



## City of Hamilton

# CITY COUNCIL AGENDA

19-016

Wednesday, September 25, 2019, 5:00 P.M.

Council Chambers, Hamilton City Hall

71 Main Street West

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### Call to Order

#### 1. APPROVAL OF AGENDA

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

#### 2. DECLARATIONS OF INTEREST

#### 3. CEREMONIAL ACTIVITIES

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

4.1 September 11, 2019

#### 5. COMMUNICATIONS

5.1 Correspondence from the City of Kitchener requesting support for their resolution respecting the lobbying of the Federal Government to review the regulations related to consumer packaging on single-use wipes to remove the word flushable.

Recommendation: Be received.

- 5.2 Correspondence from the City of Kitchener requesting support for their resolution respecting that the Province of Ontario review producer requirements and look for extended producer responsibility for all packaging.
- Recommendation: Be received.
- 5.3 Correspondence from the Municipality of Hasting Highlands requesting support for their resolution endorsing a mandatory septic re-inspection reporting system.
- Recommendation: Be received.
- 5.4 Correspondence from Gary Carr, Regional Chair, Halton Region to the Honourable Doug Ford, Premier of Ontario requesting support for their resolution that the Minister of Municipal Affairs and Housing immediately restore the amendments to the *Planning Act* that mandate the evaluation of appeals on a consistency and conformity with Provincial policies and plans basis and that the Government of Ontario eliminate the LPAT entirely, as an antiquated body that slows delivery and adds costs to housing supply via expensive and drawn out tribunal hearings.
- Recommendation: Be supported.
- 5.5 Correspondence from the Township of Zorra requesting support for their resolution supporting the continuation of the mandatory and non-mandatory programs of the Upper Thames River Conservation Authority (UTRCA) with the provision that no programs of the UTRCA or of the other Conservation Authorities in Ontario be "wound down" and that the Ministry of Environment, Conservation and Parks give clear direction on what programs are considered mandatory and non-mandatory and on how those programs will be funded in the future.
- Recommendation: Be received.
- 5.6 Correspondence from the Township of McNab/Braeside in support of the City of Hamilton's resolution respecting a Response to the Proposed Provincial Restructuring of Local Public Health Agencies.
- Recommendation: Be received.
- 5.7 Correspondence from the Municipality of Chatham-Kent to the Honourable Doug Downey, Attorney General of Ontario requesting support for their resolution respecting Provincial Funding Cuts to Legal Aid Ontario.
- Recommendation: Be received.
- 5.8 Correspondence from the Town of Newmarket requesting support for their resolution respecting More Homes, More Choices Act, 2019 - Bill 108 Proposed Regulations.
- Recommendation: Be received.

## **6. COMMITTEE REPORTS**

- 6.1 Public Works Committee Report 19-013 - September 16, 2019
- 6.2 Board of Health Clerk's Report 19-009 - September 16, 2019
- 6.3 Planning Committee Report 19-014 - September 17, 2019
- 6.4 General Issues Committee Report 19-017 - September 18, 2019
- 6.5 Sole Voting Member of the Hamilton Farmers' Market Report 19-002 - September 18, 2019
- 6.6 Audit, Finance and Administration Committee Report 19-013 - September 19, 2019
- 6.7 Emergency and Community Services Committee Report 19-011 - September 19, 2019

## **7. MOTIONS**

- 7.1 Control System on Northbound Ramp of the Lincoln Alexander Parkway at Garth Street
- 7.2 Levels of Congestion on Garth Street and Scenic Drive at Peak Hours
- 7.3 Ontario Health Teams Update
- 7.4 Ward 3 Social Infrastructure
- 7.5 Review of Position of Director, Physician Recruitment REVISED
- 7.6 Restoration of the Memorial Cairn
- 7.7 Funding for Construction of Rolston Path within Captain Cornelius Park (Ward 8)
- 7.8 Amendment to Item 7 of the Planning Committee Report 16-020, respecting Report PED16205 - Update and Declaration of Surplus and Sale of Downtown City-owned Surface Parking Lots

## **8. NOTICES OF MOTIONS**

## **9. STATEMENTS BY MEMBERS**

## **10. PRIVATE AND CONFIDENTIAL**

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

11.1 219

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

11.2 220

Respecting: Removal of Part Lot Control, Lots 221, 222, and 234 on Registered Plan No. 865 "North Airfield Park" municipally known as 34 Sumach Street, and 31 Eastwood Place.

Ward: 4

11.3 221

Respecting: The removal of Part Lot Control from Lot 95 on Registered Plan No. 876 "South Airfield Park" known as 47 and 49 Eastvale Place.

Ward: 4

11.4 222

Removal of Part Lot Control  
Respecting: Removal of Part Lot Control, Lot 136 and Part of Lot 135 on Registered Plan No. 876 "South Airfield Park" municipally known as 64, 66, and 68 Eaton Place. Registered Plan No. 876

Ward: 4

11.5 223

Respecting: Removal of Part Lot Control, Lot 2 on Registered Plan No. 1087 "North Airfield Park Extension" municipally known as 689 Britannia Avenue.

Ward: 4

11.6 224

To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking  
Schedule 4: Special Event Parking Zones

Ward: 13



11.7 225

To Amend By-law No. 01-218, as amended,  
Being a By-law To Regulate On-Street Parking  
Schedule 8: No Parking  
Schedule 12 – Permit Parking  
Schedule 14 – Wheelchair loading zone  
Schedule 20 – School Bus Loading Zone

Ward: 1,3,4,8,15

11.8 226

To Establish City of Hamilton Land  
Described as Block 24 on Plan 62M-1212 as Part of Highvalley Road

Ward: 12

11.9 227

To Establish City of Hamilton Land Described as Blocks 64 and 65 on Plan 62M-1260 as Part of Klein Circle

Ward: 12

11.10 228

To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting Fifty Road from South Service Road to approximately 68 metres South of South Service Road, in the City of Hamilton

Ward: 10

11.11 229

To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting South Service Road from Fifty Road to approximately 140 metres East of Fifty Road, in the City of Hamilton

Ward: 10

11.12 230

To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting South Service Road from Oriole Avenue to Fifty Road, in the City of Hamilton

Ward: 10

- 11.13 231  
To Impose Watermain and Storm Sewer Charges Upon Owners of Land Abutting Vince Mazza Way from Winona Road to South Service Road, in the City of Hamilton  
Ward: 10
- 11.14 232  
To Adopt: Official Plan Amendment NO. 126 to the Urban Hamilton Official plan respecting: 2782 Barton Street East, Hamilton  
Ward: 5
- 11.15 233  
To amend Zoning By-law No. 05-200 with respect to lands located at 1351, 1355, 1359, 1375 Upper James Street and 16, 24, 34, 40 and 48 Stone Church Road East, Hamilton  
Ward: 8
- 11.16 234  
To Amend Zoning By-law no. 6593 (Hamilton)  
Respecting Lands at 2782 Barton Street East, in the City of Hamilton  
Ward: 5
- 11.17 235  
To Amend Zoning By-law No. 87-57 Respecting Lands Located at 455 Springbrook Avenue, 253 Fair Street and Block 14, Plan 62M-1161  
Ward: 12
- 11.18 236  
Removal of Part Lot Control  
Block 207, within Registered Plan No. 62M-1238 "Mountainview Heights Phase 2", municipally known as, 35,37,39,41,43 and 45 Riverwalk Drive.  
Ward: 15
- 11.19 237  
Removal of Part Lot Control, Lots 1 and 13, Registered Plan No. 1162, "Mohawk Park Extension", known as 2 & 4 Seeley Avenue and 485 & 487 East 25th Street, Hamilton  
Ward: 7

- 11.20 238  
The removal of Part Lot Control from Lot 138 on Registered Plan No. 865 “North Airfield Park” known as 27 Grimsby Street.  
Ward: 4
- 11.21 239  
Removal of Part Lot Control  
Block 207, within Registered Plan No. 62M-1238 “Mountainview Heights Phase 2”, municipally known as, 35,37,39,41,43 and 45 Riverwalk Drive.  
Ward: 15
- 11.22 240  
Removal of Part Lot Control, Lots 18, 21, 22, 23, and 24, Registered Plan No. 1162, “Mohawk Park Extension”, known as 373, 375, 379, 381, 385 & 387 East 23rd Street and 305, 307, 314 & 316 East 24th Street, Hamilton  
Ward: 7
- 11.23 241  
Removal of Part Lot Control, Lots 27, 35, and 39, Registered Plan No. 1162, “Mohawk Park Extension”, known as 383 East 22nd Street, 374 East 21st Street, and 643 Upper Wentworth Street, Hamilton  
Ward: 7
- 11.24 242  
Removal of Part Lot Control from Lot 106 of Registered Plan 865 “North Airfield Park” known as 4 and 5 Martha Street, Hamilton  
Ward: 4
- 11.25 243  
Removal of Part Lot Control  
Block 208, Registered Plan No. 62M-1238 “Mountainview Heights Phase 2”, municipally known as, 47,49,51,53,55 and 57 Riverwalk Drive.  
Ward: 15
- 11.26 244  
Removal of Part Lot Control from Lot 172 of Registered Plan 865 “North Airfield Park” known as 89 Martha Street, Hamilton  
Ward: 4

11.27 245

To Confirm Proceedings of Council

**12. ADJOURNMENT**



## CITY COUNCIL MINUTES 19-015

9:30 a.m.

September 11, 2019

Council Chamber

Hamilton City Hall

71 Main Street West

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

**Absent:** J. Partridge – City Business

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

The Mayor called upon the Revered Father Andrew Quarshie, Parish Priest of St. Eugene and St. John the Baptist Parishes, to provide the invocation.

### APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

#### 8. NOTICES OF MOTION

- 8.1 Hamilton's Federal Election Priorities
- 8.2 Showcase Cities Pilot Project

#### (Pearson/VanderBeek)

That the agenda for the September 11, 2019 meeting of Council be approved, **as amended**.

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

YES - Councillor Maureen Wilson  
NOT PRESENT - Councillor Jason Farr

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

### DECLARATIONS OF INTEREST

Councillor B. Clark declared an interest to Communications Item 5.9, respecting correspondence from Lorenzo Alfano, Regional Operations Manager of Terrapure, as he has a former professional relationship with Terrapure.

Councillor M. Wilson declared an interest to Item 2, of the General Issues Committee Report 19-015, 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.

Councillor M. Pearson declared an interest to Item 1, of the Special General Issues Committee Report 19-016, 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 1, of the Special General Issues Committee Report 19-016, 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 1, of the Special General Issues Committee Report 19-016, respecting a Request for an Amendment to Legislation – Tenant Information for Rental Properties, as she is a rental property owner.

### CEREMONIAL ACTIVITIES

#### **3.1 Presentation of the Office of the Governor General - Sovereign's Medal for Volunteers – Edward Sculthorpe**

Mayor Eisenberger on behalf of City Council congratulated Edward Sculthorpe on receiving the Sovereign's Medal for Volunteers. This is a special honour recognizing the exceptional volunteer achievements of Canadians from across the country in a wide range of fields.

Edward Sculthorpe works closely with the City of Hamilton to maintain best practices and protocol for issues and events related to veterans. He established community initiatives to unite residents as founding chair of the Ainslie Wood Community Association and, in 2014, he established the Art Crawl Remembers project, which showcases remembrance-themed artwork from local schools in public spaces.

**APPROVAL OF MINUTES OF PREVIOUS MEETING**

**4.1 August 16, 2019**

**(Ferguson/Pearson)**

That the Minutes of the August 16, 2019 meeting of Council be approved, as presented.

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

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

**COMMUNICATIONS**

**(Whitehead/VanderBeek)**

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

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 referred to the Hamilton Veteran's Committee and the Hamilton Royal Canadian Legions for comment.***

- 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.



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

- 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.

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

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

**(VanderBeek/Ferguson)**

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

**CARRIED**

**PLANNING COMMITTEE REPORT 19-013**

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)**

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

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

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)**

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

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

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

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

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

**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)**

**Result: Motion CARRIED by a vote of 11 to 4, as follows:**

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

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

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

YES - Councillor Maureen Wilson

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

**(Pearson/Clark)**

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

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

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

<b>GENERAL ISSUES COMMITTEE REPORT 19-015</b>
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**1. Relocation of Soletanche Bachy Canada from Pier 10 to Pier 15 (8.1)**

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

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

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

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

**(Eisenberger/Jackson)**

That Council refer the consideration of Report PED18168(b) respecting the Sports, Entertainment and Convention Venues Review to the September 18, 2019 General Issues Committee meeting.

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

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

**(Clark/Merulla)**

- (a) That the City Clerk be directed to invite Mr. Andlauer to appear before the General Issues Committee meeting to review the contents of his proposal and answer questions from Committee; and,
- (b) That Mr. Andlauer be requested to provide his presentation in writing prior to the General Issues Committee meeting, so that it can be included in the public agenda.

**Result: Motion CARRIED by a vote of 12 to 3, as follows:**

CONFLICT - Councillor Maureen Wilson

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

**(Merulla/Danko)**

That the City of Hamilton release the Bulldog proposal for public consumption.

**(Eisenberger/Merulla)**

- (a) That the motion to release the Bulldog proposal be referred to the September 18, 2019 General Issues Committee meeting;
- (b) That the City Solicitor provide legal advice in writing with respect to the release of the Bulldog proposal, in advance of the September 18, 2019 General Issues Committee meeting; and,
- (c) That the City Solicitor contact Mr. Andlauer with respect to the release of the Bulldog proposal for public consumption.

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

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

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

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

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

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

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

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

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

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

YES - Councillor Maureen Wilson  
YES - Councillor Jason Farr

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

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

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

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

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

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

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



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

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

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

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

**9. Potential Regulatory Litigation Update (PW19008(b)/LS19004(b)) (City Wide) (Item 14.5)**

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

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

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

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

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

**(Eisenberger/VanderBeek)**

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

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

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

**AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 19-012****1. Citizen Committee Report - Selection of Additional Committee Members to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee (Item 10.1)****Result: Motion CARRIED by a vote of 14 to 0, as follows:**

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

**2. Office of the City Auditor Charter (AUD19005) (City Wide) (Item 10.2)****Result: Motion CARRIED by a vote of 14 to 0, as follows:**

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

**3. Office of the City Auditor Work Plan 2019 to 2022 (AUD19007) (City Wide) (Item 10.3)****Result: Motion CARRIED by a vote of 14 to 0, as follows:**

YES - Councillor Maureen Wilson

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

**4. Negotiation for the Continued Supply of Raw Water to 690 Strathearne Avenue North (FCS18049(c) / LS18014(a)) (Ward 4) (Item 14.1)**

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

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

**5. Budgeting and Forecasting (FCS19066) (City Wide) (Item 14.2)**

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

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

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

**(Wilson/Collins)**

That Item (e)(i) of the Audit, Finance and Administration Committee Report 19-012, respecting a Compassionate Grant equivalent to the value of the Development Charges, Rezoning Fees, and the Parkland Dedication Fees (less \$1,000.00) (which was referred to staff for the preparation of a motion) be lifted from the Information Section and added as Item 6 for discussion.

**6. Compassionate Grant – Laneway Houses Prior to June 13, 2019**

WHEREAS the City is committed to promoting laneway houses as a desired form of intensification;

WHEREAS By-law 18-299, being an amendment to the City’s Zoning By-law to permit laneway houses as of right within Wards 1-4 was approved by Council on September 26, 2018;

WHEREAS prior to the approval of By-law 18-299 a laneway house was required to proceed through a rezoning process and pay the applicable rezoning fee;

WHEREAS the City’s Parkland Dedication By-law 18-126, approved by Council on May 23, 2018, provides a reduced cash-in-lieu rate for additional dwellings, including laneways houses, through Section 5(5);

WHEREAS prior to the approval of Parkland Dedication By-law 18-126 a laneway house was required to pay parkland cash-in-lieu at the same rate as a single-family dwelling;

WHEREAS the City’s Development Charge By-law 19-142, approved by Council on June 12, 2019, exempts laneway houses from the payment of development charges through Section 25(e);

WHEREAS prior to the approval of the City’s Development Charge By-law 19-142 a laneway house was required to pay development charges at the same rate as a single-family dwelling; and,

WHEREAS laneway houses in the approved pilot program area that proceeded through the planning and permit process prior to the enactment of the three by-laws referenced above paid substantially more in fees than laneway houses that will proceed under the structure in place today;

## THEREFORE BE IT RESOLVED:

- (a) That the General Manager of Finance & Corporate Services be directed and authorized to issue a compassionate grant contingent on the grantee providing proof satisfactory to the General Manager of Finance & Corporate Services that the recipient is not a manufacturing business or other industrial or commercial enterprise and that the General Manager of Finance & Corporate Services is satisfied that providing the grant does not result in a violation of Section 106 of the *Municipal Act, 2001*, to any laneway houses within Wards 1-4 that proceeded through the planning and permit processes between July 6, 2014 and June 12, 2019 equal to:
- (i) the full rezoning fee paid to be funded from Reserve “110086 Development Fees Stabilization”;
  - (ii) the parkland cash in lieu paid, less the amount that would be payable under By-law 18-126, to be funded from Reserve “108050 Parkland Acquisition Reserve”;
  - (iii) the full City development charge paid to be funded from:
    - Portion of City development charge related to tax services: Reserve “108020 Unallocated Capital Levy”;
    - Portion of City development charge related to water services: Reserve “108015 Water”;
    - Portion of City development charge related to wastewater services: Reserve “108005 Sanitary Sewer Capital”; and
    - Portion of City development charge related to storm services: Reserve “108010 Storm Sewer Capital”.
- (b) That staff be directed to report back through the City’s Audit, Finance & Administration Committee with an Information Report containing the details of any and all compassionate grants provided to laneway houses.

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

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

YES - Councillor Maria Pearson  
YES - Councillor Brad Clark

**Result: Motion on Item 6, CARRIED by a vote of 14 to 0, as follows:**

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

**(Collins/Merulla)**

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

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

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

**EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 19-009****1. Agreement with Rockton Lions Club for the Creation of a Community Hub at Beverly Community Centre (CES15030 (a)) (Ward 13)****Result: Motion CARRIED by a vote of 14 to 0, as follows:**

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

**2. Canada-Ontario Community Housing Initiative and Ontario Priorities Housing Initiative (HSC19042(a)) (Item 9.1)****Result: Motion CARRIED by a vote of 14 to 0, as follows:**

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

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

YES - Councillor Maureen Wilson



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

**(Merulla/Collins)**

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

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

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

<b>PUBLIC WORKS COMMITTEE REPORT 19-012</b>
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**1. Intersection Control List (PW19001(d)) (Wards 2, 3, 13 and 15) (Item 7.1)**

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

YES - Councillor Maureen Wilson  
YES - Councillor Jason Farr  
YES - Councillor Nrinder Nann  
YES - Councillor Sam Merulla  
YES - Councillor Chad Collins

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

**2. Proposed Permanent Closure and Sale of a Portion of Hatt Street, Dundas (PW19074) (Ward 13) (Item 8.2)**

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

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

**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)**

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

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

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

**4. Airport Employment Growth District (AEGD) Servicing Update (PW19079) (City Wide) (Item 10.2)**

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

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

**5. Feasibility of Launching Project 529 in the City of Hamilton (City Wide) (Added Item 11.1)**

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

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

**(Ferguson/VanderBeek)**

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

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

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

<b>SPECIAL GENERAL ISSUES COMMITTEE REPORT 19-016</b>
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**1. Request for an Amendment to Legislation – Tenant Information for Rental Properties (Item 11.2)**

**(Clark/Pearson)**

That sub-section (b) be added to Item 1, as follows:

- (b) That the City Clerk look at developing a Communications Strategy directed to residents to check that they are on the Voters List and if not, add themselves to the Voters List, prior to the next Municipal Election.

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

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

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

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

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

**(VanderBeek/Whitehead)**

That the vote on Item 1 of the Special General Issues Committee Report 19-016, respecting a Request for an Amendment to Legislation – Tenant Information for Rental Properties, be reconsidered due to errors in voting.

**Result: Motion CARRIED by a 2/3 vote of 13 to 0, as follows:**

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

Upon the vote being retaken:

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

**(Eisenberger/VanderBeek)**

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

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

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

**(VanderBeek/Ferguson)**

That Council rise and report.

**CARRIED**

## MOTIONS

**7.1 Geographic Information System (GIS) Access for Councillors****(Ferguson/Johnson)**

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.

**(Clark/Whitehead)**

That the motion be amended by deleting "try to negotiate" and adding "**communicate**", as follows:

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

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

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

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

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

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

**(Whitehead/VanderBeek)**

That staff be directed to look at the feasibility and options for providing TerraView and/or other tools to City Councillors.

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

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

**7.2 Amendment to Item 14 of the General Issues Committee Report 19-014, respecting Report LS19035/PED19179 - Potential Litigation – Building Permit Issues**

**(VanderBeek/Clark)**

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 “Minister of Environment Conservation and Parks” 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 for comment;
- (d) That staff be directed to work with the Niagara Escarpment Commission staff to petition the *Ministry 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: Motion CARRIED by a vote of 14 to 0, as follows:**

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

Mayor Eisenberger relinquished the Chair to introduce the following Motion.

**7.3 Amendment to Item 5 of the General Issues Committee Report 19-011, respecting Report CM18013(a) - Downtown Entertainment Assets Operating Agreements**

**(Eisenberger/VanderBeek)**

- (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:**

<b>From Global Spectrum:</b>	\$500,000 contribution made to the City of Hamilton upon signing an extension.
<b>From Compass Group Canada</b>	A \$550,000 investment in an upgrade to the FirstOntario Centre and FirstOntario Concert Hall’s concession infrastructure on the following schedule: <b>Guaranteed Term:</b> Year 1 - <del>\$500,000</del> <b>\$550,000</b> Year 3 - <del>\$50,000</del>

- (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:**

<b>Net Contribution from City</b>	<p>1) <del>The City will continue to</del> subsidize the first <b>\$1.75M</b> in operating losses;</p> <p>2) Global Spectrum will receive a Guaranteed Management Fee of \$350,000;</p> <p>In the event that the annual net operating losses are less than <del>\$1.4</del> <b>1.75M</b>, the benefits would be realized as follows:</p> <ol style="list-style-type: none"> <li>1) The City receives the initial \$350,000;</li> <li>2) The next \$400,000 would be split 50% to the City, 50% to Global Spectrum as “incentive income”;</li> <li>3) Global Spectrum contributes half of any “incentive income”, up to an annual maximum of <del>\$200,000</del> <b>\$100,000</b> 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).</li> <li>4) Any further subsidy reduction/profit would be split 60% to the City, 40% to Global Spectrum.</li> </ol> <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.

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

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

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

Mayor Eisenberger assumed the Chair.

**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**

**(Merulla/Nann)**

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 28<sup>th</sup> 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).

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

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

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

**7.5 Integrity Commissioner / Lobbyist Registrar Appointment**

**(Whitehead/VanderBeek)**

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.

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

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

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

**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**

**(Pearson/Clark)**

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.***

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

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

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

## 7.7 Hamilton's Federal Election Priorities

### (Clark/Eisenberger)

WHEREAS, on July 12, 2019 Council approved the recommendations of the Government Relations Sub Committee Report held on June 27, 2019;

WHEREAS, consistent with these recommendations, staff have prepared a draft summary document, attached hereto as "Appendix A", outlining the City of Hamilton's priorities for the 2019 Federal Election; and

WHEREAS, this draft document is proposed as the focal document for candidate meetings to get maximum exposure to the candidates during the campaign once the writ is dropped;

THEREFORE, BE IT RESOLVED

That "Appendix A" to Report CM19007, entitled 'Hamilton's Priorities 2019 and Beyond', be approved as a Hamilton's focal document during meetings with the candidates of the 2019 Federal Election.

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

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



**7.8 Showcase Cities Pilot Project**

**(Eisenberger/VanderBeek)**

WHEREAS Hamilton historically has been a member of FCM’s PCP program and currently is a member of the Global Covenant of Mayors (largest global coalition of cities committed to taking climate action) since 2015; and

WHEREAS, the Showcase Cities Pilot Project is a collaborative training opportunity for 20-40 Canadian Municipalities and by agreeing to participate in the project, participant municipalities recognize that they will receive training support in exchange for their active participation in the project.

THEREFORE, BE IT RESOLVED

That the Mayor be authorized and directed to enter into, on behalf of the City of Hamilton, a partnership agreement with the Federation of Canadian Municipalities (FCM) for the Showcase Cities Pilot Project effective September 13, 2019 to December 31, 2020, in a form satisfactory to the City Solicitor.

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

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

<b>NOTICES OF MOTION</b>
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Councillor Clark introduced a Notice of Motion respecting Hamilton’s Federal Election Priorities.

**8.1 Hamilton’s Federal Election Priorities**

**(Clark/Pearson)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting Hamilton’s Federal Election Priorities due to its time sensitivity as the Federal Election Campaign began today.

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

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

Mayor Eisenberger relinquished the Chair to introduce a Notice of Motion respecting Showcase Cities Pilot Project.

## **8.2 Showcase Cities Pilot Project**

### **(Eisenberger/VanderBeek)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting Showcase Cities Pilot Project due to its time sensitivity given that the deadline for submission is September 13, 2019.

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

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

**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 – August 16, 2019**

**(Ferguson/Clark)**

That the Closed Session Minutes dated August 16, 2019 be approved, as presented, and remain confidential.

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

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

**BY-LAWS**

**(Whitehead/VanderBeek)**

That Bills No. 19-203 to No. 19-218, 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:

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**By-law No.**

- |     |  |
|-----|--|
| 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<br>Ward: 7 |
|-----|--|

- 
- |     |   |
|-----|---|
| 204 | To Establish City of Hamilton Land Described as Block 91 on Plan 62M-1164 as Part of Escarpment Drive<br>Ward: 10   |
| 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<br>Ward: City Wide |
| 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)<br>Ward: 11  |
| 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)<br>Ward: 11  |
| 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)<br>Ward: 11  |
| 209 | To Amend Zoning By-law No. 05-200 with respect to lands located at 3600 Guyatt Road, Glanbrook<br>Ward: 11  |
| 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<br>Ward: 3   |
| 211 | To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking Schedule 8<br>Schedule<br>Ward: 1,3,4,5,6,8,12,15  |
| 212 | To Amend By-law No. 18-270, the Council Procedural By-law<br>Ward: City Wide  |
| 213 | Removal of Part Lot Control<br>Part of Blocks 28 and 29, Registered Plan No. 62M-1261<br>Ward: 9  |
-

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
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
216	To Amend By-law No. 01-215 Being a By-law To Regulate Traffic Schedule 5 (Stop Control) Ward: 2,3,13,15
217	To Amend Zoning By-law No. 05-200, respecting lands located at 2110 Rymal Road East (Glanbrook) Ward: 9
218	To Confirm the Proceedings of City Council

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

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

**(Pearson/Johnson)**

That, there being no further business, City Council be adjourned at 8:46 p.m.

**CARRIED**

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland  
City Clerk



CHRISTINE TARLING  
Director of Legislated Services & City Clerk  
Corporate Services Department  
Kitchener City Hall, 2<sup>nd</sup> Floor  
200 King Street West, P.O. Box 1118  
Kitchener, ON N2G 4G7  
Phone: 519.741.2200 x 7809 Fax: 519.741.2705  
[christine.tarling@kitchener.ca](mailto:christine.tarling@kitchener.ca)  
TTY: 519-741-2385

September 5, 2019

Dear Municipal Colleagues:

This is to advise that City Council, at a meeting held on August 26, 2019, passed the following resolution regarding single-use disposable wipes:

“WHEREAS in 2018 the City of Kitchener implemented a sustainable funding model Water Infrastructure Project (WIP) for the city’s water, sanitary and stormwater infrastructure to ensure the safe delivery of these valued utilities; and,

WHEREAS in 2018 a multi-year initiative approved through the WIP has already improved several key measures of water quality, and proactive maintenance has reduced the risk of flooding in high-risk areas; and,

WHEREAS in 2018 the City has already seen a number of impacts due to the implementation of the WIP including: 48% decrease in complaints related to discoloured water; Storm main repairs increased by 27 per cent; 300 metric tonnes of sediment removed from catch basins; and, 2,200 properties protected against backflow and cross-connection contamination; and,

WHEREAS Single-use wipes are a \$6-billion industry and growing, and are now being advertised as the clean alternative to toilet paper and are safe to flush; and,

WHEREAS there is no one standard for what the word “flushable” means; and,

WHEREAS Single-use wipes are in fact not safe to flush as they are buoyant; are not biodegradable; and, are unable to break down into small pieces quickly; and,

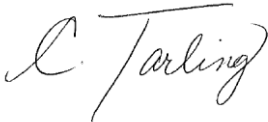
WHEREAS Single-use wipes accumulate in the sewer system and eventually clog the sanitary sewer system costing municipalities hundreds of millions of dollars in additional repairs and maintenance costs each year to municipal sewer systems across the country; and,

WHEREAS there is a lack of public awareness of the impact caused by non-flushable wipes being flushed down toilets and consumer education and outreach could play a large part in reducing the impact;

THEREFORE BE IT RESOLVED that the City of Kitchener lobby the Federal Government, to review regulations related to consumer packaging on single-use wipes to remove the word flushable; and,

BE IT FINALLY RESOLVED that this resolution be forwarded to the Right Honourable Prime Minister of Canada; the Honourable Premier of Ontario; the Minister of the Environment, Conservation and Parks; the Minister of Municipal Affairs and Housing; the Association of Municipalities of Ontario; the Local Members of Provincial Parliament; the Region of Waterloo; and, all Municipalities within the Province of Ontario.”

Yours truly,

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

C. Tarling  
Director of Legislated Services  
& City Clerk





CHRISTINE TARLING  
Director of Legislated Services & City Clerk  
Corporate Services Department  
Kitchener City Hall, 2<sup>nd</sup> Floor  
200 King Street West, P.O. Box 1118  
Kitchener, ON N2G 4G7  
Phone: 519.741.2200 x 7809 Fax: 519.741.2705  
[christine.tarling@kitchener.ca](mailto:christine.tarling@kitchener.ca)  
TTY: 519-741-2385

September 6, 2019

Dear Municipal Colleagues:

This is to advise that City Council, at a meeting held on August 26, 2019, passed the following resolution regarding producer requirements for packaging in Ontario:

“WHEREAS the Province of Ontario, through the Ministry of the Environment, Conservation and Parks, has posted a discussion paper entitled “Reducing Litter and Waste in our Communities”; and,

WHEREAS producer responsibility has not been adequately addressed by the Province of Ontario; and,

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

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

WHEREAS the City of Kitchener is committed to climate action and understanding our role as a municipality in a globalized world and the need to be prepared for the effects of climate change; and,


WHEREAS the City of Kitchener has declared a climate emergency with the directive to provide continued support to corporate and community climate action;

THEREFORE BE IT RESOLVED that the City of Kitchener call upon the Province of Ontario, through the discussion paper entitled “Reducing Litter and Waste in our Communities”, to review and implement a deposit/return program for recycled plastics, aluminum and metal drink containers; and,

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

BE IT FINALLY RESOLVED that this resolution be forwarded to the Honourable Premier of Ontario; the Minister of the Environment, Conservation and Parks; the Minister of Municipal Affairs and Housing; the Local Members of Provincial Parliament; the Association of Municipalities of Ontario; the Region of Waterloo and all Municipalities within the Province of Ontario.”

Yours truly,

A handwritten signature in cursive script, appearing to read "C. Tarling". The signature is written in black ink on a white background.

C. Tarling  
Director of Legislated Services  
& City Clerk



# Hastings Highlands

*Beautiful By Nature*

Mayor Vic A. Bodnar  
**Mayor**

Suzanne Huschilt  
**Municipal Clerk**

**The Municipality of Hastings Highlands**  
**P.O. Box 130, 33011 Hwy 62, Maynooth, ON K0L 2S0**  
613 338-2811 Phone  
1-877-338-2818 Toll Free

September 12, 2019

Hon. Christine Elliott  
Minister of Health  
Ministry of Health and Long-Term Care  
5th Floor  
777 Bay St.  
Toronto, ON M7A 2J3  
[christine.elliott@pc.ola.org](mailto:christine.elliott@pc.ola.org)

Dear Minister Elliott,

## **Re: Mandatory Septic System Reports**

---

Please be advised that at its Regular Meeting of Council held on September 4, 2019 the Council of the Municipality of Hastings Highlands passed the following resolution:

Resolution 559-2019

**WHEREAS** the Federation of Ontario Cottagers' Associations has released their latest report "Septic Re-inspection Programs in Ontario: A Guide for Lake Associations;"

**AND WHEREAS** this municipality has serious concerns over current available septic re-inspection information;

**AND WHEREAS** numerous companies already perform a septic pumping service and could easily perform an additional service by simply filling out a three part one page report with one copy going to the homeowner, one to the municipality, and one for their own records. This would develop an ongoing database from which septic re-inspection programs could be generated. This report could include requirements such as a visual inspection by the operator on type of system, time, date, location, and noticeable system problems;

**NOW THEREFORE BE IT RESOLVED** that this council endorse such a mandatory reporting system and that letters be sent requesting support for this initiative to the following people; Anne Egan, President of the Ontario Onsite Wastewater Association, John FitzGibbon, Professor, University of Guelph, Liz Huff, Director Rural Ontario Municipal Associations, Terry Rees, Executive Director Federation of Ontario Cottagers' Associations, Rick Phillips, Warden, Hastings County Council and Christine Elliott, Minister, Ontario Ministry of Health, our Local MP and MPP and all Ontario Municipalities.

CARRIED AS AMENDED

Sincerely,



Vic A. Bodnar  
Mayor

cc: Anne Egan, Association President, Ontario Onsite Wastewater Association [anne.egan@rjburnside.com](mailto:anne.egan@rjburnside.com)  
John FitzGibbon, Professor, University of Guelph [jfitzgib@uoguelph.ca](mailto:jfitzgib@uoguelph.ca)  
ROMA [roma@roma.on.ca](mailto:roma@roma.on.ca)  
Terry Rees, Executive Director, FOCA [info@foca.on.ca](mailto:info@foca.on.ca)  
Rick Phillips, Warden, Hastings County [PhillipsRick@hastingscounty.com](mailto:PhillipsRick@hastingscounty.com)  
Mike Bossio, MP, Hastings-Lennox and Addington [Mike.Bossio@parl.gc.ca](mailto:Mike.Bossio@parl.gc.ca)  
Daryl Kramp, MPP, Hastings-Lennox and Addington [daryl.kramp@pc.ola.org](mailto:daryl.kramp@pc.ola.org)  
All Ontario Municipalities



Office of the Chair  
Halton Region  
1151 Bronte Road  
Oakville ON L6M 3L1

August 29, 2019

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

Dear Premier Ford:

**RE: Local Planning Appeal Tribunal (LPAT)**

On behalf of Regional Council, I would like to bring an important issue to your attention. At our meeting on July 10<sup>th</sup>, Council discussed *Bill 108: More Homes, More Choice Act, 2019* which will have a significant impact on how Halton Region delivers its services. Regional Council discussed their concerns with the Local Planning Appeal Tribunal (LPAT) having the authority to make final planning decisions based on a subjective best planning outcome approach rather than compliance with municipal and provincially approved plans and policies. The LPAT adds cost and delays to the delivery of affordable housing by expensive, time consuming hearings, contrary to the intent of the *More Homes, More Choice Act, 2019*.

In the short-term, we hope you will consider restoring the amendments to the *Planning Act* and in the long-term, consider eliminating the LPAT entirely. Ontario is the only Province to have such a tribunal, and it is the position of Regional Council that it is an antiquated body that has outlived its purpose and does not contribute to the Provincial Government's goal of increasing housing supply.

In this regard, at its meeting on July 10<sup>th</sup>, 2019, Regional Council unanimously endorsed the following resolution regarding the LPAT:

WHEREAS The Government of Ontario, on June 6, 2019, passed the *More Homes, More Choice Act, 2019*, (Bill 108); and

WHEREAS the changes to the Local Planning Appeal Tribunal (LPAT), contained in Bill 108 will give LPAT the authority to make final planning decisions based on a subjective "best planning outcome" approach rather than compliance with municipal and provincially approved official plans and consistency with provincial plans and policy; and

WHEREAS Bill 108 restricts third party appeals of plans of subdivision only to the applicant, municipality, Minister, public body or prescribed list of persons; and

WHEREAS Bill 108 takes local planning decision-making out of the hands of democratically elected municipal councils and puts it into the hands of a non-elected, unaccountable tribunal; and

WHEREAS the LPAT adds cost and delays delivery of affordable housing by expensive, time consuming hearings, contrary to the intent of the *More Homes, More Choice Act, 2019*; and

WHEREAS Regional and City Councils have spent millions defending provincially approved plans at the OMB/LPAT, including more than \$5 million over the last three years;

WHEREAS the reverting back to *de novo* hearings adds delays and costs to the housing delivery, as planning decisions start from scratch requiring lawyers, experts and witnesses, repeating the planning analysis already done by local councils;

WHEREAS Ontario is the only province in Canada that empowers a separate adjudicative tribunal to review and overrule local decisions applying provincially approved plans;

NOW THEREFORE BE IT RESOLVED:

THAT in the short term, the Minister of Municipal Affairs and Housing immediately restore the amendments to the *Planning Act* that mandated the evaluation of appeals on a consistency and conformity with Provincial policies and plans basis;

THAT in the long-term the Government of Ontario eliminate the LPAT entirely, as an antiquated body that slows delivery and adds costs to housing supply via expensive and drawn out tribunal hearings;

AND THAT this resolution be forwarded to the Premier, the Minister of Municipal Affairs and Housing, Halton's Members of Provincial Parliament, Leaders of the New Democratic, Liberal and Green parties; the Association of Municipalities of Ontario, the Large Urban Mayors' Caucus of Ontario, Mayors and Regional Chairs of Ontario and Halton's local municipalities.

Thank you for your attention to this matter, I look forward to your reply.

Sincerely,



Gary Carr  
Regional Chair

cc: The Honourable Steve Clark, Minister of Municipal Affairs and Housing  
Andrea Horwath, Leader of the New Democratic Party  
John Fraser, Interim Leader of the Liberal Party  
Mike Schreiner, Leader of the Green Party

/3

cc.

Ted Arnott, MPP Wellington-Halton Hills  
Stephen Crawford, MPP Oakville  
Parm Gill, MPP Milton  
Jane McKenna, MPP Burlington  
Effie Triantafilopolous, MPP Oakville North-Burlington  
Jamie McGarvey, President, the Association of Municipalities of Ontario (AMO)  
Cam Guthrie, Mayor, City of Guelph, Chair, the Large Urban Mayors' Caucus of Ontario (LUMCO)  
Rick Bonnette, Mayor, Town of Halton Hills  
Rob Burton, Mayor, Town of Oakville  
Gordon Krantz, Mayor, Town of Milton  
Marianne Meed Ward, Mayor, City of Burlington  
All Mayors of Ontario  
All Regional Chairs of Ontario

**Pilon, Janet**

---

**Subject:** Township of Zorra Resolution of Council re: UTRCA

**From:** Karen Martin <[kmartin@zorra.on.ca](mailto:kmartin@zorra.on.ca)>

**Sent:** September 11, 2019 3:11 PM

**Subject:** Township of Zorra Resolution of Council re: UTRCA

Good afternoon,

Please be advised the Township of Zorra Council passed the following resolution at the September 4, 2019 Council Meeting:

**“WHEREAS the Township of Zorra is an environmentally conscious community;**

**AND WHEREAS the Township of Zorra is a member of the Upper Thames River Conservation Authority (UTRCA) and has a representative on the board of directors of the UTRCA;**

**AND WHEREAS the board of directors determines the policies, priorities and budget of the UTRCA;**

**AND WHEREAS the UTRCA provides the Township of Zorra with expert advice on the environmental impact of land use planning proposals and that the Township of Zorra does not have staff with comparable expertise or experience;**

**AND WHEREAS the UTRCA provides programs to the residents of Zorra and other member municipalities that include recreation, education, water quality monitoring, reduction of vegetation loss and soil erosion, preservation of species at risk as well as protecting life and property through a variety of measures;**

**Therefore, be it resolved, that the Township of Zorra supports continuation of the programs of the UTRCA, both mandatory and non-mandatory, and that no programs of the UTRCA or of the other Conservation Authorities in Ontario be “wound down” at this time.**

**And that, the Ministry of Environment, Conservation and Parks give clear direction as to what programs are considered mandatory and non-mandatory and how those programs will be funded in the future;**

**And that this resolution be forwarded to the Minister of the Environment, Conservation and Parks, Premier Doug Ford, MPP Ernie Hardeman, the Association of Municipalities of Ontario, the Upper Thames River Conservation Authority, Conservation Ontario and all Ontario municipalities.”**

Thanks,





**Karen Martin**  
Director of Corporate Services  
274620 27th Line, PO Box 306  
Ingersoll, ON N5C 3K5  
P: 519-485-2490 x 7228 | 1-888-699-3868  
F: 519-485-2490  
kmartin@zorra.ca | www.zorra.ca

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**Individuals who submit letters and other information to Council should be aware that any personal information contained within their communications may become part of the public record and may be made available to the public through the Council/Committee Agenda process.**




Regular Council Meeting Resolution Form

Date: August 20, 2019 No: RESOLUTION - 255-2019  
 Moved by Councillor Scott Brum Disposition: CARRIED  
 Seconded by Councillor Heather Lang Item No: 9.1

Description: Request for Support Items #1-3  
 1. County of Renfrew - Youth Winter Games  
 2. City of Hamilton – Public Health in Ontario Recommendations  
 3. County of Renfrew - Reduction in Funding for Long-Term Care

**RESOLUTION:**

**THAT** Council support the City of Hamilton in their effort to recommend key principles to the Minister of Long-Term Care should any restructuring or modernization of local Public Health take place.

  
 MAYOR

Recorded Vote Requested by:

Declaration of Pecuniary Interest:

	Yea	Nay
T. Peckett	_____	_____
B. Armsden	_____	_____
H. Lang	_____	_____
S. Brum	_____	_____
O. Jacob	_____	_____

Disclosed his/her/their interest(s), vacated he/her/their seat(s), abstained from discussion and did not vote

September 12, 2019

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

**Re: Resolution Regarding Provincial Funding Cuts to Legal Aid Ontario**

Please be advised the Council of the Municipality of Chatham-Kent at its regular meeting held on September 9, 2019 endorsed the following resolution;

“Whereas, the Chatham-Kent Legal Clinic (the “Clinic”) has delivered legal services in Chatham-Kent (the “Municipality”) for over 38 years to area residents who cannot afford legal assistance because of financial hardship – including those who are disabled, on social assistance, pensioners, the unemployed, or those with low income;  
And Whereas, the Clinic’s services are aimed at ensuring that people with low incomes are able to meet their most basic needs, which in turn gives them the ability to live with health and dignity as active members of their community;

And Whereas, like other community legal clinics across the province, the Clinic carries out this invaluable work through funding provided by Legal Aid Ontario (“LAO”);

And Whereas, the provincial government’s 2019 Budget has cut funding to Legal Aid Ontario by \$133 Million – which is a 35% reduction in provincial funding – retroactive to April 1, 2019, with cuts rising to \$164 Million (45%) by 2021-22;

And Whereas, these significant cuts will result in a reduction of critical legal clinic services to low income residents in our community resulting in adverse social and economic consequences for the Municipality served by the Clinic – from

- increased reliance on municipal services including increased homelessness resulting from avoidable evictions,
- increased poverty resulting from lack of income supports and employment supports and

- increased reliance on social assistance administration resulting from people being denied appropriate supports

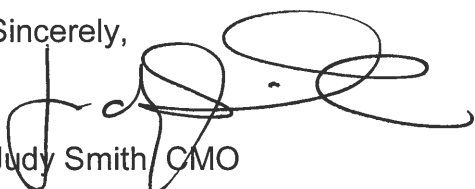
And Whereas, the Council of the Municipality believes all levels of government should provide fair, economically-sound, and evidence-based programs and supports to help low-income residents, vulnerable people, and other equity-seeking individuals escape poverty, precarious housing, and systemic disadvantage, realize their full potential by living healthy and safe lives.

Be it therefore resolved that, the Council of the Municipality of Chatham-Kent forward a letter to local MPPs, the Attorney General and the Premier of Ontario (and all municipalities in Ontario)

- expressing its strong support for Legal Aid Ontario and its funding of Ontario's community legal clinics, and specifically the Chatham-Kent Legal Clinic, which provides legal services to low income and vulnerable Ontarians;
- expressing its strong opposition to the funding cuts imposed on Legal Aid Ontario by the provincial government;
- calling upon the Premier and the Attorney General to make a commitment to access to justice and to respect the commitment of their government to not decrease front line services; and
- urging the province to restore full funding to these critical services to ensure that all the residents of Chatham-Kent have access to a fair and equitable justice system, regardless of their incomes."

If you have any questions or comments, please contact Judy Smith at 519-360-1998 Ext # 3200.

Sincerely,



Judy Smith CMO  
Director Municipal Governance  
Clerk /Freedom of Information Coordinator

C  
The Honourable Doug Ford, Premier of Ontario  
All Municipalities in Ontario



**Kiran Saini**  
Deputy Town Clerk  
Town of Newmarket  
395 Mulock Drive  
P.O. Box 328 Station Main  
Newmarket, ON L3Y 4X7

ksaini@newmarket.ca  
tel.: 905-953-5300, Ext. 2203  
fax: 905-953-5100

September 17, 2019

Sent via email to: All Ontario Municipalities

Attn: Municipal Clerk

**RE: More Homes, More Choice Act, 2019 - Bill 108 Proposed Regulations**

---

I am writing to advise that Council, at its meeting held on September 9, 2019, adopted the following recommendations:

1. That the report entitled Bill 108 Proposed Regulations, dated August 26, 2019 be received; and,
2. That following the September 9, 2019 Council meeting, the final version of the report entitled Bill 108 Proposed Regulations, dated August 26, 2019 be formally submitted to the province; and,
3. That it be requested by the Town that the province release final drafts of the regulations associated with Bill 108 with a consultation period of no less than 3 months; and,
4. That a copy of this Motion be sent to all Ontario Municipalities requesting their support; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Yours sincerely,

A handwritten signature in black ink that reads "Kiran Saini".

Kiran Saini  
Deputy Town Clerk

KS:aw



## **PUBLIC WORKS COMMITTEE REPORT 19-013**

9:30 a.m.

Monday, September 16, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

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

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

### **THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 19-013 AND RESPECTFULLY RECOMMENDS:**

**1. Railway Grade Crossing Regulations Update (PW19077) (City Wide) (Item 7.1)**

That Report PW19077, respecting Railway Grade Crossing Regulations Update, be received.

**2. Proposed Permanent Closure and Sale of a Portion of Fletcher Avenue, Hamilton (PW19075) (Ward 5) (Item 8.1)**

(a) That the application of the owner of 147 Beach Boulevard, to permanently close and purchase a portion of Fletcher Avenue, Hamilton ("Subject Lands"), as shown on Appendix "A", attached to Public Works Committee Report 19-013, 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

**Council – September 25, 2019**

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 147 Beach Boulevard, Hamilton, as described in Report PW19075, 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 147 Beach Boulevard, Hamilton pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;
- (iv) 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. Hamilton Transit Bus Maintenance and Storage Facility – Transit Project Assessment Process (PW19081) (Ward 3) (Item 10.1)**

- (a) That the General Manager, Public Works, be authorized and directed to issue the Notice of Commencement of the formal Transit Project Assessment Process (TPAP) and public consultation, followed by filing the Hamilton Transit Bus Maintenance and Storage Facility Environmental Project Report for a thirty (30) day public review period; and,
- (b) That upon completion of the public review period and subsequent decision from the Minister of the Environment, Conservation and Parks, the General Manager, Public Works, be authorized and directed to proceed with the implementation of the preferred alternative documented within the Hamilton Transit Bus Maintenance and Storage Facility Environmental Project Report.

**4. To Recognize Distracted Driving by Handheld Device as a Violation of the *Criminal Code of Canada, 1985* (City Wide) (Item 11.1)**

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:

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*.

**5. Enforcement of One-Meter Law for Cyclist Safety (City Wide) (Item 11.2)**

That the Hamilton Police Services Board 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.

**6. Installation of Speed Cushions on Oakcrest Drive, Hamilton (Ward 6) (Item 11.3)**

WHEREAS, through public consultation, there is residential support for the installation of speed cushions on Oakcrest Drive, Hamilton; and,

WHEREAS, Transportation Operations and Maintenance staff attended a public site meeting to answer questions of residents and support the installation of speed cushions on Oakcrest Drive;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to install speed cushions (2 locations) on Oakcrest Drive, Hamilton, at a total cost not to exceed \$12,000, be funded from the Ward 6 Area Rating Capital Reserve Fund (108056); and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents to install speed cushions on (2 locations) Oakcrest Drive, Hamilton, with such terms and conditions in a form satisfactory to the City Solicitor.



**7. Installation of a Speed Cushion on Inchbury Street, Hamilton, between Tecumseth Street and York Boulevard (Ward 1) (Item 11.4)**

WHEREAS, Ward 1 residents along Inchbury Street, between Tecumseth Street and York Boulevard, submitted a petition for the installation of speed cushions and have identified safety concerns related to vehicle speeds and cut-through traffic; and,

WHEREAS, upcoming construction projects on York Boulevard may temporarily increase cut-through traffic on Inchbury Street;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to install a speed cushion on Inchbury Street, Hamilton, between Tecumseth Street and York Boulevard, at a cost not to exceed \$10,000, to be funded from the Ward 1 Area Rating Reserve Fund (108051); and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents to install a speed cushion on Inchbury Street, Hamilton, between Tecumseth Street and York Boulevard, with such terms and conditions in a form satisfactory to the City Solicitor.

**8. Installation of a Speed Cushion on Oxford Street, Hamilton, between Barton Street West and York Boulevard (Ward 1) (Item 11.5)**

WHEREAS, upcoming construction projects on York Boulevard may temporarily increase cut-through traffic on Oxford Street;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to install a speed cushion on Oxford Street, Hamilton, between Barton Street West and York Boulevard, at a cost not to exceed \$10,000, to be funded from the Ward 1 Area Rating Reserve Fund (108051); and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents to install a speed cushion on Oxford Street, Hamilton, between Barton Street West and York Boulevard, with such terms and conditions in a form satisfactory to the City Solicitor.

**9. Standardization of Enterprise Asset Management Systems - Phase 2 (CONFIDENTIAL PW19035(a)/FCS19040(a)) (City Wide) (Item 14.2)**

- (a) That the direction provided to staff in Closed Session, respecting Report PW19035(a)/FCS19040(a), be approved; and,
- (b) That the contents of Report PW19035(a)/FCS19040(a), respecting the Standardization of Enterprise Asset Management Systems, remain confidential.

**FOR INFORMATION:**

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

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

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

- 6.1 Rachel Braithwaite, Barton Village BIA, respecting Installation of Bike Lanes on Barton Street East (for a future meeting)

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

- 12.1 Central Park Remediation Project (Ward 2)

The agenda for the September 16, 2019 Public Works Committee meeting was approved, as amended.

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

There were no declarations of interest.

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

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

The Minutes of the September 6, 2019 meeting of the Public Works Committee were approved, as presented.

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

- (i) **Rachel Braithwaite, Barton Village BIA, respecting a Request to Add Barton Street East to the 10 Year Master Plan for Road Redevelopment (for a future meeting) (Added Item 6.1)**

The delegation request, submitted by Rachel Braithwaite, Barton Village BIA, respecting a Request to Add Barton Street East to the 10 Year Master Plan for Road Redevelopment, was approved for a future meeting.

**(e) CONSENT ITEMS (Item 7)**

- (i) **Hamilton Cycling Committee Minutes (Item 7.2)**

The following minutes from the Hamilton Cycling Committee, were received:

- (1) July 3, 2019 (Item 7.2(a))
- (2) August 7, 2019 (Item 7.2(b))

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

- (i) **Proposed Permanent Closure and Sale of a Portion of Fletcher Avenue, Hamilton (PW19075) (Ward 5) (Item 8.1)**

Councillor Ferguson advised that notice of the Proposed Permanent Closure and Sale of a Portion of Fletcher Avenue, Hamilton (PW19075) (Ward 5) 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.

**(g) MOTIONS (Item 11)**

- (i) **Integration of All Ages and Abilities Assessment into Existing and Future Cycling Infrastructure in Hamilton (City Wide) (Item 11.6)**

Staff were directed to review and report back to the Public Works Committee on the integration of an All Ages & Abilities (AAA) assessment into existing and future cycling infrastructure in the City of Hamilton.

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

**(i) Central Park Remediation Project (Ward 2) (Added Item 12.1)**

Councillor Farr introduced the following Notice of Motion:

WHEREAS, in 2014, the City of Hamilton's Waste Management Division retained SNC Lavalin Inc. (SNC) under a Roster Contract to undertake Central Park Phase I and Phase II Environmental Site Assessment (ESA) investigations. These reports were finalized in 2014 and 2018, respectively;

WHEREAS, in 2018, the Waterfront Development Office retained SNC, under the Procurement By-Law 17-064 Policy 11, to prepare the Central Park Remedial Action Plan (RAP), Risk Assessment (RA), Risk Management Measures (RMM), and Voluntary Abatement Program (VAP) necessary to start soil remediation of the park as part of the planned park redevelopment project in 2020; the total value of this assignment being \$249,000;

WHEREAS, SNC has completed their scope of work, they identified an opportunity to fine tune each RMM through additional design of underground infrastructure, testing, and implementation support that will reduce future risk, extraneous work and the overall cost of soil remediation;

WHEREAS, staff intends to undertake this additional work; however, staff's authority to assign any more of the work to SNC has reached the threshold set by the Procurement By-Law (Policy 11) of \$250,000;

WHEREAS, if SNC is retained for any additional work on this project, it must be through a RFP process or approved directly by Council as a single source; and,

WHEREAS, SNC is best suited to expedite this technical work in order that the City can maintain its 2020 construction schedule; at significant risk if undertaking a normal RFP process;

THEREFORE, BE IT RESOLVED:

- (a) That staff be authorized and directed to negotiate with SNC Lavalin Inc. a price (estimated at \$375,000) to carry-out supplemental site

assessments, detailed design of underground infrastructure, and additional implementation support for the Central Park Remediation Project; and,

- (b) That, should an acceptable Engineering Fee with SNC Lavalin Inc. be agreed upon for the Central Park Remediation Project, staff be authorized and directed to enter into and execute any required contract and any ancillary documents required to give effect thereto with SNC Lavalin Inc. in a form satisfactory to the City Solicitor, to be funded from the approved budget Project ID #5121692001 Central Park Remediation.

**(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) To Create a Hamilton General Hospital Safety Zone  
Item on OBL: U  
Current Due Date: September 16, 2019  
Proposed New Due Date: November 4, 2019
- (ii) Bollard Installation along Herkimer St. and Motor Vehicle Turning Restriction at the Intersection of Herkimer St. and Queen St. S. (Hamilton Cycling Committee - Citizen Committee Report)  
Item on OBL: AU  
Current Due Date: September 30, 2019  
Proposed New Due Date: December 2, 2019
- (iii) Making Upper James Street More Pedestrian Friendly  
Item on OBL: E  
Current Due Date: September 30, 2019  
Proposed New Due Date: February 21, 2020

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

Committee determined that discussion of Item 14.1 was not required in Closed Session, so the item was addressed in Open Session, as follows:

**(i) Closed Session Minutes - September 6, 2019 (Item 14.1)**

The Closed Session Minutes of the September 6, 2019 meeting of the Public Works Committee were approved, as presented, and shall remain confidential.

Committee moved into Closed Session for Item 14.2, 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.

**(ii) Standardization of Enterprise Asset Management Systems - Phase 2 (PW19035(a)/FCS19040(a)) (City Wide) (Item 14.2)**

Staff were provided with direction in Closed Session.

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

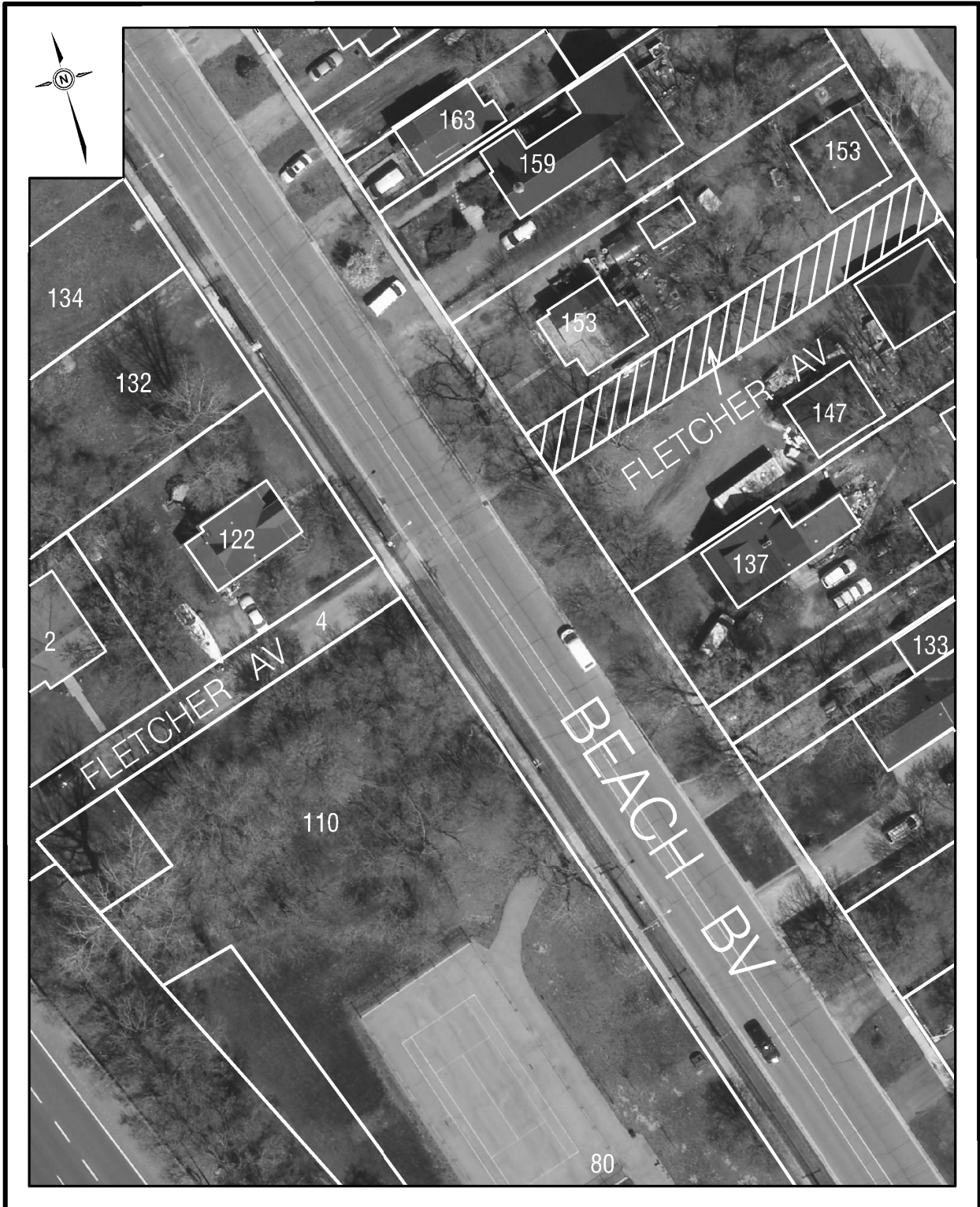
**(k) ADJOURNMENT (Item 15)**

That there being no further business, the Public Works Committee be adjourned at 10:45 a.m.

Respectfully submitted,

Councillor L. Ferguson  
Chair, Public Works Committee

Alicia Davenport  
Legislative Coordinator  
Office of the City Clerk



Hamilton

### PROPOSED CLOSURE OF PORTION OF FLETCHER AVENUE

Geomatics & Corridor Management Section  
Public Works Department

#### LEGEND



Lands to be Closed

NTS | 19/12/2018 | Sketch by: SS



**BOARD OF HEALTH  
CLERK'S REPORT 19-009**

**1:30 p.m.**

**Monday, September 16, 2019**

**Council Chambers**

**Hamilton City Hall**

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Pursuant to Section 5.4(4) of the City of Hamilton's Procedural By-law 18-270 at 2:01 p.m. the Chair advised those in attendance that quorum had not been achieved within 30 minutes after the time set for the Board of Health, therefore, the Clerk noted the names of those in attendance and the meeting stood adjourned.

Present:

Councillor M. Wilson (Vice-Chair)

Councillor J. Farr

Councillor C. Collins

Councillor T. Jackson

Councillor J.P. Danko

Councillor B. Clark

Councillor B. Johnson

Councillor A. VanderBeek

Respectfully submitted,

Loren Kolar

Legislative Coordinator

Office of the City Clerk





## **PLANNING COMMITTEE REPORT 19-014**

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

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

**Also Present:** Councillors A. VanderBeek, E. Pauls

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### **THE PLANNING COMMITTEE PRESENTS REPORT 19-014 AND RESPECTFULLY RECOMMENDS:**

**1. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED19165) (City Wide) (Item 7.1)**

That Report PED19165, respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

**2. Greensville Area Special Event Parking Pilot Program (PED19189) (Ward 13) (Item 7.2) (REVISED)**

(a) That the following Special Event Parking Plan be adopted for local residential streets on Saturdays, Sundays and Statutory Holidays from March 15 to November 15 (Waterfalls tourism season), on an as needed basis, in the area of the Special Fine Zone as noted in Schedule 23 of Parking By-law No. 01-218 as an 18-month pilot project;

- (i) That the boundaries for the Special Event Parking Plan be defined per Schedule 23 of Parking By-law 01-218 as shown on the map attached as Appendix "A" to Report PED19189;
- (ii) That residential streets currently identified to take part in the pilot project involving parking permits be defined as shown on the map attached as Appendix "B" to Report PED19189;

- (iii) That permit parking restrictions be in effect where signed on local residential streets within the defined boundaries during the Waterfall tourism season in Greensville;
- (iv) That Staff be authorized to implement the Special Event Parking Plan during the Waterfall tourism season in Greensville as deemed necessary in consultation with the Ward Councillor;
- (v) That special event parking permits be issued at no charge to area residents and their guests in accordance with the following criteria;
  - (1) Special event parking permits will be issued to residents in one, two or three family dwellings within the defined special event parking area. These permits can be obtained at the Dundas Municipal Service Centre, 60 Main Street West in Dundas, or will be mailed out to the requesting address;
  - (2) Special event parking permits will not be issued to businesses and/or their employees;
  - (3) Commercial or heavy vehicles will not be eligible for permits as parking is prohibited for these classes of vehicles on local residential streets under the general provisions of Parking By-law 01-218;
- (vi) The manufacturing and installation of special event signage will be paid for by the City;
- (vii) Parking Control Officers will be assigned to patrol the area during the Waterfall tourism season in Greensville in order to provide enforcement and public relations to motorists as required;
- (viii) Staff, in consultation with the Ward Councillor and neighbouring residents, will evaluate the program after the pilot project period with recommendations for the fine tuning of the Special Event Parking Plan for future years;
- (b) That “Special Event Parking Permits” be issued to area residents in accordance with the guidelines outlined attached as Appendix “C” to Report PED19189;
- (c) That the amendment to the Parking By-law 01-218 attached as Appendix “D” to Report PED19189 which has been prepared in a form satisfactory to the City Solicitor, be approved;

- (d) That the Special Event Parking Program be implemented as a pilot project for an 18-month period to enable staff to evaluate the program.

**3. Hamilton Municipal Heritage Committee Report 19-006 (Item 7.3)**

**(a) Recommendation to Designate 231 Ferguson Avenue South, Hamilton (Ferguson Avenue Pumping Station) under Part IV of the *Ontario Heritage Act* (PED19164) (Ward 2) (Item 9.1)**

- (i) That the designation of 231 Ferguson Avenue South, Hamilton (Ferguson Avenue Pumping Station), shown in Appendix “A” to Report PED19164, as a property of cultural heritage value pursuant to the provisions of Part IV of the *Ontario Heritage Act*, be approved;
- (ii) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report PED19164, be approved;
- (iii) That the City Clerk be directed to take appropriate action to designate 231 Ferguson Avenue South, Hamilton (Ferguson Avenue Pumping Station) under Part IV of the *Ontario Heritage Act*, in accordance with the Notice of Intention to Designate, attached as Appendix “C” to Report PED19164; and,
- (iv) That Report PED19164 be forwarded to the Director of the Water and Wastewater Division of the Public Works Department for information.

**(b) Correspondence from the Waterdown-East Flamborough Heritage Society respecting its Annual Fall Book Fair on October 19, 2019 (Added Item 5.1)**

That the recommendation respecting Correspondence from the Waterdown-East Flamborough Heritage Society respecting its Annual Fall Book Fair on October 19, 2019, be amended to include the following:

That the Correspondence from the Waterdown-East Flamborough Heritage Society respecting its Annual Fall Book Fair on October 19, 2019, be received, and that an exhibitor table be reserved for a cost of \$25.00, to allow for the Committee to participate in the event.

**4. Support the “C” Gaming Model – Princess Bingo (Item 8.1)**

WHEREAS, Princess Bingo Hall has been licensed and operating in the City of Hamilton since 1999, and supports over 50 local charities;

WHEREAS, Princess Bingo Hall must adapt with new available technology, to allow the business to compete with changing technology and gaming, allowing them to continue to support local municipal charities;

WHEREAS, *Ontario Lottery and Gaming Corporation Act* (OLG), 1999, Ontario Regulation 81/12, Section 2.(3)(ii) states that “the municipal council, as the case may be, may pass a resolution supporting the establishment of the gaming site in the Municipality”; and,

WHEREAS, the City of Hamilton will enter into a “Charitable Gaming Centre Municipality Agreement” which defines the roles and responsibilities of both the City of Hamilton, and the Ontario Lottery and Gaming Corporation, in regards to the administration of “C” gaming;

THEREFORE BE IT RESOLVED:

- (a) That the City of Hamilton Council agrees to support the participation of Princess Bingo Hall in the “C” Gaming Model;
- (b) That the City of Hamilton agree to enter into a Municipal Agreement with the Ontario Lottery and Gaming Corporation in support of Princess Bingo; and,
- (c) In the event that Princess Bingo is successful obtaining a “C” Gaming Model approval, that staff be directed to report back to the Planning Committee regarding any issues that may or may not arise as a result of the approvals.

**5. Application for Zoning By-law Amendment for Lands Located at 455 Springbrook Avenue, 253 Fair Street and Block 14, Plan 62M-1161 (Ancaster) (PED19169) (Ward 12) (Item 8.2)**

- (a) That Zoning By-law Amendment Application ZAC-19-032, by GSP Group on behalf of Rotuka Development Inc., for a change in zoning from the Agricultural “A” Zone and Residential “R4-563” Zone, Modified to Residential “R4-705” Zone, Modified and Residential “R4-706” Zone, Modified to permit the development of four single detached dwellings on lands located at 455 Springbrook Avenue, 253 Fair Street and Block 14, Plan 62M-1161 (Ancaster), as shown on Appendix “A” to Report PED19169, be APPROVED on the following basis:
  - (i) That the draft By-law, attached as Appendix “B” to Report PED19169, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to A Place to Grow (2019), and complies with the Urban Hamilton Official Plan.

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

**6. Application for a Zoning By-law Amendment for Lands Located at 1351, 1355, 1359 and 1375 Upper James Street and 16, 24, 34, 40 and 48 Stone Church Road East, Hamilton (PED19059) (Ward 8) (Item 8.3)**

- (a) That Amended Zoning By-law Amendment Application ZAC-11-070 by A.R. Riccio Developments, Owner, for a change in zoning from the Mixed Use Medium Density (C5, 318) Zone, “C” (Urban Protected Residential, etc.) District and “AA” (Agricultural) District to the Mixed Use Medium Density (C5, 724) Zone for lands located at 1351, 1355, 1359, 1375 Upper James Street and 16, 24, 34, 40 and 48 Stone Church Road East, Hamilton, as shown on Appendix “A” to Report PED19059, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “B” to Report PED19059, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law, attached as Appendix “B” to Report PED19059, be added to Schedule 1343 of Zoning By-law No. 05-200;
- (iii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2014), conform to A Place to Grow (2019) and comply with the Urban Hamilton Official Plan.
- (b) That upon finalization of the amending By-law, the subject lands be re-designated from “Commercial”, “Attached Housing” and “Commercial and Retail Warehouse” (1375 Upper James Street) to “Mixed Commercial / Residential” and “Medium Density Apartments” in the Ryckmans Neighbourhood Plan; and,
- (c) That the public submissions received did not affect the decision on this matter.

**7. Properties of Potential Cultural Heritage Interest in Waterdown (Item 11.1) (Revised)**

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);
- 265 Mill Street South, Waterdown (Cummer/Fraleigh House);
- 298 Dundas Street East, Waterdown (Maycock House);
- 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;

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-19<sup>th</sup> century to the early-20<sup>th</sup> 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);
  - 265 Mill Street South, Waterdown (Cummer/Fraleigh House);
  - 298 Dundas Street East, Waterdown (Maycock House);
  - 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);
- (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.

**8. Upper Mount Albion Road Completion (Item 12.2)**

WHEREAS, the reconstruction of Upper Mount Albion Road has stopped due to a dispute between the developer and the City;

WHEREAS, the driveway entrances have not been restored to original conditions and many have uneven grades to the roads;

WHEREAS, the grades of the entrances to driveways needed to be changed to facilitate easy egress with the road; and,

WHEREAS, resident properties adjacent to the new sidewalks have not been restored to their original condition;

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to take whatever corrective measures that are necessary to complete the reconstruction of Upper Mount Albion Road:
- (i) to restore the driveways to original conditions with retaining walls as required,
  - (ii) to ensure reasonable grading between road and driveways for easy egress,
  - (iii) to restore resident properties adjacent to the new sidewalks to original conditions; and,

(iv) to ensure that all road work on Upper Mount Albion is completed before November 1, 2019.

9. **Appeal to the Local Planning Appeal Tribunal on the City of Hamilton's Approval of Official Plan Amendment (OPA 102) and Zoning By-law Amendment (By-law 18-114) for the Lands Located at 44 Hughson Street South, 75 James Street South and 9 Jackson Street East by Fengate Hamilton Lands GP Inc. and LPF Hamilton Lands LP (LS19037/PED19198) (Wards 1 and 2) (Item 14.1)**
- (a) That the confidential direction provided to staff, as outlined in Report LS19037/PED19198 be approved; and,
- (b) That Report LS19037/PED19198, 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 Hilary Pyper respecting 29 Berry Hill Avenue, Waterdown (Item 11.1)

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

6.2 Tom Ker respecting Changes in By-laws regarding Lot Sizes on the Mountain (For the October 1, 2019 meeting)

6.3 Julie Cooper respecting Payday Loan Permit for Speedy Money (For the October 15, 2019 meeting)

6.4 Sergio Manchia, UrbanSolutions Planning and Land Development Consultants Inc. respecting the Appeal to LPAT for Lands Located at 44 Hughson Street South, 75 James Street South and 9 Jackson Street East (Item 14.1) (For today's meeting) – WITHDRAWN

**3. CONSENT ITEMS (Item 7)**

7.2 Greensville Area Special Event Parking Pilot Program (PED19189) (Ward 13) – Revised Report was distributed



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

- 8.1 John VanDuzer, Princess Bingo Sponsors Association, respecting Princess Bingo and cGaming – To be heard after Item 5.1
  
- 8.3 Applications for Zoning By-law Amendment for Lands Located at 1351, 1355, 1359 and 1375 Upper James Street and 16, 24, 34, 40 and 48 Stone Church Road East (PED19059)
  - (b) Agent's Presentation
  - (c) Written Submissions:
    - (i) Robert Dickson (second submission)

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

- 10.1 Accessory Dwelling Units (Pilot Project) – Temporary Use By-law for City of Hamilton Zoning By-law No. 6593 (PED19176) – being moved to Public Hearings as Item 8.4
  - (a) Added Written Submissions:
    - (i) Hamilton and District Apartment Association
    - (ii) Merosia Butschynski
    - (iii) Realtor's Association of Hamilton-Burlington

**6. MOTIONS (Item 11)**

- 11.1 Properties of Potential Cultural Heritage Interest in Waterdown – REVISED Motion has been distributed

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

- 12.1 Electric Vehicle Charging Stations in New Developments
- 12.2 Upper Mount Albion Road Completion

**8. GENERAL INFORMATION/OTHER BUSINESS (Item 13)**

- 13.1 Outstanding Business List – Items Requiring New Due Dates
  - 12A - Regulation of Rental Housing
  - Current Due Date: September 17, 2019
  - Proposed New Due Date: November 5, 2019

19K - Effect of Heritage Designations on Property Values in Hamilton  
Current Due Date: TBD  
Proposed New Due Date: December 3, 2019

19M - Amendment to Nuisance By-law No. 09-110 respecting Cannabis Growing Operations  
Current Due Date: September 3, 2019  
Proposed New Due Date: October 15, 2019

19N - Development of a Rural Fill By-law  
Current Due Date: TBD  
Proposed New Due Date: October 15, 2019

The agenda for the September 17, 2019 meeting was approved, as amended.

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

Councillor Wilson declared a conflict with respect to Item 14.1 due to her spouse's potential involvement, directly or through firms with which he is associated, in negotiations that might arise as a result of the Report's implementation.

Councillor Clark declared a conflict with respect to Items 10.1 and 8.4 for a non-pecuniary indirect apparent conflict as he has a previous relationship with the Hamilton District Apartment Association as a former client, as he wrote "Promoting Code Compliant, Affordable, Safe, Clean and Healthy Rental Housing".

Councillor Pearson declared a conflict with respect to Items 10.1 and 8.4 as she is a landlord and owns rental properties.

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

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

The Minutes of the September 3, 2019 meeting were approved, as presented.

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

**(i) Hilary Pyper respecting 29 Berry Hill Avenue, Waterdown (Item 11.1) (Item 5.1)**

The correspondence from Hilary Pyper respecting 29 Berry Hill Avenue, Waterdown, was received.

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

- (i) John VanDuzer, Princess Bingo Sponsors Association, respecting Princess Bingo and cGaming (Approved at the September 3<sup>rd</sup> meeting) (Item 8.1)**

John VanDuzer, Princess Bingo Sponsors Association, addressed the Committee regarding Princess Bingo and cGaming.

The Delegation from John VanDuzer, Princess Bingo Sponsors Association, regarding Princess Bingo and cGaming, was received.

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

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

- (i) Michael Hawkrigg, respecting Properties of Potential Cultural Heritage Interest in Waterdown (Item 11.1) (For today's meeting) (Item 6.1)**

The Delegation Request from Michael Hawkrigg, respecting Properties of Potential Cultural Heritage Interest in Waterdown, was approved for today's meeting, and was heard before Item 8.2

- (ii) Tom Ker respecting Changes in By-laws regarding Lot Sizes on the Mountain (For the October 1, 2019 meeting) (Item 6.2)**

The Delegation Request from Tom Ker respecting Changes in By-laws regarding Lot Sizes on the Mountain, was approved for the October 1, 2019 meeting.

- (iii) Julie Cooper respecting Payday Loan Permit for Speedy Money (For the October 15<sup>th</sup> meeting) (Item 6.3)**

The Delegation Request from Julie Cooper respecting Payday Loan Permit for Speedy Money, was approved for the October 1, 2019 meeting.

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

- (i) Michael Hawkrigg, respecting Properties of Potential Cultural Heritage Interest in Waterdown (Item 11.1) (For today's meeting) (Item 6.1)**

Michael Hawkrigg addressed the Committee respecting Properties of Potential Cultural Heritage Interest in Waterdown.

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

For disposition of this matter, refer to Item 7.

**(ii) Application for Zoning By-law Amendment for Lands Located at 455 Sprinbrook Avenue, 253 Fair Street and Block 14, Plan 62M-1161 (Ancaster) (PED19169) (Ward 12) (Item 8.2)**

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

Nancy Frieday, GSP Group Inc., was in attendance and indicated support for the staff report.

The comments from Nancy Frieday, GSP Group Inc., were received.

The recommendations in Report PED19169 were 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 5.

**(iii) Application for a Zoning By-law Amendment for Lands Located at 1351, 1355, 1359 and 1375 Upper James Street and 16, 24, 34, 40 and 48 Stone Church Road East, Hamilton (PED19059) (Ward 8) (Item 8.3)**

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

and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The public meeting was closed.

George Zajac, Senior Project Manager, 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](http://www.hamilton.ca).

The staff presentation was received.

Jennifer Ormiston and Joseph Plutino, Mainline Planning Services Inc., were in attendance and indicated support for the staff report.

The presentation from Jennifer Ormiston and Joseph Plutino, Mainline Planning Services Inc., was received.

**Written Submissions:**

1. Robert C. Dickson (September 4, 2019)
2. Robert C. Dickson (September 13, 2019)

The written submissions were received.

The recommendations in Report PED19059 were amended by adding the following sub-section (c):

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

For disposition of this matter, refer to Item 6.

**(iv) Accessory Dwelling Units (Pilot Project) – Temporary Use By-law for City of Hamilton Zoning By-law No. 6593 (PED19176) (Wards 1 and 8) (Item 8.4)**

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

The public meeting be closed.

The following motion was DEFEATED:

That the Committee hear the staff presentation on Report PED19176.

**Written Submissions:**

1. Hamilton and District Apartment Association
2. Merosia Butschynski
3. Realtor's Association of Hamilton-Burlington

(a) The written submissions were received and referred to staff for consideration and inclusion in a supplemental report; and

(b) The amending by-law is to be presented at a future Planning Committee meeting.

Report PED19176 respecting Accessory Dwelling Units (Pilot Project) – Temporary Use By-law for City of Hamilton Zoning By-law No. 6593, was deferred to the October 1, 2019 Planning Committee meeting.

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

**(i) Electric Vehicle Charging Stations in New Developments (Item 12.1)**

Councillor Danko introduced the following Notice of Motion respecting Electric Vehicle Charging Stations in New Developments:

WHEREAS, the City of Hamilton has declared a Climate Emergency and is moving towards a zero-carbon economy;

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to investigate options available through the planning approvals process to require an appropriate number of Electric Vehicle Charging Stations to be included as part of the parking requirement for new development, and report back to the Planning Committee; and,
- (b) That staff be directed to review the City's by-laws, including the Municipal and Private Property By-law and On-Street Parking By-law, and report back with recommendations for ensuring that the City has appropriate tools and mechanisms in place to prohibit and enforce the parking of non-electric vehicles at Electric Vehicle

Charging Stations in municipal parking lots and on-street parking spaces.

**(ii) Upper Mount Albion Road Completion (Item 12.2)**

Councillor Danko introduced a Notice of Motion respecting Upper Mount Albion Road Completion.

The Rules of Order were waived to allow for the introduction of a Motion respecting Upper Mount Albion Road Completion.

For disposition of this matter, refer to Item 8.

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

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

The following changes to the Planning Committee Outstanding Business List, were approved:

Items Requiring New Due Dates:

12A - Regulation of Rental Housing  
Current Due Date: September 17, 2019  
Proposed New Due Date: November 5, 2019

19K - Effect of Heritage Designations on Property Values in Hamilton  
Current Due Date: TBD  
Proposed New Due Date: December 3, 2019

19M - Amendment to Nuisance By-law No. 09-110 respecting Cannabis Growing Operations  
Current Due Date: September 3, 2019  
Proposed New Due Date: October 15, 2019

19N - Development of a Rural Fill By-law  
Current Due Date: TBD  
Proposed New Due Date: October 15, 2019

**(ii) General Manager's Update (Added Item 13.2)**

Jason Thorne, General Manager of Planning and Economic Development, addressed the Committee regarding the upcoming Provincial Policy Statement staff report and requested Committee's permission to release the report in advance of the publication of the October 1, 2019 Planning Committee agenda.

The General Manager of Planning and Economic Development's request to release the Provincial Policy Statement staff report in advance of the publication of the October 1, 2019 Planning Committee agenda, was approved.

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

The Committee moved into Closed Session, respecting Item 14.1, 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.

**(i) Appeal to the Local Planning Appeal Tribunal on the City of Hamilton's Approval of Official Plan Amendment (OPA 102) and Zoning By-law Amendment (By-law 18-114) for the Lands Located at 44 Hughson Street South, 75 James Street South and 9 Jackson Street East by Fengate Hamilton Lands GP Inc. and LPF Hamilton Lands LP (LS19037/PED19198) (Wards 1 and 2) (Item 14.1)**

Staff were provided with direction in Closed Session.

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

**(k) ADJOURNMENT (Item 15)**

There being no further business, the Planning Committee adjourned at 12:33 p.m.

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Councillor Maria Pearson  
Chair, Planning Committee

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Lisa Chamberlain  
Legislative Coordinator  
Office of the City Clerk





## **GENERAL ISSUES COMMITTEE REPORT 19-017**

9:30 a.m.

Wednesday, September 18, 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, M. Pearson, L. Ferguson,  
A. VanderBeek, J. Partridge

**Absent:** Councillors B. Johnson – Other City Business  
Councillor B. Clark – Personal

### **THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 19-017 AND RESPECTFULLY RECOMMENDS:**

**1. Proposal for the Adaptive Re-Use of Balfour House/Chedoke Estate (PED19168) (Ward 14) (Item 10.1)**

WHEREAS, the Ontario Heritage Trust (OHT) owns the Balfour House/Chedoke Estate (Balfour/Chedoke) at 1 Scenic Drive in Hamilton;

WHEREAS, the City of Hamilton assumed stewardship responsibility and all capital and maintenance costs under a 1979 Agreement between the City and the OHT;

WHEREAS, under the terms of the Agreement, the City of Hamilton is responsible for all operating and capital costs associated with the property;

WHEREAS, under the terms of the Agreement, the OHT reserves responsibility to approve all changes to the property (including restoration, occupancy and use), based on detailed designs and proposals;

WHEREAS, the Agreement between the City and the OHT expires in 2039;

WHEREAS, in 2015, the City developed Balfour/Chedoke as a limited tenancy/film location in partnership with the OHT and the Willowbank School of Restoration Arts (Willowbank);

WHEREAS, the City receives revenue for the use of this location from commercial filming, research and small-scale restoration projects from Willowbank;

WHEREAS, no major capital restoration or expanded adaptive re-use projects are included in the Tourism and Culture 10-year Capital Project Plan, and staff have advised that there have been no capital costs associated with the Balfour/Chedoke Estate since 2015;

WHEREAS, staff has advised of an annualized operating cost of \$20,000 for the Balfour/Chedoke Estate; however, with revenue from commercial filming, the average annual impact on the municipal levy has been \$8,000 since 2015;

WHEREAS, the Cardus Institute (Cardus) has presented an unsolicited proposal to undertake an adaptive-reuse project for Balfour/Chedoke Estate as a retreat facility incorporating offices, small meeting spaces and short-term accommodations for visiting scholars; and,

WHEREAS Cardus has committed to assuming all capital restoration costs and subsequent operating costs for the adaptive re-use;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to request, from the Cardus Institute, a detailed proposal to be submitted to the General Manager of the Planning & Economic Development Department within a two-month period, for the adaptive re-use and lease of the Balfour/Chedoke Estate, located at 1 Scenic Drive, Hamilton, with that submission to include the following, and report back to the General Issues Committee:
  - (i) A functional plan including, but not limited to, the types of uses that would be provided on the site, the nature of any physical changes to the site (buildings and land) that would be required to accommodate those uses, and anticipated use capacity and related requirements;
  - (ii) The opportunities for public access to the site; and,
  - (iii) Demonstration of the viability and sustainability of their business model, and their financial capacity to undertake all necessary

improvements to the site, with no financial contribution from the City;

- (b) That staff be directed to include in their forthcoming report, respecting the proposal from the Cardus Institute regarding the adaptive re-use and lease of the Balfour/Chedoke Estate, located at 1 Scenic Drive, Hamilton, any proposed uses that would require changes to the in-force-and-effect zoning or Official Plan policies on the site; and,
- (c) That staff be directed to seek a preliminary opinion from the Ontario Heritage Trust (OHT) on the proposal received for the Adaptive Re-Use and Lease of the Balfour House/Chedoke Estate, located at 1 Scenic Drive, Hamilton in order to identify any preliminary or potential concerns the OHT may have with the proposed use(s), and include this preliminary opinion in the staff report for Committee's information.

**2. Equity, Diversity and Inclusion Framework (HUR19019) (City Wide) (Item 10.2)**

- (a) That the City Manager to be identified as the Equity, Diversity and Inclusion Champion for the City of Hamilton;
- (b) That Human Resources staff be directed to develop and implement an Equity, Diversity and Inclusion Steering Committee comprised of representatives from all departments and across all levels of the organization, who will be responsible to:
  - (i) Confirm appropriate definitions to guide Equity, Diversity and Inclusion (EDI) work;
  - (ii) Identify appropriate framework for EDI lens for the City of Hamilton;
  - (iii) Establish Standards of Practice;
  - (iv) Review and revise the draft Equity, Diversity, and Inclusion Handbook to be consistent and in alignment with the framework;
  - (v) Complete an updated internal environmental scan on annual basis;
  - (vi) Identify key initiatives and project priorities and develop appropriate workplans and milestones for such; and,

- (vii) Engage in appropriate internal and external consultations on above;
  
  - (c) That Human Resources staff be directed to source, through a competitive procurement process, suitable training from an external provider of Equity, Diversity and Inclusion training, relating to such elements including, but not limited, to anti-racism, anti-oppression, unconscious bias, and inclusionary best practices;
  
  - (d) That Human Resources staff be directed to establish a schedule for the above mandatory training to be delivered to Council members, the Senior Leadership Team, all Supervisor and above employees, and Union Executive Leadership in 2020;
  
  - (e) That Human Resources staff be directed to source options for systems/process enhancements to support Equity, Diversity and Inclusion metric dashboard requirements;
  
  - (f) That an amount not to exceed \$100,000, to be funded from Tax Stabilization Reserve Account #110046, to facilitate the Equity, Diversity and Inclusion 2020 training and community engagement components, be approved;
  
  - (g) That staff be directed to report back to the General Issues Committee by June 17, 2020 with a status update respecting the implementation of the Equity, Diversity and Inclusion process;
  
  - (h) That the matter respecting the Equity, Diversity and Inclusion Framework be considered complete and removed from the General Issues Committee's outstanding business list; and,
  
  - (i) That an Equity, Diversity and Inclusion Sub-committee, comprised of members of Council, to work in collaboration with the Equity, Diversity and Inclusion Steering (EDI) Committee and staff be established to develop the EDI framework.
- 3. Barton Kenilworth Tax Increment Grant Program - 286 Sanford Avenue North, Hamilton (PED19184) (Ward 3) (Item 10.3)**
- (a) That a Barton Kenilworth Tax Increment Grant Program application submitted by 2580922 Ontario Inc. (Sheldon Meir Dick), for the property at 286 Sanford Avenue North, Hamilton, estimated at \$934,444.07 over a maximum of a nine-year period, and based upon the incremental tax

increase attributable to the renovations of 286 Sanford Avenue North, Hamilton, be authorized and approved in accordance with the terms and conditions of the Barton Kenilworth Tax Increment Grant Program;

- (b) That the Mayor and City Clerk be authorized and directed to execute a Grant Agreement, together with any ancillary documentation required, to give effect to the Barton Kenilworth Tax Increment Grant for 2580922 Ontario Inc. (Sheldon Meir Dick), for the property at 286 Sanford Avenue North, Hamilton, in a form satisfactory to the City Solicitor;
- (c) That the Mayor and City Clerk be authorized and directed to execute such assigning agreement, as required, to give effect to the Barton Kenilworth Tax Increment Grant for 2580922 Ontario Inc. (Sheldon Meir Dick), for the property at 286 Sanford Avenue North, Hamilton, in a form satisfactory to the City Solicitor; and,
- (d) That the General Manager of the Planning and Economic Development Department be authorized and directed to approve and execute any Grant Amending Agreements, together with any ancillary amending documentation, if required, to give effect to the Barton Kenilworth Tax Increment Grant for 2580922 Ontario Inc. (Sheldon Meir Dick), for the property at 286 Sanford Avenue North, Hamilton, provided that the terms and conditions of the Hamilton Tax Increment Grant Program, as approved by City Council, are maintained.

**4. Hamilton Tax Increment Grant Program - 244 Dundas Street East, Waterdown (PED19185) (Ward 15) (Item 10.4)**

- (a) That a Hamilton Tax Increment Grant Program application submitted by Burnside Insurance and Financial Services Ltd. (Andy Burnside), for the property at 244 Dundas Street East, Waterdown, estimated at \$4,853.37 over a maximum of a five-year period, and based upon the incremental tax increase attributable to the renovations of 244 Dundas Street East, Waterdown, be authorized and approved in accordance with the terms and conditions of the Hamilton Tax Increment Grant Program;
- (b) That the Mayor and City Clerk be authorized and directed to execute a Grant Agreement together with any ancillary documentation required, to give effect to the Hamilton Tax Increment Grant for Burnside Insurance and Financial Services Ltd. (Andy Burnside), for the property at 244 Dundas Street East, Waterdown, in a form satisfactory to the City Solicitor;
- (c) That the Mayor and City Clerk be authorized and directed to execute such assigning agreement, as required, to give effect to the Hamilton Tax

Increment grant for Burnside Insurance and Financial Services Ltd. (Andy Burnside), for the property at 244 Dundas Street East, Waterdown, in a form satisfactory to the City Solicitor;

- (d) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any Grant Amending Agreements, together with any ancillary amending documentation, if required, to give effect to the Hamilton Tax Increment Grant for Burnside Insurance and Financial Services Ltd. (Andy Burnside), for the property at 244 Dundas Street East, Waterdown, provided that the terms and conditions of the Hamilton Tax Increment Grant Program, as approved by City Council, are maintained.

**5. Update on Surplus and Sale of a Downtown City-owned Surface Parking Lot (PED16205(a)) (Ward 2) (Item 10.5)**

That Report PED16205(a), respecting an Update on Surplus and Sale of a Downtown City-owned Surface Parking Lot, be received.

**6. First Ontario Place Operations Contingency Plan (PW18091(a)) (Ward 2) (Item 10.6)**

That Report PW18091(a), respecting the First Ontario Place Operations Contingency Plan, be received.

**7. Advisory Committee for Persons with Disabilities Report 19-007, August 13, 2019 (Item 10.7)**

**(a) City of Hamilton's Housing and Homelessness Action Plan (Item 7.2)**

That the Director of Housing Services, or their designate, be invited to attend a future meeting of the Advisory Committee for Persons with Disabilities to discuss the City of Hamilton's Housing and Homelessness Action Plan.

**(b) Advisory Committee for Persons with Disabilities' Representative on the Housing and Homelessness Advisory Committee (Item 7.2)**

WHEREAS, it would be beneficial for the Housing Issues Working Group of the Advisory Committee for Persons with Disabilities to work more closely with the Housing and Homelessness Advisory Committee; and,

WHEREAS, Lance Dingman is a member of both the Advisory Committee for Persons with Disabilities and the Housing and Homelessness Advisory Committee;

THEREFORE, BE IT RESOLVED:

That Lance Dingman be approved to represent the Advisory Committee for Persons with Disabilities at the Housing and Homelessness Advisory Committee on matters of mutual interest.

**(c) City of Hamilton's Emergency Plan (Item 7.6)**

That Emergency Management Staff be invited to attend a future meeting of the Advisory Committee for Persons with Disabilities to present on the City of Hamilton's Emergency Plan.

**(d) Appointment to the Greater Toronto and Hamilton Area Accessibility Advisory Committee (GTHA AAC) Representative (Item 10.2)**

That Shahan Aaron, Jayne Cardno, and Mark McNeil be appointed as representatives to the Greater Toronto and Hamilton Area Accessibility Advisory Committee (GTHA AAC) for the 2018-2022 Term of Council, or until such time as a successor has been appointed.

**(e) Accessible Pedestrian Signals Video (Item 10.4)**

(i) That the following feedback from the Advisory Committee for Persons with Disabilities, respecting the Accessible Pedestrian Signals Video, be forwarded to Transportation Operations & Maintenance staff for consideration:

- (1) Reduction of background traffic noise and music throughout the video to enhance the audibility of the speaker's voice;
- (2) Utilization of a professional voice over recording for narration, as opposed to having the speaker narrate directly in front of the camera;
- (3) Addition of closed captions to the video; and,
- (4) Addition of overlay text throughout the video to highlight important information.

- (ii) That Transportation Operations & Maintenance staff be directed to work with the Built Environment Working Group to review the location, height, placement, and activation requirements (i.e. strength, reach, dexterity) of accessible pedestrian signal push-buttons throughout the City of Hamilton.

**(f) Membership Appointments to Working Groups of the Advisory Committee for Persons with Disabilities (Item 11.1)**

WHEREAS, Item 2 of the Advisory Committee for Persons with Disabilities Report 19-006 established a Built Environment Working Group, a Housing Issues Working Group, an Outreach Working Group, a Transportation Working Group, a Wheelchair and Scooter Safety Working Group, a Disability Justice and Climate Crisis Working Group, and a Community Safety Working Group on a pilot basis for 2019;

THEREFORE, BE IT RESOLVED:

- (i) That the following Members of the Advisory Committee for Persons with Disabilities be appointed to the Built Environment Working Group:
  - (1) Anthony Frisina
  - (2) Sophie Geffros
  - (3) John Hawker
  - (4) Jayne Cardno
  
- (ii) That the following Members of the Advisory Committee for Persons with Disabilities be appointed to the Housing Issues Working Group:
  - (1) Lance Dingman
  - (2) Sophie Geffros
  - (3) John Hawker
  
- (iii) That the following Members of the Advisory Committee for Persons with Disabilities be appointed to the Outreach Working Group:
  - (1) Anthony Frisina
  - (2) Corbin McBride



- (iv) That the following Members of the Advisory Committee for Persons with Disabilities be appointed to the Transportation Working Group:
  - (1) Shahan Aaron
  - (2) Anthony Frisina
  - (3) Mark McNeil
  - (4) Tim Murphy
  - (5) Kim Nolan
  - (6) Tim Nolan
  - (7) Aznive Mallett
  
- (v) That the following Members of the Advisory Committee for Persons with Disabilities be appointed to the Wheelchair and Scooter Safety Working Group:
  - (1) To be determined
  - (2) To be determined
  
- (vi) That the following Members of the Advisory Committee for Persons with Disabilities be appointed to the Disability Justice and Climate Crisis Working Group:
  - (1) Anthony Frisina
  - (2) Sophie Geffros
  - (3) Corbin McBride
  - (4) Alex Wilson
  
- (vii) That the following Members of the Advisory Committee for Persons with Disabilities be appointed to the Community Safety Working Group:
  - (1) Shahan Aaron
  - (2) Sophie Geffros
  - (3) Corbin McBride
  - (4) Alex Wilson

**(g) Increase in Citizen Membership of the Advisory Committee for Persons with Disabilities (Added Item 11.2)**

WHEREAS, the Advisory Committee for Persons with Disabilities is composed of a group of extremely passionate and active persons with disabilities;

WHEREAS, the Advisory Committee for Persons with Disabilities formed seven Working Groups on a pilot basis for 2019; and,

WHEREAS, the Advisory Committee for Persons with Disabilities anticipates the need for a larger membership to accommodate the increased workload from a more fulsome project plan;

THEREFORE, BE IT RESOLVED:

- (a) That the Terms of Reference for the Advisory Committee for Persons with Disabilities be amended to note their membership as 18 citizen members; and,
- (b) That the Selection Committee be reconvened to recommend the appointment of five additional citizen members to the Advisory Committee for Persons with Disabilities.

**8. Bulldogs/Cadillac Fairview Proposal (Item 11.1)**

That Michael Andlauer be requested to provide full details, regarding the public funding portion of the Bulldogs/Cadillac Fairview Proposal, during his presentation to the General Issues Committee on October 2, 2019.

**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 Michael Andlauer, respecting the Invitation to present the Bulldog/Cadillac Fairview Proposal to Committee

Recommendation: Be received and referred to the consideration of Item 10.8.

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

- 6.1 Nicole Smith, Kumon Hamilton West End, respecting the Saturday Rallies and Standing for Love and Inclusion (For the October 2, 2019 (GIC)
- 6.2 Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 10.2, Report HUR19019 – Equity, Diversity and Inclusion Framework (For the September 18, 2019 GIC)
- 6.3 Chris Labenski, respecting the Arena Issue (For the September 18, 2019 GIC)

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

- 8.1 Michael Van Pelt, President and CEO of the Cardus Institute, respecting Item 10.1 - Proposal for the Adaptive Re-Use of Balfour House/Chedoke Estate (PED19168)

The delegation from Michael Van Pelt, President and CEO of the Cardus Institute, respecting Item 10.1 - Proposal for the Adaptive Re-Use of Balfour House/Chedoke Estate (PED19168), will be heard as the last delegate; right before the staff report regarding this matter is addressed.

**4. DISUCSSION ITEMS (Item 10)**

- 10.2 Equity, Diversity and Inclusion Framework (HUR19019) (City Wide)

There is a typographical error in sub-sections (a), (b), (c) and (e) to this report. The word “Equity” was inadvertently missed and will be added to the final resolutions in the General Issues Committee report and in the online copy.

10.8 Sports, Entertainment and Convention Venues Review (PED18168(b)) (City Wide) (Outstanding Business List item)

Discussion of Private and Confidential Appendices “B”, “C” and “E” to Report PED18168(b) in Closed Session would be pursuant to Section 8.1, Sub-sections (c) and (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (c) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for City purposes; 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.

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

12.1 Request for a Full-Time Beat Officer for the Hamilton Downtown Core

The agenda for the September 18, 2019 General Issues Committee meeting was approved, as amended.

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

Councillor M. Wilson declared an interest to Items 5.1, 6.3 and 10.8, 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) September 4, 2019 (Item 4.1)**

The Minutes of the September 4, 2019 meeting of the General Issues Committee were approved, as presented.

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

- (i) Correspondence from Michael Andlauer, respecting the Invitation to Present the Bulldog/Cadillac Fairview Proposal to Committee (Item 5.1)**

The correspondence from Michael Andlauer, respecting the Invitation to present the Bulldog/Cadillac Fairview Proposal to Committee, was received and referred to the consideration of Item 10.8.

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

The delegation requests from Nicole Smith, Kumon Hamilton West End; and, Kojo Dampety, Hamilton Center for Civic Inclusion, were approved as follows:

- (i) Nicole Smith, Kumon Hamilton West End, respecting the Saturday Rallies and Standing for Love and Inclusion (For the October 2, 2019 GIC) (Item 6.1)
- (ii) Kojo Dampety, Hamilton Centre for Civic Inclusion, respecting Item 10.2, Report HUR19019 – Equity, Diversity and Inclusion Framework (For the September 18, 2019 GIC)
- (iii) Chris Labenski, respecting the Arena Issue (For the October 2, 2019 GIC) (Item 6.3)**

The delegation request for Chris Labenski, respecting the Arena Issue, was approved to appear before the General Issues Committee on October 2, 2019, in order to be heard on the same date as the staff report is before Committee.

**(f) PUBLIC HEARINGS / DELEGATIONS**

- (i) Michael Van Pelt, President and CEO of the Cardus Institute, respecting Item 10.1 - Proposal for the Adaptive Re-Use of Balfour House/Chedoke Estate (PED19168) (Item 8.3)**

Michael Van Pelt, President and CEO of the Cardus Institute, addressed Committee respecting Item 10.1 - Proposal for the Adaptive Re-Use of Balfour House/Chedoke Estate (PED19168).

Michael Van Pelt, President and CEO of the Cardus Institute, was provided additional time to provide his presentation respecting Item 10.1 - Proposal for the Adaptive Re-Use of Balfour House/Chedoke Estate (PED19168).

The presentation provided by Michael Van Pelt, President and CEO of the Cardus Institute, respecting Item 10.1 - Proposal for the Adaptive Re-Use of Balfour House/Chedoke Estate (PED19168), was received.

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

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

**(ii) Dr. James Quinn, respecting the Growing Risks of the Climate Emergency (Item 8.3)**

Dr. James Quinn, addressed Committee respecting the growing risks of the climate emergency.

The presentation provided by Dr. James Quinn, respecting the growing risks of the climate emergency, was received.

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

**(iii) Kojo Damphey, Hamilton Centre for Civic Inclusion, respecting Item 10.2, Report HUR19019 – Equity, Diversity and Inclusion Framework (Item 8.3)**

Kojo Damphey, Hamilton Centre for Civic Inclusion, addressed Committee respecting Item 10.2, Report HUR19019 – Equity, Diversity and Inclusion Framework.

The presentation provided by Kojo Damphey, Hamilton Centre for Civic Inclusion, respecting Item 10.2, Report HUR19019 – Equity, Diversity and Inclusion Framework, was received.

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

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

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

(i) **Proposal for the Adaptive Re-Use of Balfour House/Chedoke Estate (PED19168) (Ward 14) (Item 10.1)**

Sub-section (a) to the Motion regarding Report PED19168, respecting a Proposal for the Adaptive Re-Use of Balfour House/Chedoke Estate, was amended by deleting the word “four” and replacing it with the word “**two**”, to read as follows:

- (a) That staff be directed to request, from the Cardus Institute, a detailed proposal to be submitted to the General Manager of the Planning & Economic Development Department within a ~~four~~ **two**-month period, for the adaptive re-use and lease of the Balfour/Chedoke Estate, located at 1 Scenic Drive, Hamilton, with that submission to include the following, and report back to the General Issues Committee:

Sub-section (c) to the Motion regarding Report PED19168, respecting a Proposal for the Adaptive Re-Use of Balfour House/Chedoke Estate, was deleted in its entirety and the balance of the recommendations were renumbered accordingly, to read as follows:

~~(c) That staff be directed to meet with any other parties who express, in writing, an interest in the adaptive re-use and lease of Balfour/Chedoke Estate, located at 1 Scenic Drive, Hamilton; communicating to them the same terms, conditions and timelines as above, with any responses received to be included in the same report back to General Issue Committee as the Cardus Institute's proposal for same site; and,~~

- (c) That staff be directed to seek a preliminary opinion from the Ontario Heritage Trust (OHT) on all proposal's received for the Adaptive Re-Use and Lease of the Balfour House/Chedoke Estate, located at 1 Scenic Drive, Hamilton in order to identify any preliminary or potential concerns the OHT may have with the proposed use(s), and include this preliminary opinion in the staff report for Committee's information.

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

(ii) **Equity, Diversity and Inclusion Framework (HUR19019) (City Wide)  
(Item 10.2)**

Report HUR19019, respecting the Equity, Diversity and Inclusion Framework, was amended by adding a new sub-section (i) to read as follows:

- (i) ***That an Equity, Diversity and Inclusion Sub-committee, comprised of members of Council, to work in collaboration with the Equity, Diversity and Inclusion Steering (EDI) Committee and staff be established to develop the EDI framework.***

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

(iii) **Advisory Committee for Persons with Disabilities Report 19-007 (Item 10.7)**

The following Motion was DEFEATED:

That Item 7 of the Advisory Committee for Persons with Disabilities Report 19-007, which reads as follows be DEFERRED to the October 2, 2019 General Issues Committee meeting:

**7. Increase in Citizen Membership of the Advisory Committee for Persons with Disabilities (Added Item 11.2)**

WHEREAS, the Advisory Committee for Persons with Disabilities is composed of a group of extremely passionate and active persons with disabilities;

WHEREAS, the Advisory Committee for Persons with Disabilities formed seven Working Groups on a pilot basis for 2019; and,

WHEREAS, the Advisory Committee for Persons with Disabilities anticipates the need for a larger membership to accommodate increased workload from a more fulsome project plan;

THEREFORE, BE IT RESOLVED:

- (a) That the Terms of Reference for the Advisory Committee for Persons with Disabilities be amended to note their membership as 18 citizen members; and,



- (b) That the Selection Committee be reconvened to recommend the appointment of five additional citizen members to the Advisory Committee for Persons with Disabilities.

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

**(iv) Sports, Entertainment and Convention Venues Review (PED18168(b))  
(City Wide) (Item 10.8)**

Report PED18168(b), respecting the Sports, Entertainment and Convention Venues Review, was DEFERRED to the October 2, 2019 General Issues Committee meeting.

**(h) MOTIONS (Item 11)**

**(i) Release of the Bulldog Proposal for Public Consumption (Deferred from the September 4, 2019 GIC) (Item 11.2)**

Committee moved into Closed Session, respecting Item 11.2 being a Motion regarding the Release of the Bulldog Proposal for Public Consumption, pursuant to Section 8.1, Sub-section (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

The Motion respecting the Release of the Bulldog Proposal for Public Consumption was DEFERRED to the October 2, 2019 General Issues Committee.

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

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

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

**(a) Items to be removed:**

- (i) Equity, Diversity and Inclusion Framework (Addressed as Item 10.2 on this agenda – Report HUR19019)

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

**(i) Closed Session Minutes – September 4, 2019 (Item 14.1)**

- (a) The Closed Session Minutes of the September 4, 2019 General Issues Committee meeting, were approved; and,
- (b) The Closed Session Minutes of the September 4, 2019 General Issues Committee meeting shall remain confidential.

**(l) ADJOURNMENT (Item 13)**

There being no further business, the General Issues Committee be adjourned at 2:19 p.m.

Respectfully submitted,

---

T. Whitehead, Deputy Mayor  
Chair, General Issues Committee

Stephanie Paparella  
Legislative Coordinator,  
Office of the City Clerk



City of Hamilton  
**SOLE VOTING MEMBER  
 OF THE HAMILTON FARMERS' MARKET  
 REPORT 19-002**

2:21 p.m.

September 18, 2019

Council Chambers, Hamilton City Hall, 71 Main Street West

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

**Absent:** Councillor B. Johnson, C. Collins, M. Wilson – Other City Business  
 Councillor B. Clark – Personal

**THE SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET  
 PRESENTS REPORT 19-002 AND RESPECTFULLY RECOMMENDS:**

**1. Hamilton Farmers' Market Board Resolution - Vendor Director Appointment  
 (Item 4.1)**

That Anne Miller, be appointed as the fourth Vendor Director to the Hamilton Farmers' Market Board of Directors.

**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 18, 2019 Sole Voting Member of the Hamilton Farmers' Market meeting was approved, as presented.

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

There were no declarations of interest.

**Council – September 25, 2019**

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

**(i) July 8, 2019 (Item 4.1)**

The Minutes of the July 8, 2019 meeting of the Sole Voting Member of the Hamilton Farmers' Market were approved, as presented.

**(d) ADJOURNMENT (Item 7)**

There being no further business, the Sole Voting Member of the Hamilton Farmers' Market adjourned at 2:25 p.m.

Respectfully submitted,

---

T. Whitehead, Deputy Mayor  
Chair, General Issues Committee

Stephanie Paparella  
Legislative Coordinator,  
Office of the City Clerk



## **AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 19-013**

9:30 a.m.

**September 19, 2019**

**Council Chambers**

**Hamilton City Hall**

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

**Absent:** Councillor A. VanderBeek – Personal

### **THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 19-013, AND RESPECTFULLY RECOMMENDS:**

**1. Trunked Two-Way Radio System Upgrade (FCS18068(a) / HSC18037(a)) (City Wide) (Item 14 .2)**

That the recommendations of Report FCS18068(a) / HSC18037(a), respecting Trunked Two-Way Radio System Upgrade remain confidential until after Council approval.

#### **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 19, 2019 Audit, Finance and Administration Committee meeting was approved, as presented.

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

There were no declarations of interest.

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

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

The Minutes of the September 5, 2019 meeting of the Audit, Finance and Administration Committee were approved, as presented.

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

**(i) September 5, 2019 – Closed Minutes (Item 14.1)**

- (a) The Closed Session Minutes of the September 5, 2019 Audit, Finance and Administration meeting, were approved as presented; and,
- (b) The Closed Session Minutes of the September 5, 2019 Audit, Finance and Administration meeting, remain confidential.

Committee moved into Closed Session respecting Item 14.2, pursuant to Section 8.1, Sub-section (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to 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) Trunked Two-Way Radio System Upgrade (FCS18068(a) / HSC18037(a)) (City Wide)**

Staff were provided with direction in Closed Session.

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

**(e) ADJOURNMENT (Item 15)**

There being no further business, the Audit, Finance and Administration Committee, adjourned at 11:11 a.m.

**CARRIED**

Respectfully submitted,

Councillor Collins, Chair  
Audit, Finance and Administration  
Committee

Angela McRae  
Legislative Coordinator  
Office of the City Clerk



## **EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 19-011**

1:30 p.m.

Thursday, September 19, 2019

Council Chambers

Hamilton City Hall

71 Main Street West

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

### **THE EMERGENCY AND COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 19-011 AND RESPECTFULLY SUBMITS:**

1. **Renewal of the Advertising Rights for J.L. Grightmire Arena with Duck Sports (on Behalf of the Dundas Real McCoys Senior Hockey Club) (HSC19055) (Ward 13) (Item 7.2)**
  - (a) That the City of Hamilton enter into a five-year Licence Agreement with Duck Sports Inc. (on behalf of the Dundas Real McCoys Senior Hockey Club) effective November 1, 2019, with an annual payment of \$3,901 plus HST to be increased 2% per year;
  - (b) That the Licence Agreement include a clause permitting up to two extensions, each up to five additional years at the discretion of the General Manager of Healthy and Safe Communities Department; and,
  - (c) That the General Manager of Healthy and Safe Communities Department be authorized to execute, on behalf of the City of Hamilton, this Licence Agreement, as well as any ancillary and extension agreements, in a form satisfactory to the City Solicitor.
  
2. **Call for Proposal for Service System Managers Employment Services Transformation (HSC19041(a)) (City Wide) (Item 10.1)**
  - (a) That the City of Hamilton respond to the Government of Ontario's Call for Proposal for Service System Managers Employment Services Transformation;

- (b) That, if necessary, up to \$40,000 be used to support the completion of the Call for Proposal from the Children's Services and Neighbourhood Development Operating Budget; and,
- (c) That the General Manager, Healthy and Safe Communities Department, be delegated authority to sign-off on the City of Hamilton's application to the Call for Proposal for Service System Managers Employment Services Transformation.

**3. Elimination of the Transition Child Benefit (HSC19050) (City Wide) (Item 10.2)**

- (a) That staff be directed to bring forward recommendations to the next Emergency and Community Services Committee meeting outlining the costs and administrative elements required to implement a temporary housing allowance program beginning November 1, 2019, assisting families previously eligible for the Transition Child Benefit and would seek to help such families avoid having to use resources designated to purchase food, clothing and other basic needs to pay for their housing costs;
- (b) That a letter from the Mayor of Hamilton be sent to Todd Smith, Minister of Children, Community and Social Services, calling for the reversal of the elimination of the Transition Child Benefit, including an articulation of the impact on children and families in Hamilton, informed by the recommendation report set out in Sub-Section (a) above;
- (c) That staff reach out to the Hamilton Chamber of Commerce, Ontario Chamber of Commerce, and the Association of Municipalities Ontario to articulate the economic development impact of these cuts; and,
- (d) That Report HSC19050, respecting the Elimination of the Transition Child Benefit, be received.

**4. Ministry Inspection Report - Macassa and Wentworth Lodges (HSC19051) (Wards 7 and 13) (Item 10.3)**

That Report HSC19051 (Wards 7 and 13), respecting the Ministry Inspection Report - Macassa and Wentworth Lodges, be received.

**FOR INFORMATION:**

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

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



**1. COMMUNICATIONS (Item 5)**

- 5.2 Correspondence from Patti Redmond, Director, Social Assistance Service Delivery Branch, Ministry of Children, Community and Social Services, respecting 2020 Ontario Works Program Delivery Funding Allocation

Recommendation: Be received.

- 5.3 Correspondence from Kevin Gonci, Chairman, Hamilton Collaborative Partnership Group, respecting Request Approval for Joint Funding Application

Recommendation: Be endorsed and referred back to Recreation staff with a report back to the Emergency and Community Services Committee in October 2019.

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

- 6.1 Tom Cooper and Sulema James, Hamilton Roundtable for Poverty Reduction, respecting Item 10.2 on Sept 19. Transition Child Benefit, with new information on the Provincial Program, for today's meeting
- 6.2 Jackie Caldwell, Hamilton Roundtable for Poverty Reduction, respecting Transition Child Benefit, for today's meeting
- 6.3 Judith Bishop, Child Advocacy Group, respecting concern over the elimination of the Transition Child Benefit, for today's meeting

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

- 12.1 Ward 3 Social Infrastructure

The agenda for the September 19, 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) September 5, 2019 (Item 4.1)**

**(Pauls/Jackson)**

The Minutes of the September 5, 2019 meeting of the Emergency and Community Services Committee were approved, as presented.

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

**(i) Correspondence Respecting 2019 Land Ambulance Services Grant Revised Funding (Item 5.1)**

The following Correspondence, respecting 2019 Land Ambulance Services Grant Revised Funding, were received:

1. Christine Elliott, Deputy Premier and Minister of Health (Item 5.1(a))
2. Alison Blair, Executive Director, Emergency Health Services Office (Item 5.1(b))

**(ii) Correspondence from Patti Redmond, Director, Social Assistance Service Delivery Branch, Ministry of Children, Community and Social Services, respecting 2020 Ontario Works Program Delivery Funding Allocation (Added Item 5.2)**

The correspondence from Patti Redmond, Director, Social Assistance Service Delivery Branch, Ministry of Children, Community and Social Services, respecting 2020 Ontario Works Program Delivery Funding Allocation, was received.

**(iii) Correspondence from Kevin Gonci, Chairman, Hamilton Collaborative Partnership Group, respecting Request Approval for Joint Funding Application (Added Item 5.3)**

The correspondence from Kevin Gonci, Chairman, Hamilton Collaborative Partnership Group, respecting Request Approval for Joint Funding Application, was ~~endorsed and~~ referred back to Recreation staff with a report back to the Emergency and Community Services Committee in October 2019.

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

The following Delegation Requests, were approved for today's meeting:

- (i) Tom Cooper and Sulema James, Hamilton Roundtable for Poverty Reduction, respecting Item 10.2 on Sept 19. Transition Child Benefit, with new information on the Provincial Program (Added Item 6.1)
- (ii) Jackie Caldwell, Hamilton Roundtable for Poverty Reduction, respecting Transition Child Benefit (Added Item 6.2)
- (iii) Judith Bishop, Child Advocacy Group, respecting concern over the elimination of the Transition Child Benefit (Added Item 6.3)

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

**(i) Housing and Homelessness Advisory Committee Minutes (Item 7.1)**

The following Housing and Homelessness Advisory Committee Minutes, were received:

1. June 5, 2018 (Item 7.1(a))
2. March 5, 2019 (Item 7.1(b))

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

**(i) Tom Cooper and Sulema James, Hamilton Roundtable for Poverty Reduction, respecting Item 10.2 on Sept 19. Transition Child Benefit, with new information on the Provincial Program (Added Item 8.1)**

Tom Cooper and Sulema James, Hamilton Roundtable for Poverty Reduction, addressed the Committee respecting Item 10.2, Transition Child Benefit, with new information on the Provincial Program, with the aid of a presentation and a handout.

The Delegation from Tom Cooper and Sulema James, Hamilton Roundtable for Poverty Reduction, respecting Item 10.2, Transition Child Benefit, with new information on the Provincial Program, was received.

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

For further disposition of this matter, refer to Item 3.

**(ii) Jackie Caldwell, Hamilton Roundtable for Poverty Reduction, respecting Transition Child Benefit (Added Item 8.2)**

Jackie Caldwell and Jodi Dean, Hamilton Roundtable for Poverty Reduction, addressed the Committee respecting Transition Child Benefit.

The Delegation from Jackie Caldwell, Hamilton Roundtable for Poverty Reduction, respecting Transition Child Benefit, was received.

For further disposition of this matter, refer to Item 3.

**(iii) Judith Bishop, Child Advocacy Group, respecting concern over the elimination of the Transition Child Benefit (Added Item 8.3)**

Judith Bishop, Hamilton Roundtable for Poverty Reduction, addressed the Committee respecting Transition Child Benefit, with the aid of a handout.

The Delegation from Judith Bishop, Child Advocacy Group, respecting concern over the elimination of the Transition Child Benefit, was received.

**CARRIED**

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

For further disposition of this matter, refer to Item 3.

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

**(i) Ministry Inspection Report - Macassa and Wentworth Lodges (HSC19051) (Wards 7 and 13) (Item 10.3)**

Healthy and Safe Communities staff was directed to report back to the Emergency and Community Services Committee with an outline of a governance mechanism for Macassa Lodge and Wentworth Lodge, including policies and/or protocols for reporting Critical Incidents and the results of Resident Quality Inspections conducted by the Ministry of Long-Term Care to the Emergency and Community Services Committee, before December 31, 2019.

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

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

**(i) Ward 3 Social Infrastructure**

Councillor Nann introduced the following Notice of Motion:

WHEREAS Beautiful Alleys has been coordinating resident-led initiatives annually since 2012 to keep Ward 3 Alleys clean, green and safe;

WHEREAS BIPOC 2SLGBTQIA+ residents in the city are leading important work to debrief and strategize effective responses to targeted hate and violence with the organizational support of Spectrum Youth;

WHEREAS the Bagshaw Room, the largest community room at First Place used by residents and the larger community, requires a new partition to accommodate two activities to occur simultaneously;

THEREFORE, BE IT RESOLVED,

(a) the following initiatives be approved for funding through the corresponding accounts:

(i) That \$3,000 be funded to Beautiful Alleys through the GALA Neighbourhood Association for coordinating future clean-ups and training through the Ward 3 Cell Tower Fund (3301609603);

- (ii) That \$3,000 be funded to Spectrum Youth Advocacy to enable supporting the work of BIPOC 2SLGBTQIA+ residents through the Ward 3 Cell Tower Fund (3301609603);
- (iii) That \$16,000 be funded to CityHousing for the construction and maintenance of a new partition wall for the Bagshaw room through Ward 3 Area Rating Discretionary Account - Social Infrastructure (3301909300); and,
- (iv) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents in relation to funding the construction and maintenance of a new partition wall for the Bagshaw Room, with such terms and conditions in a form satisfactory to the City Solicitor.

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

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

**(Jackson/Whitehead)**

The following amendment to the Emergency and Community Services Committee's Outstanding Business List, was approved:

- (a) Items Requiring a New Due Date
  - (i) Pilot Project for Accessible Tricycles/Four Wheelers at the Waterfront  
Item on OBL: G  
Current Due Date: October 3, 2019  
Proposed New Due Date: November 7, 2019

**(k) ADJOURNMENT (Item 15)**

There being no further business, the Emergency and Community Services Committee was adjourned at 3:21 p.m.

Respectfully submitted,

Councillor S. Merulla  
Chair, Emergency and Community Services  
Committee

Tamara Bates  
Legislative Coordinator  
Office of the City Clerk

# CITY OF HAMILTON MOTION

Council: September 25, 2019

**MOVED BY COUNCILLOR T. WHITEHEAD.....**

**SECONDED BY COUNCILLOR.....**

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

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

# CITY OF HAMILTON MOTION

Council: September 25, 2019

**MOVED BY COUNCILLOR T. WHITEHEAD.....**

**SECONDED BY COUNCILLOR.....**

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

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

# CITY OF HAMILTON MOTION

Council: September 25, 2019

**MOVED BY MAYOR F. EISENBERGER.....**

**SECONDED BY COUNCILLOR.....**

**Ontario Health Teams Update**

WHEREAS, the meeting of the Board of Health did not achieve quorum on September 16, 2019, where Report BOH19020(b) respecting the Ontario Health Teams Update, was to be considered; and

WHEREAS, the execution of the Hamilton Health Team application is required in advance of the October 9, 2019 deadline to the Ministry of Health (MOH).

THEREFORE BE IT RESOLVED:

- (a) That the General Manager of Healthy and Safe Communities be authorized and directed to continue to participate in the local planning and development of Hamilton's Ontario Health Team application including the goals, principles, and objectives of Year 1 in accordance with the application;
- (b) That staff be directed to report back to Board of Health with any updates on Hamilton's Ontario Health Team (OHT) proposal development including updates on the Ministry's process, future agreements, proposed changes to the provision of services, reallocation of resources related to the local Ontario Health Team planning; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute the Hamilton Health Team application in advance of the October 9, 2019 deadline to the Ministry of Health (MOH).

Appendix 'A' – Ontario Health Teams Update (BOH19020(b))



# CITY OF HAMILTON MOTION

Council: September 25, 2019

**MOVED BY COUNCILLOR N. NANN.....**

**SECONDED BY COUNCILLOR.....**

**Ward 3 Social Infrastructure**

WHEREAS, Beautiful Alleys has been coordinating resident-led initiatives annually since 2012 to keep Ward 3 Alleys clean, green and safe;

WHEREAS, BIPOC 2SLGBTQIA+ residents in the city are leading important work to debrief and strategize effective responses to targeted hate and violence with the organizational support of Spectrum Youth;

WHEREAS, the Bagshaw Room, the largest community room at First Place used by residents and the larger community, requires a new partition to accommodate two activities to occur simultaneously; and

WHEREAS, the motion respecting Ward 3 Social Infrastructure was to be considered at the October 3, 2019 Emergency & Community Services Committee, and that meeting has now been cancelled;

THEREFORE, BE IT RESOLVED

- (a) That the following initiatives, be approved for funding through the corresponding accounts:
  - (i) That Beautiful Alleys through the GALA Neighbourhood Association be granted funds in the amount of \$3,000, for coordinating future clean-ups and training, from the Ward 3 Cell Tower Fund (3301609603);
  - (ii) That Spectrum Youth Advocacy be granted \$3,000, to support the work of BIPOC 2SLGBTQIA+ residents, from the Ward 3 Cell Tower Fund (3301609603); and
  - (iii) That CityHousing be granted \$16,000, for the construction and maintenance of a new partition wall for the Bagshaw room, from the Ward 3 Area Rating Discretionary Account - Social Infrastructure (3301909300);
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

**CITY OF HAMILTON  
MOTION**

**Council: September 25, 2019**

**MOVED BY COUNCILLOR T. WHITEHEAD.....**

**SECONDED BY COUNCILLOR.....**

**Review of Position of Director, Physician *Recruitment***

WHEREAS, the meeting of the Board of Health did not achieve quorum on September 16, 2019, where the Physician Recruitment and Retention Steering Committee Report 19-001, was to be considered; and

WHEREAS, the Working Group to review the position of the Director, Physician Recruitment is scheduled for October 7, 2019.

THEREFORE BE IT RESOLVED

That the General Manager, Finance and Corporate Services; the General Manager, Healthy and Safe Communities, and the Executive Director, Human Resources and Organizational Development, or their designates, be invited to participate in the meetings of the Working Group of the Physician Recruitment and Retention Steering Committee to review the position of Director, Physician ***Recruitment***.

# CITY OF HAMILTON MOTION

Council: September 25, 2019

**MOVED BY COUNCILLOR T. WHITEHEAD.....**

**SECONDED BY COUNCILLOR.....**

**Restoration of the Memorial Cairn**

WHEREAS, the Memorial Cairn was originally built in 1969, sponsored by Legion Branch 163 and the Chedoke Hospital;

WHEREAS, the recent sale of the Chedoke lands, transferred the ownership of the Memorial Cairn to Wellwood (situated on the same property);

WHEREAS, Wellwood has applied to the Commemorative War Memorial Partnership Project, through Veterans Affairs for funding for the restoration of the Memorial Cairn on the former Chedoke Hospital Property grounds, 501 Sanatorium Road, Hamilton;

WHEREAS, the funding from the Commemorative War Memorial Partnership Project would not cover 100% of the \$6,000 required for the restoration of the Memorial Cairn; and

WHEREAS, Wellwood is unable to sponsor or fundraise for this project as it is not related to Wellwood’s mission, To serve those touched by cancer.

**THEREFORE BE IT RESOLVED:**

- (a) That the City of Hamilton approve one time funding in the amount of \$1,500, for the stone masonry work that is required to restore the Memorial Cairn, adjacent to Wellwood on the former Chedoke Hospital Property grounds, 501 Sanatorium Road, Hamilton from to be funded from the Ward 14 Area Rating Reserve Account #108064; and
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such term and conditions in a form satisfactory to the City Solicitor.

# CITY OF HAMILTON

## MOTION

Council: September 25, 2019

**MOVED BY COUNCILLOR J.P. DANKO.....**

**SECONDED BY COUNCILLOR .....**

**Funding for Construction of Rolston Path within Captain Cornelius Park (Ward 8)**

WHEREAS, City Council has made a concerted effort to focus on initiatives to help improve communities across the City based on the resident voice;

WHEREAS, the Rolston Neighbourhood Action Plan was endorsed by Council in March 2016;

WHEREAS, Captain Cornelius Park, and the urban forest on the property, has been deemed a prominent asset within the Rolston Community by the residents;

WHEREAS, through the youth voice and the resident engagement resulting in a desire to improve environmentally appropriate access to the urban forest for all residents has been deemed a priority;

WHEREAS, through a substantial community engagement process, the residents designed their wishes for a fully accessible path through the forest; and,

WHEREAS, Phase 1 of the path construction has been completed and costs to complete Phase 2 exceed the previously allocated funding;

THEREFORE, BE IT RESOLVED:

- (a) That a contribution of \$30,000 be made to the Neighbourhood Strategy Project (2051255204) from the Ward 8 Area Rating Reserve Fund (108058), to assist in funding the construction of an *Accessibility for Ontarians with Disabilities Act, 2005*, compliant path (“Rolston Path”) and accompanying amenities through the urban forest of Captain Cornelius Park; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

# CITY OF HAMILTON

## MOTION

Council: September 25, 2019

**MOVED BY COUNCILLOR M. PEARSON.....**

**SECONDED BY COUNCILLOR .....**

**Amendment to Item 7 of the Planning Committee Report 16-020, respecting Report PED16205 - Update and Declaration of Surplus and Sale of Downtown City-owned Surface Parking Lots**

That sub-section (d) to Item 7 of the Planning Committee Report 16-020, respecting Report PED16205 - Update and Declaration of Surplus and Sale of Downtown City-owned Surface Parking Lots, which was approved by Council on November 23, 2016, be amended by deleting the words “to the abutting property owner of 252 James Street North, (The Synod of The Diocese of Niagara; the Incumbent and Churchwardens of Christ’s Church Cathedral)”, to read as follows:

- (c) That Car Park Lot No. 70, identified in Appendix “D” and “D-2” (207-211 Hughson Street North), attached to Report PED16205, be sold at fair market value ~~to the abutting property owner of 252 James Street North, (The Synod of The Diocese of Niagara; the Incumbent and Churchwardens of Christ’s Church Cathedral);~~

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

**7. Update and Declaration of Surplus and Sale of Downtown City-owned Surface Parking Lots (PED16205) (Ward 2) (Item 8.2)**

- (a) That City-owned surface parking lots, identified in Appendices “C” and “D” attached to Report PED16205, be declared surplus to the requirements of the City of Hamilton in accordance with the “Procedural By-law for the Sale of Land”, being By-law No. 14-204;
- (b) That Car Park Lot No. 69 (12 York Boulevard) being part of a larger parcel known as 12-28 York Boulevard, being part of PIN No. 175860078 and identified in Appendix “D” and “D-1”, attached to Report PED16205, be severed and sold at fair market value to the abutting property owner of 95-105 James Street North, 15 Vine Street, and 107-109 James Street North; (1263261 Ontario Inc.);

- (c) ***That Car Park Lot No. 70, identified in Appendix "D" and "D-2" (207-211 Hughson Street North), attached to Report PED16205, be sold at fair market value;***
- (d) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to sell the lands identified in recommendations(a), (b) and (c) to this Report PED16205 at fair market value, on terms and conditions satisfactory to the General Manager of Planning and Economic Development, and in a form satisfactory to the City Solicitor;
- (e) That all contents within confidential Appendices "A", "B", "C", and "D", to Report PED16205 remain confidential, with the exception only releasing the list of properties that have been declared surplus in Appendices "C", and "D", as may be amended, following approval of Council.

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 4

**Bill No. 219**

**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 25<sup>th</sup> day of September, 2021.

**PASSED** this 25<sup>th</sup> day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 4

**Bill No. 220**

**CITY OF HAMILTON**

**BY-LAW No. 19-**

Respecting: Removal of Part Lot Control, Lots 221, 222, and 234 on Registered Plan No. 865  
“North Airfield Park” municipally known as 34 Sumach Street, and 31 Eastwood Place.

**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 1 and Part 2, Lots 221, 222) and (Part 4 and 5, Lot 234), on deposited Reference Plan 62R-21255, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lots 221, 222, and 234, Registered Plan No. 865, 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 September, 25<sup>th</sup> 2021.

**PASSED** this 25<sup>th</sup> day of September 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk



**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 4

**Bill No. 221**

**CITY OF HAMILTON**

**BY-LAW No. 19-**

Respecting: The removal of Part Lot Control from Lot 95 on Registered Plan No. 876 "South Airfield Park" known as 47 and 49 Eastvale Place.

**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 two lots for semi-detached dwellings (Part 1, and Part 2) Lot 95, on deposited Reference Plan 62R-21256, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lot 95, 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 25<sup>th</sup> day of September, 2021.

**PASSED** this 25<sup>th</sup> day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 4

**Bill No. 221**

**CITY OF HAMILTON**

**BY-LAW No. 19-**

Respecting: The removal of Part Lot Control from Lot 95 on Registered Plan No. 876 "South Airfield Park" known as 47 and 49 Eastvale Place.

**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 two lots for semi-detached dwellings (Part 1, and Part 2) Lot 95, on deposited Reference Plan 62R-21256, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lot 95, 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 25<sup>th</sup> day of September, 2021.

**PASSED** this 25<sup>th</sup> day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 4

**Bill No. 223**

**CITY OF HAMILTON  
By-law No. 19-**

Respecting: Removal of Part Lot Control, Lot 2 on Registered Plan No. 1087 "North Airfield Park Extension" municipally known as 689 Britannia Avenue.

**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 two parts, shown as Part 3 and Part 5, on deposited Reference Plan 62R-20733, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lot 2 of Registered Plan No. 1087, 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 25<sup>th</sup> day of September, 2021.

**PASSED** this 25<sup>th</sup> day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

Authority: Item 2, Planning Committee  
Report 19-014 (PED19189)  
CM: September 25, 2019  
Ward: 13  
**Bill No. 224**

**CITY OF HAMILTON**

**BY-LAW NO. 19-**

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

WHEREAS *Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 4 (Special Event Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "A" thereof the following items, namely:

Wesite Ave., east side, from end to end  
Meldrum Ave., south side, from Wesite Ave. to Forest Ave.  
Forest Ave., both sides, from end to end  
Maple Cres., north side, from Forest Ave. to end  
Birch Cres., north side, from Forest Ave. to end  
Cedar Ave., south side, from Forest Ave. to end  
Medwin Dr., south side, from Tews Ln. to end  
Tews Ln., west side, from Harvest Rd. to 35 Tews Ln.  
Tews Ln., east side, from Harvest Rd. to end.

PASSED this 25th day of September, 2019.

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Fred Eisenberger  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 14, Committee of the Whole  
Report 01-003 (FCS01007)  
CM: February 6, 2001  
Ward: 1, 3, 4, 8, 15

**Bill No. 225**

## 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	C	Riley St.	East & West	50m north of Dundas St. to Scott St.	Anytime	Adding
8 – No Parking	C	Heathfield Cres.	North	Hollybush Dr. (N. leg) to 140m westerly	Dec. 1 - Mar. 31	Adding
8 – No Parking	C	Heathfield Cres.	West	140m west of Hollybush Dr. (N. leg) to 80m southerly	Dec. 1 - Mar. 31	Adding
8 – No Parking	C	Heathfield Cres.	South	Hollybush Dr. (S. leg) to 135m westerly	Dec. 1 - Mar. 31	Adding

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

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
12 – Permit	<i>E</i>	<b>Balmoral Ave. N</b>	West	118m south of Campbell Ave. to 6m southerly	Anytime	Adding
12 – Permit	<i>E</i>	<b>Balmoral Ave. N</b>	East	115m south of Campbell Ave. to 10m southerly	Anytime	Adding
12 – Permit	<i>E</i>	<b>Grosvenor Ave. N</b>	East	82m south of Campbell Ave. to 6m southerly	Anytime	Adding
12 – Permit	<i>E</i>	<b>Corbett St.</b>	West	80m north of Rennie St. to 9m northerly	Anytime	Adding
12 – Permit	<i>E</i>	<b>Corbett St.</b>	East	75m north of Rennie St. to 12m northerly	Anytime	Adding
12 – Permit	<i>E</i>	<b>Canada St.</b>	North	50m east of Ray St. to 8m easterly	Anytime	Adding
12 – Permit	<i>E</i>	<b>Tragina Ave. N</b>	East	37m south of Vansitmart Ave. to 6m southerly	Anytime	Adding
12 – Permit	<i>E</i>	<b>Tragina Ave. N</b>	West	40m south of Vansitmart Ave. to 6m southerly	Anytime	Adding
12 – Permit	<i>E</i>	<b>Dickson St.</b>	East	66m south of Burlington St. to 5.5m southerly	Anytime	Adding
12 – Permit	<i>E</i>	<b>Weir St.</b>	West	33m north of Britannia Ave. to 6m northerly	July 1st to November 1st	Deleting
12 – Permit	<i>E</i>	<b>Weir St.</b>	West	33m north of Britannia Ave. to 6m northerly	April 1st to December 1st	Adding
12 – Permit	<i>E</i>	<b>Burton</b>	South	from 28.4m west of Douglas to 5.7m westerly	Anytime	Deleting
12 – Permit	<i>E</i>	<b>Herkimer</b>	South	from 15.7m east of Locke to 6m easterly	Anytime	Deleting
12 – Permit	<i>E</i>	<b>Mill</b>	South	121 feet west of the east end of Mill and extending to a point 15 feet westerly	Anytime	Deleting
12 – Permit	<i>E</i>	<b>Cope</b>	West	from 145.6m north of Vansitmart to 6m northerly	Anytime	Deleting

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
14 - Wheelchair LZ	E	<b>Somerset Ave.</b>	South	34m east of Barnesdale Ave. to 8m easterly	Anytime	Deleting
Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
20 – School Bus LZ	E	<b>Laurier</b>	South	commencing at a point 98 feet east of Columbia	7:00 a.m. - 6:00 p.m. Monday to Saturday	Deleting
20 – School Bus LZ	E	<b>Laurier Ave</b>	West	30m south of Delmar Dr. to 15m southerly	7:00 a.m. - 6:00 p.m. Monday to Friday	Adding

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED** this 25<sup>th</sup> day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

Authority: Item 7, Economic  
Development and Planning Committee  
Report 10-005 (PED10051)  
CM: March 10, 2010  
Ward: 12

**Bill No. 226**

**CITY OF HAMILTON**

**BY-LAW NO. 19-**

**To Establish City of Hamilton Land  
Described as Block 24 on Plan 62M-1212  
as Part of Highvalley Road**

**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 24 on Plan 62M-1212, is established as a public highway, forming part of Highvalley Road.
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 25<sup>th</sup> day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk



**Authority:** Item 7, Economic Development  
and Planning Committee  
Report 10-005 (PED10051)  
CM: March 10, 2010  
Ward: 12

**Bill No. 227**

**CITY OF HAMILTON**

**BY-LAW NO. 19-**

**To Establish City of Hamilton Land  
Described as Blocks 64 and 65 on Plan 62M-1260  
as Part of Klein Circle**

**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

**WHEREAS** section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The land, owned by and located in the City of Hamilton, described as Blocks 64 and 65 on Plan 62M-1260, is established as a public highway, forming part of Klein Circle.
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 25<sup>th</sup> day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 17, Public Works Committee  
Report 07-011  
(TOE02005(b)/FCS02026(b)/PED0  
7248)  
CM: September 26, 2007  
Ward: 10

**Bill No. 228**

**CITY OF HAMILTON**

**BY-LAW NO. 19-**

**To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting Fifty Road  
from South Service Road to approximately 68 metres South of South Service  
Road, in the City of Hamilton**

**WHEREAS** the Council of the City of Hamilton authorized recovering a portion of costs associated with the construction of Sewer Works by approving, on September 26, 2007, Item 17 of Public Works Committee Report 07-011 (Report (TOE02005(b)/FCS02026(b)/PED07248);

**WHEREAS** a developer, Penady (Stoney Creek) Ltd., in satisfaction of terms and conditions of external works agreement DA-13-022, did construct certain Sewer Works, in the City of Hamilton, as more particularly described in Schedule "A" attached to this By-law; and,

**WHEREAS** the cost of the Sewer Works to be recovered from all benefitting property owners is \$67,482.77.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sewer Charges are hereby imposed upon the owners or occupants of land who benefit from the construction of the Sewer Works (the "Assessed Owners").
2. The Assessed Owners' lands and the respective Sewer Charges are more particularly described in Schedule "A", which Schedule is attached to and forms part of this By-law.
3. The Sewer Charges have been established using the approved method for cost apportionment per City of Hamilton Report TOE02005(b)/FCS02026(b)/PED07248 (Funding Methodologies for Municipal Infrastructure Extensions Review and Update), establishing a lump sum payment. The Sewer Charges shall be indexed in accordance with the percentage change in the composite Canadata Construction Cost Index (Ontario Series), commencing from the completion date of construction May 2018, to the date of payment.
4. The amount resulting from the application of the Sewer Charges (the "Indebtedness"), shall be collected at the time of permit issuance for any connection to the said Sewer Works, in addition to any applicable permit fee.

5. The Assessed Owners have the option of paying the Indebtedness by way of annual payments over a period of 15 years from the date of permit issuance for connection by entry on the tax roll, to be collected in like manner as municipal taxes. The interest rate utilized for the 15 year payment shall be the City of Hamilton's then-current 15 year borrowing rate (2019 rate-3.50%).
6. Notwithstanding Section 5, as Assessed Owner of a parcel described in Schedule "A" may pay the commuted value of the Indebtedness without penalty, but including interest, at any time.
7. Should an Assessed Owner sever or subdivide their parcel of land, the Sewer Charges owed to the City of Hamilton, whether the parcel of land is connected or not, and whether or not the Assessed Owner has previously exercised the repayment option set out in Section 5 above, shall be paid forthwith to the City of Hamilton in a lump sum as a condition of the severance or subdivision approval.
8. The developer, Penady (Stoney Creek) Ltd., upon satisfying the City that it has completed its obligations with respect to the construction of the said Sewer Works, shall receive repayment of that portion of the associated cost of the construction collected hereunder, pursuant to the terms and conditions of its external works agreement.
9. Unpaid Sewer Charges constitute a debt to the City and may be added to the tax roll and collected in the same manner as municipal taxes.
10. If any provision or requirement of this By-law, or the application of it to any person, shall to any extent be held to be invalid or unenforceable by any court of competent jurisdiction, the remainder of the By-law, or the application of it to all persons other than those in respect of whom it is held to be invalid or unenforceable, shall not be affected, and each provision and requirement of this By-law shall be separately valid and enforceable.
11. This By-law comes into force on the day following the date of its passing.

**PASSED** this 25<sup>th</sup> day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting Fifty Road from South Service Road to approximately 68 metres South of South Service Road, in the City of Hamilton

Schedule "A" to By-law No.

Fifty Road

Sanitary Sewer on Fifty Road from South Service Road to approximately 68 metres South of South Service Road

<b>Property Address</b>	<b>Sanitary Sewer Charge</b>
Fifty Road (PIN 173701043)	\$67,482.77
<b>TOTAL</b>	<b>\$67,482.77</b>

**Authority:** Item 17, Public Works Committee  
Report 07-011  
(TOE02005(b)/FCS02026(b)/PED0  
7248)  
CM: September 26, 2007  
Ward: 10

**Bill No. 229**

**CITY OF HAMILTON**

**BY-LAW NO. 19-**

**To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting South Service Road from Fifty Road to approximately 140 metres East of Fifty Road, in the City of Hamilton**

**WHEREAS** the Council of the City of Hamilton authorized recovering a portion of costs associated with the construction of Sewer Works by approving, on September 26, 2007, Item 17 of Public Works Committee Report 07-011 (Report (TOE02005(b)/FCS02026(b)/PED07248);

**WHEREAS** a developer, Penady (Stoney Creek) Ltd., in satisfaction of terms and conditions of external works agreement DA-13-022, did construct certain Sewer Works, in the City of Hamilton, as more particularly described in Schedule "A" attached to this By-law; and,

**WHEREAS** the cost of the Sewer Works to be recovered from all benefitting property owners is \$61,210.34.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sewer Charges are hereby imposed upon the owners or occupants of land who benefit from the construction of the Sewer Works (the "Assessed Owners").
2. The Assessed Owners' lands and the respective Sewer Charges are more particularly described in Schedule "A", which Schedule is attached to and forms part of this By-law.
3. The Sewer Charges have been established using the approved method for cost apportionment per City of Hamilton Report TOE02005(b)/FCS02026(b)/PED07248 (Funding Methodologies for Municipal Infrastructure Extensions Review and Update), establishing a lump sum payment. The Sewer Charges shall be indexed in accordance with the percentage change in the composite Canadata Construction Cost Index (Ontario Series), commencing from the completion date of construction May 2018, to the date of payment.
4. The amount resulting from the application of the Sewer Charges (the "Indebtedness"), shall be collected at the time of permit issuance for any connection to the said Sewer Works, in addition to any applicable permit fee.

5. The Assessed Owners have the option of paying the Indebtedness by way of annual payments over a period of 15 years from the date of permit issuance for connection by entry on the tax roll, to be collected in like manner as municipal taxes. The interest rate utilized for the 15 year payment shall be the City of Hamilton's then-current 15 year borrowing rate (2019 rate-3.50%).
6. Notwithstanding Section 5, as Assessed Owner of a parcel described in Schedule "A" may pay the commuted value of the Indebtedness without penalty, but including interest, at any time.
7. Should an Assessed Owner sever or subdivide their parcel of land, the Sewer Charges owed to the City of Hamilton, whether the parcel of land is connected or not, and whether or not the Assessed Owner has previously exercised the repayment option set out in Section 5 above, shall be paid forthwith to the City of Hamilton in a lump sum as a condition of the severance or subdivision approval.
8. The developer, Penady (Stoney Creek) Ltd., upon satisfying the City that it has completed its obligations with respect to the construction of the said Sewer Works, shall receive repayment of that portion of the associated cost of the construction collected hereunder, pursuant to the terms and conditions of its external works agreement.
9. Unpaid Sewer Charges constitute a debt to the City and may be added to the tax roll and collected in the same manner as municipal taxes.
10. If any provision or requirement of this By-law, or the application of it to any person, shall to any extent be held to be invalid or unenforceable by any court of competent jurisdiction, the remainder of the By-law, or the application of it to all persons other than those in respect of whom it is held to be invalid or unenforceable, shall not be affected, and each provision and requirement of this By-law shall be separately valid and enforceable.
11. This By-law comes into force on the day following the date of its passing.

**PASSED** this 25<sup>th</sup> day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting South Service Road from Fifty Road to approximately 140 metres East of Fifty Road, in the City of Hamilton

Schedule "A" to By-law No.

South Service Road  
Sanitary Sewer on South Service Road from Fifty Road to approximately 140 metres East of Fifty Road

<b>Property Address</b>	<b>Sanitary Sewer Charge</b>
Fifty Road (PIN 173701043)	\$61,210.34
<b>TOTAL</b>	<b>\$61,210.34</b>

**Authority:** Item 17, Public Works Committee  
Report 07-011  
(TOE02005(b)/FCS02026(b)/PED0  
7248)  
CM: September 26, 2007  
Ward: 10

**Bill No. 230**

**CITY OF HAMILTON**

**BY-LAW NO. 19-**

**To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting South  
Service Road from Oriole Avenue to Fifty Road, in the City of Hamilton**

**WHEREAS** the Council of the City of Hamilton authorized recovering a portion of costs associated with the construction of Sewer Works by approving, on September 26, 2007, Item 17 of Public Works Committee Report 07-011 (Report TOE02005(b)/FCS02026(b)/PED07248);

**WHEREAS** a developer, Penady (Stoney Creek) Ltd., in satisfaction of terms and conditions of external works agreement DA-13-022, did construct certain Sewer Works, in the City of Hamilton, as more particularly described in Schedule "A" attached to this By-law; and,

**WHEREAS** the cost of the Sewer Works, including sanitary drain connections, to be recovered from all benefitting property owners is \$472,140.60.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sewer Charges are hereby imposed upon the owners or occupants of land who benefit from the construction of the Sewer Works (the "Assessed Owners").
2. The Assessed Owners' lands and the respective Sewer Charges are more particularly described in Schedule "A", which Schedule is attached to and forms part of this By-law.
3. The Sewer Charges have been established using the approved method for cost apportionment per City of Hamilton Report TOE02005(b)/FCS02026(b)/PED07248 (Funding Methodologies for Municipal Infrastructure Extensions Review and Update), establishing a Sewer Charge of \$1,266.25 per metre of property frontage attributable to 1266 South Service Road, and \$1,345.92 per metre of property frontage attributable to 1290 South Service Road; in addition to the actual cost of \$13,654.21 for each 250mm sanitary drain connection and the actual cost of \$8,470.00 for each 200mm sanitary drain connection. The Sewer Charges shall be indexed in accordance with the percentage change in the composite Canadata Construction Cost Index (Ontario Series), commencing from the completion date of construction May 2018, to the date of payment.



4. The amount resulting from the application of the Sewer Charges (the "Indebtedness"), shall be collected at the time of permit issuance for any connection to the said Sewer Works, in addition to any applicable permit fee.
5. The Assessed Owners have the option of paying the Indebtedness by way of annual payments over a period of 15 years from the date of permit issuance for connection by entry on the tax roll, to be collected in like manner as municipal taxes. The interest rate utilized for the 15 year payment shall be the City of Hamilton's then-current 15 year borrowing rate (2019 rate-3.50%).
6. Notwithstanding Section 5, as Assessed Owner of a parcel described in Schedule "A" may pay the commuted value of the Indebtedness without penalty, but including interest, at any time.
7. Should an Assessed Owner sever or subdivide their parcel of land, the Sewer Charges owed to the City of Hamilton, whether the parcel of land is connected or not, and whether or not the Assessed Owner has previously exercised the repayment option set out in Section 5 above, shall be paid forthwith to the City of Hamilton in a lump sum as a condition of the severance or subdivision approval.
8. The developer, Penady (Stoney Creek) Ltd., upon satisfying the City that it has completed its obligations with respect to the construction of the said Sewer Works, shall receive repayment of that portion of the associated cost of the construction collected hereunder, pursuant to the terms and conditions of its external works agreement.
9. Unpaid Sewer Charges constitute a debt to the City and may be added to the tax roll and collected in the same manner as municipal taxes.
10. If any provision or requirement of this By-law, or the application of it to any person, shall to any extent be held to be invalid or unenforceable by any court of competent jurisdiction, the remainder of the By-law, or the application of it to all persons other than those in respect of whom it is held to be invalid or unenforceable, shall not be affected, and each provision and requirement of this By-law shall be separately valid and enforceable.
11. This By-law comes into force on the day following the date of its passing.

**PASSED** this 25<sup>th</sup> day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting South Service Road from Oriole Avenue to Fifty Road, in the City of Hamilton

Schedule "A" to By-law No.

South Service Road  
Sanitary Sewer on South Service Road from Oriole Avenue to Fifty Road

<b>Property Address</b>	<b>Property Frontage (m)</b>	<b>Sanitary Sewer Charge</b>	<b>Sanitary Drain Connection</b>	<b>Total</b>
1266 South Service Rd.	181.861	\$230,281.49	\$13,654.21	\$243,935.70
1290 South Service Rd.	163.260	\$219,734.90	\$8,470.00	\$228,204.90
<b>TOTAL</b>	<b>345.121</b>	<b>\$450,016.39</b>	<b>\$22,124.21</b>	<b>\$472,140.60</b>

**Authority:** Item 17, Public Works Committee  
Report 07-011  
(TOE02005(b)/FCS02026(b)/PED0  
7248)  
CM: September 26, 2007  
Ward: 10

**Bill No. 231**

**CITY OF HAMILTON**

**BY-LAW NO. 19-**

**To Impose Watermain and Storm Sewer Charges Upon Owners of Land Abutting  
Vince Mazza Way from Winona Road to South Service Road, in the City of  
Hamilton**

**WHEREAS** the Council of the City of Hamilton authorized recovering a portion of costs associated with the construction of Sewer Works by approving, on September 26, 2007, Item 17 of Public Works Committee Report 07-011 (Report TOE02005(b)/FCS02026(b)/PED07248);

**WHEREAS** a developer, Penady (Stoney Creek) Ltd., in satisfaction of terms and conditions of external works agreement DA-13-022, did construct certain Watermain and Storm Sewer Works, in the City of Hamilton, as more particularly described in Schedule "A" attached to this By-law; and,

**WHEREAS** the costs of the Watermain and Sewer Works, including water service connections, to be recovered from all benefitting property owners is \$177,876.66.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Watermain and Sewer Charges are hereby imposed upon the owners or occupants of land who benefit from the construction of the Sewer Works (the "Assessed Owners").
2. The Assessed Owners' lands and the respective Watermain and Sewer Charges are more particularly described in Schedule "A", which Schedule is attached to and forms part of this By-law.
3. The Watermain and Sewer Charges have been established using the approved method for cost apportionment per City of Hamilton Report TOE02005(b)/FCS02026(b)/PED07248 (Funding Methodologies for Municipal Infrastructure Extensions Review and Update), establishing a Watermain Charge of \$300.51 per metre of property frontage attributable to each Assessed Owner of an existing lot and a Storm Sewer Charge of \$147.54 per metre of property frontage attributable to each Assessed Owner of an existing lot, in addition to the actual cost of \$15,687.04 for each 200mm water service connection. The Watermain and Sewer Charges shall be indexed in accordance with the percentage change in the composite Canadata Construction Cost Index (Ontario Series), commencing from the completion date of construction May 2018, to the date of payment.

4. The amount resulting from the application of the Watermain and Sewer Charges (the "Indebtedness"), shall be collected at the time of permit issuance for any connection to the said Watermain and Sewer Works, in addition to any applicable permit fee.
5. The Assessed Owners have the option of paying the Indebtedness by way of annual payments over a period of 15 years from the date of permit issuance for connection by entry on the tax roll, to be collected in like manner as municipal taxes. The interest rate utilized for the 15 year payment shall be the City of Hamilton's then-current 15 year borrowing rate (2019 rate-3.50%).
6. Notwithstanding Section 5, as Assessed Owner of a parcel described in Schedule "A" may pay the commuted value of the Indebtedness without penalty, but including interest, at any time.
7. Should an Assessed Owner sever or subdivide their parcel of land, the Watermain and Sewer Charges owed to the City of Hamilton, whether the parcel of land is connected or not, and whether or not the Assessed Owner has previously exercised the repayment option set out in Section 5 above, shall be paid forthwith to the City of Hamilton in a lump sum as a condition of the severance or subdivision approval.
8. The developer, Penady (Stoney Creek) Ltd., upon satisfying the City that it has completed its obligations with respect to the construction of the said Watermain and Sewer Works, shall receive repayment of that portion of the associated cost of the construction collected hereunder, pursuant to the terms and conditions of its external works agreement.
9. Unpaid Watermain and Sewer Charges constitute a debt to the City and may be added to the tax roll and collected in the same manner as municipal taxes.
10. If any provision or requirement of this By-law, or the application of it to any person, shall to any extent be held to be invalid or unenforceable by any court of competent jurisdiction, the remainder of the By-law, or the application of it to all persons other than those in respect of whom it is held to be invalid or unenforceable, shall not be affected, and each provision and requirement of this By-law shall be separately valid and enforceable.
11. This By-law comes into force on the day following the date of its passing.

**PASSED** this 25<sup>th</sup> day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

To Impose Watermain and Storm Sewer Charges Upon Owners of Land Abutting Vince Mazza Way from Winona Road to South Service Road, in the City of Hamilton

Schedule "A" to By-law No.

Vince Mazza Way

Watermain and Storm Sewer on Vince Mazza Way from Winona Road to South Service Road

<b>Property Address</b>	<b>Property Frontage (m)</b>	<b>Storm Sewer Charge</b>	<b>Watermain Charge</b>	<b>Water Service Connection</b>	<b>Total</b>
1290 South Service Rd.	361.990	\$53,408.00	\$108,781.61	\$15,687.04	\$177,876.66
.					
<b>TOTAL</b>	<b>361.990</b>	<b>\$53,408.00</b>	<b>\$108,781.61</b>	<b>\$15,687.04</b>	<b>\$177,876.66</b>

**Authority:** Item 2, Planning Committee  
Report: 19-013 (PED19170)  
CM: September 11, 2019  
Ward: 5

**Bill No. 232**

**CITY OF HAMILTON**

**BY-LAW NO.19-**

**To Adopt:**

**Official Plan Amendment No.126 to the  
Urban Hamilton Official Plan**

Respecting:

**2782 Barton Street East, Hamilton  
(Hamilton)**

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 126 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 25th day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

## Urban Hamilton Official Plan Amendment No. 126

The following text constitutes Official Plan Amendment No. 126 to the Urban Hamilton Official Plan.

### 1.0 Purpose and Effect:

The purpose and effect of this Amendment is to delete an existing Site Specific Policy and replace it with a new Site Specific Policy to permit the development of a 13-storey mixed use building with a density of 441 units per hectare.

### 2.0 Location:

The lands affected by this Amendment are known municipally as 2782 Barton Street East, in the former City of Hamilton.

### 3.0 Basis:

The basis for permitting this Amendment is:

- The proposed development complies with the function, scale and design of the High Density Residential use category of the Neighbourhoods designation;
- The proposed development implements the Residential Intensification policies of the Urban Hamilton Official Plan; and,
- The proposed amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019.

### 4.0 Actual Changes:

#### 4.1 Volume 1 – Parent Plan

##### 4.1.1 Chapter C – Urban Site Specific Policies

- a. That Volume 3, Chapter C – Hamilton Urban Site Specific Policies be amended by deleting Site Specific Policy UHN-23 in its entirety and replacing it with the following:

**“UHN-23 – 2782 Barton Street East, former City of Hamilton**

1.0 Notwithstanding Policy E.3.6.6 b) – of Volume 1, for the lands designated “Neighbourhoods”, located at 2782 Barton Street East, the maximum net residential density for high density residential uses shall be 441 units per hectare.”

**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. 19-232 passed on the 25<sup>th</sup> day of September, 2019.

**The  
City of Hamilton**

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F. Eisenberger  
MAYOR

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A. Holland  
CITY CLERK



Authority: Item 6, Planning Committee  
Report PED19-014 (PED19059)  
CM: September 25, 2019  
Ward: 8

**Bill No. 233**

**CITY OF HAMILTON**

**BY-LAW NO. 19-**

**To amend Zoning By-law No. 05-200 with respect to lands located at 1351, 1355, 1359, 1375 Upper James Street and 16, 24, 34, 40 and 48 Stone Church Road East, Hamilton**

**WHEREAS** Council approved Item 6 of Report 19-014 of the Planning Committee, at its meeting held on September 25<sup>th</sup>, 2019;

**AND WHEREAS** this By-law conforms to the Urban Hamilton Official Plan.

**NOW THEREFORE** Council of the City of Hamilton enacts Zoning By-law No. 05-200 as follows:

1. That Map No. 1343 of Schedule “A” – Zoning Maps is amended by changing the zoning from the Mixed Use – Medium Density (C5, 318) Zone to the Mixed Use – Medium Density (C5, 724) Zone and adding the Mixed Use – Medium Density (C5, 724) Zone for the lands identified in the Location Map attached as Schedule “A” to this By-law.
2. That Schedule “C” – Special Exceptions is hereby amended as follows:
  - 2.1 That Special Exception 318 be amended by deleting the following Property Address and Map Number references:

“1351 Upper James Street	1343
1355 Upper James Street	1343
1359 Upper James Street	1343
1375 Upper James Street	1343
16 Stone Church Road East	1343
24 Stone Church Road East	1343”

2.2 That the following new Special Exception be added:

“724. Within the lands zoned Mixed Use - Medium Density (C5) Zone, identified on Map 1343 of Schedule “A” – Zoning Maps and described as 1351, 1355, 1359 and 1375 Upper James Street and 16, 24, 34, 40 and 48 Stone Church Road East, the following special provisions shall apply:

- a) Notwithstanding the definition of Front Lot Line in Section 3: Definitions, the definition of the Front Lot Line shall mean any lot line abutting Stone Church Road East.
- b) Notwithstanding Section 4.6b), a fire escape or exterior stair may encroach into a required front, side or rear yard.
- c) Sections 5.1a)i), 5.1a)v)c), 5.2h)i), 5.2h)ii) and 5.2.1c) shall not apply.
- d) Notwithstanding Sections 5.6c) as it relates to parking requirements for a Multiple Dwelling and Retail, 5.2b)i) and 5.2b)ii), the following regulations shall apply:

- |                             |                      |  |
|-----------------------------|----------------------|--|
| i) Parking Requirements     | A) Multiple Dwelling | 1 space for each dwelling unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 spaces for such unit (excluding 7 spaces from the total required). |
|                             | Retail               | 1. 0 spaces where a use is less than 450.0 square metres in gross floor area; and,<br><br>2. 1 space for each 50 square metres of gross floor area in excess of 450.0 square metres.   |
| ii) Parking Space Dimension | A)                   | A minimum parking space size dimension of 2.8 metres by 5.8 metres shall be provided.  |

e) In addition to Section 10.5.1.1 and 10.5.1.1i) and notwithstanding Sections 10.5.3a)i), 10.5.3a)ii), 10.5.3c), 10.5.3d)i)-iii), 10.5.3g)iii), 10.5.3g)iv), 10.5.3g)vii), 10.5.3g)viii), 10.5.3h)i), 10.5.3h)i)iii) and 10.5.3j) the following shall apply:

i) Restricted Uses A) Multiple Dwelling

1. Notwithstanding Section 10.5.1 Block 2, as shown on Figure 21 of Schedule "F" – Special Figures shall be restricted to a maximum of two Multiple Dwelling buildings.
2. Blocks 1 and 2, as shown on Figure 21 of Schedule "F" - Special Figures, shall have a maximum combined density of no greater than 200 uph or a maximum of 358 units, whichever is the lesser.

B) Restriction of Uses within a building on Block 1, as shown on Figure 21 of Schedule "F" – Special Figures

1. Uses other than a Multiple Dwelling shall be restricted to the ground floor.

ii) Setback from a Street Line

- A) A maximum of 4.5 metres shall be provided for Block 1, as shown on Figure 21 of Schedule "F" – Special Figures.
- B) A minimum of 2.9 metres shall be provided for Block 2, as shown on Figure 21 of Schedule "F" – Special Figures.
- C) Notwithstanding ii)A) above, a minimum of 6.5 metres shall be provided abutting the hypotenuse of the daylight triangle for Block 1, as shown on Figure 21 of Schedule "F" – Special Figures.

D) In addition to ii)A), above, for any portion of a building on Block 1, as shown on Figure 21 of Schedule F – Special Figures, greater than 20.0 metres in height the following additional setbacks shall apply:

1. Minimum 4.0 metres from Upper James Street; and,
2. Minimum 6.0 metres from Stone Church Road East.

iii) Minimum Interior Side Yard 4.5 metres abutting a Residential or Institutional Zone or a lot containing a residential use.

iv) Building Height A) Maximum 35.0 metres for Block 1, as shown on Figure 21 of Schedule “F” – Special Figures.  
B) Maximum 17.0 metres for Block 2, as shown on Figure 21 of Schedule “F” – Special Figures.

5. That Figure 21: 1351, 1355, 1359, and 1375 Upper James Street, 16, 24, 34, 40 and 48 Stone Church Road East attached to this By-law be added to Schedule “F” – Special Figures.

6. 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 AND ENACTED** this 25<sup>th</sup> day of September, 2019.

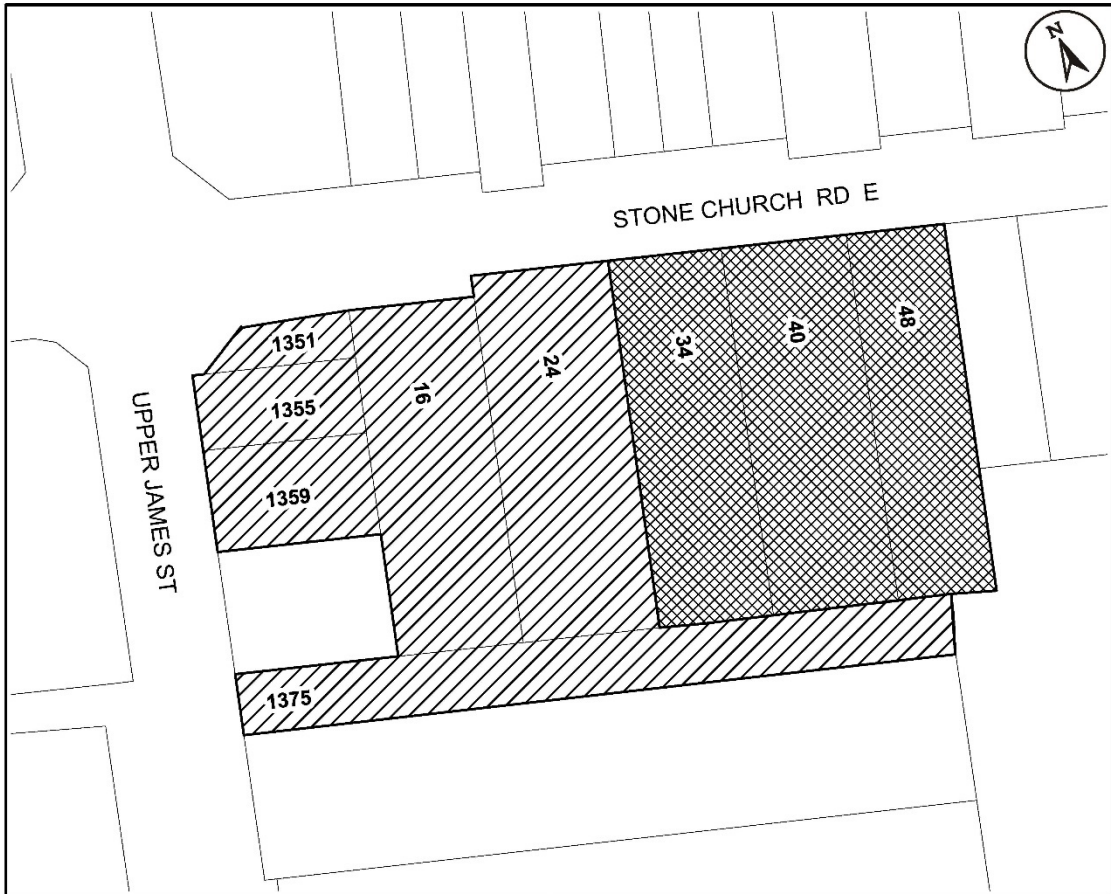
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F. Eisenberger  
MAYOR

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A. Holland  
CITY CLERK

ZAC-11-070



<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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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 19-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Map 1343</p>		<p><b>Subject Property</b> 1351, 1355, 1359 &amp; 1375 Upper James Street &amp; 16, 24, 34, 40 &amp; 48 Stone Church Road East</p> <p> <b>Block 1</b> - Change in Zoning from Mixed Use Medium Density (C5, 318) Zone to the Mixed Use Medium Density (C5, 724) Zone</p> <p> <b>Block 2</b> - Lands to be added to Zoning By-law No. 05-200 and Zoned Mixed Use Medium Density (C5, 724) Zone</p>
<p><b>Scale:</b> N.T.S.</p>	<p><b>File Name/Number:</b> ZAC-11-070</p>	<p style="margin-top: 5px;">Hamilton</p>
<p><b>Date:</b> Aug. 16, 2019</p>	<p><b>Planner/Technician:</b> GZ/AL</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

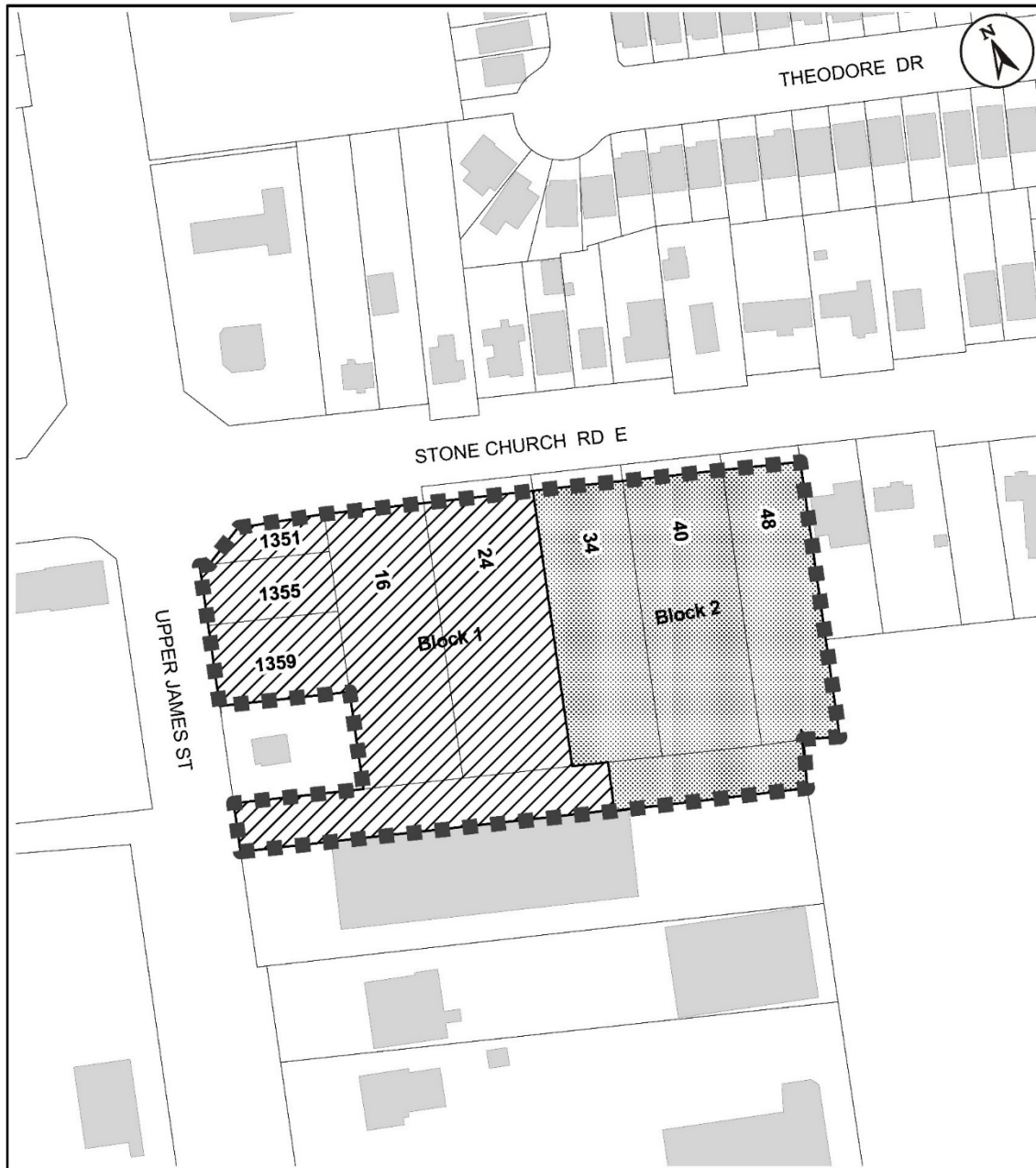


Figure 21: 1351, 1355, 1359 & 1375 Upper James Street & 16, 24, 34, 40 & 48 Stone Church Road East

Date;  
August 7, 2019

**Legend**

- ■ ■ Subject Area - Special Exception 724
- ▨ Block 1 - Mixed Use Building - Maximum permitted height of 8 storeys (35.0 metres)
- ▤ Block 2 - Two Multiple Dwellings - Maximum permitted height of 4 storeys (17.0 metres)



**Authority:** Item 2, Planning Committee  
Report 19-013 (PED19170)  
CM: September 11, 2019  
Ward: 5

**Bill No. 234**

**CITY OF HAMILTON**

**BY-LAW NO. 19-**

**To Amend Zoning By-law no. 6593 (Hamilton)  
Respecting Lands at 2782 Barton Street East, in the City of Hamilton**

**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 area municipality known as “The Corporation of the City of Hamilton” and is 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** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25<sup>th</sup> day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7<sup>th</sup> day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No. XX.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Sheet No. E123 of the District maps, appended to and forming part of By-law No. 6593 (Hamilton) as amended, is further amended by changing from the “E-2/S-306b” (Multiple Dwellings) District, Modified to the “E-3/S-306c” (High Density Multiple Dwellings) District, Modified on the lands, the extent to which are shown on a plan hereto annexed as Schedule “A”.

2. That the “E-3” (High Density Multiple Dwelling) District provisions as contained in Section 11C, as amended by By-law 18-049, applicable to the subject lands, be further modified to include the following special requirements:

- a) Section 4 a) be deleted and replaced with “That notwithstanding Section 11C (b), where a building or structure is distant not greater than 30.0 metres from a “DE”, “DE-2”, DE-3”, “RT-10”, “RT-20” or “RT-30” District, the height of a building or structure shall not exceed thirteen storeys or 41.5 metres in height.
- b) Section 4 b) be deleted and replaced with “That notwithstanding Section 11C(2)(a), a front yard having a depth not less than 4.0 metres. For the purpose of Zoning conformity, the front lot line shall be defined as the lot line abutting Barton Street East (northerly lot line).
- c) Section 4 c) be deleted and replaced with “That notwithstanding Section 11C(2)(b), an easterly side yard having a depth not less than 2.0 metres, except 1.5 metres to the hypotenuse of the daylight triangle, and a westerly side yard having a depth not less than 2.6 metres.
- d) Section 4 d) be deleted and replaced with “That notwithstanding Section 11C(2)(c), a rear yard having a depth not less than 39 metres, except that any portion of the underground parking garage which may project above grade is permitted to be located within the rear yard if it is distant at least 17.0 metres from the rear property line.
- e) Section 4 f) be deleted and replaced with “That notwithstanding Section 11C(5), for every building or structure, there shall be provided and maintained on the lot and within the district at least 18% of the area of the lot on which it is situate, as landscaped area.
- f) Section 4 i) be deleted and replaced with “That notwithstanding Section 18A (Table 1) and (Table 2), the following requirements shall apply:
  - i. A multiple dwelling shall require parking based on the following:
    - a. Units greater than 50 square metres: 1.0 spaces per unit;
    - b. Units equal to or lesser than 50 square metres: 0.3 spaces per unit; and,
    - c. Shared commercial and resident visitor: 0.22 spaces per unit.
  - ii. Each shared commercial and residential visitor parking space shall:
    - a. be maintained for the use of both the commercial and residential visitor parking;



- b. have a sign erected and legibly marked that the parking spaces are for the use of both commercial and residential visitor parking: and,
  - c. be maintained and readily accessible for either use, free and clear of all obstructions.
- g) Section 4 j) be deleted and replaced with “That notwithstanding Section 18A (Table 3), one (1) loading space shall be provided for a multiple dwelling with greater than 100 dwelling units, with a minimum size of 13.0 metres in length and 6.0 metres in width.
- h) That a new Section 4 be added and the subsequent sections be renumbered:
- “4. That in addition to Section 11C (1), the following uses shall also be permitted on the ground floor only:
    - (i) Commercial uses permitted in the “G” District;
    - (ii) A day nursery;
    - (iii) A medical or dental clinic, or the office of treatment room of any doctor, dentist, osteopath or drugless practitioner.”
- i) That a new section 6 be added and the subsequent sections be renumbered:
- “6. That notwithstanding Section 18 (30) of Zoning By-Law No. 6593, permeable pavers and other dustless, Low Impact Development surface materials will also be permitted.”
3. That Sheet No. E123 of the District Maps is amended by making the lands referred to in Section 1 of this By-law as S-306c.
4. That By-law No. 6593 is amended by adding this by-law to Section 19B as Schedule S-306c.
5. 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*.

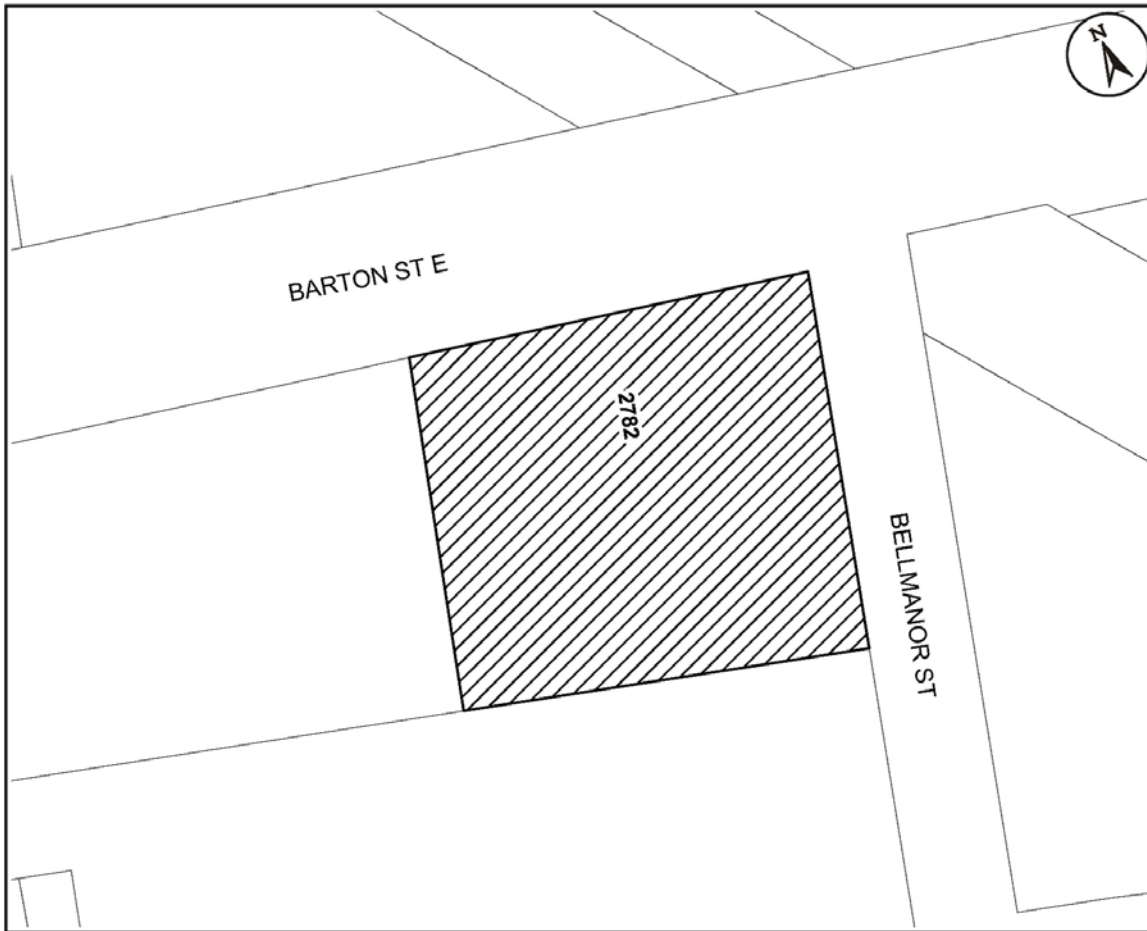
**PASSED and ENACTED** this 25th day of September, 2019.

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Fred Eisenberger  
Mayor

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A. Holland  
City Clerk



<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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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 19-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 6593</p>	<p><b>Subject Property</b></p> <div style="display: flex; align-items: flex-start; margin-top: 5px;"> <div style="width: 20px; height: 15px; border: 1px solid black; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); margin-right: 5px;"></div> <div> <p>Change in zoning from "E-3/S-306b" (High Density Multiple Dwellings) District, Modified, to "E-3/S-306c" (High Density Multiple Dwellings) District, Modified</p> </div> </div>
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<p><b>Scale:</b> N.T.S.</p>	<p><b>File Name/Number:</b> ZAC-19-001 / UHOPA-19-001</p>	<p style="margin: 0;">Hamilton</p>
<p><b>Date:</b> April 26, 2019</p>	<p><b>Planner/Technician:</b> JO/AL</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

Authority: Item 5, Planning Committee  
Report 19-014 (PED19169)  
CM: September 25, 2019  
Ward: 12  
**Bill No. 235**

## **CITY OF HAMILTON**

### **BY-LAW NO. 19-XXX**

#### **To Amend Zoning By-law No. 87-57 Respecting Lands Located at 455 Springbrook Avenue, 253 Fair Street and Block 14, Plan 62M-1161**

**WHEREAS** the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

**AND WHEREAS** the *City of Hamilton Act, 1999* provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 87-57 (Ancaster) was enacted on the 22<sup>nd</sup> day of June, 1987, and approved by the Ontario Municipal Board on the 23<sup>rd</sup> day of January, 1989;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 5 of Report 19-014 of the Planning Committee at its meeting held on the 25<sup>th</sup> day of September 2019, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided; and,

**AND WHEREAS** this By-law will be in conformity with the Urban Hamilton Official Plan.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Map No. 1337 and Map No. 1338 of Schedule "A", appended to and forming part of Zoning By-law No. 87-57 (Ancaster) are amended, by changing the zoning from the Agricultural "A" Zone to the Residential "R4-705" Zone, Modified (Block 1); and from the Agricultural "A" Zone and Residential "R4-563" Zone, Modified to the Residential "R4-706" Zone, Modified (Block 2) on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. The Section 34: Exceptions, to Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following Sub-sections:

To Amend Zoning By-law No. 87-57  
Respecting Lands Located at 455 Springbrook Avenue, 253 Fair Street and Block 14  
Plan 62M-1161 (Ancaster)

“R4 – 705” (Block 1)

That notwithstanding the provisions of Section 12.2 (b) and (c) the following special provisions shall apply to the lands zoned “R4-705”:

REGULATIONS

- (a) Minimum Lot Frontage: 11.8 metres.
- (b) Maximum Lot Coverage: 45%

“R4 – 706” (Block 2)

REGULATIONS

That notwithstanding the provision of Section 12.2 (c) the following special provision shall apply to the lands zoned “R4-706”:

- (a) Maximum Lot Coverage: 45%
3. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential “R4” Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.
  4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

PASSED this 25th day of September, 2019.

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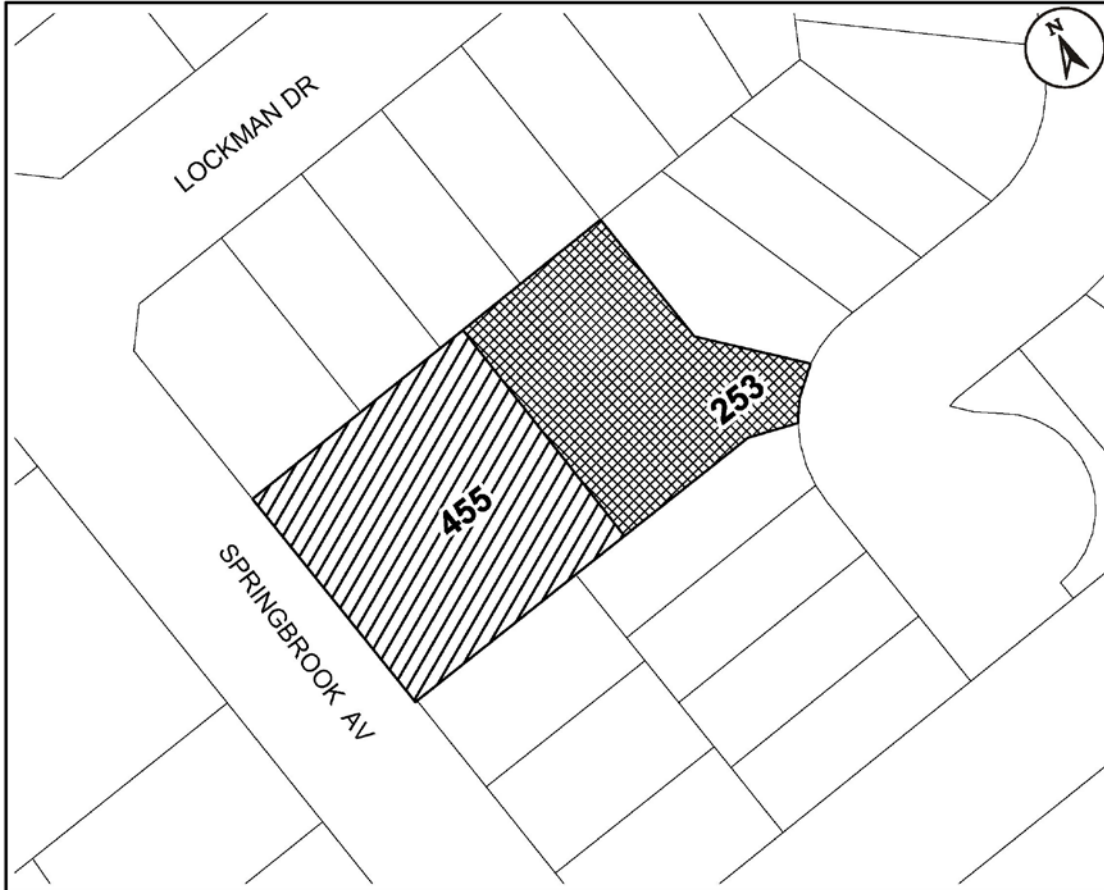
Fred Eisenberger  
Mayor

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A. Holland  
City Clerk

ZAC-19-032

To Amend Zoning By-law No. 87-57  
 Respecting Lands Located at 455 Springbrook Avenue, 253 Fair Street and Block 14  
 Plan 62M-1161 (Ancaster)



This is Schedule "A" to By-law No. 19-  Passed the ..... day of ....., 2019	----- Mayor  ----- Clerk
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<p style="text-align: center;"><b>Schedule "A"</b></p> <p style="text-align: center;">Map Forming Part of By-law No. 19-_____</p> <p style="text-align: center;">to Amend By-law No. 87-57</p>	<p><b>Subject Property</b>                  455 Springbrook Avenue and 253 Fair Street and Block 14,                  Plan 62M-1161, Ancaster</p> <p> <b>Block 1</b> - Change in Zoning from the Agricultural "A" Zone to the Residential "R4-705" Zone, Modified</p> <p> <b>Block 2</b> - Change in Zoning from Agricultural "A" Zone and the Residential "R4-563" Zone to the Residential "R4-706" Zone, Modified</p>
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<b>Scale:</b> N.T.S.	<b>File Name/Number:</b> ZAC-19-032	
<b>Date:</b> July 31, 2019	<b>Planner/Technician:</b> JV/VS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		Hamilton

**CITY OF HAMILTON**

BY-LAW NO.

Respecting:

Removal of Part Lot Control

Block 207, within Registered Plan No. 62M-1238 "Mountainview Heights Phase 2",  
municipally known as, 35,37,39,41,43 and 45 Riverwalk Drive.

**WHEREAS** the sub-section 50(5) of the Planning Act, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the Planning Act, provides as follows:

"(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law."

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the Planning Act, for the purpose of creating six residential parcels for street townhouse dwellings, shown as Parts 1,3,5,6,8 and 10, inclusive, including maintenance easements, shown as Parts 2,4,7 and 9, inclusive, on deposited Reference Plan 62R-21205, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 207, Registered Plan No. 62M-1238, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 25th day of September, 2021.
4. **PASSED** this 25th day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward 7

**Bill No. 237**

## **CITY OF HAMILTON**

### **BY-LAW NO.**

Respecting: Removal of Part Lot Control, Lots 1 and 13, Registered Plan No. 1162, "Mohawk Park Extension", known as 2 & 4 Seeley Avenue and 485 & 487 East 25th Street, Hamilton

**WHEREAS** the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

"(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law."

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating four lots for four semi-detached dwelling units, shown as Parts 1 and 2, Lot 1 and Parts 18 and 19, Lot 13, on deposited Reference Plan 62R-21263, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lots 1 and 13, Registered Plan No. 1162, 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 25th day of September, 2021.
4. **PASSED** this 25<sup>th</sup> day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 4

**Bill No. 238**

## **CITY OF HAMILTON**

BY-LAW No. XXXX

Respecting: The removal of Part Lot Control from Lot 138 on Registered Plan No. 865 "North Airfield Park" known as 27 Grimsby Street.

**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 two lots for semi-detached dwellings (Part 1, and Part 5) and for the purposes of creating a daylight triangle over (Part 1, Part, Part 3, and Part 4) Lot 138, on deposited Reference Plan 62R-21256, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lot 138, Registered Plan No. 865, 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 25<sup>th</sup> day of September, 2021.

**PASSED** this 25<sup>th</sup> day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk



**CITY OF HAMILTON**

BY-LAW NO.

Respecting:

Removal of Part Lot Control

Block 207, within Registered Plan No. 62M-1238 "Mountainview Heights Phase 2",  
municipally known as, 35,37,39,41,43 and 45 Riverwalk Drive.

**WHEREAS** the sub-section 50(5) of the Planning Act, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the Planning Act, provides as follows:

"(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law."

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the Planning Act, for the purpose of creating six residential parcels for street townhouse dwellings, shown as Parts 1,3,5,6,8 and 10, inclusive, including maintenance easements, shown as Parts 2,4,7 and 9, inclusive, on deposited Reference Plan 62R-21205, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 207, Registered Plan No. 62M-1238, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 25th day of September, 2021.
4. **PASSED** this 25th day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 7

**Bill No. 240**

**CITY OF HAMILTON**

BY-LAW NO.

Respecting: Removal of Part Lot Control, Lots 18, 21, 22, 23, and 24, Registered Plan No. 1162, "Mohawk Park Extension", known as 373, 375, 379, 381, 385 & 387 East 23rd Street and 305, 307, 314 & 316 East 24th Street, Hamilton

**WHEREAS** the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

"(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law."

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating ten lots for ten semi-detached dwelling units, shown as Part 31, Lot 18, Parts 26, 27, 29, and 30, Lot 21, Parts 23 and 24, Lot 22, Part 22, Lot 23, and Part 20, Lot 24, on deposited Reference Plan 62R-20734, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lots 18, 21, 22, 23, and 24, Registered Plan No. 1162, 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 25<sup>th</sup> day of September, 2021.
4. **PASSED** this 25<sup>th</sup> day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

**CITY OF HAMILTON**

BY-LAW NO.

Respecting: Removal of Part Lot Control, Lots 27, 35, and 39, Registered Plan No. 1162, "Mohawk Park Extension", known as 383 East 22nd Street, 374 East 21st Street, and 643 Upper Wentworth Street, Hamilton

**WHEREAS** the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

"(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law."

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating six lots for six semi-detached dwelling units, shown as Parts 16 and 18, Lot 27 and Parts 5 and 6, Lot 35 on deposited Reference Plan 62R-20734 and Part 2, Lot 39 on deposited Reference Plan 62R-21268, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lots 27, 35, and 39, Registered Plan No. 1162, 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 25<sup>th</sup> day of September, 2021.
4. **PASSED** this 25<sup>th</sup> day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 4

**Bill No. 242**

## **CITY OF HAMILTON**

BY-LAW No. 19-

Respecting: Removal of Part Lot Control from Lot 106 of Registered Plan 865 "North Airfield Park" known as 4 and 5 Martha Street, Hamilton

**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 two lots for semi-detached dwellings being Part 4 and Part 7 of Lot 106, and for the purposes of dedicating a daylight triangle on Part 5 and Part 6 shown on deposited Reference Plan 62R-21260, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lot 106, Registered Plan No. 865, 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 25<sup>th</sup> day of September, 2021.

**PASSED** this 25<sup>th</sup> day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 15

**Bill No. 243**

**CITY OF HAMILTON**

BY-LAW NO.

Respecting:

Removal of Part Lot Control

Block 208, Registered Plan No. 62M-1238 "Mountainview Heights Phase 2", municipally known as, 47,49,51,53,55 and 57 Riverwalk Drive.

**WHEREAS** the sub-section 50(5) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

"(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law."

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating six residential parcels for street townhouse dwellings, shown as Parts 1,3,5,6,8 and 10, inclusive, including maintenance easements, shown as Parts 2,4,7 and 9, inclusive, on deposited Reference Plan 62R-21191, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 208, Registered Plan No. 62M-1238, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 25th day of September, 2021.
4. **PASSED** this 25th day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 4

**Bill No. 244**

## **CITY OF HAMILTON**

BY-LAW No. 19-

Respecting: Removal of Part Lot Control from Lot 172 of Registered Plan 865 "North Airfield Park" known as 89 Martha Street, Hamilton

**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 two lots for a semi-detached dwelling being Part 2 and Part 5, and for the purposes of dedicating a daylight triangle being Part 3 and Part 4 of Lot 172 shown on deposited Reference Plan 62R-21254, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lot 172, Registered Plan No. 865, 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 25<sup>th</sup> day of September, 2021.

**PASSED** this 25<sup>th</sup> day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

**CITY OF HAMILTON**

**BY-LAW NO. 19-**

To Confirm the Proceedings of City Council at its meeting held on September 25, 2019.

**THE COUNCIL OF THE  
CITY OF HAMILTON  
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 15<sup>th</sup> day of September, 2019, in respect of each recommendation contained in

General Issues Committee Report 19-017 – September 18, 2019,  
Planning Committee Report 19-014 – September 17, 2019,  
Public Works Committee Report 19-013 – September 6, 2019,  
Board of Health Report 19-009 – September 16, 2019,  
Audit, Finance & Administration Committee Report 19-013 – September 9, 2019,  
and  
Emergency and Community Services Committee Report 19-011 – September 19, 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 15<sup>th</sup> day of September, 2019.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk