, **Rail Safety Week** will be held in Canada from **September 23-29**. Hand in hand with *Operation Lifesaver*, CN Police Service officers and other CN employees will be in communities conducting hundreds of safety initiatives throughout the week. As proud partners, our commitment is to keep communities safe by raising rail safety awareness year-round.

Safety is a shared responsibility

Rail safety is everyone's responsibility. By looking out for each other and working together, we can help keep our communities safe and prevent fatalities and injuries on or near railway property.

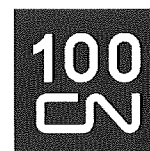
Your council can be a powerful ally in this effort to save lives by adopting the enclosed draft resolution. Please send a copy of your resolution by mail or by e-mail to sandra.orsini@cn.ca and let us know how you will be promoting rail safety in your community this year.

For additional information about Rail Safety Week 2019, please consult www.cn.ca/railsafety or www.operationlifesaver.ca.

Yours sincerely,

Stephen Covey

Encl.



(Draft Resolution)

RESOLUTION IN SUPPORT OF RAIL SAFETY WEEK

Whereas *Rail Safety Week* is to be held across Canada from September 23 to 29, 2019;

Whereas it is in the public's interest to raise citizens' awareness of the dangers of ignoring safety warnings at level crossings and trespassing on rail property to reduce avoidable deaths, injuries and damage caused by incidents involving trains and citizens;

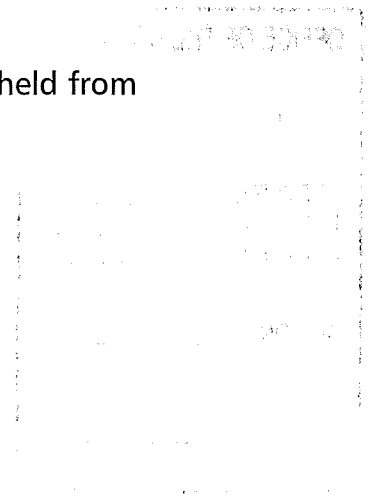
Whereas Operation Lifesaver is a public/private partnership whose aim is to work with the public, rail industry, governments, police services, media and others to raise rail safety awareness;

Whereas CN has requested City Council adopt this resolution in support of its ongoing efforts to raise awareness, save lives and prevent injuries in communities, including our municipality;

It is proposed by Councillor _____

seconded by Councillor _____

It is hereby **RESOLVED** to support national *Rail Safety Week* to be held from September 23 to 29, 2019.





Township of McKellar

701 Hwy #124, P.O. Box 69, McKellar, Ontario POG 1C0

Phone: (705) 389-2842

Fax: (705) 389-1244

July 16, 2019

Hon. Doug Ford, Premier
 Legislative Building Rm 281, Queen's Park
 Toronto, Ontario
 M7A 1A1

Dear Premier Ford,

Re: MUNICIPAL AMALGAMATION

Please be advised that at its regular meeting held, Monday July 15, 2019 the Council of the Township of McKellar passed the following resolution:

19-355 **WHEREAS** there are 444 municipalities in Ontario that are very efficient and well-governed, and who respond quickly to ratepayer's needs;

AND WHEREAS in the 1990's the Conservative Government forced many municipalities to amalgamate on the guise they would become more efficient, effective, save money, lower taxes and ultimately reduce the provincial deficit;

AND WHEREAS there has never been a valid evidence-based study that supported these outcomes;

AND WHEREAS forced amalgamation actually accomplished just the opposite: ill feelings, increased animosity and mistrust, job losses, rise in local taxes and an increase in the provincial deficit;

AND WHEREAS there are many positive examples of small rural and northern municipalities working together in a collaborate and cooperative manner via shared agreements that responds to local needs without amalgamation and provincial interference;

AND WHEREAS the Provincial Government has a large deficit due to their own decision-making;

AND WHEREAS recently the same Conservative Government recently reduced one large regional municipal government by 50%, without "consultation";

AND WHEREAS this same Conservative Government is presently reviewing other provincial regional governments through a purported "consultative" approach with a view to reduce or eliminate them;

AND WHEREAS the Provincial Government should investigate all other internal ways of reducing their deficit and becoming more fiscally responsible over time rather than downloading to the one level of government that is the most efficient, has the lowest cost and is closest to the electorate which will not put a dent in the provincial deficit;

AND WHEREAS the Province could look at what other provinces have done to reduce the debt with one singular education system, organizing unorganized municipalities, controlling OPP costs, substantially increase fines, and find a way to collect millions and millions of dollars in unpaid fines and instead, invest in the north to create jobs and stimulate and enhance economic development;

NOW THEREFORE BE IT RESOLVED that before the Provincial Government forces amalgamation in any of the 444 municipalities in Ontario, our AMO organization go beyond requesting “consultation” and “demand” that the Provincial Government do the following:

- 1) Hold a local referendum letting the citizens decide to amalgamate or not
- 2) Conduct an evidence-based study to show that amalgamation actually saves costs, jobs, lowers taxes and reduce the provincial deficit
- 3) Allow those municipalities to work out their own local collaborative agreement that best suit their local needs and to be permitted to do so on their own time line and volition
- 4) To ensure that there is absolutely no conflict of interest in this consultative process
- 5) To emphasize the political reality of forcing amalgamation on the many rural and northern municipalities across Ontario

AND FURTHER that a copy of this resolution be sent to Doug Ford, Premier of Ontario; Christine Elliott, Deputy Premier; Steve Clark, Minister of Municipal Affairs; Andrea Horwath, Leader of the New Democratic Party; and all MPPs in the Province of Ontario;

AND FURTHER that a copy of this resolution be sent to the Association of Municipalities of Ontario (AMO), the Northwestern Ontario Municipal Association (NOMA), Rural Ontario Municipalities Association (ROMA), Federation of Northern Ontario Municipalities (FONOM), the District of Parry Sound Municipal Association (DPSMA) and all Ontario municipalities for their consideration.

Carried

Sincerely,


Tammy Wylfe, AMCT
Clerk Administrator

Cc:

Deputy Premier of Ontario;

Minister of Municipal Affairs and Housing;

Leader of the New Democratic Party;

All Ontario MPP's;

Association of Municipalities of Ontario (AMO);

Northwestern Ontario Municipal Association (NOMA);

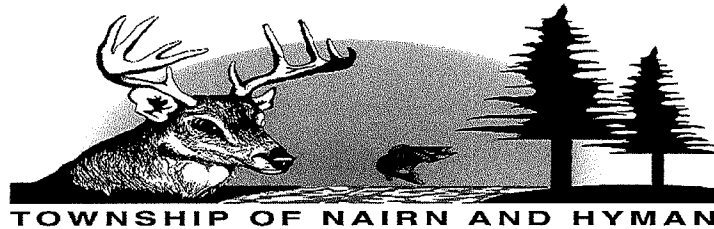
Rural Ontario Municipalities Association (ROMA);

Federation of Northern Ontario Municipalities (FONOM);

District of Parry Sound Municipal Association (DPSMA);

all Ontario municipalities

O:\Council mtg letters\July 15 2019/Municipal Amalgamation



64 McIntyre Street • Nairn Centre, Ontario • P0M 2L0 ☎ 705-869-4232 📠 705-869-5248
 Established: March 7, 1896 Office of the Clerk Treasurer, CAO E-mail: nairncentre@personainternet.com

July 31, 2019

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

Dear Honourable Premier:

Re: Opposition to Bill 115

Please be advised our Council adopted the following resolution at their meeting of July 8, 2019:

SUPPORT RESOLUTION – OPPOSITION OF BILL 115

RESOLUTION #2019-11-173

MOVED BY: Rod MacDonald

SECONDED BY: Katherine Bourrier

RESOLVED: that Council agrees to support the resolution of the Township of Armour regarding opposition to Bill 115.

WHEREAS the Province of Ontario is considering approving Bill 115, which would allow beer and wine sale in corner stores;

AND WHEREAS corner stores will not verify age and be as safe as the present system in place;

AND WHEREAS alcohol retail outlet density has a negative effect on public health and public health costs;

AND WHEREAS there is no clear evidence that Ontarians are asking for beer and wine at every corner;

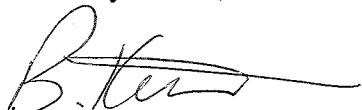
NOW THEREFORE BE IT RESOLVED that the Council of the Township of Armour opposes Bill 115 and calls upon the Government of Ontario not to enact this legislation.

FURTHERMORE, that a copy of this resolution be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable Christine Elliott, Deputy Premier of Ontario, the Honourable Norm Miller, MPP Parry Sound – Muskoka and Andrea Horwath, MPP, Leader of the New Democratic Party.

AND FURTHERMORE, that a copy of this resolution be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration

CARRIED

Sincerely Yours,

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

Belinda Ketchabaw
CAO Clerk - Treasurer

BK/mb

cc: The Honourable Christine Elliot, Deputy Premier
The Honourable Steve Clark, Minister of Municipal Affairs and Housing
The Honourable Andrea Horwath
The Honourable Norm Miller, MPP Parry Sound-Muskoka
AMO
All Ontario Municipalities

9b



DISTRICT OF PARRY SOUND

56 ONTARIO STREET
PO BOX 533
BURK'S FALLS, ON
P0A 1C0

(705) 382-3332
(705) 382-2954
Fax: (705) 382-2068
Email: info@armourtownship.ca
Website: www.armourtownship.ca

June 12, 2019

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

The Honourable Christine Elliott
Deputy Premier of Ontario
Legislative Building
Queen's Park
Toronto ON M7A 1A1

The Honourable Steve Clark
Minister of Municipal Affairs & Housing
College Park, 17th Floor
777 Bay Street
Toronto ON M5G 2E5

Re: Support Resolution

At its meeting held on June 11th, 2019, the Township of Armour passed Resolution #7 opposing Bill 115 and calls upon the Government of Ontario not to enact this legislation.

A copy of Council's Resolution #7 dated June 11th, 2019 is attached for your consideration.

Sincerely,

Louise Heintzman
Administrative Assistant

Enclosure

Cc: Honourable Norm Miller, MPP Parry Sound-Muskoka, Andrea Horwath, MPP, Leader of the New Democratic Party, AMO (Association of Municipalities of Ontario and all Ontario municipalities.



CORPORATION OF THE TOWNSHIP OF ARMOUR

RESOLUTION

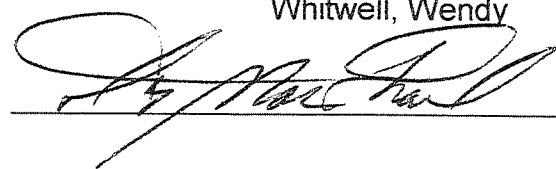
Date: June 11, 2019

Motion # 7

WHEREAS the Province of Ontario is considering approving Bill 115, which would allow beer and wine sale in corner stores;
AND WHEREAS corner stores will not verify age and be as safe as the present system in place;
AND WHEREAS alcohol retail outlet density has a negative effect on public health and public health costs;
AND WHEREAS there is no clear evidence that Ontarians are asking for beer and wine at every corner;
NOW THEREFORE BE IT RESOLVED that the Council of the Township of Armour opposes Bill 115 and calls upon the Government of Ontario not to enact this legislation.
FURTHERMORE, that a copy of this resolution be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable Christine Elliott, Deputy Premier of Ontario, the Honourable Norm Miller, MPP Parry Sound - Muskoka and Andrea Horwath, MPP, Leader of the New Democratic Party.
AND FURTHERMORE, that a copy of this resolution be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Moved by:	Blakelock, Rod	<input type="checkbox"/>	Seconded by:	Blakelock, Rod	<input checked="" type="checkbox"/>
	Brandt, Jerry	<input type="checkbox"/>		Brandt, Jerry	<input type="checkbox"/>
	MacPhail, Bob	<input type="checkbox"/>		MacPhail, Bob	<input type="checkbox"/>
	Ward, Rod	<input checked="" type="checkbox"/>		Ward, Rod	<input type="checkbox"/>
	Whitwell, Wendy	<input type="checkbox"/>		Whitwell, Wendy	<input type="checkbox"/>

Carried / Defeated



Declaration of Pecuniary Interest by:

Recorded vote requested by:

<u>Recorded Vote:</u>	For	Opposed
Blakelock, Rod	<input type="checkbox"/>	<input type="checkbox"/>
Brandt, Jerry	<input type="checkbox"/>	<input type="checkbox"/>
MacPhail, Bob	<input type="checkbox"/>	<input type="checkbox"/>
Ward, Rod	<input type="checkbox"/>	<input type="checkbox"/>
Whitwell, Wendy	<input type="checkbox"/>	<input type="checkbox"/>



**CITYHOUSING HAMILTON CORPORATION
SHAREHOLDER MEETING
REPORT 18-001**

4:30 p.m.

Wednesday, April 11, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Mayor Eisenberger
Deputy Mayor J. Partridge (Chair)
Councillors, J. Farr, M. Green, S. Merulla, C. Collins, T. Jackson,
D. Skelly, T. Whitehead, M. Pearson, B. Johnson, L. Ferguson,
A. VanderBeek, R. Pasuta

**Absent with
Regrets:** Councillors A. Johnson and D. Conley – Personal

**THE CITYHOUSING HAMILTON CORPORATION SHAREHOLDER PRESENTS
REPORT 18-001, AND RESPECTFULLY RECOMMENDS:**

1. Development Strategy Update (Report 17021(b)) (Item 8.1)

That Report 17021(b) respecting a Development Strategy Update, be received.

2. CityHousing Hamilton Corporation Development Strategy (Added Item 8.2)

WHEREAS, the City of Hamilton is the sole shareholder of CityHousing Hamilton Corporation (CHH);

WHEREAS, CHH is applying for certain loans from certain lenders to renovate wholly-owned CHH properties;

WHEREAS, a requirement of funding applications for CHH is the guarantee of the debt and confirmation of the amortization period by the City of Hamilton in its capacity as sole shareholder of CHH;

WHEREAS, CHH can access Infrastructure Ontario (IO) loan programs at a discounted municipal interest rate through the City of Hamilton as the sole shareholder of CHH; and

WHEREAS, CHH can enter into debt/debenture/mortgage agreements under terms and conditions that are approved by the Board of Directors and the sole shareholder;

THEREFORE BE IT RESOLVED:

- (i) That the City of Hamilton, in its capacity as the sole shareholder of CHH:
 - (a) Approve the development plans outlined in CHH Report 17021(b);
 - (b) Guarantee the debt financing for the projects listed in Report 17021(b) to the upset limit of (CAN) \$24,539,000;
 - (c) Approve CHH entering into loan agreements with certain lenders that would contemplate using wholly-owned CHH properties as collateral;
 - (d) Apply for Infrastructure Ontario (IO) loan programs on behalf of CHH and collect approved loan payments from CHH in accordance with terms and conditions in IO loan agreements;
 - (e) Approve amortization periods of up to thirty-five years on behalf of CHH;
 - (f) Prepare the necessary agreements with the terms and conditions that ensure that CHH is responsible for all debt or loan payments included in Report 17021(b), including the right to allow a creditor to register security agreements against the wholly-owned CHH properties being mortgaged, and seeking legal opinions where necessary; and
 - (g) Enter into all necessary agreements to implement the foregoing, such agreements to have content acceptable to the General Manager of Finance and Corporate Services, and be in a form satisfactory to the City Solicitor.
- (ii) That if required by a lender, CHH request City of Hamilton, the body corporate created pursuant to the City of Hamilton Act, 1999, guarantee the debt financing of certain wholly-owned CHH property.
- (iii) That the Mayor and City Clerk are hereby authorized and directed to sign and/or dispatch and deliver all agreements and other necessary documents, including but not limited to, notices, articles, certificates required under or in connection with the Shareholder Direction, and to take any action deemed necessary in respect of any of the foregoing.

FOR INFORMATION:

(a) APPROVAL OF THE AGENDA (Item 1)

The Committee Clerk advised the Shareholders of the following change:

1. DISCUSSION ITEM

- 8.2 Shareholder Resolution - CityHousing Hamilton Corporation Development Strategy

The agenda for the April 11, 2018 meeting of the CityHousing Hamilton Corporation Shareholder was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

The Minutes of the June 22, 2017 meeting were approved, as presented.

(d) ADJOURNMENT (Item 13)

There being no further business the CityHousing Hamilton Shareholder meeting was adjourned at 4:37 p.m.

Respectfully submitted,

Councillor J. Partridge
Deputy Mayor

Loren Kolar
Legislative Coordinator
Office of the City Clerk



GENERAL ISSUES COMMITTEE REPORT 19-014

9:30 a.m.

Monday, August 12, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent: Mayor F. Eisenberger and Councillor J. P. Danko – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 19-014 AND RESPECTFULLY RECOMMENDS:

1. Revised Board of Management for the Concession Street Business Improvement Area (BIA) (PED19155) (Wards 7 and 8) (Item 7.1)

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

- (i) Julie Noble

2. Revised Board of Management for the Locke Street Business Improvement Area (BIA) (PED19156) (Ward 1) (Item 7.2)

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

- (i) Ryan Furlong
- (ii) Steve Knight

3. Revised Board of Management for the Barton Village Business Improvement Area (BIA) (PED19160) (Wards 2 and 3) (Item 7.3)

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

- (i) Karen Parucha

4. Hamilton-Wentworth District School Board Liaison Committee Report 19-002, June 27, 2019 (Item 10.1)

Parkland Dedication/Cash in Lieu for Schools (PED19143) (City Wide) (Item 10.1)

That Report PED19143, respecting Parkland Dedication/Cash-in-Lieu for Schools, be received.

5. Business Improvement Area Advisory Committee Report 19-007, July 9, 2019 (Item 10.2)

(a) Ancaster Village Business Improvement Area Expenditure Request (Item 11.1)

That the expenditure request from the Ancaster Village Business Improvement Area in the amount of \$5,778.55 for spending on flower planters and baskets to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved.

(b) International Village Business Improvement Area Expenditure Request (Added Item 11.2)

That the expenditure request from the International Village Business Improvement Area in the amount of \$25,298.04 for the following projects, to be funded from the Shared Parking Revenue Program (Parking Revenue Account 815010-45559), be approved:

- (i) \$14,195.65 for Victorian Night in the Village; and,
- (ii) \$11,102.39 for marketing and promotion of the International Village Business Improvement Area.

6. GRIDS 2 and Municipal Comprehensive Review – Work Plan Update (PED17070(d)) (City Wide) (Item 10.3)

That Report PED17070(d), respecting GRIDS 2 and Municipal Comprehensive Review – Work Plan Update, be received.

7. Memorandum of Understanding City of Hamilton and Hamilton100 Commonwealth Games Bid Corporation (PED19108(a)) (City Wide) (Item 10.4)

That the General Manager of Finance and Corporate Services be granted the authority to sign, on behalf of the City of Hamilton, a Memorandum of Understanding with Hamilton100 Commonwealth Games Bid Corporation, attached as Appendix “A”, *as amended*, to Report 19-014, and any other ancillary documents or agreements, each in a form satisfactory to the City Solicitor.

8. Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 1160 Main Street East, ERG19-01 (PED19153) (Ward 3) (Item 10.5)

- (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application - ERG19-01, submitted by Main Street East Ltd., owner of the property at 1160 Main Street East, for an ERASE Redevelopment Grant not to exceed \$1,391,210, the actual cost of the remediation over a maximum of ten years, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement;
- (b) That the Mayor and City Clerk be authorized and directed to execute the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Agreement together with any ancillary documentation required, to effect Recommendation (a) of Report PED19153, in a form satisfactory to the City Solicitor; and,
- (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any grant amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant, as approved by City Council, are maintained.

9. **Advisory Committee for Persons with Disabilities Report 19-002, July 9, 2019 (Item 10.6)**
 - (a) **Appointment of Chair and Vice-Chair (Item 1)**
 - (i) That A. Mallett be appointed as Chair of the Advisory Committee for Persons with Disabilities for 2019; and,
 - (ii) That J. Cardno be appointed as Vice-Chair of the Advisory Committee for Persons with Disabilities for 2019.
 - (b) **Establishment of Working Group Memberships (deferred from the June 11, 2019 meeting) (Item 10.1)**
 - (i) That a Community Safety Working Group be established on a pilot basis for 2019;
 - (ii) That a Disability Justice and Climate Crisis Working Group be established on a pilot basis for 2019; and,
 - (iii) That a Built Environment Working Group, Housing Issues Working Group, Outreach Working Group, Transportation Working Group, and Wheelchair and Scooter Safety Working Group be established on a pilot basis for 2019.
10. **Policies and Procedures for Hate Mitigation (CM19006) (City Wide) (Item 10.7)**
 - (a) That the City Manager be directed to communicate with the Corporate Security Specialist with respect to who would be available to residents, at City Hall on Saturdays, to advise them how and to whom they should report incidents of hate on City property, and report back to the General Issues Committee; and,
 - (b) That Report CM19006, respecting Policies and Procedures for Hate Mitigation, be received.
11. **Waterfront Lease Update (LS18053(d)) (Ward 2) (Item 14.3)**
 - (a) That the direction provided to staff in Closed Session, respecting Report LS18053(d), regarding the Waterfront Lease Update, be approved; and,

- (b) That Report LS18053(d), respecting the Waterfront Lease Update, including its recommendations, attached confidential appendix and draft minutes of settlement, remain confidential.
- 12. Ombudsman's Preliminary Report respecting the Investigation into Meetings of the City Manager Recruitment Steering Committee (Item 14.4)**
- (a) That the Ombudsman's Preliminary Report, respecting the Investigation into Meetings of the City Manager Recruitment Steering Committee, be received; and,
 - (b) That the Ombudsman's Preliminary Report respecting the Investigation into Meetings of the City Manager Recruitment Steering Committee remain confidential.
- 13. Roadway Sign Support Structures (PW19073) (City Wide) (Item 14.5)**
- (a) That Report PW19073, respecting the Roadway Sign Support Structures, be received;
 - (b) That Report PW19073, respecting the Roadway Sign Support Structures remain confidential; and,
 - (c) That the AECOM report, respecting the Repair Rehabilitation Summary, dated July 6, 2012; and, the AECOM report respecting the 2017 Sign Support Inspections Summary Report, dated November 2017, be released as public documents.
- 14. Potential Litigation – Building Permit Issues (LS19035/PED19179) (Item 14.6)**
- (a) That Report LS19035/PED19179, respecting Potential Litigation – Building Permit Issues, be received; and,
 - (b) That Report LS19035/PED19179, respecting Potential Litigation – Building Permit Issues, remain confidential.

15. Update re: Local Planning Appeal Tribunal appeals of Pier 6, 7 and 8 (LS19033/PED19180) (City Wide) (Item 14.7)

- (a) That Report LS19033/PED19180, respecting an Update regarding the Local Planning Appeal Tribunal Appeals of Piers 6, 7 and 8, be received; and,
- (b) That Report LS19033/PED19180, respecting an Update regarding the Local Planning Appeal Tribunal Appeals of Piers, remain confidential.

16. Personnel Matter (Item 14.8)

That the update respecting a personnel matter, which was provided by staff in Closed Session, be received.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. DELEGATION REQUESTS (Item 6)

- 6.2 P.J. Mercanti, S. Jasper Kujavsky, Greg Maychak and Mark Wu, Hamilton100 Commonwealth Games Bid Corporation, respecting the Commonwealth Games (For the August 12th GIC)
- 6.3 David Bennett, Hamilton 350, respecting Items 10.3 and 10.4 on the August 12, 2019 GIC Agenda, as they Relate to Climate Change (For the August 12th GIC)

2. PRIVATE & CONFIDENTIAL (Item 14)

14.6 Potential Litigation – Building Permit Issues (LS190035/PED19179)

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

14.7 Update re: Local Planning Appeal Tribunal appeals of Pier 6, 7 and 8 (LS19033/PED19180) (City Wide)

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

The agenda for the August 12, 2019 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) July 8, 2019 (Item 4.1)

The Minutes of the July 8, 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) Michael Van Pelt, Cardus, respecting a forthcoming staff report regarding the Balfour House (For the September 4, 2019 GIC) (Item 6.1)
- (ii) P.J. Mercanti, S. Jasper Kujavsky, Greg Maychak and Mark Wu, Hamilton100 Commonwealth Games Bid Corporation, respecting the Commonwealth Games (For the August 12th GIC) (Item 6.2)
- (iii) David Bennett, Hamilton 350, respecting Items 10.3 and 10.4 on the August 12, 2019 GIC Agenda, as they Relate to Climate Change (For the August 12th GIC) (Item 6.3)

(e) CONSENT ITEMS (Item 7)

(i) Advisory Committee for Persons with Disabilities Minutes 19-005, June 11, 2019 (Item 7.4)

The Advisory Committee for Persons with Disabilities Minutes 19-005, June 11, 2019, were received.

(f) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) P.J. Mercanti, S. Jasper Kujavsky, Greg Maychak and Mark Wu, Hamilton100 Commonwealth Games Bid Corporation, respecting the Commonwealth Games (Item 8.1)

Jasper Kujavsky, Hamilton100 Commonwealth Games Bid Corporation, addressed Committee respecting the Commonwealth Games.

The presentation provided by Jasper Kujavsky, Hamilton100 Commonwealth Games Bid Corporation, respecting the Commonwealth Games, was received.

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

(ii) David Bennett, Hamilton 350, respecting Items 10.3 and 10.4 on the August 12, 2019 GIC Agenda, as they Relate to Climate Change (Item 8.2)

David Bennett, Hamilton 350, addressed Committee respecting Item 10.3 - GRIDS 2 and Municipal Comprehensive Review – Work Plan Update (PED17070(d)); and, Item 10.4 - Memorandum of Understanding City of Hamilton and Hamilton100 Commonwealth Games Bid Corporation (PED19108(a)), as they relate to climate change.

That the presentation provided by David Bennett, Hamilton 350, respecting Item 10.3 - GRIDS 2 and Municipal Comprehensive Review – Work Plan Update (PED17070(d)); and, Item 10.4 - Memorandum of Understanding City of Hamilton and Hamilton100 Commonwealth Games Bid Corporation (PED19108(a)), as they relate to climate change.

For disposition of these matters, please refer to Items 6 and 7.

(g) DISCUSSION ITEMS (Item 10)

(i) Memorandum of Understanding City of Hamilton and Hamilton100 Commonwealth Games Bid Corporation (PED19108(a)) (City Wide) (Item 10.4)

Section II – Areas of Collaboration of Appendix “A” to Report PED19108(a)), respecting the Memorandum of Understanding City of Hamilton and Hamilton100 Commonwealth Games Bid Corporation, was amended by deleting the words “person or persons” and replacing them with the words “**two elected officials and staff**”, to read as follows:

II. AREAS OF COLLABORATION

It is expressly agreed by the Parties that the City shall assume no liability for any obligations arising out of the preparation, finalization and submission of the Phase Bid. However, the City does agree to provide advice and expertise in various areas including affordable and social housing, community health and wellness, tourism, economic development, sport development, recreation, security, hospitality, and special events. It is further agreed that the City shall have the unfettered right and discretion to designate ~~a person or persons~~ **two elected officials and staff** to serve as the City's representative(s) on the Hamilton100 Committee, with the express understanding that any designated City representative shall assume absolutely no liability for any obligation undertaken by Hamilton100.

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

(ii) Policies and Procedures for Hate Mitigation (CM19006) (City Wide) (Item 10.7)

Report CM19006, respecting Policies and Procedures for Hate Mitigation, was amended by adding a new sub-section (a), to read as follows:

- (a) That the City Manager be directed to communicate with the Corporate Security Specialist with respect to who would be available to residents, at City Hall on Saturdays, to advise them how and to whom they should report incidents of hate on City property, and report back to the General Issues Committee; and,

For disposition of the above matter, please refer to Item 10.

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

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

The following amendments to the General Issues Committee's Outstanding Business List were approved:

(a) Items to be referred:

- (i) Benefit Plan Redesign
(Be referred to the Non-Union Compensation Sub-Committee)**

(b) Items to be removed:

- (i) Memorandum of Understanding City of Hamilton and Hamilton100 Commonwealth Games Bid Corporation
(Addressed as Item 10.4 on this agenda – Report PED19108(a))**

(ii) Forthcoming Report respecting a Policy or Protocol to Guarantee the Sharing of Consultants' Reports with Council (Item 13.2)

Councillor Clark inquired about the status of the forthcoming report respecting a policy or protocol to guarantee the sharing of consultants' reports with Council when there are risks to human health and safety. The Councillor also asked if that report would contain a policy or protocol to address when an employee refuses to cooperate with the Corporate Auditor General.

Staff advised that the report coming forward in the Fall of 2019 would address both matters.

A new matter respecting Personnel Matters was added to the Closed Session portion of the meeting, pursuant to Section 8.1, Sub-sections (b) and (d) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (b) and (d) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees; and, labour relations or employee negotiations.

(j) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – July 8, 2019 (Item 14.1)

- (a) That the Closed Session Minutes of the July 8, 2019 General Issues Committee meeting were approved; and,
- (b) That the Closed Session Minutes of the July 8, 2019 General Issues Committee meeting shall remain confidential.

Committee moved into Closed Session respecting Items 14.2 to 14.8, pursuant to Section 8.1, Sub-sections (b), (c), (d), (e), (f) and (k) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (b), (c), (d), (e), (f) and (k); and, Section 239(3)(b), of the *Ontario Municipal Act*, 2001; as amended, as the subject matters pertain to personal matters about an identifiable individual, including City employees; a proposed or pending acquisition or disposition of land for City purposes; labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the City; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the City; and, an ongoing investigation respecting the municipality or local board or a municipally-controlled corporation by the Ombudsman, appointed under the *Ombudsman Act*.

(ii) Disposition Strategy – Portion of the Wentworth Lodge Lands (PED19138) (Ward 13) (Item 14.2)

Report PED19138, respecting the Disposition Strategy – Portion of the Wentworth Lodge Lands, was DEFERRED to a future meeting of the General Issues Committee.

(iii) Roadway Sign Support Structures (PW19073) (City Wide) (Item 14.5)

Report PW19073, respecting the Roadway Sign Support Structures, was amended by adding a new sub-section (c), to read as follows:

- (c) That the AECOM report, respecting the Repair Rehabilitation Summary, dated July 6, 2012; and, the ARCOM report respecting the 2017 Sign Support Inspections Summary Report, dated November 2017, be released as public documents.

(k) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee adjourned at 5:35 p.m.

Respectfully submitted,

A. VanderBeek, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk

MEMORANDUM OF UNDERSTANDING (the "MOU")

BETWEEN

CITY OF HAMILTON (the "City")

-AND-

HAMILTON100 COMMONWEALTH GAMES BID CORPORATION ("Hamilton100")

Each a "**Party**" and collectively the "**Parties**"

WHEREAS:

- a. the City is a municipal corporation with its offices located in Hamilton, Ontario;
- b. Hamilton100 is a corporation incorporated under the *Canada Not-for-profit Corporations Act* and was created for the purpose of organizing, facilitating, preparing, financing and submitting a bid to secure the rights to host the 2030 Commonwealth Games in Hamilton, Ontario (the "**Bid**");
- c. the City, as the hosting municipality, is required to sanction the Bid;
- d. the City has agreed to support Hamilton100's proposal to submit the first phase of the Bid ("**Phase 1**") on the express condition that the City shall not assume any liability of any kind, be it legal, financial or otherwise, and Hamilton100 has agreed to that condition;
- e. on June 12, 2019, Hamilton City Council authorized and directed staff to negotiate a draft MOU with Hamilton100 for Council's review and consideration; and
- f. on August 16, 2019, Hamilton City Council approved this MOU.

NOW THEREFORE, in consideration of the foregoing, the covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by both Parties, the City and the Builder agree as follows:

I. PRIMARY OBJECTIVES AND TIMELINES

The primary objective of this MOU is to permit Hamilton100 to prepare, organize, facilitate, coordinate and finance in its entirety, and to the City's satisfaction, Phase 1 of the Bid for the 2030 Commonwealth Games. To the end, Hamilton100 shall submit:

- a. a draft Phase 1 proposal to the City by August 6, 2019;
- b. a final Phase 1 proposal to the City for consideration by City Council at its General Issues Committee meeting scheduled for November 6, 2019; and
- c. its final Phase 1 proposal to Commonwealth Games Canada by November 22, 2019 after obtaining the approval of City Council.

The Parties further agree that the Bid, including Phase 1, shall:

- a. celebrate Hamilton's legacy with the Commonwealth Games and, particularly, the 100th anniversary of the initial British Empire Games held in Hamilton in 1930;
- b. align with the City's vision ("To be the best place to raise a child and age successfully"), plans, values and priorities including, in particular, its:

- i. commitment to equality, diversity, accessibility, tolerance, Green/climate change initiatives, social procurement and social housing; and
 - ii. Strategic Plan and Recreational Indoor/Outdoor Master Plan;
- c. enhance Hamilton's reputation, identity and civic pride;
 - d. maximize investment in Hamilton wherever possible;
 - e. utilize existing facilities in the City of Hamilton where appropriate;
 - f. engage in public/private partnerships where appropriate; and
 - g. identify and create long-term legacy projects that will facilitate serving the needs of the Hamilton community.

II. AREAS OF COLLABORATION

It is expressly agreed by the Parties that the City shall assume no liability for any obligations arising out of the preparation, finalization and submission of the Phase Bid. However, the City does agree to provide advice and expertise in various areas including affordable and social housing, community health and wellness, tourism, economic development, sport development, recreation, security, hospitality, and special events. It is further agreed that the City shall have the unfettered right and discretion to designate *two elected officials and staff* to serve as the City's representative(s) on the Hamilton100 Committee, with the express understanding that any designated City representative shall assume absolutely no liability for any obligation undertaken by Hamilton100.

III. DUE DILIGENCE

At the City's request, Hamilton100 shall provide copies of any relevant documents to ensure that Hamilton100 meets appropriate standards of capacity, competence and financial accountability. These documents include, but are not limited to, the following: a certificate of good standing; a list of the names of all of its directors, committee members and principal officers; and copies of Hamilton100's by-laws and articles of incorporation. Hamilton100 agrees to notify the City immediately of any change in Hamilton100's status or operations, or if any official, judicial, legislative, or administrative proceeding is commenced against Hamilton100.

IV. COMMUNICATIONS

On City Council's approval of Hamilton100's Phase 1 proposal, Hamilton100 may establish a social media and public communications presence in support of the Bid including a website and participation in various platforms such as Facebook, Twitter and Instagram. The City shall have ongoing access to the social media and public communications information posted by Hamilton100 which Hamilton100 will revise as directed by the City.

V. PRINCIPAL CONTACTS

The Principal Contacts for each Party are:

City of Hamilton:

Mike Zegarac
General Manager Finance and Corporate Services
71 Main St W 1st Floor
Hamilton, ON L8P 4Y5
(905) 546-2424 x6150

Hamilton100 Commonwealth Games Bid Corporation:

PJ Mercanti
President
Suite 300 – 77 James Street North
Hamilton, ON L8K 2K3
(905) 383-4100

Each Party shall immediately advise the other Party in writing of any change it in the contact information for its Principal Contacts.

VI. EFFECTIVE DATES

This MOU shall take effect on August 1, 2019 and shall remain in effect until consideration by City Council of the draft Phase 1 Hosting Proposal, at which time City Council will either authorize, or deny authorization, to Hamilton100 to submit its Phase 1 Bid to the Commonwealth Games Canada by its November 22, 2019 deadline.

In the event the City does authorize Hamilton100 to submit the Phase 1 Bid to Commonwealth Games Canada, the Parties undertake to then enter into good-faith discussions and negotiations regarding the terms of a subsequent MOU to govern preparation of phase 2 of the Bid ("**Phase 2**") the submission of which will likely be required in 2020. It is expressly understood and agreed by the Parties that the City will have the unfettered and absolute discretion to authorize submission of Phase 2.

It is agreed and understood by the Parties that the City has the absolute right and discretion to withdraw its permission to allow Hamilton100 to proceed with the Bid at any time and for any reason.

VII. NO JOINT VENTURE

The Parties agree that, notwithstanding this MOU, they are not entering into a partnership, joint venture or other such business arrangement, nor is the intent of the Parties to enter into a commercial undertaking for monetary gain.

EXECUTION PAGE FOLLOWS

IN WITNESS WHEREOF this Agreement has been executed by the authorized representative of each Party.

City of Hamilton

Hamilton100 Commonwealth Bid Corporation

Mike Zegarac
General Manager, Finance & Corporate Services

PJ Mercanti
President

Date

Date



PLANNING COMMITTEE REPORT

19-012

August 13, 2019

9:30 a.m.

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

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

Also Present: Councillors A. VanderBeek and E. Pauls

THE PLANNING COMMITTEE PRESENTS REPORT 19-012 AND RESPECTFULLY RECOMMENDS:

1. Hamilton Municipal Heritage Committee 19-005 (Item 7.1)

(i) Hamilton Municipal Heritage Committee working Groups (Item 10.1)

That the following membership list for the Hamilton Municipal Heritage Committee Working Groups be approved, as amended:

- (a) Heritage Permit Review Sub-Committee (2 members of the Hamilton Municipal Heritage Committee are required):

C. Dmitry, Chair
Tim Ritchie, Vice-Chair

- (b) Education and Communications Working Group:

Janice Brown
Robin McKee
Tim Ritchie
Alissa Denham-Robinson
Graham Carroll

(c) Inventory and Research Working Group:

Graham Carroll
Janice Brown
Chuck Dmitry
Alissa Denham-Robinson
Lyn Lusted

(d) Policy and Design Working Group

Will Rosart
Bill Janssen
Alissa Denham-Robinson
Lyn Lusted
Chuck Dimitry

2. Revisions to the Pre-Christmas Free Parking Program for Business Improvement Areas (BIAs) (PED19129) (Ward 7) (Item 7.2)

That the annual Pre-Christmas Free Parking Program, approved by City Council on June 25, 2003, and amended from time to time, be further amended as follows:

- That on-street parking be free at all times from November 24 to December 24 annually and limited to two hours in duration for the Concession Street Business Improvement Area.

3. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED19152) (City Wide) (Item 7.3)

That Report PED19152 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

4. New Fee for Privately-Initiated Official Plan Amendment - Urban Boundary Expansion Applications (PED19146(a)) (City Wide) (Item 7.4)

That the Tariff of Fees By-law No. 12-282 be amended to establish a new fee of \$67,875 for an Official Plan Amendment – Urban Boundary Expansion application, to be broken into two phases (Phase 1 being \$56,204 and Phase 2 being \$11,671).

5. Bill 108, *More Homes, More Choice Act, 2019* - Ontario Proposed Changes to the Land Use Planning and Appeals System (PED19125(a)) (City Wide) (Item 7.5)

That Report PED19125(a) respecting Bill 108, *More Homes, More Choice Act, 2019* - Ontario Proposed Changes to the Land Use Planning and Appeals System, be received.

6. Application for Zoning By-law Amendment for Lands Located at 360 Mohawk Road West (Hamilton) (PED19149) (Ward 8) (Item 8.1)

That Revised Zoning By-law Amendment Application ZAC-18-046, by Tuscan Hill Homes (Dominic Chiaravalle, Owner), for a change in zoning from the “C” (Urban Protected Residential, etc.) District to the “D/S-1785” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified, to permit the development of two semi detached dwellings on lands located at 360 Mohawk Road West (Hamilton), as shown on Appendix “A” to Report PED19149, be APPROVED on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED19149, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) 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 complies with the Urban Hamilton Official Plan; and,
- (c) That the public submissions received did not affect this matter.

7. Applications to Amend the City of Hamilton Urban Hamilton Official Plan, Township of Glanbrook Zoning By-law No. 464, Hamilton Zoning By-law No. 05-200 and for Approval of a Draft Plan of Subdivision “Jackson Heights Extension – Phase 2” for Lands Located at 2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive, Glanbrook (PED19121) (Ward 11) (Item 8.2)

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-17-012 by Rob-Geof Properties Limited c/o Coleman Robinson (Owner), for changes in land use designation in Volume 1 Schedule E-1 - Urban Land Use Designations from Utility to Neighbourhoods and from Neighbourhoods to District Commercial; to remove the Parks & General Open Space (Excluding Parkettes) in Volume 1 Schedule B - Natural Heritage System; for changes in designation in Volume 2 Binbrook Village Secondary Plan – Land Use Plan from Low Density Residential 2e, Low Density Residential 2h, Utility, and Parkette to Low Density Residential 2d; from Low Density Residential 2e and Low Density Residential 2h to Low Density Residential 3e; from Low Density Residential 2e and Low Density Residential 2h to District Commercial; in Volume 2 Binbrook Village Secondary Plan – Open Space Linkages to remove the Parkette and Utility identification and add a local road identification; and in Volume 2 Binbrook Village Secondary Plan – Open Space Linkages to add lands to an area specific policy area to permit a density of 41 - 85 units per hectare; and to add a site specific policy to permit maisonette dwellings as a permitted use and increase the density to 26 to 48 units per hectare, in the Binbrook Village Secondary Plan, for

lands located at 2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive Glanbrook, as shown on Appendix “B” to Report PED19121, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED19121 be enacted by City Council;
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to A Place to Grow Plan (2019).
- (b) That Zoning By-law Amendment Application ZAC-17-027 by Rob-Geof Properties Limited c/o Coleman Robinson (Owner), for changes to the Township of Glanbrook Zoning By-law No. 464 from Residential “R2” Zone, Private Open Space “OS1-166” Zone, Modified Public Open Space “OS2” Zone, Restricted Agricultural “A2-176” Zone, Restricted Agricultural “A2” Zone, Deferred Development “DD” Zone and Existing Residential “ER” Zone to Residential Multiple “RM2-313” Zone; from Restricted Agricultural “A2-176” Zone and Restricted Agricultural “A2” Zone to Residential Multiple “RM2-313(a)” Zone; from Restricted Agricultural “A2-176” Zone and Existing Residential “ER” Zone to Residential Multiple “RM4-314” Zone; from Residential “R2” Zone and Private Open Space “OS1-166” Zone, Modified, to Residential “R4-315” Zone; Restricted Agriculture “A2-176” Zone, Modified and Restricted Agriculture “A2” Zone to Residential Multiple “RM2-316” Zone; for lands located at 2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive Glanbrook, as shown on Appendix “A” to Report PED19121, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED19121, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the amending By-law be added to Exception 44 – “Exceptions to the Provisions of By-law” of the Township of Glanbrook Zoning By-law No. 464;
 - (iii) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX.
- (c) That Zoning By-law Amendment Application ZAC-17-027 by Rob-Geof Properties Limited c/o Coleman Robinson (Owner), to add lands to the Hamilton Zoning By-law No. 05-200 and for changes in zoning from Existing Residential “ER” Zone, Private Open Space “OS1-166” Zone, Modified and General Commercial “H-C3-76” Zone, Modified in the Glanbrook Zoning By-law No. 464 to District Commercial (C6, 728) Zone and District Commercial (C6, 728, H113) Zone; and from District Commercial (C6, 570) Zone to

District Commercial (C6, 728) Zone for lands located at 2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive Glanbrook, as shown on Appendix "A" to Report PED19121, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix "D" to Report PED19121, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the amending By-law be added to Schedule D – Holding Provisions of Hamilton Zoning By-law No. 05-200;
 - (iii) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX.
- (d) That Draft Plan of Subdivision Application 25T-201706 by Rob-Geof Properties Limited c/o Coleman Robinson (Owner), to establish a Draft Plan of Subdivision known as "Jackson Heights Extension", Glanbrook, on lands located at 2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive Glanbrook, as shown on Appendix "E" to Report PED19121, be APPROVED, subject to the following:
- (i) That this approval apply to the Draft Plan of Subdivision "Jackson Heights Extension", 25T-201706, prepared by A. J. Clarke and Associates and certified by B.J. Clarke, dated April 30, 2019, consisting of eighteen lots for single detached dwellings (Lots 1 - 18), seven blocks for street townhouse dwellings (Blocks 19 – 23, 25 and 26), one block for maisonette dwellings (Block 24), one block for a multiple dwelling (Block 29), one block for commercial uses (Block 27), one block for future development (Block 28), three blocks for a future road widening (Blocks 30-32), two blocks for Stormwater Management (Blocks 33 and 34), and four proposed streets, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions attached as Appendix "F" to Report PED19121;
 - (ii) That the Stormwater Management Facility retrofit works shall be in accordance with the City's current Comprehensive Development Guidelines and Financial Policies Manual and funding approved at the time of original pond construction.

The proposed storm sewers ≥ 1350 mm diameter (MH16 to pond inlet HW) are not eligible for Cost Sharing as they are proposed to convey 100-year flows from the external drainage areas; and,

- (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, prior to the issuance of each

building permit. The calculation for the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the issuance of each building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council.

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

8. Application for a Zoning By-law Amendment for Lands Located at 336 and 338 King Street West, Dundas (PED19157) (Ward 13) (Item 8.3)

(a) That Zoning By-law Amendment application ZAR-19-020, by King@Dundas Inc., Owner, for a change in zoning from the Holding – Medium to High Density Multiple Dwelling Zone (H-RM3/S-127), Modified, to the Holding – Low to Medium Density Multiple Dwelling Zone (H-RM1/S-127a), Modified, in order to permit six townhouse (block townhouse) dwellings accessed by a rear lane, for lands located at 336 and 338 King Street West (Dundas), as shown on Appendix "A" to Report PED19157, be APPROVED, on the following basis:

- (i) That the draft By-law attached as Appendix "B" to Report PED19157, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law, attached as Appendix "B" to Report PED19157, be added to Schedule "L" (Spencer Creek) of Zoning By-law No. 3581-86 as "H-RM1/S-127a";
- (iii) That the item respecting 336-338 King Street West, Dundas is considered as completed and is to be removed from the Planning Committee's Outstanding Business List; and,

(b) That the submissions received did not affect the decision.

9. Marion Tucker Way (Item 11.1)

WHEREAS, Marion Tucker guided the Hess Village Mall Authority since its inception a few decades ago;

WHEREAS, Marion Tucker remained devoted to the beautification and cleanliness of Hess Village in addition to regularly attending or facilitating meetings formal or otherwise and respecting issues related to safety and security in the area; and,

WHEREAS, Marion Tucker's efforts and love of not only Hess Village where she operated a successful Marketing and Design firm, but also our city, deserves a legacy recognition.

THEREFORE BE IT RESOLVED:

That the section of George Street between Queen Street South and Caroline Street South be named Marion Tucker Way, with the cost of \$700 to install four (4) signs be funded from the Ward 2 Area Rating Capital Reserve Fund (#108052).

10. 292 Dundas Street East (Maple Lawn), Waterdown (Added Item 12.1)

WHEREAS, there is concern that 292 Dundas Street East, Waterdown, will be placed on the market for the purpose of redevelopment;

WHEREAS, 292 Dundas Street East, Waterdown, is listed on the City's Heritage Inventory, but is not currently recognized through registration or protected through designation under the *Ontario Heritage Act*;

WHEREAS, a preliminary evaluation of Cultural Heritage Value or Interest conducted as part of the Waterdown Village Built Heritage Inventory found that 292 Dundas Street East, Waterdown meets the criteria specified in *Ontario Regulation 9/06* including, but not limited to:

- Historical Associations – The property is located on an early transportation route known as “The Governor’s Road” that stretched from Mississauga to London and has been in use since the late 1700s. The property is associated with potentially significant people in Waterdown’s history, including George Allison and Harold Greene. George Allison, believed to be the first owner of the house, was a recognized character in the early development of the Village. He served the local community as a juror and magistrate. Harold Greene was the first publisher of the Waterdown Review. He lived in the house with his family in the late 1910s and a few of the early issues are believed to have been produced in a carriage house located on the property. Additionally, the property has the potential to yield information that contributes to the understanding of the community through additional research.
- Physical and Architectural Design – The property is a representative example of vernacular residence constructed in the Victoria period and influenced by Gothic Revival and Italianate architectural styles. The two-storey house of stretcher bond brick construction (now painted) sits on a rubble and brick foundation. The house is defined by its Gothic-style high-gabled roof three bay façade and bay window with Italianate detailing, all displaying a high degree of craftsmanship. Victorian style influences include the wide front verandah, decorative bargeboard, and other decorative flourishes. Over all, the design of

the building does not appear to have changed significantly since its construction circa mid-to-late 20th century.

- Contextual Value – The property is important in defining the historic character of the area and maintaining the historic fabric of Dundas Street East. In addition to the property’s location along a historic transport route, the property is physically, visually, and historically linked to its surroundings. The 19th-century single-detached building helps define the early residential character at the west end of Dundas Street in the Village of Waterdown along with the other prominent estate homes including the Smith-Carson House at no. 289, the Crooker House at no. 299 and Chestnut Grove at no. 315. The property may be considered a local landmark.

THEREFORE BE IT RESOLVED:

- (a) That 292 Dundas Street East, Waterdown, be added to the City’s Municipal Heritage Register as a non-designated property, after consultation with the Hamilton Municipal Heritage Committee; and,
- (b) That Council direct staff to add 292 Dundas Street East (Maple Lawn), Waterdown, to staff’s designation work plan and be assigned immediate priority for Heritage Designation in Q4.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. DELEGATION REQUESTS (Item 6)

- 6.1 Lisa Weber respecting 292 Dundas Street East (Maple Lawn), Waterdown (Added Item 12.1)

2. CONSENT ITEMS (Item 7)

- 7.4 New Fee for Privately-Initiated Official Plan Amendment – Urban Boundary Expansion Applications (PED19146(a)) (City Wide) – By-law added

3. PUBLIC HEARINGS / DELEGATIONS (Item 8)

8.4 Application to Amend City of Hamilton Zoning By-law No. 6593 for the Lands Located at 370 Concession Street, Hamilton (PED19158) (Ward 7)

8.4(b) Written Submission from Jackie Beaudin

4. NOTICES OF MOTION (Item 12)

12.1 292 Dundas Street East (Maple Lawn), Waterdown

The agenda for the August 13, 2019 meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

None declared.

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

(i) July 9, 2019 (Item 4.1)

The Minutes of the July 9, 2019 meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Lisa Weber respecting 292 Dundas Street East (Maple Lawn), Waterdown (Item 12.1 on today's agenda) (Added Item 6.1)

The Delegation Request from Lisa Weber respecting 292 Dundas Street East (Maple Lawn), Waterdown was approved for today's meeting, to be heard at this time.

(e) PUBLIC HEARINGS/DELEGATIONS (Item 8)

(i) Lisa Weber respecting 292 Dundas Street East (Maple Lawn), Waterdown (Item 12.1 on today's agenda) (Added Item 8.5)

Lisa and Jeff Weber addressed the Committee about concerns with adding their property, 292 Dundas Street East (Maple Lawn) to the Municipal Heritage Register as a non-designated property.

The Delegation from Lisa and Jeff Weber respecting 292 Dundas Street East (Maple Lawn), Waterdown, was received.

For further disposition of this matter, refer to Item 10.

(f) **CONSENT ITEMS (Item 7)**

(i) **New Fee for Privately-Initiated Official Plan Amendment - Urban Boundary Expansion Applications (PED19146(a)) (City Wide) (Item 7.4)**

The recommendation was amended to change the amount from \$67,785 to \$67,875, to read as follows:

That the Tariff of Fees By-law No. 12-282 be amended to establish a new fee of ~~\$67,785~~ **\$67,875** for an Official Plan Amendment – Urban Boundary Expansion application, to be broken into two phases (Phase 1 being \$56,204 and Phase 2 being \$11,671).

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

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

(i) **Application for Zoning By-law Amendment for Lands Located at 360 Mohawk Road West (Hamilton) (PED19149) (Ward 14) (Item 8.1)**

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

The public meeting was closed.

The staff presentation was waived.

Angela Bounamici and Scott Arbuckle, IBI Group, were in attendance and indicated support for the staff report and addressed the Committee.

The recommendations in Report PED19149 were amended by adding the following sub-section (c):

(c) That the public submissions received did not affect this matter.

For disposition of this matter, refer to Item 6.

- (ii) **Applications to Amend the City of Hamilton Urban Hamilton Official Plan, Township of Glanbrook Zoning By-law No. 464, Hamilton Zoning By-law No. 05-200 and for Approval of a Draft Plan of Subdivision “Jackson Heights Extension – Phase 2” for Lands Located at 2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive, Glanbrook (PED19121) (Ward 11) (Item 8.2)**

In accordance with the provisions of the Planning Act, Chair Pearson advised that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The public meeting was closed.

The staff presentation was waived.

Stephen Fraser and Andrew Smith, A.J. Clarke & Associates, were in attendance and indicated support for the staff report and addressed the Committee.

The presentation and correspondence from Stephen Fraser and Andrew Smith, A.J. Clarke & Associates, was received.

The recommendations in Report PED19121 were amended by adding the following sub-section (e):

(e) That the public submissions received did not affect this matter.

For disposition of this matter, refer to Item 7.

- (iii) **Application for a Zoning By-law Amendment for Lands Located at 336 and 338 King Street West, Dundas (PED19157) (Ward 13) (Item 8.3)**

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

of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The public meeting was closed.

The staff presentation was waived.

Kelly Martel, MHBC, agent, was in attendance and indicated support for the staff report and addressed the Committee.

The presentation from Kelly Martel, MHBC, was received.

The recommendations in Report PED19157 were amended by deleting sub-section (iii) in its entirety, and renumbering the balance accordingly, and that the by-law be prepared as amended, to read as follows:

- (a) That Zoning By-law Amendment application ZAR-19-020, by King@Dundas Inc., Owner, for a change in zoning from the Holding – Medium to High Density Multiple Dwelling Zone (H-RM3/S-127), Modified, to the Holding – Low to Medium Density Multiple Dwelling Zone (H-RM1/S-127a), Modified, in order to permit six townhouse (block townhouse) dwellings accessed by a rear lane, for lands located at 336 and 338 King Street West (Dundas), as shown on Appendix “A” to Report PED19157, be APPROVED, on the following basis:
 - (i) That the draft By-law attached as Appendix “B” to Report PED19157, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the amending By-law, attached as Appendix “B” to Report PED19157, be added to Schedule “L” (Spencer Creek) of Zoning By-law No. 3581-86 as “H-RM1/S-127a”;
 - ~~(iii) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding Symbol ‘H’ as a suffix to the proposed zoning;~~

~~The Holding Provision “H-RM1/S-127” (Holding – Low to Medium Density Multiple Dwelling Zone (H-RM1/S-127a), Modified, applicable as shown on Schedule “A” of Appendix “B” to Report PED19157, be removed conditional upon:~~

- ~~(1) The owner / applicant shall investigate noise levels on the site and determine and implement the noise control~~

~~measures that are satisfactory to the City of Hamilton in meeting the Ministry of the Environment, Conservation and Parks recommended sound level limits. An acoustical report, prepared by a Professional Engineer containing recommended control measures shall be submitted to the satisfaction of the Director of Planning and Chief Planner. Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the owner/applicant and shall be submitted to the satisfaction of the Director of Planning and Chief Planner.~~

~~(2) The owner / applicant shall investigate anticipated residential water usage and fire flow through the submission of a Watermain Hydraulic Analysis Report to the satisfaction of the Senior Director of Growth Management.~~

(iii) That the item respecting 336-338 King Street West, Dundas is considered as completed and is to be removed from the Planning Committee's Outstanding Business List.

The recommendations in Report PED19157 were amended by adding the following sub-section (b):

(b) That the public submissions received did not affect this matter.

For disposition of this matter, refer to Item 8.

(iv) Application to Amend City of Hamilton Zoning By-law No. 6593 for the Lands Located at 370 Concession Street, Hamilton (PED19158) (Ward 7) (Item 8.4)

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

Melanie Schneider, Planner II, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available online at www.hamilton.ca or through the Office of the City Clerk.

The staff presentation was received.

Amber Lindsay, UrbanSolutions, was in attendance and indicated support for the staff report and addressed the Committee.

The presentation from Amber Lindsay, UrbanSolutions, was received.

Delegations:

1. William Young, 302-370 Concession Street, addressed the Committee and expressed concerns with the proposal.
2. Ian Ludbrook, 406-370 Concession Street, addressed the Committee and expressed concerns with the proposal.
3. Jackie Beaudin, 53 East 14th Street, addressed the Committee and expressed concerns with the proposal.
4. Terry Brown, 35 East 14th Street, addressed the Committee and expressed concerns with the proposal.
5. Willy Chew, 51 East 14th Street, addressed the Committee and expressed concerns with the proposal.

The Delegations were received.

Written Submissions:

1. Jackie Beaudin

The written submission was received.

The public meeting was closed.

Report PED19158 was deferred for 30 days to provide the Ward Councillor with sufficient time to meet with the residents and applicant.

(h) NOTICES OF MOTION (Item 12)

(i) 292 Dundas Street East (Maple Lawn), Waterdown (Item 12.1)

The Rules of Order were waived to allow for the introduction of a Motion respecting 292 Dundas Street East (Maple Lawn), Waterdown.

For disposition of this matter, refer to Item 10.

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

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

Item 19E respecting Variable Development Charges was transferred to the Audit, Finance & Administration Committee's Outstanding Business List.

The following changes to the Outstanding Business List were approved:

(a) **Items Requiring New Due Dates:**

Item 19C - On Street Parking Permits - Wellington St
North Current Due Date: August 13, 2019
Proposed New Due Date: October 15, 2019

Item 19D - 2019 Operating Budget Offsets from Planning and
Development Fees
Current Due Date: TBD
Proposed New Due Date: October 15, 2019

Item 19E - Variable Development
Charges Current Due Date: TBD
Proposed New Due Date: October 2019

Item 19G - Residential Care Facilities and Group Homes
(Urban Area) - Human Rights and the Zoning By-law
Discussion Paper (CI-19-B) Current Due Date: TBD
Proposed New Due Date: December 3, 2019

Item 19L - Year Round Live-Aboards at West Harbour
Marina Current Due Date: TBD
Proposed New Due Date: October 15, 2019

Item 19M - Amendment to Nuisance By-law No. 09-110
respecting Cannabis Growing Operations
Current Due Date: TBD
Proposed New Due Date: September 3, 2019

Item 19P - Corporate Policy for Official Planning Notification During
Mail Strikes
Current Due Date: TBD
Proposed New Due Date: November 19, 2019

Item 19Q - Application for Zoning By-law Amendment for Lands
Located at 116 and 120 Barnesdale Avenue North
Current Due Date: TBD
Proposed New Due Date: October 1, 2019

(b) Items to be Removed:

Item 19B.2 - Modifications and Updates to the City of Hamilton
Zoning By- law No. 05-200
(Addressed as Item 8.3 on this agenda)

Item 19H - Tree Service Company Licensing Feasibility Report
(Addressed as Item 10.1 on the July 9th agenda)

(j) ADJOURNMENT (Item 15)

There being no further business, the Planning Committee was adjourned at 1:19 p.m.

Councillor Maria Pearson
Chair, Planning Committee

Lisa Chamberlain
Legislative Coordinator
Office of the City Clerk



PUBLIC WORKS COMMITTEE REPORT 19-011

9:30 a.m.

Wednesday, August 14, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

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

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 19-011 AND RESPECTFULLY RECOMMENDS:

1. Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 40 Maple Drive, Stoney Creek (PW16112(a)) (Ward 10) (Item 8.3)

- (a) That the application of the Bruce Trail Conservancy, to permanently close and purchase a portion of road allowance abutting 40 Maple Drive, Hamilton ("Subject Lands"), as shown on Appendix "A" to Public Works Committee Report 19-011, be approved, subject to the following conditions:
- (i) That the City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the highway, for enactment by Council;
 - (ii) 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 Bruce Trail Conservancy, as described in Report PW16112(a), 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 Bruce Trail Conservancy pursuant to an Agreement of Purchase and Sale or Offer to Purchase as

negotiated by the Real Estate Section of the Planning and Economic Development Department;

- (iv) That the City Solicitor be authorized and directed to register a certified copy of the by-law(s) permanently closing and selling the highway in the proper land registry office;
- (v) That the Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed highway pursuant to the City of Hamilton Sale of Land Policy By-law 14-204;
- (vi) That the applicant enter into any ancillary agreements required by the City and any Public Utility; and,
- (vii) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section.

**2. Ancaster Memorial Arts & Culture Centre (PW19072) (Ward 12)
(Outstanding Business Item List) (Item 10.1)**

- (a) That the General Manager, Public Works Department be authorized and directed to negotiate, enter into and execute the construction contract and any ancillary documents required to give effect thereto with the prequalified compliant bidder of Tender C13-39-19, in a form satisfactory to the City Solicitor;
- (b) That the following funding strategy for an additional \$12.115M be approved for Project 3541641602, Ancaster Memorial Arts & Culture Centre, to complete construction of the project as well as cover any associated project costs and fees:
 - (i) \$860,000 from Councillor Priority Roads Work-In-Process (for road access upgrade to property);
 - (ii) \$540,000 from additional Property Sales;
 - (iii) \$2,000,000 from additional Community Contribution, of which \$1,000,000 will be loaned from the Investment Stabilization Reserve 112300;
 - (iv) \$2,738,333 from Federal Gas Tax;
 - (v) \$2,738,334 from the Unallocated Capital Reserve 108020;
 - (vi) \$2,738,333 from a 10-year Ancaster area-rating charge to be loaned from the Investment Stabilization Reserve 112300;

- (vii) \$500,000 from Early Years Reserve 112218;
 - (c) That staff be directed to explore funding from other levels of government to offset the City's own source funding commitment;
 - (d) That the General Manager, Public Works Department be authorized and directed to negotiate, enter into, execute and amend any ancillary documents with funders or other levels of government for additional funding on the project, with such terms and conditions in a form satisfactory to the City Solicitor; and,
 - (e) That pursuant to Procurement Policy #11 – Non-competitive Procurements staff be authorized to enter into single source procurement for \$125,000, with Archaeology Research Associates to complete the final Stage 4 excavation report in accordance with the Ministry of Tourism Culture and Sport Standards and Guidelines for Archaeologists.
- 3. To Incorporate City Lands into Acadia Drive by By-law (PW19063) (Ward 7) (deferred from the July 10, 2019 meeting) (Item 10.2)**
- (a) That the following City Lands be incorporated into the following Street:
 - (i) Acadia Drive, Parts 1 and 4 on Plan 62R-20060;
 - (b) That the By-Law as outlined in Report PW19063 as Appendix "B" to carry out the incorporation of the said lands into the foregoing Street be prepared to the satisfaction of the Corporate Counsel and be enacted by Council; and,
 - (c) That the General Manager of Public Works, be authorized and directed to register the By-Law.
- 4. Standardization of Hamilton Water Equipment, Parts, Supplies and Services (PW19070) (City Wide) (Item 10.3)**
- (a) That the standardization of the products, services and suppliers identified in Appendices "B", "C" and "D" to Public Works Committee Report 19-011 pursuant to Procurement Policy #14 - Standardization and as the single source of supply for the listed equipment, parts, supplies and services for the Hamilton Water Division be approved;
 - (b) That the General Manager of Public Works, or his designate, be authorized to negotiate, enter into and execute any required Contract and any ancillary documents required to give effect thereto with those suppliers identified in Appendices "B", "C" and "D" to Public Works

Committee Report 19-011 with content acceptable to the General Manager of Public Works, and in a form satisfactory to the City Solicitor; and,

- (c) That the General Manager of Public Works, or his designate, be authorized, in the event that a supplier identified in Appendices “B”, “C” and “D” to Public Works Committee Report 19-011 undergoes a name change, to amend any Contracts executed and any ancillary documents as required in a form satisfactory to the City Solicitor.

5. HSR TransCab - In-House Bid for 2019 Request for Tenders (RFT) (PW19071) (Wards 6, 9, 10 and 11) (Item 10.4)

- (a) That the Manager of Procurement be authorized and directed to issue a Request for Tenders (RFT) for the provision of shared ride taxi (Trans-Cab) services between locations in designated neighbourhoods;
- (b) That the General Manager of Public Works be authorized and directed to establish an in-house bid team together with the Amalgamated Transit Union (ATU), to prepare and submit a bid to the RFT with the potential to transfer the Trans-Cab services from a contracted service provider to an in-house service as outlined in the City’s Procurement Policy #22 – In-House Bid Submission;
- (c) That staff retain a Fairness Monitor to assist in ensuring fairness in the RFT process; and,
- (d) That staff report back to the Public Works Committee with recommendations based on the results of both the in-house bid and external bids received in response to the RFT.

6. Installation of Speed Cushions on Queensdale Avenue East, Hamilton in front of #76 Queensdale Avenue East, #103 Queensdale Avenue East and on Queensdale Avenue East Approximately 20 Metres West of Bruce Park Drive (Ward 8) (Item 11.1)

- (a) That staff be directed to install three speed cushions on Queensdale Avenue East, Hamilton in front of #76 Queensdale Avenue East, #103 Queensdale Avenue East and on Queensdale Avenue East Approximately 20 Metres West of Bruce Park Drive, at a cost not to exceed \$16,800, to be funded from the Ward 8 Area Rating Capital Reserve Fund (108058); and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents to install three speed

cushions on Queensdale Avenue East, Hamilton in front of #76 Queensdale Avenue East, #103 Queensdale Avenue East and on Queensdale Avenue East Approximately 20 Metres West of Bruce Park Drive, with such terms and conditions in a form satisfactory to the City Solicitor.

7. Installation of Two Ornamental Bollards on the Northeast Corner of Main Street East and John Street South, Hamilton (Ward 2) (Item 11.2)

WHEREAS, a number of collisions have occurred resulting in vehicles coming to rest on the sidewalk or striking the building on the northeast corner of Main Street East and John Street South, Hamilton; and,

WHEREAS, there are concerns for pedestrian safety at the northeast corner of Main Street East and John Street South, Hamilton;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to install two ornamental bollards on the northeast corner of Main Street East and John Street South, Hamilton, to be funded from the Ward 2 Area Rating Reserve Fund (108052) to an upset limit of \$6,000; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents to install two ornamental bollards on the northeast corner of Main Street East and John Street South, Hamilton, with such terms and conditions in a form satisfactory to the City Solicitor.

8. Installation of a Speed Cushion on Wexford Avenue South, Hamilton in front of #278 Wexford Avenue South (Ward 4) (Item 11.3)

WHEREAS, Ward 4 Councillor Sam Merulla received requests from the residents of Wexford Avenue South to install a speed cushion on Wexford Avenue South, Hamilton;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to install a speed cushion on Wexford Avenue South, Hamilton in front of #278 Wexford Avenue South at a cost not to exceed \$5,600, to be funded from the Ward 4 Area Rating Capital 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 a speed cushion

on Wexford Avenue South, Hamilton in front of #278 Wexford Avenue South with such terms and conditions in a form satisfactory to the City Solicitor.

9. Ward 2 Area Rating Capital Reserve Community Building Capital Partnership Projects (Item 11.4)

WHEREAS, the following projects represent a collaboration of work between various downtown stakeholders that include, but are not limited to, the Downtown Business Improvement Area (BIA), Stinson Neighbourhood Association, Business owners on Restaurant Row, James Street North merchants, Supercrawl Productions and City Staff that includes EMS (Fire), Planning and Economic Development, and Public Works;

THEREFORE, BE IT RESOLVED:

- (a) That funding for the following projects, to be financed from the Ward 2 Area Rating Capital Reserve Fund (108052), be approved:
 - (i) \$19,200 for three power conduits for the James Street North holiday seasonal public art lighting displays and Supercrawl Productions non-generated environmentally friendly power sourcing in partnership with Alectra Utilities (specifications shown in Appendix "E" to Public Works Committee Report 19-011);
 - (ii) \$5,500 for a string lighting project on Restaurant Row (King William Street between James Street North and John Street North), with the Downtown Business Improvement Area (BIA) being responsible for operating costs associated with the lighting;
 - (iii) \$50,000 for replacing an existing basketball pad and pathways at Shamrock Park North;
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

10. Victoria Park Pedestrian Lighting Improvements (Ward 1) (Item 11.5)

WHEREAS, Victoria Park is an active community park in the Strathcona neighbourhood of Ward 1, with pathways that promote active transportation through the community;

WHEREAS, pedestrian pathway lighting exists in the majority of Victoria Park, supporting commuters and park users;

WHEREAS, the southern area of Victoria Park is not currently lit, and park users would benefit with the addition of pedestrian pathway lighting; and,

WHEREAS, the \$80,000 (Project ID #4241709114) of funding previously approved for Victoria Park pedestrian lighting is not adequate to meet the \$112,000.00 estimated costs for archaeological work, increased lighting scope and contingency;

THEREFORE, BE IT RESOLVED:

- (a) That an additional \$32,000 of funding be allocated from the Ward 1 Area Rating Reserve Fund (108051) to Project ID #4241709114, to implement new pedestrian pathway lighting along the southern pathways of Victoria Park; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents to allocate \$32,000 of additional funding from the Ward 1 Area Rating Reserve Fund (108051) to Project ID #4241709114, to implement new pedestrian pathway lighting along the southern pathways of Victoria Park, with such terms and conditions in a form satisfactory to the City Solicitor.

11. Appointment to the Keep Hamilton Clean and Green Committee for the 2018-2022 Term (Item 14.1)

That the recommendation be approved and released publicly following approval by Council.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

1. DELEGATION REQUESTS (Item 6)

- 6.1 Ian Borsuk, Environment Hamilton, respecting Item 10.1 - Ancaster Memorial Arts & Culture Centre (PW19072) (for today's meeting)
- 6.2 Jamie Stuckless, Share the Road Cycling Coalition, respecting the Bicycle Friendly Communities Program (for a future meeting)

It is recommended that both Delegations respecting Item 10.1 - Ancaster Memorial Arts & Culture Centre (PW19072) be heard first during the Public Hearings/Delegations section (Item 8) of the

agenda and that Item 10.1 be considered immediately following these Delegations.

2. PRIVATE AND CONFIDENTIAL (Item 14)

**14.2. Waste Collection Service Contract (PW19069) (City Wide) --
WITHDRAWN**

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

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) July 10, 2019 (Item 4.1)

The Minutes of the July 10, 2019 meeting of the Public Works Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

The following delegation requests were approved:

- (i) Ian Borsuk, Environment Hamilton, respecting Item 10.1 - Ancaster Memorial Arts & Culture Centre (PW19072) (for today's meeting) (Added Item 6.1)
- (ii) Jamie Stuckless, Share the Road Cycling Coalition, respecting the Bicycle Friendly Communities Program (for a future meeting) (Added Item 6.2)

(e) CONSENT ITEMS (Item 7)

**(i) Interview Sub-Committee to the Public Works Committee Minutes -
August 12, 2019 (Item 7.1)**

The Minutes of the August 12, 2019 meeting of the Interview Sub-Committee to the Public Works Committee, were received.

(f) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) Robert Wilkins, Ancaster Society for the Performing Arts, respecting Item 10.1 - Ancaster Memorial Arts & Culture Centre (PW19072) (approved on June 3, 2019) (Item 8.1)

Robert Wilkins, Ancaster Society for the Performing Arts, addressed the Committee respecting Item 10.1 - Ancaster Memorial Arts & Culture Centre (PW19072), with the aid of a handout.

Robert Wilkins, Ancaster Society for the Performing Arts, was permitted to address the Committee for an additional 5 minutes in order to complete his presentation.

The delegation by Robert Wilkins, Ancaster Society for the Performing Arts, respecting Item 10.1 - Ancaster Memorial Arts & Culture Centre (PW19072), was received.

A copy of the handout is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

For further disposition of this matter, refer to Item 2.

(ii) Ian Borsuk, Environment Hamilton, respecting Item 10.1 - Ancaster Memorial Arts & Culture Centre (PW19072) (Added Item 8.4)

Ian Borsuk, Environment Hamilton, addressed the Committee respecting Item 10.1 - Ancaster Memorial Arts & Culture Centre (PW19072), with the aid of a handout.

The delegation by Ian Borsuk, Environment Hamilton, respecting Item 10.1 - Ancaster Memorial Arts & Culture Centre (PW19072), was received.

A copy of the handout is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

For further disposition of this matter, refer to Item 2.

(g) DISCUSSION ITEMS (Item 10)

(i) Ancaster Memorial Arts & Culture Centre (PW19072) (Ward 12) (Outstanding Business Item List) (Item 10.1)

Councillor Ferguson relinquished the Chair to Councillor Danko.

For further disposition of this matter, refer to Item 2.

(h) PUBLIC HEARINGS / DELEGATIONS (Item 8) - CONTINUED

(i) David Borsellino, respecting Traffic Data Used to Make Modifications on Aberdeen Ave. and Enhancements at the Intersection at Kent St. and Glenfern Ave. (Ward 1) (approved on July 10, 2019) (Item 8.2)

David Borsellino addressed the Committee respecting Traffic Data Used to Make Modifications on Aberdeen Ave. and Enhancements at the Intersection at Kent St. and Glenfern Ave. (Ward 1), with the aid of a handout.

David Borsellino was permitted to address the Committee for an additional 5 minutes in order to complete his presentation.

The delegation by David Borsellino, respecting Traffic Data Used to Make Modifications on Aberdeen Ave. and Enhancements at the Intersection at Kent St. and Glenfern Ave. (Ward 1), was received.

A copy of the handout is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

(ii) Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 40 Maple Drive, Stoney Creek (PW16112(a)) (Ward 10) (Item 8.3)

Councillor Danko advised that notice of the Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 40 Maple Drive, Stoney Creek (PW16112(a)) (Ward 10) was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that there were no registered speakers.

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

The public meeting was closed.

For disposition of this matter, refer to Item 1.

(i) DISCUSSION ITEMS (Item 10) - CONTINUED

(i) Standardization of Hamilton Water Equipment, Parts, Supplies and Services (PW19070) (City Wide) (Item 10.3)

Councillor Ferguson reassumed the Chair.

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

(j) MOTIONS (Item 11)

(i) Theft and Vandalism Prevention in City-Owned Public Spaces (City Wide) (Added Item 11.6)

Staff were directed to identify and explore the feasibility of various options, including Hamilton Police involvement and the installation of security cameras, to address the increase in vandalism and theft in City-owned public spaces and report back to the Public Works Committee.

(k) NOTICES OF MOTION (Item 12)

(i) Theft and Vandalism Prevention in City-Owned Public Spaces (City Wide) (Added Item 12.1)

The Rules of Order were waived to allow for the introduction of a Motion respecting Theft and Vandalism Prevention in City-Owned Public Spaces.

For further disposition of this matter, refer to Item (j) (i).

(l) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

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

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

(a) Items Requiring a New Due Date:

- (i) Functional Traffic Study for Kenilworth Avenue from Main Street to Barton Street**
Item on OBL: J
Current Due Date: August 14, 2019
Proposed New Due Date: October 18, 2019

- (ii) Hamilton-Halton Homebuilders' Association (HHHBA) Delegation on Water Main Approval Issues and Recommendations for Master-water/wastewater Servicing Studies
Item on OBL: T
Current Due Date: August 14, 2019
Proposed New Due Date: September 6, 2019
 - (iii) Red Hill Valley Project Integrated Environmental Monitoring Program
Item on OBL: Z
Current Due Date: September 30, 2019
Proposed New Due Date: November 18, 2019
 - (iv) Timely Notice of Any Discharges of Untreated or Partially Treated Sewerage into Hamilton Harbour from Local Municipal Sewerage Treatment Plants
Item on OBL: AJ
Current Due Date: August 14, 2019
Proposed New Due Date: September 16, 2019
 - (v) Additional Report on Vision Zero
Item on OBL: AP
Current Due Date: September 16, 2019
Proposed New Due Date: October 18, 2019
- (b) Items Considered Complete and Needing to be Removed:
- (i) Project 3541641602 – Ancaster Memorial Arts and Culture Centre
Addressed as Item 10.1 on today's agenda – Report PW19072
Item on OBL: AX

(m) PRIVATE AND CONFIDENTIAL (Item 14)

Committee determined that discussion of Item 14.1 was not required in Closed Session, so the item was addressed in Open Session, as follows:

- (i) **Appointment to the Keep Hamilton Clean and Green Committee for the 2018-2022 Term (Item 14.1)**

For further disposition of this matter, refer to Item 11.

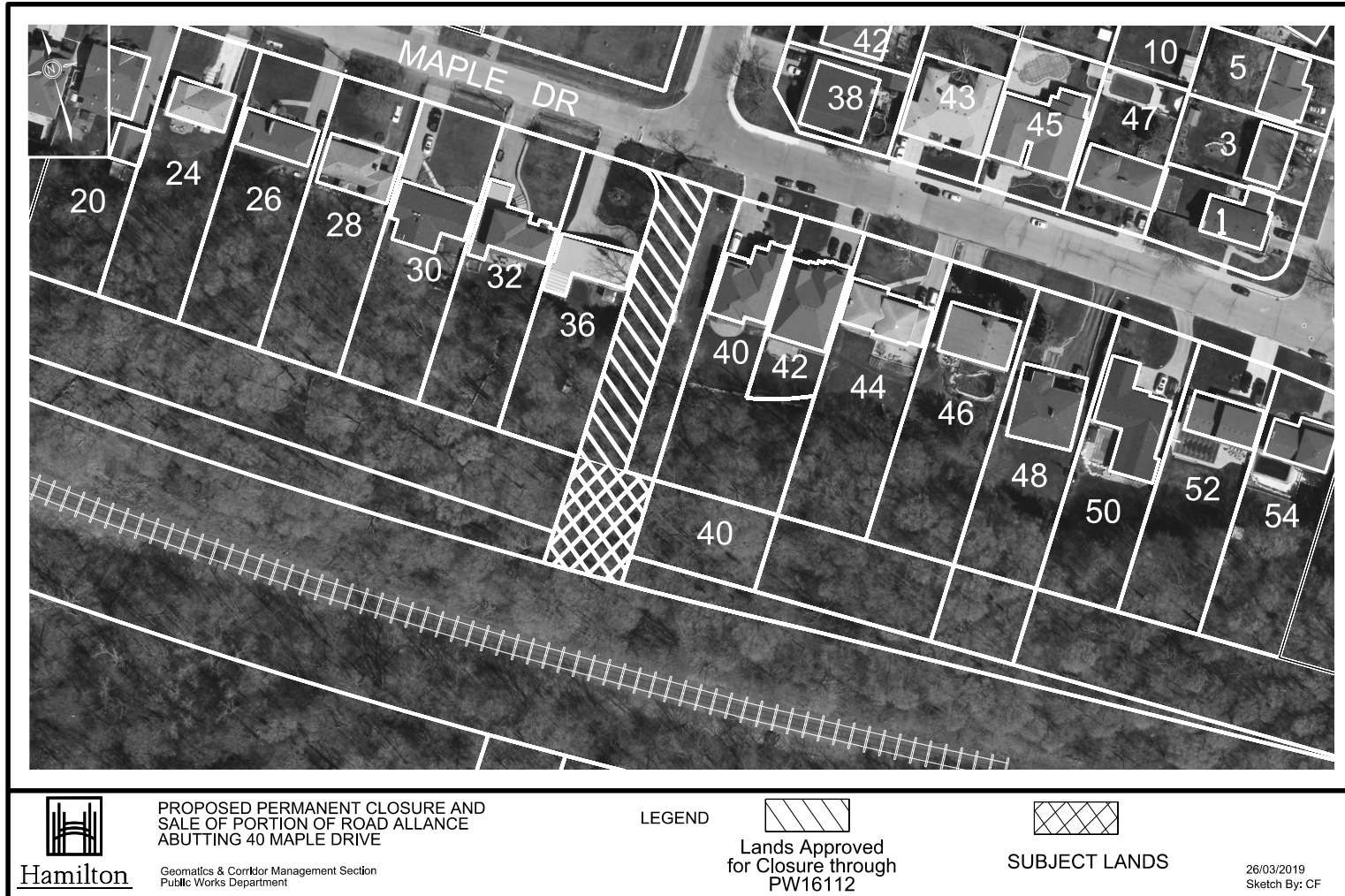
(n) ADJOURNMENT (Item 15)

There being no further business, the Public Works Committee was adjourned at 12:18 p.m.

Respectfully submitted,

Councillor L. Ferguson
Chair, Public Works Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk



Parts, Supplies, Equipment and Services for the City of Hamilton Environmental Laboratory

Vendor Name	Manufacturer	Service	Distributor	Goods	Services	Account #	Dept Id.	Est. Annual \$ 2019	Annual Spent 2018	Annual Spent 2017	Annual Spent 2016	Comments
AirOn HVAC Services Ltd.	X	X	X	Provide all Labour, Equipment and Materials necessary to service and maintain the Laboratory's only Makeup Air Unit (MAU).	The Makeup Air Unit (Engineered Air) is the sole unit that provides exhaust for all laboratory chemical hoods. Airon has been providing this service and now has an intimate history of the needs and complexity until a replacement unit can be provided under separate contract.	55916	510310	\$ 90,000.00	\$ 74,650.00	\$ 58,612.00	\$ 50,000.00	
Abraxis, LLC	X	X	X	Instruments, parts, supplies, service and Laboratory Performance Testing samples for microcystins ELISA analysis	OEM spare parts, supplies and services for existing equipment utilized by the Environmental Laboratory	53051	510250	\$ 9,000.00	\$ 6,675.00	\$ 9,300.00	\$ 10,150.00	USD
Agilent Technologies Canada, Inc.	X	X	X	Instruments, parts, supplies and service for trace metal (Varian Vista-PRO Axial CCD ICP-OES and Agilent 7900 ICP-MS) and trace organic analysis (Agilent GC/MSD System, Tekmar Purge and Trap auto sampler with Agilent GC/MSD System, Agilent GC/MS/MS System, SPME PAL Autosampler with GC/MSD System)	OEM spare parts, supplies and services for existing equipment utilized by the Environmental Laboratory	53051	510250	\$ 23,000.00	\$ 14,176.96	\$ 16,666.49	\$ 21,720.50	
						54920	510250	\$ 55,000.00	\$ 50,772.00	\$ 49,944.00	\$ 58,648.77	
Canadian Association for Laboratory Accreditation (CALA)		X		Laboratory Accreditation Services and Laboratory Performance Testing Samples	On site ISO 17025 Laboratory Assessments and Provider of specialized standards utilized by the Environmental Laboratory to maintain ISO 17025 Accreditation	53132	510250	\$ 25,000.00	\$ 27,550.00	\$ 22,400.00	\$ 22,617.03	
Delta Scientific Laboratory Products Ltd.			X									
High-Purity Standards	X			Certified reference standards and laboratory consumables.	Provider of specialized standards and consumables utilized by the Environmental Laboratory to maintain ISO 17025 Accreditation	53051	510250	\$ 25,000.00	\$ 18,686.68	\$ 19,324.04	\$ 24,155.75	
Q2SI	X											
Inorganic Ventures	X											
IDEXX Laboratories Canada Corporation	X	X	X	Instruments, parts and supplies for Microbiological analysis of regulated drinking waters, wastewaters and bioassays	Provider of OEM parts, supplies and service for equipment utilized by the Environmental Laboratory	53051	510250	\$ 35,000.00	\$ 16,805.00	NA	NA	
Instruments Canada Company Ltd.		X		Providing on-site calibration services for the laboratory certified thermometers and digesters	Providing on-site calibration services for the laboratory certified thermometers and digesters	54920	510250	\$ 8,000.00	\$ 6,024.00	\$ 5,694.00	\$ 5,331.00	
						53251	5161769075	\$ 30,000.00	\$ 6,664.25	\$ 7,511.37	\$ 21,002.87	
Magnetar Corporation	X	X		Maintenance and Upgrades to SIRIUS Laboratory Information Management System (LIMS) database	Maintenance and Upgrades to laboratory information management system (LIMS) database	54920	5161769075	\$ 20,000.00	\$ 15,581.51	\$ 14,090.00	\$ 14,090.00	
Millipore Canada Ltd.	X	X	X	Parts, supplies and service for Laboratory water purification systems for trace analysis	OEM spare parts, supplies and services for existing equipment utilized by the Environmental Laboratory	53051	510250	\$ 17,500.00	\$ 14,124.80	\$ 11,482.16	\$ 9,036.16	
						54920	510250	\$ 3,600.00	\$ 3,546.20	\$ 3,210.20	\$ 1,689.00	
PerkinElmer Health Sciences Canada, Inc.	X	X	X	Instruments, parts, supplies and service for Flow Injection Mercury System.	OEM spare parts, supplies and services for existing equipment utilized by the Environmental Laboratory	54920	510250	\$ 2,500.00	\$ -	\$ -	\$ 2,580.00	
SGS Canada Inc.		X		Laboratory Analytical Services Accredited to ISO 17025 and MECP Licensed for regulatory drinking water analysis for specific tests listed in their scope of analysis.	Provider of analytical testing services for the Environmental Laboratory's surplus analysis	55916	510250	\$ 60,000.00	\$ 38,738.10	\$ 109,074.00	\$ 52,434.50	
Sigma-Aldrich Canada Co.	X		X	SUPELCO, Fluka, Cerillan and RTC Analytical certified reference standards, certified proficiency testing standards and SUPELCO laboratory consumables	Provider of specialized standards utilized by the Environmental Laboratory to maintain ISO 17025 Accreditation	53051	510250	\$ 12,000.00	\$ 7,394.90	\$ 12,894.50	\$ 11,075.20	
Skalar Inc.	X	X	X	Instruments parts, supplies and service for Skalar Automated Chemistry Systems	OEM spare parts, supplies and services for existing equipment utilized by the Environmental Laboratory	53051	510250	\$ 15,000.00	\$ 12,424.00	\$ 9,999.00	\$ 10,953.20	
Systems Plus (598076 Ontario Inc.)	X		X	Supplier of pre-cleaned, pre-labelled Laboratory Bottles for all analytical analysis including regulatory drinking water	Provider of pre-cleaned, pre-labelled Laboratory Bottles for all analytical analysis including regulatory drinking water	53051	510250	\$ 45,000.00	\$ 31,150.74	\$ 44,404.30	\$ 41,582.93	
Thermo Fisher Scientific (Mississauga) Inc	X	X	X	Instruments, parts, supplies and service for anion analysis	OEM spare parts, supplies and services for existing equipment utilized by the Environmental Laboratory	53051	510250	\$ 18,000.00	\$ 22,492.00	\$ 14,689.40	\$ 14,896.80	
VWR (A Part of Avantor)			X									
Environmental Resource Associates (ERA)	X			Supplier of Single Blind Reference Standards	Provider of specialized standards utilized by the Environmental Laboratory to maintain ISO 17025 Accreditation	53132	510250	\$ 23,000.00	\$ 20,616.00	\$ 23,342.00	\$ 20,679.45	
								\$ 516,600.00	\$ 408,572.14	\$ 451,583.30	\$ 409,483.16	

Parts, Supplies, Equipment and Services for Plant Operations and Plant Maintenance and Technical Services

Vendor Name	Manufacturer	Service	Distributor	Goods	Services	Account #	Dept ID.	Est. Annual \$ 2019	Annual Spent 2018	Annual Spent 2017	Annual Spent 2016	Comments
H2 FLOW EQUIPMENT INC.		x	x	Support and supplies for Trojan Ultra-Violet (UV) disinfection units , Digester mixer equipment	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 25,000.00	\$ 26,511.31	\$ 25,768.75	\$ 2,531.20	
Orvivo			x									
Trojan Technologies	x	x										
HACH SALES & SERVICE LP	x	x	x	Support and supplies for Hach equipment.	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	53051 54720	510320	\$ 75,000.00	\$ 73,963.28	\$ 89,869.32	\$ 72,381.32	
INDACHEM INC			x	Polyblend Polymer systems, including pumps, mixers, drives, controllers, etc. ORP, Strantrol Analyzers and Chemical Feed/mixing systems.	OEM spare parts to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 12,500.00	\$ -	\$ -	\$ 24,689.54	
UGSI Chemical Feed, Inc	x											
JOHN BROOKS COMPANY LIMITED		x	x	Gorman Rupp Pumps and Vaughan Pumps, low lift trash Pump, digester pumps, digester recirculation pumps, scum pumps, Seepex Pumping Systems, including pumps, motors, drives, etc.	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 45,000.00	\$ 75,878.02	\$ 3,096.00	\$ 69,112.47	
Gorman Rupp	x											
Seepex	x											
Vaughan Pumps	x											
John Crane	x	x	x	Mechanical seals for various high lift pumps	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 12,500.00	\$ 13,829.20	\$ 3,698.50		
JSM CONTROLS INC		x	x	Gas Chlorination System (evaporators, chlorinators, vacuum regulators, pressure relief, piping and valves), Digester Gas System (Westech / Varec field service rep)	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	53051 54720 55916	510320	\$ 65,000.00	\$ 40,894.00	\$ 132,000.29	\$ 28,227.71	
KSB PUMPS INC. (CANADA)	x		x	KSB process systems, including pumps, mixers, drives, controllers, etc. and other miscellaneous equipment and parts for these KSB systems.	OEM spare parts to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 12,500.00	\$ 9,102.26	\$ -	\$ -	
LAKESIDE PROCESS CONTROLS LTD		x	x	Emerson Rosemount Analyzers used in numerous processes throughout the water treatment facilities.	OEM spare parts, equipment and service to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 12,500.00	\$ 1,280.00	\$ 9,116.08	\$ 19,189.45	
Emerson	x											
LANDMARK MUNICIPAL SERVICES ULC (LMS)		x		Municipal Water Towers, structural inspections	Provide all Labour, Equipment and Materials to maintain potable water towers	53051	510320	\$ 10,000.00	\$ 9,800.00	\$ 9,361.05	\$ 8,500.00	
LOTOWATER TECHNICAL SERVICES INC		x		Potable water wells assessment, maintenance and repair	OEM spare parts, equipment and services for the potable water wells maintenance and associated equipment utilized by Plant Operations.	54720	510320	\$ 35,000.00	\$ -	\$ 33,178.69	\$ 33,342.60	
METCON SALES & ENGINEERING LIMITED			x	ABB Flow Meters, Turbidity Meters (including analyzers, switches, valves and other associated equipment and components).	OEM spare parts and equipment to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 50,000.00	\$ 52,918.46	\$ 61,045.42	\$ 37,022.36	
ABB	x											
Prominent	x			Peristaltic Metering pumps Prominent Chlorine monitors and analyzers								
NATIONAL PROCESS EQUIPMENT		x	x	Charlotte America bladder vessels Fairbank pumps, van chopper pumps, Pentair Aurora products	OEM parts and services to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 5,000.00	\$ -	\$ -	\$ -	
Charlotte America	x											
Nedco			x	Schneider Electric control equipment & switchgear. Schneider Electric encompasses the following brands: Square D, Juno Lighting Group, PELCO and APC.	OEM spare parts to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 5,000.00	\$ -	\$ -	\$ -	
Schneider Electric	x											
PENCON EQUIPMENT COMPANY		x	x	RoFlo Gas Compressors within the process systems, including full compressor assemblies and miscellaneous equipment and parts (e.g. rotor blades cylinder heads etc.)	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	54720	510320	\$ 15,000.00	\$ 60,558.00	\$ -	\$ 8,113.40	
Ro-Flo Compressors LLC	x											
Pinder's Security Products		x	x	Medeco Security Lock systems, Sargent - Assa Abloy devices, Mechanical Lock/Key, High Security Locking Systems and parts for these systems.	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	53051 56202	510320	\$ 5,000.00	\$ -	\$ -	\$ -	
Medeco	x											
PRO AQUA INC		x	x	Evoqua Envirex Products for HSPRI	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 100,000.00	\$ 110,566.68	\$ -	\$ 176,342.90	
EVQUA WATER TECHNOLOGIES LTD	x			Aqua-Lator Systems & Services								
ROTORK CONTROLS (CANADA) LTD.	x	x	x	Rotork actuator systems, including various equipment and components such as actuators, spindles, brackets, starters, transformers, valve positioners, controls etc.	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 40,000.00	\$ 43,910.66	\$ 28,903.43	\$ 53,141.18	
Schneider Electric Canada Inc.	x	x	x	Schneider Electric electrical control equipment and switchgear	OEM spare parts and services to maintain existing equipment utilized by Plant Operations.	53051 54720 55916	510320	\$ 12,500.00	\$ 10,874.44	\$ -	\$ -	
SCHWING BIOSET INC	x	x	x	Schwing replacement parts	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 225,000.00	\$ 26,132.50	\$ -	\$ 18,844.07	
Smart Turner Pumps Inc.	x	x	x	Smart Turner water pumps and motors.	OEM spare parts and services to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ -	\$ -	\$ -	\$ -	
SMITH & LOVELESS, INC.	x		x	Smith and Loveless process systems, including pumps, classifiers, grit separators, controllers, etc.	OEM spare parts and equipment to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 25,000.00	\$ 49,961.63	\$ 10,065.50	\$ 22,251.42	
SPAANS BABCOCK	x	x	x	Archimedes Screw Pumps	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 15,000.00	\$ 7,833.00	\$ 16,925.14	\$ 22,880.00	
SPD SALES LIMITED			x	Grundfos Products including Aldos Products, ATI Technology Inc. Products, Blue-White Metering Pumps and MSA gas monitor equipment	OEM spare parts and equipment to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 100,000.00	\$ 43,437.00	\$ 59,499.57	\$ 20,658.20	
Grundfos	x											
Blue-White	x											
MSA	x											
SRP Controls Limited			x	Additel equipment	OEM spare parts and equipment to maintain existing equipment utilized by Plant Operations.	53051	53051	\$ 50,000.00	\$ -	\$ -	\$ -	
Additel	x											
SUEZ TREATMENT SOLUTIONS INC.	x	x	x	Climbing Bar Screens (formerly Inflico Degremont)	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	53051 55916	510320	\$ 375,000.00	\$ -	\$ 176,538.71	\$ 1,662.09	
SYNTEC PROCESS EQUIPMENT LTD.		x	x	Chemline valves and fittings, Singer pressure reducing valves (PRV), Val-Matic valves, Red Valve (Tideline) pinch and check valves, Trueline valves and fittings, Netzsch Pumps	OEM spare parts to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 85,000.00	\$ 129,690.50	\$ 75,000.96	\$ 25,853.27	
Chemline	x											
Netzsch	x											
Red Valve	x											
Singer Valve	x											
Trueline	x											
Val-Matic	x											
T.D. ROOKE ASSOCIATES LIMITED		x	x	Gratec LIGHTNING (SPX Flow) Mixers process systems, including mixers, drives, controllers, etc. and Flowserve Pumps (Worthington Pumps in Main Pump House)	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ -	\$ -	\$ 55,300.28	\$ -	
Gratec		x										
SPX Flow	x											
Technical Standards & Safety Authority (TSSA)				Providing safety management consultation for businesses and industries in Ontario.	Quality Assessed Facility (QAF) program: to ensure that each piece of equipment is thoroughly examined for the necessary approvals and compliance with the Technical Standards and Safety Act 2000, applicable regulations and codes.	55926	510320	\$ 2,700.00	\$ 1,200.00	\$ 1,113.00	\$ -	
TRANSCAT INC		x		Providing on-site calibration services to the instrumentation testing equipment.	OEM services to maintain existing equipment utilized by Plant Operations.	54720	510320	\$ 22,500.00	\$ 21,835.34	\$ 15,847.54	\$ 15,288.22	

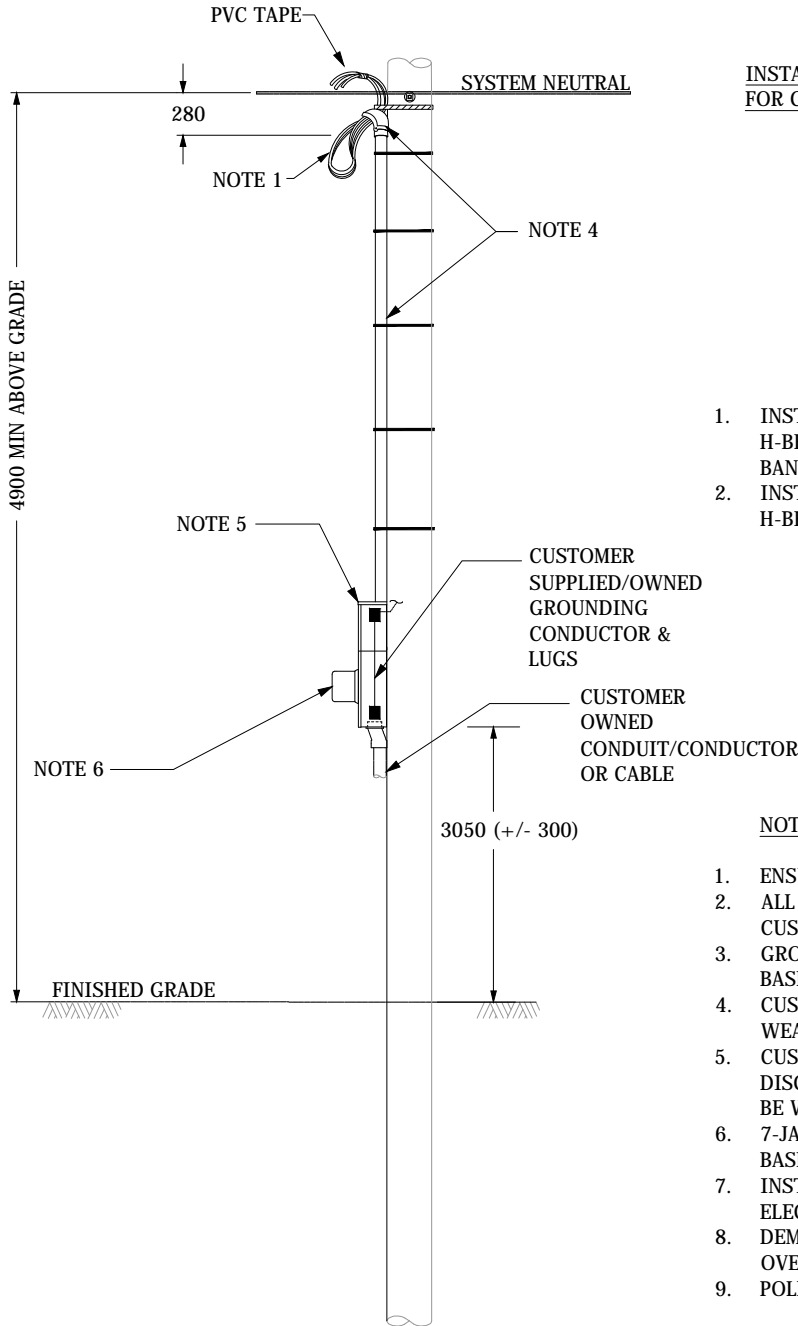
Parts, Supplies, Equipment and Services for Plant Operations and Plant Maintenance and Technical Services

Vendor Name	Manufacturer	Service	Distributor	Goods	Services	Account #	Dept ID.	Est. Annual \$ 2019	Annual Spent 2018	Annual Spent 2017	Annual Spent 2016	Comments
WAJAX INDUSTRIAL COMPONENTS		x	x	Moyno Pumping Systems, including pumps, motors, drives, etc. and other miscellaneous equipment and parts for these Moyno Pump Systems.	OEM spare parts and services to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 65,000.00	\$ 325,401.64	\$ 14,323.32	\$ 17,184.17	
Moyno Inc	x											
XYLEM CANADA COMPANY		x	x	ITT Flygt process systems, including pumps, mixers, drives, controllers, etc. and other miscellaneous equipment and parts for these ITT systems.	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	53051 54720	510320	\$ 350,000.00	\$ 452,639.62	\$ 302,944.69	\$ 224,549.46	
ITT Flygt	x											
Trinium EX	x	x	x	Building automation system	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	54915	510320	\$ 5,000.00	\$ -	\$ -	\$ -	
Brenntag		x	x	Tonnens, 68 kg chlorine cylinders	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	54915	510320	\$ 5,000.00	\$ -	\$ -	\$ 1,200.00	
Abba Parts	x	x	x	Pumps vertical turbines (HD002) (HD016) Gould's, HSMPS impellers and parts	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 7,500.00	\$ -	\$ 55,315.00	\$ -	
Troy-Ontor Inc		x	x	Auma actuators	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 12,500.00	\$ 29,897.00	\$ -	\$ -	
Auma Actuators Inc	x											
Siemens Canada Limited	x	x	x	Siemens electrical control equipment, switchgear, soft starters, VFDs, Flender gearboxes, couplings and geared motors (HSSEC)	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	53051 54720 55916	510320	\$ 60,000.00	\$ 58,480.04	\$ 50,617.00	\$ 13,795.00	
Active scale	x	x	x	Weigh scales	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	53051	510320	\$ 3,500.00	\$ -	\$ 1,564.00	\$ 12,083.00	
WESTECH INDUSTRIAL LTD	x	x	x	Varec and Westech gas equipment	OEM spare parts, equipment and services to maintain existing equipment utilized by Plant Operations.	53051 54720	510320	\$ 63,613.00	\$ 5,013.00	\$ -	\$ -	
								\$ 2,901,313.00	\$ 3,246,140.61	\$ 1,970,979.42	\$ 1,259,457.28	

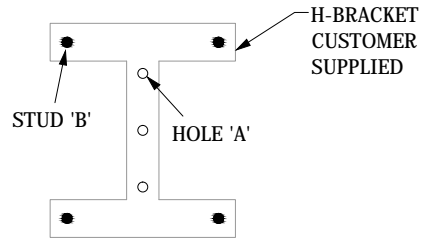
Parts, Supplies, Equipment and Services for Additional Hamilton Water Sections

Vendor Name	Manufacturer	Service	Distributor	Goods	Services	Account #	Dept Id.	Est. Annual \$ 2019	Annual Spent 2018	Annual Spent 2017	Annual Spent 2016	Comments
4IMAC INC		x		CMMS Software support	Technical support for the modification of the City's existing Computerized Maintenance System	55916	510230	\$ 80,000.00	\$ 23,078.50	\$ 33,249.75		
Infor			x	CMMS Software - EAM licensing and Modules	Infor EAM licensing and extensions	55916	510230	\$ 250,000.00	\$ 43,211.00			
E.H. Wachs	X	X	X	ERV-750 Valve Exerciser - Automated Valve Operator, VMT2 Valve and Hydrant Maintenance Trailer, WACHS Vital (valve data collection) software system, WACHS Hydrant Cutter	OEM spare parts, equipment and services to maintain existing equipment utilized by Water Distribution and Wastewater Collection	58550	510285	\$ 75,000.00	\$ 30,000.00	\$ 29,749.58	\$ 36,130.61	
Evans Utility & Municipal Products	X	X	X	Meter spacers of various sizes and red red reducers, parts to assemble or create Fire Hydrant Meters (i.e. 2.5" Female Swivel by 3" MIPT Adapter), fabricated stands for Fire Hydrant Meters.	OEM spare parts, equipment and services to maintain existing equipment utilized by Customer Service and Community Outreach	53051	510220	\$ 21,000.00	\$ 20,000.00	\$ 4,847.00	\$ -	
Images Puppet Productions Inc.	X	X	X	Images Puppet Productions was hired to create 3 puppet shows with support from Hamilton Water staff which included music creation, puppet creation, educational messaging, props and show recordings.	Equipment and services to maintain existing equipment utilized by Customer Service and Community Outreach	55916	510215	\$ 25,000.00	\$ 30,000.00	\$ 23,446.00	\$ 19,650.00	
Industrial Scientific Corporation	X	X	X	OEM Ventis MX4 gas detectors and accessories	OEM spare parts, equipment and services to maintain existing equipment utilized by Water Distribution and Wastewater Collection, Plant Operations, Plant Maintenance & Technical Services, and Compliance & Regulations	55916	510280	\$ 25,000.00	\$ 24,396.60	\$ -	\$ -	
						55916	510275	\$ 11,000.00	\$ 10,924.08	\$ -	\$ -	
						55916	510320	\$ 12,000.00	\$ 11,868.60	\$ -	\$ -	
						53445	510260	\$ 5,000.00	\$ 4,966.44	\$ -	\$ -	
Kronos Inc.	X	X	X	Kronos In Touch 9000 terminals	OEM spare parts, equipment and support services to maintain existing equipment utilized by Hamilton Water.	53251	510200	\$ 15,000.00	\$ 10,000.00	\$ 30,000.00	\$ -	
Pipeline Repair Services Inc.		X		Specialized pipeline repair services (6" to 36" linestop as a temporary isolation point)	OEM spare parts, equipment and services to maintain existing equipment utilized by Water Distribution and Wastewater Collection	55916	510280	\$ 60,000.00	\$ 56,500.00	\$ 42,120.00	\$ -	
Van Essen Instruments - Canada	X	X	X	Water level and water quality dataloggers, including communication devices and cables.	OEM spare parts and services to maintain existing equipment utilized by Water & Wastewater Systems Planning	53051	510305	\$ 20,000.00	\$ 30,000.00	\$ 11,050.11	\$ 10,516.13	
Voiconet Interactive Inc	X	X		An emergency notification system where our data is stored within Canada on Canadian servers.	To provide mass outbound calling in the event of adverse water quality incidents and preventative measures i.e. Frozen Water Services, Backwater Valve Maintenance etc. to 150,000 Hamilton users.	55916	510230	\$ 10,000.00	\$ 10,000.00	\$ -	\$ -	
Flowpoint Environmental Systems LP		X		Software which supports our Bulk Water Filling Stations to allow customers to create an account online and purchase water online.	Dispensing Systems Water Exchange Annual Cloud Software and Extended Warranty	55916	510220	\$ 12,575.00	\$ 12,575.00			
Neptune Technology Group		X		Software which supports our Carlisle AMI Pilot Project to ensure that meter reads can be obtained from this technology	Collector and Software maintenance	55916	510220	\$ 15,000.00	\$ 14,075.00			
								\$ 636,575.00	\$ 331,595.22	\$ 174,462.44	\$ 66,296.74	

CERTIFIED
Regulation 22/04



INSTALLATION OF MOUNTING H-BRACKET FOR CUSTOMER OWNED EQUIPMENT.



1. INSTALL 3 3/8 x 3" LAG BOLTS THROUGH H-BRACKET HOLES (A) INTO WOOD POLE. USE BANDING ON CONCRETE POLE.
2. INSTALL CABINET ONTO THREADED STUDS (B) ON H-BRACKET AN INSTALL NUTS.

NOTES:

1. ENSURE DRIP LOOP (915mm) IS INSTALLED.
2. ALL EQUIPMENT/MATERIALS SHOWN WILL BE SUPPLIED BY CUSTOMER, INSTALLED BY HUC CREWS.
3. GROUND AND BOND 3 PHASE DISCONNECT AND METER BASE AS PER 41-99 AND 27-51.
4. CUSTOMER SUPPLIED/OWNED CONDUIT, CONDUCTOR, AND WEATHER HEADS.
5. CUSTOMER SUPPLIED/OWNED 347/600V 100/200A 3 PHASE DISCONNECT/BREAKER (FUSED). DISCONNECT/BREAKER TO BE WATERPROOF AND LOCKABLE.
6. 7-JAW 200A METER OWNED BY HORIZON UTILITIES, METER BASE SUPPLIED/OWNED BY CUSTOMER.
7. INSTALLATION TO BE INSPECTED AND APPROVED BY ELECTRICAL SAFETY AUTHORITY (ESA).
8. DEMARCATION POINT IS THE POINT OF CONNECTION TO OVERHEAD SECONDARY BUS/SERVICE.
9. POLE EXISTING AND OWNED BY HORIZON UTILITIES.

ALL DIMENSIONS ARE IN mm UNLESS OTHERWISE SPECIFIED



DRAWING STATUS	BY	DATE DD/MM/YY
DRAWN:	BN	22/04/15
CHECKED:	RM	28/05/15
APPROVED:	DH	28/05/15

TEMPORARY SERVICE
INSTALLATION 600V
WYE SERVICE
100A/200A

DRAWINGS NOT TO SCALE			REFERENCE DRAWINGS: 41-99 27-51		
DRAWING #		SHEET#	REVISION#		
27-14B		1	1		



BOARD OF HEALTH REPORT 19-008

1:30 p.m.

Wednesday, August 14, 2019

Council Chambers
Hamilton City Hall

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

**Absent with
Regrets:** Mayor F. Eisenberger (Chair) – Personal
Councillor J. Partridge – Bereavement, Councillor B. Johnson – City Business

THE BOARD OF HEALTH PRESENTS REPORT 19-008 AND RESPECTFULLY RECOMMENDS:

1. COMMUNICATIONS (Item 5)

That the correspondence from Peterborough Public Health, respecting Support for a National School Food Program (Item 5.2), be endorsed.

2. Brody Robinmeyer, respecting Climate Change (for a future meeting) (Added Item 6.14)

That the delegation request from Brody Robinmeyer, respecting Climate Change, be received and referred to the General Issues Committee.

3. Ontario Health Teams Update (BOH19020(a)) (City Wide) (Item 9.1)

That Report BOH19020(a), respecting Ontario Health Teams Update, be received.

4. Climate Change Delegation Requests (Added Item 11.1)

That staff be directed to refer all delegation requests on Climate Change to the General Issues Committee.

FOR INFORMATION:

(a) CERMONIAL ACTIVITIES (Item 1)

There were no ceremonial activities.

(b) CHANGES TO THE AGENDA (Item 2)

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

1. DELEGATION REQUESTS (Item 6)

- 6.3 Elsie Briggs, Parkview Community Association, respecting Pollution Surrounding the Parkview Community (for a future meeting)
- 6.4 Iveta Morin, respecting Pollution Surrounding the Parkview Community (for a future meeting)
- 6.5 George and Edie Bellamy, respecting Pollution Surrounding the Parkview Community (for a future meeting)
- 6.6 David Kebick, respecting Pollution Surrounding the Parkview Community (for a future meeting)
- 6.7 Brian Beck, respecting Pollution Surrounding the Parkview Community (for a future meeting)
- 6.8 Terry Morris, respecting Pollution Surrounding the Parkview Community (for a future meeting)
- 6.9 James MacDonald, respecting Pollution Surrounding the Parkview Community (for a future meeting)
- 6.10 Maureen White, respecting Pollution Surrounding the Parkview Community (for a future meeting)
- 6.11 Gabriel da Silva, respecting Pollution Surrounding the Parkview Community (for a future meeting)

- 6.12 Marius Madaras, respecting Pollution Surrounding the Parkview Community (for a future meeting)
- 6.13 Nolly Bayeng, respecting Pollution Surrounding the Parkview Community (for a future meeting)
- 6.14 Brody Robinmeyer, respecting Climate Change (for a future meeting)

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

(c) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) July 10, 2019 (Item 4.1)

The Minutes of the July 10, 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 Windsor-Essex County Health Unit respecting Immunization for School Children - Seamless Immunization Registry (Item 5.1)

Recommendation: Be received and referred to Public Health Services staff for a report to the Board of Health in September 2019.
- (ii) Correspondence from the Association of Local Public Health Agencies (alPHa) respecting the appointment of Councillor Wilson as the Board of Health Representative, Central West Region (Item 5.3)
- (iii) Correspondence from the Simcoe Muskoka District Health Unit respecting Public Health Modernization (Item 5.4)
- (iv) Correspondence from the Windsor-Essex County Health Unit respecting Smoke-Free-Smoke/Vape Free Outdoor Spaces (Item 5.5)
- (v) Correspondence from the North Bay Parry Sound District Health Unit respecting a Public Health Transformation Initiative in Northeastern Ontario (Item 5.6)

(f) DELEGATION REQUESTS (Item 6)

(i) Delegation Requests respecting Pollution Surrounding the Parkview Community for a future meeting (Items 6.1 – 6.13)

The following Delegation Requests were received, and Public Health staff were directed to host a community meeting, respecting pollution surrounding the Parkview Community, at the Museum of Steam and Technology inviting members of the Parkview Community, the Ministry of Environment, and local Ministers of Provincial Parliament:

- (i) Daniel Morin, respecting Pollution Surrounding the Parkview Community (for future meeting) (Item 6.1)
- (ii) Kathy Cook, respecting Pollution Surrounding the Parkview Community (for a future meeting) (Item 6.2)
- (iii) Elsie Briggs, Parkview Community Association, respecting Pollution Surrounding the Parkview Community (for a future meeting) (Added Item 6.3)
- (iv) Iveta Morin, respecting Pollution Surrounding the Parkview Community (for a future meeting) (Added Item 6.4)
- (v) George and Edie Bellamy, respecting Pollution Surrounding the Parkview Community (for a future meeting) (Added Item 6.5)
- (vi) David Kebick, respecting Pollution Surrounding the Parkview Community (for a future meeting) (Added Item 6.6)
- (vii) Brian Beck, respecting Pollution Surrounding the Parkview Community (for a future meeting) (Added Item 6.7)
- (viii) Terry Morris, respecting Pollution Surrounding the Parkview Community (for a future meeting) (Added Item 6.8)
- (ix) James MacDonald, respecting Pollution Surrounding the Parkview Community (for a future meeting) (Added Item 6.9)
- (x) Maureen White, respecting Pollution Surrounding the Parkview Community (for a future meeting) (Added Item 6.10)
- (xi) Gabriel da Silva, respecting Pollution Surrounding the Parkview Community (for a future meeting) (Added Item 6.11)
- (xii) Marius Madaras, respecting Pollution Surrounding the Parkview Community (for a future meeting) (Added Item 6.12)

- (xiii) Nolly Bayeng, respecting Pollution Surrounding the Parkview Community (for a future meeting) (Added Item 6.13)

(g) CONSENT ITEMS (Item 7)

(i) Food Advisory Committee Minutes - June 11, 2019 (Item 7.1)

The Food Advisory Committee Minutes for June 11, 2019 were received.

(h) STAFF PRESENTATION (Item 9)

(i) Ontario Health Teams Update (BOH19020(a)) (City Wide) (Item 9.1)

Paul Johnson, General Manager, Healthy and Safe Communities, accompanied by the following individuals, addressed the Board of Health with an overview of Report BOH19020(a), respecting an Ontario Health Teams Update, with the aid of a PowerPoint presentation:

- Dr. Elizabeth Richardson – Medical Officer of Health
- Dr. Tom Stewart – CEO, St. Joseph's Health System and Niagara Health
- Rob MacIsaac – President and CEO, Hamilton Health Sciences
- Terry McCarthy – Executive Director, Hamilton Family Health Team
- Dr. David Price – Professor and Chair, Department of Family Medicine, McMaster University
- Bernice King – Co-chair, Hamilton Health Team Partnership Council

The presentation, respecting Ontario Health Teams Update (BOH19020(a)), was received.

For disposition of this matter, refer to Item 3.

The presentation is available at www.hamilton.ca, and through the Office of the City Clerk.

(i) GENERAL INFORMATION AND OTHER BUSINESS (Item 13)

(i) Amendments to the Outstanding Business List:

The following amendments to the Board of Health's Outstanding Business List were approved:

- (a) Items to be Removed:
- 2015-B
Food Strategy BOH13001(d)
August 11, 2015 (Item 7.1)
Addressed as Item at the July 12, 2019 Board of Health meeting
- 2016-B
Food Strategy Priority Actions 2 & 3
August 11, 2016 (Item 7.1)
Addressed as Item 2 at the July 12, 2019 Board of Health meeting
(Food Strategy Priority Actions 2 (Food Skills & Employability) and 3
(Neighbourhood Food Infrastructure) (BOH13001(i)))
- 2019-D
Accelerating and Prioritizing Climate Action in Response to the Climate
Emergency
March 18, 2019, 19-003 (Added Item 8.3)
Addressed as Items 4 and 7 at the June 17, 2019 Board of Health
meeting (Corporate Climate Change Task Force Response to the
Climate Change Emergency Declaration (BOH19022) and
Establishment of Departmental Climate Change Workplans within the
City of Hamilton)
- 2019-E
Fentanyl Overdose Prevention Initiatives
March 18, 2019, 19-003 (Item 8.2)
Addressed as Item 4 at the July 12, 2019 Board of Health meeting
(Report BOH19024, respecting the Feasibility of Providing Drug
Checking (Fentanyl) Test Strips)
- 2019-G
Correspondence from the Toronto Board of Health Urging the Ministry
of Health and Long-Term Care to Support Managed Opioid Programs
April 15, 2019, 19-004 (Item 5.2)
Addressed as Item 3 at the July 12, 2019 Board of Health meeting
(Managed Opioid Treatment Programs (BOH19023) (City Wide))
- 2019-K
Establishment of Departmental Climate Change Workplans within the
City of Hamilton
June 17, 2019, 19-006 (Item 11.1)
Referred to General Issues Committee for updates

(j) ADJOURNMENT (Item 15)

There being no further business, the Board of Health adjourned at 3:02 p.m.

Respectfully submitted,

Councillor Maureen Wilson
Vice-Chair, Board of Health

Angela McRae
Legislative Coordinator
Office of the City Clerk



**CITYHOUSING HAMILTON CORPORATION
SHAREHOLDER MEETING
REPORT 19-002
Immediately following the Board of Health Meeting
Wednesday, August 14, 2019
Council Chambers
Hamilton City Hall, 71 Main Street West**

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

Absent Mayor Eisenberger – Personal
Councillor B. Johnson - City Business
Councillors J. Partridge, T. Whitehead - Personal

**THE CITYHOUSING HAMILTON SHAREHOLDERS PRESENTS REPORT 19-002
AND RESPECTFULLY RECOMMENDS:**

1. Roxborough Park Development Opportunity (Report #17029(d)) (Item 6.1)

That Report #17029(d), respecting a Roxborough Park Development Opportunity, be received and remain confidential.

2. 500 MacNab Tower Renewal Update (Report #18012(c)) (Item 6.2)

That Report #18012(c), respecting a 500 MacNab Tower Renewal Update, be received and remain confidential.

3. CityHousing Hamilton Development Strategy (Item 4.1)

WHEREAS the City of Hamilton is the sole shareholder of CityHousing Hamilton Corporation (CHH);

WHEREAS, CHH is applying for certain loans from certain lenders to renovate wholly owned CHH properties;

WHEREAS, a requirement of funding applications for CHH is the guarantee of the debt and confirmation of the amortization period by City of Hamilton in its capacity as sole shareholder of CHH;

WHEREAS, CHH can access Infrastructure Ontario (IO) loan programs at a discounted municipal interest rate through the City of Hamilton as sole shareholder of CHH; and,

WHEREAS, CHH can enter into debt/debenture/mortgage agreements under terms and conditions that are approved by the Board of Directors and Sole Shareholder;

THEREFORE BE IT RESOLVED:

- (i) That the City of Hamilton, in its capacity as sole shareholder of CHH:
 - (a) Approve the respective development plans outlined in Reports 18012(c) and 17029(d) (attached);
 - (b) Guarantee the debt financing for the projects listed above in Reports 18012(c) and 17029(d) to a cumulative upset limit of (CAN) \$24,741,020;
 - (c) Approve CHH entering into loan agreements with certain lenders that would contemplate using wholly owned CHH properties as collateral;
 - (d) Apply for Infrastructure Ontario (IO) loan programs on behalf of CHH and collect approved loan payments from CHH in accordance with terms and conditions in IO Loan agreements;
 - (e) Approve amortization periods of up to thirty-five years on behalf of CHH; and,
 - (f) Prepare the necessary agreements with the terms and conditions that ensure that CHH is responsible for all debt or loan payments included in Reports 18012(c) and 17029(d), including right to allow a creditor to register security agreements against wholly owned CHH properties and seeking legal opinions where necessary;
- (ii) That, if required by a lender, CHH request City of Hamilton, the body corporate created pursuant to the *City of Hamilton Act* (Ontario), guarantee the debt financing of certain wholly owned CHH property; and,

- (iii) That the Mayor and Secretary/Clerk are hereby authorized and directed to sign and/or dispatch and deliver all other documents, notices, articles, certificates to be signed and/or dispatched or delivered under or in connection with the Shareholder Declaration or to take any action deemed necessary in respect of any of the foregoing.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

The Committee Clerk advised that consideration of Items 6.1, Report #17029(d), respecting a Roxborough Park Development Opportunity, and 6.2, Report #18012(c), respecting a 500 MacNab Tower Renewal Update is required prior to the consideration of Item 4.1, CityHousing Hamilton Development Strategy.

The agenda for the August 14, 2019 meeting of the CityHousing Hamilton Corporation Shareholder was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) June 25, 2019 (Item 3.1)

The Minutes of the June 25, 2019 meeting were approved, as presented.

(d) PRIVATE AND CONFIDENTIAL (Item 6)

The Committee determined that discussion of Item 6.1 respecting the Roxborough Park Development Opportunity (Report #17029(d)) and Item 6.2 respecting the 500 MacNab Tower Renewal Update (Report #18012(c)) was not required in Closed Session, so the matters were addressed in Open Session.

(i) Roxborough Park Development Opportunity (Report #17029(d)) (Item 6.1)

For disposition of this matter, refer to Item 1.

(ii) 500 MacNab Tower Renewal Update (Report #18012(c)) (Item 6.2)

For disposition of this matter, refer to Item 2.

(e) ADJOURNMENT (Item 7)

There being no further business the CityHousing Hamilton Corporation Shareholder meeting was adjourned at 3:12 p.m.

Respectfully submitted,

Deputy Mayor A. VanderBeek
Chair, CityHousing Hamilton
Corporation Shareholder

Tamara Bates
Legislative Coordinator
Office of the City Clerk



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 19-011

**9:30 a.m.
August 15, 2019
Council Chambers
Hamilton City Hall**

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

Absent: Councillor J. Partridge – Bereavement

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 19-011, AND RESPECTFULLY RECOMMENDS:

1. Development Charges Reserves Status Report as of December 31, 2018 (FCS19064) (City Wide) (Item 7.1)

- (a) That Report FCS19064 “Development Charges Reserves Status Report as of December 31, 2018” be received and made available to the public; and,
- (b) That Report FCS19064 “Development Charges Reserves Status Report as of December 31, 2018” be forwarded, if requested, to the Ministry of Municipal Affairs and Housing.

2. Whistleblower, Fraud & Waste Information Update for Q2 2019 (AUD19012) (City Wide) (Item 7.2)

That Report AUD19012, respecting the Whistleblower, Fraud & Waste Information Update for Q2 2019, be received.

3. 2018 Reserve Report (FCS19062) (City Wide) (Item 10.1)

- (a) That the 2018 Reserve Report and the 2018 Reserves Detail Report, with 2017 Comparative figures and 2019-2021 Projections, attached as Appendix “A” to Report FCS19062, be approved;
- (b) That the reserves listed in Appendix “A” to Audit, Finance & Administration Report 19-011 be closed; and,
- (c) That a Climate Change Reserve #108062 be established with a sustainable funding source identified through the 2020 Budget process.

4. **Federation of Canadian Municipalities Voluntary Advocacy Fund Contribution (FCS19065) (City Wide) (Item 10.2)**

- (a) That \$45,200 be paid to the Federation of Canadian Municipalities Voluntary Advocacy Fund Contribution, with \$15,000 funded from the Legislative Budget, and \$30,200 funded from the Tax Stabilization Reserve (Account #110046); and,
- (b) That staff be directed to request from the Federation of Canadian Municipalities which other Municipalities are contributing to the Voluntary Advocacy Fund.

That Report FCS19065, respecting the Federation of Canadian Municipalities Voluntary Advocacy Fund Contribution, be received.

5. **Bill 108 “More Homes, More Choice Act, 2019” – Proposed Regulations Comment Submission Related to the Development Charges Act and Community Benefits Authority under the Planning Act (FCS19057(a) / LS19023(a)) (City Wide) (Item 10.3)**

- (a) That Council endorse the comments, recommendations and requests contained within Appendix “B” attached to Audit, Finance & Administration Report 19-011 related to the Province’s proposed changes to O. Reg. 82/98 under the *Development Charges Act* related to Schedule 3 of the *More Homes, More Choice Act, 2019*;
- (b) That the General Manager of Finance and Corporate Services be authorized and directed to submit to the Province, **a letter substantially in accordance with** the letter attached as Appendix “B” to Audit, Finance & Administration Report 19-011, as the City’s official comments related to the Province’s proposed changes to O. Reg. 82/98 under the *Development Charges Act* related to Schedule 3 of the *More Homes, More Choice Act, 2019*;
- (c) That Council endorse the comments, recommendations and requests contained within Appendix “C” attached to Audit, Finance & Administration Report 19-011 related to the Province’s proposed new regulation pertaining to the community benefits authority under the *Planning Act*;
- (d) That the General Manager of Finance and Corporate Services be authorized and directed to submit to the Province, **a letter substantially in accordance with** the letter attached as Appendix “C” to Audit, Finance & Administration Report 19-011, as the City’s official comments related to the Province’s proposed new regulation pertaining to the community benefits authority under the *Planning Act*;
- (e) That the General Manager of Finance and Corporate Services, in consultation with the City Solicitor, be authorized to make submissions on *Bill 108, More Homes, More Choice Act, 2019* and any associated

regulations consistent with the concerns raised in Report FCS19057(a) / LS19023(a) and Appendix “B” and Appendix “C” to Audit, Finance & Administration Report 19-011; and,

- (f) That the City Clerk forward this report to the Ministry of Municipal Affairs and Housing, the Ministry of Environment, Conservation and Parks, Hamilton’s Members of Provincial Parliament (Donna Skelly - Flamborough—Glanbrook, Andrea Horwath - Hamilton Centre, Paul Miller - Hamilton East—Stoney Creek, Monique Taylor - Hamilton Mountain and Sandy Shaw - Hamilton West—Ancaster—Dundas) and the Association of Municipalities Ontario.

6. Authority to Negotiate and Place a Debenture Issue(s) for CityHousing Hamilton Corporation (CHH) Projects (FCS19068) (CityWide) (Item 10.5)

- (a) That the General Manager, Finance and Corporate Services, be authorized to enter into and execute any necessary agreements, including any agreements with Infrastructure Ontario’s Loan Program, to secure the capital funding required for CityHousing Hamilton Corporation (CHH) projects as attached in Appendix “A” to Report FCS19068;
- (b) That the General Manager, Finance and Corporate Services, be authorized and directed to enter into and execute any necessary agreements to engage the services of all required persons, agencies and companies to negotiate and confirm the terms and issuance of all necessary debenture issue(s) including, but not limited to, external legal counsel, fiscal agents and financial professionals, to secure the capital funding required for CityHousing Hamilton Corporation (CHH) projects as attached in Appendix “A” to Report FCS19068;
- (c) That the General Manager, Finance and Corporate Services, be authorized to negotiate and confirm the terms and placement of all debenture issue(s), and / or private placement debenture issue(s), in either a public or private market and / or bank loan agreements and debenture issue(s) and / or variable interest rate bank loan agreements and debenture issue(s), in an amount not to exceed \$24,741,020 Canadian currency of CityHousing Hamilton for projects as attached in Appendix “A” to Report FCS19068;
- (d) That the Mayor and City Clerk be authorized and directed to enter into and / or execute, on behalf of the City of Hamilton, all agreements and necessary ancillary documents required for CityHousing Hamilton Corporation (CHH) projects as attached in Appendix “A” to Report FCS19068 including those required to secure and confirm the terms and issuance of any required debenture issue(s), with content acceptable to the General Manager, Finance and Corporate Services, and in a form satisfactory to the City Solicitor;
- (e) That staff be directed to prepare all necessary By-Law(s) to authorize and implement CityHousing Hamilton Corporation (CHH) projects as attached in

Appendix "A" to Report FCS19068 including those By-laws necessary to negotiate, place and secure all required capital funding; and,

- (f) That confidential Appendix "A" to Report FCS19068, respecting Authority to Negotiate and Place a Debenture Issue(s) for CityHousing Hamilton Corporation (CHH) Projects, remain confidential and not be released as a public document until the completion of the negotiation of the construction contracts and the completion of the purchase and sale agreement for projects as attached in Appendix "A" to Report FCS19068.

7. Audit and Accountability Fund Transfer Payment Agreement (FCS19059(a)) (City Wide) (Added Item 10.6)

- (a) That the Mayor and City Clerk be authorized and directed to sign a Transfer Payment Agreement substantially in the form and content attached as Appendix "D" to Audit, Finance & Administration Report 19-011 between the City of Hamilton and Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing for the transfer of funds from the Audit and Accountability Fund, together with all necessary associated documents, in a form satisfactory to the City Solicitor and with content acceptable to the General Manager of Finance and Corporate Services;
- (b) That the By-law to Authorize the Signing of the Transfer Payment Agreement for the transfer of funds from the Audit and Accountability Fund between the Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing and the City of Hamilton, attached as Appendix "B" to Report FCS19059(a), be approved; and,
- (c) That a certified copy of the approved by-law authorizing the signing of the Transfer Payment Agreement be forwarded to the Ministry of Municipal Affairs and Housing upon Council approval.

8. St. Joseph's Villa, Hospice Project SPA-17-205, Building Permit Application #18-137811-00R3 – Deferral Agreement (Item 11.2)

WHEREAS, St. Joseph's Villa Dundas in their letter dated July 24, 2019 (attached as Appendix 'E' to Audit, Finance & Administration Committee Report 19-011) are asking for the City's assistance with regards to their Municipal Development Charge Liability of \$237,350.20 for their 10-bed hospice development;

WHEREAS, City staff have received from the VP and CFO of St. Joseph's Villa Dundas a letter dated July 26, 2019 (attached as Appendix 'F' to Audit, Finance & Administration Committee Report 19-011) confirming that the Hospice will be located on St. Joseph's Villa land at 56 Governor's Rd., Dundas; and that St. Joseph's Villa will be the sole owner and operator of the Hospice with no commercial enterprise involved;

WHEREAS, City staff also received a Registered Charity Information Return confirming Non-Profit Status for St. Joseph's Villa Dundas for 2018; and,

WHEREAS, St. Joseph's Villa Dundas is a registered Non-Profit Charity; and, therefore, excluded from the City's policy regarding Development Charge Deferral Agreement Total Dollar Value Capacity Limits and *Municipal Act* Provisions regarding bonusing of For-Profit Commercial entities and, as such, is eligible for the Deferral Program;

THEREFORE, BE IT RESOLVED:

That the General Manager of Finance and Corporate Services be authorized and directed to enter into a 5-year Development Charge Deferral Agreement at Zero (0%) percent interest with St. Joseph's Villa Dundas for the Hospice Development, in the amount of \$237,350.20, in a form satisfactory to the City Solicitor.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

1. DELEGATION REQUESTS (Item 6)

6.1 Jaideo Debie, ArcelorMittal Long Product Canada, respecting the Raw Water Station Pump Upgrade at Woodward Avenue (For today's meeting)

2. DISCUSSION ITEMS (Item 10)

10.4 Management Update on Performance Audit Report 2015-02 - Claims Adjusters and Operations Efficiencies (Value for Money Audit) (FCS17016(a)) (City Wide) - WITHDRAWN

10.6 Audit and Accountability Fund Transfer Payment Agreement (FCS19059(a)) (City Wide)

3. MOTIONS (Item 11)

11.1 Restorative Practices Council and Senior Leadership Team Workshop - WITHDRAWN

4. NOTICES OF MOTION (Item 12)

12.1 Transit Program Initiative

5. PRIVATE & CONFIDENTIAL (Item 14)

14.2 Authority to Negotiate and Place a Debenture Issue(s) for CityHousing Hamilton Corporation (CHH) Projects (FCS19068) (CityWide)

Item 14.2 has been moved to Discussion Item 10.5 and only Appendix 'A' remains Confidential.

The agenda for the August 15, 2019 Audit, Finance and Administration Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Clark declared an interest in Item 8.1 a Delegation Request from Sean Ferris, Habitat for Humanity Hamilton, respecting reimbursement of specific fees paid to the City related to building permits for the construction of affordable housing, as he has an indirect, apparent conflict under common law due to a former professional relationship with Habitat for Humanity Hamilton.

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

(i) July 11, 2019 (Item 4.1)

The Minutes of the July 11, 2019 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Jaideo Debie, ArcelorMittal Long Product Canada, respecting the Raw Water Station Pump Upgrade at Woodward Avenue (For today's meeting) (Added Item 6.1)

The delegation request from Jaideo Debie, ArcelorMittal Long Product Canada, respecting the Raw Water Station Pump Upgrade at Woodward Avenue, was approved for today's meeting.

(e) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) Sean Ferris, Habitat for Humanity Hamilton, respecting reimbursement of specific fees paid to the City related to building permits for the construction of affordable housing (Approved July 11, 2019) (Item 8.1)

Sean Ferris, Habitat for Humanity Hamilton, addressed the Committee respecting reimbursement of specific fees paid to the City related to building permits for the construction of affordable housing, with the aid of a presentation.

A copy of the presentation is available on the City's website at www.hamilton.ca or through the office of the City Clerk.

The delegation from Sean Ferris, Habitat for Humanity Hamilton, respecting reimbursement of specific fees paid to the City related to building permits for the construction of affordable housing, was received.

That staff be directed to report back to the September 19, 2019 Audit, Finance & Administration Committee meeting with recommendations and options for reduction of fees billed to Habitat for Humanity Hamilton, on construction of affordable housing.

(ii) Jaideo Debie, ArcelorMittal Long Product Canada, respecting the Raw Water Station Pump Upgrade at Woodward Avenue (Added Item 8.2)

Charles Fréchette, on behalf of Jaideo Debie, ArcelorMittal Long Product Canada, addressed the Committee respecting the Raw Water Station Pump Upgrade at Woodward Avenue, with the aid of a presentation.

A copy of the presentation is available on the City's website at www.hamilton.ca or through the office of the City Clerk.

The delegation from Charles Fréchette, ArcelorMittal Long Product Canada, respecting the Raw Water Station Pump Upgrade at Woodward Avenue, was received.

(f) DISCUSSION ITEMS (Item 10)

(i) 2018 Reserve Report (FCS19062) (City Wide) (Item 10.1)

That staff be directed to provide a summary of capital projects funded in whole, or in part, through the Federal Gas Tax proceeds as part of the 2020 tax supported budget process.

For disposition of this matter, refer to Item 3.

(ii) Bill 108 "More Homes, More Choice Act, 2019" – Proposed Regulations Comment Submission Related to the Development Charges Act and Community Benefits Authority under the Planning Act (FCS19057(a) / LS19023(a)) (City Wide) (Item 10.3)

That recommendations (b) and (d) to Report FCS19057(a)/LS19023(a), respecting Bill 108 "*More Homes, More Choice Act, 2019*" – Proposed Regulations Comment Submission Related to the *Development Charges*

Act and Community Benefits Authority under the *Planning Act*, be amended to include the wording '**a letter substantially in accordance with**', to read as follows:

- (b) That the General Manager of Finance and Corporate Services be authorized and directed to submit to the Province, **a letter substantially in accordance with** the letter attached as Appendix "A" to Report FCS19057(a) / LS19023(a), as the City's official comments related to the Province's proposed changes to O. Reg. 82/98 under the *Development Charges Act* related to Schedule 3 of the *More Homes, More Choice Act, 2019*;
- (d) That the General Manager of Finance and Corporate Services be authorized and directed to submit to the Province, **a letter substantially in accordance with** the letter attached as Appendix "B" to Report FCS19057(a) / LS19023(a), as the City's official comments related to the Province's proposed new regulation pertaining to the community benefits authority under the *Planning Act*,

For disposition of this matter, refer to Item 5.

(g) MOTIONS (Item 11)

(i) Transit Program Initiative (Added Item 11.3)

WHEREAS, the City of Hamilton has experienced extraordinary price increases for new buses while participating through the Transit Program Initiative, a program of Metrolinx; and,

WHEREAS, the City's transit strategy calls for an expansion of the transit fleet in support of the BLAST network;

THEREFORE, BE IT RESOLVED:

That staff be directed to report back to the Audit, Finance & Administration Committee on the quantitative and qualitative benefits, as well as deficiencies/short-comings of participating in the Transit Program Initiative.

(h) NOTICES OF MOTION (Item 12)

(i) Transit Program Initiative (Added Item 12.1)

Councillor Clark introduced his Notice of Motion respecting the Transit Program Initiative.

The rules of order were waived to allow for the introduction of a Motion respecting the Transit Program Initiative.

For disposition of this Item, refer to Item (g)(i).

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

(i) Amendments to the Outstanding Business List:

The following amendments to the Audit, Finance & Administration Committee's Outstanding Business List, were approved:

(a) Items to be Removed:

Item: 19-A
Correspondence from the Federation of Canadian Municipalities (FCM) respecting the 2019-2020 Membership Invoice - Advocacy Fund Contribution along with Appendix A
Item 10.2 on today's agenda

(j) PRIVATE AND CONFIDENTIAL (Item 14)

(i) July 11, 2019 – Closed Minutes (Item 14.1)

- (a)** The Closed Session Minutes of the July 11, 2019 Audit, Finance and Administration meeting, were approved as presented; and,
- (b)** The Closed Session Minutes of the July 11, 2019 Audit, Finance and Administration meeting, remain confidential.

(k) ADJOURNMENT (Item 15)

There being no further business, the Audit, Finance and Administration Committee, adjourned at 10:53 a.m.

Respectfully submitted,

Councillor Collins, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

**2018 RESERVE REPORT
RESERVES RECOMMENDED FOR CLOSURE**

<u>Reserve #</u>	<u>Description</u>	<u>Balance Dec 31/2018</u> \$	<u>Projected Balance Dec 31/2019</u> \$	<u>Transfer to Reserve #/ Project #</u>	<u>Description</u>	<u>Reason for Closure</u>
<u>Healthy and Safe Community Reserves</u>						
104060	Golf Course Improvement Reserve	0	0	N/A	N/A	In 2018, the golf program was transferred from Public Works to Healthy and Safe Communities. After review of the golf program, staff in Healthy and Safe Communities Department has recommended this reserve for closure. Currently, the program does not run a surplus. Therefore, there is no dedicated funding source to maintain reserve sustainability. In years past, there has been minimal activity in this reserve. Closure of this reserve is consistent with Recommendation 4 of Appendix "A" to Report AUD17011 which recommends closure of low balance low activity reserves.
<u>Police Reserves</u>						
104056	Investigative Services Division (ISD) Reserve	152,797	0	N/A	N/A	This one-time reserve was established through year end police budget surpluses to act as a funding source for the ISD Building. Construction on the ISD building is well underway and the reserve has been fully utilized, with all funds transferred to the ISD project ID. Given the one-time reserve has served its purpose, it is recommended for closure.
<u>Transit Reserves</u>						
108027	Province of Ontario Transit Capital Grant	0	0	N/A	N/A	This one time reserve was established through PW08030 as a result of a grant from the Province in order to fund transit capital expansion and improve accessibility. As of 2018, all funds in this one time reserve have been spent. The reserve is recommended for closure.

**2018 RESERVE REPORT
RESERVES RECOMMENDED FOR CLOSURE**

<u>Reserve #</u>	<u>Description</u>	<u>Balance Dec 31/2018</u> \$	<u>Projected Balance Dec 31/2019</u> \$	<u>Transfer to Reserve #/ Project #</u>	<u>Description</u>	<u>Reason for Closure</u>
<u>Development Charge Reserves</u>						
110216	Special Area Charge Binbrook	4,381	0	N/A	N/A	The City has fully recovered the remaining outstanding Binbrook SAC balance (Phase 1) and the SAC is no longer collected. This one-time reserve has fulfilled its purpose and is recommended for closure. NOTE: For reporting purposes, this reserve as well as other Development Charge Reserves are "rolled up" under 999998 Developer Recoveries Reserves in the Reserve Book.
<u>Stabilization Reserves</u>						
110043	Commodity (Fuel) Stabilization Reserve	896,476	917,095	110046	Tax Stabilization Reserve	The Commodity Reserve was established in 2011 (Report FCS11032, GIC meeting of April 11, 2011) for the purpose of providing a contingency towards spikes in fuel prices being seen in 2011. Despite fluctuations in energy prices, the City departments have absorbed surpluses and deficits on an annual basis and have not used this reserve. Closure of this reserve is consistent with Recommendation 4 of Appendix "A" to Report AUD17011 which recommends closure of low balance low activity reserves.



Hamilton

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August 19, 2019

ERO Number: 019-0184

John Ballantine, Manager
Municipal Finance Policy Branch
Municipal Affairs and Housing
13th Floor, 777 Bay Street
Toronto, ON MSG 2E5

Dear Mr. Ballantine:

Subject: City of Hamilton Submission on Proposed changes to O. Reg. 82/98 under the Development Charges Act related to Schedule 3 of the *More Homes, More Choice Act, 2019*

Thank you for the opportunity to provide comments on the above-referenced proposal (the Proposal) under the *Development Charges Act* related to Bill 108 - *More Homes, More Choice Act, 2019* (the Act). Please accept the following comments for consideration.

First and foremost, the City requests the Province to release the full draft regulations for consultation. The proposed changes to O. Reg. 82/98 posted on the Environmental Registry have been provided in general terms and the full impact of the Proposal is not capable of being fully understood and assessed without the official language that will appear as written in the regulation. The City of Hamilton's (the City's) comments have been prepared based on a general interpretation of the Proposal. The City requests that once any draft regulations are completed they be posted and be subject to comments from all stakeholders.

Among all of the City's comments and requests below, there is one request so significant that the City implores the Province to review the risk to municipalities and work on a strategy to eliminate the risk. The risk being referred to is the risk of a development being sold between building permit issuance and the final DC instalment payment. The Province has not provided municipalities with a tool to ensure that an instrument can be registered on title notifying property purchasers that development on a property was subject to DCs payable through instalments and that instalments remain outstanding. Without such a tool, municipalities will face challenges related to any DC or instalments of a DC due after a sale.

For ease of review, the City's comments respond to the same five categories set out in the Proposal.

1. Transition

The Proposal provides that the prescribed date by which a municipality must adopt a community benefits charges (CBC) by-law will be January 1, 2021, after which point, a development charge (DC) for soft services may no longer be imposed. However, despite content in Schedule 12 of the Act which indicates a municipality will be required to prepare a strategy before passing a CBC by-law pursuant to prescribed requirements, no such requirements have been described in the Proposal or in the description of the regulation pertaining to the community benefits authority under the Planning Act (ERO Number 019-0183).

The City comments that without a full understanding of what is required in a CBC By-law the timeline proposed may be unachievable. For example, the City commenced the 2019 DC Background Study in January 2018 and it was adopted 17 months later in June 2019. If a similar calculation process is required, or a calculation process is proposed for which existing data is not readily available, there is a concern that the proposed timeline will not be achievable. Municipalities that have recently dedicated resources to a soft service DC calculation will again be required to dedicate resources to the CBC calculation. The cost of undertaking studies and the use of consultants (if necessary) are passed through the DCs, or presumably the CBC and thus, act counter to the Province’s goals of reducing costs of development.

The City requests that the prescribed date be set at January 1, 2024 to recognize the cost and efforts spent on recently updated DC studies and allow municipalities to plan for the cost and effort of a CBC calculation at a time that would somewhat align with the next scheduled cycle of DC By-law updates.

2. Scope of Types of Development Subject to Development Charges Deferral

The Proposal contains definitions for non-profit housing, institutional development, industrial development and commercial development.

Non-Profit Housing

The Proposal appears to be attempting to align the payments of DCs for non-profit housing developments with affordable housing programs but currently there appear to be significant gaps that expose municipalities to risk.

The definition and *Development Charges Act, 1997*, S.O. c1997 c.27 (DC Act) do not appear to contemplate dwellings developed and then sold by non-profit corporations. In other words, what happens if the development is sold by the non-profit corporation prior to the payment of all DC instalments?

Letter to Municipal Affairs and Housing

August 19, 2019

There is no ability to register an instrument on title in order to notify and bind future purchasers in respect of unpaid DC instalments or restrict the sale of a property until unpaid DC instalments are paid.

It is unclear who is legally obligated to pay the DC, the developer or the purchaser? Subsections 26.1(1), (2), (3) as added by the Act to the DC Act do not refer to an identified person as having to pay, rather, they provide that the DC is payable in instalments for certain developments. Section 2 of the DC Act imposes the DC on the land and not a person. So, the question becomes who is the “person” legally obligated to pay the DC? If the DC applies to the land, then the ability to register an instrument on title providing notice of DCs payable by instalments should be provided to municipalities.

In the above case of a dwelling developed and sold by a non-profit, if the non-profit corporation is responsible for the instalments then there is a risk of non-payment without any security as the asset is no longer owned. Through the Act, any unpaid instalments shall be added to the tax roll which suggests that the current owner of the property is responsible for instalments. However, under the Act, the DC Act, and the Proposal, an owner is under no obligation to notify the City of a sale or a purchaser of remaining DC instalments. If the current owner is responsible for the instalments, then a purchaser may be required to pay DC instalments without previous notice.

As stated above, the Act does not provide for any type of DC notice to be registered on the property. There is a risk that a purchaser could be unaware of DCs deferred and not have budgeted accordingly. This situation could be counter to the goal of increasing the affordability of housing as it will be a payment required in addition to a mortgage and property taxes at an interest rate that the individual purchaser was not able to negotiate, for a term that may be less than their mortgage term.

The City requests the Province define “person”, e.g. the person required to pay a DC and the person required to provide notice of occupancy.

The City requests the Province provide a tool to allow municipalities to register notice of deferred DCs on title, prior to issuance of the building permit and require full payment of any unpaid DCs, including interest, prior to any sale.

The City requests the Province to further define non-profit housing to apply only to developments that are receiving construction or on-going operating funding through a government housing affordability program.

Institutional Development

The Proposal has defined institutional development with terms that require further definition.

Letter to Municipal Affairs and Housing

August 19, 2019

Long-term Care Homes

The City requests that the Province define “long-term care home” as “a long-term care home as defined in the *Long-Term Care Homes Act, 2007*, S.O. 2007, c.8”.

Retirement Homes

The City comments that there is a wide spectrum of developments that can fall under this general term and it can sometimes include 55+ buildings that essentially are just luxury condos for a specific age group but function and have impacts just like any other condo building. An example from downtown Burlington can be reviewed at the following link: <https://www.pearlandpineretirement.com/>.

The City requests that the Province define “retirement home” as “a retirement home as defined in the *Retirement Homes Act, 2010*, S.O. 2010, c. 11”.

Universities and Colleges

The Proposal includes “universities and colleges” as “Institutional Development”.

The City comments that “universities and colleges” appears to be a broad category without any guidance provided as to the scope of the intent of the meaning of “universities and colleges”. Are the following included within the meaning of “universities and colleges”: privately funded colleges and universities, developments which are public-private partnerships, i.e., university / college partnerships with private developers, developments owned by others but used by a university or college? Is the meaning of “universities and colleges” restricted to certain types of development such as academic facilities, research facilities, student residences or facilities which have mix of the foregoing?

The City comments that the courts have confirmed that colleges established under the *Ministry of Colleges and Universities Act, R.S.O. 1990, c. M.19* are crown agents and unless explicitly stated in legislation, they are not bound by it. The Planning Act and the amendments thereto found in the Act do not appear to expressly bind colleges, the Crown or any Crown agents and therefore, colleges would not be obligated to pay a DC. Accordingly, it is unclear why colleges are listed as exempt.

The City requests that the Province define “universities and colleges” and that it only apply to developments solely owned by such organizations for the specific uses that the Act intends to include.

Letter to Municipal Affairs and Housing

August 19, 2019

Memorial Homes, Clubhouses or Athletic Grounds of the Royal Canadian Legion

The City comments that it is unclear if memorial home and clubhouses by groups other than the Royal Canadian Legion are intended to be included in the definition. It is unclear what a memorial home or clubhouse is.

The City requests that the Province define and provide clarity for “memorial homes, clubhouses, or athletic grounds of the Royal Canadian Legion”.

Hospices

The City requests that the Province define “hospice”.

Industrial Development

The City comments that the definition of industrial development differs from the existing definition of “existing industrial building” contained within O. Reg. 82/98. Two definitions related to industrial within the same Act may be confusing to the development community and municipalities. The definition of industrial development within the Proposal excludes storage and distribution compared to the existing definition of “existing industrial building” contained within O. Reg. 82/98. The City is supportive of storage and distribution buildings being excluded from the definition.

The City requests that the definition of “existing industrial building” contained within O. Reg. 82/98 be updated to align with the proposed definition of “Industrial development”.

Commercial Development

The Proposal has defined commercial development to include only office buildings and shopping centres as defined in specific sections of O. Reg 282/98 under the *Assessment Act*.

The City comments that the office building class and the shopping centre class of O. Reg 282/98 under the *Assessment Act* only apply to the portion of a building in excess of 25,000 square feet but the proposed change to O. Reg 82/98 appears to refer to the entire building.

The City comments that shopping centres follow the population, meaning that once there is sufficient population to support the business, shopping centres will be constructed. Shopping centres do not require DCs to be deferred.

The City requests the Province to edit the definition of office development within the definition of “commercial development” to only include the portion of an office building in excess of 25,000 square feet.

Letter to Municipal Affairs and Housing

August 19, 2019

The City requests the Province remove shopping centres from the definition of commercial development.

Rental Housing

The Proposal has not defined rental housing which is another use that the Act requires DCs to be paid through six annual instalments.

The City comments that a definition is required to determine if condominium buildings wherein all units are owned by one entity or related entities and which are built for rental purposes would fall into the definition of rental housing. This situation is common with new rental construction and allows the owner to easily sell off units or convert the building to ownership with little control from the City.

The City comments that where a project may be converted to a condominium occurs after building permit issuance, meaning that a developer may proceed with a “rental” project and effectively defer DCs until a condominium conversion occurs.

The City requests the Province to define “rental housing” to exclude any project which is subject of an application for approval of a condominium, or that is registered as a condominium, and to provide a punitive tool for developments that identified themselves as rentals and later register as a condominium.

Other Comments Related to Instalment Payments

The City comments that the provision for the payment of DCs by instalments for each of industrial, institutional and commercial development has not appeared to contemplate developments that are sold between building permit issuance and the final DC instalment due date.

The City comments that the administration of DC instalments plans will be an additional function and cost that will be required of municipalities. This cost will need to be covered by existing taxpayers since general administration is an ineligible cost under the DC Act. This additional cost through property taxes is inconsistent with the goal of increasing housing affordability.

The City requests the Province define “person”, e.g. the person required to pay a DC and the person required to provide notice of occupancy.

The City requests the Province provide a tool to allow municipalities to register notice of deferred DCs on title, prior to issuance of the building permit and require full payment of any unpaid DCs, including interest, prior to any sale of the building.

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3. Period of Time for Which the Development Charge Freeze Would be in Place

The Proposal provides that DCs would be frozen at the later of site plan or zoning application date for two years after the approval of said application.

The City comments that the majority of proposed developments within the City move from approval to building permit in under a year. In order to meet the goal of encouraging developments to proceed to building permit stage faster than they are currently developing, the time period that the rates are frozen must be less than the time period currently experienced.

The City comments that the time between site plan or zoning application and approval of that application is not entirely within the control of municipalities. A municipality's tools are limited in respect of enforcing developers to proceed in a timely manner to the approval stage. This creates a risk for municipalities. An applicant may rush submitting their application pre-maturely in order to “lock in” the DC rate, despite not being ready to finalize their plans and proceed to building. There is then no impetus on the applicant to move quickly to satisfy any conditions of approval. In fact, it may be in the applicant's best interest to delay approval, so that the two-year post-approval clock does not start ticking.

For example, a developer may know they want to build something in five years, so they apply for a zoning now and that sets the DC at today's rate. As the City requests information or additional studies in order to be in a position to approve the zoning application, a developer could be non-responsive for a couple of years because they don't actually want approval yet. Municipalities will be faced with a choice of allowing this to continue indefinitely or proceeding with a refusal to Council in order to protect the City's financial interests and such refusal would be appealable to LPAT.

To address this concern, the City requests a number of changes.

The City requests that the Province define the application date for site plan and zoning amendment as the date that the application is deemed a complete application.

The City requests that the Province prescribe the period that DC rates would be frozen as nine months from site plan or zoning approval to encourage developments to move through the building permit state faster while providing the predictability of costs.

The City comments that the concept of holding provisions, site plan amendments and minor variances in relation to the approval date has not been addressed in the Proposal. The City requests that the Province clarify that the approval date is the first date of approval and that the lifting of holding provisions, site plan amendments or minor variance requests have no impact on the approval date.

The City requests the Province to close the loop-hole that could promote application for site plan or zoning years before a project is realistically ready to proceed through the development process by either amending the DC Act or by the Planning Act. For example,

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prescribe a maximum period of time (one year) that can elapse between site plan / zoning application date and Building Permit approval before triggering an adjustment to the DC rate or provide for the expiration of applications if they are not finalized within a prescribed period of time.

4. Interest Rate During Deferral and Freeze of Development Charges

The Proposal specifies that no maximum interest rate will be prescribed.

The City comments that the flexibility to establish an appropriate interest rate is a reasonable and desired approach.

5. Additional Dwelling Units

The Proposal provides that the “exception relating to the creation of additional dwelling units” in O. Reg 82/98 be amended:

- so that units could also be created within ancillary structures to these existing dwellings without triggering a development charge (subject to the same rules / restrictions).
- so that one additional unit in a new single-detached dwelling, semi-detached dwelling and row dwelling, including in a structure ancillary to one of these dwellings, would be exempt from development charges.
- so that within other existing residential buildings, the creation of additional units comprising 1% of existing units would be exempt from development charges.

The City comments that previously, through the comments to Schedule 3 of the Act, the City requested that the regulation expressly:

- (1) limit the number and size of additional / secondary dwelling units; and
- (2) limit the classes of housing types that they can be located in; and
- (3) prevent unintended units from qualifying (e.g. ensuring that stacked townhouses continue to be charged per dwelling and are not captured in the “one additional dwelling per row dwelling” statutory exemption category). Without the full draft regulation, the City is not assured that this request has been met.

The City comments that additional statutory exemptions do not reduce the costs necessary to provide infrastructure. If municipalities are not able to collect for DC eligible growth infrastructure on a “growth pay for growth” basis, the cost that cannot be collected through the DC will be added to property taxes or service levels will decrease. An increase in property taxes is counter to the goal of increasing housing affordability.

The City requests the Province to release the full draft Regulation for consultation.

The City requests the Province permit a DC to be charged when a lot is severed after having received a DC exemption for a dwelling unit ancillary to another dwelling. This

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request is to address the risk that a lot which is developed with two dwellings which will ultimately be on their own lots is not able to benefit from the statutory additional dwellings exemption.

The City requests the Province to clarify how stacked townhouses and back-to-back townhouses will be dealt with in the regulation regarding additional dwelling units.

The City requests the Province to permit statutory exemptions to be adjusted for through the calculation of the per-unit DC.

Notwithstanding the above and to reiterate the City’s opening comment, the Province has not yet released full draft regulations. The City’s comments have been prepared based on limited interpretations of the proposed regulation content. The full impact of the Proposal cannot be understood and assessed without the official language that will appear as written in the regulation. The City requests further consultation to provide feedback on the full draft regulations.

The City remains concerned with changes imposed by the Act and submits that at this point, absent the release of the draft regulations, the Act and Proposal do not ensure the promise of revenue neutrality. The changes are a significant departure from the current legislative framework and undermine an effective tool for creating vibrant communities. Reducing development charges will not make housing more affordable. Restricting cost recovery tools does not guarantee lower house prices. House prices are set by the market. The changes through the Act will require extensive administration, delay cash flow needed to install infrastructure and expose municipalities to collection risks. If more municipal operating revenues are needed to cover the cost of growth, it will be at the expense of maintaining existing capital assets, levels of services or current property tax rates.

For greater emphasis, the City submits that purchase price is only one element of affordability. Property tax rates factor into the carrying costs of a property and hence, its affordability. The changes proposed by the Province may result in increased property taxes, making it less affordable for residents to live in their homes or for businesses / industries to stay in their locations or expand their operations.

Thank you again for the opportunity to provide meaningful input into this review. The City looks forward to further review and consultation towards the development of the final Regulations. City of Hamilton staff would be pleased to meet with you to discuss these comments in greater detail.

Yours truly,

Mike Zegarac
General Manager
Corporate Services Department

Appendix “C” to Item 5 of Audit, Finance & Administration Report 19-011
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Hamilton

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August 19, 2019

ERO Number: 019-0183

John Ballantine, Manager
Municipal Finance Policy Branch
Municipal Affairs and Housing
13th Floor, 777 Bay Street
Toronto, ON MSG 2E5

Dear Mr. Ballantine:

Subject: City of Hamilton Submission on Proposed New Regulation Pertaining to the Community Benefits Authority under the Planning Act

Thank you for the opportunity to provide comments on the above-referenced proposal (the Proposal) relating to the *More Homes, More Choice Act, 2019* (the Act). Please accept the following comments for consideration.

First and foremost, the City requests the Province to release the full draft Regulation for consultation. The Proposal is a description provided in general terms. The full impact of the Proposal is not capable of being understood or assessed without the official language that will appear as written in the Regulation. The City of Hamilton's (the City's) comments have been prepared based on a general interpretation of the Proposal. The City requests that once any draft regulations are completed, they be posted and be subject to comments from all stakeholders.

For ease of review, the City's comments respond to the same eight categories set out in Proposal.

1. Transition

The Proposal provides that the prescribed date by which a municipality must adopt a community benefits charges (CBC) by-law by will be January 1, 2021, after which point, a development charge (DC) for soft services may no longer be imposed.

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The City comments that, without a full understanding of what is required in a CBC By-law, the prescribed date by which one has to be passed may be unachievable. For example, the City commenced the 2019 DC Background Study in January 2018 and it was adopted 17 months later in June 2019. If a similar calculation process is required, or a calculation process is proposed for which existing data is not readily available, there is a concern that the proposed timeline will not be achievable. Municipalities that have recently dedicated resources to a soft service DC calculation will again be required to dedicate resources to the CBC calculation. The cost of undertaking studies and the use of consultants (if necessary) are passed through the DCs, or presumably the CBC, thus acting counter to the Provincial goals of reducing costs of development. Furthermore, other Bills, such as Bill 6, are already requiring substantial municipal resources which are limited.

The City requests that the prescribed date be set at January 1, 2024 to recognize the cost and efforts spent on recently updated DC studies and allow municipalities to plan for the cost and effort of a CBC calculation at a time that would somewhat align with the next scheduled cycle of DC by-law updates.

2. Reporting on Community Benefits

The Proposal provides that annual reporting requirements would be similar to the existing reporting requirements for development charges and parkland under section 42 of the *Planning Act*.

The City comments that annual reporting of detail as described is appropriate and is consistent with the City's priorities and culture statements embedded in the City's 2016-2025 Strategic Plan.

The City comments, that since a draft regulation has not been released, a complete and detailed comment on this portion of the Proposal cannot be made.

The City requests the Province to release the full draft regulation for consultation and comment.

3. Reporting on Parkland

The Proposal provides that annual reporting requirements would be prescribed for municipalities with parkland special accounts.

The City comments that annual reporting of detail as described is appropriate and is consistent with the City's priorities and culture statements embedded in the City's 2016-2025 Strategic Plan.

The City comments, that since a draft regulation has not been released, a complete and detailed comment on this portion of the Proposal cannot be made.

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The City requests the Province to release the full regulation for consultation and comment.

4. Exemptions from Community Benefits

The Proposal has identified six forms of development that would be exempt from community benefits charges.

The City comments that the Province has listed types of development without clear definitions of the terms. The lack of the provision of definitions raises a number of general concerns including:

- (a) the scope and breath of the interpretation of the categories;
- (b) if left undefined, disputes are likely to arise as to their interpretation; and
- (c) if they are defined in the forthcoming regulations the City will not have been provided the opportunity to comment on the definitions.

More specifically, the proposed exemptions include “universities and colleges”. This appears to be a broad category without any guidance provided as to the scope of the intent of the meaning of “universities and colleges”. Are the following included within the meaning of “universities and colleges”: privately funded colleges and universities, developments which are public-private partnerships i.e. university / college partnerships with private developers, developments owned by others but used by a university or college? Is the meaning of “universities and colleges” restricted to certain types of development such as academic facilities, research facilities, student residences or facilities which have mix of the foregoing?

The courts have confirmed that colleges established under the *Ministry of Colleges and Universities Act*, R.S.O. 1990, c. M.19 are crown agents and unless explicitly stated in legislation, they are not bound by it. The *Planning Act* and the amendments thereto found in the Act do not appear to expressly bind colleges, the Crown or any Crown agents and therefore, colleges would not be obligated to pay a DC. Accordingly, it is unclear why colleges are listed as exempt.

It is unclear if memorial home and clubhouses by groups other than the Royal Canadian Legion are intended to be included in the definition. It is unclear what a memorial home or clubhouse is.

The City requests the Province definition each use and to release the full Regulation for consultation.

The City requests that the Province define “long-term care home” as “a long-term care home as defined in the *Long-Term Care Homes Act, 2007*, S.O. 2007, c.8”.

The City requests that the Province define “retirement home” as “a retirement home as defined in the *Retirement Homes Act, 2010*, S.O. 2010, c. 11”.

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The City requests that the Province define “universities and colleges” and that it only apply to developments solely owned by such organizations for the specific uses that the Act intends to include.

The City requests that the Province define and provide clarity for “memorial homes, clubhouses or athletic grounds of the Royal Canadian Legion”.

The City requests that the Province define “hospice”.

The City requests the Province to define “non-profit housing” to apply only to developments that are receiving construction or on-going operating funding through a government housing affordability program.

5. Community Benefits Formula

The Proposal has requested input on varying percentages to use for land values to maintain the historical municipal revenues. The Proposal has also provided that further consultation will occur later this summer.

The City comments that land values vary significantly across the Province and within each municipality which is presumably part of the reason varying percentages are being considered. Construction values, however, vary less across the Province than land values. This concern was included in the City’s comments respecting Bill 108 and the same concern was echoed by the submission of other municipalities in regard to Bill 108. The City understands that the intent of a CBC is to cover the costs of growth-related projects such as parks, recreation facilities, libraries, etc. All of these have a land purchase component and a construction component when being undertaken by a municipality. A CBC calculation methodology should reflect both components.

The City comments that there may be cases where a municipality may experience a need for additional ‘soft services’ in a specific section of the City and a CBC calculation methodology should permit municipalities to factor this need in to the calculation by permitting area-specific calculations of CBCs.

The Proposal only seeks for input on percentages of land value. While the City has undertaken some analysis to provide input, the City is not supportive of a methodology based on land values due to a disconnection between land values and the services that would be funded with a CBC. Services are provided based on population which is reflected in the current DC methodology.

There can be significant differences in land values due to location, density, land size and land use. Within the City, the value per acre is between \$400,000 per acre to \$12,000,000 per acre when adjusting for each of the factors. This variance still exists, but to a lesser extent, if the land use is taken into consideration:

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Residential* - \$750,000 to \$12,000,000 per acre

- Low density residential - \$750,000 to \$1,200,000 per acre
- Medium density residential - \$800,000 to \$3,000,000 per acre
- High density residential, downtown – \$4,000,000 to \$12,000,000 per acre
- High density residential, not downtown - \$1,250,000 to \$7,000,000 per acre

Industrial - \$400,000 to \$1,500,000 per acre

Commercial - \$750,000 to \$3,000,000 per acre

** Excludes single-detached dwelling building lots, which can vary from \$5,000 to \$11,000 per front foot*

The City comments that based on a review of sample projects, the parkland dedication cash-in-lieu and soft service DCs made up between 9% - 75% of the percentage of land value. This is based on a limited sample and the City will be undertaking further analysis to contribute to additional consultation.

The City comments that, while the methodology of cap based on land value is flawed, the flaw is even more pronounced when considering expansions of existing developments and redevelopment of land. The land value encompasses the entire site and may discourage expansions of existing non-residential developments or redevelopments of residential land if the existing and former uses are not factored into the calculation and cap. These outcomes are counter to the goals of increasing housing supply and would encourage sprawl over redevelopment of underutilized lands. In order to encourage redevelopment, the existing land use needs to be considered in a CBC calculation and cap.

The City requests the Province consider different land use categories, residential densities and land sizes when exploring options for establishing the cap of a CBC as a percentage of land value during the consultation this summer explicitly.

The City requests the Province consider a two-step CBC calculation methodology. The first being a land-based component and the second being a construction-based component. A two-step calculation would reflect the notion of construction costs being relatively stable across the province while land values can vary significantly.

The City requests the Province allow for area-specific CBC calculations within a municipality.

The City requests the Province establish a CBC calculation and cap that adjusts for any existing, legally established, use of the land.

The City requests the Province establish a CBC calculation methodology that connects the services being funded from a CBC to the development that is driving the need for increases in those services. The existing DC methodology, without the 10% statutory deduction and adjusted for the uses that the Province is mandating as exempt, is one option to consider.

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The City is not making any specific percentage requests related to this matter, at this time, due to the limited information provided through the Proposal and will look forward to further consultation this summer.

6. Appraisals for Community Benefits

The Proposal describes a process by which a community benefit charge can be challenged and which involves up to three land appraisals.

The City comments that the current cost of an appraisal is estimated at a minimum \$6,000 per appraisal. The proposed process will be administratively onerous and expensive for the developer and the municipality. It is unclear whether the costs appraisals can be recovered through the CBC calculation.

The City comments that not all developments utilize the land at the highest and best use. A land valuation considers the highest and best use. An express statement should be provided that appraisals, through the payment in protest process, are to consider the highest and best use, not the specific development being constructed.

The City comments that the Province has not provided a clear indication of when each time period starts. For appraisals required after the initial appraisal, will the prescribed time period commence from the CBC payment date or from the date of receipt of the preceding appraisal?

The City requests the Province to provide that municipal appraisal costs can be included in the determination of a CBC and also requests clarity on the date that each prescribed amount of time is measured from.

The City requests the Province to provide an express statement that appraisals, through the payment in protest process, are to consider the highest and best use of the land, not the specific development being constructed.

7. Excluded Services for Community Benefits

The Proposal provides that several services be excluded from community benefits. The excluded services align with the excluded services list in the *Development Charges Act, 1997*, S.O. 1997, c.27 (DC Act) as amended by the Act.

The City comments that the effort to retain the ability to collect for the same services collected for under the existing DC Act and parkland dedication tool is appreciated. However, there are services that municipalities are not able to collect for through the existing DC Act which are the services listed as being excluded from a community benefits charge.

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The City comments that the DC Act explicitly listed library collection materials as eligible. Library collection materials are not specifically identified in the Proposal.

The City comments that all costs associated with servicing future growth should be eligible for consideration in a community benefit charge calculation. There should not be any excluded services unless it can be demonstrated that there are environmental benefits or other “greater-good” benefits to excluding such service. The City agrees that landfill sites and services and facilities for the treatment of waste is reasonable to be excluded from a community benefits charges.

The City requests the Province to only list “landfill sites and services” and “facilities for the treatment of waste” in the list of services excluded for community benefits.

The City requests the Province to clarify that library collection materials are eligible for funding from a CBC.

8. Community Planning Permit System

The Proposal provides that a community benefits charges by-law would not be available for use in areas within a municipality where a community planning permit system is in effect.

The City comments that the intent to prevent a doubling up of fees between a community planning permit system and a CBC is noted.

The City comments that while community planning permit systems are not currently in use, the option of a community planning permit system for future growth is being considered.

The City comments that without understanding how a CBC is to be calculated, it is unclear whether revenue neutrality can be achieved when comparing value obtained through a community planning permit system with the value collected through a CBC.

The City requests the Province release the full CBC calculation methodology and full regulations for comment.

Notwithstanding the above, and to reiterate the City’s opening comment, the Province has not yet released full draft regulations. The City’s comments have been prepared based on general interpretations of the Proposal. The full impact of the Proposal cannot be determined without disclosure of the actual draft regulation. The City requests further consultation to provide feedback on the complete draft regulations.

The City remains concerned with changes imposed by the Act and submits that at this point, absent the release of the draft regulations, the Act and Proposal do not ensure the promise of revenue neutrality. The changes are a significant departure from the current legislative framework and undermine an effective tool for creating vibrant communities.

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Reducing development charges will not make housing more affordable. Restricting cost recovery tools does not guarantee lower house prices. House prices are set by the market.

The changes through the Act will require extensive administration, delay cash flow needed to install infrastructure and expose municipalities to collection risks. If more municipal operating revenues are needed to cover the cost of growth, it will be at the expense of maintaining existing capital assets, levels of services, or current property tax rates. For greater emphasis, the City submits that purchase price is only one element of affordability. Property taxation rates factor into the carrying costs of a property and hence its affordability. The changes proposed by the Province may result in increased property taxes making it less affordable for residents to live in their homes or for businesses / industries to stay in their locations or expand their operations.

Thank you again for the opportunity to provide meaningful input into this review. The City looks forward to further review and consultation towards the development of the final Regulations. City of Hamilton staff would be pleased to meet with you to discuss these comments in greater detail.

Yours truly,

Mike Zegarac
General Manager
Corporate Services Department

ONTARIO TRANSFER PAYMENT AGREEMENT

THE AGREEMENT is effective as of the _____ day of _____, 20____

B E T W E E N :

**Her Majesty the Queen in right of Ontario
as represented by the Minister of Municipal Affairs and
Housing**

(the "Province")

- and -

City of Hamilton

(the "Recipient")

CONSIDERATION

In consideration of the mutual covenants and agreements contained in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Province and the Recipient agree as follows:

1.0 ENTIRE AGREEMENT

1.1 The agreement, together with:

- Schedule "A" - General Terms and Conditions
 - Schedule "B" - Project Specific Information and Additional Provisions
 - Schedule "C" - Project
 - Schedule "D" - Budget
 - Schedule "E" - Payment Plan
 - Schedule "F" - Reports, and
- any amending agreement entered into as provided for in section 4.1,

constitutes the entire agreement between the Parties with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.

2.0 CONFLICT OR INCONSISTENCY

2.1 **Conflict or Inconsistency.** In the event of a conflict or inconsistency between the Additional Provisions and the provisions in Schedule "A", the following rules will apply:

- (a) the Parties will interpret any Additional Provisions in so far as possible, in a way that preserves the intention of the Parties as expressed in Schedule "A"; and
- (b) where it is not possible to interpret the Additional Provisions in a way that is consistent with the provisions in Schedule "A", the Additional Provisions will prevail over the provisions in Schedule "A" to the extent of the inconsistency.

3.0 COUNTERPARTS

3.1 The Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

4.0 AMENDING THE AGREEMENT

4.1 The Agreement may only be amended by a written agreement duly executed by the Parties.

5.0 ACKNOWLEDGEMENT

5.1 The Recipient acknowledges that:

- (a) by receiving Funds it may become subject to legislation applicable to organizations that receive funding from the Government of Ontario, including the *Broader Public Sector Accountability Act, 2010* (Ontario), the *Public Sector Salary Disclosure Act, 1996* (Ontario), and the *Auditor General Act* (Ontario);
- (b) Her Majesty the Queen in right of Ontario has issued expenses, perquisites, and procurement directives and guidelines pursuant to the *Broader Public Sector Accountability Act, 2010* (Ontario);
- (c) the Funds are:
 - (i) to assist the Recipient to carry out the Project and not to provide goods or services to the Province;
 - (ii) funding for the purposes of the *Public Sector Salary Disclosure Act, 1996* (Ontario);
- (d) the Province is not responsible for carrying out the Project; and

- (e) the Province is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario) and that any information provided to the Province in connection with the Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.

The Parties have executed the Agreement on the dates set out below.

**HER MAJESTY THE QUEEN IN RIGHT OF
ONTARIO as represented by Minister of Municipal
Affairs and Housing**

Date

Name: The Honourable Steve Clark
Title: Minister of Municipal Affairs and Housing

City of Hamilton

Date

Name:
Title:

I have authority to bind the Recipient.

Date

Name:
Title:

I have authority to bind the Recipient.

SCHEDULE "A"
GENERAL TERMS AND CONDITIONS

A1.0 INTERPRETATION AND DEFINITIONS

A1.1 **Interpretation.** For the purposes of interpretation:

- (a) words in the singular include the plural and vice-versa;
- (b) words in one gender include all genders;
- (c) the headings do not form part of the Agreement; they are for reference only and will not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency will be in Canadian dollars and currency; and
- (e) "include", "includes" and "including" denote that the subsequent list is not exhaustive.

A1.2 **Definitions.** In the Agreement, the following terms will have the following meanings:

"Additional Provisions" means the terms and conditions set out in Schedule "B".

"Agreement" means this agreement entered into between the Province and the Recipient, all of the schedules listed in section 1.1, and any amending agreement entered into pursuant to section 4.1.

"Budget" means the budget attached to the Agreement as Schedule "D".

"Business Day" means any working day, Monday to Friday inclusive, excluding statutory and other holidays, namely: New Year's Day; Family Day; Good Friday; Easter Monday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day; Boxing Day and any other day on which the Province has elected to be closed for business.

"Effective Date" means the date set out at the top of the Agreement.

"Event of Default" has the meaning ascribed to it in section A13.1.

"Expiry Date" means the expiry date set out in Schedule "B".

"Funding Year" means:

- (a) in the case of the first Funding Year, the period commencing on the Effective Date and ending on the following March 31; and

- (b) in the case of Funding Years subsequent to the first Funding Year, the period commencing on April 1 following the end of the previous Funding Year and ending on the following March 31.

"Funds" means the money the Province provides to the Recipient pursuant to the Agreement.

"Indemnified Parties" means Her Majesty the Queen in right of Ontario, Her ministers, agents, appointees, and employees.

"Maximum Funds" means the maximum Funds set out in Schedule "B".

"Notice" means any communication given or required to be given pursuant to the Agreement.

"Notice Period" means the period of time within which the Recipient is required to remedy an Event of Default pursuant to section A13.3(b), and includes any such period or periods of time by which the Province extends that time in accordance with section A13.4.

"Parties" means the Province and the Recipient.

"Party" means either the Province or the Recipient.

"Project" means the undertaking described in Schedule "C".

"Reports" means the reports described in Schedule "F".

A2.0 REPRESENTATIONS, WARRANTIES, AND COVENANTS

A2.1 General. The Recipient represents, warrants, and covenants that:

- (a) it has, and will continue to have, the experience and expertise necessary to carry out the Project;
- (b) it is in compliance with, and will continue to comply with, all federal and provincial laws and regulations, all municipal by-laws, and any other orders, rules, and by-laws related to any aspect of the Project, the Funds, or both; and
- (c) unless otherwise provided for in the Agreement, any information the Recipient provided to the Province in support of its request for funds (including information relating to any eligibility requirements) was true and complete at the time the Recipient provided it and will continue to be true and complete.

A2.2 Execution of Agreement. The Recipient represents and warrants that it has:

- (a) the full power and authority to enter into the Agreement; and

- (b) taken all necessary actions to authorize the execution of the Agreement, including passing a municipal by-law authorizing the Recipient to enter into the Agreement.

A2.3 **Governance.** The Recipient represents, warrants, and covenants that it has, will maintain in writing, and will follow:

- (a) procedures to enable the Recipient to manage Funds prudently and effectively;
- (b) procedures to enable the Recipient to complete the Project successfully;
- (c) procedures to enable the Recipient to identify risks to the completion of the Project and strategies to address the identified risks, all in a timely manner;
- (d) procedures to enable the preparation and submission of all Reports required pursuant to Article A7.0; and
- (e) procedures to enable the Recipient to address such other matters as the Recipient considers necessary to enable the Recipient to carry out its obligations under the Agreement.

A2.4 **Supporting Proof.** Upon the request of the Province, the Recipient will provide the Province with proof of the matters referred to in Article A2.0.

A3.0 TERM OF THE AGREEMENT

A3.1 **Term.** The term of the Agreement will commence on the Effective Date and will expire on the Expiry Date unless terminated earlier pursuant to Article A11.0, Article A12.0, or Article A13.0.

A4.0 FUNDS AND CARRYING OUT THE PROJECT

A4.1 **Funds Provided.** The Province will:

- (a) provide the Recipient up to the Maximum Funds for the purpose of carrying out the Project;
- (b) provide the Funds to the Recipient in accordance with the payment plan attached to the Agreement as Schedule "E"; and
- (c) deposit the Funds into an account designated by the Recipient provided that the account:
 - (i) resides at a Canadian financial institution; and
 - (ii) is in the name of the Recipient.

A4.2 Limitation on Payment of Funds. Despite section A4.1:

- (a) the Province is not obligated to provide any Funds to the Recipient until the Recipient provides evidence satisfactory to the Province that the Recipient's council has authorized the execution of this Agreement by the Recipient by municipal by-law;
- (b) the Province is not obligated to provide any Funds to the Recipient until the Recipient provides the certificates of insurance or other proof as the Province may request pursuant to section A10.2;
- (c) the Province is not obligated to provide instalments of Funds until it is satisfied with the progress of the Project;
- (d) the Province may adjust the amount of Funds it provides to the Recipient in any Funding Year based upon the Province's assessment of the information the Recipient provides to the Province pursuant to section A7.1; or
- (e) if, pursuant to the *Financial Administration Act (Ontario)*, the Province does not receive the necessary appropriation from the Ontario Legislature for payment under the Agreement, the Province is not obligated to make any such payment, and, as a consequence, the Province may:
 - (i) reduce the amount of Funds and, in consultation with the Recipient, change the Project; or
 - (ii) terminate the Agreement pursuant to section A12.1.

A4.3 Use of Funds and Carry Out the Project. The Recipient will do all of the following:

- (a) carry out the Project in accordance with the Agreement;
- (b) use the Funds only for the purpose of carrying out the Project;
- (c) spend the Funds only in accordance with the Budget;
- (d) not use the Funds to cover any cost that has or will be funded or reimbursed by one or more of any third party, ministry, agency, or organization of the Government of Ontario.

A4.4 Interest Bearing Account. If the Province provides Funds before the Recipient's immediate need for the Funds, the Recipient will place the Funds in an interest bearing account in the name of the Recipient at a Canadian financial institution.

A4.5 Interest. If the Recipient earns any interest on the Funds, the Province may:

- (a) deduct an amount equal to the interest from any further instalments of Funds; or
- (b) demand from the Recipient the payment of an amount equal to the interest.

A4.6 **Rebates, Credits, and Refunds.** The Ministry will calculate Funds based on the actual costs to the Recipient to carry out the Project, less any costs (including taxes) for which the Recipient has received, will receive, or is eligible to receive, a rebate, credit, or refund.

A5.0 RECIPIENT'S ACQUISITION OF GOODS OR SERVICES, AND DISPOSAL OF ASSETS

A5.1 **Acquisition.** If the Recipient acquires goods, services, or both with the Funds, it will do so through a process that promotes the best value for money.

A5.2 **Disposal.** The Recipient will not, without the Province's prior written consent, sell, lease, or otherwise dispose of any asset purchased or created with the Funds or for which Funds were provided, the cost of which exceeded the amount as provided for in Schedule "B" at the time of purchase.

A6.0 CONFLICT OF INTEREST

A6.1 **No Conflict of Interest.** The Recipient will carry out the Project and use the Funds without an actual, potential, or perceived conflict of interest.

A6.2 **Conflict of Interest Includes.** For the purposes of Article A6.0, a conflict of interest includes any circumstances where:

- (a) the Recipient; or
- (b) any person who has the capacity to influence the Recipient's decisions,

has outside commitments, relationships, or financial interests that could, or could be seen to, interfere with the Recipient's objective, unbiased, and impartial judgment relating to the Project, the use of the Funds, or both.

A6.3 **Disclosure to Province.** The Recipient will:

- (a) disclose to the Province, without delay, any situation that a reasonable person would interpret as an actual, potential, or perceived conflict of interest; and
- (b) comply with any terms and conditions that the Province may prescribe as a result of the disclosure.

A7.0 REPORTS, ACCOUNTING, AND REVIEW

A7.1 Preparation and Submission. The Recipient will:

- (a) submit to the Province at the address referred to in section A17.1, all Reports in accordance with the timelines and content requirements as provided for in Schedule "F", or in a form as specified by the Province from time to time;
- (b) submit to the Province at the address referred to in section A17.1, any other reports as may be requested by the Province in accordance with the timelines and content requirements specified by the Province;
- (c) ensure that all Reports and other reports are completed to the satisfaction of the Province; and
- (d) ensure that all Reports and other reports are signed on behalf of the Recipient by an authorized signing officer.

A7.2 Record Maintenance. The Recipient will keep and maintain:

- (a) all financial records (including invoices) relating to the Funds or otherwise to the Project in a manner consistent with generally accepted accounting principles; and
- (b) all non-financial documents and records relating to the Funds or otherwise to the Project.

A7.3 Inspection. The Province, any authorized representative, or any independent auditor identified by the Province may, at the Province's expense, upon twenty-four hours' Notice to the Recipient and during normal business hours, enter upon the Recipient's premises to review the progress of the Project and the Recipient's allocation and expenditure of the Funds and, for these purposes, the Province, any authorized representative, or any independent auditor identified by the Province may take one or more of the following actions:

- (a) inspect and copy the records and documents referred to in section A7.2;
- (b) remove any copies made pursuant to section A7.3(a) from the Recipient's premises; and
- (c) conduct an audit or investigation of the Recipient in respect of the expenditure of the Funds, the Project, or both.

A7.4 Disclosure. To assist in respect of the rights provided for in section A7.3, the Recipient will disclose any information requested by the Province, any authorized representatives, or any independent auditor identified by the Province, and will do so in the form requested by the Province, any authorized

representative, or any independent auditor identified by the Province, as the case may be.

A7.5 **No Control of Records.** No provision of the Agreement will be construed so as to give the Province any control whatsoever over the Recipient's records.

A7.6 **Auditor General.** The Province's rights under Article A7.0 are in addition to any rights provided to the Auditor General pursuant to section 9.1 of the *Auditor General Act* (Ontario).

A8.0 COMMUNICATIONS REQUIREMENTS

A8.1 **Acknowledge Support.** Unless otherwise directed by the Province, the Recipient will:

- (a) acknowledge the support of the Province for the Project; and
- (b) ensure that the acknowledgement referred to in section A8.1(a) is in a form and manner as directed by the Province.

A8.2 **Publication.** The Recipient will indicate, in any of its Project-related publications, whether written, oral, or visual, that the views expressed in the publication are the views of the Recipient and do not necessarily reflect those of the Province.

A9.0 INDEMNITY

A9.1 **Indemnification.** The Recipient will indemnify and hold harmless the Indemnified Parties from and against any and all liability, loss, costs, damages, and expenses (including legal, expert and consultant fees), causes of action, actions, claims, demands, lawsuits, or other proceedings, by whomever made, sustained, incurred, brought, or prosecuted, in any way arising out of or in connection with the Project or otherwise in connection with the Agreement, unless solely caused by the negligence or wilful misconduct of the Indemnified Parties.

A10.0 INSURANCE

A10.1 **Recipient's Insurance.** The Recipient represents, warrants, and covenants that it has, and will maintain, at its own cost and expense, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person carrying out a project similar to the Project would maintain, including commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury, and property damage, to an inclusive limit of not less than the amount provided for in Schedule "B" per occurrence. The insurance policy will include the following:

- (a) the Indemnified Parties as additional insureds with respect to liability arising in the course of performance of the Recipient's obligations under,

or otherwise in connection with, the Agreement;

- (b) a cross-liability clause;
- (c) contractual liability coverage; and
- (d) a 30-day written notice of cancellation.

A10.2 Proof of Insurance. The Recipient will:

- (a) provide to the Province, either:
 - (i) certificates of insurance that confirm the insurance coverage as provided for in section A10.1; or
 - (ii) other proof that confirms the insurance coverage as provided for in section A10.1; and
- (b) upon the request of the Province, provide to the Province a copy of any insurance policy.

A11.0 TERMINATION ON NOTICE

A11.1 Termination on Notice. The Province may terminate the Agreement at any time without liability, penalty, or costs upon giving at least 30 days' Notice to the Recipient.

A11.2 Consequences of Termination on Notice by the Province. If the Province terminates the Agreement pursuant to section A11.1, the Province may take one or more of the following actions:

- (a) cancel further instalments of Funds;
- (b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient; and
- (c) determine the reasonable costs for the Recipient to wind down the Project, and do either or both of the following:
 - (i) permit the Recipient to offset such costs against the amount the Recipient owes pursuant to section A11.2(b); and
 - (ii) subject to section A4.1(a), provide Funds to the Recipient to cover such costs.

A12.0 TERMINATION WHERE NO APPROPRIATION

A12.1 Termination Where No Appropriation. If, as provided for in section A4.2(e), the Province does not receive the necessary appropriation from the Ontario Legislature for any payment the Province is to make pursuant to the

Agreement, the Province may terminate the Agreement immediately without liability, penalty, or costs by giving Notice to the Recipient.

A12.2 Consequences of Termination Where No Appropriation. If the Province terminates the Agreement pursuant to section A12.1, the Province may take one or more of the following actions:

- (a) cancel further instalments of Funds;
- (b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient; and
- (c) determine the reasonable costs for the Recipient to wind down the Project and permit the Recipient to offset such costs against the amount owing pursuant to section A12.2(b).

A12.3 No Additional Funds. If, pursuant to section A12.2(c), the Province determines that the costs to wind down the Project exceed the Funds remaining in the possession or under the control of the Recipient, the Province will not provide additional Funds to the Recipient.

A13.0 EVENT OF DEFAULT, CORRECTIVE ACTION, AND TERMINATION FOR DEFAULT

A13.1 Events of Default. Each of the following events will constitute an Event of Default:

- (a) in the opinion of the Province, the Recipient breaches any representation, warranty, covenant, or other material term of the Agreement, including failing to do any of the following in accordance with the terms and conditions of the Agreement:
 - (i) carry out the Project;
 - (ii) use or spend Funds; or
 - (iii) provide, in accordance with section A7.1, Reports or such other reports as may have been requested pursuant to section A7.1(b);
- (b) the Recipient's operations, its financial condition, or its organizational structure, changes such that it no longer meets one or more of the eligibility requirements of the program under which the Province provides the Funds;
- (c) the Recipient makes an assignment, proposal, compromise, or arrangement for the benefit of creditors, or a creditor makes an application for an order adjudging the Recipient bankrupt, or applies for the appointment of a receiver; or

- (d) the Recipient ceases to operate.

A13.2 **Consequences of Events of Default and Corrective Action.** If an Event of Default occurs, the Province may, at any time, take one or more of the following actions:

- (a) initiate any action the Province considers necessary in order to facilitate the successful continuation or completion of the Project;
- (b) provide the Recipient with an opportunity to remedy the Event of Default;
- (c) suspend the payment of Funds for such period as the Province determines appropriate;
- (d) reduce the amount of the Funds;
- (e) cancel further instalments of Funds;
- (f) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient;
- (g) demand from the Recipient the payment of an amount equal to any Funds the Recipient used, but did not use in accordance with the Agreement;
- (h) demand from the Recipient the payment of an amount equal to any Funds the Province provided to the Recipient; and
- (i) terminate the Agreement at any time, including immediately, without liability, penalty or costs to the Province upon giving Notice to the Recipient.

A13.3 **Opportunity to Remedy.** If, in accordance with section A13.2(b), the Province provides the Recipient with an opportunity to remedy the Event of Default, the Province will give Notice to the Recipient of:

- (a) the particulars of the Event of Default; and
- (b) the Notice Period.

A13.4 **Recipient not Remediating.** If the Province provided the Recipient with an opportunity to remedy the Event of Default pursuant to section A13.2(b), and:

- (a) the Recipient does not remedy the Event of Default within the Notice Period;
- (b) it becomes apparent to the Province that the Recipient cannot completely remedy the Event of Default within the Notice Period; or

- (c) the Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Province,

the Province may extend the Notice Period, or initiate any one or more of the actions provided for in sections A13.2(a), (c), (d), (e), (f), (g), (h), and (i).

A13.5 When Termination Effective. Termination under Article will take effect as provided for in the Notice.

A14.0 FUNDS AT THE END OF A FUNDING YEAR

A14.1 Funds at the End of a Funding Year. Without limiting any rights of the Province under Article A13.0, if the Recipient has not spent all of the Funds allocated for the Funding Year as provided for in the Budget, the Province may take one or both of the following actions:

- (a) demand from the Recipient payment of the unspent Funds; and
- (b) adjust the amount of any further instalments of Funds accordingly.

A15.0 FUNDS UPON EXPIRY

A15.1 Funds Upon Expiry. The Recipient will, upon expiry of the Agreement, pay to the Province any Funds remaining in its possession or under its control.

A16.0 DEBT DUE AND PAYMENT

A16.1 Payment of Overpayment. If at any time the Province provides Funds in excess of the amount to which the Recipient is entitled under the Agreement, the Province may:

- (a) deduct an amount equal to the excess Funds from any further instalments of Funds; or
- (b) demand that the Recipient pay an amount equal to the excess Funds to the Province.

A16.2 Debt Due. If, pursuant to the Agreement:

- (a) the Province demands from the Recipient the payment of any Funds or an amount equal to any Funds; or
- (b) the Recipient owes any Funds or an amount equal to any Funds to the Province, whether or not the Province has demanded their payment,

such Funds or other amount will be deemed to be a debt due and owing to the Province by the Recipient, and the Recipient will pay the amount to the Province immediately, unless the Province directs otherwise.

- A16.3 **Interest Rate.** The Province may charge the Recipient interest on any money owing by the Recipient at the then current interest rate charged by the Province of Ontario on accounts receivable.
- A16.4 **Payment of Money to Province.** The Recipient will pay any money owing to the Province by cheque payable to the "Ontario Minister of Finance" and delivered to the Province as provided for in Schedule "B".
- A16.5 **Fails to Pay.** Without limiting the application of section 43 of the *Financial Administration Act* (Ontario), if the Recipient fails to pay any amount owing under the Agreement, Her Majesty the Queen in right of Ontario may deduct any unpaid amount from any money payable to the Recipient by Her Majesty the Queen in right of Ontario.

A17.0 NOTICE

- A17.1 **Notice in Writing and Addressed.** Notice will be in writing and will be delivered by email, postage-prepaid mail, personal delivery, or fax, and will be addressed to the Province and the Recipient respectively as provided for Schedule "B", or as either Party later designates to the other by Notice.
- A17.2 **Notice Given.** Notice will be deemed to have been given:
- (a) in the case of postage-prepaid mail, five Business Days after the Notice is mailed; or
 - (b) in the case of email, personal delivery, or fax, one Business Day after the Notice is delivered.
- A17.3 **Postal Disruption.** Despite section A17.2(a), in the event of a postal disruption:
- (a) Notice by postage-prepaid mail will not be deemed to be given; and
 - (b) the Party giving Notice will give Notice by email, personal delivery, or fax.

A18.0 CONSENT BY PROVINCE AND COMPLIANCE BY RECIPIENT

- A18.1 **Consent.** When the Province provides its consent pursuant to the Agreement, it may impose any terms and conditions on such consent and the Recipient will comply with such terms and conditions.

A19.0 SEVERABILITY OF PROVISIONS

- A19.1 **Invalidity or Unenforceability of Any Provision.** The invalidity or unenforceability of any provision of the Agreement will not affect the validity or enforceability of any other provision of the Agreement. Any invalid or unenforceable provision will be deemed to be severed.

A20.0 WAIVER

A20.1 **Waiver Request.** Either Party may, in accordance with the Notice provision set out in Article A17.0, ask the other Party to waive an obligation under the Agreement.

A20.2 **Waiver Applies.** Any waiver a Party grants in response to a request made pursuant to section A20.1 will:

- (a) be valid only if the Party granting the waiver provides it in writing; and
- (b) apply only to the specific obligation referred to in the waiver.

A21.0 INDEPENDENT PARTIES

A21.1 **Parties Independent.** The Recipient is not an agent, joint venturer, partner, or employee of the Province, and the Recipient will not represent itself in any way that might be taken by a reasonable person to suggest that it is, or take any actions that could establish or imply such a relationship.

A22.0 ASSIGNMENT OF AGREEMENT OR FUNDS

A22.1 **No Assignment.** The Recipient will not, without the prior written consent of the Province, assign any of its rights or obligations under the Agreement.

A22.2 **Agreement Binding.** All rights and obligations contained in the Agreement will extend to and be binding on the Parties' respective heirs, executors, administrators, successors, and permitted assigns.

A23.0 GOVERNING LAW

A23.1 **Governing Law.** The Agreement and the rights, obligations, and relations of the Parties will be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement will be conducted in the courts of Ontario, which will have exclusive jurisdiction over such proceedings.

A24.0 FURTHER ASSURANCES

A24.1 **Agreement into Effect.** The Recipient will provide such further assurances as the Province may request from time to time with respect to any matter to which the Agreement pertains, and will otherwise do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of the Agreement to their full extent.

A25.0 JOINT AND SEVERAL LIABILITY

A25.1 **Joint and Several Liability.** Where the Recipient is comprised of more than one entity, all such entities will be jointly and severally liable to the Province for the fulfillment of the obligations of the Recipient under the Agreement.

A26.0 RIGHTS AND REMEDIES CUMULATIVE

A26.1 **Rights and Remedies Cumulative.** The rights and remedies of the Province under the Agreement are cumulative and are in addition to, and not in substitution for, any of its rights and remedies provided by law or in equity.

A27.0 FAILURE TO COMPLY WITH OTHER AGREEMENTS

A27.1 **Other Agreements.** If the Recipient:

- (a) has failed to comply with any term, condition, or obligation under any other agreement with Her Majesty the Queen in right of Ontario or one of Her agencies (a "**Failure**");
- (b) has been provided with notice of such Failure in accordance with the requirements of such other agreement;
- (c) has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and
- (d) such Failure is continuing,

the Province may suspend the payment of Funds for such period as the Province determines appropriate.

A28.0 SURVIVAL

A28.1 **Survival.** The following Articles and sections, and all applicable cross-referenced sections and schedules, will continue in full force and effect for a period of seven years from the date of expiry or termination of the Agreement: Article 1.0, Article 3.0, Article A1.0 and any other applicable definitions, section A2.1(a), sections A4.2(e), A4.5, section A5.2, section A7.1 (to the extent that the Recipient has not provided the Reports or other reports as may have been requested to the satisfaction of the Province), sections A7.2, A7.3, A7.4, A7.5, A7.6, Article A8.0, Article A9.0, section A11.2, sections A12.2, A12.3, sections A13.1, A13.2(d), (e), (f), (g) and (h), Article A15.0, Article A16.0, Article A17.0, Article A19.0, section A22.2, Article A23.0, Article A25.0, Article A26.0, Article A27.0 and Article A28.0.

- END OF GENERAL TERMS AND CONDITIONS -

SCHEDULE "B"
PROJECT SPECIFIC INFORMATION AND ADDITIONAL PROVISIONS

Maximum Funds	\$250,000.00
Expiry Date	January 31, 2020
Amount for the purposes of section A5.2 (Disposal) of Schedule "A"	\$5,000.00
Insurance	\$ 2,000,000
Contact information for the purposes of Notice to the Province	<p>Name: Helen Collins</p> <p>Position: Manager, Municipal Programs and Outreach Unit</p> <p>Address: 777 Bay Street, Toronto, Ontario M5G 2E5, 16th Floor</p> <p>Fax: 416-585-7292</p> <p>Email: helen.collins@ontario.ca</p>
Contact information for the purposes of Notice to the Recipient	<p>Name:</p> <p>Position:</p> <p>Address:</p> <p>Fax:</p> <p>Email:</p>
Contact information for the senior financial person in the Recipient organization (e.g., CFO, CAO) – to respond as required to requests from the Province related to the Agreement	<p>Name:</p> <p>Position:</p> <p>Address:</p> <p>Fax:</p> <p>Email:</p>

Additional Provisions:

B1 Section 4.3 of Schedule "A" is amended by adding the following sections:

- (e) use the Funds only for the purpose of reimbursement for the actual

amount paid to the independent third-party reviewer in accordance with the Project; and,

- (f) Not use the Funds for the purpose of paying the salaries of the Recipient's employees.

**SCHEDULE "C"
PROJECT**

Objectives
The objective of the Project is to evaluate the Recipient's reliance on external consultants and contractors, assess knowledge transfer to Recipient staff, and identify service delivery alternatives and efficiency opportunities.
Description
<p>The Recipient will retain an independent third-party reviewer to analyze financial and performance related data on the Recipient'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.</p> <p>Areas identified for specific review include:</p> <ul style="list-style-type: none">• Development Charge Process• Growth Management• Hamilton Water <p><u>Independent Third-Party Reviewer's Report</u></p> <p>The Recipient will retain the independent third-party reviewer to compile the findings and recommendations in the Independent Third-Party Reviewer's Report. The Recipient will submit the report to the Province and publish the report on the Recipient's publicly accessible website by November 30, 2019.</p> <p>The report will summarize the reviewer's findings and identify specific, actionable recommendations based on the analysis and findings that aim to identify cost savings and improved efficiencies.</p>

SCHEDULE "D"
BUDGET

Item	Amount
Reimbursement for payments to independent third-party reviewer	Up to \$250,000

SCHEDULE "E"
PAYMENT PLAN

Milestone	Scheduled Payment
<ul style="list-style-type: none">• Submission of Independent Third-Party Reviewer's Report to the Province• Publishing of Independent Third-Party Reviewer's Report• Submission of Final Report to the Province	Up to \$250,000 no more than thirty (30) days after the Province's approval of the Final Report

**SCHEDULE "F"
REPORTS**

Name of Report	Reporting Due Date
1. Final Report	December 13, 2019

Report Details

1. Final Report

The Recipient will submit a Final Report to the Province by December 13, 2019.

The Final Report will set out the Recipient's actual expenditures for the independent third-party reviewer for the project. Supporting documentation, such as invoices or receipts, showing actual costs incurred will be included as part of the Final Report.

The Final Report will include a statement indicating the percentage of the service delivery expenditures reviewed under the project which were identified as potential cost savings in the Independent Third-Party Reviewer's Report, which will be the performance measure for the Project.

The Recipient will use the reporting template provided by the Province prior to the reporting deadline in order to submit the Final Report to the Province.



056 Governor's Road, Dundas, Ontario Canada, L9H 5G7
Visit our Web Site at www.sjv.on.ca

Telephone (905) 627-3541 Fax (905) 628-0825
A MEMBER OF ST. JOSEPH'S HEALTH SYSTEM

Janet Pilon
Acting City Clerk
Hamilton City Hall
71 Main Street West, 1st Floor
Hamilton, ON L8P 4Y5

July 24, 2019

RE: Request for 50% Exemption of the Development Charges for St. Joseph's Villa (170 Ogilvie St. , Dundas) Hospice Project -- SPA-17-205; Building Permit Application # 18-137811-00R3

Dear Ms. Pilon,

St. Joseph's Villa, in planning for the upcoming 10-bed hospice, ensured that the design and program focused on how to sustain the highest quality of life for our patients, their families and those that support them. The planning process cleared every level of review from the City and all conditions have been satisfied and approved. All that remains outstanding, prior to issuing a building permit, is payment of the Development Charges in the amount per below:

City Development Charges	\$237,350.20	
Go Transit	\$820.00	
Public School	\$13,901.27	
Separate School	\$11,911.11	
Total	\$263,982.58	50% = \$131,991.29

Our application for building permit for this project was submitted on September 28, 2018 which included payment of the \$67,642 application fee. All correspondence regarding the Development Charges for the Hospice occurred with City staff well before the new By-laws 19 -142 and 11-174 came into effect on June 13, 2019. In addition, conversations with the Mayor and our Councillor on this matter began almost 18 months ago.

We were fully expecting to receive a 50% exemption, per By-law 14-153 in effect at the time and this was worked into the costing for this project. Given the date that the application was filed, the Development charges at the 50% exemption rate should be applied to this project per the previous By-law.

Over 90% of the funding for this project is coming from the donations of generous Hamiltonians and the need for the exemption by the City for this very important and special project for the citizens of Hamilton is very much needed.

St. Joseph's Villa is responding to a shortage of hospice and palliative respite beds within the region and we are asking for your help in making this a success. Please let us know if you require any additional information.

Respectfully,

Melissa Farrell
President, St. Joseph's Healthcare Hamilton

Carolyn Gosse
President, St. Joseph's Villa

Copy: Fred Eisenberger, Mayor
Arlene VanderBeek, Councillor Ward 13
Mike Zegarac, General Manager Finance
Don Davidson, CEO and President St. Joseph's Villa Foundation



56 Governor's Road, Dundas, Ontario L9H 5G7
905-627-9011

July 26, 2019

Arlene VanderBeek
Councillor
Ward 13 – Communities of Dundas and Flamborough

Sent via email: arlene.vanderbeek@hamilton.ca

Dear Ms. VanderBeek,

This is to confirm that Margaret's Place (the Hospice) will be located on St. Joseph's Villa land and St. Joseph's Villa will be the sole owner and operator of the Hospice. The Hospice will operate as a registered charity and a not-for-profit organization. For greater clarity, I wish to confirm that there will be no commercial enterprise involved in the operation of the Hospice.

If you have any questions or require any additional information, please don't hesitate to contact our office at 905-522-1155, ext. 33884.

Thank you,

A handwritten signature in black ink, appearing to read "Susan C. Hollis".

Susan Hollis
VP & CFO
St. Joseph's Health System



EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 19-009

1:30 p.m.
Thursday, August 15, 2019
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Councillors S. Merulla (Chair), E. Pauls, B. Clark, T. Jackson, and N. Nann

**Absent with
Regrets:** Councillor T. Whitehead (City Business)

Also Present: Councillor J. Farr

THE EMERGENCY & COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 19-009 AND RESPECTFULLY RECOMMENDS:

- 1. Local Impact of the Celebrate Ontario Fund on Festivities in Hamilton (PED19147) (City Wide) (Referred from the July 8, 2019 General Issues Committee meeting) (Item 7.1)**

That Report PED19147, respecting the Local Impact of the Celebrate Ontario Fund on Festivities in Hamilton, be received.

- 2. Accessing Capital Repair Funds from the National Housing Strategy (HSC19048) (City Wide) (Item 7.2)**

a) That the General Manager of Corporate Services, the General Manager of Healthy and Safe Communities, and the Chief Executive Officer of CityHousing Hamilton be directed to engage in discussions with the Canada Mortgage and Housing Corporation to:

- i) Negotiate funding principles and to determine the extent of the municipal contribution with respect to the CityHousing Hamilton repair/renewal portfolio wide funding application under the National Housing Strategy – Co-investment Fund repair/renewal stream;

- (b) That staff report back to the Emergency and Community Services Committee with an update as soon as practical on the proposed funding agreement, expected municipal contribution and implementation strategy for CityHousing Hamilton repair/renewal funding application; and,
- (c) That staff apply any future year-end Alectra and/or Hamilton Utilities Corporation dividend surpluses to reduce the reliance on debt financing for Council approved Housing projects, and that staff report back on amended reliance on debt through future Tax Supported Capital Budget reports/presentations.

3. Hamilton Housing Summit (HSC19037) (City Wide) (Outstanding Business List) (Item 10.1)

That Report HSC19037 be referred to the Government Relations Sub-Committee to further inform the development of a government relations strategy to address Hamilton's housing issues with a focus on increasing rental housing supply, particularly affordable rental housing, better meeting the needs of the aging population, and repairing the ageing social housing stock.

4. Canada-Ontario Community Housing Initiative and Ontario Priorities Housing Initiative (HSC19042) (Ward 2) (Item 10.2)

That Report HSC19042, respecting the Canada-Ontario Community Housing Initiative and Ontario Priorities Housing Initiative, be received.

5. Asylum Seekers (HSC19044) (City Wide) (Item 10.3)

- (a) That the General Manager of the Healthy and Safe Communities Department or his designate be authorized to enter into and execute an Agreement with the Federal Ministry of Immigration, Refugees and Citizenship Canada to receive payments covering actual and forecasted costs of secondary migration of asylum seekers within Hamilton's homeless-serving system; and,
- (b) That the General Manager of Healthy and Safe Communities Department or his designate be authorized:
 - (i) To enter into and execute an Agreement with the Federal Ministry of Immigration, Refugees and Citizenship Canada or the City of Toronto to receive funds to accommodate a predetermined number of asylum-seeking households from Toronto to Hamilton; and,
 - (ii) To implement spending caps, benefit frequency limits, or other controls necessary to ensure costs are contained within the approved budgeted amount.

6. Feasibility of Assisting Major Festivals (Shut Out of Celebrate Ontario Grant Funding) (HSC19045) (Wards 2, 3, and 12) (Item 10.4)

That Report HSC19045, respecting the Feasibility of Assisting Major Festivals (Shut Out of Celebrate Ontario Grant Funding), be received.

7. School-Based Child Care Capital Projects (HSC19049) (Wards 2, 3, 6, 7, 11, 12, 13, 15) (Item 10.5)

That Report HSC19049, respecting School-Based Child Care Capital Projects, be received.

8. Changes to Provincial Funding – Long Term Care (HSC19047) (City Wide) (Added Item 10.6)

(a) That Report HSC19047, respecting Changes to Provincial Funding – Long Term Care, be received.

WHEREAS, the July 26, 2019 (further to the May 29, 2019 memo) announcement regarding the elimination of both the High Wage Transition Fund and the Structural Compliance Fund effective October 1, 2019 amount to an “in year” funding and an ongoing funding change, that reduces provincial funding (annualized at \$554,530); and,

WHEREAS, reducing provincial funding shifts the funding to the municipal tax payer, unless service level reductions are implemented;

THEREFORE, BE IT RESOLVED:

(b) That the Mayor correspond with the Minister of Long-Term Care requesting that there is a dialogue with the Provincial Government (including our local Government MPP Skelly) to impress upon them to reconsider their decision not to proceed with the elimination of the High Wage Transition Fund and the Structural Compliance Fund;

(c) If the Province intends to proceed with the elimination of these funding sources that the effective date be moved forward to April 1, 2020 to allow the City to better address this funding reduction through the 2020 budget process; and,

(d) This resolution be circulated to ALL local MPPs.

9. Deputy Fire Chief Appointment (HSC19005(a)) (City Wide) (Added Item 10.7)

That the By-law to Appoint a Deputy Fire Chief, attached as Appendix “A” to Report HSC19005(a), which has been prepared in a form satisfactory to the City Solicitor, be passed.

10. Valley Park Tennis Courts (Ward 9) (Added Item 11.1)

WHEREAS, the 4 tennis courts located in Valley Park provide outdoor recreation opportunities for the residents of Upper Stoney Creek; and

WHEREAS, the community has requested that the City of Hamilton install wind screens on the fencing surrounding the tennis courts; and

WHEREAS, wind screens protect the courts from deteriorating and provide a better court atmosphere to play tennis;

THEREFORE, BE IT RESOLVED:

- (a) That the purchase and installation of the wind screens for the Valley Park Tennis Courts in the amount of \$ 4000.00 be funded from the Ward 9 Area Rating Reserve (108059) account.
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents in relation to funding the Valley Park Tennis Courts, with such terms and conditions in a form satisfactory to the City Solicitor.

11. Restorative Practices Council and Senior Leadership Team Workshop (Added Item 11.2)

WHEREAS, the city of Hamilton is committed to proactive civic engagement;

WHEREAS, the City of Hamilton is committed to the successful implementation of our Human Rights, Diversity and Inclusion Strategic plan;

WHEREAS, the City Council and Senior Leadership Team regularly meets and consults with a wide variety of residents, associations, stakeholders, and businesses;

WHEREAS, our communities are advising us that they are experiencing an increase in hateful, bigoted and oppressive activity;

WHEREAS, a key to any successful consultation or dialogue is the ability to see issues and concerns through the lenses of different communities and individual; and,

WHEREAS, the restorative practices circles have been tremendously successful in broadening the perspectives, understanding and active listening skills of participants;

THEREFORE, BE IT RESOLVED

- (a) That the City Manager be directed to organize a one-day Restorative Practices Council and Senior Leadership Team Workshop with two

facilitators from the John Howard Society, Garth Bell and Ruth Greenspan;
and,

- (b) That the City Manager be directed to formally include the use of restorative justice approach within the anti-hate strategy.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. DISCUSSION ITEMS (Item 10)

10.6 Changes to Provincial Funding – Long Term Care (HSC19047)
(City Wide)

10.7 Deputy Fire Chief Appointment (HSC19005(a)) (City Wide)

2. NOTICES OF MOTION (Item 12)

12.1 Valley Park Tennis Courts

12.2 Restorative Practices Council and Leadership Team Workshop

The agenda for the August 15, 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 PREVIOUS MEETING (Item 4)

(i) July 11, 2019 (Item 4.1)

The Minutes of the July 11, 2019 meeting of the Emergency and Community Services Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

That the following Delegation requests, were approved:

- (i) Antoinette Laffrenier, The King's Way Outreach Centre, respecting municipal support for the King's Way Outreach Centre (for a future meeting) (Item 6.1)

- (ii) Robert Manley, respecting closing the Wesley Day Centre (for today's meeting) (Item 6.2)
- (iii) Chad Roglich, Wesley Community Homes Inc., respecting the lease agreement between Wesley Community Homes Inc. and Wesley Urban Ministries for the premises at 195 Ferguson Avenue North (for today's meeting) (Item 6.3)
- (iv) Cam Banach, Wesley Community Homes Inc., respecting the lease agreement between Wesley Community Homes Inc. and Wesley Urban Ministries for the premises at 195 Ferguson Avenue North (for today's meeting) (Item 6.4)
- (v) Brian Cheeseman, respecting Wesley Community Homes Inc. and Drop in Centre operated by Wesley Urban Ministries (for today's meeting) (Item 6.5)

(e) PUBLIC HEARINGS/DELEGATIONS (Item 8)

(i) Robert Manley, respecting closing the Wesley Day Centre (Item 8.1)

Robert Manley was not present when called upon.

(ii) Cam Banach, Wesley Community Homes Inc., respecting the lease agreement between Wesley Community Homes Inc. and Wesley Urban Ministries for the premises at 195 Ferguson Avenue North (Item 8.2)

Cam Banach, Wesley Community Homes Inc., addressed the Committee respecting the lease agreement between Wesley Community Homes Inc. and Wesley Urban Ministries for the premises at 195 Ferguson Avenue North.

The Delegation from Cam Banach, respecting the lease agreement between Wesley Community Homes Inc. and Wesley Urban Ministries for the premises at 195 Ferguson Avenue North, was received.

(iii) Chad Roglich, Wesley Community Homes Inc., respecting the lease agreement between Wesley Community Homes Inc. and Wesley Urban Ministries for the premises at 195 Ferguson Avenue North (Item 8.3)

Chad Roglich, Wesley Community Homes Inc., addressed the Committee respecting the lease agreement between Wesley Community Homes Inc. and Wesley Urban Ministries for the premises at 195 Ferguson Avenue North.

The Delegation from Chad Roglich, respecting the lease agreement between Wesley Community Homes Inc. and Wesley Urban Ministries for the premises at 195 Ferguson Avenue North, was received.

(iv) Brian Cheeseman, respecting Wesley Community Homes Inc. and Drop in Centre operated by Wesley Urban Ministries (Item 8.4)

Brian Cheeseman addressed the Committee respecting Wesley Community Homes Inc. and Drop in Centre operated by Wesley Urban Ministries, with the aid of a handout.

The handout is available at www.hamilton.ca and through the Office of the City Clerk.

The Delegation from Brian Cheeseman, respecting Wesley Community Homes Inc. and Drop in Centre operated by Wesley Urban Ministries, was received.

(f) DISCUSSION ITEMS

(i) Asylum Seekers (HSC19044) (City Wide) (Item 10.3)

Staff were directed to report back to the Emergency and Community Services Committee regarding the 15 asylum-seeking households being received and resettled in Hamilton, and on the overall success of the program.

(g) NOTICES OF MOTION

(i) Valley Park Tennis Courts (Ward 9) (Added Item 12.1)

Councillor Clark introduced a Notice of Motion respecting the Valley Park Tennis Courts.

The Rules of Order were waived to allow for the introduction of a Motion respecting the Valley Park Tennis Courts.

For further disposition of this matter, refer to Item 10.

(ii) Restorative Practices Council and Senior Leadership Team Workshop (Added Item 12.2)

Councillor Merulla introduced a Notice of Motion respecting a Restorative Practices Council and Senior Leadership Team Workshop.

The Rules of Order were waived to allow for the introduction of a Motion respecting a Restorative Practices Council and Senior Leadership Team Workshop.

For further disposition of this matter, refer to Item 11.

(h) GENERAL INFORMATION/OTHER BUSINESS (Item 13)

(i) Changes to the Outstanding Business List (Item 13.1)

The following amendments to the Emergency and Community Services Committee's Outstanding Business List, were approved:

(a) Items to be Removed from the Outstanding Business List

- (i) Heat Response Plan**
Item on OBL: D
Addressed as Item 7.1 on the June 20, 2019 agenda.
- (ii) Hamilton Housing Summit**
Item on OBL: N
Addressed as Item 10.1 on today's agenda.

(i) ADJOURNMENT (Item 15)

There being no further business, the Emergency and Community Services Committee was adjourned at 4:17 p.m.

CARRIED

Respectfully submitted,

Councillor S. Merulla
Chair, Emergency and Community Services
Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk

CITY OF HAMILTON MOTION

Council: August 16, 2019

MOVED BY COUNCILLOR WHITEHEAD.....

SECONDED BY COUNCILLOR.....

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

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

CITY OF HAMILTON MOTION

Council: August 16, 2019

MOVED BY COUNCILLOR WHITEHEAD.....

SECONDED BY COUNCILLOR.....

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

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

CITY OF HAMILTON MOTION

Council: August 16, 2019

MOVED BY COUNCILLOR M. PEARSON.....

SECONDED BY COUNCILLOR.....

Amendment to By-Law 19-125, being a by-law to Set and Levy the Rates of Taxation for the Year 2019 – Correction to Education Rates

WHEREAS, the *Municipal Act*, 2001, S.O. 2001, c. 25, provides the authority for the Council of the City of Hamilton to levy on the whole rateable property according to the last returned assessment roll for the current year, the tax rates required for Municipal and Education purposes;

WHEREAS, the *Education Act* provides the tax rates for education purposes;

WHEREAS, on the 22nd day of May of 2019 the Council of the City of Hamilton enacted By-law No.19-125 to Set and Levy the Rates of Taxation for the Year 2019;

WHEREAS O. Reg. 400/98 requires the tax rates for school purposes in respect of the vacant industrial, excess commercial and excess industrial subclasses shall be reduced by 50 percent of the amount by which the tax rates for municipal purposes are reduced under section 313 of the *Municipal Act*, 2001;

WHEREAS, By-law 400/98 provided for a reduction of the tax rates for school purposes in respect of the vacant industrial, excess commercial and excess industrial subclasses in the same amount as the reduction for the tax rates for municipal purposes;

WHEREAS, the Education Rates set out in Schedule “C” of By-law No.19-125 are therefore incorrect for the following Property Classes: Commercial – Excess Land, Commercial Office Building – Excess Land, Commercial Shopping – Excess Land, Commercial (New Construction) Excess Land, Commercial Office Building (New Construction) – Excess Land, Commercial Shopping (New Construction) – Excess Land, Industrial – Excess Land, Industrial Vacant – Excess Land, Industrial Large – Excess Land, Industrial (New Construction) – Excess Land, Industrial (New Construction) – Vacant Land, and Industrial Large (New Construction) – Excess Land; and,

WHEREAS, it is necessary to amend By-law No.19-125 in order to comply with O. Reg. 400/98;

THEREFORE, BE IT RESOLVED:

That the By-law to Amend By-law 19-125, being a by-law to Set and Levy the Rates of Taxation for the Year 2019, which has been prepared in a form satisfactory to the City Solicitor (attached hereto as Appendix "A"), be enacted.

Authority: Item 9, Public Works Committee
Report 07-016 (PW07153)
CM: December 12, 2007
Ward: 6

Bill No. 186

CITY OF HAMILTON

BY-LAW NO. 19-

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

WHEREAS sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 9 (No Right Turn on Red) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "E" (Hamilton) thereof the following item, namely:

Upper Ottawa Street	Southbound	Rymal Road	7:00 am – 7:00 pm
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And by adding to Section "E" (Hamilton) thereof the following item, namely:

Upper Ottawa Street	Southbound	Rymal Road	7:00 am – 9:00 am 3:00 pm – 5:00 pm Monday to Friday
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To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

Page 2 of 2

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 16th day of August, 2019.

A. VanderBeek
Acting Mayor

A. Holland
City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 15

Bill No. 187

CITY OF HAMILTON

BY-LAW NO. 19-

Respecting Removal of Part Lot Control Block 202 on Registered Plan No. 62M-1238, municipally known as 239, 241, 243, 245, 247, 249 and 251 Skinner Road, Waterdown Bay Phase 2

WHEREAS the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating seven lots for townhouses (Parts 1, 3, 5, 6, 8, 9 and 11 inclusive) and four easements for maintenance and access (Parts 2, 4, 7 and 10 inclusive), on deposited Reference Plan 62R-21168, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 202 on Registered Plan No. 62M-1238, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.

Respecting Removal of Part Lot Control
Block 202 on Registered Plan No. 62M-1238, municipally known as 239, 241, 243, 245, 247, 249 and 251
Skinner Road, Waterdown Bay Phase 2

Page 2 of 2

3. This by-law shall expire and cease to be of any force or effect on the 16th day of August, 2021.

PASSED this 16th day of August, 2019.

A. VanderBeek
Acting Mayor

A. Holland
City Clerk

PLC-19-020

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 15

Bill No. 188

CITY OF HAMILTON

BY-LAW NO. 19-

Respecting Removal of Part Lot Control Lots 105 and 106 on Registered Plan No. 62M-1238, municipally known as 28 and 34 Skinner Road, Waterdown Bay Phase 2

WHEREAS the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating two maintenance easements, shown as Parts 1 and 2, inclusive on deposited Reference Plan 62R-21167, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lots 105 and 106 on Registered Plan No. 62M-1238, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.

3. This by-law shall expire and cease to be of any force or effect on the 16th day of August, 2021.

PASSED this 16th day of August, 2019.

A. VanderBeek
Acting Mayor

PLC-19-020

A. Holland
City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 15

Bill No. 189

CITY OF HAMILTON

BY-LAW NO. 19-

Respecting Removal of Part Lot Control

**Lot 173 on Registered Plan No. 62M-1238, municipally known as 327 Humphrey Street,
Waterdown Bay Phase 2**

WHEREAS the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating one maintenance easement, shown as Part 1 on deposited Reference Plan 62R-21166, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lot 173 on Registered Plan No. 62M-1238, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.

Respecting Removal of Part Lot Control

Lot 173 on Registered Plan No. 62M-1238, municipally known as 327 Humphrey Street, Waterdown Bay Phase 2

Page 2 of 2

3. This by-law shall expire and cease to be of any force or effect on the 16th day of August, 2021.

PASSED this 16th day of August, 2019.

A. VanderBeek
Acting Mayor

PLC-19-020

A. Holland
City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 11

Bill No. 190

CITY OF HAMILTON

BY-LAW NO. 19-

Respecting Removal of Part Lot Control Block 58, Registered Plan No. 62M-1105, Jackson Heights Phase 3a

WHEREAS the sub-section 50(5) of the Planning Act, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the Planning Act, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the Planning Act, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 58, Registered Plan No. 62M-1105, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 16th day of August, 2021.

PASSED this 16th day of August, 2019.

A. VanderBeek
Acting Mayor

A. Holland
City Clerk

Authority: Motion 7.3, Council Minutes
CM: August 16, 2019
Ward: City Wide
Bill No. 191

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend By-law No. 19-125 to Set and Levy the Rates of Taxation for the Year 2019

WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, provides the authority for the Council of the City of Hamilton to levy on the whole rateable property according to the last returned assessment roll for the current year, the tax rates required for Municipal and Education purposes; and;

AND WHEREAS the Education Act provides the tax rates for education purposes; and;

AND WHEREAS on the 22nd day of May of 2019 the Council of the City of Hamilton enacted By-law No.19-125 to Set and Levy the Rates of Taxation for the Year 2019; and,

AND WHEREAS O. Reg. 400/98 requires the tax rates for school purposes in respect of the vacant industrial, excess commercial and excess industrial subclasses shall be reduced by 50 per cent of the amount by which the tax rates for municipal purposes are reduced under section 313 of the Municipal Act, 2001;

AND WHEREAS By-law 400/98 provided for a reduction of the tax rates for school purposes in respect of the vacant industrial, excess commercial and excess industrial subclasses in the same amount as the reduction for the tax rates for municipal purposes;

AND WHEREAS the Education Rates set out in Schedule "C" of By-law No.19-125 are therefore incorrect for the following Property Classes: Commercial – Excess Land, Commercial Office Building – Excess Land, Commercial Shopping – Excess Land, Commercial (New Construction) Excess Land, Commercial Office Building (New Construction) – Excess Land, Commercial Shopping (New Construction) – Excess Land, Industrial – Excess Land, Industrial Vacant – Excess Land, Industrial Large – Excess Land, Industrial (New Construction) – Excess Land, Industrial (New Construction) – Vacant Land, and Industrial Large (New Construction) – Excess Land; and.

AND WHEREAS it is necessary to amend By-law No.19-125 in order to comply with O. Reg. 400/98

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. By-law No. 19-125 is amended by deleting Schedule "C" and replacing it with the Schedule "C" attached hereto.
2. This By-law is deemed to come into force as of January 1st, 2019.

PASSED this 16th day of August, 2019

A. VanderBeek
Acting Mayor

A. Holland
City Clerk

CITY OF HAMILTON

2019 TAX RATES AND LEVY - GENERAL PURPOSES AND SCHOOL (EDUCATION) PURPOSES

Property Class	Current Value Assessment	GENERAL RATES AND LEVY						Total General		Education Rate	Education Levy	
		Other General Rate	Other General Levy	Provincially Shared Programs Rate	Provincially Shared Programs Levy	Police Rate	Police Levy	Municipal Rate	Municipal Levy			
		Residential	RT	61,569,123,684	0.00454105	279,588,201	0.00132361	81,493,310	0.00174253			107,285,944
Farmland Awaiting Development - Com	C1	1,698,250	0.00340578	5,784	0.00099271	1,686	0.00130690	2,219	0.00570539	9,689	0.00120750	2,051
Farmland Awaiting Development - Res	R1	-	0.00340578	-	0.00099271	-	0.00130690	-	0.00570539	-	0.00120750	-
Farmland Awaiting Development - Multi-Res	M1	4,064,450	0.00340578	13,843	0.00099271	4,035	0.00130690	5,312	0.00570539	23,189	0.00120750	4,908
New Multi-Residential	NT	275,800,276	0.00454105	1,252,422	0.00132361	365,051	0.00174253	480,590	0.00760718	2,098,063	0.00161000	444,038
Multi-Residential	MT	2,734,259,683	0.01165732	31,874,135	0.00339783	9,290,552	0.00447324	12,231,012	0.01952839	53,395,700	0.00161000	4,402,158
Commercial	CT	4,457,250,264	0.00899127	40,076,342	0.00262074	11,681,300	0.00345021	15,378,432	0.01506222	67,136,075	0.01030679	45,939,942
- excess land	CU	67,159,463	0.00629389	422,694	0.00183452	123,205	0.00241514	162,200	0.01054355	708,099	0.00876077	588,369
- small-scale on farm	C7	-	0.00899127	-	0.00262074	-	0.00345021	-	0.01506222	-	0.00257500	-
Commercial - Office Building	DT	158,599,547	0.00899127	1,426,011	0.00262074	415,648	0.00345021	547,201	0.01506222	2,388,861	0.01030679	1,634,652
- excess land	DU	125,000	0.00629389	787	0.00183452	229	0.00241514	302	0.01054355	1,318	0.00876077	1,095
Commercial - Parking Lot	GT	58,637,083	0.00899127	527,222	0.00262074	153,673	0.00345021	202,310	0.01506222	883,205	0.01030679	604,360
- vacant land	CX	201,355,364	0.00899127	1,810,441	0.00262074	527,700	0.00345021	694,718	0.01506222	3,032,858	0.01030679	2,075,327
Commercial - Shopping	ST	1,387,484,085	0.00899127	12,475,245	0.00262074	3,636,237	0.00345021	4,787,106	0.01506222	20,898,588	0.01030679	14,300,507
- excess land	SU	7,463,724	0.00629389	46,976	0.00183452	13,692	0.00241514	18,026	0.01054355	78,694	0.00876077	65,388
Commercial (New Construction)	XT	699,750,430	0.00899127	6,291,645	0.00262074	1,833,865	0.00345021	2,414,283	0.01506222	10,539,793	0.01030000	7,207,429
- excess land (New Construction)	XU	21,970,516	0.00629389	138,280	0.00183452	40,305	0.00241514	53,062	0.01054355	231,647	0.00875500	192,352
- small-scale on farm (New Construction)	X7	-	0.00899127	-	0.00262074	-	0.00345021	-	0.01506222	-	0.00257500	-
Office Building (New Construction)	YT	26,982,384	0.00899127	242,606	0.00262074	70,714	0.00345021	93,095	0.01506222	406,415	0.01030000	277,919
- excess land (New Construction)	YU	5,900	0.00629389	37	0.00183452	11	0.00241514	14	0.01054355	62	0.00875500	52
Shopping (New Construction)	ZT	449,090,835	0.00899127	4,037,897	0.00262074	1,176,951	0.00345021	1,549,456	0.01506222	6,764,304	0.01030000	4,625,636
- excess land (New Construction)	ZU	15,271,118	0.00629389	96,115	0.00183452	28,015	0.00241514	36,882	0.01054355	161,012	0.00875500	133,699
Industrial	IT	500,892,241	0.01530156	7,664,434	0.00446004	2,234,000	0.00587164	2,941,061	0.02563325	12,839,495	0.01202908	6,025,273
- excess land	IU	9,887,828	0.01071109	105,909	0.00312203	30,870	0.00411015	40,640	0.01794327	177,420	0.01022472	101,100
- vacant land	IX	108,764,305	0.01071109	1,164,985	0.00312203	339,565	0.00411015	447,038	0.01794327	1,951,588	0.01022472	1,112,084
- small-scale on farm	I7	-	0.01530156	-	0.00446004	-	0.00587164	-	0.02563325	-	0.00257500	-
Industrial - Large	LT	390,111,722	0.01794294	6,999,751	0.00522994	2,040,261	0.00688522	2,686,003	0.03005809	11,726,015	0.01202908	4,692,685
- excess land	LU	17,961,912	0.01256006	225,603	0.00366096	65,758	0.00481965	86,570	0.02104067	377,931	0.01022472	183,655
Industrial (New Construction)	JT	73,307,474	0.01530156	1,121,719	0.00446004	326,954	0.00587164	430,435	0.02563325	1,879,109	0.01030000	755,067
- excess land (New Construction)	JU	2,031,771	0.01071109	21,762	0.00312203	6,343	0.00411015	8,351	0.01794327	36,457	0.00875500	17,788
- vacant land (New Construction)	JX	-	0.01071109	-	0.00312203	-	0.00411015	-	0.01794327	-	0.00875500	-
- small-scale on farm (New Construction)	J7	-	0.01530156	-	0.00446004	-	0.00587164	-	0.02563325	-	0.00257500	-
Large Industrial (New Construction)	KT	89,713,750	0.01794294	1,609,728	0.00522994	469,198	0.00688522	617,699	0.03005809	2,696,624	0.01030000	924,052
- excess land (New Construction)	KU	-	0.01256006	-	0.00366096	-	0.00481965	-	0.02104067	-	0.00875500	-
Pipelines	PT	320,911,226	0.00814980	2,615,363	0.00237547	762,316	0.00312731	1,003,589	0.01365258	4,381,268	0.01030000	3,305,386
Landfills	HT	5,151,900	0.01348515	69,474	0.00393060	20,250	0.00517464	26,659	0.02259039	116,383	0.01744640	89,882
Farm	FT	1,396,035,491	0.00080240	1,120,183	0.00023388	326,507	0.00030790	429,846	0.00134419	1,876,535	0.00040250	561,904
Managed Forests	TT	19,150,566	0.00113526	21,741	0.00033090	6,337	0.00043563	8,343	0.00190180	36,420	0.00040250	7,708
TOTAL		75,070,012,242		403,067,333		117,484,540		154,668,398		675,220,271		199,402,756

Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: February 6, 2001
Ward: 1, 2, 3, 4, 7, 8

Bill No. 192

CITY OF HAMILTON

BY-LAW NO. 19-

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

WHEREAS *Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*,

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. By-law No. 01-218, as amended, is hereby further amended by adding/deleting from the identified Schedules and Sections noted in the table below as follows:

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
8 – No Parking	E	Annabelle S.t	West & South	North-westerly end to 65m south-east	7 am - 5 pm each Tuesday	Deleting
8 – No Parking	E	Arrowhead Dr.	North & West	35m east of Wagner Dr. to 25m north-east	Anytime	Adding
8 – No Parking	E	Lower Horning Rd.	East	Ramsey Cres. to Ofield Rd.	Anytime	Adding

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

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
<i>8 – No Parking</i>	<i>E</i>	Lower Horning Rd.	West	Ofield Rd. to Mericourt Rd.	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Ofield	South	Main to Lower Horning Mtn. Rd.	Anytime	Deleting
<i>8 – No Parking</i>	<i>E</i>	Ofield Rd.	South	120m west of Ewen Rd. to 70m westerly	Anytime	Deleting
<i>8 – No Parking</i>	<i>E</i>	Ofield Rd.	South	Main St. to 110m east of Radford St.	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	McElroy Rd.	North	37m west of Up. Wellington St. to 8m westerly	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Limeridge	North	Lockton to Upper Gage	Anytime	Deleting
<i>8 – No Parking</i>	<i>E</i>	Limeridge	South	from 65.5m east of the extended curb line of Lockton to Upper Gage	Anytime	Deleting

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
12 – Permit	<i>E</i>	Catharine St. N	West	36m north of MacAulay St. to 6m northerly	Anytime	Adding
12 – Permit	<i>E</i>	Clinton St.	North	74m east of Barnesdale Ave. to 6m easterly	Anytime	Adding
12 – Permit	<i>E</i>	Edward St.	South	14m east of Barnesdale Ave. to 6m easterly	Anytime	Adding
12 – Permit	<i>E</i>	Edward St.	North	18m east of Barnesdale Ave. to 6m easterly	Anytime	Adding
12 – Permit	<i>E</i>	Edgemont St.	East	from 50.8m north of Main St. to 5.3m northerly	Anytime	Deleting
Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting

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

							Deleting
12 – Permit	<i>E</i>	Somerset Ave.	North	35m east of Sherman Ave. to 6m easterly	Anytime	Adding	
12 – Permit	<i>E</i>	Somerset Ave.	South	38m east of Sherman Ave. to 6m easterly	Anytime	Adding	
12 – Permit	<i>E</i>	Magill St.	West	69m south of York Blvd. to 6m northerly	Anytime	Adding	
12 – Permit	<i>E</i>	Cheever St.	West	28m south of Mars Ave. to 6m southerly	Anytime	Adding	
12 – Permit	<i>E</i>	Francis St.	North	30m east of Cheever St. to 6m westerly	Anytime	Deleting	
12 – Permit	<i>E</i>	Francis St.	South	30m west of Wentworth St. to 5.5m westerly	Anytime	Deleting	
12 – Permit	<i>E</i>	Dickson St.	East	50m south of Burlington St. to 6.5m southerly	Anytime	Deleting	
12 – Permit	<i>E</i>	Dickson St.	East	36m south of Burlington St. to 6m southerly	Anytime	Adding	
12 – Permit	<i>E</i>	Harrison Ave.	North	80m east of Kenilworth Ave. to 6m easterly	Anytime	Adding	
12 – Permit	<i>E</i>	Weir	West	from 32.9m north of Britannia to 6m northerly	Anytime	Deleting	
12 – Permit	<i>E</i>	Weir St.	West	from 32.9m north of Britannia to 6m northerly	July 1st to November 1st	Adding	

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
14 – <i>Wheelchair LZ</i>	<i>E</i>	Kensington Ave. N	West	13m north of Campbell Ave. to 10m northerly	8:00 am - 10:00 am & 2:00 pm - 4:00 pm, Mon-Fri	Adding

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

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
15 – Comm. Veh. LZ	E	Main St. E	North	11m west of Hughson St. to 16m westerly	Anytime	Adding

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 16th day of August, 2019.

A. VanderBeek
Acting Mayor

A. Holland
City Clerk

CITY OF HAMILTON

BY-LAW NO. 19-

To Confirm the Proceedings of City Council at its meeting held on August 16, 2019.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 16th day of August, 2019, in respect of each recommendation contained in

General Issues Committee Report 19-014 – August 12, 2019,
Planning Committee Report 19-012 – August 12, 2019,
Public Works Committee Report 19-011 – August 14, 2019,
Board of Health Report 19-008 – August 14, 2019,
CityHousing Hamilton Corporation Shareholder Report 19-002 – August 14, 2019,
Audit, Finance & Administration Committee Report 19-011 – August 15, 2019,
and
Emergency and Community Services Committee Report 19-009 – August 15,
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 16th day of August, 2019.

A. VanderBeek
Acting Mayor

J. Pilon
Acting City Clerk