



City of Hamilton

CITY COUNCIL AGENDA

19-015

Wednesday, September 11, 2019, 5:00 P.M.

Council Chambers, Hamilton City Hall

71 Main Street West

Call to Order

1. APPROVAL OF AGENDA

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

2. DECLARATIONS OF INTEREST

3. CEREMONIAL ACTIVITIES

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

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 August 16, 2019

5. COMMUNICATIONS

5.1 Correspondence from the Niagara Peninsula Conservation Authority Board to the Ministry of Natural Resources and Forestry respecting the Board's stance on Provincially Significant Wetlands (PSW's) in relation to the Thundering Waters

(now known as Riverfront Community) development.

Recommendation: Be received.

- 5.2 Correspondence from Jean Major, Chief Executive Officer and Registrar, Alcohol and Gaming Commission of Ontario in response to the Mayor's letter for a review and update to the regulations under the Liquor Licence Act (LLA) to allow patrons to move with liquor across auxiliary zones within licensed premises.

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

- 5.3 Correspondence from the Niagara Peninsula Conservation Authority (NPCA) to the Honourable Jeff Yurek, Minister of Environment, Conservation and Parks in response to the NPCA's letter of August 16, 2019 regarding the mandate of conservation authorities.

Recommendation: Be received.

- 5.4 Correspondence from Edward Niedzielski respecting 600 James St. N., Hamilton.

Recommendation: Be received and referred to the consideration of Item 4 of Planning Committee Report 19-013

- 5.5 Correspondence from the Honourable Caroline Mulroney, Minister of Transportation in response to the Mayor's letter requesting legislative and regulatory changes to permit automated speed enforcement (ASE) on the Lincoln M. Alexander Parkway and Red Hill Valley Parkway and the implementation of an administrative monetary penalty (AMP) system for ASE.

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

- 5.6 Correspondence from the Town of Bradford West Gwillimbury requesting support for their resolution in support of upholding their efforts to develop the Never Forgotten National Memorial.

Recommendation: Be received.

- 5.7 Correspondence from Norfolk County requesting support for their resolution requesting a Provincial Response to address Gas Well Issues.

Recommendation: Be received.

- 5.8 Correspondence from the Honourable Caroline Mulroney, Minister of Transportation in response to the Mayor's letter endorsing school bus cameras.

Recommendation: Be received.

- 5.9 Correspondence from Lorenzo Alfano, Regional Operations Manager, Terrapure Environmental respecting the 2018 Annual Report for the Operating Stoney Creek Regional Facility.

Due to bulk, the 2018 Annual Report is only available at the following link:
https://drive.google.com/drive/folders/1xdLvDIILomMP9RvC5v_PwQdOVDtX7byF

Recommendation: Be received and referred to the General Managers of Planning and Economic Development and Corporate Services and Administration and the City Solicitor

- 5.10 Correspondence from Conservation Halton to the Honourable Doug Ford, Premier of Ontario and the Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks in response to the Province's letter respecting consultations with

all Conservation Authorities and their member municipalities in creating the definitions and regulations required to move forward with the Province's agenda to define what is included in the core mandate of the Conservation Authorities.

Recommendation: Be received.

- 5.11 Correspondence from the Ministry of Transportation respecting the launch of a two-year pilot to raise the posted speed limit at 110 km/h starting in September on the following three sections of highways in Southern Ontario:

- Highway 401 from London to Sarnia;
- the Queen Elizabeth Way (QEW) from St. Catharines to Hamilton; and
- Highway 417 from Ottawa/Gloucester to Ontario/Quebec border.

Recommendation: Be received.

6. COMMITTEE REPORTS

- 6.1 Planning Committee Report 19-013 - September 3, 2019

- 6.2 General Issues Committee Report 19-015 - September 4, 2019

Due to its size Appendix "A" to Item 2 of GIC Report 19-015 is not included in the printed agenda, but is available on the City's website at www.hamilton.ca.

- 6.3 Audit, Finance and Administration Committee Report 19-012 - September 5, 2019

- 6.4 Emergency and Community Services Committee Report 19-010 - September 5, 2019

- 6.5 Public Works Committee Report 19-012 - September 6, 2019

- 6.6 Special General Issues Committee Report 19-016 - September 9, 2019

7. MOTIONS

- 7.1 Geographic Information System (GIS) Access for Councillors
- 7.2 Amendment to Item 14 of the General Issues Committee Report 19-014, respecting Report LS19035/PED19179 - Potential Litigation - Building Permit Issues
- 7.3 Amendment to Item 5 of the General Issues Committee Report 19-011, respecting Report CM18013(a) - Downtown Entertainment Assets Operating Agreements.
- 7.4 Amendment to Item 3 of the Emergency and Community Services Committee Report 17-009, respecting Report CES17036, Request for Proposals C5-06-17 New Rental Housing Component of the Investment in Affordable Housing Extension, Social Infrastructure Fund, and Home for Good Programs
- 7.5 Integrity Commissioner / Lobbyist Registrar Appointment
- 7.6 Amendment to Item 7 of Planning Committee Report 19-012, respecting Report PED19121, 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

8. NOTICES OF MOTIONS

9. STATEMENTS BY MEMBERS

10. PRIVATE AND CONFIDENTIAL

- 10.1 Closed Session Minutes - August 16, 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 matter pertains to personal matters about an identifiable individual, including City employees; labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the City and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

11. BY-LAWS AND CONFIRMING BY-LAW

11.1 203

To Permanently Close and Sell a Portion of the portion of the public assumed alley abutting 542 Upper Sherman Avenue, Hamilton, Ontario, namely Part of the Alley on Registered Plan 608, in the City of Hamilton, designated as Part 1 on Plan 62R-20996, being Part of PIN 17059-0212 (LT); City of Hamilton

Ward: 7

11.2 204

To Establish City of Hamilton Land Described as Block 91 on Plan 62M-1164 as Part of Escarpment Drive

Ward: 10

11.3 205

To Authorize the Execution of the Ontario Transfer Payment Agreement for the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative 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 Province of Ontario to Receive Funding Under the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative

Ward: City Wide

11.4 206

To Adopt Official Plan Amendment No. 125 to the Urban Hamilton Official Plan Respecting: 2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive (Glanbrook)

Ward: 11

11.5 207

To Amend Zoning By-law No. 464 (Glanbrook)

Respecting Lands Located at 2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive (Glanbrook)

Ward: 11

11.6 208

To Amend Zoning By-law No. 05-200 (Hamilton) Respecting Lands located at 2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive (Glanbrook)

Ward: 11

- 11.7 209
To Amend Zoning By-law No. 05-200 with respect to lands located at 3600 Guyatt Road, Glanbrook
Ward: 11
- 11.8 210
Being a By-law to Permanently Close a Portion of a Public Unassumed Alley Abutting 13 Clyde Street, Hamilton, established by Registered Plan 237, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20919, being Part of PIN 17185-0233 (LT), City of Hamilton
Ward: 3
- 11.9 211
To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking
Schedule 8
Schedule 12
Ward: 1,3,4,5,6,8,12,15
- 11.10 212
To Amend By-law No. 18-270, the Council Procedural By-law
Ward: City Wide
- 11.11 213
Removal of Part Lot Control
Part of Blocks 28 and 29, Registered Plan No. 62M-1261
Ward: 9
- 11.12 214
Respecting: Removal of Part Lot Control from Lot 121 of Registered Plan 876
"South Airfield Park" known as 10 and 12 Eaton Place, Hamilton
Removal of Part Lot Control
Registered Plan No. 876
Ward: 4

11.13 215

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

Schedule 2 (Speed Limits)

Schedule 9 (No Right Turn on Red)

Schedule 18 (Bicycle Lanes)

Ward: 1, 3, 4, 8

11.14 216

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

Schedule 5 (Stop Control)

Ward: 2,3,13,15

11.15 217

To Amend Zoning By-law No. 05-200, respecting lands located at 2110 Rymal Road East (Glanbrook)

Ward: 9

11.16 218

To Confirm the Proceedings of City Council

12. ADJOURNMENT



CITY COUNCIL MINUTES 19-014

9:30 a.m.
August 16, 2019
Council Chamber
Hamilton City Hall
71 Main Street West

Present: Deputy Mayor A. VanderBeek
Councillors M. Wilson, J. Farr, N. Nann, S. Merulla, T. Jackson, E. Pauls,
J. P. Danko, B. Clark, M. Pearson, B. Johnson, L. Ferguson, T. Whitehead

Absent: Mayor F. Eisenberger, Councillors C. Collins and J. Partridge - Personal

Deputy Mayor VanderBeek 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. COMMUNICATIONS

- 5.9 Correspondence from Verna Walker respecting Application for a Zoning By-law Amendment for Lands Located at 336 and 338 King Street West, Dundas (PED19157) (Ward 13)

Recommendation: Be received and referred to the consideration of Item 8 of Planning Committee Report 19-012.

- 5.10 Correspondence from Laura Babcock respecting an Open Letter to Council on Ending Hate and Citizen Safety.

Recommendation: Be received.

10. PRIVATE AND CONFIDENTIAL

- 10.2 Personnel Matter respecting Roadway Sign Support Structures

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 matter pertains to personal matters about an identifiable individual, including City employees; labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the City and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

10.3 Bargaining Update

Pursuant to Section 8.1, Sub-sections (d) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (d) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to labour relations or employee negotiations.

11. BY-LAWS AND CONFIRMING BY-LAW

- 19-193 To Authorize the Signing of a Transfer Payment Agreement for the Transfer of Audit and Accountability Funds between Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing and the City of Hamilton
Ward: City Wide
- 19-194 To Permanently Close and Sell a Portion of Wetenhall Court, Hamilton, Ontario, namely Part of Wetenhall Court, Registered Plan 62M-1229, in the City of Hamilton, designated as Parts 4, 5 and 6, Plan 62R-21136, being Part of PIN 17399-0500 (LT); City of Hamilton
Ward: 11
- 19-195 To Amend Zoning By-law No. 6593 Respecting Lands Located at 360 Mohawk Road West
ZAC-18-046
Ward: 8
- 19-196 To Amend Zoning By-law No. 3581-86 Respecting Lands Located at 336 and 338 King Street West in the former Town of Dundas
ZAR-19-020
Ward: 13
- 19-197 To Amend By-law No. 12-282, as amended by By-law No. 19-108, Respecting Tariff of Fees
Ward: City Wide
- 19-198 To Establish City of Hamilton Land Described as Parts 1 and 4 on Plan 62R-20060 as Part of Acadia Drive
Ward: 7

- 19-199 To Amend Zoning By-law No. 05-200, as amended by By-law 18-114 Respecting Lands Located at 154 Main Street East and 49 Walnut Street South
ZAR-17-074/ UHOPA-18-018
Ward: 2

- 19-200 To Amend Zoning By-law No. 05-200, as amended by By-law 19 199, respecting lands located at 154 Main Street East and 49 Walnut Street South (Hamilton)
ZAH-19-043
Ward: 2

- 19-201 To Appoint a Deputy Fire Chief

(Pearson/Whitehead)

That the agenda for the August 16, 2019 meeting of Council be approved, **as amended**.

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

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

DECLARATIONS OF INTEREST

None declared.

CEREMONIAL ACTIVITIES

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

Deputy Mayor VanderBeek on behalf of City Council congratulated Maurice Powell on fifty years of service with the Hamilton Street Railway.

APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 July 12, 2019

(Johnson/Pearson)

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

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

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

COMMUNICATIONS

(Ferguson/Johnson)

That Council Communications 5.1 to 5.10 be approved, as presented, as follows:

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.

- 5.9 Correspondence from Verna Walker respecting Application for a Zoning By-law Amendment for Lands Located at 336 and 338 King Street West, Dundas (PED19157) (Ward 13)

Recommendation: Be received and referred to the consideration of Item 8 of Planning Committee Report 19-012.

- 5.10 Correspondence from Laura Babcock respecting an Open Letter to Council on Ending Hate and Citizen Safety.

Recommendation: Be received and referred to the consideration of Item 10 of General Issues Committee Report 19-014.

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

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

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

(Ferguson/Johnson)

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

CARRIED

CITYHOUSING HAMILTON CORPORATION SHAREHOLDER REPORT 18-001

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

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

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

(Merulla/Jackson)

That the FIRST Report of 2018 of the CityHousing Hamilton Corporation Shareholder be adopted, as presented, and the information section received.

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

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

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

GENERAL ISSUES COMMITTEE REPORT 19-014

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9. **Advisory Committee for Persons with Disabilities Report 19-002, July 9, 2019 (Item 10.6)**

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

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

10. **Policies and Procedures for Hate Mitigation (CM19006) (City Wide) (Item 10.7)**

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

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

11. Waterfront Lease Update (LS18053(d)) (Ward 2) (Item 14.3)

At the request of Councillor Wilson the recommendations were voted on separately, as follows:

- (a) That the direction provided to staff in Closed Session, respecting Report LS18053(d), regarding the Waterfront Lease Update, be approved; and,

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

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

- (b) That Report LS18053(d), respecting Waterfront Lease Update, including its recommendations, attached confidential appendix and draft minutes of settlement, remain confidential.

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

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

12. Ombudsman’s Preliminary Report respecting the Investigation into Meetings of the City Manager Recruitment Steering Committee (Item 14.4)

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

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

13. Roadway Sign Support Structures (PW19073) (City Wide) (Item 14.5)

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

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

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

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

- YES - Councillor Maureen Wilson
- YES - Councillor Jason Farr

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

PLANNING COMMITTEE REPORT 19-012

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

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

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

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

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

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

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

4. New Fee for Privately-Initiated Official Plan Amendment - Urban Boundary Expansion Applications (PED19146(a)) (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
YES - Councillor Nrinder Nann
YES - Councillor Sam Merulla
NOT PRESENT - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
NOT PRESENT - Mayor Fred Eisenberger
NOT PRESENT - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES – Deputy Mayor Arlene VanderBeek
YES – Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

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

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

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

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

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)**

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

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

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)**

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

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

9. Marion Tucker Way (Item 11.1)

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

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

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

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

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

(Pearson/Farr)

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

PUBLIC WORKS COMMITTEE REPORT 19-011

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)

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

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

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

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

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

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

3. To Incorporate City Lands into Acadia Drive by By-law (PW19063) (Ward 7) (deferred from the July 10, 2019 meeting) (Item 10.2)

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

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

4. Standardization of Hamilton Water Equipment, Parts, Supplies and Services (PW19070) (City Wide) (Item 10.3)

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

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

YES – Deputy Mayor Arlene VanderBeek
YES – Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES – Councillor Brad Clark

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

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

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

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)

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

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

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

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

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

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

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

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

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

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

YES - Councillor Maureen Wilson

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

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

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

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

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

(Whitehead/Johnson)

That the recommendation of Item 11 of Public Works Committee Report 19-011 respecting the Appointment to the Keep Hamilton Clean and Green Committee for the 2018-2022 Term be deleted in its entirety and the following be inserted therein:

That Leisha Dawson be appointed to the Keep Hamilton Clean and Green Committee for the remainder of the 2018-2022 Term of Council or until such time as a successor is appointed by Council, conditional upon their acceptance of the position.

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

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

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

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

(Whitehead/Johnson)

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

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

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

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

BOARD OF HEALTH REPORT 19-008

1. Correspondence from Peterborough Public Health respecting Support for a National School Food Program (COMMUNICATIONS (Item 5.2))

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

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

2. Brody Robinmeyer, respecting Climate Change (for a future meeting) (Added Item 6.14)

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

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

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

4. Climate Change *Matters* (Added Item 11.1)

(Whitehead/Johnson)

That the item title “Climate Change Delegation Requests” and recommendation be amended by deleting the wording “delegation requests” and replacing it with “*matters*”, to read as follows:

That staff be directed to refer all *matters* on Climate Change to the General Issues Committee.

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

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

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

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

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

(Wilson/Farr)

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

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

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

CITYHOUSING HAMILTON CORPORATION SHAREHOLDER REPORT 19-002

1. Roxborough Park Development Opportunity (Report #17029(d)) (Item 6.1)

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

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

YES - Councillor Maria Pearson
NOT PRESENT - Councillor Brad Clark

2. 500 MacNab Tower Renewal Update (Report #18012(c)) (Item 6.2)

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

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

3. CityHousing Hamilton Development Strategy (Item 4.1)

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

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

(Pearson/Whitehead)

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

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

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

(Ferguson/Johnson)

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 19-011 and Emergency and Community Services Committee Report 19-009.

Result: Motion CARRIED by a 2/3's majority vote of 12 to 0, as follows:

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

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 19-011

1. Development Charges Reserves Status Report as of December 31, 2018 (FCS19064) (City Wide) (Item 7.1)

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

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

3. 2018 Reserve Report (FCS19062) (City Wide) (Item 10.1)

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

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

4. Federation of Canadian Municipalities Voluntary Advocacy Fund Contribution (FCS19065) (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
YES - Councillor Sam Merulla
NOT PRESENT - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
NOT PRESENT - Mayor Fred Eisenberger
NOT PRESENT - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES – Deputy Mayor Arlene VanderBeek
YES – Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

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)

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

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

6. Authority to Negotiate and Place a Debenture Issue(s) for CityHousing Hamilton Corporation (CHH) Projects (FCS19068) (City Wide) (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
YES - Councillor Sam Merulla
NOT PRESENT - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
NOT PRESENT - Mayor Fred Eisenberger
NOT PRESENT - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES – Deputy Mayor Arlene VanderBeek
YES – Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

7. Audit and Accountability Fund Transfer Payment Agreement (FCS19059(a)) (City Wide) (Added 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
YES - Councillor Sam Merulla
NOT PRESENT - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
NOT PRESENT - Mayor Fred Eisenberger
NOT PRESENT - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES – Deputy Mayor Arlene VanderBeek
YES – Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

8. **St. Joseph's Villa, Hospice Project SPA-17-205, Building Permit Application #18-137811-00R3 – Deferral Agreement (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
YES - Councillor Sam Merulla
NOT PRESENT - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
NOT PRESENT - Mayor Fred Eisenberger
NOT PRESENT - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES – Deputy Mayor Arlene VanderBeek
YES – Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(Merulla/Nann)

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

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

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

EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 19-009

2. Accessing Capital Repair Funds from the National Housing Strategy (HSC19048) (City Wide) (Item 7.2)

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

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

3. Hamilton Housing Summit (HSC19037) (City Wide) (Outstanding Business List) (Item 10.1)

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

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

5. Asylum Seekers (HSC19044) (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
YES - Councillor Sam Merulla
NOT PRESENT - Councillor Chad Collins
YES - Councillor Tom Jackson
YES - Councillor Esther Pauls
YES - Councillor John-Paul Danko
YES - Councillor Lloyd Ferguson
NOT PRESENT - Mayor Fred Eisenberger
NOT PRESENT - Councillor Judi Partridge
YES - Councillor Terry Whitehead
YES – Deputy Mayor Arlene VanderBeek
YES – Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

8. Changes to Provincial Funding – Long Term Care (HSC19047) (City Wide) (Added Item 10.6)

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

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

9. Deputy Fire Chief Appointment (HSC19005(a)) (City Wide) (Added Item 10.7)

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

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

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

10. Valley Park Tennis Courts (Ward 9) (Added Item 11.1)

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

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

11. Restorative Practices Council and Senior Leadership Team Workshop (Added Item 11.2)

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

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

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

(Merulla/Nann)

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

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

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

MOTIONS

(Whitehead/Ferguson)

That Item 7.1 respecting Control System on Northbound Ramp of the Lincoln Alexander Parkway at Garth and Item 7.2 respecting Levels of Congestion on Garth Street and Scenic Drive at Peak Hours, be deferred to the September 25, 2019 Council meeting.

CARRIED

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

(Pearson/Johnson)

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 as Appendix “A”), be enacted.

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

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

NOTICES OF MOTION

Councillor Ferguson introduced a Notice of Motion respecting Geographic Information System (GIS) Access for Councillors.

8.1 Geographic Information System (GIS) Access for Councillors

WHEREAS, Geographic Information System (GIS) is a software system that provides helpful information to the Members of Council in their respective Wards to better understand constituent concerns, and quickly solve a problem; and,

WHEREAS, Members of Council recently had access to this software which was removed due to privacy concerns;

THEREFORE BE IT RESOLVED:

That the City Clerk try to negotiate with the necessary authorities to reinstate GIS on Councillor's office computers, with a report back to the General Issues Committee.

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 Closed Session Minutes – July 12, 2019**(Merulla/Farr)**

That the Closed Session Minutes dated July 12, 2019 be approved, as presented, and remain confidential.

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

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

YES – Deputy Mayor Arlene VanderBeek
 YES – Councillor Brenda Johnson
 YES - Councillor Maria Pearson
 YES - Councillor Brad Clark

(Johnson/Pearson)

That Council move into Closed Session to discuss Item 14 of General Issues Committee Report 19-014 and Items 10.2 and 10.3, pursuant to Section 8.1, Sub-sections (b), (d), (e) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (b), (d), (e) and (f) 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 by a vote of 11 to 0, as follows:

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

GENERAL ISSUES COMMITTEE REPORT 19-014 - CONTINUED

Deputy Mayor VanderBeek relinquished Chair to Councillor Ferguson to introduce the following amendment:

14. Potential Litigation – Building Permit Issues (LS19035/PED19179) (Item 14.6)

(VanderBeek/Clark)

WHEREAS, Pleasant View Survey lands are regulated by the City Zoning By-law, the City's Official Plan, the Parkway Belt West Plan, the Niagara Escarpment Plan, the Greenbelt Plan and an Ontario Municipal Board Decision of 1995, further clarified by an amending Decision in 1998;

THEREFORE, BE IT RESOLVED:

That Item 14 of the General Issues Committee Report 19-014, respecting Report LS19035/PED19179 - Potential Litigation – Building Permit Issues, be amended by adding new sub-sections (c), (d), (e) and (f), to read as follows:

- (c) That staff be directed to forward all future planning, development, zoning verification and building applications regarding properties within the Pleasant View Survey Lands to the Niagara Escarpment Commission for comment;
- (d) That staff be directed to work with Niagara Escarpment Commission staff to petition the Minister of Natural Resources and Forestry to put the Pleasant View Survey Lands under Development Control as soon as possible;
- (e) That staff be directed to work with the Ward Councillor to review how to assist landowners and prospective purchasers to better understand the special zoning and land use restrictions on the Pleasant View Survey lands through City resources and report back to General Issues Committee; and
- (f) That staff be directed not to implement an Interim Control By-law on the Pleasant View Survey Lands at this time.

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

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

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

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

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

Deputy Mayor VanderBeek assumed the Chair.

(Ferguson/Johnson)

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

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

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

(Ferguson/Johnson)

That Council rise and report.

CARRIED

PRIVATE & CONFIDENTIAL - CONTINUED

10.2 Personnel Matter respecting Roadway Sign Support Structures

(Whitehead/Johnson)

That the information respecting the Personnel Matter respecting Roadway Sign Support Structures be received and remain confidential.

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

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

10.3 Bargaining Update

(Ferguson/Pearson)

That the information respecting the Bargaining Update be received and remain confidential.

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

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

BY-LAWS

(Ferguson/Johnson)

That Bills No. 19-186 to No. 19-202, 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.

- | | |
|---------------|---|
| 19-186 | To Amend By-law No. 01-215, Being a By-law to Regulate Traffic Schedule 9 (No Right Turn on Red)
Ward: 6 |
| 19-187 | 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 |
| 19-188 | 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 |
| 19-189 | 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 |
| 19-190 | Respecting Removal of Part Lot Control, Block 58, Registered Plan No. 62M-1105, Jackson Heights Phase 3a
PLC-19-027
Ward: 11 |
| 19-191 | To Amend By-law No. 19-125 to Set and Levy the Rates of Taxation for the Year 2019
Ward: City Wide |
| 19-192 | 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 |
| 19-193 | To Authorize the Signing of a Transfer Payment Agreement for the Transfer of Audit and Accountability Funds between Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing and the City of Hamilton
Ward: City Wide |
-

19-194	To Permanently Close and Sell a Portion of Wetenhall Court, Hamilton, Ontario, namely Part of Wetenhall Court, Registered Plan 62M-1229, in the City of Hamilton, designated as Parts 4, 5 and 6, Plan 62R-21136, being Part of PIN 17399-0500 (LT); City of Hamilton Ward: 11
19-195	To Amend Zoning By-law No. 6593 Respecting Lands Located at 360 Mohawk Road West ZAC-18-046 Ward: 8
19-196	To Amend Zoning By-law No. 3581-86 Respecting Lands Located at 336 and 338 King Street West in the former Town of Dundas ZAR-19-020 Ward: 13
19-197	To Amend By-law No. 12-282, as amended by By-law No. 19-108, Respecting Tariff of Fees Ward: City Wide
19-198	To Establish City of Hamilton Land Described as Parts 1 and 4 on Plan 62R-20060 as Part of Acadia Drive Ward: 7
19-199	To Amend Zoning By-law No. 05-200, as amended by By-law 18-114 Respecting Lands Located at 154 Main Street East and 49 Walnut Street South ZAR-17-074/ UHOPA-18-018 Ward: 2
19-200	To Amend Zoning By-law No. 05-200, as amended by By-law 19 199, respecting lands located at 154 Main Street East and 49 Walnut Street South (Hamilton) ZAH-19-043 Ward: 2
19-201	To Appoint a Deputy Fire Chief Ward: City Wide
19-202	To Confirm the Proceedings of City Council

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

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

YES - Councillor Terry Whitehead
YES – Deputy Mayor Arlene VanderBeek
YES – Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(Nann/Jackson)

That, there being no further business, City Council be adjourned at 1:52 p.m.

CARRIED

Respectfully submitted,

Deputy Mayor A. VanderBeek

Janet Pilon
Acting City Clerk

July 24, 2019

Ministry of Natural Resources and Forestry
Office of the Minister
Room 6630, Whitney Block
99 Wellesley Street West
Toronto, ON M7A 1W3

Minister Yakabuski,

At the July 17, 2019 Full Authority meeting of the Niagara Peninsula Conservation Authority (NPCA) Board, a motion was passed (attached) that a letter be sent to the Province by the Board of Directors, indicating its stance on Provincially Significant Wetlands (PSW's) in relation to the Thundering Waters (now known as Riverfront Community) development.

As you are aware, wetlands are widely recognized as an important part of the ecosystem and are among the most productive and biologically diverse habitats in the world. They play a multi-dimensional role in the hydrologic cycle acting as a source for flood attenuation, ground water recharge and the improvement of water quality. Wetlands are an incredible source of biodiversity, offering a multitude of habitats for plants, birds, reptiles, amphibians, fish and other species and have potential to play a significant role in climate change adaptation and mitigation strategies.

With the ever-evolving pressures of development expanding on our landscapes, wetlands continue to be threatened and removed. These losses could have substantial long-term impacts in our community.

While the Board of the NPCA does realize the Province designates and delineates Provincially Significant Wetlands, the NPCA Board of Directors is supportive of these designations and delineations, expanding wetland designations and delineations and is supportive of not removing any wetlands that have been designated as PSW.

With respect to the Thundering Waters (Riverfront Community) development, the NPCA Board supports the current PSW boundaries on the properties involved and requests that these boundaries not have their PSW designation removed. It is our opinion that the PSW's on this site, along with PSW's throughout our watershed should be protected and allowed to remain in a natural state.

Sincerely,



Dave Bylsma
Chair
Niagara Peninsula Conservation Authority

- C. Participating and local municipalities
Conservation Ontario
GR (CAN) Investments Co. Ltd.

Resolution No. FA-160-19
Moved by Board Member Huson
Seconded by Board Member Zalepa

THAT Report No. FA-56-19 RE: GR Paradise (Thundering Waters) Update **BE RECEIVED** for information.

CARRIED

Resolution No. FA-161-19
Moved by Board Member Clark
Seconded by Board Member Johnson

1. **THAT** a letter to the Minister of Natural Resources and Forestry copied to local area municipalities be prepared by the NPCA Board of Directors to **ENDORSE** the current designation of the Provincially Significant Wetlands within the Thundering Waters properties.
2. **AND THAT** the relevant policy revisions **BE PRESENTED** to the Board for discussion.

CARRIED

**Alcohol and Gaming
Commission of Ontario**

Chief Executive Officer
90 Sheppard Avenue East
Suite 200

Toronto, ON M2N 0A4
Tel. 416-326-8993
Fax 416-326-8054

**Commission des alcools
et des jeux de l'Ontario**

Directeur général
90, avenue Sheppard Est
Bureau 200
Toronto, ON M2N 0A4
Tél. 416-326-8993
Télé. 416-326-8054



www.agco.ca

August 13, 2019

AUG 15 2019

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

Dear Mayor Eisenberger:

Re: File #C19-013 – Liquor Licence Act – Auxiliary Zone Changes

Thank you for your letter of July 24, 2019 regarding your City Council's request to review and update the regulations under the *Liquor Licence Act* (LLA) to allow patrons to move with liquor across auxiliary zones within licensed premises.

Under Regulation 719 of the LLA, licensees are not permitted to allow patrons to remove liquor from the licensed premises except in certain circumstances such as when a patron brings unopened liquor purchased from a government store or when a licensee reseals a partially consumed commercially made wine purchased or brought in by a patron.

Past changes to Regulation 719 include an amendment to allow employees of licensed establishments to carry liquor from one licensed area to another licensed area across an area that is not under the exclusive control of the licensee, such as a public sidewalk. Prior to this change, a service bar was required in each of the licensed areas.

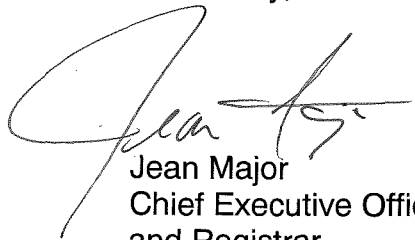
While patrons may not remove liquor from a licensed area, staff of the licensed establishment may assist patrons by carrying liquor on their behalf.

As the current rules that prohibit patrons from moving liquor within licensed areas are set out in the regulations, a change to the applicable regulations would be required.

August 13, 2019
Page 2

The Government has been reviewing rules for Ontario's liquor industry with the aim to provide more choice for consumers and more opportunities for businesses. Please be assured that your suggestion has been noted and forwarded to the Ministry of the Attorney General for consideration.

Yours truly,

A handwritten signature in black ink, appearing to read "Jean Major", is written over a large, light-colored circular mark.

Jean Major
Chief Executive Officer
and Registrar

c. Irwin Glasberg
Assistant Deputy Attorney General
Policy Division



250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2
Telephone 905.788.3135 | Facsimile 905.788.1121 | www.npca.ca

Sent via E-mail: minister.mecp@ontario.ca

August 21, 2019

The Honourable Jeff Yurek
Minister of Environment, Conservation and Parks
777 Bay Street, 5th Floor
Toronto, ON M7A 2J3

Honourable Minister:

The Niagara Peninsula Conservation Authority (NPCA) is in receipt of your letter dated August 16, 2019 regarding the mandate of conservation authorities.

It is important to state that NPCA has been fully involved in the Province's review of The Conservation Authorities Act leading up to the Royal Assent of Bill 108.

We have supported the Province's vision regarding our mandate as defined by Bill 108 - natural hazards (flooding), conservation lands and drinking source water protection. We continue to work with Conservation Ontario, our municipalities and the Province to ensure that our communities are safeguarded from flooding, have clean drinking water and have conservation lands that are protected and maintained.

However, we are concerned with the reference that conservation authorities should start to "wind down" programs if they are not mandated, for the following reasons:

1. The Province was to provide further information on mandated programs, through regulations, which were to be circulated for consultation. Without this, we do not know the details of specific programs that are mandated versus non-mandated.
2. Bill 108 allows all conservation authorities to establish MOUs with our municipalities and partners for non-mandated programs. We are just embarking on our 2020 budget discussions which will include the opportunity to discuss MOUs.
3. As our Board of Directors is awaiting further information from the Province, we have not had the opportunity to discuss the specifics of mandated versus non-mandated programs with our Board of Directors, who consist of both elected and citizen appointees representing watershed municipal and community interests.
4. As the Province now contributes around 8% (number to be confirmed by noon tomorrow) of our total budget, we believe that our participating municipalities and Board should have, at minimum, the next several months to determine which programs should be considered through our 2020 budget discussions. We understood that a transition period was part of the ongoing review of mandated versus non-mandated programs.

Minister, we look forward to our ongoing dialogue and consultation with the Province, our municipalities and all of our partners as we craft an important mandate and vision for the future of conservation authorities.

Sincerely,

Original Signed by

Dave Bylsma, Chair
Niagara Peninsula Conservation Authority

Copy:
NPCA Board of Directors
Watershed MPP's
Watershed Regional Chair and Mayors
Watershed Clerks and CAOs
Kim Gavine, General Manager, Conservation Ontario

Pilon, Janet

Subject: 600 james st n

From: edward NIEDZIELSKI

Sent: September 2, 2019 3:40 PM

To: clerk@hamilton.ca

Subject: 600 james st n

this proposed development i am opposed to because it does not have enough parking onsite i live around corner on 560 hughson st n and street parking is full to not consider at least one parking spot per unit another 1/2 parking for guests per unit and at least 20 commercial parking spots will leave our community overrun with parking for that building i vote no

Pilon, Janet

Subject: 600 james st n

From: edward NIEDZIELSKI

Sent: September 2, 2019 3:36 PM

To: Chamberlain, Lisa <Lisa.Chamberlain@hamilton.ca>

Subject: 600 james st n

i live at 560 hughson st n i am against this proposed development as it is way too large a building for the site it does not provide enough parking on site there should be at least one per unit 1/2 parking for visitors and guests of the residents and depending on commercial and office at least another 20 -30 spaces at the present time there is a very large development proposed on waterfront we should wait for the traffic and parking situation to figure out how bad this will all become the 600 james st n corner is very busy presently i am opposed to this development ed niedzielski

Ministry of
Transportation

Office of the Minister

777 Bay Street, 5th Floor
Toronto ON M7A 1Z8
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Ministère des
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Bureau de la ministre

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AUG 14 2019

AUG 19 2019

107-2019-1462

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

Dear Mayor Eisenberger:

Thank you for your letter requesting legislative and regulatory changes to permit automated speed enforcement (ASE) on the Lincoln M. Alexander Parkway and Red Hill Valley Parkway and the implementation of an administrative monetary penalty (AMP) system for ASE. I appreciate this opportunity to respond.

The ministry takes the safety of all Ontarians very seriously and we are always open to recommendations to improve the safety and efficiency for all road users.

As you may be aware, the *Safer School Zones Act* received Royal Assent on May 30, 2017. The proposed changes allow municipalities the option to use ASE technology in community safety zones and school zones on roads with a speed limit of under 80 kilometres per hour (km/h). Both these zones are of particular concern to municipalities because of the concentrated presence of vulnerable road users, especially children. The legislation does not permit ASE on high-speed expressways. At this time, the government has no plans to expand the use of ASE beyond community safety/school zones or to highways with speed limits of 80 km/h or greater.

The ministry's decision to allow the implementation of ASE in school zones and community safety zones, rather than on highways, is based on the risk that speed poses to road users in these vulnerable municipal areas. Ministry data indicate more than two-thirds of injuries and fatalities in speed-related collisions occur on municipal roads.

Without proclamation of legislation governing AMPs and the creation of new regulations, ASE offences will continue to be prosecuted under the *Provincial Offences Act*. The ministry continues to give consideration to the introduction of an AMP process for vehicle-based offences, such as those under an ASE program.

While the government has not yet made a decision on this issue, we understand the potential benefits that municipalities may reap from an AMP regime and appreciate the City of Hamilton's comments on the matter.

I also wish to reiterate that the Ministry of Transportation will continue to support the Ministry of the Attorney General and municipalities in their efforts to ensure that courts are not over-burdened and that matters are heard efficiently and expeditiously.

You will be pleased to know that to prepare for regulatory and operational changes needed to implement ASE, the ministry has been engaged in regular and ongoing consultations with municipalities, including the City of Hamilton, over the last 18 months through the Ontario Traffic Council. We look forward to continuing this work over the coming months to implement this program.

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

Sincerely,



Caroline Mulroney
Minister of Transportation

c. The Honourable Doug Downey, Attorney General

August 14, 2019

VIA EMAIL

Royal Canadian Legion
Orville Hand Branch 521
115 Back Street
Bradford, Ontario
L3Z 1W8

Dear Lt. Col. Ferguson Mobbs and members of the Royal Canadian Legion,

At its meeting of August 6, 2019, the Council of The Corporation of The Town of Bradford West Gwillimbury passed the following motion with respect to the Never Forgotten National Memorial.

Resolution 2019-275 Leduc/Contois

WHEREAS the residents of Bradford West Gwillimbury have a proud tradition of honouring those who made the supreme sacrifice on behalf of Canada in armed conflicts across the world;

AND WHEREAS the Never Forgotten National Memorial Foundation has been established to develop commemorative programming, exhibits and monuments at a site on Cape Breton Island as a place of remembrance and thanks for those brave individuals who lost their lives so far from home;

AND WHEREAS the Orville Hand Branch 521 of the Royal Canadian Legion has endorsed the Never Forgotten National Monument Program;

AND WHEREAS the Foundation is seeking the support of businesses, agencies, government organizations, and individuals across Canada to bring life to this important national memorial;

NOW THEREFORE BE IT RESOLVED that the Council of The Corporation of the Town of Bradford West Gwillimbury supports efforts to develop the Never Forgotten National Memorial and so advises Mr. Scot Davidson – Member of Parliament, the Honorable Caroline Mulroney – Member of Provincial Parliament, the Federation of Canadian Municipalities and all municipalities in Ontario.

CARRIED.

Sincerely,



Alana Schrieder
Administrative Assistant

c: Scot Davidson, MP
Hon. Caroline Mulroney, MPP, York-Simcoe
Federation of Canadian Municipalities, and all municipalities of Ontario



August 13, 2019

The Honourable Jeff Yurek
 Ministry of the Environment,
 Conservation and Parks
 5th Floor
 777 Bay St.
 Toronto, ON M7A 2J3
Jeff.yurek@pc.ola.org

Toby Barrett – MPP Haldimand – Norfolk
 11th Floor
 77 Grenville St.
 Toronto, ON M5S 1B3
Toby.barret@pc.ola.org

The Honourable John Yakabuski
 Ministry of Natural Resources and Forestry
 Whitney Block
 Suite 6630
 6th Floor
 99 Wellesley St. W
 Toronto, ON M7A 1W3
john.yakabuski@pc.ola.org

Re: Request For Provincial Response to address Gas Well Issues

Norfolk County Council, at their meeting of July 9 2019, approved Resolution No. 4 which reads as follows:

Res. No. 4

THAT THAT Staff Report HSS 19-31, Leaking Gas Wells - Ministry of Natural Resources Funding Update, be received as information;

AND THAT Council approve the proposed plan and direct staff to obtain required approvals and licensing from the required Ministries;

AND THAT Council exempt staff from the quotation and tendering procedures for goods and services outlined in Norfolk County Policy ECS-02 in accordance with single source and emergency purchase provisions, as required, for the work described in this report for remediation at the site located at 1925 Forestry Farm Road, Langton and further research for the broader hydrogeological challenges in the area;

AND THAT Council authorizes the General Manager, Health and Social Services and/or the General Manager, Public Works to enter into the necessary contracts with the appropriate suppliers, contractors and sub-contractors to complete the work;

AND THAT Council authorizes staff to amend the 2019 Capital Plan for the 1925 Forestry Farm Road, Langton project once external funding has been secured at which time the project can proceed.

AND THAT the Mayor and Council provide a letter to the Honourable John Yakabuski, MNRF, Mike Harris, Parliamentary Assistant to the MNRF and Toby Barret, Haldimand Norfolk MPP, demanding immediate funding for municipal extraneous costs to implement the permanent solution for the leaking gas well at 1925 Forestry Farm Road, Langton and the broader hydrogeological research;

AND THAT the Mayor and Council provide a letter to the Honourable Jeff Yurek, MECP, Andrea Khanjin, Parliamentary Assistant to the MECP and Toby Barrett, Haldimand Norfolk MPP requesting engagement with Norfolk County, other Ministries and the experts to advance the knowledge of the leaking gas wells and its impacts and to demand funding for municipal extraneous costs of the air quality monitoring affecting the health and wellbeing of the residents and the remediation of the environmental impacts;

AND THAT Council be made aware of any future requests to the County for additional seismic exploration in Norfolk County prior to permission being granted;

AND FURTHER THAT copies of this resolution be sent to Ministry of the Environment, Ministry of Health, Ontario Geological Survey and all Ontario Municipalities.

The staff report may be viewed online on the County's Website, (Item 5 b) i), July 9, 2019).

Yours Truly,



Andrew Grozelle
County Clerk

cc. The Honourable Christine Elliott, Minister of Health and Long-Term Care
christine.elliott@pc.ola.org
Renée-Luce Simard, Acting Director, Ontario Geological Survey
renee-luce.simard@ontario.ca

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JUL 24 2019

JUL 26 2019

107-2019-1059

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

Dear Mayor Eisenberger:

Thank you for your letter forwarded by the Honourable Doug Ford, Premier of Ontario, informing us of the City of Hamilton's endorsement of school bus cameras. I appreciate the opportunity to respond.

The safety of all road users is a priority for my ministry—especially the safety of our children travelling on school buses. I want to assure you that school buses are among the safest ways for children to travel. Research shows that riding on a school bus is 16 times safer than travelling in the family car. That being said, my ministry is constantly looking for new ways to make Ontario's roads safer.

With respect to school bus stop-arm cameras, I would like to thank the City of Hamilton for supporting the implementation of this technology to better hold drivers accountable for breaking the school bus stopping law—Section 175 of the *Highway Traffic Act* (HTA).

As you may be aware, on December 12, 2017, the government passed the *Cannabis, Smoke-Free Ontario and Road Safety Statute Law Amendment Act*, which:

- Allows the province to create specialized evidentiary rules that would clarify what evidence could be used to prove a driver improperly passed a stopped school bus without the need to have a witness present in court.
- Will expand the current school bus passing offence to include when the stop arm is actuated (in addition to the existing overhead red lights flashing requirement).

These changes will come into effect once a regulatory framework for school bus stop-arm camera offences not requiring a witness is created by the province. I will make sure the City of Hamilton is invited to any future consultations undertaken for the development of this regulation.

It is also important to know that the program will be voluntary and administered solely by municipalities in cooperation with school boards. The province feels municipalities and school boards are in the best position to determine what tools they need to develop and administer the program.

Specifically, the province would be looking for municipalities and/or school boards to:

- Identify the preferred technology they would like to use
- Procure the needed equipment
- Enter into agreements with the province and school bus technology vendor
- Set up a framework for the processing of offence notices.

The province will be responsible for:

- Developing regulations to govern the rules of evidence for school bus stop-arm cameras to be admitted in court without a witness.
- Entering into agreements with participating municipalities and/or school boards to provide plate registrant information.

Once regulatory amendments are in place, it will be up to municipalities and/or school boards to decide whether or not they will pursue the implementation of a school bus camera framework within their own jurisdictions. To ensure consistency across the province with respect to technology and processing of offences, we would strongly encourage all interested municipalities and school boards to work together to identify preferred camera systems and a common approach to offence processing.

In addition, the *Getting Ontario Moving Act* was passed on June 4, 2019, which provides the authority for municipalities to participate in administrative monetary penalty programs for vehicle based offences under the *Highway Traffic Act* such as improper school bus passing. An AMP framework would allow municipalities to establish an administrative process where school bus passing offences captured by a camera system could be appealed to a municipal clerk or tribunal instead of through the court system. If approved, my ministry will develop the supporting regulations to enable this AMP system. Again, adoption will be voluntary.

Thank you again for informing us of the City of Hamilton's endorsement of school bus cameras. I look forward to working with the City of Hamilton on this important issue. Ontario's Government for the People is committed to giving Ontarians a direct say in how we can improve the effectiveness and efficiency of provincial programs and services.

Sincerely,



Caroline Mulroney
Minister of Transportation

c. The Honourable Doug Ford, Premier of Ontario



SENT VIA COURIER

August 7, 2019

Office of the City Clerk
 City of Hamilton
 71 Main Street W, 1st Floor
 Hamilton, ON
 L8P 4Y5

To Whom It May Concern:

**Re: Terrapure Environmental – Stoney Creek Regional Facility
 2018 Annual Report**

Please find enclosed a copy, on a USB stick, of the 2018 Annual Report for the Operating Stoney Creek Regional Facility for your files.

Regards,

A handwritten signature in black ink, appearing to read "L. Alfano".

Lorenzo Alfano
 Regional Operations Manager

65 Green Mountain Road W., Stoney Creek, ON L8J 1X5
 Tel: 905.561-0305 Fax: 905.549-4515
 www.terrapureenv.com

OFFICE OF THE CITY CLERK	
AUG 08 2019	
REF'D TO	<u>Planning</u>
REF'D TO	<u>Legal</u>
REF'D TO	<u>Corp Secs GM</u>
ACTION	<u>Council</u>
	<u>Sept 11/19</u>
	<u>Councillor: Clark</u>
	<u>E. Soldo</u>
	<u>[Signature]</u>



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

Protecting the Natural
 Environment from
 Lake to Escarpment

August 28, 2019

The Honourable Doug Ford, Premier of Ontario
 Legislative Building Queen's Park, Toronto, ON M7A 1A1
 Tel 416-325-1941
premier@ontario.ca

The Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks
 Ministry of the Environment, Conservation and Parks
 5th Floor, 777 Bay St., Toronto, ON M7A 2J3
 Tel 416-314-6790
jeff.yurek@pc.ola.org

Dear Premier Ford and Minister Yurek,

We are writing in response to your letter dated August 16, 2019 that was sent to all Conservation Authorities and their member municipalities.

We look forward to engaging with you when you start your promised consultations for creating the definitions and regulations required to move forward with your agenda to define what is included in the core mandate of the Conservation Authorities.

To assist with such promised consultations, we are providing the attached discussion paper for your consideration, as well as Conservation Halton's 2018 Annual Report (Appendix A).

We believe Conservation Halton is efficient, transparent and accountable. Specifically:

- **Conservation Halton's programs and services are within their mandate as defined by the CA Act. There are no programs that divert focus from helping municipalities grow and manage risks associated with flooding hazards.**
- **The Board of Directors of Conservation Halton is made up of 70% elected officials, including three mayors. The Board approves all business plans and budgets. Furthermore, Conservation Halton engages in detailed discussions with municipalities before the budget is presented to Regional Council.**
- **Conservation Halton uses zero tax dollars to manage and operate Conservation Areas and generates a surplus which offsets significant costs (about \$2.5mil in 2018) that**

would otherwise be funded through Municipal tax levies. Municipalities have no desire to take over these responsibilities.

- Conservation Halton employs approximately 800 seasonal workers, mostly youth, and supports local businesses and tourism. These 800 jobs are at risk with the apparent direction of the Province. Furthermore, CH attracts 1.2mil visitors annually – that would be 1.2 million disappointments should CH lose its ability to manage these cherished assets.
- Conservation Halton has already committed to service delivery improvements. Planning and permitting services are delivered without mission creep, within the scope of the CA Act and Municipal MOUs. Turnaround times are adhered to and reported on with complete transparency.

We hope you find this letter and the discussion paper helpful as you map out a meaningful consultation process. We strongly recommend engaging in pre-consultations with Conservation Halton and other CAs to ensure we are working together to define the governing regulations and to continue our long-standing partnership.

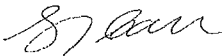
Regards,

Gerry Smallegange



Chair, Conservation Halton Board of Directors

Gary Carr



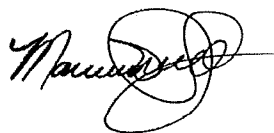
Halton Regional Chair

Mayor Rob Burton, BA, MS



Town of Oakville

Mayor Marianne Meed Ward



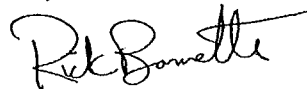
City of Burlington

Mayor Gordon Krantz



Town of Milton

Mayor Rick Bonnette



Town of Halton Hills

DISCUSSION PAPER

Conservation Halton, along with other CAs, have been anticipating provincial consultations for the development of regulations that will define these mandatory programs and services and what specifically is captured under them. As of today's date, Conservation Halton does not know the details of specific programs and services that are mandated. For example, will water quantity monitoring to support flood forecasting and floodplain mapping to support hazard regulations be considered part of the mandatory programs and services? Will tree planting and stewardship initiatives in our watersheds that slow down flood waters be considered part of the mandatory programs and services? Will broader environmental monitoring be considered part of mandatory programs or will the Province assume the responsibility and costs of undertaking monitoring in an efficient and responsive manner?

Responsible Finances and Efficiencies

At Conservation Halton, we made a commitment three years ago to develop a sustainable, long-term financial strategy. As a result, our operating budgets have been at or below the rate of inflation over the past two years. Our capital expenditures were restructured to ensure a disciplined approach to capital allocation towards maintaining our four dams, flood conveyance channels and other structures in a state of good repair. Those funding reserves have been established with support and guidance from Halton Region.

Additionally, we use **no tax dollars** to fund our conservation area operations or capital investments, and the returns we generate at our conservation areas help offset tax supported program costs. We now have one of the lowest proportion of tax revenues in Ontario, with municipal taxes funding 34% of our annual budget, while generating 59% through our own conservation area operations. Provincial revenues will make up a meagre 1.35% of our annual operating budget for the upcoming year.

By taking away the ability for CAs, and specifically Conservation Halton to develop financial partnerships with municipalities and develop revenue-generating programs, not only will you decrease the employment opportunity for youth in the region and increase the tax payers' bill for core programs but you will also limit, if not eliminate, our capacity to invest in these conservation areas to make them more accessible for a rapidly growing population.

Conservation Halton provides a large variety of benefits (all self-funded) to the Halton community; the most notable one is that we support youth employment through our 800 seasonal employees, most of which fall within the 'youth' segment, in the Region and provide \$4.3mil in seasonal wages. In 2018, our recreation programs exceeded our revenue generation targets with 7.7% growth.

We will continue to work with our member municipalities to finalize our 2020 budget and the scope of the activities that are included therein. We would appreciate the Province confirming its continuing financial support for the Source Protection program until such time as the transition period is completed to avoid any in-year budget adjustments. We have already had to contend with the mid-year loss of \$145,277 of Section 39 transfer payment from the Province for one of our mandatory programs – hazards management.

Transparency and Accountability

We are very proud of how Conservation Halton works with our municipalities to align our work with their needs and meet the targets that are set out. Equally important is our commitment to accountability and transparency, not just in terms of program costs but in terms of service delivery standards that are clear

and quantifiable. We lead every budget cycle request with a review of how we performed the previous year and who benefited from our programs.

Furthermore, we clearly lay out how our programs are funded:

- By municipalities as part of our regulatory responsibilities,
- By municipalities through municipal MOUs and other sources such as grants, e.g. plan review, education, stewardship, environmental monitoring. MOUs with Halton area municipalities were renewed earlier this year after a two-year review, and
- Non tax supported core programs that are entirely self-funded, e.g. recreation events, operations and capital.

We therefore do not abuse our power to levy but instead work with our municipalities to ensure our performance warrants tax levy funding and that our priorities are aligned. Our latest Annual Report clearly details our performance. If desired, our detailed business plans for every program and service can be shared as well.

Focus on Core Mandate

Conservation Halton is focused on our core programs and more importantly, on ensuring that the cost, time required, and scope of those programs are aligned with regulations, where applicable. For instance, we publish turnaround times for all our permits. As of the beginning of 2019, we issued 97% of our minor permits within the prescribed 30 days (provincial target is 80%). We have quarterly meetings with BILD and local agriculture groups to discuss process improvements and find solutions where needed.

As per our strategic plan, here are a few examples from the year that show how our efforts are focused in the right areas while adding value for residents, businesses, municipalities and other stakeholders.

- **Public Safety:** Our watershed monitoring network has expanded from 16 hydrometric stations to 35 digitally connected stations using Internet of Things (IOT) devices to collect, analyze and deliver insights from our data to predict weather impacts on riverine conditions and inform the public and our partners through accurate, timely flood status updates and warnings. Our goal is to improve our accuracy and lead time for storm events. We also launched a comprehensive update of our floodplain mapping to identify areas susceptible to flooding and help reduce flood risk in our communities through proactive planning and restoration.
- **Development Permits and Planning:** We've continued to work hard in delivering timely, predictable, cost-effective services across all our products and services. Through ongoing engagement with developers, process re-engineering and a desire to re-write the narrative around customer value, we have exceeded our stretch goal of processing 95% of minor permits within 30 days and continue to work with our development review partners to improve service delivery on technical reviews and planning applications, also ensuring that we are not commenting on matters beyond our scope or changing the goal posts for customers.
- **Recreation and Management of Conservation Authority Lands:** For the second year running we welcomed over 1 million visitors to our conservation areas and launched several new programs and events, such as the Hops and Harvest Festival showcasing local breweries and food vendors. We continue to offer innovative, engaging, family-friendly experiences to our growing communities through our network of seven conservation areas. Our brand is strong,

and we are committed to leading the market when it comes to outdoor recreation, wellness and leisure within our watershed. It bears repeating that our conservation areas and all festivals (including maple syrup for instance) are 100% self-sustaining financially. We are proud of how responsibly we have monetized our assets to generate revenues while creating tremendous value and employment opportunities for our local communities.

- **Education:** We hosted over 64,000 students from local schools at our outdoor education centres, including at our newly built archaeology room in the Wolf Clan Longhouse at Crawford Lake. We partnered with other organizations on 144 occasions to help engage residents and students alike around Climate Change and other environmental events, because if we can't tell an engaging story to raise awareness, then we can't make the kind of collective impact that is necessary for our communities to remain prosperous and resilient.
- **Environmental Restoration:** For our communities to be sustainable we must balance the impacts of growth and development with improvements to green infrastructure, ensuring our water, land and air can sustain our activities today and in the future. In 2018 we monitored and analyzed data from 176 monitoring stations, engaged 11,000 residents in hands-on stewardship activities, managed close to 10,000 acres of natural lands, planted thousands of trees (over 4 million to date), carried out 43 environmental improvement projects and leveraged every \$1 invested in restoration projects by Conservation Halton to \$15.92 worth of improvements through public/private sector partnership funds.

Next Steps

We don't want increased risk to public safety or increased liabilities to the Province, municipalities and conservation authorities due to lack of funding for critical programs and services. The current level of provincial investment in CA flood operations and the funding available to maintain aging dams is inadequate, and it is putting a strain on municipal finances. We strongly encourage the Province to undertake meaningful, focused pre-consultations with CAs prior to consulting all stakeholders around the regulations you are working on. We feel strongly that through these pre-consultations we can help the Province gain a clear understanding of what CAs do, and we can assist the Provincial Government in fulfilling its commitment to Ontarians.

We believe that the Conservation Halton Board and participating municipalities should be allowed the time to consider the full implications to their watersheds before reducing any programs or freezing fees and levies. The regulations that will outline the agreements necessary between municipalities and CAs will increase transparency on what CAs are required to do, what is discretionary and how it impacts the municipal levy. Again, we would like to focus on the development of the regulations that will provide the consistent framework for what the government wants to do.

In conclusion, the new CA Act directs our Board members (Section 14.1) to act honestly and in good faith with a view to furthering the objectives of the Authority. That is just what our Board intends to continue to do. The elected officials and citizen appointees who make up our Board of Directors allow us to work closely with each of our municipal partners to deliver a variety of locally supported programs and services valued by residents. We look forward to working with the province to define the governing regulations and to continuing our long-standing partnerships with both the Province of Ontario and our local municipalities.

2018

ANNUAL
REPORT



GUIDING PRINCIPLES

STRATEGIC PLAN 2020

COLLABORATION

We will build strong partnerships and create opportunities for collaboration with our customers and community members.

INTEGRITY

We will take a proactive approach to accountability, transparency and financial responsibility and make difficult decisions with integrity.

INNOVATION

We will seek out innovative technologies and creative solutions that will allow us to be leaders in natural resource management and environmental planning.

SUSTAINABILITY

We will embody sustainability in everything we do, from the facilities we build to the communities we help plan, in an effort to limit our impact on the environment.





INSIDE THE
2018 REPORT

- 4 MESSAGE FROM THE CAO**
- 8 MESSAGE FROM THE CHAIR**
- 10 OUR PROGRESS AT A GLANCE**
- 12 OBJECTIVES IN DETAIL**
- 24 FINANCIAL REPORT**
- 25 BOARD OF DIRECTORS**
- 26 SENIOR LEADERSHIP TEAM**

MESSAGE FROM THE CAO

I am happy to report that 2018 was another year of success in our efforts to improve Conservation Halton. We are on track with the business performance and financial commitments that we made two years ago as part of Metamorphosis and we continue to deliver on our commitments to our customers, our employees and our communities.

We made a financial commitment to rework our budgets to ensure our operating expenditures were at or below the rate of inflation and over the past two years, we have been able to do just that. Our capital expenditures were restructured to ensure a disciplined approach to capital allocation towards maintaining our dams, channels and other structures in a state of good repair. Those funding reserves have been established, along with a long-term financing strategy developed in partnership with Halton Region, to ensure we can set funds aside for these critical assets, while limiting the tax impact to around 1 percent increase annually until the capital reserves are fully funded. In 2018, we completed five projects to ensure our dams and channels remain in a state of good repair.

We exceeded our revenue generation targets with 7.7 percent growth in 2018.

We exceeded our revenue generation targets with 7.7 percent growth in 2018. We now have one of the lowest shares of tax revenues in Ontario, with municipal taxes funding 34 percent of our annual budget and provincial tax revenues contributing 4 percent of our total annual budget. We have been able to maintain strong financial performance, while reinvesting in the organization to improve our technology, project management and employee skills.

Here are a few examples that show how our efforts are focused in the right areas and helping us add value.

- **Public Safety:** Our watershed monitoring network has expanded from 16 hydrometric stations to 35 stations, digitally connected using Internet of Things (IOT) devices to collect, analyze and deliver insights from our data to predict weather impacts on watershed conditions and inform the public and our partners through accurate, timely flood status updates and warnings. We also launched a comprehensive update of our floodplain mapping to identify areas susceptible to flooding and help reduce flood risk in our communities through proactive planning and restoration.
- **Recreation and Tourism:** For the second year, we welcomed more than 1 million visitors to our parks and launched several new programs and events. We continue to inspire memorable family-friendly experiences to our growing communities through our network of parks. Our parks brand is strong and we are committed to leading the market when it comes to outdoor recreation, wellness and leisure within our watershed.



- **Education:** We have implemented technology to create online story maps to communicate the results of our long-term environmental monitoring programs and we are aiming for more data and analysis to be available to the public, so they can make informed choices to help us adapt to climate change. We hosted more than 64,000 students at our outdoor education centres, including our new archaeology room in the Wolf Clan Longhouse at Crawford Lake. We partnered with other organizations on more than 140 occasions to help engage residents and students alike around climate change and other environmental issues, because if we can't tell an engaging story to raise awareness, then we can't make the kind of collective impact that is necessary for our communities to remain prosperous and resilient.

- **Permits and Planning:** We have continued to work hard in delivering timely, predictable, cost-effective services. Through ongoing engagement, process re-engineering and a desire to re-write the narrative around customer value, we have exceeded our goal of processing 95 percent of minor permits within 30 days and continue to work with our development review partners to improve service delivery on technical reviews of planning applications.

- **Environmental Restoration:** For our communities to be sustainable, we must balance the impacts of growth and development with green infrastructure, to ensure that our water, land and air can sustain our activities today and in the future. In 2018, we monitored and analyzed data from 176 monitoring stations, engaged 11,000 residents in stewardship activities,





managed close to 10,000 acres of natural area, planted about 100,000 trees and shrubs, carried out 43 environmental improvement projects and leveraged every \$1 invested in Conservation Halton restoration projects to \$15.92 worth of improvement through partnership funds. We are not only good at conducting the science and analysis to determine where improvements are necessary, but we take a lot of pride in acting as project managers to deliver those improvements on the ground.

The reason I am proud to lead this organization is that we have a passionate and talented team, led not only by strategy and structure but by a set of shared core values. We will continue to build on our unwavering commitment to engage with our customers and improve our products and services. We have an ambitious vision and the skills to follow it. That vision is as true today as the day we crafted it. We have had a great year and I am looking forward to a bright future for Conservation Halton.



Hassaan Basit
Chief Administrative Officer

MESSAGE FROM THE **BOARD CHAIR**

As outlined in the strategic plan, Metamorphosis, this year has been one of process improvement, asset management, digital transformation and financial overhaul. The Board of Directors has worked with the Chief Administrative Officer and other leadership from Conservation Halton throughout this process and could not be more proud of the progress that has been made.

We have also seen improvements in the governance of the organization this year. Just as the strategic plan provided Conservation Halton with a clear understanding of their measures and targets, it has provided the Board of Directors with a renewed focus on their priorities, including finance, policy and risk. With a work plan, key performance indicators and dedicated strategy sessions, there has been an increased emphasis on performance, which has resulted in more effective flow of information, concise documentation and productive discussions and efficient meetings.

On behalf of the Board of Directors, I would like to thank everyone at Conservation Halton for their hard work this year. We are proud of all that Conservation Halton has accomplished in the last year and we are honoured to be part of your success.



Gerry Smallegange

Chair, Board of Directors













**THE STRATEGIC PLAN HAS
FOUR MAIN THEMES:**

- Taking care of our growing communities
- Protecting our natural, cultural and scenic assets
- Preparing for the effects of climate change
- Creating opportunities to connect with nature

HIGH LEVEL OVERVIEW

OUR PROGRESS AT A GLANCE

Conservation Halton is reporting on nine objectives as identified by the Senior Leadership Team. Within each objective there are measures which have their progress tracked based on the 2018 Outcome and what the Target is for 2020. You will find these results on the following pages.

-  Positive upward trend
-  Positive downward trend
-  Negative upward trend
-  Negative downward trend
-  Neutral trend
-  On track
-  On track with minor issues
-  Off track

OBJECTIVES

01 PUBLIC SAFETY

02 SUSTAINABILITY

03 EDUCATION & COMMUNICATION

04 RECREATION & TOURISM

05 PARTNERSHIPS





**06 PLANNING &
DEVELOPMENT**

**07 RESOURCE
MANAGEMENT**

**08 CUSTOMER
SATISFACTION**

**09 DIGITAL
TRANSFORMATION**

METAMORPHOSIS

An extensive public consultation was conducted throughout the summer and fall of 2016 on the draft version of the Metamorphosis strategic plan, with stakeholder meetings, public open houses, an online survey and interaction through Conservation Halton's social media platforms. This input was helpful and is reflected in the final version of the plan. The final version of the Metamorphosis strategic plan can be viewed at conservationhalton.ca/metamorphosis.

OBJECTIVE
01

PUBLIC SAFETY

Why is this objective important?

We depend on floodplain mapping, flood models, dams and channels to protect our communities, coordinate emergency response and support smart, safe land use planning. This has always been an important function of Conservation Halton but, as climate change continues to impact weather patterns, it has become more important than ever.



This hydrometric station was recently installed in Bronte Creek at Lowville Park. The intake pipe in the creek transfers the water level into the stilling well pipe, where a measurement is taken. This data is then accessible in real time through the use of a cellular modem. In the past, Lowville has been a known flood damage centre, so this station will assist us in monitoring conditions there. Video surveillance through a fixed-dome camera will further enhance monitoring efforts in the coming year.

What progress has been made?

This year, we expanded our watershed monitoring network from 16 hydrometric stations in 2016 to 35 stations in 2018. This will enable us to better predict surface water runoff response and provide more accurate messages to residents about watershed conditions. We also managed eight capital projects (\$3,732,000) to support the State of Good Repair of our dams and channels, so that we can more confidently protect the safety of our communities. Conservation Halton has also begun to update floodplain mapping for the Grindstone Creek watershed, which has not been completed since 1985. Updated mapping will identify areas that may be susceptible to flooding and reduce flood risk in our communities.

Measures	2018 Outcome	2020 Target	Trend	Status
Number of real-time hydrometric stations	35	50	↗	●
Percentage of dams and channels assessed as being in a State of Good Repair	14%	50%	↗	●
Modernized models that provide clearly defined and defensible floodplain hazard limits with information that is quickly accessible for faster decision making	0%	40%	↗	●

SUSTAINABILITY

Why is this objective important?

With more people building homes in our watershed, starting families in our communities and spending time in our conservation areas each year, it is important that we protect our natural areas. The only way we can do this is through social, financial and environmental sustainability.

What progress has been made?

This year, visitor impact management was expanded to include all 110 kilometres of managed trails within the Conservation Halton Parks, with particular efforts made to improve the distinction between the trail and the forest to discourage walking off the trails at Hilton Falls. There was also a focus on financial sustainability this year. Program-based budgets and performance metrics have provided us with more insightful financial analysis and enabled us

to develop a more sustainable budget strategy. There are still challenges to overcome in responsibly funding our critical assets and other capital projects but we have made progress on these issues with our funding partners.



At Hilton Falls, trees were planted at the edge of the trails and trails were lined with logs to keep visitors on the path.

Measures	2018 Outcome	2020 Target	Trend	Status
Percentage of Conservation Halton Lands under a current Master Plan	49%	95%	↔	●
Percentage of km of trails under a visitor impact management program	100%	100%	↗	●
Limit increase in annual tax supported Municipal Levy before State of Good Repair Levy to regional budget guidelines	1.4%	3.2%	↘	●
Increase self-generated revenue by 2 to 5 percent annually	7.7%	2%–5%	↗	●

OBJECTIVE
03

EDUCATION & COMMUNICATION

Why is this objective important?

It's often said that you can't save what you don't love and you can't love what you don't know. Conservation Halton has made it a priority to teach both children and adults about the importance of nature and the benefits of conservation, so that the community will support our programs and projects.



What progress has been made?

Conservation Halton has started using a web-based platform that combines maps, images, text and other media in an interactive way that is more engaging than print media or even conventional webpages. This year, we used these story maps to communicate the results of our monitoring program and restoration projects, such as Courtcliffe Park. The parks have also expanded their use of interactive education with improvements to the Longhouses at Crawford Lake, including a new archeology room in the Wolf Clan Longhouse. This year, Conservation Halton also launched a brand new program, From the Ground Up, which teaches students about the importance of trees to the watershed and provides them with an opportunity to plant trees near their school.

Left: The new Archaeology Room in the Wolf Clan Longhouse at Crawford Lake features a number of learning stations, including a simulated excavation site and clay pot reconstruction activity, as well as a stratigraphy wall to illustrate sediment layers and a painted mural that shows the locations of the longhouses that we are aware of at Crawford Lake.

Measures	2018 Outcome	2020 Target	2018 Trend	Status
Number of people attending parks educational programming	64,453	75,000	↔	●
Number of stewardship and outreach public engagements	108	60	↗	●
Number of watershed residents who participate in conservation outreach and stewardship activities	11,662	10,660	↗	●



Children learn about the creeks, streams, lakes and ponds within our watershed, as well as the plants and animals that live in them, through games, activities and other forms of interactive education at the Halton Children's Water Festival at Kelso Conservation Area.

OBJECTIVE
04

RECREATION & TOURISM

Why is this objective important?

Our parks provide opportunities to spend time outdoors, connect with nature and maintain a healthy lifestyle, as well as employment and other economic benefits to the community. It is important that we invest in the parks, so that they can be enjoyable, accessible and safe for generations to come.

What progress has been made?

For the second year in a row, more than 1 million visitors came to Conservation Halton Parks. This year, visitors enjoyed a number of new offerings, such as a brand new Challenge Course, including an aerial ropes course and a climbing tower, which attracted more than 4,000 participants to Kelso Conservation Area. Hops and Harvest, which was our first annual festival of this kind, brought close to 8,000 people to Kelso over one weekend in October to sample beer and cider from craft breweries, enjoy seasonal eats from local food vendors and celebrate the natural and cultural heritage of the Niagara Escarpment.



Measures	2018 Outcome	2020 Target	2018 Trend	Status
Number of annual memberships to Conservation Halton Parks	9,353	10,000	↗	●
Number of visitors to Conservation Halton Parks	1,076,670	1,160,000	↗	●



Far Left: The Challenge Course at Kelso Conservation Area has provided day trippers, summer campers, festival goers and other park visitors with an opportunity to test their strength, push their limits and admire the Niagara Escarpment from an entirely new perspective.

Above: Hops and Harvest brought food, such as arepas from Venezuelan food truck, The Arepa Republic (pictured), and craft beer from vendors such as Orange Snail, Good Lot and Shawn & Ed, together in the beautiful, autumn setting of Kelso Conservation Area.

PARTNERSHIPS

Why is this objective important?

As the challenges, changes and pressures on our watershed increase, it has become increasingly important for us to work together. On our own, we are limited, but in working with our community partners, we can develop more effective projects, innovative programs and compelling research opportunities.

What progress has been made?

Conservation Halton is on the leadership team of the Halton Climate Collective and a member of the Bay Area Climate Change Council. With many projects that contribute to climate change mitigation and adaptation, we have been an important member of these groups. There has also been an increased interest in partnership with Crawford Lake. This year, we partnered with Ojibiikaan Indigenous Cultural Network in support of the Three Sisters Garden and with Brock, Carleton and McMaster Universities on the sampling of Crawford Lake sediment. These partnerships, and others, have helped to increase our capacity and position us as a community partner.



**Halton
Climate
Collective**

Conservation Halton is an important member of the Halton Climate Collective, which began branding, marketing, communications and community engagement efforts this year. We were responsible for developing the visual identity.



The Three Sisters Garden, consisting of beans, squash and corn, was planted by members of the Ojibiikaan Indigenous Cultural Network, in partnership with Conservation Halton, at Crawford Lake.

Measures	2018 Outcome	2020 Target	2018 Trend	Status
Ratio of partnership dollars leveraged for every dollar invested in stewardship and restoration work by Conservation Halton	\$15.97	\$15	↗	●
Number of environmental partnership initiatives	144	140	↗	●

PLANNING & DEVELOPMENT

Why is this objective important?

As climate change puts an increasing amount of pressure on our infrastructure, a responsible and progressive approach to planning is needed to protect the people, properties and nature in our communities from flooding and erosion.

What progress has been made?

Last year, Conservation Halton conducted an internal review of the planning and permit application process, with teams established for each of the municipalities within our jurisdiction to allow for better communication among agencies and applicants. As a result of the review, Conservation Halton has continued to make changes, including a reorganization of staff resources, and we are positioned to bring about major improvements to customer service. The Memorandum of Understanding for environmental reviews in Halton Region was also updated, with specific roles and responsibilities being identified in 2019 to avoid duplication of effort.



Conservation Halton regulates development adjacent to creeks, streams, rivers, wetlands and shorelines, such as this neighbourhood in North Oakville, pictured during construction.

Measures	2018 Outcome	2020 Target	2018 Trend	Status
Deliver comments on 95 percent of technical review of permit applications within six weeks	94%	95%	↗	●
Deliver comments on 95 percent of technical review of planning applications within six weeks	65%	95%	↔	●
Process 95 percent of minor permit applications within 30 days	96%	95%	↗	●

RESOURCE MANAGEMENT

Why is this objective important?

We depend on our natural resources and areas for environmental sustainability, community health and economic prosperity. It is our responsibility to manage these resources, through restoration projects, water protection programs and other conservation efforts, so that generations to come can enjoy the same quality of life.

What progress has been made?

In an effort to protect the forest resources in our watershed, we planted more than 90,300 trees and 4,450 shrubs and removed more than 8,700 trees affected by emerald ash borer. Conservation

Halton also acquired 45.6 acres (18.5 ha) of land on Canyon Road, adjacent to Rattlesnake Point, which will be incorporated into the park. As of this year, 95 percent of the source drinking water source protection policies have been implemented and 84 percent of the identified drinking water threats have been addressed by Conservation Halton and partners. There was also a large group of mudpuppies, which are a salamander species, found in Sixteen Mile Creek, after having not been recorded in the creek for more than 30 years, which indicates that our restoration efforts have been effective.

Measures	2018 Outcome	2020 Target	Trend	Status
Number of hectares of protected terrestrial and aquatic area	9,515.6 ha	9,658.2 ha		
Maintain a consistent or improving trend in key water quality indicators across the watershed	Chlorides exceedence of provincial guidelines at 45% of stations	Exceedences at fewer than 37% of stations		
	Phosphorus exceedence of provincial guidelines at 64% of stations	Exceedences at fewer than 28% of stations		
Number of floodplain, wetland and watercourse restoration activities	43	21		
Number of aquatic and terrestrial stations monitored each year	176	100		



Top: Emerald Ash Borer is an invasive species of beetle (pictured) that feeds under the bark of ash trees, which does irreparable damage to the health of the tree.

Bottom: This year, more than 8,700 ash trees that had been damaged by emerald ash borer were removed to prevent the trees from being hazardous and allow for other trees to be planted in these areas.



An ecologist from Conservation Halton holds one of the many mudpuppies that were found in Sixteen Mile Creek during a fish rescue as part of a restoration project.

OBJECTIVE
08

CUSTOMER SATISFACTION

Why is this objective important?

Conservation Halton provides a variety of services to a wide range of audiences, from teachers to landscapers to politicians. It is our responsibility to provide the best customer service possible, so that our programs and services can have the greatest impact in our community.

What progress has been made?

Conservation Halton installed customer service terminals at four of our parks in order to measure the happiness of our visitors and quality of the experience at our parks. This year, there were more than 27,000 responses on the terminals and the overall happiness score was 80. Conservation Halton also conducted public consultation for the Kelso Master Plan, which included an extensive online component. The online campaign received outstanding engagement, with more than 2,700 responses to the question polls on social media. In 2019, we will implement additional customer feedback tools to ensure we are addressing specific customer pain-points.



An interpreter from Conservation Halton teaches a crowd of visitors how maple syrup is made during Maple Town at Mountsberg Conservation Area.

Measures	2018 Outcome	2020 Target	2018 Trend	Status
Reach an average customer satisfaction rate of 90 percent across all service areas	80%	90%	↗	●

DIGITAL TRANSFORMATION

Why is this objective important?

Data-driven decision-making is the way forward for Conservation Halton and digital transformation is how we get there. With planning and monitoring data at our fingertips, we can make more informed decisions, share more knowledge with our partners and provide more efficient customer service.

What progress has been made?

This year, Conservation Halton launched a number of new GIS tools that allow staff to collect and input data digitally, which improves quality and analysis, and makes this data accessible from anywhere. We are also developing a platform that provides mapping and other data on regulatory limits, physical geography, ecological monitoring and source water protection for our partners and members of the public in order to increase access to information. Conservation Halton has also launched a new intranet that allows staff to access project management tools, asset management data and human resources information. An extranet is being developed for more secure storage, sharing and collaboration with our external partners.

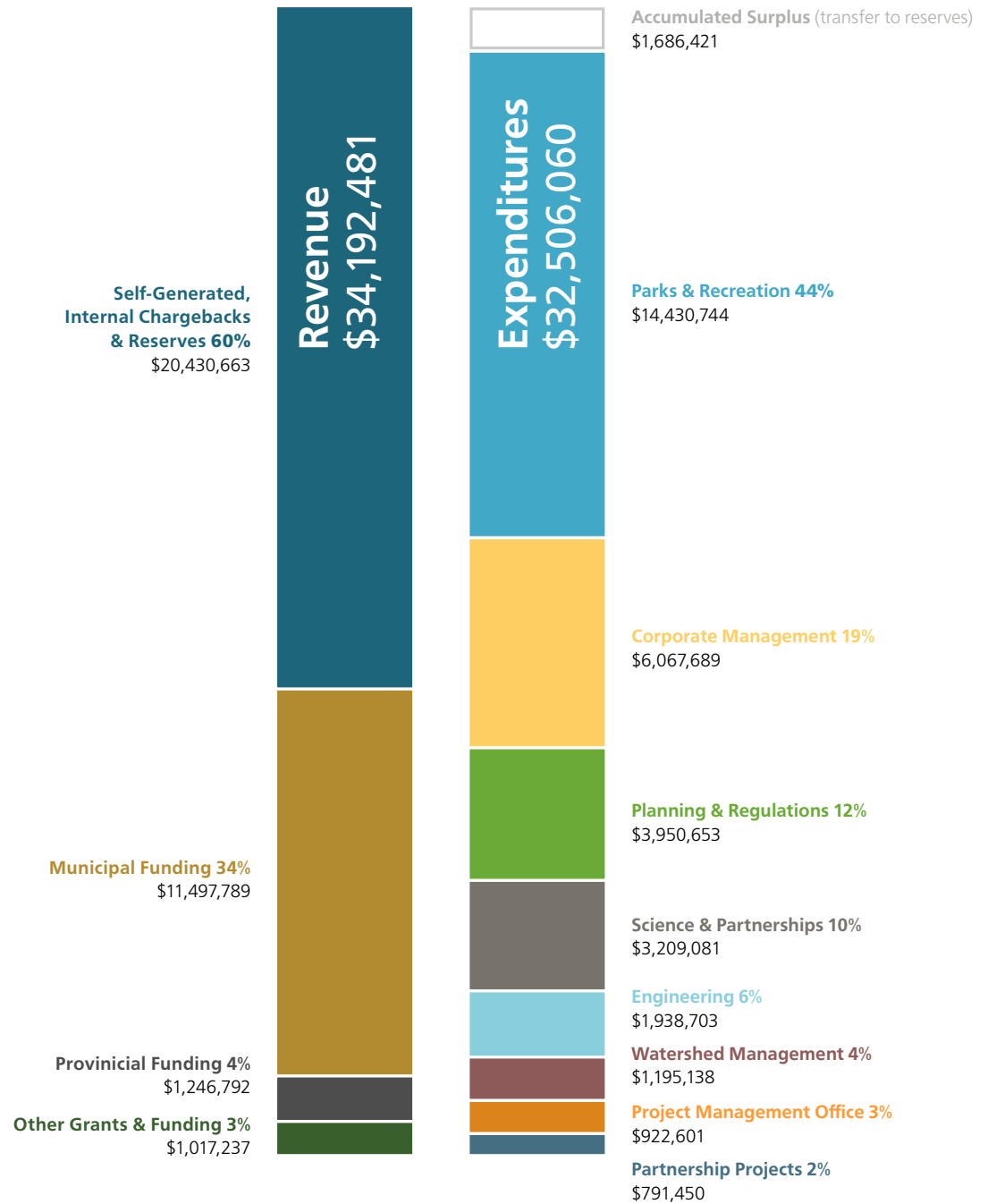


This platform provides mapping and other data on regulatory limits, physical geography, ecological monitoring and source water protection for our partners and members of the public in order to solve important local issues.

Measures	2018 Outcome	2020 Target	2018 Trend	Status
Number of online e-commerce transactions	92%	30,000	↗	●

2018

FINANCIAL REPORT



Projected 2018 Surplus will be transferred to Reserves as approved by the Board of Directors. The financial information presented in the Annual Report has not yet been audited and is therefore subject to change.

2018 CONSERVATION HALTON

BOARD OF DIRECTORS

REGIONAL MUNICIPALITY OF HALTON

BURLINGTON

Councillor Marianne Meed Ward
Mr. Gerry Smallegange, *Chair*
Mr. Jim Sweetlove
Mr. John Vice

HALTON HILLS

Councillor Moya Johnson, *Vice-Chair*
Councillor Bryan Lewis

MILTON

Councillor Mike Cluett
Councillor Robert Duvall
Mayor Gordon Krantz

OAKVILLE

Mayor Rob Burton
Councillor Cathy Duddeck
Councillor Allan Elgar
Councillor Dave Gittings

REGIONAL MUNICIPALITY OF PEEL

MISSISSAUGA

Councillor Sue McFadden
Mrs. Jean Williams

CITY OF HAMILTON

Ms. Joanne Di Maio
Mr. Ed Wells

TOWNSHIP OF PUSLINCH

Mr. Stephen Gilmour

ORGANIZATIONAL CHART

SENIOR LEADERSHIP TEAM



Chief Administrative Officer
Hassaan Basit



Senior Manager,
Human Resources
Plezzie Ramirez



Director,
Parks & Operations
Gene Matthews



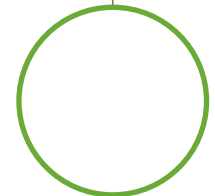
Director,
Corporate Compliance
Jill Ramseyer



Director, Planning
& Watershed
Management
Barb Veale



Director, Foundation
Garner Beckett



Senior Director,
Corporate Services
Vacant



Associate Director,
Engineering
Janelle Wepler



Associate Director,
Science & Partnerships
Kim Barrett

The above organizational structure is as of April 2019





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Burlington, Ontario L7P 0G3
conservationhalton.ca

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301 St. Paul Street 2nd Floor
St. Catharines ON L2R 7R4
Tel.: 905-704-2089
Fax: 905-704-2055

Direction des normes routières
301 rue St. Paul, 2^e étage
St. Catharines ON L2R 7R4
Tél. : 905-704-2089
Télééc. : 905-704-2055



September 6, 2019

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

Dear Mayor Eisenberger:

The Minister of Transportation announced on May 10, 2019 that the province is reviewing speed limits by launching a two-year pilot to raise speed limits on select freeways. Three sections of highways are planned as pilot locations in Southern Ontario where the highway speed will be posted at 110 km/h starting in September:

- Highway 402 from London to Sarnia;
- the Queen Elizabeth Way (QEW) from St. Catharines to Hamilton; and
- Highway 417 from Ottawa/Gloucester to Ontario/Quebec border.

The Ministry of Transportation is exploring options for a fourth pilot in Northern Ontario.

As part of this review, the Ministry of Transportation is conducting consultations to provide the opportunity for feedback as well as identify potential issues that should be considered. The review will include a program to monitor any changes to motorists' speeds in the pilot areas and any impacts to the number and severity of collisions.

Please find attached, consultation material detailing the speed limit pilot and general background information on speed limits in Ontario to be shared with appropriate staff. The Ministry of Transportation would appreciate your comments on the proposal by October 28, 2019. Please provide your written feedback regarding the speed limit pilot to Daniel Prelipcean at Daniel.Prelipcean@ontario.ca.

Thank you in advance for your participation.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Remollino".

Dan Remollino P. Eng.
Director

Attachment

c: Andrea Holland, City Clerk

Ministry of Transportation

Speed Limit Pilot

Consultations with Ministries and Municipalities

August 2019

Summary of Proposal

- On May 1, 2019, the Minister announced that the province was looking at reviewing speed limits by launching a pilot and consultations.
- On May 10, 2019, the Minister announced more details on the pilot and consultations:
 - Approved corridors for a 110 km/h trial starting September 2019
 - Highway 402, London to Sarnia (84 km)
 - QEW, Hamilton to St. Catharines (39 km)
 - Highway 417, East of Ottawa to Quebec/Ontario border (100 km)
 - The ministry is currently exploring options for a fourth pilot location in Northern Ontario
- In addition to the 110 km/h pilot, the ministry is initiating consultations to discuss Ontario provincial highway speed limits in general.

Background – Provincial Highway Speed Limits

- Ontario's roads are among the safest in North America.
 - The ministry reviews Ontario's speed limits periodically to make sure they are appropriate, taking into account factors such as road design, traffic volumes, average operating speeds, and collision trends.
 - The objectives of the proposal are to align Ontario with other provinces that have increased speed limits over 100 km/h on selected roads and to safely align posted speed limits with operating speeds.
 - Average operating speeds on 400-series highways range from 96 to 114 km/h and 85th percentile speeds* range from 110 to 124 km/h.
 - Appropriate enforcement on proposed provincial highway segments will help to safely implement a pilot in order to evaluate the impacts of increased speed limits on Ontario's roads.
- * The 85th percentile speed is the speed at which 85% of traffic is travelling at or below. The 85th percentile is often considered an indication of the appropriate speed limit, based on the reasoning that drivers travel at a speed at which they feel comfortable to avoid crashes.

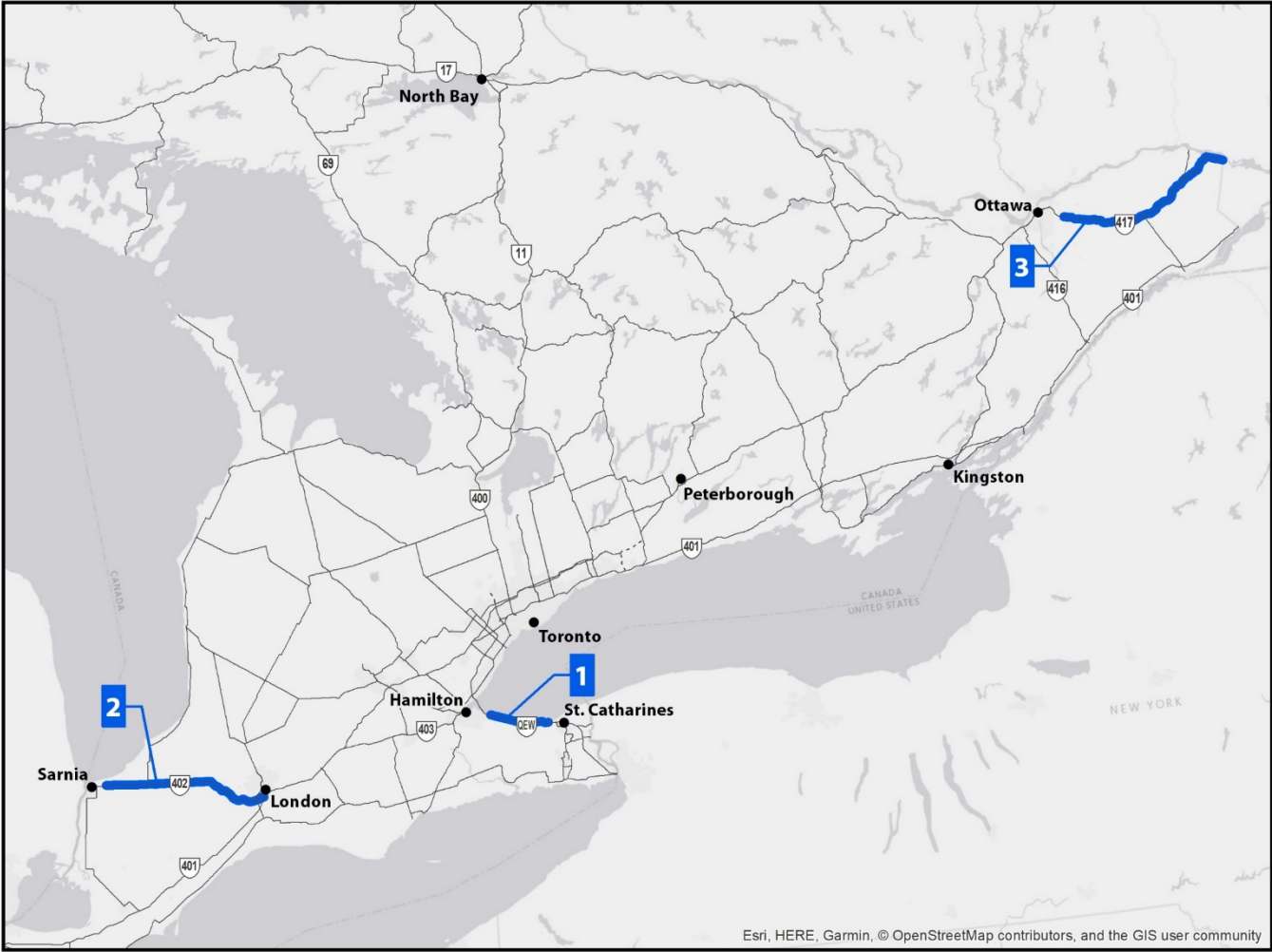
Speed Limit Pilot: Key Features

- **Pilot Site Selection:** Sections of controlled access highway that can safely accommodate a speed limit of 110 km/h.
- **Enforcement:** In consultation with Ministry of the Solicitor General and police, appropriate enforcement for vehicle speeds over the posted limit within pilot sections to be pursued.
- **Truck Speed Limiter Law:** maintained at 105 km/h province-wide, including pilot locations.
- **Stunt Driving Law:** Proposed to apply at 150 km/h where the speed limit is more than 100 km/h, but otherwise remain applicable at 50 km/h over the speed limit (for more information on Ontario's stunt driving law see Appendix A).
- **Pilot Duration:** two years to allow for pilot evaluation.
- **Signage:** Safety information and speed limit signage will be installed to advise motorists.
- **Proposed Implementation:** September 2019.

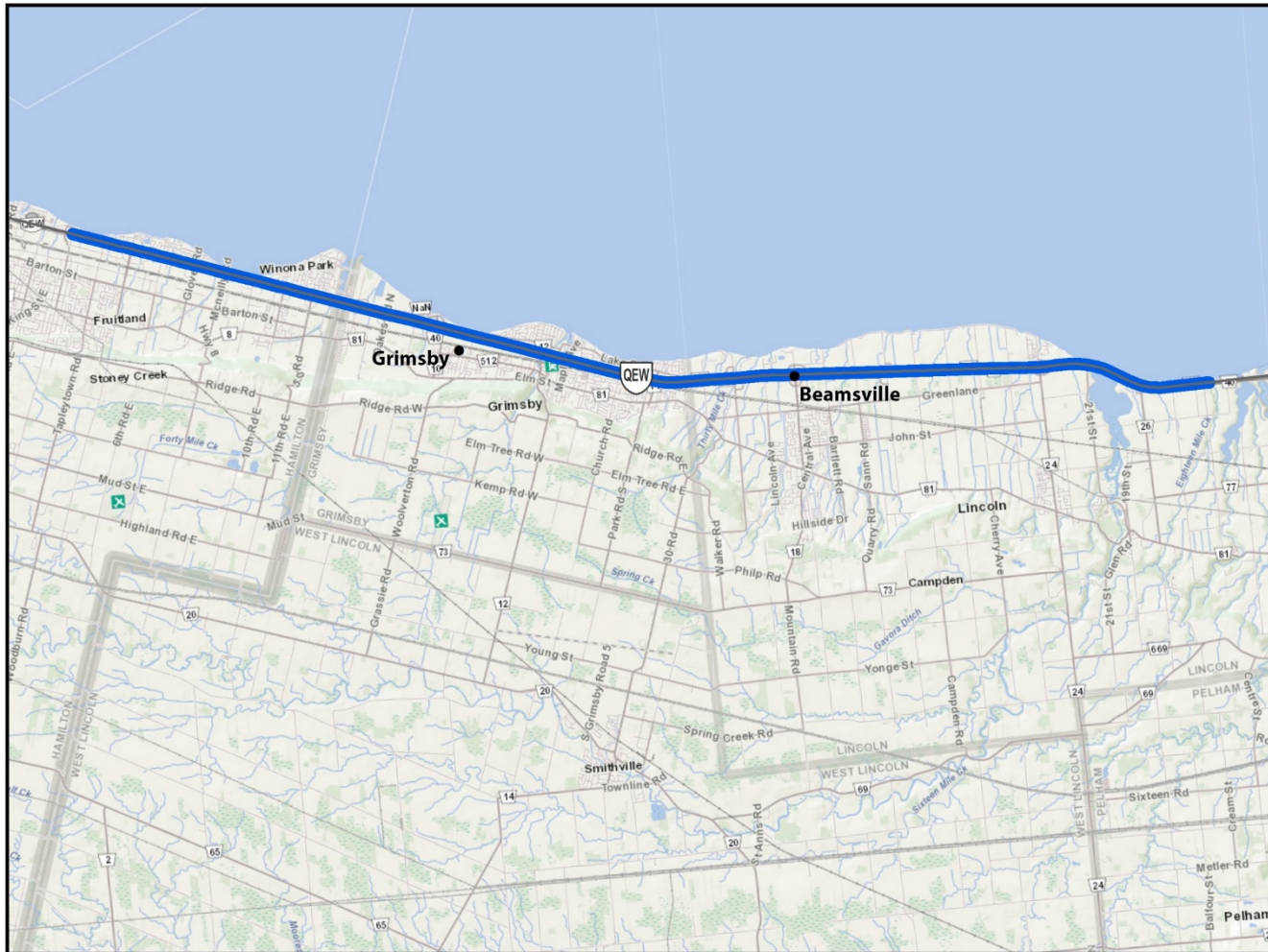
SPEED LIMIT PILOT – LOCATION SELECTION

- Segments of all 400 series and controlled access divided highways were considered, with the exception of sections that have:
 - Safety issues
 - Heavy congestion
 - Core / collector systems
 - Limited length
 - Closely spaced interchanges
- Analysis is continuing to confirm a proposed pilot location in Northern Ontario.

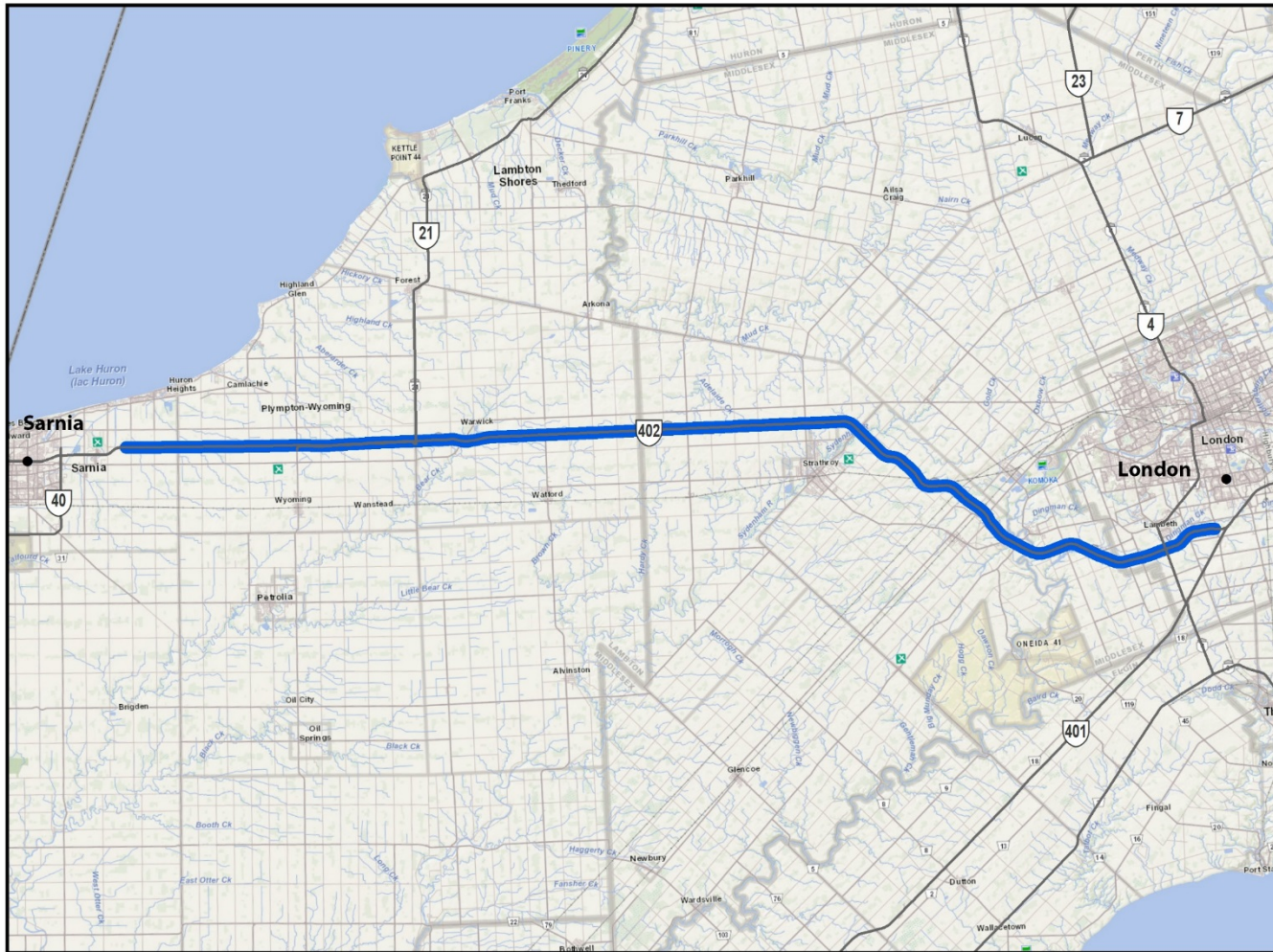
SPEED LIMIT PILOT – LOCATION OVERVIEW



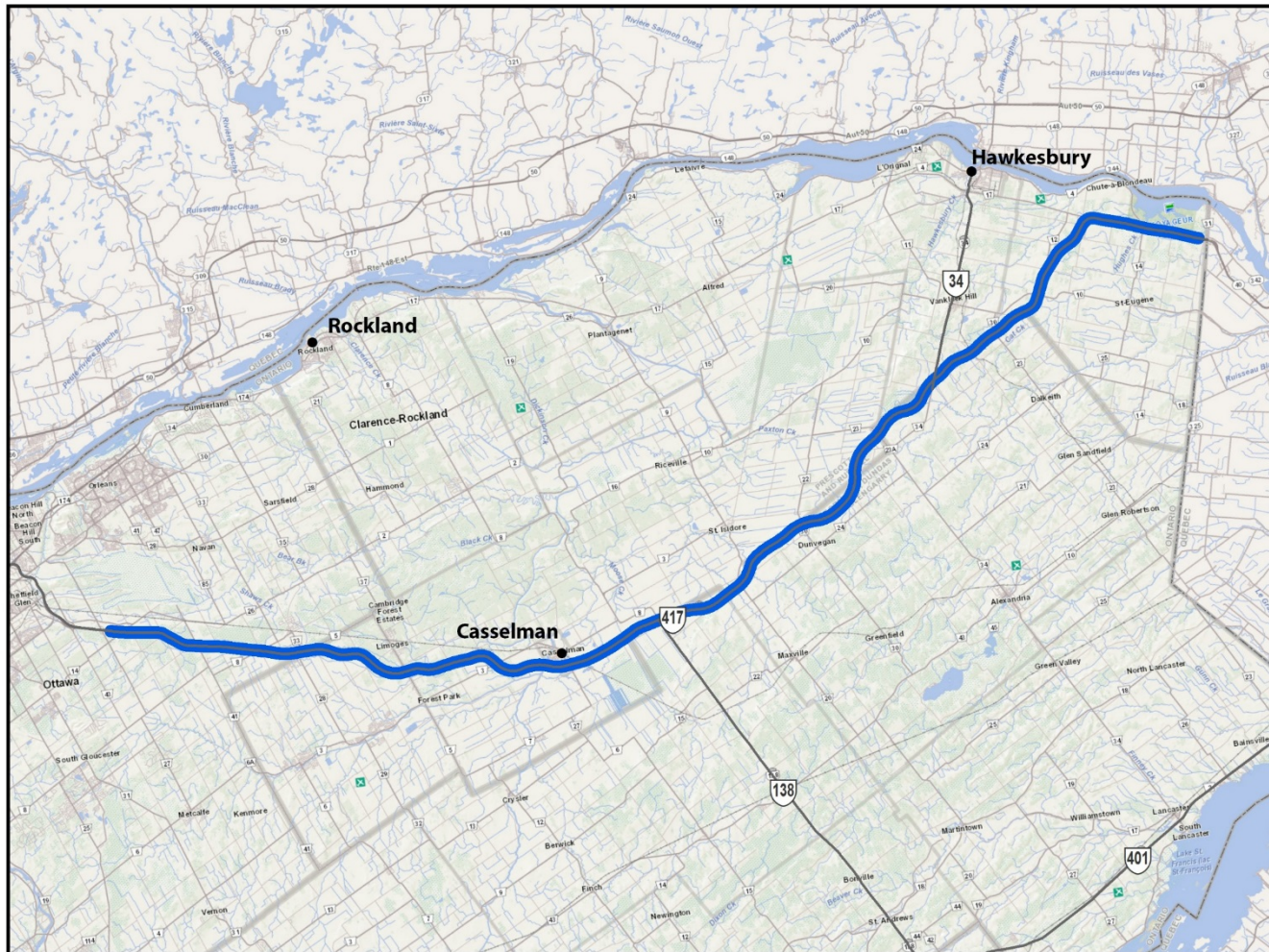
SPEED LIMIT PILOT – #1 QUEEN ELIZABETH WAY



SPEED LIMIT PILOT – #2 HIGHWAY 402



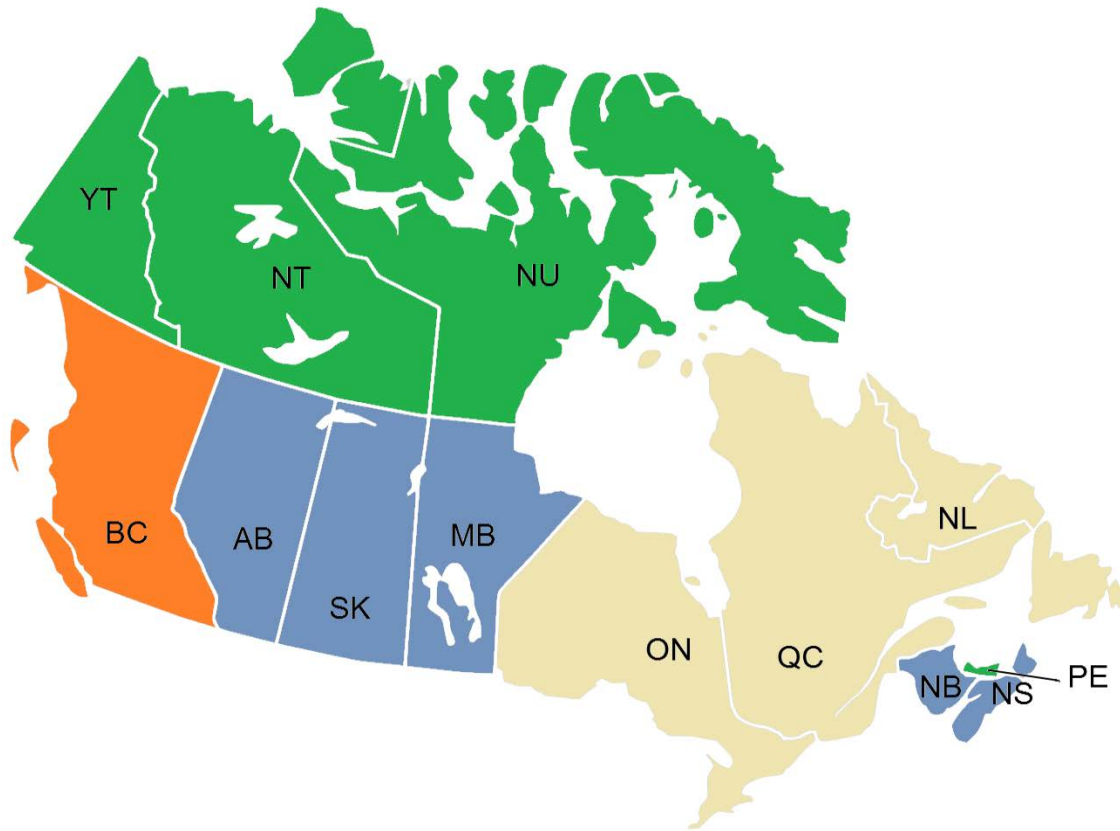
SPEED LIMIT PILOT – #3 HIGHWAY 417



OTHER JURISDICTIONS

- There are currently six jurisdictions in Canada that have set their speed limits in excess of 100 km/h on select segments of certain highways (Alberta, British Columbia, Manitoba, New Brunswick, Nova Scotia, and Saskatchewan).
- The 2018 review of speed limit increases and subsequent speed roll backs on some highway sections in British Columbia, showed that the overall number of serious crashes increased by 11.1%, the 85 percentile increased on 58% of the raised speed limit sections and total collisions increased on 52% of the raised speed limit sections.
- Jurisdictional scanning also indicates that no other province introduced raised limits on a pilot basis. MTO is recommending that raised limits be implemented on a pilot basis to fully assess safety and operational impacts.
- U.S. maximum speed limit on rural interstates varies from 60 mph (97 km/h) to 85 mph (137 km/h); 17 states are at 75 mph (121 km/h) or higher (all but one west of the Mississippi); 24 are at 70 mph (113 km/h).

JURISDICTIONAL INFORMATION



- Posted Limit 90 km/h
- Posted Limit 100 km/h
- Posted Limit 110 km/h
- Posted Limit 120 km/h

Notes:

Speed cameras are used in Manitoba, Alberta, Quebec and Saskatchewan

For jurisdictions with posted limit ≥ 110 km/h, this is only on specific portions of the network.

JURISDICTIONAL INFORMATION

JURISDICTION	MAX. LIMIT (km/h)	DATE OF INCREASE	DONE ON A PILOT BASIS?	SUPPLEMENTED BY AUTOMATED ENFORCEMENT AT PILOT LAUNCH	SUPPLEMENTED BY AUTOMATED ENFORCEMENT AT LATER DATE
Alberta	110	1993	No	No	No*
British Columbia	120	2014	No	No	No
Manitoba	110	2009	No	No	No*
New Brunswick	110	2001	Unknown	No	No
Nova Scotia	110	1997	No	No	No
Saskatchewan	110	2008	No	No	No*

* While photo radar is used in these jurisdictions, it is generally restricted to high-risk areas such as urban intersections and school zones; in Saskatchewan photo radar is also used on highways with a maximum speed of 90km/h.

NEXT STEPS

Consultation and Approvals

- Consultation with other ministries and external stakeholders.
- Seek appropriate policy and regulatory approvals for pilot.

Implementation

- Proposed implementation date in September 2019 for pilot.

Post-implementation

- Two year Pilot evaluation and monitoring (collection and review of speed and collision data).
- Exploring complementary safety measures through other legislative and regulatory amendments such as adjusting speeding fine structure (HTA), demerit points (O. Reg. 339/94), variable speed limits (HTA), measures to address slower traffic not keeping right as required (HTA), etc.

APPENDIX A: ONTARIO'S STUNT DRIVING LAW

- Amendments to section 172 of the *Highway Traffic Act* (HTA) regarding drivers who engage in street races, driving contests and driving stunts took effect on September 30, 2007.
- The supporting regulation (Ontario Regulation 455/07) to section 172 includes the definitions of key terms used in the legislation, including “street race”, “driving contest” and “driving stunt”.
 - These definitions include a number of high-risk driving behaviours such as: driving 50 km/h or more above the posted speed limit; driving a motor vehicle in a manner that indicates an intention to prevent another vehicle from passing; intentionally cutting off another vehicle; or intentionally driving too close to another vehicle, pedestrian or fixed object.
- Penalties for street racing include:
 - An immediate seven-day roadside vehicle impoundment and a seven-day driver’s license suspension;
 - A fine between \$2,000 and \$10,000, (highest fine for this offence in Canada);
 - Jail term of up to six months; and,
 - Licence suspension of up to two years for the first conviction and up to 10 years for a second conviction within 10 years, or six demerit points.



PLANNING COMMITTEE REPORT

19-013

September 3, 2019

9:30 a.m.

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

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

THE PLANNING COMMITTEE PRESENTS REPORT 19-013 AND RESPECTFULLY RECOMMENDS:

1. **Application to Amend the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 3600 Guyatt Road, Glanbrook (PED19154) (Ward 11) (Item 8.1)**
 - (a) That Zoning By-law Amendment Application ZAA-18-006, by Larry Freeman (Owner), for a change in zoning from the Agriculture (A1) Zone and Conservation / Hazard Land – Rural (P6) Zone to the Agriculture (A1, 642) Zone and Conservation / Hazard Land – Rural (P6, 642) Zone to prohibit the construction of a single detached dwelling and residential care facility and to permit a reduced lot size for the agricultural parcel, as required by conditions of approval for Consent to Sever application GL/B-17:114, for the lands located at 3600 Guyatt Road as shown on Appendix “A” to Report PED19154, be APPROVED on the following basis:
 - (i) That the draft By-law, as amended, attached as Appendix “B” to Report PED19154, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the amending By-law, as amended, be added to Schedule “C” – Special Exceptions of Zoning By-law No. 05-200; and,
 - (iii) That the proposed modification in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Greenbelt Plan (2017), and complies with the Rural Hamilton Official Plan (RHOP).

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

2. Applications for Official Plan Amendment and Zoning By-law Amendment for lands located at 2782 Barton Street East, Hamilton (PED19170) (Ward 5) (Item 8.2)

- (a) That Official Plan Amendment application UHOPA-19-01 by A.J. Clarke and Associates on behalf of LJM Developments Inc., Owner, to further modify Site Specific Policy UHN-23 to permit a residential density of 441 units per hectare, for lands located at 2782 Barton Street East, as shown on Appendix “A” to Report PED19170, be APPROVED on the following basis:
 - (i) That the draft Official Plan Amendment attached as Appendix “B” to Report PED170, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2014) and conforms to A Place to Grow Plan (2019);
- (b) That Zoning By-law Amendment application ZAC-19-001 by A.J. Clarke and Associates on Behalf of LJM Developments Inc., Owner, for a further modification to the “E-3/S-306b” (High Density Multiple Dwelling) District, Modified to permit a 244 unit mixed use building with a maximum height of 13 storeys on lands located at 2782 Barton Street East, Hamilton, as shown on Appendix “A” to Report PED19170, be APPROVED on the following basis:
 - (i) That the draft By-law, as amended, attached as Appendix “C” to Report PED19170, 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 “C” to Report PED19170, be added to District Map E123 of Zoning By-law No. 6593 as “E-3/S-306b”; and,
 - (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms with A Place to Grow Plan (2019) and will comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No.XX.
- (c) That the public submissions received did not affect the decision on this matter.

3. Application for Draft Plan of Subdivision for Lands Located at 70 Bobolink Road (Hamilton) (PED19163) (Ward 7) (Item 8.3)

- (a) That Draft Plan of Subdivision Application 25T-201902 by Cardinal Heights Development Corp., (Owners), to establish a Draft Plan of Subdivision to develop 54 semi-detached dwellings fronting on a new public road, on lands located at 70 Bobolink Road as shown on Appendix “A” to Report PED19163, be APPROVED, subject to the following conditions:
- (i) That this approval apply to the Draft Plan of Subdivision, 25T-201902, prepared by IBI Group and certified by S. Dan McLaren, O.L.S., dated December 11, 2018 (Revision 3, dated June 27, 2019), consisting of 54 lots for semi-detached dwellings (Lots 1-54) and a public road (Street ‘A’), subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions, as amended, attached as Appendix “D” to Report PED19163;
 - (ii) In accordance with the City’s Comprehensive Development Guidelines and Financial Policies Manual (2017) there will be no cost sharing for this subdivision, including the SWM facility requirements; and,
 - (iii) That Payment of Cash-in-Lieu or dedication of Parkland will be required, pursuant to Section 51 of the *Planning Act*, with the calculation for the payment to be based on the value of the lands on the day prior to the day of issuance of each building permit, all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-laws, as approved by Council.
- (b) That upon the approval of Draft Plan of Subdivision Application 25T-201902, the subject lands be re-designated from “Civic and Institutional” to “Single and Double” in the Bruleville Neighbourhood Plan; and,
- (c) That the public submissions received did not affect this matter.

4. Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 600 James Street North, Hamilton (PED19151) (Ward 2) (Item 8.4)

- (a) That Official Plan Amendment Application UHOPA-18-008 and Zoning By-law Amendment Application ZAC-18-024 by PM (600 James St N) Inc., be DENIED on the following basis:
- (i) The proposal represents an over intensification of the site and does not conform to the West Harbour (Setting Sail) Secondary Plan;

- (ii) The proposal does not provide for adequate parking;
 - (iii) The proposed height of the structure is inappropriate;
 - (iv) The proposed structure will have unacceptable shadow impacts; and,
 - (v) The proposal conflicts with the James Street North Mobility Hub Study.
- (b) That the written and oral submissions made with respect to this matter affected the decision by supporting the refusal of the applications;
 - (c) That in the event that the decision to deny is appealed to the Local Planning Appeal Tribunal, the City Solicitor be authorized to retain any necessary professional consultants, to be funded through the Tax Stabilization Reserve (110086); and,
 - (d) That the public submissions received respecting this matter supported the denial of the application.

5. Staging of Development Report 2019-2022 (PED19148) (City Wide) (Item 10.1)

That Report PED19148 respecting Staging of Development Report 2019-2022, be received.

6. EV Chargers in Hamilton Municipal Parking System Lots (PED18250(a)) (City Wide) (10.2)

- (a) That staff be directed to apply for a Natural Resources Canada Grant which funds up to 50% of the cost of Electric Vehicle Charging Stations, conditional on a minimum of 20 chargers being purchased;
- (b) That, if successful on the application, staff be directed to install 20 Electric Vehicle Chargers in selected Hamilton Municipal Parking System Lots, or other suitable locations, and that prior to installation, staff report back to the Planning Committee on locations and pricing structure, including what Hamilton's comparator municipalities are charging for the use of Electric Vehicle chargers; and,
- (c) That the estimated cost of \$252,000 for 20 chargers, after the 50% rebate, be funded through a combination of Ward Reserve funds and the Parking Reserve Account No. 108021;

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 John VanDuzer, Princess Bingo Sponsors Association, respecting Princess Bingo and cGaming (For the September 17th meeting)
- 6.2 Ward Thomas respecting Properties of Cultural Heritage Interest in Waterdown (For today's meeting)

2. PUBLIC HEARINGS / DELEGATIONS (Item 8)

- 8.3 Application for Draft Plan of Subdivision for Lands Located at 70 Bobolink Road (Hamilton) (PED19163) (Ward 7)

(b) Written Submissions:

- (i) Hamilton-Wentworth District School Board
- (ii) Jarett Brown

- 8.4 Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 600 James Street North, Hamilton (PED19151) (Ward 2)

(b) Registered Speakers:

- (i) Tracy Geddes

(c) Written Submissions:

- (i) Mark Easden
- (ii) Lachlan Holmes, Hamilton Forward
- (iii) Harbour West Neighbours Inc.
- (iv) North End Neighbourhood Association

3. NOTICES OF MOTION (Item 12)

- 12.1 Properties of Potential Cultural Heritage Interest in Waterdown

4. GENERAL INFORMATION/OTHER BUSINESS (Item 13)

- 13.2 On-going Noise By-law Violations

The agenda for the September 3, 2019 meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

None declared.

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

(i) August 13, 2019 (Item 4.1)

The Minutes of the August 13, 2019 meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) John VanDuzer, Princess Bingo Sponsors Association, respecting Princess Bingo and cGaming (For the September 17th meeting) (Added Item 6.1)

(a) The Delegation Request from John VanDuzer, Princess Bingo Sponsors Association, respecting Princess Bingo and cGaming, was approved for the September 17th meeting; and,

(b) Staff was directed to meet with John VanDuzer before the September 17th Planning Committee.

(ii) Ward Thomas respecting Properties of Potential Cultural Heritage Interest in Waterdown (Added Item 6.2)

The Delegation Request from Ward Thomas respecting Properties of Potential Cultural Heritage Interest in Waterdown, was approved for today's meeting, to be heard at this time.

(e) PUBLIC HEARINGS/DELEGATIONS (Item 8)

(i) Ward Thomas respecting Properties of Potential Cultural Heritage Interest in Waterdown (Added Item 6.2)

Ward Thomas addressed the Committee respecting Properties of Potential Cultural Heritage Interest in Waterdown.

The Delegation from Ward Thomas respecting Properties of Potential Cultural Heritage Interest in Waterdown, was received.

(ii) **Application to Amend the City of Hamilton Zoning By-law No. 05-200 for Lands Located at 3600 Guyatt Road, Glanbrook (PED19154) (Ward 11) (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.

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

The staff presentation was received.

John Ariens, IBI Group, was in attendance and indicated support for the staff report, and addressed the Committee.

The comments from John Ariens, IBI Group, were received.

Delegations:

- (i) Rick Katz, 1481 Fletcher Road addressed the Committee and expressed concerns with the proposal.

The delegations were received.

The public meeting was closed.

- (a) That all references to the Lot Size in Report PED19154, its Appendices and the By-law, be changed from “22 hectares” to read “21 hectares”; and,
- (b) That the recommendations in Report PED19154 be amended by adding the following sub-section (b):

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

For disposition of this matter, refer to Item 1.

(iii) Application for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 2782 Barton Street East, Hamilton (PED19170) (Ward 5) (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 and Zoning By-law Amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The public meeting was closed.

The staff presentation was waived.

Franz Kloibhofer, A.J. Clarke & Associates, was in attendance and indicated support for the staff report, and requested an additional amendment to the by-law.

The Draft By-law, attached as Appendix “C” to report PED19170, was amended by adding the following clause:

- (i) *Notwithstanding Section 18(a)(30) of Zoning By-law No. 6593, permeable pavers and other dustless, Low Impact Development surface materials will also be permitted.***

The recommendations in Report PED19170 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 2.

(iv) Application for Draft Plan of Subdivision for Lands Located at 70 Bobolink Road (Hamilton) (PED19163) (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 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.

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

The staff presentation was received.

Angela Bounamici, IBI Group, was in attendance and indicated support for the staff report, and addressed the Committee with the aid of a PowerPoint Presentation. A copy of the presentation is available through the Office of the City Clerk or online at www.hamilton.ca.

The presentation from Angela Bounamici, IBI Group, was received.

Delegations:

- (i) Jason Mattina, 10 Hummingbird Lane, addressed the Committee and expressed concerns with the proposal.
- (ii) Debbie Mattina, 81 Valridge Drive, addressed the Committee and expressed concerns with the proposal.

The delegations were received.

Written Submissions:

- (i) Hamilton-Wentworth District School Board (8.3(a))
- (ii) Jarett Brown (8.3(b))

The written submissions were received.

The public meeting was closed.

Staff were directed to meet with the Councillor and Applicant before the September 11, 2019 Council meeting, to look at the feasibility of a pathway to provide access from the park to Pauline Johnson Public School.

Special Condition No. 16 for Draft Plan of Subdivision Approval for 25T-201902, Appendix "D" to Report PED19163 was deleted in its entirety and replaced with the following:

16. That, **prior to preliminary grading and / or servicing**, the Owner shall submit to the City of Hamilton and/or the Ministry of the Environment, Conservation and Parks (MOECP), a signed Record of Site Condition (RSC), or Environmental Site Assessment(s) (ESA(s)) prepared by a qualified professional confirming that the subject site is suitable for the proposed development. The RSC or ESA(s) must be to the satisfaction of the Director of Planning and Chief Planner, including in the case of the RSC a notice of acknowledgement by the MOECP, and submission of the City of Hamilton's current RSC administration fee.

The recommendations in Report PED19163 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 3.

- (v) **Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 600 James Street North, Hamilton (PED19151) (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 Official Plan Amendment and Zoning By-law Amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Mark Kehler, 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.

David Falletta, Bousfields Inc., was in attendance and indicated support for the staff report and addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available through the Office of the City Clerk or online at www.hamilton.ca.

The presentation from David Falletta, Bousfields Inc., was received.

Delegations:

1. Tracy Geddes, 86 Oak Avenue, addressed the Committee and expressed concerns with the proposal.
2. Rob Fiedler, 78 Simcoe Street East, addressed the Committee and expressed concerns with the proposal.
3. Amy Rolfe, 2 Guise Street East, addressed the Committee and expressed concerns with the proposal.
4. Anthony Blanken, 24 Burlington Street, addressed the Committee and expressed concerns with the proposal.

The Delegations were received.

Written Submissions:

1. Mark Easden (8.4(c)(i))
2. Lachlan Holmes, Hamilton Forward (8.4(c)(ii))
3. Harbour West Neighbours (8.4(c)(iii))
4. North End Neighbourhood Association (8.4(c)(iv))

Petition:

1. Werner Plessl (21 names on petition)

The written submissions and petition were received.

A copy of the petition is available through the Office of the City Clerk.

The public meeting was closed.

The recommendations in Report PED19151, respecting Applications for Official Plan Amendment and Zoning By-law Amendment for lands located at 600 James Street North, Hamilton, were deleted in their entirety and replaced with the following:

- (a) ***That Official Plan Amendment Application UHOPA-18-008 and Zoning By-law Amendment Application ZAC-18-024 by PM (600 James St N) Inc., be DENIED on the following basis:***

- (i) The proposal represents an over intensification of the site and does not conform to the West Harbour (Setting Sail) Secondary Plan;*
 - (ii) The proposal does not provide for adequate parking;*
 - (iii) The proposed height of the structure is inappropriate;*
 - (iv) The proposed structure will have unacceptable shadow impacts; and,*
 - (v) The proposal conflicts with the James Street North Mobility Hub Study.*
- (b) That the written and oral submissions made with respect to this matter affected the decision by supporting the refusal of the applications;*
- (c) That in the event that the decision to deny is appealed to the Local Planning Appeal Tribunal, the City Solicitor be authorized to retain any necessary professional consultants, to be funded through the Tax Stabilization Reserve (110086); and,*
- (d) That the public submissions received respecting this matter supported the denial of the application.*

For disposition of this matter, refer to Item 4.

(f) DISCUSSION ITEMS (Item 10)

(i) Staging of Development Report 2019-2022 (PED19148) (City Wide) (Item 10.1)

Alvin Chan, Acting Manager, Legislative Approvals/Staging of Development, addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available through the Office of the City Clerk or online at www.hamilton.ca.

Alvin Chan noted a typographical error on page 3 of Report PED19148, indicating that the number of Draft Approved Plans of Subdivision anticipated for 2019 is twenty (20), not nineteen (19).

The presentation from Alvin Chan respecting Staging of Development Report 2019-2022, was received.

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

(ii) **EV Chargers in Hamilton Municipal Parking System Lots (PED18250(a)) (City Wide) (Item 10.2)**

The recommendations in Report PED18250(a), respecting EV Chargers in Hamilton Municipal Parking System Lots were amended by adding wording to sub-section (b), as follows:

- (b) That, if successful on the application, staff be directed to install 20 Electric Vehicle Chargers in selected Hamilton Municipal Parking System Lots, or other suitable locations, ***and that prior to installation, staff report back to the Planning Committee on locations and pricing structure, including what Hamilton's comparator municipalities are charging for the use of Electric Vehicle chargers; and,***

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

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

(i) **Properties of Potential Cultural Heritage Interest in Waterdown (Item 12.1)**

Councillor Partridge introduced the following Notice of Motion respecting Properties of Potential Cultural Heritage Interest in Waterdown:

WHEREAS, the following properties (henceforth referred to collectively as "the properties") are listed on the City's Heritage Inventory but have no formal protection from demolition under the *Ontario Heritage Act*:

- 289 Dundas Street East, Waterdown (Smith/Carson House);
- 341 Main Street North, Waterdown (Buchan/Rymal House);
- 29 Berry Hill Avenue, Waterdown (Finance House);
- 100 Sunnycroft Court, Waterdown (Gauld House);
- 265 Mill Street South, Waterdown (Cummer/Fraleigh House);
- 298 Dundas Street East, Waterdown (Maycock House);
- 10 First Street, Waterdown (Balgownie);
- 49 Main Street North, Waterdown (McGregor House);
- 8 Margaret Street, Waterdown (Reid House);
- 134 Main Street South (Former Wesleyan Methodist Parsonage); and,
- 340 Dundas Street East, Waterdown (Eager House);

WHEREAS, there is concern that the properties may be lost to demolition or subject to significant alterations prior to a full assessment of their cultural heritage value;

WHEREAS, including the properties on the Municipal Heritage Register as non-designated properties under Section 27(1.2) of the *Ontario Heritage Act* provides the properties with interim, 60-day protection from demolition; and,

WHEREAS, a preliminary evaluation of cultural heritage value or interest of the properties indicate they meet the criteria specified in *Ontario Regulation 9/06*, including but not limited to:

- Historical Associations – The properties are located in or adjacent to Waterdown’s historic core and are associated with people or industries potentially significant to the history, growth and development of the village. Through further research, the properties have the potential to yield additional information which may contribute to an historic or contemporary understanding of the community;
- Physical and Architectural Design – The properties can be considered representative examples of different eras of Ontario’s vernacular residential architecture, ranging from the mid-19th century to the early-20th century. The properties display architectural elements characteristic of various styles, including Gothic, Georgian, Regency, and Queen Anne. Through further research, the properties may be found to display high degrees of craftsmanship, artistic merit, or technical achievement; and,
- Contextual Value – The properties are important in defining the historic character of the Village of Waterdown and maintaining its historic fabric. Given their locations within and adjacent to Waterdown’s historic core, the properties are physically, visually, and historically linked to their surroundings. Through further research, the properties may be identified as local landmarks that contribute to our understanding of the development of the Waterdown community;

THEREFORE BE IT RESOLVED:

- (a) That the following properties be added to the City’s Municipal Heritage Register as non-designated properties, after consultation with the Hamilton Municipal Heritage Committee:
- 289 Dundas Street East, Waterdown (Smith/Carson House);
 - 341 Main Street North, Waterdown (Buchan/Rymal House);
 - 29 Berry Hill Avenue, Waterdown (Finance House);
 - 100 Sunnycroft Court, Waterdown (Gauld House);
 - 265 Mill Street South, Waterdown (Cummer/Fraleigh House);
 - 298 Dundas Street East, Waterdown (Maycock House);

- 10 First Street, Waterdown (Balgownie);
- 49 Main Street North, Waterdown (McGregor House);
- 8 Margaret Street, Waterdown (Reid House);
- 134 Main Street South (Former Wesleyan Methodist Parsonage);
and,
- 340 Dundas Street East, Waterdown (Eager House); and,

- (b) That Council direct Tourism and Culture staff to include the above noted properties as part of the ongoing Waterdown Village Built Heritage Inventory work associated with the Waterdown Community Node Secondary Plan study and bring forward potential heritage designations as part of the Built Heritage Inventory work.

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

(i) Outstanding Business List (Item 13.1)

- (a) Item 18K respecting Interim Plans for Pier 7 was transferred to the West Harbour Development Sub-Committee's Outstanding Business List; and,
- (b) The following changes to the Planning Committee Outstanding Business List, were approved:

Items to be Removed:

18P – EV Chargers in Hamilton Municipal Parking Lot Systems
(addressed as Item 10.2 on this agenda)

19O – Planning Applications Fees for Private Urban Boundary Expansion and Private Employment Lands Conversion Applications
(addressed as Item 7.4 on the August 13, 2019 agenda)

(ii) Ongoing Noise By-law Violations (Added Item 13.2)

Councillor Clark requested that By-law Enforcement staff be more proactive in enforcing Noise By-law violations at the Cause and Effect Restaurant, 1784 Stone Church Road East, Hamilton.

Councillor Johnson requested that By-law Enforcement staff be more proactive in enforcing Noise By-law violations at Marydale Park, 5999 Chippewa Road East, Mount Hope.

(i) ADJOURNMENT (Item 15)

There being no further business, the Planning Committee was adjourned at 3:20 p.m.

Councillor Maria Pearson
Chair, Planning Committee

Lisa Chamberlain
Legislative Coordinator
Office of the City Clerk



GENERAL ISSUES COMMITTEE REPORT 19-015

9:30 a.m.

Wednesday, September 4, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent: Councillor J. Partridge – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 19-015 AND RESPECTFULLY RECOMMENDS:

1. Relocation of Soletanche Bachy Canada from Pier 10 to Pier 15 (8.1)

That the appropriate City staff be directed to meet with representatives of the Hamilton-Oshawa Port Authority and other relevant parties to investigate any possible options that may assist in the relocation of Soletanche Bachy Canada from Pier 10 to Pier 15.

2. Sports, Entertainment and Convention Venues Review (PED18168(b)) (City Wide) (Item 9.1)

- (a) That the strategy outlined within the City of Hamilton Entertainment Venues Review, attached as Appendix “A” to Report 19-014 and confidential Appendix “B” to Report PED18168(b), be approved;
- (b) That the recommendations outlined in confidential Appendix “C” as amended, to Report PED18168(b) be approved;

- (c) That Appendix “A” to Report 19-014 and confidential Appendix “B” to Report PED18168(b), help to inform any Host City facilities strategy that staff consider when assessing the feasibility and potential benefits of a Hamilton bid for the 2030 Commonwealth Games; and,
- (d) That the entirety of Appendices “B”, “C” as amended, and “E” to Report PED18168(b) remain confidential and not be released as public documents.

3. Business Improvement Area Advisory Committee Report 19-008, August 13, 2019 (Item 10.1)

(a) Appointment of a Voting Member to the Keep Hamilton Clean & Green Advisory Committee (Item 10.3)

That Keri Jarvi, Downtown Hamilton BIA be appointed as a voting member of the Keep Hamilton Clean & Green Advisory Committee for the remainder of the 2018-2022 term.

(b) Waterdown Business Improvement Area Expenditure Request (Item 11.2)

That the expenditure request from the Waterdown Business Improvement Area in the amount of \$5,443.56 for the purchase and planting of 49 hanging baskets to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved.

(c) Coffee with Your Councillor Event (Item 11.1)

WHEREAS, local Councillors benefit from having insight into their local Business Improvement Areas; and,

WHEREAS, Business Improvement Area members and patrons benefit from having the opportunity to meet with their local Councillor;

THEREFORE, BE IT RESOLVED:

That staff be directed to make efforts to organize a one-hour ‘Coffee with your Councillor’ event at a Coffee Shop, with Councillors, in their respective Business Improvement Areas during Small Business Week (October 20 to 26, 2019).

4. Waiver of City Park Permit and Arena Facility Rental Fees for 2020 Winterfest Events (Item 11.1)

WHEREAS, Winterfest is a community-driven event that is facilitated by the City of Hamilton;

WHEREAS, community Winterfest event organizers are mostly volunteers with access to minimal budgets; and,

WHEREAS, the City of Hamilton would like to encourage broad community participation in the 2020 Winterfest events;

THEREFORE, BE IT RESOLVED:

That City park permit and arena facility rental fees for the 2020 Winterfest events, be waived.

5. Mount Hope Gateway Funding and Licence Agreement between the City of Hamilton and the Canadian Warplane Heritage Museum (Ward 11) (Item 11.2)

WHEREAS, the community of Mount Hope and the City of Hamilton have a historic association with aviation that continues today with the success of the Canadian Warplane Heritage Museum and the John C. Munro Hamilton International Airport;

WHEREAS, a landscape and sign gateway feature for Mount Hope is proposed for Upper James Street and Homestead Drive; and,

WHEREAS, the Canadian Warplane Heritage Museum has agreed to supply, install and maintain a historic airplane from their collection at the gateway site to be the central focus of the gateway design;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to establish a Mount Hope Gateway Project ID, to be funded up to \$100,000 from the Unallocated Capital Reserve Account No. 108020, in order to fund the final detail design and construction of an enhanced Mount Hope Gateway, including the supporting structure for and the installation and long-term maintenance of an airplane;
- (b) That, in order to consolidate project funding, staff be directed to transfer previously approved funding in the amount of \$182,000 from Annual

Community Downtowns and BIA Project ID 8201703706 to the newly established Mount Hope Gateway Project; and,

- (c) The Mayor and City Clerk be authorized and directed to execute a Licence Agreement and ancillary documents, between the City of Hamilton and the Canadian Warplane Heritage Museum, for the Canadian Warplane Heritage Museum to install and maintain a decommissioned airplane as part of a gateway feature for the community of Mount Hope at the north intersection of Homestead Drive and Upper James Street, with content acceptable to the General Manager of the Planning and Economic Development Department, in a form satisfactory to the City Solicitor.

6. Lease of 1104 Fiddler's Green Road (PED19159) (Ward 12) (Item 14.2)

- (a) That the direction provided to staff in Closed Session, respecting Report PED19159 – Lease of 1104 Fiddler's Green Road, be approved; and,
- (b) That Report PED19159, respecting the Lease of 1104 Fiddler's Green Road, remain confidential until such time as the Lease Agreement has been fully executed.

7. Pier 8 Development Agreement between the City of Hamilton and Waterfront Shores Corporation (PED14002(i)) (Ward 2) (Item 14.3)

- (a) That the direction provided to staff in Closed Session, respecting Report PED14002(i), regarding the Pier 8 Development Agreement between the City of Hamilton and Waterfront Shores Corporation, be approved; and,
- (b) That Report PED14002(i), respecting the Pier 8 Development Agreement between the City of Hamilton and Waterfront Shores Corporation, remain confidential.

8. Litigation Update, Motor Vehicle Accident (LS19032) (City Wide) (Item 14.4)

- (a) That the direction provided to staff in Closed Session, respecting Report LS19032, regarding a Litigation Update, Motor Vehicle Accident, be approved; and,
- (b) That Report LS19032, respecting a Litigation Update, Motor Vehicle Accident, remain confidential.

- 9. Potential Regulatory Litigation Update (PW19008(b)/LS19004(b)) (City Wide) (Item 14.5)**
- (a) That the direction provided to staff in Closed Session, respecting Report PW19008(b)/LS19004(b), regarding the Potential Regulatory Litigation Update, be approved; and,
 - (b) That Report PW19008(b)/LS19004(b), respecting Potential Regulatory Litigation Update, remain confidential and not be released as a public document.
- 10. Update re: Local Planning Appeal Tribunal appeals of Pier 6, 7 and 8 (LS19033(a)/PED19180(a)) (City Wide) (Item 14.6)**
- (a) That the direction provided to staff in Closed Session, respecting Report LS19033(a)/PED19180(a), be approved; and,
 - (b) That Report LS19033(a)/PED19180(a) and its appendices and recommendations remain confidential except as necessary to implement these recommendations at the discretion of the City Solicitor.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. COMMUNICATIONS (Item 5)

- 5.1 Correspondence from Ruth Cameron respecting the Delegation Requests submitted by from Paul Fromm (Item 6.2); and, Lisa Thompson (Item 6.3)

Recommendation: Be received and referred to the consideration of Items 6.2 and 6.3.

2. PRIVATE & CONFIDENTIAL (Item 14)

- 14.6 Update re: Local Planning Appeal Tribunal appeals of Pier 6, 7 and 8 (LS19033(a)/PED19180(a)) (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 September 4, 2019 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor M. Wilson declared an interest to Item 9.1, respecting Report PED18168(b) - Sports, Entertainment and Convention Venues Review, as her spouse's involvement or potential involvement, directly or through firms with which he is associated in negotiations that might arise as a result of the reports implementation.

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

(i) August 12, 2019 (Item 4.1)

The Minutes of the August 12, 2019 meeting of the General Issues Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

(i) Correspondence from Ruth Cameron respecting the Delegation Requests submitted by Paul Fromm (Item 6.2); and, Lisa Thompson (Item 6.3) (Item 5.1)

The correspondence from Ruth Cameron, respecting the Delegation Requests submitted by Paul Fromm (Item 6.2); and, Lisa Thompson (Item 6.3), was received and referred to the consideration of Items 6.2 and 6.3.

(e) DELEGATION REQUESTS (Item 6)

(i) Dr. James Quinn, respecting the Growing Risks of the Climate Emergency (For a future GIC) (Item 6.1)

The delegation request, submitted by Dr. James Quinn, respecting the Growing Risks of the Climate Emergency, was approved to appear before the General Issues Committee at a future meeting.

(ii) Paul Fromm, Canadian Association for Free Expression, respecting Demonstrations in Public Places (For a future GIC) (Item 6.2)

The delegation request submitted by Paul Fromm, Canadian Association for Free Expression, respecting Demonstrations in Public Places was denied.

(iii) Lisa Thompson, Hamilton Yellow Vest Group, respecting the Hamilton Yellow Vest Group and Clarity of Issues (For a future GIC) (Item 6.3)

The delegation request submitted by Lisa Thompson, Hamilton Yellow Vest Group, respecting the Hamilton Yellow Vest Group and Clarity of Issues was denied.

(f) CONSENT ITEMS (Item 7)

(i) Airport Sub-Committee Minutes 19-001, March 29, 2019 (Item 7.1)

The Airport Sub-Committee Minutes 19-001, March 29, 2019 were received.

(g) PUBLIC HEARINGS / DELEGATIONS

(i) Ian Hamilton, Hamilton-Oshawa Port Authority Update (Item 8.1)

Ian Hamilton, of the Hamilton-Oshawa Port Authority (H-OPA), addressed Committee and provided an update respecting the H-OPA.

The presentation provided by Ian Hamilton of the Hamilton-Oshawa Port Authority (H-OPA), respecting the H-OPA was received.

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

For further disposition of this matter, please refer to Item 1.

(ii) Brody Robinmeyer, respecting the Climate Emergency (Item 8.2)

Brody Robinmeyer, addressed Committee respecting the Climate Emergency.

The presentation provided by Brody Robinmeyer, respecting the Climate Emergency was received.

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

(h) STAFF PRESENTATIONS (Item 9)

(ii) Sports, Entertainment and Convention Venues Review (PED18168(b)) (City Wide) (Item 9.1)

Glen Norton, Director of Economic Development, addressed Committee respecting Report PED18168(b), Sports, Entertainment and Convention Venues Review, and introduced Zach Pendley, of Ernst & Young, who continued the presentation.

The presentation provided by Zach Pendley, of Ernst & Young, respecting Report PED18168(b), Sports, Entertainment and Convention Venues Review was received.

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

Consideration of Report PED18168(b), respecting the Sports, Entertainment and Convention Venues Review, was DEFERRED until after the Closed Session portion of the meeting.

Staff were also provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 2.

(i) **DISCUSSION ITEMS (Item 10)**

(i) **Business Improvement Area Advisory Committee Report 19-008. August 13, 2019 (Item 10.1)**

Information Item (e)(i), of the Business Improvement Area Advisory Committee Report 19-008, being a Motion respecting the Coffee with Your Councillor Event, was lifted from the table and added as Item 3 to Report 19-008 for consideration.

Item 3 to the Business Improvement Area Advisory Committee Report 19-008, respecting the Motion regarding the Coffee with Your Councillor Event, was amended by adding the words "***make efforts to***", to read as follows:

That staff be directed to ***make efforts to*** organize a one-hour "Coffee with your Councillor" event at a coffee shop with Councillors, in their respective Business Improvement Areas, during their small Business Week (October 20 to 26, 2019).

For disposition of this matter, please refer to Item 3(c) above.

(j) **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 removed:

(i) Sports, Entertainment and Convention Venues Review (Addressed as Item 9.1 on this agenda – Report PED18168(b))

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

(i) **Closed Session Minutes – August 12, 2019 (Item 14.1)**

(a) The Closed Session Minutes of the August 12, 2019 General Issues Committee meeting were approved; and,

- (b) The Closed Session Minutes of the August 12, 2019 General Issues Committee meeting shall remain confidential.

Committee moved into Closed Session respecting Appendices “B”, “C” and “E” to Item 9.1; and, Items 14.2 to 14.6, pursuant to Section 8.1, Sub-sections (c), (e), (f) and (k) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (c), (e), (f) and (k) of the *Ontario Municipal Act*, 2001; as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land for City purposes; litigation or potential litigation, including matters before administrative tribunals, affecting the City; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

(ii) Lease of 1104 Fiddler’s Green Road (PED19159) (Ward 12) (Item 14.2)

Staff were provided with direction in Closed Session.

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

(iii) Pier 8 Development Agreement between the City of Hamilton and Waterfront Shores Corporation (PED14002(i)) (Ward 2) (Item 14.3)

Staff were provided with direction in Closed Session.

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

(iv) Litigation Update, Motor Vehicle Accident (LS19032) (City Wide) (Item 14.4)

Staff were provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 8.

(v) Potential Regulatory Litigation Update (PW19008(b)/LS19004(b)) (City Wide) (Item 14.5)

Staff were provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 9.

(vi) Update re: Local Planning Appeal Tribunal appeals of Pier 6, 7 and 8 (LS19033(a)/PED19180(a)) (City Wide) (Item 14.6)

Staff were provided with direction in Closed Session.

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

(I) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee adjourned at 7:37 p.m.

Respectfully submitted,

T. Whitehead, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk

**City of Hamilton
Entertainment Venues Review
Final Report**
15 August 2019





Appendix "A" to Report PED18168(b)
Page 2 of 130

Confidential and Proprietary - Disclosure of this report to third parties is prohibited. It is intended to be used solely by the City of Hamilton.

This report is confidential and has been prepared to assist the City of Hamilton. Our report has not considered issues relevant to third parties. Any use a third party may choose to make of this report is entirely at its own risk.

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- 3 - https://en.wikipedia.org/wiki/FirstOntario_Concert_Hall#/media/File:FirstOntarioConcertHall.jpg
- 4 - <https://www.soundcheckentertainment.ca/kenny-chesney-in-hamilton/>
- 5 - <https://stadiumjourney.com/stadiums/firstontario-centre-s1196>



Table of Contents

- 1. Introduction..... 4
 - 1.1 About the Entertainment Venues Review 4
 - 1.2 Project Goals 5
 - 1.3 Structure of Final Report 5
- 2. Current State Assessment 6
 - 2.1 Facilities Summary 6
 - 2.2 Current Facility Utilization..... 8
 - 2.3 Current Financial Operating Assessment 13
 - 2.4 Capital Investment Requirements 16
 - 2.5 Baseline Economic Impact Analysis 19
- 3. Stakeholder Consultation..... 26
 - 3.1 Stakeholder Engagement Observations 26
 - 3.2 Public Engagement Surveying 29
- 4. Market Overview 31
 - 4.1 Hamilton Economic Outlook 31
 - 4.2 Entertainment Venue Competitive Landscape 33
 - 4.3 Entertainment Precinct Examples of Leading Practice 38
- 5. Needs Assessment 42
- 6. Entertainment Venue Options Analysis..... 46
 - 6.1 Status Quo Option 46
 - 6.2 Arena Renovation Option 47
 - 6.3 Entertainment Venue Renewal Option 50
- 7. Funding Model Assessment 56
 - 7.1 Sports and Entertainment Venue Case Studies: New Construction 56
 - 7.2 Convention Centre Case Studies: New Construction..... 58
 - 7.3 Municipal Contribution Offsets..... 59
 - 7.4 Local Economic Impact Analysis 61
 - 7.5 Follow-On Investment & Other Considerations..... 64
 - 7.6 Commonwealth Games Opportunity 67
- 8. Final Recommendation(s)..... 68
- Appendix A.....
- Appendix B.....
- Appendix C.....
- Appendix D.....
- Appendix E.....
- Appendix F.....



1. Introduction

1.1 About the Entertainment Venues Review

The City of Hamilton (the "City") owns a portfolio of Sports, Entertainment and Convention Venues, which include the FirstOntario Concert Hall, the Hamilton Convention Centre, and the FirstOntario Centre. Collectively, these facilities are referred to as the City's "Entertainment Venues."

As the Art Gallery of Hamilton is not under the direct control of the City, the facility is not considered one of the City's Entertainment Venues. However, as it is situated on City-owned land, it is a stakeholder in any discussion of potential adaptive reuse and redevelopment of adjacent Entertainment Venues.

The Entertainment Venues have served as the primary sports, entertainment and convention venues in Hamilton, providing a significant source of community use and enjoyment. Over the years this has included Canadian and international performances, major award shows, and sporting events which have acted as a catalyst to millions of attendees coming to the City. It is additionally acknowledged that these Entertainment Venues drive economic value to the City's restaurants, bars, retailers, and hotels.

After more than 30 years in operation, however, each facility is characterized by physical challenges that significantly limit its ability to serve today's market. (e.g. sub-optimal size, limited amenities, technical deficiencies) Additionally, the age of the facilities continues to create substantial, increasing levels of capital reinvestment and on-going municipal subsidy requirements.

To better position the City to respond to this challenge, Ernst & Young Orenda Corporate Finance Inc. ("EY" or "we") was engaged in June 2019 to undertake an Entertainment Venues Review.

With a primary objective of eliminating the City's annual subsidization of the Entertainment Venues, the overarching framework for this project is to provide Hamilton's City Council with an option analysis that assess various models to either:

- ▶ Incentivise the private sector to undertake the redevelopment and operation of any and/or all of the City's Entertainment Assets; or,
- ▶ Strategically invest or divest in any and/or all of the City's Entertainment Assets.

When assessing the viability of these options, priority is to be given to options which best:

- ▶ Maximize spin-off private investment in the downtown core; and,
- ▶ Those which best position the City to meet the objectives outlined in the Council approved, Economic Development Action Plan, Cultural Plan and Hamilton Tourism Strategy.



1.2 Project Goals

Guided by the Council-approved vision set out in the Downtown Secondary Plan, Economic Development Action Plan, Cultural Plan and Hamilton Tourism Strategy, the following goals were identified for the successful completion of this Entertainment Venue Review:

- ▶ Assess Hamilton’s Sports, Entertainment and Convention Centre facility needs, given the City’s size and position within the Southern Ontario marketplace.
- ▶ Consider the role that the existing FirstOntario Centre, FirstOntario Concert Hall, the Hamilton Convention Centre assets play in meeting Hamilton’s Sports, Entertainment and Convention Centre needs moving forward.
- ▶ Identify whether there is any added benefit in locating the City’s entertainment assets in a clustered, downtown precinct that includes residential and commercial development and how suitable the City’s existing entertainment asset sites are for the development of any such facility or facilities.
- ▶ Evaluate various models of ownership and/or divestment of entertainment facilities that have succeeded in comparable municipalities, with a focus on the estimated economic impact and cultural impacts, including but not limited to, both indirect and direct financial benefits each model could potentially provide to Hamilton.
- ▶ Assess deal structure models which will enable the City to opportunistically partner with and maximize contributions of private sector market participant(s) with the required experience and know-how to execute on the City’s preferred model.
- ▶ Determining optimal transaction processes that will enable the city to act in an appropriately commercial manner while contemplating the redevelopment of the Entertainment Venues criteria for assessing any unsolicited proposals the City may receive.
- ▶ Identify options to best engage citizens and community stakeholders in a future consultation process on any proposed opportunity.

1.3 Structure of Final Report

Section of Report	Outcome(s)
Current State Assessment	Conduct a comprehensive data-driven analysis to assess current facility utilization, event programming, financial operating environment and capital investment requirements.
Needs Analysis	Communicate qualitative observations on the Entertainment Venues from consultation with managers, tenants, investors, real estate developers, as well as the general public.
Market Overview	Inform recommendations for size and location of entertainment venues in Hamilton through an assessment of the competitive marketplace, and local real estate development trends.
Entertainment Venue Options Analysis	Identify and evaluate a series of potential options for the City to achieve the primary goal of on-going subsidy reduction.
Funding Model Review	Assess deal structuring and municipal land value contribution to inform recommended go-forward approach for Hamilton.
Final Recommendations	Present final recommendation(s) which include an implementation plan that considers timing, how to approach the market, and how to respond to unsolicited partnership requests.



2. Current State Assessment

2.1 Facilities Summary

FirstOntario Centre

Built in 1985, the FirstOntario Centre is a 17,400-seat multi-use sports and entertainment venue originally designed with the capacity to encourage an NHL franchise expansion to Hamilton. With flexible seating capacity, the facility may accommodate up to 19,000 seats for major concert events. In its current configuration, the FirstOntario Centre includes 9,000 Lower Bowl and 8,400 Upper Bowl seats, in addition to 12 premium boxes situated around the upper perimeter of the Lower Bowl. The facility has one (1) main concourse entrance and Food & Beverage ("F&B") offering which together serve both the Upper and Lower Bowls. The facility can also accommodate up to 117,000 sf of exhibit space. Based on information provided to EY, the deferred maintenance for capital repairs on items which have reached or exceeded their reasonable service life is estimated at over \$34 million.

The facility is currently home to the Hamilton Bulldogs Ontario Hockey League ("OHL") franchise and the Hamilton Honey Badgers Canadian Elite Basketball League ("CEBL") franchise. It is currently managed by Spectra Venue Management ("Spectra"), in partnership with Live Nation.

The FirstOntario Centre is situated at the corner of Bay Street North and York Boulevard in downtown Hamilton, with adjacent land uses identified in Figure 1 below. Its main point of access is Bay Street North, with no direct connection to adjacent developments or public spaces such as Jackson Square.

Figure 1 - FirstOntario Centre Adjacent Land Uses¹



- | | | |
|--|---|------------------------|
| A Federal Government Office Tower | F Philpott Memorial Church (Vacant Site) | Jackson Square Terrace |
| B Standard Life Centre Office Tower | G Philpott Memorial Church | |
| C Sheraton Hotel | H Salvation Army Men's Shelter | |
| D Jackson Square Mall | I Retail Strip Mall | |
| E Hamilton Public Library/Farmer's Market | J Low-rise Commercial Building | |

¹ Developed with Geographic Information System ("GIS") and EY research.



FirstOntario Concert Hall

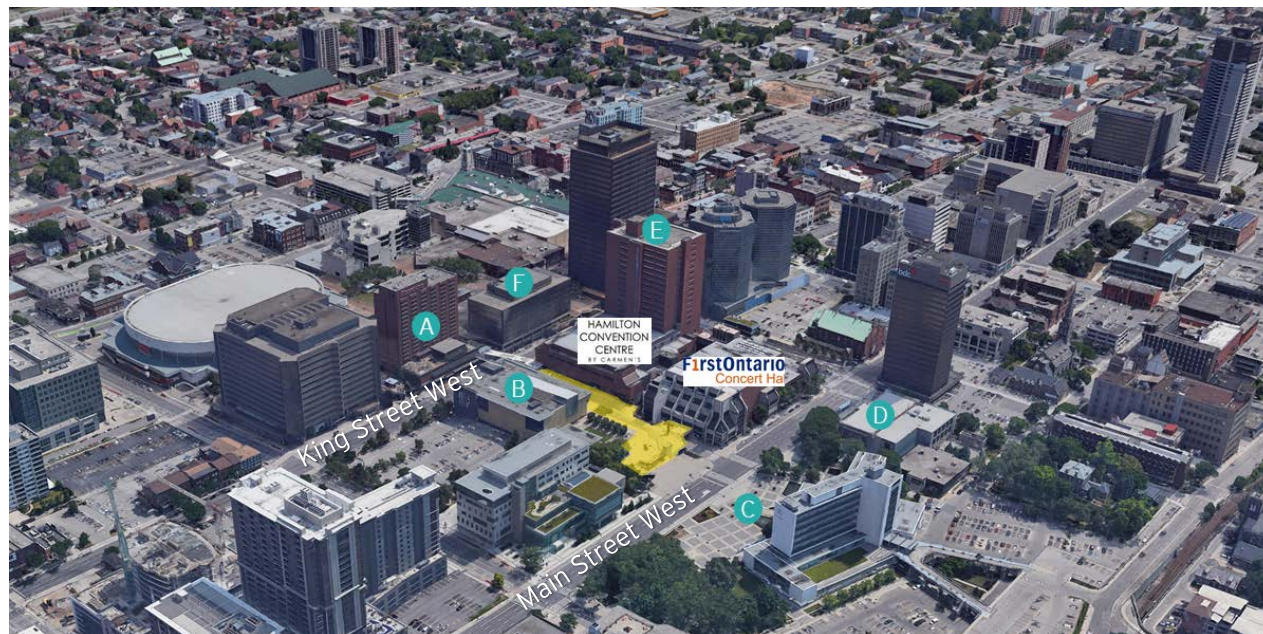
First opened in 1973, the FirstOntario Concert Hall is a multi-use music, performing arts and events venue which is comprised of two (2) spaces; the Great Hall, with a capacity of 2,193 seats and the Studio, with a capacity of 350 seats. The spaces share an entry concourse with F&B offering and may often be used together with the Studio supporting larger events in the Great Hall. Noted for its strong acoustic qualities, the Great Hall has delivered a wide range of musical and theatrical performances while the Studio acts as a setting for more intimate, local concerts, other live performances and film production. The facility is home to the Hamilton Philharmonic Orchestra.

The FirstOntario Concert Hall is situated adjacent to Main Street West across from City Hall, with adjacent land uses as outlined in Figure 2 below. It's main point of entry is the below-grade Summers Lane entryway, which connects to a municipal parking garage. While the entrance provides some animation to the street front corner, there is limited connectivity to the adjacent Commonwealth Square.

Hamilton Convention Centre

First opened in 1981, the Hamilton Convention Centre was one of Ontario's original purpose-built convention facilities with several competing venues built shortly thereafter. Spread across three (3) levels, it offers a total rentable area of approximately 54,000 sf which, comprised of 20,000 sf of exhibit/conference space, 20,000 sf of ballroom space and 14,000 sf of meeting and break-out rooms. The facility benefits from a direct overpass connection to the Hamilton Sheraton Hotel. The Hamilton Convention Centre is situated adjacent to the FirstOntario Concert Hall, with the building's northern brick facade fronting along King Street West, with adjacent land uses outlined in Figure 2 below.

Figure 2 - FirstOntario Concert Hall / Hamilton Convention Centre Adjacent Land Uses²



- A Sheraton Hotel
- B Art Gallery of Hamilton
- C City Hall
- D Heritage Courthouse
- E Government Office Tower
- F Jackson Square Mall
- Commonwealth Square

² Developed with GIS and EY research.



2.2 Current Facility Utilization

To establish a baseline level of demand for the City's Entertainment Venues, different approaches may be employed for the arena and conference facilities. An analysis of the 2018 event breakdown and average per-seat event attendance will be considered relative to historical performance for arena venues. Conference facility utilization is typically conducted by considering utilization relative to industry benchmarks, coupled with an assessment of the key event segments driving facility revenues.

FirstOntario Centre

Using data provided to EY by Spectra, in Table 1 below we have presented a summary breakdown of the events and revenue for 2018. From this data, the following major observations were identified:

- ▶ With a capacity of 17,400, in 2018 the average per-event facility utilization rate was 28% where 13 of the 98 events held required the use of the Upper Bowl seating.
- ▶ With the Hamilton Bulldogs and Hamilton Honey Badgers as the facility's lead tenants, total attendance at their events in 2018 represented approximately one-third of the total attendance with per-event attendance of 3,429. On average, non-sporting events draw a per-event average attendance of 6,377 in 2018, which is 85% larger than the facility's anchor tenant.
- ▶ From an income perspective, cultural programming such as major concerts, Disney on Ice, and Cirque du Soleil are the major drivers of Direct Event Income at the facility, with 87% of the total income. Major concerts and Disney on Ice alone contribute 67% of the Direct Event Income.
- ▶ From our discussions with industry stakeholders, we understand that a pre-negotiated agreement with the Hamilton Bulldogs provides the organization with greater revenue-share and control of ticket sales relative to other comparable markets. As such, the current facility manager budgets for an annual operating loss for Regular Season Hockey Event Income.³

Table 1 - FirstOntario Centre 2018 Event Breakdown

2018 FirstOntario Event Attendance & Income by Type						
Event Type	Count	Attendance	Income	Avg. Attendance	Avg. Income ⁴	
Regular Season Hockey	34	102,394	-\$97,105	3,012	-\$0.95	
Major Concerts	9	97,228	\$1,279,183	10,803	\$13.16	
Disney on Ice & Marvel	16	78,351	\$549,065	4,897	\$7.01	
Hockey Playoffs	12	55,110	\$15,056	4,593	\$0.27	
Cirque Du Soleil	7	29,710	\$195,069	4,244	\$6.57	
Religious	4	27,000	\$44,517	6,750	\$1.65	
Monster Jam	2	21,762	\$118,610	10,881	\$5.45	
Minor Concerts	4	21,601	\$114,518	5,400	\$5.30	
Stars on ice	1	14,745	\$131,459	14,745	\$8.92	
Special Events	2	14,635	\$244,307	7,318	\$16.69	
Community Events	2	12,000	\$35,484	6,000	\$2.96	
Consumer Shows	2	6,660	-\$14,990	3,330	-\$2.25	
Misc. Sports	2	4,240	\$73,449	2,120	\$17.32	
Globetrotters	1	3,671	\$45,160	3,671	\$12.30	
2018 Total / Avg.	98	489,107	\$2,733,782	4,991	\$5.59	

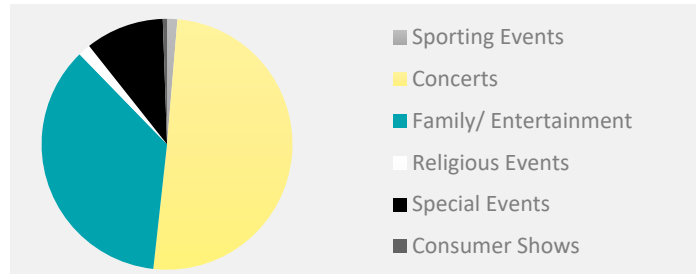
³ Other non-operating income (e.g. naming rights) depend greatly on the facility's aggregate attendance level.

⁴ Includes Direct Event Income and F&B Operating Income, Facility Fees, and Ancillary Income for Spectra.



Figure 3 - 2018 FirstOntario Centre Event Income Composition

To further demonstrate the 2018 Direct Event Income composition at FirstOntario Centre, segmented data has been presented in Figure 3 where it is evident that Concerts, Family/Entertainment and Special Event segments driving nearly all of the Direct Event Income.



In terms of how the 2018 event schedule compared to previous years' performance, EY has considered the historical event breakdown from 2013 to 2018 in Table 2. Based on our assessment, we feel this data provides the evidence to suggest that recurring market demand for a wide variety of programming in the Hamilton market exists, with cultural segments of event programming seeing the largest growth.

Table 2 - FirstOntario Centre Historical Event Breakdown (2013 - 2018)

FirstOntario Centre Historical Event Breakdown (2013 - 2018)						
Event Classification	2013	2014	2015	2016	2017	2018
Sporting Events	32	40	42	41	41	49
Family/Entertainment	12	23	20	18	19	26
Concerts - Full House	5	5	3	9	6	9
Concerts - Half House	5	7	6	5	3	4
Religious Events	2	1	0	0	0	4
Special Events	3	3	4	1	1	4
Consumer Shows	0	0	0	0	2	2
Total Events	59	79	75	74	72	98

From our assessment of this historical data, the following major observations have been identified that may be further referenced throughout this Entertainment Venues Review, including:

- ▶ The utilization of the FirstOntario Centre is naturally impacted in any given year by the performance of the Hamilton Bulldogs. Should they advance to the playoffs, the average per-seat attendance at their games increases dramatically and additional games are held. As a lead tenant, the Hamilton Bulldogs represent a stable attendee base driving overall attendance at the facility which can create cross-promotional and advertising opportunities.
- ▶ Since Spectra assumed management of FirstOntario Centre in 2013, there has been a considerable, recurring increase in both the number of events and average non-sporting per-event attendance, particularly in for Concerts and Family/Entertainment event segments.
- ▶ Acknowledging that 2013 was a turnover year in the management of the FirstOntario Centre, EY further considered data for the 2008 - 2010 period, where an average annual event count of 85 occurred.
 - Despite these somewhat higher total event counts from 2008 - 2010, it is worth noting that the average per-event attendance for Concert Events was 7,305 during this period, which is 25% less than the 2018 average of 9,140. The total number of Concert Events also decreased by nearly 50% over the 2008-2010 period.



- ▶ The decline in half-house concerts over the 2013 - 2018 period we understand may result in part from current management’s approach to balancing the promotion of the Great Hall as a desirable alternative to holding smaller-sized shows at the FirstOntario Centre, potentially opening up the schedule for larger, more profitable events.
- ▶ Acknowledging the record performance in 2018 and the ability of current management to outperform both its own historical performance and the historical performance of the previous facility manager, we feel the 2018 event schedule provides a valuable indication of expected market demand level for the Hamilton market in the current facility.

While the market demand for higher-order entertainment programming in Hamilton would appear to be growing, given the low utilization levels of the FirstOntario Centre we believe that a misalignment exists between market demand and the facility’s large capacity. Natural market growth, in our view, is unlikely to create sufficient demand to ensure on-going commercial viability.

Based on the growth in demand for the highest revenue-generating segments of programming, we do however believe that sufficient market demand does exist to support a “right-sized” facility over the long-term.

FirstOntario Concert Hall

Using data provided by Spectra, in Table 3 and Table 4 we have tabulated the 2018 event and revenue breakdowns for the Great Hall and Studio spaces, which include summary observations.

Table 3 - FirstOntario Concert Hall 2018 Event Breakdown (Great Hall)

Great Hall 2018 Event Breakdown					
Event	Events	Attendance	Revenue	Avg. Attendance	Avg. Income
Concerts	23	32,592	\$313,994	1,417	\$9.63
Graduations	21	27,093	\$99,494	1,290	\$3.67
Mix Family Shows	14	21,600	\$261,627	1,543	\$12.11
HPO Symphony	10	15,395	\$88,970	1,540	\$5.78
Performing Arts	11	13,344	\$109,513	1,213	\$8.21
Dance recitals	10	10,385	\$85,099	1,039	\$8.19
Comedy	6	10,054	\$107,293	1,676	\$10.67
Broadway	6	9,339	\$39,095	1,557	\$4.19
Dance Competitions	4	3,862	\$102,888	966	\$26.64
Religious	2	3,278	\$13,227	1,639	\$4.04
Misc. Other	4	1,910	\$21,432	478	\$11.22
Total Events	111	148,852	\$1,242,632	1,341	\$8.35

- ▶ In 2018, the variety of programming offering in the Great Hall is demonstrated by the facility’s event composition; Performing Arts (24%), Concerts (21%), Graduations (19%), and Family Shows/Entertainment (18%) all had similar proportions of total events in 2018.
- ▶ In addition to the number of events across categories, viable demand is demonstrated across segments through comparable average per-event utilization. Performing Arts (67%), Concerts (67%), Family/Entertainment (75%) and Graduations (61%) all have reasonably strong average per-event facility utilization rates.



- ▶ With a capacity of 2,193, the facility had an average per-event utilization rate of 61%, with 38 selling over 75% of seats. The facility’s lead tenant had an average per-event facility utilization of 70%, with many of their performances being sold out at capacity.
- ▶ The Direct Event Income for the Great Hall is largely split among four (4) segments of programming, including Family Show/Entertainment (30%), Concerts (25%), Performing Arts (19%) and Dance-Related Rentals (15%).

Table 4 - FirstOntario Concert Hall 2018 Event Breakdown (Studio)

The Studio 2018 Event Breakdown					
Event	Events	Attendance	Revenue	Avg. Attendance	Avg. Income
Theatre & Concerts	23	5,298	44,568	230	\$8.41
Misc. Other	14	1,793	13,725	128	\$7.65
Performing Arts	3	251	1,902	84	\$7.58
Total Events	40	7,342	60,195	184	\$8.20

- ▶ With a capacity of 350, the average per-event utilization of the Studio space was 52%, with concerts routinely performing above the 75% event utilization marker.
- ▶ As performing arts performances will often include specialized stage design, the actual capacity for individual events can differ and may skew the overall per-event utilization.
- ▶ It is also acknowledged that the Studio space often may be considered a valuable marketing tool for events in the Great Hall. For example, staging areas for graduations or awards ceremonies and more intimate pre and post-show performances may take place but may not be recorded as a ticketed event for the Studio.

In terms of how the 2018 utilization compares to the historical performance, further data from Spectra identified in Table 5 provides event segmented data from 2013 to 2018 for both the Great Hall and Studio.

Table 5 - 2014-2018 FirstOntario Concert Hall Historical Event Breakdown

2014-2018 FirstOntario Concert Hall Historical Event Breakdown (Great Hall & Studio)					
Event Classification	2014	2015	2016	2017	2018
Concerts	41	40	41	43	46
Graduation	17	17	21	20	21
Family Show/Entertainment	28	18	15	18	26
Performing Arts	19	14	14	16	20
Dance-Related	15	13	13	12	14
Misc. Other	13	8	9	14	17
Religious	3	3	1	1	2
Total Events	136	113	114	124	146

- ▶ Based on this data, we can see that over the 5-year period, 2018 recorded the highest overall number events at the FirstOntario Concert Hall. With some fluctuation, since 2013 there would appear to an overall general upward trajectory in the utilization of the FirstOntario Concert Hall.

- ▶ From 2014, volumes of Concerts, Graduations, Family Shows/Entertainment and Performing Arts have all contributed somewhat equally to the growth in the overall facility utilization, providing evidence of broad market demand from a variety of programming offered.

Based on the per-event attendance levels at the FirstOntario Concert Hall, we would consider the facility to be "right-sized" for this market. As both the number of events and per-event utilization demonstrate historical growth across a variety of event segment types, demand fundamentals exist to augment the facility's future on-going commercial viability.

Hamilton Convention Centre

Comparing utilization rates across convention centres can often be challenging as the approach used can vary across facilities. However, industry-wide data typically identifies a benchmark of 60% utilization as representing near-capacity given the seasonality of events and move-in/move-out days.

The current operator of the Hamilton Convention Centre, Carmen's Group, tracks utilization based upon the number of days per year in which the facility holds events. Using this methodology, the Hamilton Conference Centre has experienced average utilization of 57% for 2017 and 2018. Using this methodology, the current utilization would appear to be nearing full capacity.

While acknowledging the frequency of events being in line with industry-wide benchmark utilization, under this methodology we would note that it is challenging to understand the total amount and type of space being rented, driving the convention centre's overall business. We were unable to assess key drivers of revenue-generation with no segmented financial data available. Carmen's Group additionally provided EY with a historical breakdown of events by segment from 2014 - 2015, which is provided in the table below.

Table 6 - Hamilton Convention Centre Historical Event Summary (2014 - 2017)

Hamilton Convention Centre Historical Event Summary (2014 - 2017)				
	2014	2015	2016	2017
Other ⁵	46	48	52	52
Galas	22	25	24	28
Conferences/Conventions	23	28	26	24
Meetings	25	28	26	21
Trade Shows	6	12	12	10
Weddings	6	10	10	8
Total Events	128	151	150	143

- ▶ In terms of the event composition, the proportion of traditional conference-style events held at the Hamilton Convention Centre (e.g. conferences, trade shows, meetings) has decreased to 38% in 2018 from a 3-year historical average of approximately 43%.
- ▶ The "Other" segment, which accounts for over 35% of all events, includes facility rental uses which are not typically representative of a conference centre business, such as school formals and dance competitions. It is further noted that this is the only event segment which has seen consistent, recurring growth at the Hamilton Conference Centre from 2014 - 2018.

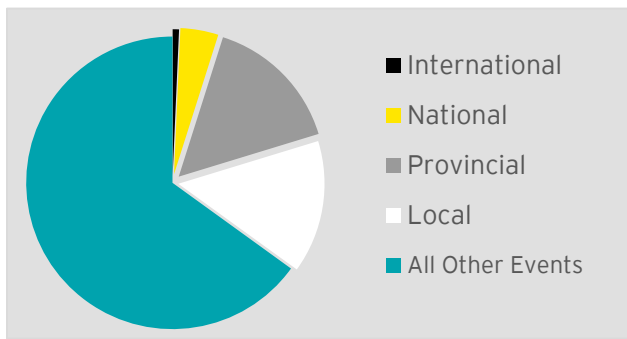
⁵ Includes dance competitions, school formals, exams, room rental, holiday parties, graduation, and special events.



The economic rationale for conference centre investment is driven by the associated economic, civic, and tourism benefits to the local economy. While later sections of the report will discuss the market viability and building design limitations which impact marketability of the existing facility, the historical analysis of events based on geographic origin would suggest these desired outcomes may not align to the current drivers of business today for the Hamilton Convention Centre.

EY reviewed the Carmen's Group 2018 annual report, which identified the specific 22 conferences, 8 trade shows, and 13 special events for the year. This segment of 43 events represents 30% of all events held, but is often considered the key driver of local economic impact and tourism spending, subject to area of geographic origin. Based on our assessment of the 43 events, we identified the following breakdown:

Figure 4 - Breakdown of 2018 Conference, Trade Show, and Special Events by Geographic Origin



With 30% of all events held at the facility representative of traditional conference business, only 20% are assumed to be driving local tourism and economic spending given geographic area of origin as a provincial, national, or international event. This would be proportionately lower than other more traditional conference centres who would see higher numbers of provincial, national, or international events.

In discussion with Tourism Hamilton, we were provided with additional data pertaining to lost traditional conference business which resulted from scheduling challenges with other more local events being held at the facility. Since 2016, the City has been unable to bid on 13 provincial/national conferences which would have booked over 6,600 room nights due to scheduling conflicts with local events.

The breakdown of events by geographic origin data at the Hamilton Convention Centre would not appear to be drawing significant international, national, or provincial business to support local economic impact generation. The marketing efforts to draw this type of business may be limited by scheduling conflicts with the facility's more local events business.

2.3 Current Financial Operating Assessment

The following section of the report summarizes the 2018 operating environment for each of the facilities, comparing the current operations to comparable facilities where data is available.

FirstOntario Centre & FirstOntario Concert Hall

Outlined below in Table 7 are the 2018 operating statements for the FirstOntario Centre and FirstOntario Concert Hall, which are collectively subject to a management agreement with Spectra. The following material terms of the agreement should be noted:

- ▶ The City is required to guarantee a minimum annual net loss of \$1.4 million to Spectra, which is split at 70% and 30% for the City and Spectra, respectively with any operational surplus credited. In addition, Spectra is provided with a base management fee of \$450,000.
- ▶ The City is also responsible for covering a utility subsidy equal to \$1.2 million per year, the 2011 cost of utilities. Spectra is responsible for any additional costs above this amount.
- ▶ The City is responsible for all capital costs while Spectra is responsible for all operating costs.



Table 7 - 2018 Spectra Operating Statements

Spectra 2018 Management Operating Statements			
	FOC	FOCH	Combined
Direct Event Income	\$738,627	\$651,088	\$1,389,715
Net Ticketing Revenue	\$779,075	\$276,971	\$1,056,046
Facility Fees	\$437,790	\$224,853	\$662,643
Suite Revenue	\$28,152	\$541	\$28,693
Ancillary Income	\$750,137	\$149,354	\$899,491
Total Event Income	\$2,733,781	\$1,302,807	\$4,036,588
Other Income	\$613,450	\$185,527	\$798,977
Total Income	\$3,347,231	\$1,488,334	\$4,835,565
Indirect Expenses	\$2,897,194	\$1,914,638	\$4,811,832
Net Operating Income (loss)	\$450,037	-\$426,304	\$23,733
Proportionate Management Fee	(\$401,538)	(\$48,462)	(\$450,000)
Proportionate Net Loss Subsidy	(\$261,196)	(\$31,524)	(\$292,720)
Proportionate Utility Subsidy	(\$1,070,769)	(\$129,231)	(\$1,200,000)
Net City Proceeds	(\$1,283,467)	(\$635,520)	(\$1,918,987)

For the 2018 operating year, the estimated total subsidy which the City will be contributing to the operation of these venues is approximately \$1.9 million, a \$680,000 decrease from the 4-year average subsidy of \$2.6 million. Solid operating results have contributed to this reduction, including an increase of 47 events across both venues, increased revenue from large shows (e.g. BTS) and an approximate \$200,000 indirect expense savings. In 2018, an operating profit of \$23,788 was recorded while a 2018 (\$807,726) operating loss was budgeted for.

For the previous 5-year period from 2013-2017, the City contributed a total operating subsidy of nearly \$12.5 million, or \$2.5 million per year. In Table 8, the impact to the City's operating subsidy on changes in the level of cultural programming may be seen.

Table 8 - FirstOntario Centre Event Breakdown & Net Subsidy Impact

Impact of Event Segment to City's Operating Subsidy						
	2013	2014	2015	2016	2017	2018
Sport	32	40	42	41	41	49
YoY		25%	5%	-2%	0%	20%
Cultural	27	39	33	33	31	49
YoY		44%	-15%	0%	-6%	58%
Subsidy	\$2,166,667	\$2,616,000	\$2,616,000	\$2,616,000	\$2,616,000	\$1,918,987

As per-ticket income for cultural programming are significantly greater than OHL sport events in Hamilton, Hamilton Bulldog's attendance levels are less impactful to reducing the City's net subsidy, creating the need for more cultural programming. This may be exacerbated in Hamilton with the City's current management agreement with Spectra and revenue-sharing agreement with the Hamilton Bulldogs.



To consider the relative financial performance of the FirstOntario Centre operations to comparable facilities, Budweiser Gardens, London ON and Scotiabank Place, Halifax NS were considered. As few direct comparable venues exist, considering these facilities are both situated in similar-sized markets, have a similar mix of sport and non-sport event programming, and neither of which house a national, professional-level sports franchise (e.g. NHL, NBA, MLB), they represent reasonable comparisons.

- ▶ Relative to FirstOntario Centre, both of the comparable venues' operating structure is highly differentiated by their higher "Other Income" which includes premium box sales, naming rights and other promotional and/or advertising revenue streams.
- ▶ Budweiser Gardens, which has a greater proportion of cultural events than Scotiabank Place, would collect great "Other Income" due to higher premium box and cross-promotional sales within this event segment.
- ▶ The outsized expenses relative to income at FirstOntario Centre, we feel, further demonstrates the mis-alignment between operating costs of the current facility given its capacity and the relative income potential of a facility with similar design attributes.

Table 9 - FirstOntario Centre Relative Financial Performance

FirstOntario Centre	\$/Seat		Budweiser Gardens	\$/Seat		Scotiabank Place	\$/Seat	
Total Capacity	17,400		9,500		10,595			
Event Income	\$2,733,781	\$157	\$2,603,645	\$274	\$3,300,000	\$254		
Other Income	\$613,450	\$35	\$3,718,498	\$391	\$3,600,000	\$277		
Total Income	\$3,347,231	\$192	\$6,322,143	\$665	\$6,900,000	\$531		
Expenses	\$4,560,527	\$262	\$6,319,745	\$665	\$6,896,982	\$531		

While both Budweiser Gardens and Scotiabank Place would appear to operate on a nearly "net-even" basis, municipal revenues are collected from lease payments and/or facility fees.

In a hypothetical arena facility of 10,000, event income based on the current level of demand would be aligned on a per-seat basis to these comparable arena facilities. With additional revenue drivers such as enhanced F&B, premium box seating and promotional partnerships, a similar operating environment would likely be achieved as other commercially viable venues.

Despite the best efforts and recent successes of the current management, we would expect a net operational subsidy for the City to continue for the foreseeable future in the current facility.

Acknowledging the operating losses at the FirstOntario Concert Hall, the venue's per-event utilization and revenues are reasonably strong under a "right-sized" facility size of 10,000, an event income of \$273 based on demand today would be comparable to facilities identified.



Hamilton Convention Centre

Outlined in Table 10 are the Carmen’s Group 2018 and 2017 operating statements, which highlight the organization operates at net profit, while also providing the City with a \$165,000 annual utility subsidy.

Table 10 - 2018 Carmen’s Group Operating Statement

2018 Carmen’s Group Operating Statement		
	2018	2017
Sales	\$3,813,605	\$3,420,733
Other Income		\$125,000
Event Costs	\$1,392,407	\$1,416,862
Corporate Expenses	\$2,272,189	\$1,965,274
Net Earnings Before Income Tax	\$149,009	\$163,597

From an operational perspective, the 2018 and 2017 financial data illustrates the capacity of the Carmen’s Group to run a successful commercial operation in the existing Hamilton Conference Centre.

Given the on-going, annual reduction in the City subsidy from 2013 - 2016, and the net contribution to the City in 2017 and 2018 from a utility subsidy, we would assume that the agreement with Carmen’s Group in the existing facility will continue to provide a net operating benefit to the City for the foreseeable future.

As we explore more fully in Section 4, given the unique event breakdown at this facility, limitations would exist in any comparative analysis of financial performance to other conference facilities.

2.4 Capital Investment Requirements

While Sections 2.3 and 2.4 have focused on identifying the baseline, current utilization and financial operating environment for the three (3) entertainment venues, capital investment requirements are an additional critical point of consideration. As municipal assets ranging from 34 to 46 years old, the remaining economic life of these facilities is constrained by a series of mechanical, structural, and commercial considerations.

With a currently budgeted annual capital spend for all three (3) Entertainment Venues of \$800,000, funding levels are insufficient to support the renewal of key systems, requiring staff to manage these systems on run-to-fail basis. To estimate the baseline level of additional capital investment required to sustain the Entertainment Venues in their current form, EY employed the following methodology.

FirstOntario Centre

Using the City information report dated 7 December 2018 and entitled “Capital Lifecycle Renewal - FirstOntario Centre Brine Lines and Ice Plant Safety”, a series of staff-recommend capital investment items have been identified in Table 11 as part of a 5-year budget outlook to 2024 and have been used to inform our analysis of baseline capital investment requirements for FirstOntario Centre, which have been reviewed by City capital planning staff.



Table 11 - FirstOntario Centre Baseline 5-Year Capital Budget

FirstOntario Centre 5-Year Capital Budget - Total Hard & Soft Cost Estimates						
	2019	2020	2021	2022	2023	2024
Brine Lines	\$730,000	\$6,570,000				
Roof		\$700,000	\$6,300,000			
Mechanical			\$1,500,000	\$6,750,000	\$6,750,000	
AODA					\$500,000	\$4,500,000
Annual Total	\$730,000	\$7,270,000	\$7,800,000	\$6,750,000	\$7,250,000	\$4,500,000
5-Year Total	\$34,300,000					

FirstOntario Concert Hall & Hamilton Convention Centre

Using the 2016 V2PM Facility Capital Planning Reports (“V2PM Report(s)”) provided to EY, order of magnitude investment requirements are presented based on a 5-year timeframe from 2016. These reports present three (3) investment options for each facility based upon progressive levels of criticality, with Priority 1 being the highest priority items. Priority 1 recommendations have been identified as “systems that have reached the end of their service life or beyond. In some cases, these items risk catastrophic failure for the entire facility.”⁶ In developing a current estimate of capital investment requirements, EY considered the Priority 1A investment option presented in the V2PM Reports, and calculated a Remaining Priority Capital Balance.

This calculation uses the Priority 1A 5-Year investment requirements identified in the V2PM report and subtracts the total capital investments made in these venues since 2016. Using this calculation, a 5-year allocation from 2019-2024 has been calculated. While we acknowledge that the variable nature of capital investment planning, this analysis is intended to act as a proxy that identified the investments which will be required to ensure the on-going operation of these Entertainment Venues.⁷ For detail on assumptions employed in developing the following Remaining Priority Capital Balance Calculations and 5-year 2019 budgets identified on the following page in Table 12, with further details in Appendix A.

It should also be noted that while outside of the scope of our analysis, additional capital requirements for the Commonwealth Square, Summer’s Lane, and Pedestrian Bridge connection to the Hamilton Convention Centre may also require consideration. The FirstOntario Concert Hall and Hamilton Convention Centre both have building egresses integrated into these three (3) structures.

⁶ V2PM, *Facility Capital Planning Reports, Section 1.2.2.2 - Priority Definitions*. (1 December 2016)



Table 12 - FirstOntario Concert Hall & Hamilton Convention Centre Estimated 2019 5-Year Priority Capital Budgets

FirstOntario Concert Hall							
Remaining Priority Capital Balance Calculation							
2016 V2PM Hard Cost Estimate							\$5,704,003
Soft Cost Assumption							\$1,996,401
Design/Scope Variability Contingency							<u>\$1,140,801</u>
2016 Total 5-Year Capital Requirement							\$8,841,205
2016 Total 5-Year Capital Requirement							\$8,841,205
2016-2019 Capital Spent							<u>\$875,708</u>
Remaining Balance (\$2016)							\$7,965,497
Remaining Balance (\$2019)							\$8,831,489
5-Year Capital Budget - Total Hard & Soft Costs							
	2019	2020	2021	2022	2023	2024	
Annual Estimate	\$1,471,915	\$1,471,915	\$1,471,915	\$1,471,915	\$1,471,915	\$1,471,915	\$1,471,915
Hamilton Convention Centre							
Remaining Priority Capital Balance Calculation							
2016 V2PM Hard Cost Estimate							\$5,189,183
Soft Cost Assumption							\$1,816,214
Design/Scope Variability Contingency							<u>\$903,922</u>
2016 Total 5-Year Capital Requirement							\$7,909,319
2016 Total 5-Year Capital Requirement							\$6,102,287
2016-2019 Capital Spent							<u>\$2,299,882</u>
Remaining Balance (\$2016)							\$3,802,515
Remaining Balance (\$2019)							\$4,035,259
5-Year Capital Budget - Total Hard & Soft Costs							
	2019	2020	2021	2022	2023	2024	
Annual Estimate	\$672,543	\$672,543	\$672,543	\$672,543	\$672,543	\$672,543	\$672,543

Using the baseline capital budgets, aggregate summary costs has been provided for in Table 13.

Table 13 - Baseline Aggregate 2019 5-year Capital Budget Estimates

Aggregate 5-Year 2019 5-Year Capital Budget Estimates							
	2020	2021	2022	2023	2024	2025	
FOC	\$730,000	\$7,270,000	\$7,800,000	\$6,750,000	\$7,250,000	\$4,500,000	
FOCH	\$1,471,915	\$1,471,915	\$1,471,915	\$1,471,915	\$1,471,915	\$1,471,915	
HCC	\$1,036,568	\$1,036,568	\$1,036,568	\$1,036,568	\$1,036,568	\$1,036,568	
Annual Total	<u>\$3,238,482</u>	<u>\$9,778,482</u>	<u>\$10,308,482</u>	<u>\$9,258,482</u>	<u>\$9,758,482</u>	<u>\$7,008,482</u>	

Total Capital Requirement \$49,350,894



While contemplating various investment and/or divestment options for the City's Entertainment Venues, the total capital investment required to sustain the current assets in their current working order is a material consideration, estimated at nearly \$50 million over the medium-term. Once these capital investments are made, additional on-going lifecycle maintenance will be required. The City is currently under-investing based on the Canadian Infrastructure Report Card requirements.

The level of investment required to continue operating venues which may not necessarily align to their intended use and/or cannot operate in a financially sound manner may be balanced against the net, additional cost of a major renovation and/or relocation.

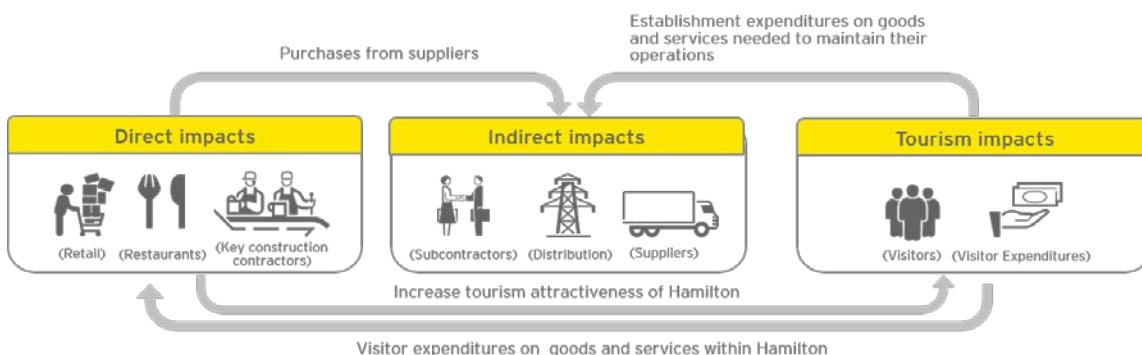
It should also be noted that these estimates exclude any additional capital investment which may be required to the Commonwealth Square and Summer's Lane parking garage

2.5 Baseline Economic Impact Analysis

To derive the potential economic impacts associated with the Hamilton Convention Centre, the FirstOntario Centre and the FirstOntario Concert Hall (collectively the "Entertainment Assets"), EY carried out a comprehensive economic impact assessment ("EIA") using national accounts data from Statistics Canada, operational and capital expenditure data from key stakeholders, estimated tourism expenditures and combined it with our own proprietary economic modeling tools and techniques. Specifically, these impacts are captured through two distinct channels, which includes both direct and indirect impacts. More intuitively, we define each of these impacts as follows:

- ▶ **Direct impacts** include the "incremental" economic impacts supported directly by the capital, operational, and tourism expenditures associated with the Hamilton Convention Centre, the FirstOntario Centre and the FirstOntario Concert Hall. These impacts represent "value-added" contributions to the economy and include, for example, the monies spent on renovations for the three facilities or wages paid to employees. In terms of tourism impacts, direct impacts would be measured by the output, value-added, wages and jobs created as a result of visitor expenditures on goods and services such as hotels, restaurants, bars, etc.
- ▶ **Indirect impacts** include the economic impacts from business activities supporting the operations of the Hamilton Convention Centre, FirstOntario Centre and the FirstOntario Concert Hall, as well as establishments in which visitors spend their money. The indirect impacts include, among other things, the impacts from suppliers' spending when purchasing goods and services from other suppliers in the area. For the three facilities, this could include expenditures by general contractors on goods and services such as lumber, equipment and labour. For tourism, this would include the money restaurants spend on suppliers for their goods, such as food wholesalers, etc.

Figure 5 - Illustrative Example of Direct & Indirect Economic Impact Interconnectedness





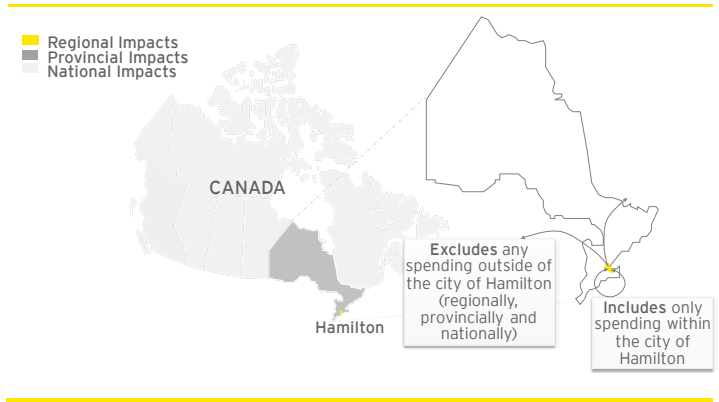
The Model

To calculate the economic impacts, EY employed the use of a static I-O model. This method was selected due to its flexibility in providing a reliable, cost efficient way to assess the regional impacts associated with the three entities within the City of Hamilton. For tourism related impacts, a slight adjustment to the model was made, which is discussed in further detail in Appendix B.

Specifically, the model translates direct impacts into indirect impacts, which collectively define the total economic impacts generated by the three facilities within the City of Hamilton. These impacts are measured in term of the following economic indicators:

- ▶ **Gross Output:** The total economic activity of new goods and services because of activities occurring within a particular area (i.e., City of Hamilton). This is a broader measure of the economy in comparison to GDP;
- ▶ **Gross Domestic Product ("GDP"):** GDP, or local value added, is a measure of the value of all final goods and services produced in a specific region;
- ▶ **Wages or labour income:** A component of the local value-added that measures total employee compensation and proprietor income; and
- ▶ **Full-time equivalent employment ("FTEs"):** This refers to the total number of employee jobs that are converted to full-time equivalence based on the average full-time hours worked.

Figure 6 - Example of Regional Economic Impacts



To ensure that the most reliable estimates are provided, provincial multipliers supplied by Statistics Canada have been adjusted to the regional level using a methodology first proposed by Flegg et al. (1995). For a description of this methodology, please refer to Appendix B.

Capital and Operational Expenditure Descriptions

A brief description of the operational expenditures ("OPEX") and capital expenditures ("CAPEX") associated with Hamilton's entertainment assets are described below. In working with key stakeholders, EY was able to obtain and derive approximate CAPEX and OPEX for years 2018 through 2024. These approximations formed the basis of our analysis in assessing the current state of the Entertainment Assets.

Operational Expenditures

Data on general OPEX from key stakeholders was collected. OPEX refer to the day-to-day maintenance and administrative costs associated with running a business and include line items such as professional fees, wages & salaries and travel expenses, etc.



Specifically, OPEX can be categorized into the following manner:

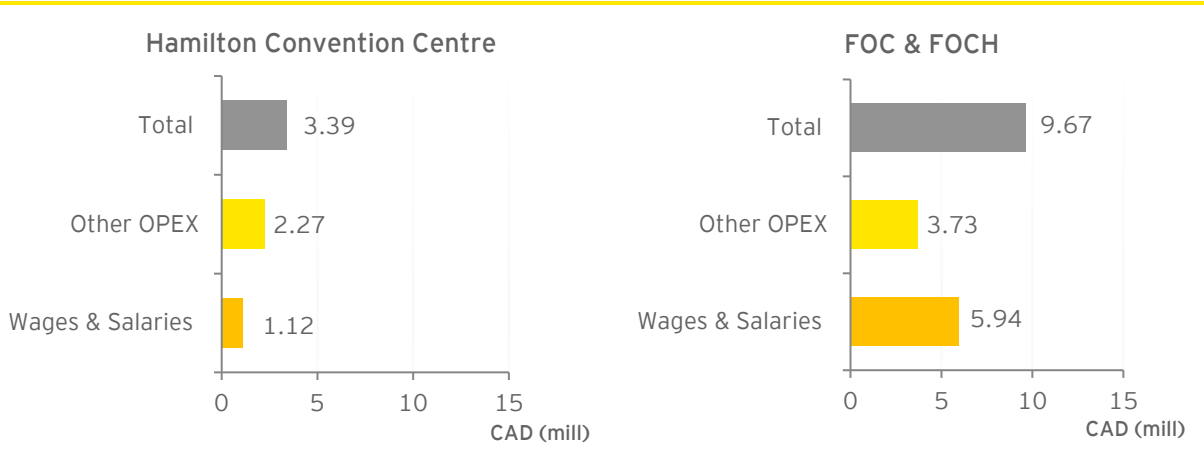
- ▶ **Fixed Costs:** costs that do not change over time and must be paid regardless of the business' activities or performance. An example of this would be rent fees for a facility. Other examples of fixed costs include overhead costs, insurance, and equipment costs.
- ▶ **Variable Costs:** costs that vary (i.e., change) over time with production. The relationship between variable costs and production is positively correlated, indicating that as production increases so too do these costs. Examples of variable costs include raw input material costs, payroll, utilities, etc.
- ▶ **Semi-Variable or Semi-Fixed Costs:** costs that have criteria which satisfy both variable and fixed costs. These costs vary in part with increases or decreases in production, but still exist when production is zero.

Since there is little change in OPEX from year-to-year, our analysis is specifically focused on OPEX which occurred within the 2018 fiscal year ("FY"). As a result, OPEX impacts can be interpreted as sustainable annual contributions to the local economy, indicating that they are to be maintained in every subsequent year from the selected base year (i.e., from 2018 onwards).

Operational Spending of Entertainment Assets

Total OPEX for the Entertainment Assets for 2018 was approximately CAD \$13 million. In particular, the Hamilton Convention Centre spent approximately CAD \$1.12 million (~33%) on wages and salaries, while the remaining CAD \$2.27 (~67%) in OPEX was spent on other expenses such as utilities, professional fees, travel expenses, etc. Likewise, for the FOC and FOCH, approximately 61% of all OPEX for the year were spent on salaries for both day-to-day and event staff, while the remaining 39% was on other items.

Figure 7 - Entertainment Assets Operational Expenditures



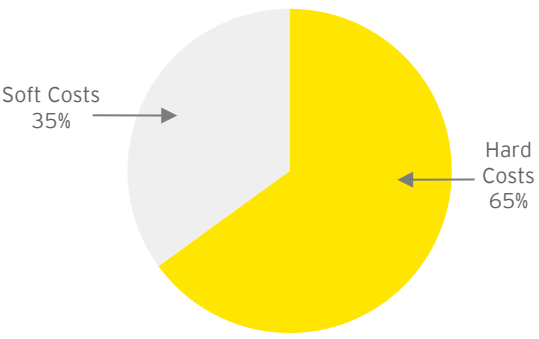
Notes: Numbers have been rounded and are in millions. Figures represented in 2015 dollars.
Sources: Stakeholder data and EY calculations.



Capital Expenditures

CAPEX for the Hamilton Convention Centre, FirstOntario Centre and the FirstOntario Concert Hall were also collected. CAPEX refers to funds used to acquire, upgrade, and maintain physical assets such as property, buildings, technology and equipment, etc. A breakdown of CAPEX for each entertainment asset is described below and covers a period from 2018 to 2024 and can be interpreted as a one-time shock to the local economy. Moreover, based on key stakeholder documentation, for years 2018 through 2024, 35% of total CAPEX is assumed to be used towards soft related costs, while the remaining 65% is allocated towards hard related costs.

Figure 8 - Hard Versus Soft Costs for Entertainment Assets

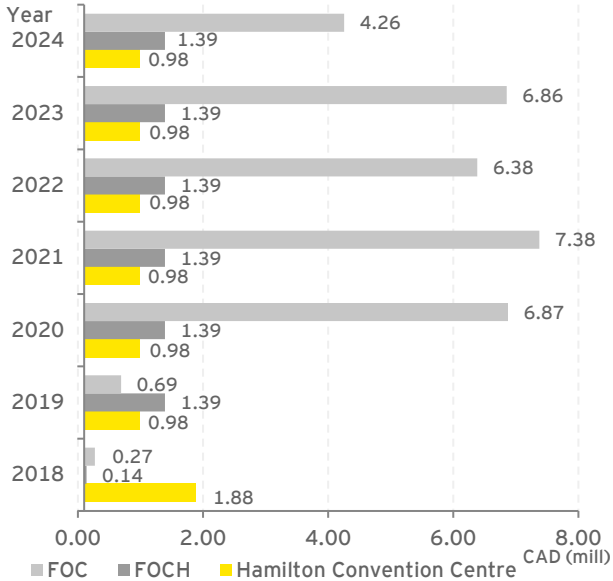


Notes: Percentages apply to all entertainment assets, which includes the Convention Centre, FirstOntario Centre and the FirstOntario Concert Hall.
Sources: Stakeholder data and EY assumptions.

Capital Spending of Entertainment Assets

Total CAPEX for the Hamilton Convention Centre, FirstOntario Centre and the FirstOntario Concert Hall from 2018 to 2024 are estimated to be CAD \$7.76 million, CAD \$32.70 million and CAD \$8.48 million respectively. The life cycle and distribution of these expenditures are displayed in Figure 9. The life cycles and distribution of expenditures have been determined based on EY assumptions and key stakeholder data. For the FirstOntario Centre, the distribution and timeline of expenditures follows those outlined in the "Capital Lifecycle Renewal-FirstOntario Centre Report". Likewise, for both the FirstOntario Concert Hall and Hamilton Convention Centre, the distribution of expenditures assumes that all unused CAPEX funds allocated to priority-1 items from the facilities Capital Plan Reports would be used in equal amounts across years 2019-2024. CAPEX for 2018 was derived from historical estimates provided by key stakeholders.

Figure 9 - Entertainment Assets Capital Expenditures







Notes: Numbers have been rounded and are in millions. Figures expressed in 2015 dollars.
Sources: Stakeholder data and EY calculations & assumptions.



Economic Impact Results

The total economic impacts associated with the operational and capital expenditures of the Entertainment Assets are displayed in **Table 15**.

Table 14 - Summary of Economic Impacts

				
Impact	FTEs	Wages (\$ mn)	GDP (\$ mn)	Output (\$ mn)
OPEX				
Hamilton Convention Centre	26	1.30	2.50	4.08
FOC and FOCH	96	6.63	8.71	11.61
Total	122	7.93	11.21	15.69
CAPEX				
Hamilton Convention Centre	44	3.32	4.15	8.53
FOC	185	13.98	17.48	36.00
FOCH	48	3.63	4.54	9.34
Total	277	20.93	26.17	53.87

Notes: Figures for wages, GDP and output are in millions and 2015 dollars. Numbers have been rounded and were derived from operational expenditures in 2018 and capital expenditures from 2018 to 2024. Impacts are the sum of direct and indirect impacts associated with each entertainment asset. CAPEX FTE impacts are measured in ("Person-Year") FTE jobs.

Sources: Stakeholder data and EY calculations.

Results suggest that the operational expenditures associated with the Hamilton Convention Centre are expected to sustain CAD \$4.08 million in gross output, CAD \$2.50 in GDP, CAD \$1.30 million in labour income and 26 FTE jobs. For the FirstOntario Centre and FirstOntario Concert Hall, these amounts equate to CAD \$11.61 million in gross output, CAD \$8.71 million in GDP contributions, CAD \$6.63 million in labour income and 96 FTE jobs within the City of Hamilton.

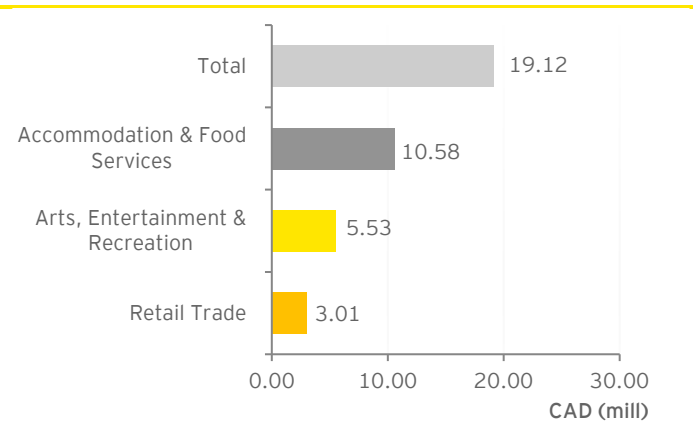
CAPEX results suggest that the Hamilton Convention Centre is expected to generate CAD \$8.53 million in gross output, CAD \$4.15 million in GDP, CAD \$3.32 million in labour income and 44 person-year FTE jobs from 2018 to 2024. For the FirstOntario Concert Hall, from 2018 to 2024, CAPEX is expected to contribute CAD \$9.34 million in gross output, CAD \$4.54 million in GDP, CAD \$3.63 million in labour income and 48 person-year FTE jobs. Finally, CAPEX associated with the FirstOntario Centre are anticipated to generate CAD \$36.00 million in gross output, CAD \$17.48 million in GDP, CAD \$13.98 million in labour income and 185 person-year FTE jobs.



Tourism Expenditure Impacts

Tourism impacts associated with the three entities are displayed in Table 16. Like operational impacts, barring any significant change in visitor spending, the impacts can be interpreted as sustaining in nature. To calculate these impacts, EY relied on the use of in-house proprietary economic modeling tools, EY subject matter personnel, various benchmarking techniques and credible industry and academic related reports. Specifically, EY obtained estimates related to visitor expenditures within the City of Hamilton on goods and services such as accommodations (e.g. hotels), F&B, retail (i.e., shopping), entertainment, attractions and transportation, etc. related to the Entertainment Assets.

Figure 10 - Aggregate Estimated Tourism Spending for The Entertainment Assets



Notes: Numbers have been rounded and are in millions. Figures represented in 2015 dollars and at basic prices.
Sources: Stakeholder data and EY calculations.

These expenditures were then categorized into appropriate sectors relevant to the tourism industry, which in this case includes the retail trade, arts, entertainment and recreation and accommodation & food services industries. Figure 10 presents an aggregate breakdown of the estimated tourism expenditures for the Entertainment Assets by tourism sector for the City of Hamilton.

With regards to the reported expenditures in Figure 10, Table 16 displays the total spending associated with the Entertainment Assets separately for each respective tourism sectors mentioned.

Table 15 - Tourism Sector Expenditures by Asset

Tourism Sector	Convention Centre	FOC/FOCH
Accommodation & Food Services	2.29	8.29
Arts, Entertainment & Recreation	1.61	3.92
Retail Trade	0.52	2.49
Total	4.42	14.70





Notes: Figures represented in millions, 2015 dollars and basic prices.
Sources: Stakeholder data and EY calculations

These figures formed the basis of our analysis in calculating the tourism impacts in Table 17. It should be noted that the spending estimates are based on our understanding that the Hamilton Convention Centre is primarily used for local events and typically attended by local residents and have a minimal impact on the local accommodation industry. This assertion is reaffirmed based on discussions with representatives from the local hotel industry.

Using the constructed regional multipliers, along with the tourism input-output ("I-O") model discussed in, EY was able to derive estimated tourism impacts as they relate to gross output, GDP, labour income and full-time equivalent jobs for the City of Hamilton.



Table 16 - Summary of Tourism Expenditure Impacts

				
Impact	FTEs	Wages (\$ mn)	GDP (\$ mn)	Output (\$ mn)
Hamilton Convention Centre	36	1.31	1.81	5.30
FOC and FOCH	124	4.48	6.13	17.60
Total	160	5.79	7.94	22.90

Notes: Figures for wages, GDP and output are in millions, 2015 dollars and at basic prices. Numbers have been rounded. Impacts reflect those from estimated visitor related expenditures associated with the Hamilton Convention Centre, FirstOntario Centre and the FirstOntario Concert Hall within the City of Hamilton.

Sources: Stakeholder data and EY calculations.

Results from **Table 17** suggest that tourism related expenditures associated with the Hamilton Convention Centre contribute approximately CAD \$5.30 million in gross output for the City of Hamilton, along with CAD \$1.81 million in GDP and CAD \$1.31 million in labour income. Moreover, these estimated tourism expenditures sustain approximately 36 full-time equivalent jobs annually.

Likewise, estimated tourism expenditures related to both the FirstOntario Centre and the FirstOntario Concert Hall generate CAD \$17.60 million in gross output, CAD \$6.13 million in GDP and CAD \$4.48 million in labour income for the City of Hamilton. Similarly, 124 FTE jobs are expected to be sustained annually as a result of these expenditures. Given the magnitude of these expenditures, they are likely to cause some level of economic benefit in areas within close proximity to the City of Hamilton.

Using a similar methodology to calculate tourism impacts within the City of Hamilton, EY was also able to determine potential impacts from tourist spending within the City of Hamilton to the greater Hamilton Metropolitan Area.⁸ It should be noted however that these estimated tourism impacts should be interpreted with care and consideration, as the tourism I-O model used to derive these estimates is subject to numerous limitations and assumptions. For additional limitations and assumptions imposed on the tourism I-O model please see Appendix B.

⁸ Results suggest that the impacts realized in surrounding areas may be up to CAD \$900,000 dollars on gross output, CAD \$400,000 for GDP, CAD \$200,000 for labour income and 20 full-time equivalent jobs.



3. Stakeholder Consultation

The facility utilization and financial operating analysis presented in Section 2 provide data-driven support to preliminary observations of the current level of need or demand for the on-going operation and subsidy of the City’s Entertainment Venues. In this section we focus on a more qualitative analysis, communicating the results of stakeholder engagement as part of this Entertainment Venues Review.

Through direct engagement with facility operators, tenants, real estate developers, investors, city staff, and prominent local business organizations, while particular challenges were identified, an overall degree of alignment in a shared vision for the potential of Entertainment Venues to further contribute to the City’s landscape was encouraging. In addition to the various City departments (e.g. Planning, Tourism, Urban Renewal, Recreation), outlined below are the select external stakeholders with whom we spoke⁹:

- ▶ Hamilton Philharmonic Orchestra
- ▶ Carmen’s Group
- ▶ Live Nation
- ▶ Hamilton 100
- ▶ Hamilton Honey Badgers
- ▶ Equal Parts Hospitality
- ▶ International Village BIA
- ▶ Hamilton Bulldogs management/ownership
- ▶ Spectra
- ▶ Art Gallery of Hamilton
- ▶ Downtown Hamilton BIA
- ▶ District Energy
- ▶ The Other Bird Hospitality
- ▶ Art Gallery of Hamilton

In addition to direct engagement with key stakeholders, a public engagement survey was conducted to better identify broader themes of the value the City’s Entertainment Venues bring to Hamilton.

3.1 Stakeholder Engagement Observations

Over the course of our engagement with City, direct discussions with key stakeholders were held through informal in-person meetings and via teleconference. The general intent of these discussions was to enable an open dialogue where views on the current state of each Entertainment Venue could be shared, and discussions around the role of these facilities might play in the future development of Hamilton. For reporting purposes, the feedback received has been summarized outlined below¹⁰:

Entertainment Venue Review: Summary of Key Stakeholder Engagement Observations	
FirstOntario Centre	
▶	The facility’s capacity, flexibility and cost-effective production are competitive differentiators for promoting non-sporting events.
▶	The hanging and rigging capacity of the current roof are a significant limitation to host modern show productions, creating misalignment with the facility’s capacity.
▶	Overall fan experience would be considered “ok”, particularly for the hockey crowd.
▶	Due to several building deficiencies, the City’s 2018 Memorial Cup bid was lost, citing a lack of premium boxes, low-definition scoreboard, and mechanical issues with street/ice connection.
▶	Significant challenges exist with the current location include orientation to adjacent land uses (e.g. Salvation Army), proximity to parking, and lack street-level animation.

⁹ In addition to parties named, discussions were held with other prominent local real estate developers and owners.
¹⁰ These observations represent informal, unverified summary notes from discussions and may not reflect the views of EY.



Entertainment Venue Review: Summary of Key Stakeholder Engagement Observations

FirstOntario Centre

- ▶ The current facility is limited by its footprint and site design to dramatically improve the guest experience, again in part due to the orientation and connections to other key downtown areas.
- ▶ The size of the arena does not lend itself to "market sized" sporting events creating an undesirable fan and play experience that lacks the energy and excitement of other OHL arenas.
- ▶ Best-in-class arenas typically have a gathering space adjacent to the arena.

FirstOntario Concert Hall

- ▶ While the facility's notably strong acoustic qualities differentiate it from competitive facilities, the technology package available is a challenge for certain productions.
- ▶ Activation of the outside patio on the mezzanine level and a revitalized F&B offering are key priorities to improve facility marketability and improve guest experience.
- ▶ AODA is a major challenge, particularly with challenges to the only accessible vertical transportation from ground to mezzanine level.
- ▶ While 10 years ago the Great Hall would be considered oversized for performing arts, today shows selling out and demand is growing through

Hamilton Convention Centre

- ▶ Characterized by outdated aesthetics, challenging split-level layout with limited contiguous floor area, and loading dock capacity issues, significant functional issues exist in facility marketability.
- ▶ The shared loading dock with the FirstOntario Concert Hall creates challenges in managing the servicing of the building, particularly when large events are taking place.
- ▶ While the pedestrian bridge provides a valuable direct connection to the Sheraton Hotel, it is often inaccessible due to security concerns.
- ▶ The brick façade along King Street creates a "dark zone" on a key block in the downtown core.

Promoting Hamilton for Larger Cultural Programming

- ▶ A hypothetical "ideal state" would include a capacity of 15,000 in an arena-style facility with the appropriate hanging and rigging capacity to differentiate the facility from others in SW Ontario. Average size for comparable sports and entertainment venue is 10,000 but there is an emotional attachment to larger capacity. Budweiser Gardens, Place Bell, and Scotiabank Place are all comparable.
- ▶ Any segregation of sporting and non-sporting events into two (2) facilities would not support healthy commercial operations due to lost opportunities for ancillary revenue, naming rights, and other promotional sponsorships resulting from the aggregate attendance level at the facility.
- ▶ Opportunity to upgrade and animate Jackson Square may yield sponsorship opportunities.
- ▶ Ice is an important factor for both sporting and non-sporting events.
- ▶ With an unlikely displacement of two (2) professional franchise at Scotiabank Place (Toronto), scheduling will remain challenging. Hamilton benefits from shared media market as Toronto.
- ▶ Momentum in a proposed redevelopment if the FirstOntario Centre is closed for redevelopment may result in a material loss of business development momentum.
- ▶ Promoting Hamilton requires a "story" to draw artists, which promoters can offer with Hamilton's downtown renewal, local cultural scene, and young audience. Strategies to promote Hamilton include backfilling major tour dates and working with emerging artists with large audiences.
- ▶ Successful venues driven by fan experience with different zones for customers in different markets, all connected by technology.



Entertainment Venue Review: Summary of Key Stakeholder Engagement Observations

Hamilton as a Conference Destination

- ▶ Hamilton would likely not be considered as a city in the “conference business” as the constraints in the current facility do not lend themselves to conducting business in today’s conference market.
- ▶ While the tourism draw in Hamilton is strong with a great “story” to sell business, due to facility limitations it is often overlooked.
- ▶ Competitive centres situated in London, Winnipeg, Niagara Falls and to a lesser extent Halifax.
- ▶ Marketing challenges exist and business has been turned down due to scheduling challenges with non-conference events.
- ▶ A renewed conference facility would likely bolster capacity of tourism sector, particularly given the pipeline of new hotel supply.
- ▶ Good success through cross-selling FOCH as a multi-use venue, while FOC remains underutilized as a tradeshow facility.
- ▶ Success for a conference facility is directly tied to the immediate proximity (e.g. 800M radius) of hotels and local amenities.

Local Economic Impact

- ▶ While challenging to measure the local economic impact of programming at the three (3) venues, non-sporting events at FOC was consistently identified as the leading source of direct impact on the local businesses downtown.
- ▶ There is not notably strong economic impact benefit achieved from the City’s conference facility, even with respect to the local hotel community.
- ▶ Greater collaboration between the city and local hospitality groups was consistently identified as a challenge to fully capitalizing on local economic impact generation.

Deal Structure Component for Private-Sector Deal Partnership

- ▶ Unlikely to see private-sector led sports and entertainment venue development, but a potential financial contribution to a newly-built facility may be achieved
- ▶ Land contributions for revenue-generating uses (e.g. Hotels, Residential) would support private-sector participation.
- ▶ Land contribution value must be balanced with market development reality and site-level considerations (e.g. adjacent land uses).
- ▶ Ground leases limit development potential of residential condominiums, possibly impacting value.
- ▶ Parking revenue streams for both arena and conference facilities are critical to the commercial viability of operators.
- ▶ The City must consider potential redevelopment partner’s ability to finance development projects, and carefully consider opportunities available (e.g. density) that encourage responsible development.

Art Gallery of Hamilton

- ▶ The current 88,000 sf facility only provided the AGH with enough capacity to display approximately 60% of their nationally-significant collection.
- ▶ While the building envelope has been improved and the downtown location is a major asset, there is limited street front presence and significant interior mechanical and design limitations.
- ▶ Subject to terms, potential for the AGH to relocate into a provided-for newly-built, right-sized facility as part of a longer-term redevelopment of the City’s downtown lands.



3.2 Public Engagement Surveying

In addition to direct engagement with key stakeholders, the general public's input has been incorporated into this Entertainment Venues Review through an electronic public surveying tool. Actively marketing through the City's social media channels, the survey provided an opportunity to gain market-wide intelligence on the overall customer satisfaction for each of the venues, contribution to the quality of life in Hamilton, and the value of public subsidy.

Following a three-week engagement period, a total of 421 responded were recorded. A geographic representation and demographic summary of respondents has been provided in Figure 12 with key takeaways presented in Figure 11.

Figure 11 - Key Takeaways from Public Engagement Survey



Over 70% of respondents agree that the FirstOntario Centre, Art Gallery of Hamilton and FirstOntario Concert Hall are highly or extremely important to the quality of life in downtown Hamilton.



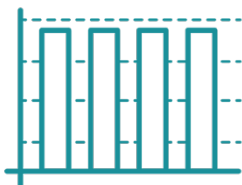
The FirstOntario Centre was the most utilized venue of all, with 40% of respondents visiting 5+ times per year, and 37% of respondents visiting between 1 - 5 times per year.



Key drivers of local economic impact, 56% and 47% of respondents responded "very likely" to supporting the City's local businesses while they attend events at the FirstOntario Centre and FirstOntario Concert Hall, respectively.



Respondents opinions of which venues should receive City financial support ranked the Art Gallery of Hamilton highest (61%), following by the FirstOntario Centre (58%), FirstOntario Concert Hall (57%), and Hamilton Convention Centre (38%).



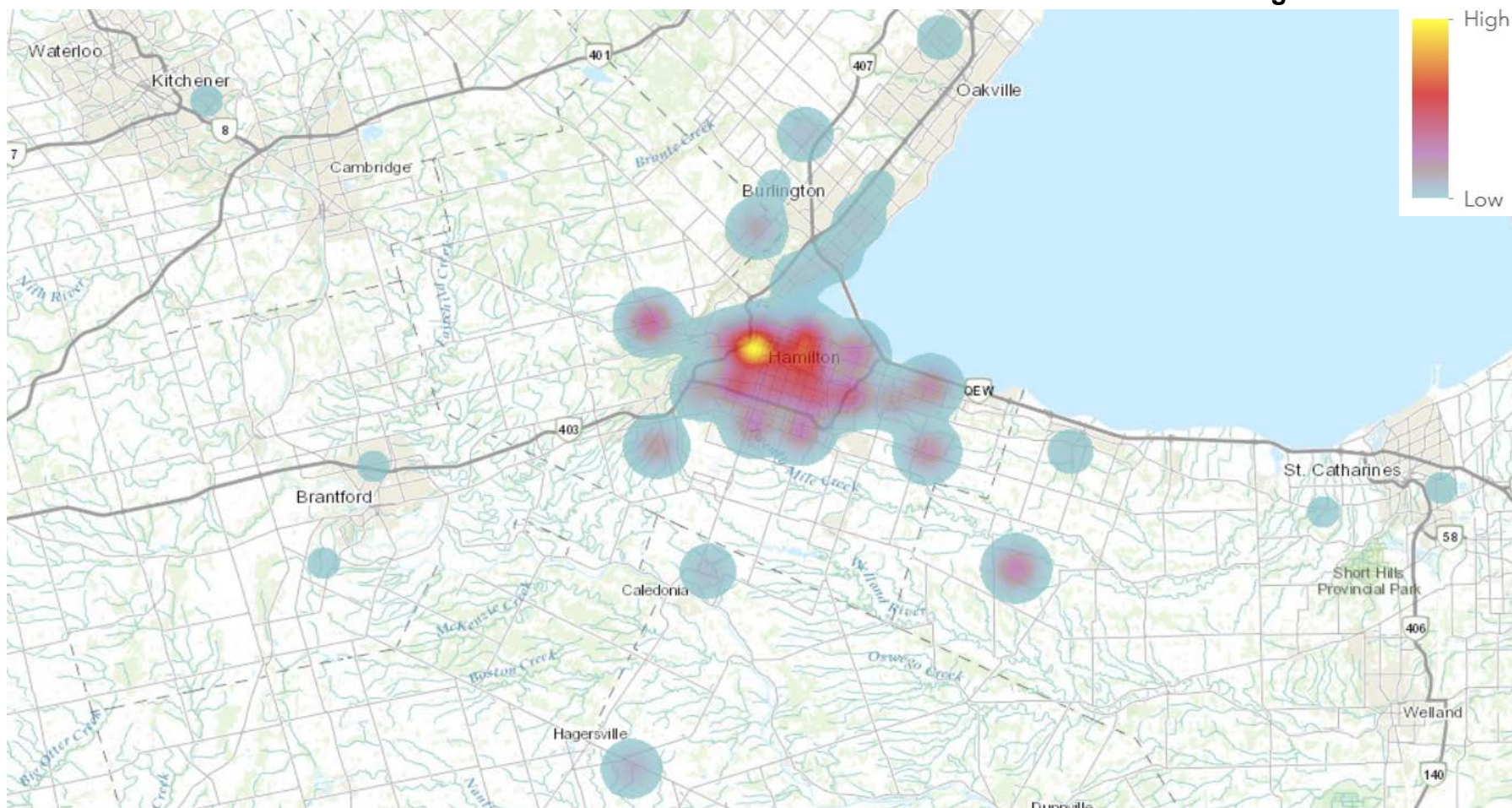
Ranking most highly sought-after, broadly even distributions of demand was recorded by respondents for cultural programming (art displays, concerts), non-local conventions, local community events, and trade shows.



With generally moderate views from respondents on the quality of guest experience across all venues, the food/beverage on-site and physical environment scored lowest when asked about specific limitations.



Figure 12 - Geographical Summary of Survey Respondents



For a complete summary of survey results, please consult Appendix C.



4. Market Overview

4.1 Hamilton Economic Outlook¹¹

Hamilton is the economic center of the Hamilton-Niagara Peninsula Region. The Hamilton CMA has a population of 786,000 as of 2018, which comprises approximately 52% of the region's total population of 1.5 million people. The City continues to experience annual population gains, due in part to an increasing trend of younger generations settling in Hamilton due to its desirable and affordable quality of life, cultural offerings, and growing creative and technology industries.

Table 17 - Key Hamilton Market Economic Indicators¹

Hamilton- Niagara Peninsula Economic Region						
	2015	2016	2017	2018	2019	2020
Total Employment (000s)	719.1	721.4	750.1	751.5	755.2	762.8
% change	1.8	0.3	4.0	0.2	0.5	1.0
Unemployment Rate	6.0	6.4	5.3	5.5	5.8	5.8
Residential Sales,	33,581	35,166	33,962	29,635	28,153	28,716
% change	9.1	4.7	-3.4	-12.7	-5.0	2.0
Residential Median Price, \$	297,717	327,030	388,539	414,609	433,266	454,930
% change	7.0	9.8	18.8	6.7	4.5	5.0
Population (000s)	1,442.5	1,458.7	1,478.1	1,500.1	1,525.6	1,547.0
% change	0.8	1.1	1.3	1.5	1.7	1.4
Hamilton CMA						
	2015	2016	2017	2018	2019	2020
Total Employment (000s)	385.4	385.8	417.9	413.8	417.9	423.8
% change	0.4	0.1	8.3	-1.0	1.0	1.4
Unemployment Rate	5.5	6.2	5.0	4.9	5.1	5.0
Residential Sales, Units	17,367	17,134	16,265	14,834	13,499	13,769
% change	6.6	-1.3	-5.1	-8.8	-9	2
Residential Average Price, \$	350,759	393,569	467,118	469,068	478,449	492,803
% change	8.1	12.2	18.7	0.4	2	3
Residential Permits (\$M)	1,006.7	1,086.1	1,212.6	1,146.8	1,089	1,122
% change	18.3	7.9	11.6	-5.4	-5	3
Non-Residential Permits (\$M)	650.5	480.6	785.1	581.4	494	524
% change	14.0	-26.1	63.4	-25.9	-15	6
Population (000s)	761.4	769.0	777.8	786.6	800	811
% change	0.6	1.0	1.2	1.1	2.0	1.0

While the City has historically been heavily reliant on the manufacturing sector, over the last 5 - 10 years, a recent resurgence in services, education, retail, transportation, and tourism have created an economy often considered one of Canada's most diverse.

According to the 2016 StatsCan census, Hamilton had a median household income of \$75,464. This placed it just behind Toronto and Kitchener-Waterloo, but ahead of St. Catherine's-Niagara which had one of the lowest median incomes at \$63,001. After posting strong economic growth in 2017 which saw an employment increase of 8.3%, the city experienced partial regression as several thousand jobs were given back for a 1% decrease in total employment. This led to a final unemployment rate of 4.9%, which is projected to remain relatively stable over the next couple of years.

¹¹ Sourced from Conference Board of Canada, Central 1 Credit Unit, Statistics Canada, Municipal Reports and other EY Research.



The strong growth of 2017 was driven in large part by increased construction and resale activity as new immigrants and GTA transplants flocked to Hamilton for job opportunities and lower house prices. Cooling measures implemented by the Ontario government including stricter lending requirements and the foreign buyer tax severely impacted the resale market in 2018. This trend is expected to continue for the near future and should slow median price growth in the residential market, as well as have a negative impact on finance, insurance, and real estate employment.

Residential permit volume increased in 2018 across the entire Hamilton-Niagara Region, but declined within Hamilton itself. Increased prices and new requirements led to significant declines in construction of single-detached homes. Demand is expected to shift to townhouses and high-density housing as people look for more affordable options that are centrally located. As the number of Toronto workers moving to Hamilton for price relief increases, proximity to GO Stations and transit connections will be important factors for residential demand and where development is focused. Non-residential Construction is also forecasted to slow as several large institutional projects are completed. Over \$250 million in construction projects at McMaster helped boost economic activity in 2017, but the pipeline is significantly thinner going into 2019 and beyond. Lowering business confidence and questions surrounding manufacturing may have a negative impact on commercial construction permits as potential expansion plans are cancelled or delayed until there is more certainty.

Hamilton's manufacturing sector experienced sluggish growth over the past several years despite positive external factors like the weak loonie promoting Canadian exports. Rising interest rates and a backlog of domestic demand may be causes for slow export growth, but total aggregate output grew by only 1.5% in 2017 and is forecasted at 1.7% for 2018-2021. Fears about protectionist policies in the U.S. limiting steel imports is likely to continue hindering growth in this sector. Transportation and Warehousing has grown to represent a larger portion of employment as companies take advantage of cheaper land and proximity to the 403 to build warehousing facilities in the area. In addition, the Hamilton Airport has seen increased utilization as a shipping hub.

Several positive recent business headlines and investments in the Hamilton market include:

- ▶ The 2019 CBRE Tech Talent Report ranked Hamilton top 2 in North America for tech cities of "opportunity" based on metrics including tech talent supply, growth, cost, tech degrees completed, and tech job growth outlook.
- ▶ The last two years saw significant investments from companies like L3 Wescam, Stryker, Pipeline Studios, and IBM Canada who have relocated or added to their operations in Hamilton.
- ▶ Aeon Studio Group recently announced a plan in conjunction with the City to create the Hamilton Studio District, a large film & television production campus that is intended to further the city's already growing attraction as a media production destination
- ▶ Mohawk College recently opened its EON AVR Development lab, a facility specializing in the development and education of virtual reality and augmented reality technologies. The facility should help position Hamilton as a front-runner in the growing industry of AVR development.

The diversification of Hamilton's local economy coupled with the recent positive business announcements provide sufficient evidence to support our assumption that the upward growth trajectory for the Hamilton economic environment will continue for the foreseeable future, creating additional demand for sports, entertainment and convention centre options in the City.



4.2 Entertainment Venue Competitive Landscape

To better understand how each of the City’s Entertainment Venues fits into its respective marketplace, a survey of facilities was undertaken. Using this analysis, we can further our understanding of the expected “right-sized” facility to meet the needs of the Hamilton market.

Sports and Entertainment Venues

The competitive landscape is presented Figure 13 in order of their market size with further details on each presented in Appendix D.

Figure 13 - Sports and Entertainment Venue Landscape¹²

FirstOntario Centre Comparable Markets



Market	Kingston	Guelph	St. Catharines	Halifax	Laval	London	Quebec City	Hamilton	Mississauga	Toronto
Market Size	118,000	130,000	135,000	430,000	440,000	500,000	530,000	540,000	720,000	2,730,000
Differentiator	University	GTA	-	-	GMA	-	-	-	GTA	-
Capacity	6,700	5,000	5,300	11,000	10,000	9,500	18,250	17,400	5,000	19,800
Locality	Downtown	Downtown	Downtown	Downtown	Suburban	Downtown	Suburban	Downtown	Suburban	Downtown
Year Built	2008	2000	2014	1978	2002	2017	2015	1985	1998	1999
Ownership	Municipality	Municipality	Municipality	Municipality	Municipality	Municipality	Municipality	Municipality	Municipality	MLSE
2018 Events	83	60	128	111	N/A	153	N/A	98	N/A	192
Programming Ratio ¹³	52%	9%	36%	25%	89% ¹⁴	54%	N/A	60%	Mostly Sport	48%
Anchor Tenant	OHL	OHL/CEBL	OHL/CEBL	GMJHL/NBL	AHL/CWHL	OHL/NBL	GMJHL	OHL/CEBL	OHL/NBAG/MASL	NHL/NBA
Anchor Utilization ¹⁵	52%	81%	92%	67%	61%	95%	50%	24%	54%	98%
Venue Utilization ¹⁶	23%	16%	35%	30%	N/A	42%	N/A	27%	N/A	53%

¹² Compiled from various sources including municipal financial reporting, facility annual reports, and other industry data sourced by EY.

¹³ Based on EY research, the Programming Ratio presents the proportion of cultural programming held at the venue based upon number of events.

¹⁴ Based on 2019 YTD event programming,

¹⁵ Based on EY research, the Anchor Utilization Ratio presents the annual anchor-tenant attendance for the facility against total capacity.

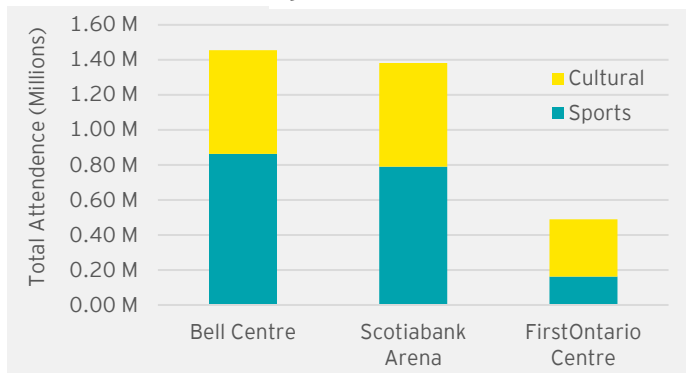
¹⁶ Based on EY research, the Venue Utilization value presents the ratio of total number of events per calendar days per year.



Based on the data presented in Figure 7, the competitive landscape for FirstOntario Centre is identified as Scotiabank Centre, Place Bell, Budweiser Gardens, and Videotron Centre. These venues all share similar demand characteristics as FirstOntario Centre in terms of market size and tenancy profile.

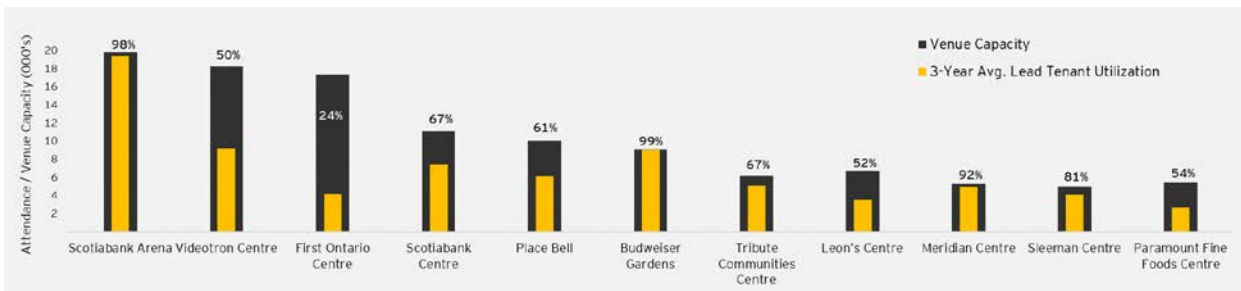
- ▶ The only arenas sampled of a similar capacity to FirstOntario Centre are Scotiabank Arena and Videotron Centre. Scotiabank Arena is home to both an NHL and NBA franchise, and is situated in Canada's largest urban area and adjacent to the country's busiest transit hub. Videotron Centre is situated in a mid-sized market's inner-city suburb and is without any professional team.
- ▶ Built in 2015, Videotron Centre offers state-of-the-art facility design and amenities creating an ideal environment for hosting a range of modern performances. EY understands in its early years of operation, the Quebec City municipal government is subsidizing operational. It has been widely reported that the facility was built to this capacity to attract an NHL franchise, which have been subsequently awarded to Las Vegas and Seattle. Without an NHL franchise, the Videotron Centre is overcapacity for the size of the market.
- ▶ With the exception of Videotron Centre in Quebec City, in eastern Canada the Bell Centre and Scotiabank Arena are the only comparably-sized arena facilities to FirstOntario Centre with capacities of 21,300 and 19,800. With both commercially viable, the required relative attendance data for profitability is presented in Figure 14 as a comparison.¹⁷

Figure 14 - Relative Arena Attendance



- ▶ Relative to the four (4) other arenas with a similar tenant base (OHL/CEBL) as FirstOntario Centre, the Anchor Utilization of 24% is significantly lower than the competition, which range from 52% - 95% as outlined in Figure 15. With a per-event average attendance in 2018 of 3,400, the Hamilton Bulldog's actual attendance numbers are in line with many of their OHL competitors, with the exception of the London Knights who brought an average attendance of 9,000 per game.

Figure 15 - Venue Utilization¹⁸



¹⁷ Sourced from NHL, Billboard Music and other EY research.

¹⁸ Compiled from various sources including OHL, facility annual reports, and other industry data sourced by EY.



The FirstOntario Concert Hall’s Great Hall is noted for its exceptionally strong acoustic qualities and ability to serve the needs for a wide variety of programming. The competitive market for performing arts venues to the FirstOntario Centre in Hamilton has focused on those facilities of a comparable publicly-owned facilities to the Great Hall in similar markets, with findings summarized in Figure 16 below.

Figure 16 - Performing Arts Venue Landscape¹⁹



Market	Burlington	Kitchener	Buffalo	Hamilton	Mississauga
Market Size	205,000	240,000	260,000	540,000	720,000
Year Built	2011	1980	1940		1997
Capacity	718	2,047	2,400	2,193	1,200
Annual Attendance	120,250	150,000	N/A	156,194	175,301
Total Events	188	150	N/A	111	167
Per=Event Utilization	89%	46%	N/A	66%	51%
Annual Utilization ²⁰	45%	20%	N/A	20%	23%
Operating Subsidy	\$990,628	\$2.00 million	\$1.06 million	\$564,004 ²¹	\$1,803,156 ²²
% of Operating Expenses	26%	20%	17%	29%	25%
Operating Structure	Not-For-Profit	Not-For-Profit	Not-For-Profit	Private Operator	Not-For-Profit

While Hamilton’s annual utilization is lower than many of the competitive set, given the number of events is less, the actual per-event utilization at the facility is at the upper-end of the comparable set. It should be noted that while FirstOntario Centre’s subsidy-to-expense ratio may be considered relatively high, given that the facility is operated by a private operator rather than a not-for-profit, overall operations may be run somewhat more efficiently, potentially causing a slightly higher-skewed ratio.

¹⁹ Compiled from various sources including municipal financial reporting, facility annual reports, and other industry data sourced by EY.

²⁰ Considers proportion of total attendance to total annual seat capacity.

²¹ Estimated proportionate share of all total subsidy provided by City to Spectra.

²² The operating structure is based around a nominal lease fee to the not-for-profit whereby the City of Mississauga estimates annual operating costs for this facility.








Conference Facilities

The Canadian convention centre business is often discussed in terms of "Tiers", whereby host cities and/or convention centres may be classified based upon a range of factors, including attractiveness as a convention destination (e.g. air access, range of hotels), supply of meeting and exhibition space, and the locality and destination awareness of the host market. Tier 4 host cities would include Toronto and Montreal, while cities such as Ottawa or Niagara Falls would be considered Tier 3 destination, and London being considered a Tier 2 destination.

While Hamilton's "destination" differentiators - local culture and air access - would potentially place it in the Tier 2/3 category, historical factors such as the current lack of and diversity of hotel supply have caused it to be considered a Tier 1 destination. While the local supply of hotels has improved to a Tier 2 level, based on discussions with Tourism Hamilton, challenges of the hotel market's healthy occupancy driving up room rates, the Hamilton Convention Centre's challenging space offering, and its immediate proximity to Toronto have all limited its marketability relative to other Tier 2 cities.

Figure 17 - Tier 2 and Tier 3 Conference Venue Landscape²³

					
Market	Hamilton	London	Niagara Falls	Halifax	Ottawa
Tier	2	2	3	3	3
Year Built/Renovation	1981	1993/2015	2011	2017	2011
Total Exhibit Space (sf)	19,662	33,033	125,065	50,000	56,000
Largest Contiguous (sf)	19,662	33,033	81,140	37,400	56,000
Total Meeting Space (sf)	12,961	19,402	25,864	37,876	45,000
Ballroom Space (sf)	19,662	40,728	21,453	45,500	19,000
Total Rentable Space (sf)	52,292	61,130	128,457	120,776	120,000
Exhibit Space Ratio ²⁴	0.6	0.5	2.0	0.5	0.9
Air Access	Average	Average	Average	Good	Good
Hotel Rooms in 1km Radius	829	1,104	4,619	2,196	3,500 ¹⁴
% Branded/Premium	59%	89%	73%	80%	75% ²⁵
2018 Average Daily Rate	\$120	\$120	\$148	\$128	\$160
Ownership	Municipality	Municipality	Municipality	Municipality	Municipality/Province

²³ Compiled from various sources including municipal financial reporting, facility annual reports, and other industry data sourced by EY.

²⁴ Ratio of the largest, contiguous exhibit space to the total amount of ballroom and meeting space at the facility.

²⁵ Based on average values for the downtown Ottawa hotel market.



- ▶ Of all the competitive facilities, the offering of total contiguous space at the Hamilton Convention Centre is limited in size at approximately 20,000 sf relative to the competitive set. In terms of direct competition, London's RBC Centre offers 33,000 sf of contiguous space, while Scotiabank Convention Centre has over 80,000 sf.
 - In terms of utilization, RBC Place is reported as operating with a facility utilization rate of 70%, over 110,000 delegate days across over 300 events, and competed in provincial and regional convention business. The 2015 renovation significantly improved layout and quality of meeting spaces, with recent reports suggesting the need for expansion.
 - While the Scotiabank Convention Centre does not publish annual reporting on utilization, we understand that event scheduling at the facility is somewhat broad, with a range of entertainment programming in addition to traditional convention business. The facility's proximity to Toronto is often considered both a challenge and opportunity. With no direct air connection, the destination is limited in marketability to national and international associations who would typically connect through Toronto's Pearson International Airport. The marketing of regional and/or provincial events may augmented given the overall appeal of the destination as a leisure centre and level of proximity to Canada's largest urban centre.
 - In terms of market differentiators for Hamilton relative to Niagara Falls and other conference destinations, the relative cost of overnight stays would be the most significant differentiator, and to a lesser extent the year-round scheduled air service provided by Swoop Airlines and WestJet from Hamilton International Airport to select destinations such as Abbotsford, Calgary, Edmonton, Winnipeg and Halifax.
 - Similar to Scotiabank Convention Centre, the proximity to the GTA both can be considered a challenge and opportunity for the Hamilton Convention Centre. While the opportunity to attract more regional business from the Toronto market is an opportunity, given its even closer proximity and relatively inferior overall destination draw compared to Niagara Falls, we would view this situation as likely resulting in fewer overnight stays and local generation of local economic impact for regional conference business in Hamilton.
- ▶ A larger footprint of at least 35,000 sf of contiguous space would be required in order to compete more directly with the RBC Centre in London. It is unlikely that the Hamilton market would support a comparably-sized exhibit hall as Niagara Falls with insufficient market demand to support two (2) venues of this size in such close proximity. With both Halifax and Ottawa's conference facilities offering contiguous exhibit halls space in this range, there would appear to be currently an adequate market supply of traditional exhibit space within this size range:
 - Recent media reports from 2019 have suggested that the current utilization of the recently-opened Halifax Convention Centre as being low with local businesses questioning the longer-term local economic impact.
 - In March 2018, a revised 10-year Halifax municipal budget shortfall estimated a Year 1 capital and operating shortfall of \$3.5 million, which decline to \$1.1 million in Year 10 due to a decrease in the mixed-use project's adjoining office tower's occupancy.²⁶

²⁶ Compiled from various sources including municipal reporting, and other research compiled by EY.



- The Ottawa Convention Centre's identified a facility utilization rate of 50% for 2017/2018, suggesting that it had not yet met the industry benchmarks of 60% utilization for being at or near full capacity.
- In addition to competitive conference facilities, several hotels in the immediate vicinity offer meeting space which could adequately serve similar meetings demand while offering an "all-in-one" solution for smaller events including the Sheraton Centre (17,367 sf), Hamilton Plaza Hotel & Conference Centre (10,162 sf) and the Hilton Homewood Suites. (10,000 sf).
- ▶ In addition to these direct comparable venues, we also understand the regionally-dominant Metro Toronto Convention Centre is currently contemplating a longer-term facility expansion, and recent renovation and/or expansions have also taken place in London, Winnipeg and Halifax.
- ▶ Despite the growth in local hotel supply, the composition of premium and/or branded hotel offerings within a 1-KM radius of the facility remains limited, but we understand several downtown hotel sites exist with initial project plans from discussions with local developers.
- ▶ Based upon these facts from the secondary competition to the Hamilton Convention Centre, the longer-term demand outlook for an expanded facility remains uncertain.

4.3 Entertainment Precinct Examples of Leading Practice

In addition to asset-specific market assessments of comparable facilities, EY also has considered examples of leading precinct-level development of entertainment assets. Across North America, the public investment in entertainment venues has begun to shift towards mixed-use, downtown locations where public-sector facility investment may act as a catalyst towards larger private-sector investment in mixed-use destinations. New public realm, community spaces incorporated into these master-planned developments are re-defining historical design attributes which often limited connectivity and access.

New sports and entertainment venues projects, specifically, are altering the financial formula by co-developing facilities with revenue-producing segments such as residential, commercial, and hospitality. Growth in the follow-on private investment has often resulted in an expanded municipal property tax base, helping to offset debt servicing costs required to fund initial construction.²⁷

Bell MTS Place, Winnipeg

- ▶ Throughout the 1990s, as in many other North American cities, the decline of the downtown precinct in Winnipeg was significant. The closure of the downtown Winnipeg Eaton's store in 1999 demonstrated the link between changing economic conditions and the urban environment, creating "dead block" in the downtown core. In 2002, the construction of the Bell MTS Place was undertaken as a replacement for the Eaton's site.
- ▶ Since the construction of Bell MTS Place, over \$1.12 billion of downtown, private-sector investment has occurred downtown including a mix of residential, commercial, and retail development, including the recently-completed \$400 million True North Centre situated adjacent to the Bell MTS Place. An additional \$1.26 billion of additional, proposed development has been proposed downtown.²⁸

²⁷ New York Times, *Welcome to the Neighbourhood: America's Sports Stadiums Are Moving Downtown*. (19 January 2018)

²⁸ Downtown Biz Winnipeg, *2015-2016 Annual Report & 2017-2019 Strategic Plan*.

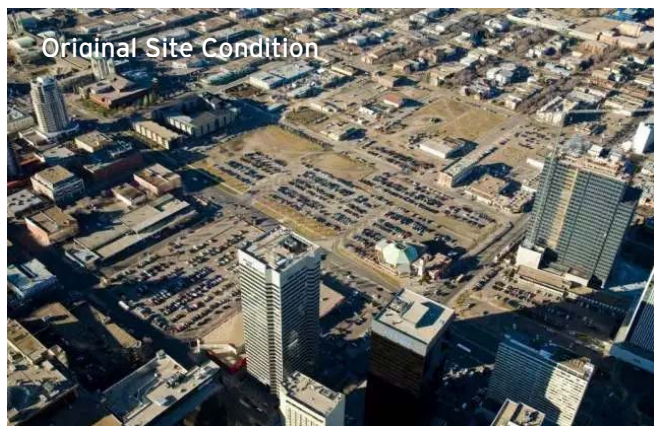


- ▶ With residential growth of over 1,200 units downtown, and a 45% increase in the downtown population since the 1990s, a decrease of nearly 20% in the number of total crimes taken place.²⁹ The adjacent, historic Exchange District to the Bell MTS Place's downtown location has seen a large share of this residential growth, creating safer streets with additional currently planned mixed-use residential developments adjacent to the Bell MTS Place.
- ▶ Following this period of downtown renewal in Winnipeg, the RBC Convention Centre was also renovated and expanded.



ICE District, Edmonton

- ▶ The ICE District is a co-ordinated municipal redevelopment plan that was spurred by the publicly-funded construction of a new sports and entertainment venue. Built to house the Edmonton Oilers under a 35-year arrangement, a mix of follow-on private-sector will include residential, office, and hotel investments on former municipal lands.
- ▶ Following the construction of the Rogers Place in 2016, the Stantec Tower, JW Marriot Hotel, and the two (2) high-rise residential towers were recently completed as part of the ICE District's Phase I sports entertainment complex.



²⁹ Downtown Biz Winnipeg, *2015-2016 Annual Report & 2017-2019 Strategic Plan*.



- ▶ With Phase I largely complete, private-sector follow-on investment has been proposed on the privately-assembled Phase II lands adjacent to the Phase I ICE District complex.
- ▶ Phase II of the project has commenced with the submission of development proposals for this site adjacent to the Phase I development.
- ▶ As of 2018, following the \$604 million capital investment, over \$2 billion of private-sector development followed.³⁰



Budweiser Gardens, London

- ▶ Following a decline in assessed value in downtown London from 1992 - 2006, the 1998 *Downtown Millennium Plan* identified a proposed sports and entertainment venue as the centrepiece and major catalyst to revitalization and follow-on investment in downtown London.
- ▶ Since the construction of Budweiser Gardens and the Covent Garden Market, the total value of assessed properties in the downtown core has increased by more than 61% over the 20-year historical period from 1997.³¹
- ▶ Initial private-sector investment immediately following the announcement of Budweiser Gardens was approximately \$45 million from 1998 - 2004. Since then, the over \$255 million of additional private-sector investment has taken place, including over 2,200 residential units.³²



Contrasting these are (3) Canadian examples of publicly-funded arena developments which are not situated in downtown locations which likely won't see the same near-term follow-on investment

³⁰ Compiled from various sources including municipal reporting, news media and other research compiled by EY.
³¹ City of London, *2017 State of the Downtown*. (2019)
³² City of London, *2017 State of the Downtown*. (2019)



opportunity for a variety of reasons, including the lack of market demand, site constraints and surrounding land use patterns.

Canadian Tire Centre, Ottawa



- ▶ Constructed in 1999 for \$170 million, the Canadian Tire Centre is situated in the Ottawa suburb of Kanata.
- ▶ Following the construction of the arena, there has been no investment leveraged from the private-sector on the adjacent lands of the site.
- ▶ Due to on-going attendance issues with the suburban location, the arena was reduced in capacity to 17,000 in 2017 despite being home to a successful NHL franchise.

Videotron Centre, Quebec



- ▶ Breaking ground in 2012 at a total cost of \$370 million, the Videotron Centre is situated in a largely built-out inner-city suburb adjacent to the former Pepsi Coliseum.
- ▶ While built to NHL standards with a capacity of 18,259, Las Vegas and Seattle have recently been selected for an NHL expansion.
- ▶ The newly-built facility is reportedly operating at a \$3.5M municipal deficit and limited follow-up investment has occurred, in part due to adjacent site constraints as well as being situated in a less desirable development node.

Place Bell, Laval



- ▶ Completed in 2017 at a cost of \$200 million, the Place Bell arena is situated in the largely suburban municipality of Laval.
- ▶ Given adjacent site constraints and existing land uses, we would expect that follow-on investment will occur over the longer-term.
- ▶ With the exception of select sites along Rue Lucien-Paiement, there would appear to be limited opportunities for precinct-level, pedestrian-friendly development adjacent to this site.

Based on the evidence from London, Edmonton and Winnipeg, it is our belief that a renewed arena facility may act as a catalyst to support other private-sector investment both adjacent to and in other areas within an immediate, walkable proximity. Downtown locations were surrounded by vacant land sites where the economics of a redevelopment were supported with viable market demand due to transit proximity, employment, and other area amenities.

In all of these cases, the arena's downtown location was critical where the revitalization of central, downtown districts improved the quality of life for all residents through spin-off retail and hospitality impacts.



5. Needs Assessment

EY acknowledges the measurable success which the City has achieved in promoting its visions for Downtown Hamilton. Through various grant programs, Development Charge ("DC") rebates and planning policies, the goals of "downtown renewal" and "neighbourhood revitalization" as set out in the City's 2013 *Cultural Plan* have begun to emerge across downtown Hamilton. Increasing levels of private-sector investment and new development have also taken, particularly in the vicinity of James Street, a primary distinctive tourism attribute identified in the City's 2015 *Hamilton Tourism Strategy*.

Through this Entertainment Venues Review, we feel that additional, unique opportunities may emerge for the City to address 2016 *Economic Development Action Plan* areas of focus, including "workforce development", "promote and sell Hamilton" and "leverage city real estate holdings" through developing a longer-term outlook on the role of the current Entertainment Venues in not only meeting Hamilton's Sports, Entertainment, and Convention needs moving forward, but also visions for Downtown Hamilton.

Significant evidence suggests that downtown-oriented entertainment precincts that are well-designed and integrated into the surrounding urban fabric will not only act as a catalyst to promote further private-sector investment, but also may significantly contribute to the vibrancy and quality of life for current residents, downtown employees, and tourists.

Based on the analysis presented throughout earlier sections of this report, current market trends and facility utilization across programming segments would support the general rationale of broad, moderate growth in the demand for the use of the City's Entertainment Venues. Coupled with the current development trajectory in downtown Hamilton and the positive cultural spin-off effects and follow-on investment achieved in other Canadian municipalities, it is our view that the added benefit of co-locating entertainment assets in a clustered, downtown precinct should be considered a top priority for the City.

A series of observations pertaining to size, programming, project attributes and Order-Of-Magnitude costs for the new construction of "hypothetical" venues comprise our Needs Assessment in Figure 18.

Figure 18 - Hamilton Sports and Entertainment, Performing Arts, and Conference Convention Centre Needs

Sports and Entertainment Complex	
Facility Capacity	<ul style="list-style-type: none"> Based on our review of the current level of demand at the FirstOntario Centre, and comparable attendance levels for other facilities with an OHL lead tenant, a capacity of ~10,000 seats would support Hamilton's needs.
Programming Impact	<ul style="list-style-type: none"> Evidence across the OHL suggests that attendance levels following the construction of a new sports and entertainment venue may increase anywhere from 20% - 50%. Based upon the programming of comparable sized facilities of with a ~10,000 seat capacity, and through consultation with event promotion experts, we understand this capacity would not greatly limit future potential for major events such as concerts or award shows.



	<ul style="list-style-type: none"> Capacity issues at Scotiabank Arena and the market size of the GTA/GGH³³ will continue to require a second major sports and entertainment venue in the region, particularly as transit service improves.
Building/Location Attributes	<ul style="list-style-type: none"> Competitively designed facility which offers ability the host increasingly technical, modern events and provide a premium guest experience, both of which are key top-line revenue drivers. Multiple F&B offerings spread throughout the facility to adequately serve capacity, with one (1) publicly-accessible premium lounge/restaurant. Premium mid-level box seating (with separate entryway) and potential for lower-bowl premium box rentals with dedicated lower-level seating. Roof structure with ample rigging support and load-bearing capacity to accommodate modern concert events and a professional LED scoreboard. Direct connection to parkade with revenue-sharing potential. As downtown businesses depend on the major events held at FirstOntario Centre, ease of access to and from key commercial nodes to the facility. Adjacent public gathering space with pedestrian-level connections to other major tourist destinations in downtown core. While few examples of sports and entertainment venue renovations at this scale exist in Canada, the success of cities (e.g. Winnipeg, London) investing in downtown areas not only served market needs but also helped achieve urban renewal goals.
Est. Cost (as new)	<ul style="list-style-type: none"> Based on an average per-seat cost of recently-built facilities, and a review of other market research, approximate Order-Of-Magnitude cost estimates of \$125 - \$130 million for a new sports and entertainment venue. Misalignment with FirstOntario Centre's capacity and City needs are creating uneconomical operating conditions despite a demand level which would likely support the commercial viability of a "right-sized" facility. Capital investment of \$34.4 million is required to maintain a "status quo" condition with on-going municipal subsidy requirement that is not required in other comparably-sized markets' commercially viable facilities.
Performing Arts Centre Needs	
Facility Capacity	<ul style="list-style-type: none"> Based on our review of the current level of demand for the FirstOntario Concert Hall, and comparable attendance levels for other regional performing arts venues, a capacity of ~2,000 would likely support the growing market demand in Hamilton.
Programming Impact	<ul style="list-style-type: none"> Given the current average per-event utilization of approximately 61% and nearly 40 events achieving a utilization of 75% or greater, the on-going operation of a ~2,000 seat facility would support the Hamilton's needs.
Building/Location Attributes	<ul style="list-style-type: none"> Given the Hamilton Philharmonic Orchestra as the lead tenant and the wide range of other musical and theatrical performances taking place, superior acoustical qualities are paramount. Upgraded technical package for modern performing arts musical, theatre and other entertainment productions. F&B offering should align to the programming, with an appropriate space for providing a premium guest experience when required.



	<ul style="list-style-type: none"> • Direct access to an outdoor space would enhance overall guest experience and facility marketability for events with pedestrian-level street animation. • Direct access to parking, a guest pick-up/drop-off area and AODA compliance is particularly significant given the demographic of guests.
Est. Cost (as new)	<ul style="list-style-type: none"> • Based on an average per-seat cost of recently-built facilities, approximate Order-Of-Magnitude cost estimate of \$55.0 - \$65.0 million for a newly-built performing arts venue of this capacity. • As most competitive facilities were built in the 1970s/1980s, the age of the facility would not appear to be a critical factor in facility marketability. • Capital investment of \$8.8 million is required to maintain this “status quo” condition with moderate on-going municipal subsidy required.
Convention Centre Needs	
Facility Capacity	<ul style="list-style-type: none"> • In order to compete more directly for non-local regional, provincial and national, a minimum contiguous floorplate of 35,000 sf of exhibit space has been identified through stakeholder consultation and to compete for business with comparable facilities. • Given the unlikely ability to compete in the trade show market with several competing facilities in the GGH, an exhibit space to meeting/ballroom space ratio of 0.5 is deemed reasonable. Based on this, using an average exhibit space to meeting/ballroom space ratio of 0.5, a total requirement of 70,000 sf has been identified. • Given that that Hamilton’s destination draw would currently be considered inferior to Niagara Falls, Halifax or Ottawa, a comparable capacity to other Tier III destinations would likely not be supported by market needs.
Programming Impact	<ul style="list-style-type: none"> • With the current facility benefitting from stable, recurring revenue growth, it is our view that the existing events business may be impacted by a potential renovation and/or relocation of the existing site. • As the general intent of any proposed renovation/relocation of the existing site is would adjust marketability towards more traditional convention and/or non-local meetings business, the impact to programming of the existing, profitable business may be considered. • This facility requirements to support this recurring, growing existing business segments must be balanced against the potential financial impact of investment in a new facility designed for a different target market. • Newly-built convention centres can often operate at a net loss to the municipality as a means to further tourism goals and the generation of non-local tourism spending. • Currently while the programming mix does not align to the traditional composition of convention centre business, the facility is profitable.
Building/Location Attributes	<ul style="list-style-type: none"> • Based on the acknowledgement that the existing facility is limited in terms of its contiguous floorplan, kitchen, loading capabilities, lighting, and other technical considerations, a new facility requirement is assumed. • In our view, the success of a revitalized and renewed convention centre in Hamilton is highly dependent on the stature of the City’s tourism draw. • While Hamilton has made significant strides forward in terms of its civic identity and overall tourist appeal, it would not at this time compete



	<p>against Tier III destinations such as Niagara Falls, Ottawa, or Halifax. Hamilton will also always be in the "shadow" of Toronto and its venues.</p> <ul style="list-style-type: none"> • The continued development of the downtown core, the City's cultural offerings, F&B scene, and the transit improvements and waterfront development in the next 5+ years may all provide the direction upon which this could be over the medium-term.
<p>Est. Cost (as new)</p>	<ul style="list-style-type: none"> • Based on an average psf costs of recently-built facilities and Marshall and Swift cost estimates, an approximate Order-Of-Magnitude construction budget of \$28 - \$38 million for a newly-built convention facility of an appropriate quality has been estimated to meet Hamilton's market needs. • One of the market differentiators today for Hamilton is its relative cost-effectiveness to other Tier 2 and Tier 3 conference destinations. With the construction of a new facility, the impact to this should be considered. • While misalignment with the Hamilton Convention supporting the needs of more traditional definitions convention centre demand segments, based on market conditions today and the recent upgrades or relatively newer construction of directly competitive and regionally dominant centres, the expected commercial viability of a renewed facility is uncertain. • Capital investment of \$4.0 million is required to maintain this "status quo" condition where on-going municipal subsidy is not expected for the foreseeable future.

Based upon this Needs Assessment, the FirstOntario Centre would appear to be most misaligned facility to current market demand in Hamilton. This misalignment would appear to create added operational costs that will continue to require on-going municipal subsidy while delivering a sub-optimal guest experience.

The FirstOntario Concert Hall would appear to respond reasonably well to this Needs Assessment for Hamilton, with no key significant indicators of misalignment to market demand with the exception of potential accessibility, outdoor space, and F&B upgrades.

While the Hamilton Convention Centre does not appear to align to the specific size, layout and aesthetic of convention centres in today's market, given that it operates on a net profit basis to the City, it would not be considered an immediate priority for major investment. Based on the level of current investment in competing centres such in London, Halifax and Winnipeg, we also feel that the market viability for a renewed facility today is somewhat uncertain.



6. Entertainment Venue Options Analysis

Based on the Needs Assessment identified for the Hamilton market, an options analysis has been developed that contemplates three (3) possible go-forward scenarios as part of this Entertainment Venue Review. These include a "Status Quo", "Arena Renovation", and "Entertainment Venue Renewal" option, which may be evaluated based upon a series of quantitative and qualitative factors.

Each option's financial impact had been assessed over a 35-year period to 2052 which aligns to a proposed 30-year future lease as part of the Entertainment Venue Renewal Option. Future attendance and revenue projections, as well as capital investment considerations such as lifecycle maintenance, facility renovation or new construction have also been incorporated into each forecast.

Additional project goals such as the added benefit of co-locating Entertainment Venues in clustered, downtown precinct and the ability the three (3) options to act as a catalyst for further private-sector investment will be considered in developing final recommendations.

With summary statistics presented herein, please consult Appendix E for further detail on input assumptions and to review operating cashflow projections.

6.1 Status Quo Option

Through consultation with City staff, external stakeholders, and a review of available building condition reports, each of the Entertainment Venue's physical condition is characterized by significant deferred maintenance. Capital investment, we understand, is imminently required to ensure the on-going useful life for the next 25 to 30 years. Under the Status Quo option, capital investment in near-term required lifecycle maintenance has been considered for each of the facilities.

Our financial forecast for the Status Quo option employs the following major assumptions:

- ▶ It has been assumed that each facility will continue to drive similar levels of utilization with a similar cost base over the forecast period. Using 2018 operating results, inflationary growth factors have been applied at 2.00%, indicative of the moderate, stable growth exhibited in each facility's historical performance.
- ▶ With no change in revenue-generating capacity, no incremental income gains.
- ▶ In order to achieve the on-going operation of these facilities for the next 30 years, capital investment requirements previously discussed in Section 2.4 of this report have been incorporated from 2019 - 2024.
- ▶ As lifecycle maintenance is not expected to greatly improve energy efficiency, the on-going municipal utility subsidy of \$1.2 million has been assumed to remain over the forecast period.
- ▶ For each scenario, the absolute financial impact to the City of any on-going subsidy and capital investment have been identified, with a Net Present Value ("NPV") calculation, based upon a 4.50% discount rate, indicative of City's cost of capital.
- ▶ The existing management agreement particulars, including the Net Loss Guarantee with Spectra, have been assumed to remain over the forecast period.



- ▶ While the Hamilton Convention Centre’s operations have been forecasted over a 30-year period, given the expectation of on-going profitable operations, there has been no financial impact associated with the Hamilton Convention Centre under this option. We have excluded the utility subsidy which Carmen’s provides the City as this transfer covers costs incurred by the City.
- ▶ A “Structural Reserve” has been incorporated into the capital investment forecast following the 10-year period after capital investments previously identified.
 - Referenced from the Canadian Infrastructure Report Card’s (“CIRC”) investment survey, a range of 1.70% - 2.25% of construction cost is considered industry standard.
 - Using Statistics Canada’s construction cost index, an inflated construction cost of \$108 million would require approximately \$1.8 million in annual capital costs from 2030 onward for capital maintenance of FirstOntario Centre.
 - The current capital budget has been assumed to be re-directed towards FirstOntario Concert Hall and would fall within the CIRC range for inflated construction costs.

Financial Impact & Subsidy Reduction

The following financial impact results have been projected over the 30-year study period under the Status Quo option based upon assumptions identified:

Projected Financial Impact Evaluation: Status Quo Option	
Total Municipal Subsidy	(\$64,298,193)
Total Capital Investment	(\$91,680,316)
Total Financial Impact	(\$155,978,510)
Total Financial Impact NPV	(\$90,783,849)

6.2 Arena Renovation Option

Through consultation with City staff, external stakeholders, and a review of available building condition reports and other master plans, we understand that a 2016 Arena Renovation Study was prepared by BBB Architects (“BBB Report”).

This scope of this report included a comprehensive assessment of the FirstOntario Centre’s physical condition, outlining two (2) potential renovation options; a partial upgrade of the existing facility with an estimated cost of \$68 million and a complete transformation into an NHL-quality sports and entertainment facility with an estimated cost of \$252 million.³⁴ While EY acknowledges that City Council did not endorse either recommendation presented in this report, we do believe that it offers a valuable comparison to the Status Quo and Entertainment Venue Renewal options.

The Arena Renovation Option considers a proposed partial renovation which consists of end-of-life building upgrades and the remodelling of key interior areas. We understand that in addition to greatly extend the life of the facility, this option would greatly augment the revenue-generating capacity of the FirstOntario Centre with the upgrading of premium boxes, addition of F&B concessions in the Lower Bowl and a renewed premium restaurant/lounge.

³⁴ City of Hamilton Staff Report (5 April 2017) / BBB Architects, *FirstOntario Centre Renovation Study*. (31 August 2016)



Our financial forecast for the Arena Renovation option employs the following major assumptions:

- ▶ The FirstOntario Concert Hall and Hamilton Convention Centre are subject to the same assumptions employed in the Status Quo option.
- ▶ The 2016 partial renovation cost estimate of \$68 million identified by City staff from the BBB Report has been inflated to 2019 dollars using the Statistics Canada Construction Cost Price Index, assumed to now cost over \$73 million.
- ▶ The project timelines provided in the BBB Report are assumed to commence in January 2020 with a total project duration of 20 months. Throughout 2020 and 2021, the BBB Report indicates the facility will be operational for the fall and winter seasons, but will require a full closure for three (3) months during the summer season.
- ▶ Through discussion with the Hamilton Bulldogs, City staff and others familiar with the FirstOntario Centre, we understand the critical nature of the end-of brine piping system and natural gas generator, we have modelled these costs into the capital investment forecast for the current FirstOntario Centre. To sustain business operations and commercial confidence in the City, we feel these repairs are necessary despite the construction of a new facility in the interim.
 - Further discussion and segmenting of these cost estimates provided to EY may allow for select items to be removed from the \$7.3 million estimated costs.
 - Potential cost-sharing may be packaged into an overall deal negotiated with the future operator and/or partner on City's new sports and entertainment venue.
- ▶ For the purposes of forecasting an operating cashflow at FirstOntario Centre, EY developed a forecast of attendance and associated event income for the 2-Year period renovation from 2020 using 2018 attendance figures and the following set of assumptions:
 - During the renovation period with summer closures, EY assumes that two (2) Major Concerts, two (2) Minor Concerts and two (2) Family/Entertainment events would not be accommodated due to the renovations. This has been based on a review of the 2018 and 2019 summer event schedules and discussions with event industry experts.
 - Event income would otherwise continue to grow with inflation over the two-year renovation period.
 - Indirect expenses include fixed cost items such as salaries, employee benefits, and worker's compensation are not assumed to be variable, so no adjustment has been applied to reflect the decreased attendance during the renovation period.
- ▶ Following the renovation period, we have employed the following additional assumptions based on upgrades to the facility:
 - For 2022, we have assumed the return of the six (6) events which were not accommodated during the renovation period, with no further incremental gains in net number of events as a result of "lost momentum" in marketing Hamilton during this renovation period.
 - We do note, however, that the completion of an arena renovation would likely induce some degree of additional interest in the current programming following the renovation period. It is assumed that overall Event Income will increase by 15% across all segments.



- Given the enhanced premium box offering, additional F&B outlets in the Lower Bowl, and renewed premium restaurant/lounge, we would anticipate that Ancillary Income would increase by an additional 35%. Factoring in the augmented F&B offering as a result of the building’s renovations, a total adjustment of 50% for Ancillary Income is assumed.
- ▶ Based on the overall augmentation of Downtown Hamilton’s urban landscape and tourism identity future transit improvements and growing downtown resident base, we have applied an annual 2.0% growth in Total Event Income for the FirstOntario Concert Hall for a 10-year period from 2024, for a total adjustment of 20% over the 10-year period.

Financial Impact & Subsidy Reduction

The following financial impact results have been projected over the study period under the Arena Renovation option based upon assumptions identified:

Projected Financial Impact Evaluation: Arena Renewal	
Total Municipal Subsidy	(\$34,155,832)
Total Capital Investment	(\$146,365,604)
Total Financial Impact	(\$182,426,184)
Total Financial Impact (NPV)	(\$146,813,588)

- ▶ Under the Arena Renovation option, the on-going municipal operating subsidy is projected to decrease by over \$30 million over the study period, largely due to an expanded F&B offering driving enhanced ancillary revenues, in addition to a moderate uptick in attendance.
- ▶ Based upon our review of the BBB Report, the arena renovation is largely internal, and includes a significant (~\$54 million in 2016 dollars) level of base building investment required to return the building to its originally intended condition.
- ▶ While the arena’s renovation does greatly expand revenue-generating potential, improving operating performance to a forecasted Net Loss Subsidy gain in Year 25, it does not sufficiently improve operating performance to eliminate on-going municipal subsidy.
 - Based on our understanding the BBB Report, the annual utility subsidy of \$1.2 million would be not eliminated as a result of this renovation work’s impact on energy efficiency, creating an on-going liability for the City. While some moderate (e.g. LED lighting) efficiency modifications are identified in the BBB Report, they are balance against the likely increase in utility needs due to other facility enhancements, with a net increase in utility costs of \$625,000 annually.³⁵
- ▶ Additionally, based upon our review of the BBB Report, it does not appear that the renovation addresses the site-orientation challenges such as connectivity to adjacent developments, integration with the public realm and other street-level animation challenges in Downtown Hamilton that are noted within the City’s 2010 Downtown Secondary Plan.
 - As these external urban design factors are critical drivers of the overall urban landscape and the added benefit of a co-locating the City’s Entertainment Venues in a downtown precinct, we would expect the Arena Renovation option to dramatically impact private-sector investment and development in the downtown precinct.

³⁵ BBB Architects, FirstOntario Centre Renovation Study. (31 August 2016)



6.3 Entertainment Venue Renewal Option

The final option Entertainment Venue Renewal option contemplates a phased approach to the renewal of the FirstOntario Centre and Hamilton Convention Centre. Based on the results of our Needs Assessment, it would appear the FirstOntario Concert Hall largely meets Hamilton's needs, with the exception of aesthetic, accessibility, and F&B upgrades.

Based on this, the Entertainment Venue Renewal option considers a 3-phased approach, outlined below:

- 1) Construction and relocation of the existing FirstOntario Centre on a site of ~3.5 acres to allow for construction staging of sports and entertainment venue footprint of approximately 2.75 acres, subject to parking requirements.
- 2) Following the opening of a newly-constructed sports and entertainment venue, we believe the market rationale and tourist draw in Hamilton will have improved creating greater certainty around the viability of a renewed convention centre. The former arena site, subject to demolition, has been considered as an ideal site for this use, with excess capacity for other revenue-generating uses to be co-located on the site with the Hamilton Convention Centre.
- 3) Based upon a projected renewal of the Hamilton Convention Centre on the former arena site, the existing lands may be sold or redeveloped, subject to demolition.

An initial phase includes the renewal of FirstOntario Centre, which is assumed to be built on another site in the immediate vicinity within downtown Hamilton. The evidence in other similar Canadian markets, demonstrates the potential for a well-designed, renewed sports and entertainment facility with appropriate site-orientation to act as a catalyst for net, additional private-sector investment. The overall vibrancy created by this augmentation to the urban landscape will likely strengthen Hamilton's identity and tourist appeal.

As we have discussed throughout this report, the market rationale for a renewed convention facility in Hamilton today is uncertain given the age of competitive facilities, the relative tourist draws of Hamilton to other host destinations, and the relative depth in local hotel supply. The Hamilton Convention Centre today is also operating at a net profit to the City, somewhat unique among other Canadian facilities.

EY has developed a 30-Year financial projection of operational viability, potential costs and impact on municipal subsidy, additional funding model considerations are further described in the following section of this report.

Entertainment Venue Renewal - Phase I

Phase I of the Entertainment Venue Renewal option employs the following modelling assumptions:

- ▶ The land acquisition costs for relocating the FirstOntario Centre to a site of approximately 3.5 acres in downtown Hamilton has been estimated at \$35 million, or \$10 million/acre for modelling purposes. Treated as confidential, site-specific analysis and valuation(s) of potential sites to acquire have been separately provided to the City.



- ▶ Construction costs for a new sports and entertainment facility are estimated at \$115 - \$130 million, based on Order-Of-Magnitude per-seat comparable costs for other newly-built facilities, Marshall & Swift cost estimates, and the consideration of historical construction costs, indexed to 2019 dollars, of comparable facilities. For further detail, please consult Appendix F.
- ▶ An indicative five-year project timeline has been considered, with an initial year of pre-construction and design work in 2019, followed by three (3) years of approvals/construction and, with a projected opening of the new facility in 2023.³⁶
- ▶ From 2019-2023, operations at the current FirstOntario Centre are assumed to continue to grow with the market, with no change in the structure of the existing management agreement.
- ▶ In 2023, a new management structure has been assumed with major assumptions driven by discussions with industry stakeholders and a review of arrangements at other comparable facilities, including Budweiser Gardens, Place Bell, and Rogers Place.
 - The City would additionally collect a facility fee on tickets. Based upon our review of in other facilities, for modelling purposes this has been assumed as \$0.50 per ticket, increasing to \$1.00 in Years 25-30, assuming a 50-year lease.
 - The operating income of the facility would also account for a guaranteed management fee, assumed to be \$450,000 over the course of the agreement.
 - A new management agreement would likely be structured with lease payments equal some combination of an upfront capital contribution and a portion of the new facility's Net Operating Income ("NOI"), to be further negotiated by the City. For modelling purposes, we have assumed an on-going lease structure equal to 25% in Years 1-5, 50% in Years 6-10, and 75% thereafter. This assumption is subject to change upon the negotiation of a management agreement with potential future lessors/operators.
- ▶ Forecasted attendance levels upon the completion of the new sports and entertainment venue have been based upon a projected increase of 50% for sporting events, namely the Hamilton Bulldogs and a 15% increase for cultural events such as concerts and family shows.
 - Through our discussions with the Hamilton Bulldogs, we understand that the current facility is a major limitation for attendance. As such, a renewed sports and entertainment venue we feel would draw a notable increase in attendance, assumed to be 268,576 in 2023, With average attendance of 5,481 projected in 2023, this assumption is in line with the current OHL average of 5,210.
 - While we expect a renewed sports and entertainment venue to materially augment the promotion and marketing of Hamilton for cultural events (e.g. concerts, family shows), we have also considered the impact of a reduction in overall capacity. Balancing these, a 15% increase in attendance would see 402,931 cultural attendees in 2023 to the facility.
- ▶ Income per ticket forecasts for cultural programming are based on an inflated current value, which is comparable to other facilities reviewed. Inflated to 2023, an assumption of \$10.79 per ticket has been used for revenue build-up purposes.

³⁶ Given the preliminary nature of this analysis, this 5-year timeline is intended to be indicative as a means to compare the financial impact from one option to another.



- ▶ Acknowledging that a new agreement with the Hamilton Bulldogs would likely be negotiated in a new sports and entertainment venue lease, EY has considered the 2018 sports Event Income on a per-ticket basis for the London Knights of \$2.54³⁷. In Hamilton’s case, an assumption of per-ticket income of \$1.75 has been assumed upon project stabilization in 2023 due to attendance levels and demographics, as well as the ownership of either facility’s lead tenant.
- ▶ Indirect costs have been estimated on a per-seat basis using comparable data from both Budweiser Gardens and Scotiabank Centre (Halifax), with a per-seat 2018 assumption of \$651.
- ▶ We have assumed that the management of FirstOntario Concert Hall may be incorporated into a new management agreement, with likely future negotiations to occur with respect to the subsidy of that facility’s initially forecasted operating losses. As discussed in Section 4 of this report, the majority of performing arts venues in Ontario receive some form of public subsidy.
- ▶ As in other options, we have assumed the profitable operations of the Hamilton Convention Centre will continue for the foreseeable future, with no financial impact to the City. Further discussion of Phases II and III of this option are provided herein.
- ▶ While it is assumed facility ticketing fees will be re-directed in part to a capital reserve, in Year 25 following the completion of the new sports and entertainment venue, an annual structural reserve of \$2.3 million has been assumed.

The following financial impact results have been projected over the 30-year study period under the Entertainment Venue Renewal option based upon major assumptions identified:

Projected Financial Impact Evaluation: Entertainment Venue Renewal	
Total Facility Ticket Fee Proceeds	\$15,430,432
Total Operating Profit Proceeds ³⁸	\$4,068,995
Total Performing Arts Subsidy	(\$7,469,138)
Total Financial Impact	(\$184,861,382)
30-Year Financial Impact NPV	(\$166,372,238)

- ▶ Based upon these results, estimated direct City proceeds of nearly \$20 million are projected for the Entertainment Venue Renewal option over the Study Period.
- ▶ Our analysis indicates on-going municipal subsidy requirement will be eliminated for the operation of the sports and entertainment venue following new construction based upon the projected commercial operations and assumptions derived from other comparable facility operations.
- ▶ Direct proceeds of \$20 million over the study period does not consider several areas for potential direct cost offsetting, such as the residual development land(s) which the City would retain from Phase I and further Phases II and II identified below and other considerations identified in Section 7.3 of this report.

³⁷ F&B concessions and ticket sales (e.g. Direct Event Income) aggregated into reported Sports Event Income.
³⁸ May be applied against a potential private-sector capital contribution, subject to further negotiation by City.



EY has additionally considered the economics of a new convention centre being built on the former FirstOntario site and how a municipal land contribution may impact potential City contributions towards construction costs of a new facility. Based upon land requirements for the following two (2) comparable convention venues as the requirements set out in our Needs Assessment, we identified an estimated site requirement of 2.0 acres.

Convention Centre Site Requirements ³⁹			
Conference Centre	Total Size (sf)	Largest Contiguous (sf)	Site Area (Ac)
RBC Place (London)	70,000	33,033	1.90
Victoria Convention Centre	73,000	25,000	2.02

With an estimated size of 3.69 acres for the entire former FirstOntario Centre lands, we have considered the balance of the site's 1.69 acres as a candidate for development, subject to a \$10.5 million demolition cost for the existing FirstOntario Centre.⁴⁰

To determine the degree to which the underlying land value may be applied towards the future development of a future convention centre, we have also estimated the future value of the excess lands which would not be required for the convention centre construction against the inflated construction cost for a newly-built convention centre.

With an estimated 1.69 acres on the balance of the former FirstOntario Centre site, using an estimated Floor-Area-Ratio ("FAR") we can assess the total expected magnitude of future development. Based upon a review of comparable properties in downtown Hamilton and the property's specific planning considerations, we have assumed a FAR of 8.50 yielding a build-out of approximately 630,000 sf on the adjacent lands to a proposed convention centre.

Currently in Hamilton, based upon the sales of comparable development sites identified below, the price per buildable-square-foot is in the \$40 - \$42 psf range.

High-Density Mixed-Use Sales Comparison ⁴¹					
Development Site Sale	Date	Size (ac)	Purchase Price	Est. Size (sf) ⁴²	Price PSF
98 James Street South	Sep-19	0.33	\$8,500,000	199,238	\$42.66
190 Main Street South	Dec-18	1.88	\$20,500,000	493,420	\$41.55

Upon the time of this contemplated next phase of development were to occur, it should be acknowledged that the these lands would be sitting adjacent to a newly-built sports and entertainment facility, as well as the Hamilton Central Library and Farmer's Market, three (3) highly sought-after local area amenities. It is also expected that the Hamilton LRT system will be operational at this time.

Given these factors and on-going Downtown Hamilton market appreciation, a premium of 25% has been applied to the per buildable sf unit value from today's market value. It should be noted that these future value estimated are predicated upon the successful completion of Phases I and II, the completion of the LRT system, all else being equal from today's market conditions.

³⁹ Compiled by EY from a variety of sources including facility websites, industry publications and GIS software.
⁴⁰ Assumed using demolition costs quoted by City of Calgary for the demolition of the Scotiabank Saddledome.
⁴¹ Sourced from RealNet with additional assumptions developed by EY for project densities.
⁴² Assumed based on Downtown Hamilton Secondary Plan, proposals received and other comparable site densities.



Summarized in the table below is the inflated 2023 construction cost estimate for the convention centre, the 2023 land value estimate, and expected 2023 arena demolition costs.

Land Value Contribution to Convention Centre Construction	
	Est. Value
Est. 2023 Residual Land Value - Former Arena Site	\$33,001,272
Est. 2023 Convention Centre Construction Cost	\$30,471,856
Excess Land Value	\$2,529,416
Less: Arena Demolition	(\$11,442,390)
Total Project Costs	(\$8,912,974)

This data would suggest that while residual land values of \$2.5 million over and above estimated future construction costs may be retained, the assumed cost for demolition of the existing site must be factored into the analysis. A total project cost of \$8.9 million has been assumed for the convention centre after adjusting for demolition of the existing FirstOntario Centre improvements. Further discussion of typical cost-splitting with other levels of government is provided for in the following section.

Once this hypothetical Phase II has been completed, the underlying value of the existing Hamilton Convention Centre's approximate 1.3-acre site may be further considered. Using the same premium applied to the forward-looking price per buildable sf that was employed in the valuation of the former arena site, in our view, is justified given that this site is adjacent to cultural amenities such as the Art Gallery of Hamilton and FirstOntario Concert Hall, in addition to its adjacency to the proposed James Street LRT station.

As such, with a FAR assumption of 8.5, the following value has been estimated, subject to a demolition cost estimate of \$670,981.⁴³

Current Convention Centre Residual Land Value	
	Size (sf) / Value
Est. Total Site Size	56,745
Est. Project Buildout	482,222
Est. 2023 Land Value	\$25,721,979
Less: Demolition	(\$670,981)
Est. 2023 Residual Land Value	\$25,050,998

Residual Sports and entertainment Venue Land Value

It should also be noted that based upon our analysis of comparably-sized sports and entertainment venue facilities, our initial land acquisition requirement of 3.5 acres was identified for the staging and construction of a future 10,000-seat sports and entertainment venue.

Should parking not be required as part of the overall sports and entertainment venue development, however, we believe that following construction the City would likely retain a residual development land parcel of approximately 0.75 acres.

⁴³ Sourced from Marshall & Swift, and subject to additional site-specific adjustments made by EY, inflated to 2023.



We have assumed the actual size requirement for the sports and entertainment venue development as 2.75 acres based on the research presented below:

Sports and Entertainment Venue Site Requirements (Excluding Parking) ⁴⁴			
Venue	Capacity	Site Area (Ac)	Comments
Budweiser Gardens	11,000	2.91	Excludes gathering space, parking.
Scotiabank Centre	9,100	2.58	No adjacent parking.

Under this scenario, the residual value of this excess land has been assumed to have a future value of nearly \$17.5 million, based upon a FAR of 10 on this strategically-located 0.75-acre site which would be adjacent, if not connected to a proposed newly-built sports and entertainment facility.

Future Sports and Entertainment Venue Site Residual Land Value	
	Size (sf) / Value
Est. Total Site Size	32,738
Est. Project Buildout	327,372
Est. 2023 Land Value	\$17,458,357

⁴⁴ Sourced from arena websites and GIS software.



7. Funding Model Assessment

In order to assess the potential municipal contribution requirement for recommendations arising from this Entertainment Venues Review, an assessment of deal structures and operating models for recently-constructed sports and entertainment venues and convention centre facilities has been completed. In addition, further analysis on potential municipal cost offsets and other indirect local economic impact benefits have been considered.

7.1 Sports and Entertainment Venue Case Studies: New Construction

The following details pertaining to the funding formulas demonstrate the relationship between the operator of new sports and entertainment venue facilities and its private contribution partner.

Figure 19 - New Sports and entertainment venue Construction Funding Details⁴⁵

Sports & Entertainment Venue	Year Built	Cost ⁴⁶ (\$M)	Public Funding	Private Funding
Proposed Renewal, Calgary	TBD	\$550.0M	50%	50%
<ul style="list-style-type: none"> • \$227M upfront city contribution. • \$155M recovered by city with facility fee over 35-year period. • \$2.5M recovered by city with 10-year naming rights. • \$227M upfront contribution from Flames ownership, who were also guaranteed ROFR⁴⁷ on adjacent lands. • Ownership to be retained by the city, with Flames ownership responsible for 35-year maintenance. 				
Place Bell, Laval	2017	\$200.0M	84%	16%
<ul style="list-style-type: none"> • \$122M upfront city contribution and \$46.3M upfront provincial contribution • \$32M Evenko contribution which the facility manager & Montreal Canadiens/lead tenant partner who is responsible for all operating costs of facility over the course of the 20-year leasing deal. • Private-sector upfront contribution of \$12M, in addition to \$20M over a 20-year leasing term, or \$1M/year. • Original private contribution equal to 30% of total project costs, decreasing to 16% due to cost overruns. 				
Mosaic Stadium, Regina	2016	\$278.0M	91%	6%
<ul style="list-style-type: none"> • \$80M upfront provincial contribution and \$73M upfront city contribution. • \$75M recovered by city 35-year lease with Sask. Sport Inc. with city responsible for 30-year maintenance which has been estimated at \$118.8M over the term of the lease. • Private, upfront contribution from football club of \$20M towards public funding costs, with an additional \$20M investment towards the Roughrider's internal areas of new stadium. • \$100M recovered by city through a ticket surcharge projected over 30-year period. 				
Rogers Place, Edmonton	2015	\$483.5	73%	27%
<ul style="list-style-type: none"> • \$226M upfront city contribution funded through community revitalization levy, new parking revenues, and redirection of current Rexall Place subsidy. • The ICE District partnership⁴⁸ contributed of \$130M includes an upfront \$19.7M capital contribution, and \$112.8M paid to the city as rent over 35 years which covers principal and interest costs for principal amount. • \$125M financed by the City will be recovered through ticket surcharges over 35-year lease period. • Additional private investment from the ICE District Partnership³¹ in adjoining community amenities was provided, including a \$6.7M upfront contribution and \$25M over 35 years covering city's financing costs. • Subsequent municipal land transfers between the city and the ICE District Partnership would appear to reflect earlier investments in other community amenities and future programming. 				

⁴⁵ Compiled by EY from a variety of sources, including media reports, municipal budget documents, and other public information.

⁴⁶ Total project costs, which may include land acquisition or other components not considered in analysis of construction costs.

⁴⁷ Right of First Refusal to acquire municipal development lands adjacent new arena facility.

⁴⁸ A joint-venture between Katz Group, who also own the Edmonton Oilers, and ONE Properties, a development partner.



- ▶ For most private-sector contributions, funding has been comprised of an upfront capital contribution, in addition to longer-term lease payments, which represent a portion of operating gains. Operational risk has been assumed following a municipal-led construction project.
 - Due to cost overruns in the construction of Place Bell, the actual composition of private funding decreased from 30% to 16% of the originally-committed municipal cost estimate.
- ▶ In most cases (e.g. Calgary Proposal, Place Bell, Rogers Place), facility management groups are provided with full control of the facility's revenue-generating potential, including event promotion, ticket sales, F&B, and advertising/naming/promotional rights.
 - In most cases, a "Facility Fee" revenue stream, based upon a pre-negotiated percentage of ticket sales and/or a fixed fee applied to ticket face values is collected. As sports and entertainment venues remain owned by the municipality, a split of this funding may be applied to a capital reserve, and debt repayment for any municipal contribution.
- ▶ In the ICE District and Calgary Proposal, adjacent real estate development opportunities which emerged from these deals have been noted as major deal considerations which can provide upfront certainty over the total project returns for private-sector partners.
 - In Edmonton's ICE District, private-sector investments in other public, community amenities (e.g. Winter Garden) were adjoining the real estate development opportunities on other, adjacent municipal lands conveyed to the ICE District partnership.
- ▶ Examples of sports and entertainment venue investments situated in a clustered precinct within the downtown core with transit connections and other adjacent entertainment and cultural amenities augment the opportunity for real estate development and community partnerships.
 - In Calgary, there is an estimated incremental \$138.7 million increase in the property taxes collected over the course of the 35-year deal, \$75 million in support to local community sports organizations and \$9.5 million through community programming.⁴⁹
 - In Winnipeg, evidence exists in the relationship between the sports and entertainment venue's impact on increasing downtown populations and lower commercial retail vacancy that have caused a measurable increase in the safety of its downtown precinct.
- ▶ In Edmonton, some municipal ICE District funds were financed through a community infrastructure levy structured around expected rise in future municipal property tax proceeds.
 - After five (5) years of a net loss in the scheme between 2014 - 2019, recent city estimates predict that by 2034, the project will ultimately net out \$238.5 million over and above the debt servicing and other project costs incurred.⁵⁰

Based upon this review, EY believes that Hamilton may attract private-sector investment in a renewed arena equal to 20% - 30% of the construction costs, provided the development partner has a vested interest in the success of the new facility either as the facility's lead tenant, through facility revenue control or with associated real estate development opportunities.

Several considerations for cost offsetting include unlocking vacant the value of vacant lands, the likely follow-on investment and resultant increases in the municipal property tax base, and local economic impact analysis.

⁴⁹ City of Calgary, *Projected Returns to Calgarians*. (22 July 2019)

⁵⁰ University of Calgary, *Community Revitalization Levy as Municipal Financing Mechanism*. (February 2019)



7.2 Convention Centre Case Studies: New Construction

The following case studies have been presented for the consideration of convention centre funding models, based upon a review of recently-completed facilities, and major renovations or expansions.

Figure 20 - New Convention Centre Construction Funding Details⁵¹

Convention Centre	Year Built	Cost ⁵² (\$M)	Public Funding	Private Funding
BMO Place, Calgary	TBD	\$500.0M	100%	-
<ul style="list-style-type: none"> Proposed expansion and redevelopment of Tier 3 convention centre into a Tier 4 facility as a municipal-led construction project. Equal 1/3 parts funding were provided by the federal, provincial, and municipal governments. 				
Nova Centre, Halifax	2018	\$169.2M	100%	-
<ul style="list-style-type: none"> Redevelopment of the Halifax Convention Centre to be incorporated as part of a mixed-use, private-sector led development which includes an office and hotel component. Private-sector led construction of the integrated facility, with long-term operations managed by a provincial-municipal partnership who also manage the adjacent Scotiabank Centre and Ticket Atlantic. Federal contribution of \$51.4M provided at point of substantial completion, with longer-term lease payments equal to the balance of \$112.8M financed through fixed, 25-year annual lease payments equally shared by province and municipality at a rate of 4.10%. While the municipal funding strategy was reliant on the commercial property taxes estimated to be collected on the mixed-use development, this growth in assessment values was not achieved and revised forecasts estimate a shortfall of \$5.0 - \$8.0M in capital reserve funding for the facility for 5 years from opening.⁵³ 				
RBC Centre Expansion, Winnipeg	2012	\$181.6M	100%	-
<ul style="list-style-type: none"> Federal (\$46.6M), and equal parts provincial and municipal funding (\$51.0M) were provided as upfront capital contributions to the expansion of this municipally-owned facility. An additional \$33.0M in public financing was secured based upon \$17.0M in new convention centre revenues and \$16.0M in new taxes from the expansion of an adjacent hotel. Due to a delay in securing an adjacent hotel development to 2022 originally been planned for 2016, the convention centre could have not been able to make payments on its portion of the loan, and the incremental gains in property tax have not been achieved. Due to this, the city has been covering loan payments of \$2.2M in addition to other capital costs in the new facility. 				
Scotiabank Centre, Niagara Falls	2011	\$105.0M	66%	33% (local) ⁵⁴
<ul style="list-style-type: none"> In Niagara Falls, a partnership with local partners such as the Falls Management Company, Fallsview BIA, Victoria Centre BIA, and Niagara Parks Commission. It is unclear what portion of the 1/3 parts funding coming from local partners is in fact "private" funding, as the Falls Management Company is an operator for a Crown-owned agency. The Niagara Parks Commission is also a Crown agency. The federal and provincial governments respectively supported 1/3 parts funding for the balance of costs. 				
Shaw Centre, Ottawa	2011	\$180.0M	100%	-
<ul style="list-style-type: none"> With the exception of a \$40.0M loan provided by the province's Ontario Financing Authority ("OFA"), the facility's upfront funding was provided by the federal, provincial, and municipal government. In 2018, due to on-going challenges in meeting its \$4.0M long-term debt obligations to the OFA, a renewed agreement was established based upon annual payments of \$1.0M, subject to the facility's ability to make such payments. 				

⁵¹ Compiled by EY from a variety of sources, including media reports, municipal budget documents, and other public information.
⁵² Total project costs, which may include land acquisition or other components not considered in analysis of construction costs.
⁵³ City of Halifax, *Payments for Halifax Convention Centre and Reserve Update*. (21 March 2018)
⁵⁴ Based on EY research, it is unclear what the portion of exact private-sector funding was as part of this portion.



- ▶ In each of these recent examples of convention centre construction, public funding from each of the three (3) levels of government typically provided for the total project costs. The municipality and province typically shared the balance of costs from pre-defined caps set by federal government programs over the years, such as Building in Canada and Investing in Canada.
- ▶ In the three (3) examples where some form of financing and/or guarantee was provided, the evidence would not suggest that immediate returns in the initial years of operation from the facility due to events revenue and/or local increases in the tax assessment may be relied upon.

In each of the examples considered by EY, the cost-sharing split was relatively consistent. Total project costs for a renewed convention centre facility were generally split between the federal, provincial and municipal governments. Where any public financing was borne by the Crown operator, it should be noted that these funds were typically guaranteed by the provincial and/or municipal government owning the facility.

Given this, we would reasonably expect some degree of similar cost-sharing in a proposed future convention centre renewal, subject to political directions at that time. In terms of the contribution for Hamilton, cost offsets such as excess land contributions for development may also be considered.

7.3 Municipal Contribution Offsets

To develop a final go-forward approach for the City, EY believes that the Status Quo, Arena Renovation and Entertainment Venue Renewal respective total financial impact and NPV cost projections may be balanced by a series of additional offsets. These include an identification of potential direct residual land and public grant cost offsets, as well as impacts to expected private-sector follow-on investment, and net, incremental gains in estimated local economic impact from one option to another.

Given both the Status Quo and Arena Renovation options do not contemplate any future relocation of the existing Entertainment Venues, we do not foresee any residual land contributions offsets. The Entertainment Venue Renewal option does, however, contemplate the following 3-phased approach to the relocation and new construction of the FirstOntario Centre and Hamilton Convention Centre sites:

- 1) Construction and relocation of the existing FirstOntario Centre over a 5-year period from 2019 on a site of approximately ~3.5 acres in downtown Hamilton to adequately stage for the construction of a 10,000-seat sports and entertainment venue.⁵⁵
- 2) Following the opening of the newly-constructed FirstOntario Centre in 2023, we believe the market rationale and overall tourist draw in Hamilton will have improved, creating greater certainty around the viability of a renewed convention centre. Subject to demolition, the former FirstOntario lands have been considered as an ideal site, limiting land acquisition requirement with excess capacity for other revenue-generating uses to also be co-located on the site.
- 3) Based upon a projected renewal of the Hamilton Convention Centre on the former arena site, the convention lands may be sold or redeveloped, subject to demolition.

⁵⁵ Commercially confidential, site-specific analysis and valuation(s) have been separately provided to the City.



Under this option, and considering the broad indications of value presented in the previous section of this report, we feel the following assumptions may generate potential direct cost offsets under the Entertainment Venue Renewal option for Hamilton to consider, as summarized in Table 18 below:

- ▶ As the outlook for funding from other levels of government for the construction of the new sports and entertainment venue is uncertain, we have not considered other public-sector contribution(s) at this time. We have, however, assumed a 20% - 30% private-sector contribution of sports and entertainment venue construction costs.
 - While the particular details pertaining to the allocation between upfront cost contribution and remaining lease obligations over a 30-year term would require further discussion with the City and negotiations with potential partners.
 - As such, the private-sector contribution has not been adjusted to a Present Value, and for the purposes of this analysis we have removed the future lease payments to a separate line in Table 18 below.
 - We would also anticipate that future lease payments which reflect financing borne by Hamilton to fund the required long-term payment for upfront private-sector capital costs would additionally include debt servicing costs at the City's Cost of Capital over and above the principal amount of 20% - 30% of total construction costs.
- ▶ Based upon a projected 2023 future cost of \$41.9 million⁵⁶ to construct the convention centre, it is assumed that the provincial and federal government would equally provide for \$10.4 million, respectively, representing 50% of the total incurred costs for the new facility. As these contributions would be negotiated in 2021, the future land residual values have been discounted to a 2019 Present Value for the NPV calculation.
- ▶ The two (2) residual land sites which have been identified based upon their future land values include the site of the existing convention centre, as well as the potential excess land which was required for construction staging on the future sports and entertainment venue site. Both of these offsets have been assumed at 2023 land values as discussed, which have been discounted to a 2019 Present Value for the NPV calculation.

Table 18 - Estimated Direct Entertainment Renewal Option Cost Offsets

Entertainment Venue Renewal Option: Direct Residual Land & Public Subsidy Cost Offsets		
	Total Financial Impact	Total Financial Impact NPV
Total Project Costs ⁵⁷	(\$186.9M)	(\$166.4M)
Less: Private-Sector Contribution	\$26.7M - \$40.0M	\$26.1M - \$39.1M
Less: New Convention Centre Cost Sharing ⁵⁶	\$21.0M	\$18.4M
Less: Current Convention Centre Residual Land	\$33.0M	\$28.9M
Less: New Site Residual Land	\$17.5M	\$15.2M
Total Est. Direct City Cost Offsets	\$97.5M - \$110.6M	\$88.7M - \$101.8M
Balance of Total Project Costs	(\$78.4M - \$87.3M)	(\$64.3M - \$77.7M)

⁵⁶ Estimate includes projected future convention centre construction costs, as well as demolition costs for FirstOntario Centre.

⁵⁷ Excludes the arena operating profit sharing as part of the private-sector contribution lease package.



7.4 Local Economic Impact Analysis

As part of its economic impact analysis, EY assessed the potential CAPEX, OPEX, tourism and other impacts to the City of Hamilton under the Arena Renovation and Entertainment Venue Renewal options, in addition to the previous Status Quo option presented in Section 2.5 of this report.

- ▶ **Arena Renovation:** The Hamilton Convention Centre and the FirstOntario Concert Hall are left in their current state, however, renovations to the FirstOntario Centre are undertaken.
- ▶ **Entertainment Venue Renewal:** Involves the construction of a new sports and entertainment venue and conference facility, while the FirstOntario Concert Hall would remain “as-is.”

Each of the above scenarios was selected to provide the City of Hamilton with options that (i) incentivize the private sector to undertake the redevelopment and operation of any or all of the City’s Entertainment Assets and (ii) strategically divest any or all of the City’s Entertainment Assets. When assessing the viability and feasibility of these options, particular attention was given to maximizing private sector follow-on investment within Hamilton’s downtown core and whether it meets the objectives outlined in the City’s Economic Development Action Plan and its Cultural Plan and Tourism Strategy. Table 19 provides an overview of the projected CAPEX and OPEX for each Entertainment Asset under both the Status Quo, Arena Renovation and Entertainment Venue Renewal options.

Table 19 - CAPEX and OPEX for Status Quo, Arena Renovation, and Entertainment Venue Renewal Options

CAPEX and OPEX Options Analysis			
Impact	Status Quo	Arena Renovation	Entertainment Venue Renewal
OPEX			
Hamilton Convention Centre	3.39	3.39	5.90
FOC/FOCH	9.67	10.27	14.45
Total	13.06	13.66	20.35
CAPEX			
Hamilton Convention Centre	7.76	7.76	25.21
FOC	32.70	67.45	123.42
FOCH	8.48	8.48	8.48
Total	48.94	83.69	157.11

Notes: Total OPEX and CAPEX estimates are in 2015 dollars and have been rounded. Estimated life cycle of CAPEX under Arena Renovation and Entertainment Venue Renewal are from 2018 to 2024.

Sources: Stakeholder data and EY calculations.





Under the Arena Renovation option, total OPEX are expected to be CAD \$13.66 million while total CAPEX is expected to be approximately CAD \$83.69 million. For the Entertainment Venue Renewal option, total OPEX and CAPEX are CAD \$20.35 million and CAD \$157.11 million, respectively. OPEX for the Hamilton Convention Centre under the Entertainment Venue Renewal option has been benchmarked against OPEX from the London Convention Centre. Assuming once the Hamilton Convention Centre is fully complete and operational, the two structures are expected to be relatively similar in size and event hosting, representing a reasonable proxy of what could be expected for the City of Hamilton.



Operational and Capital Expenditure Impacts

Impacts associated for each scenario and the current state for Hamilton's Entertainment Venues are displayed below in Table 20.

Table 20 - Economic Impact for Status Quo, Arena Renovation, and Entertainment Venue Renewal Options

Economic Impacts for Status Quo, Arena Renovation (Scenario 2), Entertainment Venue Renewal				
Impact	 FTEs	 Wages (\$ mn)	 GDP (\$ mn)	 Output (\$ mn)
OPEX				
Status Quo	122	7.93	11.21	15.69
Arena Renovation	128	8.34	11.56	15.97
Entertainment Venue Renewal	194	12.75	17.57	23.81
CAPEX				
Status Quo	277	20.93	26.17	53.87
Arena Renovation	475	35.78	44.73	92.07
Entertainment Venue Renewal	892	67.28	84.10	172.82

Notes: Figures for wages, GDP and output are in millions and 2015 dollars. Numbers have been rounded and are the sum of direct and indirect impacts associated with each Entertainment Asset under each of the three (3) options.

. CAPEX FTE impacts are measured in ("Person-Year") FTE jobs.

Sources: Stakeholder data and EY calculations.

Results suggest that the operational expenditures associated with the Arena Renovation option are expected to sustain CAD \$15.97 million in gross output, CAD \$11.56 million in GDP, CAD \$8.34 million in labour income and 128 FTE jobs. These impacts are to be sustained from the year 2022 onwards, when renovations to the FirstOntario Centre are complete and the facility is to reach its full operational capacity. The Entertainment Venue Renewal option is expected to sustain CAD \$23.81 million in gross output, CAD \$17.57 million in GDP, CAD \$12.75 million in labour income and 194 FTE jobs annually. These impacts are to be sustained from 2025 onwards, as this is the year in which both the new sports and entertainment venue and convention centre are assumed to be fully operational.

OPEX impacts under the Arena Renovation are to increase under the assumption that more guests are anticipated to attend events held at the FirstOntario Centre on an annual basis. As an example, in its first year after renovations are complete, annual attendance is projected to increase by approximately 20%. As a result, it is assumed that the increase in visitors would drive up operational costs primarily through increases in wage and salaries for event employees (via overtime and extra personnel), day-to-day repairs and maintenance and utility costs, etc. Similar analysis was performed for the Entertainment Venue Renewal Option where increases in operational expenditures associated with a new convention centre is associated with a projected increase in attendees once the new convention centre is fully operational. It should be noted however that impacts associated with Entertainment Venue Renewal option are contingent upon demolition of the current FirstOntario Centre, as plans call for the new convention centre to be built on this site.

CAPEX impacts suggest that the Arena Renovation option is expected to generate CAD \$92.07 million in gross output, CAD \$44.73 million in GDP, CAD \$35.78 million in labour income and 475 person-year







FTE jobs from 2018-2024. Likewise, the Entertainment Venue Renewal option is expected to generate CAD \$172.82 million in gross output, CAD \$84.10 million in GDP, CAD \$67.28 million in labour income and 892 person-year FTE jobs from 2018 to 2024. CAPEX for renovations under Arena Renovation are projected to cost CAD \$67.45 million, which primarily involves remodelling the facility's key areas. These renovations include items such as upgrades to the facility's exterior structure (i.e., roof), interior finishing's, plumbing, refrigeration and HVAC systems, etc. Under the Entertainment Venue Renewal option, the new sports and entertainment venue is projected to cost CAD \$123.42 million, while the new Convention Centre has an estimated price-tag of CAD \$25.21 million. These CAPEX are substantially higher than the current state CAPEX estimates of CAD \$7.76 and CAD \$32.70 million, which explains the increase in impacts associated with gross output, GDP contributions, labour income and person-year FTE jobs.

Tourism Impacts

Tourism impacts associated with each scenario and the current state are presented in Table 21.

Table 21 - Tourism Expenditure for Status Quo, Arena Renovation, and Entertainment Venue Renewal Options

Summary of Tourism Expenditure Impacts for Options Analysis

				
Impact	FTEs	Wages (\$ mn)	GDP (\$ mn)	Output (\$ mn)
Status Quo	160	5.79	7.94	22.90
Arena Renovation	183	6.60	9.05	26.11
Entertainment Venue Renewal	211	7.61	10.44	30.04

Notes: Figures for wages, GDP and output are in millions, 2015 dollars and at basic prices. Numbers have been rounded. Figures reflect those from estimated visitor related expenditures associated with the Hamilton Convention Centre, FirstOntario Centre and the FirstOntario Concert under the current state, scenario 1 and scenario 2 and are the sum of both direct and indirect impacts.
Sources: Stakeholder data and EY calculations

Tourism related expenditures for the Arena Renovation option are anticipated to generate CAD \$26.11 million in gross output, CAD \$9.05 million in GDP and CAD \$6.60 million in labour income. Also, 183 FTE jobs are to be sustained annually. As with OPEX related impacts, the tourism impacts associated with scenario 1 are to occur from the year 2022 onwards. For the Arena Renovation option, tourism related impacts are anticipated to increase as a result of the FirstOntario Centre becoming a more attractive destination for events and its patrons. Through stakeholder consultations, among the main identifiers for the facility's relatively low attendance figures is likely a result of, among other things, the current architectural state of the facility and its features. As such, under the proposed renovations it is projected that visitor attendance may likely increase, resulting in higher tourism impacts.

For the Entertainment Venue Renewal option, tourism related expenditures are expected to contribute approximately CAD \$30.04 million in gross output, CAD \$10.44 million in GDP, CAD \$7.61 million in labour income and 211 full-time equivalent jobs on a sustaining basis and are to occur from the year 2025 onwards.

Under this scenario, it is assumed that as a result of the new Hamilton Convention Centre and the FirstOntario Centre, the City of Hamilton may now have the ability to host more events that they would not have otherwise under the current state. This includes for example tourism related expenditures associated with hosting more conventions, trade shows and events, etc.



7.5 Follow-On Investment & Other Considerations

Through the examination of case studies presented in earlier sections of this report, headline statistics provide clear indications of the growth and development of downtown precincts following the investment in a new sports and entertainment venue and the establishment of a clustered entertainment precinct.

In London, a 61% rise in the total value of assessed properties in the City's downtown precinct occurred during the 20-year period following the construction of Budweiser Gardens and nearly \$300 million in private-sector follow-on investment. A reported \$2.5 billion dollars of expected future private-sector investment is planned for subsequent phases of Edmonton's ICE District project following the completion of Rogers Place and in Winnipeg, it is reported that \$1.12 billion of investment in mixed-use development downtown occurred following the construction of the Bell MTS Place.

Additional evidence suggests that in Winnipeg, a 20% reduction in street crimes has occurred as a result of the increasing resident base and activity downtown, resulting in safer streets as new, mixed-use developments continue to be built. In London, the downtown core's street front retail vacancy rate has also declined from 12.5% in 2002 to 7.00% in 2017, driven by the increasing demand for retail services from both new downtown residents and increased draw of the downtown core to other city residents.⁵⁸

Given the current development trajectory in downtown Hamilton, isolating the impact of investments in the three (3) options presented is challenging, giving the unknown(s) surrounding identifying the incremental level of private-sector investment over what would presumably otherwise have occurred.

We do believe, however, that it is appropriate is to consider the total level of planned investment known at the time of this report, and consider how each of the three (3) investment options may impact these project's, if at all. Specific private-sector investments have been identified as being incorporated into the 3-phased Entertainment Venue Renewal option would also warrant expected future investments.

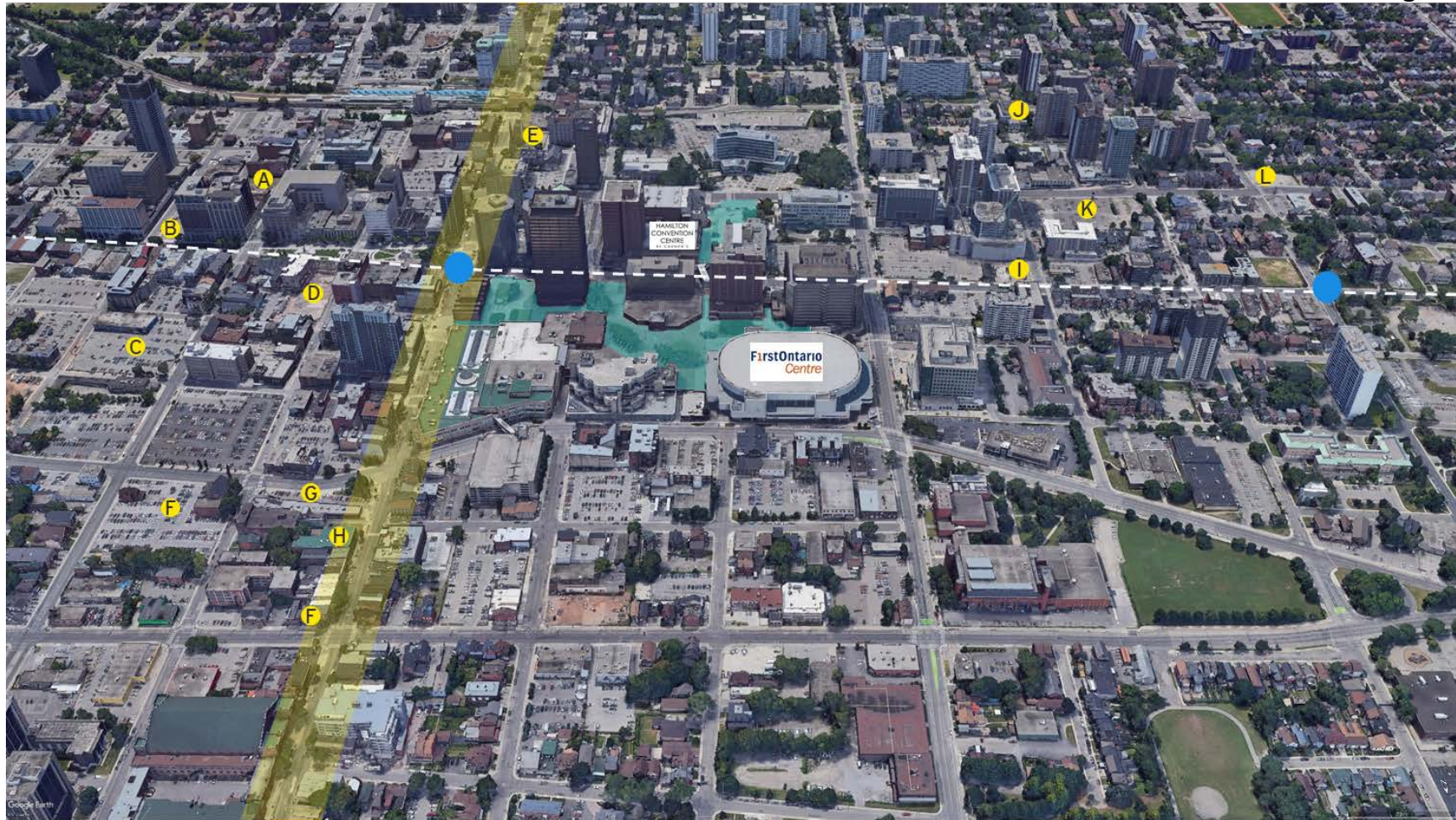
On the following page, in Figure 21 a survey of "Proposed" development project proposals is presented in Hamilton's downtown core. These are future, longer-term developments, considered to be at different stages of the planning process with potentially unknown launch dates. Based on the EY's analysis of the investment options in conjunction the local pattern(s) of potential future development, we assume:

- ▶ The Status Quo investments are not expected to support any re-animation of street-level "grey zones" or provide any augmented pedestrian-level connection(s) to key public realm areas such as Jackson Square or Commonwealth Square from any of the Entertainment Venues.
- ▶ Due to the orientation of the FirstOntario Centre's sole, concourse-level entrance facing NW in the opposite direction away from key downtown destination(s) such as James Street and other Entertainment Venues, the ability to achieve the added benefits of a "clustered, co-located downtown precinct" is limited even under the Arena Renovation option.
 - Adjacent land uses are likely to continue limiting the potential for immediately adjacent development to this site.
 - Future downtown development in Hamilton would appear to be clustered around planned LRT stations, which the current FirstOntario Centre is oriented away from.

⁵⁸ City of London, *2017 State of the Downtown Report*. (2019)



Figure 21 - Long-Term, Proposed Private-Sector Investments in Downtown Hamilton⁵⁹



- James Street Corridor
- Jackson Square / Commonwealth Square
- Future Planned LRT Station (James Street / Queen Street)
- A Long-Term Proposed Private-Sector Development

⁵⁹ EY research compiled from a variety of sources including RealNet, Urbanation, and other industry publications.



While the Status Quo and Arena Renovation option would likely not directly impact the pace of private-sector investment in the downtown core, the level of excitement derived from the announcement of a new sports and entertainment venue (and subsequent phases of development) and other related projects such as the LRT construction and future GO service enhancements, we do feel that the Entertainment Venue Renewal option warrants consideration of the impact to the pace of development in Downtown Hamilton.

Based on the project-level information which is available for some of the projects identified in Figure 21, EY estimates that a future, longer-term supply of nearly 4,775 units in the downtown core. Based on those projected project launch dates available, we understand that 1,025 will launch in the 2019-2020 period, leaving a balance of 3,750 units thereafter.

Given that these projects are all currently at some stage in the planning process, we understand that developers are actively engaged and incentivized to undertake investments in the preparation of these sites for planning approvals, and eventual project launch as part of the pre-construction process.

We could therefore further assume that should an announcement of a proposed multi-phased plan, beginning with a firm announcement to invest in a renewed sports and entertainment venue, the majority of these developers would likely be further incentivized to expedite investments to launch projects and ensure alignment to the construction of the new sports and entertainment venue. Marketing efforts would likely be bolstered as well with the timing to coincide with the scheduled opening of the LRT system in 2024, and other potential community, public realm improvements such as a renewed Jackson Square terrace.

According to Urbanation, over the past year in Hamilton, previous 4-quarter total unit sales for new condominiums averaged 720 unit-sales per annum. (Q118-Q119) At this pace of absorption, it would take 5.2 years for the entire balance of units from 2020 to be built. Based on projected 3-year construction period, we may estimate based on historical absorption patterns, 2,160 units would be constructed under current market conditions, yielding a balance of 1,590 units.

If we then assume that developers may be enticed to capitalize on the marketing of units to be delivered with a newly-constructed sports and entertainment venue, scheduled LRT system and the likely area amenities from growth in the downtown core, an assumption of the impact of investment on development may be induced. Based on EY assumptions⁶⁰, the total build-out of 1,590 units would comprise just over 1 million sf. When we combine this construction with total expected build-out at the three (3) residual land parcels that the Entertainment Venue Renewal option would yield (e.g. arena, convention centre, and former convention centre sites), we may estimate a further potential built-out of all projects directly impacted by these investments at over 1.4 million sf.

If we consider 40% - 60% of the currently planned, medium to longer-term potential development sites in Downtown Hamilton as directly or indirectly impacted by investments made within the Entertainment Renewal Option, based on EY assumptions⁵³, between \$293 - \$326 million of private-sector investment may be induced to proceed to better align with the timelines associated with the sports and entertainment venue renewal and convention centre investments.

⁶⁰ Assumes an average unit size of 550 sf, with a 15% gross-up factor for common building amenities.

⁶¹ Based upon Altus Cost Guide estimates and other EY soft cost and parking assumptions.



Increased Perception as a premier arts, entertainment, and cultural destination

For both scenarios, there is the potential to increase the overall perception, reputation and attractiveness of the City of Hamilton. Specifically, the Entertainment Venue Renewal scenario has the ability to showcase Hamilton as a premier arts, cultural and entertainment destination within Southern Ontario, the province and Canada as a whole.

As a result, the City will likely have a better chance of attracting events which it might not have been able to do otherwise. These events include conferences, trade shows, business events, concerts and sports. In turn, developments under either scenario will act as a significant "pull-factor" in attracting a more diverse audience base, which will be beneficial for numerous sectors critical to the City's long-run economic prosperity. This includes for example the accommodation, hospitality and services industries, etc.⁶² These outcomes also align with the strategic goals set forth in the City's 2015-2022 Tourism Strategy, which aims to establish the City of Hamilton as a positive destination for visitors and increase the City's market share within the tourism sector space.

Community Engagement and Resident Well-Being

Under the Arena Renovation and Entertainment Venue Renewal options, there is also the potential to generate positive outcomes in the form of increased community engagement and resident well-being. By deciding to either renovate the FirstOntario Centre or construct both a new sports and entertainment venue and convention centre, the City has the ability to increase the availability of space in which local and non-local residents can come together to engage in common interests.

Academic and industry research reports have shown that such spaces increase the overall physical and mental well-being of its local residents, which in turn leads to additional positive spill-over effects throughout their communities. Specifically focusing on sports and entertainment venues, these types of structures have been shown to generate what economists refer to as positive "social capital", which refers to the connections, trust and reciprocity between individuals and their communities.

These types of facilities have also been shown to promote relationships amongst community members by establishing a common sense of identity. Additionally, these types of facilities have also been shown to increase levels of human capital through what is referred to as the "experience economy", where individuals are attracted to areas in which their places of work and entertainment are within close proximity.⁶³

7.6 Commonwealth Games Opportunity

While uncertain at this time, should the City decide to pursue a future Commonwealth Games bid, investment in these facilities would likely support a bid package, in particular with respect to a renewed FirstOntario Centre. Additional funding sources may also be identified from future federal and/or provincial investment programs. Due to various uncertainties surrounding a potential Hamilton Commonwealth Games bid, however, EY did not consider this as part of our options analysis.

⁶² As an example, analysis revealed that for every one-unit increase in demand for accommodations within the City, there is an increase of \$179 dollars in hotel revenues.

⁶³ Rosentraub, M.S "Sports Facilities, A New Arena in Edmonton and the Opportunities for Development and a City's Image: Lessons from Successful Experiences." https://www.edmonton.ca/attractions_events/documents/PDF/RosentraubReport.pdf



8. Final Recommendation(s)

In developing our final recommendation for Hamilton, EY has considered the broad range of quantitative and qualitative analysis presented throughout this report. Based on our Needs Assessment, we have concluded on the following requirements with respect to each of the three (3) Entertainment Venues:

- ▶ **Sports and entertainment venue:** a “right-sized” facility with a 10,000 capacity would best serve the Hamilton market’s demand from a capacity and programming perspective.
 - As financial modelling which did not project that the enhanced revenue-generating capabilities of a renovated sports and entertainment venue would greatly eliminate ongoing municipal subsidy requirements, we would not recommend that the City move forward with an Arena Renovation option at this time.
 - EY also considered the possibility of a land exchange for the FirstOntario Site at no cost to the acquirer who would assume all capital and operating risk. In addition to the lack of market evidence to support this, discussions with industry expertise also indicated the unlikely success in this arrangement due to risk exposure in the current operations which are not aligned to the current market demand. While the opportunity for redevelopment does exist, demolition complexities and costs would be likely to be too inhibiting for this to make economic sense to most responsible developers.
- ▶ **Performing Arts Centre:** while the current FirstOntario Concert Hall does appear to require aesthetic, accessibility, and other guest experience improvements (e.g. outdoor space), the current facility would appear to be “right-sized” for the Hamilton market, and as the number of events continues to grow with the market, municipal subsidy requirements will be minimized.
- ▶ **Convention Centre:** based on our analysis, while the current business model would not appear to support the potential tourism and local economic impact gains, market demand for a new facility is uncertain at this time. With further development of Hamilton’s overall destination appeal, we feel that a renewed facility of ~70,000 sf with a larger contiguous floorspace would be market supported in the near to medium-term.

Based on these needs, the Status Quo and Entertainment Venue Renewal options are considered as final go-forward approaches, with the estimated municipal contribution costs under either option considered as a primary financial comparison. Based on the NPV total financial impacts of \$90.8 and \$166.4 million, respectively, for the Status Quo and Entertainment Venue Renewal options, we can compare costs from one option to another.

Based on these figures, we identify the net, incremental cost for the City to deliver the Entertainment Venue Renewal option as \$75.6 million.

If Hamilton were to advance the Status Quo option, it would cost an additional \$75.6 million to deliver the Entertainment Venue Renewal option.



Acknowledging this net, incremental cost, further analysis of the estimated direct municipal cost offsets under the Entertainment Venue Renewal option outlined in Sections 7.3 have been outlined below⁶⁴:

Long-Term Financial Impact Analysis for City: Entertainment Venue Renewal Option	
	\$2019 Value
Incremental Cost for Entertainment Venue Renewal Option	(\$75.6 million)
Plus: Private-Sector Contribution	\$26.1 - \$39.2 million
Plus: New Convention Centre Cost Sharing ⁵³	\$18.4 million
Plus: Current Convention Centre Residual Land	\$28,9 million
Plus: New Sports & Entertainment Venue Residual Land	\$15.3 million
Net Relative Financial Impact for City	\$13.1 - \$26.2 million

Based upon our analysis and assumptions identified in this report, the Entertainment Venue Renewal option is estimated to yield a net gain of \$13.1 - \$26.2 million over the cost difference for the City to deliver the Status Quo option, assuming completion of Phase II/II land sales.

Recommendation 1: Proceed with phased Entertainment Venue Renewal option.

- Based upon the positive net financial impact projected over and above the difference between the Status Quo and Entertainment Venue Renewal options over the Study Period, the projected long-term financial cost has been projected as a net-positive for Hamilton. As previously stated, we do not feel that the Arena Renovation option’s investment would yield sufficient gains to greatly minimize projected future on-going subsidy reduction.
- Given the assumptions employed throughout this report, it is our view that following the completion of all facility capital requirements, the net subsidy to the City would become positive in near-term following the opening of a renewed sports and entertainment venue.
- In terms of the impact to the local economy, the Entertainment Venue Renewal option is estimated to provide a \$57.9 million incrementally greater local market GDP impact through capital investments relative to the Status Quo option, in addition to an estimated incremental gain of 51 Tourism FTEs.
- The Entertainment Venue Option has been identified as a potential catalyst to maximizing private-sector follow-on investment in the Downtown Core through a potentially re-imagined Jackson Square, Commonwealth Square and James Street Corridor which may be induced through a renewed FirstOntario Centre, and in alignment with the City’s 2010 *Downtown Hamilton Secondary Plan* vision.

A series of additional recommendations have also been identified by EY that may be considered as key tactics of an Implementation Plan for the 3-phased Entertainment Venue Renewal option.

Paramount to the successful implementation of this option, we feel, is the City’s ability to respond to inquires and act in a commercial manner, wherever possible. The successful negotiation of initial Phase I Memorandum of Understanding(s) (“MoU”) will require a degree of authority to select City staff that will enable time-sensitive and commercially confidential discussions to take place.

Recommendation 2: Establish a “Steering Committee” and “Project Manager” for Phase I.

- During Phase I, a steering committee comprised of representatives from the Economic Development, Tourism, Planning, Urban Renewal, Capital Works and City Manager’s office should be established with the appropriate resources to provide input and monitor the progression of Phase I.
- A Project Manager, or Project Management Team of select City staff should be provided with authorization from Council to proceed with discussions with key stakeholders and undertake commercial conversations as they relate to the initiative and report back to Council after an agreed upon period of time key terms of a future MoU between parties of any key agreements arising out of Phase I negotiations.

⁶⁴ Discounted \$2019 values have been presented for projected future cash contributions.



Recommendation 3: Determine the City's preferred site for a new sports and entertainment venue.

- As part of this Entertainment Venue Review, EY has additionally provided a view to the City of the likely sites in Downtown Hamilton which may support a new sports and entertainment venue. Key considerations for the evaluation of preferred site(s) include land acquisition costs, deal and construction complexity, and other more qualitative assessments of how each site contributes to the achievement of the City's Planning, Tourism and Urban Renewal goals.
- The ownership groups of these lands represent one key stakeholder group with whom the designated Project Manager or Project Management Team should be authorized to have confidential, time-sensitive and commercial discussions with on behalf of the City, through Council endorsement.

Recommendation 4: Establish parameters for Project Manager / Project Management Team.

- Time-sensitivity is paramount in the successful implementation of Phase I, the efficient use of Staff resources in holding commercial discussions with key stakeholder(s) to develop key terms for the eventual Council approval of an MoU for Phase I of the Entertainment Venue Renewal option.
- Based on our knowledge of similar undertakings, EY has developed a set of criteria to inform the Project Manager or Project Management Team's pre-qualification of stakeholders with whom they may entertain holding commercial discussions with. These criteria may also be communicated to the general public or unsolicited third-party inquires.

Figure 22 - Pre-Qualification Parameters for Project Manager / Project Management Team

Vested Commercial Interest(s)	Financial Capacity
<ul style="list-style-type: none"> ▶ Stakeholders who have a vested, commercial interest in the project may include land owners, anchor tenants, investor(s), future operators, or any direct partner(s) to these four (4) groups. ▶ While priority should be given to parties with a vested interest in Phase I of the project, where required for future planning, stakeholders in Phases II and III should also be considered. 	<ul style="list-style-type: none"> ▶ Pre-qualification of stakeholder(s) based on expected financial capacity to participate is encouraged. ▶ Where required, parties may document their capacity through their role in recently completed projects, financial statements and/or sufficient documentation of guarantee or partnership from a large, financially capable credit partner.
Demonstrated Project Experience	Alignment to City Goals/Proposed Partnership
<ul style="list-style-type: none"> ▶ Evidence of experience from stakeholders in undertaking similar commercial partnerships, whether from a construction, operational, or investment perspective in defined timeframe (e.g. 5 - 10 years) should be required. ▶ Where required, parties may document their project evidence to the City with a design and construction approach, past project experience and lessons learned, as well as key team resumes. 	<ul style="list-style-type: none"> ▶ Based on the proposed "end-to-end" project components for Phase I of the project and the ultimate goal of maximizing private-sector contributions to project delivery should be a communicated priority for the City. ▶ For example, the following project components may be identified: facility construction, facility operations, and adjacent real estate development.

It should be noted that not all stakeholders necessarily will require consideration of all four (4) of these general parameters, as certain parties may not be a long-term vested interest in the project. (e.g. design consultants or financial advisors) These four (4) general areas of consideration are meant to inform the pre-qualification process for City staff given the commercial nature of discussions.

Recommendation 5: Prepare for updating the Hamilton Tourism Strategy.

- Acknowledging the City's current 2015-2020 Tourism Strategy will require an update in the near-term, consideration of Tourism Hamilton's role in future planning for Phases II and III should be undertaken by the City, where resourcing investments in line with other comparable municipalities may ensure the successful return from major capital investments undertaken.
- Based on our external stakeholder discussions, an enhanced role in promoting collaboration with the City's neighbourhood BIAs, and privately-managed tourism investment development groups.



Recommendation 6: Determine additional public realm priorities in Downtown Hamilton.

- Through the course of work, while we acknowledge the success in the growth and development of the James Street Corridor in attracting private-sector investment, additional public realm priorities may be identified to potentially dedicate a stream parkland dedication towards said priorities given parkland deficiencies downtown.
- Through our work a proposed revitalization of Jackson Square Terrace and/or Commonwealth Square in alignment with other cultural assets (e.g. Hamilton Farmer's Market, Art Gallery of Hamilton, Hamilton Central Library) was identified as a potential additional catalyst to further the urban landscape in Downtown Hamilton. In alignment with the City's current Planning and Tourism goals, in our view, this public realm enhancement would only bolster the ability to attract private-sector investment.

Recommendation 7: Refine timeline and planning requirements for Phases II and III.

- In addition to Phase I requirements, the Project Manager / Management Team should be responsible for co-ordinating and planning Phase II/III with external stakeholders, as well as the Hamilton Convention Centre and Art Gallery of Hamilton.

Recommendation 8: Establish the City's public consultation process.

- Subject to the direction of Council, a further public consultation should be undertaken on the proposed funding model for the new sports and entertainment venue, the 3-phased approach, and ideal locational attributes.



Appendix A

FirstOntario Centre

- Using the City staff recommended 2019 5-year capital budget per the report dated 12/7/2018, the following capex budget estimate has been produced.
- As the cost estimates contained within the City staff report are assumed to be "all-in" budget costs which would include both hard and soft costs.
- To allocate between hard and soft costs, a 35% soft cost assumption may be employed, which is assumed to remain consistent throughout the 5-year budget period.
- Costs are assumed to be estimated in 2019 dollars

FirstOntario Centre 5-Year Capital Budget - Total Hard & Soft Costs						
	2019	2020	2021	2022	2023	2024
Brine Lines	\$730,000	\$6,570,000				
Roof Structure Replacement		\$700,000	\$6,300,000			
Mechanical, Life Safety, Security			\$1,500,000	\$6,750,000	\$6,750,000	
AODA Compliance					\$500,000	\$4,500,000
Annual Total	\$730,000	\$7,270,000	\$7,800,000	\$6,750,000	\$7,250,000	\$4,500,000



FirstOntario Concert Hall

- The basis for developing a 2019 5-year capital budget includes the 2016 V2PM Facility Condition Study's 5-year capital budget for Priority 1 items has been considered.
- To reflect the capital investments made to the facility since the preparation of this report, the aggregate capital spend since 2016 has been subtracted from the budget produced in 2016.
- It is assumed that all capital spent since 2016 would have been identified in the 2016 V2PM studies.
- The remaining balance of the 2016 V2PM 5-year capital budget shall be used to estimate the capital investment required over the 5-year period from 2019.
- Considered a proxy for the level of capital investment required, the remaining balance from the 2016 V2PM study shall be allocated equally over the 5-year period from 2019.
- To develop 2019 cost estimates, the 2016 hard cost estimates have been inflated by 3.50% per year and a 35% soft cost assumption has been incorporated, in addition to a 20% design/scope variability contingency.

Remaining Priority Capital Balance Calculation

2016 V2PM Hard Cost Estimate	\$5,704,003
Soft Cost Assumption	\$1,996,401
Design/Scope Variability Contingency	<u>\$1,140,801</u>
2016 Total 5-Year Capital Requirement	\$8,841,205
2016 Total 5-Year Capital Requirement	\$8,841,205
2016-2019 Capital Spent	<u>\$875,708</u>
Remaining Balance (\$2016)	\$7,965,497
Remaining Balance (\$2019)	\$8,831,489

FirstOntario Concert Hall 5-Year Capital Budget - Total Hard & Soft Costs

	2019	2020	2021	2022	2023	2024
Avg. Annual Spend	\$1,471,915	\$1,471,915	\$1,471,915	\$1,471,915	\$1,471,915	\$1,471,915



Hamilton Convention Centre & Pedestrian Overpass

- Similar to the methodology for developing a 2019 5-year capital budget for FirstOntario Concert Hall, the 2016 V2PM Facility Condition Study's 5-year budget for Priority 1A items has been used.
- Adjustments have been made for 2016-2019 capital spend, and the remaining balance has been inflated to 2019 dollars.
- As the 2016 V2PM study quoted "all-in" cost estimates, a 35% soft cost assumption has been assumed to be incorporated. An additional 20% design/scope variability contingency has been assumed.

Remaining Balance Calculation

2016 V2PM Hard Cost Estimate	\$5,189,183
Soft Cost Assumption	\$1,816,214
Design/Scope Variability Contingency	<u>\$903,922</u>
2016 Total 5-Year Capital Requirement	\$7,909,319
2016 Total 5-Year Capital Requirement	\$7,909,319
2016-2019 Capital Spent	<u>\$2,299,772</u>
Remaining Balance (\$2016)	\$5,609,547
Remaining Balance (\$2019)	\$6,219,405

Hamilton Convention Centre 5-Year Capital Budget - Total Hard & Soft Costs

	2019	2020	2021	2022	2023	2024
Avg. Annual Spend	\$1,036,568	\$1,036,568	\$1,036,568	\$1,036,568	\$1,036,568	\$1,036,568



Appendix B

Regional Economic Multiplier Adjustments

In order to derive the regional multipliers used to calculate the impacts for the City of Hamilton and Hamilton Census Metropolitan Area, EY employed a methodology first proposed by Flegg et al. (1995). Specifically, to adjust Statistics Canada's provincial multipliers, our analysis considered the following information regarding both areas:

- ▶ The relative size of the Region as a whole;
- ▶ The relative size of supplying sectors within the Region; and
- ▶ The relative size of purchasing sectors within the Region.

To account for the first two, the Flegg Location Quotient ("FLQ") compares the proportion of provincial employment of the supplying industry in the Region to that of the purchasing industry. If the regional supplying sectors concentration is higher than that of the regional purchasing sector, no adjustment is made to the I-O table. This implies that regional production will be able to satisfy regional demand and no imports from other regions within the province are required. If the regional supplying sector's concentration is lower than that of the regional purchasing sector, the I-O table is adjusted downwards. In this case, it is assumed that regional production is insufficient to meet regional demand and imports are required. Additionally, adjustments are made to account for the economic size of both the City of Hamilton and the Hamilton Census Metropolitan Area. Generally, the smaller the region the greater the need for these imports. This adjustment is based on the relative size of a Region in terms of employment and the employment of the same industry at the provincial level.

Using all three criteria outlined above, the FLQ is calculated according to the following formula:

$$FLQ_{ij} = \frac{\frac{E_i^R}{E_j^R}}{\frac{E_i^P}{E_j^P}} \times \lambda$$

Where E_i^R and E_j^R represents employment shares in selling sector i and purchasing sector j within the City of Hamilton and Hamilton Census Metropolitan Area, while E_i^P and E_j^P represent the same shares at the provincial level. Moreover, λ represents a weighting parameter which considers the relative size of either area. Since regional impacts cannot exceed provincial impacts, the FLQ is restricted to a maximum of one.

The multipliers used to derive the impacts presented in this report are based on Statistics Canada's 2015 I-O Tables for the province of Ontario. First, the I-O tables were adjusted by the FLQs described above. Next, type I and type II multipliers have been derived from the respective Leontief type I and type II production functions that represent the amount of inputs needed from each selling industry to produce the outputs of each purchasing industry. The difference between the type I and type II multipliers is the



induced effect that results from treating households as an additional industry within the model. In terms of the latter however, this is outside the scope of our analysis.

Output multipliers are calculated as the column sums of the type I and type II Leontief inverse matrices denoted as L_{ij} , where i is the selling industry and j is the purchasing industry. The formula is:

$$O_{mult} = \sum_i L_{ij}$$

GDP multipliers are calculated according to the following formula:

$$G_{mult} = \sum_i \frac{g_i L_{ij}}{g_j}$$

Where g_i represents the ratio of gross-value added relative to the total output in each industry. In deriving the regional estimates, it is assumed that gross-value added in each industry represents a constant share of output.

Labour income multipliers are calculated according to the following formula:

$$I_{mult} = \sum_i \frac{v_i L_{ij}}{v_j}$$

Where v_i represents the ratio of income from employment to total output in each industry. In deriving of the regional estimates, it is assumed that wages and salaries in each industry represent a constant share of output.

Employment multipliers are calculated according to the following formula:

$$E_{mult} = \sum_i \frac{w_i L_{ij}}{w_j}$$

Where w_i is equal to the number of FTEs per \$1 of output in each industry. In deriving of the regional estimates, the FTE number is adjusted by the employment shares of each industry in the City of Hamilton and Hamilton CMA relative to the provincial economy.

Tourism Input-Output Model

Fundamentally, the tourism I-O model used to calculate both the direct and indirect impacts associated with visitor expenditures within the City of Hamilton and Hamilton Census Metropolitan Area ("CMA") is based on the following equation:

$$X = (I - A)^{-1} * F * X_i$$

Where:

- ▶ $(I - A)^{-1}$: is the standard Leontief inverse matrix derived from Statistics Canada Input-Output tables;



- ▶ F_i is a column vector of tourism final demand (i.e., a vector which outlines both the total value of tourism expenditures and their distributions); and
- ▶ X_i ; refers to the ratio of either output to GDP (i.e., value added), income or employment for industry i . This can be found with a simple calculation using Statistics Canada initial Input-Output table and through obtaining information on FTE counts for each respective industry incorporated within the model.

After performing this calculation for each sector i and then aggregating across all sectors, direct and indirect impacts can then be calculated accordingly.

Limitations and Assumptions of the Tourism Input-Output Model

The following appendix outlines some of the major assumptions and limitations imposed on the static I-O model. While the model provides a consistent and innovative way of measuring the economic impacts associated with a specific economic activities, readers should be aware of the assumptions and limitations imposed on its underlying approach. These assumptions and limitations include:

- ▶ **Sectors specific to the model were chosen based on EY's professional assumption.** That is, the multipliers used to assess the potential impacts from the operational activities of Hamilton's entertainment assets were chosen from sectors that best reflect the facilities primary business function and industry descriptions provided by Statistics Canada. As a result, due to uncertainties surrounding such selections, the multipliers used in our analysis may bias the impact estimates either upwards or downwards;
- ▶ **I-O models assume that there is an unlimited supply of workers available for production.** It does not consider that expanding production in one industry could result in a redistribution of labour as opposed to an increase in employment in another. More specifically, the numbers provided by the I-O model in terms of FTEs may not necessarily imply an incremental change in total workers, but rather an upper limit as to what could be expected;
- ▶ **The model assumes that all spending will generate positive impacts.** In this case, all multipliers in the model are greater than zero, suggesting that any level of spending will generate positive economic impacts, which is not the case in all circumstances. Some studies have found that when accounting for macroeconomic shocks, the indirect impacts from government spending may be negative in the long run;
- ▶ **The I-O model assumes constant returns to scale.** This means that an increase of X in inputs should lead to the same X increase in outputs. More formally, an increase in inputs causes the same proportional increase in outputs. The ratio of new inputs and outputs is always equal to 1;
- ▶ **I-O models do not take into consideration the alternative uses or opportunity costs associated with allocating funds towards one project vs. another.** For example, if Carmen decides to spend money renovating the Convention Centre, the model will not be able to capture the alternative benefits that could be produced allocating that money elsewhere. In this case, these alternative benefits could be even greater than those associated with these renovations, however, the model will not be able to account for this discrepancy;
- ▶ **Results from the model should not be interpreted as causal.** This means that the numbers produced by the model may not be solely attributable to the economic activity generated by the operation and capital expenditures of Hamilton's entertainment assets. Assume for instance that the model revealed that because of the entertainment assets capital and operational expenditures, X amount



of FTE jobs would be created. In this case, we cannot say with certainty that all of these FTW jobs would be a result of these expenditures directly;

- ▶ **The model does not account for substitution amongst inputs.** Each industry in the model is regarded as having a single static production process. Further, the model does not account for any technology shocks that may occur, or consider that businesses become more efficient over time (i.e., learning by doing, etc.);
- ▶ **The relationship between industry inputs and outputs is linear and fixed.** This means that a change in demand for the outputs of any industry will result in a proportional change in production;
- ▶ **Prices are fixed in the model.** Thus, the model is unable to account for elasticities, or more formally, how one economic variable change in response to another;
- ▶ **I-O models are static.** That is, the model does not consider the amount of time required for changes to happen;
- ▶ **There are no capacity constraint and all industries are operating at full capacity.** This implies that an increase in output results in an increase in demand for labour (rather than simply re-deploying existing labour). It also implies that there is no displacement that may occur in existing industries as new projects are completed; and
- ▶ **The model assumes that the structure of the economy remains unchanged.** Since we use Statistic Canada's 2015 economic multipliers, any structural changes in Canada's economy will not be captured. As a result, the more removed the year of analysis is from the year of the used multipliers, the larger the uncertainties.

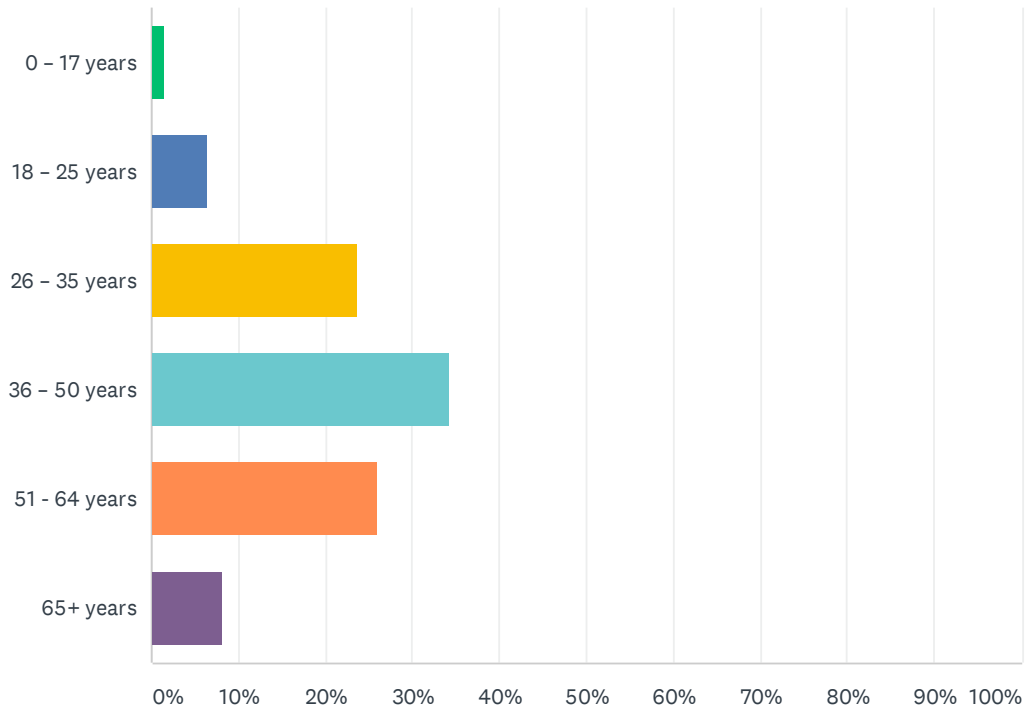
Additional assumptions imposed on the tourism model include:

- ▶ **It is assumed that all inputs in the final demand vector F (i.e., tourism expenditures) are realized within the City of Hamilton.** That is, we have not made any adjustments for leakages in visitor expenditures which may occur outside the City's geographical boundaries;
- ▶ **The selected final demand sectors (i.e., retail trade, accommodation and food services, arts, entertainment and recreation) were based on expenditure category description and EY personnel discretion.** Also, due to the ambiguity in some of the estimated expenditure categories, allocating final demand to certain tourism sectors was also based on EY discretion;
- ▶ **To keep consistent with impacts associated with operational and capital expenditure activities, final demand has been valued a basic prices.** This means that tourism expenditures are net of any product related taxes. This is also consistent with the fact that the Leontief matrix is expressed in basic prices as well;
- ▶ **All final demand is assumed to be from visitors outside Hamilton and not from local residents.** This is because the expenditures associated from these individuals would likely be spent within the City regardless of Hamilton's entertainment assets;
- ▶ **All final demand is assumed to be "relevant", indicating that these expenditures would not be made if the entertainment assets were not present.** That is, we assume that the only reason for a visit to Hamilton is directly attributable to Hamilton's entertainment assets.; and
- ▶ **To avoid issues of double counting, these expenditures are net of any tourism expenditures spent within the entertainment assets themselves.** This includes for example expenditures on tickets, concession and merchandise etc. within the three facilities.

End of Appendix B

Q1 How old are you?

Answered: 419 Skipped: 1



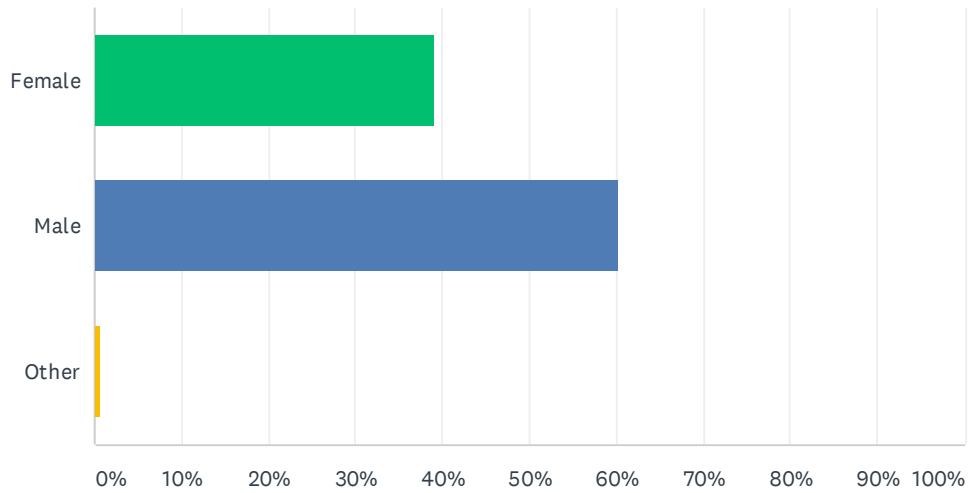
ANSWER CHOICES	RESPONSES
0 – 17 years	1.43% 6
18 – 25 years	6.44% 27
26 – 35 years	23.63% 99
36 – 50 years	34.37% 144
51 - 64 years	26.01% 109
65+ years	8.11% 34
TOTAL	419

Q2 Could you please provide the first three (3) letters of your postal code?

Answered: 416 Skipped: 4

Q3 To which gender do you most identify?

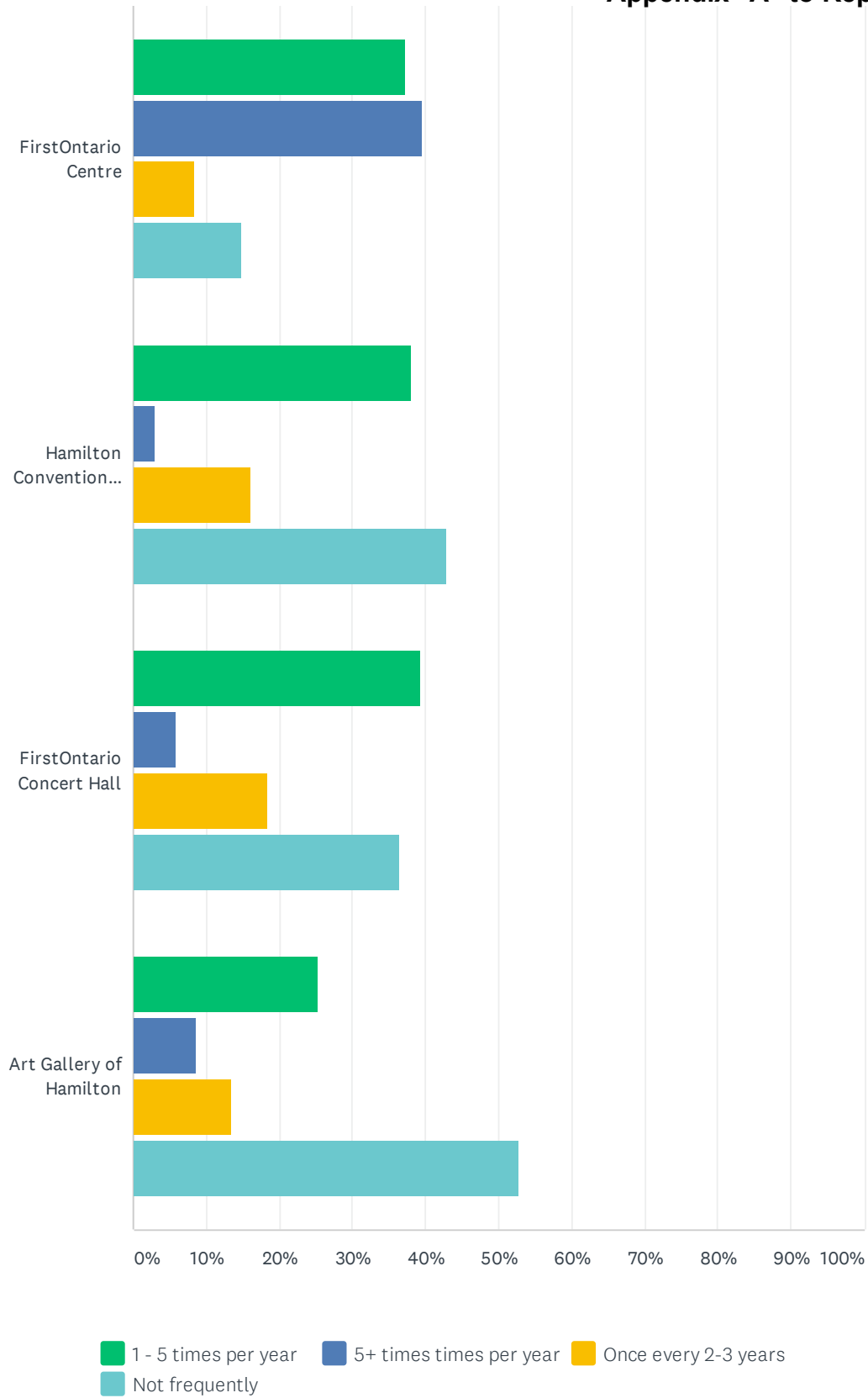
Answered: 420 Skipped: 0



ANSWER CHOICES	RESPONSES	
Female	39.05%	164
Male	60.24%	253
Other	0.71%	3
TOTAL		420

Q4 How frequently do you visit each of the following entertainment venues?

Answered: 420 Skipped: 0

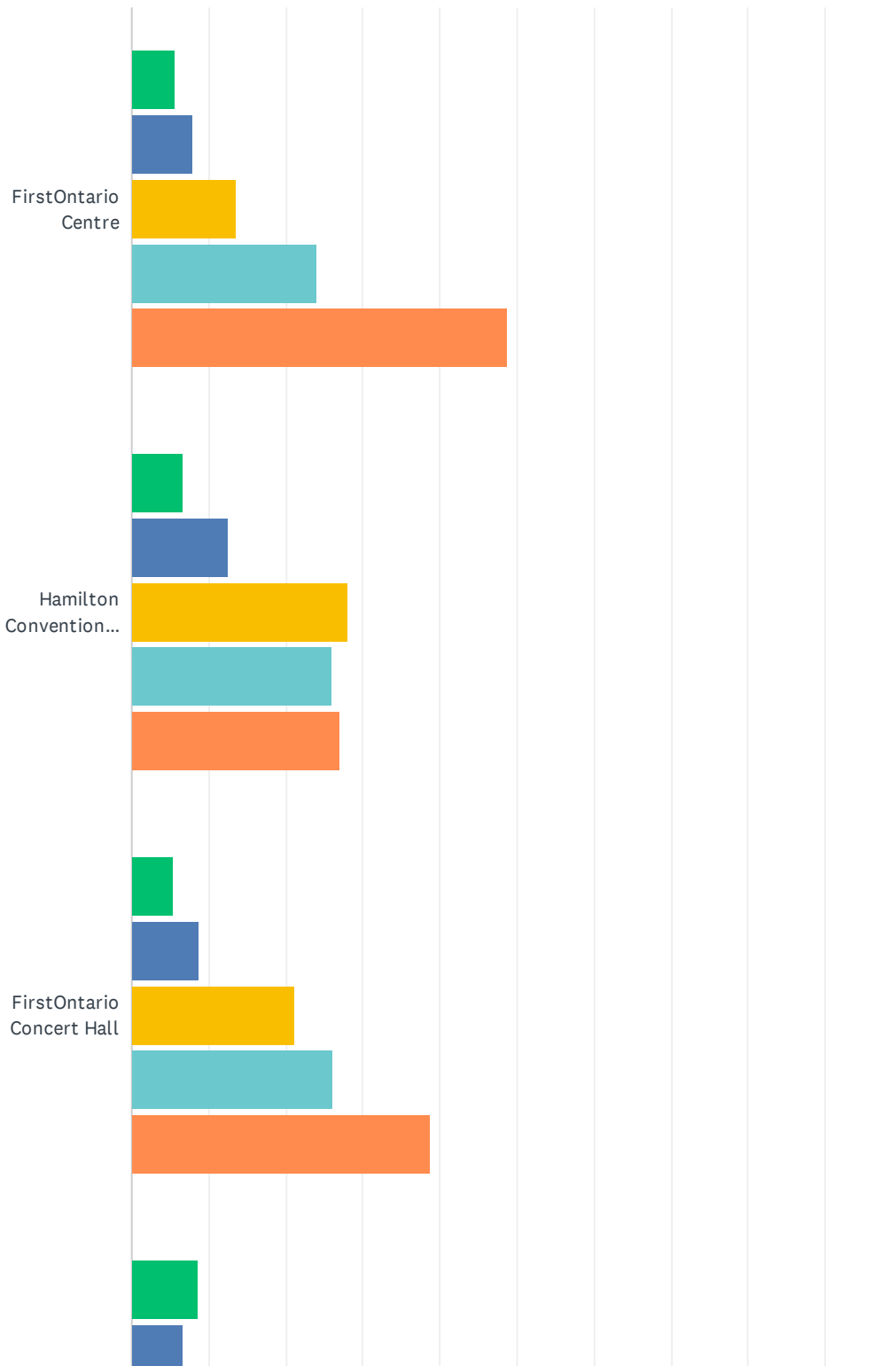


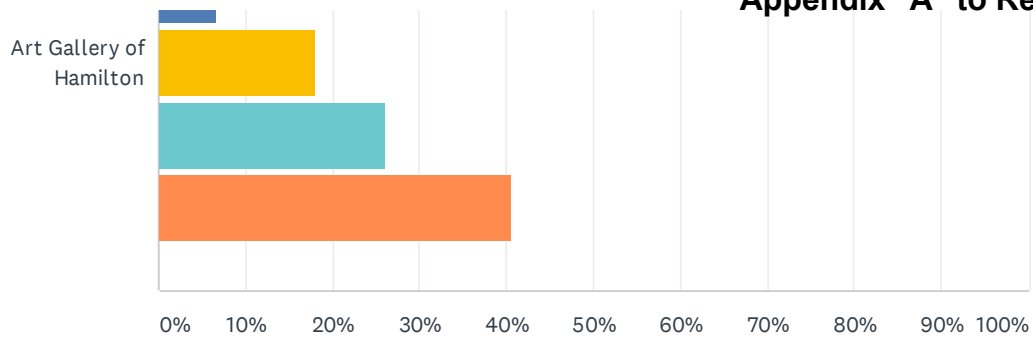
**Appendix "A" to Report PED18168(b)
Page 85 of 130**

	1 - 5 TIMES PER YEAR	5+ TIMES TIMES PER YEAR	ONCE EVERY 2-3 YEARS	NOT FREQUENTLY	TOTAL
FirstOntario Centre	37.23% 156	39.62% 166	8.35% 35	14.80% 62	419
Hamilton Convention Centre	38.14% 156	2.93% 12	16.14% 66	42.79% 175	409
FirstOntario Concert Hall	39.36% 161	5.87% 24	18.34% 75	36.43% 149	409
Art Gallery of Hamilton	25.30% 104	8.52% 35	13.38% 55	52.80% 217	411

Q5 To what extent do you feel each of the following entertainment venues contributes to the vibrancy and quality of life in downtown Hamilton? Please score each 1-5, with 1 being not important and 5 being extremely important.

Answered: 420 Skipped: 0

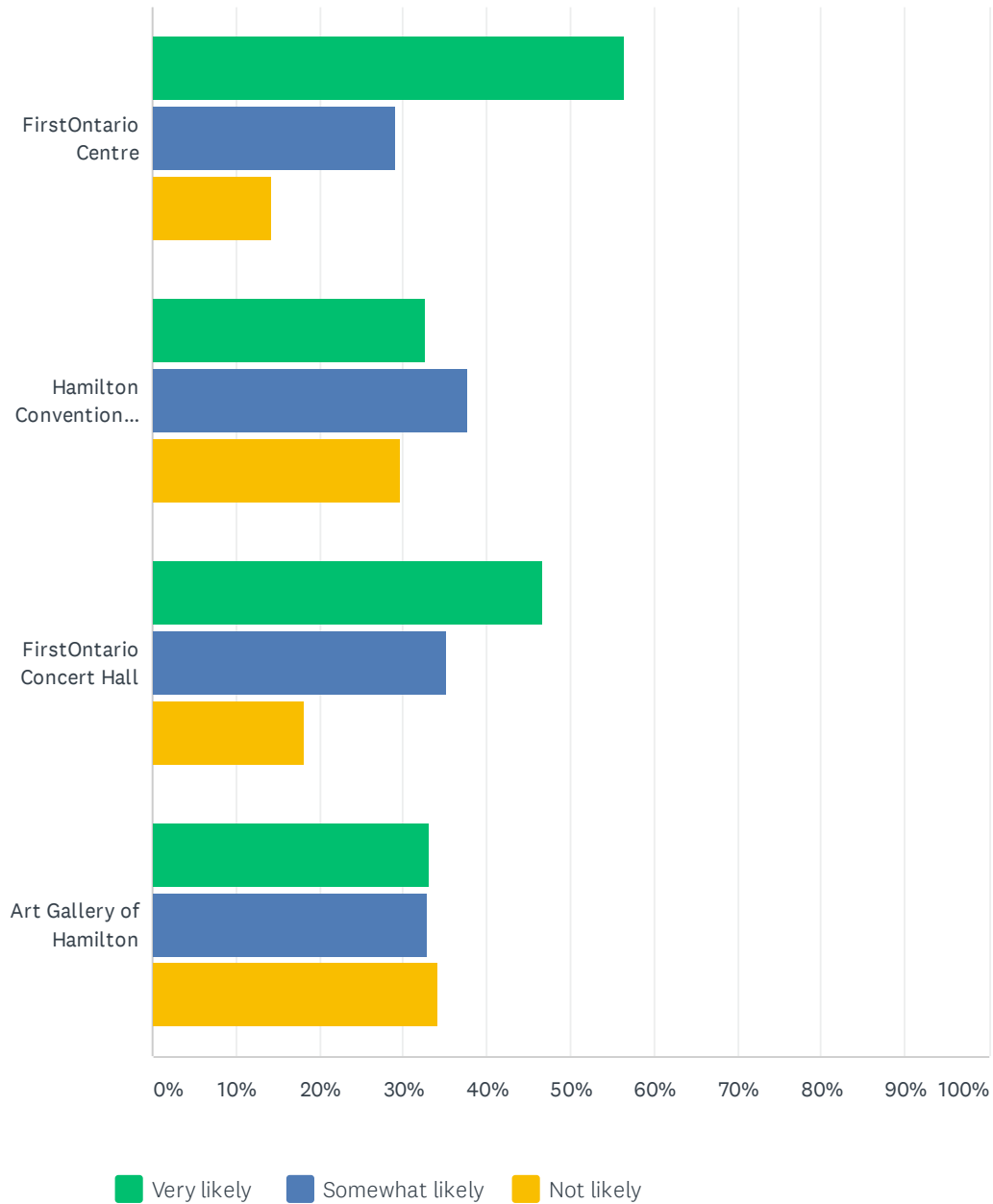




	1	2	3	4	5	TOTAL	WEIGHTED AVERAGE
FirstOntario Centre	5.73% 24	7.88% 33	13.60% 57	24.11% 101	48.69% 204	419	4.02
Hamilton Convention Centre	6.62% 27	12.50% 51	27.94% 114	25.98% 106	26.96% 110	408	3.54
FirstOntario Concert Hall	5.38% 22	8.80% 36	21.03% 86	26.16% 107	38.63% 158	409	3.84
Art Gallery of Hamilton	8.58% 35	6.62% 27	17.89% 73	26.23% 107	40.69% 166	408	3.84

Q6 When attending an event at one of the following venues, how likely is it that you would additionally visit local businesses, such as a restaurant, bar or shop?

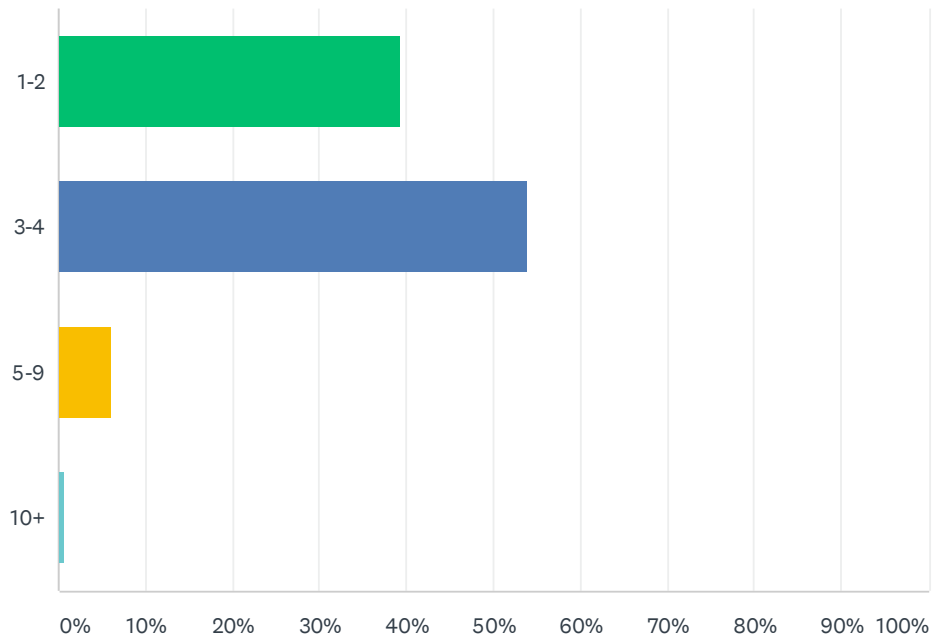
Answered: 420 Skipped: 0



	VERY LIKELY	SOMEWHAT LIKELY	NOT LIKELY	TOTAL
FirstOntario Centre	56.56% 237	29.12% 122	14.32% 60	419
Hamilton Convention Centre	32.68% 133	37.59% 153	29.73% 121	407
FirstOntario Concert Hall	46.55% 189	35.22% 143	18.23% 74	406
Art Gallery of Hamilton	33.09% 135	32.84% 134	34.07% 139	408

Q7 What is the typical size of your group when attending events at these venues?

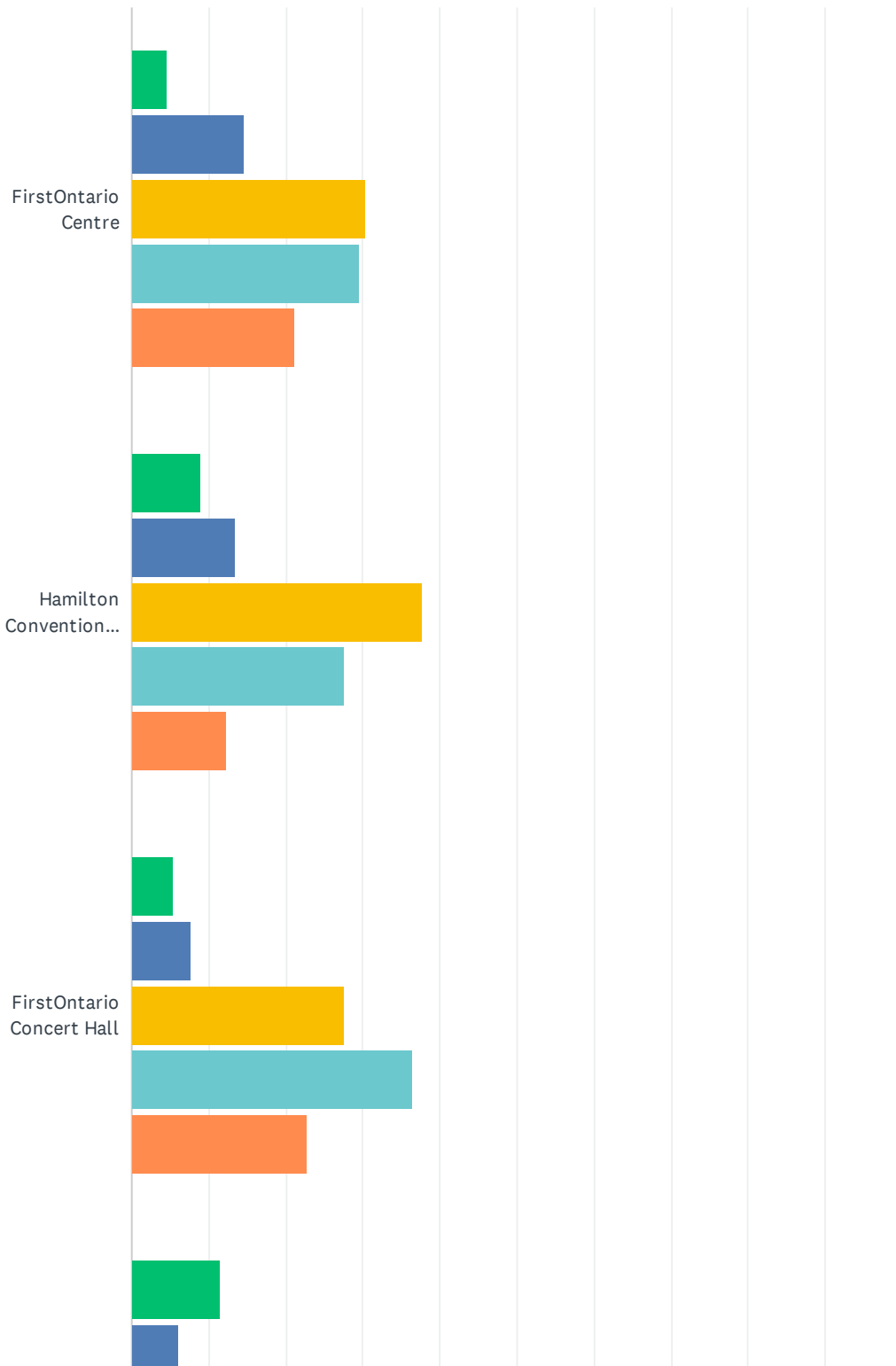
Answered: 418 Skipped: 2

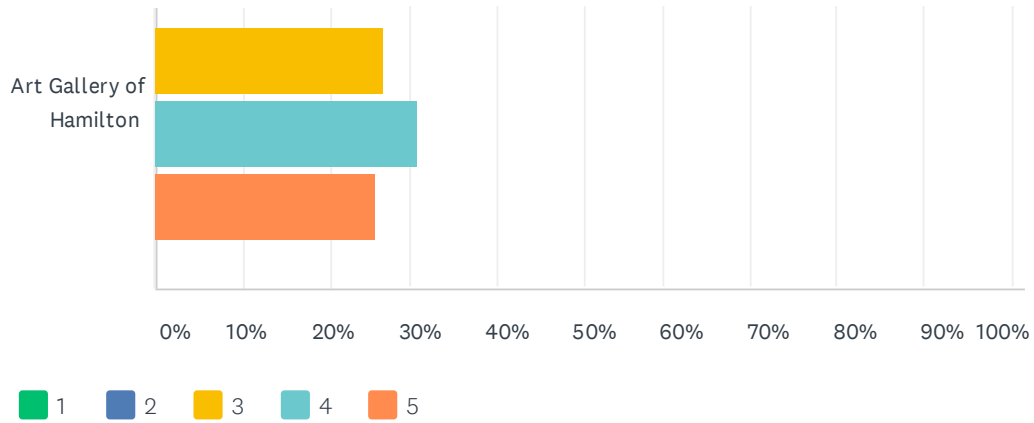


ANSWER CHOICES	RESPONSES	
1-2	39.23%	164
3-4	54.07%	226
5-9	5.98%	25
10+	0.72%	3
TOTAL		418

Q8 From a customer experience and enjoyment perspective, how would you describe your experiences at each of the following venues? Please score each venue from 1-5, with 1 being not enjoyable and 5 being extremely enjoyable.

Answered: 420 Skipped: 0

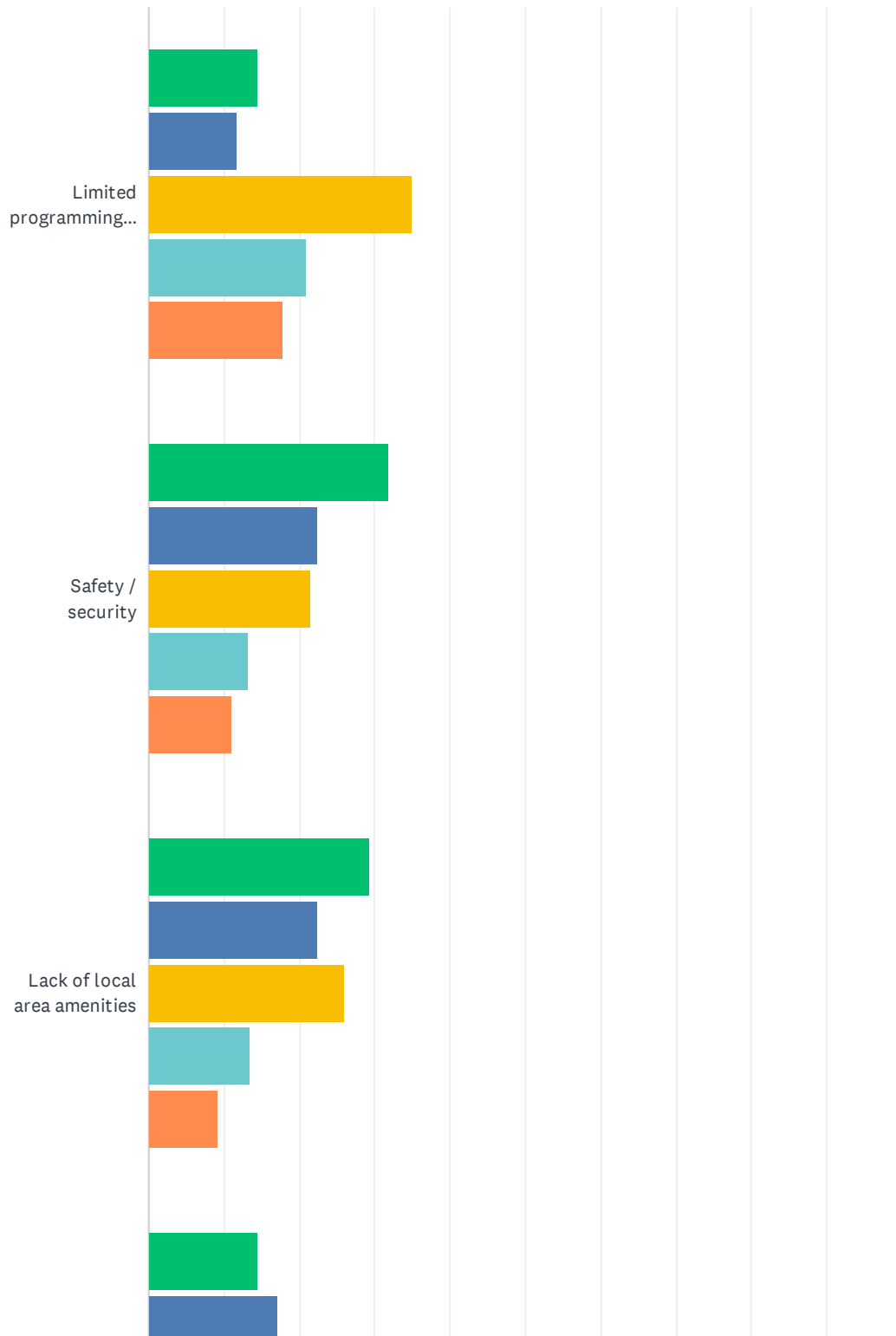


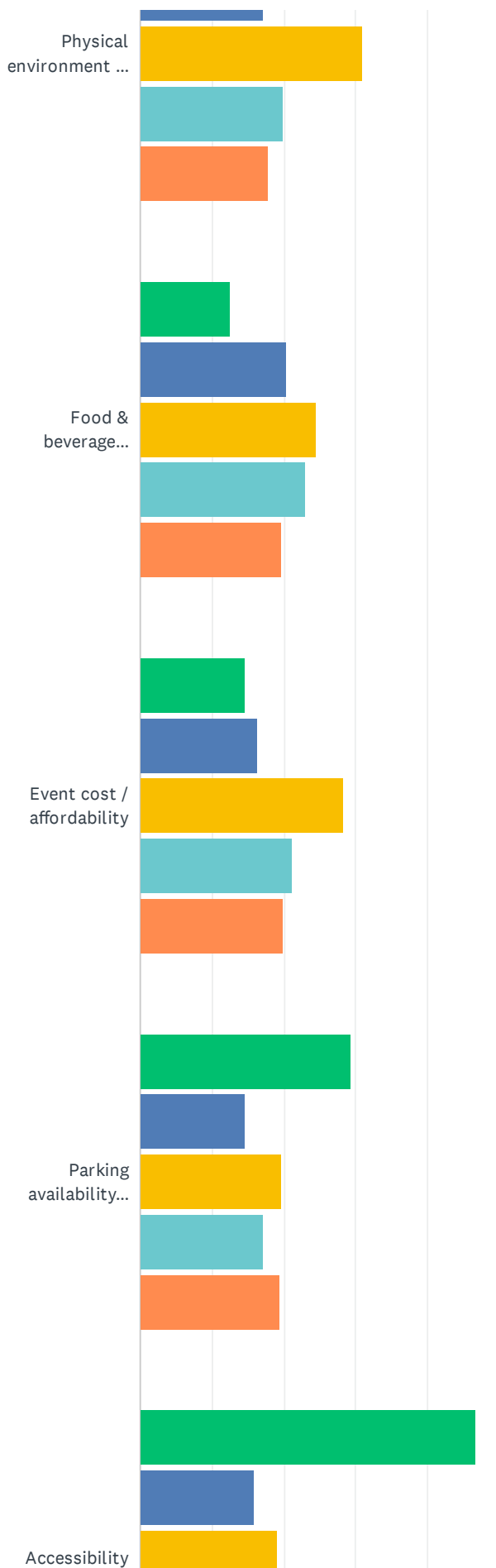


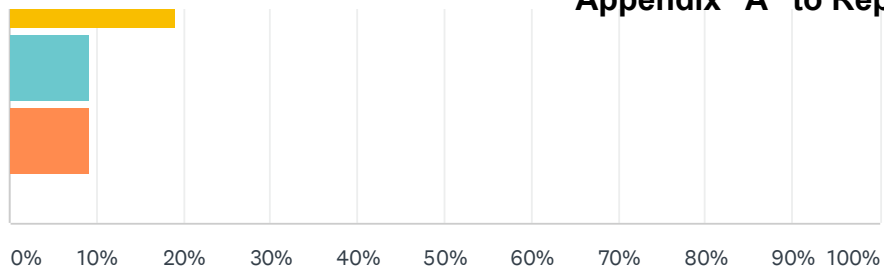
	1	2	3	4	5	TOTAL	WEIGHTED AVERAGE
FirstOntario Centre	4.55% 19	14.59% 61	30.38% 127	29.43% 123	21.05% 88	418	3.48
Hamilton Convention Centre	9.09% 36	13.38% 53	37.63% 149	27.53% 109	12.37% 49	396	3.21
FirstOntario Concert Hall	5.51% 22	7.77% 31	27.57% 110	36.34% 145	22.81% 91	399	3.63
Art Gallery of Hamilton	11.51% 45	6.14% 24	26.34% 103	30.43% 119	25.58% 100	391	3.52

Q9 To what extent do the following considerations limit your overall customer experience when attending an event at these entertainment venues? Please score each from 1-5, with 1 being minimally limiting and 5 being highly limiting.

Answered: 419 Skipped: 1



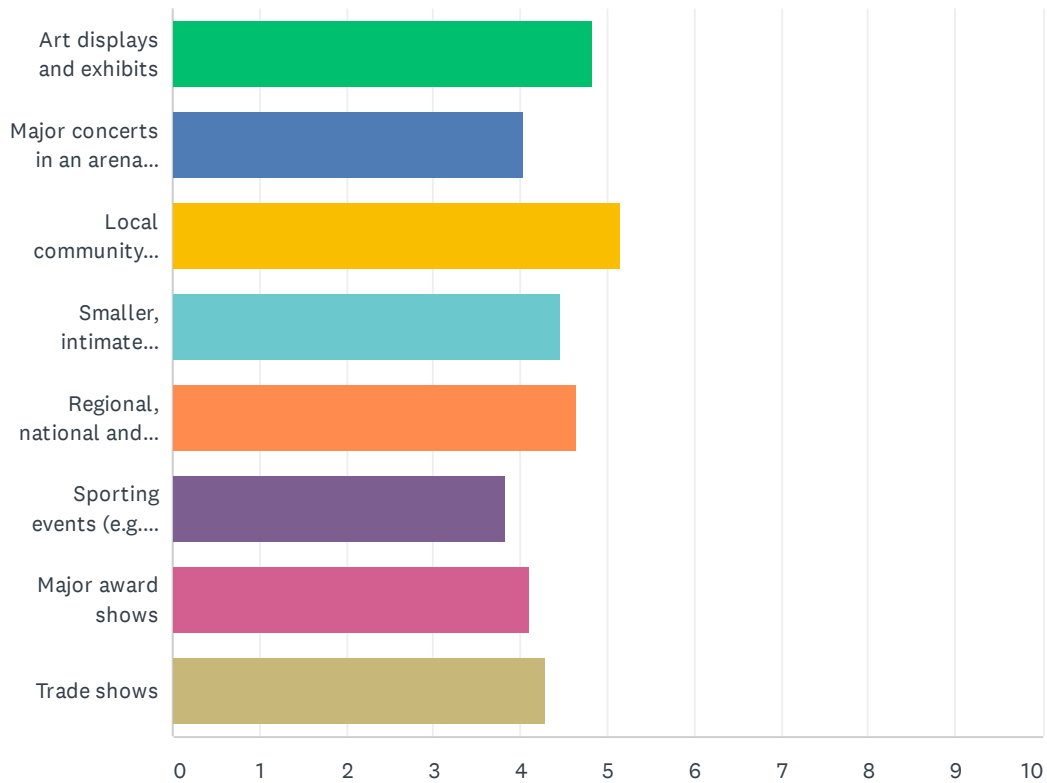




	1	2	3	4	5	TOTAL	WEIGHTED AVERAGE
Limited programming offering	14.46% 60	11.81% 49	34.94% 145	20.96% 87	17.83% 74	415	3.16
Safety / security	31.73% 132	22.36% 93	21.63% 90	13.22% 55	11.06% 46	416	2.50
Lack of local area amenities	29.26% 122	22.30% 93	25.90% 108	13.43% 56	9.11% 38	417	2.51
Physical environment of venue / customer experience	14.35% 60	17.22% 72	30.86% 129	19.86% 83	17.70% 74	418	3.09
Food & beverage on-site	12.50% 52	20.19% 84	24.52% 102	23.08% 96	19.71% 82	416	3.17
Event cost / affordability	14.59% 61	16.27% 68	28.23% 118	21.05% 88	19.86% 83	418	3.15
Parking availability / cost	29.19% 122	14.59% 61	19.62% 82	17.22% 72	19.38% 81	418	2.83
Accessibility	46.75% 194	15.90% 66	19.04% 79	9.16% 38	9.16% 38	415	2.18

Q10 Which of the following types of programming do you feel would be most successful in advancing the goal of a vibrant downtown in Hamilton? Please rank the following from 1 to 8, with 1 being least significant and 8 most significant.

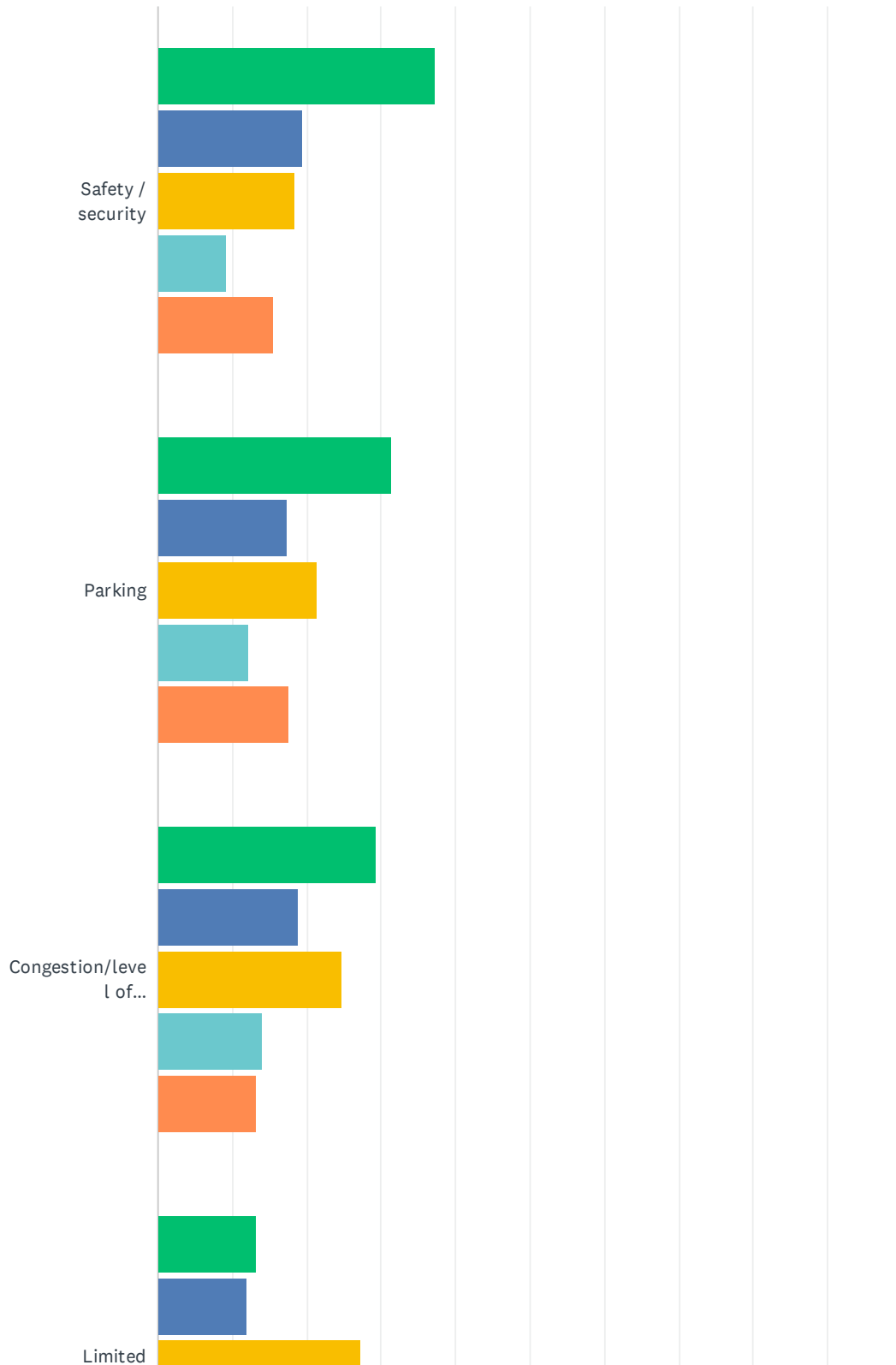
Answered: 418 Skipped: 2

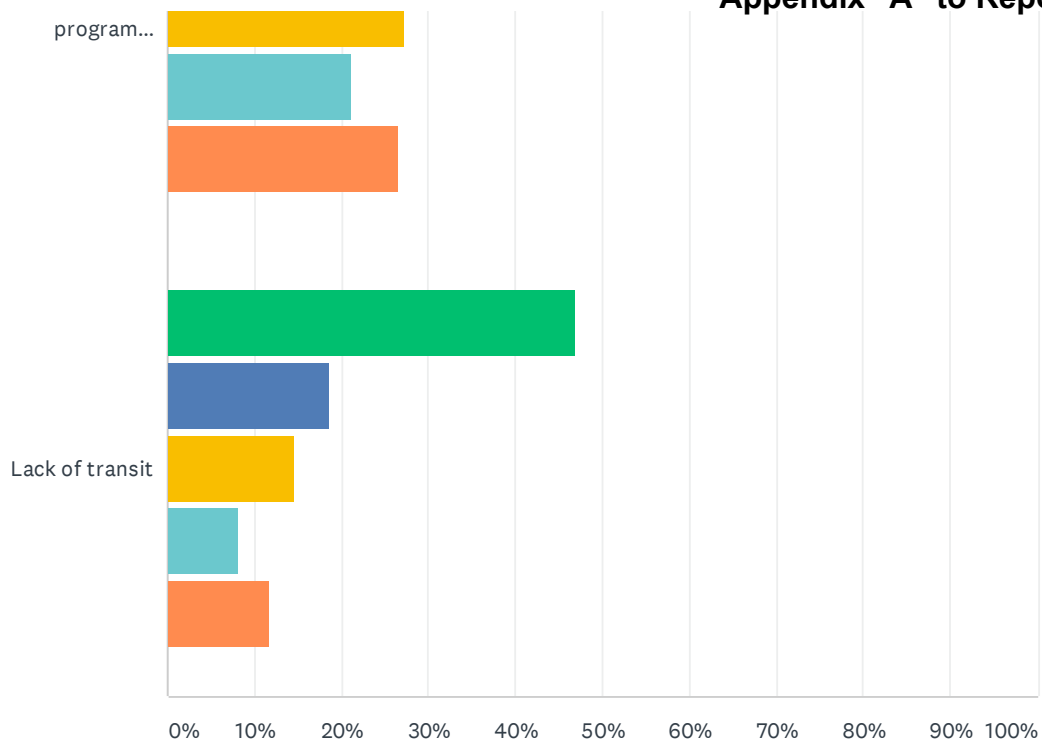


	1	2	3	4	5	6	7	8	TOTAL	SCORE
Art displays and exhibits	18.38% 66	12.26% 44	12.81% 46	14.21% 51	11.14% 40	8.08% 29	11.14% 40	11.98% 43	359	4.84
Major concerts in an arena stadium	15.80% 55	13.51% 47	7.18% 25	5.46% 19	8.05% 28	6.32% 22	17.24% 60	26.44% 92	348	4.03
Local community events (e.g. banquets, weddings, graduations)	21.88% 79	15.24% 55	16.34% 59	9.70% 35	7.20% 26	9.70% 35	8.31% 30	11.63% 42	361	5.14
Smaller, intimate concerts	7.93% 28	10.20% 36	13.03% 46	14.16% 50	18.13% 64	20.68% 73	11.90% 42	3.97% 14	353	4.46
Regional, national and/or international conferences	4.97% 18	14.92% 54	15.47% 56	18.51% 67	18.23% 66	12.43% 45	8.56% 31	6.91% 25	362	4.64
Sporting events (e.g. Bulldogs and/or Honeybadgers)	11.97% 45	6.65% 25	8.78% 33	10.37% 39	10.11% 38	13.56% 51	15.16% 57	23.40% 88	376	3.82
Major award shows	5.95% 22	8.65% 32	9.46% 35	15.41% 57	15.68% 58	21.08% 78	17.30% 64	6.49% 24	370	4.09
Trade shows	9.16% 36	13.99% 55	11.96% 47	11.45% 45	13.23% 52	11.45% 45	11.70% 46	17.05% 67	393	4.28

Q11 To what extent do the following considerations limit your likelihood of attending an event at these entertainment venues? Please score each from 1-5, with 1 being minimally limiting and 5 being highly limiting.

Answered: 416 Skipped: 4



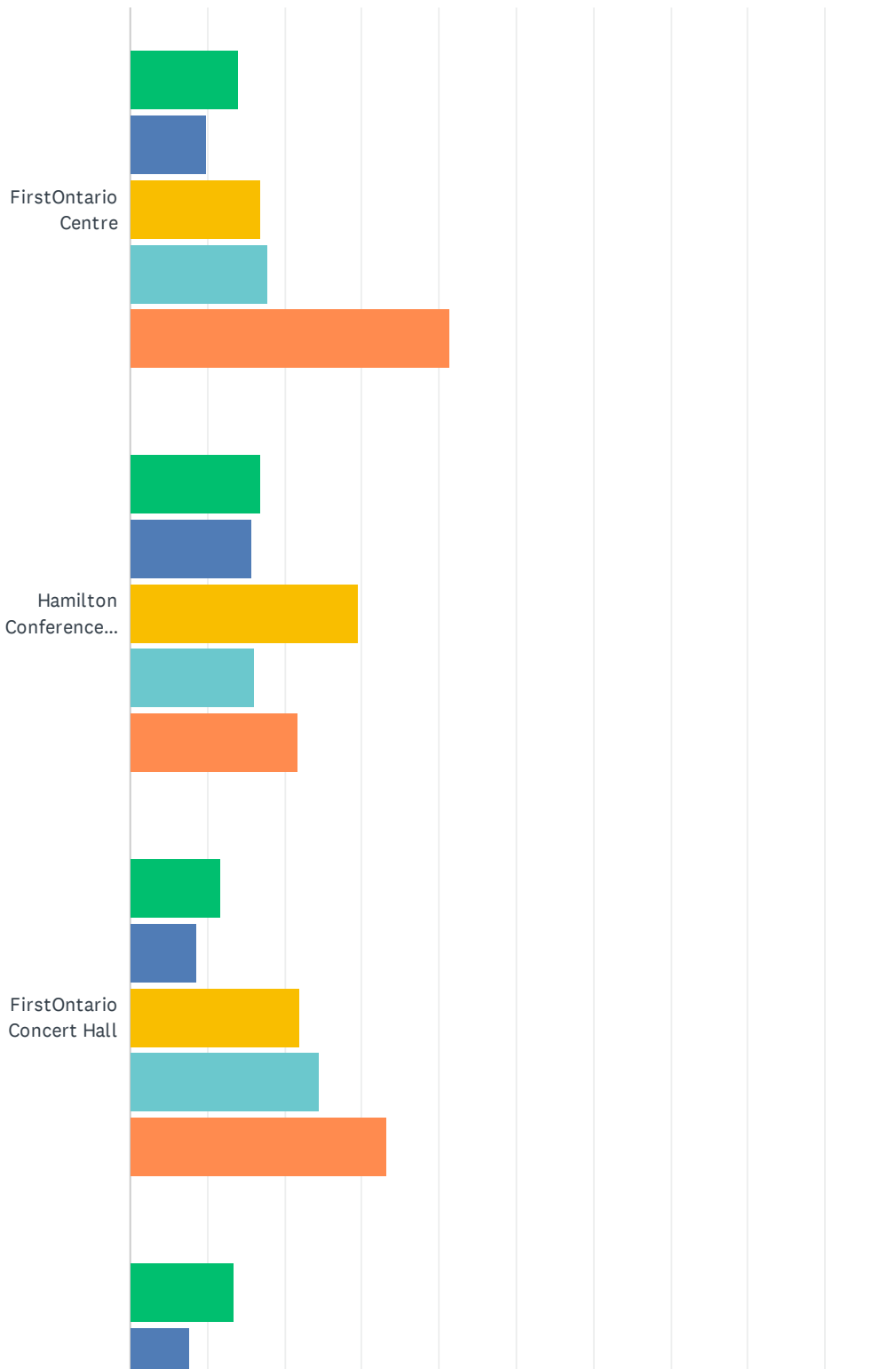


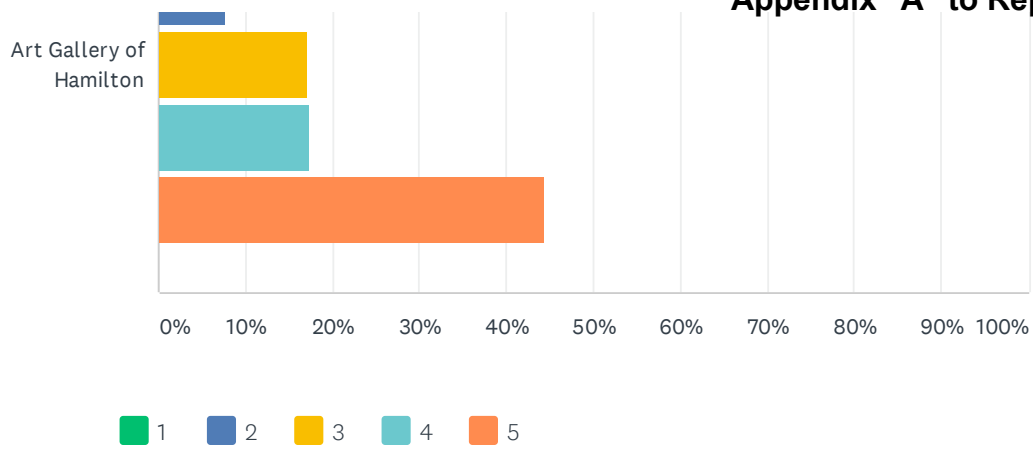
1 2 3 4 5

	1	2	3	4	5	TOTAL	WEIGHTED AVERAGE
Safety / security	37.23% 153	19.46% 80	18.49% 76	9.25% 38	15.57% 64	411	2.46
Parking	31.48% 130	17.43% 72	21.31% 88	12.11% 50	17.68% 73	413	2.67
Congestion/level of accessibility	29.34% 120	18.83% 77	24.69% 101	13.94% 57	13.20% 54	409	2.63
Limited program offering	13.14% 54	11.92% 49	27.25% 112	21.17% 87	26.52% 109	411	3.36
Lack of transit	46.81% 191	18.63% 76	14.71% 60	8.09% 33	11.76% 48	408	2.19

Q12 To what extent do you feel that the City of Hamilton should continue to financially support the operations of these entertainment venues with public funds? Please rank each from a scale of 1 to 5, with 1 being least supportive and 5 being most supportive.

Answered: 415 Skipped: 5

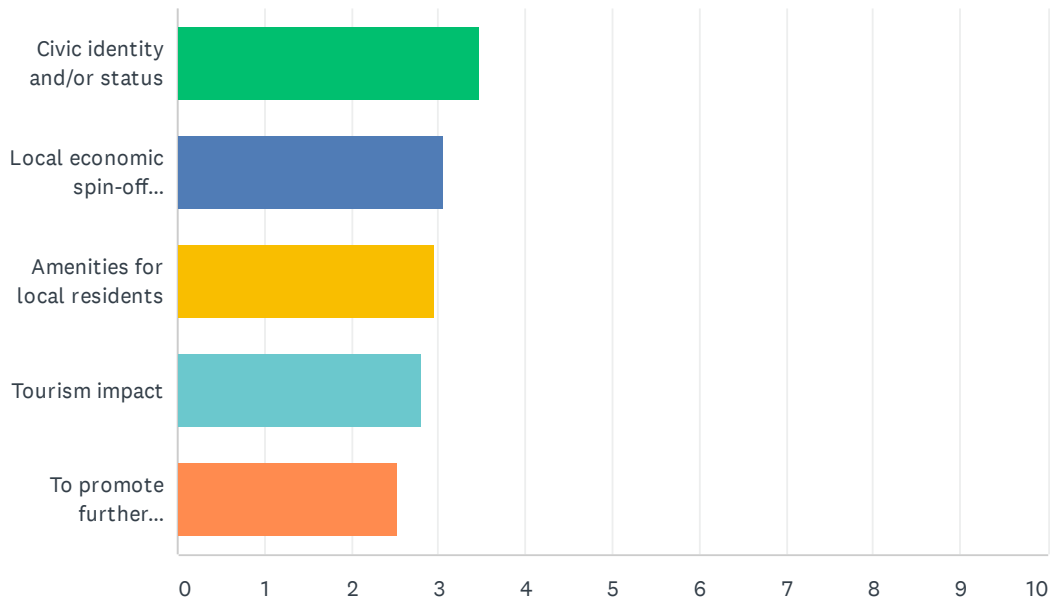




	1	2	3	4	5	TOTAL	WEIGHTED AVERAGE
FirstOntario Centre	13.98% 58	9.88% 41	16.87% 70	17.83% 74	41.45% 172	415	3.63
Hamilton Conference Centre	16.91% 69	15.69% 64	29.41% 120	16.18% 66	21.81% 89	408	3.10
FirstOntario Concert Hall	11.74% 48	8.56% 35	22.00% 90	24.45% 100	33.25% 136	409	3.59
Art Gallery of Hamilton	13.41% 55	7.80% 32	17.07% 70	17.32% 71	44.39% 182	410	3.71

Q13 If you do believe that public funds should be used to support the operations of entertainment venues in downtown Hamilton, which of the following considerations do you feel is most important? Please rank each from 1-5, with 1 being least significant and 5 being most significant.

Answered: 411 Skipped: 9



	1	2	3	4	5	N/A	TOTAL	SCORE
Civic identity and/or status	32.42% 118	17.58% 64	13.46% 49	10.99% 40	14.56% 53	10.99% 40	364	3.48
Local economic spin-off benefits for local businesses	15.83% 57	20.56% 74	18.89% 68	23.61% 85	12.22% 44	8.89% 32	360	3.05
Amenities for local residents	14.44% 53	18.53% 68	23.98% 88	18.53% 68	16.08% 59	8.45% 31	367	2.96
Tourism impact	9.81% 36	20.98% 77	19.62% 72	26.16% 96	15.80% 58	7.63% 28	367	2.81
To promote further redevelopment of the downtown core	14.65% 58	10.86% 43	16.92% 67	16.16% 64	33.08% 131	8.33% 33	396	2.54

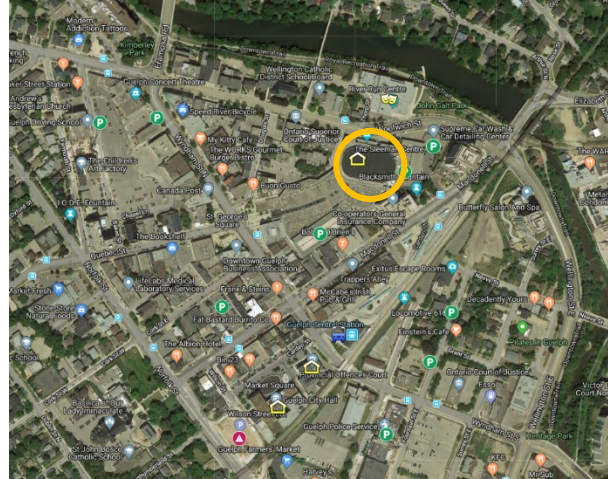
Q14 Please provide any additional comment(s) for our consideration.

Answered: 158 Skipped: 262



Appendix D

Sleeman Centre - Guelph, Ontario



Venue Background & Description

- ▶ Built in 2000 at a cost of ~\$21.0M, Sleeman Centre is currently owned by the City of Guelph. Initially, the venue was formed by a public-private partnership between the City and Nustadia Developments Inc.⁶⁵ It is estimated that the City contributed 50% of the construction costs and guaranteed a \$9M loan.
- ▶ The venue hosts family events, trade shows, conferences, large-scale concerts, public ceremonial events, and is home to the Guelph Storm (OHL) since 2000 and Guelph Nighthawks (CEBL) since 2019. It has 5,000 seats and includes private suites and private boxes.

Location & Attendance

- ▶ The venue is at the heart of Guelph's downtown area between major arteries; Macdonell Street and Woolwich Street. Sleeman Centre benefits from 2,000+ third-party parking spaces near the venue, 3 hotels within 3 kilometers, and an abundant number of surrounding restaurants.
- ▶ Sleeman Centre hosted 60 events in 2018. Only four (4) of the total 60 events (7%) were small non-sporting events⁶⁶ indicating low appeal by global artists and performers. That is reasonable given Guelph's small population of ~131,000 and its proximity to large urban areas such as Mississauga and Toronto.⁶⁷ Guelph Storm's games show a three-year Utilization Rate average of ~81%, which is high.⁶⁸

Conclusion

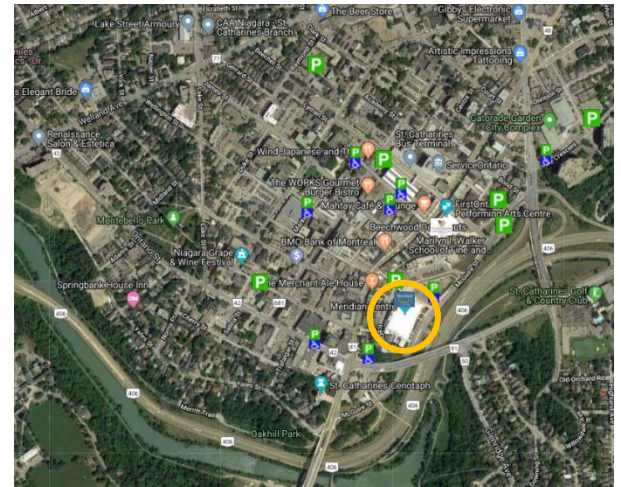
- ▶ Sleeman Centre's high Utilization Rate can be attributed to the venue's central location and the 20-year long continuous support of Guelph Storm by local residents.
- ▶ Given Sleeman Centre's low Usage Ratio of 16%, low ratio of non-sporting events, yet high Utilization Rate; EY concludes that the venue is primarily used for local sporting events and functions as a poor entertainment destination spot.

⁶⁵ <http://thesleemancentre.com/about-us/>

⁶⁶ Sleeman Centre Events Calendar, accessed on 14-07-2019

⁶⁷ Statistics Canada, 2016 Census

⁶⁸ <http://www.hockeydb.com/nhl-attendance>



Venue Background & Description

- ▶ Built in 2014 at a cost of ~\$50.0M, Meridian Centre is currently owned by the City of St Catharines.
- ▶ The venue hosts concerts, celebrations, meetings, corporate events, cocktail or sit-down dinners, and is home to the Niagara IceDogs (OHL) since 2014 and Niagara River Lions (CEBL) since 2015. It has 5,300 seats and includes a full-service club lounge.

Location & Attendance

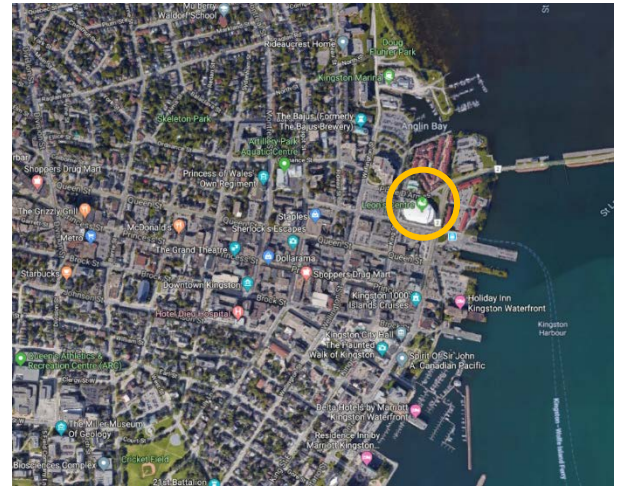
- ▶ The venue is in St Catharines' downtown area near major arteries; Ontario 406 Highway and Westchester Avenue. Meridian Centre benefits from many surrounding third-party parking spaces near the venue, 6 hotels within 3 kilometers, and an abundant number of surrounding restaurants.
- ▶ Niagara IceDogs' games show a three-year Utilization Rate average of ~92%, which is considered high.⁶⁹
- ▶ Meridian Centre hosted 128 events in 2018, of which 52 (41%) were non-sporting events.⁷⁰ Such events include Cirque du Soleil, the CITT/ICTS Conference & Trade Show, and international artists.

Conclusion

- ▶ St Catharines' long-distance from large Canadian urban areas such as Mississauga and Toronto contribute to the local needs of more total and non-sporting events.
- ▶ The Meridian Centre's high Utilization Rate can be attributed to the venue's central location and the support of Niagara IceDogs by local residents.
- ▶ Given Meridian Centre's low Usage Ratio of 35%, yet high ratio of non-sporting events and sport Utilization Rate; EY concludes that the venue is a local sports and entertainment destination spot.

⁶⁹ <http://www.hockeydb.com/nhl-attendance>

⁷⁰ Meridian Centre Events Calendar, accessed on 14-07-2019



Venue Background & Description

- ▶ Built in 2008 at a cost of ~\$46.5M, Leon's Centre is currently owned by the City of Kingston.
- ▶ The venue hosts concerts, special events, community activities, and is home to the Kingston Frontenacs (OHL) since 2008. It has 6,700 seats and includes 29 private suites and a club lounge.

Location & Attendance

- ▶ The venue is in Kingston's downtown core. Leon's Centre benefits from many surrounding third-party parking spaces near the venue, 15+ hotels within 3 kilometers, and an abundant number of surrounding restaurants.
- ▶ Kingston Frontenacs' games show a three-year Utilization Rate average of ~52%, which is considered moderate.⁷¹
- ▶ Leon's Centre hosted 83 events in 2018, of which 33 (40%) were non-sporting events.⁷² Such events include Cirque du Soleil and international artists.

Conclusion

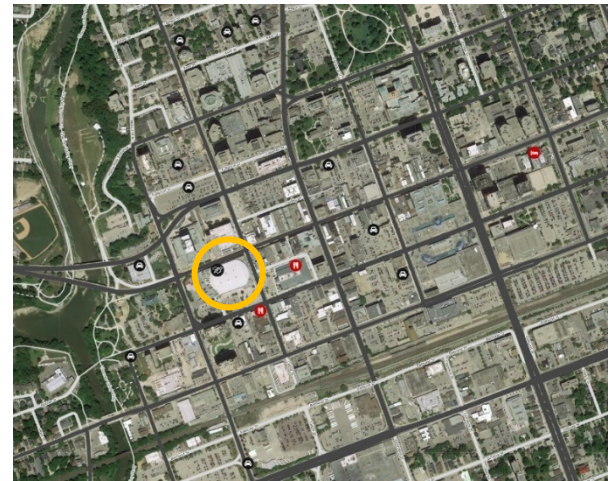
- ▶ Given the Kingston's small population size of ~117,000, medium Utilization Rate during sporting events, high ratio of sporting events (60%), and low Usage Ratio (23%), EY notes that Leon's Centre is underutilized.⁷³
- ▶ Based on Kingston's population size and the venue's seat capacity, 1 in 18 of Kingston residents can attend an event at Leon's Centre. Given the venue's underutilization, EY also notes that Leon's Centre is overbuilt in capacity.⁷⁴

⁷¹ <http://www.hockeydb.com/nhl-attendance>

⁷² Meridian Centre Events Calendar, accessed on 14-07-2019

⁷³ Statistics Canada, 2016 Census

⁷⁴ Statistics Canada, 2016 Census



Venue Background & Description

- ▶ Built in 2002 at a cost of ~\$28.3M, Budweiser Gardens is a public-private partnership between the City of London and Comcast Corporation through its subsidiary Global Spectrum.⁷⁵ It is estimated that Comcast contributed \$10M (~35%) of the construction costs and that the rest (~65%) was provided from the City of London.⁷⁶
- ▶ The venue hosts concerts, family shows, comedy shows, lectures, and is home to the London Knights (OHL) and London Lightning (NBL). It has close to 9,100 seats and 5 hospitality suites.

Location & Attendance

- ▶ The venue is strategically located in downtown London, near major arteries; Richmond Street and Queens Avenue. Benefitting from 8,000+ third-party parking spaces near the venue, 10 hotels within 3 kilometers, and an abundant number of surrounding restaurants,
- ▶ London Knights' games show a three-year Utilization Rate average of ~99%, which is considered high.⁷⁷
- ▶ Budweiser Gardens hosted 152 events in 2018, of which 75 (49%) were non-sporting events;⁷⁸ including big events such as Shania Twain's two (2) day concert at the venue in July 2018.

Conclusion

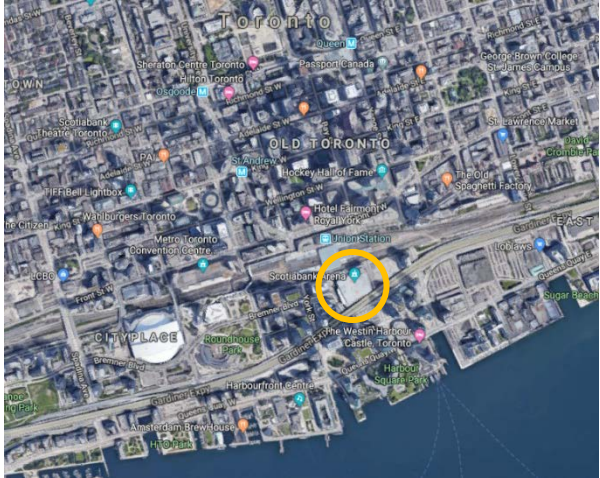
- ▶ Given the venue's location, its ~100% sporting events Utilization Rate, ratio of non-sporting events in 2018, and Usage Ratio of 42%, EY notes that Budweiser Gardens is a marquee destination spot in London's sports and entertainment scene.

⁷⁵ "John Labatt Centre, London, Ontario", Sports Business Journal, November 25, 2002. Retrieved from <https://sbjprod-cd.azurewebsites.net/Journal/Issues/2002/11/25/Special-Report/John-Labatt-Centre-London-Ontario.aspx>

⁷⁶ Special Report, Sports Business Journal, November 2002, <https://www.sportsbusinessdaily.com/Journal/Issues/2002/11/25/Special-Report.aspx>

⁷⁷ <http://www.hockeydb.com/nhl-attendance>

⁷⁸ Budweiser Gardens Events Calendar, accessed on 14-07-2019



Venue Background & Description

- ▶ Built in 1999 at a cost of ~\$288M, Scotiabank Arena is owned by Maple Leaf Sports & Entertainment.
- ▶ The venue hosts big concerts, and is home to the Toronto Maple Leafs (NHL) since 1999, Toronto Raptors (NBA) since 1999, and Toronto Rock (NLL) since 2001. It has close to 19,800 seats and premium seating such as suites, the Sher Club, and the Chairman’s Suite.

Location & Attendance

- ▶ The venue is in Toronto’s downtown core near major arteries; Gardiner Expressway and Spadina Avenue. Scotiabank Arena benefits from two (2) floors of indoor parking, 20+ hotels within 3 kilometers, and an abundant number of surrounding restaurants.
- ▶ Toronto Maple Leafs’ show a three-year Utilization Rate average of ~98%, which is considered high.⁷⁹
- ▶ Scotiabank Arena hosted 192 events in 2018, of which 75 (39%) were non-sporting events.⁸⁰ Such events include some of the biggest international names and artists.

Conclusion

- ▶ Scotiabank Arena hosted events more than half of the year with given its Usage Ratio of 53%.
- ▶ Given its high number of events, Utilization Rate, Usage Ratio, and number of non-sporting events; Scotiabank Arena attracts heavy traffic from nearby cities and acts as one of the Toronto’s major sports and entertainment destination spots.

⁷⁹ <http://www.hockeydb.com/nhl-attendance>
⁸⁰ Meridian Centre Events Calendar, accessed on 14-07-2019



Venue Background & Description

- ▶ Built in 2017 at a cost of ~\$200.0M, Place Bell is currently owned by the City of Laval, the Quebec Government, and Evenko funded the project.⁸¹ The City and the Quebec Government contributed \$122M and \$46.3M, respectively, while Evenko and Bell (naming rights) funded the remaining \$31.7M.⁸²
- ▶ The venue hosts concerts, family entertainment, theatrical performances, community and corporate events, public events, and is home to the Laval Rocket (AHL) since 2017 and Les Canadiennes de Montreal (CWLH) since 2018. It has 10,000 seats and includes two (2) floors that can accommodate retail shops. Place Bell also includes a practice rink of 500 seats and an Olympic rink of 2,500 seats.

Location & Attendance

- ▶ The venue is in Laval's downtown area near major arteries; de la Concorde Boulevard and Le Corbusier Boulevard; as well as Montmorency metro station. Place Bell benefits from 700 interior parking spaces, 10+ hotels within 3 kilometers, and three (3) nearby retail power centres.
- ▶ Laval Rockets' games show a two-year Utilization Rate average of ~61%, which is considered high.⁸³

Conclusion

- ▶ Given that Place Bell recently opened its doors, the number of events was low in 2018.⁸⁴ In 2019, there are 19 events, of which 17 (89%) are non-sporting events.⁸⁵ Additionally, since the Laval Rockets moved from St. John's, Newfoundland and Labrador to Laval in 2017 and the venue's vintage, a Utilization Rate of ~61% is high.

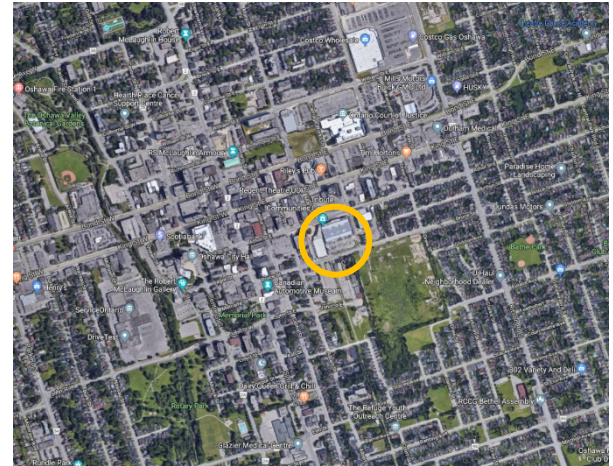
⁸¹ <https://www.laval.ca/Pages/Fr/Nouvelles/amphitheatre-place-bell-pelletee-de-terre.aspx>

⁸² <https://montrealgazette.com/news/local-news/laval-opposition-party-questions-economic-benefits-of-new-place-bell>

⁸³ <http://www.hockeydb.com/nhl-attendance>

⁸⁴ Place Bell Ticketing, Discussion on 17-07-2019

⁸⁵ Place Bell Events Calendar as of July 2019, accessed on 14-07-2019



Venue Background & Description

- ▶ Built in 2006 at a cost of ~\$45M, Tribute Communities Centre is owned by the City of Oshawa.
- ▶ The venue hosts concerts, family shows, and is home to the Oshawa Generals (OHL) since 2007, and the Oshawa Sports Hall of Fame. The seating capacity depends on the event and ranges from 1,502 seats to 6,418. During hockey games, the venue hosts up to 6,150 attendees and includes private and group suites.

Location & Attendance

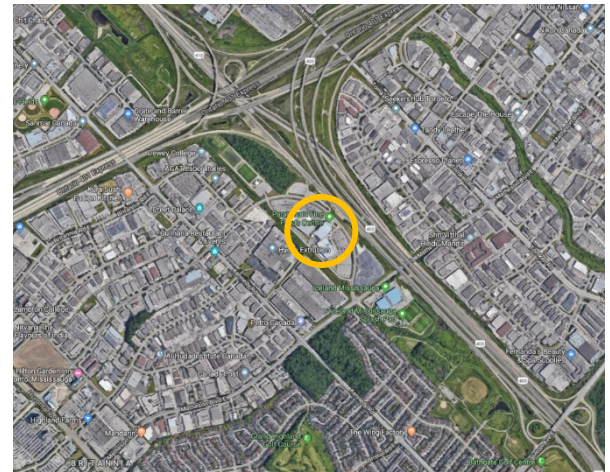
- ▶ The venue is in downtown Oshawa near major arteries; King Street West and Bond Street West. Tribute Communities Centre benefits from third-party parking spaces near the venue, 3 hotels within 3 kilometers, and a few surrounding restaurants.
- ▶ Oshawa Generals' games show a three-year Utilization Rate average of ~83%, which is high.⁸⁶
- ▶ Tribute Communities Centre hosted 89 events in 2018, of which 48 (54%) were non-sporting events.⁸⁷ The events were mostly local or small-scale community events and concerts,

Conclusion

- ▶ Given the Tribute Communities Centre's low Usage Ratio, high Utilization Rate, and high ratio of non-sporting events, such as university ceremonies and small concerts and conventions; EY notes that the underutilized venue serves as a local hub for sporting events and activities.

⁸⁶ <http://www.hockeydb.com/nhl-attendance>

⁸⁷ Tribute Communities Centre Calendar, accessed on 16-07-2019



Venue Background & Description

- ▶ Built in 1998 at a cost of ~\$22M, Scotiabank Arena is owned by the City of Mississauga.
- ▶ The venue hosts big concerts, community events, and is home to the Mississauga Steelheads (OHL) since 2012, Raptors 905 (NBA G League) since 2015, and Mississauga MetroStars (MASL) since 2018. Its hockey venue has close to 5,420 seats and suites.
- ▶ In addition, its Sportsplex expansion venue consists of an indoor soccer field, gymnasium, fitness centre, meeting space and licensed lounge with ~100,000 monthly visitors,⁸⁸

Location & Attendance

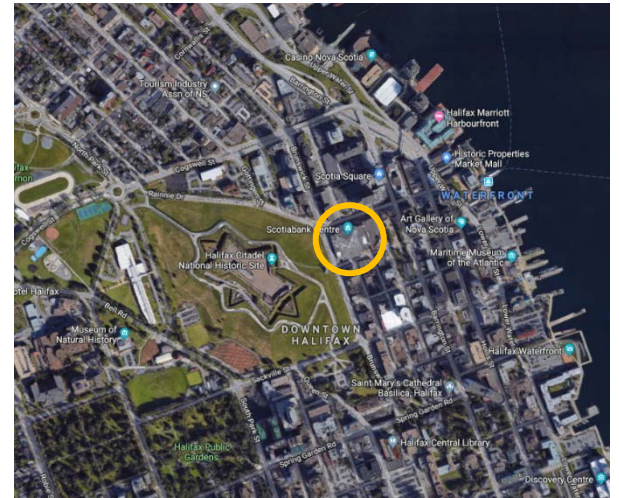
- ▶ The venue is in suburban Mississauga near major arteries; Ontario 403 Highway and Ontario 401 Expressway. Paramount Fine Foods Centre benefits from 1,900 parking spaces, 15+ hotels within 3 kilometers, and a limited number of surrounding restaurants.
- ▶ Mississauga Steelheads' games show a three-year Utilization Rate average of ~49%, which is considered moderate.⁸⁹
- ▶ The annual Carassauga Festival at the Paramount Fine Foods Centre draws ~100,000 visitors each year.

Conclusion

- ▶ Paramount Fine Foods Centre serves as one of the city's major destination spots for sporting events and activities.

⁸⁸ <http://paramountfinefoodscentre.com/about/>

⁸⁹ <http://www.hockeydb.com/nhl-attendance>



Venue Background & Description

- ▶ Built in 1978, Scotiabank Centre is owned by Halifax Regional Municipality.
- ▶ The venue hosts concerts, community events, conventions, and is home to the Halifax Mooseheads (QMJHL) since 1994, Halifax Hurricanes (NBL Canada) since 2005, and Halifax Thunderbirds (NLL) since 2009. It has close to 10,600 seats during hockey events and club seats, skybox, and executive suites. The venue can host up to 13,000 attendees during a concert.

Location & Attendance

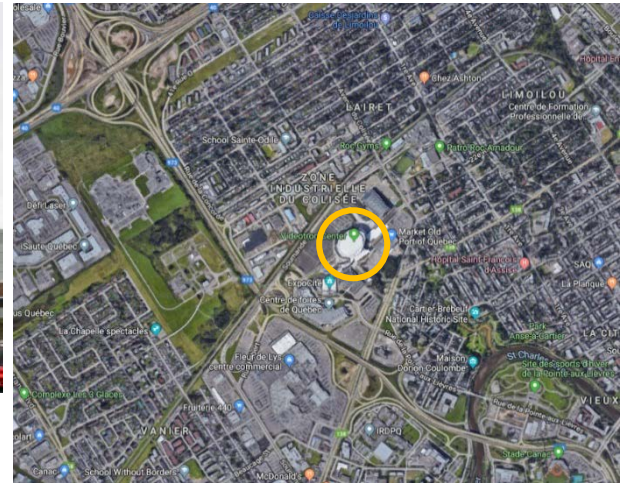
- ▶ The venue is in Halifax's downtown core near the Halifax Citadel. Scotiabank Centre benefits from third-party parking spaces near the venue, 20+ hotels within 3 kilometers, and surrounding restaurants.
- ▶ Halifax Mooseheads' games show a three-year Utilization Rate average of ~67%, which is considered moderate to high.⁹⁰
- ▶ Scotiabank Centre hosted 111 events in the 2017/2018 season, of which ~28 (25%) were non-sporting events.⁹¹ Such events include big international names and artists.

Conclusion

- ▶ Given the venue's medium to high Utilization Rate, high ratio of sporting events (75%), and low number of non-sporting events; Scotiabank Centre serves as a local destination spot for sport events and activities.
- ▶ Given the venue's very low Usage Ratio and based on the venue capacity 1 in 38 of Halifax's residents can attend an event at Scotiabank Centre; EY notes that it is overbuilt.

⁹⁰ Halifax Mooseheads website, Attendance Statistics

⁹¹ Scotiabank Centre 2017/2018 Annual Report



Venue Background & Description

- ▶ Built in 2015 at a cost of ~\$370M, Videotron Centre is owned by The City of Quebec. The construction costs were split equally between the City and the Provincial Government, as part of their efforts to bring back an NHL team to the city.⁹²
- ▶ The venue hosts big concerts from international artists, and is home to the Quebec Remparts (QMJHL) since 2015. It has a capacity of close to 18,300 seats and includes suites, bars, suites, and a business centre.

Location & Attendance

- ▶ The venue is in suburban Quebec City near major an industrial area. Videotron Centre benefits from 4,755 parking spaces, very limited number of hotels and restaurants nearby.
- ▶ Quebec Remparts' games show a three-year Utilization Rate average of ~50%, which is considered moderate.⁹³

Conclusion

- ▶ Videotron Centre serves as one of the city's major destination spots for entertainment, yet still stands to prove itself as a strong sporting complex given its low Utilization Rate and unsuccessful attempts to bring back an NHL team to the city.

End of Appendix C

⁹² <https://www.lecentrevideotron.ca/en/premiere-place/history>

⁹³ <http://www.hockeydb.com/nhl-attendance>



Appendix E

Appendix "A" to Report PED18168(b)
Page 114 of 130

Status Quo Option Forecasting Assumptions	
Baseline Scenario	
Growth Assumptions	
All Income Growth	2.00%
All Expense Growth	2.00%
All Expense Growth	2.00%
Investment Analysis	
Discount Rate	4.50%
Spectra Net Loss Portion	30.00%
1985 Arena Construction Cost	\$33,500,000
1985-2017 Inflation Factor	0.332
\$2019 Value	\$108,259,392
CIRC Inv. Guideline	1.70%
Annual Structural Reserve	\$1,840,410

Statistics Canada

Capital investments identified in Appendix A have been incorporated.

Arena Renovation Option Forecasting Assumptions

Baseline Scenario

Growth Assumptions

All Income Growth	2.00%
All Expense Growth	2.00%
Post-Renovation Attendance Impact	15.00%
Post-Renovation Ancillary Revenue Impact	50.00%

Applied to attendance forecast and event incomes
Applied to attendance forecast and event incomes

Renovation Cost Estimate

2016 Arena Renovation Cost	\$68,000,000
Statscan Growth Factor	93.11%
2019 Cost	\$131,314,711

Investment Analysis

Discount Rate	4.50%
Spectra Net Loss Portion	30.00%
1985 Arena Construction Cost	\$33,500,000
1985-2017 Inflation Factor	0.332
\$2019 Value	\$108,259,392
CIRC Inv. Guideline	1.70%
Annual Structural Reserve	\$1,840,410

Statistics Canada

Renovation Revenue Buildup

Segment	2020 Attendance	2020 Revenue
Sporting Events	165,415	\$36,560
Major Concerts	75,622	\$995,186
Minor Concerts	10,801	\$57,245
Family/ Entertainment	133,448	\$916,788
Religious Events	27,000	\$44,517
Special Events	26,635	\$279,791
Consumer Shows	6,660	-\$14,990
Total Revenue	445,581	\$2,315,097

Adjusted for 2 lost events
Adjusted for 2 lost events
Adjusted for 2 lost events

2020 Lost Revenue	Attendance	\$/Seat	Revenue
Major Concert	10,803	\$13.16	\$142,167
Minor Concert	5,400	\$5.30	\$28,620
Family	5,560	\$6.87	\$38,197

Renovation Budget Timing

Year	Cost	Proportion
Design Phase		10%
Construction		45%
2019	\$13,131,471	
2020	\$59,091,620	
2021	\$59,091,620	
Total Cost	\$131,314,711	

Attendance Forecast

	2018 Actual	2019	2020	2021	2022	2023	2024	2025	2026
Total Attendance	489,107	498,889	445,581	454,493	573,723	585,197	596,901	608,839	621,016
			<i>Renovation</i>	<i>Renovation</i>	<i>Stabalization</i>				
	2027	2028	2029	2030	2031	2032	2033	2034	2035
	633,436	646,105	659,027	672,207	685,652	699,365	713,352	727,619	742,171
	2036	2037	2038	2039	2040	2041	2042	2043	2044
	757,015	772,155	787,598	803,350	819,417	835,805	852,521	869,572	886,963
	2045	2046	2047	2048					
	904,703	922,797	941,253	960,078					

Arena Renewal Option Forecasting Assumptions

Baseline Scenario

Growth Assumptions

General Growth Factor	2.00%
FOCH Growth Post-Renovation	2.00%
Attendance Growth (Years 15-30)	1.00%
General Expense Inflation	2.00%

General Assumptions

New Arena Size	10,000
----------------	--------

Cost Analysis

2016 Arena Cost	\$68,000,000
Statscan Growth Factor	93.11%
2019 Cost	\$131,314,711

Investment Analysis

Discount Rate	4.50%
Spectra Net Loss Portion	30.00%
FOC Replacement Cost	\$133,562,805
FOCH Replacement Cost	\$54,825,000
HCC Replacement Cost	\$28,151,284
Convention Centre Reserve	\$422,269
Structural Reserve	1.50%

	City	MGMT
Profit Sharing (Years 1-5)	25.00%	75.00%
Profit Sharing (Years 6-10)	50.00%	50.00%
Profit Sharing (Years 11-50)	75.00%	25.00%
Management Fee	\$450,000	
CIRC Inv. Guideline	1.70%	
Annual Structural Reserve	\$2,270,568	

New Construction Revenue Buildup

Segment	2023 Attendance	Assumed Avg. Income	Inflated
Cultural Programming	268,576	\$9.96	\$10.78
Sports Programming	402,931	\$2.50	\$2.71
2023 Event Income		\$3,984,763	
Other Income Avg.		\$364	
2023 Other Income		\$3,636,051	
Expense Assumption		\$651	
2023 Expense		\$7,049,017	
Facility Fee Collection (Years 1 - 25)		\$0.50	
Facility Fee Collection (Years 25 - 51)		\$1.00	

\$10.78 Inflated 2018 value which compared to London's \$10.16

Average on Scotiabank Place, Halifax & Budweiser Gardens, London. Contracted revenues (naming rights) so not inflated.

\$705 Average on Scotiabank Place, Halifax & Budweiser Gardens, London.

Average per-ticket City proceeds based research compiled by EY on other Spectra-managed facilities.

Construction Cost

Years	Amount
2019	\$13,356,281
2020-2023	\$40,068,842
Total Cost	\$133,562,805
2019	10%
2020-2023	30%

Attendance Forecast

	2018 Actual	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Sports Events	165,415	168,723	172,098	175,540	179,051	268,576	273,947	279,426	285,015	290,715	296,529	302,460
Cultural Programming	323,692	330,166	336,769	343,505	350,375	402,931	410,989	419,209	427,593	436,145	444,868	453,766
Total	489,107	498,889	508,867	519,044	529,425	671,507	684,937	698,635	712,608	726,860	741,398	756,225
		<i>Pre-Construction</i>	<i>Construction</i>	<i>Construction</i>	<i>Construction</i>	<i>Stabalization</i>						
	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041
	8	9	10	11	12	13	14	15	16	17	18	19
	308,509	314,679	320,973	327,392	333,940	340,619	347,431	350,906	354,415	357,959	361,539	365,154
	462,841	472,098	481,540	491,170	500,994	511,014	521,234	526,446	531,711	537,028	542,398	547,822
	771,350	786,777	802,513	818,563	834,934	851,633	868,665	877,352	886,126	894,987	903,937	912,976
	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	
	20	21	22	23	24	25	26	27	28	29	30	
	368,805	372,493	376,218	379,981	383,780	387,618	391,494	395,409	399,363	403,357	407,391	
	553,300	558,833	564,422	570,066	575,767	581,524	587,340	593,213	599,145	605,136	611,188	
	922,106	931,327	940,640	950,047	959,547	969,142	978,834	988,622	998,508	1,008,494	1,018,578	

Bulldogs Increase	50%
Non-Sporting Increase	15%

Stabalized Sports Attendance	268,576	
Avg. / Event	5,481	OHL Avg. = 5,210
Additional Cultural Attendance	52,556	

London Example						
	2018		2017		2016	
Operations	122 # of Event		134 # of Event		147 # of Event	
	490,347 Paid Attendance		587,020 Paid Attendance		586,919 Paid Attendance	
	\$2,639,587 Event Income		\$3,228,051 Event Income		\$2,552,117 Event Income	
	\$3,736,290 Other Income	58.60%	\$3,470,796 Other Income	51.81%	\$3,482,830 Other Income	57.71%
	<u>\$6,375,877 Total Income</u>		<u>\$6,698,847 Total Income</u>		<u>\$6,034,947 Total Income</u>	
	\$6,230,807 Indirect Expenses		\$6,408,130 Indirect Expenses		\$5,645,886 Indirect Expenses	
	\$145,070 Net Proceeds		\$290,717 Net Proceeds		\$389,061 Net Proceeds	
City Proceeds						
Proceeds from Operations	\$117,660	81%	\$258,907	89%	\$243,553	63%
Ticket Sales (Facility Fee)	\$145,314	\$0.30	\$128,005	\$0.22	\$133,961	\$0.23
Avg. Ticket Revenues	\$5.38		\$5.50		\$4.35	
London Revenue Benchmarking	Revenue	Attendance	Income			
Knights	\$779,711	306,607	\$2.54	<i>Includes concessions</i>		
All Other Events	\$1,859,876	183,740	\$10.12	<i>Includes concessions</i>		
Basketball	\$83,675					
Concerts	\$766,907					
Family Shows	\$63,995					
Misc. Sports	\$279,814					
Other	<u>\$665,485</u>					
	\$4,499,463					
Current FirstOntario Arrangement						
2018 Attendance	107,104					
Total Event Income	-\$97,105					
Spectra Budgeted Loss	<u>\$168,795</u>					
Income	\$71,690					
Avg. Income	\$0.67					
Other Income Comparison						
	London	Per Seat	Halifax	Per Seat		
Event Income	\$2,603,645	\$286	\$3,300,000	\$292		
Other Income	<u>\$3,718,498</u>	\$409	<u>\$3,600,000</u>	\$319		
Total Income	\$6,322,143	\$695	\$6,900,000	\$611		
Indirect Expenses	\$6,319,745	\$694	\$6,869,982	\$608		
Capacity	9,100		11,300			

Entertainment Venue Renewal Option													
Operating Forecast	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043
Operating Forecast													
First Ontario Centre	9	10	11	12	13	14	15	16	17	18	19	20	21
Direct Event Income	-	-	-	-	-	-	-	-	-	-	-	-	-
Ancillary Income	-	-	-	-	-	-	-	-	-	-	-	-	-
Facility Fees	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Event Income	\$4,668,785	\$4,762,160	\$4,857,403	\$4,954,552	\$5,053,643	\$5,154,715	\$5,257,810	\$5,362,966	\$5,470,225	\$5,579,630	\$5,691,222	\$5,805,047	\$5,921,148
Other Income	\$4,260,213	\$4,345,418	\$4,432,326	\$4,520,973	\$4,611,392	\$4,703,620	\$4,797,692	\$4,893,646	\$4,991,519	\$5,091,349	\$5,193,176	\$5,297,040	\$5,402,981
Total Income	\$8,928,998	\$9,107,578	\$9,289,729	\$9,475,524	\$9,665,035	\$9,858,335	\$10,055,502	\$10,256,612	\$10,461,744	\$10,670,979	\$10,884,399	\$11,102,087	\$11,324,128
Indirect Expenses	\$8,259,047	\$8,424,228	\$8,592,713	\$8,764,567	\$8,939,858	\$9,118,656	\$9,301,029	\$9,487,049	\$9,676,790	\$9,870,326	\$10,067,733	\$10,269,087	\$10,474,469
Management Fee	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000
FOC Net Operating Income (Loss)	\$669,951	\$683,350	\$697,017	\$710,957	\$725,176	\$739,680	\$754,473	\$769,563	\$784,954	\$800,653	\$816,666	\$832,999	\$849,659
Net Proceeds After MGMT Fee	\$219,951	\$233,350	\$247,017	\$260,957	\$275,176	\$289,680	\$304,473	\$319,563	\$334,954	\$350,653	\$366,666	\$382,999	\$399,659
City Portion of Net Proceeds	\$109,975	\$116,675	\$123,508	\$142,133	\$144,976	\$147,875	\$150,833	\$153,849	\$156,926	\$160,065	\$163,266	\$166,531	\$169,862
Operator Portion of Net Proceeds	\$109,975	\$116,675	\$61,754	\$65,239	\$68,794	\$72,420	\$76,118	\$79,891	\$83,739	\$87,663	\$91,667	\$95,750	\$99,915
Facility Fee Revenue	\$393,389	\$401,256	\$409,281	\$417,467	\$425,816	\$434,333	\$438,676	\$443,063	\$447,493	\$451,968	\$456,488	\$461,053	\$465,663
Total City Revenue	\$503,364	\$517,931	\$532,790	\$559,600	\$570,792	\$582,208	\$589,509	\$596,912	\$604,420	\$612,033	\$619,754	\$627,584	\$635,525
FirstOntario Concert Hall													
Direct Event Income	\$1,434,760	\$1,492,725	\$1,553,031	\$1,584,091	\$1,615,773	\$1,648,089	\$1,681,050	\$1,714,671	\$1,748,965	\$1,783,944	\$1,819,623	\$1,856,015	\$1,893,136
Ancillary Revenue	\$226,371	\$235,516	\$245,031	\$249,932	\$254,930	\$260,029	\$265,230	\$270,534	\$275,945	\$281,464	\$287,093	\$292,835	\$298,692
Facility Fees	\$340,802	\$354,571	\$368,895	\$376,273	\$383,799	\$391,475	\$399,304	\$407,290	\$415,436	\$423,745	\$432,219	\$440,864	\$449,681
Other Income	\$282,017	\$293,410	\$305,264	\$311,370	\$317,597	\$323,949	\$330,428	\$337,036	\$343,777	\$350,653	\$357,666	\$364,819	\$372,115
Total	\$2,283,950	\$2,376,222	\$2,472,221	\$2,521,666	\$2,572,099	\$2,623,541	\$2,676,012	\$2,729,532	\$2,784,123	\$2,839,805	\$2,896,601	\$2,954,533	\$3,013,624
Indirect Expenses	\$2,476,788	\$2,526,324	\$2,576,851	\$2,628,388	\$2,680,955	\$2,734,575	\$2,789,266	\$2,845,051	\$2,901,952	\$2,959,991	\$3,019,191	\$3,079,575	\$3,141,167
FOCH Net Operating Income (Loss)	-\$192,838	-\$150,102	-\$104,629	-\$106,722	-\$108,856	-\$111,034	-\$113,254	-\$115,519	-\$117,830	-\$120,186	-\$122,590	-\$125,042	-\$127,543
Hamilton Convention Centre													
Sales	\$4,933,305	\$5,031,971	\$5,132,610	\$5,235,262	\$5,339,968	\$5,446,767	\$5,555,702	\$5,666,816	\$5,780,153	\$5,895,756	\$6,013,671	\$6,133,944	\$6,256,623
Cost of Sales	\$971,232	\$990,657	\$1,010,470	\$1,030,679	\$1,051,293	\$1,072,319	\$1,093,765	\$1,115,640	\$1,137,953	\$1,160,712	\$1,183,927	\$1,207,605	\$1,231,757
Materials	\$522,821	\$533,278	\$543,943	\$554,822	\$565,919	\$577,237	\$588,782	\$600,558	\$612,569	\$624,820	\$637,316	\$650,063	\$663,064
Event Costs	\$309,761	\$315,956	\$322,275	\$328,720	\$335,295	\$342,001	\$348,841	\$355,818	\$362,934	\$370,193	\$377,596	\$385,148	\$392,851
Total	\$1,803,814	\$1,839,890	\$1,876,688	\$1,914,222	\$1,952,506	\$1,991,557	\$2,031,388	\$2,072,015	\$2,113,456	\$2,155,725	\$2,198,839	\$2,242,816	\$2,287,672
Gross Profit	\$3,129,491	\$3,192,080	\$3,255,922	\$3,321,040	\$3,387,461	\$3,455,210	\$3,524,315	\$3,594,801	\$3,666,697	\$3,740,031	\$3,814,832	\$3,891,128	\$3,968,951
Corporate Expenses	\$2,939,319	\$2,998,105	\$3,058,067	\$3,119,229	\$3,181,613	\$3,245,245	\$3,310,150	\$3,376,353	\$3,443,880	\$3,512,758	\$3,583,013	\$3,654,673	\$3,727,767
Net Earning's for Operator	\$190,172	\$193,975	\$197,855	\$201,812	\$205,848	\$209,965	\$214,164	\$218,448	\$222,817	\$227,273	\$231,818	\$236,455	\$241,184
Does not include the Hamilton Convention Cer													
Capital Investment Forecast													
New Arena Project Costs	-	-	-	-	-	-	-	-	-	-	-	-	-
First Ontario Centre (Brine System)	-	-	-	-	-	-	-	-	-	-	-	-	-
FirstOntario Concert Hall	-	-	-	-	-	-	-	-	-	-	-	-	-
Hamilton Convention Centre	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	-	-	-	-	-	-	-	-	-	-	-	-	-
Land Acquisition Costs													
Total City Costs / Proceeds	\$310,526	\$367,829	\$428,160	\$452,878	\$461,935	\$471,174	\$476,254	\$481,393	\$486,590	\$491,847	\$497,164	\$502,542	\$507,983
Does not include the Hamilton Convention Cer													
Total Arena Facility Fee Proceeds Total Arena Operating Profit Collection Total Performing Arts Subsidy Total Capital Costs Land Acquisition Costs 30-Year Total Cost 30-Year Total Cost NPV													
Does not include the Hamilton Convention Cer													

Entertainment Venue Renewal Option									
	2044	2045	2046	2047	2048	2049	2050	2051	2052
Operating Forecast									
First Ontario Centre	22	23	24	25	26	27	28	29	30
Direct Event Income	-	-	-	-	-	-	-	-	-
Ancillary Income	-	-	-	-	-	-	-	-	-
Facility Fees	-	-	-	-	-	-	-	-	-
Total Event Income	\$6,039,571	\$6,160,362	\$6,283,569	\$6,409,241	\$6,537,426	\$6,668,174	\$6,801,537	\$6,937,568	\$7,076,320
Other Income	\$5,511,040	\$5,621,261	\$5,733,686	\$5,848,360	\$5,965,327	\$6,084,634	\$6,206,326	\$6,330,453	\$6,457,062
Total Income	\$11,550,611	\$11,781,623	\$12,017,256	\$12,257,601	\$12,502,753	\$12,752,808	\$13,007,864	\$13,268,021	\$13,533,382
Indirect Expenses	\$10,683,958	\$10,897,637	\$11,115,590	\$11,337,902	\$11,564,660	\$11,795,953	\$12,031,872	\$12,272,510	\$12,517,960
Management Fee	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000
FOC Net Operating Income (Loss)	\$866,653	\$883,986	\$901,665	\$919,699	\$938,093	\$956,855	\$975,992	\$995,511	\$1,015,422
Net Proceeds After MGMT Fee	\$416,653	\$433,986	\$451,665	\$469,699	\$488,093	\$506,855	\$525,992	\$545,511	\$565,422
City Portion of Net Proceeds	\$173,259	\$176,724	\$180,259	\$183,864	\$187,541	\$191,292	\$195,118	\$199,020	\$203,001
Operator Portion of Net Proceeds	\$104,163	\$108,496	\$112,916	\$117,425	\$122,023	\$126,714	\$131,498	\$136,378	\$141,355
Facility Fee Revenue	\$470,320	\$475,023	\$479,774	\$484,571	\$489,334	\$494,122	\$498,938	\$503,779	\$508,645
Total City Revenue	\$643,579	\$651,748	\$660,032	\$668,435	\$1,166,375	\$1,179,914	\$1,193,626	\$1,207,514	\$1,221,579
FirstOntario Concert Hall									
Direct Event Income	\$1,930,999	\$1,969,618	\$2,009,011	\$2,049,191	\$2,090,175	\$2,131,978	\$2,174,618	\$2,218,110	\$2,262,473
Ancillary Revenue	\$304,665	\$310,759	\$316,974	\$323,313	\$329,780	\$336,375	\$343,103	\$349,965	\$356,964
Facility Fees	\$458,675	\$467,848	\$477,205	\$486,749	\$496,484	\$506,414	\$516,542	\$526,873	\$537,411
Other Income	\$379,558	\$387,149	\$394,892	\$402,790	\$410,846	\$419,062	\$427,444	\$435,993	\$444,712
Total	\$3,073,896	\$3,135,374	\$3,198,082	\$3,262,043	\$3,327,284	\$3,393,830	\$3,461,707	\$3,530,941	\$3,601,560
Indirect Expenses	\$3,203,990	\$3,268,070	\$3,333,431	\$3,400,100	\$3,468,102	\$3,537,464	\$3,608,213	\$3,680,377	\$3,753,985
FOCH Net Operating Income (Loss)	-\$130,094	-\$132,695	-\$135,349	-\$138,056	-\$140,817	-\$143,634	-\$146,506	-\$149,437	-\$152,425
Hamilton Convention Centre									
Sales	\$6,381,756	\$6,509,391	\$6,639,579	\$6,772,370	\$6,907,818	\$7,045,974	\$7,186,893	\$7,330,631	\$7,477,244
Cost of Sales	\$1,256,392	\$1,281,520	\$1,307,151	\$1,333,294	\$1,359,959	\$1,387,159	\$1,414,902	\$1,443,200	\$1,472,064
Materials	\$676,325	\$689,852	\$703,649	\$717,722	\$732,076	\$746,718	\$761,652	\$776,885	\$792,423
Event Costs	\$400,708	\$408,723	\$416,897	\$425,235	\$433,740	\$442,414	\$451,263	\$460,288	\$469,494
Total	\$2,333,426	\$2,380,094	\$2,427,696	\$2,476,250	\$2,525,775	\$2,576,291	\$2,627,817	\$2,680,373	\$2,733,980
Gross Profit	\$4,048,330	\$4,129,296	\$4,211,882	\$4,296,120	\$4,382,042	\$4,469,683	\$4,559,077	\$4,650,258	\$4,743,264
Corporate Expenses	\$3,802,322	\$3,878,369	\$3,955,936	\$4,035,055	\$4,115,756	\$4,198,071	\$4,282,032	\$4,367,673	\$4,455,027
Net Earnings for Operator	\$246,008	\$250,928	\$255,946	\$261,065	\$266,286	\$271,612	\$277,044	\$282,585	\$288,237
<i>Does not include the Hamilton Convention Cer</i>									
Capital Investment Forecast									
New Arena Project Costs					\$2,270,568	\$2,270,568	\$2,270,568	\$2,270,568	\$2,270,568
FirstOntario Centre (Brine System)					\$0	\$0	\$0	\$0	\$0
FirstOntario Concert Hall					\$0	\$0	\$0	\$0	\$0
Hamilton Convention Centre					\$0	\$0	\$0	\$0	\$0
Total					\$2,270,568	\$2,270,568	\$2,270,568	\$2,270,568	\$2,270,568
Land Acquisition Costs									
Total City Costs / Proceeds	\$513,486	\$519,052	\$524,683	\$530,379	-\$1,245,010	-\$1,234,287	-\$1,223,448	-\$1,212,490	-\$1,201,414
<i>Does not include the Hamilton Convention Cer</i>									
Total Arena Facility Fee Proceeds									
Total Arena Operating Profit Collection									
Total Performing Arts Subsidy									
Total Capital Costs									
Land Acquisition Costs									
30-Year Total Cost									
30-Year Total Cost NPV									

Does not include the Hamilton Convention Cer



Appendix F

Appendix "A" to Report PED18168(b)
Page 126 of 130

Sports and Entertainment Venues						
Comparable Facility Construction Costs						
Arena	Year Built	Cost	Capacity	Cost/Seat	\$2019	Comment
Meridian Centre	2014	\$53,300,000	5,300	10,057	\$11,766	OHL Facility without the technical requirements for modern shows.
KPMG Feasibility Study	N/A	\$79,200,000	6,000	13,200	\$13,200	OHL Facility with technical requirements for modern shows.
Place Bell	2017	\$130,000,000	10,000	13,000	\$13,702	Adjusted to reflect cost of building arena structure, and excludes parking and adjoining recreational centre.
Videotron Centre	2015	\$370,000,000	18,250	20,274	\$20,274	Built to NHL standards.
Rogers Place	2016	\$480,000,000	18,350	26,158	\$26,158	Built to NHL standards and costs include underground parking and other amenities.
Cost per Seat Average (Comparable Facility)					\$13,451	

- Using estimates of comparable facility construction costs inflated to \$2019 using Statistics Canada Non-Residential Construction Cost Index

Budweiser Gardens Inflated Construction Cost (2002-2019)			
2002 Construction Cost	\$52,000,000	Arena Capacity	9,100
\$2017	\$88,285,229		
\$2019	\$94,818,336		
Cost per Seat	\$10,420		

- Using the 2002 construction cost of \$52,000,000, inflated using Statistics Canada Non-Residential Cost Index to the index year of 2017.
- Using the \$2017 cost estimate, the value has been further inflated to \$2019

Marshall & Swift Valuation Service	
- Using the Marshall & Swift cost estimating guide, a per seat replacement cost was established. Please see "MVS" tab for more clarity.	
Cost per Seat	\$13,262
Capacity	10,000

Final Cost Estimate	
Avg. Comparable Per-Seat Cost	\$13,356
Capacity	10,000
Est. Arena Cost (\$2019)	\$133,562,805.31

Performing Arts Cost

Comparable Facility Construction Costs

Arena	Year Built	Cost	Capacity	Cost/Seat	\$2019	Comment
Burlington Arts Centre	2011	\$29,000,000	1,000	29,000	\$31,590	

Marshall & Swift Valuation Service

- Using the Marshall & Swift cost estimating guide, a per seat replacement cost was established. Please see "MVS" tab for more clarity.

Cost per Seat	\$31,095
\$/Seat	\$25,000 <i>Downward adjustment to reflect inferior technical equipment to Burlington Arts Centre.</i>
Capacity	2,193

Est. Performing Arts Centre \$54,825,000

Convention Centre

Comparable Facility Construction Costs

Arena	Year Built	Cost	Size	Cost/SF	\$2019	Comment
Shaw Centre	2011	\$170,000,000	365,973	465	\$511	Significantly superior
Scotiabank Centre	2011	\$100,000,000	288,000	347	\$391	Similar quality, includes \$4M land acquisition

Marshall & Swift Cost Estimate

- Using the Marshall & Swift cost estimating guide, a psf replacement cost was established. Please see "MVS" tab for more clarity.

Cost per SF	\$305
Size Estimate	70,000

Est. Convention Centre Costs \$28,151,284

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AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 19-012

9:30 a.m.

September 5, 2019

Council Chambers

Hamilton City Hall

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

Absent: Councillor B. Johnson – Personal

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 19-012, AND RESPECTFULLY RECOMMENDS:

1. Citizen Committee Report - Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee (Item 10.1)

That the Interview Sub-Committee to the Audit, Finance and Administration Committee reconvene to review original applicants for the 2018-2022 term, to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee to add up to 6 additional members, with a specific focus on increasing the diversity of the Committee and adding applicants who are young adults.

2. Office of the City Auditor Charter (AUD19005) (City Wide) (Item 10.2)

(a) That Appendix “A” attached to Report AUD19005 respecting the Office of the City Auditor Charter be approved; and,

(b) That legal staff be directed to prepare an amending by-law that would replace Schedule F1 of the Procedural By-law 18-270, with the revised Audit Charter, attached as Appendix “A” to Report AUD19005, respecting the Office of the City Auditor Charter.

3. Office of the City Auditor Work Plan 2019 to 2022 (AUD19007) (City Wide) (Item 10.3)

That Report AUD19007, respecting the Office of the City Auditor Work Plan 2019 to 2022, be approved.

4. Negotiation for the Continued Supply of Raw Water to 690 Strathearne Avenue North (FCS18049(c) / LS18014(a)) (Ward 4) (Item 14.1)

That the contents of Report FCS18049(c) / LS18014(a), respecting Negotiation for the Continued Supply of Raw Water to 690 Strathearne Avenue North remain confidential and not be released as a public document, except as necessary to implement Council's directions and at the discretion of the City Solicitor.

5. Budgeting and Forecasting (FCS19066) (City Wide) (Item 14.2)

That the contents of Report FCS19066, respecting Budgeting and Forecasting remain confidential and not be released as a public document except as necessary to implement Council's directions and at the discretion of 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 Violetta Nikolskaya, Vice-Chair of the LGBTQ Advisory Committee, respecting Item 10.1 Citizen Committee Report - Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee (For today's meeting)

The agenda for the September 5, 2019 Audit, Finance and Administration Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Clark declared an interest in Item 13.1(a), Amendments to the Outstanding Business List as he has a former professional relationship with Habitat for Humanity Hamilton.

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

(i) August 15, 2019 (Item 4.1)

The Minutes of the August 15, 2019 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

- (i) Violetta Nikolskaya, Vice-Chair of the LGBTQ Advisory Committee, respecting Item 10.1 Citizen Committee Report-Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee (For today's meeting) (Added Item 6.1)**

The delegation request from Violetta Nikolskaya, Vice-Chair of the LGBTQ Advisory Committee, respecting Item 10.1 Citizen Committee Report-Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee, was approved for today's meeting.

(e) PUBLIC HEARINGS / DELEGATIONS (Item 8)

- (i) Karin Dearness, Andy Stone, Philip Toms, and John Ariens respecting reimbursement of rezoning and development charges related to a laneway house at 390.5 Aberdeen Avenue, Hamilton (Ward 1) (Approved July 11, 2019) (Item 8.1)**

Karin Dearness, Philip Toms, and John Ariens addressed the Committee respecting reimbursement of rezoning and development charges related to a laneway house at 390.5 Aberdeen Avenue, Hamilton, 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 Karin Dearness, Philip Toms, and John Ariens, respecting reimbursement of rezoning and development charges related to a laneway house at 390.5 Aberdeen Avenue, Hamilton, was received.

That staff be directed to prepare a motion respecting the fees to be reimbursed through a Compassionate Grant equivalent to the value of the Development Charges, Rezoning Fees, and the Parkland Dedication Fees (less \$1,000.00), as it relates to 390.5 Aberdeen Avenue, Hamilton, for consideration by Council on September 11th, 2019.

- (ii) Violetta Nikolskaya, Vice-Chair of the LGBTQ Advisory Committee, respecting Item 10.1 Citizen Committee Report - Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee (Added Item 8.2)**

Violetta Nikolskaya, Vice-Chair of the LGBTQ Advisory Committee, addressed the Committee respecting Item 10.1 Citizen Committee Report - Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee.

The delegation from Violetta Nikolskaya, Vice-Chair of the LGBTQ Advisory Committee, respecting Item 10.1 Citizen Committee Report - Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee, was received.

For further disposition of this matter, refer to Items 1 and (f)(i).

(f) DISCUSSION ITEMS (Item 10)

(i) Citizen Committee Report - Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee (Item 10.1)

Citizen Committee Report - Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee, was received.

For further disposition of this matter, refer to Item 1.

(ii) Office of the City Auditor Charter (AUD19005) (City Wide) (Item 10.2)

The Chair advised that public notice was given respecting Report AUD19005, Office of the City Auditor Charter as it proposes amendments to Schedule F1 of the City of Hamilton Procedural By-law 18-270. There were no registered speakers and no one in attendance came forward to speak to the proposed changes.

For further disposition of this matter, refer to Item 2.

(g) 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 Requiring a New Due Date:

OBL Item: 19-K

Habitat for Humanity Hamilton - reduction of fees billed on the construction of affordable housing

Original Due Date: September 19, 2019

New Due Date: October 2019

(b) Items to be Removed:

OBL Item: C

Outstanding Uncompleted Audit Recommendations
Item 10.3 on today's agenda

(h) PRIVATE AND CONFIDENTIAL (Item 14)

Committee moved into Closed Session respecting Items 14.1 & 14.2, pursuant to Section 8.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (e), (f) and (k) 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 municipality or local board; advice that is subject to solicitor/client privileges, including communications necessary for that purpose; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

(i) Negotiation for the Continued Supply of Raw Water to 690 Strathearne Avenue North (FCS18049(c) / LS18014(a)) (Ward 4) (Item 14.1)

Staff were provided with direction in Closed Session.

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

(ii) Budgeting and Forecasting (FCS19066) (City Wide) (Item 14.2)

Staff were provided with direction in Closed Session.

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

(k) ADJOURNMENT (Item 15)

There being no further business, the Audit, Finance and Administration Committee, adjourned at 12:30 p.m.

Respectfully submitted,

Councillor Collins, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

**CITY OF HAMILTON
OFFICE OF THE CITY AUDITOR CHARTER**

INTRODUCTION

The Office of the City Auditor provides independent, objective audit assurance and consulting services designed to add value and improve the City of Hamilton's operations. The Office of the City Auditor (OCA) brings a systematic, disciplined approach to evaluating and improving the effectiveness of risk management, control and governance processes.

In the capacity of Auditor General, the City Auditor assists City Council in holding itself and its administrators accountable for the quality of stewardship over public funds and for the achievement of value for money in City operations.

SCOPE

The Office of the City Auditor completes the following types of work:

- Compliance Auditing
- Value for Money Auditing
- Special Investigations (Fraud and Waste, Whistleblower)
- Risk assessments
- Consulting

The first three activities are conducted by the Office in its capacity as Auditor General.

Audit Assurance and Special Investigations

Audit and Assurance work includes the examination and evaluation of the adequacy and effectiveness of the City's governance, risk management process, systems of internal control and the quality of performance in carrying out assigned responsibilities to achieve the organization's goals and objectives. This includes both compliance and value for money audits. The City's processes should function in a manner that ensures:

- Risks are appropriately identified and managed.
- Significant financial, managerial, and operating information is accurate, reliable and timely.
- Actions are in compliance with policies, standards, procedures, and applicable laws and regulations.
- Resources are acquired economically, used efficiently and are adequately protected.
- Programs, plans and objectives are achieved.

**CITY OF HAMILTON
OFFICE OF THE CITY AUDITOR CHARTER**

- Significant legislative and regulatory issues impacting the City are recognized and addressed properly.
- Quality and continuous improvement are fostered in the organization's internal control processes.

In addition to audits, special investigations may be undertaken by the OCA pursuant to Council having given that authority under the Whistleblower By-law (19-181) and the City of Hamilton's Fraud Policy and Protocol. These include reviews or investigations of matters of alleged or suspected wrongdoing, per the Whistleblower By-law or fraud, waste or other similar activities reported by employees or residents through the Fraud and Waste Hotline or other mechanisms.

The City Auditor has been appointed by By-law 19-180 (City Auditor By-law) as an Auditor General under Section 223.19 of the *Municipal Act, 2001*, with the responsibilities, including the powers, duties and protections, under Sections 223.19 to 223.23 of the *Municipal Act, 2001*. These responsibilities apply to the extent authorized by these sections of the *Municipal Act, 2001*. The powers and protections provided to the City Auditor (by appointment as an Auditor General) strengthens the position of independence and institutional authority of the City Auditor while providing information to Council for its oversight role.

Consulting and Risk Assessment

In addition to audit engagements, the Office of the City Auditor provides advisory or other consulting services, as planned, or at the request of Council or senior management. These types of services may include:

- Risk assessments and related workshops;
- Performing research;
- Providing education/training on audit related topics such as risk management, fraud awareness, performance measurement and internal controls;
- Performing Lessons Learned/Opportunities Assessments on project/program implementations that have experienced difficulties or challenges; and
- Providing counsel or advice (e.g. on the adequacy of draft procedures).

**CITY OF HAMILTON
OFFICE OF THE CITY AUDITOR CHARTER**

AUTHORITY

The Office of the City Auditor is granted full, free and unrestricted access to any and all records, property and personnel relevant to any function under review. Access to personal information is provided for under the *Municipal Freedom of Information and Protection of Privacy Act* (in particular, Subsections 31(c) and 32(d)).

The OCA has the authority to conduct audits and reviews of all City departments, Members of Council, agencies, boards and commissions, as well as other entities the City is related to or has an interest in.

All employees will assist the OCA in fulfilling its objectives.

As an Auditor General, the OCA has the responsibilities, including the powers, duties and protections, under Sections 223.19 to 223.23 of the *Municipal Act, 2001* for:

- City Departments;
- Members of Council;
- Local boards (not including the Board of Health, the Hamilton Public Library Board, the Police Services Board or other local boards in accordance with the current definition of "local board" under Section 223.1 of the *Municipal Act, 2001*);
- Municipally-controlled corporations (a corporation that has 50 per cent or more of its issued and outstanding shares vested in the City or that has the appointment of a majority of its board of directors made or approved by the City, not including a corporation established in accordance with Section 203 of the *Municipal Act, 2001*); and
- Grant recipients (as currently defined under Section 223.1 of the *Municipal Act, 2001* as "a person or entity that receives a grant directly or indirectly from the municipality, a local board or a municipally-controlled corporation");

These responsibilities under Section 223.19 to 223.23 of the *Municipal Act, 2001* include the powers to access information and to examine persons under Section 33 of the *Public Inquiries Act, 2009*; the duty to preserve secrecy with respect to all matters that come to its knowledge in the course of performing its functions; and the protection of not being a competent or compellable witness in a civil proceeding.

**CITY OF HAMILTON
OFFICE OF THE CITY AUDITOR CHARTER**

The relevant excerpts from the Municipal Act (accessed on July 16, 2019 at <https://www.ontario.ca/laws/statute/01m25#BK272>) are included below for reference:

Auditor General

223.19 (1) *Without limiting sections 9, 10 and 11, those sections authorize the municipality to appoint an Auditor General who reports to council and is responsible for assisting the council in holding itself and its administrators accountable for the quality of stewardship over public funds and for achievement of value for money in municipal operations. 2006, c. 32, Sched. A, s. 98.*

Same

(1.1) *The Auditor General shall perform his or her responsibilities under this Part in an independent manner. 2009, c. 33, Sched. 21, s. 6 (11).*

Exceptions

(2) *Despite subsection (1), the responsibilities of the Auditor General shall not include the matters described in clauses 296 (1) (a) and (b) for which the municipal auditor is responsible. 2006, c. 32, Sched. A, s. 98.*

Powers and duties

(3) *Subject to this Part, in carrying out his or her responsibilities, the Auditor General may exercise the powers and shall perform the duties as may be assigned to him or her by the municipality in respect of the municipality, its local boards and such municipally-controlled corporations and grant recipients as the municipality may specify. 2006, c. 32, Sched. A, s. 98.*

Grant recipients

(4) *The authority of the Auditor General to exercise powers and perform duties under this Part in relation to a grant recipient applies only in respect of grants received by the grant recipient directly or indirectly from the municipality, a local board or a municipally-controlled corporation after the date on which this section comes into force. 2006, c. 32, Sched. A, s. 98.*

Delegation

(5) *The Auditor General may delegate in writing to any person, other than a member of council, any of the Auditor General's powers and duties under this Part. 2006, c. 32, Sched. A, s. 98.*

Same

(6) *The Auditor General may continue to exercise the delegated powers and duties, despite the delegation. 2006, c. 32, Sched. A, s. 98.*

**CITY OF HAMILTON
OFFICE OF THE CITY AUDITOR CHARTER**

Status

(7) The Auditor General is not required to be a municipal employee. 2006, c. 32, Sched. A, s. 98.

Duty to furnish information

223.20 *(1) The municipality, its local boards and the municipally-controlled corporations and grant recipients referred to in subsection 223.19 (3) shall give the Auditor General such information regarding their powers, duties, activities, organization, financial transactions and methods of business as the Auditor General believes to be necessary to perform his or her duties under this Part. 2006, c. 32, Sched. A, s. 98.*

Access to records

(2) The Auditor General is entitled to have free access to all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property belonging to or used by the municipality, the local board, the municipally-controlled corporation or the grant recipient, as the case may be, that the Auditor General believes to be necessary to perform his or her duties under this Part. 2006, c. 32, Sched. A, s. 98.

No waiver of privilege

(3) A disclosure to the Auditor General under subsection (1) or (2) does not constitute a waiver of solicitor-client privilege, litigation privilege or settlement privilege. 2006, c. 32, Sched. A, s. 98.

Powers re examination

223.21 *(1) The Auditor General may examine any person on oath on any matter pertinent to an audit or examination under this Part. 2006, c. 32, Sched. A, s. 98.*

Application of Public Inquiries Act, 2009

(2) Section 33 of the Public Inquiries Act, 2009 applies to an examination by the Auditor General. 2009, c. 33, Sched. 6, s. 72 (3).

Duty of confidentiality

223.22 *(1) The Auditor General and every person acting under the instructions of the Auditor General shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of his or her duties under this Part. 2006, c. 32, Sched. A, s. 98.*

Same

(2) Subject to subsection (3), the persons required to preserve secrecy under subsection (1) shall not communicate information to another person in respect of any matter described in subsection (1) except as may be required,

**CITY OF HAMILTON
OFFICE OF THE CITY AUDITOR CHARTER**

*(a) in connection with the administration of this Part, including reports made by the Auditor General, or with any proceedings under this Part; or
(b) under the Criminal Code (Canada). 2006, c. 32, Sched. A, s. 98.*

Same

(3) A person required to preserve secrecy under subsection (1) shall not disclose any information or document disclosed to the Auditor General under section 223.20 that is subject to solicitor-client privilege, litigation privilege or settlement privilege unless the person has the consent of each holder of the privilege. 2006, c. 32, Sched. A, s. 98.

Section prevails

(4) This section prevails over the Municipal Freedom of Information and Protection of Privacy Act. 2006, c. 32, Sched. A, s. 98.

Testimony

223.23 *Neither the Auditor General nor any person acting under the instructions of the Auditor General is a competent or compellable witness in a civil proceeding in connection with anything done under this Part. 2006, c. 32, Sched. A, s. 98.*

INDEPENDENCE

Independence is an essential component to maintaining public trust and preserving objectivity and integrity associated with the audit function.

To provide for the independence of Office of the City Auditor, its personnel report to the City Auditor, who reports administratively to the City Manager and functionally to the Audit, Finance and Administration Committee of Council. Audit and other reports are sent directly to the Audit, Finance and Administration Committee for discussion and approval and then to Council. These reporting relationships help ensure independence, promote comprehensive audit objectivity and coverage and assure adequate consideration of audit recommendations.

All OCA activities shall remain free of influence by any element in the organization, including matters of audit selection, scope, procedures, frequency, timing or report content to permit maintenance of an independent and objective attitude necessary in rendering reports. The City Auditor has the authority to revise and extend the scope of any audit or investigation in the course of their examination.

The OCA shall have no direct operational responsibility or authority over any of the activities it reviews. Accordingly, it shall not develop nor install systems or procedures, prepare records or engage in any other activity which would normally be audited.

**CITY OF HAMILTON
OFFICE OF THE CITY AUDITOR CHARTER**

RESPONSIBILITIES

The City Auditor and the staff of the OCA have the responsibility to:

- Review operations within the City at appropriate intervals to determine whether planning, organizing, directing and controlling are in accordance with management instructions, policies and procedures and in a manner that is consistent with both City objectives and high standards of administrative practice.
- Determine the adequacy and effectiveness of the systems of internal accounting, financial and operating controls.
- Review the reliability, utility and integrity of financial information and the means used to identify, measure, classify and report such information.
- Review the established systems to ensure compliance with those policies, plans, procedures, laws and regulations which would have a significant impact on operations and reports and determine whether the organization is in compliance.
- Review the means of safeguarding assets and, as appropriate, verify the existence of such assets.
- Carry out value for money (VFM) / performance audits to determine the efficiency and effectiveness of services and evaluate attainment of corporate objectives and value to residents.
- Report to those members of management who should be informed or who should take corrective action, the results of audit examinations, the audit opinions formed, and the recommendations made.
- Evaluate any plans or actions taken to correct reported conditions and provide timely follow-up to ensure satisfactory disposition of audit findings in the manner and timeframe committed to by management in the original audit report. If the corrective action is considered unsatisfactory, hold further discussions to achieve acceptable disposition.
- Develop a flexible multi-year work plan, including any risks or control concerns identified by management or other audits as well as appropriate special tasks or projects requested by management.
- Undertake assessments, investigations, or refer issues to other appropriate parties as a result of disclosures under a Whistleblower By-law or the Fraud and Waste Hotline.

**CITY OF HAMILTON
OFFICE OF THE CITY AUDITOR CHARTER**

- Maintain a professional audit staff with sufficient knowledge, skills and experience.

AUDIT PLANNING

Each term of Council, the City Auditor shall prepare a multi-year work plan, setting out the proposed work for the term.

For the projects, the following sources are considered:

- Prioritization of the audit universe using a risk-based methodology;
- Requests from Members of Council, senior management and staff;
- Any audits planned for the past term but delayed or not completed;
- Any conditions or concerns discovered or communicated throughout past years; and
- Input from members of the public, via the Fraud and Waste Hotline and resident complaints or suggestions.
- Areas likely to provide significant payback in terms of increased revenues, reduced costs, operational efficiencies and quality of services.

The multi-year work plan will be presented to the Audit, Finance and Administration Committee for approval. Any changes to the work plan requested by Council or individual Members of Council will require a majority of at least two-thirds the total members of Council present and not prohibited by statute from voting for the City Auditor to consider.

REPORTING

A written report is prepared and issued by the City Auditor following the conclusion of each audit assurance project. The report will include management's responses to the report findings and recommendations. Management's response will include a statement of general agreement or disagreement with the stated findings and recommendations as well as a timeframe for anticipated completion of action to be taken and an explanation for any recommendation not addressed.

The OCA is responsible for appropriate follow up on audit findings and recommendations. All significant findings will remain open until the City Auditor has determined management has appropriately taken action to resolve the finding.

**CITY OF HAMILTON
OFFICE OF THE CITY AUDITOR CHARTER**

By-law 19-181 (Whistleblower By-law), Section 19 – Responsibility of the City Auditor requires a quarterly report for, in the aggregate, on the number, nature and outcome of disclosures of serious wrongdoing made under this By-law. Quarterly reports known as "Whistleblower, Fraud and Waste Information Updates" are submitted to the Audit, Finance and Administration Committee and capture at a high level the special investigations activity undertaken by the OCA.

Consulting and risk assessment project reports are issued at the discretion of the City Auditor. Considerations for reports include project size and type, topic, risk profile and organizational impact.

All reports are generally presented to the Audit, Finance and Administration Committee. Reports may be presented to the General Issues Committee, if appropriate.

PROFESSIONAL STANDARDS

Under the City Auditor's authority granted in this Office of the City Auditor Charter, all OCA activity will be guided by the following professional standards and/or legislative requirements:

- Municipal Act, Sections 223.19-223.23 (Auditor General), as applicable.
- City of Hamilton Whistleblower By-law (19-181).
- International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors, for research and general consulting work.
- Certified Fraud Examiners Code of Professional Standards issued by the Association of Certified Fraud Examiners for Fraud, Waste and Whistleblower assessments and investigations.

When working as an Auditor General performing audit assurance engagements, work activities will be guided by professional standards and/or legislative requirements, as applicable.

Audit Services professional staff are also bound by the standards and ethics of their respective professional organizations, which include the Chartered Professional Accountants of Canada (CPA), Institute of Internal Auditors (IIA) and Association of Certified Fraud Examiners (ACFE).



CITY OF HAMILTON
CITY MANAGER'S OFFICE
Office of the City Auditor

TO:	Chair and Members Audit, Finance and Administration Committee
COMMITTEE DATE:	September 5, 2019
SUBJECT/REPORT NO:	Office of the City Auditor Work Plan 2019 to 2022 (AUD19007) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Charles Brown CPA, CA, CPA (Illinois) (905) 546-2424 Ext. 4469 Brigitte Minard CPA, CA, CIA, CGAP (905) 546-2424 Ext. 3107
SUBMITTED BY:	Charles Brown CPA, CA, CPA (Illinois) City Auditor Office of the City Auditor
SIGNATURE:	

RECOMMENDATION(S)

- (a) That Report AUD19007 respecting the Office of the City Auditor Work Plan 2019 to 2022, be approved.
- (b) That the item regarding the follow up of outstanding recommendations older than five years be removed from the Outstanding Business List.

EXECUTIVE SUMMARY

The Office of the City Auditor develops a work plan which outlines the scope of work the Office intends to conduct during a defined time period. Previously a three-year work plan was submitted, this is a four-year, term of Council work plan for 2019-2022. The work plan is based on an updated risk assessment of all the services identified in the City's Trust and Confidence Report (www.hamilton.ca/trustandconfidence).

In addition, inquiries, input from Council members, consultation with senior management and staff, observations made by audit staff during other audits and

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reviews of audits conducted in other municipalities are also taken into consideration. Various risk factors and related criteria were considered to prioritize the various projects.

As noted in our 2019 budget presentation (as part of the City Manager's Office presentation), the Office of the City Auditor completes the following types of work:

- Compliance Auditing
- Value for Money Auditing
- Special Investigations (Fraud and Waste, Whistleblower)
- Risk assessments
- Consulting

The first three activities are conducted by the Office in its capacity as Auditor General. Please refer to the attached Appendix "A" for a description of each of the above services.

Alternatives for Consideration – See Page 4

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The recommendation in this Report has no financial impact beyond the amount provided in the Office of the City Auditor's 2019 budget request. If speciality, external expertise is needed, requests for Council approval will be submitted as required.

Staffing: The Work Plan has been developed based on the current approved complement.

Legal: None.

HISTORICAL BACKGROUND

According to the current Council-approved Audit Charter, the City Auditor (formerly known as Director of Audit Services) is required to prepare a Work Plan for Council approval. The Plan describes projects and related work proposed. It also provides City Council with an overview of how resources in the Office of the City Auditor will be used during 2019-2022.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Municipal Act, sections 222.19 to 223.23
Office of the City Auditor Charter (AUD19005)
City of Hamilton By-law 19-180 (City Auditor By-law)
City of Hamilton Fraud Policy and Protocol
City of Hamilton By-law 19-181 (Whistleblower By-law)

RELEVANT CONSULTATION

Members of Council, departmental management and staff were asked to provide input for the work plan.

ANALYSIS AND RATIONALE FOR RECOMMENDATIONS

Management Responsibility and Council Oversight

Management is primarily responsible for designing, implementing, monitoring and reporting on controls. However, Council, through the Audit, Finance and Administration Committee, is ultimately responsible for ensuring management fulfils these responsibilities.

The Office of the City Auditor assists Council and management in meeting their governance, oversight and internal control responsibilities by carrying out projects and audits with the goal of enhancing internal controls and operational efficiency and effectiveness of City programs and services. The City's capacity to respond to recommendations arising from any audits and make improvements to its management practices is where the real benefit to the taxpayers will come.

Reporting to Council as Part of Effective Oversight

Reporting project findings, audit results and management action plans to the Committee is an important step in the Committee's role for the effective oversight of the control environment and culture and promotes accountability and transparency with City Council.

Follow up of recommendations are also important to ensure that management has taken appropriate action to implement recommendations identified in previous reports and improvements have been realized as a result. Auditing standards require that an audit follow up process to determine the status of outstanding audit recommendations be administered. However, the methodology, timing and frequency are not prescribed. A portion of the available time is set aside to conduct the initial follow up of audit and other project reports issued within the last 12-36 months. This process provides management and Council with a snapshot of the progress of implementation.

In previous years, the practice has been to have formal follow-ups that validate all recommendations as to actions taken, an annual report of the status of all report recommendations, and a special report of outstanding recommendations older than five years. In order to streamline these reporting mechanisms and ensure sufficient resources to carry out hotline related activities and audit work, the OCA proposes that formal follow-ups be focused on validation of management actions listed as completed, and be sample based, and that the special report on older five-year recommendations be eliminated and only included in the annual status report.

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Flexibility of Work Plan

Due to the nature of work that the Office performs, special projects and investigations can arise without much notice, so it is important for the work of the Office of the City Auditor to remain flexible in order to provide the timeliest service to Council and management. At the same time, there should be a logically structured work plan to focus scarce resources on major areas of concern and risk, and to balance coverage across the types of services delivered. The Work Plan serves as a standard against which to measure the performance of the Office.

If Demand Exceeds Available Resources

Should the special requests and investigations exceed the level estimated for the work plan, it will be necessary to defer the timelines of projects included in the work plan. Any deferrals will be reported to the Committee as part of an annual Work Plan Update (detailing any revisions to the plan) submission. However, should scheduling and resources allow, projects from the “B” list (Appendix “B” to Report AUD19007) would be considered for additional completion or substitution in the 2019-2022 work plan, or the timing of projects may be earlier than indicated in the plan.

The extent of completion of the projects will be dependent on the approval of the Office’s budget as submitted, the number of requests by City Council and management, the level of special investigations and other issues which may emerge during the years.

Impact of Fraud and Waste Hotline

The Fraud and Waste Hotline launched in July 2019. At this point in time, volumes are unknown as the Hotline has been operational for a short period of time. It is the same pool of staff that handles fraud and waste hotline assessment and intake and completes audit work.

Impact of Judicial Investigation

The Office of the City Auditor anticipates some involvement in the judicial investigation for the Red Hill Valley Parkway to share information and support such work; however, the extent of the Office’s involvement and the associated time commitment is not known at this time.

Plan will Improve Overall Operations of the City

The Office of the City Auditor believes that the proposed work plan provides a balance of work that, once completed, will result in improving the overall operations of the City by proactively identifying and assessing risks, strengthening management controls, improving accountability and transparency and helping the Audit, Finance and Administration Committee with its governance and internal control oversight role.

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ALTERNATIVES FOR CONSIDERATION

The Committee can decide to add/delete/replace projects from the proposed work plan, taking into consideration resource limitations or preferred alternatives. Also, the current Audit Charter requires a majority of at least two-thirds the total members of Council present to make any changes to the proposed work plan once it is approved. Any significant changes resulting in increased time commitments will require a reallocation of staff resources. In addition, changes which require the substitution of a planned audit project with a new project may not address areas of higher risk.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report AUD19007 - Office of the City Auditor Work Plan 2019 to 2022

Appendix “B” to Report AUD19007 - Proposed Projects for Subsequent Years

**CITY OF HAMILTON
OFFICE OF THE CITY AUDITOR WORK PLAN 2019 to 2022**

PROJECTS IN PROGRESS

The following projects are in progress and should be completed by the end of 2019:

- Road Operations and Construction Programs (Value for Money Audit)
- Child Care Risk Assessment
- Child Care Management - Operator Compliance Assessments (Consulting)
- Storm Water Management (Value for Money Audit, will be completed in 2020)
- LRT – Initial Risk Assessment Consulting
- Grigtmire Arena – Lessons Learned Consulting Project
- Hamilton Future Fund (Compliance and Value for Money Audit)

PROPOSED PROJECTS FOR 2019 to 2022

- Red Hill Valley Parkway: Judicial Investigation Participation (Other)
- Financial Sustainability (Research Report)
- Housing Services: Homeless and Shelter Programs (Value for Money Audit)
- Housing Services (Value for Money Audit or Risk Assessment)
- Diversity, Equity and Inclusion (Consulting or Audit)
- Code Red (Value for Money Audit)
- Grants and Transfer Payments (Compliance and Value for Money Audit)
- Hamilton Waterfront Trust (Value for Money Audit)
- Transit Route Management (Value for Money Audit)
- Budget Process and Variance Management (Audit or Consulting, to be determined after initial research)
- Cybersecurity (Audit or Risk Assessment, to be determined after initial research)
- IT Disaster Recovery/Business Continuity Planning (Compliance Audit)
- Growth Planning: Coordination Across City of Hamilton Departments (Consulting)
- Use of City Vehicles Audit (Value for Money Audit)

ONGOING PROJECTS THROUGHOUT 2019 to 2022

- Light Rail Transit (LRT) (Risk Assessment/Consulting)
- Enterprise Risk Management (Risk Assessment/Consulting)
- Transit: DARTS (Audit, type to be determined)
- Performance Excellence Advice and Education (Consulting)
- Continuous Auditing - Various Topics (Compliance Auditing)
- Follow Up of Recommendations from Previous Audit Reports (Audit)
- Spot Cash Counts (Audit and Fraud Prevention)
- Organization-Wide Fraud Prevention and Detection Program: Intake, Investigation and Reporting (Fraud and Waste Hotline management)

WORK PLAN DETAILS

Background

The risk-based Office of the City Auditor Work Plan for the current Council Term (2019-2022) was developed using a risk assessment process that combined information from many sources, including:

- Risk assessment of City Services using a standard set of attributes (complexity of operations, susceptibility to error, manipulation or fraud, asset profile, community trust/confidence, degree of change, financial, non-compliance).
- Input from the Corporate Leadership Team (Directors, GM's and City Manager)
- Input/insights from Council
- Current and emerging risks in the Local Government Sector
- High profile issues in other Municipalities
- Themes from previous projects

Types of Work Performed

The Office of the City Auditor performs the following types of work:

Audits (Value for Money and Compliance)

Audits are designed to add value and improve an organization's operations. Audits help an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve risk management, control, governance processes and examine the efficiency, effectiveness and economy of operations to add value and improve the City of Hamilton's service delivery.

Consulting and Risk Assessment

- Conducting risk assessments and related workshops/facilitated exercises to proactively identify risks and risk mitigations so that risks can be managed appropriately;
- Performing research;
- Providing education/training sessions on audit related topics such as risk management, fraud awareness, internal controls, continuous improvement or performance measurement;
- Providing professional advice on relevant issues; and
- Performing Lessons Learned/Opportunities Assessments on project/program implementations that have experienced difficulties or challenges.

In addition to these planned activities the OCA is responsible for providing oversight of all special investigations conducted by the City to ensure quality and independence. Special investigations are not planned activities but are responsive to need. They are undertaken by the OCA pursuant to authorities given under the Whistleblower By-law (19-181) and the City of Hamilton's Fraud Policy and Protocol. These include reviews or investigations of matters of alleged or suspected wrongdoing, per the Whistleblower By-law or fraud, waste or other similar activities reported by employees or residents through the Fraud and Waste Hotline or other mechanisms.

Also, the OCA performs follow-up audits that are conducted within 12-36 months of the initial audit and an annual report of the completion status of management action plans. These activities require that a portion of resource time be set aside as well.

PROPOSED PROJECTS FOR 2019-2022

Red Hill Valley Parkway: Judicial Investigation Participation (Other)

Support of the judicial investigation for Red Hill Valley Parkway as requested by the Commissioner.

Timeline: 2019-2020 (or until completed)

Financial Sustainability (Research Report)

One of the biggest challenges facing Canadian municipalities is long-term financial sustainability. This is a research-focused consulting project that would research best practices across North American municipalities assess current practices at the City of Hamilton. Recommendations will be made to enhance the City of Hamilton's long-term financial sustainability.

Timeline: 2020

Housing Services: Homeless and Shelter Programs (Value for Money Audit)

Audit of contracts for the provision of emergency shelter services and homelessness programs to determine if value for money is being achieved, with a focus on the achievement of outcomes (effectiveness).

Timeline: 2020

Housing Services (Value for Money Audit or Risk Assessment)

An audit or risk assessment in the area of Housing Services, with the specific topic and type of project to be determined after initial research is completed.

Timeline: 2022

Diversity, Equity and Inclusion (Consulting or Audit, TBD)

A project that includes a research component that benchmarks for best practices in other leaders in this work in the MASH (municipalities, academic, school and hospital) sector. Compare the City's strategy to these benchmarks and assess progress made and effectiveness of efforts.

Timeline: 2021

Code Red (Value for Money Audit)

It has been 10 years since Code Red first identified challenges in various neighbourhoods across the city. This audit will assess the volume of spending the city has invested in addressing Code Red Concerns and ask questions such as: what has been the impact of this investment – are we getting value and good outcomes and consider the risks and opportunities of this investment.

Timeline: 2022

Grants and Transfer Payments (Compliance and Value for Money Audit)

An audit that will critically consider all the City's various grant and transfer payment programs. Once initial planning work is completed, the project scope will be narrowed to focus on the highest risk payment streams at the City.

Timeline: 2021

Hamilton Waterfront Trust (Value for Money Audit)

An audit to determine if there are ways to improve the value for money achieved from the City's investment and spending at the Hamilton Waterfront Trust, with a focus on future performance improvements that can be achieved.

Timeline: 2020

Transit Route Management (Value for Money Audit)

An audit to critically assess if transit route management is optimized from a value for money perspective.

Timeline: 2022

Budget Process and Variance Management

(Audit or Consulting, to be determined after initial research)

Common complaints are that the budget process is difficult to understand and evaluate, it is hard to link actuals to budget. This is an audit to evaluate the efficiency and effectiveness of the budget process. Service based budgeting will also be considered in the audit. Recommendations will be made improve engagement and understanding of the budget process.

Timeline: 2021

Cybersecurity (Audit or Risk Assessment, TBD)

Cybersecurity attacks are becoming more and more common. This is a project that will include penetration testing to determine where the City's key vulnerabilities are located.

Note: Additional funding may be required to engage the required external experts.

Timeline: TBD

IT Disaster Recovery/Business Continuity Planning (Compliance Audit)

IT is critical to the City's operations in all service areas. Includes a review of the organization's disaster recovery plan, evaluates the risks covered, and assess if the plan includes appropriate measures to enable recovery from threats or incidents.

Timeline: TBD

Growth Planning: Coordination Across City of Hamilton Departments (Consulting)

Growth Planning is complex and involves expertise across the organization. This audit will include reviewing related processes and assessing if the City organizes itself in a manner that enables the achievement of value for money spent in Growth Planning.

Timeline: 2022

Use of City Vehicles Audit (Value for Money Audit)

An audit of the processes related to the usage of City vehicles. There have been significant advances in technology in recent years for GPS technology and fleet administration. The effectiveness of oversight, management processes and the use of technology will be examined.

Timeline: TBD

ONGOING PROJECTS THROUGHOUT 2019-2022

Follow Up of Outstanding Recommendations from Previous Audit Reports

Type: Audit (Follow Up)

This work relates to the verification of the status of the implementation of audit recommendations from audit reports issued. The *International Standards for the Professional Practice of Internal Auditing* requires the follow up of recommendations made.

This work includes both follow up of individual audit reports and recommendations from various reports that have not yet been resolved by Management.

Timeline: Throughout 2019-2022.

Spot Cash Counts

Type: Audit & Fraud Prevention

A type of "pop-up" audit. Cash counts will occur at a select number of locations across all operations to ensure compliance with the City's Corporate Cash Handling Policy, safeguard assets and act as a deterrent. Five to ten locations will be selected for this project per year. An overall report about the state of cash handling in the organization will be provided.

Timeline: Throughout 2019-2022, reported on annually.

Organization-Wide Fraud Prevention and Detection Program:

Intake, Investigation and Reporting (Fraud Prevention & Detection)

Development and implementation of a comprehensive fraud prevention and detection program. Includes developing and providing education/training to the organization, investigation support, case documentation and management and maintaining a roster of fraud/forensic accounting specialists. Management of the Fraud and Waste Hotline that was launched in July 2019.

Timeline: 2019-2022

LRT (Risk Assessment/Consulting)

Working with the LRT Office, periodic risk assessments will be conducted throughout the lifespan of the LRT to assist the project to ensure that risks and opportunities are identified, and that management has action plans in place to manage, mitigate or avoid risks and realize benefits from opportunities.

Timeline: 2019-2022

Enterprise Risk Management (Risk Assessment/Consulting)

Raising awareness in the organization about the importance of enterprise risk management throughout the organization by providing educational sessions to support the development of a corporate risk profile and related corporate policy by management by enabling management to complete risk self-assessments and to develop corresponding action plans.

Timeline: 2021 (Support the development of a corporate risk profile and action plans by management.)

Note: *Requires significant time commitment from the Senior Leadership Team.*

Transit: DARTS (Audit)

Council provided direction in 2017 to conduct an annual audit of DARTS. Specified procedures audits will be performed.

This audit may be co-sourced and would need to be funded by the Transit Division. Dependent on funding being received from Transit. This item is pending the completion of a Master Operating Agreement between the City and DARTS.

Topics may include: Complaints, dispatch, ridership accuracy compared to demand, DARTS budgeting, benchmarking against other jurisdictions, vehicle maintenance, service model evaluation.

Timeline: 2019-2022

Performance Excellence Advice and Education (Consulting/Lessons Learned)

Continuous Improvement, Performance Measurement, Citizen Feedback

Advice and support to ongoing corporate performance excellence initiatives. Work may include giving educational presentations to staff/management meetings about the importance of internal controls, business procedures and a consistent work product.

Other activities may include support to assist with data analysis using audit analytics software and assisting departments with performing control self-assessments to identify areas for improvement. Also provide commentary on lessons learned for how to apply this approach to other areas in the organization.

Timeline: 2019-2022

Continuous Auditing - Various Topics (Audit)

Topics may include procurement cards, accounts payable, corporate cell phones. Continuous auditing is ongoing monitoring that leverages technology to flag potential anomalies and/or high-risk items.

Note: *Investment in software licenses for monitoring technology may be required in the future.*

DEFERRED PROJECTS

The following audits were included in the 2016-2018 Work Plan. Due to a high proportion of staff vacancies (7 vacancies at various points during 2016-2019) in the Office of the City Auditor, these projects will be carried over for completion in 2019-2022.

Development and Growth - Incentive Programs (Value for Money Audit)

To be combined into a broader Grants/Transfer Payments audit noted on page 5.

Procurement By-law Analysis (Consulting)

A data-driven project with the purpose of taking the Procurement By-law and designing procedures for how to effectively analyze procurement data using audit analytics software to effectively identify risks, irregularities and non-compliance with the procurement by-law. The goal will be to develop reports that can easily be run on a regular basis based on criteria developed during the project so that Procurement is able to follow up in a timely manner with the various Divisions.

Timeline: 2020

Quality Assessment Review (QAR) (Other)

To comply with Institute of Internal Auditor's International Standards for the Professional Practice of Internal Auditing, it is required that internal audit shops have independent quality assessments every five years. The most recent assessment occurred in 2012. This item is dependent on receiving adequate budget to have a QAR performed.

Timeline: 2021

Audit Universe Update and Risk Assessment (Risk Assessment)

A full-scale update of the audit universe and a related risk assessment is typically performed every five years with an update performed during the other years. The most recent full-scale audit universe update and risk assessment occurred in 2012.

Timeline: 2022

DELETED PROJECTS

The following projects were included in the 2016-2018 Work Plan. Due to changing circumstances, risks and corporate priorities, some of these projects have been moved to the “B”-List (Appendix “B” to Report AUD19004) and will be considered for completion in future years and some have been removed from consideration due to the volume of other higher priority items, proposed changes in municipal service offerings. Management is still responsible to ensure the provision of these services in an appropriate manner.

AODA (Accessibility Standards for Customer Service Compliance, Human Resources Integrated Accessibility Standards (IAS) for Employment Compliance, Built Environment Compliance)
Emergency Management - Compliance with Legislated Requirements
Environmental Services
Hamilton Police Service
Hamilton Public Library
Human Resources - Performance Accountability & Development System
Public Health Services - Chronic Disease and Injury Prevention Division
Real Estate - Expropriations
Security and Safety at City Facilities

Staffing and Available Hours

This plan reflects the current Council-approved funding. Additional staff may be required if the risk profile changes significantly or if there is an increased demand for audit services, including significant volume for the recently launched Fraud and Waste Hotline. Value for money audits and risk assessments take longer to complete than traditional compliance audits, so fewer projects are included on this work plan compared to previous plans.

The portfolio of work executed includes work plan projects, special requests received during the year, advice and education to audit clients on internal controls, new corporate initiatives, emerging issues audit research, maintaining the Office of the City Auditor’s work methodology and audit planning.

Experience has shown that throughout the year unanticipated requests for audit resources arise from Council and management. The work plan sets a portion of time aside to meet such requests. Time is also set aside to conduct fraud/waste/whistleblower assessments and investigations, as the same pool of staff that carries out the projects in the work plan carry out such work.

Timelines

Timelines to complete projects are estimates only. Risk Assessments and consulting projects require significant participation from management to identify risks, agree on issues and provide management action plans. For any project, if management does not provide information in a timely manner, it is challenging to achieve the planned timelines.

Annual Update

Since this is a longer-term audit plan, an update of this plan may be provided to the Audit, Finance and Administration Committee at least once per calendar year.

APPENDIX "B"
CITY OF HAMILTON – OFFICE OF THE CITY AUDITOR
PROPOSED PROJECTS FOR SUBSEQUENT YEARS

Projects for the 2019 to 2022 Office of the City Auditor Work Plan are listed on "Appendix A". However, there are many service areas which should be addressed but, due to the limitations in available staff hours, could not be accommodated in the 2019 to 2022 work plan. These projects will be re-evaluated annually to ensure continued relevance and priority and will be considered in subsequent years. Should 2019 to 2022 scheduling or resources allow, the projects noted below would be considered for possible completion in the current term of Council. Any projects previously included on a "B" List but not included on this list are no longer considered priority areas for work.

- Absenteeism and Attendance Management (Fire, EMS, Police)
- Asset Management
- By-law Enforcement
- Capital Project Management
- Capital Works Projects - Quality Management
- City-wide Vehicle Fleet Management
- Development Approvals
- Development Charges
- Employee Benefits
- EMS/Fire Resource Management
- Forestry - Street Tree Program
- Growth Management - Quality management of new development infrastructure
- Housing - Rent Supplement Programs
- IT Asset Management
- IT Risk Assessment
- IT Service Desk
- Organic Waste Management and Recycling
- Procurement
- Real Estate Management, including land sales
- Security and Safety at City Facilities
- Sick leave/disability payments and case management

- Social Services (OW, Support Services, Discretionary Benefits) - Intake and Payment Processes
- Waste Management
- Wastewater Management



EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 19-010

1:30 p.m.

Thursday, September 5, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent with Regrets: Councillor B. Clark - Personal

Also Present: Councillor VanderBeek

THE EMERGENCY & COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 19-009 AND RESPECTFULLY RECOMMENDS:

1. **Agreement with Rockton Lions Club for the Creation of a Community Hub at Beverly Community Centre (CES15030 (a)) (Ward 13)**
 - (a) That the City of Hamilton be authorized to enter into a five year Licence Agreement with the Rockton Lions Club for the operation and maintenance of the Beverly Community Centre following the completion of construction;
 - (b) That the City of Hamilton be authorized to enter into a five year Licence Agreement with the Rockton Lions Club for the priority use of the Beverly Community Hall Room in Beverly Arena;
 - (c) That both Licence Agreements include a clause permitting up to two extensions, each up to five additional years at the discretion of the General Manager of the Healthy and Safe Communities Department; and,
 - (d) That the General Manager of the Healthy and Safe Communities Department be authorized and directed to execute, on behalf of the City of Hamilton, these Licence Agreements, as well as any ancillary documents and extension agreements, all in a form satisfactory to the City Solicitor.

2. Canada-Ontario Community Housing Initiative and Ontario Priorities Housing Initiative (HSC19042(a)) (Item 9.1)

- (a) That the General Manager of the Healthy and Safe Communities Department or his designate be authorized and directed to deliver and administer the Canada-Ontario Community Housing Initiative (“COCHI”) and Ontario Priorities Housing Initiative (“OPHI”) programs;
- (b) That the General Manager of the Healthy and Safe Communities Department (“GM”) be authorized and directed to execute all ancillary agreements and documents as may be required to deliver the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative programs, with content satisfactory to the GM and in a form satisfactory to the City Solicitor;
- (c) That the Investment Plan attached as Appendix “A” to Report 19-010 be approved;
- (d) That the General Manager of the Healthy and Safe Communities Department be authorized and directed to approve and revise any municipal program guidelines, approve any exceptions to the municipal program guidelines as special or unanticipated circumstances arise, and update or amend the Investment Plan, as necessary to deliver and administer the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative in accordance with all Provincial requirements;
- (e) That Appendix “B” to Report HSC19042(a), being a By-law to authorize the City to enter into the “Transfer Payment Agreement - Canada-Ontario Community Housing Initiative and Ontario Priorities Housing Initiative” and to authorize the General Manager of the Healthy and Safe Communities Department to execute the aforesaid agreement, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
- (f) That all Canada-Ontario Community Housing Initiative funds received from the Ministry of Municipal Affairs and Housing be deposited into Account #23195; and that appropriate capital project IDs be created and operating dept IDs for the program and administrative components of Canada-Ontario Community Housing Initiative funds; and,
- (g) That all Ontario Priorities Housing Initiative funds received from the Ministry of Municipal Affairs and Housing be deposited into Account #23194; and that appropriate capital project IDs and operating dept IDs be created for the program and administrative components of Ontario Priorities Housing Initiative funds.

3. Change in Source of \$50,000 Funding for the YWCA 52 Ottawa Street North Affordable Housing Development Project (CES17036) (Ward 4) (Item 10.1)

That the General Manager of the Healthy and Safe Communities Department or his designate be authorized and directed to enter into a loan agreement with content satisfactory to the General Manager and in a form satisfactory to the City Solicitor.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. COMMUNICATIONS (Item 5)

- 5.1 Correspondence from Chad Roglich, Wesley Community Homes Inc., respecting August 23, 2019 meeting with City staff

Recommendation – be received

- 5.2 Correspondence from Shannon Fuller, Early Years and Child Care Division, Ministry of Education, respecting implementation of child care funding changes

Recommendation – be received

2. DISCUSSION ITEMS (Item 10.1)

- 10.1 Change in Source of \$50,000 Funding for the YWCA 52 Ottawa Street North Affordable Housing Development Project (CES17036) (Ward 4)

Sub-section (a) has been removed from the Report CES17036(a), regarding Change in Source of \$50,000 Funding for the YWCA 52 Ottawa Street North Affordable Housing Development Project and will be put forward at Council as an amending motion to Emergency and Community Services Committee Report 17-009.

3. GENERAL INFORMATION/OTHER BUSINESS (Item 13)

13.1.b Items to be Removed from the Outstanding Business List:

- 13.1.b.a Agreement with HWDSB for Creation of Two Community Hubs (CES15030)
Item on OBL: A
Addressed as Item 7.1 on today's agenda

The agenda for the September 5, 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) August 15, 2019 (Item 4.1)

The Minutes of the August 15, 2019 meeting of the Emergency and Community Services Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

(i) Correspondence from Chad Roglich, Wesley Community Homes Inc., respecting August 23, 2019 meeting with City staff (Added Item 5.1)

The correspondence from Chad Roglich, Wesley Community Homes Inc., respecting August 23, 2019 meeting with City staff, was received.

(ii) Correspondence from Shannon Fuller, Early Years and Child Care Division, Ministry of Education, respecting implementation of child care funding changes (Added Item 5.2)

The correspondence from Shannon Fuller, Early Years and Child Care Division, Ministry of Education, respecting implementation of child care funding changes, was received.

(e) CONSENT ITEMS (Item 7)

(i) Seniors Advisory Committee Minutes (Item 7.2)

The following recommendations from the May 3, 2019 Seniors Advisory Committee minutes, were referred to the appropriate Public Works staff for consideration:

1. Seniors Advisory Committee Getting Around Hamilton Working Group (Item 5(c))

The Seniors Advisory Committee deplores the documented inadequate snow-clearing efforts and requests that better means be executed during the 2019-2020 winter season, including instructing all by-law officers to enforce the snow-clearing by-law and issue tickets when property owners are in contravention.

Committee members advised that it might be useful to also have a communication campaign to support enforcement efforts.

The following Seniors Advisory Committee Minutes were received:

- (i) May 3, 2019 (Item 7.2.a)
- (ii) June 7, 2019 (Item 7.2.b)
- (iii) July 5, 2019 (Item 7.2.c)

(ii) Hamilton Veterans Committee Minutes (Item 7.3)

The following Hamilton Veterans Committee Minutes were received:

- (i) August 28, 2018 (Item 7.3.a)
- (ii) April 23, 2019 (Item 7.3.b)
- (iii) May 28, 2019 (Item 7.3.c)
- (iv) June 25, 2019 (Item 7.3.d)

(f) PUBLIC HEARINGS/DELEGATIONS (Item 8)

(i) Antoinette Laffrenier, The King's Way Outreach Centre, respecting municipal support for the King's Way Outreach Centre (Item 8.1)

Antoinette Laffrenier, The King's Way Outreach Centre, addressed the Committee respecting municipal support for the King's Way Outreach Centre, with the aid of a handout.

- (a) The Emergency and Community Services Committee referred the Delegation from Antoinette Laffrenier, The King's Way Outreach Centre, respecting municipal support for the King's Way Outreach Centre to Healthy and Safe Communities staff for follow up.
- (b) The Delegation from Antoinette Laffrenier, The King's Way Outreach Centre, respecting municipal support for the King's Way Outreach Centre, was received.

The handout is available at www.hamilton.ca and through the Office of the City Clerk.

(g) STAFF PRESENTATIONS (Item 9)

(i) Canada-Ontario Community Housing Initiative and Ontario Priorities Housing Initiative (HSC19042(a)) (City Wide) (Item 9.1)

Edward John, Director, Housing Services, addressed the Committee respecting Report HSC19042(a), the Canada-Ontario Community Housing Initiative and Ontario Priorities Housing Initiative, with the aid of a presentation.

The presentation, respecting the Canada-Ontario Community Housing Initiative and Ontario Priorities Housing Initiative, was received.

For further disposition of this matter, refer to Item 2.

The presentation is available at www.hamilton.ca and through the Office of the City Clerk.

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

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

The following amendments to the Emergency and Community Services Committee's Outstanding Business List, were approved:

(a) Items Requiring a New Due Date

- (i) Home for Good (CES17042(a))
Item on OBL: F
Current Due Date: August 15, 2019
Proposed New Due Date: December 5, 2019
- (ii) Opportunities and Flexibility of Existing Housing Programs
Item on OBL: I
Current Due Date: September 5, 2019
Proposed New Due Date: November 7, 2019
- (iii) Hamilton Housing Benefits
Item on OBL: J
Current Due Date: August 15, 2019
Proposed New Due Date: November 7, 2019
- (iv) All Seasons Soccer Facility
Item on OBL: K
Current Due Date: August 15, 2019
Proposed New Due Date: January 16, 2020
- (v) Expanding Housing and Support Services for Women
Item on OBL: L
Current Due Date: August 15, 2019
Proposed New Due Date: December 5, 2019
- (vi) Ministry's continued support for critical housing investments and leveraging federal funding under the National Housing Strategy through new provincial investments and outlining the City of Hamilton's funding for housing and homelessness programs as confirmed through the 2019 Ontario Budget.

Item on OBL: O
Current Due Date: August 15, 2019
Proposed New Due Date: December 5, 2019

- (b) Items to be Removed from the Outstanding Business List
 - (i) Agreement with HWDSB for Creation of Two Community Hubs (CES15030)
Item on OBL: A
Addressed as Item 7.1 on today's agenda

(i) ADJOURNMENT (Item 15)

There being no further business, the Emergency and Community Services Committee was adjourned at 2:03 p.m.

Respectfully submitted,

Councillor S. Merulla
Chair, Emergency and Community Services
Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk

**Canada-Ontario Community Housing Initiative
and
Ontario Priorities Housing Initiative
“Investment Plan”**

Planned Financial Commitments By Year

Complete the following table to indicate how much of your annual allocation you plan to commit to each program component in each year of COCHI and OPHI. Documentation required for a commitment is outlined in the Program Guidelines.

Enter the full amount of funding to be committed in the year in which you plan to make the commitment.

Enter the amount to be used as administration fees for each year. Administration fees cannot exceed 5% of your annual funding allocation.

COCHI		OPHI/COCHI Planned Financial Commitment - \$			TOTAL	
		YEAR 1	YEAR 2	YEAR 3		
		2019-20	2020-21	2021-22		
SM allocation for each fiscal year		\$ 1,231,970.00	\$ 1,430,467.00	\$ 2,784,874.00	\$ 5,447,311.00	
Capital Components						
New Build					\$ -	
Repair		\$ 920,371			\$ 920,371.00	
Operating Components						
Rent Supplement		\$ 250,000	\$ 1,008,944	\$ 1,775,635	\$ 3,034,579.00	
Transitional Operating Funding			\$ 350,000	\$ 870,000	\$ 1,220,000.00	
SM Administration Fees		% of Allocation				
SM Administration Fees		5%	\$ 61,599	\$ 71,523	\$ 139,239	\$ 272,361.00
Total COCHI			\$ 1,231,970	\$ 1,430,467	\$ 2,784,874	\$ 5,447,311
OPHI						
SM allocation for each fiscal year		\$ 4,611,100	\$ 2,388,900	\$ 3,719,100	\$ 10,719,100	
Capital Components						
Rental Housing		\$ 4,380,545		\$ 2,280,525	\$ 6,661,070	
Homeownership		\$ -	\$ -	\$ -	\$ -	
Ontario Renovates		\$ -	\$ 1,619,475	\$ 602,620	\$ 2,222,095	
Operating Components						
Rental Assistance						
Rent Supplement		\$ -	\$ -	\$ -	\$ -	
Housing Allowance - Direct Delivery		\$ -	\$ 650,000	\$ 650,000	\$ 1,300,000	
Housing Allowance - Shared Delivery		\$ -	\$ -	\$ -	\$ -	
Housing Support Services		\$ -	\$ -	\$ -	\$ -	
SM Administration Fees		% of Allocation				
SM Administration Fees		5%	\$ 230,555	\$ 119,425	\$ 185,955	\$ 535,935
Total OPHI			\$ 4,611,100	\$ 2,388,900	\$ 3,719,100	\$ 10,719,100
TOTAL PROGRAM ALLOCATION			\$ 5,843,070	\$ 3,819,367	\$ 6,503,974	\$ 16,166,411



PUBLIC WORKS COMMITTEE REPORT 19-012

9:30 a.m.

Friday, September 6, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent with

Regrets: Councillor J. Farr – Personal
Councillor T. Whitehead – Personal

Also Present: Councillor M. Wilson

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 19-012 AND RESPECTFULLY RECOMMENDS:

1. Intersection Control List (PW19001(d)) (Wards 2, 3, 13 and 15) (Item 7.1)

That the appropriate By-law be presented to Council to provide traffic control as follows:

Intersection		Stop Control Direction		Class	Comments / Petition	Ward
Street 1	Street 2	Existing	Requested			
Section "C" Flamborough						
(a)	Millgrove Side Road	Cumminsville Drive	All	EB	B	Removing All-way stop, Clr approved
(b)	Westover Road	Westover Road	EB	All	C	Converting to all-way stop – Clr approved
Section "E" Hamilton						

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
(c)	Young Street	Wellington Street	SB	All	B	Converting to all-way stop – Clr approved	2
(d)	Rosemont Drive	Barnesdale Avenue North	NB/SB	All	C	Converting to all-way stop – Clr approved	3

Section “G” Former Regional

(e)	Regional Road 97	Cooper Road	SB	All	C	Converting to all-way stop – Clr approved	13
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Legend

No Control Existing (New Subdivision) - **NC**

Intersection Class: **A** - Local/Local **B** - Local/Collector **C** - Collector/Collector

2. Proposed Permanent Closure and Sale of a Portion of Hatt Street, Dundas (PW19074) (Ward 13) (Item 8.2)

- (a) That the application of the owner of 118 Hatt Street, Dundas, to permanently close and purchase a portion of Hatt Street, Dundas (“Subject Lands”), as shown on Appendix “A” and Appendix “B”, attached to Public Works Committee Report 19-012, 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) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to enter into any requisite easement agreements, right of way agreements, and/or other agreements deemed necessary to affect the orderly disposition of the Subject Lands and to proceed to sell the closed alleyway to the owners of 118 Hatt Street, Dundas, as described in Report PW19074, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
 - (iii) That the City Solicitor be authorized to complete the transfer of the Subject Lands to the owners of 118 Hatt Street, Dundas 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; and,
- (vi) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section.

3. Municipal Class Environmental Assessment and Conceptual Design of Elevated Water Storage Facility and Pumping Station for Pressure District 7 (PW19078) (Wards 9 & 11) (Item 10.1)

That the General Manager, Public Works Department be authorized and directed to file the Notice of Completion and issue the Project File Report for the Municipal Class Environmental Assessment and Conceptual Design of Elevated Water Storage Facility and Pumping Station for Pressure District 7 for the Mandatory 30-day Public Review period.

4. Airport Employment Growth District (AEGD) Servicing Update (PW19079) (City Wide) (Item 10.2)

- (a) That the single source procurement be approved, pursuant to Procurement Policy #11 – Non-competitive Procurements, for a Consultant (GMBluePlan Engineering) for the detailed design and contract administration services for the required sanitary outstation upgrade of HC018 pumping station for the Airport Employment Growth District (AEGD);
- (b) That the General Manager of Public Works Department be authorized to negotiate, enter into and execute a contract and any ancillary documents required to give effect thereto with GMBluePlan Engineering, in a form satisfactory to the City Solicitor;
- (c) That the single source procurement be approved, pursuant to Procurement Policy #11 – Non-competitive Procurements, for one or more vendors of specialized wastewater equipment for the required sanitary

outstation upgrade projects for the Airport Employment Growth District (AEGD);

- (d) That the General Manager of Public Works Department be authorized and directed to negotiate and execute single source procurement contracts and any ancillary documents to provide original equipment manufactured parts and services for:
 - (i) Motor Control Center (MCC) equipment;
 - (ii) Wastewater pump equipment; and,
 - (iii) Standby power generator equipment.
- (e) That Hamilton Water staff report back to the Public Works Committee detailing procurement results of project awards; and,
- (f) That the contents of Appendix "B" attached to Report PW19079 remain confidential.

**5. Feasibility of Launching Project 529 in the City of Hamilton (City Wide)
(Added Item 11.1)**

- (a) That the Public Works Committee respectfully request that Hamilton Police Services and the Hamilton Police Services Board review the feasibility of launching Project 529 in Hamilton to reduce bike theft in the City of Hamilton; and,
- (b) That City Staff work in conjunction and collaboration with Hamilton Police Services and the Hamilton Police Services Board to share information in determining the feasibility of Project 529.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

The agenda for the September 6, 2019 Public Works Committee meeting was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) August 14, 2019 (Item 4.1)

The Minutes of the August 14, 2019 meeting of the Public Works Committee were approved, as presented.

(d) CONSENT ITEMS (Item 7)

(i) Hamilton Cycling Committee Minutes (Item 7.2)

The following minutes from the Hamilton Cycling Committee, were received:

- (1) December 5, 2018 (Item 7.2(a))
- (2) April 3, 2019 (Item 7.2(b))
- (3) May 1, 2019 (Item 7.2(c))
- (4) June 5, 2019 (Item 7.2(d))

(e) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) Jamie Stuckless, Share the Road Cycling Coalition, respecting the Bicycle Friendly Communities Program (approved on August 14, 2019) (Item 8.1)

Jamie Stuckless, Share the Road Cycling Coalition, addressed the Committee respecting the Bicycle Friendly Communities Program, with the aid of a presentation.

The delegation by Jamie Stuckless, Share the Road Cycling Coalition, respecting the Bicycle Friendly Communities Program, was received.

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

For further disposition of this matter, refer to Items (h)(i), (h)(ii) and 5.

(ii) Proposed Permanent Closure and Sale of a Portion of Hatt Street, Dundas (PW19074) (Ward 13) (Item 8.2)

Councillor Ferguson advised that notice of the Proposed Permanent Closure and Sale of a Portion of Hatt Street, Dundas (PW19074) (Ward 13) was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that there were no registered speakers.

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

The public meeting was closed.

For disposition of this matter, refer to Item 2.

(f) DISCUSSION ITEMS (Item 10)

(i) Airport Employment Growth District (AEGD) Servicing Update (PW19079) (City Wide) (Item 10.2)

Consideration of Item 10.2, respecting an Airport Employment Growth District (AEGD) Servicing Update, was deferred until after the Closed Session portion of the agenda.

For further disposition of this matter, refer to Items (g)(i) and 4.

(g) PRIVATE AND CONFIDENTIAL (Item 14)

Council moved into Closed Session for Appendix "B" to Item 10.2, pursuant to Section 8.1, Sub-sections (f) and (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (f) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matters pertains to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

(i) Airport Employment Growth District (AEGD) Servicing Update (PW19079) (City Wide) (Item 10.2)

Staff were provided with direction in Closed Session.

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

(h) NOTICES OF MOTION (Item 12)

(i) To Recognize Distracted Driving by Handheld Device as a Violation of the *Criminal Code of Canada, 1985* (City Wide) (Added Item 12.1)

Councillor S. Merulla introduced the following Notice of Motion:

WHEREAS, distracted driving now causes such a hazard on the road and leads to more deaths than drunk driving in some places; and,

WHEREAS, despite efforts to curtail the dangerous behavior;

THEREFORE, BE IT RESOLVED:

(a) That the City of Hamilton request that the Federal Government assess amending the *Criminal Code of Canada, 1985*, to recognize distracted driving by handheld device a violation of the *Criminal Code of Canada, 1985*.

(ii) Enforcement of One-Meter Law for Cyclist Safety (City Wide) (Added Item 12.2)

Councillor J.P. Danko introduced the following Notice of Motion:

That Hamilton Police Services be requested to consider options for the enforcement of the one-meter passing law for cyclist safety, which requires motorists to provide at least one-meter (three feet) of space to cyclists when passing, replicating the enforcement in place in Ottawa, Guelph and other communities using radar devices.

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

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

The following amendments to the Public Works Committee's Outstanding Business List, were approved:

(a) Items Requiring a New Due Date:

(i) Certificate of Recognition (COR™) Program
Item on OBL: AQ
Current Due Date: September 16, 2019
Proposed New Due Date: November 4, 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: September 6, 2019

Proposed New Due Date: October 18, 2019

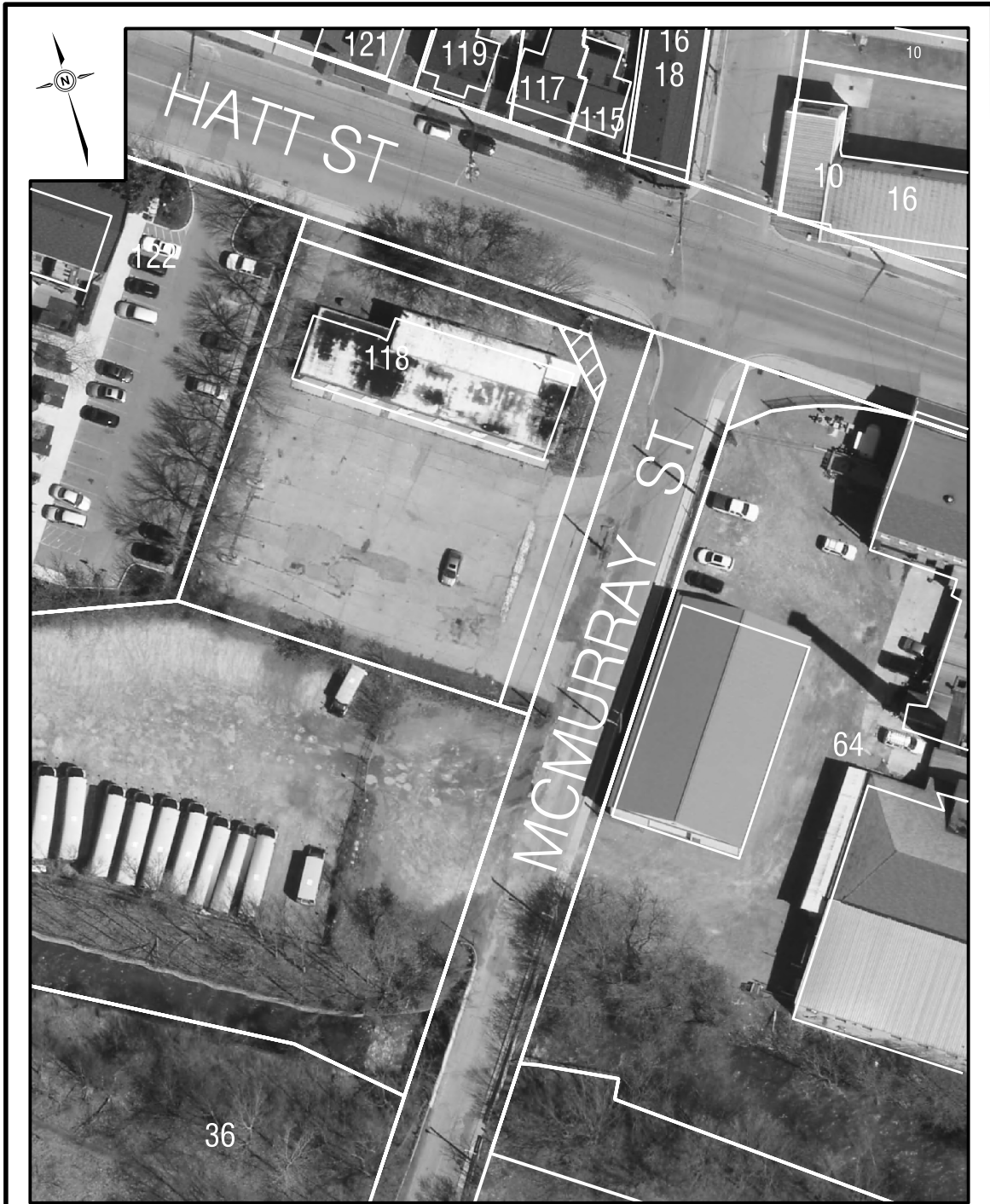
(j) ADJOURNMENT (Item 15)

There being no further business, the Public Works Committee was adjourned at 10:41 a.m.

Respectfully submitted,

Councillor L. Ferguson
Chair, Public Works Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk

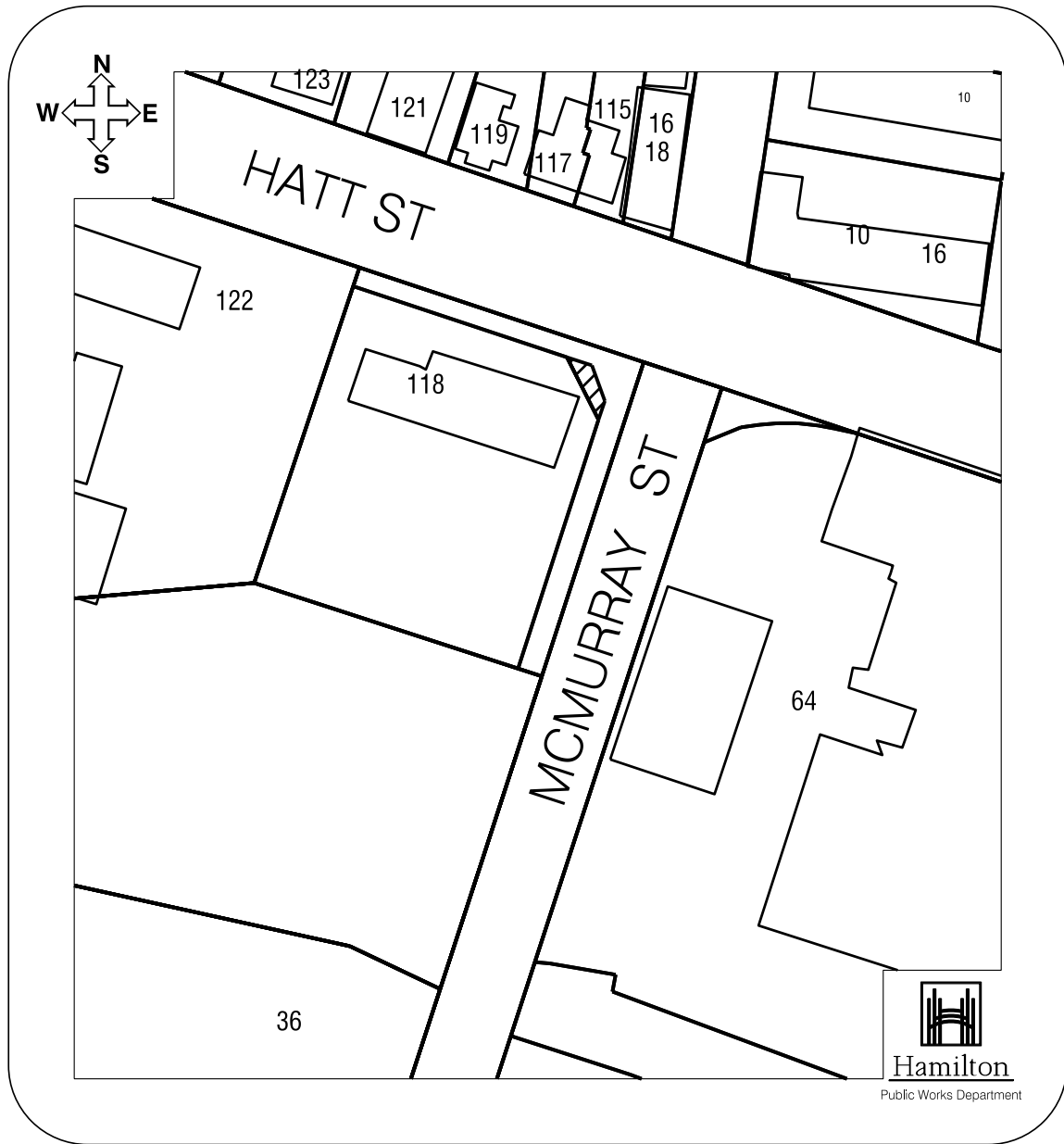


PROPOSED CLOSURE OF PORTION OF ROAD ALLOWANCE
AT 118 HATT STREET

Geomatics & Corridor Management Section
Public Works Department

LEGEND

 **Lands to be Closed**



LOCATION PLAN

PROPOSED CLOSURE OF
PORTION OF ROAD ALLOWANCE AT
118 HATT STREET

CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

LEGEND



SUBJECT LANDS

DATE: JUNE 24, 2019

Not to Scale | Sketch By: CF

REFERENCE FILE NO : PW19_



SPECIAL GENERAL ISSUES COMMITTEE REPORT 19-016

9:30 a.m.

Monday, September 9, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

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

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 19-016 AND RESPECTFULLY RECOMMENDS:

1. Request for an Amendment to Legislation – Tenant Information for Rental Properties (Item 11.2)

That the City Clerk be authorized and directed to draft a letter, for the Mayor's signature, to the Minister of Finance and the Minister of Municipal Affairs and Housing requesting the government amend legislation to require rental property owners to provide tenant information, for election purposes only, to the Municipal Property Assessment Corporation.

2. Municipal Voters List – Elections Ontario (CL19009) (City Wide) (Item 7.1)

That Report CL19009, respecting the Municipal Voters List – Elections Ontario, be received.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

The agenda for the September 9, 2019 Special General Issues Committee meeting was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor M. Pearson declared an interest to Item 11.2, respecting a Request for an Amendment to Legislation – Tenant Information for Rental Properties, as she is a rental property owner.

Councillor S. Merulla declared an interest to Item 11.2, respecting a Request for an Amendment to Legislation – Tenant Information for Rental Properties, as he is a rental property owner.

Councillor A. VanderBeek declared an interest to Item 11.2, respecting a Request for an Amendment to Legislation – Tenant Information for Rental Properties, as she is a rental property owner.

(c) COMMUNICATION ITEMS (Item 5)

Communication Items 5.1(a) to 5.1(ss) and 5.2(a), listed as follows, were received:

(i) Correspondence from the Minister of Municipal Affairs and Housing and Ontario Municipalities in response to Council's Resolution of December 18, 2018 regarding Maintaining the Voters' List for Municipal Elections (Item 5.1)

- (a) The Honourable Steve Clark, Minister of Municipal Affairs and Housing
- (b) City of Vaughan
- (c) County of Huron
- (d) Township of Strong
- (e) Municipality of Killarney

- (f) Township of Front of Young
- (g) Township of Baldwin
- (h) Municipality of Central Elgin
- (i) Municipality of Tweed
- (j) Township of Puslinch
- (k) City of Thorold
- (l) Municipality of Grey Highlands
- (m) Township of North Frontenac
- (n) City of St. Catharines
- (o) Municipality of West Perth
- (p) Township of Black River
- (q) Township of Alberton
- (r) City of Quinte West
- (s) Ministry of Municipal Affairs and Housing, Local Government Policy Branch
- (t) Township of Enniskillen
- (u) Township of Opatatika
- (v) Township of Scugog
- (w) Municipality of Morris-Turnberry
- (x) Town of Pelham
- (y) Township of Minden Hills
- (z) Town of Thessalon
- (aa) City of Welland
- (bb) Township of Dubreuilville

- (cc) Municipality of Temagami
 - (dd) City of Brantford
 - (ee) City of Timmins
 - (ff) Municipality of Southwest Middlesex
 - (gg) Town of Collingwood
 - (hh) Township of Carling
 - (ii) Township of South Frontenac
 - (jj) Township of Wellesley
 - (kk) Municipality of North Perth
 - (ll) Municipality of Greenstone
 - (mm) Township of South Algonquin
 - (nn) Town of Iroquois Falls
 - (oo) City of Guelph
 - (pp) Town of Goderich
 - (qq) Township of Ramara
 - (rr) Township of East Hawkesbury
 - (ss) Town of Kearney
- (ii) Correspondence from Residents respecting the Voters' List for Municipal Elections (Item 5.2)**
- (a) Beverley Dworzak (Received and referred to GIC by Council at its meeting of January 23, 2019)

(d) CONSENT ITEMS (Item 7)

(i) Municipal Voters List – Elections Ontario (CL19009) (City Wide) (Item 7.1)

Report CL19009, respecting the Municipal Voters List – Elections Ontario, was DEFERRED until after the presentation by the Municipal Property Assessment Corporation, respecting maintenance of the municipal voters' list.

For disposition of this matter, please refer to Item 2.

(e) STAFF PRESENTATIONS (Item 9)

(i) Municipal Property Assessment Corporation (MPAC)

Lou Castellani, Account Manager, Municipal Property Assessment Corporation, addressed Committee and provided a PowerPoint presentation respecting maintenance of the municipal voters' list.

The presentation provided by Lou Castellani, Account Manager, Municipal Property Assessment Corporation, respecting maintenance of the municipal voters' list, was received.

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

For further disposition of this matter, please refer to Items 1 and (f)(i).

(f) MOTIONS (Item 11)

(i) Recommendations to Ensure Tenants Living in Rental Properties are included on the Municipal Elections Voters' List (Item 11.1)

The City Clerk was directed to report back to the General Issues Committee with recommendations from the Multi-Stakeholder Elections Working Group with respect to ensuring that tenants living in rental properties are included on the municipal elections voters' list.

(g) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee adjourned at 11:43 a.m.

Respectfully submitted,

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk

T. Whitehead, Deputy Mayor
Chair, General Issues Committee

CITY OF HAMILTON MOTION

Council: September 11, 2019

MOVED BY COUNCILLOR L. FERGUSON.....

SECONDED BY COUNCILLOR.....

Geographic Information System (GIS) Access for Councillors

WHEREAS, Geographic Information System (GIS) is a software system that provides helpful information to the Members of Council in their respective Wards to better understand constituent concerns, and quickly solve a problem; and,

WHEREAS, Members of Council recently had access to this software which was removed due to privacy concerns;

THEREFORE BE IT RESOLVED:

That the City Clerk try to negotiate with the necessary authorities to reinstate GIS on Councillor's office computers, with a report back to the General Issues Committee.

CITY OF HAMILTON MOTION

Council: September 11, 2019

MOVED BY COUNCILLOR A. VANDERBEEK.....

SECONDED BY COUNCILLOR

Amendment to Item 14 of the General Issues Committee Report 19-014, respecting Report LS19035/PED19179 - Potential Litigation – Building Permit Issues

That Item 14 of the General Issues Committee Report 19-014, respecting Report LS19035/PED19179 - Potential Litigation – Building Permit Issues, be amended by deleting the words “Niagara Escarpment Commission” and replacing them with the words “*Ministry of Natural Resources and Forestry*”, to read as follows:

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.
- (c) That staff be directed to forward all future planning, development, zoning verification and building applications regarding properties within the Pleasant View Survey Lands to the ~~Niagara Escarpment Commission~~ *Ministry of Natural Resources and Forestry* for comment;
- (d) That staff be directed to work with the ~~Niagara Escarpment Commission~~ *Ministry of Natural Resources and Forestry* staff to petition the Minister of Environment Conservation and Parks to put the Pleasant View Survey Lands under Development Control as soon as possible;
- (e) That staff be directed to work with the Ward Councillor to review how to assist landowners and prospective purchasers to better understand the special zoning and land use restrictions on the Pleasant View Survey lands through City resources and report back to General Issues Committee; and
- (f) That staff be directed not to implement an Interim Control By-law on the Pleasant View Survey Lands at this time.

CITY OF HAMILTON MOTION

Council: September 11, 2019

MOVED BY MAYOR F. EISENBERGER.....

SECONDED BY COUNCILLOR

Amendment to Item 5 of the General Issues Committee Report 19-011, respecting Report CM18013(a) - Downtown Entertainment Assets Operating Agreements

(a) That Appendix “A” to Item 5 of the General Issues Committee Report 19-011, respecting Report CM18013(a) - Downtown Entertainment Assets Operating Agreements, which was approved by Council on June 12, 2019, be amended by:

- (i) deleting the dollar amount of \$500,000 and replacing it with the dollar amount of \$550,000; and, by deleting the words “Year 3 - \$50,000”, to read as follows:

One Time Capital Contributions:

From Global Spectrum:	\$500,000 contribution made to the City of Hamilton upon signing an extension.
From Compass Group Canada	A \$550,000 investment in an upgrade to the FirstOntario Centre and FirstOntario Concert Hall’s concession infrastructure on the following schedule: Guaranteed Term: Year 1 - \$500,000 \$550,000 Year 3 - \$50,000

- (ii) deleting the words “continue to”; by deleting both references to the dollar amount of “\$1.4M” and replacing them with the dollar amount of “**1.75M**”; and, by deleting the dollar amount of “\$200,000” and replacing it with “**\$100,000**”, to read as follows:

Financial Terms:

Net Contribution from City	1)–The City will continue to subsidize the first \$1.75M in operating losses; 2) Global Spectrum will receive a Guaranteed Management Fee of \$350,000;
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	<p>In the event that the annual net operating losses are less than \$4.4 1.75M, the benefits would be realized as follows:</p> <ol style="list-style-type: none"> 1) The City receives the initial \$350,000; 2) The next \$400,000 would be split 50% to the City, 50% to Global Spectrum as “incentive income”; 3) Global Spectrum contributes half of any “incentive income”, up to an annual maximum of \$200,000 \$100,000 per year, into a reserve account that would be drawn on in the event of future losses. This would include losses that may arise as a result of LRT construction, and/or the critical failure of major capital components in the facilities that they manage (such as the FirstOntario Centre’s brine line). 4) Any further subsidy reduction/profit would be split 60% to the City, 40% to Global Spectrum. <p>Note: based on the average of 2016, ’17, and ’18 performance results, the City would have received an incremental \$156K per year in additional revenues (subsidy reduction)</p>
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(b) That sub-section (a) to Report CM18013(a) - Downtown Entertainment Assets Operating Agreements, be amended by adding the words “as amended”, to read as follows:

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

- (a) That an extension of the existing Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum), which is consistent with the terms set out in Appendix “A”, **as amended**, to Report 19-011, be approved;
- (b) That an extension of the existing Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen’s Group), which is consistent with the terms set out in set out in Appendix “B” to Report 19-011, be approved;
- (c) That the Mayor and the City Clerk be authorized and directed to execute any documents, with content acceptable to the City Manager and in a form acceptable to the City Solicitor, required to give effect to an extension to the Management Agreement between the City of Hamilton and Global Spectrum Facility Management, L.P. (Global Spectrum);

- (d) That the Mayor and the City Clerk be authorized and directed to execute any documents, with content acceptable to the City Manager and in a form acceptable to the City Solicitor, required to give effect to an extension to the Facility Operating Agreement between the City of Hamilton, the Hospitality Centre Corporation and Mercanti Banquet & Convention Centre Ltd. (Carmen's Group); and,
- (e) That staff be directed to include specific language regarding termination of the five-year extension, to the Downtown Entertainment Assets Operating Agreements, to address the potential redevelopment possibilities and not impede that process to the satisfaction of the City Solicitor.

Overview of Proposed Global Spectrum Agreement

Facilities Managed:

FirstOntario Centre (formerly Copps Coliseum),
FirstOntario Concert Hall and Studio (Formerly Hamilton Place).

Term:

Proposed Guaranteed Term:	5 years + a 6-month transition period commencing July 1, 2019 and expiring December 31, 2025. Note: the 6-month transition period would be under the financial terms of the existing deal and the new terms outlined within would come into effect in January 1, 2020.
Additional Renewal Options:	None

One Time Capital Contributions:

From Global Spectrum:	\$500,000 contribution made to the City of Hamilton upon signing an extension.
From Compass Group Canada	A \$550,000 investment in an upgrade to the FirstOntario Centre and FirstOntario Concert Hall's concession infrastructure on the following schedule: Guaranteed Term: Year 1 - \$500,000 \$550,000 Year 3 - \$50,000

Financial Terms:

Net Contribution from City	1) The City will continue to subsidize the first \$1.4M in operating losses; The City will subsidize the first \$1.75M in operating losses. 2) Global Spectrum will receive a Guaranteed Management Fee of \$350,000;
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	<p>In the event that the annual net operating losses are less than \$1.4 1.75M, the benefits would be realized as follows:</p> <ol style="list-style-type: none"> 1) The City receives the initial \$350,000; 2) The next \$400,000 would be split 50% to the City, 50% to Global Spectrum as “incentive income”; 3) Global Spectrum contributes half of any “incentive income”, up to an annual maximum of \$200,000 \$100,000 per year, into a reserve account that would be drawn on in the event of future losses. This would include losses that may arise as a result of LRT construction, and/or the critical failure of major capital components in the facilities that they manage (such as the FirstOntario Centre’s brine line). 4) Any further subsidy reduction/profit would be split 60% to the City, 40% to Global Spectrum. <p>Note: based on the average of 2016, '17, and '18 performance results, the City would have received an incremental \$156K per year in additional revenues (subsidy reduction)</p>
<p>Capital vs. Operating Costs</p>	<p>The City is responsible for all Capital costs while Global Spectrum is responsible for all Operating Costs.</p>
<p>Utilities</p>	<p>Any utility costs above the 2011 Actual utility cost of \$1.2M will continue to be paid by Global Spectrum.</p>

CITY OF HAMILTON MOTION

Council: September 11, 2019

MOVED BY COUNCILLOR S. MERULLA.....

SECONDED BY COUNCILLOR

Amendment to Item 3 of the Emergency and Community Services Committee Report 17-009, respecting Report CES17036, Request for Proposals C5-06-17 New Rental Housing Component of the Investment in Affordable Housing Extension, Social Infrastructure Fund, and Home for Good Programs

That Sub-section (a) to Item 3 of the Emergency and Community Services Committee Report 17-009, respecting Report CES17036, Request for Proposals C5-06-17 New Rental Housing Component of the Investment in Affordable Housing Extension, Social Infrastructure Fund, and Home for Good Programs, approved by Council on September 27, 2017, be amended by adding the words **“Municipal Affairs and”**; by adding the words **“\$5.25 million, as follows”**; by deleting the dollar amount of \$2.75 and replacing it with the dollar amount of **“\$2.7”**; and, by adding the words **“\$50,000 under the IAH-Extension Administration fund”**, to read as follows:

3. Request for Proposals C5-06-17 New Rental Housing Component of the Investment in Affordable Housing Extension, Social Infrastructure Fund, and Home for Good Programs (CES17036) (Wards 4 & 8) (Item 8.1)

- (a) That the Minister of **Municipal Affairs and** Housing be advised that the City of Hamilton recommends that the Hamilton Young Women’s Christian Association’s (YWCA) affordable housing development project at 52 Ottawa Street North, Hamilton be approved for funding of **\$5.25 million, as follows:**
 - (i) **\$2.7** million under the Investment in Affordable Housing Program Extension – New Rental Housing Component (IAH-E)
 - (ii) **\$50,000 under the IAH-Extension Administration fund;** and,
 - (iii) **\$2.5** million under the Social Infrastructure Fund (SIF);

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

3. **Request for Proposals C5-06-17 New Rental Housing Component of the Investment in Affordable Housing Extension, Social Infrastructure Fund, and Home for Good Programs (CES17036) (Wards 4 & 8) (Item 8.1)**
 - (a) That the Minister of ***Municipal Affairs and*** Housing be advised that the City of Hamilton recommends that the Hamilton Young Women's Christian Association's (YWCA) affordable housing development project at 52 Ottawa Street North, Hamilton be approved for funding of ***\$5.25 million, as follows:***
 - (i) ***\$2.7 million*** under the Investment in Affordable Housing Program Extension – New Rental Housing Component (IAH-E)
 - (ii) ***\$50,000 under the IAH-Extension Administration fund;*** and,
 - (iii) ***\$2.5 million*** under the Social Infrastructure Fund (SIF);
 - (b) That the Minister of Housing be advised that the City of Hamilton recommends that the Indwell Community Homes, Parkdale Landing affordable housing development project at 205 Melvin Avenue, Hamilton, be approved for funding of \$2,838,030 under the Social Infrastructure Fund (SIF);
 - (c) That the Indwell Community Homes, Parkdale Landing affordable housing development project at 205 Melvin Avenue, Hamilton, be approved for funding of \$2,411,970 from the Poverty Reduction Investment Reserve new affordable rental housing component;
 - (d) That the March of Dimes Canada Non-Profit Housing Corporation, affordable housing development project at 66 West 28th Street, Hamilton be approved for funding of \$265,827 from the Poverty Reduction Investment Reserve new affordable rental housing component; and,
 - (e) That the development charge and parkland dedication exemptions for the following affordable housing development projects, with a total value of \$1,973,158, be funded from the Poverty Reduction Investment Reserve new affordable rental housing component:
 - (i) Hamilton Young Women's Christian Association (YWCA), 52 Ottawa Street North, Hamilton (\$905,217 value, \$667,417 development charges and \$237,800 parkland dedication fees); and,
 - (ii) Indwell Community Homes, Parkdale Landing, 205 Melvin Avenue, Hamilton, (\$1,067,941 value, \$759,041 development charges and \$308,900 parkland dedication fees).

CITY OF HAMILTON MOTION

Council: September 11, 2019

MOVED BY COUNCILLOR T. WHITEHEAD.....

SECONDED BY COUNCILLOR

Integrity Commissioner / Lobbyist Registrar Appointment

WHEREAS, the temporary appointment of Principle Integrity expires on September 30, 2019;

THEREFORE, BE IT RESOLVED:

- (a) That Council extend the existing contract with Principle Integrity as the City of Hamilton’s Integrity Commissioner and Lobbyist Registrar to November 30th, 2019;
- (b) That a ‘Request for Proposal’ (RFP) in the position of Integrity Commissioner and Lobbyist Registrar be initiated;
- (c) That a staff committee of the City Manager, City Solicitor, City Clerk and Executive Director of Human Resources conduct the initial evaluation of the qualified firms; and
- (d) That the Governance Review Sub Committee conduct the interviews and recommend the preferred candidate for the position of Integrity Commissioner / Lobbyist Registrar along with terms and conditions of the appointment to City Council for approval.

CITY OF HAMILTON MOTION

Council: September 11, 2019

MOVED BY COUNCILLOR M. PEARSON.....

SECONDED BY COUNCILLOR

Amendment to Item 7 of Planning Committee Report 19-012, respecting Report PED19121, 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

That Appendix “F” to Item 7 of Planning Committee Report 19-012, respecting Report PED19121, 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, approved by Council on August 16, 2019, be **amended** by adding the following conditions to the List of Special Conditions for Draft Plan of Subdivision and renumbering the balance accordingly:

- 20. That, ***Prior to registration of the plan of subdivision***, the Owner agrees to prepare and submit a plan detailing the locations of parking restriction signage. Furthermore, the Owner agrees to design and install the temporary parking restriction signage at the Owner’s cost prior to the first occupancy, all to the satisfaction of the Senior Director, Growth Management.
- 46. ***That prior to servicing, the owner agrees to obtain a written consent from the adjacent property owner, 2289 Highway 56, which abuts the existing Stormwater Management Facility, for the design of the proposed retrofit of the SWM pond prior to City approve the final design of the pond, all to the satisfaction of the Senior Director of Growth Management.***

Authority: Item 3, Public Works Committee
Report 18-011 (PW18073)
CM: August 17, 2018
Ward: 7

Bill No. 203

CITY OF HAMILTON

BY-LAW NO. 19-

To Permanently Close and Sell a Portion of the portion of the public assumed alley abutting 542 Upper Sherman Avenue, Hamilton, Ontario, namely Part of the Alley on Registered Plan 608, in the City of Hamilton, designated as Part 1 on Plan 62R-20996, being Part of PIN 17059-0212 (LT); City of Hamilton

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office; and

WHEREAS highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law; and

WHEREAS at its meeting of August 17, 2018, Council approved of Item 3 of Public Works Committee Report 18-011, and authorized the City of Hamilton to permanently close and sell the portion of the public assumed alley abutting 542 Upper Sherman Avenue, Hamilton, Ontario, namely Part of the Alley on Registered Plan 608, in the City of Hamilton, designated as Part 1 on Plan 62R-20996, being Part of PIN 17059-0212 (LT); City of Hamilton; and

WHEREAS notice to the public of the proposed sale of the part of the public assumed alley has been given in accordance with the requirements of the Sale of Land Policy By-law.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The part of the public assumed alley set out as follows:

To Permanently Close and Sell a Portion of the portion of the public assumed alley abutting 542 Upper Sherman Avenue, Hamilton, Ontario, namely Part of the Alley on Registered Plan 608, in the City of Hamilton, designated as Part 1 on Plan 62R-20996, being Part of PIN 17059-0212 (LT); City of Hamilton

Page 2 of 2

Part of the Alley on Registered Plan 608, in the City of Hamilton, designated as Part 1 on Plan 62R-20996, being Part of PIN 17059-0212 (LT); City of Hamilton

is permanently closed.

2. The soil and freehold of the Part 1 on Plan 62R-20996, hereby permanently closed, be sold to Luciano Turco and Jennifer Lynsey Thompson for the sum of Two Dollars (\$2.00).
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

PASSED this 11th day of September, 2019

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 7, Economic Development
and Planning Committee
Report 10-005 (PED10051)
CM: March 10, 2010
Ward: 10

Bill No. 204

CITY OF HAMILTON

BY-LAW NO. 19-

To Establish City of Hamilton Land Described as Block 91 on Plan 62M-1164 as Part of Escarpment Drive

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The land, owned by and located in the City of Hamilton, described as Block 91 on Plan 62M-1164, is established as a public highway, forming part of Escarpment Drive.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 11th day of September, 2019.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 2, Emergency and
Community Services Committee
Report 19-010 (HSC19042(a))
CM: September 11, 2019
Ward: City Wide

Bill No. 205

CITY OF HAMILTON

BY-LAW NO. 19-

To Authorize the Execution of the Ontario Transfer Payment Agreement for the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative 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 Province of Ontario to Receive Funding Under the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative

WHEREAS the City is the Service Manager under the *Housing Services Act, 2011* and is authorized to operate and manage housing, including establishing, administering and funding programs for the provision of residential accommodation in its service area;

AND WHEREAS the Ministry of Municipal Affairs and Housing has allocated three years of funding to the City of Hamilton under the Canada-Ontario Community Housing Initiative to repair, regenerate and expand community housing, and to protect affordability support for tenants, and the Ontario Priorities Housing Initiative to address local priorities in the areas of housing supply and affordability, including affordable rental construction, community housing repair, rental assistance, tenant supports, and affordable homeownership, in its service area;

AND WHEREAS at its meeting on September 11, 2019, the Council of the City of Hamilton also authorised the signing of a Transfer Payment Agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing for the Province of Ontario to receive funding under the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative;

AND WHEREAS at its meeting on September 11, 2019, the Council of the City of Hamilton also authorised the allocation of funding amongst the programs under the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative;

NOW THEREFORE Council of the City of Hamilton enacts as follows:

1. The General Manager of the Healthy and Safe Communities Department is authorized and directed to enter into and sign a Transfer Payment Agreement 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 Province of Ontario to receive funding under the Canada-Ontario Community Housing Initiative and the Ontario Priorities Housing Initiative;
2. This By-Law shall come into effect upon its passing.

PASSED this 11 day of September, 2019.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 7, Planning Committee
Report: 19-012 (PED19121)
CM: August 16, 2019
Ward: 11

Bill No. 19-206

CITY OF HAMILTON

BY-LAW NO. 19-

To Adopt:

**Official Plan Amendment No. 125 to the
Urban Hamilton Official Plan**

Respecting:

**2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive
(Glanbrook)**

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 125 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 11th day of September, 2019.

F. Eisenberger
Mayor

A. Holland
City Clerk

Urban Hamilton Official Plan Amendment No. 125

The following text, together with:

Appendix “A”	Volume 1, Schedule B – Natural Heritage System
Appendix “B”	Volume 1, Schedule E-1 – Urban Land Use Designations
Appendix “C”	Volume 2, Map B.5.1-1 – Binbrook Village Secondary Plan – Land Use Plan
Appendix “D”	Volume 2, Map B.5.1-2 – Binbrook Village Secondary Plan – Open Space Linkages

attached hereto, constitutes Official Plan Amendment No. 125 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to change the land use designations, refine the natural heritage features, and establish two Specific Policy Areas within the Binbrook Village Secondary Plan to facilitate the orderly development of a plan of subdivision with higher net residential densities, and to permit commercial uses on a portion of the subject lands.

2.0 Location:

The lands affected by this Amendment are generally located southeast of Cemetery Road and Regional Road 56 and known municipally as 2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive, in the former Township of Glanbrook.

3.0 Basis:

The basis for permitting this Amendment is:

- The proposed Amendment is in keeping with the policies of the Urban

Hamilton Official Plan and the Binbrook Village Secondary Plan to provide a diversity of housing opportunities suitable for different segments of the population and to make the most efficient use of urban lands.

- The proposed development is considered to be consistent with, and complementary to, the planned and existing development in the immediate area.
- The proposed Amendment is consistent with the Provincial Policy Statement, 2014, and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019.

4.0 **Actual Changes:**

4.1 **Volume 1 – Parent Plan:**

Schedule Changes

Schedule B – Natural Heritage System

4.1.1 That Volume 1, Schedule B – Natural Heritage System be amended by removing the “Parks & General Open Space” identification from a portion of the subject lands, as shown on Appendix “A”, attached to this Amendment.

Schedule E-1 – Urban Land Use Designations

4.1.2 That Volume 1, Schedule E-1 – Urban Land Use Designations be amended by:

- a) redesignating a portion of the lands from “Neighbourhoods” to “District Commercial”; and
- b) redesignating a portion of the lands from “Utility” to “Neighbourhoods”,

as shown on Appendix “B” attached to this Amendment.

4.2 Volume 2 – Secondary Plans

Text Changes

4.2.1 Chapter B-5 – Glanbrook Secondary Plans

- a. That Volume 2, Chapter B.5 – Glanbrook Secondary Plans, Section B.5.1 – Binbrook Village Secondary Plan be amended by adding Area Specific Policy – Area Q, as follows:

“Area Specific Policy – Area Q

B.5.1.13.17 For the lands located east of Regional Road No. 56 and north of the pipeline easement, designated “Low Density Residential 2d” and identified as Area Specific Policy Area Q on Map B.5.1-1 – Binbrook Village Secondary Plan – Land Use Plan, the following policies shall apply:

- a) In addition to Policy B.5.1.4.5(a)(i), maisonette dwellings shall also be permitted; and,
- b) In addition to Policy B.5.1.4.5(a)(ii), a density of 26 – 48 units per net residential hectare shall be permitted.”

- b. That Volume 2, Chapter B.5 – Glanbrook Secondary Plans, Section B.5.1 – Binbrook Village Secondary Plan be amended by adding Site Specific Policy – Area R, as follows:

“Site Specific Policy – Area R

B.5.1.13.18 Notwithstanding Policy B.5.1.4.5(e)(ii), for the lands located east of Regional Road No. 56 and north of the pipeline easement, designated “Low Density Residential 3e” and identified as Site Specific Policy – Area R on Map B.5.1-1 – Binbrook Village Secondary Plan – Land Use

Plan, a density of 41 – 85 units per net residential hectare shall be permitted.”

Schedule and Map Changes

Map B.5.1-1 – Binbrook Village Secondary Plan - Land Use Plan

4.2.2 That Volume 2, Map B.5.1-1 – Binbrook Village Secondary Plan – Land Use Plan be amended by:

- a) redesignating a portion of the lands from “Low Density Residential 2e” to “Low Density Residential 3e”;
- b) redesignating a portion of the lands from “Low Density Residential 2h” to “Low Density Residential 3e”;
- c) redesignating a portion of the lands from “Low Density Residential 2e” to Low Density Residential 2d”;
- d) redesignating a portion of the lands from “Low Density Residential 2h” to “Low Density Residential 2d”;
- e) redesignating a portion of the lands from “Utility” to “Low Density Residential 2d”;
- f) redesignating a portion of the lands from “Parkette” to “Low Density Residential 2d”;
- g) redesignating a portion of the lands from “Low Density Residential 2e” to “District Commercial”;
- h) redesignating a portion of the lands from “Low Density Residential 2h” to “District Commercial”;
- i) adding Area Specific Policy – Area Q to a portion of the subject lands; and,
- j) adding Site Specific Policy – Area R to a portion of the subject lands,

as shown on Appendix “C” attached to this Amendment.

Map B.5.1-2 – Binbrook Village Secondary Plan – Open Space Linkages

4.2.3 That Volume 2, Map B.5.1-2 – Binbrook Village Secondary Plan – Open Space Linkages be amended by:

- a) Removing the “Parkette” identification from a portion of the subject lands;
- b) Removing the “Utility” identification from a portion of the subject lands; and,
- c) Adding “Local Road” identification to a portion of the subject lands,

as shown on Appendix “D” attached to this Amendment.

5.0 Implementation:

An implementing Zoning By-Law Amendment and Site Plan will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule “1” to By-law No. 19-206 passed on the 11th day of September, 2019.

**The
City of Hamilton**

F. Eisenberger
Mayor

A. Holland
City Clerk

Appendix A
APPROVED Amendment No. 125
 to the Urban Hamilton Official Plan



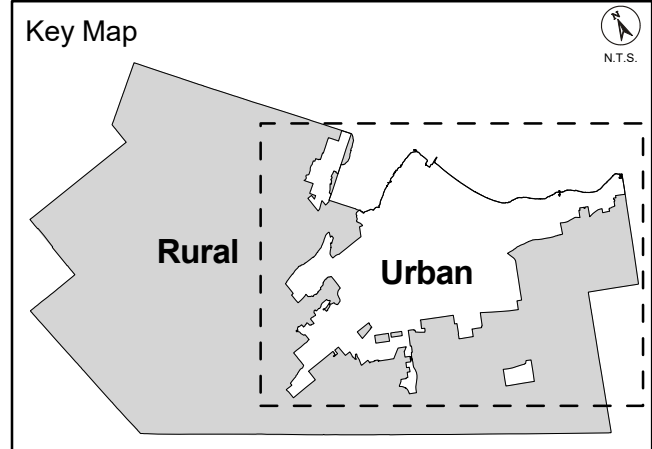
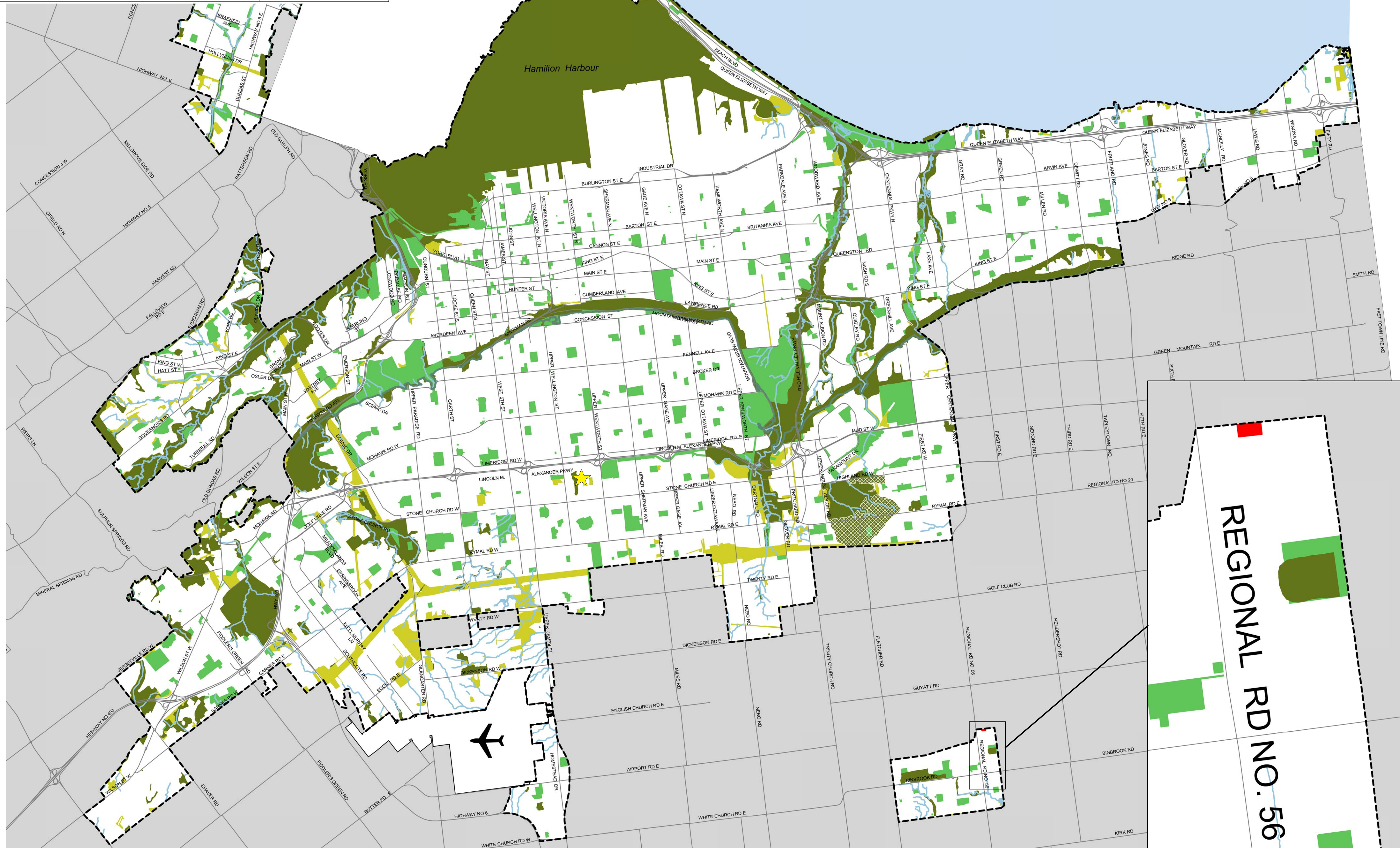
Remove "Parks and General Open Space"

(2341, 2365-2431 Regional Road No. 56 and 250 Tanglewood Drive, Glanbrook)

Date:
 August 13, 2019

Revised By:
 AB/NB

Reference File No.:
 OPA-U-125(G)



Note: For Rural Natural Heritage Features refer to Schedule B of the Rural Hamilton Official Plan.

APPEAL

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal - see illustration on Schedules E and E-1, Volume 1.

★ **Lands Under Appeal**

- 313 Stone Church Road East & lands bounded by Stone Church Road East, Upper Wellington Street, Lincoln M Alexander Parkway and Upper Wentworth Street

Legend

- Core Areas
- Area Specific Policy - USC-1 and USC-2 in Volume 3
- Linkages
- Parks & General Open Space (Excluding Parkettes)
- Streams

Other Features

- Rural Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary

Council Adoption: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan
 Schedule B
 Natural Heritage System**

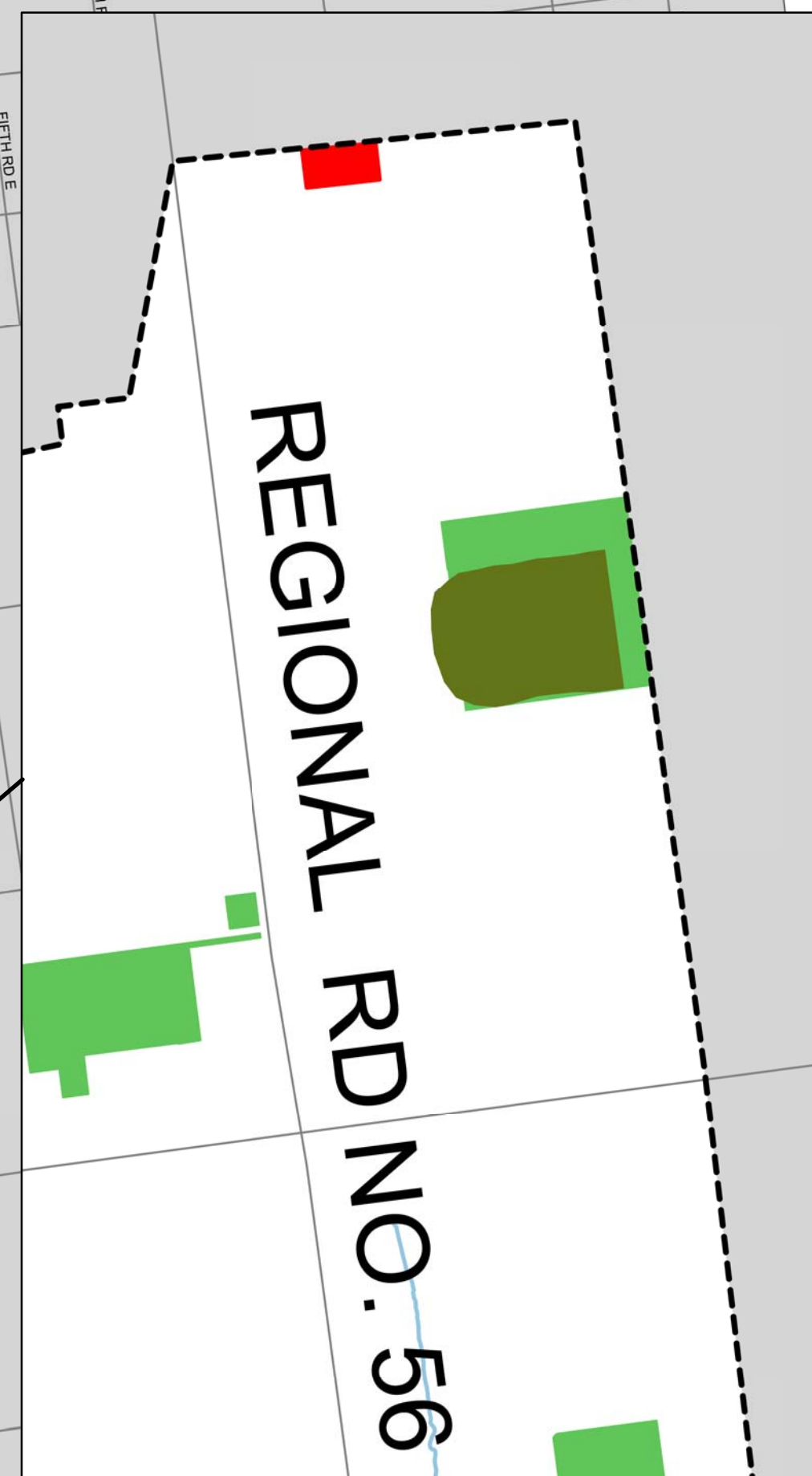


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Date: November 2018

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Appendix B
APPROVED Amendment No.125
to the Urban Hamilton Official Plan

- Lands to be redesignated from "Neighbourhoods" to "District Commercial"
 - Lands to be redesignated from "Utility" "Neighbourhoods"
- (2341, 2365-2431 Regional Road No. 56 and 250 Tanglewood Dr, Glanbrook)

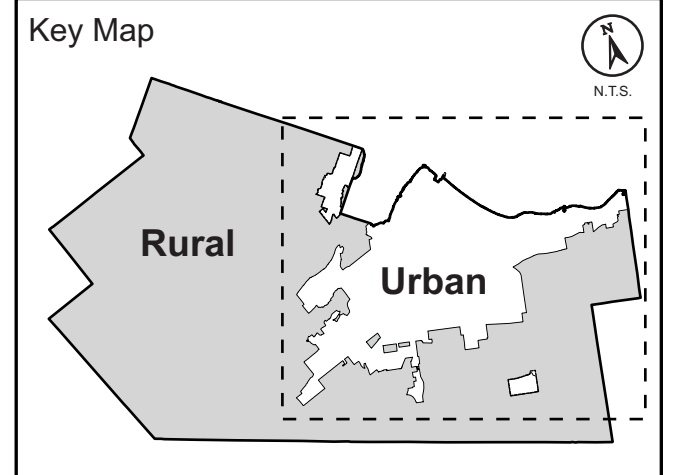
Date: August 13, 2019
Revised By: AB/NB
Reference File No.: OPA-U-125(G)

APPEALS

----- The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal.

UHOPA NO. 69 APPEALS - PL171450

- ★ - 71 Main Street West and 10 Baldwin Street, Appellant # 8
- 3011 Homestead Drive (Glanbrook), Appellant # 4
- Certain Lands between Wilson Street West and south and north of Portia Drive (Ancaster), Appellant # 15
- 221-225 John Street South and 70-78 Young Street (Hamilton), Appellant # 20
- 237 Upper Centennial Parkway (Stoney Creek), Appellant # 14



Note: For Rural Land Use Designations, refer to Schedule D of the Rural Hamilton Official Plan.

- Neighbourhoods
 - Open Space
 - Institutional
 - Utility
- Commercial and Mixed Use Designations**
- Downtown Mixed Use Area
 - Mixed Use - High Density
 - Mixed Use - Medium Density
 - District Commercial
 - Arterial Commercial
- Employment Area Designations**
- Industrial Land
 - Business Park
 - Airport Employment Growth District
 - Shipping & Navigation
- Other Features**
- Rural Area
 - John C. Munro Hamilton International Airport
 - Niagara Escarpment
 - Urban Boundary
 - Municipal Boundary
 - Lands Subject to Non Decision 113 West Harbour Setting Sail

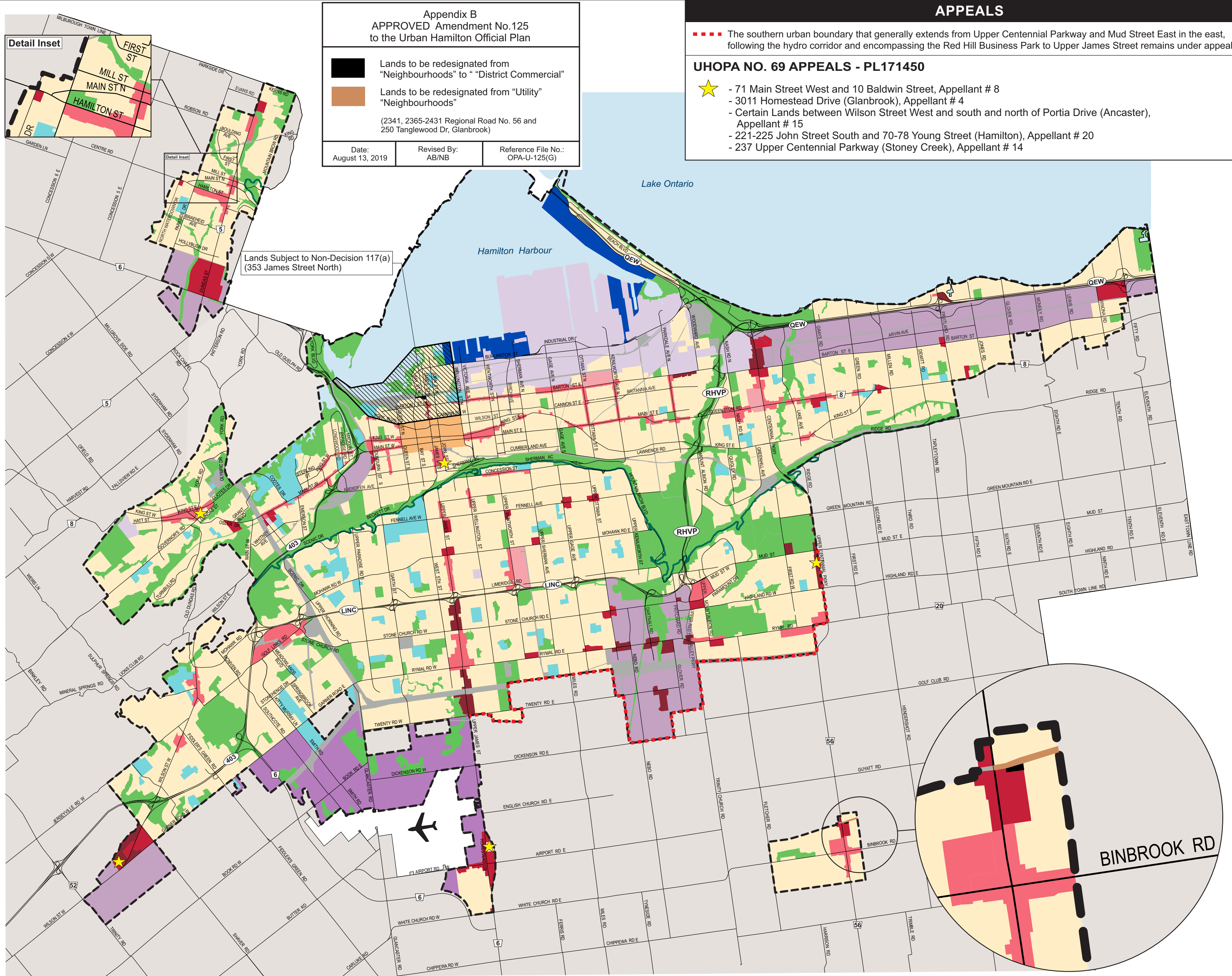
Council Adoption: July 9, 2009
Ministerial Approval: March 16, 2011
Effective Date: August 16, 2013

Urban Hamilton Official Plan
Schedule E-1
Urban Land Use Designations

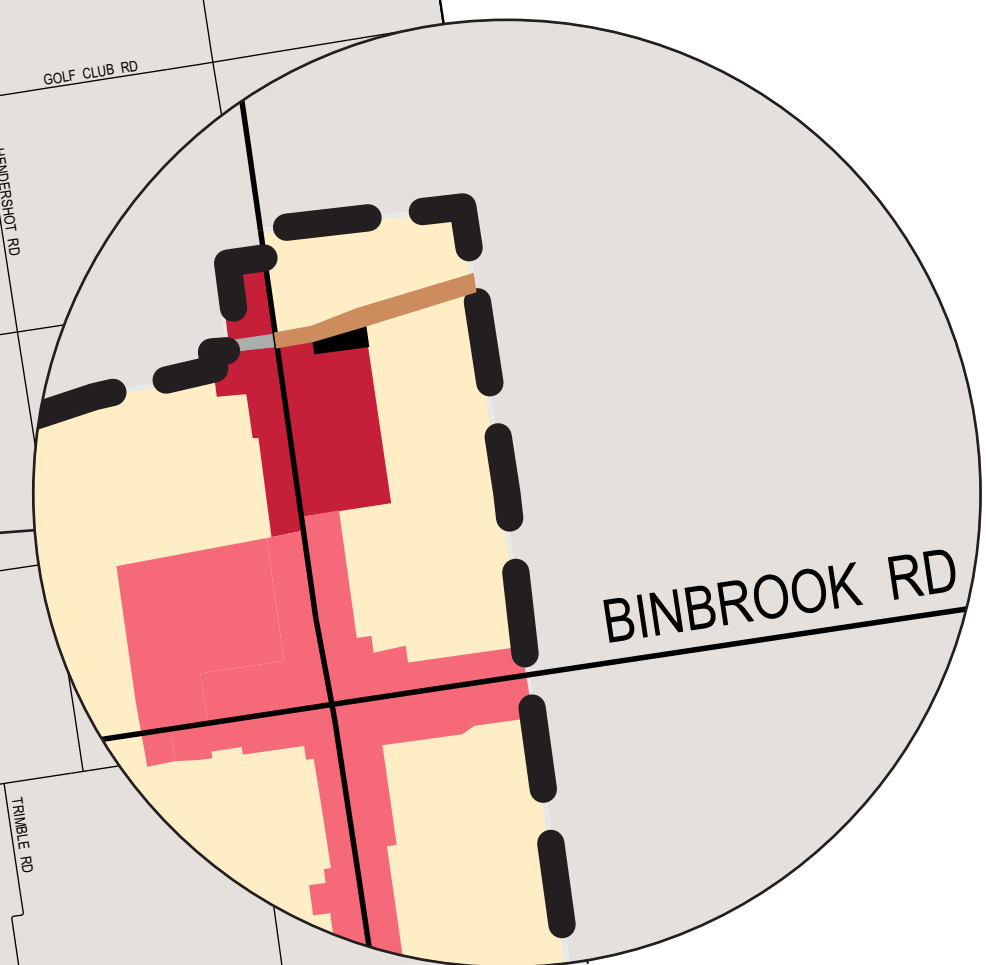
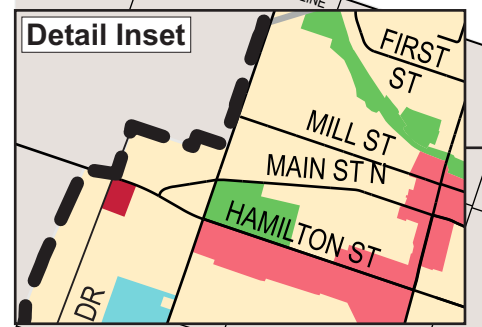


PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT











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Lands Subject to Non-Decision 117(a)
(353 James Street North)



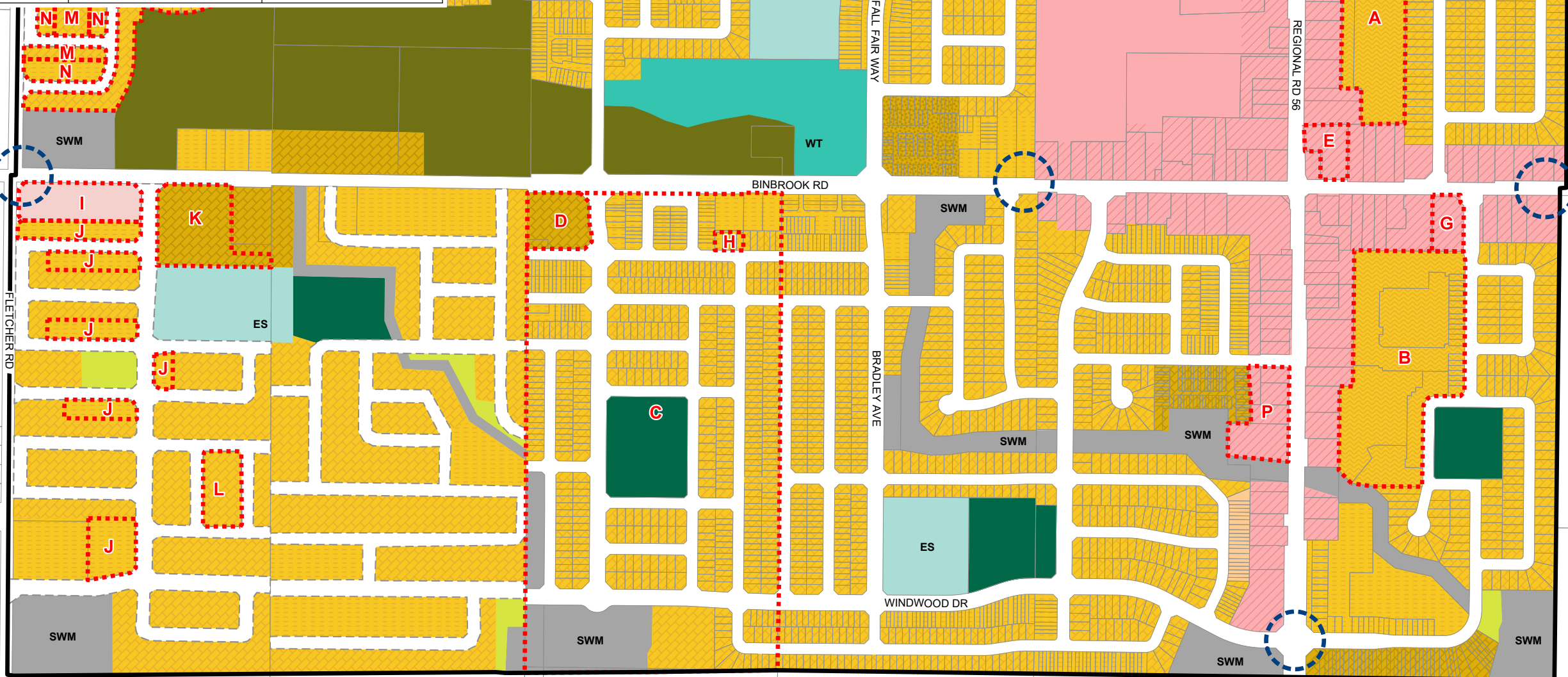
Appendix C
 APPROVED Amendment No. 125
 to the Urban Hamilton Official Plan

-  Lands to be redesignated from "Low Density Residential 2e" to "Low Density Residential 3e"
-  Lands to be redesignated from "Low Density Residential 2h" to "Low Density Residential 3e"
-  Lands to be redesignated from "Low Density Residential 2e" to Low Density Residential 2d"
-  Lands to be redesignated from "Low Density Residential 2h" to "Low Density Residential 2d"
-  Lands to be redesignated from "Utility" to Low Density Residential 2d"
-  Lands to be redesignated from "Parkette" to "Low Density Residential 2d"
-  Lands to be redesignated from "Low Density Residential 2e" to "District Commercial"
-  Lands to be redesignated from "Low Density Residential 2h" to "District Commercial"
-  Lands to be identified as Area Specific Policy Area "Q"
-  Lands to be identified as Site Specific Policy Area "R"
 (2341, 2365-2431 Regional Road No. 56 and 250 Tanglewood Dr, Glanbrook)

























Date:
June 5, 2019

Revised By:
AB/NB

Reference File No.:
OPA-U-125(G)



Legend

- Residential Designations**
 -  Low Density Residential 2d
 -  Low Density Residential 2e
 -  Low Density Residential 2h
 -  Low Density Residential 3c
 -  Low Density Residential 3e
- Commercial and Mixed Use Designations**
 -  Local Commercial
 -  District Commercial
 -  Mixed Use - Medium Density
 -  Mixed Use - Medium Density - Pedestrian Focus
- Parks and Open Space Designations**
 -  Parkette
 -  Neighbourhood Park
 -  Community Park
 -  General Open Space
 -  Natural Open Space
- Other Designations**
 -  Institutional
 -  Elementary School
 -  Utility
 -  Storm Water Management
- Other Features**
 -  Area or Site Specific Policy
 -  Gateway
 -  Water Tower
 -  Pipeline
 -  Proposed Roads
 -  Secondary Plan Boundary

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan
Binbrook Village
Secondary Plan
 Land Use Plan
 Map B.5.1-1



Date: May 7, 2019
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Appendix D
 APPROVED Amendment No. 125
 to the Urban Hamilton Official Plan

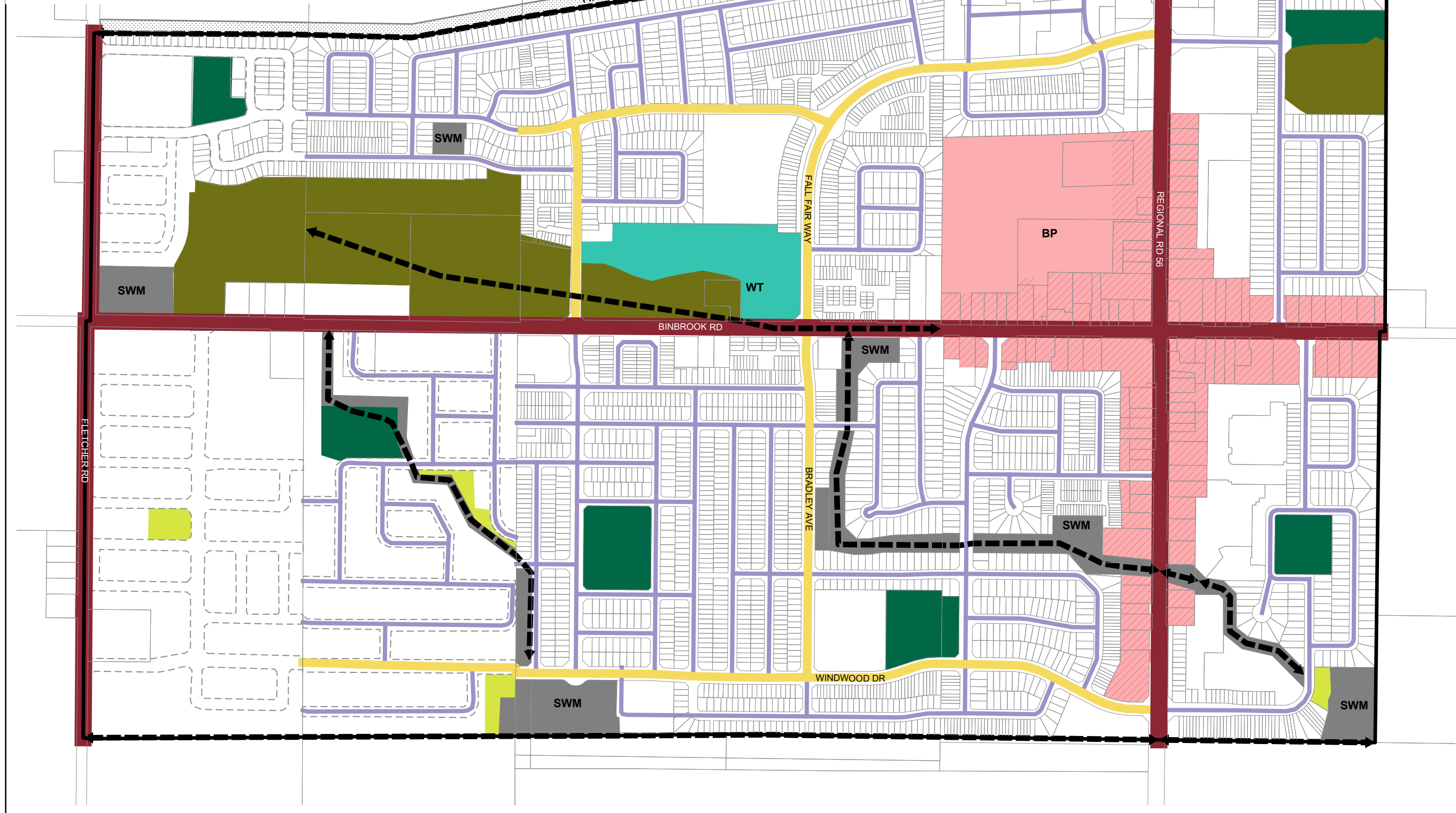
- Remove "Parkette" designation
- Remove "Utility" designation
- Add "Local" road identification

(2341, 2365-2431 Regional Road No. 56 and
 250 Tanglewood Dr, Glanbrook)

Date:
 August 13, 2019

Revised By:
 AB/NB

Reference File No.:
 OPA-U-125(G)



Legend

Commercial and Mixed Use Designations

- Mixed Use - Medium Density
- Mixed Use - Medium Density - Pedestrian Focus

Open Space Designations

- Parkette
- Neighbourhood Park
- Community Park
- General Open Space
- Natural Open Space

Storm Water Management Facilities

- SWM Storm Water Management
- Drainage Channel/ Public Walkway

Road Hierarchy

- Arterial
- Collector
- Local
- Proposed Roads

Other Features

- BP Binbrook Park
- WT Water Tower
- Open Space Linkages
- Secondary Plan Boundary

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan
Binbrook Village
Secondary Plan
 Open Space Linkages
 Map B.5.1-2



Not To Scale



Date: January 2019

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Authority: Item 7, Planning Committee
Report 19-012
CM: August 16, 2019
Ward 11

Bill No. 207

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands Located at 2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive (Glanbrook)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the *City of Hamilton Act, 1999* provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 7 of Report 19-012 of the Planning Committee at its meeting held on the 16th day of August 2019, recommended that Zoning By-law No. 464 (Glanbrook), be amended as hereinafter provided; and,

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment No. ;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule "H" – Binbrook Settlement Area Land Use Plan, appended to and forming part of By-law No. 464 (Glanbrook), be amended as follows:
 - (a) by changing the zoning from Residential "R2" Zone to Residential Multiple "RM2-313" Zone, Modified (Block 1);
 - (b) by changing the zoning from Public Open Space "OS2" Zone to Residential Multiple "RM2-313" Zone, Modified (Block 2);
 - (c) by changing the zoning from Restricted Agricultural "A2-176" Zone, Modified to Residential Multiple "RM2-313" Zone, Modified (Block 3);

- (d) by changing the zoning from Existing Residential “ER” Zone to Residential Multiple “RM2-313” Zone, Modified (Block 4);
- (e) by changing the zoning from Private Open Space “OS1-166” Zone, Modified to Residential Multiple “RM2-313” Zone, Modified (Block 5);
- (f) by changing the zoning from Deferred Development “DD” Zone to Residential Multiple “RM2-313” Zone, Modified (Block 6);
- (g) by changing the zoning from Restricted Agricultural “A2” Zone to Residential Multiple “RM2-313” Zone, Modified (Block 7);
- (h) by changing the zoning from Restricted Agricultural “A2-176” Zone, Modified to Residential Multiple “RM2-313(a)” Zone, Modified (Block 8);
- (i) by changing the zoning from Restricted Agricultural “A2” Zone to Residential Multiple “RM2-313(a)” Zone, Modified (Block 9);
- (j) by changing the zoning from Restricted Agricultural “A2-176” Zone, Modified to Residential Multiple “RM4-314” Zone, Modified (Block 10);
- (k) by changing the zoning from Existing Residential “ER” Zone to Residential Multiple “RM4-314” Zone, Modified (Block 11);
- (l) by changing the zoning from Residential “R2” Zone to Residential “R4-315” Zone, Modified (Block 12);
- (m) by changing the zoning from Private Open Space “OS-1-166” Zone, Modified to Residential “R4-315” Zone, Modified (Block 13);
- (n) by changing the zoning from Restricted Agriculture “A2-176” Zone, Modified to Residential Multiple “RM2-316” Zone, Modified (Block 14);
- (o) by changing the zoning from Restricted Agricultural “A2” Zone to Residential Multiple “RM2-316” Zone, Modified (Block 15);
- (p) by changing the zoning from Existing Residential “ER” Zone to Residential Multiple “RM2-313(a)” Zone, Modified (Block 18); and,
- (q) by changing the zoning from Existing Residential “ER” Zone to Residential Multiple “RM2-313” Zone, Modified (Block 19).

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That Section 44, “Exceptions to the Provisions of the By-law”, as amended, of Zoning By-law No. 464, is hereby further amended by modifying **SECTION 18.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH(a) OF SUBSECTION**

18.1 (STREET TOWNHOUSE DWELLING), provisions (a), (b), (c), (d), (e), (g), (h), (i), (k):

RM2-313 (Blocks 1 – 7 and 19)

- 18.2
- (a) Minimum Lot Frontage: 6.0 metres
 - (b) Minimum Lot Area: 175.0 square metres
 - (c) Maximum Lot Coverage: 60%
 - (d) Minimum Front Yard: 4.5 metres to the dwelling, except 5.8 metres to the garage
 - (e) Minimum Side Yard: 1.2 metres on an end unit which does not abut a flanking street and 1.9 metres for an end unit on a corner lot which abuts a flanking street
 - (g) Minimum Floor Area Dwelling Unit: N/A
 - (h) Maximum Height: 11.5 metres (3 storeys)
 - (i) Minimum Landscaped Area: 25% of the lot area
 - (k) Dwelling Unit Placement: Not more than four (4) attached dwelling units shall be erected in a row without offsetting or staggering the front face or wall of the dwelling a minimum of 1 metre or without varying the exterior design of the dwelling.

In addition to the definitions of **SECTION 4: DEFINITIONS**, the following definition shall apply:

- (a) A “*Retaining Wall*” shall be defined as a wall used for the retention of earth and soil, with a height of no less than 0.7 metres.

In addition to the regulations of **SECTION 18.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH(a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING)** and **Section 7: General Provisions for All Zones**, Sub-section 7.13 - ACCESSORY BUILDINGS and Sub-Section 7.16 – OUTDOOR SWIMMING POOLS AND HOT TUBS, the following provision shall apply:

- (a) A Principal Building shall have a minimum setback of 6.0 metres from the Top of the “*Retaining Wall*”;
- (b) Accessory Structures, including a deck, shall be permitted in a rear yard with a minimum 3 metre setback from the top of the “*Retaining Wall*”; and,

- (c) No pools, spas or hot tubs shall be permitted on the property on a property with a “*Retaining Wall*”.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Sub-Section 7.25 - SPECIAL SETBACK REQUIREMENTS FROM TRANSMISSION PIPELINE RIGHTS-OF-WAY, the following provisions shall apply to those lands zoned site-specific residential “RM2-313”:

- (a) All principal buildings and / or structures shall be setback a minimum distance of 7.5 metres from the boundary of a transmission pipeline right-of-way.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Sub-Section 7.35 – MINIMUM PARKING REQUIREMENTS - Clauses (a) (vii), the following provisions shall apply:

- (a) In addition, a parking space shall have a minimum width of 3 metres and a minimum length of 5.8 metres.

In addition to the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Sub-section 7.26 - ENCROACHMENT INTO YARDS, the following regulations shall apply:

- (a) Covered porches may project into any required front yard a distance of not more than 3.0m.
- (b) Stairs may project into any required front yard a distance of not more than 3.0m.
- (c) A cantilever and/or alcove, either with or without foundations, may project into any required front, rear (all units) or side yard (end unit and/or corner unit) a distance of not more than 0.6m.

3. That Section 44, “Exceptions to the Provisions of the By-law”, as amended, of Zoning By-law No. 464, is hereby further amended by modifying the “RM2-313” Zone provisions as follows:

RM2-313(a) (Blocks 8, 9 and 18)

In addition to the provisions of the Residential “RM2-313” Zone, Modified, and notwithstanding Section 18.2 (f), the minimum rear yard setback shall be 10.4 metres.

4. That Section 44, “Exceptions to the Provisions of the By-law”, as amended, of Zoning By-law No. 464, is hereby further amended by modifying the “RM4” Zone provisions (d), (e), (f), (g), (h), (i), (j), (k), (l), (m)(ii) as follows:

RM4-314 (Blocks 10 and 11)

20.2 (a) Maximum Lot Coverage 40 percent

- | | |
|--------------------------------------|--|
| (b) Maximum Density | 85 dwelling units per hectare |
| (c) Minimum Front Yard | 1.5 metres |
| (d) Minimum Side and Rear Yards: | 2 metres, except where the boundary of a Residential Multiple "RM4" Zone abuts a boundary of any residential or institutional zone or any zone where the adjoining land is used for residential or institutional purposes the minimum side yard shall be 7.5 metres. |
| (e) Minimum Floor Area per Dwelling: | N/A |
| (f) Maximum Height: | 13 metres (3 storeys) |
| (g) Minimum Amenity Area: | A minimum area of 5 square metres per dwelling unit shall be provided. Notwithstanding the definition of amenity area, private balconies shall be included in the Amenity Area. |
| (h) Minimum Landscape Area: | 10 percent of the lot area excluding the Amenity Area. |
| (i) Planting Strip / Fencing: | A 2.9 metre wide planting strip and / or a 1.8 high visual barrier shall be provided along any lot line that abuts a residential or institutional zone, or any lands being uses for residential or institutional purposes. A transformer shall be permitted within any planting strip. |
| (j) Minimum Parking Requirement: | The following requirement is in addition to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law: |
| (i) | No parking space or area shall be located closer to a street line than 3 metres and not closer than 2.9 metres to any Residential Zone, unless such parking space is located within a below-grade communal parking structure. |

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES, Sub-Section 7.35 – MINIMUM PARKING REQUIREMENTS** - Clauses (a), (i), (vii), (xii) and clause (b) and **Sub-Section 7.36 – Minimum Loading Requirements** Clause(a)(ix) the following provisions shall apply to those lands zoned site-specific residential “RM4-314”:

- (a) An Apartment Building shall provide and maintain 1.25 parking spaces per unit and 0.25 visitor Parking Spaces per unit. In the case of any other use, the minimum parking space requirements of 7.35(a)(i) shall apply.
 - (b) Each parking space for ninety (90) degree perpendicular parking shall have a minimum width of 3 metres and a minimum length of 5.8 metres, exclusive of any land required for access or driveway, except where a minimum of 20 parking spaces are required to be provided on the subject lot, a maximum of thirty-five percent (35%) of the parking spaces may have a minimum width of 2.6 metres and a minimum length of 5.8 metres, provided these parking spaces are clearly marked for small cars only. Each parking space for parallel parking shall have a minimum width of 2.5 metres and a minimum length of 6.5 metres, exclusive of any land required for access or driveway. Notwithstanding the above regulations, the size of the required parking spaces for the physically handicapped shall be subject to Clause 7.35(a) (xv) of this By-law.
 - (c) Subject to the establishment of more specific and / or substantial regulations in the Regulations for the various Zones, where a parking area which is required to provide for more than four (4) vehicles abuts any Residential or Institutional Zone or where the adjoining land is used for residential or institutional purposes, a landscaped area consisting of a permanently maintained planting strip with a minimum width of 2.9 metres shall be provided and shall also include fencing to provide a solid and effective screen.
 - (d) Where a loading area abuts any Residential or Institutional Zone or a residential or institutional use, a permanently maintained landscaped area consisting of a planting strip with a minimum width of 2.9 metres shall be provided and shall also include fencing to provide a solid and effective screen.
5. That Section 44, “Exceptions to the Provisions of this By-law”, as amended, of Zoning By-law No. 464, is hereby further amended by modifying **SECTION 16.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH(a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)**, provisions (a), (b), (c), (d), (e), and (g):

R4-315 (Blocks 12 and 13)

- 16.2 (a) Minimum Lot Frontage: 10 metres, except on a corner lot the minimum frontage shall be 11.8 metres

- (b) Minimum Lot Area: 300 square metres except on a corner lot the minimum lot area shall be 380 square metres
- (c) Maximum Lot Coverage: 55 %
- (d) Minimum Front Yard: 4.5 metres to the dwelling, except 5.8 metres to the garage
- (e) Minimum Side Yard: 1.2 metres on the garage side and 0.6 metres on the non-garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2 metres, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6 metres into the side yard of the lot adjacent to the yard with a side yard setback less than 1.2 metres.

A 0.6 metres side yard setback shall not be permitted adjacent to any side lot line less than 1.2metres, except:

- (i) On a corner lot, the minimum side yard abutting the flankage street shall be 3.0 metres, except that an attached garage which fronts on the flankage street shall not be located within 5.8 metres of the flankage street line; and on a corner lot with a daylight triangle, a minimum 2.0 metres setback for any building from the hypotenuse of the daylight triangle is required; and,
- (ii) On a lot where an emergency spillway/overland flow route shall be located, a minimum 2.0 metres side yard separation between buildings shall be provided and maintained between buildings along one common lot line.

- (g) Minimum Floor Area Per Dwelling: N/A

In addition to the definitions of **SECTION 4: DEFINITIONS**, the following definition shall apply:

- (a) A “*Retaining Wall*” shall be defined as a wall used for the retention of earth and soil, with a height of no less than 0.7 metres.

In addition to the regulations of **SECTION 18.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH(a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING)** and **Section 7: General Provisions for All Zones**, Sub-section 7.13 - ACCESSORY BUILDINGS and Sub-Section 7.16 – OUTDOOR SWIMMING POOLS AND HOT TUBS, the following provision shall apply:

- (a) A Principal Building shall have a minimum setback of 6.0 metres from the Top of the “*Retaining Wall*”.
- (b) Accessory Structures, including a deck, shall be permitted in a rear yard with a minimum 3 metre setback from the top of the “*Retaining Wall*”.
- (a) No pools, spas or hot tubs shall be permitted on the property where a “*Retaining Wall*” exists.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Sub-Section 7.25 – SPECIAL SETBACK REQUIREMENTS FROM TRANSMISSION PIPELINE RIGHTS-OF-WAY and Sub-Section 7.35 – MINIMUM PARKING REQUIREMENTS - Clauses (a), (i), (vii), and clause (b), the following provisions shall apply:

- (a) All principal buildings and / or structures shall be setback a minimum distance of 7.5 metres from the boundary of a transmission pipeline right-of-way.
- (b) Every single-detached dwelling shall provide and maintain 2 parking spaces within the driveway and 1 parking space within the garage.
- (c) In addition, a parking space shall have a minimum width of 3 metres and a minimum length of 5.8 metres.

In addition to the provisions of Paragraphs (a) through (g) of **Sub-section 7.26 ENCROACHMENT INTO YARDS**, the following provisions shall apply:

- (a) Covered porches may project into any required front yard a distance of not more than 3.0 metres and into a required flankage yard a distance of not more than 1.8 metres.
- (b) Stairs may project into any required front yard a distance of not more than 3.0 metres.
- (c) A cantilever and/or alcove, either with or without foundations, may project into any required front, rear or garage side yard a distance of not more than 0.6 metres.

6. That Section 44, “Exceptions to the Provisions of this By-law”, as amended, of Zoning By-law No. 464, is hereby further amended by modifying **SECTION 16.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH(a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)**, provisions (a), (b), (c), (d), (e), and (g):

RM2-316 (Block 14 and 15)

In addition to the regulations of **SECTION 18.1 – USES PERMITTED**, the following provision shall apply:

- (a) A Back-to-back townhouses (Maisonettes) and Block Townhouses shall be permitted uses.

In addition to the regulations of **SECTION 18.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH(a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING)**, the following provision shall apply for Block Townhouse and maisonette dwellings:

- (a) A block townhouse dwelling and Back-to-back townhouses (Maisonettes) would be subject to all regulations identified within the RM2-313 Zone.

In addition to the definitions of **SECTION 4: DEFINITIONS**, the following definition shall apply:

- (a) On the lands zoned “RM2-316”, the definition of a “*Street*” shall include a private condominium road. For the purposes of a private condominium road, the parking and landscaping are permitted within the “*Street*” and common elements.
- (b) “*Back-to-back townhouses (Maisonettes)*” shall be defined as a dwelling divided vertically into a minimum of 6 dwelling units and a maximum of 16 dwelling units, with each unit separated by common or parting walls, both at the rear and at the side or sides of the unit, and having one or more private entrances at grade.

Notwithstanding the regulations of **SECTION 18.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH(a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING)** provision (f) **and SECTION 44, “Exceptions to the Provisions of this By-law”** (b), the following provision shall apply for Back-to-back townhouses (Maisonettes) dwellings:

- (a) Back-to-back townhouses (Maisonettes) shall have a minimum lot area of 90 square metres.
- (b) Back-to-back townhouses (Maisonettes) shall have no minimum rear yard requirement.
- (c) Back-to-back townhouses (Maisonettes) shall a minimum landscape area of 15% within the Front Yard.

- (d) Back-to-back townhouses (Maisonettes) shall a minimum Side Yard Setback of 1.2 metres.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Sub-Section 7.35 – MINIMUM PARKING REQUIREMENTS - Clauses (a), (i), (vii), and clause (b), the following provisions shall apply for Back-to-back townhouses (Maisonettes) and block townhouse dwellings:

- (a) Every Block Townhouse Dwelling and Maisonette Dwelling unit shall provide and maintain 2 parking spaces within the driveway and 0.25 visitor Parking Spaces per unit. In the case of any other use, the minimum parking space requirements of 7.35(a)(i) shall apply.
- (b) In addition, a parking space shall have a minimum width of 3 metres and a minimum length of 5.8 metres.

PASSED this 11th day of September, 2019.

F. Eisenberger
Mayor

A. Holland
City Clerk



This is Schedule "A" to By-law No. 19-

Passed the day of, 2019

Mayor

Clerk











Schedule "A"

Map Forming Part of
By-law No. 19-_____

to Amend By-law No. 464

Subject Property

2341, 2365 - 2431 Regional Road 56 & 250 Tanglewood Drive

-  **Block 1** - Change in zoning from Residential "R2" Zone to Residential Multiple "RM2-313" Zone, Modified
-  **Block 2** - Change in zoning from Public Open Space "OS2" Zone to Residential Multiple "RM2-313" Zone, Modified
-  **Block 3** - Change in zoning from Restricted Agricultural "A2-176" Zone, Modified to Residential Multiple "RM2-313" Zone, Modified
-  **Block 4** - Change in zoning from Existing Residential "ER" Zone to Residential Multiple "RM2-313" Zone, Modified
-  **Block 5** - Change in zoning from Private Open Space "OS1-166" Zone, Modified to Residential Multiple "RM2-313" Zone, Modified
-  **Block 6** - Change in zoning from Deferred Development "DD" Zone to Residential Multiple "RM2-313" Zone, Modified
-  **Block 7** - Change in zoning from Restricted Agricultural "A2" Zone to Residential Multiple "RM2-313" Zone, Modified
-  **Block 8** - Change in zoning from Restricted Agricultural "A2-176" Zone, Modified to Residential Multiple "RM2-313(a)" Zone, Modified
-  **Block 9** - Change in zoning from Restricted Agricultural "A2" Zone to Residential Multiple "RM2-313(a)" Zone, Modified
-  **Block 10** - Change in zoning from Restricted Agricultural "A2-176" Zone, Modified to Residential Multiple "RM4-314" Zone, Modified

Scale:
N.T.S.

File Name/Number:
ZAC-17-027/UHOPA-17-012/25T-201706

Date:
July 17, 2019

Planner/Technician:
AB/NB



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



This is Schedule "A" to By-law No. 19-
 Passed the day of, 2019












 Mayor

 Clerk

Schedule "A"

Map Forming Part of
 By-law No. 19-_____

to Amend By-law No. 464

- Subject Property**
 2341, 2365 - 2431 Regional Road 56 & 250 Tanglewood Drive
-  **Block 11** - Change in zoning from Existing Residential "ER" Zone to Residential Multiple "RM4-314" Zone, Modified
 -  **Block 12** - Change in zoning from Residential "R2" Zone to Residential "R4-315" Zone, Modified
 -  **Block 13** - Change in zoning from Private Open Space "OS1-166" Zone, Modified to Residential "R4-315" Zone, Modified
 -  **Block 14** - Change in zoning from Restricted Agriculture "A2-176" Zone, Modified to Residential Multiple "RM2-316" Zone, Modified
 -  **Block 15** - Change in zoning from Restricted Agricultural "A2" Zone to Residential Multiple "RM2-316" Zone, Modified
 -  **Block 16** - Lands to be removed from Zoning By-law No. 464 & rezoned to District Commercial (C6, 728, H113) Zone
 -  **Block 17** - Lands to be removed from Zoning By-law No. 464 & rezoned to District Commercial (C6, 728) Zone
 -  **Block 18** - Change in zoning from Existing Residential "ER" Zone to Residential Multiple "RM2-313(a)" Zone, Modified
 -  **Block 19** - Change in zoning from Existing Residential "ER" Zone to Residential Multiple "RM2-313" Zone, Modified
 -  Refer to By-law No. 05-200
 -  Other lands owned by applicant

Scale: N.T.S.	File Name/Number: ZAC-17-027/UHOPA-17-012/25T-201706
Date: July 17, 2019	Planner/Technician: AB/NB
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	



Authority: Item 7, Planning Committee
Report 19-012 (PED19121)
CM: August 16, 2019
Ward 11

Bill No. 208

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend Zoning By-law No. 05-200 (Hamilton) Respecting Lands located at 2341 and 2365 to 2431 Regional Road 56 and 250 Tanglewood Drive (Glanbrook)

WHEREAS the City of Hamilton has in force several Zoning By-laws which apply to different areas incorporated into the City by virtue of the City of Hamilton Act 1999, Statutes of Ontario, 1999 Chap.14;

WHEREAS the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

WHEREAS the first stage of the new Zoning By law, being By-law No. 05-200, came into force on the 25th day of May, 2005;

WHEREAS the Council of the City of Hamilton, in adopting Item 7 of Report 19-012 of the Planning Committee, at its meeting held on the 16th day of August 2019, which recommended that Zoning By-law No. 05-200 be amended as hereinafter provided; and,

WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map Nos. 1887 and 1912 of Schedule "A" Zoning Maps of Zoning By-law No. 05-200, be amended as follows:
 - a) by adding to the City of Hamilton Zoning By-law No. 05-200, the lands the extent and boundaries of which are shown as "Blocks 1 and 3" on a Plan hereto annexed as Schedule "A";
 - b) by establishing a District Commercial (C6, 728) Zone to the lands, the extent and boundaries of which are shown as "Block 1" on a Plan hereto annexed as Schedule "A";
 - c) by changing the zoning from District Commercial (C6, 570) Zone to District Commercial (C6, 728) Zone for the lands comprised in Block 2, as shown on Schedule "A"; and,
 - d) by establishing a District Commercial (C6, 728, H113) Zone to the lands, the extent and boundaries of which are shown as "Block 3" on a Plan hereto annexed as Schedule "A".

2. That Schedule “C”: Special Exemptions, Subsection 570 of By-law No. 05-200 is amended by deleting the following:

2431 Regional Road 56	Map 1912
-----------------------	----------

3. That Schedule “C”: Special Exemptions of Zoning By-law No. 05-200, as amended, is hereby further amended by adding the following site specific District Commercial (C6, 728) Zone:

728 The following special provisions shall apply:

- a) Notwithstanding Subsections 10.6.3 d), 10.5.3 d) ii) and iii) and 10.5a.3 d) ii) and iii), a maximum building height of 11.0 metres shall be permitted; and,
- b) Notwithstanding Subsections 4.23 c), all buildings or structures located on a property shall be setback a minimum of 7.5 metres from a Transcanada Pipeline Right-of-Way.

4. That Schedule “D” - Holding Provisions of By-law No. 05-200, is amended, by adding the following holding provision:

H113 Notwithstanding Section 10.6 and Special Exception 728 on those lands zoned District Commercial (C6) Zone, identified on Map 1912 of Schedule “A” – Zoning Maps, and described as 2431 Regional Road 56 and 2365 Regional Road 56, no development shall be permitted until such time as:

- ii) The lands are assembled and comprehensively planned and a site plan control application has been approved for the assembled properties, which ensures that the lands are comprehensively developed with the lands adjacent to the south to the satisfaction of the Director of Planning and Chief Planner.

5. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of the By-law, in accordance with the *Planning Act*.

6. That no building or structure shall be erected, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the District Commercial (C6) Zone provisions, subject to the special requirements as referred to in Section 2 of this By-law.

PASSED this 11th day of September, 2019.

F. Eisenberger
Mayor

Andrea Holland
City Clerk



This is Schedule "A" to By-law No. 19-

Passed the day of, 2019

Mayor

Clerk

Schedule "A"

Map Forming Part of
By-law No. 19-_____

to Amend By-law No. 05-200
Maps 1887 & 1912

Subject Property

2341, 2365 - 2431 Regional Road 56 & 250 Tanglewood Drive



Block 1 - Lands to be removed from Zoning By-law No. 464 and Rezoned to District Commercial (C6, 728) Zone



Block 2 - Change in Zoning from District Commercial (C6, 570) Zone to District Commercial (C6, 728) Zone



Block 3 - Lands to be removed from Zoning By-law No. 464 & rezoned to District Commercial (C6, 728, H113) Zone



Refer to By-law No. 464

Scale:

N.T.S.

File Name/Number:

ZAC-17-027/UHOPA-17-012/25T-201706

Date:

July 17, 2019

Planner/Technician:

AB/NB



Hamilton

Authority: Item 1, Planning Committee
Report 19-013 (PED19154)
CM: September 11, 2019
Ward: 11

Bill No. 209

**CITY OF HAMILTON
BY-LAW NO.**

**To Amend Zoning By-law No. 05-200 with respect to lands located at
at 3600 Guyatt Road, Glanbrook**

WHEREAS Council approved Item 1 of Report 19-013 of the Planning Committee, at its meeting held on the 11th day of September, 2019;

AND WHEREAS this By-law conforms to the Rural Hamilton Official Plan;

NOW THEREFORE Council amends Zoning By-law No. 05-200 as follows:

1. That Map No. 193 of Schedule “A” – Zoning Maps is amended by changing the zoning from the Agriculture (A1) Zone and Conservation / Hazard Land – Rural (P6) Zone to the Agriculture (A1, 642) Zone and Conservation / Hazard Land – Rural (P6, 642) Zone, for the lands identified in Schedule “A” to this By-law.
2. That Schedule “C” - Special Exceptions of Zoning By-law No. 05-200 is amended as follows:

- a) Adding the map reference “193,” between the words “Maps” and “219” so that the wording is as follows:

“642. Within those lands zoned Agriculture (A1) Zone and Conservation/Hazard Land - Rural (P6) Zone, identified on Maps 193, 219, 223 and 255, of Schedule A – Zoning Maps and described as:”

- b) Adding reference to “3590 Guyatt Road” and “Map 193” to the Property Address and Map Numbers table as follows:

Property Address	Map Numbers
3590 Guyatt Road	193

- c) By adding subsection d) as follows:

“d) Notwithstanding Section 12.1.3.1 a), for the lands located at 3590 Guyatt Road, the minimum lot area shall be 21.0 hectares.”

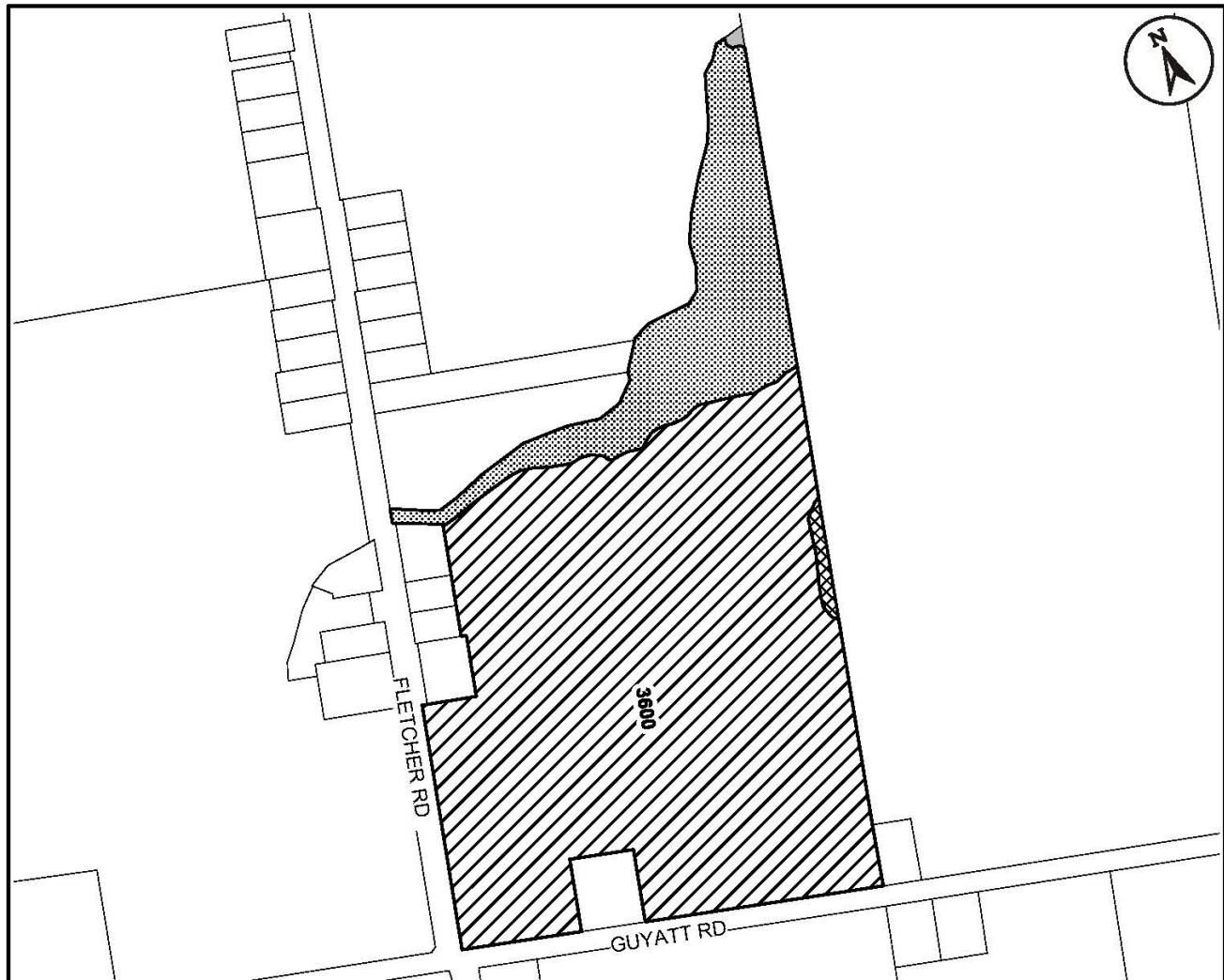
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 11th day of September, 2019

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAA-18-006







This is Schedule "A" to By-law No. 19-
 Passed the day of, 2019

 Mayor

 Clerk

Schedule "A"

Map Forming Part of
 By-law No. 19-_____
 to Amend By-law No. 05-200
 Map RU193

- Subject Property**
 3600 Guyatt Road
-  **Block 1** - Change in Zoning from Agriculture (A1) Zone to Agriculture (A1, 642) Zone
 -  **Block 2** - Change in Zoning from Conservation / Hazard Land - Rural (P6) Zone to Conservation / Hazard Land - Rural (P6, 642) Zone
 -  **Block 3** - Conservation / Hazard Land - Rural (P7) Zone
 -  **Block 4** - Conservation / Hazard Land - Rural (P8) Zone

Scale:
 N.T.S.

File Name/Number:
 ZAA-18-006

Date:
 July 18, 2019

Planner/Technician:
 RF/VS



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Authority: Item 4, Public Works
Committee Report 18-002
(PW18013)
CM: February 14, 2018
Ward: 3

Bill No. 210

CITY OF HAMILTON

BY-LAW NO. 19-

Being a By-law to Permanently Close a Portion of a Public Unassumed Alley Abutting 13 Clyde Street, Hamilton, established by Registered Plan 237, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20919, being Part of PIN 17185-0233 (LT), City of Hamilton

WHEREAS Sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS Section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office; and

WHEREAS highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law;

AND WHEREAS the Council of the City of Hamilton on February 14, 2018, in adopting Item 4 of Public Works Committee Report 18-002, authorized the City to permanently close and sell a portion of a public unassumed alley abutting 13 Clyde Street, Hamilton, Ontario, established by Registered Plan 237, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20919, being Part of PIN 17185-0233 (LT), City of Hamilton;

AND WHEREAS a Judge's Order was issued and registered on title on July 5, 2019, as Instrument No. WE1365588 to close a portion of a public unassumed alley abutting 13 Clyde Street, Hamilton, Ontario, established by Registered Plan 237, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-20919, being Part of PIN 17185-0233 (LT), City of Hamilton;

AND WHEREAS the road is a highway under the jurisdiction of the City of Hamilton;

Being a By-law to Permanently Close a Portion of a Public Unassumed Alley
Abutting 13 Clyde Street, Hamilton, established by Registered Plan 237, in the
City of Hamilton, designated as Part 1 on Reference Plan 62R-20919, being Part
of PIN 17185-0233 (LT), City of Hamilton

Page 2 of 2

AND WHEREAS notice of the City's intention to pass this By-law has been published pursuant to the *Municipal Act, 2001*, S.O. 2001, c.25 as amended.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the portion of a public unassumed alley, set out as:

Part of the Alleyway lying south of Lot 56, Registered Plan 237, in the City of Hamilton, designated as Parts 1, Plan 62R-20919, being Part of PIN 17185-0233 (LT)

is hereby permanently closed.

2. That the soil and freehold of Part 1 on Reference Plan 62R-20919, hereby permanently closed, be sold to Jose D. Salgado for the sum of Two Dollars (\$2.00).
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

PASSED this 11th day of September, 2019

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: February 6, 2001
Ward: 1, 3, 4, 5, 6, 8, 12, 15

Bill No. 211

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	National Dr.	North	Chert Ave. to Greenhill Ave.	Anytime	Adding
8 – No Parking	E	Chert Ave.	East	National Dr. to 140m northerly	Anytime	Adding
8 – No Parking	E	Leeds St.	East	Burlington St. to southerly end	7 am - 5 pm each Wednesday	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>C</i>	Orchard Dr.	South	Howard Blvd. to 130m easterly	Anytime	Adding
<i>8 – No Parking</i>	<i>C</i>	Orchard Dr.	North	130m east of Howard Dr. to Hamilton St.	Anytime	Adding
<i>8 – No Parking</i>	<i>A</i>	Lodor St.	West	Church St. to southerly end	Dec. 1 - Mar 31	Adding
<i>8 – No Parking</i>	<i>E</i>	Ferrie St. E	North	40m west of Victoria Ave. to 40m westerly	7 am – 5 pm, Mon - Fri	Adding
<i>8 – No Parking</i>	<i>E</i>	Grayrocks Ave.	West	Broughton Ave. to 22m northerly	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Ossington Dr.	West	35m north of Broughton Ave. to 7m northerly	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Beaverbrook Ave.	North	52m west of Broughton Ave. to 6m westerly	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Sulmona Dr.	West	33m north of Terni Blvd. to 7m northerly	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Sulmona Dr.	West	35m north of Assisi St. to 7m northerly	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Assisi St.	East	220m west-north of Sulmona Dr. to 7m northerly	Anytime	Adding
<i>8 – No Parking</i>	<i>E</i>	Beaverbrook Ave.	East	22m west of Hartleigh Crt. to 7m westerly	Anytime	Adding
<i>8 – No Parking</i>	<i>(G)</i>	Birge St.	North	88m east of Emerald St. to 11m easterly	7 am – 4 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
12 – Permit	<i>E</i>	Crosthwaite Ave. N	West	34m south of Roxborough Ave. to 7m southerly	Anytime	Adding
12 – Permit	<i>E</i>	Crosthwaite Ave. N	East	35m south of Roxborough Ave. to 6m southerly	Anytime	Adding
12 – Permit	<i>E</i>	Oak Ave.	West	12m south of Birge St. to 5m southerly	Anytime	Adding
12 – Permit	<i>E</i>	Oak Ave.	East	22m south of Birge St. to 6m southerly	Anytime	Adding
12 – Permit	<i>E</i>	Gordon	South	from 70.5m west of Lincoln to 6m westerly	Anytime	Deleting
12 – Permit	<i>E</i>	Mars Ave.	North	58m west of Douglas St. to 6m westerly	Anytime	Adding
12 – Permit	<i>E</i>	Somerset Ave.	South	50m west of Barnesdale Ave. to 6m easterly	Anytime	Deleting
12 – Permit	<i>E</i>	Somerset Ave.	North	45m west of Barnesdale Ave. to 6m westerly	Anytime	Deleting
12 – Permit	<i>E</i>	Stapleton Ave.	West	44m south of Dofasco Ave. to 6m southerly	Anytime	Adding
12 – Permit	<i>E</i>	Stapleton Ave.	East	44m south of Dofasco Ave. to 5.5m southerly	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
<i>14 – Wheelchair LZ</i>	<i>E</i>	Como Pl.	South	70m west of Torino Dr. to 12m westerly	7:00am - 9:00am, 3:00pm - 5:00pm Monday to Friday	Deleting

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

Page 4 of 4

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 11th day of September 2019.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 2, Audit, Finance &
Administration Committee
19-012
CM: September 11, 2019
Ward: City Wide

Bill No. 212

CITY OF HAMILTON

BY-LAW NO. 19-_____

To Amend By-law No. 18-270, the Council Procedural By-law

WHEREAS Council enacted a Council Procedural By-law being City of Hamilton By-law No. 18-270;

AND WHEREAS it is necessary to amend By-law 18-270.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That By-law No. 18-270, be amended, to replace Schedule F1 of the City of Hamilton Procedural By-law 18-270 with Appendix A attached to this By-law, in order to reflect the Office of the City Auditor's current operating environment:
 - Clarifying the powers and protections regarding an Auditor General with references to the Municipal Act;
 - Adding risk assessments to the list of consulting activities;
 - Changing references from preparing an annual work plan to preparing a multi-year work plan; and
 - Adding input from members of the public to the list of sources used to develop the multi-year audit work plan (due to the recent launch of the Fraud and Waste Hotline).
 - Adding relevant professional standards that will be used as appropriate, for example standards from the Association of Certified Fraud Examiners for use in special investigations.

- 2 This By-law comes into force on the day it is passed.

PASSED this 11th day of September, 2019.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 9

Bill No. 213

CITY OF HAMILTON

BY-LAW NO. 19-

Respecting:

Removal of Part Lot Control
Part of Blocks 28 and 29, Registered Plan No. 62M-1261

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; and,

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 eleven residential parcels, shown as Parts 1 to 11, inclusive, on deposited Reference Plan 62R-21202, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Part of Blocks 28 and 29 on Registered Plan No. 62M-1261, 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 11th day of September 2021.
4. **PASSED** this 11th day of September, 2019.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 4

Bill No. 214

CITY OF HAMILTON

BY-LAW No. 19-

Respecting: Removal of Part Lot Control from Lot 121 of Registered Plan 876 "South Airfield Park" known as 10 and 12 Eaton Place, Hamilton

Removal of Part Lot Control
Registered Plan No. 876

WHEREAS the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the *Planning Act*, provides as follows:

"(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law."

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

Sub-section 5 of Section 50 of the *Planning Act*, for the purposes of creating one lot for a semi-detached dwelling (Part 3, Lot 121), on deposited Reference Plan 62R-21231, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lot 121, Registered Plan No. 876, in the City of Hamilton.

1. This By-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
2. This By-law shall expire and cease to be of any force or effect on the 11th day of September, 2021.

PASSED this 11th day of September, 2019.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 9, Public Works Committee
Report 07-016 (PW07153)
CM: December 12, 2007
Ward: 1, 3, 4, 8

Bill No. 215

CITY OF HAMILTON

BY-LAW NO. 19-

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

WHEREAS sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 2 (Speed Limits) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" (Hamilton) thereof the following items, namely:

King Street East	31 metres west of West	8:15 a.m. to 9:00 a.m.	40 km/h
	Avenue to 42 metres	10:15 a.m. to 11:15 a.m.	
	east of Emerald Street	12:35 p.m. to 1:35 p.m.	
	South	2:35 p.m. to 3:35 p.m.	
Main Street East	31 metres west of West	8:15 a.m. to 9:00 a.m.	40 km/h
	Avenue to 42 metres	10:15 a.m. to 11:15 a.m.	
	south of Emerald	12:35 p.m. to 1:35 p.m.	
	Street South	2:35 p.m. to 3:35 p.m.	

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

2. Schedule 9 (No Right Turn on Red) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" (Hamilton) thereof the following item, namely:

Dundurn Street	Southbound	Aberdeen Avenue	8:15 – 9:00 a.m. Monday to Friday School Days Only
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3. Schedule 18 (Bicycle Lanes) of By-law No. 01-215, as amended, is hereby further amended by adding the following items, namely:

Locke Street	George Street to Hunter Street	East curb lane	Anytime	Northbound
Locke Street	George Street to Hunter Street	West curb lane	Anytime	Southbound
Limeridge Road West	Bonaventure Drive to Hawkridge Avenue	North curb lane	Anytime	Westbound
Limeridge Road West	Bonaventure Drive to Hawkridge Avenue	South curb lane	Anytime	Eastbound
Cannon Street East	Sherman Avenue North to Melrose Avenue North	South curb lane	Anytime	Eastbound
Cannon Street East	Sherman Avenue North to Melrose Avenue North	North curb lane	Anytime	Westbound
Brittania Avenue	Barons Avenue to Walter Avenue	South curb lane	Anytime	Eastbound
Brittania Avenue	Barons Avenue to Walter Avenue	North curb lane	Anytime	Westbound
Melvin Avenue	Walter Avenue North to Woodward Avenue	South curb lane	Anytime	Eastbound
Melvin Avenue	Walter Avenue North to Woodward Avenue	North curb lane	Anytime	Westbound

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

Page 3 of 3

4. 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.
5. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 11th day of September, 2019.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 1, Public Works Committee
Report 19-012 (PW19001(d))
CM: September 11, 2019
Ward: 2, 3, 13, 15

Bill No. 216

CITY OF HAMILTON

BY-LAW NO. 19-

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

WHEREAS sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Control) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "C" (Flamborough) thereof the following item, namely;

Millgrove Side Road	Northbound / Southbound	Cumminsville Drive
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And by adding to Section "C" (Flamborough) thereof the following items, namely;

Westover Road	Eastbound	Westover Road
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Westover Road	Northbound / Southbound	Westover Road
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To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

Page 2 of 2

And by adding to Section "E" (Hamilton) thereof the following items, namely;

Young Street	Eastbound	Wellington Street
Rosemont Avenue	Eastbound/Westbound	Barnesdale Avenue North

And by adding to Section "G" (Former Regional) thereof the following item, namely;

Regional Road 97	Eastbound / Westbound	Cooper Road
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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 11th day of September 2019.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 31, Economic Development
and Planning Committee
Report 06-005
CM: April 12, 2006
Ward: 9

Bill No. 217

**CITY OF HAMILTON
BY-LAW NO. 19-____**

**To Amend Zoning By-law No. 05-200, respecting lands located
at 2110 Rymal Road East (Glanbrook)**

WHEREAS the first stage of the new Zoning By-law, being By-law No. 05-200, came into force on the 25th day of May, 2005; and,

WHEREAS the Council of the City of Hamilton, in adopting Section 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April, 2006, recommended that the Director of Development and Real Estate be authorized to give notice and prepare by-laws for presentation to Council, to remove the “H” Holding provision from By-laws where the conditions have been met.

AND WHEREAS the conditions of Holding Provisions H88 and H89 for the lands located at 2110 Rymal Road East (Glanbrook) have been satisfied;

NOW THEREFORE the Council of the City of Hamilton amends Zoning By-law No. 05-200 as follows:

1. That Map 1595, 1596, 1639, and 1640 of Schedule “A” – Zoning Maps is amended by changing the zoning from the Mixed Use Medium Density (C5, 338, H88, H89) Zone to the Mixed Use – Medium Density (C5, 338) Zone for the lands identified in the Location Map attached as Schedule “A” to this By-law.
2. That Schedule “D” – Holding Provisions is amended by deleting Holding Provision 88 and 89.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

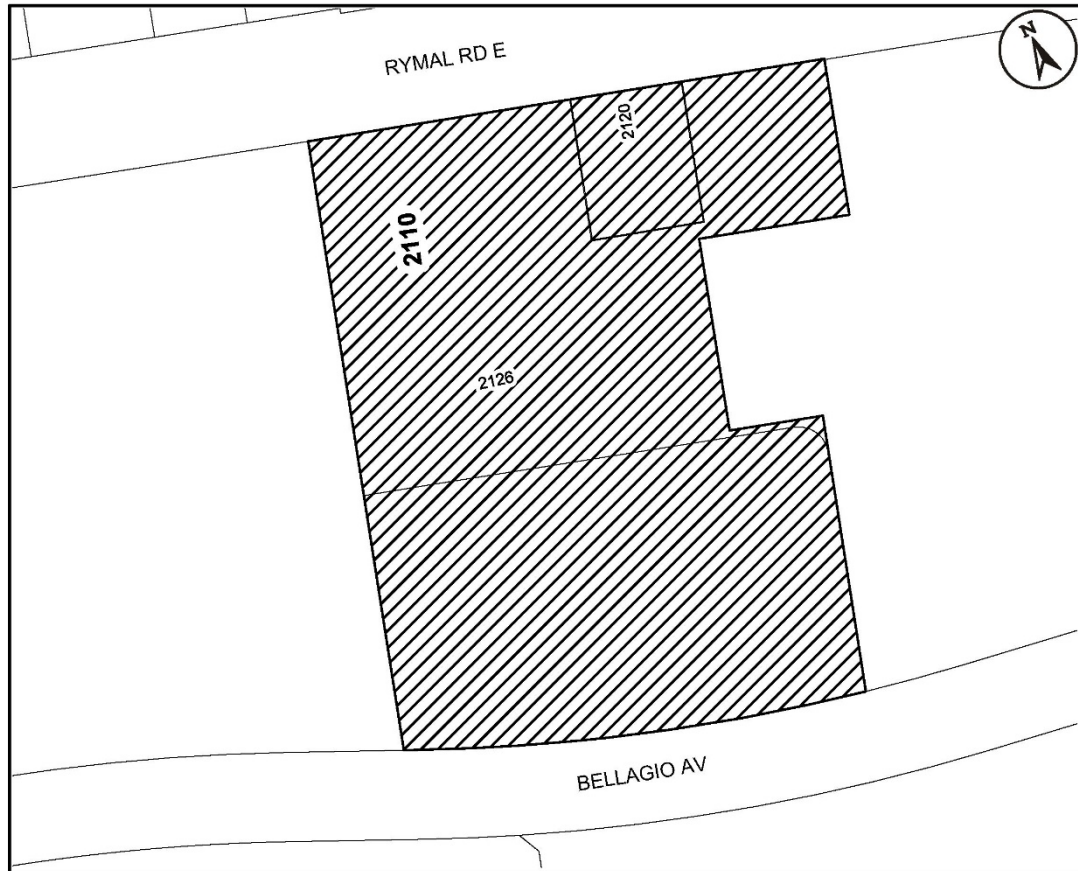
PASSED this 11th day of September, 2019.

F. Eisenberger
Mayor

A. Holland
City Clerk

CI-16-D

To Amend Zoning By-law No. 05-200,
respecting lands located at 2110 Rymal Road East (Glanbrook)



<p>This is Schedule "A" to By-law No. 19-</p> <p>Passed the day of, 2019</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<p>Schedule "A"</p> <p>Map Forming Part of</p> <p>By-law No. 19-_____</p> <p>to Amend By-law No. 05-200</p> <p>Maps 1595, 1596, 1639 & 1640</p>	<p>Subject Lands</p> <p>2110 Rymal Road East</p> <p> Change in Zoning from the Mixed Use Medium Density (C5, 338, H88, H89) Zone to the Mixed Use Medium Density (C5, 338) Zone</p>
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<p>Scale: N.T.S.</p>	<p>File Name/Number: 2110 Rymal Rd E</p>	
<p>Date: August 21, 2019</p>	<p>Planner/Technician: TL/VJS</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

CITY OF HAMILTON

BY-LAW NO. 19-

To Confirm the Proceedings of City Council at its meeting held on September 11, 2019.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 11th day of September, 2019, in respect of each recommendation contained in

General Issues Committee Report 19-015 – September 4, 2019,
Planning Committee Report 19-013 – September 3, 2019,
Public Works Committee Report 19-012 – September 6, 2019,
Board of Health Report 19-009 – September 16, 2019,
Audit, Finance & Administration Committee Report 19-012 – September 5, 2019,
and
Emergency and Community Services Committee Report 19-010 – September 5, 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 11th day of September, 2019.

F. Eisenberger
Mayor

A. Holland
City Clerk