



City of Hamilton

CITY COUNCIL ADDENDUM

20-018

Friday, August 21, 2020, 9:30 A.M.

Due to the COVID-19 and the Closure of City Hall

All electronic meetings can be viewed at:

City's Website: <https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel: <https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

4. COMMUNICATIONS

4.3 Correspondence respecting the by-law to Require the Wearing of Face Coverings Within Enclosed Public Spaces:

*4.3.q Trish Smink

Recommendation: Be received.

4.9 Correspondence respecting the reduction of Aberdeen Avenue from 4 lanes to 2 lanes:

*4.9.aq Linda and Joseph Devellano

*4.9.ar Natalie Sobel

*4.9.as Janis Blimkie

*4.9.at Lisa Ramacieri

- *4.9.au Brian Hoath
- *4.9.av Dave and Susan McKay
- *4.9.aw Jane Brunton
- *4.9.ax Chris Schoufour
- *4.9.ay Gwen Vance
- *4.9.az Isabel Simpson
- *4.9.ba Alexander Malcolm
- *4.9.bb Luke O'Reilly
- *4.9.bc Tricia Hellingman
- *4.9.bd Pat Devlin
- *4.9.be Dave Frei
- *4.9.bf Emily and Dale McDonald
- *4.9.bg Judy Conrod
- *4.9.bh JR Kearns MD
- *4.9.bi John Augstman
- *4.9.bj Carl Feldmann
- *4.9.bk Louise Patenall

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

- *4.15 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting an update on the government issued emergency order with respect to labour deployment.

WITHDRAWN

- 4.22 Correspondence respecting the 2026 Commonwealth Games:

- *4.22.e Kevin Gonci

*4.22.f Kevin Gonci

*4.22.g Michael Moniz

Recommendation: Be received and referred to the consideration of Item (f)(i) of General Issues Committee Report 20-011.

*4.27 Correspondence from Hamilton Niagara Haldimand Brant LHIN advising the City of Hamilton of funding to Support One-time Critical Mental Health & Addictions Services due to COVID-19 based upon your organization's proposal submitted in April 2020.

Recommendation: Be received.

*4.28 Correspondence from Joel D. Farber of Fogler, Rubinoff LLP, respecting Item 9.2 City of Hamilton Comments on Proposed Growth Plan Amendment #1.

Recommendation: Be received and referred to the consideration of Item 5 Planning Committee Report 20-008

7. NOTICES OF MOTIONS

*7.2 1200-1280 Rymal Road East and 385 Nebo Road - Extension of Development Charge Credit

*7.3 Amendment to Item 4.7 of the Council Minutes of June 24, 2020, respecting Correspondence from Eric Miller, Chair, Hamilton Farmers' Market Board of Directors requesting that City Council

Support the Hamilton Farmers' Market with an Equivalence of the Canadian Commercial Rent Assistance Program (CECRA) Program

*7.4 Request for the Immediate Reinstatement of the Suspension of Evictions

*7.5 Amendment to Item 5.4 (d) of Council Minutes 20-006 respecting the Municipal Incentives for the 90 Carling Street Rental Project (HSC20009) (Ward 1)

9. PRIVATE AND CONFIDENTIAL

*9.2 Encampment Litigation Update (LS20023(a)) (City Wide)

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

*9.3 Potential Litigation – Building Permit Issue (LS19035(a))

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

10. BY-LAWS AND CONFIRMING BY-LAW

*10.11 20-176

Removal of Part Lot Control

Part of Block 1, Registered Plan No. 62M-1253, Municipally Known as 1 Garlent Avenue and 22, 24, 26, 28 and 30 Cleland Avenue (Ancaster) (Ward 12)

*10.12 20-177

Removal of Part Lot Control

Block 2 of Registered Plan of Subdivision No. 62M-1253, Municipally Known as 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61 and 63 Beasley Grove, Ancaster (Ward 12)

*10.13 20-178

To Amend Zoning By-law No. 6593 (Hamilton), as amended by

By-law No. 12-251, respecting lands located at 85 Poulette Street, Hamilton

Ward: 1

ZAH-19-047

*10.14 20-179

To Amend Zoning By-law No. 6593, Respecting Lands Located at 1406 Upper Gage Avenue, Hamilton

ZAR-20-005

*10.15 20-180

A By-law to Amend By-law 07-170 being a By-law to License and Regulate Various Businesses

*10.16 20-181

To Amend By-law 05-200 Respecting Temporary Use By-law for Outdoor Commercial Patios

CI 20-F

*10.17 20-182

To Adopt Official Plan Amendment No. 136 to the Urban Hamilton Official Plan Respecting: 527 Shaver Road and 629 Garner Road West (Ancaster)

Ward: 12

*10.18 20-183

To Amend Zoning By-law No. 87-57

Respecting Lands Located at 527 Shaver Road and 629 Garner Road West (Ancaster)

Ward: 12

UHOPA-19-14

ZAC-19-010

Pilon, Janet

Subject: For the Hamilton Council

From: Trish S

Sent: Tuesday, August 18, 2020 8:28 AM

To: clerk@hamilton.ca

Subject: For the Hamilton Council

Hamilton City Council,

Just wondering what the end goal is in regard to the mandatory mask by-law?

Initially we were told the goal was the “flatten the curve”, which we as a country have done since May (<https://www.covid-19canada.com> – scroll down to near the bottom to see the graph). So now what?

I read in the by-law that, as more business open you believe that,

“physical distancing is difficult to maintain in enclosed public spaces and there exists a pressing need for establishments to implement appropriate measures and regulations to better prevent the spread of COVID-19 and protect the health, safety and well-being of the residents of the city of Hamilton within enclosed public spaces;”,

yet this wasn't an issue during the height of the virus, so what makes it different now? Yes, I realize that more establishments are open and Yes, I realize some establishments no longer seem to restrict the number of customers, but most still do, and shouldn't it then be up to the establishment to decide what “appropriate measures and regulations” work best for them as each situation is different?

I realize that you don't want to be accused of not doing enough in light of this novel virus, and that you want to “protect the health, safety and well-being of the residents of the city of Hamilton” but my observation of this by-law has proven quite the opposite. When masks were optional, people still felt safe, and were friendly and calm, however now I find people fearful, angry and on edge.

I would like you to reconsider the by-law, perhaps once again stating to wear it when social distancing is difficult and leave it up to the establishments / individuals on whether or not a mask is appropriate.

Considering that we had 14 active cases as of July 20 and 46 as of Aug 17 (as per <https://www.hamilton.ca/coronavirus/status-cases-in-hamilton>), it appears that the mask order is not diminishing infections. On a positive note, hospitalizations have gone down and both those numbers in a population of 535,000 are still extremely low and give no reason for anyone to fear. Yet the mask seems to be a visual reminder to do exactly that.

Below please find a Facebook post from Jake Cheechov. While it is from an American perspective, I feel it is still worth reading and considering.

I recognize that your job is not an easy one in this unsettling time, and our family is praying for you in the decisions you make.

Trish Smink – Ward 7

[Jake Cheechov](#) Aug 13, 2020

I have a question... What is the end game with COVID19 Anyone? Anyone???

What is the magic formula that is going to allow us to sound the "all clear"? Is it zero cases? For a while, the goal was to simply "flatten the curve," but now that we are disconnecting utilities for gatherings in California, setting up check points in New York, and recommending goggles (what's next?), it seems as if there is, in fact, no end game. And, truthfully, the only way that we will see numbers drop is if we cease testing and stop reporting. Bear in mind that hundreds of thousands have shown up to be tested, registered, left due to long waits, and still come up positive when they received their results.

Is it a vaccine???. It took 25 years for a chicken pox vaccine to be developed. The smallpox inoculation was discovered in 1776 and the last known natural case was in 1977. We have a flu vaccine that is only 40 to 60% effective (that's generous- the last two years it was more like 20-25%), less than half of the US population chooses to get one, and roughly 20,000 Americans still die annually due to flu or flu complications.

Oh, you'll mandate it in order to attend school, travel to some foreign countries, etc.? We already have a growing number of vaccine researchers refusing proven, tested, well-known vaccines that have been administered for decades! Do you really believe the majority of people will flock to get a fast-tracked vaccine, whose long-term side effects and overall efficacy rates are anyone's best guess? How long are we going to cancel? Postpone? Reconsider?

Now we are advised against in-person school until second quarter? What if October's numbers are the same as August's? Then what?

Move football to spring? What if next March is worse than this March?

When do we decide quality of life outweighs risk? (highlight is mine)

We understand this virus can be deadly for SOME, but so are shellfish, peanut butter, and bee stings. We take risks every day without a second thought.

We know driving a car can be dangerous, but we don't leave it parked in the garage for months on end. We know the dangers of smoking, drinking, and eating fried foods, but we do it, none-the-less. We speed on highways, some idiots still don't buckle their seatbelts, we take medications more than "as directed," and a good number of individuals don't think twice about unprotected sex.

Is hugging Grandma really more dangerous than rush hour on the freeway? Is going to a bar with friends more risky than four day old gas station sushi? Or operating a chainsaw? How about a lawn mower?

When and how did we so quickly lose our free will?

I want a waiver that says, "I understand the risks, but I choose a life with hugs, smiles, college athletics, the state fair, concerts, and school dances."

I understand that there is a minuscule possibility I could die but, more probable, I will end up feeling like junk for a few days.

I understand I could possibly pass this virus onto someone else, but I can pass ANY virus onto someone else at any time until the end of time. And the possibility of them dying from it is ALWAYS there... because death happens and all our days are numbered.

Are we busy living or busy dying?

It's hard to tell these days.

4.9 (aq)

Pilon, Janet

Subject: Aberdeen Avenue lane change

From: Linda
Sent: Monday, August 17, 2020 9:01 AM
To: clerk@hamilton.ca
Subject: Aberdeen Avenue lane change

I am strongly opposed to the the proposal to reduce Aberdeen Avenue between Dundurn Street South and Queen Street from 4 lanes to 2 lanes.

Reducing lanes will significantly back up traffic. This situation could cause accidents throughout our neighbourhood. More vehicles idling will cause an increase in greenhouse gasses.

Presently there are enough traffic lights along Aberdeen Avenue to safely accommodate pedestrians.

Please reconsider your proposal!

Linda and Joseph Devellano

Pilon, Janet

Subject: Strongly oppose reducing Aberdeen Ave. to 2 lanes

From: Natalie Sobel

Sent: Sunday, August 16, 2020 1:14 PM

To: clerk@hamilton.ca

Subject: Strongly oppose reducing Aberdeen Ave. to 2 lanes

Dear Mr. Mayor, Members of City Council, and City Clerk:

My family and I strongly oppose the proposed reduction of Aberdeen Avenue to 2 lanes between Dundurn Street South and Queen St.

Please do not do it.

Sincerely,

Natalie Sobel

Pilon, Janet

Subject: Opposition to planned reduction in traffic lanes along Aberdeen

From: Janis Blimkie

Sent: Monday, August 17, 2020 8:04 AM

To: clerk@hamilton.ca

Cc: Wilson, Maureen

Subject: Opposition to planned reduction in traffic lanes along Aberdeen

Mayor & Members of City Council

Enough road traffic reduction in Hamilton

Specifically Aberdeen between Hwy 403 & Queen street which is an arterial road and recent highway accidents have proven it to be an outlet to move traffic

Not to mention early morning rush hour traffic now backing up from hwy 403 to Dundurn and along Longwood Rd

Further lane reduction only adds to the already congested streets of the Queen Street hill and Garth plus Aberdeen, Dundurn & Longwood

Further lane reduction creates more Neighbourhood traffic and danger to citizens on side streets as drivers try to short cut the congestion

Hamilton is becoming a very unpleasant city to drive through due to the narrower roads and street parking
There is already some parking on Aberdeen which during those parking hours significantly reduces traffic flow and adds to congestion.

There's more

Any tax Money should be spent on the road quality and crumbling infrastructure & maintenance .

--

JBlimkie

Pilon, Janet

Subject: Aberdeen Avenue Construction

From: Paul and Lisa Ramacieri <
Sent: Friday, August 14, 2020 6:22 PM
To: clerk@hamilton.ca
Subject: Aberdeen Avenue Construction

Mayor Eisenberger,

My family and I are opposed to making Aberdeen Ave. single lane each way. Please maintain a four lane configuration. Better for traffic congestion. Better for the environment , less idling cars. Safer, less cars trying to cut through neighbourhoods to find a faster route.

Thank You, Concerned Resident,

Lisa Ramacieri

Pilon, Janet

Subject: Aberdeen planned reduction traffic lanes.

From: [brianhoath](#)

Sent: Saturday, August 15, 2020 7:10 PM

To: Farr, Jason; clerk@hamilton.ca

Subject: Aberdeen planned reduction traffic lanes.

I would like to express my opposition to the planned change of 4 to 2 lanes on Aberdeen between Dundurn and Queen. I believe this will make this section more dangerous with people trying to access Aberdeen from side streets and people exiting Aberdeen.

I believe people will try to cross between park cars and bike riders will be moving targets.

We live off Aberdeen between Queen and Bay, one way and one lane and cars still speed through this section.

I would like a link to the traffic study that this decision was based on.

Thank you

Sent from Samsung tablet.

Pilon, Janet

Subject: keep aberdeen moving

From: Dave or Susan McKay

Sent: Sunday, August 16, 2020 9:26 AM

To: clerk@hamilton.ca

Subject: keep aberdeen moving

To: The Mayor of Hamilton & Members of City Council

Re: Aberdeen Avenue

We implore you to leave Aberdeen Avenue as it is. We agree with the organization, 'Keep Aberdeen Moving', that the five traffic lights between Dundurn Ave. & Queen St. mitigate the potential danger to pedestrians, and that reducing lanes on Aberdeen will endanger children, and pedestrians of all ages, on the streets that are near Aberdeen. We fear that Glenfern Ave. and South St. will be especially impacted negatively. We believe that having a lot of cars stuck in traffic will actually increase the danger to everyone.

Please don't imperil my grandchildren, all the other children in this area, or all the adults for that matter.

Sincerely ... Dave & Susan McKay

Pilon, Janet

Subject: opposition to reducing lanes on Aberdeen Ave

From: Brunton, Jane

Sent: Sunday, August 16, 2020 9:50 AM

To: clerk@hamilton.ca

Subject: opposition to reducing lanes on Aberdeen Ave

Hello,

I want to inform you that I oppose reducing lanes on Aberdeen Ave this fall. Please advise all concerned. The reasons are outlined in the attached memo.

Jane Brunton

We are a group of residents of the Kirkendall South neighbourhood opposed to the City of Hamilton's plan to reduce Aberdeen Avenue - between Dundurn Street South and Queen Street - from 4 lanes to 2 this fall, adding parking lanes on each side.

Several Hamilton councillors consider Aberdeen a dangerous stretch of road, and believe that one lane in each direction will reduce injuries and death.

But:

- This stretch of road is not especially dangerous. In fact, the city's 2018 statistics put Aberdeen as the **559th most dangerous road** for collisions/accidents.
- Aberdeen is an arterial road - a major link between Queen Street and Highway 403. Reducing lanes will back up traffic significantly.
- The City of Hamilton has **not** conducted a study to determine the effects of the 4 to 2-lane change.
- Clogged traffic will result in drivers cutting through our quiet neighbourhood streets to find a quicker way to their destinations.
- Additional vehicle traffic will greatly increase the likelihood of serious accidents on our neighbourhood streets.
- **Children and vulnerable citizens should not be put at risk by this increased traffic.**
- Homeowners who live south of Aberdeen will also need to make more vehicular trips through our local neighbourhood, since it will be extremely difficult to make turns to and from Aberdeen because of clogged traffic and parked cars obstructing the view.
- More vehicles idling will cause an increase in greenhouse gasses. Among the aims of the city's Vision Zero program is "reducing contributions to climate change".
- Pedestrians can safely cross Aberdeen at 5 locations within 10 blocks - at traffic lights on the corners of Dundurn, Cottage, Locke, Kent and Queen streets.
- Traffic backups on Aberdeen Avenue will impede emergency responders.

Please join us in sharing your opposition to this planned reduction in traffic lanes along Aberdeen Avenue by writing to the Mayor and Members of City Council c/o the City Clerk, Hamilton City Hall, by email to clerk@hamilton.ca or by mail to 71 Main Street West, Hamilton, Ontario, L8P 4Y5.

We also encourage concerned residents to sign our petition. Call Alex Beer at 905-526-7784 to have it brought to you.

Follow and like us on Facebook at facebook.com/aberdeenhamilton

Pilon, Janet

Subject: Aberdeen Avenue lane reduction

From: chris schoufour

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

To: clerk@hamilton.ca

Subject: Aberdeen Avenue lane reduction

Hello Clerk

I am very concerned about the planned reduction in traffic lanes on Aberdeen Avenue between Queen and Dundurn. I live on Homewood and believe this reduction will drive traffic onto my street as it is the only other street besides Aberdeen from which one can turn both left and right onto Queen street. Also I moved into this area due to ease the 403 Aberdeen access provides which could be seriously hindered by turning Aberdeen into a single lane artery.

Sincerely

Chris Schoufour

Pilon, Janet

Subject: Reduce lanes on Aberdeen

From: gwen vance

Sent: Monday, August 17, 2020 1:02 PM

To: Prince, Kristin

Cc: clerk@hamilton.ca

Subject: Reduce lanes on Aberdeen

Please forward my email to the appropriate office. My family and I live on the West Mountain..411 Mountain Crest Ave and strongly oppose the ridiculous idea to reduce lanes on Aberdeen from 4 lanes to 2 this fall. It will be a total disaster for everyone who travels the Queen St hill/Aberdeen route to and from the 403!!! Not to mention the residents of the area!!

Do the right thing Mr. Whitehead!!...thank you Gwen Vance

Sent from my Samsung Galaxy smartphone.

Pilon, Janet

Subject: ABERDEEN AVENUE going to two lanes

From: Isabel Simpson
Sent: Monday, August 17, 2020 1:48 PM
To: clerk@hamilton.ca
Subject: ABERDEEN AVENUE going to two lanes

I am strongly opposed to the City of Hamilton's proposal to reduce Aberdeen Avenue between Dundurn Street South and Queen Street from 4 lanes to 2 this fall.

As this is a link to the 403, having just 2 lanes is going to result in all sorts of problems, the main one being traffic backups, along this stretch and particularly at the bottom of the Queen Street hill.

Thank you for your attention,
Isabel Simpson

Pilon, Janet

Subject: Reduction of Aberdeen Avenue from 4 lanes to 2

From: Alexander Malcolm

Sent: Monday, August 17, 2020 10:09 PM

To: clerk@hamilton.ca

Cc: Alexander Malcolm

Subject: Reduction of Aberdeen Avenue from 4 lanes to 2

I would ask that the City Clerk please circulate this email to the Mayor and Members of City Council:

To Mayor and Members of City Council
c/o City Clerk
Hamilton City Hall

Please note that I am opposed to the reduction of Aberdeen Avenue from four lanes to two lanes, due to the obvious traffic congestion this initiative will create, and the resultant consequences for increased traffic in side streets placing children and pedestrians at risk. No initiative has been taken by the City to reduce the volume of vehicular traffic; the City merely seeks to congest the volume. Faced with such congestion, it is my belief that drivers will simply make irrational and dangerous manoeuvres in order to reach their destinations on time, including use of the side streets at increased speeds. This will place pedestrians, cyclists, and children at increased risk. The City has already added 4 new traffic lights onto Aberdeen Ave. in the past 15 years, plus an additional two lights on the connecting Longwood Road into Westdale, which has sufficiently addressed speeding traffic and ensured safety for pedestrians seeking to cross the roadway. Additional measures, such as this planned reduction of lanes, are unnecessary, and will simply generate congestion without benefit. As well, Aberdeen Ave. is a major bus route for students travelling to and from the schools in Westdale during rush hours, and the buses require lengthy time to stop and load/unload the many students between 8 am and 9 am, and again between 3pm and 4pm. The buses block the lane each time this occurs, and without a passing lane, there will be excessive congestion and drivers will be encouraged to undertake risky behaviour to avoid being blocked.

Alexander Malcolm

Pilon, Janet

Subject: Aberdeen Avenue

From: Luke O'Reilly

Sent: Monday, August 17, 2020 5:08 PM

To: clerk@hamilton.ca

Subject: Aberdeen Avenue

Hello -

My wife and I live in Kirkendall at 53 Homewood Avenue, and we ***strongly oppose*** the proposed conversion for Aberdeen Avenue from a 4 lane road to a 2 lane road with parking.

This would be a very foolish move for the city. The road is already congested enough in the morning, and at 5pm. Many Hamiltonians use Queen/Aberdeen as a direct access from the 403 to the mountain, and this conversion would back up traffic considerably, and drive additional traffic on to the side streets, making it very dangerous for those of us that live close by. It would be a complete waste of money for the city to do this. Perhaps the city should be spending more time and resources addressing the increasing drug issues within the city, cleaning up the homeless population, and maintaining city boulevards/lawns/gardens. Downtown is an absolute mess right now, and it's embarrassing.

--

Luke O'Reilly, B.A. (Hons.)

Councillor Maureen Wilson
Ward 1
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8P 4Y5

Sent via email to maureen.wilson@hamilton.ca

August 17, 2020

Dear Maureen,

I'm writing as one of the people in our neighbourhood who are strongly opposed to the conversion of Aberdeen Avenue (between Dundurn and Queen streets) from four lanes to two, scheduled for this fall.

While I can certainly appreciate the associated traffic calming measures that have or will be implemented for Aberdeen, I have grave concerns about the ramifications of the lane reduction, as well as the fact that this change is happening without any significant public consultation or a traffic study.

Aberdeen is an important arterial road linking a mountain access and a major 400 series highway, and carries a fair amount of traffic - particularly during rush hour periods. Five traffic lights between Dundurn and Queen provide plenty of opportunities for children and other pedestrians to cross over, and serve to slow down traffic. With Aberdeen often congested as a result, motorists frequently cut through our quiet neighbourhood to travel more quickly to their destinations.

Fairly recent neighbourhood traffic calming measures have been largely ineffective, including speed bumps - which motorists can easily speed over - and enhanced signage to remind drivers to stop at key intersections - which are often ignored.

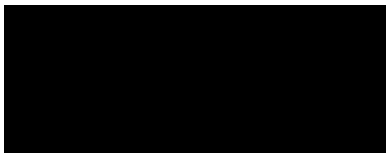
The result of the lane reduction will be even more motorists racing along our quiet streets, as well as local residents having to drive through the neighbourhood to Dundurn to get onto Aberdeen during times when Aberdeen is too congested - and visibility is reduced due to parked cars - to allow access.

With so many children riding scooters and bikes on local streets, and crossing roads while walking dogs and travelling to nearby parks, the risk of a serious accident will dramatically increase. Furthermore, the COVID-19 pandemic has changed our world dramatically since Council's June 2019 vote on this conversion. Social distancing is forcing people to step out on streets when meeting others on sidewalks, greatly increasing the chances of someone being hit.

Although I realize the lane reduction will be reviewed after one year, this is plenty of time for child to be critically injured. Is this a risk that you and other members of council are prepared to take? I would ask that you and your fellow council members reconsider the decision on the Aberdeen lane restriction in the interest of safety for our local neighbourhood residents.

Many thanks, Maureen.

Yours truly,



Tricia Hellingman



cc. Mayor and members of Hamilton City Council via clerk@hamilton.ca

Pilon, Janet

Subject: Aberdeen Ave

From: Pat Devlin

Sent: Tuesday, August 18, 2020 11:12 AM

To: clerk@hamilton.ca

Subject: Aberdeen Ave

Hello,

I am writing to you with concerns about the plans to reduce Aberdeen Ave down to 2 lanes. I live just above the Queen st access on Price Ave and use Aberdeen almost on a daily basis for access to the 403, West Hamilton, Dundas etc...

I have the upmost respect for safety and safe roads but the idea that moving Aberdeen down to 2 lanes will make it safer does not make sense to me for many reasons, some which are:

- As a driver, driving past a line of parked cars and worrying about kids or even adults stepping out into traffic scares me much more then having 4 lanes of traffic with full sight lines to pedestrians. The logic that 2 lanes of parked cars makes the street safer just doesn't add up.

- The idea being pushed that Aberdeen in it's current state is a "dangerous rd" is simply untrue. In terms of collisions, accident injuries and fatalities it does not even rank in the top 500 streets in the Hamilton area. As mentioned, I drive almost daily on the street and if I am being totally honest, at times I get frustrated sometimes with how slow people drive.

- How are you planning to keep massive backups and more importantly cars from cutting through all the side streets to the south of Aberdeen? These streets are narrow and currently you can only get 1 car by when a car is parked on the street. They are not meant for commuters and this, not current Aberdeen, is actually dangerous.

Even if you banned right hand turns onto the Queen access from Amelia and Glenfern cars will simply cut through the south streets until Spruceside, Mapleside or Kent and cut their way back into the line-up. There is no way to stop that.

- Large numbers of drivers are not going to stop using Aberdeen which is what I assume the folks pushing this change believe. Sure a few residents that are close to half way between the 403 and mountain brow may choose to use the 403 then Mohawk/Garth exits, but the reality is the majority of the Queen access traffic are people heading to Mohawk, St Joes West 5th, Hillfield etc. You cannot manipulate GPS systems to route people away from Aberdeen, they will still use the rd. People will always use the quickest route and if they get stuck in long lines of traffic, which they will, a quick rip through side streets will become the preferred choice.

- I should mention that I understand that the move to 2-way traffic on Queen st should re-route some 403 bound drivers down Queen to King but I can't imagine that will ever be seen as a quicker route given that you will need to cross over the 2 busiest arteries in the city. The lights at Main and King simply will not be able to be green for long periods of time to handle the mass influx of cars.

- There are already multiple lights on Aberdeen to stop people from barreling through at high speeds (like Main st & King st) and allow pedestrians safe crossing. My suggestion would be to install 2 of the digital traffic speed signs that show drivers how fast they are going. These have been proven effective to slow down drivers and bring instant awareness to the speed limit.

Knowing that the "dangerous rd" theory is fiction I can't help but wonder who is behind this push for change.

My fear is that it is either folks who live or own rental property directly on Aberdeen and who just want A) Less traffic or B) More parking for rentals. Either of those reasons are inexcusable and ignore the greater good of the community.

I hope that during this process the facts and common sense are used to make a decision, not political influence from the minority.

Thank you

Pat Devlin

Pilon, Janet

Subject: Proposed Lane Changes on Aberdeen

From: Dave Frei

Sent: Tuesday, August 18, 2020 10:50 AM

To: clerk@hamilton.ca

Subject: Proposed Lane Changes on Aberdeen

I am strongly opposed to the upcoming traffic flow changes on Aberdeen. This was poorly planned and will cause major disruptions and bottlenecks during high volume times. This in turn will cause motorists to seek other routes through quieter streets and put pedestrians at danger. I am especially concerned for the multitudes of children who walk these quiet streets to get to and from school.

Pilon, Janet

Subject: Opposition to plan for Aberdeen Ave

From: Emily McDonald
Sent: August 19, 2020 9:28 AM
To: clerk@hamilton.ca
Subject: Opposition to plan for Aberdeen Ave

To:
Mayor of Hamilton
Members of City Council

We are most opposed to the changes that are planned to reduce Aberdeen Ave to 2 lanes between Dundurn and Queen Street.

Aberdeen is a major link between the 403 and Queen St. Reducing the lanes will significantly back up traffic. This backup will result in drivers cutting through the neighborhood streets in order to bypass the traffic. On Hillcrest Avenue, where we have lived for 44 years, there are many small children and the additional traffic will increase dangerous speeding and accidents.

Parking on Aberdeen will also make it extremely difficult to make turns onto Aberdeen. Another situation that will increase accidents.

Children and vulnerable citizens should not be put at risk by this increased traffic.

I encourage you to listen to the residents of the Kirkendall South neighbourhood that is so opposed to the City of Hamilton's plan regarding Aberdeen Ave.

Emily McDonald.
Dale McDonald

Pilon, Janet

Subject: Planned reduction of lanes on Aberdeen Ave.

From: Judy Conrod

Sent: August 18, 2020 9:28 PM

To: clerk@hamilton.ca

Subject: Planned reduction of lanes on Aberdeen Ave.

Attention to the City Clerk,

I am opposed to the planned reduction of lanes on Aberdeen Ave. I am a resident of Glenside Ave which is a designated bicycle route in Hamilton . There are numerous bikers of all ages on this street along with normal resident car traffic. If traffic on Aberdeen gets backed up at all coming off the 403 or Longwood Rd, cars will take any side street starting at Chedoke to Glenside to Dundurn to circumvent the traffic. This shortcut would negate any safety issues you are trying to overcome on Aberdeen.

The fact that the city has not conducted a study to determine the effects of 4 to 2 lane change is in itself disturbing.

A concerned resident of Hamilton, Kirkendall South neighborhood,

Judy Conrod

Pilon, Janet

Subject: Aberdeen Ave

From: Ranavest

Sent: Tuesday, August 18, 2020 7:38 PM

To: clerk@hamilton.ca

Subject: Aberdeen Ave

I strongly disagree with the changes planned for Aberdeen Ave and totally agree with the facts here provided

JR Kearns MD



We are a group of residents of the Kirkendall South neighbourhood opposed to the City of Hamilton's plan to reduce Aberdeen Avenue - between Dundurn Street South and Queen Street - from 4 lanes to 2 this fall, adding parking lanes on each side.

Several Hamilton councillors consider Aberdeen a dangerous stretch of road, and believe that one lane in each direction will reduce injuries and death.

But:

- This stretch of road is not especially dangerous. In fact, the city's 2018 statistics put Aberdeen as the **559th most dangerous road** for collisions/accidents.
- Aberdeen is an arterial road - a major link between Queen Street and Highway 403. Reducing lanes will back up traffic significantly.
- The City of Hamilton has **not** conducted a study to determine the effects of the 4 to 2-lane change.
- Clogged traffic will result in drivers cutting through our quiet neighbourhood streets to find a quicker way to their destinations.
- Additional vehicle traffic will greatly increase the likelihood of serious accidents on our neighbourhood streets.
- **Children and vulnerable citizens should not be put at risk by this increased traffic.**
- Homeowners who live south of Aberdeen will also need to make more vehicular trips through our local neighbourhood, since it will be extremely difficult to make turns to and from Aberdeen because of clogged traffic and parked cars obstructing the view.
- More vehicles idling will cause an increase in greenhouse gasses. Among the aims of the city's Vision Zero program is "reducing contributions to climate change".
- Pedestrians can safely cross Aberdeen at 5 locations within 10 blocks - at traffic lights on the corners of Dundurn, Cottage, Locke, Kent and Queen streets.
- Traffic backups on Aberdeen Avenue will impede emergency responders.

Please join us in sharing your opposition to this planned reduction in traffic lanes along Aberdeen Avenue by writing to the Mayor and Members of City Council c/o the City Clerk, Hamilton City Hall, by email to clerk@hamilton.ca or by mail to 71 Main Street West, Hamilton, Ontario, L8P 4Y5.

We also encourage concerned residents to sign our petition. Call Alex Beer at 905-526-7784 to have it brought to you.

Follow and like us on Facebook at facebook.com/aberdeenhamilton

Pilon, Janet

Subject: Reducing Aberdeen Avenue to 2 Lanes

Importance: High

From: John Augstman

Sent: August 19, 2020 11:22 AM

To: Whitehead, Terry <Terry.Whitehead@hamilton.ca>; clerk@hamilton.ca

Subject: Reducing Aberdeen Avenue to 2 Lanes

Importance: High

Dear Terry, Mayor, other Councilors and City Clerk,

Terry, as I have spoken to you before at your Westcliffe sessions, traffic in our area exceeds capacity now. We are opposed to reducing Aberdeen to 2 lanes from Queen to Dundurn.

Aberdeen is an important arterial road for traffic from Queen to 403.

Here are some of the reasons for the opposition:

1. During morning rush hour now, we can't get out of our Colquhoun subdivision because
 - Scenic is backed up west past Upper Paradise
 - Garth is backed up south from Aberdeen to past StoneChurch
 - Fennell is backed up past Mohawk College
 - All waiting to go down to Queen and majority turn on Aberdeen
 - Reducing Aberdeen to 2 lanes will double traffic wait times
 - Idling cars will increase pollution in residential neighbourhoods
2. This congestion will increase due to new home/townhouses construction around Chedmac
3. This congestion will also increase with proposed residential further west on Scenic
4. When there is a traffic accident on 403, cars stream through our neighbourhood trying to bypass the increased congestion (this will happen in Kirkendall South)
5. Traffic at afternoon rush hour to come up from Aberdeen and Queen Street hill is lengthy
6. You have installed additional traffic stop lights – 5 in 10 blocks to slow traffic and increase pedestrian safety, so
 - What are the numbers of injuries and deaths (this area rated 559th most dangerous in Hamilton)
 - Where are they happening?
 - Are pedestrians using traffic lights and crosswalks?
 - Is a major cause driver frustration from delays and then speeding?
 - Will increase frustration level and create more of a hazard?
7. Has the City done a through traffic study?
 - Herkimer with their parking arrangement is a mess
 - Reducing lanes on Cannon is a mess (what is bicycle vs. vehicle usage statistics?), especially where does truck traffic go?
 - If there is construction of LRT, this route will become more important and congested
 - Major increase in population by William's Coffee area, will also have major traffic flow problems on those narrow residential streets
8. There are 2 bicycle rental stands now – each end of Aberdeen

- 2 lane with increased traffic will be far more dangerous for pedestrians and bicycle users
- 9. City bus traffic – stopping and going – interrupting traffic even more will be frustrating
- 10. Increased driver frustration will have them darting into empty parking lane and racing ahead, cutting off others
- 11. Strathallen bus traffic will be impeded
- 12. What happens with winter snow clearing when not emergency clearing?
- 13. Cars (trying) to exit their driveways onto double the traffic on 2 lanes, will pose extreme danger to themselves and traffic

This proposal is no solution, as it will have a major negative domino effect.
It will not solve the problem but add to it and shift it elsewhere.

Please circulate this to the Mayor and other Councilors.

Thank you

John Augstman

Pilon, Janet

Subject: ABERDEEN AVE.

From: Carl Feldmann
Sent: August 19, 2020 1:03 PM
To: clerk@hamilton.ca
Subject: ABERDEEN AVE.

If for no other reason, and there are a myriad of them, for NOT turning Aberdeen Ave into a two lane thoroughfare, it is the absolute certainty that this wrong-headed move will FURTHER impede first responder vehicles as they attempt to navigate traffic along this already busy street. I've seen first hand the problems for them on Herkimer and Charlton Streets. Are parking lanes really in the same priority column as human lives for the mayor and city council?!

Carl Feldmann

Pilon, Janet

Subject: Proposed lane reduction of Aberdeen Ave.

From: Louise Patenall

Sent: August 19, 2020 2:03 PM

To: clerk@hamilton.ca

Subject: Proposed lane reduction of Aberdeen Ave.

Dear Mayor Eisenberger

I am opposed to this ill thought-out plan. I have never found this stretch of road to be dangerous to pedestrian or vehicle traffic.

Reducing lanes will lead to traffic congestion, reduced visibility due to parked cars, and frustrated drivers making detours onto neighboring streets. Please oppose this plan.

Yours sincerely,
Louise Patenall

**Ministry of Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000

**Ministère des Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17e étage
Toronto ON M7A 2J3
Tél.: 416 585-7000



234-2020-1284

April 16, 2020

Dear Head of Council:

As you know, on March 17, 2020, our government declared a provincial emergency pursuant to the authority granted under the *Emergency Management and Civil Protection Act* (EMCPA). I am writing to update you that on April 16, 2020, our government issued an emergency order under the EMCPA (O. Reg. 157/20) to provide municipalities with the flexibility to deploy certain of their staff to where they are needed most. At this critical time, it is important that municipalities continue to work collaboratively and engage in good faith with their bargaining agents. The order is effective immediately and we intend for it to remain in effect for the duration of the declared provincial emergency.

I know that these are challenging times for municipalities, particularly as the situation around us changes so quickly. In these unprecedented times, I have heard a strong and consistent message from municipalities and numerous sector organizations that the authority to enable work deployment similar to what has been provided by the Province for hospitals and public health units is urgently needed to ensure continuity of critical services.

I thank you for sharing these concerns. We have heard you and have worked quickly to issue this order. This order is a temporary measure and provides your municipality – as an employer – the authority to take any reasonable measure necessary to respond to COVID-19 with respect to internal work deployment.

In order to exercise this authority, if it hasn't already, the municipality will need to also declare an emergency under section 4 of the EMCPA concurrent with this order. The authority provided for in this order includes the ability for municipalities to redeploy certain of their staff within the same employer or to employ volunteers to perform bargaining unit work, cancel leaves and change assignment of work, for those priority services listed in the order.

The orders specify conditions under which the authority can be exercised. This includes requiring a municipality to provide at least 24 hours of advance notice to affected bargaining units before implementing a redeployment plan. The *Occupational Health and Safety Act* and existing rights under the *Employment Standards Act* will continue to apply. Municipalities, as employers, are required to comply with all provincial orders, as

well as any guidance and safety standards prescribed by the province for COVID-19. They are also responsible for ensuring that any staff being reassigned to new duties have the required training and skills. Full details of the orders can be reviewed online at [Ontario.ca/alert](https://ontario.ca/alert).

I want to acknowledge and applaud the proactive efforts that many municipalities have already taken to engage in good faith with their bargaining agents to keep their staff employed and safe, and to establish local arrangements to redeploy employees to high-need areas. I would also encourage municipalities to continue leveraging their existing authorities as employers and building on pre-existing relationships and structures with your bargaining agent partners, such as joint health and safety committees, to address staffing needs and allocate resources.

Moreover, as you and others in your organization consider whether and how you will exercise the authority under the emergency order, I would ask that you maintain the following important objectives:

- In making staffing decisions, first provide opportunity for full-time work to existing part-time staff before seeking out and employing extra full-time staff from outside your organization.
- In redeploying staff, should there be a difference in the terms and conditions of work, in the different departments of the organization, the expectation is that staff will not receive a lower wage than their home position.

Municipalities are encouraged to review this and other applicable orders (available on the Government's Emergency Information webpage at: [Ontario.ca/alert](https://ontario.ca/alert)) and work with their legal counsel for advice and understanding of the flexibility it provides to you in managing your organizations.

If your municipality chooses to implement the authority in these orders, I would ask that you keep my staff apprised by letting your local Municipal Services Office know when you use it. If your municipality has any further questions regarding this order, we encourage contacting [your local Municipal Services Office](#).

I thank you for your continued support and collaboration in these challenging times. This collaborative relationship is critical at all times, and never more so than during this emergency.

Head of Council
Page 3

Visit Ontario's [website](#) to learn more about how the province continues to protect Ontarians from COVID-19

Sincerely,



Steve Clark
Minister of Municipal Affairs and Housing

- c: Chief Administrative Officers
- Municipal Clerks
- Kate Manson-Smith, Deputy Minister of Municipal Affairs and Housing
- Brian Rosborough, Executive Director, Association of Municipalities of Ontario
- Cam Guthrie, Chair, Large Urban Mayor's Caucus of Ontario
- Karen Redman, Chair, Mayors and Regional Chairs of Ontario
- Jane Albright, President, Ontario Municipal Human Resources Association

2022 BIRMINGHAM COMMONWEALTH GAMES

Progress Report

[Abstract](#)

Points to consider towards Hamilton's proposed hosting of the Commonwealth Games.

Kevin Gonci

August 16, 2020

2022 BIRMINGHAM COMMONWEALTH GAMES

Progress Report

Overview

- Initial estimated cost to host (2018) \$1.3 billion.
- Current estimated cost to host (2019) \$1.4 billion.
- Municipal level contribution (2019) \$319 million.

Background

A City of Hamilton Staff Report indicated that - *"The Hamilton 100 group has utilized the 2022 Birmingham Commonwealth Games budget as a baseline in calculating the estimated costs of hosting the 2030 Commonwealth Games"*.

- The initial estimated cost for security services is \$353 million.
- The initial estimated contingency amount is \$251 million.
- Birmingham City Council borrows \$88 million over 40 years to cover the cost of the Games.
- Birmingham City Council cuts \$8.7 million dollars in community programs and services in order to manage their municipal budget. Most of these programs provide services to at-risk populations.
- Birmingham City Council utilizes a \$202 million dollar emergency reserve fund to manage municipal budget deficits.
- 2018 news report that Birmingham City Council was almost bankrupt due to current financial position and there were serious concerns with potential Games cost over-runs.
- As of 2020 there is a \$47.6 million dollar shortfall in private sector contributions and significant cost over runs related to security services and housing development.
- Birmingham City Council implements public tax increases over the next four years to address cost over-runs including the introduction of a new hotel tax.
- Birmingham City Council reduces number of Games events, size of housing complex, downsizing and redistribution of venues to reduce costs.

Venues

Cllr Ian Ward, Leader of Birmingham City Council and chair of the Birmingham 2022 bid team, states, *"Our proposal to bring the Games to Birmingham had a number of key strengths, including our outstanding track record of staging major sporting events, and having almost all of the competition venues in place"*.

Aquatics Center

- There was a 20% cost increase from the original estimate (\$104 million) to the current total of \$126.7 million (2019) being attributed to increasing construction costs.

Athlete's Village (Perry Barr)

- *"The transformation of north-west Birmingham will be significantly accelerated thanks to the housing legacy from the Birmingham 2022 Commonwealth Games."*
- Up to 6,500 competitors and officials will be housed in approximately 1,000 new homes in the Village, consisting of a mix of one and two-bed apartments as well as three and four-bed town houses.
- After the Games, the Village accommodation will be converted and become available as a mixture of homes for sale and market rent as well as for social and affordable rent (through the city council's Birmingham Municipal Housing Trust and In-Reach rental initiative).
- The Village will act as a catalyst for significant housing growth in Perry Barr as the first phase of a wider programme to deliver up to 3,000 new homes in the area.
- This wider programme will also make a crucial contribution to the city's housing needs as outlined in the city council's Birmingham Development Plan - which has the headline requirement for 50,000 new homes within the city's boundaries by 2031.
- *"The development of the Village is therefore the largest new-build element of the Games - and will help rejuvenate Perry Barr and the wider surrounding area, meaning there will be a meaningful and lasting legacy for the people of Birmingham, in particular those living near the heart of the action in 2022"*.
- *"We have a desperate need for high-quality housing in the city and it would have been much trickier to meet that demand if we had not been successful in our bid to host the Games"*.
- Cllr Jon Hunt, local councillor for the Perry Barr ward and Liberal Democrat group leader on Birmingham City Council, states: *"This part of Birmingham faces a number of challenges linked to housing, employment and deprivation, so in addition a Birmingham Commonwealth Games offers the chance to kick start the regeneration of Perry Barr"*.

Athlete's Village (Parry Barr) *Update

- In 2018, the contract is awarded to build Athletes' Village (Parry Barr) which will house 6,500 athletes and officials in 1,400 new homes at a cost of \$607.3 million dollars.
- In 2019, there is a revised cost estimate for the Athletes' Village development totalling \$861 million dollars.
- **In 2020, the host group assesses that the \$861 million-dollar revised cost estimate is not achievable, the Athletes' Village development is suspended until after the 2022 Games.**
- The alternative housing plan for the athletes and officials includes using local hotels and university residences.
- Other contributing factors include rising costs associated with the COVID outbreak, increasing market inflation, labour shortages and as a priority, the need to ensure that the Games competition venues are ready on time.

Hosting Fees

- *"Birmingham paid \$43.4 million to host the 2022 Commonwealth Games"* - Duncan MacKay, inside the games, The inside track on world sport, March 2018. Included within this *"hosting fee"*, is a mandatory \$8.7 million towards a *"Commonwealth Development Grant"*.
- This was \$17.4 million more than the original hosting cost charged to Durban, South Africa who were stripped of the games thereby creating *"financial problems"* for the Commonwealth Games Federation with one official stating - *"Our cash flow challenges were severely advanced"*.
- This burden was alleviated through Birmingham *"stepping up"* and provided the opportunity for the Commonwealth Games Federation to build a *"sustainable financial future"*.
- Commonwealth Games Federation reports that they are establishing a \$26 million dollar *"war chest"* by 2026/27 so it can ensure it can survive a full quadrennial without a host city.
- **This new *"host city fee"* will also apply to the cities awarded the 2026 and 2030 Commonwealth Games!**

4.22 (f)

Mayor Fred Eisenberger and Members of Council
City of Hamilton
Hamilton City Hall
71 Main Street West
Hamilton, Ontario.
L8P 4Y5

August 15, 2020

COMMONWEALTH GAMES HOSTING PROPOSAL - REQUEST FOR PLEBISCITE

Honourable Mayor and Members of Council:

With regards to the current proposal being brought forward by a private consortium who is requesting that the City of Hamilton consider hosting the Commonwealth Games, there are still several unanswered questions and broad implications which may potentially result in a significant hardship for Hamilton residents which need to be considered.

Several members of Council have indicated the need to receive additional information before making any decision about the proposed hosting plan and there is a growing movement within our community which firmly opposes any such proposal being ratified. It would seem logical and prudent that any effort to secure additional details and information about hosting this event, should include, a measure of the current level of city-wide support for this event.

Municipalities are granted the authority under Canada law, to initiate a plebiscite if it considers the need to solicit an expression of opinion related to public matters or concern which in this case, relates to the proposed hosting of the Commonwealth Games.

Request for Council Motion

Whereas there are still several unanswered questions with regards to potential risks involved with hosting the Commonwealth Games and there appears to be significant public opposition for this proposed event, there exists a need to accurately engage and measure the current level of public support in the best interests of Hamilton residents. The proposed resolution being brought forward involves the completion of a plebiscite (encompassing the bid periods of 2026 and 2030); that any subsequent costs associated with completing this plebiscite, should be assumed by the private sector bid group who has brought forth this proposal; furthermore, that this plebiscite be completed before engaging in any further formal/informal discussions (in particular before committing to any proposed tri-party agreement); and that the completion of this plebiscite be made a condition of any municipal funding contribution.

Rationale

City of Calgary Plebiscite

In November 2018 the province of Alberta stipulated that the City of Calgary had to initiate a plebiscite to decide the hosting of the 2026 Winter Olympic Games, as a condition of provincial funding support. The results saw 56.4% of Calgarians voting “NO” to hosting the 2026 Winter Olympic Games when asked the simple question – “*are you for or are you against Calgary hosting the 2026 Olympic and Paralympic Winter Games*”?

Commentary

A recent Hamilton Spectator article stated that Bruce Kidd (a professor of sport and public policy at the University of Toronto, winner of the Lou Marsh Trophy in 1961, Gold medalist at the 1962 British Empire and Commonwealth Games, Canadian Olympic Hall of Fame inductee in 1966, Canadian Sports Hall of Fame inductee in 1968 and in 2004 was awarded the Order of Canada) hit the nail on the head with his comments that “**no games should go ahead without broad public support**” and “***in fact, a plebiscite should be held to decide the matter***”. His opinion is echoed by Jules Boykoff, Pacific University and an expert in economics who stated that “***any proposal to host international sporting events should be put to a community vote***”.

Public Opinion Poll

On August 10th, two online polls appeared on social media related to the subject of hosting the Commonwealth Games.

Poll One

Question Asked: “Do you think that Hamilton should be hosting the Commonwealth Games in 2026 at a \$1 billion price tag”?

Yes – 10.5%

No – 77.2%

Undecided – 12.3%

Poll Two

Question Asked: “After 2026 Commonwealth Games pitch today at council, do you”:

Support it – 8.1%

Oppose it – 82.9%

Want more information – 9%

Thank you in advance for taking the time to consider this request.

Sincerely,

Kevin Gonci.

Mr. Kevin Gonci, CD
City of Hamilton resident
(Ward 14 Constituent)

-----Original Message-----

From: Michael Moniz

Sent: August 5, 2020 7:18 PM

To: Office of the Mayor <mayor@hamilton.ca>; clerk@hamilton.ca

Cc: Joey Coleman

Subject: RE: Commonwealth Games

Mayor Eisenberger,

I am writing to express my vehement opposition to the City of Hamilton bidding on the Commonwealth Games.

At the best of times I generally oppose such events based on the enormous costs versus overall low return of value to our community. While the proponents of such events will parrot how these type of events give back overall, in new facilities(or improvements to current ones), and caché for the city, to say their cherry picking the facts to support such assertions is questionable, is being generous. Now with the current pressures put upon city finances due to the COVID pandemic, allocating any city resources, even in kind, let alone money from the future fund, would be foolhardy at best! Especially considering the need that now exists in our community with homelessness, poverty and end of life infrastructure.

I want our now much more limited city resources focused on long term solutions and investments that strengthen the community as a whole by attending to those in need, better transit(I'm PRO LRT by the way) and focus on infrastructure that's been ignored. None of those needs are serviced by a extremely short term event that offers very little to marginal long term value to our city and its residents.

Thank you for reading my concerns.

Sincerely

Michael Moniz

4.27

211 Pritchard Road, Unit 1
Hamilton, ON L8J 0G5
Tel: 905 523-8600
Toll Free: 1 800 810-0000
www.hnhblhin.on.ca

211, chemin Pritchard, unité 1
Hamilton, ON L8J 0G5
Téléphone : 905 523-8600
Sans frais : 1 800 810-0000
www.hnhblhin.on.ca

July 29, 2020

Dr. Elizabeth Richardson
Medical Officer of Health
City of Hamilton
110 King Street West 2nd Floor, Main Reception
Hamilton ON L8P 4S6

Dear Dr. Richardson:

Re: Funding to Support One-time Critical Mental Health & Addictions Services due to COVID-19 and its Related Impacts

The Hamilton Niagara Haldimand Brant (HNHB) Local Health Integration Network (LHIN) is writing to advise City of Hamilton (COH) that it was approved to receive up to an additional \$15,500 one-time funding in 2020-21 to support one-time critical mental health and addictions services due to COVID-19 and its related impacts. Details of the funding, including applicable terms and conditions are set out in Schedule A.

In accordance with the *Local Health System Integration Act, 2006* the LHIN hereby gives notice that, subject to COH's agreement, it proposes to amend the Multi-sector Service Accountability Agreement (MSAA) between the HNHB LHIN and COH to reflect the additional funding and conditions with effect as of the date of this letter.

Please be advised that if your agency is fulfilling a sponsoring or lead agency role, you are accountable to the LHIN for the deliverables, funding and reporting. This approval is conditional on organizations submitting financial and performance reports to the LHIN on a prescribed schedule as described in the attached Schedule A.

COH is required to maintain financial records for this allocation. Unspent funds, and funds not used for the intended and approved purposes, are subject to recovery.

.../2

-2-

Dr. Elizabeth Richardson

It is also essential that you manage costs within your approved budget.

Please indicate COH's acceptance of the proposed funding, the conditions on which it is provided, and COH's agreement to the amendment of the MSAA by signing below and returning one scanned copy of this letter by end of business day on August 6, 2020 to shannon.lawrence@lhins.on.ca. Please return the original signed let to the attention of Shannon Lawrence, Funding Advisor, HNHB LHIN, 211 Pritchard Rd., Unit 1, Hamilton ON, L8J 0G5.

The HSP and the LHIN agree that the HSP's acceptance of the Funding as set out in this letter shall be by electronic signatures.

Should you have any questions regarding the information provided in the letter, please contact Doris Downie, Advisor, Funding at doris.downie@lhins.on.ca.

Thank you for your assistance as we collectively work to support the needs of Ontarians with mental health and addictions problems during this challenging time.

Sincerely,



Cindy Ward
VP Resource Stewardship & CFO
Ontario Health (West)

Att: Schedule A
Reporting Template

c: Elaine Gee, Business Administrator, COH
Kelly Cimek, Director, Planning, Ontario Health (West)
Doris Downie, Advisor, Funding, HNHB LHIN

.../3

Dr. Elizabeth Richardson

I agree to the terms and conditions in this letter dated July 29, 2020 regarding Funding to Support One-time Critical Mental Health & Addictions Services due to COVID-19 and its Related Impacts.

AGREED TO AND ACCEPTED BY

City of Hamilton

By:

Elizabeth Richardson

Medical Officer of Health

Signature

Date

I have authority to bind City of Hamilton

Dr. Elizabeth Richardson**Schedule A****1. Total One-Time Funding:** \$15,500 (Funding)**2. Funding Details:**

The LHIN is providing one-time funding as below to support emergency Mental Health and Addictions (MHA) needs. Funding is valid from April 1, 2020 to March 31, 2021 however it is expected in general activities will occur between April 1 2020 -September 30, 2020 in alignment with the emergency focus of these funds.

Category	Description	*TPBE	Funding
Enabling virtual service delivery	50 user accounts to support group activity	Mental Health/Addictions	\$1,250
Staffing costs	0.5 FTE Clinical Resource Coordinator for Group Content and Online access	Mental Health/Addictions	\$14,250
Total			\$15,500

***Please provide breakdown of funds by TPBE in reporting template**

3. Specific Terms and Conditions Applicable to the Funding:

City of Hamilton Inc agrees that it will:

- (a) use the funding to support costs as in number two above and for no other purpose. This funding cannot be diverted to fund increases in employee compensation.

Dr. Elizabeth Richardson

- (b) not use surplus funds for any other program without prior written consent from the HNHB LHIN. Unspent funds, and funds not used for the intended and approved purposes, are subject to recovery. If your agency no longer requires the funding for the purposes indicated in the this funding letter and would like to redirect the funding to other COVID-19 related expenses, please contact the LHIN to discuss the options.
- (c) spend all funds by March 31, 2021.

4. Financial and Statistical Performance and Reporting:

- a) Financial and statistical Quarterly Reporting will be reported in SRI under the TPBE(s) as in number two above.
- b) Please include the funding, expenses and statistical updates in the Budget Adjustment columns on both the financial and activity pages in the appropriate functional centre effective Quarter 2.
- c) Supplemental financial reporting using the attached template is required. Reporting periods are as follows:

Reporting Period	Due Date
April 1 to October 31, 2020	November 4, 2020
November 1 – 30, 2020	December 4, 2020
December 1 – 31, 2020	January 6, 2021
January 1 – 31, 2021	February 3, 2021
February 1 – 28, 2021	March 3, 2021
March 1 – 31, 2021	April 5, 2021

- d) The reporting template is to be submitted to hnhb.reporting@lhins.on.ca.

Should you have any questions related to these templates, please contact Doris Downie, Advisor, Funding at doris.downie@lhins.on.ca.

Regional Approach to Mental Health & Addiction Service Delivery During the COVID-19 Pandemic

Introduction

The *Ontario Health West Region*, in collaboration with the *Mental Health and Addictions Centre of Excellence*, and through feedback from various Health Service Providers, and Associations, has prepared this document to support mental health and addiction service providers to gradually and safely return to their full scope of services during the COVID-19 pandemic.

This document should be considered complementary to:

- [Directive #2](#), which was amended May 26, 2020 and released along with [operational requirements](#) in support of a gradual restart of deferred services;
- Ontario Health's [Recommendations for Regional Health Care Delivery During COVID-19: Outpatient Care, Primary Care, and Home and Community Care](#) and its subsequent updates;
- Sector-specific [guidance](#) released by the Ministry of Health and others;
 - [COVID-19 Guidance: Mental Health and Addictions Service Providers in Community Settings](#)
 - [COVID-19 Guidance: Community-Based Mental Health and Addiction Service Providers in Residential Settings](#)
 - [COVID-19 Guidance: Congregate Living for Vulnerable Populations](#)
 - [MCCSS: Resuming Visits in Congregate Living Settings](#)
- Guidelines and recommendations by regulatory colleges, as well as professional and sector associations.

The approach presented in this document will continue to evolve according to the status of COVID-19 and emerging provincial-level guidance. While planning for gradual increase in face-to-face services, mental health and addiction service providers should balance continuing to be responsive to the immediate COVID-19 needs in the region with the urgent care needs of those with critical and complex mental illness and addiction conditions, as well as building the future system.

There is significant opportunity to leverage the current disruption, and associated new learnings, to sustain and build upon recently developed innovative service delivery models to build a system that results in increased capacity, reduction in wait times, and prioritized and equitable access to mental health and addiction services. While virtual care has expanded during the pandemic, its integration into the mental health and addiction system should continue to ensure that patients/clients receive quality care based on their needs.

Aligned with the [Roadmap to Wellness](#): a plan to build Ontario's mental health and addictions system, this document aims to provide a strategic approach and practical suggestions for mental health and addiction service providers. When facing barriers or seeking additional support, service providers are encouraged to collaborate with sector partners and/or contact the mental health and addiction lead for their LHIN/Region.

Guiding Principles

All health service providers in community settings should be aware of and follow the Guiding Ethical Principles outlined in the [Recommendations for Regional Health Care Delivery During COVID-19: Outpatient Care, Primary Care, and Home and Community Care](#). In addition, mental health and addiction providers should consider the following guiding principles in their planning for and implementation of service delivery.

Guiding Principles	Considerations
Minimize Risk/Maximize Safety	<ul style="list-style-type: none"> • Assess organizational readiness for service delivery during COVID-19 (see suggested Readiness Assessment in Table 1 below). • Establish operational plan for increasing, modifying, and reducing services, as required to respond to the status of the pandemic, and informed by a readiness assessment. • Ensure virtual care access, personal protective equipment (PPE) access, infection prevention and control (IPAC) measures are in place, and ongoing screening, assessment and testing (of providers, clients, and community) needs addressed for service provision.
Equitable Access	<ul style="list-style-type: none"> • Use the Health Equity Impact Assessments (HEIAs) to identify disparities, inequities, and mitigation strategies. • Focus on impact of COVID-19 on essential service workers and vulnerable patients/clients impacted by social isolation. • Prioritize equity-seeking groups, often known to be disadvantaged with adequately accessing mental health and addiction services, including children & youth, seniors, Black, Indigenous and People of Colour (BIPOC), people who are experiencing homelessness or precariously housed, and people with lower income. • Consider the benefits and limitations of virtual care vs in-person services when determining the best way to provide services to patients/clients.
Leverage existing & promote new innovation	<ul style="list-style-type: none"> • Commit to build on client-driven, innovative approaches to care that have been developed in response to COVID-19. • Complement rather than replace new innovative and effective service delivery models with resumption of face-to-face service provision. • Prioritize using virtual care and coordinated access (where available and appropriate) as a method to support wait list management. • Consider issues related to cybersecurity, the challenges with connectivity in certain areas/regions, and the need for IT infrastructure and resources to support virtual care. • Integrate new service tools with existing services to enable connected care and seamless transitions. • Consider the “Right care, at the Right time and Right Place.”
Accelerate System Transformation	<ul style="list-style-type: none"> • Work collaboratively with other services providers across sectors (including within Ontario Health Teams, where applicable). • Focus on increasing access to care and reducing wait times. • Commit to the vision for MHA system redesign in the Roadmap to Wellness focused on 4 pillars: <ul style="list-style-type: none"> ○ Improving quality; ○ Expanding existing services; ○ Implementing innovative solutions; and ○ Improving access.

Table 1. Readiness Assessment for Service Delivery During COVID-19

<p>Service providers are encouraged to consider the following items while developing their operational plans to resume and/or increase face-to-face service delivery during COVID-19:</p> <ol style="list-style-type: none"> 1. Understand Current State related to MHA service delivery 2. Identify Gaps/Needs 3. Determine Priorities 4. Leverage Enabling Resource 5. Update Relevant Policies and Procedures <p>When facing barriers or seeking additional support, service providers are encouraged to collaborate with sector partners and/or contact the mental health and addiction lead for their LHIN/Region.</p>			
<p>Readiness Assessment <i>Below are practical suggestions for service providers to consider when planning care delivery during COVID-19.</i></p>	<p>Issue supported in plan</p>	<p>Further Support Required</p>	<p>Not Relevant</p>
<p>General /Community Conditions</p>			
<p>Organizational Lead/Contact – Has an organizational lead/contact been identified? Have staff, clients, funders, and partners been informed how to contact the organizational lead?</p>			
<p>Communication – Have clients, staff, partners, and funders been informed of service modifications? Is there a plan in place for ongoing communication?</p>			
<p>Alignment with Local, Regional, and Provincial Plans – Is the organization aware of and aligned with local, regional, and provincial plans for service delivery during COVID-19?</p>			
<p>Minimize Risk/Maximize Safety</p>			
<p>IPAC Assessment – Do you have adequate and stable supply of PPE and IPAC supplies (e.g., masks, hand sanitizer, no touch garbage cans, cleaning and disinfection supplies)? Are staff trained in the use, care and limitations of PPE? Do staff have access to written IPAC measures and procedures?</p>			
<p>IPAC Support – Do you need additional support for the application of IPAC principals i.e., IPAC education and training, IPAC expert on-site consultation?</p>			
<p>Testing – Do you know how to arrange for testing off and/or on-site, and where to direct clients and staff for COVID-19 testing, if needed?</p>			
<p>Environmental Plan – Have you completed a physical assessment of each site to identify maximum number of staff and clients that can be accommodated with physical distancing? Have you identified opportunities to adjust physical layout (e.g., barriers/structures) to support physical distancing?</p>			
<p>Client Support – How will clients be informed of new processes? How will clients be encouraged to follow physical distancing while in the space? What actions will be taken if a client is not compliant?</p>			
<p>Visitors and Support People Accompanying Clients– Do you have a visitor policy and a plan in place to review it according to the status of the pandemic?</p>			
<p>Health Human Resource Strategy – Do you have adequate number of interprofessional team members to support current need and potential future waves of COVID-19? Are there adequate resources/plans to support your interprofessional team to accept shifts safely including access to child care and appropriate transportation options? Is there a plan to manage absence of workers due to COVID-19 which have impact on capacity and service delivery?</p>			
<p>Staff Support – Do you have appropriate policies and procedures in place to support the physical and psychological health and well-being of health care workers during</p>			

the COVID-19 pandemic? Are mechanisms in place to assess and prevent health care worker burnout?			
If applicable, have agency vehicles been appropriately equipped/modified for providing outreach services e.g., plexiglass, procedure/medical masks, gloves, and gowns, and shields for workers and clients?			
Ramp Down Plan – Do you have a plan in place to support rapid reduction of face-to-face services in the event of an outbreak in your organization, increasing rate of COVID-19/a second wave (if directed to do so by the Chief Medical Officer of Health or your funder), or another factor impacting your services?			
Equitable Access			
Health Equity Impact Assessment – Have equity-seeking groups been identified and is there a plan in place to address the needs of high risk, highly vulnerable clients? What other systemic barriers have been contemplated and addressed to achieve equitable access?			
Wait list management strategy – Do you have a strategy in place to support any backlog and/or new volume of referrals?			
Meeting Client Needs – Are new (virtual) service delivery models complemented by resumption of face-to-face service where deemed necessary, appropriate, and effective?			
Collaboration with primary care and acute care/hospital – Are your services connected to local primary care providers and acute care/hospital-based providers to enable seamless follow-up and transitions in care?			
Technology			
Virtual Care Training – Have all staff completed appropriate Virtual Training education to support compliance with Best Practice according to college standards or recommendations from professional or sector associations? Do you have plans and resources to ensure ongoing training needs can be met?			
Technology Assessment– Have you completed an assessment to ensure compliance with legislative requirements (e.g., PHIPA) and best practices regarding the equipment and platforms you are using?			
Sustainability – Do you have the necessary equipment and access, policies and procedures, and a strategy to support the sustainability of virtual care (i.e., maintaining virtual care through regional/provincial supports or innovative solutions)?			
Auditing Process			
Client Engagement – Do you have a strategy to receive regular and ongoing feedback from persons with lived experience about the service changes being made? Are clients being engaged to inform care delivery during COVID-19 and a newly integrated model of care delivery with virtual care?			
Reviewing Plan – Have you developed a phased approach to care delivery during COVID-19 that allows for regular and transparent checks before modifying services? Have you identified what data will be necessary to monitor plans and thresholds to indicate there is need to review/refine plan?			
Quality Improvement – Do you have resources, processes and tools in place to measure the impacts of the service changes being made?			
Financial Impact Analysis – Has the financial impact of the pandemic for service delivery been assessed and communicated to governors (i.e., Board of Directors) and funders?			
Additional Considerations			



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Lawyers

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Toronto, ON M5K 1G8
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foglers.com

August 17, 2020

Reply To: Joel D. Farber
Direct Dial: 416.365.3707
E-mail: jfarber@foglers.com
Our File No. 064423

VIA EMAIL TO LISA.CHAMBERLAIN@HAMILTON.CA

Hamilton City Hall
71 Main Street West
Hamilton, ON L8P 4Y5

Attention: Lisa Chamberlain,
Clerk City of Hamilton Planning Committee

Dear Ms. Chamberlain:

Re: Item 9.2 City of Hamilton Comments on Proposed Growth Plan Amendment #1

We are the solicitors for the Upper West Side Landowners Group. As the Committee may be aware, our clients have recently submitted applications for a policy amendment to the UHOP and for urban boundary expansion on the whitebelt lands south of Twenty Road, west of Upper James.

Our clients and it's consultants just become aware of the above noted matter and the accompanying staff report PED19033 late last week. We are unable to review and provide comments in the short time available and would therefore ask for a deferral of the matter.

Alternatively we would ask the Committee to make no recommendations to Council for approval and instead ask staff to report back to the Committee on any public comments received. In that case we will prepare and submit comments directly to staff for consideration. This is an important matter for the Planning Committee to consider and it should have the benefit of public feedback

Thank you for considering our request.

Yours truly,

FOGLER, RUBINOFF LLP

"Joel D. Farber"

Joel D. Farber*

*Services provided through a professional corporation

JDF/sz

cc. Corbett Land Strategies

CITY OF HAMILTON

NOTICE OF MOTION

Council: August 21, 2020

MOVED BY COUNCILLOR T. JACKSON.....

1200-1280 Rymal Road East and 385 Nebo Road - Extension of Development Charge Credit

WHEREAS the owners of 385 Nebo and 1200-1280 Rymal Road are seeking an extension to the Development Charge demolition credit that expired in December 2018;

WHEREAS the City allows for credits against Development Charges for demolitions, to account for the fact that the servicing already existed for the previous development, and should therefore be credited to the new development;

WHEREAS demolition credits are typically granted for 5 year periods, but are extendable under the DC By-law by staff, in certain circumstances, or by Council;

WHEREAS the demolition credit is based on a demolition that occurred in August 2008 and was previously extended to December 2018 by City staff due to delays beyond the developer’s control to obtain the necessary Ministry of Environment approvals;

WHEREAS, since resolving the MOE requirements, the owners have been taking all reasonable steps to advance their development through site plan approval, minor variance approval, and Building Permit approval;

WHEREAS the owner has now obtained all necessary City approvals and is ready to immediately commence development once the issue of the demolition credit is resolved;

THEREFORE BE IT RESOLVED

That the City Development Charges (DC) demolition credits of 39,930.85 industrial square feet and 2,152.78 non-industrial square feet, for the lands known as 385 Nebo Road and 1200 – 1280 Rymal Road be extended to the effect that all 42,083.63 square feet will expire December 31, 2020

That any foregone DC revenue related to the extension of DC demolition credits for the lands known as 385 Nebo Road and 1200 – 1280 Rymal Road, currently estimated at \$535 K total, be funded through the Waterworks Capital Reserve (108015), the Sanitary Sewer Reserve (108005), the Storm Sewer Reserve (108010) and the Tax Supported DC Exemptions Recovery Project (2051580510), currently estimated at \$5 K, \$192 K, \$91 K, and \$247 K respectively.

CITY OF HAMILTON

NOTICE OF MOTION

Council: August 21, 2020

MOVED BY MAYOR/COUNCILLOR E. PAULS.....

Amendment to Item 4.7 of the Council Minutes of June 24, 2020, respecting Correspondence from Eric Miller, Chair, Hamilton Farmers' Market Board of Directors requesting that City Council Support the Hamilton Farmers' Market with an Equivalence of the Canadian Commercial Rent Assistance Program (CECRA) Program

That the recommendation as shown below in Item 4.7 be deleted in its entirety and replaced with the following in lieu thereof, to read as follows:

- 4.7 Correspondence from Eric Miller, Chair, Hamilton Farmers' Market Board of Directors requesting that City Council Support the Hamilton Farmers' Market with an Equivalence of the Canadian commercial Rent Assistance Program (CECRA) Program

~~Recommendation: Be received and referred to the General Manager of Finance and Corporate Services for a report back to General Issues Committee in July 2020.~~

Recommendation:

- (a) Be received and referred to the September 14, 2020 Annual General Meeting of the Sole Voting Member of the Hamilton Farmers' Market; and,***
- (b) Be referred to the General Manager of Finance and Corporate Services for a report to the Sole Voting Member of the Hamilton Farmers' Market at its meeting of September 14, 2020.***

CITY OF HAMILTON

NOTICE OF MOTION

Council: August 21, 2020

MOVED BY COUNCILLOR T. WHITEHEAD.....

Request for the Immediate Reinstatement of the Suspension of Evictions

WHEREAS, there are 6231 households on the Access to Housing Social Housing Waitlist;

WHEREAS, rental housing continues to be under pressure from condominium conversion and reduced new construction;

WHEREAS, the local need for affordable rental housing has grown at a faster pace than supply;

WHEREAS, access to safe, affordable and stable housing is a social determinant of health;

WHEREAS, Bill 184, Protecting Tenants and Strengthening Community Housing Act, 2020, was introduced in order to protect vulnerable residents from facing housing instability as a result of the pandemic;

WHEREAS, the end to the eviction freeze may have significant impacts on those individuals most affected from the economic impacts of the COVID-19 pandemic; and,

WHEREAS, rental housing is an essential form of housing stock that meets the needs of diverse Hamiltonians;

THEREFORE BE IT RESOLVED:

- (a) That Council request the Province of Ontario, through the Ministry of the Attorney General, the Ministry of Children, Community and Social Services and the Ministry of Municipal Affairs and Housing to immediately reinstate the suspension of evictions to ensure those most affected by the COVID-19 pandemic remain in stable housing; and
- (b) That Council request the Province of Ontario, through the Ministry of the Attorney General, the Ministry of Children, Community and Social Services and the Ministry of Municipal Affairs and Housing provide the following, should the suspension of evictions remain lifted:

- (i) provide open data on eviction applications heard before the Landlord and Tenant Board, including the type of notice provided by landlords to tenants, the type of application made by landlords to the Landlord and Tenant Board, the size of the household before the Landlord and Tenant Board and the outcome of the application, including the content of any orders (i.e., evicted, not evicted, ordered to repay arrears, etc.);
- (ii) identify tenants in need of housing support services through the eviction process and provide these services for every household that is evicted through the Landlord and Tenant Board, with a goal of timely re-housing;
- (iii) provide and fund emergency shelter spaces and related supports in municipalities for households evicted through the Landlord and Tenant Board at no cost to the municipality until proper housing can be provided for those households; and,
- (iv) invest in the development of affordable rental housing and housing benefits in municipalities, commensurate with population and core housing need, and prioritize access for renters who have been evicted and for those who are paying more than 30 percent of income on rent and may be at risk of being evicted.

CITY OF HAMILTON

NOTICE OF MOTION

Council: August 21, 2020

MOVED BY COUNCILLOR M. WILSON.....

Amendment to Item 5.4 (d) of Council Minutes 20-006 respecting the Municipal Incentives for the 90 Carling Street Rental Project (HSC20009) (Ward 1)

WHEREAS, staff have advised that Recommendation (a) to Item 5.4 (d) of the Council Minutes 20-006, respecting Report HSC20009, Municipal Incentives for the 90 Carling Street Rental Project, states that approval of the Municipal Housing Project Facilities By-Law and term sheet for the Municipal Housing Project Facilities Agreement is contingent upon 1649626 Ontario Inc. obtaining funds from Canada Mortgage and Housing Corporation in the amount of \$5.68 M;

WHEREAS, staff have advised that the report should not have made the by-law and term sheet approval contingent on Canada Mortgage and Housing Corporation funds as commitment of those funds is contingent on a signed Municipal Housing Project Facilities Agreement; and,

WHEREAS, staff have advised that the amount of \$5.68 M was incorrectly identified as the amount of funds to be provided by the Canada Mortgage and Housing Corporation to the project;

THEREFORE, BE IT RESOLVED:

That Item 5.4(d) (a) of the Council Minutes 20-006, respecting Report HSC20009, Municipal Incentives for the 90 Carling Street Rental Project, which was approved by Council on April 8, 2020, be **amended** by deleting the words “contingent upon 1649626 Ontario Inc. obtaining funds from Canada Mortgage and Housing Corporation in the amount of \$5.68 M”, as follows:

- (a) That Hamilton 90 Carling Street Municipal Housing Project Facilities By-Law, attached as Appendix “A” and Term Sheet for Municipal Housing Project Facilities Agreements – 90 Carling Street, attached as Appendix “B” to Report HSC20009, regarding Municipal Incentives for the Carling Street Rental Project, be approved ~~contingent upon 1649626 Ontario Inc. obtaining funds from Canada Mortgage and Housing Corporation in the amount of \$5.68 M;~~

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 12

Bill No. 176

CITY OF HAMILTON

BY-LAW NO. 20-

Respecting:

Removal of Part Lot Control

Part of Block 1, Registered Plan No. 62M-1253, Municipally Known as 1 Garlent Avenue and 22, 24, 26, 28 and 30 Cleland Avenue (Ancaster) (Ward 12)

WHEREAS the sub-section 50(5) of the Planning Act, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the Planning Act, provides as follows:

“Designation of lands not subject to part lot control. -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Subsection 5 of Section 50 of the Planning Act, for the purpose of creating six (6) lots for townhouse units (Parts 1, 65 to 69, 95, 159 to 163 inclusive), including six (6) maintenance, servicing and utility easements (Parts 95 and 159 to 163 inclusive), as shown on deposited Reference Plan 62R-20970, shall not apply to Block 1 on Registered Plan of Subdivision 62M-1253 that is designated as follows, namely:

Part of Block 1, Registered Plan No. 62M-1253, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 21st day of August, 2022.

PASSED this 21st day of August, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 12

Bill No. 177

CITY OF HAMILTON

BY-LAW NO. 20-

Respecting:
Removal of Part Lot Control

**Block 2 of Registered Plan of Subdivision No. 62M-1253,
Municipally Known as 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57,
59, 61 and 63 Beasley Grove, Ancaster (Ward 12)**

WHEREAS the sub-section 50(5) of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS sub-section 50(7) of the *Planning Act*, provides as follows:

“Designation of lands not subject to part lot control. -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

AND WHEREAS the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Subsection 5 of Section 50 of the *Planning Act*, for the purpose of creating twenty-four (24) lots for street townhouse dwellings (Parts 1 to 26 inclusive), and two access and maintenance easements (Parts 25 and 26), as shown on Deposited Reference Plan 62R-21501, shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Block 2, Registered Plan of Subdivision No. 62M-1253 in the City of Hamilton.

2. This By-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This By-law shall expire and cease to be of any force or effect on the 21st day of August, 2022.

PASSED this 21st day of August, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

PLC-20-003

Authority: Item 31 Planning and Economic
Development Committee
Report: 06-005
CM: April 12, 2006
Ward: 1

Bill No. 178

CITY OF HAMILTON

BY-LAW NO. 20-

**To Amend Zoning By-law No. 6593 (Hamilton), as amended by
By-law No. 12-251, respecting lands located at
85 Poulette Street, Hamilton**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

WHEREAS the *City of Hamilton Act, 1999* provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

WHEREAS the Council of the City of Hamilton, in adopting Item 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April 2006, recommended that the Director of Development and Real Estate be authorized to give notice and prepare by-laws for presentation to Council, to remove the "H" Holding Provision from By-laws where the conditions have been met; and,

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule “A” appended to and forming part of Zoning By-law No. 6593 (Hamilton) as amended by By-law No. 12-251, is hereby amended by changing the zoning from “RT-30 – ‘H’/S-1660” (Street Townhouse - Holding) District, Modified to the “RT-30/S-1660” (Street Townhouse), District, Modified (Block 1) and “E-2 – ‘H’/S-1660” (Multiple Dwellings – Holding) District, Modified to the “E-2/S-1660” (Multiple Dwellings) District, Modified (Block 2) 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 “RT-30/S-1660” (Street Townhouse) District, Modified (Block 1) and “E-2/S-1660” (Multiple Dwellings) (Block 2) provisions.
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 and ENACTED this 21st day of August, 2020.

F. Eisenberger
Mayor

A. Holland
Clerk

ZAH-19-047





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. 6593

Subject Property
 85 Poulette Street, Hamilton, (Ward 1)

-  Block 1: Change in Zoning from "RT-30 – 'H'/S-1660" (Street Townhouse – Holding) District, Modified to the "RT-30/S-1660" (Street Townhouse) District, Modified
-  Block 2: Change in Zoning from "E-2 – 'H'/S-1660" (Multiple Dwelling – Holding) District, Modified to the "E-2/S-1660" (Multiple Dwelling) District, Modified

Scale: N.T.S	File Name/Number: ZAH-19-047	 Hamilton
Date: August 11, 2020	Planner/Technician: DB/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 1, Planning Committee
Report 20-008 (PED20131)
CM: August 21, 2020
Ward: 6

Bill No. 179

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend Zoning By-law No. 6593, Respecting Lands Located at 1406 Upper Gage Avenue, Hamilton

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the *City of Hamilton Act, 1999* provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951 (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item 1 of Report 20-008 of the Planning Committee, at its meeting held on the 21st day of August 2020, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No. E38c of the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended by changing the zoning from “L-mr-1/S-401” (Planned Development) District, Modified, to the “C/S-1802 - H” (Urban Protected Residential etc.) District, Modified, Holding on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. That the ‘H’ symbol applicable to the lands referred to in Section 1 of this By-law, shall be removed conditional upon:

**To Amend Zoning By-law No. 6593,
Respecting Lands Located at 1406 Upper Gage Avenue, Hamilton**

- i) Submission and approval of a Stage 3 and, if required a Stage 4 archaeological assessment, to the satisfaction of the Director of Planning and Chief Planner and the Ministry of Heritage, Sport, Tourism and Culture Industries.
3. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C/S-1802 - H" (Urban Protected Residential etc.) District, Modified, Holding.
4. That Sheet No. E38c of the District Maps is amended by marking the lands referred to in Section 2 of the By-law as "C/S-1802 - H" (Urban Protected Residential etc.) District, Modified, Holding.
5. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

PASSED this 21st day of August, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAR-20-005

To Amend Zoning By-law No. 6593,
 Respecting Lands Located at 1406 Upper Gage Avenue, Hamilton



<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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<p>Schedule "A"</p> <p>Map forming Part of</p> <p>By-law No. 20-_____</p> <p>to Amend By-law No. 6593</p>	<p>Subject Property</p> <p>1406 Upper Gage Avenue, Hamilton</p> <p> Change in zoning from "L-mr-1/S-401" (Planned Development) District, Modified to the "C/S-1802-H" (Urban Protected Residential etc.) District, Modified Holding</p>
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<p>Scale: N.T.S</p>	<p>File Name/Number: ZAR-20-005</p>	
<p>Date: July 13, 2020</p>	<p>Planner/Technician: MF/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

Authority: Item 4, Planning Committee
Report 20-008 (PED20137)
CM: August 21, 2020
Ward: City Wide

Bill No. 180

CITY OF HAMILTON

BY-LAW NO. 20-

**A By-law to Amend By-law 07-170 being a By-law to License and Regulate
Various Businesses**

WHEREAS section 151 (1) of the *Municipal Act, 2001*, S.O. 2001, c.25 (“*Municipal Act, 2001*”) authorizes a municipality to impose conditions as a requirement of obtaining, continuing to hold or renewing a licence:

AND WHEREAS section 151 (2) of the *Municipal Act, 2001* authorizes a municipality, for the time and on the conditions as it considers appropriate, without a hearing, to suspend a licence if it is satisfied that the continuation of the business poses an immediate danger to the health or safety of any person or to any property;

AND WHEREAS Council deems it to be an immediate danger to the health and safety of any person or to any property when a business contravenes any law, including any municipal by-law or in any situation itemized in this By-law;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The amendments in this By-law include any necessary grammatical, numbering and letter changes.
2. That By-law 07-170 be amended by repealing the definition of “Director of Licensing” and replacing it with the following definition in the General Provisions:

“**Director**” or “**Director of Licensing**” means the Director of Licensing and By-law Services for the City, or their designate;

3. That By-law 07-170 be amended by adding the following definition in the General Provisions:

“**Hearing Officer**” means a person from time to time appointed by Council pursuant to the City’s Administrative Penalty By-law;

4. That By-law 07-170 be amended to add a new section 12a immediately after subsection 12 (2) (b) to read:

License on Terms and Conditions

12a (1) Notwithstanding any other provision of this By-law, the Director may impose terms and conditions as they believe reasonable in the

circumstances on any licence at issuance, at renewal, or at any time during the licence period, which may include, but are not limited to conditions stipulating: the hours of operation; the maximum number of persons permitted to attend at the premises; the conduct of outdoor patio operations other than those set out in this By-law; payment of outstanding fines; or that the licensee shall have employees in attendance at the premises during hours of operation to ensure compliance with this By-law and the conditions on the licence.

(2) It shall be a condition of every licence that the licensee shall comply with all provisions of this By-law, other by-laws and all provincial and federal legislation, as applicable.

(3) The licensee shall:

- (a) ensure compliance with this By-law by every other person involved in carrying out the business;
- (b) at all times maintain and keep clean, safe, in good condition and repair the place or premises for which a licence has been issued under this By-law;
- (c) not cause, tolerate or permit shouting, noise or disturbance on, in or in connection with the place or premises for which a licence was issued, which is unnecessary, unreasonable or contrary to any by-law prohibiting the same, and if such shouting, noise or other disturbance occurs, the licensee shall at once take immediate steps to cause the shouting, noise or other disturbance to be abated;
- (d) not cause, tolerate or permit any profane, offensive or abusive language in connection with any place or premises for which the licence was issued;
- (e) not cause, tolerate or permit any obstruction on any highway, sidewalk, lane or public place in front of or adjoining the place or premises for which the licence was issued, unless approved by the Director; and
- (f) not cause, tolerate or permit any expansion(s) or addition(s) in connection with the place or premises for which a licence was issued without first obtaining the approval of the Director.

(4) Before the Director imposes any further conditions on a licence, the applicant or licensee shall be advised orally which additional conditions the Director proposes to add to the licence and they shall be given an opportunity to respond orally. The Director may then immediately impose additional conditions on the licence subsequent to which the Director shall provide written notice to the applicant or the licensee advising:

- (a) the grounds for the conditions;
- (b) reasonable particulars of the conditions; and
- (c) that the applicant or licensee is entitled to a hearing before a Hearing Officer.

(5) Where an applicant or licensee is dissatisfied with any condition imposed by the Director, the applicant or licensee may request a review by the Hearing Officer in accordance with this section 12a and in accordance with the procedures and fees outlined in the City of Hamilton's Administrative Penalties By-law, with necessary modifications.

- (a) A person may appeal the Director's conditions by submitting a written request to the Director no later than fifteen (15) days after the date on which the Director's decision is given to them. A person may not request that a Hearing Officer extend the time to appeal after the fifteen (15) days, at which time the Director's decision is final and not subject to review.
- (b) The person shall be given no fewer than fifteen (15) days' notice of the date, time and place of the hearing of the review request under this subsection.
- (c) The Hearing Officer shall not make a determination with respect to a review request under this By-law unless the Hearing Officer has given each of the applicant or licensee and the Director an opportunity to be heard.
- (d) The Hearing Officer shall give the written decision to the applicant or licensee at the conclusion of the hearing and may remove the conditions, affirm the Director's conditions or impose different conditions that the Hearing Officer sees fit as a condition of obtaining, continuing to hold or renewing the licence.
- (e) If the applicant or licensee is dissatisfied with the final decision of the Hearing Officer, the licence shall be deemed revoked or failed to be issued pursuant to section 13 and the applicant or licensee shall be entitled to a hearing before the Licensing Tribunal, pursuant to section 14.
- (f) A request by an applicant or licensee for a hearing shall be made in writing, accompanied by the applicable fee and delivered to the Secretary within 30 days of the date contained in the written decision of the Hearing Officer. The applicant or licensee shall also include the grounds for their request.

5. That By-law 07-170 be amended to add a new section 18a immediately after subsection 18 (2) (b) to read:

Temporary Suspensions without a Hearing

- 18a (1) Notwithstanding the above, a licence issued under the authority of this By-law may be temporarily suspended upon such grounds and in accordance with such procedural provisions as are set out in this section 18a.
- (2) Temporary suspensions of a licence may be for a maximum period of fourteen (14) days. If the violation has been corrected to the satisfaction of the Director prior to the expiry of the suspension, the licence may be reinstated.
- (3) Temporary suspensions may be initiated by the Director in any situation that has resulted, or may reasonably be expected to result, in a danger to health or safety of persons or property, and without limiting the generality of the foregoing, these situations may include:
- (a) where the licensee (which includes, for the purposes of this By-law, any of its owners, operators, officers, directors, employees, sub-contractors, agents or representatives) has breached any law including any City by-law;
 - (b) where the licensee has done anything that is in any way adverse to the public interest;
 - (c) where a motor vehicle is deemed to be mechanically unsafe, including but not limited to body damage with sharp edges, holes in the floor boards, unserviceable tires, doors not closing properly, wire protruding from the seat or any other mechanical defect that would render the motor vehicle unsafe;
 - (d) where an inspection has been performed on a motor vehicle for transfer of a licence and the licensee fails to effect the transfer, the licence shall be suspended should the operator carry on business with the replacement vehicle;
 - (e) where a leasing agreement has expired and the lessee has failed to renew it, the licence may be suspended if the licensee continues to work while the licensing agreement is expired, and the licensee does not have the authority to remain on the premises;
 - (f) where a licensee's liability insurance has expired and he or she continues to carry on business for which the licence was issued, the licence shall be suspended; or
 - (g) any other situation or circumstance that constitutes, in the discretion of the Director, a danger to health or safety.

- (4) Prior to suspending a licence, the Director shall provide the licensee with the reasons for the suspension either orally or in writing and an opportunity to respond to them.
- (5) The Licensing Tribunal will be advised on a quarterly basis of all suspension actions initiated summarily.
- (6) The suspension of a licence pursuant to this section is lifted after the expiration of two (2) weeks from the date of suspension or at the discretion of the Director any time prior to the expiration.
- (7) Where a licence has been suspended or revoked, no person shall refuse to deliver the licence to the Director or shall in any way prevent or hinder the Director from receiving or taking the licence.
- (8) No licensee shall operate or carry on the business for which the licence was issued while the licence is under suspension.

6. That in all other respects, By-law 07-170 is confirmed.

7. That the provisions of this By-law shall become effective on August 20, 2020.

PASSED this 21st day of August , 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 3, Planning Committee,
Report: 20-008 (PED20135)
CM: August 21, 2020
Ward: City Wide

Bill No. 181

CITY OF HAMILTON

BY-LAW No. 20-

To Amend By-law 05-200

Respecting Temporary Use By-law for Outdoor Commercial Patios

AND WHEREAS, the City of Hamilton's new comprehensive Zoning By-law, being By-law 05-200, came into force on May 25, 2005;

AND WHEREAS the Council of the City of Hamilton passed a motion, at its meeting held on the July 7, 2020, directing staff to prepare a Temporary Use By-law, effective to December 31, 2020, for amendments to the Zoning By-law 05-200 to allow temporary outdoor commercial patios in side and/or rear yards abutting a residential zone, D5 Zone or D6 Zone on certain commercial lands within the City;

AND WHEREAS the Council of the City of Hamilton, at its meeting held on the August 21, 2020, directing staff to permit entertainment on outdoor commercial patios for certain areas zoned Downtown Central Business District (D1) Zone, Downtown Prime Retail Streets (D2) Zone, Downtown Mixed Use (D3) Zone, Community Park (P2) Zone and the City wide (P3) Zone, within the Downtown Secondary Plan Area and incorporate this permission into a Temporary Use By-law to Zoning By-law No. 05-200, effective to December 31, 2020;

AND WHEREAS this By-law conforms with the Urban Hamilton Official Plan.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule "A" – Zoning Maps of Zoning By-law 05-200 is amended by adding the Temporary Use symbol to Maps 414-415, 444-447, 481-482, 516-517, 549-550, 580-582, 612, 680, 753, 793, 834, 859-862, 867-879, 871, 901-904, 906-913, 942-943, 946-958, 988, 990, 992-999, 1000-1001, 1038-1048, 1050-1051, 1079, 1083-1087, 1089-1092, 1097, 1100, 1124, 1126-1146, 1149-1150, 1174-1179, 1182-1188, 1190-1196, 1198-1999, 1200, 1205, 1228-1229, 1234-1242, 1245-1254, 1258-1260, 1280-1281, 1284-1285, 1287, 1289-1295, 1298-1299, 1301-1302, 1305-1306, 1311-1312,

**To Amend By-law 05-200
Respecting Temporary Use By-law for Outdoor Commercial Patios**

1339-1340, 1342-1348, 1352, 1383-1384, 1386, 1388-1389, 1394-1395, 1397-1399, 1403, 1405, 1433-1436, 1443, 1445, 1447-1448, 1450, 1452-1454, 1456-1457, 1482-1483, 1494, 1497-1503, 1505-1506, 1546-1549, 1552, 1591, 1593-1597, 1635-1636, 1639-1641, 1710-1711, 1747-1749, 1785-1786, 1819, 1887, 1911-1912, 1934-1935, and 1956.

2. That Schedule “E” – Temporary Use of By-law 05-200 is amended by adding the following new Subsection:

“6. Within the lands zoned Downtown Central Business District (D1) Zone, Downtown Prime Retail Streets (D2) Zone, Downtown Mixed Use (D3) Zone, Community Commercial (C2) Zone, Community Commercial (C3) Zone, Mixed Use High Density (C4) Zone, Mixed Use Medium Density (C5) Zone, Mixed Use Medium Density - Pedestrian Focus (C5a) Zone, District Commercial (C6) Zone, Arterial Commercial (C7) Zone, Mixed Use (TOC1) Zone, Local Commercial (TOC2) Zone, Mixed Use High Density (TOC4) Zone, the following provisions shall apply for the period running to December 31, 2020:

- a) Section 4.20 (c) shall not apply.
- b) In addition to the provisions of Section 4.20, an outdoor commercial patio shall:
 - i) be setback a minimum of 5.0 metres from any residential zone; and,
 - ii) not obstruct a driveway, parking aisle or fire route.”

3. That Schedule “A” – Zoning Maps of Zoning By-law 05-200 is amended by adding the Temporary Use symbol to Maps 698, 909-911, 951-954 and 994-995, as shown on Schedule “A”.

4. That Schedule “E” – Temporary Use of By-law 05-200 is amended by adding the following new Subsection:

“7. Within the lands zoned Downtown Central Business District (D1) Zone, Downtown Prime Retail Streets (D2) Zone, and the Downtown Mixed Use (D3) Zone, the following provisions shall apply for the period running to December 31, 2020:

- a) Section 4.20 (d) shall not apply.

**To Amend By-law 05-200
Respecting Temporary Use By-law for Outdoor Commercial Patios**

5. That this By-law comes into force in accordance with Sections 34 and 39 of the *Planning Act*.

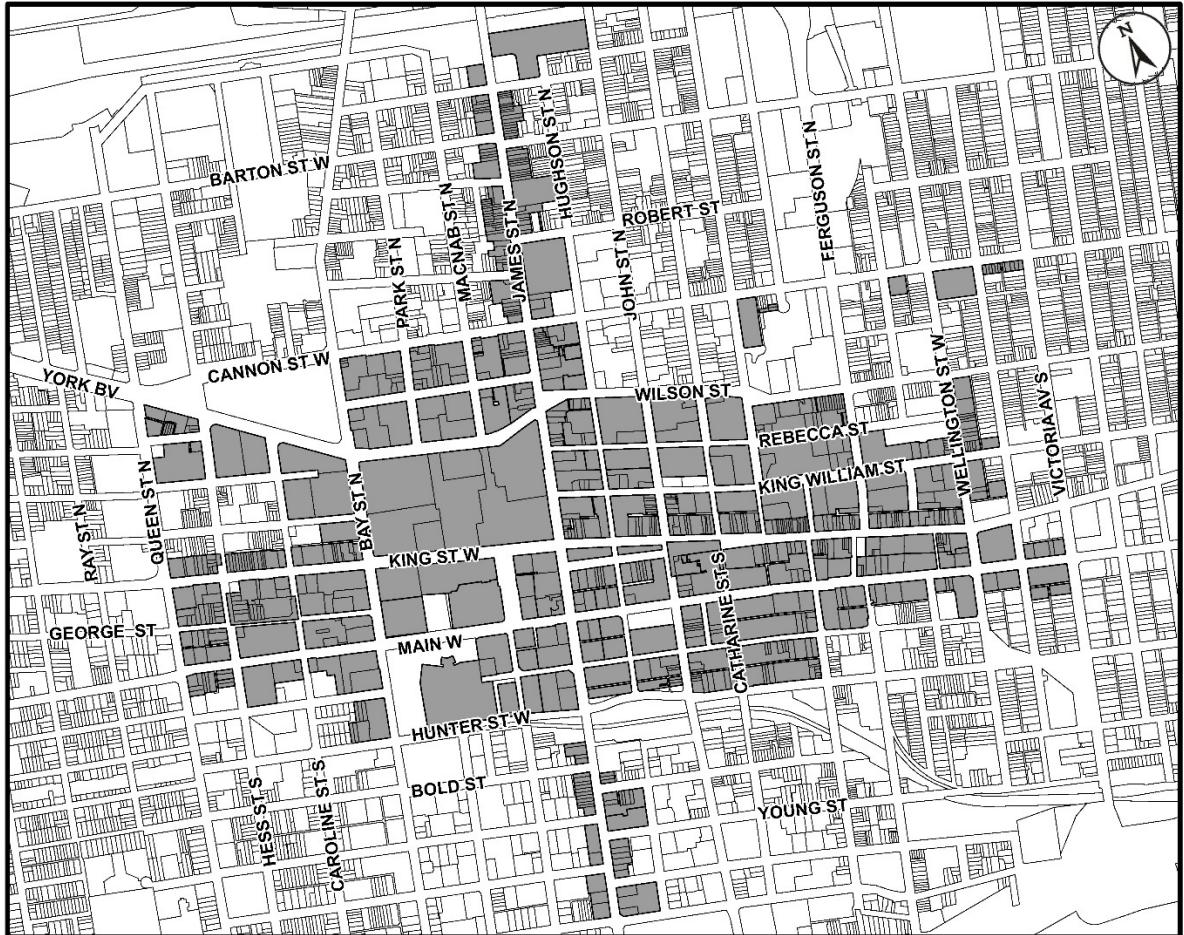
PASSED and ENACTED this 21st day of August, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

CI 20-F

To Amend By-law 05-200
 Respecting Temporary Use By-law for Outdoor Commercial Patios



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. 05-200
 Map 698, 909, 910, 911, 951, 952,
 953, 954, 994 and 995

Subject Property

 To add Temporary Use No. 7 (T7) to the Subject Lands

Scale:
 N.T.S

File Name/Number:
 CI-F-20

Date:
 August 19, 2020

Planner/Technician:
 JHE/NB



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Authority: Item 2, Planning Committee
Report: 20-008 (PED20132)
CM: August 21, 2020
Ward: 12

Bill No. 182

CITY OF HAMILTON

BY-LAW NO. 20-

To Adopt:

**Official Plan Amendment No. 136 to the
Urban Hamilton Official Plan**

Respecting:

**527 Shaver Road and 629 Garner Road West
(Ancaster)**

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 136 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 21st day of August, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Urban Hamilton Official Plan Amendment No. 136

The following text, together with Appendix “A” – Volume 2, Map B.2.2-1 – Shaver Neighbourhood Secondary Plan – Land Use Plan, attached hereto, constitutes Official Plan Amendment No. 136 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to amend the Shaver Neighbourhood Secondary Plan by redesignating the subject lands to permit additional forms of housing and by establishing a Site Specific Policy to increase the maximum density to 63 units per gross/net residential hectare.

2.0 Location:

The lands affected by this Amendment are known municipally as 527 Shaver Road and 629 Garner Road West, in the former Town of Ancaster.

3.0 Basis:

The basis for permitting this Amendment is:

- The proposed development is in keeping with the policies of the Urban Hamilton Official Plan and the Shaver Neighbourhood Secondary Plan, as it contributes to compact urban form, the provision of variety of housing forms, and the efficient use of land.
- The proposed development is compatible with existing and approved development in the immediate area.
- The Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019.

4.0 **Actual Changes:**

4.1 **Volume 2 – Secondary Plans**

Text

4.1.1 Chapter B.2.0 – Ancaster Secondary Plans – Section B.2.2 – Shaver Neighbourhood Secondary Plan

- a. That Volume 2, Chapter B.2.0 – Ancaster Secondary Plans, Section B.2.2 – Shaver Neighbourhood Secondary Plan be amended by adding a new Site-Specific Policy, as follows:

“Site Specific Policy – Area D

- B.2.2.5.4 Notwithstanding Policy B.2.2.1.4 c) ii) of Volume 2, for the lands located at 527 Shaver Road and 629 Garner Road West, designated Medium Density Residential 2c and identified as Site Specific Policy – Area D on Map B.2.2-1 – Shaver Neighbourhood Secondary Plan – Land Use Plan, density shall be between 40 and 63 units per gross/net residential hectare.”

Maps

4.1.2 Map

- a. That Volume 2, Map B.2.2-1 – Shaver Neighbourhood Secondary Plan – Land Use Plan be amended by:
- i) redesignating lands from “Medium Density Residential 2a” to “Medium Density Residential 2c”; and,
 - ii) identifying the subject lands as Site Specific Policy – Area D,
- 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. 20-182 passed on the 21st day of August, 2020.


**The
City of Hamilton**

F. Eisenberger
Mayor

A. Holland
City Cler

Appendix A
 DRAFT Amendment No. 136
 to the Urban Hamilton Official Plan

 Lands to be redesignated from "Medium Density Residential 2a" to "Medium Density Residential 2c"

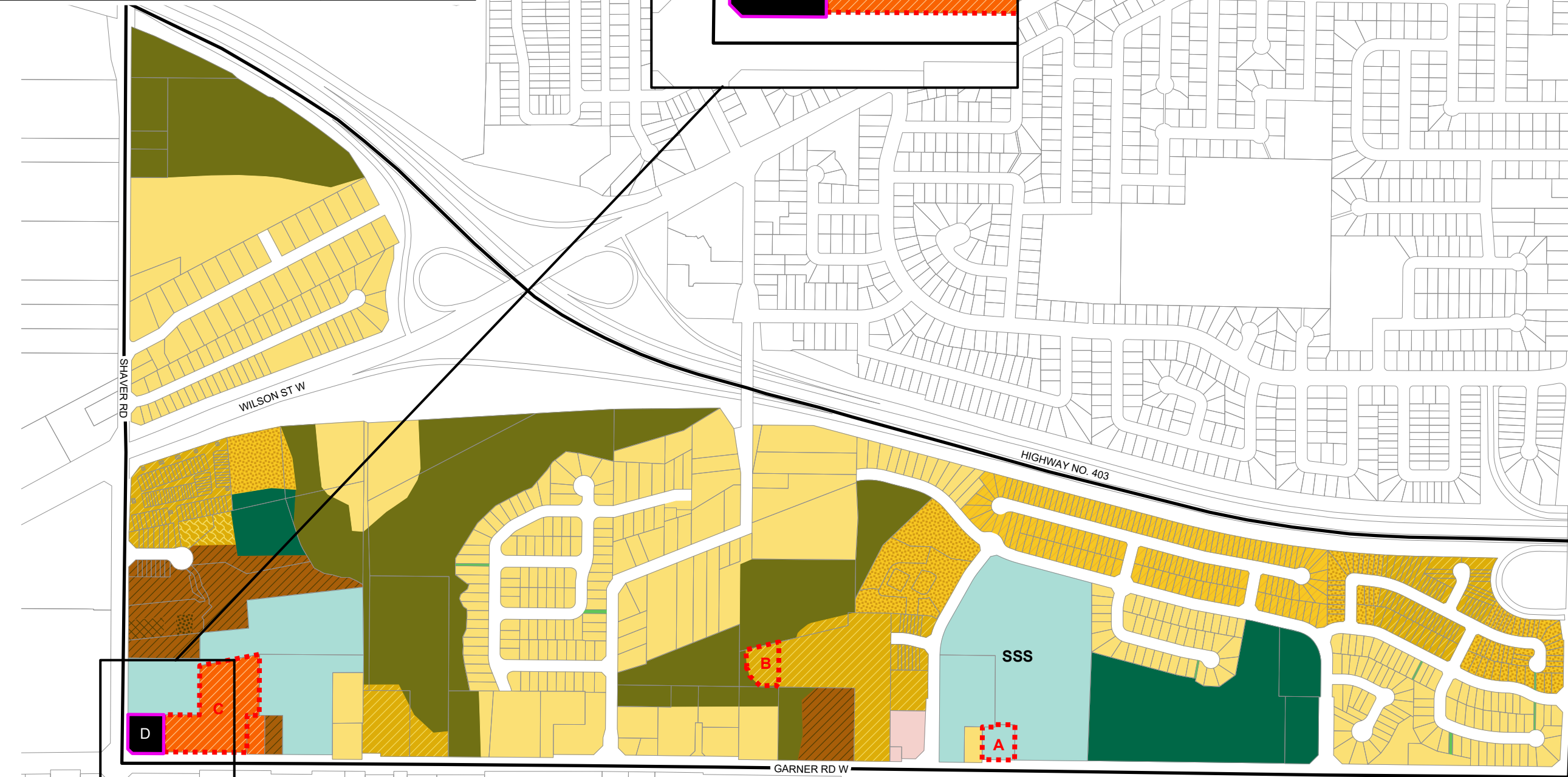
 Lands to be identified as Site Specific Policy - Area D

(527 Shaver Road and 626 Garner Road West, Ancaster)

















Date:
 August 19, 2020

Revised By:
 EB/NB

Reference File No.:
 OPA-U-136(A)



Legend

- Residential Designations**
-  Low Density Residential 1
 -  Low Density Residential 2a
 -  Low Density Residential 2c
 -  Low Density Residential 3a
 -  Low Density Residential 3f
 -  Medium Density Residential 2a
 -  Medium Density Residential 2b
 -  Medium Density Residential 2c
 -  High Density Residential 1
- Parks and Open Space Designations**
-  Neighbourhood Park
 -  General Open Space
 -  Natural Open Space
- Other Designations**
-  Local Commercial
 -  Institutional
 - SSS** Separate Secondary School
- Other Features**
-  Area or Site Specific Policy
 -  Secondary Plan Boundary

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan
Shaver Neighbourhood
Secondary Plan
 Land Use Plan
 Map B.2.2-1



Authority: Item 2, Planning Committee
Report 20-008 (PED20132)
CM: August 21, 2020
Ward: 12

Bill No. 183

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend Zoning By-law No. 87-57 Respecting Lands Located at 527 Shaver Road and 629 Garner Road West (Ancaster)

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the *City of Hamilton Act, 1999* provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June, 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 2 of Report 20-008 of the Planning Committee at its meeting held on the 21st day of August 2020, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided; and,

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan upon adoption of UHOPA No. 136;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map No. 1-B to Schedule “B”, appended to and forming part of By-law No. 87-57 (Ancaster) is amended by changing the zoning from the Agricultural “A-216” Zone Modified to a Holding Residential Multiple “RM4” (H-RM4-710) Zone Modified

on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. The Section 34: Exceptions, to Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following Sub-sections:

RM4 – 710

That notwithstanding the provisions of Sections 7.11, 7.14 (a)(x), (b), 17.2 (a), (b), (e), (f), (g), (h), (i), (j), (k), (n) and (p) the following special provisions shall apply to the lands zoned “H-RM4-710”:

PERMITTED USES

- (a) Block townhouse dwellings, back to back townhouse dwellings and uses, buildings and structures accessory thereto.

REGULATIONS

- | | | |
|-----|--------------------------|--|
| (a) | Minimum Lot Area | 0.382 ha |
| (b) | Maximum Density: | 63 dwelling units per hectare |
| (c) | Maximum Lot Coverage: | 32.76% |
| (d) | Minimum Front Yard: | 2.2 metres to Garner Road West |
| (e) | i. Minimum Side Yard: | 1.25 metres – Easterly
1.80 metres – Westerly |
| | ii. Minimum Rear Yard: | 6.0 metres |
| (f) | Maximum Building Height: | 11.5 metres |
| (g) | Minimum Landscaping: | 29 % |
| (h) | Planting Strip: | 1.8 metres width along each lot line |
| (i) | Minimum Privacy Area: | i. 20 square metres
ii. That the minimum depth for at grade privacy areas shall be 6m |
| (j) | Children’s Play Area: | None shall be required |
| (k) | Building Separation: | Any townhouse dwelling shall be no closer to another townhouse dwelling on |

the same lot in accordance with the following distance requirements:

	Façade	Rear Wall	End Wall
Façade	19.70 m	19.5m	16.0 m
Rear Wall	19.5 m	15.0m	10.5m
End Wall	16.0m	7.0 m	2.4 m

- (l) Yard Encroachments: That a balcony shall be permitted to encroach 1.55m into any yard but shall not be closer than 4.45m from any lot line.
- (m) Parking: No parking space shall be located closer to the street line than 3.3m

That parking spaces shall be provided at a rate of 2 per unit plus 0.25 visitor per unit.

4. In addition to the above noted modifications, notwithstanding any other provisions in this by-law, the following setback will also be required:

- (a) Minimum Setback from a Daylighting Triangle: 4.3m

5. That the amending By-law apply the Holding Provision of section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding symbol 'H' as a suffix to the proposed zoning.

The Holding Provision Residential Multiple (Holding) "H-RM4-710" Zone, Modified, shall be removed conditional upon:

- a) Payment of the outstanding servicing cost for the existing sanitary sewer on Garner Road adjacent to the site is received to the satisfaction of the Manager of Development Engineering.
- b) That the applicant complete an Archaeological Assessment to the satisfaction of the Ministry of Heritage, Sport, Tourism and Culture.

6. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential Multiple "RM4" Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.

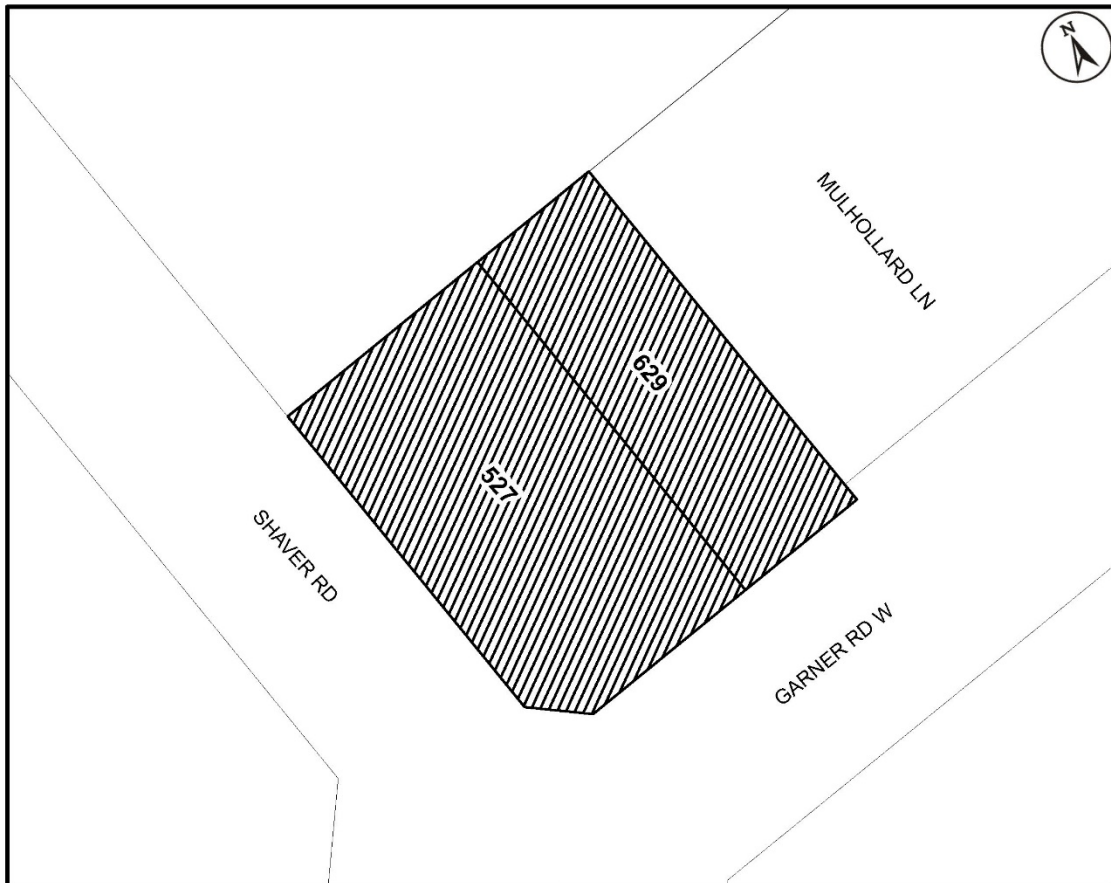
7. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

PASSED this 21st day of August, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

UHOPA-19-14
ZAC-19-010



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. 87-57

Subject Property

527 Shaver Road & 629 Garner Road West



Change in zoning from the Agricultural "A-216" Zone
 to the Holding Residential Multiple "H-RM4-710"
 Zone, Modified

Scale:
 N.T.S

File Name/Number:
 ZAC-19-010

Date:
 February 27, 2020

Planner/Technician:
 EB/VS



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT