



City of Hamilton

CITY COUNCIL AGENDA

20-003

Wednesday, February 12, 2020, 5:00 P.M.

Council Chambers, Hamilton City Hall

71 Main Street West

Call to Order

1. APPROVAL OF AGENDA

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

2. DECLARATIONS OF INTEREST

3. CEREMONIAL ACTIVITIES

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 January 22, 2020

4.2 February 7, 2020

5. COMMUNICATIONS

5.1 Correspondence from Kevin Gonci, Chair, Golden Horseshoe Track & Field Council respecting the 91st Highlanders Athletic Association (Est. 1908) hosting of the 95th Edition of the Hamilton Indoor Games February 19th and 20th at the First Ontario Centre.

Recommendation: Be received.

- 5.2 Correspondence from the City of Sarnia requesting support for their resolution respecting Ontario Power Generation's Deep Geologic Repository Project.
Recommendation: Be received.
- 5.3 Correspondence from Glenn Wilton respecting LRT alternative spending.
Recommendation: Be received.
- 5.4 Correspondence from the Ministry of Transportation respecting the Notice of Study Commencement (WO. #16-20004), Highway 403 and Highway 6 Interchange Improvements, Preliminary Design and Class Environmental Assessment Study.
- 5.4.a Additional correspondence from AECOM respecting the above matter.
Recommendation: Be received and referred to the General Managers of Public Works and Planning and Economic Development for appropriate action.
- 5.5 Correspondence from Conservation Halton respecting the 2019 Budget Municipal Funding Apportionment.
Recommendation: Be received and referred to the General Manager of Finance and Corporate Services for appropriate action.
- 5.6 Correspondence from Principles Integrity respecting the Interim Integrity Commissioner's Annual Report - City of Hamilton.
Recommendation: Be received and referred to the Governance Review Sub-Committee for a presentation from Principles Integrity on the Annual Report.
- 5.7 Correspondence from the City of St. Catharines requesting support for their resolution respecting Heddle Shipyards.
Recommendation: Be received.
- 5.8 Correspondence from Angela Pugliese to the Honourable Catharine McKenna, Minister of Infrastructure and Communities respecting the Hamilton LRT.
Recommendation: Be received.
- 5.9 Correspondence from Municipal Property Assessment Corporation respecting the 2019 Year-End Assessment Report.
Recommendation: Be received.

6. COMMITTEE REPORTS

- 6.1 Special General Issues Committee Report 20-003 - January 30, 2020

- 6.2 Public Works Committee Report 20-002 - February 3, 2020
- 6.3 Planning Committee Report 20-002 - February 4, 2020
- 6.4 General Issues Committee Report 20-004 - February 5, 2020
- 6.5 Audit, Finance and Administration Committee Report 20-002 - February 6, 2020

7. MOTIONS

- 7.1 Amendment to Item 16 of the Audit, Finance & Administration Committee Report 19-022, respecting Report FCS19090 - CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request (City Wide), as amended

8. NOTICES OF MOTIONS

9. STATEMENTS BY MEMBERS

10. PRIVATE AND CONFIDENTIAL

- 10.1 Closed Session Minutes - January 22, 2020 (distributed under separate cover)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, as amended, 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.

- 10.2 Hamilton Transportation Task Force Update (CM20002(a)) (City Wide) (distributed under separate cover)

Pursuant to Section 8.1, Sub-section (h) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-Section (h) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to information explicitly supplied in confidence to the City by Canada, a province or territory or a Crown agency of any of them.

11. BY-LAWS AND CONFIRMING BY-LAW

- 11.1 014

To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 5 (Stop Control)

Ward: 8, 9

11.2 015

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

Schedule 3 (Through Highways – No Parking Prohibition)

Schedule 6 (Time Limit Parking)

Schedule 8 (No Parking Zones)

Schedule 12 (Permit Parking Zones)

Schedule 13 (No Stopping Zones)

Ward: 1, 2, 3, 4, 11, 12, 15

11.3 016

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

Schedule 6 (Time Limit Parking)

Schedule 8 (No Parking Zones)

Schedule 12 (Permit Parking Zones)

Schedule 13 (No Stopping Zones)

Schedule 14 (Wheelchair Loading Zones)

Schedule 20 (School Bus Loading Zones)

Ward: 1, 2, 3, 4, 5, 6, 8, 9, 12, 13, 14, 15

11.4 017

To Amend City of Hamilton Idling Control By-law No. 07-160, Being a By-law to Prohibit Unnecessary Idling of Vehicles; and to Amend By-law No. 17-225, Being a By-law to Establish a System of Administrative Penalties

Ward: City Wide

11.5 018

To Amend Property Standards By-law No. 10-221 with Respect to Incomplete and Unrepairable Buildings

Ward: City Wide

11.6 019

Respecting Removal of Part Lot Control, Block 4 and Part Block 3, Registered Plan No. 62M-1256 "Victory Ridge – Phase 3", municipally known as 17, 19, 21, 23, 25, and 27 Allcroft Court

PLC-19-033

Ward: 9

11.7 020

Respecting Removal of Part Lot Control, Block 248 and 294 on Registered Plan No. 62M-1257, municipally known as 270, 272, 274, 276, 278, 280, 282, 284, 290, 292, 294, 296, 298, 300, 302 and 304 Bedrock Drive

PLC-19-036

Ward: 9

11.8 021

Respecting Removal of Part Lot Control, Blocks 93 and 94, Registered Plan No. 62M-1249, "Empire Caterini – Phase 1", municipally known as 11, 13, 15, 17, 19, 21, 23, 25, 27, 29 and 31 Armes Street

PLC-19-038

Ward: 11

11.9 022

To Amend Zoning By-law No. 464, respecting Lands Located at 3100-2140 Regional Road 56, in the Former Township of Glanbrook, now in the City of Hamilton

ZAH-19-052

Ward: 11

11.10 023

To Amend Zoning By-law No. 6593, Respecting Lands located at 11 Grosvenor Avenue South, Hamilton

Ward: 3

ZAR-19-016

- 11.11 024
To Amend Zoning By-law No. 6593, as amended, Respecting Lands Located at 184 and 186 Markland Street, Hamilton
Ward: 2
ZAC-18-047
- 11.12 025
To Permanently Close and Sell a Portion of Road Allowance Abutting 40 Maple Drive, Stoney Creek, namely Part of the Road Allowance between Lots 18 and 19, Concession 3 and Concession 4 in the Geographic Township of Saltfleet in the City of Hamilton, designated as Part 1 on Plan 62R-21212, being part of PIN 17319-0624(LT), City of Hamilton
Ward: 10
- 11.13 026
To Permanently Close and Sell a Portion of Road Allowance Abutting 40 Maple Drive, Stoney Creek, namely Part of the Road Allowance between Lots 18 and 19, Concession 3 in the Geographic Township of Saltfleet, in the City of Hamilton, designated as Part 2 on Plan 62R-20595, being Part of PIN 17319-0624(LT), City of Hamilton
Ward: 10
- 11.14 027
To Establish City of Hamilton Land Described as Blocks 320 and 342 on Plan 62M-1158 as Part of Garner Road East
Ward: 12
- 11.15 028
To Establish City of Hamilton Land Described as Blocks 321 and 341 on Plan 62M-1158 as Part of Raymond Road
Ward: 12
- 11.16 029
To Amend Zoning By-law No. 05-200, Respecting Land Located at 630 Stone Church Road West, Hamilton
ZAR-19-003
Ward: 14

11.17 030

To Amend Zoning By-law No. 05-200, as amended, Respecting Lands Located at 71 Rebecca Street in the City of Hamilton

ZAC-17-053

UHOPA-17-023

Ward: 2

11.18 031

To Confirm the Proceedings of City Council

12. ADJOURNMENT



CITY COUNCIL MINUTES 20-001

5:00 p.m.
January 22, 2020
Council Chamber
Hamilton City Hall
71 Main Street West

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

Absent: Councillors T. Whitehead – Personal

Mayor Eisenberger called the meeting to order and recognized that Council is meeting on the traditional territories of the Erie, Neutral, HuronWendat, Haudenosaunee and Mississaugas. This land is covered by the Dish with One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabek to share and care for the resources around the Great Lakes. It was further acknowledged that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation. The City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and it was recognized that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners and caretakers.

The Mayor called upon Pastor Richard Palmer of Access Community Church, to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

5. COMMUNICATIONS (Item 5)

- 5.21 Correspondence from Charles Kamphuis respecting Item 3 of the School Board Properties Sub-Committee Report 19-003, as it relates to Report PED19239 - Hamilton-Wentworth District School Board Property at 65 Frances Avenue, Stoney Creek (Ward 10).

Recommendation: Be received and referred to consideration of Item 11 of General Issues Committee Report 20-001

- 5.22 Correspondence from Janette Smith, City Manager, City of Hamilton, respecting the Hamilton Transportation Task Force

Recommendation: Be received and referred to the consideration of Item 14 of General Issues Committee Report 19-001

7. MOTIONS (Item 7)

Referred to the February 12, 2020 Governance Review Sub-Committee Meeting

- 7.1 Recording of In-Camera Meetings

Referred to the February 12, 2020 Council Meeting

- 7.2 Retaining Wall Repair/Replacement Loan Agreements Between the City of Hamilton and the Property Owners at 126, 130 and 134 Adis Ave, Hamilton
- 7.3 Retaining Wall Repair/Replacement Grant to the Property Owners at 126, 130 and 134 Adis Ave, Hamilton

Revised

- 7.6 ***Ward 15 Council Priority Minor Maintenance Projects***

8. NOTICE OF MOTION (Item 8)

- 8.1 Amendment to Item 8 of the General Issues Committee Report 18-014, respecting Report PED16253(b) – 18-28 King Street East, Extension of Conditional Approval, Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program

(Danko/Pauls)

That the agenda for the January 22, 2020 meeting of Council be approved, ***as amended.***

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

- YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson

YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

DECLARATIONS OF INTEREST

Councillor VanderBeek declared an interest to Item 12 of Planning Committee Report 20-001, respecting Property Standards By-Law – Rental Properties and Apartments, as she owns rental properties.

Councillor Pearson declared an interest to Item 12 of Planning Committee Report 20-001, respecting Property Standards By-law – Rental Properties and Apartments, as she is a landlord and owns rental properties.

Councillor Ferguson declared an interest to Items 9, 10, and 11 of Planning Committee Report 20-001 and Item (e) (i) of Public Works Committee Report 20-001, as he is an investor in the taxi industry.

Councillor Ferguson declared an interest to Items 15 and 20 of General Issues Committee Report 20-001, as a member of his extended family owns one of the companies mentioned in the report.

Councillor Danko declared a non-monetary interest to Item 11 of General Issues Committee Report 20-001, respecting School Board Properties Sub-Committee Report 19-003, December 17, 2019, as his wife is the Trustee for Ward 7 and currently Vice Chair of the Hamilton-Wentworth District School Board.

Councillor Merulla declared an interest to Item 12 of the Planning Committee Report 20-001, as he and his wife are landlords.

APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 December 11, 2019

(Partridge/Johnson)

That the Minutes of the December 11, 2019 meeting of Council be approved, as presented.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge

NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

COMMUNICATIONS

(Clark/Nann)

That Council Communications 5.1 to 5.22 be approved, ***as amended***, as follows:

- 5.1 Correspondence from Mayor Eisenberger to Premier Doug Ford respecting the Province's decision to cancel Hamilton's massive LRT investment.

Recommendation: Be received.

- 5.2 Correspondence from the Honourable Minister Todd Smith, Ministry of Children, Community and Social Services respecting the Ministry's current assessment of Ontario's Poverty Reduction Strategy in collaboration with other ministries and the launch of consultations to inform the development of a new five-year strategy, in accordance with the Poverty Reduction Act, 2009 with the posting of an online survey in January 2020 for a period of approximately 60 days.

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

- 5.3 Correspondence from the Hamilton Transit Alliance respecting the Government of Ontario's unexpected cancellation of the Hamilton Light Rail Transit project.

Recommendation: Be received.

- 5.4 Correspondence from the City of Woodstock to the Honourable Jeff Yurek, Minister of Environment, Conservation and Parks respecting a Ban of Single-Use Plastic Handled Shopping Bags.

Recommendation: Be received.

- 5.5 Correspondence from the Honourable Minister Dr. Merrilee Fullerton, Ministry of Long-Term Care in response to the Mayor's letter respecting the High Wage Transition Fund (HWTF) and the Structural Compliance Premium (SCP).

Recommendation: Be received and referred to the General Manager, Healthy and Safe Communities.

- 5.6 Correspondence from Noor Nazim, Organizer and Coordinator, Support Group Sudan - Hamilton respecting at request for \$8,000 to help send medicines to the vulnerable suffering people of Sudan.

Recommendation: ***Be received and referred to the Director, Strategic Partnerships and Communications for consideration.***

- 5.7 Correspondence from the Office of the Information and Privacy Commissioner/ Ontario (IPC) respecting Alectra Utilities Corporation.

Recommendation: Be received.

- 5.8 Correspondence from Jessie Malone, Environmental and Regulatory Advisor, Imperial Oil respecting the Waterdown to Finch Project.

Recommendation: Be received.

- 5.9 Correspondence from Pilar Martinez, Chair, Canadian Urban Libraries Council in appreciation of Council's support in their efforts to increase access to digital publications for library users in Hamilton and across Canada.

Recommendation: Be received.

- 5.10 Correspondence from the Ministry of Solicitor General's Safety Planning Team respecting the development of a resource document outlining examples of data sources available to support the community and well-being (CSWB) planning process.

Recommendation: Be received.

- 5.11 Correspondence from the Campaign for Adequate Welfare and Disability Benefits respecting the change to the definition of 'disability'.

Recommendation: Be received and referred to the consideration of Item 4 of Emergency and Community Services Report 20-001.

- 5.12 Correspondence from the Town of Deep River to the Premier of Ontario requesting support for investment into the research and development of small modular reactor technology as an innovative, safe, low-carbon energy option.

Recommendation: Be received.

- 5.13 Correspondence from the Township of Stone Mills to the Honourable Jeff Yurek, Minister of Environment, Conservation and Parks and the Honourable Premier Doug Ford respecting support of Conservation Authorities.

Recommendation: Be received.

- 5.14 Correspondence from Scott Weldon, Lawfield Minor Hockey Association, 3rd Vice President respecting the Mountain Arena Proposal.

Recommendation: Be received and referred to the consideration of Item 15 of General Issues Committee Report 20-001.

- 5.15 Correspondence from Peter Ivey, Proud resident of Hamilton Centre respecting the cancellation of the LRT and requesting that the properties that were purchased by Metrolinx be retained by the City under the management of DMS.

Recommendation: Be received.

- 5.16 Correspondence from the Hamilton Naturalists' Club respecting the Discharge of sanitary sewage and stormwater run-off into Chedoke Creek.

Recommendation: Be received.

- 5.17 Correspondence from Martin Keller, Source Protection Program Manager, Lake Erie Source Protection Region requesting support for actions to address over-application of winter maintenance chemicals to protect sources of municipal drinking water.

Recommendation: Be received **and referred to General Manager, Public Works for appropriate action.**

- 5.18 Correspondence from Lisa Burnside, Chief Administrative Officer, Hamilton Conservation Authority in response to the Council's request for the release of the inventory and summary of all water samples collected and retained related to Chedoke Creek and Cootes Paradise from January 2014 to present

Recommendation: Be received **and referred to Communications staff for placement on the Chedoke Creek General Information webpage and to the General Managers of Healthy and Safe Communities Public Works to contact Hamilton Conservation Authority about providing more current reporting.**

- 5.19 Correspondence from the Municipality of Dutton Dunwich requesting support for their resolution in support of the Conservation Authorities in delivering watershed management programs.

Recommendation: Be received.

- 5.20 Correspondence from Lakewood Beach Community Council respecting a purchase will help support Developers and Future Development Applications.

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

- 5.21 Correspondence from Charles Kamphuis respecting Item 3 of the School Board Properties Sub-Committee Report 19-003, as it relates to Report PED19239 - Hamilton-Wentworth District School Board Property at 65 Frances Avenue, Stoney Creek (Ward 10).

Recommendation: Be received and referred to consideration of Item 11 of General Issues Committee Report 20-001.

5.22 Correspondence from Janette Smith, City Manager, City of Hamilton, respecting the Hamilton Transportation Task Force

Recommendation: Be received and referred to the consideration of Item 14 of General Issues Committee Report 20-001.

At the request of Councillor Partridge, Communication Item 5.1 was voted on separately.

Communication Item 5.1:

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NO - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NO - Deputy Mayor - Ward 9 Councillor Brad Clark

Communication Items 5.2 - 5.22:

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge

NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Deputy Mayor - Ward 9 Councillor Brad Clark

(Nann/Merulla)

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

CARRIED

BOARD OF HEALTH REPORT 20-001

1. Communications (Items 5.1 to 5.5)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

2. Correspondence from the Honourable Christine Elliott, Deputy Premier and Minister of Health, and Dr. David Williams, Chief Medical Officer of Health respecting Capital One-Time Funding for Seniors Dental Care (Added Item 5.8)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko

YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

3. 2020 Public Health Services Risk Management Plan (BOH20003) (City Wide) (Item 10.1)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

4. Food Advisory Committee 2020 Budget Request (BOH20001) (City Wide) (Item 10.2)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

5. Public Health Modernization (BOH20004) (Item 10.3)

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

YES - Ward 1 Councillor Maureen Wilson

YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

6. Public Health Services' Procurement and Purchase of a Dental Services Bus (Added Item 11.1)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

7. City of Hamilton Licensing (No. 07-170) By-law Schedule 20 Residential Care Facilities Inspections (BOH20005) (City Wide) (Item 14.1)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson

YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(Wilson/Partridge)

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

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

PUBLIC WORKS COMMITTEE REPORT 20-001

2. Joint Jurisdiction Highway Routine Maintenance and Repair Agreements (PW07089(a)) (City Wide) (Item 10.1)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko

YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

3. Transit Passenger Shelter Advertising Agreement (PW15071(c)) (City Wide) (Item 10.2)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

4. Automated Speed Enforcement (PW20002) (City Wide) (Item 10.4)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson

YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

5. Telecommunications Industry Investments in the City (PW20003/LS20001) (City Wide) (Item 10.5)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

6. Birch Avenue Municipal Class Environmental Assessment (PW20004) (Ward 3) (Item 10.6)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

7. Feasibility of Implementation of a Digital Automated Information System on the Lincoln Alexander Parkway and Red Hill Valley Parkway (City Wide) (Item 11.1)

(Danko/Merulla)

WHEREAS the Whereas' included in the Public Works Committee Report 20-001 respecting Item 7, Feasibility of Implementation of a Digital Automated Information System on the Lincoln Alexander Parkway and Red Hill Valley Parkway were included in error and refer to another project.

THEREFORE BE IT RESOLVED:

That the WHEREAS' included in the Public Works Committee Report 20-001 respecting Item 7, Feasibility of Implementation of a Digital Automated Information System on the Lincoln Alexander Parkway and Red Hill Valley Parkway, be deleted in their entirety:

7. Feasibility of Implementation of a Digital Automated Information System on the Lincoln Alexander Parkway and Red Hill Valley Parkway (City Wide) (Item 11.1)

~~WHEREAS, a request respecting the conversion of Sanford Avenue from Delaware Avenue to Barton Street East, from one-way to two-way traffic was received; and,~~

~~WHEREAS, Sanford Avenue was identified in the Council approved Transportation Master Plan for two-way traffic consideration and ranked number five for conversion;~~

THEREFORE, BE IT RESOLVED:

- (a) That Transportation, Operations and Maintenance staff be directed to undertake a feasibility study for the implementation of a digital automated information system that provides incident and travel time information to road users on the Lincoln Alexander Parkway and Red Hill Valley Parkway and report back to the Public Works Committee in September 2020 with a proposal for funding and implementation; and,
- (b) That staff be directed to consult with the Ministry of Transportation Ontario on co-ordinating incident management messaging as part of a digital automated information system.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge

NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson

Main Motion **as Amended** to read as follows:

- (a) That Transportation, Operations and Maintenance staff be directed to undertake a feasibility study for the implementation of a digital automated information system that provides incident and travel time information to road users on the Lincoln Alexander Parkway and Red Hill Valley Parkway and report back to the Public Works Committee in September 2020 with a proposal for funding and implementation; and,
- (b) That staff be directed to consult with the Ministry of Transportation Ontario on co-ordinating incident management messaging as part of a digital automated information system.

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Deputy Mayor - Ward 9 Councillor Brad Clark
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson

**8. Standardization of Enterprise Asset Management Systems - Phase 3
 (CONFIDENTIAL PW19035(b)/FCS19040(b)) (City Wide) REVISED (Item 14.1)**

(Clark/Partridge)

That subsection (f) be revised to delete the words "***and not be released as a public document except as necessary to implement Council's directions at the discretion of the City Solicitor***" to read as follows:

- (f) That the contents and appendices of Revised Report PW19035(b)/FCS19040(b), respecting the Standardization of Enterprise Asset Management Systems - Phase 3, remain confidential ***and not be released as a public document***

~~except as necessary to implement Council's directions at the discretion of the City Solicitor.~~

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

YES - Ward 1 Councillor Maureen Wilson
NO - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NO - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

Main Motion **as Amended** to read as follows:

- (a) That the single source procurement, pursuant to Procurement Policy #11 – Non-Competitive Procurements and Procurement Policy #14 – Standardization – to the recommended vendor, as identified in Revised Report PW19035(b)/FCS19040(b), to consolidate the existing 11 Enterprise Asset Management Systems into a single Enterprise Asset Management System, as outlined in Appendix “C” to Revised Report (PW19035(b)/FCS19040(b)), for the Public Works Department, be approved;
- (b) That the total capital cost, as outlined in Appendix “D” to Revised Report PW19035(b)/FCS19040(b), be increased from \$7,000,000 to \$12,700,000 under the existing Capital Project ID# 4031957944, cash flowed over the next 4-years and to be split-funded 50% from Rate Capital and 50% from Tax Capital as follows:
 - (i) 2020, \$3,000,000 (funded from \$1,000,000 WIP’s and \$2,000,000 2020 Approved Capital Project 4031957944, Tax Supported Funding = contribution, Rate Capital Funding = contribution);
 - (ii) 2021, \$3,600,000;
 - (iii) 2022, \$3,100,000;
 - (iv) 2023, \$3,000,000;
- (c) That the General Manager, Public Works, or their designate be directed to provide semi-annual status updates to the Public Works Committee on benefits progress post implementation;
- (d) That the single source procurement, pursuant to Procurement Policy #11 - Non-Competitive Procurement to the recommended vendor, as identified in

Revised Report PW19035(b)/FCS19040(b), for Project Management services, to be funded from Capital Project ID #4031957944, be approved;

- (e) That the General Manager, Public Works, or their designate be authorized and directed to execute on behalf of the City all agreements and ancillary documents required to standardize enterprise processes and consolidate the existing 11 Enterprise Asset Management Systems into a single Enterprise Asset Management System for the Public Works Department, with contents acceptable to the General Manager of Finance and Corporate Services and in a form satisfactory to the City Solicitor; and,
- (f) That the contents and appendices of Revised Report PW19035(b)/FCS19040(b), respecting the Standardization of Enterprise Asset Management Systems - Phase 3, remain confidential.

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 NO - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 NO - Deputy Mayor - Ward 9 Councillor Brad Clark
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson

(Jackson/Farr)

That Item (e)(ii) respecting Hunter Street Bicycle Lanes at Downtown GO Centre (PED20020), be lifted from the Information Section of the Public Works Committee Report 20-001 and added as Item 9.

CARRIED

9. Hunter Street Bicycle Lanes at Downtown GO Centre (PED20020) (Ward 2)

(Jackson/Farr)

WHEREAS, the construction of a cycle track on Hunter Street between MacNab and Catharine will complete a missing gap in the downtown cycling grid network and also provides broader network connection to the future Claremont cycle track (Keddy Trail);

WHEREAS, the 2018 Council Approved Transportation Master Plan identifies the Hunter Street two-way cycle track as priority number one out of 202 on the urban cycling project priority list;

WHEREAS, the development of design options took into account the entire Hunter Street corridor and included considerations such as on-street parking and loading provision, number of driveway conflicts, location of HSR stops, and safety and mobility for all users;

WHEREAS, the current design consisting of a bi-directional cycle track on the south side of Hunter Street results in a reduction in parking spaces and does not include provisions for pick-up and drop-off spaces on the south side of the street, which has been identified as a concern for persons with mobility challenges; and

WHEREAS, the funding for the implementation of the Hunter Street cycle track missing gap was included in the capital budget and has 80% matching funding from the Ontario Municipal Commuter Cycling fund;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to identify and implement accessible drop off areas on Haymarket Street at the rear of the Hunter GO station with no net loss of parking;
- (b) That staff be directed to investigate the feasibility of modifying the current design to incorporate 1-2 short-term pick-up and drop-off spaces on the south side of Hunter Street to accommodate those with mobility challenges;
- (c) That staff be directed to work with the HSR, DARTS, accessible transportation providers and Metrolinx to develop a service level agreement and space allocation for a possible accessible drop off area to be established within the Hunter GO Station; and
- (d) That staff continue to monitor and evaluate the design and operations to consider additional options for parking and passenger loading in the vicinity of the Hunter GO Station including, but not limited to Hughson Street, City Hall upper level, MacNab Street and John Street to complement the supply of public and private parking lots in the area.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NO - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko
NO - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(Danko/Collins)

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

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

PLANNING COMMITTEE REPORT 20-001

6. Application for Approval of a Draft Plan of Condominium (Common Element) for Lands Located at 185 Bedrock Drive, Stoney Creek (PED20001) (Ward 9) (Item 8.1)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko

YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

7. Applications for Official Plan Amendment and Zoning By-law Amendment for Lands Located at 125 and 129 Robert Street, Hamilton (PED20015) (Ward 2) (Item 8.2)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

8. Application for a Zoning By-law Amendment for Lands Located at 179, 183 and 187 Wilson Street West (Ancaster) (PED20022) (Ward 12) (Item 8.3)

At the request of Councillor Danko, subsections (a), (b), and (c) were voted on separately.

- (a) That Zoning By-law Amendment Application ZAC-19-040 by T. Johns Consulting Group on behalf of Sunrise Senior Living, Owner, for a change in zoning from the Residential "R2" Zone in Town of Ancaster Zoning By-law No. 87-57, to the Community Institutional (I2, 694) Zone, in the City of Hamilton Zoning By-law No. 05-200, to permit a three storey retirement home for lands located at 179, 183, and 187 Wilson Street West (Ancaster), as shown on Appendix "A" to Report PED20022 be APPROVED, on the following basis:
- (i) That the draft By-law, attached as Appendix "B" to Report PED20022, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

- (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (PPS) and conforms to A Place to Grow (2019);
- (iii) That the proposed change in zoning complies with the Urban Hamilton Official Plan and the Ancaster Wilson Street Secondary Plan.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(b) That the following conditions apply:

1. That on weekends and special occasions, the applicant provide a shuttle service for visitors and staff to avoid on street parking.
2. That all construction activity be limited to between 7:00 a.m. and 5:30 p.m. from Monday to Friday.
3. That no closure of a lane on Wilson Street will be permitted during rush hours.
4. That a pre-construction survey be completed by the applicant.

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

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
NO - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson

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

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

9. Accessible Taxicab Financial Incentive Program (PED18082(a)) (City Wide) (Item 10.1)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
CONFLICT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

10. Release of Standard Taxi Plates – Priority List (PED20011) (City Wide) (Item 10.2)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
CONFLICT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

12. Property Standards By-law – Rental Properties and Apartments (Item 11.1)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
CONFLICT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
CONFLICT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
CONFLICT - Ward 10 Councillor Maria Pearson

13. Authorization for LJM Developments Inc. to apply for a Variance to a By-law for Lands Located at 2782 Barton Street East (Item 11.2)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins

YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

14. Roof Top Amenity Area for 600 North Service Road, Stoney Creek (Added Item 11.3)

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

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
NO - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

15. Site Alteration Permit (PED20029) (Ward 11) (Item 14.1)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge

NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson

(Pearson/Johnson)

That the consideration of the Planning Committee Report be deferred until after the Closed Session portion of the meeting.

CARRIED

GENERAL ISSUES COMMITTEE REPORT 20-001

3. Ottawa Street Business Improvement Area Proposed Budget and Schedule of Payment for 2020 (PED20002) (Wards 3 and 4) (Item 10.1)

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 NOT PRESENT - Ward 8 Councillor John-Paul Danko
 YES - Deputy Mayor - Ward 9 Councillor Brad Clark
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson

4. Westdale Village Business Improvement Area Proposed Budget and Schedule of Payment for 2020 (PED20003) (Ward 1) (Item 10.2)

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

5. Waterdown Business Improvement Area (BIA) Proposed Budget & Schedule of Payment for 2020 (PED20004) (Ward 15) (Item 10.3)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

6. Stoney Creek Business Improvement Area Proposed Budget and Schedule of Payment for 2020 (PED20005) (Ward 5) (Item 10.4)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek

YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

7. Review of Problems Associated with Increased Visitors to Waterfalls (PED18011(a)) (Ward 13) (Item 10.5)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

8. Municipal Accommodation Tax (PED20009) (City Wide) (Item 10.6)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

9. Commonwealth Games 2030 (PED19108(c)) (City Wide) (Item 10.7)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

10. Business Improvement Area Advisory Committee Report 19-012, December 10, 2019 (Item 10.8)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

11. School Board Properties Sub-Committee Report 19-003, December 17, 2019 (Item 10.9)

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

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
CONFLICT - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

12. West Harbour Development Sub-Committee Report 19-004, December 18, 2019 (Item 10.10)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

13. Advisory Committee for Persons with Disabilities Report 19-011, December 10, 2019 (Item 10.11)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins

YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

15. Feasibility of Locating a New Arena on the Hamilton Mountain (PED20008) (City Wide) (Item 10.13)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NO - Ward 6 Councillor Tom Jackson
NO - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NO - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
CONFLICT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

16. GRIDS 2 Transportation and Infrastructure Assessment (Item 11.2)

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

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger

YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

17. GRIDS 2 Transportation and Infrastructure Assessment – Hamilton-Halton Home Builders’ Association (Item 11.3)

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

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

18. Amalgamated Transit Union Local 107 - Ratification of the Collective Agreement (HUR20001) (City Wide) (Item 14.1)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson

**19. Proposed Acquisition of Land - Lloyd Street, Hamilton (PED20017) (Ward 3)
(Item 14.2)**

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

**20. Downtown Entertainment Precinct Status Update (PED18168(c)) (City Wide)
(Item 14.3)**

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
CONFLICT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(Eisenberger/Pearson)

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

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Deputy Mayor - Ward 9 Councillor Brad Clark
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 20-001**2. 2020 Temporary Borrowing and Interim Tax Levy By-laws (FCS20003) (City Wide) (Item 7.3)****Result: Motion CARRIED by a vote of 15 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

4. Agreement respecting the Continued Supply of Raw Water to 690 Strathearne Avenue North, Hamilton - Deadline Extension (Added Item 11.1)**Result: Motion CARRIED by a vote of 14 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

5. HMRF/HWRF Pension Administration Sub-Committee Report 19-001 - December 10, 2019 (Item 10.1)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

7. Use of External Services for Tax Assessment & Appeals (FCS20005) (City Wide) (Item 10.3)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

8. Citizen Committee Report - Hamilton Aboriginal Advisory Committee - Updated Terms of Reference (Item 10.4)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

9. 2020 Grant Advances – City Enrichment Fund (GRA20001) (City Wide) (Item 10.5)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(Wilson/Farr)

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

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson

YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Deputy Mayor - Ward 9 Councillor Brad Clark
 NOT PRESENT - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson

EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 20-001

1. Recommended Projects from Coming Together to End Homelessness: Call for Applications 2019 (HSC20004) (Item 9.1)

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Deputy Mayor - Ward 9 Councillor Brad Clark
 NOT PRESENT - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson

3. Transfer from Reserve for Hamilton Veterans Committee (PED20031) (City Wide) (Item 10.2)

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Deputy Mayor - Ward 9 Councillor Brad Clark

NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

4. Ontario Disability Support Program (Item 11.1)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

5. Hill Park Pickleball Courts Renovation (Item 11.2)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

6. Empowering Youth Leadership and Civic Engagement (Added Item 11.3)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

7. Ontario Works Funding Update (HSC20005) (City Wide)

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(Pauls/Nann)

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

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

YES - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

MOTIONS

7.4 Amendment to Item 16 of the Audit, Finance & Administration Committee Report 19-022, respecting Report FCS19090 - CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request (City Wide)

(Collins/Nann)

WHEREAS, at its meeting of December 11, 2019, Council approved Item 16 of the Audit, Finance & Administration Committee Report 19-022, respecting Report FCS19090 - CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request; thereby, approving two loans to CHH, subject to the terms and conditions contained in Appendices "C" and "D" to Audit, Finance & Administration Committee Report 19-022;

WHEREAS, Appendices "C" – External Loan Guidelines for 500 MacNab North Tower Renewal; and, "D" External Loan Guidelines for Roxborough Park Development included the following items;

- f) Late Payment charges will be applied as per the City's policy on late payments.
- f) In the event of non-payment or late payments, the City will follow current protocols on collecting payments on amounts owing.
- h) In case of Loan default, the loan agreement must ensure that the applicant's asset or other security is included as collateral against the loan. The value of the asset or security must be of an equivalent value to the loan.

WHEREAS, the value of the property prior to project completion and perhaps after project completion may not equal the value of the loans for these affordable housing projects;

WHEREAS, the City's policy on late payment charges would result in an undesirable interest rate of 15% annual interest being payable by CHH in respect of any late payments; and,

WHEREAS, loans secured by mortgages have collection remedies unique to them and it is desirable to have loan default remedy procedures consistent with other City loans secured by mortgages;

THEREFORE, BE IT RESOLVED:

That Item 16 of the Audit, Finance and Administration Committee Report 19-022, respecting Report FCS19090 - CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request, ***be amended by amending Appendices "C" and "D" as attached to Audit, Finance and Administration Committee Report 19-022, by deleting sub-sections "f", "f" and "h" in their entirety, and re-lettering the remaining sub-sections***, as attached hereto.

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

16. CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request (FCS19090) (City Wide) (Item 10.8)

- (a) That a 10-year, interest-bearing loan of \$9,229,500 for CityHousing Hamilton Corporation from the City of Hamilton for the 500 MacNab North Tower Renewal, be authorized and approved in accordance with the terms and conditions contained in Appendix "C", ***as amended, attached hereto***;
- (b) That a loan receivable be established on the City's balance sheet, not to exceed \$9,229,500, to record the corresponding CityHousing Hamilton Corporation liabilities regarding the long-term financing for the 500 MacNab North Tower Renewal;
- (c) That the Mayor and City Clerk be authorized and directed to execute a loan agreement together with any ancillary documentation in a form satisfactory to the City Solicitor and content satisfactory to the General Manager of Finance and Corporate Services and that the General Manager of Finance and Corporate Services be authorized to approve and execute any loan amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions in Appendix "C" ***as amended, attached hereto***, are maintained;
- (d) That a short-term, interest-bearing construction loan of \$29,225,000 for CityHousing Hamilton Corporation for the Roxborough Park Development, be authorized and approved in accordance with the

terms and conditions contained in in Appendix "D" ***as amended, attached hereto***;

- (e) That a loan receivable be established on the City's balance sheet, not to exceed \$29,225,000, to record the corresponding CityHousing Hamilton Corporation liabilities regarding the financing for the Roxborough Park Development.
- (f) That the City of Hamilton will act as guarantor of any long-term financing not to exceed \$22,491,020 (construction cost less land sale) sought by CityHousing Hamilton Corporation for the Roxborough Park Development and that the General Manager of Finance and Corporate Services and City Clerk be authorized to execute any agreements and ancillary documents relating to the guarantee; and,
- (g) That the Mayor and City Clerk be authorized and directed to execute a loan agreement together with any ancillary documentation, in a form satisfactory to the City Solicitor and content satisfactory to the General Manager of Finance and Corporate Services and that the General Manager of Finance and Corporate Services be authorized to approve and execute any loan amending agreements relating to the long-term financing, together with any ancillary amending documentation, if required, provided that the terms and conditions in Appendix "D" ***as amended, attached hereto***, are maintained.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

7.5 Notice of Intention to Demolish Structures located at 23-25 King Street East, Stoney Creek (PED20042) (Ward 5)

(Pearson/Collins)

WHEREAS, the Hamilton Municipal Heritage Committee considered Report PED20042 respecting the Notice of Intention to Demolish Structures located at 23-25 King Street East, Stoney Creek at their meeting on January 16, 2020 and recommended that no action be taken in response to the Notice of Intention to Demolish the two existing commercial buildings located at 23 and 25 King Street East, Stoney Creek; and

WHEREAS, it is necessary to proceed directly to Council in advance of Planning Committee to provide an immediate response regarding the two existing commercial buildings located at 23 and 25 King Street East, Stoney Creek;

THEREFORE BE IT RESOLVED:

- (a) That no action be taken in response to the Notice of Intention to Demolish the two existing commercial buildings located at 23 and 25 King Street East, Stoney Creek, a property included in the City's Register of Property of Cultural Heritage Value or Interest;
- (b) That the property located 23 and 25 King Street East, Stoney Creek, be removed from the Register and the City's Workplan for designation; and
- (c) That Council include direction that prior to issuance of the Demolition Permit for 23 and 25 King Street East, Stoney Creek, a Documentation and Salvage report be submitted to the satisfaction of the Director of Planning.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

7.6 Ward 15 Council Priority Minor Maintenance Projects

(Partridge/Johnson)

WHEREAS, Parkside Drive, from Main Street to Churchill Avenue, within Ward 15 is in need of rehabilitation to extend the life of the roadway and therefore improving service levels and reducing maintenance costs;

WHEREAS, we have current competitively bid projects and prices available as a base for comparison and negotiation that can be used to ensure value for money on the award of the proposed works; and

WHEREAS, given the current resources along with the time needed to complete a tender and award process, road improvements cannot be addressed within our normal process manner during the 2020 construction process;

THEREFORE BE IT RESOLVED:

- (a) That Parkside Drive, from Main Street to Churchill Avenue, at an estimated cost of \$440,000, be rehabilitated using asset preservation practices, with the work to include the rehabilitation of the existing asphalt with repaving;
- (b) That the Ward 15 allocation, in the amount of \$440,000 (Project ID 4031911615) being the Ward 15 Road Minor Maintenance program, be utilized to fund the asset preservation of Parkside Drive, from Main Street to Churchill Avenue, and
- (c) That the General Manager of Public Works be authorized to procure all or some of the proposed works identified through Procurement Policy #11 Non-Competitive Procurements, where deemed appropriate, to expedite the works for this construction season.

(Danko/Wilson)

That the motion respecting Ward 15 Council Priority Minor Maintenance Projects be referred to the Public Works Committee for consideration.

Result: Motion on the referral DEFEATED by a vote of 10 to 3, as follows:

YES - Ward 1 Councillor Maureen Wilson
NO - Ward 2 Councillor Jason Farr
NO - Ward 3 Councillor Nrinder Nann
NO - Ward 4 Councillor Sam Merulla
NO - Ward 5 Councillor Chad Collins
NO - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NO - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger

NO - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NO - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NO - Ward 11 Councillor Brenda Johnson
NO - Ward 10 Councillor Maria Pearson

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

7.7 Naming of a Municipal Property Located at 125 Barton Street, West, Hamilton to the Bridgeworks

(Farr/Merulla)

WHEREAS, 125 Barton Street, West, Hamilton, is a former industrial site now adaptively restored and reused as an arts and cultural community centre;

WHEREAS, the site is located in the West Harbour of Hamilton, where our industrial heritage continues to be honoured through the revitalization; and

WHEREAS, it is fitting that since the original site was home to a bridge building industry, the property be named The Bridgeworks;

THEREFORE BE IT RESOLVED:

- (a) That the Director of Facilities be directed to investigate the process for the naming of a Municipal property located at 125 Barton Street, West, Hamilton; and
- (b) That a report on the Naming of a Municipal Property Located at 125 Barton Street, West, Hamilton to the Bridgeworks, come back to the Facility Naming Sub-Committee for consideration.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

7.8 Amendment to Item 8 of the General Issues Committee Report 18-014, respecting Report PED16253(b) – 18-28 King Street East, Extension of Conditional Approval, Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program

(Farr/Merulla)

WHEREAS, at its meeting of December 11, 2013, Council approved Item 14 of the General Issues Committee Report 13-026, respecting Report PED13208 - 18-28 King Street East – Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program;

WHEREAS, the deadlines to submit a Building Permit Application and applications to both the Hamilton Heritage Property Grant and GORE Building Improvement Grant Programs for 18-28 King Street East have been extended on a number of occasions with the most recent being on July 12, 2019 where Council approved Item 11.4, an amendment to Item 8 of the General Issues Committee Report 18-014, respecting Report 16253(b) – 18-28 King Street East, Extension of Conditional Approval, Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program, which again extended the submission deadline for Building Permit Applications to January 31, 2020 as well as extending the submission deadline for the Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program for the completion of the program applications to July 31, 2020;

WHEREAS, Hughson Business Space Corporation has made significant progress towards satisfying the requirements that will allow for the redevelopment of 18-28 King Street East to commence including the majority of their Site Plan Approval conditions and those pertaining to the approved Heritage Permits;

WHEREAS, a Record of Site Condition (RSC) and/or Certificate of Property Use (CPU) issued by the Ministry of Environment, Conservation and Parks is required to submit a Building Permit Application; and,

WHEREAS, the requirement to obtain an RSC and/or CPU is being pursued by Hughson Business Space Corporation but will not be received from the Ministry by January 31, 2020;

THEREFORE, BE IT RESOLVED:

- (a) That subsections (a) and (b) to Item 8 of the General Issues Committee Report 18-014, respecting Report PED16253(b) – 18-28 King Street East, Extension of Conditional Approval, Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program, be amended by deleting the words “extended to no later than January 31, 2020” and replacing them with the words “***maintained at July 31, 2020***”; and, by deleting the second reference to the words “January 31, 2020” and replacing it with the words “***July 31, 2020***”; to read as follows:
- 8. 18-28 King Street East, Extension of Conditional Approval, Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program (PED16253(b)) (Ward 2) (Item 8.1)**
- (a) That the deadline for the submission of a separate, completed Hamilton Heritage Property Grant Program (HHPGP) Application for each 18, 20, 22, 24 and 28 King Street East, for the previously approved conditional grant commitment to an upset limit of \$850,000 for the Hughson Business Space Corporation (Linda Barnett, David Blanchard, Ronald Quinn and William Rogan) the registered owners, be **extended to no later than January 31, 2020 *maintained at July 31, 2020***, conditional upon the receipt of a Building Permit Application being submitted to the City for the redevelopment of 18-28 King Street East no later than **January 31, 2020 *July 31, 2020***;
- (b) That the deadline for the submission of a separate, completed GORE Building Improvement Grant Program (GBIGP) Application for each 18, 20, 22, 24 and 28 King Street East, for the previously approved conditional grant commitment to an upset limit of \$250,000 under the GORE Building Improvement Grant Program (GBIGP) for Hughson Business Space Corporation (Linda Barnett, David Blanchard, Ronald Quinn and William Rogan), the registered owners, be **extended to no later than January 31, 2020 *maintained at July 31, 2020*** conditional upon the receipt of a Building Permit Application being submitted to the City for the redevelopment of 18-28 King Street East no later than **January 31, 2020 *July 31, 2020***; and,
- (b) That subsection (c) to Item 8 of the General Issues Committee Report 18-014, respecting Report PED16253 (b) – 18-28 King Street East, Extension of Conditional Approval, Hamilton Heritage Property Grant Program and GORE

Building Improvement Grant Program, be amended by deleting the words “January 31, 2020” and replacing it with the words “**July 31, 2020**”, to read as follows:

- (c) That, should the Hughson Business Space Corporation (Linda Barnett, David Blanchard, Ronald Quinn and William Rogan) the registered owners of 18, 20, 22, 24 and 28 King Street East not submit a Building Permit Application for the redevelopment of 18-28 King Street East by **January 31, 2020 July 31, 2020**, staff be directed to report back to the General Issues Committee for direction as to whether or not the conditional grant commitments, under the Hamilton Heritage Property Grant Program (HHPGP) and GORE Building Improvement Grant Program (GBIGP), for those properties should continue to be valid.

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Deputy Mayor - Ward 9 Councillor Brad Clark
 NOT PRESENT - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson

NOTICES OF MOTION

8.1 Amendment to Item 8 of the General Issues Committee Report 18-014, respecting Report PED16253(b) – 18-28 King Street East, Extension of Conditional Approval, Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program (Added Item 8.1)

Councillor Farr introduced a Notice of Motion respecting an Amendment to Item 8 of the General Issues Committee Report 18-014, respecting Report PED16253(b) – 18-28 King Street East, Extension of Conditional Approval, Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program.

(Farr/Merulla)

That the Rules of Order be waived to allow for the introduction of a Motion respecting an Amendment to Item 8 of the General Issues Committee Report 18-014, respecting Report PED16253(b) – 18-28 King Street East, Extension of Conditional Approval,

Hamilton Heritage Property Grant Program and GORE Building Improvement Grant Program, which was approved by Council on November 27/28, 2019 respecting the Potential Regulatory Litigation Update.

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES - Ward 6 Councillor Tom Jackson
- NOT PRESENT - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Deputy Mayor - Ward 9 Councillor Brad Clark
- NOT PRESENT - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson

For disposition of this Item, refer to Item 7.8.

STATEMENTS BY MEMBERS

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

PRIVATE & CONFIDENTIAL

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

10.1 Closed Session Minutes – December 11, 2019

(Danko/Jackson)

That the Closed Session Minutes dated December 11, 2019 be approved, as presented, and remain confidential.

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- NOT PRESENT - Ward 5 Councillor Chad Collins
- YES - Ward 6 Councillor Tom Jackson
- NOT PRESENT - Ward 7 Councillor Esther Pauls

YES - Ward 8 Councillor John-Paul Danko
 YES - Deputy Mayor - Ward 9 Councillor Brad Clark
 NOT PRESENT - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson

(Ferguson/Johnson)

That Council move into Closed Session respecting Item 15 of Planning Report 20-001, 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.

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Deputy Mayor - Ward 9 Councillor Brad Clark
 NOT PRESENT - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson

PLANNING COMMITTEE REPORT 20-001 (CONTINUED)**15. Site Alteration Permit (PED20029) (Ward 11) (Item 14.1)**

- (a) Reconsideration of Item 15 of Planning Report 20-001 respecting Site Alteration Permit (PED20029) (Ward 11), which was approved earlier in the January 22, 2020 Council meeting.**

(Johnson/Ferguson)

That Item 15 of Planning Report 20-001 respecting Site Alteration Permit (PED20029) (Ward 11) which was approved earlier in the January 22, 2020 Council meeting, as follows, be reconsidered:

15. Site Alteration Permit (PED20029) (Ward 11) (Item 14.1)

That the direction provided to staff in Closed Session be approved and remain confidential.

Result: Motion CARRIED by a 2/3's majority vote of 10 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Deputy Mayor - Ward 9 Councillor Brad Clark
 NOT PRESENT - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson

(b) Consideration of Item 15 of Planning Report 20-001 respecting Site Alteration Permit (PED20029) (Ward 11), which was approved earlier in the January 22, 2020 Council meeting.

15. Site Alteration Permit (PED20029) (Ward 11) (Item 14.1)

That the direction provided to staff in Closed Session be approved and remain confidential.

(c) Amendment to Item 15 of Planning Report 20-001 respecting Site Alteration Permit (PED20029) (Ward 11)

(Johnson/Ferguson)

WHEREAS, the direction to staff in Closed Session at the January 22, 2020 amended the direction provided to staff at Planning Committee:

THEREFORE, BE IT RESOLVED:

That Item 15 of Planning Report 20-001 respecting Site Alteration Permit (PED20029) (Ward 11), be **amended** to read as follows:

15. Site Alteration Permit (PED20029) (Ward 11) (Item 14.1)

(a) That the direction provided to staff in Closed Session be approved **as amended**; and

- (b) That Report PED20029 be received and remain confidential.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

Main Motion **as Amended** to read as follows:

15. Site Alteration Permit (PED20029) (Ward 11) (Item 14.1)

- (a) That the direction provided to staff in Closed Session be approved **as amended**; and
- (b) That Report PED20029 be received and remain confidential.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead

YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(Farr/Johnson)

That the FIRST Report of the Planning Committee be adopted, **as amended**, and the information section received.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(Nann/Wilson)

That the Committee of the Whole Rise and Report.

CARRIED

BY-LAWS

(Pearson/Johnson)

That Bills No. 20-001 to No. 20-012, be passed and that the Corporate Seal be affixed thereto, and that the By-laws, be numbered, be signed by the Mayor and the City Clerk to read as follows:

By-law No.

- 20-001** To Permanently Close and Sell a portion of Hatt Street, Dundas abutting the property municipally known as 118 Hatt Street, Dundas, Ontario, namely Part of Lot 20 on Registrar’s Compiled Plan 1442 in the City of Hamilton, designated as Part 3 on Plan 62R-21294, being part of PIN 17481-0436 (LT); City of Hamilton
Ward: 13
- 20-002** To Establish City of Hamilton Land Described as Parts 1 and 2 on Plan 62R-10158 as Part of King Street West

- Ward: 10
- 20-003** To Establish City of Hamilton Land Described as Parts 6 and 8 on Plan 62R-4307 as Part of King Street West
Ward: 10
- 20-004** To Establish City of Hamilton Land Described as Part 1 on Plan 62R-9986 as Part of King Street West
Ward: 10
- 20-005** To Establish City of Hamilton Land Described as Part 4 on Plan 62R-9221 as Part of King Street West
Ward: 10
- 20-006** To Establish City of Hamilton Land Described as Block 89 on Plan 62M-1150 as Part of Gowland Drive
Ward: 1
- 20-007** To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues for 2020
Ward: City Wide
- 20-008** To Authorize an Interim Tax Levy for 2020
Ward: City Wide
- 20-009** Respecting Removal of Part Lot Control, Blocks 6 and 7, Registered Plan No. 62M-1241, "Foothills of Winona Phases '2' and '3'", municipally known as 37,41, 43, 45, 47, 49 and 51 Sauvignon Crescent and 35, 39, 41, 43, 45, 47 and 49 Foothills Lane
Ward: 10
PLC-19-034
- 20-010** To Amend Zoning By-law No. 05-200, with respect to lands located at 179, 183 and 187 Wilson Street West, Ancaster
Ward: 12
ZAC-19-040
- 20-011** Being a By-law to Expropriate 309-311 Parkside Drive, Hamilton, Being Part of Lot 7, Concession 4, East Flamborough, in the City of Hamilton, as in CD241146, S/T CD21146, S/T EF21993, Designated as Parts 1 and 2, Plan 62R-21243, Being Part of PIN 17514-0071(LT), known municipally as 309-311 Parkside Drive, Hamilton, for the Purposes of Development and Construction of North Waterdown Drive (Waterdown East-West Arterial Road)
Ward: 15
- 20-012** To Confirm the Proceedings of City Council

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson

NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Deputy Mayor - Ward 9 Councillor Brad Clark
NOT PRESENT - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

(VanderBeek/Ferguson)

That, there being no further business, City Council be adjourned at 9:09 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk



SPECIAL CITY COUNCIL MINUTES 20-002

3:45 p.m.
February 7, 2020
Council Chamber
Hamilton City Hall
71 Main Street West

Present: Deputy Mayor J.P. Danko
Councillors B. Clark, J. Farr, L. Ferguson, T. Jackson, N. Nann,
M. Pearson, A. VanderBeek and M. Wilson

Absent: Mayor F. Eisenberger – City Business
Councillors C. Collins, B. Johnson, S. Merulla, E. Pauls and T.
Whitehead – Personal
Councillor J. Partridge – City Business

Deputy Mayor Danko 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 City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and it was recognized that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners and caretakers.

APPROVAL OF THE AGENDA

The Clerk advised of the following change to the agenda:

3. COMMITTEE REPORTS

- 3.1 (a) A motion passed by the Hamilton Conservation Authority Board of Directors at their meeting on February 6, 2020 respecting the Enbridge Inc. Kirkwall Hamilton Project.

Recommendation: Be received and referred to the consideration of Item 1 of Special General Issues Committee Report 20-005.

(VanderBeek/Pearson)

That the agenda for the February 7, 2020 meeting of Council be approved, as amended.

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- NOT PRESENT - Ward 5 Councillor Chad Collins
- YES - Ward 6 Councillor Tom Jackson
- NOT PRESENT - Ward 7 Councillor Esther Pauls
- YES - Deputy Mayor - Ward 8 Councillor John-Paul Danko
- NOT PRESENT - Mayor Fred Eisenberger
- NOT PRESENT - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- NOT PRESENT - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

DECLARATIONS OF INTEREST

There were no declarations of interest declared.

(Clark/Pearson)

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

CARRIED

COMMUNICATIONS

(VanderBeek/Ferguson)

That the motion passed by the Hamilton Conservation Authority Board of Directors at their meeting on February 6, 2020 respecting the Enbridge Inc. Kirkwall Hamilton Project (Item 3.1(a)), be received and referred to the consideration of Item 1 of Special General Issues Committee Report 20-005.

CARRIED

GENERAL ISSUES COMMITTEE REPORT 20-005

1. Enbridge Gas Inc. Leave to Construct Application for the 2021 Dawn to Parkway Extension and Integrated Resource Planning Proposal (PED20053) (Wards 13 and 15)

(Clark/Nann)

- (a) That, in response to the Ontario Energy Board's Procedural Order #1 dated January 30, 2020, the General Manager of Planning and Economic Development be authorized and directed to file written submissions on behalf of the City that are consistent with the issues outlined in Report PED20053;
- (b) That staff be directed to request *that* the Ontario Energy Board require an ecological study and an independent peer review of **Enbridge's** proposal to **be completed** and funded by the **Enbridge**, prior to any decision to grant leave to construct; and,
- (c) That staff be directed to request *that* an oral hearing before the **Ontario Energy Board**, to be held in the City of Hamilton, to ensure a fully transparent and public process.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Deputy Mayor - Ward 8 Councillor John-Paul Danko
NOT PRESENT - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Clark/Pearson)

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

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Deputy Mayor - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

(Clark/Pearson)

That the Committee of the Whole Rise and Report.

CARRIED

BY-LAWS

(Clark/Pearson)

That Bill No. 20-013, be passed and that the Corporate Seal be affixed thereto, and that the By-law, be numbered, be signed by the Mayor and the City Clerk to read as follows:

By-law No.

20-013 To Confirm the Proceedings of City Council

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Ward 5 Councillor Chad Collins
 YES - Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Deputy Mayor - Ward 8 Councillor John-Paul Danko
 NOT PRESENT - Mayor Fred Eisenberger
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 NOT PRESENT - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

(Ferguson/Pearson)

That, there being no further business, City Council be adjourned at 3:55 p.m.

CARRIED

Respectfully submitted,

Deputy Mayor J.P. Danko

Janet Pilon
Acting City Clerk



Golden Horseshoe Track & Field Council

Hamilton City Council
71 Main Street West
Hamilton, Ontario.
L8P 4Y5

January 24, 2020

FUNDING ANNOUNCEMENT – 91st HIGHLANDERS ATHLETIC ASSOCIATION

Members of Council:

The 91st Highlanders Athletic Association (Established 1908) will be hosting the 95th Edition of the Hamilton Indoor Games February 19th & 20th at the First Ontario Centre. This event, billed as the oldest indoor track & field competition in North America, attracts several hundred elementary and secondary school participants from Hamilton and surrounding regions and is recognized as a “sport legacy” event within our community, serving generations of Hamilton residents.

As a member of the Golden Horseshoe Track & Field Council, we are pleased to announce that the 91st Highlanders Athletic Association is a proud recipient of a recent Ontario Trillium Foundation Grant totalling \$100,000 dollars.

Funds will be directed towards the purchase of additional program equipment which will be utilized by several community clubs and school boards at the recently renewed Ray Lewis Track & Field Centre which will be the host venue of the 2020 Royal Canadian Legion Track & Field Championships.

On behalf of the 91st Highlanders Track & Field Association and member organizations, comprising the Golden Horseshoe Track & Field Council, we would like to thank Hamilton City Council and City Staff for their continued support of Hamilton track & field.

Sincerely,

Kevin Gonci
Chairman
Golden Horseshoe Track & Field Council



**THE CORPORATION OF THE CITY OF SARNIA
City Clerk's Department**

255 Christina Street N. PO Box 3018
Sarnia ON Canada N7T 7N2
519 332-0330 519 332-3995 (fax)
519 332-2664 (TTY)
www.sarnia.ca clerks@sarnia.ca

January 24, 2020

To: All Ontario Municipalities

Re: Ontario Power Generation's Deep Geologic Repository Project

At its meeting held on January 20, 2020, Sarnia City Council considered the attached motion submitted by Councillor Margaret Bird with respect to the proposed Deep Geological Repository Project and adopted the following resolution:

That Sarnia City Council support the halting of the construction of the Deep Geological Repository, in the Bruce Peninsular, so that less dangerous solutions can be found for the longer storage of nuclear waste; and

That Sarnia City Council instruct the Sarnia City Clerk to notify all 444 Ontario Municipalities, through AMO, by January 24th., 2020, of our objective; and

That the Sarnia City Clerk send a copy of our resolution to the County of Lambton Clerk, along with all the County Councillors, asking for their endorsement.

Sarnia City Council respectfully seeks your endorsement of this resolution. If your municipal council endorses this resolution, we would request that a copy of the resolution be forwarded to the following:

Honourable Jonathan Wilkinson, Minister of the Environment and Climate Change
ec.ministre-minister.ec@canada.ca; and

City of Sarnia, City Clerk's Office
clerks@sarnia.ca

Sincerely,

A handwritten signature in blue ink that reads "Dianne Gould-Brown". The signature is written in a cursive style with a large, stylized initial "D".

Dianne Gould-Brown
City Clerk

Attachment: Motion submitted by Councillor Margaret Bird

MOTION

I am asking for:

a) An urgent resolution of Council to support the halting of the construction of the Deep Geological Repository, in the Bruce Peninsular, so that less dangerous solutions can be found for the longer storage of nuclear waste.

b) To instruct the Sarnia City Clerk to notify all 444 Ontario Municipalities, through AMO, by January 24th., 2020, of our objective.

b) For the Sarnia City Clerk to send a copy of our resolution to the County of Lambton Clerk, along with all the County Councillors, asking for their endorsement.

If you have any questions, please do not hesitate to contact me.

Many thanks.

Kind Regards,

Councillor Bird

Pilon, Janet

Subject: LRT alternative spending

From: Wilton, Glenn and Sandy
Sent: February 5, 2020 10:09 AM
To: clerk@hamilton.ca
Subject: LRT alternative spending

To: Task Force for Transit

From: Glenn Wilton, Hamilton

Since the LRT \$1b was given for a transportation **east-west corridor**, I say that that is where the money should (mostly) go.

Certainly do not spend it on filling potholes, or other things that are handled by other budget lines.

I strongly advise the task force to **continue land acquisition** along the LRT route. Please do not use already acquired lands to build affordable housing!!!! That would lock the promised east-west corridor into "narrow and constricted" mode for years to come.

I'd like to see a York Street type solution for both an eastbound and a westbound corridor.

Main Street from the Delta to Parkdale is a constriction headache.

King Street nearing downtown is also a bottleneck.

Burlington Street is good, but ends at Wellington.

Wilson Street comes to abrupt T, and ends at Sherman.

Canon is OK until it nears the downtown and gets constricted by parking and bicycle lanes.

Barton is a headache both east and west.

My dispatcher suggested jumping up to the Linc, or go over the Skyway, but those routes are too often jammed with volume and accidents.

Garth-Becket-Aberdeen is a frustratingly slow alternative to Linc-403, Especially now with "neighbourhood" designation along Aberdeen and "traffic calming" curbside parking. (Are city planners more interested in enclaves where people live but can't easily get in or out of?, and distance travellers are blocked by?)

A good **north-south** (Bayfront to airport) corridor should become priority. Upper Wentworth and Upper James are throttled by massive traffic to retail stores. Upper Wentworth, Upper Sherman and Upper Gage stop at Rymal. The Upper Red Hill is a worthwhile extension of The Red Hill, but it too stops at Rymal. How about developing Sherman-Upper Sherman, with a bridge from that connections King and Main directly to the Sherman Cut that ends halfway down the mountain beside the hospital, and then continue Upper Sherman right to the airport.

Busses, while needed and liked by (only a small part of) travellers in our city, are a frustration to private vehicles and commercial traffic, and need **pull-off lanes** at each stop. Too often a big bus stops in one of only two lanes and blocks traffic for only one or a few passengers.

Lastly, please give up on the idea of **getting people out their cars and into public transit! It ain't gonna happen!** In Hamilton, residential (pickup) areas are too low density, and destination points (places of employment) are too scattered to make "bussing it" feasible for the vast majority of people who can jump in their car beside their house and park in their employers parking lot. Yes, there is a segment of the population who cannot afford a personal car, but serving them is, and will continue to be, only a small part of the problem.

Thanks for listening,
Glenn Wilton

Ministry of Transportation

Ministère des Transports



Planning and Design Section
Central Region – Engineering
4th Floor
159 Sir William Hearst Avenue
Toronto ON M3M 0B7
Tel.: 416 235-5552
Fax: 416 235-3576

Section de planification et de conception
Région du Centre – Ingénierie
4e étage
159, avenue Sir William Hearst
Toronto ON M3M 0B7
Tel.: 416 235-5552
Téléc.: 416 325-3576

5.4

January 21, 2020

JAN 23 2020

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

Dear Mayor Eisenberger:

**RE: Notice of Study Commencement (W.O. #16-20004)
Highway 403 and Highway 6 Interchange Improvements
Preliminary Design and Class Environmental Assessment Study
Ontario Ministry of Transportation**

The Ontario Ministry of Transportation (MTO) has retained AECOM Canada Ltd. (AECOM) to undertake a Preliminary Design and Class Environmental Assessment Study for Highway 403 and Highway 6 Interchange infrastructure renewal. The study limits extend from Grindstone Creek westerly to Old Guelph Road on Highway 403, and from Highway 6 and Highway 403 interchange to Bruce Trail on Highway 6. The Study encompasses fourteen bridges, three structural culverts, and fifteen retaining walls along Highway 403 and Highway 6. Reasonable design alternatives for structural and operational improvements will be developed and evaluated leading to the selection of a preferred alternative(s) for short-term and long-term improvements to ensure the next round of infrastructure rehabilitation / renewal can accommodate future traffic needs of Highway 403 within the Study limits. The Study Area is located within the City of Hamilton and the City of Burlington (Halton Region) (refer to the enclosed "Notice of Study Commencement").

This Study will follow the approved planning process for a Group 'B' project under the MTO *Class Environmental Assessment for Provincial Transportation Facilities (2000)*. Alternatives will be generated and evaluated based on technical and environmental factors and in consultation with Indigenous communities, public stakeholders, municipalities and government agencies. Two Public Information Centres (PICs) will be held during this Study to provide interested parties with the opportunity to discuss the Study and provide input to the Project Team. A Transportation Environmental Study Report (TESR) will be prepared and made available for a 30-day public and agency review period at the completion of the Study.

The purpose of this letter is to notify your office of Study Commencement. The enclosed "Notice of Study Commencement" will appear in the following local newspapers:

- Hamilton Spectator on Tuesday, January 28, 2020
- Burlington Post / Flamborough Review on Thursday, January 30, 2020
- Hamilton Le Regional on Thursday, January 30, 2020

If you wish to obtain additional information about the Study please visit the Project Website at: www.Hwy403Hwy6PreliminaryDesignEA.ca.

There is an opportunity at any time during the Study for interested persons to provide input to the Project Team including comments and information regarding the study. Comments are being collected to assist MTO with the preliminary design and to meet the requirements of the *Ontario Environmental Assessment Act*. This material will be maintained on file for use during the study and may be included in project documentation. Information collected will be used in accordance with the *Freedom of Information and Protection of Privacy Act*. With the exception of personal information, all comments will become part of the public record.

If you have any accessibility requirements in order to participate in this Study, please contact one of the Project Team members listed on the enclosed "Notice of Study Commencement". Pour des renseignements en français veuillez communiquer avec Karen Cooper au: (905) 882-4401 poste 1854 ou karen.cooper@aecom.com.

If you would like to provide comments, or if you require further information regarding this project, please feel free to contact me by phone at 416-235-5552 or by email at ehab.armanious@ontario.ca; or you may contact the AECOM Project Manager, Tim Sorochinsky by phone at 905-882-3522 or email at tim.sorochinsky@aecom.com.

Sincerely,
Ontario Ministry of Transportation

E. Armanious

Ehab Armanious
Project Manager

Cc. K. Cherneski - MTO Environmental Planner
T. Sorochinsky - AECOM Project Manager
R. Sheikh - AECOM Deputy Project Manager
K. Cooper - AECOM Deputy Project Manager
T. Drygas - AECOM Senior Environmental Planner
H. Wright - AECOM Senior Environmental Planner
B. Fleming - AECOM Environmental Planner

Encl. Notice of Study Commencement

OFFICE OF THE CITY CLERK	
JAN 24 2020	
REF'D TO	<u>J. Thorne</u>
REF'D TO	<u>D. McKinnon</u>
REF'D TO	_____
FR	
ACTION	<u>Council</u>
	<u>Feb 12</u>
	<u>AS</u>

**ONTARIO GOVERNMENT NOTICE
NOTICE OF STUDY COMMENCEMENT
HIGHWAY 403 AND HIGHWAY 6 INTERCHANGE IMPROVEMENTS, W.O. #16-20004
PRELIMINARY DESIGN & CLASS ENVIRONMENTAL ASSESSMENT STUDY**

THE STUDY

The Ontario Ministry of Transportation (MTO) has retained AECOM Canada Ltd. (AECOM) to undertake a Preliminary Design and Class Environmental Assessment Study for Highway 403 and Highway 6 Interchange infrastructure renewal. The study limits extend from Grindstone Creek westerly to Old Guelph Road on Highway 403, and from Highway 6 and Highway 403 interchange to Bruce Trail on Highway 6. The Study encompasses fourteen bridges, three structural culverts, and fifteen retaining walls along Highway 403 and Highway 6. Reasonable design alternatives for structural and operational improvements will be developed and evaluated leading to the selection of a preferred alternative(s) for short-term and long-term improvements to ensure the next round of infrastructure rehabilitation / renewal can accommodate future traffic needs of Highway 403 within the Study limits. The Study Area is located within the City of Hamilton and the City of Burlington (Halton Region), refer to the Study Area map.

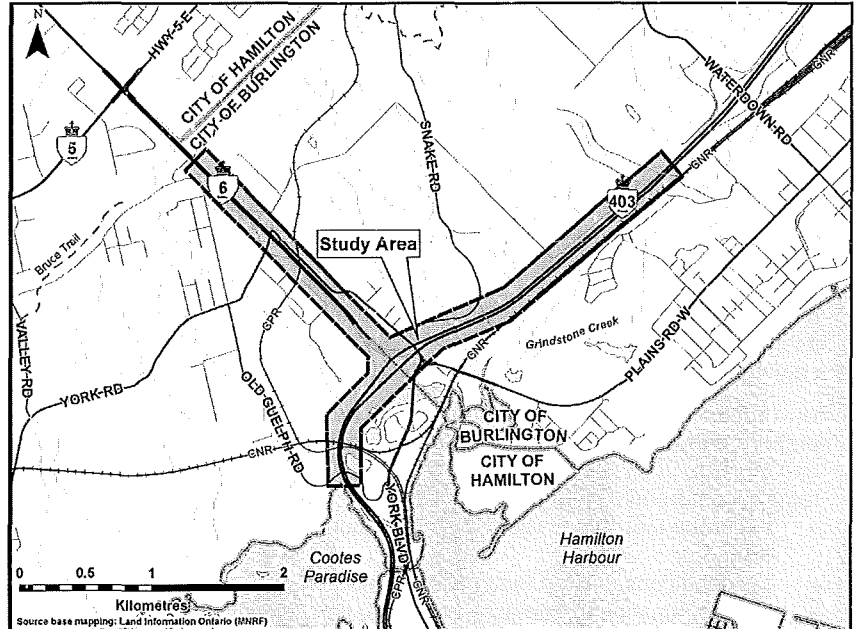
THE PROCESS

This Study will follow the approved planning process for a Group 'B' project under the MTO *Class Environmental Assessment for Provincial Transportation Facilities (2000)*.

Alternatives will be generated and evaluated based on technical and environmental factors and in consultation with Indigenous communities, public stakeholders, municipalities and government agencies. Two Public Information Centres (PICs) will be held during this Study to provide interested parties with the opportunity to discuss the Study and provide input to the Project Team.

A Transportation Environmental Study Report (TESR) will be prepared and made available for a 30-day public and agency review period at the completion of the Study which will document:

- The transportation problems and opportunities,
- Existing environmental conditions;
- The generation, assessment and evaluation of alternatives;
- The preferred alternative(s) / recommended plan
- A summary of potential environmental issues and mitigation measures; and,
- A summary of consultation undertaken throughout the Study.



Notifications advising of the time and location of the PICs and of the availability of the TESR for review will be published in local newspapers, mailed or e-mailed to those on the study mailing list, and information will be made available on the Study website.

COMMENTS

To obtain additional information, provide comments, or to be placed on the study mailing list, please contact the Project Team as follows:

Ehab Armanious, P.Eng, VMA, PMP
MTO Project Manager
Ministry of Transportation
159 Sir William Hearst Avenue, 4th Floor
Toronto, ON M3M 0B7
Tel.: 416-235-5552
Fax: 416- 235-3576

Tim Sorochinsky, P. Eng
Consultant Project Manager
AECOM
30 Leek Crescent, 4th Floor
Richmond Hill, ON L4B 4N4
Tel: 905-882-4401
Fax: 905-882-4399

Project Team E-mail: ProjectTeam@Hwy403Hwy6PreliminaryDesignEA.ca
Or visit us at: www.Hwy403Hwy6PreliminaryDesignEA.ca

There is an opportunity at any time during the study for interested persons to provide input to the Project Team regarding the study. Comments are being collected to assist MTO in meeting the requirements of the *Ontario Environmental Assessment Act*. This material will be maintained on file for use during the Study and may be included in project documentation. Information collected will be used in accordance with the *Freedom of Information and Protection of Privacy Act*. With the exception of personal information, all comments will become part of the public record. If you have any accessibility requirements in order to participate in this Study, please contact one of the Project Team members listed above.

Renseignements en français disponibles en composant le 905-747-1854 (Karen Cooper) ou karen.cooper@aecom.com





AECOM
30 Leek Cres., 4th Floor
Richmond Hill, ON
L4B 4N4
Canada
www.aecom.com

905-882-4401 tel
905-882-4399 fax

January 28, 2020

Janet Pilon
Deputy Clerk
City of Hamilton
City Managers Office
71 Main Street West, 1st Floor
Hamilton, ON L8P 4Y5

Dear Ms. Pilon:

**RE: Notice of Study Commencement (W.O. #16-20004)
Highway 403 and Highway 6 Interchange Improvements
Preliminary Design and Class Environmental Assessment Study
Ontario Ministry of Transportation**

The Ontario Ministry of Transportation (MTO) has retained AECOM Canada Ltd. (AECOM) to undertake a Preliminary Design and Class Environmental Assessment Study for Highway 403 and Highway 6 Interchange infrastructure renewal. The study limits extend from Grindstone Creek westerly to Old Guelph Road on Highway 403, and from Highway 6 and Highway 403 interchange to Bruce Trail on Highway 6. The Study encompasses fourteen bridges, three structural culverts, and fifteen retaining walls along Highway 403 and Highway 6. Reasonable design alternatives for structural and operational improvements will be developed and evaluated leading to the selection of a preferred alternative(s) for short-term and long-term improvements to ensure the next round of infrastructure rehabilitation / renewal can accommodate future traffic needs of Highway 403 within the Study limits. The Study Area is located within the City of Hamilton and the City of Burlington (Halton Region) (refer to the enclosed "Notice of Study Commencement").

The purpose of this letter is to notify you of the commencement of this Preliminary Design and Class EA study. On the attached Stakeholder Contact Information Form, please indicate whether your organization has an interest in this project and who will act as our main contact. In order to assist us with our planning process, would you also please indicate if the above noted project will affect the delivery of your organization's programs or services. A reply by February 28, 2020 would be appreciated.

This Study will follow the approved planning process for a Group 'B' project under the MTO *Class Environmental Assessment for Provincial Transportation Facilities (2000)*. Alternatives will be generated and evaluated based on technical and environmental

factors and in consultation with Indigenous communities, public stakeholders, municipalities and government agencies. Two Public Information Centres (PICs) will be held during this Study to provide interested parties with the opportunity to discuss the Study and provide input to the Project Team. A Transportation Environmental Study Report (TESR) will be prepared and made available for a 30-day public and agency review period at the completion of the Study.

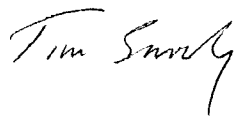
If you wish to obtain additional information about the Study please visit the Project Website at: www.Hwy403Hwy6PreliminaryDesignEA.ca.

There is an opportunity at any time during the Study for interested persons to provide input to the Project Team including comments and information regarding the study. Comments are being collected to assist MTO with the preliminary design and to meet the requirements of the *Ontario Environmental Assessment Act*. This material will be maintained on file for use during the study and may be included in project documentation. Information collected will be used in accordance with the *Freedom of Information and Protection of Privacy Act*. With the exception of personal information, all comments will become part of the public record.

If you have any accessibility requirements in order to participate in this Study, please contact one of the Project Team members listed on the enclosed "Notice of Study Commencement". Pour des renseignements en français veuillez communiquer avec Karen Cooper au: (905) 882-4401 poste 1854 ou karen.cooper@aecom.com.

If you would like to provide comments, or if you require further information regarding this project, please feel free to contact me by phone at 905-882-4401 ext. 3522 or email at tim.sorochinsky@aecom.com. You may also contact the MTO Senior Project Manager, Ehab Armanious by phone at 416-235-5552 or by email at ehab.armanious@ontario.ca

Sincerely,
AECOM



Tim Sorochinsky, P. Eng.
Project Manager

Cc.	E. Armanious	- MTO Project Manager
	K. Cherneski	- MTO Environmental Planner
	R. Sheikh	- AECOM Deputy Project Manager
	K. Cooper	- AECOM Deputy Project Manager
	T. Drygas	- AECOM Senior Environmental Planner
	H. Wright	- AECOM Senior Environmental Planner
	B. Fleming	- AECOM Environmental Planner

Encl. Notice of Study Commencement

OFFICE OF THE CITY CLERK	
JAN 29 2009	
REF'D TO	_____
REF'D TO	_____
REF'D TO	_____
ACTION	_____

**ONTARIO GOVERNMENT NOTICE
NOTICE OF STUDY COMMENCEMENT
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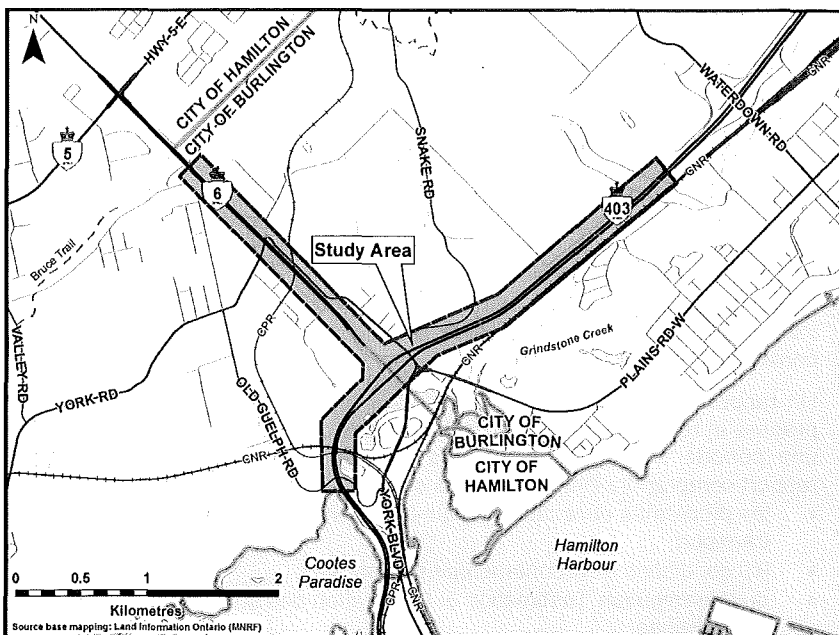
THE PROCESS

This Study will follow the approved planning process for a Group 'B' project under the MTO *Class Environmental Assessment for Provincial Transportation Facilities (2000)*.

Alternatives will be generated and evaluated based on technical and environmental factors and in consultation with Indigenous communities, public stakeholders, municipalities and government agencies. Two Public Information Centres (PICs) will be held during this Study to provide interested parties with the opportunity to discuss the Study and provide input to the Project Team.

A Transportation Environmental Study Report (TESR) will be prepared and made available for a 30-day public and agency review period at the completion of the Study which will document:

- The transportation problems and opportunities,
- Existing environmental conditions;
- The generation, assessment and evaluation of alternatives;
- The preferred alternative(s) / recommended plan
- A summary of potential environmental issues and mitigation measures; and,
- A summary of consultation undertaken throughout the Study.



Notifications advising of the time and location of the PICs and of the availability of the TESR for review will be published in local newspapers, mailed or e-mailed to those on the study mailing list, and information will be made available on the Study website.

COMMENTS

To obtain additional information, provide comments, or to be placed on the study mailing list, please contact the Project Team as follows:

Ehab Armanious, P.Eng, VMA, PMP
MTO Project Manager
Ministry of Transportation
159 Sir William Hearst Avenue, 4th Floor
Toronto, ON M3M 0B7
Tel.: 416-235-5552
Fax: 416- 235-3576

Tim Sorochinsky, P. Eng
Consultant Project Manager
AECOM
30 Leek Crescent, 4th Floor
Richmond Hill, ON L4B 4N4
Tel: 905-882-4401
Fax: 905-882-4399

Project Team E-mail: ProjectTeam@Hwy403Hwy6PreliminaryDesignEA.ca

Or visit us at: www.Hwy403Hwy6PreliminaryDesignEA.ca

There is an opportunity at any time during the study for interested persons to provide input to the Project Team regarding the study. Comments are being collected to assist MTO in meeting the requirements of the *Ontario Environmental Assessment Act*. This material will be maintained on file for use during the Study and may be included in project documentation. Information collected will be used in accordance with the *Freedom of Information and Protection of Privacy Act*. With the exception of personal information, all comments will become part of the public record. If you have any accessibility requirements in order to participate in this Study, please contact one of the Project Team members listed above.

Renseignements en français disponibles en composant le 905-747-1854 (Karen Cooper) ou karen.cooper@aecom.com

HIGHWAY 403 AND HIGHWAY 6 INTERCHANGE IMPROVEMENTS STUDY
PRELIMINARY DESIGN & CLASS ENVIRONMENTAL ASSESSMENT
 Ontario Ministry of Transportation, W.O. #16-20004

STAKEHOLDER COMMENT AND CONTACT INFORMATION FORM

1) Does your organization wish to participate in the study and continue to receive notices of project activities or information as this study progresses?

Yes	No

2) Please indicate if the above noted project will affect the delivery of your organization's programs or services, and/or provide project related comments to the design team.

3) If "Yes" to item #1 above, or if you wish to receive a response to your comments, please confirm the contact information for the individual who will act as the Project Team's primary point of contact for your organization.

Name: _____

Title: _____

Department/Organization: _____

Mailing Address: _____

Phone Number: _____

Email Address: _____

Preferred Method of Contact

Your information and comments will be kept on file for use during the study. Please mail or email this form to Holly Wright, AECOM Senior Environmental Planner, and please let us know if you have any accessibility requirements in order to participate in this study.

Holly Wright, MEB, MICP, RPP
Senior Environmental Planner
AECOM

105 Commerce Valley Drive West, 7th Floor
Markham, Ontario, L3T 7W3
Tel.: (905) 747-1680
Email: holly.wright@aecom.com

Please respond by: **February 28, 2020**



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

Protecting the Natural
Environment from
Lake to Escarpment

January 22, 2020

Mayor Eisenberger and Members of Council
c/o City Clerk's Office
City of Hamilton
71 Main Street West, 1st Floor
Hamilton ON L8P 4Y5

Dear Mayor Eisenberger and Members of Council:

Re: 2020 Budget Municipal Funding Apportionment

Municipal funding in the 2020 Budget of \$10,124,318 was approved by the Conservation Halton Board of Directors on November 21, 2019.

The total municipal funding has been apportioned to municipalities as follows:

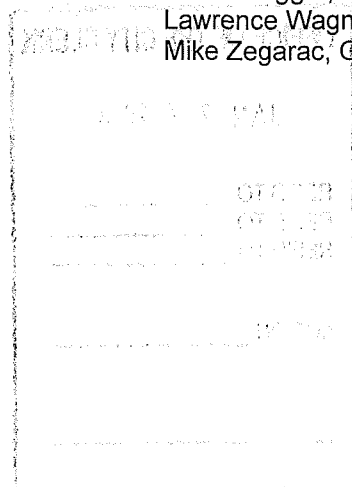
The apportioned amounts are being levied in accordance with Sections 26 and 27 of the Conservation Authorities Act.

Please contact me for further information regarding the apportionment of the municipal funding in the Conservation Halton 2020 Budget.

Yours truly,

Hassaan Basit,
CAO/Secretary-Treasurer

cc Marnie Piggot, Director, Finance; Conservation Halton
Lawrence Wagner, Senior Director, Corporate Services; Conservation Halton
Mike Zegarac, General Manager, Finance and Corporate Services; City of Hamilton



Interim Integrity Commissioner's Annual Report
City of Hamilton

Principles *Integrity* is pleased to submit this annual report, covering the period from its appointment in July, 2018 up to December 31, 2019.

The purpose of an integrity commissioner's annual report is to provide the public with the opportunity to understand the ethical well-being of the City's elected and appointed officials through the lens of our activities.

About Us:

Principles *Integrity*, formed in 2017, is a partnership focused on accountability and governance matters for municipalities. Since its formation, Principles *Integrity* has been appointed as integrity commissioner (and occasionally as lobbyist registrar and closed meeting investigator) in over 40 Ontario municipalities and other public bodies. Principles *Integrity* is an active member of the Municipal Integrity Commissioner of Ontario (MICO).

Principles Integrity is the city of Hamilton's interim integrity commissioner. A proposal call is underway with the objective of appointing an integrity commissioner to the end of Council's current term, with possible extensions. We are reporting at this time to mark the end of our interim engagement.

As interim integrity commissioner our role has been marginally more limited than otherwise would be the case. Important work such as training and code development require more permanence of a relationship with members of council and should be the focus of the next phase of the role - whether it be ourselves or another integrity commissioner.

The Role of Integrity Commissioner, Generally:

Recent amendments to the *Municipal Act, 2001* mandated that all municipalities have codes of conduct and integrity commissioners for elected and appointed (local board) officials as of March 1, 2019.

The integrity commissioner's statutory role is to carry out the following functions in an independent manner. Put succinctly, the role is to:

- Advise on ethical policy development
- Educate on matters relating to ethical behaviour
- Provide, on request, advice and opinions to members of Council and Local Boards
- Provide, on request, advice and opinions to Council
- Provide a mechanism to receive inquiries (often referred to as 'complaints') which allege a breach of ethical responsibilities

Principles *Integrity*

- Resolve complaints
- And where it is in the public interest to do so, investigate, report and make recommendations to council within the statutory framework, while guided by Council's codes, policies and protocols.

This might contrast with the popular yet incorrect view that the role of the integrity commissioner is primarily to hold elected officials to account; to investigate alleged transgressions and to recommend 'punishment'. The better view is that integrity commissioners serve as an independent resource, coach and guide focused on enhancing the municipality's ethical culture.

The operating philosophy of Principles *Integrity* recites this perspective. We believe there is one overarching objective for a municipality in appointing an Integrity Commissioner, and that is to raise the public's perception that its elected and appointed officials conduct themselves with integrity:

The perception that a community's elected representatives are operating with integrity is the glue which sustains local democracy. We live in a time when citizens are skeptical of their elected representatives at all levels. The overarching objective in appointing an Integrity Commissioner is to ensure the existence of robust and effective policies, procedures, and mechanisms that enhance the citizen's perception that their Council (and local boards) meet established ethical standards and where they do not, there exists a review mechanism that serves the public interest.

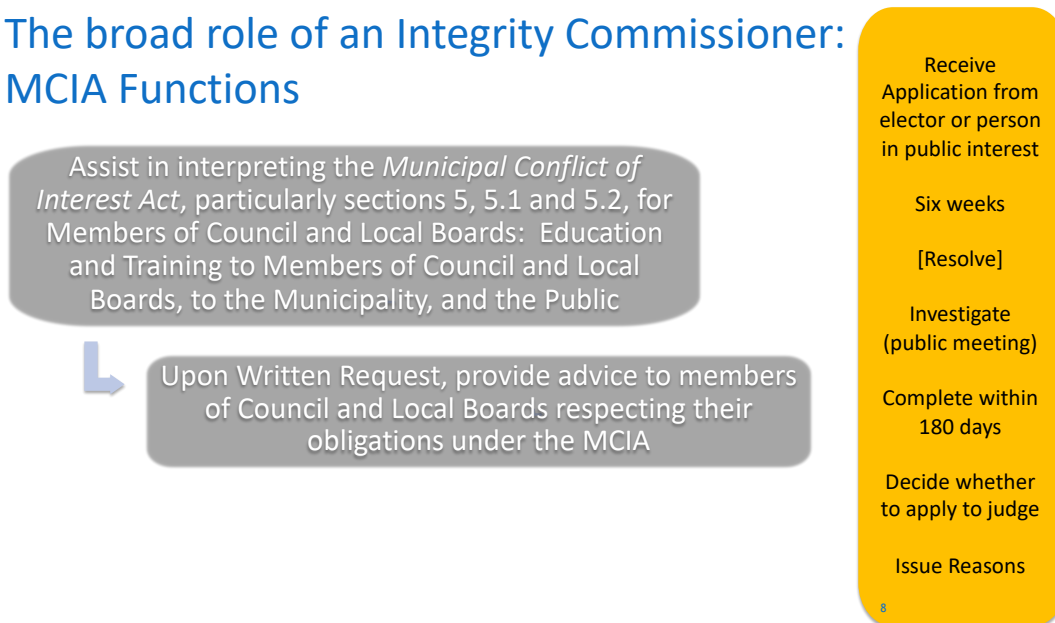
In carrying out our broad functions, the role falls into two principle areas. 'Municipal Act' functions, focused on codes of conduct and other policies relating to ethical behaviour, and 'MCIA' or *Municipal Conflict of Interest Act* functions, set out graphically in the following two charts:

The broad role of an Integrity Commissioner: Municipal Act Functions



7

The broad role of an Integrity Commissioner: MCIA Functions



8

In each of the charts above the primary functions of the integrity commissioner are

Principles *Integrity*

summarized in the horizontal boxes to the left, and the review mechanism (or inquiry function) appears in the vertical box on the right.

The emphasis of Principles *Integrity* is to help municipalities enhance their ethical foundations and reputations through the drafting of effective codes of conduct and other policies governing ethical behaviour, to provide meaningful education related to such policies, and to provide pragmatic binding advice to Members seeking clarification on ethical issues. As noted in the Toronto Computer Leasing Inquiry report authored by the Honourable Madam Justice Bellamy (the “Bellamy Report”, seen by many as the inspiration for the introduction of integrity commissioners and other accountability officers into the municipal landscape), *“Busy councillors and staff cannot be expected to track with precision the development of ethical norms. The Integrity Commissioner can therefore serve as an important source of ethical expertise.”*

Because the development of policy and the provision of education and advice is not in every case a full solution, the broad role of the integrity commissioner includes the function of seeking and facilitating resolutions when allegations of ethical transgressions are made, and, where it is appropriate and in the public interest to do so, conducting and reporting on formal investigations. This in our view is best seen as a residual and not primary role.

Confidentiality:

Much of the work of an integrity commissioner is done under a cloak of confidentiality. While in some cases secrecy is required by statute, the promise of confidentiality encourages full disclosure by the people who engage with us. We maintain the discretion to release confidential information when it is necessary to do so for the purposes of a public report, but those disclosures would be limited and rare.

Our Activity on your behalf:

Since starting our role with the City of Hamilton, we have been engaged in a moderate level of activity which subdivides roughly into three categories:

1. Education

On November 15, 2018, following the Municipal Elections in the fall of 2018, we provided abbreviated training to Council on the Municipal Conflict of Interest Act and Council Code of Conduct as part of the City’s general orientation program. No local board training has been scheduled to date.

2. Advice

The advice function of the integrity commissioner is available to all Members of Council, and to Members of local boards, on matters relating to the code of conduct, the *Municipal Conflict of Interest Act* and any other matter touching upon the ethical conduct of Members. Advice provided by the integrity commissioner is confidential and independent, and where all the relevant facts are disclosed, is binding upon the integrity

commissioner.

Our advice is typically provided in a short Advice Memorandum which confirms all relevant facts and provides with clarity our analysis and a recommended course of action. As required by the legislation, advice must be provided in writing.

Though advice is confidential, we can advise that some of the issues we provided guidance on this year arose in the context of properly identifying and appropriately recognizing actual and perceived conflicts of interest. The clarifications and guidance provided to Members seemed to be readily understood and welcome.

During the period covered by this report, we have responded to and provided Code and/or Conflict of Interest Advice on 22 such requests.

3. Inquiry (Complaint) Investigation and Resolution

In the *Municipal Act* complaints to an integrity commissioner are referred to as ‘inquiries’. The use of that term is appropriate given that in many cases prospective complainants begin the process by making unofficial inquiries of the integrity commissioner, and are guided on whether the matter that concerns them can be addressed by us, and the processes they must use in making a formal complaint.

Our approach to reviewing complaints starts with a determination as to whether an inquiry to us is within our jurisdiction, is beyond a trifling matter, is not either frivolous or vexatious, and importantly, whether in its totality it is in the public interest to pursue. We always look to the possibility of informal resolution in favour of formal investigation and reporting. Once a formal investigation is commenced, the opportunity to seek informal resolution is not abandoned.

Where formal investigations commence, they are conducted under the tenets of procedural fairness and Members are confidentially provided with the name of the Complainant and such information as is necessary to enable them to respond to the allegations raised.

The City of Hamilton has delegated the role of complaint administration, including the assignment of sanctions authorized by the *Municipal Act*, to the integrity commissioner. For most councils in Ontario, the integrity commissioner has the specific, albeit authoritative, role of making recommendations to council for the imposition of sanctions.

In the course of our engagement 12 inquiries have resulted in us opening files. Of these, 10 have been resolved without the need for a formal report from us - meaning that either:

- the complainant and respondent have recognized and acknowledged each other’s perspectives in the matter and have agreed that the course of action recommended by us (for example to acknowledge that the behaviour alleged does not represent an ethical transgression, or where it does to discontinue a practice, or to communicate more appropriately in the future...) represents an appropriate

Principles *Integrity*

resolution to the matter. It is our view that in appropriate circumstances such resolutions best serve the public's interest in correcting behaviours, improving conduct, and administering complaints in a cost-effective manner

- we determined that there was an insufficiency of circumstances to pursue the matter. This was because facts complained of were beyond our jurisdiction, involved a matter not pertaining to the ethical behaviour of members of council or a local board, were the result of a policy decision of council or an operational matter within the responsibility of city staff, or related to a matter that involved the City only peripherally, or not at all
- it was determined that other bodies had already dealt with, or would be dealing with, the matter (such as the Red Hill Valley Parkway Inquiry, and other litigation). Though we otherwise had jurisdiction to deal with the matter, we determined that it would not be in the public interest to conduct formal investigations because that effort would be duplicative of other bodies with competent jurisdiction.

Outstanding investigations

It is public knowledge that CHCH television news filed a complaint respecting an alleged disparagement of a reporter by a Member of Hamilton City Council. That complaint remains under review and has not been made part of this annual report.

Similarly, our work in respect of one other complaint has not been completed and if it is determined that a report is warranted, the matter will be reported separately.

Themes in Hamilton

Our observation is that from an ethical perspective Council is operating effectively and within the boundaries set by the Code of Conduct, the *Municipal Conflict of Interest Act*, and the common law. Speaking generally, in our view Council and its Members meet the community's expectation of fair and purposeful behaviour in support of the public interest. Council Member interactions are not expected to be without friction – that is a reality in any organization including political enterprises – but it is important to recognize that there are limits that ought not to be breached. It is clearly understood that behaviour should never amount to bullying, or harassment. Persistent disparaging commentary, aggressive interactions with members of the public, and the making of untruthful statements should and must be avoided. Public discourse should be respectful and supportive of the institution of municipal government and its elected Council. Criticism of staff, if necessary, should be done professionally, respectfully and in the proper forum. Similarly, interactions with members of the public must be based in respect; if the circumstances are such that respectful engagement cannot be sustained, then it is a Member's responsibility to avoid confrontation.

As noted, our general observation is that Council Members have operated within the

Principles *Integrity*

standards expected of them. At times individual Members of Council have been subject to an allegation that the ethical standards that apply to the have been breached and we have become involved in addressing the matter, including as noted above.

From a thematic perspective, the complaints we have received fell generally into the following categories:

Honesty:

The business of politics requires, at times, a thickness of skin. Deliberations on Council matters are accompanied by efforts to persuade other persons that a particular course of action is the desired one. Efforts to persuade should be forthright. Efforts to persuade however must be done in a way that complies with a Member's responsibilities under the Code of Conduct and the rules of decorum that apply. In particular it is difficult to conceive of circumstances where it would be considered appropriate or ethical to mislead a person, and such conduct should always be avoided.

Non-responsiveness:

The public has a high expectation that their elected representatives will respond quickly, and with the exact remedy they seek. While a laudable goal, this is not the ethical standard Members are required to meet.

It *is* the responsibility of Members to carry out a reasonable level of communication and to explain their decisions to take or not take action. The maintenance of such open lines of communication, even with difficult clients, serves to maintain a respectful relationship and raises citizen's confidence that their municipal institution is operating with integrity. In some situations, where a Member believes that despite their reasonable response, a constituent remains persistent, the office of the Integrity Commissioner is available to advise on best practices and to suggest an ethically compliant response. Members who seek and follow the integrity commissioner's advice, are protected against any complaints that may be subsequently filed on the matter.

Avoiding allegations of bullying or other disrespectful behaviour:

It is recognized that Members of Council must adhere to adopted ethical standards such as appear in their Code of Conduct whereas the persons that interact with them may not be subject to a similar ethical framework. The Member's perception may be that in the course of a Council or committee meeting, the behaviour of a member of the public is not in keeping with general standards of behaviour. Only the presiding member at the meeting, however, has the authority and responsibility to determine what rules of conduct may apply in the circumstances in accordance with the City's procedure by-law. Where a Member feels that a member of the public has behaved improperly, the proper mechanism to have the matter resolved is through the chair of the meeting and not by direct personal intervention.

Members must recognize that in a public forum opinions can and do conflict, passions are

Principles *Integrity*

engaged, and unsolicited criticism is often offered. That is part of the democratic process of government and Members should not unilaterally address what they perceive to be offending behaviour. Because of the perceived authority inherent in being a Member of Council, or due to their choice of words and/or actions, personally addressing the matter may give rise to an accusation that the Member has engaged in bullying or harassing conduct. Findings of bullying or harassment can result in the imposition of sanctions under the Code of Conduct.

Collateral actions in the course of litigation:

The Integrity Commissioner's office is a forum for the making of complaints concerning the ethical behaviour of Members of Council (and respecting the behaviour of Members of the City's local boards). The office plays an important role in the administration of justice, and provides an opportunity for citizens to file legitimate inquiries without being burdened with inordinate legal costs. The integrity commissioner, in playing that role, also serves the interests of justice by removing from an over-burdened court system matters that are within the jurisdiction of the integrity commissioner and which are in the public interest to pursue.

However, when a matter has been adjudicated by a tribunal or is in the course of adjudication, the integrity commissioner must be wary of pursuing the matter. It is not in the public interest to 're-litigate' the findings or decisions of a competent adjudicator who, having heard all of the relevant evidence, has rendered a decision; and it is not in the public interest to allow the office to be used when the persons involved in the dispute are or have been engaged in procedures established by other legal mechanisms. There may be a residual role for the integrity commissioner, but that role should be exercised sparingly – only when it is in the public interest to do so.

Other Ethical Themes Around the Province:

Given our role as integrity commissioner for a number of municipalities and public bodies in Ontario, and with due regard to our obligation to maintain confidentiality, this annual report enables us to identify learning opportunities from advice requests and investigations conducted in a variety of municipalities.

One area of prominence is the failure of some Members of Council to adhere to rules against disparagement. Members of Council are entitled, and indeed expected to disagree on all manner of issues. However, one of the cornerstones to democracy must be the recognition that different opinions and perspectives are to be respected, and disagreement should not devolve into disrespect, disparagement and name-calling.

Some Members of Council hold a view that they are entitled to freely express their opinion, even if that includes disparagement of others, and so long as they share it via personal email (or texts), and not on the municipal server, they are not constrained by any rules around decorum. This is incorrect. Members are bound by the Code provisions of respectful and non-disparaging communication, whether sharing views on their own

Principles *Integrity*

email, social media, or elsewhere.

Regardless of the medium, regardless of the intended audience, and regardless of motive, we have observed several instances where Members of Council in municipalities around the province have been found to have breached ethical standards by saying or recording things they have come to regret.

Another area Members frequently require additional clarification on is recognizing and appropriately identifying conflicts of interest when they arise. These often include situations where members are part of another organization or club whose interests are impacted by a matter before Council, or when members are active professionally within the community and a matter before Council may potentially impact one of their current or past clients.

As always, obtaining clear and reliable advice can help avoid a costly and time-consuming investigation.

Conclusion:

We wish to recognize Members of Council all of whom are responsible for making decisions at the local level in the public interest. It has been a privilege to assist you in your work by providing advice about the Code of Conduct, the avoidance of conflicts of interest, and by resolving complaints. We recognize that public service is not easy and the ethical issues that arise can be challenging. The public rightly demands the highest standard from those who serve them, and we congratulate Council for its aspirational objective to strive to meet that standard.

Finally, we wish to thank the Clerk and the City Solicitor for their professionalism and assistance where required. Although an Integrity Commissioner is not part of Hamilton's administrative hierarchy, the work of our office depends on the facilitation of access to information and policy in order to carry out the mandate. This was done willingly and efficiently by the staff of the City.

We would be pleased to attend an up-coming Governance Sub-Committee meeting to discuss this report.

All of which is respectfully submitted,

Principles *Integrity*

Integrity Commissioner for the City of Hamilton

January 29, 2020

Andrea Holland
Office of the Clerk
Hamilton City Hall
71 Main St. W., 1st Floor
Hamilton, Ontario
L8P 4Y5

Sent via email: clerk@hamilton.ca

Re: Heddle Shipyards
Our File No: 68.45.7

Dear Ms. Holland,

At its meeting held on January 13th, 2020, St. Catharines City Council approved the following motion:

“WHEREAS St. Catharines and the entire Niagara Region has a long history in the shipbuilding industry and is a critical part of the marine-based economy of Ontario; and

WHEREAS for more than half a century, the Port Weller Dry Docks have historically built, maintained, and repaired vessels in excess of 1,000 tonnes; and

WHEREAS locally, Heddle Shipyards (Heddle) has operated and revived the Port Weller Dry Docks since 2017, employing a current staff of approximately 150 with significant available shipbuilding, repair and maintenance capacity; and

WHEREAS Heddle’s infrastructure and the local supply-chain are well-positioned to participate in national procurement initiatives including the \$100-billion federal National Shipbuilding Strategy to renew the federal fleet of vessels; and

WHEREAS The City of St. Catharines’ updated Strategic Plan commits to building and growing a diverse and resilient economy through investments, employment, and partnerships;

THEREFORE BE IT RESOLVED that given our strategic binational location, the City of St. Catharines calls on the Federal Government to initiate a truly National Shipbuilding Strategy by considering the option of a fourth shipyard, to be located in Ontario; and

BE IT FURTHER RESOLVED that the Federal government consider Heddle Shipyards as a major component supplier to the National Shipbuilding Strategy; and

BE IT FURTHER RESOLVED that St. Catharines City Council urge the Department of Public Services and Procurement to ensure that procurements under the National Shipbuilding Strategy remain fair, open and transparent and eligible for proponents from throughout the country; and

BE IT FURTHER RESOLVED that St. Catharines City Council endorse the efforts of Heddle Shipyards to provide year-round employment and economic development in the marine industry; and

BE IT FURTHER RESOLVED that a copy of this motion be sent to Prime Minister Justin Trudeau; the Honourable Anita Anand, Minister of Public Services and Procurement; Chris Bittle, M.P., St. Catharines; Vance Badawey, M.P., Niagara Centre; Premier Doug Ford; local MPPs; the Regional Municipality of Niagara; and the municipal councils of the City of Hamilton and City of Thunder Bay; and

BE IT FURTHER RESOLVED that the Mayor be directed to schedule a meeting with local mayors, MPs and MPPs to lend support to the request from Heddle Shipyards.

If you have any questions, please contact the Government Relations Advisor at extension 1518.

Melissa Wenzler
Government Relations Advisor

cc. The Right Honourable Justin Trudeau, Prime Minister
The Honourable Anita Anand, Minister of Public Services and Procurement
Chris Bittle, M.P., St. Catharines
Vance Badawey, M.P., Niagara Centre
The Honourable Doug Ford, M.P.P., Premier of Ontario
Jennie Stevens, M.P.P., St. Catharines
Jeff Burch, M.P.P., Niagara Centre
Wayne Gates, M.P.P., Niagara Falls
Sam Oosterhoff, M.P.P., Niagara West
The Regional Municipality of Niagara
The Municipal Council of the City of Thunder Bay

January 24, 2020

The Honourable Catharine McKenna
Minister of Infrastructure and Communities 180 Kent Street
Ste. 1100
Ottawa, ON K1P 086

Dear Minister:

My name is Angela Pugliese, I live in Hamilton, I am writing today in regards to Hamilton LRT

When I went to school outside of Canada I lived in a City called Torino, and my form of transportation was La Tram, which we call LRT, I am grateful to have had this opportunity.

I saw a City that was environmentally and economically structured, encouraging commuters to use bicycles and motor bikes, it encouraged drivers to leave their cars behind and it worked, it provided commuters a seamless, fast, safe manner of commuting to their destinations, these were the best years in my life, I felt no stress, I didn't pay attention to the wires, in fact where I lived it extended from City to City, can you imagine travelling and not having any concern about traffic or congestion.

Today I am writing to the Ministry of Infrastructure Catharine McKenna asking for your support in what has transpired in

Hamilton, with the cancellation of our LRT, we are asking for your support in funding this project, there are so many benefits, not only will it move commuters to their destination and save time, but the investors that invested in our great City of Hamilton, the revenues that would be coming in from this project, job creation, infrastructure and more, the LRT is environmentally and economically the best solution in transit.

Asking the Ministry to review possible funding to help assist Hamilton in continuing with this project without further delays

Sincerely

Ms Angela Pugliese

[Redacted signature block]

Pilon, Janet

Subject: Memo - 2019 Year-End Assessment Report

From: Uhl, Kirsten <Kirsten.Uhl@mpac.ca>

Sent: January 16, 2020 1:42 PM

To: Holland, Andrea <Andrea.Holland@hamilton.ca>; clerk@hamilton.ca

Cc: Castellani, Lou <Lou.Castellani@mpac.ca>; MR19-20Enquiry <MR19-20Enquiry@mpac.ca>; Gordon, Brian <Brian.Gordon@mpac.ca>

Subject: Memo - 2019 Year-End Assessment Report

Good afternoon,

I am following up on a communication I delivered in December to municipal CAOs and Finance staff on behalf of Chris Rickett, Director, Municipal and Stakeholder Relations regarding MPAC's 2019 Year-End Assessment Report which included two municipal level assessment snapshots unique to your municipality. You can find that communication below and the materials attached.

The report provides a high-level summary of MPAC's 2019 activities and detailed changes in your municipality's assessment base that will help Council's ongoing budgeting and tax policy planning.

Now that Finance staff have had a chance to review, we are requesting the opportunity to share this material with your municipal Council.

If you have any questions, please contact Lou Castellani.

I look forward to working with you during this Assessment Update year.

Regards,

Brian

Brian Gordon, A.I.M.A

Regional Manager, Municipal and Stakeholder Relations

Valuation and Customer Relations

Office: 437-317-3453

Mobile: 416-949-8713

mpac.ca

Municipal Property Assessment Corporation

6745 Century Avenue, Suite #1 L5N 8C9

December 16, 2019

To: Chief Administrative Officers, Chief Financial Officers, Treasurers and Tax Administrators

From: Chris Rickett, Director, Municipal and Stakeholder Relations

Subject: 2019 Year-End Assessment Report

We are pleased to share our 2019 Year-End Assessment Report for the 2020 tax year, which will be of interest to both municipal administration and elected officials. This report provides a high-level summary of MPAC's 2019 activities that are relevant to the municipal sector, and also two unique municipal level snapshots of the assessment changes within your municipality.

We are particularly proud of the partnerships we have developed this past year, some of which are highlighted on page 3 of the report. Be sure to take a look – and if you have a story of a collaboration with our MPAC team, please let us know as we would like to share it as well.

To encourage sharing with municipal councils, this report will also be delivered to Municipal Clerks in January for dissemination to your councils.

Your MPAC Account Manager or Regional Manager are available to answer any questions you may have.

On behalf of MPAC and our Municipal and Stakeholder Relations team, we wish you all the best for the holiday season.

We look forward to working with all of you in 2020 as we head into the Assessment Update.

Regards,

Chris

Chris Rickett, BES, MPA

Director, Municipal and Stakeholder Relations
Valuation and Customer Relations
Mobile: 416 723-5809

mpac.ca

Municipal Property Assessment Corporation
1340 Pickering Parkway, Suite 101 L1V 0C4

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2019 Year-End Assessment Report

for the 2020 tax year

As of December 2019

MUNICIPAL
PROPERTY
ASSESSMENT
CORPORATION



Valuing Ontario

In Ontario, there are more than 5 million properties representing \$2.96 trillion in property value. It's MPAC's role to assess and classify every property, supporting the collection of nearly \$21 billion in municipal taxes annually.

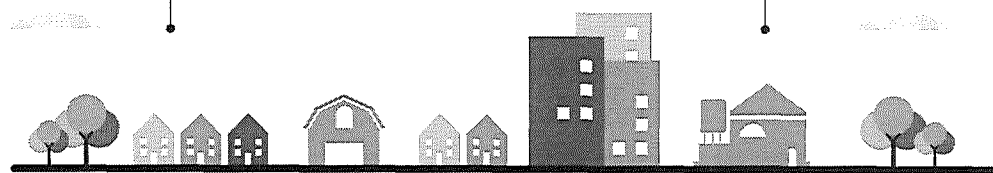
This report provides an overview of the work we undertook throughout 2019 to support municipalities and stakeholders, meet service level standards, and deliver an updated and stable assessment roll.

*As of October 31, 2019

2019 by the numbers*

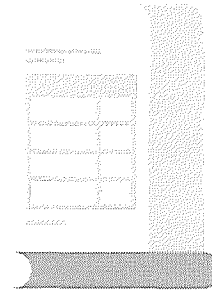
5.36 million
properties assessed
and classified in Ontario

Representing
\$2.96 trillion
in property value

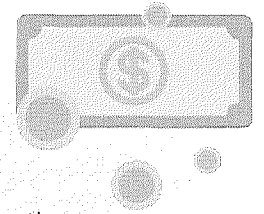


Delivered more than
800,000
Property
Assessment Notices

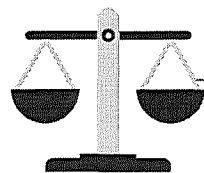
Supported the collection
of nearly **\$21 billion** in
municipal taxes annually



Delivered more than
\$37 billion
in new assessment
to municipalities across the
province. **More than 85%** of
new assessment was processed
within one year of occupancy.

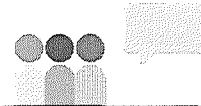


Completed just
over **15,000**
**Requests for
Reconsideration**



Completed
25,927
appeals

Our **Municipal
and Stakeholder
Relations** team
participated in **18
municipal sector
conferences**
across Ontario



Building and strengthening municipal partnerships

In early 2019, we made a strategic change so that we could serve you better. Under the leadership of Carmelo Lipsi, Vice-President and Chief Operating Officer, our municipal relationship experts joined the same business unit as our assessors. This integration has strengthened our collective knowledge and understanding of your communities, how we can support you, and enabled us to be more efficient in our customer service.

We welcomed many new municipal elected officials after the October 2018 elections and, in 2019, we have enjoyed orienting these new leaders about who we are, what we do and how we can support municipalities. We continue to do this through Council presentations, meetings with local municipal partners and informational materials.

We are committed to keeping these conversations with you going, especially as we prepare to deliver the 2020 Assessment Update.



Partnerships in action

We're proud of the municipal partnerships we've developed and are working hard to demonstrate our value to you, to listen to you and to continuously improve. These stories from the field highlight some of the ways we're doing just that.

Supporting the City of Ottawa through spring flooding

MPAC continues to review properties during non-Assessment Update years, and will update an assessment if a change occurs. But what happens if these changes are due to damage from natural disasters like flooding, tornados or other extreme weather events? In this case, property owners of buildings damaged to the point of being unusable might contact their municipality asking about a property tax reduction or refund.

When these unfortunate situations happen, municipalities can rely on MPAC to provide the information they need to make informed decisions about tax applications and process the applications quickly.

"Many properties along the Ottawa River experienced flooding this spring, creating uncertainty and stress for many of our residents," says Mischele Joanis, Program Manager, Customer Accounts Branch, City of Ottawa. "We were again impressed with MPAC's highly collaborative approach to managing the situation. Together, we were able to find solutions so that property owners got the information they needed faster."

Delivering exceptional customer service to Tarbutt Township

Whether presenting at a Council meeting, looking into a property owner's concern, or sharing information with municipal partners at industry conferences, MPAC's knowledgeable and professional employees are committed to delivering exceptional customer service.

"In a time where customer service seems to be lacking, I think MPAC has achieved a high customer service standard," explains Caryn Orchard, Deputy Clerk-Treasurer, Tarbutt Township. "From the dealings that I have had with your employees, they have been nothing short of kind, helpful and knowledgeable. I feel that going forward with MPAC and the culture that it is trying to represent, you have some excellent staff to get you there."



Partnering with the Town of Lakeshore to find solutions

When there are bumps in the road, your local Municipal and Stakeholder Relations team is ready to help by bringing together the right people and resources to find a solution.

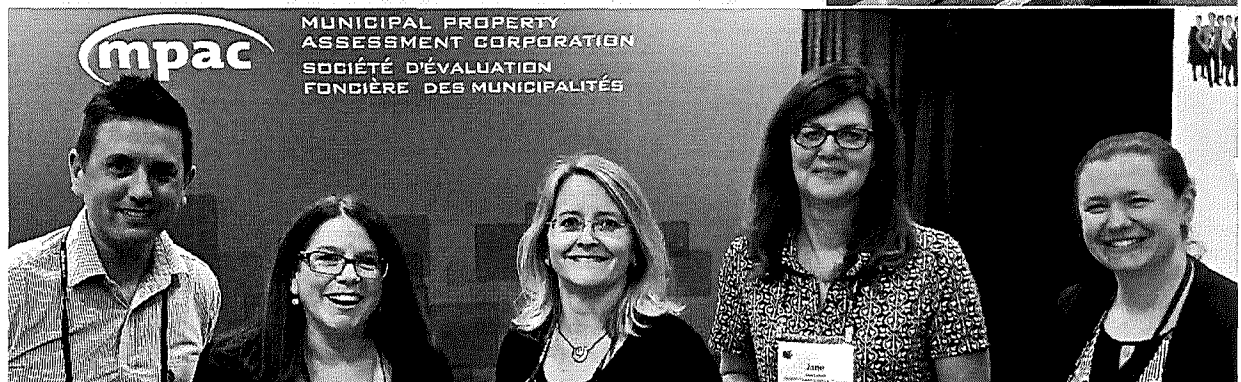
A web service submission feature recently had a system error that was causing building permits submitted by the Town of Lakeshore to be rejected. The local Account Manager quickly arranged a meeting with Lakeshore's IT, finance and building department staff, the municipal vendor, and MPAC's IT and Central Processing Facility experts.

"As soon as we brought the issue forward, our Account Manager proactively reached out to all the relevant parties and organized a series of meetings where we isolated the cause and fixed the problem," says Michelle Heslop, Supervisor of Revenue, Town of Lakeshore. "It's that kind of proactive customer service that makes MPAC a valued partner."



"This year marks our 20th anniversary as Ontario's property assessment agency. As a customer-focused organization, we're committed to continually innovating to keep your trust."

Nicole McNeill, President and CAO
2019 AMO Conference, Ottawa



What's next?

With delivery of the 2019 assessment roll on December 10, 2019, we are shifting focus to the province-wide Assessment Update in 2020, when we update the assessed value of every property in Ontario. We understand how important early engagement is to you so you can understand the assessments in your community, and we know that you want to be part of the conversation.

You'll hear more about opportunities for engagement in early 2020. We look forward to your insights and feedback as we work toward this next milestone together. Your local Municipal and Stakeholder Relations team is available to support you with any of our products or services. Please contact your Regional Manager or Account Manager, if you have any questions about this report.

Connect with us For information and timely updates

Follow Us:



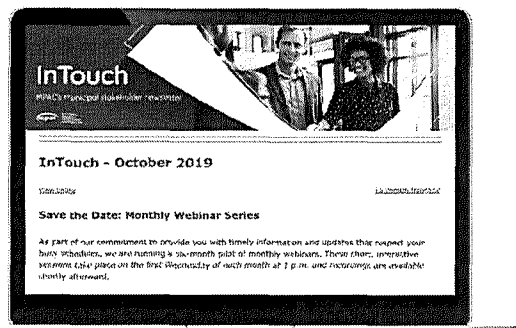
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→ Read *InTouch*, our monthly newsletter

→ Join the conversation at our **monthly webinar**



Have a question?

Visit mpac.ca/municipalities to find your local representative



About MPAC

The Municipal Property Assessment Corporation (MPAC) is an independent, not-for-profit corporation funded by all Ontario municipalities, accountable to the Province, municipalities and property taxpayers through its 13-member Board of Directors. Our role is to accurately assess and classify all properties in Ontario in compliance with the *Assessment Act* and regulations set by the Government of Ontario. We are the largest assessment jurisdiction in North America, assessing and classifying more than 5.3 million properties with an estimated total value of \$2.96 trillion.

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APPENDIX 1 Assessment Change Summary by Property Class City of Hamilton

The following chart provides a comparison of the total assessment for the 2016 base year, and a comparison of the assessment change for 2019 and 2020 property tax year by property class.

Property Class/Realty Tax Class	2016 Full CVA	2019 Phased-In CVA	2020 Phased-In CVA	Percent Change 2019 to 2020
R Residential	66,085,090,580	62,579,793,134	66,085,090,580	5.60%
M Multi-Residential	2,837,282,400	2,725,537,681	2,837,282,400	4.10%
N New Multi-Residential	306,498,500	292,976,515	306,498,500	4.62%
C Commercial	4,928,677,116	4,660,651,418	4,928,677,116	5.75%
S Shopping Centre	1,484,655,503	1,400,946,122	1,484,655,503	5.98%
D Office Building	166,128,348	156,916,760	166,128,348	5.87%
G Parking Lot	67,117,700	58,276,961	67,117,700	15.17%
X Commercial (New Construction)	858,507,316	818,860,603	858,507,316	4.84%
Z Shopping Centre (New Construction)	499,065,456	470,929,511	499,065,456	5.97%
Y Office Building (New Construction)	28,804,100	27,762,396	28,804,100	3.75%
I Industrial	678,911,213	652,416,890	678,911,213	4.06%
L Large Industrial	418,334,100	410,163,728	418,334,100	1.99%
J Industrial (New Construction)	81,983,300	79,519,439	81,983,300	3.10%
K Large Industrial (New Construction)	95,902,000	89,713,750	95,902,000	6.90%
H Landfill	5,152,000	4,961,625	5,152,000	3.84%
P Pipeline	350,025,000	340,172,363	350,025,000	2.90%
F Farm	1,510,542,900	1,390,781,027	1,510,542,900	8.61%
T Managed Forests	21,115,200	19,795,676	21,115,200	6.67%
W Railway Right-of-Way	0	0	0	0.00%
B Shortline Railway Right-of-Way	0	0	0	0.00%
U Utility Transmission & Distribution Corridors	0	0	0	0.00%
(PIL) R Residential	13,873,200	13,272,399	13,873,200	4.53%
(PIL) C Commercial	309,501,338	293,010,841	309,501,338	5.63%
(PIL) D Office Building	81,118,574	79,508,894	81,118,574	2.02%
(PIL) G Parking Lot	37,576,100	33,609,608	37,576,100	11.80%
(PIL) I Industrial	80,000	65,000	80,000	23.08%



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APPENDIX 1

Assessment Change Summary by Property Class City of Hamilton

Property Class/Realty Tax Class	2016 Full CVA	2019 Phased-In CVA	2020 Phased-In CVA	Percent Change 2019 to 2020
(PIL) H Landfill	4,694,700	4,616,525	4,694,700	1.69%
E Exempt	6,200,320,208	5,958,222,171	6,200,320,208	4.06%
TOTAL	87,070,956,852	82,562,481,037	87,070,956,852	5.46%



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APPENDIX 2

Assessment Base Distribution Summary by Property Class City of Hamilton

This chart provides a comparison of the distribution of the total assessment for the 2016 base year, and the 2019 and 2020 phased-in assessment, which includes the percentage of the total assessment base by property class.

Property Class/Realty Tax Class	2016 Full CVA	Percentage of Total 2016 CVA	2019 Phased-In CVA	Percentage of Total 2019 Phased-In CVA	2020 Phased-In CVA	Percentage of Total 2020 Phased-In CVA
R Residential	66,085,090,580	75.90%	62,579,793,134	75.80%	66,085,090,580	75.90%
M Multi-Residential	2,837,282,400	3.26%	2,725,537,681	3.30%	2,837,282,400	3.26%
N New Multi-Residential	306,498,500	0.35%	292,976,515	0.35%	306,498,500	0.35%
C Commercial	4,928,677,116	5.66%	4,660,651,418	5.64%	4,928,677,116	5.66%
S Shopping Centre	1,484,655,503	1.71%	1,400,946,122	1.70%	1,484,655,503	1.71%
D Office Building	166,128,348	0.19%	156,916,760	0.19%	166,128,348	0.19%
G Parking Lot	67,117,700	0.08%	58,276,961	0.07%	67,117,700	0.08%
X Commercial (New Construction)	858,507,316	0.99%	818,860,603	0.99%	858,507,316	0.99%
Z Shopping Centre (New Construction)	499,065,456	0.57%	470,929,511	0.57%	499,065,456	0.57%
Y Office Building (New Construction)	28,804,100	0.03%	27,762,396	0.03%	28,804,100	0.03%
I Industrial	678,911,213	0.78%	652,416,890	0.79%	678,911,213	0.78%
L Large Industrial	418,334,100	0.48%	410,163,728	0.50%	418,334,100	0.48%
J Industrial (New Construction)	81,983,300	0.09%	79,519,439	0.10%	81,983,300	0.09%
K Large Industrial (New Construction)	95,902,000	0.11%	89,713,750	0.11%	95,902,000	0.11%
H Landfill	5,152,000	0.01%	4,961,625	0.01%	5,152,000	0.01%
P Pipeline	350,025,000	0.40%	340,172,363	0.41%	350,025,000	0.40%
F Farm	1,510,542,900	1.73%	1,390,781,027	1.68%	1,510,542,900	1.73%
T Managed Forests	21,115,200	0.02%	19,795,676	0.02%	21,115,200	0.02%
W Railway Right-of-Way	0	0.00%	0	0.00%	0	0.00%
B Shortline Railway Right-of-Way	0	0.00%	0	0.00%	0	0.00%



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APPENDIX 2

Assessment Base Distribution Summary by Property Class City of Hamilton

Property Class/Realty Tax Class	2016 Full CVA	Percentage of Total 2016 CVA	2019 Phased-In CVA	Percentage of Total 2019 Phased-In CVA	2020 Phased-In CVA	Percentage of Total 2020 Phased-In CVA
U Utility Transmission & Distribution Corridors	0	0.00%	0	0.00%	0	0.00%
(PIL) R Residential	13,873,200	0.02%	13,272,399	0.02%	13,873,200	0.02%
(PIL) C Commercial	309,501,338	0.36%	293,010,841	0.35%	309,501,338	0.36%
(PIL) D Office Building	81,118,574	0.09%	79,508,894	0.10%	81,118,574	0.09%
(PIL) G Parking Lot	37,576,100	0.04%	33,609,608	0.04%	37,576,100	0.04%
(PIL) I Industrial	80,000	0.00%	65,000	0.00%	80,000	0.00%
(PIL) H Landfill	4,694,700	0.01%	4,616,525	0.01%	4,694,700	0.01%
E Exempt	6,200,320,208	7.12%	5,958,222,171	7.22%	6,200,320,208	7.12%
TOTAL	87,070,956,852	100.00%	82,562,481,037	100.00%	87,070,956,852	100.00%



SPECIAL GENERAL ISSUES COMMITTEE REPORT 20-003

11:58 a.m.

Thursday, January 30, 2020
Council Chambers
Hamilton City Hall
71 Main Street West

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

Absent: Councillor T. Whitehead, J. Farr – Personal
Councillor L. Ferguson – Other City Business

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 20-003, AND RESPECTFULLY RECOMMENDS:

1. Procedure for Distribution of Federal and Provincial Orders (CM20001) (City Wide) (Item 9.1)

That Report CM20001, respecting the Procedure for Distribution of Federal and Provincial Orders, be received.

2. Sharing of Consultant Reports with Identified Imminent Risks to Human Health or Safety (HUR20002) (City Wide) (Item 9.2)

That the Sharing of Consultant Reports with Identified Imminent Risks to Human Health or Safety Policy, Schedule G of the Code of Code of Conduct for Employees Policy, attached as Appendix “A” to Report 20-003, be approved for inclusion within the City’s Code of Conduct Policy.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

The agenda for the January 30, 2020 Special General Issues Committee meeting was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) ADJOURNMENT (Item 15)

There being no further business, the General Issues Committee adjourned at 12:26 p.m.

Respectfully submitted,

Deputy Mayor Brad Clark
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk

Corporate Human Resources Policy		Code of Conduct for Employees
Work Environment		Content Updated: 2020-01-15
Policy No: HR-01-09		
Page 1 of 1		Approval: YEAR-MM-DD

Schedule G: Sharing of Consultant Reports with Identified Imminent Risks to Human Health or Safety	
PURPOSE STATEMENT	<p>The City of Hamilton hires consultants to provide expert, objective advice and to identify opportunities and challenges for the City to pursue. Through their work, consultants may identify risks of various types and severity and include recommendations for action.</p> <p>Where City staff receive a report from a consultant that identifies an imminent danger to human health or safety, the City Manager will ensure that information is promptly and appropriately shared with Council.</p>
SCOPE	<p>This policy applies to all City of Hamilton employees and consultants contracted by the City of Hamilton.</p> <p>This policy does not include consultants retained in the course of a litigation matter.</p>
PRINCIPLES	<p>Consultants must communicate any imminent risks to human health or safety that they become aware of as a part of the work they are conducting for the City with City staff immediately.</p> <p>City staff in receipt of a report from a consultant that has identified an imminent risk to human health or safety must disclose this information to leadership.</p> <p>The City Manager shall ensure that immediate risks to human health or safety are communicated to Council promptly.</p> <p>The City Manager will ensure that procedures are developed to outline the process of communication and responsibilities for City leadership and staff.</p>
HISTORY	<p>The following stakeholders were consulted in the creation or revisions made to this Policy:</p> <ul style="list-style-type: none"> • Senior Leadership Team • Legal Services • Risk Management • Human Resources



PUBLIC WORKS COMMITTEE REPORT 20-002

1:30 p.m.
Monday, February 3, 2020
Council Chambers
Hamilton City Hall
71 Main Street West

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

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

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 20-002 AND RESPECTFULLY RECOMMENDS:

1. Intersection Control List (PW20001) (Wards 8 and 9) (Item 7.1)

That the appropriate By-law be presented to Council to provide traffic control as follows:

Intersection		Stop Control Direction		Class	Comments / Petition	Ward
Street 1	Street 2	Existing	Requested			
Section "E" Hamilton						
(a)	McElroy Road East	Howard Avenue	All	NB/SB	A	Removing all-way stop - Clr approved
(b)	McElroy Road East	Clarendon Avenue	All	NB/SB	A	Removing all-way stop - Clr approved
(c)	Dana Drive	South Bend Road	EB/WB	NB/SB	A	Flipping stop control – Clr Approved
Section "F" Stoney Creek						

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
(d)	Highland Road East	Second Road East	NB/SB	All	C	Converting to all-way stop – Clr approved	9
(e)	Highland Road East	Third Road East	NB/SB	All	C	Converting to all-way stop – Clr approved	9

Legend

No Control Existing (New Subdivision) - **NC**

Intersection Class: **A** - Local/Local **B** - Local/Collector **C** - Collector/Collector

2. Tapleystown Yard (119 Tapleystown Road, Stoney Creek) Assessment Reports (PW20008) (Ward 9) (Item 7.2)

That Report PW20008, respecting Tapleystown Yard (119 Tapleystown Road, Stoney Creek) Assessment Reports, be received.

3. Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 1479 Baseline Road, Stoney Creek (PW20007) (Ward 10) (Item 8.1)

- (a) That the application of the Hamilton Region Conservation Authority to permanently close and purchase a portion of road allowance abutting 1479 Baseline Road, Stoney Creek ("Subject Lands"), as shown on Appendix "A", attached to Public Works Committee Report 20-002, be approved, subject to the following conditions:
 - (i) That the City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the highway, for enactment by Council;
 - (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to enter into any requisite easement agreements necessary to affect the orderly disposition of the Subject Lands and to proceed to sell the Subject Lands to the Hamilton Region Conservation Authority, as described in Report PW20007, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
 - (iii) The City Solicitor be authorized to complete the transfer of the Subject Lands to the Hamilton Region Conservation Authority pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;

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

4. PRESTO Adoption (PW17033(d)) (City Wide) (Item 9.1)

That the Strategy For Legacy Paper Media Removal, be approved, as follows:

	Product	Notice	Action	Marketing
(a)	Paper Monthly Passes	Provided February 2020 - 4 months	June 2020 no paper passes	Provide literature with each pass sold advising of removal of paper pass and the benefits of PRESTO. Work with various program owners to implement the best solution for their client.
(b)	Paper Tickets and Day passes	Provided March 2020 - 6 months	September 1, 2020 no paper tickets or day passes at vendors Will continue to accept until December 31, 2020	Promote the benefits of Presto to ticket users via web and social media, in person at high boarding locations. Day pass functionality will not be available on PRESTO.
(c)	Vendors	Provided February 2020 – 10 months	Remove all HSR paper media product from all vendor locations as of September 1, 2020	This change may be disruptive to the vendors business. Provide a 10 month notice period to allow for the adjustment.
(d)	Special Paper Ticket	Provided March 2020 - 6	September 1, 2020 introduce special purpose ticket	Advise agencies of the availability so they can continue to support clients.

	Product	Notice	Action	Marketing
		months	available at Customer Service Office for Social Agencies Tickets will remain until new functionality is available.	Work with agencies to determine the future functionality that will best suit their needs.

5. City of Hamilton Vision Zero Action Plan 2019 - 2025 Update (PW19015(a)) (City Wide) (Item 10.1)

- (a) That the Hamilton Police Services Board be requested to review the feasibility of implementing a dedicated City-wide Traffic Enforcement Unit;
- (b) That the Hamilton Police Services Board, Hamilton-Wentworth District School Board and Hamilton-Wentworth Catholic District School Board be requested to review the feasibility of implementing school bus enforcement cameras; and,
- (c) That the City of Hamilton Strategic Road Safety Committee Terms of Reference, attached as Appendix “C” to Public Works Committee Report 20-002, be approved.

6. Installation of Intersection Pedestrian Signal at the Intersection of Mohawk Road East and Moxley Drive, Hamilton (Ward 6) REVISED (Item 11.1)

WHEREAS, residents in the area of Mohawk Road and Moxley Drive are concerned about pedestrian safety when crossing at this busy intersection; and,

WHEREAS, community leaders are requesting the installation of a traffic control device at this intersection to assist pedestrians in safely crossing the roadway; THEREFORE, BE IT RESOLVED:

- (a) That Public Works staff be authorized and directed to install and activate an Intersection Pedestrian Signal at the intersection of Mohawk Road East and Moxley Drive, Hamilton, in 2020;
- (b) That funding for the installation, to an upset limit of \$200,000, come from the Road Maintenance Program (Project ID 4031611606); and,
- (c) 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.

7. Removal of Norway Maple Tree at 11 Star Avenue, Hamilton (Ward 5) (Item 11.2)

WHEREAS, a recent survey of a tree at 11 Star Avenue, Hamilton, confirms the 60 cm Norway Maple is located on both public and private property;

WHEREAS, the same tree at 11 Star Avenue, Hamilton, has historically been maintained by City Forestry staff; and,

WHEREAS, the Norway Maple tree at 11 Star Avenue, Hamilton, has died;

THEREFORE, BE IT RESOLVED:

That Forestry staff be directed to remove the Norway Maple tree at 11 Star Avenue, Hamilton.

8. Ridgemount Elementary School Play Structure Replacement (Ward 8) (Item 11.3)

WHEREAS, since approximately 1994, the City of Hamilton (City) has inspected and maintained a playground structure on property owned by the Hamilton Wentworth District School Board (HWDSB) at 65 Hester Street, Hamilton (Ridgemount Elementary School), which was used by both elementary school students and members of the public; and,

WHEREAS, the structure was removed in recent years due to a school building expansion and the HWDSB has since requested the City's assistance in constructing a replacement structure;

THEREFORE, BE IT RESOLVED:

- (a) That the design and installation of a new play structure at 65 Hester Street, Hamilton (Ridgemount Elementary School) be funded from the Ward 8 Area Rating Reserve Fund (108058) to an upset limit of \$150,000, be approved;
- (b) That a formal agreement for the operation and maintenance of the proposed structure as a public amenity on non-City owned lands be executed between the City and the HWDSB; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents for the installation and ongoing maintenance of the Play Structure located at 65 Hester Street, Hamilton, with such terms and conditions in a form satisfactory to the City Solicitor.

9. Sidewalk Repairs and Rolled Curb Replacements (Ward 8) (Item 11.4)

- (a) That \$68,000 be allocated to sidewalk repairs and rolled curb replacements in Ward 8, and that the capital works be funded by utilizing the Ward 8 – 2020 Area Rating Reserve Fund (108058); and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

10. Installation of Elevator Cameras in 181 Jackson Street West and 95 Hess Street South, Hamilton (Ward 2) (Added Item 11.5)

- (a) That the installation of two elevator cameras in 181 Jackson Street West and two elevator cameras in 95 Hess Street South be funded from the Ward 2 Area Rating Special Capital Reinvestment Reserve No. 108052 to an upset limit of \$7,890; 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.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

5. COMMUNICATIONS (Item 5)

- 5.1 Correspondence from Pierre Ranger, Let's Remember Adam, respecting City of Hamilton Vision Zero Action Plan 2019 - 2025 Update
Recommendation: Be received and referred to the consideration of Item 10.1.

11. MOTIONS (Item 11)

- 11.1 Installation of Intersection Pedestrian Signal at the Intersection of Mohawk Road East and Moxley Drive, Hamilton (Ward 6)
REVISED

12. NOTICES OF MOTION (Item 12)

- 12.1 Installation of Elevator Cameras in 181 Jackson Street West and 95 Hess Street South, Hamilton (Ward 2)

The agenda for the February 3, 2020 Public Works Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor E. Pauls declared an interest to recommendations (a) and (b) of Item 10.1, respecting City of Hamilton Vision Zero Action Plan 2019 - 2025 Update (PW19015(a)), as her son is a Staff Sergeant for Hamilton Police Service.

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

(i) January 13, 2020 (Item 4.1)

WHEREAS, the 'WHEREAS' statements included in the Public Works Committee Minutes 20-001 respecting Item 7, Feasibility of Implementation of a Digital Automated Information System on the Lincoln Alexander Parkway and Red Hill Valley Parkway were included in error and refer to another project;

THEREFORE, BE IT RESOLVED:

That the 'WHEREAS' statements included in the Public Works Committee Minutes 20-001 respecting Item 7, Feasibility of Implementation of a Digital Automated Information System on the Lincoln Alexander Parkway and Red Hill Valley Parkway, be deleted in their entirety:

7. Feasibility of Implementation of a Digital Automated Information System on the Lincoln Alexander Parkway and Red Hill Valley Parkway (City Wide) (Item 11.1)

~~WHEREAS, a request respecting the conversion of Sanford Avenue from Delaware Avenue to Barton Street East, from one-way to two-way traffic was received; and,~~

~~WHEREAS, Sanford Avenue was identified in the Council approved Transportation Master Plan for two-way traffic consideration and ranked number five for conversion;~~

THEREFORE, BE IT RESOLVED:

- (a) That Transportation, Operations and Maintenance staff be directed to undertake a feasibility study for the implementation of a digital automated information system that provides incident and travel time information to road users on the Lincoln Alexander Parkway and Red Hill Valley Parkway and report back to the Public Works Committee in

September 2020 with a proposal for funding and implementation; and,

- (b) That staff be directed to consult with the Ministry of Transportation Ontario on co-ordinating incident management messaging as part of a digital automated information system.

The Minutes of the January 13, 2020 meeting of the Public Works Committee were approved, as amended.

(d) COMMUNICATIONS (Item 5)

- (i) Correspondence from Pierre Ranger, Let's Remember Adam, respecting City of Hamilton Vision Zero Action Plan 2019 - 2025 Update (Added Item 5.1)**

The correspondence from Pierre Ranger, Let's Remember Adam, respecting City of Hamilton Vision Zero Action Plan 2019 - 2025 Update, was received and referred to the consideration of Item 10.1.

(e) PUBLIC HEARINGS / DELEGATIONS (Item 8)

- (i) Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 1479 Baseline Road, Stoney Creek (PW20007) (Ward 10) (Item 8.1)**

Councillor Danko advised that notice of the Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 1479 Baseline Road, Stoney Creek (PW20007) (Ward 10) was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that there were no registered speakers.

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

The public meeting was closed.

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

(f) STAFF PRESENTATIONS (Item 9)

- (i) PRESTO Adoption (PW17033(d)) (City Wide) (Outstanding Business List Item) (Item 9.1)**

Nancy Purser, Manager, Transit Support Services, addressed Committee respecting Report PW17033(d), PRESTO Adoption, with the aid of a presentation.

The presentation, respecting Report PW17033(d), PRESTO Adoption, was received.

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

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

(g) NOTICES OF MOTION (Item 12)

(i) Installation of Elevator Cameras in 181 Jackson Street West and 95 Hess Street South, Hamilton (Ward 2) (Added Item 12.1)

The Rules of Order were waived to allow for the introduction of a Motion respecting the Installation of Elevator Cameras in 181 Jackson Street West and 95 Hess Street South, Hamilton (Ward 2).

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

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

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

The following amendments to the Public Works Committee's Outstanding Business List, were approved:

(a) Items Considered Complete and Needing to be Removed:

- (i) Review of the Service Delivery Model for Accessible Transit Addressed as Item 20 of Public Works Committee Report 19-017 (PW19110/LS19047)
Item on OBL: AK**
- (ii) PRESTO Operating Agreement
Addressed as Item 9.1 on today's agenda (PW17033(d))
Item on OBL: N**
- (iii) Additional Report on Vision Zero
Addressed as Item 10.1 on today's agenda (PW19015(a))
Item on OBL: AP**

(b) Items Requiring a New Due Date:

- (i) Waste Management System Development – Public Engagement Strategy Results and Preliminary Waste Management System Alternatives
Item on OBL: I
Current Due Date: April 6, 2020
Proposed New Due Date: April 20, 2020
- (ii) To Create a Hamilton General Hospital Safety Zone
Item on OBL: U
Current Due Date: February 21, 2020
Proposed New Due Date: April 20, 2020
- (iii) Operations and Maintenance of the Central Composting Facility
Item on OBL: AV
Current Due Date: March 23, 2020
Proposed New Due Date: May 22, 2020
- (iv) Road Safety Review and Appropriate Measures at the York Road and Newman Road Intersection
Item on OBL: AAE
Current Due Date: February 21, 2020
Proposed New Due Date: April 20, 2020
- (v) Theft and Vandalism Prevention in City-Owned Public Spaces
Item on OBL: AAH
Current Due Date: December 9, 2019
Proposed New Due Date: March 25, 2020

(i) 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 – January 13, 2020 (Item 14.1)

The Closed Session Minutes of the January 13, 2020 meeting of the Public Works Committee were approved, as presented, and shall remain confidential.

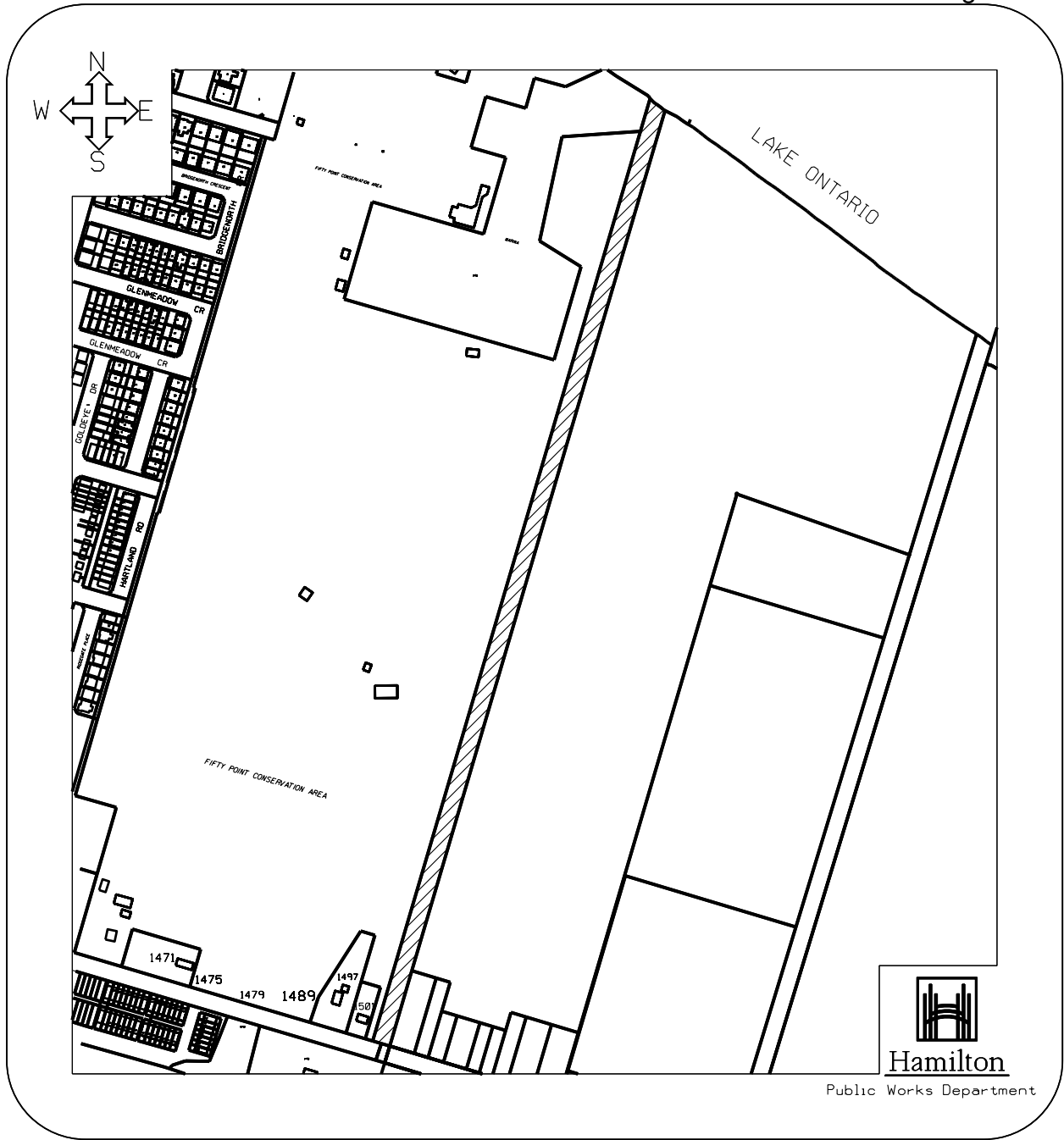
(j) ADJOURNMENT (Item 15)

There being no further business, the Public Works Committee was adjourned at 2:50 p.m.

Respectfully submitted,

Councillor J.P. Danko
Chair, Public Works Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk




LOCATION PLAN

PROPOSED CLOSURE OF
 PORTION OF ROAD ALLOWANCE
 BETWEEN THE TOWNSHIPS
 OF SALTFLEET
 AND NORTH GRIMSBY

CITY OF HAMILTON
 PUBLIC WORKS DEPARTMENT

LEGEND



SUBJECT LANDS

DATE: Not to Scale

REFERENCE FILE NO :

**Appendix “B” to Public Works
Committee Report 20-002 was inserted
directly into Item 4 of Public Works
Committee Report 20-002.**



CITY OF HAMILTON STRATEGIC ROAD SAFETY COMMITTEE TERMS OF REFERENCE

CITY OF HAMILTON

STRATEGIC ROAD SAFETY COMMITTEE

Program Charter and Terms of Reference

Introduction

This Committee program charter and terms of reference is informed by the Hamilton Vision Zero Action Plan which guides Vision Zero and Road Safety to 2025 and beyond. The Hamilton Road Strategic Safety Committee will act as a taskforce to lead the implementation of Vision Zero.

Vision Zero is about recognizing that traffic deaths and injuries are preventable, and improving the safety of roadways through education, enforcement, engineering, evaluation and engagement. Fundamentally, Vision Zero uses a data-driven approach to road safety with the goal of reducing traffic related serious injuries and fatalities towards the only acceptable goal: zero.

Through progressive growth and development, Hamilton is playing a role as a key urban centre within the Greater Toronto and Hamilton Area. As the City of Hamilton grows, ensuring the safety and well-being of all road users is a top priority. The City officially adopted Vision Zero in 2019 to guide their approach to road safety. The City of Hamilton has made great strides in traffic safety over the past five years and the Vision Zero Action Plan will take the City to the next level of traffic safety with a focus on analytic collision data analysis and public engagement.

The Hamilton Vision Zero program promotes a safe system through safe roads, safe vehicles, safe speeds and safe road users. It is noted within the Action Plan and as a key pillar of the Hamilton Vision Zero program that striving towards a holistic safe system will take a collaborative approach that includes a cross-disciplinary team.

Strategic Road Safety Committee: Vision, Mission Statement

The vision of the Strategic Road Safety Committee is to strive for a road system where there are no unnecessary injuries or loss of life.

The mission of the Strategic Road Safety Committee will be to advance the City of Hamilton towards this vision by implementing a diverse toolset of road safety initiatives.

Vision Zero Core Principles ¹

Vision Zero is based on the following principles:

No loss of life is acceptable: traffic fatalities and serious injuries are preventable.

We all make mistakes: the transportation system should be designed to anticipate error so the consequences are not serious injury or fatality.

We are all responsible for road safety: those of us who design and maintain the roads, those of us who make and enforce the rules of the roads, and those of us who use the roads.

Working together will contribute to a safer road network.



Vision Zero Principles Continued...

The Committee will operate with the understanding that:

Vision Zero is engaging: Vision Zero is an engaging and open program, which embraces the community and supports local prosperity by striving towards a safe, reliable road network

Vision Zero is holistic: Although Vision Zero is fundamentally rooted in engineering solutions, it also needs to be looked at from a holistic perspective

Vision Zero is data-driven: Vision Zero is rooted in a data-driven approach. The committee will prioritize data collection, evaluation and monitoring of initiatives

Vision Zero should support sustainability: Vision Zero encourages active modes of transportation by addressing road safety for vulnerable road users of all ages and abilities, reducing Hamilton’s contribution to climate change and encouraging a healthy lifestyle

Vision Zero is a public health issue: Traffic crashes are a preventable epidemic that must be addressed with the same data-driven rigor used by public health officials to address any other epidemic

Vision Zero is a public safety issue: Traffic violence impacts the safety of the general public every day, with the same negative outcomes we see from crime, natural disasters and other public safety issues

Vision Zero is a quality of life issue: Safe streets create a walkable, bikeable environment that is welcoming and safe for people of all ages and abilities

Vision Zero is an equity issue: Traffic violence disproportionately impacts disadvantaged and vulnerable populations ²

Mandate

The Strategic Road Safety Committee’s mandate is to guide the implementation of the City’s Vision Zero Action Plan toward a safe, balanced, and integrated transportation network that offers a choice of travel modes for all road users and eliminates collisions that result in injury or death.

Committee Objective/Goals

Through the Committee’s work plan, members will provide direction to the City and its partners to guide implementation of the Vision Zero Action Plan, including reviewing and informing projects and programs, overseeing that Action Plan commitments are met, and tracking performance measure reporting.

The Committee will share information and solicit feedback to inform implementation of the Vision Zero Action Plan. This committee is designed to guide and implement the City of Hamilton’s Vision Zero Action Plan.

This committee will be, at its core, a collaborative approach to road safety and acknowledges the multi-disciplinary nature of a safe system approach.

This committee will promote, evaluate, and educate the public on Vision Zero through its work plan.



Work Plan

The Committee work plan will follow the 5 E’s of Vision Zero, based on the Vision Zero Action Plan:

Engineering: Strategic use of resources to improve existing engineering practices and policies, as they pertain to road safety

Enforcement: Strategic use of enforcement resources in key areas for maximized effectiveness

Evaluation: Identification of key challenges on Hamilton’s road network using a data driven approach

Education: Targeted and collaborative campaigns to address safety for all road users

Engagement: Enhanced community engagement to create a safe roads culture

All of these elements need to be implemented in a coordinated and strategic manner to achieve improvements to road safety and to strive towards the goal of zero fatalities and severe injuries on the City of Hamilton’s roads. However, the Committee itself will focus on Evaluation, Education, and Engagement as their main pillars for implementation

The action plan will need to be carefully crafted in order to meet the Committee’s mandate and objectives, and will be updated each calendar year

The Committee shall prepare and present an annual report of Committee activities and work plan for the coming year to the Public Works Committee



Membership

The Committee shall be comprised of technical members consisting of City departments and external agencies that have an interest in road safety

Members who miss more than 3 meetings during their term, without Committee approval, may be subject to replacement on the Committee and may not be eligible for re-appointment.

The Chair is responsible for the proper conduct of the Committee, providing leadership, and advancing the agenda of the Committee

It is expected that the Committee will always include one voting representative from the following areas:

- a) Transportation Operations & Maintenance
- b) Transportation Planning
- c) HSR (Transit)
- d) Public Health
- e) Hamilton Police Services
- f) Hamilton Wentworth District School Board
- g) Hamilton Wentworth Catholic District School Board
- h) Hamilton Fire Department
- i) Parking Enforcement and School Safety

Other key stakeholders/advisors (non-voting members) may include:

- a) Additional City Departments (Parks and Recreation, Communications, etc.)
- b) Identified Organizations and companies with a focus on roadway safety
- c) Seniors Advisory Committee
- d) Hamilton Cycling Committee
- e) Advisory Committee for Persons with Disabilities
- f) Educational Institutions

Working Groups

The working group has the authority to establish committees as required to address specific purposes of the working group.

Working Group(s) shall report their activities and progress to the committee.

Working Group leads may be chosen, such as:

Evaluation

- Oversee implementation of evaluation initiatives within the Action Plan
- Ensure Vision Zero initiatives are appropriately evaluated and reported on

Engagement

- Oversee implementation of engagement initiatives within the Action Plan
- Coordinate the development and subsequent updates of the working group’s communication plan

Education

- Provide input on the development and implementation of the City’s annual education plan
- Each working group lead will work with the committee to establish a designated work plan



Procedures and Frequency of Meetings/Quorum

- The Strategic Road Safety Committee shall meet on a quarterly basis within a calendar year; additional meetings may be held as required
- Working groups may meet as necessary
- Quorum shall be a half of the voting membership rounded up to the nearest whole number. During the absence of quorum, no decisions may be approved. Non-voting members are not counted in determining the number required for quorum or in determining whether or not quorum is present.
- The Committee members actively listen to colleagues, participate in dialogue and support consensus recommendations of the committee upon conclusion of discussion
- Each member shall have a singular vote on issues warranting a Committee motion
- Committee members will be bound by Appendix “I” of the City of Hamilton Procedural By-law.

Amendments

- Any of these rules of procedure may be amended. However, any amendment proposal affecting these rules would require the prior approval of the Committee



PLANNING COMMITTEE

REPORT

20-002

February 4, 2020

9:30 a.m.

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

Present: Councillors J. Farr (Chair), B. Clark (1st Vice Chair),
C. Collins, J.P. Danko, J. Partridge, M. Pearson, and M. Wilson

Absent with Regrets: Councillor B. Johnson – Personal
Councillor T. Whitehead – Personal

THE PLANNING COMMITTEE PRESENTS REPORT 20-002 AND RESPECTFULLY RECOMMENDS:

1. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED20023) (City Wide) (Item 7.1)

That Report PED20023 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

2. Parking Fee Review (PED20038(a)) (City Wide) (Item 7.2)

(a) That Report PED20038(a) respecting Parking Fee Review, be referred to the 2020 Operating Budget Process.

(b) That staff be directed to send a letter to the Hamilton-Wentworth District School Board and the Hamilton-Wentworth Catholic District School Board, and the Hamilton Police Service, requesting the schools to advise parents that the City will be actively enforcing parking by-laws around schools.

3. Hamilton Municipal Heritage Committee Report 20-001 (Item 7.3)

(i) Appointment of 2020 Chair and Vice Chair (Item 1)

(a) That A. Denham-Robinson be appointed Chair of the Hamilton Municipal Heritage Committee for 2020; and,

- (b) That C. Dmitry be appointed Vice-Chair of the Hamilton Municipal Heritage Committee for 2020.

(ii) Education and Communication Working Group Meeting Notes – September 4, 2019 (Item 10.1)

That the “Doors of Hamilton” posters be used as complimentary (“giveaway”) promotional items for outreach and education, as there is a large quantity of existing posters (size: small, condition: very good to excellent) that remain unsold since pre-amalgamation.

4. Application for Zoning By-law Amendment for Lands Located at 184 and 186 Markland Street, Hamilton (PED20016) (Ward 2) (Item 8.1)

- (a) That Revised Zoning By-law Amendment Application ZAC-18-047 by Robert and Michelle Edmonds, Owner, for a change in zoning from the “D” (Urban Protected Residential - One and Two Family Dwelling, Etc.) District to “DE-3/S1796-‘H’” (Multiple Dwellings) District, Modified, Holding, to permit six units within the existing building for lands located at 184 and 186 Markland Street, Hamilton, as shown on Appendix “A” to Report PED20016, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED20016, as amended, 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 PED20016, as amended, be added to District Map No. W6 of Zoning By-law No. 6593;
- (iii) That the amending By-law, as amended, apply the Holding Provision of section 36(1) of the Planning Act, R.S.O. 1990 to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed zoning;

The Holding Provision “DE-3/S-1796-‘H’” (Multiple Dwellings) District, Holding, Modified, be removed conditional upon:

- (1) That the Owner merge the properties municipally known as 184 and 186 Markland Street on title, to the satisfaction of the Manager of Development Planning, Heritage and Design;
- (2) That the Owner applies for and receives Conditional Site Plan Approval, to the satisfaction of the Manager of Development Planning, Heritage and Design; and,

- (3) That the Owner apply for a Building Permit to legalize a multiple dwelling with a maximum of six units, to the satisfaction of the Chief Building Official, Building Division.
 - (iv) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), and complies with the Urban Hamilton Official Plan;
 - (b) That upon finalization of the amending By-law, as amended, the subject lands be redesignated from “Single & Double” to “Medium Density Apartments” in the Durand Neighbourhood Plan.
 - (c) That the public submissions received on this matter did not affect the decision.
- 5. Application to Amend City of Hamilton Zoning By-law 05-200 for Lands Located at 630 Stone Church Road West (Hamilton) (PED20024) (Ward 14) (Item 8.2)**
- (a) That Revised Zoning By-law Amendment Application ZAR-19-003 by CPDL Mancini Holdings Inc. (Owner) for a change in zoning from the Community Commercial (C3) Zone to a Modified Community Commercial (C3) Zone to recognize an illegally constructed rear yard freezer addition on lands located at 630 Stone Church Road West, Hamilton, as shown on Appendix “A” to Report PED20024, be APPROVED; and,
 - (b) That staff be directed to prepare an amending Zoning By-law consistent with the concept plans proposed:
 - (i) To address the compatibility concerns raised in this report, a Holding provision should be enacted to require a subsequent Site Plan Control application.
 - (c) That the public submissions received regarding this matter did not affect the decision.
- 6. Application for a Revised Draft Plan of Subdivision for Lands Located at 22 Green Mountain Road West (Stoney Creek) (PED20026) (Ward 9) (Item 8.3)**
- (a) That Revisions to Draft Approved Plan of Subdivision 25T-200803R, by Empire Communities (Stoney Creek) Ltd. (Owner) to establish an extension of the subdivision known as “Victory Ridge Phase IV” for a 0.88 ha site located at the northwest corner of Green Mountain Road West and Upper Centennial Parkway, known as 22 Green Mountain Road West, as

shown on Appendix “A” to Report PED20026, to develop residential blocks on an extension of a public road, be APPROVED, subject to the following:

- (i) That this approval apply to the Draft Plan of Subdivision “Victory Ridge Phase IV” 25T-200803R, prepared by Armstrong Hunter and Associates, and certified by Douglas E. Hunt, O.L.S., dated March 25, 2019, consisting of two blocks for a maximum of 27 freehold street townhouse dwellings (Blocks ‘A30’ and ‘A31’), dedication of road right-of-way widening for Green Mountain Road West (Block ‘H’), one Open Space block (Block ‘J’), and the extension of a public road (Street ‘L’), subject to the Owner entering into a standard form subdivision agreement as approved by City Council and with Special Conditions attached as Appendix “E” to Report PED20026;
 - (ii) In accordance with the City’s Comprehensive Development Guidelines and Financial Policies Manual (2017) there will be no cost sharing for this subdivision; and,
 - (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the Planning Act, with the calculation for the payment to be based on the value of the lands on the day prior to the day of issuance of each building permit, all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-laws, as approved by Council.
- (b) That there were no public submissions received regarding this matter.

7. Application for Zoning By-law Amendment for Lands Located at 11 Grosvenor Avenue South, Hamilton (PED20034) (Ward 3) (Item 8.4)

- (a) That Zoning By-law Amendment Application ZAR-19-016 by Victor and Patricia dos Santos, Owners, for a further modification to the “C” (Urban Protected Residential, Etc.) District, to permit three dwelling units within the existing legal non-conforming two family dwelling for lands located at 11 Grosvenor Ave South, Hamilton, as shown on Appendix “A” to Report PED20034, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED20034, 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 PED20034, be added to District Map No. E76 of Zoning By-law No. 6593;

- (iii) That the proposed change in zoning complies with the polices and intent of the Urban Hamilton Official Plan, with regards to matters including, but not limited to, density, built form, and compatibility.
 - (b) That the public submissions received on this matter did not affect the decision.
- 8. Amendments to the Property Standards By-law 10-221 Respecting Incomplete and Unrepairable Buildings (PED20032) (City Wide) (Item 10.1)**
 - (a) That the procedural and maintenance changes to the City of Hamilton Property Standards By-law 10-221 with respect to incomplete and unrepairable buildings described in Report PED20032, detailed in the proposed amending by-law attached as Appendix “A” be approved;
 - (b) That the amending by-law attached as Appendix “A” to Report PED20032, which has been prepared in a form satisfactory to the City Solicitor be enacted by Council.
- 9. Amendments to the Idling Control By-law 07-160 and Administrative Penalty By-law 17-225 to Establish a Parking Contravention (PED20035) (City Wide) (Item 10.2)**
 - (a) That the amendment to the Idling Control By-law 07-160 and Administrative Penalty By-law (APS) 17-225 to create a parking contravention described in Report PED20035, detailed in the proposed amending by-law attached as Appendix “A” be approved; and,
 - (b) That the amending by-law attached as Appendix “A” to Report PED20035, which has been prepared in a form satisfactory to the City Solicitor be enacted by Council.
- 10. Waiving Minor Variance Fee for 73 Cannon Street East (Item 11.1)**

WHEREAS, the City of Hamilton Zoning By-law No. 6593 regulates the use of land at 73 Cannon Street East;

WHEREAS, an accessory building has been constructed on the subject lands with a maximum building height of 4.26 metres which does not conform to the Zoning By-law;

WHEREAS, the property owner is required to apply to the Committee of Adjustment for approval of a Minor Variance to address the maximum building height; and,

WHEREAS, the fee for an “after the fact” Minor Variance Application is \$4,119.00;

THEREFORE BE IT RESOLVED:

That staff be directed to waive the fee for the required Minor Variance Application to address the maximum building height for the lands located at 73 Cannon Street East.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. PUBLIC MEETINGS (Item 8)

8.1 Application for Zoning By-law Amendment for Lands Located at 184 and 186 Markland Street, Hamilton (PED20016) (Ward 2)

(a) Written Submissions

- (i) Durand Neighbourhood Association
- (ii) Zen Masniak
- (iii) Garry Boychuk

2. NOTICES OF MOTIONS (Item 12)

12.1 Temporary Use of Parking Sites to Accommodate Construction at 18-25 King Street East, Hamilton

The agenda for the February 4, 2020 meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

None declared.

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

(i) January 14, 2020 (Item 4.1)

The Minutes of the January 14, 2020 meeting were approved, as presented.

(d) PUBLIC HEARINGS/DELEGATIONS (Item 8)

(i) Application for Zoning By-law Amendment for Lands Located at 184 and 186 Markland Street, Hamilton (PED20016) (Ward 2) (Item 8.1)

Councillor Farr relinquished the Chair to Councillor Clark.

In accordance with the provisions of the *Planning Act*, Vice Chair Clark 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.

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

The staff presentation was received.

Terri Johns, T. Johns Consulting Group, was in attendance and indicated support for the staff report. Terri Johns requested an amendment to the Zoning By-law to recognize the existing height of the building, which may slightly exceed the 11m maximum, and to allow a permeable rear parking lot.

The presentation from Terri Johns, T. Johns Consulting Group, was received.

Delegations:

- (i) Adam Fleming, 290 Hess Street South, addressed the Committee and expressed concerns with the proposal.
- (ii) Sara Mayo, 284 Hess Street South, addressed the Committee and expressed support for the proposal.
- (iii) Carina Fato, 194 Markland Street, addressed the Committee and expressed concerns with the proposal.
- (iv) Tim Zahavidy, 186 Markland Street, addressed the Committee and indicated he is neither in support or against the proposal.

The delegations above, were received.

The following written submissions were received:

- 8.1 (a)(i) Durand Neighbourhood Association
- 8.1 (a)(ii) Zen Masniak
- 8.1 (a)(iii) Garry Boychuk

The public meeting was closed.

The Zoning By-law, attached as Appendix “B” to Report PED20016, was **amended** to allow the following:

- (i) ***That the existing height of the building be allowed; and,***
- (ii) ***That the rear parking lot be constructed of permeable materials.***

The recommendations in Report PED20016 were **amended** by adding the following sub-section (c):

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

For disposition of this matter, refer to Item 4.

Councillor Farr assumed the Chair.

- (ii) **Application to Amend City of Hamilton Zoning By-law 05-200 for Lands Located at 630 Stone Church Road West (Hamilton) (PED20024) (Ward 14) (Item 8.2)**

In accordance with the provisions of the *Planning Act*, Chair Farr 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.

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

The staff presentation was received.

John Ariens, IBI Group, was in attendance and indicated he was not in support of the staff report, and addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation is available through the Office of the City Clerk and online at www.hamilton.ca.

The presentation from John Ariens, IBI Group, was received.

Delegation:

- (i) Stephen Pipe, 620 Stone Church Road West, addressed the Committee and expressed concerns with the proposal.

The delegation above, was received.
The public meeting was closed.

The recommendation in Report PED20024 was **amended**, as follows:

- (a) That the application (ZAR-19-003) be **APPROVED**; and,
- (b) ***That staff be directed to prepare an amending Zoning By-law consistent with the concept plans proposed:***
 - (i) ***To address the compatibility concerns raised in this report, a Holding provision should be enacted to require a subsequent Site Plan Control application.***

Report PED20024 was **amended** by adding the following sub-section (c):

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

For disposition of this matter, refer to Item 5.

- (iii) **Application for a Revised Draft Plan of Subdivision for Lands Located at 22 Green Mountain Road West (Stoney Creek) (PED20026) (Ward 9) (Item 8.3)**

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

The public meeting was closed.

The staff presentation was waived.

Michael Auduong, Armstrong Planning, was in attendance and indicated support for the staff report.

The recommendations in Report PED20026 were **amended** by adding the following sub-section (b):

(b) That there were no public submissions received regarding this matter.

For disposition of this matter, refer to Item 6.

(iv) Application for Zoning By-law Amendment for Lands Located at 11 Grosvenor Avenue South, Hamilton (PED20034) (Ward 3) (Item 8.4)

In accordance with the provisions of the *Planning Act*, Chair Farr 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.

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

The staff presentation was received.

Katelyn Gillis, T. Johns Consulting Group, was in attendance and indicated support for the staff report.

Delegation:

- (i) Dina D’Ermo, 49 Grosvenor Avenue South, addressed the Committee and expressed concerns with the proposal.

The delegation above, was received.

The public meeting was closed.

The recommendations in Report PED20034 were **amended** by adding the following sub-section (b):

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

For disposition of this matter, refer to Item 7.

(e) **MOTIONS (Item 11)**

(i) **Waiving Minor Variance Fee for 73 Cannon Street East (Item 11.1)**

Councillor Farr relinquished the Chair to Councillor Clark to present his Motion respecting Waiving Minor Variance Fee for 73 Cannon Street East.

For disposition of this matter, refer to Item 10.

(f) **NOTICES OF MOTIONS (Item 12)**

(i) **Temporary Use of Parking Sites to Accommodate Construction at 18-25 King Street East, Hamilton (Added Item 12.1)**

Councillor Farr relinquished the Chair to Councillor Clark to introduce the following Notice of Motion:

WHEREAS, construction work has commenced on the development of 18-25 King Street East, commonly known as the Gore Buildings;

WHEREAS, as part of the construction management planning process, the applicant is intending to temporarily displace the current parking to a nearby site;

WHEREAS, in 1999, in response to the demolition of commercial building and associated loss of economic activities and erosion of the tax base, the City of Hamilton amended the Zoning Bylaw No. 6593 for the downtown to prohibit any new parking lots; and,

WHEREAS, the developer of this construction site has currently secured two properties to be used for temporary parking to accommodate the loss of parking;

THEREFORE BE IT RESOLVED:

That staff temporarily defer any enforcement action against the temporary use of parking at 20 Jackson Street West and 28 James Street South for the purpose of accommodating the displaced parking for the duration of the construction period.

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

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

The following changes to the Outstanding Business List, were approved, as **amended**:

(a) Items to be Removed:

19BB - Parking Fee Review (***with the exception of sub-section (d) which is to remain on the Outstanding Business List***) (sub-section (a), (b), (c), and (e) have been referred to the General Issues Committee)
(Addressed as Item 7.2 on this agenda)

(b) Items Requiring New Due Dates:

17C - Change to the Subdivision Plan for Vienna Orchard
Current Due Date: September 17, 2019
Proposed New Due Date: June 2020

18E - 2018 Development Fee Review
Current Due Date: October 15, 2019
Proposed New Due Date: March 24, 2020

18N - Dedicated Mohawk College Parking Enforcement
Current Due Date: December 3, 2019
Proposed New Due Date: February 18, 2020

18K - Effect of Heritage Designations on Property Values in Hamilton
Current Due Date: December 3, 2019
Proposed New Due Date: February 18, 2020

19M - Amendment to Nuisance By-law No. 09-110 respecting Cannabis Growing Operations
Current Due Date: October 15, 2019
Proposed New Due Date: February 4, 2020

19T - EV Chargers in Hamilton Municipal Parking System Lots
Current Due Date: None
Proposed New Due Date: March 24, 2020

19W - Electric Vehicle Charging Stations in New Developments
Current Due Date: None
Proposed New Due Date: March 24, 2020

19Y - Construction Hoarding
Current Due Date: None
Proposed New Due Date: June 16, 2020

19AA - Fencing By-law Appeal Process
Current Due Date: None
Proposed New Due Date: May 5, 2020

(h) PRIVATE AND CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – January 14, 2020 (Item 14.1)

- (a) That the Closed Session Minutes – January 14, 2020, be approved as presented; and,
- (b) That the Closed Session Minutes – January 14, 2020, remain confidential.

(i) ADJOURNMENT (Item 15)

There being no further business, the Planning Committee was adjourned at 2:46 p.m.

Councillor Jason Farr
Chair, Planning Committee

Lisa Chamberlain
Legislative Coordinator



GENERAL ISSUES COMMITTEE REPORT 20-004

9:30 a.m.

Wednesday, February 5, 2020

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent: Councillor B. Johnson – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 20-004, AND RESPECTFULLY RECOMMENDS:

**1. Business Improvement Area Advisory Committee Report 20-001, January
14, 2020 (Item 7.1)**

(a) Appointment of Chair and Vice-Chair (Item 1)

- (i) That Councillor E. Pauls be appointed as Chair of the Business Improvement Area Advisory Committee; and,
- (ii) That a rotating Vice-Chair, for the Business Improvement Area Advisory Committee, be approved.

**2. Finance, Insurance and Real Estate (FIRE) Sector Feasibility Study:
Recommendations and Implementation (PED20047) (City Wide) (Item 7.3)**

That Report PED20047, respecting the Finance, Insurance and Real Estate (FIRE) Sector Feasibility Study: Recommendations and Implementation, be received.

3. Downtown Office Vacancy and Employment Survey (PED20006) (Wards 2 and 3) (Item 10.1)

That Report PED20006, respecting the Downtown Office Vacancy and Employment Survey, be received.

4. Award of Request for Proposals C11-12-19, Operations and Maintenance of the Material Recycling Facility (PW19086(a)) (City Wide) (Item 10.2)

- (a) That Project B, Request for Proposals Contract C11-12-19 for the Operation and Maintenance of the City of Hamilton's Material Recycling Facility and Transfer, Processing and Marketing of Fibre Materials off-site, be selected as the preferred option for the operation and maintenance of the City of Hamilton's Material Recycling Facility;
- (b) That GFL Environmental Inc. be selected as the successful proponent for Project B, Request for Proposals Contract C11-12-19, for the operation and maintenance of the City of Hamilton's Material Recycling Facility;
- (c) That the one-time transition cost for Project B of approximately \$431,000 be funded from Waste Management Recycling Program Reserve Account #112270;
- (d) That Appendix "A" to Report PW19086(a) remain confidential as it contains proprietary and sensitive competitive financial information of GFL Environmental Inc., which was provided to the City of Hamilton in confidence, to identify potential cost savings within the framework of Project B as well as legal advice subject to solicitor-client privilege;
- (e) That Appendix "B" to Report PW19086(a) remain confidential as it contains advice that is subject to solicitor client privilege on the alternatives outlined in this appendix;
- (f) That the General Manager of Public Works be authorized and directed to finalize the terms and conditions of the contract between the City of Hamilton and GFL Environmental Inc. for the Operation and Maintenance of the City of Hamilton's Material Recycling Facility and Transfer, Processing and Marketing of Fibre Materials off-site, in accordance with the provisions of Request for Proposals Contract C11-12-19 for Project B; and,
- (g) That the Mayor and City Clerk be authorized and directed to execute the contract with GFL Environmental Inc. for the Operation and Maintenance of the City of Hamilton's Material Recycling Facility and Transfer,

Processing and Marketing of Fibre Materials off-site, and any ancillary documents for Contract C11-12-19 for Project B, with content acceptable to the General Manager of Public Works and in a form acceptable to the City Solicitor.

5. Comprehensive Legal Services Report 2018/2019 (LS20002) (City Wide) (Item 10.4)

That Report LS20002, respecting the Comprehensive Legal Services Report 2018/2019, be received.

6. Hamilton Transportation Task Force Update (CM20002) (City Wide) (Item 10.5)

That Report CM20002, respecting the Hamilton Transportation Task Force Update, be received.

7. Council Comments to the Hamilton Transportation Task Force (Item 10.5)

- (a) That the City Manager be directed to clarify, at an upcoming Hamilton Transportation Task Force meeting, that the municipality would not be paying the provincial portion of the highway improvement costs out of the \$1 billion;
- (b) That the City Manager be directed to include the following as proposed concepts at an upcoming Hamilton Transportation Task Force meeting:
 - (i) The greening of the Transit fleet; and,
 - (ii) The expansion of EV Parking fixtures.

8. Leaving Children Unattended in a Vehicle (Item 11.1)

WHEREAS, the Province of Quebec, under section 380 of the *Highway Safety Code* Chapter C-24. 2, prohibits a person from leaving a child under the age of 7 unattended in a vehicle;

WHEREAS, section 218 of the *Criminal Code* and Section 136 of the *Child, Youth and Family Services Act*, S.O. 2017, c. 14. Sched.1 prohibits abandoning a child, there is no explicit provision in Ontario to prohibit a person from leaving a child unattended in a vehicle;

WHEREAS, the Province of Ontario under the *Highway Traffic Act*, RSO 1990, c. H. 8, does not have adequate language that prohibits a person from leaving a child unattended in a vehicle;

WHEREAS, the Province of Quebec is the only province with an age limit for leaving children unattended in a vehicle; and,

WHEREAS, there have been concerns of the health and safety of children being left unattended in vehicles in the City of Hamilton.

THEREFORE, BE IT RESOLVED:

- (a) That the Mayor correspond with the Premier of Ontario, the Minister of Transportation and local Members of Provincial Parliament to request that the Province consider adopting similar provisions to Quebec, specially that a person is prohibited from leaving a child under the age of 7 unattended in a vehicle; and,
- (b) That a copy of the correspondence be forwarded to other Ontario municipalities and the Association of Municipalities of Ontario requesting their endorsement.

9. Protection of Solicitor-Client Privilege by Separating Legal Advice from all Confidential Staff Reports and Recommendations (Item 11.2)

WHEREAS, the Solicitor-Client privilege is a legal concept that enables the client to entrust with their lawyers confidential and private information and enables their lawyer to provide unfettered and confidential advice to their client;

WHEREAS, the Supreme Court of Canada has called Solicitor-Client Privilege, “a principal of fundamental justice and civil right of supreme importance in Canadian law.” (Lavallee, Rackel & Heintz v. Canada (Attorney General); White, Ottenheimer & Baker v. Canada (Attorney General); R. v. Fink, [2002] 3 S.C.R. 209, 2002 SCC 61);

WHEREAS, the Solicitor-client privilege is solely the clients’ and as such only the client can voluntarily waive the privilege;

WHEREAS, it has been past practice of Hamilton’s Senior Leadership Team to provide confidential staff reports that are a hybrid of staff information, recommendations and legal advice;

WHEREAS, concerns have been expressed that any public release of such reports could mean a waiver of Solicitor-Client privilege;

THEREFORE, BE IT RESOLVED:

- (a) That the City Manager and City Solicitor be directed to implement report guidelines, by March 31, 2020, requiring the separation of any legal advice from all confidential staff reports, with any such legal advice to be provided as an appendix to be attached to the corresponding confidential staff report.
- (b) That should an exception occur, when the legal advice and a staff report are not separated, staff be directed to provide an explanation as to why.

10. Lease Extension Agreement - Ontario Works, 250 Main Street East, Hamilton (PED20019) (Ward 2) (Item 14.3)

- (a) That a Lease Extension Agreement between the City of Hamilton (Tenant) and 250 Main Street Holdings Inc. (Landlord) for the continued occupancy by Healthy and Safe Communities Department for the Ontario Works program in the whole of the building located at 250 Main Street East as depicted in Appendix "A" attached to Report PED20019, based substantially on the terms and conditions outlined in Appendix "B" attached to Report PED20019, and on such other terms and conditions deemed appropriate by the General Manager of Planning and Economic Development Department, be approved;
- (b) That the General Manager, Planning and Economic Development Department or designate, acting on behalf of the City as Tenant, be authorized to provide any consents, approvals, and notices related to the subject Lease Extension Agreement herein outlined;
- (c) That the City Solicitor be authorized to amend and waive such terms and conditions to the Lease Extension Agreement as she considers reasonable;
- (d) That the Base Rent outlined in Appendix "B" attached to Report PED20019 continue to be funded from Account Number 55358-672102 (OW-Operating Costs);
- (e) That the Real Estate and Legal fees of \$41,100 be funded from Account No. 55778-672102 (OW-Operating Costs) and credited to Account No. 45408-812036 (Real Estate – Admin Recovery);
- (f) That the Mayor and Clerk be authorized and directed to execute the Lease Extension Agreement or such other form and all other necessary

associated documents, and all such documents to be in a form satisfactory to the City Solicitor; and,

- (g) That Report PED20019, respecting the Lease Extension Agreement - Ontario Works, 250 Main Street East, Hamilton, and its appendices, remain confidential.

11. Downtown Entertainment Precinct Status Update (PED18168(d)) (City Wide) (Item 14.5)

That Report PED18168(d), respecting the Downtown Entertainment Precinct Status Update, and its appendices, remain confidential.

12. Update and Instructions regarding Ontario Municipal Board (now Local Planning Appeal Tribunal) Appeals of Rural and Urban Hamilton Official Plans – Urban Boundary Expansion (LS16029(a)-PED16248(a)) (City Wide) (Item 14.6)

That Report LS16029(a)/PED16248(a), respecting the Update and Instructions regarding Ontario Municipal Board (now Local Planning Appeal Tribunal) Appeals of Rural and Urban Hamilton Official Plans – Urban Boundary Expansion, and its appendices, remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

5. COMMUNICATIONS

- 5.1 Correspondence from P. J. Mercanti, Member of the Hamilton Urban Precinct Arts and Entertainment Group, respecting an Update to the Downtown Entertainment Precinct Plan

Recommendation: Be received and referred to the consideration of Item 14.5.

- 5.2 Correspondence from Darko Vranich, President and CEO, Vrancor Group Inc., respecting Public Notice of Vrancor Group Inc.'s

Proposal for the City of Hamilton Entertainment and Convention Properties

Recommendation: Be received and referred to the consideration of Item 14.5.

- 5.2(a) Additional Correspondence from Darko Vranich, President and CEO, Vrancor Group Inc., respecting the Rendered Intersection of York and Bay and the Interior Bowl for the First Ontario Event Centre

Recommendation: Be received and referred to the consideration of Item 14.5.

- 5.3 Correspondence from Aaron Ciancone, Principal, and Aaron Waxman, Director, of Pearle Hospitality, respecting the Downtown Entertainment District

Recommendation: Be received and referred to the consideration of Item 14.5.

- 5.4 Correspondence from Lachlan Holmes, Chair of the HamiltonForward Board of Directors, respecting the Downtown Entertainment Precinct Status Update

Recommendation: Be received and referred to the consideration of Item 14.5.

6. DELEGATION REQUESTS

- 6.6 Mario Frankovich, Vrancor Group Inc. respecting Item 14.5 - Report PED18168(d) - Downtown Entertainment Precinct Status Update (For the February 5, 2020 GIC)
- 6.7 P.J Mercanti and Louis Frapporti, Hamilton100 Commonwealth Games Bid Corporation, to provide an Update on the Preparation of the Hosting Proposal Part 2 for the 100th Anniversary 2030 Commonwealth Games (For the February 19, 2020 GIC)

- 6.8 Michael Van Pelt, Cardus, respecting the forthcoming staff report regarding Cardus' Proposal for the Balfour/Chedoke Estate (For the February 19, 2020 GIC)
- 6.9 P. J. Mercanti and Jasper Kujavsky, Hamilton Urban Precinct Arts and Entertainment Group, respecting the Group's Proposal for an Urban Hamilton Sports, Art, Entertainment, Convention and Hospitality Precinct (For the February 5, 2020 GIC)
- 6.10 The Pearle Plan/Expression of Interest regarding Item 14.5 - Downtown Entertainment Precinct Status Update (PED18168(d)) (City Wide) - THIS REQUEST WAS WITHDRAWN

10. DISCUSSION ITEMS

- 10.3 Potential Regulatory Litigation Update (PW19008(f)) (City Wide)

This report was withdrawn from the agenda. Staff will bring forward a new report, accompanied by a consultant's report, to a future General Issues Committee meeting.

- 10.4 Comprehensive Legal Services Report 2018/2019 (LS20002) (City Wide)
- 10.5 Hamilton Transportation Task Force Update (CM20002) (City Wide)

14. PRIVATE & CONFIDENTIAL

- 14.6 Update and Instructions regarding Ontario Municipal Board (now Local Planning Appeal Tribunal) Appeals of Rural and Urban Hamilton Official Plans – Urban Boundary Expansion (LS16029(a)/PED16248(a)) (City Wide)

The agenda for the February 5, 2020 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

- (i) Councillor L. Ferguson declared a potential interest to Item 5.1 – Correspondence from P. J. Mercanti, Member of the Hamilton Urban Precinct Arts and Entertainment Group, respecting an Update to the

Downtown Entertainment Precinct Plan, as his nephew is the Principal of Pearle Hospitality.

- (ii) Councillor L. Ferguson declared a potential interest to Item 5.2 – Correspondence from Darko Vranich, President and CEO, Vrancor Group Inc., respecting Public Notice of Vrancor Group Inc.’s Proposal for the City of Hamilton Entertainment and Convention Properties, as his nephew is the Principal of Pearle Hospitality.
- (iii) Councillor L. Ferguson declared a potential interest to Item 5.2(a) – Additional Correspondence from Darko Vranich, President and CEO, Vrancor Group Inc., respecting the Rendered Intersection of York and Bay and the Interior Bowl for the First Ontario Event Centre, as his nephew is the Principal of Pearle Hospitality.
- (iv) Councillor L. Ferguson declared a potential interest to Item 5.3 – Correspondence from Aaron Ciancone, Principal, and Aaron Waxman, Director of Pearle Hospitality, respecting the Downtown Entertainment District, as his nephew is the Principal of Pearle Hospitality.
- (v) Councillor L. Ferguson declared a potential interest to Item 5.4 – Correspondence from Lachlan Holmes, Chair of the HamiltonForward Board of Directors, respecting the Downtown Entertainment Precinct Status Update, as his nephew is the Principal of Pearle Hospitality.
- (vi) Councillor L. Ferguson declared a potential interest to Item 6.6 – Mario Frankovich, Vrancor Group Inc. respecting Item 14.5 - Report PED18168(d) - Downtown Entertainment Precinct Status Update, as his nephew is the Principal of Pearle Hospitality.
- (vii) Councillor L. Ferguson declared a potential interest to Item 6.9 – P. J. Mercanti and Jasper Kujavsky, Hamilton Urban Precinct Arts and Entertainment Group, respecting the Group's Proposal for an Urban Hamilton Sports, Art, Entertainment, Convention and Hospitality Precinct, as his nephew is the Principal of Pearle Hospitality.
- (viii) Councillor L. Ferguson declared a potential interest to Item 14.5 – Downtown Entertainment Precinct Status Update (PED18168(d)), as his nephew is the Principal of Pearle Hospitality.
- (ix) Councillor M. Wilson declared a potential interest to Item 5.1 – Correspondence from P. J. Mercanti, Member of the Hamilton Urban Precinct Arts and Entertainment Group, respecting an Update to the Downtown Entertainment Precinct Plan, due to her spouse’s relationship with downtown interests.

- (x) Councillor M. Wilson declared a potential interest to Item 5.2 – Correspondence from Darko Vranich, President and CEO, Vrancor Group Inc., respecting Public Notice of Vrancor Group Inc.’s Proposal for the City of Hamilton Entertainment and Convention Properties, due to her spouse’s relationship with downtown interests.
- (xi) Councillor M. Wilson declared a potential interest to Item 5.2(a) – Additional Correspondence from Darko Vranich, President and CEO, Vrancor Group Inc., respecting the Rendered Intersection of York and Bay and the Interior Bowl for the First Ontario Event Centre, due to her spouse’s relationship with downtown interests.
- (xiii) Councillor M. Wilson declared a potential interest to Item 5.3 – Correspondence from Aaron Ciancone, Principal, and Aaron Waxman, Director of Pearle Hospitality, respecting the Downtown Entertainment District, due to her spouse’s relationship with downtown interests.
- (xiv) Councillor M. Wilson declared a potential interest to Item 5.4 – Correspondence from Lachlan Holmes, Chair of the HamiltonForward Board of Directors, respecting the Downtown Entertainment Precinct Status Update, due to her spouse’s relationship with downtown interests.
- (xv) Councillor M. Wilson declared a potential interest to Item 6.6 – Mario Frankovich, Vrancor Group Inc. respecting Item 14.5 - Report PED18168(d) - Downtown Entertainment Precinct Status Update, due to her spouse’s relationship with downtown interests.
- (xvi) Councillor M. Wilson declared a potential interest to Item 6.9 – P. J. Mercanti and Jasper Kujavsky, Hamilton Urban Precinct Arts and Entertainment Group, respecting the Group's Proposal for an Urban Hamilton Sports, Art, Entertainment, Convention and Hospitality Precinct, due to her spouse’s relationship with downtown interests.
- (xvii) Councillor M. Wilson declared a potential interest to Item 14.5 – Downtown Entertainment Precinct Status Update (PED18168(d)), due to her spouse’s relationship with downtown interests.
- (xviii) Councillor M. Wilson declared a potential interest to Item 14.6 – Update and Instructions regarding Ontario Municipal Board (now Local Planning Appeal Tribunal) Appeals of Rural and Urban Hamilton Official Plans – Urban Boundary Expansion, due to her spouse’s employment activity and one of the interests identified in the confidential report.

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

(i) January 15, 2020 (Item 4.1)

The January 15, 2020 minutes of the General Issues Committee meeting were approved, as presented.

(d) COMMUNICATIONS (Item 5)

The Communication Items, 5.1 to 5.4, were approved, as follows:

- (i) Correspondence from P. J. Mercanti, Member of the Hamilton Urban Precinct Arts and Entertainment Group, respecting an Update to the Downtown Entertainment Precinct Plan (Item 5.1)

Recommendation: Be received and referred to the consideration of Item 14.5.

- (ii) Correspondence from Darko Vranich, President and CEO, Vrancor Group Inc., respecting Public Notice of Vrancor Group Inc.'s Proposal for the City of Hamilton Entertainment and Convention Properties (Item 5.2)

Recommendation: Be received and referred to the consideration of Item 14.5.

- (iii) Additional Correspondence from Darko Vranich, President and CEO, Vrancor Group Inc., respecting the Rendered Intersection of York and Bay and the Interior Bowl for the First Ontario Event Centre (Item 5.2(a))

Recommendation: Be received and referred to the consideration of Item 14.5.

- (iv) Correspondence from Aaron Ciancone, Principal, and Aaron Waxman, Director, of Pearle Hospitality, respecting the Downtown Entertainment District (Item 5.3)

Recommendation: Be received and referred to the consideration of Item 14.5.

- (v) Correspondence from Lachlan Holmes, Chair of the HamiltonForward Board of Directors, respecting the Downtown Entertainment Precinct Status Update (Item 5.4)

Recommendation: Be received and referred to the consideration of Item 14.5.

(e) DELEGATION REQUESTS (Item 6)

The delegation requests, Items 6.1 to 6.9, were approved, as follows:

- (i) Nicole Smith, Kumon Hamilton West End, respecting Enbridge Fracked Gas Line (For the February 7, 2020 Special GIC) (Item 6.1)
- (ii) Vic Djurdjevic, Nikola Tesla Educational, respecting an Update on the Tesla 2019 Electric City Festival and the 2020 Tesla Electric City Festival (For a future GIC) (Item 6.2)
- (iii) Jen Baker, Hamilton Naturalists' Club, respecting Item 11.3 - a Motion regarding a Biodiversity Action Plan (For the February 19, 2020 GIC) (Item 6.3)
- (iv) Lee W. Fairbanks & Jim Sweetman, Residents, to Propose an Option for a Transit Solution to Replace the Cancelled LRT (Electric Buses) (For a future GIC) (Item 6.4)
- (v) Brian MacPherson and Rick Powers, Commonwealth Games Canada, to Present Commonwealth Games Canada's 2026 and/or 2030 Commonwealth Games Candidate City Selection Process (For the February 19, 2020 GIC) (Item 6.5)
- (vi) Mario Frankovich, Vrancor Group Inc. respecting Item 14.5 - Report PED18168(d) - Downtown Entertainment Precinct Status Update (For the February 5, 2020 GIC) (Item 6.6)
- (vii) P.J Mercanti and Louis Frapporti, Hamilton100 Commonwealth Games Bid Corporation, to provide an Update on the Preparation of the Hosting Proposal Part 2 for the 100th Anniversary 2030 Commonwealth Games (For the February 19, 2020 GIC) (Item 6.7)
- (viii) Michael Van Pelt, Cardus, respecting the forthcoming staff report regarding Cardus' Proposal for the Balfour/Chedoke Estate (For the February 19, 2020 GIC) (Item 6.8)

- (ix) P. J. Mercanti and Jasper Kujavsky, Hamilton Urban Precinct Arts and Entertainment Group, respecting the Group's Proposal for an Urban Hamilton Sports, Art, Entertainment, Convention and Hospitality Precinct (For the February 5, 2020 GIC) (Item 6.9)

(f) CONSENT ITEMS (Item 7)

(i) Arts Advisory Committee Meeting Minutes (Items 7.2(a) to 7.2(d))

The following Arts Advisory Committee meeting minutes were received:

- (1) March 26, 2019 (Item 7.2(a))
- (2) May 28, 2019 (Item 7.2(b))
- (3) July 23, 2019 (Item 7.3(c))
- (4) September 24, 2019 (Item 7.3(d))

(g) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) Paven R. Bratch, MetroPartners Inc., respecting an Opportunity for a Downtown Technology Centre (Item 8.12)

Paven R. Bratch, MetroPartners Inc., addressed Committee and provided a PowerPoint presentation respecting an Opportunity for a Downtown Technology Centre.

The presentation provided by Paven R. Bratch, MetroPartners Inc., respecting an Opportunity for a Downtown Technology Centre, was received.

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

WHEREAS, in 2016, a motion of Council (Merulla/Farr) directed staff to pursue requests for interest with respect to development of the back portion of City Hall; and,

WHEREAS, the resolution remains in Council's hands;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to report back to the General Issues Committee, by September 2020, on the feasibility of creating a Technology Hub, that may include the sale or lease of the City Hall precinct lands (south facing, adjacent to Hunter Street as well as the former Football Hall of Fame lands) for future office space development, all at fair market value, conditional on: ensuring complementarity with City Hall, parking, greenspace, accessibility, green building design, and amenity requirements are achieved; and,
- (b) That, as part of that report to the General Issues Committee, staff be directed to provide a defined process respecting options to pursue the development of the south facing lands of the City Hall precinct to include the lands adjacent to Hunter Street and including the former Football Hall of Fame lands.

(ii) Don McLean, Hamilton 350 Committee, respecting the City's Climate Emergency (Item 8.2)

Don McLean, Hamilton 350 Committee, addressed Committee and provided a PowerPoint presentation respecting the City's Climate Emergency.

The presentation provided by Don McLean, Hamilton 350 Committee, respecting the City's Climate Emergency, was received.

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

(iii) Mario Frankovich, Vrancor Group Inc. respecting Item 14.5 - Report PED18168(d) - Downtown Entertainment Precinct Status Update (Item 8.3)

Mario Frankovich, Vrancor Group Inc.; Matthew Delean, Architecture 49; and, Jason Ball, Ball Construction, addressed Committee respecting Item 14.5 - Report PED18168(d) - Downtown Entertainment Precinct Status Update.

The presentation provided by Mario Frankovich, Vrancor Group Inc.; Matthew Delean, Architecture 49; and, Jason Ball, Ball Construction, respecting Item 14.5 - Report PED18168(d) - Downtown Entertainment Precinct Status Update, was received.

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

For disposition of this matter, please refer to Item 11.

(iv) **P. J. Mercanti and Jasper Kujavsky, Hamilton Urban Precinct Arts and Entertainment Group, respecting the Group's Proposal for an Urban Hamilton Sports, Art, Entertainment, Convention and Hospitality Precinct (Item 8.4)**

P. J. Mercanti and Jasper Kujavsky, Hamilton Urban Precinct Arts and Entertainment Group; and, Petra Matar, DPAI Architecture Inc., addressed Committee respecting the Group's Proposal for an Urban Hamilton Sports, Art, Entertainment, Convention and Hospitality Precinct.

The presentation provided by P. J. Mercanti and Jasper Kujavsky, Hamilton Urban Precinct Arts and Entertainment Group; and, Petra Matar, DPAI Architecture Inc., respecting the Group's Proposal for an Urban Hamilton Sports, Art, Entertainment, Convention and Hospitality Precinct, was received.

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

For disposition of this matter, please refer to Item 11.

The following Amendment was DEFEATED:

Sub-section (a) to the Motion respecting the Hamilton Transportation Task Force Update, was amended by adding the words "***with the exception of the 403 westbound ramp at Mohawk Road***", to read as follows:

- (a) That the City Manager be directed to clarify, at an upcoming Hamilton Transportation Task Force meeting, that the municipality would not be paying the provincial portion of the highway improvement costs out of the \$1 billion, ***with the exception of the 403 westbound ramp at Mohawk Road***; and,

(h) MOTIONS (Item 11)

(i) Protection of Solicitor-Client Privilege by Separating Legal Advice from all Confidential Staff Reports and Recommendations (Item 11.2)

The Motion respecting the Protection of Solicitor-Client Privilege by Separating Legal Advice from all Confidential Staff Reports and Recommendations, was amended by adding a new sub-section (b), to read as follows:

(b) That should an exception occur, when the legal advice and a staff report are not separated, staff be directed to provide an explanation as to why.

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

(ii) Feasibility of Developing a Hamilton Biodiversity Action Plan (Item 11.3)

The Motion, respecting the Feasibility of Developing a Hamilton Biodiversity Action Plan, was DEFERRED to the February 19, 2020 General Issues Committee meeting to allow the approved delegation, Jen Baker, of the Hamilton Naturalist Club, to attend.

(i) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – January 15, 2020 (Item 14.1)

- (a) The Closed Session Minutes of the January 15, 2020 General Issues Committee meeting, were approved, as presented; and,
- (b) The Closed Session Minutes of the January 15, 2020 General Issues Committee meeting shall remain confidential.

Committee moved into Closed Session respecting Items 14.2, 14.3 14.5 and 14.6, pursuant to Section 8.1, Sub-sections (b), (c), (e), (f) and (k) of the City's Procedural By-law 18-270; and, Section 239(2), Sub-sections (b), (c), (e), (f) and (k) of the *Ontario Municipal Act*, 2001; as amended, as the subject matters pertains to personal matters about an identifiable individual, including municipal or local board employees; a proposed or pending acquisition or disposition of land by the municipality or local board; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

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. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26.

(ii) Personnel Matter (Item 14.2)

There was nothing to report in Open Session respecting this matter.

(j) ADJOURNMENT (Item 15)

There being no further business, the General Issues Committee adjourned at 9:24 p.m.

Respectfully submitted,

Deputy Mayor J. P. Danko
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 20-002

**9:30 a.m.
February 6, 2020
Council Chambers
Hamilton City Hall**

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

Absent: Councillor B. Johnson - Personal

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 20-002 AND RESPECTFULLY RECOMMENDS:

1. Municipal Property Tax Billing Software (FCS20006) (City Wide) (Item 10.2)

- (a) That Council approve the Taxation Section's participation in the Early Adopters Program for Realty Tax Billing and Collections Solution and that the General Manager, Corporate Services Department be authorized to negotiate, enter into and execute any required documents and any ancillary documents required to give effect thereto with Tempest Development Group (a division of CentralSquare Technologies), in a form satisfactory to the City Solicitor; and,
- (b) That staff report back to Audit, Finance and Administration Committee on the results of this program along with recommendations on how best to proceed with respect to the Property Tax Billing Software.

2. Follow Up to Performance Audit Report 2013-13 Employer Paid Parking (Value for Money Audit) (AUD20002) (City Wide) (Item 10.3)

- (a) That Report AUD20002, respecting the follow up of the original recommendations presented in Performance Audit Report 2013-13, Employer Paid Parking (Value for Money Audit), be received;
- (b) That the three new recommendations, as outlined in Appendix "A" to Audit, Finance & Administration Report 20-002, be approved; and;
- (c) That the City Manager and the Executive Director of Human Resources be directed to instruct the appropriate staff to have the Management Action Plans, as outlined for the three additional recommendations in Appendix "A" to Audit, Finance & Administration Report 20-002, be implemented.

3. Compassionate Grant for Development Charges to Agricultural Societies Without a Farm Business Registration (Item 11.1)

WHEREAS the City of Hamilton Development Charges By-law 19-142 was effective on June 13, 2019;

WHEREAS Development Charges By-law 19-142 approved development charge exemptions for development of properties with Agricultural Use with a farm business registration number;

WHEREAS the City of Hamilton's three agricultural societies, owners of property used for agricultural purposes but not eligible for a farm business registration number, are as follows:

Ancaster Agricultural Society, 630 Trinity Road South, Jerseyville, Ontario, L0R 1R0;

Binbrook Agricultural Society, 2600 Regional Road #56, Binbrook, Ontario, L0R 1C0; and,

Rockton Agricultural Society, 812 Old Highway 8, Rockton, ON L0R 1X0;

WHEREAS the Agriculture & Rural Affairs Advisory Committee at its meeting of November 25, 2019 approved minutes in support of all Agricultural Societies in Hamilton (Rockton, Binbrook and Ancaster) being exempted from Development Charges;

THEREFORE BE IT RESOLVED:

- (a) That the General Manager of Finance and Corporate Services be authorized to develop a compassionate grant agreement for agricultural societies for development charges in a form satisfactory to the City Solicitor with any Development Charges exemptions being funded from unallocated capital levy reserve (#108020); and,
- (b) That the City's Agricultural Development Charges compassionate grant agreement contain terms and conditions that:
 - (i) Require the applicant to register the compassionate grant against the property and repay the City of Hamilton should the applicant sell or transfer any portion of the property; and,
 - (ii) Provide the General Manager of Finance and Corporate Services with the authority to sign the Agreement.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

The agenda for the February 6, 2020 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) January 16, 2020 (Item 4.1)

The Minutes of the January 16, 2020 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) Fardad Chadorshabchi, respecting water billing charges (Approved January 16, 2020) (Item 8.1)

Fardad Chadorshabchi, addressed the Committee respecting water billing charges.

The Delegation from Fardad Chadorshabchi, respecting water billing charges, was received.

(ii) Staff Supporting Documentation - Fardad Chadorshabchi Delegation (Item 8.1(a))

The Staff supporting documentation respecting the Fardad Chadorshabchi delegation, was received.

(iii) Tom Hunter, CEO of CityHousing Hamilton, respecting a request for abatement for a water leak at 25 Towercrest Dr. (Approved January 16, 2020) (Item 8.2)

Tom Hunter, CEO of CityHousing Hamilton, addressed the Committee respecting a request for abatement for a water leak at 25 Towercrest Dr., with the aid of a presentation.

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

The Delegation from Tom Hunter, CEO of CityHousing Hamilton, respecting a request for abatement for a water leak at 25 Towercrest Dr., was received.

(iv) Staff Supporting Documentation – Tom Hunter Delegation (Item 8.2(a))

The Staff supporting documentation respecting the Tom Hunter delegation, was received.

(e) DISCUSSION ITEMS (Item 10)

(i) Policy 11 Single Source Provider for TYMCO Sweeper DST-4 (PW20006) (City Wide) (Item 10.1)

That Report PW20006, respecting Policy 11 Single Source Provider for TYMCO Sweeper DST-4 be referred back to staff for a report to the February 20, 2020 Audit, Finance and Administration Committee meeting, with information on other suppliers of street sweepers, including:

- (i) a comparison on surface removal efficiency;
- (ii) controlling particulate matter; and,
- (iii) size of the machines.

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

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

The following amendments to the Outstanding Business List, were approved:

(a) Items to be Removed (Item 13.1(a)):

Delegation of Authority to Hear Complaints respecting the Payment of Development Charges
Item 3.1 on the December 5, 2019 Special AF&A Agenda
OBL Item: 19-P

35 Market Street, Dundas (LS19009(c) / PW19020(c) / HSC19054)
Item 14.2 on the December 5, 2019 AF&A Agenda
OBL Item: 19-N

(g) ADJOURNMENT (Item 15)

There being no further business, the Audit, Finance and Administration Committee, adjourned at 11:14 a.m.

Respectfully submitted,

Councillor Wilson, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk



New Recommendations by the Office of the City Auditor

The Office of the City Auditor has three additional observations and recommendations to further clarify existing employer-provided parking policies, procedures and practices, making the annual eligibility analysis more robust and consistent across the organization.

New Recommendation #1

Observation:

During the follow up audit fieldwork, it was noted that there were several areas of the Employer-Provided Parking Policy that require clarity to improve the process of administering employer-provided parking.

Recommendation:

That the Employer-Provided Parking Policy be updated by the Policy Review Group. The areas found to require updating are:

- a) Update the Employer-Provided Parking Policy to include exemption categories related to collective agreements, grievance settlements, and permits issued to disabled employees.
- b) Incorporate a working instruction in the parking procedure outlining the minimum, key expectations for each department (and elected officials) regarding the annual eligibility review process, documentation and retention. The Policy Review Group should consult with the Public Works and Healthy and Safe Communities Departments for good practices already in place.
- c) Investigate whether the current policy's business case requirements should be amended to reflect current practices. If not, additional guidance should be provided to departments to enable compliance with the policy.
- d) Take additional measures to ensure trips are reported accurately. Such measures may include adopting the term "trip days" and reminding management to ensure an employee's trip count is reported accurately when approving employee expense reports.
- e) Provide clarification in the policy whether grandfathered employees retain their parking privileges throughout their career with the City, with various office move location scenarios considered.
- f) Amend the parking policy requiring departments to cancel employer-provided parking when an employee leaves for a longer-term absence and reinstate parking upon their return to encourage cost-saving practices.

- g) Expand the definition of the downtown core in the Employer-Provided Parking Policy to First Place and the Hamilton GO Centre. These two locations should be considered part of the downtown core as free parking is not readily available in these areas. The policy should be updated to include these locations to avoid confusion and inconsistency with actual practices.
- h) That the policy be revised to require that management carry out a break-even analysis to assess whether employees operating out of two work locations spend enough time at their downtown location to warrant providing monthly parking as opposed to reimbursing daily parking costs. This analysis may be incorporated into the annual parking eligibility review.

Management Response

Agreed. The Policy Review Group will review these items further, consult with user groups and amend the policy and procedure documents where necessary.

Anticipated completion date: Q1 2020.

New Recommendation #2

Observation:

An employee may be awarded employer-provided parking as a result of a grievance settlement. In some cases, neither Labour Relations nor departmental management communicated grievance-related parking exemption settlements to HR Records. As a result, the annual query produced by Payroll may not be accurate if PeopleSoft HRMS does not contain a complete list of employees exempt from the parking trip requirements.

Recommendation:

That Labour Relations forward grievance settlements pertaining to employer-provided parking to HR Records to update PeopleSoft HRMS. The Policy Review Group should reflect this direction in the Employer-Provided Parking Policy or Procedure.

Management Responses

Labour Relations – Agreed. Direction has been given to the Labour Relations Analysts to email parking-related grievance settlements to the appropriate HR Records contact when they arise.

Anticipated completion date: Completed.

Policy Review Group – Agreed. The Policy Review Group will amend the procedure to capture this process.

Anticipated completion date: Q1 2020.

New Recommendation #3

Observation:

The same number of employees have employer-paid parking at the end of 2018 when compared to the original audit. The total dollar amount of employer-paid parking in 2018 was higher than in 2012. No long-term, sustainable savings have been achieved by the organization. Costs were about \$43,000 higher in 2018 compared to 2012.

Recommendation:

That the City Manager direct the Senior Leadership Team to actively reduce employer paid parking costs by a targeted percentage.

Management Response

Agreed, with Alternative Action Plan. The provision of parking is sometimes a recruitment tool and despite an increase in the number of city employees between 2012 and 2018, the number receiving paid parking has remained the same. The Senior Leadership Team will continue to review parking on an annual basis to ensure compliance with the policy. In addition, a number of factors will lead to its decrease over time including the retirement of grandfathered employees and policies will be reviewed and adapted when applying a climate change and financial sustainability lens.

Anticipated completion date: Ongoing.

CITY OF HAMILTON

MOTION

Council: February 12, 2020

MOVED BY COUNCILLOR C. COLLINS.....

SECONDED BY MAYOR / COUNCILLOR

Amendment to Item 16 of the Audit, Finance & Administration Committee Report 19-022, respecting Report FCS19090 - CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request (City Wide), as amended.

WHEREAS, at its meeting of January 22, 2020, Council approved Item 16 of the Audit, Finance & Administration Committee Report (AF&A) 19-022, respecting Report FCS19090 - CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request as amended; thereby, approving two loans to CHH, subject to the terms and conditions contained in the amended Appendices “C” and “D”;

WHEREAS, for these affordable housing projects, the value of the property prior to project completion and perhaps after project completion may not equal the value of the loans; and

WHEREAS, loans secured by mortgages have collection remedies unique to them and it is desirable to have loan default remedy procedures consistent with other City loans secured by mortgages;

THEREFORE, BE IT RESOLVED:

- (a) That Item 16 of the Audit, Finance and Administration Committee Report 19-022, respecting Report FCS19090 - CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request, as amended, be **amended** by adding recommendation (h) as follows:

- (h) ***That Council, in its capacity as Service Manager for social housing, approve the request from CityHousing Hamilton for Service Manager consent, as required by the Housing Services Act, 2011, to mortgage its housing assets at 20-30 Congress Crescent, Hamilton as collateral security to obtain the required financing to support CityHousing Hamilton's Tower Renewal at 500 MacNab Street North, Hamilton;***

(b) That Appendix “C” - External Loan Guidelines for 500 MacNab North Tower Renewal to Report FCS19090 - CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request, be **amended** as follows:

- (i) Type of Loan: **Interest-Bearing** loan for \$9,229,500; 10-year Amortization
- (ii) 1. Payment Provisions and Schedule; The City will advance the \$9,229,500 to CHH (electronically) on or about February **15**, 2020. The loan is repayable, together with interest, in 10 annual equal installments by CHH to the City beginning February **15**, 2021.

**500 MacNab Street North
\$9,229,500 Loan Repayment Schedule
10-Year Amortization; interest rate of 2.63% per Annum**

No.	Date	Payment
1	February 15, 2021	1,063,000
2	February 15, 2022	1,063,000
3	February 15, 2023	1,063,000
4	February 15, 2024	1,063,000
5	February 15, 2025	1,063,000
6	February 15, 2026	1,063,000
7	February 15, 2027	1,063,000
8	February 15, 2028	1,063,000
9	February 15, 2029	1,063,000
10	February 15, 2030	1,063,000
		Total Payments (P&I) \$ 10,630,000
		Principal Amount <u>(9,229,500)</u>
		Total Interest and Administration \$ 1,400,500
Breakdown of Interest and Administration		
		Interest \$ 1,267,373
		Administration Fee \$ 133,127

- (iii) 4. Security: **The City requires a security in the form of a collateral mortgage registered on title to 500 MacNab St or an alternate location. CHH properties at 20-30 Congress Drive with an assessed value of over \$21 million is granted Service Manager consent and been deemed acceptable as the alternate location.**

(c) That Appendix “D” - External Loan Guidelines for Roxborough Park Development to Report FCS19090 - CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request Amended Loan Term Sheet Roxborough Park Development, Hamilton, be **amended** as follows:

- (i) 2. Payment Provisions: **CHH will receive invoices from the developer (Roxborough Park Inc.) based on the**

percentage of work completed. The City will advance the funds to CHH only upon written request and only after CHH's project manager and City of Hamilton's Director of Housing Services or designate have approved the invoice for payment and verified that the work stated on the invoice has been completed. Invoices will contain a 10% holdback provision. Requests for advances may be made on a monthly basis.

- (ii) 8. Security: The City will be next in priority only to a CMHC registered mortgage or a long-term (greater than 20 years) third party financing. **The General Manager of Finance and Corporate Services has the authority to request collateral security in other assets owned by CHH.**

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

16. CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request (FCS19090) (City Wide) (Item 10.8)

- (a) That a 10-year, interest-bearing loan of \$9,229,500 for CityHousing Hamilton Corporation from the City of Hamilton for the 500 MacNab North Tower Renewal, be authorized and approved in accordance with the terms and conditions contained in Appendix "C", **as amended, attached hereto**;
- (b) That a loan receivable be established on the City's balance sheet, not to exceed \$9,229,500, to record the corresponding CityHousing Hamilton Corporation liabilities regarding the long-term financing for the 500 MacNab North Tower Renewal;
- (c) That the Mayor and City Clerk be authorized and directed to execute a loan agreement together with any ancillary documentation in a form satisfactory to the City Solicitor and content satisfactory to the General Manager of Finance and Corporate Services and that the General Manager of Finance and Corporate Services be authorized to approve and execute any loan amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions in Appendix "C" **as amended, attached hereto**, are maintained;
- (d) That a short-term, interest-bearing construction loan of \$29,225,000 for CityHousing Hamilton Corporation for the Roxborough Park Development, be authorized and approved in accordance with the terms and conditions contained in in Appendix "D" **as amended, attached hereto**;
- (e) That a loan receivable be established on the City's balance sheet, not to exceed \$29,225,000, to record the corresponding CityHousing Hamilton Corporation liabilities regarding the financing for the Roxborough Park Development.

- (f) That the City of Hamilton will act as guarantor of any long-term financing not to exceed \$22,491,020 (construction cost less land sale) sought by CityHousing Hamilton Corporation for the Roxborough Park Development and that the General Manager of Finance and Corporate Services and City Clerk be authorized to execute any agreements and ancillary documents relating to the guarantee;
- (g) That the Mayor and City Clerk be authorized and directed to execute a loan agreement together with any ancillary documentation, in a form satisfactory to the City Solicitor and content satisfactory to the General Manager of Finance and Corporate Services and that the General Manager of Finance and Corporate Services be authorized to approve and execute any loan amending agreements relating to the long-term financing, together with any ancillary amending documentation, if required, provided that the terms and conditions in Appendix "D" **as amended, attached hereto**, are maintained; **and**
- (h) ***That Council, in its capacity as Service Manager for social housing, approve the request from CityHousing Hamilton for Service Manager consent, as required by the Housing Services Act, 2011, to mortgage its housing assets at 20-30 Congress Crescent, Hamilton as collateral security to obtain the required financing to support CityHousing Hamilton's Tower Renewal at 500 MacNab Street North, Hamilton.***

Loan Term Sheet

500 MacNab Street North (Rehabilitation of 146 Unit Apartment Building)

Borrower: CityHousing Hamilton Corporation ("CHH")

Lender: City of Hamilton ("City")

Type of Loan: **Interest-Bearing** loan for \$9,229,500; 10-year Amortization

1. Payment Provisions and Schedule; The City will advance the \$9,229,500 to CHH (electronically) on or about February **15**, 2020. The loan is repayable, together with interest, in 10 annual equal installments by CHH to the City beginning February **15**, 2021.

**500 MacNab Street North
\$9,229,500 Loan Repayment Schedule
10-Year Amortization; interest rate of 2.63% per Annum**

No.	Date	Payment
1	February 15, 2021	1,063,000
2	February 15, 2022	1,063,000
3	February 15, 2023	1,063,000
4	February 15, 2024	1,063,000
5	February 15, 2025	1,063,000
6	February 15, 2026	1,063,000
7	February 15, 2027	1,063,000
8	February 15, 2028	1,063,000
9	February 15, 2029	1,063,000
10	February 15, 2030	1,063,000
Total Payments (P&I)		\$ 10,630,000
Principal Amount		<u>(9,229,500)</u>
Total Interest and Administration		\$ 1,400,500
Breakdown of Interest and Administration		
Interest		\$ 1,267,373
Administration Fee		\$ 133,127

2. Any additional mortgage amounts and / or contributions received by CHH from CMHC or any other senior levels of government regarding this project will be forwarded to the City immediately to reduce the loan amount outstanding.
3. Interest Rate: 2.63% per annum (2.38% plus .25% administrative fee), compounded semi-annually.
4. Security: ***The City requires a security interest in CHH assets at 500 MacNab St or alternative location. CHH properties at 20-30 Congress Drive with an assessed value of over \$21 million is granted Service Manager consent and been deemed acceptable as the alternate location.***
5. Title Insurance Policy in favour of the City.

TERMS OF LOAN AGREEMENT

(Based on City of Hamilton's external loan guidelines FCS06078(a) with amendments)

If funding is approved, the legal loan agreement will include the necessary terms as agreed upon by both parties. The following must be included and / or considered during the development of the loan agreement. The list is not exhaustive and can be added to at any time.

- a) The interest rate will be based upon the current serial debenture rate, as provided by the investments section, for the time period that corresponds with the term of the loan. This reflects the equivalent capital cost of the loan. For example, the interest rate for a 10-year loan should be based on the 10-year serial debenture rate.
- b) A 0.25% administration fee will be added to the interest rate.
- c) The term of the loan must not exceed the useful life of the asset.
- d) At a minimum, interest should accrue annually.
- e) Terms of draws and a schedule of draws against the loan.
- f) The City of Hamilton must be recognized on project marketing and promotional material (e.g. City of Hamilton logo).
- g) Any out-of-pocket expenses, such as appraisal costs, incurred for the preparation of the loan agreement, over and above staff costs, will be added to the principal of the loan.
- h) The organization must provide full disclosure, at all times, with respect to issues that will or may affect the completion of the project or the organization's ability to repay the loan.
- i) Follow-up procedures will also be included in the terms of the agreement. These include:
 - i. The organization must provide a final cost of the project
 - ii. The organization must provide the following annually:
 - 1) Annual financial statements (audited, if available)
 - 2) Budgets and cash flow projections
 - 3) Confirmation of insurance on the asset used as collateral
 - iii. The organization should agree to be available, at the request of the City, to an on-site visit to review the capital expenditure and the applicable financial records.
- j) Any other terms deemed appropriate by City Council, the City Solicitor or City staff.

Loan Term Sheet

Roxborough Park Development - 103 Unit Apartment Building (the "Project")

Borrower: CityHousing Hamilton Corporation ("CHH")

Lender: City of Hamilton ("City")

Type of Loan: \$29,225,000 Construction Financing Loan

1. The upset limit on the term of this loan will not exceed 4 years from the date of the first advance to CHH.
2. Payment Provisions: ***CHH will receive invoices from the developer (Roxborough Park Inc.) based on the percentage of work completed. The City will advance the funds to CHH only after CHH's project manager and City of Hamilton's Director of Housing Services or designate have approved the invoice for payment and verified that the work stated on the invoice has been completed. Invoices will contain a 10% holdback provision. Requests for advances may be made on a monthly-basis.***
3. When CHH receives payment of \$6,733,980 for the remnant Roxborough land it is selling to the developer (upon Project completion), this amount will be paid to the City immediately to reduce the Construction Loan Amount.
4. Any mortgage amounts and / or contributions received by CHH from CMHC regarding this Project will be forwarded to the City immediately to reduce the Construction Loan Amount outstanding.
5. After terms #3 and #4 have been applied to the outstanding balance of the Construction Financing Loan and within the term limit of this loan (four years), any outstanding City Construction Loan Amount will be converted by CHH to a conventional 30 or 35-year mortgage with the City acting as guarantor for CHH to obtain third party financing.
6. Construction Loan Interest Rate: 2.43% per annum compounded monthly (2.18% plus .25% administration). Interest will be paid to the City by CHH on a quarter-yearly basis commencing three months after the first advance of funds by the City.
7. Section 4.05 of the Master Development Agreement between CHH and the developer provides that CHH is responsible to obtain financing to fund the full cost of construction of the new CHH building. However, the developer agrees to be responsible for and pay to CHH as and when such costs become due, all costs (i.e. interest and other costs) in connection with the construction financing which are incurred up to the later of:
 - i) the CHH building completion date; and
 - ii) the date that the developer pays the purchase price for the lands being sold by CHH to the developer.
8. Security: The City will be next in priority only to a CMHC registered mortgage or a long-term (greater than 20 years) third party financing. ***The General Manager of Finance and Corporate Services has the authority to request collateral security in other assets owned by CHH.***
9. Title Insurance Policy in favour of the City.

TERMS OF LOAN AGREEMENT

(Based on City of Hamilton's external loan guidelines FCS06078(a) with amendments)

If funding is approved, the legal loan agreement will include the necessary terms as agreed upon by both parties. The following must be included and / or considered during the development of the loan agreement. The list is not exhaustive and can be added to at any time.

- a) The interest rate will be based upon the current serial debenture rate, as provided by the investments section, for the time period that corresponds with the term of the loan. This reflects the equivalent capital cost of the loan. For example, the interest rate for a 10-year loan should be based on the 10-year serial debenture rate.
- b) A 0.25% administration fee will be added to the interest rate.
- c) The term of the loan must not exceed the useful life of the asset.
- d) At a minimum, interest should accrue annually.
- e) Terms of draws and a schedule of draws against the loan.
- f) The City of Hamilton must be recognized on project marketing and promotional material (e.g. City of Hamilton logo).
- g) Any out-of-pocket expenses, such as appraisal costs, incurred for the preparation of the loan agreement, over and above staff costs, will be added to the principal of the loan.
- h) The organization must provide full disclosure, at all times, with respect to issues that will or may affect the completion of the project or the organization's ability to repay the loan.
- i) Follow-up procedures will also be included in the terms of the agreement. These include:
 - i. The organization must provide a final cost of the project
 - ii. The organization must provide the following annually:
 - 1) Annual financial statements (audited, if available)
 - 2) Budgets and cash flow projections
 - 3) Confirmation of insurance on the asset used as collateral
 - iii. The organization should agree to be available, at the request of the City, to an on-site visit to review the capital expenditure and the applicable financial records.
- j) Any other terms deemed appropriate by City Council, the City Solicitor or City staff.

Authority: Item 1, Public Works Committee
Report 20-002 (PW20001)
CM: February 12, 2020
Ward: 8, 9

Bill No. 014

CITY OF HAMILTON

BY-LAW NO. 20-

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

WHEREAS sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Control) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "E" (Hamilton) thereof the following items, namely;

McElroy	Eastbound and Westbound	Howard
McElroy	Eastbound and Westbound	Clarendon

And by adding to Section "E" (Hamilton) thereof the following items, namely;

McElroy Road East	Northbound/Southbound	Howard Avenue
McElroy Road East	Northbound/Southbound	Clarendon Avenue
Dana Drive	Northbound/Southbound	South Bend Road East

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

Page 2 of 2

And by adding to Section "F" (Stoney Creek) thereof the following items, namely;

Highland Road East	Eastbound/Westbound	Second Road East
Highland Road East	Eastbound/Westbound	Third Road East

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 12th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 14, Committee of the Whole
 Report 01-003 (FCS01007)
 CM: February 6, 2001
 Ward: 1, 2, 3, 4, 11, 12, 15

Bill No. 015

CITY OF HAMILTON

BY-LAW NO. 20-

**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	From	To	Adding/ Deleting
3 – Thru Hwys, NPA	A	Glancaster Road	Southern limit of Rymal Road	Northern Limit of Carluke Road	Deleting

Schedule	Section	Highway	Side	Location	Duration	Times	Days	Adding/ Deleting
6 – Time Limit	E	Hilton St.	East	Markland St. to Aberdeen Av.	3 hr	9am – 6pm	Mon – Fri	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting

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

Page 2 of 3

						Deleting
8 – No Parking	A	Vinton Rd.	South & East	63m west of Whittington Dr. to 30m west/south of Vinton Dr.	Anytime	Adding
8 – No Parking	A	Liam Dr.	North	44m west of Fiddlers Green Rd. to 30m westerly	Anytime	Deleting
8 – No Parking	A	Liam Dr.	South	50m west of Fiddlers Green Rd. to 30m westerly	Anytime	Deleting
8 - No Parking	A	Glancaster Rd.	West	Twenty Rd. to 15m north of Grassyplain Dr.	Anytime	Adding
8 - No Parking	D	Glancaster Rd.	East	Twenty Rd. to 15m north of Grassyplain Dr.	Anytime	Adding
8 - No Parking	C	Humphrey St.	south	McCartney St. to McKnight Ave.	Anytime	Deleting
8 - No Parking	C	Humphrey St.	South	Burke St. to McKnight Ave.	Anytime	Adding
8 – No Parking	E	Balsam	East	From 18.8m south of Barton to 20.7m southerly	Anytime	Deleting
8 – No Parking	G	Main St. S	Northeast	54m southeast of Highway 5 (Dundas St) to 20m southeasterly	9:00 a.m. to 6:00 p.m. Monday to Saturday	Adding

	Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
12 – Permit		E	Harvey St.	South	97m east of Sanford Av. N. to 6m easterly	Anytime	Adding
12 – Permit		E	Harvey St.	South	95m east of Sanford Av. N. to 5.8m easterly	Anytime	Adding
12 – Permit		E	Fairleigh Av S.	East	22m north of Cumberland Av. to 6m northerly	Anytime	Adding
12 – Permit		E	Hess	West	Napier to 22.9m north of Market	Anytime	Deleting

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

12 – Permit	<i>E</i>	Hess St. N.	West	Market St. to Napier St.	Anytime	Adding
12 – Permit	<i>E</i>	Paling Ave.	West	from 51.4m north of Vansitmart Ave. and extending 5.7m north.	Anytime	Deleting
12 – Permit	<i>E</i>	Napier	South	from 38.4m west of Wellesley to 6m westerly	Anytime	Deleting
12 – Permit	<i>E</i>	Fairfield	East	from 34m north of Dunsmure Rd. to 5m northerly	Anytime	Deleting
12 – Permit	<i>E</i>	Weir St.	West	50m north of Britannia Ave. to 6m northerly	Anytime	Deleting
Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
13 – No Stopping	<i>A</i>	Glancaster Rd.	West	14m north of Twenty Rd. to 26m south of Twenty Rd.	Anytime	Adding
13 – No Stopping	<i>D</i>	Glancaster Rd.	East	from 17m north of Twenty Rd. to 17m south of Twenty Rd.	Anytime	Adding

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 12th day of February 2020.

F.
Eisenberger
Mayor

A. Holland
City Clerk

A. Holland
City Clerk

Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: February 6, 2001
Ward: 1, 2, 3, 4, 5, 6, 8, 9, 12, 13, 14,
15

Bill No. 016

CITY OF HAMILTON

BY-LAW NO. 20-

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

WHEREAS *Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*,

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. By-law No. 01-218, as amended, is hereby further amended by adding/deleting from the identified Schedules and Sections noted in the table below as follows:

Schedule	Section	Highway	Side	Location	Duration	Times	Days	Adding/ Deleting
6 – Time Limit	E	Crawford	West	Kentley to Hart	1 hr	8 am - 6 pm	Mon - Fri	Deleting
6 – Time Limit	E	Duff Crt.	Both	All of cul-de-sac	2 hr	8 am - 6 pm	Mon - Fri	Adding
6 – Time Limit	E	Lyndhurst	Both	End to End	3 hr	8 am - 8 pm	Mon - Fri	Deleting
6 – Time Limit	E	Lyndhurst St.	Both	Beach Rd. to Gertrude St.	3 hr	8 am - 8 pm	Mon - Fri	Adding

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

6 – Time Limit E **Robinson St.** Both Bay St. to Caroline St. 3 hr Anytime Anyday Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
8 – No Parking	A	Liam Dr.	North	46m west of Fiddlers Green Rd. to 20m westerly	Anytime	Adding
8 – No Parking	A	Liam Dr.	South	58m west of Fiddlers Green Rd. to 16m westerly	Anytime	Adding
8 – No Parking	B	Grant Bl.	West & South	46m south of Adelaide St. to 34m south/west	Anytime	Adding
8 – No Parking	C	Browview Dr.	North & East	52m west of Cole St. to 27m west/north	Anytime	Adding
8 – No Parking	E	Quinlan	Both	Quaker to northerly end, including cul-de-sac	December 1st to March 31st	Deleting
8 – No Parking	E	Quinlan Cr.	West	Quaker Cres. to northerly end	December 1st to March 31st	Adding
8 – No Parking	E	Quinlan Cr.	East	62m north of Quaker Cres. to northerly end	December 1st to March 31st	Adding
8 – No Parking	F	Pagebrook Cr.	North & East	130m west of the southern intersection with Tilden Av. to 25.6m west/north	Anytime	Adding
8 – No Parking	F	Pagebrook Cr.	South & East	138m west of the northern intersection with Tilden Av. to 20m west/south	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
12 – Permit	E	Hillyard	West	from 24m south of Land to 6m southerly	Anytime	Deleting
12 – Permit	E	Allan Av.	North	77m east of Harmony Av. to 6m easterly	Anytime	Adding

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

12 – Permit	<i>E</i>	Lochearne St.	North	28m west of Dundurn St. N. to 6m easterly	Anytime	Adding
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Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
13 – No Stopping	<i>E</i>	Stonehenge Dr.	West	Joshua Ave. to 33m northerly	Anytime	Deleting
13 – No Stopping	<i>A</i>	Stonehenge Dr.	West	Joshua Ave. to 33m northerly	Anytime	Adding
13 – No Stopping	<i>E</i>	King St.	North	Caroline St to Bay St.	3:00 p.m. to 6:00 p.m. Mon -Fri	Deleting
13 – No Stopping	<i>E</i>	King	North	Queen to Dundurn	4:00 p.m. to 6:00 p.m. Monday to Friday	Deleting
13 – No Stopping	<i>E</i>	King St. W	North	Bay St. to Caroline St.	4:00 p.m. to 6:00 p.m. Mon -Fri	Adding
13 – No Stopping	<i>E</i>	King St. W	North	Caroline St. to Ray St.	3:00 p.m. to 6:00 p.m. Mon -Fri	Adding
13 – No Stopping	<i>E</i>	King St. W	North	Ray St. to Dundurn St.	4:00 p.m. to 6:00 p.m. Monday to Friday	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
14 – Wheelchair LZ	<i>E</i>	Annabelle St.	West	214m south of the east intersection with Chester Av. to 17m southerly	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
20 - School Bus LZ	<i>E</i>	Albright	North	88.1m west of the extended curb line of Harrisford to 27.4m westerly	7:00 a.m. to 6:00 p.m. Monday to Saturday	Deleting

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

Page 4 of 4

20 - School Bus LZ	<i>E</i>	Albright Rd.	North	100m west of Harrisford St. to 55m westerly	7:00 a.m. to 6:00 p.m. Monday to Saturday	Adding
20 - School Bus LZ	<i>E</i>	Gemini	North	commencing at a point 213 feet west of Cranbrook to a point 40 feet westerly therefrom	7:00 a.m. - 6:00 p.m. Monday to Saturday	Deleting

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 12th day of February 2020.

F.
Eisenberger
Mayor

A. Holland
City Clerk

A. Holland
City Clerk

CITY OF HAMILTON
BY-LAW NO. 20-

To Amend City of Hamilton Idling Control By-law No. 07-160, being a By-law to Prohibit Unnecessary Idling of Vehicles; and to Amend By-law No. 17-225, being a By-law to Establish a System of Administrative Penalties

WHEREAS Council enacted a By-law to prohibit the unnecessary idling of vehicles in the City of Hamilton, being By-law No. 07-160;

WHEREAS Council enacted a By-law to Establish a System of Administrative Penalties, being By-law 17-225; and,

WHEREAS this By-law amends By-law No. 07-160 and By-law No. 17-225.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The amendments in this By-law include any necessary grammatical, numbering and letter changes.
2. That the second WHEREAS clause citing section 425 is repealed and replace with the following:

WHEREAS Section 102.1 of the Municipal Act, S.O. 2001, Chapter 25 authorizes municipalities to require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any by-laws respecting the parking, standing or stopping of vehicles;

3. That Section 2 to By-law No. 07-160 is amended by adding the following subsections:
 - 2.7 “Park” or “Parking” means the standing of a motor vehicle, whether occupied or not, and includes when Standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise.
 - 2.8 “Stand” or “Standing”, means the halting of a Motor Vehicle, whether occupied or not, except for the purpose of and while actually engaged in receiving or discharging passengers.
4. That subsection 2.3 to By-law No. 07-160 be amended by repealing the definition of “idling” and replacing it with the following definition:
 - 2.3 “Idling” means the parking or standing of a motor vehicle, while the combustion engine is running and is not being used to operate auxiliary equipment that is essential to the basic function of the motor vehicle.

5. That Subsection 2.6 to By-law No. 07-160 is amended by adding the following clause:
 - (c) a motor vehicle owned or operated by the City of Hamilton while the operator is engaged in the performance of his or her duties;

6. That Subsection 3.1 to By-law No. 07-160 is repealed and the following substituted:
 - 3.1 No person shall cause or permit a motor vehicle to idle for more than three (3) consecutive minutes on a highway (as defined in the *Highway Traffic Act*, R.S.O. 1990, c. H.8) under the jurisdiction of the City of Hamilton or on any other property or lands within the City of Hamilton that is not a highway.

7. That Subsections 4.3, 4.4 (b) and 4.4 (c) and 4.6 to By-law No. 07-160 are hereby repealed;

8. That Section 5 to By-law No. 07-160 is repealed and the following substituted:
 - 5 **Administrative Penalties System**
 - 5.1 This by-law in its entirety is designated as a by-law to which the City's Administrative Penalties by-law applies.
 - 5.2 The owner of the motor vehicle that is left idling in contravention of this by-law, when given a penalty notice in accordance with the City's Administrative Penalties By-law, shall be liable to pay the City an administrative penalty in the amount specified in Schedule A of the City's Administrative Penalty By-law and any fees related thereto.

9. That Schedule A of By-law No.17-225 is amended by adding Table 21 titled Idling Control By-law No. 07-160;

TABLE 21: BY-LAW NO. 07-160 TO PROHIBIT UNNECESSARY IDLING OF VEHICLES WITHIN THE CITY OF HAMILTON					
ITEM	COLUMN 1 DESIGNATED BY-LAW & SECTION		COLUMN 2 SHORT FORM WORDING	COLUMN 3 EARLY PAYMENT	COLUMN 4 SET PENALTY
1	07-160	3.1	Idling longer than three (3) minutes	\$80.00	\$100.00

10. That in all other respects, By-law 07-160 and By-law 17-225 are confirmed; and

- 11. That the provisions of this by-law shall become effective on the date approved by City Council.

PASSED this 12th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend Property Standards By-law No. 10-221 with Respect to Incomplete and Unrepairable Buildings

WHEREAS Council has enacted Property Standards By-law No. 10-221 to prescribe standards for the maintenance and occupancy of property; and,

WHEREAS Council deems that incomplete and unrepairable buildings are not consistent with the standards for the maintenance and occupancy property prescribed and should be demolished, completed or repaired within a reasonable time.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The Property Standards By-law No. 10-221 is amended by adding the following after section 5:

INCOMPLETE CONSTRUCTION OR DEMOLITION

5.1(1) Where, in the opinion of an officer, there has been no substantial progress on the construction or demolition of a building, structure or portion thereof for a period of more than one year, such building, structure, or portion thereof shall be:

- (a) demolished in accordance with all applicable statutes, regulations and by-laws; or,
- (b) completed within a reasonable time as specified by the officer, in accordance with all applicable statutes, regulations and by-laws, including this By-law.

5.1.(2) A statement certified by the Chief Building Official or an officer that a permit issued under the *Building Code Act, 1992* was revoked under clause 8(10)(c) of the *Building Code Act, 1992* is receivable in evidence as proof, in the absence of evidence to the contrary, that there has been no substantial progress on the construction or demolition of the building, structure, or portion thereof that was the subject of the permit for a period of more than one year.

2. Section 6 of the By-law is amended by adding the following subsection:

6(8) Where any building is vacant or is damaged by accident, storm, fire, neglect or otherwise, and in the opinion of an officer or the Chief Building Official or an inspector appointed under the *Building Code Act, 1992* it is not feasible to repair

the building to the standards prescribed by this By-law without first demolishing the building or a portion of it, the owner shall demolish the building or portion of it that it is not feasible to repair within one year of it becoming so.

3. Subsection 5(1) of the By-law is amended by striking out “6” and substituting “5.1”.
4. This By-law comes into force on the date it is passed.

PASSED this 12th day of February , 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 9

Bill No. 019

CITY OF HAMILTON

BY-LAW NO. 20-

Respecting Removal of Part Lot Control Block 4 and Part Block 3, Registered Plan No. 62M-1256 “Victory Ridge – Phase 3”, municipally known as 17, 19, 21, 23, 25, and 27 Allcroft Court

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 6 residential parcels for street townhouse dwellings shown as Parts 1 to 19, inclusive, on deposited Reference Plan 62R-21322, and of which storm sewer easements are shown as Parts 2, 5, 8, 11, 14 and 17 on deposited Reference Plan 62R-21322, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 4 and Part Block 3, Registered Plan No. 62M-1256, in the City of Hamilton.

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 12th day of February, 2022.

PASSED this 12th day of February, 2020.

F. Eisenberger
Mayor

PLC-19-033

A. Holland
City Clerk

CITY OF HAMILTON

BY-LAW NO. 19-

Respecting Removal of Part Lot Control

Blocks 248 and 294 on Registered Plan No. 62M-1257, municipally known as 270, 272, 274, 276, 278, 280, 282, 284, 290, 292, 294, 296, 298, 300, 302, and 304 Bedrock 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 16 residential parcels for townhouse dwellings, shown as Parts 1 to 8, inclusive, on deposited Reference Plan 62R-21314, and shown as Parts 1 to 8, inclusive, on deposited Reference Plan 62R-21315, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Blocks 248 and 249, Registered Plan No. 62M-1257, in the City of Hamilton.

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 12th day of February 2022.

PASSED this 12th day of February 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

CITY OF HAMILTON

BY-LAW NO. 20-

**Respecting Removal of Part Lot Control
Blocks 93 and 94, Registered Plan No. 62M-1249 “Empire Caterini – Phase 1”,
municipally known as 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, and 31 Armes 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:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating 11 residential parcels for street townhouse dwellings, shown as Parts 1 to 6, inclusive, on deposited Reference Plan 62R-21318, and shown as Parts 1 to 5, inclusive, on deposited Reference Plan 62R-21329, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Blocks 93 and 94, Registered Plan No. 62M-1249, in the City of Hamilton.

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 12th day of February, 2022.

PASSED this 12th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 31, Planning and Economic
Development Committee Report 06-
005
CM: April 12, 2006
Ward: 11

Bill No. 022

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend Zoning By-law No. 464 Respecting Lands located at 3100-3140 Regional Road 56, in the Former Township of Glanbrook, now 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 "The Corporation of the Township of Glanbrook" and is the successor to the former Regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the *City of Hamilton Act, 1999* provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS the Council of the City of Hamilton, in adopting Section 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April 2006, recommended that the Director of Development and Real Estate be authorized to give notice and prepare by-laws for presentation to Council, to remove the "H" Holding Provision from By-laws where the conditions have been met;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan; and,

AND WHEREAS the Holding Provisions are still applicable to the the subject lands, identified as 3100, 3110, 3120 and 3140 Regional Road 56 on Schedule "H" to this By-law and will require the removal of Holding Provisions prior to development occurring.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule "H" appending to and forming part of By-law No. 464 (Glanbrook), is amended by changing the zoning from the Site Specific Holding General Commercial "H-C3-304" Zone to the Site Specific General Commercial "C3-304" Zone.

The extent and boundaries of which are shown on the Schedule "A" to this By-law.

The "H" provision applicable to the lands can be removed because necessary upgrades to the Binbrook Sanitary Sewer Pumping Station have been completed to the satisfaction of the Senior Director of Growth Management.

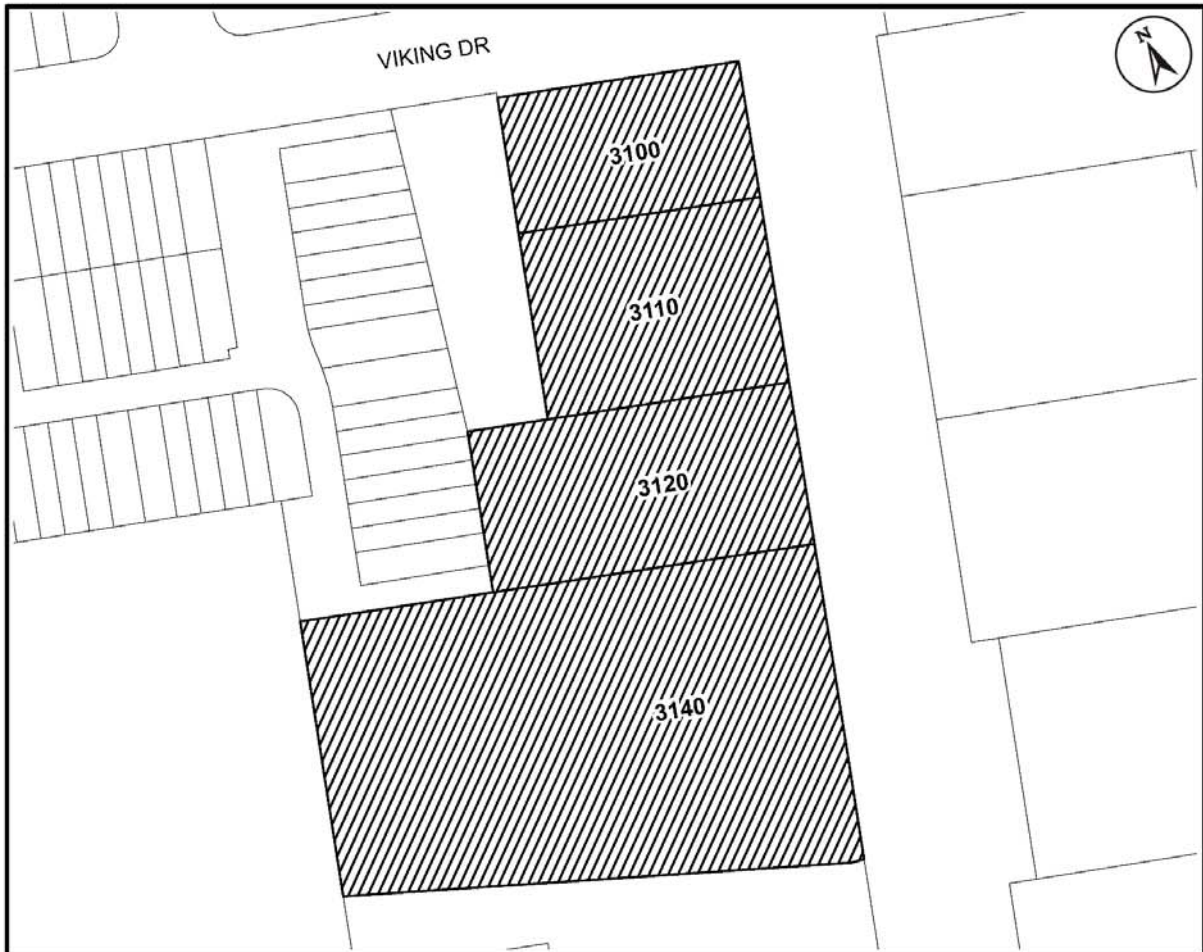
2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law, in accordance with the *Planning Act*.

PASSED this 12th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAH-19-052



<p>This is Schedule "A" to By-law No. 20-</p> <p>Passed the day of, 2020</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>		
<p>Schedule "A"</p> <p>Map forming Part of</p> <p>By-law No. 20-_____</p> <p>to Amend By-law No. 464</p>	<p>Subject Property</p> <p>3100 - 3140 Regional Road 56</p> <p> Change in Zoning from Site Specific General Commercial "H-C3-304" Zone to the Site Specific General Commercial "C3-304" Zone</p>		
<p>Scale: N.T.S</p>	<p>File Name/Number: ZAH-19-052</p>		<p>Date: January 23, 2020</p>
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>			<p>Planner/Technician: VL/NB</p>

Authority: Item 7, Planning Committee Report
20-002 (PED20034)
CM: February 12, 2020
Ward: 3

Bill No. 023

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend Zoning By-law No. 6593, Respecting Lands located at 11 Grosvenor Avenue South, Hamilton

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule 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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in full 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 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951 (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item of Report 20-034 of the Planning Committee, at its meeting held on the 4th day of February 2020, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan of the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No. E76 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing the zoning from the “C” (Urban Protected Residential Etc.) District to the “C/S-1797” (Urban Protected Residential, Etc.) District, Modified on the lands of the extent and boundaries of which are shown of the plan hereto annexed as Schedule “A”.

2. That the “C” (Urban Protected Residential, Etc.) District provisions as contained in Section 9 of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following special requirements:
 - a) In addition to Section 9. (1), a three family dwelling shall be permitted within the building existing on the date of the passing this By-Law.
 - b) That notwithstanding Section 9. (3) (i), a front yard of a depth of at least 1.7 metres.
 - c) That notwithstanding Section 9. (3) (ii), a northerly side yard of a width of 0.0 metres.
 - d) That notwithstanding Section 9. (4), every lot or tract of land in a “C” District shall have a width of at least 11.4 metres and an area of at least 360.0 square metres.
 - e) That notwithstanding 18. (3) (vi) (c) (ii), into a required side yard not more than 0.0 metres from the northerly side lot line and 1.0 metre from the southerly side lot line.
 - f) That notwithstanding Section 18. (3) (vi) (cc) (i), into a required front yard, provided that no such projection shall be closer to a street line than 1.0 metre.
 - g) That notwithstanding Section 18. (3) (vi) (e), a terrace, uncovered porch, platform or ornamental feature which does not extend more than 1.2 metres above the floor level of the first storey, may project into a required yard, if distant at least 0.5 metres from the nearest side lot line and 0.0 metres from the nearest street line.
 - h) That notwithstanding Section 18. (4) (iv), an accessory building shall be permitted within the required side yard and rear yard, and every accessory building which is not part of the principal building which is located entirely within the side yard, shall be distant at least 0.3 metres from the nearest lot line.
 - i) Section 18. (14) (i) and 18. (14) (ii) shall not apply.
 - j) That notwithstanding Section 18A (1) (a) and (b), 1.0 space per Class A dwelling unit shall be provided.
 - k) That notwithstanding Section 18A. (1) (f) and Table 6, Column 2, maneuvering space abutting upon and accessory to each required parking space, having a total width of 3.0 metres on the lot is to be used in

conjunction with the 3.0 metre northerly abutting laneway for 90 degree angled parking.

- l) That notwithstanding Section 18A. (9), 6.0 metres of maneuvering space shall be provided between the lot and the northerly abutting laneway.
 - m) That notwithstanding Section 18A. (21) all required parking spaces shall be located on the lot with maneuvering space shared between the lot and within the northerly abutting laneway and access shall be provided by means of the northerly abutting laneway.
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 "C" (Urban Protected Residential, Etc.) District provisions, subject to the special provisions referred to in Section 2, respectively.
4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED this 12th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAR-19-016



<p>This is Schedule "A" to By-law No. 20-</p> <p>Passed the day of, 2020</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. 20-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 6593</p>	<p>Subject Property</p> <p>11 Grosvenor Avenue South</p> <p> Change in Zoning from the "C" (Urban Protected Residential, Etc.) District to the "C/S-1797" (Urban Protected Residential, Etc.) District, Modified</p>
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CITY OF HAMILTON

BY-LAW NO. 20-

To Amend Zoning By-law No. 6593, as amended, Respecting Lands Located at 184 and 186 Markland Street, Hamilton

WHEREAS, the Council of the City of Hamilton, in adopting Item 4 of Report 20-002 of the Planning Committee, at its meeting held on the 12th day of February, 2020, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan approved August 16, 2013.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No. W6 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended as follows:
 - a) By changing the zoning from the “D” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, to the “DE/S-1796-‘H” (Multiple Dwelling) District, Holding, Modified;

on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. That the “DE” (Multiple Dwelling) District provisions as contained in Section 10C of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:
 - a) That in addition to Section 10C (1), a multiple dwelling with a maximum of six dwelling units shall be permitted within the building existing on the date of the passing of this By-law.
 - b) That Section 10C (1) (via) and (vii) shall not apply.
 - c) That Section 10C (2) shall not apply to the building existing on the date of the passing of this By-law.
 - d) That notwithstanding Section 10C (3) (i) (b), a front yard of a depth of 2.7 metres shall be permitted for the building existing on the date of the passing of this By-law.

- e) That notwithstanding Section 10C (3) (ii) (b), a side yard of a width of 1.2 metres for the easterly side yard and 0 metres for the westerly side yard, shall be permitted for the building existing on the date of the passing of this By-law.
- f) That notwithstanding Section 10C (4) ii), iii) and iv), a width of at least 12.8 metres and an area of at least 545.0 square metres.
- g) That Section 10C (5) shall not apply for the building existing on the date of the passing of this By-law.
- h) That notwithstanding Section 18 (3) (vi) (b), the existing encroachment of any eaves or gutters of the building existing on the date of the passing of this By-law shall be permitted.
- i) That notwithstanding Section 18 (3) (vi) (e), the encroachment of any uncovered porch and associated stairs of the building existing on the date of the passing of this By-law shall be permitted.
- j) That notwithstanding Section 18 (4) (v) (b), an air conditioner shall be permitted within the westerly side yard provided such equipment has a minimum setback of 0 metres from the side lot line.
- k) That Section 18A (1) (c), (32) and (33) shall not apply.
- l) That notwithstanding Section 18A (1) (f), (9) and (10), manoeuvring space may be provided both on the lot and on the un-assumed laneway with a minimum aisle width of 4.2 metres.
- m) That Section 18A (11) (a), shall not apply to the northerly and westerly lot line but shall apply to the easterly lot line.
- n) That Section 18A (12) (a) and (b), shall not apply to the northerly and westerly lot line but shall apply to the easterly lot line.
- o) That Section 18A (12) (c), shall not apply to northerly and westerly lot line but shall apply to the easterly lot line.
- p) That notwithstanding Section 18A (24) (b) (i) and (ii), access shall be provided by way of an alleyway.
- q) That Section 18A (25), shall not apply to the northerly and westerly lot line, however an access driveway shall be a minimum of 1.5 metres from the easterly lot line.
- r) That notwithstanding Section 18A (30), a permanent durable and dustless

surface that is graded, drained and paved with concrete, asphalt or other suitable material implementing low impact development or combination of concrete, asphalt or other suitable material implementing low impact development, shall be provided and maintained for every parking area, manoeuvring space, loading space and access driveway.

3. That the 'H' symbol applicable to the lands referred to in Section 1 shall be removed conditional upon:
 - i) The Owner apply for a Building Permit to legalize a multiple dwelling with a maximum of six units, to the satisfaction of the City's Chief Building Official;
 - ii) That the Owner applies for and receives Conditional Site Plan Approval, to the satisfaction of the Manager of Development Planning, Heritage and Design; and,
 - iii) That the Owner merge the properties municipally known as 184 and 186 Markland Street into the same name and title, to the satisfaction of the Manager of Development Planning, Heritage and Design.
4. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" District provisions, subject to the special requirements in Section 2 of this By-law.
5. That By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1796.
6. That Sheet No. W6 of the District maps is amended by making the lands referred to in Section 1 of this By-law as Schedule S-1796.
7. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 12th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-18-047



This is Schedule "A" to By-law No. 20- Passed the day of, 2020	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 20-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 6593</p>	<p>Subject Property 184 & 186 Markland Street</p> <p> Change in Zoning from the "D" (Urban Protected Residential - One and Two Family Dwelling, Etc.) District to "DE-3/S-1796-'H" (Multiple Dwellings) District, Modified, Holding</p>
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Scale: N.T.S.	File Name/Number: ZAC-18-047	
Date: Nov. 201, 2019	Planner/Technician: DB/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

CITY OF HAMILTON

BY-LAW NO. 20-

To Permanently Close and Sell a Portion of Road Allowance Abutting 40 Maple Drive, Stoney Creek, namely Part of the Road Allowance between Lots 18 and 19, Concession 3 and Concession 4 in the Geographic Township of Saltfleet, in the City of Hamilton, designated as Part 1 on Plan 62R-21212, being part of PIN 17319-0624 (LT), City of Hamilton

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office; and

WHEREAS highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law; and

WHEREAS at its meeting of August 16, 2019, Council approved of Item 1 of Public Works Committee Report 19-011, and authorized the City of Hamilton to permanently close and sell a portion of the Road Allowance Abutting the west side of 40 Maple Drive, Stoney Creek, Ontario, namely Part of the Road Allowance between Lots 18 and 19, Concession 3 and Concession 4 in the Geographic Township of Saltfleet, in the City of Hamilton. Designated as Part 1 on Plan 62R-21212, being part of PIN 17319-0624 (LT); and

WHEREAS notice to the public of the proposed sale of the part of the road allowance has been given in accordance with the requirements of the Sale of Land Policy By-law.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The part of the public road allowance set out as follows:

Part of the Road Allowance between Lots 18 and 19, Concession 3 and Concession 4 in the Geographic Township of Saltfleet, in the City of Hamilton. Designated as Part 1 on Plan 62R-21212, being part of PIN 17319-0624 (LT); City of Hamilton

is permanently closed.

To Permanently Close and Sell a portion of Road Allowance Abutting 40 Maple Drive, Stoney Creek, namely Part of the Road Allowance between Lots 18 and 19, Concession 3 and Concession 4 in the Geographic Township of Saltfleet, in the City of Hamilton. Designated as Part 1 on Plan 62R-21212, being part of PIN 17319-0624 (LT); City of Hamilton.

Page 2 of 2

2. The soil and freehold of the Part 1 on Plan 62R-21212, hereby permanently closed, be sold to the Bruce Trail Conservancy for the sum of One Thousand, Five Hundred and Two Dollars (\$1,502.00).
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

PASSED this 12th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

CITY OF HAMILTON

BY-LAW NO. 20-

To Permanently Close and Sell a Portion of Road Allowance Abutting 40 Maple Drive, Stoney Creek, namely Part of the Road Allowance between Lots 18 and 19, Concession 3 in the Geographic Township of Saltfleet, in the City of Hamilton, designated as Part 2 on Plan 62R-20595, being part of PIN 17319-0624 (LT), City of Hamilton

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office; and

WHEREAS highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law; and

WHEREAS at its meeting of December 14, 2016, Council approved of Item 5 of Public Works Committee Report 16-020, and authorized the City of Hamilton to permanently close and sell a portion of the Road Allowance Abutting the west side of 40 Maple Drive, Stoney Creek, Ontario, namely Part of the Road Allowance between Lots 18 and 19, Concession 3 in the Geographic Township of Saltfleet, in the City of Hamilton. Designated as Part 2 on Plan 62R-20595, being part of PIN 17319-0624 (LT); and

WHEREAS notice to the public of the proposed sale of the part of the road allowance has been given in accordance with the requirements of the Sale of Land Policy By-law.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The part of the public road allowance set out as follows:

Part of the Road Allowance between Lots 18 and 19, Concession 3 in the Geographic Township of Saltfleet, in the City of Hamilton. Designated as Part 2 on Plan 62R-20595, being part of PIN 17319-0624 (LT); City of Hamilton

is permanently closed.

To Permanently Close and Sell a Portion of Road Allowance Abutting 40 Maple Drive, Stoney Creek, namely Part of the Road Allowance between Lots 18 and 19, Concession 3 in the Geographic Township of Saltfleet, in the City of Hamilton, designated as Part 2 on Plan 62R-20595, being part of PIN 17319-0624 (LT), City of Hamilton

Page 2 of 2

2. The soil and freehold of the Part 2 on Plan 62R-20595, hereby permanently closed, be sold to the Bruce Trail Conservancy for the sum of One Thousand, Five Hundred and Two Dollars (\$1,502.00).
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

PASSED this 12th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 7, Economic Development and
Planning Committee Report 10-005
(PED10051)
CM: March 10, 2010
Ward: 12

Bill No. 027

CITY OF HAMILTON

BY-LAW NO. 20-

**To Establish City of Hamilton Land
Described as Blocks 320 and 342 on Plan 62M-1158
as Part of Garner Road East**

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 320 and 342 on Plan 62M-1158, is established as a public highway, forming part of Garner Road East.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 12th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 7, Economic Development
and Planning Committee Report
10-005 (PED10051)
CM: March 10, 2010
Ward: 12

Bill No. 028

CITY OF HAMILTON

BY-LAW NO. 20-

**To Establish City of Hamilton Land
Described as Blocks 321 and 341 on Plan 62M-1158
as Part of Raymond 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 Blocks 321 and 341 on Plan 62M-1158, is established as a public highway, forming part of Raymond 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 12th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 5, Planning Committee
Report 20-002 (PED20024)
CM: February 12, 2020
Ward: 14

Bill No. 029

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend Zoning By-law No. 05-200, Respecting Lands Located at 630 Stone Church Road West, Hamilton

WHEREAS Council approved Item 5 of Report 20-002 of the Planning Committee, at the meeting held on February 12, 2020;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan.

NOW THEREFORE Council amends Zoning By-law No. 05-200 as follows:

1. That Maps 1234 and 1287 of Schedule “A” – Zoning Maps are amended by changing the zoning from the Community Commercial (C3) Zone to the Community Commercial (C3, 639, H33) Zone for the lands attached as Schedule “A” to this By-Law.
2. That Schedule “C” – Special Exceptions be amended by adding the following new Special Exception:
 - “639. Within the lands zoned Community Commercial (C3) Zone, identified on Maps 1234 and 1287 of Schedule “A” – Zoning Maps and described as 630 Stone Church Road West, the following special provisions shall apply:
 - a) Notwithstanding Section 4.6 a), 4.8.1 c), 4.19), 5.1 a) v) a) and b), 5.2 b), f), and i), 5.2.1 c), 5.5 a), and 5.6 c) as it relates to “Retail within a Commercial and Mixed Use Zone”, the following regulations shall apply:

- | | |
|---------------------------------|--|
| i) Permitted Yard Encroachments | The usual projections of window sills, cornices, eaves, troughs, and other similar architectural features, ductwork, venting and other similar appurtenances may be permitted in any required yard provided that no such feature shall project more than 0.5 metres into the required yard and shall be no |
|---------------------------------|--|

- less than 0.4 metres from the rear lot line.
- ii) Accessory Buildings in Commercial and Mixed Use Zones
Accessory buildings having a maximum gross floor area of less than 11.0 square metres and a maximum building height of 3.0 metres may be located in a required rear yard or a required side yard.
 - iii) Visual Barrier
 - a) A visual barrier shall have a minimum height of 1.7 metres.
 - b) All other applicable provisions of Section 4.19 shall apply.
 - iv) Parking Location
Parking spaces and aisles giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall not be located within 0.9 metres of a street line and a minimum 0.9 metre planting strip shall be required and permanently maintained between the street line and the parking spaces and/or aisles, excluding driveways extending directly from the street.
 - v) Parking Space Sizes
 - a) Minimum 2.7 metres in width and 5.5 metres in length.
 - b) Notwithstanding a) above, in the case of a barrier free parking space, each parking space shall have a minimum width of 2.7 metres and a minimum length of 5.5 metres plus an abutting 1.9 metre wide shared aisle.
 - vi) Parking Aisle Width
The minimum aisle width shall be 5.8 metres.

- | | |
|---|--|
| vii) Location of Loading Facilities | A loading space/area shall be located within the required easterly side yard and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law. |
| viii) Minimum Number of Required Parking Spaces | 13, including 1 barrier free parking space. |

b) Notwithstanding Section 10.3.3 a) ii), b) ii), c) i), and i) vi and vii) 2., the following regulations shall apply:

- | | |
|---|---|
| i) Maximum Building Setback from a Street | 20.1 metres except the maximum building setback shall not apply to accessory buildings. |
| ii) Minimum Rear Yard | 0.8 metres |
| iii) Minimum Interior Side Yard | 1.2 metres |
| iv) Built Form for New Development | a) Parking spaces and aisles shall be permitted to be located between a building façade and the front lot line.

b) The principal entrance shall be accessible from the building façade but shall not be required to have direct access from the public sidewalk. |

3. That Schedule “D” – Holding Provisions be amended by adding the additional Holding Provision as follows:

“33. Notwithstanding Section 10.3 of this By-law, within lands zoned Community Commercial (C3, 639) Zone, identified on Maps 1234 and 1287 of Schedule “A” – Zoning Maps and described as 630 Stone Church Road West, no development shall be permitted until such time as:

- a) The owner receives final approval of a Site Plan Control application, to the satisfaction of the Director of Planning and Chief Planner.

4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 12th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAR-19-003



This is Schedule "A" to By-law No. 20- Passed the day of, 2020	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <h3 style="margin: 0;">Map Forming Part of By-law No. 20-_____</h3> to Amend By-law No. 05-200 Maps 1234 & 1287	Subject Property 630 Stone Church Road West Change in Zoning from Community Commercial (C3) Zone to Community Commercial (C3, 639, H33) Zone
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Scale: N.T.S.	File Name/Number: ZAR-19-003	 Hamilton
Date: November 15, 2019	Planner/Technician: TV/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 8, Planning Committee
Report: 18-013 (PED18195)
CM: September 12, 2018
Ward: 2

Bill No. 030

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend Zoning By-law No. 05-200, as amended, Respecting Lands Located at 71 Rebecca Street in the City of Hamilton

WHEREAS Council approved Item 8 of Report 18-013 of the Planning Committee, at the meeting held on September 12, 2018;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map 953 of Schedule "A", appended to and forming part of By-law No. 05-200, as amended, is hereby further amended by changing the zoning from the Downtown Central Business District (D1, H17, H19, H20) Zone to the Downtown Central Business District (D1, 701, H17, H105) Zone for the lands the extent and boundaries of which are more particularly shown on Schedule "A" annexed hereto and forming part of this By-law.
2. That Schedule "C" – Special Exceptions for Specific Lands of Zoning By-law No. 05-200, as amended, is hereby further amended by deleting the former Special Exception 701 and replacing with the following new section:

701. Within the lands zoned Downtown Central Business District (D1, 701, H17, H105) Zone identified on Map 953 of Schedule "A" – Zoning Maps and described as 71 Rebecca Street the following special regulations apply:

- a) Notwithstanding Sections 5.2 b), 6.0 c) i), ii) and iii) 2, and 6.1.3 e), the following special provisions shall also apply:

- b) REGULATIONS

- | | | | |
|----|---|----|--|
| a) | Stepback from the Building Base Façade Height | i) | A minimum 3.0 metre stepback shall be required from the building base façade height of 11 metres along Rebecca Street. |
| a) | Stepback for the portion of the Building exceeding 22.0 metres, at the southern point of the perpendicular portion of the rear lot line | i) | 1.0 metres |
| b) | Maximum Lot Coverage | | 100% |
| c) | Parking | i) | Parking stall sizes shall be in accordance with the following: <ul style="list-style-type: none">i. 62 parking stalls at 2.8 m x 5.8 m;ii. 93 parking stalls at 2.6 m x 5.8 m;iii. 36 parking stalls at 2.6 m x 5.5 m;iv. 13 parking stalls at 2.8 m x 5.5 m;v. 3 barrier-free parking stalls at 4.6 m x 5.8 m;vi. 3 barrier-free parking stalls at 4.6 m x 5.5 m; and,vii. 4 car share parking stalls, at grade at 2.6 m x 5.5 m. |
4. That the following additional Holding Provision be added to Schedule D – Holding Provisions to this By-law for the land described as 71 Rebecca Street:
701. That notwithstanding Section 6.1 and Schedule “C” – Special Exceptions, of this By-law, on those lands zoned Downtown Central Business District (D1, 701, H17, H105) Zone, on Map 953 of Schedule “A” – Zoning Maps, described as 71 Rebecca Street, no development shall be permitted until:

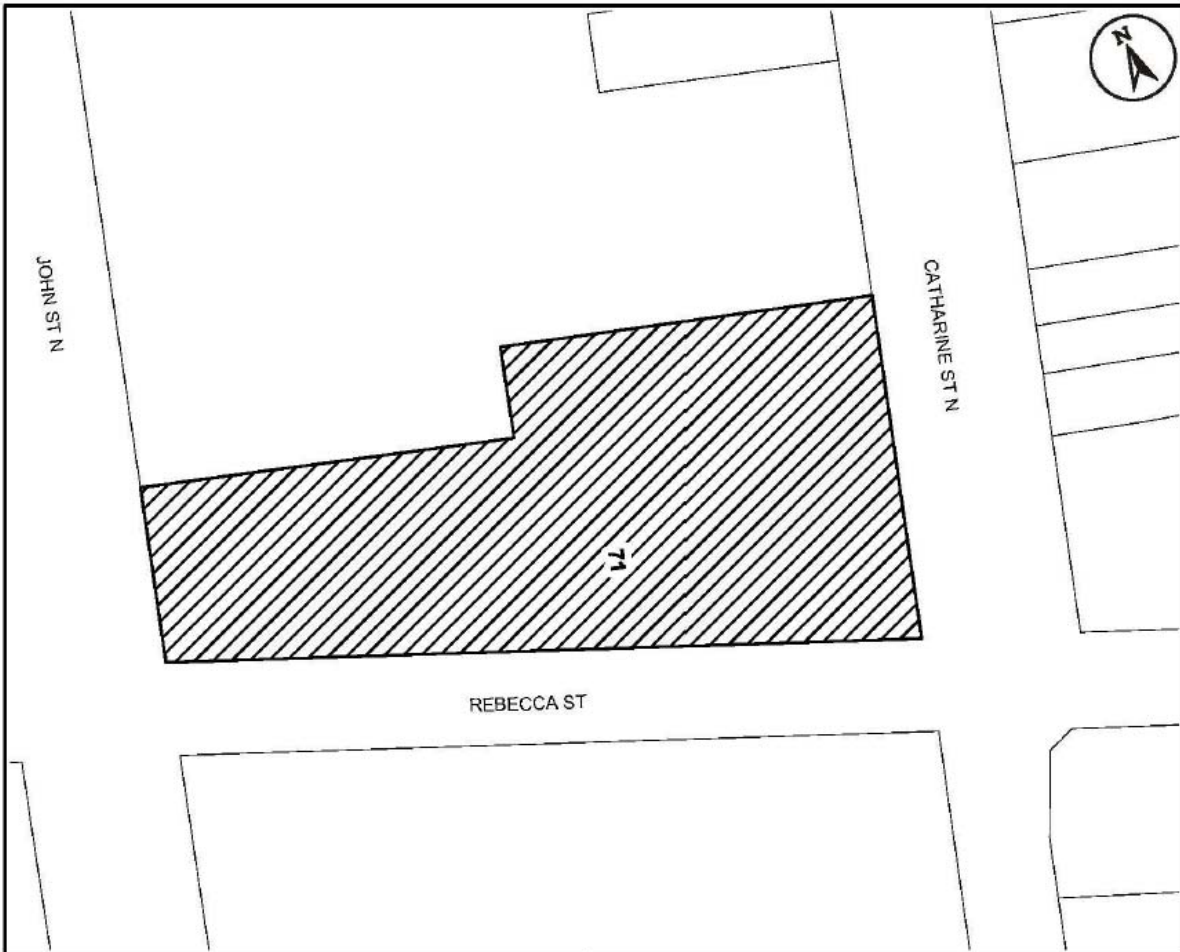
- i) The Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton's current RSC administration fee.
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 this 12th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-17-053
UHOPA-17-023



This is Schedule "A" to By-law No. 18- Passed the day of, 2018	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 18-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Map 953</p>	<p>Subject Property 71 Rebecca Street</p> <p> Change in Zoning from the Downtown Mixed Use (D3) Zone to Downtown Central Business District (D1, 701, H17, H105) Zone</p>
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Scale: N.T.S.	File Name/Number: ZAC-17-053 & UHOPA-17-023	Hamilton
Date: July 17, 2018	Planner/Technician: GZ/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

CITY OF HAMILTON

BY-LAW NO. 20-

To Confirm the Proceedings of City Council at its meeting held on February 12, 2020.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 12th day of February, 2020, in respect of each recommendation contained in

Special General Issues Committee Report 20-003 – January 30, 2020
Public Works Committee Report 20-002 – February 3, 2020,
Planning Committee Report 20-002 – February 4, 2020,
General Issues Committee Report 20-004 – February 5, 2020,
and
Audit, Finance & Administration Committee Report 20-003 – February 6, 2020

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 12th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk