



City of Hamilton

CITY COUNCIL AGENDA

20-004

Wednesday, February 26, 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

3.1 Senior Football Program at St. Thomas More Catholic Secondary School -
POSTPONED

3.2 Hamilton Mundialization Committee Photo Contest

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 February 12, 2020

5. COMMUNICATIONS

5.1 Correspondence from the Municipality of Southwest Middlesex requesting support for their resolution respecting Bill 156, Security from Trespass and Protecting Food Safety Act, 2019.

Recommendation: Be received.

- 5.2 Correspondence from the Niagara Peninsula Conservation Authority (NPCA) respecting NPCA's Code of Conduct Process and requesting a meeting with relevant parties of the City of Hamilton to gain feedback and insights into their proposed course of actions.

Recommendation: Be received and referred to the City Solicitor and Executive Director, Human Resources and Organizational Development for appropriate action.

- 5.3 Correspondence from the Natural Resources Conservation Policy Branch of the Ministry of Natural Resources and Forestry respecting the proposed regulatory changes under the Aggregate Resources Act.

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

- 5.4 Correspondence from the Honourable Lisa Thompson, Minister of Government and Consumer Services in response to Council's request for Geographic Information System (GIS) Access for Councillors.

Recommendation: Be received and referred to the General Manager of Corporate Services for a report back to General Issues Committee.

- 5.5 Correspondence from Sue Banting a resident of Stoney Creek respecting Applications for Amendments to By-laws etc. at 461 Green Road, Stoney Creek.

Recommendation: Be received and referred to the consideration of Item 1 of Planning Committee Report 20-003.

- 5.6 Correspondence from Don McLean requesting that General Issues Committee postpone the decision to withdraw from intervention at the Ontario Energy Board in the matter of the Enbridge fracked gas pipeline.

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

- 5.7 Correspondence from Beth Hanna, Chief Executive Officer, Ontario Heritage Trust respecting the Proposal for the Adaptive Reuse of Balfour House/Chedoke Estate.

Recommendation: Be received and referred to the consideration of Item 6 of General Issues Committee Report 20-007.

6. COMMITTEE REPORTS

- 6.1 Special General Issues Committee Report - 20-006 - February 13, 2020

- 6.2 Planning Committee Report 20-003 - February 18, 2020

- 6.3 General Issues Committee Report 20-007 - February 19, 2020

- 6.4 Audit, Finance and Administration Committee Report 20-003 - February 20, 2020

- 6.5 Emergency and Community Services Committee Report 20-002 - February 20, 2020
- 6.6 Board of Health Report 20-002 - February 21, 2020
- 6.7 Public Works Committee Report 20-003 - February 21, 2020

7. MOTIONS

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

8. NOTICES OF MOTIONS

9. STATEMENTS BY MEMBERS

10. PRIVATE AND CONFIDENTIAL

- 10.1 Hamilton Transportation Task Force Update (CM20002(b)) (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

11.1 032

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, 3, 4, 5, 6, 13, 15

11.2 033

To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses

Schedule 1 (Adult Entertainment Establishments)

Schedule 4 (Body Rub Parlours)

Ward: City Wide

11.3 034

To Amend Zoning By-law No. 3581-86 Respecting Lands located at 364 Governor's Road, in the Former Town of Dundas, now in the City of Hamilton

ZAH-19-053

Ward: 13

11.4 035

To Adopt Official Plan Amendment No. 130 to the Urban Hamilton Official Plan, Respecting 461 Green Road (Stoney Creek)

Ward: 10

11.5 036

To Amend Zoning By-law No. 05-200 with respect to lands located at 461 Green Road, Stoney Creek

ZAC-18-034

Ward: 10

11.6 037

To Authorize Civil Marriage Solemnization Services and to Delegate the Authority to Solemnize Marriages in the City of Hamilton

Ward: City Wide

11.7 038

To Appoint a Deputy Fire Chief

Ward: City Wide

11.8 040

To Confirm the Proceedings of City Council

12. ADJOURNMENT



CITY COUNCIL MINUTES 20-003

5:00 p.m.
February 12, 2020
Council Chamber
Hamilton City Hall
71 Main Street West

Present: Mayor F. Eisenberger
Councillors M. Wilson, J. Farr, N. Nann, S. Merulla, C. Collins, T. Jackson, E. Pauls, J.P. Danko (Deputy Mayor), B. Clark, M. Pearson, B. Johnson, L. Ferguson, 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 Reverend Dr. Douglas Cottrell of Many Mansion Church and Seminary, to provide the invocation.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

5. COMMUNICATIONS (Item 5)

- 5.10 Correspondence and a petition containing 46 signatures from the residents of Windemere Road (East), Stoney Creek requesting that the City take over the ownership of Windemere Road (East) from the Hamilton Conservation Authority and a private owner.

Recommendation: Be received.

- 5.11 Correspondence and a petition containing 84 signatures from Richard Breznik, representing the residents of Hunter Park Survey of Waterdown requesting that the design of the East-West Road Corridor of the Waterdown-Aldershot Master Transportation Plan be revised to include mitigation to satisfy their noise concerns.

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

- 5.12 Correspondence from Susan Wortman expressing her appreciation to Council for their unanimous decision on Friday, February 7th, to remain an intervenor in the application currently before the OEB to approve the new Enbridge fracked-gas pipeline.

Recommendation: Be received and referred to the consideration of Item 4.2, the February 7, 2020 Special Council Minutes.

- 5.13 Correspondence from Cain Finch, Stonechurch Cooperative Homes Inc. respecting UHOPA 20-001 ZAR-20-001.

Recommendation: Be received and referred to the consideration of Item 5 of Planning Committee Report 20-002.

8. NOTICES OF MOTION (Item 8)

- 8.1 Amendment to Item 10 of the General Issues Committee Report 19-015, respecting Report LS19033(a)/PED19180(a) - Update re: Local Planning Appeal Tribunal appeals of Pier 6, 7 and 8
- 8.2 Seniors Outreach Services (SOS)
- 8.3 1313 Baseline Road, Stoney Creek – Application for Demolition Permit

(VanderBeek/Clark)

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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

DECLARATIONS OF INTEREST

Councillor B. Clark declared a potential interest to Item 11, General Issues Committee Report 20-004 – Downtown Entertainment Precinct Status Update (PED18168(d)), as his brother is an employee at the hotel owned by D. Vranich.

Councillor L. Ferguson declared a potential interest to Item 11, General Issues Committee Report 20-004 – Downtown Entertainment Precinct Status Update (PED18168(d)), as his nephew is the Principal of Pearle Hospitality.

Councillor M. Wilson declared a potential interest to Item (d), General Issues Committee Report 20-004 – 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.

Councillor M. Wilson declared a potential interest to Item (d), General Issues Committee Report 20-004 – 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.

Councillor M. Wilson declared a potential interest to Item (d), General Issues Committee Report 20-004 – 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.

Councillor M. Wilson declared a potential interest to Item (d), General Issues Committee Report 20-004 – 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.

Councillor M. Wilson declared a potential interest to Item (d), General Issues Committee Report 20-004 – 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.

Councillor M. Wilson declared a potential interest Item 11, General Issues Committee Report 20-004 – 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.

Councillor M. Wilson declared a potential interest Item (e), General Issues Committee Report – Delegation Request for 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.

Councillor M. Wilson declared a potential interest to Item 11, General Issues Committee Report 20-004 – Downtown Entertainment Precinct Status Update (PED18168(d)), due to her spouse's relationship with downtown interests.

Councillor M. Wilson declared a potential interest to Item 12, General Issues Committee Report 20-004 – 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.

APPROVAL OF MINUTES OF PREVIOUS MEETING
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4.1 January 22, 2020

(Ferguson/Partridge)

That the Minutes of the January 22, 2020 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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

4.2 February 7, 2020

(Danko/Farr)

That the Minutes of the February 7, 2020 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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

COMMUNICATIONS

(Danko/Pauls)

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

- 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.

(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 **General Issues Committee** for a presentation from Principles Integrity on the Annual Report; **and a discussion on Declarations of Interest and the impacts of Common Law.**

- 5.7 Correspondence from the City of St. Catharines requesting support for their resolution respecting Heddle Shipyards.

Recommendation: Be **supported.**

- 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.

- 5.10 Correspondence and a petition containing 46 signatures from the residents of Windemere Road (East), Stoney Creek requesting that the City take over the ownership of Windemere Road (East) from the Hamilton Conservation Authority and a private owner.

Recommendation: Be received **and referred to the General Managers of Planning and Economic Development and Public Works for review and a report back to their respective Committees**

- 5.11 Correspondence and a petition containing 84 signatures from Richard Breznik, representing the residents of Hunter Park Survey of Waterdown requesting that the design of the East-West Road Corridor of the Waterdown-Aldershot Master Transportation Plan be revised to include mitigation to satisfy their noise concerns.

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

- 5.12 Correspondence from Susan Wortman expressing her appreciation to Council for their unanimous decision on Friday, February 7th, to remain an intervenor in the application currently before the OEB to approve the new Enbridge fracked-gas pipeline.

Recommendation: Be received and referred to the consideration of Item 4.2, the February 7, 2020 Special Council Minutes.

- 5.13 Correspondence from Cain Finch, Stonechurch Cooperative Homes Inc. respecting UHOPA 20-001 ZAR-20-001.

Recommendation: Be received and referred to the consideration of Item 5 of Planning Committee Report 20-002.

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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

(Clark/Pearson)

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

CARRIED

SPECIAL GENERAL ISSUES COMMITTEE REPORT 20-003

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

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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

(Eisenberger/Jackson)

That the THIRD Report of the Special 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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

PUBLIC WORKS COMMITTEE REPORT 20-002

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

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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

3. Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 1479 Baseline Road, Stoney Creek (PW20007) (Ward 10) (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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

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

(Eisenberger/Jackson)

That Report PW17033(d) respecting PRESTO Adoption, be referred back to Public Works staff for a further report at the next Public Works Committee meeting.

CARRIED

5. City of Hamilton Vision Zero Action Plan 2019 - 2025 Update (PW19015(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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

6. Installation of Intersection Pedestrian Signal at the Intersection of Mohawk Road East and Moxley Drive, Hamilton (Ward 6) REVISED (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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

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

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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

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

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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

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

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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

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

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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

(Merulla/Collins)

That the SECOND 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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

PLANNING COMMITTEE REPORT 20-002

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

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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

3. Hamilton Municipal Heritage Committee Report 20-001 (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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

4. Application for Zoning By-law Amendment for Lands Located at 184 and 186 Markland Street, Hamilton (PED20016) (Ward 2) (Item 8.1)

Result: Motion CARRIED by a vote of 14 to 1, 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
- NO - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

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)

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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

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)

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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

7. Application for Zoning By-law Amendment for Lands Located at 11 Grosvenor Avenue South, Hamilton (PED20034) (Ward 3) (Item 8.4)

Result: Motion CARRIED by a vote of 14 to 1, 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
NO - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

8. Amendments to the Property Standards By-law 10-221 Respecting Incomplete and Unrepairable Buildings (PED20032) (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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

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)

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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

10. Waiving Minor Variance Fee for 73 Cannon Street East (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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

(Farr/Collins)

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

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

YES - 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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

GENERAL ISSUES COMMITTEE REPORT 20-004

1. Business Improvement Area Advisory Committee Report 20-001, January 14, 2020 (Item 7.1)

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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

4. Award of Request for Proposals C11-12-19, Operations and Maintenance of the Material Recycling Facility (PW19086(a)) (City Wide) (Item 10.2)

Result: Motion CARRIED by a vote of 14 to 1, 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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

7. Council Comments to the Hamilton Transportation Task Force (Item 10.5)**(Clark/Pearson)**

That sub-section (a) to Item 7 of the General Issues Committee Report 20-004, respecting the Council Comments to the Hamilton Transportation Task Force, be **amended** by adding the words "**other provincial transportation projects**", 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 and **other provincial transportation projects** out of the \$1 billion;

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
 YES - Ward 7 Councillor Esther Pauls
 YES - Deputy Mayor - 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
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

At Councillor Clark's request the sub-sections of Item 7 were voted on separately, 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 and **other provincial transportation projects** out of the \$1 billion; and,

Result: Main Motion on 7 (a) as amended 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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

(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.

Result: Main Motion on 7 (b) CARRIED by a vote of 13 to 2, as follows:

NO - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
NO - 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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

8. Leaving Children Unattended in a Vehicle (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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

9. Protection of Solicitor-Client Privilege by Separating Legal Advice from all Confidential Staff Reports and Recommendations (Item 11.2)

At Councillor Clark's request the sub-sections of Item 9 were voted on separately, as follows:

- (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.

Result: Motion on 9 (a) 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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

- (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.

Result: Motion on 9 (b) CARRIED by a vote of 9 to 6, 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 - Deputy Mayor - Ward 8 Councillor John-Paul Danko
- YES - 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
YES - Ward 10 Councillor Maria Pearson
NO - Ward 9 Councillor Brad Clark

10. Lease Extension Agreement - Ontario Works, 250 Main Street East, Hamilton (PED20019) (Ward 2) (Item 14.3)

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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

11. Downtown Entertainment Precinct Status Update (PED18168(d)) (City Wide) (Item 14.5)

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

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

CONFLICT - Ward 9 Councillor Brad Clark

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)**

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

CONFLICT - 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 - Deputy Mayor - Ward 8 Councillor John-Paul Danko
 YES - 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
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

(Nann/Merulla)

That Item (g)(i) respecting an Opportunity for a Downtown Technology Centre, be lifted from the Information Section of the General Issues Committee Report 20-004 and added as Item 13.

CARRIED

13. **Opportunity for a Downtown Technology Centre (Item 8.12)**

(Nann/Merulla)

That Item 13 of the General Issues Committee Report 20-004, respecting an Opportunity for a Downtown Technology Centre, be **amended** by adding sub-section (c) to read as follows:

- (c) *That, as part of the report to General Issues Committee, respecting an Opportunity for a Downtown Technology Centre, staff be directed to identify potential community benefits to be negotiated within the development scope that would include, but not be limited to, delivery of public assets, public access and community use of space, based on the current and future needs of residents.***

Result: Amendment CARRIED by a vote of 12 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
YES - Ward 7 Councillor Esther Pauls
YES - Deputy Mayor - 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
NO - Ward 12 Councillor Lloyd Ferguson
NO - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

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

WHEREAS, in 2016, a motion of Council 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;
- (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; and,
- (c) ***That, as part of the report to General Issues Committee, respecting an Opportunity for a Downtown Technology Centre, staff be directed to identify potential community benefits to be negotiated within the development scope that would include, but not be limited to, delivery of public assets, public access and community use of space, based on the current and future needs of residents.***

Result: Main Motion, as amended CARRIED by a vote of 12 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
YES - Ward 7 Councillor Esther Pauls
YES - Deputy Mayor - 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
NO - Ward 12 Councillor Lloyd Ferguson
NO - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Eisenberger/Partridge)

That the FOURTH Report of the General Issues 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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 20-002

1. Municipal Property Tax Billing Software (FCS20006) (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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

2. Follow Up to Performance Audit Report 2013-13 Employer Paid Parking (Value for Money Audit) (AUD20002) (City Wide) (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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

3. Compassionate Grant for Development Charges to Agricultural Societies Without a Farm Business Registration (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
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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

(Wilson/Nann)

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

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 - Deputy Mayor - 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
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - 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

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

(Collins/Nann)

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.***

Result: Motion as amended 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 - Deputy Mayor - 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
 NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

7.2 Amendment to Item 10 of the General Issues Committee Report 19-015, respecting Report LS19033(a)/PED19180(a) - Update re: Local Planning Appeal Tribunal appeals of Pier 6, 7 and 8

(Collins/Jackson)

WHEREAS, at its meeting of September 11, 2019, Council approved the direction to staff in Closed Session, respecting Report LS190033(a)/PED19180(a); and

WHEREAS, it is necessary at this time to specify a funding source for the Local Planning Appeal Tribunal Order Implementation;

THEREFORE, BE IT RESOLVED:

That sub-section (a) to Item 10 of the General Issues Committee Report 19-015, respecting Report LS19033(a)/PED19180(a) - Update re: Local Planning Appeal Tribunal appeals of Pier 6, 7 and 8, be amended to read as follows:

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

- (a) That the direction provided to staff in Closed Session ***using the funds available in Capital Project account number 4411806107***, respecting Report LS19033(a)/PED19180(a), be approved; and,

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

- (a) That the direction provided to staff in Closed Session ***using the funds available in Capital Project account number 4411806107***, respecting Report LS19033(a)/PED19180(a), be approved; and,
- (b) That Report LS19033(a)/PED19180(a) and its appendices and recommendations remain confidential except as necessary to implement these recommendations at the discretion of the City Solicitor.

Result: Motion *as amended* 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 - Deputy Mayor - 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
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

7.3 Seniors Outreach Services (SOS)

(Pearson/Clark)

WHEREAS, Seniors Outreach Services, a wholly volunteer group of residents that provide valued services to the aging and disabled community in Stoney Creek, including snow clearing, grass cutting, and light housekeeping assistance;

WHEREAS the volunteers do not have a funding source to replenish their aging equipment and office supplies when the need arises; and

WHEREAS the rental payments from the cell towers located in Ward 10 are accruing at approximately \$41,000 annually to the Ward 10 specific revenues project 3301609610, in part to assist with ward specific local initiatives;

THEREFORE BE IT RESOLVED:

- (a) That a one-time grant in the amount of \$10,000.00 from Ward 10 Revenues Project 3301609610 be given to the Seniors Outreach Services (SOS), to provide funding for repairs and replacement of parts for their supply of snow throwers and to purchase much needed office supplies to carry on their service to seniors in need; and
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) required by any of the above projects with such terms and conditions being in a form satisfactory to the City Solicitor.

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 - Deputy Mayor - 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
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

7.4 1313 Baseline Road, Stoney Creek – Application for Demolition Permit

(Pearson/Clark)

WHEREAS the property at 1313 Baseline Road, Stoney Creek is a vacant home that has become a safety issue for the neighbourhood.

WHEREAS the owner/developer has been pursuing development of this property and has been working with staff regarding heritage matters, which have been addressed, and is now in the process of a re-zoning application;

WHEREAS, in the meantime, this property, even with the owner continuing to monitor it and keep it secure, is a safety concern in the neighbourhood.

WHEREAS, the owner of the property has applied for a demolition permit and has been advised that it cannot be released until a building permit has been applied for as well, which will take some time for the re-zoning application to be processed.

THEREFORE BE IT RESOLVED:

That the Chief Building Official be authorized and directed to issue a demolition permit for 1313 Baseline Road, Stoney Creek.

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
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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

NOTICES OF MOTION

8.1 Amendment to Item 10 of the General Issues Committee Report 19-015, respecting Report LS19033(a)/PED19180(a) - Update re: Local Planning Appeal Tribunal appeals of Pier 6, 7 and 8

(Collins/Nann)

That the Rules of Order be waived to allow for the introduction of a Motion respecting an Amendment to Item 10 of the General Issues Committee Report 19-015, respecting Report LS19033(a)/PED19180(a) - Update re: Local Planning Appeal Tribunal appeals of Pier 6, 7 and 8.

Result: Motion CARRIED on 2/3 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
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 - Deputy Mayor - 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
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

8.2 Seniors Outreach Services (SOS).

(Pearson/Clark)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Seniors Outreach Services (SOS)

Result: Motion CARRIED by 2/3 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
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 - Deputy Mayor - 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
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

8.3 1313 Baseline Road, Stoney Creek – Application for Demolition Permit

(Pearson/Clark)

That the Rules of Order be waived to allow for the introduction of a Motion respecting 1313 Baseline Road, Stoney Creek – Application for Demolition Permit.

Result: Motion CARRIED by a 2/3 Majority 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
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 - Deputy Mayor - 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 - Ward 9 Councillor Brad Clark

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 – January 22, 2020

(Collins/Clark)

That the Closed Session Minutes dated January 22, 2020 be approved, as presented, and remain confidential.

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

NOT PRESENT - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr

NOT PRESENT - Ward 3 Councillor Nrinder Nann
NOT PRESENT - 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 - Deputy Mayor - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Council determined that discussion of Item 10.2 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

10.2 Hamilton Transportation Task Force Update (CM20002(a)) (City Wide)

(Collins/Partridge)

That Report CM20002(a) respecting the Hamilton Transportation Task Force Update, be received and remain confidential.

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

NOT PRESENT - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 3 Councillor Nrinder Nann
NOT PRESENT - 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 - Deputy Mayor - Ward 8 Councillor John-Paul Danko
YES - 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
YES - Ward 9 Councillor Brad Clark

BY-LAWS

(Danko/Jackson)

That Bills No. 20-014 to No. 20-031, 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:

- 20-014 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 5 (Stop Control)
Ward: 8, 9
- 20-015 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
- 20-016 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
- 20-017 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
- 20-018 To Amend Property Standards By-law No. 10-221 with Respect to Incomplete and Unrepairable Buildings
Ward: City Wide
- 20-019 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
- 20-020 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

- 20-021 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

- 20-022 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

- 20-023 To Amend Zoning By-law No. 6593, Respecting Lands located at 11 Grosvenor Avenue South, Hamilton
Ward: 3
ZAR-19-016
Not Final and Binding

- 20-024 To Amend Zoning By-law No. 6593, as amended, Respecting Lands Located at 184 and 186 Markland Street, Hamilton
Ward: 2
ZAC-18-047
Not Final and Binding

- 20-025 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

- 20-026 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

- 20-027 To Establish City of Hamilton Land Described as Blocks 320 and 342 on Plan 62M-1158 as Part of Garner Road East
Ward: 12

- 20-028 To Establish City of Hamilton Land Described as Blocks 321 and 341 on Plan 62M-1158 as Part of Raymond Road
Ward: 12

- 20-029 To Amend Zoning By-law No. 05-200, Respecting Land Located at 630 Stone Church Road West, Hamilton
ZAR-19-003
Ward: 14

- 20-030 Not Final and Binding
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
Not Final and Binding
- 20-031 To Confirm the Proceedings of City Council

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

- NOT PRESENT - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- NOT PRESENT - Ward 3 Councillor Nrinder Nann
- NOT PRESENT - 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 - Deputy Mayor - Ward 8 Councillor John-Paul Danko
- YES - 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
- YES - Ward 9 Councillor Brad Clark

(Farr/Collins)

That, there being no further business, City Council be adjourned at 7:57 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk

Pilon, Janet

Subject: Letter and Resolution in Support of Bill 156 - Security from Trespass and Protecting Food Safety Act, 2019

From: Jill Bellchamber-glazier <jbellechamber-glazier@southwestmiddlesex.ca>

Sent: February 13, 2020 4:27 PM

Subject: Letter and Resolution in Support of Bill 156 - Security from Trespass and Protecting Food Safety Act, 2019

Dear Premier Ford and Minister Hardeman,

Southwest Middlesex Council recently adopted a resolution in support of Bill 156, with the request that the Bill be expanded to include grain farms and grain farm producers.

The resolution is attached for your consideration.

Sincerely,

Jillene Bellchamber-Glazier, MPA
Chief Administrative Officer-Clerk
Municipality of Southwest Middlesex
519.287.2015 ext. 109 cell: 519.494.0010
cao@southwestmiddlesex.ca



February 13, 2020

To:

The Honourable Doug Ford, Premier of Ontario,
The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs,
The Honourable Steve Clark, Minister of Municipal Affairs and Housing,
Andrea Horwath, Leader of the New Democratic Party of Ontario,
John Fraser, Interim Leader of the Liberal Party of Ontario,
Mike Schreiner, Leader of the Green Party of Ontario,
Monte McNaughton, MPP, Middlesex-Kent;
Association of Municipalities of Ontario; and
Ontario municipalities

RE: Southwest Middlesex Resolution regarding Government Bill 156

Please be advised that at its February 12, 2020 meeting, the Council of the Municipality of Southwest Middlesex passed the following resolution regarding Bill 156, *Security from Trespass and Protecting Food Safety Act, 2019*:

Moved by Councillor McGill
Seconded by Councillor Cowell

Whereas the Provincial Government of Ontario is considering Bill 156, *Security from Trespass and Protecting Food Safety Act, 2019*; and

Whereas Bill 156 is intended to protect farms, farm operations, and food safety and security by addressing unwanted trespassing; and

Whereas Ontario farmers are increasingly under threat of unwanted trespassers who are illegally entering property, barns and buildings, and safety of drivers of motor vehicles transporting farm animals which threatens the health and safety of the farm, employees, livestock and crops; and

Whereas additional protection for the agri-food industry to protect the security of the food chain, the farm owners, family and employees is the purpose of the *Security from Trespass and Protecting Food Safety Act, 2019*; and

Whereas unwanted trespassing occurs on all types of farm operations, including grain farmers, which has the potential to impact the safety and security of people and the food chain;

Now Therefore Be It Resolved That the Municipality of Southwest Middlesex supports the intent of Bill 156 and requests that the Province of Ontario expanding Bill 156 to identify and include protections against trespass for grain farm operations; and

That a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, Andrea Horwath, Leader of the New Democratic Party of Ontario, John Fraser, Interim Leader of the Liberal Party of Ontario, Mike Schreiner, Leader of the Green Party of Ontario, and Monte McNaughton, MPP, Middlesex-Kent; and

That a copy of this motion be sent to the Association of Municipalities of Ontario (AMO), and Ontario municipalities.

Carried

Pilon, Janet

Subject: NPCA Code of Conduct Process

From: Misti Ferrusi <mferrusi@npca.ca>
Sent: February 13, 2020 1:01 PM
To: clerk@hamilton.ca
Cc: Chandra Sharma <csharma@npca.ca>
Subject: NPCA Code of Conduct Process

Good Afternoon

The NPCA Board of Directors has been working over the current term to enhance the transparency and accountability of the organization through good governance practices. One of the areas we are seeking to strengthen is the procedure with which the Board considers Code of Conduct complaints of its Members.

The attached report from the NPCA Governance committee lays out a consideration on dealing with Code of Conduct complaints for NPCA Board Members in a similar manner to which Code of Conduct complaints are handled at the Member's appointing Municipality.

To follow up with this direction, I am requesting a meeting with the relevant parties of your Municipality with myself and CAO Chandra Sharma to gain your feedback and insights into our proposed course of action.

Thank you for your consideration.

Misti Ferrusi, B.A., CHRL
Human Resources Manager
Niagara Peninsula Conservation Authority (NPCA)
250 Thorold Road West, 3rd Floor | Welland, ON L3C 3W2
Tel: 905-788-3135 | extension 232
mferrusi@npca.ca
www.npca.ca

The information contained in this communication, including any attachment(s), may be confidential, is intended only for the use of the recipient(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure of this communication, or any of its contents, is prohibited. If you have received this communication in error, please notify the sender and permanently delete the original and any copy from your computer system. Thank-you. Niagara Peninsula Conservation Authority.



Report To: Board of Directors

Subject: Code of Conduct

Report No: GC-18-19

Date: December 13, 2019

Recommendation:

1. **THAT** Report No. GC-18-19 RE: Code of Conduct **BE RECEIVED** for information.
2. **THAT** the Governance Committee **DIRECT** staff to proceed with conversations relating to Integrity Commissioner services with each of the appointing municipalities.

Purpose:

The purpose of this report is to provide the Governance Committee with further options for consideration regarding investigation of Code of Conduct complaints.

Background:

On October 22, 2019 the Governance Committee directed staff to enter into discussions with appointing municipalities regarding the handling of Code of Conduct complaints regarding board members appointed from that municipality to the NPCA board.

Discussion:

Board Members for the Niagara Peninsula Conservation Authority are bound by the NPCA Code of Conduct. Integrity Commissioners appointed by a municipality are retained in accordance with *The Municipal Act* to investigate alleged breaches of the Code of Conduct of that municipality's Code of Conduct. Further, the NPCA, by definition within Section 1(1) of *The Municipal Act*, the NPCA is not defined as a local board and therefore has no obligation to appoint an Integrity Commissioner and does not fall under jurisdiction of a municipal Integrity Commissioner.

In an effort to align procedures with appointing municipalities and exercise independence and accountability regarding Code of Conduct complaints regarding NPCA board members, the NPCA may enter into a separate agreement with the appointed Integrity Commissioner of each appointing municipality. Furthermore, through agreements with the appointing municipality, the parties can jointly provide the Integrity Commissioner with the ability to decide the jurisdiction of a complaint should it be submitted to one of the parties and act accordingly.

With the appointment of an Integrity Commissioner, the NPCA will be required to update by-laws to ensure all complaints are consistently handled in this manner. The NPCA will also be required to develop a public reporting system for alleged violations of the NPCA Code of Conduct.

Financial Implications:

Any alleged breach of NPCA Code of Conduct will incur costs at the rate of the appointed Integrity Commissioner.

Links to Policy/Strategic Plan:

The Board has been clear in their desire to be transparent, accountable and to work with integrity and honesty. This practice will aid in meeting these objectives.

Authored by:

Original signed by:

Misti Ferrusi, BA, CHRL
Human Resources Manager

Submitted by:

Original signed by:

D. Gayle Wood, BES, CMMIII
Chief Administrative Officer/Secretary-Treasurer

Pilon, Janet

Subject: Proposed regulatory changes under the Aggregate Resources Act

From: Aggregates (MNRF) <Aggregates@ontario.ca>

Sent: February 13, 2020 9:14 AM

To: Keyes, Jennifer (MNRF) <jennifer.keyes@ontario.ca>

Cc: Desroches, Pauline (MNRF) <Pauline.Desroches@ontario.ca>; Zeran, Rebecca (MNRF) <rebecca.zeran@ontario.ca>

Subject: Proposed regulatory changes under the Aggregate Resources Act

Dear Ontario Heads of Council and Clerks,

The Ministry of Natural Resources and Forestry recognizes the critical role Ontario's municipalities play in the lives of Ontarians. We value our strong collaborative partnership with municipalities and the associations that represent their interests.

We want to advise you that the Ministry of Natural Resources and Forestry is proposing changes to the way extraction of aggregate resources are regulated in Ontario, and we are inviting your input on the changes proposed.

The Ministry has gathered perspectives from, industry, municipalities, Indigenous communities, members of the public, and other stakeholders. These proposed changes promote economic growth within the aggregate industry while also maintaining strong protection of the environment and addressing community impacts.

The key areas being proposed for change are summarized below for your convenience. However, we would encourage you to read the details of the proposed regulatory changes which can be found on the Environmental Registry notice# **019-1303** *Proposed amendments to Ontario Regulation 244/97 and the Aggregate Resources of Ontario Provincial Standards under the ARA* located [here](#).

The posting notice can also be viewed by searching for notice#**019-1303** at the following web link:
www.ero.ontario.ca

We encourage you to provide feedback through the Environmental Registry process.

If you have any questions about the proposed changes, please call Rebecca Zeran at (705) 749-8422.

Kind Regards,

Jennifer Keyes

Director, Natural Resources Conservation Policy Branch

Ministry of Natural Resources and Forestry

Proposed regulatory changes include:

For new pits and quarries:

- enhancing the information required to be included in summary statements and technical reports at the time of application

- improving flexibility in how some standard site plan requirements can be implemented and modernizing how site plans are created
- creating better consistency of site plan requirements between private and Crown land and better alignment with other policy frameworks
- updating the list of qualified professionals who can prepare Class A site plans
- updating the required conditions that must be attached to a newly issued licence or permit
- adjusting notification and consultation timeframes for new pit and quarry applications
- changing and clarifying some aspects of the required notification process for new applications
- updating the objection process to clarify the process
- updating which agencies are to be circulated new pit and quarry applications for comment

For existing pits and quarries:

- making some requirements related to dust and blasting apply to all existing and new pits and quarries (requirements which were previously only applied to new applications)
- updating and enhancing some operating requirements that apply to all pits and quarries, including new requirements related to dust management and storage of recycled aggregate materials
- providing consistency on compliance reporting requirements, while reducing burdens for inactive sites
- enhancing reporting on rehabilitation by requiring more context and detail on where, when and how rehabilitation is or has been undertaken
- clarifying application requirements for site plan amendments
- outlining requirements for amendment applications to expand an existing site into an adjacent road allowance
- outlining requirements for amendment applications to expand an existing site below the water table
- setting out eligibility criteria and requirements to allow operators to self-file changes to existing site plans for some routine activities without requiring approval from the ministry (subject to conditions set out in regulation)

Allowing minor extraction for personal or farm use:

- outlining eligibility and operating requirements in order for some excavation activities to be exempted from needing a licence (i.e., if rules set in regulation are followed). This would only be for personal use (max. of 300 cubic meters) or farm use (max. 1,000 cubic meters)

**Ministry of Government and
Consumer Services**

**Ministère des Services
gouvernementaux et des
Services aux consommateurs**



Office of the Minister

Bureau du ministre

5th Floor, 777 Bay Street
Toronto ON M5B 2H7
Tel.: 416 212-2665
TTY: 416 915-0001

5^e étage, 777, rue Bay
Toronto ON M5B 2H7
Tél. : 416 212-2665
ATS : 416 915-0001

FEB 10 2020

996-2019-1500

Ms. Andrea Holland
City Clerk
City of Hamilton
71 Main Street West
Hamilton, ON L8P 4Y5

Dear Ms. Holland:

Thank you for sharing the City of Hamilton's council motion number 7.1, entitled Geographic Information System (GIS) Access for Councillors. I appreciate the time you have taken to send this to me and welcome the opportunity to respond. I regret that I was unable to reply sooner.

As your motion concerns a municipal matter, I have reached out to the Ministry of Municipal Affairs and Housing (MMAH). The City of Hamilton's GIS system — extended to allow councillors access in the past — is separate from the Ontario government's GIS system. Maintained by MMAH, Ontario's system is not connected to the internet and is inaccessible to those outside of the Ontario Public Service.

As you may be aware, the Municipal Freedom of Information and Protection of Privacy Act provides rules for the collection, use and disclosure of personal information by municipal institutions.

The Hamilton City Council may want to consider the following provisions when weighing access to databases:

- The decision to grant access to a municipal database remains with the institution that has custody and control of the database. The law allows institutions to use and disclose personal information if the person to whom the information relates has consented to its use, and disclosure and/or where its use and disclosure are consistent with the purpose indicated in the notice of collection.

.../2

- The law provides that an institution may use or disclose personal information internally for purposes other than those stated at collection. This includes where the record is necessary for the proper discharge of an institution's functions, and where the record is needed by an officer, employee, consultant or agent of an institution for the performance of their duties.
- By law, records may not be disclosed if their disclosure is an unjustified invasion of personal privacy unless public interest outweighs the individual's privacy interest.
- An institution is required to provide written notice to affected parties if a record to be disclosed contains personal information. Under these circumstances, parties are given the opportunity to make representations to the institution about the proposed disclosure of records that affect them.

The Information and Privacy Commissioner of Ontario has a mandate to review the decisions and practices of government institutions concerning access to information and the protection of privacy when collecting, using and disclosing personal information under the legislation. If you require further information regarding Ontario's access and privacy legislation, I invite you to contact the Information, Privacy and Archives Division at access.privacy@ontario.ca.

I have also shared a copy of your letter with my colleague the Honourable Steve Clark, Minister of Municipal Affairs and Housing, for his information.

Thank you again for sharing your motion and I hope this information is helpful. Please accept my best wishes.

Sincerely,



The Honourable Lisa Thompson
Minister of Government and Consumer Services

c: The Honourable Steve Clark, Minister of Municipal Affairs and Housing

OFFICE OF THE CITY CLERK	
FEB 14 2020	
REFD TO	<u>Council</u>
REFD TO	<u>Feb 26</u>
REFD TO	
ACTION	<u>Refer to GM Corp Ser</u> <u>+ report back to CMC</u> <u>with an update</u>
	

Pilon, Janet

Subject: Applications for Amendments to By-laws etc at 461 Green Road, Stoney Creek

From: Sue Banting

Sent: Monday, February 17, 2020 12:12 PM

To: Vrooman, Tim <Tim.Vrooman@hamilton.ca>

Subject: Applications for Amendments to By-laws etc at 461 Green Road, Stoney Creek

Greetings on Family Day

I am emailing you my comments and concerns as I will not be able to attend the Planning Committee meeting on Tuesday as I have work hours to see to.

I would however, like to thank you for the heads-up and acknowledgement of my past communication.

I have read the numerous pages that you sent and now my concerns are even stronger concerning the negative impact the proposed building will have on my neighborhood, both for me personally (traffic congestion mostly) and my neighbors who will have this monstrosity in their back yards. It seems to me that if anyone on the Planning Committee lived in my neighborhood, they would also be against this proposal. I foresee extra costs being assessed to my neighborhood Re: Sewers and roads.

Lastly, I can only wonder why this important meeting is not during hours when a working person could attend.

Hoping for the best and expecting the worst,

Sue Banting

301 Frances Ave

Stoney Creek

Pilon, Janet

Subject: Correspondence to all councillors

From: Don McLean
Sent: February 19, 2020 9:27 AM
To: clerk@hamilton.ca
Subject: Correspondence to all councillors

Hi,

Can the following be added to the public record. I've emailed it to all councillors but been advised that sending it to you will also put it in the public record. Please confirm. Thank you.

Don

Dear councillors,

Again the late posting of agenda changes for tomorrow's meeting handicaps citizen responses (since citizen's had to apply by noon today). Consequently I urge General Issues Committee to postpone any decision to withdraw from intervention at the Ontario Energy Board in the matter of the Enbridge fracked gas pipeline.

The letter which Enbridge has submitted (item 5.1) I would suggest is deeply misleading, especially regarding the source of the additional gas that Enbridge hopes to fill this brand new pipe, and the market it believes will consume this extra flow.

Councillors who are part of Public Works Committee will recall an Enbridge spokesperson addressing the committee on June 17 and being asked where the gas was coming from. He replied without hesitation that most of it is coming from Pennsylvania and is fracked. Now Enbridge is trying to hide this basic fact about its pipeline even though that is repeatedly confirmed in the actual application that Enbridge has filed with the Ontario Energy Board.

The full application is posted on the OEB website at <http://www.rds.oeb.ca/HPECMWebDrawer/Record?q=CaseNumber%3DEB-2019-0159&sortBy=recRegisteredOn-&pageSize=400> Here are some excerpts from that application (with page numbers). Highlighting is mine.

Don McLean

35 – market demand - Demand for lower cost unconventional production in Ontario, Québec, the Maritimes and the U.S. Northeast is driving the need to develop new infrastructure to deliver this supply to markets. New infrastructure, such as NEXUS, Rover and Vector, has been built upstream of the Dawn Parkway System to accommodate this demand for lower cost production, **and the proposed Project is required to deliver this incremental supply to markets in Ontario and beyond.**

36 - the major natural gas market changes currently underway provide incentives over the long term for utilities and other large gas customers in Ontario and Québec, and the U.S. Northeast to continue to hold pipeline capacity in Ontario and to increase reliance on supplies from the Marcellus/Utica shale.

39 - annual production from U.S. and Canadian shale formations is expected to grow from about 68.1 PJ/d (approximately two thirds of total production) in 2018 to nearly 125.3 PJ/d (approximately 85% of total production) by 2040.10

41 - In 2018, natural gas production from the Utica and Marcellus natural gas shale formations began to enter Canada at the Dawn Hub through the Rover and NEXUS pipelines (via Vector and other Ontario-Michigan interconnects), displacing volumes of natural gas from Chicago previously delivered to the Dawn Hub via Vector.

46 - ICF concludes and Enbridge Gas affirms, that continued expansion of pipeline capacity in Ontario is critical to allow markets in Ontario, Québec, the Maritimes and the U.S. Northeast to diversify gas supply portfolios and to access cost effective supply through increased access to natural gas from the Dawn Hub and increased access to cost competitive natural gas from the WCSB and the Appalachian Basin.16

52 – ICF report starts

57 - The acceleration of climate change policy initiatives combined with infrastructure

development concerns that are slowing current development of new pipeline

infrastructure in the Northeastern U.S. have the potential to impact long term natural gas

demand and the development of natural gas markets.

59 - Based on our analysis, ICF concludes that the major natural gas market changes currently

underway provide incentives over the long term for utilities and other large gas customers in

Ontario and Québec, and the U.S. Northeast to continue to hold pipeline capacity in Ontario and

to increase reliance on supplies from the Marcellus/Utica shale. The Dawn Parkway System

provides economic access to these supplies at a liquid trading hub with significant pipeline and

storage infrastructure to ensure operational flexibility.

59 - The lack of new pipeline development into the U.S. Northeast limits growth in

direct access to these markets for Marcellus/Utica gas. ..., Increasing demand, and especially peak demand, in eastern Canada and the U.S. Northeast, coupled with limitations on pipeline development in New York and New England, makes Dawn an important transportation and storage location for Marcellus/Utica gas destined for those markets.

59- Climate change policy in the Northeastern US, Ontario and Québec is expected to limit

growth in annual natural gas demand. However, the lack of new pipeline development in

New York and New England is expected to ensure that existing pipeline capacity will

continue to be highly valued and utilized, particularly during peak periods, through 2040.

61 - Growth in natural gas demand will be supported by nuclear generation units'

refurbishment schedules throughout the 2020s and by the retirement of 3GW of nuclear

capacity at Pickering before 2025.

61 - In Canada, the majority of the industrial gas demand increase is from the development of the western Canadian oil sands. Excluding natural gas use for oil sands, the growth in industrial sector gas demand in the ICF Base Case is relatively small, as reducing energy intensity (i.e., energy input per unit of industrial output) remains a top priority for manufacturers.

66 - ICF believes that the recent slowdown in production is a temporary phenomenon and the production is expected to rebound as there is an abundant amount of cheap shale gas resource in the Marcellus and Utica that can be recovered at the current natural gas prices.

73 - Historically, considerable volumes of gas flowed from Ontario into the U.S. Northeast through three major pipeline paths: at Niagara (via TC Energy) into New York; at Iroquois (via TC Energy) into New York; and at East Hereford (via TC Energy) into New Hampshire. In the past several years, on an average annual basis, the flow of natural gas has reversed at Niagara.

73 - The growth in Marcellus and Utica shale gas production in the Appalachian Basin (primarily Pennsylvania, West Virginia, and Ohio) displaced gas that once was imported into New York from Ontario via Niagara, and from pipelines from the Gulf Coast. In effect, the Appalachian Basin became a major producer of gas and supplies gas to consumers throughout the eastern North America.

77 - Natural gas consumption in Ontario is expected to experience modest growth, led by expanding use in the power sector Growth in other end-use sectors will remain modest, as energy efficiency improvements offset the impact of GDP growth on residential and commercial sector demand.

78 - Currently, gas flow destined for Québec, Waddington (Iroquois), and East Hereford (PNGTS) from the Marcellus/Utica are routed through Dawn and Ontario due to the challenges associated with development of pipeline capacity directly from the Marcellus/Utica into New York and New England, as well as the access to the Dawn Hub and storage capacity in Ontario and Michigan.

84 - The growth in natural gas production in the U.S. Northeast is changing the natural gas supply balance throughout the U.S. Northeast and U.S. Midwest and into Ontario, leading to an

increase in the demand for pipeline capacity on the Dawn Parkway System.

As Marcellus and Utica production increases, natural gas prices in Appalachia are expected to decline relative to other producing regions, resulting in significant incentives to flow gas from the U.S. Northeast into Ontario through Niagara and Dawn, and the U.S. Midwest as well as south into the U.S. Mid-Atlantic and U.S. Gulf Coast.

85 - Much of the new infrastructure needed to move natural gas from the Marcellus and Utica plays to the Midwest and Ontario, for example, was provided by the NEXUS and Rover pipelines. **Additional infrastructure is needed in Ontario, however, to meet growing demand in New York, New England, Québec, and the Canadian Maritimes.**

86 - and the difficulty in building new or expanded pipeline capacity into certain U.S. Northeast markets provide sound reasons for U.S. Northeast utilities to continue to hold capacity on the Dawn Parkway System.

... Over the past few years, New York and many states within New England have been denying pipeline expansion projects and greenfield pipelines the permits that they need to begin construction. ICF expects these regulatory hurdles to remain indefinitely. Because of this, **Marcellus/Utica gas supplies for New York, New England and the Canadian Maritimes provinces will continue to flow through Dawn and Ontario before being re-imported at Waddington and East Hereford.** ... any new pipeline capacity into the U.S. Northeast is expected to be expensive, be difficult to site, and have unpredictable timing.

87 - ICF expects storage at Dawn to continue to have significant value to the U.S. Northeast utilities. ... In addition, growth in natural gas demand in the Northeastern U.S. is expected to continue due to increased reliance on natural gas for power generation, as well as residential and commercial demand growth.

88 - The pipelines that serve New York and New England via New York are fully contracted and flow at capacity during peak periods. Recent attempts at expanding those pipelines have been met with local and regional resistance.

89 - Overall, recent changes in energy policy in the Northeast US related to climate change mitigation efforts may have a significant long term impact on natural gas demand in the U.S. Northeast, impacting the need for Ontario pipeline capacity. These changes include efforts in

New York and other states and localities to promote a transition away from hydrocarbon fuels.

1) Power generation gas demand in ICF's forecast could be lower than expected. Climate change policy is likely to lead to growth in renewable generation, and potential declines in annual system throughput. ICF's forecast accounts for current and expected climate change policy changes, as well as commitments to develop new renewable capacity in New England and the U.S. Northeast. Based on our analysis of these issues, current peak gas demand levels are expected to persist.

92 - Climate change policy in the Northeastern US, Ontario and Québec is expected to hold down growth in annual natural gas demand. However, the lack of new pipeline development in New York and New England is expected to ensure that existing pipeline capacity will continue to be highly valued and utilized, particularly during peak periods, through 2040.



An agency of the Government of Ontario

10 Adelaide Street East
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Fax : 416-325-5071
www.heritagetrust.on.ca

February 19, 2020

Mayor Fred Eisenberger and Members of Council
Mayor's Office
City of Hamilton
71 Main Street West, 2nd Floor
Hamilton, Ontario L8P 4Y5

Delivered by email

Dear Mayor and Members of Council:

On February 12 the City of Hamilton shared with the Trust the report on the Proposal for the Adaptive Reuse of Balfour House/Chedoke Estate being considered by the City of Hamilton's General Issues Committee on February 19. The recommendations in this report are contrary to the existing agreement between the City of Hamilton and the Trust.

The Trust does not support the recommendations that the City of Hamilton step out of negotiations with the proponent and asks the Trust to act in their stead. As you know, the Trust and the City of Hamilton entered into an agreement in 1979 whereby the Trust granted possession and control of the Balfour House/Chedoke Estate to the City and the City agreed to develop, maintain, preserve, administer and supervise the property in the same manner, to the same standard and for the same general purposes as the City does for similar lands that it owns or administers. Under this agreement, the City of Hamilton is responsible for negotiating any sub-leases. The Trust's role would be limited to approval authority of the sub-lease and of any alterations to the building or property.

As indicated in letters of August 1, 2019, December 16, 2019, and February 18, 2020, which are attached, the Trust is prepared to work with City of Hamilton staff in their discussions with the proponent. We are not prepared to lead those discussions on behalf of the City of Hamilton. Before the Trust joins these discussions, we require fundamental information related to Ontario Building Code compliance that is missing from the proposal.

I also refer you to the report from EVOQ which was prepared for the City of Hamilton that recommends both a detailed assessment of the required building code upgrades and interventions, and the development of a cohesive conservation plan.

The Trust will require this information related to Ontario Building Code compliance and the written concurrence of the City's Chief Building Official before undertaking further review and before approving any sub-lease arrangement.

We value our partnership with the City of Hamilton and look forward to continuing to work with City staff to support the conservation of Chedoke Estate.

Yours sincerely,



Beth Hanna
Chief Executive Officer

Copy: Jason Thorne, GM Planning & Economic Development, City of Hamilton
Carrie Brooks-Joiner, Director, Tourism & Culture, City of Hamilton

Enc.



An agency of the Government of Ontario

10 Adelaide Street East
Toronto, Ontario M5C 1J3

Telephone: 416-325-5000
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www.heritagetrust.on.ca

August 1, 2019

Ian Kerr-Wilson
Manager, Heritage Resource Management
City of Hamilton
71 Main Street West
Hamilton, Ontario L8P 4Y5

Dear Mr. Kerr-Wilson:

I am following up on recent discussions between Trust staff and City staff with respect to a proposal for the Chedoke Estate, which is owned by the Ontario Heritage Trust. The Trust has a good relationship with the City of Hamilton, built in part through the management of numerous heritage cultural easements. We are also pleased to have a longstanding operating agreement with the City of Hamilton for the preservation of the Chedoke Estate. The work that the City has done to conserve the physical heritage resources of the site and recently to introduce low-impact uses bodes well for the long-term integrity of the property. The preservation of the lands and premises including the historical, architectural and aesthetic character of the buildings is the Trust's overall goal.

The Trust has recently been provided a copy of a proposal from the charitable organization Cardus to the City of Hamilton for an adaptive re-use project at Chedoke Estate. It envisions converting the building to a retreat, with an as-yet-to-be-determined combination of short-term residential lodging, meeting space, office use and support facilities. The proposed term of occupancy is through 2039. Although it is still at a conceptual stage, the proposal would represent a milestone change in the evolution of Chedoke worthy of circumspect consideration.

In the Trust's experience, the conversion of a residential building to public use usually requires substantial physical interventions to meet regulatory health and safety, building code, access and amenities required of a public building. Precise detail of program uses is key to determining whether a proposed use is compatible or detrimental to the heritage building being adapted. The information provided in the Cardus proposal is not sufficient for the Trust to make this determination.

Should the City of Hamilton choose to pursue further investigation of the Cardus proposal, the Trust would commit to provide additional review and comments as required. However, further consideration by the Trust would require that the following conditions be met.

- The City will continue to be the Trust's operating partner and shall retain control of the property for the duration of the agreement.
- Planning, design and construction associated with the adaptive re-use must conform with Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada. The Trust has adopted these standards for all work undertaken at Trust-owned heritage sites.

.../2

- Pursuant to the current operating agreement between the Ontario Heritage Trust and the City of Hamilton, and by established precedent, the City must be the Project Manager for any work undertaken, working in cooperation with the Trust as the approval authority.
- The prime consultant for the project must be an architect with demonstrated experience in conservation work at national historic sites, managing an interdisciplinary team of sub-consultants having similar experience.

The Trust appreciates the need to develop viable new uses for Chedoke Estate and we look forward to working with city staff towards that end.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Wayne Kelly', is written above the typed name.

Wayne Kelly
Director, Heritage Programs and Operations



An agency of the Government of Ontario

10 Adelaide Street East
Toronto, Ontario M5C 1J3

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www.heritagetrust.on.ca

December 16, 2019

Jason Thorne
GM Planning & Economic Development
City of Hamilton
71 Main Street West, 7th Floor
Hamilton, Ontario L8P 4Y5

Dear Mr. Thorne:

On November 20, 2019, the Ontario Heritage Trust (Trust) received a copy of the Functional Plan submitted to the City of Hamilton (City) on November 15, 2019 by Cardus in support of their proposal to adapt the Chedoke Estate in Hamilton to their administrative headquarters. The Trust understands that the City's General Issues Committee passed a motion on September 18, 2019 that directed City staff to seek a preliminary opinion from the Trust on the proposal to identify any preliminary or potential concerns that the Trust may have with the proposed use.

In our letter of August 1, 2019 to the Manager of Heritage Resource Management, the Trust agreed to provide additional review and comment on this proposal provided that certain conditions were met. These conditions include:

- The City will continue to be the Trust's operating partner and shall retain control of the property for the duration of the agreement.
- Planning, design and construction associated with the adaptive re-use must conform with Parks Canada's *Standards and Guidelines for the Conservation of Historic Places in Canada*. The Trust has adopted these standards for all work undertaken at Trust-owned heritage sites.
- Pursuant to the current operating agreement between the Ontario Heritage Trust and the City of Hamilton, and by established precedent, the City must be the Project Manager for any work undertaken, working in cooperation with the Trust as the approval authority.
- The prime consultant for the project must be an architect with demonstrated experience in conservation work at national historic sites, managing an inter-disciplinary team of sub-consultants having similar experience.

The Trust requires clarity from the City on how these conditions will be met.

The Trust has a mandate to protect Ontario's rich and diverse cultural and natural heritage. The Trust has adopted the *Standards and Guidelines for the Conservation of Historic Places in Canada* and respects international charters for the conservation of cultural heritage resources including the Appleton and Burra charters, and as a prescribed public body under Part III.1 of the Ontario Heritage Act, the Trust complies with the *Standards and Guidelines for the Conservation of Provincial Heritage Properties*.

The Trust has prepared a set of guiding principles for Chedoke that will be used in reviewing this proposal to ensure the conservation of the property's heritage values. These principles are as follows:

- Significant architectural, archaeological, natural heritage and cultural landscape features of the property shall be conserved, including the picturesque landscape that depends on the deliberate placement of landscape features, groupings of trees and vegetation, and open lawn. Alterations to heritage features must take into consideration the integrated nature of these components and respect and protect their heritage values.
- Opportunities for revenue generation and new operating models will be considered, but not at the expense of the site's heritage value.
- A range of public education and interpretative opportunities that meet the highest standards are inclusive and respect all periods of the site's history should be provided.
- Public access to the property should be encouraged and provided where it is appropriate.
- Indigenous engagement shall be incorporated into any planning and decision-making for the property.
- Collections associated with the property shall be protected and housed on-site with opportunities for interpretation and access.
- Decisions regarding use and any changes to the property shall be undertaken in a collaborative and inclusive manner that takes into consideration the objectives and goals of the parties and stakeholders involved.

The Trust has completed a preliminary review of the Functional Plan provided on November 20, 2019.

The Functional Plan proposes converting Chedoke House into the proponent's administrative headquarters with conference facilities and a retreat centre including limited overnight accommodation. The plan proposes the use of all three floors with a maximum occupancy of 72 persons. This represents a significant intensification of use for what is currently and has historically been a single-family residential building.

Fundamental information is missing from the Functional Plan related to the Ontario Building Code compliance, including fire safety and accessibility. These are not details that can be addressed at a later date. The Trust will require this information and the written concurrence of the Chief Building Official before undertaking further review and before approving any sub-lease arrangement between the City and the proponent.

In summary, the Trust does not have sufficient information at this time to complete a full review of the proposal. The Trust requires clarity and more detailed analysis on how the conditions communicated to the City on August 1, 2019 will be met.

We look forward to your written response addressing the concerns and requirements contained in this letter.

Regards,



Beth Hanna
Chief Executive Officer

Copy: Carrie Brooks-Joiner, Director, Tourism & Culture, City of Hamilton



An agency of the Government of Ontario

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Toronto, Ontario M5C 1J3

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February 18, 2020

Jason Thorne
GM Planning & Economic Development
City of Hamilton
71 Main Street West, 7th Floor
Hamilton, Ontario L8P 4Y5

Delivered by email

Dear Mr. Thorne:

On February 12 the City of Hamilton shared with the Trust the report on the Proposal for the Adaptive Reuse of Balfour House/Chedoke Estate being considered by the City of Hamilton's General Issues Committee on February 19. The recommendations in this report are contrary to the existing agreement between the City of Hamilton and the Trust.

The Trust does not support the recommendations that the City of Hamilton step out of negotiations with the proponent and asks the Trust to act in their stead. As you know, the Trust and the City of Hamilton entered into an agreement in 1979 whereby the Trust granted possession and control of the Balfour House/Chedoke Estate to the City and the City agreed to develop, maintain, preserve, administer and supervise the property in the same manner, to the same standard and for the same general purposes as the City does for similar lands that it owns or administers. Under this agreement, the City of Hamilton is responsible for negotiating any sub-leases. The Trust's role would be limited to approval authority of the sub-lease and of any alterations to the building or property.

As indicated in letters of August 1, 2019 and December 16, 2019, the Trust is prepared to work with City of Hamilton staff in their discussions with the proponent. We are not prepared to lead those discussions on behalf of the City of Hamilton. Before the Trust joins these discussions, we require fundamental information related to Ontario Building Code compliance that is missing from the proposal.

I also refer you to the report from EVOQ which was prepared for the City of Hamilton that recommends both a detailed assessment of the required building code upgrades and interventions, and the development of a cohesive conservation plan.

The Trust will require this information related to Ontario Building Code compliance and the written concurrence of the City's Chief Building Official before undertaking further review and before approving any sub-lease arrangement.

Yours sincerely,



Beth Hanna
Chief Executive Officer

Copy: Carrie Brooks-Joiner, Director, Tourism & Culture, City of Hamilton

Enc.



SPECIAL GENERAL ISSUES COMMITTEE REPORT 20-006

12:57 p.m.

Thursday, February 13, 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, B. Johnson,
A. VanderBeek, J. Partridge

Absent: Councillors T. Whitehead, L. Ferguson – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 20-006, AND RESPECTFULLY RECOMMENDS:

**1. Chedoke Creek Ministry Order Update (PW19008(g)/LS19004(g)) (City Wide)
(Item 6.1)**

- (a) That Report PW19008(g)/LS19004(g), respecting the Chedoke Creek Ministry Order Update, be received; and,
- (b) That the Legal Opinion of Rosalind Cooper, attached as Appendix “B” to Report PW19008(g)/LS19004(g), respecting the Chedoke Creek Ministry Order Update, regarding the ongoing investigation and potential litigation remain confidential and not be released as a public document.

2. Chedoke Creek Spill Update (PW19008(f)) (City Wide) (Item 7.1)

That Report PW19008(f), respecting the Chedoke Creek Spill Update, be received.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

6. STAFF PRESENTATIONS

- 6.1 Chedoke Creek Ministry Order Update (PW19008(g) / LS19004(g))
(City Wide)

7. DISCUSSION ITEMS

- 7.1 Potential Regulatory Litigation Update (PW19008(f)) (City Wide)

The title for Report PW19008(f) has been changed to better reflect the content, and now reads "**Chedoke Creek Spill Update**" rather than "Potential Regulatory Litigation Update".

10. PRIVATE & CONFIDENTIAL

- 10.1 Appendix "B" to Report PW19008(g)/LS19004(g), respecting the Chedoke Creek Ministry Order Update

The agenda for the February 13, 2020 Special General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) STAFF PRESENTATIONS (Item 6)

- (i) Chedoke Creek Ministry Order Update (PW19008(g) / LS19004(g))
(City Wide) (Item 6.1)**

Dan McKinnon, General Manager of Public Works; and, Gord Wicher, of SLR Consultants, provided a PowerPoint presentation respecting Report PW19008(g) / LS19004(g) - Chedoke Creek Ministry Order Update.

The presentation, respecting Report PW19008(g) / LS19004(g) - Chedoke Creek Ministry Order Update, was received.

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

To view the video presentation, please refer to the link below:

<https://youtu.be/RMhGtxJGhul>

Consideration of Report PW19008(g)/LS19004(g) - Chedoke Creek Ministry Order Update, was DEFERRED until Committee reconvenes in Open Session.

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

Committee moved into Closed Session respecting Item 10.1, pursuant to Section 8.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 18-270, *as amended*; and, Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act, 2001; as amended*, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client 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.

(d) ADJOURNMENT (Item 15)

There being no further business, the General Issues Committee adjourned at 4:41 p.m.

Respectfully submitted,

Deputy Mayor J. P. Danko
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk



**PLANNING COMMITTEE
REPORT**

20-003

February 18, 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, B. Johnson and M. Wilson

Absent with Regrets: Councillor T. Whitehead – Personal

THE PLANNING COMMITTEE PRESENTS REPORT 20-003 AND RESPECTFULLY RECOMMENDS:

1. **Applications for Amendments to the Urban Hamilton Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 461 Green Road (Stoney Creek) (PED20043) (Ward 10) (Item 8.1)**
 - (a) That Urban Hamilton Official Plan Amendment Application UHOPA-18-013, by IBI Group (c/o Jared Marcus, Applicant) on behalf of 1426689 Ontario Inc. (Owner) to add a site specific policy in order to permit a 14-storey 260 unit multiple dwelling with a maximum net residential density of 349 units per hectare, for lands located at 461 Green Road, Stoney Creek, as shown on Appendix "A" to Report PED20043, be APPROVED on the following basis:
 - (i) That the draft Official Plan Amendment attached as Appendix "B" to Report PED20043, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2014) and conforms to A Place to Grow (2019).
 - (b) That Revised Zoning By-law Amendment Application ZAC-18-034, by IBI Group (c/o Jared Marcus, Applicant) on behalf of 1426689 Ontario Inc.

(Owner) to change the zoning from the Community Commercial (C3) Zone to the Mixed Use Medium Density (C5, 669, H34) Zone, in order to permit a 14-storey mixed use development with 465 m² of ground floor commercial space and 260 multiple dwelling units with on-site amenities, 97 surface parking spaces, and 293 underground parking spaces, for lands located at 461 Green Road, Stoney Creek, as shown on Appendix “A” to Report PED20043, be APPROVED on the following basis:

- (i) That the draft By-law attached as Appendix “C” to Report PED20043, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject property by introducing the Holding symbol ‘H34’ to the proposed Mixed Use Medium Density (C5, 669) Zone. The Holding Provision ‘H34’ is to be removed to allow for the development of a 14-storey mixed use development with 465 m² of ground floor commercial space and 260 dwelling units, conditional upon:
 - 1. The necessary upgrades to the sanitary sewers to accommodate additional flows are completed to the satisfaction of the Senior Director of Growth Management;
 - 2. A final Traffic Impact Study prepared by a qualified Traffic Engineer is submitted, approved, and implemented, to the satisfaction of the Manager of Transportation Planning; and,
 - 3. The Owner has acquired additional lands required for access along the Green Road frontage, to the satisfaction of the Ontario Ministry of Transportation.
 - (iii) That the proposed amendment is consistent with the Provincial Policy Statement (2014) and conforms to A Place to Grow (2019); and,
 - (iv) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX.
- (c) That upon approval of Urban Hamilton Official Plan Amendment Application UHOPA-18-013 and Zoning By-law Amendment Application ZAC-18-034, the subject lands be re-designated from “Local Commercial” to “High Density Residential” in the Lakeshore Neighbourhood Plan.
- (d) That public submissions received regarding this matter did not affect the decision.

2. Effect of Heritage Designations on Property Values in Hamilton (PED20030) (City Wide) (Item 10.1)

That Report PED20030, respecting Effect of Heritage Designations on Property Values in Hamilton, be received.

3. Business Licensing By-law 07-170 - Amendments to the Adult Entertainment (Schedule 1) and Body-Rub Parlours (Schedule 4) (PED20045) (City Wide) (Item 10.2)

- (a) That the amendment to the City of Hamilton Business Licensing By-law 07-170 be amended to delete Map 2 in Schedule 1 (Adult Entertainment) and Schedule 4 (Body-Rub Parlours) described in Report PED20045, 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 PED20045, which has been prepared in a form satisfactory to the City Solicitor be enacted by Council.

4. Dedicated Mohawk College Enforcement (PED18220(a)) (City Wide) (Item 10.3)

- (a) That the 12-month extension of the temporary Parking Enforcement Officer at an estimated gross annual cost of \$85,300 offset by fine revenues generated for a net annual cost of \$0, be approved; and,
- (b) That the temporary Parking Enforcement Officer supplement City-wide Parking enforcement, in addition to the enforcement efforts in the Mohawk College Precinct, be approved; and,
- (c) That staff report back with results and recommendations following the 12-months at the end of Q1 2021.

5. Temporary Use of Parking Sites to Accommodate Construction at 18-25 King Street East, Hamilton (Item 11.1)

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 lose 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.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. PUBLIC HEARINGS/DELEGATIONS (Item 8)

- 8.1 (a) Application for Zoning By-law Amendment for Lands Located at 184 and 186 Markland Street, Hamilton (PED20016) (Ward 2)

Added Written Submissions:

- (ix) Alison Cruickshank
- (x) Doug and Pat Stanford
- (xi) Lenore Kummel
- (xii) Terylene McClelland
- (xiii) Debbie Martin
- (xiv) Judith A. Duncan
- (xv) Henry Kamphuis
- (xvi) Frank Jalsevac
- (xvii) Dave and Dianne MacLean
- (xviii) Colleen Saunders
- (xix) Sherry Hayes and Dennis Facia

The agenda for the February 18, 2020 meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Collins declared an interest with Item 10.3, Dedicated Mohawk College Enforcement, as his spouse co-authored the report.

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

(i) February 4, 2020 (Item 4.1)

The Minutes of the February 4, 2020 meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) John Schuurman respecting City of Ottawa's Planning Department Initiative – Building Better and Smarter Suburbs Action Plan (For the March 24th meeting) (Item 6.1)

The Delegation Request from John Schuurman respecting City of Ottawa's Planning Department Initiative – Building Better and Smarter Suburbs Action Plan, was approved for the March 24, 2020 meeting.

(e) PUBLIC HEARINGS/DELEGATIONS (Item 8)

(i) Applications for Amendments to the Urban Hamilton Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 461 Green Road (Stoney Creek) (PED20043) (Ward 10) (Item 8.1)

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 Urban Hamilton Official Plan or Zoning By-law Amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Local Planning Appeal Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

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 support for the staff report. 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.

Delegations:

- (i) Frank Jalsevac, 301 Frances Avenue, addressed the Committee and expressed concerns with the proposal.
- (ii) Sayanthan Radhakrishnan, 124 Frances Avenue, addressed the Committee and expressed concerns with the proposal.

The delegations above, were received.

The following written submissions were received:

- 8.1 (a)(i) Stan F. Kurak
- (ii) Linda McManus
- (iii) Diane Milburn
- (iv) Valerie Gardner and Peter Miller
- (v) Janice Mortimer
- (vi) Doreen Guindon
- (vii) Russell Pape
- (viii) Mark Lunt
- (ix) Alison Cruickshank
- (x) Doug and Pat Stanford
- (xi) Lenore Kummel
- (xii) Terylene McClelland
- (xiii) Debbie Martin
- (xiv) Judith A. Duncan
- (xv) Henry Kamphuis
- (xvi) Frank Jalsevac
- (xvii) Dave and Dianne MacLean
- (xviii) Colleen Saunders
- (xix) Sherry Hayes and Dennis Facia

The public meeting was closed.

The recommendations in Report PED20043 were **amended** by adding the following sub-section (d):

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

For disposition of this matter, refer to Item 1.

(f) MOTIONS (Item 11)

(i) Temporary Use of Parking Sites to Accommodate Construction at 18-25 King Street East, Hamilton (Item 11.1)

Councillor Farr relinquished the Chair to Councillor Clark to present his Motion respecting Temporary Use of Parking Sites to Accommodate Construction at 18-25 King Street East, Hamilton.

For disposition of this matter, refer to Item 5.

(g) ADJOURNMENT (Item 15)

There being no further business, the Planning Committee was adjourned at 11:56 a.m.

Councillor Jason Farr
Chair, Planning Committee

Lisa Chamberlain
Legislative Coordinator



GENERAL ISSUES COMMITTEE REPORT 20-007

9:30 a.m.

Wednesday, February 19, 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, M. Pearson, A. VanderBeek, T. Whitehead,
J. Partridge

Absent: Councillor B. Clark, B. Johnson – Other City Business
Councillor L. Ferguson – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 20-007, AND RESPECTFULLY RECOMMENDS:

1. **Hamilton Immigration Partnership Council – Funding Agreement (PED20046) (City Wide) (Item 7.2)**
 - (a) That the City of Hamilton accept \$1,769,034 from Immigration, Refugees and Citizenship Canada for the purpose of supporting the Hamilton Immigration Partnership Council (HIPC) and continued implementation of HIPC's strategic plan and annual work plans over the next five fiscal years, from April 1, 2020 to March 31, 2025; and,
 - (b) That the General Manager of the Planning and Economic Development Department be authorized and directed to execute a new Grant Agreement between the City of Hamilton and Immigration, Refugees and Citizenship Canada, subject to any amendments approved by the General Manager of Community Services, in a form satisfactory to the City Solicitor.

2. 2020 Tesla Electric City Festival (Item 8.4)

- (a) That the 2020 Tesla Electric City Festival, to be held at the Hamilton Museum of Steam and Technology, be endorsed; and,
- (b) That the site operational costs of \$13,390 for the development and implementation of the 2020 Tesla Electric City Festival at the Hamilton Museum of Steam and Technology (HMST) be funded from the Economic Development Investment Fund (112221).

3. Option for a Transit Solution (Electric Buses) (Item 8.6)

That Lee W. Fairbanks and Jim Sweetman and their presentation respecting an Option for a Transit Solution (Electric Buses), be referred to the Hamilton Transportation Task Force for consideration.

4. 2019 Annual Report on the 2016 - 2020 Economic Development Action Plan Progress (PED20039) (City Wide) (Item 9.1)

That Report PED20039, respecting the 2019 Annual Report on the 2016 - 2020 Economic Development Action Plan Progress, be received.

5. Commonwealth Games 2030 (PED19108(d)) (City Wide) (Item 9.2)

- (a) That the Hosting Proposal Part 2, developed by Hamilton100 to host the 2030 Commonwealth Games in Hamilton for submission to Commonwealth Games Canada by March 9, 2020, be endorsed;
- (b) That the Mayor be authorized and directed to sign a letter of endorsement to host the Commonwealth Games that expresses awareness that the City of Hamilton will be required to make a financial investment in the planning, delivery and legacies of a Commonwealth Games, with the signed letter is to be added to Hamilton100's Hosting Proposal Part 2 submission; and,
- (c) That, if the Hosting Proposal Part 2 is submitted to Commonwealth Games Canada, staff be directed to report back to the General Issues Committee on the outcome of the domestic bidding process for direction.

- 6. Proposal for the Adaptive Re-Use of Balfour House/Chedoke Estate (PED19168(a)) (Ward 14) (Item 10.1)**
- (a) That the City of Hamilton support, in principle, the use of the Balfour House/Chedoke Estate for office, meeting and retreat use, subject to meeting all necessary planning and building approvals, and conditional upon The Cardus Institute satisfying the Ontario Heritage Trust with respect to the intensity of the use and potential impacts on the heritage attributes of the building and site;
 - (b) That the City request that the Ontario Heritage Trust and The Cardus Institute work together directly to discuss and resolve the issues raised in the correspondence from the Ontario Heritage Trust to the City of Hamilton, dated August 1, 2019 and December 19, 2019;
 - (c) That, until the Ontario Heritage Trust approves an adaptive reuse project at the Balfour House/Chedoke Estate, the role of City staff be limited to providing any necessary inputs to either The Cardus Institute or the Ontario Heritage Trust to support their discussions;
 - (d) That, should the Ontario Heritage Trust approve an adaptive reuse project at Balfour House/Chedoke Estate by The Cardus Institute, staff report back to the General Issues Committee and identify the required resources to fulfil an enhanced role as Project Manager, as required by the Ontario Heritage Trust; and,
 - (e) That, should The Cardus Institute be successful in obtaining, in writing, the support of the Ontario Heritage Trust for their proposed adaptive reuse of Balfour House/Chedoke Estate, staff be directed to negotiate a Memorandum of Understanding (MOU) with The Cardus Institute for a sub-leasing agreement, with the MOU to include terms and conditions that, at minimum, achieve the following, and report back to the General Issues Committee:
 - (i) The City will not be responsible for any capital costs;
 - (ii) The sub-lease would generate net positive revenues to the City, inclusive of any City costs associated with administering the sub-lease;
 - (iii) Any uses would not require any amendments to the City's applicable zoning by-law or Official Plan;
 - (iv) All applicable planning and building approvals are met, including a review and approval of any traffic and parking impacts; and,

- (vi) Frequent opportunities for free public access to Balfour House itself, and ongoing free public access to the grounds.

7. Court Security and Prisoner Transportation Program Agreement for 2020 (FCS20017) (City Wide) (Item 10.2)

That the General Manager, Finance and Corporate Services, be authorized and directed to execute an agreement between the City of Hamilton and Her Majesty the Queen in Right of Ontario as represented by the Solicitor General, in the form attached as Appendix “A” to Report FCS20017, outlining the Provincial funding allocation for court security and prisoner transportation services, in a form satisfactory to the City Solicitor.

8. Waiver of Park and Insurance Fees for Easter Egg Hunts and Like Events (HSC20008) (City Wide) (Item 10.3)

That Report HSC20008, respecting the Waiver of Park and Insurance Fees for Easter Egg Hunts and Like Events, be received.

9. Administrative and Technical Amendments to Environmental Remediation and Site Enhancement (ERASE) Financial Incentive Programs (PED20038) (City Wide) (Item 10.4)

- (a) That the amended program terms and administrative procedures for the ERASE Redevelopment Grant (ERG) Program, which forms Appendix “B” “to the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan, attached as Appendix “A” to Report 20-007, be approved;
- (b) That the amended program terms and administrative procedures for the ERASE Tax Assistance Program (TAP) Program, which forms Appendix “C” to the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan, attached as Appendix “B” to Report 20-007, be approved; and,
- (c) That the amended program terms and administrative procedures for the Downtown Hamilton/West Harbourfront Remediation Loan Program (RLP), which forms Appendix “C” to the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan, attached as Appendix “C” to Report 20-007, be approved.

10. Advisory Committee for Persons with Disabilities Sub-Committee Report 20-001, January 14, 2020 (Item 10.5)

(a) Appointment of Committee Chair and Vice-Chair for 2020 (Item 1)

- (i) That Aznive Mallett be appointed as Chair of the Advisory Committee for Persons with Disabilities for 2020; and,
- (ii) That Paula Kilburn be appointed as Vice-Chair of the Advisory Committee for Persons with Disabilities for 2020.

(b) Correspondence from Tidal Waves Hamilton respecting an Invitation to a Member of the Advisory Committee for Persons with Disabilities to Speak at an Event on the Profile, Statistics and Barriers Faced by Persons with Disabilities in Hamilton (Added Item 5.2)

That Sophie Geffros be approved to represent and speak on behalf of the Advisory Committee for Persons with Disabilities respecting the profile, statistics and barriers faced by persons with disabilities in Hamilton at the upcoming Tidal Waves Hamilton event.

(c) Appointment of Mary Sinclair and Alex Wilson to the Built Environment Working Group of the Advisory Committee for Persons with Disabilities (Item 7.1(a))

That Mary Sinclair and Alex Wilson be appointed to the Built Environment Working Group of the Advisory Committee for Persons with Disabilities for the remainder of the 2018 – 2022 term of Council.

(d) Appointment of Mary Sinclair and Sophie Geffros to the Housing Issues Working Group of the Advisory Committee for Persons with Disabilities (Item 7.2(a))

That Mary Sinclair and Sophie Geffros be appointed to the Housing Issues Working Group of the Advisory Committee for Persons with Disabilities for the remainder of the 2018 – 2022 term of Council.

(e) Amendments to the Terms of Reference for the Advisory Committee for Persons with Disabilities (Item 10.1(a))

- (i) That the Terms of Reference for the Advisory Committee for Persons with Disabilities be amended, as follows:

- (1) That the Composition section be amended, to read as follows:
 - (aa) The Advisory Committee for Persons with Disabilities shall be comprised of **up to** 18 citizen members and one member of Council.
 - (bb) The majority of members of the ACPD will be persons with disabilities, in accordance with the *Ontarians with Disabilities Act, 2001*.
 - (cc) The membership should reflect a wide range of disabilities and ~~should advocate for all disabilities~~ **and represent the interests of all persons with disabilities.**

- (2) That Item 6 under the Terms of Reference section heading be amended, to read as follows:
 6. To support the work of the Committee through ~~sub-committees and~~ Working Groups, as required, and specifically related to the ~~Provincial standards, including Customer Service, Housing, Transportation, Employment, and~~ Built Environment, ~~and Information and Communications.~~ **and** Built Environment, and Information and Communications.

- (3) That Item 9 under the Terms of Reference section heading be deleted in its entirety and replaced with the following:
 - ~~9. Committee members missing three consecutive meetings without appropriate notification to the Chair or Staff Liaison shall be considered as resigned from the Committee thereby reducing the required number for quorum.~~
 9. **Members of the Committee who miss more than three Advisory Committee for Persons with Disabilities meetings (excluding Working Group meetings), during their term, may be subject to replacement on the Committee and may not be eligible for re-appointment.**

- (iv) That Item 10 be added under the Terms of Reference section heading, to read as follows:

10. *The Chair and Vice-Chair of the Advisory Committee for Persons with Disabilities may serve for more than one year in a Council term.*

(f) Presenters List for the Advisory Committee for Persons with Disabilities – Impact of Potential Change to the Ontario Disability Support Program’s Definition of Disability and Hamilton Health Teams on Persons with Disabilities (Item 13.3)

WHEREAS, Hamilton is one of the first communities in Ontario to move forward with establishing an Ontario Health Team;

WHEREAS, the Hamilton Health Team is a collaboration of Hamilton health and social service partners and includes representation from more than 20 organizations, reflecting primary care, home care, hospitals, community agencies, long-term care, mental health, Indigenous health, post-secondary education, and the City of Hamilton (Healthy and Safe Communities Department, Public Health and Paramedic Services), among others; and,

WHEREAS, the Ontario government is exploring possible changes to the definition of disability used in determining eligibility for the Ontario Disability Support Program (ODSP);

THEREFORE, BE IT RESOLVED:

That the General Manager of Healthy and Safe Communities, or their designate, be invited to attend a future meeting of the Advisory Committee for Persons with Disabilities to discuss the impact of the potential change to the Ontario Disability Support Program’s definition of disability, and the establishment of Hamilton Health Teams on persons with disabilities, including the delivery of City services.

(g) Presenters List for the Advisory Committee for Persons with Disabilities – CityLAB Hamilton (Item 13.3)

WHEREAS, CityLAB is a pilot innovation program between the City of Hamilton, Mohawk College, McMaster University, and Redeemer University that brings together student, academic, and civic leaders to co-create a better Hamilton for all;

WHEREAS, the Project Manager, CityLAB Hamilton, presented to the Advisory Committee for Persons with Disabilities meeting on March 13, 2018 respecting CityLAB; and,

WHEREAS, both new and returning members to the Advisory Committee for Persons with Disabilities would benefit from an overview of the program;

THEREFORE, BE IT RESOLVED:

That the Project Manager of CityLAB Hamilton, or their designate, be invited to attend a future meeting of the Advisory Committee for Persons with Disabilities to provide an overview of the program, including information related to current projects.

11. Hamilton Future Fund Board of Governors Report 20001, January 27, 2020 (Item 10.6)

(a) Addition of an Equity, Diversity and Inclusion Framework into the Grant Process Review Working Group Scope (Item 7.3)

That the scope of review for the Grant Process Review Working Group of the Hamilton Future Fund Board of Governors integrate an overarching equity, diversity and inclusion framework to the application, evaluation and reporting processes for consideration by the Board of Governors for approval and implementation in the next application cycle.

(b) Hamilton Future Fund Preliminary Reserve Balance as of December 31, 2019 (FCS20020) (City Wide) (Added Item 7.4)

That Report FCS20020, respecting the Hamilton Future Fund Preliminary Reserve Balance as of December 31, 2019, be received.

12. Capital Projects Work-in-Progress Review Sub-Committee Report 20-001, January 27, 2020 (Item 10.7)

(a) Capital Project Closing Report as of September 30, 2019 (FCS19078(a)) (City Wide) (Item 10.1)

(i) That the General Manager of Finance and Corporate Services be authorized and directed to transfer \$222,314.21 to the Unallocated Capital Levy Reserve (108020), as outlined in Appendix "D" attached to Report 20-007;

- (ii) That the General Manager of Finance and Corporate Services be authorized and directed to close the completed and / or cancelled capital projects listed in Appendix “E” attached to Report 20-007, in accordance with the Capital Projects Closing and Monitoring Policy;
- (iii) That Appendix “C” to Report FCS19078(a), Capital Projects Budget Appropriations for the period covering July 1, 2019 through September 30, 2019, be received for information; and,
- (iv) That Appendix “F” to Report 20-007, Capital Projects Budget Appropriations above \$250,000 requiring Council authorization for the period covering July 1, 2019 through September 30, 2019, totalling \$800,000, be approved.

(b) Capital Projects Status Report (Excluding Public Works) as of September 30, 2019 (FCS19079(a)) (City Wide) (Item 10.2)

That the Capital Projects Status Report (Excluding Public Works), as of September 30, 2019, attached as Appendix “A” to Report FCS19079(a), be received.

(c) Public Works – Capital Projects Status Report as of September 30, 2019 (FCS19077(a)) (City Wide) (Item 10.3)

- (i) That the Capital Projects Status Report, Public Works Tax Supported Projects, as of September 30, 2019, attached as Appendix “A” to Report FCS19077(a), be received; and,
- (ii) That the Capital Projects Status Report, Public Works Rate Supported Projects, as of September 30, 2019, attached as Appendix “B” to Report FCS19077(a), be received.

13. Airport Sub-Committee Report 20-001, February 11, 2020 (Item 10.9)

(a) TradePort / City Lease Negotiation Information Report (PED19084(a)) (City Wide) (Item 14.2)

- (i) That the direction provided to staff in Closed Session, respecting Report PED19084(a), TradePort / City Lease Negotiation Information Report be approved and remain confidential; and,

- (ii) That the contents of Report PED19084(a), respecting TradePort / City Lease Negotiation Information Report, be received and remain confidential.

(b) TradePort / City Lease Negotiation Information Report (PED19084(b)) (City Wide) (Item 14.3)

- (i) That the direction provided to staff in Closed Session, respecting Report PED19084(b), TradePort / City Lease Negotiation Information Report be approved and remain confidential; and,
- (ii) That the contents of Report PED19084(b), respecting TradePort / City Lease Negotiation Information Report, be received and remain confidential.

14. Advisory Committee for Persons with Disabilities Sub-Committee Report 20-002, February 11, 2020 (Item 10.10)

(a) Letter from Advisory Committee for Persons with Disabilities to the General Issues Committee respecting Sidewalk Snow Removal Report PW19022(a) (Item 7.1(b))

- (i) That the letter prepared by the Built Environment Working Group on behalf of the Advisory Committee for Persons with Disabilities, respecting Sidewalk Snow Removal Report PW19022(a), attached as Appendix "G" to Report 20-007, be approved; and,
- (ii) That staff be directed to forward the letter from the Advisory Committee for Persons with Disabilities respecting Sidewalk Snow Removal Report PW19022(a), attached hereto as Appendix "G", to the 2020 Operating Budget process (General Issues Committee) for consideration.

(b) L'Arche Hamilton Fundraising Dinner

WHEREAS, L'Arche is a leader in supporting people with intellectual disabilities in Canada and the world; and,

WHEREAS, L'Arche seeks to provide environments where people can reach their full potential, lead lives rich in relationships of mutuality, and have a valid place in society where all can contribute;

THEREFORE, BE IT RESOLVED:

That eight tickets to L'Arche Hamilton's fundraising dinner on April 25, 2020 at the Venetian Club of Hamilton (269 John Street North) be purchased to allow members of the Committee to attend the event at a total cost of \$480 (\$60 per person), to be funded from the Advisory Committee for Persons with Disabilities Reserve Fund (112212).

**(c) Advisory Committee for Persons with Disabilities
Representative on the Hamilton Strategic Road Safety
Committee**

WHEREAS, the Hamilton Strategic Road Safety Committee meets on a quarterly basis within a calendar year (additional meetings may be held as required);

WHEREAS, the mandate of the Hamilton Strategic Road Safety Committee 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; and,

WHEREAS, there is an opportunity for an Advisory Committee for Persons with Disabilities member to serve as a key stakeholder/advisor (non-voting member) on the Hamilton Strategic Road Safety Committee;

THEREFORE, BE IT RESOLVED:

- (a) That the Chair of the Advisory Committee for Persons with Disabilities be authorized to represent the Committee's interests as a key stakeholder/advisor (non-voting member) on the Hamilton Strategic Road Safety Committee; and,
- (b) That Committee Member Tom Manzuk be authorized to represent the Committee's interests as a key stakeholder/advisor (non-voting member) on the Hamilton Strategic Road Safety Committee for the remainder of the 2018 - 2022 term of Council if the Chair of the Advisory Committee for Persons with Disabilities is unable to attend.

**15. Application of City's Equity, Diversity and Inclusion Policy to "City Leases"
(LS20007/HUR20005) (City Wide) (Item 10.11)**

- (a) That Report LS20007/HUR20005, respecting the Application of City's Equity, Diversity and Inclusion Policy to "City Leases", be received; and,

- (b) That Appendix “A” to Report LS20007/HUR2005, respecting the Application of City’s Equity, Diversity and Inclusion Policy to “City Leases”, remain confidential.

16. Feasibility of Developing a Hamilton Biodiversity Action Plan (Item 11.1)

WHEREAS, the scientific consensus is that habitat loss and climate change together have triggered mass extinction of life on earth and that 60% of all wildlife worldwide has been lost since 1970;

WHEREAS, increasing and/or enhancing biodiversity within ecosystems benefits all species, including humans, and provides ecological services such as pollination services, climate resiliency and stability, as well as providing beautiful green spaces that support the wellbeing and mental health of individuals and communities;

WHEREAS, enhancing biodiversity is a “nature-based solution” to climate impacts, such as managing flooding by storing water, significantly reducing air pollution by sequestering carbon, filtering out harmful particulates, and cooling, thereby reducing the harmful effects of heatwaves and increasing the quality and resilience of infrastructure at lower costs and reduced risk;

WHEREAS, cities have a critical role to play in the biodiversity crisis and the climate change crisis and a Biodiversity Action Plan for Hamilton will help the City of Hamilton and conservation partners to protect and restore Hamilton’s biodiversity;

WHEREAS, Hamilton is addressing the climate crisis with the Climate Change Action Plan and a Biodiversity Action Plan can help to mitigate the climate crisis with nature-based solutions to help address serious issues like storm water management and temperature amelioration and reduction of urban heat island. The Biodiversity Action Plan will complement the Climate Change Action Plan workplan;

WHEREAS, the development of the Biodiversity Action Plan will foster environmental awareness and sustainability and increase interactions and engagement among community stewards;

WHEREAS, the Biodiversity Action Plan allows the City of Hamilton to highlight and align initiatives already in place and further engage local communities in an environment of creativity and innovation which will promote a healthier life for our community; and,

WHEREAS, many other municipalities have developed Biodiversity Strategies that can be used as resources for Hamilton (ex. Toronto, Calgary, Edmonton, Vancouver);

THEREFORE, BE IT RESOLVED:

That the appropriate staff be directed to investigate the feasibility and resources required to develop a Biodiversity Action Plan for Hamilton in collaboration with the conservation and report back to the General Issues Committee.

17. Early Release of GRIDS2 Report and Accompanying Background Studies (Item 11.1)

That, in order to allow members of Council and the public ample time to review the lengthy documents, staff be directed to release the GRIDS2 report and accompanying background studies, at the earliest possible date.

18. Disposition of Land - Part of Moxley Road, Flamborough (PED20028) (Ward 13) (Item 14.2)

- (a) That an Offer to Purchase, scheduled to close on or before October 15, 2020 for the sale of land described as Parts 1, 2 and 3 on Draft Reference Plan #18296-1, dated November 2, 2018 prepared by Delph & Jenkins North Ltd, in the City of Hamilton, as shown in Appendix "A" attached to Report PED20028, based substantially on the Terms and Conditions attached as Appendix "B" to Report 20-028, and such other terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, be approved and completed;
- (b) That the net Proceeds from the sale of Part of Moxley Road be deposited to Capital Project Account No. 3561850200 (Property Purchases and Sales);
- (c) That the sum of \$19,900 to be funded from Capital Project Account No. 3561850200 and credited to Account No. 45408-812036 (Property Purchases and Sales) for recovery of real estate and legal expenses, be approved;
- (d) That the City Solicitor be authorized and directed to complete the transaction, respecting disposition of part of Moxley Road on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms deemed reasonable;

- (e) That the Mayor and City Clerk be authorized and directed to execute all necessary documents, respecting disposition of part of Moxley Road, in a form satisfactory to the City Solicitor; and,
- (f) That the complete Report PED20028, respecting the disposition of part of Moxley Road remain confidential until completion of the real estate transaction.

19 LRT Project - Staffing Plan & Implications (PED20054) (City Wide) (Item 14.4)

That the direction provided to staff in Closed Session, respecting Report PED20054 – LRT Project – Staffing Plan & Implications, be approved.

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 Nick Klip, Operations Manager, Hamilton/Halton, Enbridge Gas Inc., respecting the Proposed Kirkwall-Hamilton Natural Gas Pipeline Project

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

6. DELEGATION REQUESTS

- 6.1 Carol Priamo respecting Item 10.1 - Report PED19168(a) - Proposal for the Adaptive Re-Use of the Balfour House/Chedoke Estate (For the February 19, 2020 GIC)

7. CONSENT ITEMS

- 7.1 2019 Annual Report on the 2016 - 2020 Economic Development Action Plan Progress (PED20039) (City Wide)

As there is a presentation to accompany this report, this Item has been moved to Item 9.1.

9. STAFF PRESENTATIONS

- 9.2 Commonwealth Games 2030 (PED19108(d)) (City Wide)

10. DISCUSSION ITEMS

- 10.8 Sub-Section (a) to Report PED20053 - Enbridge Gas Inc. Leave to Construct Application for the 2021 Dawn to Parkway Extension and Integrated Resource Planning Proposal (DEFERRED from the February 7, 2020 Special General Issues Committee meeting.)
- 10.9 Airport Sub-Committee Report 20-001, February 11, 2020
- 10.10 Advisory Committee for Persons with Disabilities Report 20-002, February 11, 2020
- 10.11 Application of the City's Equity, Diversity and Inclusion Policy to "City Leases" (LS20007/HUR20005) (City Wide)

14. PRIVATE & CONFIDENTIAL

- 14.4 Light Rail Transit (LRT) Project - Staffing Plan and Implications (PED20054) (City Wide)
- 14.5 Appendix "A" to Report LS20007/HUR20005, respecting an Application of the City's Equity, Diversity and Inclusion Policy to "City Leases"

The agenda for the February 19, 2020 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

The Minutes of the January 30, 2020 and the February 5, 2020 General Issues Committee meetings was approved, as presented.

- (i) January 30, 2020 – Special (Item 4.1)
(ii) February 5, 2020 (Item 4.2)

(d) COMMUNICATION ITEMS (Item 5)

The Communication Item was approved, as follows:

- (i) Correspondence from Nick Klip, Operations Manager, Hamilton/Halton, Enbridge Gas Inc., respecting the Proposed Kirkwall-Hamilton Natural Gas Pipeline Project (Item 5.1)

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

(e) DELEGATION REQUESTS (Item 6)

- (i) **Carol Priamo respecting Item 10.1 - Report PED19168(a) - Proposal for the Adaptive Re-Use of the Balfour House/Chedoke Estate (For the February 19, 2020 GIC) (Item 6.1)**

The delegation request, submitted by Carol Priamo, respecting Item 10.1, Report PED19168(a) - Proposal for the Adaptive Re-Use of the Balfour House/Chedoke Estate, was approved to appear before the General Issues Committee on February 19, 2020.

(f) PUBLIC HEARINGS / DELEGATIONS (Item 8)

- (i) **Brian MacPherson and Rick Powers, Commonwealth Games Canada, to present Commonwealth Games Canada's 2026 and/or 2030 Commonwealth Games Candidate City Selection Process (Item 8.1)**

Brian MacPherson and Rick Powers, Commonwealth Games Canada, was permitted additional time, beyond the 5 minutes authorized in the Procedural By-law, to provide their presentation.

Brian MacPherson and Rick Powers, Commonwealth Games Canada, addressed Committee to present Commonwealth Games Canada's 2026 and/or 2030 Commonwealth Games Candidate City Selection Process.

The presentation provided by Brian MacPherson and Rick Powers, Commonwealth Games Canada, respecting Commonwealth Games Canada's 2026 and/or 2030 Commonwealth Games Candidate City Selection Process, 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 the above matter, please refer to Item 5.

(ii) P. J. Mercanti and Louis Frapporti, Hamilton100 Commonwealth Games Bid Corporation, to provide an Update regarding the Hosting Proposal Part 2 for the 2030 Commonwealth Games (Item 8.2)

P. J. Mercanti and Louis Frapporti, Hamilton100 Commonwealth Games Bid Corporation, was permitted additional time, beyond the 5 minutes authorized in the Procedural By-law, to provide their presentation.

P. J. Mercanti and Louis Frapporti, Hamilton100 Commonwealth Games Bid Corporation, addressed Committee to provide an Update regarding the Hosting Proposal Part 2 for the 2030 Commonwealth Games.

The presentation provided by P. J. Mercanti and Louis Frapporti, Hamilton100 Commonwealth Games Bid Corporation, respecting an Update regarding the Hosting Proposal Part 2 for the 2030 Commonwealth Games, 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 5. Item 9.2, respecting Report PED19108(d) - Commonwealth Games 2030, was moved up on the agenda to be addressed before Item 8.3.

(iii) Michael Van Pelt, Cardus, respecting Cardus' Balfour House / Chedoke Estate Proposal (Item 8.3)

Michael Van Pelt, Cardus, respecting Cardus' Balfour House / Chedoke Estate Proposal, was permitted additional time, beyond the 5 minutes authorized in the Procedural By-law, to provide his presentation.

Michael Van Pelt, Cardus, addressed Committee respecting Cardus' Balfour House/Chedoke Estate Proposal.

The presentation provided by Michael Van Pelt, Cardus, respecting Cardus' Balfour House/Chedoke Estate Proposal, 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 6.

Item 8.7, Carol Priamo, respecting Item 10.1 – Report PED19168, Proposal for the Adaptive Re-Use of the Balfour House / Chedoke Estate, was moved up on the agenda to be addressed before Item 8.4.

(iv) Vic Djurdjevic, Nikola Tesla Educational, respecting the Tesla Electric City Festival 2020 (Item 8.4)

Vic Djurdjevic, Nikola Tesla Educational, was permitted additional time, beyond the 5 minutes authorized in the Procedural By-law, to provide his presentation.

Vic Djurdjevic, Nikola Tesla Educational, addressed Committee respecting the Tesla Electric City Festival 2020.

The presentation provided by Vic Djurdjevic, Nikola Tesla Educational, respecting the Tesla Electric City Festival 2020, 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 2.

(v) Jen Baker, Hamilton Naturalists' Club, respecting Item 11.1 – Feasibility of Developing a Hamilton Biodiversity Action Plan (Item 8.5)

Jen Baker, Hamilton Naturalists' Club, was permitted additional time, beyond the 5 minutes authorized in the Procedural By-law, to provide her presentation.

Jen Baker, Hamilton Naturalists' Club, addressed Committee respecting Item 11.1 – Feasibility of Developing a Hamilton Biodiversity Action Plan.

The presentation provided by Jen Baker, Hamilton Naturalists' Club, respecting Item 11.1 – Feasibility of Developing a Hamilton Biodiversity Action Plan, 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 16.

Item 11.1, being a Motion respecting Feasibility of Developing a Hamilton Biodiversity Action Plan, was moved up on the agenda to be addressed, prior to Item 8.6.

(vi) Lee W. Fairbanks and Jim Sweetman respecting an Option for a Transit Solution (Item 8.6)

Lee W. Fairbanks was permitted additional time, beyond the 5 minutes authorized in the Procedural By-law, to provide his presentation.

Lee W. Fairbanks addressed Committee respecting an Option for a Transit Solution.

The presentation provided by Lee W. Fairbanks, respecting an Option for a Transit Solution, 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 3.

(vii) Carol Priamo respecting Item 10.1 – Report Ped19168(a) – Proposal for the Adaptive Re-Use of the Balfour House/Chedoke Estate (Item 8.7)

Carol Priamo addressed Committee respecting Item 10.1 – Report PED19168(a) – Proposal for the Adaptive Re-Use of the Balfour House/Chedoke Estate.

Carol Priamo was permitted additional time, beyond the 5 minutes authorized in the Procedural By-law, to provide her presentation.

The presentation provided by Carol Priamo, respecting Item 10.1 – Report Ped19168(a) – Proposal for the Adaptive Re-Use of the Balfour House/Chedoke Estate, 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 6.

Item 10.1, respecting Report PED19168(a), Proposal for the Adaptive Re-Use of Balfour House-Chedoke Estate, was moved up on the agenda to be addressed, prior to Item 9.1.

(g) STAFF PRESENTATIONS (Item 9)

(i) 2019 Annual Report on the 2016 - 2020 Economic Development Action Plan Progress (PED20039) (City Wide) (Item 9.1)

Glen Norton, Director of Economic Development, addressed Committee and provided a PowerPoint overview of Report PED20039 – 2019 Annual Report on the 2016 - 2020 Economic Development Action Plan Progress.

The presentation, respecting Report PED20039 – 2019 Annual Report on the 2016 - 2020 Economic Development Action Plan Progress, 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 4.

(ii) Commonwealth Games 2030 (PED19108(d) (City Wide) (Item 9.2)

Carrie Brooks-Joiner, Director of Tourism and Culture; and, Mike Zegarac, General Manager of Finance and Corporate Services, addressed Committee and provided a PowerPoint presentation respecting Report PED19108(d) – Commonwealth Games 2030.

The presentation, respecting Report PED19108(d) – Commonwealth Games 2030, 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 5.

(h) DISCUSSION ITEMS (Item 10)

(i) Sub-section (a) to Report PED20053, respecting the Enbridge Gas Inc. Leave to Construct Application for the 2021 Dawn to Parkway Extension and Integrated Resource Planning Proposal (Wards 13 and 15) (Item 10.8)

Report PED20053, respecting the Enbridge Gas Inc. Leave to Construct Application for the 2021 Dawn to Parkway Extension and Integrated Resource Planning Proposal, was DEFERRED to the March 25, 2020 General Issues Committee meeting.

(ii) Application of City's Equity, Diversity and Inclusion Policy to City Leases (LS20007/HUR20005) (City Wide) (Item 10.11)

That consideration of Report LS20007/HUR20005, respecting the Application of City's Equity, Diversity and Inclusion Policy to City Leases, was DEFERRED until Committee reconvenes in Open Session.

(i) NOTICES OF MOTION (Item 12)

Councillor M. Pearson introduced a Notice of Motion respecting the Early Release of the GRIDS 2 report and accompanying background studies.

The Rules of Order were waived to allow for the introduction of a Motion respecting the Early Release of the GRIDS 2 Report and Accompanying background studies.

(j) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – February 5, 2020 (Item 14.1)

- (a) That the Closed Session Minutes of the February 5, 2020 General Issues Committee meeting, were approved, as presented; and,
- (b) That the Closed Session Minutes of the February 5, 2020 General Issues Committee meeting shall remain confidential.

Committee moved into Closed Session respecting Items 14.2, 14.4 and 14.5, pursuant to Section 8.1, Sub-sections (b), (c), (f) and (k) of the City's Procedural By-law 18-270, as amended; and, Section 239(2), Sub-sections (b), (c), (f) and (k) of the *Ontario Municipal Act*, 2001; as amended, as the subject matter 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; 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) LRT Project - Staffing Plan & Implications (PED20054) (City Wide) (Item 14.4)

The following MOTION was **DEFEATED**:

That Report PED20054, respecting Light Rail Transit (LRT) Project – Staffing Plan and Implications, remain confidential.

For disposition of this matter, please refer to Item 19.

(k) ADJOURNMENT (Item 15)

There being no further business, the General Issues Committee adjourned at 7:55 p.m.

Respectfully submitted,

Deputy Mayor J. P. Danko
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk

APPENDIX B

8.2 ERASE Redevelopment Grant Program (ERG)

8.2.1 Purpose

The purpose of this program is to alleviate a serious financial impediment to brownfield redevelopment efforts, namely the large tax increase that can result when a brownfield property is redeveloped. The intent of the ERG is to encourage environmental remediation, rehabilitation, redevelopment and adaptive re-use of brownfield sites. Therefore, only those brownfield redevelopment projects that result in an increase in property assessment and taxes will be eligible for funding under the ERG. The ERG also leverages public sector investment and encourages development that would otherwise not take place without this incentive program.

8.2.2 Program Description

The ERG is a tax-increment based program that will provide a financial incentive in the form of a grant to help offset the cost of environmental remediation and rehabilitation of brownfield properties where redevelopment results in a re-valuation and tax increase on these properties. The applicant will initially pay for the entire cost of the remediation and redevelopment project. Once the municipality receives the first full calendar year of newly assessed property taxes that result from the development, the municipality will reimburse the applicant in the form of an annual grant equivalent to 80% of the increase in City taxes that result from redevelopment. Each year, the property owner must first pay taxes owing and then the approved applicant will receive the grant. In no case will the total amount of the grant provided under this program exceed the value of the approved eligible program costs. Also, in no case, will the total amount of the grants provided under this program, and the Tax Assistance Program (TAP) (8.3) exceed the estimated eligible program costs as approved by City Council.

The grant provided under the ERG will equal 80% of the increase in the City portion of property taxes. The remaining 20% of the increase in the City portion of property taxes will be dedicated to the ERASE Municipal Acquisition and Partnership Program (MAPP)

The grants may be received by the property owner in conjunction with any other available municipal program except for other tax increment financing programs.

Assignment of a grant under this Program is not permitted except where the grant is to be assigned to the City of Hamilton as payment towards a loan under the Downtown Hamilton/West Harbourfront Remediation Loan Program for the same project.

The grant will be earned by the applicant if they have met all terms and conditions of the Program and the property and property owner are in good standing with the City in terms of all City By-laws that apply to the property and project, all laws that govern the construction and development of the project and the payment of all taxes *during the development stage* and for any portion of the property retained by the property owner after remediation and redevelopment are complete. The annual grant to the applicant will be pro-rated if an appeal has been filed with the Municipal Property Assessment Corporation (MPAC) by any of the condominium unit owners. The grant for condominium units that are under appeal will not be released until the appeals are settled through the Assessment Review Board.

For developments containing condominium units, the first-year grant is payable during the calendar year in which 75% of the condominium units within the project are reassessed by MPAC and the property owner(s) have paid in full the new taxes for one (1) calendar year. For non-condominium developments, the first-year grant is payable during the calendar year in which the redevelopment project is complete, the property has been reassessed by MPAC and the property owner has paid in full the new taxes for one (1) calendar year.

Grant payments under the ERG Program will cease at such time as whichever of the following comes first:

- a) Total grant payments provided under this program equal the approved and accepted eligible costs have been reimbursed; or,
- b) 10 annual payments have been provided.

The ERG is an application-based program. As early as possible in the development approvals process, a property owner will register their intent to participate in the program by filing an ERG Application with the Economic Development Division. Before accepting this application, the Economic Development Division will screen the application to ensure that it is for a property within the designated ERASE Community Improvement Project Area (CIPA) and the application meets the eligibility requirements.

Applications that are not within the ERASE CIPA or applications that clearly do not meet the eligibility requirements will not be accepted. Acceptance of the application by the Economic Development Division in no way implies grant approval.

Applications will be processed and approved on a first come, first serve basis. Review and evaluation of the application and supporting materials against program eligibility requirements will be done by City staff. The applicant participating in the ERG program must enter into an agreement with the City. This Agreement will specify the terms and conditions of the grant and will include terms and conditions in addition to those contained in this Appendix "B" as determined by the City Solicitor and General Manager of Planning and Economic Development. All ERG applications and agreements will be subject to approval by City Council or Council's designate.

The amount of City taxes ("base rate") will be determined before commencement of the project. The increase in the municipal portion of real property taxes (or "municipal tax increment") will be calculated as the difference between the base rate and the amount of City taxes levied as a result of reassessed by the Municipal Property Assessment Corporation (MPAC) following project completion. The municipal tax increment will be used to fund the grant. This program does not exempt property owners from an increase/decrease in municipal taxes due to a general tax rate increase/decrease, or a change in assessment for any other reason.

For eligible sites where environmental remediation is proposed, the applicant shall obtain and submit to the City a Phase II ESA and/or Risk Assessment and a Remedial Action Plan undertaken by a Qualified Person that:

- a) Identifies the extent and provides a cost estimate for the environmental remediation of the eligible property; and,
- b) Contains a detailed work plan and budget for said environmental remediation.

For eligible sites where the removal and/or abatement of designated substances and/or hazardous materials is proposed, the applicant shall obtain and submit to the City:

- a) A Designated Substances and Hazardous Materials Survey which identifies the presence, extent and need for the removal and/or abatement of such substances/materials in accordance with the *Occupation Health and Safety Act*, Ontario Regulation 278/05 (where applicable) and to the City's satisfaction; and,
- b) A detailed work plan and cost estimate.

For eligible sites where the removal, replacement and/or upgrade of capacity for existing on-site infrastructure (water services, sanitary sewers and storm sewers) and/or building demolition is proposed, the applicant shall obtain and submit to the City:

- a) Any applicable engineering/servicing reports identifying the need for the removal, replacement and/or upgrade of on-site infrastructure; and,
- b) A detailed work plan and cost estimate for the demolition and/or removal, replacement and/or upgrade of on-site infrastructure.

The actual component costs for all eligible cost items will be supplied to the City upon completion of the project. Payment of the grant will be based on the City's review, satisfaction and acceptance of all reports, paid invoices and documentation which is submitted outlining the full scope and cost of the work completed. Any and all of these costs may be subject to audit, at the expense of the property owner. The grant may be reduced or cancelled if the eligible work is not completed, not completed as approved and/or where documentation/invoicing of said costs is not provided to the City's satisfaction.

If during the course of the work, the scope of the work changes, or actual costs are greater or less than estimated costs, the City reserves the right to increase or decrease the total amount of the grant. The annual grant payment will be based on the actual increase in property taxes as calculated, based on the actual reassessment by MPAC following project completion and receipt of an RSC.

The City may discontinue the ERG Program at any time. However, participants in the ERG Program with applications and agreements that were approved prior the closing of the program will continue to receive grant payments as determined through their ERG Agreement with the City. The City is not responsible for any costs incurred by the property owner in any way relating to the program, including without limitation, costs incurred in anticipation of a grant.

It should be noted that peer-reviewed Risk Assessments are to be permitted in situations where a RSC is not required by the Ministry of Environment, Conservation and Parks (MOECP) (i.e. not moving to a more sensitive land use).

Finally, for the purposes of clarity a 'project' consists of the redevelopment site. The redevelopment site may include multiple properties with more than municipal address.

8.2.3 Eligibility Requirements

All owners of properties within the ERASE Community Improvement Project Area are eligible to apply for funding under this program, subject to meeting the general program requirements in Section 8.0, the following eligibility requirements, and subject to availability of funding as approved by Council:

- a) An application for the ERG must be submitted to the Economic Development Department prior to the commencement of any works and prior to application for building permit

(Program is not retroactive);

- b) Such application shall include reports, plans, estimates, contracts and other details as may be required to satisfy the City with respect to the eligible costs of the project and conformity of the project with the ERASE CIP;
- c) The applicant shall obtain and submit to the City a Phase II ESA and/or Risk Assessment and Remedial Action Plan undertaken by a Qualified Person that:
 - i) identifies the extent and provides a cost estimate for the environmental remediation of the eligible property; and,
 - ii) contains a detailed work plan and budget for said environmental remediation.
- d) As a condition of the grant application, the City may require the applicant to submit a Business Plan, with said Plan to the City's satisfaction;
- e) The property shall be redeveloped such that the amount of work undertaken is sufficient to at a minimum result in an increase in the assessed value of the property;
- f) The total value of the grant provided under this program shall not exceed the total value of work done under eligible program costs;
- g) Eligible program costs include the following:
 - i) environmental remediation (i.e., the cost of any action taken to reduce the concentration of contaminants on, in or under the eligible property to permit a Record of Site Condition (RSC) to be filed for the proposed use by a Qualified Person, including costs of preparing and filing of an RSC and Certificate of Property Use (CPU), cost of clean fill, grading and compaction to replace contaminated soils;
Eligible environmental remediation costs do not include construction/development costs that would be required regardless of the presence of contamination.
 - ii) Phase II ESAs, Risk Assessments and Remedial Action Plans not covered by the ERASE Study Grant program;
 - iii) installing environmental and/or engineering controls/works, as specified in the Remedial Work Plan and/or Risk Assessment and/or CPU;
 - iv) monitoring, maintaining and operating environmental and/or engineering controls/works related to environmental remediation, as specified in the Remedial Action Plan and/or Risk Assessment and/or CPU;
 - v) Industrial/Office Reuse Feasibility Study (Area 2 only)
 - vi) Designated Substances and Hazardous Material Survey and their removal and abatement in accordance with the *Occupational Health and Safety Act* and Ontario Regulation 278/05 (where applicable) in the Older Industrial Area (Area 2);
 - vii) Designated Substances and Hazardous Material Survey and their removal and abatement in accordance with the *Occupational Health and Safety Act* and Ontario Regulation 278/05 (where applicable) in current/closed Institutional use

- buildings across the CIPA;
- viii) Designated Substances and Hazardous Material Survey and their removal and abatement in accordance with the *Occupational Health and Safety Act* and Ontario Regulation 278/05 (where applicable) as part of the rehabilitation and restoration of heritage buildings/properties designated under Part IV or V of the *Ontario Heritage Act* across the CIPA; and
- ix) In addition to the above, the following costs may also be considered eligible when incurred on a site requiring remediation/rehabilitation and located in the applicable geographic area:
- A. the following Leadership in Energy and Environmental Design (LEED) Program components up to a maximum of 50% as per the City of Hamilton's LEED Grant Program (LGP) to achieve LEED certification under the LEED rating system by the Canadian Green Building Council – CaGBC:
 - incremental construction costs,
 - consultation costs
 - energy modeling; and
 - certification fees
 - B. demolition costs not covered by demolition charge credits (Areas 2 and 3 only);
 - C. the removal, replacement and/or upgrade of capacity for existing infrastructure (water services, sanitary sewers and storm sewers) up to a maximum of 25% of the cost of said improvement provided the improvement is located on the property and will support the rehabilitation and reuse of the property (Areas 2 and 3 only);
 - D. certain relocation/removal costs for existing and operating industrial manufacturing and transportation uses, where such costs relate to or contribute directly to the actual remediation and rehabilitation of the site (Areas 2 and 3 only).
- h) Notwithstanding 8.2.3 g), costs shall not be considered to be eligible if incurred prior to the date an application has been submitted under this program and accepted by the City with the exception of studies which were the subject of an approved ERASE Study Grant (ESG) Program (8.1) application. The total of the grant provided under this Program in combination with any tax assistance provided under the Tax Assistance Program (TAP) (8.3) shall not exceed the total approved eligible costs. Previous grant payments provided under the ESG Program for studies which are also to be accepted as eligible costs under this program will be deducted from the approved eligible costs;
- i) To be eligible under this program, costs must be incurred by the property owner as identified on the submitted program application accepted by the City;
- j) Actual costs for any or all of the items in eligible program costs above may be subject to audit by the City, at the expense of the property owner;
- k) All property owners participating in this program will be required to enter into an agreement with the City which will specify the terms and conditions of the grant;

- l) All ERG applications must be approved by City Council or City Council's designate;
- m) The property owner shall be required to submit one of the following prior to a grant being paid under this program:
 - i) a Record of Site Condition ("RSC") conforming to the latest Ontario Regulation 153/04 standards and prepared by a Qualified Person to the Environmental Site Registry under section 168.4 of the *Environmental Protection Act* and shall submit to the City an acknowledgement of receipt of the RSC by the MOECP; or
 - ii) where the submission of a signed RSC is not required under the *Environmental Protection Act* to permit the brownfield redevelopment, and provided that the owner of the property within the ERASE Community Improvement Project Area undertakes a Risk Assessment and remediates the property to a standard that would enable the owner to submit a RSC, the property owner may instead provide the City with a Risk Assessment prepared by a Qualified Person for Risk Assessments (as defined in the *Environmental Protection Act* and Ontario Regulation 153/04, as amended), subject to a peer-review by a Qualified Person for Risk Assessment, who is acceptable to the City. This peer-review must certify that the property has been remediated to the appropriate levels for the proposed use in accordance with the Risk Assessment, to the satisfaction of the City. The cost of the peer-review will be an eligible cost under this program.
- n) The City reserves the right to require the submission, to the City's satisfaction, of environmental reports and documentation showing the subject property has been remediated to the appropriate levels for the proposed use.
- o) If a building(s) erected on a property participating in this Program is demolished before the grant period expires, the remainder of the monies to be paid out under the grant shall be forfeited;
- p) The improvements made to buildings and/or land shall be made pursuant to a Building Permit, constructed in accordance with the Ontario Building Code, and in compliance with all applicable Official Plan, Zoning By-Law and Site Plan Control requirements and approvals; and,
- q) Outstanding work orders and/or orders or requests to comply from the City must be satisfactorily addressed prior to grant approval.
- r) No grant is to be paid out until the project is completed. Alternatively, subject to written approval by the Director of Economic Development, a percentage of the total grant payment may be provided for phased developments based on the number of phases completed and proportional to the eligible costs incurred in each completed phase. Such partial payments shall be limited to those projects where the incremental tax increase for individual development phase can be determined to the City's satisfaction.
- s) Work on the portion of the Project that is at or above grade shall commence no longer than five (5) years from the date an application under this program was approved by City Council (or City Council's designate) and the Project and all eligible works shall be completed and the project capable of being fully occupied within 10 years from the date an application under this program approved by City Council (or City Council's designate). Where a project consists of multiple phases, consideration may be provided for an extended project

completion and occupancy period at the sole absolute and unfettered discretion of City Council.

Eighty-percent (80%) of the municipal portion of the tax increment will be reimbursed to the property owner in the form of a grant, while the remaining 20% of the tax increment will be dedicated to the ERASE Municipal Acquisition and Partnership Program (see Section 8.5).

8.2.4 Administration

The Economic Development Division will be responsible for administering the ERG, in consultation with other division/departments as necessary. Applications shall be submitted to the Economic Development Division and shall be accompanied by a Phase II ESA and/or Risk Assessment and Remedial Action Plan undertaken by a Qualified Person (as defined under Ontario Regulation 153/04) and/or Designated Substances and Hazardous Materials Survey (where applicable). For sites undertaking environmental remediation, the work plan and cost estimate shall be in the form of a Remedial Action Plan prepared by a Qualified Person. Said work plan and cost estimate will be supported by a Phase II ESA and/or Risk Assessment undertaken by a Qualified Person. Studies/plans submitted shall:

- a) Identify the extent of the environmental remediation and any installation, monitoring, maintaining and operating environmental and/or engineering controls/works required for the eligible property; and,
- b) Provide a detailed work plan and cost estimate for said environmental remediation which includes the installation, monitoring, maintaining and operating environmental and/or engineering controls/works.

For other non-remediation eligible works under this program, a written contractor’s estimate shall be provided which shall be supported by any applicable studies (such as Designated Substances and Hazardous Materials Survey) to the City’s satisfaction. The City may also require the submission of a Business Plan for the proposed development.

In addition, a cost estimate for all eligible LEED program component costs by a LEED certified specialist must be provided.

Applicants will be required to have a pre-application consultation meeting with City staff in order to determine program eligibility, proposed scope of work, project timing, etc.

Before accepting an application, City staff will screen the application. If the application is not within the community improvement project area or the application clearly does not meet the program eligibility requirements, the application will not be accepted.

Acceptance of the application by the City in no way implies grant approval.

Program eligibility will be determined by the Economic Development Division, in consultation with other divisions/departments as necessary. Applications will be recommended for approval only if they meet the criteria specified in this Plan and any other requirements of the City including that the property and property owner are in good standing with the City in terms of all City By-laws that apply to the property and project, all laws that govern the construction and development of the project and the payment of all taxes.

In instances where an applicant cannot satisfy staff with all necessary eligible cost estimates and

required back-up documentation, staff reserves the right to consider an application as part of a two-step application and approval process, with the ultimate approval residing with City Council.

Where an ERG application has been submitted by a property owner and accepted by the City but not yet approved by City Council (or City Council's designate), and the subject property(s) are transferred to a new property owner, the City may permit the transfer or assignment of the application, and any eligible costs incurred from the original date of application, to the new owner at the sole, absolute and unfettered discretion of the General Manager of Planning and Economic Development. An assignment or transfer may require the assignee or transferee to submit an application, assignment or transfer agreement and/or such other documents as determined by the General Manager of Planning and Economic Development in their sole, absolute and unfettered discretion.

A recommendation on the ERG Application (including estimated eligible costs) will be forwarded to City Council (or Council's designate) for consideration.

The applicant participating in the ERG program must enter into an agreement with the City which will be forwarded to the applicant for signature once City Council (or Council's designate) approves the ERG Application. Once the applicant has signed the agreement, the agreement will then be executed by City officials and a copy will be provided to the applicant. The City may require the applicant to register the agreement on title immediately upon execution of the agreement. This agreement will identify events of default whereby upon its occurrence, and for so long as the default continues, the City shall be entitled to remedies including but not limited to ceasing or delaying the release of grant payments without notice to the owner and any obligation of the City to make a grant payment or provide accommodation under the ERG Agreement shall cease. In addition, the City may declare, by notice to the owner, that any grant payments already made to be forthwith due and payable as determined by the General Manager of Planning and Economic Development in their sole, absolute and unfettered discretion.

For sites subject to environmental remediation, the property owner shall submit to the MOECP a signed Record of Site Condition (RSC) prepared by a Qualified Person, and the property owner shall submit to the City an acknowledgement of receipt of the RSC by the MOECP. The City reserves the right to require the submission to the City's satisfaction, of environmental reports and documentation showing the subject property has been remediated to the appropriate levels for the proposed use. The RSC filed with the MOECP must conform to the latest Ontario Regulation 153/04 standards. Where the submission of a signed RSC is not required under the *Environmental Protection Act* to permit the brownfield redevelopment and provided that the owner of the property within the ERASE Community Improvement Project Area undertakes a Risk Assessment and remediates the property to a standard that would enable the owner to submit a RSC, the property owner may instead provide the City with a Risk Assessment prepared by a Qualified Person for Risk Assessments (as defined in the *Environmental Protection Act* and Ontario Regulation 153/04, as amended), subject to a peer-review by a Qualified Person for Risk Assessments, who is acceptable to the City. This peer-review must certify that the property has been remediated to the appropriate levels for the proposed use in accordance with the Risk Assessment, to the satisfaction of the City. The cost of the peer-review will be an eligible cost.

Once the development project is complete and the property has been reassessed by MPAC, the property owner will be sent a new tax bill. After the property owner has paid in full the new taxes for one (1) calendar year, the City will check to see that the property is not in tax arrears and that the property is still in conformity with the terms of the ERG Agreement. The City will calculate the actual tax increment and grant payment. The City will then issue payment of the grant in the form

of a cheque in the amount specified as per the calculation of the actual grant payment. If the property is severed into multiple parcels or lots or if there is a conveyance of part of the property (all referred to as "severed parcels") prior to the first full year of reassessment resulting from the completion of the project. the property taxes used to calculate the grant shall be the sum of the amount which is the lesser of the post-project municipal property taxes or the municipal property taxes payable for the year for which a grant payment is being made, for all the severed parcels but for the initial grant payment means the amount which equals the sum of the post-project municipal property taxes for the severed parcels.

A grant will not be made unless a written request for the grant payment has been made by the owner in the year in which the grant payment is payable. If a written request has not be made for grant payment in the year in which it is payable but all other conditions for its payment have been satisfied, the grant payment shall accrue and be payable together with any other grant payments for which a written request has not been made until such time as a written request has been made and upon such written request the grant payment shall equal the sum of the accrued and previously unrequested grant payments. If a request for the initial grant payment is not made within three (3) years of the year in which the first-years' grant is payable the agreement shall terminate and without limiting the generality of the foregoing the City shall not be obligated to make any grant payments.

APPENDIX C

8.3 ERASE Tax Assistance Program (TAP)

8.3.1 Purpose

The purpose of the ERASE Tax Assistance Program (TAP) is similar to the ERG, i.e., to remove a serious financial impediment to brownfield redevelopment efforts, namely the large tax increase that can result when a brownfield property is redeveloped. Specifically, the TAP applies only to the costs of environmental remediation.

The legislative authority for the TAP is established under Sections 365.1(2) and (3) of the *Municipal Act* which allow municipalities to pass a by-law providing tax assistance to an eligible property in the form of a freeze or cancellation of part or all of the taxes levied on that property for municipal and school purposes during the rehabilitation period (maximum 18 months from the date that tax assistance begins) and the development period of the property. Matching assistance from the education property tax is subject to approval by the Ministry of Finance.

8.3.2 Program Description

The Tax Assistance Program consists of two stages. In the first stage, taxes may be frozen. In the second stage, the developer will initially pay for the entire cost of the remediation and redevelopment project. When the municipality receives the incremental property taxes that result from the project, the municipality may cancel a portion of the increase in City taxes that result from redevelopment. The tax assistance will continue for a period of up to three years, at which point, if the City so chooses, continued assistance may be offered either through TAP or through the ERASE Redevelopment Grant (ERG) Program.

Under the TAP, 80% of the increase in the City and education portion of taxes that results from remediation and rehabilitation of the property will be cancelled. Cancellation of the education portion of taxes will only be undertaken if the City of Hamilton receives the approval of the Minister of Finance. Approval for the education portion of the property tax under the TAP may be provided by the Minister of Finance on a case-by-case basis by means of individual applications. The remaining 20% of the increase in the City portion of property taxes will be dedicated to the ERASE Municipal Acquisition and Partnership Program (MAPP) (see Section 8.4). The remaining 20% of the increase in the education portion of property taxes will be remitted to the Province of Ontario.

Assignment of tax assistance under this program is not permitted.

All tax assistance provided under the TAP to a property will cease:

- a) When the total tax assistance provided equals the total cost of environmental remediation, i.e., the costs of any action taken to reduce the concentration of contaminants on, in or under the property to permit a record of site condition (RSC) to be filed in the Environmental Site Registry under Section 168.4 of the *Environmental Protection Act*; or,
- b) After 10 years for the municipal portion of taxes, and after such time period as is approved by the Minister of Finance (if applicable) for the education portion of the taxes; whichever comes first.

If tax assistance is approved by the Minister of Finance, the timing and conditions associated with matching tax assistance relating to the education portion of taxes may be different from those of

the municipality. Education Tax Assistance will be to a maximum of a three (3) year period unless otherwise approved by the Minister of Finance.

The TAP is an application-based program. As early as possible in the development approvals process, a property owner will register their intent to participate in the grant program by filing an ERASE TAP Application with the Economic Development Division. Before accepting this application, the Economic Development Division will screen the application to ensure that it is for a property within the designated Community Improvement Project Area and the application meets all of the eligibility requirements. Applications that are not within the Project Area or applications that clearly do not meet the eligibility requirements will not be accepted.

Acceptance of the application by the Economic Development Division in no way implies grant approval.

Applications will be processed and approved on a first come, first serve basis. Review and evaluation of applications and supporting materials against program eligibility requirements will be done by City staff. The applicant participating in the TAP must enter into an agreement with the City. This Agreement will specify the terms and conditions of the tax assistance. All TAP applications and agreements will be subject to approval by City Council or Council’s designate.

The amount of City taxes (“city base rate”) and the amount of education taxes (“education base rate”) will be determined before commencement of the project and before the record of site condition is filed in the Environmental Site Registry. For stage 1 of the TAP, taxes may be frozen at this city base rate and, if approval granted by the Minister of Finance, education base rate. For stage 1 of the TAP, taxes may be frozen. For stage 2 of the TAP, the increase in the City portion of real property taxes (or “municipal tax increment”) will be calculated as the difference between the city base rate and the amount of City taxes levied as a result of reassessed by Municipal Property Assessment Corporation (MPAC) following project completion. The increase in the education portion of real property taxes (or “education tax increment”) will be calculated as the difference between the education base rate and the amount of education taxes levied as a result of reassessed by MPAC following project completion. This program does not exempt property owners from an increase/decrease in municipal or education taxes due to a general tax rate increase/decrease, or a change in assessment for any other reason.

The applicant shall obtain and submit to the City a Phase II ESA and/or Risk Assessment and a Remedial Action Plan undertaken by a Qualified Person that:

- a) Identifies the extent and provides a cost estimate environmental remediation of the eligible property; and,
- b) Contains a detailed work plan and budget for said environmental remediation.

To qualify for education tax assistance, the subject property, as of the date of the phase two environmental site assessment was completed, did not meet the standards that must be met under subparagraph 4 i) of subsection 168.4 (1) of the *Environmental Protection Act* to permit a Record of Site Condition to be filed under that subsection in the Environmental Site Registry. The actual component costs of the environmental remediation work done will be supplied to the City upon completion of the project. Provision of the tax assistance will be based on the City’s review and satisfaction with all reports and documentation submitted outlining the full scope and cost of the work completed.

Any and all of these costs may be subject to an independent audit, at the expense of the property owner.

If during the course of the work, the scope of the work changes, or actual costs are greater or less than estimated costs, the municipality reserves the right to increase or decrease the total amount of the tax assistance, subject to any conditions or restrictions with respect to taxes for school purposes as required by the Minister of Finance. The actual amount of the tax assistance will be based on the actual increase in property taxes as calculated based on the actual reassessment by the MPAC, following project completion.

The City may discontinue the TAP at any time. However, participants in the TAP with applications and agreements that were approved prior the closing of the program will continue to receive tax assistance as determined through their TAP Agreement with the City. No right to any tax assistance until it has been duly authorized by the City. The City is not responsible for any costs incurred by the owner/applicant in any way relating to the program, including without limitation, costs incurred in anticipation of tax assistance in stage two of the TAP (e.g., after project completion).

8.3.3 Eligibility Requirements

All owners of property within the ERASE Community Improvement Project Area are eligible to apply for funding under this tax assistance program, subject to meeting the general program requirements in Section 8.0, the following eligibility requirements, and subject to availability of funding as approved by Council:

- a) An application for the TAP must be submitted to the Economic Development Division prior to the filing of a Record of Site Condition in the Environmental Site Registry under section 168.4 of the *Environmental Protection Act*, and prior to the commencement of any works and prior to application for Building Permit;
- b) Such application shall include reports, plans, estimates, contracts and other details as may be required to satisfy the City with respect to the eligible costs of the project and conformity of the project with the ERASE CIP;
- c) As soon as possible the applicant shall obtain and submit to the City a Phase II ESA and/or Risk Assessment and Remedial Action Plan undertaken by a Qualified Person that:
 - i) identifies the extent and provides a cost estimate for the environmental remediation of the eligible property; and,
 - ii) contains a detailed work plan and budget for said environmental remediation;
- d) As a condition of the tax assistance application, the City may require the applicant to submit a Business Plan, with said Plan to the City's satisfaction;
- e) The property shall be redeveloped such that the amount of work undertaken is sufficient to at a minimum result in an increase in the assessed value of the property;
- f) The total value of the tax assistance provided under this program shall not exceed the total value of work done under eligible program costs;

- g) Eligible program costs include the following:
- i) environmental remediation, i.e., the cost of any action taken to reduce the concentration of contaminants on, in or under the eligible property to permit a Record of Site Condition (RSC) to be filed for the proposed use by a Qualified Person, including costs of preparing and filing an RSC and Certificate of Property Use (CPU), cost of clean fill, grading and compaction to replace contaminated soils;
Eligible environmental remediation costs do not include construction/development costs that would be required regardless of the presence of contamination.
 - ii) Phase II ESAs, Risk Assessments and Remedial Action Plans not covered by the ERASE Study Grant program;
 - iii) installing environmental and/or engineering controls/works, as specified in the Remedial Work Plan and/or Risk Assessment and/or CPU;
 - iv) monitoring, maintaining and operating environmental and/or engineering controls/works related to environmental remediation, as specified in the Remedial Action Plan and/or Risk Assessment and/or CPU; and
 - v) Environmental Insurance Premiums;
- h) Notwithstanding 8.3.3 g), costs shall not be considered to be eligible if incurred prior to the date an application has been submitted under this program and accepted by the City with the exception of studies which were the subject of an approved ERASE Study Grant (ESG) Program (8.1) application. The total of the tax assistance provided under this Program in combination with the ERG Program (8.2), shall not exceed the total approved costs. Previous grant payments provided under the ESG Program for a study(s) which are also to be accepted as eligible costs under this Program will be deducted from the approved eligible costs;
- i) To be eligible under this program, costs must be incurred by the property owner as identified on the submitted program application accepted by the City;
 - j) Actual costs for any or all items in eligible program costs above may be subject to audit by the City, at the expense of the property owner;
 - k) The applicant participating in the TAP program must enter into an agreement with the City. This Agreement will specify the terms and conditions of the tax assistance to be provided and will include terms and conditions in addition to those contained in this Appendix "C" as determined by the City Solicitor and General Manager of Planning and Economic Development.
 - l) All TAP applications and agreements must be approved by City Council or City Council's designate;
 - m) The property owner shall be required to submit one of the following prior to being provided tax assistance:
 - i) a Record of Site Condition ("RSC") conforming to the latest Ontario Regulation 153/04 standards and prepared by a Qualified Person to the Environmental Site

Registry under Section 168.4 of the *Environmental Protection Act* and the property owner shall submit to the City an acknowledgement of receipt of the RSC by the Ministry of Environment, Conservation and Parks (MOECP); or

- ii) where the submission of a signed RSC is not required under the *Environmental Protection Act* to permit the brownfield redevelopment and provided that the owner of the property within the ERASE Community Improvement Project Area undertakes a Risk Assessment and remediates the property to a standard that would enable the owner to submit a RSC, the owner may instead provide the City with a Risk Assessment prepared by a Qualified Person for Risk Assessments (as defined in the *Environmental Protection Act* and Ontario Regulation 153/04, as amended), subject to a peer-review by a Qualified Person for Risk assessment, who is acceptable to the City. This peer-review must certify that the property has been remediated to the appropriate levels for the proposed use in accordance with the Risk Assessment, to the satisfaction of the City. The cost of the peer-review will be an eligible cost;
- n) The City reserves the right to require the submission to the City’s satisfaction, of environmental reports and documentation showing the subject property has been remediated to the appropriate levels for the proposed use;
- o) If a building(s) erected on a property participating in this program is demolished before the tax assistance period expires, the remainder of the tax assistance shall be forfeited;
- p) The improvements made to buildings and/or land shall be made pursuant to a Building Permit, constructed in accordance with the Ontario Building Code and in compliance with all applicable Official Plan, Zoning By-Law and Site Plan Control requirements and approvals;
- q) Outstanding work orders and/or orders or requests to comply from the City must be satisfactorily addressed prior to tax assistance approval;
- r) Work on the portion of the Project that is at or above grade shall commence no longer than five (5) years from the date an application under this program was approved by City Council (or City Council’s designate) and the Project and all eligible works shall be completed and the project capable of being fully occupied within 10 years from the date an application under this program was approved by City Council (or City Council’s designate) . Where a project consists of multiple phases, consideration may be provided for an extended project completion and occupancy period at the sole discretion of the City.
- s) For all applications for the TAP that meet the eligibility requirements for matching tax assistance under the provisions of section 365.1 of the *Municipal Act, 2001*, the City will forward a separate application to the Minister of Finance in order that the Minister may consider providing matching education property tax assistance.

8.3.4 Administration

The Economic Development Division will be responsible for administering the TAP, in consultation with other division/departments as necessary. Applications shall be submitted to the Economic Development Division and shall be accompanied by a Phase II ESA and/or Risk Assessment and Remedial Action Plan undertaken by a Qualified Person (as defined under Ontario Regulation 153/04). The work plan and cost estimate shall be in the form of a Remedial Action Plan prepared

by a Qualified Person. Said work plan and cost estimate will be supported by a Phase II ESA and/or Risk Assessment undertaken by a Qualified Person. Studies/Plans submitted shall:

- a) Identify the extent of the environmental remediation and any installation, monitoring, maintaining and operating environmental and/or engineering controls/works required for the eligible property; and,
- b) Provide a detailed work plan and cost estimate for said environmental remediation which includes the installation, monitoring, maintaining and operating environmental and/or engineering controls/works.

The City may also require the submission of a Business Plan for the proposed development.

Applicants will be required to have a pre-application consultation meeting with City staff in order to determine program eligibility, proposed scope of work, project timing, etc.

Before accepting an application, City staff will screen the application. If the application is not within the community improvement project area or the application clearly does not meet the program eligibility requirements, the application will not be accepted.

Acceptance of the application by the City in no way implies grant approval.

Program eligibility will be determined by the Economic Development Division, in consultation with other divisions/departments as necessary. Applications will be recommended for approval only if they meet the criteria specified in this Plan and any other requirements of the City including that the property and property owner are in good standing with the City in terms of all City By-laws that apply to the property and project, all laws that govern the construction and development of the project and the payment of all taxes which are not the subject of assistance under this program.

Where a TAP application has been submitted by a property owner and accepted by the City but not yet approved by City Council (or City Council’s designate), and the subject property(s) are transferred to a new property owner, the City may permit the transfer or assignment of the application, and any eligible costs incurred from the original date of application, to the new owner at the sole, absolute and unfettered discretion of the General Manager of Planning and Economic Development. An assignment or transfer may require the assignee or transferee to submit an application, assignment or transfer agreement and/or such other documents as determined by the General Manager of Planning and Economic Development in their sole, absolute and unfettered discretion.

A recommendation on the TAP Application and a TAP Agreement will be prepared by City staff. Staff will also prepare a Draft by-law under Section 365.1 of the *Municipal Act* to effect tax assistance equal to 80% of the increase in taxes levied for City, and taxes levied for school purposes. This Draft by-law will be forwarded to the Minister of Finance for approval of the tax assistance equal to the increase in taxes levied for school purposes. Once written approval of the by-law is received from the Minister of Finance, any conditions or restrictions specified by the Minister will be included in the by-law.

The recommendation on the TAP Application and the TAP Agreement will be forwarded to City Council (or Council’s designate) for consideration. Once City Council (or City Council’s designate) approves the TAP Application and the TAP Agreement, the TAP Agreement will be forwarded to the applicant for signature. Once the applicant has signed the agreement, the agreement will then be executed by City officials and a copy will be provided to the applicant. The implementing by-law will then be forwarded to Council for adoption.

The by-law requesting matching education tax assistance will be forwarded to the Minister of Finance for approval within 30 days of Council’s adoption.

The agreement with the City will be forwarded to the applicant for signature once City Council (or Council’s designate) approves the TAP Application. Once the applicant has signed the agreement, the agreement will then be executed by City officials and a copy will be provided to the applicant. The City may require the applicant to register the agreement on title immediately upon execution of the agreement. This agreement will identify events of default whereby upon its occurrence, and for so long as the default continues, the City shall be entitled to remedies including but not limited to ceasing or delaying tax assistance without notice to the owner and any obligation of the City to provide tax assistance or provide accommodation under the TAP Agreement shall cease. In addition, the City may declare, by notice to the owner, that any tax assistance already provided to be forthwith due and payable as determined by the General Manager of Planning and Economic Development in their sole, absolute and unfettered discretion.

The property owner shall submit to the MOECP a signed RSC prepared by a Qualified Person, and the property owner shall submit to the City an acknowledgement of receipt of the RSC by the MOECP. The City reserves the right to require the submission to the City’s satisfaction, of environmental reports and documentation showing the subject property has been remediated to the appropriate levels for the proposed use. The RSC filed with the MOECP must conform to the latest Ontario Regulation 153/04 standards.

Where the submission of a signed RSC is not required under the *Environmental Protection Act* to permit the brownfield redevelopment, provided that and the owner of the property within the ERASE Community Improvement Project Area undertakes a Risk Assessment and remediates the property to a standard that would enable the owner to submit a RSC, the owner may instead provide the City with a Risk Assessment prepared by a Qualified Person for Risk Assessment (as defined in the *Environmental Protection Act* and Ontario Regulation 153/04, as amended), subject to a peer-review by a Qualified Person for Risk Assessment, who is acceptable to the City. This peer-review must certify that the property has been remediated to the appropriate levels for the proposed use in accordance with the Risk Assessment, to the satisfaction of the City. The cost of the peer-review will be an eligible cost.

Once the redevelopment project is complete and the property has been reassessed by the MPAC, the property owner will be sent a new tax bill from which 80% of the City tax increment and the portion of the education tax increment that will be cancelled. The remaining 20% of the increase in the City portion of property taxes will be dedicated to the ERASE Municipal Acquisition and Partnership Program (MAPP) (see Section 8.4). The remaining portion (if any) of the increase in the education portion of property taxes will be remitted to the Province of Ontario. If the property is severed into multiple parcels or lots or if there is a conveyance of part of the property (all referred to as “severed parcels”) prior to the first full year of reassessment resulting from the completion of the project. the property taxes used to calculate the assistance shall be the sum of the amount which is the lesser of the post-project municipal property taxes or the municipal property taxes payable for the year for which tax assistance is being provided, for all the severed parcels means the amount which equals the sum of the post-project municipal property taxes for the severed parcels.

Tax assistance will not be provided unless a written request for the assistance has been made prior to the year in which tax assistance is to commence. If a written request has not be made for assistance prior to the year in which tax assistance is to commence but all other conditions for the assistance have been satisfied, the assistance shall accrue and be provided together with any other tax assistance for which a written request has not been made until such time as a written

request has been made and upon such written request the assistance shall equal the sum of the accrued and previously unrequested assistance. If a request for tax assistance is not made within three (3) years of the year in which the first-years' tax assistance may commence, the agreement shall terminate and without limiting the generality of the foregoing the City shall not be obligated to provide any tax assistance.

In the event of the sale, conveyance, transfer or entering into of any agreement of sale or transfer of the title of the Property, any future tax assistance will be terminated.

APPENDIX D

8.4 Downtown Hamilton / West Harbourfront Remediation Loan Program (RLP)

8.4.1 Purpose

The purpose of this program is to help remove a serious financial impediment to brownfield redevelopment efforts. Because it is often difficult to secure traditional financing for the remediation of contaminated properties, the City, by providing a low interest loan, is offering financing assistance and the economic stimulus for the remediation of properties being developed/redeveloped as residential or residential/commercial use within the defined areas of Downtown Hamilton and the West Harbourfront.

8.4.2 Program Description

The Hamilton Downtown/West Harbourfront Remediation Loan Pilot Program (RLP) has been developed to stimulate residential or residential/commercial development/ redevelopment on properties requiring remediation (i.e. brownfield properties) that are located within Downtown Hamilton (Area 4) or the West Harbourfront (Area 3) as defined through the ERASE Community Improvement Project Area and which have also been approved under either the ERASE Redevelopment Grant Program or Hamilton Tax Increment Grant Program.

The Program offers a loan for the remediation of properties being developed/ redeveloped for residential or residential/commercial use. The Program will provide financial assistance through a low interest loan equal to 80% of the cost of remediating a property within the defined areas to a maximum of \$400,000 per property/project. The loan is to be a ‘bridge’ until such time as the property owner receives their ERASE Redevelopment Grant or Hamilton Tax Increment Grant.

The development arising from this Pilot Program must be consistent with the policies, principles and design themes contained within the Official Plan, Downtown Hamilton Secondary Plan, the West Harbourfront Secondary Plan, relevant Urban Design Guidelines, Zoning By-laws and Site Plan Control requirements and approvals as well as any other City Council approved policy/regulation.

The Program is offering financial assistance for qualifying projects through a low interest loan equal to 80% of the remediation costs of the property, up to a maximum loan per property/project of \$400,000.

The Program is not intended to provide a loan for the total development/ redevelopment of the property but solely for the remediation costs that qualify under the criteria of the ERASE Redevelopment Grant Program, excluding LEED eligible component costs. Actual costs for which the City loan is being provided may be subject to audit (at applicants cost).

Applications will be recommended for approval only if they meet the criteria specified in this Plan and any other requirements of the City including that the property and property owner are in good standing with the City in terms of all City By-laws that apply to the property and project, all laws that govern the construction and development of the project and the payment of all taxes.

The loan under this Program, once approved, will be provided to the owner, in progress payments

based on 80% of the actual qualifying remediation costs incurred as evidenced by copies of paid invoices. Such progress payments will be advanced within 30 days of submission of the property owner’s request for a loan draw. There will be a limit of six draws, spaced no less than 30 days apart.

The loan provided under this Program will be subject to a Loan Agreement with terms and conditions in conformity with this Program and such additional terms and conditions as determined by the General Manager of Planning and Economic Development and City Solicitor in their sole discretion. The loan will be specifically secured by an assignment of the grant payments under the ERASE Redevelopment Grant Program or Hamilton Tax Increment Grant Program. Payments under the ERASE Redevelopment Grant will be applied directly to the remediation loan until such time as the loan is repaid, and any balance in the grant will then and only then flow directly to the owner.

The owner must secure the loan by an assignment of the grant payments under either the ERASE Redevelopment Grant Program or Hamilton Tax Increment Grant Program. City Council at its sole discretion may cease grants under the Hamilton Tax Increment Grant Program if property ownership changes. The Hamilton Tax Increment Grant Program shall not be transferred if the development/redevelopment of the property is incomplete.

Remediation of the property will commence no longer than one (1) year following City Council’s approval of the loan commitment and be completed no longer than two (2) years following City Council’s approval of the loan commitment. The one and two-year periods may be extended by City Council at its absolute discretion.

Redevelopment/development of the property will commence no longer than three (3) years following City Council’s approval of the loan commitment and be completed no longer than four (4) years following City Council’s approval. The three and four-year periods may be extended by City Council at its absolute discretion.

Grant payments under the Hamilton Tax Increment Grant Program or ERG Program must be assigned to repay the outstanding loan first and will be fully amortized over a maximum five (5) year period calculated from the first full year in which the property is reassessed by MPAC. 100% of the grant amount will be applied to the repayment of the loan until the loan is fully repaid and which shall also result in a reduction in the applicable amortization period. In the event that assigned grant payments are not sufficient to repay the loan in its entirety within the required amortization period, supplemental payments will be a requirement of the applicant in an amount required to repay the loan in its entirety within the applicable amortization period. Where the property owner intends to utilize the ERG Program’s Development Charge Reduction Option (9.0) (“DC Reduction Option”), the value of the ERG grant payments to be assigned to repay the loan will be based on that remaining after the DC Reduction Option is utilized.

In the event that the development of the property has not proceeded within one year of the remediation being completed or, the owner invalidates their qualification under the ERASE Redevelopment Grant, the loan will be capped immediately (unless alternate security acceptable to the City is provided) at the drawn amount and shall be repaid in annual installments over no longer than a five (5) year period calculated from the date City Council approved the loan commitment.

That the interest rate for the Loan Program be 0% and the loan repayment period be a maximum five (5) years.

In order to support the development within the defined areas, the remediation loan may be received by an owner in conjunction with any other available municipal incentive program.

In the event of the sale, conveyance, transfer or entering into of any agreement of sale or transfer of the title of the property or portion thereof by the owner, the City shall have sole, absolute and unfettered discretion to request the full or partial repayment of any outstanding loan under this Program.

In the case where the owner is a corporation, the owner covenants and agrees that in the event that there is a change in the effective control of the majority of the voting shares of the owner, the City shall have absolute discretion to request the full repayment of any outstanding loan under this Program.

Regardless of whether or not an Applicant otherwise satisfies the requirements of the Program, the City may reject any application received from an applicant where, in the opinion of Council, the commercial relationship between the City and the Applicant has been impaired by, but not limited to, the applicant being involved in litigation with the City. Applicants are individuals; corporate entities and individuals behind the corporation (Officers/Directors/Shareholders).

Finally, for the purposes of clarity a 'project' consists of the redevelopment site. The redevelopment site may include multiple properties with more than municipal address.

8.4.3 Eligibility Requirements

- a) Qualifying owners are owners of properties who qualify for financing under the ERASE Redevelopment Grant Program.
- b) Qualifying properties are properties that fall within the Downtown Hamilton (Area 4) or West Harbourfront (Area 3) as identified by the ERASE Community Improvement Project Area.
- c) Eligible program costs are the same as those established for the ERASE Redevelopment Grant Program, excluding LEED eligible component costs, and include:
 - i) environmental remediation (i.e., the cost of any action taken to reduce the concentration of contaminants on, in or under the eligible property to permit a Record of Site Condition (RSC) to be filed for the proposed use by a Qualified Person, including costs of preparing and filing of an RSC and Certificate of Property Use (CPU), cost of clean fill, grading and compaction to replace contaminated soils;
Eligible environmental remediation costs do not include construction/development costs that would be required regardless of the presence of contamination.
 - ii) Phase II ESAs, Risk Assessments and Remedial Action Plans not covered by the ERASE Study Grant program;
 - iii) installing environmental and/or engineering controls/works, as specified in the Remedial Work Plan and/or Risk Assessment and/or CPU;
 - iv) monitoring, maintaining and operating environmental and/or engineering controls/works related to environmental remediation, as specified in the Remedial Action Plan and/or Risk Assessment and/or CPU;
 - v) Designated Substances and Hazardous Material Survey and their removal and

abatement in accordance with the *Occupational Health and Safety Act* and Ontario Regulation 278/05 (where applicable) in current/closed Institutional use buildings (Area 3 and 4 only);

- vi) Designated Substances and Hazardous Material Survey and their removal and abatement in accordance with the *Occupational Health and Safety Act* and Ontario Regulation 278/05 (if applicable) as part of the rehabilitation and restoration of heritage buildings/properties designated under Part IV or V of the *Ontario Heritage Act* (Area 3 and 4); and
- vii) In addition to the above, the following costs will be considered eligible when incurred on a site requiring remediation/rehabilitation and located in the applicable geographic area:
 - A. demolition costs not covered by demolition charge credits (Areas 3 only);
 - B. the removal, replacement and/or upgrade of capacity for existing infrastructure (water services, sanitary sewers and storm sewers) up to a maximum of 25% of the cost of said improvement provided the improvement is located on the property and will support the rehabilitation and reuse of the property (Area 3 only); and,
 - C. certain relocation/removal costs for existing and operating industrial manufacturing and transportation uses, where such costs relate to or contribute directly to the actual remediation and rehabilitation of the site (Area 3 only);
- d) Notwithstanding 8.4.3 c) above, eligible costs shall not be considered to be eligible if incurred prior to the date an application has been submitted under this program and accepted by the City with the exception of studies which were the subject of an approved ERASE Study Grant (ESG) Program (8.1) application. Previous grant payments provided under the ESG Program for a study(s) which are also to be accepted as eligible costs under this Program will be deducted from the approved eligible costs;

The following terms specifically apply:

- a) The improvements made to buildings and/or land shall be made pursuant to a Building Permit, constructed in accordance with the Ontario Building Code and in compliance with all applicable Official Plan, Zoning By-Law and Site Plan Control requirements and approvals; and,
- b) All owners receiving approval for a City loan under this Program shall be required to enter into a loan agreement with the City.

8.4.4 Administration

The Economic Development Division will be responsible for administering the RLP, in consultation with other division/departments as necessary. Applications shall be submitted to the Economic Development Division and shall be accompanied by a Phase II ESA and/or Risk Assessment and Remedial Action Plan undertaken by a Qualified Person (as defined under Ontario Regulation 153/04) and/or Designated Substances and Hazardous Materials Survey (where applicable). For sites undertaking environmental remediation, the work plan and cost estimate shall be in the form of a Remedial Action Plan prepared by a Qualified Person. Said work plan and cost estimate will be supported by a Phase II ESA and/or Risk Assessment undertaken by a Qualified Person. Studies/Plans submitted shall:

- a) Identify the extent of the environmental remediation and any installation, monitoring, maintaining and operating environmental and/or engineering controls/works required for the eligible property; and,
- b) Provide a detailed work plan and cost estimate for said environmental remediation which includes the installation, monitoring, maintaining and operating environmental and/or engineering controls/works.

For other non-remediation eligible works under this program, a written contractor’s estimate shall be provided which shall be supported by any applicable studies (such as Designated Substances and Hazardous Materials Survey) to the City’s satisfaction. The City may also require the submission of a Business Plan for the proposed development.

Applicants will be required to have a pre-application consultation meeting with City staff in order to determine program eligibility, proposed scope of work, project timing, etc.

Before accepting an application, City staff will screen the application. If the application is not within Areas 3 or 4 of the ERASE Community Improvement Project Area or the application clearly does not meet the program eligibility requirements, the application will not be accepted.

Acceptance of the application by the City in no way implies loan approval.

Program eligibility will be determined by the Economic Development Division, in consultation with other divisions/departments as necessary. Applications will be recommended for approval only if they meet the criteria specified in this Plan and any other requirements of the City including that the property and property owner are in good standing with the City in terms of all City By-laws that apply to the property and project, all laws that govern the construction and development of the project and the payment of all taxes

A recommendation on the application (including estimated eligible costs) and loan agreement will be forwarded to City Council (or Council’s designate) for consideration. Once City Council (or Council’s designate) approves the Application, the loan agreement will be forwarded to the applicant for signature. Once the applicant has signed the agreement, the agreement will then be executed by City officials and a copy will be provided to the applicant. The City may require the applicant to register the agreement on title immediately upon execution of the agreement.

Securities required to be provided by the applicant will be determined by the City in its sole discretion which shall be in addition to security or assignment of grants under the ERG or Hamilton Tax Increment Grant Program.

For sites subject to environmental remediation, the property owner shall submit to the MOECP a signed Record of Site Condition (RSC) prepared by a Qualified Person, and the property owner shall submit to the City an acknowledgement of receipt of the RSC by the MOECP. The City reserves the right to require the submission to the City’s satisfaction, of environmental reports and documentation showing the subject property has been remediated to the appropriate levels for the proposed use. The RSC filed with the MOECP must conform to the latest Ontario Regulation 153/04 standards. Where the submission of a signed RSC is not required under the *Environmental Protection Act* to permit the brownfield redevelopment and provided that the owner of the property within the ERASE Community Improvement Project Area undertakes a Risk Assessment and remediates the property to a standard that would enable the owner to submit a RSC, the owner may instead provide the City with a Risk Assessment prepared by a Qualified Person for Risk Assessment (as defined in the *Environmental Protection Act* and Ontario Regulation 153/04, as

amended), subject to a peer-review by a Qualified Person for Risk Assessment, who is acceptable to the City. This peer-review must certify that the property has been remediated to the appropriate levels for the proposed use in accordance with the Risk Assessment, to the satisfaction of the City. The cost of the peer-review will be an eligible cost.

A loan will not be provided unless a written request for the initial loan advance has been made by the owner. If a request for the loan payment is not made within three (3) years of the year in which the initial loan is payable the agreement shall terminate and without limiting the generality of the foregoing the City shall not be obligated to provide the loan payments.

CITY OF HAMILTON						
CAPITAL PROJECT CLOSINGS						
AS OF SEPTEMBER 30, 2019						
Projects impacting the Unallocated Capital Levy Reserve						
Year	ProjectID	Description	Surplus/ (Deficit) (\$)	Reserve	Description	
<u>Projects returning funds</u>						
2007	2050757700	Tangible Capital Asset Project	194,502.83	108020	Unalloc Capital Levy	
2017	7401755703	10YR HFD Service Delivery Plan	26,497.64	108020	Unalloc Capital Levy	
2018	3381857801	Social Procurement Consultant	695.25	108020	Unalloc Capital Levy	
2018	4661820017	Traffic Signal LED Upgrades - 2018	618.49	108020	Unalloc Capital Levy	
Net impact to the Unallocated Capital Levy Reserve			222,314.21			
Total Net impact to the Unallocated Capital Levy Reserve and Other Reserves			222,314.21			

CITY OF HAMILTON CAPITAL PROJECTS' CLOSING SCHEDULE AS OF SEPTEMBER 30, 2019							
YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$) a	REVENUES (\$) b	EXPENDITURES (\$) c	PROJECT SURPLUS/ (DEFICIT) (\$) d = b - c	% SPENT e=c/a
UNALLOCATED CAPITAL LEVY RESERVE							
2007	2050757700	Tangible Capital Asset Project	1,700,000.00	1,648,296.72	1,453,793.89	194,502.83	88.2%
2017	7401755703	10YR HFD Service Delivery Plan	200,000.00	155,421.26	128,923.62	26,497.64	64.5%
2018	3381857801	Social Procurement Consultant	88,000.00	88,000.00	87,304.75	695.25	99.2%
2018	4661820017	Traffic Signal LED Upgrades - 2018	133,000.00	133,000.00	132,381.51	618.49	99.5%
TOTAL FUNDS FROM UNALLOCATED CAPITAL LEVY (4)			2,121,000.00	2,024,717.98	1,802,403.77	222,314.21	85.0%
DELAYED/CANCELLED PROJECTS							
2016	4031680680	Garth St Extension Class EA	280,000.00	0.00	0.00	0.00	0.0%
2016	4401656621	Pleasant View Land Acquisition	0.00	0.00	0.00	0.00	0.0%
2017	4401749510	Spray pad Infrastructure Rehab	0.00	0.00	0.00	0.00	0.0%
2017	2111756401	Parkland Acquisition	0.00	0.00	0.00	0.00	0.0%
2018	4401856808	785 Britannia Ave St Helens	0.00	0.00	0.00	0.00	0.0%
2019	4241909213	Durand Heritage Street Signs	15,000.00	0.00	0.00	0.00	0.0%
2019	6731941902	COCHI Repairs	0.00	0.00	0.00	0.00	0.0%
2019	6731941903	OPHI New Construction	0.00	0.00	0.00	0.00	0.0%
2019	6731941904	COCHI & OPHI-Admin	0.00	0.00	0.00	0.00	0.0%
TOTAL DELAYED/CANCELLED PROJECTS (9)			295,000.00	0.00	0.00	0.00	0.0%
COMPLETED PROJECTS							
Corporate Services, City Manager's Office and Councillor Infrastructure Programs (Tax Budget)							
Councillor Infrastructure Program							
2017	4241710555	2017 Chargebacks – Area Rating	227,190.51	546,330.86	546,330.86	0.00	100.0%
2018	4241810555	2018 Chargebacks - Area Rating	0.00	561,488.41	561,488.41	0.00	100.0%
Outside Boards & Agencies							
CityHousing Hamilton							
2009	6180941901	801 Upper Gage Renovation	1,400,000.00	2,778,861.40	2,778,861.40	0.00	100.0%
Library Services							
2008	7500841800	RFID Project	4,290,000.00	4,285,591.06	4,285,591.06	0.00	99.9%
2017	7501741602	Rural Service Model Pilot	35,000.00	34,139.12	34,139.12	0.00	97.5%
2018	7501859400	Digital Collections Project	100,000.00	99,742.16	99,742.16	0.00	99.7%
2018	7501851401	Children's Computer Replacement	140,000.00	138,022.45	138,022.45	0.00	98.6%
Healthy and Safe Communities (Tax Budget)							
Hamilton Paramedic Service							
2018	7641851101	Annual Paramedic Equip Replace	1,019,000.00	1,010,693.03	1,010,693.03	0.00	99.2%
Planning & Economic Development (Tax Budget)							
Tourism & Culture							
2015	7201541506	Gage House Exterior	50,130.00	50,182.67	50,182.67	0.00	100.1%
Real Estate Division							
2014	2111456401	Parkland Acquisition	3,500,000.00	3,508,633.00	3,508,633.00	0.00	100.2%
2015	2111556401	Parkland Acquisition	1,500,000.00	1,500,000.00	1,500,000.00	0.00	100.0%
2016	2111656401	Parkland Acquisition	1,500,000.00	1,500,000.00	1,500,000.00	0.00	100.0%
2018	3561850123	RE 1500	240,000.00	240,000.00	240,000.00	0.00	100.0%

CITY OF HAMILTON CAPITAL PROJECTS' CLOSING SCHEDULE AS OF SEPTEMBER 30, 2019								
YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$)	REVENUES (\$)	EXPENDITURES (\$)	PROJECT SURPLUS/ (DEFICIT) (\$)	% SPENT	
			a	b	c	d = b - c	e=c/a	
Public Works (Tax Budget)								
Parks & Cemeteries (Tax Budget)								
2014	4241409213	Public Seating	50,000.00	12,140.16	12,140.16	0.00	24.3%	
2015	4241509720	Inch Park Initiative	25,289.44	25,289.44	25,289.44	0.00	100.0%	
2017	4401741001	Cemetery Building Repairs	75,000.00	75,000.00	75,000.00	0.00	100.0%	
2017	4401749607	Outdoor Ice Rink Program	7,600.00	7,635.08	7,635.08	0.00	100.5%	
2017	4401749612	Cemetery Id Signs	36,517.41	36,517.41	36,517.41	0.00	100.0%	
2018	4241809303	Lifesavers Park	125,000.00	109,020.29	109,020.29	0.00	87.2%	
2018	4241809304	Woodlands Park	101,800.00	101,760.20	101,760.20	0.00	100.0%	
2018	4241809602	Fay Park Redevelopment	91,100.00	91,080.46	91,080.46	0.00	100.0%	
2018	4401811601	Cemetery Roads Rehabilitation	11,300.00	11,297.83	11,297.83	0.00	100.0%	
2018	4401851601	Equipment Acquisitions - DC	247,000.00	247,000.05	247,000.05	0.00	100.0%	
2018	4401856001	Leash free Dog Park Program	80,000.00	80,000.00	80,000.00	0.00	100.0%	
2018	7101854812	SC Tennis-Courts Resurfacing	70,000.00	70,000.00	70,000.00	0.00	100.0%	
2018	4241809704	Inch Park Improvement	304,519.70	304,519.70	304,519.70	0.00	100.0%	
Open Space & Development (Tax Budget)								
2010	4401056521	Trillium Seabreeze Park	872,400.00	872,842.39	872,842.39	0.00	100.1%	
2012	4401255002	Confederation Park Feasibility Study	242,497.00	242,497.31	242,497.31	0.00	100.0%	
Forestry & Horticulture								
2016	4451653644	Tree Planting Program Wards 3-5	398,910.00	362,481.51	362,481.51	0.00	90.9%	
2019	4241909208	Cannon Bike Planters	9,000.00	9,000.00	9,000.00	0.00	100.0%	
Fleet								
2016	4941651100	Fleet Vehicle & Equipment Replace Program	8,330,890.00	8,322,583.94	8,322,583.94	0.00	99.9%	
2018	4941851004	Street Sweeper Purchase	739,100.00	739,180.60	739,180.60	0.00	100.0%	
Recreation (Tax Budget)								
2016	7101641601	Ancaster Aquatic Centre Refurbishment	1,383,000.00	1,382,890.45	1,382,890.45	0.00	100.0%	
2016	7101655501	Recreation Studies	32,830.00	32,845.02	32,845.02	0.00	100.0%	
2017	7101754704	Huntington Park Rec Centre Reno	1,629,000.00	1,629,072.10	1,629,072.10	0.00	100.0%	
2018	7101841701	Program - Community Halls Retrofits	10,000.00	10,000.00	10,000.00	0.00	100.0%	
2018	7101854702	Program - Facility Capital Maintenance	200,000.00	200,000.00	200,000.00	0.00	100.0%	
Waste (Tax Budget)								
2017	5121790100	CCF Rolling Stock Replacement	1,017,000.00	671,617.32	671,617.32	0.00	66.0%	
2017	5121794002	Transfer Station Door Replace	200,000.00	197,414.79	197,414.79	0.00	98.7%	
2018	5121893000	Maintenance & Capital Improvements to the Resource Recovery Centre	190,000.00	190,000.02	190,000.02	0.00	100.0%	

CITY OF HAMILTON CAPITAL PROJECTS' CLOSING SCHEDULE AS OF SEPTEMBER 30, 2019								
YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$)	REVENUES (\$)	EXPENDITURES (\$)	PROJECT SURPLUS/ (DEFICIT) (\$)	% SPENT	
			a	b	c	d = b - c	e=c/a	
Roads (Tax Budget)								
2016	4031614405	Contaminated Soil & Rock Disposal 2016	538,000.00	538,100.00	538,100.00	0.00	100.0%	
2016	4241609213	AR - James St Pedestrian Crossover (W2 A/R)	50,000.00	49,707.68	49,707.68	0.00	99.4%	
2017	4241709505	AR - Road Work Mount Albion (W5 A/R)	800,000.00	702,557.71	702,557.71	0.00	87.8%	
2017	4661720723	Wentworth Trail - Intersection Pedestrian Signal - IPS	210,000.00	154,893.47	154,893.47	0.00	73.8%	
2017	4661720730	New Traffic Signal - Dundurn @ Chatham	375,000.00	152,475.00	152,475.00	0.00	40.7%	
2018	4031811805	NBHD RD Priorities W5	703,000.00	703,000.00	703,000.00	0.00	100.0%	
2018	4241809201	AR - New Signal - John @ Forest (W2 A/R)	200,000.00	151,591.51	151,591.51	0.00	75.8%	
2018	4241809202	AR - New Signal- Main & Ferguson (W2 A/R)	200,000.00	200,000.00	200,000.00	0.00	100.0%	
2018	4241809501	AR - Dumbarton - Rosedale (W5 A/R)	300,000.00	177,684.40	177,684.40	0.00	59.2%	
2018	4241809502	AR - Bow Valley Dr. (W5 A/R)	670,000.00	339,951.72	339,951.72	0.00	50.7%	
2018	4241809503	AR - Road Repair & Rehab (W5 A/R)	430,000.00	247,603.22	247,603.22	0.00	57.6%	
2018	4241809605	AR - East 45th Pedestrian Signal (W6 A/R)	250,000.00	108,666.90	108,666.90	0.00	43.5%	
Public Works (Rate Budget)								
Water (Rate Budget)								
2010	5141061303	Valve Chamber No 3 First-Isaac	2,790,000.00	2,586,860.89	2,586,860.89	0.00	92.7%	
2015	5141557543	Workforce & Time Mgmt.-Kronos	430,000.00	424,137.87	424,137.87	0.00	98.6%	
2016	5141666713	Annual Water Maintenance	600,000.00	496,858.78	496,858.78	0.00	82.8%	
2017	5141770000	Coordinated Road and Subsurface Works - 2017	2,835,000.00	2,835,000.00	2,835,000.00	0.00	100.0%	
2018	5141871074	Contingency for Unscheduled Works Program - 2018	24,000.00	24,000.00	24,000.00	0.00	100.0%	
Wastewater (Rate Budget)								
2007	5160795760	Southcote PS&Forcemain-HC008	5,512,100.00	3,327,011.69	3,327,011.69	0.00	60.4%	
2013	5161367374	Waterdown Outstation Upgrades	3,420,000.00	3,273,155.06	3,273,155.06	0.00	95.7%	
2016	5161671074	Contingency for Unscheduled Works Program - 2016	410,000.00	409,999.99	409,999.99	0.00	100.0%	
2018	5161860820	Open Cut Repairs for CIPP Program - 2018	550,000.00	550,000.00	550,000.00	0.00	100.0%	
2018	5161871015	Sewer Lateral Replacement for Co-ordinated Projects - 2018	210,000.00	210,000.00	210,000.00	0.00	100.0%	
Storm Water (Rate Budget)								
2017	5181761740	Unscheduled Manhole & Sewer main - 2017	100,000.00	100,000.00	100,000.00	0.00	100.0%	
TOTAL COMPLETED PROJECTS (64)			52,088,174.06	50,050,626.12	50,050,626.12	0.00	96.1%	
GRAND TOTAL COMPLETED/CANCELLED PROJECTS (77)			54,504,174.06	52,075,344.10	51,853,029.89	222,314.21	95.1%	

CITY OF HAMILTON CAPITAL PROJECTS TO BE COUNCIL APPROVED / FUNDED ABOVE \$250,000 FOR THE PERIOD COVERING JULY 1, 2019 to SEPTEMBER 30, 2019					
Recommendations					
Appropriated From	Description	Appropriated To	Description	Amount (\$)	Comments
Public Works (Tax Budget)					
<i>Roads Division</i>					
4241809402	AR Barnaby Corbett	105054	Ward 4 Area Rating Reserve	500,000.00	To return unneeded funding due to favourable tenders
4241809501	AR Kentley Dr/ Crawford Dr/ Hart Pl.	108055	Ward 5 Area Rating Reserve	100,000.00	To return unneeded funding due to favourable tenders
4241809702	AR- Throner NHDB (North)	108057	Ward 7 Area Rating Reserve	200,000.00	To return unneeded funding due to favourable tenders
Public Works (Tax Budget) Total				800,000.00	
Project Totals				800,000.00	

February 11, 2020

Members of the General Issues Committee (GIC),

Re: Sidewalk Snow Removal Report PW19022(a)

While it is understood that Report PW19022(a), respecting Sidewalk Snow Removal, was written for Budget purposes, and given that “staff were asked to prepare a report that integrated an Equity, Diversity and Inclusion (EDI) framework”, the Advisory Committee for Persons with Disability (ACPD) feels that an important stakeholder (namely persons with disabilities) was forgotten in the consultation process.

Further, insufficient time was provided to request a Delegation to present at GIC when the Report was first presented.

ACPD respectfully requests that Council advise Staff to consult with ACPD regarding any further matters with respect to Sidewalk Snow Removal.

ACPD perennially discusses this matter, and feels they have much experiential knowledge and wisdom to offer.

Many thanks for considering this issue, and for your continued support.

Regards,

Members of the Advisory Committee for Persons with Disability
(ACPD)



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 20-003

**9:30 a.m.
February 20, 2020
Council Chambers
Hamilton City Hall**

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

Also Present: Mayor F. Eisenberger
Councillor S. Merulla

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 20-003 AND RESPECTFULLY RECOMMENDS:

1. **Redaction of Personal Information on items before Council and/or Committee (CL20002) (City Wide) (Item 7.1)**
 - (a) That Report CL20002, respecting the Redaction of Personal Information on items before Council and/or Committee, be received; and
 - (b) That staff be directed to invite Brian Beamish, the Information and Privacy Commissioner (IPC) and a representative from the Municipal Property Assessment Corporation (MPAC) to a future General Issues Committee to address concerns with current regulations which limit Ward Councillor's access to resident information.

2. **Hate Related Activities on City of Hamilton Properties (LS19031 / PW19068(b) / CM19006(b)) (City Wide) (Item 7.3)**

That Report LS19031 / PW19068(b) / CM19006(b), respecting Hate Related Activities on City of Hamilton Properties, be received.

3. **City of Hamilton Water and Wastewater / Storm Arrears Policy Minor Amendment (FCS20018) (City Wide) (Item 7.4)**

That the amended Water and Wastewater / Storm Arrears Policy as attached in Appendix "A" to Audit, Finance and Administration Report 20-003, be approved effective March 1, 2020.

4. **Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - Additional Committee Members (Item 10.1)**

That staff be directed to commence a recruitment process for the selection of additional members for the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee.

Council – February 26, 2020

5. Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - Hamilton Police Services Board Appointee (Item 10.2)

That the Citizen Committee Report from the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee, respecting the Hamilton Police Services Board Appointee, be received and no further action taken.

6. Grants Sub-Committee Report 20-001 - February 10, 2020 (Item 10.3)

(i) City Enrichment Fund 2020 Workplan (GRA19005) (City Wide) (Item 5.1)

That Report GRA19005, respecting the City Enrichment Fund 2020 Workplan, be received.

(ii) United Way Update (GRA19003) (City Wide) (Item 6.1)

That Report GRA19003, respecting the United Way Update, be received.

(iii) City Enrichment Fund Update (GRA20002) (City Wide) (Item 6.2)

That the overall 2019 City Enrichment Fund surplus (attached as Appendix "B" to Audit, Finance and Administration Committee Report 20-003, in the amount of \$82,047, be transferred to the City Enrichment Fund Reserve #112230.

7. Process for Addressing Development Charge (DC) Concerns (FCS20007) (City Wide) (Item 10.4)

That Report FCS20007, respecting the Process for Addressing Development Charge (DC) Concerns, be received.

8. Policy 11 Single Source Provider for TYMCO Sweeper DST-4 (PW20006(a)) (City Wide) (Added Item 10.5)

(a) That pursuant to the City's Procurement Policy By-Law 17-064 (Policy #11 – Non-Competitive Procurements) a single source purchase of a TYMCO Sweeper DST-4 for use on bike lanes and other smaller City streets at the approximate cost of \$310,000 be awarded to The Equipment Specialists Inc. and funded from Project ID's 4031821350 and 4031921350;

(b) That pursuant to the City's Procurement Policy By-Law 17-064 (Policy #14 – Standardization) the DST-4 Sweeper, as manufactured by TYMCO and supplied by The Equipment Specialist Inc., be added to the standardization list of Fleet Equipment and Parts; and,

(c) That the General Manager of Public Works be authorized to negotiate, enter into and execute all required documentation to give effect thereto with The Equipment Specialists Inc. in a form satisfactory to the City Solicitor.

**9. Governance Review Sub-Committee Report 20-001 - February 12, 2020
(Added Item 10.6)**

(i) Civil Marriage Solemnization (CL19012(a)) (City Wide) (Item 10.1)

- (a) That the City of Hamilton provide Civil Marriage Solemnization services as of April 6, 2020, using current resources;
- (b) That the Proposed 2020 User Fees and Charges respecting Civil Marriage Ceremony services attached as Appendix 'C' to Audit, Finance and Administration Committee Report 20-003, be approved, and included in Schedule 'A' of the By-law to Establish Certain 2020 User Fees and Charges for Services, Activities or the Use of Property;
- (c) That a By-law to Authorize Civil Marriage Solemnization Services and To Delegate the Authority to Solemnize Marriages in the City of Hamilton attached as Appendix 'B' to Governance Review Sub-Committee Report 20-001, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and
- (d) That staff report back to the Governance Review Sub-Committee within a one year period to provide an update on Civil Marriage Solemnization services.

(ii) Appointment of the City of Hamilton Integrity Commissioner and Lobbyist Registrar (FCS20016) (City Wide) (Item 10.2)

- (a) That Principles Integrity be appointed as the Integrity Commissioner and Lobbyist Registrar for the City of Hamilton for the remainder of the current council term with an option to renew for an additional term of council and that the Mayor and City Clerk be authorized and directed to enter into an agreement to the satisfaction of the City Solicitor; and
- (b) That the City Clerk be directed to prepare the necessary by-laws for Council approval for the appointment of Principles Integrity as the City of Hamilton Integrity Commissioner and Lobbyist Registrar; and
- (c) That the costs associated with the Integrity Commissioner and Lobbyist Registrar be funded through IC-Lobbyist Registrar (Account Number 300400).

(iii) Recording of In Camera Sessions (Referred from the January 22, 2020 Meeting of Council) (Item 11.2)

WHEREAS the Ontario Ombudsman recommends that all municipalities make audio recordings or video recordings of all meetings – both open and closed – to ensure a thorough record;

WHEREAS there are now 23 Ontario municipalities that have implemented either audio or audiovisual recordings of their closed meetings;

WHEREAS an audio or audiovisual recording of in-camera meetings provides a clear and accessible record for closed meeting investigators to review;

WHEREAS such recordings of closed meetings will assist the municipality in quickly demonstrating that Council and staff did not stray from the legislated requirements during closed meetings; and,

WHEREAS such recordings of closed meetings will provide a complete record to be used by the municipality and/or Councillors for future references as needed;

THEREFORE, BE IT RESOLVED:

That the City Manager be directed to report back to the Governance Review Sub-Committee within 90 days on the costs and policies to implement an audio recording system to be utilized for the recording of in-camera meetings; and the ways and means for the City Clerk to archive and protect such records.

10. Development Charge (DC) Section 20 Complaint Hearing (LS20009 / FCS20024) (City Wide) (Added Item 10.7)

- (a) That Development Charge (DC) Section 20 Complaint Hearing Report LS20009/ FCS20024 be received; and,
- (b) That Development Charge (DC) Section 20 Complaint Hearing Appendix "A" to Report LS20009/ FCS20024 remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

10. DISCUSSION ITEMS (Item 10)

- 10.5 Policy 11 Single Source Provider for TYMCO Sweeper DST-4 (PW20006(a)) (City Wide)
- 10.6 Governance Review Sub-Committee Report 20-001 - February 12, 2020
- 10.7 Development Charge (DC) Section 20 Complaint Hearing (LS20009 / FCS20024) (City Wide)

14. PRIVATE AND CONFIDENTIAL (Item 14)

14.1 Appendix "A" to Report LS20009 / FCS20024 - Development Charge (DC)
Section 20 Complaint Hearing (LS20009 / FCS20024) (City Wide)

The agenda for the February 20, 2020 Audit, Finance and Administration Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Clark declared an interest to Item 10.4, respecting Process for Addressing Development Charge (DC) Concerns (FCS20007), as Sergio Manchia has a business interest with his son.

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

(i) February 6, 2020 (Item 4.1)

The Minutes of the February 6, 2020 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) John Stirling, respecting a \$14,400.00 Park Dedication Fee for a 1 apartment unit in a commercial building (For a future meeting) (Item 6.1)

The delegation request from John Stirling, respecting a \$14,400.00 Park Dedication Fee for a 1 apartment unit in a commercial building, was approved for a future meeting.

(e) CONSENT ITEMS (Item 7)

The following Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee Minutes, were received and referred to the In Camera portion of the meeting:

- (i) April 30, 2019 (Item 7.2(a))
- (ii) May 15, 2019 (Item 7.2(b))
- (iii) May 28, 2019 (Item 7.2(c))
- (iv) June 25, 2019 (Item 7.2(d))
- (v) July 16, 2019 (Item 7.2(e))
- (vi) August 20, 2019 (Item 7.2(f))
- (vii) August 27, 2019 (Item 7.2(g))
- (viii) September 17, 2019 (Item 7.2(h))
- (ix) October 15, 2019 (Item 7.2(i))
- (x) November 19, 2019 (Item 7.2(j))

(f) DISCUSSION ITEMS (Item 10)

(i) Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - Hamilton Police Services Board Appointee (Item 10.2)

Councillor Ferguson will be officially requesting that the incorrect information found within the Citizen Committee Report from the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee, respecting the Hamilton Police Services Board Appointee be redacted.

Once received by the City Clerk, the incorrect information within Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - Hamilton Police Services Board Appointee will be redacted and the agenda republished.

The Citizen Committee Report from the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee, respecting the Hamilton Police Services Board Appointee, was referred to the In Camera portion of the meeting.

For disposition of this matter, refer to Item 5.

(ii) Process for Addressing Development Charge (DC) Concerns (FCS20007) (City Wide) (Outstanding Business List Item) (Item 10.4)

That staff be directed to look at options and alternatives that are not included in Report FCS20007, respecting the Process for Addressing Development Charge (DC) Concerns, and report back to the Audit, Finance and Administration Committee with these alternatives.

For disposition of this matter, refer to Item 7.

(g) PRIVATE AND CONFIDENTIAL (Item 14)

That Committee move into Closed Session respecting Items 7.2(a) through 7.2(j), Item 10.2, and Item 14.1 Appendix 'A' to Item 10.7, pursuant to Section 8.1, Sub-sections (b), (e) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (b), (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including municipal or local board employees; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(i) Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee Minutes (Items 7.2(a) through 7.2(j))

For disposition of this matter, please refer to Item (e)(i) through (e)(x).

(ii) Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - Hamilton Police Services Board Appointee (Item 10.2)

For disposition of this matter, please refer to Item 5 and (f)(i).

(iii) Appendix "A" to Report LS20009 / FCS20024 - Development Charge (DC) Section 20 Complaint Hearing (Item 14.1)

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

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

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

The following amendment to the Outstanding Business List, was approved:

(a) Item to be Removed (Item 13.1(a)):

Sergio Manchia, Urbancore Developments Inc., respecting the DC liability for the proposed self storage facility at 9 Aeropark Boulevard known as Upper James Self Storage and 54 Dundas Street, Waterdown, Waterdown Mini Storage Inc (Added Item 8.1) November 7, 2019 AF&A Agenda Item (f)(i) Item 10.4 on today's agenda
OBL Item: 19-Q

(i) ADJOURNMENT (Item 15)

There being no further business, the Audit, Finance and Administration Committee adjourned at 12:14 p.m.

Respectfully submitted,

Councillor Wilson, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk



POLICY TITLE: City of Hamilton Water and Wastewater/Storm Arrears Policy

POSITION RESPONSIBLE FOR TASK: Senior Policy Advisor, Financial Planning, Administration and Policy Division

POLICY NO: PP-0004

LAST REVISION DATE: November 1, 2017

EFFECTIVE DATE: March 1, 2020

MANAGER REVIEWED: Tom Hewitson

TO BE REVIEWED: January 2025

MAINTENANCE RESPONSIBILITY: Financial Planning Administration and Policy Division

I GENERAL

The Water and Wastewater / Storm Arrears Policy details the account collections protocol including the timing of certain collection activities when accounts for water and / or wastewater / storm services provided by the City are unpaid and past due.

II BACKGROUND

The City has a service agreement with Alectra Utilities Corporation (Alectra) for the provision of water and wastewater / storm billing, account collection and meter reading services. The Water and Wastewater / Storm Arrears Policy is administered by Alectra pursuant to that agreement.

III POLICY

Water and Wastewater / Storm Account Collection Process

1. Invoices are issued with a due date of 24 calendar days from the invoice creation date.
2. Payments by mail will be processed as of the date the payment is received. The customer is responsible to ensure that payments are received by Alectra on or before payment deadlines.
3. Partial payment received on an account that is in arrears will be applied to penalties and interest first and then to applicable water and wastewater / storm charges. For a converged invoice (electricity service plus water and wastewater / storm services), partial payments received will be applied to electrical service payment first and then water and wastewater/storm charges.
4. A service charge shall be applied by Alectra if a payment is dishonoured by the bank for any reason.

5. All unpaid fees and charges will be charged interest at a rate of 1.5% per month starting six (6) calendar days after the due date compounded daily from the due date. This interest rate is applicable up to the point of unpaid arrears being transferred to the property tax account as outlined in Step 4 of Table 1 below.
6. If the fees and charges for the supply of water and wastewater / storm services are not paid when they become due, the City may transfer the unpaid fees and charges to the property tax account in accordance with the provisions of the *Municipal Act, 2001*. The transferred outstanding balance will be subject to interest being applied at a rate as specified by the Late Payment Charges for the Non-Payment of Taxes Bylaw 13-136, as amended.
7. Accounts that fall into arrears follow the collection protocol below. The collection protocol applies to residential, institutional, commercial and industrial water accounts and provides:
 - a. Initial invoice is issued to account holders setting out the amount due for the fees and charges for the supply of water and wastewater / storm services;
 - b. Reminders are sent to account holders and property owners of their obligation to pay fees and charges for the supply of water and wastewater / storm services;
 - c. Opportunity is provided for payment in accordance with this Policy; and
 - d. Enforcement steps are taken in accordance with this Policy when the invoice / account remains unpaid.

Table 1

Steps	Circumstance	Response	Result
1	Account outstanding 10 calendar days beyond due date	“Past Due Reminder Notice” mailed to account holder on the 10 th day	Payment of amount due or account remains outstanding
2	Account outstanding 17 calendar days beyond due date	“Final Notice” is mailed to account holder on the 19 th day (where arrears exceed notice threshold amount)	Payment of amount due or account remains outstanding
3	Account outstanding 30 or more calendar days beyond due date	“Arrears Letter” is mailed to account holder and the property owner (if different from the account holder) following the 30 th day advising of pending action if payment not received within 15 days.	Payment of amount due or account remains outstanding
4	Account outstanding 60 or more calendar days beyond due date	Outstanding amount transferred to property tax account roll. “Water Arrears Transfer to Tax Letter” is mailed to the property owner. Applicable tax account transfer fee added to each property tax account.	City water and wastewater / storm revenue secured

Customer Notifications

Reasonable efforts are undertaken by the City and Alectra to provide the following notifications:

Past Due Reminder Notice – mailed by Alectra to account holder of accounts 10 calendar days after the due date. This notice provides a reminder to the account holder of the overdue status and requests payment within 10 calendar days.

Final Notice – mailed by Alectra to account holder 19 calendar days after the due date. This notice provides notice of account overdue status and requests immediate payment.

Arrears Letter – mailed by Alectra to account holder and property owner (if different from the account holder) 30 or more calendar days after the due date. This notification advises of the past due water and/or wastewater / storm arrears and advises of a two-week period for the payment to be made. It further notifies that the outstanding amount plus an applicable administrative fee will be added to the property tax account if the arrears are unpaid.

Alectra will ensure that arrears notices, where there is an absence of an assigned tax roll number for the new property:

- 1) are sent to the purchaser (account holder);
- 2) advise the purchaser that arrears will remain on the Alectra water account;
- 3) advise the purchaser that the balance continues to accrue interest at a rate of 1.5% per month; and
- 4) advise the purchaser that balances that remain outstanding 60 or more days, plus accrued interest and an applicable administrative fee, will be immediately transferred to the property tax roll once a tax roll number has been assigned and communicated to Alectra.

Water Arrears Transfer to Tax Letter – mailed to property owner by the City's Taxation Section advising that water and / or wastewater / storm arrears, plus any accrued interest and an applicable administrative fee has been added to the tax account.

Alectra's property owner database is updated on a monthly basis with the City's Corporate Services Department's (Taxation Section) records.

Rental Properties

Where a landlord-tenant relationship exists, the protocol outlined in Table 1 is followed. Where the tenant is named as the account holder, the Past Due Reminder Notice and the Final Notice will be received by the tenant. The Arrears Letter advising of the potential transfer of arrears to the property tax roll is sent to both the account holder and the property owner.

Where a tax account transfer has occurred and if a person other than the property owner has been designated as the utility bill recipient, further utility bills may be sent to the property owner.

Condominium Water Arrears

Condominium properties are comprised of many individually assessed units, each with an assessed owner. In many cases, water supplied to a condominium property is measured and accounted for by a single bulk water meter that records water consumption for the entire property.

The water fees of a condominium corporation that remain outstanding 60 days after their due date may be transferred to the tax accounts of that corporation's individual condominium units on a pro-rata basis equal to the proportions, expressed in percentages, allocated to the units, in which the owners are to contribute to the common expenses as set out in the declaration of the condominium corporation. Additionally, the General Manager, Finance and Corporate Services, may exempt units, in whole or in part, from their proportionate share of water arrears where such units are directly supplied with metered water.

Newly Built Properties Water Arrears

To accommodate the water and wastewater / storm billing for purchasers who have taken possession of newly built properties, the City will update the water account to the purchaser's name(s) and will bill accordingly.

All newly developed properties are assessed by the Municipal Property Assessment Corporation (MPAC) which assigns an assessment roll number which the City uses for taxation purposes as the property's tax roll number. However, the assignment of a roll number may not occur until long after the transfer of title to the purchaser's name(s) has occurred.

During this period where the purchaser is receiving the water bill and a tax roll number has not yet been assigned, any unpaid water and wastewater / storm balances that remain outstanding 60 or more calendar days beyond the invoice due date will be retained by Alectra.

Alectra will ensure that arrears notices, where there is an absence of an assigned tax roll number for the new property:

- 1) are sent to the purchaser (account holder);
- 2) advise the purchaser that arrears will remain on the Alectra water account;
- 3) advise the purchaser that the balance continues to accrue interest at a rate of 1.5% per month; and
- 4) advise the purchaser that balances that remain outstanding 60 or more days, plus accrued interest and an applicable administrative fee, will be immediately transferred to the property tax roll once a tax roll number has been assigned and communicated to Alectra.

Tax Exempt Property Water Arrears

Accounts such as government, hospitals, education and not-for-profit properties may be exempt from taxes. Overdue amounts for water and wastewater / storm services owed by any exempt entities may be transferred to the tax account for the property, and / or disconnection of service for non-payment may occur. If disconnection of service for non-payment occurs, the account will be charged the applicable fee for turning the water service off / on.

Authority to Transfer Arrears to Tax Roll

Pursuant to section 398(2) of the *Municipal Act, 2001*, the municipality may add unpaid public utility fees and charges, which include water and / or wastewater / storm arrears, to the tax roll for the property to which the public utility was supplied.

Ontario Regulation No. 581/06 additionally identifies such fees or charges associated with the supply of water and sewage services as having 'priority lien status' as described in Section 1 of the *Municipal Act, 2001*, such that, when added to a property tax account because of payment default, these fees and charges:

- (a) may be collected in the same manner as taxes on the property;
- (b) may be recovered with costs as a debt due to the municipality from the assessed owner of the property at the time the fee was added to the tax account and from any subsequent owner of the property or any part of it;
- (c) are a special lien on the property in the same manner as taxes under subsection 349(3) *Act*, and
- (d) may be included in the cancellation price under Part XI of the *Act*, in the same manner as are taxes on the property, in the event that a Tax Arrears Certificate is registered on title of the property.

The City's Waterworks By-Law R84-026, as amended, also permits the collection of water and wastewater / storm arrears in the same manner as property taxes by transferring arrears amounts to the tax roll.

2019 City Enrichment Fund SUMMARY

Category	No. of Apps	2019 Total Funds Available	2019 Total Payments	Variance
Community Services Total	95	\$ 2,164,360	\$ 2,239,169	-\$ 74,809
Agriculture Total	18	\$ 143,361	\$ 133,197	\$ 10,164
Environment Total	8	\$ 146,390	\$ 85,764	\$ 60,626
Sport and Active Lifestyles Total	50	\$ 276,265	\$ 315,400	-\$ 39,135
Arts Total	88	\$ 2,770,542	\$ 2,768,742	\$ 1,800
CCH Total	69	\$ 564,972	\$ 592,173	-\$ 27,201
Total Traditional Grant Requests	328	\$ 6,065,890	\$ 6,134,445	-\$ 68,555
CEF Administration		\$ 50,000	\$ 9,812	\$ 40,188
CEF - One time Reserve Funding		108,714		\$ 108,714
2018 Returned Grants		\$ -	-\$ 1,700	\$ 1,700
Total City Enrichment Fund	328	\$ 6,224,604	\$ 6,142,557	\$ 82,047

PROPOSED 2020 USER FEES AND CHARGES

Department: Corporate Services

Division: City Clerk's

Service or Activity Provided or Use of City Property	Fee
Civil Marriage Ceremony – City Hall (HST = \$39.00)	\$339.00
Civil Marriage Ceremony – Cancellation Fee (HST = \$13.00)	\$113.00
Renewal of Vows – City Hall (HST = \$6.50)	\$ 56.50
Renewal of Vows – Cancellation Fee (HST = \$3.25)	\$ 28.25
Civil Marriage Ceremony - Witness Fee (HST = \$3.25)	\$ 28.25

*** Note: Fees include HST.**



EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 20-002

1:30 p.m.

Thursday, February 20, 2020

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent with Regrets: Councillor T. Whitehead – Personal

THE EMERGENCY & COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 20-002 AND RESPECTFULLY RECOMMENDS:

- 1. Correspondence from Janice Lewis-Deeley, Board President, Native Women's Centre, respecting Mountainview Emergency Shelter Operations (Added Item 5.3)**

That correspondence from Janice Lewis-Deeley, Board President, Native Women's Centre, respecting Mountainview Emergency Shelter Operations, be received and referred to staff for action and to report back to Emergency and Community Services Committee, and referred to the Expanding Housing and Support Services for Women and Transgender Community Sub-Committee for information. (Added Item 5.3)

- 2. Deputy Fire Chief Appointment (HSC19005(b)) (City Wide) (Item 7.1)**

That the By-law to Appoint a Deputy Fire Chief, attached as Appendix "A" to Report HSC19005(b), which has been prepared in a form satisfactory to the City Solicitor, be passed.

- 3. 2019 Ministry of Health Ambulance Service Review Findings (HSC20006) (City Wide) (Item 7.2)**

That Report HSC20006, respecting 2019 Ministry of Health Ambulance Service Review Findings, be received.

**4. Residential Care Facilities Subsidy Program (HSC19064(a)) (City Wide)
(Item 7.3)**

That Report HSC19064(a), respecting Residential Care Facilities Subsidy Program, be received.

5. Social Assistance Rates (Item 8.1-8.3)

WHEREAS, food costs have increased by 7.6% in 2019 and continue to rise;

WHEREAS, access to nutritious food is a key factor in maintaining health, enabling residents to and participate more actively in society; and

WHEREAS, social assistance has not kept pace with the actual rate of inflation;

THEREFORE, BE IT RESOLVED,

(a) That the Mayor send a letter to the Premier of Ontario, requesting an assessment and adjustment to social assistance to reflect the Consumer Inflation Index, thereby creating a sustainable system process to accommodate the most vulnerable; and,

(b) That a copy of this letter be sent to all local MPPs.

6. Menstrual Products Pilot (HSC20001) (City Wide) (Item 10.1)

(a) That the 12-month Menstrual Products Pilot Project utilizing the following approaches be approved:

(i) Universal Approach - make menstrual products available in women's and universal washrooms in 5 recreation centres, one in each recreation district;

(ii) Targeted Approach - partnering with Hamilton Food Share and local food banks to distribute menstrual products through Food Share's existing network; and,

(b) WHEREAS, there are ongoing costs for feminine hygiene products for those receiving assistance through Ontario Works and the Ontario Disability Support Program;

THEREFORE, BE IT RESOLVED:

(i) That the Mayor send a letter to the Minister of Children, Community and Social Services advocating for an increase to the Basic Needs awards amount to cover costs for feminine hygiene products; and

(ii) That a copy of this letter be sent to local MPPs.

7. Allocation of Funds to Continue the Emergency Home Repair Program (HSC20003) (City Wide) (Item 10.2)

- (a) That all uncommitted funds in the Hamilton Emergency Home Repair Reserve (#102045), including all interest earned or accrued, estimated to be \$65,000, be utilized for the Hamilton Emergency Home Repair Program (HEHRP) until fully exhausted; and
- (b) That all uncommitted funds in the Municipal Down Payment Assistance Program Reserve (#112009), including all interest earned or accrued and after the Trillium Benefit pay out, estimated to be \$300,000 to \$375,000, be transferred to the Hamilton Emergency Home Repair Reserve (#102045) to be utilized for the Hamilton Emergency Home Repair Program (HEHRP) and subsequently reserve #112009 be closed.

8. School Board Labour Disruption (HSC20011) (City Wide) (Added Item 10.3)

That Report HSC20011, respecting School Board Labour Disruption, be received.

9. Ministry of Education Community Based Capital Project (CBCP) Funding - Bernie Morelli EarlyON Child and Family Centre (Item 11.1)

WHEREAS, the Ministry of Education provides and approves funding for Community Based EarlyON and Child Care Capital Program (CBCP) projects;

WHEREAS, the repair costs for the former King George school, 77 Gage Avenue North, Hamilton, exceeded the approved provincial funding;

WHEREAS, the Bernie Morelli Recreation Centre, 876 Cannon Street East, Hamilton, is located in the same neighbourhood as the King George location and provides an opportunity to co-locate services for families;

WHEREAS, the funding for the EarlyON Child and Family Centre CBCP project located at the former King George school was deemed unneeded due to the extent of the repair costs; and,

WHEREAS, the Ministry of Education has agreed to allow the City of Hamilton to utilize the EarlyON Child and Family Centre portion of the King George CBCP funding towards the creation of an EarlyON Child and Family Centre at the Bernie Morelli Recreation Centre;

THEREFORE, IT BE RESOLVED:

- (a) That \$510,000 be allocated from the Community Based Capital Project funding to Bernie Morelli Recreation Centre project account (6791841001) as approved by the Ministry of Education; and,
- (b) That the General Manager, Healthy and Safe Communities be authorised and directed to execute any required agreements and ancillary documents in relation to funding the creation of an EarlyON Child and Family Centre at the Bernie Morelli Recreation Centre, with such terms and conditions in a form satisfactory to the City Solicitor.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

5. COMMUNICATIONS (Items 5.2-5.3)

5.2 Correspondence respecting Employment Services Transformation

5.2.a Correspondence from David Cronin, Director, Program Delivery Service Branch, Employment and Training Division, Ministry of Labour, Training and Skills Development, respecting Call for Proposal for Service System Managers, Employment Services Transformation

Recommendation: To be received.

5.2.b Correspondence from Susan Erwin, Assistant Deputy Minister, Social Assistance Programs Division, Ministry of Children, Community and Social Services, respecting Employment Services Transformation: Transition Planning for Prototype Regions

Recommendation: To be received.

5.3 Correspondence from Janice Lewis-Deeley, Board President, Native Women's Centre, respecting Mountainview Emergency Shelter Operations

Recommendation: To be received and referred to staff for action and to report back to Emergency and Community Services Committee, and referred to the Expanding Housing and Support

Services for Women and Transgender Community Sub-Committee
for information.

6. DELEGATION REQUESTS (Item 6.2)

- 6.2 Susan Morgante, Hamilton Social Action Network, regarding the crisis in social assistance where there has been no cost of living increase in 2019 but there has been an increase of 7.6% in food costs - **WITHDRAWN**

10. DISCUSSION ITEMS (Item 10.3)

- 10.3 School Board Labour Disruption (HSC20011) (City Wide)

The agenda for the February 20, 2020 Emergency and Community Services Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) January 16, 2020 (Item 4.1)

The Minutes of the January 16, 2020 meeting of the Emergency and Community Services Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

(i) Correspondence from the Honourable Minister Todd Smith, Ministry of Children, Community and Social Services, respecting the Poverty Reduction Strategy Survey (Item 5.1)

The Correspondence from the Honourable Minister Todd Smith, Ministry of Children, Community and Social Services, respecting the Poverty Reduction Strategy Survey, was received.

(ii) Correspondence respecting Employment Services Transformation (Added Items 5.2.a and 5.2.b)

The following correspondence, respecting Employment Services Transformation, were received.

- (a) Correspondence from David Cronin, Program Delivery Service Branch, Employment and Training Division, Ministry of Labour, Training and Skills Development, respecting Call for Proposal for

Service System Managers, Employment Services Transformation (Added Item 5.2.a); and

- (b) Correspondence from Susan Erwin, Assistant Deputy Minister, Social Assistance Programs Division, Ministry of Children, Community and Social Services, respecting Employment Services Transformation: Transition Planning for Prototype Regions (Added Item 5.2.b).

(e) DELEGATION REQUESTS (Item 6)

The following Delegation Requests, were approved:

- (i) Elizabeth McGuire, Campaign for Adequate Welfare and Disability Benefits, respecting how the low rates of social assistance do not enable a healthy diet (for today's meeting) (Item 6.1)
- (ii) Craig Blondin, Mount Hamilton Youth Soccer Club, respecting Mount Hamilton Youth Soccer Club plan (for a future meeting) (Item 6.3)

(f) CONSENT ITEMS (Item 7)

(i) Housing and Homelessness Advisory Committee Minutes (Item 7.4)

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

- (a) October 1, 2019
- (b) January 7, 2020

(ii) Seniors Advisory Committee Minutes (Item 7.5)

The following Minutes of the Seniors Advisory Committee, were received:

- (a) August 2, 2019
- (b) September 6, 2019
- (c) October 4, 2019
- (d) November 1, 2019
- (e) December 6, 2019

(g) PUBLIC HEARINGS/DELEGATIONS (Item 8)

- (i) **Dr. Sally Palmer, McMaster Community Poverty Initiative, respecting the decision of the Ontario government to give no cost-of-living raise to social assistance for 2019, and the escalation of food prices in 2019 (Item 8.1)**

Dr. Sally Palmer, McMaster Community Poverty Initiative, addressed the Committee respecting the decision of the Ontario government to give no cost-of-living raise to social assistance for 2019, and the escalation of food prices in 2019, with the aid of a presentation.

The presentation is available at www.hamilton.ca and through the Office of the City Clerk.

Dr. Sally Palmer was permitted to address the Committee for an additional five minutes in order to complete their presentation.

(ii) Sheri Selway, Canadian Federation of University Women - Hamilton, respecting the crisis with social assistance rates, with a focus on how women and families are particularly affected (Item 8.2)

Sheri Selway and Myrtle Greve, Canadian Federation of University Women - Hamilton, addressed the Committee respecting the crisis with social assistance rates, with a focus on how women and families are particularly affected.

(iii) Elizabeth McGuire, Campaign for Adequate Welfare and Disability Benefits, respecting how the low rates of social assistance do not enable a healthy diet (Item 8.3)

Elizabeth McGuire, Campaign for Adequate Welfare and Disability Benefits, addressed the Committee respecting how the low rates of social assistance do not enable a healthy diet, with the aid of a handout.

The handout is available at www.hamilton.ca and through the Office of the City Clerk.

The following delegations, were received:

- (i) Dr. Sally Palmer, McMaster Community Poverty Initiative, respecting the decision of the Ontario government to give no cost-of-living raise to social assistance for 2019, and the escalation of food prices in 2019;
- (ii) Sheri Selway, Canadian Federation of University Women - Hamilton, respecting the crisis with social assistance rates, with a focus on how women and families are particularly affected; and
- (iii) Elizabeth McGuire, Campaign for Adequate Welfare and Disability Benefits, respecting how the low rates of social assistance do not enable a healthy diet.

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

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

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

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

(a) Items Considered Completed and to be Removed:

- (i) Menstrual Products Affordability Pilot Program**
Item on OBL: N
Addressed as Item 10.1 on today's agenda

(i) PRIVATE AND CONFIDENTIAL (Item 14)

The Emergency and Community Services Committee determined that discussion of Item 14.1 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

(i) Closed Session Minutes – January 16, 2020 (Item 14.1)

The Closed Session Minutes of the January 16, 2020 meeting of the Emergency and Community Services Committee were approved, as presented.

(j) ADJOURNMENT (Item 15)

(Jackson/Nann)

There being no further business, the Emergency and Community Services Committee was adjourned at 3:01 p.m.

Respectfully submitted,

Councillor E. Pauls
Chair, Emergency and Community Services
Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk



BOARD OF HEALTH REPORT 20-002

9:30 a.m.

Friday, February 21, 2020

Council Chambers

Hamilton City Hall

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

THE BOARD OF HEALTH PRESENTS REPORT 20-002 AND RESPECTFULLY RECOMMENDS:

1. Communications (Added Items 5.1 and 5.2)

That the following Communications be endorsed:

- (i) Correspondence from Dr. Penny Sutcliffe, Medical Officer of Health and Chief Executive Officer, Public Health Sudbury and Districts, respecting a Resolution Supporting a Universal Publicly Funded Healthy School Food Program (Added Item 5.1)
- (ii) Correspondence from the Windsor–Essex County Board of Health, respecting their Resolution on The Children Count Pilot Project (Added Item 5.2)

2. Hamilton Drug Strategy Year End Report (BOH20006) (City Wide) (Item 7.1)

That Report BOH20006 respecting the Hamilton Drug Strategy Year End Report, be received.

3. 2020 Annual Service Plan and Budget (BOH20008) (City Wide) (Item 9.1)

That Appendix “A” to Report BOH20008, being the 2020 Annual Service Plan and Budget Submission, be approved by the Board of Health, and submitted to the Ministry of Health.

4. Implementation of a By-Law to Regulate the Smoking of Non-Tobacco Combustible Substances in Public Places and Work Places (Added Item 11.1)

WHEREAS the City of Hamilton has shown leadership in the past to protect residents from the harms of exposure to second-hand smoke;

WHEREAS smoking of non-tobacco combustible substances in public places creates enforcement complexities when determining compliance with the *Smoke-Free Ontario Act, 2017*;

WHEREAS smoking of non-tobacco combustible substances such as the use of herbal products in water-pipes is more popular among youth and young adults in Hamilton;

WHEREAS there is significant evidence of the harmful health effects of water-pipe use including to workers and the general public related to second-hand smoke exposures;

WHEREAS waterpipe smoking, in general, negatively affects indoor air quality for indicators including carbon monoxide and particulate matter, which are closely related to potential impacts on human health;

WHEREAS smoking of non-tobacco combustible substances in public spaces undermines the progress made by local smoke-free regulations and the *Smoke-Free Ontario Act, 2017* to protect people from second-hand smoke; and

WHEREAS the *Municipal Act, 2001*, and particularly sections 9, 10, 11 and 115, authorize the City of Hamilton to pass by-laws respecting these matters;

THEREFORE BE IT RESOLVED

That the City of Hamilton Public Health Services report back to the Board of Health with recommendations for implementation of a by-law to regulate the smoking of non-tobacco combustible substances in public places and work places by June 2020.

FOR INFORMATION:

(a) CEREMONIAL ACTIVITIES (Item 1)

There were no ceremonial activities.

(b) CHANGES TO THE AGENDA (Item 2)

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

5. COMMUNICATIONS

- 5.1 Correspondence from Dr. Penny Sutcliffe, Medical Officer of Health and Chief Executive Officer, Public Health Sudbury and Districts, respecting a Resolution Supporting a Universal Publicly Funded Healthy School Food Program.

Recommendation: Be endorsed.

- 5.2 Correspondence from the Windsor–Essex County Board of Health, respecting their Resolution on The Children Count Pilot Project

Recommendation: Be endorsed.

- 5.3 Correspondence from David. C. Williams, Chief Medical Officer of Health, respecting Response to the City of Hamilton's request for a Seamless Provincial Immunization Registry

Recommendation: Be received.

- 5.4 Correspondence from the Association of Location Public Health Agencies respecting Registration for the Winter 2020 aPHa Symposium and Section Meetings

Recommendation: Be received.

- 5.5 Correspondence from Cynthia St. John, Chief Executive Officer, Southwestern Public Health, respecting Public Health Modernization Team Meeting

Recommendation: Be received.

- 5.6 Correspondence from the Association of Local Public Health Agencies, respecting the 2020 Annual General Meeting and Conference on June 7-9, 2020

Recommendation: Be received.

- 5.7 Correspondence from Peterborough Public Health respecting their Board of Health's Position Paper on the Modernization of Public Health

Recommendation: Be received.

12. NOTICES OF MOTION

- 12.1 Implementation of a By-Law to Regulate the Smoking of Non-Tobacco Combustible Substances in Public Places and Work Places

The agenda for the February 21, 2020 Board of Health was approved, as amended.

(c) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) January 13, 2020 (Item 4.1)

The Minutes of the January 13, 2020 meeting of the Board of Health were approved, as presented.

(e) COMMUNICATIONS (Item 5)

The following Communication Items were received:

- (i) Correspondence from David. C. Williams, Chief Medical Officer of Health, respecting Response to the City of Hamilton's request for a Seamless Provincial Immunization Registry (Added Item 5.3)
- (ii) Correspondence from the Association of Location Public Health Agencies respecting Registration for the Winter 2020 aPHa Symposium and Section Meetings (Added Item 5.4)
- (iii) Correspondence from Cynthia St. John, Chief Executive Officer, Southwestern Public Health, respecting Public Health Modernization Team Meeting (Added Item 5.5)
- (iv) Correspondence from the Association of Local Public Health Agencies, respecting the 2020 Annual General Meeting and Conference on June 7-9, 2020 (Added Item 5.6)
- (v) Correspondence from Peterborough Public Health respecting their Board of Health's Position Paper on the Modernization of Public Health (Added Item 5.7)

(f) CONSENT (Item 7)

(i) Hamilton Drug Strategy Year End Report (BOH20006) (City Wide) (Item 7.1)

Staff were directed to provide a comparison on the impacts of psychoactive substances in Hamilton, and report back to an upcoming Board of Health meeting.

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

(ii) Food Advisory Committee Minutes – November 19, 2019 (Item 7.1)

The Food Advisory Committee Minutes of November 19, 2019 were received.

CARRIED

(g) STAFF PRESENTATIONS (Item 9)

(i) 2020 Annual Service Plan and Budget (BOH20008) (City Wide) (Item 9.1)

Dr. Richardson, Medical Officer of Health, addressed the Board with an overview of the 2020 Annual Service Plan and Budget (BOH20008), with the aid of a PowerPoint presentation.

The presentation respecting the 2020 Annual Service Plan and Budget (BOH20008) was received.

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

The presentation is available at www.hamilton.ca and through the Office of the City Clerk.

(h) NOTICE OF MOTION (Item 12)

(i) Implementation of a By-Law to Regulate the Smoking of Non-Tobacco Combustible Substances in Public Places and Work Places (Added Item 12.1)

Councillor Jackson introduced a Notice of Motion respecting the Implementation of a By-Law to Regulate the Smoking of Non-Tobacco Combustible Substances in Public Places and Work Places.

The Rules of Order were waived to allow for the introduction of a Motion respecting the Implementation of a By-Law to Regulate the Smoking of Non-Tobacco Combustible Substances in Public Places and Work Places.

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

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

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

The following Due Dates were revised:

2015-A: Review of the City of Hamilton's Pest Control By-law
November 16, 2015, (Item 9.1)
Due Date: January 2020
Revised Due Date: September 2020

Goals and Areas of Focus for Climate Mitigation & Adaptation
REFERRED FROM: December 4, 2019 GIC 19-027 (Item 4)
Due Date: December 2020

2020-E: City of Hamilton Licensing (No. 07-170) By-law
Schedule 20 Residential Care Facilities Inspections (BOH20005) (City
Wide)
January 13, 2020: BOH 20-001 (Item 14.1)
Due Date: April 2020

2016-A: Hamilton Airshed Modelling System (BOH18016) (City
Wide)
April 16, 2018, 18-004 (Item 7.1)
Due Date: TBD
Revised Due Date: December 2020 for sub-sections (b) to (d)

(j) PRIVATE AND CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – January 13, 2020 (Item 14.1)

The Closed Session Minutes of January 13, 2020 were approved and remain confidential.

(k) ADJOURNMENT (Item 15)

There being no further business, the Board of Health adjourned at 11:05 a.m.

Respectfully submitted,

Mayor F. Eisenberger
Chair, Board of Health

Loren Kolar
Legislative Coordinator
Office of the City Clerk



PUBLIC WORKS COMMITTEE REPORT 20-003

1:30 p.m.
Monday, February 21, 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, A. VanderBeek and T. Whitehead

Also Present: Councillor B. Clark

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 20-003 AND RESPECTFULLY RECOMMENDS:

1. Waste Audits and Recycling in City of Hamilton Public Space Locations (PW20012) (City Wide) (Outstanding Business List Item) (Item 7.1)

That Report PW20012, respecting Waste Audits and Recycling in City of Hamilton Public Space Locations, be received.

2. Appointment to the Hamilton Cycling Committee

That Councillor Whitehead be appointed to the Hamilton Cycling Committee for the for the balance of the 2018-2022 Term of Council.

3. Proposed Permanent Closure and Sale of Lang Street, Hamilton (PW20009) (Ward 4) (Item 8.1)

(a) That the application of Roxborough Park Inc., to permanently close and purchase Lang Street, Hamilton ("Subject Lands"), as shown on Appendix "A" and Appendix "B", attached to Public Works Committee Report 20-003, be approved, subject to the following conditions:

- (i) That the City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the highway, for enactment by Council;

- (ii) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to enter into any requisite easement agreements, right of way agreements, and/or other agreements deemed necessary to affect the orderly disposition of the Subject Lands and to proceed to sell the closed road allowance to Roxborough Park Inc., as described in Report PW20009, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
- (iii) That the City Solicitor be authorized to complete the transfer of the Subject Lands to Roxborough Park Inc. pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;
- (iv) That the City Solicitor be authorized and directed to register a certified copy of the by-law(s) permanently closing and selling the highway in the proper land registry office;
- (v) That the Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed highway pursuant to the City of Hamilton Sale of Land Policy By-law 14-204; and,
- (vi) That the applicant be fully responsible for the deposit of a reference plan, if necessary, 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. Extension of Senior Project Manager - Master Plan (PW18060(a)) (City Wide) (Item 10.2)

That a 19-month extension to the temporary full-time Senior Project Manager - Master Plan position be approved.

5. MTO Signal Agreement (PW20011) (City Wide) (Item 10.3)

That the General Manager of Public Works, or their designate, be authorized and directed to negotiate/renegotiate, enter into, and execute an agreement with the Ministry of Transportation Ontario (MTO), and all amendments and ancillary documents, for the purpose of formalizing the City's ability to operate and maintain certain MTO-owned traffic control signals in the City of Hamilton (as attached to Public Works Committee Report 20-003 as Appendices "C" and "D") in accordance with the principles contained in this Report PW20011, all in a form satisfactory to the City Solicitor.

6. Huntington Park Recreation Centre Phase 2 Renovations and Expansion (Ward 6) (Item 11.1)

WHEREAS, the Huntington Park Recreation Centre is an important part of the East Mountain Community and provides many services and programs to residents;

WHEREAS, a Citizen's Committee was formed to discuss renovations and expansion at the Huntington Park Recreation Centre;

WHEREAS, lifecycle renewal at the Huntington Park Recreation Centre is forecasted in the 10-year Council-approved capital budget;

WHEREAS, there is further opportunity to improve accessibility at Huntington Park Recreation Centre; and,

WHEREAS, there has been a program need identified to improve multi-functional, youth and seniors spaces;

THEREFORE, BE IT RESOLVED:

- (a) That staff complete a feasibility study on the cost and scope of renovations and expansions at the Huntington Park Recreation Centre, including engagement with the Citizen's Committee; and,
- (b) That PID 7102055004 Huntington Park Feasibility Study be funded to an upset limit of \$100,000 from the Ward 6 Discretionary Funding Project (3302009600).

7. Alexander Park Play Structure Replacement (Ward 1) (Item 11.2)

WHEREAS, the play structure and safety surfacing at Alexander Park, located at 201 Whitney Avenue, Hamilton, has reached its end of life cycle and has become worn-out; and,

WHEREAS, the current capital budget allows for a straight replacement of the structure and the community would like to see a larger enhanced amenity;

THEREFORE, BE IT RESOLVED:

- (a) That \$50,000 be funded through Ward 1 Capital Infrastructure Reserve #108051 to enhance the 2020 proposed capital replacement of the Alexander Park play structure, with any unspent funds to be returned to Ward 1 Capital Infrastructure Reserve #108051; 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.

8. Rosedale Arena Basketball Court Improvements (Ward 4) (Item 11.3)

WHEREAS, a single existing basketball court is located on the City of Hamilton Rosedale Arena lands at 94 Greenhill Avenue;

WHEREAS, the basketball court was constructed and maintained by the City of Hamilton since the mid 1990's; and,

WHEREAS, the basketball court is beyond its lifecycle and the community and park users would benefit from the replacement of this amenity;

THEREFORE, BE IT RESOLVED:

- (a) That the existing basketball court located at 94 Greenhill Avenue, adjacent to Rosedale Arena, be replaced with a new standard multi-use court, at a cost of \$100,000, to be funded from the Ward 4 Area Rating Account #108054; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents for the replacement of the existing basketball court located at 94 Greenhill Avenue with a new standard multi-use court, with such terms and conditions in a form satisfactory to the City Solicitor.

9. Potential Solution to Chedoke Creek (Councillor L. Ferguson) (Added Item 13.2)

That the General Manager of Public Works and the Director of Hamilton Water, or their designates, be authorized and directed to meet with Royal Botanical Gardens (RBG) staff to review potential solutions to Chedoke Creek and report back to the General Issues Committee with their findings.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

10. DISCUSSION ITEMS (Item 10)

10.1 Standardization of Fleet Equipment and Parts (PW09074(e)) (City Wide) **WITHDRAWN**

10.4 PRESTO Adoption (PW17033(e)) (City Wide)

12. NOTICES OF MOTION (Item 12)

12.1 Powell Park Tree Planting (Ward 3)

13. GENERAL INFORMATION / OTHER BUSINESS (Item 13)

13.2 Potential Solution to Chedoke Creek (Councillor L. Ferguson)

The agenda for the February 21, 2020 Public Works Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) February 3, 2020 (Item 4.1)

The Minutes of the February 3, 2020 meeting of the Public Works Committee were approved, as presented.

(d) CONSENT ITEMS (Item 7)

(i) Various Advisory Committee Minutes (Item 7.2)

(a) The minutes of the following Advisory Committees, were received:

(i) Hamilton Cycling Committee - December 4, 2019 (Item 7.2(a))

(ii) Waste Management Advisory Committee - November 28, 2019 (Item 7.2(b))

(e) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) Proposed Permanent Closure and Sale of Lang Street, Hamilton (PW20009) (Ward 4) (Item 8.1)

Councillor Danko advised that notice of the Proposed Permanent Closure and Sale of Lang Street, Hamilton (PW20009) (Ward 4) 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) Annual Presentation from the Hamilton Cycling Committee (Item 9.1)

Chris Ritsma and Kate Berry, Members of the Hamilton Cycling Committee, made their annual presentation to the Committee.

Councillor Merulla declared a Point of Privilege during Councillor Farr's comments.

Councillor Danko, Chair of the Public Works Committee, ruled that Councillor Farr's reference to Councillor Merulla in his comments was not a Point of Privilege and therefore, Councillor Merulla's request to speak respecting the comments made by Councillor Farr was denied.

Councillor Merulla challenged the Chair's ruling. Upon issuing the challenge, the appeal was voted upon and the Chair's ruling was overturned. Councillor Merulla then spoke to the comments made by Councillor Farr.

The presentation from the Hamilton Cycling Committee, 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.

(g) DISCUSSION ITEMS (Item 10)

(i) PRESTO Adoption (PW17033(e)) (City Wide) (Added Item 10.4)

Report PW17033(e), respecting PRESTO Adoption, was referred back to staff to report at the next Public Works Committee meeting on the feasibility of providing criteria and the cost of funding the initial \$6 PRESTO card for Hamilton residents who qualify, in addition to the current provisions in Report PW17033(e).

(h) NOTICES OF MOTION (Item 12)

Councillor Nann introduced the following Notice of Motion:

(i) Powell Park Tree Planting (Ward 3) (Added Item 12.1)

WHEREAS, the utility company (Hydro One) has determined that four public Norway Maple trees require removal within Powell Park due to their proximity to the overhead utility; and,

WHEREAS, the citizens of Ward 3 would like to replace the loss of canopy due to the removal of the 4 Norway Maple trees and enhance the landscape of Powell Park with seven large caliper shade trees to be implemented by the Forestry Section of the City of Hamilton;

THEREFORE, BE IT RESOLVED:

- (a) That the supply and installation of seven 80mm shade trees to the existing landscape of Powell Park at a cost of \$8,000 be funded from the Ward 3 Area Rating Discretionary account (3301909300);
- (b) That consultation with residents of Ward 3 will take place prior to the placement of seven 80mm shade trees in Powell Park; 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.

Councillor Nann introduced the following Notice of Motion:

(ii) Private Tree Giveaway (Ward 3) (Added Item 12.2)

WHEREAS, the City of Hamilton has declared a climate emergency;

WHEREAS, increasing the urban tree canopy by providing native trees for planting on private property has many environmental benefits to the residents of Ward 3 and the wider City; and,

WHEREAS, private tree giveaways are not currently funded under existing tree planting programs;

THEREFORE, BE IT RESOLVED:

- (a) The supply and distribution of approximately 200 small native trees at a cost of \$2,715 be funded from the Ward 3 Area Rating Discretionary Account (3301909300); 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.

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

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

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

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

- (i) Standardization of Enterprise Asset Management Systems**
Addressed as Item 8 of Public Works Committee Report 20-001
(PW19035(b)/FCS19040(b))
Item on OBL: AAK
- (ii) Waste Audits and Recycling in City of Hamilton Public Locations**
Addressed as Item 7.1 on today's agenda (PW20012)
Item on OBL: AAF

(b) Items Requiring a New Due Date:

- (i) Making Upper James Street More Pedestrian Friendly**
Item on OBL: E
Current Due Date: February 21, 2020
Proposed New Due Date: March 23, 2020
- (ii) Hamilton Strategic Road Safety Program Annual Report**
Item on OBL: AL
Current Due Date: February 21, 2020
Proposed New Due Date: March 23, 2020

(ii) Potential Solution to Chedoke Creek (Councillor L. Ferguson) (Added Item 13.2)

Councillor Ferguson addressed Committee respecting a Potential Solution to Chedoke Creek, with the aid of photos.

The photos respecting a Potential Solution to Chedoke Creek, were received.

A copy of the photos are 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 9.

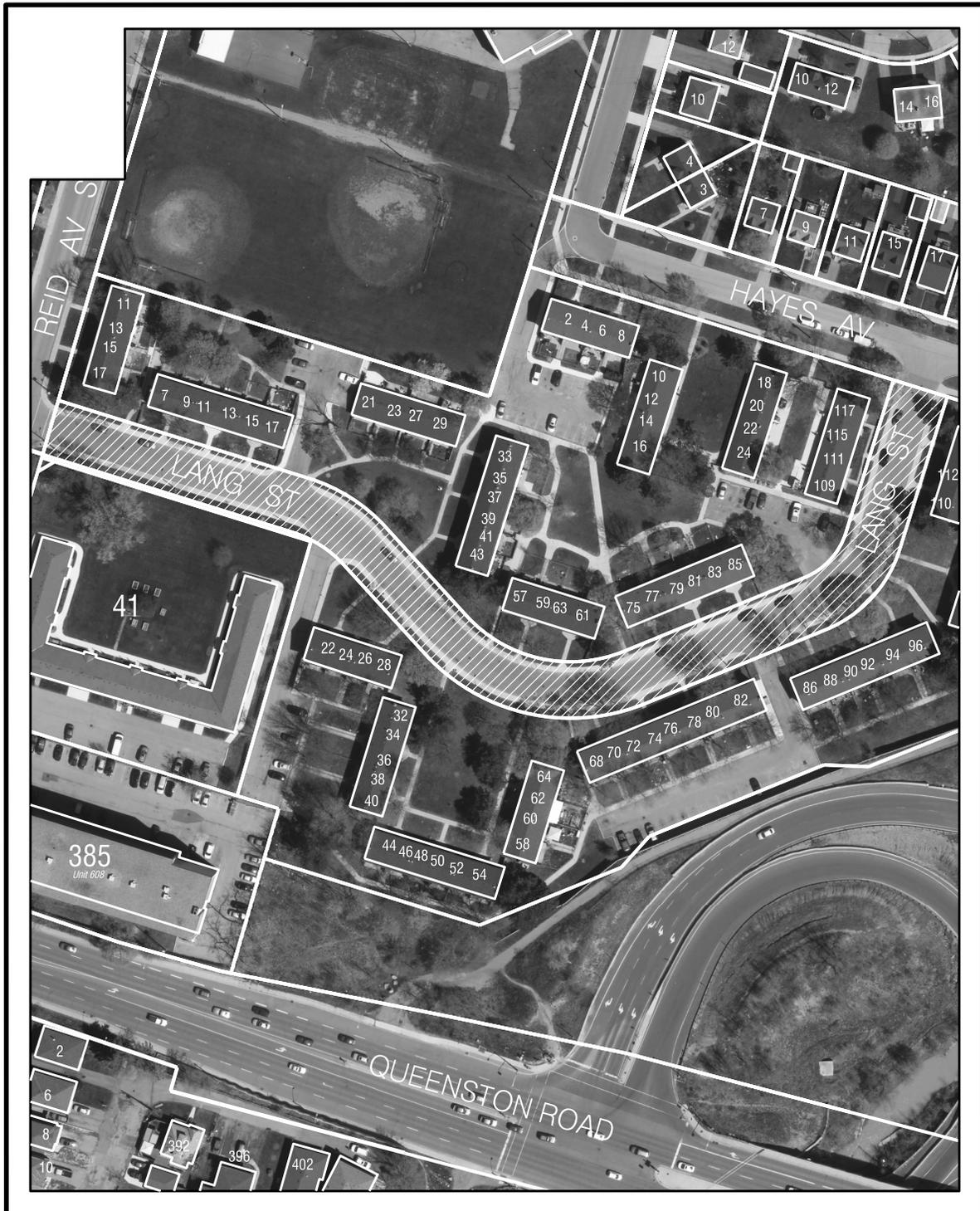
(j) ADJOURNMENT (Item 15)

There being no further business, the Public Works Committee was adjourned at 4:02 p.m.

Respectfully submitted,

Councillor J.P. Danko
Chair, Public Works Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk

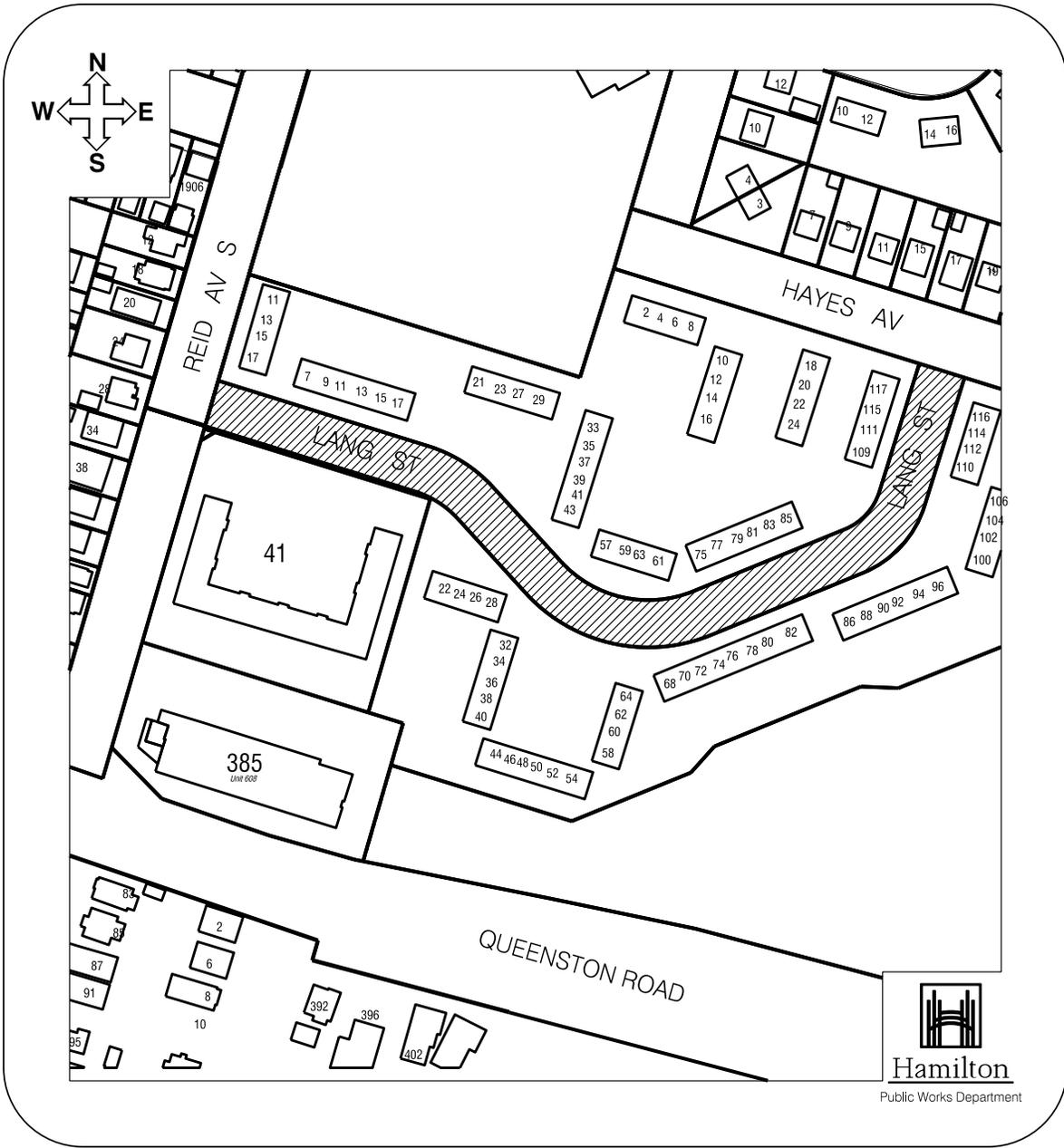


PROPOSED CLOSURE OF PORTION OF LANG STREET

Geomatics & Corridor Management Section
Public Works Department

LEGEND

 Lands to be Closed



LOCATION PLAN

PROPOSED CLOSURE OF
 PORTION OF

LANG STREET

CITY OF HAMILTON
 PUBLIC WORKS DEPARTMENT

LEGEND



SUBJECT LANDS

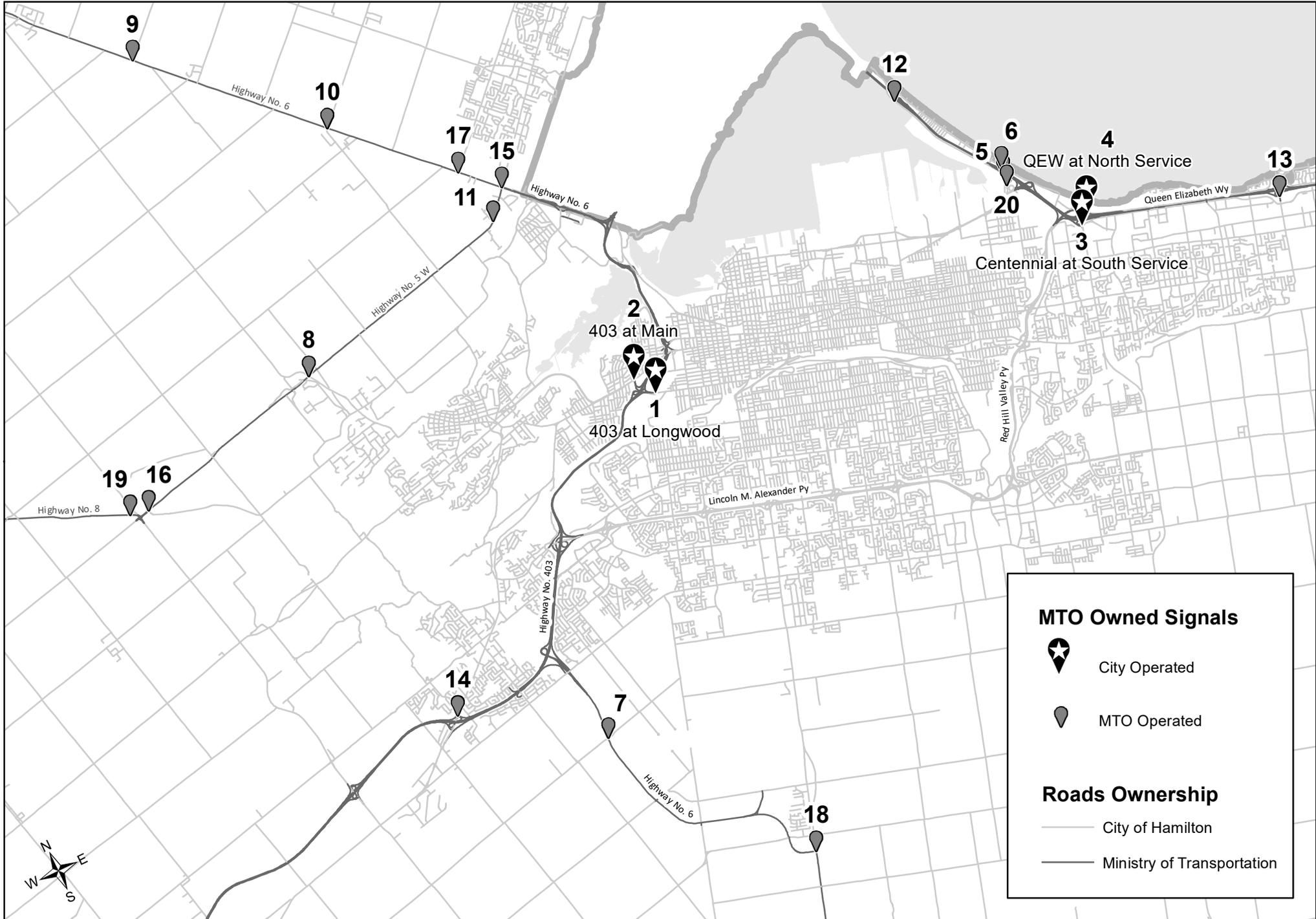
DATE: September 24, 2019

Not to Scale | Sketch By: CF

REFERENCE FILE NO : PW19__

MTO Signal Locations Summary Table

Agreement Status	#	Signal Location	
		Intersecting Road 1	Intersecting Road 2
Signal Locations Included in Proposed Agreement	1	Aberdeen Avenue / Highway 403 Ramp	Longwood Road South
	2	Highway 403 Ramp	Main Street West
	3	Centennial Parkway North	South Service Road
	4	North Service Road (east of Centennial Parkway)	QEW Toronto Off Ramp
Signal Locations Excluded from Proposed Agreement	5	Beach Boulevard	Eastport Drive / Woodward Avenue
	6	Beach Boulevard	QEW Toronto On Ramp / Van Wagner's Beach Road
	7	Book Road	Highway 6
	8	Brock Road	Highway 5
	9	Carlisle Road	Highway 6
	10	Concession 6 East / Millgrove Side Road	Highway 6
	11	Coreslab Drive	Highway 5
	12	Eastport Drive	QEW Toronto Off Ramp
	13	Fruitland Road	QEW Niagara Off Ramp
	14	Highway 403 Off Ramp	Wilson Street
	15	Highway 5	Highway 6
	16	Highway 5	Highway 8
	17	Highway 6	Parkside Drive
	18	Highway 6	Upper James Street
	19	Highway 8	Westover Road
	20	QEW Niagara Off Ramp	Woodward Avenue



MTO Owned Signals

-  City Operated
-  MTO Operated

Roads Ownership

-  City of Hamilton
-  Ministry of Transportation



CITY OF HAMILTON MOTION

Council: February 26, 2020

MOVED BY COUNCILLOR T. WHITEHEAD.....

SECONDED BY COUNCILLOR

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

WHEREAS, the City of Hamilton’s Property Standards by-law requires property owners to maintain their properties;

WHEREAS, retaining walls on private property on 126, 130 and 134 Adis Avenue, Hamilton are in need of repair and / or replacement;

WHEREAS, the City of Hamilton is proceeding with a work order to have the retaining wall repaired/replaced on the private property at 126, 130 and 134 Adis Avenue, Hamilton;

WHEREAS, the City would like to provide compassionate loans for residential property owners for the repair and / or replacement of retaining walls on their private property at 126, 130 and 134 Adis Avenue, Hamilton for an amount not to exceed \$15,000 per affected property;

WHEREAS, the City has External Loan Guidelines (Reports FCS06078 and FCS06078(a)) for loans to external, not-for-profit corporations for the repair and / or replacement of their capital assets;

WHEREAS, some of the conditions of these loan guidelines would need to be waived to provide loans to the affected property owners at 126, 130 and 134 Adis Avenue, Hamilton to repair and / or replace their private retaining walls; and,

WHEREAS, these loan guidelines include interest rate terms for interest bearing loans at the City’s cost of borrowing plus 0.25% administration fee;

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton provide an interest-bearing loan to the affected property owners at 126, 130 and 134 Adis Avenue, Hamilton, as borrowers to fund the repair of retaining walls on their private property in an amount not to exceed \$15,000 to be repaid in full over a period of five years from the date of the loan

advance at an interest rate of 2.61% (2.36% + 0.25% administration fee) for an annual amount of \$3,238.93;

- (b) That the affected property owners at 126, 130 and 134 Adis Avenue, Hamilton, provide proof repair/replacement of the retaining walls within 30 days of being notified of the completion of the work by Municipal Law Enforcement to the General Manager of Finance and Corporate Services, prior to the loan advance payment, in a form satisfactory to the General Manager of Finance and Corporate Services;
- (c) That the affected property owners at 126, 130 and 134 Adis Avenue, Hamilton, enter into Retaining Wall Repair/Replacement Loan Agreements with the City of Hamilton, in a form satisfactory to the City Solicitor; and,
- (d) That the Mayor and Clerk be authorized to execute these Retaining Wall Repair/Replacement Loan Agreements between the City of Hamilton and the affected property owners, at 126, 130 and 134 Adis Avenue, Hamilton, with content satisfactory to the General Manager of Finance and Corporate Services and in a form satisfactory to the City Solicitor.

CITY OF HAMILTON MOTION

Council: February 26, 2020

MOVED BY COUNCILLOR T. WHITEHEAD.....

SECONDED BY COUNCILLOR

Retaining Wall Repair/Replacement Grant to the Property Owners at 126, 130 and 134 Adis Ave, Hamilton

WHEREAS the City of Hamilton’s Property Standards by-law requires property owners to maintain their properties;

WHEREAS retaining walls on private property on 126, 130 and 134 Adis Ave, Hamilton are in need of repair and or replacement;

WHEREAS the property owner behind the properties at 126, 130 and 134 Adis Ave is unwilling to allow access to the retaining wall for the purpose of repair/replacement from his property, increasing the cost to repair/replace the retaining wall by approximately \$5,000.00;

WHEREAS the City of Hamilton’s Municipal Law Enforcement department is moving forward with a work order to repair/replace the retaining all at 126, 130 and 134 Adis Ave at a maximum cost per homeowner of \$15,000.00; and,

WHEREAS there is no city program currently in place to assist the owners at 126, 130 and 134 Adis Ave with the cost to repair/replace a retaining wall;

THEREFORE BE IT RESOLVED:

That following the completion of the repair/replacement of the retaining wall at 126, 130 and 134 Adis Ave, Hamilton, as confirmed by Municipal Law Enforcement and subject to the owners at 126, 130 and 134 executing a release form and with content satisfactory to the City Solicitor, the homeowners be reimbursed the costs of repair in the form of a grant up to a maximum amount of \$5,000.00 (\$1,666.67 each) from the Ward 14 Area Rating capital reserve (Account #108064).

CITY OF HAMILTON MOTION

City Council: February 26, 2020

MOVED BY COUNCILLOR C. COLLINS.....

SECONDED BY COUNCILLOR B. CLARK.....

Terrapure Community Liaison Committee

WHEREAS Councillor Collins was appointed to the Terrapure Community Liaison Committee on December 19, 2018;

WHEREAS Councillor Collins at this time wishes to resign from the Terrapure Community Liaison Committee due to scheduling conflicts; and

WHEREAS Councillor Clark wishes to replace Councillor Collins on the Terrapure Community Liaison Committee.

THEREFORE BE IT RESOLVED:

- (a) That Councillor Collins' resignation, be received; and
- (b) That Councillor Clark be appointed to the Terrapure Community Liaison Committee for the remainder of the 2018-2022 Term of Council.

Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: February 6, 2001
Ward: 1, 3, 4, 5, 6, 13, 15

Bill No. 032

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
<i>6 – Time Limit</i>	<i>E</i>	Ellis Ave.	East	Barton St. E. to Campbell Ave.	3 hr	Anytime	Ellis Ave.	Deleting

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

Page 2 of 4

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
8 – No Parking	C	Fingland Crt.	East	29m north of the west intersection with Nisbet Bl. to 6m northerly	Anytime	Adding
8 – No Parking	E	Eaglewood Dr.	West & North	54m south of Gagliano Dr. to 26m south-west	Anytime	Adding
8 – No Parking	E	Benson	West	Grenfell to McAnulty	Anytime	Deleting
8 – No Parking	E	Benson Ave.	West	McAnulty Blvd. to 61m northerly	Anytime	Adding
8 – No Parking	E	Benson Ave.	West	Grenfell St. to 136m southerly	Anytime	Adding
8 – No Parking	E	Avalon Ave.	North & South	Lake Avenue Dr. to First St.	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
12 – Permit	E	Robins	West	from 4.4m north of the extended north curb line of Albany to 6m northerly	Anytime	Deleting
12 – Permit	E	Robins	East	from 11.4m north of Albany to 11m northerly	Anytime	Deleting
12 – Permit	E	Robins Ave.	East	17m north of Albany to 5.5m northerly	Anytime	Adding
12 – Permit	E	Beechwood Ave.	South	33.5m west of Barnesdale Av. to 6m westerly	Anytime	Adding
12 – Permit	E	Grosvenor Ave.	East	11.5m south of Cannon St. E to 6.5m southerly	Anytime	Adding
12 – Permit	E	Grosvenor Ave.	West	11.5m south of Cannon St. E to 6m southerly	Anytime	Adding
12 – Permit	E	Benson	East	from 83.4m north of McAnulty to 5.2m northerly	Anytime	Deleting

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

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
12 – Permit	<i>E</i>	Benson Ave.	West	61m north of McAnulty Blvd. to 6m northerly	Anytime	Adding
12 – Permit	<i>E</i>	Locke	East	from 22.9m south of Homewood to 5.8m southerly	Anytime	Deleting
12 – Permit	<i>E</i>	Mountain	West	from 56.4m north of Maple to 6m northerly	Anytime	Deleting

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
13 – No Stopping	<i>B</i>	Newcombe Rd.	North & West	77m west of Davidson Blvd. to 25m west-south	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
14 – Wheelchair LZ	<i>E</i>	Benson Ave.	East	83m north of McAnulty Blvd. to 5m northerly	Anytime	Adding

Schedule	Section	Highway	Side	Length	Location	Times	Adding/ Deleting
14 – Wheelchair LZ	<i>E</i>	Rifle Range	East	40 feet	commencing 256 feet south of Whitney	7:00 a.m. - 6:00 p.m. Monday to Saturday	Deleting

Schedule	Section	Highway	Side	Length	Location	Times	Adding/ Deleting
20 - School Bus LZ	<i>E</i>	Rifle Range	East	110 feet	commencing at a point 296 feet south of Whitney	7:00 a.m. - 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

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 26th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 3, Planning Committee Report 20-003 (PED20045)
CM: February 26, 2020
Ward: City Wide
Bill No. 033

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses

WHEREAS Council enacted a By-law to License and Regulate Various businesses, being By-law No. 07-170; and

WHEREAS this By-law amends By-law No. 07-170;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The amendments in this By-law include any necessary grammatical, numbering and lettering changes.
2. Schedule 1 of By-law No. 07-170 is amended by deleting Map 2.
3. Schedule 1, Subsection 7(2) of By-law No. 07-170, is amended by deleting the words "or the area shown Map 2".
4. Schedule 1, Subsection 10(2) of By-law No. 07-170, is amended by deleting the words "or the area shown Map 2".
5. Schedule 1, Subsection 11(2) of By-law No. 07-170, is amended by deleting the words "or the area shown Map 2".
6. Schedule 4 of By-law No. 07-170 is amended by deleting Map 2.
7. Schedule 4, Subsection 3(2) of By-law No. 07-170, is amended by deleting the words "or the area shown on Map 2".

PASSED this 26th 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: 13

Bill No. 034

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend Zoning By-law No. 3581-86 Respecting Lands located at 264 Governor's Road, in the Former Town of Dundas, 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 1st, 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 Town of Dundas" 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 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. 3581-86 (Dundas) was enacted on the 22nd day of May 1986, and approved by the Ontario Municipal Board on the 10th day of May, 1988;

AND WHEREAS the Council of the City of Hamilton, in adopting Section 31 of Report 06-183 of the Planning and Economic Development Committee at its meeting held on the 2nd day of June 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, approved by the Ontario Municipal Board on August 16, 2013.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule "A" appended to and forming part of By-law No. 3581-86 (Dundas), as amended by By-law No. 19-055, is hereby further amended by changing the zoning from the Medium Multiple Dwelling – Holding "H-RM1/S-139" Zone, Modified to Medium Multiple Dwelling "RM1/S-139" Zone, Modified on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Medium Multiple Dwelling "RM1/S-139" Zone,

Modified provisions applicable to the lands shown on the hereto annexed
Schedule "A".

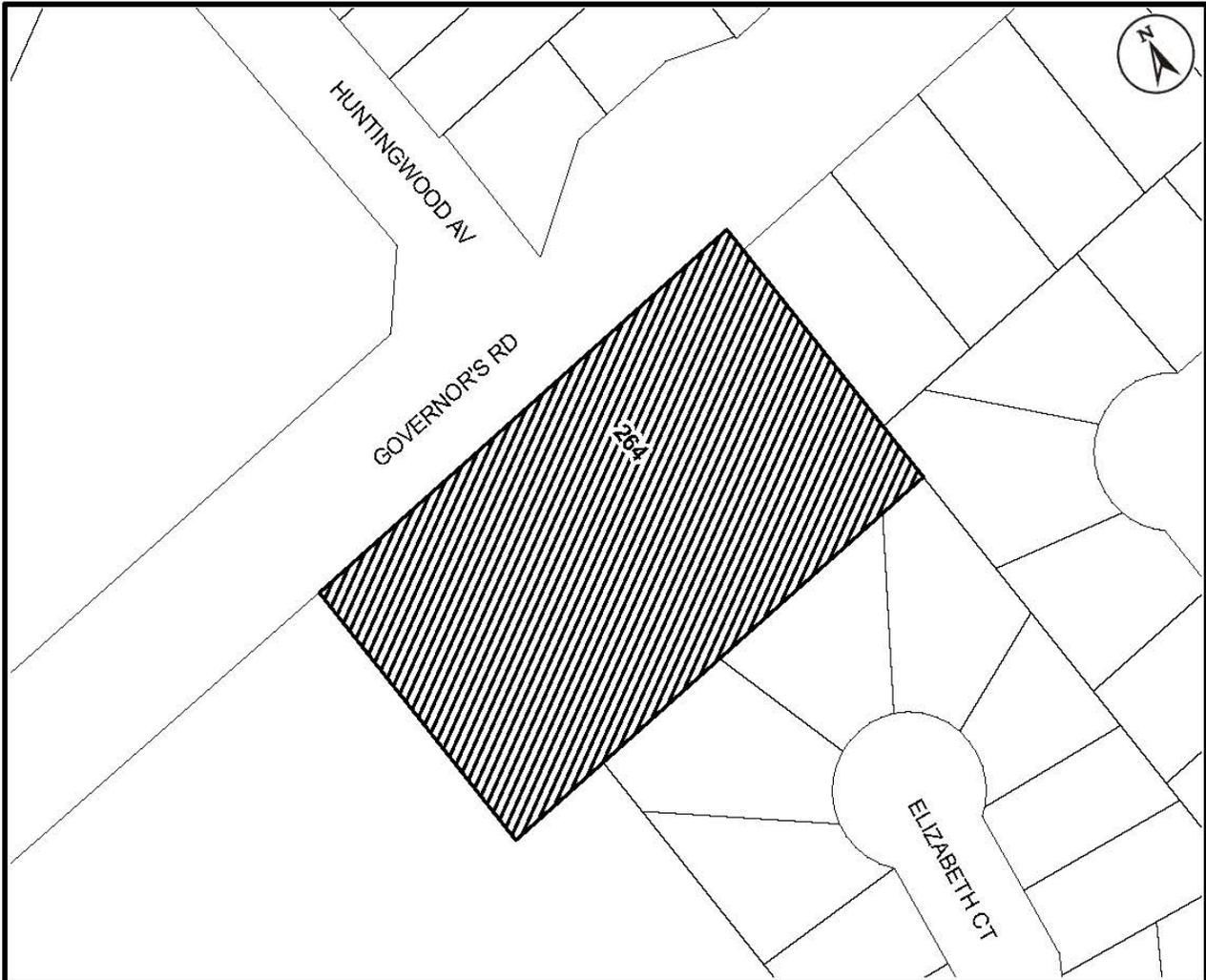
3. The Clerk is hereby authorized and directed to proceed with the giving of notice of
the passing of this By-law, in accordance with the Planning Act.

PASSED this 26th day of February, 2020.

Fred Eisenberger
Mayor

A. Holland
City Clerk

ZAH-19-053



This is Schedule "A" to By-law No. 20-
 Passed the day of, 2020

 Mayor

 Clerk

Schedule "A"
Map forming Part of
By-law No. 20-_____
to Amend By-law No. 3581-86

Subject Property
 264 Governor's Road
 Change in Zoning from Medium Multiple Dwelling - Holding "H-RM1/S-139" Zone to the Medium Multiple Dwelling "RM1/S-139" Zone

Scale: N.T.S	File Name/Number: ZAH-19-053
Date: February 19, 2020	Planner/Technician: VL/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	



Authority: Item 1, Planning Committee
Report: 20-003 (PED20043)
CM: February 26, 2020
Ward: 10

Bill No. 035

CITY OF HAMILTON

BY-LAW NO. 20-

To Adopt:

**Official Plan Amendment No. 130 to the
Urban Hamilton Official Plan**

Respecting:

**461 Green Road
(Stoney Creek)**

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 130 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 26th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Urban Hamilton Official Plan Amendment No. 130

The following text, together with Appendix “A” – Volume 3: Map 2 – Urban Site Specific Key Map attached hereto, constitutes Official Plan Amendment No. 130 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to establish a Site Specific Policy to permit the development of a 14-storey *multiple dwelling* with a maximum *net residential density* of 349 units per hectare for High Density Residential development within the Neighbourhoods designation.

2.0 Location:

The lands affected by this Amendment are known municipally as 461 Green Road, in the former City of Stoney Creek.

3.0 Basis:

The basis for permitting this Amendment is:

- The proposed development complies with the function, scale and design policies of the High Density Residential and Local Commercial use categories of the Neighbourhoods designation;
- The proposed development implements the Residential Intensification policies of the Urban Hamilton Official Plan; and,
- The proposed Amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019.

4.0 Actual Changes:

4.1 Volume 3 – Special Policy Areas, Area Specific Policies, and Site Specific Policies

Text

4.1.1 Chapter C – Urban Site Specific Policies

- a. That Volume 3, Chapter C – Urban Site Specific Policies – Stoney Creek Neighbourhoods be amended by adding a new Site Specific Policy, as follows:

“USCN-8 Lands Located at 461 Green Road, former City of Stoney Creek

- 1.0 Notwithstanding Policy E.3.6.6 b) of Volume 1, for high density residential uses, the *net residential density* shall be greater than 100 units per hectare and not greater than 349 units per hectare.”

Maps and Appendices

4.1.2 Map

- a. That Volume 3: Map 2 – Urban Site Specific Key Map be amended by identifying the subject lands as USCN-8, as shown on Appendix “A”, attached to this Amendment.

5.0 Implementation:

An implementing Zoning By-Law Amendment and Site Plan will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule "1" to By-law No. 20-035 passed on the 26th day of February, 2020.

**The
City of Hamilton**

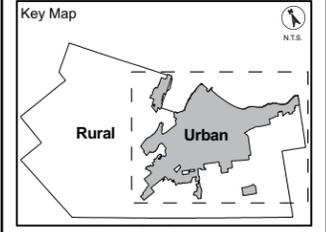
F. Eisenberger
MAYOR

A. Holland
CITY CLERK

Appendix A
 APPROVED Amendment No. 130
 to the Urban Hamilton Official Plan

 Lands to be identified as
 Site Specific Area USCN-8
 (461 Green Road, Stoney Creek)

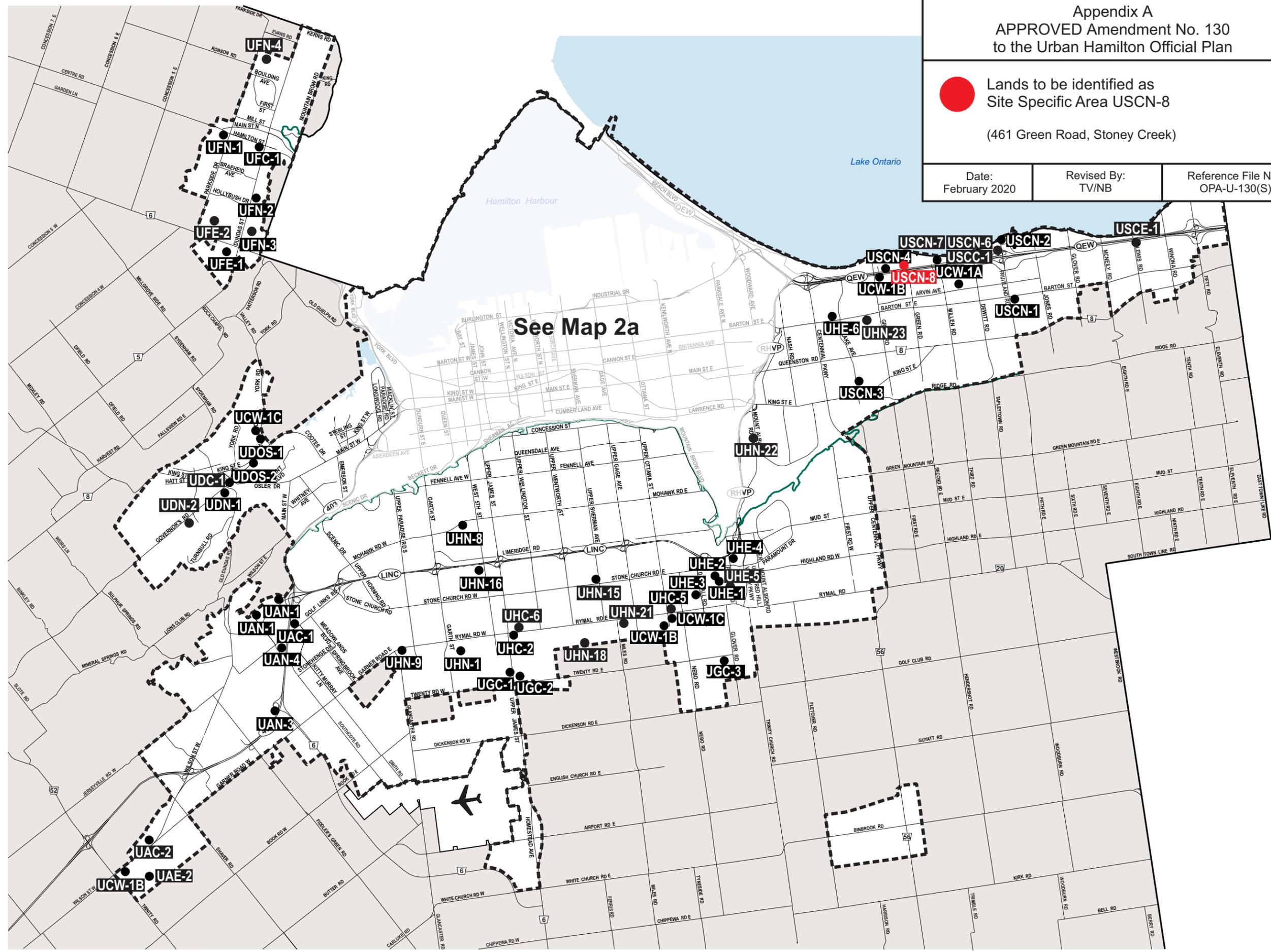
Date: February 2020	Revised By: TV/NB	Reference File No.: OPA-U-130(S)
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Note: For Rural Site Specific Areas, refer to Volume 3: Appendix A of the Rural Hamilton Official Plan.

APPEAL

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal – see illustration on Schedules E and E-1, Volume 1



See Map 2a

- Legend**
- Site Specific Areas (SSA)
 - U- Refers to Urban Site Specific Area #, Volume 3, Chapter B
- Other Features**
-  Rural Area
 -  John C. Munro Hamilton International Airport
 -  Niagara Escarpment
 -  Urban Boundary
 -  Municipal Boundary

Council Adoption: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan
 Volume 3: Map 2
 Urban Site Specific Key Map**



Authority: Item 1, Planning Committee
Report 20-003 (PED20043)
CM: February 26, 2020
Ward: 10

Bill No. 036

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend Zoning By-law No. 05-200 with respect to lands located at 461 Green Road, Stoney Creek

WHEREAS Council approved Item 1 of Report 20-003 of the Planning Committee, at the meeting held on February 26, 2020;

AND WHEREAS this By-law conforms with the Urban Hamilton Official Plan upon the adoption of Urban Hamilton Official Plan Amendment No. 130.

NOW THEREFORE Council of the City of Hamilton amends Zoning By-law No. 05-200 as follows:

1. That Map Nos. 1051 and 1097 of Schedule “A” – Zoning Maps are amended by changing the zoning from the Community Commercial (C3) Zone to the Mixed Use Medium Density (C5, 669, H34) Zone for the lands identified in the Location Map attached as Schedule “A” to this By-law.

2. That Schedule “C” – Special Exceptions is amended by adding the following new Special Exception:

“669. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map Nos. 1051 and 1097 of Schedule “A” – Zoning Maps and described as 461 Green Road, the following special provisions shall apply:

a) In addition to Section 3 of this By-law, any reserve block abutting a lot line shall be considered a street.

b) Notwithstanding Sections 4.23 a), 5.1 a) v) b), 5.1 d), 5.2 b) and f), 5.2.1 c), and 5.6 c) and e), and in addition to Section 5.2 e), the following regulations shall apply:

- i) Special Setbacks Electrical and communication facilities, noise walls, and fences existing on the effective date of this By-law shall be deemed to comply with the regulations for any required setbacks and are permitted by this By-law.

- ii) Planting Strip Shall provide a 2.8 metre wide planting strip being required and permanently maintained between the street line and the said parking spaces or aisles, except for that portion where a building, not including any accessory structure or mechanical or unitary equipment, is located between the street line and parking spaces and aisles.

- iii) Parking Location Parking spaces in excess of the required parking and aisles shall be permitted between the required building façade and the front lot line.

- iii) Parking Space Sizes a) Minimum 2.75 metres in width and 5.8 metres in length.

b) Notwithstanding a) above, barrier free parking spaces shall be a minimum of 2.8 metres in width and 5.8 metres in length, accompanied by a painted aisle of not less than 1.5 metres in width.

- v) Surfaces of Parking Spaces and Parking Lots
May include exhaust and intake vents provided at grade.
- vi) Loading Facilities
A Loading Facility shall be permitted in a required yard abutting a Residential Zone and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law.
- vii) Number of Parking Spaces for a Multiple Dwelling and Commercial or Institutional Uses
 - a) Minimum 1.25 parking spaces and 0.25 visitor parking spaces per dwelling unit.
 - b) Maximum 1.5 parking spaces and 0.35 visitor parking spaces per dwelling unit.
 - c) No parking spaces shall be required for Commercial or Institutional Uses.
 - d) Each shared commercial and residential visitor parking space shall:
 - a. be maintained for the use of both the commercial and residential visitor parking;
 - b. have a sign erected and legibly marked that the parking spaces are for the use of both commercial and residential visitor parking: and,
 - c. be maintained and readily accessible for either use, free and

clear of all
obstructions.

c) Notwithstanding Sections 10.5.3 a), d), g) vi), i), and j), and in addition to Sections 10.5.1.1 and 10.5.3 h), the following regulations shall apply:

- i) Building Setback from a Street Line
 - From Green Road:
 - a) Minimum 0.4 metres; and,
 - b) Maximum 8.5 metres.
 - From North Service Road:
 - a) Maximum 16.5 metres.
- ii) Restricted Uses
 - a) Multiple Dwelling Unit(s) shall only be permitted in conjunction with a Commercial Use.
- iii) Building Height
 - a) Minimum 7.5 metre façade height for any portion of a building along a street line;
 - b) Maximum 46.0 metres for any portion of the building along a street line; and,
 - c) Maximum 7.5 metres for any portion of the building along a rear or interior side lot line; and,
 - d) In addition to b) above, maximum building height shall be equivalently increased as yard increases beyond the minimum rear and interior side yard requirements, established in Sections 10.5.3 b) and c) of

this By-law, to a maximum of 46.0 metres.

- e) In addition to the definition of Building Height in Section 3: Definitions, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:
 - a. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 10% of the floor area of the storey directly beneath;
 - b. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the exterior walls of the storey directly beneath; and,
 - c. The wholly enclosed or partially enclosed

structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.

iv) Built form for New Development

In the case of new buildings constructed after the effective date of this by-law or additions to buildings existing as of the effective date of this by-law:

- a) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.
- b) The minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall be greater than or equal to 50% of the measurement of all lot lines abutting a street.
- c) In addition to Subsections a) and b) above, the minimum width of the ground floor façade facing the front and flankage lot lines shall exclude access driveways and any required yards within a lot line abutting a street.
- d) No parking spaces and/or aisles shall be permitted between the required building

façade and the flankage lot line.

- e) A minimum of one principal entrance shall be provided:
 - a. within the ground floor façade that is set back is closest to a street; and,
 - b. shall be accessible from the building façade with direct access from the public sidewalk.
- f) A walkway shall be permitted in a Planting Strip where required by the By-law.

v) Minimum Amenity Area for Dwelling Units and Multiple Dwellings

In addition to the Minimum Amenity Area requirements, a rooftop amenity area that has exposure to the front lot line shall be less than 4.0 metres in depth.

vi) Planting Strip

- a) A minimum 0.7 metres wide Planting Strip shall be provided and maintained along the rear lot line abutting a Residential zone between the rear lot line, and, parking aisles and exhaust and intake vents; and,
- b) A minimum 2.0 metre wide Planting Strip, which may include a noise wall, shall be provided and maintained along the remainder of the rear lot line and the westerly side lot line abutting a Residential zone.

vii) Visual Barrier Requirement

A visual barrier shall be required along any lot line abutting a Residential Zone property line in accordance with Section 4.19 of this By-law, except between the rear lot line and exhaust and intake vents.

viii) Density

a) Minimum 100 dwelling units per net residential hectare.

b) Maximum 349 dwelling units per net residential hectare.

d) Section 10.5.1.1 i) 1) shall not apply.

3. That Schedule “D” – Holding Provisions be amended by adding the additional Holding Provision as follows:

“34. Notwithstanding Section 10.5 of this By-law, within lands zoned Mixed Use Medium Density (C5, 669) Zone, identified on Map Nos. 1051 and 1097 of Schedule “A” – Zoning Maps and described as 461 Green Road, no development shall be permitted until such time as:

a) The necessary upgrades to the sanitary sewers to accommodate additional flows are completed to the satisfaction of the Senior Director of Growth Management.

b) A final Traffic Impact Study prepared by a qualified Traffic Engineer is submitted, approved, and implemented, to the satisfaction of the Manager of Transportation Planning.

c) The Owner has acquired additional lands required for access along the Green Road frontage, to the satisfaction of the Ontario Ministry of Transportation.

4. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 26th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-18-034



<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. 05-200 Maps 1051 & 1097</p>		<p>Subject Property 461 Green Road</p> <p> Change in Zoning from Community Commercial (C3) Zone to Mixed Use Medium Density (C5, 669, H34) Zone</p>
<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAC-18-034/UHOPA-18-013</p>	<p style="margin: 0;">Hamilton</p>
<p>Date: Nov. 21, 2019</p>	<p>Planner/Technician: TV/AL</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

Authority: Item 9, Audit, Finance &
Administration Committee Report 20-
003 (CL19012(a))
CM: February 26, 2020
Ward: City Wide
Bill No. 037

CITY OF HAMILTON

BY-LAW NO. 20-

To Authorize Civil Marriage Solemnization Services and To Delegate the Authority to Solemnize Marriages in the City of Hamilton

WHEREAS on September 24, 2004, the Minister of Consumer and Business Services announced that changes to the regulations under the *Marriage Act* through *Ontario Regulation 285/04* authorizing clerks of “local municipalities to perform civil marriages;

WHEREAS through the passage of an appropriate resolution or by-law “local municipalities” have the option to offer civil marriages as a municipal service if they so choose and to set fees to recover the cost of providing this service;

WHEREAS municipal clerks may delegate their authority to solemnize marriages pursuant to Section 224 (4) of the *Municipal Act* which states that the clerk may delegate in writing to any person, other than a member of council, any of the clerk’s powers and duties under this and any other Act:

WHEREAS pursuant to *Regulation 285/04* made under the *Marriage Act* now designates Municipal Clerks as a class of persons authorized to solemnize marriages in Ontario and pursuant to Regulation 738 subsection 24 (1) Regulation of the Revised Regulations of Ontario, 1990 as amended states that for the purposes of subsection 24 (1) of the Act, the clerk of a local municipality is authorized to solemnize marriages under the authority of a Marriage Licence;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That civil marriage solemnization service be implemented in the City of Hamilton.
2. That Council recognizes that the City Clerk is authorized to solemnize civil marriages in the City of Hamilton as set out in *Ontario Regulation 285/04* and the *Marriage Act, R.S.O. 1990, Chapter M3*, as amended.
3. That should the City Clerk delegate their authority, to City of Hamilton staff, that it be done in writing.

4. That the Clerk may revoke such delegation(s) by providing a notice in writing, no less than fourteen (14) days prior to the termination of the designation.
5. That this by-law shall come into force on April 6, 2020.

PASSED this 26th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 1, Emergency and Community
Services Committee Report 20-002
(HSC19005(b))
CM: February 26, 2020
Ward: City Wide
Bill No. 038

**CITY OF HAMILTON
BY-LAW NO. 20-**

To Appoint a Deputy Fire Chief

WHEREAS John Verbeek, Deputy Fire Chief, retired effective February 22,2020;

AND WHEREAS Council wishes to appoint another person to this vacant Deputy Fire Chief position pursuant to By-law No. 19-034 "To Establish, Maintain and Operate Hamilton Fire Department";

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Mark Hodge is appointed as Deputy Fire Chief until such time as that appointment is terminated or a successor is appointed.
2. This By-law and this appointment come into force as of February 24, 2020.

PASSED this 26th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

CITY OF HAMILTON

BY-LAW NO. 20-

To Confirm the Proceedings of City Council at its meeting held on February 26, 2020.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 26th day of February, 2020, in respect of each recommendation contained in

Special General Issues Committee Report 20-006 – February 13, 2020,
Planning Committee Report 20-003 – February 18, 2020,
Audit, Finance & Administration Committee Report 20-003 – February 20, 2020,
Emergency & Community Services Committee Report 20-002 – February 20,
2020,
Special General Issues Committee Report 20-008 – February 20, 2020,
Board of Health Report 20-002 – February 21, 2020,
and,
Public Works Committee Report 20-002 – February 3, 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 26th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk